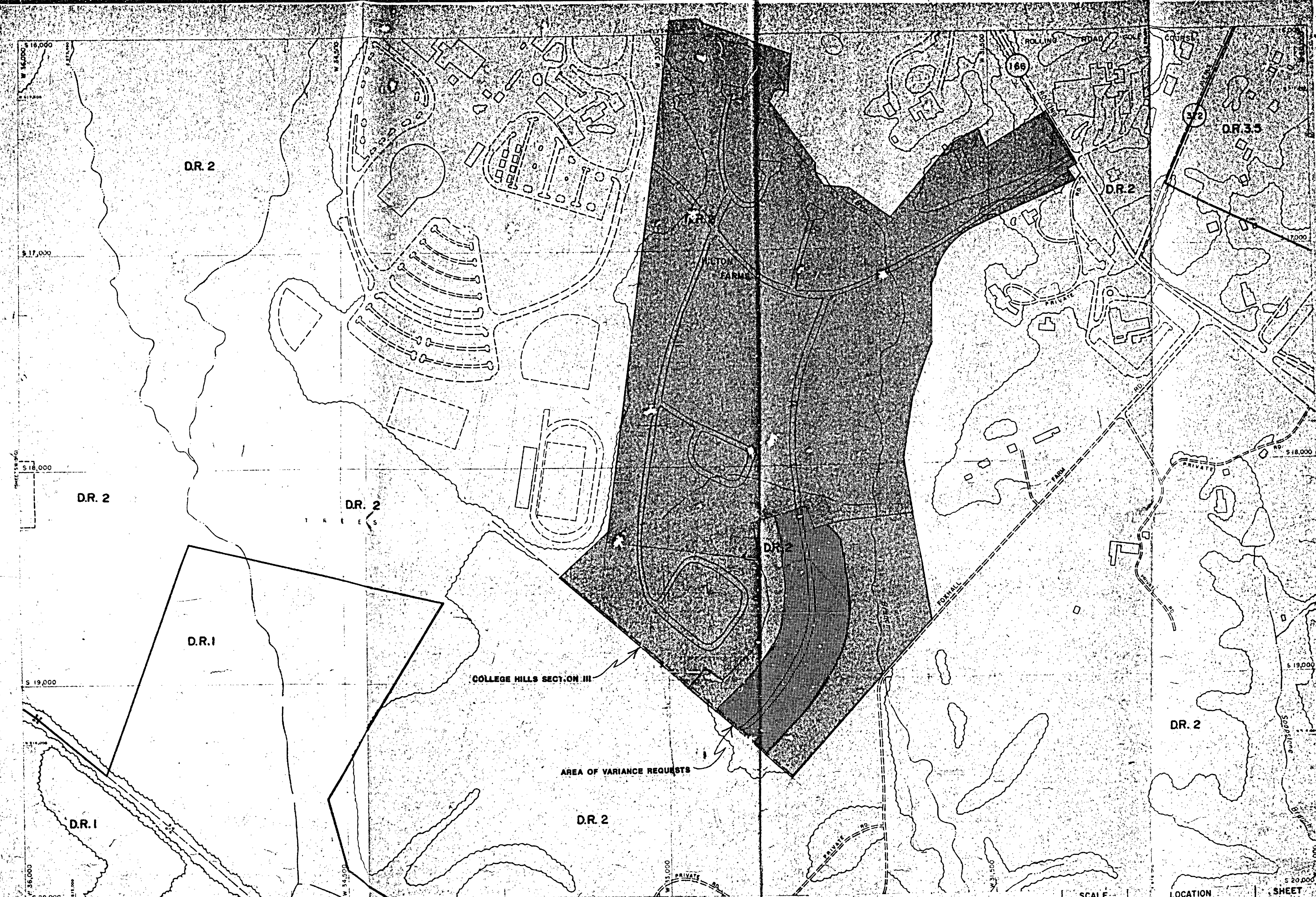


BEST IMAGES POSSIBLE

THE FOLLOWING DOCUMENT OR DOCUMENTS
WERE SCANNED AS RECEIVED AND CONTAINS
THE BEST POSSIBLE IMAGE.

MICRO RECORDS COMPANY, INC
BALTIMORE, MARYLAND



H-SE G-SW
D-NE C-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Ord. Nos. 144-88, 148-88, 149-88, 147-88, 146-88, 145-88, 144-88

[Signature]
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
PATAPSCO
STATE PARK
VICINITY

SHEET
SW
S-F

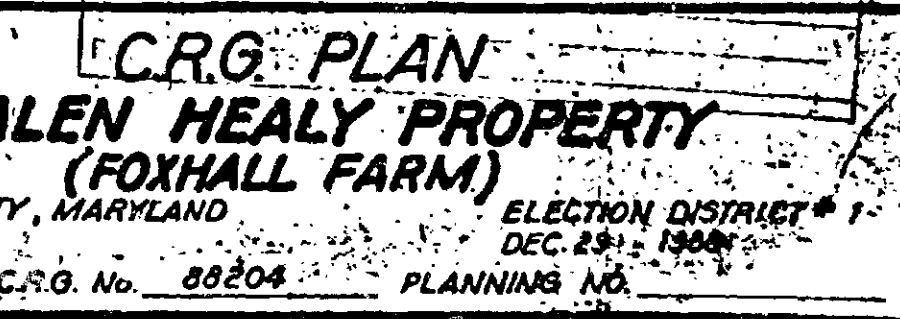
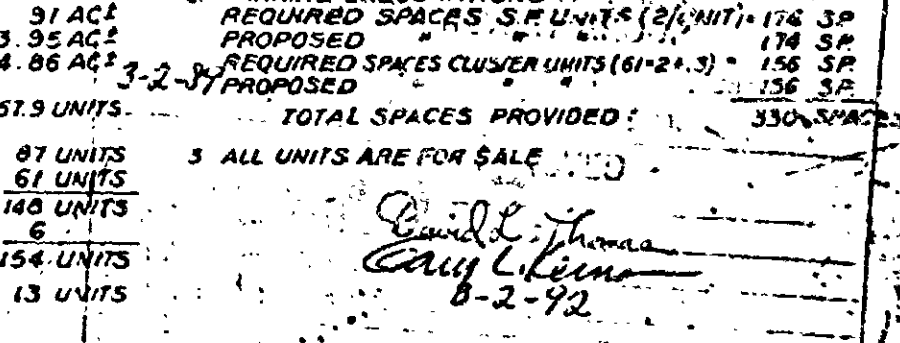
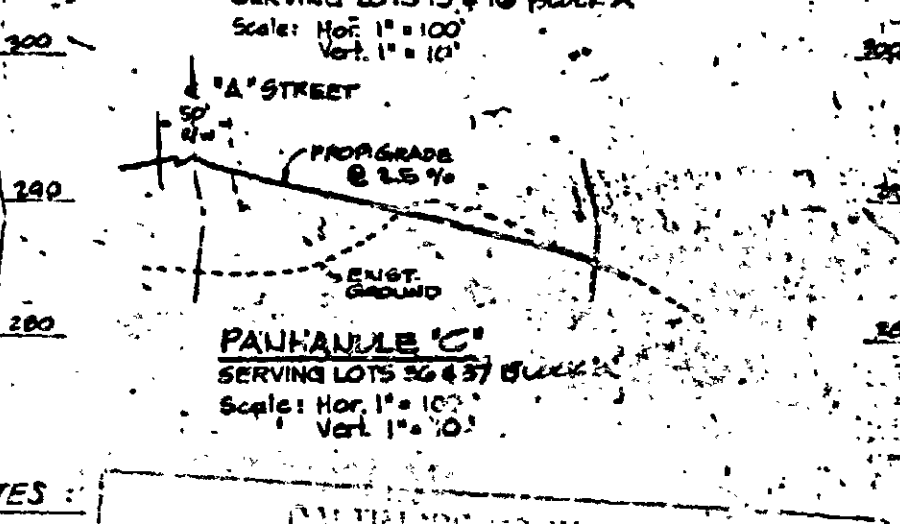
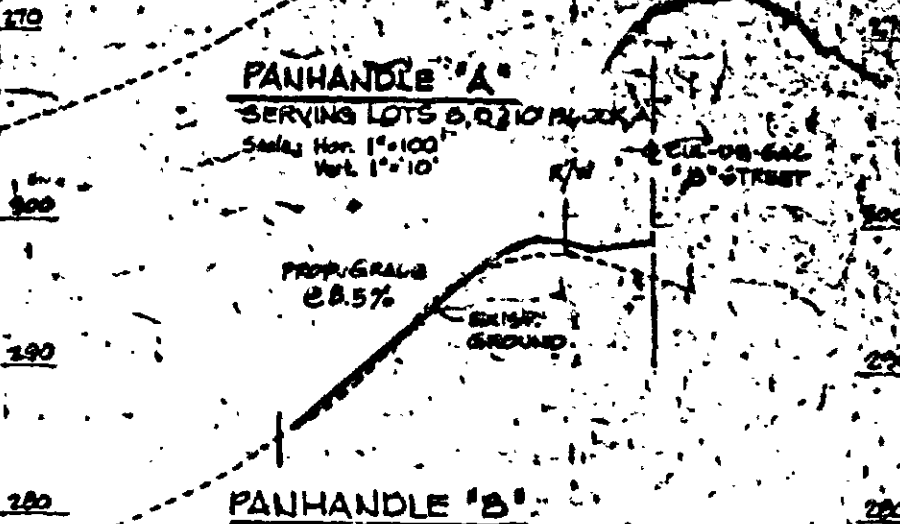
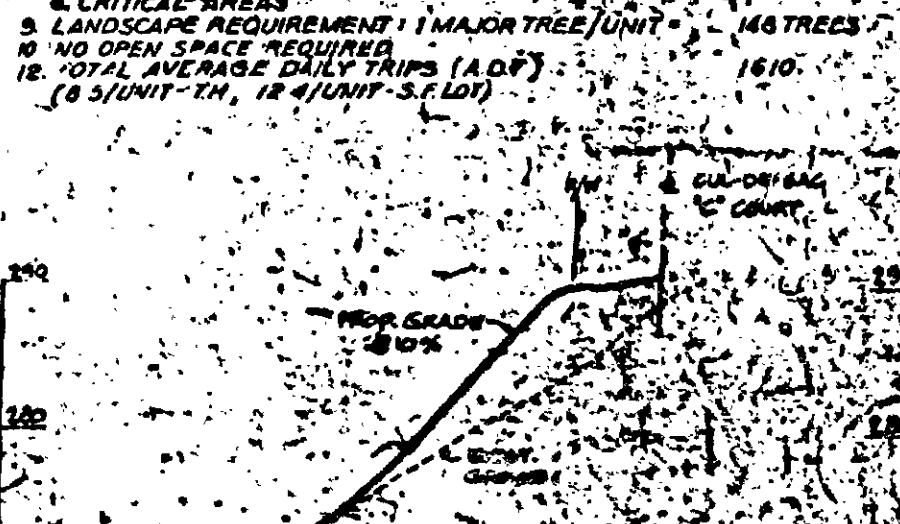
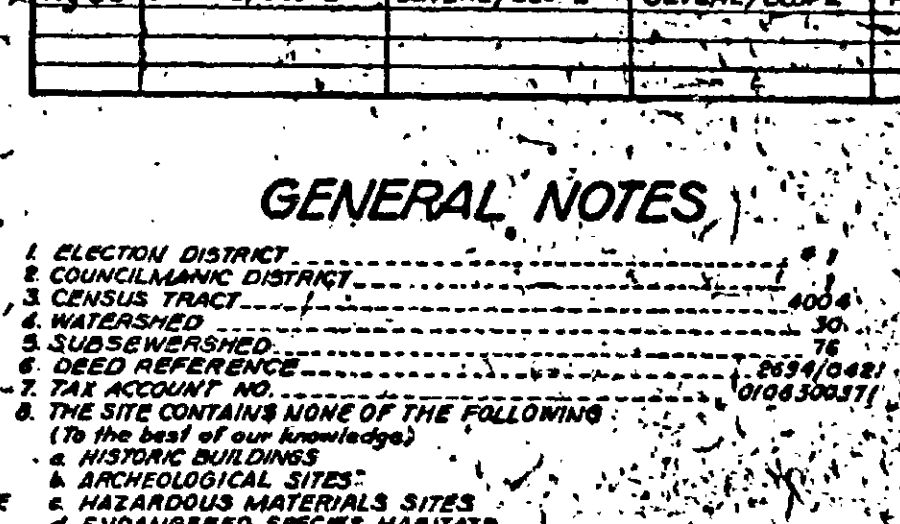
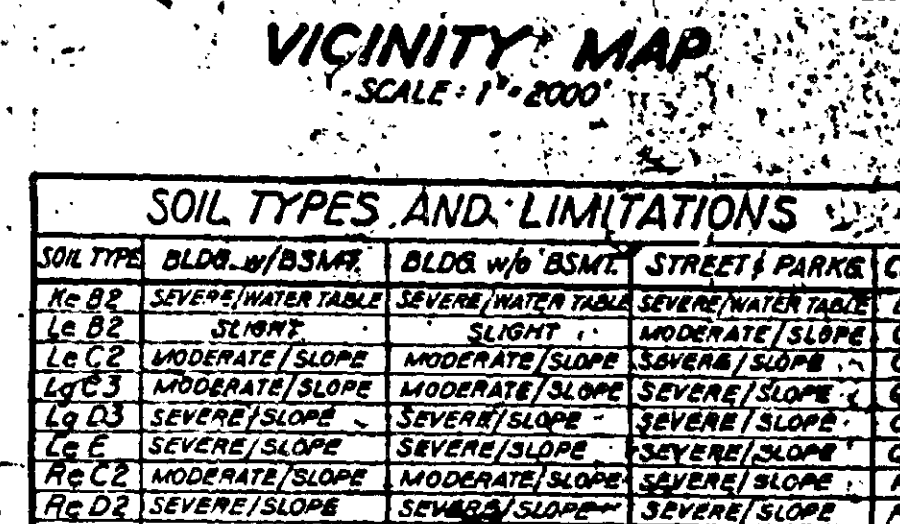
**PETITIONER'S
EXHIBIT 2**

