ORDER RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE

N/S Glen Falls Road, 4800' W of the c/l

Woodens Lane

(5930 Glen Falls Road)

4th Election District 2nd Council District

Michael L. Snyder, et ux Petitioners * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 04-578-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Michael L. Snyder, and his wife, Kathy L. Snyder. The Petitioners request a variance, pursuant to Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), from Section 26-266(4) of the Baltimore County Code to permit a panhandle driveway length in excess of the maximum allowed 1000 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Michael and Kathy Snyder, property owners, Geoffrey C. Schultz, the Professional Land Surveyor who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the relief requested relates to a parcel of land located on the north side of Glen Falls Road, near Hanover Pike (Maryland Route 30) in northwestern Baltimore County. The property is an irregular shaped parcel that contains a gross area of 52.13 acres, more or less, zoned R.C.4 and is improved with a single-family dwelling, known as 5930 Glen Falls Road. There are also several outbuildings, including a barn and accessory sheds. The parcel has limited frontage on Glen Falls Road; however, is connected to that road by a long, in-fee strip, approximately 1959 feet in length, and 41.37 feet wide. Presently, that

PADER RECEIVED FILING

strip is improved with a stone driveway, which serves to provide vehicular access from Glen Falls Road to the interior of the property.

The Petitioners propose a subdivision of the property so as to create two additional lots, which may ultimately be developed with homes occupied by the Petitioners' children. Proposed Lot 1, identified as the Conservancy Lot, will contain all existing structures and retain 49.28 acres. Lot 2 will contain 1.48 acres, and Lot 3, 1.37 acres. In view of the proposed subdivision, relief is necessary to legitimize the existing means of access to the property. Apparently, the stone driveway has provided access to the property in the current fashion since 1947. The site plan also shows that the strip will ultimately be improved with a durable and permanent surface to a width of 12 feet. Also, it is proposed that there will be several "bump-outs" or turn-off areas for passing motorists and emergency vehicle access.

Section 26-206 of the Baltimore County Code regulates panhandle driveways. This Section has recently been re-codified to Section 32-4-409. That Section requires that in any R.C. zone, a panhandle driveway may not exceed 1,000 feet in length.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. It is clear that the proposed subdivision will not overburden the panhandle, notwithstanding its significant length, and there will be no detrimental impacts to the health, safety or general welfare of the surrounding locale. In my judgment, the panhandle strip is the only practical and possible way to access the parcel and with the improvements proposed, is appropriate.

As noted above, no one appeared in opposition to the request and there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and Baltimore County is reviewing the proposed subdivision under the Minor Subdivision process. In this regard, a comment from the Fire Department requires that two enlarged areas be provided on the driveway for passing of emergency vehicles. Each area shall be 16' x 75' in dimension. Also, the Office of Planning requested that certain language be added to the plan providing that the driveway be paved within one year of the issuance of the first occupancy permit and prior to the issuance of the occupancy permit for the last lot to be served, whichever comes first. Such

restrictions appear appropriate. The other comments from the Office of Planning relate more to the Minor Subdivision process.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 2004 that the Petition for Variance, seeking relief pursuant to Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), from Section 26-266(4) of the Baltimore County Code to permit a panhandle driveway length in excess of the maximum allowed 1000 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Two enlarged areas, each 16' x 75' in dimension, shall be provided on the driveway to allow the passage of emergency vehicles.
- 3) The panhandle driveway shall be paved within one year of the issuance of the first occupancy permit and prior to the issuance of the occupancy permit for the last lot to be served, whichever comes first.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

OF FILMG

MEDER RECEIVE

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

September 2, 2004

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

RE: PETITION FOR VARIANCE
N/S Glen Falls Road, 4800' W of the c/l Woodens Lane
(5930 Glen Falls Road)
4th Election District — 2nd Council District
Michael L. Snyder, et ux - Petitioners
Case No. 04-578-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, 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. & Mrs. Michael L. Snyder
6104 Deer Park Road, Reisterstown, Md. 21136
Mr. Geoffrey Schultz, McKee & Assoc., Inc.
5 Shawan Road, Hunt Valley, Md. 21030
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 located at <u>5930 Glen Falls Road</u>
which is presently zoned <u>RC-4</u>

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) 307.1 to permit application of Section 26-266.(4) of the Baltimore County Code to permit a parhandle driveway in excess of 1.000 feet in

500.26-266.(4) of the Baltimore County Code to permit a panhandle driveway in excess of 1,000 feet in accordance with the enclosed site plan.

