

M E M O R A N D U M

DATE: June 7, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0259-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on June 6, 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: **PETITIONS FOR SPECIAL HEARING ***

AND VARIANCE

(15829 Falls Road)

5th Election District

3rd Council District

Mittal & Harnisha Prajapati

Legal Owners

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0259-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Mittal & Harnisha Prajapati, legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve an accessory structure (proposed in-ground pool) on a lot currently without a principal use dwelling. In addition, a Petition for Variance was filed pursuant to BCZR Section 400.1 to allow an accessory structure (proposed in-ground pool) to be located in the side yard of a proposed dwelling lot in lieu of the required rear yard location. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Professional surveyor Geoffrey Schultz appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Environmental Protection and Sustainability (“DEPS”), State Highway Administration (“SHA”) and the Department of Planning (“DOP”). None of the agencies opposed the request.

ORDER RECEIVED FOR FILING

Date

5/7/19

By

Sen

SPECIAL HEARING

The petition for special hearing is essentially a housekeeping matter. At present the subject property (approx. 23.29 acres, zoned RC-2) is unimproved, although Petitioners plan to begin construction on a single-family dwelling this spring. Petitioners also plan to have an in-ground pool adjacent to their new home, which may be constructed at or about the same time as the dwelling. The Office of Zoning Review instructed Petitioners to seek special hearing relief to address the potential scenario where permits would be issued for the construction of the pool prior to completion and occupancy of the new dwelling. I do not believe granting the request will have any impact upon the community and the petition will therefore be granted.

VARIANCE

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).

The large property has irregular dimensions and is impacted significantly by environmentally protected forest conservation areas. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the pool in the proposed location. 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 lack of County and/or community opposition.

ORDER RECEIVED FOR FILING

Date

5/7/19

By

Den

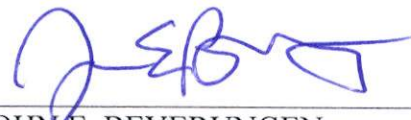
THEREFORE, IT IS ORDERED this 7th day of **May, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to approve an accessory structure (proposed in-ground pool) on a lot currently without a principal use dwelling, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to BCZR Section 400.1 to allow an accessory structure (proposed in-ground pool) to be located in the side yard of a proposed dwelling lot in lieu of the required rear yard location, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must prior to issuance of permits comply with the ZAC comment submitted by DEPS, a copy of which is attached.
3. Prior to issuance of permit(s) Petitioners must revise the site plan to include a note referencing potential inconveniences arising from agricultural operations, pursuant to BCZR §1A01.5.
4. Prior to issuance of permits Petitioners must obtain from the SHA an access permit for a paved apron onto Md. Rt. 25.

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



JOHNE. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date

5/7/19

By

slh



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 15829 FALLS ROAD which is presently zoned RC-2
 Deed References: 38203 / 322 10 Digit Tax Account # 2500012245
 Property Owner(s) Printed Name(s) MITTAL & HARNISHA PRAJAPATI

(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 **AN ACCESSORY STRUCTURE (PROPOSED IN-GROUND POOL) ON A LOT WITHOUT A PRINCIPAL STRUCTURE.**

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

3. ☒ a **Variance** from Section(s) 400.1 **TO ALLOW AN ACCESORY STRUCTURE (PROPOSED IN-GROUND POOL) TO BE LOCATED IN THE SIDE YARD OF THE LOT IN LIEU OF THE REQUIRED REAR YARD LOCATION.**

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 ZONING HEARING.

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

MITTAL PRAJAPATI / HARNISHA PRAJAPATI

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

910 ACADEMY AVE. OWINGS MILLS MD

Mailing Address City State

21117 / 443-421-9943 / DRMITTAL23@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

GEOFFREY SCHULTZ

Name - Type or Print

Signature

10 GERARD AVE #10 TIMONIUM MD

Mailing Address City State

21093 / 410-252-4444 / GSCHULTZ@POLARISLC

Zip Code Telephone # Email Address

CASE NUMBER 2019-0259-SPHA Filing Date 3/6/2019

Do Not Schedule Dates:

Reviewer JN



10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
(410) 252-4444 (o)
(410) 252-4493 (f)
www.polarisl.com

Zoning Description of
15829 Falls Road
5th Election District
3rd Councilmanic District
Baltimore County, MD



Beginning at a point in the center of Falls Road, said point being 2500 feet South of Benson Mill Road, thence running 1) N 46° 00' 20" E 141.49 feet, 2) N 41° 15' 20" E 74.97 feet, 3) N 36° 22' 20" E 111.58 feet, 4) N 43° 01' 20" E 86.08 feet, 5) N 47° 23' 20" E 91.97 feet, 6) N 61° 26' 20" E 97.92 feet, 7) N 73° 59' 20" E 69.90 feet, 8) N 86° 01' 20" E 85.01 feet, 9) S 78° 48' 40" E 51.36 feet, 10) S 44° 13' 40" E 33.88 feet, 11) S 17° 20' 40" E 43.73 feet, 12) N 56° 49' 50" E 1123.46 feet, 13) S 08° 58' 39" E 631.77 feet, 14) S 29° 57' 53" E 453.58 feet, 15) S 65° 42' 50" W 1034.18 feet, 16) N 24° 30' 10" W 334.05 feet, 17) N 21° 26' 03" W 243.34 feet, 18) N 15° 46' 48" W 214.99 feet, 19) S 72° 39' 20" W 28.35 feet, 20) N 17° 20' 40" W 136.16 feet, 21) N 44° 13' 40" W 22.87 feet, 22) N 78° 48' 40" W 42.47 feet, 23) S 86° 01' 20" W 80.24 feet, 24) S 73° 59' 20" W 65.59 feet, 25) S 61° 26' 20" W 93.26 feet, 26) S 47° 23' 20" W 88.74 feet, 27) S 43° 01' 20" W 84.16 feet, 28) S 36° 22' 20" W 111.27 feet, 29) S 41° 15' 20" W 76.65 feet, 30) S 46° 00' 20" W 147.70 feet, and 31) N 28° 55' 47" W 20.72 feet to the point of beginning.

Containing 23.2967 acres of land as recorded in deed Liber 38203 Folio 322.

Being Lot 2 of a Minor Subdivision of the Property of Calvin R. Menchey, approved by Baltimore County as Minor Subdivision No. 12001M.

2019-0259-A

The Daily Record

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

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

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

4/16/2019

Order #: 11728093
Case #: 2019-0259-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0259-SPHA



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: 2019-0259-SPHA

15829 Falls Road

E/s Falls Road, south of Benson Mill Road

5th Election District - 3rd Councilmanic District

Legal Owners: Mittal & Harnisha Prajapati

Special Hearing for an accessory structure (proposed in-ground pool) on a lot currently without a principal use dwelling. Variance to allow an accessory structure (proposed in-ground pool) to be located in the proposed side yard of a proposed dwelling lot in lieu of the required rear yard location.

Hearing: Monday, May 6, 2019 at 11:00 a.m. in Room 206, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Miko Mohler

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.

apl6

Debra Wiley

From: Larry Pilson <lpilson@hotmail.com>
Sent: Thursday, May 2, 2019 11:41 AM
To: Administrative Hearings; Kristen L Lewis; Geoffrey Schultz
Subject: 2019-0259-SPHA 15829 Falls Road
Attachments: 15829 Falls Rd Recert.pdf; DSC_0814.JPG; DSC_0815.JPG



RECEIVED
JUL 10 1964
JUL 10 1964
JUL 10 1964

CERTIFICATE OF POSTING

Date: 5-2-19

RE: Case Number: 2019-0259-SPHA RECERT

Petitioner/Developer: Prajapati

Date of Hearing/Closing: 5-6-19 11AM

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 15829 Falls Rd

The signs(s) were posted on RECERT 5-2-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)



RECEIVED
JAN 10 1964
U.S. AIR FORCE
HONOLULU, HAWAII

RECEIVED
JAN 10 1964
U.S. AIR FORCE
HONOLULU, HAWAII

ZONING NOTICE

CASE # 2019-0259-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE NEA
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 W CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MONDAY MAY 6, 2019 11AM

REQUEST: SPECIAL HEARING FOR ACCESSORY STRUCTURE
(PROPOSED IN-GROUND POOL) ON A LOT CURRENTLY WITHOUT A

PRINCIPAL USE DWELLING. VARIANCE TO ALLOW AN
ACCESSORY STRUCTURE (PROPOSED IN-GROUND POOL) TO BE
LOCATED IN THE PROPOSED SIDE YARD OF A PROPOSED LOT IN
LIED OF THE REQUIRED REAR YARD LOCATION

