



KEVIN KAMENETZ
County Executive

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

April 29, 2015

Timothy M. Kotroco, Esq.
Whiteford, Taylor & Preston, LLP
One W. Pennsylvania Avenue, Suite 300
Towson, Maryland 21204

RE: Petition for Special Hearing and Variance
Property: 9895 BelAir Road
Case No. 2015-0178-SPHA

Dear Mr. Kotroco:

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:sln
Enclosure

c: Barry Creasy, 9912 Pepper Hill Road, Perry Hall, Maryland 21128
Mark & Kim Mohr, 8 Fox Hill Ct., Perry Hall, Maryland 21128

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(9895 Belair Road)
11th Election District

5th Council District
Route One Development Co., Inc.
Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0178-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the 1st Amended Final Development Plan (FDP) for Gunpowder Overlook. In addition, a Petition for Variance pursuant to B.C.Z.R. §259.9.B.4.e seeks: to permit a side yard setback from the right-of-way of a major or minor arterial or collector road of 37 ft. in lieu of the required 40 ft. for Lot 48; and (2) to permit rear yard setbacks no less than 19 ft. for Lots 1-25, 27-41 and 44.

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 Matt Bishop. Timothy M. Kotroco, Esq. appeared on behalf of the Petitioner. Several neighbors attended the hearing to obtain additional information regarding the requests.

The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). The DOP had no objections to the requests, while the DPR noted that the variance requests should be

ORDER RECEIVED FOR FILING

Date

By

4/29/15

Den

modified slightly to avoid interference with drainage and utility easements at the rear of some of the lots. The Order below incorporates the recommendations made by DPR.

The subject property is approximately 21.4 acres and is zoned DR 3.5H and DR 3.5. The Developer is constructing a community of 48 single family dwellings, to be known as Gunpowder Overlook. A model home is constructed on Lot 48, and the Developer will soon begin to sell the other lots shown on the plan. Developer's counsel indicated that buyers are looking for additional amenities when shopping for a new home (i.e., decks, family, rooms, etc.). Counsel stated that a builder in such a market requires some flexibility in lot configuration, hence the request for variance relief.

To obtain variance relief a petitioner must show:

- (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. The site is long and narrow, and according to Mr. Bishop, a landscape architect accepted as an expert, there is an 80' grade change from Bel Air Road to the rear of the site. As such the property is unique. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty, given that Petitioner would be unable to provide the amenities desired by home buyers. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of county and/or community opposition.

PETITION FOR SPECIAL HEARING

The petition seeks to amend the Final Development Plan (FDP) to reflect the relief granted herein regarding yard setbacks. Only the model home has been constructed at the present time,

ORDER RECEIVED FOR FILING
Date 4/29/15
By SEN

and thus the FDP can be amended in accordance with B.C.Z.R. § 1B01.3.A.7.a. This is an appropriate request and will be granted.

THEREFORE, IT IS ORDERED this 29th day of April, 2015, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the 1st Amended Final Development Plan (FDP) for Gunpowder Overlook, in accordance with the terms of this Order, be and is hereby GRANTED.

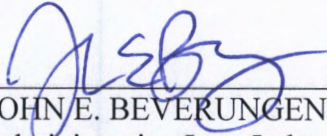
IT IS FURTHER ORDERED that the Petition for Variance seeking: (1) to permit a side yard setback from the right-of-way of a major or minor arterial or collector road of 37 ft. in lieu of the required 40 ft. for Lot 48; and (2) to permit rear yard setbacks not less than 21 ft. for Lots 1-25 and 27-41, and not less than 26 ft. for Lot 44, in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By



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 9895 BelAir Road which is presently zoned DR3.5H+DR3.5
Deed References: 62397635 10 Digit Tax Account # 1119009025
Property Owner(s) Printed Name(s) Route One Development Co., Inc.

(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

see attached

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 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:

N/A
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Route One Development Co., Inc. by:
Name #1 - Type or Print Name #2 - Type or Print

Walter Kotroco, Atty
Signature #1 Signature #2

1258 Henry Street Baltimore MD
Mailing Address City State

21230 / 410.832.2004 / tkotroco@wtplaw.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco
Name- Type or Print

Walter M. Kotroco
Signature

One W. Pennsylvania Ave, Towson, MD
Mailing Address City State

21204 / 410 832 2004 / TKotroco@wtplaw.com
Zip Code Telephone # Email Address

Representative to be contacted:

Jennifer Busse, Esq.
Name - Type or Print

J Busse
Signature

One W. Pennsylvania Ave. Towson MD
Mailing Address City State

21204 / 410 832 2004 / jbusse@wtplaw.com
Zip Code Telephone # Email Address

CASE NUMBER 2015-0178-SFHA Filing Date 2/18/15 Date Schedule Dates: 4/29/15 Reviewer RD

By Den REV. 10/4/11

GUNPOWDER OVERLOOK

ATTACHMENT TO PETITION FOR VARIANCE

VARIANCE RELIEF REQUESTED

- 1) ~~1~~ PURSUANT TO BCZR §259.9B.4.b TO PERMIT SIDE YARD SETBACK FROM THE RIGHT-OF-WAY OF A MAJOR OR MINOR ARTERIAL OR COLLECTOR ROAD OF 37' IN LIEU OF THE REQUIRED 40' FOR LOT 48.
- 2) ~~2~~ PURSUANT TO BCZR §259.9B.4.e TO PERMIT REAR YARD SETBACKS NO LESS THAN 19' FOR LOTS 1-25, 27-41 AND 44.

439158

Special hearing requested
To amend the 1st Amended
Final Dev. Plan for
Gunpowder Overlook

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Description

Beginning at a point located on the north easterly side of Belair Road (U.S. Route 1) which has a width of ± 60 feet at the distance of ± 102 feet northerly of the centerline of the nearest intersecting street, Perry Hall Road to the point of beginning. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

South 60 degrees 3 minutes 9 seconds East 1,848.55 feet to a point; South 43 degrees 1 minute 13 seconds West 595.99 feet to a point; North 55 degrees 10 minutes 13 seconds West 1,784.08 feet to a point; North 39 degrees 56 minutes 29 seconds East 65.37 feet to a point; South 50 degrees 40 minutes 52 seconds East 55.01 feet to a point; North 39 degrees 5 minutes 56 seconds East 60.63 feet to a point; North 51 degrees 6 minutes 27 seconds West 55.00 feet to a point; North 37 degrees 48 minutes 2 seconds East 146.80 feet to a point; North 37 degrees 45 minutes 42 seconds East 161.08 feet to the place of beginning.

