IN RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE – N/S

NE/S Windsor Mill Road, 2,314' NW of the c/l

Rolling Road (Nolanbrook)

2nd Election District

4th Council District

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Cases Nos, II-693 & 06-165-A

David F. Nolan, et al, Legal Owners; Nolanbrook, LLC, Developer 3

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/Developer seek approval of a redlined development plan, prepared by STV, Inc., for the proposed residential development of the subject property with 29 single-family detached dwelling units. In addition to development plan approval, the Owners/Developers also filed a Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) From Section 1B01.2.C.1.b to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lots 1 through 29, (2) from Section 1B01.2.C.1.b to permit a rear yard setback of 15 feet for the existing dwelling on Lots 25 in lieu of the required 30 feet; (3 & 4) from Section 301.1.A of the B.C.Z.R. to permit open projection (deck) setbacks of 20 feet for Lots 1 through 10, and 10 feet for Lots 11 through 29 in lieu of the required 22.5 feet each; (5) from Section 450.4.1.2.V and 450.4.1.2.1.V to permit two freestanding community signs, each having a sign face area of 28 sq.ft. in lieu of the maximum allowed 25 sq.ft., and to allow a height of 7 feet in lieu of the maximum allowed 6 feet; and, (6) from Section 301.1A to permit a front yard setback of 20 feet for Lots 15, 18, 20 and 27 in lieu of the required 25 feet, and to amend the site plan approved in prior Case No. 71-143-RXA. The proposed subdivision and requested relief are more particularly described on the two page, redlined development plan submitted and marked into evidence as Developer's Exhibits 1A & 1B.

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As to the history of this project through the development review process codified in Article 32 of the Baltimore County Code, a concept plan of the proposed development was prepared and a conference held thereon on March 14, 2005. 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. The CIM in this case was held on April 11, 2005 at the Hebbville Elementary School. 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 October 5, 2005. 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 November 17, 2005.

Appearing at the requisite public hearing held for this project were David and Debbie Nolan, owners of 7700 Windsor Mill Road (Parcel 220), and Benjamin Bronstein, Esquire, attorney for the owners and Nolanbrook, LLC, Developers. Also appearing were Anthony J. Corteal, Jr., Ken Green and Jennifer Leonard, all on behalf of STV Inc., the consultants who prepared the development plan for this project. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Christine Rorke, Project Manager; Rahee Famili, Development Plans Review; William Miner, Land Acquisition; and, Jun Fernando, Zoning Review. Also appearing on behalf of the County were Donnell Ziegler, Office of Planning (OP); R. Bruce Seeley and Jeff Livingston, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of

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Recreation and Parks (R&P). There were no citizens from the surrounding locale or other interested persons present.

The subject property under consideration is an irregularly shaped tract of land comprised of three parcels, located on the north side of Windsor Mill Road, just west of its intersection with Rolling Road in western Baltimore County. The property contains a combined gross area of approximately 8.83 acres, split zoned D.R.5.5 (7.23 acres) and B.R. (1.60 acres) and is improved with two dwellings, known as 7618 and 7700 Windsor Mill Road, and several outbuildings. In addition, a portion of the property has been used for many years as a bus terminal, pursuant to the relief granted in prior Case No. 71-143-RXA. However, that use has been abandoned. The dwelling known as 7618 Windsor Mill Road, will be retained on proposed Lot 25; however, the other dwelling (7700 Windsor Mill Road), the bus terminal and all of the outbuildings on the property will be razed to make way for the proposed development. Access to the new homes will be provided by way of two new public roads, namely Ridgeway Place, which will enter the development from Windsor Mill Road on the south side, and Betty's Way from the east. These new roads will meet and circulate around the center portion of the community. The road configuration and lot layouts are more particularly shown on the development plan submitted into evidence as Developer's Exhibit 1A. As shown on the plan, the property abuts the community of Rolling Oaks to the north and Rolling Oaks II to the east. All three subdivisions are being developed in a common scheme with similar facades and lot sizes, as well as interlocking internal roads.

