

IN RE: **PETITION FOR VARIANCE**
E/S Hilltop Road, 169.8' N c/line of
Cainewood Court
(119 South Hilltop Road)
1st Election District
1st Council District

Gladding Estate, LLC
Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0083-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by Gladding Estate, LLC, through its managing member, Joseph R. Steneman, the owner of the subject property. The Petitioner has requested variance relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dwelling with a front yard setback of 35 feet in lieu of the required 50 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Joseph R. Steneman on behalf of Gladding Estate, LLC. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is a somewhat irregular shaped rectangular lot containing approximately 1.0 acres (43,560 square feet) of land zoned D.R.1. The currently unimproved property is located on the northeast side of South Hilltop Road, just south of Frederick Road, in Catonsville. As illustrated on the site plan, the lot in question, referred to as Lot 1, lies west of another larger lot, Lot 2, which had been created through the minor subdivision process (No. 07093M) and approved on August 18, 2008. Lot 2

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Date 11-24-08
By [Signature]

was subsequently sold and this petition for variance only concerns the remaining one-acre lot shown as Lot 1 on Petitioner's Exhibit 1.

Further evidence demonstrated that the Petitioner is proposing to build a custom home on the subject property but has had difficulty due to the presence of a large nontidal wetland in the rear of the property. According to Mr. Steneman, the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) has demanded a large rear setback in order to maintain the forest buffer easement and the integrity of the environmentally sensitive wetland, and this has driven the need to place the building envelope towards the front (western) portion of the lot. Thus, the Petitioner was advised to request a variance in order to move the proposed dwelling away from the forest buffer/forest conservation easement area. A front yard setback of 35 feet is needed in lieu of the minimum 50 feet required in order to develop the lot.

A Zoning Advisory Committee (ZAC) comment received from the Office of Planning dated October 2, 2008 indicates that they do not oppose the request. DEPRM also submitted a comment dated October 17, 2008, which evidences that 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). DEPRM also noted that development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Finally, DEPRM noted that development of this property must comply with the terms of the recently granted forest buffer variance and approved forest conservation plan.

Considering all of the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance

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Date 11-24-08
By [signature]

request. The property has an irregular shape and the building envelope is uniquely constrained by the large nontidal wetland that dominates the rear of the property. It is also worth noting that while this property is zoned D.R.1, it is surrounded by properties with larger density zoning such as D.R.5.5 to the southeast, and D.R.2 immediately east of the property. Mr. Steneman correctly described the property as "an island of D.R.1 in a sea of larger density zones." As shown on the site plan, adjacent homes surrounding the subject property are all built with front yard setbacks of 26 and 33 feet. Thus, I find that the imposition of zoning on this property disproportionately impacts the subject property as compared to others in the zoning district, and that strict compliance with B.C.Z.R. would result in practical difficulty or unreasonable hardship.

I am further convinced that the requested variance relief can be granted in strict harmony with the spirit and intent of the B.C.Z.R. and in such manner as to grant relief without injury to the public health, safety and general welfare. Decreasing the front setback will simultaneously permit an aesthetically pleasing custom home that is consistent with the pattern of development of other properties in the surrounding locale while also maintaining the integrity of the environmentally sensitive nontidal wetland in the rear of the property. Thus, I find that the request for variance meets the requirements of Section 307 of the B.C.Z.R. as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of November 2008 that the Petition for Variance seeking relief from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a proposed

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Date 11-24-08
By [Signature]

dwelling with a front yard setback of 35 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following:

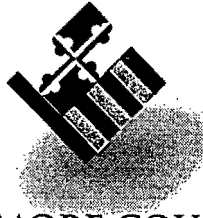
1. The Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted shall be rescinded and the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

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Date 11-24-08
By 103



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 24, 2008

Joseph R. Steneman
Gladding Estate, LLC
2110 Devere Lane
Baltimore, MD 21228

RE: PETITION FOR VARIANCE

E/S Hilltop Road, 169.8' N c/line of Cainewood Court
(119 South Hilltop Road)
1st Election District - 1st Council District
Gladding Estate, LLC - Petitioner
Case No. 2009-0083-A

Dear Mr. Steneman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. J. Wiseman III', written over a circular stamp or seal.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: People's Counsel; DEPRM; Office of Planning; File



TAX. ACCOUNT # 2500004771

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 119 S. Hilltop Road
which is presently zoned DR-1

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) 1802.3.C.1 BCZR

To allow a proposed dwelling with a front yard setback of 35' in lieu of the required 50'.

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

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Gladding Estate, LLC

Name - Type or Print

Joseph Steneman Member

Signature

Name - Type or Print

Signature

2110 Devere Ln 410-788-1534

Address

Telephone No.

Balt

MD

21228

City

State

Zip Code

Representative to be Contacted:

Joe Steneman 410-536-3610 Day

Name

2110 Devere Ln 410-788-1534

Address

Telephone No.