Containing an area of ± 21.4 acres of land, more or less and being located in the Eleventh Election District of Baltimore County, Maryland.

and 5th Councilmanic District



2015-0178-SPK-A

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

No.

121505

Date:

2/2/15

PAID RECEIPT

BUSINESS ACTUAL TIME
 2/19/2015 2/15/2015 10:15:06

REG MDS WALTON RBOS LRS
 RECEIPT # 794176 2/18/2015
 5 528 ZONING VERIFICATION
 121505

Receipt Tot \$1,200.00
 \$1,200.00 CX 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
00	306	0000		50						81200

Total: 81200

Rec From:

For:

Zoning hearing - case # 2015-0178-SPH

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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: 2015-0178-SPHA
Petitioner: Route One Development Co., Inc.
Address or Location: 9895 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer Busse, Esq.
Address: c/o WTP - One W. Pennsylvania Ave.
Suite 300
Towson, MD 21204
Telephone Number: 410 832 2077

CERTIFICATE OF POSTING

CASE NO: 2015-0178-SPHA

PETITIONER/DEVELOPER
WHITE FORD, TAYLOR & PRESTON LLP.
TIMOTHY KOTROCO

DATE OF HEARING/CLOSING:

APRIL 13, 2015

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

ATTENTION:

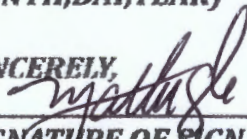
LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

9895 BELAIR ROAD

THIS SIGN(S) WERE POSTED ON March 24, 2015
(MONTH, DAY, YEAR)

SINCERELY,

 3/24/15
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411



myra 86 3/24/15



KEVIN KAMENETZ
County Executive

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

March 9, 2015

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: 2015-0178-SPHA

9895 Belair Road

SE/s Belair Road, 102 ft. n/of centerline of Perry Hall Road

11th Election District – 5th Councilmanic District

Legal Owners: Route One Development, Inc.

Special Hearing to amend the 1st Amended Final Development Plan for Gunpowder Overlook.
Variance to permit side yard setback from the right-of-way of a major or minor arterial or collector road of 37' in lieu of the required 40' for Lot 48; to permit rear yard setbacks no less than 19' for Lots 1-25, 27-41 and 44.

Hearing: Monday, April 13, 2015 at 2:30 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: Timothy Kotroco, One W. Pennsylvania Avenue, Ste. 300, Towson 21204
Route One Development Co., Inc., 1258 Henry St., Baltimore 21230

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 24, 2015.**
- (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
Tuesday, March 24, 2015 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse
Whiteford, Taylor & Preston
One W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2077

NOTICE OF ZONING HEARING

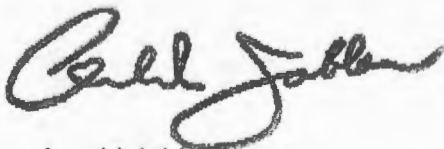
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9895 Belair Road
SE/s Belair Road, 102 ft. n/of centerline of Perry Hall Road
11th Election District – 5th Councilmanic District
Legal Owners: Route One Development, Inc.

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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.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
9895 Belair Road; SE/S Belair Road,	*	OF ADMINISTRATIVE
102' N of c/line Perry Hall Road		
11 th Election & 5 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Route One Development Co, Inc		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-178-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

0 2015

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2015, a copy of the foregoing Entry of Appearance was mailed to Timothy Kotroco, Esquire, One W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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 March 2, 2015
Item No. 2015-0178

DATE: March 9, 2015

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

We have no comments on variance 1.

On variance 2, there are 20- foot-wide drainage and utility easements along the rears of some of the lots. Allowing a 19-foot setback would send mixed signals to the builders and future homeowners. On the following lots, the rear set back should be least 21 feet so that deck or building addition foundations do not encroach into the easements - 1 through 13, 18 through 25, 27 and 28. On lot 44, the minimum setback should be 26 feet because there is 25-foot-wide drainage and utility easement along the rear property line.

The rear of lots 14, 15 and 17 have a setback from the forest buffer but the Department of Environmental Protection and Sustainability should comment on that.

A revised Landscape Plan will be required.

* * * * *

DAK:CEN
cc:file

3/20/15
wtk

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 16, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9895 Belair Road

INFORMATION:

Item Number: 15-178

Petitioner: Route One Development Company, Inc.

Zoning: DR 3.5H, DR 3.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

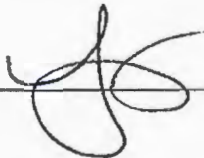
The Department of Planning has reviewed the Petitions for Special Hearing and Variance with the accompanying site plan submitted in support of the above referenced Item. The requests are to amend the 1st Amended Final Development Plan and a variance to permit a 37' side yard setback from the right of way to a major/minor arterial or collector road on lot 48 and to permit rear yard setbacks no less than 19' on a multiple lots.

The Department of Planning recommends approval of the requested relief conditioned on the following:

- Final Pattern Book demonstrating adherence to the Honeygo Standards of BCZR Section 259.9 and the Performance Standards found in Section 260 and must be approved by the Department of Planning.

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

Project Planner:
AVA/LTM



[Bill No. 176-1994]

These standards are intended to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section.

A. Uses. [Bill Nos. 73-1999; 83-2001^[1]; 120-2003^[2]]

1. Back-to-back group homes are not permitted.
2. Retail establishments exceeding 65,000 square feet are not permitted.
3. (Reserved)^[3]

[3]:

Editor's Note: Former Subsection A.3, regarding the prohibition of planned unit developments, was repealed by Bill No. 55-2007.

4. Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds, are not permitted in the front yard of any principal use.

5. In A D.R. 3.5-H Zone, the only dwellings permitted are single-family detached dwellings.

[1]:

Editor's Note: This bill also provided for the renumbering of former Subsection A.3, regarding accessory structures, as Subsection A.4.

[2]:

Editor's Note: This bill stated that it would not apply to any residential development for which a concept plan had been filed prior to 12-2-2003.

