

TIMOTHY M. KOTROCO

Attorney at Law  
305 Washington Avenue, Suite 502  
Towson, Maryland 21204  
410-299-2943  
Tkotroco@gmail.com

RECEIVED

JUN 26 2020

DEPARTMENT OF PERMITS  
APPROVALS AND INSPECTIONS

2012-331A  
File

June 22, 2020

Hand Delivered

Mr. Mike Mallinoff, Director PAI  
Department of Permits, Approvals and Inspections  
111 West Chesapeake Avenue, Rm 105  
Towson, Maryland 21204

Re: Confirmation That No Impact Fee is Due  
Schnaper Property Development Plan and Record Plat  
PAI # 02-163; Record Plats J.L.E 79 - 406 to 409

Dear Director Mallinoff,

I represent the owner of the approved subdivision and development plan known as the Schnaper Property, a mixed use development consisting of multi-family and single family dwellings located at the southeast corner of the intersection of Owings Mills Boulevard and Liberty Road. By way of background, a combined Zoning and Development Plan Order for the subject property was approved by Judge Beverungen on September 9, 2012. (*See case no. 02-163 and 2012-0331-A Order attached*).

In addition, a Record Plat of the property, consisting of 4 pages was recorded within the Land Records of Baltimore County at Plat Book J.L.E. 79-406-409. A copy of each page of that four-page record Plat is attached hereto for your reference. As you will see from the attached, Plat 1 of 4 depicts two multi-family apartment buildings (60 units in each building) located on the northwest side of Schnaper Drive situated on a lot of approximately 5.7 acres. Plat 2 of 4 depicts two multi-family apartment buildings (60 & 52 units) located at the terminus of Schnaper Drive situated on a lot of approximately 14.5 acres. Plat 3 of 4 depicts 2 open space parcels of land located at the far northeastern edge of the subject property and Plat 4 of 4 depicts 5 single family residential lots located on along Janbrook Road, an existing Baltimore County street.

The date of the recordation of this 4 page record plat for the Schnaper property was December 27, 2013 as evidenced by the date stamp shown on the attached Plats. As stated above, my client owns the subject undeveloped Schnaper property. The owner intends to apply for building permits to construct the apartment buildings along with the 5 single-family dwellings. These permits will be filed after July 1, 2020, the effective date when the new development impact fees commence in Baltimore County.

Mr. Michael Mallinoff, Director  
Impact Fees Not Applicable, Schnaper Property

The purpose of this letter is to request your confirmation that the Schnaper property is exempt from development impact fees for the reasons that follow.

Baltimore County council Bill 16-19 imposes two different and separate fees or taxes upon new construction. The Bill creates a development impact surcharge for new nonresidential construction, as now codified at BCC Sec. 11-4-302. Bill 16-19 also imposes a development impact fee for all new residential development, now codified in BCC Sec. 32-6-111. The Bill also provides exemptions to the imposition of these impact fees. Section 32-6-111(H)(1) provides an exemption on new residential development as follows:

***“No development impact fee shall be imposed on new residential development for which any non-appealable approval has been granted prior to the effective date of this act.”***

As stated earlier and as can be seen by the documents attached to this letter, the Schnaper property was approved by Judge Beverungen on September 12, 2012. No appeal was filed of Judge Beverungen's decision. Accordingly, by virtue of this approval date, the Schnaper property and any building permits issued in connection with the Schnaper property are exempt from the imposition of any development impact fee.

Furthermore, Bill 16-19 provides an additional exemption from the imposition of a development impact fee for any non-residential project whose concept plan was submitted prior to July 1, 2020. This exemption can be found within section 11-4-302(B)(2)(II). The concept plan for the Schnaper property was submitted prior to September 19, 2012 which was the date that Judge Beverungen approved the development plan for the Schnaper property. (*See Beverungen Decision attached*). Accordingly, since the concept plan for the Schnaper property was filed prior to July 1, 2020 the property is exempt from any development impact fee.

Should you agree with our analysis, we would respectfully request that you affix your signature to the statement contained at the end of this letter indicating your concurrence. I thank you for your consideration of this request and look forward to your reply. Should you require any additional information, please feel free to contact me.

Very truly yours,



Timothy M. Kotroco

TMK/eak  
Attachments



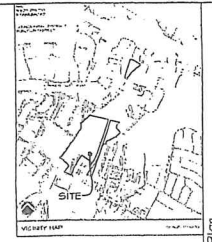
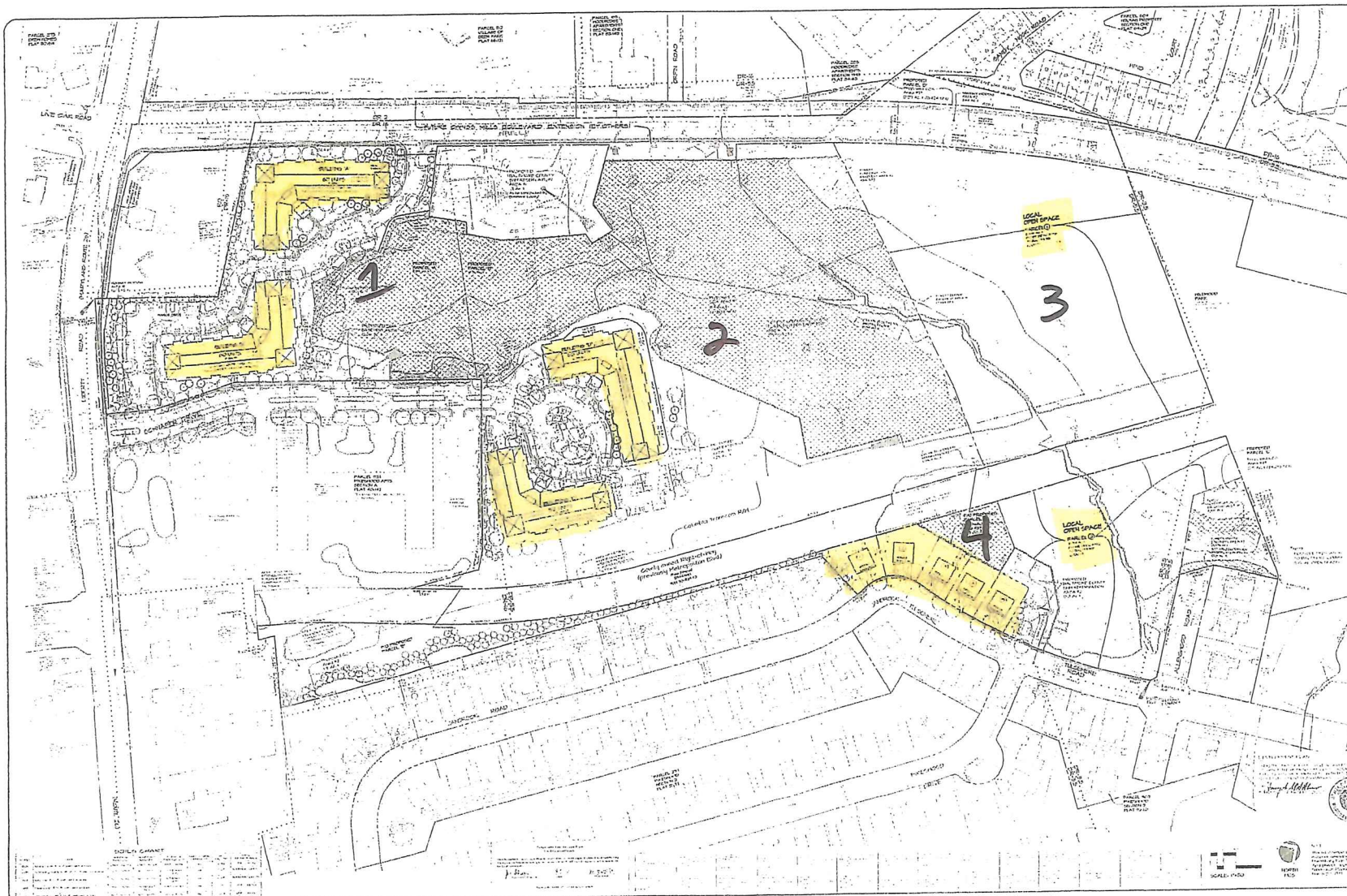
Mr. Michael Mallinoff, Director  
Impact Fees Not Applicable, Schnaper Property

Based upon the information attached to this letter and my review of the applicable law, the filing of a concept plan with Baltimore County and the subsequent non-appealable approval of the Development Plan and Order issued by Judge Beverungen on September 19th, 2012 exempts the Schnaper property from the imposition of any development impact fees imposed by Council Bill 16-19.

6-24-20  
Date

  
Mr. Mike Mallinoff, Director

This is based on the  
number of units represented  
in this letter. Any additional  
units will be subject to  
an impact fee.



**PROPOSED IMPROVEMENTS**

The following improvements are proposed for the site and are shown on the site plan. The improvements are shown in yellow on the site plan.

- 1. New parking spaces for 100 cars.
- 2. New landscaping including trees and shrubs.
- 3. New sidewalk along the street frontage.
- 4. New stormwater management system including a detention pond and a stormwater pipe.

**EXISTING CONDITIONS**

The following existing conditions are shown on the site plan. The existing conditions are shown in black on the site plan.

- 1. Existing parking spaces for 50 cars.
- 2. Existing landscaping including trees and shrubs.
- 3. Existing sidewalk along the street frontage.
- 4. Existing stormwater management system including a detention pond and a stormwater pipe.

**PROPOSED IMPROVEMENTS**

| ITEM                             | QUANTITY | UNIT PRICE | TOTAL PRICE       |
|----------------------------------|----------|------------|-------------------|
| New parking spaces               | 100      | \$10.00    | \$1,000.00        |
| New landscaping                  | 100      | \$10.00    | \$1,000.00        |
| New sidewalk                     | 100      | \$10.00    | \$1,000.00        |
| New stormwater management system | 100      | \$10.00    | \$1,000.00        |
| <b>TOTAL</b>                     |          |            | <b>\$4,000.00</b> |

**EXISTING CONDITIONS**

| ITEM                                  | QUANTITY | UNIT PRICE | TOTAL PRICE       |
|---------------------------------------|----------|------------|-------------------|
| Existing parking spaces               | 50       | \$10.00    | \$500.00          |
| Existing landscaping                  | 50       | \$10.00    | \$500.00          |
| Existing sidewalk                     | 50       | \$10.00    | \$500.00          |
| Existing stormwater management system | 50       | \$10.00    | \$500.00          |
| <b>TOTAL</b>                          |          |            | <b>\$2,000.00</b> |

**COMMITTEE AGREEMENT**

The following committee agreement is proposed for the site and is shown on the site plan. The committee agreement is shown in black on the site plan.

The committee agreement is a written agreement between the property owner and the committee. The committee agreement is a written agreement between the property owner and the committee. The committee agreement is a written agreement between the property owner and the committee.

**DSThaler**

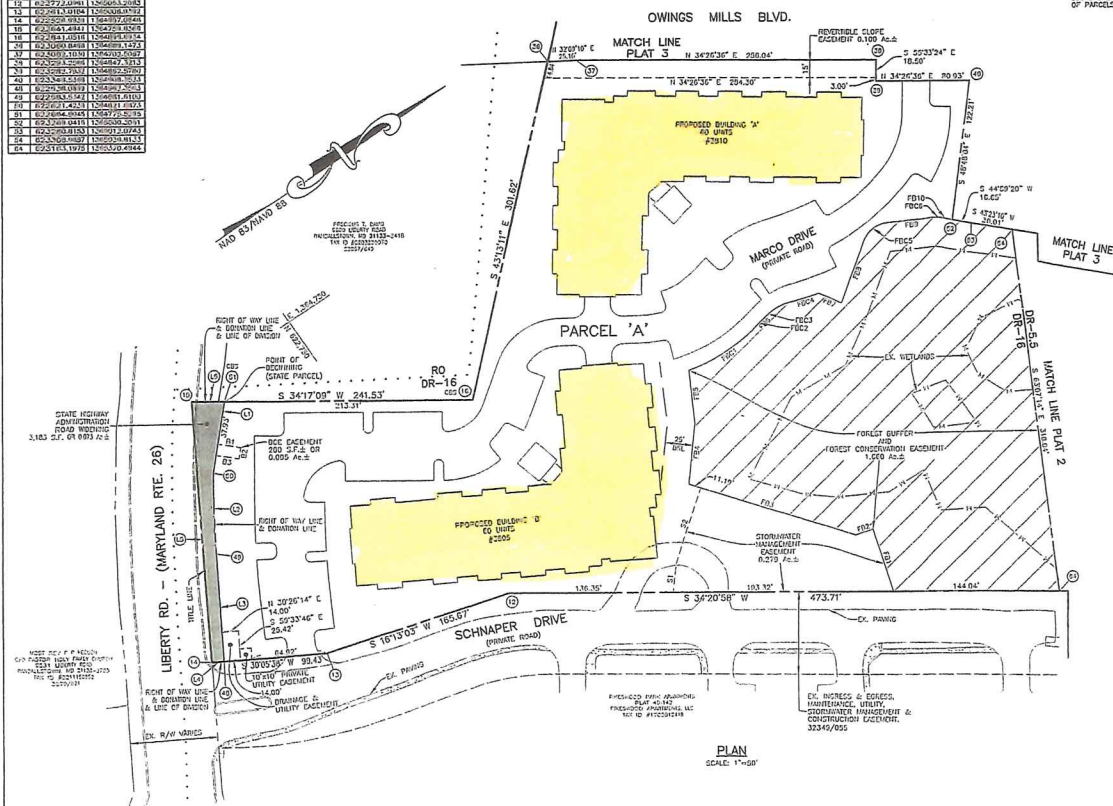
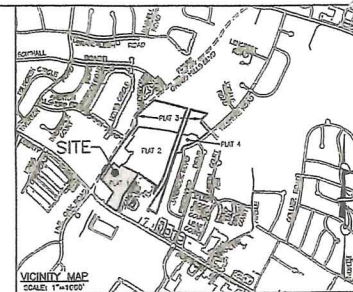
1000 1st Street, Suite 100  
 St. Paul, MN 55101  
 Phone: (612) 222-1234  
 Fax: (612) 222-1235  
 Email: info@dsthaler.com  
 Website: www.dsthaler.com



\* INCLUDES METROPOLITAN BLVD. & LIBERTY ROAD FRONTAGE.

\*\* SEE APPROVED DEVELOPMENT PLAN FOR BEDROOM COUNTS & PARKING CALCULATIONS.

LOCAL OPEN SPACE REQUIREMENTS FOR THIS PROJECT HAVE BEEN SATISFIED IN FULL BY THE DEDICATION OF PARCELS 1 & 2 TO BALTIMORE COUNTY FOR USE IN CONJUNCTION WITH VALDEWOOD PARK.



Filed for record  
JLE LIDEN 79 FOLIO 406  
Date DEC 27 2013  
Test:  
*Jillie L. Enon*  
Clerk  
JLE  
79-406

- [illegible]

LEGEND

 FOREST BUFFER & FOREST CONSERVATION EASEMENT

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUC BLUCENCE THE APPROVED 1ST, AMENDED JSPC PLAN DATED NOV. 9, 2012 AND HAVE PREPARED WITH DUC BLUCENCE THIS PLAN, PURSUANT TO THAT 1ST, AMENDED JSPC PLAN.

SURVEYOR'S CERTIFICATE:

OWNERS CERTIFICATE:

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE PLAT SHOWS ON IT: (A) THAT HE HAS BEEN Laid OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY HEREIN AS THE SAME CONCERNING THE LAYING OF THE PLAT AND THE SETTING OF THE MARKERS.

*David F. Lutz* 8/23/83

DAVID F. LUTZ, SURVEYOR, IN PROFESSIONAL CHARGE

COORDINATES AND BEARINGS SHOWN ON THIS PLAN ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM HAD 8/5/91, BASED ON THE FOLLOWING TRAVERSE STATIONS:

| STATION | NORTHING   | EASTING     | ELEV.  |
|---------|------------|-------------|--------|
| GIS-41  | 630009.780 | 1349093.250 | 532.99 |
| GIS-42  | 620255.770 | 1368660.600 | 591.40 |

|                         |       |
|-------------------------|-------|
| P.W.A. COMPLETED:       | _____ |
| ZONING:                 | _____ |
| DEV. DESIGN             | _____ |
| DEV. ENGINEER:          | _____ |
| STREETS, NUMBERING:     | _____ |
| REAL ESTATE COMPLIANCE: | _____ |
| PARKS & RECREATION:     | _____ |

|                                                       |                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2-10-13<br>9-25-13<br>11-1-13<br>10-22-13<br>10-17-13 | OWNERS CERTIFICATION<br>THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THE<br>MAP, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT<br>OF SECTION 2-101 OF THE REAL PROPERTY ARTICLE OF<br>MARYLAND HAVE BEEN COMPLIED WITH INsofar AS SAME<br>OF THE PLAT AND EJECTS OF THE MARIAGE.<br> |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF INDIANA, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN Laid OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF INDIANA, PARTICULARLY HEREIN AS THE SAME CONCERNING THE MARKING OF THE PLAT AND THE SETTING OF THE MARKERS.

