IN RE: DEVELOPMENT PLAN HEARING and

d \* BEFORE THE

PETITIONS FOR SPECIAL HEARING

And VARIANCE - SW/S Rolling Road

\* ZONING COMMISSIONER

across from Forest La. & Bloomsbury Ave.

\* OF BALTIMORE COUNTY

(Hillcrest Reserve)

1<sup>st</sup> Election District

1<sup>st</sup> Council District

\* Cases Nos. I-511 and 05-073-SPHA

Washington Homes, Inc. Contract Purchaser/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 32-4-230 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 the development review regulations codified in Article 32, Title 4 thereof, the Owners/Developers seek approval of a redlined development plan prepared by Daft-McCune-Walker, Inc. for the proposed neo-traditional residential development of the subject property with 19 single-family detached dwelling units (18 proposed and 1 existing). In addition, special hearing relief is requested under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve single use driveways on all lots in lieu of the required shared driveways. Finally, variance relief is requested from Sections 1B01.2.C and 504.2 of the B.C.Z.R. and the Comprehensive Manual of Development Policies (C.M.D.P.), Division II, Section A, Pg. 13 for Lots 17, 18 and 19 as follows: a) to permit a rear yard setback of 44 feet in lieu of the minimum required 54 feet and a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the minimum required 20 feet for Lot 18; b) to permit a rear yard setback of 48 feet in lieu of the minimum required 50 feet and a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the minimum required 20 feet for Lot 17; and, c) to permit a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet, and a front or side building face to public street right-of-way setback of 10 feet in lieu of the minimum required 15 feet for Lot 19. The proposed subdivision is more

particularly described on the redlined development plan submitted and marked into evidence as Developer's Exhibit 1.

As to the history of this project through the development review process codified in Article 32 of the B.C.C., a concept plan of the proposed development was prepared and a conference held thereon on November 24, 2003. As the name suggests, the concept plan is a schematic representation of the proposed subdivision and is reviewed by and between representatives of the Developer and the reviewing County agencies at the Concept Plan Conference (CPC). Thereafter, as required, a Community Input Meeting (CIM) is scheduled during evening hours at a location near the property to provide residents of the area an opportunity to review and comment on the plan. In this case, the initial CIM was held on December 16, 2003 in the social hall of the Catonsville United Methodist Church and continued to February 17, 2004. Subsequently, a development plan is prepared, based upon the comments received at the CPC and CIM, and submitted for further review at a Development Plan Conference (DPC) which is again held between the Developer's consultants and reviewing County agencies. In this case, the DPC was held on September 15, 2004. Following the DPC, comments are submitted by the appropriate County reviewing agencies and a revised development plan incorporating these comments is submitted at the Hearing Officer's Hearing, which in this case was held on October 8, 2004.

Appearing at the public hearing on behalf of the Owner/Developer were Doug Eshelman, Jim Joyce and Ray Giudice; Kristy Bischoff and Charles Main, II, with Daft-McCune-Walker, Inc. (DMW), the consultants who prepared the development plan; and G. Scott Barhight, Esquire, attorney for the Owners/Developers. 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): Donald Rascoe, Project Manager; Bob Bowling, Development Plans Review; Ron Goodman, Land Acquisition; and, Donna Thompson, Zoning Review. Also appearing on behalf of the County were Mark Cunningham, Office of Planning (OP); and R. Bruce Seeley, Department of Environmental

Protection and Resource Management (DEPRM). A number of interested citizens from the surrounding locale appeared and testified. They included Lorna I. Brade, Creston M. Smith, Jr., John Reedy, Paula Dennis, Caroline Alder, C. Renee Kuntz, Frank Morris, Serena Kratz, Angela Megla, Anita Cox, Harry and Rose Billings, and Jay Gilliss. In addition, an e-mail was received from Argie O'Shea expressing concern over the proposed development.

The subject property under consideration is an irregularly shaped parcel with frontage in two locations on the south side of Rolling Road, across from Catonsville High School. The property contains a gross area of approximately 10.3 acres, zoned D.R.2, and is comprised of several parcels which are currently owned by a number of individuals as more particularly identified on the development plan; however, is under contract of sale to Washington Homes, Inc. As noted above, the Developer proposes a residential subdivision of 19 single-family detached dwelling units (18 proposed and 1 existing). As shown on the development plan, the existing dwelling, known as 540 South Rolling Road, is located immediately adjacent to Rolling Road in the northernmost portion of the tract and will be retained as Lot 1. Access to the 18 new lots will be by way of a new public road, identified as Road A on the plan, which will access the site from Rolling Road just north of proposed Lot 1 and extend into the property terminating as a cul-de-Other specifics of the development plan, including storm water management, forest sac. conservation and Homeowners' Open Space areas, and landscaping are more particularly described on the plan. The property has a rather steep grade rising from a stream on the southeast side of the tract boundary. As a result of this steep grade and stream, a large forest buffer easement area exists in the center and southern portions of the tract. For these reasons, the proposed dwelling lots are located along the northwest boundary of the overall tract.

