

79-37-ASPH 8259 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Chesapeake Homes, Inc., 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 1902.2B (111 F.3) of the Comprehensive Manual of Development Policy to permit tandem off street parking in lieu of the required side by side parking.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate herebelow or partial (herebelow))

Side by side parking requires an 18' x 18' concrete slab in the front of each residence which due to the widths of the lots creates an aesthetically unappealing situation with too parked vehicles detracting from architectural scheme, rhythm and uniqueness of each home and the community as a whole.

See attached plat and description.

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 For Baltimore County.

Chesapeake Homes, Inc.
By: William T. Hockett Legal Owner
Contract purchaser
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227
Petitioner's Attorney
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227
Petitioner's Attorney
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of July 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 16th day of August 1978 at 10:00 o'clock P.M.

Barry J. Matthews
Deputy Zoning Commissioner of Baltimore County.
(over)

79-37-ASPH 8259 **PETITION FOR SPECIAL HEARING**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Chesapeake Homes, Inc., 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 Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the development plan of Northgate Hall, Sec. 2, Plate 1, 1977, as approved on October 11, 1977 by allowing a change of the size and configuration of the driveways as shown on the proposed development plan (i.e. in tandem in lieu of the required side by side.) for lots A-1 thru A-27, A-35, A-40, A-45, B-1 thru B-30 and C-1 thru C-28, A-29, A-31, A-41, A-42, A-43, D-11, D-13, D-14 and D-15.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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 For Baltimore County.

Chesapeake Homes, Inc.
By: William T. Hockett Legal Owner
Contract Purchase
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227
Petitioner's Attorney
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227
Petitioner's Attorney
Address: 1900 Sulphur Spring Road
Baltimore, Maryland 21227

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of July 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 16th day of August 1978 at 10:00 o'clock P.M.

Barry J. Matthews
Deputy Zoning Commissioner of Baltimore County.
(over)

NOTICE OF POSTPONEMENT

CASE NO. 79-37-ASPH (Item No. 259) CHESAPEAKE HOMES, INC.
SH-for amendment to development plan of Northgate Hall Var.-for Tandem off-street parking W/S of Kilbri's Road, 125' N of Vicky Rd. 11th District
Assigned for hearing on Wednesday, December 26, 1979, at 10 a.m., has been POSTPONED by the Board at the request of the Counsel for the Petitioner.
cc: Alan H. Fisher, Esq. Counsel for petitioner
Chesapeake Homes, Inc. Petitioner
Mrs. Frances Hewitt Protestor
Mr. Charles W. Chambers Requests notification
Ms. Cynthia L. Mather
John W. Hession, III, Esq. People's Counsel
James E. Dyer Zoning Office
Mr. William Hammond Planning Office
Mr. John Seyffert Board of Education
Ms. Carol Baresch

Jane Holmen, Secretary
County Board of Appeals

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE HOMES, INC. FOR VARIANCE FROM SECTION 1902.2B (111 F.3) OF THE BALTIMORE COUNTY ZONING REGULATIONS AND A SPECIAL HEARING TO amend development plan of Northgate Hall W/S Kilbri's Road 125' N. of Vicky Road 11th District

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 79-37-ASPH

OPINION

Petition of Chesapeake Homes, Inc. for a variance from Section 1902.2B (111 F.3) of the Baltimore County Zoning Regulations and a special hearing to amend the development plan of Northgate Hall (Section 2, plate 1 thru 5) on property located on the west side of Kilbri's Road 125 feet north of Vicky Road, in the Eleventh Election District of Baltimore County.

WHEREAS, in open hearing before the Board of Appeals on January 6, 1983, and prior to the taking of any testimony, the attorney for the Petitioner made a Motion to dismiss the appeal with a prejudice taken on behalf of the Petitioner-Appellant in the above entitled matter. The Board granted said Motion.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1983, by the County Board of Appeals, ORDERED that said appeal be and the same is hereby DISMISSED, without prejudice.
Any appeal from this decision must be in accordance with Rules 8-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hockett
William T. Hockett, Chairman

Patricia Phlips
Patricia Phlips

Joanne L. Soder

494-3180

County Board of Appeals

Room 218, Court House
Towson, Maryland 21204
October 25, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 79-37-ASPH (Item No. 259) CHESAPEAKE HOMES, INC.
SH-for amendment to development plan of Northgate Hall Var.-for Tandem Off-Street Parking W/S of Kilbri's Rd., 125' N of Vicky Rd. 11th District
ASSIGNED FOR: WEDNESDAY, DECEMBER 26, 1979, at 10 a.m.

cc: Alan H. Fisher, Esq. Counsel for petitioner
Chesapeake Homes, Inc. Petitioner
Mrs. Frances Hewitt Protestor
Requests notification
Ms. Cynthia L. Mather
John W. Hession, III, Esq. People's Counsel
James E. Dyer Zoning Office
Mr. William Hammond Planning Office
Mr. John Seyffert Board of Education
Ms. Carol Baresch

Jane Holmen
County Board of Appeals

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 79-37-ASPH

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.

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

I HEREBY CERTIFY that on this 21st day of July, 1978, a copy of the foregoing Order was mailed to Chesapeake Homes, Inc., 1900 Sulphur Spring Road, Baltimore, Maryland 21227, Petitioner.

John W. Hession, III
John W. Hession, III

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

March 27, 1980

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 79-37-ASPH (Item No. 259) CHESAPEAKE HOMES, INC.
SH-for amendment to development plan of Northgate Hall Var.-for Tandem off-street parking W/S of Kilbri's Rd., 125' N of Vicky Rd. 11th District
D.Z.C. on 9/25/78 GRANTED Variance and Special Hearing for Lot #1 A-29, A-31, A-42, A-43, D-11 and D-13 thru D-15 and DENIED Variance and Special Hearing for Lot #1 A-1 thru A-27, A-35, A-40, A-41, A-45, B-1 thru B-30, and C-1 thru C-28
ASSIGNED FOR: THURSDAY, MAY 15, 1980, at 10 a.m.

cc: Alan H. Fisher, Esq. Counsel for Petitioner
Chesapeake Homes, Inc. Petitioner
Mrs. Frances Hewitt Protestor
Requests Notification
Ms. Cynthia L. Mather
Mr. John Hensberger
John W. Hession, Esq. People's Counsel
J. E. Dyer Zoning Office
Mr. W. Hammond
Mr. John Seyffert Planning Office
Board of Education

Jane Holmen, Secy.

