M E M O R A N D U M

DATE: February 8, 2019

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0130-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 7, 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 (2010 York Road) 8th Election District 3rd Council District York Aylesbury, LLC *Legal Owner* Petitioner	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2019-0130-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by York Aylesbury, LLC, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 450.4 of the Baltimore County Zoning Regulations ("BCZR") to replace the 15 year old message board portion of an existing enterprise sign with a new LED digital message board. The remainder of the existing sign to remain as it is. The total area of the sign will be 207 square feet in lieu of the permitted 100 square feet. A site plan was marked as Petitioner's Exhibit 1.

Mitch Kellman and Bob Yanega appeared in support of the petition. Timothy M. Kotroco, Esq. represented the Petitioner. Eric Rockel attended the hearing to obtain additional information regarding the request. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP").

The site is approximately 4.950 acres in size and is zoned BM. Smyth Jewelers, which has been in business for over 100 years, is located at the subject property, which fronts onto York Road, an extremely busy commercial corridor. Petitioner proposes to replace only the changeable copy portion of the existing sign, although variance relief is required before it can do so.

ORDER RECEIVED FOR FILING
Date 1-8-19
By

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).

Mr. Kellman noted that unlike most other commercial properties in the vicinity, the subject property has frontage on both York and Aylesbury Roads. As such, I believe the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to replace the existing changeable copy portion of the sign, which has been in place for over 15 years and is now technically obsolete. 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 **8th** day of **January, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to allow a freestanding enterprise sign with a face area of 207 square feet in lieu of the permitted 100 square feet, 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.

2. The electronic changeable copy portion of the sign may have a maximum frequency of one message change per 15-second cycle.

ORDER RECEIVED FOR FILING

Date 1-8-19

By DW

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:dlw

ORDER RECEIVED FOR FILING

Date 1-8-19

By DW

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 2010 YORK ROAD **which is presently zoned** BM

Deed References: Plat Book 077/058 10 Digit Tax Account # 2400008869

Property Owner(s) Printed Name(s) YORK AYLESBURY, 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

SEE ATTACHED

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

SEE ATTACHED

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

ORDER RECEIVED FOR FILING
Date 1-8-19
By

Legal Owners (Petitioners):

YORK AYLESBURY, LLC by: Tom Smyth
Name #1 – Type or Print Name #2 – Type or Print

Tom Smyth
Signature #1 Signature # 2

2020 York Road Timonium Md
Mailing Address City State

21093 / 410-812-8260 Tomsmyth51@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco
Name- Type or Print

Timothy Kotroco
Signature

305 Washington Avenue, Suite 502, Towson, Maryland
Mailing Address City State

21204 / 410-299-2943 / TKotroco@gmail.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 2019-0130-A **Filing Date** 10/22/18 **Do Not Schedule Dates:** ____ **Reviewer** gg

REV. 10/4/11

ATTACHMENT TO VARIANCE PETITION

From Section 450.4 Attachment 1, number 5(b) of the BCZR, to replace the 15yr old message board portion of an existing enterprise sign with a new LED digital message board. The remainder of the existing sign to remain as it is. The total area of the sign will be 207 sq. ft. in lieu of the permitted 100 sq. ft.

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

2019-0130-A

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:

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SEE ATTACHED

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SEE ATTACHED

3. X **a Variance** from Section(s)

SEE ATTACHED

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Property is to be posted and advertised as prescribed by the zoning regulations.
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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

ORDER RECEIVED FOR FILING
Date 1-8-19
By

Legal Owners (Petitioners):

YORK AYLESBURY, LLC by: Tom Smyth
Name #1 – Type or Print Name #2 – Type or Print

Tom Smyth
Signature #1 Signature # 2

2020 York Road Timonium Md
Mailing Address City State

21093 / 410-812-8260 Tomsmyth51@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco
Name- Type or Print

Timothy Kotroco
Signature

305 Washington Avenue, Suite 502, Towson, Maryland
Mailing Address City State

21204 / 410-299-2943 / TKotroco@gmail.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 2019-0130-A **Filing Date** 10/22/18 **Do Not Schedule Dates:** _____ **Reviewer** gjh

REV. 10/4/11

ATTACHMENT TO VARIANCE PETITION

From Section 450.4 Attachment 1, number 5(b) of the BCZR, to replace the 15yr old message board portion of an existing enterprise sign with a new LED digital message board. The remainder of the existing sign to remain as it is. The total area of the sign will be 207 sq. ft. in lieu of the permitted 100 sq. ft.

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

2019-0130-A

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

Order #: 11660959
Case #: 2019-0130-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0130-A

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:

12/18/2018

Darlene Miller

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: 2019-0130-A
2010 York Road
N/w intersection of York Road w/of Northwood Drive
8th Election District - 3rd Councilmanic District
Legal Owners: York Aylesbury, LLC

Variance to replace the 15 year old message board portion of an existing enterprise sign with a new LED digital message board. The remainder of the existing sign to remain as it is. The total area of the sign will be 207 sq. ft. in lieu of the permitted 100 sq. ft. For such other and further relief as the nature of this cause may require.

Hearing: Monday, January 7, 2019 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.

d18

DONALD I. MOHLER III
County Executive

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

November 30, 2018

NOTICE OF ZONING HEARING

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Tom Smyth, York Aylesbury, LLC, 2020 York Road, Timonium 21090

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 18, 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.

TO: THE DAILY RECORD
Tuesday, December 18, 2018 - Issue

Please forward billing to:
Timothy Kotroco
305 Washington Avenue, Ste. 502
Towson, MD 21204
410-299-2943

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JB 1-7-19
11 Am

Debra Wiley

From: David Billingsley <dwb0209@yahoo.com>
Sent: Wednesday, January 02, 2019 3:07 PM
To: Administrative Hearings
Cc: Timothy M. Kotroco
Subject: 2010 YORK ROAD
Attachments: Scan1657.pdf

POSTING RECERTIFICATIONS ATTACHED
HAPPY NEW YEAR

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

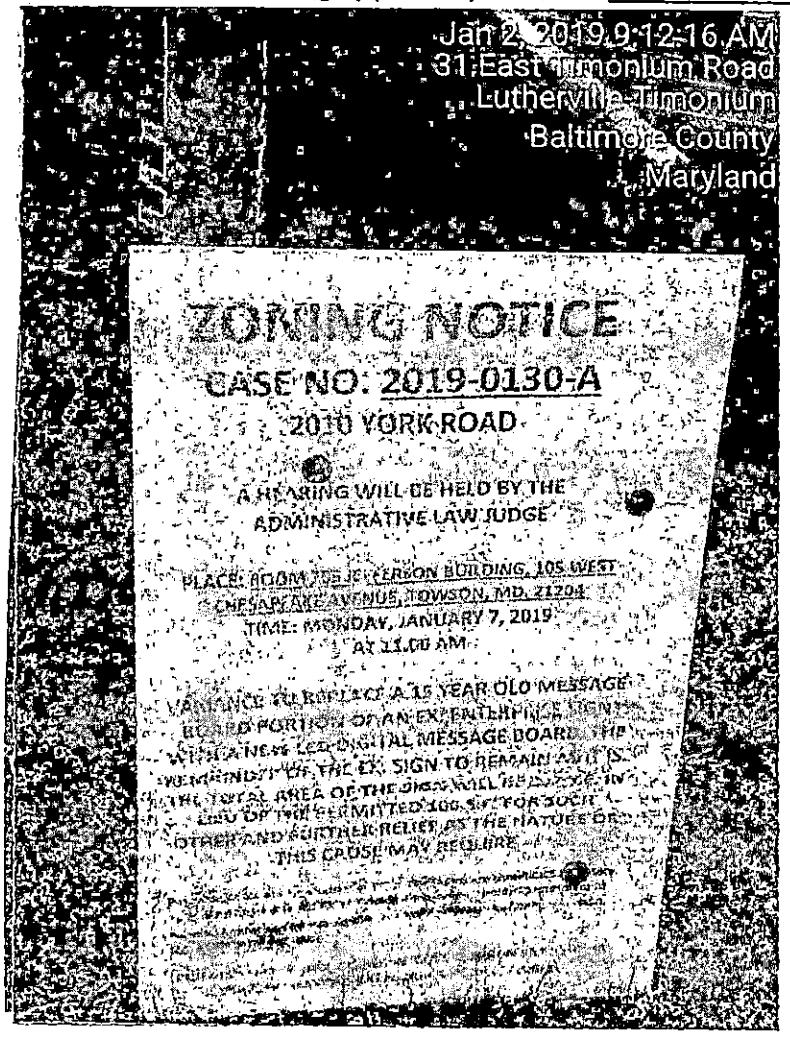
CERTIFICATE OF POSTING

RECERTIFY 1/2/19
Date: DECEMBER 17, 2018

RE: Project Name: 2010 YORK ROAD #1
Case Number /PAI Number: 2019-0130-A
Petitioner/Developer: YORK AYLESBURY LLC
Date of Hearing/Closing: JANUARY 7, 2019

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 2010 YORK ROAD

RECERTIFY 1/2/19
The sign(s) were posted on DECEMBER 17, 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)

11/11

CERTIFICATE OF POSTING

RECERTIFY 1/2/19

Date: DECEMBER 17, 2018

RE: Project Name: 2010 YORK ROAD #2

Case Number /PAI Number: 2019-0130-A

Petitioner/Developer: YORK AYLESBURY LLC

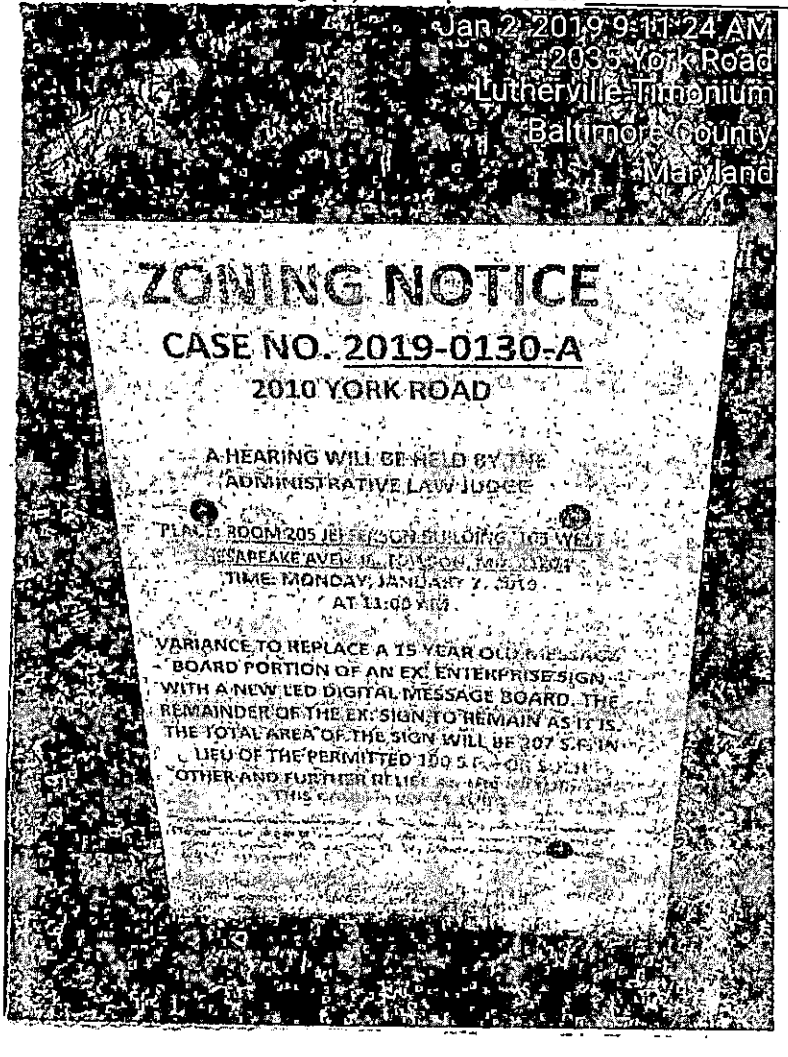
Date of Hearing/Closing: JANUARY 7, 2019

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RECERTIFY 1/2/19

The sign(s) were posted on DECEMBER 17, 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)

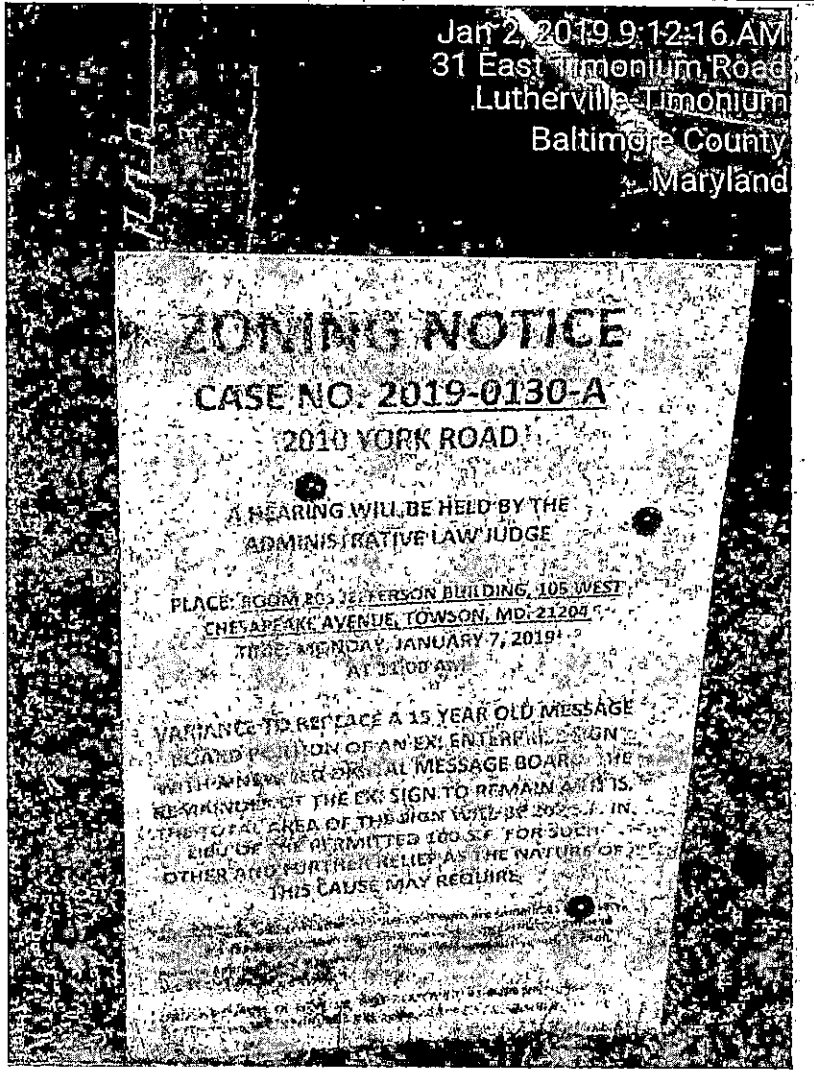
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Petitioner/Developer: YORK AYLESBURY LLC
Date of Hearing/Closing: JANUARY 7, 2019

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(Month, Day, Year)



David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
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601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
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(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

