

IN RE: PETITION FOR VARIANCE

(2747 North Rolling Road)

2nd Election District

4th Councilman District

Rutherford Windsor, LLC

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0133-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, of Venable, LLP on behalf of the legal owner, Rutherford Windsor, LLC, Petitioner. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to allow side yard setbacks a minimum of 10 and 12 ft. in lieu of the required 50 ft. within 100 ft. of the right-of-way of a street abutting a residential zone boundary and from §§ 255 and 238 and the required 30 ft. outside of 100 ft. of the right-of-way of a street abutting a residential zone boundary; and (2) to allow a rear yard setback a minimum of 9 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Alex Watkins and landscape architect Bernt Petersen. David H. Karceski, Esquire with Venable, LLP, appeared as counsel and represented the Petitioner. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

The only substantive Zoning Advisory Committee (ZAC) comments were received from Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Both

ORDER RECEIVED FOR FILING

Date

11/24/14

By

Sen

agencies requested that landscaping be provided, and the DOP also suggested that the west-facing elevation (which faces the residential zone) of the proposed storage building be designed with architectural features.

Testimony and evidence revealed that the subject property is approximately 0.7 acres; it is the smallest lot within a 160+/- acre industrial park. The property is zoned ML-IM, and adjoins a residential zone, which triggers certain setback requirements found in the BCZR. The Petitioner currently operates a large self-storage facility on the adjoining property, and proposes to construct another building on this lot to meet the demand for storage space. To do so requires zoning relief.

Based upon the testimony and evidence presented, I will grant the petition for variance.

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. As noted above, this is a small lot (less than 1 acre) within a 160+/- acre industrial park, and in order for the property to be used in a fashion that is compatible with adjoining uses, variance relief is necessary given the increased setbacks imposed by the BCZR. In addition, the property is irregularly shaped as shown on the site plan. For these reasons, I find that the property is unique.

If the B.C.Z.R. were strictly interpreted the Petitioner would indeed suffer a practical difficulty, since it would be unable to construct the proposed building. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such

ORDER RECEIVED FOR FILING

Date

2 By

manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of County and/or community opposition.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted

THEREFORE, IT IS ORDERED, this 24th day of January, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) to allow side yard setbacks a minimum of 10 and 12 ft. in lieu of the required 50 ft. within 100 ft. of the right-of-way of a street abutting a residential zone boundary and from §§ 255 and 238 and the required 30 ft. outside of 100 ft. of the right-of-way of a street abutting a residential zone boundary; and (2) to allow a rear yard setback a minimum of 9 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner must submit for approval by the County's landscape architect a plan showing landscaping along the Rolling Road frontage of the site.
3. Petitioner must submit for approval by the Department of Planning a plan showing the architectural features which will be included on the west-facing elevation of the proposed building.

ORDER RECEIVED FOR FILING

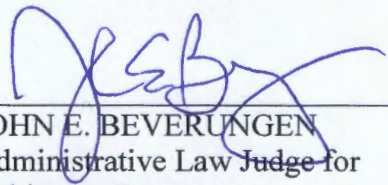
Date

1/24/14

By

sen

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING

Date 1/24/14

By Sen

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

January 24, 2014

David H. Karceski, Esquire
Venable, LLP
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Variance
Property: 2747 North Rolling Road
Case No.: 2014-0133-A

Dear Mr. Karceski:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County 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:slh
Enclosure



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 2747 North Rolling Road which is presently zoned ML-IM
 Deed Reference 14119-79 10 Digit Tax Account # 2 3 0 0 0 0 7 6 0 5
 Property Owner(s) Printed Name(s) Rutherford Windsor LLC

CASE NUMBER 2014-0133-A Filing Date 12/11/13 Estimated Posting Date / / Reviewer JF

(SELECT THE HEARING(S) BY MARKING **X** 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. X 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 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).

Name - Type or Print

Anthony E. Giulio

Signature

9640 Deerco Rd, Timonium, MD

Mailing Address

City

State

21093 410-561-1300 aejchillingt.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karczeski, Esquire

Name - Type or Print

[Signature]

Signature

210 W. Pennsylvania Avenue, Towson

MD

Mailing Address

City

State

21204 410-494-6285 dhkarczeski@venable.com

Zip Code

Telephone #

Email Address

REV 2/23/11

Legal Owners

Rutherford Windsor LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1 Anthony Giulio, Manager Signature #2

9640 Deerco Road

Lutherville

Maryland

Mailing Address

City

State

21093

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karczeski, Esquire

Name - Type or Print

[Signature]

Signature

210 W. Pennsylvania Avenue, Towson

MD

Mailing Address

City

State

21204 410-494-6285

Zip Code

Telephone #

Email Address

ORDER RECEIVED FOR FILING

Date 1/24/14

By Sen

**ATTACHMENT
PETITION FOR VARIANCE
2747 North Rolling Road**

- 1. Variance from Sections 255 and 243 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary and from Sections 255 and 238 and the required 30 feet outside of 100 feet of the right-of-way of a street abutting a residential zone boundary.**
- 2. Variance from B.C.Z.R. Sections 255 and 238 to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.**

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
4692 Millennium Drive, Suite 100, Belcamp, Maryland 21017

November 26, 2013

ZONING DESCRIPTION

2747 Rolling Road

Beginning at a point on the easterly right-of-way of Rolling Road which is 70 feet in width, said point being South 25 degrees 29 minutes 19 seconds East 261.0 feet more or less, from a point formed by the intersection of the centerlines of Rolling Road and Ashfield Drive, thence leaving said point of beginning, along the following 6 courses:

1. Running thence and leaving said easterly right-of-way of Rolling Road North 77 degrees 56 minutes 13 seconds East 204.52 feet, thence
2. South 13 degrees 7 minutes 18 seconds East 163.00 feet, running thence
3. North 76 degrees 52 minutes 42 seconds West 144.26 feet, running thence
4. North 58 degrees 7 minutes 42 seconds West 42.18 feet, thence
5. South 76 degrees 52 minutes 42 seconds West 22.01 feet, to a point on the easterly right-of-way of Rolling Road, running thence and binding on said right-of-way
6. North 16 degrees 37 minutes 55 seconds West 137.21 feet to the point of beginning.

Being that parcel of land recorded in Deed Liber 14119, folio 079, as recorded in the Baltimore County Land Records, containing 0.73 Acres of land more or less. Also known as 2747 Rolling Road, being Lot B9 of parcel 739 of Baltimore County tax map 87, and located within Election District #2 and Councilmanic District #4.

Note: The above description is for zoning purposes only and is not to be used for contracts, conveyances or agreements.

410-297-2340 • FAX 410-297-2345
www.gwstephens.com



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: 2014-0133-A
Petitioner: Rutherford Windson LLC
Address or Location: 2747 N. Rolling Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Justin Williams
Address: Verable LLC
210 W. Pennsylvania Avenue Suite 500
Towson MD 21204
Telephone Number: (410) 494 6200

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

No. **107068**

Date: **12/11/13**

PAID RECEIPT

WITNESS ACTUAL TIME DEPT
 12/11/2013 12/11/2013 12:51:39 8

REG FROM WALKIN SHIL SAH
 RECEIPT # 606253 12/11/2013 OFLI

5 528 ZONING VERIFICATION

CR NO. 107068

Recpt Tot \$500.00
 \$500.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Trans
001	806	0001		6150		1		500.00	CR NO.

Total: **500.00**

Rec From: **VENDABLE**

For: **Petition for Variance**
2747 North Rolling Rd.

Case # 2014-0133-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2014-0133-A

RE: Case No.: _____

Petitioner/Developer: _____

Rutherford Windsor, LLC

January 22, 2014
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: _____

2747 North Rolling Rd

January 2, 2014

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

Sincerely,

January 2, 2014

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

January 2, 2014

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 January 2, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

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: #2014-0133-A

2747 North Rolling Road

E/s Rolling Rd. at a distance of 261 ft. S/by intersection of c/lines of Rolling Rd. and Ashfield Dr.

2nd Election District - 4th Councilmanic District

Legal Owner(s): Rutherford Windsor, LLC

Variance from sections 255 and 243 to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary and from sections 255 and 238 and the required 30 ft. outside of 100 ft. of the right of way of a street abutting a residential zone boundary; from sections 255 and 238 to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.

Hearing: Wednesday, January 22, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

1/005 January 2

963566

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 2, 2014 Issue - Jeffersonian

Please forward billing to:

Justin Williams

410-494-6200

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0133-A

2747 North Rolling Road

E/s Rolling Rd. at a distance of 261 ft. S/by intersection of c/lines of Rolling Rd. and Ashfield Dr.

2nd Election District – 4th Councilmanic District

Legal Owners: Rutherford Windsor, LLC

Variance from sections 255 and 243 to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary and from sections 255 and 238 and the required 30 ft. outside of 100 ft. of the right of way of a street abutting a residential zone boundary; from sections 255 and 238 to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.

Hearing: Wednesday, January 22, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

December 26, 2013

CORRECTED 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: 2014-0133-A

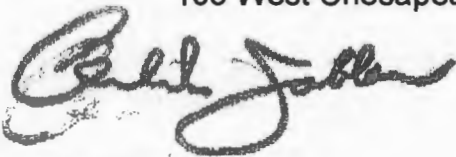
2747 North Rolling Road

E/s Rolling Rd. at a distance of 261 ft. S/by intersection of c/lines of Rolling Rd. and Ashfield Dr.
2nd Election District – 4th Councilmanic District

Legal Owners: Rutherford Windsor, LLC

Variance from sections 255 and 243 to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary and from sections 255 and 238 and the required 30 ft. outside of 100 ft. of the right of way of a street abutting a residential zone boundary; from sections 255 and 238 to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.

Hearing: Wednesday, January 22, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Anthony Giulio, 9640 Deereco Road, Timonium 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 2, 2014.**
- (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

December 18, 2013

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: 2014-0133-A

2747 North Rolling Road

E/s Rolling Rd. at a distance of 261 ft. S/by intersection of c/lines of Rolling Rd. and Ashfield Dr.