RRR:fr./dc 10/5/78

RE: PETITIONS FOR VARIANCE AND SPECIAL HEARING W/S of Kilbri's Road, 125' N of Vicky Road, 11th Election District Chesapeake Homes, Inc. - Petitioner NO. 79-37-ASPH (Item No. 259) BALTIMORE COUNTY

NOTICE OF APPEAL

Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204
Dear Mr. Commissioner:
Chesapeake Homes, Inc. appeals to the County Board of Appeals from the Order of the Deputy Zoning Commissioner of Baltimore County dated September 25, 1978 in the above entitled case.

Alan H. Fisher
Alan H. Fisher, Esquire
Attorney for Chesapeake Homes, Inc.
Venable, Baetjer and Howard
1600 Mercantile Bank and Trust Bldg.
2 Hopkins Plaza
Baltimore, Maryland 21201
(301) 752-6780

The Address of Chesapeake Homes, Inc. is:

Chesapeake Homes, Inc.
7133 Rutherford Road
Baltimore, Maryland 21207



RE: PETITIONS FOR VARIANCE AND SPECIAL HEARING
W/S of Kilbride Road, 125' N of Vicky Road - 11th Election District
Chesapeake Homes, Inc. - Petitioner
NO. 79-37-ASPH (Item No. 259)
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition, filed by Chesapeake Homes, Inc., for a Variance to permit tandem off-street parking in lieu of the required side by side parking at the development known as North Gate Hall. In addition, the Petitioner seeks a Special Hearing to amend the development plan of North Gate Hall, Section 2, as approved on October 13, 1977, by allowing a change in the site and configuration of the driveways/parking pads, i.e., tandem in lieu of the required side by side, for Lot Nos. A-1 thru A-27, A-29, A-31, A-35, A-40 thru A-43, A-45, B-1 thru B-30, C-1 thru C-28, D-11, and D-13 thru D-15.

Testimony on behalf of the Petitioner indicated that several options have been offered to prospective purchasers and that he desires the change to tandem parking because of the large amount of front yard space required for side by side parking pads. It was also stated that some of the houses at the subject location have already been built in contravention of the final development plan.

In a letter to the Zoning Commissioner, dated May 18, 1978, Mr. Richard W. Goodman indicated that he has been "unable to get 100% of the signatures as some of the residents feel that they can no longer force Chesapeake Homes, Inc. to give them the double width driveway or accomplish other repairs, etc." (See letter in case file.)

The Petition was accompanied by a list of nine names, purported to be owners in fee simple of Lot Nos. A-29, A-31, A-41 thru A-43, D-11, and

D-13 thru D-15, all in Section 2 and all part of this Petition. These individuals, according to the notarized list, support the construction of tandem parking, 10' by 40' driveways, and request that Richard W. Goodman, Director of Land Development, Chesapeake Homes, Inc., represent their interests at the hearing.

Approximately ten persons, a number of whom stated that they had already bought houses, or were under contract to do so, testified in opposition to the Petition. This testimony, together with rebuttal by the spokesmen for the Petitioner, was marked by numerous contradictions regarding what the buyers had been promised and what they eventually obtained. For example, Mr. Brian Davidson testified that he is the owner of Lot No. B-11 and that he was told he would be given side by side parking. Mrs. Deborah Reinhardt stated that she had indicated her intent to purchase Lot No. C-10 and that she wanted side by side parking; she stated that she had not settled as of the date of the hearing. Mrs. Christine Kolodziejski identified herself as the owner of Lot No. D-17 and stated that her settlement date was June 12, 1978, that she had no knowledge of the intention to amend the development plan, and that she wanted a double parking pad.

In addition to those appearing in opposition to the Petition, a list of what was purported to be the signatures of approximately 50 individuals living at North Gate Hall was submitted, indicating that all of them want the double parking pad. Several letters were also received by the Zoning Office, some of which charged misrepresentation by the developer and all requesting side by side parking facilities.

This hearing was punctuated by charges of misrepresentation, countered by spokesmen for the Petitioner, with the suggestion that purchasers did not understand what they were buying. For example, testimony indicated that some buyers had been shown sample houses and claimed that the parking arrangement was described to them. The Petitioner's representative stated

that some of the samples did not have any parking facilities installed and that there had been a sincere effort to acquiesce the purchaser with all of the facts. Caveat Emptor appears to be appropriate.

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 Variance to permit tandem off-street parking in lieu of the required side by side parking and the Special Hearing to amend the development plan to allow tandem parking in lieu of the required side by side parking, not adversely affecting the health, safety, and general welfare of the community, should be granted for Lot Nos. A-29, A-31, A-42, A-43, D-11, and D-13 thru D-15.

Failure to show practical difficulty or unreasonable hardship, the requested Variance and Special Hearing should not be granted for Lot Nos. A-1 thru A-27, A-35, A-40, A-41, A-45, B-1 thru B-30, and C-1 thru C-28.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 26th day of September, 1978, that the Petitions for the aforementioned Variance and Special Hearing, for Lot Nos. A-29, A-31, A-42, A-43, D-11, and D-13 thru D-15, should be and the same are hereby GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

It is further ORDERED that the Petitions for the aforementioned Variance and Special Hearing, for Lot Nos. A-1 thru A-27, A-35, A-40, A-41, A-45, B-1 thru B-30, and C-1 thru C-28, should be and the same are hereby DENIED.

[Signature]
Deputy Zoning Commissioner
Baltimore County

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
December 9, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

This case has been dormant on the Board's docket for some time. In order to ascertain the status, we are formally scheduling it for the purpose of reopening the record to determine its present standing. If this preliminary hearing determines the case to be a viable one, it will be set for a later hearing, but at this time the case will not be tried nor will any testimony relative to the merits of the case be accepted. All parties interested in this proceeding should attend. If no participants to the scheduled matter appear on the assigned date, the Board will consider the case moot and WILL SUMMARILY DISMISS IT.

