



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

May 10, 2012

Arthur A. Piccirilli
Paulyne A. Piccirilli
P.O. Box 87
Glyndon, Maryland 21071

RE: Petition for Variance
Case No.: 2012-0234-A
Property: 311 Railroad Avenue (Lot 2B)

Dear Mr. and Mrs. Piccirilli:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in dark ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Hendrik D. and Pamela L. Shoemaker, 115 Houck Road, Westminster, MD 21157

IN RE: PETITION FOR VARIANCE

SE side of Railroad Avenue, 230' SE
of c/line of Bellview Avenue
4th Election District
3rd Council District
[311 Railroad Avenue (Lot 2B)]

Arthur A. and Paulyne A. Piccirilli,
Legal Owners
Hendrik D. and Pamela L. Shoemaker
Contract Purchasers
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0234-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by the legal owners, Arthur A. and Paulyne A. Piccirilli. The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

- To allow a dwelling with a 15' setback and a sum of both sides of 30' in lieu of the required 25' and 40' respectively,
- To permit a lot width of 75' in lieu of 100', and
- To amend the previously approved 1st Amended Final Development Plan (FDP) of the Arthur A. Piccirilli Property Lot 2B only.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the variance request were Arthur A. and Paulyne A. Piccirilli, legal owners, and Hendrik D. and Pamela L. Shoemaker, contract purchasers ("Petitioners"). There were no Protestants or other interested parties in attendance.

The file reveals that the Petition was properly advertised and the site was properly posted as

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Date 5-10-12

By [Signature]

required by the B.C.Z.R., and the file does not contain any letters of opposition or protest.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. A ZAC comment was received from the Department of Planning, dated April 17, 2012, indicating that they did not oppose the Petitioners' request for a lot width of 75' in lieu of the required 100'; however that Department did oppose the variance request to allow a dwelling with a 15' setback and a sum of both sides of 30' in lieu of the required 25' and 40', respectively.

A ZAC comment was also received from the Bureau of Development Plans Review, dated April 10, 2012, indicating the water house connection serving 313 Railroad Avenue, if existing, must be relocated along with its private easement. Mr. Piccirilli testified that although the Final Development Plan (FDP) in Case No. IV-173 indicates the water connection to 313 Railroad Avenue would cross the neighboring lot (proposed 311 Railroad Avenue) with a private easement, he was later able to secure a direct water connection from a contractor (Cosentino Company) working in the area, in exchange for providing that contractor with a temporary easement for a "staging area" while it was undertaking infrastructure improvements in the vicinity.

Testimony and evidence revealed that the subject property is 22,677 square feet (unimproved land) and zoned DR 2. The Shoemakers have entered into a contract with the Piccirillis to purchase the property, which is designated as Lot 2B on the FDP (Exhibit 2).

The Piccirillis have resided in 313 Railroad Avenue since 1981 (Exhibit 3). In or about June 2007, they received approval from former Deputy Zoning Commissioner Murphy to subdivide their property, creating Lot 2A (on which 313 Railroad Avenue is located) and Lot 2B, on which the Shoemakers would like to construct a home, which would be known as 311

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Date 5-10-12

By [Signature]

Railroad Avenue. Lot 2B is just over ½ acre in size, and as shown on the FDP, the proposed dwelling would have a 25' setback on the west side of the lot and a 15' setback on the east side of the lot, adjacent to 313 Railroad Avenue.

After reviewing plans with their builder, the Shoemakers would like to construct a 45' wide house on the site. The Shoemakers submitted proposed renderings of the home models they are considering, which would be approximately 2,100 square feet in size. Ms. Shoemaker testified that the dwelling at 313 Railroad Avenue is 2,500 square feet and 315 Railroad Avenue is 2,803 square feet.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

Petitioners have met this test.

As for the first element, the subject property is an irregularly shaped lot. In addition, it is narrow and deep in configuration; both of these factors render the property "unique."

If the B.C.Z.R. were strictly enforced, the Petitioners would suffer a practical difficulty and/or hardship. Indeed, Petitioners would be required to construct a narrow and deep dwelling on the lot, which would not be as functional or aesthetically pleasing as the home they propose to construct (Exhibit 4).

ORDER RECEIVED FOR FILING

Date 5-10-02

By [Signature]

Finally, I find that the variance can be granted in 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. This is amply demonstrated by the lack of opposition from any community associations in the Glyndon-Reisterstown area, which are vigilant groups that frequently participate and voice concerns at zoning/development hearings.

Two final observations are in order. The Piccirillis requested a lot width variance at the urging of the County Zoning Office. It is unclear whether in fact such relief is necessary, given that the 75' wide lot (in lieu of the required 100') was created by the FDP approved by Deputy Zoning Commissioner Murphy by Order dated June 1, 2007 (Exhibit 2). Even so, it is not clear whether variance relief was granted (or was necessary) in that case; to be on the safe side, I will grant the variance relief to eliminate any doubt on the point.

Finally, I do not disagree with the Department of Planning's comment that the need for the variance relief was in a sense a self-imposed hardship created upon recordation of the plat for the Piccirilli property. But the Shoemakers were not involved at that juncture, and it is they who are in fact requesting the variance relief. When all is said and done, it is only 10' at issue, and I believe that a 45' wide house would be more compatible with the homes in the area. In addition, the FDP indicates that the "building footprints shown are conceptual and may be changed." Exhibit 2.

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

THEREFORE, IT IS ORDERED, this 10th day of May, 2012, by this Administrative Law

Judge, that Petitioners' Variance request from Section 1B02.3.C.1 of the Baltimore County

ORDER RECEIVED FOR FILING

Date 5-10-12

By [Signature]

Zoning Regulations (B.C.Z.R.), as follows:

- To allow a dwelling with a 15' setback and a sum of both sides of 30' in lieu of the required 25' and 40' respectively,
- To permit a lot width of 75' in lieu of 100', and
- To amend the previously approved 1st Amended Final Development Plan (FDP) of the Arthur A. Piccirilli Property (Case No. IV-173) Lot 2B only, in accordance with the terms of this Order,

be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

- The Petitioners may apply for any permits and may 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 such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioners will 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.

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 5-10-12

By 123

ZONING DESCRIPTION

Zoning Description For 311 Railroad Avenue

Beginning at a point on the Southeast side of Railroad Avenue, which is 50 feet wide at the distance of 230 ft. southeast of the centerline of the nearest improved intersecting street Bellview Avenue, which is 40 ft. wide. Being Lot # 2B in the subdivision of The Arthur Piccirilli Property as recorded in Baltimore County Plat Book #0078, Folio# 0466, containing 22,677 square feet. Located in the 4th Election District, 3rd Councilmanic District.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 311 Railroad Ave (Lot 2B) Glyndon, MD 21071 which is presently zoned DR-2
 Deed References: 27948/00036 10 Digit Tax Account # 25 00 00 54 54
 Property Owner(s) Printed Name(s) Arthur A. and Paulyne A. Piccirilli

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) 1B02.3.C.1 BCZR
To allow a dwelling with a 15ft set-back and a sum of both sides 30ft in lieu of the required 25ft and 40ft, respectively. To permit the lot width of 75ft in lieu of 100ft, and to amend the previously approved 1st amended FDP of Arthur A. Piccirilli Property, lot 2B only.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Requesting to extend the current building envelope width from 35' wide to 45' due to 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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Hendrik D. Shoemaker / Pamela L. Shoemaker
 Name- Type or Print

Hendrik D. Shoemaker / Pamela L. Shoemaker
 Signature

115 Houck Rd Westminster MD
 Mailing Address City State

21157 / 410 876-1217 / Shoem40546@aol.com
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Arthur A. Piccirilli / Paulyne A. Piccirilli
 Name #1 - Type or Print Name #2 - Type or Print

Arthur A. Piccirilli / Paulyne A. Piccirilli
 Signature #1 Signature #2

P.O. Box 87 Glyndon MD
 Mailing Address City State

21071 / 410 833-8039 / Art.Piccirilli@comcast.net
 Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2012-0234-A Filing Date 3/27/12

Do Not Schedule Dates: Reviewer G.H.