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

The existing in-fee strips serving the property are 1,959 feet long, which prohibits creation of the panhandle driveway without the requested relief.

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.

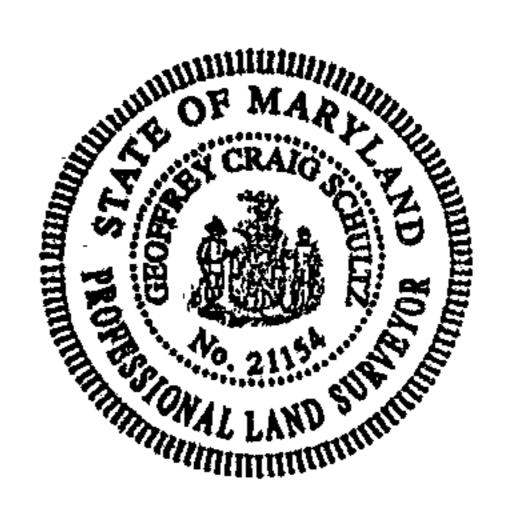
Contract Purchaser/Lessee:

Legal Owner(s):

Name - Type or Print				el L. Snyder		
Name • Type or Print			ame - Type of Print	Mah		
Signature			Signature			
Address	······································	Telephone No.		pe or Print	. <u></u>	·· ·
City	State	Zip Code	Signature	the Lander	······································	
Attorney For Petiti	oner:		6104	Deer Park Road	(410) 3	37-0200
			Address Reist	erstown, MD 21136		Telephone No
Name - Type or Print	······································	c	ity	Stat		Zip Code
Cimatura				entative to be C		
Signature			Geoff McKee	rey C. Schultz and Associates,	Inc.	
Company	1.5 - 1.	····································	Name	wan Road, Suite 1		(410) 527 - 15
ddress		Telephone No.	Address	Well I west of Collect I	• 	Telephone No.
City	State	Zip Code	City	1	State	Zip Code
				OFFICE USE	ONLY	
se No. 04	-570-A		ESTIMAT	ED LENGTH OF HEARIN	IG	
		<u> </u>	UNAVAIL	ABLE FOR HEARING		**************************************
- 1		Reviewed By	3.41	Date	100	ب
RE / 9/15/98						

June 10, 2004

ZONING DESCRIPTION
5930 GLEN FALLS ROAD
4TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



BEGINNING at a point in the bed of Glen Falls Road (Future 60 foot wide right-of-way) said point being 4800 feet +/- west of the centerline of Woodens Lane, thence running

- 1) South 83 degrees 04 minutes 17 seconds West, 41.37 feet,
- 2) North 29 degrees 42 minutes 04 seconds West, 1928.53 feet,
- 3) South 39 degrees 29 minutes 49 seconds West, 1208.34 feet,
- 4) North 27 degrees 22 minutes 21 seconds West, 149.31 feet,
- 5) North 34 degrees 54 minutes 35 seconds West, 182.59 feet,
- 6) North 12 degrees 16 minutes 37 seconds East, 1472.41 feet,
- 7) North 64 degrees 47 minutes 56 seconds East, 177.39 feet,
- 8) North 82 degrees 12 minutes 04 seconds West, 141.20 feet,
- 9) North 12 degrees 16 minutes 37 seconds East, 205.41 feet,
- 10) North 47 degrees 47 minutes 56 seconds East, 87.42 feet,
- 11) North 01 degrees 47 minutes 56 seconds East, 198.00 feet,
- 12) North 48 degrees 59 minutes 03 seconds East, 683.56 feet,
- 13) South 36 degrees 16 minutes 44 seconds East, 1167.15 feet,
- 14) South 34 degrees 30 minutes 37 seconds East, 504.40 feet,
- 15) North 82 degrees 48 minutes 04 seconds West, 477.83 feet,
- 16) South 47 degrees 47 minutes 56 seconds West, 634.50 feet,
- 17) South 39 degrees 29 minutes 49 seconds West, 45.23 feet,
- 18) South 29 degrees 42 minutes 04 seconds East, 1959.04 feet to the point of beginning.

