IN RE: PETITION FOR SPECIAL HEARING S/W corner of Philadelphia Road and Lennings Lane 14th Election District 6th Councilmanic District **(9136 Philadelphia Road)** Alpaslan Cucuk *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY CASE NO. 06-542-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Alpaslan Cucuk. The Petitioner is requesting special hearing relief for property owned at 9136 Philadelphia Road in the Canterbury area of Baltimore County. The special hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing lot #5 into 2 lots and to determine that the allowed density will not be exceeded.

The property was posted with Notice of Hearing on June 2, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 1, 2006, , to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

ORDER RECEIVED FOR FILING
Date 6-26-06
By

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: A comment letter was received from the Office of Planning dated June 16, 2006 a copy of which is made a part of the record of this case.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief was Alpaslan Cucuk, Petitioner. Vince Moskunas, Site Rite Surveying, Inc., prepared the site plan. Thomas Wrightson attended the hearing as an interested citizen. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Moskunas proffered that this property was the subject of a 1985 CRG plan in which 5 lots were approved for a subdivision known as Walbeck Acres as shown on Petitioner's exhibit 1. This created three lots on Lennings Lane which have been sold and lots 4 and 5 were to be retained by the owner.

In 1994, lot 4 was subdivided to create two parcels. Parcel 1 was sold to the owner of lot 5 and Parcel 2 was sold to an adjacent property owner at 9134 Philadelphia Road as shown in Petitioner's exhibit 2. This was the First Amended Final Development Plan essentially increasing the back yards of these homes.

Later in 1994 lot 4 was subdivided into lots 4 and 4 A making a total of six lots for this subdivision. This was the Second Amended Plat as shown in exhibit 3. Lot 4 A has access to Lennings Lane.

This request is to resubdivide lot 5. Mr. Moskunas indicated that the Petitioner's original intent was to replace the exiting house. However the home on lot 5 has now been placed on the Maryland Historic Trust Inventory as the "Walbeck House" and so razing this home was opposed by the Planning Office. The Petitioner then proposed to subdivide lot 5 to allow a new home to be

6-2006

located as shown on exhibit 1. This further subdivision was approved by the DRC as a refinement to the development plan as shown in exhibit 4 and will be the Third Amended Final Development Plan.

Mr. Moskunas indicated that the Planning Board reviewed and approved the Plan to Accompany, exhibit 1. This Plan combines Parcel 1 and a little of lot 5 to form lot 5A around the Walbeck House. Reconfigured and reduced Lot 5 will contain the new dwelling which will be setback from Rt. 7 the same distance as the adjoining house at 9134 Philadelphia Road. It will meet all setback and bulk requirements of the DR 3.5 zone.

In regard to the special hearing, Mr. Moskunas pointed out the original Walbeck subdivision the acreage and zoning would allow 15 dwellings as shown in red in exhibit 5. This would be the seventh dwelling and so meets the density allowed.

Mr. Wrightson, who lives next to the proposed new home did not oppose the request but had several questions.

Findings of Fact and Conclusions of Law

The request for special hearing arises because the Petitioner proposes to make a third amendment to the final development plan approved in the "Walbeck Acres Subdivision" which was recorded in the land records in 1985. I find that Section 1B01.3.A.1, subsection 1.a requirement to disclose the proposed changes to prospective residents and to those who may have relied on the original development plan have been complied with by the public hearing held on June 19, 2006. I further find that the proposed changes comply with applicable regulations, standards and policies. In regard to the Planning Office comments, the Office notes that the CRG approved amendment to the plan and requested that elevations, building materials, etc. be reviewed by the Planning Office prior to building permit. I find therefore that the Office of Planning comments constitute the certification by the Director of Planning that this plan meets the spirit and intent of the regulations

6-20-06

and does not violate the spirit and intent of the original development plan pursuant to Section 1B01.3.A.7.c.(4). I also make such findings and so certify.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioners' special hearing request should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 20th day of June 2006, that the Petitioners' request for special hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing lot #5 into 2 lots and to determine that the allowed density will not be exceeded be and is hereby GRANTED subject to the following condition:

1. The Petitioner shall comply with the ZAC comments dated June 16, 2006.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

June 20, 2006

ALPASLAN CUCUK
9136 PHILADELPHIA ROAD
ROSEDALE MD 21237

Re: Petition for Special Hearing
Case No. 06-542PH
Property: 9136 Philadelphia Road

Dear Mr. Cucuk:

Enclosed please find the decision rendered in the above-captioned case. The petition for Special Hearing has been granted with restrictions in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:pz
Enclosure

c: Vince Moskunas, Site Rite Surveying, Inc. , 200 East Joppa Road, Towson MD 21286
Thomas Wrightson, 9134 Philadelphia Road, Baltimore MD 21237

6-2006

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9136 PHILADELPHIA RD.
which is presently zoned DR 3.5

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

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:

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):

ALPASLAN CUCUK
Name - Type or Print

Signature

Name - Type or Print

Signature

9136 PHILADELPHIA RD — 443-243-7356
Address — Telephone No.

ROSEDALE, MD. — 21237
State — Zip Code

Representative to be Contacted:

SITE RITE SURVEYING, INC.
Name

200 E. JOPPA RD. — 410-828-9060
Address — Telephone No.

TOWSON — MD — 21286
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BK Date 4/26/06

Case No. 06-542-SPH

REV 9/15/98

620016

To amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing lot #5 into 2 lots and to determine that the allowed density will not be exceeded.

#542

ZONING DESCRIPTION
#9136 PHILADELPHIA ROAD

BEGINNING at a point on the northwest side of Philadelphia Road which is future 80 foot right-of-way wide at the distance of 20 feet south of the centerline of the nearest improved intersecting street Lennings Lane which is 50 foot right-of-way wide. Being Lot #5 and Parcel #1 in the subdivision of Second Amended Plat of "Walbeck Acres" as recorded in Baltimore County Plat Book #66, Folio #127, containing 0.57 acre, more or less. Also known as #9136 Philadelphia Road and located in the 14th Election District, 6th Councilmanic District.

STATE OF MARYLAND
MICHAEL VINCENT MOSKUNAS
NO. 21175
PROFESSIONAL LAND SURVEYOR

Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Suite 101
Towson MD 21286
(410) 828-9046

#542

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 8260

DATE 4-26-06 ACCOUNT R 001-006-6150

AMOUNT $ 65.00 ck

RECEIVED FROM: ALPASLAN CHOUK

FOR: SPECIAL HEARING TO AMEND 2nd E.D.P.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item #592

PAID RECEIPT

CASHIER'S VALIDATION

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: #06-642-SPH
9136 Philadelphia Road
Southwest corner of Philadelphia Road and Lennings Lane
14th Election District - 6th Councilmanic District
Legal Owner(s): Alpaslan Cucuk

Special Hearing: to amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing Lot #5 into 2 lots and to determine that the allowed density will not be exceeded.

