

78-264-A #25 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Eland Development Corp., legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3-B.3 (1A04.3B.3) (103.3) of the Zoning Regulations of Baltimore County, to allow 50 foot setbacks instead of the required 50 feet, on lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62 in an RC 5 Zone.

Of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Owner is experiencing difficulty in marketing dwellings less than 65 to 68 feet in width

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser _____
Petitioner's Attorney _____
Protutan's Attorney _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1978, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1978, at _____ o'clock _____ P.M.

(over)

ORDER RECEIVED FOR FILMS

baltime county
office of planning & zoning
TOWSON, MARYLAND 21204
DU1404383

S. ERIC DINENBA
ZONING COMMISSIONER

June 20, 1978

Mr. E. Robert Elliott, President
Eland Development Corporation
307 Chapelwood Lane
Lutherville, Maryland 21093

RE: Petition for Variances
Intersection of Manor and
Eland Roads - 16th Election
District
Eland Development Corporation -
Petitioner
NO. 78-264-A (Item No. 215)

Dear Mr. Elliott:

I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,

George E. Martinak
GEORGE E. MARTINAK
Deputy Zoning Commissioner

GJM/jim

Attachments

cc: Mr. Norman Kayler
14108 Manor Road
Phoenix, Maryland 21131
John W. Hession, III, Esquire
People's Counsel

RE: PETITION FOR VARIANCE
from Section 1A04.3-B.3
(1A04.3B.3) (103.3)
of the Baltimore County
Zoning Regulations
Intersection of Manor and
Eland Roads
10th District
Eland Development Corporation,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-264-A

OPINION

This case came before the Board on an appeal by the Petitioners from a decision of the Deputy Zoning Commissioner denying the requested variances. The variances requested consist of a lessening of the required side yard setbacks for residential dwellings from fifty (50) feet to forty (40) feet on lots #12, #3, 22, 25, 26, 27, 33, 35, 36, 37, and from fifty (50) feet to forty-five (45) feet on lot #42, and from fifty (50) feet to forty-five (45) feet on the south side of lot #61 in the subdivision known as Manor Ridge, recorded in 1972 and containing eighty-three (83) acres divided into sixty-three (63) lots.

Mr. Robert Elliott, 307 Chapelwood Lane, Lutherville, testified for the Petitioners. He is President of the company developing this parcel. He noted that variances of this nature have already been obtained on lot #24, but also noted that it required four months to obtain these variances. He noted the number of homes already completed and occupied in this development - twenty-nine. These are all custom homes, no two alike, and all in the price range of \$120,000. He also noted the large size of these lots. However, due to the configuration of some lots and the topography of others and a combination of both on some lots, the only way these lots can be developed and maintain the required setbacks would be to build small and cheaper homes. He freely admits this to be possible. He also stated that he held a community meeting and described, from the development plan, this alternative to all twenty-nine present residents of this subdivision. After considering this, all residents felt that they would rather maintain the present type and style of homes, and have slightly smaller setbacks, and all residents signed a petition to this effect. This, in essence, was Mr. Elliott's case.

Eland Development Corp. - #78-264-A

2.

Mr. Malcolm Hudkins, 200 East Joppa Road, Civil Engineer, testified and collaborated Mr. Elliott's testimony as to difficulty with the side yard setbacks because of the above noted lot configuration and topography. Mr. George Kougioulis, 110 Meadow Court, Real Estate salesman, testified that lots were more marketable if the same style home were permitted than a small home with slightly larger side yard setbacks. Mr. Andrew Lowery, 14004 Manor Road, a resident, testified that in a previously owned home by him, this same situation arose, and the developer built smaller homes on some lots and the general values of all homes was depreciated. He was much in favor of maintaining the same style homes and reducing the side yard setbacks may be allowed if they presented this constituted the Petitioner's case.

People's Counsel then presented Mr. James Howell, Planner for Baltimore County, in opposition to the granting of these variances. He testified that he has reviewed this request and feels homes could be designed to fit these lots, maintain the required setbacks and not degrade the development. He discussed the "town meeting" held with the residents and noted that no member of the Baltimore County Planning Board attended this meeting. Upon cross-examination, he also stated that normally these requests for variances would be considered on a lot by lot basis, and also admitted that because of the large lot sizes there was a good chance they may be allowed if they presented no other problems and met all of the County's criteria. No further testimony was presented on either side.

