

Pursuant to the advertisement, posting of property, and public hearing on the office and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of February, 1982, that the Petition for Variance(s) to permit the existing stone carriage house being converted to a dwelling use to be located within 35 feet of the centerline of the street in lieu of the required 50 feet and to have a side/window setback of 5 feet in lieu of the required 25 feet from the street right of way and to permit the existing accessory structures, i.e., spring house on Lot 7, pump house on Lot 6, and root cellar on Lot 4, as identified on the site plan prepared by Martin P. Azola, Inc., dated November 24, 1982, and marked Petitioner's Exhibit 12, to remain in the front and/or side yards in lieu of the required rear yard is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

John M. Hammond
Deputy Zoning Commissioner of
Baltimore County

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

DEVON HILL
Subdivision Name, Section and/or Plat
MARTIN P. AZOLA, INC. / LYON ASSOC.
Developer and/or Engineer
JAMES FALLS Watershed No. of Lots or Units 41 Total Acreage 20.76 Public Water Public Sewer

COMMENTS ARE AS FOLLOWS:

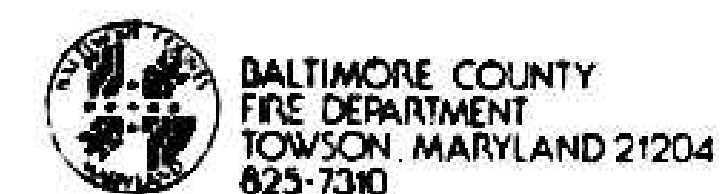
- Soil percolation tests are required; a minimum of two tests are required within a designated 10,000 square foot sewage disposal reserve area. After soil tests have been conducted, the engineer and/or developer is responsible for meeting with the Health Department to determine any needed revisions and submitting three (3) final prints of acceptable plans.
- Soil percolation tests have been conducted. Revised plans must be submitted prior to approval of plats, and not required and the plat can be approved as submitted. Contact this office at 474-2762 for more complete information.
- Public sewers must be utilized and/or extended to serve the property.
- No sewage disposal area shall be located within feet of any perennial stream or body of water or within a 100-year floodplain and must be 10 feet removed from any easement or property line.
- Wells must be located a minimum distance of from any sewage disposal areas, 100 ft. from any wells, 40 ft. from dwellings, 10 ft. from property lines, 15 ft. from road widening easements, and must be positioned at a higher elevation than the sewage disposal area on the same lot.
- Public water must be utilized and/or extended to serve the property.
- Due to a possible seasonal change in the groundwater table, soil tests must be conducted between February 1 and April 30.
- Sewage disposal areas must not be placed on slopes of 25% or greater.

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH
Page 2

- A Hydrogeological Study and Environmental Effects Report for this subdivision must be submitted, must be updated, can be waived, must be revised.
- A Water Appropriation Permit Application must be submitted. Note: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.
- locate all existing bodies of water, wells and septic systems within the property and within 100 feet of the exterior property line.
- The developer must contact this office at 474-2762 to arrange for a meeting to discuss needed revisions prior to application for percolation test.
- This plan can be approved as submitted.
- This plan cannot be approved at this time. See checked revisions and/or comments.
- EXISTING SEPTIC SYSTEM MUST BE ABANDONED IN ACCORDANCE WITH HEALTH DEPT. REQUIREMENTS WHEN SANITARY SEWER IS CONNECTED TO EXISTING STRUCTURES.
- EJECTOR SYSTEMS MUST CONSIST OF MIN. 1000 GAL CAPACITY PUMP PIT - DUAL EJECTOR PUMPS AND ALARM SYSTEM TO DETECT MECHANICAL OR ELECTRICAL FAILURE.

John M. Hammond
1/24/82

SS 782



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

December 20, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Devon Hill, Ltd.

Location: S/S W. Lake Drive 1350' E. from centerline of Falls Road

Item No.: 112 Zoning Agenda: Meeting of December 7, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "R" 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 or 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 EXCEEDS 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 operation.
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", 1976 Edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *John M. Hammond* Noted and Approved: *George M. Hammond*
Planning Group Fire Prevention Bureau
Special Inspection Division

JX/mh/cn

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dube, Superintendent Towson, Maryland 21204

Date: December 6, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 7, 1982

RE: Item No. 107, 108, 109, 110, 111, 112
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp

RE: Petition for VARIANCES : BEFORE THE ZONING COMMISSIONER
S/S of West Lake Dr., 1,350'
E of Falls Rd., 9th District : OF BALTIMORE COUNTY
DEVON HILL, LTD., Petitioner : Case No. 83-177-A

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of January, 1983, a copy of the foregoing Order was mailed to Gail Stern, Attorney, 2 Hopkins Plaza, The Mercantile Building, Baltimore, Maryland 21201, Attorney for Petitioner.

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

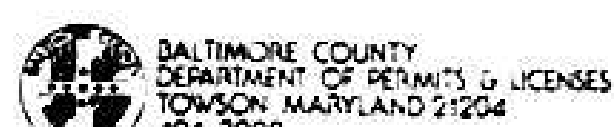
RE: Petition for Zoning * BEFORE THE
VARIANCES * ZONING COMMISSIONER
S/S of West Lake Drive, *
1,350' E of Falls Rd. *
9th District * OF
DEVON HILL, LTD. *
PARTNERSHIP, Petitioner * BALTIMORE COUNTY
* Case No. 83-177-A

MEMORANDUM IN SUPPORT OF PETITIONER'S POSITION
THAT THE ZONING COMMISSIONER HAS AUTHORITY TO
VARIANCE THE PROVISIONS OF THE COMPREHENSIVE
MANUAL OF DEVELOPMENT POLICIES ("C.M.D.P.")

Devon Hill Ltd. Partnership, Petitioner, has requested certain variances from the provisions of C.M.D.P. An issue has been raised regarding the authority of the Zoning Commissioner to grant such variances. For the following reasons, the Zoning Commissioner does, in fact, have such authority.

I. THE PETITIONER IS ENTITLED TO A VARIANCE FROM THE SETBACK PROVISIONS OF C.M.D.P. BECAUSE C.M.D.P. MERELY SUPPLEMENTS THE ZONING REGULATIONS AND THE PROVISIONS THEREOF CAN THEREFORE BE VARIANCED PURSUANT TO THE PROVISIONS OF SECTION 307 OF THE BALTIMORE COUNTY ZONING REGULATIONS ("B.C.Z.R.").

Clearly the provisions of Sections V.B. 6(a) and V.B. 9 of the C.M.D.P. are intended to supplement the general requirements of the B.C.Z.R. The requirements of Article 1B of the B.C.Z.R. explicitly refer to the promulgation of setback standards by the Planning Board. For example, Section 1.B01.2.C.3, provides that the setback of a building from the center lane of any preexisting street "shall be 50 feet or such greater distance as may be prescribed under standards adopted pursuant to the authority of Section 504." B.C.Z.R. §1.B01.2.C.3 (1981 ed.) Therefore, because the B.C.Z.R. explicitly refer to the setback standards of the C.M.D.P., the pertinent provisions of the C.M.D.P. are properly subject to variance by the Zoning Commissioner in accordance with Section 307 of the B.C.Z.R.



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 112 Zoning Advisory Committee Meeting
are as follows:

Property Owner: Devon Hill, Ltd.
Location: S/S W. Lake Drive 1350' E. from centerline of Falls Road.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit the existing stone carriage house to be converted to a single family dwelling within 35' of the centerline of future 60' R/W of W. Lake Avenue in lieu of the required 50' and 5' window to street R/W in lieu of the required 25' and to permit existing accessory structures to remain in the front and side yard in lieu of the required rear yard. CHG

- All structures shall conform to the Baltimore County Building Code 1981/Ordinance 111-1-21 State of Maryland Code for the Building and Code and other applicable Code.
- A building and other structures shall be required before beginning construction.
- Structural: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.
- Construction: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 5' of an adjacent lot line shall be of one hour fire resistant construction, no openings permitted within 3'-0" of lot line. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 107 and Table 102.
- Proposed variance conflicts with the Baltimore County Building Code, Section 5.
- A change of occupancy shall be required for, along with an alteration permit application, and three revised sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal. (Applicable to carriage house conversion) also conversion of stables, etc., to conform shall comply with "B-2 Use", Code requirements as per Table 308.6.
- Before this office can continue on the above structure, please have the owner, three sets of drawings in Maryland Registered Architect or Engineer seal to this office, and the structure for which a proposed change is not in proposed compliance with the height/area requirements of Table 305 and the required construction classification of Table 101.
- Comments: All structures shall comply with the height and area requirements for the proposed uses. See Table 305. Show handicapped parking, typical units, signs, curb cuts, etc., as per state code. Should it develop that a flood plain exists, no construction will be permitted within the flood plain area.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Charles E. Berman
Charles E. Berman, Chief
Plans Review

Section 307 of the B.C.Z.R. provides that the Zoning Commissioner may grant variances from height and area regulations where strict compliance with the Zoning Regulations would result in practical difficulty or unreasonable hardship. Such variance "shall be granted only if in strict harmony with the spirit and intent of said . . . area . . . regulations, and only in such manner as to grant relief without substantial injury to public health, safety, and general welfare." B.C.Z.R. §307 (1981 ed.).

