

IN RE:	PETITION FOR VARIANCE	*	BEFORE THE
	N/S Glen Falls Road, 4800 W of the c/l		
	Woodens Lane	*	ZONING COMMISSIONER
	(5924, 5930 & 5932 Glen Falls Road)		
	4 th Election District	*	OF BALTIMORE COUNTY
	2 nd Council District		
		*	Case No.: 05-455-A
	Michael L. Snyder, et ux		
	Petitioners	*	

* * * * *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition filed by the owners of the subject property(s), Michael L. Snyder, and his wife, Kathy L. Snyder. Petitioners request variance relief from Section(s) 307.1 and 1A09.7B.5.b.1.(a) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit in lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years as follows: (1) the residential building envelope for the residential dwelling and accessory residential structures on 5930 Glen Falls Road (Lot No. 1) to be a minimum of eighty (80) feet; (2) the residential building envelope for the residential dwelling and accessory residential structures on 5924 Glen Falls Road (Lot No. 2) to be a minimum of sixty (60) feet; and (3) the residential building envelope for the residential dwelling and accessory residential structures on 5932 Glen Falls Road (Lot No. 3) to be a minimum of sixty (60) feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing in support of the request were Michael L. Snyder on behalf of himself and his wife, property owners, and Geoffrey C. Schultz, a consultant with McKee and Associates, Inc, the engineering firm who prepared the site plan for this

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 Date 5/4/05
 By [Signature]

property. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. There were no Protestants or other interested persons present.

The subject property under consideration is located in northern Baltimore County on the north side of Glen Falls Road west of Woodens Lane and borders Carroll County. The proffered testimony indicated that the subject property is presently zoned RC-8. Prior to County Council Bill No. 76-04 passed in August, 2004, the property was zoned RC-4. There was no dispute that the subject property, which is comprised of approximately 47.92 acres and improved, at present, with one single-family, detached dwelling is subject to the RC-8 Environmental Enhanced provisions of the (B.C.Z.R.).

It should be noted that a prior zoning petition was filed when the subject property was zoned RC-4, granting a variance from Baltimore County Code Section 26-266(4)¹ to permit a panhandle driveway length in excess of the maximum allowed 1000 feet. A copy of the *Findings of Fact and Conclusions of Law* issued in Case No. 04-578-A, dated September 2, 2004, was introduced and accepted as Petitioners' Exhibit No. 2. Once the Council's vote to implement RC-8 zoning on the subject property became effective, the Owners submitted a letter, dated September 20, 2004, to the Zoning Commissioner requesting that he find that the longer panhandle driveway to serve the existing and proposed uses on the property (necessitated by the non-owner requested zoning reclassification) was within the spirit and intent of his Order. On September 30, 2004, still within thirty days of the issuance of the prior Order, then Commissioner Schmidt determined that the longer roadway (up to 2400 feet in length) was in conformance with the relief granted. The Owners' letter, together with the written response of the Zoning Commissioner were introduced and accepted as Petitioners' Exhibit No. 3.

¹ The Baltimore County Code was recodified in 2003; this Section of the Code is now Section 32-4-409(e)(2)&(3).

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Date 5/4/05
By [Signature]

Testimony and evidence offered revealed that the subject property is an extremely irregularly shaped parcel which includes an existing dwelling, several outbuildings, a barn and accessory structures utilized in connection with the existing farm on the property. The Owners are processing a minor subdivision plan for the property to create a total of three lots, which plan had to be altered significantly to comply with the newly enacted RC-8 zoning classification which requires, among other factors, lots not less than three acres in size. Lot No. 1 as shown on Petitioners' Exhibit No. 1 (the farm lot) will contain the existing dwelling, the farm and farm related uses and is just over 39 acres in size. (B.C.Z.R.) Section 1A09.7B.5.b.2 requires that proposed Lot Nos. 2 and 3 (the residential lots) each be a minimum of 3 acres in size. Section 1A09.7B.5.b.3 requires that for residential development (lots 2 and 3), the maximum area of the building envelope not exceed 20,000 square feet in size. Lot No. 2 is proposed as 3.125 acres and Lot No. 3 is proposed as 5.710 acres, each containing a building envelope meeting the size requirements of the RC-8 zone. Moreover, the proffered testimony was that except for the relief from the 300 foot setback from adjacent agriculturally assessed property, the lots proposed on the subject property meet all other requirements of the RC-8 zoning classification, including without limitation a paved driveway width of not more than eighteen (18) feet.

The proffered testimony indicated that the locations of Lot Nos. 2 and 3 were dictated by the Department of Environmental Protection and Resource Management (DEPRM) requirements due to forest buffer/forest conservation areas and applicable setbacks from those environmental areas, the steepness of grade to the west and (DEPRM's) mandate to preserve the areas of prime and productive soils for the continued farming on Lot No. 1 outside of the environmental protection areas. A review of Petitioners' Exhibit No. 1 shows clearly the excessive grades that prohibit the relocation of Lot No. 2. The testimony that the Petitioners' had no role in

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establishing the perimeter lot boundary of the subject property and the narrowness of the property in the area available for Lot No. 3 provided the existing site justification for the variance on that lot. The RC-8 setback lines from adjacent property in the area of Lot No. 3 completely overlap in an east-west direction.