Before a variance may be granted, it must be clearly shown that it would not violate the spirit and intent of the Baltimore County Zoning Regulations. It seems to the Board that the approval of this subdivision plan containing these large lots (sixty-three lots on eighty-three acres) would indicate that large, high quality homes were anticipated consistent with the homes already constructed. To deny these requested variances and force a mixture of smaller and larger homes in the same development would constitute practical difficulty to the developer and inflict a hardship upon the other homeowners in this development. The Board feels that the reduction of a side yard setback from fifty feet to forty feet

Eland Development Corp. - #78-264-A

3.

on lots of these dimensions would be hardly noticeable and would not detract from the overall aesthetics of the development, and further, would be within the spirit and intent of the applicable zoning regulations. In view of all of the testimony and the facts as presented, the Board feels these variances should, in fact, be granted.

This Board, however, is concerned with the granting of variances on multiple properties, although we do believe it to be in the best interest of all concerned in this particular case. For this reason, the variances granted will be limited to the within Petitioner and shall not be transferable.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 17th day of November, 1978, by the County Board of Appeals, ORDERED that the variances petitioned for from Section 1A04.3-B.3 (1A04.3B.3) (103.3) to permit forty (40) foot setbacks instead of the required fifty (50) feet on the lots as outlined in the petition, be and the same are hereby GRANTED, subject to the following restriction:

The variances granted shall be to the Petitioner herein only, and upon the sale, assignment, or other transfer of any undeveloped lot which is the subject of the petition, the variance shall expire as to that particular lot.

Any appeal from this decision must be in accordance with Rule 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gilland
Robert L. Gilland, Vice Chairman

William T. Nachter
William T. Nachter

John A. Miller
John A. Miller

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
Phone 730-8060

TOWSON OFFICE
HUDFINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, BOWEN BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9000

BEL AIR OFFICE
L. GERALD WOLFE
Landscape Architect
Phone 838-0888

DESCRIPTION TO ACCOMPANY ZONING VARIANCE:

Beginning for the same at a point formed by the intersection of the centerline of Eland Road (50 feet wide) with the centerline of Manor Road (70 feet wide) thence being all of lots 2, 3, 22, 25, 26, 27, 33, 35, 36, 37, 42, 49 and 61 or "Manor Ridge Subdivision" recorded among the plat records of Baltimore County, Plat Book 95 folio 129 and all of lot 47 of the "Resubdivision of lots 47 and 43, Manor Ridge" recorded among the plat records of Baltimore County in Plat Book 99 folio 68.

Robert E. Hudkins
SEAL OF BALTIMORE COUNTY
SURVEYOR

WHITE, MINDEL, CLARKE & HILL
325 W. MCDONALD AVENUE
TOWSON, MARYLAND 21204
(301) 878-1250

July 3, 1978

Mr. S. Eric Dinenna
Zoning Commissioner
County Office Building
Towson, MD 21204

RE: Petition for Variances
Intersection of Manor and
Eland Roads - 16th Election
District
Eland Development Corporation -
Petitioners
No. 78-264-A (Item No. 215)

Dear Mr. Dinenna:

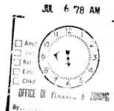
Please note an appeal on behalf of Eland Development Corporation from the decision of the Deputy Zoning Commissioner dated June 20, 1978, in the above referenced matter.

Enclosed is a check payable to Baltimore County, Maryland, in the amount of \$35 to cover the costs of filing the appeal.

Very truly yours,

B. Alderman
B. Alderman

RENE
Enclosure



November 17, 1978

R. Bruce Alderman, Brother
325 W. Chesapeake Avenue
Towson, Maryland, 21204

Re: Case No. 78-264-A
Eland Development Corp.

Dear Mr. Alderman:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

John T. Hession, III
JOHN T. Hession, III, Esquire

End.

cc: Mr. E. Robert Elliott
Mr. Norman Kayler
John W. Hession, III, Esquire
Mr. James E. Dyer
Mr. S. E. Dinenna
Mr. G. J. Overlook
Mr. L. N. Grief
Mr. J. Howell

RE: PETITION FOR VARIANCES
Intersection of Manor and Eland
Roads - 10th Election District
Eland Development Corporation -
Petitioner
NO. 78-264-A (Item No. 215)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for Variances to permit side yard setbacks of 40 feet in lieu of the required 50 feet for Lot Nos. 12, 13, 22, 25, 26, 27, 33, 35, 36, 37, 42, 49, 61, and 47, all at the above location and within an R.C.5 Zone.

