

IN RE: PETITION FOR ZONING VARIANCE
600' +/- E of Westmoreland Ave.
400' +/- S of Perring Woods Rd.
Lots 1, 12 & 20 Perring Woods Ct.
9th Election District
6th Councilmanic District
Jack Fiorini, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-299-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section V.B. 5.a. (C.M.D.P.) Section 1B01.2.C.2.a. (B.C.Z.R.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 1 on a plat entitled "Perring Woods Court" to be recorded upon Baltimore County approval; (2) Variance from Section V.B.5.a. (C.M.D.P.) Section 1B01.2.C.2.a. (B.C.Z.R.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 12 on the aforementioned plat and (3) Variance from Section V.B.5.a. (C.M.D.P.) Section 1B01.2.C.2.a. (B.C.Z.R.) to allow a side yard (window to tract boundary) of 30 feet and a rear yard (window to tract boundary) of 25 feet in lieu of the required 35 feet for Lot No. 20 on the aforementioned plat, as more particularly described on Petitioners' Exhibit 1.

Mr. Anthony F. Fiorini appeared and testified on behalf of his father, the Petitioner, and was represented by Ronald A. Decker, Esquire. Also appearing and testifying on behalf of the Petition were Douglas L. Kennedy, Professional Engineer, Nancy M. Burlas and Nick Mangione, Jr. Appearing and testifying as a Protestant was Peggy Winters.

Testimony indicated that the subject property known as "Perring Woods Court" development, consists of 5.9167 acres +/- and is zoned D.R. 5.5. The Petitioner has requested variances for Lots 1, 12 and 20, as more specifically indicated above.

Mr. Douglas Kennedy testified that the subject property received C.R.G. approval on April 6, 1989 for construction of 20 single family homes on the subject site.

Mr. Anthony Fiorini testified that the Petitioners would suffer an undue hardship and practical difficulty should the requested variances be denied.

Mrs. Nancy Burlas and Mr. Nick Mangione, residents of this community, indicated that, in their opinion, the proposed "Perry Woods Court" development was consistent with the esthetic integrity of this community and were, otherwise, in support of the Petition.

Mrs. Peggy Winters testified that, in her opinion, the Petitioners are attempting to overdevelop the subject site and any undue hardship and/or practical difficulty that exists was self-inflicted by the Petitioners. Mrs. Winters also submitted Protestant's Exhibit No. 1 which contains the signatures of 21 individuals, all opposed to the subject Petition.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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;

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- 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.

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 use 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. However, as to Petitioners' variance requests for lots 12 and 20, the Petitioners have no specific type house planned for the lots, no purchaser, and presented no specific house footprint for the lots. The Petitioners are, therefore, speculating as to the need for variances as to Lots 12 and 20, and have presented issues that are not yet ripe for decision. Consequently, Petitioners' variance requests for lots 12 and 20 must be dismissed.

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 Petitioners seek 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 if granted in part.

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.

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THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of April, 1990 that all variance relief requested, pursuant to the Petition for Zoning Variance relative to Lots 12 and 20, is hereby DISMISSED; and

IT IS FURTHER ORDERED, pursuant to Petition for Zoning Variance from Section V.B. 5.a. (C.M.D.P.) Section 1B01.2.C.2.a. (B.C.Z.R.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 1 on a plat entitled "Perring Woods Court" is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 4/10/90
By M. Decker

ORDER RECEIVED FOR FILING
Date 4/10/90
By M. Decker

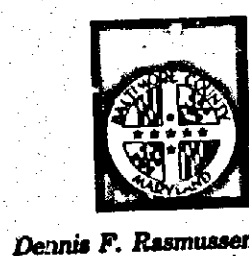
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Date 4/10/90
By M. Decker

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

J. Robert Haines
Zoning Commissioner

April 3, 1990



Dennis F. Eastman
County Executive

Ronald A. Decker, Esquire
Moore, Carney, Ryan and Lattanzi
4111 E. Joppa Road, Suite 201
Baltimore, Maryland 21236

RE: Petition for Zoning Variance
Case No. 90-299-A

Dear Mr. Decker:

Enclosed please find the decision rendered in the above captioned case. The petition for Zoning Variance has been granted in part, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmn
encl.
cc: Peoples Counsel

cc: Mr. Peggy Winters
2419 Perring Woods
Baltimore, Maryland 21234

cc: Mr. and Mrs. J. Fiorini
7923 Highpoint Road
Baltimore, Md. 21234

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-299-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for: (1) Variance from Section V.B. 5.a (C.M.D.P.) Section 1B01.2.C.2.a (B.C.Z.R.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 1 on a plat entitled "Perring Woods Court" to be recorded upon Baltimore County approval; (2) Variance from Section V.B.5.a. (C.M.D.P.) Section 1B01.2.C.2.a (B.C.Z.R.) to allow a side yard (window to tract boundary) of 30 feet and a rear yard (window to tract boundary) of 25 feet in lieu of the required 35 feet for Lot No. 20 on the aforementioned plat, as more particularly described on Petitioners' Exhibit 1.

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:
N/A
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Ronald A. Decker

(Type or Print Name)

Signature

Moore, Carney, Ryan & Lattanzi

Address 4111 E. Joppa Road, St 201

Baltimore, Maryland 21236

City and State

Attorney's Telephone No.: 529-4600

Legal Owner(s):

JACK FIORINI

(Type or Print Name)

Signature

JOSEPHINE FIORINI

(Type or Print Name)

Signature

Address

City and State

Name Moore, Carney, Ryan & Lattanzi

Address 4111 E. Joppa Road, Suite 201

Baltimore, Maryland 21236

City and State

Name Moore, Carney, Ryan & Lattanzi

Address 4111 E. Joppa Road, Suite 201

Baltimore, Maryland 21236

City and State

Name Moore, Carney, Ryan & Lattanzi

Address 4111 E. Joppa Road, Suite 201

Baltimore, Maryland 21236

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd 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 property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County, on the 25th day of April, 1990, at 2:00 o'clock P.M.

** SEE ATTACHED CONTINUATION SHEET.

FILED 4/10/90 BY JRM

ANY TIME OR DAY.

(over)

ORDER RECEIVED FOR FILING
Date 4/10/90
By M. Decker

PETITION FOR ZONING VARIANCE CONTINUATION SHEET (Jack and Josephine Fiorini)

Section 1B01.2.C.2.a (B.C.Z.R.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 12 on a plat entitled "Perring Woods Court" to be recorded upon Baltimore County approval; and (3) Variance from Section V.B.5.a. (C.M.D.P.) Section 1B01.2.C.2.a (B.C.Z.R.) to allow a side yard (window to tract boundary) of 30 feet and a rear yard (window to tract boundary) of 25 feet in lieu of the required 35 feet for Lot No. 20 on a plat entitled "Perring Woods Court" to be recorded upon Baltimore County approval.

Douglas L. Kennedy, P.E.
William K. Woody, L.S.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce, Suite 175
Baltimore, Maryland 21208
(301) 484-0834 / 484-0763

John M. Coarquis, L.S. (Ret.)
90-299-A

"PERRING WOODS COURT"
LOT 12
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

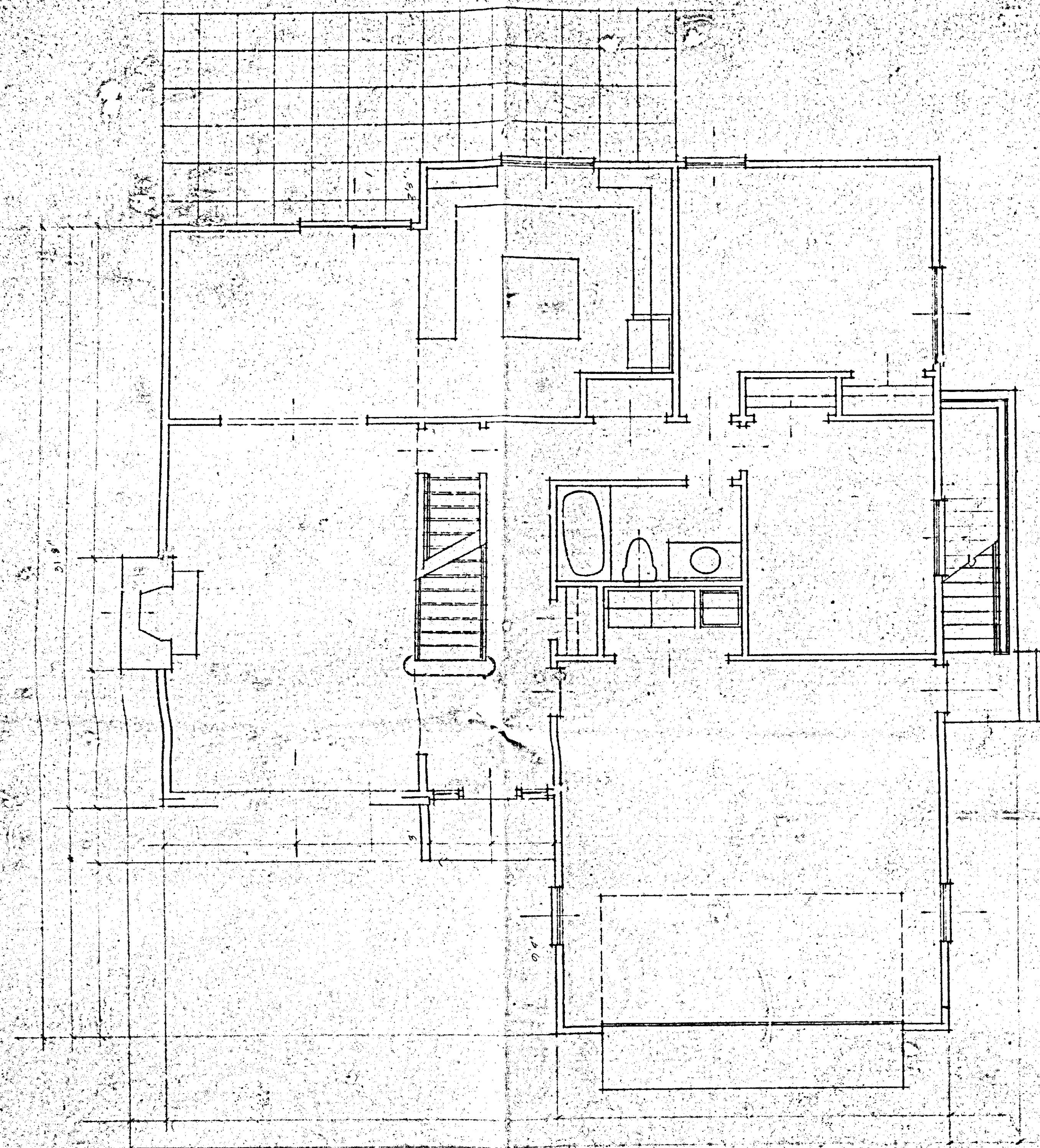
BEGINNING at a pipe found at the end of northern right-of-way of Perring Woods Road, 50 feet wide, said point being 628 feet more or less from the end of existing Perring Woods Road right-of-way, thence running the followings;

- (1) North 02 degrees 42 minutes 02 seconds East 135 feet, thence;
- (2) South 87 degrees 17 minutes 58 seconds East 63.31 feet, thence;
- (3) South 02 degrees 42 minutes 02 seconds West 135 feet to said right-of-way thence binding on said right-of-way;
- (4) North 87 degrees 17 minutes 58 seconds West 63.31 feet to the place of beginning.

