

MINUTES

**Baltimore County Planning Board Meeting,
May 15, 2014**

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Minutes
May 15, 2014

Call to order, introduction of Board members, and announcements

Chairman N. Scott Phillips called the meeting of the Baltimore County Planning Board to order at 4:00 p.m. The following members were:

Present

Mr. N. Scott Phillips
Mr. Jonathan Herbst
Mr. Scott Jenkins
Ms. Nancy Hafford
Mr. Mark Schlossberg
Mr. Wayne C. McGinnis
Mr. Paul Miller
Ms. Christina Berzins
Mr. Eric Lamb
Mr. Howard Perlow
Mr. Jeffrey Gordon
Mr. C. Scott Holupka
Mr. Lawrence Vincent

Absent

Mr. Rainier C. Harvey, Sr.
Mr. Howard Perlow
Mr. Randy Thompson

County staff present included Andrea Van Arsdale, Jeff Mayhew, Lynn Lanham, Lloyd Moxley, Kathy Schlabach, Janice Graves and Joe Wiley from the Department of Planning.

Review of today's Agenda

There were no changes to the Tentative Agenda as published. A copy of the tentative agenda is filed as Appendix A.

Minutes of the March 6, 2014 meeting

Mr. Schlossberg moved to accept the Minutes of the March 6, 2014 meeting as circulated. Mr. Herbst seconded the motion, which unanimously passed at 4:03 p.m. Absent were Ms. Berzins, Messrs. Harvey, Sr., Perlow and Thompson.

Item for introduction

1. Koziol Property, Involvement of a Historic Landmark

Mr. Phillips turned the Board's attention to Department of Planning staff to provide an introduction for the Koziol Property Development Proposal which involves a Historic Landmark.

Mr. Lloyd Moxley indicated the project proposes 5 single family dwellings, 4 proposed, 1 existing situated on 2.8 gross acres of DR 3.5 zoned land. He reported the applicant previously met with a Technical Committee consisting of members of the Landmarks Preservation Commission (LPC) and the engineer incorporated suggestions made into a plan presented to the LPC. The LPC subsequently voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan being revised to show the delineated Historic Environmental Setting. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013.

Mr. Moxley reported the Administrative Law Judge referred the Development Plan to the Planning Board for action as stipulated in BCC Section 32-4-232(f) and that the Planning Board action is binding upon the Hearing Officer.

Mr. Moxley explained the applicant has petitioned for variance relief to side building face setback requirements between the new dwellings which the Department of Planning supports. The Department of Planning recommends that the Development Plan as presented positively reflects the affirmation of the LPC at their March 14, 2013 meeting and that the historic structure "Boxwood" is not adversely impacted by the proposed development.

Mr. Lamb asked for further explanation regarding the variance(s) being requested. Mr. Moxley stated the variances being requested would allow for a greater distance between the proposed structures on lots 4 and 5 and the historic structure.

Mr. Phillips called upon Mr. Howard Alderman and asked if he had additional information to present. Mr. Alderman, representing the property owners, summarized the action the Koziols have followed. Mr. Alderman commended the property owners for restoring the historic structure which suffered from severe deterioration at the time they originally purchased the property. He explained the Koziols were very attentive to the suggestions and requests of their neighbors at the Community Input meeting. They chose a lesser density than the zoning allows, accommodated mature trees situated on the lots, opted to have the roadway dead end rather than continuing through to connect to another street and proposed housing designs which compliment existing housing styles in the neighborhood.

Ms. Christina Berzins arrived at 4:12 p.m.

Mr. Lamb asked Mr. Alderman if the garages for the proposed new homes were to be detached. Mr. Alderman stated they were to be attached. Mr. Lamb also asked Mr. Alderman to show where existing homes in the community were located which he did by referencing site maps showing homes sited along Belle Grove Road. Mr. Lamb inquired whether the Planning Board had considered a zoning change request during the most recent Comprehensive Zoning Map Process. Mr. Alderman explained they had and that the existing zoning of DR 3.5 was retained.

Mr. Holupka asked Mr. Alderman to show the proposed lot lines and asked who would be responsible for the area bordering Belle Grove Road. Mr. Alderman answered individual homeowners would be responsible for their own lots.

Mr. Schlossberg asked whether the proposed road would be a private or public road to which Mr. Alderman stated it would be private with homeowners being responsible for the maintenance. Mr. Alderman mentioned Home Owner's Association documents would be created to ensure the integrity of the community is maintained.

Mr. Phillips asked Mr. Alderman what the average lot size would be. Mr. Alderman confirmed average lot size would be 20,000 square feet.

A copy of the Staff Report for the Koziol Property is filed as APPENDIX B.

2. Report from the February 26, 2014 Landmarks Preservation Commission Meeting

Mr. Phillips referred the Board members to the written report of major actions from the March 13, 2014, April 10, 2014 and May 8, 2014 Landmarks Preservation Commission Meeting contained in the notebooks. Ms. Hafford gave a summary of the meeting she attended.

Copies of the March 13, 2014, April 10, 2014 and May 8, 2014 Landmarks Preservation Commission meeting reports is filed as APPENDIX C.

3. Recent County Council Legislation of Interest to the Board

Res-34-14 – Referral to the Planning Board – Basic Services Maps as they relate to Commercial Revitalization District

Mr. Phillips asked Mr. Mayhew to provide an explanation as to the role of the Planning Board in this issue.

Mr. Mayhew explained the County Council has asked the Planning Board to look at Basic Services in relation to Commercial Revitalization Districts.

Mr. Phillips recognized a citizen, Mr. Parr who spoke on this issue. Mr. Parr was concerned about the York Road and Burke Avenue intersection, identified as a failing intersection and the mapping as it relates to the commercial revitalization district. He is of the opinion that the transportation map should include the fourth quadrant of that intersection.

Mr. Miller moved that the Board refer Resolution 34-14 to the Administrative Officer. Ms. Hafford seconded the motion which unanimously passed at 4:30 p.m. Absent were Messrs. Thompson, Miller, and Harvery, Sr.

Ms. Lanham advised the Board that there were several County Council legislative actions that may be of interest to the Board. Ms. Lanham gave a brief explanation of the following Bills:

- Bill 14-14 – Basic Services Maps
- Bill 16-14 – Zoning Regulations – Hookah Lounges, Vapor Lounges – Definitions and Limitations
- Bill 19-14 – Zoning Regulations - Community Care Center
- Bill 21-14 – Zoning Regulations – Signs
- Res 12-14 – Planned Unit Development: Residences at Soldiers Delight
- Res 25-14 – Planned Unit Development: Joppa Mylander Properties, LLC, Loch Raven Commons
- Res 26-14 – Amendment to the Baltimore County Water & Sewer Plan – Oheb Shalom/Dyer Properties

Mr. Miller asked for a further explanation with regard to Res 26-14. Mr. Mayhew explained that both Oheb Shalom and Dyer had previously requested both a change to the Water & Sewer Plan and the U.R.D.L. The Planning Board denied both requests to adjust the U.R.D.L. The County Council changed the Water & Sewer designations to both requests. The Planning Board is responsible for changes to the U.R.D.L. The State will review the Water & Sewer requests in relationship to the U.R.D.L.

A copy of the recent legislation of interest is filed as APPENDIX D.

Adjournment of the Board meeting

Mr. Miller moved to adjourn the Board meeting. Mr. Lamb seconded the motion, which unanimously passed at 4:42 p.m. Absent were Messrs. Thompson, Miller, and Harvery, Sr.

VKN

APPROVED- 11-6/19/2014