Additional proffered testimony indicated that the proposed homes and residential uses have been located outside of forest areas, away from wetlands and streams and in such a manner as to not be visible from public roads or existing dwellings on adjacent properties. The layout was designed in a manner to preserve the rural character of the area, preserve scenic views and to not result in disturbance to natural vegetation on the subject property. No portion of the subject property or any structure or feature thereon is included on the County's Landmarks list or the National Register of Historic Places.

Based upon the testimony and evidence, it is clear that there will not be any increase in residential density, beyond that otherwise allowable by the (B.C.Z.R.), if the requested relief is granted; three lots area allowed by the RC-8 classification and three are proposed. The relief requested is the minimum relief necessary to afford relief to the Petitioners, without impact or effect upon adjoining owners. Given the extensive areas of easement to be dedicated to Baltimore County in perpetuity, there will be no adverse effects on water quality as a result of the requested relief. Finally, the relief requested will allow additional, permitted uses on the property and will enable the farm to continue to be operated on the (DEPRM) identified prime and productive soils.

From the testimony and evidence it is clear that the shape, size, configuration and topography of the subject property render it unique to other properties in the area. Moreover, the extensive environmental easement areas imposed by County and State law/regulation reduce

significantly the areas available for continued farming and the proposed, permitted residential uses.

The comments issued by reviewing agencies comprising the Zoning Advisory Committee were all benign (no comment), other than those of the Office of Planning. The Planning Office comments, in recommending that the requested relief be granted, found that the request complied with the spirit and intent of the (B.C.Z.R.) and that the Petition meets the requirements of the RC-8 zone. That Office determined that the requested relief is necessary to comply with current environmental regulations.

Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, I am persuaded that the requested relief should be granted. The Petitioner, having obtained the necessary approvals prior to the effective date of the RC-8 zoning classification on the subject property has redesigned the layout to meet all of the RC-8 and environmental requirements, other than the 300 foot setback from adjacent properties. The existing and proposed uses are expressly permitted as of right in the RC-8 zone and the Petitioners would suffer real practical difficulty if the requested relief is not granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 4th day of May, 2005, that the Petition for Variance to reduce the 300 foot setback for dwellings or accessory residential structures from adjacent properties receiving preferential, agricultural assessments to: eighty (80) feet on Lot No. 1; sixty (60) feet on Lot No. 2; and sixty (60) feet on Lot No. 3 shall be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit(s) and be granted same upon the receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty day

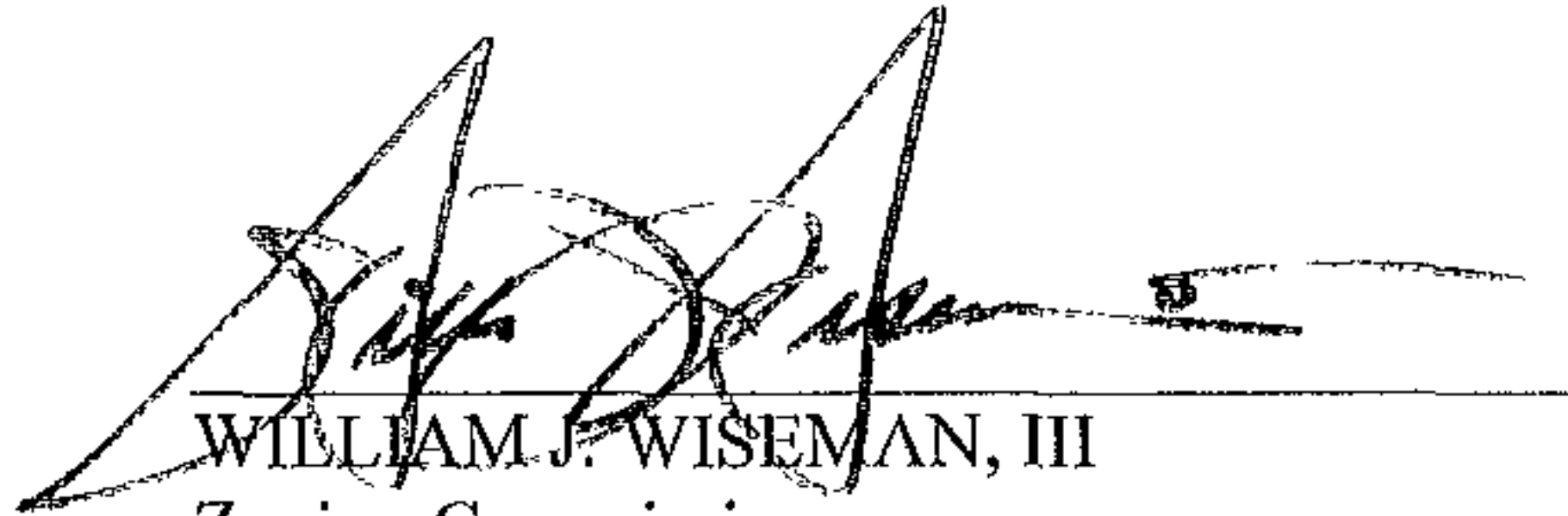
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7/15/05