Pursuant to Sections 32-4-227 and 228 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, Mr. Charles Main, Professional Engineer, appeared and testified on behalf of the Developer that there was only one potential unresolved issue. Mr. Bowling, Chief, Bureau of Development Plans Review, testified that the Department of Public Works wants a 30-

FOR FILMS

ADER RECEI

foot wide ingress/egress paved road surface throughout the community. The Developer is asking for a waiver to allow reduced pavement widths of 24 feet. But for this issue, Mr. Main testified that in his judgment, the plan is in compliance with all applicable standards, regulations and policies for development in Baltimore County. The County agency representatives who were present corroborated his testimony. There were no open issues identified by either Bruce Seeley of the Department of Environmental Protection and Resource Management, Donna Thompson of Zoning Review, Mark Cunningham with the Office of Planning, or Ron Goodman of the Bureau of Land Acquisition.

The interested citizens identified above who own neighboring property raised a number of issues bearing on the development's ultimate impact on Rolling Road, especially during peak traffic hours (6:00 AM to 9:00 AM and 4:00 PM to 6:30 PM). Mr. Jay Gillis, supported by eight others in attendance, outlined these concerns. Mr. Frank Morris produced a petition signed by 195 residents residing in Zip Codes 21227, 28 and 29 (marked as Community Exhibit 1), all opposing the Hillcrest Reserve development. He believes heavy construction equipment during the development phase will further exacerbate traffic conditions in the area. Messrs. John Reedy, Creston Smith, Harry Billings and Mmes. Renee Kuntz, Angela Megla, Caroline Alder, Anita Cox, Paula Dennis, Lorna Brade, Serena Kratz and Argie O'Shea raised issues concerning infrastructure (i.e., water pressure), loss of environmental resources, construction noise and effects on enrollment at Catonsville Middle School. Some of these residents reside to the rear (north) of the proposed development along Glenrae Drive and expressed concern over the loss of privacy and obstructed views and requested additional screening be provided between the proposed development and their properties.

It was clear that the majority of the community's concerns related to increased traffic in the area, environmental effects, and water pressure problems. Mr. Main, the Professional Engineer retained by the Developer, testified and addressed many of these concerns during the course of the hearing and was cross-examined by members of the community. Moreover, the Developer agreed to post "No Parking" signs on one side of the roadway and provide additional screening along the

northwest property line to the rear of the homes on proposed Lots 18 and 19. On behalf of Baltimore County, Donald Rascoe, Project Manager and Supervisor of the Development Management Division, pointed out that the 2003 Basic Services Transportation Area Map designated the roads in this area at a "D" level of service. Mr. Main explained that a designation of "A" was the best and "F" represents failing. It was indicated that the additional traffic that will be generated by the proposed development would not detrimentally impact the adjacent road system. Thus, I find that the proposed development will not disproportionately impact existing traffic conditions.

As to the loss of environmental resources, the plan shows a significant forest conservation easement and forest buffer. Moreover, as noted above, the plan has been reviewed by DEPRM and determined to be in compliance with all storm water management and ground water management regulations. Finally, the School Impact Analysis prepared by the Office of Planning on or about August 13, 2004 indicates that only two additional students are anticipated by the proposed development, and thus, will have minimal impact on enrollment at Catonsville Middle School.

The Baltimore County Code is clear regarding the standards that must be applied when the Hearing Officer considers a development plan. The Hearing Officer must approve any plan that satisfies the rules, regulations and policies adopted by Baltimore County regarding development. Based upon the testimony and evidence presented, I find that the development plan as submitted meets all County rules, regulations and standards for development in Baltimore County and should be approved.

Turning to the Petition for Variance, relief is requested as set forth above to allow single use driveways instead of shared driveways and from certain front and side yard setback requirements for three of the lots, namely, Lots 17, 18 and 19. As to shared driveways, testimony indicated that shared driveways are often troublesome and cause disputes between neighbors when it comes to maintenance. The Office of Planning is not opposed to the Developer's request for single-use driveways and finds that same would be compatible with the development plan. Thus, I

am persuaded to grant this relief. As for the relief requested from setback requirements, the need for the variances is largely driven by the environmental factors associated with this property. As evidenced on the redlined plan marked as Developer's Exhibit 1, the site is unique in that the property is irregularly shaped. Due to the character of Rolling Road (Maryland Route 166) in this area, the State Highway Administration (SHA) has restricted the access or entrance point to be in a location opposite Forest Lane. Moreover, building lot locations are confined to the northwest portion of the tract due to the large forest conservation easement area located in the center and eastern portions of the development.

Based upon these factors, I find that the requirements of Sections 1B01.2.C and 504.2 of the B.C.Z.R. have been met for variance relief to be granted. The uniqueness associated with the property is its unusual configuration and the environmental constraints associated therewith which drive the location of the proposed dwelling lots. Moreover, I find that the Developer would suffer a practical difficulty and unreasonable hardship if relief were denied. Finally, relief can be granted in that there will be no detrimental impact to adjacent properties or the surrounding locale. In this regard, additional landscaping is proposed to the rear of Lots 18 and 19 to buffer the homes on those lots from adjacent properties.