Testimony at the hearing indicated that the subdivision, known as "Manor Ridge" and recorded in 1972, is divided into 65 building lots, totaling 81 acres. The Petitioner testified that, if he were not granted the requested Variances, he would be restricted to building houses 50 feet in width. He is desirous of constructing houses considerably wider, claiming difficulty in selling houses less than 65 to 85 feet in width. The minimum size lot in Manor Ridge is one acre.

Attention is called to the comments of the chairman of the Zoning Plans Advisory Committee, in which he notes that "a number of the improved lots in this development have satisfied the setback requirements..."

Nearby residents, in protest, indicated their desire to benefit by as much open space as possible under the existing site plan and contended that they had purchased houses with the understanding that they would enjoy the maximum amount of open space permitted.

Before a variance may be granted, it must be clearly shown that it is in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations. The courts have consistently maintained that the burden of proof of hardship or practical difficulty weighs heavily upon the claimant.

In *Anderson vs. Board of Appeals, Town of Chesapeake Beach, Maryland*, 21222, App. 28 (1974), the Court of Special Appeals ruled that a claim of financial hardship is not enough, that the difficulty must be peculiar to the subject property, and that hardship cannot be claimed if it is the result of the applicant's own action. Whether or not hardship exists is a question of fact to be determined by the hearing officer. The Deputy Zoning Commissioner submits that the Petitioner has failed to meet the above criteria.

Without reviewing the evidence further in detail but based upon all of the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, the prerequisites of Section 307 of the Baltimore County Zoning Regulations have not been met, and the requested Variances should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20th day of June, 1978, that the aforementioned Variances be and the same are hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

RE: PETITION FOR VARIANCE
from Section 1A04.3-B.3
(1A00.3B.3) (103.3) of the
Baltimore County Zoning
Regulations
Intersection of Manor and
Eland Roads
10th District
Eland Development Corporation
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 78-264-A

SUPPLEMENTAL OPINION

It has been brought to the attention of the Board that our Opinion and Order dated November 17, 1978 is incomplete or incorrect due to an obvious oversight.

It is to be noted that the original petition in this case requested fourteen variances for fourteen separate lots, as shown and enumerated on Petitioner's Exhibit No. 1, being a plot of the development.

At the hearing of this case, the Petitioner withdrew the lot #49, as the variance was no longer required. At this time the requested variance on lot #42 was amended to request a 45 foot side yard setback on both sides of that property from the required 50 feet rather than the 40 foot setback which had been requested in the original petition. Additionally, the request for variance was amended for lot #61 from the requested 40 foot side yard setback to a 45 foot side yard setback on the south side only of that lot. The request for a 40 foot setback on the north side of the lot remained as of the time of the hearing.

Consequently the variances as petitioned for at the time of the hearing were as follows:

1. A variance from the required 50 foot side yard setback to 40 feet on each side of lots Nos. 12, 13, 22, 25, 26, 27, 33, 35, 36, 37 and 47 (Lot #47 was inadvertently omitted from the prior Opinion);
2. A variance permitting a side yard setback of 45 feet on each side of lot #42;

NAME	ADDRESS	LOT NO.
<i>Anna J. Main</i>	<i>13209 Foxland Rd.</i>	<i>23</i>
<i>Donald M. Wally</i>	<i>14007 Foxland Rd.</i>	<i>24</i>
<i>Mr. & Mrs. P. Dale</i>	<i>13207 Foxland Rd.</i>	<i>28</i>
<i>Mr. & Mrs. J. Anderson</i>	<i>4006 Eland Rd.</i>	<i>52</i>
<i>Mr. & Mrs. M. C. G. G. G.</i>	<i>4011 Eland Rd.</i>	<i>44</i>
<i>Mr. & Mrs. E. V. V.</i>	<i>4009 Eland Rd.</i>	<i>43</i>
<i>Mr. & Mrs. M. G. G. G.</i>	<i>4011 Eland Rd.</i>	<i>50</i>
<i>Mr. & Mrs. J. G. G. G.</i>	<i>4004 Eland Rd.</i>	<i>53</i>
<i>Mr. & Mrs. E. G. G.</i>	<i>14102 Fox Manor Rd.</i>	<i>7</i>
<i>Mr. & Mrs. W. M. M.</i>	<i>14111 Fox Manor Rd.</i>	<i>5</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>4000 Eland Rd.</i>	<i>9</i>
<i>A. J. J.</i>	<i>3916 Eland Rd.</i>	<i>10</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>4008 Eland Rd.</i>	<i>51</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>3905 Eland Rd.</i>	<i>14</i>
<i>Nicholas M. M.</i>	<i>3907 Eland Rd.</i>	<i>15</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14108 Manor Rd.</i>	<i>62</i>

ABOVE VARIANCES IN JOINDER PETITION AND AMENDMENT TO
RESTRICTIVE COVENANTS AGREED TO - ELAND DEVELOPMENT CORP.
-2- BY E. Robert Grant, Pres.