Hearing: Monday, June 19, 2006 at 9:00 a.m. in Room 407, County Courts Building, 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) 887-3868/4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/006 June 1 97075

CERTIFICATE OF PUBLICATION

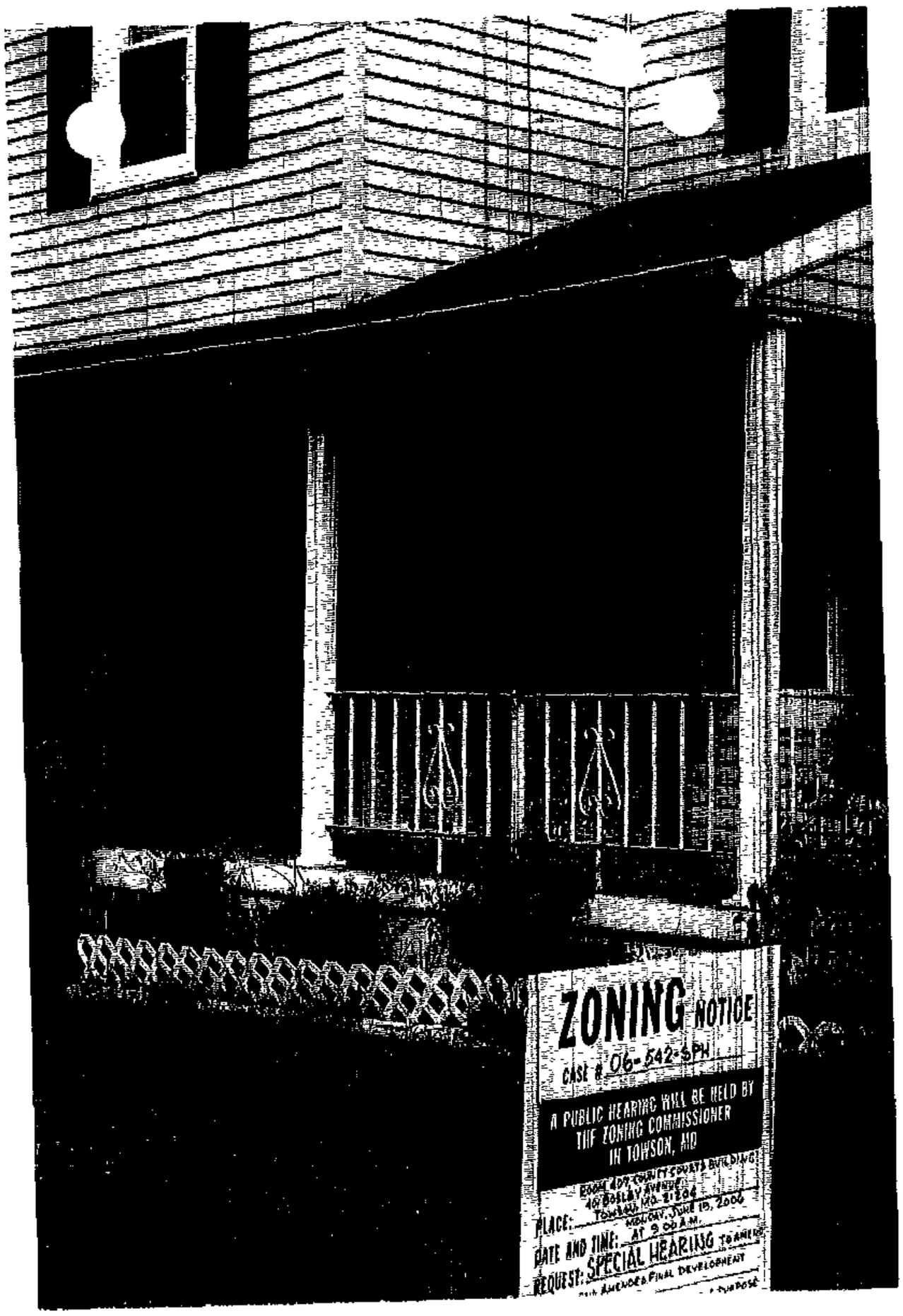
6/1, 2006

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 6/1, 2006.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING


ZONING NOTICE
CASE # 06-542-SPH
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD
PLACE:
DATE AND TIME: AT 9:00 A.M.
REQUEST: SPECIAL HEARING

ZONING NOTICE

CASE # 06-542-SPH

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

PLACE: ROOM 407, COUNTY COURTS BUILDING 401 BOSLEY AVENUE TOWSON, MD. 21204

DATE AND TIME: MONDAY, JUNE 19, 2006 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO AMEND THE SECOND AMENDED FINAL DEVELOPMENT PLAN FOR "WALBECK ACRES" FOR THE PURPOSE OF SUBDIVIDING LOT #5 INTO 2 LOTS AND TO DETERMINE THAT THE ALLOWED DENSITY WILL NOT BE EXCEEDED

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 06-542-SPH

Petitioner/Developer: ALPASIAN CUCUK

Date of Hearing/Closing: 6-19-06

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: **Christen Matthews**

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

#9136 PHILADELPHIA ROAD

The sign(s) were posted on JUNE 2, 2006
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

Department of Permits and Development Management

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

Baltimore County

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

May 8, 2006

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: 06-542-SPH
9136 Philadelphia Road
Southwest corner of Philadelphia Road and Lennings Lane
14th Election District – 6th Councilmanic District
Legal Owner: Alpaslan Cucuk

Special Hearing to amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing Lot #5 into 2 lots and to determine that the allowed density will not be exceeded.

Hearing: Monday, June 19, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Alpaslan Cucuk, 9136 Philadelphia Road, Rosedale 21237
Site Rite Surveying, 200 E. Joppa Road, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 3, 2006.**
(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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 1, 2006 Issue - Jeffersonian

Please forward billing to:
Alpaslan Cucuk
9136 Philadelphia Road
Rosedale, MD 21237

443-243-7356

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: 06-542-SPH
9136 Philadelphia Road
Southwest corner of Philadelphia Road and Lennings Lane
14th Election District – 6th Councilmanic District
Legal Owner: Alpaslan Cucuk

Special Hearing to amend the Second Amended Final Development Plan for "Walbeck Acres" for the purpose of subdividing Lot #5 into 2 lots and to determine that the allowed density will not be exceeded.

Hearing: Monday, June 19, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, 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 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: 06-542-SPH

Petitioner: ALPASLAN CUCUK

Address or Location: 9136 PHILADELPHIA RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALPASLAN CUCUK

Address: 9136 PHILADELPHIA RD.
ROSEDALE, MD. 21237

Telephone Number: 443-243-7356

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

Baltimore County

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

June 15, 2006

Alpaslan Cucuk
9136 Philadelphia Rd.
Rosedale, MD, 21237

Dear: Mr. Cucuk

RE: Case Number: 06-542-SPH, 9136 Philadelphia Rd.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 26, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel
Site Rite Surveying, Inc 200 E. Joppa Rd. Towson, MD 21286

JM
6-19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 16, 2006

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

SUBJECT: 9136 Philadelphia Road

CRG PDM Number: ***14-206 Walbeck Acres***

ZAC Item Number: 6-542 SPH

Petitioner: Alpaslan Cucuk, c/o Site Rite Surveying

Zoning: DR 3.5

Requested Action: ***Special Hearing***

SUMMARY OF RECOMMENDATIONS:
The Planning Office does not oppose the petitioner's request as it is part of an already approved CRG signed on 3/16/2006 provided the following is submitted to this office for review and approval prior to the issuance of any building permits:

Elevation drawings of the proposed dwelling on lot 5, including information about the building materials etc…

For further information concerning the matters stated here in, please contact Laurie Hay or Karin Brown at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Lynn Lochar
AFK/LL: CM

RECEIVED
JUN 19 2006
ZONING COMMISSIONER

6-20-06

W:\DEVREV\ZAC\6-542.doc

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

May 8,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15,2006

Item Numbers: 537 thru 557
342

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 5.8.06

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

RE: Baltimore County
Item No. 542 BPR

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 12, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 15, 2006
Item Nos: 441, 537, 538, 539, 540, 542, 544, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, and 557

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-05102006.doc

RE: PETITION FOR SPECIAL HEARING 9136 Philadelphia Road; SW corner Philadelphia Road & Lennings Lane 14th Election & 6th Councilmanic Districts Legal Owner(s): Alpaslan Cucuk Petitioner(s)	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
	*	BALTIMORE COUNTY
	*	06-542-SPH

* * * * * * * * * * * * *

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

RECEIVED
MAY 08 2006
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of May, 2006, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

under provisions adopted pursuant to the authority of Section 504, copies of the plans, certified by the Zoning Commissioner and the Director of Planning as having been so approved, shall be filed with such county or state agencies as they may direct and as may otherwise be required, and shall be retained in the files of the Office of Planning, including the files of the Zoning Commissioner.