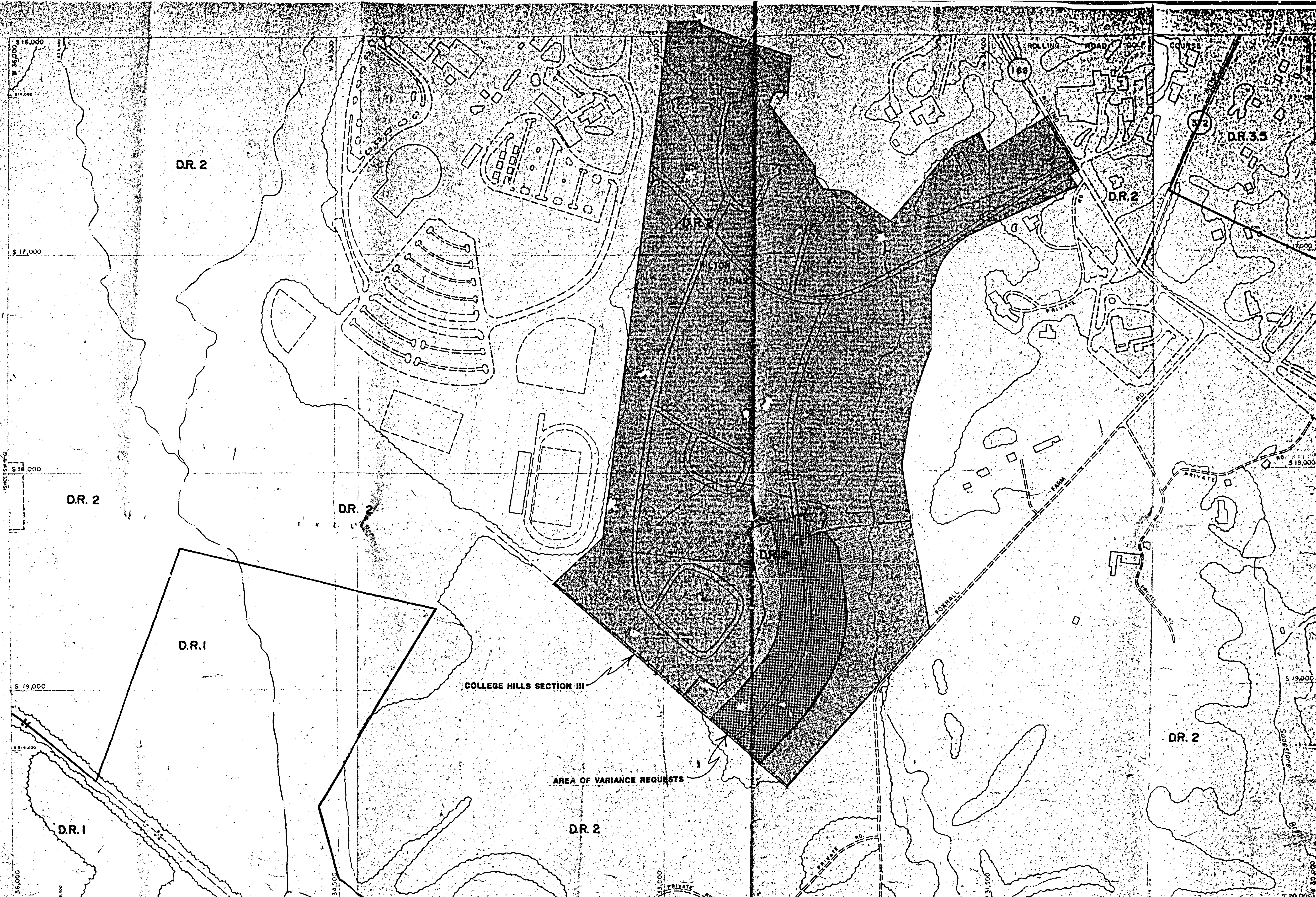
200' SCALE ZONING MAP
TO ACCOMPANY
VARIANCE PETITION
COLLEGE HILL III

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
6-27-88

PRINTED
JUL 25 1989
D.S. THALER & ASSOCIATES, INC.

#31





H-3E G-SW
D-NE C-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200'
DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
PATAPSCO
STATE PARK
VICINITY

SHEET
SW
SE

200 SCALE ZONING MAP
TO ACCOMPANY
VARIANCE PETITION
COLLEGE HILL III
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
6-27-89 #31
PRINTED
JUL 25 1989
D. S. THALER & ASSOCIATES, INC.

12" THICK CONCRETE BASE
PLACED IN 2-1/2" LAYERS

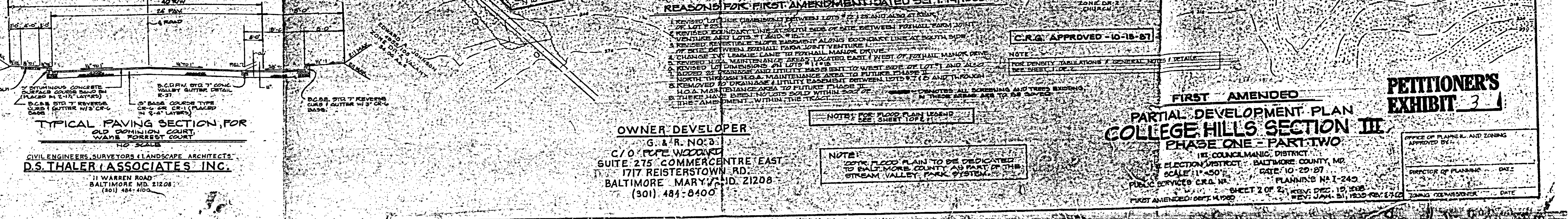
2" THICK CONCRETE SLABS
PLACED IN 2-1/2" LAYERS

TYPICAL PAVEMENT SECTION

NO. SCALE

NOTE: TYPICAL PAVING DESIGN TO BE DETERMINED
BY A LICENSED CIVIL ENGINEER.
DIMENSIONS IN ABOVE SECTION ARE
FOR THIS PAVEMENT ONLY.

W35,000

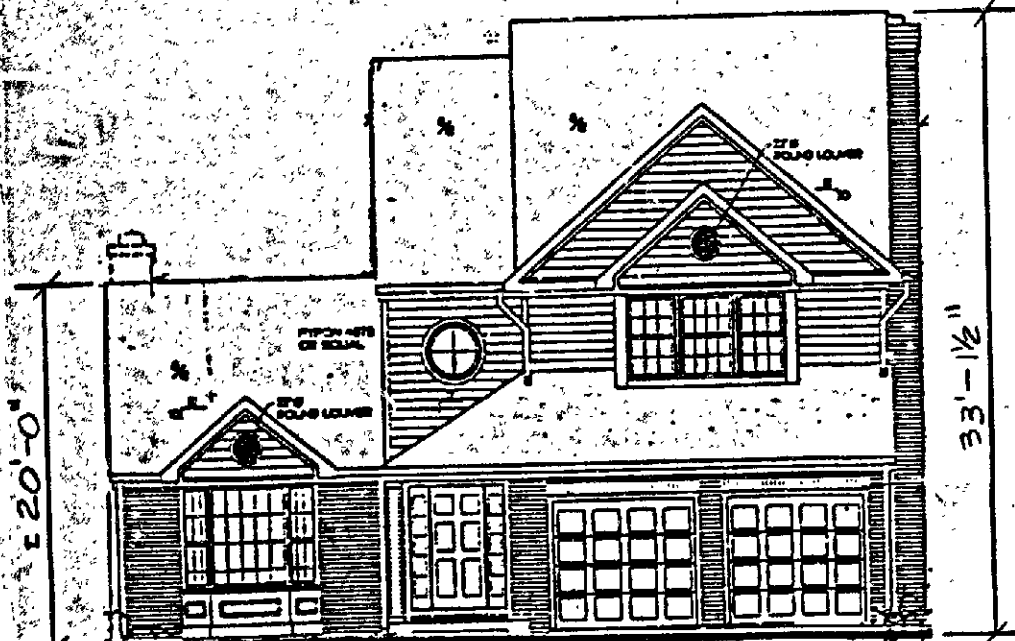




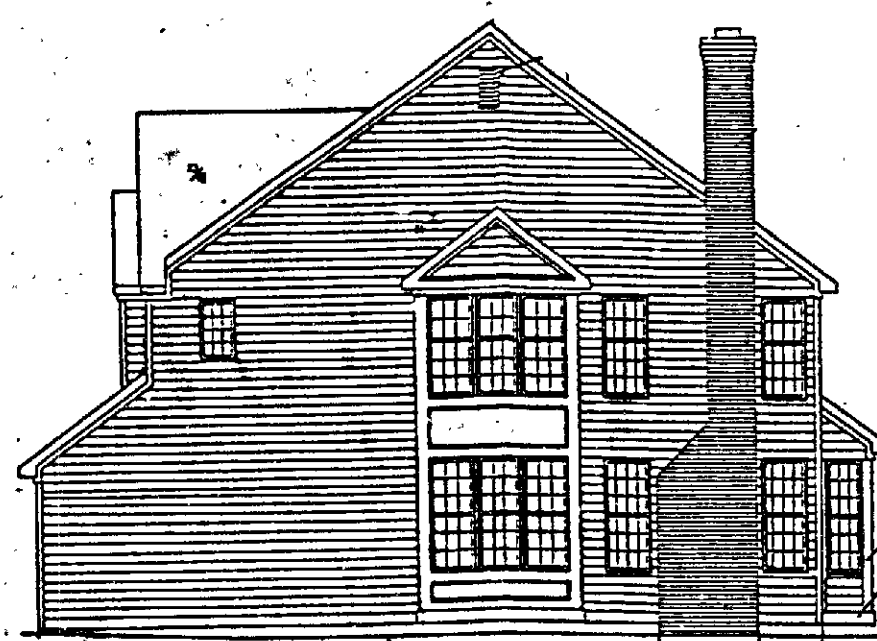
HOUSE A
FRONT ELEVATION
54' N.T.S.



SIDE ELEVATION
N.T.S.



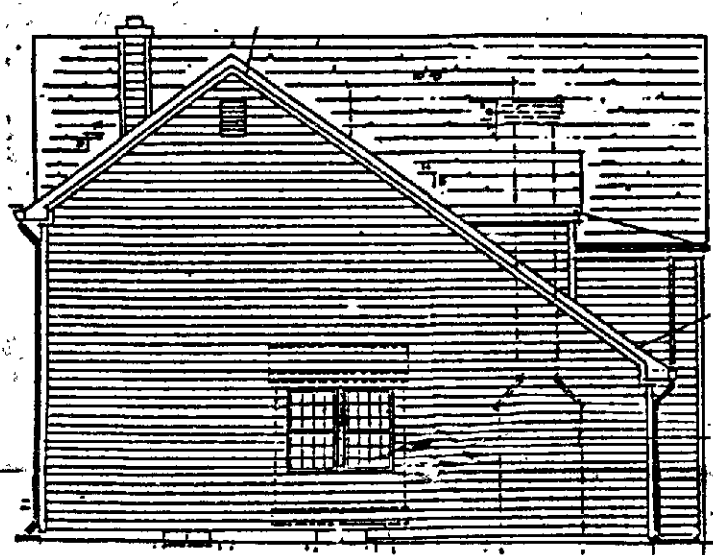
HOUSE B
FRONT ELEVATION
46' N.T.S.