Eland Development Corporation - No. 78-264-A

3. A variance permitting a 45 foot setback on the south side of lot #61, and a 40 foot south setback on the north side of said lot #61.

In our prior Opinion, all of these petitioned for variances should be granted.

Furthermore, it has been pointed out that strict construction of the wording in our prior Order could amount to a problem, particularly with financing, in the customary event wherein the developer (Petitioner herein) would transfer ownership of one of the lots to a purchaser prior to the construction of a home for that purchaser. We therefore will amend our Order in order to not create any unnecessary obstacles while still remaining in the spirit and intent of our prior Order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4th day of December, 1978, by the County Board of Appeals ORDERED, that the variances petitioned for from Section 1A04.3-B.3 (1A00.3B.3) (103.3) to permit forty (40) and forty-five (45) foot setbacks instead of the required fifty (50) feet on the lots as outlined in the petition, as amended, be and the same are hereby GRANTED, subject to the following restriction:

The variances granted shall be to the Petitioner herein only, and upon the sale, assignment, or other transfer of any undeveloped lot which is the subject of the petition to another developer or someone other than persons for whom a home will be constructed by petitioner, the variance shall expire as to that particular lot.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
BALTIMORE COUNTY
Robert L. G. G.
John A. Miller
William T. Hackett

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNanno, Zoning Commissioner Date: May 25, 1978
FROM: Leslie H. Groat, Director of Planning
SUBJECT: Petition 78-264-A. Petition for side yard setbacks
Intersection of Manor Road and Eland Road (12 lots in the subdivision of Manor Ridge)
Petitioner - Eland Development Corporation

10th District

HEARING: Monday, June 5, 1978 (2:00 P.M.)

This office is opposed to the petitioner's request. The subdivision is a relatively new one, other homes have been built here recently in conformance with setback requirements, and this office fails to see any hardship or practical difficulty.

Leslie H. Groat
Leslie H. Groat
Director of Planning

LHG:JGH

THE UNDERSIGNED, constituting the owners and residents of the development at Eland and Manor Roads known as Shepherd's Knoll (recorded as Manor Ridge Subdivision) favor and wish to support the granting of the variances requested in Zoning Case No. 78-264-A. It is our understanding that the Developer/Petitioner will amend his petition to delete Lot No. 49 therefrom and to change the requested side-yard variance to 45 feet on the east and west sides of Lot No. 42 and the south side of Lot No. 61. It is our understanding that Developer will amend the recorded restrictive covenants affecting the development to require homes constructed therein to contain a minimum of 2,000 square feet of living area (excluding garage).

NAME	ADDRESS	LOT NO.
<i>Mr. & Mrs. J. G. G.</i>	<i>14007 Foxland Rd.</i>	<i>18</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14007 Foxland Rd.</i>	<i>31</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14007 Foxland Rd.</i>	<i>32</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14007 Foxland Rd.</i>	<i>40</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14004 Manor Rd.</i>	<i>46</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>3909 Eland Rd.</i>	<i>16</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>3908 Eland Rd.</i>	<i>11</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>13911 Foxland Rd.</i>	<i>30</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14006 Foxland Rd.</i>	<i>21</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>4005 Eland Road.</i>	<i>41</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>4009 Eland Road.</i>	<i>8</i>
<i>Mr. & Mrs. J. G. G.</i>	<i>14108 Manor Rd.</i>	<i>17</i>

PETITION

Is the purpose of this petition to present names of those who are opposed to changing the sideyard setback from the required 50' to 40'. Case 78-264-A. Area of Shepherd's Knoll.

1. E. M. Schiller 14102 Manor Rd.
2. Susan O. Lee 4008 Eland Rd.
3. Norman H. H. 14108 Manor Rd.
4. J. H. G. G. 4008 Eland Rd.
5. J. H. G. G. 4006 Eland Rd.
6. B. C. G. G. 4006 Eland Rd.
7. J. H. G. G. 4009 Eland Rd.
8. Margaret M. H. 14108 Manor Rd.
9. J. H. G. G. 14006 Manor Rd.
10. J. H. G. G. 3910 Eland Rd.
11. J. H. G. G. 3908 Eland Rd.
12. J. H. G. G. 4001 Foxland Rd.
13. J. H. G. G. 1391 Foxland Rd.
14. J. H. G. G. 1391 Foxland Rd.
15. J. H. G. G. 4011 Eland Rd.
16. J. H. G. G. 4004 Eland Rd.
17. J. H. G. G. 14102 Manor Rd.
18. J. H. G. G.
19. J. H. G. G.
20. J. H. G. G.