CONTAINING 52.13 acres of land, more or less, as described in deeds 1510/428, 5141/68 and 5520/927.

04.578-0

ATTENDED TO THE AMOUNT BALTIMORE COUNTY, MAR OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEPT WHITE CASHER RECEIVED OATE 5

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:

Maryland on the property identified herein as follows:

Case: #04-578-Å
5930 Glen Falls Road
N/side of Glen Falls Road,
4,800 feet west of centerline of Woodeast Lane
4th Election District
2nd Councilmanic District
Legal Owner(s): Michael L. and Kathy L. Snyden
Variance: to permit a panhandle driveway in excess of 1,000 feet in accordance with the enclosed site plan.
Hearing: Wednesday, August 18, 2004 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENGE 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 8/615 Aug 3 15482

JT 8/615 Aug/3 15482

CERTIFICATE OF PUBLICATION

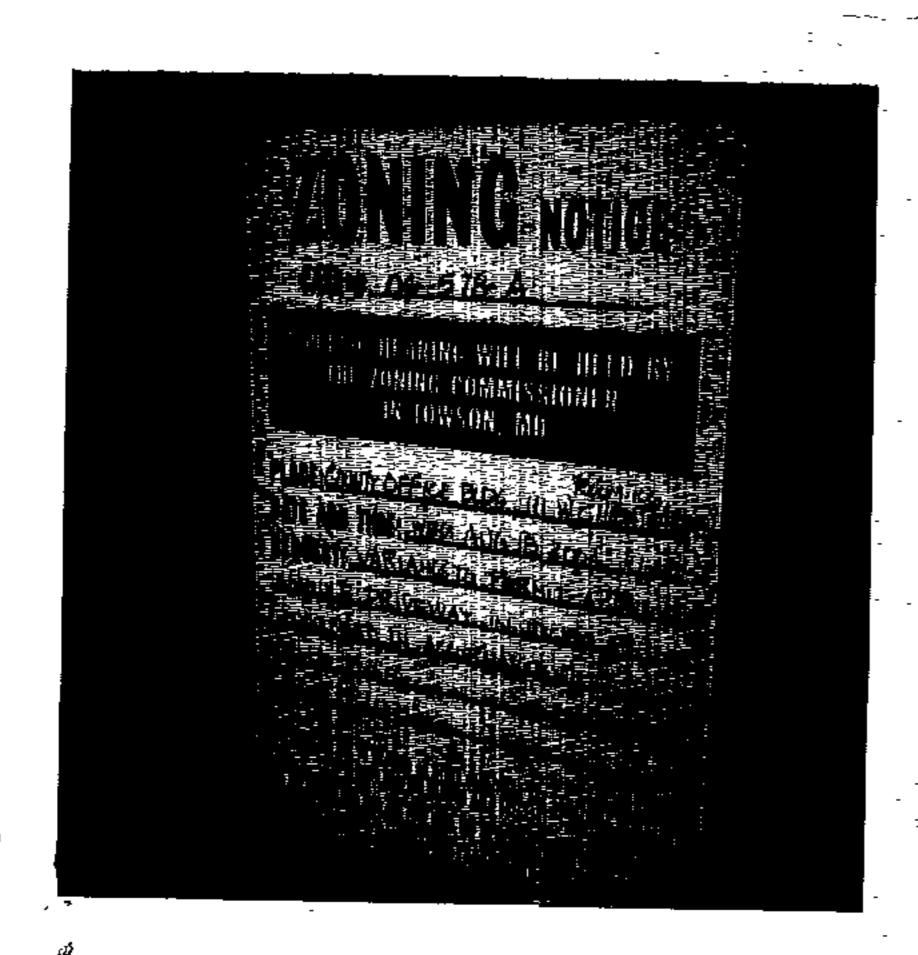
85,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
$\frac{83}{3}$, $\frac{200+}{}$.
The Jeffersonian
Arbutus Times
Catonsville Times
Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
P William Son