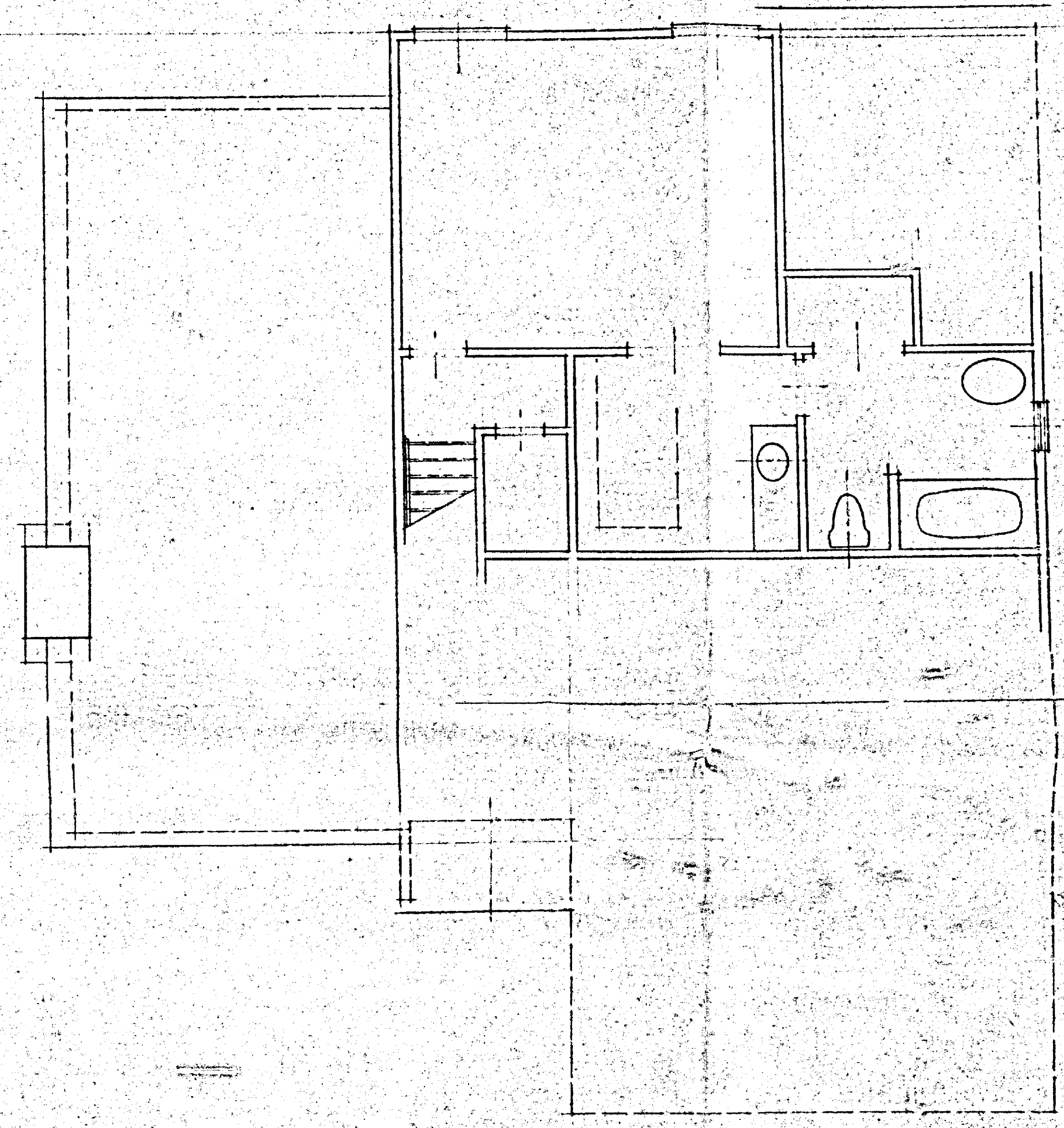
Containing 2,547 S.F. (0.1962 Acres) of land, more or less.

BEING designated as Lot 12 in the Plat entitled "Perring Woods Court" to be recorded.

101



1. FIRST FLOOR PLAN.
SCALE 1/4" = 1'-0"



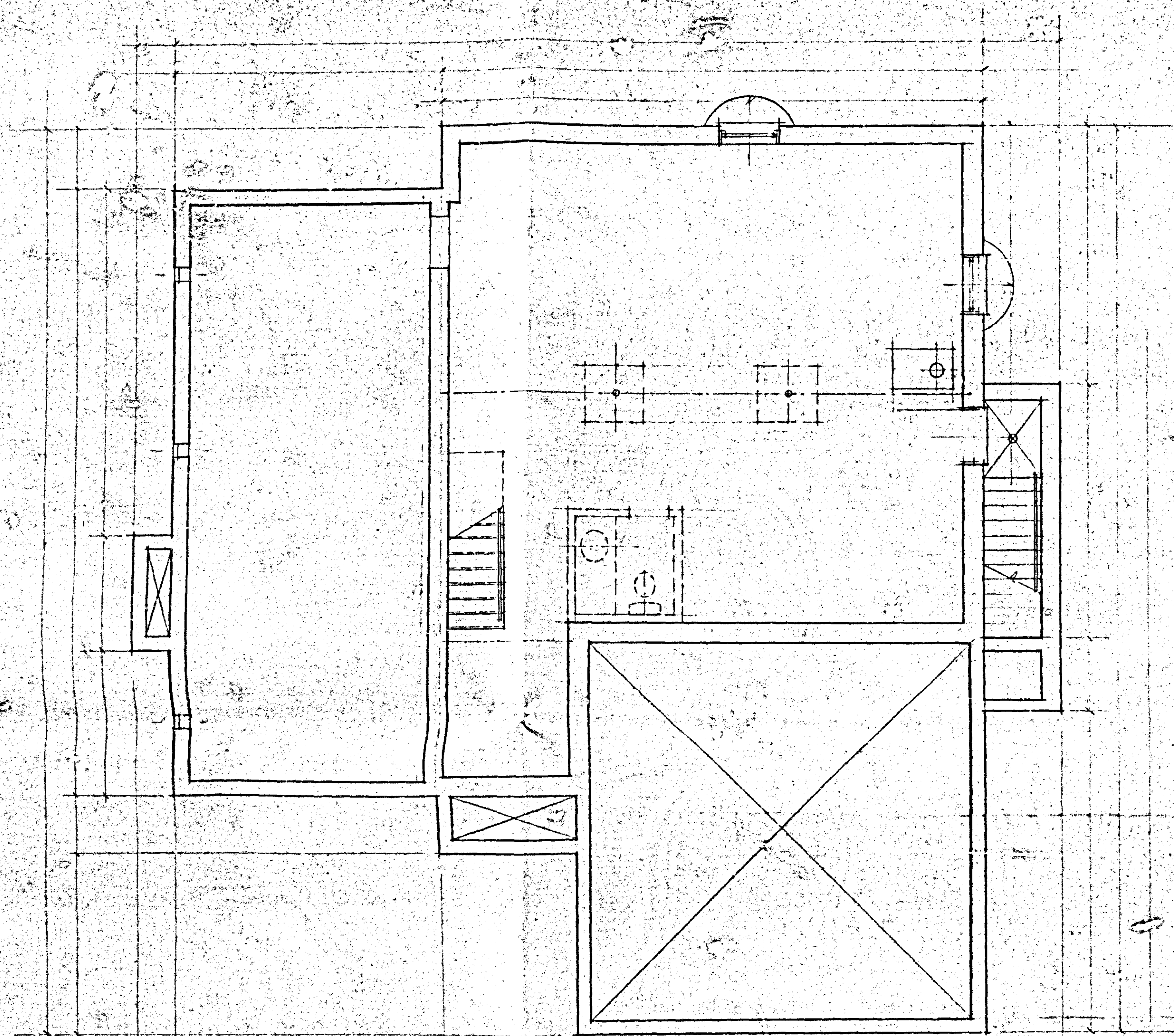
2. SECOND FLOOR & ROOF PLAN.
SCALE 1/4" = 1'-0"

LOT NO. 1
"PERRING WOODS COURT"

PLITT AND ASSOCIATES, INC.
ARCHITECTS / PLANNERS
12100 BELAIR ROAD
KINGSVILLE, MARYLAND 21087
(301) 593-8303
GLEN BURRILL
768-4305

DRAWING NO.
OF DRAWINGS
PROJECT NO.
1172

PRELIMINARY



① BASEMENT FLOOR & FOUNDATION PLAN.
SCALE 1/4" = 1'-0"

PLITT AND ASSOCIATES, INC. ARCHITECTS / PLANNERS	
12100 BELAIR ROAD KINGSVILLE, MARYLAND 21087 KINGSVILLE 3011 592-5103	
GLEN BURNIE 766-4305	
DRAWING NO.	
OF	DRAWINGS
PROJECT NO.	
DATE	

PRELIMINARY



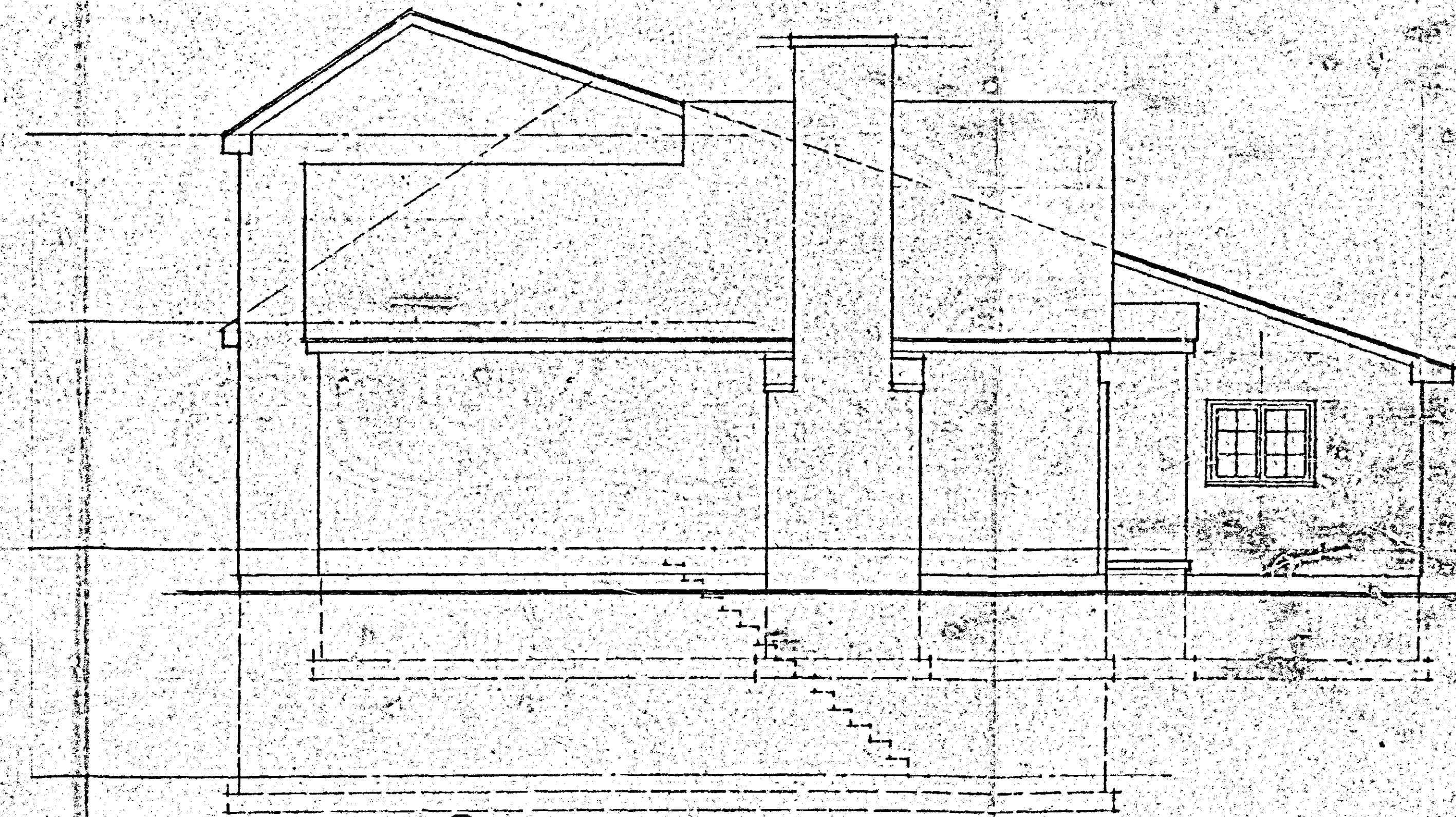
① FRONT ELEVATION
SCALE 1/4" = 1'-0"



② RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"



③ REAR ELEVATION
SCALE 1/4" = 1'-0"



④ LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

PRELIMINARY

PLUTT AND ASSOCIATES, INC.
ARCHITECTS / PLANNERS

12100 BELAIR ROAD, 71087
KINGSTOWN, MARYLAND

GLEN EURNIE
KINGSTOWN, MARYLAND
2061-691-5303

DRAWING NO.

OF DRAWINGS

PROJECT NO.