[illegible]

OWNER  
PINEWOOD ACQUISITION, LLC  
OSPEY PROPERTY, CO. SUITE 201  
175 ANNAPOIS COASTAL DR.  
ANNAPOLIS, MD. 21401

---

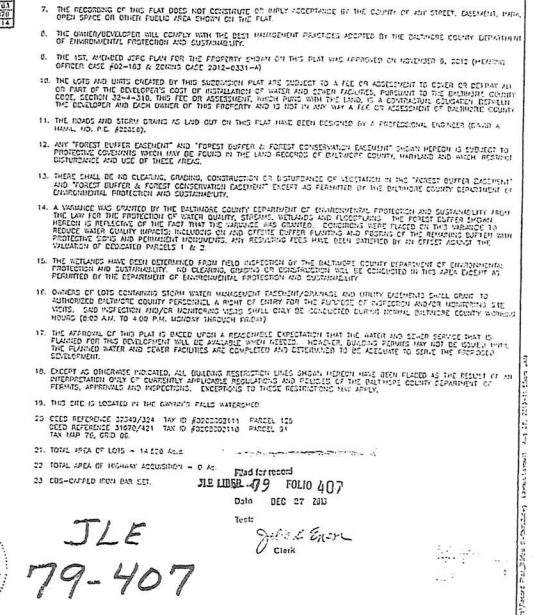
COMPUTED BY: MR  
CHECKED BY: RLC  
DRAWN BY: MR  
P.N.: 07685

101 MATERIAL AND CONSTRUCTION APPROPRIATE JISC  
 AND **SCHNAPER PROPERTY**  
 AND ELECTION DISTRICT, 4TH CONGRESSIONAL DISTRICT  
 BALTIMORE, MARYLAND  
 SCALE: 1"=60'  
 DATE: AUGUST, 2013  
 CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS  
**D. S. THALER & ASSOCIATES, INC.**  
 7115 AMBASSADOR ROAD, P.O. BOX 47428  
 BALTIMORE, MD 21244-7428  
 410-344-5577  
 01/24/2015 10:52:23



THE FOLLOWING RIGHTS-OF-WAYS ARE TO BE CONVEYED TO BALTIMORE COUNTY BY THE DEVELOPER/OWNER OF THIS PROPERTY AS A CONDITION OF APPROVAL OF THESE PLANS.

| CURVE | LENGTH | RADIUS | TANGENT | CHLTA     | CHORD BEARING | CHORD |
|-------|--------|--------|---------|-----------|---------------|-------|
| FC01  | 75.72  | 100.00 | 32.78   | 43°23'11" | S 27°10'25" W | 73.03 |
| FC02  | 7.32   | 23.00  | 3.68    | 16°46'33" | N 50°22'19" E | 7.29  |
| FC03  | 10.40  | 29.00  | 5.27    | 23°42'55" | N 79°03'07" W | 10.32 |
| FC04  | 15.02  | 24.00  | 7.25    | 34°29'55" | N 11°42'55" E | 14.88 |
| FC05  | 12.80  | 23.00  | 6.29    | 40°47'12" | N 22°07'44" W | 12.42 |



**VICINITY MAP**  
SCALE: 1"=1000'

**GENERAL NOTES:**

LOVES AND OFFERS FOR DEDICATION TO BALTIMORE COUNTY ALL SUCH RIGHTS OF WAY AND PROPERTY

[illegible]

A FLOODPLAIN INCLUDED THE AREA  
CAR FREQUENCY STORM AND A FURNISH  
DOCKS. THE ELEVATIONS SHOWN ON  
ARE THE 100-YEAR DESIGN FREQUENCY  
2

**DODPLAIN CERTIFICATION**

THE FLOODPLAIN OUTLINE SHOWN ON  
THIS FLOODPLAIN CERTIFICATE WITH  
APPROVALS AND INSPECTIONS, BUREAU  
OF THE POLICY UNIT, APPENDIX II,  
APPROVED FOR THE PURPOSES OF  
THE FLOODPLAIN CERTIFICATE STUDIES

*Smile* 9/11/13

**DATE**

THESE RECORDS WERE PREPARED ON  
THE DATE LISTED ABOVE

STATE OF MARYLAND  
COMMISSIONER OF GENERAL LANDS  
AND SURVEY  
1800  
NO. 21409  
PROFESSIONAL ENGINEER

**COMPLAIN CERTIFICATION**

FOR FLOODPLAIN CULTURE SHOWS ON  
IN COME UP ACCORDANCE WITH THE  
APPROPRIATE AND INSPECTING, BUREAU  
OF THE POLICE, BUREAU, AFFIDAVIT, B,  
PREPARED FOR WATERFLOODING  
AND WATERWAY CROSSING STUDIES

*Smith* 9/11/13  
DATE

THESE DOCUMENTS WERE PREPARED ON

OFFICE OF ARMY AND  
ENGINEERING  
NO. 41420  
PROFESSIONAL ENGINEER

**PLAIN CERTIFICATION**

THIS FLOODPLAIN OUTLINE SHOWN ON  
IS DONE IN ACCORDANCE WITH THE  
APPROVALS AND INSPECTIONS, BUREAU  
ENGINEER'S POLICY MANUAL, APPENDIX II,  
REQUIREMENTS FOR WATERWAYS  
AND WATERWAY CROSSING STUDIES.

*W. J. Smith* 9/11/13  
DATE

THESE DOCUMENTS WERE PREPARED ON  
THE BASIS OF THE INFORMATION FURNISHED BY THE  
OWNER.

**STATE OF MARYLAND  
ENGINEERING BOARD  
No. 41409  
PROFESSIONAL ENGINEER**

D DONE IN ACCORDANCE WITH THE  
 APPROPRIATE AND PENDING, ELMCA  
 THE'S FIGHT MANUAL APPENDIX II,  
 CONSIDERED FOR WATERCROSSING  
 AND WATERMAN CROSSING STUDIES

9/11/13  
 DATE

THESE DECISIONS WERE PREPARED ON

STATE OF ARIZONA  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 DIVISION OF WATER  
 1600 NORTH GILBERT AVENUE  
 PHOENIX, ARIZONA 85004  
 PHONE: (602) 974-3100  
 FAX: (602) 974-3101  
 WWW.AZDEQ.GOV

THESE DOCUMENTS WERE PREPARED ON  
CLARK SYSTEMS PAPER

Miles      9/11/13

DATE

THESE DOCUMENTS WERE PREPARED ON  
A FULLY QUALIFIED ENGINEER'S

Miller 9/11/13  
DATE

THESE DOCUMENTS WERE PREPARED ON  
A COMPUTER SYSTEM

PROFESSIONAL ENGINEER  
No. 41403

DATE

PROFESSIONAL ENGINEER

INC. 41409

THESE DOCUMENTS WERE PREPARED ON  
T. J. ALLEN LICENSED PROFESSIONAL ENGINEER

P.W.A. COMPLETED: N/A  
ZONING: A-10 10/23/12  
DEV. DESIGN: DRK 9/25/10  
DEV. ENGINEER: MLV 9-25-13  
STREETS, NUMBERING: 11-6-13  
REAL ESTATE COMPLIANCE: 10/22/13  
PARKS & RECREATION: 6-6-10/1/13

**SURVEYOR'S CERTIFICATE:**

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LOTS OUT AND THIS PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY RECTOR AS THE SAME CONCERNING THE LAYING OF THE PLAT AND THE SETTING OF THE MARKERS.

*Bruce A. Lewis* 2/29/13

| INFR            | OWNER                |
|-----------------|----------------------|
| CORPORATE, INC. | DR. L. SOMMER        |
| PROPERTY, CO.   | ROSS ANNE BLUMBERG   |
| E 201           | HUNTER               |
| CONDO CT        | UNIT 2103            |
| MD. 21401       | 100 HARBORVIEW DR    |
|                 | BALTIMORE, MD. 21220 |

|           |       |
|-----------|-------|
| D BY: MUR | _____ |
| BY: BUC   | _____ |
| Y: MUR    | _____ |
| OTHERS    | _____ |

PHASE 2  
FLAT 2 OF 4  
1ST. MATERIAL AMENDED PINEWOOD APARTMENTS JSPC  
n/a **SCHNAPPER PROPERTY**  
2ND ELECTION DISTRICT, 4TH CONGRESSIONAL DISTRICT  
PLACEMEN TOWNSHIP, MIAMI DADE  
SCALE: 1"=50'  
DATE: AUGUST, 2013  
CIVIL ENGINEERS - SITE PLANNERS LANDSCAPE ARCHITECTS - SURVEYORS  
**D. S. THALER & ASSOCIATES, INC.**  
7115 AMBASSADOR ROAD, P.O. BOX 47428

CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS  
**D. S. THALER & ASSOCIATES, INC.**  
7115 AMBASSADOR ROAD, P.O. BOX 47428  
CHICAGO, ILL. 60648

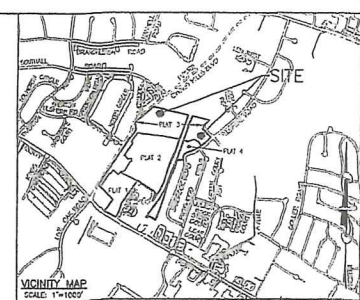
0200496 738 3436- 12212-2



| BOUNDARY CURVE TABLE |         |          |         |           |               |         |
|----------------------|---------|----------|---------|-----------|---------------|---------|
| CURVE                | LENGTH  | RADIUS   | LENGTH  | DELTA     | CHORD BEARING | CHORD   |
| C1                   | 159.03' | 1100.00' | 79.15'  | 81°13'33" | N 51°02'10" E | 197.00' |
| C2                   | 594.43' | 7901.00' | 298.25' | 11°30'12" | S 40°11'42" W | 593.49' |
| C3                   | 465.01' | 3045.00' | 243.47' | 9°03'33"  | S 44°24'30" W | 485.40' |

| DENSITY CALCULATIONS            |                         |                             |                                |                               |                                |                                |
|---------------------------------|-------------------------|-----------------------------|--------------------------------|-------------------------------|--------------------------------|--------------------------------|
| DESCRIPTION                     | PHASE 1                 | PHASE 2                     |                                | PHASE 3                       | TOTAL                          | GROSS                          |
|                                 | FLAT 1 OF 4             | FLAT 2 OF 4                 | FLAT 3 OF 4                    | FLAT 4 OF 4                   |                                |                                |
| AERIAL NET DROPS                | 5.03 AC                 | 14.51 AC                    | 14.20 AC                       | 2.03 AC                       | 37.47 AC                       | +18.97 AC                      |
| ZONING: 08-18<br>08-18<br>08-18 | 5.03 AC<br>0 AC<br>0 AC | 0.26 AC<br>0 AC<br>14.25 AC | 0.52 AC<br>1.01 AC<br>12.71 AC | 0.52 AC<br>1.10 AC<br>1.73 AC | 7.77 AC<br>1.29 AC<br>20.69 AC | 0.68 AC<br>1.29 AC<br>21.96 AC |
| DRAINAGE: 100' SPACES           |                         |                             |                                |                               |                                | 337 UNITS                      |
| DRAINAGE: 100' SPACES           | 120 UNITS               | 112 UNITS                   | 0 UNITS                        | 5 UNITS                       | ---                            | 237 UNITS                      |
| PARKING: 324 SPACES             | 104 SPACES              | 184 SPACES                  | 0 SPACES                       | 10 SPACES                     | ---                            | 411 SPACES                     |
| PARKING: 324 SPACES             | 324 SPACES              | 184 SPACES                  | 0 SPACES                       | 10 SPACES                     | ---                            | 428 SPACES                     |

LOCAL OPEN SPACE REQUIREMENTS FOR THIS PROJECT HAVE BEEN SATISFIED IN FULL BY THE DEDICATION OF PARCELS 1 & 2 TO BALTIMORE COUNTY FOR USE IN CONNECTION WITH BALDWIN PARK.



GENERAL NOTES:

- [illegible]

[illegible]

JLE  
79-408

**FLOODPLAIN NOTE:**  
THE AREA DESIGNATED AS A FLOODPLAIN INCLUDES THE AREA  
FLOODED BY THE 100-YEAR FREQUENCY STORM AND A MINIMUM  
OF 1' FOOT VERTICAL FLOODBOWD. THE ELEVATIONS SHOWN ON  
THE FLOODPLAIN SECTIONS ARE THE 100-YEAR DESIGN FREQUENCY  
WATER SURFACE ELEVATIONS.

**100-YEAR FLOODPLAIN CERTIFICATION**

*Manuscript Filen* 2/11/13  
MANUSCRIPT FILER, P.C. DATE

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED 1ST. AMENDED JCPC PLAN DATED NOV. 9, 2012 AND HAVE PREPARED WITH DUE DILIGENCE THIS PLAT, PURSUANT TO THAT 1ST. AMENDED JCPC PLAN.

**SURVEYOR'S CERTIFICATE:**  
I, A REGISTERED PROPERTY LINE SURVEYOR OF THE  
STATE, DO HEREBY CERTIFY THAT I AM THE SURVEYOR  
OF THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT  
DOES AND THE PLAT THEREOF HAS BEEN PREPARED IN  
ACCORDANCE WITH THE PROVISIONS OF SECTION 3-105 OF THE REAL  
PROPERTY ACT OF THE STATE OF MARYLAND.  
IN WITNESS WHEREOF, I HAVE HEREON SET MY HAND  
AND SEAL OF OFFICE AT THE CITY OF BALTIMORE, MARYLAND,  
THIS 27TH DAY OF AUGUST, 2013.

APPROVED BY THE DEPARTMENT OF FISH, APPROVALS AND  
INSPECTIONS PURSUANT TO SECTION 32-4-272, UTAH STATE  
COUNTY CODE.

W.D. King Jr 1/24/2013  
DIRECTOR OF DEPARTMENT OF FISH, DATE  
APPROVALS AND INSPECTIONS

APPROVED

Thomas J. [Signature] W.D. King Jr  
DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL DATE  
PROTECTION AND SUSTAINABILITY

|                                                                                                                           |                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>OWNER</b><br>PARSONS ASSOCIATES, INC.<br>OSWEGO PROPERTY, CO.<br>SUITE 201<br>175 ADAMS BOULEVARD<br>ATHENS, MD. 21401 | <b>OWNER</b><br>JANE L. SCHMIDT<br>8025 ARDEN DRIVE<br>POTOMAC<br>UNIT 21C3<br>100 HARBORVIEW CR.<br>BALTIMORE, MD. 21222 |
| COMPUTED BY: <u>MLR</u>                                                                                                   |                                                                                                                           |
| CHECKED BY: <u>RLC</u>                                                                                                    |                                                                                                                           |
| DRAWN BY: <u>MLR</u>                                                                                                      |                                                                                                                           |
| P.L.L.: <u>0366</u>                                                                                                       |                                                                                                                           |

PAGE 2  
SHEET 3 OF 4  
1ST. MATERIAL AND LABOR IN CHARGE: J. H. THALER & ASSOCIATES, INC.  
nbs **SCHNAPPER PROPERTY**  
AND ELECTION DISTRICT, 4TH CONGRESSIONAL DISTRICT  
BUTLER COUNTY, ILLINOIS  
SCALE: 1"=100' DATE: AUGUST, 1913  
CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS  
**D. S. THALER & ASSOCIATES, INC.**  
7115 AUBURN ROAD, P.O. BOX 47428  
CHICAGO, MD 21244-7420  
410-944-3647

PM #02-163

For more information, see <http://www.fishbase.org>.