In this instance, the structure not in strict compliance with the C.M.D.P. is a 125-year old stone carriage house. Its stone walls have withstood the test of time, providing shelter for man and beast alike for over a century. Indeed, it appears that the carriage house has served, among other things, as a permanent and temporary residence for over 100 years.

Rather than demolish this magnificent structure, Devon Hill Ltd. Partnership plans to incorporate the carriage house into the development. In so doing, it seeks to preserve the aesthetics of the property, of which the carriage house is intrinsically a part, and to protect and preserve this building, which is of significant cultural, historical, and architectural value.

Because the carriage house is technically in violation of the setback provisions of C.M.D.P. §5V.B. 6(a) and V.B. 9, Devon Hill is seeking relief by requesting a variance from these sections. Absent the variance, Devon Hill will be faced with the distasteful and distressing alternative of tearing down this valuable building. In this instance, compliance with the C.M.D.P. would constitute practical difficulty and unreasonable hardship. Compliance would not be in harmony with the spirit and intent of the regulations. On the contrary, the regulations

reflect an intent to preserve examples of our agrarian heritage and to encourage variety and diversity within new developments. The preservation of the carriage house will undoubtedly further these objectives. On the other hand, to tear it down would cause substantial injury to the public health, safety, and welfare.

Devon Hill seeks a variance from the setback restrictions of the C.M.D.P. rather than from any use restrictions. As the Court of Appeals of Maryland has recognized, there is a practical distinction between a use variance and a height or area variance. "[V]ariations going to such matters as area, height or setbacks, are much less drastic than those affecting the use of property." Loyola Federal Savings & Loan Ass'n. v. Buschman, 227 Md. 243 (1961). While the Court in Loyola pointed out that the distinction does not affect the test to be employed under Section 307, petitioner asserts that it is a relevant consideration. The variance sought will not detrimentally change the character of the development; rather, the preservation of the carriage house will serve to enhance the development's character and ambiance.

The decision of the Court of Appeals in McLean v. Solely, 270 Md. 208 (1973) is dispositive of the instant case. In that case, the petitioner sought relief from Baltimore County's side yard window setback requirement in order to retain the property's "present trees and natural growth, terrain and topography which provides excellent drainage and natural screening and beauty." Id. at 210. The Court upheld the granting of the variance because strict compliance with the zoning requirements would result in the destruction of the trees, the benefits of the retention of the trees would generate the general public, greater density would result from strict

compliance, and there was minimal evidence that the variance would result in detriment to the neighboring land owners.

Similarly, in this case strict compliance with the setback provisions could result in the destruction of the carriage house. The benefits of preserving this structure of significant cultural value far outweigh any possible detriment. Its preservation accrues to the benefit of the general public with no apparent detriment to anyone.

ARGUMENT

II. BECAUSE THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES WAS PROMULGATED PURSUANT TO SECTION 504.2 OF THE ZONING REGULATIONS OF BALTIMORE COUNTY, THE POWER OF THE ZONING COMMISSIONER TO GRANT VARIANCES, PURSUANT TO SECTION 307 OF THE ZONING REGULATIONS, EXTENDS TO THE PROVISIONS OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES.

Section 504.1 of the B.C.Z.R. empowers the Planning Board to "adopt and implement administrative, project design, or planning policies or procedures which are not inconsistent with these regulations and which further the purposes thereof." B.C.Z.R. §504.1 (1981 ed.). The B.C.Z.R. require the Office of Planning and Zoning to compile a comprehensive manual of the land use and development policies adopted by the Planning Board. Id. at §504.2. In addition, such manual is authorized to include provisions of the B.C.Z.R. Id.

In accordance with these provisions and in reference thereto, the Office of Planning and Zoning promulgated the Comprehensive Manual of Development Policies, which sets forth design development standards. Included therein are height and area standards, which were promulgated to supplement the provisions of the B.C.Z.R. dealing with height and area regulation. See C.M.D.P. §5V.B. 6, V.B. 9. That the C.M.D.P. is expressly authorized by the B.C.Z.R. mandates the conclusion that, as in

the case of the B.C.Z.R. themselves, the Zoning Commissioner of Baltimore County has the power to grant variances from the C.M.D.P.

The Commissioner's power to grant variances from the C.M.D.P. is limited only by the provisions of Section 307 of the B.C.Z.R. Section 307 provides, in pertinent part:

The Zoning Commissioner of Baltimore County . . . shall have and [is] hereby given the power to grant variances from height and area regulations, from offstreet parking regulations and from sign regulations, only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. . . .

B.C.Z.R. §307 (1981 ed.). Close scrutiny of Section 307 clearly indicates that it does not restrict the Commissioner's power to grant variances to those regulations explicitly included within the Zoning Regulations. The Section unambiguously provides that the Zoning Commissioner may grant variances from any regulations promulgated, limited only by the restrictions within Section 307 as to the nature of the regulations (e.g., height and area) which are subject to variance. Moreover, while Section 307 does refer to the "Zoning Regulations for Baltimore County", petitioner asserts that the language is in reference to the Zoning Regulations and any other regulations promulgated thereunder. Therefore, since the C.M.D.P. was promulgated under the express authority of Section 504 of the B.C.Z.R., the Commissioner's power to grant variances from the Zoning Regulations logically and necessarily extends to those sections in the C.M.D.P. which supplement those provisions of the Zoning Regulations properly subject to variance under Section 307.

Although it might be contended that Section 307 explicitly prohibits the Commission from granting variances from the C.M.D.P., the position is without merit. Given that Section

307 does state that the Commissioner "shall have no power to grant any other variance", this language must be considered in its proper context. Section 307 reflects an intention by the County Council that the Commissioner shall have the power to grant variances only from height and area regulations, offstreet parking regulations, and sign regulations where certain other requirements are satisfied. The subsequent language merely serves to clarify the Council's intent that the power to grant variances is limited by the nature of the variance to be granted, not by the source of the regulation.

III. IN THAT SECTION 504.1 REFLECTS THE COUNCIL'S INTENT THAT THE ZONING REGULATIONS ARE TO BE SUPREME IN RELATION TO THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES, THE COMMISSIONER'S POWER TO GRANT VARIANCES FROM THE ZONING REGULATIONS EXTENDS TO THE C.M.D.P.

The Council's intent that the Zoning Commissioner possesses the power to grant variances from the C.M.D.P. is further evidenced by the language of Section 504.1. This provision authorizes the Planning Board to adopt policies which are "not inconsistent with these regulations and which further the purposes thereof." B.C.Z.R. §504.1 (1981 ed.). Clearly the framers' intent was that the Zoning Regulations are to be supreme. Therefore, because the Zoning Commissioner is to possess a power to grant variances from these controlling regulations, the Zoning Commissioner's power must extend to the implementary policies set forth in the C.M.D.P.

Moreover, Section 504.2 of the Zoning Regulations provides that the C.M.D.P. may include provisions of the Zoning Regulations. In accordance with this section, the Office of Planning and Zoning might include within the C.M.D.P. those provisions of the Zoning Regulations which are subject to variance under Section 307. Clearly the Council did not intend

that the Commissioner's power to grant variances could be rendered a nullity simply by the inclusion of these provisions of the Zoning Regulations in the C.M.D.P. Yet, unless the Zoning Commissioner possesses the power to grant variances from the C.M.D.P., that is precisely the effect.