7. Amendment of approved development plans. After partial or final development plans have been approved as provided under Paragraph 6, preceding, they may be amended only as provided below:

a. Amendment prior to sale of interest in nearby property. The development plans may be amended by simple resubmission, or by the submission of appropriate documents of revision, subject to the same requirements as are applied to original plans, if there is no change with respect to any lot, structure or use within 300 feet of a lot or structure which has been sold since the original plans were filed.

b. Amendment after sale of interest in nearby property or upon demand for hearing. In the case of an amendment not allowed under Subparagraph a, by reason of sale of property within the area, or in case of a demand for hearing by an eligible individual or group, the plans may be amended through special exception procedures, in the manner provided under Section 502 and subject to the following provisions:

(1) The amendment must be in accord with the provisions of the Comprehensive Manual of Development Policies and with the specific standards and requirements of this article, as determined by the Office of Planning. The Director, on behalf of the Planning Board, shall notify the Zoning Commissioner accordingly. **[Bill No. 29-1995]**

(2) Only an owner of a lot abutting or lying directly across a street or other right-of-way from the property in question, an owner of a structure on such a lot, or a homes association (as may be defined under the subdivision regulations or under provisions adopted pursuant to the authority of Section 504) having members who own or reside on property lying wholly or partially within 300 feet of the lot in question are eligible to file a demand for hearing. **[Bill No. 29-1995]**

(3) It must be determined in the course of the hearing procedure that the amendment would be consistent with the spirit and intent of the original plan and of this article. **[Bill No. 29-1995]**

c. Amendment upon request by owner of lot within subdivision. The Zoning Commissioner may, without a public hearing but with the concurrence of the Director of Planning, amend the plans with respect

to a structure on an individual lot created under the plans and used according to the purpose stated therein, or with respect to such lot, at the request of the lot owner, under the following requirements and conditions:

(1) Reasonable notification, by a standard method established pursuant to the authority of Section 504 and approved by the County Attorney, must be given to the occupants and owners of all real property which is fully or partially situated within 300 feet of the lot in question.

(2) It must be determined that a formal demand for hearing by an eligible individual or group, as described in Paragraph b, has not been filed.

(3) It must be determined that standards adopted under the authority of Section 504, in addition to the specific requirements under these regulations, will not be violated by the amendment.

(4) The Zoning Commissioner and the Director of Planning must certify that the amendment is in keeping with the spirit and intent of this article and other Baltimore County land use and development requirements administered by them, and both must certify that the amendment does not violate the spirit and intent of the original plan.

d. Any amended development plan and any document of amendment of such a plan must be filed with all agencies or officials with whom copies of the original plan have been filed pursuant to paragraph above, and no amendment takes effect otherwise.

B. Final subdivision plat.

1. Purpose. Pursuant to the regulations for D.R. Zones, a portion of a tract of land may be subdivided for development at a higher residential density than the maximum average density permitted, lessening the permitted density of development on the remainder of the tract; or a portion of the tract may be subdivided for development at less than the maximum average density, thus increasing the density at which the remainder of the tract may be developed (Section 1B01.2.A). It is the purpose of this paragraph to assure that these factors will be identified in the sale of any portion of a development tract in a D.R. Zone and, in particular, to prevent the unknowing purchase of a tract which, as a result of such prior subdivision, may not itself be developed at the average gross density specified in the regulations.

2. Effect. No subdivision of a tract or a portion of a tract may be created after the effective date of this article, except as otherwise provided under Section 1B02.3.A.2 unless the final subdivision plat therefore contains a summary showing the total number of dwelling or density units allowed for the entire tract under the applicable D.R. Zones. The summary shall indicate, as appropriate, the number of dwelling or density units utilized by previous

PLEASE PRINT CLEARLY

CASE NAME 9136 PHILADELPHIA Rd.
CASE NUMBER 6-542SPH
DATE 6-19-06

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Thomas WRIGHTSON	9134 PHILADELPHIA Rd. 21237	BALTO. MD 21237	Tomzstone@Comcast.net

PLEASE PRINT CLEARLY

CASE NAME 9136 PHILADELPHIA RD
CASE NUMBER 6-542SPH
DATE 6/19/06

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
~~SITE RITE SURVEYING INC.~~ VINCENT J. MOSKUNAS	200 E. JOPPA RD.	TOWSON, MD. 21286	
AL CUCUK	9136 Philadelphia R	BALTIMORE MD 21237	ALCUCUK@aol.com

ZONING MAP 082A3

SITE

#541

Merritt Beltway Business Community Lot 6
Baltimore County Government
Department of Permits and
Development Management

111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

July 14, 2005

Mr. Al Cucuk
9136 Philadelphia Road
Baltimore, MD 21237

RE: Walbeck Acres
9136 Philadelphia Road
DRC Number 042505K, Dist. 14C6

Dear Mr. Cucuk:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-1-101, 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on July 5, 2005, and made the following recommendations:

The DRC has determined that your project meets the requirements of refinement to the development plan, under Section 32-4-262. It is necessary to submit a plan to the Department of Environmental Protection and Resource Management, the Office of Planning, PDM's Office of Zoning, Development Plans Review, and Recreation and Parks for further review. Please forward the plans, along with five copies of this DRC letter, to Room 123, County Office Building; 111 West Chesapeake Avenue; Towson, MD 21204.

Pet-4

After resolution of any outstanding issues, please submit a copy of this letter, and ten copies of the plan to this office, Room 123, for signature.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 14th day of July 2005, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

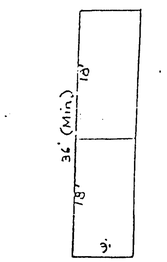
Additionally, this project is located on a state road; therefore, the State Highway Administration requires the plan to be reviewed prior to the permit approval. For further information, contact Larry Gredlein at 410-545-5600.