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 8/02/2004

RE:	Case Number: 04-578-A
	Petitioner/Developer: Michael L. and Kathy L. Snyder
	Date of Hearing/Closing: Wednesday, August 18, 2004
by la	This is to certify under the penalties of perjury that the necessary sign(s) required www. were posted conspicuously on the property located at
	5930 Glen Falls Road
	The sign(s) were posted on 8/02/2004 (Month, Day, Year)



(Signature of Sign Poster)

J. Lawrence Pilson (Printed Name of Sign Poster)

5 Shawan Road, Suite 1 (Street Address of Sign Poster)

Cockeysville, MD 21030 (City, State, Zip Code of Sign Poster)

(410)-527-1555 (Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 3, 2004 Issue - Jeffersonian

Please forward billing to:

Michael Snyder

6104 Deer Park Road

Reisterstown, MD 21136

410-337-0200

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: 04-578-A

5930 Glen Falls Road N/side of Glen Falls Road, 4,800 feet west of centerline of Woodeast Lane 4th Election District – 2nd Councilmanic District Legal Owners: Michael L. and Kathy L. Snyder

<u>Variance</u> to permit a panhandle driveway in excess of 1,000 feet in accordance with the enclosed site plan.

Hearing: Wednesday, August 18, 2004 at 11:00 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

June 21, 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: 04-578-A

5930 Glen Falls Road

N/side of Glen Falls Road, 4,800 feet west of centerline of Woodeast Lane

4th Election District – 2nd Councilmanic District

Legal Owners: Michael L. and Kathy L. Snyder

Variance to permit a panhandle driveway in excess of 1,000 feet in accordance with the enclosed site plan.

Hearing: Wednesday, August 18, 2004 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Michael & Kathy Snyder, 6104 Deer Park Road, Relsterstown 21136
Geoffrey Schultz, McKee & Assoc., 5 Shawan Rd., Ste. 1, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 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

DEPARTMENT OF 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: 94.5784	
Petitioner: MICHAEL L. SNYDER	
Address or Location: 5930 GLEN FALLS ROAD	
PLEASE FORWARD ADVERTISING BILL TO: Name: MICHAEL L. SHYDER	
Address: 6104 DEER PARK ROAD	
REISTERSTOWN, MD. 21136	
Telephone Number: (410) 337-0200	



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



Baltimore County

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

To:

Joe Chmura, Mail Stop-1105

July 22, 2004

From:

Lieutenant Jimmie D. Mezick

Baltimore County Fire Marshal's Office Mail Stop-1102F, Phone (410) 887-4880

Subject:

MSR Review Comments

Project Name: Snyder, Michael

PDM Number: 04113M

Location:

5930 GlenFalls Rd.

Comments:

Shall provide two enlarged areas on the driveway for passing of emergency vehicles. Area shall be 16'x75'.



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



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

June 29, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 21, 2004

Item No.:

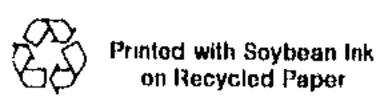
Dear Ms. Mathews:

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





Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6. 27.04

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

RE:

Baltimore County

Item No.

578

1 几人

Dear. Ms.Matthews:

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,

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

1. 1. Soul la

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

June 28, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 21, 2004

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

04-572

04-573

04-575

04-576

04-577

04-578

04-579

Reviewers:

Sue Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case(s) 4-578 and 5-009

DATE: September 9, 2004

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.