CASE NO. 79-37-ASPH CHESAPEAKE HOMES, INC.
SH—for amendment to development plan of Northgate Hall
Var.—for Tandem off-street parking
W/S of Kilbride Rd., 125' N of Vicky Rd.
11th District
THURSDAY, JANUARY 6, 1983, at 9:00 a.m.

ASSIGNED FOR:
cc: Alan H. Fisher, Esq. Counsel for Petitioner
Chesapeake Homes Inc. Petitioner
Mrs. Frances Hewitt Protestant
Mr. Charles Chambers Requests notification
Ms. Cynthia Mather " "
Mr. John Harnsberger " "
J. W. Hession, Esq. People's Counsel
J. Dyer
W. Hammond
N. Garber
J. Howell
Board of Education

Jane Holman, Secy.

RHR:Jr./do 10/3/78

RE: PETITIONS FOR VARIANCE AND SPECIAL HEARING
W/S of Kilbride Road,
125' N of Vicky Road
11th Election District
Chesapeake Homes, Inc. - Petitioner
NO. 79-37-ASPH (Item No. 259)
OF
BALTIMORE COUNTY

NOTICE OF APPEAL

Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Dear Mr. Commissioner:

Chesapeake Homes, Inc. appeals to the County Board of Appeals from the Order of the Deputy Zoning Commissioner of Baltimore County dated September 25, 1978 in the above entitled case.

[Signature]
Alan H. Fisher, Esquire
Attorney for Chesapeake Homes, Inc.
Venable, Baetjer and Howard
1600 Mercantile Bank and Trust Bldg.
2 Hopkins Plaza
Baltimore, Maryland 21201
(301) 752-6700

The Address of Chesapeake Homes, Inc. is:

Chesapeake Homes, Inc.
7133 Rutherford Road
Baltimore, Maryland 21207



494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
December 9, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

This case has been dormant on the Board's docket for some time. In order to ascertain the status, we are formally scheduling it for the purpose of reopening the record to determine its present standing. If this preliminary hearing determines the case to be a viable one, it will be set for a later hearing, but at this time the case will not be tried nor will any testimony relative to the merits of the case be accepted. All parties interested in this proceeding should attend. If no participants to the scheduled matter appear on the assigned date, the Board will consider the case moot and WILL SUMMARILY DISMISS IT.

CASE NO. 79-37-ASPH CHESAPEAKE HOMES, INC.
SH—for amendment to development plan of Northgate Hall
Var.—for Tandem off-street parking
W/S of Kilbride Rd., 125' N of Vicky Rd.
11th District

THURSDAY, JANUARY 6, 1983, at 9:30 a.m.

ASSIGNED FOR:
cc: Alan H. Fisher, Esq. Counsel for Petitioner
Chesapeake Homes Inc. Petitioner
Mrs. Frances Hewitt Protestant
Mr. Charles Chambers Requests notification
Ms. Cynthia Mather " "
Mr. John Harnsberger " "
J. W. Hession, Esq. People's Counsel
J. Dyer
W. Hammond
N. Garber
J. Howell
Board of Education

Dismissed by Petitioner
Order to follow
Jane Holman, Secy.

COUNTY BOARD OF APPEALS
Room 219 Court House
Towson, Md. 21204

hearing Room 218

NOTICE OF POSTPONEMENT

CASE NO. 79-37-ASPH CHESAPEAKE HOMES, INC.
(Item No. 259)

SH—for amendment to development plan of Northgate Hall
Var.—for Tandem off-street parking
W/S of Kilbride Rd., 125' N of Vicky Road
11th District
D.Z.C. on 9/25/78 Granted Variance and Special Hearing for lot #s A-29, A-31, A-42, A-43, D-11 and D-13 thru D-15 and Denied Variance and Special Hearing for lot #s A-1 thru A-27, A-35, A-40, A-41, A-45, B-1 thru B-30, and C-1 thru C-28

Assigned for hearing on Thursday, May 15, 1980, at 10 a.m., has been POSTPONED by the Board at the request of Counsel for the Petitioner.

cc: Alan H. Fisher, Esq. Counsel for the Petitioner
Chesapeake Homes, Inc. Petitioner
Mrs. Frances Hewitt Protestant
Mr. Charles W. Chambers Requests notification
Ms. Cynthia L. Mather " "
Mr. John Harnsberger " "
John W. Hession, Esq. People's Counsel
J. E. Dyer Zoning Office
Mr. W. Hammond " "
Mr. John Stryker Planning Office
Board of Education

Jane Holman, Secretary

Mr. & Mrs. Wayne Guralacaka
4804 Vicky Road
Perry Hall, Md. 21236
August 15, 1978

To Whom It May Concern:

We, Susan and Wayne Guralacaka, would like to voice our opinion on the matter being brought to court today in regards to double car width off street parking pads for houses with a garage.

When we were considering buying our home we were told that if we purchased a home with a garage, we would get a single car width driveway. and that if we did not get a garage we would receive a double car width driveway.

It was not until we saw the notice of hearing that we found out that this was incorrect.

A double car driveway would be very advantageous to use because we have three cars. With the current single driveway, we are forced to park one of them on the street.

Therefore, we would like to encourage a ruling in favor of widening the driveways so that they will accommodate two cars.

[Signature] 9/15/78
Susan H. Guralacaka
[Signature] 8/15/78
Wayne F.B. Guralacaka

August 14, 1978

WE, THE RESIDENTS OF NORTHGATE HALL, FEEL THAT THE PEOPLE WHO LIVE IN THE HOMES WITH THE GARAGE ATTACHED, SHOULD HAVE HAD THE RIGHT OF A DOUBLE PARKING PAD.

NAME	ADDRESS	LOT NO.
Frances Hewitt	4802 Vicky Rd 21236	D-6
Wayne P. Kralyich	4804 Vicky Rd. 21236	D-7
Paul McNeal	9002 Kellbide Rd. 21236	D-5
Deborah Cox	7 Kumbie 21236	D-12
Wm. F. Cox	7 Bowline Ct. 21236	D-13
Donna K. Chasen	5 Bowline Ct. 21236	D-11
Haywood M. Thedale	9209 Kie BRIDE	D-2
Donald B. Burchard	9211 Kellbide Rd	D-1
James C. Cady	4804 Gully Rd	B-24
Thomas C. Cady	1 Bowline Ct. 21236	D-9
Paul J. J. J. J.	2 Bowline Ct.	D-16
Peggy S. S.	8 Bowline Ct.	D-13
Vernon M. B. B.	9115 Bowline Rd	A-28
L. T. T. T.	9223 Bowline Rd	B-4
Dawn Johnson	3 Bowline Court	D-10

WE, THE RESIDENTS OF NORTHGATE HALL, FEEL THAT THE PEOPLE WHO LIVE IN THE HOMES WITH THE GARAGE ATTACHED, SHOULD HAVE HAD THE RIGHT OF A DOUBLE PARKING PAD.

