

M E M O R A N D U M

DATE: January 22, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0114-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 18, 2019. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE
(501 & 519 Schmidt Road)
15th Election District
6th Council District
Caruso Builder Seneca Creek, LLC
Legal Owner

Petitioner

*
*
*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

CASE NO. 2019-0114-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Caruso Builder Seneca Creek, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief pursuant to the Baltimore County Zoning Regulations ("BCZR") to allow a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit a modification to a building line restriction shown on the Development Plan.

Landscape architect Rowan Glidden appeared in support of the petition. Timothy M. Kotroco, Esq. represented the Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability ("DEPS"), indicating Petitioner must comply with critical area regulations.

The site is approximately 6.0157 acres in size and zoned DR 5.5. The property is presently unimproved, although Petitioner indicated the private access road has been constructed and a model home will also be built in the near future. The project involves 11 single-family dwellings in the Bowley's Quarters area, which are shown on a Final Development Plan (FDP) approved by

ORDER RECEIVED FOR FILING

Date 12/19/18
By Sen

Baltimore County. This case involves a single variance request concerning the building-to-building setback between several of the proposed dwellings.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Rowan Glidden, a professional landscape architect accepted as an expert, testified the property has an irregular shape and is constrained by environmental features. As such the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to construct the dwellings as proposed. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, 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.

THEREFORE, IT IS ORDERED, this 19th day of **December, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to allow a side building face to side building face setback of 10 feet in lieu of the required 20 feet, and to permit a modification of the building restriction line shown on the Final Development Plan ("FDP"), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Final Development Plan ("FDP") shall be amended to reflect the zoning relief granted herein by resubmission of the plan to the Department of Permits, Approvals & Inspections ("PAI"), pursuant to BCZR Section 1B01.3.A.7.a.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

2

Date 12/19/18
By Sen

- (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.
- (2) Prior to issuance of permits Petitioner must comply with critical area regulations.

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 12/19/18

By sln



CBCA

PETITION FOR ZONING HEARING(S)

Flood

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 501-519 Schmidt Road which is presently zoned DR 5.5
 Deed References: 40036/143 10 Digit Tax Account # 2500002707
 Property Owner(s) Printed Name(s) Caruso Builder Seneca Creek LLC

(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).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Timothy M. Kotroco

Name- Type or Print

Signature

305 Washington Avenue, Suite 502, Towson, Maryland

Mailing Address City State

21204 / 410-299-2943 / TKotroco@gmail.com
Zip Code Telephone # Email Address**Legal Owners (Petitioners):**

Caruso Builder Seneca Creek, LLC by:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2120 Baldwin Ave, Ste 200 Crofton Md
Mailing Address City State21114 / 410-931-6833 / eleyendusky@carusohomes.com
Zip Code Telephone # Email Address**Representative to be contacted:**

Same As Attorney for Petitioner

Name - Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

CASE NUMBER 2019-0114-A Filing Date 10/9/2018 Do Not Schedule Dates: Reviewer JNP

Foot

CPA

ORDER RECEIVED FOR FILING

Date

By

ATTACHMENT TO VARIANCE PETITION

From section 1B01.2.C.1.b to allow a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit a modification to our building restriction

For such other and further relief as the nature of this cause may require.

2019-0114-A

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

September 11, 2018

ZONING PROPERTY DESCRIPTION
for
501-519 SCHMIDT ROAD (a Private Road)

Beginning at a point on the west side of Seneca Gardens Road, which is 50 feet wide, at the distance of approximately 517 linear feet north of the centerline of the nearest improved intersecting street being Seneca Garden Road, which is 50 feet wide, both roads being as shown on "Final Plat #1 of Seneca Harbor," recorded at Liber S.M. 68, folio 128.

Being all that lands shown as Parcel 'A' and Parcel 'B' of Tax Parcel 453 in the subdivision of "Final Plat of Kimbrook" as recorded in Baltimore County Plat Book #73, Folio #231, and containing 6.0157 acres of land, which includes 5.918 acres in net lot area. Located in the 15th Election District and 6th Council District.

Being those parcels of land recorded in Deed Liber J.J.E. 40036, folio 143, as recorded in the Baltimore County Land Records, containing 6.0157 Acres of land more or less. Also known as 501-519 Schmidt Road (a Private Road), being parcels 453 of Baltimore County Tax Map 91, and located within Election District #15 and Councilmanic District #6.

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



Rowan G. Glidden
9/28/18

11882-01_zoning_description.doc

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

2019-0114-A



DONALD I. MOHLER III
County Executive

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

October 29, 2018

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: 2019-0114-A

501-519 Schmidt Road

W/s Seneca Gardens Road, 517 ft. n/or Seneca Gardens Road

15th Election District – 6th Councilmanic District

Legal Owners: Caruso Builder Seneca Creek, LLC

Variance to allow a side building face to side building face setback of 10 ft. in lieu of the required 20 ft. and to permit a modification to our building restriction. For such other and further relief as the nature of this cause may require.

Hearing: Thursday, December 13, 2018 at 11:00 a.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, 305 Washington Avenue, Ste. 502, Towson 21204
Caruso Builder Seneca Creek, LLC, 2120 Baldwin Avenue, Ste. 200, Crofton 21114

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 23, 2018.**
- (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.

NB 12-13-18
11:14m

Debra Wiley

From: David Billingsley <dwb0209@yahoo.com>
Sent: Friday, December 07, 2018 12:31 PM
To: Administrative Hearings
Cc: Timothy M. Kotroco
Subject: 501-519 Schmidt Road Case No.-2019-0114-A
Attachments: Scan1601.pdf

Posting recertification attached
Thanks

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL





RECERTIFY 12/7/18
Date: NOVEMBER 23, 2018

RE: Project Name: 501-519 SCHMIDT ROAD #1
Case Number /PAI Number: 2019-0114-A
Petitioner/Developer: CARUSO BUILDER SENECA CREEK LLC
Date of Hearing/Closing: DECEMBER 13, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 501-509 SCHMIDT ROAD

The sign(s) were posted on

RECERTIFY 12/7/18
NOVEMBER 23, 2018

(Month, Day, Year)

ZONING NOTICE

CASE NO. 2019-0114-A
501-519 SCHMIDT ROAD

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204
TIME: THURSDAY, DECEMBER 13, 2018
AT 11:00 AM

VARIANCE TO ALLOW A SIDE BUILDING FACE TO
SIDE BUILDING FACE SETBACK OF THE BUILDING
OF THE REQUIRED TO BE 10 FEET FROM THE
MODIFICATION TO BE 10 FEET FROM THE
FOR SUCH OTHER AND ALL THE OTHERS
NATURE OF THE VARIANCE

Postponement of the hearing is not permitted unless the petitioner
necessitates to call for a postponement of the hearing, which
Department of Planning and Inspection, 111 West Chesa
Avenue, Towson, MD. 21204-1000, 410-326-7100.

David Billingsley

David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



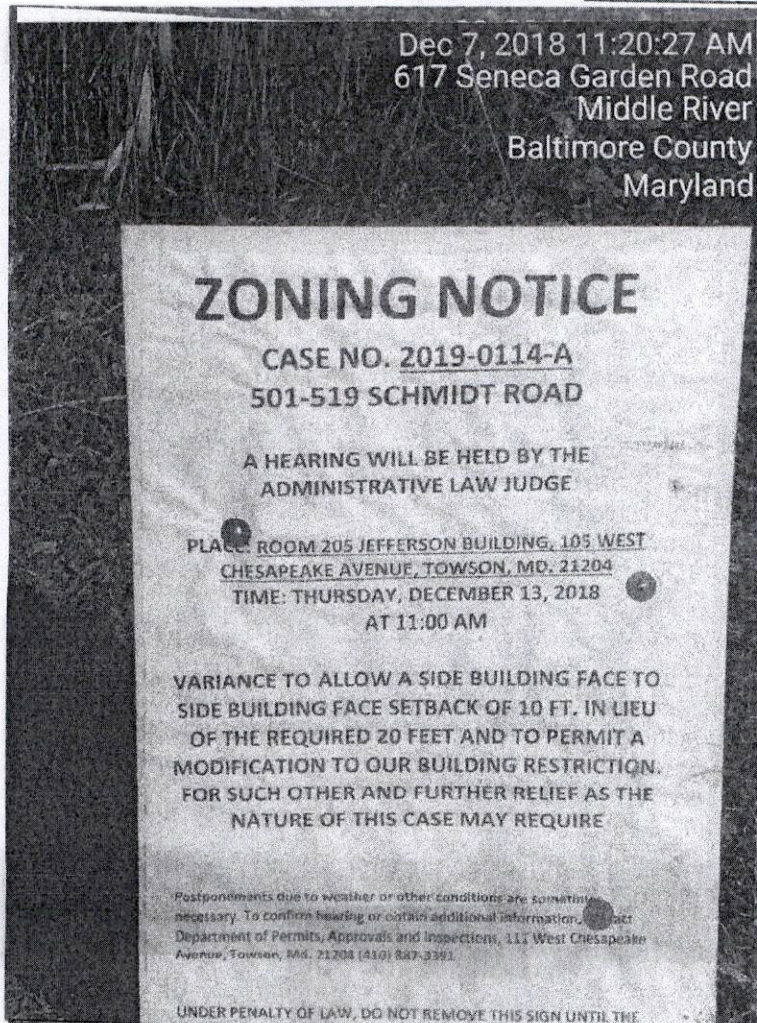
RECEIVED
CERTIFICATE OF POSTING
DEC 07 2018
OFFICE OF
ADMINISTRATIVE HEARINGS
Date: NOVEMBER 23, 2018

