

In Re: Westchester, Inc.

Case No. 87-479SPH

BEFORE THE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

ORDER

IT IS THIS 30 day of July, 1987, is and hereby

ORDERED that:

The above captioned matter shall be dismissed for lack of prosecution or for failure to proceed or for failure to pay costs, such dismissal to be without prejudice.

[Signature]
Zoning Commissioner of
Baltimore County

cc: People's Counsel
John G. Conrum, Esq.
Victor McFarland, Esq.

ORDER RECEIVED FOR FILING
Date: 7-30-87
By: S. J. K. G. H.

LAW FIRM

Romach, Conrum, Hanover & Fox

IRVINGTON FEDERAL BUILDING
809 EASTERN BLVD. (3RD FLOOR)
ESSEX, MARYLAND 21221
TELEPHONE (301) 496-4274

RECEIVED
JUL 30 1987

ZONING OFFICE

July 29, 1987

Arnold Jablon
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Westchester, Inc.
Case No. 87-479-SPH

Dear Mr. Jablon:

Please dismiss our Petition for Special Hearing to amend the development plan.

Very truly yours,

[Signature]
John B. Conrum

JBG:kb
cc: Walter Stefanowicz

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve:

an amendment to the development plan of Plats Two and Three, Section Two, "Westchester", to show building envelopes for locations of condominium apartment buildings, to add a fire lane and to adjust parking lot layout.

I, or we, agree to pay expenses of the 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name

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Being the property of Westchester, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

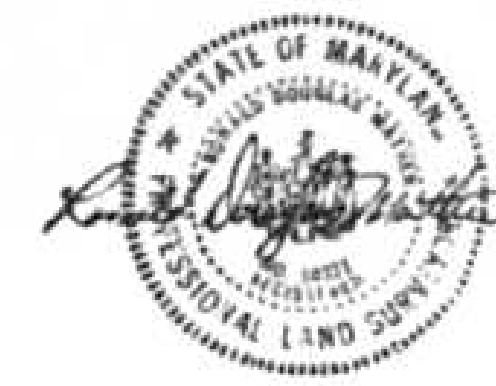
DESCRIPTION

Plats Two and Three, Section Two, Westchester, North Side of Westchester Avenue, West Side of Bathurst Road, First Election District, Baltimore County, Maryland.

Beginning for the same at a point on the northwest side of Westchester Avenue running thence binding on the outlines of Plats Two and Three, Section Two, Westchester twenty courses: (1) North 11 degrees 38 minutes 29 seconds East 66.43 feet, (2) North 78 degrees 22 minutes 56 seconds West 602.04 feet, (3) North 03 degrees 20 minutes 47 seconds East 563.90 feet, (4) North 17 degrees 04 minutes 00 seconds East 620.12 feet, (5) North 89 degrees 11 minutes 09 seconds East 497.64 feet, (6) South 22 degrees 22 minutes 31 seconds East 209.5 feet, (7) North 81 degrees 34 minutes 29 seconds East 657.50 feet, (8) North 19 degrees 16 minutes 29 seconds East 630.25 feet, (9) South 61 degrees 14 minutes 30 seconds East 139.88 feet, (10) South 18 degrees 47 minutes 32 seconds West 1388.23 feet, (11) North 71 degrees 12 minutes 28 seconds West 151.08 feet, (12) westerly by a curve to the left with the radius of 395.15 feet and the arc distance of 100.85 feet, (13) South 16 degrees 00 minutes 23 seconds West 78.59 feet, (14) South 30 degrees 59 minutes 51

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

seconds West 61.40, (15) North 71 degrees 12 minutes 28 seconds West 18.60 feet, (16) North 88 degrees 46 minutes 02 seconds West 52.99 feet, (17) Southwesterly by a curve to the left with the radius of 289.15 feet, the arc distance of 231.11 feet, (18) South 22 degrees 32 minutes 36 seconds West 73.02 feet, (19) South 11 degrees 38 minutes 29 seconds West 201.99 feet and (20) North 78 degrees 21 minutes 31 seconds West 150.00 feet to the place of beginning.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 35296

