

IN THE MATTER OF THE
APPLICATION OF KEY FEDERAL
SAVINGS BANK FOR A ZONING
VARIANCE ON PROPERTY LOCATED
ON THE WEST SIDE OF NAYGALL
ROAD, 1846' SOUTH OF THE
CENTERLINE OF GLEN MILL ROAD
(9006 NAYGALL ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD
* OF APPEALS
* OF BALTIMORE COUNTY
* CASE NO. 91-257-A

ORDER OF DISMISSAL

This case comes before this Board on appeal from the decision of the Deputy Zoning Commissioner dated May 30, 1991 granting with restrictions the Petition for Zoning Variance on property located in the Eleventh Election District of Baltimore County.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Margaret L. Ibex, Appellant in this matter on November 19, 1991 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal filed by her in this matter be dismissed and withdrawn as of November 19, 1991,

IT IS HEREBY ORDERED this 19th day of November, 1991 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Michael B. Sauer, Acting Chairman

Harry E. Buckmaster, Jr.

Jason H. Lipowitz

IN THE MATTER OF THE
APPLICATION OF THE KEY FEDERAL
SAVINGS BANK FOR A ZONING
VARIANCE ON PROPERTY LOCATED
ON THE WEST SIDE OF NAYGALL
ROAD, 1846' SOUTH OF THE
CENTERLINE OF GLEN MILL ROAD
(9006 NAYGALL ROAD)
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-257-A

STATEMENT OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a distance between facing windows of 30 feet in lieu of the required 40 feet for a proposed dwelling, and a distance between dwellings of 28 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1.

The Petitioner, by Daniel W. Hume, Vice President, appeared, testified and was represented by John B. Gontum, Esquire. Also appearing on behalf of the Petition were Clyde F. Hinkle, Engineer, and Walter Stefanowicz, Contractor. Appearing as Protestants in the matter were Steven G. Hipley, Bob Gorman, Margaret Ibex, and Indra Devades, all residents of Glen Mill Estates. At the continued hearing held on May 16, 1991, Mr. Lahrman, a resident of Glen Mill Estates, and Senator Thomas Bromwell, appeared as Protestants, as well as Mr. Hipley, Mr. Gorman and Ms. Ibex.

Testimony indicated that the subject property, known as 9006 Naygall Road, consists of 13,121 sq.ft. zoned D.R. 3.5 and is improved with a two story frame dwelling. Petitioner acquired the subject property, also known as Lot 20 of Glen Mills Estates, through foreclosure on June 26, 1990. Testimony indicated that at the time of acquisition, the exterior of the dwelling had been substantially completed as depicted in the photographs submitted and identified as Petitioner's Exhibit 2A. Subsequently,

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Date 5/29/91
By [Signature]

...order was issued as a result of the close proximity of facing windows of the dwellings on lots 20 and 21 and Petitioner filed the instant Petition to resolve the matter. Petitioner contends that the dwelling on Lot 20 has been built in compliance with the building permit issued on November 13, 1989 (see Petitioner's Exhibit 3). In support of its case, Petitioner introduced the First Amended Development Plan for Glen Mills Estates, marked Petitioner's Exhibit 4, which depicts the orientation of the front of the subject dwelling, as it presently exists. Petitioner argued that under the approved plan, the adjoining house on Lot 21, owned by Mr. Hipley, was to have no windows. Petitioner argued the variance requested is necessitated by a single window on Lot 21 and its relationship to the subject property. Petitioner testified that in addition to the window on Lot 21 being in violation of the Final Development Plan, the construction of the house on Lot 21 was not pursuant to the site plan submitted when the building permit was issued by the County. Petitioner indicated that the original site plan called for the garage of the house on Lot 21 to be turned so that the side with no windows would be abutting Lot 20. Petitioner argued that the dwelling on Lot 20 was built in accordance with approved plans and that practical difficulty and unreasonable hardship would result if the relief requested were denied. Further Petitioner argued that the spirit and intent of the regulations were met.

Mr. Hipley, owner of adjoining Lot 21, testified that he has resided on the property for the past two and one-half years. He testified that at the time of purchase he was not aware of the restrictions regarding facing windows. Mr. Hipley testified that he had contracted for three windows on the side facing Lot 20; however, only one window was installed. Mr. Hipley testified he was unable to pursue the matter due to his builder

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filing bankruptcy. In Mr. Hipley's opinion, there should be no house on Lot 20 due to the inability of the panhandle drive to handle the additional traffic. Mr. Hipley indicated that he was advised by an appraiser that the existence of the house on Lot 20 depreciates the value of his home. Margaret Ibex, a resident of the community since 1988, indicated that she believes the variance should be denied. She testified that it appears that the original builders have misplaced many of the homes on the lots creating problems for the residents of Glen Mills Estates. Bob Gorman of 9030 Naygall Road testified he was opposed to the relief requested. He also raised the question as to whether or not there was a height violation on the property. Ms. Devades, adjoining property owner to the other side of Lot 20, testified she purchased her home on December 28, 1990 from Petitioner. She testified that in her opinion there should be no house on Lot 20 due to the panhandle lot situation.

At the close of the hearing, it was agreed Petitioner would have its engineers measure the heights of each dwelling and the distances between each to address the issue raised by Mr. Gorman. It was then determined the required distance between dwellings was 30 feet and a variance was needed. Petitioner thereafter amended its Petition as a portion of each dwelling sat 28 feet from its neighbor in lieu of the required 30 feet. The variances were readvertised and reposted and a hearing was held on May 16, 1991.

At the hearing on May 16, 1991, the Protestants strongly argued that the variances should be denied and the house torn down. The thrust of the Protestants' argument is that any house on Lot 20 will have a detrimental effect on the community. The issues raised at the both hearings indicate that the frustrations of the Protestants are not limited to this

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...problems in Glen Mills created by the original ...expressed concern as to grading and drainage ...due to the grade of the property and house on the subject property. Petitioner admitted the grading remained to be done but was stopped as a result of the stop work order. At the hearing, Petitioner disclosed its plans to sell the property at a loss if the variances were granted and someone else would then complete the dwelling.

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. Solev*, 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.

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

After due consideration of the testimony and evidence presented, ...the requested should be granted, subject to the ...while the Deputy Zoning Commissioner ...the panhandle drive of Naygall ...a house on the lot without ...the same effect. The Deputy Zoning ...a lot that was approved pursu-

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ant to a final development plan. The close proximity of the houses and their orientation to each other is set forth on the development plan. The proximity of the houses and their location on the panhandle lot was a matter of public record known to the residents prior to their purchase. In fact, said plan indicates that development on Lots 20 and 21 may have been as close as 20 feet apart. There were to be no windows in the sides according to a note on the plan. Further, the front orientation of Lot 20 was noted on the plan. In the opinion of the Deputy Zoning Commissioner, the undisputed testimony indicated that Petitioners have shown practical difficulty and that requiring strict compliance would be unnecessarily burdensome. This hearing is limited to addressing the concerns regarding the subject lot. Restrictions will be imposed to address the grading, sediment control, and storm water management issues raised concerning this lot. The project as presented by Petitioner and the Protestants evidences the need for those concerns to be properly addressed.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of May, 1991 that the Petition for Zoning Variance to permit a distance between facing windows of 30 feet in lieu of the required 40 feet for a proposed dwelling, and a distance between dwellings of 28 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is re-

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By [Signature]

versed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The variances granted herein are conditioned upon the property being titled in Petitioners' name until the dwelling is completed and occupancy permits issued.

3) There shall be no occupancy permits issued until all County requirements, including, but not limited to, storm water management, sediment control, and grading have been found to be in compliance with said requirements by the applicable County agencies or Departments.

4) Prior to final inspection by all applicable County agencies or departments, Petitioner shall submit a certification completed by a Maryland registered professional engineer, which certifies that a field inspection of the property indicates that the subject dwelling is in full compliance with all applicable County regulations, including, but not limited to, storm water management, sediment control, and grading. Further, prior to the issuance of any occupancy permits and after completion of all necessary work on the property, Petitioner's engineer must certify that there will be no adverse effect upon neighboring properties as a result of the final grading, storm water management and sediment control implemented on the subject property.