B. Bulk and area standards.

[Bill Nos. 40-1997; 73-1999]

1. Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1B01.1.B.1 (residential transition area) of these regulations do not apply.
2. Institutional uses are subject to the bulk and area requirements of the underlying zone.
3. Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.
4. Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:
 - a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
 - b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations;
 - c. Not applied to porches or stoops in front yards; and
 - d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
 - e. Except for properties with approved development plans or CRG plans, 40 feet from the rear property line except for:

[Bill No. 11-2012^[4]]

(1) Unroofed additions, including patios and decks; and

(2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

[4]:

Editor's Note: This bill also stated that it would take effect 4-2-2012 and would apply retroactively to development plans approved on or after 5-1-2003.

f. In a DR-2-H Zone, the sum of all side yard setbacks may not be less than 30 feet between dwellings.

5. Commercial developments shall have:

- a. The front side, visible from the street upon which the building fronts, at least 25 feet high;
- b. A setback of no more than 15 feet from any building to the right-of-way upon which that building fronts; and
- c. A fifteen-foot-wide landscaped buffer between any parking facilities and any public right-of-way, except that, along Honeygo Boulevard, a setback of 40 feet from any parking facility to the right-of-way is required. The forty-foot setback is not subject to the variance provisions of Section 307.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 9895 Belair Road

APR 22 2015

INFORMATION:

Item Number: 15-178

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Route One Development Company, Inc.

Zoning: DR 3.5H, DR 3.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan regarding the Gunpowder Overlook Development Plan. A special hearing is requested to amend the 1st Amended Final Development Plan as well as a variance regarding a side yard setback off of Belair Road and rear yard setbacks on a number of lots throughout the development.

At this time, the Final Pattern Book for the development has been reviewed and approved by the Department of Planning. Therefore, we have no objections to the requests.

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

Division Chief:
AVA/KS

Kathy Schlabach

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, April 28, 2015 11:06 AM
To: mmohr88@hotmail.com
Subject: 2015-0178-SPHA
Attachments: 20150428110540954.pdf

Per our conversation.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Tuesday, April 28, 2015 11:06 AM
To: Administrative Hearings
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 04.28.2015 11:05:40 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 2, 2015
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DATE: March 9, 2015

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The rear of lots 14, 15 and 17 have a setback from the forest buffer but the Department of Environmental Protection and Sustainability should comment on that.

A revised Landscape Plan will be required.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 15-0178-03022015.doc

UNIQUENESS

2015-178-SPTA

80' grade change from Bel Air Rd thru
site, - lot is long + narrow



**MATTHEW A. BISHOP, RLA,
LEED AP BD+C**

Sr. Landscape Architect

PROJECT ASSIGNMENT:

Expert Witness, Landscape Architect

YEARS OF EXPERIENCE:

MRA: 8
Other Firms: 5

EDUCATION:

B.S. Landscape Architecture / 2001 /
University of Connecticut
M.S. Plant Science / 2005 / University
of Connecticut

ACTIVE REGISTRATION:

Landscape Architect:
Maryland, 2006, #3365
North Dakota, 2013, #80

L.E.E.D. Accredited Professional
(2008)

PROFESSIONAL AFFILIATIONS:

American Society of Landscape
Architects (ASLA)
U.S. Green Building Council
(USGBC), Maryland Chapter
Homebuilders Association of
Maryland, Baltimore County
Chapter

QUALIFICATIONS:

Mr. Bishop is a Sr. Landscape Architect with MRA's Towson office. His experience includes a variety of projects ranging in scale from site specific to regional planning including streetscapes, neighborhood parks, mixed-use and residential development. The scope of Mr. Bishop's project involvement includes site analysis through construction documents; applications and permitting; graphic renderings; grading; and cost estimating. His experience also includes working with various government agencies, private interest groups, and project related consultants including: architects; civil engineers; traffic engineers; and City, State, and County environmental and planning agencies.

Sample projects managed by Mr. Bishop include the following:

Firestone Auto Care Center, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this commercial auto care facility included 5,000 sf of service and retail space with associated parking, signage, and landscape improvements. Served as project manager in the preparation of all Baltimore County required plans including a Special Exception Plan, Development Plan, Grading Plan, Site Plan, ESC Plan, Utility Plans, and Landscape Plans. Served as expert witness at the Special Exception hearing.

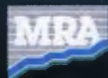
Gunpowder Overlook, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this residential community includes 48 single family detached residential homes with associated open space, stormwater management facilities, environmental conservation areas, public roads and utilities. Served as project manager in the preparation of Concept Plans, a Development Plan, a Pattern Book, and coordination of a Community Input Meeting. Provided expert witness testimony at the Administrative Law Judge Hearing.

5737 Allender Road, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 121 homes situated around an extensive network of community open spaces. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also provided expert witness testimony for a Variance hearing to reduce side and rear yard building setbacks.

Red Lion Farm, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 61 homes. Provided expert witness testimony for a variance hearing to reduce rear yard building setbacks.

Windlass Run, Baltimore County, Maryland - Located on the east side of Baltimore County south of White Marsh Boulevard this Planned Unit Development incorporates 424 homes situated around an extensive network of community open spaces including a clubhouse, pool, and children's play equipment. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also designed and prepared detailed landscape architecture related design products including Active Open Space areas, Passive Open Space areas, Entry features, and Club house/pool area.