Sincerely,

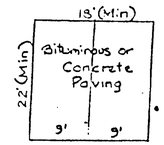
Timothy Kotroco
Director

TK:DTR:dak

c: Kristin Weis
File
Larry Gredlein



OR



TYPICAL OFFSTREET PARKING PAD
Scale : 1"=10'

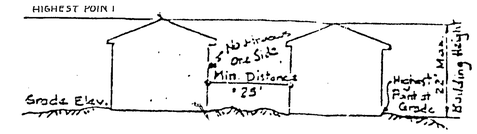
"LOCAL OPEN SPACE"

Local Open Space Required for [illegible]
Local Open Space Provided for [illegible]
March 15, 1988 and [illegible]

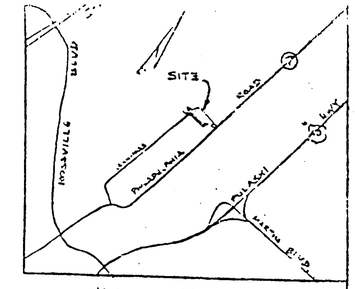
Local Open Space Required for [illegible]
Local Open Space Provided for [illegible]
Waiver approved on 4 and 7

Local Open Space Required [illegible]
Local Open Space Provided [illegible]
In lieu to be paid

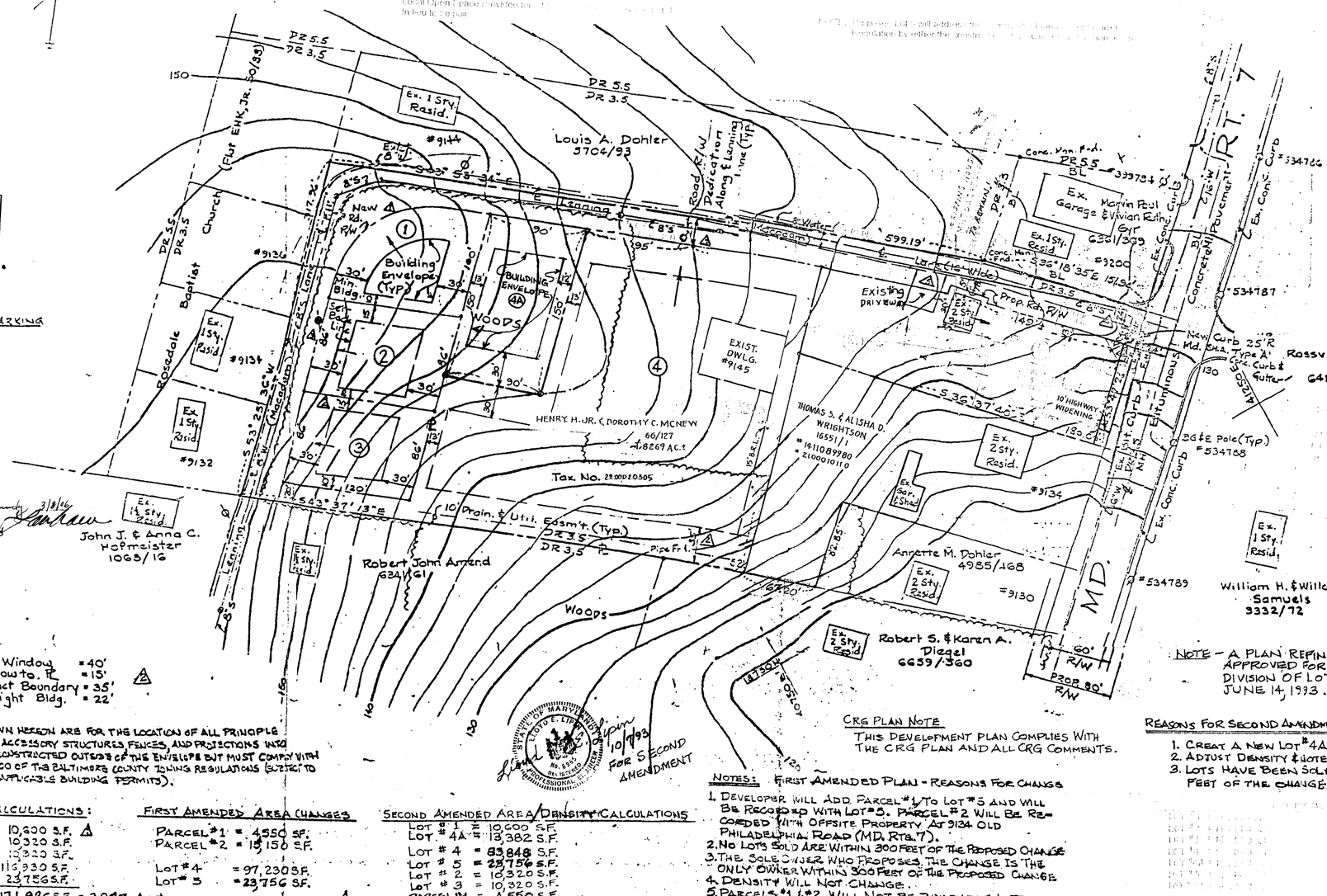
[illegible] Lot in addition [illegible]
Population Density within the [illegible]



HEIGHT DISTANCE FACTOR FOR PLANS ELEVATIONS



VICINITY MAP
SCALE: 1" = 2000'



5/29/85
3rd Refinement
DAC # 042505K

Dennis A. Kennedy 3/8/96
Vested

Min. Window to Window = 40'
Min. Window to Pl. = 15'
Min. Window to Tract Boundary = 35'
Max. Height Bldg. = 22'

NOTE:
ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE OF THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 301 & 400 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).

AREA/DENSITY CALCULATIONS:

Lot #1 = 10,600 S.F.
Lot #2 = 10,320 S.F.
Lot #3 = 10,320 S.F.
Lot #4 = 116,930 S.F.
Lot #5 = 23,756 S.F.
Net Area = 171,926 S.F. = 3.947 Ac.±
Road Dedication = 32,145 S.F. = 0.738 Ac.± (0.709 Ac.± Lanning Lane + 0.0290 Ac.± Md. Rte. 7)
Gross Area = 204,071 S.F. = 4.685 Ac.±
Number of Lots Allowed = 3.5 × 4.685 Ac. = 16
Number of Lots Shown = 5

FIRST AMENDED AREA CHANGES

PARCEL #1 = 4,550 S.F.
PARCEL #2 = 15,150 S.F.
Lot #4 = 97,230 S.F.
Lot #5 = 23,756 S.F.

SECOND AMENDED AREA/DENSITY CALCULATIONS

LOT #1 = 10,600 S.F.
LOT #4A = 13,382 S.F.
LOT #4 = 83,848 S.F.
LOT #5 = 23,756 S.F.
LOT #2 = 10,320 S.F.
LOT #3 = 10,320 S.F.
PARCEL #1 = 4,550 S.F.
PARCEL #2 = 15,150 S.F.
NET AREA = 171,926 S.F.
ROAD DEDICATION = 32,145 S.F.
GROSS AREA = 204,071 S.F.
" " = 4.685 Ac.±
NUMBER OF LOTS ALLOWED = 16
NUMBER OF LOTS SHOWN = 6

Changes per CRG Comments:

- Lannings Lane Curve Adjustment & Lot #1 Adjustments.
- Setback Corrections.
- Street Lights Added
- Entrance Width to Lannings Lane Corrected.
- Proposed Road R/W Line Changed - 5' Around Exist. Resid.
- Notes 14 Thru 17 Added
- Road Widening Added.
- Density Calc.

REFINEMENT PREPARED BY
SITE RITE SURVEYING, INC.
200 E. JOPPA ROAD
SHELL BUILDING, ROOM 16
TOWSON, MD. 21204
(410) 828-9060

STATE OF MARYLAND — LLOYD E. LIPIN — No. 6854 — REGISTERED PROFESSIONAL ENGINEER

Lloyd E. Lipin 10/7/93
FOR SECOND AMENDMENT

REASONS FOR REFINEMENT 8-29-05

1. COMBINE PARCEL #1 WITH LOT 5 AND SUBDIVIDE INTO LOT 5 AND LOT 5A.

CRG PLAN NOTE

THIS DEVELOPMENT PLAN COMPLIES WITH THE CRG PLAN AND ALL CRG COMMENTS.