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

No. **80055**
 Date: **3/27/12**

PAID RECEIPT

BUSINESS ACTUAL TIME ORG
 3/28/2012 3/27/2012 11:38:03 5
 REC WALKIN REGS LRB
 RECEIPT # 582439 3/27/2012 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 080055
 Recpt Tot \$150.00
 \$150.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6150					150.00

Total: **150.00**

Rec From: **Shoe maker**
 For: **Variance 2012-0234-A**

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE:CASE NO: 2012-0234-A

PETITIONER/DEVELOPER HENDRIK

PAMELA SHOEMAKER

DATE OF HEARING/CLOSING: _____

5/8/12

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERITFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 311 RAILROAD AVENUE (LOT 26)

THIS SIGN(S)WERE POSTED ON _____

April 22, 2012

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 4/22/12
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2012-0234-A

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

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: TUESDAY, MAY 8, 2012
AT 2:30 P.M.

REQUEST: VARIANCE TO ALLOW A DWELLING WITH A
15 FT. SETBACK AND A SUM OF BOTH SIDES
30 FT. IN LIEU OF THE REQUIRED 25 FT. AND 40 FT. RESPECTIVELY
TO PERMIT THE LOT WIDTH OF 75 FT. IN LIEU OF THE 100 FT.
AND TO AMEND THE PREVIOUSLY APPROVED 1ST AMENDED
FDP OF THE ARTHUR PICCIRILLI PROPERTY (LOT 26 ONLY).

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

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

04/22/2012

mpulaski 4/22/12

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2012-0234-A

311 Railroad Avenue (Lot 2b)
S/east side of Railroad Avenue, 230 ft. S/east of the centerline of Bellview Avenue
4th Election District - 3rd Councilmanic District

Legal Owner(s): Arthur & Paulyne Piccirilli
Contract Purchaser: Hendrik & Pamela Shoemaker

Variance: to allow a dwelling with a 15 ft. setback and a sum of both sides 30 ft. in lieu of the required 25 ft. and 40 ft. respectively, to permit the lot width of 75 ft. in lieu of the 100 ft. and to amend the previously approved 1st Amended FDP of the Arthur Piccirilli Property (lot 2b only).

Hearing: Tuesday, May 8, 2012 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 04/750 April 24 302544

CERTIFICATE OF PUBLICATION

4/26/, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/24/, 2012.

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

S. Wilkinson

LEGAL ADVERTISING

MEMORANDUM

DATE: June 12, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0234-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 11, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ☒ Case File
Office of Administrative Hearings

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2012-0234 A
Petitioner: Pamela and Hendrik Shoemaker
Address or Location: 311 Railroad Avenue Glyndon, MD 21071

PLEASE FORWARD ADVERTISING BILL TO:

Name: Pamela and Hendrik Shoemaker
Address: 115 Houck Road
Westminster, MD 21157
Telephone Number: 410 876-1217

Revised 2/17/11 DT

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 24, 2012 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. Hendrik Shoemaker
115 Houck Road
Westminster, MD 21157

410-876-1217

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0234-A

311 Railroad Avenue (Lot 2b)

S/east side of Railroad Avenue, 230 ft. S/east of the centerline of Bellview Avenue

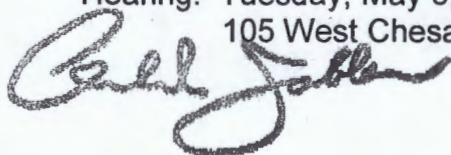
4th Election District – 3rd Councilmanic District

Legal Owners: Arthur & Paulyne Piccirilli

Contract Purchaser: Hendrik & Pamela Shoemaker

Variance to allow a dwelling with a 15 ft. setback and a sum of both sides 30 ft. in lieu of the required 25 ft. and 40 ft. respectively, to permit the lot width of 75 ft. in lieu of the 100 ft. and to amend the previously approved 1st Amended FDP of the Arthur Piccirilli Property (lot 2b only).

Hearing: Tuesday, May 8, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 9, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0234-A

311 Railroad Avenue (Lot 2b)

S/east side of Railroad Avenue, 230 ft. S/east of the centerline of Bellview Avenue

4th Election District – 3rd Councilmanic District

Legal Owners: Arthur & Paulyne Piccirilli

Contract Purchaser: Hendrik & Pamela Shoemaker

Variance to allow a dwelling with a 15 ft. setback and a sum of both sides 30 ft. in lieu of the required 25 ft. and 40 ft. respectively, to permit the lot width of 75 ft. in lieu of the 100 ft. and to amend the previously approved 1st Amended FDP of the Arthur Piccirilli Property (lot 2b only).

Hearing: Tuesday, May 8, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Shoemaker, 115 Houck Road, Westminster 21157
Mr. & Mrs. Piccirilli, P.O. Box 87, Glyndon 21071

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 23, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



WORTHINGTON MEADOWS (PDM File/Project #)

2100014006
Pt. Bk. 62, Folio 84
PDM # 040178

DR 3.5

048C2

2100014005

2012-034-A

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
311 Railroad Avenue; S/E of Railroad Avenue		
230' S/E of c/line of Bellview Avenue	*	OF ADMINISTRATIVE
4 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): Arthur & Paulyne Piccirilli	*	HEARINGS FOR
Contract Purchaser(s): Hendrik & Pamela		
Shoemaker	*	BALTIMORE COUNTY
Petitioner(s)	*	2012-234-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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
APR 02 2012

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 2nd day of April, 2012, a copy of the foregoing Entry of Appearance was mailed to Arthur Piccirilli, P.O. Box 87, Glyndon, MD 21071 and Hendrik Shoemaker, 115 Houck Road, Westminster, MD 21157, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME Railroad Ave
CASE NUMBER 2012-234-A
DATE 5-8-12

[illegible]

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

A-10

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

A-18

PLANNING
(if not received, date e-mail sent _____)

Comments

A-3

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4-24-12

SIGN POSTING Date: 4-22-12 by Ogle

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 04 Account Number - 2500005454

Owner Information

Owner Name: PICCIRILLI ARTHUR A
PICCIRILLI PAULYNE A
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 313 RAILROAD AVE
PO BOX 87
GLYNDON MD 21071-4202
Deed Reference: 1) /27948/ 00036
2)

Location & Structure Information

Premises Address
311 RAILROAD AVE
GLYNDON MD 21071-4202
Legal Description
.5206 AC
311 RAILROAD AVE NS
ARTHUR A PICCIRILLI PROP

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0048	0012	0791		0000			2B	1	Plat Ref: 0078/ 0466

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
22,677 SF 04

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	104,660	104,600		
Improvements:	0	0		
Total:	104,660	104,600	104,600	104,600
Preferential Land:	0			0

Transfer Information

Seller: PICCIRILLI ARTHUR A	Date: 04/17/2009	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /27948/ 00036	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: No Application

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 17, 2012

FROM: Andrea Van Arsdale 
Director, Department of Planning

SUBJECT: 311 Railroad Avenue

INFORMATION:

Item Number: 12-234

Petitioner: Arthur Piccirilli and Paulyne Piccirilli

Zoning: DR 2

Requested Action: Variance

RECEIVED

APR 18 2012

OFFICE OF ADMINISTRATIVE HEARINGS

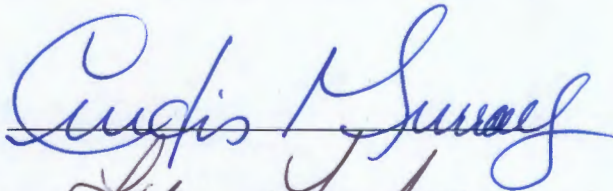
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a variance from Section 1B02.3.C.1 of the BCZR, to allow a dwelling with a 15 foot setback and a sum of both sides of 30 feet in lieu of the required 25 feet and 40 feet respectively. Also to permit a lot width of 75 feet in lieu of the required 100 feet and to amend the previously approved 1st amended FDP of the Arthur A. Piccirilli Property, Lot 2B only.