NAME	ADDRESS	LOT NO.
Mr. Mrs. Charles W. Clark	907 Bowline Rd	A-32
Mr. Mrs. Robert K. K.	9102 Bowline Rd	A-37
Mr. Mrs. Jeffrey B. B.	9106 Bowline Rd.	A-39
Mr. Mrs. James H. H.	907 Bowline Rd	A-40
Vincent D. D.	9104 Bowline	A-38
Mr. & Mrs. S. S.	9111 Bowline Road	A-30
Mr. & Mrs. T. T.	9113 Bowline Rd	A-29
Mr. & Mrs. G. G.	9115 Bowline Rd	A-34

August 14, 1978

WE, THE RESIDENTS OF NORTHGATE HALL, FEEL THAT THE PEOPLE WHO LIVE IN THE HOMES WITH THE GARAGE ATTACHED, SHOULD HAVE HAD THE RIGHT OF A DOUBLE PARKING PAD.

NAME	ADDRESS	LOT NO.
Bernard D. D.	4822 Gully Rd 21236	B-11
Douglas P. P.	4807 Gully Rd	D-21
P. P. P.	4806 Gully Rd	B-19

WE, THE RESIDENTS OF NORTHGATE HALL, FEEL THAT THE PEOPLE WHO LIVE IN THE HOMES WITH THE GARAGE ATTACHED, SHOULD HAVE HAD THE RIGHT OF A DOUBLE PARKING PAD.

NAME	ADDRESS	LOT NO.
1. Clinton A. A.	9116 Bowline Rd.	A-44
2. M. M. M.		A-44
3. C. C. C.	4805 Gully Rd	D-17
4. J. J. J.	4807 Gully Rd	D-17
5. J. J. J.	4811 Gully Rd	D-17
6. J. J. J.	4816 Gully Rd	B-14
7. S. S. S.	4814 Gully Rd	B-15
8. J. J. J.	4810 Gully Rd	B-17
9. J. J. J.	4802 Gully Rd	B-21
10. C. C. C.	9203 Kibbide Rd	D-5
11. M. & Mrs. J. J.	9117 Bowline Rd	A-43

LETTERS OF PROTEST
from ZC office



May 18, 1978

Mr. Eric S. DiNenna
Office of Zoning Commissioner
Baltimore County
Towson, MD 21204

Re: Northgate Hall, Sec. 2

Dear Mr. DiNenna:

We request permission to submit the attached Petitions for the lots presently owned by Chesapeake Homes, Inc. and for the lots indicated on the accompanying signature sheet. We are unable to get 100% of the signatures as some of the residents feel that they can now force Chesapeake Homes, Inc. to give them the double width driveway or accomplish other repairs, etc., while trying to resolve our differences with the existing residents, we are settling one or two houses per week that also may have the single width drives. We would like to get our Petition approved on the unsettled units as soon as possible so that they at least are in compliance with the regulations prior to settlement.

Thank-you for your consideration of this matter.

Sincerely,
CHESAPEAKE HOMES, INC.

Richard W. Goodman
Director of Land Development

Enclosure

LETTERS FOR PETITIONERS

from ZC office

We, the undersigned, residents of Northgate Hall Section 2 and fee simple owners of the property indicated below our names, do join in and ask to be considered as petitioners in the Petition being filed by Chesapeake Homes, Inc. wherein application is made to change present driveway requirements from the 15' x 15' concrete driveway, which would permit parallel parking to a 10' x 40' driveway which would permit end to end parking. We also authorize and empower Richard W. Goodman, Director of Land Development, Chesapeake Homes, Inc. enter his appearance and represent our interest as it appears in said proceedings.

NAME	ADDRESS	LOT #
Charles W. Clark	907 Bowline Rd	A-32
Robert K. K.	9102 Bowline Rd	A-37
Jeffrey B. B.	9106 Bowline Rd.	A-39
James H. H.	907 Bowline Rd	A-40
Vincent D. D.	9104 Bowline	A-38
S. S.	9111 Bowline Road	A-30
T. T.	9113 Bowline Rd	A-29
G. G.	9115 Bowline Rd	A-34
Clinton A. A.	9116 Bowline Rd.	A-44
M. M. M.		A-44
C. C. C.	4805 Gully Rd	D-17
J. J. J.	4807 Gully Rd	D-17
J. J. J.	4811 Gully Rd	D-17
J. J. J.	4816 Gully Rd	B-14
S. S. S.	4814 Gully Rd	B-15
J. J. J.	4810 Gully Rd	B-17
J. J. J.	4802 Gully Rd	B-21
C. C. C.	9203 Kibbide Rd	D-5
M. & Mrs. J. J.	9117 Bowline Rd	A-43

We, the undersigned, residents of Northgate Hall Section 2 and fee simple owners of the property indicated below our names, do join in and ask to be considered as petitioners in the Petition being filed by Chesapeake Homes, Inc. wherein application is made to change present driveway requirements from the 15' x 15' concrete driveway, which would permit parallel parking to a 10' x 40' driveway which would permit end to end parking. We also authorize and empower Richard W. Goodman, Director of Land Development, Chesapeake Homes, Inc. enter his appearance and represent our interest as it appears in said proceedings.