RE: Project Name: 501-519 SCHMIDT ROAD #2
Case Number /PAI Number: 2019-0114-A
Petitioner/Developer: CARUSO BUILDER SENECA CREEK LLC
Date of Hearing/Closing: DECEMBER 13, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 501-509 SCHMIDT ROAD

The sign(s) were posted on

NOVEMBER 23, 2018
(Month, Day, Year)



David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: NOVEMBER 23, 2018

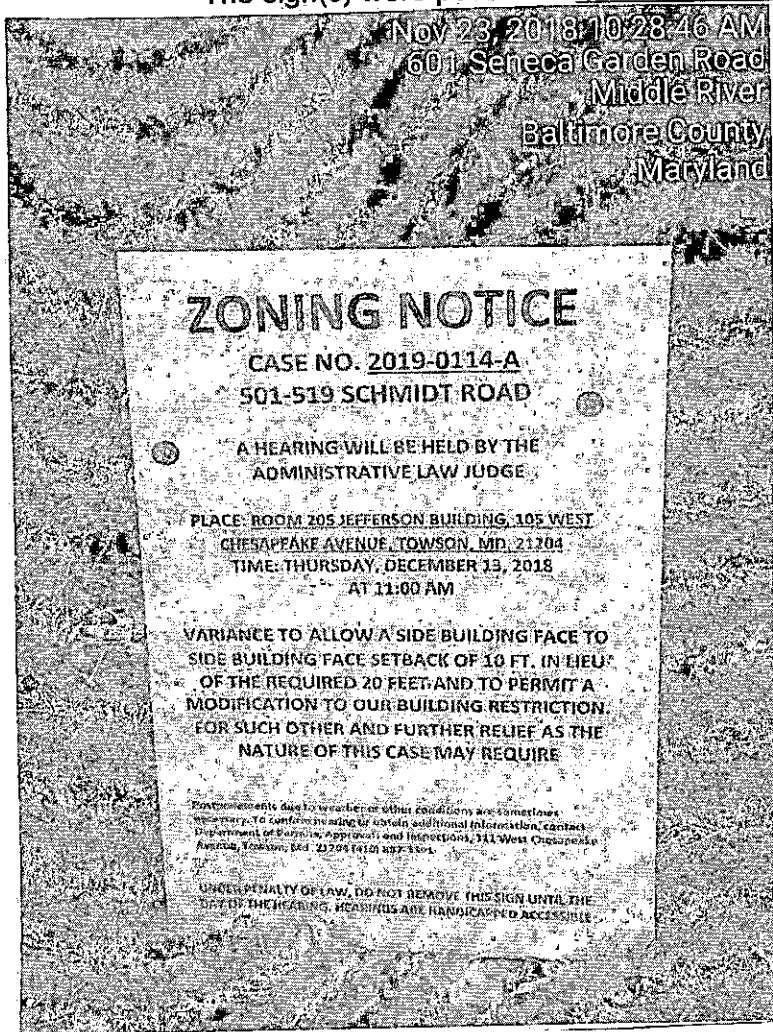
RE: Project Name: 501-519 SCHMIDT ROAD #1
Case Number /PAI Number: 2019-0114-A
Petitioner/Developer: CARUSO BUILDER SENECA CREEK LLC
Date of Hearing/Closing: DECEMBER 13, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 501-509 SCHMIDT ROAD

The sign(s) were posted on

NOVEMBER 23, 2018

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: NOVEMBER 23, 2018

RE: Project Name: 501-519 SCHMIDT ROAD #2
Case Number /PAI Number: 2019-0114-A
Petitioner/Developer: CARUSO BUILDER SENECA CREEK LLC
Date of Hearing/Closing: DECEMBER 13, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 501-509 SCHMIDT ROAD

The sign(s) were posted on: NOVEMBER 23, 2018
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/23/2018

Order #: 11643710
Case #: 2019-0114-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0114-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0114-A

501-519 Schmidt Road

W/s Seneca Gardens Road, 517 ft. n/or Seneca Gardens Road

15th Election District - 6th Councilmanic District

Legal Owners: Caruso Builder Seneca Creek, LLC

Variance to allow a side building face to side building face setback of 10ft. in lieu of the required 20 ft. and to permit a modification to our building restriction. For such other and further relief as the nature of this cause may require.

Hearing: Thursday, December 13, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE, FOR SPECIAL 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.

n23

TO: THE DAILY RECORD
Friday, November 23, 2018 - Issue

Please forward billing to:

Timothy Kotroco
305 Washington Avenue, Ste. 502
Towson, MD 21204

410-299-2943

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: 2019-0114-A

501-519 Schmidt Road

W/s Seneca Gardens Road, 517 ft. n/or Seneca Gardens Road

15th Election District -- 6th Councilmanic District

Legal Owners: Caruso Builder Seneca Creek, LLC

Variance to allow a side building face to side building face setback of 10 ft. in lieu of the required 20 ft. and to permit a modification to our building restriction. For such other and further relief as the nature of this cause may require.

Hearing: Thursday, December 13, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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 VARIANCE * BEFORE THE OFFICE
501-519 Schmidt Road; W/S of Seneca Gardens
Road, 517' N of Seneca Gardens Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts
Legal Owners: Caruso Builder Seneca Creek, LLC* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-114-A

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

OCT 24 2018

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 24th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0114-A
Property Address: ~~601 Seneca Gardens Road~~ 501-519 Schmidt Road
Property Description: W/S of Seneca Gardens Road, 517 ft. N. of Seneca Gardens Road
Legal Owners (Petitioners): Caruso Builder Seneca Creek, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy M. Kotroco
Company/Firm (if applicable): Kotroco & Associates, LLC
Address: 305 Washington Ave Ste 502
Towson, MD 21204
Telephone Number: 410 299 2943

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

No. **176231**

Date: **10/1/2018**

PAID RECEIPT

BUSINESS ACTUAL TIME

10/19/2018 10/17/2018 16:04:29

REG 0003 WALKIN CAM

RECEIPT # 794083 10/17/2018

5 528 ZONING VERIFICATION

ST NO. 176231

Rept Tot \$500.00

\$500.00 CK \$0.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						500.00

Total: **500.00**

Rec

From: **Timothy M. Kutnicko, Atty. At Law**

501-519 Schmitt Road

For: **Variance - ~~601-519 Schmitt Road~~**

2019-0114-A (Caruso Riller Sonera Creek, LLC)

JNP

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



December 7, 2018

JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

Caruso Builder Seneca Creek, LLC
2120 Baldwin Ave. Ste 200
Crofton, MD 21114

To Whom It May Concern:

RE: Case Number: 2019-0114A, Address: 501-519 Schmidt Rd. .

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 9, 2018. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, dotted rectangular line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Timothy M. Kotroco 305 Washington Ave. Ste 502 Towson, MD 21204

Date: 10/22/18

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

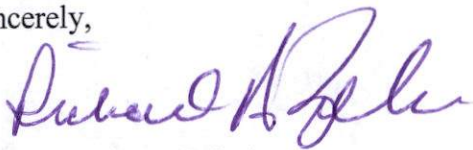
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0114-A

Variance
Caruso Builder Special Creations, LLC
501 519 Schmidt

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0114-A
Address 501 Schmidt
(Caruso Builder Seneca Creek, LLC
Property)

Zoning Advisory Committee Meeting of **October 29, 2018.**

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct multiple dwellings in a proposed subdivision with a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit modification of the building restriction line. The 11 dwellings in the subdivision must meet all LDA requirements, including lot coverage limits and afforestation requirements. According to the First Amended Development Plan, the property which includes a Baltimore County owned parcel is 6.63 acres. The maximum lot coverage for the property is 15% or 43,373 square feet. The 15% afforestation requirement will be met by the retention of forest in a Chesapeake Bay Critical Area Easement (CAE). Based on the site plan provided, it appears the proposed lot coverage is below the maximum limit. The proposed modification to the building restriction line will result in several dwellings moving closer to the CAE. A Variation of Standards was approved in March 2006 to allow these dwellings to

be located within the 35-foot setback to the CAE. However, House #3 does not meet the 15-foot setback established by this Variation of Standards. Therefore, the relief requested by the applicant will not result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

The property appears to meet the lot coverage and afforestation requirements. However, based on the site plan submitted with the zoning petition, House #3 is not consistent with the setback approved under the March 2006 Variation of Standards. Because the plan does not meet the approved Variation of Standards, it does not conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

The applicants are meeting their lot coverage and afforestation requirements with this application, but not the setback required for House #3 under the approved Variation of Standards. Therefore, the relief requested is not consistent with established land-use policies.

Reviewer: Gris Batchelder

12-13

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0114-A
Address 501 Schmidt
(Caruso Builder Seneca Creek, LLC
Property)

Zoning Advisory Committee Meeting of **October 29, 2018**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The applicant is proposing to construct multiple dwellings in a proposed subdivision with a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit modification of the building restriction line. The 11 dwellings in the subdivision must meet all LDA requirements, including lot coverage limits and afforestation requirements. According to the First Amended Development Plan, the property which includes a Baltimore County owned parcel is 6.63 acres. The maximum lot coverage for the property is 15% or 43,373 square feet. The 15% afforestation requirement will be met by the retention of forest in a Chesapeake Bay Critical Area Easement (CAE). Based on the site plan provided, it appears the proposed lot coverage is below the maximum limit. The proposed modification to the building restriction line will result in several dwellings moving closer to the CAE. A Variation of Standards was approved in March 2006 to allow these dwellings to

be located within the 35-foot setback to the CAE. However, House #3 does not meet the 15-foot setback established by this Variation of Standards. Therefore, the relief requested by the applicant will not result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

The property appears to meet the lot coverage and afforestation requirements. However, based on the site plan submitted with the zoning petition, House #3 is not consistent with the setback approved under the March 2006 Variation of Standards. Because the plan does not meet the approved Variation of Standards, it does not conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

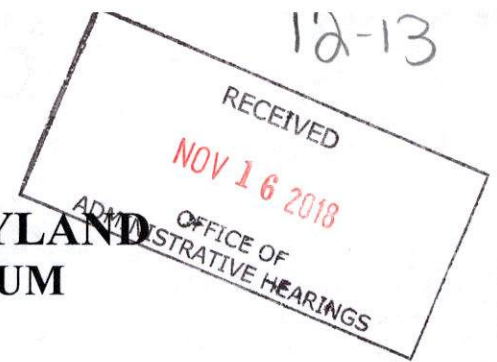
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

The applicants are meeting their lot coverage and afforestation requirements with this application, but not the setback required for House #3 under the approved Variation of Standards. Therefore, the relief requested is not consistent with established land-use policies.