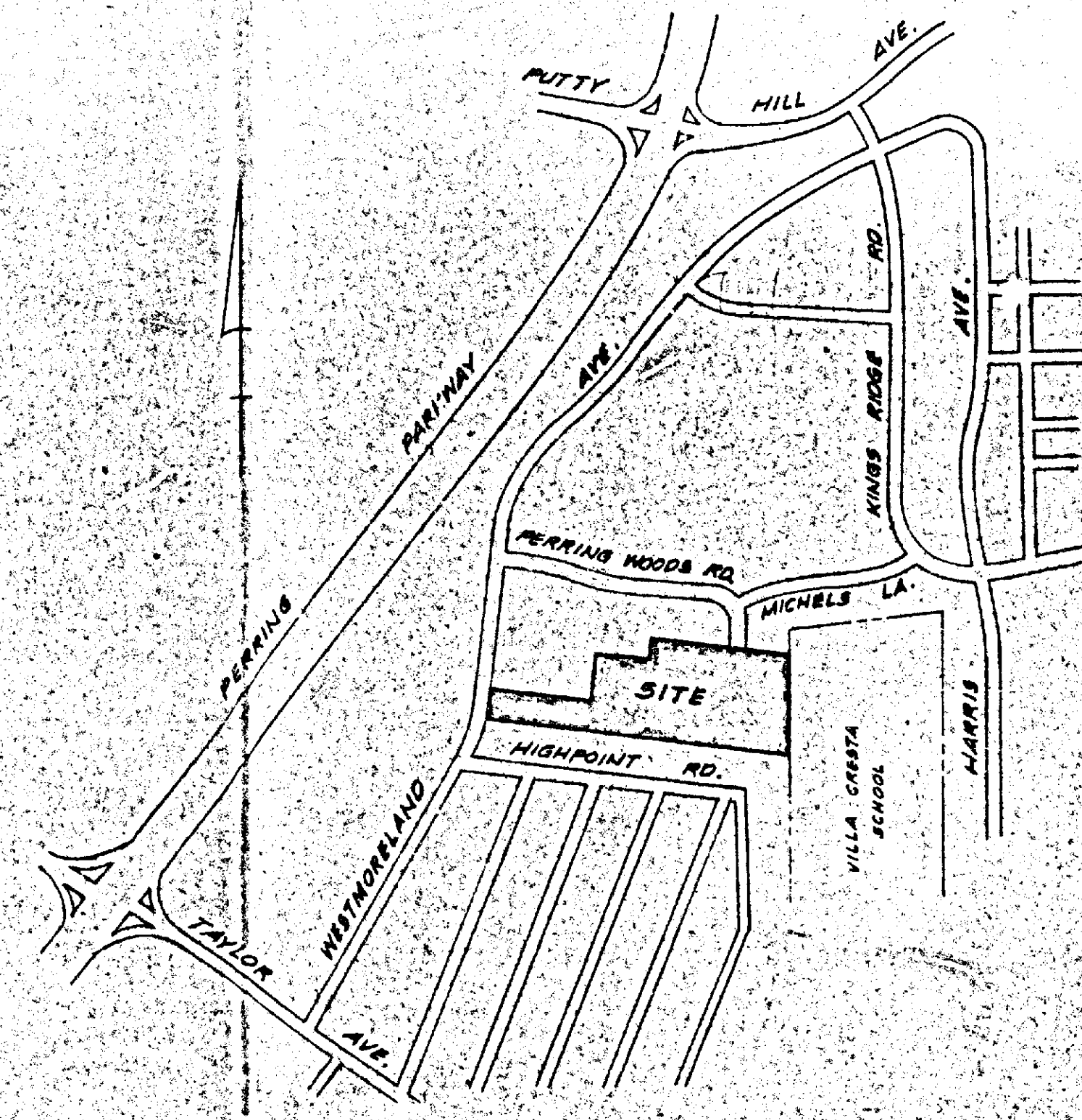
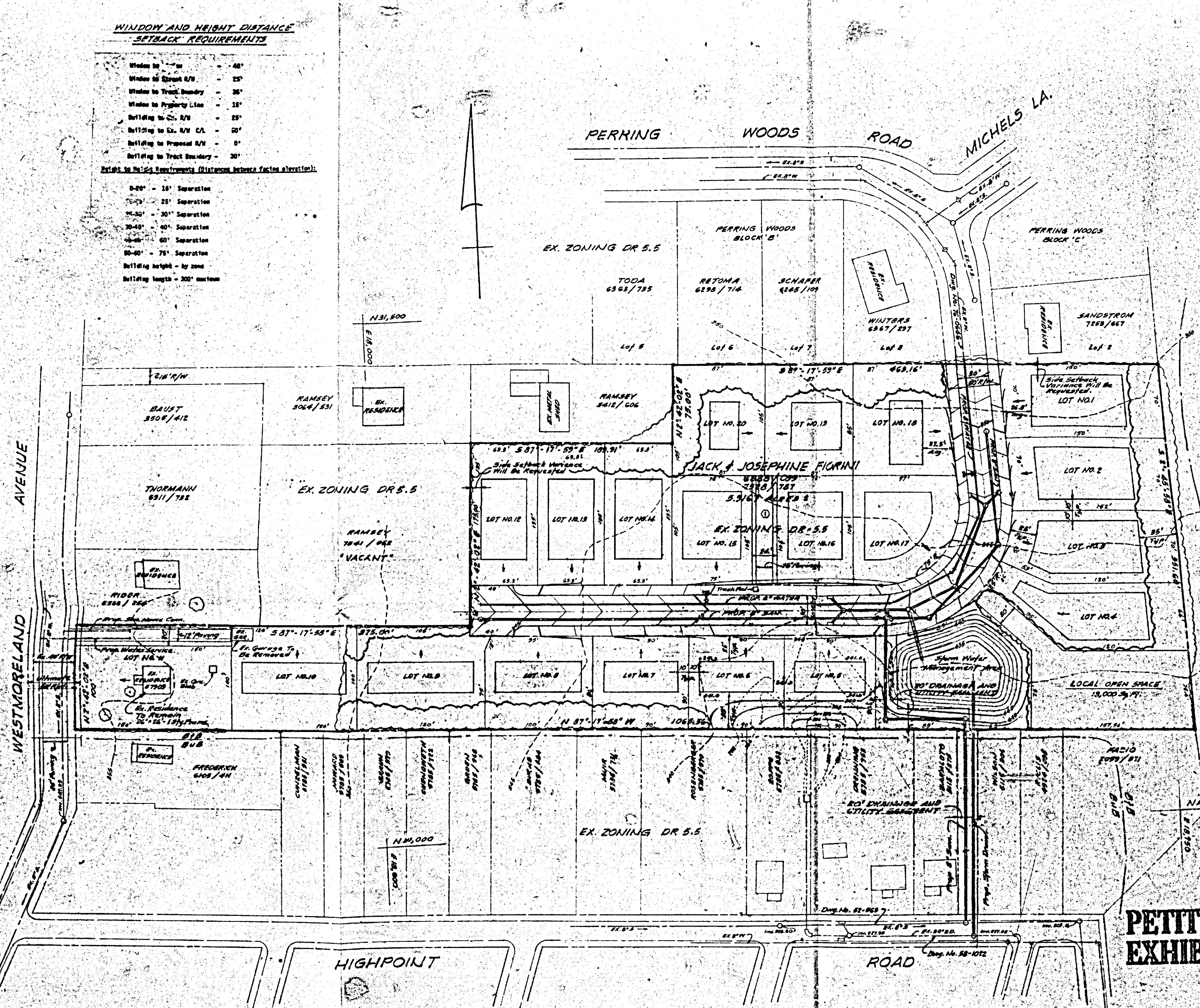
DATE

WINDOW AND HEIGHT DISTANCE SETBACK REQUIREMENTS

Window to ...	40'
Window to Street R/W	25'
Window to Tract Boundary	25'
Window to Property Line	15'
Building to ... R/W	25'
Building to St. R/W C/L	50'
Building to Proposed R/W	0'
Building to Tract Boundary	30'

Height to Height Requirements (Distance between facing elevations):

0-20' - 15' Separation
20-30' - 25' Separation
30-40' - 30' Separation
40-50' - 40' Separation
50-60' - 50' Separation
60-70' - 60' Separation
70-80' - 75' Separation
Building height - by zone
Building length - 300' maximum



NOTE:
INITIAL GRADING FOR STORM WATER MANAGEMENT AREA, ROAD AND UTILITY WORK.
HOME SITES TO BE SHOWN INDIVIDUALLY AND EXISTING GRADES TO BE MAINTAINED AS MUCH AS PRACTICABLE.

OWNER/APPLICANT

JACK & JOSEPHINE FIORINI
7923 Highpoint Road
Baltimore, Maryland 21254
658-9227

DEED REF. 6888/055
7521/787

TAX ACCOUNT NOS. 20-00-003548
09-23-750360

SITE DATA

Area of Site	5.9167 AC.
Existing Zoning	DR 5.5
Planning District	DR 5.5
Commission District	DR 5.5
Census Tract	DR 5.5
Watershed	DR 5.5
Subwatershed	DR 5.5
Soils	DR 5.5

PROPOSED DEVELOPMENT

Number of Units Allowed	5,917 x .55 = 32
Number of Units Proposed	20
Estimated Average Daily Trips	190
Open Space Required	650 sq. ft. x 20 Units = 13,000 sq. ft.
Open Space Provided	13,000 sq. ft.
Landscaping Shall Be Provided In Accordance With Requirements of the Baltimore County Landscaping Manual.	
Required 1 Tree Per Lot x 20 Lots	
Provided 20 Trees	
Driveway Parking Required: 2 Spaces/ Dwelling	
On-Street Parking To Be Provided: 2 Spaces/ Dwelling	

PETITIONER'S EXHIBIT 6

NOTES

1. LOCAL OPEN SPACE WILL BE DEDICATED TO BALTIMORE COUNTY.
2. THIRTY-FOUR INCH MANHOLE AND 18 INCH PROTECTION DEVICES SHALL BE INSTALLED PRIOR TO ANY CLEARING OR GRADING.
3. LOCAL OPEN SPACE SHALL NOT BE DISTURBED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF RECREATION AND PARKS.