SIDE ELEVATION
N.T.S.



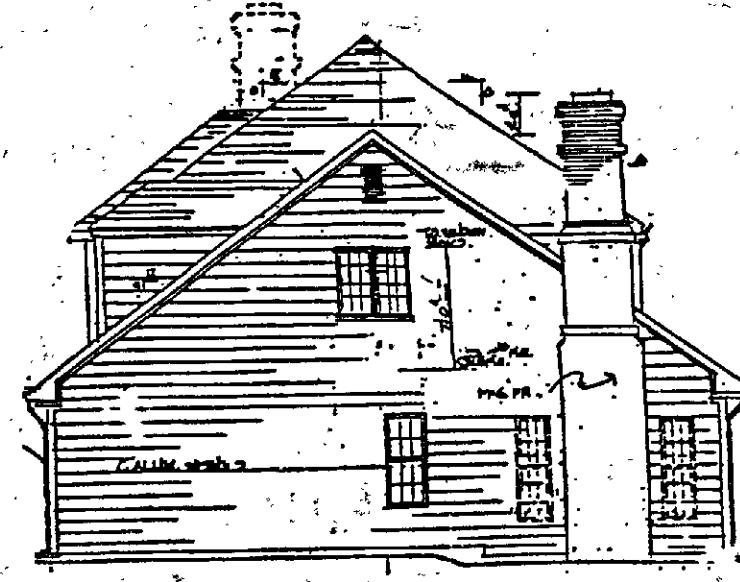
HOUSE C
FRONT ELEVATION
44' N.T.S.



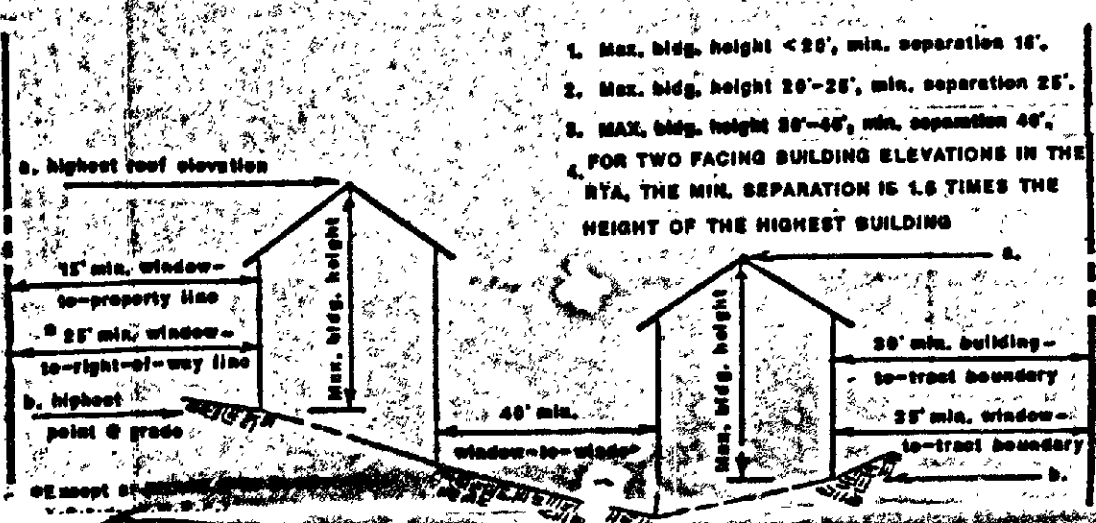
SIDE ELEVATION
N.T.S.



HOUSE D
FRONT ELEVATION
58' N.T.S.



SIDE ELEVATION
N.T.S.



BLDG. HEIGHT VS. BLDG. SEPARATION
N.T.S.

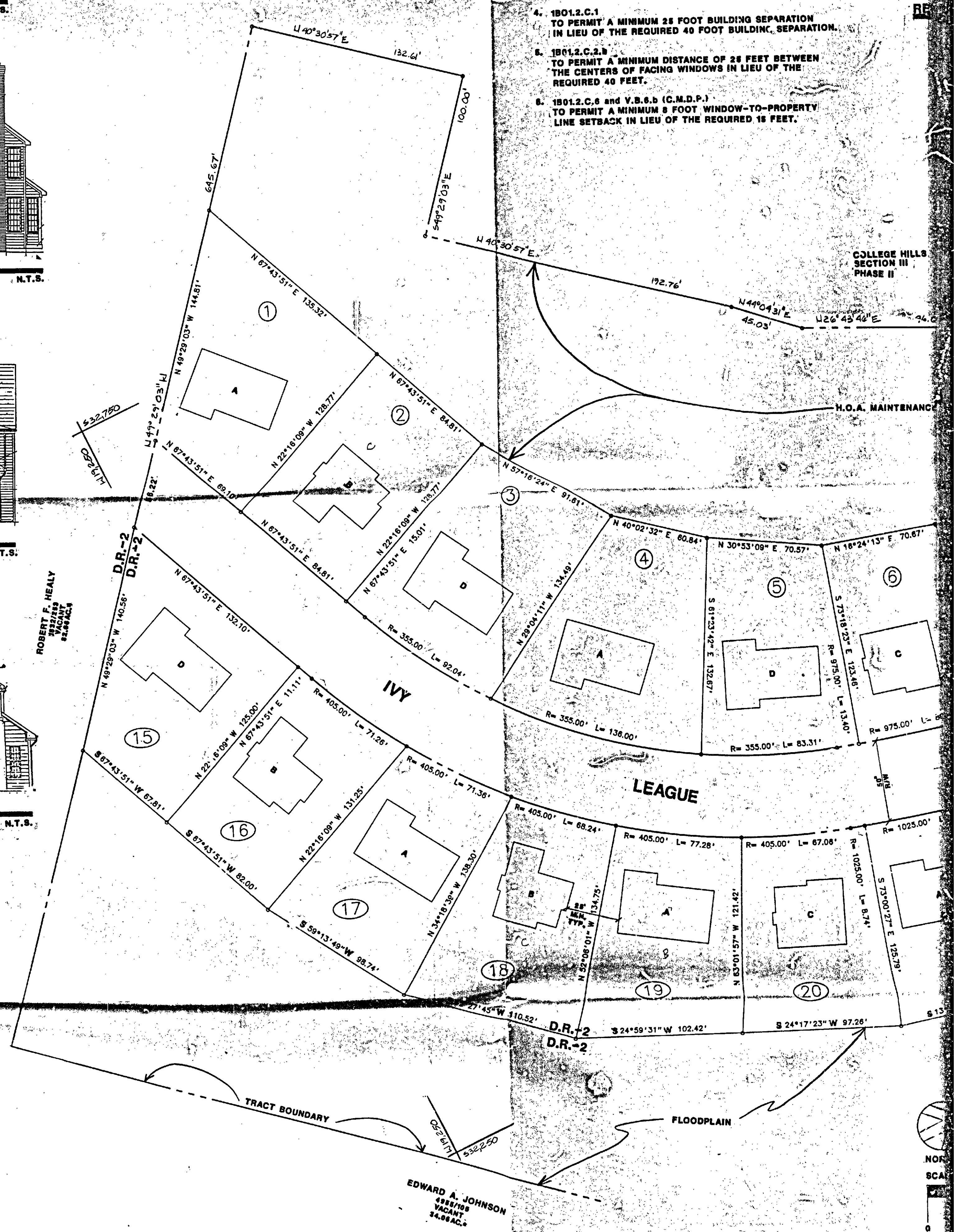
GENERAL NOTES:

DEVELOPER/OWNER: G & R NO. 8
C/O STEVE S. KOREN
SUITE 278
COMMERCENTRE EAST
1777 REISTERSTOWN RD.
BALTIMORE, MARYLAND 21208
(301) 484-8400

ELECTION DISTRICT: 1
DEED REFERENCES: 7079/488
SITE AREA: 7.842 AC.
ZONING: D.R.-2

VARIANCE REQUESTS:

1. 1801.2.C.6 and V.B.5.b (C.M.D.P.)
TO PERMIT A 10 FOOT BUILDING-TO-TRACT BOUNDARY
SETBACK IN LIEU OF THE REQUIRED 30 FEET.
2. 1801.2.C.2.a
TO PERMIT A 10 FOOT WINDOW-TO-TRACT BOUNDARY
SETBACK IN LIEU OF THE REQUIRED 35 FEET.
3. 1801.2.C.1
TO PERMIT A MINIMUM 25 FOOT BUILDING SEPARATION
IN LIEU OF THE REQUIRED 40 FOOT BUILDING SEPARATION.
4. 1801.2.C.1
TO PERMIT A MINIMUM 25 FOOT BUILDING SEPARATION
IN LIEU OF THE REQUIRED 40 FOOT BUILDING SEPARATION.
5. 1801.2.C.2.b
TO PERMIT A MINIMUM DISTANCE OF 25 FEET BETWEEN
THE CENTER OF FACING WINDOWS IN LIEU OF THE
REQUIRED 40 FEET.
6. 1801.2.C.6 and V.B.5.b (C.M.D.P.)
TO PERMIT A MINIMUM 5 FOOT WINDOW-TO-PROPERTY
LINE SETBACK IN LIEU OF THE REQUIRED 15 FEET.



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
ES Ivy League Lane, 920' * ZONING COMMISSIONER
Southerly from Collegiate Drive * OF BALTIMORE COUNTY
1st Election District * Case No. 90-179-A
1st Councilmanic District *
Capital Homes Maryland, Inc. *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF

The Petitioner herein requests variances from Sections 1B01.2.C.6 and V.B.5.b (C.M.D.P.) to permit a 10 foot building to tract boundary setback in lieu of the required 30 feet; 1B01.2.C.2.a to permit a 10 foot window to tract boundary setback in lieu of the required 35 feet; 1B01.2.C.1 to permit a minimum 25 foot building separation in lieu of the required 30 foot building separation and to permit a minimum 25 foot building separation in lieu of the required 40 foot building separation and 1B01.2.C.2.b to permit a minimum distance of 25 feet between the centers of facing windows in lieu of the required 40 feet; 1B01.2.C.6 and V.B.6.b (C.M.D.P.) to permit a minimum 8 foot window to property line setback in lieu of the required 15 feet, as more particularly described on Petitioner's after Exhibit A.

The Petitioner, Capital Homes Maryland, Inc., by Michael Clay, Land Development Coordinator, appeared, testified and was represented by Howard Alderman, Jr., Esquire. Appearing on behalf of the Petitioner was David S. Thaler, Professional Engineer, and Stephen Walen, Jr. Appearing as a Prostant was Berchie Manley.

Testimony indicated that the property known as College Hills III consists of 7.942 acres +/- zoned D.R.2 and is currently unimproved.

Testimony indicated that the Petitioner is desirous of constructing 27 homes that will collectively be known as "College Hills III" located southeast of Catonsville Community College.

Michael Clay testified that Petitioner selected the proposed homes (see Petitioner's Exhibit No. 1) to meet the current market demand for this area. Mr. Clay indicated that the proposed homes will start at approximately \$225,000.00.

David Thaler indicated that the Petitioner would suffer an undue hardship, and practical difficulty should the requested variances be denied.

