IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – E/S Esperanza Court,
Opposite Trenton Drive
(4020 Old Court Road)

3rd Election District
* FOR
2nd Council District
* BALTIMORE COUNTY
David M. Paige, et ux, Legal Owners
PCS Homes, Contract Purchaser
Petitioners
* Case No. 07-264-SPHA
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance for a portion of the property known as 4020 Old Court Road in the Woodholme community of Baltimore County. The Petitions were filed by David E. Paige and Nancy E. Paige, his wife, property owners, and PCS Homes, contract purchaser and developer. The Petitioners request a special hearing to approve a third amended final development plan for Rosalyn Station (Paige Property), pursuant to Section 1B01.3.A.7.b of the Baltimore County Zoning Regulations (B.C.Z.R.). Variance relief is requested to permit a minimum separation between detached principal buildings of 34 feet, more or less, in lieu of the required 40 feet, pursuant to B.C.Z.R. (1981 edition) Section 1B01.1.B.1.b.4 and Section V.V.3 of the Comprehensive Manual of Development Policies (CMDP) and from B.C.Z.R. (1981 edition) Section 1B01.2.C.2.b and V.V.6.C (CMDP) to permit a minimum distance between centers of facing windows of dwelling units within the subdivision tract of 30 feet, more or less, in lieu of the required 40 feet. The subject property and requested relief are more particularly shown on the three-paged third amended development plan, which was accepted into evidence and marked as Petitioners' Exhibits 1A, 1B and 1C.

Appearing at the requisite public hearing were Mike Thomasson, on behalf of PCS

Homes, contract purchaser/developer and Nancy E. Paige, owner. The Petitioners were represented by Lawrence E. Schmidt, Esquire of Gildea & Schmidt, LLC. Also appearing and testifying at the hearing was Stacey McArthur, of D.S. Thaler & Associates, the consultants who prepared the amended development plan. Appearing as an interested person was Jonathan Rosenberg with WP&M Real Estate Group. Mr. Rosenberg does not live in the community, however is employed by the company which provides management services to the Woodholme Green Homeowners Association. This homeowners association includes townhouse dwellings as shown on the development plan for the community known as Rosalyn Station.

Testimony and evidence presented was that the subject property known as 4020 Old Court Road is owned by Mr. & Mrs. Paige, and improved with a single-family dwelling in which they reside. Originally, the Paige tract was immediately adjacent to a proposed townhouse community known as Rosalyn Station. The community known as Rosalyn Station was initially approved by Baltimore County on February 20, 1992. The approval for this development was granted by the County Review Group (CRG), the agency charged with the responsibility for reviewing development proposals at that time. The CRG was shortly thereafter discontinued as an approval process and replaced by the current development review regulations as contained in Article 32 of the Baltimore County Code (B.C.C.).

On May 12, 1993, the first amended final development plan was approved for the Rosalyn Station development. That amendment increased the original 39-acre Rosalyn Station parcel by the addition of a portion of the Paige property. That is, Mr. & Mrs. Paige sold a portion of their property for development as part of the Rosalyn Station subdivision. This additional development provided for the construction of 11 additional townhouses.

A second amended final development plan was approved by Baltimore County on August

6, 1998. Although no additional lands were added to the plan as a result of that amendment, seven (7) additional units within the tract were proposed and approved.

The instant petition before me relates to the proposed third amended development plan. As with the first amendment, Mr. & Mrs. Paige propose the conveyance of a portion of their property to accommodate additional units. As more particularly shown on the site plan, four (4) additional units are proposed. The petition for special hearing filed herein requests approval of this amendment to the final development plan for Rosalyn Station and the variance relief sought is for the end unit (Lot 152) of the proposed row of townhouses.

With the addition of this acreage, the total Rosalyn Station subdivision is now approximately 35.05 acres in area. The site is entirely zoned D.R.5.5. Under the density regulations as contained within the D.R.5.5 provisions of the B.C.Z.R., 192 units are permitted. With the addition of the four (4) units requested as part of the subject petitions, a total of 155 units are proposed. Thus, the project is under density.

The four (4) additional units proposed will have frontage on Esperanza Court and will be located immediately adjacent to an existing row of townhouses which were incorporated within the plan as part of the first amendment. Mr. Thomasson indicated that the proposed houses will be similar in character and construction to the houses built on the former Paige property, pursuant to the first amendment.

Further examination of the site plan shows that the subject development is a built out existing townhouse community within the Woodholme neighborhood of Baltimore County. In order to obtain approval of the additional acreage for these four (4) units, the Petitioner seeks special hearing relief to approve the amendment of a final development plan, pursuant to 1801.3.A.7 of the B.C.Z.R. That Section specifically provides that an amendment to a

previously approved development plan is permissible through the special hearing criteria as set forth in Section 502.1. Specifically, the Zoning Commissioner is required to conduct a public hearing to determine whether the proposed amendment is appropriate and will not be detrimental to the health, safety and general welfare of the locale.

Based upon the uncontradicted testimony and evidence offered, I am persuaded that Special Hearing relief should be granted. The proposed amendment is entirely consistent and compatible with the existing subdivision. The proposal represents an identical housing type, and as noted above, this proposal will not exceed the density limits applicable. Clearly, there will be no detrimental impact on the health, safety and general welfare of the existing community and locale. The site is served by public utilities and there will be minimal impacts on schools, public parks and other existing infrastructure. I easily find that the petition for Special Hearing should be granted.

It is also to be noted that this project was subject to Development Review Committee (DRC) review. In this regard, the proposed amendment was considered by the DRC on August 22, 2005 and a recommendation was made by that body that the proposal constituted a refinement to the CRG plan, pursuant to Section 32-4-106(b)(2) of B.C.C. of that time. This determination was adopted by Timothy M. Kotroco, Director of the Department of Permits and Development Management, as affirmed in his letter of September 2, 2005. That determination was not appealed and is final. In this regard, the requisite plans reflecting the refinement to the CRG have been submitted to the reviewing agencies of Baltimore County. This refinement is significant in view of the petition for variance. Pursuant to Council Bill 24-06, any material amendment to an existing CRG plan for residential development is to be reviewed for compliance with the current zoning regulations. As noted above, the subject amendment is not a

"material amendment," and rather has been determined to be a refinement. Thus, the instant proposal must be reviewed for compliance with the CRG regulations in effect at the time the subdivision plan was initially approved. It is also to be noted that the DRC's determination of the refinement as adopted by Director Kotroco occurred prior to the enactment of Bill 24-06.

Insofar as the petition for Variance, relief is requested from the applicable sections of the B.C.Z.R. as they existed at the time of the CRG approval. Specifically, relief is being requested for the proposed end unit (Lot 152). As more particularly shown on the plan, this unit will be set back a distance of approximately 34 feet, in lieu of the required 40 feet (from an end unit in an adjacent row of townhouses). Additionally, a 30-foot window-to-window setback is requested in lieu of the required 40 feet.

Insofar as the variances, the uncontradicted testimony and evidence received disclosed that the subject property is unique and that this uniqueness drives the need for the variances. A significant factor is the existence of a right-of-way on the Paige property which limits development thereon. Moreover, orientation and placement of the proposed townhouses is appropriate and will not adversely impact adjacent properties. The variances requested are internal in nature, as they relate to units within the subdivision. The layout as proposed does not impact any tract boundary or reduce any required setback to neighboring lots outside of this subdivision.

I also find that the denial of the variance would cause the Petitioners to suffer a practical difficulty and that relief can be granted so as to be within the spirit and intent of the B.C.Z.R. As noted above, the proposed amendment appears to be an appropriate addition to this development plan and does not materially alter the scheme and layout of this subdivision. As noted above, there were no Protestants present. Mr. Rosenberg is the manager of the company (MP&M)

which manages the homeowners association for the subdivision. He expressed a concern about the inclusion of the proposed lots within that homeowner's association. Very clearly, this is a matter which cannot be resolved by the undersigned in his capacity as Zoning Commissioner. The Petitioners indicated that they were amenable to a discussion of this issue with Mr. Rosenberg upon approval of the proposed amendment.

Finally, it is to be noted that there were no adverse Zoning Advisory Committee (ZAC) comments. The Office of Planning issued a comment indicating that the department had no issue with either the special hearing and variance relief. Standard "no comment" comments were issued by other reviewing agencies. An advisory comment was issued by the Department of Environmental Protection and Resource Management (DEPRM) indicating stormwater management need be reviewed and approved. In this regard, Ms. McArthur indicated that proposed stormwater management for the four (4) additional units was to be accomplished by stormwater management facilities to the rear of those lots. This is shown on the plan, and according to her testimony, has been approved by DEPRM.

Pursuant the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of March, 2007, that the Petition for Special Hearing to approve a 3rd Amendment to the Final Development Plan for the Rosalyn Station (Paige Property), pursuant to Section 1B01.3.A.7(b) of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibits 1A, 1B and 1C, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance for proposed Lots 152 through 155 to permit a minimum separation between detached principal buildings of 34 feet,

ONDER RECEIVED FOR FILING
Date 3-1-01
By

more or less, in lieu of the required 40 feet, pursuant to B.C.Z.R. (1981 edition) Section 1B01.1.B.1.b.4 and Section V.V.3 (CMDP) and from Section 1B01.2.C.2.b and V.V.6.C (CMDP) to permit a minimum distance between centers of facing windows of different dwelling units within the subdivision tract of 30 feet, more or less, in lieu of the required 40 feet be GRANTED, subject to the following restrictions:

1) Petitioners may apply for building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the

Baltimore County Code.

Zoning Commissioner for

Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 1, 2007

Lawrence E. Schmidt, Esquire Gildea & Schmidt, LLC 600 Washington Avenue, Ste. 200 Towson, MD 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE

E/S Esperanza Court, Opposite Trenton Drive (4020 Old Court Road)

3rd Election District – 2nd Council District

David M. Paige, et ux, Legal Owners; PCS Homes, Contract Purchaser - Petitioners

Case No. 07-264-SPHA

Dear Mr. Schmidt:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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.

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Nancy and David Paige, 4020 Old Court Road, Baltimore, Md. 21208 Mike Thomasson, PCS Homes, 1516 Jabez Run, Millersville, Md. 21108 Stacey McArthur, D.S. Thaler & Associates, 7115 Ambassador Road, Baltimore, Md. 21244 Jonathan Rosenberg, WP&M Real Estate Group, 7F Gwynns Mills Court, Owings Mills, Md. 21117 People's Counsel; Case File



REV 9/15/98

ORDER RECEIVED FOR FILING

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4020 Old Court Rd. Ba	altimore MD, 21208
	DR 5.5

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 44KS

UNAVAILABLE FOR HEARING ____

J DC

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

pursuant to Section 1B01.3.A.7(b) of the Baltimore County Zoning Regulations, (BCZR), a 3rd Amendment to the Final Development Plan, (FDP), for Roslyn Station, (Paige Property), as more particularly shown on the site plan attached hereto and incorporated by reference.

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): PCS Homes c/o Mike Thomasson Nancy E. Paige Name - Type or Print Name - Type or Print nde Signature Signature 1516 Jabez Run David M. Paige Address Telephone No. Name - Type or Print MD Millersville 21108 City State Zip Code Signature 4020 Old Court Rd. Attorney For Petitioner: Address Telephone No. Joseph R. Woolman II **Baltimore** MD 21208 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Gildea and Schmidt, LLC Joseph R. Woolman III Company Name 300 E. Lombard Street, Suite 1440 300 E. Lombard Street, Suite 1440 410-234-0070 Address Telephone No. Address Telephone No. **Baltimore** MD 21202 Baltimore MD 21202 City City State Zip Code State Zip Code



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 4020 Old Cort Rd. Balt., MD 21208

which is presently zoned: DR 5.5

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 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)

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

PCS Homes c/o Mike Thomasson

Nancy E. Paige

res momes convince and	7111a55011		Nancy E. Paige		
Name - Type or Print	<u></u>	Name	e - Type or Print		
muito ?	Thompman		Nancil E.	Paigl	
Signature	<u> </u>		Signature Signature	i ogge	
1516 Jabez Run			David M. Paige	,	
Address	<u>.</u>	Telephone No.	Name - Type or Print	11	
Millersville	MD	21108	David 7	M. Paige	
City	State	Zip Code	-Signature	<u> </u>	
Attorney For Petition	ner:		4020 Old Court Rd	l.	
			Address		Telephone No.
Joseph R. Woolman III			Baltimore	MD	21208
Name - Type or Pfint		City		State	Zip Code
MND			Representative	to be Contacted:	
Signature			<u> </u>		
Gildea & Schmidt, LLC-			Joseph R. Woolma	m III	
Company		·····	Name		···
300 East Lombard Street, S	Suite 1440 [*]	(410) 234-0070	300 East Lombard	Street, Suite 1440	(410) 234-0070
Address	·· - ·	Telephone No.	Address	· <u>·</u>	Telephone No.
Baltimore	MD	21202	Baltimore	MD	21202
City	State	Zip Code	City	State	Zip Code
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Case No. () Z	264	CPHA	ESTIMATED LENGTH	OF HEARING	Z
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		Reviewed By	ONAVATEMBLE FOR P	Date 12 07/06	
REV 9/15/98					

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· ·	3-1-67
By	Dew

Attachment to Petition for Variance

Petition for Variance(s): For Proposed Lots 152 THRU 155 (MDP)

1. from BCZR(1981 Edition) Section 1B01.1.B.1.b(4) to permit a minimum separation between detached principal buildings of 34 feet ,more or less, in lieu of the required **48** feet: **9. inches**.

4ayaz

AND V.B. G. C. (CMAP)

2. from BCZR(1981 Edition) Section 1B01.2.C.2(b) to permit a minimum distance between the centers of facing windows of different dwelling units on the same subdivision tract of 30 feet, more or less, in lieu of the required 40 feet.