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. The Petitioner must comply with all requirements of the minor subdivision approval of the property;

3. Development and use of the subject property shall comply with all environmental regulations as set forth in the ZAC comment submitted by DEPRM, dated March 17, 2005, a copy of which is attached hereto and made a part hereof; and

4. When applying for a building permit, the site plan filed must reference this case and the prior case and set forth and address the conditions and restrictions of this Order.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

5/4/15
[Handwritten signature]

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
William J. Wiseman III, Zoning Commissioner

May 4, 2005

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
(5924, 5930 & 5932 Glen Falls Road)
4th Election District – 2nd Council District
Michael L. Snyder, et ux - Petitioners
Case No. 05-455-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,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", is written over a printed name.

WILLIAM J. WISEMAN, III

Zoning Commissioner
for Baltimore County

WJW: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
Mr. James Uhler, 5829 Falls Road, Reisterstown, Md. 21136
DEPRM; 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 5924, 5930, and 5932 Glen Falls Road
which is presently zoned RC-8

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)

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)

The environmental constraints of the subject property prohibit implementation of the required 300-foot setbacks, and DEPRM supports the locations of the building envelopes as shown on the enclosed site plan.

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:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Michael L. Snyder
Name - Type or Print _____
Signature *Michael L. Snyder* _____
Kathy L. Snyder
Name - Type or Print _____
Signature *Kathy L. Snyder* _____
6104 Deer Park Road (410) 337-0200
Address _____ Telephone No. _____
Reisterstown, MD 21136
City _____ State _____ Zip Code _____

Representative to be Contacted:

Geoffrey C. Schultz
McKee and Associates, Inc.
Name _____
5 Shawan Road, Suite 1 (410) 527-1555
Address _____ Telephone No. _____
Cockeysville, MD 21030
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By *[Signature]* Date *5-11-05*

Case No. *05-455A*

5/15/05
Date *5/15/05*

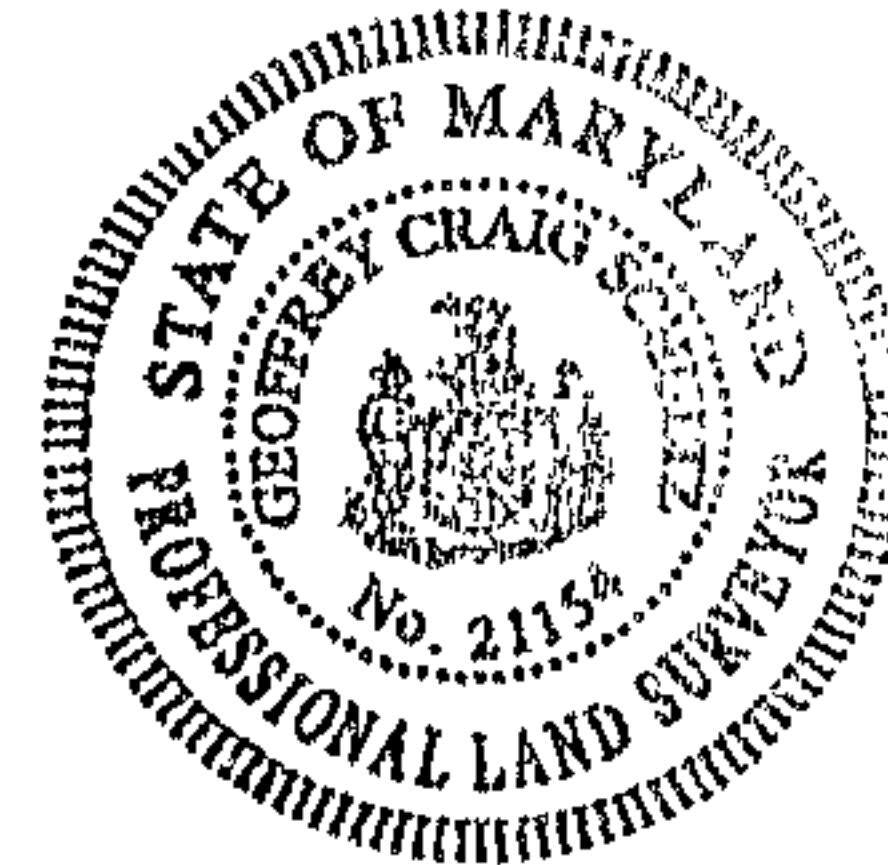
In accordance with Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), from Section 1AO9.7B.5.B.1.(A) of the B.C.Z.R. to permit the location of the building envelope, dwelling, and any accessory residential structures to be a minimum of 80 feet for Lot 1 (5930 Glen Falls Road), 60 feet for Lot 2 (5924 Glen Falls Road), and 60 feet for Lot 3 (5932 Glen Falls Road), in-lieu-of the minimum required 300 feet from adjacent properties that have received preferential agricultural assessment at any time over the past 5 years, in accordance with the enclosed site plan.