Balt

MD

21228

City

State

Zip Code

OFFICE USE ONLY

Case No. 2009-0083-A

ESTIMATED LENGTH OF HEARING _____

REV 9/15/98

ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

Date 11-24-08 Reviewed By JF Date 9/23/08

By 100

DESCRIPTION OF LOT 1
MINOR SUBDIVISION PLAT- #119 SOUTH HILLTOP ROAD
(07-093-M)
#119 SOUTH HILLTOP ROAD

BEGINNING for the same at a point on the northeast side of South Hilltop Road as shown on Baltimore County Bureau of Land Acquisition Highway Widening Drawing No. HRW 60-089 at a point in first or North 84 degrees 42 minutes 30 seconds East 400 foot line of that parcel of land which by deed dated December 27, 2001 and recorded among the Land Records of Baltimore County in Liber S.M. No. 16061 folio 013 etc. was conveyed by Kathleen Elizabeth Gladding to Kathleen Elizabeth Gladding thence running with and binding on a part of said first line, as now surveyed, with all bearing referred to the system of coordinates as established by the Maryland Coordinate System **(1) North 77 degrees 15 minutes 00 seconds East 305.00 feet** thence leaving said first line and running for new lines of division the four following courses and distances: **(2) South 12 degrees 51 minutes 10 seconds East 138.00 feet (3) South 77 degrees 15 minutes 00 seconds West 200.00 feet (4) South 12 degrees 51 minutes 10 seconds East 14.00 feet** and **(5) South 77 degrees 15 minutes 00 seconds West 105.00** to intersect said northeast side of South Hilltop Road thence running with and binding on said northeast side of Hilltop road **(6) North 12 degrees 51 minutes 10 seconds West 152.00 feet** to the place of beginning.

The improvements thereon to be known as No. 119 South Hilltop Road and located in the 1st Election District and in the 1st Councilmanic District.

CONTAINING 43,560 square feet of land, more or less or **1.000** acres of land, more or less.

BEING a part of that parcel of land which by deed dated August 19, 2008 and recorded among the Land Records of Baltimore County in Liber 27266 folio 366 was conveyed by Gladding Estate, LLC to Gladding Estate, LLC.

2009-0083-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 26555

Date: 9/23/05

PAID RECEIPT

AMOUNT PAID TO ORDER OF
 \$ 65.00
 FOR DEPOSIT TO THE
 BALTIMORE COUNTY TREASURY
 DEPARTMENT
 DATE OF DEPOSIT
 9/23/05
 BY
 J. J. JONES
 CASHIER

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	8060000			6150					65.00

Total: 65.00

Rec From: Joe Starnes

For: Petition for Variance
117 S. Hill Rd.

117 S. Hill Rd. 2009-0040-4

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

1002-2-2-1

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: # 2009-0083-A

119 S. Hilltop Road

E/side of S. Hilltop Road at a distance of 169.8 feet r/from centerline of Calnewood Court

1st Election District — 1st Councilmanic District

Legal Owner(s): Glodding Estate, LLC

Variance: to allow a proposed dwelling with a front yard setback of 35 feet in lieu of the required 50 feet.

Hearing: Thursday, November 13, 2008 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 10/753 Oct. 28

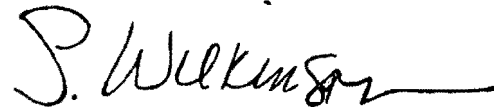
187298

CERTIFICATE OF PUBLICATION

10/30/, 2008

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 10/28/, 2008.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 2009-0083-A

Petitioner/Developer: _____

Gladding Estate, LLC

Date of Hearing/Closing: Nov 13, 08

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

ATTN: Kristen 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 property located at: _____

119 S. HILLTOP ROAD

The sign(s) were posted on _____ Oct 29, 08
(Month, Day, Year)

Sincerely,

Robert Black Nov 3, 08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE #2009-0083-A

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

Room 104, JEFFERSON BUILDING 21204
PLACE: 105 W. CHESAPEAKE AVENUE, TOWSON

DATE AND TIME: THURSDAY, NOVEMBER 13, 2008 AT 11:00 A.M.

REQUEST: VARIANCE TO ALLOW A PROPOSED DWELLING WITH A FRONT
YARD SETBACK OF 35 FEET IN LIEU OF THE REQUIRED 50 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3291

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 28, 2008 Issue - Jeffersonian

Please forward billing to:
Joe Steneman
2110 Devere Lane
Baltimore, MD 21228

410-536-3610

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: 2009-0083-A

119 S. Hilltop Road

E/side of S. Hilltop Road at a distance of 169.8 feet n/from centerline of Cainewood Court

1st Election District – 1st Councilmanic District

Legal Owners: Glodding Estate, LLC

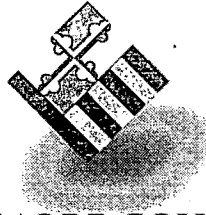
Variance to allow a proposed dwelling with a front yard setback of 35 feet in lieu of the required 50 feet.