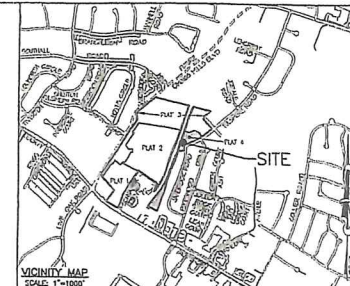


17/11  
 18/11  
 19/11  
 20/11  
 21/11  
 22/11  
 23/11  
 24/11  
 25/11  
 26/11  
 27/11  
 28/11  
 29/11  
 30/11  
 31/11  
 32/11  
 33/11  
 34/11  
 35/11  
 36/11  
 37/11  
 38/11  
 39/11  
 40/11  
 41/11  
 42/11  
 43/11  
 44/11  
 45/11  
 46/11  
 47/11  
 48/11  
 49/11  
 50/11  
 51/11  
 52/11  
 53/11  
 54/11  
 55/11  
 56/11  
 57/11  
 58/11  
 59/11  
 60/11  
 61/11  
 62/11  
 63/11  
 64/11  
 65/11  
 66/11  
 67/11  
 68/11  
 69/11  
 70/11  
 71/11  
 72/11  
 73/11  
 74/11  
 75/11  
 76/11  
 77/11  
 78/11  
 79/11  
 80/11  
 81/11  
 82/11  
 83/11  
 84/11  
 85/11  
 86/11  
 87/11  
 88/11  
 89/11  
 90/11  
 91/11  
 92/11  
 93/11  
 94/11  
 95/11  
 96/11  
 97/11  
 98/11  
 99/11  
 100/11  
 101/11  
 102/11  
 103/11  
 104/11  
 105/11  
 106/11  
 107/11  
 108/11  
 109/11  
 110/11  
 111/11  
 112/11  
 113/11  
 114/11  
 115/11  
 116/11  
 117/11  
 118/11  
 119/11  
 120/11  
 121/11  
 122/11  
 123/11  
 124/11  
 125/11  
 126/11  
 127/11  
 128/11  
 129/11  
 130/11  
 131/11  
 132/11  
 133/11  
 134/11  
 135/11  
 136/11  
 137/11  
 138/11  
 139/11  
 140/11  
 141/11  
 142/11  
 143/11  
 144/11  
 145/11  
 146/11  
 147/11  
 148/11  
 149/11  
 150/11  
 151/11  
 152/11  
 153/11  
 154/11  
 155/11  
 156/11  
 157/11  
 158/11  
 159/11  
 160/11  
 161/11  
 162/11  
 163/11  
 164/11  
 165/11  
 166/11  
 167/11  
 168/11  
 169/11  
 170/11  
 171/11  
 172/11  
 173/11  
 174/11  
 175/11  
 176/11  
 177/11  
 178/11  
 179/11  
 180/11  
 181/11  
 182/11  
 183/11  
 184/11  
 185/11  
 186/11  
 187/11  
 188/11  
 189/11  
 190/11  
 191/11  
 192/11  
 193/11  
 194/11  
 195/11  
 196/11  
 197/11  
 198/11  
 199/11  
 200/11  
 201/11  
 202/11  
 203/11  
 204/11  
 205/11  
 206/11  
 207/11  
 208/11  
 209/11  
 210/11  
 211/11  
 212/11  
 213/11  
 214/11  
 215/11  
 216/11  
 217/11  
 218/11  
 219/11  
 220/11  
 221/11  
 222/11  
 223/11  
 224/11  
 225/11  
 226/11  
 227/11  
 228/11  
 229/11  
 230/11  
 231/11  
 232/11  
 233/11  
 234/11  
 235/11  
 236/11  
 237/11  
 238/11  
 239/11  
 240/11  
 241/11  
 242/11  
 243/11  
 244/11  
 245/11  
 246/11  
 247/11  
 248/11  
 249/11  
 250/11  
 251/11  
 252/11  
 253/11  
 254/11  
 255/11  
 256/11  
 257/11  
 258/11  
 259/11  
 260/11  
 261/11  
 262/11  
 263/11  
 264/11  
 265/11  
 266/11  
 267/11  
 268/11  
 269/11  
 270/11  
 271/11  
 272/11  
 273/11  
 274/11  
 275/11  
 276/11  
 277/11  
 278/11  
 279/11  
 280/11  
 281/11  
 282/11  
 283/11  
 284/11  
 285/11  
 286/11  
 287/11  
 288/11  
 289/11  
 290/11  
 291/11  
 292/11  
 293/11  
 294/11  
 295/11  
 296/11  
 297/11  
 298/11  
 299/11  
 300/11  
 301/11  
 302/11  
 303/11  
 304/11  
 305/11  
 306/11  
 307/11  
 308/11  
 309/11  
 310/11  
 311/11  
 312/11  
 313/11  
 314/11  
 315/11  
 316/11  
 317/11  
 318/11  
 319/11  
 320/11  
 321/11  
 322/11  
 323/11  
 324/11  
 325/11  
 326/11  
 327/11  
 328/11  
 329/11  
 330/11  
 331/11  
 332/11  
 333/11  
 334/11  
 335/11  
 336/11  
 337/11  
 338/11  
 339/11  
 340/11  
 341/11  
 342/11  
 343/11  
 344/11  
 345/11  
 346/11  
 347/11  
 348/11  
 349/11  
 350/11  
 351/11  
 352/11  
 353/11  
 354/11  
 355/11  
 356/11  
 357/11  
 358/11  
 359/11  
 360/11  
 361/11  
 362/11  
 363/11  
 364/11  
 365/11  
 366/11  
 367/11  
 368/11  
 369/11  
 370/11  
 371/11  
 372/11  
 373/11  
 374/11  
 375/11  
 376/11  
 377/11  
 378/11  
 379/11  
 380/11  
 381/11  
 382/11  
 383/11

\* INCLUDES METROPOLITAN BLVD. & LIBERTY ROAD FRONTAGE.

\*\* SEE APPROVED DEVELOPMENT PLAN FOR BEDROOM COUNTS & PARKING CALCULATIONS.

LEGAL OPEN SPACE REQUIREMENTS FOR THIS PROJECT HAVE BEEN SATISFIED IN FULL BY THE DEDICATION OF PARCELS 1 & 2 TO BALTIMORE COUNTY FOR USE IN CONJUNCTION WITH WILDMOOD PARK.



GENERAL NOTES

- [illegible]

Filed for record  
JLE LIND 479 FOLIO 409

test:  
Julie L. Eason  
Clark

JLE  
79-409

### LEGEND

FOREST DUFFERN &amp; FOREST CONSERVATION CASEMENT

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED 1ST. AMENDED JSFC PLAN DATED NOV. 9, 2012 AND HAVE PREPARED WITH DUE DILIGENCE THIS PLAN, PURSUANT TO THAT 1ST. AMENDED JSFC PLAN.

COMPARATIVES AND BEARINGS SHOWN ON THIS PLAN ARE  
REFERENCED TO THE SYSTEM OF COORDINATES ESTABLISHED  
IN THE HANFORD COORDINATE SYSTEM MAP 03/01, DATED  
AS FOLLOWS: TOWNSHIP SHADING.

| STATION | NORTHING    | EASTING     | ELEV.  |
|---------|-------------|-------------|--------|
| OS-41   | 6300097.780 | 1340993.250 | 532.99 |
| OS-42   | 6202555.770 | 1386660.600 | 591.40 |

HANFORD COORDINATE SYSTEM  
VERTICAL = NAD 83  
HORIZONTAL = NAD 83

P.W.A. COMPLETED: N/A  
ZONING: DC 100  
DEV. DESIGN: DC 115/15  
DEV. ENGINEER: MLV 9-25-13  
STREETS, ALLEYS: 1818  
REAL ESTATE COMPLIANCE: 9/25/13  
PARKS & RECREATION: 9/10/13

**OWNERS CERTIFICATE**

THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS  
PLAN, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENTS  
OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE  
MARYLAND HAVE BEEN COMPLIED WITH INsofar AS SAME CO  
OF THE PLAN AND SETTING OF THE MARKERS.

\_\_\_\_\_ 9.13.13  
 DATE  
 \_\_\_\_\_ 9.13.13

**SURVEYOR'S CERTIFICATE**

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE CURRENTLY WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN HAS BEEN Laid OUT AND THE PLAT INCUT IN SECT. 3-125 OF THE REPT. COMPLIANCE WITH SUBSECTION (C) OF SECT. 3-125 OF THE REPT. PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND. PARTICULARLY NOTICABLE AS THE SAME CONCERN THE MARKING OF THE PLAT AND THE SETTING OF THE MARKERS.

*Robert L. ...* 2/29/72



APPROVED BY THE DIRECTOR OF PERMITS, APPROVALS AND  
RESPONSES PURSUANT TO SECTION 32-4-272, SALT LAKE  
COUNTY CODE:

W. J. [Signature] 11/2/13  
DIRECTOR OF PERMITS & TESTING DATE

APPROVALS AND INSPECTIONS.

APPROVED:

[Signature] 11/2/13  
DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL DATE

| OWNER                                                                                             | OWNER                                                                                                       |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| JOSEPH SCHAFER<br>JSH SCHAFER (TRUSTEE)<br>UNIT 2160<br>160 HARDENVIEW DR.<br>CATHERINE, MD 21220 | JAN E. SCHAFER<br>JESSIE ANNE SCHAFER<br>TRUSTEE<br>UNIT 2160<br>160 HARDENVIEW DR.<br>CATHERINE, MD. 21220 |
| COMPUTED BY: MUR                                                                                  |                                                                                                             |
| CHECKED BY: BLC                                                                                   |                                                                                                             |
| DRAWN BY: MUR                                                                                     |                                                                                                             |
| P.N.: MUR                                                                                         |                                                                                                             |

PHASE 3  
PLAT 4 CT 4  
1ST. MATERIAL AMENDED 4-1-2004 4/11/2005 JPC  
aka **SCHNAAPER PROPERTY**  
2ND ELECTION DISTRICT, 4TH CONGRESSIONAL DISTRICT  
BETHUNE COUNTY, MISSISSIPPI  
SCALE: AS SHOWN  
DATE: AUGUST, 2013  
CIVIL ENGINEERS - SITE PLANNERS - LANDSCAPE ARCHITECTS - SURVEYORS  
**D. S. THALER & ASSOCIATES, INC.**  
7115 AMBASSADOR ROAD, P.O. BOX 47428  
MEMPHIS, TN 38117

PAI #02-143

0202498 750 51235-12212-4



**M E M O R A N D U M**

DATE: November 1, 2012  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2012-0331-A - Appeal Period Expired

---

The appeal period for the above-referenced case expired on October 19, 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

IN RE: DEVELOPMENT PLAN HEARING \*  
AND PETITION FOR VARIANCE \*

(Pikeswood Apartments aka  
Schnaper Property) \*

Jan Schnaper, Owner/Developer \*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

HOH Case No. 02-163 and  
Zoning Case No. 2012-0331-A

\* \* \* \* \*

**ADMINISTRATIVE LAW JUDGE'S COMBINED ZONING AND  
DEVELOPMENT PLAN OPINION & ORDER**

This matter comes before the Office of Administrative Hearings for Baltimore County for a public hearing on a development proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code ("B.C.C."). The hearing also involves a request for variance relief under the Baltimore County Zoning Regulations (B.C.Z.R.). Jan Schnaper, the developer of the subject property (hereinafter "the Developer"), submitted for approval a redlined Development Plan prepared by DS Thaler & Associates, Inc., known as "Pikeswood Apartments aka Schnaper Property."

In the instant matter, the Developer proposes 232 apartments of varying bedroom count contained within four multistory buildings and five single-family detached houses<sup>1</sup> on 41.0 acres, more or less. The site is predominantly wooded with a riparian feature. The site is bisected by the right of ways for the future Owings Mills Boulevard extension, Metropolitan Boulevard (a "paper" road) and underground utilities.

<sup>1</sup> As originally filed, the Developer sought approval for six single-family dwellings on the site. The Developer indicated at the hearing however that in response to community concerns approval was sought for only five single-family dwellings, as depicted on Developer's Exhibit 3.

ORDER RECEIVED FOR FILING

Date 9-19-12

Rv 193



The existing Plat for the Pikeswood Apartments is recorded among the Land Records for Baltimore County in Plat Book 40 at Page 142. The site is the subject of the revised "Preliminary Plan for Pikeswood Apartments" approved by the Joint Subdivision Planning Committee (JSPC) on March 30, 1977. The Development hearing seeks to amend this original plan with the aforementioned apartment units and single-family dwellings.

In addition to the Hearing Officer's Hearing, the Developer is requesting certain zoning relief and has filed a Variance request pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

(Multi-Family) - B.C.Z.R. §§ 504.2, 1B01.2.C.1.e, 1B02.2.A and Comprehensive Manual of Development Policies (CMDP), Division II, Section A -

- (1) To allow a minimum 23' setback from a rear building face to tract boundary in lieu of the required 40' setback (Building 'A'),
- (2) To allow a minimum 23' building setback to a public street right-of-way for an arterial road in lieu of the required 45' (25' + 20') (Building 'A'),
- (3) To allow a minimum 6' setback from a building face to tract boundary in lieu of the required 40' for front or rear and 30' for side building face (Buildings 'A', 'B' and 'C'),
- (4) To allow a minimum 23' setback from a side building face to side building face in lieu of the required 56' (1 foot of setback for every foot of building height to the soffit line) (Buildings 'A', 'B', 'C' and 'D'),
- (5) To allow a 5' setback from a building face to edge of private road in lieu of the required 35' (Buildings 'A', 'B', 'C', and 'D'),
- (6) To allow a maximum building length of 265' in lieu of the maximum permitted 240' (Buildings 'A', 'B', and 'D'), and
- (7) To allow a maximum building height of 70' in lieu of the permitted 50' (DR 5.5) and 60' (DR 16) (Buildings 'A', 'B', 'C' and 'D').

ORDER RECEIVED FOR FILING

Date 9-19-12

By DW

(Single-Family) - B.C.Z.R. §§ 301.1.A, 504.2, 1B01.2.C.1.b and Comprehensive Manual of Development Policies (CMDP), Division II, Section A -

- (1) To allow a minimum 18' setback from a rear building face to tract boundary in lieu of the required 30' (Lots #1 & #2), and
- (2) To allow a deck to project into the rear yard by 10' resulting in an 8' rear yard setback in lieu of the required 22.5' setback (Lots #1 & #2).

(Parking) - B.C.Z.R. §§ 409.6.A.1 and 409.7

- (1) To allow 186 parking spaces to be provided in lieu of the 194 parking spaces (Buildings 'C' and 'D'), and
- (2) To allow off-site parking (14 spaces along Schnaper Drive) to support Buildings 'A' and 'B' to be located a maximum distance of 970' in lieu of the 300' permitted.

Although at first blush this seems like an unwieldy series of requests, the Developer's engineer greatly simplified the evaluation process by preparing a color-coded map showing where on the plan each variance was requested. See Developer's Exhibit 8.

Details of the proposed development and the requested zoning relief are more fully depicted on the two-sheet redlined Amended Development Plan that was marked and accepted into evidence as Developer's Exhibits 1A and 1B. The property was posted with the Notice of Hearing Officer's Hearing and Zoning Notice on August 15, 2012 for 20 working days prior to the hearing, in order to inform all interested citizens of the date and location of the hearing.

Appearing at the requisite Hearing Officer's Hearing in support of the Development Plan on behalf of the Developer and property owner was Jan Schnaper, Stacey A. McArthur, Brian Childress, and David Thaler, with DS Thaler & Associates, Inc., the consulting firm that prepared the site plan. Patricia A. Malone, Esquire with Venable, LLP, appeared and represented the

ORDER RECEIVED FOR FILING

Date 9-19-12

By [Signature]



Developer. Also appearing as interested citizens were William Johnson, Ray Paige, Daniel Stein, Kim Blackwell, Cheryl Griffin, Daniel Murray, James Brown, Jr., and Carolyn Samuels.

Numerous representatives of the various Baltimore County agencies, who reviewed the Development Plan, also attended the hearing, including the following individuals from the Department of Permits and Development Management: Jan Cook (Project Manager), Dennis Kennedy and Bruce Gill (Development Plans Review [DPR]), Brad Knatz, Real Estate Compliance, and Aaron Tsui (Office of Zoning Review). Also appearing on behalf of the County were David Lykens from the Department of Environmental Protection and Sustainability (DEPS), and Lloyd Moxley from the Department of Planning. In addition, written comments were received from the Baltimore County Fire Marshal's Office and the Maryland State Highway Administration. These and other agency remarks are contained within the case file.

The role of the reviewing County agencies in the development review and approval process is to perform an independent and thorough review of the Development Plan as it pertains to their specific areas of concern and expertise. The agencies specifically comment on whether the plan complies with all applicable Federal, State, and/or County laws, policies, rules and regulations pertaining to development and related issues. In addition, these agencies carry out this role throughout the entire development plan review and approval process, which includes providing input to the Hearing Officer either in writing or in person at the hearing. It should also be noted that continued review of the plan is undertaken after the Hearing Officer's Hearing during the Phase II review of the project. This continues until a plat is recorded in the Land Records of Baltimore County and permits are issued for construction.

ORDER RECEIVED FOR FILING

Date 9-19-12

By lw

Pursuant to §§ 32-4-227 and 32-4-228 of the B.C.C., which regulate the conduct of the Hearing Officer's Hearing, I am required first to identify any unresolved comments or issues as of the date of the hearing. At the hearing, each of the Baltimore County agency representatives identified above indicated that the redlined Development Plan (marked as Developer's Exhibits 1A and 1B) addressed any and all comments submitted by their agency, and they each recommended approval of the plan.

Stacey A. McArthur, a registered landscape architect, was the Developer's sole witness. Ms. McArthur noted that the redlined notations on the Plan addressed each of the comments submitted at the Development Plan Conference (DPC) by County representatives. The revisions included modification of the right-of-ways along proposed Owings Mills Boulevard, street lighting detail, construction of a sidewalk along the front of the proposed single-family dwellings to Allenswood Road, and the reduction from six to five proposed single-family dwellings. In conclusion, Ms. McArthur testified that in her opinion, the plan (Developer's Exhibits 1A and 1B) complied with all applicable provisions of the B.C.C. and development regulations.

#### COMMUNITY CONCERNS

Several members of the community spoke at the hearing and identified concerns with the project. Specifically, the community objected to the proposed address numbering of the new single-family dwellings, and also wanted a vegetative buffer between the existing single-family dwellings on Janbrook Road and the proposed multifamily buildings.

As I indicated at the hearing, I think each of these concerns is valid, and I will address each in the Order that follows. With respect to the house numbering, I am not inclined to adopt the DPC recommendations of Ms. Kemp and Mr. Muddiman, because to do so would require that an existing resident at 9509 Tulsemere Road (who according to community members has lived at the

ORDER RECEIVED FOR FILING

Date 9-19-12

By DW



location for 40 years) be assigned a new street name and house address. Instead, as suggested by Developer's counsel, the more logical plan is to reflect the street and address change between lots 2 and 3 of the proposed single-family dwellings, which is the approximate location where the County has a street sign reflecting the change from Tulsemere Road to Janbrook Road. This is reflected as a redlined change on the Development Plan. See Exhibit 1A.

The issue of a vegetative buffer between the existing single-family dwellings on Janbrook Road and the proposed multifamily buildings is equally valid. While both Mr. Moxley and Ms. McArthur (See Developer's Exhibit 7) opined that the proposed apartment buildings were compatible with the neighborhood (and I do not gainsay those opinions) it is at the same time true that these are dissimilar housing types, and the apartments are obviously a much more dense and intense housing configuration. As such, I will require the Developer to provide buffering of such type and size that will shield the existing single-family dwellings from a direct line of sight to the proposed multifamily buildings.

