

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2010, Legislative Day No. 15

Resolution No. 74-10

Mr. S. G. Samuel Moxley, Councilman

By the County Council, September 20, 2010

A RESOLUTION of the Baltimore County Council to approve the review of a proposed planned unit development in accordance with County law.

WHEREAS, County law requires that an applicant for approval of a site for a planned unit development be submitted to the County Council member in whose district the development is proposed to be located; and

WHEREAS, Applicant Dimitris Properties LLC, has submitted an application for approval of a 1.45± acre site, zoned BM (Business, Major), located on the south side of Frederick Road, west of Thistle Road, in the 1st Councilmanic District, to be developed as a general development planned unit development (PUD). The PUD site is a portion of the larger lot (2209 Frederick Road), which contains a total of 2.48± acres; and

WHEREAS, on the PUD site, the Applicant proposes to construct a high-quality residential community, featuring a total of 10 single-family townhouse dwellings and related improvements, which community shall be subject to covenants governing common maintenance functions; and

WHEREAS, the County Council finds that the proposed PUD will achieve a development of substantially higher quality than a conventional development will achieve; and

WHEREAS, as a community benefit, the PUD project will provide necessary workforce housing for the residents of the Catonsville area, which the Council approves as an acceptable public policy benefit pursuant to Section 32-4-242(b)(6)(iv) of the Baltimore County Code; and

WHEREAS, the County Council further recognizes that the residential density for the PUD project is being calculated according to the provisions of Section 430.3.C.2 of the Baltimore County Zoning Regulations, and, based on the property's existing business zoning classification, a maximum total of 23 density units (16 density units per acre) is available to be utilized on the PUD site. The project proposes to utilize 15 of the available density units to construct the 10 single-

family townhouse dwellings (8 attached units and 2 semi-detached units). The Council confirms that this density is available for this PUD project in lieu of the residential density permitted under the property's existing zoning classification, which would not yield any dwellings. To the extent this calculation and utilization of density is considered a modification of density pursuant to Section 32-4-242(c)(2), the County Council approves the modification; and

WHEREAS, the County Council finds that the proposed site for the PUD is eligible for County review in accordance with Section 32-4-242 of the County Code and has given public notice of this Resolution as required by law; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the proposed site for the general development planned unit development filed by Dimitris Properties LLC is eligible for County review in accordance with Section 32-4-242 of the County Code; and be it further

RESOLVED, that a copy of this Resolution be sent to the Baltimore County Department of Permits and Development Management and the Office of Planning.