2nd Election District – 4th Councilmanic District

Legal Owners: Rutherford Windsor, LLC

Variance to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary; to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet. ↑

Hearing: Wednesday, January 22, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Anthony Giulio, 9640 Deereco Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 2, 2014.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 2, 2014 Issue - Jeffersonian

Please forward billing to:

Justin Williams
Venable
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0133-A

2747 North Rolling Road

E/s Rolling Rd. at a distance of 261 ft. S/by intersection of c/lines of Rolling Rd. and Ashfield Dr.
2nd Election District – 4th Councilmanic District

Legal Owners: Rutherford Windsor, LLC

Variance to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 within 100 feet of the right-of-way of a street abutting a residential zone boundary; to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.

Hearing: Wednesday, January 22, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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

MEMORANDUM

DATE: February 25, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0133-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 24, 2014. 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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
2747 North Rolling Road; E/s Rolling Road,	*	
261' S of Rolling Rd & Ashfield Dr.	*	OF ADMINSTRATIVE
2 nd Election & 4 th Councilmanic Districts	*	
Legal Owner(s): Rutherford Windsor LLC	*	HEARINGS FOR
Contract Purchaser(s): Anthony Guilio	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	
	*	2014-133-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

RECEIVED

DEC 1 2013

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of December, 2013, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

12/20/13

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

C

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

FIRE DEPARTMENT

1/6/14

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

C

12/19/13

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

1/2/14

SIGN POSTING

Date:

1/2/14

by

Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

January 15, 2014

Rutherford Windsor LLC
Anthony Giulio, Manager
9640 Deereco Road
Lutherville, MD 21093

RE: Case Number: 2014-0133 A, Address: 2747 North Rolling Road

Dear Mr. Giulio:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 11, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David H. Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 12/19/13

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

RE: Baltimore County
Item No 2014-0133-A
Variance
Rutherford Windsor, LLC
2747 North Rolling Road.

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. 2014-0133-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,

A handwritten signature in blue ink that reads "Steven D. Foster".

Steven D. Foster, Chief/
Development Manager
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

Debra Wiley - Rescheduling of Case Nos. 2014-0132-XA, 2014-0133-A & 2014-0127-A

From: Debra Wiley
To: Lewis, Kristen
Date: 1/22/2014 10:43 AM
Subject: Rescheduling of Case Nos. 2014-0132-XA, 2014-0133-A & 2014-0127-A
CC: OAH Staff

Good Morning Kristen,

The zoning cases scheduled for Tuesday, January 21st and Wednesday, January 22nd were canceled due to the inclement weather.

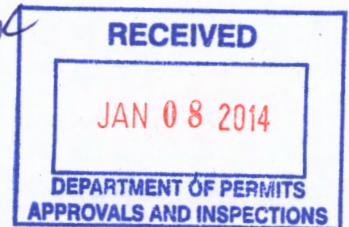
The cases are as follows: Jan. 21 - 2014-0132-XA and Jan. 22 - 2014-0133-A & 2014-0127-A. In addition, the case file for Case No. 2012-0187-SPHX was attached to 2014-0127-A and has been banded together.

Please be advised that the files have been placed in the pick-up box for processing and rescheduling.

Thanks in advance.

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

c/13/13
TO W OK



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

DATE: January 6, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2747 North Rolling Road

INFORMATION:

Item Number: 14-133

Petitioner: Rutherford Windsor, LLC

Zoning: ML - IM

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The proposed storage building will be used in conjunction with existing storage facilities. The Department of Planning does not oppose the petitioner's request for the reduction of setbacks provided that the following conditions are met:

1. The proposed façade is not left as a blank façade. Provide architectural articulation such as windows, doors, awnings, etc...
2. Provide significant detailed landscaping along the North Rolling Road frontage.

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

Prepared By:

Division Chief:

AVA/LL:cjm

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 23, 2013
Item No. 2014-0133

DATE: December 20, 2013

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

Submit landscape plan to this office for review.

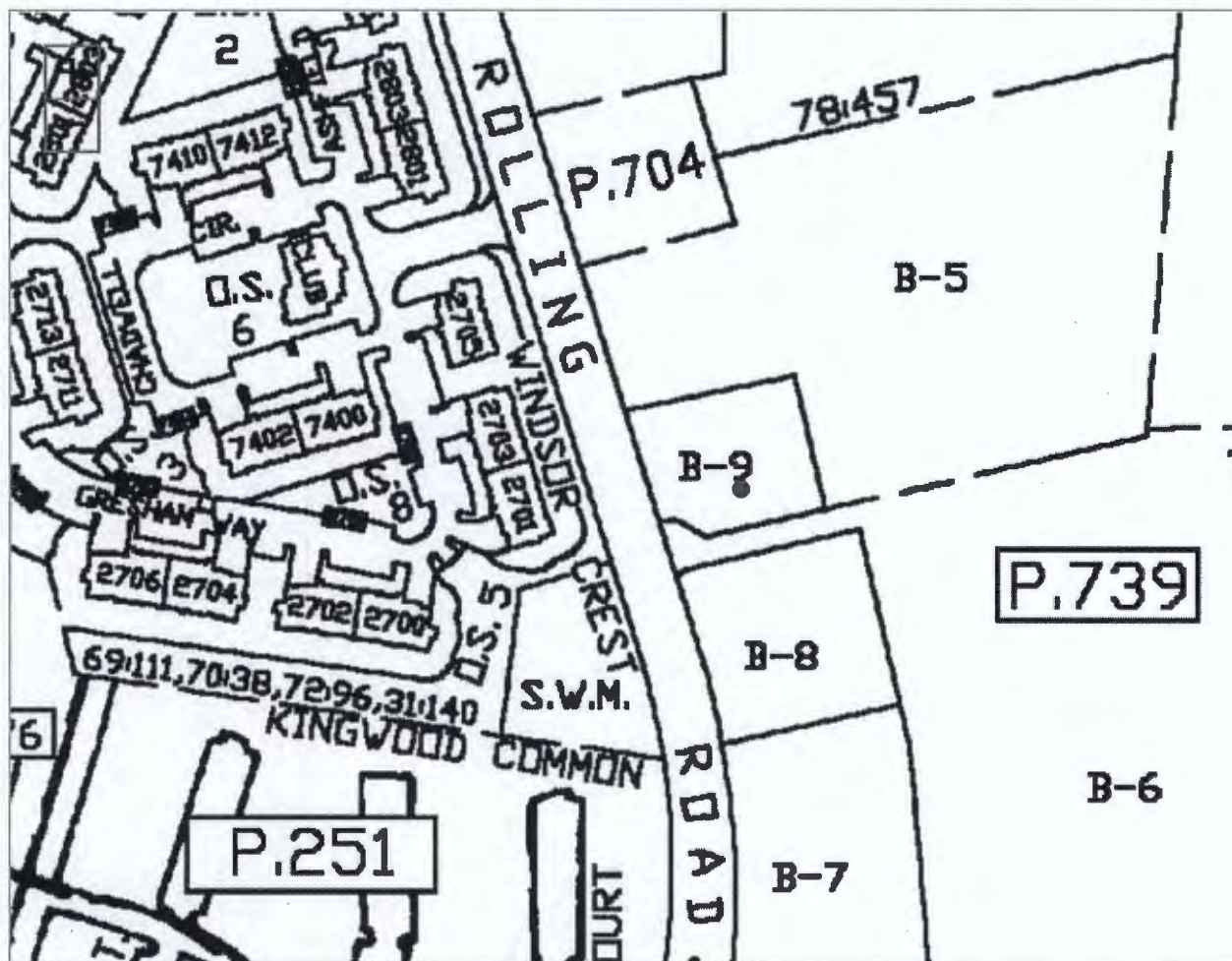
DAK: CEN.
Cc: file.
ZAC-ITEM NO 14-0133-12232013.doc

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Register
Account Identifier:	District - 02 Account Number - 2300007605	
Owner Information		
Owner Name:	RUTHERFORD WINDSOR LLC	Use: INDUSTRI
Mailing Address:	9640 DEERECO RD LUTH-TIMONIUM MD 21093-2120	Principal Residence: NO Deed Reference: 1) /14119/ 0 2)
Location & Structure Information		
Premises Address:	2747 ROLLING RD 0-0000	Legal Description: .73 AC 2747 ROLI RBC SOUT
Map: 0087	Grid: 0017	Parcel: 0739
Sub District:	Subdivision: 0000	Section:
Block:	Lot: B9	Assessment Year: 2013
Plat No:	Plat Ref:	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation	Property Land Area 0.7300 AC	
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	146,000	146,000
Improvements	0	0
Total:	146,000	146,000
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		As of
		07/01/
		146,000
		146,000
Transfer Information		
Seller: BALTIMORE GAS & ELECTRIC	Date: 10/28/1999	Price: \$248,314
Type: NON-ARMS LENGTH OTHER	Deed1: /14119/ 00079	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	07/01/2014
Exempt Class:	NONE	0.00 0.00
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

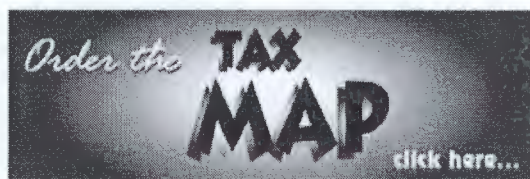
[New Search](#)District: **02** Account Number: **2300007605**

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.

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml.



☒ Loading... Please Wait. Loading... Please Wait.