The Baltimore County Code clearly provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." B.C.C. § 32-4-229. After due consideration of the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from the various County agencies that the development plan satisfies those agencies' requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the Redlined Development Plan.

#### ZONING REQUESTS - VARIANCES

In addition to the Development Plan approval, the Developer sought a variety of variances under the B.C.Z.R. Each of the variance requests was described in detail earlier in this Opinion,

ORDER RECEIVED FOR FILING

Date 9-19-12

By DW

and was graphically depicted on a zoning plan (Exhibit 8) produced by Developer's engineer.

Based upon the testimony and evidence presented, I will grant the request for variance relief. 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).

Petitioner has met this test.

Ms. McArthur testified the property is indeed unique, for several reasons. The site is bisected by right-of-ways for Owings Mills Boulevard and Metropolitan Boulevard and easements for natural gas pipelines. These easements essentially carve the site into three distinct parcels, which are each uniquely shaped and present development constraints. Most notably, according to Ms. McArthur, is that these unique features require the Developer to cluster the improvements in three compact areas, which happens to allow for preservation of the environmental features on the site.

In addition, the Developer would suffer a practical difficulty if variance relief was denied, in that they would need to redesign and reconfigure (at great cost) the development plan and pattern book. In addition, there will be no negative impact upon the surrounding community, and as such, the variances will be granted.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the Baltimore County Code, the Pikeswood Apartments aka Schnaper Property Development Plan shall be approved consistent with the comments contained herein.

ORDER RECEIVED FOR FILING

Date 9-19-12

By ISW



THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 19<sup>th</sup> day of September, 2012, that the redlined "PIKESWOOD APARTMENTS AKA SCHNAPER PROPERTY" Development Plan, marked and accepted into evidence as Developer's Exhibits 1A and 1B, be and is hereby **APPROVED**.

IT IS FURTHER ORDERED that the Petition for Variance relief pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

(Multi-Family) - B.C.Z.R. §§ 504.2, 1B01.2.C.1.e, 1B02.2.A and Comprehensive Manual of Development Policies (CMDP), Division II, Section A -

- (1) To allow a minimum 23' setback from a rear building face to tract boundary in lieu of the required 40' setback (Building 'A'),
- (2) To allow a minimum 23' building setback to a public street right-of-way for an arterial road in lieu of the required 45' (25' + 20') (Building 'A'),
- (3) To allow a minimum 6' setback from a building face to tract boundary in lieu of the required 40' for front or rear and 30' for side building face (Buildings 'A', 'B' and 'C'),
- (4) To allow a minimum 23' setback from a side building face to side building face in lieu of the required 56' (1 foot of setback for every foot of building height to the soffit line) (Buildings 'A', 'B', 'C' and 'D'),
- (5) To allow a 5' setback from a building face to edge of private road in lieu of the required 35' (Buildings 'A', 'B', 'C', and 'D'),
- (6) To allow a maximum building length of 265' in lieu of the maximum permitted 240' (Buildings 'A', 'B', and 'D'), and
- (7) To allow a maximum building height of 70' in lieu of the permitted 50' (DR 5.5) and 60' (DR 16) (Buildings 'A', 'B', 'C' and 'D').

(Single-Family) - B.C.Z.R. §§ 301.1.A, 504.2, 1B01.2.C.1.b and Comprehensive Manual of Development Policies (CMDP), Division II, Section A -

- (1) To allow a minimum 18' setback from a rear building face to tract boundary in lieu of the required 30' (Lots #1 & #2), and
- (2) To allow a deck to project into the rear yard by 10' resulting in an 8' rear yard setback in lieu of the required 22.5' setback (Lots #1 & #2).

**ORDER RECEIVED FOR FILING**

Date 9-19-12

By [Signature]

(Parking) - B.C.Z.R. §§ 409.6.A.1 and 409.7

(1) To allow 186 parking spaces to be provided in lieu of the 194 parking spaces (Buildings 'C' and 'D'), and

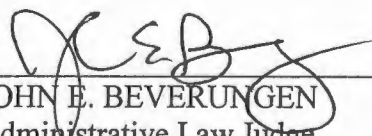
(2) To allow off-site parking (14 spaces along Schnaper Drive) to support Buildings 'A' and 'B' to be located a maximum distance of 970' in lieu of the 300' permitted,

be and are hereby **GRANTED**.

The Development Plan and zoning approvals herein are expressly subject to and conditioned upon the following:

1. The addresses and house numbering for the five single-family dwellings shall be as proposed on Developer's Exhibit 1A, with the "split" between Janbrook and Tulsemere Roads occurring between lots 2 and 3; and
2. The Developer shall provide a vegetative buffer at the rear of the existing single-family dwellings along Janbrook Road (Nos. 3808-3838). The vegetative material shall be of sufficient height and density to provide a visual screen from the multifamily apartment buildings.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 9-19-12

By dw



KEVIN KAMENETZ  
County Executive

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

September 19, 2012

Patricia A. Malone  
Venable, LLP  
210 West Pennsylvania Avenue  
Suite 500  
Towson, MD 21204

RE: **DEVELOPMENT PLAN HEARING**  
HOH Case No. 02-163 and **Zoning Case No. 2012-0331-A**  
(Pikeswood Apartments aka Schnaper Property)

Dear Ms. Malone:

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 black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

c: William Johnson, 9400 Edway Court, Randallstown, MD 21133  
Ray Paige, 3830 Janbrook Road, Randallstown, MD 21133  
David Stein, 3828 Janbrook Road, Randallstown, MD 21133  
Kim Blackwell, 9327 Tulsemere Road, Randallstown, MD 21133  
Cheryl Griffin, 9501 Tulsemere Road, Randallstown, MD 21133  
Daniel Murray, 3717 Pikeswood Drive, Randallstown, MD 21133  
James Brown, Jr., 3812 Janbrook Road, Randallstown, MD 21133  
Carolyn Samuels, 3816 Janbrook Road, Randallstown, MD 21133





# 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 3801 Schnaper Drive which is presently zoned PR16, DR5.5, P23.5  
 Deed References: 5711/701, 4370/162 10 Digit Tax Account # 0208002111  
 Property Owner(s) Printed Name(s) Jan Schnaper

(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)

*see attached*

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)

*to be presented at the 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:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

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 2012-0331-A

Filing Date 6/28/12

Do Not Schedule Dates: \_\_\_\_\_

Reviewer [Signature]

**Petition for Variance**  
**Schnaper Property**

**Multi-Family:**

The following variances are requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMDP), Division II, Section A and BCZR Section 1B01.2.C.1.e:

To allow a minimum 23 foot setback from a rear building face to tract boundary in lieu of the required 40 foot setback. (Building 'A');

To allow a minimum 23 foot building setback to a public street right-of-way for an arterial road in lieu of the required 45 feet (25 feet + 20 feet). (Building 'A');

To allow a minimum 6 foot setback from a building face to tract boundary in lieu of the required 40 feet for front or rear and 30 feet for side building face. (Buildings 'A', 'B,' and 'C');

To allow a minimum 23 foot setback from a side building face to side building face in lieu of the required 56 feet (1 foot of setback for every foot of building height to the soffit line). (Buildings 'A', 'B', 'C,' and 'D');

The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMDP), Division II, Section A:

To allow a minimum 5 foot setback from a building face to edge of private road in lieu of the required 35 feet. (Buildings 'A', 'B', 'C,' and 'D');

To allow a maximum building length of 265 feet in lieu of the maximum permitted 240 Feet. (Buildings 'A', 'B', and 'D')

The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMDP), Division II, Section A and BCZR Section 1B02.2.A:

To allow a maximum building height of 70 feet in lieu of the permitted 50 feet (DR 5.5) and 60 feet (DR 16). (Buildings 'A', 'B', 'C,' and 'D')

**Single-Family:**

The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMDP), Division II, Section A and BCZR Section 1B01.2.C.1.b:

To allow a minimum 18 foot setback from a rear building face to tract boundary in lieu of the required 30 feet. (Lots #1 and #2)

The following variance is requested from the requirements of BCZR Section 301.1.A:

To allow a deck to project into the rear ~~yard~~<sup>YARD</sup> by 10 feet, resulting in an 8 foot rear yard setback in lieu of the required 22.5 foot setback. (Lots #1 and #2).

**Parking:**

To allow 186 parking spaces to be provided in lieu of the 194 parking spaces required by BCZR Section 409.6.A.1. (Buildings 'C' and 'D')

To allow off-site parking (14 parking spaces along Schnaper Drive) to support Buildings 'A' and 'B' to be located a maximum distance of 970 feet in lieu of the 300 feet Permitted by BCZR Section 409.7



April 9, 2012

## ZONING DESCRIPTION

### SCHNAPER PROPERTY

Beginning for the First at a point on the easterly side of Liberty Road southeasterly approximately 334 feet from the centerline of Live Oak Road thence running the following courses and distances:

1. North 34°17'09" East 241.53 feet, more or less, to a point; thence,
2. North 43°13'11" West 353.33 feet, more or less, to a point; thence,
3. North 34°17'09" East 1,148.04 feet, more or less, to a point; thence,
4. North 03°58'37" West 144.27 feet, more or less, to a point; thence,
5. North 48°48'19" East 414.48 feet, more or less, to a point; thence,
6. South 75°38'11" East 598.59 feet, more or less, to a point; thence,
7. South 18°56'28" West 1,149.94 feet, more or less, to a point; thence,
8. Southwesterly 412.36 feet by a curve to the right, having a radius of 1,365.00 feet and a chord bearing South 27°35'43" West 410.79 feet, thence,
9. South 36°14'58" West 53.57 feet, more or less, to a point; thence,
10. North 18°56'08" East 137.59 feet, more or less, to a point; thence,
11. North 43°14'06" West 35.63 feet, more or less, to a point; thence,
12. North 55°39'02" West 341.98 feet, more or less, to a point; thence
13. South 34°20'58" West 481.50 feet, more or less, to a point; thence,

Item #0331

14. South  $16^{\circ}13'03''$  West 165.67 feet, more or less, to a point; thence,
15. South  $30^{\circ}05'38''$  West 99.43 feet, more or less, to a point; thence,
16. North  $59^{\circ}53'26''$  West 228.25 feet, more or less, to the point of beginning.

Containing 31.33 acres of land, more or less.

Beginning for the Second at the northwesterly corner of the intersection of Allenswood Road and Tulsmere Road, thence running the following courses and distances:

1. South  $47^{\circ}43'14''$  West 59.47 feet, more or less, to a point; thence,
2. Southwesterly 440.29 feet by a curve to the right, having a radius of 1,100.00 feet and a chord bearing South  $59^{\circ}11'14''$  West 437.36 feet, more or less, to a point; thence
3. Southwesterly 113.08 feet by a curve to the left, having a radius of 80.00 feet and a chord bearing South  $30^{\circ}09'37''$  West 103.90 feet, more or less, to a point; thence,
4. Southeasterly 21.48 feet by a curve to the right, having a radius of 355.00 feet and a chord bearing South  $08^{\circ}36'01''$  East 21.47 feet, more or less, to a point; thence,
5. South  $82^{\circ}52'48''$  West 105.05 feet, more or less, to a point; thence,
6. South  $18^{\circ}56'28''$  West 1,090.34 feet, more or less, to a point; thence,
7. North  $59^{\circ}59'30''$  West 144.40 feet, more or less, to a point; thence,

Item #0331

8. South 20°16'20" West 33.81 feet, more or less, to a point; thence,
9. North 59°59'50" West 27.76 feet, more or less, to a point; thence,
10. Northeasterly 184.80 feet by a curve to the right, having a radius of 1,765.00 feet and a chord bearing North 33°15'01" East 184.71 feet, more or less, to a point; thence,
11. North 36°14'59" East 165.07 feet, more or less, to a point; thence,
12. Northeasterly 433.51 feet by a curve to the left, having a radius of 1,435.00 and a chord bearing North 27°35'43" East 431.86 feet, more or less, to a point; thence,
13. North 18°56'28" East 1,155.54 feet, more or less, to a point; thence,
14. South 75°38'11" East 296.96 feet, more or less, to a point; thence,
15. South 48°07'23" East 7.71 feet, more or less, to a point; thence,
16. South 47°43'14" West 130.00 feet, more or less, to a point; thence,
17. South 18°56'29" West 68.46 feet, more or less, to a point; thence,
18. South 42°16'46" East 206.94 feet, more or less, to a point; thence,
19. South 02°43'14" West 14.14 feet, more or less, to the point of beginning.

Containing 6.15 acres, more or less.

Being located in the Fourth Councilmatic District and the Second Election District of Baltimore County, Maryland.





# 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: 2012-0331-A

Petitioner: Jan Schnaper

Address or Location: 3801 Schnaper Dr

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich

Address: 210 W. Pennsylvania Ave, Suite 3500  
Towson  
21204

Telephone Number: 410 494 6352

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

No. **84700**

Date: **6/28/12**

| Fund | Dept | Unit | Sub Unit | Rev     | Sub  | Dept | Obj | BS Acct | Amount   |
|------|------|------|----------|---------|------|------|-----|---------|----------|
|      |      |      |          | Source/ | Rev/ |      |     |         |          |
| 001  | 806  | 0000 |          | 6150    |      |      |     |         | \$385.00 |
|      |      |      |          |         |      |      |     |         |          |
|      |      |      |          |         |      |      |     |         |          |
|      |      |      |          |         |      |      |     |         |          |
|      |      |      |          |         |      |      |     |         |          |
|      |      |      |          |         |      |      |     |         |          |

Total: **\$385.00**

Rec  
From:

For:

**zoning hearing - case #2012-0331-A**

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**PAID RECEIPT**

BUSINESS DATE TIME  
6/29/2012 6:29:01 PM 10:22:11

R/C NO. 00000000000000000000

RECEIPT # 84700001 6/28/2012

Dept 5 528 ZONING VERIFICATION

CP NO. 004700

Receipt tot \$385.00

\$385.00 CR 9.00

Baltimore County, Maryland

**CASHIER'S  
VALIDATION**

# CERTIFICATE OF POSTING

2012-0331-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Jen Schnaper**

**September 13, 2012**

Date of Hearing/Closing: \_\_\_\_\_

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

Attn: Kristen Lewis:

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: \_\_\_\_\_

**2 signs at 3801 Schnaper Dr & Liberty Rd / 2 signs at end of Sandy Hook Rd / and 2 signs at intersection of Tulsemere Rd and Allenswood Rd**

**August 15, 2012**

The sign(s) were posted on \_\_\_\_\_

(Month, Day, Year)

Sincerely,



(Signature of Sign Poster)

**August 15, 2012**

(Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

(Address)

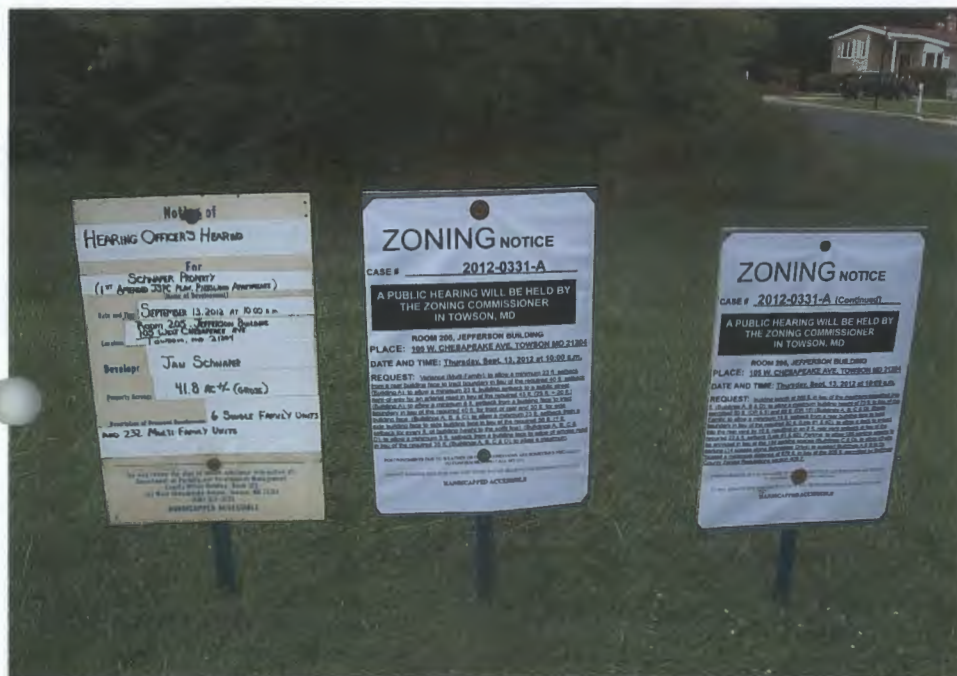
**Dundalk, Maryland 21222**

(City, State, Zip Code)