Reviewer: Gris Batchelder

12-13

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: 11/15/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-114

INFORMATION:

Property Address: 501 -519 Schmidt Road
Petitioner: Timothy Kotroco
Zoning: DR 5.5
Requested Action: Variance

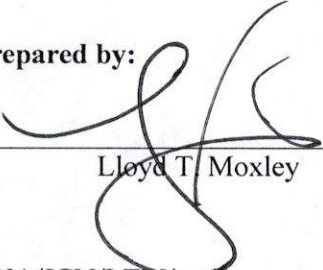
The Department of Planning has reviewed the petition for variances to permit a side building face to side building face setback of 10 feet in lieu of the required 20 feet and to permit a modification to the building restriction line.

A site visit was conducted on October 31, 2018. The subject property was approved as "Kimbroke" under PAI file # XV-0860. A revised pattern book reflecting the petitioned zoning relief has been submitted to the Department of Planning.

The Department has no objections to granting the petitioned zoning relief.

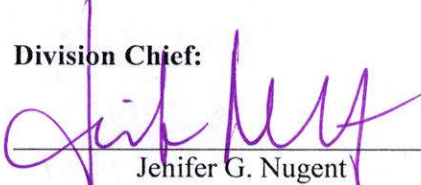
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

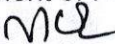
c: Krystle Patchak
Timothy Kotroco
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: November 8, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 29, 2018
Item No. 2019-0052-A, 0111-A, 0112-A, 0114-A, 0115-A, 0116-A, 0117-A,
0118-A, 0119-A, 0120-A and 0121-SPH

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

*

*

*

*

*

VKD: cen
cc: file

2019-0114-A
CASE NAME _____
CASE NUMBER _____
DATE _____
12/13/2018
LET

12/13/2018

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11/8DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C11/29DEPS
(if not received, date e-mail sent _____)Comment_____

FIRE DEPARTMENT

11/16PLANNING
(if not received, date e-mail sent _____)No Objections10/22

STATE HIGHWAY ADMINISTRATION

No Objection_____

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/23/18SIGN POSTING (1st)

Date:

11/23/18

by

BuelingsleySIGN POSTING (2nd)

Date:

12/7/18

by

" "

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Search Result for BALTIMORE COUNTY

12/6/2018

Case No.: 2019-0114-A

Exhibit Sheet

Petitioner/Developer

DW
1-23-19

Protestant

Sen
12-19-18

No. 1	Plan (redlined)	
No. 2	Zoning map	
No. 3	My Neighborhood Aerial	
No. 4	Elevations	
No. 5	Google Map	
No. 6	Elevations - original home plan	
No. 7	Glidden CV	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO.

4



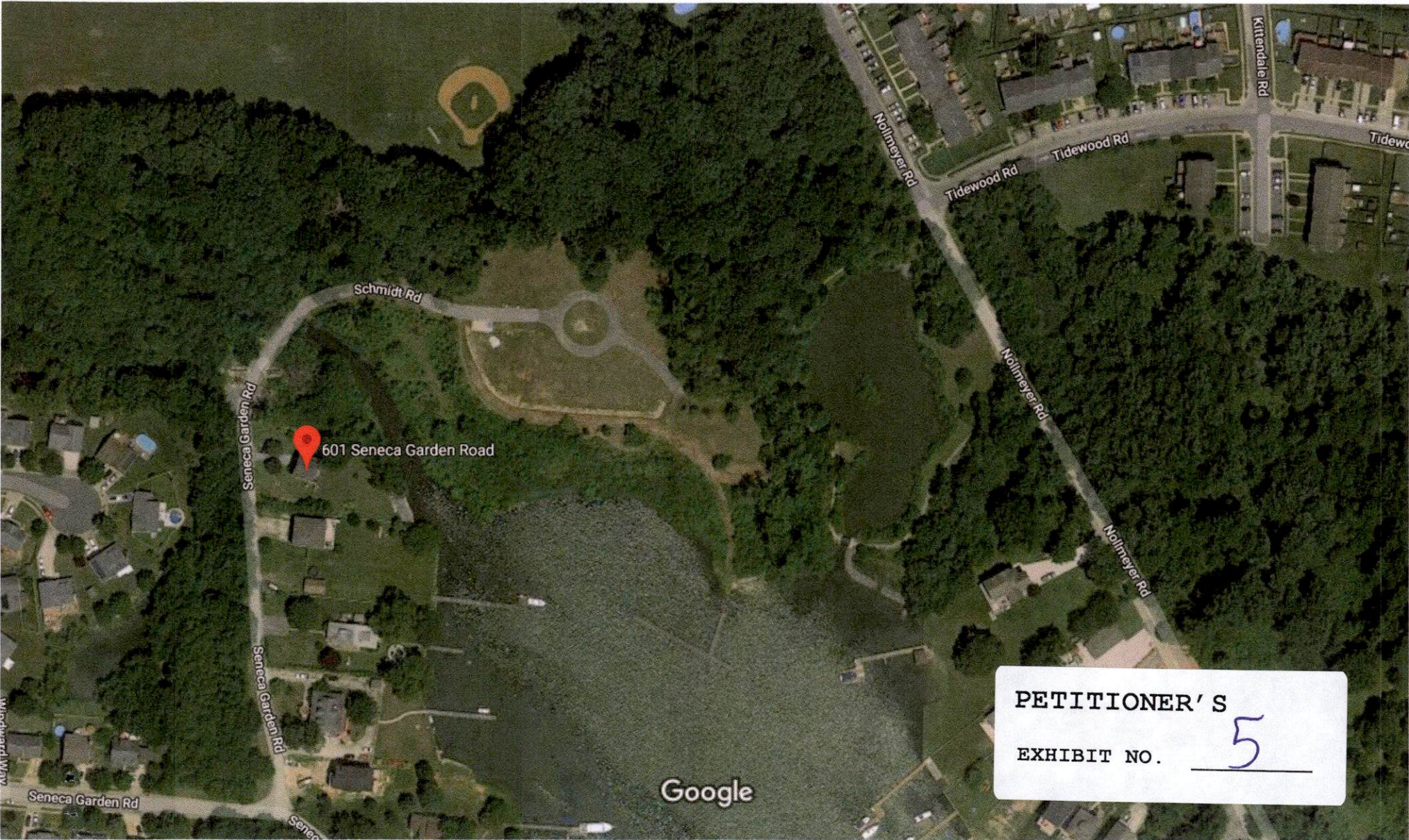








Google Maps 601 Seneca Garden Rd



PETITIONER' S
EXHIBIT NO. 5

Water's Edge
on Seneca Creek
A.K.A. KIMBROOK



PETITIONER' S

EXHIBIT NO. 6

100



Rowan G. Glidden, R.L.A.
Vice President - Director of Land Planning & Landscape Architecture
G.W. Stephens, Jr. & Associates, Inc.
4692 Millennium Drive, Suite 100, Belcamp, Maryland

Project Assignment: Landscape Architect / Land Planner

Education: Texas A & M University, 1984
B.S. Recreation and Parks Administration
Texas A & M University, 1988
Master of Landscape Architecture

Professional Registration: Landscape Architect
DE # S1-0000333; MD # 2082; PA # LA-001641-R

Community Organizations: Economic Development Advisory Board of Harford Co.
(2011-2014; 2016-2018)
Tree Committee - Town of Bel Air (Vice Chair 2017-18)
Route 40 Business Association: Bd. of Dir. (2nd VP 2015-19)
Harford Leadership Academy: Bd. of Directors (2015-2018)
Highlands School: Board of Directors (Pres. 2016-2018)
Harford Development Corp.: Board of Advisors (2016-2018)

Awards: Harford County Public Schools
2011-2012 Service-Learning Service Star
Harford Leadership Academy
2014 Outstanding Past Graduate – HLA Class of 2013