Pursuant to Section 32-4-228 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. On behalf of the Developer, Ms. Leonard presented the plan and indicated that there were no outstanding agency comments or unresolved issues. The County agency representatives who were present corroborated Ms. Leonard's testimony and indicated that the 'plan complies with their respective departments' regulations and requirements. Additionally, the Developer's Pattern Book and Fence Detail, which were submitted into evidence as County

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Exhibits 1 and 2, respectively, were approved by the Office of Planning and provide specifications of proposed elevations, enhanced front porches, and ornamental picket fencing and accessories for the proposed single-family homes.

Turning to the variance requests, testimony and evidence offered by Ms. Leonard was persuasive to a finding that the relief requested meets the requirements of Section 307 of the B.C.Z.R. It was indicated that the requested variances were necessary to maintain a neo-traditional land plan design consistent with the adjacent Rolling Oaks development and that no increase in residential density beyond that otherwise allowed by the regulations will result by granting the variances. Additionally, the Developer's marketing plan will hopefully attract older buyers to these upscale homes, thereby allowing homeowners who want less maintenance to remain in the area. It is also to be noted that the project is under-density. There are 29 single-family dwellings proposed, including the existing house, where 47 would be allowed, given the overall density of the property. Finally, no testimony or evidence was offered that the grant of the variances would cause any detrimental impact to surrounding properties. Indeed, screening is proposed in accordance with the landscape plan marked into evidence as Developer's Exhibit 1C. Moreover, the open space provided exceeds the statutory requirements. Thus, for all of these reasons, the Petition for Variance shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, and the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Article 32, Section 4 of the Baltimore County Code, the redlined development plan (Developer's Exhibits 1A and 1B) shall be approved consistent with the comments contained herein, and the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 23 day of November 2005 that the development plan for Nolanbrook, identified herein as Developer's Exhibits 1A and 1B, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: (1) From Section 1B01.2.C.1.b to

permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lots 1 through 29, (2) from Section 1B01.2.C.1.b to permit a rear yard setback of 15 feet for the existing dwelling on Lots 25 in lieu of the required 30 feet; (3 & 4) from Section 301.1.A of the B.C.Z.R. to permit open projection (deck) setbacks of 20 feet for Lots 1 through 10, and 10 feet for Lots 11 through 29 in lieu of the required 22.5 feet each; (5) from Section 450.4.1.2.V and 450.4.1.2.1.V to permit two freestanding community signs, each having a sign face area of 28 sq.ft. in lieu of the maximum allowed 25 sq.ft., and to allow a height of 7 feet in lieu of the maximum allowed 6 feet; and, (6) from Section 301.1A to permit a front yard setback of 20 feet for Lots 15, 18, 20 and 27 in lieu of the required 25 feet, and to amend the previously approved plan in prior Case No. 71-143-RXA, in accordance with Developer's Exhibits 1A and 1B, be and is hereby GRANTED.

Any appeal of this Order shall be taken in accordance with Baltimore County Code Sections 32-3-401 and 32-4-281.

WJW:bjs

Zoning Commissioner/Hearing Officer

for Baltimore County



JAMES T. SMITH, JR. County Executive

November 23, 2005

WILLIAM J. WISEMAN III

Zoning Commissioner

Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue, Suite 205 Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE

N/S Windsor Mill Road, 2,314' W of the c/l Rolling Road (Nolanbrook)

(Nolanbrook)

2nd Election District – 4th Council District

David F. Nolan, et al, Legal Owners; Nolanbrook, LLC, Developer

Cases Nos. II-693 & 06-165-A

Dear Mr. Bronstein:

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

WILLIAM J. WISEMAN, III

Zoning Commissioner/Hearing Officer

for Baltimore County

WJW:bjs

cc: Mr. & Mrs. David Nolan, 7700 Windsor Mill Road, Baltimore, Md. 21244

Mr. Anthony J. Corteal, Jr., STV Inc., 7125 Ambassador Road, Baltimore, Md. 2/1244

Ms. Christine Rorke, DPDM; DEPRM; DPW; OP; R&P; People's Counsel; Case/File



 $A_{n} V^{N}$

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7618 & 7700 Windsor Mill Road

which is presently zoned Dr 5.5 & BR

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 Schedule A.