RECERTIFY 1/2/19

Date: DECEMBER 17, 2018

RE: Project Name: 2010 YORK ROAD #2

Case Number /PAI Number: 2019-0130-A

Petitioner/Developer: YORK AYLESBURY LLC

Date of Hearing/Closing: JANUARY 7, 2019

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601 CHARWOOD COURT

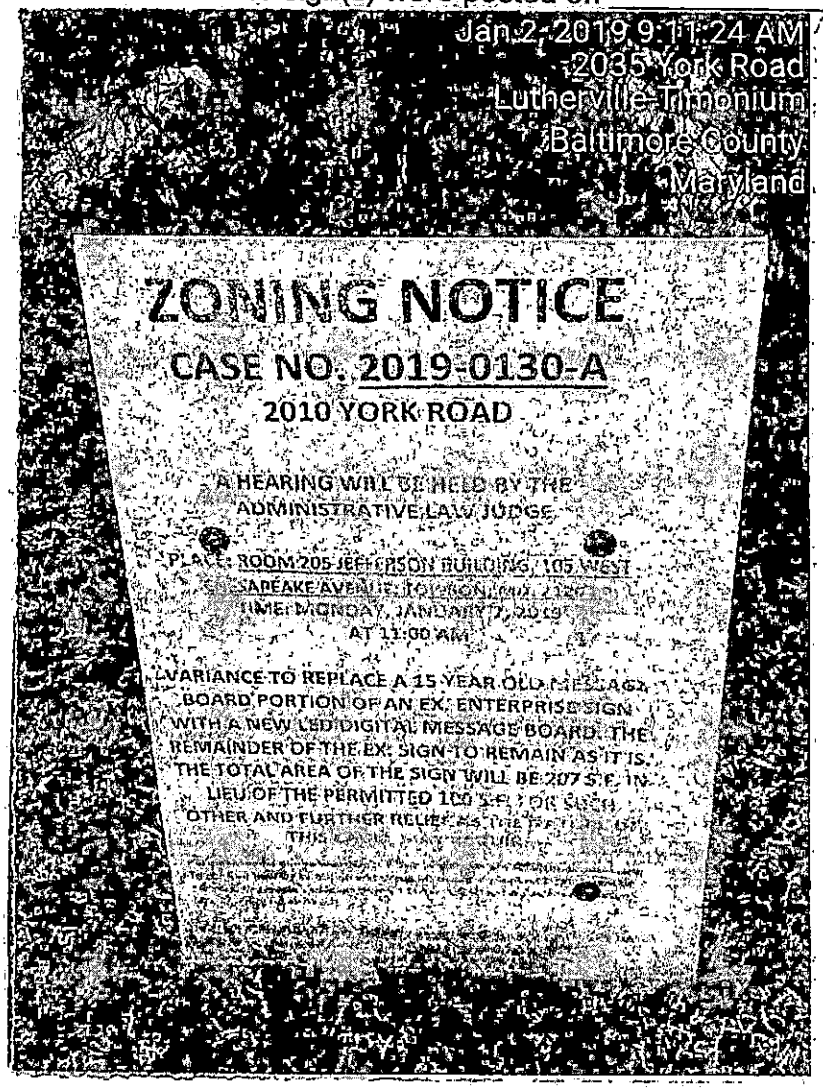
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



11/11

RE: PETITION FOR VARIANCE 2010 York Road; NW intersection of York Rd, W 85' to c/line of Northwood Drive 8th Election & 3rd Councilmanic Districts Legal Owner(s): York Aylesbury, LLC Petitioner(s)	*	BEFORE THE OFFICE OF ADMINSTRATIVE HEARINGS FOR BALTIMORE COUNTY 2019-130-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

RECEIVED
NOV 08 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of November, 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

CERTIFICATE OF POSTING

Date: DECEMBER 17, 2018

RE: Project Name: 2010 YORK ROAD #1

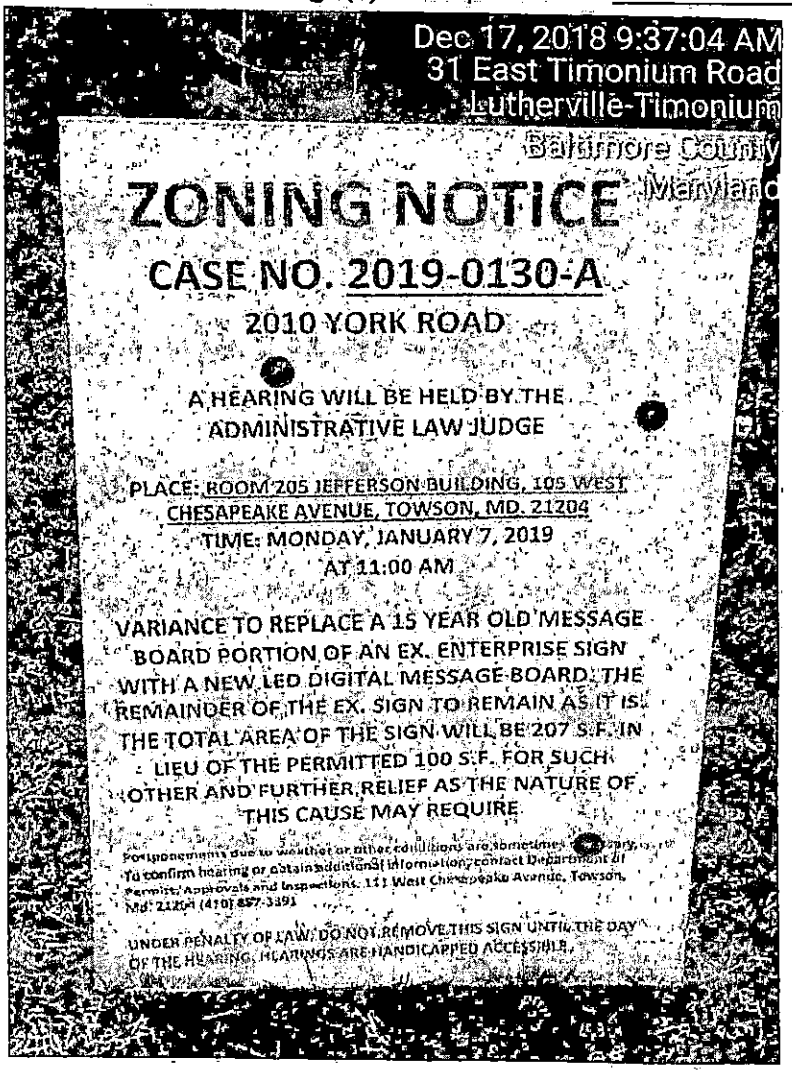
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Petitioner/Developer: YORK AYLESBURY LLC

Date of Hearing/Closing: JANUARY 7, 2019

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(Month, Day, Year)



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(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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(Telephone Number of Sign Poster)

11/11

CERTIFICATE OF POSTING

Date: DECEMBER 17, 2018

RE: Project Name: 2010 YORK ROAD #2

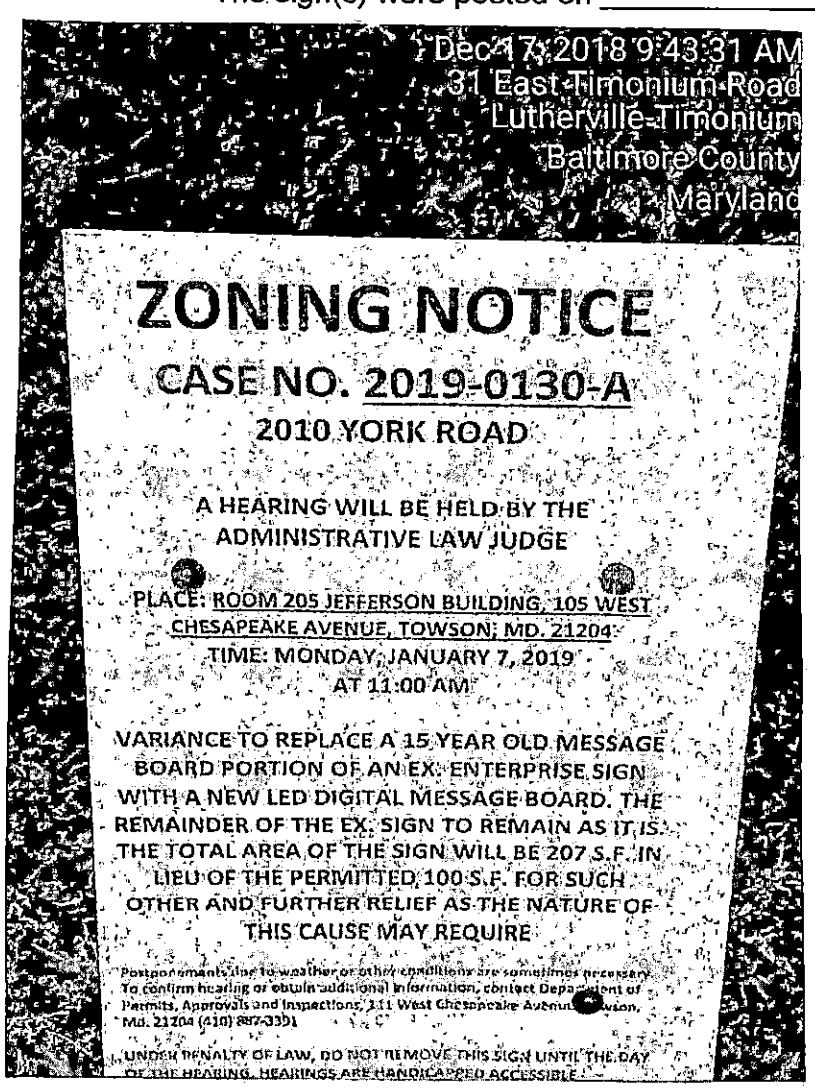
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Date of Hearing/Closing: JANUARY 7, 2019

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(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)

JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
Department of Permits, Approvals & Inspections

January 3, 2019

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

RE: Case Number: 2019-0130-A, Address: 2010 York 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 October 22, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

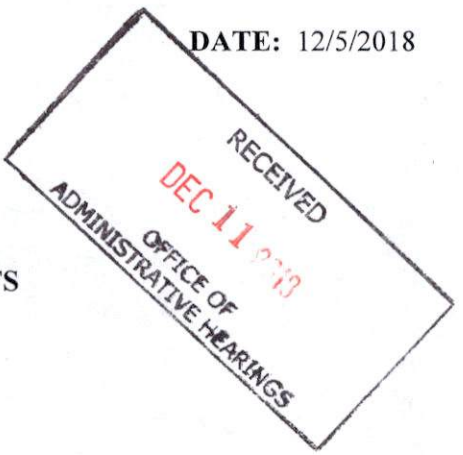
Enclosures

c: People's Counsel
York Aylesbury, LLC, Tom Smyth, 2020 York Road, Timonium 21093

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 12/5/2018



FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 19-130

INFORMATION:
Property Address: 2010 York Road
Petitioner: York Aylesbury, LLC
Zoning: BM
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to replace the current 15 year old message board with a new LED digital message board. The remainder of the existing sign to remain as is. The total area of the sign will be 207 square feet in lieu of the permitted 100 square feet.

A site visit was conducted on November 14, 2018. The site is surrounded by commercial and office uses and is prominently located on the York Road commercial corridor.

There are numerous other examples of existing and new signs - some with message boards - in the corridor that advance the design goals of Master Plan 2020. Examples are located at 1620, 1814, 1830, 2146 and 2123 York Road. The site is also located within the Hunt Valley/Timonium Master Plan (HVT) and states that, "The growth of commercial and office uses along York Road has resulted in signage clutter…." (pg. 28).

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The Department recommends that a reduction in the facial area of the LED message board, resulting in a rectangular shape more proportionate in height and width to the sign face that is to remain, more closely responds to the design guidelines of the Master Plan 2020.

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

Prepared by:

Jessie Bialek

Division Chief:

Jenifer G. Nugent

AVA/JGN/JAB/

s:\planning\dev rev\zac\zacs 2019\19-130.docx

c: Wally Lippincott
Timothy M. 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: December 5, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 18, 2018
Item No. 2019-0094-SPHXA, 0130-A, 0144-SPHA, 0150-A, 0151-SPHA, 0152-A, 0154-A and 0155-A

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

* * * * *

VKD: can
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: November 26, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0129-A, 0130-A, 0131-A, 0132-A, 0133-SPHA, 0134-A, 0135-A, 0136-A, 0137-A, 0096-A, 0139-A, 0140-A, 0144-SPHA and 0149-A

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

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 29 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0130-A
Address 2020 York Road
(York Aylesbury, LLC Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 13 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0130-A
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Reviewer: Steve Ford

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0130-A
Address 2020 York Road
(York Aylesbury, LLC Property)

Zoning Advisory Committee Meeting of **November 12, 2018.**

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Steve Ford

C:\Users\mclark\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\57K2D3FZ\ZAC 19-0130-A 2020 York Road (002).doc

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 13, 2018

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Reviewer: Steve Ford

C:\Users\mclark\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\57K2D3FZ\ZAC 19-0130-A 2020 York Road (002).doc

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 11/7/18

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 11/7/18. A field inspection and internal review reveals that an entrance onto MD 45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0130-A.

York Aylesbury, LLC; Tom Smyth
2020 York Road.

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

Sincerely,

Richard A. Zeller

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

WW/RAZ

PLEASE PRINT CLEARLY

CASE NAME 2019-130-A
CASE NUMBER
DATE 1-7-2019

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Timothy M. Kotroco	305 Washington Avenue, Suite 502	Towson, MD 21204	Tkotroco@gmail.com
Mitch Kellman	501 Fairmount Ave, Ste 300	Towson MD 21286	mkellman@dmm.com
Bob Yarega	2020 York Rd	Timonium MD 21093	bob.yarega@smythjewelers.com

- PLEASE PRINT CLEARLY

CASE NAME Smyth Jewelers
CASE NUMBER 2019-0130-A
DATE January 7, 2019

CITIZEN'S SIGN - IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
Eric Rockel	1610 Riderwood Drive	Lutherville MD 21093	erockel@earthlink.net

CASE NO. 2019-0130-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
12/5	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
11/29	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
12/11	PLANNING (if not received, date e-mail sent _____)	NO OBJ w/condition
11/7	STATE HIGHWAY ADMINISTRATION	NO OBJ
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12/18/18

SIGN POSTING (1st) Date: 12/17/18 by Buellingsley

SIGN POSTING (2nd) Date: 1/2/19 by Buellingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	
Account Identifier:	District - 08 Account Number - 2400008869		

Owner Information

Owner Name:	YORK AYLESBURY LLC	Use:	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	C/O SMYTH JEWELERS 2020 YORK RD TIMONIUM MD 21093-4244	Deed Reference:	

Location & Structure Information

Premises Address:	2010 YORK RD 0-0000	Legal Description:	4.314 AC 2010-2036 YORK RD WS CROWTHER PROPERTIES

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0060	0012	0189		0000				2017	Plat Ref:	0077/ 0058

Special Tax Areas:		Town:	NONE
		Ad Valorem:	
		Tax Class:	

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2004	48939		4.3100 AC	06

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
		RETAIL STORE				

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2017	As of 07/01/2018	As of 07/01/2019
Land:	4,861,000	4,861,000		
Improvements	6,139,000	5,739,000		
Total:	11,000,000	10,600,000	10,600,000	10,600,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

1/7

11 tm

Case No.: 2019-0130-A - 2010 York Rd.