SOILS

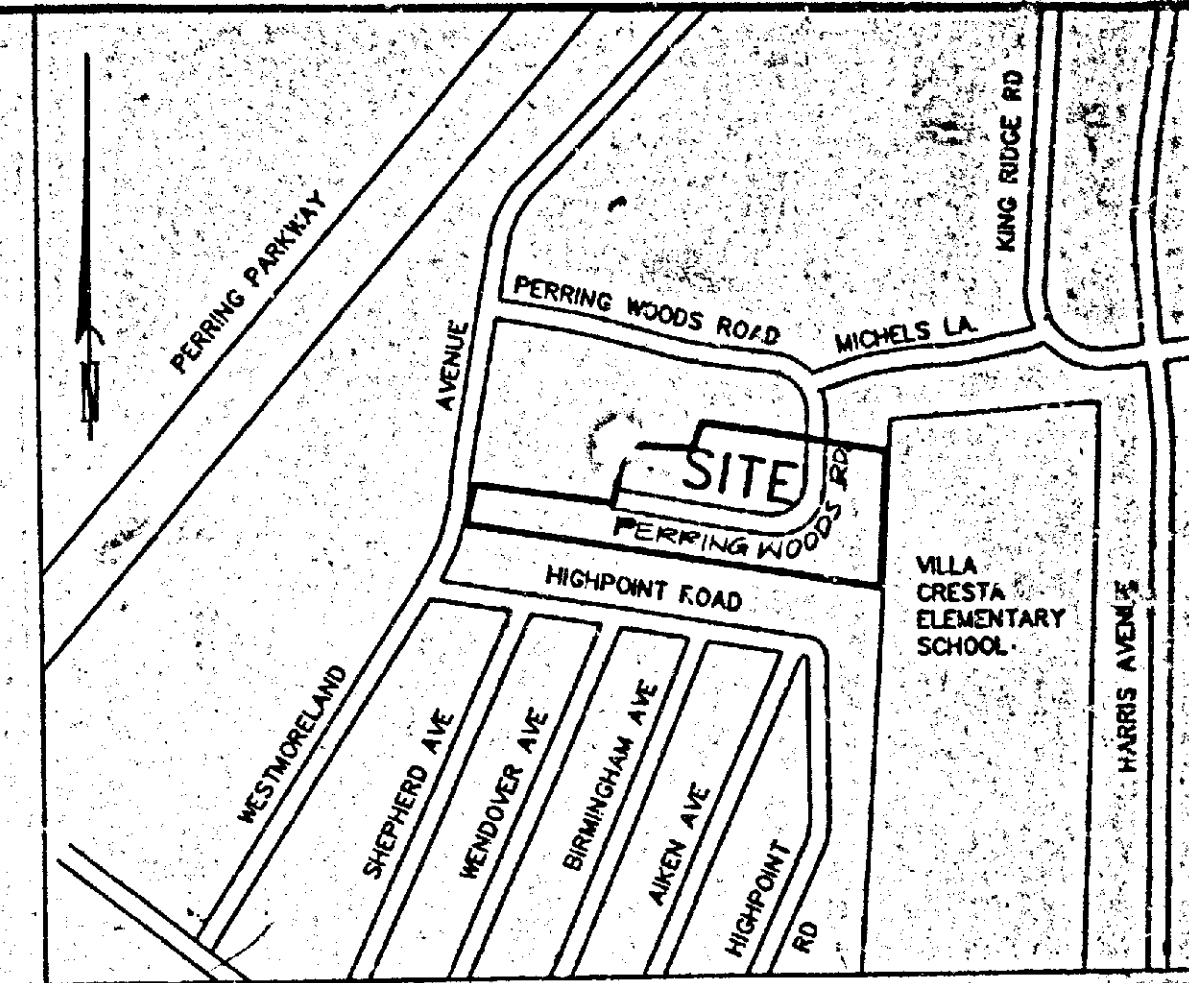
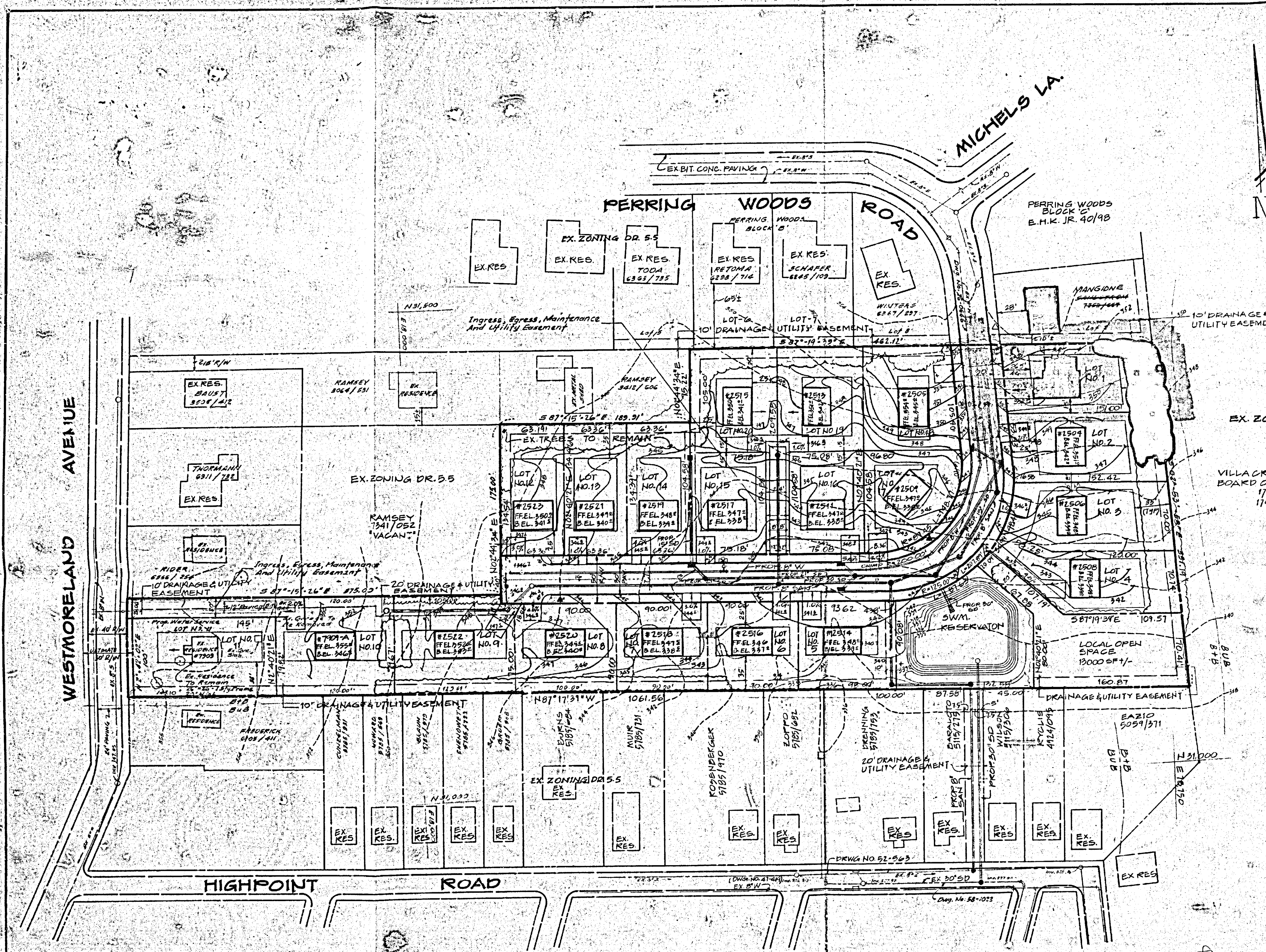
B1B Baltimore silt loam, 8 to 5 percent slopes
LIMITATIONS FOR DEVELOPMENT:
Homesites (3.5 Acres or Less)
With Basement - Maximum 1 Seasonally Flooded/Drainable
Without Basement - 2/3rd
Streets & Parking Lots - Seasonally Flooded/Drainable
Design Slopes

ARCHITECTURAL REGISTRATION BOARD
7523 EX
STATE OF MARYLAND
BALTIMORE COUNTY

PERRING WOODS COURT
PERRING WOODS ROAD EXTENDED
BALTIMORE COUNTY, MARYLAND

SITE PLAN
SCALE: 1" = 50'

REVISION OF A PORTION OF
LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



VICINITY MAP
SCALE: 1"=50'

GENERAL NOTES

1. THE PROPOSED GRADING SHOWN ON THIS PLAN MEETS THE REQUIREMENTS SET FORTH BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AND COMPLIES WITH BILL NO. 33-88. HOWEVER, DUE TO BUILDING TYPES AND LAYOUT, SOME FIELD ADJUSTMENTS MAY BE REQUIRED. ALL CHANGES MUST COMPLY WITH THE ABOVE MENTIONED REQUIREMENTS.
2. ALL SHADES HAVE BEEN DESIGNED BY THE ENGINEER TO CONVEY DRAINAGE FROM A 10 YEAR STORM EVENT.

PRINT DATE
JAN 29 1990
KCW

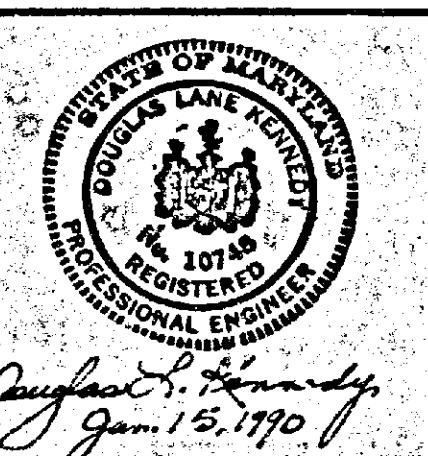
LOT NO. 1 GRADING

OWNER'S/DEVELOPER'S GRADING CERTIFICATION:
I/We certify that all grading on this site will be done in accordance with the current grading requirements as set forth by the Baltimore County Department of Environmental Protection and Resource Management and with the requirements specified in Bill No. 33-88.
Anthony J. Fiodini
TANY FIODINI
DATE: DEC 89

GRADING PLAN

PERRING WOODS COURT
9TH Election District
Baltimore County, Maryland

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commercentre, Suite 175
Baltimore, Maryland 21208
(301) 484-0963



OWNER:
JACK & JOSEPHINE FIODINI
7923 HIGHPOINT ROAD
BALTIMORE, MARYLAND 21234
(301) 485-8535

DEVELOPER:
FIODINI BROTHERS INC.
6917 PROCTMAN AVENUE
BALTIMORE, MARYLAND 21237
(301) 485-8535

REVISIONS	
DATE	

KCW J.O. #89139 SCALE: 1"=50' DATE: 11/29/90 REV. FOR GRADING LOT NO. 1

SC-5
SHEET 5 OF 5

WINDOW & HEIGHT DISTANCE SETBACK REQUIREMENTS

DISTANCES BETWEEN BUILDINGS
(FACING ELEVATIONS)

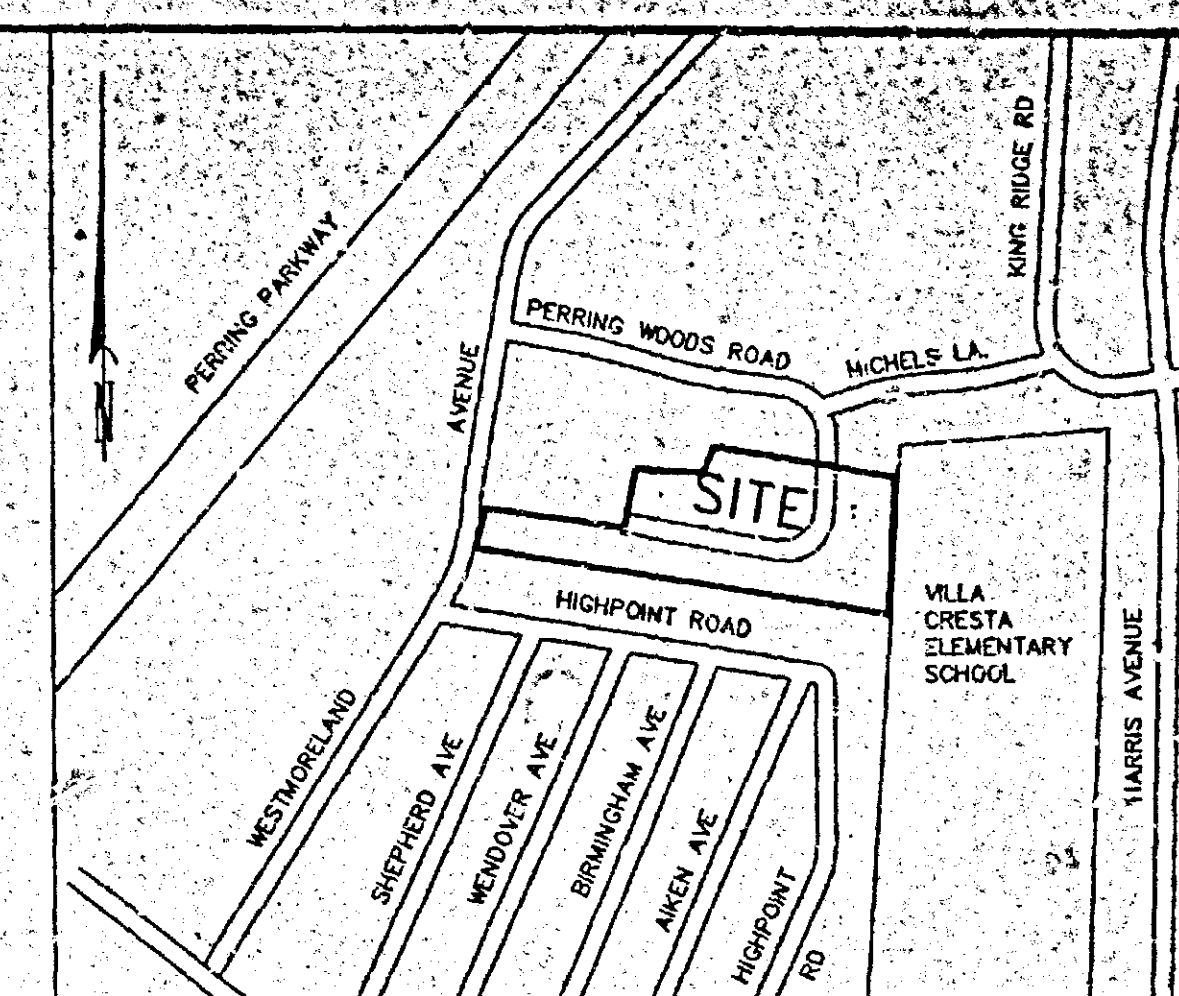
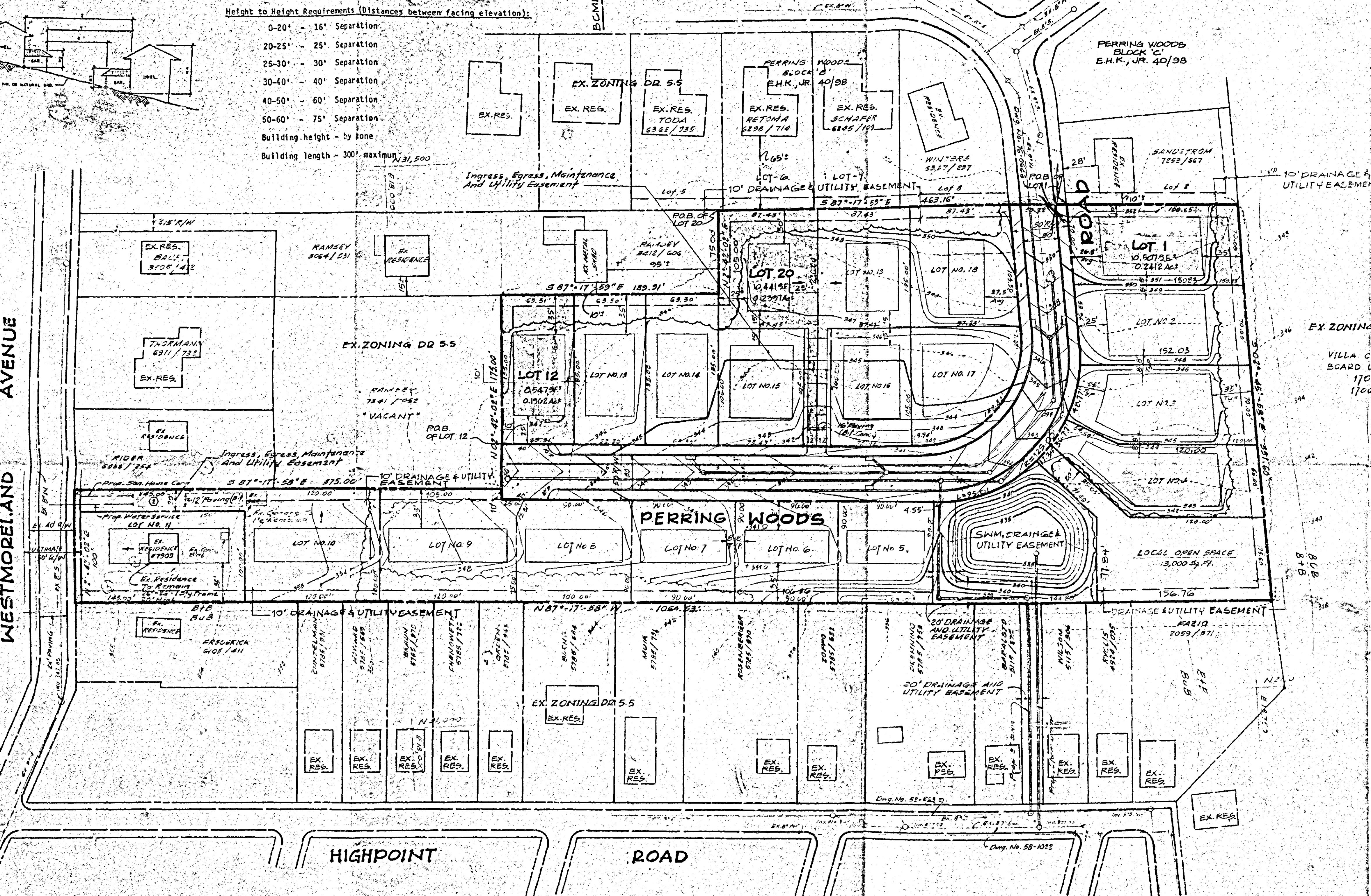
Notwithstanding the diagram of average building height in Section 9.3.3 of the C.U.M.P., and to be consistent with policy 9.4.1, the following policy is adopted for all applications of the height distance factor 9.3.3 in the C.U.M.P.