NOTES: FIRST AMENDED PLAN - REASONS FOR CHANGE

1. DEVELOPER WILL ADD PARCEL #1 TO LOT #5 AND WILL BE RECORDED WITH LOT #5. PARCEL #2 WILL BE RECORDED WITH OFFSITE PROPERTY AT 9134 OLD PHILADELPHIA ROAD (MD. RTE. 7).
2. NO LOTS SOLD ARE WITHIN 300 FEET OF THE PROPOSED CHANGE
3. THE SOLE OWNER WHO PROPOSES THE CHANGE IS THE ONLY OWNER WITHIN 300 FEET OF THE PROPOSED CHANGE
4. DENSITY WILL NOT CHANGE.
5. PARCELS #1 & #2 WILL NOT BE BUILDABLE LOTS.

REASONS FOR SECOND AMENDMENT 10/7/93

1. CREAT A NEW LOT #4A.
2. ADJUST DENSITY & NOTES ACCORDINGLY.
3. LOTS HAVE BEEN SOLD WITHIN 300 FEET OF THE CHANGE.

NOTE - A PLAN REFINEMENT WAS APPROVED FOR THE RESUBDIVISION OF LOT 4 ON JUNE 14, 1993.

SPECIAL HEARING NOTES

1. HEARING CASE NO. 94-246-SPH APPROVED ON FEBRUARY 14, 1994.
2. APPROVAL GRANTED FOR A SECOND AMENDMENT TO THE AMENDED FINAL DEVELOPMENT PLAN FOR WALBECK ACRES TO PERMIT THE SUBDIVISION OF LOT 4 INTO TWO (2) LOTS.

Notes:

1. Zoning - DR 3.5
2. Lots 1, 2, 3 are for sale. Lots 4 & 5 will be retained by the owner.
3. Existing grading will not change except for slight changes around new dwellings on lots 1, 2, 3, & 4. Any slight changes will be shown on Site Plan for Building Permit.
4. On November 16, 1984, Baltimore County Office of Planning & Zoning granted the Owner a Waiver for Public Works Improvements for this Subdivision.
5. A Waiver for Local Open Space & a Variance for S.W.M. is Requested for this Subdivision.
6. A 10' Drainage & Utility Easement is to be provided around the entire tract boundary.
7. Minimum Number Offstreet Parking per Dwelling - 2 Spaces.
8. Window to Tract Boundary Minimum - 35'
9. A 25' Feet Wide Strip of Land Running Along Lanning Lane Will be Deeded to Baltimore County for the Purpose of Road Right of Way.
10. Landscaping: One Tree/Hse. Req'd. Five Trees Proposed.
11. Trash to be Collected by Baltimore County.
12. Sideyard Setbacks may be Alternated.
13. Water Service for Lot #4 will come from the 20 foot width strip next to Lot #3.
14. A minimum distance of 22' must be held when garage or carport enter directly from the Street.

Census Tract 4407
Watershed 22
Subsewershed 4
Councilmanic District 6

15. No more than 3,000 S.F. may be disturbed on each lot during house construction.
16. All downspouts shall be directed to the rear of proposed houses.
17. Total number of street lights = 3.
18. Variance requested for setbacks, exist. dwell.

REFERENCES: Variance granted #86-90-A
Waiver - W-34-154
Water Dwg. Nos. 59-1258, 62-905, 71-0510
Sanitary Dwg. Nos. 77-0352 & 77-0353
Tax Map #82

3rd REQUIRED REFINEMENT

WALBECK ACRES

9136 OLD PHILADELPHIA ROAD

14th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT — BALTIMORE COUNTY, MD.

DATE: NOVEMBER, 1993 — SCALE: 1" = 50'

OWNER & DEVELOPER:
HENRY & DOROTHY McNEW
9145 LANNINGS LANE
BALTIMORE, MD. 21237
391-1828
MR. CHECK LOT 5 & PARCEL 1
9136 PHILADELPHIA RD.
BALTIMORE, MARYLAND 21237

ENGINEER:
LIPIN ENGR. & DEV. CORP.
911 LUTZ AVE.
BALTIMORE, MD. 21221
687-3295

LEGEND

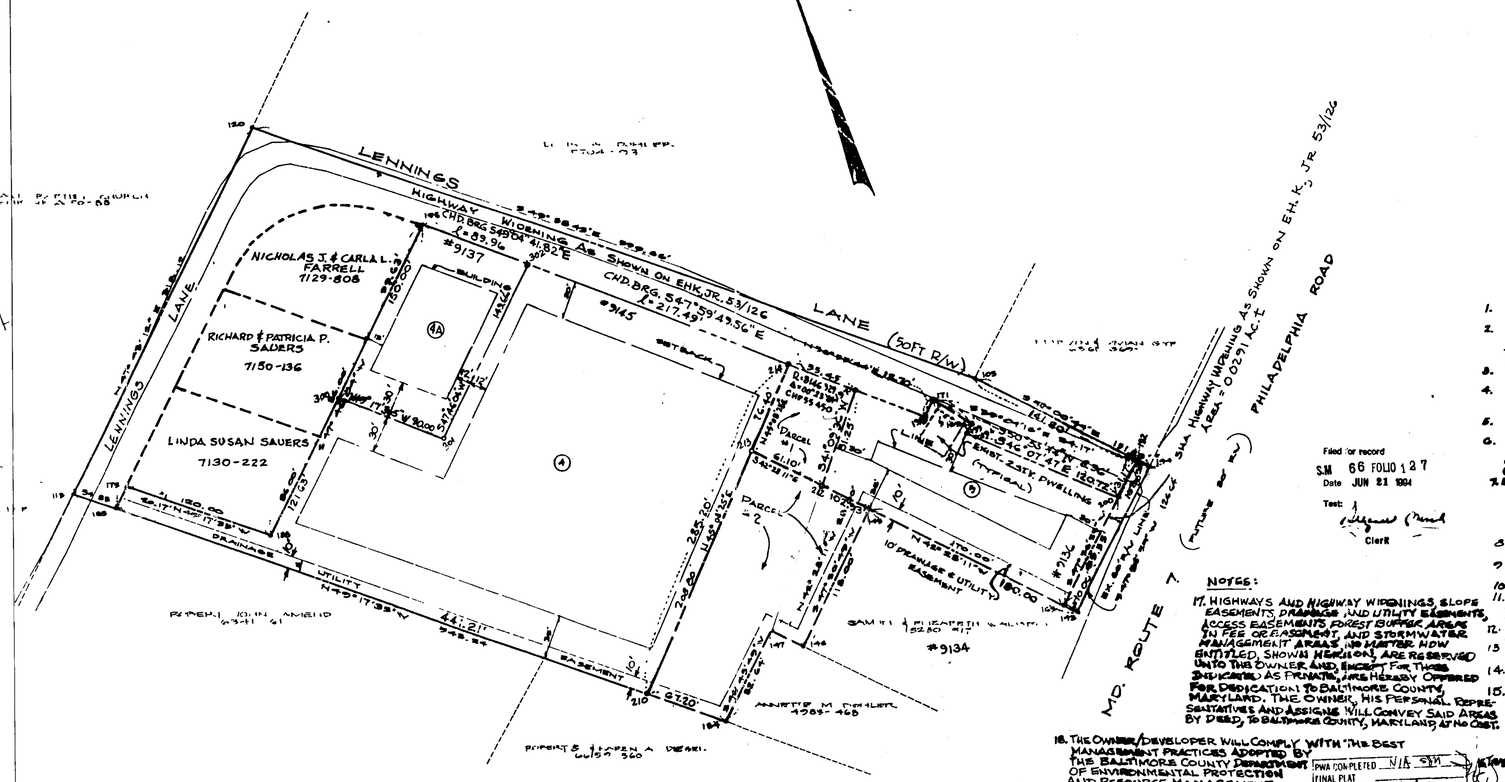
- Existing Fire Hydrant
- Existing Sanitary MH
- Existing Woods Line
- Proposed Street Light
- Existing Power Pole
- Lot Number
- Existing Water