CASE NAME 2747 N. Rolling Road
CASE NUMBER 2014-133-A
DATE 1/22/14

[illegible]

JB 1-22-14
1:30
Pm

Case No.: 2014-033-A

Exhibit Sheet

Petitioner/Developer

DJ-25-14

Respondent

Alv
1/24/14

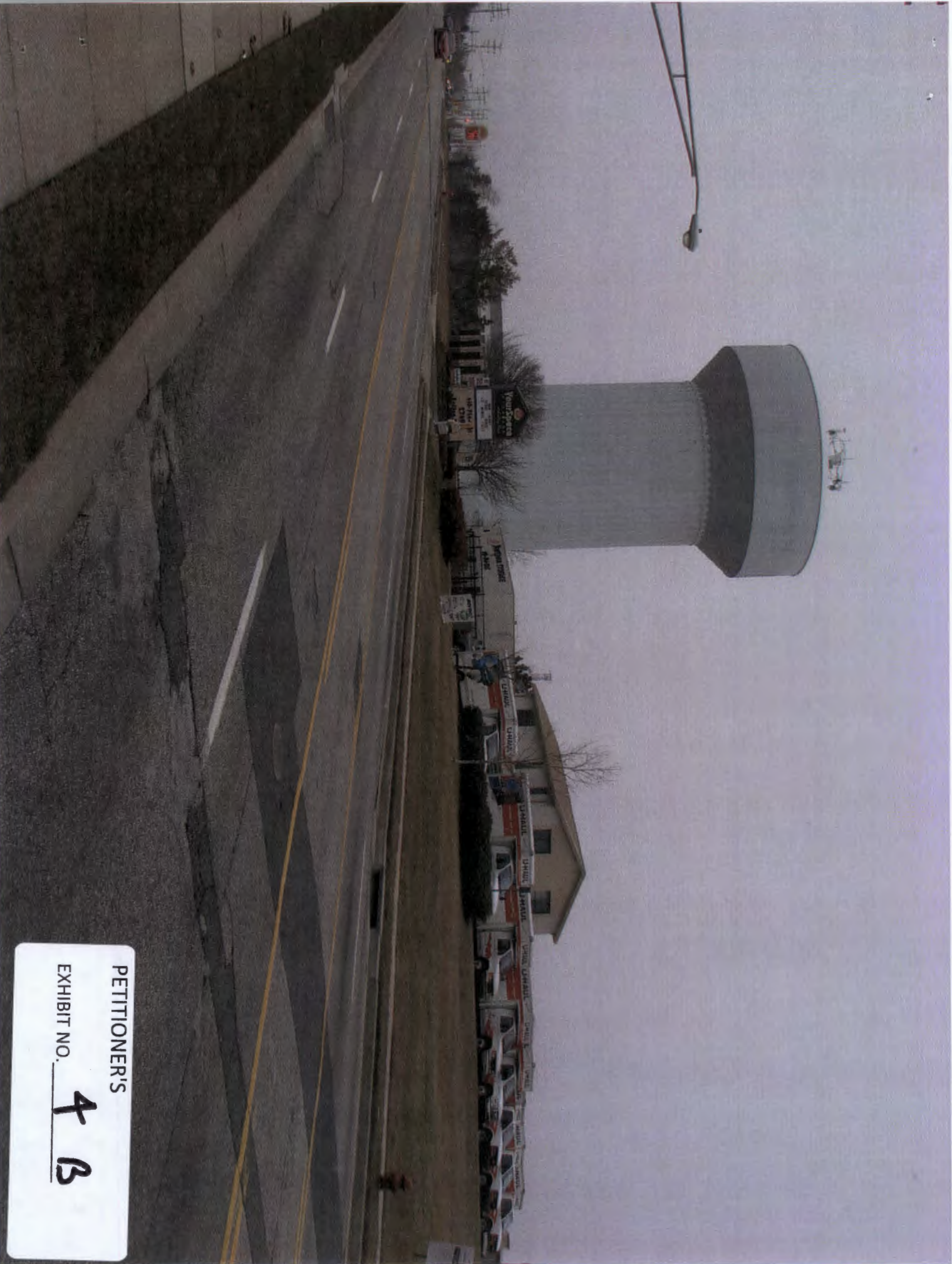
No. 1	Plan	
No. 2	My Neighborhood Map	
No. 3	Aerial Map of Site + Industrial Park	
No. 4	4A-4E Photos	
No. 5	proposed elevations	
No. 6	6A > Illustrative 6B > Elevations and Landscape Plan	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. _____

4 A



PETITIONER'S

EXHIBIT NO.

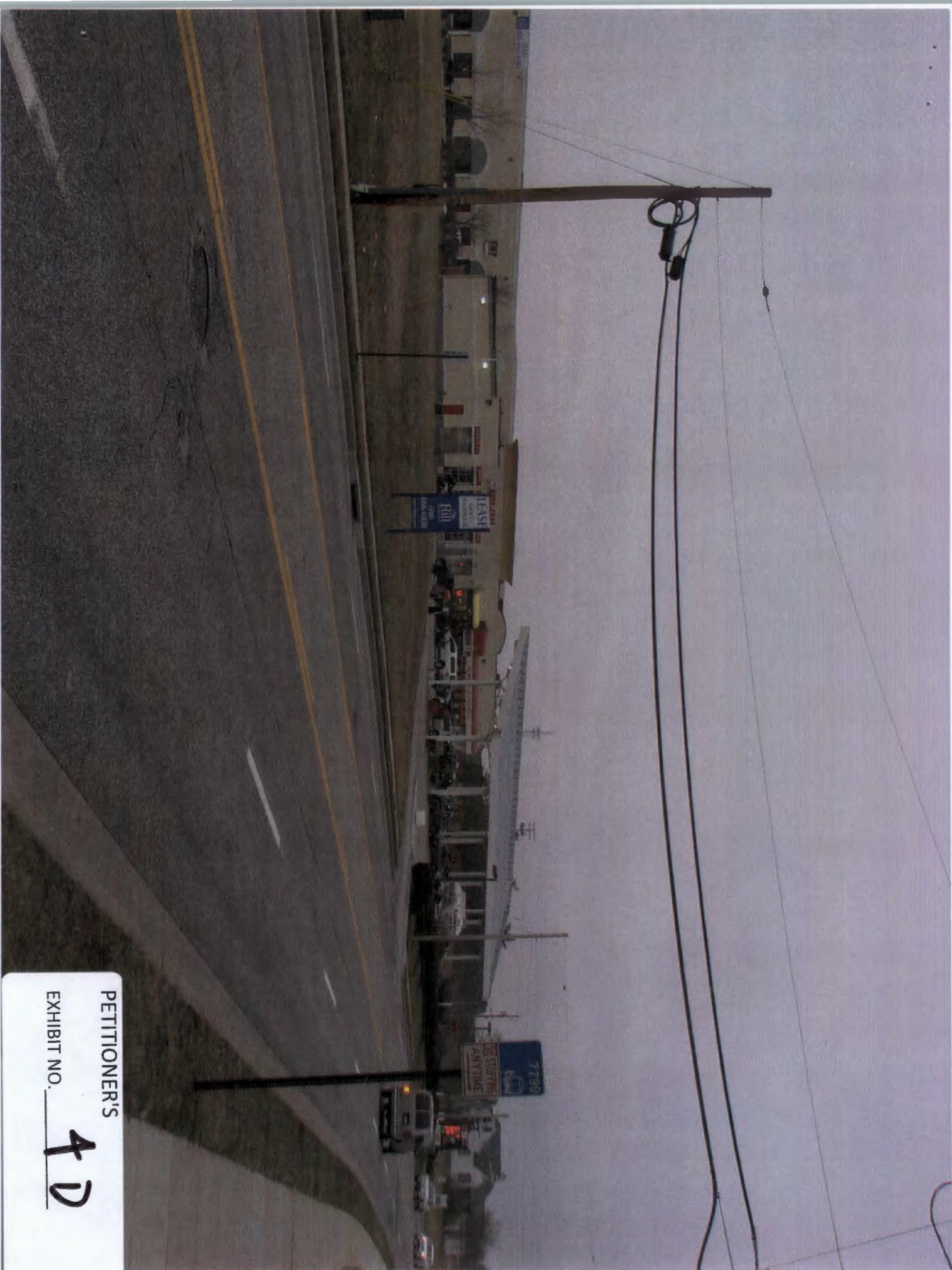
4 B



PETITIONER'S

EXHIBIT NO.