IV. BECAUSE THE POWERS OF THE ZONING COMMISSIONER ARE NECESSARILY BROAD IN SCOPE, SUCH POWERS EXTEND TO ALL LAND USE AND DEVELOPMENT REGULATIONS, UNLESS THE ZONING REGULATIONS OTHERWISE PROVIDE.

Direct support for the proposition that the Zoning Commission does possess the power to grant variances from the C.M.D.P. can also be found in the general language of Section 500 of the Zoning Regulations. That Section, which sets forth the duties and powers of the Zoning Commissioner, explicitly provides that the Commissioner's powers generally extend to all Baltimore County zoning regulations. For example, Section 500.6 provides:

In addition to his aforesaid power, the Zoning Commissioner shall have the power, upon notice to the parties in interest, to conduct hearings involving any violation of alleged violation with any zoning regulations or the proper interpretation thereof, and to pass his order thereon . . .

B.C.Z.R. §500.6 (1981 ed.) (emphasis supplied). Section 500.7 similarly states:

The said Zoning Commissioner shall have the power to conduct such hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations. . . .

B.C.Z.R. §500.7 (1981 ed.) (emphasis supplied). These sections reflect an unambiguous legislative determination that the Zoning Commissioner's power shall be broad in scope, so as to assure that all regulations which affect land use and development operate in furtherance of the overall objectives of the County's land use scheme. For example, Section 1 B01.3.A.7.c.iv. of the

B.C.Z.R. provides that the Zoning Commissioner must, in certain instances, make certain certifications regarding "this article and other Baltimore County land use and development requirements administered by them". This provision clearly indicates that the Zoning Commissioner's authority extends to all land use and development regulations, and not just the B.C.Z.R. Indeed, unless the Commissioner's power extends to the C.M.D.P., which inevitably impacts upon the overall scheme, there exists a substantial danger that the scheme itself could fail because of the inability of the various regulations to interact properly and to function in harmony. Therefore, absent an express legislative declaration to the contrary, the Zoning Commissioner's discretionary power of variance must extend to all regulations which implement and complement the Zoning Regulations.

In those instances where the exercise of the Commissioner's power is limited to situations involving the application of the zoning regulations themselves, the Zoning Regulations expressly so provide. For example, Section 500.7 provides that in addition to the power to "conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations", the power given also includes the right of any interested person to petition the Zoning Commissioner for a public hearing to determine, in part, "any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations." B.C.Z.R. §500.7 (1981 ed.) (emphasis supplied). Section 500.7 thereby grants, without limitation, the power to the Zoning Commissioner to conduct a public hearing upon petition by an interested person to those instances in which the property rights of such person are affected by the B.C.Z.R. themselves. The Commissioner's other powers extend to

any regulations, "as necessary for the proper enforcement of all zoning regulations." Id. Therefore, because the Commissioner's power to grant variances is not expressly limited to the provisions of the B.C.Z.R., the power extends to the provisions of the C.M.D.P.

V. IN A RECENT PETITION FOR A VARIANCE FROM THE PROVISIONS OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES, THE ZONING COMMISSIONER CORRECTLY REASONED THAT THE ZONING OFFICE DOES POSSESS THE POWER TO GRANT VARIANCES FROM REGULATIONS PROMULGATED TO IMPLEMENT PROVISIONS OF THE ZONING REGULATIONS WHICH ARE PROPERLY A SUBJECT OF VARIANCE.

The Commissioner's analysis in a recent petition for a variance supports the proposition that the Commissioner possesses the power to grant variances from the C.M.D.P. See No. 81-172-A (Item No. 8) (Nov. 13, 1981). In that case the petitioner sought a variance from Baltimore County's trucking facility legislation. The legislation, regarding trucking facilities existing as a nonconforming use, provides that paving standards for such facilities shall be determined and promulgated by the Planning Board pursuant to its authority to compile the C.M.D.P. The petitioners therein were therefore actually seeking relief from standards imposed by the C.M.D.P.

While the Zoning Commissioner denied the petition, his comments in support of the decision compel the result sought in the instant case. The Zoning Commissioner was cognizant of the fact that he possessed no general power to grant a variance from all provisions of the C.M.D.P. The Commissioner correctly reasoned that "[t]he only possible argument favoring the conclusion that a variance to the paving requirements could be granted under Section 307 would be to conclude that the trucking facility paving requirements are offstreet parking requirements." Because the petitioners were unable to satisfy the

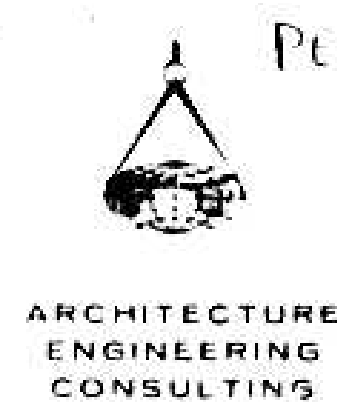
VALIDATION OR SIGNATURE OF CASHIER

Amendment to Existing Sections
V.B. 6 and V.B. 9

The requirements of this Section need not be complied with if the building is in existence prior to September 21, 1972.

Amendment to Existing Sections
V.B. 6 and V.B. 9

An exception to the requirements of this section may be made for existing buildings by the Planning Board (the Director of Planning) where strict compliance would result in practical difficulty or unreasonable hardship and where such exceptions are necessary to preserve existing buildings.



LYON ASSOCIATES, INC.

RESUME

ANTHONY J. CORTEAL
Director of Site Development
Project Manager
Lyon Associates, Inc.

Years experience: With This Firm 10, With Other Firms 8

Education: A.A. Maryland Institute Architectural Design
A.A. Anne Arundel Community College Land Planning
Business Management Essex Community College

Other Experience and Qualifications relevant to the proposed project:

Mr. Cortea is currently the Department Head for the Site Development Section of the Baltimore Design Office of Lyon Associates. From this position, he directs all phases of Lyon Associates' regional efforts in the disciplines of surveys, property line computations, and the preparation and processing of site development documents.

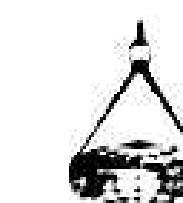
During his tenure with Lyon Associates, Mr. Cortea has been in responsible charge of the preparation of over 500 individual site development projects, ranging in size from 2500 square feet to 650 acres.

Preparation and approval of Site Development Documents, whether processed as part of a comprehensive project or a single entity, have given Mr. Cortea extensive experience in the field and has allowed for optimization of office efficiency under his direction. Mr. Cortea has repeatedly demonstrated the value of his diverse experience through successful completion of innumerable projects.

The following is a partial list of the projects for which Mr. Cortea was responsible.

- o Curtis Bay Coal Facility, Baltimore City, Maryland
- o White Flint Fashion Mall, Rockville, Maryland
- o Rash Field, Baltimore City, Maryland
- o Dundalk Community College, Maryland
- o Anne Arundel Community College
- o Winter Green, Mountain Ski Resort
- o Aberdeen Proving Grounds, Master Plan
- o BWI, Undeveloped Lands Proposal

With regard to Mr. Cortea's experience in zoning cases, the following is a list of projects within the past two years in which Mr. Cortea was directly responsible for preparing the necessary documents. Additionally, Mr. Cortea has testified as an expert witness for over 80% of the listed projects.



LYON ASSOCIATES, INC.

RESUME

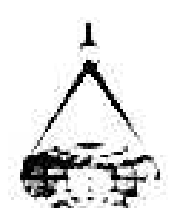
ANTHONY J. CORTEAL
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Baltimore County

Shell Oil Company 8200 Liberty Road	Setback Variance	August 3, 1982
Shell Oil Company 7100 Liberty Road	Setback Variance	January 3, 1983
Shell Oil Company Reisterstown Rd & Rosewood	Setback Variance	November 15, 1982
Arco Petroleum York and Ashland	Special Hearing Special Exception Area Variance	March 22, 1982
Arco Petroleum York and Joppa	Special Hearing Special Exception Area Variance	March 23, 1982
Arco Petroleum Stemmers and Marilyn	Special Hearing Special Exception Area Variance	January 3, 1983
Cloverland Farms Dairy York and Ridgely	Special Hearing Special Exception Area Variance	November 29, 1982
Taco Bell Joppa and Harford	Parking and Setback Variance	August 19, 1981
Taco Bell York and Willow	Parking and Setback Variance	

Baltimore City

Shell Oil Company 2001 Orleans St.	Conditional Use	March 26, 1982
Arco Petroleum 5920 Moravia Road	Board of Appeals to Permit Conversion	June 10, 1981
Arco Petroleum Edmondson and Swan	Conditional Use	May 6, 1981

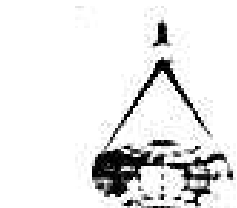


LYON ASSOCIATES, INC.