Hearing: Thursday, November 13, 2008 at 11:00 a.m. in Room 104, Jefferson Building,
105 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.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

October 23, 2008
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: 2009-0083-A

119 S. Hilltop Road

E/side of S. Hilltop Road at a distance of 169.8 feet n/from centerline of Cainewood Court

1st Election District – 1st Councilmanic District

Legal Owners: Glodding Estate, LLC

Variance to allow a proposed dwelling with a front yard setback of 35 feet in lieu of the required 50 feet.

Hearing: Thursday, November 13, 2008 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy M. Kotroco in black ink.
Timothy Kotroco
Director

TK:klm

C: Joseph Steneman, 2110 Devere Lane, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 29, 2008**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

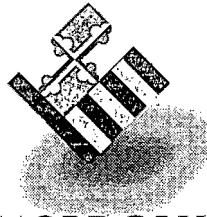
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2009-0083-A
Petitioner: Joe Steneman
Address or Location: 119 S. Hilltop Rd 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joe Steneman
Address: 2110 Devere Ln
Balt MD 21228
Telephone Number: 410-788-1534



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.,
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
November 5, 2008

Joseph Steneman
Gloddins Estate, LLC
2110 Devere Ln.
Baltimore, MD 21228

Dear: Joseph Steneman

RE: Case Number 2009-0083-A, 119 S. Hilltop Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 23, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

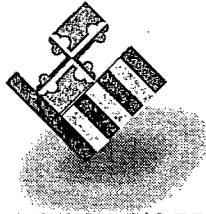
A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

September 30, 2008

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

ATTENTION: Zoning Review planners

Distribution Meeting of: September 29, 2008

Item No.: 2009-0069-A, 2009-0078-A, 2009-0079-SPHA, 2009-0080-XA,
2009-0081-A, 2009-0082-A, and ~~2009-0083-A~~

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.

Don W. Muddiman, Acting Lieutenant
Fire Marshal's Office
(Office) 410-887-4880
MS-1102F

cc: File

BW 11/13
11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 2, 2008

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

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OCT 06 2008

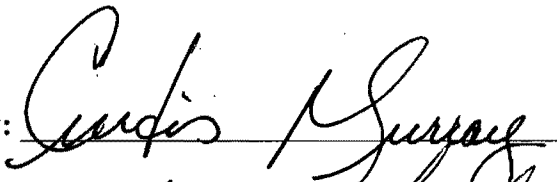
BY:

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-083- Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL



BW 11/13
11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: October 17, 2008
SUBJECT: Zoning Item # 09-08A²
Address: 119 S. Hilltop Avenue
(Gladding Property)

RECEIVED
OCT 17 2008

BY:

Zoning Advisory Committee Meeting of September 29, 2008

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

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

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

 X 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 other sections of the Baltimore County Code).

Additional Comments:

Development of both lots in this minor subdivision must comply with both the terms of the recently granted forest buffer variance and approved forest conservation plan.

Reviewer: Glenn Shaffer

Date: October 6, 2008

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For October 6, 2008
Item Nos. 2009-0069-A, 0082-A
and 0083-A

DATE: October 2, 2008

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

DAK:CEN:lrk
cc: File
ZAC- 10022008-NO COMMENTS



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: Oct. 1, 2008

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

RE: Baltimore County
Item No 2009-0083-A
119 HILLTOP ROAD
GHODDINS ESTATE, LLC
VARIANCE

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. 2009-0083-A.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



RE: PETITION FOR VARIANCE
119 S. Hilltop Road; E/S Hilltop Road,
169.8' N c/line of Cainewood Court
1st Election & 1st Councilmanic Districts
Legal Owner(s): Gloddins Estate, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 09-083-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