- All building heights will be determined by the application of policy 9.4.1.
- The lesser height portions of facing elevations (20' x 20' or less) must meet the minimum required separation for distance.
- Greater height portions (20' x 20' or more) must meet the minimum required separation for distance.
- If the different height elevations face each other as shown in distance (1), the greater height (20') will determine the required separation.

Window to Window	40'
Window to Street R/W	25'
Window to Tract Boundary	35'
Window to Property Line	15'
Building to Ex. R/W	25'
Building to Ex. R/W C/L	50'
Building to Proposed R/W	0'
Building to Tract Boundary	30'

Height to Height Requirements (Distances between facing elevation):

0-20' - 16' Separation
20-25' - 25' Separation
25-30' - 30' Separation
30-40' - 40' Separation
40-50' - 60' Separation
50-60' - 75' Separation
Building height - by zone
Building length - 300' maximum



VICINITY MAP
SCALE: 1" = 500'

ACCESSORY STRUCTURE NOTE

- Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 301 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building permits.)
- Accessory structures, fences and projections into yard cannot be located in flood plain areas or hydric soils.

ZONING COMMISSIONER'S NOTE

This development plan is approved by the Zoning Commissioner based on his interpretation of the Zoning Regulations, that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.

CURB CUT NOTE

The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to installation of street curbs.

WALKWAY EASEMENT NOTE

If drainage, utility and walkway easements are fenced, then at least 5 feet must remain open for pedestrian access.

CRG PLAN NOTE

This development plan complies with the CRG plan and all CRG Comments.

LANDSCAPE PLAN NOTE

A landscape plan must be approved by the Office of Planning prior to the issuance of a building permit.

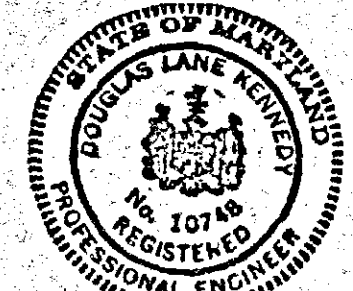
SOIL TYPES AND LIMITATIONS

B1B - Baltimore silt loam, 2 to 5 percent slopes
 Homesites (3 stories or less) with Basements - Moderate: Seasonally Perched Water Table
 Without Basements - Slight
 Streets & Parking Lots - Moderate: Seasonally Perched Water Table, slope

GENERAL NOTES

- General Information
 Election District No. 9
 Councilmanic District No. 6
 Census Tract 4920.02
 Watershed 22
 Subwatershed 50
 Public Services CRG No. 89063
- Density Calculations
 Gross Acreage: 5.9176 ac
 Net Acreage: 5.9176 ac
 Existing Zoning: DR 5.5
 Number of Dwelling Units Allowed: (5.9176 x 5.5) = 32
 Number of Dwelling Units Proposed: 20
 Average Daily Trips: 190
 Offstreet Parking Required: 2 spaces/dwg. unit x 20 = 40 spaces
 Offstreet Parking Proposed: 40 spaces
 Local Open Space Required: 650 sf x 20 = 13,000 sf
 Local Open Space Provided: 13,000 sf
 Landscaping
 Number of Trees Required: 1 tree/Lot x 20 = 20 trees
 50% credit for existing trees to be saved = 20 x 50% = 10 trees
 No. of trees required: 20 - 10 = 10 trees
 No. of trees proposed: 10 trees
- Local open space will be dedicated to Baltimore County. Local Open Space shall not be disturbed without prior approval from the Department of Recreation and Parks.
- Refuse shall be collected by Baltimore County.
- Landscaping to be provided by Developer.
- Grading shall be on an individual lot basis.
- Sanitary Sewer: public by extension of existing 8" sanitary sewer.
 (dwg. no. 92-163)
- Water: public by extension of existing 8" water.
 (dwg. no. 92-164)
- Stormwater Management will be provided.
- Temporary boundary markers and tree protection devices shall be installed prior to any clearing or grading.
- Setback minimum of 22' must be held when garage or carport enter directly from the street.
- Clearings and gradings are to be limited to the areas for road construction and homesites only. Homesite clearings will be restricted to 7,000 square feet per lot.
- All streets and private driveways shall be constructed with a dustless surface consisting of macadam, concrete, or bituminous concrete.
- All lots are for sale.
- This property does not contain wetlands, critical areas, historic buildings, archaeological sites, endangered species habitat or hazardous material sites.

KCW Consultants, Inc.
 Civil Engineers and Land Surveyors
 1777 Reisterstown Road
 Commerce Centre, Suite 175
 Baltimore, Maryland 21206
 (301) 484-0963



Douglas L. Kennedy

OWNER/DEVELOPER

JACK & JOSEPHINE FIORINI
 1923 HIGHPOINT ROAD
 BALTIMORE, MARYLAND 21234
 PHONE # 301-495-5535
 LEED REF. 0983/0-9
 7528/181
 TAX ACCOUNT NOS. 20-00-003549
 09-23-750300

VARIANCES REQUESTED

- LOT No. 1:
 Variance requested to allow a side yard (WINDOW to tract boundary) of 10 feet in lieu of the required 25 feet.
- LOT No. 12:
 Variance requested to allow a side yard (WINDOW to tract boundary) of 10 feet in lieu of the required 25 feet.
- LOT No. 20:
 Variance requested to allow a rear yard (WINDOW to tract boundary) of 25 feet in lieu of the required 35 feet and window to tract boundary of 20 feet in lieu of the required 35 feet.

REVISIONS

DATE	

LOTS 1, 12 & 20

PERRING WOODS COURT

9TH Election District
 Baltimore County, Maryland

NOV 8 1989

KCW CONSULTANTS, INC.

KCW J.O. # 89139

SCALE: 1" = 50'

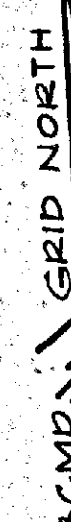
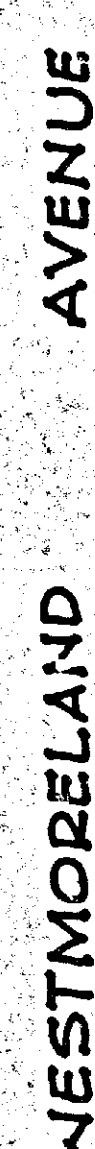
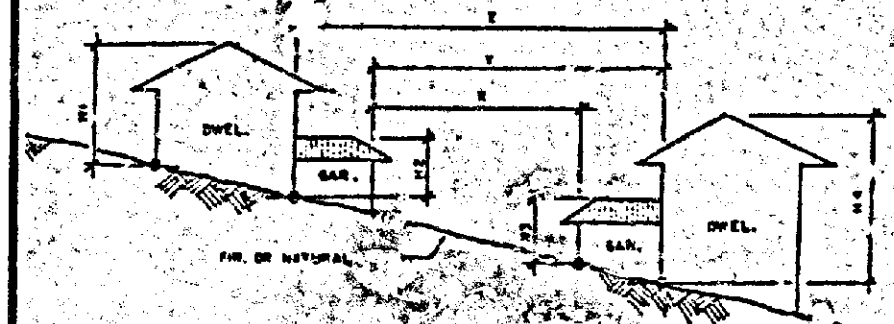
DATE: 9/19/89

161 PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES 90-299-A

DISTANCES BETWEEN BUILDINGS
(FACING ELEVATIONS)

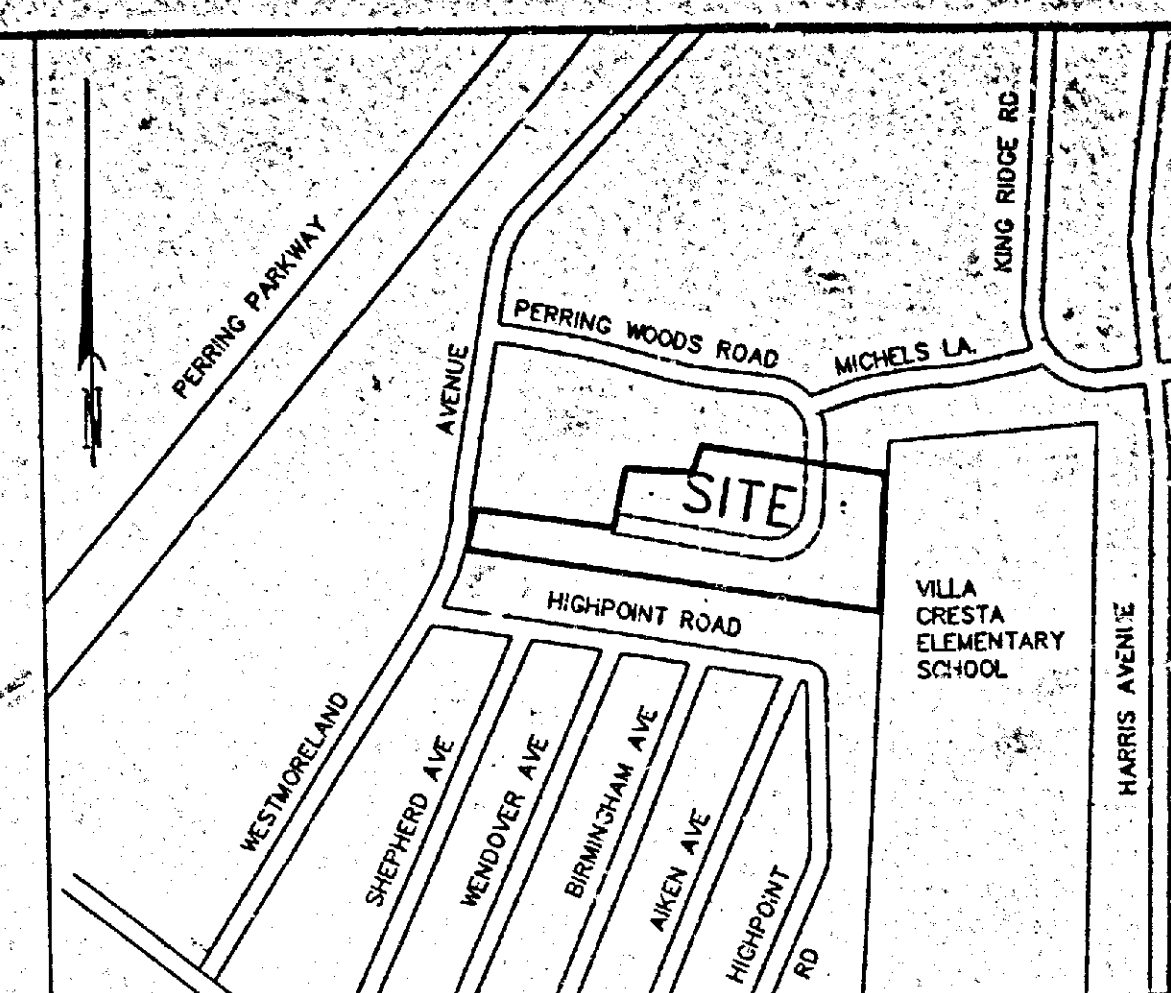
Window to Window
Window to Street R/W
Window to Tract Boundary
Window to Property Line
Building to Ex. R/W
Building to Ex. R/W C/
Building to Proposed R/
Building to Tract Boundary

0-20'	-	16'	Separation
20-25'	-	25'	Separation
25-30'	-	30'	Separation
30-40'	-	40'	Separation
40-50'	-	60'	Separation
50-60'	-	75'	Separation
Building height - by zone			
Building length - 300' max			



PERRING WOODS ROAD

MICHELSON LA



VICINITY MAP

ACCESSORY STRUCTURE NOTE

1. Envelopes shown hereon are for the location of all principal buildings only. Accessory structures, fences and projections into yards may be constructed outside the envelope, but must comply with Sections 400 and 300 of the Baltimore County Zoning Regulations. (Subject to covenants and applicable building

ZONING COMMISSIONER'S NOTE

This development plan is approved by the Zoning Commissioner based on his determination of the Zoning Regulations, that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for

CURB CUT NOTE

The exact location of curb cuts for driveway or parking pad entrances is to be determined by owner when exact building models become available but prior to

WALKWAY EASEMENT NOTE

If drainage, utility and walkway easements are fenced, then at least 5 feet must be maintained for pedestrian access.