Mrs. Berchie Manley, a resident of Montemar Avenue, objected to the large homes being placed on the small lots and stated that, in her opinion, Petitioner had created their own hardship and practical difficulty in their attempt to maximize profits.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

IT IS FURTHER ORDERED that variance requests No. 1, 2, 3, 4, 5, and 6 on lot No. 12 are hereby DENIED; and,

IT IS FURTHER ORDERED that a 34 foot building to building setback in lieu of the required 40 foot on the east side of lot No. 12 is hereby GRANTED; and,

IT IS FURTHER ORDERED that a 32 foot window to window setback in lieu of the required 40 foot on the east side of lot No. 12 is hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 1, 2, 3, 4, and 5 on lot No. 13 are hereby DENIED; and,

IT IS FURTHER ORDERED that a building to building setback of 34 feet in lieu of the required 40 feet on the east side of lot No. 13 and the 34 foot window to window setback in lieu of the required 40 foot on the east side of lot No. 13 is hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 1 and 2 on the west side of lot No. 14 are hereby DENIED; and,

IT IS FURTHER ORDERED that the 8 foot window to property line variance request in lieu of the required 15 foot setback on the east side of lot 14 is hereby GRANTED; and,

IT IS FURTHER ORDERED that a building to building setback of 34 feet in lieu of the required 40 feet on the west side of lot No. 14 and a window to window setback of 34 feet in lieu of the required 40 feet on the west side of lot No. 14 are hereby GRANTED, all in accordance with Petitioner's after Exhibit A, and subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, in part, such as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted, in part. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

However, in several instances, Petitioner has attempted to place houses on lots that are clearly too small to adequately accommodate the houses; specifically, lots 5, 9, 10, 12 and 14. The Petitioner could greatly reduce the overcrowding of lots 5, 12 and 14 by placing a "C" type house on these lots (see Petitioner's after Exhibit A) in lieu of the ones proposed. As for lots 9 and 10, even placing a "C" type house on these lots is within the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted, in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of April, 1990 that the Petition for Zoning Variance relative for lots 1, 2, 3, 4, 7, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26 and 27 are hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property, located 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 1B01.2.C.6 and V.B.5.b (C.M.D.P.) to permit a 10 foot building to tract boundary setback in lieu of the required 30 feet; 1B01.2.C.2.a to permit a 10 foot window to tract boundary setback in lieu of the required 35 feet; 1B01.2.C.1 to permit a minimum 25 foot building separation in lieu of the required 30 foot building separation and to permit a minimum 25 foot building separation in lieu of the required 40 foot building separation and 1B01.2.C.2.b to permit a minimum distance of 25 feet between the centers of facing windows in lieu of the required 40 feet; 1B01.2.C.6 and V.B.6.b (C.M.D.P.) to permit a minimum 8 foot window to property line setback in lieu of the required 15 feet, as more particularly described on Petitioner's after Exhibit A.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) Strict compliance with the B.C.Z.R. is unreasonably burdensome due to site specific constraints including: access limitations, steep slopes, wetlands, and rock.

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.

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: Capital Homes Maryland, Inc.
(Type or Print Name)
Signature: [Signature]
Address: [Address]
City and State: [City and State]

Legal Owner(s): [Signature]
(Type or Print Name)
Signature: THOMAS H. LAWRENCE
Address: [Address]
City and State: [City and State]

Attorney for Petitioner: Howard L. Alderman, Jr.
(Type or Print Name)
Signature: [Signature]
Address: [Address]
City and State: [City and State]

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Suite 113
Towson, MD 21204
City and State: [City and State]
Attorney's Telephone No.: 321-0600

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of April, 1990.

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 the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 15th day of April, 1990 at 11 o'clock A.M.

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

IT IS FURTHER ORDERED that the variance requests relative to lot No. 5, 9 and 10 are hereby DENIED; and,

IT IS FURTHER ORDERED that a 33 foot window to window setback variance in lieu of the required 40 foot, relative to lot No. 5, is hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 1, 2, and 3 on the west side of lot No. 6, as indicated on Petitioner's after exhibit A, are hereby DENIED; and,

IT IS FURTHER ORDERED that a 33 foot building to building setback variance, in lieu of the required 40 foot and a 33 foot window to window setback in lieu of the required 40 foot, relative to the east side of lot No. 6, are hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 4 on the east side of lot No. 6, as indicated on Petitioner's after Exhibit A is hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 1, 2 and 3 on the west side of lot No. 8, as indicated on Petitioner's after Exhibit A, are hereby GRANTED; and,

IT IS FURTHER ORDERED that variance requests No. 4 on the east side of lot No. 8, as indicated on Petitioner's after Exhibit A, is hereby DENIED; and,

IT IS FURTHER ORDERED that variance requests No. 1 on the west side of lot No. 11 and variance requests No. 3 and 4 on the east side of lot No. 11 are hereby DENIED; and

IT IS FURTHER ORDERED that variance requests No. 2 on the west side of lot No. 11 is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. H. Haines

ATTACHMENT "A" TO VARIANCE REQUEST

PETITIONER: Capital Homes
PROJECT: College Hills
ITEM NO.: 31

VARIANCE REQUEST NO. 1

From BCZR Section 1B01.2.C.6 and CMDF Section V.B.5.b to permit a Ten (10) foot Building-to-Tract Boundary Setback in lieu of the required 30 feet, for Lots 1 & 15.

VARIANCE REQUEST NO. 2

From BCZR Section 1B01.2.C.2.a to permit a Ten (10) foot Window-to-Tract Boundary Setback in lieu of the required 35 feet, for Lots 1 & 15.

VARIANCE REQUEST NO. 3

From BCZR Section 1B01.2.C.1 to permit a minimum Twenty-Five (25) foot Building Separation in lieu of the required 30 foot Building Separation, for Lot 3.

VARIANCE REQUEST NO. 4

From BCZR Section 1B01.2.C.1 to permit a minimum Twenty-Five (25) foot Building Separation in lieu of the required 40 foot Building Separation, for Lots 1 thru 4, 6 thru 22, and 25 thru 27.

VARIANCE REQUEST NO. 5

From BCZR Section 1B01.2.C.2.b to permit a minimum distance of Twenty-Five (25) feet between the centers of facing windows in lieu of the required 40 feet, for Lots 1 thru 22, and 25 thru 27.

VARIANCE REQUEST NO. 6

From BCZR Section 1B01.2.C.6 and CMDF Section V.B.6.b to permit a minimum Eight (8) foot Window-to-Property Line Setback in lieu of the required 15 feet, for Lots 4 thru 14, 16 thru 17, 19 thru 20, and 25 thru 27.

[This information is consistent with the tabular representation submitted on Petitioner's "Plat to Accompany Variance Petition"]

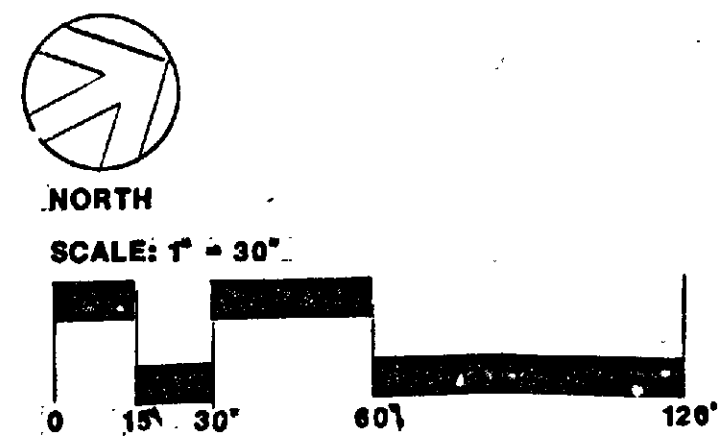
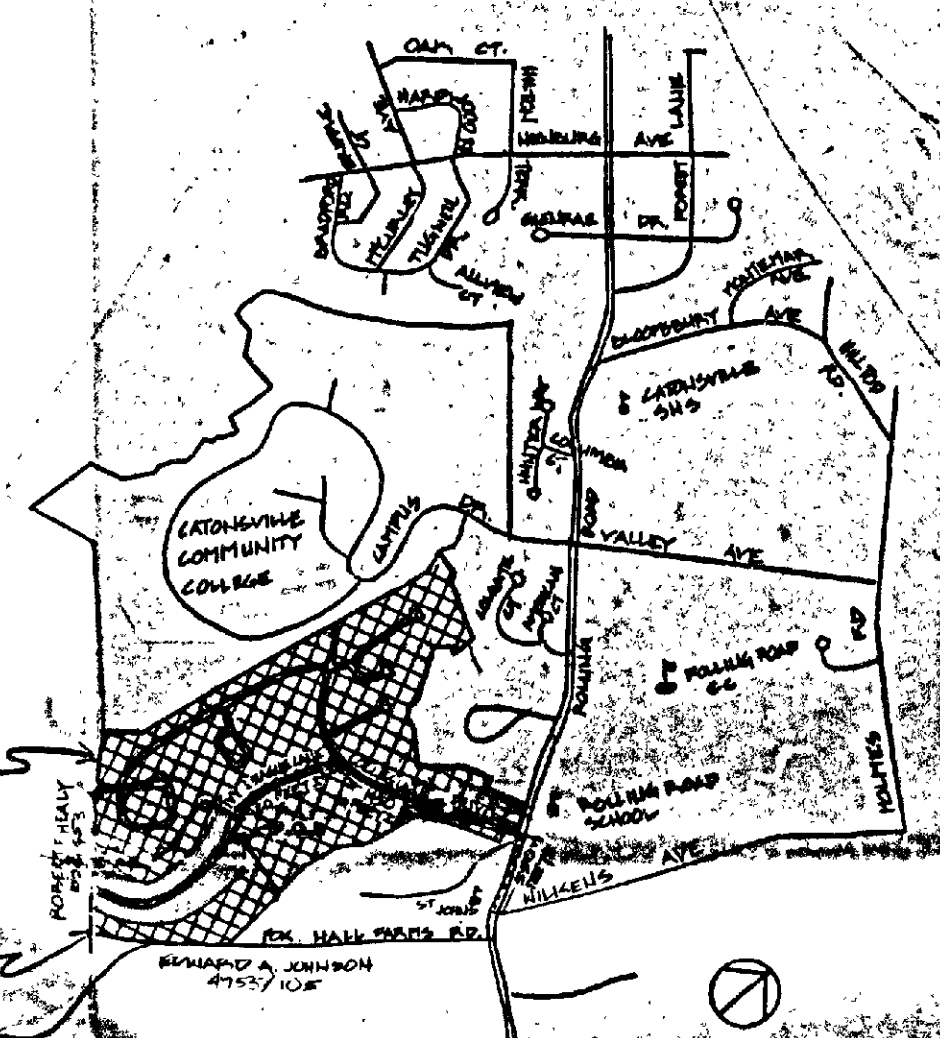
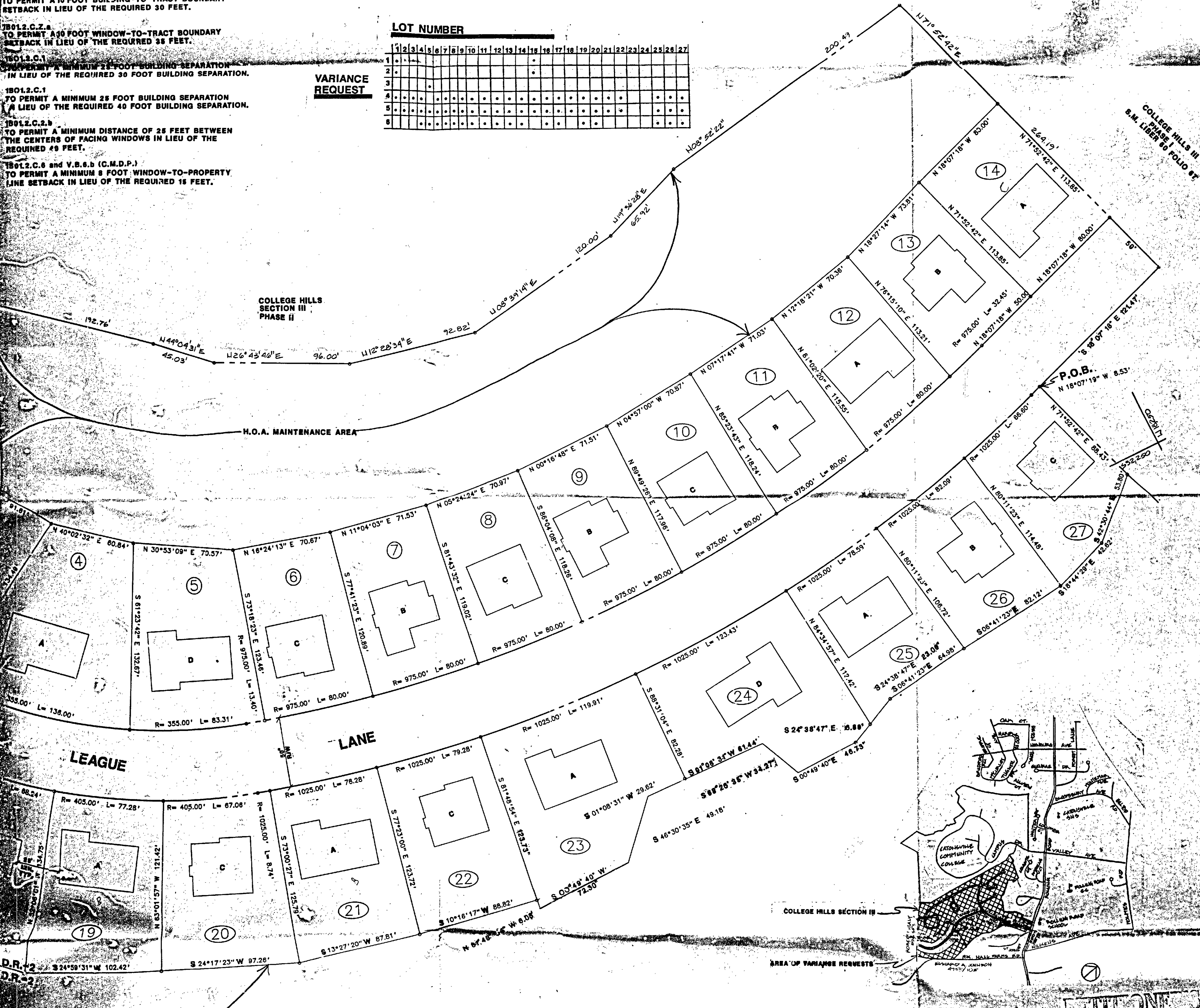
MAP 2WSF
2A
1st
DATE 4/22/90
200 BF
1000 BF
DE 6A