; ;

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Article 32, Title 4 of the Baltimore County Code, the development plan shall be approved consistent with the comments contained herein and the Petitions for Special Hearing and Variance relief granted subject to the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this \_\_\_\_\_\_ day of October, 2004 that the red-lined development plan for Hillcrest Reserve, 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 single use driveways on all lots in lieu of the required shared driveways, in accordance with Developer's Exhibit 1, be and is hereby GRANTED; and,

Sections 1B01.2.C and 504.2 of the B.C.Z.R. and the Comprehensive Manual of Development Policies (C.M.D.P.), Division II, Section A, Pg. 13 for Lots 17, 18 and 19 as follows: a) to permit a rear yard setback of 44 feet in lieu of the minimum required 54 feet and a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the minimum required 20 feet for Lot 18; b) to permit a rear yard setback of 48 feet in lieu of the minimum required 50 feet and a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the minimum required 20 feet for Lot 17; and, c) to permit a side building face to tract boundary setback of 10 feet in lieu of the minimum required 15 feet, and a front or side building face to public street right-of-way setback of 10 feet in lieu of the minimum required 15 feet for Lot 19, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Developer shall be permitted to construct Road "A" as a 24-foot wide paving section on a 40-foot right-of-way.
- 2) The Developer shall install "No Parking" signs on one side of Road "A."
- 3) Additional landscaping/screening shall be provided to the rear of Lots 18 and 19 to sufficiently buffer the proposed homes from the houses on Glenrae Drive.

Any appeal of this decision must be taken in accordance with Article 36-4-281 of the

Baltimore County Code.

WILLIAM I WISEMAN, III

Zoning Commissioner/Hearing Officer

for Baltimore County

WJW:bjs

OR FILING

ORDER REC

#### 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

October 15, 2004

G. Scott Barhight, Esquire Dino C. LaFiandra, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITIONS FOR SPECIAL HEARING & VARIANCE SW/S Rolling Road, across from Forest Lane & Bloomsbury Avenue (Hillcrest Reserve)

1<sup>st</sup> Election District – 1<sup>st</sup> Council District Washington Homes, Inc. – Contract Purchaser/Developer Case No. I-511 and 05-073-SPHA

Dear Messrs. Barhight and LaFiandra:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petitions for Special Hearing and Variance 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,

WILLIAM J. WISEMAN, III
Zoning Commissioner

for Baltimore County

WJW:bjs

cc:

Mr. Doug Eshelman, 9013 Meandering Stream Way, Fulton, Md. 20759-2303

Mr. Jim Joyce, 9202 Georgia Bell Drive, Perry Hall, Md. 22182

Mr. Ray Giudice, 525 E. Seminary Avenue, Towson, Md. 21286

Mr. Charles Main, II & Ms. Kristy Bischoff

Daft-McCune-Walker, Inc., 200 E. Pennsylvania Ave., Towson, Md. 21286

Ms. Lorna I. Brade, 318 Glenrae Drive, Catonsville, Md. 21228

Mr. Creston M. Smith, Jr., 310 Glenrae Drive, Catonsville, Md. 21228

Mr. John Reedy, 309 Glenrae Drive, Catonsville, Md. 21228

Ms. Paula Dennis, 118 S. Rolling Road, Catonsville, Md. 21228 Ms. Caroline Alder, 207 S. Rolling Road, Catonsville, Md. 21228

Ms. C. Renee Kuntz, 204 S. Rolling Road, Catonsville, Md. 21228

Ms. Serena Kratz, 508 S. Rolling Road, Catonsville, Md. 21228

Mr. Frank Morris, 400 Allview Court, Catonsville, Md. 21228

Ms. Anita Cox, 305 Glenrae Drive, Catonsville, Md. 21228

Mr. & Mrs. H. A. Billings, 558 S. Rolling Road, Catonsville, Md. 21228/

Mr. Jay Gilliss, 409 Allview Court, Catonsville, Md. 21228

Don Rascoe, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case File



### Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attached.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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):

Han	ne - Type or Print	n Homes,	Inc.	Name - 7	ype or Print	attached.	
	Lon	Danier	N	Ivallie - I	ype or Fillik		
Sign		Ann Bange	rt, Proj	ect Manager	Signature	<u> </u>	
<u>18</u>	302 Brig	htseat Ro	ad 301	-772-8900			
Add	ress		7	relephone No.	Name - Type or Print		
La	andover,	MD	20785			<b></b>	
City			State	Zip Code	Signature		
Att	tornev For	Petitioner:					
<del></del>					Address	<del></del>	Telephone
Di	ino C. L	aFiandra					•
	ne - Type or Prin	· · · · · · · · · · · · · · · · · · ·		City	<del></del>	State	Zip Code
j	Dino	Ma	مالک می		Danragantativa t	a ha Cantastas	1.
Sign	nature	· v pra	MAY	<del></del>	Representative to	o be Contacted	<u> </u>
_		FID	C D			- · · · · · · · · · · · · · · · · · · ·	
_W.C	<u>niterora</u> npany	, Taylor		•	Dino C. La F Name	<u> landra, Es</u>	<b>.</b>
<b>A.</b> .			110-832-2	000		410-8	32-2000
Addi	W. Pe	nnsylvani	a Ave.	elephone No.	210 W. Penr Address	isylvania A	Ve . Telephone N
L	1		''	eleptiona ivo.			retephone r
II'C	owson, M	D 21204	State	Zin Codo	Towson, MD	21204	
ditty			State	Zip Code	City	State	Zip Co
dity	1						
City						· <del></del> · · · · · · · · · ·	
Tity					<u>OFF</u> 3	CE USE ONLY	
Tity						11	189.
N C					OFFI ESTIMATED LENGTH OF	11	Zen
tity 2		5-073	SPLA		ESTIMATED LENGTH OF	HEARING	Zen
ity 2		5-073	<u>SP</u> 42			HEARING	
ity 2		5-073_	<u>5144</u>	Deviews	ESTIMATED LENGTH OF UNAVAILABLE FOR HEA	HEARING	
		5-073_	<u>SP</u> 47	Reviewed	ESTIMATED LENGTH OF	HEARING	9-04
	e No.	5-073_	<u>SM</u> 4	Reviewed	ESTIMATED LENGTH OF UNAVAILABLE FOR HEA	HEARING	
TO REV	e No.	5-073	<u>SM</u> 4	Reviewed	ESTIMATED LENGTH OF UNAVAILABLE FOR HEA	HEARING	
	e No.	5-073_	<u>SM</u> 4	Reviewed	ESTIMATED LENGTH OF UNAVAILABLE FOR HEA	HEARING	

# Petition for Special Hearing Continuation Sheet 10.3 Acres SWS S. Rolling Road 538, 540, 550 and several unnumbered parcels on South Rolling Road

#### Requested Relief:

Special hearing to approve single use driveways on all lots instead of shared driveways in neo-traditional development.