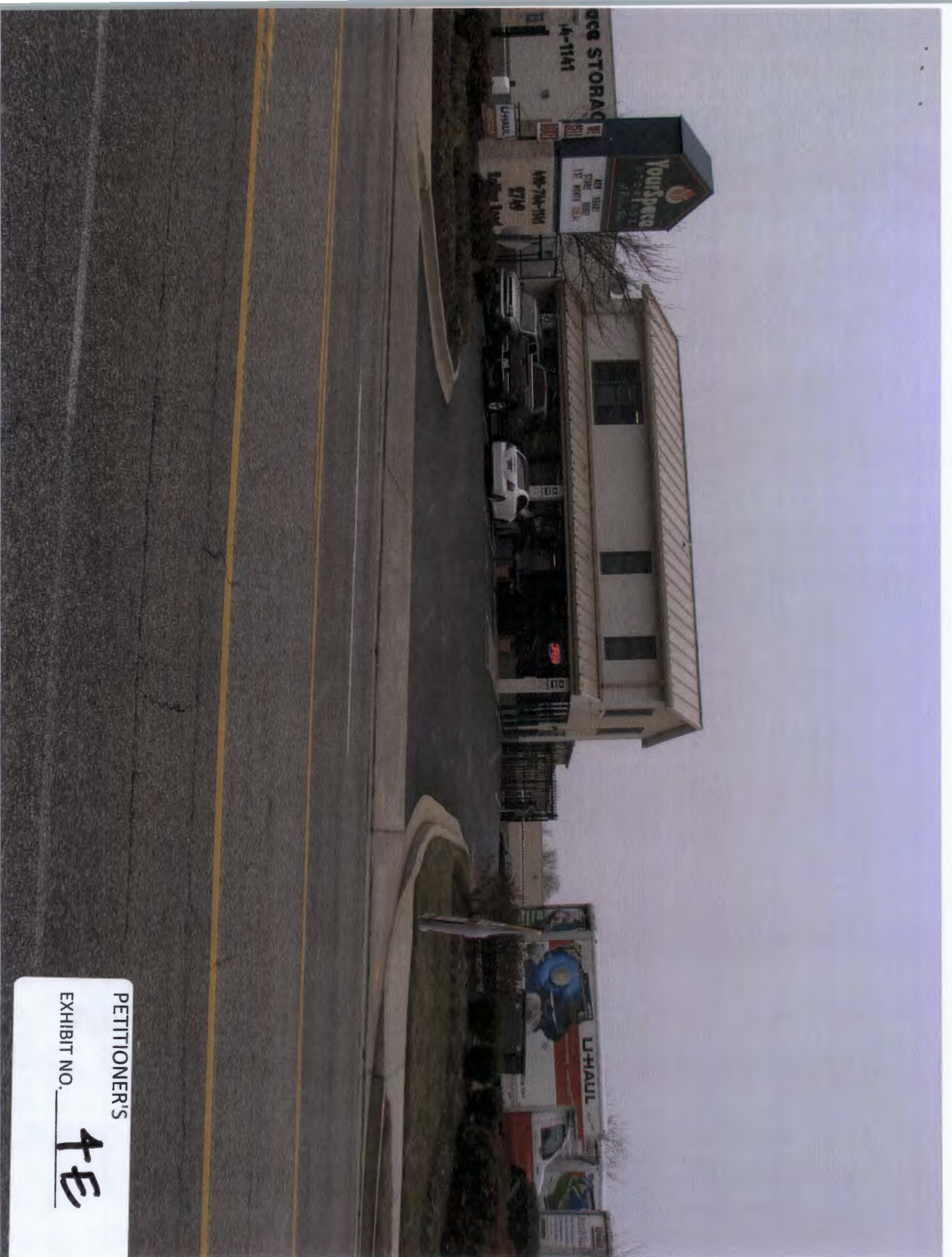
1c



PETITIONER'S

EXHIBIT NO. _____

4D



PETITIONER'S

EXHIBIT NO. _____

4E

LEGEND

PROPERTY LINE
EX. CONTOURS
EX. SANITARY
EX. WATER
EX. STORM DRAINS
EX. SOILS LINE

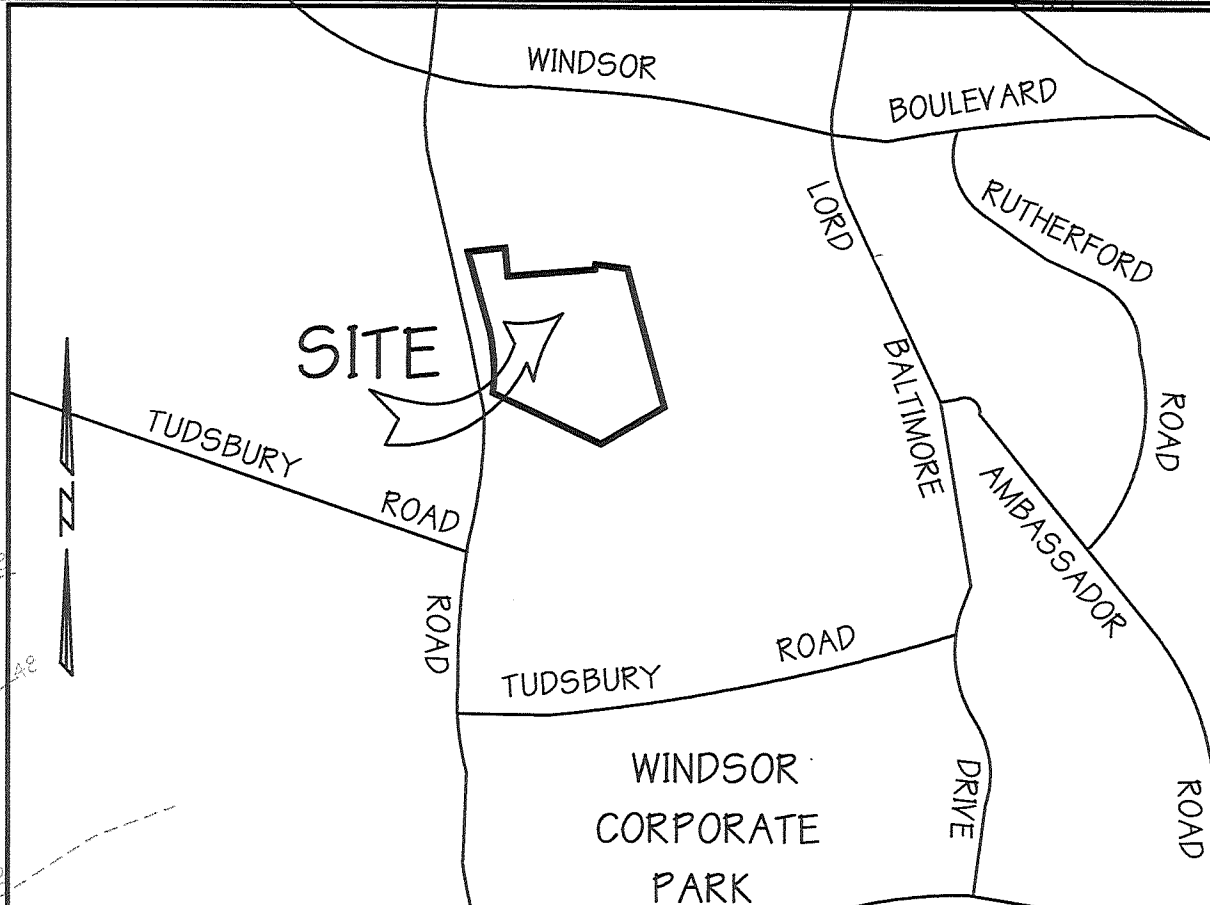
PROPOSED CONTOURS
PROPOSED CURB
PROPOSED WATER
PROPOSED STORM DRAIN
PROPOSED SEWER
PROPOSED LIGHTS

EX. & PROP. F.H.
PROPOSED CONTOURS
PROPOSED CURB
PROPOSED WATER
PROPOSED STORM DRAIN
PROPOSED SEWER
PROPOSED LIGHTS

PROPOSED CONC. C & G
PROPOSED 8" W
PROPOSED 5" D
PROPOSED 12" S

GENERAL NOTES

1. SIGNAGE UNDER SEPARATE PERMIT. HOWEVER, ALL FUTURE SIGNAGE TO COMPLY WITH SECTION 413 B.C.Z.R. AND ALL ZONING SIGN POLICIES.
2. THIS PROPERTY IS NOT LOCATED WITHIN 100-YEAR FLOODPLAIN



VICINITY MAP
SCALE: 1"=1,000'

BENCH MARK
TR18112 BALTO.CO.ELEV.525.14
RR SPIKE ROLLING AND WINDSOR ROAD

VARIANCES GRANTED LOT B5

A variance from BCZR 255.2 & 243.2 to permit that portion of a proposed building 100 feet of a DR zone boundary, to be located 40 feet from a side yard property line in lieu of the required 50 feet.

Variances from BCZR 255.1, 102.2, 238.1 and 238.2 for the following buildings:

Building Relationship	Required Separation	Requested Separation
J-I	55 FEET	22 FEET
I-H	55 FEET	22 FEET
H-G	55 FEET	22 FEET
G-F	55 FEET	22 FEET
F-E	55 FEET	30.5 FEET
E-D	55 FEET	22 FEET
D-C	55 FEET	22 FEET
C-B	55 FEET	30.5 FEET

For Building B, a variance from BCZR 238.2 to permit a variable rear yard setback of 12.5 to 17.5 feet in lieu of the 30 feet required.

VARIANCES GRANTED LOT B6

1. VARIANCE FROM B.C.Z.R. SECTION 450.4.7.(a) TO PERMIT TWO FREESTANDING JOINT IDENTIFICATION SIGNS WITH FACES OF 100.375 SQUARE FEET EACH IN LIEU OF THE 78.75 SQUARE FEET ALLOWED.

2. VARIANCE FROM B.C.Z.R. SECTION 450.4.7.(b)(1) AND SECTION 450.5.B.4.c TO PERMIT TWO FREESTANDING JOINT IDENTIFICATION SIGNS WITH HEIGHTS OF 17 FEET 6 INCHES IN LIEU OF THE 12 FEET ALLOWED.

VARIANCES REQUESTED - LOT B9

- Variance from Sections 255 & 243 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow side yard setbacks a minimum of 10 and 12 feet in lieu of the required 50 feet within 100 feet of the right-of-way of a street abutting a residential zone boundary and from Sections 255 and 238 and the required 30 outside of 100 feet of the right-of-way of a street abutting a residential zone boundary.
- Variance from B.C.Z.R. Sections 255 and 238 to allow a rear yard setback a minimum of 9 feet in lieu of the required 30 feet.

SITE DATA

- Site Area - Lot B-9 - 0.73Ac ±
- Existing Zoning - ML-1M
- Election District - 2
- Councilmanic District - 4
- Census Tract - 402401
- Watershed - Gwynns Falls / Patapsco River
- Subwatershed - 73
- Proposed Use - Mini Storage Warehouse - 15,400 S.F.
- Existing Use - Vacant
- Parking
Required: 1 p.s. per employee - 2 employees
Total P.S. required 2 P.S.
Provided 9 P.S. (incl. 1 HDCCP.)
All regular parking spaces are 8.5' x 18' (min.)
Van Accessible H.S. is 16' x 18' (min.)
- Floor Area Ratio:
Allowed - 2.0 = 63,597.6 S.F.
Proposed - 15,400 S.F. / 31,798.8 S.F. = 0.48 FAR
- Tax Account No. - 2300007605
- Proposed building height - 20 feet

PETITIONER'S

EXHIBIT NO. 1



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS-LAND PLANNERS-LAND SURVEYERS
4692 MILLENNIUM DRIVE, SUITE 100
BELCAMP, MARYLAND 21017
TEL. (410) 297-2340
FAX (410) 297-2345



OWNER / DEVELOPER
RUTHERFORD WINDSOR LLC
9640 DEERCO ROAD
TIMONIUM, MARYLAND 21093
TEL. 410-666-1000

DESIGN: BCP
DRAWN: BCP
CHECKED: DR

PLAN TO ACCOMPANY PETITION
FOR ZONING VARIANCE (LOT B9)
R.B.C. SOUTH
2747 ROLLING ROAD
ELECTION DISTRICT 2
DATE: NOVEMBER 19, 2013
SHEET 1 OF 1
P.N.