5) Any and all future deeds for the property must reference this case and the restrictions set forth herein.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANNEXES

ORDER RECEIVED FOR FILING
Date 5/29/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 30, 1991

John B. Gontum, Esquire
814 Eastern Boulevard
Essex, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
W/S Naygall Road, 1846' S of the c/l of Glen Mill Road
(9006 Naygall Road)
11th Election District - 5th Councilmanic District
Key Federal Savings Bank - Petitioner
Case No. 91-257-A

Dear Mr. Gontum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs
cc: Mr. Steven G. Hipley
9006 Naygall Road, Baltimore, Md. 21234

Mr. Bob Gorman
9030 Naygall Road, Baltimore, Md. 21234

Ms. Margaret Ibex
9031 Naygall Road, Baltimore, Md. 21234

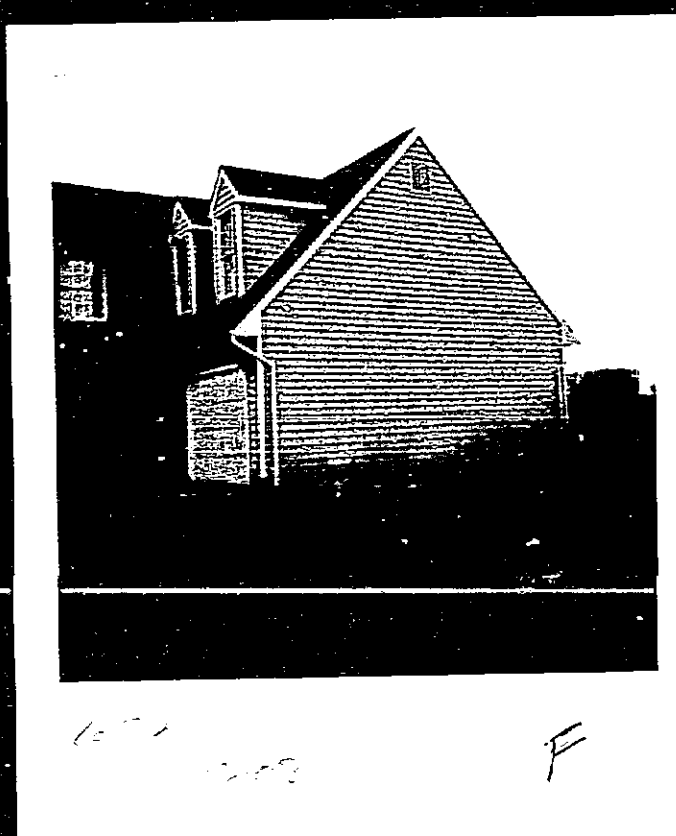
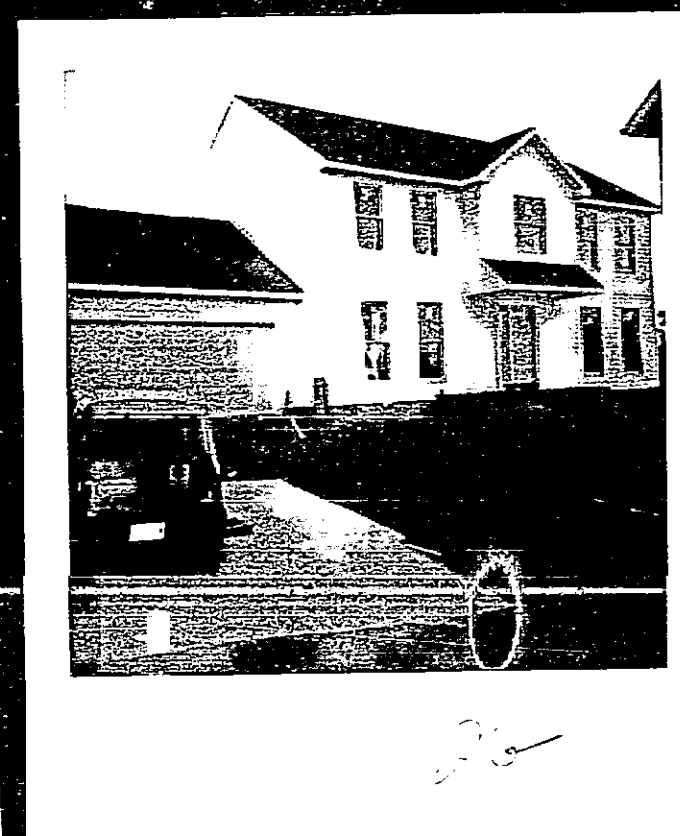
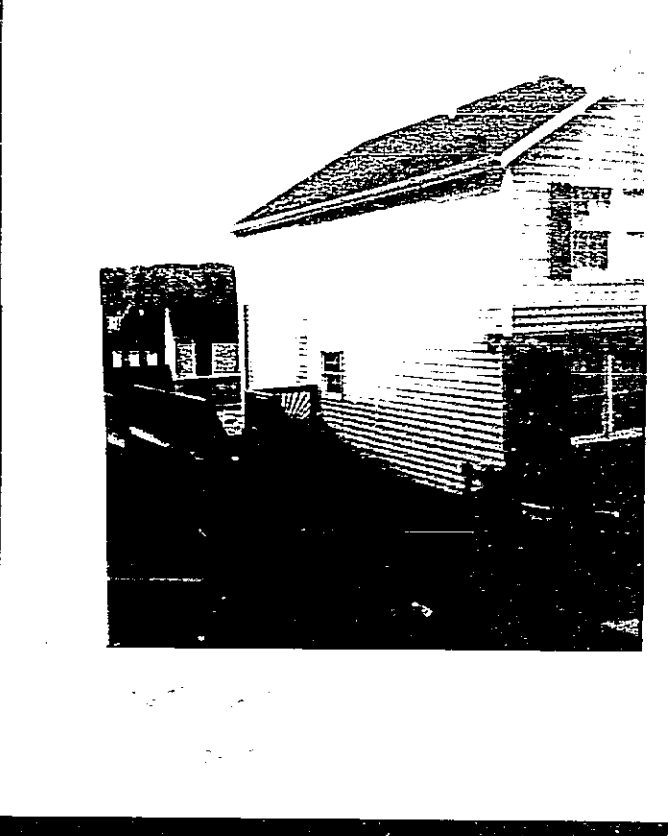
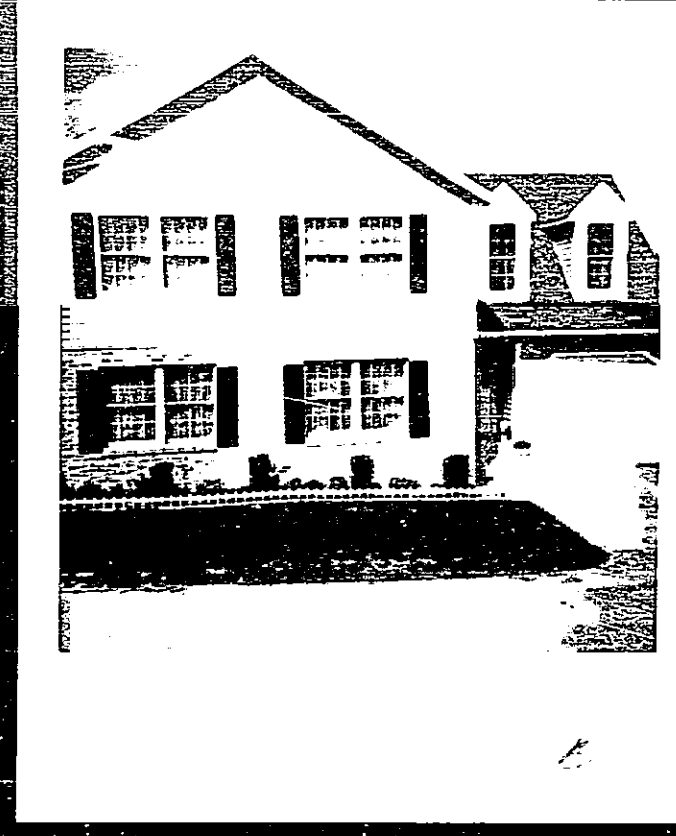
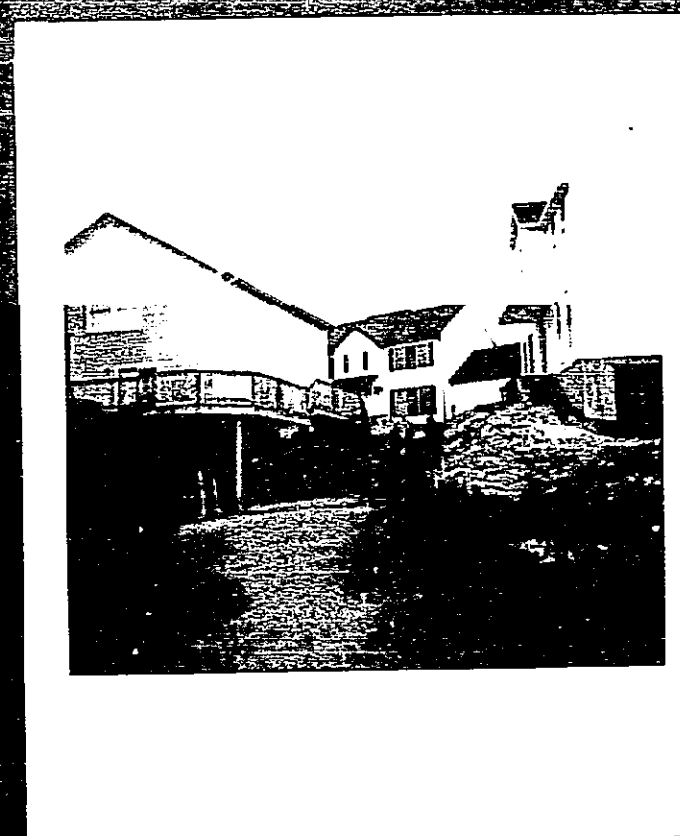
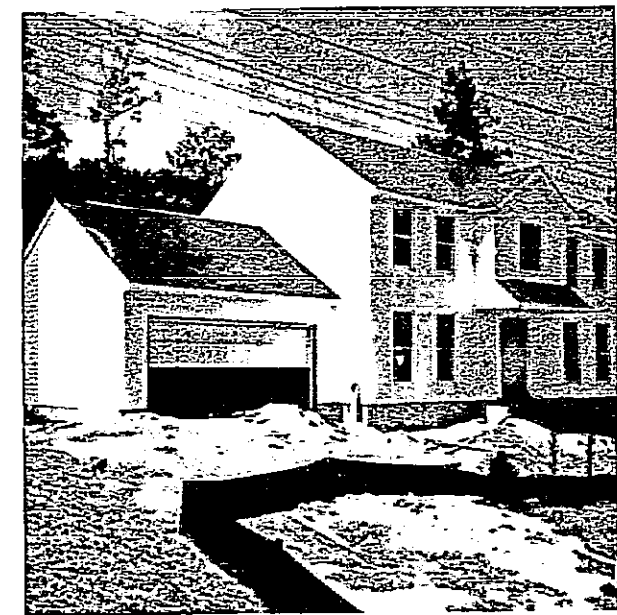
Ms. Indra Devades
9004 Naygall Road, Baltimore, Md. 21234