RESUME

ANTHONY J. CORTEAL
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Apostolic Housing Corp. Valley and Homewood	Request for 22 Setback Variances	June, 1982
N. Charles General Hospital Maryland Avenue	Board of Appeals to Permit Parking Lot	August, 1982
Cycle Shop O'Donnell Street	Conditional Use	August, 1981
Safeway Stores Belair and Kenwood	Re-zoning	January, 1981
<u>Prince George's County</u>		
Gulf Oil U.S. 2911 Colebrook Drive	Special Exception	January 20, 1983
Gulf Oil U.S. 1348 University Blvd.	Special Exception	September 15, 1982
Taco Bell University Blvd.	Special Exception Parking Variance	June, 1982
Taco Bell Oxon Hill	Special Exception Parking Variance	June, 1982
<u>Anne Arundel County</u>		
Arco Petroleum Camp Meade Road	Sign and Canopy Variance	March 4, 1982
Arco Petroleum Fort Smallwood & Valley	Sign and Canopy Variance	November, 1981
Arco Petroleum Ritchie Hwy. & McKinsey	Sign and Canopy Variance	November, 1981
<u>Howard County</u>		
Arco Petroleum Baltimore National Pike and Center Drive	Planning Board Appeals	January 12, 1983



LYON ASSOCIATES, INC.

RESUME

ANTHONY J. CORTEAL
Page 4

Fairfax, Virginia

Gulf Oil U.S. 7501 Richmond Highway	Special Exception	August 5, 1982
Sogecoliff Limited Lee Highway	Setback Variance	January, 1983
Taco Bell Lee Highway	Setback and Parking Variance	November, 1982

Washington, D.C.

Gulf Oil U.S. 2290 "P" Street, N.W.	Fine Arts Approval	July 15, 1982
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New Section
V.B. 12

Variance for Existing Buildings

The Director of Planning shall grant variances for existing buildings from the height and area regulations of this Section 5 in cases where strict compliance would result in practical difficulty or unreasonable hardship, if such variance is in strict harmony with the spirit and intent of said height and area regulations, and only in such a manner as to grant relief without substantial injury to the public health, safety and general welfare. Any refusal to grant a variance by the Director of Planning shall be referred to the Planning Board for a final decision if the developer so requests.

New Section
V.B. 12

Variance for Existing Buildings

The Planning Board shall grant variances for existing buildings from the height and area regulations of this Section 5 in cases where strict compliance would result in practical difficulty or unreasonable hardship, if such variance is in strict harmony with the spirit and intent of said height and area regulations, and only in such a manner as to grant relief without substantial injury to the public health, safety and general welfare.

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

1300 MERCANTILE BANK & TRUST BUILDING

2 HOPKINS PLAZA

BALTIMORE, MARYLAND 21201

TELEPHONE (301) 825-3647

CABLE "FRANKO"

TELETYPE "FRANKO"

BUTTE 812

AMERICAN CITY BUILDING

COLUMBIA, MARYLAND 21046

WRITER'S DIRECT NUMBER 18

(301) 825-3647

December 16, 1982

Baltimore County Zoning Commission
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance
Devon Hill Associates Cooper Property

Dear Mr. Hammond:

We have filed a Petition for Zoning Variance in connection with the development of the Cooper Property by Devon Hill Associates. The project consists of the renovation of the old mansion, the construction of new condominium units and the sale of building lots. We believe that it is an important project which greatly enhances the value of the surrounding community.

At this time, we would like to request that a hearing date be scheduled as soon as possible for the following reasons:

1. Any delays will result in the physical rehabilitation of the old mansion extending over a long period of time and placing a severe economic hardship on the developer.
2. A number of interested purchasers have expressed a desire to settle as soon as possible so that they can begin the rehabilitation of their individual units and the construction of homes on building lots. We are concerned that if there is an extensive delay in obtaining a variance hearing, our purchasers may be placed in the position of not being able to start construction until late 1983 and thus running into construction delays because of weather.

compliance with CMDF provisions, on property to be developed. The proposed amendments handle this dilemma in a variety of ways, any one of which I believe will provide a satisfactory solution.

As I am sure you understand, time is truly of the essence and I would very much appreciate your assistance in resolving this matter as soon as possible to everyone's satisfaction. I am available, as is my client, at your convenience, to meet with you and others to discuss this matter further.

I look forward to working with you on this matter.

Sincerely,

Gail M. Stern

Enclosure

cc: Mr. Martin Asola
Mr. Melvin Cole
Mr. Anthony Cortese
Mr. Nicholas Comodari
Mr. Kenneth D. Dryden
Mr. Norman Gerber
Mr. William Hammond

GMS:sl

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

Baltimore County Zoning Commissioner
December 16, 1982
Page Two

3. It is our understanding that we will not be able to record our record plat until we have received the variances, and thus we are prevented from going forward with the project until we have had the variance hearing and have obtained a decision.

4. The surrounding residents would like the renovation and construction to start as soon as possible. We believe that this project is looked upon very favorably by the community and everyone would prefer that it be completed as soon as possible.

The variances that we are requesting are necessary due to the fact that certain of the structures on the property are quite old and have existed long before there were any zoning regulations. We have been very careful in our request to avoid any variances which might be controversial or difficult, even though such variances might result in greater financial gain for the developer.

In light of the above facts, we are asking you and your office to process our request for the variances with expediency and efficiency and further request that a hearing date be scheduled as soon as possible.

Thank you very much for your consideration of our request. Please contact me if we can provide any additional information to you.

Sincerely,

Gail M. Stern

cc: Mr. Martin P. Asola
Mr. Nicholas Comodari

GMS:sl



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM C. HAMMOND
ZONING COMMISSIONER

Gail Stern, Esquire
The Mercantile Building
2 Hopkins Plaza
Baltimore, Maryland 21201

February 22, 1983

Re: Petition for variances
S/S of West Lake Drive, 1,350' E of Falls
Road - 9th Election District
Devon Hill, Ltd. - Petitioner
NO. 83-177-A (Item No. 112)

Dear Ms. Stern:

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

Very truly yours,

JEAN M.H. TUNG
Deputy Zoning Commissioner

JMH/srl

Attachments

cc: John W. Messian, III, Esquire
People's Counsel

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

1300 MERCANTILE BANK & TRUST BUILDING

2 HOPKINS PLAZA

BALTIMORE, MARYLAND 21201

TELEPHONE (301) 825-3647

CABLE "FRANKO"

TELETYPE "FRANKO"

BUTTE 812

AMERICAN CITY BUILDING

COLUMBIA, MARYLAND 21046

WRITER'S DIRECT NUMBER 18

(301) 825-3647

January 18, 1983

Mr. Eugene A. Bober
County Planning and
Development Division
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Devon Hill, Ltd. Partnership
Amendments to CMDF

Dear Gene:

Pursuant to our conversation, I am writing this letter to explain the "Catch-22" situation that our client, Devon Hill, Ltd. Partnership, and potentially other developers in Baltimore County face as a result of the Zoning Commissioner's concerns regarding his office's authority to grant variances from the provisions of the Comprehensive Manual of Development Policies ("CMDF"), although such variances have routinely been considered and granted in the past. Although I understand that his Zoning Commissioner's concerns, I nevertheless believe that his office does have authority to grant variances from the provisions of CMDF based on the language and on the language contained in Order of the Zoning Commissioner in Petition for Variance, No. 81-172-A (Item No. 8). In the interest of resolving this dilemma to everyone's satisfaction, however, I am enclosing herein forms of proposed amendments to the CMDF, which I believe properly serve the interests of the County as well as developers in situations similar to our own.