15829 FALLS RD

POSTPONEMENTS DUE



RECEIVED
MAY 02 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

RECEIVED
MAY 02 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

ZONING NOTICE

CASE # 2019-0259-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: JEFFERSON BUILDING, ROOM 205
105 W. CHESAPEAKE AVE, TOWSON 21204

DATE AND TIME: MONDAY MAY 6, 2019 11 AM

REQUEST: SPECIAL HEARING FOR AN ACCESSORY

STRUCTURE (PROPOSED IN-GROUND POOL) ON A LOT CURRENTLY
WITHOUT A PRINCIPAL USE DWELLING. VARIANCE TO ALLOW
AN ACCESSORY STRUCTURE (PROPOSED IN-GROUND POOL) TO BE
LOCATED IN THE PROPOSED SIDE YARD OF A PROPOSED
DWELLING LOT IN LIEU OF THE REQUIRED REAR YARD
LOCATION
15829 FALLS RD.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING DATE, CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



RECEIVED
MAY 02 2019
OFFICE OF
ADMINISTRATIVE HEARINGS

ADMINISTRATIVE HEARINGS
MAY 02 2019

CERTIFICATE OF POSTING

Date: 4-16-19

RE: Case Number: 2019-0259-SPHA

Petitioner/Developer: Projapiti

Date of Hearing/Closing: 5-6-19 11AM

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 15829 Falls Rd

The signs(s) were posted on 4-16-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

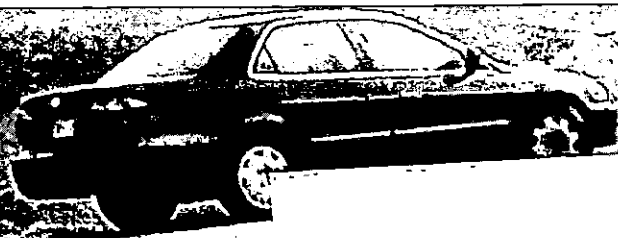
J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)



ZONING NOTICE

CASE # 2019-0259-SPHA

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ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: MONDAY MAY 6, 2019 11AM

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ACCESSORY STRUCTURE (PROPOSED IN-GROUND POOL) TO BE
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LIEU OF THE REQUIRED REAR YARD LOCATION

15829 FALLS RD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE

ZONING

#2
NOTICE

CASE # 2019-0259-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY MAY 6, 2019 11AM

REQUEST: SPECIAL HEARING FOR AN ACCESSORY
STRUCTURE (PROPOSED IN-GROUND POOL) ON A LOT CURRENTLY
WITHOUT A PRINCIPAL USE DWELLING. VARIANCE TO ALLOW
AN ACCESSORY STRUCTURE (PROPOSED IN-GROUND POOL) TO BE
LOCATED IN THE PROPOSED SIDE YARD OF A PROPOSED
DWELLING LOT IN LIEU OF THE REQUIRED REAR YARD
LOCATION
15829 FALLS RD.

SOMETIMES NECESSARY.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 8, 2019

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: 2019-0259-SPHA

15829 Falls Road

E/s Falls Road, south of Benson Mill Road

5th Election District – 3rd Councilmanic District

Legal Owners: Mittal & Harnisha Prajapati

Special Hearing for an accessory structure (proposed in-ground pool) on a lot currently without a principal use dwelling. Variance to allow an accessory structure (proposed in-ground pool) to be located in the proposed side yard of a proposed dwelling lot in lieu of the required rear yard location.

Hearing: Monday, May 6, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Mr. & Mrs. Prajapati, 910 Academy Avenue, Owings Mills 21117
Geoffrey Schultz, 10 Gerard Avenue, Ste. 10, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 16, 2019.**
- (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, April 16, 2019 - Issue

Please forward billing to:
Mittal Prajapti
910 Academy Avenue
Owings Mills, MD 21117

410-252-4444
alt. 443-421-9943

NOTICE OF ZONING HEARING

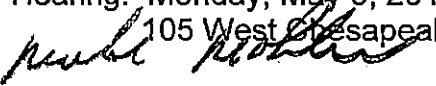
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15829 Falls Road
E/s Falls Road, south of Benson Mill Road
5th Election District – 3rd Councilmanic District
Legal Owners: Mittal & Harnisha Prajapati

Special Hearing for an accessory structure (proposed in-ground pool) on a lot currently without a principal use dwelling. Variance to allow an accessory structure (proposed in-ground pool) to be located in the proposed side yard of a proposed dwelling lot in lieu of the required rear yard location.

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105 West Chesapeake Avenue, Towson 21204


Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE * OF ADMINISTRATIVE
15289 Falls Road; E/S Falls Road, *
2500' S of Benson Mill Road * HEARINGS FOR
5th Election & 3rd Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Mittal & Harnisha Prajapati *
Petitioner(s) * 2019-259-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
MAR 13 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 2019, a copy of the foregoing Entry of Appearance was mailed to Geoffrey Schultz, 10 Gerard Avenue, Suite 10, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0259-SPHA

Property Address: 15829 Falls Road

Property Description: E/S of Falls Road, 2500' S of Benson Mill Road

Legal Owners (Petitioners): Mittal & Harnisha Prajapati

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: MITTAL PRAJAPATI

Company/Firm (if applicable): N/A

Address: 910 ACADEMY AVE
OWINGS MILLS, MD

Telephone Number: 410-252-4444

Revised 7/9/2015

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

No. **181906**

Date: **3/6/2019**

PAID RECEIPT

BUSINESS ACTUAL TIME BRW
 3/07/2019 3/06/2019 10:17:12 1

REG USD1 WALKIN LTR
 >>RECEIPT 835980 3/06/2019 - DFLN

Dept 5 528 ZONING VERIFICATION
 Amount 18 906

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
061	806	0000		6150				150.00

Rec'd Tot. \$ 150.00
 150.00 CK .00 CA
 Baltimore County, Maryland

Total: **150.00**

Rec From: **Baltimore Medical Associates, LLC**

For: **SPH-SPA-15829 Falls Road**
2019-0259-A (PRAJAPATI)

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

5-6

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: March 20, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0259-SPHA
Address 15829 Falls Road
(Prajapati Property)

Zoning Advisory Committee Meeting of **March 18, 2019**.

 X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

 X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The limit of disturbance for the proposed pool shall not encroach into the existing Forest Conservation Easement.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

DATE: 4/5/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-259

INFORMATION:

Property Address: 15829 Falls Road
Petitioner: Mittal Prajapati, Harnisha Prajapati
Zoning: RC 2
Requested Action: Special Hearing, Variance

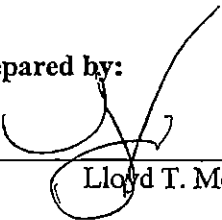
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an accessory structure (proposed in-ground pool) on a lot without a principal structure and the petition for variance to allow an accessory structure (proposed in-ground pool) to be located in the side yard of the lot in lieu of the required rear yard location.

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

- Through the hearing process amend the plan to show all Forest Conservation Easements as approved on minor subdivision plan 12-001-M.
- Include a note on the plan addressing inconveniences arising from agricultural operations pursuant to BCZR §1A01.5.

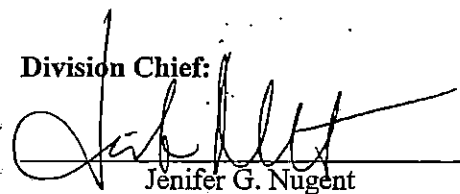
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Joseph Wiley
Geoffrey Schultz, Polaris Land Consultants
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-259

DATE: 4/5/2019



INFORMATION:

Property Address: 15829 Falls Road
Petitioner: Mittal Prajapati, Harnisha Prajapati
Zoning: RC 2
Requested Action: Special Hearing, Variance

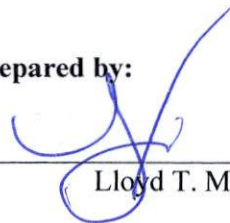
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an accessory structure (proposed in-ground pool) on a lot without a principal structure and the petition for variance to allow an accessory structure (proposed in-ground pool) to be located in the side yard of the lot in lieu of the required rear yard location.

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

- Through the hearing process amend the plan to show all Forest Conservation Easements as approved on minor subdivision plan 12-001-M.
- Include a note on the plan addressing inconveniences arising from agricultural operations pursuant to BCZR §1A01.5.