Exhibit Sheet

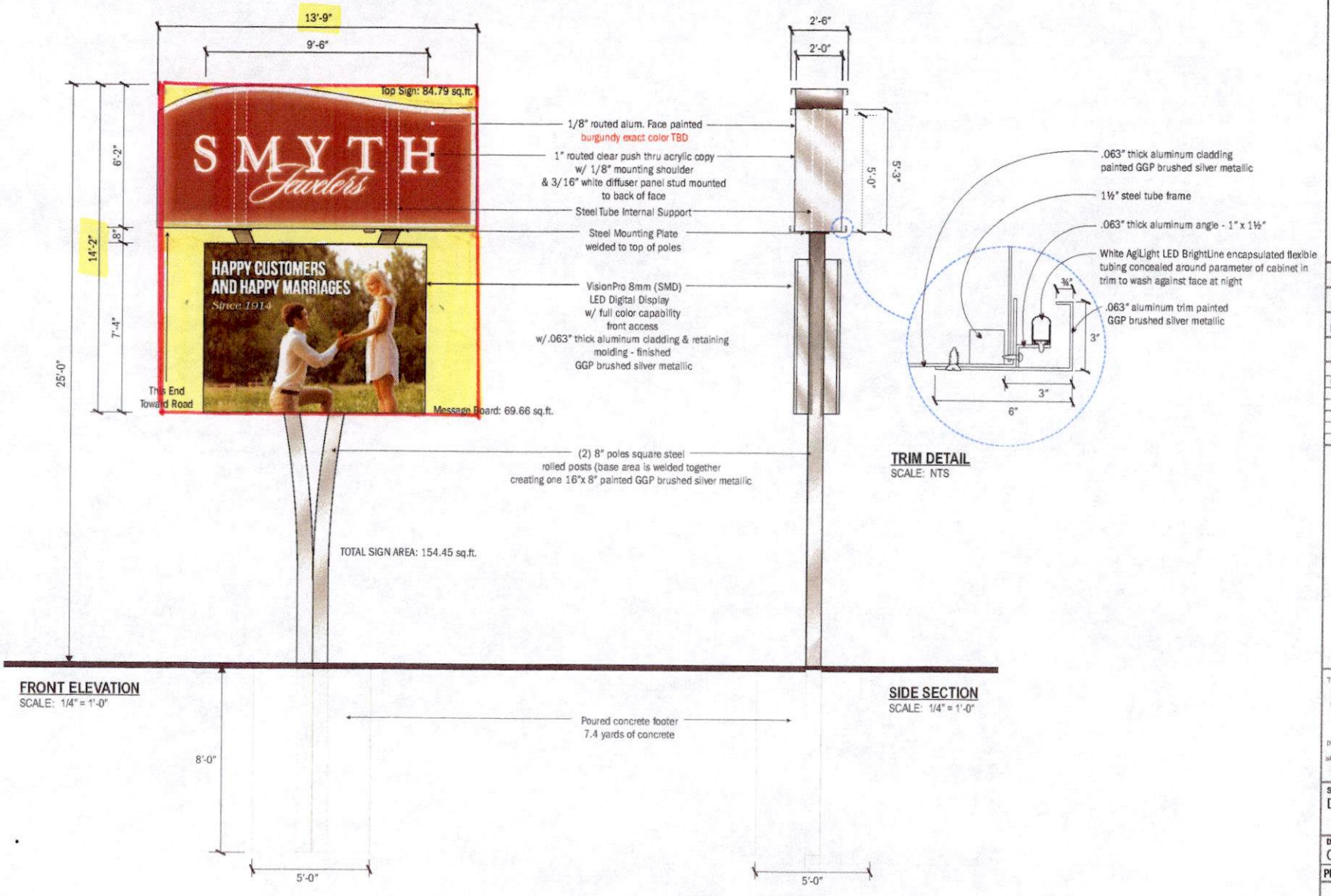
Petitioner/Developer

PW 2-8-19

Protestants

PW 1-8-19

No. 1	Site plan	
No. 2	Sign elevation	
No. 3	Site photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Gable

A VISUAL SOLUTIONS COMPANY.

7440 Fort Smallwood Road
Baltimore, Maryland 21226
800.854.0568

PROJECT TITLE:	Smyth Jewelers
ORDER TITLE:	Digital Display upgrade
CITY/STATE	Philadelphia, PA
PHONE NUMBER	
DRAWING DATE	9/7/18
SALES REP	Austin G.
PROJECT MGR.	

REVISION HISTORY

NO.	DATE	PREV DRWG	DESCRIPTION

This concept illustration is for representational purposes only. Structural, resolution, and/or specification changes may occur during the design and implementation process that may result in changes from the illustration. Environmental conditions of the site may affect final results.

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SIGN TYPE:	D/F Digital Display Upgrade
DWG. TYPE:	Concept

PROJECT NO.	TASK NO.	QTY.
79709	168487	1

DWG. NO.	SHEET
11847CH	1 of 1

PET. #2



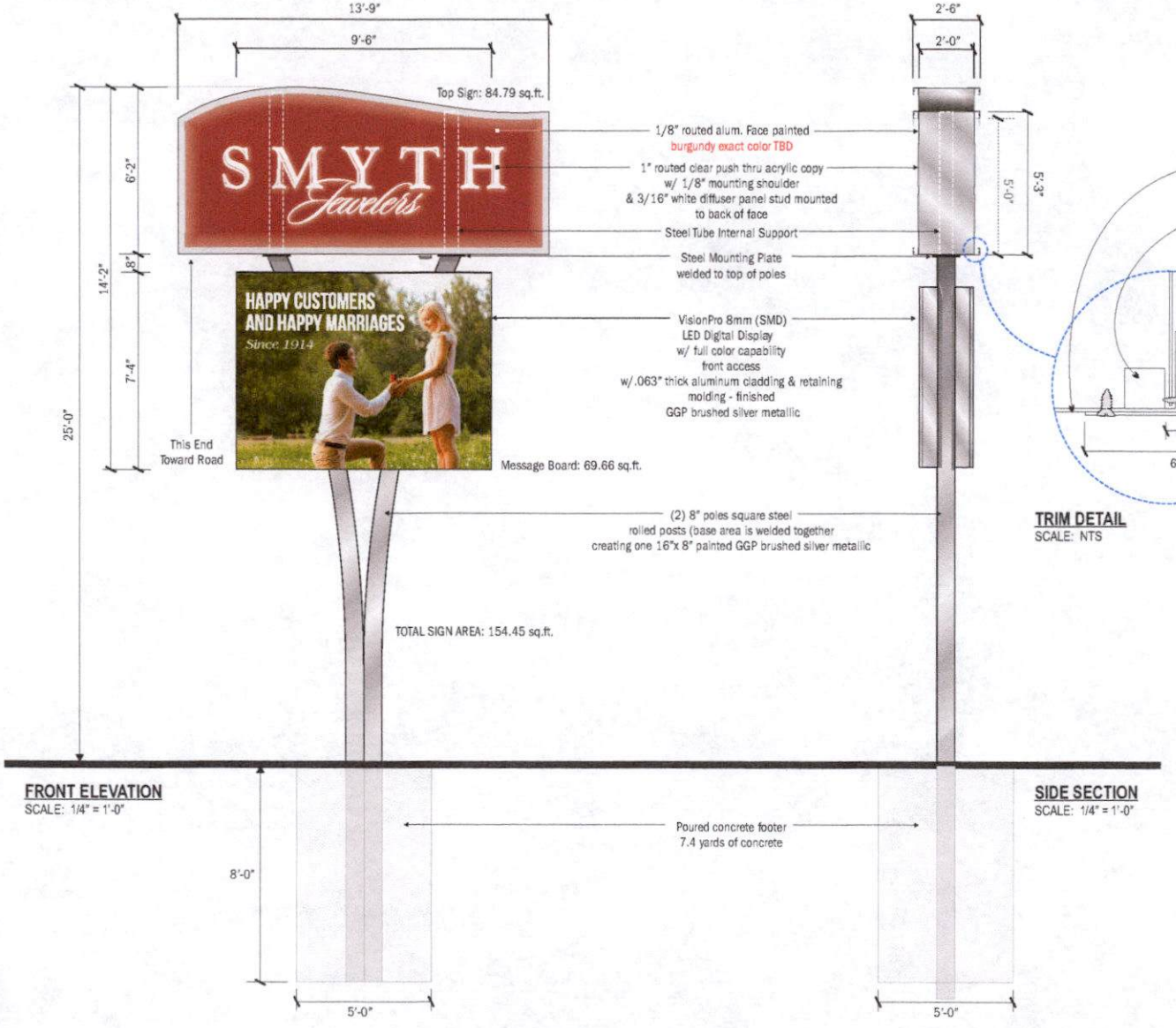
PET. No. 3


SMYTH
SMYTH
Jewelers
over 1 Million
Served...Thank
You Maryland

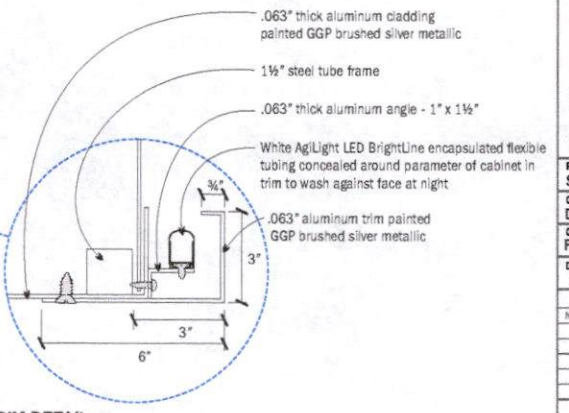

SMYTH
Jewelers
More Happiness
Less $$

MO-45
Google, Inc.
Street View - Nov 2017
Oakway Rd
Northwood Dr
ork Rd
esbury Rd

2019-0130-A



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



TRIM DETAIL
SCALE: NTS

SIDE SECTION
SCALE: 1/4" = 1'-0"

Gable
A VISUAL SOLUTIONS COMPANY.
7440 Fort Smallwood Road
Baltimore, Maryland 21226
800.854.0568

PROJECT TITLE:	Smyth Jewelers
ORDER TITLE:	Digital Display upgrade
CITY/STATE	Philadelphia, PA
PHONE NUMBER	
DRAWING DATE	9/7/18
SALES REP	Austin G.
PROJECT MGR.	

REVISION HISTORY

NO.	DATE	PREV DRWG	DESCRIPTION

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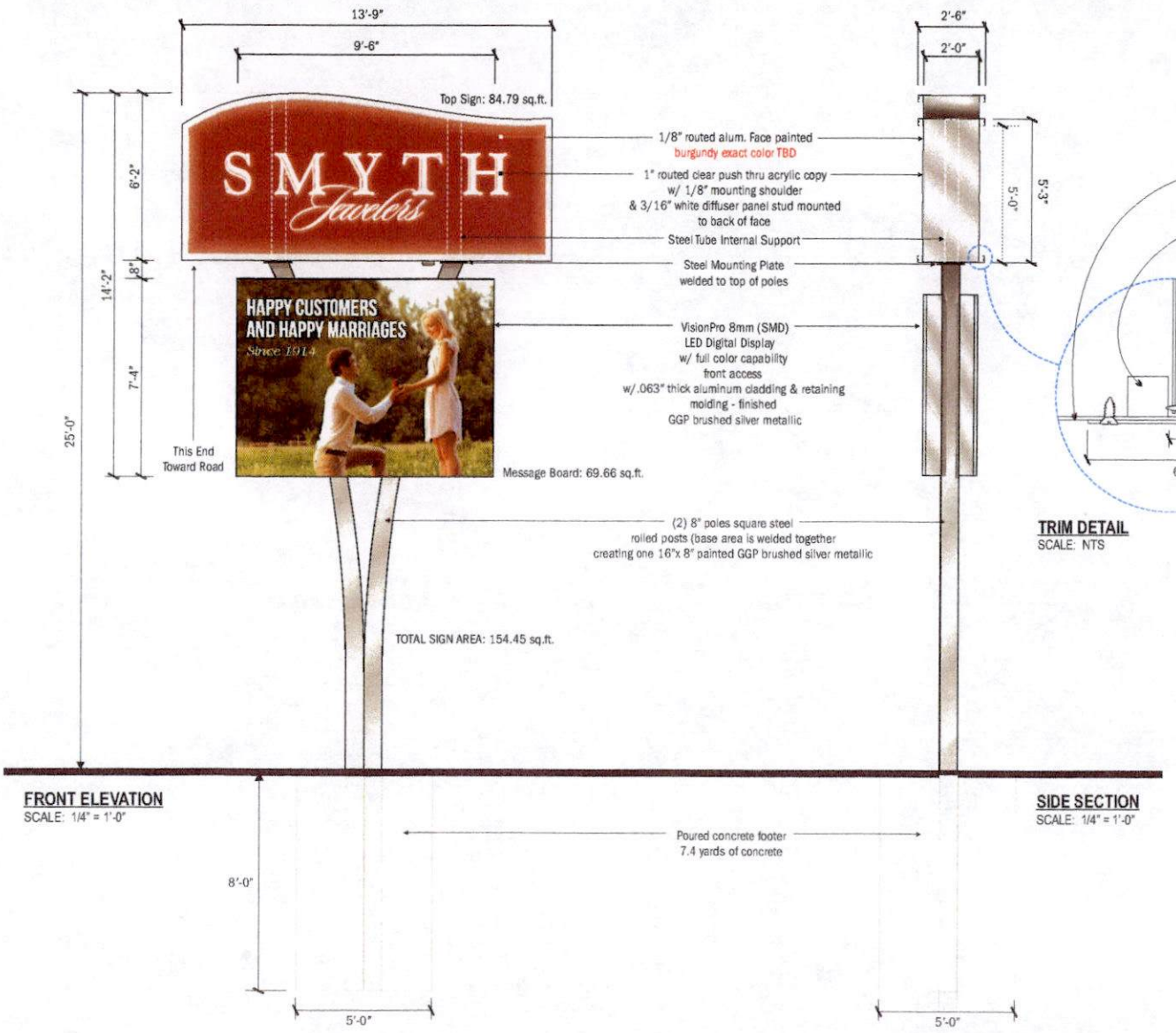
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SIGN TYPE:	D/F Digital Display Upgrade
DWG. TYPE:	Concept

PROJECT NO.	TASK NO.	QTY.
79709	168487	1

DWG. NO.	SHEET
11847CH	1 of 1

5010-4-0120



Gable

A VISUAL SOLUTIONS COMPANY.

7440 Fort Smallwood Road
Baltimore, Maryland 21226
800.854.056

PROJECT TITLE:	Smyth Jewelers
ORDER TITLE:	Digital Display upgrade
CITY/STATE	Philadelphia, PA
PHONE NUMBER	
DRAWING DATE	9/7/18
SALES REP	Austin G.
PROJECT MGR.	

REVISION HISTORY

NO.	DATE	PREV DRWG	DESCRIPTION

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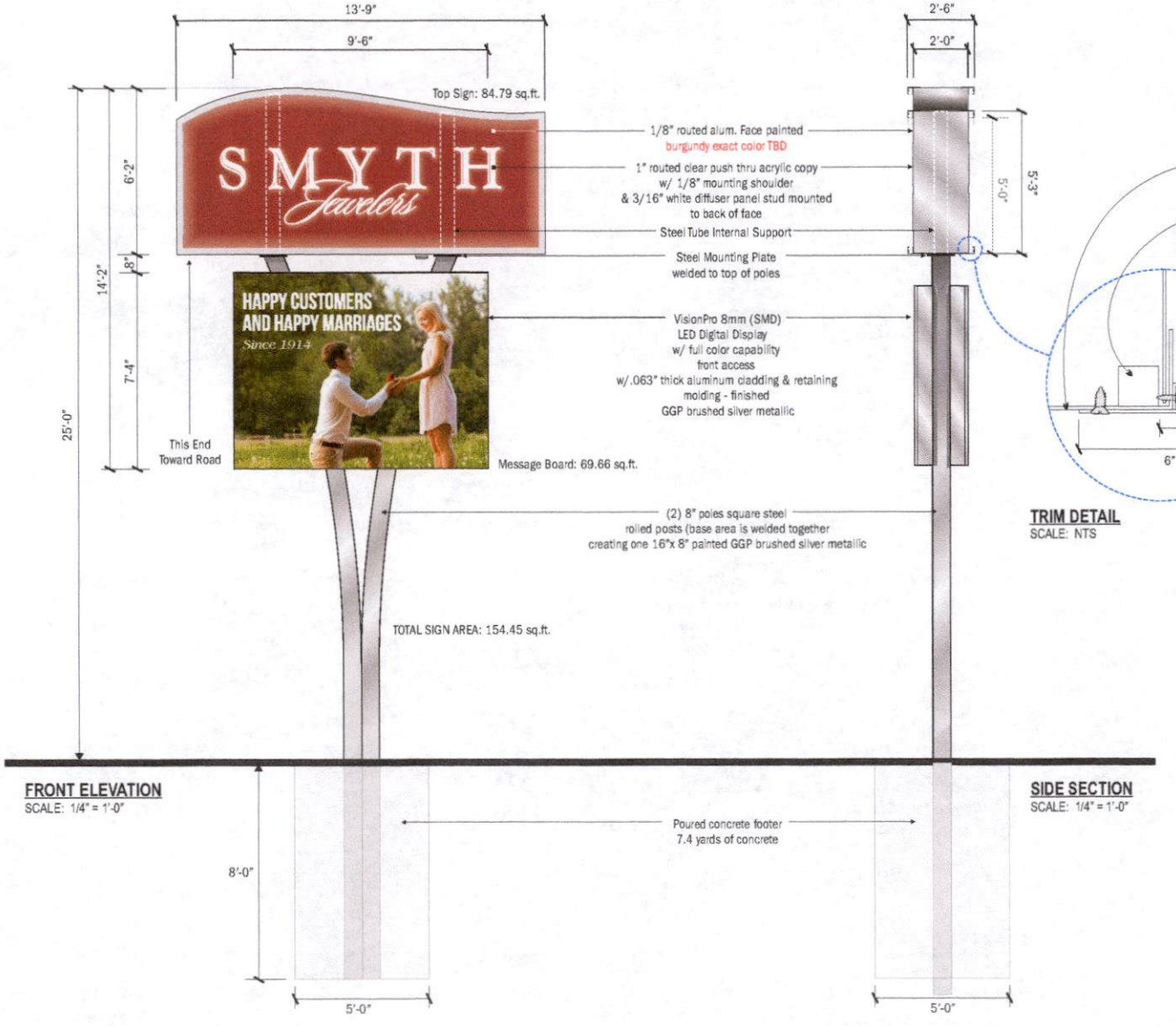
SIGN TYPE: D/F Digital Display Upgrade

DWG. TYPE: Concept

PROJECT NO.	TASK NO.	QTY.
79709	168487	1

DWG. NO.	SHEET
11847CH	1 of 1

A-0910-5100



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

TRIM DETAIL
SCALE: NTS

SIDE SECTION
SCALE: 1/4" = 1'-0"

Gable

A VISUAL SOLUTIONS COMPANY.