MAC/LL

DATE: August 11, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

§ Sent By: 0;

Joe Chmura

Department of Permits and Development Management

FROM:

Donnell Zeigler

Development Review Section

Office of Planning

PROJECT NAME: Snyder, Michael Property

PROJECT NO.: 04113 M

The Office of Planning has reviewed the above referenced project and offers the following comments:

- 1. This property is subject of a Comprehensive Zoning Map Process issue #3-107.
- 2. Indicate the location of mailbox and paved trash collection area(s).
- 3. Place the following note on the plan: "The panhandle shall be paved within one year of the issuance of the first occupancy permit and prior to the issuance of the occupancy permit of the last lot to be served, whichever comes first."
- 4. A use-in-common access easement shall be recorded with the plat.
- 5. If you are submitting a plan that is more than 20 acres in size and is being subdivided into 3 or fewer lots (less than the full density allowed), you are not required to grant a Conservation Area casement before receiving final plan approval. Your plan should therefore show and label the potential Conservancy Area; the County recognizes that its boundaries will change somewhat if and/or when the remaining lots are proposed. The plan must contain the following note: "When a plan with full density is proposed, a permanent easement on the Conservancy Area shall be recorded among the land records of Baltimore County prior to final approval of a plan. This casement shall run with the land and continue in perpetuity. The Conservancy Area easement will be granted to the County or such other agency or entity which the County approves and shall permanently restrict further subdivision of the Conservancy Area. The Conservancy Area agreement shall be in a form approved by the

County Attorney, who will consult with the Director of Environmental Protection and

Resource Management."

Donnell Zeigler

Mayhew

DZ:kma

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: July 23, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 28, 2004

Item Nos. 572, 573, 575, 576, 577,

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE

5930 Glen Falls Road; N/side Glen Falls Rd,

4,800' W c/line of Woodeast Lane

4th Election & 2nd Councilmanic Districts

Legal Owner(s):Michael L & Kathy L Snyder*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-578-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 1st day of July, 2004, a copy of the foregoing Entry of Appearance was mailed to, Geoffrey C. Schultz, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

RECEIVED

JUL 0 1 2004

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

INTER-OFFICE CORRESPONDENCE

					DATE: July 19	9, 2004	
То:	•	nent Review (3) - M		am	•		
	_	Review - Mr. Richar		-			
		lumbers & Street N	ames – Ms. ł	(emp			
	PDM - DPR (2)				_		
		ate -Mr. S. Houk					
		WM (2) - Mr. Seele	у				
	DEPRM - SWM						
	DEPRM - EIR -			-			
	Rec & Parks - (
	Fire Dept - Lt. SHA Mr. Gredlie						
		anagement - Mr. M	Askowski				
	Bell Atlantic - N		IGNOWSKI	•			
	,	,,,		-			
From:	Joe Chmura, m	s 1105					
Subject:	Project Name:	SNYDER, MICHAI	EL PROPER	ΓY			
7	Minor Sub No.:			• •			
	District:	4C3					
r	Engineer:	MCKEE & ASSOC	JATES, INC.	1	•		
	Phone No.:	410 527-1555	-				
Action:	Minor Subdivis	sion Review			•		
Diogga rajulas	ر مريد المراجع الأمرية المراجع	£4 4	1				
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- f. J.	7.20.09						
/ / Pleas	se initial here if you	r agency requests f	the Office of I	_aw, Real Estate	e, to acquire		
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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

INTER-OFFICE CORRESPONDENCE

					DATE: July 19, 2	2004	
Γo:		ment Review (3) - N		am	, , , , ,		
		Review - Mr. Richar					
	PDM - House (2)	Numbers & Street N	ames – Ms. I	Kemp			
	• •	tate -Mr. S. Houk			-		
		3WM (2) - Mr. Seele	ev.				
	DEPRM - SWA	•	•				
	DEPRM - EIR -	Ms. Farr					-
	Rec & Parks -						
	Fire Dept - Lt.			!			
}	SHA Mr. Gredli	en - (3) anagement - Mr./V	akowski				
·	Beil Atlantic -		GRUWSKI.				
		,					
From:	Joe Chmura, m	is 1105					
Subject:	Proiect Name:	SNYDER, MICHAI	EL PROPER	ΓΥ '			
•	Minor Sub No.:			. •			
	District:	4C3					
	Engineer: Phone No.:	MCKEE & ASSOC 410 527-1555	IATES, INC.				
	FRONG NO	410 027-1000					
Action:	Minor Subdivi	sion Review					
lease review	the attached plan	for compliance with	n current regi	ulations and retur	n comments to th	nis office by	
NG 11, 2004	4. If you have <u>no</u>	<u>comments</u> or do no	t need to revi	ew this plan, plea	ase indicate by pla	acing your initials	s here
Please	e initial here if you	ır agency requests t	he Office of I	.aw, Real Estate,	to acquire	•	
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Baltimore County Code