Senator Thomas L. Bromwell
7503 Belair Road, 2nd Floor, Baltimore, Md. 21236

People's Counsel: File

PETITIONER'S EXHIBIT

*Petitioner's
Exhibit 2A-2C
Photographs
91-257-A*



PETITIONER'S EXHIBIT 3

BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

J. R. Pugh
BUILDINGS ENGINEER

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING CHIEF
TOWSON, MARYLAND 21204

Building Address: 9008 NAYGALL RD
Owner Name: GLO MIL CORP (INCORPORATED)
Building Address: 9016 NAYGALL RD
Owner Name: GLO MIL CORP (INCORPORATED)

Project Name: SWS NAYGALL ROAD

A. TYPE OF IMPROVEMENT

☒ NEW BUILDING CONSTRUCTION
☐ ADDITION
☐ ALTERATION
☐ REPAIRS
☐ REMOVAL
☐ OTHER

B. TYPE OF CONSTRUCTION

☐ SINGLE FAMILY UNIT
☐ MULTIFAMILY UNIT
☐ COMMERCIAL BUILDING
☐ INDUSTRIAL BUILDING
☐ OTHER

C. TYPE OF USE

☐ RESIDENTIAL
☐ COMMERCIAL
☐ INDUSTRIAL
☐ OTHER

D. DIMENSIONS

Overall Width: 30'-0" Overall Depth: 100'-0" Overall Height: 12'-0"

E. RESIDENTIAL ONLY

☐ SINGLE FAMILY UNIT
☐ MULTIFAMILY UNIT
☐ COMMERCIAL BUILDING
☐ INDUSTRIAL BUILDING
☐ OTHER

F. DIMENSIONS

Overall Width: 30'-0" Overall Depth: 100'-0" Overall Height: 12'-0"

**PETITIONER'S
EXHIBIT**

This petition is to protest the variance requested for lot #20. This unfinished house has violated the building code that requires a 40 foot distance between windows of adjacent lots. Additionally, the home is too large for the lot, and the control of sediment in that area. The house in question was raised three feet to eliminate water from the lot. This extension along with the poor placement of the foundation, gives the appearance of one home towering over the adjacent home.

The house in question adds no value to the community and indeed makes the development look less attractive. My signature indicates my firm belief that there is no reason to grant this variance and I am signing this petition without any coercion or undue influence.

Wally & Ellen M. M. M.
Name: _____ Address: 9008 NAYGALL RD

Louise M. M. M.
Name: _____ Address: 9052 NAYGALL RD

Joe Valentine
Name: _____ Address: 9036 NAYGALL RD

Mary A. M. M. & Robert
Name: _____ Address: 9030 NAYGALL RD

Marlene M. M.
Name: _____ Address: 9022 NAYGALL RD

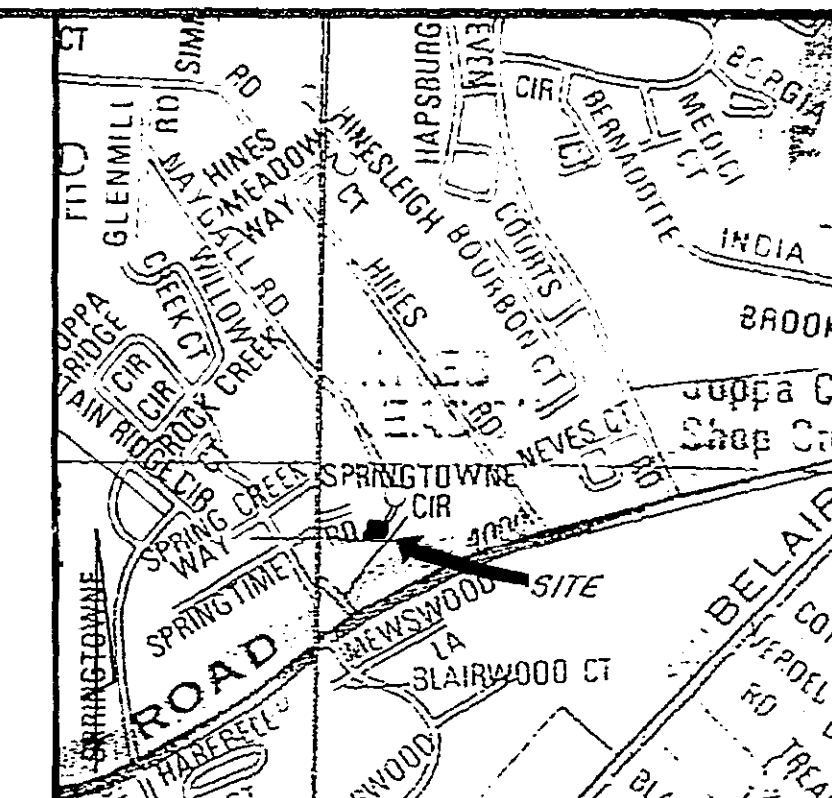
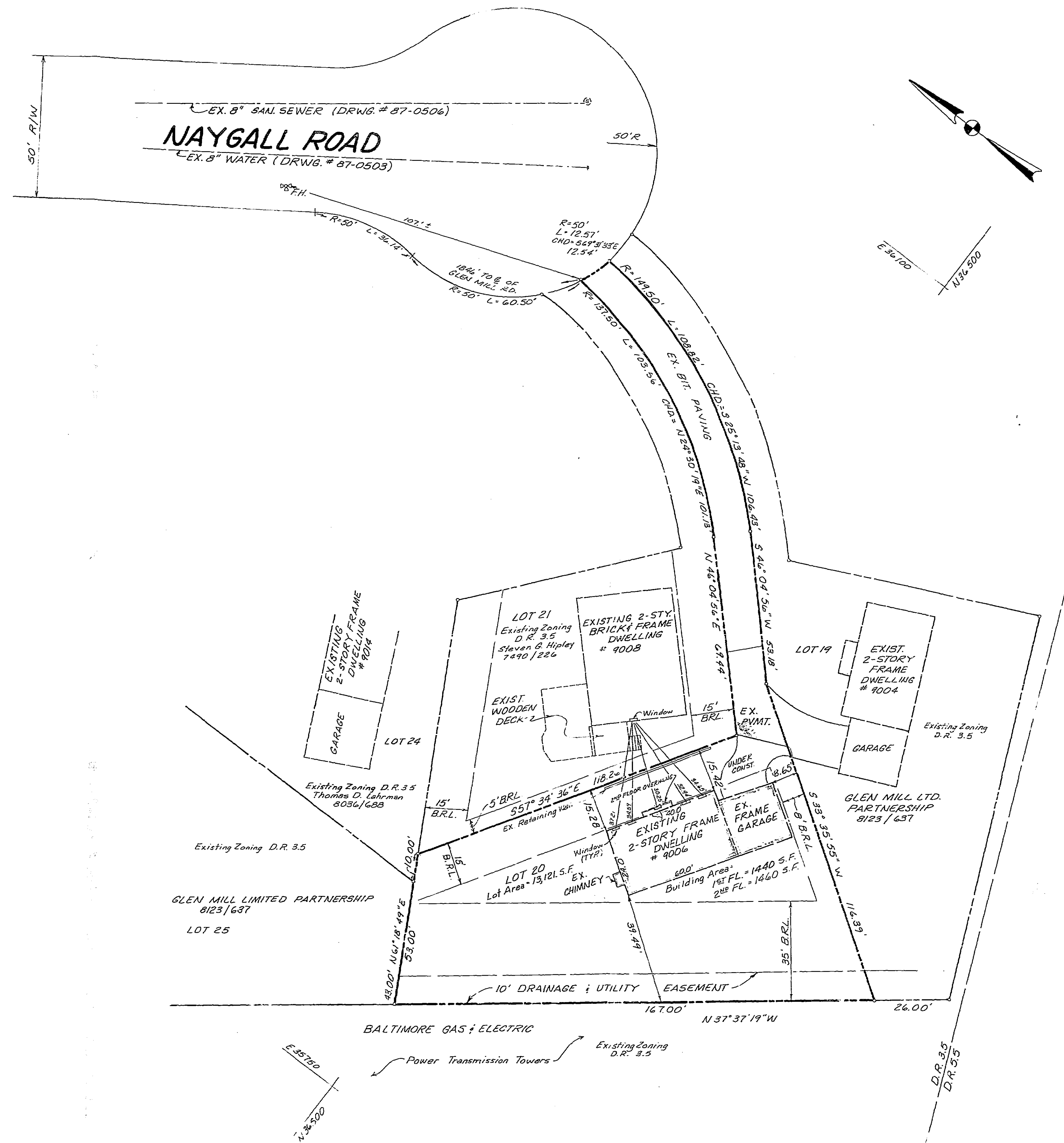
Charles M. M.
Name: _____ Address: 9012 NAYGALL RD