NAME	ADDRESS	LOT #
Charles W. Clark	907 Bowline Rd	A-32
Robert K. K.	9102 Bowline Rd	A-37
Jeffrey B. B.	9106 Bowline Rd.	A-39
James H. H.	907 Bowline Rd	A-40
Vincent D. D.	9104 Bowline	A-38
S. S.	9111 Bowline Road	A-30
T. T.	9113 Bowline Rd	A-29
G. G.	9115 Bowline Rd	A-34
Clinton A. A.	9116 Bowline Rd.	A-44
M. M. M.		A-44
C. C. C.	4805 Gully Rd	D-17
J. J. J.	4807 Gully Rd	D-17
J. J. J.	4811 Gully Rd	D-17
J. J. J.	4816 Gully Rd	B-14
S. S. S.	4814 Gully Rd	B-15
J. J. J.	4810 Gully Rd	B-17
J. J. J.	4802 Gully Rd	B-21
C. C. C.	9203 Kibbide Rd	D-5
M. & Mrs. J. J.	9117 Bowline Rd	A-43

FROM: Mrs. M. G. T. HUBNET JR
TO: Zoning Comm.
SUBJECT: NORTHGATE - TRAILER TO SALLY SIDE 2001 8/15 78
We are the future residents of 9223 Bowline Rd, lot # B-4. We were never informed of any possible claim for a driveway, just that it would be single width for tandem parking. We would like to formally express our wishes in obtaining a double width driveway enabling end to end parking. We are strictly against the zoning change. We also feel there is a misrepresentation of the zoning zoning by Chesapeake Homes.

927 Hwy 720, P.O. Box 1034, 1900 SULPHUR

79-37-45PH

RECEIVED
BALTIMORE COUNTY
Dec 5 1 03 PM '79
COUNTY BOARD
OF APPEALS
BY: _____

June Holmen
December 4, 1979
Page 2

There has been no decision in the violation case. This matter was first heard on January 30, 1979 before Deputy Zoning Commissioner Martinak, but he died before issuing an opinion. Thereafter, on October 24, 1979, the matter was again heard, this time before Deputy Zoning Commissioner Jung. Ms. Jung has not yet issued her opinion. Even if no appeal is taken from that opinion, and this of course depends upon the result, Ms. Jung's opinion will certainly bear upon the same issues raised in the instant appeal.

For the foregoing reasons, it is respectfully requested that the hearing in matter now before the Board of Appeals be postponed until after the decision by the Zoning Commissioner has been announced and the time for appeal from that decision has run.

Thank you for your consideration of this matter.

Very truly yours,

Alan H. Fisher
Alan H. Fisher
G. Stewart Webb, Jr.
G. Stewart Webb, Jr.
Counsel for Petitioner

AHF:GSMJr:dvw

cc: Sterling L. Leppo (Chesapeake Homes, Inc.)
Mrs. Frances Hewitt
Mr. Charles W. Chambers
John W. Hession, III, Esq.
James E. Dyer
Mr. William Hammond
Mr. John Seyffert

VENABLE, BARTIER AND HOWARD
ATTORNEYS AT LAW
1800 Mercantile Bank & Trust Building
Baltimore, Maryland 21201
Telephone 782-4700
Telex 444 301

April 2, 1980

Ms. June Holmen
County Board of Appeals
Room 218
Court House
Towson, Maryland 21204

Re: Chesapeake Homes, Inc.
Case No. 79-37-ASPH (Item No. 259)

Dear Ms. Holmen:

By letter dated December 4, 1979, I wrote and requested a postponement of the hearing in the above-referenced case which was then scheduled for December 26, 1979. A copy of this letter is enclosed for your convenience. That request was made because there was then pending before the Zoning Commissioner a related matter involving the same subdivision (Northgate Hall) and arising out of the same facts and circumstances, and the disposition of that related matter might affect the appeal in this case. The related matter is still pending before the Zoning Commissioner.

Accordingly, for the reasons stated in my letter to you of December 4, 1979, it is respectfully requested that the hearing in the matter now before the Board of Appeals be postponed until after the decision by the Zoning Commissioner has been announced and the time for appeal from that decision has run.

Thank you for your cooperation in this matter.

Very truly yours,

Alan H. Fisher
Alan H. Fisher
G. Stewart Webb, Jr.
G. Stewart Webb, Jr.
Counsel for Petitioner

RECEIVED
BALTIMORE COUNTY
MAY 1 1980
OFFICE OF THE
ZONING COMMISSIONER

Enclosure
cc: Sterling L. Leppo
Mrs. Frances Hewitt
Mr. Charles W. Chambers
John W. Hession, III, Esq.

cc: James E. Dyer
Mr. William Hammond
Mr. John Seyffert
Mr. John Hershberger

10/25/79 - Notified the following of the appeal hearing scheduled for WEDNESDAY, Dec. 26 at 10 am

Alan H. Fisher, Esq.
Chesapeake Homes, Inc.
Mrs. Frances Hewitt
John W. Hession
James E. Dyer

Charles W. Chambers
Ms. Cynthia L. Fisher
Mr. W. E. Hammond
Mr. J. Seyffert
Ed. of Education
Carol Beresh

10/29/79 - Notice that was mailed 10/25 came back, wrong address. Looked up and mailed 7133 Rutherford Rd., Balto., Md. 21207.

11/4/79 - Notified the above of the POSTPONEMENT of hearing for Dec. 26, 1979.

11/30/79 - Notified the above of the POSTPONEMENT of hearing for May 1, 1980 at 10 am

3/27/80 - Above notified of hearing scheduled for THURSDAY, MAY 15, 1980 at 10 a.m.

12/9/82 - Above notified of hearing set for Thursday, Jan. 6, '83, at 9:30 a.m.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
January 6, 1983

Ronald Reno, Esquire
1800 Mercantile Bank & Trust Bldg.
Baltimore, Maryland 21201

Re: Case No. 79-37-ASPH
Chesapeake Homes, Inc.