ARTICLE 32. PLANNING, ZONING, AND SUBDIVISION CONTROL / TITLE 4. DEVELOPMENT / SUBTITLE 4. GENERAL DESIGN STANDARDS AND REQUIREMENTS / § 32-4-409. PANHANDLE DRIVEWAYS.

§ 32-4-409. PANHANDLE DRIVEWAYS.

- (a) In general.
 - (1) The county may only allow a panhandle lot:
 - (i) To achieve better use of irregularly shaped parcels;
 - (ii) To avoid development in environmentally sensitive areas;
 - (iii) Where the lot will not be detrimental to adjacent properties; and
- (iv) Were the lot will not conflict with efforts to provide for public safety and general welfare.
- (2) The county may only allow a panhandle driveway where necessary to provide access to interior lots where a public road is neither feasible nor desirable.
 - (b) In-fee strip; required.
- (1) Except as provided in subsection (c) of this section, the county may permit a panhandle lot if the lot includes an in-fee strip of land for access to the local street.
 - (2) Panhandle fee strips shall be a minimum of:
 - (i) 20 feet in width to serve one lot;
 - (ii) 12 feet in width per lot where two lots are involved;
 - (iii) 10 feet in width per lot where three or more lots are involved; or
- (iv) 12 feet in width per lot where there are two or more lots in a development that is within the metropolitan area where public water and sewer services are available, planned, or considered.
- (c) Same; exception. In cases where a right-of-way has been established before the submission of the Development Plan, the Hearing Officer may approve access to the local street or collector street through the existing right-of-way instead of an in-fee strip.
 - (d) Panhandle driveways.
 - (1) A single panhandle driveway may serve up to five dwellings, three of American Legal Publishing Corp.

Baltimore County Code

which may be on internal lots not adjacent to the local street or collector street.

- (2) Panhandle driveways serving lots greater than 20,000 square feet may serve five internal lots plus two dwellings on the front lots adjacent to the panhandle driveway and the local street or collector street.
- (3) Front lots are not required to be part of the panhandle driveway development.
- (4) Notwithstanding the provisions of § 32-4-107 of this title, the requirements of this subsection may not be waived.
 - (e) Length of panhandle in DR and RC zones.
 - (1) In a DR zone, the panhandle length may not exceed 500 feet.
 - (2) In an RC zone, the panhandle length may not exceed 1,000 feet.
- (3) The maximum permitted length of a panhandle is subject to variance under § 307 of the Baltimore County Zoning Regulations.
 - (f) Panhandle driveways serving multiple lots.
- (1) For panhandle driveways serving more than one lot, the developer shall note on the record plat any covenants that provide for common use and maintenance of the panhandle driveway and culvert.
- (2) A use in common agreement is established if the panhandle driveway serves two or more abutting panhandle lots.
 - (g) Dwelling orientation on panhandle lot.
- (1) The orientation of the dwelling on each panhandle lot shall be indicated on the Development Plan.
- (2) The dwelling shall be oriented to establish a desirable relationship between:
 - (i) Each of the proposed dwellings and existing adjacent homes; and
 - (ii) The proposed dwellings themselves.
- (h) Panhandle driveway and street intersection; requirements. At the intersection of the panhandle driveway and the street, the following shall be provided by the developer:
 - (1) A paved trash collection area that:
 - (i) Is located at the right-side intersection of the panhandle driveway

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and public road, as the driveway is exited; and