The Department of Planning **does not oppose** the petitioner's request for a lot width of 75 feet in lieu of the required 100 feet. However, this Department **does oppose** the variance request to allow a dwelling with a 15-foot setback and a sum of both sides of 30 feet in lieu of the required 25 feet and 40 feet respectively. It appears the petitioner is creating their own hardship in asking for the above relief when in 2008 the Arthur A. Piccirilli Property plat was recorded and signed, with Lot 2B having a building envelope of 35 feet, which does not require a side yard setback variance. This Department is of the opinion that a 35-foot building envelope is a reasonable size and compromise, considering that the lot width is 25 feet less than is required in the DR 2 zone.

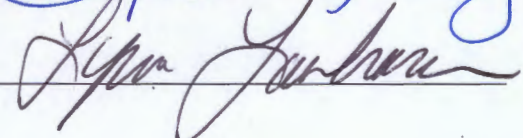
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:

AVA/LL: CM



Debra Wiley - ZAC Comments - Distribution Meeting of March 26, 2012

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/4/2012 1:55 PM
Subject: ZAC Comments - Distribution Meeting of March 26, 2012

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0229-A - 11206 Ridgeway Avenue South Avenue
Administrative Variance - Closing Date: No closing date reflected in data base 4/4

2012-0230-XA - 6216 Ebenezer Road
No date reflected in data base 4/4

2012-0231-SPHA - 1655 Belmont Avenue
No date reflected in data base 4/4

2012-0232-A - 2420 Bulls-Sawmill Road
No date reflected in data base 4/4

2012-0233-X - 6709 White Stone Road
No date reflected in data base 4/4

2012-0234-A - 311 Railroad Avenue
No date reflected in data base 4/4

2012-0235-A - 1218 Elm Ridge Avenue
No date reflected in data base 4/4

2012-0236-SPHA - 16928 York Road
No date reflected in data base 4/4

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 1, 2012

Arthur & Paulyne Piccirilli
P. O. Box 87
Glyndon, MD 21071

RE: Case Number: 2012-0234 A, Address: 311 Railroad Avenue (Lot B)

Dear Mr. & Ms. Piccirilli:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 27, 2012. 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 that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Hendrick D. & Pamela L. Shoemaker, 115 Houck Road, Westminster MD 21157

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-3-12

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

RE: Baltimore County
Item No 2012-0234-A
Variance
Arthur & Pauline Piccicilli
311-Railroad Avenue.

Dear Ms. Lewis:

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. 2012-0234-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 09, 2012
Item No. 2012-0234

DATE: April 10, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We have no comment on the requested variances; however, the water house connection serving #313 Railroad Avenue, if existing, must be relocated along with it's private easement.

DAK:CEN

cc: File

ZAC-ITEM NO 12-0234-04092012.doc

4/23/12
TO

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 17, 2012

FROM: Andrea Van Arsdale 
Director, Department of Planning

SUBJECT: 311 Railroad Avenue

INFORMATION:

Item Number: 12-234

Petitioner: Arthur Piccirilli and Paulyne Piccirilli

Zoning: DR 2

Requested Action: Variance

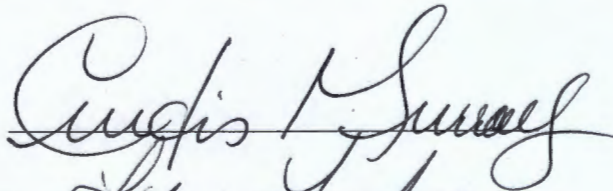
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a variance from Section 1B02.3.C.1 of the BCZR, to allow a dwelling with a 15 foot setback and a sum of both sides of 30 feet in lieu of the required 25 feet and 40 feet respectively. Also to permit a lot width of 75 feet in lieu of the required 100 feet and to amend the previously approved 1st amended FDP of the Arthur A. Piccirilli Property, Lot 2B only.

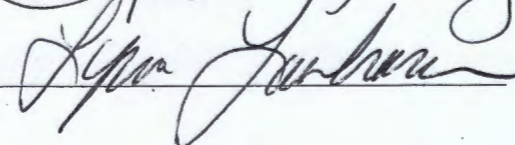
The Department of Planning **does not oppose** the petitioner's request for a lot width of 75 feet in lieu of the required 100 feet. However, this Department **does oppose** the variance request to allow a dwelling with a 15-foot setback and a sum of both sides of 30 feet in lieu of the required 25 feet and 40 feet respectively. It appears the petitioner is creating their own hardship in asking for the above relief when in 2008 the Arthur A. Piccirilli Property plat was recorded and signed, with Lot 2B having a building envelope of 35 feet, which does not require a side yard setback variance. This Department is of the opinion that a 35-foot building envelope is a reasonable size and compromise, considering that the lot width is 25 feet less than is required in the DR 2 zone.

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

Prepared by:



Division Chief:
AVA/LL: CM





KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

June 8, 2012

J. Neil Lanzi, Esquire
J. Neil Lanzi, P.A.
PNC Bank Building, Suite 617
409 Washington Avenue
Towson, Maryland 21204

RECEIVED
JUN 8 2012

RE: APPEAL TO BOARD OF APPEALS
Case No. 2012-0235-A
Location: 1218 Elm Ridge Avenue

BALTIMORE COUNTY
BOARD OF APPEALS

Dear Mr. Lanzi:

Please be advised that an appeal of the above-referenced case was filed in this Office on June 6, 2012. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Benjamin Bronstein, Esquire, 29 West Susquehanna Avenue, Suite 205, Towson, MD 21204

APPEAL

Petition for Variance
1218 Elm Ridge Avenue
S/side of Elm Ridge Avenue, 570' NE of Leeds Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Ronald W. and Jean Ruff
Case No.: 2012-0235-A

Petition for Variance (March 28, 2012) reviewed by JCM – (2 Pages)

Zoning Description of Property – (1 Page)

Notice of Zoning Hearing for May 8, 2012, dated April 9, 2012 – (1 Page)

Certification of Publication for May 8, 2012 – (The Jeffersonian – 4/24/12) – (1 Page)

Certification of Posting for May 8, 2012 (Bruce E. Doak – April 19, 2012) – (4 Pages)

Entry of Appearance by People's Counsel – April 2, 2012 – (1 Page)

Petitioner(s) Sign-In Sheet & Map – (1 Page)

Protestants/Citizen(s) Sign-In Sheet – (1 Page)

State Department of Assessments and Taxation (SDAT) Data Sheet – May 3, 2012

Letter to Ronald & Jean Ruff from W. Carl Richards, Jr., dated May 1, 2012 – ZAC comments

Zoning Advisory Committee (ZAC) Comments:

- 1 - Bureau of Development Plans Review – October 10, 2012 – (1 Page)
- 2 - State Highway Administration – April 3, 2012 – (1 Page)

Petitioner's Exhibits:

- 1 – Site Plan (Amended) - (1 Page)
- 2 – B.C.Z.R. Section 402.1 - (1 Page)
- 3 – Deeds 3A – 3G - (17 Pages)
- 4 – SDAT Records (4A, B & C) - (3 Pages)
- 5 – Aerial Photo Google - (1 page)
- 6 – Color Photos (6A – CC) – (29 Pages)
- 7 – Plat to Accompany Photos – (1 Page)
- 8 – Lease Agreement – (10 Pages, 10th page blank)

Protestant's Exhibits:

- 1 - Order for Case No. 96-25-SPH – 1219 Maiden Choice Lane – (4 Pages)
- 2 – Signatures of Neighbors/Opposition – (14 Pages)

Miscellaneous:

County Miscellaneous Cash Receipt AND Letter from J. Neil Lanzi, Esquire, dated June 6, 2012 – Notice of Appeal

Notice of Appeal & Miscellaneous Cash Receipt received by the Office of Administrative Hearings on June 6, 2012
– Appeal Filed by J. Neil Lanzi, Esquire – (2 Pages)

Cover Letter and Administrative Law Judge's Opinion and Order, dated May 10, 2012 – (DENIED) – (5 Pages)

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

Date Sent: June 8, 2012

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[S](#)

About this plan

Keywords: Country , 3 Bedroom , 2 Story

Primary Style Country	Bedrooms: 3
Half Baths: 1	Baths: 2
Living Area: 2,181 sq.ft.	Width: 40'
Foundation: Slab	Depth: 70'
	Stories: 2
Styles: Country Cottage Low Country	Garage Bays: 2

Special Features

- Breakfast Nook
- Built-In Booth/Banquette
- Built-In Cabinets, Shelves, Desks
- Columned Front Entry
- Columns-Interior
- Formal Dining Room
- Front Porch

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[Saved Plans](#)

[Saved Searches](#)

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[Print](#)

[Search...](#)

Select and Purchase Your Plan

Modifiable Plans

PDF \$1,535
[More Information](#)

CAD - AutoCAD \$1,995
[More Information](#)

I plan to make changes to this design. 80% of people do! Save time and money in the long run.

Unmodifiable Plans

5 Copy Construction Set \$1,175
[More Information](#)

1 Copy Study Set \$900
[More Information](#)

I plan to build this design as is.

I need to research this more before investing in a set of plans.

[Save](#)

[Calculate Cost to Build](#)

[Modify Plan](#)

[BUY !](#)

PETITIONER'S

EXHIBIT NO.

Price Category
Plan 22148
 Sentinel



Upper Floor	480 Sq. Ft.
Main Floor	1600 Sq. Ft.
Total Area	2080 Sq. Ft.

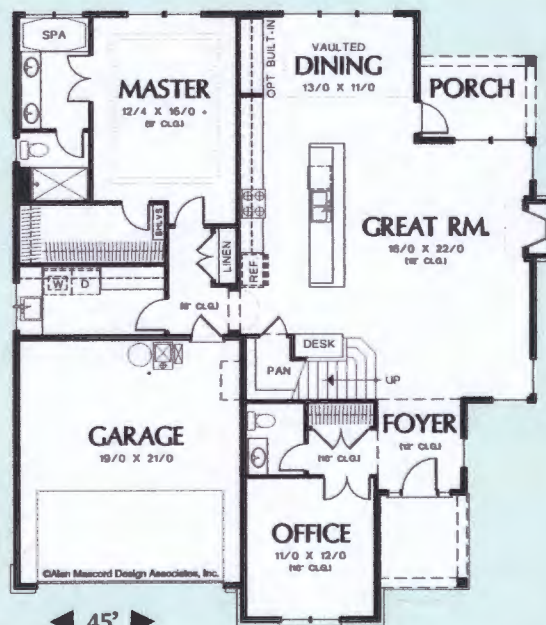
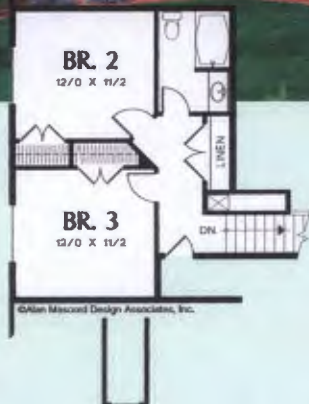
Width 45'	Depth 53'
Height 30'	Crawlspace

TIMELESS CONVENIENCE

Massive, multi-paned windows, double gables and a charming dormer combine with subtle details such as an arched, columned entry, slatted shutters and a decorative attic vent in this lovely two-story traditional home.

The floor plan is classically devised, but also incorporates current design to make a layout that is timeless and convenient. A home office opens through double doors from a hallway to the left of the foyer, where there is also a half-bath and closet. Optional built-ins in the office make the best use of space. The great room is sizeable and has a twelve-foot ceiling and gas fireplace. A bar counter separates the great room from the kitchen; a vaulted dining area with optional built-in hutch is nearby and has access to a side porch and patio.

Take a short hall from the great room past a laundry room and linen closet to reach the master suite. A tray ceiling graces the salon, further complemented by a walk-in closet and bath with spa tub and separate shower. Two additional bedrooms are found on the upper level and share the use of a full hall bath.



ALAN MASCORD DESIGN ASSOCIATES, INC.
 1305 NW 18th Ave., Portland, OR 97209 • 503.225.9161 • fax 503.225.0933
www.mascord.com

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2 ALBRIGHT AVENUE
PART OF ORIGINAL PIERCE
PROPERTY SUB.