DATE: 6/11/87 ACCOUNT: 8-01-615-000

SIGNATURE: [Signature] AMOUNT: \$1156.17

RECEIVED FROM: [Signature] \$1156.17

ADVERTISING & POSTING COSTS RE CASE NO. 87-479-SPH

FOR: \$1156.17

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR SPECIAL HEARING
N/S Westchester Ave., W/S of
Bathurst Rd., 1st District
WESTCHESTER, INC., Petitioner
Case No. 87-479-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmelman
Deputy People's Counsel
Room 221, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 30th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to John B. Conrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioner.

[Signature]
Peter Max Zimmelman

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

ARNOLD JABLON
ZONING COMMISSIONER
June 2, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

John B. Conrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
N/S Westchester Ave., W/S Bathurst Rd.
1st Election District - 1st Councilmanic District
Westchester, Inc. - Petitioner
Case No. 87-479-SPH

Dear Mr. Conrum:

This is to advise you that \$73.81 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

Sincerely,

[Signature]
Arnold Jablon
Zoning Commissioner

Attest:

CERTIFICATE OF POSTING
TOWSON DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 1st Date of Posting: May 18, 1987

Posted for: Special Hearing

Postman: Westchester, Inc.

Location of property: W/S Westchester Ave. W/S Bathurst Rd.

Location of Sign: W/S of Bathurst Rd. approx. 100' N. of Westchester Ave.

Remarks:

Posted by: E. J. Grata Date of return: May 22, 1987

Number of Signs: 1

CERTIFICATE OF PUBLICATION
 TOWSON, MD., May 21, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 21, 1987.

THE JEFFERSONIAN,
 Susan Sinden Obrecht
 Publisher

32.17

PATUXENT
 10700 Little Patuxent Pkwy.
 Columbia, MD 21044

May 18 1987

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL HEARING
 87098

was inserted in the following:

☒ Catonsville Times \$26.64
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 23 day of May 1987 that is to say, the same was inserted in the issues of

May 21, 1987

PATUXENT PUBLISHING CORP.
 By [Signature]

John B. Contrum, Esquire
 809 Eastern Boulevard
 Baltimore, Maryland 21221

April 29, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
 N/S Westchester Ave., W/S Bathurst Rd.
 1st Election District - 1st Councilmanic District
 Westchester, Inc. - Petitioner
 Case No. 87-479-SPH

TIME: 12:00 noon

DATE: Monday, June 8, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
 Zoning Commissioner
 of Baltimore County