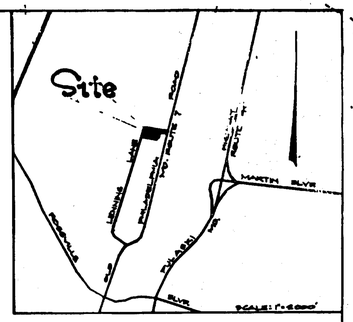
Contour Interval = 2'

MICROFILMED

COORDINATES		
No.	NORTH	EAST
109	18981.76	41094.67
112	19199.99	40966.99
180	19920.01	40697.70
194	18939.14	41079.40
196	19251.15	40735.76
198	18784.10	41108.28
199	18868.98	41196.27
199	18916.98	40980.69
196	18937.08	40983.81
197	18879.29	40974.21
300	19150.32	40624.70
301	19091.63	40692.92
302	19192.22	40803.74
180	18791.48	41095.48
189	18990.09	41079.98
191	18976.92	41098.44
187	19008.30	41005.93
188	18968.61	41088.36
178	19120.88	40943.07
189	18848.82	41078.43
184	18801.09	40816.13
185	19133.27	40478.13
188	17068.97	40534.64
200	18635.48	41166.48
198	18876.38	41183.87
213	18982.00	40911.17
216	17046.00	40765.35
210	18945.62	40763.17
212	18741.13	40752.45

CURVE DATA						
FROM	TO	RADIUS	LENGTH	DELTA	CHORD BEARING	DISTANCE
302	214	S146.33	217.45'	01°-31'-42"	S47°-59'-49.56"E	217.45'
196	202	S146.33	89.96	00°-37'-52.81"	S49°-04'-41.82"E	89.96'
196	197	S146.33	34.90'	02°-21'-01.8"	S44°-07'-06.47"E	34.81'
197	198	S146.33	28.67	00°-11'-15.0"	S42°-38'-02.45"E	28.67'
198	199	S146.33	8.00	00°-01'-57.8"	N42°-28'-16.17"W	8.00'
214	177	S146.33	55.45'	00°-23'-24"	S47°02' 14.21"E	55.45'





VICINITY MAP
SCALE: 1" = 2,000'

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WILL BE AVAILABLE WHEN NEEDED. HOWEVER, THE PERMITS MAY NOT BE ISSUED UNTIL THE FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT

GENERAL NOTES:

1. THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
2. THE RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
3. THE PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
4. THE RECORDING OF THE PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY
5. THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT
6. ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
7. EXISTING ZONING: DR 3.5.
8. A 10' DRAINAGE & UTILITY EASEMENT EXISTS AROUND THE ENTIRE TRACT BOUNDARY.
9. MINIMUM NUMBER OF STREET PARKING PER DWELLING - 2 SPACES.
10. WINDOW TO TRACT BOUNDARY MINIMUM - 35'.
11. A STRIP OF LAND RUNNING ALONG LENNINGS LANE AND AT 7 HAS BEEN DEEDED TO BALTIMORE COUNTY FOR THE PURPOSE OF ROAD RIGHT OF WAY.
12. LANDSCAPING: 1 SHADE TREE/HSE. REQ'D. TWO TREES PROPOSED.
13. TRASH TO BE COLLECTED BY BALTIMORE COUNTY. SIDEYARD SETBACKS MAY BE ALTERNATED.
14. C.R.G. APPROVED: 5/23/85.
    AMENDED F.D.P. APPROVED 4/8/94
15. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING, EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.

* TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT-OF-WAY

NOTE:
A WAIVER FOR LOCAL OPEN SPACE HAS BEEN APPROVED.

Filed for record
S.M. 66 FOLIO 127
Date JUN 21 1994
Test:
Clerk

NOTES:

17. HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
18. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

PWA COMPLETED	N/A SPM
FINAL PLAT	
ZADM	6/21/94
STREETS, NUMBERING	
DEV PLAN REVIEW	
DEV. ENGINEER	5/31/94
DIV OF REAL ESTATE	6-9-94
ASSESSMENTS	6-13-94

Rec'd Trans (MD) 6/9/94

AMENDED DENSITY CALCULATIONS

TOTAL NO LOTS AND PARCELS	4 (2 LOTS & 2 PARCELS)
TOTAL AREA LOTS & PARCELS	3.0950 AC.
PARCEL #1	0.1053 AC.
PARCEL #2	0.4068 AC.
AREA LOT 4	2.1343 AC
AREA LOT 5	0.4486 AC.
TOTAL AREA OF SUBDIVISION	3.0950 AC

SECOND AMENDED DENSITY CALCULATIONS

TOTAL NO. LOTS AND PARCELS	5 (2 LOTS & 2 PARCELS)
TOTAL AREA LOTS & PARCELS	3.0950 AC.
PARCEL #1	0.1053 AC.
PARCEL #2	0.4068 AC.
AREA LOT 4A	0.3074 AC.
AREA LOT 4	1.8269 AC.
AREA LOT 5	0.4486 AC.
TOTAL AREA OF SUBDIVISION	3.0950 AC.

REASON FOR SECOND AMENDMENT
THE PURPOSE IS TO CREATE ONE ADDITIONAL LOT 4A.

AMENDED SUBDIVISION NOTES

1. DEVELOPER WILL ADD PARCEL #1 TO LOT #5. PARCEL #1 WILL BE RECORDED WITH LOT #5. PART OF LOTS 1,5 SHOWN ON 58/126 DATED 10/1/85 IS ALSO BEING INCLUDED AS A PORTION OF PARCEL #2.
2. PARCEL #2 WILL BE RECORDED WITH OFFSITE PROPERTY AT 9134 PHILADELPHIA ROAD (MD RTE. 7)
3. PARCELS #1 & #2 WILL NOT BE SEPARATE BUILDING LOTS.
4. FURTHER DEVELOPMENT OF THIS SITE WILL REQUIRE STORM WATER MANAGEMENT FOR THE ENTIRE SITE.