CRG PLAN NOTE

This development plan complies with the CRG plan and all CRG Comments.

LANDSCAPE PLAN NOTE

A landscape plan must be approved by the Office of Planning prior to the issuance

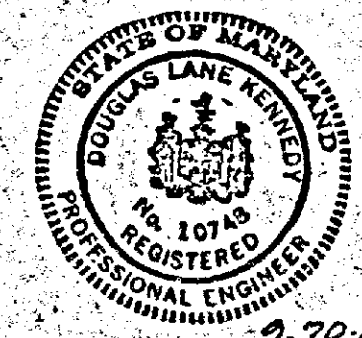
SOIL TYPES AND LIMITATIONS

BLN - Beltsville silt loam, 2 to 5 percent slopes
Homesites (3 stories or less)
with Basements - Moderate: Seasonally Perched Water table
without Basements - Slight
Streets & Parking Lots - Moderate: Seasonally Perched Water

GENERAL NOTES

1. General Information
 - Election District No. 9
 - Councilmanic District No. 5
 - Census Tract 4920.02
 - Watershed 22
 - Subwatershed 22
 - Public Services CRG No. 82662
2. Density Calculations
 - Gross Acreage: 5.9176 ac ±
 - Net Acreage: 5.9176 ac ±
 - Existing Zoning: DR - 5.5
 - Number of Dwelling Units Allowed: $(5.9176 \times 5.5) = 32$
 - Number of Dwelling Units Proposed: 20
 - Average Daily Trips: 190
 - Offstreet Parking Required: 2 spaces/avg. unit $\times 70 = 40$ spaces
 - Offstreet Parking Proposed: 40 spaces
 - Local Open Space Required: 650 sf $\times 20 = 13,000$ sf
 - Local Open Space Provided: 13,000 sf
 - Landscaping:
 - Number of Trees Required: 1 tree/Lot $\times 20 = 20$ trees
 - 50% credit for existing trees to be saved $\times 20 = 50\% = 10$ trees
 - No. of trees required: $20 - 10 = 10$ trees
 - No. of trees proposed: 10 trees
3. Local open space shall be dedicated to Baltimore County. Local Open Space shall not be disturbed without prior approval from the Department of Recreation, Parks.
4. Refuse shall be collected by Baltimore County.
5. Landscaping to be provided by Developer.
6. Grading shall be on an individual lot basis.
7. Sanitary Sewer: public by extension of existing 8" sanitary sewer.
(dwg. no. 76-0461)
8. Water: public by extension of existing 8" water.
(dwg. no. 76-0461)
9. Stormwater Management will be provided.
10. Temporary boundary markers and tree protection devices shall be installed prior to clearing or grading.
11. Setback minimums shall be held when garage or carport enter directly from the street.
12. Clearing and grading are to be limited to the areas for road construction and homesites only. Homesite clearing will be restricted to 7,000 square feet per lot.
13. All proposed parking areas and driveways shall be constructed with a dustless surface consisting of macadam, concrete, or bituminous concrete.
14. All lots are for sale.
15. This property may or may not contain wetlands. Critical areas, historic buildings, and other environmentally sensitive areas, endangered species habitat or hazardous material sites shall be avoided.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road,
Commercentre, Suite 175
Baltimore, Maryland 21208
(301) 484-0963



OWNER / DEVELOPER
JACK & JOSEPHINE KICKINI
1923 HIGHPOINT ROAD
BALTIMORE MARYLAND 11224
PHONE # 301-495-9535
DEED REF: 6938/D4
1529/79/
TAX ACCOUNT NOS. 20-00-003548
09-23-750360

VARIANCES REQUESTED

1. LOT No. 11:
Variance requested to allow a side yard (WINDOW to tract boundary) of 10 feet in lieu of the required 25 feet.
2. LOT No. 12:
Variance requested to allow a side yard (WINDOW to tract boundary) of 10 feet in lieu of the required 25 feet.
3. LOT No. 20:
Variance requested to allow a rear yard (WINDOW to tract boundary) of 25 feet in lieu of the required 55 feet and window to tract boundary of 20 feet in lieu of the required 50 feet.

SEPT 20 1964

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCES **90-299-**

LOTS 1, 12 & 20
PERRING WOODS COURT
9TH Election District
Baltimore County, Maryland

KCW J.O.# 67139 SCALE: 1"=50' DATE: 9/19/89

Douglas L. Kennedy, P.E.
William K. Woody, L.S.
John M. Cosarquis, L.S. (Ret.)
KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

"PERRING WOODS COURT"
LOT 12
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

BEGINNING at a pipe found at the end of northern right-of-way of Perring Woods Road, 50 feet wide, said point being 628 feet more or less from the end of existing Perring Woods Road right-of-way, thence running the followings;

- (1) North 02 degrees 42 minutes 02 seconds East 135 feet, thence;
- (2) South 87 degrees 17 minutes 58 seconds East 63.31 feet, thence;
- (3) South 02 degrees 42 minutes 02 seconds West 135 feet to said right-of-way thence binding on said right-of-way;
- (4) North 87 degrees 17 minutes 58 seconds West 63.31 feet to the place of beginning.

Containing 8,547 S.F. (0.1962 Acres) of land, more or less.

BEING designated as Lot 12 in the Plat entitled "Perring Woods Court" to be recorded.

Douglas L. Kennedy, P.E.
William K. Woody, L.S.
John M. Cosarquis, L.S. (Ret.)
KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

"PERRING WOODS COURT"
LOT 12
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

BEGINNING at a pipe found at the end of northern right-of-way of Perring Woods Road, 50 feet wide, said point being 628 feet more or less from the end of existing Perring Woods Road right-of-way, thence running the followings;

- (1) North 02 degrees 42 minutes 02 seconds East 135 feet, thence;
- (2) South 87 degrees 17 minutes 58 seconds East 63.31 feet, thence;
- (3) South 02 degrees 42 minutes 02 seconds West 135 feet to said right-of-way thence binding on said right-of-way;
- (4) North 87 degrees 17 minutes 58 seconds West 63.31 feet to the place of beginning.

Containing 8,547 S.F. (0.1962 Acres) of land, more or less.

BEING designated as Lot 12 in the Plat entitled "Perring Woods Court" to be recorded.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
DOUGLAS L. KENNEDY, P.E. 1777 REISTERSTOWN ROAD, SUITE 175
ANTHONY J. FLORINI BALTIMORE, MD. 21208
JACK FLORINI 6917 PROCTER AVE. 21237
JOSEPHINE FLORINI 7922 HIGHPOINT RD 21234
NANCY M. BURLAS 7922 HIGHPOINT RD 21234
NICK HANGINE JR. 2510 PERRING WOODS 21234
PEGGY WINTERS 2417 PERRING WOODS RD 21239
RICHARD C. HOWARD 8029 HIGHPOINT RD 21234
EMILY HOWARD " " " "
PHIL LEE 2408 PERRING WOODS RD 21234

ZONING COMMISSIONER - WITNESS FORM

NAME: Peggy Winters
ADDRESS: _____
COMPANY: _____
ADDRESS: _____
REPRESENTING: _____
SUPPORTING: PETITIONER _____ PROTESTANT _____
TESTIMONY: _____

PROTESTANT(S) EXHIBIT (2)



TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
REGARDING THE PROPERTY 600' EAST OF WESTMORELAND AVENUE
400' SOUTH OF PERRING WOODS ROAD

Hearing Scheduled: January 25, 1990
2:45 p.m.
90-299-A
\$161

PROTESTANT'S EXHIBIT 1

We the undersigned, being residents of the immediate area, petition the Zoning Commissioner of Baltimore County to deny Mr. Jack Florini's request for a zoning variance on lots 1, 12 and 20 on Perring Woods Court. Mr. Florini's request is in violation of current County zoning that requires a thirty-five foot side yard (window to tract boundary) and a rear yard of thirty-five feet. The current zoning was placed into effect to control density and to protect established neighborhoods and we strongly request that the Zoning Commissioner adhere to present zoning laws. We further request that no variances be granted on any other property in the proposed development.

1. Peggy & Charles Winters 2417 Perring Woods Rd.
2. Ernest J. Zimmerman 2501 Mickels Lane Balto. Md. 21234
3. Ernest J. Zimmerman 2501 Mickels Lane Balto. Md. 21234
4. Ernest J. Zimmerman 2502 Mickels Lane Balto. Md. 21234
5. Kathleen Bailey 2420 Perring Woods Rd. Balto. Md. 21234
6. Phil & Danette Howard 2500 Compton Rd. Balto. Md. 21234
7. Emily Howard 8029 Highpoint Rd. Balto. Md. 21234
8. Richard C. Howard 5029 Highpoint Rd. Balto. Md. 21234
9. Billy Brown 6917 Procter Ave. Balto. Md. 21237
10. Carl Brown 8027 Highpoint Rd. Balto. Md. 21234
11. Terry Reisma 2415 Perring Woods Rd. Balto. Md. 21234
12. Anne Reisma 2417 Perring Woods Rd. Balto. Md. 21234
13. Patricia Morrison 2417 Perring Woods Rd. Balto. Md. 21234

Douglas L. Kennedy, P.E.
William K. Woody, L.S.
John M. Cosarquis, L.S. (Ret.)
KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

"PERRING WOODS COURT"
LOT 20
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

BEGINNING at a pipe found at the end of the fifth or North 09 degrees 44 minutes East 75 feet line of a tract of land acquired by Jack J. Florini, and Josephine P. Florini, recorded in deed 6888/99, running thence the following two courses;

- (1) South 87 degrees 17 minutes 58 seconds East 87.43 feet;
- (2) South 02 degrees 42 minutes 02 seconds West 210 feet to a point on the northern right-of-way of Perring Woods Road to be extended, 50 feet wide, said point being 350 feet more or less from the end of existing Perring Woods Road, thence binding on said right-of-way;
- (3) North 87 degrees 17 minutes 58 seconds West 12 feet, thence leaving said right-of-way and running the following three courses;
- (4) North 02 degrees 42 minutes 02 seconds East 105 feet;
- (5) North 87 degrees 17 minutes 58 seconds West 87.43 feet;
- (6) North 02 degrees 42 minutes 02 seconds East 105 feet to the place of beginning.

Containing 10,441 S.F. (0.2397 Acres) of land, more or less.

BEING designated as Lot 20 in the Plat entitled "Perring Woods Court" to be recorded.

PETITIONER'S EXHIBIT 5

Douglas L. Kennedy, P.E.
William K. Woody, L.S.

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1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

John M. Cosarquis, L.S. (Ret.)

"PERRING WOODS COURT"
LOT 12
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

BEGINNING at a pipe found at the end of northern right-of-way of Perring Woods Road, 50 feet wide, said point being 628 feet more or less from the end of existing Perring Woods Road right-of-way, thence running the followings;

- (1) North 02 degrees 42 minutes 02 seconds East 135 feet, thence;
- (2) South 87 degrees 17 minutes 58 seconds East 63.31 feet, thence;
- (3) South 02 degrees 42 minutes 02 seconds West 135 feet to said right-of-way thence binding on said right-of-way;
- (4) North 87 degrees 17 minutes 58 seconds West 63.31 feet to the place of beginning.

Containing 8,547 S.F. (0.1962 Acres) of land, more or less.

BEING designated as Lot 12 in the Plat entitled "Perring Woods Court" to be recorded.

PETITIONER'S EXHIBIT 4

Douglas L. Kennedy, P.E.
William K. Woody, L.S.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce Centre, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

John M. Cosarquis, L.S. (Ret.)