PETITIONER'S
EXHIBIT NO. 2

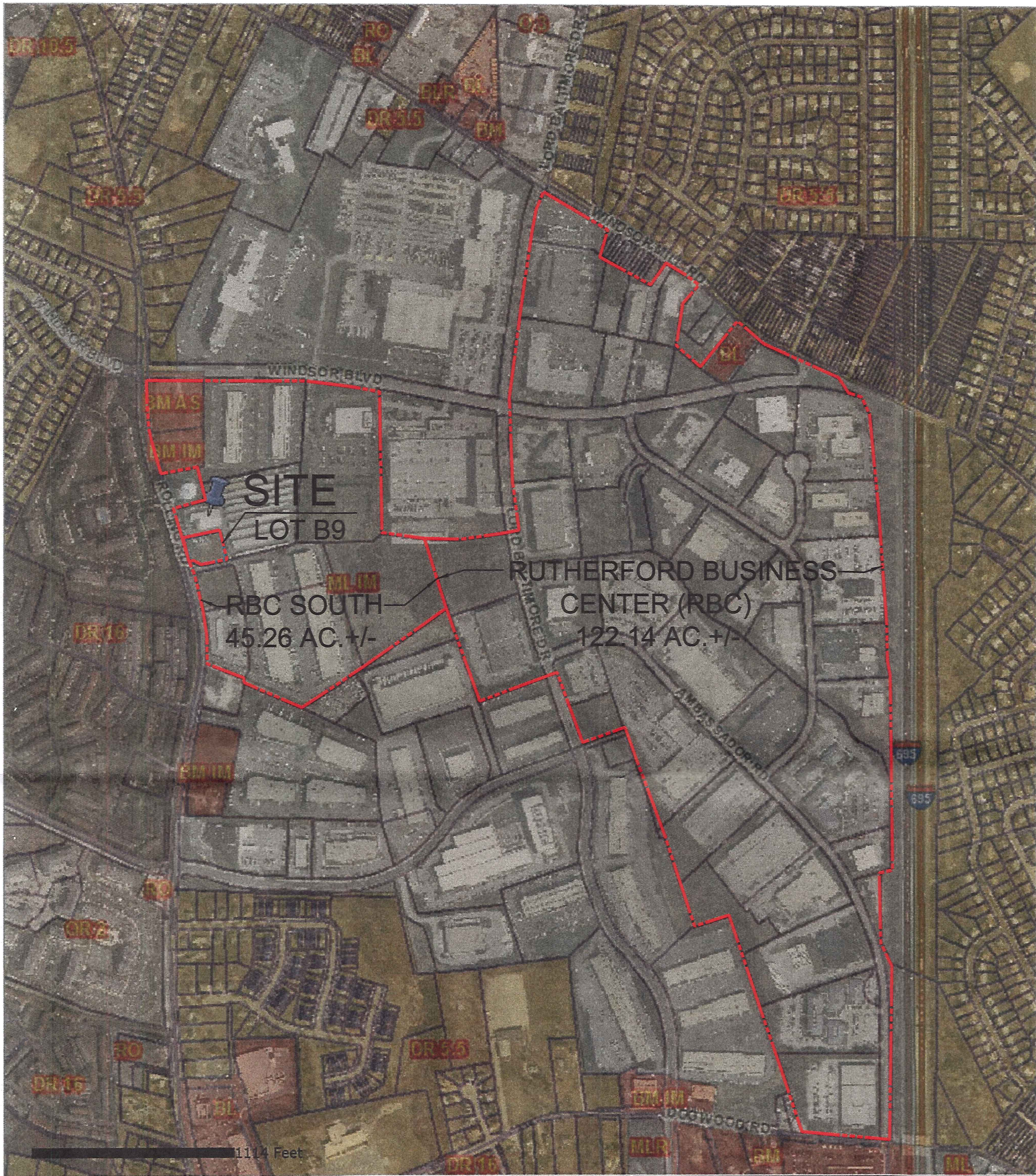


My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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My Neighborhood Map

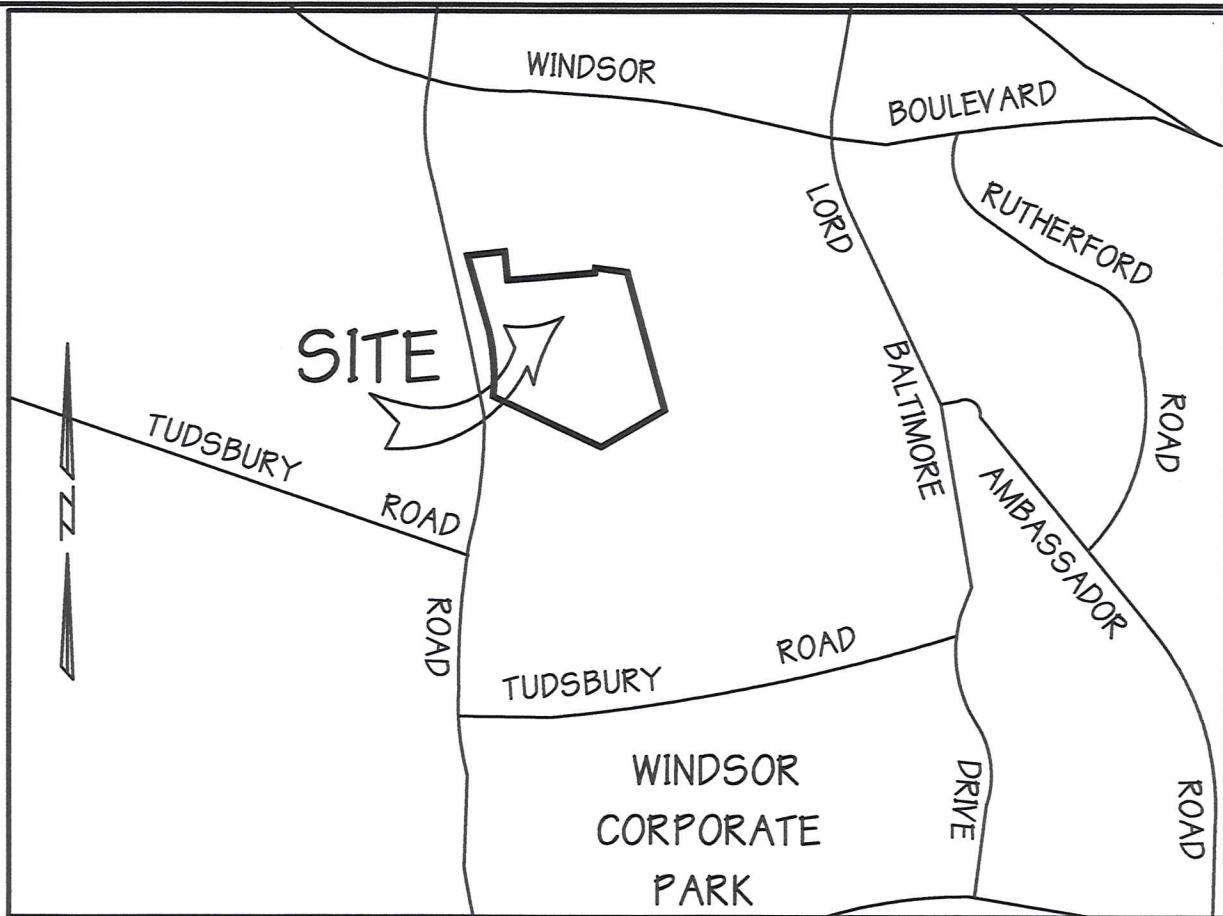
Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 1/21/2014

BALTIMORE COUNTY NEIGHBORHOOD MAP
NOT TO SCALE



VICINITY MAP
SCALE: 1"=1,000'

BENCH MARK
TR18112 BALTO.CO.ELEV.525.14
RR SPIKE ROLLING AND WINDSOR ROAD

VARIANCES REQUESTED - LOT B9

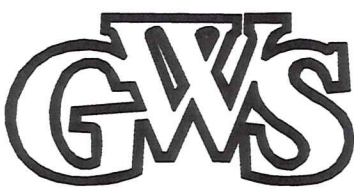
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Van Accessible H.S. is 16' x 18' (min.)
- Floor Area Ratio:
Allowed - 2.0 = 63,597.6 S.F.
Proposed - 15,400 S.F./31,798.8 S.F. = 0.48 FAR
- Tax Account No. - 2300007605
- Proposed building height - 20 feet

PETITIONER'S

EXHIBIT NO. **3**



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CONSULTING ENGINEERS-LAND PLANNERS-LAND SUVEYERS

4692 MILLENNIUM DRIVE, SUITE 100
BELCAMP, MARYLAND 21017
TEL (410) 297-2340
FAX (410) 297-2345

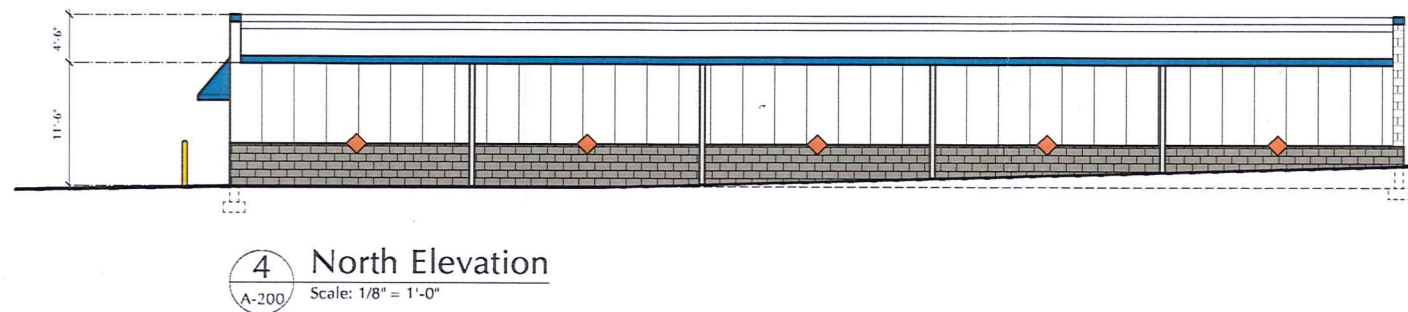
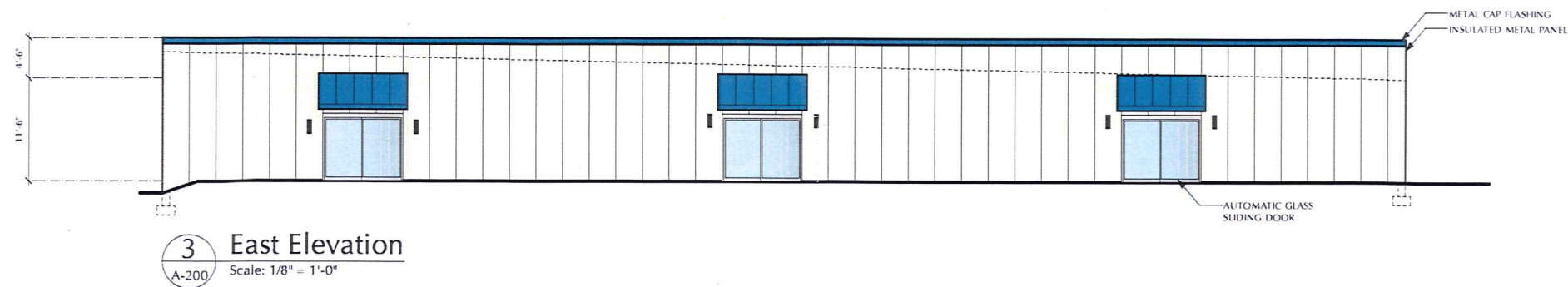
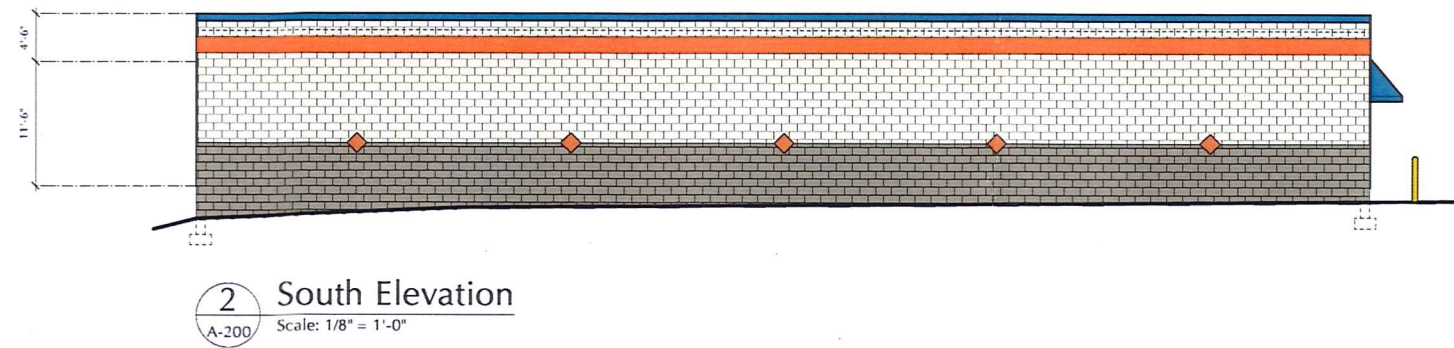
OWNER / DEVELOPER
RUTHERFORD WINDSOR LLC
9640 DEERECO ROAD
TIMONIUM, MARYLAND 21093
TEL 410-666-1000