Phil B. M.
Name: _____ Address: 9014 NAYGALL RD

Tom M. M.
Name: _____ Address: 9014 NAYGALL RD

PROTESTANTS EXHIBIT



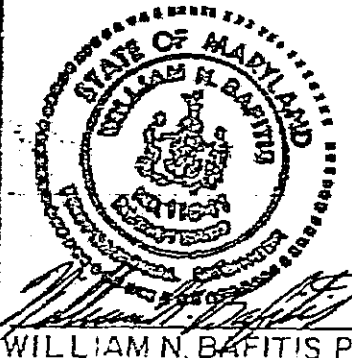


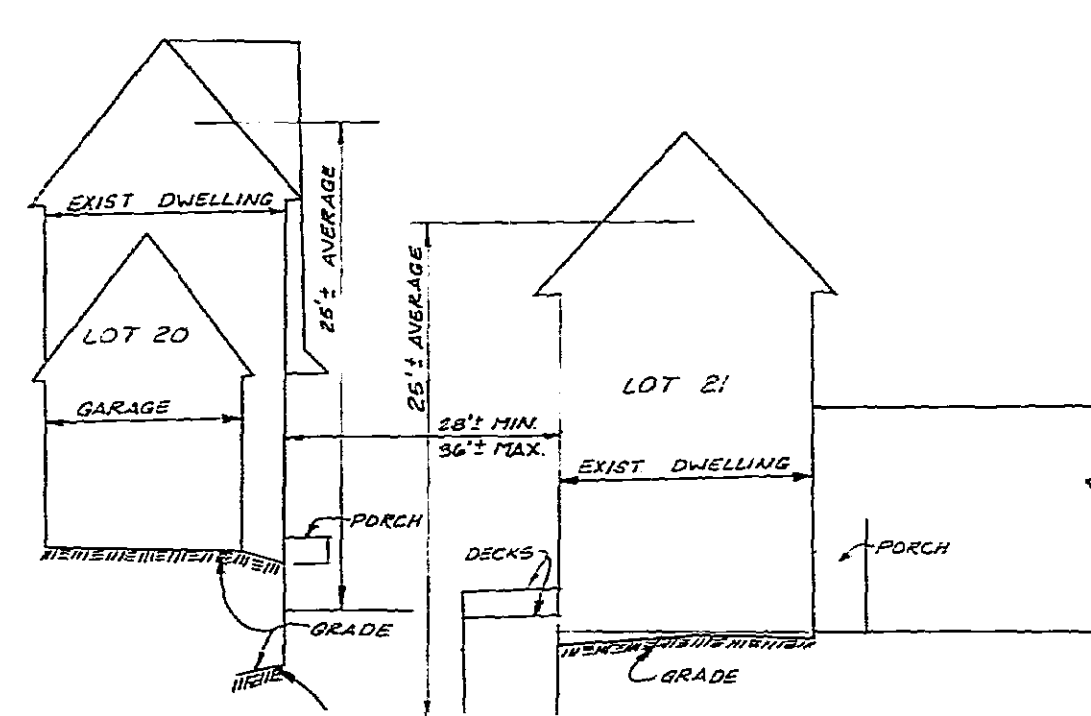
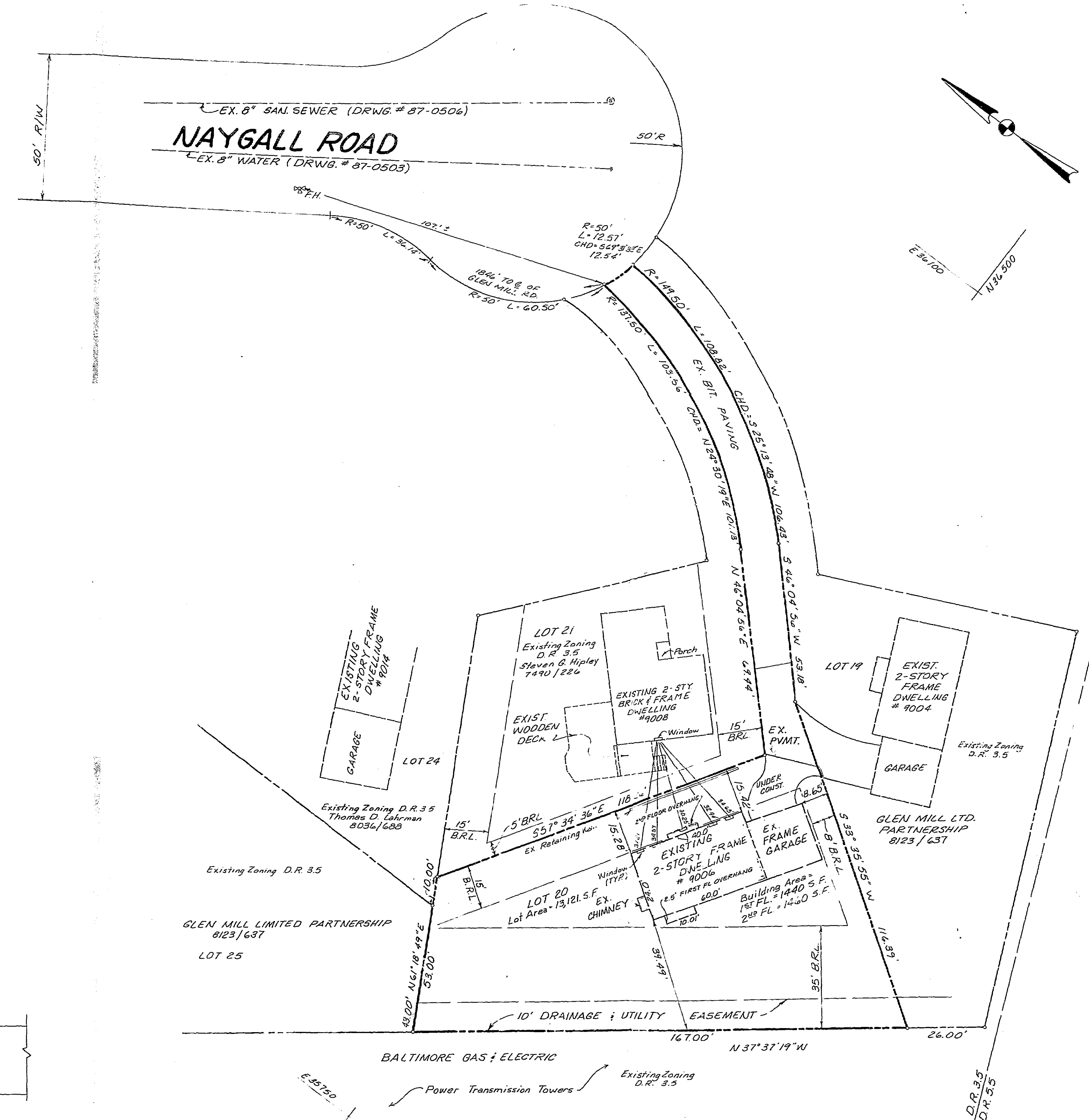
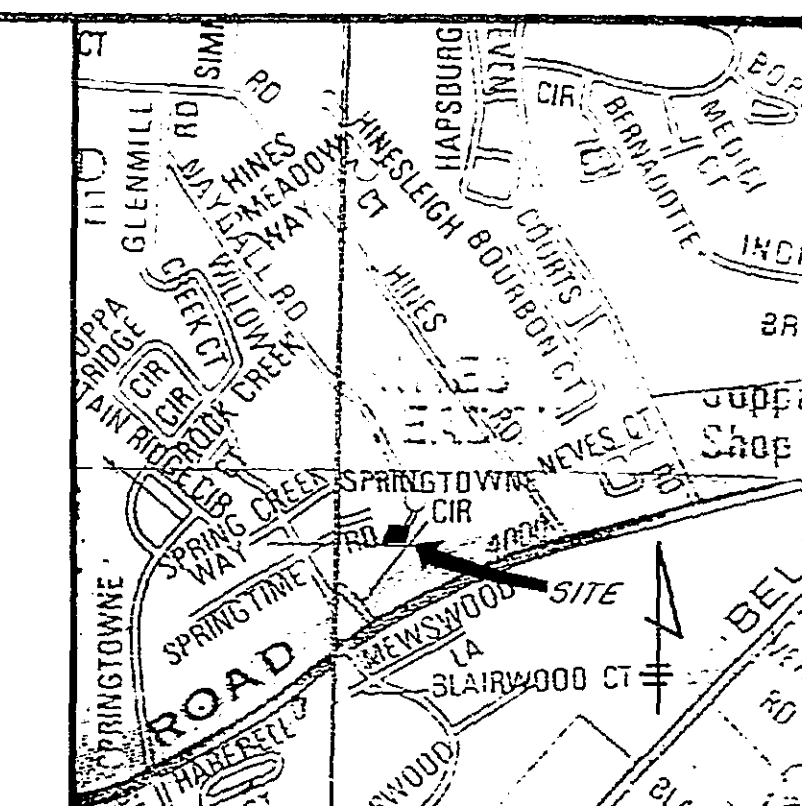
VICINITY MAP
Scale: 1" = 1000'