- (ii) Is at least 16 square feet per dwelling unit served by the panhandle driveway;
- (2) A mail delivery area that is located at the left intersection of the panhandle driveway and public road, as the driveway is exited; and
- (3) Numerical identification of each dwelling served by the panhandle driveway in accordance with § 35-2-206 of the Code.
 - (i) Construction of panhandle driveway.
- (1) The panhandle driveway shall be built in accordance with standards established by the Director of Public Works.
- (2) The panhandle shall be paved within 1 year of the issuance of the first occupancy permit or before the issuance of the occupancy permit of the last lot to be served, whichever comes first.
- (3) In DR zones required utilities shall be provided to all lots to be served by the panhandle before the paving of the panhandle driveway.
- (j) Parking along panhandle driveway. Parking is not permitted along a panhandle driveway.
- (k) Waiver. Except as provided in subsections (d) and (e) of this section, the Director of Planning may grant a waiver from any provision in this section or title if the Director finds:
- (1) That the size, scope, and nature of the subdivision of land into three or fewer lots for residential single-family dwellings does not justify strict compliance with this section;
- (2) That a waiver would be within the scope, purpose, and intent of this section; and
 - (3) Compliance with all other county ordinances and regulations.

(1988 Code, §§ 26-168, 26-266) (Bill No. 172, 1989, § 2; Bill No. 106, 1990, § 1; Bill No. 1, 1992, § 2; Bill No. 173-93, § 3, 11-17-1993; Bill No. 61-95, § 1, 6-30-1995; Bill No. 8-96, § 3, 3-23-1996; Bill No. 49-96, § 15, 7-1-1996; Bill No. 38-98, § 4, 6-20-1998; Bill No. 51-99, § 1, 8-26-1999; Bill No. 79-01, § 2, 7-1-2004)

COADY & FARLEY

ATTORNEYS AND COUNSELLORS AT LAW

400 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204

(410) 337-0200 FACSIMILE (410) 337-0164 EMAIL: general@coadyandfarley.com

CHARLES P. COADY (1868-1934) JOHN A. FARLEY (1893-1958) CHARLES P. COADY, JR. (1901-1983)

SEP 2 0 2004

September 20, 2004OMNG COMMISSIONER

Lawrence E. Schmidt, Zoning Commissioner for Baltimore County Suite 405, County Courts Building 401 Bosley Avenue Towson, MD 21204

Re:

PETITION FOR VARIANCE

N/S Glen Falls Road, 4800' W of the c/l Woodens Lane

(5950) Glen Falls Road)

4th Election District-2nd Council District Michael L. Snyder, et ux – Petitioners

Case No. 04-578-A

Dear Commissioner Schmidt:

MICHAEL L SNYDER

THOMAS J. RYAN

PATRICIA O'C.B. FARLEY

JOHN T. COADY, EMERITUS

JOHN A. FARLEY, JR., OF COUNSEL

Thank you for your Order dated September 2, 2004 in the captioned case. Your Order granted our request for a variance to permit a panhandle driveway in excess of the maximum allowed 1,000 feet. My wife and I; however, ask that you provide us with confirmation that this variance is applicable in the event that we must revise our minor subdivision plan because our property has been rezoned in this year's comprehensive rezoning process.

If you recall, at our variance hearing on August 18, we advised you that our property was placed at issue for rezoning by Councilman McIntire, against our wishes. We also advised you that if our property was rezoned, we would be forced to change our plan, which would result in the panhandle driveway being lengthened from 1,959 feet to perhaps as much as 2,400 feet. You advised us that the variance would be applicable to the extended length and the revised plan.

Our property was in fact rezoned to the new RC 8 classification on August 31, 2004. This will require us to revise our plan in order to comply with the requirements of this new

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Lawrence E. Schmidt, Zoning Commissioner September 20, 2004 Page Two

classification. My wife and I respectfully request that you provide us with written confirmation that this variance is not limited to the 1,949 feet length as shown on the plan marked as Exhibit 1, but is also effective for the longer driveway which we are now forced to have in order to meet the requirements of the new RC 8 law. Please also confirm that the granted variance is within the spirit and intent of the RC 8 classification, so that we are not required to file for another variance because of the increase driveway length.

Thank you for your consideration of this request.