Mr. Eugene A. Bober
County Planning and
Development Division
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Devon Hill, Ltd. Partnership
Amendments to CMDF

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FRANK, BERNSTEIN, CONAWAY & GOLDMAN

Mr. Eugene A. Bober
January 18, 1983
Page Two

Devon Hill is engaged in the development of a tract of land on Lake Drive in Baltimore County. On the site there currently stands a 125-year old stone carriage house. Its stone walls have sheltered man and beast alike for over a century; indeed, I believe that the carriage house has served as a permanent and temporary residence for over 100 years.

Clearly, the historical, social, and architectural value of the carriage house cannot be measured. Thus, rather than demolish the building, Devon Hill plans to incorporate it into the development as a single-family dwelling. In so doing, Devon Hill seeks to preserve the aesthetics of the property, of which the carriage house is intrinsically a part, and to protect and preserve the building itself.

Because the building is technically in violation of the set back provisions of the CMDF, (§§V.B6.a, V.B9), Devon Hill is seeking relief by requesting a Variance from those sections. Although the Zoning Commission of Baltimore County has consistently granted variances from the CMDF in the past for a number of reasons, as I mentioned, there now appears to be some question as to the office's authority to do so.

Our dilemma results from the concern that the Zoning Commissioner will refuse to grant the requested variance. Because neither the CMDF nor the Zoning Regulations of Baltimore vest any other person with authority to grant such variances, our client may be faced with no choice but the distasteful and distressing alternative of tearing down a building of significant cultural value. In this instance, clearly compliance with the CMDF would constitute practical difficulty and unreasonable hardship, clearly not be in harmony with the spirit and intent of the regulations, and in fact would cause substantial injury to the public health, safety and general welfare.

The CMDF does provide, however, that the Planning Board is empowered to change policies by a majority vote of the Board at a regularly scheduled meeting. Indeed, the CMDF contemplates that such changes will readily occur "as conditions change and problems develop." CMDF §I.D. In accordance with these principles, proposed amendments are offered which will prevent a developer from being unable to extricate himself from the dilemma caused by the presence of existing structures, technically not in

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

Mr. Eugene A. Bober
January 18, 1983
Page Two

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Mr. Eugene A. Bober
January 18, 1983
Page Three

compliance with CNDP provisions, on property to be developed. The proposed amendments handle this dilemma in a variety of ways, any one of which I believe will provide a satisfactory solution.

As I am sure you understand, time is truly of the essence and I would very much appreciate your assistance in resolving this matter as soon as possible to everyone's satisfaction. I am available, as is my client, at your convenience, to meet with you and others to discuss this matter further.

I look forward to working with you on this matter.

Sincerely,

Gail M. Stern

Enclosure

cc: Mr. Martin Azola
Mr. Melvin Cole
Mr. Anthony Cortez
Mr. Nicholas Commodari
Mr. Kenneth D. Dryden
Mr. Norman Gerber
Mr. William Hammond

GMS:sl

Amendment to Existing Sections
V.B. 6 and V.B. 9

The requirements of this Section need not be complied with if the building is in existence prior to September 21, 1972.

Amendment to Existing Sections
V.B. 6 and V.B. 9

An exception to the requirements of this section may be made for existing buildings by the Planning Board (the Director of Planning) where strict compliance would result in practical difficulty or unreasonable hardship and where such exceptions are necessary to preserve existing buildings.

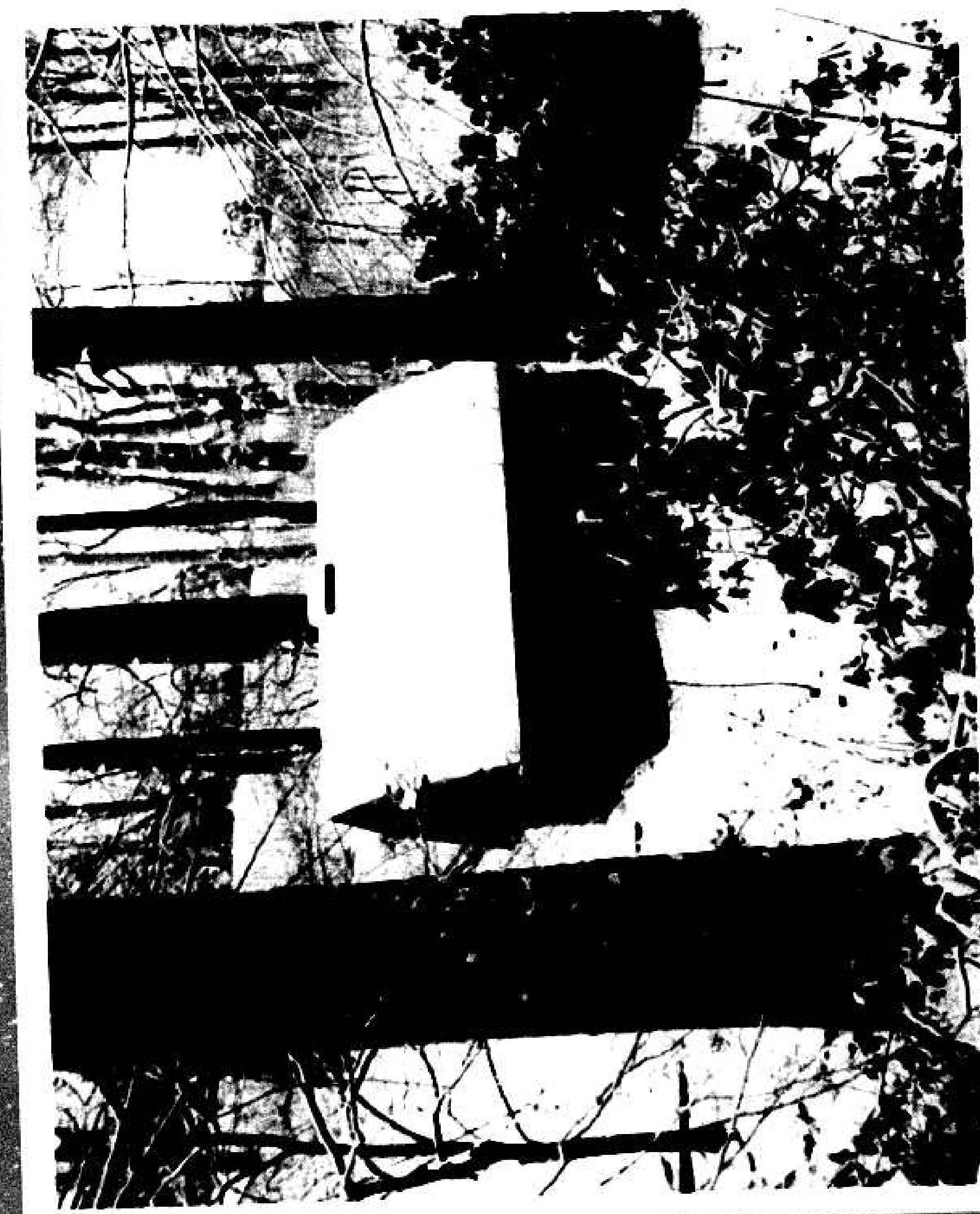
New Section
V.B. 12

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New Section
V.B. 12 Variance for Existing Buildings