Notes

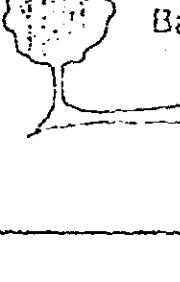
- 1) Building Setback Lines (BRL) are as shown on the Final Development Plan (First Amended) XI-484, 9-14-87
- 2) Plat Reference: Glen Mill Estates, Resubdivision Of "Joppa Village" E.H.K., Jr. 55-118
- 3) Site is served by Public Sewer & Water
- 4) Owner: Key Federal Savings Bank, 7700 Gwynns Mill Dr., Owings Mills, MD 21117
- 5) Deed Reference: 8627/500

91-257-A

		William N. Bafitis, P.E. 301-391-2336	
Civil Engineers / Land Planners / Surveyors 1249 Englebert Rd., Baltimore, Md. 21221			
PLAN TO ACCOMPANY ZONING VARIANCE HEARING FOR LOT 20, GLEN MILL ESTATES 9006 NAYGALL ROAD BALTIMORE COUNTY, MARYLAND			
ELECTION DISTRICT #11		COUNCILMANIC DISTRICT #5	
 WILLIAM N. BAFITIS, P.E.		SCALE 1" = 20'	JOB ORDER NO. 90048
		1	DATE 4 OCT 90
		SHEET 1 OF 1	
PETITIONER'S EXHIBIT			
REL. SIGNED		DATE	



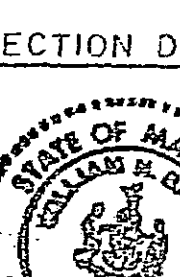
HEIGHT TO HEIGHT RELATIONSHIP DIAGRAM
scale 1" = 10' vertical
1" = 30' horizontal



Baflits & Associates, Inc.

William H. Baflits, P.E.
301-391-2336

PLAN TO ACCOMPANY
ZONING VARIANCE HEARING
FOR
LOT 20, GLEN MILL ESTATES
9006 NAYGALL ROAD
BALTIMORE COUNTY, MARYLAND

ELECTION DISTRICT "II"	COUNCILMANIC DISTRICT "5"
  1	SCALE 1" = 20'
	JOB ORDER NO. 90048
	DATE 4 OCT 90
	WILLIAM H. BAFLITS P.E.

Detail added to "9008 Naygall Road" Feb. 28,

Detail added to "9006 Naygall Road" Feb. 28,

Height To Height Relationship Diagram Added Feb. 28,

SHEET 1 OF 1

NO.

REVISIONS

DATE

NOTE: A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

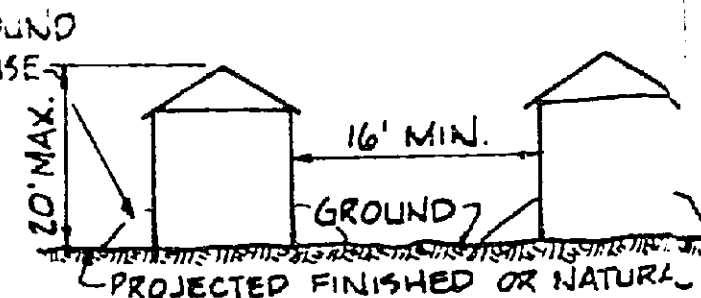
HINES ROAD

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 ENVELOPES, BUT MUST COMPLY WITH SECTIONS 400 & 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

WETLAND AREA

NOTE: NO CLEARING OR GRADING IN AREAS OF WETLAND EXCEPT AS NECESSARY TO CONSTRUCT ROADWAY CULVERT OR STORM WATER MANAGEMENT FACILITIES. AREAS THAT NEED TO BE DISTURBED ARE TO BE RE-VEGETATED WITH APPROPRIATE WETLAND GRASSES, SHRUBS AND TREES. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.

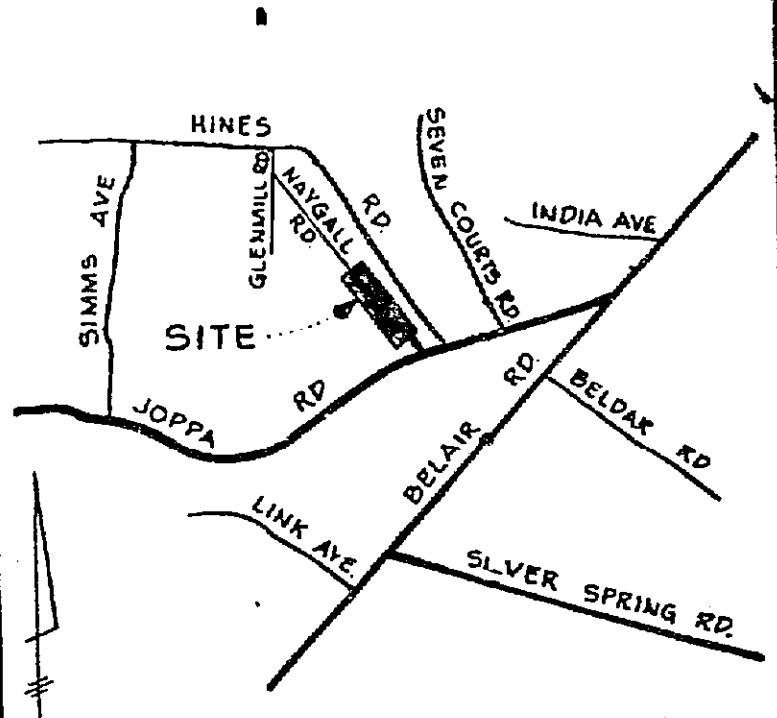
NOTE: NO WINDOWS IN ENDS (SIDES) OF UNITS.