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 32538

DATE: 4/9/87 ACCOUNT: 01-613

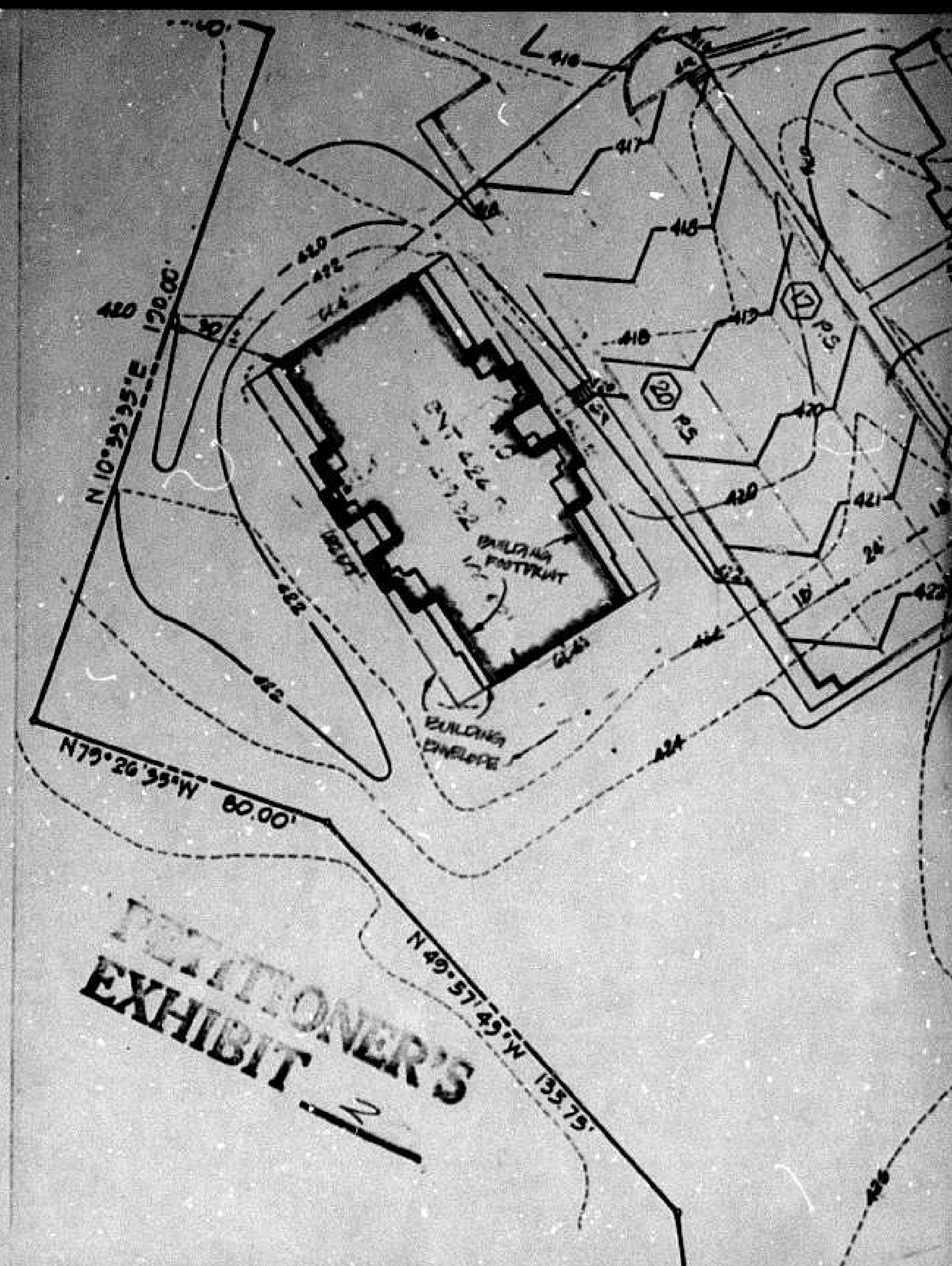
AMOUNT: \$ 100.00

RECEIVED FOR: John B. Contrum

FOR: Financing Fee for Special Hearing, Item #11

\$100.00 *****100001A 40347

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Fire Department
 Towson, Maryland 21204-2586
 494-4500

Paul H. Reincke
 Chief

April 23, 1987

Mr. Arnold Jablon
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, MD 21204

Re: Property Owner: Westchester, Inc.

Location: N/S Westchester Avenue, W/S Bathurst Road

Item No.: 411

Zoning Agenda: Meeting of 4/21/87

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 _____ 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.
- (X) 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.

REVIEWER: [Signature] 4-24-87
 Planning Group
 Special Inspection Division

Noted and Approved: John F. O'Neill
 Fire Prevention Bureau

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 13, 1987

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

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

John B. Contrum, Esquire
 809 Eastern Boulevard
 Baltimore, Maryland 21221

RE: Item No. 411 - Case No. 87-479-SPH
 Petitioner: Westchester, Inc.
 Petition for Special Hearing

Dear Mr. Contrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. 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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Development Engineering Consultants, Inc.
 6603 York Road
 Baltimore, Maryland 21212

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner

Date: May 18, 1987

FROM: Norman E. Gerber, AICP, Director
 Office of Planning and Zoning

SUBJECT: Zoning Petition No. 87-479-SPH

RECEIVED
 MAY 20 1987
ZONING OFFICE

It is this office's opinion that the subject amended plan cannot be approved because the building footprints are not congruent with the footprints shown on the valid grandfathered plan. Further, it should be noted that even if the footprints were congruent, the sale of any lot or structure within 300 feet of the subject site would necessitate submittal to and approval by the Planning Board prior to any decision on this matter by the Zoning Commissioner.