DESIGN : BCP
DRAWN: BCP
CHECKED: DR

BALTIMORE COUNTY NEIGHBORHOOD MAP
R.B.C. & R.B.C. SOUTH

BALTIMORE CO. MD.
SCALE: NTS

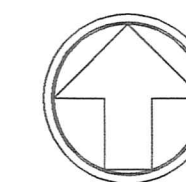
ELECTION DISTRICT 2
DATE: JANUARY 22, 2014
SHEET 1 OF 1



PETITIONER'S

EXHIBIT NO. 5

ISSUE DATE:	Preliminary Elev. 10/14
REVISION DATE:	
Rolling Road Self Storage	
2747 Rolling Road Baltimore County, Maryland	
BW BUTZ • WILBERN LTD Planning Architecture Interiors Property Visioning 800 W. Broad St. Suite 363 Falls Church, Virginia 22046 703-356-6771 fax: 356-7010	
Building Elevations	
A-200.00	
OF	
13057	



LOCATION MAP

SCALE: 1" = 2000'



* FOR ILLUSTRATIVE
PURPOSES ONLY

PETITIONER'S

EXHIBIT NO. **6A**

SITE NOTES

1. SITE AREA = 0.73 AC. (±)
2. TAX MAP: B7, PARCEL 739, LOT B9
3. ZONING: MLIM
4. NO ERODIBLE SOILS ARE PRESENT ON-SITE.
5. EXISTING IMPERVIOUS COVER TO BE REMOVED = 4,241 S.F. (0.10 AC.)
6. TOTAL PROPOSED IMPERVIOUS AREA = 29,523 S.F. (0.68 AC.)
7. LIMIT OF DISTURBANCE = 0.82 AC.±
8. THE SITE IS LOCATED IN THE GWYNNNS FALLS WATERSHED.
9. THIS LOT IS LOCATED IN ZONE "X" (UNSHADED) AS SHOWN ON FEMA RATE MAP 24001003559F WITH AND EFFECTIVE DATE OF SEPT. 26, 2008.

DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83 (1983)
VERTICAL - NAVD 1988

SHEET 2 OF 2

LANDSCAPE ELEVATION - LOT B9 RBC SOUTH			
ACCT. NO.: 2300007605	2747 ROLLING ROAD	DEED REF.: 14119/79	
ELECTION DISTRICT NO. 02c4	TAX MAP: 87 PARCEL: 739 LOT: B9	BALTIMORE COUNTY, MARYLAND	
GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC.		OWNER / DEVELOPER:	
ENGINEERS • PLANNERS • SURVEYORS • TRANSPORTATION		RUTHERFORD WINDSOR LLC	
WATERS EDGE CORPORATE CAMPUS		9640 DEERCO ROAD	
4882 MILLENNIUM DRIVE, SUITE 100		TIMONIUM, MARYLAND	
Ph: (410) 287-2340		21083	
http://www.gwstephens.com		PHONE: 410-581-1300	
BEL CAMP, MD 21017			
Fax: (410) 287-2345			
DRAWN BY: BCP	CHECKED BY: DR	DATE: 1/15/14	SCALE: 1" = 20'
		PN#	11517

SOIL DATA

ABBREVIATION	NAME	H.S.G.
Ur	URBAN LAND	D
UuB	URBAN LAND - UDORTMENTS	A

LANDSCAPE NOTES:

- GENERAL
- THESE PLANS SHALL BE USED FOR PLANTING INSTALLATION
- IT SHALL BE STRICTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH NORMALLY BE REQUIRED TO COMPLETE THIS PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY TO PERFORM SUCH WORK. THE COST OF SUCH WORK SHALL BE INCLUDED IN THE BASE BID.
- THE CONTRACTOR SHALL NOTE THAT IN THE CASE OF ANY DISCREPANCY BETWEEN ANY SCALED DIMENSIONS AND THE FIGURED DIMENSIONS SHOWN ON THESE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS NOT SCHEDULED FOR REMOVAL OR DEMOLITION. COST OF REPAIR TO EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE BASE BID.

II. LANDSCAPING

A. STANDARDS:

- ALL PLANT MATERIAL, CONSTRUCTION METHODS AND MATERIAL PLACEMENT SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC., THE "LANDSCAPE SPECIFICATION GUIDELINES FOR LANDSCAPE ARCHITECTS AND ARCHITECTS" AS PROPOSED BY THE LANDSCAPE CONTRACTORS ASSOCIATION AND THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS OF THE MARYLAND STATE DEPARTMENT OF TRANSPORTATION.
- ALL TREES SHALL BE DELIVERED TO THE SITE BALLED AND BURLAPED. ALL SHRUBS SHALL BE BALLED AND BURLAPED OR IN CONTAINERS. ALL GRASSES & PERENNIALS SHALL BE IN CONTAINERS.

B. MAINTENANCE:

- AFTER THE PLANTING HAS BEEN APPROVED BY THE LANDSCAPE ARCHITECT AND THE OWNER, THE MAINTENANCE OF WATERING AND KEEPING OF SIGNS PLANTS AND PLANTED AREAS SHALL BE PROVIDED BY THE OWNER. SINCE THE PLANTS ARE TO BE GUARANTEED BY THE CONTRACTOR, THE CONTRACTOR SHALL PERIODICALLY CHECK THE MAINTENANCE CONDUCTED BY THE OWNER. IF THE CONTRACTOR IS NOT SATISFIED WITH THE MAINTENANCE OF THE PLANTS, A WRITTEN REPORT, IN DUPLICATE, SHOWING APPROPRIATE CORRECTIVE ACTION SHALL BE GIVEN IMMEDIATELY TO THE LANDSCAPE ARCHITECT. TWO COPIES WILL BE FORWARDED TO THE OWNER. DESIGN MAINTENANCE IMMEDIATELY AFTER PLANTING.

- MAINTAIN TREES UNTIL FINAL ACCEPTANCE, BUT IN NO CASE LESS THAN 90 DAYS AFTER FINAL ACCEPTANCE OF PLANTING. MAINTAIN ALL PLANTS BY PRUNING, CULTIVATING AND KEEPING AS REQUIRED FOR HEALTHY GROWTH. RESTORE PLANTING, SANDERS, TIGHTEN AND REPAIR STAKES AND GUY SUPPORTS AND REPAIR TREES TO PROPER GRADES OR VERTICAL POSITION AS REQUIRED. RESTORE OR REPLACE DAMAGED WEAVING SPRAY AS REQUIRED TO KEEP ALL PLANTS FREE OF INSECTS AND DISEASE.

C. WATERING:

- IN THE ABSENCE OF ADEQUATE RAINFALL, WATERING SHALL BE PERFORMED DAILY OR AS OFTEN AS NECESSARY DURING THE FIRST WEEK AND IN SUFFICIENT QUANTITIES TO MAINTAIN MOIST SOIL TO A DEPTH OF 4 INCHES. WATERING SHALL NOT BE DONE DURING THE HEAT OF THE DAY. CONTRACTOR SHALL PROVIDE A SEPARATE LUMP SUM PRICE IN THE OVERALL LANDSCAPE BID FOR WATERING TO ALL NEW PLANTINGS DURING THE GROWING SEASON.

D. EXCAVATION:

- DEPTH AND WIDTH OF EXCAVATION FOR PLANTING OF ALL PLANTS SHALL BE TO THREE INCHES DEPTH AND WIDTH OF ROOT BALL OR CONTAINER OF PLANT TO BE INSTALLED, EXCEPT AS NOTED ON DETAILS.