MAY 01 1979

RE: PETITION FOR VARIANCE
Intersection of Manor Rd. and
Eland Rd (112 lots in the subdivision
of Manor Ridge), 10th District
OF BALTIMORE COUNTY

ELAND DEVELOPMENT CORPORATION, Case No. 78-254-A
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County
Charter, I hereby enter my appearance in this proceeding. You are requested to notify
me of any hearing date or dates which may be now or hereafter designated therefore,
and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Heslin, III
John W. Heslin, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of May, 1978, a copy of the
aforegoing Order was mailed to Eland Development Corporation, P. O. Box 5,
Phoenix, Maryland 21131, Petitioners.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 18, 1978

Eland Development Corporation
P. O. Box 5
Phoenix, Maryland 21131

RE: Variance Petition
Item Number 215
Petitioner - Eland Development

Gentlemen:

The Zoning Plans Advisory Committee has reviewed
the plans submitted with the above referenced petition
and has made an on site field inspection of the property.
The following comments are a result of this review and
inspection. These comments are not intended to indicate
the appropriateness of the zoning action requested, but
to assure that all parties are made aware of plans or
problems with regard to the development plans that may
have a bearing on this case. The Director of Planning
may file a written report with the Zoning Commissioner
with recommendations as to the suitability of the
requested zoning.

The subjects of this petition are unimproved lots
that are part of the Manor Ridge Subdivision, which is
located at the southwest corner of Sweet Air and Manor
Roads in the 10th Election District. These requests
are necessitated because of your proposal to construct
dwellings on these particular lots within 40 feet of the
side property lines in lieu of the required 50 feet. A
number of the improved lots in this development have sat-
isfied the setback requirement with the exception of lot
number 21 which was granted a similar side yard Variance
as a result of Case number 77-254-A.

This petition is accepted for filing on the date of
the enclosed filing certificate. Notice of the hearing
date and time, which will be held not less than 30 nor

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Eland Development Corporation
Page 3
Item Number 215
May 8, 1978

more than 90 days after the date on the filing
certificate, will be forwarded to you in the
near future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101
Shell Building
Baltimore, Maryland 21204



LESLIE H. GRAFF
DIRECTOR

May 15, 1978

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #215, Zoning Advisory Committee Meeting, April 11, 1978, are as follows:

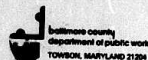
Property Owner: Eland Development Corp.
Location: SW/C Manor Road and Eland Road
Existing Zoning: RC-5
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50' for lots 12, 13,
25, 26, 27, 33, 35, 36, 37, 42, 49, 47, and 61 as shown on the plat of "Manor Ridge Sub-
division".
Acres:
District: 10th

This office has reviewed the subject petition and offers the following comments. These comments
are not intended to indicate the appropriateness of the zoning in question, but are to assure that
all parties are made aware of plans or problems with regard to development plans that may have a
bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



THORNTON H. MOURNING, P.E.
DIRECTOR

May 22, 1978

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #215 (7-1978)
Property Owner: Eland Development Corp.
S/W cor. Manor Rd. & Eland Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of
40' in lieu of the required 50' for lots 12, 13, 25, 26,
27, 33, 35, 36, 37, 42, 47, 49 and 61 as shown on
the plat of "Manor Ridge Subdivision".
District: 10th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office
for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved
and are as secured by Public Works Agreement No. 107202, executed in conjunction
with the development of "Manor Ridge Subdivision".

This office has no further comment in regard to the plan submitted for Zoning
Advisory Committee review in connection with this Item #215 (1977-1978).

Very truly yours,

Edmund H. Dwyer, Jr.
Edmund H. DWYER, Jr.
Chief, Bureau of Engineering

END:HAM:PW:SS

cc: R. C. W. W. W.