SEP 29 2008

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

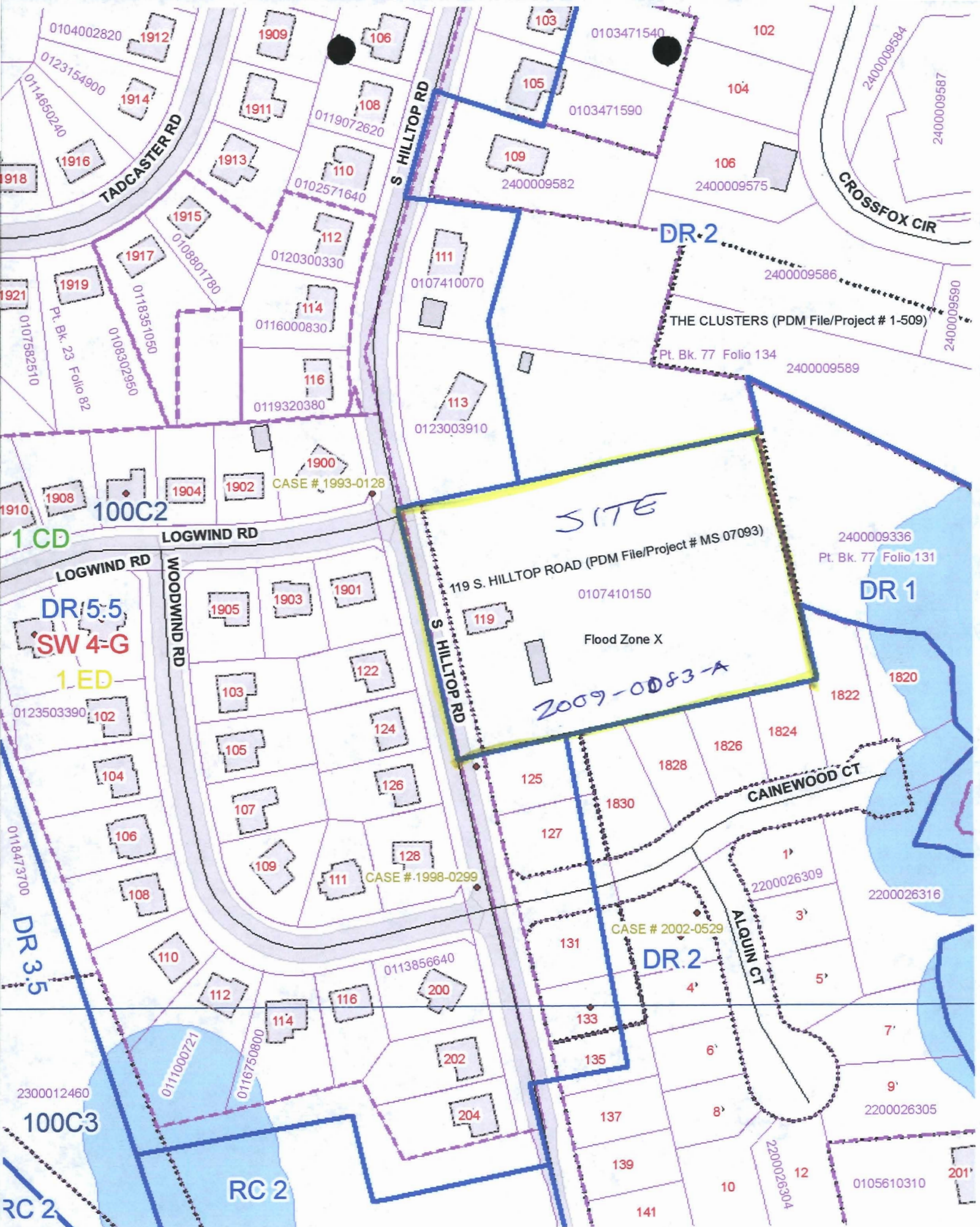
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September, 2008, a copy of the foregoing Entry of Appearance was mailed to Joe Steneman, 2110 Devere Lane, Baltimore MD 21228, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Case No.: 2009-0085-A 119 SOUTH HILLTOP ROAD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

REQUIRED STORM WATER MANAGEMENT NOTES:

1. All site runoff must be conveyed to a suitable outfall without imposing an adverse impact on the receiving waterbody, watercourse, wetland, storm drain or adjacent property.
2. As much as possible, impervious areas should be conveyed as sheet flow through vegetated areas without concentrating or causing erosion.
3. House down spouts are to be discharged onto pervious areas where feasible.
4. Additional subdivision on these parcels and/or lots will require Storm Water Management controls for this site and the additional subdivision.

NOTES:

1. OWNER: KATHLEEN ELIZABETH GLADDING
2. DEED REFERENCE: 16061-13 TAX MAP 100 GRID 17 PARCEL 993
3. ZONING NOTES: ZONING DR1 PER OPZ 100C2
TRACT AREA = 2.52 AC ± (GROSS) 117055 S.F. ± (NET) 109805 S.F. ±
LOTS ALLOWED = 2.887 X 1 = 2 LOTS ALLOWED LOTS PROPOSED = 2
(NO KNOWN ZONING HISTORY)
4. AREAS:
PROPOSED LOT 1 = 43560 S.F. ± (1,000 AC. ±)
PROPOSED LOT 2 = 66245 S.F. ± (1,521 AC. ±)
5. THERE ARE NO KNOWN EXISTING DWELLINGS, WELLS, UNDERGROUND STORAGE TANKS, SEPTIC SYSTEMS, HAZARDOUS MATERIALS OR HISTORICAL BUILDINGS ON THIS SITE EXCEPT AS SHOWN ON PLAN.
6. SITE LIES WITHIN FLOOD ZONE C per F.E.M.A. BALTIMORE COUNTY F.I.R.M. 240010-0370B
7. SITE SOIL TYPE NeC2, Lhb, LIC per BALTIMORE COUNTY SOIL SURVEY MAP NO. 46
8. SITE LIES IN: COUNCILMANIC DISTRICT 1 WATERSHED - PATAPUSCO RIVER
ELECTION DISTRICT 1 SUBWERSHED 76
CENSUS TRACT 4005.00
REGIONAL PLANNING DISTRICT 324
SCHOOLS: (Elem) HILLOREST (Middle) CATONSVILLE (High) CATONSVILLE
9. TOPOGRAPHY HEREON PER BALTIMORE COUNTY - OIT GIS SERVICES UNIT MAP (Title ID: 100C2)
10. TAX ACCOUNT # 0107410150
11. EXISTING USE OF PROPERTY: 1 SINGLE FAMILY DWELLING
12. PROPOSED USE PROPERTY: 2 SINGLE FAMILY DWELLINGS
13. MAXIMUM HEIGHT OF PRINCIPAL STRUCTURES IS 50'
14. THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 9-2-55.
THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
AREA BETWEEN SIGHT LINE AND ROADWAY MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTIONS.
15. A ZONING FINAL DEVELOPMENT PLAN MAY BE REQUIRED DEPENDING ON THE NUMBER OF LOTS CREATED (AS DETERMINED FROM ZONING AND THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE).
16. PROPOSED DWELLINGS FOR GRAPHIC REPRESENTATION ONLY AND MAY BE REVISED IN FINAL DEVELOPMENT.
17. PROPOSED DRIVEWAY ENTRANCES SHALL BE CONSTRUCTED PER STANDARD PLATE R-15A.
18. PRIOR TO REMOVAL OF ANY EXISTING CURB FOR ENTRANCES, THE DEVELOPER SHALL OBTAIN A PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS, BUREAU OF HIGHWAYS.
19. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT, DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
20. ZONING LINES AS SHOWN HEREON.
21. DRC LIMITED EXEMPTION FOR A MINOR SUBDIVISION APPROVED (062507A).
22. CURRENT OWNER WILL RAZE EXISTING BUILDINGS PRIOR TO APPLICATION FOR ANY NEW BUILDING PERMITS ON SITE.
23. A PRIVATE EJECTOR PUMP IS REQUIRED TO PROVIDE SEWER SERVICE TO THE LOWER LEVEL OF LOT 1. LOT 2 WILL REQUIRE A PRIVATELY OWNED AND MAINTAINED GRINDER PUMP, AND WILL BE CONNECTED TO THE PUBLIC SEWER SYSTEM AT THE RW USING A SINGLE SEWER HOUSE CONNECTION PER STD. DETAIL #12 B.

"REQUIRED STORM WATER MANAGEMENT NOTES"
STORM WATER MANAGEMENT HAS BEEN ADDRESSED BY A PAYMENT OF A FEE IN LIEU
TO THE BALTIMORE COUNTY STORM WATER MANAGEMENT FUND.

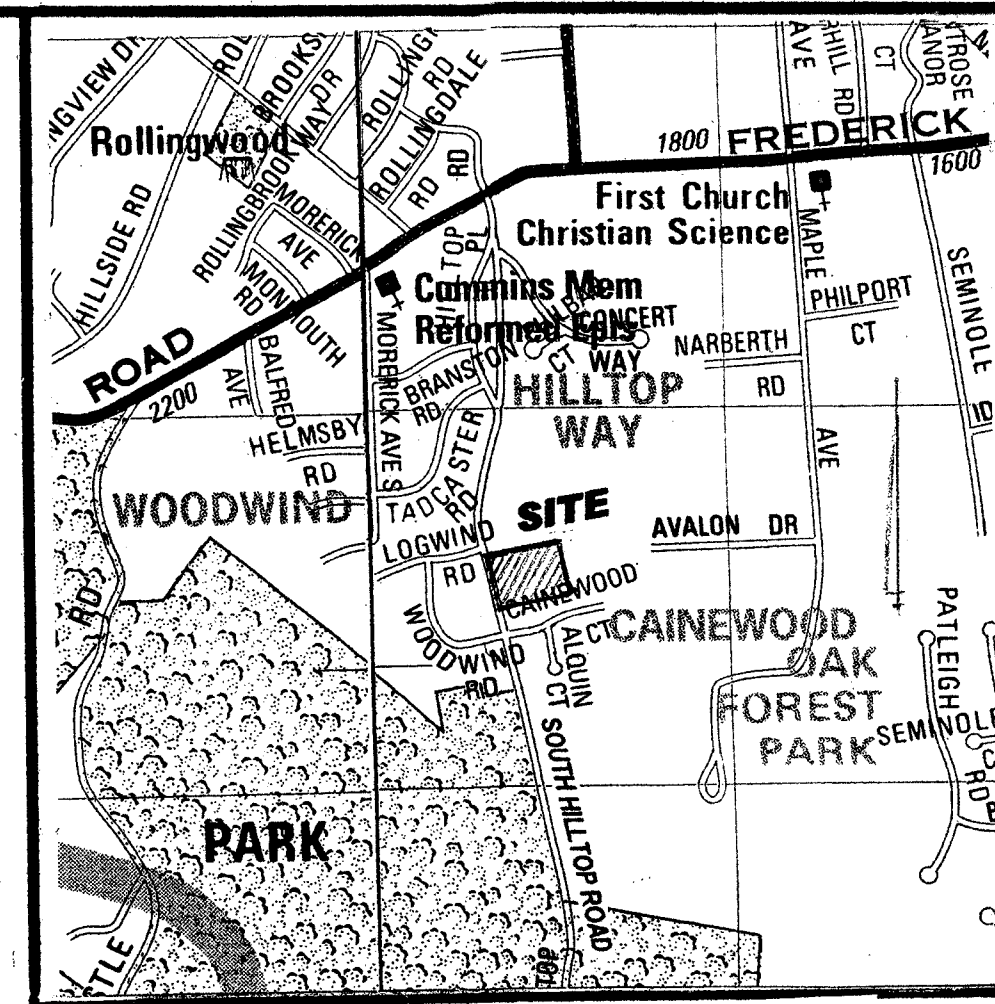
Standard non-disturbance note:

There shall be no clearing, grading, construction, or disturbance of vegetation in the FOREST BUFFER AND FOREST CONSERVATION EASEMENT except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.

Protective Covenants note:

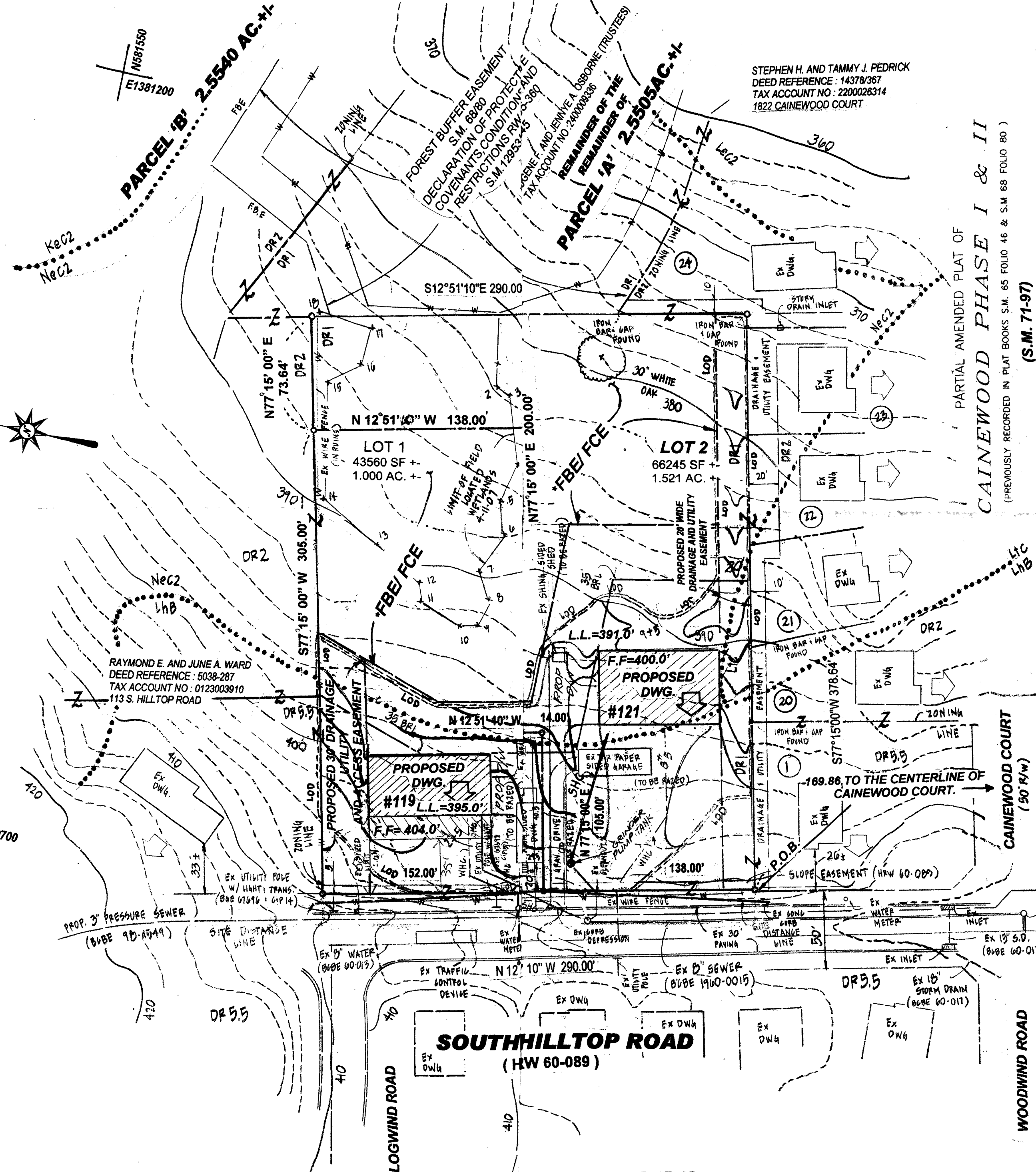
Any FOREST BUFFER AND FOREST CONSERVATION EASEMENT shown hereon is subject to protective covenants which may be found in the land records of Baltimore County and which restrict disturbance and use of these areas.