E. TOPSOIL, PLANTING MIX, FERTILIZER, MULCH AND SOIL AMENDMENTS:

- ALL TOPSOIL SHALL BE WELL GRAINED LOAM OF 6000 INQUIRY QUALITY AND SHALL BE A NATURAL FERTILE SOIL FREE OF OBJECTS LARGER THAN ONE INCH IN ANY DIMENSION AND FREE OF TOXIC SUBSTANCES, PESTS AND ANY MATERIAL OF SUBSTANCE THAT MAY BE HARMFUL TO PLANTS. TOPSOIL SHALL CONTAIN AT LEAST 5% ORGANIC MATTER. IF SUFFICIENT TOPSOIL IS NOT AVAILABLE ON THE SITE TO MEET THESE REQUIREMENTS, THE CONTRACTOR SHALL FURNISH ADDITIONAL TOPSOIL. TOPSOIL SHALL OBTAIN THE LANDSCAPE ARCHITECT'S APPROVAL OF THE SOURCE FROM WHICH TOPSOIL IS TO BE OBTAINED.
- FOR PLANTING MIX, MIX THOROUGHLY 2/3 APPROVED TOPSOIL (SEE TOPSOIL) AND 1/3 APPROVED ORGANIC MATTER.
- FERTILIZER TABLETS OR SPINES TO BE PLACED AT EACH TREE AND SHRUB AT A RATE OF 1 PEB OF TRUNK CALIPER OR GALLON OF ROOTBALL. TABLETS OR SPINES SHALL NOT BE IN CONTACT WITH THE ROOTBALL.
- MULCH MATERIAL SHALL BE OF UNIFORM SIZE, FINE SCREENED, TANGIBLE, HARDWOOD MULCH OR APPROVED EQUAL. MULCH SHALL BE A REDDISH-DARK BROWN COLOR AND SHALL BE LAD TO A UNIFORM THICKNESS DEPTH OF 2 INCHES. MULCH AREAS AROUND TREES AT THE RATE OF 1 CUBIC FOOT PER INCH OF TRUNK CALIPER OR APPROVED EQUAL.
- INTERPOLAR ARBORVITAE MATERIAL SHALL BE ADDED TO THE PLANTING MIX FOR EACH TREE AND SHRUB AT THE RATE OF 4 OUNCES PER 2-1/2" CALIPER OR GALLON OF ROOTBALL. INTERPOLAR MATERIAL SHALL BE VITROSA "VIGOROUS" "MARGARITA" OR APPROVED EQUAL.

F. SUBSTITUTIONS:

- IF A PLANT IS FOUND NOT TO BE SUITABLE OR AVAILABLE, THE LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE ORDERING. THE OWNER OR LANDSCAPE ARCHITECT WILL THEN SELECT A REASONABLE ALTERNATE OR INFORM ALL LANDSCAPE CONTRACTORS OF THE AVAILABILITY OF THE ORIGINAL PLANT.

G. PRUNING, CLEANUP, PROTECTION OF EXISTING MATERIALS AND RESTORATION

- THE CONTRACTOR SHALL PRUNE PLANT MATERIAL WITHIN TWO (2) DAYS OF INSTALLATION IN ACCORDANCE WITH THE DETAILS AND AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- DURING COURSE OF PLANTING, EXCESS AND WASTE MATERIALS SHALL BE CONTINUOUSLY AND PROMPTLY REMOVED. LAMN AREAS LEFT CLEAN AND ALL REASONABLE PRECAUTIONS TAKEN TO AVOID DAMAGE TO ANY EXISTING LAMN, PAVING, ETC. NOT SCHEDULED FOR REMOVAL. WHEN PLANTING IN AN AREA HAS BEEN COMPLETED, THE AREA SHALL BE CLEANED UP THOROUGHLY. FERTIS, RESIDUE, SUBSOIL, AND WASTE MATERIALS SHALL BE CLEANED UP AND REMOVED FROM THE PROPERTY. EXISTING GRASS AREAS WHICH HAVE BEEN INJURED BY THE WORK SHALL BE RESEEDING AND SOOED TO MATCH THE EXISTING LAMN. THE ENTIRE AREA SHALL BE NEAT AND CLEAN TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL, AT ALL TIMES, PROTECT ALL PLANTS AND LAMN FROM DAMAGE. THE MOVING OF HEAVY EQUIPMENT OR MATERIAL OVER THE LAMN AREAS SHALL BE DONE ON PLANKS OR FORTIONS.

F. SUBSTITUTIONS:

- IF A PLANT IS FOUND NOT TO BE SUITABLE OR AVAILABLE, THE LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE ORDERING. THE OWNER OR LANDSCAPE ARCHITECT WILL THEN SELECT A REASONABLE ALTERNATE OR INFORM ALL LANDSCAPE CONTRACTORS OF THE AVAILABILITY OF THE ORIGINAL PLANT.

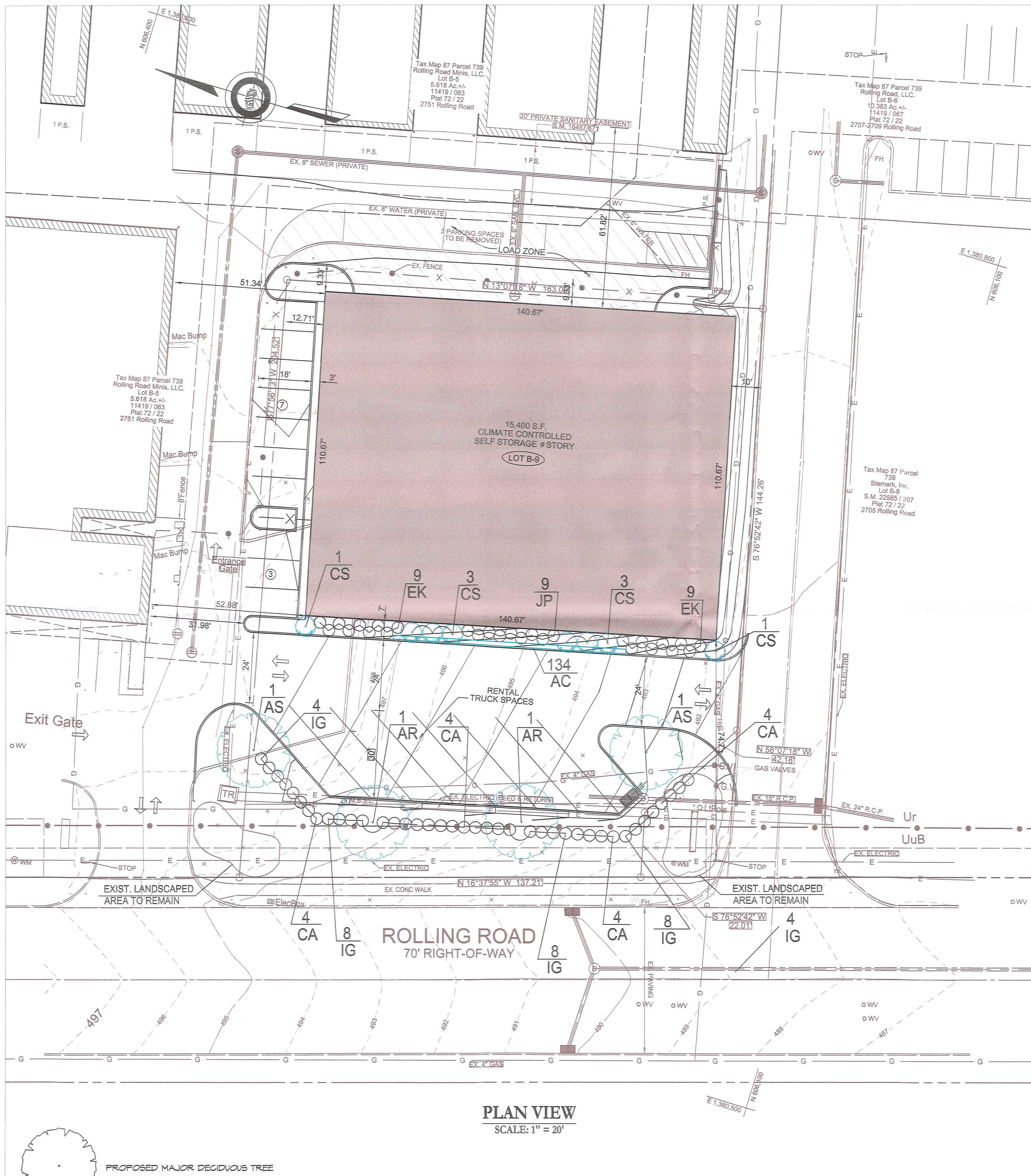
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- CONTRACTOR SHALL, AT ALL TIMES, PROTECT ALL PLANTS AND LAMN FROM DAMAGE. THE MOVING OF HEAVY EQUIPMENT OR MATERIAL OVER THE LAMN AREAS SHALL BE DONE ON PLANKS OR FORTIONS.
- THE CONTRACTOR SHALL RESTORE TO THEIR ORIGINAL CONDITION ALL PAVEMENTS, SOOED OR PLANTED AREAS, STRUCTURES OR OBSTRUCTIONS NOT SCHEDULED FOR REMOVAL, WHICH ARE DAMAGED BY THE CONTRACTOR DURING PLANTING OPERATIONS. SUCH RESTORATION SHALL BE IN A MANNER SATISFACTORY TO THE LANDSCAPE ARCHITECT AND AT NO ADDITIONAL COST TO THE OWNER.

H. FINAL INSPECTION AND GUARANTEE:

- AFTER PLANTING IS COMPLETED INCLUDING MULCHING AND CLEANUP, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING TO REQUEST FINAL INSPECTION OF THE TOTAL PLANTING. THE LANDSCAPE ARCHITECT SHALL MAKE A FINAL INSPECTION VISIT AS SOON AS POSSIBLE. LANDSCAPE ARCHITECT SHALL NOTIFY THE LANDSCAPE CONTRACTOR, IN WRITING, WHEN ALL WORK IS SATISFACTORYLY COMPLETE. IF WORK IS NOT SATISFACTORYLY COMPLETE, THE LANDSCAPE ARCHITECT WILL NOTIFY THE LANDSCAPE CONTRACTOR, IN WRITING, AS TO THE DEFICIENCIES IN THE WORK. AND THE NECESSARY CORRECTIVE MEASURES. THE LANDSCAPE CONTRACTOR WILL BE GIVEN A REASONABLE AMOUNT OF TIME TO CORRECT THE DEFICIENCIES, AND ANOTHER FINAL INSPECTION WILL BE SCHEDULED BY THE LANDSCAPE ARCHITECT.
- ALL PLANT MATERIAL AND LAMN AREAS SHALL BE GUARANTEED TO BE IN A VIGOROUS GROWING CONDITION ONE YEAR FROM THE DATE OF FINAL INSPECTION AND ACCEPTANCE. AT THE TERMINATION OF THIS PERIOD, THE CONTRACTOR SHALL HAVE COMPLETED THE PRESCRIBED MAINTENANCE SCHEDULE. ANY PLANTS INFECTED WITH DISEASE OR INSECTS WILL BE REMOVED OR "TREATED". ALL DEAD OR UNACCEPTABLE PLANTS WILL BE REPLACED BY THE SAME PLANTS AND SIZES DESIGNATED ON THE PLANT LIST. THESE PLANTS SHALL BE PLANTED, MULCHED AND GUY AS SPECIFIED HEREIN AND WITHOUT EXTRA COMPENSATION TO THE CONTRACTOR. AT THE COMPLETION OF ALL SUCH WORK AND WITH THE APPROVAL OF THE LANDSCAPE ARCHITECT, THE CONTRACT WILL BE CONSIDERED COMPLETE.