7440 Fort Smallwood Road
Baltimore, Maryland 21226
800.854.0568

PROJECT TITLE:
Smyth Jewelers

ORDER TITLE:
Digital Display upgrade

CITY/STATE: Philadelphia, PA
PHONE NUMBER:

DRAWING DATE	SALES REP	PROJECT MGR.
9/7/18	Austin G.	

REVISION HISTORY

NO.	DATE	PREV DRWG	DESCRIPTION

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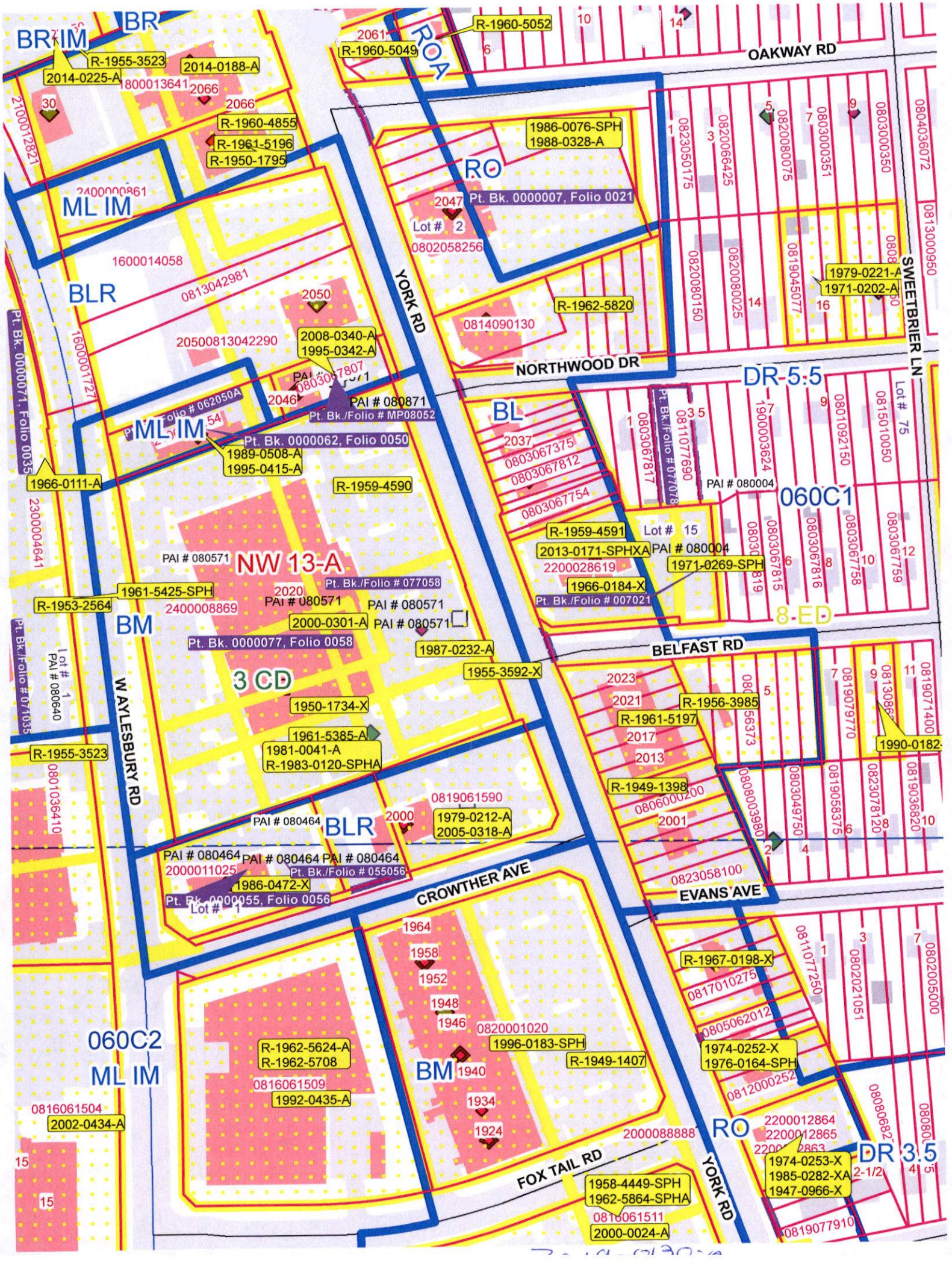
SIGN TYPE:
D/F Digital Display Upgrade

DWG. TYPE:
Concept

PROJECT NO.	TASK NO.	QTY.
79709	168487	1

DWG. NO.	SHEET
11847CH	1 of 1

A-2014-0104


BR
BR IM
R-1955-3523
2014-0225-A
2014-0188-A
1800013641
2066
2066
30
2100012821
R-1960-4855
R-1961-5196
R-1950-1795
2400000861
ML IM
1600014058
0813042981
BLR
2050
20500813042290
1600001727
Pt. Bk. 0000071, Folio 0035
Folio # 062050A
2046
2008-0340-A
1995-0342-A
0803067807
PAI # 080871
Pt. Bk./Folio # MP08052
ML IM
Pt. Bk. 0000062, Folio 0050
1989-0508-A
1995-0415-A
1966-0111-A
R-1959-4590
2300004641
PAI # 080571
NW 13-A
Pt. Bk./Folio # 077058
R-1953-2564
1961-5425-SPH
2020
PAI # 080571
2400008869
PAI # 080571
BM
2000-0301-A
PAI # 080571
Pt. Bk. 0000077, Folio 0058
1987-0232-A
Lot # 1
PAI # 080640
3 CD
1955-3592-X
W AYLESBURY RD
1950-1734-X
1961-5385-A
1981-0041-A
R-1983-0120-SPHA
R-1955-3523
0801036410
0819061590
PAI # 080464
BLR
2000
1979-0212-A
2005-0318-A
PAI # 080464
PAI # 080464
PAI # 080464
2000011025
Pt. Bk./Folio # 055056
1986-0472-X
Pt. Bk. 0000055, Folio 0056
Lot # 1
CROWTHER AVE
060C2
ML IM
R-1962-5624-A
R-1962-5708
0816061509
1992-0435-A
0816061504
2002-0434-A
15
15
1964
1958
1952
1948
1946
0820001020
1996-0183-SPH
R-1949-1407
BM
1940
1934
1924
2000088888
FOX TAIL RD
1958-4449-SPH
1962-5864-SPHA
0816061511
2000-0024-A
YORK RD
ROA
R-1960-5052
2061
R-1960-5049
6
10
14
OAKWAY RD
1986-0076-SPH
1988-0328-A
RO
2047
Pt. Bk. 0000007, Folio 0021
Lot # 2
0802058256
0823050175
0820066425
0820080075
0803000351
0803000350
0804036072
0813000950
SWEETBRIER LN
1979-0221-A
1971-0202-A
0819045077
0820080150
0820080025
14
16
R-1962-5820
0814090130
NORTHWOOD DR
DR-5.5
BL
Pt. Bk./Folio # 077078
0811077690
0803067817
0803067375
0803067812
0803067754
2037
PAI # 080004
060C1
1900003624
0801092150
0815010050
Lot # 75
R-1959-4591
Lot # 15
2013-0171-SPHXA
PAI # 080004
2200028619
1971-0269-SPH
1966-0184-X
Pt. Bk./Folio # 007021
0803067815
0803067816
0803067758
0803067759
8-ED
BELFAST RD
2023
2021
R-1956-3985
R-1961-5197
2017
2013
R-1949-1398
0806000200
2001
0819079770
0819071400
1990-0182
0819058375
0823078120
0819036820
0823058100
EVANS AVE
R-1967-0198-X
0817010275
0811077250
0802021051
0802005000
0805062012
1974-0252-X
1976-0164-SPH
0812000252
RO
2200012864
2200012865
DR 3.5
2-1/2
1974-0253-X
1985-0282-XA
1947-0966-X
0819077910
YORK RD

Description to

Accompany Petition for Zoning Variance

4.31 Acre Parcel

Eighth Election District, Baltimore County,Maryland

Beginning for the same at the end of the second of the two following courses distances measured from the intersection of the centerline of Timonium Road ariable width) with the centerline of York Road (variable width) (1) Southeasterly 1070 feet, more or less and thence, (2) Southwesterly 41 feet, more or less to the west side of York Road, thence binding thereon, the six following courses and distances, viz: (1) South 18 degrees 45 minutes 15 seconds East 210.19 feet, thence (2) North 71 degrees 14 minutes 45 seconds East 1.00 foot, thence (3) South 18 degrees 45 minutes 15 seconds East 62.97 feet, thence (4) South 70 degrees 15 minutes 17 seconds West 1.00 foot, thence (5) South 18 degrees 45 minutes 15 seconds East 23.86 feet, to a point of curvature, and thence (6) Southeasterly by a line curving to the left having a radius of 21065.62 feet for a distance of 158.86 feet , (the arc of said curve being subtended by a chord bearing South 18 degrees 58 minutes 18 seconds East 158. feet), thence (7) South 70 degrees 50 minutes 32 seconds West 453.86 feet to th side of Aylesbury Road (variable width) thence binding thereon the two fo courses and distances, viz: (8) North 08 degrees 12 minutes 51 seconds W feet, and thence (9) North 12 degrees 30 minutes 54 seconds West 9.33 (10) North 71 degrees 19 minutes 03 seconds East 368.45 feet to the beginning; containing 4.31 acres of land, more or less.

DMW
Dade•McCune•W
200 East Pe
Tow
ers,
itects,
ineers &
ofessionals

86

e east

lowing

est 458.01

feet, thence

point of

2019-0130-A

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

December 3, 1999

Project No. 95025.H (L95025.H)



2019-0130-A

Inc.
a Avenue
land 21286
www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Description to

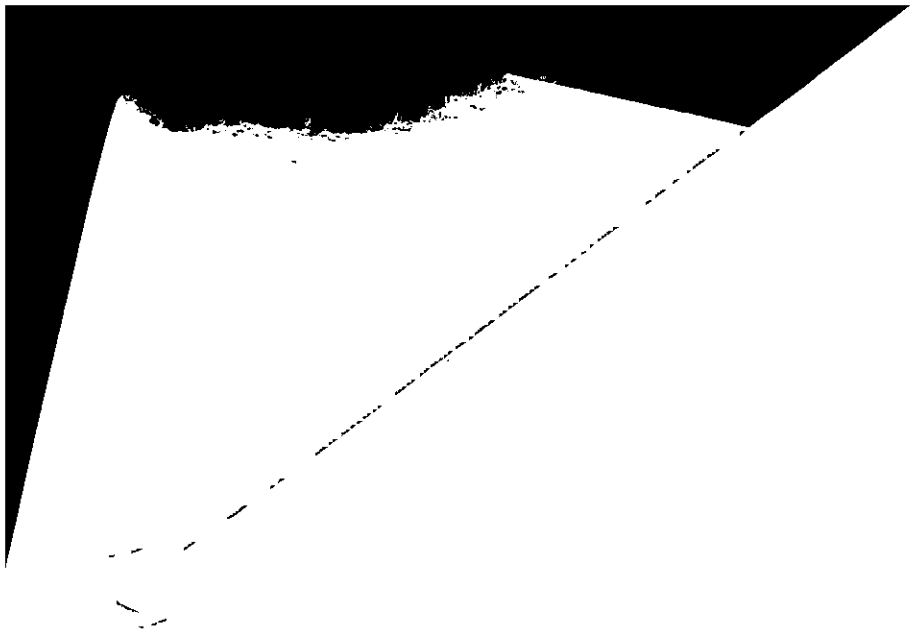
Accompany Petition for Zoning Variance

4.31 Acre Parcel

Eighth Election District, Baltimore County,Maryland

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Timonium Road (variable width) with the centerline of York Road (variable width) (1) Southeasterly 1070 feet, more or less and thence, (2) Southwesterly 41 feet, more or less to the west side of York Road, thence binding thereon, the six following courses and distances, viz: (1) South 18 degrees 45 minutes 15 seconds East 210.19 feet, thence (2) North 71 degrees 14 minutes 45 seconds East 1.00 foot, thence (3) South 18 degrees 45 minutes 15 seconds East 62.97 feet, thence (4) South 70 degrees 15 minutes 17 seconds West 1.00 foot, thence (5) South 18 degrees 45 minutes 15 seconds East 23.86 feet, to a point of curvature, and thence (6) Southeasterly by a line curving to the left having a radius of 21065.62 feet for a distance of 158.86 feet , (the arc of said curve being subtended by a chord bearing South 18 degrees 58 minutes 18 seconds East 158.86 feet), thence (7) South 70 degrees 50 minutes 32 seconds West 453.86 feet to the east side of Aylesbury Road (variable width) thence binding thereon the two following courses and distances, viz: (8) North 08 degrees 12 minutes 51 seconds West 458.01 feet, and thence (9) North 12 degrees 30 minutes 54 seconds West 9.33 feet, thence (10) North 71 degrees 19 minutes 03 seconds East 368.45 feet to the point of beginning; containing 4.31 acres of land, more or less.

2019-0130-A



THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

December 3, 1999

Project No. 95025.H (L95025.H)



2019-0130-A

Description to

Accompany Petition for Zoning Variance

4.31 Acre Parcel

Eighth Election District, Baltimore County,Maryland

DMW

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Timonium Road (variable width) with the centerline of York Road (variable width) (1) Southeasterly 1070 feet, more or less and thence, (2) Southwesterly 41 feet, more or less to the west side of York Road, thence binding thereon, the six following courses and distances, viz: (1) South 18 degrees 45 minutes 15 seconds East 210.19 feet, thence (2) North 71 degrees 14 minutes 45 seconds East 1.00 foot, thence (3) South 18 degrees 45 minutes 15 seconds East 62.97 feet, thence (4) South 70 degrees 15 minutes 17 seconds West 1.00 foot, thence (5) South 18 degrees 45 minutes 15 seconds East 23.86 feet, to a point of curvature, and thence (6) Southeasterly by a line curving to the left having a radius of 21065.62 feet for a distance of 158.86 feet , (the arc of said curve being subtended by a chord bearing South 18 degrees 58 minutes 18 seconds East 158.86 feet), thence (7) South 70 degrees 50 minutes 32 seconds West 453.86 feet to the east side of Aylesbury Road (variable width) thence binding thereon the two following courses and distances, viz: (8) North 08 degrees 12 minutes 51 seconds West 458.01 feet, and thence (9) North 12 degrees 30 minutes 54 seconds West 9.33 feet, thence (10) North 71 degrees 19 minutes 03 seconds East 368.45 feet to the point of beginning; containing 4.31 acres of land, more or less.