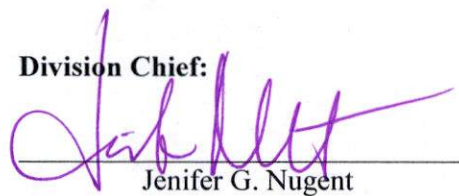
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

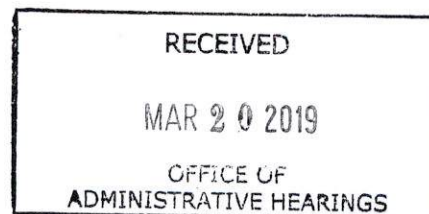
JM/JGN/LTM/

c: Joseph Wiley
Geoffrey Schultz, Polaris Land Consultants
Office of the Administrative Hearings
People's Counsel for Baltimore County

5-6

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: March 20, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0259-SPHA
Address 15829 Falls Road
(Prajapati Property)

Zoning Advisory Committee Meeting of **March 18, 2019**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The limit of disturbance for the proposed pool shall not encroach into the existing Forest Conservation Easement.

Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING

Date

5/7/19

By

Sen

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 3/13/19

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

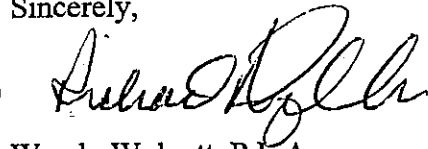
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 3/13/19. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway Administration guidelines is required. As a condition of approval for Special Hearing Variance, Case Number 2019-0259-SPHA

Mittal & Hamisha Prajapati
15829 Falls Road
MD25

The applicant must contact the State Highway Administration to obtain an entrance permit. 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) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



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

WW/RAZ

cc: Mr. Michael Pasquariello, Utility Engineer, SHA

* A residential access permit is required for a paved apron on MD25 for this property. Developer must contact Mr. Brian Conelting at the Heretford Shop to obtain this permit. He can be reached at 410-329-6752

CASE NAME 15829 FALLS ROAD
CASE NUMBER 2019-0259-SPHA
DATE MAY 6, 2019

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No CommentDEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

4/16/19

Daily Record

SIGN POSTING (1st)

Date:

4/16/19

by

Pulson

SIGN POSTING (2nd)

Date:

5/2/19

by

Pulson

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 - 05 Account Number - 2500012245			
Owner Information					
Owner Name:	PRAJAPATI MITTAL PRAJAPATI HARNISHA		Use:	RESIDENTIAL	
Mailing Address:	910 ACADEMY AVE OWINGS MILLS MD 21117		Principal Residence:	NO	
			Deed Reference:	/38203/ 00322	
Location & Structure Information					
Premises Address:		FALLS RD 0-0000		Legal Description:	LT 2 MINOR SUB 23.297 AC FALLS RD ESR
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0027	0013	0270		0000	
					Block:
					2
					Lot:
					2
					Assessment Year:
					2017
					Plat No:
					Plat Ref:
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			23,2970 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2018	07/01/2019	
Land:	208,800	208,800			
Improvements	0	0			
Total:	208,800	208,800	208,800	208,800	
Preferential Land:	0			0	
Transfer Information					
Seller: MENCHEY CALVIN ROSS		Date: 11/01/2016		Price: \$325,000	
Type: ARMS LENGTH VACANT		Deed1: /38203/ 00322		Deed2:	
Seller: MENCHEY CALVIN ROSS		Date: 11/18/2014		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /35570/ 00090		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 Status: No Application

Date:



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

May 1, 2019

Mitial Prajapati & Harnisha Prajapati
910 Academy Ave
Owings Mills MD 21117

RE: Case Number: 2019-0259-SPHA,

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 March 6, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Geoffrey Schultz 10 Gerard Ave #10 Timonium MD 21093

Case No.: 2019-259-SPHA

Exhibit Sheet

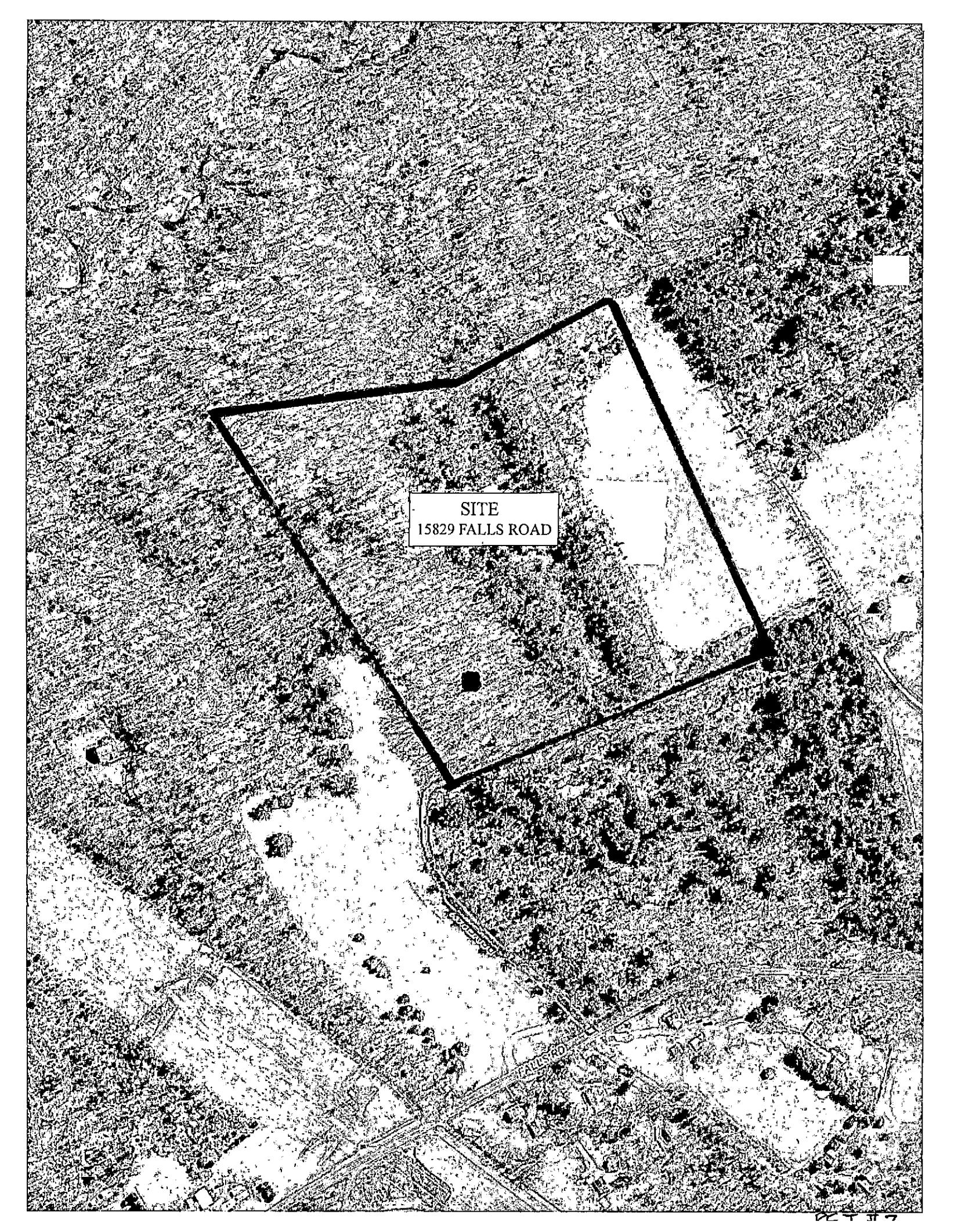
5-7-19
Sen

Petitioner/Developer

193
6-7-19

Protestant

No. 1	Plan	
No. 2	Aerial photo	
No. 3	Elevations	
No. 4	5-3-2019 letter from Pets.	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

An aerial photograph showing a wooded area with a polygonal boundary drawn around a specific site. The boundary is a dark, solid line. The area inside the boundary is mostly covered in trees and vegetation, with some lighter patches that could be clearings or water. The surrounding area is also wooded, with some roads or paths visible at the bottom of the image.

SITE
15829 FALLS ROAD

May 3, 2019

To,

Baltimore County Department of Planning,

Case Number: 2019-0259-SPHA

15829 Falls Rd

Subject: Special Hearing for an accessory structure (proposed in-ground pool) on a lot currently without principal use dwelling. Variance to allow an accessory structure (proposed in-ground pool) to be located in the proposed side yard of the proposed dwelling lot in lieu of the required rear yard location.