	EXISTING STORMDRAIN
	EXISTING WATER MAIN
	EXISTING SANITARY MAIN
	EXISTING BUILDING
	EXISTING FENCE
	SOILS LINE
	EXISTING CONTOUR INT.
	EXISTING CONTOUR INDEX
	SITE BOUNDARY
	LOT LINE
	ADJOINER BOUNDARY
	EXISTING SIDEWALK
	EXISTING EASEMENT
	EXISTING CURB
	EXISTING ELECTRIC (APPROX.)
	EXISTING GAS (APPROX.)
	PROPOSED BUILDING
	PROPOSED CURB
	BUILDING RESTRICTION LINE
	PROP. WATER SERVICE
	PROP. ROOF LEADER
	LIMIT OF DISTURBANCE
	WEDGE AND LEVEL AREA



PLAN VIEW

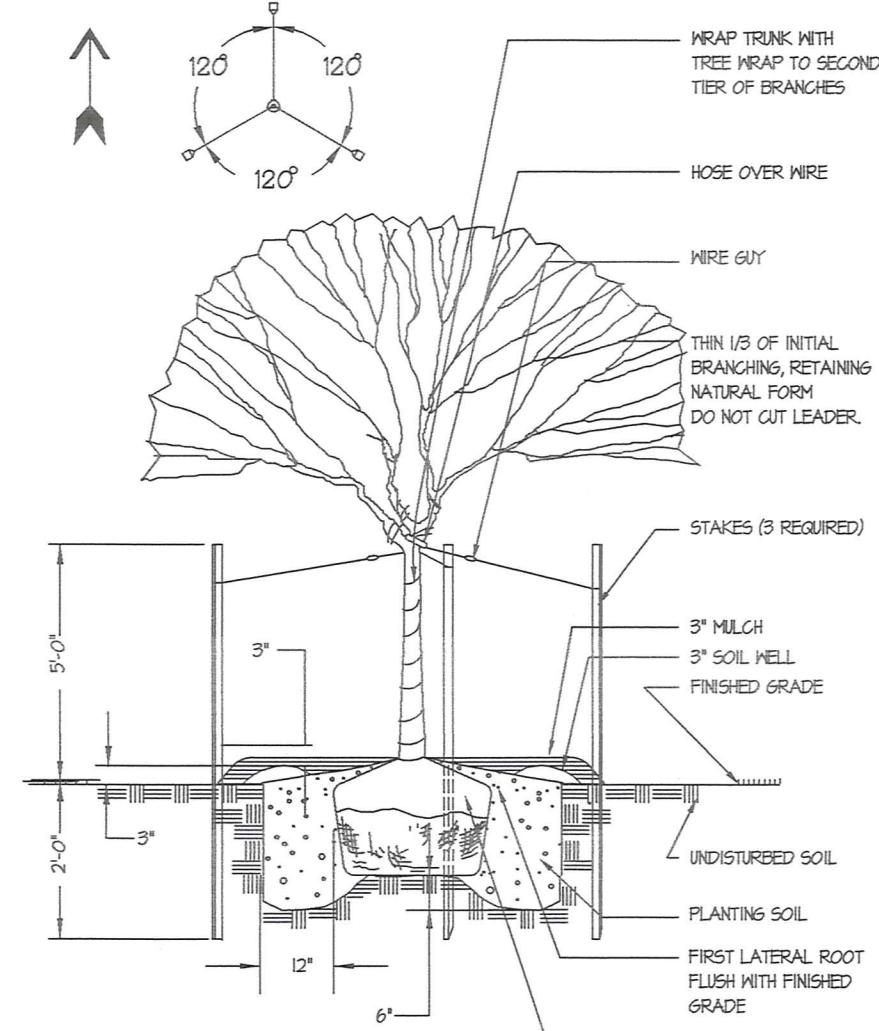
SCALE: 1" = 20'

GENERAL NOTES

SITE NOTES

- SITE AREA = 0.73 AC (±)
- TAX MAP 87, PARCEL 739, LOT B9
- ZONING: ML-1M
- NO ERODIBLE SOILS ARE PRESENT ON-SITE.
- EXISTING IMPERVIOUS COVER TO BE REMOVED = 4,241 S.F. (0.10 AC)
- TOTAL PROPOSED IMPERVIOUS AREA = 29,523 S.F. (0.68 AC)
- LIMIT OF DISTURBANCE = 0.82 AC (±)
- THE SITE IS LOCATED IN THE GWYNNS FALLS WATERSHED.
- THIS LOT IS LOCATED IN ZONE "X" (UNSHADED) AS SHOWN ON FEMA RATE MAP 2400100359F WITH AN EFFECTIVE DATE OF SEPT. 26, 2008.

STAKING DETAIL

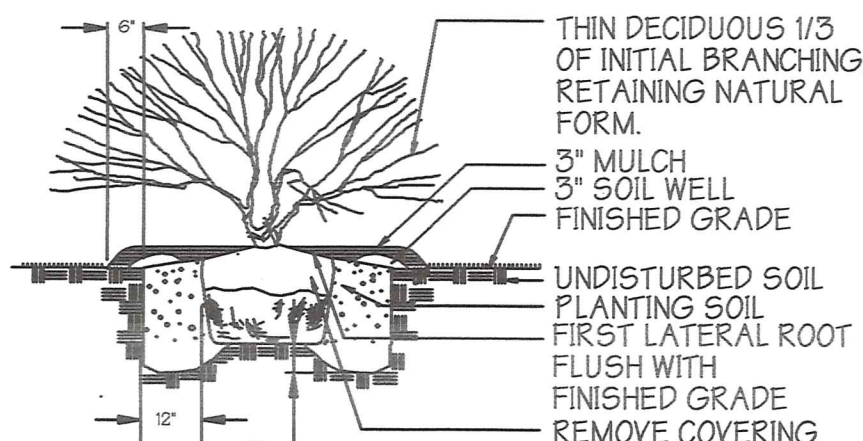


TREE PLANTING DETAIL

NOT TO SCALE

LOCATION MAP

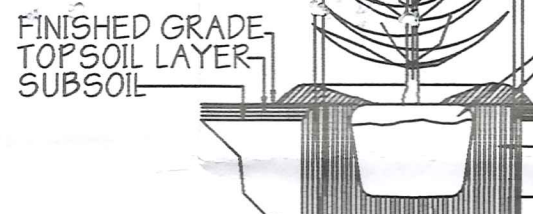
SCALE: 1" = 2000'



Shrub Planting Detail

NOT TO SCALE

RUBBER HOSES ON GALVANIZED WIRE TWISTED UNTIL TAUGHT. STAKE TREES UP TO 12' HT. WITH 2\"/>



EQUALS TWICE BALL DIAMETER

PROVIDE 12" MIN. CLEARANCE

BETWEEN THE BALL AND PIT WALL

PLANTING PIT BACKFILLED WITH

APPROVED PLANTING SOIL MIX

NOT TO SCALE

PLANT SCHEDULE

(NOTE: CONTRACTOR RESPONSIBLE FOR VERIFYING MATERIAL QUANTITIES.)

MAJOR DECIDUOUS	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT	QUANTITY	CONDITION
AR	Acer rubrum 'October Glory' / October Glory Red Maple	2"-25" CAL.	AS SHOWN	B & B	2	FULL
AS	Acer saccharum 'Green Mountain' / Green Mount. Sugar Maple	2"-25" CAL.	AS SHOWN	B & B	2	FULL
EVERGREEN TREES	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT	QUANTITY	CONDITION
CS	Cupressus sempervirens / Italian Cypress	5'-6'	AS SHOWN	B & B	8	DENSE
SHRUBS	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT	QUANTITY	CONDITION
CA	Callicarpa americana / American Beautyberry	2-25' ht.	4' O.C.	Container	20	DENSE
EK	Evonymus alaticarpa 'Manhattan' / Manhattan Evonymus	2-25' ht.	4' O.C.	Container	18	DENSE
IG	Ilex glabra / Inkberry	2-25' ht.	4' O.C.	Container	24	DENSE
JG	Juniperus chinensis 'Pfitzerana' / Pfitzer Juniper	2-25' ht.	4' O.C.	Container	9	DENSE
PERENNIALS	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT	QUANTITY	CONDITION
AC	Aster cordifolius / Heart-leaved Aster	QUART	18" O.C.		134	

PETITIONER'S

EXHIBIT NO. **6B**

LANDSCAPE PLAN - LOT B9 RBC SOUTH

ACCT. NO. 2300007805 2747 ROLLING ROAD DEED REF.: 14119/79
ELECTION DISTRICT NO. 0264 TAX MAP: 87 PARCEL: 739 LOT: B9 BALTIMORE COUNTY, MARYLAND

GWS

GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC.
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WATERS EDGE CORPORATE CAMPUS
4882 MILLENIUM DRIVE, SUITE 100
BEL CAMP, MD 21017
Ph: (410) 287-2340 Fax: (410) 287-2345
http://www.gwilliams-jr.com

OWNER / DEVELOPER:
RUTHERFORD WINDSOR LLC
9640 DEERCO ROAD
TIMONIUM, MARYLAND
21083
PHONE: 410-561-1300

DRAWN BY: ADM/JRO CHECKED BY: GWS DATE: 11/14/2013 SCALE: 1" = 20' P/N# 11517