2019-0130-A

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

December 3, 1999

Project No. 95025.H (L95025.H)



2019-0130-A

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: 2019-0130-A

Property Address: 2010 York Rd

Property Description: _____

_____

Legal Owners (Petitioners): York Aylesbury LLC

Contract Purchaser/Lessee: _____

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

Revised 7/9/2015

M E M O R A N D U M

DATE: December 31, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0131-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 26, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE **(4 Chelmsford Court)** 15th Election District 6th Council District Jason G. & Denise Dotterweich Petitioners	*	BEFORE THE
	*	OFFICE OF ADMINISTRATIVE
	*	HEARINGS FOR
	*	BALTIMORE COUNTY
	*	**CASE NO. 2019-0131-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Jason G. and Denise Dotterweich ("Petitioners"). The Petitioners are requesting Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 4, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING
Date 11-26-18
By

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this **26th** day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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:dlw

ORDER RECEIVED FOR FILING
Date 11-26-18
By DW

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 4 CHELMSFORD CT. Middle River MD **Currently zoned** Res. DR 10.5

Deed Reference 08460/00422 10 Digit Tax Account # 2000011125

Owner(s) Printed Name(s) JASON DOTTERWEICH

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ___ **ADMINISTRATIVE VARIANCE** from Section(s) 1B01.2.C.1.b and 303.1.A of BCZR to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 feet in lieu of the required 22-1/2 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ___ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (*indicate type of work in this space: i.e., to raze, alter or construct addition to building*)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.
I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Jason Dotterweich
Name #1 – Type or Print | Name # 2 – Type or Print

Signature #1 | Signature # 2

4 CHELMSFORD CT Balto MD
Mailing Address | City | State

21220 | 410-599-5933 | —
Zip Code | Telephone # | Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address | City | State

Zip Code | Telephone # | Email Address

ORDER RECEIVED FOR FILING
Date 11-26-18
By DW

Representative to be contacted:

Bryan Sullivan
Name – Type or Print

Signature

711 W 40th St. Balto MD
Mailing Address | City | State

21211 | 410-400 7000 | bsullivan@advetarchd
Zip Code | Telephone # | Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this ____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0131-A **Filing Date** 10/22/18 **Estimated Posting Date** 11/04/18 ~11/19/18 **Reviewer** AJ

Rev 5/5/2016

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 4 Chamsford Ct. Balto MD 21220
Print or Type Address of property | City | State | Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

My rear yard is unusable with current weather in our State the rains & included weather saturates my rear yard.
"SEE ATTACHMENT"

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Jason Dotterweich
Name- Print or Type

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of October 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JASON DOTTERWEICH

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my Hand and Notaries Seal

GLENN SCHWARTZ NOTARY PUBLIC BALTIMORE COUNTY, MD.

Notary Public

8/8/22
My Commission Expires

REV. 5/5/2016

2019-0131-A

JASON DOTTERWEICH

4 Chelmsford Court, Middle River, MD 21220 | 410-599-5933

Date

Zoning Review Office
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

Dear Zoning Review Office:

I am writing as a hardship request for a Variance Waiver. Currently our previously existing treated lumber style deck was worn, decaying and ruined due to weather and age.

We are requesting that in addition to replacing what was existing that we extend the depth of the deck an additional twelve feet {12'}.

This will help our yard for better use but not limited to family gatherings and functions, but so we may maximize the use of our home and property. The current demographic is a clay terrain with grass and soft/muddy soil and has become unusable with long periods of rain the state of Maryland has. This deck will be at grade/ground level and will not impede any eye view of the community as we are backed to an easement of the HOA.

Sincerely,

Jason Dotterweich

2019-0131-A

ZONING PROPERTY DESCRIPTION FOR: 4 CHELMSFORD COURT, BALTIMORE MD 21220

Beginning at a point on the North West side of 4 Chelmsford Court which is eighteen (18) feet wide at a distance of approximately seventy (70) feet of the centerline of the nearest improved intersecting street of London Perry Court which is approximately twenty (20) feet wide.

SUBDIVISION LOT

Being lot #4. in the Subdivision of Village of Pawnee as recorded in Baltimore County Plat Book# 0055, Ref# 0085, containing .0371 of acres of lot. Located in the 15th Election District and the 6th Council district.

Owner: Jason Dotterweich

Signature

4 CHELMSFORD COURT, BALTIMORE MD 21220
Mailing address

Representative: Advance Remodeling, Inc,
MHIC# 13337
711 W 40TH STREET, SUITE 330
BALTIMORE, MD 21220
410-532-5400
Email: jsullivan@advanceremodeling.com

Signature

My Commission Expires 8/8/22

GLENN H. SCHWARTZ NOTARY PUBLIC BALTIMORE COUNTY, MD.

2019-0131-A

CI IFICATE OF POSTING

CASE NO. 2019-0131-A

PETITIONER/DEVELOPER

JASON DOTTERWEICH

DATE OF HEARING/CLOSING

11/19/18

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

LADIES AND GENTLEMAN :

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

4 CHELMSFORD COURT

SIGN #2

THIS SIGN(S) POSTED ON November 4, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 11/4/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411


SIGN 2
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE# 2019-0131-A
TO PERMIT A PROPOSED DECK ADDITION TO THE REAR OF THE EXISTING SINGLE FAMILY DWELLING WITH A REAR YARD SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 22-½ FEET
PUBLIC HEARING ?
PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON MONDAY, NOVEMBER 19, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE
TOWSON, MD. 21204
TEL. 410-887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

11/4/18

CE[illegible]IFICATE OF POSTING

CASE NO. 2019-0131-A

PETITIONER/DEVELOPER

JASON DOTTERWEICH

DATE OF HEARING/CLOSING

11/19/18

BALTIMORE COUNTY DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

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

4 CHELMSFORD COURT

SIGN #1

THIS SIGN(S) POSTED ON November 4, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 11/4/18

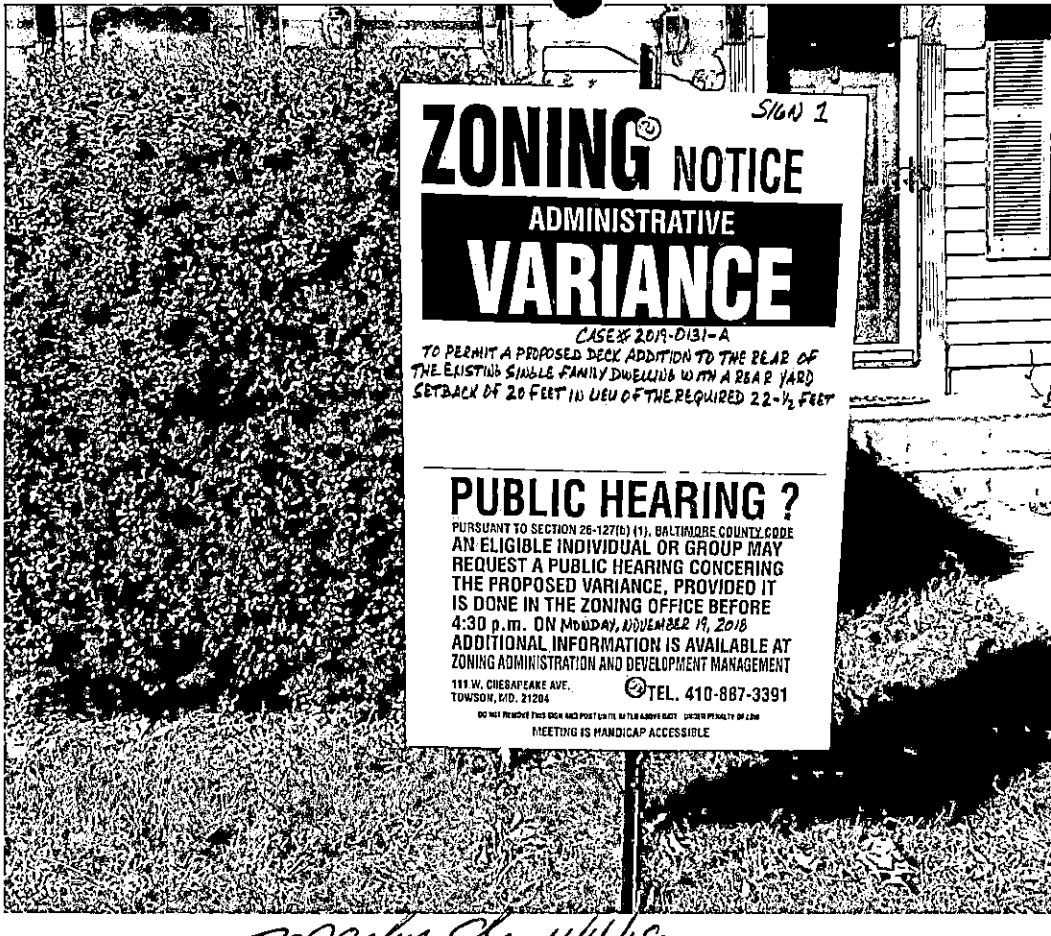
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411


SIGN 1
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2019-0131-A
TO PERMIT A PROPOSED DECK ADDITION TO THE REAR OF THE EXISTING SINGLE FAMILY DWELLING WITH A REAR YARD SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 22-½ FEET
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111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 410-887-3391
MEETING IS HANDICAP ACCESSIBLE

11/4/18

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map **View GroundRent Redemption** **View GroundRent Registration**

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

Account Identifier: **District -** 15 **Account Number -** 2000011125

Owner Information

Owner Name:	DOTTERWEICH JASON G DOTTERWEICH DENISE	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	4 CHELMSFORD CT BALTIMORE MD 21220-3672	**Deed Reference:**	/08460/ 00422

Location & Structure Information

Premises Address:	4 CHELMSFORD CT 0-0000	**Legal Description:**	.0371 AC VILLAGE OF PAWNEE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0090	0005	1293		0000			87	2018	Plat Ref:	0055/ 0085

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1990	1,116 SF		1,620 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	CENTER UNIT	SIDING	1 full/ 1 half		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	54,000	54,000		
Improvements	59,700	58,700		
Total:	113,700	112,700	112,700	112,700
Preferential Land:	0			0

Transfer Information

Seller: STERLING HOMES C ORPORATION II	**Date:** 04/23/1990	**Price:** $71,690
Type: ARMS LENGTH IMPROVED	**Deed1:** /08460/ 00422	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

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

Homestead Application Information

2019-0131-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0131 - A Address 4 Chelmsford Court

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/22/2018 **Posting Date:** 11/04/18 **Closing Date:** 11/19/18

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0131 -A Address: 4 Chelmsford Court

Petitioner's Name: Jason Dotterweich Telephone : 410-599-5983

Posting Date: 11/04/18 **Closing Date:** 11/19/2018

Wording for Sign: To permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 feet in lieu of the required 22-1/2 feet.

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

No. 176306

Date: 10/22/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				$75

Total: $75

Rec From:

For: 4 CHELMSFORD CT.

2019-0131-A

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

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
10/22/2016	10/22/2018	10:09:09	1

WALKIN LJR

>RECEIPT # 816752 10/22/2018 OFLN

Dept 5 528 ZONING VERIFICATION NO. 176306

Rcpt Tot $75.00
$.00 CK $80.00 CA
$5.00- CC

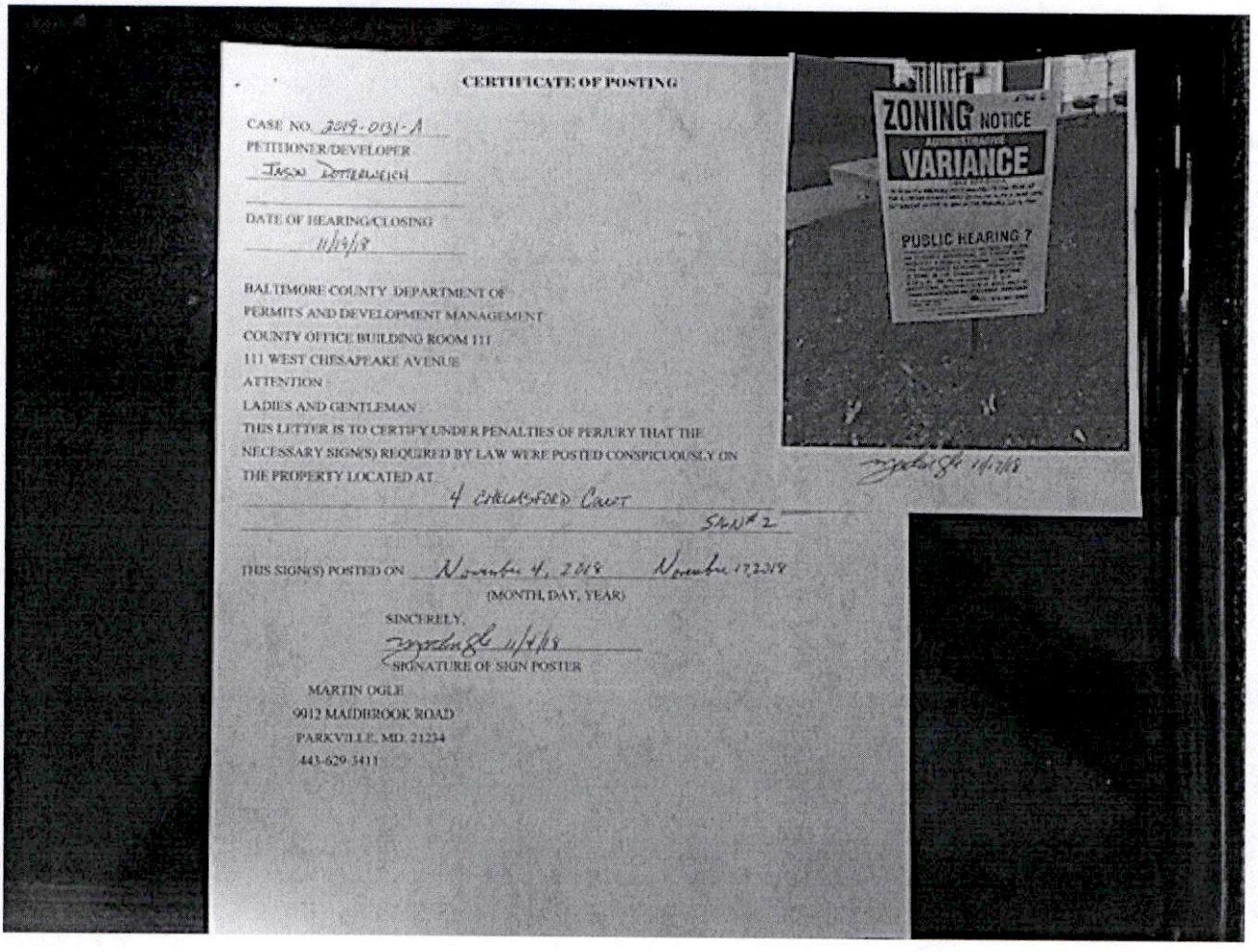
Baltimore County, Maryland

(AV) 11-19

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, November 18, 2018 9:35 PM
To: Administrative Hearings
Subject: 4 Chelmsford Court

2nd set of certificates



CERTIFICATE OF POSTING

CASE NO. 2019-0131-A
PETITIONER/DEVELOPER
JASON DOTTERWEICH

DATE OF HEARING/CLOSING
11/9/18

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

LADIES AND GENTLEMAN:

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

4 CHELMSFORD COURT

SIGN #2

THIS SIGN(S) POSTED ON November 4, 2018 November 17, 2018
(MONTH, DAY, YEAR)