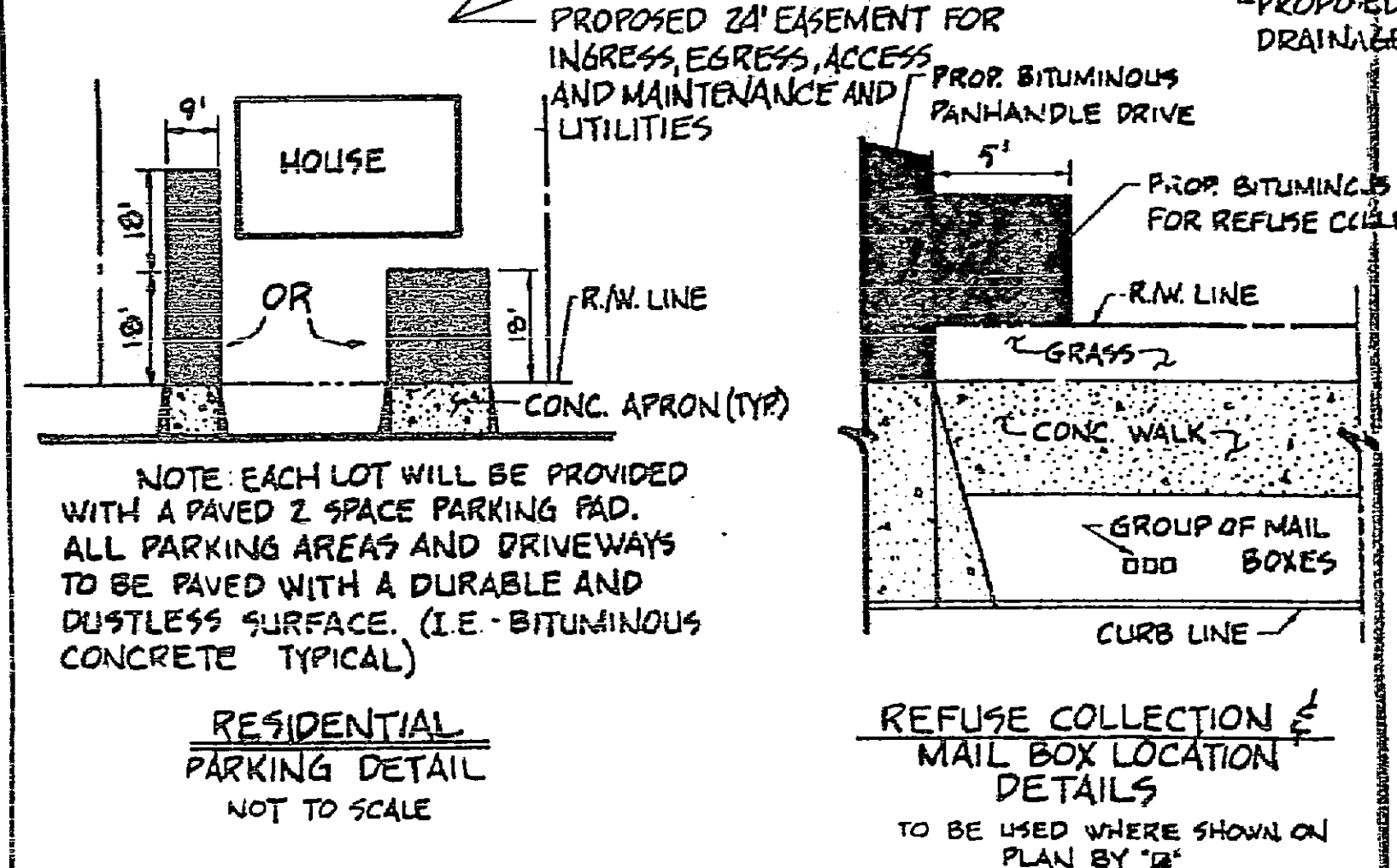
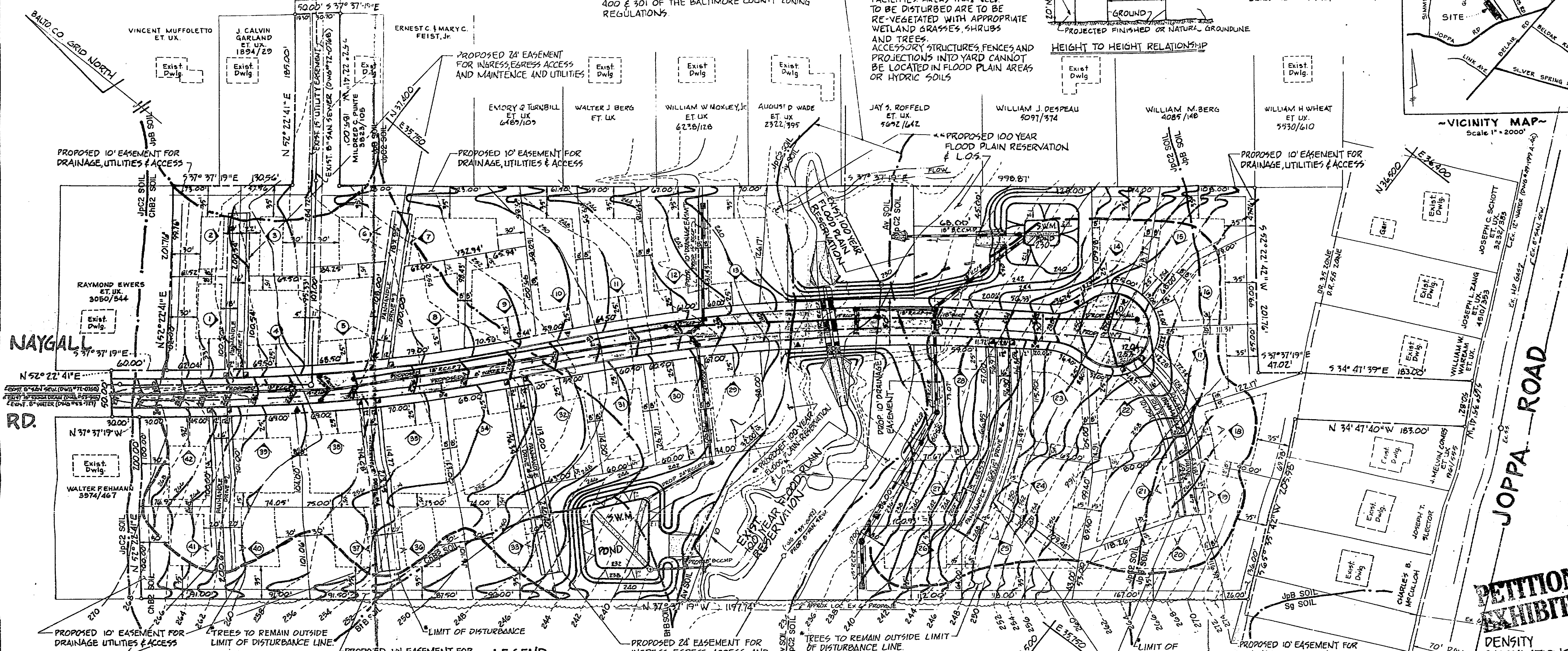
HEIGHT TO HEIGHT RELATIONSHIP

TYPICAL SETBACK REQUIREMENTS

- WINDOW TO WINDOW = 20'
- WINDOW TO TRACK BOUNDARY = 35'
- WINDOW TO STREET R/W = 25'
- WINDOW TO LOT LINE = 15'
- BUILDING TO TRACT BOUNDARY = 30'



VICINITY MAP Scale 1" = 2000'



LEGEND

- AREA OF PROPOSED PAVING
- PROPOSED BUILDING ENVELOPE
- EXISTING CONTOUR LINE (2' INTERVAL)
- PROPOSED CONTOUR LINE (2' INTERVAL)

NOTES: THIS DEVELOPMENT COMPLIES WITH THE CR6 PLAN AND ALL CR6 COMMENTS. 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.