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

- 1. The configuration of the property.
- 2. The topography of the property.
- 3. And for such other and further reasons as may be demonstrated at the time of 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.

Contract Purchaser/Lessee: Legal Owner(s): Nolanbrook, LLC David F. Nolan Name - Type or Print Name - Type or Print XDand F. Molan Signature 10045 Red Run Boulevard, Suite 150 410-356-9229 Address Telephone No. Owings Mills Maryland 21117 City State Zip Code Attorney For Petitioner: Benjamin/Bronstein Name - Type or Print UN Signature Company 129 West Susquehanna Avenue, Suite 205 410-296-0200 Address Telephone No. Stowspn 21204 Maryland Zip Code State 06-165-A 220 9115 98

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.

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Signature				
Deborah M. Nolan				
Name - Type or Print	5 1 1			
L Deworah Signature	M Wolan			
Signature				
7700 Windsor Mill Ro	ad			
Address		Telephone No.		
Baltimore	Maryland	21244		
City	State	Zip Code		
Representative to be Contacted:				
	TV Incorporated			
Vame				
7125 Ambassador Roa	d	410-944-9112		
Address		Telephone No.		
Baltimore	Maryland	21244		
City	State	Zip Code		
OFFICE USE ONLY				
ESTIMATED LENGTH OF HEARING				
JNAVAILABLE FOR HEARING Date 9/19/0				
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Additional Signatures to Petition for Variance

for the property located at 7618 & 7700 Windsor Mill Road

Legal Owner(s):

4.

Louis E. Nolan

Margaret P. Nolan

7618 Windsor Mill Road Baltimore, Maryland 21244

165

SCHEDULE A

TO PETITION FOR VARIANCE

RE: 7618 & 7700 Windsor Mill Road

- 1. Section 1B01.2.C.1.b (BCZR) to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 feet for Lot Nos. 1 through 29.
- 2. Section 1B01.2.C.1.b (BCZR) to permit rear yard setback of 15 feet for existing dwelling in lieu of the required 30 feet for Lot 25.
- 3. Section 301.1.A (BCZR) to permit open projections (decks) for Lot Nos. 11 through 30 with a rear yard setback of 10 feet in lieu of the required 22.5 feet.
- 4. Section 301.1A (BCZR) to permit open projections (decks) for Lot Nos. 1 through 10 with a rear yard setback of 20 feet in lieu of the required 22.5 feet.
- 5. Sections 450.4.1.2.V and 450.4.1.2.IV (BCZR) to permit two free standing community signs each having a sign face area of 28 sq. ft. in lieu of the permitted 25 sq. ft., and to allow for a maximum height of 7 feet in lieu of the permitted 6 foot height.
- 6. Section 301.1A (BCZR) to permit front yard setback of 20 feet for Lot Nos. 15, 18, 20 and 27 in lieu of the required 25 feet.

AND TO amend the previously approved heard cases.

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DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE D- 17-05 AMOUNT \$ 560.00 AMOUNT \$ 560.00 FROM: PETITION FOR VARIANCE NO CHARGO STEEL NO CHARGO STEEL
CASHIER'S VALIDATION	

HARVARD LAND HOLDING LLC

BALTIMORE COUNTY

VARIANCE PETITION

1/9/2005

860.00

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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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

Case: #06-165-A

7618 & 7700 Windsor Mill Road N/east side of Windsor Mill Road at the distance of 2,314 ft. n/west of the center of Windsor Mill Road 2nd Election District - 4th Councilmanic District Legal Owner(s): David F. & Deborah M. Nolan Contract Purchaser: Nolanbrook, LLC

Variance: to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 thru 29, to permit rear yard setback of 15 ft. for existing dwelling in lieu of the required 30 ft. for Lot 25, to permit open projections (decks) for Lot Nos 11 thru 30 with a rear yard setback of 10 ft. in lieu of the required 22.5 ft. to permit open projections (decks) for Lot Nos. 1 thru 10 wth a rear yard setback of 20 ft. In lieu of the required 22.5 ft., to permit two freestanding community signs each having a sign face area of 28 sq. ft. in lieu of the permitted 25 sq. ft. and to allow for a maximum height of 7 ft. in lieu of the permitted 6 ft. height, to permit front yard setback of 20 ft. for Lot Nos. 15, 18, 20 and 27 in lieu of the required 25 ft, and to amend the previously approved hearing