SINCERELY,

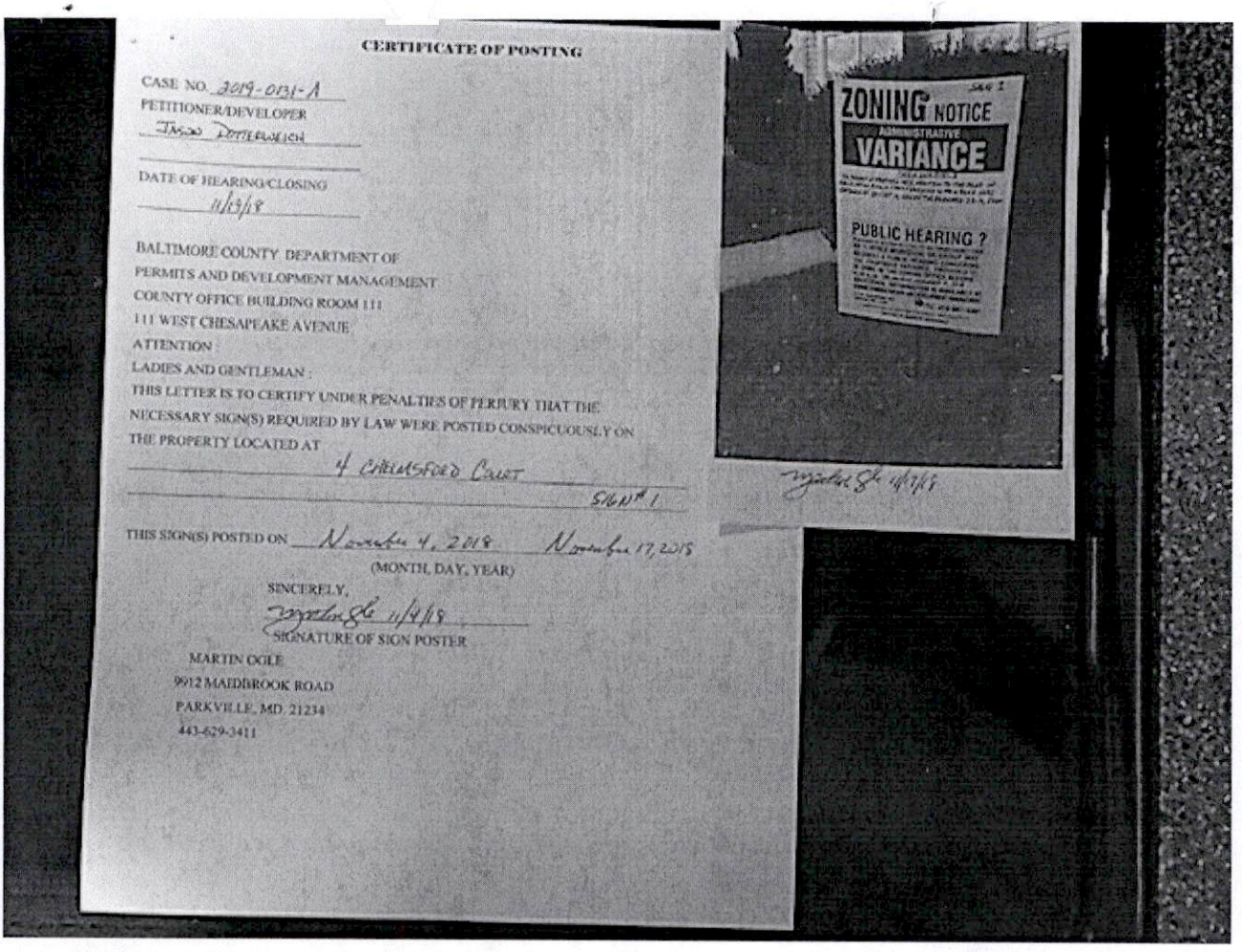
11/4/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9012 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE
ADMINISTRATIVE
VARIANCE
PUBLIC HEARING ?

11/4/18

RECEIVED
NOV 19 2018
OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

CASE NO. 2019-0131-A

PETITIONER/DEVELOPER

JASON POTTERMUCH

DATE OF HEARING/CLOSING

11/13/18

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

ATTENTION:

LADIES AND GENTLEMAN:

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

4 CHELMSFORD COURT

SIGN # 1

THIS SIGN(S) POSTED ON November 4, 2018 November 17, 2018
(MONTH, DAY, YEAR)

SINCERELY,

11/4/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE
ADMINISTRATIVE
VARIANCE
PUBLIC HEARING ?

SIGN 1

11/4/18

Sent from my iPhone

RECEIVED
NOV 19 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

DONALD I. MOHLER III
County Executive

November 20, 2018

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

Jason Dotterweich
4 Chelmsford Ct.
Baltimore, MD 21220

Dear Mr. Dotterweich:

RE: Case Number: 2019-0131A, Address: 4 Chelmsford Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Bryan Sullivan 711 W. 40th Street Baltimore, MD 21221

11-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 13 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Steve Ford

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Steve Ford

C:\Users\mclark\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\57K2D3FZ\ZAC 19-0131-A 4 Chelmsford Court (002).doc

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 11/7/18

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. 2019-0131-A
Administration Variance
Fason Dotterweich
4 Chelmsford Court

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,

Richard A Zeller

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

WW/RAZ

DONALD I. MOHLER III
County Executive

November 20, 2018

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

Jason Dotterweich
4 Chelmsford Ct.
Baltimore, MD 21220

Dear Mr. Dotterweich:

RE: Case Number: 2019-0131A, Address: 4 Chelmsford Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Bryan Sullivan 711 W. 40th Street Baltimore, MD 21221

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 13, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0131-A
Address 4 Chelmsford Court
(Dotterweich Property)

Zoning Advisory Committee Meeting of **November 12, 2018.**

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: Steve Ford

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry Hogan
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Date: 11/7/18

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Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
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Administration Variance
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Metropolitan District Engineer
Maryland Department of Transportation
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District 4 - Baltimore and Harford Counties

WW/RAZ

DONALD I. MOHLER III
County Executive

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

November 26, 2018

Jason G. Dotterweich
Denise Dotterweich
4 Chelmsford Court
Baltimore, MD 21220

RE: Petition for Administrative Variance
Case No. 2019-0131-A
Property: 4 Chelmsford Court

Dear Mr. and Mrs. Dotterweich:

Enclosed please find a copy of the Order 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,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Bryan Sullivan, 711 W. 40th St., Baltimore, MD 21211

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(4 Chelmsford Court)		
15th Election District	*	OFFICE OF ADMINISTRATIVE
6th Council District		
Jason G. & Denise Dotterweich	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2019-0131-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owners of the property, Jason G. and Denise Dotterweich ("Petitioners"). The Petitioners are requesting Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 4, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law

Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from §§ 1B01.2.C.1.b and 303.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed deck addition to the rear of the existing single family dwelling with a rear yard setback of 20 ft. in lieu of the required 22.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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:dlw

CASE NO. 2019- 0131-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
11-13	DEPS (if not received, date e-mail sent _____)	NC
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
11-7	STATE HIGHWAY ADMINISTRATION	No objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 11-4-18 by Ogle

SIGN POSTING (2nd) Date: 11-17-18 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

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

Account Identifier: **District -** 15 **Account Number -** 2000011125

Owner Information

Owner Name:	DOTTERWEICH JASON G DOTTERWEICH DENISE	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	4 CHELMSFORD CT BALTIMORE MD 21220-3672	**Deed Reference:**	/08460/ 00422

Location & Structure Information

Premises Address:	4 CHELMSFORD CT 0-0000	**Legal Description:**	.0371 AC VILLAGE OF PAWNEE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0090	0005	1293		0000			87	2018	Plat Ref:	0055/ 0085

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1990	1,116 SF		1,620 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	CENTER UNIT	SIDING	1 full/ 1 half		

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2018	As of 07/01/2019
Land:	54,000	54,000		
Improvements	59,700	58,700		
Total:	113,700	112,700	112,700	112,700
Preferential Land:	0			0

Transfer Information

Seller: STERLING HOMES C ORPORATION II	**Date:** 04/23/1990	**Price:** $71,690
Type: ARMS LENGTH IMPROVED	**Deed1:** /08460/ 00422	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2018	07/01/2019
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

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

Homestead Application Information

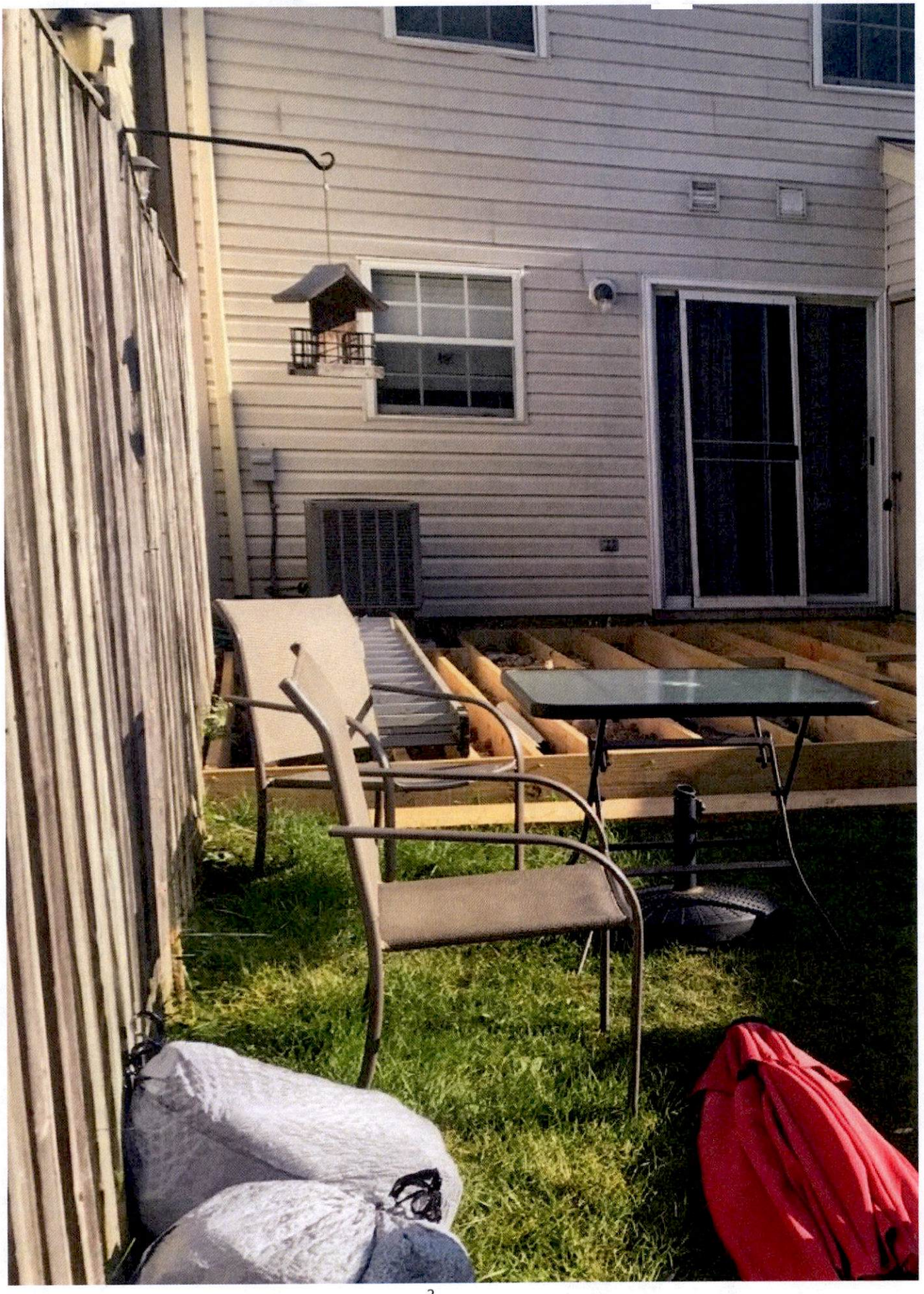
Homestead Application Status: Approved 03/05/2009

Homeowners' Tax Credit Application Information

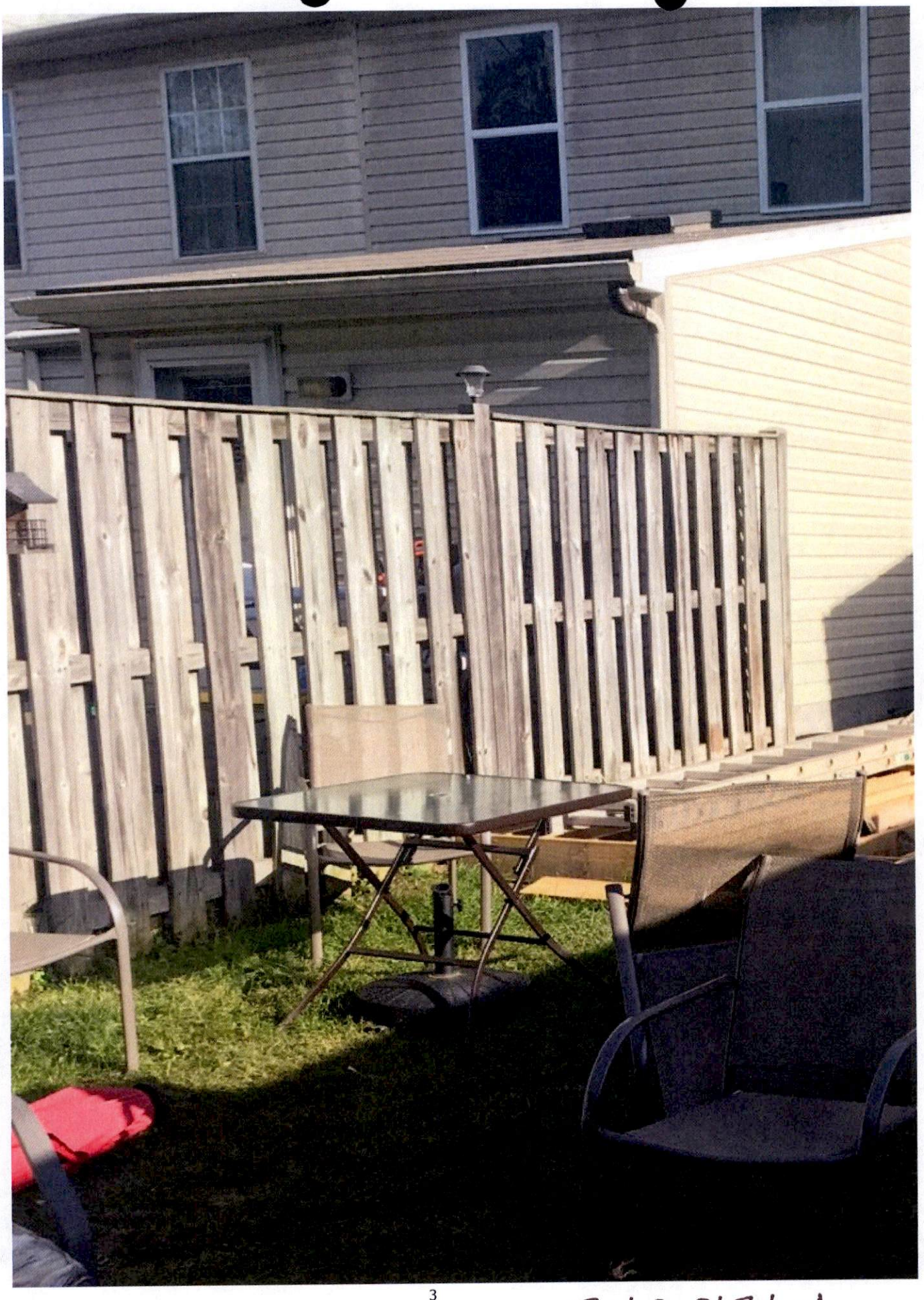
Homeowners' Tax Credit Application Status: No Application **Date:**


DR 16
TINKER RD
Pt. Bk. 0000077, Folio 0071
2400011105
DR 5.5
Pt. Bk./Folio # 077070
2004-0528-SPHA
PAI # 150819
DAVISON RD
NE 5-I
Pt. Bk. 0000055, Folio 0085
Pt. Bk. 0000077, Folio 0070
6 CD
Middle River - Bird River Area Plan
090C1
Middle River Community Plan (2007)
Pt. Bk./Folio # 055085
15 ED
Martin State Airport Restriction
CHELMSFORD CT
DR 10.5
1990-0284-SPHXA
PAI # 150259
PAI # 150258
LONDON PERRY CT
Pt. Bk. 0000058, Folio 0122
NE 4-I
Pt. Bk./Folio # 058122
1991-0066-SPH
GLOUCESTER CT
PAWNEE RD
NAKOTA CT
DR 5.5
Pt. Bk./Folio # 055112
Pt. Bk. 0000055, Folio 0112
Pt. Bk./Folio # 054026
Pt. Bk. 0000054, Folio 0026
2019-0131-A