Dear Mr. Reno:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

Edith T. Elenhart
Edith T. Elenhart, Adm. Secretary

Encl.

cc: Chesapeake Homes, Inc.
Mrs. Frances Hewitt
Mr. Charles W. Chambers
Ms. Cynthia L. Fisher
John Hershberger
John W. Hession, III, Esq.
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Garber
Mr. J. G. Maxwell

COPY
VENABLE, BARTIER AND HOWARD

December 4, 1979

June Holmen
County Board of Appeals
Room 218
Court House
Towson, Maryland 21204

Re: Chesapeake Homes, Inc.
Case No. 79-37-ASPH (Item No. 259)

Dear Ms. Holmen:

I am writing to request a postponement of the hearing in the above-referenced case. The hearing is now scheduled on Wednesday, December 26, 1979, at 10 a.m. The reason for this request is that there is currently pending before the Zoning Commissioner a related matter involving the same subdivision (Northgate Hall) and arising out of the same facts and circumstances. In that matter, which is styled as Northgate Hall-Bowline Road, Case No. 79-205-V, Chesapeake Homes has been charged with a zoning violation in connection with the installation of tandem off-street parking facilities. The variance sought by Chesapeake Homes in the matter now before the Board of Appeals would allow amendment of the final development plan of Northgate Hall to show tandem off-street parking facilities. The two matters are thus closely related, and many of the issues presented in the two matters are identical. It is, therefore, respectfully suggested that, in the event an appeal is taken from the Zoning Commissioner's decision in the violation case, it might be more efficient for both cases to be heard at the same time.

COPY
VENABLE, BARTIER AND HOWARD

June Holmen
December 4, 1979
Page 2

There has been no decision in the violation case. This matter was first heard on January 30, 1979 before Deputy Zoning Commissioner Martinak, but he died before issuing an opinion. Thereafter, on October 24, 1979, the matter was again heard, this time before Deputy Zoning Commissioner Jung. Ms. Jung has not yet issued her opinion. Even if no appeal is taken from that opinion, and this of course depends upon the result, Ms. Jung's opinion will certainly bear upon the same issues raised in the instant appeal.

For the foregoing reasons, it is respectfully requested that the hearing in matter now before the Board of Appeals be postponed until after the decision by the Zoning Commissioner has been announced and the time for appeal from that decision has run.

Thank you for your consideration of this matter.

Very truly yours,

Alan H. Fisher

G. Stewart Webb, Jr.
Counsel for Petitioner

AHF:GSMJr:dvw

cc: Sterling L. Leppo (Chesapeake Homes, Inc.)
Mrs. Frances Hewitt
Mr. Charles W. Chambers
John W. Hession, III, Esq.
James E. Dyer
Mr. William Hammond
Mr. John Seyffert

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(410) 494-2382
S. ERIC DINENIA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

September 25, 1978

Alan H. Fisher, Esquire
1800 Mercantile Bank &
Trust Building
Baltimore, Maryland 21201

RE: Petitions for Variance and
Special Hearing
W/15 of Kilbuck Road, 125' N
of Vicky Road - 11th Election
District
Chesapeake Homes, Inc. -
Petitioner
NO. 79-37-ASPH (Item No. 259)

Dear Mr. Fisher:

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

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/sf

Attachments

cc: Mrs. Frances Hewitt
4802 Vicky Road
Baltimore, Maryland 21236
John W. Hession, III, Esquire
People's Counsel

494
3353

Aug. 16, 1978 1:00 PM
NO. 37-ASPH
Item No. 259

Chesapeake Homes, Inc. - Petitioner

West side of Kilbuck Road, 125 feet north
of Vicky Road, 11th Election District -
11th Election District

Petitioner for Variance to permit tandem
off-street parking and a special
hearing to approve an amendment
to the development plan by
allowing a change of the side lane
configuration of the driveway as
shown on the proposed amended
development plan (i.e., in addition
in lieu of the acquired side by
side) 1st lot Nos. 2-1 thru 2-7
2-35, 2-40, 2-43, 2-1 thru 2-36
2-1 thru 2-38, 2-29, 2-31, 2-41
2-42, 2-43, 2-11, 2-12, 2-14 and
2-15

October 6, 1978

Mrs. Frances Hewitt
1800 Vicky Road
Baltimore, Maryland 21236

RE: Petition for Variance and Special Hearing
W/S of Kilbride Rd., 125' N of Vicky Rd.
11th Election District
Chesapeake Homes, Inc. - Petitioner
No. 79-37-ASPH (Item No. 259)

Dear Mrs. Hewitt:

Please be advised that an appeal has been filed by Alan H. Fisher, Esquire on behalf of Chesapeake Homes, Inc., from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,
S. Eric Dinenia
S. ERIC DINENIA
Zoning Commissioner

SED/so

cc: John V. Heslian, III, Esquire
People's Counsel

Chesapeake Homes, Inc.
1900 Bulphur Spring Rd.
Baltimore, Maryland 21227

NOTICE OF HEARING

RE: Petition for Variance and Special Hearing, W/S of Kilbride Rd., 125' N of Vicky Rd., 11th District, Chesapeake Homes, Inc. - Petitioner, Case No. 79-37-ASPH

TIME: 1:00 P.M.

DATE: Wednesday, August 16, 1978

PLACE: ROOM 106, COUNTY OFFICE BUILDING, 111 N. CHESAPEAKE AVENUE, TOWSON, MARYLAND

S. Eric Dinenia
S. ERIC DINENIA
ZONING COMMISSIONER OF BALTIMORE COUNTY

cc: Thomas, Herman & Hildegarde, Inc.
8013 Bolind Road
Baltimore, Md. 21236

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 464-3361

S. ERIC DINENIA
ZONING COMMISSIONER

August 14, 1978

Chesapeake Homes, Inc.
1900 Bulphur Spring Rd.
Baltimore, Maryland 21227

RE: Petition for Variance and Special Hearing
W/S of Kilbride Rd., 125' N of Vicky Rd.
11th District
Case No. 79-37-ASPH (Item No. 259)

Dear Sir:

This is to advise you that \$150.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Mrs. Campagna, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
S. Eric Dinenia
S. ERIC DINENIA
Zoning Commissioner

SED/so

THIS IS TO CERTIFY that the annexed advertisement of PETITION FOR SPECIAL HEARING - Maryland Title Guaranty Company was inserted in the following:

- | | |
|--|--|
| ☐ Catonsville Times | ☒ Towson Times |
| ☐ Dundalk Times | ☐ Arbutus Times |
| ☐ Essex Times | ☐ Community Times |
| ☐ Suburban Times East | ☐ Suburban Times West |

weekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 28th day of July 1978, that is to say, the same was inserted in the issues of July 27, 1978

STROMBERG PUBLICATIONS, INC.
BY *Esther Borge*

Mr. Neil Charles W. Charles
9627 Bayview Rd
1416 011 2125 CASE #15
LOT A-22
Northgate Hdt #2151
256-9454
4-37-ASPH
CHESAPEAKE HOMES, INC.
F.U.C.