OFFICE OF THE CLERK OF THE DISTRICT COURT
DATE 5/15/15
BY [Signature]

MCKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

March 11, 2005



**ZONING DESCRIPTION OF
#5924, 5930, AND 5932 GLEN FALLS ROAD
4TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD**

BEGINNING at a point in the bed of Glen Falls Road (future 60-foot wide Right-of-Way), said point being 4,800 feet +/- west of the centerline of Woodens Lane; thence running,

- 1) South 69 degrees 36 minutes 14 seconds West, 20.28 feet,
- 2) North 29 degrees 56 minutes 02 seconds West, 12.30 feet,
- 3) South 44 degrees 15 minutes 57 seconds West, 18.71 feet,
- 4) North 29 degrees 56 minutes 02 seconds West, 1,931.50 feet,
- 5) South 39 degrees 14 minutes 09 seconds West, 1,209.67 feet,
- 6) North 28 degrees 08 minutes 33 seconds West, 263.03 feet,
- 7) North 14 degrees 23 minutes 10 seconds East, 1,690.93 feet,
- 8) North 63 degrees 22 minutes 31 seconds East, 106.97 feet,
- 9) North 83 degrees 27 minutes 26 seconds West, 81.48 feet,
- 10) North 14 degrees 23 minutes 09 seconds East, 485.96 feet,
- 11) North 46 degrees 41 minutes 44 seconds East, 496.60 feet,
- 12) South 36 degrees 16 minutes 44 seconds East, 1,167.15 feet,
- 13) South 33 degrees 05 minutes 57 seconds East, 148.08 feet,
- 14) South 33 degrees 20 minutes 43 seconds East, 369.35 feet,
- 15) North 83 degrees 08 minutes 46 seconds West, 478.72 feet,
- 16) South 47 degrees 29 minutes 01 seconds West, 676.95 feet,
- 17) South 29 degrees 56 minutes 02 seconds East, 1,952.02 feet,

CONTAINING 47.928 acres of land, more or less, as described in deed 20376/626.

BEING Lots 1, 2 and 3 of a Minor Subdivision of the "Snyder Property".

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: #05-455-A

5924, 5930, 5932 Glen Falls Road

N/side of Glen Falls Road, 2,100 feet +/- n/east from Mack Road

4th Election District - 2nd Councilmanic District

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

Variance: to permit the location of the building envelope, dwelling and any accessory residential structures to be a minimum of 80 feet for Lot 1 (5930 Glen Falls Rd.), 60 feet for Lot 2 (5924 Glen Falls Rd.) and 60 feet from Lot 3 (5932 Glen Falls Rd.), in lieu of the minimum required 300 feet from adjacent properties that have received preferential agricultural assessment at any time over the past 5 years, in accordance with the enclosed site plan.

Hearing: Wednesday, April 20, 2005 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN

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/4/615 Apr 5

45517

CERTIFICATE OF PUBLICATION

4/6/2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/5/2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 3-11-05

ACCOUNT

Recd-006-6150

AMOUNT

\$ 195.00

RECEIVED
FROM:

K. SNUPPER — 5930 GLEN FALLS

FOR:

3603-Not Solo, Held
by Developer, Same Tract.

Ad.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

No. 442334

PAID RECEIPT

BUSINESS ADDRESS
3-11-05 3-11-05 10:22:27

REC NO. 006 000000 000000

RECEIPT # 000000 7/11/05

DATE 3-11-05 10:22:27

AMOUNT \$ 195.00

RECEIPT FOR

\$195.00

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CERTIFICATE OF POSTING

Date: April 4, 2005

RE: Case Number: 05-455 A

Petitioner/Developer: Michael L. and Kathy L. Snyder

Date of Hearing/Closing: April 20, 2005, 11 AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at end of the drive where it intersects Glen Falls Road

The sign(s) were posted on April 1, 2005
(Month, Day, Year)