Towson Manor, Towson, Maryland - Located south of downtown Towson, on the east side of York Road, this Planned Unit Development incorporates 109 townhouses and an assisted living facility on ±8.22 acres. The project is a redevelopment of an existing single family residential community which had fallen into disrepair. Served as project



**MORRIS & RITCHIE
ASSOCIATES, INC.**

M E M O R A N D U M

DATE: June 2, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0178-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on May 29, 2015. 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

DATE 4-13-2015

[illegible]

CASE NO. 2015- 0178-SPHA

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

3/9/15

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

C

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

FIRE DEPARTMENT

3/16/15

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

no obj / w/ comment

2/25/15

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2012-0194-A)

NEWSPAPER ADVERTISEMENT

Date:

3/24/15

SIGN POSTING

Date:

3/24/15

by agle

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

April 9, 2015

Route One Development Co., Inc
1258 Henry Street
Baltimore MD 21230

RE: Case Number: 2015-0178 SPHA, Address: 9895 Belair Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 18, 2015. 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: jaw

Enclosures

c: People's Counsel
Timothy M Kotroco, Esquire, One W Pennsylvania Avenue, Towson MD 21204
Jennifer Busse, Esquire, One W Pennsylvania Avenue, Towson MD 21204

Lawrence J. Hogan, Jr., Governor
Boyd K. Rutherford, Lt. Governor



Maryland Department of Transportation

Pete K. Rahn, Acting Secretary
Melinda B. Peters, Administrator

Date: 2/25/15

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2015-0178-SPHA
Special Hearing Variance
Route One Development Co. Inc.
9895 Belair Road
US 1

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2/23/15. A field inspection and internal review reveals that an entrance onto US 1 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2015-0178-SPHA.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 16, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9895 Belair Road

INFORMATION:

RECEIVED

Item Number: 15-178

MAR 18 2015

Petitioner: Route One Development Company, Inc.

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 3.5H, DR 3.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

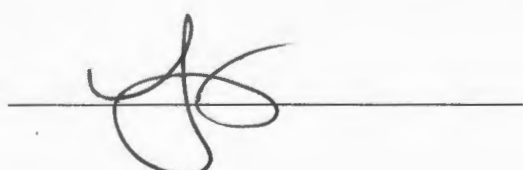
The Department of Planning has reviewed the Petitions for Special Hearing and Variance with the accompanying site plan submitted in support of the above referenced Item. The requests are to amend the 1st Amended Final Development Plan and a variance to permit a 37' side yard setback from the right of way to a major/minor arterial or collector road on lot 48 and to permit rear yard setbacks no less than 19' on a multiple lots.

The Department of Planning recommends approval of the requested relief conditioned on the following;

- Final Pattern Book demonstrating adherence to the Honeygo Standards of BCZR Section 259.9 and the Performance Standards found in Section 260 and must be approved by the Department of Planning.

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

Project Planner:
AVA/LTM



3/20/15
wcl

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 16, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9895 Belair Road

INFORMATION:

Item Number: 15-178

Petitioner: Route One Development Company, Inc.

Zoning: DR 3.5H, DR 3.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petitions for Special Hearing and Variance with the accompanying site plan submitted in support of the above referenced item. The requests are to amend the 1st Amended Final Development Plan and a variance to permit a 37' side yard setback from the right of way to a major/minor arterial or collector road on lot 48 and to permit rear yard setbacks no less than 19' on a multiple lots.

The Department of Planning recommends approval of the requested relief conditioned on the following;

- Final Pattern Book demonstrating adherence to the Honeygo Standards of BCZR Section 259.9 and the Performance Standards found in Section 260 and must be approved by the Department of Planning.

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

Project Planner:
AVA/LTM



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 March 2, 2015
Item No. 2015-0178

DATE: March 9, 2015

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

We have no comments on variance 1.

On variance 2, there are 20- foot-wide drainage and utility easements along the rears of some of the lots. Allowing a 19-foot setback would send mixed signals to the builders and future homeowners. On the following lots, the rear set back should be least 21 feet so that deck or building addition foundations do not encroach into the easements - 1 through 13, 18 through 25, 27 and 28. On lot 44, the minimum setback should be 26 feet because there is 25-foot-wide drainage and utility easement along the rear property line.

The rear of lots 14, 15 and 17 have a setback from the forest buffer but the Department of Environmental Protection and Sustainability should comment on that.

A revised Landscape Plan will be required.

* * * * *

DAK:CEN
cc:file



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3143136

Sold To:

Whiteford-Taylor & Preston LLP - CU00187154
1 W Pennsylvania Ave, Ste 300
Towson, MD 21204

Bill To:

Whiteford-Taylor & Preston LLP - CU00187154
1 W Pennsylvania Ave, Ste 300
Towson, MD 21204

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Mar 24, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

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: # 2015-0178-SPHA

9895 Belair Road
SE/s Belair Road, 102 ft. n/of centerline of Perry Hall Road
11th Election District - 5th Councilmanic District
Legal Owner(s) Route One Development, Inc.

Special Hearing: to amend the 1st Amended Final Development Plan for Gunpowder Overlook

Variance: to permit side yard setback from the right-of-way of a major or minor arterial or collector road of 37' in lieu of the required 40' for Lot 48; to permit rear yard setbacks no less than 19' for Lots 1-25, 27-41 and 44.

Hearing: Monday, April 13, 2015 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

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

JT 3/838 March 24

3143136

Case No.:

2015-0178-SPHA

Exhibit Sheet

Petitioner/Developer

DW
6-2-15

Protestants

slu
4-29-15

No. 1	Site plan	
No. 2	Plan to Accompany photographs Nos. 1-11	
No. 3	Aerial photo of site	
No. 4	Final landscape plan	
No. 5	Plan showing location of drainage + utility easements	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