Hearing: Thursday, October 27, 2005 at 9:00 a.m. in Room 407, County Courts Bullding, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III 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/10/661 Oct. 11

CERTIFICATE OF PUBLICATION

10/13/,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $10/11$, 2005 .
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING



CISE H COS COS A

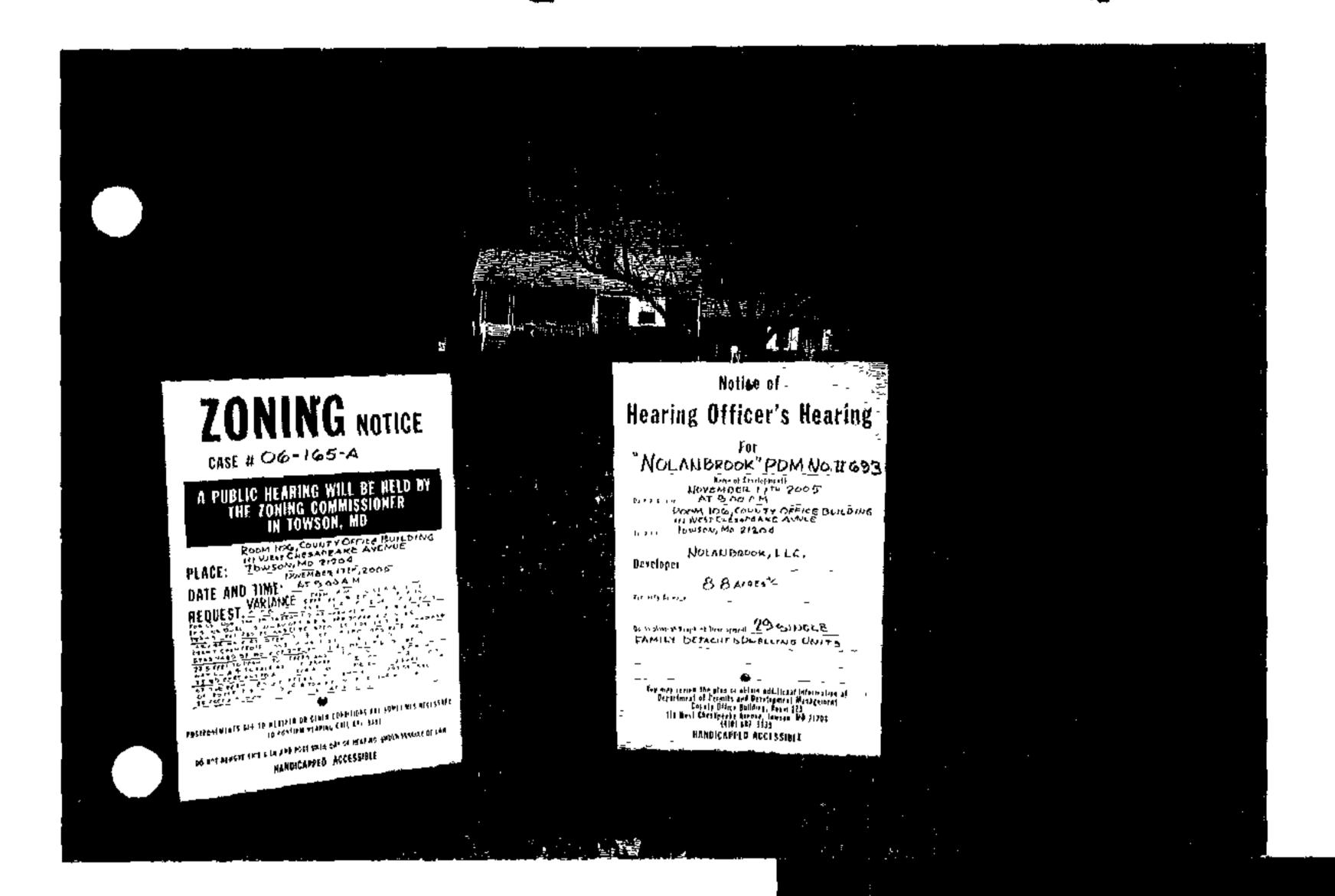
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REQUEST VARIANCE TO PERMIT AND INCOME.