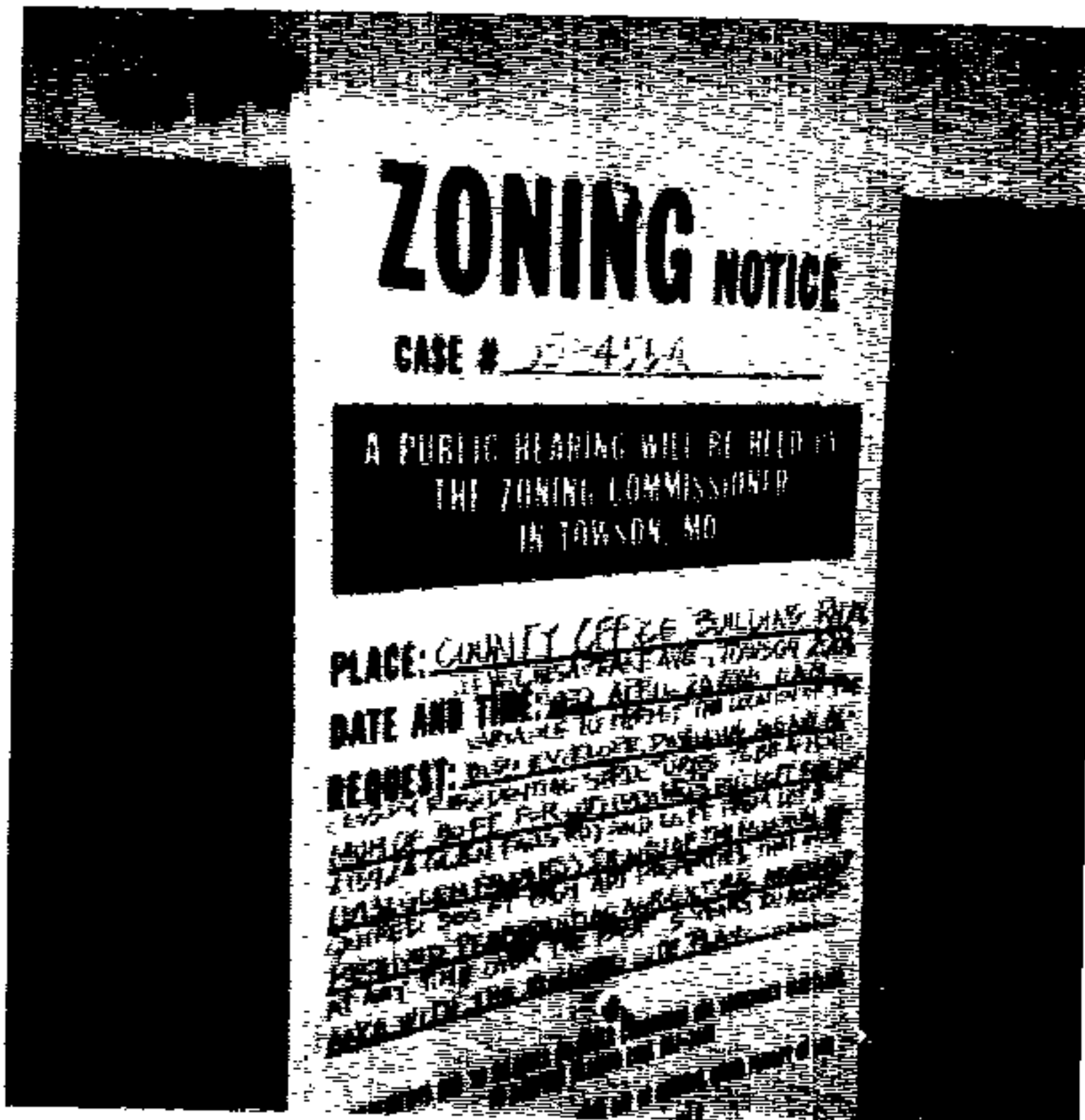
J. Lawrence Pilson
(Signature of Sign Poster)

J. Lawrence Pilson
(Printed Name of Sign Poster)

McKee and Associates, Inc.
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, April 5, 2005 Issue - Jeffersonian

Please forward billing to:
Michael Snyder
6104 Deer Park Road
Reisterstown, MD 21136

410-337-0200

NOTICE OF ZONING HEARING

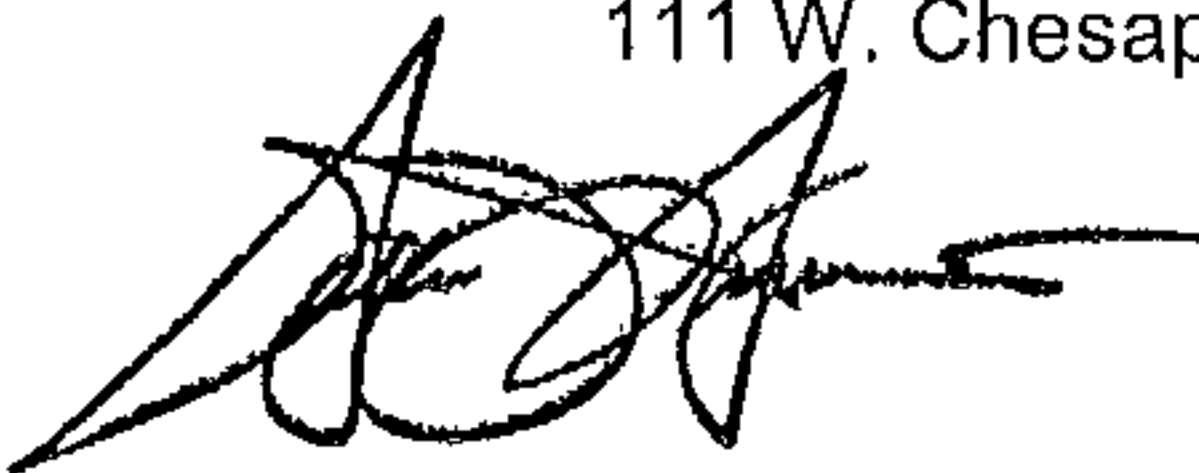
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-455-A

5924, 5930, 5932 Glen Falls Road
N/side of Glen Falls Road, 2,100 feet +/- n/east from Mack Road
4th Election District – 2nd Councilmanic District
Legal Owners: Michael L. & Kathy L. Snyder

Variance to permit the location of the building envelope, dwelling and any accessory residential structures to be a minimum of 80 feet for Lot 1 (5930 Glen Falls Rd.), 60 feet for Lot 2 (5924 Glen Falls Rd.) and 60 feet from Lot 3 (5932 Glen Falls Rd.), in lieu of the minimum required 300 feet from adjacent properties that have received preferential agricultural assessment at any time over the past 5 years, in accordance with the enclosed site plan.