PETITIONER'S

EXHIBIT NO. 3



315 RAILROAD AVENUE
PART OF ORIGINAL PICKERILL
PROPERTY SUB.



313 RAILROAD AVENUE
(OWNER'S HOUSE) Pleasant
HOUSE TO RIGHT OF LOT.



311 RAILROAD AVENUE
SUBJECT LOT



11 BELL VIEW AVENUE
PART OF PROPERTY TO LEFT
OF BUILDING LOT.

5-8-12

Case No.: 2012-234-A

Exhibit Sheet

Petitioner/Developer

Protestant

PG 6-12-12
DW 5-10-12

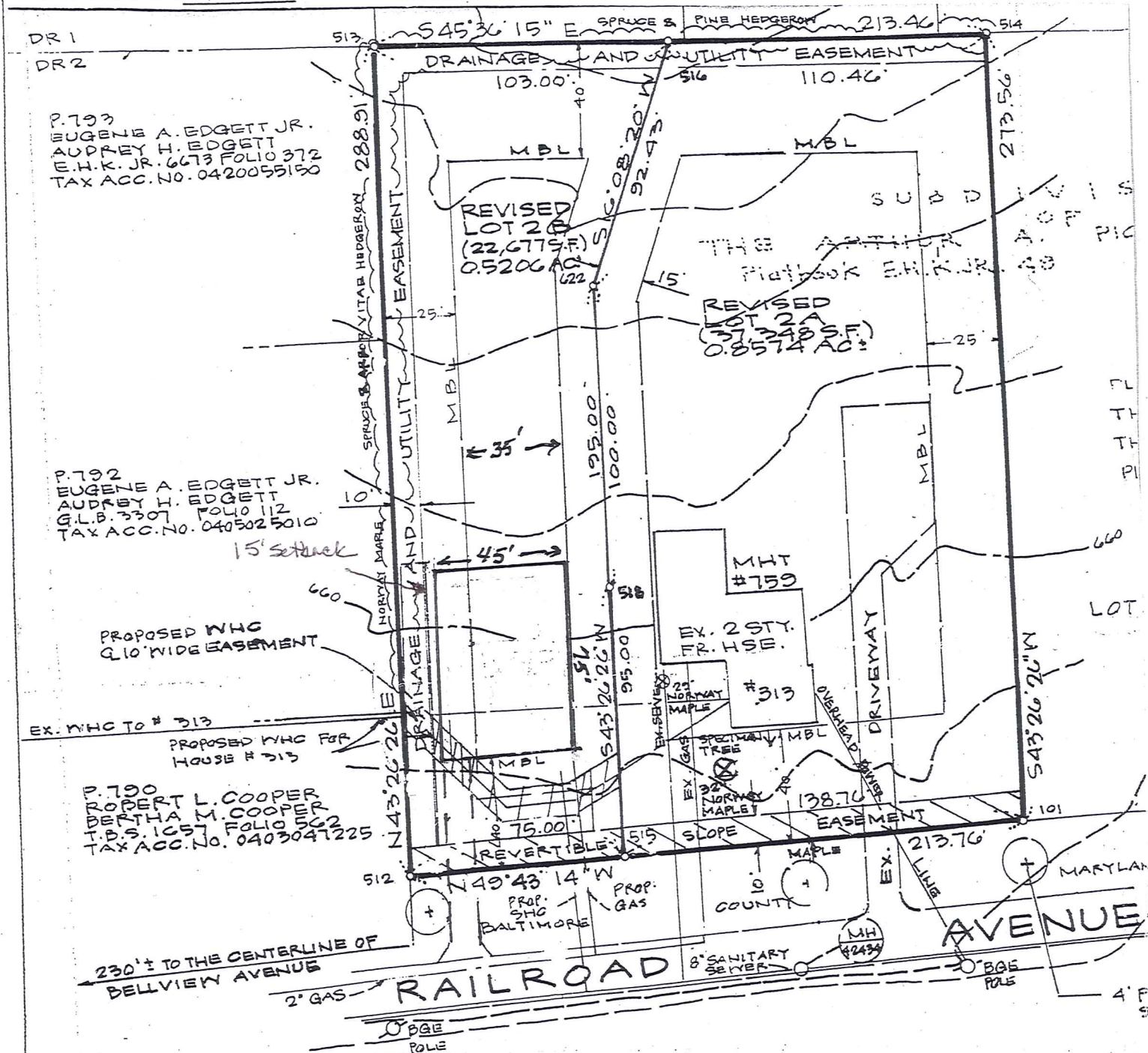
No. 1	Site Plan	
No. 2	Final Dev. Plan Piccirilli Property	
No. 3	Photos of Vicinity	
No. 4	Architectural Elevations	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 311 Railroad Ave Glyndon, MD 21071 OWNER(S) NAME(S) Arthur Pauline Piccirilli

SUBDIVISION NAME The Arthur Piccirilli Property LOT # 2B BLOCK # _____ SECTION # _____