26

June 1, 2006

PROPERTY DESCRIPTION

PAIGE PROPERTY AT ROSLYN STATION (For Zoning Purposes Only)

Beginning for the same at a point located on the easterly side of Esperanza Court, a 50-foot right-of-way, opposite from its intersection with Trentham Drive, thence running the following courses and distances:

- 1. North 14°10'05" West 241.04 feet, more or less, thence,
- 2. North 79°12'13" East 94.12 feet, more or less, thence,
- 3. North 10°47'47" West 162.00 feet, more or less, thence,
- 4. South 79°12'13" West 98.66 feet, more or less, thence,
- 5. Northeasterly 111.73 feet by a curve to the right, having a radius of 151.54 feet and a chord bearing North 05°47′50" East 109.22 feet, more or less, thence,
- 6. Northeasterly 135.09 feet by a curve to the right, having a radius of 180.00 feet and a chord bearing North 48°25'09" East 131.94 feet, more or less, thence,
- 7. South 20°04'51" East 96.30 feet, more or less, thence,
- 8. North 81°31'13" East 82.69 feet, more or less, thence,
- 9. North 69°55'09" East 107.00 feet, more or less, thence,
- 10. North 20°04'51' West 96.08 feet, more or less, thence,
- 11. North 70°50'48" West 15.78 feet, more or less, thence,

Page 2 of 2 Property Description Paige Property at Roslyn Station (For Zoning Purposes Only) June 1, 2006

- 12. North 70°13'08" East 85.00 feet, more or less, thence,
- 13. South 19°46'47" East 506.97 feet, more or less, thence,
- 14. South 73°13'13" West 404.09 feet, more or less, thence,
- 15. South 14°05'50" East 134.28 feet, more or less, thence,
- 16. South 81°41'36" West 69.00 feet, more or less, thence,
- North 22°29'18" West 124.58 feet, more or less, to the point of beginning.Containing 4.79 acres of land, more or less.

Located within the Second Councilmanic District and Third Election

District of Baltimore County, Maryland.



OTICE OF ZORING 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: #07-264-SPHA

4020 Old Court Road
East side of Esperanza Court, opposite Trentham Drive
3rd Election District - 2nd Councilmanic District
Eegal Owner(s): Nancy E. & David M. Paige

*Contract Purchaser: PCS Homes c/o Mike Thomasson
Spelal Hearing: to approve pursuant to Section
1801.3.A.7(b) of the Baltimore County Zoning Regulations (BCZR), a 3rd Amendment to the Final Development Plan (FPD) for Roslyn Station, (Paige Property) as more particularly shown on the site plan attached hereto and ticorporated by reference. Variance: for proposed Lots
152-155, to permit a minimum separation between detached principal buildings of 34 feet, more or less, in lieu of the same subdivision tract of 30 feet, more of the required 40 feet and to permit a minimum distance between the centers of facing windows of different dwelling units on the same subdivision tract of 30 feet, more of the final Wednesday, February 7, 2007 at 9:00 a.m. in Robs 106, County Office Building, 111 West Chesa-peakle 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.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/1/738 Jan. 23

[30]

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

The Jeffersonian ☐ Arbutus Times Catonsville Times

Towson Times

Owings Mills Times

Reporter NE Booster/]

North County News

Mulus.

LEGAL ADVERTISING

	Strain of the County	CASHIER'S VALIDATION		
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 2 0 0 0 0 0 0 0 0	FOR. HOS X 65 Men. 4 MAN 300 CUTS 152-155 PLOP) N. COTS 152-155 PLOP)	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW CUSTOMER		

CERTIFICATE OF POSTING

	RE: Case No.: 07-264-5PHA
	Petitioner/Developer: PC5 HOPS
	YOMIKE THOMA SOW
	Date of Hearing/Closing-2-7-07
	FEB 7-2007
Baltimore County Department of Permits and Development Managen County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	oent ,
ATTN: Kristen Matthews ((410) 8	87-3394}
Ladies and Gentlemen:	
posted conspicuously on the proper	· · · · · · · · · · · · · · · · · · ·
. 4020	OLD CORT 11D
<u></u>	
The sign(s) were posted on	/- 23-07 (Month, Day, Year)
and the second s	
	Sincerely,
	Robert Blue 1-23-07
	(Signature of Sign Poster). (Date)
NOTICES OF THE PHA	SSG Robert Black
PUBLIC HEARING WILL BE HELD BY THE TOWNS COMMISSIONER	(Print Name)
THE TOWNE COMMISSIONER THE TOWNE COMMISSIONER	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
The state of the s	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)
Gr Gr	

RE:	PETITION FOR SPECIAL HEARING
	AND VARIANCE
	4020 Old Court Road; E/S Esperanza Court,
	opposite Trentham Drive
	opposite Trentham Drive 3 rd Election & 2 nd Councilmanic Districts
	Legal Owner(s): Nancy & David Paige
	Contract Purchaser(s): PCS Homes
	Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-264-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

DEC 1 9 2006

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 19th day of December, 2006, a copy of the foregoing Entry of Appearance was mailed Joseph R. Woolman, III, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



December 29, 2006

TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

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: 07-264-SPHA

4020 Old Court Road

JAMES T. SMITH, JR.

County Executive

East side of Esperanza Court, opposite Trentham Drive

3rd Election District – 2nd Councilmanic District Legal Owners: Nancy E. & David M. Paige

Contract Purchaser: PCS Homes c/o Mike Thomasson

Special Hearing to approve pursuant to Section 1B01.3.A.7(b) of the Baltimore County Zoning Regulations (BCZR), a 3rd Amendment to the Final Development Plan (FPD) for Roslyn Station, (Paige Property) as more particularly shown on the site plan attached hereto and incorporated by reference. Variance for proposed Lots 152-155, to permit a minimum separation between detached principal buildings of 34 feet, more or less, in lieu of the required 40 feet and to permit a minimum distance between the centers of facing windows of different dwelling units on the same subdivision tract of 30 feet, more or less, in lieu of the required 40 feet.

Hearing: Wednesday, February 7, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Joseph Woolman, III, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 Nancy & David Paige, 4020 Old Court Road, Baltimore 21208 PCS Homes, Mike Thomasson, 1516 Jabez Run, Millersville 21108 Jonathan Rosenberg, WP&M Real Estate Group, 7F Gwynns Mill Court, Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 23, 2007.

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 67 - 764 SPHA
Petitioner: Nancy - David Paige Address or Location: 152-155
Address or Location: 152 - 155
PLEASE FORWARD ADVERTISING BILL TO:
Name: Joseph R. Woolman IIT
Address: 300 E. Lambourd St. Ste. 1440
Balt. MD 21202
Telephone Number: 410 - 234 - 0070



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

January 31, 2007

Joseph R. Woolman III Gildea & Schmidt, LLC 300 E. Lombard Street, Suite 1440 Baltimore, MD 21202

Dear Mr. Woolman:

RE: Case Number: 07-264-SPHA, 4020 Old Court Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 7, 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,

u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
PCS Homes c/o Mike Thomasson 1516 Jabez Run Millersville 21108
Nancy E. and David M. Paige 4020 Old Court Road Baltimore 21208

βW 2-7-07

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



JAM 3 2007

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

January 25, 2007

SUBJECT:

Zoning Item # 07-264-SPHA

Address

4020 Old Court Road

(Paige Property)

Zoning Advisory Committee Meeting of December 11, 2006 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

Additional Comments:

Development of this property must comply with the requirements of the Water Quality Management Policy.

other Sections, of the Baltimore County Code).

Reviewer:

Michael S. Kulis

Date: December 26, 2006

Bus 21-



INTER-OFFICE CORRESPONDENCE

DATE: December 19, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

4020 Old Court Road

INFORMATION:

Item Number:

7-264

Petitioner:

Nancy and David Paige

Zoning:

DR 5.5

Requested Action:

Variance

The property in question requests a special hearing to permit a third amended final development plan for Roslyn Station. The purpose for the amendment is to revise the area formerly known as the Paige property, which is contains an existing single-family dwelling and 4 proposed townhouses which front on Esperanza Court.

The requested variances are for a separation between buildings of 34 feet in lieu of 40 feet and a minimum distance between facing windows of 30 feet in lieu of 40 feet.

It should be noted that on 9/2/05 the DRC granted a request for CRG plan refinement that corresponds with the request for third amended final development plan.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variances as shown on the subject 3rd amended final development plan.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Reviewed by:

Division Chief:

AFK/LL: CM

DEC : 200

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

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

Maryland Department of Transportation

Date: 12-13-2006

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

RE:

Baltimore County

Item No. 7-264-SPHA

MD-133

PAIGE PROPERTY Special HEARING ÉVARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-264 5PHA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 15, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 18, 2006

Item Nos. 07-252, 253, 257, 258, 260, 261, 262, 263, 264, and 265

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

DAK:CPN:clw

cc: File

ZAC-NO COMMENTS-12132006.doc





7F Gwynns Mill Court Owings Mills, MD 21117 Phone (443) 796-7400 FAX (443) 796-7188

www.wpmllc.com

December 27, 2006

Zoning Office----

111 W. Chesapeake Avenue

Room 111

Towson, Maryland 21204

Re: Case # 07-264

Dear Zoning Office:

By means of this letter, please put me on the mailing list of when the public hearing is announced for all matters related to Case # 07-264 also known as Roslyn Station, Woodholme Green or Paige Property.

Please send all correspondence to my attention as noted below.

Woodholme Green Homeowners Association C/o WP&M Real Estate Group, LLC 7F Gwynns Mill Court Owings Mills, Maryland 21117 Attention: Jonathan Rosenberg

If you have any questions, please feel free to contact me at the above number, extension 7388.

Sincerely,

WP&M Real Estate Group, LLC

Jonathan-Rosenberg, CMCA, AMS Community Association Manager

Cc: Board of Directors



Jonathan Rosenberg, CMCA*, AMS*
Senior Community Association Manager

7F Gwynns Mill Court
Owings Mills, Maryland 21117
Tel. 443-796-7400 ext. 7388
Direct 443-796-7388

Fax 443-796-7188 **email**

irosenberg@wpmllc.com www.wpmllc.com

PLEASE PRINT CLEARLY

CASE NAME MIGE NEW CASE NUMBER OT-264-SPM

PETITIONER'S SIGN-IN SHEET

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CITIZEN'S SIGN-IN SHEET

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CITY, STATE, ZIP	11/12 pm/1/1/2											
ADDRESS	75 Swy nns mill ct.			7F Gwynns Mill Court Owings Mills, Maryland 21117	rel. 445-796-7400 ext. 7388 Fax 443-796-7188	jrosenberg@wpmilc.com www.wpmilc.com	は、10年代の10年代の10年代の10年代の10年代の10年代の10年代の10年代の					
NAME	Jonathan Roseberg		WDOIN REAL ESTATE GROUP		Jonathan Rosenberg, CMCA®, AMS® Community Association Manager							