VARIANCE REQUESTS:

- 18012.C.6 and V.B.5.b (C.M.D.P.)
TO PERMIT A 10 FOOT BUILDING-TO-TRACT BOUNDARY
RETBACK IN LIEU OF THE REQUIRED 30 FEET.
- 18012.C.7.a
TO PERMIT A 10 FOOT WINDOW-TO-TRACT BOUNDARY
RETBACK IN LIEU OF THE REQUIRED 38 FEET.
- 18012.C.1
TO PERMIT A MINIMUM 25 FOOT BUILDING SEPARATION
IN LIEU OF THE REQUIRED 30 FOOT BUILDING SEPARATION.
- 18012.C.1
TO PERMIT A MINIMUM 25 FOOT BUILDING SEPARATION
IN LIEU OF THE REQUIRED 40 FOOT BUILDING SEPARATION.
- 18012.C.2.b
TO PERMIT A MINIMUM DISTANCE OF 25 FEET BETWEEN
THE CENTERS OF FACING WINDOWS IN LIEU OF THE
REQUIRED 49 FEET.
- 18012.C.6 and V.B.5.b (C.M.D.P.)
TO PERMIT A MINIMUM 8 FOOT WINDOW-TO-PROPERTY
LINE SETBACK IN LIEU OF THE REQUIRED 15 FEET.

VARIANCE REQUEST

LOT NUMBER																											
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
1																*											
2	*															*											
3																											
4	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
5	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
6	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*



PLAT TO ACCOMPANY VARIANCE PETITION
COLLEGE HILLS III
BY CAPITAL HOMES
8985 GUILFORD ROAD
SUITE 290
COLUMBIA, MD 21046

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD, 21208
(301) 494-4100
6-27-89

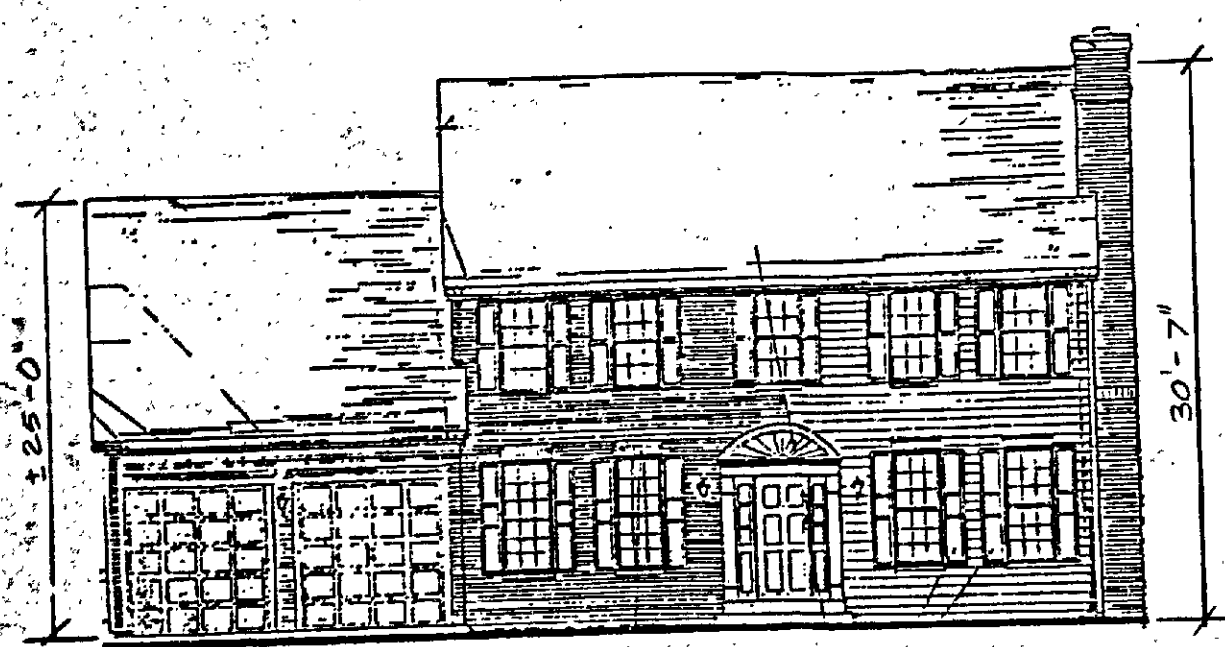
PETITIONER'S
EXHIBIT 1

#31



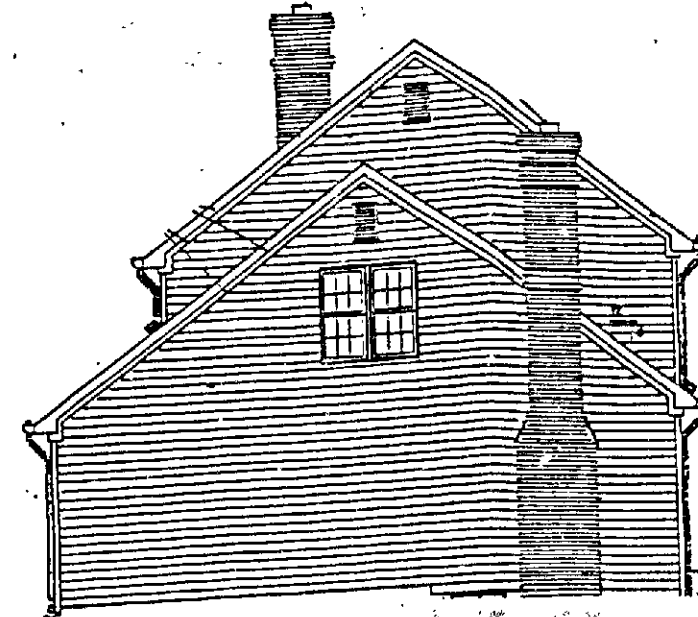
PETITIONER'S
EXHIBIT 1

PETITIONER'S
EXHIBIT 1



HOUSE A
FRONT ELEVATION

N.T.S.



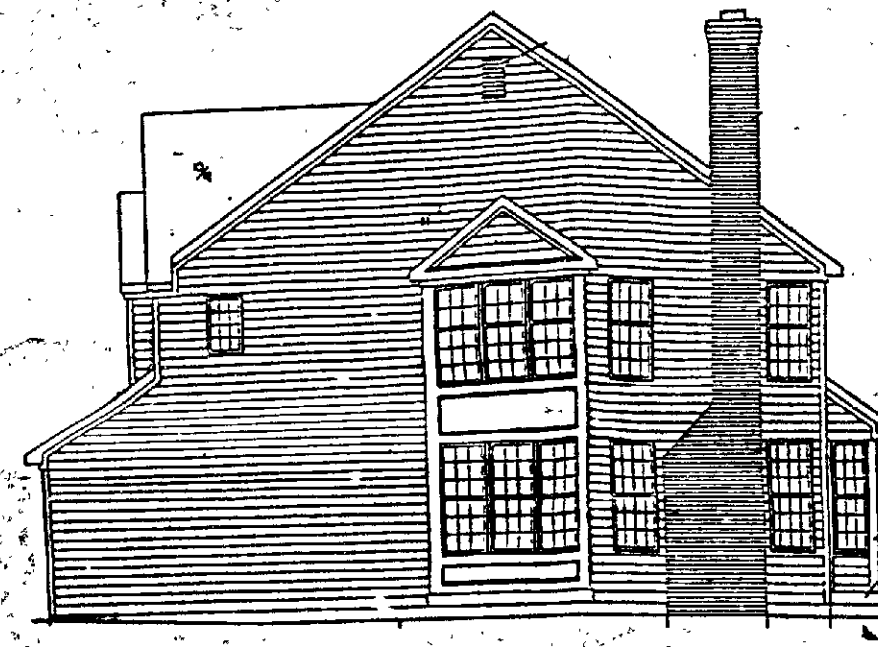
HOUSE A
SIDE ELEVATION

N.T.S.



HOUSE B
FRONT ELEVATION

N.T.S.



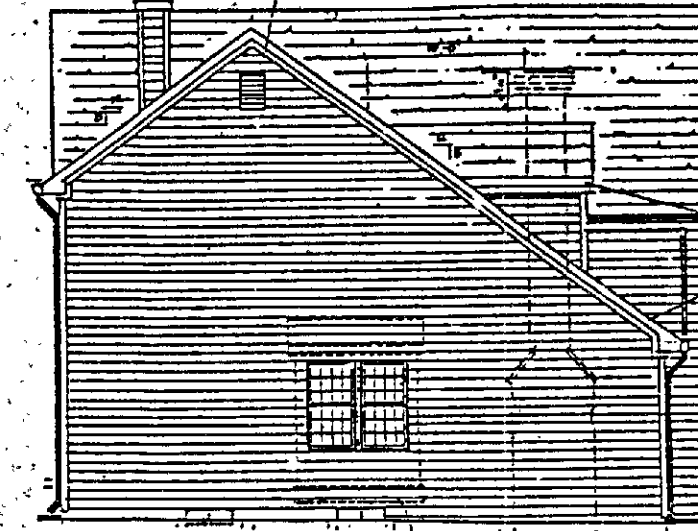
HOUSE B
SIDE ELEVATION

N.T.S.



HOUSE C
FRONT ELEVATION

N.T.S.



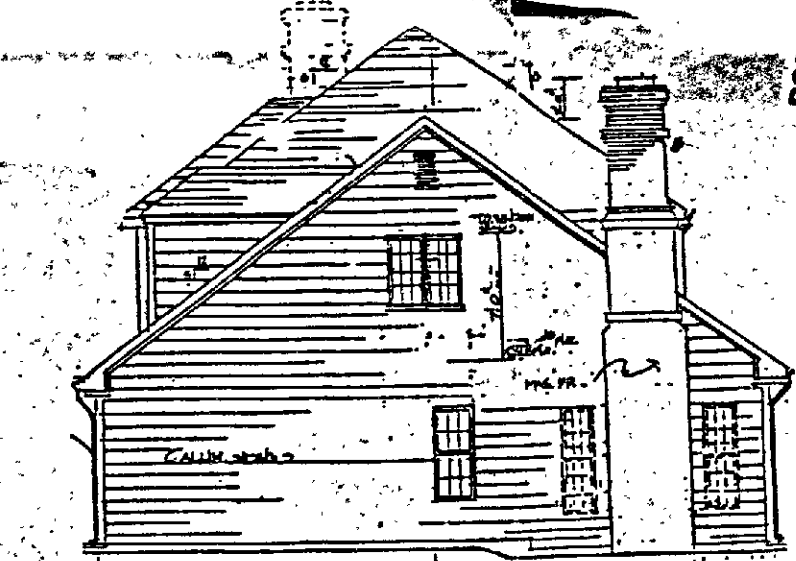
HOUSE C
SIDE ELEVATION

N.T.S.