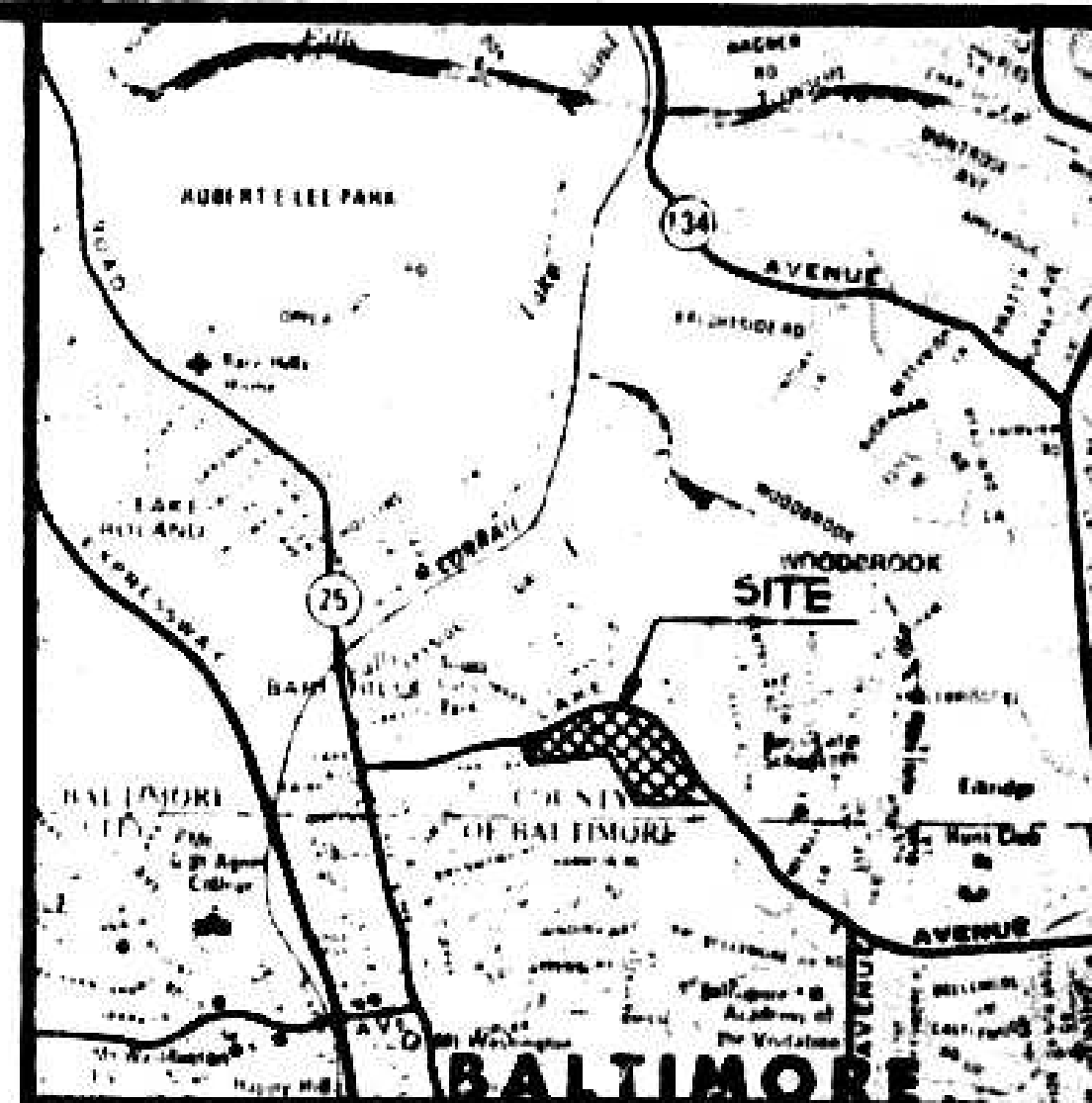
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ZONED DR-2

HOLLINS AVENUE

AVENUE



VICINITY MAP
ELECTION DIST. 9 - COUNCILMANIC DIST. C3
SCALE 1" = 2000'

GENERAL NOTES:

- OWNER: DEVON HILL LTD. PARTNERSHIP
P.O. BOX 2926
BROOKLANDVILLE, MD 21022
- DEVELOPER: MARTIN P. AZOLA, INC.
THE ROCKLAND CRIST MILL
P.O. BOX 2926
BROOKLANDVILLE, MD.
PHONE NO.: 337-0700
- ENGINEER: LYON ASSOC., INC.
7131 RUTHERFORD RD.
BALTIMORE, MD.
PHONE NO.: 944-9112
- ARCHITECT: PETERSON & BAUCKHAUER
2850 N. CHARLES ST.
BALTIMORE, MD.
PHONE NO.: 366-4200
- DEED REFERENCE:
- TAX MAP: 79 PARCEL 218
- TAX ACCOUNT NO.:
- EXISTING ZONING: DR-2
- PROPOSED ZONING: NO CHANGE
- WATERSHED AREA: LAKE ROLAND (23)
- SANITARY SUBSERVED: MT. WASHINGTON (54)
- CENSUS TRACT: 4905.01
- UTILITIES: PUBLIC WATER
PUBLIC SEWER
- NO. OF LOTS PROPOSED: 8
- OPEN SPACE REQUIRED: 0'
- PARKING SPACES REQUIRED: 2 SPACES PER UNIT
2 X 35 UNITS = 66 SPACES
(INCLUSIVE 5 HANDICAP SPACES)
- PARKING SPACES PROVIDED: 70 SPACES
(INCLUSIVE 5 HANDICAP SPACES)
- PROPERTY LINES SHOWN HEREON ARE BASED ON DEED INFORMATION AND DOES NOT CONSTITUTE A PROPERTY LINE SURVEY
- THE TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY PHOTOGRAMMETRY.

ZONING NOTES:

- SITE AREA:
A) GROSS AREA = 20.764 AC.
B) NET AREA = 19.824 AC.
- COMMON OPEN SPACE:
A) REQUIRED = NONE
B) PROVIDED = NONE
- PARKING REQUIREMENTS: 2 SPACES PER UNIT
A) REQUIRED = 2 SPACES X 35 UNITS = 66 SPACES
B) PROVIDED = 70 SPACES
(INCLUSIVE OF 5 HANDICAP SPACES)
- DENSITY CALCULATIONS:
A) GROSS AREA = 20.764 AC.
B) ZONING = DR-2
C) ALLOWABLE NUMBER OF DWELLING UNITS = 7 UNITS/ACRE
2 X 20.674 = 41.3 UNITS
D) NUMBER OF PROPOSED UNITS:
35 CONDOMINIUM UNITS (SALE)
6 SINGLE FAMILY UNITS (SALE)
41 TOTAL UNITS

*NOTE: SINGLE FAMILY UNITS ARE INCLUSIVE OF THE PROPOSED LOTS WHICH ARE NOW VACANT.

Variance from Section 1001.2.C.2 (2001 V.09) to permit the existing stone carriage house to be converted to a single-family dwelling unit. The proposed conversion of the house to a single-family dwelling unit is in lieu of the required 20' and 400' front setback of way in lieu of the required 20' and 400' front setback. The existing stone carriage house remains in the front 25' side yard in lieu of the required 20' side yard.

PLAN

SCALE 1" = 30'
GRAPHIC SCALE

ZONED DR-2

THE ROCKLAND CRIST MILL
W.P. 383-551

BALTIMORE COUNTY
BALTIMORE CITY

PLAT TO ACCOMPANY VARIANCE PETITION

LYON ASSOCIATES, INC.
713 RUTHERFORD ROAD
BALTIMORE, MARYLAND 21207
TELEPHONE: 344-9112

NO.	DESCRIPTION	REVIEW BY	APPROVED	DATE

DEVON HILL

A CONDOMINIUM

915 W. LAKE AVENUE

BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT: 9 COUNCILMANIC DISTRICT: C 3

VARIANCE PLAT

PREPARED BY: A.J. CORTAL
AS SHOWN
DATE: 11/20/82
VP - 1
DATE: November 24, 1982
FILE: 3-31-18

MARTIN P. AZOLA, INC.
THE ROCKLAND CRIST MILL
P.O. BOX 2926
BROOKLANDVILLE, MD. 21022

ZONED DR-2

MANOR AVENUE

LAKE MANOR DRIVE

NOTE BY SANITARY M.
#45415 PER CONTRACT
DWG. NO. 75-0753

FALLS ROAD N77°50'23"E 208.49

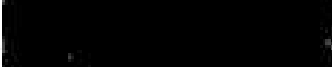
JOHN WATSON, JR.
PROPERTY
WPC 4-183

ZONED DR-2

ANTHONY DAY, et al
E.H.K. Jr. 6261-535

PROPERTY LINE
CURVE DATA

- ① RAD=409.21 CH=125.18
CH=N69°04'43"E 124.69
- ② RAD=880.00 CH=204.18
CH=N76°42'21"E 201.74
- ③ RAD=436.00 CH=241.74
CH=S55°04'55"E 422.56

-  EXIST. & PROP. ROADS
-  EXIST. BUILDINGS TO REMAIN
-  PROPOSED BUILDINGS

Note: A buffer strip will be provided per §11-09-02.