Professional Experience: 29 years

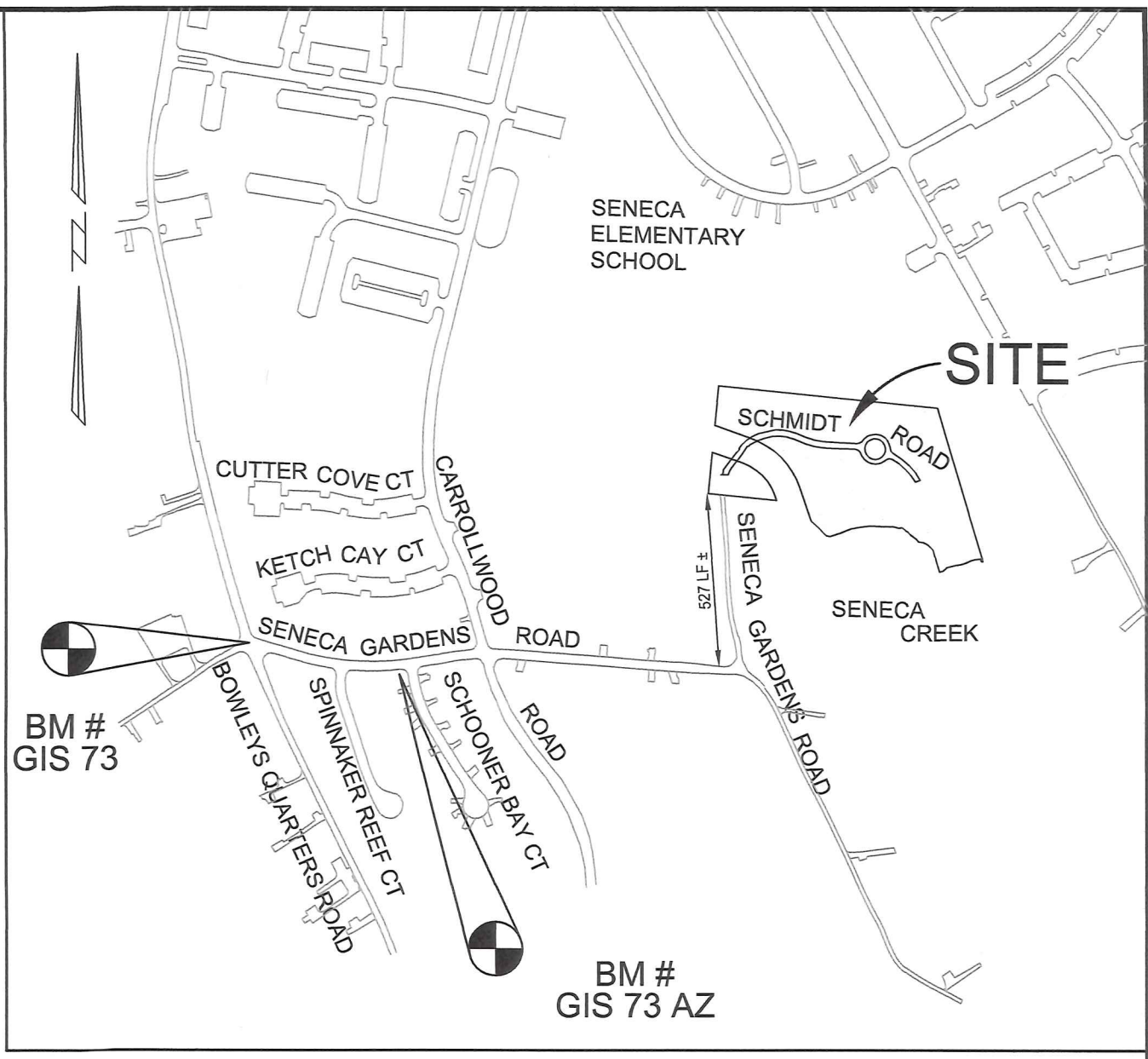
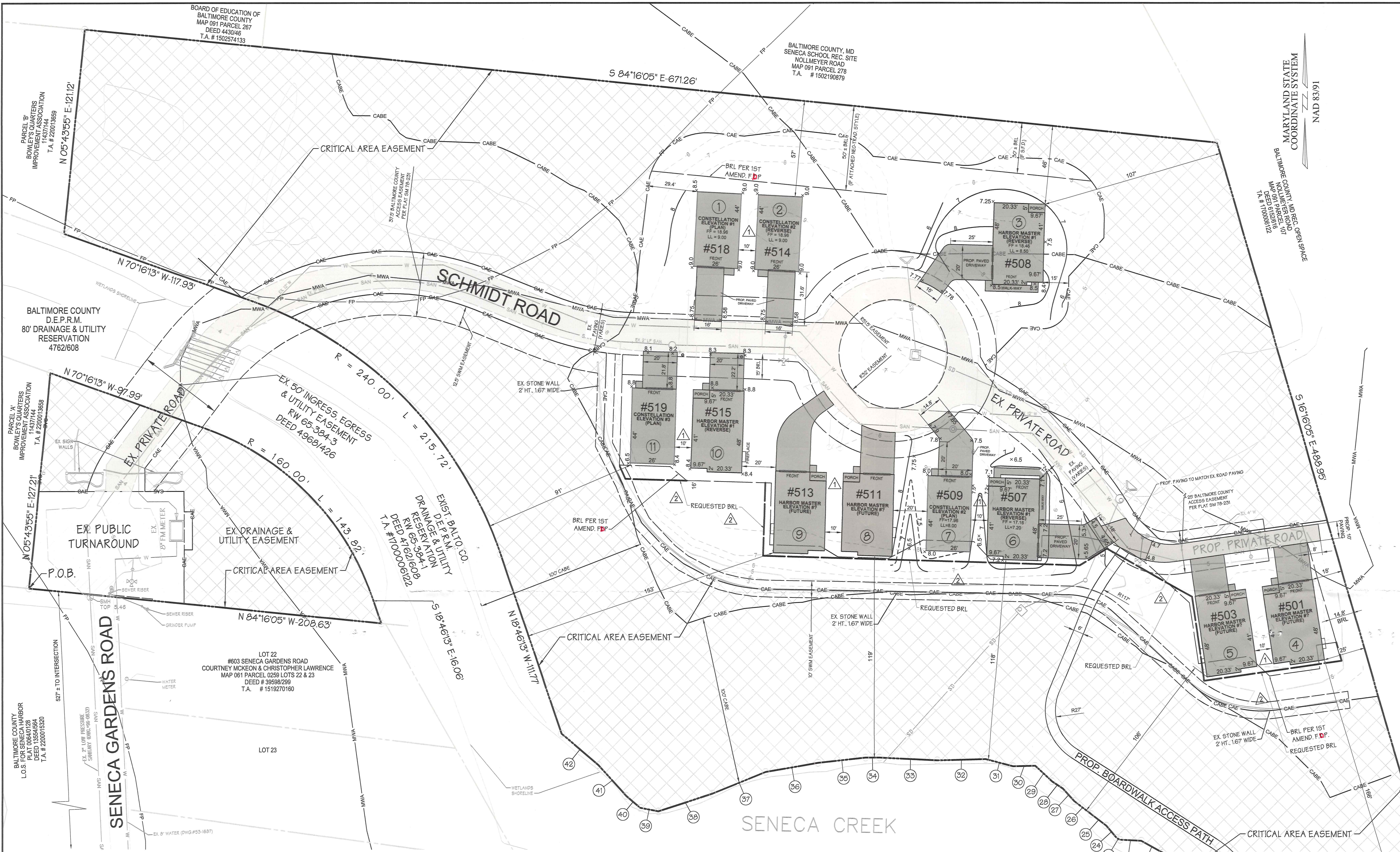
Mr. Glidden is currently with GWS in its Belcamp, MD office. Mr. Glidden was previously with GWS from 1995 through 2000. In the interim, Mr. Glidden was a partner in another Maryland firm. Prior to joining GWS in 1995, he worked as a Land Planner/Land Architect for 6 years for a Baltimore area development engineering consulting firm. Mr. Glidden has experience and expertise in the areas of Site and Zoning Evaluations, Land Planning, Forest Stand Delineation, Landscape Architect Design and Zoning Variances, and Land Development.

Mr. Glidden has been admitted as an expert witness in Land Planning and Landscape Architecture before: the Board of Appeals of Harford County, Maryland; the BOA of City of Aberdeen; the BOA of the City of Havre de Grace; and, the BOA of the Town of Bel Air, Maryland. Mr. Glidden's qualifications to render expert opinions regarding zoning, land development and land planning have been accepted by the Zoning Hearing Officer of Harford County, Maryland. Mr. Glidden has testified as an expert witness in over 20 cases. Mr. Glidden has testified in special exception, conditional use, and variance cases; and, he has prepared and testified in support of rezoning applications in Harford County, and the Town of Bel Air. Mr. Glidden has also appeared before the Board of Appeals of Cecil County, and a subcommittee of the Chesapeake Bay Critical Areas Commission.

PETITIONER' S

EXHIBIT NO.

7



NOTES

- OWNER: CARUSO BUILDER SENECA CREEK, LLC
2120 BALDWIN AVENUE, SUITE 200
CROFTON, MD 21114
- PLAT: 0078/231
- DEED: 40036/143
- TAX ID NO.: 2500002706; 2500002707
- SITE ZONING: DR 5.5
- ACREAGE (NET & GROSS PER ZONING REQUIREMENTS: 5.918 AC ±
TOTAL AREA OF LOTS / PARCELS: 5.8801 AC ±
TOTAL AREA OF HIGHWAY WIDENING: 0.1256 AC ±
TOTAL AREA OF PLAT: 6.0157 AC ±
- SITE ADDRESS: #501 TO #519 SCHMIDT ROAD
(SEE INDIVIDUAL ADDRESSES ON PLAN)
- USE: EXISTING - VACANT
PROPOSED - RESIDENTIAL - S.F.D. UNITS
- PROPOSED BUILDING HEIGHT: 3 STORIES; 42 FEET
- ALL SIGNS WILL COMPLY WITH SECTION 450 BCER.
- SITE IS PARTIALLY WITHIN 100 YEAR FLOODPLAIN AS SHOWN ON FEMA PANEL 2400100435G.
- PARKING: 2 SPACES PER UNIT
- SITE IS NOT WITHIN ANY FAILED BASIC SERVICES MAP AREAS.