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POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES: NECESSARY

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY, OF LAW



ZONING NOTICE

CASE # 06-165-A

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

ROOM 106, COUNTY OFFICE BUILDING

PLACE: TOWSON, MD. 21204

D TIME: AT SIGO A.M.

VARIANCE TO PERMIT A MINIMUM DISTANCE OF PEET SIDE BUILDING FACE TO SIDE BUILDING FACE IN LIBU OF THE REQUIRED 20 FEET FOR LOT NOS. I THRU 29, TO PERMIT REAR YARD BETBACK OF 13 FEET FOR EXISTING DWELLING IN LIEU OF THE REQUIRED BO FEET FOR LOT 25, TO PERMIT OPEN PROJECTIONS (DECKS) FOR LOT NOS II THRU 30 WITH A REAR PARTY OPEN PROJECTIONS (DECKS) FOR LOT NOS I THRU 10 WITH A REAR YARD BETBACK OF ZOFEET IN LIEU OF THE REQUIRED 22.5 FEET TO PERMIT TWO FREESTANDING COMMUNITY SIGNS EACH HOVING A SIGN FACE AREA OF REFECT IN LIEU OF THE PERMITTED 25 SOFEET AND TO ALLOW FOR A MALIMUM HEIGHT OF T FEET IN LIBU OF THE PERMITTED OF THE PERMITTED AS SOFEET FOR LOT NOS IS, IS COMMUNITY SIGNS BACK OF 20 FEET AND TO ALLOW FOR A MALIMUM HEIGHT OF T FEET IN LIBU OF THE PERMITTED OF THE PERMITTED AS SOFEET FOR LOT NOS IS, IS ZDANG 27 IN LIBU OF THE REQUIRED AS FEET AND TO ANGUS THE PREVIOUSLY APPROVED HEADING CASES

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM REARING CALL 887-3391

DO NOT REMOVE THIS SICH AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

The sign(s) were posted on

Towson, MD 21204

Permits and Development Management

RE: Case No.: 06-165-A Petitioner/Developer: NOLAN BRUOK, LLC, Date of Hearing/Closing: Oct-27, 2005 Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the propery located at # 7700 WILLOSOR MILL ROAD Sincerely,

(Signature of Sign Poster and Date) CARLAGE, MOORE (Printed Name) 3225 RYGISON CIRCLE (Address) BAUTIMORE, MD, 21227 (City, State, Zip Code) (Telephone Number)

CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

Towson, MD 21204

Permits and Development Management

Date of Hearing/Closing: $10V \cdot 12$ 2005 Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the propery located at _____ #7700 WINDSON Macon ROND The sign(s) were posted on 100, 3, 2005 (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) CTAPLAGED E. MOORE (Printed Name) 3225 RYSI2SON CIRCLE (Address) BAUTIMORE, MD, 21227 (City, State, Zip Code) (Telephone Number)

RE: Case No.: 06-165-A

Petitioner/Developer: NOLAMBREOOK, CC

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 11, 2005 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein

410-296-0200

29 West Susquehanna Avenue, Ste. 205

Towson, MD 21204

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: 06-165-A

7618 & 7700 Windsor Mill Road

N/east side of Windsor Mill Road at the distance of 2,314 ft. n/west of the center of Windsor Mill Road 2nd Election District – 4th Councilmanic District

Legal Owners: David F. & Deborah M. Nolan

Contract Purchaser: Nolanbrook, LLC

<u>Variance</u> to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 thru 29, to permit rear yard setback of 15 ft. for existing dwelling in lieu of the required 30 ft. for Lot 25, to permit open projections (decks) for Lot Nos. 11 thru 30 with a rear yard setback of 10 ft. in lieu of the required 22.5 ft. to permit open projections (decks) for Lot Nos. 1 thru 10 win a rear yard setback of 20 ft. in lieu of the required 22.5 ft., to permit two freestanding community signs each having a sign face area of 28 sq. ft. in lieu of the permitted 25 sq. ft. and to allow for a maximum height of 7 ft. in lieu of the permitted 6 ft. height, to permit front yard setback of 20 ft. for Lot Nos. 15, 18, 20 and 27 in lieu of the required 25 ft. and to amend the previously approved hearing cases.