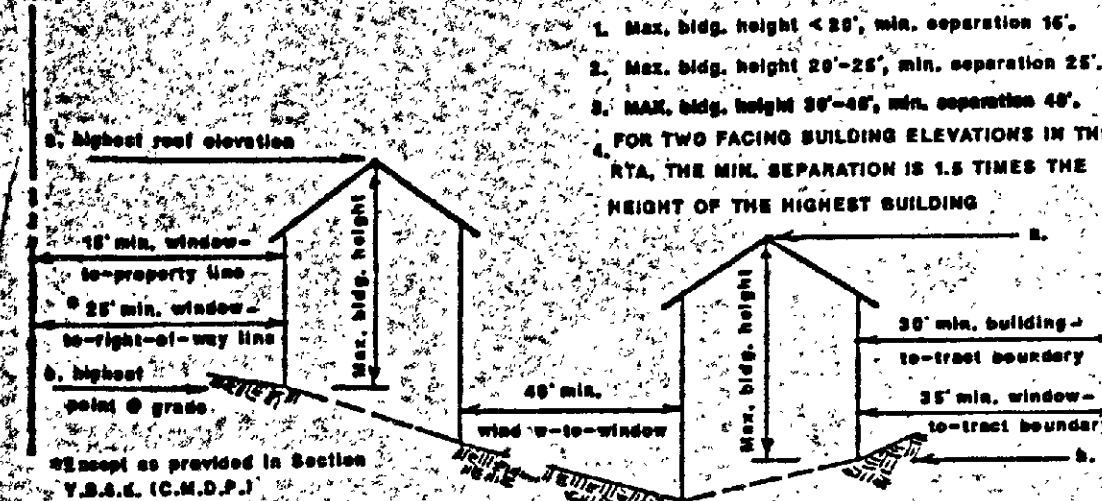
HOUSE D
FRONT ELEVATION

N.T.S.



HOUSE D
SIDE ELEVATION

N.T.S.



BLDG. HEIGHT VS. BLDG. SEPARATION

N.T.S.

VARIANCES REQUESTED BY LOT:

Lot #1	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - Tract Boundary in Lieu of 35' [D] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #2	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #3	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #4	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #5	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #6	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #7	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]
---------------	---	---------------	--	---------------	--	---------------	--	---------------	--	---------------	--	---------------	--

Lot #8	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #9	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #10	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #11	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #12	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #13	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]
---------------	--	---------------	--	----------------	--	----------------	--	----------------	--	----------------	--

Lot #14	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #15	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #16	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #17	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #18	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #19	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]
----------------	--	----------------	--	----------------	--	----------------	--	----------------	--	----------------	--

Lot #20	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #21	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #22	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #23	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #24	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]	Lot #25	West Side 1.) 35' Bldg. - Bldg. in Lieu of 40' [D] 2.) 35' W - W in Lieu of 40' [E] East Side 3.) 35' Bldg. - Bldg. in Lieu of 40' [D] 4.) 35' W - W in Lieu of 40' [E]
----------------	--	----------------	--	----------------	--	----------------	--	----------------	--	----------------	--

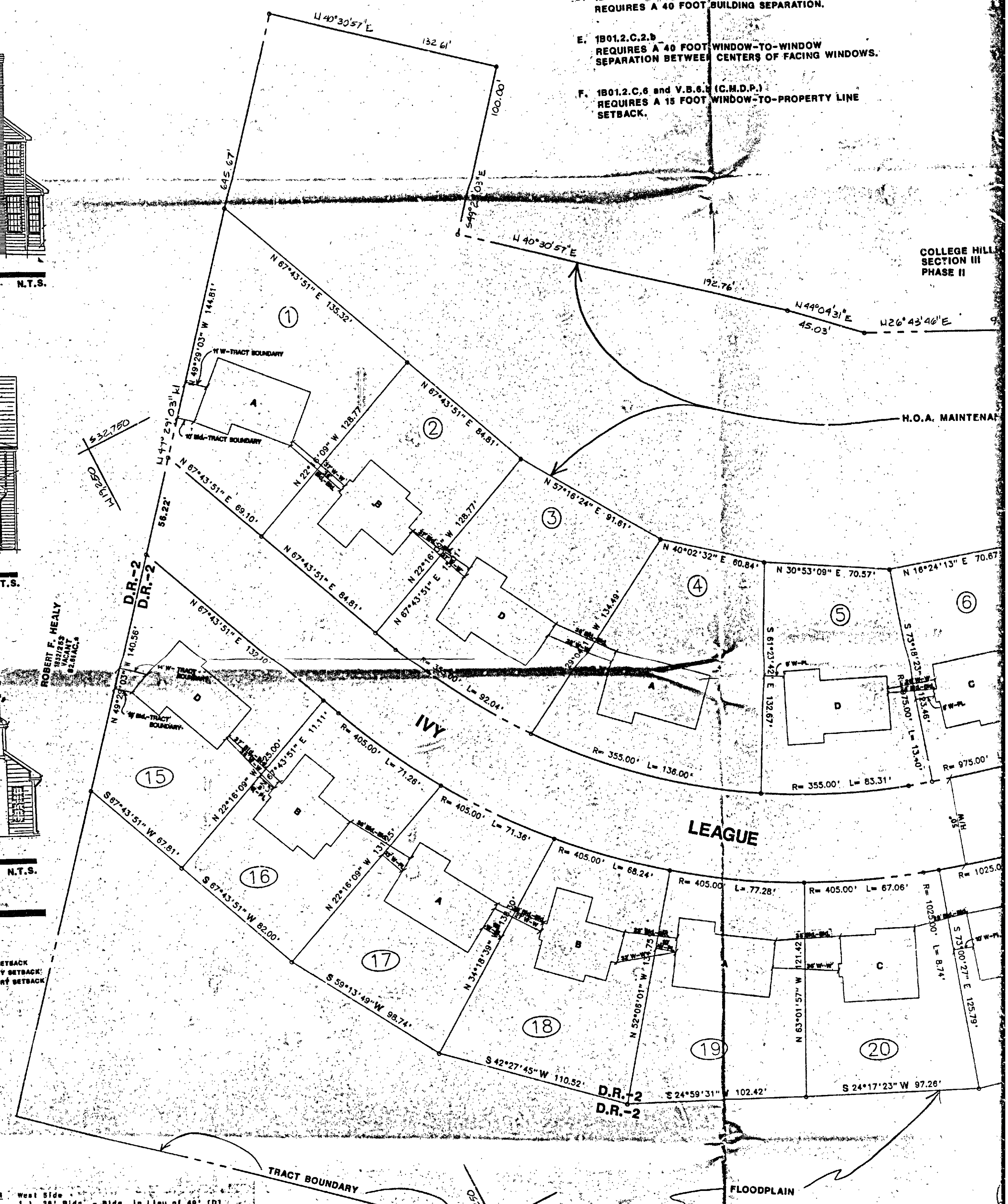
VARIANCE REQUESTS:

- A. 1301.2.C.6 and V.B.5.b (C.M.D.P.)
REQUIRES A 30 FOOT BUILDING-TO-TRACT BOUNDARY SETBACK
- B. 1301.2.C.2.b
REQUIRES A 35 FOOT WINDOW-TO-TRACT BOUNDARY SETBACK.
- C. 1301.2.C.1
REQUIRES A 30 FOOT BUILDING SEPARATION.
- D. 1301.2.C.1
REQUIRES A 40 FOOT BUILDING SEPARATION.
- E. 1301.2.C.2.b
REQUIRES A 40 FOOT WINDOW-TO-WINDOW SEPARATION BETWEEN CENTERS OF FACING WINDOWS.
- F. 1301.2.C.6 and V.B.5.b (C.M.D.P.)
REQUIRES A 15 FOOT WINDOW-TO-PROPERTY LINE SETBACK.

GENERAL NOTES:

DEVELOPER/OWNER: G & R NO. 3
C/O STEVE S. KOREN
SUITE 275
COMMERCIAL EAST
1777 REISTERSTOWN RD.
BALTIMORE, MARYLAND 21208
(301) 484-8400

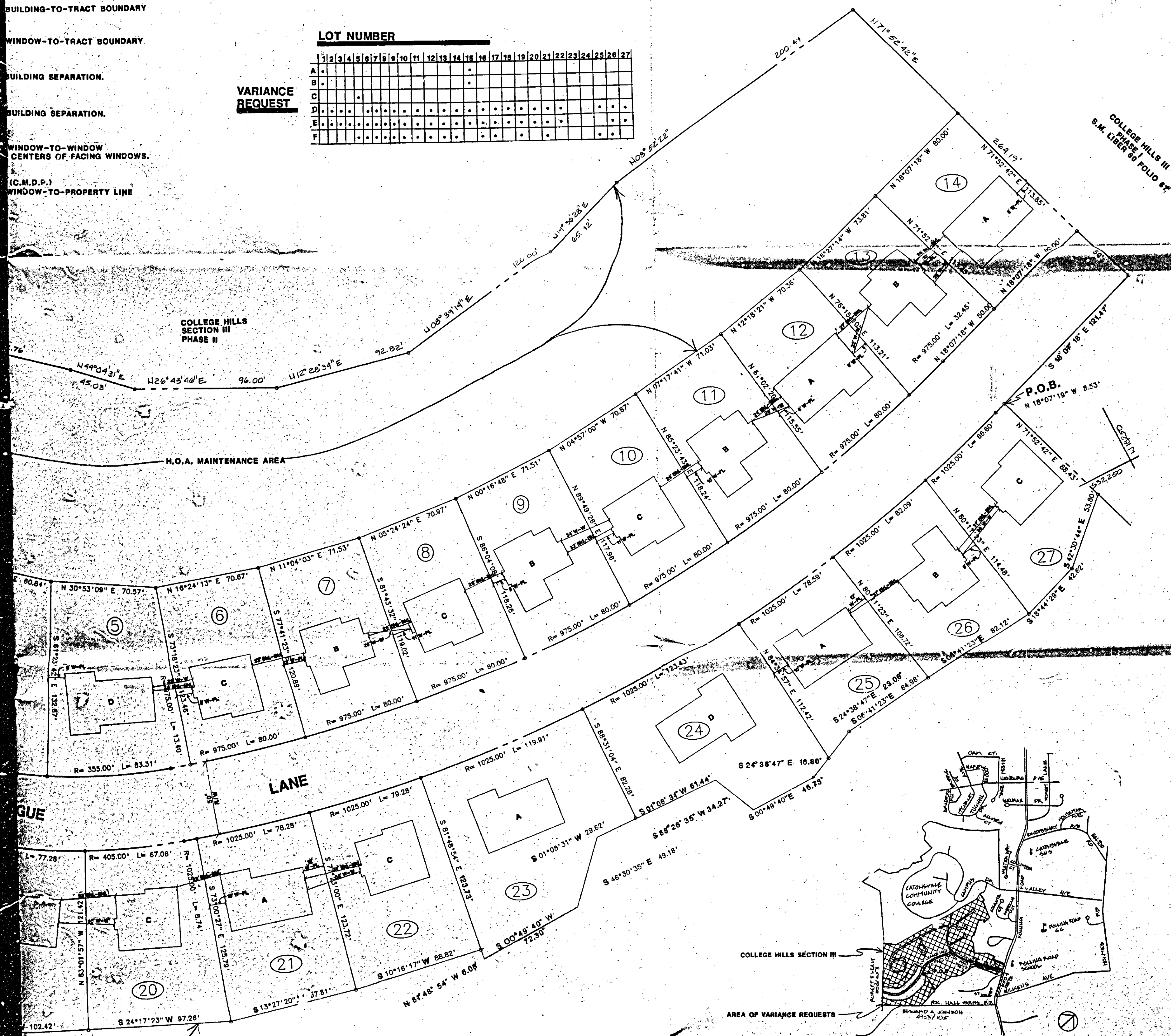
ELECTION DISTRICT: 1
DEED REFERENCES: 7078/458
SITE AREA: 7.842 AC.
ZONING: D.R.-2



(C.M.D.P.)
BUILDING-TO-TRACT BOUNDARY
WINDOW-TO-TRACT BOUNDARY
BUILDING SEPARATION.
BUILDING SEPARATION.
WINDOW-TO-WINDOW
CENTERS OF FACING WINDOWS
(C.M.D.P.)
WINDOW-TO-PROPERTY LINE

[illegible]

VARIANCE REQUEST



VICINITY MAP SCALE: 1" = 1000'

FLOODPLAIN

NORTH

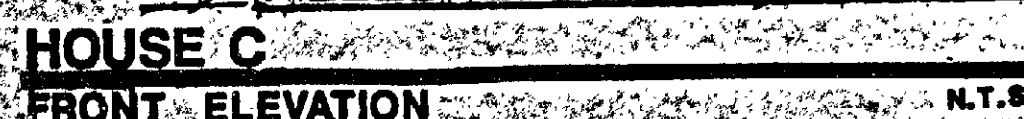
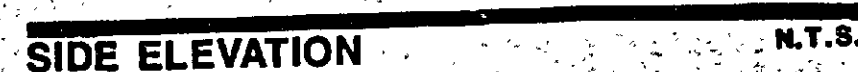
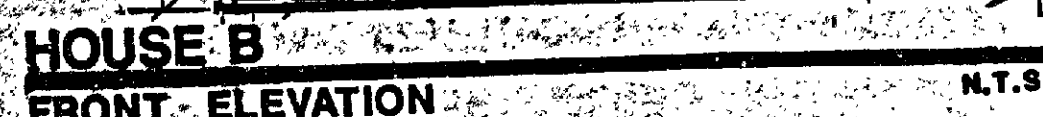
SCALE: 1" = 30'