Dorothy C. McNew 4/12/94 DATE
Elizabeth M. Walbeck 4/12/94 DATE

TAX ACCOUNT #S
21-00-010107
21-00-010109
21-00-010110

SECOND AMENDED PLAT
RESUBDIVISION OF LOT 4 & 5 OF WALBECK ACRES

14TH ELECTION DISTRICT — BALTIMORE COUNTY, MD.
DATE: MAY, 1994 — SCALE: 1" = 50'

APPROVED: DEPARTMENT OF PUBLIC WORKS
BY: William J. Herbenick, DIRECTOR
DATE: 6/13/94

APPROVED: DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
BY: J. James Dieter, Jr., DIRECTOR
DATE: 6/20/94

APPROVED: ZONING ADMINISTRATION & DEVELOPMENT MANAGEMENT
BY: M. J. Kellman, for DIRECTOR
DATE: 6/21/94

THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS, ARE FOR THE PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED FOR PUBLIC USE THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS

COORDINATES & BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTO. COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

12657	N18223.48	E39622.45
12658	N18794.40	E38904.16

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREON HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND PARTICULARLY DISCLOSES SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

4/24/94 DATE

OWNER'S CERTIFICATE:

THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE THE REQUIREMENTS OF SUBDIVISION

OWNER & DEVELOPER:

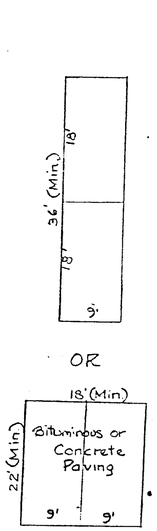
HENRY & DOROTHY McNEW
9145 LENNINGS LANE
PMB 21237
8104/552
M. WALBECK
OD DRIVE
FR. MD. 21220
5022/428
9/117

ENGINEER:

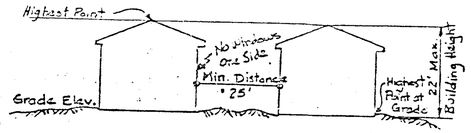
LYNN ENGR. & DEV. CORP.
311 LUTZ AVENUE
BALTIMORE, MD. 21221
687-5295

MSA 6SU 1236-9108 (60-127)

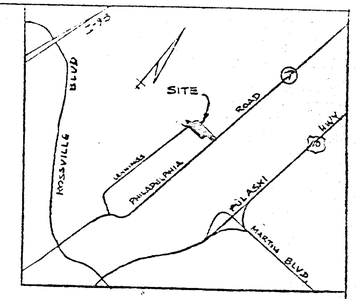
Pet #3



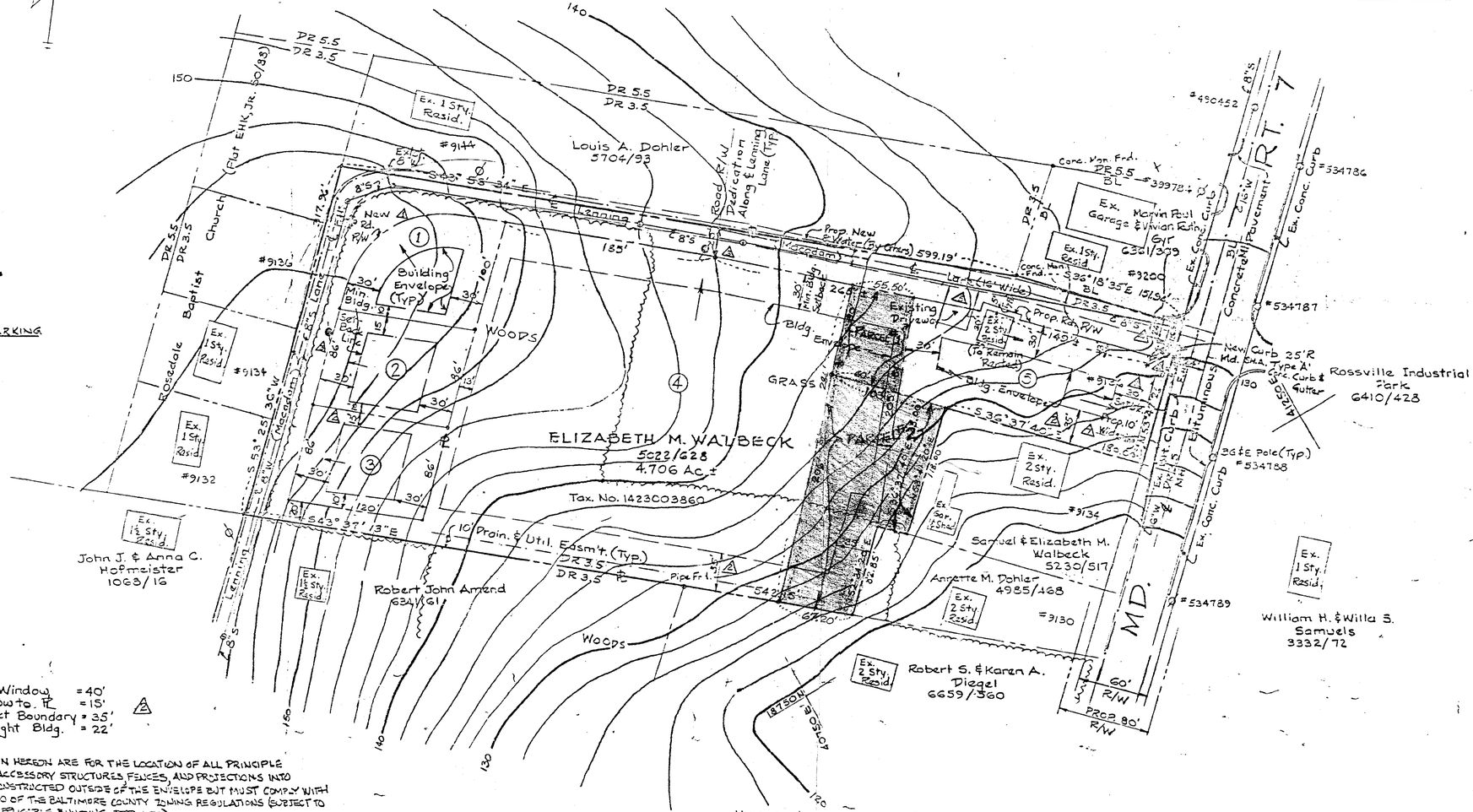
TYPICAL OFFSTREET PARKING PAD
Scale: 1"=10'



HEIGHT DISTANCE FACTOR FOR FACING ELEVATIONS



VICINITY MAP
SCALE: 1"=2000'


ELIZABETH M. WALBECK
5022/628
4.706 Ac.±
Tax. No. 1423003860
Louis A. Dohler
5704/93
John J. & Anna C. Hofmeister
1063/16
Robert John Amend
6341/61
Samuel & Elizabeth M. Walbeck
5230/517
Annette M. Dohler
4985/168
Robert S. & Karen A. Diegel
6659/360
William H. & Willa S. Samuels
3332/72
Rossville Industrial Park
6410/428
Ex. Marvin Paul Garage & Vivian Rutin
6321/309
Ex. 1 Sty. Resid.
Ex. 2 Sty. Resid.
Church
Baptist
Rosedale
Lennins
Woods
Grass
Existing Driveway
Building Envelope
Prop. New Driveway
Prop. Rd. R/W
Road Dedication Along Lanning Lane (Typ.)
10' Drain. & Util. Easm't. (Typ.)
Pipe Fr.
Concrete Pavement
Ex. Conc. Curb
Bituminous Curb
New Curb 25' R
Type 'A' Curb & Gutter
Utility Pole (Typ)
Prop. 10' Wide
Prop. 80' R/W
60' R/W
M.D.
R.T.
DR 5.5
DR 3.5
S 43° 58' 34" E
S 43° 37' 13" E
S 53° 25' 36" W
S 36° 18' 35" E 151.54'
S 36° 37' 40" E
Prop. New Driveway (By Others) 599.19'
Min. Bldg. Setback
Min. Bldg.
Min. Bldg. Setback
Ex. Sty. Resid.
Ex. 1½ Sty. Resid.
#9144
#9136
#9134
#9132
#9130
#9200
#534786
#534787
#534788
#534789
#490452
#399786
#534777
#534778
#534779
#534780
#534781
#534782
#534783
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#534820
#534821
#534822
#534823
#534824
#534825
#534826
#534827
#534828
#534829

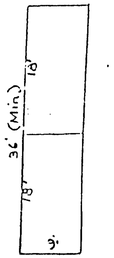
"LOCAL OPEN SPACE

Local Open Space Required for original 5 lots: 3,250 sf
Local Open Space Provided for original 5 lots: 0sf; Waiver approved on March 13, 1985 and a fee in lieu paid, $511.65, on September 19, 1985.