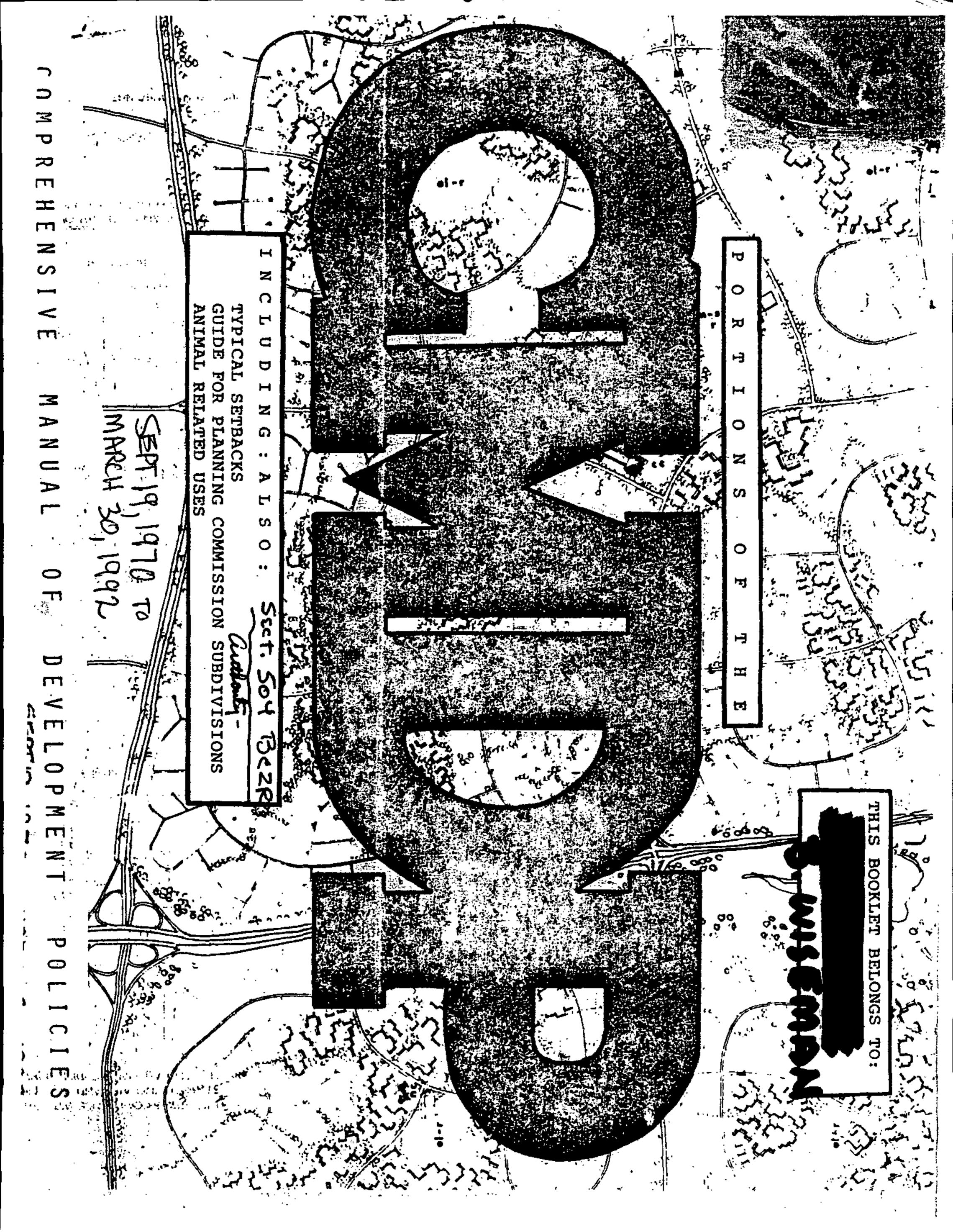
Case No.:	07-	264	SPHA	4020	OLD	COURT
						

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1 3 Page Site PLAN 1 A 1 13 No. 2	
No. 2	
No. 3	
No. 4	
No. 5	
No. 6	
No. 7	
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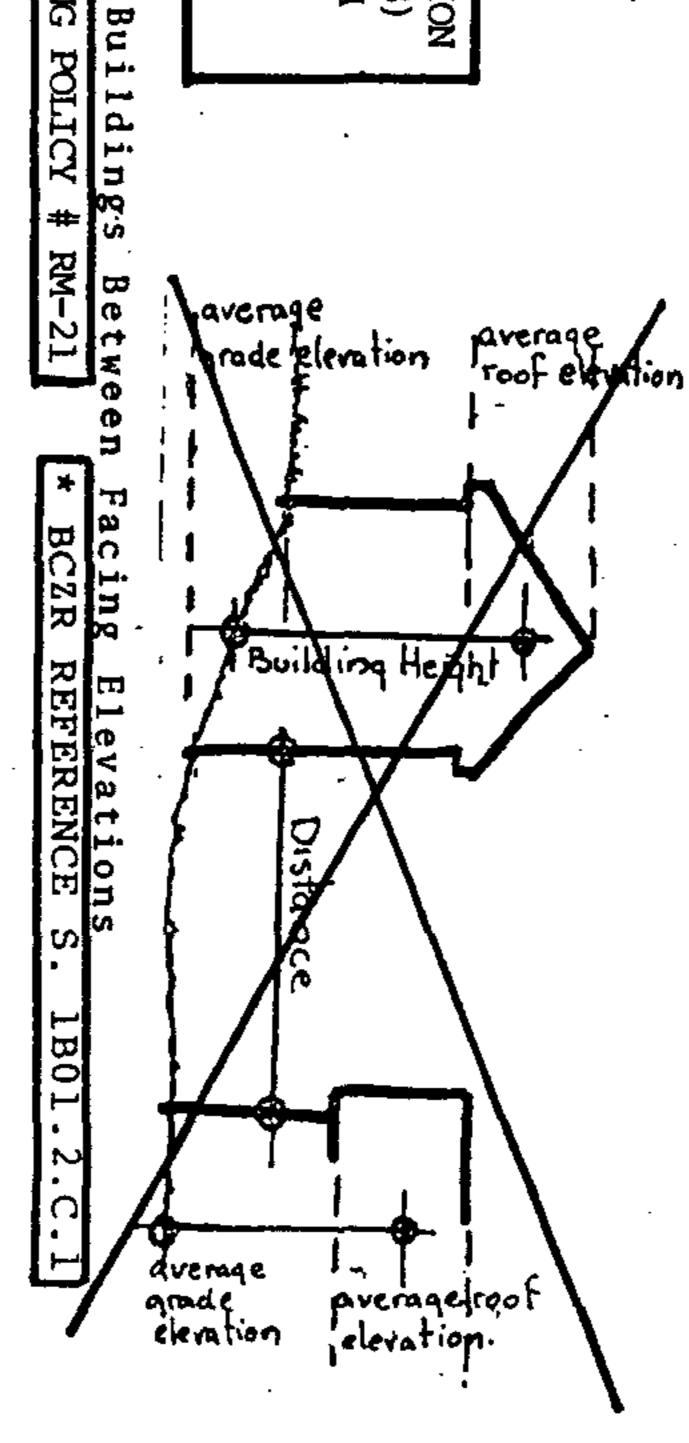
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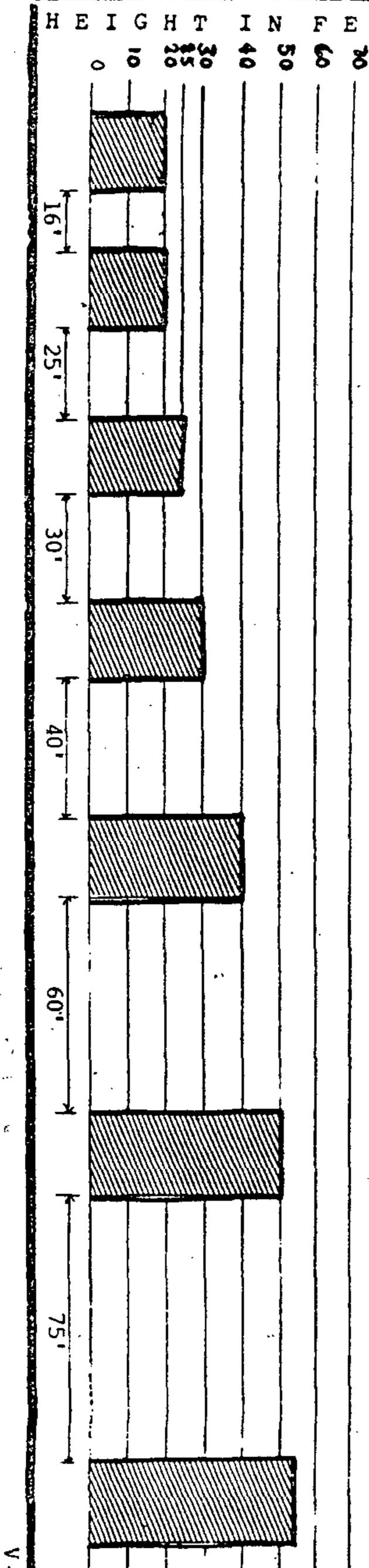
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ZONING

POLICY

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RM-6 HEIGHT DETERMINATION

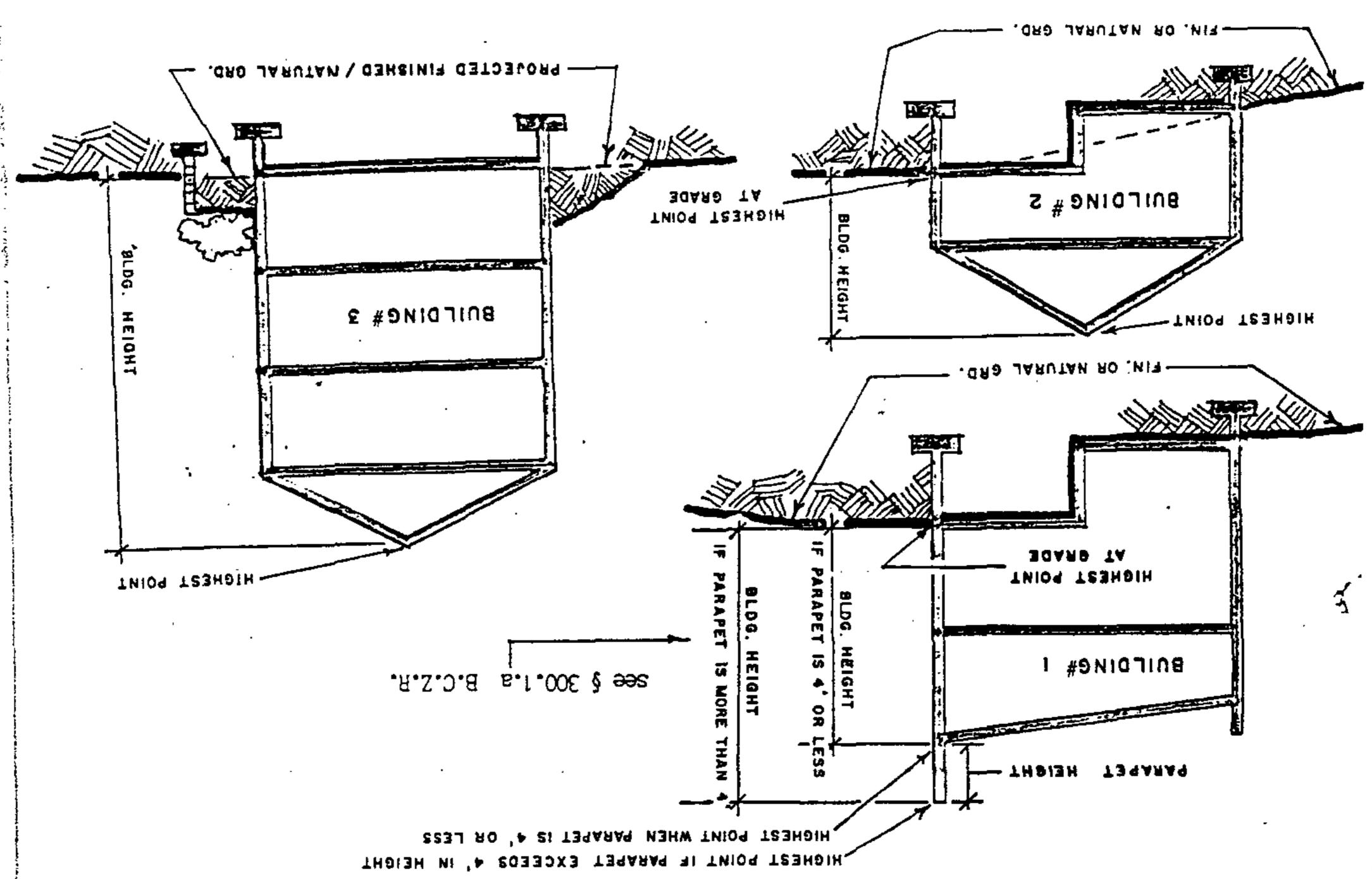
8/22/8

Due to longstanding problems*resulting from the present definition of "Building Height", Section 101, 1955, BCZR, the following height definition and application is hereby adopted as an official policy (8/22/85):

- point on a structure.

 HEIGHT OF A BUILDING OR OTHER STRUCTURE: The height of the highest
- of the closest point at exterior grade.

 A FIGHT OF A POINT ON A BUILDING OR OTHER STRUCTURE: The vertical of the closest point at exterior grade.
- In instances where it is obvious that the exterior grade has been artificially built up above natural or surrounding finished grade, the vertical distance will be measured by projecting the natural or surrounding finished exterior grade to the closest point (foundation wall). (see bldg. # 3)



* The average height method has been difficult to apply due to the fact that it lends itself to different interpretations regarding its proper application to various types of structures.

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RM-21 DISTANCES BETWEEN BUILDINGS

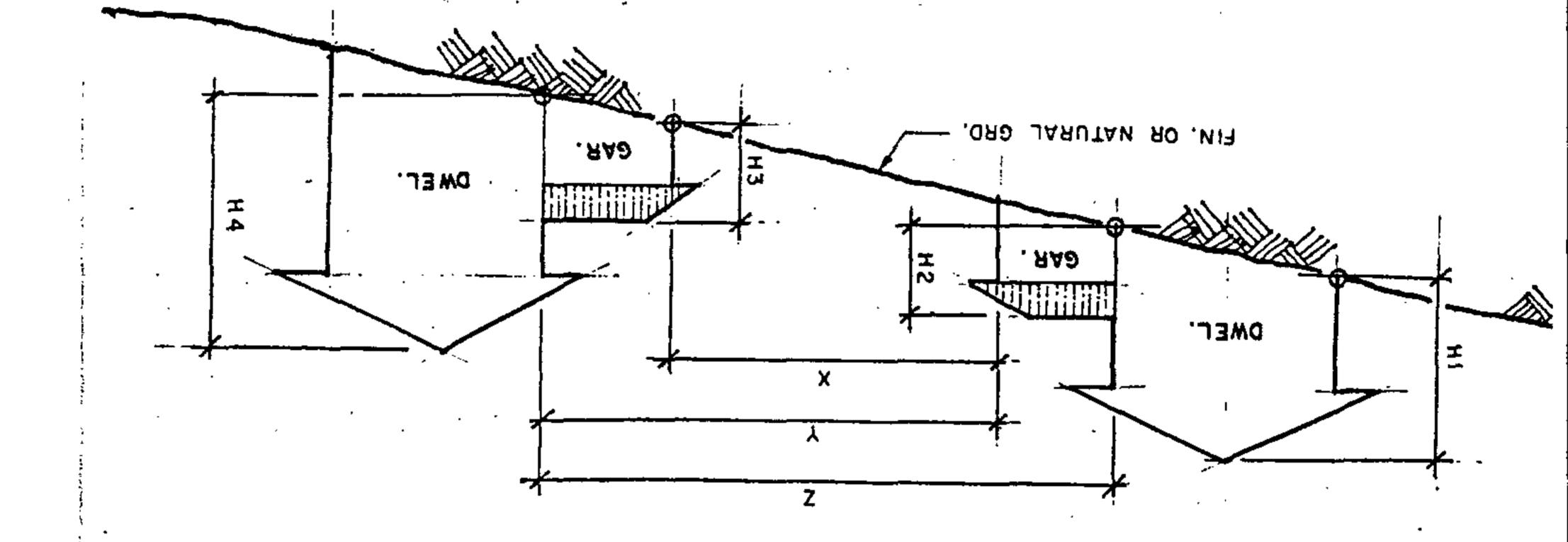
(SF-A , 6-MF 598) (SEC FM-6, A-13)

Notwithstanding the diagram of average building height in Section V.B.3 of the C.M.D.P., and to be consistant with policy RM-6 or A-13, the following policy is adopted for all applications of the Height Distance Factor V.B.3 in the C.M.D.P.

A. All building heights will be determined by the application of policy RM-6 or A-13.

B. The lessor height portions of facing elevations (H2 + H3) must meet the minimum required separation for distance (X), and the greater height portions (H1 + H4) must meet the minimum required separation for distance (Z).

C. If two different height elevations face each other as shown in distance (Y), the greater height (H4) will determine the required separation.



other OTHER (combine principal PRINCIPAL facing BUILDING yard setk buildings) Setbacks for (see section the reference required 102.2 section IBC ed distance (BCZR) IB02. between . В

7.B.2 SETBACK STANDARDS FOR PRINCIPAL BUILDING PERMITTED IN ANY D.R. ZONE OTHER THAN FOR RESIDENTIAL USE

Principal residential usashall coforth ב Table to buildings situated j the setback in other any D. thar rds Zone for

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TABLE 5-4. BUILDING SETBACK STANDARDS

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V.B.4.a. Elevation Width

*ALSO REFERENCE SECTION 1B01.2.B.2 (BCZR)

Maximum width of any elevation of a detached building or group of attached buildings shall be 300 feet, except when authorized under special exception procedures as provided in Section 502. See Figure 5-3.

V.B.4.b. Passageway Width

*ALSO REFERENCE SECTION 1801.2.B.3 (BCZR)

The minimum width of an exterior passageway or areaway between attached buildings or between portions of a single building shall be ten feet. See Figure 5-3.