#### Petition for Special Hearing Continuation Sheet 10.3 Acres SWS S. Rolling Road 538, 540, 550 and several unnumbered parcels on South Rolling Road

#### Property Owners:

As to:

538 S. Rolling Road and 540 S. Rolling Road

Timothy T. Luecking

As to:

550 South Rolling Road

nichtle Fid Bent

Mark James Bent

Michele Foit Bent

As to Tax Map 101, Parcel 1376, Tax Account 01-01-02-201991:

Herbert L. Bent

Ethel M. Bent

As to the following unnumbered parcels on Hilltop Road:

Tax Map 101, Parcel 497, Tax Account 01-01-03-330011

Tax Map 101, Parcel 500, Tax Account 01-01-03-330012

Tax Map 101, Parcel 499, Tax Account 01-01-03-330013

Tax Map 101, Parcel 497, Tax Account 01-01-03-330015

Tax Map 101, Parcel 500, Tax Account 01-01-03-330016

Perry B. Sebour

See wext project

Deborah L. Sebour

312155

# Petition for Special Hearing Continuation Sheet 10.3 Acres SWS S. Rolling Road 538, 540, 550 and several unnumbered parcels on South Rolling Road

Property Owners:	•
As to: 538 S. Rolling Road and 540 S. Rolling Road	
Timothy T. Luecking	,
As to: 550 South Rolling Road	
Mark James Bent	
Michele Foit Bent	- <del></del>
As to Tax Map 101, Parcel	l 1376, Tax Account 01-01-02-201991
Herbert L. Bent	<u>•</u>
Ethel M. Bent	
Tax Map 101, Parcel 497, Tax Map 101, Parcel 500, Tax Map 101, Parcel 499, Tax Map 101, Parcel 497,	mbered parcels on Hilltop Road: Tax Account 01-01-03-330011 Tax Account 01-01-03-330012 Tax Account 01-01-03-330013 Tax Account 01-01-03-330015 Tax Account 01-01-03-330016
Lerry B. Se Bon	<del></del>
Perry B. Sebour  Lelioral J	Bon
Deborah I. Sebour	



### Petition for Variance

to the Zoning Commissioner of Baltimore County and several for the property located at Rolling Road DR2

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)

Please see attached.

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

To be shown at hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

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

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

#### Contract Purchaser/Lessee:

ORDER RECE

Date

Washington Homes, Inc.

#### <u>Legal Owner(s):</u>

Please see attached.

Name - Type or Print	Name -	Type or Print	
Signature By Ann Bangert, Project 1802 Brightseat Road 301	t Manager 1-722-8900	Signature	<u>, , , , , , , , , , , , , , , , , , , </u>
Address	elephone No.	Name - Type or Print	
Landover, MD 20	0785 Zp Code	Signature	
Attorney For Petitioner:			Talanhana Ala
		Address	Telephone No.
Dino C. LaFiandra Name - Type or Print	City	State	Zip Code
Signature Old Call	112	Representative to be Contacted:	
Whiteford, Taylor & Preston Company	, LLP	Dino C. LaFiandra, Esq.	
410~832~	2000	410-034	
210 W. Pennsylvania Ave. Te	lephone No.	210 W. Pennsylvania Ave. Address	Telephone No.
Towson, MD 2120	•	Towson MD 21204	·
State .	Zip Code	City	Zip Code
		OFFICE USE ONLY	
ase No.		ESTIMATED LENGTH OF HEARING	<b>-</b>
	Reviewed By	UNAVAILABLE FOR HEARING	<b>-</b>
- REV 9/15/98	<del></del>	<del></del>	

#### Petition for Variance Continuation Sheet 10.3 Acres SWS S. Rolling Road

538, 540, 550 and several unnumbered parcels on South Rolling Road

- 1. Variance from BCZR § 1801.2.C, BCZR § 504.2, and Comprehensive Manual of Development Policies (CMDP), Division II, Section A, page 13 for a front and / or side building face to public street right of way setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19.
- 2. Variance from BCZR § 1B01.2.C, BCZR § 504.2, and Comprehensive Manual of Development Policies (CMDP), Division II, Section A, page 13 for a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19.
- Variance from BCZR § 1B01.2.C, BCZR § 504.2, and CMDP Division II, Section A, page 13 for a rear yard setback of 44 feet in lieu of the required 50 feet on Proposed Lot 18.
- 4. Variance from BCZR § 504.2 and CMDP Division II, Section A, page 13 for a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the required 20 feet on Proposed Lot 18.
- Variance from BCZR § 1B01.2.C, BCZR § 504.2, and CMDP Division II, Section A, page 13 for a rear yard setback of 48 feet in lieu of the required 50 feet on Proposed Lot 17.
- Variance from BCZR § 504.2 and CMDP Division II, Section A, page 13 for a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the required 20 feet on Proposed Lot 17.