PROPERTY BOUNDARY		
LINE	BEARING	DISTANCE
1	S 70°15'17" W	2.88'
2	N 28°52'11" W	5.50'
3	N 25°46'05" E	8.85'
4	N 51°52'00" W	2.49'
5	S 82°32'26" W	20.54'
6	S 73°17'44" W	11.53'
7	S 61°55'15" W	10.46'
8	S 67°24'04" W	12.45'
9	S 75°07'34" W	12.29'
10	S 84°32'36" W	10.06'
11	S 77°31'10" W	32.13'
12	S 31°05'32" W	3.75'
13	S 49°57'32" W	11.65'
14	S 76°16'28" W	11.06'
15	N 16°42'20" W	20.03'
16	N 14°43'47" W	20.53'
17	N 23°54'19" W	10.65'
18	N 13°59'51" W	18.15'
19	N 44°05'43" W	15.63'
20	N 50°16'36" W	8.18'
21	N 60°53'27" W	14.41'
22	N 67°29'54" W	12.62'
23	N 60°19'14" W	2.24'
24	N 40°02'54" W	9.38'
25	N 52°42'19" W	11.29'
26	N 52°39'00" W	12.44'
27	N 42°32'50" W	9.99'
28	N 56°34'05" W	7.61'
29	N 47°17'44" W	13.50'
30	S 88°38'28" W	13.11'
31	N 75°24'05" W	16.62'
32	S 88°28'40" W	28.60'
33	N 67°12'54" W	34.08'
34	N 89°55'06" W	8.34'
35	S 83°44'50" W	28.21'
36	S 80°11'11" W	31.28'
37	S 67°55'07" W	33.84'
38	S 72°01'00" W	33.49'
39	N 78°54'28" W	10.93'
40	N 49°57'30" W	10.88'
41	N 42°22'10" W	24.41'
42	N 49°24'41" W	28.44'

CBCA 15% IMPERVIOUS AREA SUMMARY					
IMPERVIOUS AREAS FOR HOUSING UNITS					TOTALS (SF)
UNIT #	DWELLING TYPE	BUILDING FOOTPRINT (SF)	DRIVEWAY (SF)	WALKWAY	
UNIT 01	CONSTELLATION - ELEV. 1	1,144.00	506.94	48.00	5,712.47
UNIT 02	CONSTELLATION - ELEV. 2	1,144.00	509.79		
UNIT 03	HARBOR MASTER - ELEV. 1	1,420.67	797.39	141.68	3,751.37
UNIT 04	(FUTURE) HARBOR MASTER	1,420.67	438.06	32.00	
UNIT 05	(FUTURE) HARBOR MASTER	1,420.67	439.98	243.84	4,271.23
UNIT 06	HARBOR MASTER - ELEV. 1	1,420.67	792.00		
UNIT 07	CONSTELLATION - ELEV. 2	1,144.00	670.72	32.00	4,197.52
UNIT 08	(FUTURE) HARBOR MASTER	1,420.67	513.85		
UNIT 09	(FUTURE) HARBOR MASTER	1,420.67	810.33	16.00	3,734.05
UNIT 10	HARBOR MASTER - ELEV. 1	1,420.67	443.03		
UNIT 11	HARBOR MASTER - ELEV. 3	1,420.67	433.68		
TOTAL IMPERVIOUS AREA FOR ALL HOUSING UNITS:					21,666.65
ADDITIONAL IMPERVIOUS AREAS					
PUBLIC - EX. PAVING FOR TURNAROUND (SF)			2,981.51		
PRIVATE - EX. PAVING FOR SCHMIDT ROAD (SF)			14,222.70		
PRIVATE - PROP. PAVING FOR SCHMIDT ROAD (SF)			1,406.54		
TOTAL IMPERVIOUS AREA:					40,277.40
MAXIMUM ALLOWED IMPERVIOUS AREA:					43,373.70

LEGEND

- CABE CRITICAL AREA BUFFER EASEMENT
- CAE LIMITS OF CRITICAL AREA EASEMENT
- FP 100 YEAR FLOODPLAIN
- MWA MODERATE WAVE ACTION LINE
- EX. CRITICAL AREA EASEMENT
- EX. IMPERVIOUS FOR PUBLIC TURNAROUND
- EX. IMPERVIOUS FOR PRIVATE ROAD
- PROP. IMPERVIOUS FOR PRIVATE ROAD
- PROP. IMPERVIOUS FOR BUILDINGS / DRIVEWAYS / SIDEWALKS / ENTRYWAYS

ZONING HISTORY

- NO ACTIVE ZONING VIOLATION
- NO ZONING CASE HISTORY NOTED ON F.D.P. OR FIRST AMENDED F.D.P.
- PDM FILE #15-860
- OPEN SPACE WAIVED
- A VARIATION OF STANDARDS TO CBCD REGULATIONS WAS GRANTED BY BALTIMORE COUNTY PLANNING BOARD.
- DRC NO. 011607D - REVISIONS TO F.D.P.

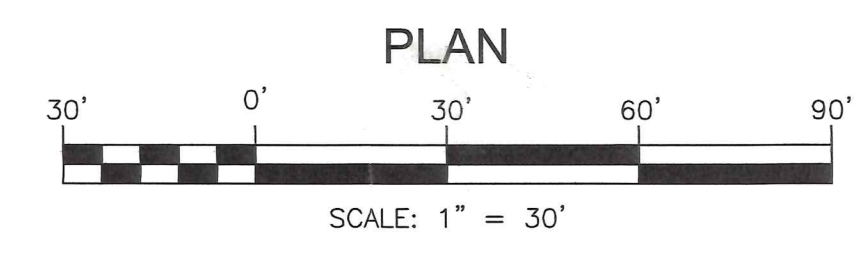
DEVELOPMENT HISTORY

- CIRCUIT COURT FOR BALTIMORE COUNTY CONDEMNATION CASE NO. 1327 (MAY 31, 1967) 1.39 AC ± OF LAND WAS TAKEN BY BALTIMORE COUNTY FOR A DRAINAGE AND UTILITY RESERVATION. PLAT NO. RW 65-384-1

BUILDING SETBACKS (DR-5.5)	
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	SFD 25'
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE PUBLIC STREET R/W PAVING OF PRIVATE ROAD TRACT BOUNDARY	16' < 20' HIGH 20' > 20' HIGH 15' 25' 15'
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE PUBLIC STREET R/W	30' 30'

VARIANCE REQUESTS

- 10 FT. SIDE FACE TO SIDE FACE SETBACK IN LIEU OF 20 FT. REQUIRED FOR SINGLE FAMILY DETACHED.
- MODIFY BUILDING RESTRICTION LINE, FROM THAT APPROVED IN H.O.H. #XV-860



PETITIONER'S

EXHIBIT NO. 1

OWNER / DEVELOPER: CARUSO BUILDER SENECA CREEK LLC
2120 BALDWIN AVE. CROFTON, MD 21114
SUITE 200
PHONE: 410-320-2140

DRAWING: **PLAN TO ACCOMPANY VARIANCE REQUEST**

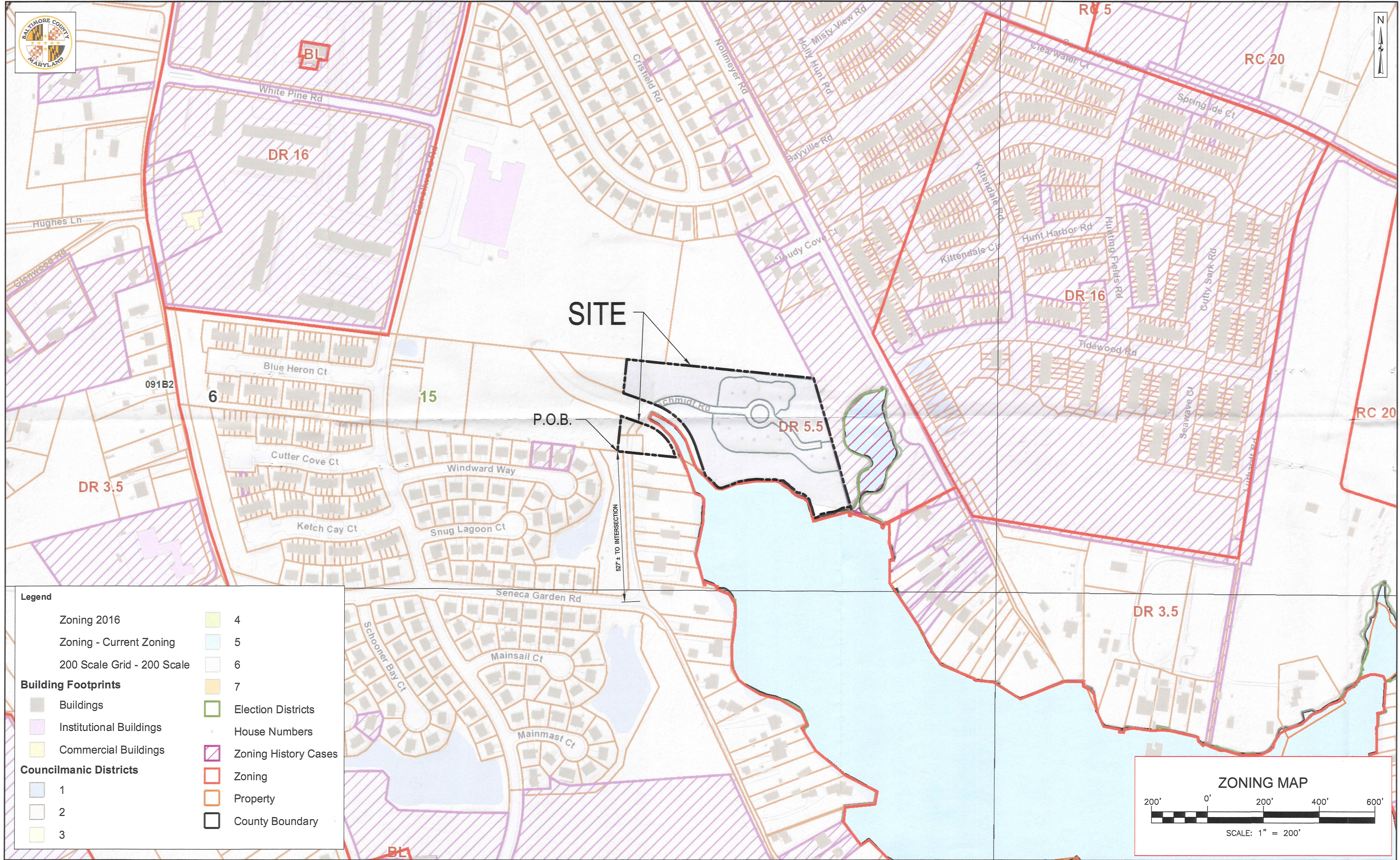
PROJECT: KIMBROOK SCHMIDT ROAD PAI NO. 15-0860