Dear,

Sir/Madam,

We would like to thank you for arranging this hearing but unfortunately, we had planned our vacation ahead of a time and won't be able to participate physically. We would like to let Mr. Geoffrey Schultz to represent ourselves and participate in the hearing. Geoff requested to draft a letter describing the need for such variance.

We have worked hard with our architect in creating a floor plan that will meet our needs. Unfortunately, given the specific characteristics of this lot and our house, we need to locate the pool in the right side of the proposed dwelling to maximize the limited sun exposure we will have and to attain direct access from our bedrooms to the pool.

Please feel free to contact us if any further clarification needed in this matter. We are very thankful to everyone who has participated in this hearing and guide us.

Sincerely,

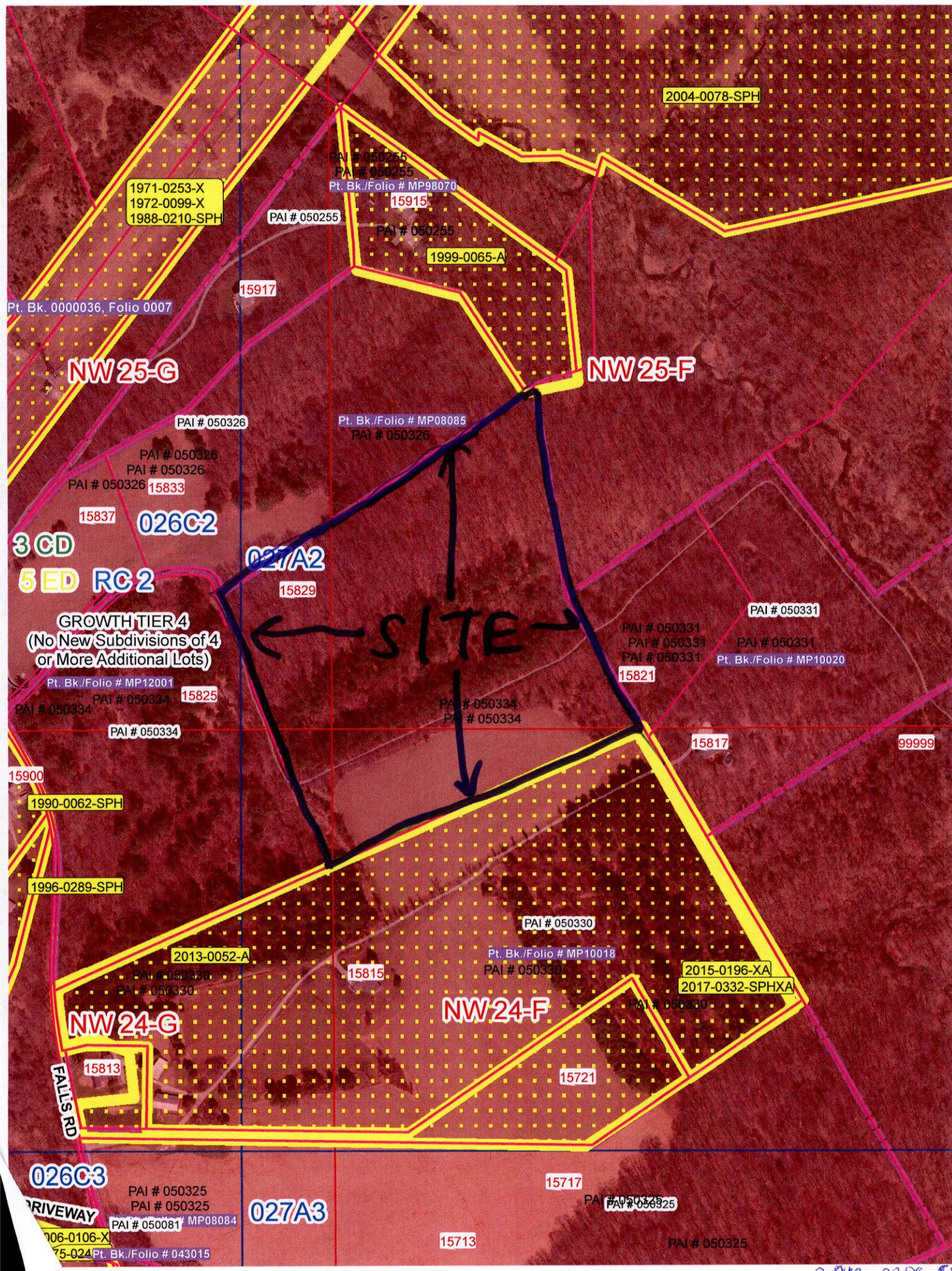
The block contains two handwritten signatures. The first signature, on the left, is written in dark ink and appears to be 'Mittal'. The second signature, on the right, is also in dark ink and appears to be 'Harnisha Prajapati'. Both signatures are fluid and cursive.