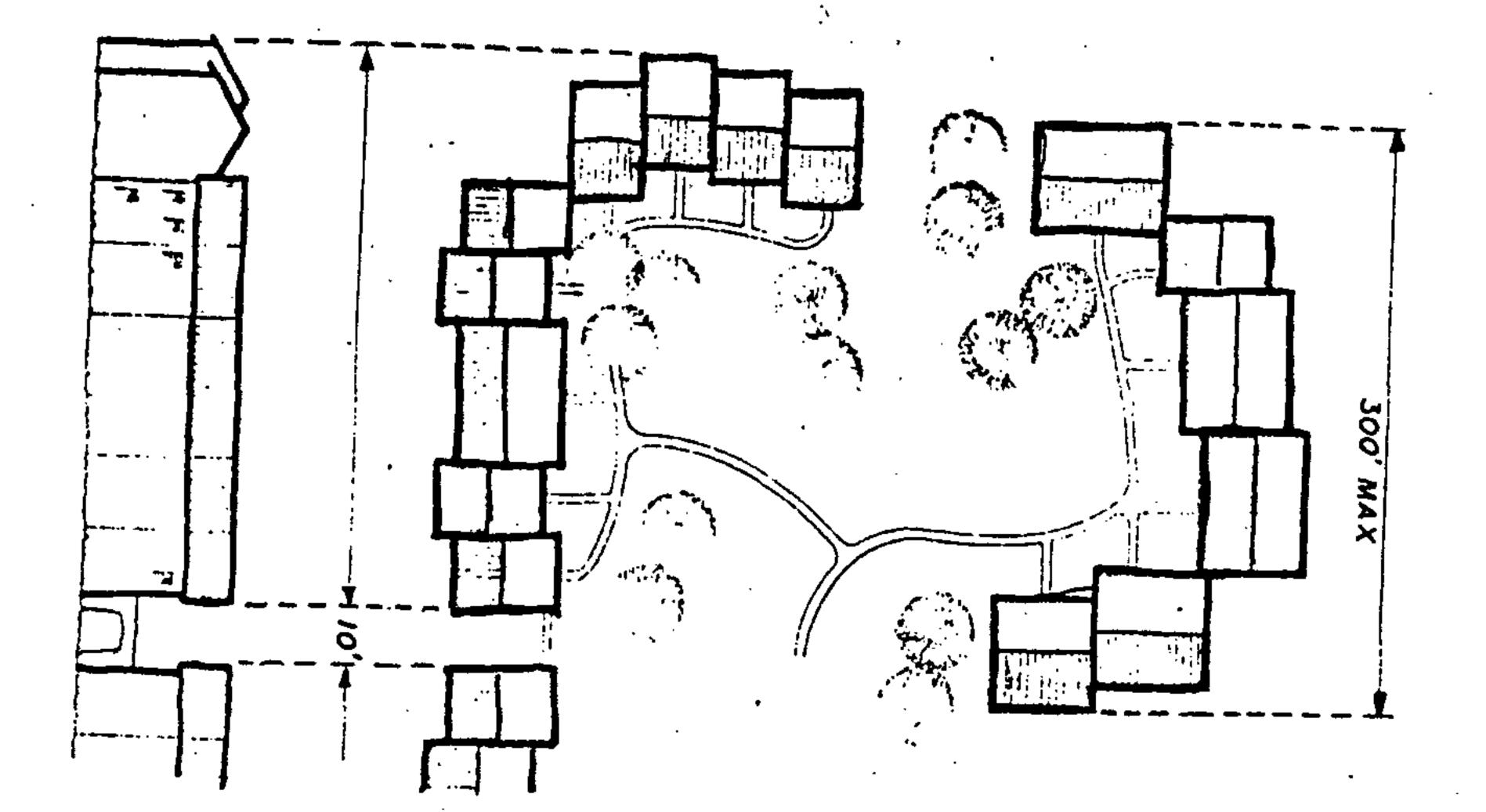


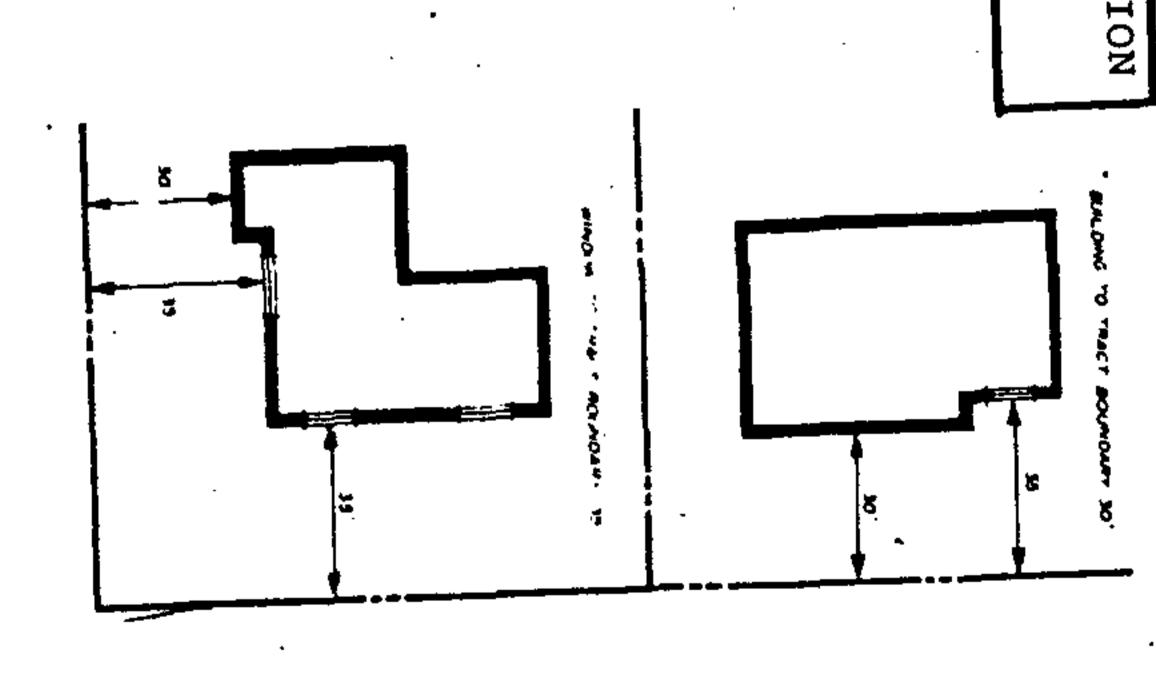
Figure 5-3

V. B. S. a. WINDOW TO TRACT BOUNDARY

Where any window faces any tract boundary that is not a street line prior to development, the window shall be a minimum of 35 feet from the tract lB01.2.C. boundary except in residential transition areas or small subdivisions as tion areas or small subdivisions as governed by Subsection 1802.3 of the Zoning Regulations. See Figure 5-4.

.5.b. BUILDING TO TRACT BOUNDARY

Any portion of a building must be a minimum distance of 30 feet from any tract boundary that is not a street line prior to development except in Residential Transition Areas or small subdivisions as governed by Subsection 1802.3 of the Zoning Regulations.



一个目前一个,我们就是一个人的人们的人们的人们,我们就是一个人们,我们就是一个人们的人们,我们就是一个人们的人们的人们的人们的人们的人们的人们的人们的人们的人们 一个目前一个人们,我们们们也是一个人们的人们的人们,我们就是一个人们就是一个人们就是一个人们就是一个人们的人们的人们的人们的人们是一个人们的人们的人们的人们的人

Figure 5-

V.B.6 WINDOW DISTANCE FACTOR

V.B.6.a. WINDOW TO STREET RIGHT-OF-WAY

street unit window or bе right-of-way. maintained minimum windowed between any dowed door* and distance See Figure 0f and 25 fe dwell 5-5 th

*A windowed door is a door of which more than 30% of the door area is glass.

design o may bounits where face structura1 0 f made 0 f Ā cluster onto setback exception to thi b 1 short would minimum. and physical benefit from culdesac Board setback and χ'n ere

form degrees surface ormed paral by an from Distance lel Window acute line žs angle measured e or within ingle of les windowed less an

* SEE SECTION V.B.6.d for Townhouses, Garage Townhouses and mixed.