Very truly yours,

Michael L. Snyder

MLS:lbs

cc: Howard L. Alderman, Jr., Esquire

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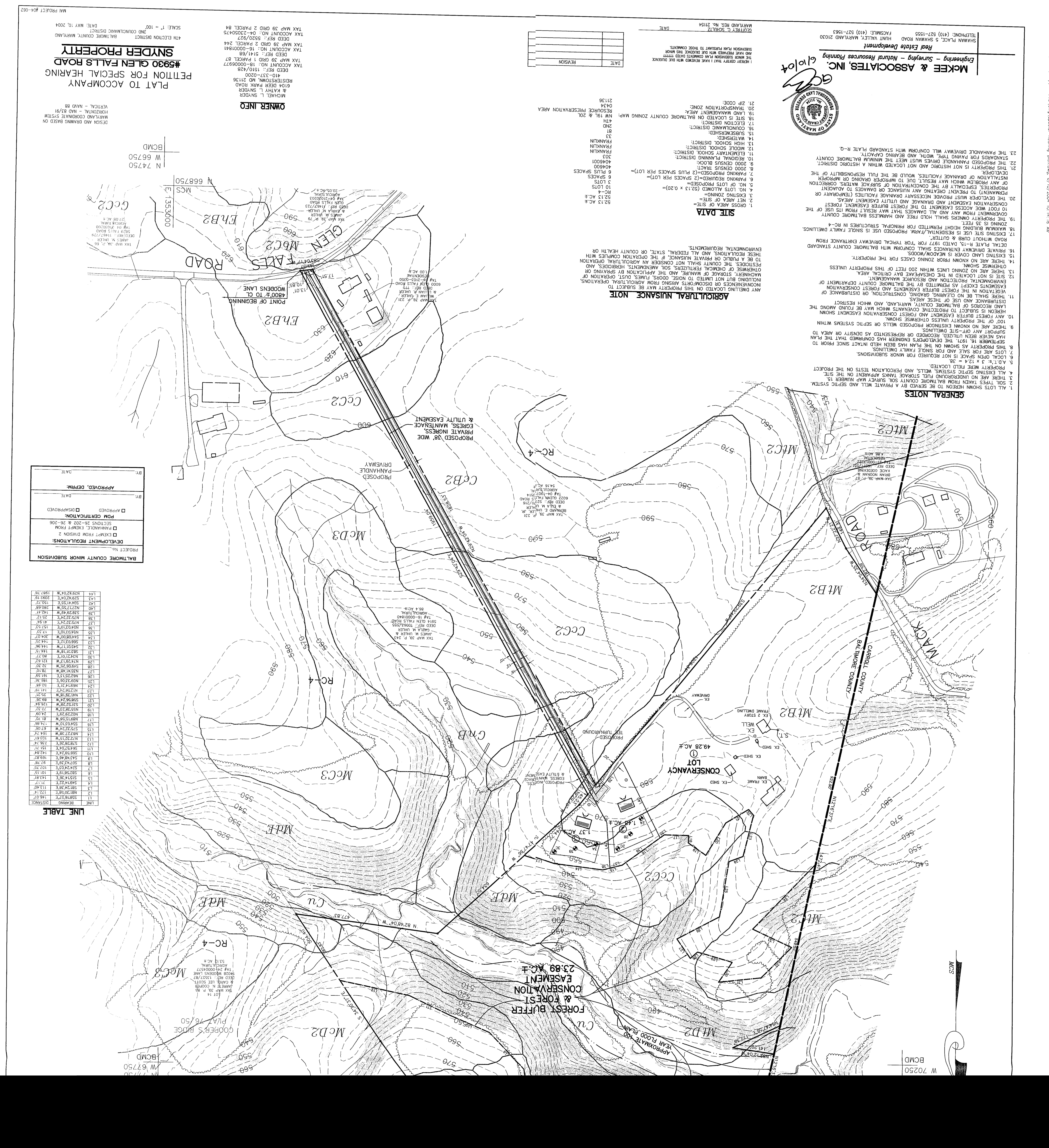
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
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ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. 04-578-A

Date Completed/Initials	
16/21/64	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
· 	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)





ZOO SCALE ZONING MAP

'SNYDER PROPERTY''

SHEETS NW 19+20 L