Hearing: Wednesday, April 20, 2005 at 11:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204



WILLIAM WISEMAN
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

March 18, 2005

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: 05-455-A

5924, 5930, 5932 Glen Falls Road

N/side of Glen Falls Road, 2,100 feet +/- n/east from Mack Road

4th Election District – 2nd Councilmanic District

Legal Owners: Michael L. & Kathy L. Snyder

Variance to permit the location of the building envelope, dwelling and any accessory residential structures to be a minimum of 80 feet for Lot 1 (5930 Glen Falls Rd.), 60 feet for Lot 2 (5924 Glen Falls Rd.) and 60 feet from Lot 3 (5932 Glen Falls Rd.), in lieu of the minimum required 300 feet from adjacent properties that have received preferential agricultural assessment at any time over the past 5 years, in accordance with the enclosed site plan.

Hearing: Wednesday, April 20, 2005 at 11:00 a.m. in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Michael & Kathy Snyder, 6104 Deer Park Road, Reisterstown 21136
Geoffrey Schultz, 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, APRIL 5, 2005.**
- (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.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:

Item Number or Case Number: 455

Petitioner: MICHAEL L. SNYDER

Address or Location: 5930 GLEN FALLS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL L. SNYDER

Address: 6104 DEER PARK ROAD

REISTERSTOWN, MD. 21136

Telephone Number: (410) 337-0200

**Department of Permits and
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*

April 12, 2005

Michael L. Snyder
Kathy L. Snyder
6104 Deer Park Road
Reisterstown, Maryland 21136

Dear Mr. and Mrs. Snyder

RE: Case Number: 05-455-A, 59245930, and 5932 Glen Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 11, 2005

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Geoffrey Schultz McKee & Assoc. 5 Shawan Road Cockeysville 21030

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



Fire Department

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



Baltimore County

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

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

March 23, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 21, 2005

Item No.: 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, (455) 457,
461, 462.

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.

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

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 6, 2005
Department of Permits & Development
Management

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for March 28, 2005
Item No. 444, 446, 447, 448, 449
450, 451, 452, 453, 454 and 455

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

DAK:CEN:clw
cc: file

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr ^{JDO}
DEPRM

DATE: March 17, 2005

SUBJECT: Zoning Item # 05-455
Address 5924 Glen Falls road

Zoning Advisory Committee Meeting of March 21, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

 X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Tom Panzarella Date: April 13, 2005

By
4/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: April 12, 2005

RECEIVED

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

APR 15 2005

ZONING COMMISSIONER

SUBJECT: Glen Falls Road

INFORMATION:

Item Number: 5-455

Petitioner: Michael L. Snyder

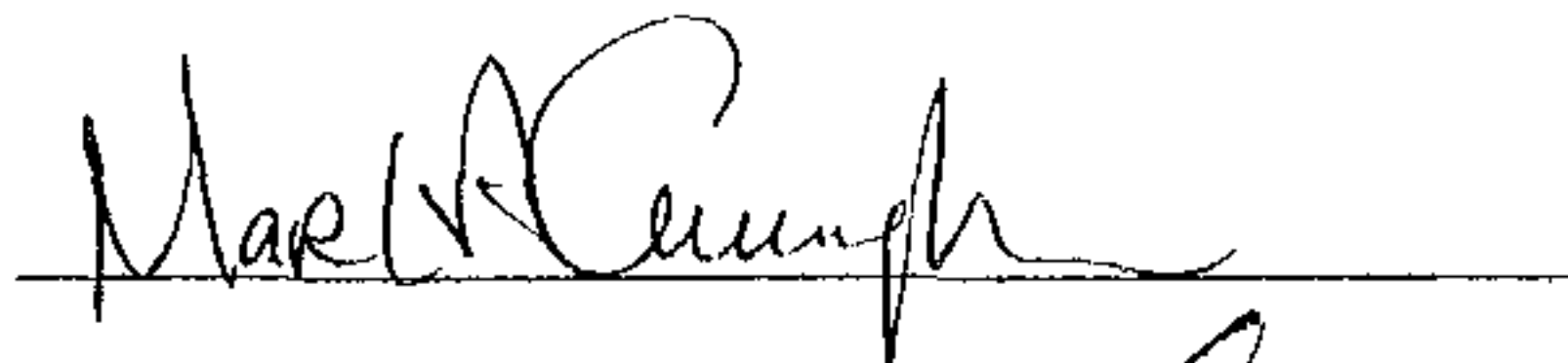
Zoning: RC 8

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

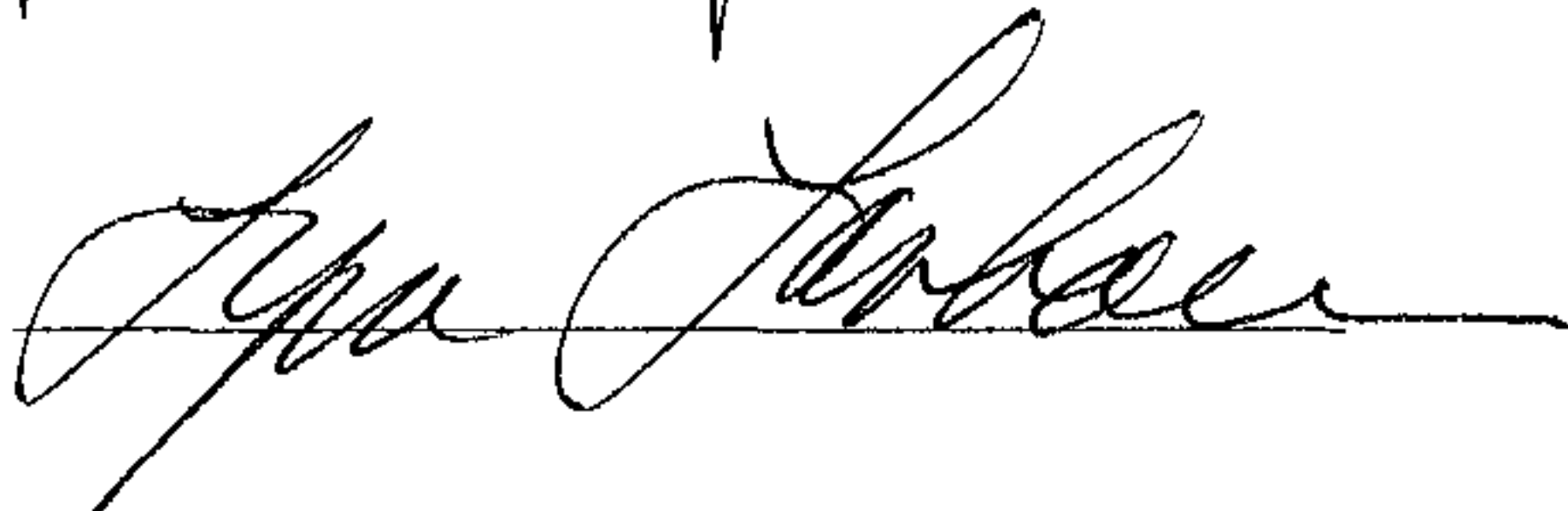
After reviewing the petitioner's request and all supporting documents, the Office of Planning finds that the subject proposal is consistent with the spirit and intent of Sections 100.1.A.2 and 1A09 of the Baltimore County Zoning Regulations (BCZR). This office has determined that the subject requested relief is necessary to comply with current environmental regulations. In addition, notwithstanding the variance request, the petition meets the building, site design, open space, and scenic view shed standards of the RC 8 zone. As such, this office recommends approval of the petitioner's request be approved.

Prepared by:



Division Chief:

AFK/LL:MAC:



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



Robert L. Flanagan, *Secretary*
Neil J. Pederson, *Administrator*

Maryland Department of Transportation

Date: 3.18.05

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

RE: Baltimore County
Item No. 455 JCM

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, Chief
Engineering Access Permits Division

RE: PETITION FOR VARIANCE	*	BEFORE THE
5924, 5930, 5932 Glen Falls Road; N/side		
Glen Falls Road, 2,100' NE Mack Road	*	ZONING COMMISSIONER
4 th Election & 2 nd Councilmanic Districts		
Legal Owners(s): Michael & Kathy Snyder	*	FOR
Petitioner(s)		
	*	BALTIMORE COUNTY
	*	05-455-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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March, 2005, 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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per.....

Anthony G. Marchione
Administrative Officer



Baltimore County

400 Washington Avenue, Towson, Maryland 21204
Tel: 410-887-2460 • Fax: 410-887-5781

James T. Smith, Jr., County Executive

1A 09.7B 5B1A

BALTIMORE COUNTY, MARYLAND
INTEROFFICE MEMORANDUM

TO: Pat Keller
Office of Planning

Tim Kotroco
Department of Permits & Development Management

David Carroll
DEPRM

FROM: Anthony G. Marchione
Administrative Officer

DATE: July 23, 2004

RE: Auditor's Notes -- August 02, 2004 County Council Meeting
July 27, 2004 Work Session
Bill 76-04 -- Land Use & Development -- Resource Conservation Zones

(Section 1A09)

For your information, please find attached Auditor's Notes for the above referenced legislation to be voted upon at the August 2nd County Council meeting (6:00 p.m.) and discussed at the July 27th Work Session. A copy of the legislation was sent to you previously.

If you have any questions, please do not hesitate to contact Donna Morrison at x3334.