Perry Hall RD

WINTER OVERLOOK

3







HOME SITE
5
Available
Ryan
The Home and Design
Center

7



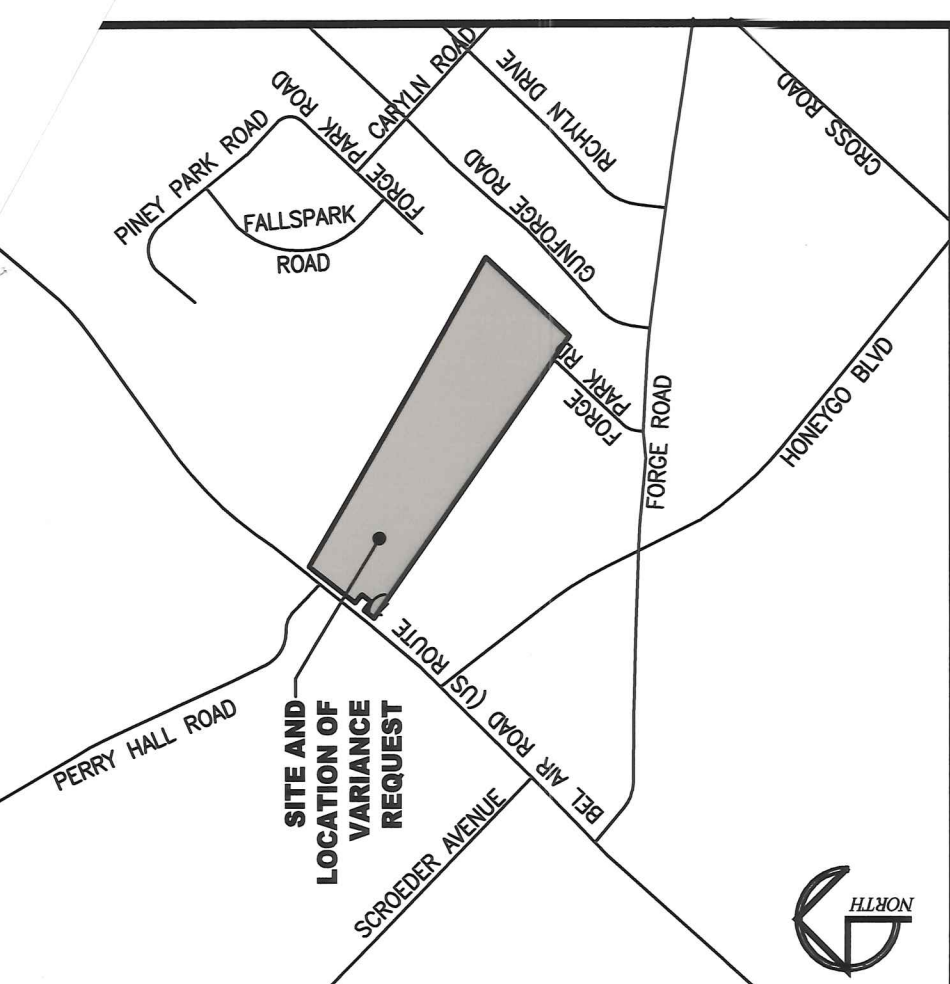
9





10





VICINITY MAP
SCALE: 1" = 100'

OWNER / APPLICANT:

1. PROPERTY OWNER:
PERRY HALL DEVELOPMENT CO. INC.
1235 E. JOPPA ROAD, SUITE 505
TOWSON, MD 21204
BALTIMORE, MD 21204
2. DEVELOPER/APPLICANT:
GUNPOWDER FARMS, LLC
1235 E. JOPPA ROAD, SUITE 505
TOWSON, MD 21204
BALTIMORE, MD 21204
ATTN: RONALD SCHAFFEL
(410) 347-4800

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE MAPS AND DRAWINGS IS THE RESPONSIBILITY OF THE OWNER. THE OWNER HAS BEEN ADVISED THAT THE USE OF ANY INFORMATION SHOWN ON THE MAPS AND DRAWINGS IS AT THE USER'S RISK. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ANY INFORMATION SHOWN ON THE MAPS AND DRAWINGS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ANY INFORMATION SHOWN ON THE MAPS AND DRAWINGS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ANY INFORMATION SHOWN ON THE MAPS AND DRAWINGS.



LEGEND

- EXISTING PROPERTY LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING EASEMENT
- EXISTING ZONING
- EXISTING WETLAND
- EXISTING STREAM
- EXISTING PAVEMENT
- EXISTING CURB
- EXISTING VEGETATION
- EXISTING STRUCTURE
- 100 YEAR FLOODPLAIN
- 100 YEAR FREEBOARD
- FOREST BUFFER
- SETBACK
- PROPOSED FOREST BUFFER & FOREST CONSERVATION EASEMENT
- PROPOSED FOREST CONSERVATION EASEMENT
- PROPOSED SNM RESERVATION
- PROPOSED CURB
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- PROPOSED STREET LIGHT
- LOT SUBJECT TO VARIANCE REQUEST

GENERAL NOTES:

1. EXISTING ZONING: DR 3.5H (421.03 AC/±1918,402 SF)
DR 3.5 (40.04 AC/±1,989 SF)
421.4 AC ±(933,000 S.F.)
RESIDENTIAL
2. GROSS ACREAGE: 421.4 AC ±(933,000 S.F.)
3. EXISTING LAND USE: RESIDENTIAL
4. PROPERTY INFORMATION:
A. TAX ACCOUNT NUMBER: 1190009025
B. DEED REFERENCE: 6239/635
C. COUNCILMANIC DISTRICT: 5
D. ELECTION DISTRICT: 4113.03
E. CENSUS TRACT: 29, E3
F. ADC MAP LOCATION: NE 1TH, 12H
G. BALTIMORE COUNTY ZONING MAP REFERENCES: NE 1TH, 12H
H. MAP: S-3
I. GRID: 22
J. PARCELS: 188
K. WATERSHED: LOWER GUNPOWDER
L. BASIC SERVICES - WATER MAP: W-3 MASTER PLAN AREA
M. BASIC SERVICES - SEWER MAP: S-3 MASTER PLAN AREA
N. ALL PROPOSED LIGHTINGS ARE STANDARD PUBLIC STREET LIGHTING AND WILL ADHERE TO ALL BALTIMORE COUNTY STANDARD.
5. DESIGN STANDARDS, SCREENINGS AND LANDSCAPING HAVE BEEN PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
6. THE SITE IS NOT LOCATED WITHIN A TRAFFIC DEFICIENT AREA OR WATER DEFICIENT AREA AS SHOWN ON THE 2014 BASIC SERVICES MAPS. A PORTION OF THE SITE IS LOCATED WITHIN A SEWER DEFICIENT AREA AS SHOWN ON THE 2014 BASIC SERVICES MAP. HOWEVER THE DEVELOPMENT PLAN AND CONSTRUCTION DRAWINGS ARE CURRENTLY APPROVED AND UNDER CONSTRUCTION.

ZONING NOTES:

1. CASE NO. 2012-0194-A: APPROVED APRIL 10TH, 2012 TO APPROVE THE GUNPOWDER OVERLOOK DEVELOPMENT PLAN.

SITE DEVELOPMENT PROPOSAL

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROVIDED	AVERAGE DAILY TRIPS
SINGLE-FAMILY DETACHED	48 UNITS	96 PS	96 PS	480

VARIANCE RELIEF REQUESTED

- 1) PURSUANT TO BCZR §259.9B.4.b TO PERMIT SIDE YARD SETBACK FROM THE RIGHT-OF-WAY OF A MAJOR OR MINOR ARTERIAL OR COLLECTOR ROAD OF 37' IN LIEU OF THE REQUIRED 40' FOR LOT 48.
- 2) PURSUANT TO BCZR §259.9B.4.c TO PERMIT REAR YARD SETBACKS AS SHOWN IN TABLE A IN LIEU OF THE REQUIRED 40'.