OFFICE NO FOR FILING By Water Market Market

#### Petition for Variance Continuation Sheet 10.3 Acres SWS S. Rolling Road

538, 540, 550 and several unnumbered parcels on South Rolling Road

Property Owners:	-		O /	
			8/17	2:25
As to:		es.,		
538 S. Rolling Road and		,		
540 S. Rølling Road	ا العامل الماسي والمساور والماسية والمساور والماسية والمساور والمساورة والمساورة والمساورة والمساورة والمساورة و المساورة الماسية والمساورة والمساورة والمساورة والمساورة والمساورة والمساورة والمساورة والمساورة والمساورة والم	and the section of th		april
		1/2/	1 / 1	
1/1/	-	Muy	for DI	2 December Sand Sand Come
Timothy T. Luecking	11 on Va	m te	4 8/2	
As to:	<u>}</u>		•	
550 South Rolling Road			left a	se egg
200 20 4111 240 2411	Call	en a.	· 00'.	05-073
	Scott	Backing	HI Rei	Hing Rd
Mark James Bent		CAMPAGE THE STATE OF STATE OF		and the second
	LuerKing (	gen si	quature g	
	LUECKING (	owner of.	538-405	Rolling Rd
Michele Foit Bent				
As to Tax Map 101, Parcel 1376, Ta	ax Account 01-01-02	-201991:		
Herbert L. Bent				
Ethel M. Bent				
As to the following unnumbered	parcels on Hilltop l	Road:		
Tax Map 101, Parcel 497, Tax Acco	ount 01-01-03-330011	l		
Tax Map 101, Parcel 500, Tax Acco	ount 01-01-03-330012	2		
Tax Map 101, Parcel 499, Tax Acco	ount 01-01-03-330013	3		
Tax Map 101, Parcel 497, Tax Acco	ount 01-01-03-330015	5		
Tax Map 101, Parcel 500, Tax Acco	ount 01-01-03-330016	5		
Perry B. Sebour				
Deborah L. Sebour				

ORIDER RECEIVED FOR FILING
Date

By

#### Description

to Accompany Petition

for a Special Hearing

AND VARIANCE

Rolling Road

#### Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,

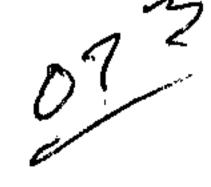
Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the following two courses and distance measured from the point formed by the intersection of the centerline of Rolling Road with the centerline of Forest Lane, (1) Southwesterly along the centerline of said Rolling Road 163.5 feet, more or less, and thence leaving said Rolling Road, (2) Southwesterly 30 feet, more or less, to the point of beginning, thence binding along the southwesterly line of said Rolling Road, (1) South 48 degrees 20 minutes 26 seconds East 177.25 feet, thence running for lines the following twenty-four courses and distances: (2) South 41 degrees 35 minutes 24 seconds West 209.21 feet, thence (3) South 48 degrees 27 minutes 36 seconds East 211.90 feet, thence (4) South 41 degrees 35 minutes 23 seconds West 97.18 feet, thence (5) South 48 degrees 35 minutes 41 seconds East 80.86 feet, thence (6) North 41 degrees 24 minutes 19 seconds East 290.00 feet, thence (7) Southeasterly by a line curving to the right, having a radius of 1115.92 feet, for a distance of 45.22 feet (the arc of said curve being subtended by a chord bearing South 36 degrees 52 minutes 26 seconds East 45.22 feet), thence (8) South 18 degrees 38 minutes 49 seconds East 38.02 feet, thence (9) South 15 degrees 07 minutes 10 seconds East 3.36 feet, thence (10) South 41 degrees 35 minutes 24 seconds West 147.94 feet, thence (11) South 33 degrees 14 minutes 01 second East 38.18 feet, thence (12) North 45 degrees 04



minutes 24 seconds East 124.26 feet, thence (13) South 12 degrees 25 minutes 58 seconds East 52.68 feet, thence (14) South 12 degrees 58 minutes 56 seconds East 26.61 feet, thence (15) South 11 degrees 49 minutes 28 seconds East 18.46 feet, thence (16) South 16 degrees 13 minutes 45 seconds East 10.20 feet, thence (17) South 12 degrees 56 minutes 02 seconds East 18.85 feet, thence (18) South 74 degrees 33 minutes 24 seconds West 91.01 feet, thence (19) South 15 degrees 26 minutes 38 seconds East 6.10 feet, thence (20) South 74 degrees 33 minutes 24 seconds West 29.30 feet, thence (21) South 15 degrees 26 minutes 36 seconds East 30.00 feet, thence (22) South 32 degrees 19 minutes 36 seconds East 102.40, thence (23) South 41 degrees 35 minutes 24 seconds West 457.02 feet, thence (24) North 43 degrees 56 minutes 55 seconds West 762.73 feet, and thence (25) North 41 degrees 37 minutes 50 seconds East 700.21 feet to the place of beginning; containing 10.109 acres of land, more or less, as shown on a boundary survey provided by D.S. Thaler & Associates, Inc., in May, 2004.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 5, 2004

Project No. 04048 (L04048)