COUNCILMANIC DISTRICT NO. 6 ELECTION DISTRICT NO. 15 ZONING MAP NO. 09182 BALTIMORE COUNTY, MARYLAND

GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS • TRANSPORTATION
WATERS EDGE CORPORATE CAMPUS
4802 MILLENNIUM DRIVE, SUITE 100
BELL GARY, MD 21017
Ph: (410) 297-2340 Fax: (410) 297-2345

DESIGNED BY: DMB
DRAWN BY: TSK
CHECKED BY: RGG
PROJECT NO. 11882-01
DATE: 12/12/2018
SCALE: 1" = 30'
DRAWING NUMBER: V-EXH-1 SHEET NUMBER: 01 OF 01

Baltimore County - My Neighborhood Zoning Map 091B2

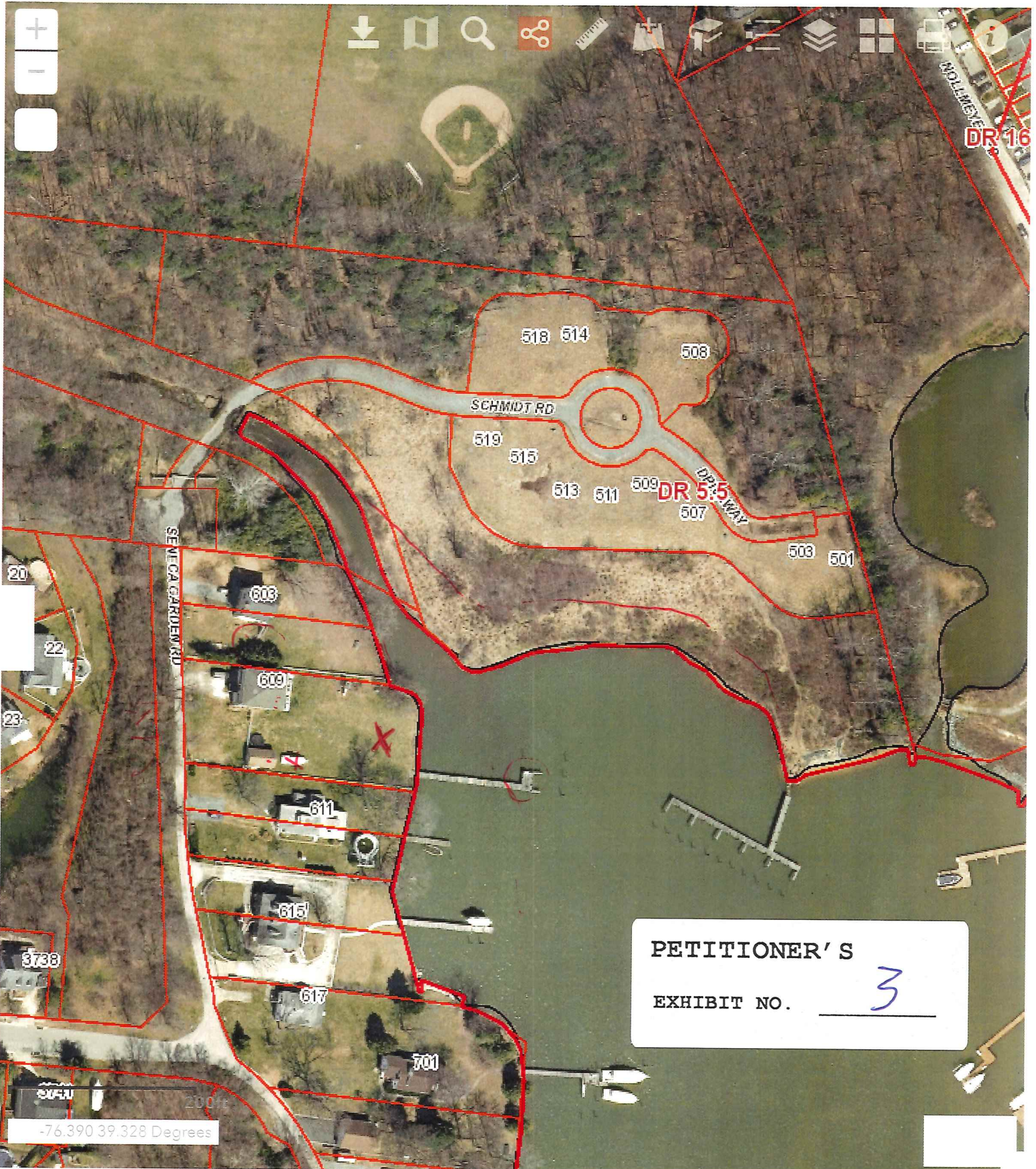


PETITIONER'S
EXHIBIT NO. 2

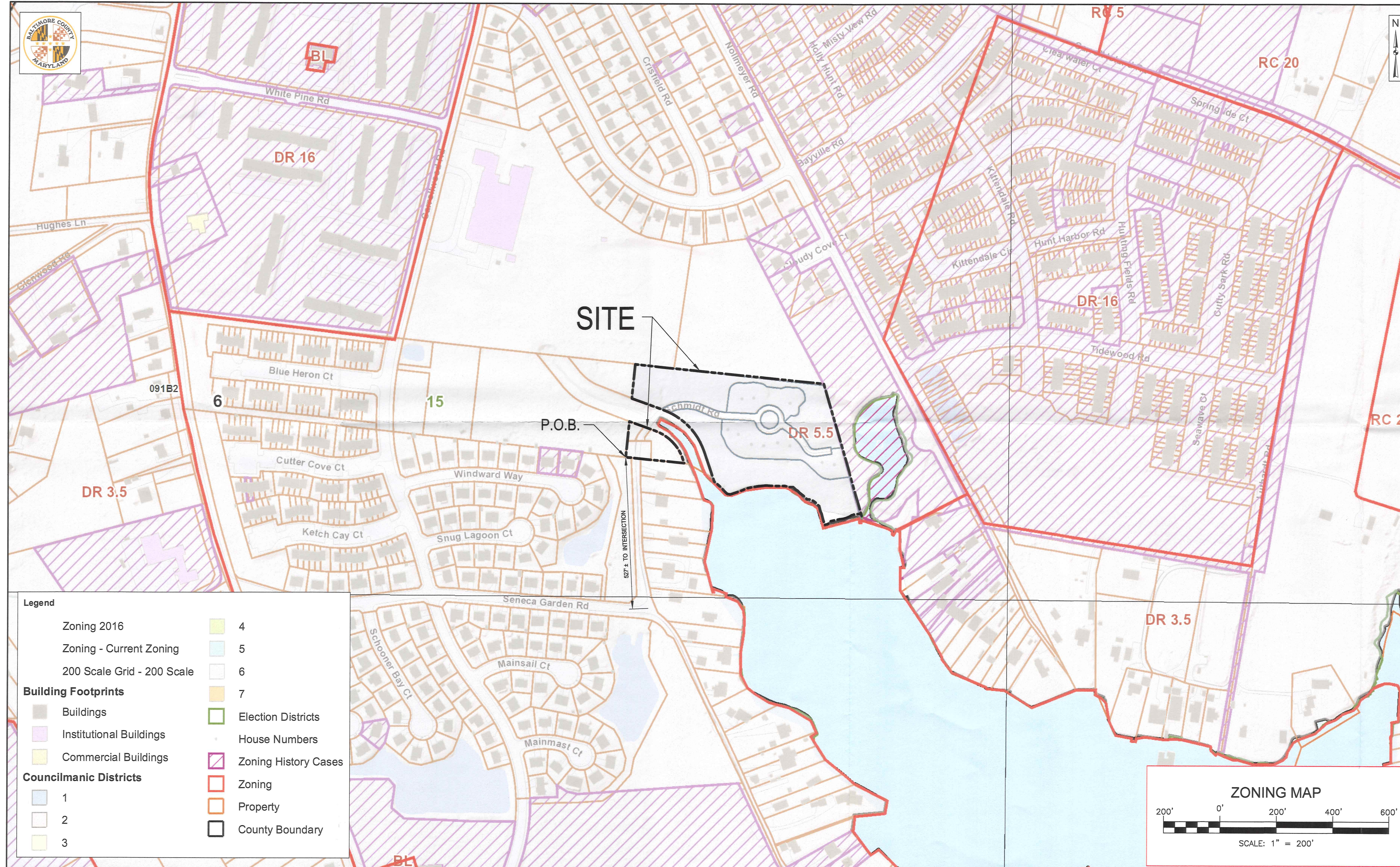
DATE	REVISION	BY
OWNER / DEVELOPER: CARUSO BUILDER SENECA CREEK LLC 2120 BALDWIN AVE. CROFTON, MD 21114 SUITE 200 PHONE: 410-320-2140		
DRAWING: BALTIMORE COUNTY ZONING MAP TO ACCOMPANY VARIANCE REQUEST		
PROJECT:	KIMBROOK SCHMIDT ROAD	
COUNCIL MANIC DISTRICT NO. 6 ELECTION DISTRICT NO. 15	ZONING MAP NO. 091B2 BALTIMORE COUNTY, MARYLAND	
GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC. ENGINEERS ♦ PLANNERS ♦ SURVEYORS ♦ TRANSPORTATION WATERS EDGE CORPORATE CAMPUS 4922 MILLENWILM DRIVE, SUITE 100 BEL CAMP, MD 21017 Ph: (410) 297-2340 http://www.gwstephens.com Fax: (410) 297-2345		
DESIGNED BY: DMB		
DRAWN BY: DMB		
CHECKED BY: RGG		
PROJECT NO. 11882-01		
DATE: 09/11/2018		
SCALE: AS SHOWN		
DRAWING NUMBER:	SHEET NUMBER:	
V-EXH-2	01 OF 01	