TABLE A

LOT NUMBER	PROPOSED SETBACK
1-13, 20	27'
14	35'
15	39'
16, 18, 48	28'
17	36'
19, 39	30'
21-25	33'
27	33'
28	25'
29	21'
30, 31	19'
32, 40	25'
33	32'
34, 44	28'
35-38, 41	21'
39, 42, 43, 45-47	N/A

SPECIAL HEARING RELIEF REQUEST

- 1) TO AMEND THE 1ST AMENDED FINAL DEVELOPMENT PLAN FOR GUNPOWDER OVERLOOK.



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1868
FAX: (410) 821-1748
MRA@MIRA.COM



PLAN TO ACCOMPANY VARIANCE PETITION AND SPECIAL HEARING PETITIONS GUNPOWDER OVERLOOK

DATE	REVISIONS	ELECTION DISTRICT	COUNCILMANIC DISTRICT
02/28/2015	1. REDLINE	11	5
JOB NO.:	15122.01	SCALE:	AS SHOWN
DATE:	02/16/2015	DRAWN BY:	SZ
DESIGN BY:	MB	REVIEW BY:	MB
SHEET:	1 OF 1		

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL: NAD 83 (1991) VERTICAL: NAD 83

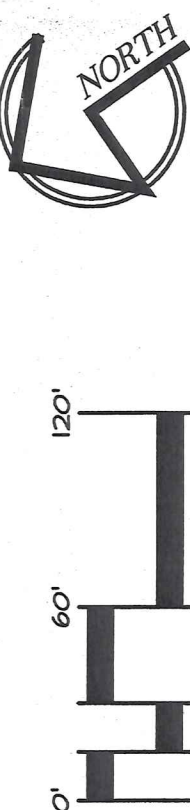


OWNER / APPLICANT:

1. PROPERTY OWNER:
ROUTE ONE DEVELOPMENT CO. INC.
1258 HENRY STREET,
BALTIMORE, MD 21230
2. DEVELOPER/APPLICANT:
GUNPOWDER FARMS, LLC
1258 HENRY STREET
BALTIMORE, MD 21230
ATTN: RONALD SCHAFFTEL
(410)-347-4980

EXHIBIT

8



GENERAL NOTES:

- | | | | |
|-----|---|--------------------------|-----------------------------|
| 1. | EXISTING ZONING: | DR 3.5H | ±(21.03 AC) ±(19.40S ±9.57) |
| 2. | GROSS ACREAGE: | DR 3.5 | ±(21.03 AC) ±(19.40S ±9.57) |
| 3. | NET ACREAGE: | DR 3.5 | ±(21.03 AC) ±(19.40S ±9.57) |
| 4. | PROPERTY USE: | 421.4 AC ±(933.00 S.F.) | |
| 5. | PROPERTY INFORMATION: | 421.00 AC ±(933.00 S.F.) | |
| 6. | TAX ACCOUNT NUMBER: | 1119009025 | |
| 7. | DEED REFERENCE: | 6239/635 | |
| 8. | ELECTION DISTRICT: | 11 | |
| 9. | CENSUS TRACT: | 4113.03 | |
| 10. | ADJ. MAP COORDIN: | 29, 15 | |
| 11. | TAX MAP: | 63, 111, 12H | |
| 12. | GRID: | 22 | |
| 13. | WATERSHED: | 22 | |
| 14. | SUB-SEWERED: | LOWER GUNPOWDER | |
| 15. | BASIC SERVICES: | 23, 24, 25 | |
| 16. | SPIDER MAP: | S-3 MASTER PLAN AREA | |
| 17. | ALL PROPOSED LIGHTINGS ARE STANDARD PUBLIC STREET LIGHTING AND WILL BE TO ALL BALTIMORE COUNTY STANDARD. | | |
| 18. | DESIGN STANDARDS, SCREENING, AND LANDSCAPING HAVE BEEN PROVIDED IN PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE. | | |

ZONING NOTES:

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- | | |
|--|-----------------------|
| EXISTING PROPERTY LINE | --- |
| EXISTING LOT LINE | --- |
| EXISTING RIGHT-OF-WAY | --- |
| EXISTING 2' CONTOUR | - - - - -
(12) |
| EXISTING 10' CONTOUR | - - - - -
(10) |
| EXISTING EASEMENT | --- |
| EXISTING ZONING | --- |
| EXISTING STREAM | ~~~~~ |
| EXISTING SLOPE | 1% 1% |
| EXISTING PAVEMENT | ===== |
| EXISTING CURB | ===== |
| EXISTING VEGETATION | ~~~~~ |
| EXISTING STRUCTURE | [] |
| 100 YEAR FLOODPLAIN | FP FP |
| 100 YEAR FREEBOARD | ----- |
| FOREST BUFFER | ----- |
| SETBACK | ----- |
| PROPOSED FOREST BUFFER
FOREST CONSERVATION EA | [X X X X X X X X X X] |
| PROPOSED FOREST CONSERVATION | [X X X X X X X X X X] |
| PROPOSED SWM RESERVATION | ----- |
| PROPOSED CURB | ===== |
| PROPOSED RIGHT OF WAY | --- |
| PROPOSED LOT LINE | --- |
| PROPOSED EASEMENT | --- |
| PROPOSED STREET LIGHT | *A |

NOT SUBJECT TO VARIANCE REQUEST

VARIANCE RELIEF REQUESTED

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	33	30'
	34, 44	29'
	35-38, 41	21'
	39-42, 43, 45-47	N/A

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

MRAGTA.COM

PLAN TO ACCOMPANY VARIANCE PETITION

GUNPOWDER OVERLOOK

	400350 400350	ELECTION DISTRICT 11	REVISIONS		COUNCILMANIC DISTRICT 5 COUNCILMANIC DISTRICT 5
			DATE		
			JOB NO.: 15122.01	SCALE: AS SHOWN	
			DATE: 02/18/2015	DRAWN BY: S-J	
				DESIGN BY: MAB	
				REVIEW BY: MAB	
				SHEET: 1 OF 1	