13

WAL LAND HERE

	1.1		71	~-,·	71 73				ი (აქე - ექე ე	可以發展	
			Ş	. 'A - A - A - A - A - A - A - A - A - A	₩ E						2
Q S	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			je Likelj							1 ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) (
			7	:     (1)							5
A ASSET SEEDING	1. 14 1. 1. 14 1.			rightor The			Linde	\$ * di∰yabbail			III
			100 m	2 V = .			STATES			38	$\mathbf{Q}$
			- 37.	(							
	- 2		*	` , <sup>{</sup>	1		Parision (Prince) Santonio (Prince) Parision (Prince)				
				- (~ <u>.</u> , , ,	1		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		36 96 13-	が一度	
A CONTRACTOR OF THE CONTRACTOR	i National Section		X	7 - 1 - 1 A. A. A. A. A.	in the second				A to high	: 5	
	14 14 14 14 14 14 14 14 14 14 14 14 14 1	7 SA SEE		ALC: NO.					A A A A A A A A A A A A A A A A A A A		
<b>第</b> 次	14 A	. Û						8	14-02 PH [22]		
	, (1)	()			0/	A STATE OF THE PARTY OF THE PAR		S	, H		
P. Car					J		•				e de la como de la com
	- T		7	· _ · _ · _	v = ' - '						
# 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	, ·			· . · · · · · · · · · · · · · · · · · ·		199		( N			Marian
	. 1954 s L 20		1	√_,			N.	S.			
				ا ار و آران ما ار	(A)						
المُورِّةِ الْمُورِّةِ اللهُ				33(6)* 37/34	*			10		5	
	10 mm		2 1 A 3 A 4 2 6 C 3	ر الله الله والم الإن السعيد   الله السعيد	J.			D			
	1				W			30			
			1								
ا الله الله الله الله الله الله الله ال	~ 🔼		767		آ ہے۔ آ ہے اور د	10 00 00 00 00 00 00 00 00 00 00 00 00 0				- k (17) (17)	
	540 €.						( )	V			
								1			
	<u>,</u> , 0				````` 						
		<u> </u>			·	·   •   •		Sign of the Control o			1 Vol. 1
高大学教 有数数数	Marie A	ista e			ي مدايا دولاغ						
THE STATE OF THE STATE OF	- NE 1 1 1 7	100 200	A. J.					Salahir Salahir			
	·_ · e -	ξ.ς : '' ' '' '	1	9 : 7 <b>12 :</b>	00°0				li si s		
<b>三三</b> 1、数数数 ( )					*	. 2. 3.3			N		
<b>对</b> 对学			edding Posterior Posterior		004	CO.	JSF2*-514 5	5 * 2° 00	, 13 A		
しんさき カギ 4	1147	114	n D	II)OZ		1	他 モリングディション	ST 200 1 1941			
								<b>S</b> gride (1) et <b>d</b> wined (1)			
	Z*(16-1		1.20	417	11.77		T. (1)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
A	MIL	.em = ₹ .ed			• "	7 - 69	1				
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		Take to			884572 B	1 B 1					
20 mag (1982)	_ , 4 <sup>7</sup> 4 - * 4 ,	7.5-2	17年,都看了	e 20 <b>100 1</b> 05	事を注いする事件		いきマ おんてみんり	アンダ 連取機 人間を		Contract of the North	. ) <b>3 M</b> (2)
									OF COLUMN TO COLUMN TO THE COL		

#### CORRECTED 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: #05-073-A

538, 540, 550, and several un-numbered parcels of South Rolling Road, Hillcrest Reserve South side of Rolling Road opposite Forest Lane.

1st Election District — 1st Councilmanic District Legal Owner(s): Timothy Leucking, Mark James and Michelle Folt Bent, Herbert Bent, Ethel M. Bent, Perry and Deborah L. Sebour.

Contract Purchaser: Washington Homes, Inc. Ann.

Bangert, Project Manager.

Special Hearing: to allow single use driveways on all lots instead of shared driveways in neotraditional development. Variance: to permit a front and/or side building to face public street right-of-way setback of 10 feet in lieu of the required 15 feet and to permit a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19, to permit a rear yard setback of 44 feet in lieu of the required 50 feet on Proposed Lot 18, to permit a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the regulred 20 feet on Proposed Lot 18, to permit a rear yard setback of 48 feet in lieu of the required 50 feet on Proposed Lot 17, and to permit a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the required 20 feet on Proposed Lot 17. Hearing: Friday, October 8, 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. 9/347 Sept. 23

#### CERTIFICATE OF PUBLICATION

<u> 923</u> , 20 <u>04</u>
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 923,2004.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings
LECAL ADVERTISING



LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL NOTES: (1) 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.

TO:

PATUXENT PUBLISHING COMPANY

Thursday, September 23,2004 Issue - Jeffersonian

Please forward billing to:

Dino LaFiandra

410-832-2000

210 W. Pennsylvania Avenue, # 400

Towson, Maryland 21204

#### CORRECTED 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: 05-073-A

538,540,550, and several un-numbered parcels of South Rolling Road, Hillcrest Reserve South side of Rolling Road opposite Forest Lane

1<sup>st</sup> Election District—1<sup>st</sup> Councilmanic District

Legal Owners: Timothy Leucking, Mark James and Michelle Foit Bent, Herbert Bent, Ethel M.