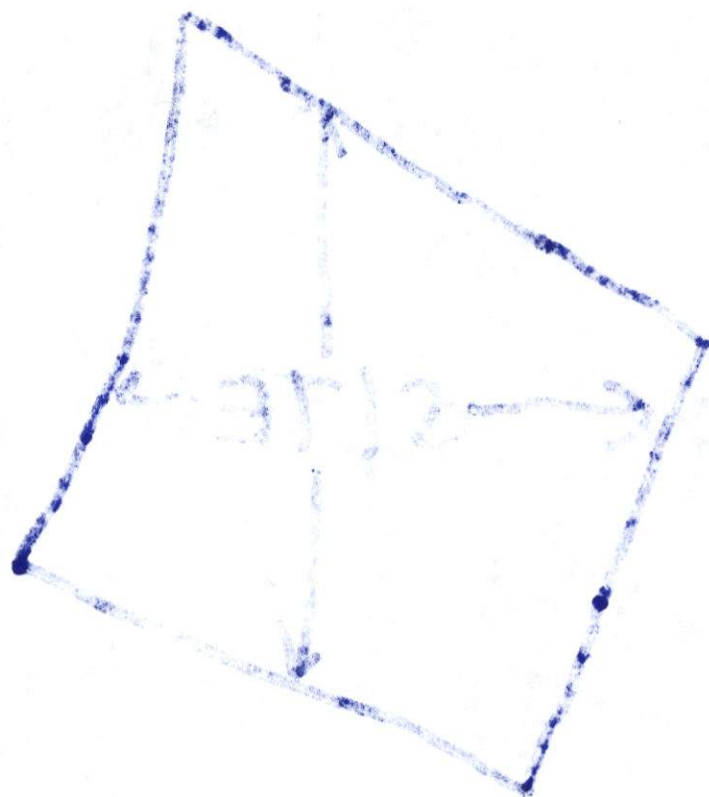
Mittal & Harnisha Prajapati

910 Academy Ave

Owings Mills, MD 21117

PET #4

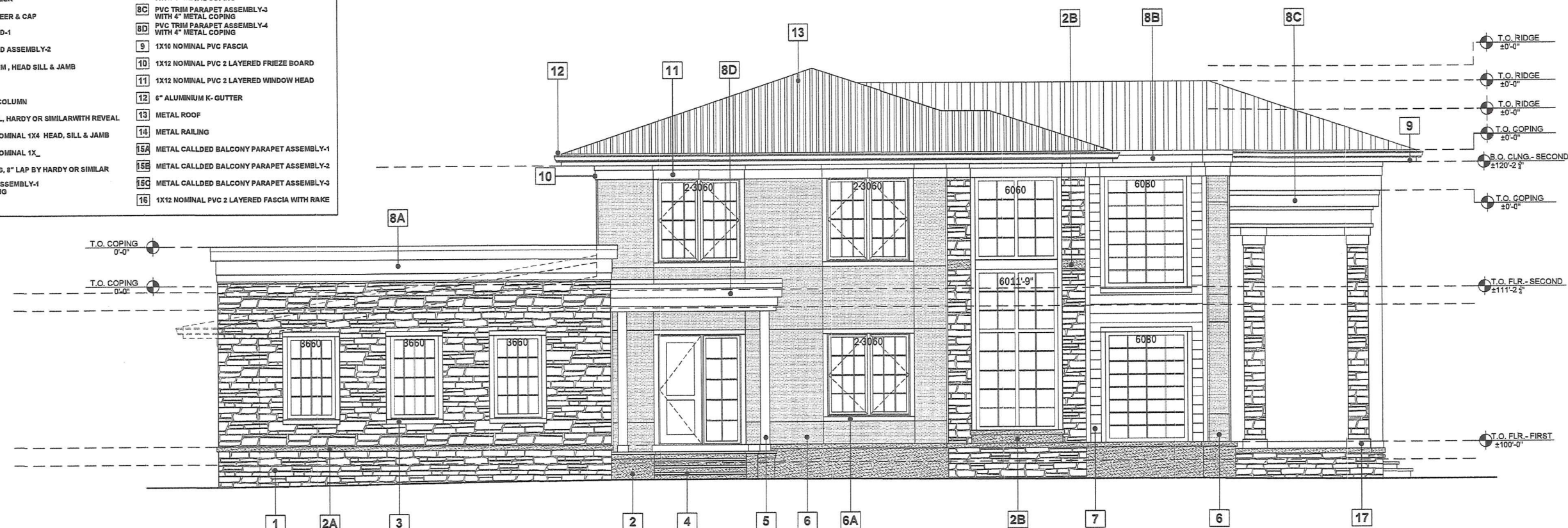






EXTERIOR FINISH SCHEDULE

1	NATURAL STONE VENEER	8B	PVC TRIM PARAPET ASSEMBLY-2 WITH 4" METAL COPING
2	PRECAST STONE VENEER & CAP	8C	PVC TRIM PARAPET ASSEMBLY-3 WITH 4" METAL COPING
2A	PRECAST STONE BAND-1	8D	PVC TRIM PARAPET ASSEMBLY-4 WITH 4" METAL COPING
2B	PRECAST STONE BAND ASSEMBLY-2	9	1X10 NOMINAL PVC FASCIA
3	1X4 NOMINAL PVC TRIM, HEAD SILL & JAMB	10	1X12 NOMINAL PVC 2 LAYERED FRIEZE BOARD
4	FLAG STONE TREAD	11	1X12 NOMINAL PVC 2 LAYERED WINDOW HEAD
5	PVC TRIM WRAPPED COLUMN	12	6" ALUMINUM K- GUTTER
6	CEMENTITIOUS PANEL, HARDY OR SIMILAR WITH REVEAL	13	METAL ROOF
6A	CEMENTITIOUS TRIM, NOMINAL 1X4 HEAD, SILL & JAMB	14	METAL RAILING
6B	CEMENTITIOUS TRIM, NOMINAL 1X4	15A	METAL CALLED BALCONY PARAPET ASSEMBLY-1
7	CEMENTITIOUS SIDING, 8" LAP BY HARDY OR SIMILAR	15B	METAL CALLED BALCONY PARAPET ASSEMBLY-2
8A	PVC TRIM PARAPET ASSEMBLY-1 WITH 4" METAL COPING	15C	METAL CALLED BALCONY PARAPET ASSEMBLY-3
		16	1X12 NOMINAL PVC 2 LAYERED FASCIA WITH RAKE



STANDARD NOTES FOR MINOR SUBDIVISION

A. GROSS AREA OF TRACT : 39.783 ACRES
B. ZONING CLASSIFICATION : RC 2
C. DENSITY CALCULATIONS : LOTS ALLOWED = 2 LOTS
D. OWNER / DEVELOPER : CALVIN ROSS & MARGARET M. MENCHY
1817 LANDRAKE ROAD
BALTIMORE MD. 21204-1825
PHONE (410) 622-5219

E. TAX ACCOUNT : 160008077
F. DEED REF. : 5316/565
G. TAX MAP 27, GRID 13, PARCEL 270
H. THIS SITE IS ON BALTIMORE COUNTY MAP: GS TILE 0262 & 0272

I. CENSUS TRACT 405000 REGIONAL PLANNING DISTRICT : 302
WATER SERVICE AREA : NON-SERVICE ZONE
SEWER-SHED : NONE (NO PLANNED SERVICE) SEWER-SHED : NONE
J. SCHOOL DISTRICTS : FIFTH DISTRICT ELEM. SCHOOL
HEREFORD MIDDLE SCHOOL
HEREFORD HIGH SCHOOL

K. WATERSHED : LOCH RAVEN
L. TRANSPORTATION ZONE-0433
M. SITE IS NOT WITHIN ANY "BASIC SERVICES DEFICIENT AREAS" OR AN AREA OTHERWISE RESTRICTED FOR DEVELOPMENT BY THE STATE OR BALTO. CO.

INCONVENIENCES ARISING FROM AGRICULTURAL OPERATIONS

ANY NEW LOT/DWELLING SHOWN ON THIS PLAN MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY TWENTY-FOUR-HOURS PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF OPERATION COMPLIES WITH COUNTY/STATE REGULATIONS AND ALL FEDERAL, STATE OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.

EX. SHARED PRIVATE ACCESS & UTILITY EASEMENT (MIN. 24' WIDE) FOR PROP. PAVED DRIVEWAY (MIN. 16' WIDE) SEE SALLIE WALLER MIN. SUB FOR PARCEL 252 (MINOR SUB No. 08-085M) AND SHEET 2 OF 2

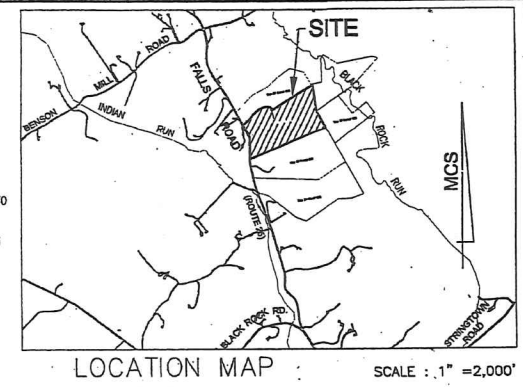
STORMWATER MANAGEMENT NOTES:

a. ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
b. LIMIT OF DISTURBANCE (LOD) IS SHOWN ON THIS PLAN. TOTAL AREA DISTURBED ON-SITE 62,416 SF (1.4 AC.) AS SHOWN
c. WHENEVER POSSIBLE ALL IMPERVIOUS AREAS SHOULD BE CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSION.
d. HOUSE DOWN SPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS, WHERE FEASIBLE.
e. ADDITIONAL SUBDIVISION ON THESE PARCELS AND/OR LOTS MAY REQUIRE SWM CONTROLS FOR THIS SITE AND ADDITIONAL SUBDIVISION.
f. A PAYMENT OF \$12,000 WAS MADE AUGUST 2012 TO THE STORMWATER MANAGEMENT FUND FOR 0.3 ACRES OF INCREASED IMPERVIOUS AREA (DEFS ID #A076464).

Lot 1: 16.4866 Acres (718,157sf) Including 34,277sf for Fut. Rd R/W widening
Lot 2: 23.2967 Acres (1,014,803sf) Including 811sf for Fut. Rd R/W widening
Total 39.7833 Acres
(SEE MS-2 FOR PROPERTY LINE INFORMATION)
Total Future Road R/W Widening: 0.8055 Acres 35,088sf is approximate and may change depending on right-of-way plots prepared for the future road widening. Area shown is calculated 40'± from CL piping.

FIRE DEPARTMENT NOTES

31. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS.
32. A CRUISER RUN ROAD FOR ACCESS TO THE TWO DWELLINGS SHALL BE AVAILABLE FOR EMERGENCY FIRE APPARATUS AND CAPABLE OF HANDLING EMERGENCY APPARATUS WEIGHING 70,000 LBS WHEN CONSTRUCTION OF ANY DWELLING IS UNDERWAY.
33. THE ACCESS DRIVEWAY SHALL NOT BE OBSTRUCTED FOR EMERGENCY APPARATUS IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. ALSO ANY TREES PLANTED SHALL NOT INTERFERE WITH EMERGENCY APPARATUS ACCESS WHEN THEY MATURE.
(SEE 2009 NFPA 1 FIRE CODE SECTION 18.2.4.1)
34. A SEPARATE BUILDING PERMIT IS REQUIRED FOR THE INSTALLATION OF SPRINKLERS.
35. THE SPRINKLER SYSTEM MUST BE INSPECTED BY BALTIMORE COUNTY FIRE MARSHAL'S OFFICE PRIOR TO TAKING OCCUPANCY OF THE DWELLING LINE.
36. ADDRESS NUMBERS FOR RESIDENTIAL PROPERTIES SHALL BE A MINIMUM OF 3 INCHES IN SIZE, IN ACCORDANCE WITH THE BALTIMORE COUNTY FIRE PREVENTION CODE BILL #48-10 SECTION 1.10.12.1.5



GENERAL NOTES

- TOTAL AREA OF LOTS : 39.8± AC. 1,697,872 SF FOR GROSS & NET AREAS, SEE "STANDARD NOTES FOR MINOR SUBDIVISION"
- FUTURE R/W WIDENING OF PUBLIC ROADS : 0.8± AC. 35,088 SF
- TOTAL AREA OF SITE : 39.8± AC. 1,732,960 SF
- EXISTING SITE CONDITION : FOREST
- REFUSE COLLECTION WILL BE BY BALTIMORE COUNTY AT FALLS ROAD.