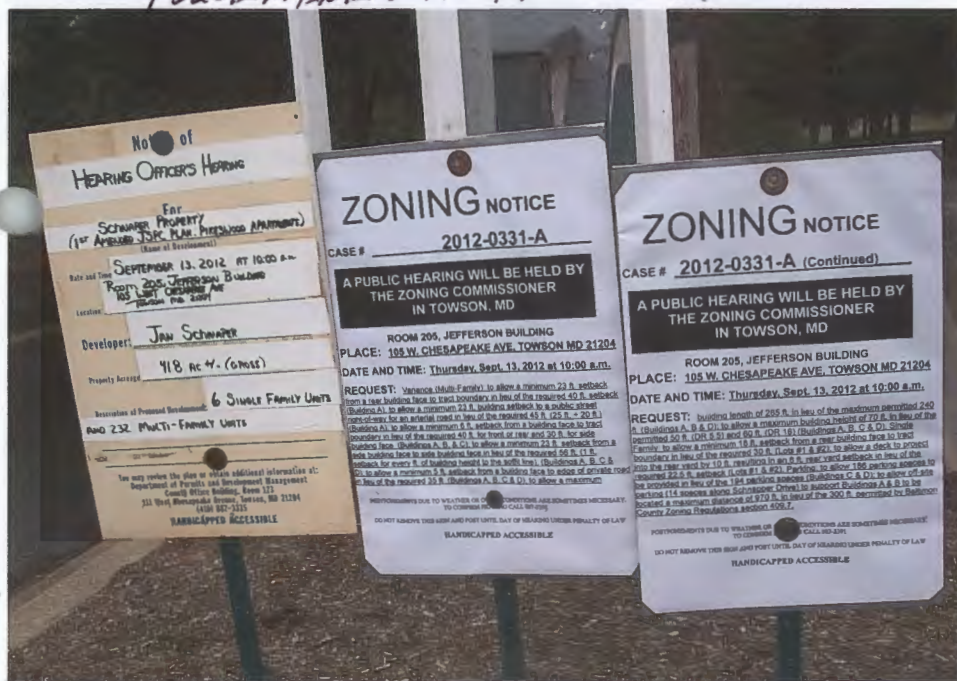
**(410) 282-7940**

(Telephone Number)

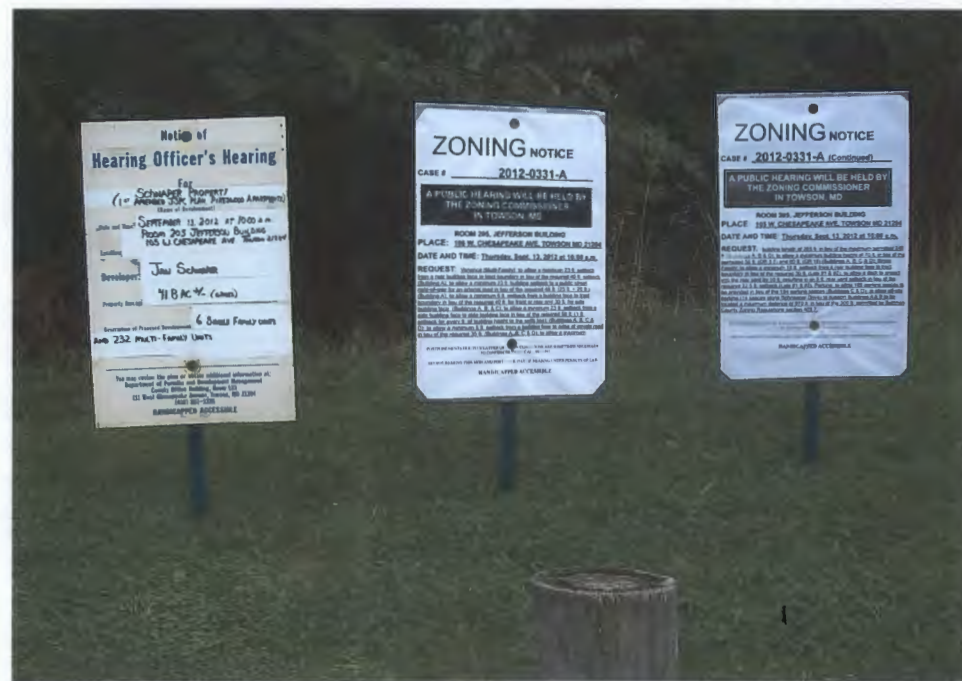




TULSEME & ALLENSWOODS RD



Sahnapex Dr & Liberty Rd



End of Sandy Hook Rd



# ZONING NOTICE

CASE # **2012-0331-A**

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

ROOM 205, JEFFERSON BUILDING  
PLACE: **105 W. CHESAPEAKE AVE, TOWSON MD 21204**  
DATE AND TIME: **Thursday, Sept. 13, 2012 at 10:00 a.m.**

REQUEST: Variance (Multi-Family): to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Building A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft. (25 ft. + 20 ft.) (Building A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face (Buildings A, B, & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. setback for every ft. of building height to the soffit line) (Buildings A, B, & C & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Buildings A, B, C & D); to allow a maximum

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

# ZONING NOTICE

CASE # **2012-0331-A (Continued)**

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

ROOM 205, JEFFERSON BUILDING  
PLACE: **105 W. CHESAPEAKE AVE, TOWSON MD 21204**  
DATE AND TIME: **Thursday, Sept. 13, 2012 at 10:00 a.m.**

REQUEST: building length of 265 ft. in lieu of the maximum permitted 240 ft. (Buildings A, B & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Buildings A, B, C & D); Single Family: to allow a minimum 18 ft. setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2); Parking: to allow 186 parking spaces to be provided in lieu of the 194 parking spaces (Buildings C & D); to allow off-site parking (14 spaces along Schnapper Drive) to support Buildings A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

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

# ZONING NOTICE

CASE # **2012-0331-A**

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

ROOM 205, JEFFERSON BUILDING  
PLACE: **105 W. CHESAPEAKE AVE, TOWSON MD 21204**  
DATE AND TIME: **Thursday, Sept. 13, 2012 at 10:00 a.m.**

REQUEST: Variance (Multi-Family): to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Building A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft. (25 ft. + 20 ft.) (Building A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face (Buildings A, B, & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. setback for every ft. of building height to the soffit line) (Buildings A, B, C & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Buildings A, B, C & D); to allow a maximum

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

# ZONING NOTICE

CASE # **2012-0331-A (Continued)**

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

ROOM 205, JEFFERSON BUILDING  
PLACE: **105 W. CHESAPEAKE AVE, TOWSON MD 21204**  
DATE AND TIME: **Thursday, Sept. 13, 2012 at 10:00 a.m.**

REQUEST: building length of 265 ft. in lieu of the maximum permitted 240 ft. (Buildings A, B & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Buildings A, B, C & D); Single Family: to allow a minimum 18 ft. setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2); Parking: to allow 186 parking spaces to be provided in lieu of the 194 parking spaces (Buildings C & D); to allow off-site parking (14 spaces along Schnapper Drive) to support Buildings A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

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



# ZONING NOTICE

CASE # 2012-0331-A

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Thursday, Sept. 13, 2012 at 10:00 a.m.

REQUEST: Variance (Multi-Family): to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Building A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft. (25 ft. + 20 ft.) (Building A); to allow a minimum 5 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face. (Buildings A, B, & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. setback for every ft. of building height to the soffit line). (Buildings A, B, C & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Buildings A, B, C & D); to allow a maximum

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONSIDER RESCHEDULING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

# ZONING NOTICE

CASE # 2012-0331-A (Continued)

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

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: Thursday, Sept. 13, 2012 at 10:00 a.m.

REQUEST: building length of 265 ft. in lieu of the maximum permitted 240 ft. (Buildings A, B & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Buildings A, B, C & D); Single Family: to allow a minimum 18 ft. setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2); Parking: to allow 186 parking spaces to be provided in lieu of the 194 parking spaces (Buildings C & D); to allow off-site parking (14 spaces along Schnapper Drive) to support Buildings A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONSIDER RESCHEDULING CALL 887-3391

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

HANDICAPPED ACCESSIBLE



**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: #2012-0331-A**

3801 Schnaper Drive

E/s of Schnaper Drive, 400 ft. +/- N Liberty Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Jen Schnaper

**Variance (Multi-Family):** to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Bldg. A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft. (25 ft + 20 ft.) (Bldg. A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face. (Bldgs. A, B & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. of setback for every ft. of building height to the soffit line); (Bldgs. A, B, D & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Bldgs. A, B, C, & D) to allow a maximum building length of 265 ft. in lieu of the maximum permitted 240 ft. (Bldgs. A, B, & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Bldgs. A, B, C & D); Single-Family; to allow a minimum 18 ft. setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2). **Parking:** to allow 186 parking spaces to be provided in lieu of the 194 parking spaces. (Bldgs. C & D); to allow off-site parking (14 spaces along Schnaper Drive) to support Bldgs. A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

**Hearing: Thursday, September 13, 2012 at 10:00 a.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.  
08/28/2012 August 23 870111



501 N. Calvert Street, Baltimore, MD 21278

August 23, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 23, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

*Susan Wilkinson*

# 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: #2012-0331-A

3801 Schnaper Drive

E/s of Schnaper Drive, 400 ft. +/- N Liberty Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Jen Schnaper

**Variance (Multi-Family):** to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Bldg. A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft. (25 ft + 20 ft.) (Bldg. A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face. (Bldgs. A, B & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. of setback for every ft. of building height to the soffit line). (Bldgs. A, B, C & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Bldgs. A, B, C, & D) to allow a maximum building length of 265 ft. in lieu of the maximum permitted 240 ft. (Bldgs. A, B, & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Bldgs. A, B, C & D); Single-Family: to allow a minimum 18 ft. setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2). **Parking:** to allow 186 parking spaces to be provided in lieu of the 194 parking spaces. (Bldgs. C & D); to allow off-site parking (14 spaces along Schnaper Drive) to support Bldgs. A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7. **Hearing: Thursday, September 13, 2012 at 10:00 a.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) The petitioner must have the zoning notice sign posted by an approved poster on the property by Friday, August 24, 2012.

(2) Hearings are Handicapped Accessible; for special accommodations Please Contact 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.  
08/480 August 30 872510



501 N. Calvert Street, Baltimore, MD 21278

August 31, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 30, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

*Susan Wilkinson*





July 30, 2012 AMENETZ  
County Executive

## NOTICE OF ZONING HEARING

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

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: 2012-0331-A**

3801 Schnaper Drive  
E/s of Schnaper Drive, 400 ft. +/- N Liberty Road  
2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owners: Jen Schnaper

Variance (Multi-Family): to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Bldg. A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft (25 ft + 20 ft.) (Bldg. A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face. (Bldgs. A, B & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. of setback for every ft. of building height to the soffit line). (Bldgs. A, B, C & D); to allow a minimum 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Bldgs. A, B, C, & D); to allow a maximum building length of 265 ft. in lieu of the maximum permitted 240 ft. (Bldgs. A, B, & D); to allow a maximum building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Bldgs. A, B, C & D); Single-Family: to allow a minimum 18 ft setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2). Parking: to allow 186 parking spaces to be provided in lieu of the 194 parking spaces. (Bldgs. C & D); to allow off-site parking (14 spaces along Schnaper Drive) to support Bldgs. A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

Hearing: Thursday, September 13, 2012 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Ave., Towson 21204  
Jen Schnaper, 3801 Schnaper Drive, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 24, 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.





July 30, 2012  
JERRY KAMENETZ  
County Executive

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

## 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: 2012-0331-A**

3801 Schnaper Drive  
E/s of Schnaper Drive, 400 ft. +/- N Liberty Road  
2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owners: Jen Schnaper

Variance (Multi-Family): to allow a minimum 23 ft. setback from a rear building face to tract boundary in lieu of the required 40 ft. setback (Bldg. A); to allow a minimum 23 ft. building setback to a public street right-of-way for an arterial road in lieu of the required 45 ft (25 ft + 20 ft.) (Bldg. A); to allow a minimum 6 ft. setback from a building face to tract boundary in lieu of the required 40 ft. for front or rear and 30 ft. for side building face. (Bldgs. A, B & C); to allow a minimum 23 ft. setback from a side building face to side building face in lieu of the required 56 ft. (1 ft. of setback for every ft. of building height to the soffit line). (Bldgs. A, B, C & D); to allow a 5 ft. setback from a building face to edge of private road in lieu of the required 35 ft. (Bldgs. A, B, C, & D); to allow a maximum building length of 265 ft. in lieu of the maximum permitted 240 ft. (Bldgs. A, B, & D); to allow a building height of 70 ft. in lieu of the permitted 50 ft. (DR 5.5) and 60 ft. (DR 16) (Bldgs. A, B, C & D); Single-Family: to allow a minimum 18 ft setback from a rear building face to tract boundary in lieu of the required 30 ft. (Lots #1 & #2); to allow a deck to project into the rear yard by 10 ft. resulting in an 8 ft. rear yard setback in lieu of the required 22.5 ft. setback (Lots #1 & #2). Parking: to allow 186 parking spaces to be provided in lieu of the 194 parking spaces. (Bldgs. C & D); to allow off-site parking (14 spaces along Schnaper Drive) to support Bldgs. A & B to be located a maximum distance of 970 ft. in lieu of the 300 ft. permitted by Baltimore County Zoning Regulations section 409.7.

Hearing: Thursday, September 13, 2012 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon  
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Ave., Towson 21204  
Jen Schnaper, 3801 Schnaper Drive, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, AUGUST 24, 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.**



KEVIN KAMENETZ  
County Executive

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

September 6, 2012

Jan Schnaper  
3801 Schnaper Drive  
Randallstown MD 21133

RE: Case Number: 2012-0331A, Address: 3801 Schnaper Drive

Dear Ms. Schnaper:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 28, 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." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel  
Patricia Malone, Esquire, 210 W. Pennsylvania Avenue, Towson MD 21204



KEVIN KAMENETZ  
County Executive

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

September 6, 2012

Jan Schnaper  
3801 Schnaper Drive  
Randallstown MD 21133

RE: Case Number: 2012-0331A, Address: 3801 Schnaper Drive

Dear Ms. Schnaper:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 28, 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." The signature is written in a cursive style with a large, stylized "J" at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel  
Patricia Malone, Esquire, 210 W. Pennsylvania Avenue, Towson MD 21204



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



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

Date: 7-16-12

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

RE: Baltimore County  
Item No 2012-0331-A  
Variance  
Jan Schnaper  
3801 Schnaper Drive

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. 2012-0331-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

DATE: July 19, 2012

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

SUBJECT: Zoning Advisory Committee Meeting  
For July 30, 2012  
Item Nos. 2012-0286, 0298, 0327, 0328, 0329, 0330, 0331, 0332.  
Item Nos. 2013-0002, 0003, 0004.

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

DAK:~~CEN~~

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07302012-NO COMMENTS.doc

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



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

Date: 7-16-12

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

RE: Baltimore County  
Item No 2012-0331-A  
Variance  
Jan Schnaper  
3801 Schnaper Drive

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. 2012-0331-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](http://www.roads.maryland.gov)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 19, 2012

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

SUBJECT: Zoning Advisory Committee Meeting  
For July 30, 2012  
Item Nos. 2012-0286, 0298, 0327, 0328, 0329, 0330, 0331, 0332.  
Item Nos. 2013-0002, 0003, 0004.

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

DAK: ~~CEN~~

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07302012-NO COMMENTS.doc

RE: PETITION FOR VARIANCE  
3801 Schnaper Drive; E/S Schnaper Drive,  
400' North of Liberty Road  
2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts  
Legal Owner(s): Jan Schnaper  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINSTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2012-331-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.

*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

RECEIVED

JUL 18 2012

.....

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18th day of July, 2012, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esquire, 210 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Pikeville Apts. aka Schnepf Prop.

JB  
9/13  
10am

Case No.: 02-163 + 012-331-A

Exhibit Sheet

|        | Petitioner/Developer                | Protestants | COUNTY                       |
|--------|-------------------------------------|-------------|------------------------------|
| No. 1  | 1A } 2 sheet Dev. Plan<br>1B }      | See         | School<br>Impact<br>Analysis |
| No. 2  | Pattern Book                        | originals   |                              |
| No. 3  | Overlay - Reduction<br>of 6 to 55FD | are in      |                              |
| No. 4  | Resume -                            | Hot file -  |                              |
| No. 5  | Aerial Photograph                   | Case 02-163 |                              |
| No. 6  | Developable Area                    |             |                              |
| No. 7  | Compatibility Report                |             |                              |
| No. 8  | Zoning Ex. Plan                     |             |                              |
| No. 9  |                                     |             |                              |
| No. 10 |                                     |             |                              |
| No. 11 |                                     |             |                              |
| No. 12 |                                     |             |                              |



PLEASE PRINT CLEARLY

Kilmer Apts. aka  
CASE NAME Schaper Prop.  
CASE NUMBER 02-163 + 02-331-12  
DATE 9-13-12

Developer's  
~~PETITIONER'S~~ SIGN-IN SHEET

[illegible]

P 166 male Cpts. AKA  
CASE NAME S. Chappas Prop.  
CASE NUMBER 02-163 & 012-331-A  
DATE 9-13-12

[illegible]

CASE NAME Schaefer Corp.  
CASE NUMBER 02-163 + 02-331-  
DATE 9-13-62 A

[illegible]



CASE NO. 2013-

0331-12

9/13 10am

# CHECKLIST

Comment  
Received

Department

Support/Oppose/  
Conditions/  
Comments/  
No Comment

7-19

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

NC

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

FIRE DEPARTMENT

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

7-16

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 8-30-12 and 8-23-12 Jefferson

SIGN POSTING Date: 8-15-12 by Black

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 (vw2.2A)  
BALTIMORE COUNTY

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

**Account Identifier:****District - 02 Account Number - 0208002111****Owner Information**

**Owner Name:** SCHNAPER JAN L TRUSTEE  
ROSS ANNE SILVERMAN TRUSTEE  
**Use:** RESIDENTIAL  
**Principal Residence:** NO  
**Mailing Address:** APT 112  
3801 SCHNAPER DR  
RANDALLSTOWN MD 21133-  
**Deed Reference:** 1) /31670/ 00421  
2)

**Location & Structure Information**

**Premises Address**  
LIBERTY RD  
0-0000  
**Legal Description**  
9.9951 AC NES  
LIBERTY RD  
1150 NW PIKESWOOD DRIVE

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No: |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|----------|
| 0076 | 0006 | 0125   |              | 0000        |         |       |     | 1               |          |

**Town** NONE  
**Ad Valorem**  
**Tax Class**

**Primary Structure Built**  
**Enclosed Area**  
**Property Land Area** 9.9900 AC  
**County Use** 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 |
| <b>Land</b>               | 49,950     | 49,900     |                      |            |
| <b>Improvements:</b>      | 0          | 0          |                      |            |
| <b>Total:</b>             | 49,950     | 49,900     | 49,900               | 49,900     |
| <b>Preferential Land:</b> | 0          |            |                      | 0          |

**Transfer Information**

|                                     |                             |                   |
|-------------------------------------|-----------------------------|-------------------|
| <b>Seller:</b> SCHNAPER LEONORE R   | <b>Date:</b> 02/01/2012     | <b>Price:</b> \$0 |
| <b>Type:</b> NON-ARMS LENGTH OTHER  | <b>Deed1:</b> /31670/ 00421 | <b>Deed2:</b>     |
| <b>Seller:</b> SCHNAPER JOSEPH      | <b>Date:</b> 02/01/2012     | <b>Price:</b> \$0 |
| <b>Type:</b> NON-ARMS LENGTH OTHER  | <b>Deed1:</b> /31670/ 00414 | <b>Deed2:</b>     |
| <b>Seller:</b> HARRISON RIDGE C ORP | <b>Date:</b> 01/28/1977     | <b>Price:</b> \$0 |
| <b>Type:</b>                        | <b>Deed1:</b> /04827/ 00737 | <b>Deed2:</b>     |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2011 | 07/01/2012 |
|----------------------------|-------|------------|------------|
| <b>County</b>              | 000   | 0.00       |            |
| <b>State</b>               | 000   | 0.00       |            |
| <b>Municipal</b>           | 000   | 0.00       | 0.00       |

**Tax Exempt:** **Special Tax Recapture:**  
**Exempt Class:** NONE

**Homestead Application Information**

**Homestead Application Status:** No Application



9/13

10am

# **Debra Wiley - ZAC Comments - Distribution Mtg. of 7/16**

**From:** Debra Wiley  
**To:** Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...  
**Date:** 7/25/2012 3:51 PM  
**Subject:** ZAC Comments - Distribution Mtg. of 7/16

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.