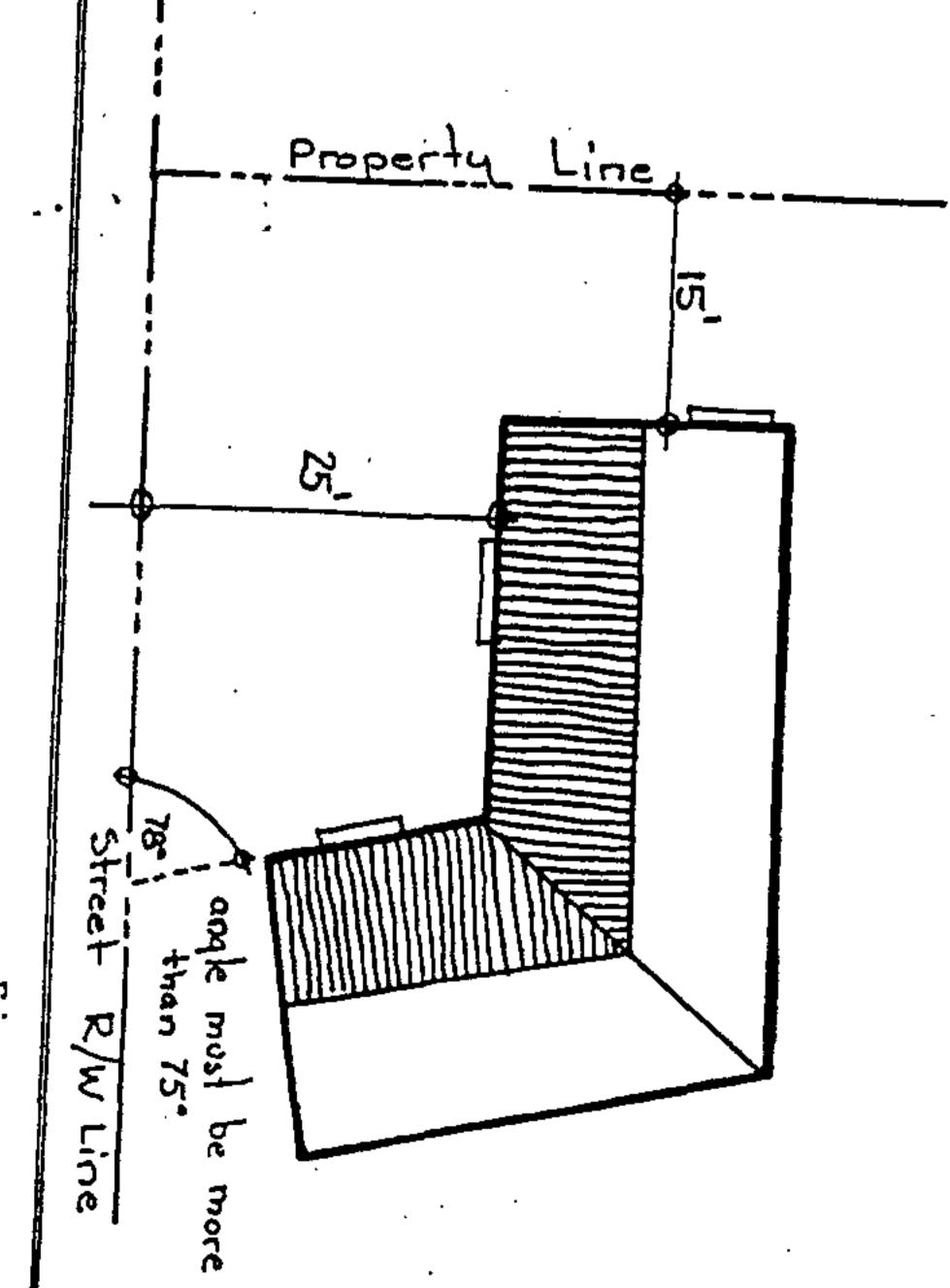


Figure 5-5

V.B. 6.C. WINDOW TO WINDOW

*REFERENCE SECTI 1B01.2.C.2.b

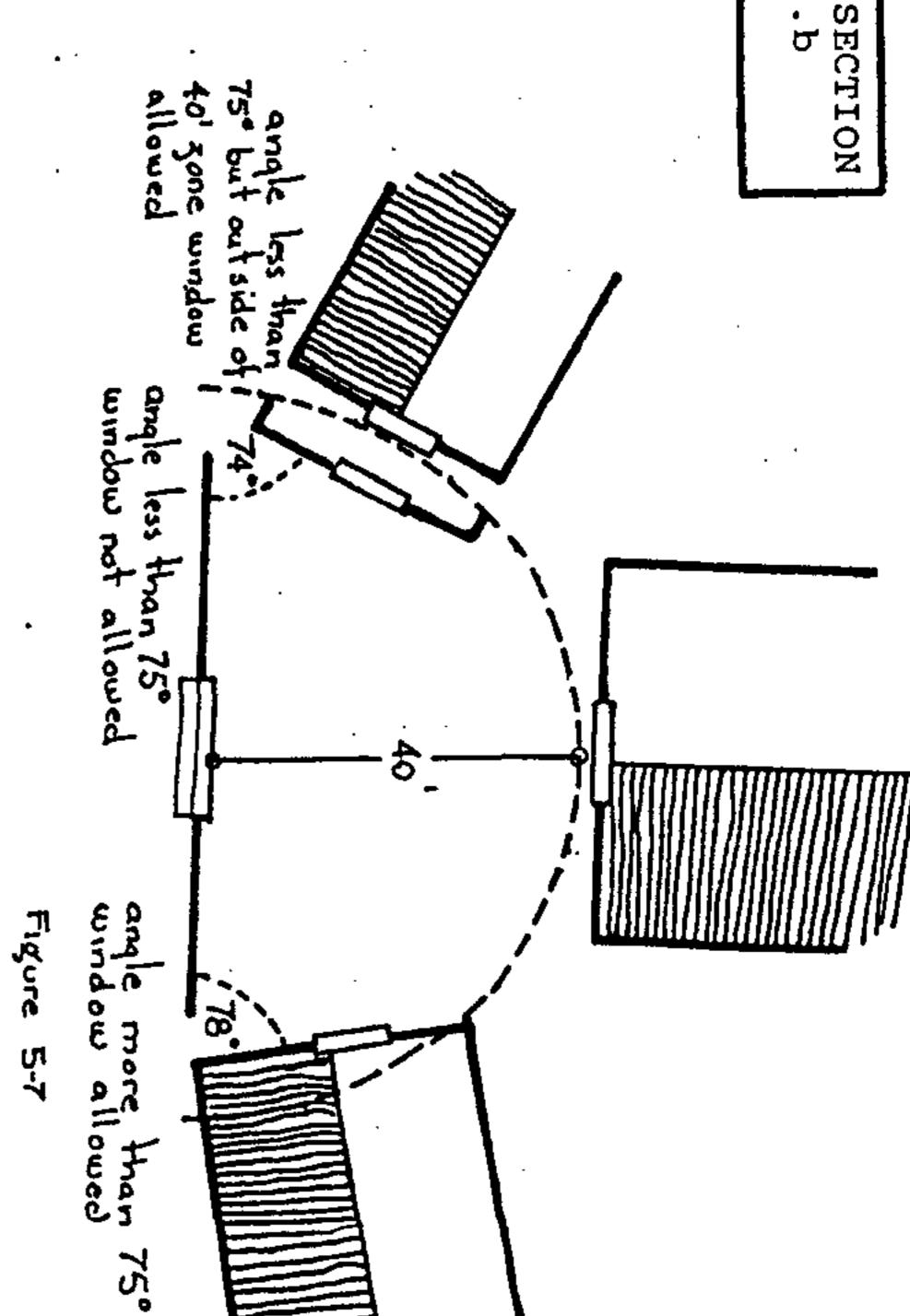
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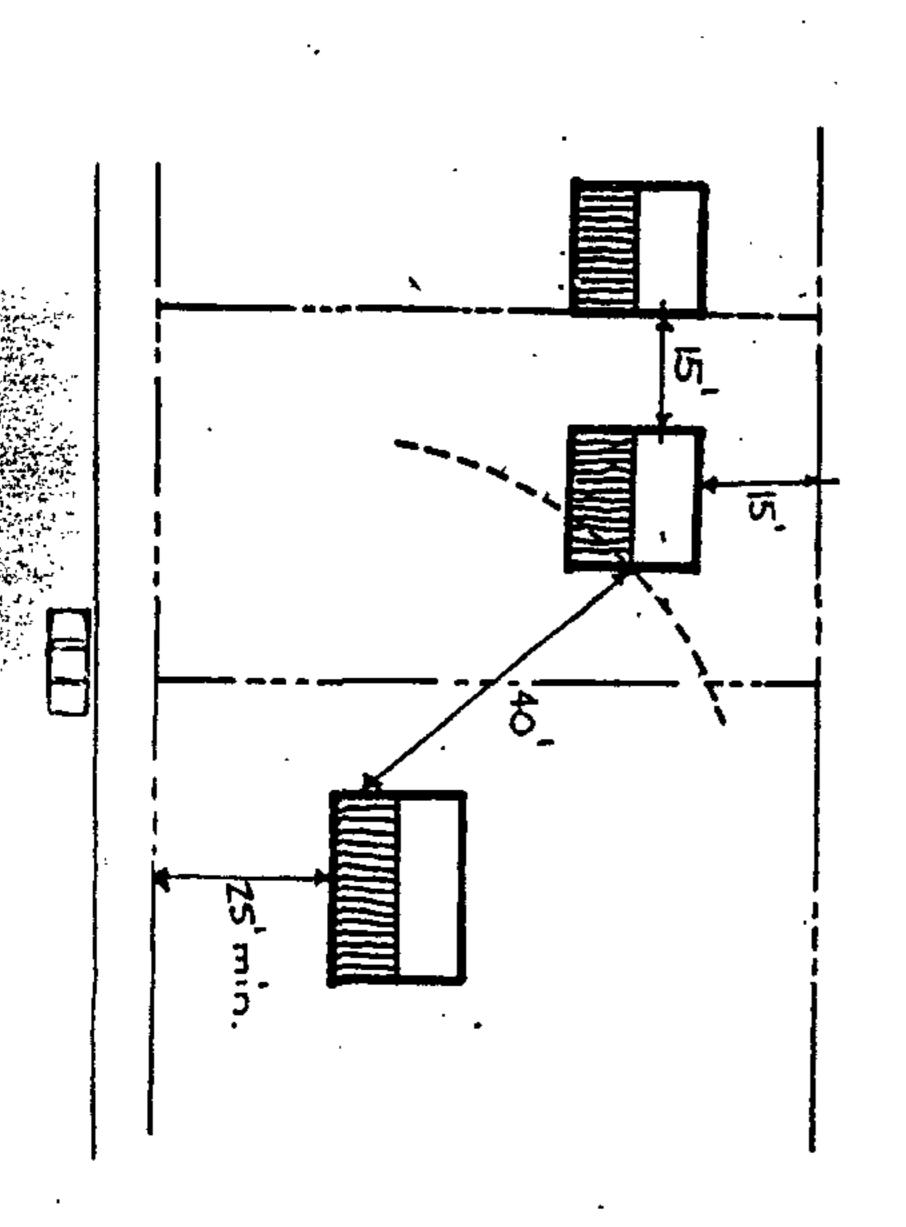
The minimum distance between any facing window of different dwelling units on the same subdivision must be 40 feet. See Figure 5-7. Facing windows are defined as two windows that face each other to the extent that one is visible through the other; or windows whose surfaces are either parallel or within the area formed by an acute angle of less than 75 degrees of the window surface.

dow and the window to window and the window to property line is made in cases where there is a door with 30% or less of the door area in glass, a high window where the sill is 5'-0" above finished floor, in cellar or basement window two feet or less in height, where architectural techniques such as clearstory or glass brick windows are used or where topography limits view.

Tinted or frosted glass panes are not considered as a permanent means of blocking vision.

Window to window distance would be to stagger the units as illustrated.





V.B.7 PRIVATE SPACE FACTOR

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dify Section V.B.7. as follows:

B.7. PRIVATE SPACE FACTOR

* adopted by the Baltimore County Planning Board 11/1

18'

Figure 5-104

cannot b s uc h of 500 def alculat 15'-0". uncovered 1 ng area must be porches 202 must be loc orches that calculated adequate feet For deck, at-g group housing or be located to the that could possib lated in this mini must area of open land a minimum area of at-grade private private ā one 4 9 minimum space. the ď or townhouses
the rear of the contiguous yard elevated, space that 500 ! space. square (private enclosed may the unit. area 50 l d feet 밁 The included garage units land belongs Covered space later required. агеа ៣ ព ា កាបកា 3 ż under date areas depth the

vides one area of 500 square 5-10a promeet required private yard space. The side and front yard area is too small in depth or overall size to be calculated as adequate yard space.

6-37B-A 6

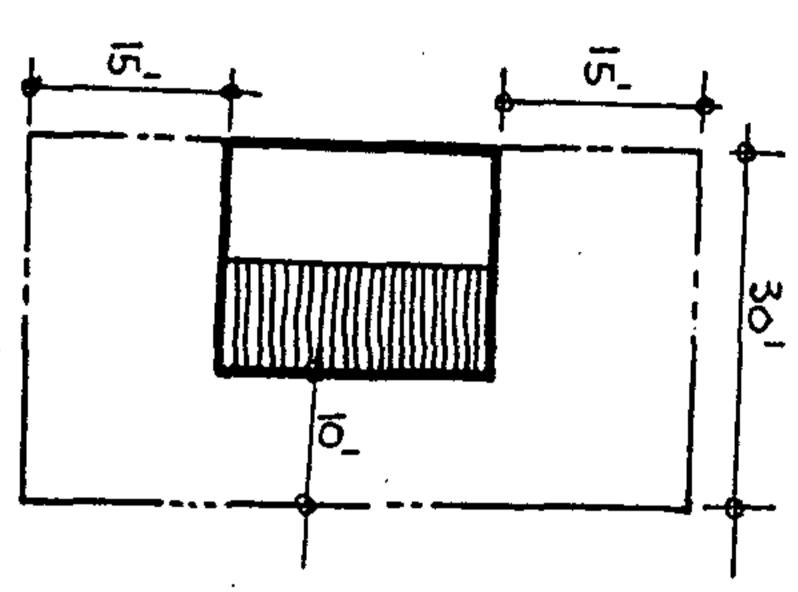
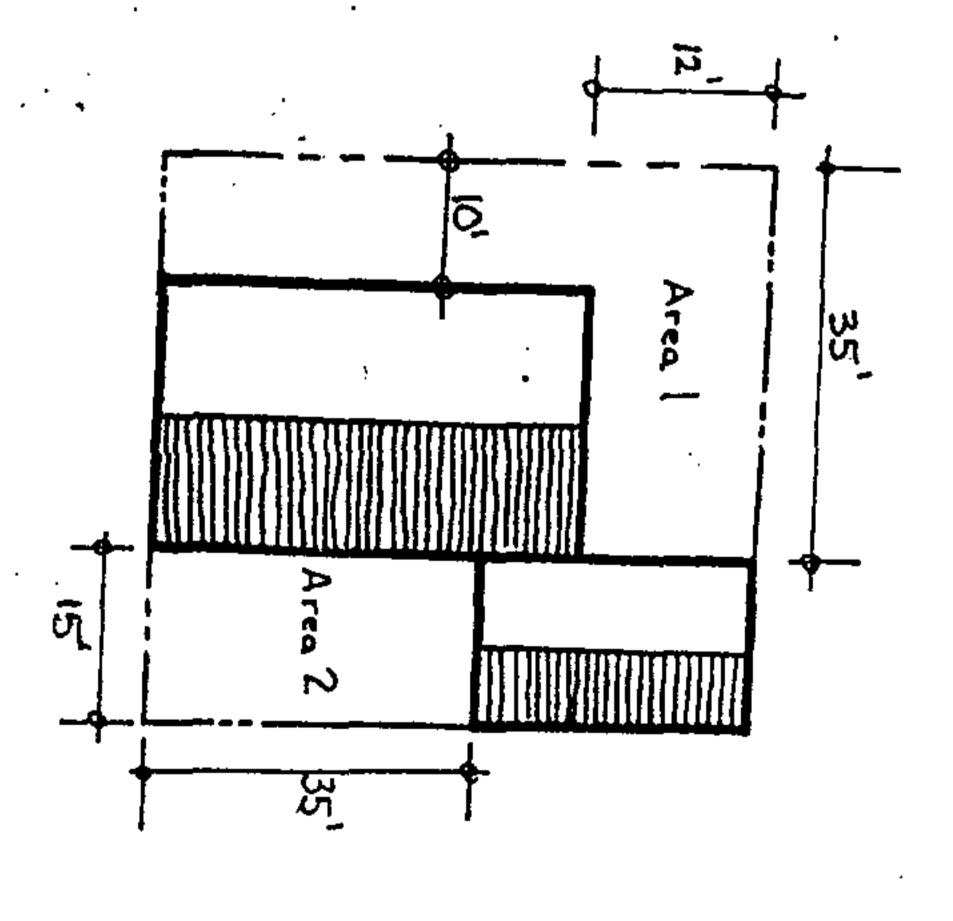


Figure 901.5

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Cess of 500 sy foot minimum depresent would divide te yards, bo square depth entire both n in Figure 5-10 required privat tire yard space are feet, the fi pth requirement de this site into both less than re 5-10b private space is the fift ce is in fifteen-0f the any

> adequate square yard too (D) u space. small meet 40

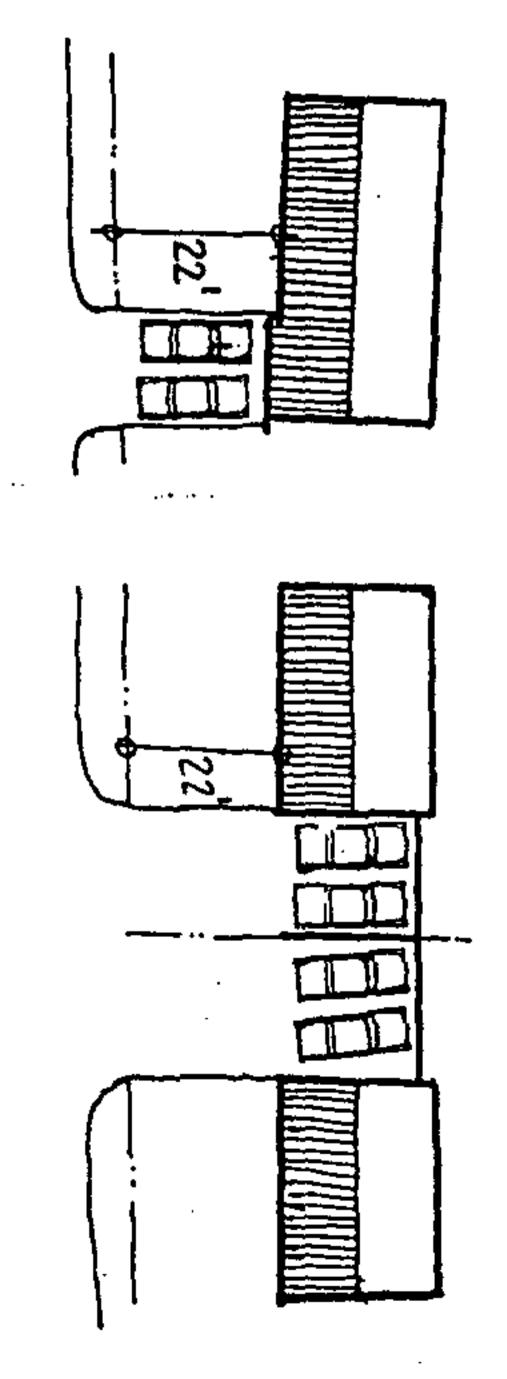


Figure

V.B.8 GARAGE-CARPORT SETBACK

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* FOR GARAGE TOWNHOUSES SEE SECTION V.B.6.d.2+3



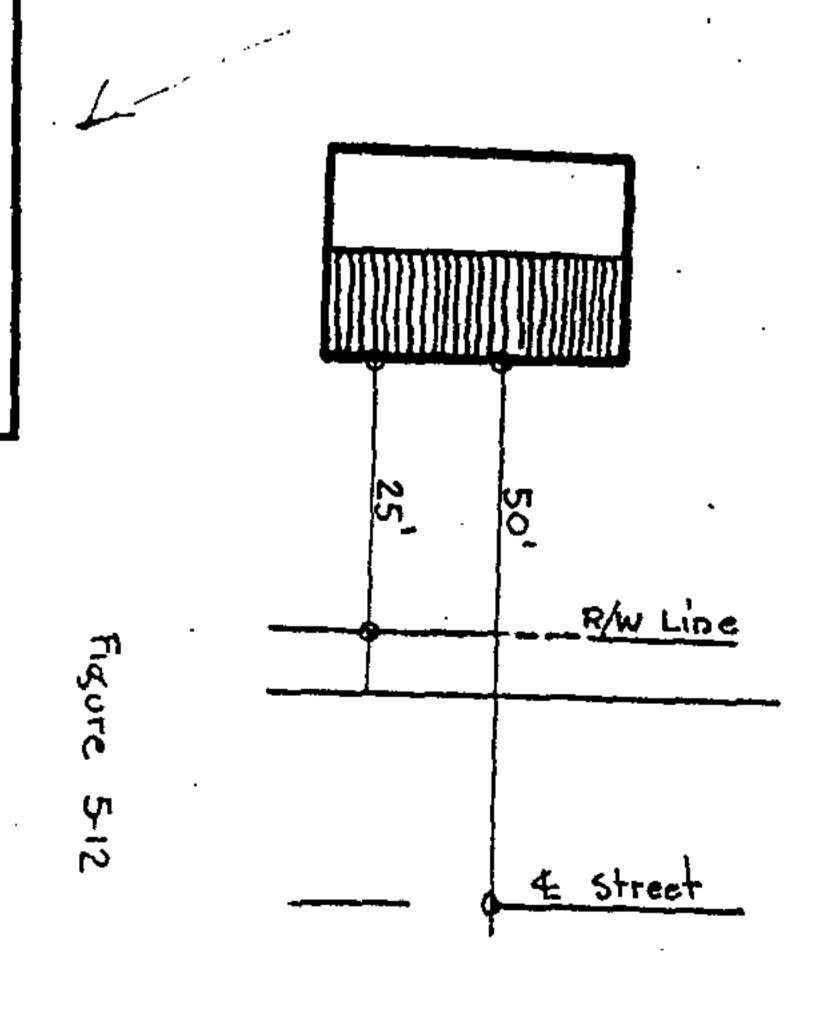
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V.B.9 SETBACK FROM EXISTING STREET