A-1810-P163



2019-0131-A



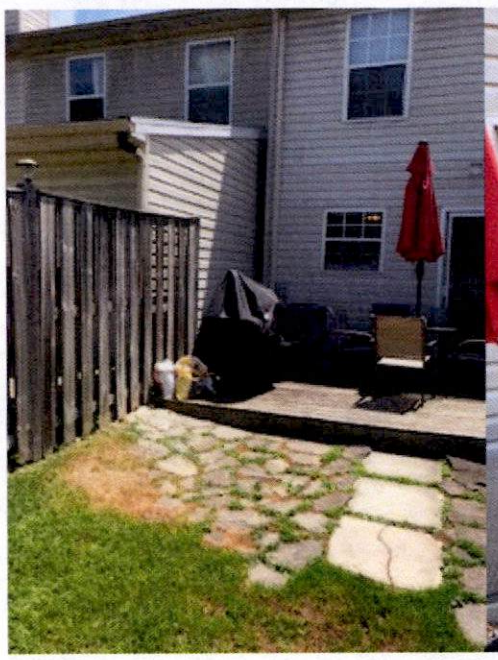
2019-0131-A



2019-0131-A



2019-0131-A







2019-0131-A

Ex. No. 2
(7)

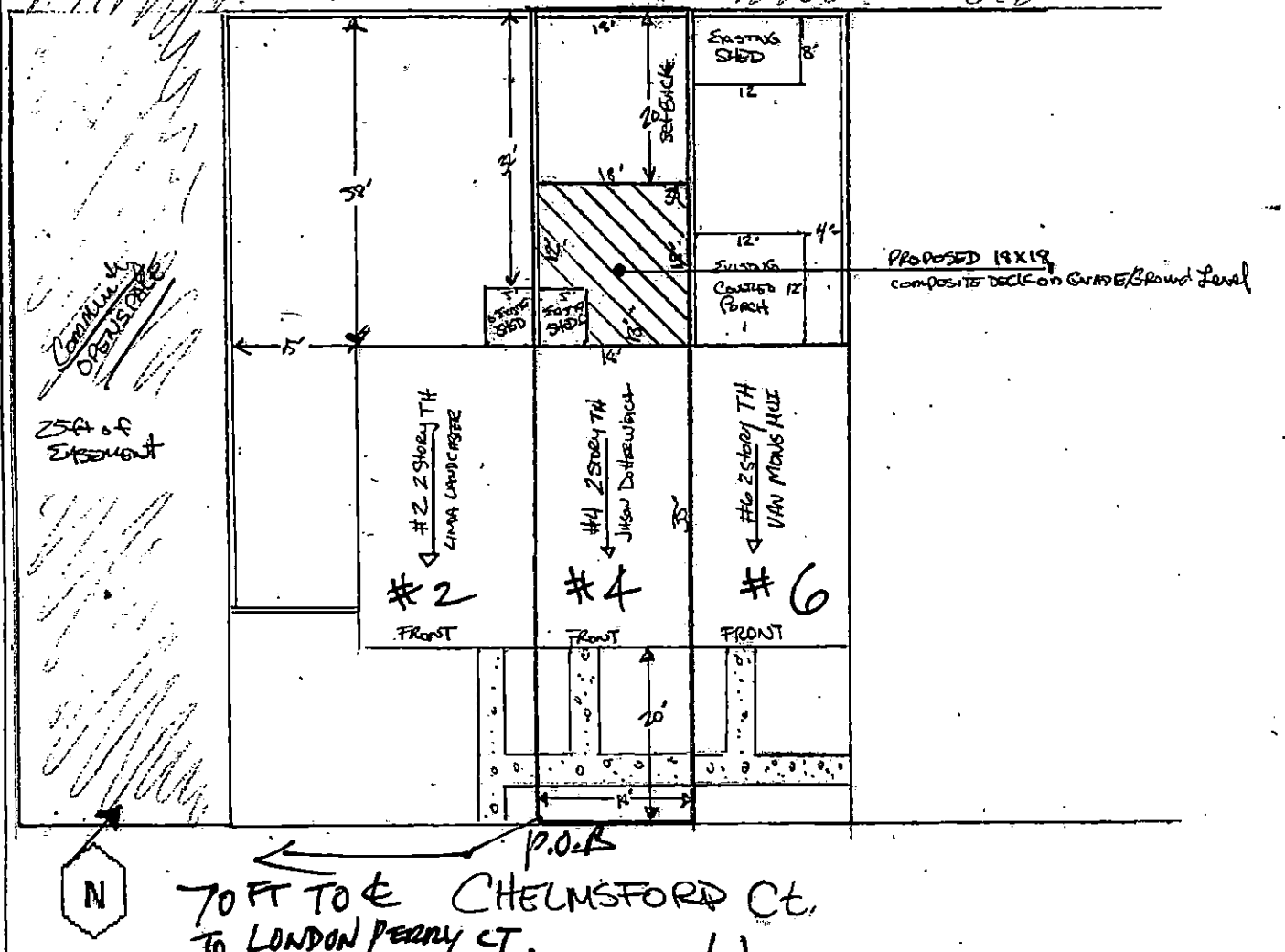
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ___ (MARK TYPE REQUESTED WITH X)

ADDRESS 4 CHELMSFORD Ct. OWNER(S) NAME(S) Jason Dotterweicht

SUBDIVISION NAME Village of Pawnee LOT # 87 BLOCK # — SECTION # —

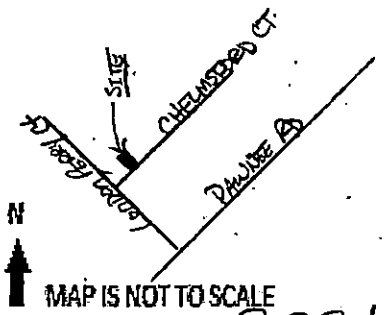
PLAT BOOK # 0055 FOLIO # 85 10 DIGIT TAX # 2000011125 DEED REF. # 08460/00422

HOA & OPEN SPACE



PLAN DRAWN BY Bryan Sullivan DATE 10/2/18 SCALE: 1 INCH = 20' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 090C1

SITE ZONED DR 10.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE .0371

OR SQUARE FEET 1620 sq ft.

HISTORIC ? NO

IN CBCA ? NO

IN FLOOD PLAIN ? NO

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC X PRIVATE ___

SEWER IS:

PUBLIC X PRIVATE ___

PRIOR HEARING ? ___

IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

N/A

VIOLATION CASE INFO: N/A

2019-0131-A

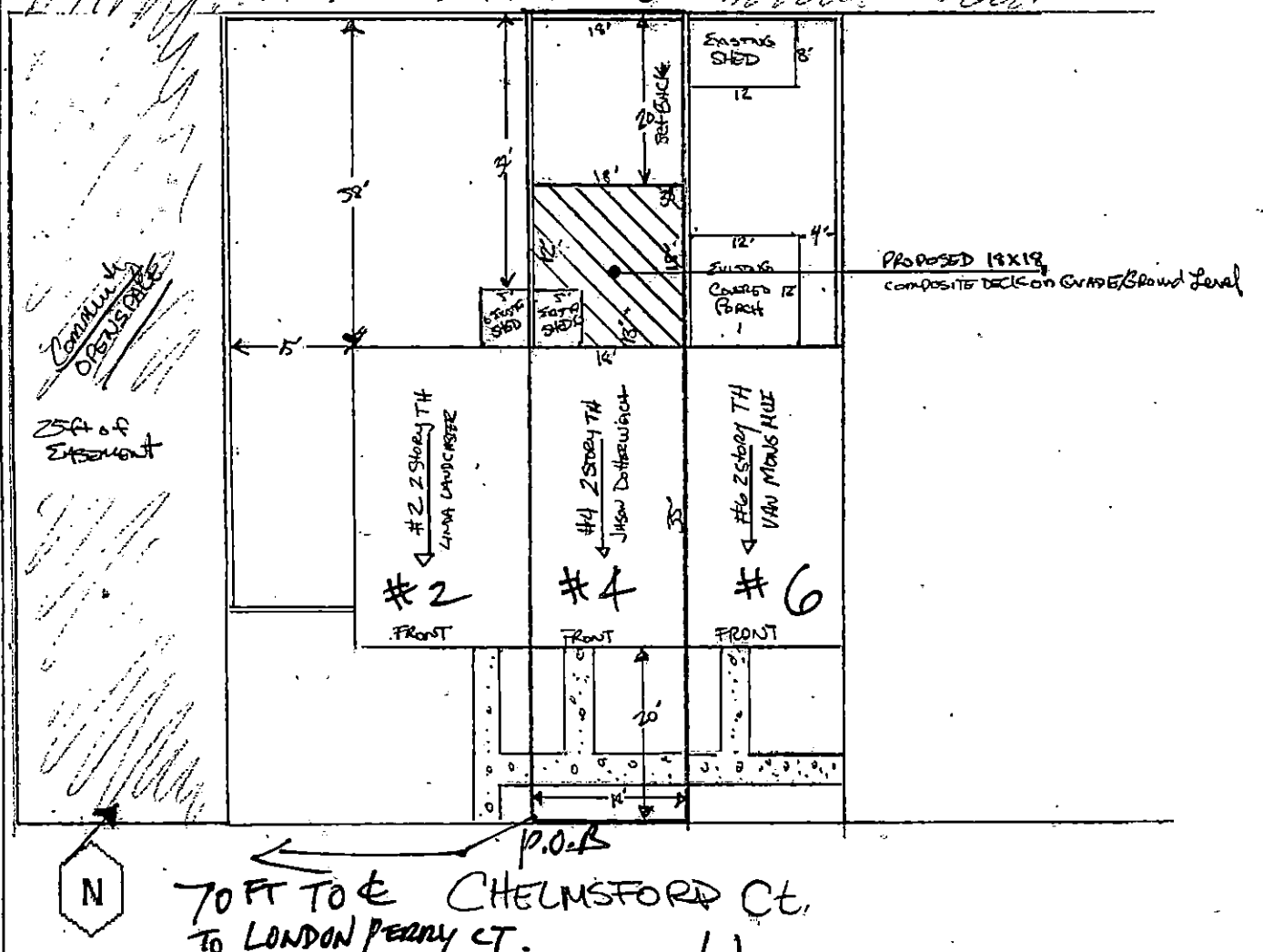
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ___ (MARK TYPE REQUESTED WITH X)

ADDRESS 4 CHELMSFORD Ct. OWNER(S) NAME(S) Jason Dotterweicht

SUBDIVISION NAME Village of Pawnee LOT # 87 BLOCK # — SECTION # —

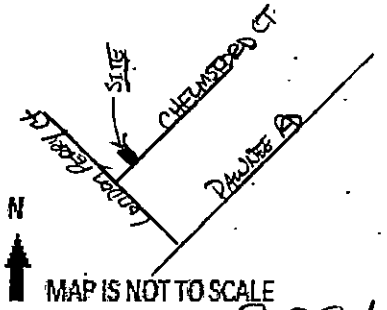
PLAT BOOK # 0055 FOLIO # 85 10 DIGIT TAX # 2000011125 DEED REF. # 08460/00422

HOA & PENSDALE



PLAN DRAWN BY Brian Sullivan DATE 10/2/18 SCALE: 1 INCH = 20' FEET

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2019-0131-A

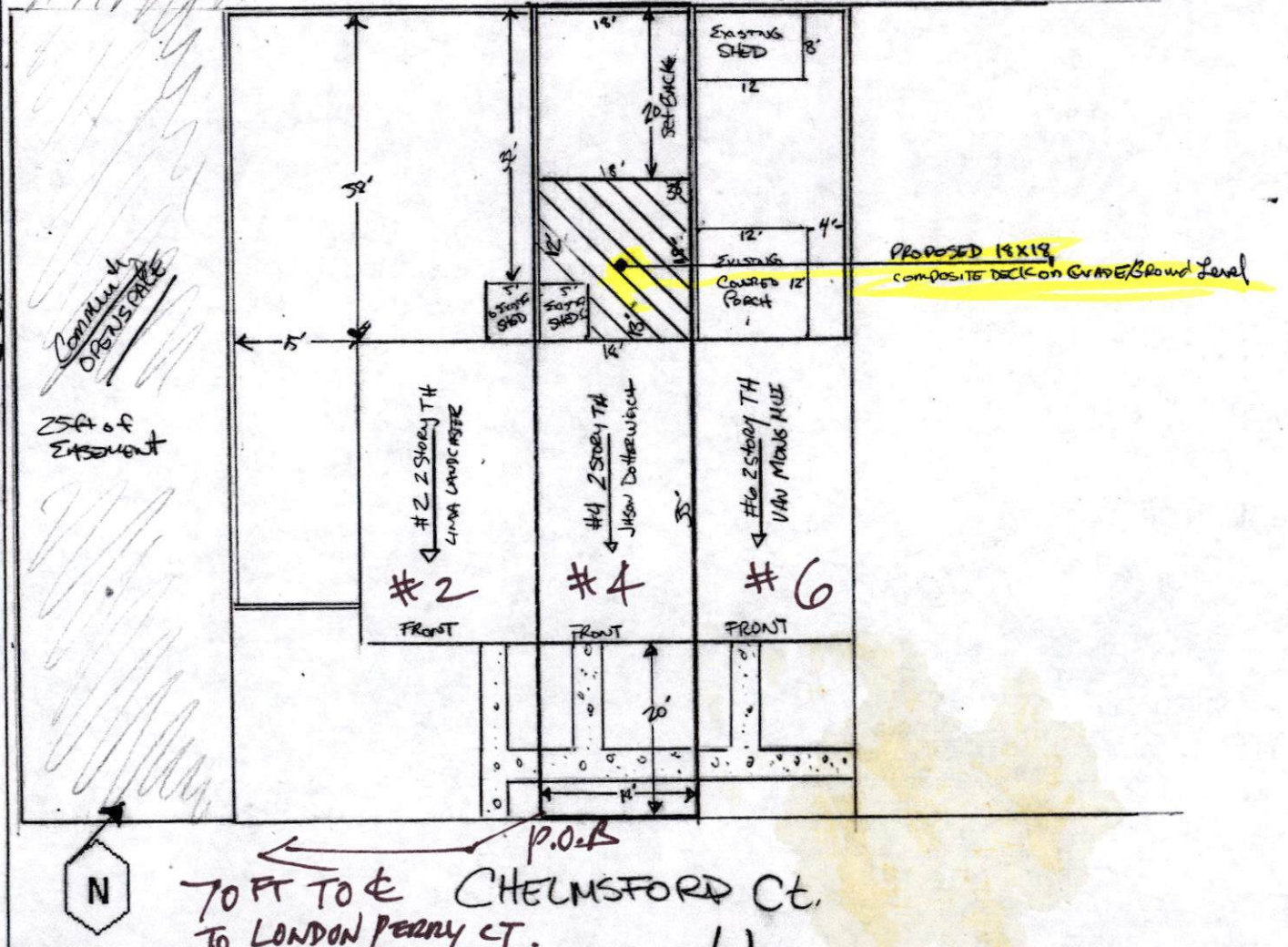
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ADDRESS 4 CHELMSFORD Ct. OWNER(S) NAME(S) Jason Dotterweicht

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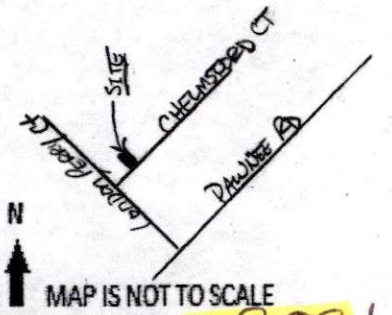
PLAT BOOK # 0055 FOLIO # 85 10 DIGIT TAX # 2000011125 DEED REF. # 08460/00422

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PRIOR HEARING ? ___

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N/A

VIOLATION CASE INFO: N/A.

Pet. Exh. 1

2019-0131-A

NOTE: SEWER SERVICE TO NEIGHBORING PROPERTIES SHALL BE MAINTAINED AT ALL TIMES.

NOTE: CONTRACTOR SHALL MAINTAIN DRAINAGE AWAY FROM EXISTING BUILDING.