Norman E. Gerber
 Norman E. Gerber, AICP
 Director

87-479-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 22nd day of April, 1987.

Arnold Jablon
 Arnold Jablon
 Zoning Commissioner

Petitioner: Westchester, Inc.
 Petitioner's Attorney: John E. Contrum, Esquire

Received by: James E. Dyer
 Chairman, Zoning Plans Advisory Committee

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353

Arnold Jablon
 Zoning Commissioner

April 22, 1987

Mr. M.J. Bauman, President
 The Westchester Improvement
 Association, Inc.
 618 St. Johnsbury Road
 Catonsville, Maryland 21228-4050

RE: Westchester Development, Section 2
 1st Election District

Dear Mr. Bauman:

Your letter of April 3, 1987 to Mr. Arnold Jablon, Zoning Commissioner has been referred to me for reply. To the best of my knowledge the only recent zoning involvement with the Westchester Development has been a petition that was filed on April 10, 1987. The petition Item #411, was a special hearing to amend plats 4, 3 and 2 by:

1. showing building envelopes in lieu of exact buildings for the condo apartments (9 - 12 unit buildings);
2. add a fire lane;
3. adjust the parking lot layout; and
4. add a typical permitted building envelope.

Fifteen days prior to the hearing a sign will be posted on the property and an advertisement will appear in 2 local papers. I will include your letter and this response in the case file so that you will be notified when a hearing is scheduled.

Very truly yours,

W. Carl Richards, Jr.
 W. CARL RICHARDS, JR.
 Zoning Coordinator

WCR,Jr:kbb

cc: Diana Iiter, Current Planning
 (Case File #41)
 Ted Zaleski, Permits & Licenses
 Development File
 Zoning File
 The Honorable Councilman Ronald B. Hickernell

April 16, 1987

Mr. W.J. Bauman, President
The Westchester Improvement
Association, Inc.
618 St. Johnsbury Road
Catonsville, Maryland 21228-4050

RE: Westchester Development
1st Election District

Dear Mr. Bauman:

Your letter of April 3, 1987 to Mr. Arnold Jablon, Zoning Commissioner has been referred to me for reply. To the best of my knowledge the only recent zoning involvement with the Westchester Development has been a petition that was filed on April 10, 1987. The petition Item #411, was a special hearing to amend plats 2 and 3 of Section 2 by:

1. showing building envelopes in lieu of exact buildings for the condo apartments (9 - 12 unit buildings);
2. add a fire lane;
3. adjust the parking lot layout; and
4. add a typical permitted building envelope.

Fifteen days prior to the hearing a sign will be posted on the property and an advertisement will appear in 2 local papers. I will include your letter and this response in the case file so that you will be notified when a hearing is scheduled.

Very truly yours,

W. CARL RICHARDS, JR.
Zoning Coordinator

WCR,Jr:kkb

87-2130
The Westchester Improvement Assoc. Inc.

4/10/87
TO call do we have any thing?
Item No. 411
WESTCHESTER, INC.

618 St. Johnsbury Road
Catonsville, MD 21228-4050
April 3, 1987

RECEIVED
APR 10 1987

ZONING OFFICE

Mr. Arnold Jablon
Office of Planning and Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Subj: Westchester Section 2, Plat 4

Dear Mr. Jablon:

As president of the Westchester Improvement Association, I request that you provide us information on any bureaucratic activity that has taken place in the last six months regarding the development of the property known as Westchester Section 2, Plat 4. Specifically, please advise us if the property has been sold, if requests have been received for re-zoning, waivers, or re-classification, if applications for any new permits have been received, or if the recorded plat has been amended.