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* REFERENCE SECTION 1B01.2.C.3 (BCZR)

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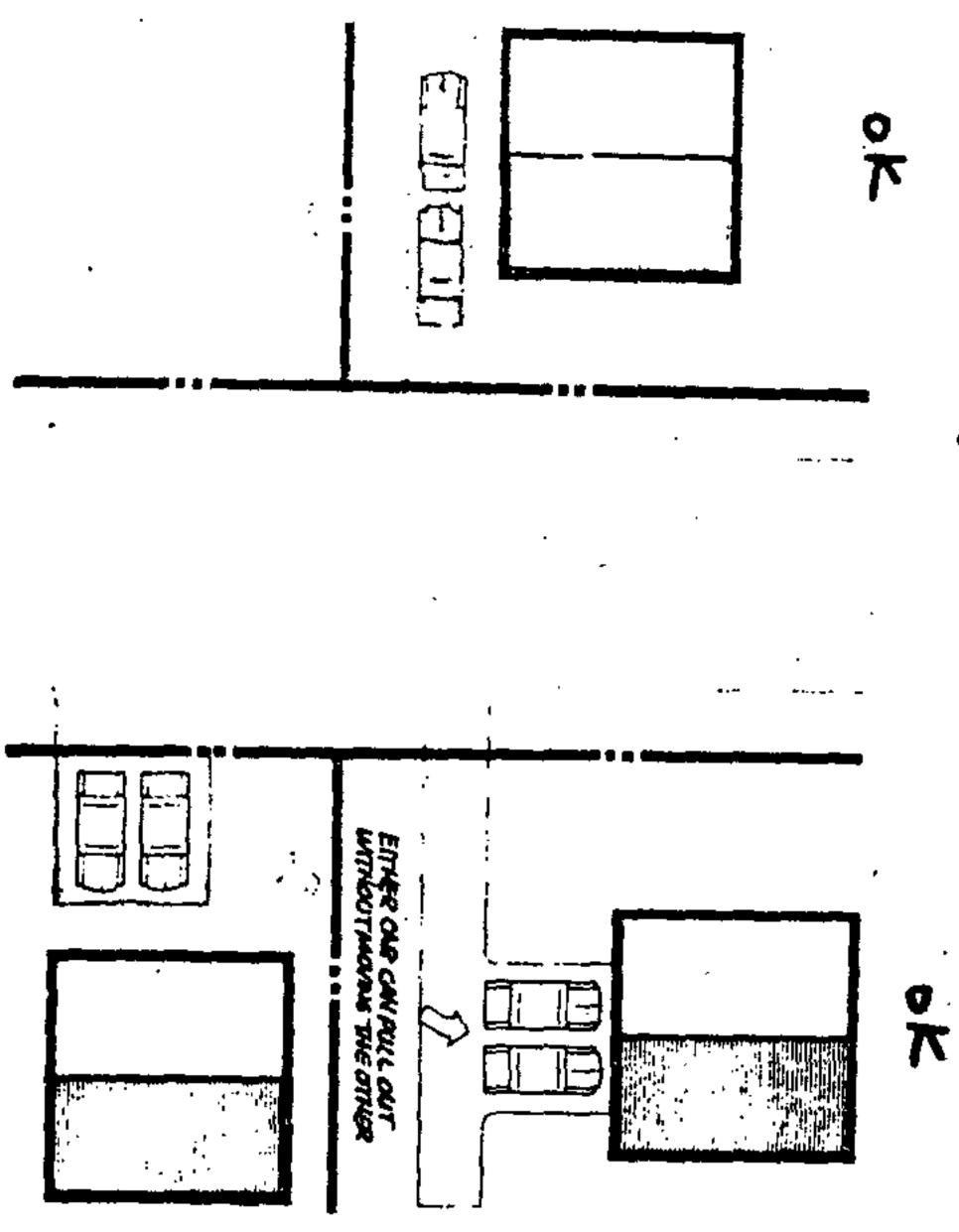
SEE eff ective SECTION JN 409.6. 5/26/88 P (Bil -# 26 88)

III.F.3 Design Requirements for Residen tial Offstreet Parking Areas

The offstreet parking requirement may be satisfied within the public right-of-way with the written approval of the Department of Public Works.

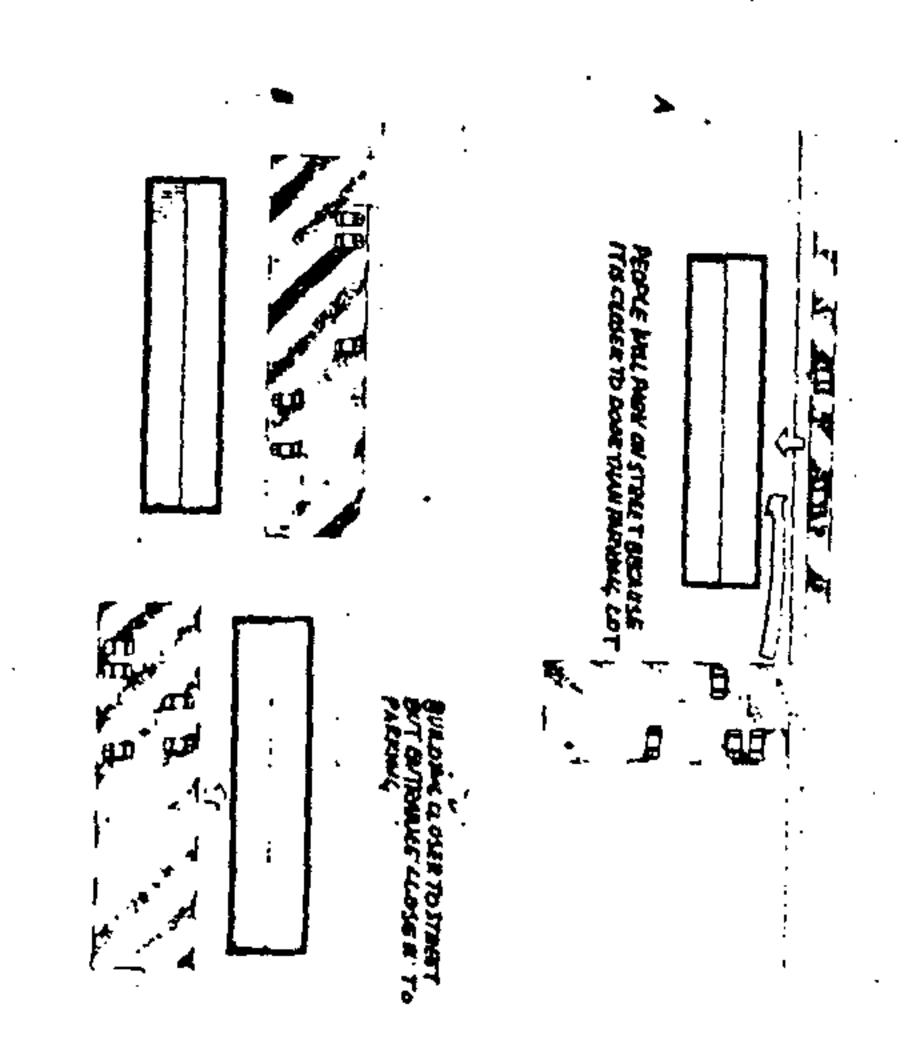
and not subject to blockage by other vehicles. See Figure 3-3.

Figure 3-3

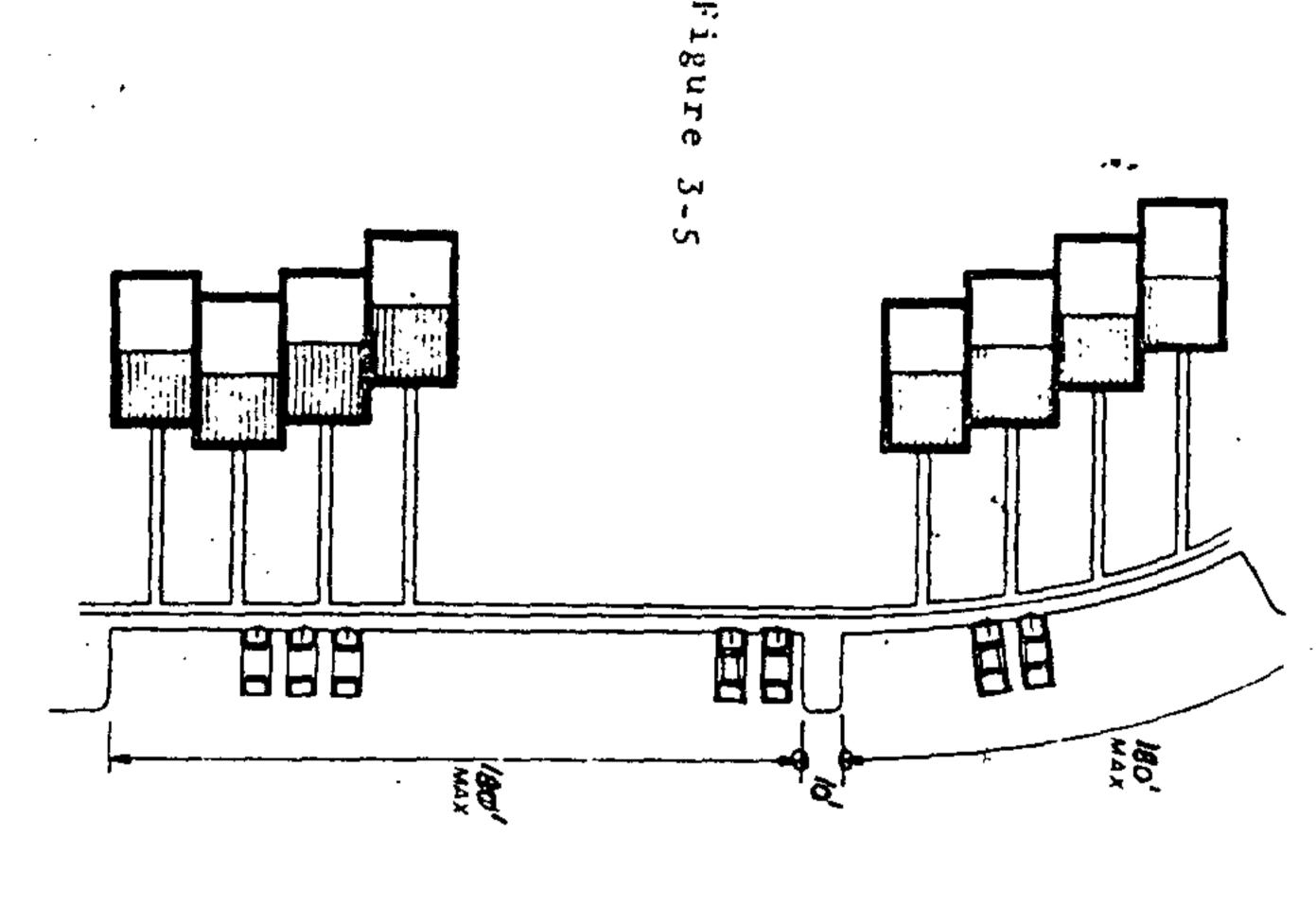


Parking spaces required by the Zoning Regulations should be closer or more conveniently related to the door of the home than to the general street curb. See Figure 3-4. Where this condition is not met, wider streets may be required.

Figure 3-4



eet in length. Each bay not exceed 180 ated by a ten-foot divider. Fire hylrants, as required by the Fire Department, will normally be located on such ividers. See Figure 3-5.

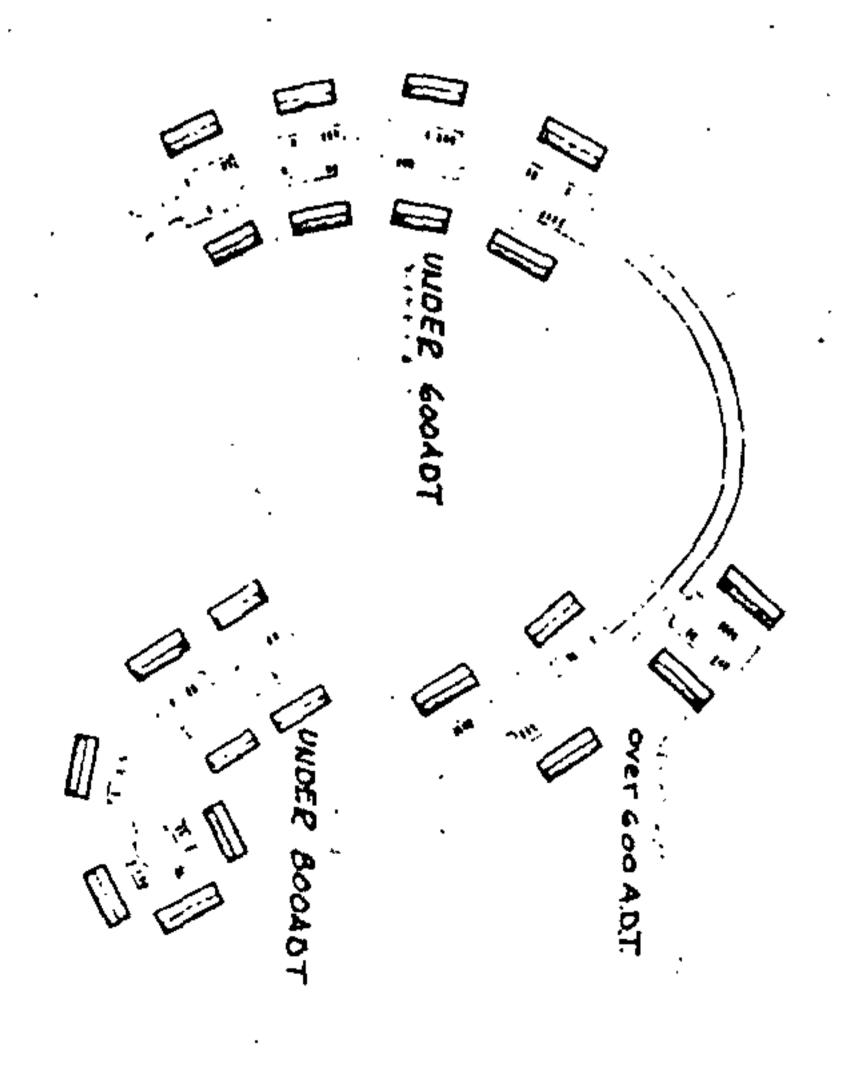


BILL ALSO SIHI 800 ADT. REQUIREMENT # 26-88 (eff PARKING (Section BAYS (effective SAM ARE NOT 409.8.C. REPEATED 5 26 ALLOWED ON 2 (88) M SEE MEM × SECTION PARKING STREET 409. WITH OVER : 00

posite sides of a traveled way must be staggered or confined to one side of a traveled way must be traveled way where average daily traffic exceeds 600 ADT. Head-in parking is permitted on a court or culdesac with less than 800 ADT. See Figure 3-6.

parking spaces or private driveways, where average daily traffic exceeds 1000 vehicles, is subject to the approval of the Traffic Engineer, Department of Public Works and Office of Planning and Zoning.