D-HE Key Sheet
76 - 79 SE 14 - 16 Pos. sheets
HE 19 & 20 & 21
44 Tax Map



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

May 12, 1978

Mr. S. Eric DiNenna
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #215, Zoning Advisory Committee Meeting, April
11, 1978, are as follows:

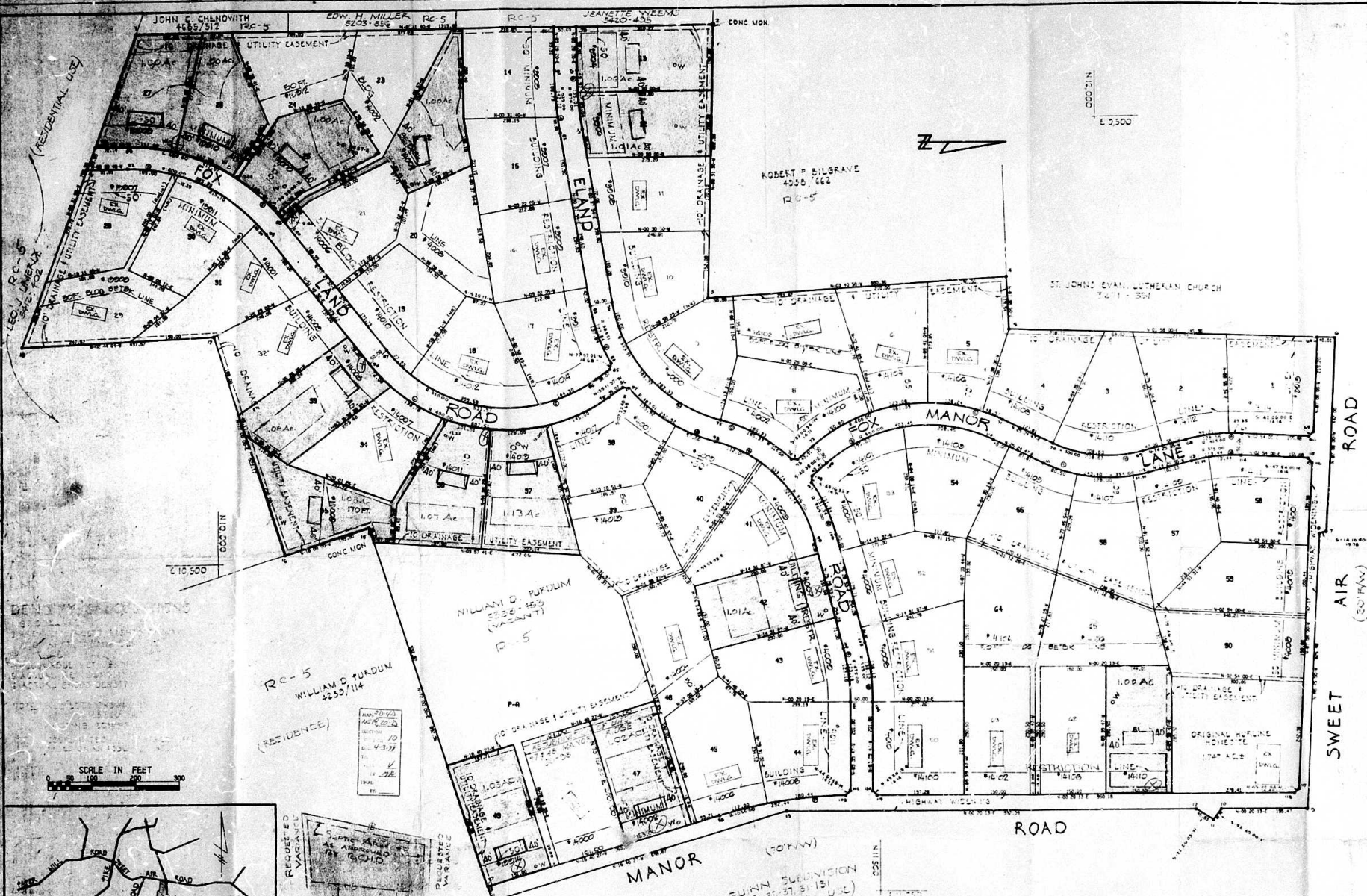
Property Owner: Eland Development Corp.
Location: SW/C Manor Rd. & Eland Rd.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 40' in
lieu of the required 50' for lots 12, 13, 25,
26, 27, 33, 35, 36, 37, 42, 47, 49 & 61
as shown on the plat of "Manor Ridge Sub-
division".
Acres:
District: 10th

All wells must be a minimum distance of 10' away from dwellings.
The perforation levels for these lots will have to be re-evaluated prior to
approval of building permits.