ENVIRONMENTAL

- THERE ARE NO CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HISTORICAL BUILDINGS WITHIN THE SITE, TO THE BEST OF OUR KNOWLEDGE. THIS SITE IS NOT WITHIN A 100 YR. FLOODPLAIN.
- CRITICAL SLOPES OF 25 PER CENT OR GREATER EXIST ON SITE.
- THERE ARE NO EXISTING WELL, SEPTIC SYSTEM OR ABANDONED UNDERGROUND TANKS ON SITE EXCEPT AS SHOWN. ALL EXISTING KNOWN WELLS, SEPTIC SYSTEM(S), AND UNDERGROUND (FUEL) STORAGE TANK(S) WITHIN 100 FT. OF PROPERTY LINES ARE SHOWN.
- WETLANDS EXIST ON THE SITE (AT SOUTHWEST CORNER) AS DETERMINED BY ECO-SCIENCE PROFESSIONAL, INC.
- ANY "FOREST BUFFER AND FOREST CONSERVATION EASEMENT" AND "FOREST BUFFER EASEMENT" SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE "FOREST BUFFER AND FOREST CONSERVATION EASEMENT" AND "FOREST BUFFER EASEMENT" EXCEPT AS PERMITTED BY BALTO. CO. DEPT. OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.
- FOREST CONSERVATION REQUIREMENT WILL BE MET BY RETAINING PORTION (24.8 ACRES) OF THE ON-SITE FOREST WITHIN FOREST CONSERVATION EASEMENTS (TOTAL 28.49 ACRES). SEE FOREST CONSERVATION REPORT PREPARED BY ESN AND APPROVED BY DEFS.
- SOILS MAP No. 12 : MCB2, MCB3, MCB2, MCB2, GcC2 & GcC2
- LOTS WILL BE SERVED BY PRIVATE WELL AND SEPTIC SYSTEM.
- TOPOGRAPHY SHOWN WAS TAKEN FROM COUNTY GIS MAPPING AND PARTIAL FIELD RUN SURVEY.
- THE ISSUANCE OF THE BUILDING PERMIT AND ALL GRADING WILL BE DONE IN ACCORDANCE WITH THE STANDARD PLAN FOR SEDIMENT CONTROL AND SEDIMENT CONTROL APPROVED BY THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT. GRADING SHOWN IS SCHEMATIC ONLY. FINAL GRADING SHALL BE SHOWN ON THE PLAN TO ACCOMPANY THE BUILDING PERMIT APPLICATION.

ZONING

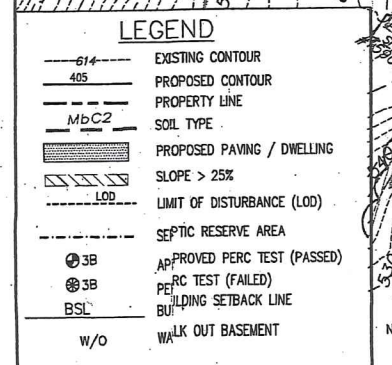
- ZONING HISTORY - NONE
- EXISTING USE: VACANT
- PROPOSED USE: RESIDENTIAL SUBDIVISION (2 SINGLE FAMILY DWELLINGS)
- ALL LOTS AND DWELLING UNITS SHOWN ON THIS PLAN ARE FOR SALE 8.5' x 18' EACH.
- EACH LOT TO HAVE TWO (2) OFF STREET PARKING SPACES. MIN. SIZE 8.5' x 18' EACH.
- THIS PROPERTY AS SHOWN HAS BEEN USED SINCE NOV. 15, 1972 (DATE OF DEED 5316/562). NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY TO SUPPORT ANY OTHER OFF-SITE DWELLING.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENT, EASEMENT, RIGHTS OF WAY AND/OR COVENANTS OF RECORD & LAW. THIS MINOR SUBDIVISION PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE EXAMINATION OR ABSTRACT.
- FRONT OF PROPOSED DWELLING LABELED "FRONT"
- MAX. HEIGHT OF PROPOSED HOUSE (35 FEET)
- A ZONING FINAL DEVELOPMENT PLAN MAY BE REQUIRED DEPENDING ON THE NUMBER OF LOTS CREATED (AS DETERMINED FROM ZONING & THE EFFECTIVE DATE OF THE ZONING REGULATIONS FOR THAT ZONE)

MISCELLANEOUS

- PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15 DATED AUG. 1997, FOR "TYPICAL DRIVEWAY ENTRANCE" - NO CURB & GUTTER ALONG ROAD.
- THE AREAS BETWEEN THE SIGHT LINE AND THE CURB (PAVING) LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS. (SIGHT LINE IS SHOWN ON THIS PLAN & ALL PROPOSED DRIVEWAYS).
- A PAVED TRASH COLLECTION AREA SHALL BE LOCATED AT THE RIGHT SIDE INTERSECTION OF THE PRIVATE DRIVEWAY AND PUBLIC ROAD, AS THE DRIVEWAY IS EXITED. THE TRASH COLLECTION AREA SHALL PROVIDE AT LEAST 16 SQUARE FEET PER DWELLING UNIT SERVED BY THE PRIVATE DRIVEWAY.
- MAIL BOXES SHALL BE INSTALLED ON THE LEFT SIDE OF THE PANHANDLE DRIVEWAY IN ACCORDANCE WITH THE U.S. POSTAL SERVICE REQUIREMENTS.
- LOCAL OPEN SPACE - NOT REQUIRED FOR MINOR SUBDIVISIONS.
- THE SHARED DRIVEWAY (PANHANDLE) SHALL BE PAVED ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
- DRIVEWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH BALTIMORE COUNTY STD. PLATE "R-R".
- A TURN-AROUND AREA (WITH 35' RADIUS) SHALL BE PROVIDED AS SHOWN FOR EMERGENCY VEHICLES.
- NOTE: MAXIMUM OF FOUR LOTS ARE PROPOSED TO UTILIZE THE PANHANDLE DRIVEWAY.
- ARCHITECTURAL ELEVATION DRAWINGS MUST BE SUBMITTED TO THE BALTIMORE COUNTY OFFICE OF PLANNING FOR REVIEW PRIOR TO BUILDING PERMIT APPROVAL.

(NOTES CONTINUED ABOVE:)

Baltimore County Minor Subdivision Project No. 12-001-M	
DEVELOPMENT REGULATIONS Exempt from Article 32, Title 4, Subtitle 2 Panhandle, exempt from Section 32-4-211 through 32-4-217 and Sections 32-4-228 and 32-4-227, 88C	
LACQ CLEARANCE Int.: <i>[Signature]</i> Date: <i>9/10/13</i>	
PAI CERTIFICATION By: <i>[Signature]</i> Date: <i>9/10/13</i> APPROVED, DEFS By: <i>[Signature]</i> Date: <i>9/27/13</i>	

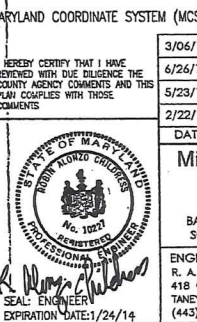
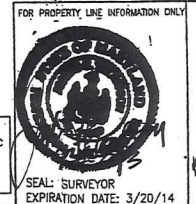


NOTE: FALLS ROAD IS A SHA "SCENIC BYWAY" AND A BALTIMORE COUNTY SCENIC ROUTE. (SHA R/W = 30'±/-)

Site Plan
Scale: 1" = 100 ft.
SEE DRAWING "MS-2" FOR PROPERTY LINE INFORMATION & ENVIRONMENTAL EASEMENTS

Minimum Building Setback Req't. (RC 2)
Front : 75ft From @ Street
Side : 35ft
Rear : 35ft
Maximum Building(s) Size : 15% of Lot Size
Minimum Size Lot : 1.00 Acre
(The minimum building setback for dwellings shown on the plan is 35' from Environmental Easement Lines)