Figure 3-6



PATHS

1".A. Introduction

separate from The elsewhere for logical answer Cars ion, answer streets are not for the needs streets indicated the people, needs 1 S a system of regarded S T Ψe ゴコ People 9 vious places paths that 00t

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dog for a walk can be a pleasure. With the advent of more leisure time and the ing adult education and for organized pleasant vehicle-free path is further emphasized.

IV.B. Objectives

with the major attractions of potential pedestrian movement. These include vehicular areas, schools, include sidewalks, crosswalkways and interior walks. See Figure 4-1. They avoid conflict and danger from vehicles, particularly at intersections with local or collector streets.

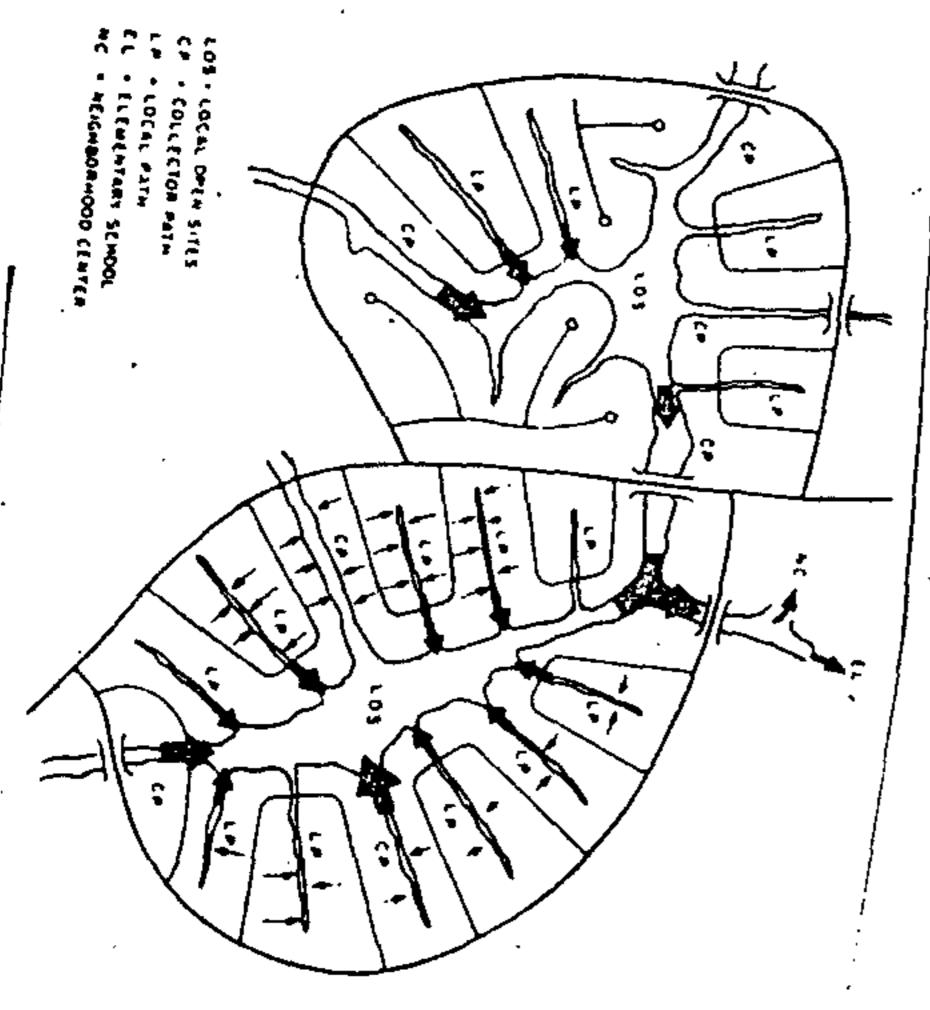


Figure 4-1

IV.C. Initial Policy

the substitution of interior path systime as final policies are established, approving agencies to review each subdithe walkway policy is for the vision individually to determine whether clusively to the streets, exclusively to the streets, exclusively to bination of both. See Figure 4-2.

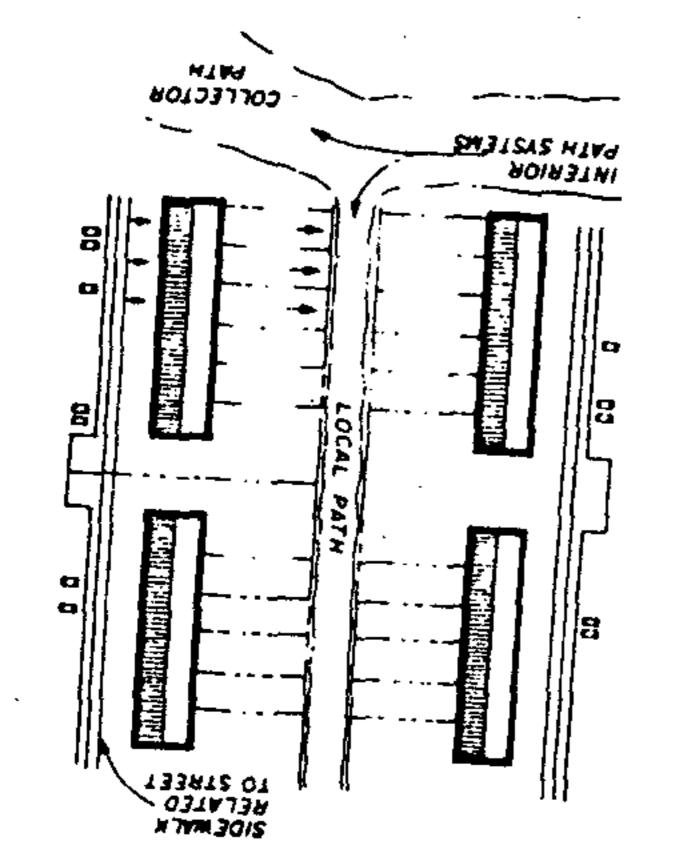


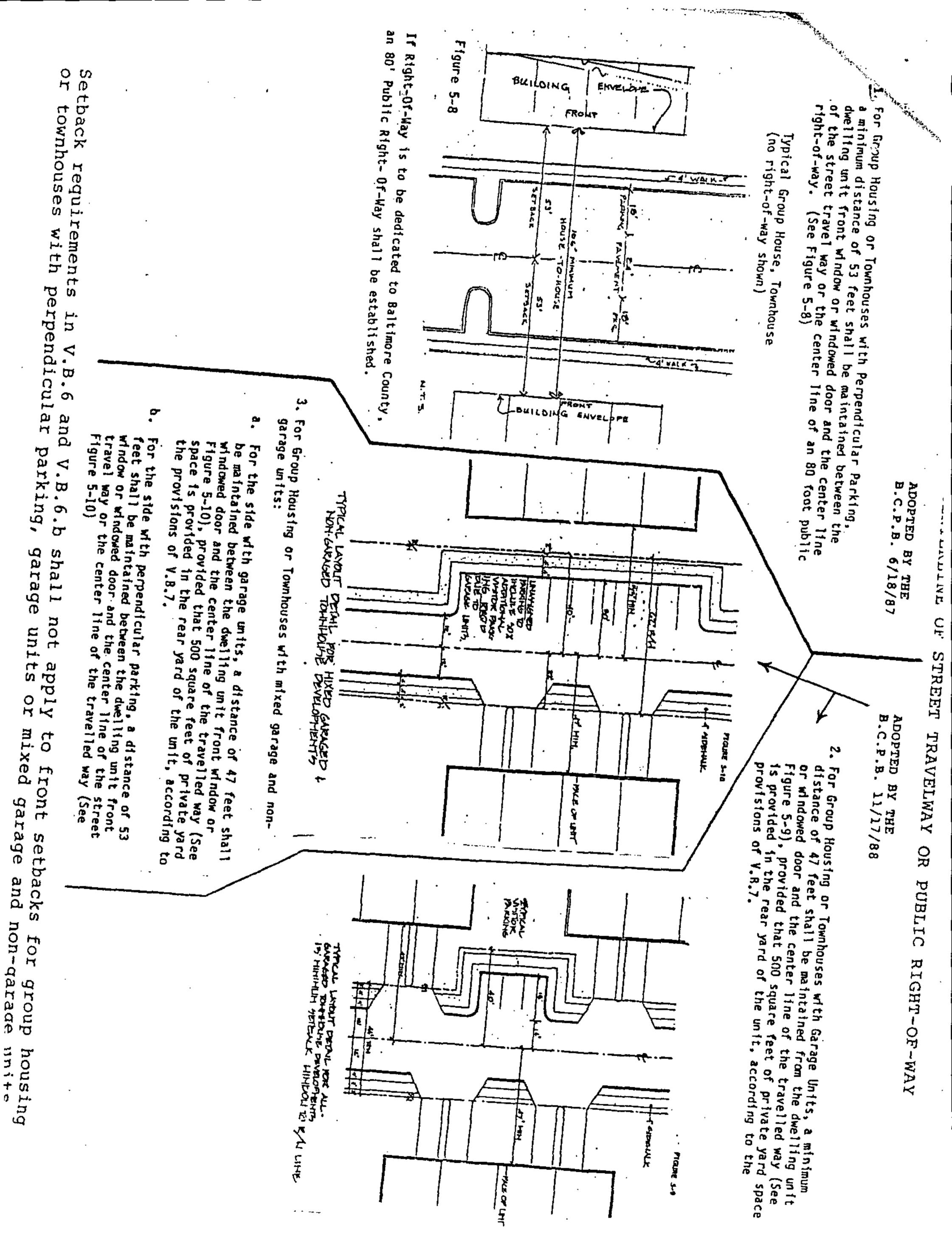
Figure 4-2

VI.C. Access

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IXPICAL SETBACK REQUIREMENTS

Building height - By zone Building length - 300' maximum	Distance between facing elevations ts 1} X the height of the highest building (Policy) R.M. 6 method
25-30' - 30' Separation 40-50' - 40' Separation 40-50' - 60' Separation 40-50' - 75' Separation 50-60' - 75' Separation	Building Height - 35' maximum Building length - 130' maximum
0-20' - 16' Separation 20-25' - 25' Separation	For all other setbacks use Out of Transition requirements
Height to Height Requirements (Distances between facing elevation) Policy R.M. 6 method	Building Front - 50's Building Rear - 75' Facing Parking - 75'
Building to Ex. R/W C/L - 50' Building to Proposed R/W - 50' Building to Tract Boundary - 30'	Buffer Width
Window to Property Line - 15 Window to Street R/W - 35 Window to Tract Boundary - 25 Window to Property Line - 15	Front 75° Side 75° Rear 150° Parking 75°
Out of Transition	In Transition/Facing Residential

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CH JULY 2,1953 AMENDED FOR MORE THAN 3 DOGS. 1945 - SPECIAL PERMIT FOR DOG KENNELS REQUIRED IN RESIDENTIAL ZONE. 2 - 8EE 5EC. 293.2C

421.3—Where a veterinarian's office or a veterinarium is allowed in a residential zone as a Special Exception, it shall be located only on a lot having an area of two ocres or more, and no part of any such use shall be located within 100 feet of the nearest property line. [Bill No. 85, 1967.]

421.2—Where an animal boarding place, kennel, or pet shop is allowed in a business or industrial zone, either as a Special Exception or as a permitted use, part of such use shall be located within 200 feet of the nearest residential zone.

shall be located within 200 feet of the nearest property line.

f any such use No. 85, 1967.

1967.]

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ZONE

either as a Special Exception or as a permitted use, no part o

-Where on animal boarding place or kennet is allowed in

ANIMAL BOARDING PLACE, YETERINARIAN'S OFFICE, YE

E, KENNEL, PET SHOP,

1967.]

1 - SEE SEC. 236.3 X X X X 3 E 38 BIDING STABLE 36 36 35 35 X X X X X X GROOMING PARLOR X X X **MUIRANIRETSV** X X X 38 X 35 OFFICE 36 38 35 38 38 32 X X 38 2E **VETERINARIANS** PLACE CLASS B X X 38 38 35 X X 3E 3E ANIMAL BOADING PLACE CLASS.A X X 38 35 **3**\$ X 38 38 ANIMAL BOARDING 36 38 3E 38 38 KENNET

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or any portion more than three hunting, 1967.] breeding, dogs, not which is

Animal Boarding Place, Class B: Any other animal boarding punder the general definition or "Animal Boarding Place", above

Any other animal boarding place not excluded imal Boarding Place*, above. [Bill No. 85, 1967.]

Animal Boarding Place, Class A: An s, birds, and/or other household pets.

An animal boarding place ets. (Bill No. 85, 1967.)

exclusively for dogs,

Animal Barding Place: Any building, other structure, or land, or any portion thereof, which is used, intended to be used, or arranged for the boarding, breeding or other care of animals for profit, but excluding a farm, kennel, pet shop, veterinarian's office or veterinarium. [Bill No. 85, 1967.]