BUFFER AREAS

ON-SITE NATURAL VEGETATION IN BUFFER AREAS, AS SPECIFIED HEREON, WILL BE REVIEWED BY THE PLANNING BOARD, THE STATE COMMISSIONER, OR THE BOARD OF APPEALS, AS THE CASE MAY BE, DURING THE MONTH OF JANUARY, FEBRUARY AND UPON COMPLETION OF THE SUBMITTAL OF THE SITE PLAN IN COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS, SECTIONS 1000.1.B.1.D.3.(i) AND 2001.1.B.3.D.1. ON-SITE NATURAL VEGETATION IS DETERMINED NOT TO COMPLY WITH THE APPLICABLE ZONING REGULATIONS, OWNERS AGREE TO COMPLY WITH SECTION 1000.1.B.3.D.1. IN ORDER TO MAINTAIN BUFFER AREAS SO AS TO MEET SAID REGULATIONS, WITHIN A REASONABLE TIME FOLLOWING WRITTEN NOTIFICATION, BUT NOT LATER THAN 180 DAYS AFTER THE DATE OF WRITTEN NOTIFICATION OF THE IMPROVEMENT OR DEFICIENCY, WHOEVER SHALL FIRST OCCUR.

IF ON-SITE NATURAL VEGETATION IS DETERMINED TO BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS, THEN THE OWNERS AGREE TO REVEAL THE SITE PLAN TO SHOW THE LOCATION WITHIN 180 DAYS OF ALL EXISTING AND PROPOSED BUFFER AREAS IN COMPLIANCE WITH SECTION 1000.1.B.3.D.1.

DATE: 12/1/15 OWNER: _____

BALTIMORE COUNTY
BALTIMORE CITY

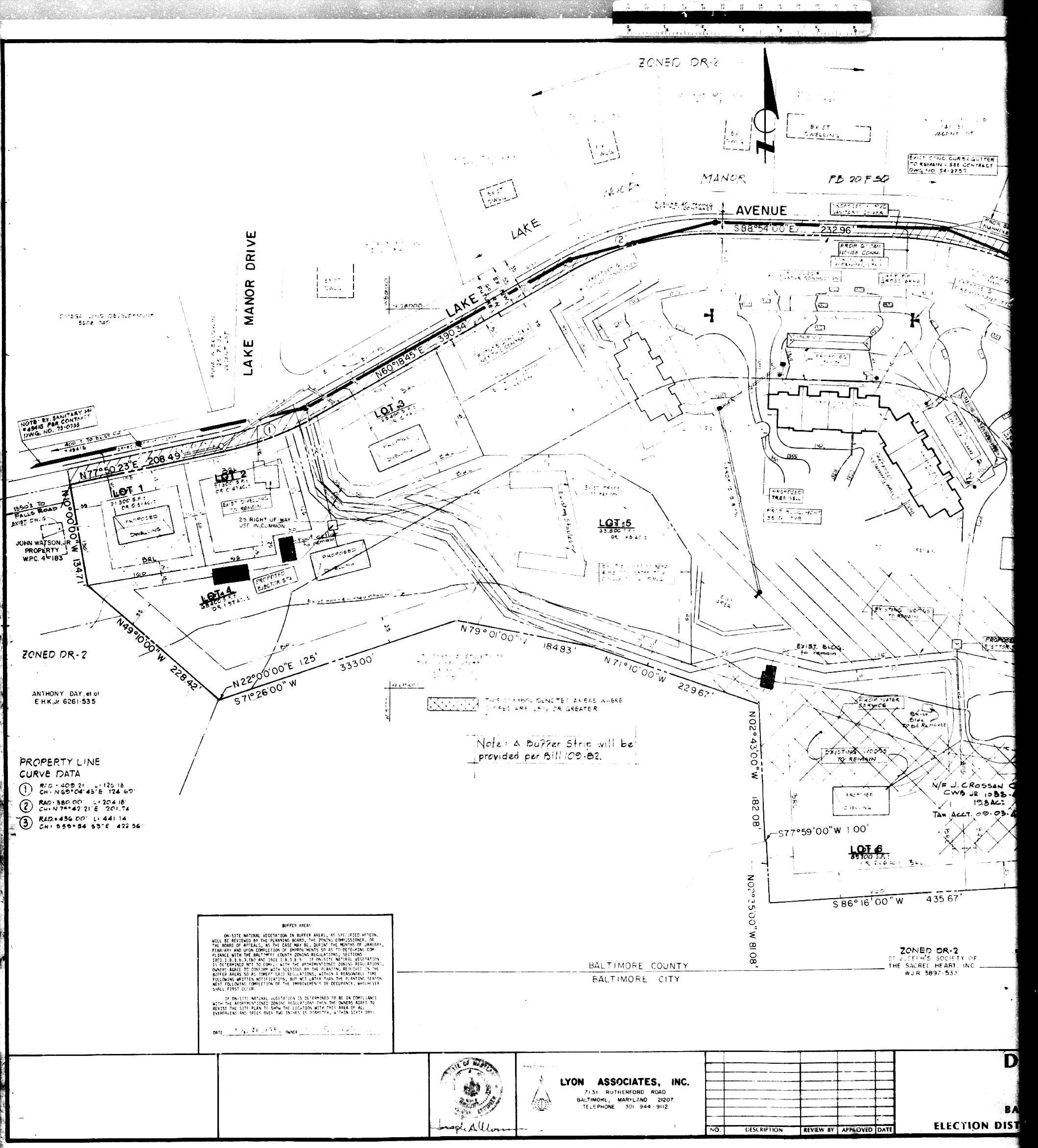
ZONED DR-2
THE SACRED HEART INC.
WJR 3897-571

REVIEWER'S
EXAMINER

LYON ASSOCIATES, INC.
7131 RUTHERFORD ROAD
BALTIMORE, MARYLAND 21207
TELEPHONE 501-944-9112

NO.	DESCRIPTION	REVIEW BY	APPROVED	DATE

ELECTION DIS



NOTE: BY SANITARY MAP
#45415 PER CONTRACT
DWG. NO. 75-0733

1550' TO
FALLS ROAD
EXIST. DWG.
JOHN WATSON, JR.
PROPERTY
WPC 4-183

ZONED DR-2

ANTHONY DAY, et al
E.H.K. Jr 6261-535

PROPERTY LINE
CURVE DATA

- ① RAD=409.21' L=125.18'
CH=N69°04'45"E 124.60'
- ② RAD=380.00' L=204.18'
CH=N78°42'21"E 201.74'
- ③ RAD=456.00' L=441.14'
CH=S59°54'53"E 422.56'

BUFFER AREA

ON-SITE NATURAL VEGETATION IN BUFFER AREAS, AS SPECIFIED HEREON, WILL BE REVIEWED BY THE PLANNING BOARD, THE ZONING COMMISSIONER, OR THE BOARD OF APPEALS, AS THE CASE MAY BE, DURING THE MONTHS OF JANUARY, FEBRUARY AND UPON COMPLETION OF IMPROVEMENTS SO AS TO DETERMINE COMPLIANCE WITH THE BALTIMORE COUNTY ZONING REGULATIONS, SECTIONS 1801.1, 1801.2, 1801.3, 1801.4 AND 1801.5. IF ON-SITE NATURAL VEGETATION IS DETERMINED NOT TO COMPLY WITH THE APPOINTMENTED ZONING REGULATIONS, OWNERS AGREE TO CONFORM WITH SECTIONS BY THE PLANNING BOARD, IN THE BUFFER AREAS SO AS TO MEET SAID REGULATIONS, WITHIN A REASONABLE TIME FOLLOWING WRITTEN NOTIFICATION, BUT NOT LATER THAN THE PLANTING SEASON NEXT FOLLOWING COMPLETION OF THE IMPROVEMENTS OR OCCUPANCY, WHICHEVER SHALL FIRST OCCUR.

IF ON-SITE NATURAL VEGETATION IS DETERMINED TO BE IN COMPLIANCE WITH THE APPOINTMENTED ZONING REGULATIONS, THEN THE OWNERS AGREE TO REVERSE THE SITE PLAN TO SHOW THE LOCATION WITH THIS AREA OF ALL EVERGREENS AND TREES OVER TWO INCHES IN DIAMETER, WITHIN SIXTY DAYS.

DATE: 12-20-1982 OWNER: _____

Note: A Buffer Strip will be provided per Bill 109-82.