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991)
VERTICAL NAVD 88



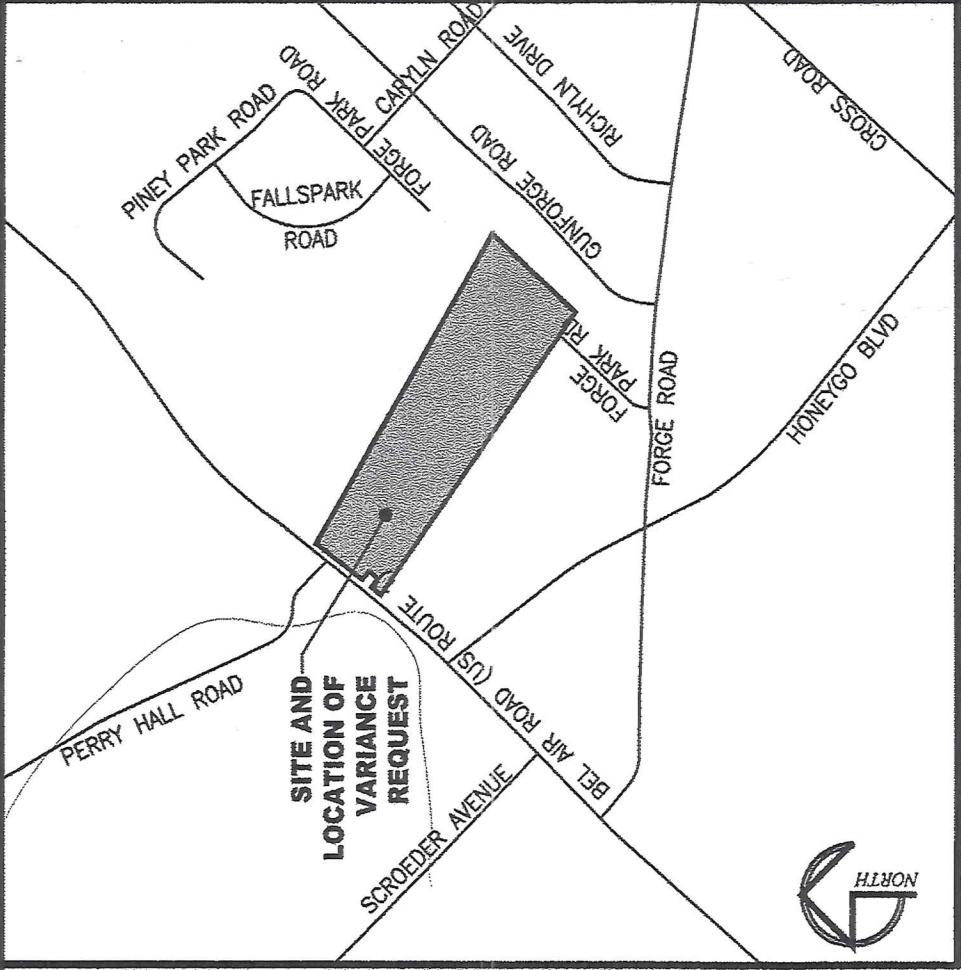
MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND
LANDSCAPE ARCHITECTS

0 100 200 300



GUNPOWDER OVERLOOK - AERIAL IMAGERY

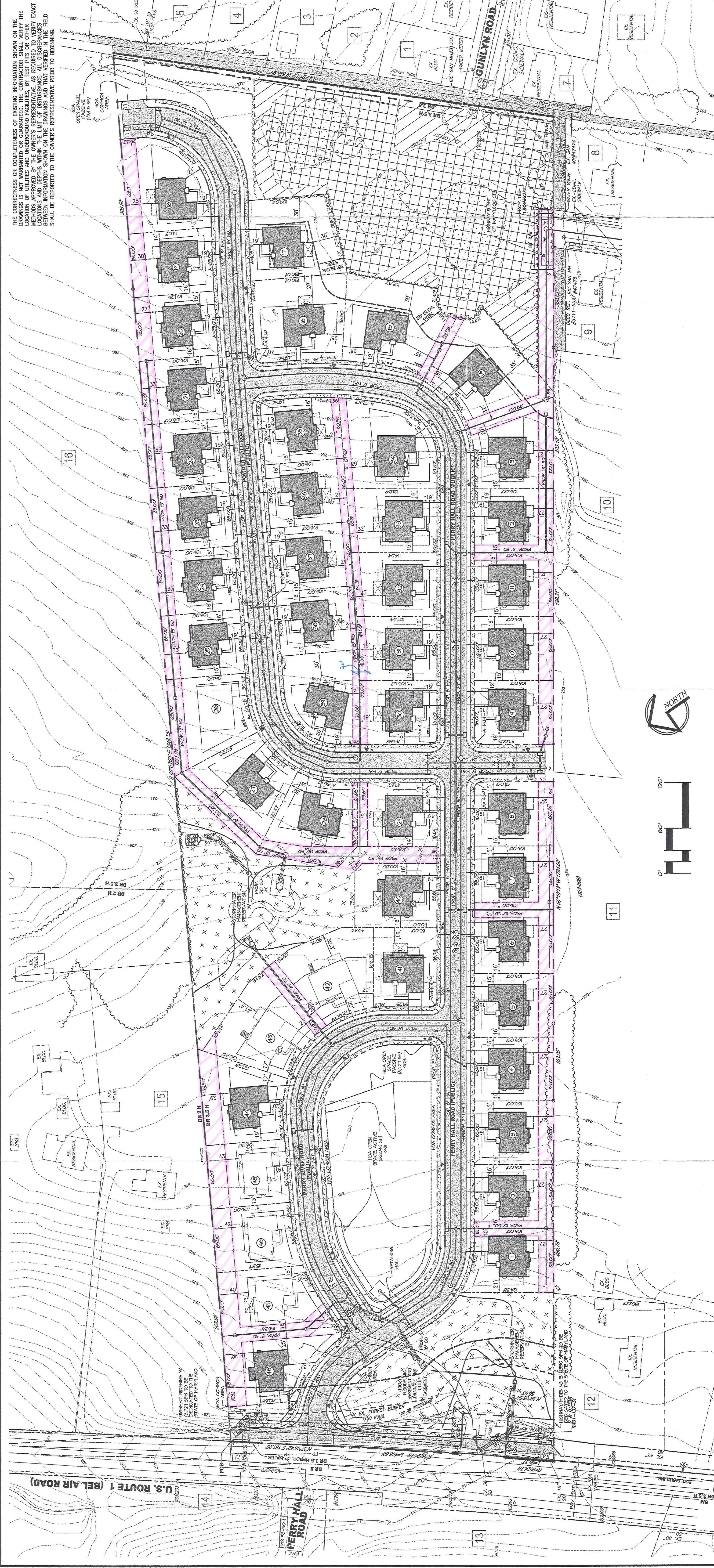


VICINITY MAP
SCALE 1" = 1000'