Baltimore County - My Neighborhood

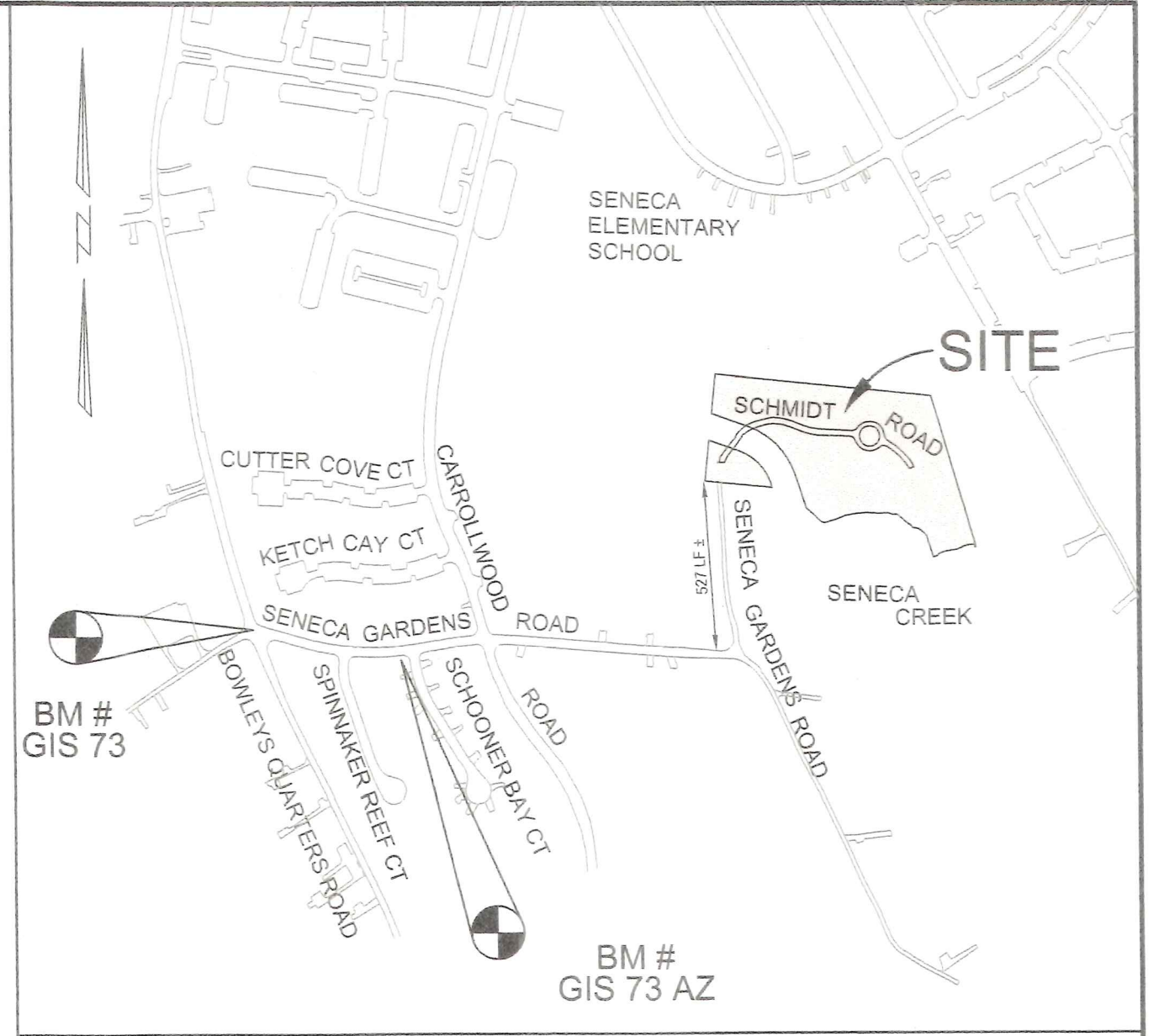
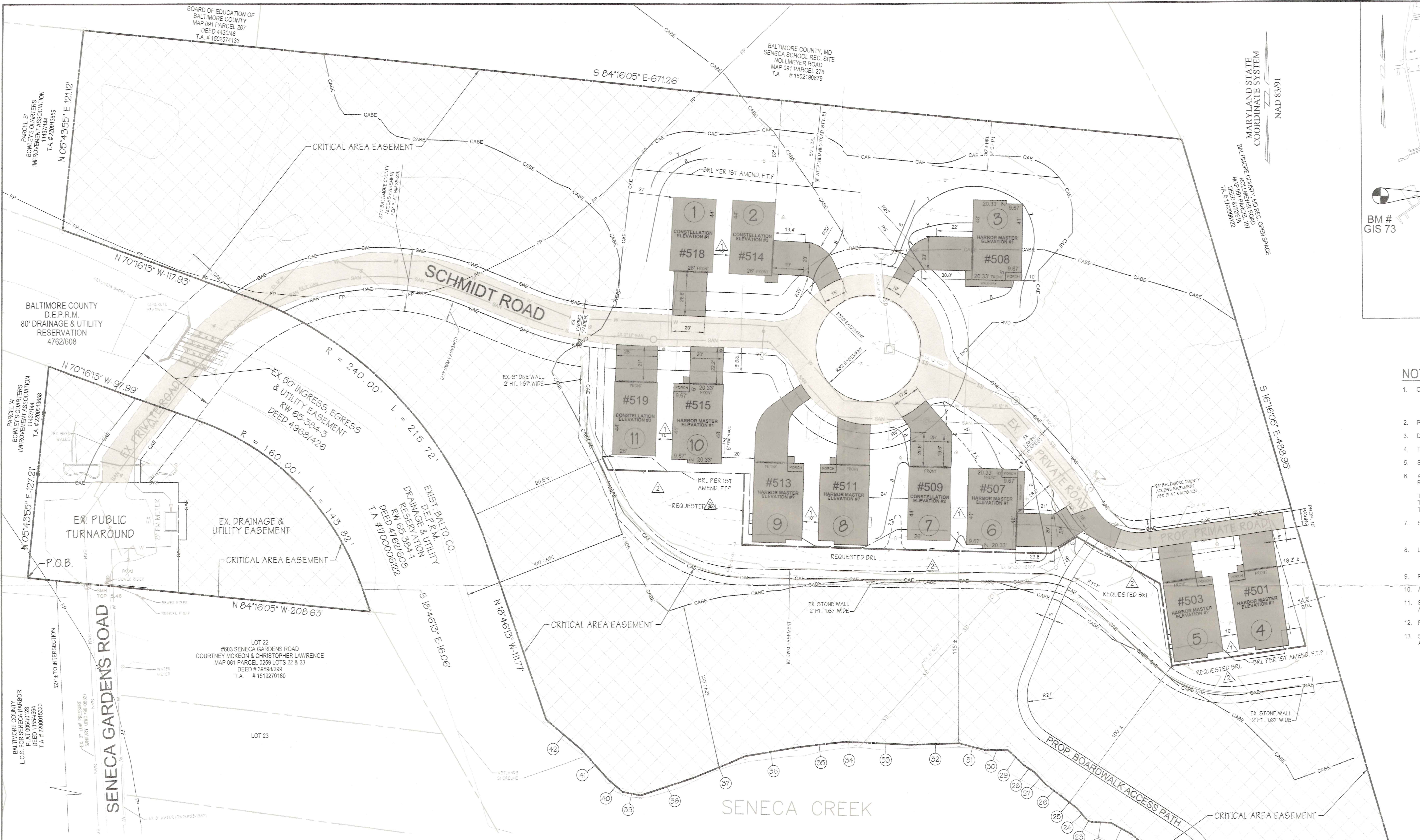


Baltimore County - My Neighborhood Zoning Map 091B2



DATE	REVISION	BY
OWNER / DEVELOPER:		
CARUSO BUILDER SENECA CREEK LLC		
2120 BALDWIN AVE, CROFTON, MD 21114		
SUITE 200		
PHONE: 410-320-2140		
DRAWING:		
BALTIMORE COUNTY ZONING MAP		
TO ACCOMPANY VARIANCE REQUEST		
PROJECT:		PAI No. 15-0880
KIMBROOK		
SCHMIDT ROAD		
COUNCIL MANIC DISTRICT NO. 6		ZONING MAP NO. 091B2
ELECTION DISTRICT NO. 15		BALTIMORE COUNTY, MARYLAND
GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC.		
ENGINEERS ♦ PLANNERS ♦ SURVEYORS ♦ TRANSPORTATION		
WATERS EDGE CORPORATE CAMPUS		
4692 MILLENNIUM DRIVE, SUITE 100		
BEL CAMP, MD 21017		
Ph: (410) 297-2340		
http://www.gwstephens.com		
Fax: (410) 297-2345		
DESIGNED BY: DMB		
DRAWN BY: DMB		
CHECKED BY: RGG		
PROJECT NO. 11882-01		
DATE: 09/11/2018		
SCALE: AS SHOWN		
DRAWING NUMBER:		SHEET NUMBER:
V-EXH-2		01 OF 01