Besides advising us of any activities within the last six months, we request that you notify us immediately in the future of any actions that occur regarding the development of the above property. I may be reached at 964-6134 or at 618 St. Johnsbury Road, Catonsville, Maryland 21228-4050.

Sincerely,

W. J. Bauman

W. J. Bauman, President
The Westchester Improvement
Association, Inc.

WJB/bb

4/7/87
only thing!
4/9/87
Can the
LAW FIRM
Romack, Gontum, Hennegan & Fries
IRVINGTON FEDERAL BUILDING
400 EASTERN BOULEVARD
BOWES, MARYLAND 21221
TELEPHONE (301) 686-8774

RECEIVED

APR 9 1987

ZONING OFFICE

4/9/87

Westchester, Inc
Item 411

ROBERT J. ROMACK
JOHN B. GONTUM
JOHN O. HENNEGAN
CHARLES E. FRIES, III
DONALD E. BRAND
DONALD E. SHEFFY

March 30, 1987

Mr. James Dyer
Baltimore County Office of Planning and Zoning
New County Courts Building
Towson, Maryland 21204

Re: Special Hearing - Westchester, Inc.

Dear Mr. Dyer:

We wish to request a speedy hearing on our special hearing request for first amendment development plan. As you may recall, we have building permits existing for the property, and the time is running on them. In addition, we have a contract of sale on the property contingent on the outcome of the hearing. If we could possibly have a hearing on this matter within the next six weeks it would be greatly appreciated. We would hope that the hearing be no longer than 15 minutes as the changes we are changing involve the use of a building envelope instead of the building shape itself and new road configuration as requested by the County.