Dear Sirs:
We protest the single driveway which was authorized on our lot January 1977.
We request that a side by side (double) driveway be constructed as required by County Code be constructed to replace the single driveway.
Chesapeake Homes misrepresented the facts about double parking facts to us at time of settlement, i.e. they advised us that a single driveway was all they were required to install.

Thank you for your consideration in this matter.
Charles W. Charles
ZONING DEPARTMENT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenia, Zoning Commissioner Date: July 27, 1978
FROM: Leslie H. Groef, Director of Planning
SUBJECT: Petition #79-37-ASPH, Item #259

Petition for Variance for tandem off-street parking and Special Hearing for an amendment to a development plan
West side of Kilbride Road, 125 feet North of Vicky Road
Petitioner - Chesapeake Homes, Inc.

11th District

HEARING: Wednesday, August 16, 1978 (1:00 P.M.)

The amended plan was approved by the Baltimore County Planning Board at the meeting on April 2, 1978. This office supports the requested change.

Leslie H. Groef
Leslie H. Groef, Director of Planning

LHG:JGH:hw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenia, Zoning Commissioner Date: July 27, 1978
FROM: Leslie H. Groef, Director of Planning
SUBJECT: Petition #79-37-ASPH, Item #259

Petition for Variance for tandem off-street parking and Special Hearing for an amendment to a development plan
West side of Kilbride Road, 125 feet North of Vicky Road
Petitioner - Chesapeake Homes, Inc.

11th District

HEARING: Wednesday, August 16, 1978 (1:00 P.M.)

The amended plan was approved by the Baltimore County Planning Board at the meeting on April 2, 1978. This office supports the requested change.

Leslie H. Groef
Leslie H. Groef, Director of Planning

LHG:JGH:hw

PETITION FOR VARIANCE AND SPECIAL HEARING

ZONING: 11th District
Petition for Variance for tandem off-street parking and Special Hearing for an amendment to a development plan
LOCATION: West side of Kilbride Road, 125 feet North of Vicky Road
DATE & TIME: Wednesday, August 16, 1978 at 1:00 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 N. Chesapeake Avenue, Towson, Maryland

The Zoning/Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit tandem off-street parking in lieu of the required side by side parking and a Special Hearing, under Section 200.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the development plan of Northgate Hall, Section 2 as approved on October 13, 1977, by allowing a change of the site and configuration of the driveways as listed on the proposed amended development plan (i.e., in tandem in lieu of the required side by side) for lots Nos. A-1 thru A-27, A-28, A-29, A-30, B-1 thru B-29, C-1 thru C-28, A-31, A-32, A-33, B-31, B-32, B-33, D-11 and D-15

The Zoning Regulation to be exempted as follows:

Section 1802.22 - off-street parking not subject to blockage

All that parcel of land in the Eleventh District of Baltimore County

Being the property of Chesapeake Homes, Inc., as shown on plat plan filed with the Zoning Department
Hearing Date: Wednesday, August 16, 1978 at 1:00 P.M.
Public Hearing: Room 106, County Office Building, 111 N. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENIA, ZONING COMMISSIONER
AND
GEORGE J. MANTHA, DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE Bldg.
111 N. Chesapeake Blvd.
TOWSON, MARYLAND 21204

CCU

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

August 3, 1978

Mr. W. Dean Hanson
1900 Sulphur Spring Road
Baltimore, Maryland 21227

RE: Special Hearing/Variance
Item No. 259
Petitioner - Chesapeake
Homes, et al

Dear Mr. Hanson:

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 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 a number of lots located in the newly developing subdivision of North Gate Hall, Section 2, which is located on the southeast corner of Joppa Road and Kilbridge Avenue in the 11th Election District.

This combination hearing originates as a result of the failure to comply with the approved final development plan which required each lot in this section to be provided with two off street parking spaces side by side. Since none of the lots have been sold with the single driveway and some have yet to be settled, this combination hearing is being requested in order to give these lots the option of having tandem or side by side parking.

In a letter dated May 18, 1978, to Mr. DiNenna, Zoning Commissioner, Mr. Richard Goodman, Director Land Development for Chesapeake Homes, requested that since he was having difficulty obtaining signatures from all the residents that have settled on their properties, he requested Mr. DiNenna gave the permission to do this at this time, I would like to point out that the remaining lots that are

Mr. Hanson
Page 2
August 3, 1978

not the subject of this hearing must be corrected.

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 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:cmr
Enclosure

cc: Evans, Hagan & Holdrege, Inc.
8013 Delair Road
Baltimore, Maryland 21236

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURNING, P.E.
DIRECTOR

July 18, 1978

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

Re: Item #259 (1977-1978)
Property Owner: Chesapeake Homes, et al
W/S Kilbridge Rd. 125' N. Vicky Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Sec. 2, Plate 1, 2, 3, 4 and 5 as approved on October 13, 1977, by allowing a change in the size and configuration of the driveways and Variance to permit tandem off street parking in lieu of the required side by side parking.
Acres: 42.52 District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plan 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 covered by Public Works Agreement No. 17700, executed in conjunction with the development of North Gate Hall, of which this property comprises "Remedial Division Plat 'C', Remedial Division Plat 'D', and Remedial Division Plat 'E', recorded E.R.R., Jr. 38, Police 71, 72 and 73, respectively.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #259 (1977-1978).

Very truly yours,
Thornton M. Mourning
THORNTON M. MOURNING, P.E.
Chief, Bureau of Engineering

END:KAM/PWR:ss
cc: C. Harfield
W-SE & NW Key Sheets
36, 37 & 38 SE 30 & 31 Pos. Sheets
NE 7 & 8 Topo
72 Tra Map

PETITION AND SITE PLAN

EVALUATION COMMENTS

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
001-09-001

LESLIE H. GRAEF
DIRECTOR

July 24, 1978

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

Dear Mr. DiNenna

Comments on Item #259, Zoning Advisory Committee Meeting, June 13, 1978, are as follows:

Property Owner: Chesapeake Homes, et al
Location: W/S Kilbridge Road 125' N. Vicky Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Sec. 2, Plate 1, 2, 3, 4 and 5 as approved on October 13, 1977, by allowing a change in the size and configuration of the driveways and Variance to permit tandem off-street parking in lieu of the required side by side parking
Acres: 42.52
District: 11th

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

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD I. ROPF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

July 25, 1978

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

Dear Mr. DiNenna:

Comments on Item #259, Zoning Advisory Committee Meeting of June 13, 1978, are as follows:

Property Owner: Chesapeake Homes, et al
Location: W/S Kilbridge Rd. 125' N. Vicky Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Sec. 2, Plate 1, 2, 3, 4 and 5 as approved on October 13, 1977, by allowing a change in the size and configuration of the driveways and Variance to permit tandem off street parking in lieu of the required side by side parking.
Acres: 42.52
District: 11th

Metropolitan water and sewer are available, therefore the proposed variances should not present any health hazards.