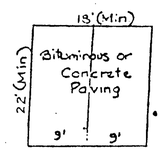
Local Open Space Required for 2 lot Minor Subdivision (#93051M): 1,300 sf
Local Open Space Provided for 2 lot Minor Subdivision (#93051M): 0sf; Waiver approved on April 7, 1993 and a fee in lieu to be paid, $414.72.

Local Open Space Required for lot 5A: 650 sf
Local Open Space Provided for lot 5A: 0sf; Waiver requested and a fee In lieu to be paid."

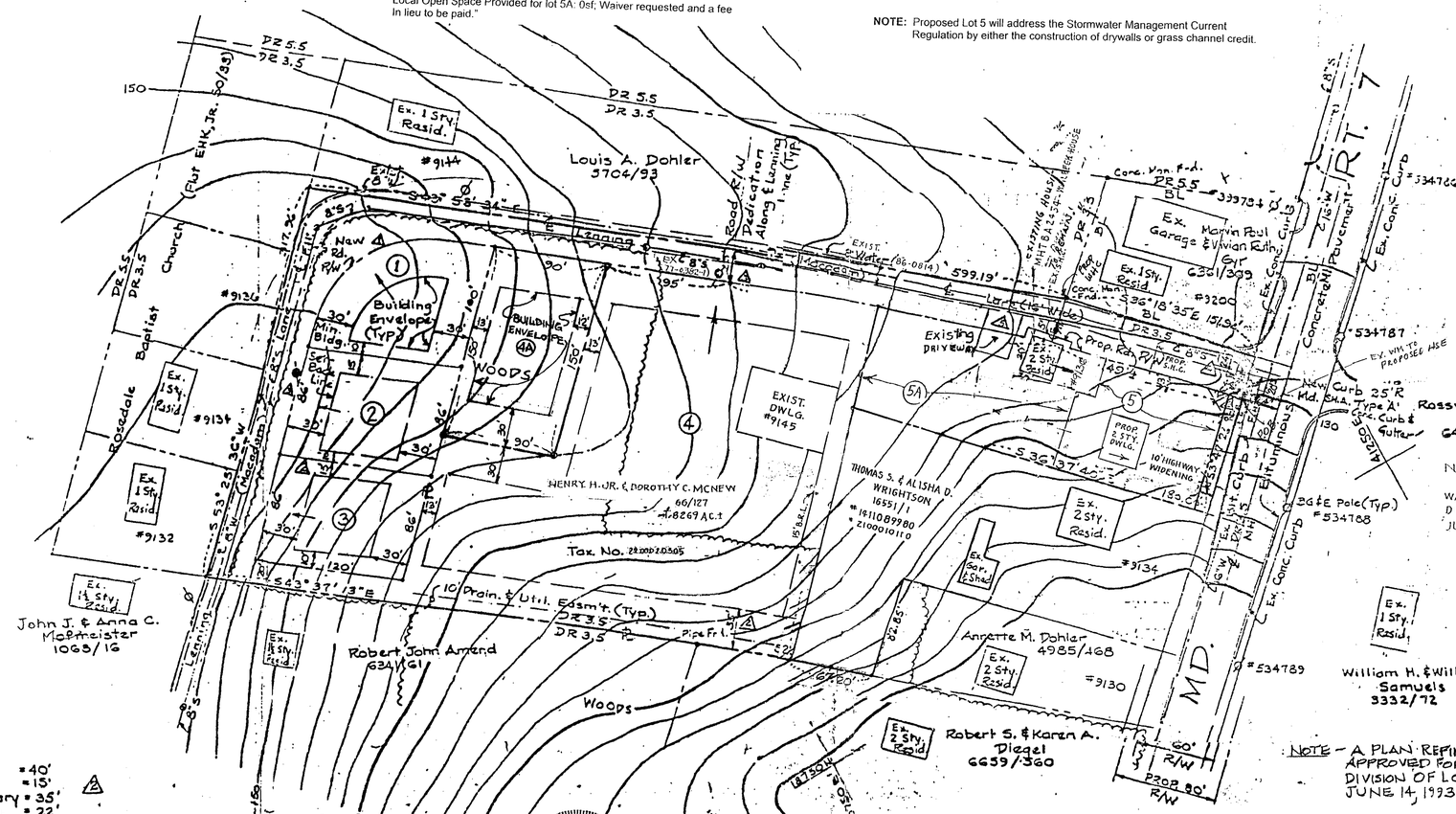
NOTE: Proposed Lot 5 will address the Stormwater Management Current Regulation by either the construction of drywalls or grass channel credit.



OR



TYPICAL OFFSTREET PARKING PAD
Scale: 1"=10'


Louis A. Dohler 5704/93
Road R/W Dedication Along Lenning Lane (TYP)
Existing Driveway
Building Envelope (TYP)
Woods
Existing House
Ex. 1 Sty. Resid.
Ex. Garage & Vivian Ruth
Ex. 1 Sty. Resid
Ex. 2 Sty. Resid.
Ex. 1 Sty. Resid.
Ex. 2 Sty. Resid.
Ex. Sar. & Shed
Ex. 2 Sty. Resid.
Ex. 2 Sty. Resid.
Ex. 1 Sty. Resid.
Ex. 1 Sty. Resid.
Ex. 1 Sty. Resid.
Ex. 1 Sty. Resid.
Prop. 2 Sty. Dwlg.
Exist. Dwlg. #9145
Prop. Rd.
Prop. Dwlg.
10' Highway Widening
Rossville Industrial Park 6410/428
Henry H. Jr. & Dorothy C. McNew 66/127 4.8269 Ac.±
Tax No. 2200020505
Thomas S. & Alisha D. Wrightson 16551/1
John J. & Anna C. Moltmeister 1065/16
Robert John Amend 6341/61
Annette M. Dohler 4985/468
Robert S. & Karen A. Diegel 6659/360
William H. & Willa S. Samuels 3332/72
Church
Baptist
Rosedale
Lenning Ln.
Rossville Blvd.
Concrete Pavement
Bituminous
Concrete Curb
Ex. Conc. Curb
Conc. Curb
Conc. Curb 25' R
New Md. Curb Type 'A'
Ex. Curb & Gutter
Ex. Sidewalk
Ex. Bituminous
Ex. Wh. to Proposed Hse
Utility Pole (Typ)
Conc. Mon. Fd.
Exist. Water
Pipe Fr.
Drain. & Util. Easm't (Typ.)
Woods
Existing House
Wht. Blk. 2½ Sty. Hse. Weatherboard
Prop. Rd.
Prop. Dwlg.
Prop. Rd. R/W
Prop. Dwlg.
Prop. 2 Sty. Dwlg.
Prop. 2 Sty. Dwlg.
Prop. 2 Sty