OWNER / APPLICANT:

1. PROPERTY OWNER:
ROUTE ONE DEVELOPMENT CO., INC.
1258 HENRY STREET,
BALTIMORE, MD 21230
2. DEVELOPER/APPLICANT:
GUNPOWDER FARMS, LLC
1258 HENRY STREET
BALTIMORE, MD 21230
TEL: (410) 821-1748
(410) 347-4800

THE CONTRACTOR'S RESPONSIBILITY FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN ON THE DRAWINGS IS NOT GUARANTEED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES BY TEST PITS OR OTHER MEANS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISTURBANCES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING.



LEGEND

- EXISTING PROPERTY LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING EASEMENT
- EXISTING ZONING
- EXISTING WETLAND
- EXISTING STREAM
- EXISTING PAVEMENT
- EXISTING CURB
- EXISTING VEGETATION
- EXISTING STRUCTURE
- 100 YEAR FLOODPLAIN
- 100 YEAR FREEBOARD
- FOREST BUFFER
- SETBACK
- PROPOSED FOREST BUFFER & FOREST CONSERVATION EASEMENT
- PROPOSED FOREST CONSERVATION EASEMENT
- PROPOSED SMM RESERVATION
- PROPOSED CURB
- PROPOSED RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED EASEMENT
- PROPOSED STREET LIGHT
- LOT SUBJECT TO VARIANCE REQUEST

GENERAL NOTES:

1. EXISTING ZONING: DR 3.5H (421.03 AC ±(418,402 SF))
2. GROSS ACREAGE: DR 3.5 (40.04 AC ±(41,988 SF))
3. NET ACREAGE: 421.4 AC ±(433,000 S.F.)
4. EXISTING LAND USE: RESIDENTIAL
5. PROPERTY INFORMATION: 119009025
6. DEED REFERENCE: 6239/635
7. ELECTION DISTRICT: 1113.03
8. COUNCILMANIC DISTRICT: 23 E3
9. ADC MAP LOCATION: NE 11H, 12H
10. BALTIMORE COUNTY ZONING MAP REFERENCES: 1113.03, 23 E3, 22
11. PARCELS: 188
12. WATERSHED: LOWER GUNPOWDER
13. WATER SERVICE: WATER MAP: S-3 MASTER PLAN AREA
14. BASIC SERVICES: SEWER MAP: S-3 MASTER PLAN AREA
15. ALL PROPOSED LIGHTINGS ARE STANDARD PUBLIC STREET LIGHTING AND WILL ADHERE TO ALL BALTIMORE COUNTY STANDARD.
16. DESIGN STANDARDS, SCREENING, AND LANDSCAPING HAVE BEEN PROVIDED IN ACCORDANCE WITH THE BALTIMORE COUNTY STANDARD.
17. PURSUANT TO SECTION 32-4-404 OF THE BALTIMORE COUNTY CODE.
18. THE SITE IS NOT LOCATED WITHIN A TRAVEL DEFICIENT AREA OR WATER DEFICIENT AREA AS SHOWN ON THE 2014 BASIC SERVICES MAPS. A PORTION OF THE SITE IS LOCATED WITHIN A SEWER DEFICIENT AREA AS SHOWN ON THE 2014 BASIC SERVICES MAP. HOWEVER THE DEVELOPMENT PLAN AND CONSTRUCTION DRAWINGS ARE CURRENTLY APPROVED AND UNDER CONSTRUCTION.

ZONING NOTES:

1. CASE NO. 2012-0194-A: APPROVED APRIL 10TH, 2012 TO APPROVE THE GUNPOWDER OVERLOOK DEVELOPMENT PLAN.

SITE DEVELOPMENT PROPOSAL

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROVIDED	AVERAGE DAILY TRIPS
SINGLE-FAMILY DETACHED	48 UNITS	96 PS	96 PS	480

VARIANCE RELIEF REQUESTED

- 1) PURSUANT TO BCZR §259.9B.4.5 TO PERMIT SIDE YARD SETBACK FROM THE RIGHT-OF-WAY OF A MAJOR OR MINOR ARTERIAL OR COLLECTOR ROAD OF 37' IN LIEU OF THE REQUIRED 40' FOR LOT 48.
- 2) PURSUANT TO BCZR §259.9B.4.6 TO PERMIT REAR YARD SETBACKS AS SHOWN IN TABLE A IN LIEU OF THE REQUIRED 40'.

TABLE A

LOT NUMBER	PROPOSED SETBACK
1-13, 20	27
14	35
15	39
16, 18, 48	28
17	36
19, 39	30
21-25	33
27	33
28	25
29	21
30, 31	21
32, 40	25
33	32
34, 44	29
35-38, 41	21
26, 42, 43, 45-47	N/A



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1890
FAX: (410) 821-1748
MRAGTALCOM



PLAN TO ACCOMPANY VARIANCE PETITION
GUNPOWDER OVERLOOK

DATE	REVISIONS	ELECTION DISTRICT 11	COUNCILMANIC DISTRICT 5
		JOB NO.: 15122.01	AS SHOWN
		SCALE: 1" = 1000'	DATE: 02/18/2015
		DRAWN BY: S.J.Z.	DESIGN BY: M.B.
		REVIEW BY: M.B.	SHEET: 1 OF 1

DESIGN & DRAWING BASED ON:
MARYLAND COORDINATE SYSTEM:
HORIZONTAL: NAD 83/(1981)
VERTICAL: NAD 88