PLAT BOOK # 78 FOLIO # 466 10 DIGIT TAX # 250005454 DEED REF. # 21948/00036



PLAN DRAWN BY Hendrik D. Shoemaker DATE 3-26-2012 SCALE: 1 INCH = 50 FEET

SITE VICINITY



MAP IS NOT

ZONING MAP # 048C1

SITE ZONED DR 2

ELECTION DISTRICT 4th

COUNCIL DISTRICT 3rd

LOT AREA ACREAGE 0.5206

OR SQUARE FEET 22,677

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

EX. 1



Elevation 1



Elevation 2

The Talbot

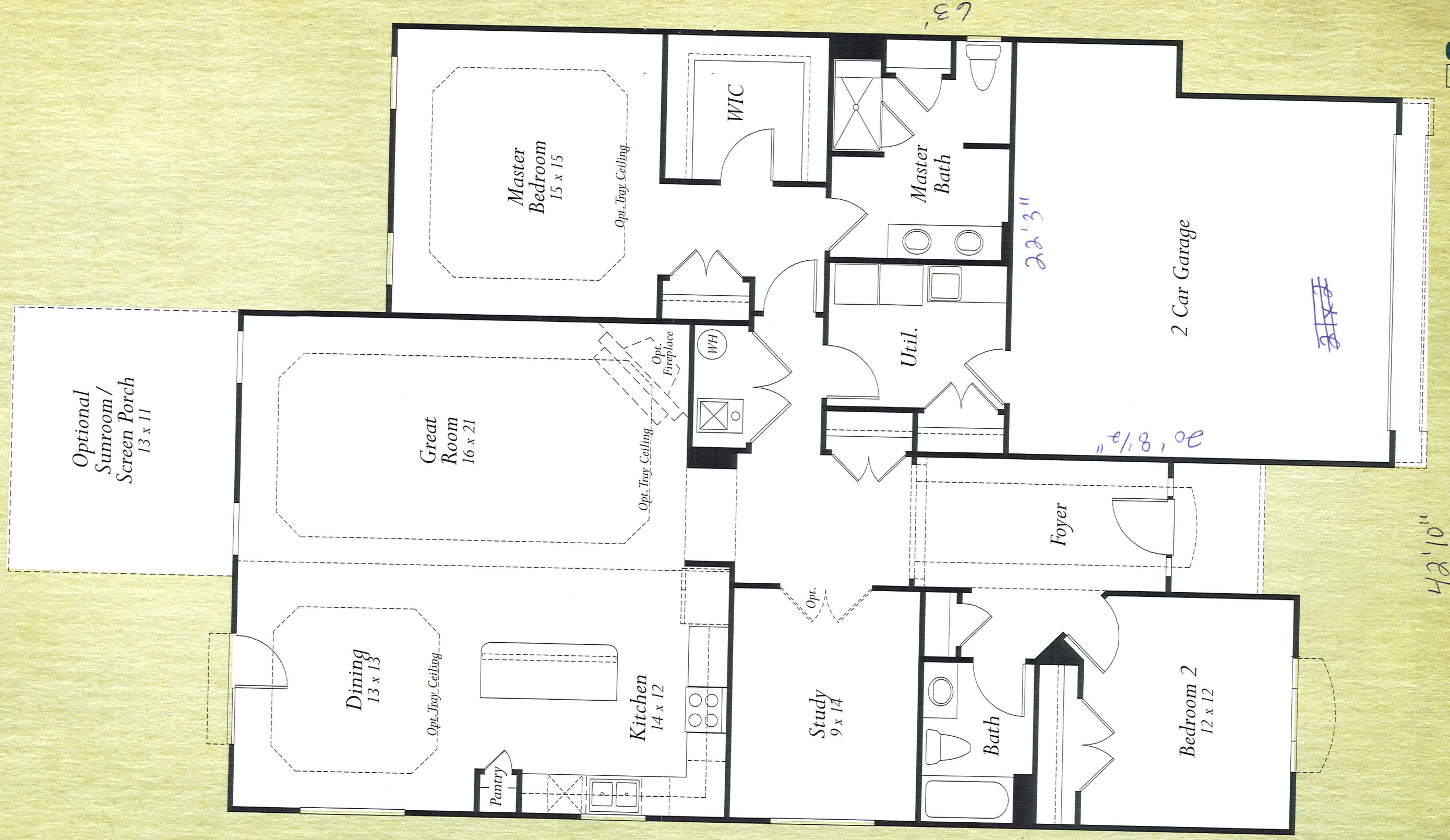


Elevation 3

The Talbot

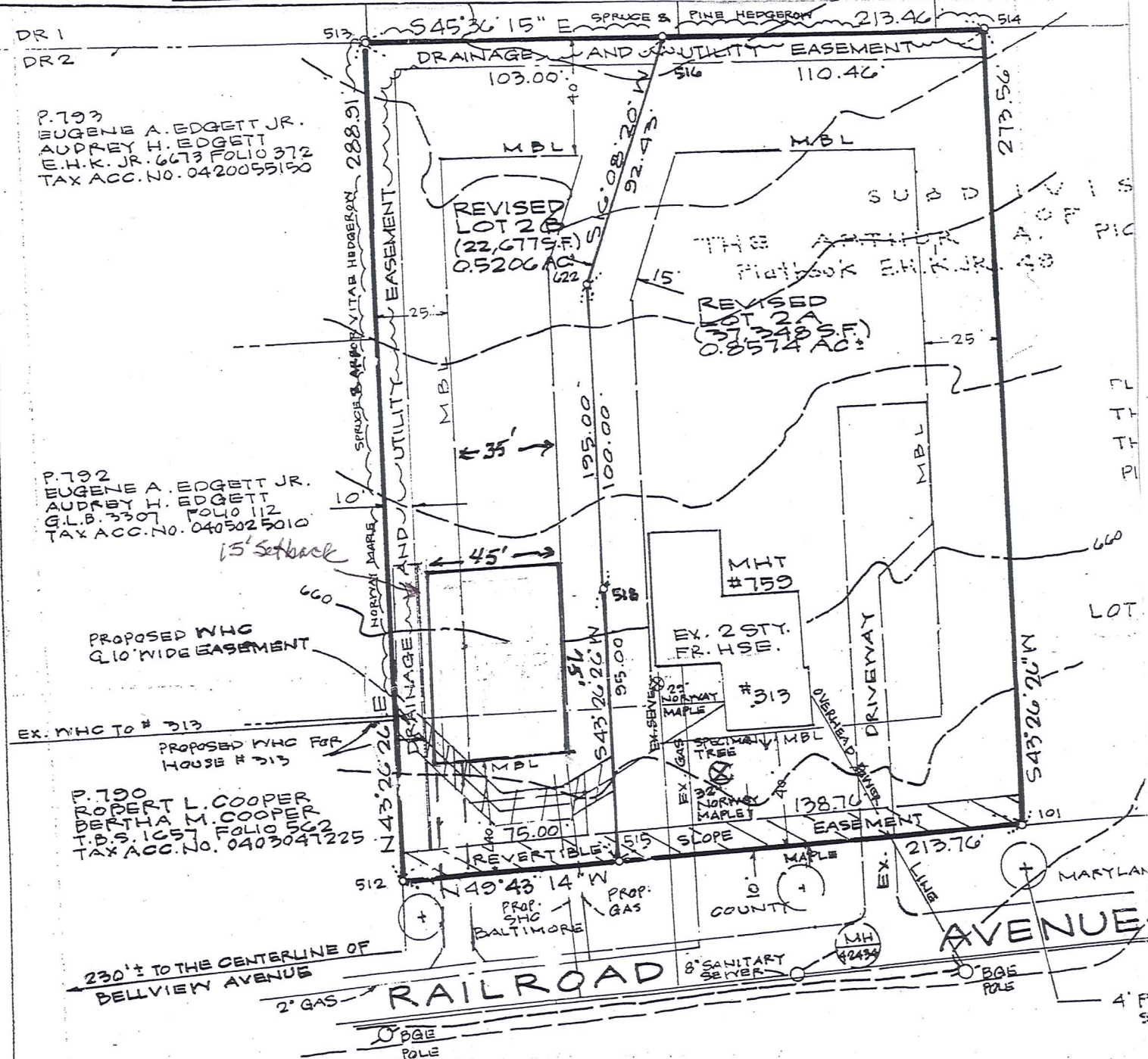
- 1,955 Square Feet
- 2 Bedrooms, 2 Baths

Our Talbot design offers a few twists on our traditional home style. Two bedrooms, two full baths, informal dining area, an open gourmet kitchen with island, a study or flex space, mud room and a two car garage complete this popular floorplan. The owner's suite is secluded enough to be your own private sanctuary.



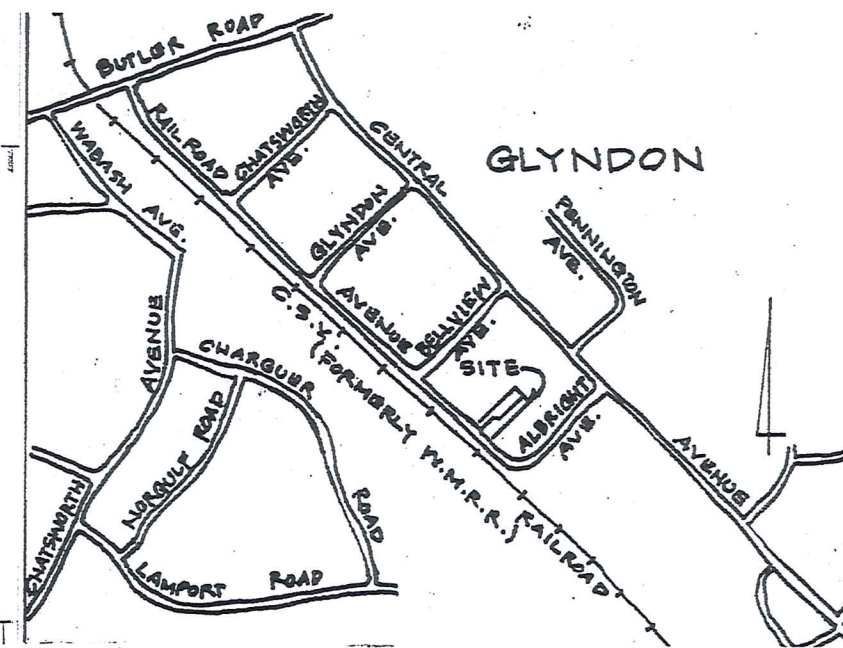
The renderings depicted in this brochure represent artist concepts. Please see your sales representative for specific details regarding the elevations, plans, pricing, dimensions, specifications, or products offered in the community. We reserve the right to make modifications or changes without notice or obligation.

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 311 Railroad Ave Glyndon, MD 21071 OWNER(S) NAME(S) Arthur & Paulyne Piccirilli
 SUBDIVISION NAME The Arthur Piccirilli Property LOT# 2B BLOCK# _____ SECTION# _____
 PLAT BOOK # 78 FOLIO # 466 10 DIGIT TAX # 250005454 DEED REF. # 21948/00036



PLAN DRAWN BY Hendrik D. Shoemaker DATE 3-26-2012 SCALE: 1 INCH = 50 FEET

SITE VICINITY



N



MAP IS NOT

ZONING MAP# 048C1

SITE ZONED DR2

ELECTION DISTRICT 4th

COUNCIL DISTRICT 3rd

LOT AREA ACREAGE 0.5206

OR SQUARE FEET 22,677

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

* COORDINATES CHART * MARYLAND COORDINATE SYSTEM			
NO.	NORTH	EAST	DESCRIPTION
101	657045.6567	1365166.2012	STEEL PIN FD.
512	657183.8559	1365003.1236	STEEL PIN & CAPSET
513	657393.6301	1365201.7786	PIPE FD.
514	657244.2910	1365354.3008	
515	657195.3672	1365060.3411	STEEL PIN & CAPSET
516	657321.5701	1365275.3745	STEEL PIN & CAPSET
518	657204.3456	1365125.6633	STEEL PIN & CAPSET
622	657276.9544	1365134.4234	STEEL PIN & CAPSET

LANDSCAPE CALCULATIONS			
ELEMENT	RATE	LINEAR FEET	PLANTING UNITS REQUIRED (P.U.)
STREET FRONTAGE	1PU/40LF	213'±	5

PROPOSED PLANTING UNIT CALCULATIONS		
ELEMENT	NUMBER	PLANTING UNIT VALUE (P.U.)
SHAPE TREES	4*	4 P.U.
EVERGREEN TREES	0	0 P.U.
FLOWERING TREES	0	0 P.U.
TOTAL	4	4 P.U.