BALTIMORE COUNTY
BALTIMORE CITY

ZONED DR-2
ST. J. C. CROSSAN &
CWS JR 1083-4
1982
TAN ACCT. 00-03-4

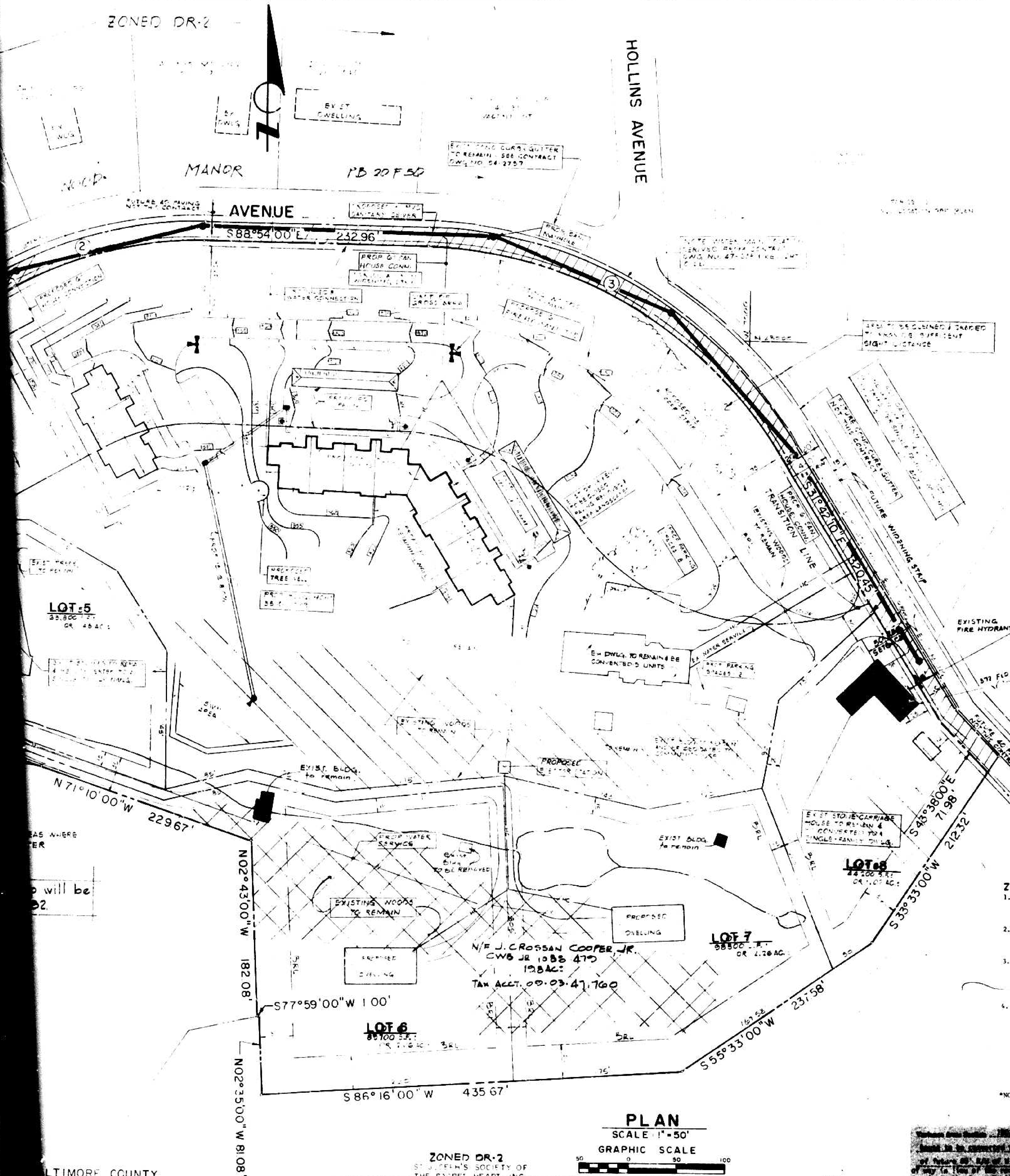


LYON ASSOCIATES, INC.
7131 RUTHERFORD ROAD
BALTIMORE, MARYLAND 21207
TELEPHONE 301 944-9112

NO.	DESCRIPTION	REVIEW BY	APPROVED	DATE

ELECTION DIST

ZONED DR-2



VICINITY MAP
ELECTION DIST. 9 - COUNCILMANIC DIST. C3
SCALE 1"=2000'

- GENERAL NOTES:
- OWNER: DEVON HILL LTD. PARTNERSHIP
P.O. BOX 2926
BROOKLANDVILLE, MD 21022
 - DEVELOPER: MARTIN P. AZOLA, INC.
THE ROCKLAND GRIST MILL
P.O. BOX 2926
BROOKLANDVILLE, MD
PHONE NO.: 337-0700
 - ENGINEER: LYON ASSOC., INC.
7131 RUTHERFORD RD.
BALTIMORE, MD
PHONE NO.: 944-9112
 - ARCHITECT: PETERSON & BRICKBAUER
2850 N. CHARLES ST.
BALTIMORE, MD
PHONE NO.: 366-6200
 - DEED REFERENCE:
 - TAX MAP: 79 PARCEL 218
 - TAX ACCOUNT NO.:
 - EXISTING ZONING: DR-2
 - PROPOSED ZONING: NO CHANGE
 - WATERSHED AREA: LAKE ROLAND (23)
 - SANITARY SUBWERSHED: MT. WASHINGTON (54)
 - CENSUS TRACT: 4905.01
 - UTILITIES: PUBLIC WATER
PUBLIC SEWER
 - NO. OF LOTS PROPOSED: 8
 - OPEN SPACE REQUIRED: 0%
 - PARKING SPACES REQUIRED: 2 SPACES PER UNIT
2 X 33 UNITS = 66 SPACES
 - PARKING SPACES PROVIDED: 70 SPACES
(INCLUSIVE 5 HANDICAP SPACES)
 - PROPERTY LINES SHOWN HEREON ARE BASED ON DEED INFORMATION AND DOES NOT CONSTITUTE A PROPERTY SURVEY
 - THE TOPOGRAPHY SHOWN HEREON IS BASED ON BALTIMORE COUNTY PHOTOGRAMMETRY.

- ZONING NOTES:
- SITE ACREAGE
A) GROSS AREA = 20.764 AC.
B) NET AREA = 19.824 AC.
 - COMMON OPEN SPACE
A) REQUIRED = NONE
B) PROVIDED = NONE
 - PARKING REQUIREMENTS: 2 SPACES PER UNIT
A) REQUIRED = 2 SPACES X 33 UNITS = 66 SPACES
B) PROVIDED = 70 SPACES
(INCLUSIVE OF 5 HANDICAP SPACES)
 - DENSITY CALCULATIONS
A) GROSS AREA = 20.764 AC.
B) ZONING = DR-2
C) ALLOWABLE NUMBER OF DWELLING UNITS = 2 UNITS/ACRE
2 X 20.674 = 41.3 UNITS
D) NUMBER OF PROPOSED UNITS:
33 CONDOMINIUM UNITS (SALE)
4 SINGLE FAMILY UNITS (SALE)
37 TOTAL UNITS

*NOTE: SINGLE FAMILY UNITS ARE INCLUSIVE OF THE PROPOSED LOTS WHICH ARE NOW VACANT.

PLAN

SCALE 1"=50'
GRAPHIC SCALE



ZONED DR-2
ST. JOHN'S SOCIETY OF THE SACRED HEART, INC.
WJR 3897 533

BALTIMORE COUNTY
BALTIMORE CITY

NOTICE: This is a preliminary plan. It is subject to change without notice. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.

PETITIONER'S
EXHIBIT 12

PLAT TO ACCOMPANY VARIANCE PETITION

NO.	DESCRIPTION	REVIEW BY	APPROVED	DATE

DEVON HILL

A CONDOMINIUM
915 W. LAKE AVENUE
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT: 9 COUNCILMANIC DISTRICT: C 3

VARIANCE PLAT

CHECKED BY A.J. CORTAL	PREPARED BY MARTIN P. AZOLA, INC.
SCALE AS SHOWN	THE ROCKLAND GRIST MILL
DRAWN BY J.P. O.	P.O. BOX 2926
DATE November 24, 1982	BROOKLANDVILLE, MD. 21022
FILE 3-31-18	

ASSOCIATES, INC.
RUTHERFORD ROAD
BALTIMORE, MARYLAND 21207
PHONE 301-944-9112