CONSULTING ECOLOGIST:
ECO-SCIENCE PROFESSIONALS, INC.
P.O. BOX 5008
GLEN ARMS, MD. 21057
(410) - 592-6752



DATE	REVISION DESCRIPTION	BY
3/06/13	REVISED PER COUNTY THIRD REVIEW COMMENTS	RAC
6/26/12	REVISED PER COUNTY SECOND REVIEW COMMENTS	RAC
5/23/12	REVISED PER COUNTY FIRST REVIEW COMMENTS	RAC
2/22/12	REVISED FOREST CONSERVATION EASEMENTS TO MATCH "FC"	RAC
Minor Subdivision of the Calvin R. Menchey Property 15825 FALLS RD. - TAX MAP 27 PARCEL 270 Minor Subdivision No. 12-001-M BALTIMORE COUNTY DISTRICT 5 CS SCALE: 1" = 100 ft. PDM File No. 05-334 ENGINEER: R. A. CHIDRESS & ASSOC., LLC 418 CLUBSIDE DRIVE TANENTOWN, MD. 21787 (443) 504-3367 DATE: 01/16/12 DWG. NO. MS-1 SHEET 1 OF 2		

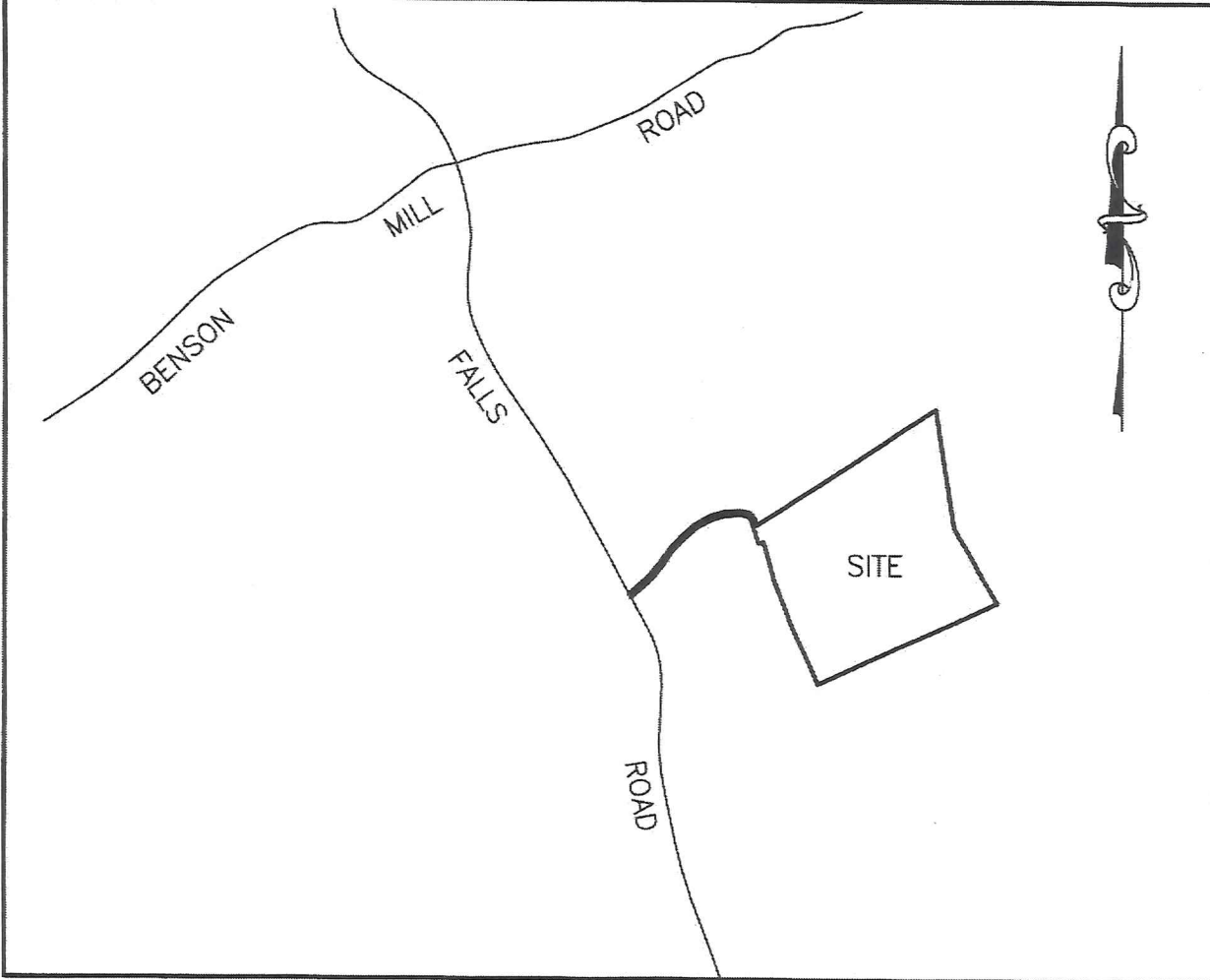
2019-0259-SPHA

NOTES:

1. EXISTING ZONING: RC-2
2. GIS MAP No.: 026C2 & 027A2
3. THIS PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS
4. THIS PROPERTY IS NOT HISTORIC
5. THIS PROPERTY IS NOT IN THE CBCA
6. THIS PROPERTY IS NOT IN A 100 YEAR FLOOD PLAIN
7. THERE ARE NO CURRENT ZONING VIOLATIONS ON THE PROPERTY
8. THERE ARE NO IMPENDING FAILURES OF THE BASIC SERVICES MAP FOR THIS PROPERTY
9. THERE ARE NO STREAMS, WETLANDS, OR STORMWATER PIPE SYSTEMS WITHIN 50 FEET OF THIS PROPERTY.
10. THERE HAVE BEEN NO PRIOR ZONING HEARINGS FOR THIS PROPERTY.
11. GROSS AND NET AREA OF LOT - 1,014,803 SF = 23.2967 AC

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 72°39'20" W	28.35'
L2	N 17°20'40" W	136.16'
L3	N 44°13'40" W	22.87'
L4	N 78°48'40" W	42.47'
L5	S 86°01'20" W	80.24'
L6	S 73°59'20" W	65.59'
L7	S 61°26'20" W	93.26'
L8	S 47°23'20" W	88.74'
L9	S 43°01'20" W	84.16'
L10	S 36°22'20" W	111.27'
L11	S 41°15'20" W	76.65'
L12	S 46°00'20" W	147.70'
L13	N 28°55'47" W	20.72'
L14	N 46°00'20" E	141.49'
L15	N 41°15'20" E	74.97'
L16	N 36°22'20" E	111.58'
L17	N 43°01'20" E	86.08'
L18	N 47°23'20" E	91.97'
L19	N 61°26'20" E	97.92'
L20	N 73°59'20" E	69.90'
L21	N 86°01'20" E	85.01'
L22	S 78°48'40" E	51.36'
L23	S 44°13'40" E	33.88'
L24	S 17°20'40" E	43.73'



VICINITY MAP

SCALE: 1" = 500'

LOT DETAIL

SCALE: 1" = 50'

EXISTING 20' WIDE PAVING
FALLS ROAD
(MD STATE RTE NO 25)
POINT OF BEGINNING
2500 FEET TO THE CENTER OF
BENSON MILL ROAD

CALVIN R. & MARGARET M. MENCHEY
TAX ACCT. No.
25-00-012244

FUTURE
80' R/W

PROPOSED
HOUSE SITE
(SEE LOT DETAIL)

FOREST
CONSERVATION
EASEMENT

#15815 FALLS ROAD
ROGER L. ELLIOTT
TAX ACCT. No.
16-00-005049

EMIL & HELEN K. EICHORN
TAX ACCT. No.
16-00-008079

#15821 FALLS ROAD
ROGER L. & MARGARET T. ELLIOTT
TAX ACCT. No.
25-00-014284

PLAT TO ACCOMPANY
PETITIONS FOR
SPECIAL HEARING AND ZONING VARIANCE
15829 FALLS ROAD

5TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 100'