NO CREDIT - DAMAGED & REMOVED
ALL OTHER TREES ARE TO REMAIN

IN RE: DEVELOPMENT PLAN HEARING * BEFORE THE
NE side of Railroad Avenue, W of Albright Avenue
4th Election District
3rd Councilmanic District
(Piccirilli Arthur Property)
Arthur A. Piccirilli
Developer/Petitioner

* HEARING OFFICER
* OF BALTIMORE COUNTY
* Case No. IV-173

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 17 day of June, 2007, that the Redline Development Plan known as "Piccirilli Arthur Property", submitted into evidence as "Developer's Exhibit No. 1", be and it is hereby, APPROVED.

Any appeal from this decision must be taken in accordance with Section 32-4-281 of the Baltimore County Code and the applicable provisions of law.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

* PERMITS & DEVELOPMENT MANAGEMENT NOTES *

1. THIS PROPERTY AS SHOWN ON THIS DEVELOPMENT PLAN HAS BEEN HELD INTACT SINCE 1981. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN HEREON HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED FOR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
2. BUILDING FOOTPRINTS SHOWN HEREON ARE THE LOCATIONS PERMITTED FOR PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO THE YARD MAY CONSTRUCTED OUTSIDE THE DELINEATED FOOTPRINTS, BUT SHALL COMPLY WITH SECTION 400, 200 AND 301 OF THE B.C.Z.R. (SUBJECT TO ANY COVENANTS AND BUILDING PERMITS) THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL AND MAY BE CHANGED.
3. DIRECTOR OF PDM NOTE: THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS AND THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS, ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR FOR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

* ZONING NOTES *

1. TYPICAL BUILDINGS SHOWN DICTATE A SPECIFIC ORIENTATION THAT COMPLIES WITH THE B.C.Z.R. SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1801.2.C.1.b SHALL GOVERN AS FOLLOWS: SEE SETBACK CHART.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET IN ACCORDANCE WITH SECTION 1801.2.C.1 OF THE B.C.Z.R.
3. ZONING HISTORY: NONE
4. ALL DRIVEWAYS WILL COMPLY WITH SECTION 400.4 OF THE B.C.Z.R.
5. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE ADOPTED BASIC SERVICES MAPS PURSUANT TO SECTION 4A02 OF THE B.C.Z.R.

* ENVIRONMENTAL IMPACT REVIEW NOTES *

1. AN ENVIRONMENTAL EFFECTS REPORT AND HYDROGEOLOGICAL STUDY HAVE BEEN SUBMITTED TO BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW.
2. THERE ARE NO KNOWN ARCHEOLOGICAL SITES OR ENDANGERED SPECIES ON THE PROPERTY.
3. THERE ARE NO EXISTING WELLS OR UNDERGROUND STORAGE TANKS ON THE PROPERTY.

ZONING NOTES CONTINUED:

6. THE DWELLING AND DEVELOPMENT ARE SUBJECT TO (AND MUST BE CONSISTENT WITH) THE BALTIMORE COUNTY CODE, COMPREHENSIVE MANUAL OF DEVELOPMENT POLICY, THE COUNTY LANDSCAPE MANUAL, AS WELL AS OTHER BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES, PURSUANT TO SECTION 1801, 400 AND SECTION 504, B.C.Z.R. THE PROPOSED DWELLING AND DEVELOPMENT WILL COMPLY WITH ALL OF THE AFOREMENTIONED STANDARDS AND GUIDELINES.

TITLE HISTORY

G.L.D. 2008 FOLIO 91
AUGUST 23, 1981
HERBERT M. SCOTNEY
EMMA J. SCOTNEY
GEORGE W. FRITZ
MARY A. FRITZ
E.H.K. JR. 5792 FOLIO 664
AUGUST 12, 1977
GEORGE W. FRITZ
MARY A. FRITZ
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI

E.H.K. JR. 5792 FOLIO 664
FEBRUARY 2, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 6509 FOLIO 102
MARCH 29, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 5792 FOLIO 664
FEBRUARY 2, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 6509 FOLIO 102
MARCH 29, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 5792 FOLIO 664
FEBRUARY 2, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 6509 FOLIO 102
MARCH 29, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

E.H.K. JR. 6509 FOLIO 102
APRIL 28, 1997
JAMES E. WARNER, III
KATHERINE W. WARNER
PROPERTY

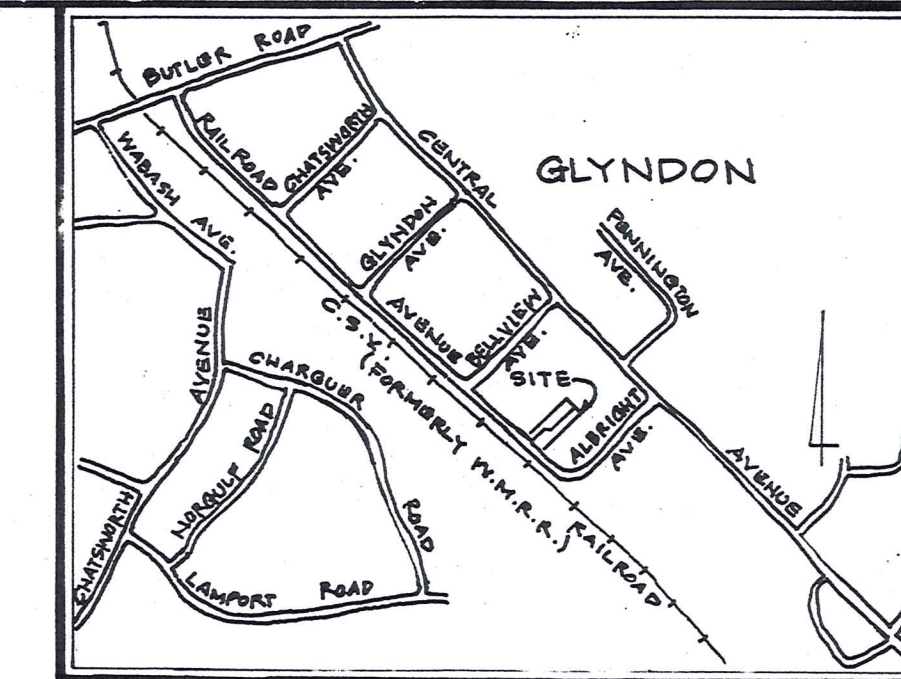
S.M. 12154 FOLIO 231
APRIL 28, 1997
DANIELE CAREY
DEBORAH SUE CAREY
PROPERTY

E.H.K. JR. 5792 FOLIO 664
FEBRUARY 2, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