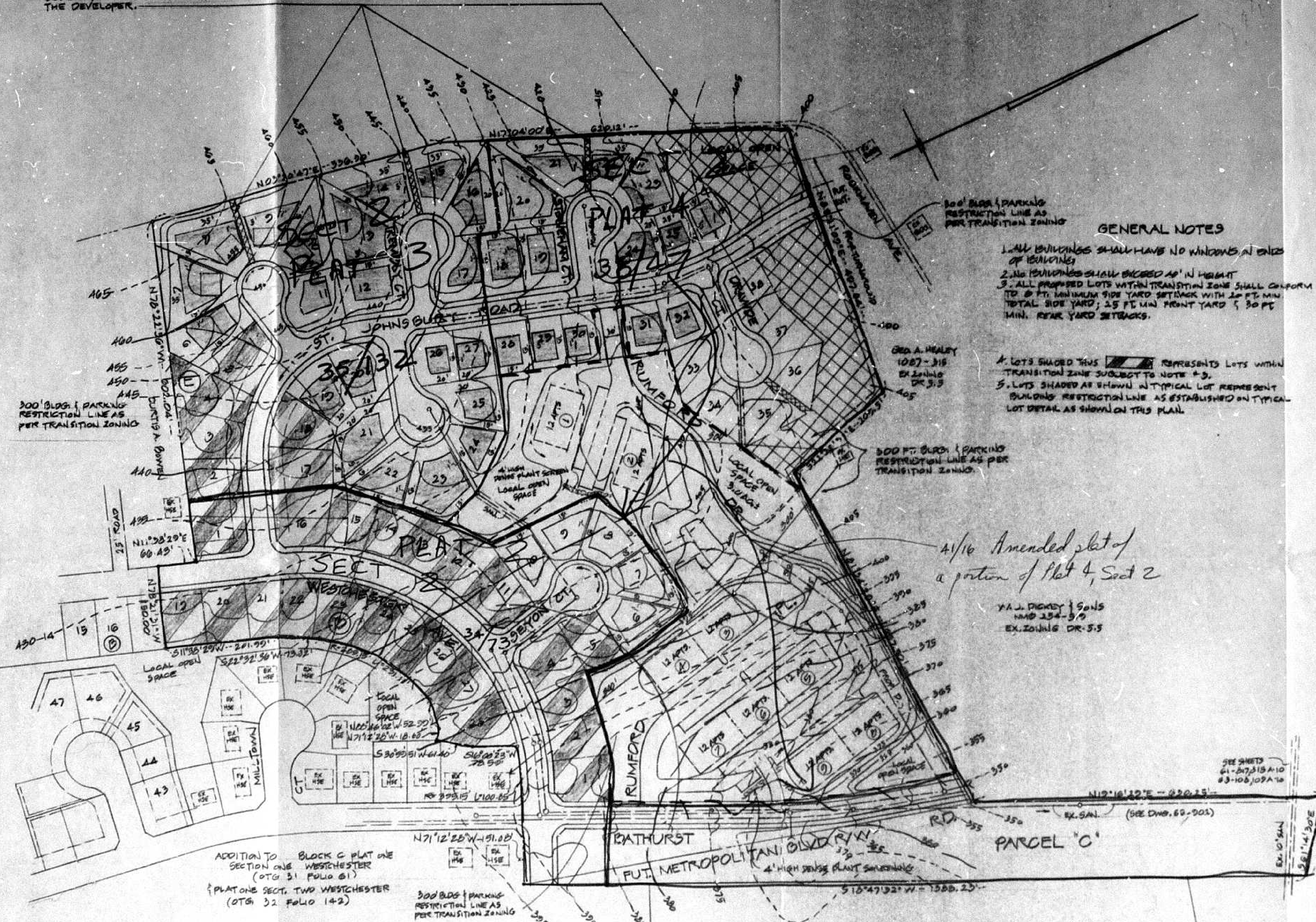
Very truly yours,

John B. Gontum
John B. Gontum

JBG:kb
Enc.

THE BALTIMORE COUNTY DEPT. OF RECREATION
PARKS WILL ACCEPT ALL LOCAL OPEN SPACE SHOWN
THE REMAINING LOCAL OPEN SPACE NOT SO
DESIGNATED WILL BE THE RESPONSIBILITY OF
THE DEVELOPER.

PATAPSCO STATE PARK
EX. ZONING DR-3.3



GENERAL NOTES

1. ALL BUILDINGS SHALL HAVE NO WINDOWS AT ENDS OF BUILDINGS
2. NO BUILDINGS SHALL EXCEED 40' IN HEIGHT
3. ALL PROPOSED LOTS WITHIN TRANSITION ZONE SHALL CONFORM TO 20' MINIMUM SIDE YARD SETBACK WITH 20' FT. MIN. TOTAL SIDE YARD, 25' FT. MIN. FRONT YARD & 30' FT. MIN. REAR YARD SETBACKS.
4. LOTS SHOWN THIS [Symbol] REPRESENTS LOTS WITHIN TRANSITION ZONE SUBJECT TO NOTE #3.
5. LOTS SHOWN AT SHOWN A TYPICAL LOT REPRESENT BUILDING RESTRICTION LINE AS ESTABLISHED ON TYPICAL LOT DETAIL AS SHOWN ON THIS PLAN.

Geo. A. Healy
1087-315
EX. ZONING DR-3.3

300' BLDG. & PARKING
RESTRICTION LINE AS PER
TRANSITION ZONING.