"A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts including planting and posting of the Forest Buffer Easement."



VICINITY MAP 1"=1000'

RESUBDIVISION OF THE REMAINDER OF PARCEL 'A' (Reserved for Future Development) PHASE II CAINEWOOD PREVIOUSLY RECORDED IN PLAT BOOK S.M. 68 FOLIO 80 (S.M. 77-31)



STEPHEN H. AND TAMMY J. PEDRICK
DEED REFERENCE: 14378/367
TAX ACCOUNT NO: 2200026314
1822 CAINEWOOD COURT

BRUCE A. VAN NEWKIRK
DEED REFERENCE: 14473/426
TAX ACCOUNT NO: 2200026313
1824 CAINEWOOD COURT

JUDE AND CYNTHIA A. FREEMAN
DEED REFERENCE: 22702/157
TAX ACCOUNT NO: 2200026312
1826 CAINEWOOD COURT

DELBERT H. JR. AND CAROL E. CLAYTON
DEED REFERENCE: 24572/005
TAX ACCOUNT NO: 2200026311
1828 CAINEWOOD COURT

GARY C. HAJEK
DEED REFERENCE: 14354/195
TAX ACCOUNT NO: 2200026310
1830 CAINEWOOD COURT

BRIAN R. AND CATHY M. DONCHEZ
DEED REFERENCE: 14260/215
TAX ACCOUNT NO: 2200014829
125 S. HILLTOP ROAD

PROP 2" PRESSURE SEWER
(BUBE 90-1544)

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(BUBE 90-1544)

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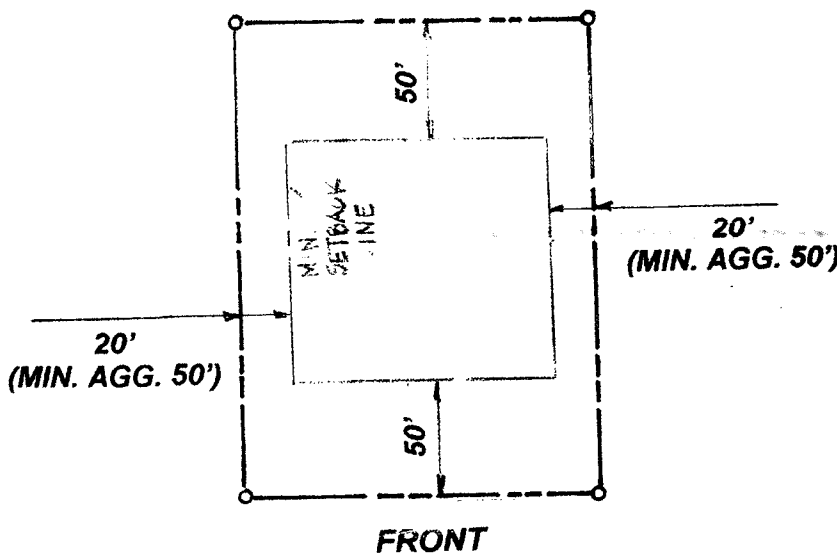
PROP 2" PRESSURE SEWER
(BUBE 90-1544)

PROP 2" PRESSURE SEWER
(BUBE 90-1544)