AGM:dlw
Attachment

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



FISCAL NOTE

Council

Bill 76-04

Council District(s) AllAugust 2, 2004

Mr. McIntire

Land Use and Development – Resource Conservation Zones

This bill proposes to create a new R.C. 8 zoning classification, the primary purposes of which are to:

- protect remaining prime and productive soils and environmental resources in areas not currently protected by the R.C. 2 or the R.C. 7 zone; and
- preserve the traditional character of communities by limiting the scale and intensity of development.

The following uses are permitted by right in an R.C. 8 zone: (1) single-family detached dwellings; (2) farms and limited acre wholesale flower farms; (3) common open space; (4) streets and ways; (5) underground utility cables/lines; (6) farmer roadside stands; (7) home occupations; (8) professional offices; (9) parking and residential garage space; (10) signs; (11) swimming pools, tennis courts and other recreational amenities if accessory to a dwelling or residential subdivision; and (12) commercial film production facilities.

The R.C. 8 zone is primarily intended to be applied to forested lands, watershed areas and extensive natural areas. The R.C. 8 zone may not be applied to lands currently zoned R.C. 2 or R.C. 7.

If a property was zoned so that churches and other buildings for religious worship were permitted by right and were owned or under contract prior to being zoned as R.C. 8, churches and other buildings for religious worship are permitted by right on that property.

Land in an R.C. 8 zone is developable at the following density:

1 to 10 acres	=	1 lot
10 to 30 acres	=	2 lots
30 to 50 acres	=	3 lots
more than 50 acres	=	4 lots

August 2, 2004

Any proposed residential lot in a major or minor subdivision must not be less than
acres.

For residential development, the maximum area of the building envelope on any residential lot other than a farm is 20,000 square feet, and no single dwelling, inclusive of a garage or accessory building, shall have a building footprint that exceeds 5,000 square feet.

Any lot or parcel of land lawfully existing on August 6, 2004 may be developed with a single dwelling.

Any principal building constructed in an R.C. 8 zone shall be situated at least:

- (1) 35 feet from the right-of-way of public or private interior streets;
- (2) 80 feet from any principal building; and
- (3) 50 feet from the rear lot line.

Except for residential lots, which are subject to a building envelope restriction, no more than 5% of any lot may be covered by impervious surfaces such as structures or pavement.

Certain performance standards are mandated for the R.C. 8 zone, including:

- Buildings must be located on the least visually prominent portion of the site from the public road, consistent with effective resource protection.
- Buildings should reflect the traditional rural character of the area in architectural form, scale, materials and detailing and in landscaping context.
- Dwellings and other principal use buildings should be front-oriented to public rights-of-way; reverse-fronted lots generally will not be permitted.
- Institutional uses, when permitted, should be regarded as community landmarks, and treated as permanent, special uses.
- All of the exterior walls of a building must be treated similarly with respect to materials, color and architectural details.
- Accessory structures are not permitted in the front yard of any principal use.

Bill 76-04 (cont'd)

August 2, 2004

- If buildings are located in open fields because of site constraints, additional landscaping or berms may be required.
- Interior roads must conform to Baltimore County's standards for rural roads.
- Fences must be either split rail or board on post, and the type of fence must be consistent throughout the development.
- Off-street parking and vehicle or equipment storage areas must be visually screened.
- Only low intensity, low level accent lights and sensor lights are permitted.
- Community signs are prohibited. Subdivisions may be identified by street signs.

Any dwelling in an R.C. 8 or adjacent zone may be subject to inconveniences or discomforts arising from agricultural operations. These may include noise, odors, fumes, dust, the operation of machinery during any 24-hour period, the storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. The County shall not consider an agricultural operation to be a public or private nuisance if the operation complies with these regulations and all federal, state or county health or environmental requirements.

With the affirmative vote of five members of the County Council and signature by the Executive, Bill 76-04 will take effect on August 6, 2004.

BW
4/20

MEMO TO FILE
Zoning Case #05-455-A
5924, 30 & 32 Glen Falls Road

TO: Zoning Commissioner/Deputy Zoning Commissioner

FROM: John Sullivan, Planner II

DATE: April 19, 2005

At approximately 11:55 a.m. this morning a man who identified himself as a Mr. Jim Uhler, telephoned this office and asked me why these setbacks had to be so close. He stated that he wanted me to inform the Hearing Officer that he was opposed to this request. I informed him that he should write a letter or attend and testify about his opposition (as since there is no way to verify that Mr. Uhler is who he claims to be and that my stating same would be admissible). Mr. Uhler became somewhat sarcastic and stated that he has a job to be done and that in Carroll County the Hearing Officer listens to anyone!

CASE NAME 05-45T - A
CASE NUMBER 599DCE
DATE 20 Apr 05

Over Hills Rd

[illegible]

Case No.: 05-455A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	04-578-A	
No. 3	Spirit and intent letter	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Baltimore County - My Neighborhood



SITE

RCB

**CARROLL
BALTIMORE**

HILTMER

CO.
Q.

MACK

GLEN FALLS

**500 SCALE
ZONING MAP
#5924, #5930, & #5932
GLEN FALLS ROAD**



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