4/16 Amended plat of
a portion of Plat 4, Sect 2

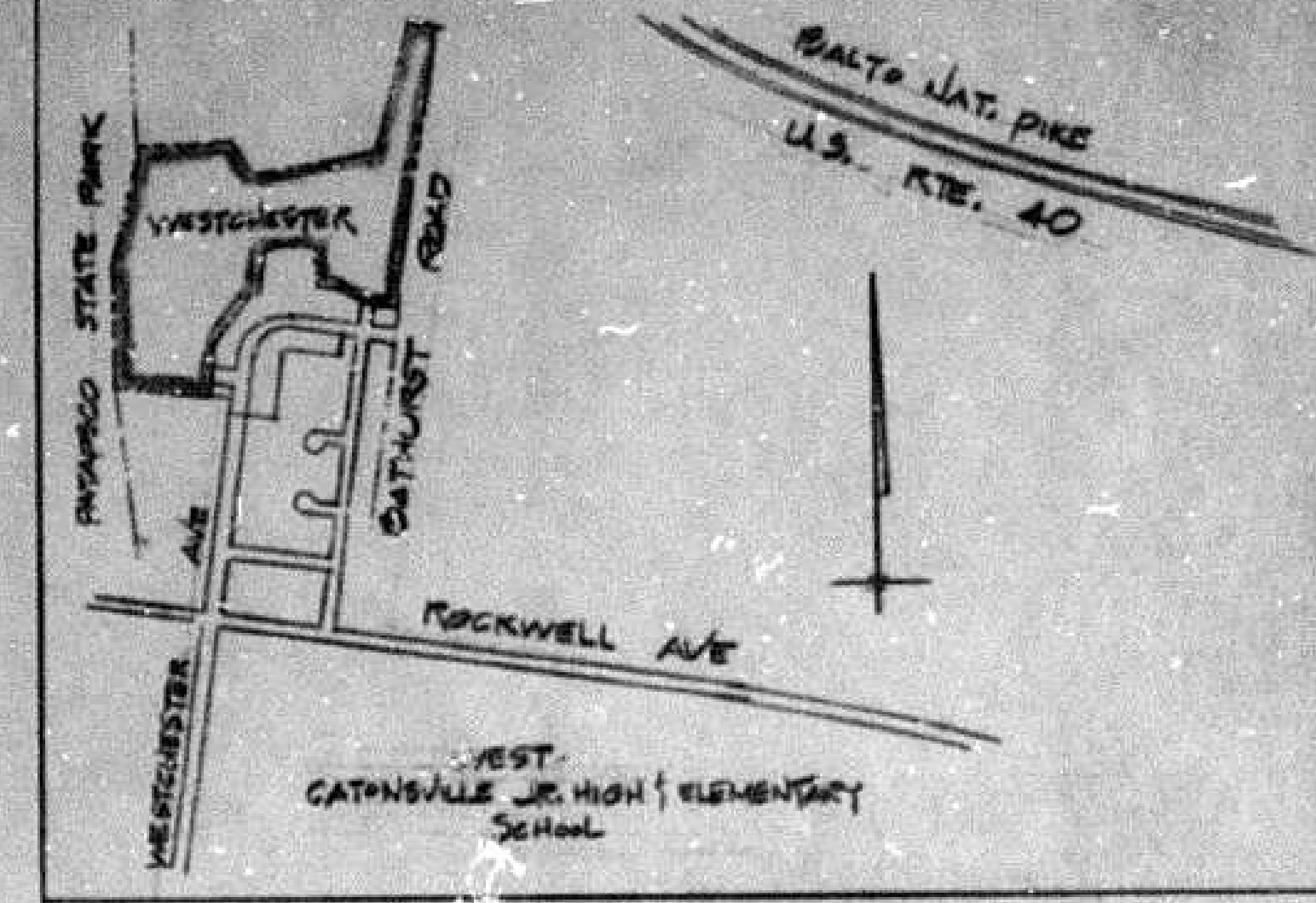
Y.A.J. DICKER & SONS
HMD 234-579
EX. ZONING DR-3.3

ADDITION TO BLOCK C PLAT ONE
SECTION ONE WESTCHESTER
(OTG 31 FOLIO 61)
PLATONE SECT. TWO WESTCHESTER
(OTG 32 FOLIO 142)