COLLEGE HILLS III

BY CAPITAL HOMES
8965 GUILFORD ROAD
SUITE 290
COLUMBIA, MD 21046

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
6-27-89

PETITIONER'S
AFTER EXHT. A



VARIANCES REQUESTED BY LOT:

Lot #1 West Side
1.) 36' Bldg. - Bldg. In Lieu of 30' [A]
2.) 31' W - Tract Boundary In Lieu of 35' [B]
East Side
3.) 36' Bldg. - Bldg. In Lieu of 40' [D]
4.) 37' W - W In Lieu of 40' [E]
Lot #2 West Side
1.) 36' Bldg. - Bldg. In Lieu of 40' [D]
2.) 37' W - W In Lieu of 40' [E]
East Side
3.) 37' Bldg. - Bldg. In Lieu of 40' [D]
4.) 37' W - W In Lieu of 40' [E]
Lot #3 West Side
1.) 37' Bldg. - Bldg. In Lieu of 40' [D]
2.) 37' W - W In Lieu of 40' [E]
East Side
3.) 36' Bldg. - Bldg. In Lieu of 40' [D]
4.) 36' W - W In Lieu of 40' [E]
Lot #4 West Side
1.) 36' Bldg. - Bldg. In Lieu of 40' [D]
2.) 36' W - W In Lieu of 40' [E]
Lot #5 West Side
1.) 9' W - PL In Lieu of 15' [F]
East Side
2.) 24' Bldg. - Bldg. In Lieu of 40' [C]
3.) 26' W - W In Lieu of 40' [E]
Lot #6 West Side
1.) 36' Bldg. - Bldg. In Lieu of 40' [D]
2.) 26' W - W In Lieu of 40' [E]
3.) 9' W - PL In Lieu of 15' [F]
East Side
4.) 33' Bldg. - Bldg. In Lieu of 40' [D]
Lot #7 West Side
1.) 33' Bldg. - Bldg. In Lieu of 40' [D]
2.) 33' W - PL In Lieu of 15' [F]
East Side
3.) 26' Bldg. - Bldg. In Lieu of 40' [D]
4.) 26' W - W In Lieu of 40' [E]

Lot #8 West Side
1.) 28' Bldg. - Bldg. In Lieu of 40' [D]
2.) 28' W - W In Lieu of 40' [E]
3.) 11' W - PL. In Lieu of 15' [F]
East Side
4.) 28' Bldg. - Bldg. In Lieu of 40' [D]
Lot #9 West Side
1.) 28' Bldg. - Bldg. In Lieu of 40' [D]
2.) 8' W - PL. In Lieu of 15' [F]
East Side
3.) 32' Bldg. - Bldg. In Lieu of 40' [D]
4.) 34' W - W In Lieu of 40' [E]
Lot #10 West Side
1.) 32' Bldg. - Bldg. In Lieu of 40' [D]
2.) 34' W - W In Lieu of 40' [E]
3.) 11' W - PL. In Lieu of 40' [F]
East Side
4.) 28' Bldg. - Bldg. In Lieu of 40' [D]
Lot #11 West Side
1.) 28' Bldg. - Bldg. In Lieu of 40' [D]
2.) 10' W - PL. In Lieu of 15' [F]
East Side
3.) 24' Bldg. - Bldg. In Lieu of 40' [D]
4.) 28' W - W In Lieu of 40' [E]
Lot #12 West Side
1.) 24' Bldg. - Bldg. In Lieu of 40' [D]
2.) 28' W - W In Lieu of 40' [E]
3.) 8' W - PL. In Lieu of 15' [F]
East Side
4.) 27' Bldg. - Bldg. In Lieu of 40' [D]
5.) 32' W - W In Lieu of 40' [E]
6.) 8' W - PL. In Lieu of 15' [F]
Lot # 13 West Side
1.) 27' Bldg. - Bldg. In Lieu of 40' [D]
2.) 32' W - W In Lieu of 40' [E]
East Side
3.) 28' Bldg. - Bldg. In Lieu of 40' [D]
4.) 28' W - W In Lieu of 40' [E]
5.) 10' W - PL. In Lieu of 15' [F]

Lot #14

West Side
1.) 26' Bldg. - Bldg. in Lieu of 40' [D]
2.) 28' W - W in Lieu of 40' [E]
East Side
3.) 8' W - PL. in Lieu of 15' [F]

Lot #15

West Side
1.) 26' Bldg. - Tract Boundary in Lieu of 40' [D]
2.) 14' W - Tract Boundary in Lieu of 30' [E]
East Side
3.) 37' Bldg. - Bldg. in Lieu of 40' [D]
4.) 38' W - W in Lieu of 40' [E]

Lot #16

West Side
1.) 37' Bldg. - Bldg. in Lieu of 40' [D]
2.) 38' W - W in Lieu of 40' [E]
3.) 8' W - PL. in Lieu of 15' [F]
East Side
4.) 38' Bldg. - Bldg. in Lieu of 40' [D]
5.) 38' W - W in Lieu of 40' [E]

Lot #17

West Side
1.) 26' Bldg. - Bldg. in Lieu of 40' [D]
2.) 13' W - PL. in Lieu of 15' [F]
East Side
3.) 26' Bldg. - Bldg. in Lieu of 40' [D]
4.) 27' W - W in Lieu of 40' [E]
5.) 10' W - PL. in Lieu of 15' [F]

Lot #18

West Side
1.) 26' Bldg. - Bldg. in Lieu of 40' [D]
2.) 27' W - W in Lieu of 40' [E]
East Side
3.) 28' Bldg. - Bldg. in Lieu of 40' [D]
4.) 32' W - W in Lieu of 40' [E]

Lot #19

West Side
1.) 26' Bldg. - Bldg. in Lieu of 40' [D]
2.) 32' W - W in Lieu of 40' [E]
3.) 10' W - PL. in Lieu of 15' [F]
East Side
4.) 35' Bldg. - Bldg. in Lieu of 40' [D]
5.) 36' W - W in Lieu of 40' [E]

BOUNDARY

Q-2-1171

EDWARD A. JOHNSON
4955/105
VACANT
340.6AC=

Lot #20

West Side

1.) 35' Bldg. - Bldg. in Lieu of 40' [F]

2.) 35' W - W in Lieu of 40' [E]

East Side

3.) 28' Bldg. - Bldg. in Lieu of 40' [F]

Lot #21

West Side

1.) 28' Bldg. - Bldg. in Lieu of 40' [F]

2.) 10' W - PL. in Lieu of 15' [F]

East Side

3.) 27' Bldg. - Bldg. in Lieu of 40' [F]

4.) 35' W - W in Lieu of 40' [E]

5.) 12' W - PL. in Lieu of 15' [F]

Lot #22

West Side

1.) 27' Bldg. - Bldg. in Lieu of 40' [F]

2.) 35' W - W in Lieu of 40' [E]

Lot #23

None

Lot #24

None

Lot #25

West Side

1.) 10' W - PL. in Lieu of 15' [F]

East Side

2.) 37' Bldg. - Bldg. in Lieu of 40' [F]

3.) 12' W - PL. in Lieu of 15' [F]

40

MASON

FLOODPLAIN

Lot #28

West Side

1.) 37' Bldg. - Bldg. in Lieu of 40' [D]

East Side

2.) 37' Bldg. - Bldg. in Lieu of 40' [D]

3.) 38' W - W in Lieu of 40' [E]

4.) 3' W - PL. in Lieu of 15' [F]

Lot #27

West Side

1.) 37' Bldg. - Bldg. in Lieu of 40' [D]

2.) 38' W - W in Lieu of 40' [E]

GENERAL NOTES:

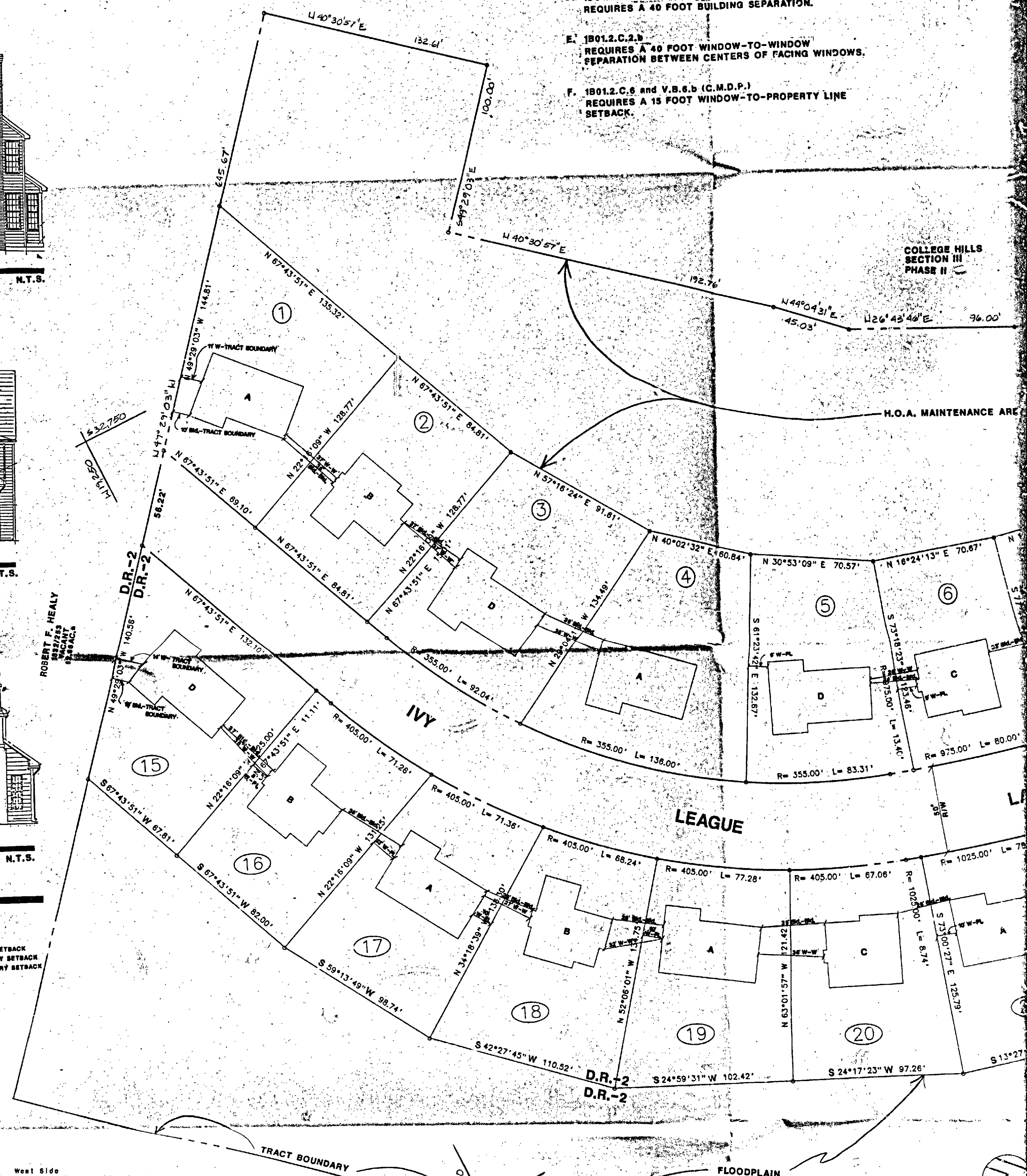
DEVELOPER/OWNER: Q & R NO. 3
C/O STEVE S. KOREN
SUITE 275
COMMERCENTRE EAST
1777 REISTERSTOWN RD.
BALTIMORE, MARYLAND 21208
(301) 484-8400

ELECTION DISTRICT: 1
DEED REFERENCES: 7079/159
SITE AREA: 7.942 AC.±
ZONING: D.R.-2

VARIANCE REQUESTS:

- A. 1801.2.C.6 and V.B.5.b (C.M.D.P.)
REQUIRES A 30 FOOT BUILDING-TO-TRACT BOUNDARY
SETBACK.
- B. 1801.2.C.2.a
REQUIRES A 35 FOOT WINDOW-TO-TRACT BOUNDARY
SETBACK.
- C. 1801.2.C.1
REQUIRES A 30 FOOT BUILDING SEPARATION.
- D. 1801.2.C.1
REQUIRES A 40 FOOT BUILDING SEPARATION.
- E. 1801.2.C.2.b
REQUIRES A 40 FOOT WINDOW-TO-WINDOW
SEPARATION BETWEEN CENTERS OF FACING WINDOWS.
- F. 1801.2.C.6 and V.B.6.b (C.M.D.P.)
REQUIRES A 15 FOOT WINDOW-TO-PROPERTY LINE
SETBACK.