Very truly yours,

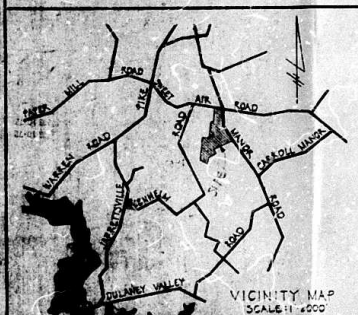
Thomas H. Dwyer
Thomas H. DWYER, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TED/TVC

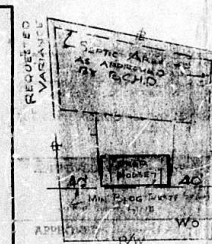


RECORDING INFORMATION
 1. PLAT NO. 1000
 2. PLAT DATE 10/10/50
 3. PLAT BY J. C. CHENOWETH
 4. PLAT FOR J. C. CHENOWETH
 5. PLAT FOR J. C. CHENOWETH
 6. PLAT FOR J. C. CHENOWETH
 7. PLAT FOR J. C. CHENOWETH
 8. PLAT FOR J. C. CHENOWETH
 9. PLAT FOR J. C. CHENOWETH
 10. PLAT FOR J. C. CHENOWETH

SCALE IN FEET
 0 50 100 150 200 250 300



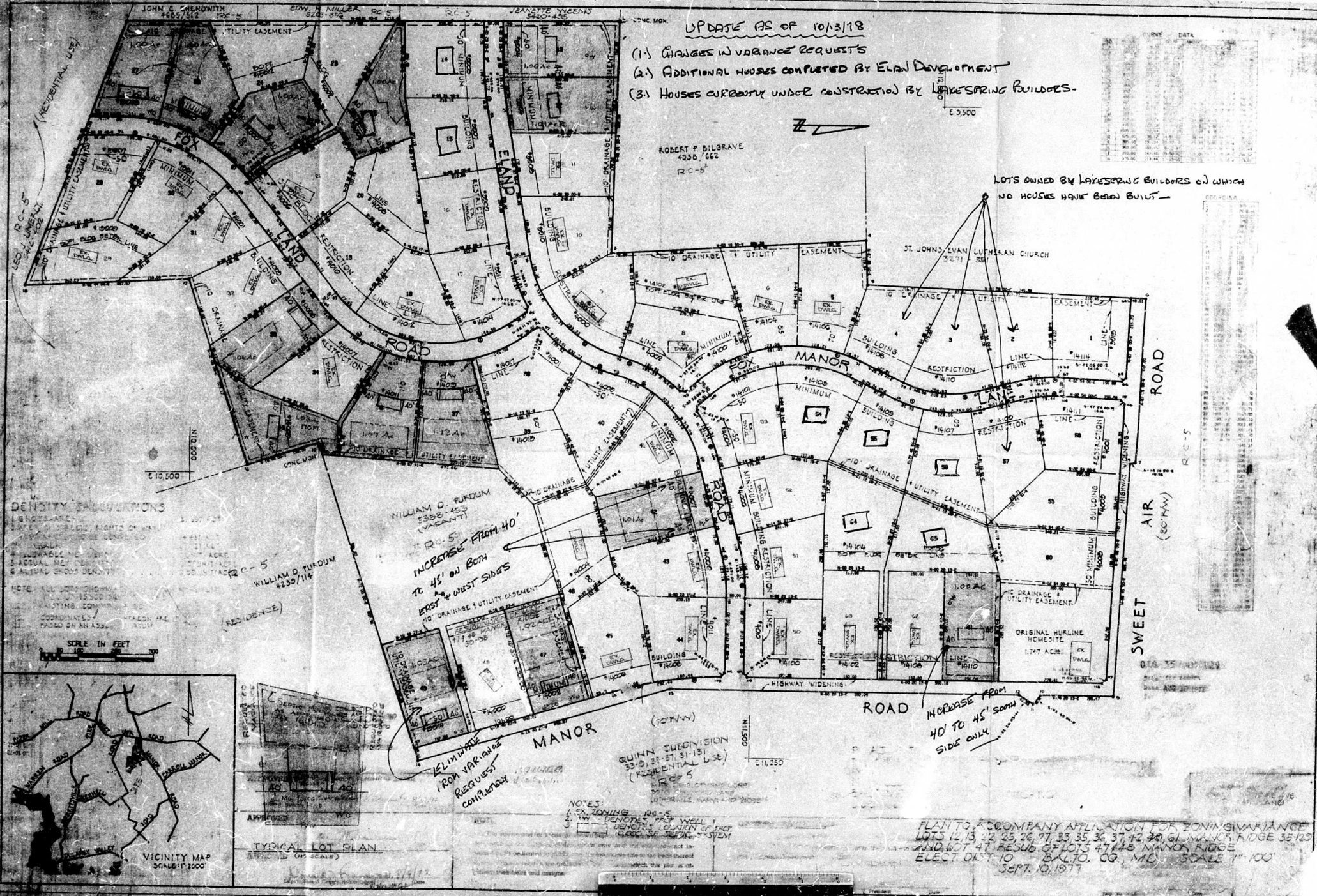
VICINITY MAP
 SCALE 1"=1000'