Very truly yours,

Thomas E. Devlin
Thomas E. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TED/TED/PLG

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
13011 4th 2500

STEPHEN E. COLLINS
DIRECTOR

June 23, 1978

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

Item No. 259 - SAC - June 13, 1978
Property Owner: Chesapeake Homes, et al
Location: W/S Kilbridge Rd. 125' N. Vicky Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Sec. 2, Plate 1, 2, 3, 4 and 5 as approved on October 13, 1977, by allowing a change in the size and configuration of the driveways and Variance to permit tandem off street parking in lieu of the required side by side parking.
Acres: 42.52
District: 11th

Dear Mr. DiNenna:

The Variance should have little effect on traffic. It would very probably cause more vehicles to be parked on the street than would otherwise park there if the variance were not granted.

Very truly yours,

Stephen E. Weber
Stephen E. Weber
Engineer I

SEM/ham

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
001-09-001

Paul H. Reincke
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Chesapeake Homes, et al

Location: W/S Kilbridge Rd. 125' N. Vicky Rd.

Item No. 259 Zoning Agenda Meeting of 06/13/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (1) Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (2) A second means of vehicle access is required for the site.
- (3) The vehicle dead end condition shown at _____ VIOLATES the maximum allowed by the Fire Department.
- (4) The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (5) The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.
- (6) Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Thomas E. Devlin* Noted and Approved: *George M. Magallon*
Planning Group, Special Inspection Division Fire Prevention Bureau

June 8, 1978

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

Dear Mr. DiNenna:
Comments on the #259 Zoning Advisory Committee Meeting, June 13, 1978
are as follows:

Property Owner: Chesapeake Homes, et al
Location: W/S Kilbridge Road 125' N Vicky Road
Revised Zoning: D.M. 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Section 2, Plate 1,2,3,4, & 5 as approved on October 13, 1977, by allowing a change in the site and configuration of the driveway & Variance to permit tandem off street parking in lieu of the required side by side parking.

Area: 12.52
District: 11th
The items checked below are applicable:

- Structure shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building Code and other applicable codes.
- A building permit shall be required before construction can begin.
- Additional _____ Permits shall be required.
- Building shall be upgraded to new use - requires alteration permit.
- Three sets of construction drawings will be required to file an application for a building permit.
- Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- Good frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- Requested setback variances conflict with the Baltimore County Building Code. See Section _____

- Xi. Comment: As to parking variance.
J. Comment:

Very truly yours,
Charles E. Dunham
Charles E. Dunham
Planning Services Chief

CEB:72

Jane Holman
December 4, 1979
Page 2

There has been no decision in the violation case. This matter was first heard on January 30, 1979 before Deputy Zoning Commissioner Martinak, but he died before issuing an opinion. Thereafter, on October 24, 1979, the matter was again heard, this time before Deputy Zoning Commissioner Jung. Ms. Jung has not yet issued her opinion. Even if no appeal is taken from that opinion, and this of course depends upon the result, Ms. Jung's opinion will certainly bear upon the same issues raised in the instant appeal.

For the foregoing reasons, it is respectfully requested that the hearing in matter now before the Board of Appeals be postponed until after the decision by the Zoning Commissioner has been announced and the time for appeal from that decision has run.

Thank you for your consideration of this matter.

Very truly yours,

Alan H. Fisher

C. Stewart Webb, Jr.
Counsel for Petitioner

ANP:057:drw

cc: Sterling L. Legno (Chesapeake Homes, Inc.)
Mrs. Francis Hewitt
Mr. Charles W. Chambers
John W. Tinsman, III, Esq.
James P. Dyer
Mr. William Hammond
Mr. John Spiffert

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 8, 1978

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

Z.A.C. Meeting of: June 13, 1978

RE: Item No: 259
Property Owner: Chesapeake Homes, et al
Location: W/S Kilbridge Rd. 125' N. Vicky Rd.
Present Zoning: D.M. 5.5
Proposed Zoning: Special Hearing to amend the development plan of Northgate Hall, Sec. 2, Plate 1,2,3,4, & 5 as approved on October 13, 1977, by allowing a change in the site and configuration of the driveway and Variance to permit tandem off street parking in lieu of the required side by side parking.

District: 11th
No. Acres: 42.52

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

JOSEPH H. WIGGAM, PRESIDENT
Y. EATON WILLIAMS, JR., VICE-PRESIDENT
MARCUS H. BOYANIK

THOMAS H. BOYER
MRS. LOURNE F. CHURCH
ROBERT B. HAYDEN
ROBERT V. GIBEL, SECRETARY

ALVIN LORECK
MRS. MILTON A. SMITH, JR.
RICHARD W. TRACY, D.V.M.

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Mr. W. Dean Hanson
1900 Sulphur Spring Road
Baltimore, Maryland 21227

Item No.
259

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

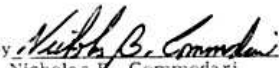
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 14th day of July, 1978


S. ERIC DINENNA
Zoning Commissioner

Petitioner Chesapeake Homes, et al
Petitioner's Attorney

Reviewed by


Nicholas E. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Evans, Hagan & Holdefer, Inc.
8013 Belair Road
Baltimore, Maryland 21227

79-37ASPH

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 7-31-78
Posted for: Variances
Petitioner: Chesapeake Homes Inc.
Location of property: W/S Killbuck Road 125' N of
Vicky Road
Location of Signs: As noted on plat
Remarks: _____
Posted by G. F. Funn Date of return: 7-31-78
Signature

8-signs