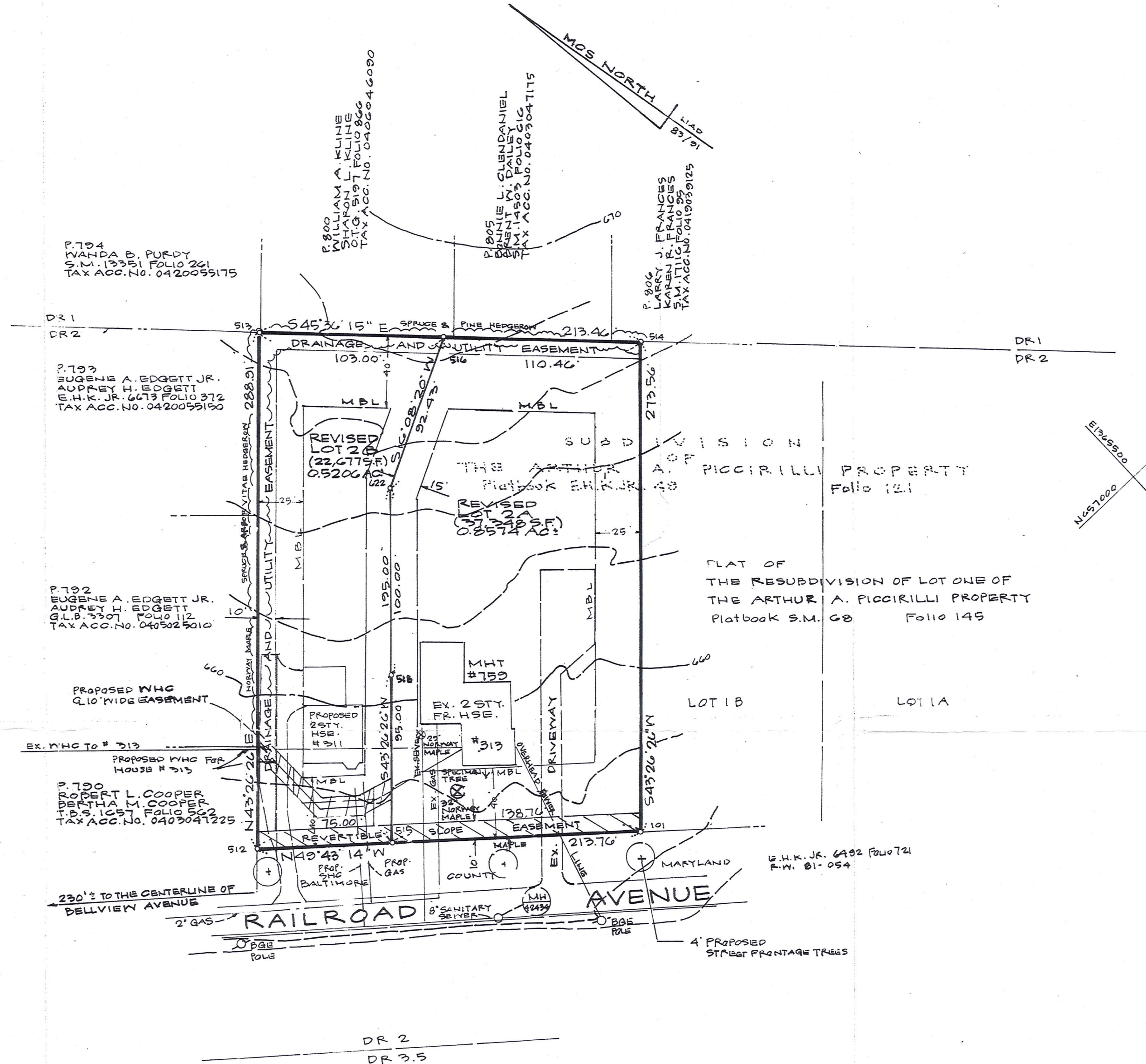
E.H.K. JR. 6509 FOLIO 102
MARCH 29, 1983
ARTHUR A. PICCIRILLI
PAULYNE A. PICCIRILLI
PROPERTY

* NOTES *

1. GROSS AREA: 1.37706 AC
2. NET AREA: 1.37706 AC
3. CURRENT ZONING: DR-2
4. CURRENT USE: 1 SINGLE FAMILY DWELLING
5. PROPOSED USE: 2 SINGLE FAMILY DWELLINGS
1 EXISTING
1 NEW
6. ELECTION DISTRICT: 4
7. COUNCILMANIC DISTRICT: 3
8. REGIONAL PLANNING DISTRICT: 306A
9. CENSUS TRACT: 4044.02
10. OWNER'S: ARTHUR A. PICCIRILLI & PAULYNE A. PICCIRILLI
313 RAILROAD AVE.
GLYNDON, MD. 21071, PHONE NO. 410-833-8039
11. TAX ACCOUNT NO: 1300007839
12. TAX MAP: 48 GRID: 12 PARCEL: 791
13. TITLE REFERENCE: E.H.K. JR. 5792 FOLIO 664
14. DENSITY: LOTS ALLOWED = 1.37706 x 2 = 2.75592
LOTS PROPOSED = 2
15. SUBSEWERSHED: 67 UPPER GWYNN'S FALLS
16. WATERSHED: GWYNN'S FALLS
17. WATER SERVICE AREA:
18. ALL EXISTING BUILDINGS ARE TO REMAIN UNLESS NOTED HEREON.
19. DEVELOPER: ARTHUR A. PICCIRILLI
313 RAILROAD AVE.
GLYNDON, MD. 21071, PHONE NO. 410-833-8039
20. AVERAGE DAILY TRIPS:
21. 200 SCALE ZONING MAP: 4801
22. SCHOOL DISTRICT: 81 FRANKLIN
23. SOILS MAP: NO. 20, SOIL TYPE: EMB2
24. THIS PROJECT IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BASIC SERVICES MAPS.
25. A FINAL LANDSCAPE PLAN WILL BE APPROVED PRIOR TO BUILDING PERMIT APPLICATION.
26. OPEN SPACE REQUIRED - 630 S.F. ACTIVE AND 3505 S.F. PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3; OPEN SPACE PROVIDED - 0 S.F.; WAIVER REQUESTED AND THE FEE IN LIEU HAS BEEN PAID.
27. THIS DEVELOPMENT IS SUBJECT TO SECTION 260 STANDARDS



VICINITY MAP
SCALE: 1" = 1000'



NOTE: THE PURPOSE OF THIS REFINEMENT IS TO ADJUST THE LOT LINES BETWEEN LOT 2A AND 2B PER DRC NO. 092202B
NO LOTS HAVE BEEN SOLD

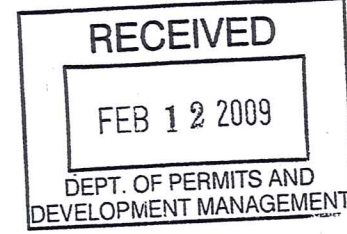
1ST AMENDED FINAL DEVELOPMENT PLAN FOR LOT 2 OF THE ARTHUR A. PICCIRILLI PROPERTY

4TH ELECTION DISTRICT
SCALE: 1" = 50'

BALTIMORE COUNTY, MARYLAND
DATE: OCTOBER 1, 2008

PETITIONER'S

EXHIBIT NO. 2



A.L. SNYDER
SURVEYOR, INC.
1911 HANOVER PIKE
HAMPSTEAD, MD. 21074
PHONE: 410-239-7744
FAX: 410-374-3695
EMAIL: alsurveyor@erols.com

OFFICE OF PLANNING AND ZONING APPROVED BY:	DATE: FEB 20 2009
DIRECTOR OF PLANNING:	DATE:
DIRECTOR OF PDM:	DATE:

PDM FILE NO. C-173 NEW FILE

JOB NO. 04047

EX.2