LOT 1 "CROWTHER PROPERTY" S.M. 62/50 VINCENT F. PIPITONE 9023/152 TAX # 2100014154

LOT 2 "CROWTHER PROPERTY" S.M. 62/50 JONATHAN YONG KEUK KIM 11463/191 TAX # 0803067807

YORKSHIRE LIMITED PARTNERSHIP 7360/779 TAX # 0814090130

YAHIA H. FAHIM 13017/91 TAX # 0803067425

SODY CONCRETE CONSTRUCTION, INC. 10827/167 TAX # 0803067375

TOWSONTOWNE REALTY, INC 12955/276 TAX # 0803067812

GRASSO LAND LLC 14061/181 TAX # 0803067754

CNL INCOME FUND XVIII, LTD 12172/667 TAX # 2200028619

B.K. REALTY COMPANY 6041/462 TAX # 0819061590

KB OF BALTIMORE INC. E.H.K.JR. 6535/187

AYLESBURY LIMITED PARTNERSHIP S.M. 7939/364 TAX # 20-00011025

MANEKIN AYLESBURY LLLP TAX # 2300004641

ALEMITE COMPANY OF MARYLAND 5306/129 TAX # 0801036410

YORK AYLESBURY, LLC S.M. 11831/524

PROPOSED BUILDING F=405.00 B=399.00 (CONCRETE SLAB) 175'±

AYLESBURY ROAD — MD RTE. 45 — 48' MAC PAVING

YORK ROAD — MD RTE. 45

NORTHWOOD DR.

BELFAST ROAD

CROWTHER AVENUE

ZONE BLR / ZONE ML-1M / ZONE BM / ZONE BL / ZONE BL-AS

PLAN

1"=30'

30 0 30 60

ZONING HISTORY:

Case Number 4590 - It is ordered by the Zoning Commissioner of Baltimore County this 17th day of March, 1959, that the above described property or area should be and the same is hereby reclassified from and after the date of this order, from a "Business Roadside" zone to a "Business Local" zone. Abandoned. Property now zoned BM per bill 128-98, effective January 4, 1999.

Case Number 81-41-A - Therefore, it is ordered by the Zoning Commissioner of Baltimore County, this 7th day of October, 1980, that the herein petition for variance to permit 89 parking spaces in lieu of the required 166 spaces be and the same is hereby denied.

Case Number 83-120-A - Therefore, it is ordered by the Zoning Commissioner of Baltimore County, this 11th day of January, 1983, that the herein petition for variance(s) to permit 92 parking spaces in lieu of the required 136 spaces, for the expressed purpose of constructing an addition to increase the kitchen and storage areas of the existing restaurant, in accordance with the site plan dated June 24, 1982 and marked petitioner's exhibit 2, be hereby granted, from and after the date of order, subject, however, to the following restrictions:

1. The patron area of the restaurant shall not be increased and no more than 100 patrons permitted on the upper level and 77 on the lower level at anytime.
2. The site plan shall indicate that 126 parking spaces are required and the location of the dumpster.
3. Compliance with the recommendation of the Maryland Department of Transportation, dated July 14, 1982, that 7"concrete curb be constructed beyond the existing right of way line for uniformity in design and protection of the existing sign."
4. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening required for approval by the current Planning and Development Division. Relief abandoned.

Case Number 87-232-A - Therefore, it is ordered by the Deputy Zoning Commissioner of Baltimore County this 16th day of December 1986, that the herein request for a 0-foot front yard setback, in accordance with the plan submitted, prepared by Bill Monk, Land Planner, revised December 8, 1986 and identified as petitioner's exhibit B, be and is hereby granted, subject to the following restrictions:

1. A 4-foot wide landscaping strip shall be provided along the southern property line from the front extending to the rear a minimum of 75 feet.
2. A permitted, freestanding sign shall not exceed 27 sq. ft. per face. Relief abandoned. DRC No. 052777A. A request to confirm the B(9) limited exemption granted on May 27, 1997 was tabled on July 5, 1999 pending resolution of the requested zoning relief. The plan was subsequently brought before the DRC on May 1, 2000 as old business where the previously granted B(9) limited exemption was confirmed.

Case number 00-301-A - therefore, it is ordered by the Zoning Commissioner for Baltimore County this 16th day of March, 2000 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 409 to allow 246 parking spaces in lieu of the required 336; from Section 303.2 to allow from average setbacks of 20 feet and 36 feet in lieu of the required 65 feet; from Section 450.7 to permit two (2) joint identification signs with 10 lines displayed in lieu of the 5 lines allowed, with a total sign area of 154.6 sq.ft. in lieu of the maximum allowed 150 sq.ft., and to permit two (2) enterprises signs in lieu of the allowed one; and, from section 409.4 to permit access to parking spaces from driveways in lieu of the required access from driveway aisles, in accordance with petitioner's exhibit 1, be and is hereby granted, subject to the following restrictions:

1) The petitioners may apply for their building permit and be granted same upon receipt of this order; however, petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this order has expired. If an appeal is filed and this order is reversed, the relief granted herein shall be rescinded.

2) Pursuant to the Declaration of Restrictive Covenant Agreement signed November 16, 1998 by and between York Aylesbury, LLC and the Greater Timonium Community Council, Inc., all buildings, improvements, landscaping, etc., shall be in accordance with the BLR Design Criteria set forth in Sections 229.3.a.2, 4, 5, 6, 7, 8, 9 and 10 and Section 229.6.a.2 and 3 of the B.C.Z.R.

3) Upon receipt of all necessary county approvals for any redevelopment of the subject property which triggers application of the BLR Design Criteria described above, and if storm water management for both quantity and quality is waived in its entirety by the county, the petitioner agrees either to provide additional storm water management so that there is at least 20% of the quality and quantity management required for such redevelopment, or, contribute $12,000 towards the construction of any regional storm water management facility proposed and constructed by the county within five (5) years hereof.

4) The following uses shall be prohibited in any redevelopment plan of the subject property, notwithstanding its being permitted in the BM zoning classification: a) "x-rated" video, book or clothing stores; b) fortune telling establishments; c) taverns, night clubs, or after-hours clubs; d) pawn shops; d) new and used car dealerships; e) massage parlors; f) arcades, except that coin-operated games in association with other entertainment uses such as a discovery zone, movie theaters, or similar uses shall be permitted; and g) catering hall, as those uses are currently defined in the B.C.Z.R.

5) The petitioners shall relocate at its cost, the existing public sanitary sewer line outside the proposed building's foundation, subject to the review and approval of said relocation and construction by the Developers Plans Review Division (Department of Public Works).

6) Building construction materials, e.g., brick facade and landscaping, will be in accordance with the design criteria for the BLR Zoning Classification, as set forth in Section 229.3.a.2, 4, 5, 6, 7, 8, 9 and 10, and section 229.6.a.2 of the B.C.Z.R.

7) But for the signage shown on the site plan, there will be no additional signage, temporary or permanent, with the exception of a grand opening sign for the center.

8) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this order.

Parking Calculations			
Use	Sq. Footage	Required Parking	Req'd Spaces
Retail	18,248	5 spaces/1000 sq. ft.	92
Office	17,167	3.3 spaces/1000 sq. ft.	57
Storage	24,150	1 per employee on largest shift (25 employees)	25
Totals	59,565		174

All parking areas to be in accordance with Section 409 of the BCZR accessible parking spaces shall be in accordance with the Maryland Building Code for the Handicapped, contained in the Code of Maryland Regulations 05.01.07.

Parking Proposed:

262 Regular spaces
8 Accessible spaces
44 Lower Level spaces
Total: 314 spaces

BENCHMARK

DESCRIPTION

Coordinates shown hereon are based on the following Baltimore County traverse control stations.

X-9822	N 48237.370	W 1807.670	Elev. 366.177
10469	N 47811.150	W 2695.380	Elev. 349.284

X-9822 RR spike in mac north side Ridgley Rd. 150'± west of York Road
10469 RR spike in mac north side Ridgley Rd. at Stewart's parking lot, 400'± west of Kurtz Ave.

NOTES

1. Owner/Applicant information
   York Aylesbury, LLC
   15 West Aylesbury Road. Suite 400
   Timonium, MD 21093

   Deed reference/tax account numbers:
   S.M. 11831/524 2200027640
   S.M. 11559/406 0803067808
   S.M. 11704/586 0803067700
   S.M. 13118/411 2300033923
   S.M. 13218/713 0803067764

   Tax map no.: 60 grid: 12 parcels: 186, 187, 189, 190, 617
   Zoning: BM (map NW 13-A)
   Election District: 8th
   Councilmanic District: 3rd
   Census tract: 4088
   Watershed: 8 Jones Falls
   Subwatershed: 78

2. Floor area ratio:
   Allowed = 0.33
   Provided = 0.28 (59,565 sq. ft./215,622 sq. ft.)

3. Building area:
   Retail: 18,248 S.F.
   Office: 17,167 S.F.
   Storage: 24,150 S.F.
   Lower level parking: 17,507 S.F.
   Total building: 77,072 S.F.

4. Proposed paving will be of a durable, dustless surface which shall be properly drained to not create any undesirable conditions.

5. Previous commercial permits: 113470, 797-71, 252-72, 1275-76, 1186-79, 1723-87, 601-82, 1111-87, 2262-87, B103434, B114695, B115014, B217364, B222030, B242422, B278056, B359084, B359085.

6. The best of our knowledge this site contains no hazardous materials as defined by section 7-101 of the Environmental Article of the Annotated Code of Maryland as from time to time amended.

7. The site is served by existing public water and sewer. their locations are as shown. No wells, septic systems, or underground storage tanks are known to exist on the site.

8. A waiver of stormwater quantity management has been approved. Stormwater quality management will be provided.

9. No part of the proposed development is within a floodplain according to Federal Emergency Management Administration, community panel number 240010-0245-E

10. All proposed signage to conform to section 450 BZCR except as noted below.

11. Site area:
    Gross site area = 215,622 S.F. - 4.950 Ac.±
    Net site area = 187,918 S.F. - 4.314 Ac.±

12. Existing use: Vacant
    Proposed use: Retail building
    Existing and proposed water service: Public
    Existing and proposed sewer service: Public

13. Any fixture used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjacent residential site and public streets.

14. No portion of the site is located within a designated area of critical state concern, and no portion of the site is located within the Chesapeake Bay Critical Area.

15. There are no wetlands, streams, seeps, ponds, or other water bodies on or within 200 feet of the development site and as such, compliance with Baltimore County Forest Buffer Regulations is not required.

16. There are no significant regulated plant or wildlife communities onsite.

17. There are no known historic structures or sites as per the Landmarks Preservation Commission and the Maryland Historical Trust Inventory.

18. There are no significant views.

19. Building height shall not exceed two stories. Or as stated in Section 231 of the BZCR.

20. Zoning Commissioner, by letter dated April 19, 2000, removed the word "landscaping" from restrictions number 2 and number 6 of the zoning order dated March 16, 2000.

21. All buildings shown onsite have been demolished since the topographic survey.

22. This project was approved as a refinement to the Development Plan at the DRC on April 3, 2003; DRC No. 032403F.

23. ADT calculations:
    Retail: 59,565 sq.ft. x 71/1000=4230

24. Developer will remove and replace any damaged or sunken curb and gutter and provide a new 5' wide (min.) sidewalk along the frontage of Aylesbury Road.

25. Outdoor seating area is designed to accomodate 15 people based on 10% of the maximum number of employees of 150 during the heaviest shift and a minimum area of 500 square feet.

Landscape Required:

Street frontage:			
interior road @ 1 PU/20 LF	±452 LF	=	22.6 PU
adjacent road @ 1 PU/40 LF	928 LF	=	23.2 PU
Parking lots			
parking perimeter-public road @ 1 PU/15 LF	651 LF	=	43.4 PU
parking perimeter-commerical zone @ 1 PU/20 LF	664 LF	=	33.2 PU
Parking spaces @ 1PU/12 SP	270 SP	=	22.5 PU
Parking structures @ 1 PU/15 LF	287 LF	=	19.1 PU
Dumpsters @ 1 PU/15 LF	34 LF	=	2.3 PU
Total (PU)		=	166.3 PU

Landscape Provided:

Major decid. trees	53	=	53.0 PU
Evergreen trees	18	=	9.0 PU
Minor decid. trees	25	=	12.5 PU
Shrubs	461	=	92.2 PU
Total (PU)			166.7 PU

BALTIMORE COUNTY DEPT. OF PDM
Project No. VIII-741/032403F
DEVELOPMENT REGULATIONS
Exempt from Sections 26-202 & 26-206
CERTIFICATION of Limited Exemption Plan Approval
by Christine Rorke Date: 9/8/04
This plan approval shall expire five (5) years from the above date.

Plan to Accompany Variance Petition

PRINTED

REASON FOR REFINEMENT

To revise the proposed improvement of the site from a three building (retail, bank, restaurant) development to a single retail building.
DRC Number 032403F

OWNER'S CERTIFICATION

I, Matt Patrick, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development

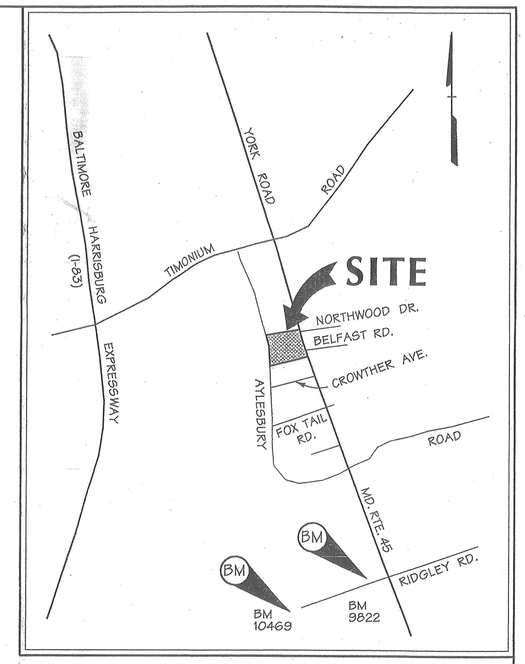
DATA SOURCES:

Underground gas and electric from BGE record drawings.

Bearings and distances as shown are taken from a boundary survey prepared by Gerhold, Cross & Etzel, ltd. on April 11, 1997.

Topography as shown is taken from a topographic worksheet prepared by Gerhold, Cross & Etzel, ltd., dated April 5, 1997 and topographic and ALTA/ASCM land title survey of Duron, Inc. and Campsday Partnership Properties prepared by DMW, Inc., dated May 15, 1998.

Underground storm drains and sewer from Baltimore County record drawings.



VICINITY MAP

SCALE: 1"=1000'

LEGEND

- Property Line
- Adjacent Property Line
- Zoning Line
- Existing Water
- Existing Sewer
- Existing Storm Drain
- Existing Gas
- Existing Woods Line
- BmB2 / CaB2 — Soils Line
- 450 — Existing Contour
- 450 — Proposed Contour
- Proposed Building
- Proposed Concrete Sidewalk
- Proposed Retaining Wall
- PROP. 8" S. — Proposed Sewer
- PROP. 8" W. / PROP. 15" SD — Proposed Water and Fire Hydrant / Proposed Storm Drain and Inlets
- Proposed Curb & Gutter
- Proposed Landscaping

DMW
Daft·McCune·Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners, Landscape Architects, Golf Course Architects, Engineers, Surveyors & Environmental Professionals

First Refinement
Development Plan

Smyth Jeweler's

(Formerly known as Crowther Properties)
2010-2044 York Road, Timonium, Maryland
8th Election District · 3rd Councilmanic District · Baltimore County, Maryland

STATE OF MARYLAND — MATTHEW J. PATRICK — 21671 — REGISTERED PROFESSIONAL ENGINEER
9-2-04

ISSUE DATES	
REVIEW:	
BID:	
PERMIT:	10-09-03
CONSTRUCTION:	
BASE:	MSS
DRAWN:	MSS
DESIGNED:	JLM/DFM
CHECKED BY:	RJS
DATE CHECKED:	9-2-04
SCALE:	1"=30'
PROJECT NO.:	95025J
DRAWING:	1 of 1

DATE	BY	REVISIONS
12/5/03	CMR	Revised per County comments

Pet. Ex. 1 CASE NO. 00-301-A

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