2012-0286-A - 2 Adil Court  
 No hearing date in data base as of today

2012-0298-A - 25 Offspring Court  
 Administrative Variance - Closing Date: 7/30

2012-0329-SPH - 7827 Babikow Road  
 No hearing date in data base as of today

2012-0330-A - 2206 A Ridge Road  
 Administrative Variance - Closing Date: 7/23

**2012-0331-A - 3801 Schnaper Drive**  
 No hearing date in data base as of today

2012-0332-A - 536 Piccadilly Road  
 Administrative Variance - Closing Date: 7/30

2013-0001-A - 2112 Riverview Road  
 Administrative Variance - Closing Date: 8/6

2013-0002-A - 1005 Rolandvue Road  
 Administrative Variance - Closing Date: 8/6

2013-0003-A - 6 Brierleigh Court  
 Administrative Variance - Closing Date: 8/6

2013-0004-SPHA - 1236 E. Riverside Road - **CRITICAL AREA**  
 No hearing date in data base as of 7/25

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



**Subject:** ZAC Comments - Distribution Mtg. of 7/16  
**Created By:** dwiley@baltimorecountymd.gov  
**Scheduled Date:**  
**Creation Date:** 7/25/2012 3:51 PM  
**From:** Debra Wiley

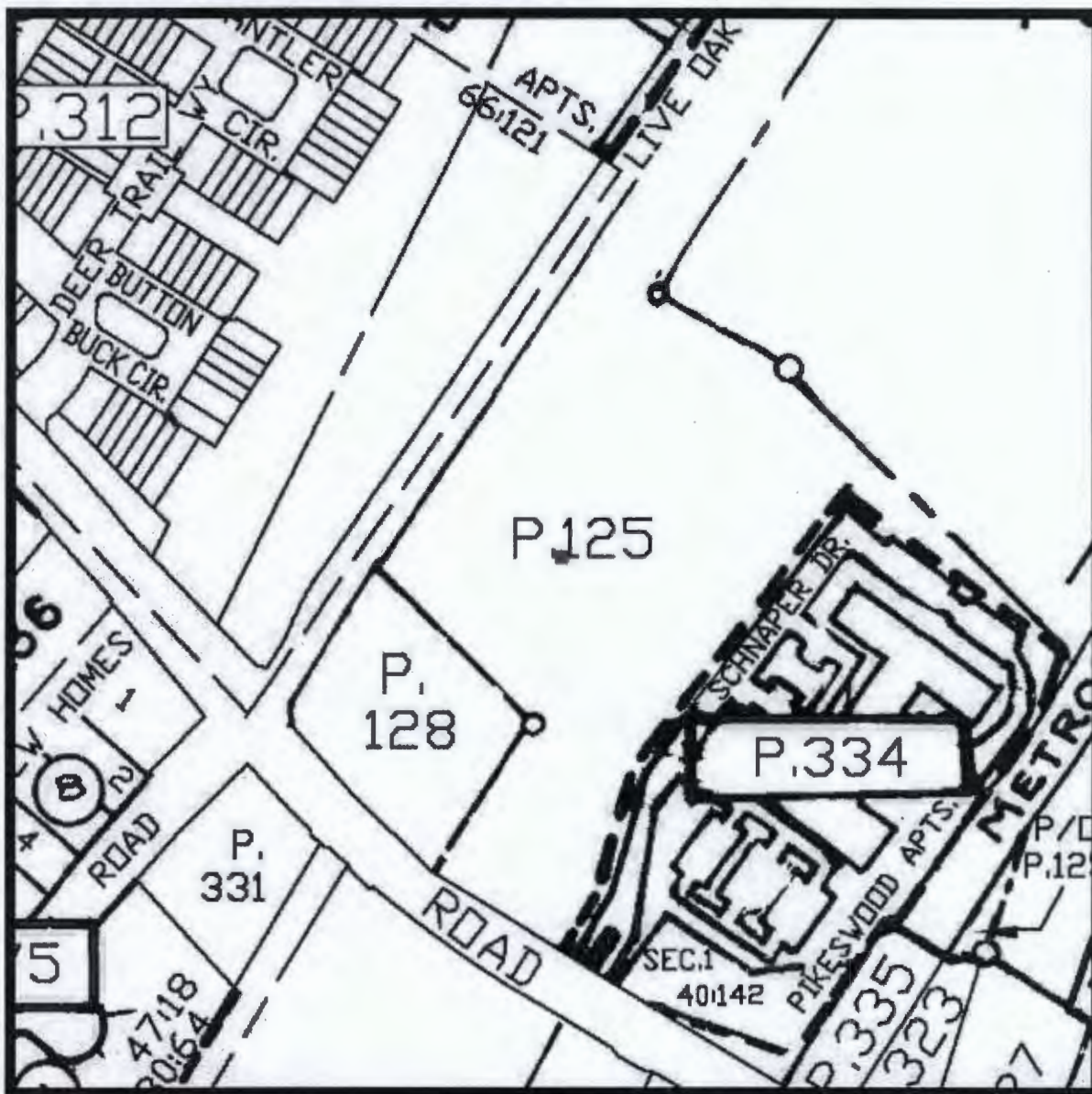
| Recipient                                                  | Action    | Date & Time       | Comment |
|------------------------------------------------------------|-----------|-------------------|---------|
| To: Curtis Murray (cjmurray@baltimorecountymd.gov)         | Delivered | 7/25/2012 3:51 PM |         |
| To: David Lykens (dlykens@baltimorecountymd.gov)           | Delivered | 7/25/2012 3:51 PM |         |
| To: Dennis Kennedy (DKennedy@baltimorecountymd.gov)        | Delivered | 7/25/2012 3:51 PM |         |
| To: Don Muddiman (dmuddiman@baltimorecountymd.gov)         | Delivered | 7/25/2012 3:51 PM |         |
| To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov) | Delivered | 7/25/2012 3:51 PM |         |
| To: Lynn Lanham (mlanham@baltimorecountymd.gov)            | Delivered | 7/25/2012 3:51 PM |         |



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search**

[Go Back](#)  
[View Map](#)  
[New Search](#)

**District - 02 Account Number - 0208002111**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2010.  
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)











## GENERAL NOTES

- Development Name: Schnaper Property
- Applicant:  
Jan Schnaper  
3803 Schnaper Drive  
Randallstown, MD 21133
- Owner:  
Jan L. Schnaper, Trustee  
Rose Anne Silvestro, Trustee  
Apt. #12  
3803 Schnaper Drive  
Baltimore, MD 21133
- Plan Prepared by:  
D3, Thaler & Associates, Inc.  
115 Ambassadors Road  
Box 4129  
Baltimore, MD 21244  
alt: Mary A. HANRAHAN, RLA  
(410) 444-3641

### Property Information

| PARCEL | TAX ACCOUNT # | DEED      | HELD SINCE | TAX MAP-GRID | ADG MAP |
|--------|---------------|-----------|------------|--------------|---------|
| P. 11  | 000000010     | 3/6/10/41 | M64        | 1            | 24.6.0  |
| P. 125 | 000000011     | 3/6/10/41 | M64        | 1            | 24.6.0  |
| P. 126 | 000000011     | 3/11/10/1 | M64        | 1            | 24.6.0  |
| P. 303 | 000000011     | 3/11/10/1 | M64        | 1            | 24.6.0  |

- Boundary: D3, Thaler & Associates, Inc. (Aug. 2010)
- Topography: Higgs Aerial Mapping Co., Inc. March, 2008 (DR-SITE)  
Baltimore County GIS file No. 07861
- Zoning: Baltimore County 200 Scale 2008 Zoning Map, 05 Title No. 07861
- Utilities: Baltimore County King Hops P-94  
Baltimore County Utility Drawings as noted
- Soils: USDA Web Soil Survey (Accessed April 15, 2010)
- Floodplain: D3, Thaler & Associates, Inc. (August 2010)
- Wetlands: American Land Concepts (August 2008)  
Approved by DEPRA (02/23/08)
- Steep Slopes: D3, Thaler & Associates, Inc. (August 2008)  
Approved by DEPRA (02/23/08)
- Forest Stated: American Land Concepts (August 2008)  
Approved by DEPRA (02/23/08)
- Forest Retention: D3, Thaler & Associates, Inc. (August 2010)  
Investigation Report: Approved by DEPRA (02/23/08)
- GENERAL DATA:  
Election District: 2  
Census Tract: 020205  
Conservation District: 4th

| School District       | State Rated | Actual | Proposed | Total | Capacity | Projected |
|-----------------------|-------------|--------|----------|-------|----------|-----------|
| School District       | 42          | 380    | 23       | 403   | 20       | 423       |
| Dover Park Elementary | 1360        | 1235   | 4        | 1239  | 84       | 43.9%     |
| Consolidation Age     | 1           | 1      | 1        | 1     | 1        | 100%      |

\* PER BALTIMORE COUNTY, MARYLAND, 2000-2001 ENROLLMENT DATA WEBSITE, DATED 4/20/2002

| SITE DATA                                     |           |             |                 |                  |                   |                                                                                             |               |               |      |
|-----------------------------------------------|-----------|-------------|-----------------|------------------|-------------------|---------------------------------------------------------------------------------------------|---------------|---------------|------|
| EXISTING ZONING AND MAXIMUM DENSITY PERMITTED |           |             |                 |                  |                   |                                                                                             |               |               |      |
| ZONE                                          | AC1 (NET) | AC1 (GROSS) | DENSITY ALLOWED | DENSITY PROPOSED | DENSITY REMAINING | TOTAL UNITS                                                                                 | CHILLING UNIT | DENSITY UNITS |      |
| DR-35                                         | 1.01      | 1.24        | (X) 3.5         | 4                | -                 | -                                                                                           | -             | -             | -    |
| DR-55                                         | 26.78     | 31.60       | (X) 5.0         | 175              | -                 | 12 MULTI-FAMILY UNITS                                                                       | -             | -             | -    |
| DR-16                                         | 7.16      | 8.68        | (X) 6.0         | 136              | -                 | 120 MULTI-FAMILY UNITS OR<br>50 UNITS (X) 2.00 X 1.0 = 110<br>50 UNITS (X) 2.00 X 1.0 = 110 | -             | -             | 30.5 |
| TOTAL                                         | 37.40     | 40.81       |                 |                  |                   | 236                                                                                         |               |               |      |

| SITE DEVELOPMENT PROPOSAL                              |                                     |         |          |                                                 |
|--------------------------------------------------------|-------------------------------------|---------|----------|-------------------------------------------------|
| UNIT TYPE                                              | REQUIRED                            | PARKING | PROPOSED | AVERAGE DAILY TRIPS (PER BALTIMORE COUNTY DATA) |
| BLDG. A: 10 MULTI-FAMILY UNITS<br>2 BLDGS. @ 50 UNITS  | 504 15 SP*<br>504 15 SP*<br>1008 SP | 108 SP  | 224 SP   | 6 ADT / UNIT<br>CR<br>730 ADT                   |
| 50 ONE BEDROOM<br>50 TWO BEDROOM*                      | 440.5 SP*<br>440.5 SP*<br>881 SP    | 100 SP  | 224 SP   | 6 ADT / UNIT<br>CR<br>730 ADT                   |
| BLDG. C: 4 1/2' BLDG. @ 52 UNITS<br>1 BLDG. @ 52 UNITS | 440.5 SP*<br>440.5 SP*<br>881 SP    | 100 SP  | 224 SP   | 6 ADT / UNIT<br>CR<br>730 ADT                   |
| 44 ONE BEDROOM<br>66 TWO BEDROOM*                      | 440.5 SP*<br>440.5 SP*<br>881 SP    | 100 SP  | 224 SP   | 6 ADT / UNIT<br>CR<br>730 ADT                   |
| 6 SINGLE FAMILY                                        | 6 X 2 sp / Unit 12 sp               | 12 SP   | 12 SP    | 10 ADT / UNIT<br>OR<br>402 ADT                  |
| UNIT TOTAL 236                                         |                                     | 415 SP  | 214      | 4452 ADT                                        |
| MULTI-FAMILY UNITS: 232                                |                                     | 415 SP  | 214      | 4452 ADT                                        |
| SINGLE FAMILY UNITS: 6                                 |                                     | 12 SP   | 12       | 10 ADT / UNIT<br>OR<br>402 ADT                  |

\* NOTES: Additional rooms shall be 1:100 SP.

10. "All Open Space shall be in compliance with the Local Open Space Plan, Lateral Edition."

Open Space Required: 54,300 SF Active and 83,300 SF Passive  
236,000 SF B3 AC1 Total  
(on a combination thereof as specified in Section II.D.3.1)

Open Space Provided: 54,300 SF Active and 83,300 SF Passive  
236,000 SF B3 AC1 Total  
(on a combination thereof as specified in Section II.D.3.1)

The proposed Local Open Space will be dedicated to Baltimore County in conjunction with Parcel One and Two.

C.O.A. areas shall be owned and maintained by the owner.

10. Utilities, whether public or private, including but not limited to, telephone, cable television, gas and electric, water, sewer, and storm drain shall be placed or constructed on or within the area labeled as open space without prior written consent from Baltimore County Department of Recreation and Parks.

11. The design, construction and installation of all amenities shown on the development plan shall be the responsibility of the developer.

12. Temporary open space boundary markers, tree protection devices and four foot high snow fencing, or approved equivalent, shall be installed prior to any clearing or grading.

13. Within the area shown as Open Space disturbance beyond that which is shown on the Development Plan shall not be allowed until prior approval from the Department of Recreation and Parks.

14. Landscape Requirements:  
Landscape requirements as specified in the Baltimore County Landscape Manual, adopted April 1, 2005, and as amended.

15. The Schematic Landscape Plan shall be in compliance with the Baltimore County Landscape Manual.

16. The Schematic Landscape Plan is subject to a Final Landscape Plan.

17. Final Landscape Plan shall be approved prior to Building Permit Application.

18. Planting List (P.L.)  
1. major deciduous trees (2-2 1/2" cal) or  
2. minor deciduous trees (1-1 1/2" cal) or  
3. evergreen trees (6" H) or  
4. shrubs or  
5. class A, 24" 30" H,  
600 S.F. of ground cover or  
6. herbaceous/perennial (1 sq.ft./20 herbaceous/perennial (1 sq.ft.)  
No to meet class C planting requirements only.

### CERTIFICATE OF DELINQUENT ACCOUNTS

I, JAN SCHNAPER, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT INTEREST TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO HAS ENTERED INTO A CONTRACT, AGREEMENT, OR OTHER ARRANGEMENT WITH THE APPLICANT, OR A PERSON WHO HAS ENTERED INTO A CONTRACT, AGREEMENT, OR OTHER ARRANGEMENT WITH THE APPLICANT, OR A PERSON WHO HAS ENTERED INTO A CONTRACT, AGREEMENT, OR OTHER ARRANGEMENT WITH THE APPLICANT.