Hearing: Thursday, October 27, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave, Towson 21204

WILLIAM J WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

Department of Permits 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

October 3, 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: 06-165-A

7618 & 7700 Windsor Mill Road

N/east side of Windsor Mill Road at the distance of 2,314 ft. n/west of the center of Windsor Mill Road

2nd Election District – 4th Councilmanic District Legal Owners: David F. & Deborah M. Nolan

Contract Purchaser: Nolanbrook, LLC

Variance to permit a minimum distance of 15 feet from side building face to side building face in lieu of the required 20 ft. for Lot Nos. 1 thru 29, to permit rear yard setback of 15 ft. for existing dwelling in lieu of the required 30 ft. for Lot 25, to permit open projections (decks) for Lot Nos. 11 thru 30 with a rear yard setback of 10 ft. in lieu of the required 22.5 ft. to permit open projections (decks) for Lot Nos. 1 thru 10 win a rear yard setback of 20 ft. in lieu of the required 22.5 ft., to permit two freestanding community signs each having a sign face area of 28 sq. ft. in lieu of the permitted 25 sq. ft. and to allow for a maximum height of 7 ft. in lieu of the permitted 6 ft. height, to permit front yard setback of 20 ft. for Lot Nos. 15, 18, 20 and 27 in lieu of the required 25 ft. and to amend the previously approved hearing cases.

Hearing: Thursday, October 27, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Benjamin Bronstein, 29 West Susquehanna Ave., Ste. 205, Towson 21204 Mr. & Mrs. Nolan, 7700 Windsor Mill Road, Baltimore 21244 Nolanbrook, LLC, 10045 Red Run Blvd., Ste. 150, Owings Mills 21117 Kay Morin, 7125 Ambassador Road, Baltimore 21244

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 11, 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.



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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

or Newspaper Advertising:
em Number or Case Number: 06-165-A
etitioner: DANID & DEBORAH NOLAN
ddress or Location: 7618 \$7700 Windson Mill Pd.
"NOWAN BROOK"
LEASE FORWARD ADVERTISING BILL TO:
ame: Dy jamy Dwystw
ddress: 1 29 W. Susquehann Am
TOUDD 2/204
elephone Number:

Revised 7/11/05 - SCJ

Department of Permits Car Development Management

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





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

October 24, 2005

Benjamin Bronstein 29 West Susquehanna, Ste. 205 Towson, Maryland 21204

Dear Mr. Bronstein:

RE: Case Number: 06-165-A, 7618 & 7700 Windsor Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 19, 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, Call Richard D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
David F. and Deborah M. Nolan 7700 Windsor Mill Road Baltimore 21244
Nolanbrook, LLC. 10045 Red Run Blvd, Ste. 150 Owings Mills 21117
Kay Morin 7125 Ambassador Road Baltimore 21244



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 September 22, 2005

ATTENTION: Zoning review planners

Distribution Meetings of: October 3, 2005

Item No.: 15

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.

Lieutenant J.D.Mezick Fire Marshal's Office 410-887-4880 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 27, 2005

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 10, 2005

Item Nos. 155, 156, 157, 159, 160, 161,

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09272005.doc



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

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

Maryland Department of Transportation

Date: 9.21.05

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

RE:

Baltimore County
Item No. 165

JRF

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

1. 1. Double

Engineering Access Permits Division

RE: PETITION FOR VARIANCE

7618 & 7700 Windsor Mill Rd; NE/S Windsor

Mill Rd, 2,314.7' NW c/l Windsor Mill & Rolling Rd*

2nd Election & 4th Councilmanic Districts

Legal Owner(s): David & Deborah Nolan

Contract Purchaser(s): Nolanbrook LLC

Petitioner(s) *

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 06-165-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

People's Counsel for Baltimore County

RECEIVED

Per.....