Kennel: Any building, other structure or land, or any partion used, intended to be used, or arranged for the housing or more the counting puppies less than four months old, for purposes of show, or sale, or as pets, excluding a farm or pet shop. {Bill No. 85,

Veterinarian: A person licensed to engage in the practice of veterinary medicine [Bill No. 85, 1967.]

Veterinarian's Office: An office which is maintained by a vereament of animals, and in which no animal is kept overnight. An office which is maintoined by a veterinarian for the in which no animal is kept overnight. (Bill No. 85, 19)

odor-proofed and sound-proofed. (Bill No. Veterinarium: Any building or postion thereof which is used, intended to be used, or arranged primarily for treatment of animals by a veterinarian, where overnight care is allowed, and where all areas used for treatment or housing of A building where riding animals are


> - GAE PERMITTED WITHOUT SPECIAL EXCEPTION. SE : DEE PERMITTED BY SPECIAL EXCEPTION ONLY. SCHEDULE OF ANIMAL RELATED USES


CAE SECTION BOZ 33E)

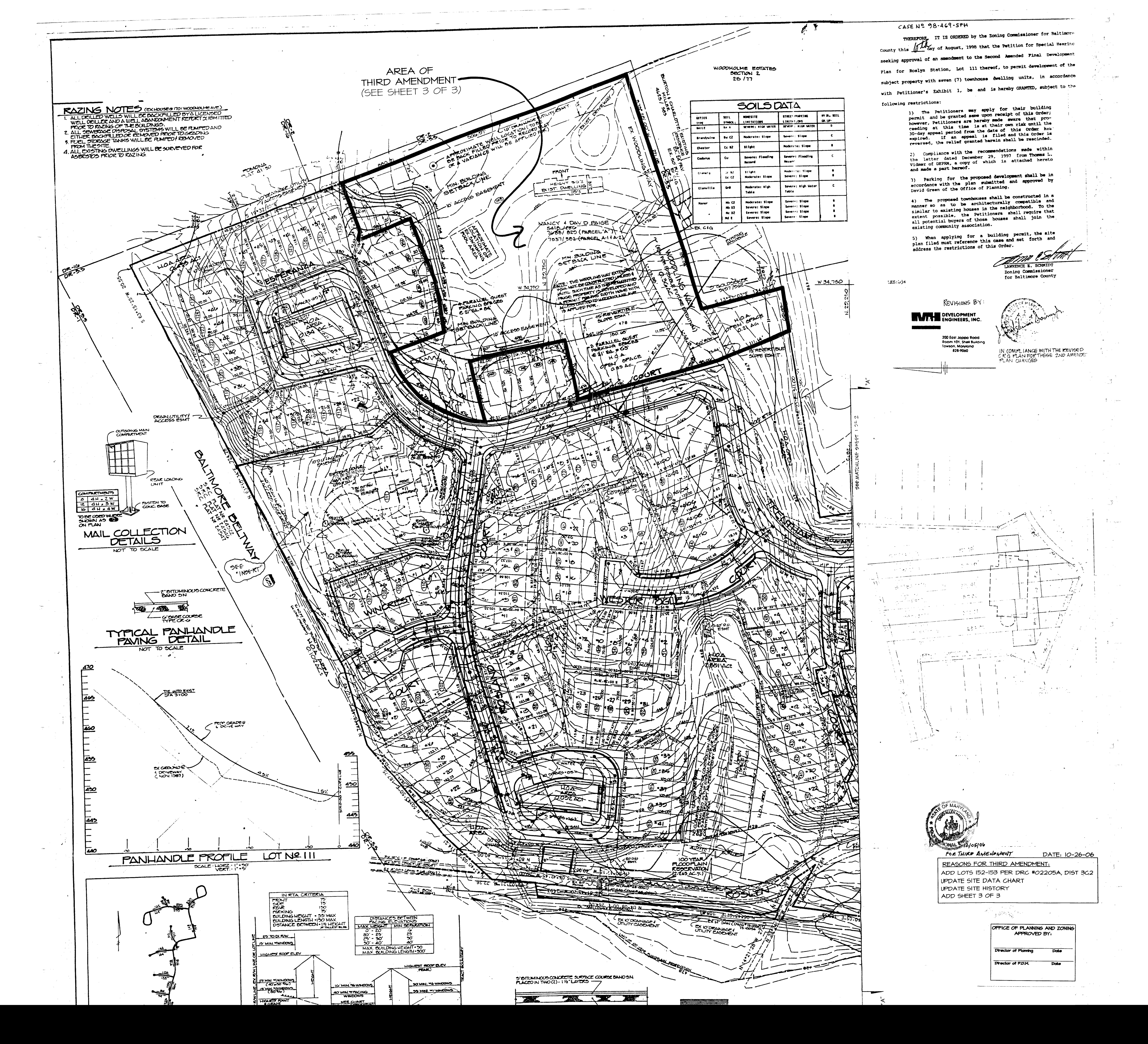
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
COMMISSION APPROVED SUBDIVIONS ONLY

	7/2/53	7/2/53 TO 3/29/55			1/2/45 TO 7/1/53				¥	
	SEC. VI D-RESIDENTIAL	C-RESIDENTIAL	A & B. RESIDENTIAL (SEM) - DET.)		SEC. YI D-RES. A, B, C AND GROUP HOUSES		SEC. V	SEC. IV B-RES.	SEC. III .A-	ZONE
	25 FT. OR IN LINE NOT MORE THAN 50 FT.	ON	25 FT. OR IN LINE NOT MORE THAN 50 FT.	FRONT	VI.C.2 SAME AS C-RES. (SEE PG 2 OF ADDITIONS)	V.C.2 SSFL TO C OVER 40 FT. HGT. ADD. 4 IN. / FT.	V.C.2 (SAME) 25 FT. OR IN LINE NOT MORE THAN 50 FT.	IV.C (SAME)	HI.C.2 25 FT. OR IN LINE NOT MORE THAN 50 FT.	FRONT
•	15 FT, MIN. COR. LOT - 25 FT.	CHANGE	7 & IO - SIDE YARD COR. LOT. 40 FT. TO CENTER LINE OF ST. SOFT. WIDTH OR LESS. IS FT. FROM SIDE PROP. LINE IF ST. IS MORE THAN SOFT. WIDTH.	SIDE	VI.C.3 10 FT. MIN.	Y.C.3 7 FT. MIN. OVER 40 FT. HGT ADD. 4 IN./FT.	V.C.3 (SAME) 7 FT. + 7 FT. SIDE ST 15 FT.		111. C. 3 7 PT. + 7 FT. COR. LOT - 15 FT. SIDE ST.	SIDE
	50 FT MIN. FENCE, WALL OR HEDGE-13 FT FROM		AVE. 20 FT. NEVER LESS THAN 15 FT	REAR	VI.C.4 MIN. 25 FT.	ADD. 4 INCHES/FI.	20 F	(SA	NEVER LESS	REAR
	VI. C. 5 - ACCY. BLDGS. WITHOUT RESTRICTIONS EXCEPT ON A CORNER LOT, GROUP HOUSES SHALL HAVE MIN. SETBACK OF 25 FT. FROM SIDE ST. LINE. ALSO 13 FT. FROM C OF AN ALLEY THAT THE REAR OF THE LOT ABUTS.		ON COR. LOT NO FENCE, WALL, PLANTING, OR OBSTRUCTION TO VISION MAY BE CONSTRUCTED HIGHER THAN 3-6 ABOVE CURB. BARBED WIRE IS PROHIBITED OTHER THAN AGRICULTURAL AREA.		VI. C. 5 - ACCY, BLDGS. SHALL BE PERMITTED WITHOUT RESTRICTIONS AS TO SETBACKS FROM INTERIOR PROPERTY LINES AND REAR LINES. SIDE ST. SET BACKS (SEE III.A, 13 q.)	WIDTH MIN. * 50 FT. 2 -ADDITIONS PG. 1-50 FT. 3 -ADDITIONS PG. 1-40 FT. 2 -ADDITIONS PG. 1-55 FT. R 60' RD. MIN. 25 FT. OR IN	T. LINE WHEN LESS THAN BOFT, IE, REAR SETBACK IS IOFT, WHE BUTS A REAR LOT LINE. BACKS IS ISFL AND IN NO CASE 2 FT. TO ANY LOT LINE. REA = 5.000 SQ. FT. AND	LINE OF ADJ. LOT SHALL BE AT LEAST	YARD WHEN LESS THAN SOFT FROM FRONT LOT	RESTRICTIONS PER SECTION
E C B		AGE GRADE AT	TO BE AVERAGE OF PROP. ON EITHER SIDE. I.1-ACCY. BUILDINGS LIMITED TO 15 FT. HEIGHT AND 35 % COVERAGE OF REAR YARD		PORCHES MAY EXTEND 9 FT BEYOND THE FRONT BLOG. LINE. COVERED PORCHES, CARPORTS ETC. HAVE TO MEET PRINCIPAL BLOG. SETBACKS. NO 25 % ALLOWANCE BEFORE 1955.	X.A.2 - UNCOVERED PORCHES, FIRE ESCAPES, OPEN STAIRWAYS AND CHIMNEYS ARE PERMITTED WHERE THEY WOULD NOT OBSTRUCT LIGHT AND VENTILATION. X.A.3 - STEPS AND UNENCIOCED		STRUCTURES SHALL COMP		RESTRICTIONS (ALL SECTIONS)









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

December 12, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: December 11, 2006

Item No.: 252, 253, 254, 255, 256, 257, 258, 259, 261, 262, 263, 264 and 265.

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 Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



* SEE SECTION V.B.6.d for Townhouses, Garage Townhouses and mixed

.6.b. WINDOW TO PROPERTY LINE

dwe pqns Subsection any ٥f door* distance between SHA ions in windowed ä bχ Regula imum tion A Zon ion must be unit wi propert transit sions a of the 5-6. g

*A windowed door is a door of which more than 30% of the door area is glass.

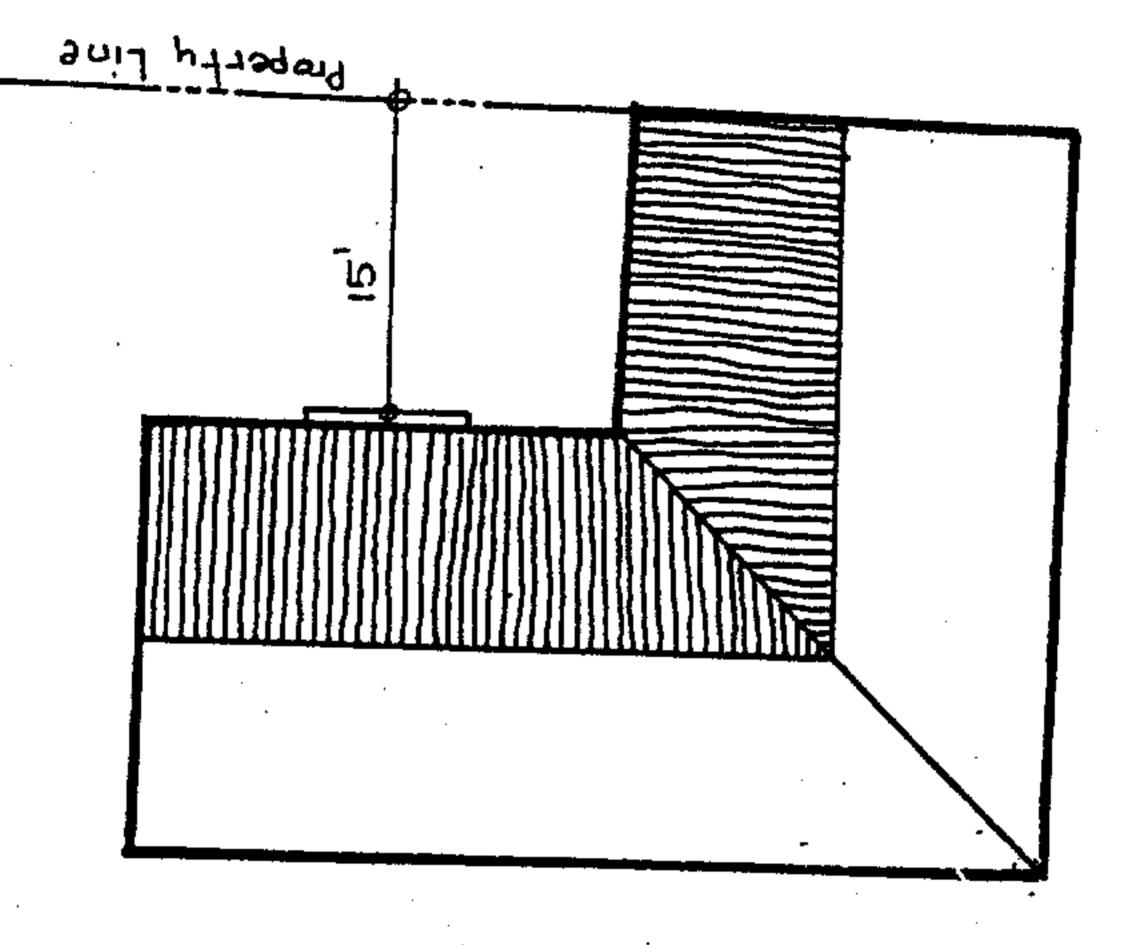


Figure 5-6

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 23, 2007 Issue - Jeffersonian

Please forward billing to:

Joseph R. Woolman, III 300 E. Lombard Street, Ste. 1440 Baltimore, MD 21202

410-234-0070

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: 07-264-SPHA

4020 Old Court Road

East side of Esperanza Court, opposite Trentham Drive

3rd Election District – 2nd Councilmanic District Legal Owners: Nancy E. & David M. Paige

Contract Purchaser: PCS Homes c/o Mike Thomasson

Special Hearing to approve pursuant to Section 1B01.3.A.7(b) of the Baltimore County Zoning Regulations (BCZR), a 3rd Amendment to the Final Development Plan (FPD) for Roslyn Station, (Paige Property) as more particularly shown on the site plan attached hereto and incorporated by reference. Variance for proposed Lots 152-155, to permit a minimum separation between detached principal buildings of 34 feet, more or less, in lieu of the required 40 feet and to permit a minimum distance between the centers of facing windows of different dwelling units on the same subdivision tract of 30 feet, more or less, in lieu of the required 40 feet.

Hearing: Wednesday, February 7, 2007 at 9:00 a.m. in Room 106, County Office Building,

111 West Chesapeake 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.