JAMES E. SPICER
2027-121
EX. ZONING DR-3.3

ROBERT FISHER 8345/062
EX. ZONING DR-3.3

- REMARKS FOR AMENDMENT
1. CONDOMINIUM APARTMENT BUILDINGS REVISED TO SHOW ENVELOPES
 2. FIRE LANE ADDED ADJACENT TO BUILDING 9
 3. PARKING LOT ADJUSTED BETWEEN BUILDINGS 2 & 3
 4. REMOVE NOTATION DESIGNATING UNIT TYPE 1A1 BEDROOM IN EACH BUILDING
 5. TYPICAL BUILDING SIZE ADJUSTED
 6. OWNER'S NAME CHANGE



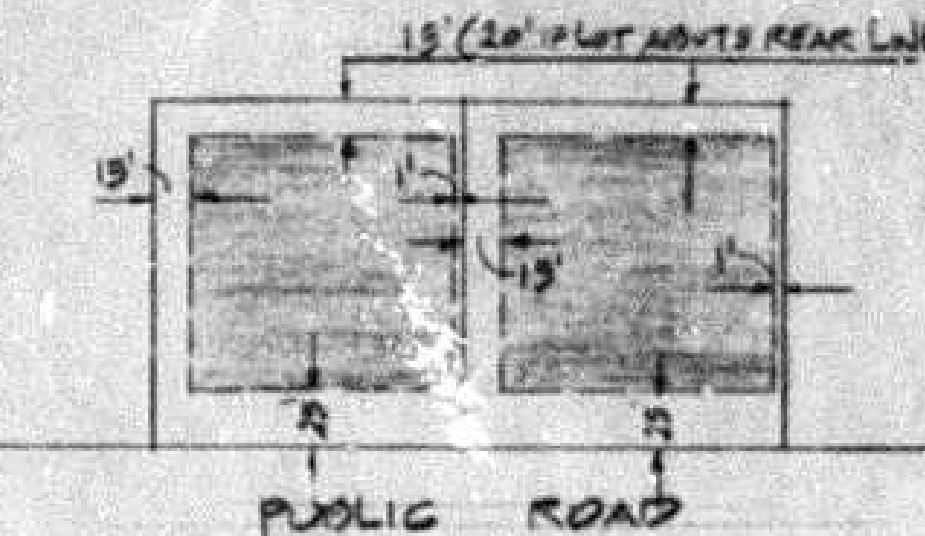
VICINITY MAP
SCALE: 1" = 100'



TYPICAL APARTMENT BUILDING ENVELOPE

TABULATION

GROSS AREA	33.61 AC.
PERMITTED DENSITY (DR-3.3 ZONING)	
TOTAL NO. UNITS ALLOWED	135
TOTAL NO. UNITS PROPOSED	133
TOTAL NO. UNITS (LOTS) PROPOSED	75
TOTAL NO. UNITS (APTS.) PROPOSED	100
TOTAL NO. PARKING SPACES PROPOSED	352
LOTS @ 2:1 = 150	202
APTS @ 1.80:1 =	
EX. ZONING DR-3.3	
LOCAL OPEN SPACE REQUIRED (0.4% x 33.61 AC.)	2.02 AC.
LOCAL OPEN SPACE SHOWN	4.9 AC.



TYPICAL LOT SETBACK RESTRICTIONS
BASED ON A HOUSE WITH WINDOWS IN FRONT
AND REAR AND A WINDOW ON ONE SIDE ONLY
FACING A HOUSE WITHOUT A WINDOW ON AN ADJACENT LOT.

1ST AMENDED PARTIAL
DEVELOPMENT PLAN
PLATS TWO, THREE & 4
SECTION TWO
WESTCHESTER
BALTO. CO. MD. ELECT. DIST. 1
SCALE: 1" = 100' MARCH 25, 1987

PETITIONER'S
EXHIBIT 1

OWNER
WESTCHESTER INC.
4 NASHUA CT. BAY 16
BALTIMORE, MARYLAND 21221
886-1977

87-479-5PH