Bent, Perry and Deborah L. Sebour

Contract Purchaser: Washington Homes, Inc. Ann Bangert, Project Manager

Special Hearing to allow single use driveways on all lots instead of shared driveways in neotraditional development. Variance to permit a front and/or side building to face public street right-of-way setback of 10 feet in lieu of the required 15 feet and to permit a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19, to permit a rear yard setback of 44 feet in lieu of the required 50 feet on Proposed Lot 18, to permit a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the required 20 feet on Proposed Lot 18, to permit a rear yard setback of 48 feet in lieu of the required 50 feet on Proposed Lot 17, and to permit a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the required 20 feet o Proposed Lot 17.

Hearing: Friday, October 8, 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 Permit Development Management

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





#### **Baltimore County**

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

August 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: 05-073-A

538,540,550, and several un-numbered parcels of South Rolling Road, Hillcrest Reserve South side of Rolling Road opposite Forest Lane 1<sup>st</sup> Election District—1<sup>st</sup> Councilmanic District

Legal Owners: Timothy Leucking, Mark James and Michelle Foit Bent, Herbert Bent, Ethel M.

Bent, Perry and Deborah L. Sebour

Contract Purchaser: Washington Homes, Inc. Ann Bangert, Project Manager

Special Hearing to allow single use driveways on all lots instead of shared driveways in neotraditional development.

Variance to permit a front and/or side building to face public street right-of-way setback of 10 feet in lieu of the required 15 feet and to permit a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19, to permit a rear yard setback of 44 feet in lieu of the required 50 feet on Proposed Lot 18, to permit a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the required 20 feet on Proposed Lot 18, to permit a rear yard setback of 48 feet in lieu of the required 50 feet on Proposed Lot 17, and to permit a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the required 20 feet o Proposed Lot 17.

Hearing: Thursday, September 30, 2004 at 9:00 am in Room 407, County Courts Building

401 Bosley Avenue.

Timothy Kotroco Director

TK: clb

C: Dino LaFiandra Whiteford, Taylor & Preston 210 W. Pennsylvania Ave. Towson 21204 Washington Homes, Inc. 1802 Brightseat Road Landover 20785 Attn: Ann Bangert Timothy Luecking 538 S. Rolling Road Baltimore 21228 Mark and Michelle Bent 2749 Deerfield Drive Ellicott City 21228 Herbert L. and Ethel Bent 313 Glenrae Drive Baltimore 21228 Perry B. and Deborah L. Seabour 2418 Bramall Avenue Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.WEDNESDAY SEPTEMBER 15, 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

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





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

August 27, 2004

#### **CORRECTED 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: 05-073-A

538,540,550, and several un-numbered parcels of South Rolling Road, Hillcrest Reserve South side of Rolling Road opposite Forest Lane 1<sup>st</sup> Election District—1<sup>st</sup> Councilmanic District

Legal Owners: Timothy Leucking, Mark James and Michelle Foit Bent, Herbert Bent, Ethel M.

Bent, Perry and Deborah L. Sebour

Contract Purchaser: Washington Homes, Inc. Ann Bangert, Project Manager

Special Hearing to allow single use driveways on all lots instead of shared driveways in neotraditional development. Variance to permit a front and/or side building to face public street right-of-way setback of 10 feet in lieu of the required 15 feet and to permit a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet on Proposed Lot 19, to permit a rear yard setback of 44 feet in lieu of the required 50 feet on Proposed Lot 18, to permit a separation between a detached garage building and a principal dwelling of 14 feet in lieu of the required 20 feet on Proposed Lot 18, to permit a rear yard setback of 48 feet in lieu of the required 50 feet on Proposed Lot 17, and to permit a separation between a detached garage building and a principal dwelling of 18 feet in lieu of the required 20 feet o Proposed Lot 17.

Hearing: Friday, October 8, 2004, at 9:00 a.m. in Room 106, County Office Building,

11/1 W. Chesapeake Avenue

Timothy Kotroco

Director

TK: klm

C: Dino LaFiandra Whiteford, Taylor & Preston 210 W. Pennsylvania Ave. Towson 21204 Washington Homes, Inc. 1802 Brightseat Road Landover 20785 Attn: Ann Bangert Timothy Luecking 538 S. Rolling Road Baltimore 21228 Mark and Michelle Bent 2749 Deerfield Drive Ellicott City 21228 Herbert L. and Ethel Bent 313 Glenrae Drive Baltimore 21228 Perry B. and Deborah L. Seabour 2418 Bramall Avenue Baltimore 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, SEPTEMBER 23, 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 resconsible 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.

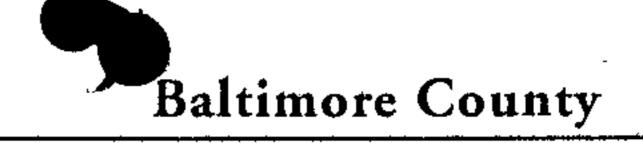
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

For Newspaper Advertising:
Item Number or Case Number 05-073 - SPHA
Petitioner Washington Homes, Inc.
Address or Location 538 S. Rolling Rd
PLEASE FORWARD ADVERTISING BILL TO  Name
Address 210 W. Pennsylvania Avenues #400 1800 Son MD 21204
Telephone Number: 4108322000

## Department of Permits and Development Management

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





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

September 27, 2004

Dino C. LaFiandra Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. LaFiandra:

RE: Case Number:05-073-SPHA, 538,540,550, etc. South Rolling Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 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.

W. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

**Enclosures** 

c: People's Counsel Washington Homes, Inc. 1802 Brightseat Road Landover 20785

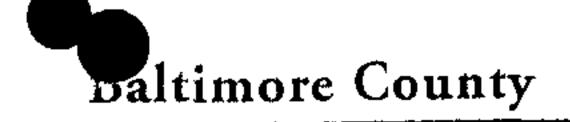


Visit the County's Website at www.baltimorecountyonline.info

#### Fire Department

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





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 August 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: August 23, 2004

Item No.:

(073), 078, 082-089

Pursuant to your request, the referenced plan(s) have been reviewed 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

TO:

Timothy M. Kotroco, Director

DATE: September 10, 2004

Department of Permits & Development Management

FROM

Robert W. Bowling, Supervisor Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For August 30, 2004

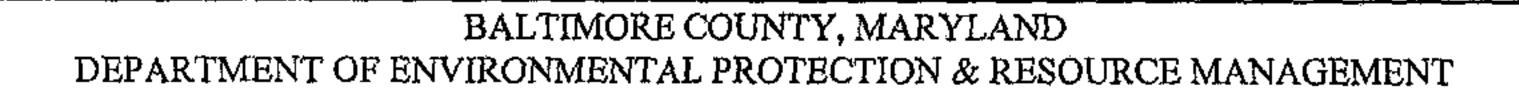
Item Nos. 073, 078, 082, 083, 086,

087, and 089

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

RWB:CEN:jrb

cc: File



TO:

Tim Kotroco

FROM:

John D. Oltman, Jr JPO

DATE:

September 14, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 23, 2004

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

05-073

04=082

04-083

04-084

04-085

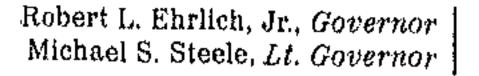
04-087

04-089

Reviewers:

Sue Farinetti, Dave Lykens







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

Maryland Department of Transportation

Date: 8.20.04

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

RE:

**Baltimore County** 

Item No. 673

112

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,

Steven D. Foster, Acting Chief Engineering Access Permits Division

# D.S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD • P.O. BOX 47428 • BALTIMORE, MARYLAND 21244-7428 (410) 944-ENGR • (410) 944-3647 • FAX (410) 944-3684

October 27, 2005

Mr. Timothy M. Kotroco, Director Baltimore County, Maryland Department of Permits and Development Management 111 West Chesapeake Avenue Towson, Maryland 21204

> RE: Hillcrest Reserve Spirit and Intent Request Order Case # 5-073-SPHA

PDM # I-511

Dear Mr. Kotroco:

This letter is a request for your concurrence that the enclosed "red-lined" plans meet the "Spirit and Intent" of the Development Plan previously approved in Case # 5-073-SPHA.

Hillcrest Reserve is located on the south side of Rolling Road, just west of Campus Drive. The property is comprised of approximately 10.1 acres  $\pm$  and is zoned DR-2.

As indicated on the "red-lined" plan, we are proposing to adjust the lot lines for lots 5 through 8 and the tract boundary adjoining the Woodland property as a result of a boundary line adjustment agreement.

There are no additional Zoning Variances Required for the proposed changes. DRC refinement is being filed concurrently.

Page 2 of 2 Hillcrest Reserve October 27, 2005

Thank you for your consideration in this matter. Should you have any questions, please do not hesitate to contact our office.

Very truly yours,

D.S. THALER & ASSOCIATES, INC.

Stacey A. McArthur, R.L.A.

November 16, 2005

Stacey A. McArthur, R.L.A. D.S. Thaler & Associates Inc.

Quick response for Hillcrest Reserve, 1st Election District

This quick response is given in the interest of saving time regarding your zoning spirit and intent confirmation request.

The red lined lot line adjustments on lots 5-8 are within the spirit and intent of case # 05-073-SPHA. This response does not address any other plan issues or requirements. Should any of the changes create a setback or other deficiency, zoning hearings to resolve them will be required. Document this response on all future plans. If an F.D.P. has been approved, an amendment to same is required. All plans including the development plan and F.D.P. must agree.

Copy: Robert Sholmer- K Hovanian Homes

Charles Main-DMW

H CORRESPONDENCE PROJECTS SAME HELLCREST RESERVE SAI SAM JE 10 27 QE

David S. Thaler, P.E., L.S.

Very truly yours,

John L. Lewis

Planner II

Zoning Review

PETITION FOR SPECIAL HEARING RE:

AND VARIANCE

538, 540, 550 and several unnumbered parcels\*

of South Rolling Road, Hillcrest Reserve; S/side of Rolling Road opposite Forest Lane \*

1<sup>st</sup> Election & 1<sup>st</sup> Councilmanic Districts

Legal Owner(s): Timothy Luecking, Mark James and Michele Foit, Herbert & Ethel Bent

Contract Purchaser(s): Washington Homes, \*

Inc, Ann Bangert Project Manager, Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

05-073-SPHA

#### 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 26<sup>th</sup> day of August, 2004, a copy of the foregoing Entry of Appearance was mailed to Dino C. LaFiadra, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).


RECEIVED

AUG 2 6 2004

PETER MAX ZIMMERMAN People's Counsel for Baltimore County









MERRITT DEVELOPMENT CONSULTANTS INC.

9831 MAGLEDT ROAD BALTIMORE, MARYLAND 21234

PHONE: 410-663-5525 FAX:410-663-4315

MERRITTDC@COMCAST.NET

PANHANDLE EXHIBIT

DISTRICT 15 SCALE:1"=200'

BALTIMORE COUNTY, MD JULY 10, 2004