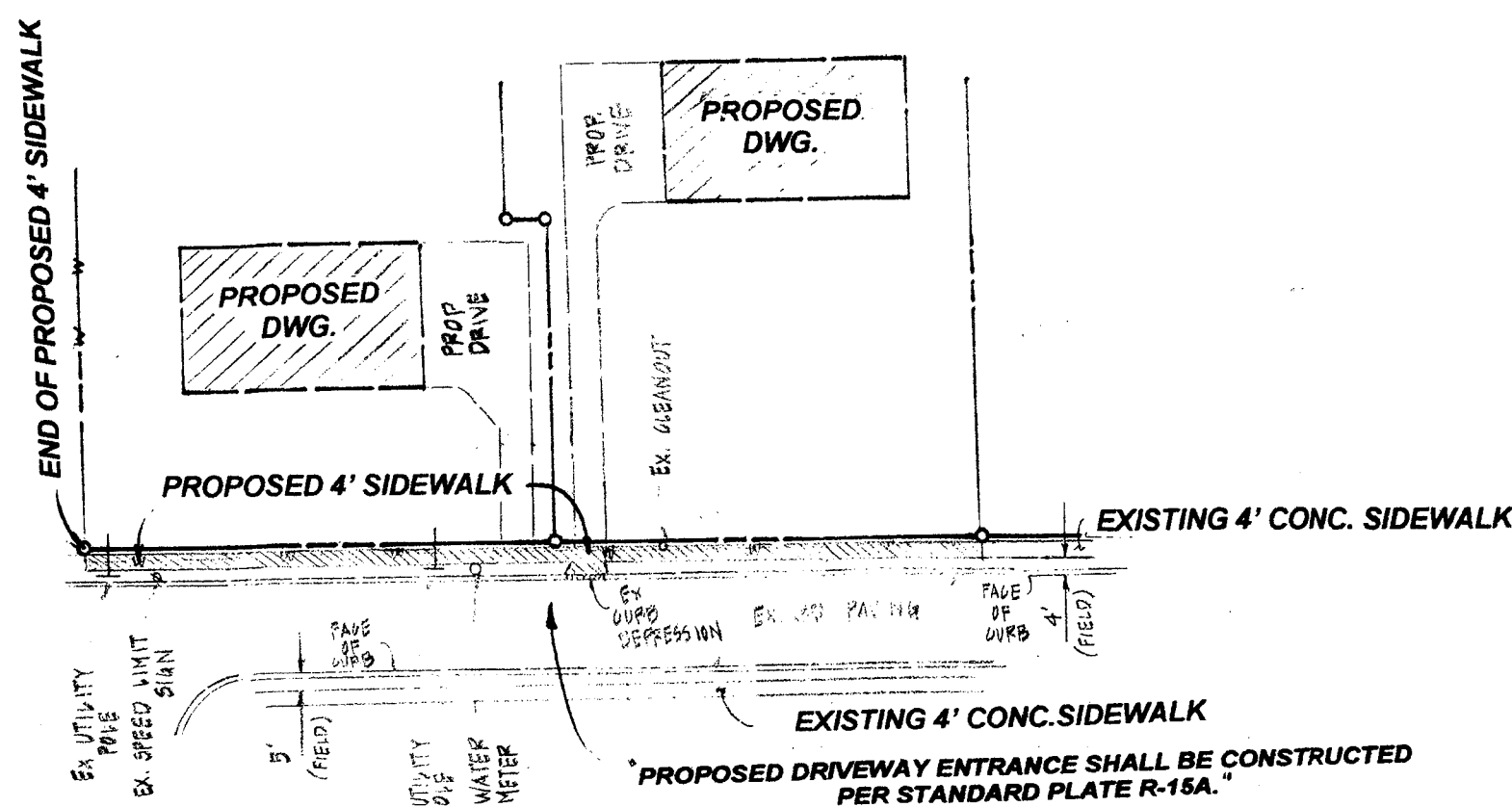
PROP 2" PRESSURE SEWER
(BUBE 90-1544)

PROP 2" PRESSURE SEWER
(BUBE 90-1544)

PROP 2" PRESSURE SEWER
(BUBE 90-1544)

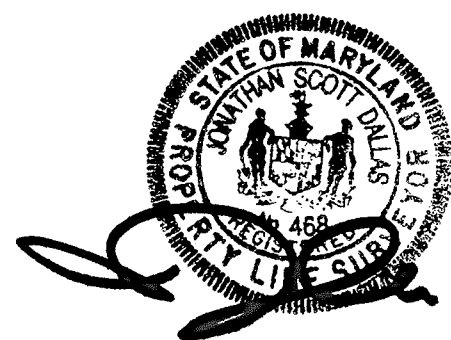


TYPICAL LOT DETAIL
(N.T.S.)



DETAIL OF PROPOSED SIDEWALK
SCALE 1"=60'

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600



I HEREBY CERTIFY THAT I REVIEWED WITH DUE DILIGENCE THE AGENCIES COMMENTS
DATED 5/14/08 THROUGH 5/14/08 AND HAVE PREPARED THIS MINOR SUBDIVISION PLAT
PURSUANT TO THESE AGENCIES' COMMENTS.

LD0 DENOTES LIMIT OF DISTURBANCE
4,700 S.F. ±

*FBE/ FCE = FOREST BUFFER EASEMENT
& FOREST CONSERVATION EASEMENT

DATE	COMMENTS
1-14-07	ST REVIEW COMMENTS
2-11-08	2ND REVIEW COMMENTS
3-3-08	JEPPY COMMENTS
3-8-08	DPR COMMENTS
4-10-08	SWM COMMENTS
4-30-08	DPR COMMENTS

PETITIONER'S
EXHIBIT NO. 1

BALTIMORE COUNTY MINOR SUBDIVISION	
PROJECT NO:	07093M
DEVELOPMENT REGULATIONS	
Exempt from Article 32, Title 4, Subtitle 2, BCC Panhandle exempt from Sections 32-4-211 through 32-4-217 AND Sections 32-4-226 and 32-4-227, BCC	
PDM CERTIFICATION	Disapproved
By: <i>Bruce Reddy</i>	Date: 7/28/08
APPROVED DEPRM	
By: <i>James S. Johnson</i>	Date: 8/18/08

PETITION FOR VARIANCE
(LOT #1)
07093M
MINOR SUBDIVISION PLAT
#119 SOUTH HILLTOP ROAD
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY MD.
SCALE 1"=50' AUGUST 1ST, 2007