Signature: Jan Schnaper  
Date: June 15, 2012  
Print Name: Jan Schnaper

Notary Public: [Signature]  
Date: [Blank]  
Print Name: [Blank]

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Required                                                                                          | Proposed                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------|
| A. STREET FRONTAGE:<br>Condition A)<br>Adjacent Road # 1 RW40 LF.<br>Interior Road # 1 RW20 LF.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 254 LF/140' 64 P.U.<br>522 LF/252' 26 P.U.                                                        | 64 P.U.<br>26 P.U.            |
| B. PARKING LOTS:<br>Condition B)<br>Interior Landscaping -<br>Reserve 78 of Parking Area and<br>Plant 1 RW40 Parking Space.<br>Parking Space # 1 RW45 LF.                                                                                                                                                                                                                                                                                                                                                                                                                                  | 202 Sp/12' 11 P.U.<br>228 LF/115' 16 P.U.                                                         | 11 P.U.<br>16 P.U.            |
| C. SLOPE:<br>Condition C)<br>Slopes adjoining properties, public and private<br>roads when slopes are > 4:<br>Class 'A' screen:<br>1 RW/15 LF of perimeter measures at toe of fill<br>slopes and top of cut slopes<br>24 RW/15 LF of perimeter measures at toe of fill<br>slopes and top of cut slopes to remain wooded<br>No rocky vegetation within 15 feet of the toe of fill<br>embankments.<br>10 foot landscape strip between no planting zone<br>and property line.<br>No rocky vegetation within 10 feet of right-of-way structure.<br>Fencing shall be located min. 12' from R/W. | 880 LF/115' 16 P.U.<br>106 P.U.<br>10 LF/115' 16 P.U.<br>8 P.U.<br>120 LF/115' 16 P.U.<br>13 P.U. | 106 P.U.<br>8 P.U.<br>13 P.U. |
| D. REAR & SIDE YARD:<br>Condition D)<br>Class 'A' screen:<br>1 RW/15 LF of perimeter measures at toe of fill<br>slopes and top of cut slopes to remain wooded<br>No rocky vegetation within 15 feet of the toe of fill<br>embankments.<br>10 foot landscape strip between no planting zone<br>and property line.<br>No rocky vegetation within 10 feet of right-of-way structure.<br>Fencing shall be located min. 12' from R/W.                                                                                                                                                           | 880 LF/115' 16 P.U.<br>106 P.U.<br>10 LF/115' 16 P.U.<br>8 P.U.<br>120 LF/115' 16 P.U.<br>13 P.U. | 106 P.U.<br>8 P.U.<br>13 P.U. |
| TOTAL:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 380 P.U.                                                                                          | 380 P.U.                      |

\*Retain may be applied for at time of Final Landscape Plan submit.

The Final Landscape Plan will be approved prior to grading permit application.

6. UTILITIES: Public water and sewer will be provided. On-site utilities will be private.

4. USE: The existing use is vacant. The proposed use is Residential.

4. AVERAGE DAILY TRIPS (ADT): Average daily trips as calculated from the Baltimore County Comprehensive Manual of Development (See Note #10).

11. STORMWATER MANAGEMENT: Stormwater management will conform to Baltimore County Standards and the 2000 Maryland Stormwater Management Design Manual. (Preliminary Project Approval & Administrative Review AR/MD - project ID: W406005)

Stormwater management facilities 'A' and 'B' will be owned and maintained by Baltimore County. Stormwater management facilities 'A' and 'B' will be privately owned and maintained.

Preliminary hydrologic calculations have been provided with the filing of the Development Plan.

The Hydrology Report verified that the outfalls are suitable based on criteria provided by the Baltimore County Department of Public Works and the Department of Environmental Protection and Sustainability.

12. GRADING: Grading shown is schematic only.

13. VEGETATION: Existing vegetation will be retained in areas not needed for construction or grading. Existing vegetation shall be removed in areas of new construction.

14. LIGHT LIGHTING: Proposed light poles are shown on the plan and will be located and graded and kept permanently clear to ensure unobstructed sight at all times.

15. STORAGE: There are no known underground storage tanks on site.

16. ENVIRONMENTAL: There are no known critical areas, archaeological sites, endangered species, or hazardous materials on site.

\*As shown to the applicant, location and description of hazardous materials as defined on the Environmental Protection Agency's (EPA) National Inventory of Contaminated Sites (NICIS) from time to time created.

A hydrogeological report and an Environmental Effects Report has been filed concurrently with this Development Plan.

A Preliminary Forest Conservation Plan (PFCP) has been filed independently of this plan in accordance with Section 39-104.

\*Any 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 the area.

There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability.

\*Any Forest Buffer 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 the area.

\*There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by Baltimore County Department of Environmental Protection and Sustainability.

This site does not lie within the limits of the Chesapeake Bay Critical Area. No additional information is requested by the Department of Environmental Protection and Sustainability to determine compliance with the Critical Area Local Protection Program pursuant to Section 39-2-205(b).

There are no state or Federal records for rare, threatened or endangered species within the boundaries of the project site as determined by the Maryland Department of the Environment, Conservation, and Historic Resources, Maryland Department of Natural Resources, 6/21/08, Department of the Environment, Conservation, and Historic Resources, 6/21/08, Department of the Environment, Conservation, and Historic Resources, 6/21/08.

According to the Maryland Transit Administration Regional Transportation System map (www.mtaonline.com), the nearest RTA service to this site is the intersection of Liberty Road and Chapman Road (Bus Line 504).

There are no known limitations established by the County, County Board of Appeals, Planning Board or Zoning Commission which would limit proposed development on site. See Zoning History.

There are no buildings, properties or sites within the proposed development included on the Baltimore County Preliminary or Final Landmarks List, National Register of Historic Places, the Maryland Antiquities Act, or any Baltimore County Historic District or National Register Historic District, per "N" Neighborhood Map Website (B3A), Baltimore County.

For the Maryland National Trust Inventory of Historic Properties, Baltimore County, there is a reference to BA-15, COLUMBIAN COLLEGE located at 1800 Liberty Road.

There are no Residential Transition Areas (RTAs) on site.

All drainage and utility easements shall be 20 ft. wide.

Proposed roads are private, unless noted otherwise.

Public roads and easements indicated for dedication to Baltimore County will be offered for dedication at no cost to the County.

10. The Bureau of Traffic Engineering and Planning has confirmed that the subject site is not within a traffic, deficient area (per "Slower Motor, 2/28/2002).

11. Refuse collection will be provided by a private contractor.

12. United States Postal Service will provide mail delivery.

No easements of any kind may be provided in any Baltimore County right-of-way except by express written permission by an authorized signatory for Baltimore County.

Building envelopes and/or footprints are for illustrative purposes and may not represent the final location for any building structure. Final building envelopes will be subject to the various standards and conditions illustrated by the details and charts included on this plan.

Future signs shall conform with BCGZ Section 400 and all zoning policies.

Developments shown hereon are for the location of proposed buildings only. Accessory structures and projections into yards may be constructed within the envelopes, but must comply with Sections 301 and 400 of the Baltimore County Zoning Regulations. Subject to covenants and applicable building permits.

14. Maximum building height allowed is 60 feet (DR-40) and 70 feet (DR-55) (Subject to Variance Request).

15. The "Unincorporated Areas of Baltimore County" map included on this sheet indicates that there are no known areas of critical state concern on-site.

16. Single Family Dwellings are for sale, remaining units are for rent.

17. The drawings and development are subject to (and must be consistent with) the Baltimore County Code, Comprehensive Plan of Development, the County Landmarks List, the Department of Environmental Protection and Sustainability, the Department of Public Works, the Department of Recreation and Parks, and the Department of Transportation. The proposed developments and comply with all of the aforementioned standards and conditions.

18. The Office of Planning has established written findings to ensure compliance with the performance standards listed in Section 2601 of the BCGZ (per County Council Bill 34-2001 and 35-2001). The development and all proposed preliminary plans shall comply with the findings and the performance standards as shown on this plan. It is the responsibility of the property owner, developer, developer's engineer, contractor, purchaser or building permit applicant to obtain compliance certification from the Office of Planning prior to building permit application and to present this certification on any building permit this preliminary plan.

19. Drawings as shown are for illustrative purposes only and are subject to change.

20. The Baltimore County 2012 Basic Service Maps (per DR 2012, adopted 5/1/12).

-The site is not within a "Delinquent Zone" per the Sewerage Area Map.

-The site is not within a "Delinquent Zone" per the Water Supply Area Map.

-The site is not within a "Delinquent Zone" per the Transportation Map.

21. The property is located within the Urban Forest Conservation Line (UBFL).

22. The Baltimore County Building Code (BCB 411-10). All new single family dwellings shall comply with the Baltimore County Fire Department's office prior to occupancy.

23. The Baltimore County Fire Prevention Code, Section 110.1215, all address numbers shall be a minimum of 3 inches in height.

24. Purpose of Building "C" enclosing the zoning line one balcony and will not contain balconies (Density has not been assigned for the development).

### SUITABLE OUTFALL STATEMENT

AN EXISTING STREAM RECEIVES THE SITE FROM NORTHWEST TO SOUTHWEST AND TRAVELS THROUGH AN EXTENSIVE WETLANDS SYSTEM IN THE CENTER OF THE SITE. THE SITE IS LOCATED IN THE CENTER OF THE SITE. THE SITE IS LOCATED IN THE CENTER OF THE SITE. THE SITE IS LOCATED IN THE CENTER OF THE SITE.

SEVERAL STORMWATER MANAGEMENT FACILITIES WILL BE CONSTRUCTED FOR THE DEVELOPMENT TO PROVIDE FOR RUN-AROUND AND FOR GULCHES AND TO DISCHARGE FROM EACH FACILITY WILL BE DIRECTED INTO THE FOREST BUFFER AND WETLANDS SYSTEM USING A RUN-AROUND VELOCITY DISSEPERATOR TO DISPERSE THE FLOWS. THE FLOWS WILL BE DIRECTED INTO THE FOREST BUFFER AND WETLANDS SYSTEM USING A RUN-AROUND VELOCITY DISSEPERATOR TO DISPERSE THE FLOWS. THE FLOWS WILL BE DIRECTED INTO THE FOREST BUFFER AND WETLANDS SYSTEM USING A RUN-AROUND VELOCITY DISSEPERATOR TO DISPERSE THE FLOWS.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

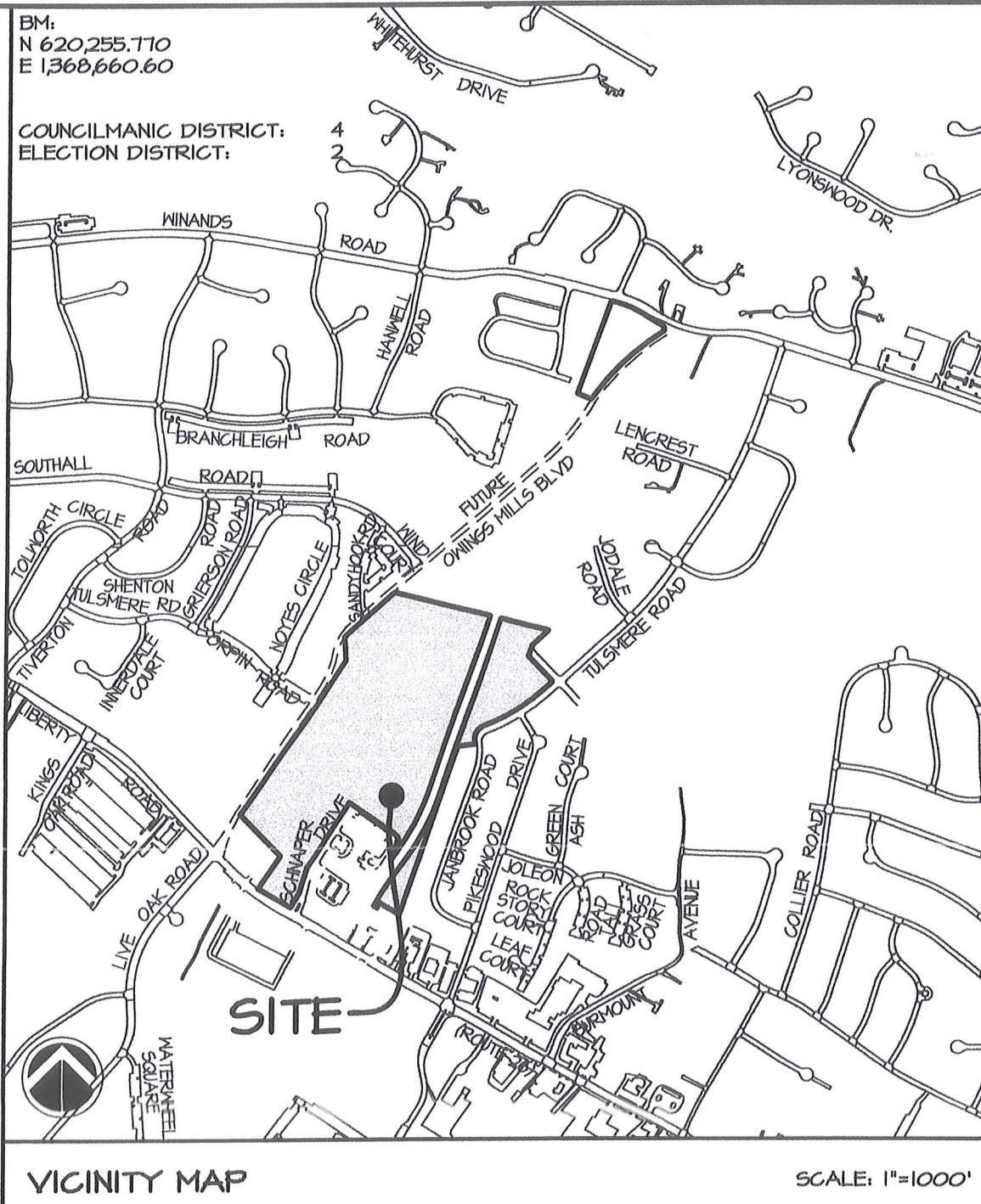
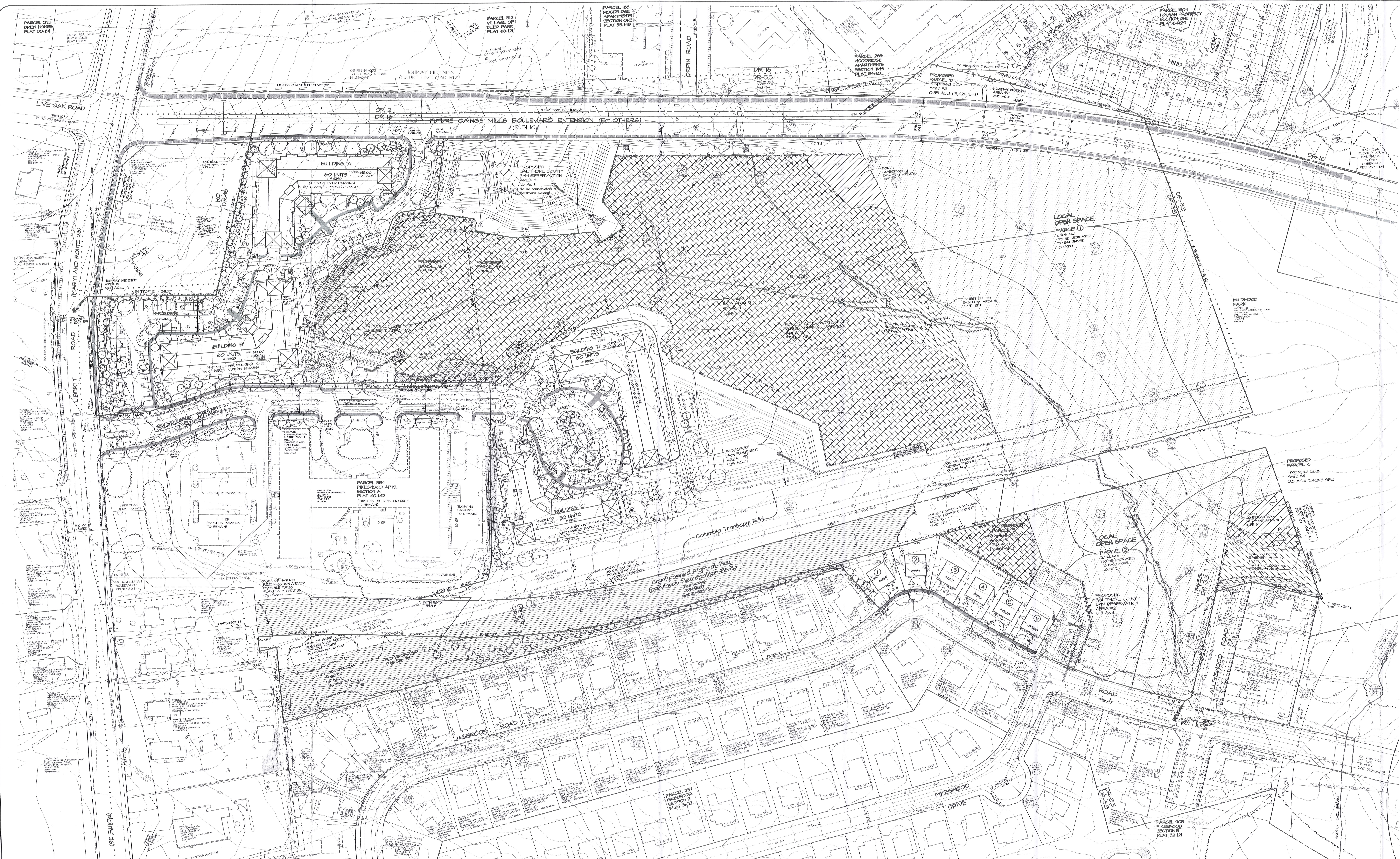
DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS IT ENTERS THE EXISTING STREAM SYSTEM.