VARIAN
REQUIS



NORTH
SCALE

(D.D.P.)
HOW-TO-PROPERTY LINE

[illegible]

- H.O.A. MAINTENANCE AREA

LANE

D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MD. 21208
(301) 484-4100
6-27-89

MICROFILMED

July 20, 1989

DESCRIPTION TO ACCOMPANY VARIANCE PETITION
COLLEGE HILLS, SECTION III

Beginning for the same at a point on the easterly right-of-way line of Ivy League Lane, a 50 foot right-of-way, which point is northwesterly 550 feet more or less from the intersection of the centerline of Wilkens Avenue and Rolling Road; southwesterly 1.50 feet more or less from the intersection of the centerline of Rolling Road and the southerly right-of-way line of Collegiate Drive extended; southerly 920 feet more or less from the intersection of the southerly right-of-way line of Collegiate Drive and the easterly right-of-way line of Ivy League Lane; thence, leaving the said point of beginning and running with and binding upon lines of the first amended Record Plat of College Hills, Section III, Phase I, Sheet 5 of 5, as intended to be recorded among the Land Records of Baltimore County, Maryland formally recorded as College Hills, Section III, Phase I, Sheet 5 of 5 in Plat Book S.M. 60 folio 68, the following 34 courses and distances:

1. North 71°52'42" East 88.43 feet to a point;
2. South 42°30'44" East 53.80 feet to a point;
3. South 18°44'29" East 42.62 feet to a point;
4. South 06°41'23" East 147.10 feet to a point;
5. South 24°38'47" East 39.80 feet to a point;
6. South 00°49'40" East 46.73 feet to a point;
7. South 68°26'35" West 34.27 feet to a point;
8. South 01°08'31" West 91.05 feet to a point;
9. South 46°30'35" East 49.18 feet to a point;
10. South 00°49'40" West 72.30 feet to a point;

page 2

DESCRIPTION TO ACCOMPANY VARIANCE PETITION
COLLEGE HILLS, III

11. North 81°48'54" West 6.08 feet to a point;
12. South 10°16'17" West 88.82 feet to a point;
13. South 13°27'20" West 87.81 feet to a point;
14. South 24°17'23" West 97.26 feet to a point;
15. South 24°59'31" West 102.42 feet to a point;
16. South 42°27'45" West 110.52 feet to a point;
17. South 7°13'49" West 98.74 feet to a point;
18. South 67°43'51" West 149.81 feet to a point;
19. North 49°29'03" West 341.59 feet to a point;
20. North 67°43'51" East 220.13 feet to a point;
21. North 57°16'24" East 91.61 feet to a point;
22. North 40°02'32" East 60.84 feet to a point;
23. North 30°53'09" East 70.57 feet to a point;
24. North 16°24'13" East 70.67 feet to a point;
25. North 11°04'03" East 71.53 feet to a point;
26. North 05°24'24" East 70.97 feet to a point;
27. North 00°16'48" East 71.51 feet to a point;
28. North 04°57'00" West 70.87 feet to a point;
29. North 07°17'41" West 71.03 feet to a point;
30. North 12°18'21" West 70.36 feet to a point;
31. North 18°27'14" West 73.81 feet to a point;
32. North 18°07'18" West 80.00 feet to a point;
33. North 71°52'42" East 163.85 feet to a point;

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-179-A
ES Ivy League Lane, 920' Southerly from Collegiate Drive
1st Election District - 1st Councilmanic
Petitioner(s): Capital Homes Maryland, Inc.
HEARING: WEDNESDAY, NOVEMBER 15, 1989 at 11:00 a.m.

Variances To permit a ten (10) foot building-to-tract boundary setback in lieu of the required 30 feet, for Lot 1 and 15; to permit a ten (10) foot window-to-tract boundary setback in lieu of the required 35 feet, for Lot 1 and 15; to permit a minimum twenty-five (25) foot building separation in lieu of the required 30 foot building separation, for Lot 5; to permit a minimum twenty-five (25) foot building separation in lieu of the required 40 foot building separation, for Lots 1 thru 4, 6 thru 22, and 25 thru 27; to permit a minimum distance of twenty-five (25) feet between the centers of facing windows in lieu of the required 40 feet, for Lots 1 thru 22, and 25 thru 27; to permit a minimum eight (8) foot window-to-property line setback in lieu of the required 15 feet, for Lots 4 thru 14, 18 thru 17, 19 thru 20, and 25 thru 27.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 3, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-179-A
ES Ivy League Lane, 920' Southerly from Collegiate Drive
1st Election District - 1st Councilmanic
Petitioner(s): Capital Homes Maryland, Inc.
HEARING: WEDNESDAY, NOVEMBER 15, 1989 at 11:00 a.m.

Variances To permit a ten (10) foot building-to-tract boundary setback in lieu of the required 30 feet, for Lot 1 and 15; to permit a ten (10) foot window-to-tract boundary setback in lieu of the required 35 feet, for Lot 1 and 15; to permit a minimum twenty-five (25) foot building separation in lieu of the required 30 foot building separation, for Lot 5; to permit a minimum twenty-five (25) foot building separation in lieu of the required 40 foot building separation, for Lots 1 thru 4, 6 thru 22, and 25 thru 27; to permit a minimum distance of twenty-five (25) feet between the centers of facing windows in lieu of the required 40 feet, for Lots 1 thru 22, and 25 thru 27; to permit a minimum eight (8) foot window-to-property line setback in lieu of the required 15 feet, for Lots 4 thru 14, 18 thru 17, 19 thru 20, and 25 thru 27.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Capital Homes Maryland, Inc.
Howard L. Alderman, Jr., Esq.
File

page 3
DESCRIPTION TO ACCOMPANY VARIANCE PETITION
COLLEGE HILLS, III

34. South 18°07'18" East 121.47 feet to a point of beginning.
Containing 7.942 acres of land, more or less.



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 19, 1989.

CATONSVILLE TIMES

S. Zabe Orlan

Publisher

PO 13308
reg 434254
ca 90-179-A
price \$ 102.73

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Date of Posting: 10-30-89
Posted for: Varian
Petitioner: Capital Homes Maryland, Inc.
Location of property: ES of Ivy League Lane, 920' Southerly from Collegiate Drive
Location of Sign: West side of Rolling Road at the intersection of proposed Collegiate Drive
Remarks: IVP LEAGUE LANE & COLLEGIATE DRIVE PROPOSED
Posted by: J. Robert Haines
Date of return: 11-3-89
Number of Signs: 2

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 11, 1989

NOTICE OF REASSIGNMENT



Case #: 90-179-A
ES Ivy League Lane, 920' Southerly from Collegiate Drive
1st Election District - 1st Councilmanic
Petitioner(s): Capital Homes Maryland, Inc.

THE ABOVE MATTER, SCHEDULED TO BE HEARD ON November 15, 1989, HAS BEEN POSTPONED AND REASSIGNED.

THE HEARING WILL NOW TAKE PLACE AS FOLLOWS:

TUESDAY, NOVEMBER 21, 1989 at 9:30 a.m.

BALTIMORE COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE, ROOM 108
TOWSON, MARYLAND 21204

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY

JRH:gs

cc: Capital Homes Maryland, Inc.
Howard L. Alderman, Jr., Esq.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE: 10/24/89

Capital Homes Maryland, Inc.
8955 Guilford Road
Suite 290
Columbia, Maryland 21046

ATTN: THOMAS LAWRENCE

Dennis F. Rasmussen
County Executive

Re: Petition for Zoning Variance
CASE NUMBER: 90-179-A
ES Ivy League Lane, 920' Southerly from Collegiate Drive
1st Election District - 1st Councilmanic
Petitioner(s): Capital Homes Maryland, Inc.
HEARING: WEDNESDAY, NOVEMBER 15, 1989 at 11:00 a.m.

Gentlemen:

Please be advised that \$127.73 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING DEPARTMENT

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

receipt

No. 371

90-179

Date:

11/20/89

PUBLIC HEARING FEES
ADD POSTING SIGNS / ADVERTISING
TOTAL \$127.73
LAST NAME OF OWNER: CAPITAL HOMES

B C10*****12773-a 221f
Please make checks payable to: Baltimore County

Cashier Validation:

hearing date.)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: November 7, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: ZP90179A
Capital Homes Maryland, Inc., Item 31 10-174-A

The Petitioner requests numerous setback Variances.

Generally, staff opposes requests involving blanket Variances. However, in the instant case, staff supports the Petitioner's request because existing regulations regarding window to window and window to lot line setbacks are not always appropriate, or conducive to good design practice.

Should the request be granted, staff offers the following conditions and encloses a list of performance standards for building setbacks which the Office of Planning and Zoning finds acceptable:

- Due to the compactness of the site, one street tree for every forty linear feet of road frontage on both sides of the road shall be required.
- A note shall be included on the approved plan indicating that setback should be no less than twenty-five feet between houses in Phase II and Phase III.
- Setbacks of at least twenty feet should be maintained to tract boundaries.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl
Enc.

11/8/89 mailed late comments to J

Performance Standards for Building Setbacks

A. Single-Family Detached

1. DR 1, 2 Zones - Suburban Residential
 - 25 feet between buildings
 - 30 feet from rear of building to tract boundary
 - 20 feet from side of building to tract boundary
 - 25 feet from public right-of-way

2. DR 3.5, 5.5 Zones - Urban Residential

- 20 feet between buildings
- 30 feet from rear of building to tract boundary
- 20 feet from side of building to tract boundary
- 25 feet from public right-of-way

3. DR 10.5, 16

- 16 feet between buildings
- 30 feet from rear of building to tract boundary
- 20 feet from side of building to tract boundary
- 25 feet from public right-of-way

- Flexible design features such as garage clusters, garages located along street frontage as attached units - architecture shall be similar in design, material, form to principal structure
- Superior landscaping through street trees shall be provided
- Covenants restricting building additions and expansions into the front or side yards shall be provided.

4. Zero lot line or Zipper lots

- 15 feet between buildings excluding bay windows, chimneys
- 30 feet from rear of building to tract boundary, individual lots should have 30 foot rear yards
- 25 feet from public right-of-way

- Fencing shall be provided for all front, side, and rear yards

- Architectural elevations shall be provided
- Pathways and open space areas shall be provided
- Building walls located on lot lines should be solid with smaller translucent windows provided if required
- Opaque stone or brick walls are encouraged unless alternate designs can be proven
- Covenants restricting building additions/expansions critical
- In certain instances, overflow parking may be required.

B. Group Houses - Single-Family, Apartment greater than 4 dwelling units

- 20-30 feet between buildings
- 30 feet building to tract boundaries
- Building to public right-of-way
- 25 feet for garage townhouses
- 13 feet for non-garage townhouses
- 20 feet for townhouses served by alleys

- Building height shall not exceed 40 feet
- Building length shall not exceed 150 feet
- Garage townhouses shall provide covenants and notes on site plan that garages cannot be converted to non-garage or storage uses
- Building lengths may be increased up to 200 feet in length provided the buildings are designed to visually break the facade. Projects will be reviewed on a project basis using the following criteria:

Staggered Unit Setbacks

Unique Placement of Landscaping

Architectural Variation of Facades

Steep Roof Pitch

C. Duplex, Tri-Plex, or Quads-Single-Family, Apartment

- 20 feet between buildings
- 30 feet from rear of building to tract boundary
- 20 feet from side of building to tract boundary
- 25 feet from public right-of-way garage units
- 13 feet from public right-of-way non garage units, perpendicular parking

D. Garden Apartments

- 40 feet between buildings
- 40 feet from building to public right-of-way
- 5% of the gross tract area shall be devoted to active or passive residential amenities
- Landscaping shall be used to create a garden atmosphere and to soften the higher density residential environment.

E. High Rise Residential

F. Administration and Enforcement

ATTACHED: CHDP1
11/9/89

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 408
Towson, Maryland 21204
(301) 887-3554

RECEIVED
AUG 31 1989

ZONING OFFICE

August 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, and 42.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSE/lvw

Baltimore County
Fire Department
300 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reinke
Chief

AUGUST 11, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CAPITAL HOMES MARYLAND, INC.
Location: ES IVY LEAGUE LANE
Item No.: 31 Zoning Agenda: AUGUST 8, 1989
Gentlemen:

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

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", 1998 edition prior to occupancy.

REVIEWER: [Signature] Noted and Approved
Planning Group Special Inspection Division

JK/KEK

AUG 15 1989