"PERRING WOODS COURT"
LOT 1
9th Election District
Baltimore County, Maryland

October 13, 1989

SURVEY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

BEGINNING at a pipe found at the end of northern right-of-way of Perring Woods Road, 50 feet wide, said pipe being the southwest corner of Lot 2, Block C, "Perring Woods", recorded in the Plat Records of Baltimore County in Plat Book E.H.K., Jr. 40 Folio 98, running thence the following courses;

- (1) South 87 degrees 17 minutes 58 seconds East 150.63 feet, thence;
- (2) South 02 degrees 45 minutes 58 seconds East 70 feet, thence;
- (3) North 87 degrees 17 minutes 58 seconds West 150.83 feet to the northern right-of-way of Perring Woods Road to be extended, 50 feet wide, thence bounding on said right-of-way;
- (4) North 02 degrees 37 minutes 08 seconds West 70 feet to the place of beginning.

Containing 10,507 SF (0.2412 Acres) of land, more or less.

BEING designated as Lot 1 in the Plat entitled "Perring Woods Court" to be recorded.

PETITIONER'S EXHIBIT 3

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
REGARDING THE PROPERTY 600' EAST OF WESTMORELAND AVENUE
400' SOUTH OF PERRING WOODS ROAD

Hearing Scheduled: January 25, 1990
2:45 P.M.
90-299-A
#161

THIS IS THE SECOND OF TWO PETITIONS REGARDING THE ABOVE PROPERTY
We the undersigned, being residents of the immediate area, petition the Zoning Commissioner of Baltimore County to deny Mr. Jack Fiorini's request for a zoning variance on lots 1, 12 and 20 on Perring Woods Court zoning that requires a thirty-five foot side yard (window to tract boundary) and a rear yard of thirty-five foot. The current zoning wished into effect to control density and to protect existing neighborhoods. We strongly request that the Zoning Commissioner adhere to present zoning laws. We further request that no variances be granted on any other property in the proposed development.

NAME	ADDRESS
1. Norma E. Cheneveth	8025 Highpoint Rd
2. David D. Cheneveth	8025 Highpoint Rd
3. David K. Mues	8017 Highpoint Rd
4. Margaret Mui	8013 Highpoint Rd.
5. Tom Thibault	8012 Highpoint Rd.
6. William R. Kasper	8007 Highpoint Rd.
7. Kippen Spinning	8007 Highpoint Rd.
8. Victor Perring	8011 Highpoint Rd.
9. Ann Zoppo	8031 Highpoint Rd.
10. Florence Blumengarten	8011 Highpoint Rd.
11. Phillip A. Zoppo	8023 Highpoint Rd.
12. John T. Perring	8023 Highpoint Rd.
13. Virginia K. Perring	8023 Highpoint Rd.
14. Josephine B. Perring	8023 Highpoint Rd.

14. Gordon H. Perring 2407 Perring Woods Rd. 21234
15. Sue Perring 2419 Perring Woods Rd. 21234
16. Benedetta Baskin 2419 Perring Woods Rd. 21234
17. David Perring 2412 Perring Woods Rd. 21234
18. Co. Rapera 2412 Perring Woods Rd. 21234
19. Kathleen Ayden 2410 Perring Woods Rd. 21234
20. Linda Lee 2408 Perring Woods Rd. 21234
21. John A. Perring 2417 Perring Woods Rd. 21234

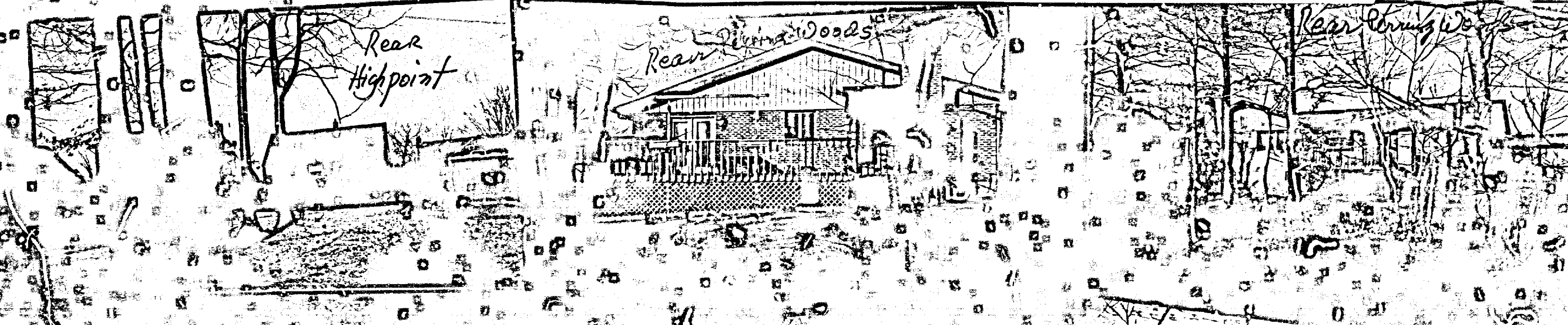
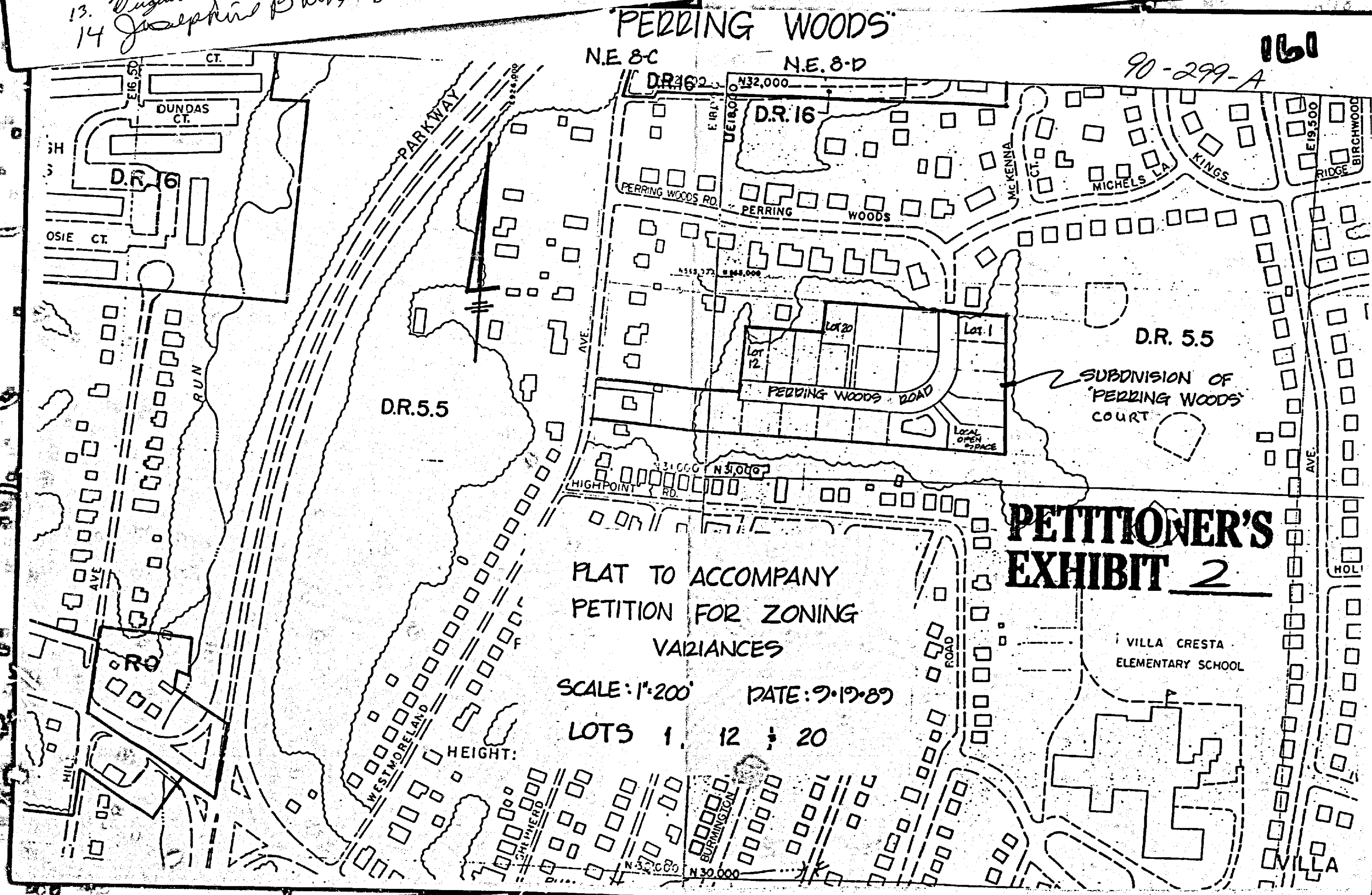
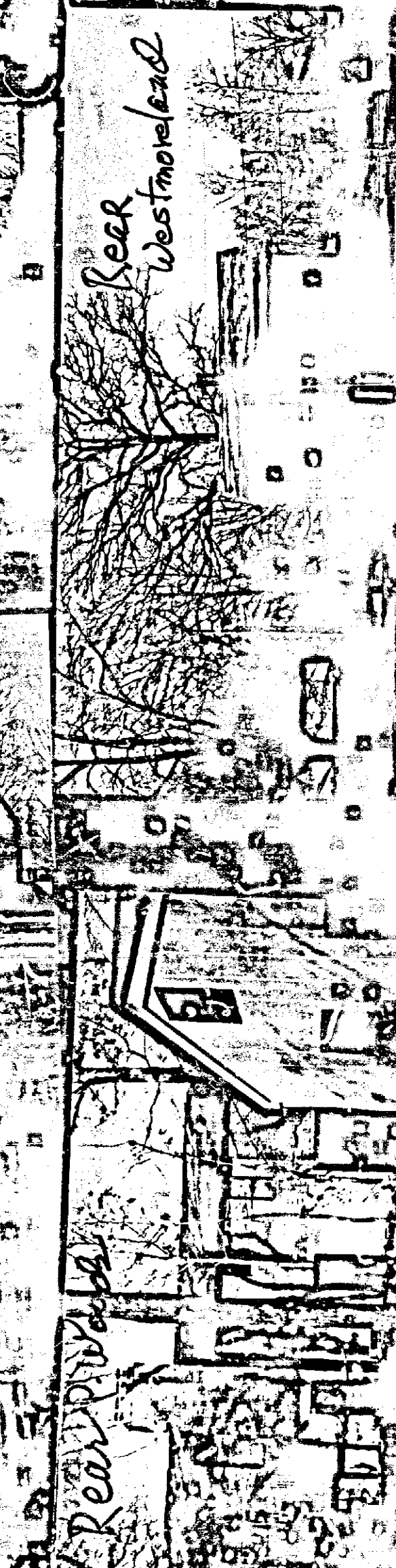
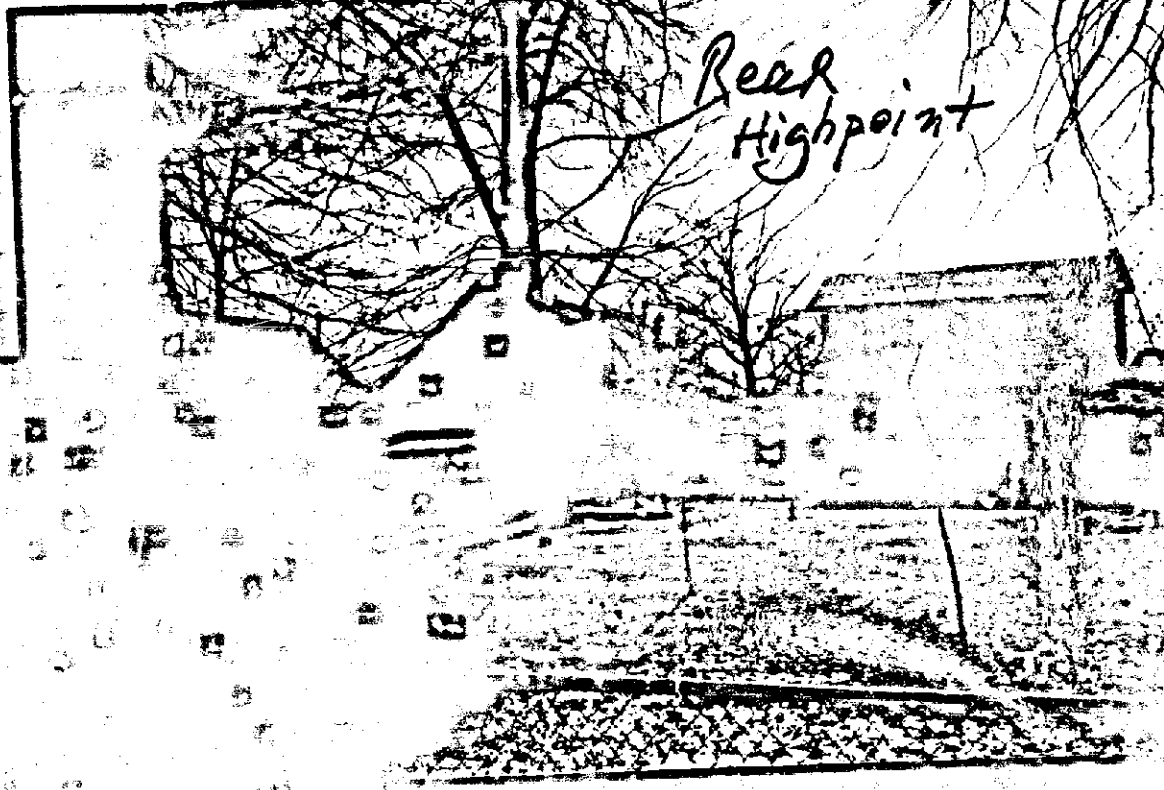
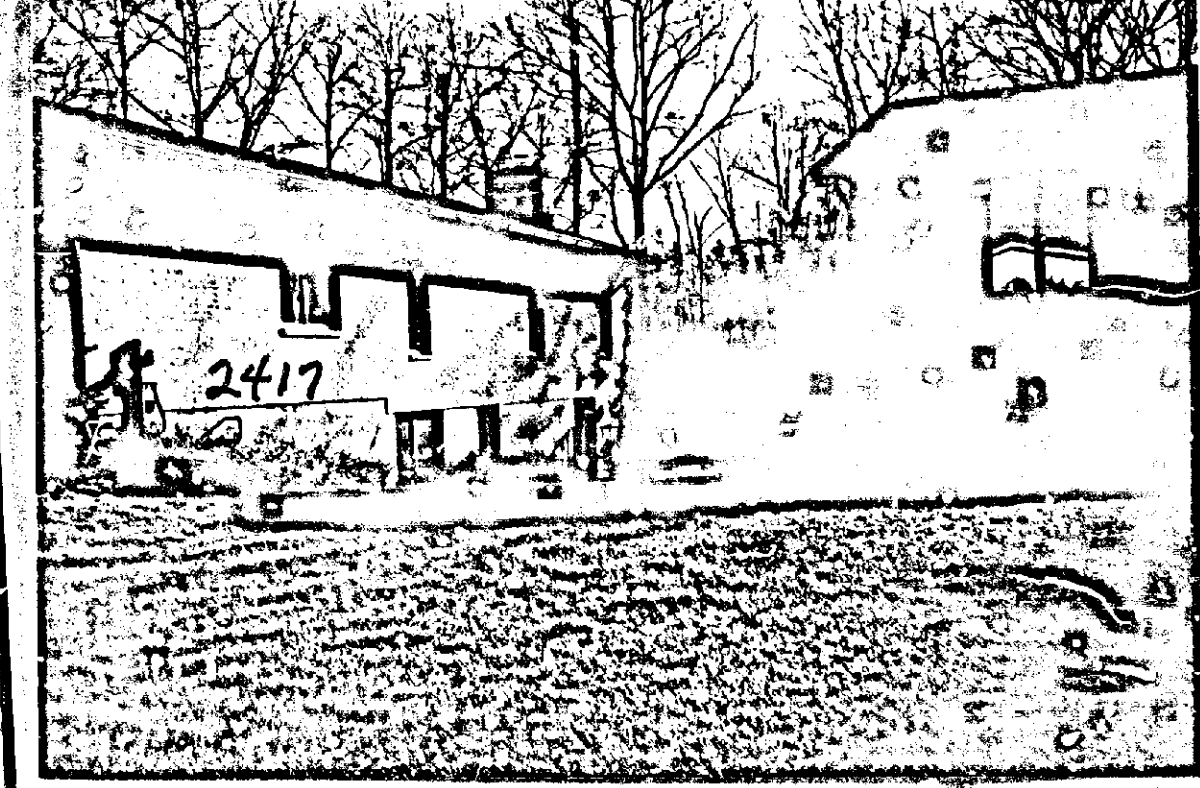
I the undersigned live at 2413
Perring Woods Rd., Baltimore, Md. 21234,
and I am neither for or against
the variance.