TYPICAL LOT PLAN
 (NOT TO SCALE)

NOTES:
 1. EXISTING R-5
 2. EXISTING R-5
 3. EXISTING R-5
 4. EXISTING R-5
 5. EXISTING R-5
 6. EXISTING R-5
 7. EXISTING R-5
 8. EXISTING R-5
 9. EXISTING R-5
 10. EXISTING R-5

PLAN TO ACCOMPANY APPLICATION FOR ZONING VARIANCE
 LOTS 1, 13, 15, 26, 27, 33, 35, 36, 37, 43, 49, 61, MANOR RIDGE 35/40
 AND LOT 47, RESUB. OF LOTS 47/48, MANOR RIDGE
 ELECT. DIST. 10 BALTO. CO. MD. SCALE 1"=100'
 SEPT. 10, 1977



UPDATE AS OF 10/31/8

- (1) CHANGES IN VARIANCE REQUESTS
- (2) ADDITIONAL HOUSES COMPLETED BY ELAND DEVELOPMENT
- (3) HOUSES CURRENTLY UNDER CONSTRUCTION BY LAKE SPRING BUILDERS-

ROBERT P. DILGRAVE
4230/662
RC-5

LOTS OWNED BY LAKE SPRING BUILDERS OF WHICH
NO HOUSES HAVE BEEN BUILT-

ST. JOHN'S EVAN LUTHERAN CHURCH
3271-351

WILLIAM D. TUNDUM
5338-43
(VACANT)
RC-5
INCREASE FROM 40'
TO 45' ON BOTH
EAST & WEST SIDES
(10' DRAINAGE & UTILITY EASEMENT)

QUINN SUBDIVISION
33-35, 37, 31-31
(RESIDENTIAL USE)
RC-5

INCREASE FROM
40 TO 45' SIDE ONLY

PLAN TO ACCOMPANY APPLICATION FOR ZONING VARIANCE
LOTS 12, 13, 22, 25, 26, 27, 33, 35, 36, 37, 42, 48, 61, MANOR RIDGE 35-123
AND LOT 41, RESUB. OF LOTS 47-48, MANOR RIDGE
ELECT. DIST. 10 BALTO. CO. MD. SCALE 1"=100'
SEPT. 10, 1977

DENSITY CALCULATIONS

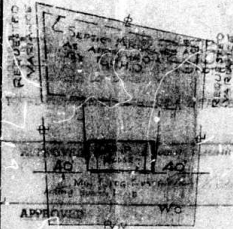
1. BACKGROUND
2. CALCULATED RIGHTS OF WAY
3. CALCULATED RIGHTS OF WAY
4. CALCULATED RIGHTS OF WAY
5. CALCULATED RIGHTS OF WAY
6. CALCULATED RIGHTS OF WAY
7. CALCULATED RIGHTS OF WAY
8. CALCULATED RIGHTS OF WAY
9. CALCULATED RIGHTS OF WAY
10. CALCULATED RIGHTS OF WAY

NOTE: ALL WORK SHOWN
ON THIS MAP
IS BASED ON
A RECENT
SURVEY
AND IS
NOT TO BE
USED FOR
ANY OTHER
PURPOSE

SCALE IN FEET
0 100 200



VICINITY MAP
SCALE 1"=100'



TYPICAL LOT PLAN
SCALE 1"=100'

NOTES:
1. EXISTING RC-5
2. NEW DENSITY 12.5 PER ACRE
3. DENSITY LOCATION OF LOT
4. DENSITY LOCATION OF LOT
5. DENSITY LOCATION OF LOT
6. DENSITY LOCATION OF LOT
7. DENSITY LOCATION OF LOT
8. DENSITY LOCATION OF LOT
9. DENSITY LOCATION OF LOT
10. DENSITY LOCATION OF LOT