DISCHARGE FROM BMP #10 WILL DISPERSE BELOW GROUND AND INTO THE ADJACENT ENVIRONMENTAL AREA. WITH THE PROVISION OF 10- AND 100-YEAR STORM MANAGEMENT, IT IS OUR OPINION THAT THERE WILL BE NO SIGNIFICANT ADVERSE CHANGE IN THE RATE, VELOCITY OR DEGREE OF CONCENTRATION OF THE RUNOFF FROM THESE FACILITIES AS





- ZONING REQUESTS**
- Multi-Family:**
- The following variances are requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMPD) Division I, Section A and BCZR Section 1802.2.2.1a:
- To allow a minimum 25 foot setback from a rear building face to tract boundary in lieu of the required 40 foot setback. (Building A)
  - To allow a minimum 25 foot building setback to a public street right-of-way for an arterial road in lieu of the required 45 feet (25 feet + 20 feet). (Building A)
  - To allow a minimum 6 foot setback from a building face to tract boundary in lieu of the required 40 feet for front or rear and 30 feet for side building face. (Buildings A, B, and C)
  - To allow a minimum 25 foot setback from a side building face to side building face in lieu of the required 56 feet (1 foot of setback for every foot of building height to the side). (Buildings A, B, C, and D)
- The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMPD) Division I, Section A:
- To allow a minimum 5 foot setback from a building face to edge of private road in lieu of the required 35 feet. (Buildings A, B, C, and D)
  - To allow a maximum building length of 265 feet in lieu of the maximum permitted 240 feet. (Buildings A, B, and D)
- The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMPD) Division I, Section A and BCZR Section 1802.2.2.1a:
- To allow a maximum building height of 10 feet in lieu of the permitted 50 feet (DR 5.5) and 60 feet (DR 16). (Buildings A, B, C, and D)
- Single-Family:**
- The following variance is requested from the requirements of Baltimore County Zoning Regulations (BCZR) Section 504.2 and the Comprehensive Manual of Development Policies (CMPD) Division I, Section A and BCZR Section 1802.2.2.1a:
- To allow a minimum 16 foot setback from a rear building face to tract boundary in lieu of the required 30 feet. (Lots H and J)
- The following variance is requested from the requirements of BCZR Section 504.1:
- To allow a deck to project into the rear yard by 10 feet, resulting in an 8 foot rear yard setback in lieu of the required 225 foot setback. (Lots H and J)
- Parking:**
- To allow 186 parking spaces to be provided in lieu of the 194 parking spaces required by BCZR Section 404.6.A. (Buildings C and D)
  - To allow off-site parking 14 parking spaces along Schnaper Drive to support Buildings A and B to be located a maximum distance of 470 feet in lieu of the 300 feet permitted by BCZR Section 404.7

**LEGEND**

|                |                            |              |                                                                             |
|----------------|----------------------------|--------------|-----------------------------------------------------------------------------|
| TRACT BOUNDARY | ROAD                       | FIRE HYDRANT | MAJOR DECIDUOUS TREE                                                        |
| EASEMENT       | SEWER                      | LIGHT        | THICK DECIDUOUS TREE                                                        |
| INDEX CONTOUR  | STORM DRAIN                | UTILITY POLE | EVERGREEN TREE                                                              |
| INTER CONTOUR  | HATCH                      | 25% SLOPES   | SHRUBS                                                                      |
| ZONING LINE    | TREES                      | SPECIES TREE | FOREST CONSERVATION                                                         |
| SOILS LINE     | EXISTING FRONT ORIENTATION | WETLANDS     | FOREST DIFFERENT                                                            |
|                |                            |              | NATURAL REGENERATION AND/OR POSSIBLE FUTURE PLANTING MITIGATION (By others) |

EXISTING: TRACT BOUNDARY, EASEMENT, INDEX CONTOUR, INTER CONTOUR, ZONING LINE, SOILS LINE, ROAD, SEWER, STORM DRAIN, HATCH, TREES, EXISTING FRONT ORIENTATION, WETLANDS, FIRE HYDRANT, LIGHT, UTILITY POLE, 25% SLOPES, SPECIES TREE, MAJOR DECIDUOUS TREE, THICK DECIDUOUS TREE, EVERGREEN TREE, SHRUBS, FOREST CONSERVATION, FOREST DIFFERENT, NATURAL REGENERATION AND/OR POSSIBLE FUTURE PLANTING MITIGATION (By others)

PROPOSED: TRACT BOUNDARY, EASEMENT, INDEX CONTOUR, INTER CONTOUR, ZONING LINE, SOILS LINE, ROAD, SEWER, STORM DRAIN, HATCH, TREES, EXISTING FRONT ORIENTATION, WETLANDS, FIRE HYDRANT, LIGHT, UTILITY POLE, 25% SLOPES, SPECIES TREE, MAJOR DECIDUOUS TREE, THICK DECIDUOUS TREE, EVERGREEN TREE, SHRUBS, FOREST CONSERVATION, FOREST DIFFERENT, NATURAL REGENERATION AND/OR POSSIBLE FUTURE PLANTING MITIGATION (By others)

| SOILS CHART |                                          |                    |                    |
|-------------|------------------------------------------|--------------------|--------------------|
| SYMBOL      | NAME                                     | PERCENTAGE OF AREA | PERCENTAGE OF AREA |
| 1           | DATA NOT KNOWN, 0 TO 5 PERCENT SLOPES    | VERY LIMITED       | VERY LIMITED       |
| 2           | DATA NOT KNOWN, 5 TO 10 PERCENT SLOPES   | VERY LIMITED       | VERY LIMITED       |
| 3           | DATA NOT KNOWN, 10 TO 15 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 4           | DATA NOT KNOWN, 15 TO 20 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 5           | DATA NOT KNOWN, 20 TO 25 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 6           | DATA NOT KNOWN, 25 TO 30 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 7           | DATA NOT KNOWN, 30 TO 35 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 8           | DATA NOT KNOWN, 35 TO 40 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 9           | DATA NOT KNOWN, 40 TO 45 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 10          | DATA NOT KNOWN, 45 TO 50 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 11          | DATA NOT KNOWN, 50 TO 55 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 12          | DATA NOT KNOWN, 55 TO 60 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 13          | DATA NOT KNOWN, 60 TO 65 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 14          | DATA NOT KNOWN, 65 TO 70 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 15          | DATA NOT KNOWN, 70 TO 75 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 16          | DATA NOT KNOWN, 75 TO 80 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 17          | DATA NOT KNOWN, 80 TO 85 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 18          | DATA NOT KNOWN, 85 TO 90 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 19          | DATA NOT KNOWN, 90 TO 95 PERCENT SLOPES  | VERY LIMITED       | VERY LIMITED       |
| 20          | DATA NOT KNOWN, 95 TO 100 PERCENT SLOPES | VERY LIMITED       | VERY LIMITED       |

**DSThaler & ASSOCIATES, INC.**

CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS, LANDSCAPE ARCHITECTS & LAND PLANNERS

115 ANNEBOROUGH ROAD  
P.O. BOX 47420  
BALTIMORE, MARYLAND 21244-1426  
410.544.5471

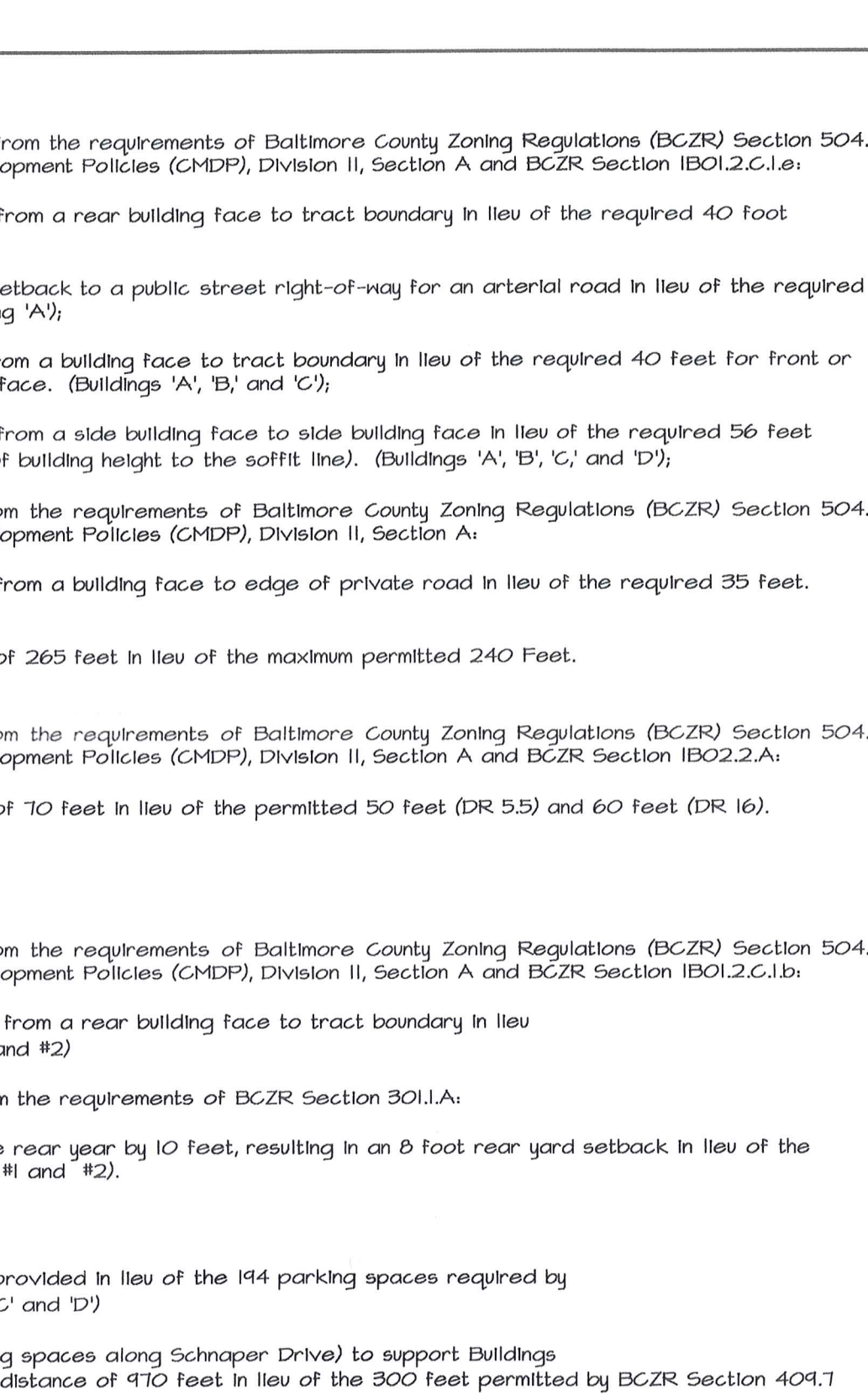
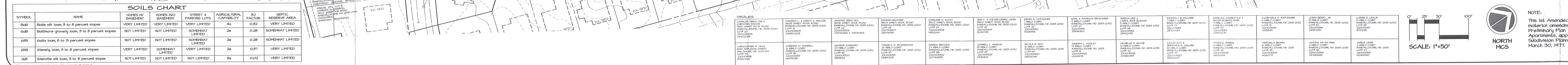
DATE: 5/8/2012  
SCALE: 1"=50'  
C.U. 2"  
PROJ. NO. 312B  
SHEET 1 OF 2

1st Amended JSPC Plan, Pikeswood Apartments and Plan to Accompany Variance Petition

SCHNAPER PROPERTY

#2012-0331-A  
R3





# SCHNAPPER PROPERTY

### **Hill Family:**

The following variances are requested from the reorganizations of Baltimore County Zoning Regulations (BCZR) Section 504 and Comprehensive Manual of Development Policies (CMPD), Division I, Section A and B and ZCR Section B02.2.2(a).

1. To allow a minimum 20 foot setback from a rear building face to back landscaping in lieu of the required 40 foot setback. (Buildings "A", "B" and "C")
2. To allow a minimum 20 foot building setback to a public street right-of-way for an arterial road in lieu of the required 40 feet (25 feet + 15 foot) setback. (Buildings "A", "B" and "C")
3. To allow a minimum 6 foot setback from a building face to back landscaping in lieu of the required 40 feet for front or rear and 30 feet for side building face. (Buildings "A", "B" and "C")
4. To allow a minimum 6 foot setback from a building face to side building face in lieu of the required 50 feet for front or rear and 30 feet for side building face to side building face. (Buildings "A", "B", "C" and "D")

The following variance is requested from the reorganizations of Baltimore County Zoning Regulations (BCZR) Section 504 and the Comprehensive Manual of Development Policies (CMPD), Division I, Section A and B and ZCR Section B02.2.2(a).

1. To allow a maximum building setback from a building face to a side of private road in lieu of the required 30 feet. (Buildings "A", "B", "C" and "D")
2. To allow a maximum building setback of 265 feet in lieu of the maximum permitted 240 feet. (Buildings "A", "B", "C" and "D")

The following variance is requested from the reorganizations of Baltimore County Zoning Regulations (BCZR) Section 504 and the Comprehensive Manual of Development Policies (CMPD), Division I, Section A and B and ZCR Section B02.2.2(a).

1. To allow a maximum building height of 70 feet in lieu of the permitted 50 feet (DR 5.0) and 60 feet (DR 6.0). (Buildings "A", "B", "C" and "D")

### **Single-Family:**

The following variance is requested from the reorganizations of Baltimore County Zoning Regulations (BCZR) Section 504 and the Comprehensive Manual of Development Policies (CMPD), Division I, Section A and B and ZCR Section B02.2.2(a).

1. To allow a minimum 6 foot setback from a rear building face to back landscaping in lieu of the required 40 feet for front or rear and 30 feet for side building face. (Lots #1 and #2)
2. To allow a minimum 30 foot setback from a rear building face to back landscaping in lieu of the required 40 feet. (Lots #1 and #2)

The following variance is requested from the reorganizations of Baltimore County Zoning Regulations (BCZR) Section 504 and the Comprehensive Manual of Development Policies (CMPD), Division I, Section A and B and ZCR Section B02.2.2(a).

1. To allow a deck to project into the rear yard up to 10 feet, resulting in a 0 foot rear yard setback in lieu of the required 25 foot setback. (Lots #1 and #2)

### **Parking:**

1. To allow the parking spaces to be provided in lieu of the H4 parking spaces required by ZCR Section 408-A.4. (Buildings "C" and "D")
2. To allow off-street parking (off parking spaces along Schorper Drive) in lieu of the 200 foot permitted by ZCR Section 408-1. (Lots #1 and #2)
3. To allow off-street parking (off parking spaces along Schorper Drive) in lieu of the 200 foot permitted by ZCR Section 408-1. (Lots #1 and #2)

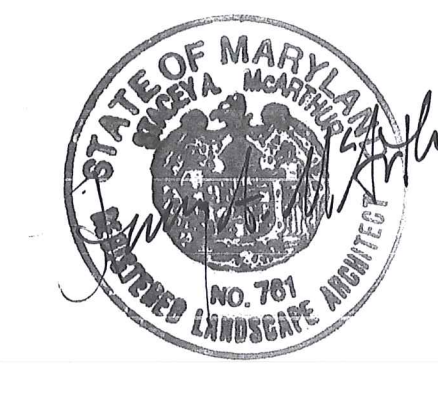
|        |                                                                         |                |  |                            |  |              |  |
|--------|-------------------------------------------------------------------------|----------------|--|----------------------------|--|--------------|--|
| LEGEND |                                                                         | TRACT BOUNDARY |  | ROAD                       |  | FIRE HYDRANT |  |
|        |                                                                         | EASEMENT       |  | SANITARY SEWER             |  | LIGHT        |  |
|        |                                                                         | INDEX CONTOUR  |  | STORM DRAIN                |  | UTILITY POLE |  |
|        |                                                                         | INTER. CONTOUR |  | WATER                      |  | ZONE SLOPES  |  |
|        |                                                                         | ZONING LINE    |  | TRAVERS                    |  | SPECIES TREE |  |
|        |                                                                         | SOILS LINE     |  | EXISTING PROPOSED DIVISION |  | WETLANDS     |  |
|        |                                                                         |                |  |                            |  |              |  |
|        |                                                                         |                |  |                            |  |              |  |
|        |                                                                         |                |  |                            |  |              |  |
|        |                                                                         |                |  |                            |  |              |  |
| NOTES  | NORTH<br>PARCEL TO BE REDEVELOPED TO BALTIMORE COUNTY<br>PROP. SIDEWALK |                |  |                            |  |              |  |

PROJECT NAME:  
SCHNAPER PROPERTY

PLAN TITLE:  
1st Amended JSFG Plan,  
Pikeswood Apartments and Plan to  
Accompany Variance Petition

COUNCILMANIC DIST.: 4  
ELECTION DIST.: 2  
PAI NO.: 02-1603  
PROJECT MANAGER: JAN COOK  
ZONING CASE: 2012-0931-A

**DSThaler**  
& ASSOCIATES, INC.  
CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS,  
LANDSCAPE ARCHITECTS & LAND PLANNERS  
7115 AMBASSADOR ROAD  
P.O. BOX 47428  
BALTIMORE, MARYLAND 21244-7428  
410-444-3647 [www.dsthaler.com](http://www.dsthaler.com)



DATE: 5.18.2012  
SCALE: 1"=50'  
C.I.: 2'  
PROJ. NO.: 3121  
SHEET 1 OF 2