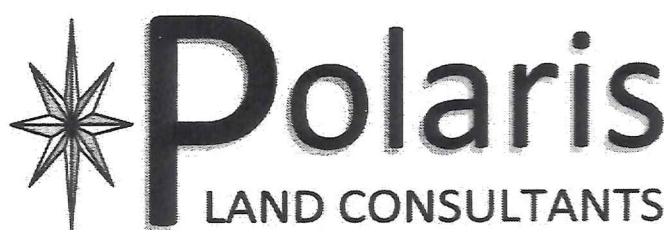
DATE: JANUARY 21, 2019

LOT 2
MINOR SUBDIVISION
PROPERTY OF
CALVIN R. MENCHEY
MINOR SUB. NO. 12001M

OWNER INFORMATION

MITTAL & HARNISHA PRAJAPATI
910 ACADEMY AVENUE
OWINGS MILLS, MD 21117
MAP 27 - GRID 13 - PARCEL 270
TAX ACCT: 25-00-012245
DEED REF: J.L.E. 38203/322

SHEET 1 OF 1



10 CERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLLC.COM



2/1/2019

LAND SURVEYING • SUBDIVISION DESIGN • COMMERCIAL SITE DESIGN • LAND USE & PLANNING
STORM WATER MANAGEMENT • CONSTRUCTION SURVEYING • PROJECT MANAGEMENT • ZONING MATTERS

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD83 (1991), VERTICAL - NAVD88

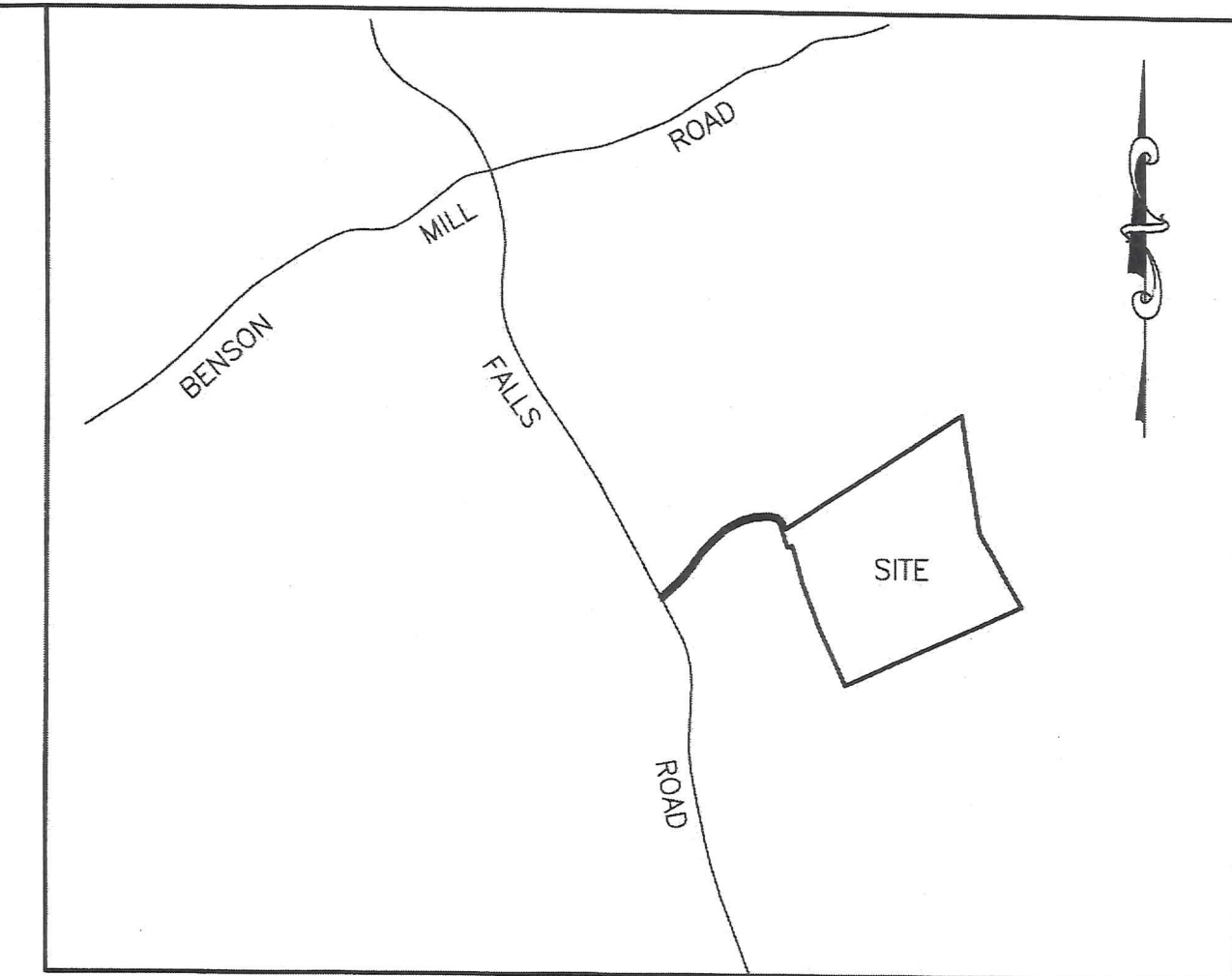
JOB No. 18-063

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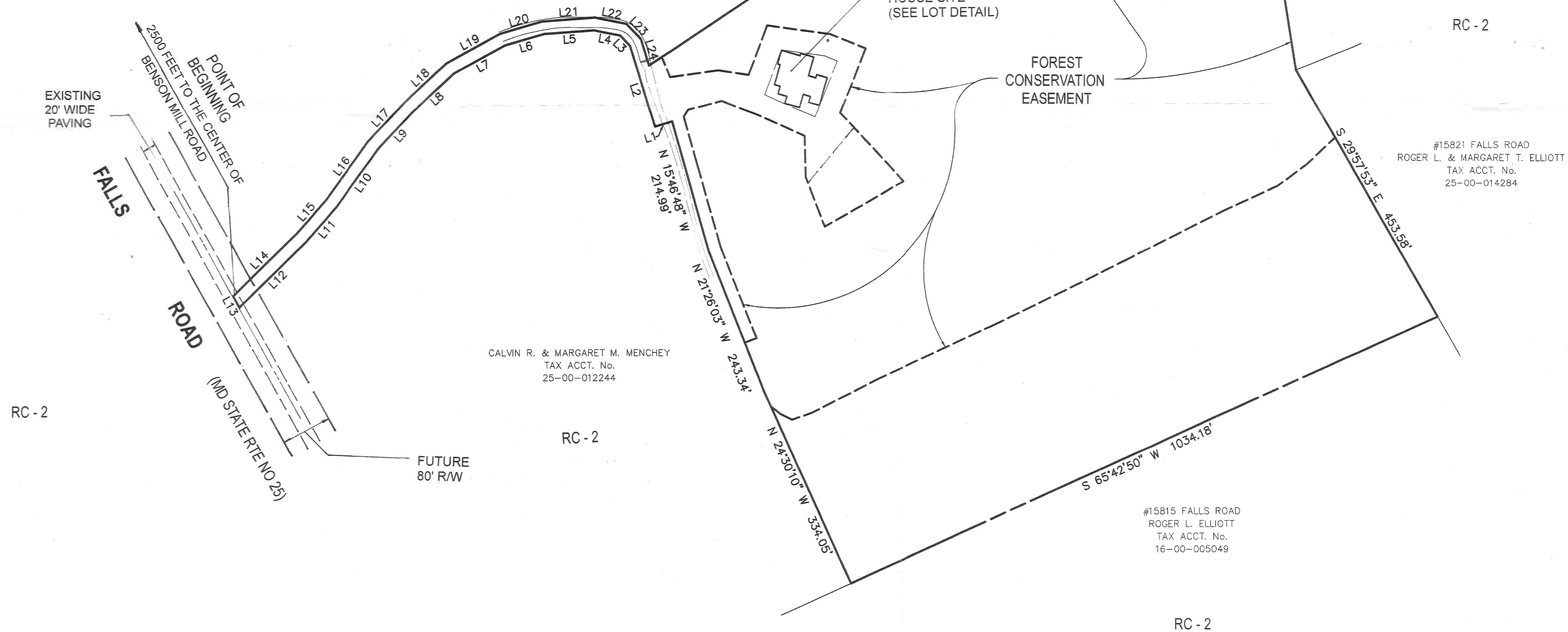
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SCALE: 1"= 500'

LOT DETAIL
SCALE: 1"= 50'



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PETITIONS FOR
SPECIAL HEARING AND ZONING VARIANCE
15829 FALLS ROAD

5TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1"= 100'

DATE: JANUARY 21, 2019

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PET. 1
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