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 23rd day of September, 2005, a copy of the foregoing Entry of Appearance was mailed to, Kay Morin, STV, Incorporated, 7125 Ambassador Road, Baltimore, MD 21244 and to Bejamin Bronstein, Esquire, 29 West Susquehanna Avenue, Suite 205, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Surveying • Land Planning • Engineering
585 McAllister Street Hanover, Pennsylvania 17331
(717) 637-5674 • FAX (717) 633-1987

worleysurveying@earthlink:net ws@worleysurveying.com

ZONING DESCRIPTION NOLAN PROPERTIES (A K/A NOLAN BROOK) NOS. 7618 AND 7700 WINDSOR MILL ROAD NEAR HEBBVILLE, BALTIMORE COUNTY, MARYLAND

BEGINNING at a point along the northeast side of Windsor Mill Road (existing 30 feet wide right of way), distant approximately 2,314.7 feet northwesterly from the intersection of the pavement centerline of said Windsor Mill Road and the pavement centerline of Rolling Road, at Hebbville, thence running upon said northeast side of Windsor Mill Road, the two following courses and distances,

- 1. North 65° 39' 39" West 188.41 feet to a point of curvature, thence
- 2. By a curve to the right, having a radius of 1,985.00 feet, an arc length of 286.90 feet, said curve being subtended by a chord bearing North 61° 31′ 13″ West 286.65 feet to a point, thence leaving Windsor Mil Road and running as follows,
- 3. North 27° 00' 49" East 921.14 feet to a point, thence
- 4. South 49° 59' 02" East 395.64 feet to a point, thence
- 5. South 20° 52' 49" West 835.45 feet to the place of beginning; as recorded in Deed Liber E.H.K. Jr. 5001, Folio 502, Deed Liber S.M. 11494, Folio 164 and Deed Liber S.M. 11494, Folio 173.

CONTAINING 8.6717 acres of land, more or less. Also, currently known as Nos. 7618 and 7700 Windsor Mill Road, near Hebbville and located in the Second (2nd) Election District, Baltimore County, Maryland.

WORLEY SURVEYING

Mark A. Riddle

MD Professional Land Surveyor No. 10899

For: STV Incorporated

MAR/ cab 3994-04 December 28, 2004

145

BENJAMIN BRONSTEIN

ATTORNEY AT LAW SUSQUEHANNA BUILDING, SUITE 205 29 WEST SUSQUEHANNA AVENUE TOWSON, MARYLAND 21204 (410) 296~0200 FAX: (410) 296-3719 Benbronstein@terralaw.net

September 12, 2005

Dept of Permits & Development Mgt ATTN: Mr. 7 County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

RE: 7618 & 7700 Windsor Mill Road

Dear Mr. J

In reference to the above entitled property I am hereby enclosing the following:

- 1. Petition for Variance in triplicate;
- 2. Twelve (12) copies of the Plat to Accompany Petition;
- 3. Three copies of the description under seal;

5. Check in the amount of \$860.00 to cover costs. = 0.10. p^{sec}

There are no violations. Please enter my appearance on behalf of the Petitioner and kindly consolidate the hearing on this Petition with the hearing on PDM # II- 693.

Thank you for your kind and prompt attention to this matter.

Behjamin Bronstein

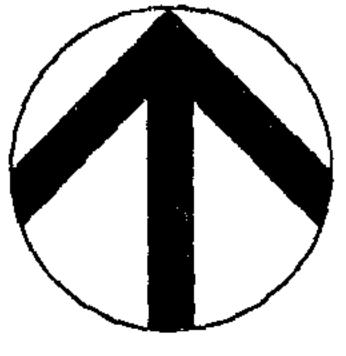
Very/truly yours,

BB/mlh Enclosures



ZONING MAP
NOLANBROOK





NOT TO SCALE