2019-0114-A



NOTES

- OWNER: CARUSO BUILDER SENECA CREEK, LLC
2120 BALDWIN AVENUE, SUITE 200
CROFTON, MD 21114
- PLAT: 0078/231
- DEED: 40036/143
- TAX ID NO.: 2500002706; 2500002707
- SITE ZONING: DR 5.5
- ACREAGE (NET & GROSS PER ZONING REQUIREMENTS): 5.918 AC ±
- TOTAL AREA OF LOTS / PARCELS: 5.990 AC ±
TOTAL AREA OF HIGHWAY WIDENING: 0.1256 AC ±
TOTAL AREA OF PLAT: 6.0157 AC ±
- SITE ADDRESS:
#501 TO #509 SCHMIDT ROAD
(SEE INDIVIDUAL ADDRESSES ON PLAN)
- USE:
EXISTING - VACANT
PROPOSED - RESIDENTIAL - S.F.D. UNITS
- PROPOSED BUILDING HEIGHT: 3 STORIES: 42 FEET
- ALL SIGNS WILL COMPLY WITH SECTION 450 BCR.
- SITE IS PARTIALLY WITHIN 100 YEAR FLOODPLAIN AS SHOWN ON FEMA PANEL 2400100435G.
- SITE IS NOT WITHIN ANY FAILED BASIC SERVICES MAP AREAS.

PROPERTY BOUNDARY		
LINE	BEARING	DISTANCE
1	S 70°15'17" W	2.89'
2	N 28°52'11" W	5.50'
3	N 28°46'05" E	3.98'
4	N 51°52'00" W	2.49'
5	S 82°33'26" W	20.54'
6	S 73°17'44" W	11.53'
7	S 61°55'15" W	10.46'
8	S 57°24'04" W	12.45'
9	S 78°07'34" W	12.29'
10	S 84°32'36" W	10.08'
11	S 77°31'10" W	32.13'
12	S 31°05'32" W	3.75'
13	S 49°57'32" W	11.65'
14	S 78°16'28" W	11.06'
15	N 18°42'22" W	20.03'
16	N 14°45'47" W	20.53'
17	N 23°54'19" W	10.65'
18	N 13°59'51" W	18.15'
19	N 44°05'43" W	15.63'
20	N 50°18'36" W	8.18'
21	N 60°53'27" W	14.41'
22	N 57°22'54" W	12.62'
23	N 60°19'14" W	2.24'
24	N 40°02'54" W	9.38'
25	N 52°42'19" W	11.29'
26	N 52°39'00" W	12.44'
27	N 42°32'50" W	9.89'
28	N 58°34'03" W	7.51'
29	N 47°17'44" W	13.50'
30	S 88°38'28" W	13.11'
31	N 75°24'05" W	16.62'
32	S 88°28'40" W	28.60'
33	N 87°12'54" W	34.09'
34	N 89°50'08" W	8.34'
35	S 83°44'50" W	28.21'
36	S 80°11'11" W	31.28'
37	S 67°55'07" W	33.84'
38	S 72°01'00" W	33.49'
39	N 78°54'28" W	10.93'
40	N 48°51'32" W	10.89'
41	N 42°22'10" W	24.41'
42	N 49°24'41" W	28.44'

LEGEND

- CABE CRITICAL AREA BUFFER EASMENT
- CAE LIMITS OF CRITICAL AREA EASEMENT
- FP 100 YEAR FLOODPLAIN
- EX. CRITICAL AREA EASEMENT
- EX. IMPERVIOUS FOR PUBLIC TURNAROUND
- EX. IMPERVIOUS FOR PRIVATE ROAD
- PROP. IMPERVIOUS FOR PRIVATE ROAD
- PROP. IMPERVIOUS FOR BUILDINGS / DRIVEWAYS / SIDEWALKS / ENTRYWAYS

ZONING HISTORY

- NO ACTIVE ZONING VIOLATION
- NO ZONING CASE HISTORY NOTED ON F.D.P. OR FIRST AMENDED F.D.P.
- PDM FILE #15-360
 - OPEN SPACE WAIVED
 - A VARIATION OF STANDARDS TO CBCD REGULATIONS WAS GRANTED BY BALTIMORE COUNTY PLANNING BOARD.
- DRC NO. 0118070 - REVISIONS TO F.D.P.

DEVELOPMENT HISTORY

- CIRCUIT COURT FOR BALTIMORE COUNTY CONDEMNATION CASE NO. 1327 (MAY '51, 1967) 1.39 AC ± OF LAND WAS TAKEN BY BALTIMORE COUNTY FOR A DRAINAGE AND UTILITY RESERVATION, PLAT NO. RW 65-384-1

VARIANCE REQUESTS

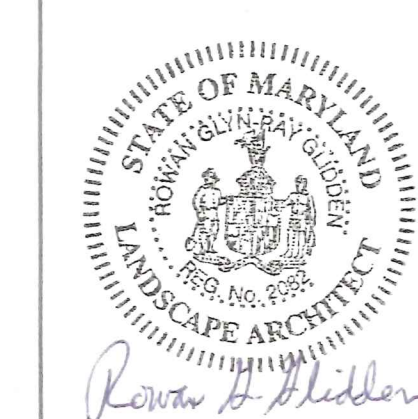
- 10 FT. SIDE FACE TO SIDE FACE SETBACK IN LIEU OF 20 FT. REQUIRED FOR SINGLE FAMILY DETACHED.
- MODIFY BUILDING RESTRICTION LINE, FROM THAT APPROVED IN H.O.R. #WV-660

BUILDING SETBACKS (DR-5.5)

	SFD
FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT OF WAY OR PROPERTY LINE ARTERIAL OR COLLECTOR	25'
FROM SIDE BUILDING FACE TO: PUBLIC STREET R/W PAVING OF PRIVATE ROAD TRACT BOUNDARY	15 < 20 HIGH 20 > 20 HIGH 15 25 15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE PUBLIC STREET R/W	30 30

CBCA 15% IMPERVIOUS AREA SUMMARY					
IMPERVIOUS AREAS FOR HOUSING UNITS					TOTALS
UNIT #	DWELLING TYPE	BUILDING FOOTPRINT	DRIVEWAY	WALKWAY	
UNIT 01	CONSTELLATION - ELEV. 1	1,144.00 SF	533.84 SF	0.00 SF	
UNIT 02	CONSTELLATION - ELEV. 2	1,144.00 SF	786.84 SF	36.50 SF	
UNIT 03	HARBOR MASTER - ELEV. 1	1,420.67 SF	842.32 SF	134.85 SF	
UNIT 04	(FUTURE) HARBOR MASTER	1,420.67 SF	438.06 SF	16.00 SF	
UNIT 05	(FUTURE) HARBOR MASTER	1,420.67 SF	439.96 SF	16.00 SF	
UNIT 06	(FUTURE) HARBOR MASTER	1,420.67 SF	728.53 SF	100.50 SF	
UNIT 07	(FUTURE) HARBOR MASTER	1,420.67 SF	692.62 SF	16.00 SF	
UNIT 08	(FUTURE) HARBOR MASTER	1,420.67 SF	513.85 SF	16.00 SF	
UNIT 09	(FUTURE) HARBOR MASTER	1,420.67 SF	810.33 SF	16.00 SF	
UNIT 10	HARBOR MASTER - ELEV. 1	1,420.67 SF	443.03 SF	16.00 SF	
UNIT 11	HARBOR MASTER - ELEV. 3	1,420.67 SF	543.10 SF	0.00 SF	
TOTALS		15,074.00 SF	6,770.29 SF	367.86 SF	22,212.15 SF
ADDITIONAL IMPERVIOUS AREAS					
EX. PAVING FOR PUBLIC TURNAROUND				2,981.51 SF	
EX. PAVING FOR SCHMIDT ROAD (PRIVATE)				14,222.70 SF	16,610.75 SF
PROP. PAVING FOR SCHMIDT ROAD (PRIVATE)				1,406.54 SF	
TOTAL IMPERVIOUS AREA:					40,822.90 SF
MAXIMUM ALLOWED IMPERVIOUS AREA:					43,373.70 SF

DATE	REVISION	BY
OWNER / DEVELOPER:		
CARUSO BUILDER SENECA CREEK LLC 2120 BALDWIN AVE. CROFTON, MD 21114 SUITE 200 PHONE: 410-320-2140		
DRAWING:		
PLAN TO ACCOMPANY VARIANCE REQUEST		
PROJECT:	PAI No. 15-0860	
KIMBROOK SCHMIDT ROAD		
COUNCILMANIC DISTRICT NO. 6 ELECTION DISTRICT NO. 15	ZONING MAP NO. 091B2 BALTIMORE COUNTY, MARYLAND	
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.		
ENGINEERS • PLANNERS • SURVEYORS • TRANSPORTATION 4692 MILLENNIUM DRIVE, SUITE 100 BELGAP, MD 20701 Ph: (410) 297-2340 http://www.gwstephens.com Fax: (410) 297-2345		
DESIGNED BY: DMW		
DRAWN BY: TSK		
CHECKED BY: RGG		
PROJECT NO. 11882-01		
DATE: 09/28/2018		
SCALE: 1" = 30'		
DRAWING NUMBER:		SHEET NUMBER:
V-EXH-1		01 OF 01



2019-0114-A