George Toda

PETITIONER'S
EXHIBIT 11

PERRING WOODS RD.
90-299-A (PICTURES)

PETITIONER'S
EXHIBIT 8



PERRING WOODS ROAD 90-299-A (PICTURES)

PETITIONER'S
EXHIBIT 7

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 17, 1990

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

Ronald A. Decker, Esquire
Moore, Carney, Ryan & Lattanzi
4111 E. Joppa Road, Suite 201
Baltimore, MD 21236

RE: Item No. 161, Case No. 90-299-A
Petitioner: Jack Fiorini, et ux
Petition for Zoning Variance

Dear Mr. Decker:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

cc: Mr. & Mrs. Jack Fiorini
7923 Highpoint Road
Baltimore, MD 21234

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



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
22nd day of November, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Jack Fiorini, et ux
Petitioner's Attorney: Ronald A. Decker

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner
FROM: Pat Keller, Deputy Director, Office of Planning and Zoning
SUBJECT: Jack Fiorini, Item 161, Zoning Petition No. 299

DATE: December 18, 1989

The Petitioner requests variances for reduced lot line and tract boundary setbacks.

In reference to this request, staff offers no comment.

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.

EK/JL/cmm

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

November 29, 1989



Dennis F. Rasmussen
County Executive

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items 160, 161, and 162.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

RECEIVED
DEC 29 1989

PLANNING OFFICE

DEC 18 1989

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Roedel
Chief

DECEMBER 1, 1989



Dennis F. Rasmussen
County Executive

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

RE: Property Owner: JACK FIORINI
Location: LOT 11, 12 AND 20, PERRING
WOODS COURT

Item No.: 161 Zoning Agenda: NOVEMBER 21, 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.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

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", 1988 edition prior to occupancy.

REVIEWER: *Carl J. Kennedy, P.E.* Noted and Approved
Special Inspection Division

JK/KEK

DEC 05 1989

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 21, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 160, 161 and 162.

For Item 135 the previous CRG comments are still valid.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed Petition for Zoning Variance, Case No. 90-299-A, 600' E of Westmoreland Avenue, 400' S of Perring Woods Road, Lot 11, 12, and 20 Perring Woods Court, 9th Election District - 6th Councilmanic District, at the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204, on Thursday, January 25, 1990 at 2:45 p.m.

CERTIFICATE OF PUBLICATION

TOWSON, MD, December 22, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec 22, 19 89.

THE JEFFERSONIAN,

S. Zehe Orlean
Publisher

January 22, 1990

Baltimore County
I, as a property owner of 7915 Westmoreland Ave, support Mr. Fiorini in his effort to get permission to put windows in these homes where variances will not allow. Windows will enhance the appearance of the neighborhood.
Much Appreciation
Richard Ramsey

**PETITIONER'S
EXHIBIT 10**

To whom it may concern:

I have taken a look at the so called window variances and set back (change) that the Fiorini have requested, and do not think it will hurt the neighborhood in any way.
On fact the houses that are planned to be built will help the neighborhood greatly.

**PETITIONER'S
EXHIBIT 10**

ALL AUTHORITY IS AS FORTH
BALTIMORE, MD 21201

Douglas L. Kennedy, P.E.
William K. Woody, L.S.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

June 13, 1990

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

Reference: "Perring Woods Court" Lot No. 1
600' E of Westmoreland Avenue, 400' S of Perring Woods Road,
Zoning Variance Case No. 90-299-A

Dear Mr. Haines:

A variance was requested and an order granting the variance from Section V of the C.O.D.P. and Section 100.2.2.2.4. (B.C.P.) to allow a side yard (window to tract boundary) of 10 feet in lieu of the required 35 feet for Lot No. 1 of "Perring Woods Court" was issued on April 4, 1990.

The final architectural plans are now complete and do not propose a window along the left side of the house. The architect was denied permission to apply for a building permit based upon the interpretation of the Office of Zoning that the variance was granted for a 10 ft. side yard (window to tract boundary) and not a 10 ft. side yard (building to tract boundary).

Our interpretation of the intent of your order is that first you are allowing the construction of the house with a 10 ft. side yard (building to tract boundary), and secondly you are allowing the installation in the first constructed house of a window (window to tract boundary). Your order has granted a variance from a more restrictive side yard restriction than for which we are now attempting to apply for a building permit. Since the variance is perpetual with the land of Lot No. 1 "Perring Woods Court", the present property owner, or any future property owner, should have the right to make application for installation of a window along the side yard at any time but prior to installation of that window we must be able to apply for a building permit to construct the house.

Please review your April 4, 1990 order in Case No. 90-299-A with the Office of Zoning so that the architect may apply for the building permit and not be subjected to these unnecessary delays in the development process.

**SPEED
LETTER**
IN THE INTEREST OF SPEED AND ECONOMY, WE ARE REPlying TO YOUR LETTER WITH HANDING NOTES.
IF YOU NEED MORE INFORMATION, DO NOT HESITATE TO CALL OR WRITE. THANK YOU FOR YOUR INTEREST.
BALTIMORE COUNTY

DLK/dke
cc: Jack Fiorini
Ron A. Decker, Esq.
J.C. 89133

Very truly yours,
Douglas L. Kennedy
Douglas L. Kennedy, P.E.

June 18, 1990

Dear Mr. Kennedy,

Please be advised that, after a review of the Regulations and the Zoning Order, this Office will in this particular case approve a windowless wall on the N/S tract boundary on Lot #1 referenced above, with one condition. You should not interpret this approval as a confirmation that relief granted from one section of the Zoning Regulations can be extended to provide relief from another section that was not requested. However, due to the fact that the relief requested was at the suggestion of this Office (which is only advisory), the fact that a window may be installed in the future and the fact that in order to have a window there must first be a building, the permit will be approved provided there is no objection from the adjoining property owner and this is documented in the zoning files under reference to the above case and Lot #1.

cc: Zoning Case File #
F.D.P. File

u. Calhoun
W. Carl Richards, Jr.

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

December 13, 1989

NOTICE OF HEARING

The Zoning Commission 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 follows:

Petition for Zoning Variance
CASE NUMBER: 90-299-A
600' E of Westmoreland Avenue, 400' S of Perring Woods Road
Lots 1, 12, and 20 Perring Woods Court
9th Election District - 6th Councilmanic District
Petitioner(s): Jack Fiorini, et al.
HEARING: THURSDAY, JANUARY 25, 1990 at 2:45 p.m.

Variance to allow a side yard (window to tract boundary) of 10 ft. in lieu of the required 35 ft. for Lot No. 1 on plat entitled "Perring Woods Court" to be recorded upon Baltimore County approval; (2) Variance to allow a side yard (window to tract boundary) of 10 ft. in lieu of the required 35 ft. for Lot No. 12 and (3) Variance to allow a side yard (window to tract boundary) of 30 ft. and a rear yard (window to tract boundary) of 25 ft. in lieu of the required 35 ft. for Lot No. 20.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a meeting to 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 887-3351 to confirm hearing date.)

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

Petitioners
Ronald A. Decker, Esq.

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

DATE: 1-5-90

Mr. & Mrs. Jack Fiorini
7923 Highpoint Road
Baltimore, Maryland 21234

Re: Petition for Zoning Variance
CASE NUMBER: 90-299-A
600' E of Westmoreland Avenue, 400' S of Perring Woods Road
Lots 1, 12, and 20 Perring Woods Court
9th Election District - 6th Councilmanic District
Petitioner(s): Jack Fiorini, et al.
HEARING: THURSDAY, JANUARY 25, 1990 at 2:45 p.m.

Dear Petitioners:

Please be advised that \$150.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the sign, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Ronald A. Decker, Esq.

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 887-3351 to confirm hearing date.)

Douglas L. Kennedy, P.E.
William K. Woody, L.S.

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
1777 Reisterstown Road
Commerce, Suite 175
Baltimore, Maryland 21208
(301) 484-0894 / 484-0963

February 6, 1990

J. Robert Haines
Zoning Commission for
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Reference: Case No. 90-299-A
"Perring Woods Court"
Lot No. 1, 12 and 20

Dear Mr. Haines:

As you requested at the January 25, 1990 hearing for the above referenced project, we are enclosing herewith one copy of the preliminary architectural plans and site grading plan for the proposed house on Lot No. 1.

It is proposed to construct a two-story house of approximate dimension 42'x48' on Lot No. 1. The house would be situated 10 feet off the common property line with the adjacent existing property owner, Mr. Nicholas Langone, Jr., and 15 feet from the common property line with Lot No. 2. This siting will enable the use of windows along the right side of the proposed house.

As noted during the hearing, the style, mass and siting of the proposed houses are similar to the existing homes along Perring Woods Road.

Very truly yours,
Douglas L. Kennedy
Douglas L. Kennedy, P.E.
KCW Consultants, Inc.

DLK/dke
Enclosures
cc: Fiorini Brothers, Inc.
Ron Decker
J.C. 89139