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.

OWNER: RICHARD E. WALTON
4100 PERRYVIEW RD
BALTIMORE, MARYLAND

APPLICANT: GLEN MILL CORPORATION
CONTRACT 9666 BELAIR ROAD
PURCHASER: BELAIR, MD 21236

NOTE: LIMITS OF CLEARING ARE TO BE STAKED IN THE FIELD PRIOR TO GRADING. NOT BY HYDRA-BOLM INC. @ 8:35-38:45 AM. HOURS PRIOR TO BEGIN GRADING.

APPROVED BY CR4
AUG 16, 1986

GENERAL NOTES

- DEED REFERENCE W.J.R. 3559/592.
- ACCOUNT NO.: 11-23-000808, 11-23-000809 & 11-23-000810
- EXISTING ZONING OF SITE: DR. 35 & DR. 55
- CENSUS TRACT NO. 4114.03
- WATERSHED NO. 4
- SUB-SEWERSHED 25
- FOR LOCATION OF EXISTING FIRE HYDRANTS. SEE SHEET NO. 8.
- ALL ROADWAYS AND PARKING BAYS TO BE PAVED WITH BITUMINOUS CONCRETE.
- ALL PARKING SPACES WILL BE 9'x18' MIN. (SEE DETAIL)
- REFUSE TO BE COLLECTED BY BALTIMORE COUNTY.
- ALL COORDINATES HEREON ARE BASED ON THE METROPOLITAN DISTRICT OF BALTIMORE COUNTY SYSTEM.
- CONTOUR INTERVALS = 2' (PROP.); 2' (EXIST.)
- STREET LIGHTS WILL BE 100 WATT MERCURY VAPOR POST TOP UNITS ON 14' POLES (SHOWALKS &)
- THIS SITE CONTAINS NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS.
- PANHANDLE DRIVEWAYS TO BE 16' WIDE PAVED WITH BITUMINOUS CONCRETE AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS IN PROPORTION TO THE LENGTH NEEDED TO GAIN ACCESS TO THEIR INDIVIDUAL LOT.
- EXISTING VEGETATION ON SITE IS MIXED HARDWOOD TREES. EXISTING TIMBER TO BE REMOVED ONLY IN THE AREAS OF SUBSTANTIAL GRADING OR WITHIN AREAS OF CONFLICT WITH HOUSE PLACEMENT. 96% OF THE SITE IS WOODED, 60% IS TO BE REMOVED.
- ESTIMATED AVERAGE DAILY SEWER FLOW = 9,230 GALLONS PER DAY.
- UNITS TO BE 50.0
- TREES ARE TO REMAIN EVEN WHERE LIMITS OF DISTURBANCE LINE AROUND HOUSES WHERE EXTENSIVE GRADING IS NOT PERFORMED. (AREAS OF 10' OR LESS CUT OR FILL ARE NOT EXTENSIVE)
- PROP. 100 YR FLOOD PLAN IS REPRESENT LAND DEDICATED TO THE 100 YEAR FLOOD PLAN TO MEET LOCAL OPEN SPACE REQUIREMENTS. THESE ARE TO REMAIN UNDISTURBED WHERE POSSIBLE, AND ARE TO BE MAINTAINED IN 100 YEAR FLOOD PLAIN AREAS. THIS LAND IS TO BE DEDICATED TO BALTIMORE COUNTY.

DENSITY CALCULATIONS

ZONING	DR. 35 & DR. 55
AREA	NET 12,962 A. GROSS 17,014 A.
DENSITY	ALLOWED = 46.1 UNITS/AC PROP. = 47 SINGLE FAMILY HOUSES
OPEN SPACE	REQ'D = 670 SQ. FT./LOT (21,300 SQ. FT. PROP. = 29,880 SQ. FT. (0.6859 A.))
PARKING	REQ'D = 2 DWELLING = 64 PROP. = 64 SPACES
ADT'S	4 LOTS @ 12.4 + 36 LOTS @ 10.4 = 445

* L.O.S. REQUIREMENTS HAVE BEEN MET IN CONJUNCTION WITH 100 YEAR FLOOD PLAN.

FIRST AMENDED 55/114

FINAL DEVELOPMENT PLAN

GLEN MILL ESTATES

11TH Election District 5TH Councilmanic District

BALTIMORE COUNTY, MARYLAND

Scale: 1" = 50' Date: SEPT. 22, 1986

PETITIONER'S EXHIBIT

DENSITY CALCULATIONS

DR. 55 ZONE:
0.2135 + 0.0350 = 0.2485
0.2485 x 55 = 13.67

DR. 35 ZONE:
12.7545 + 0.0172 = 12.7717
12.7717 x 35 = 44.701

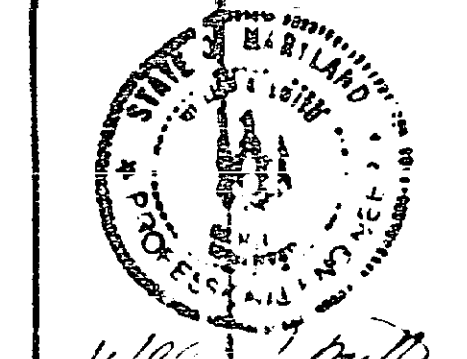
TOTAL UNITS ALLOWED
13.67 + 44.701 = 58.371

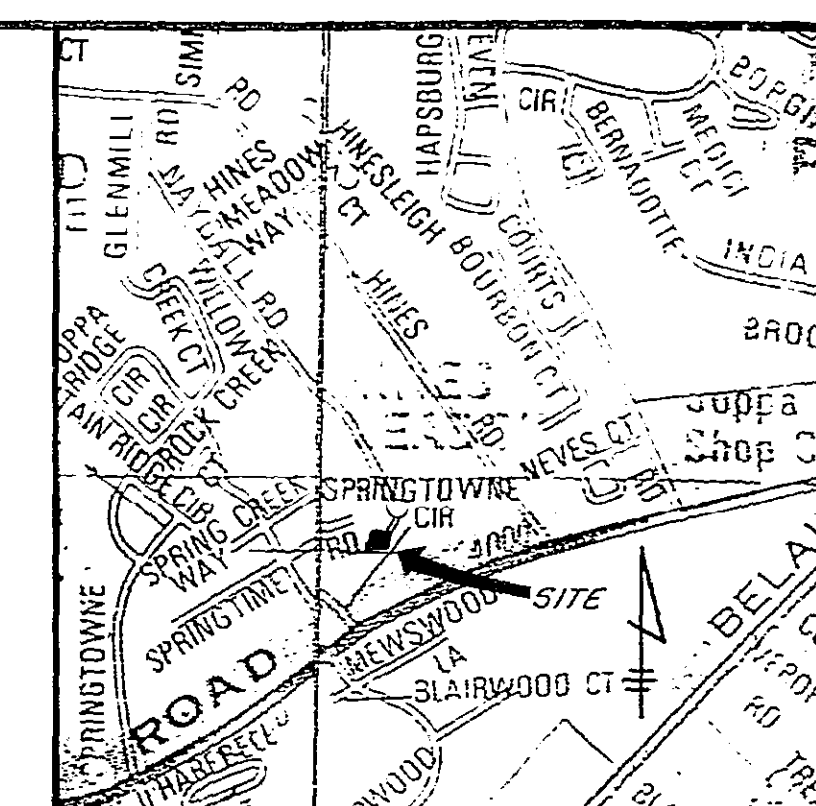
OFFICE OF PLANNING AND ZONING
APPROVED BY:

Carol K. Kopp
DIRECTOR OF PLANNING

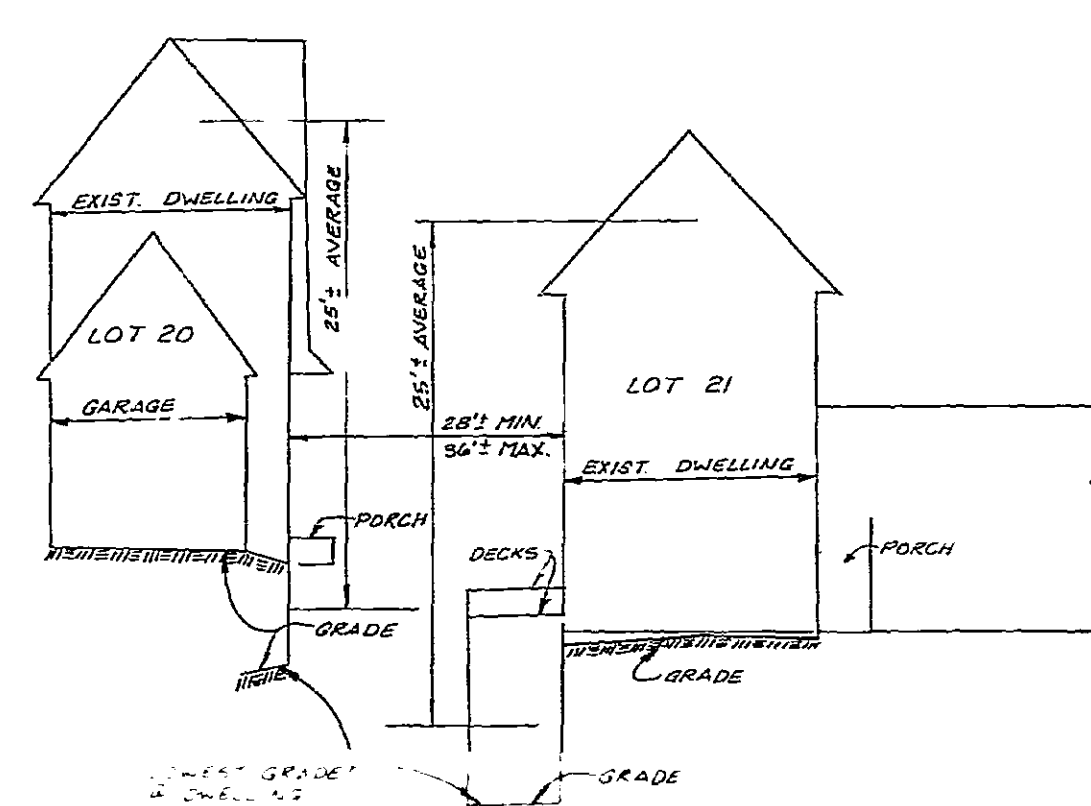
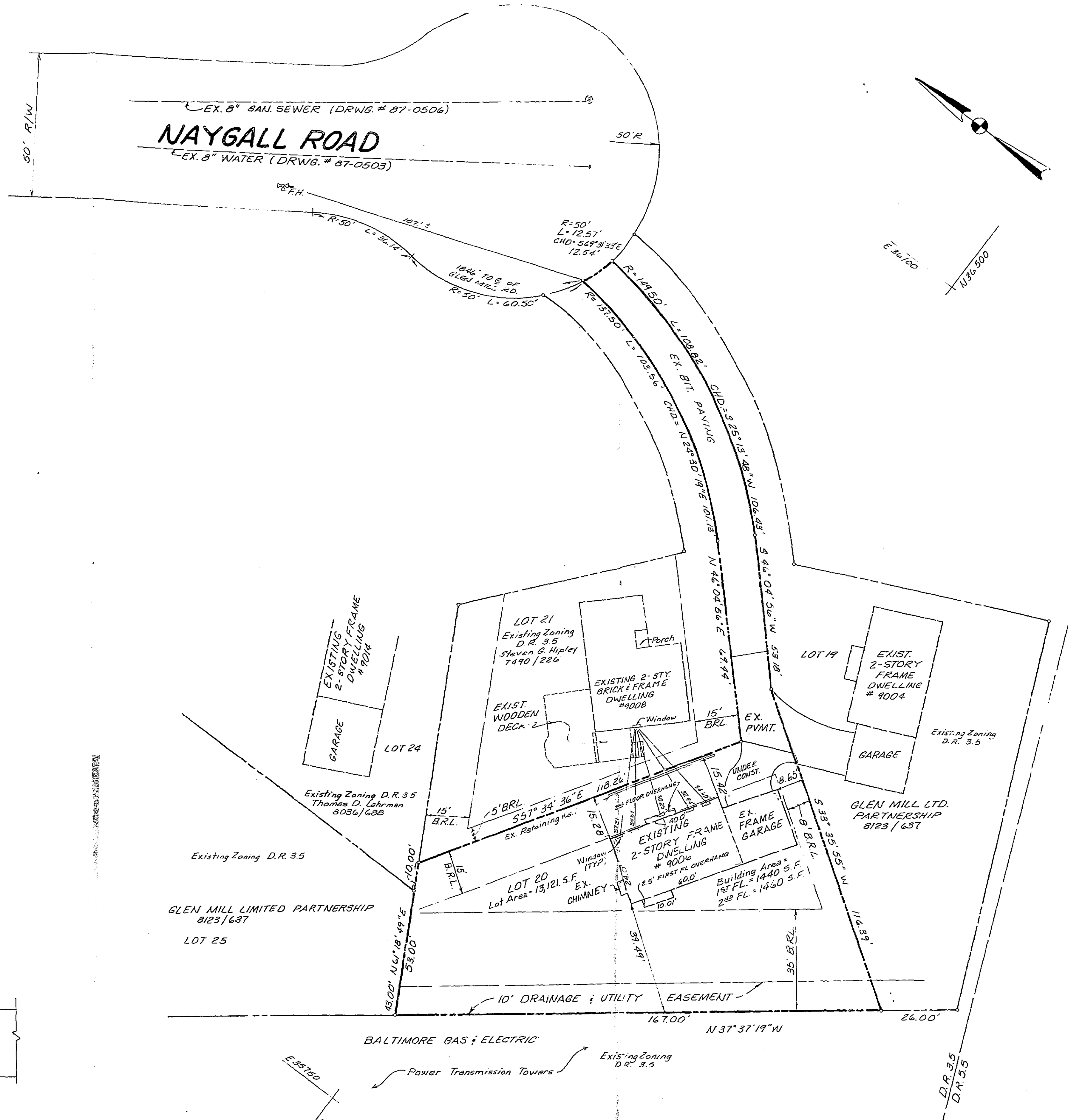
Paul E. [Signature]
ZONING COMMISSIONER

HURST-ROSCH ENGINEERS, INC.
CONSULTING ENGINEERS
50 SCOTTADAM ROAD
COCKEYSVILLE, MD. 21030
683-1683



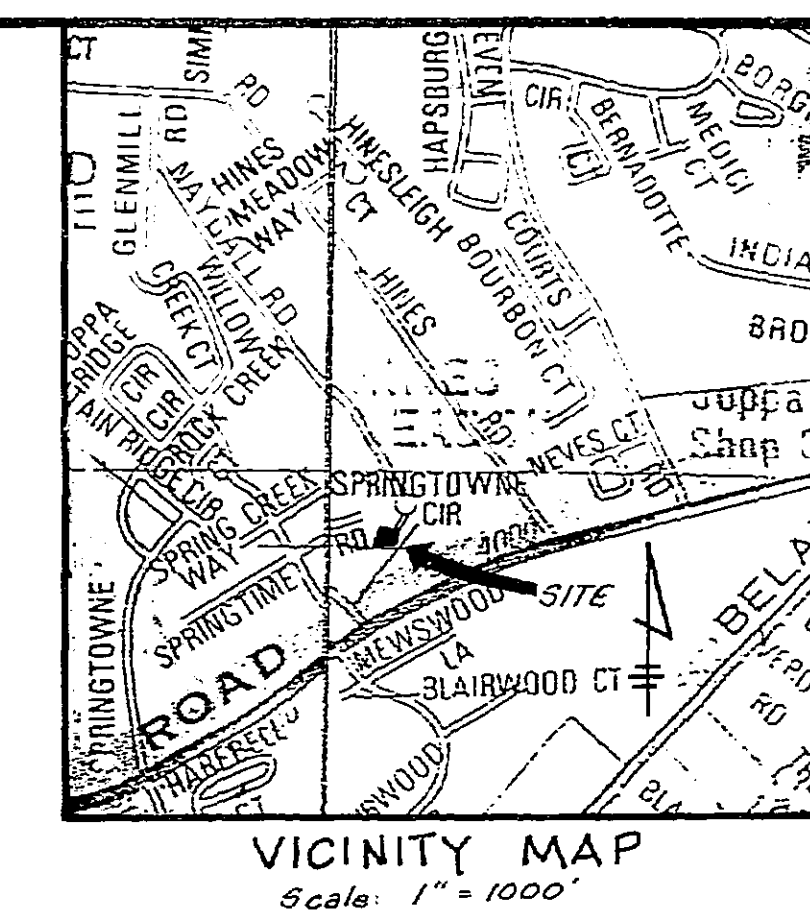
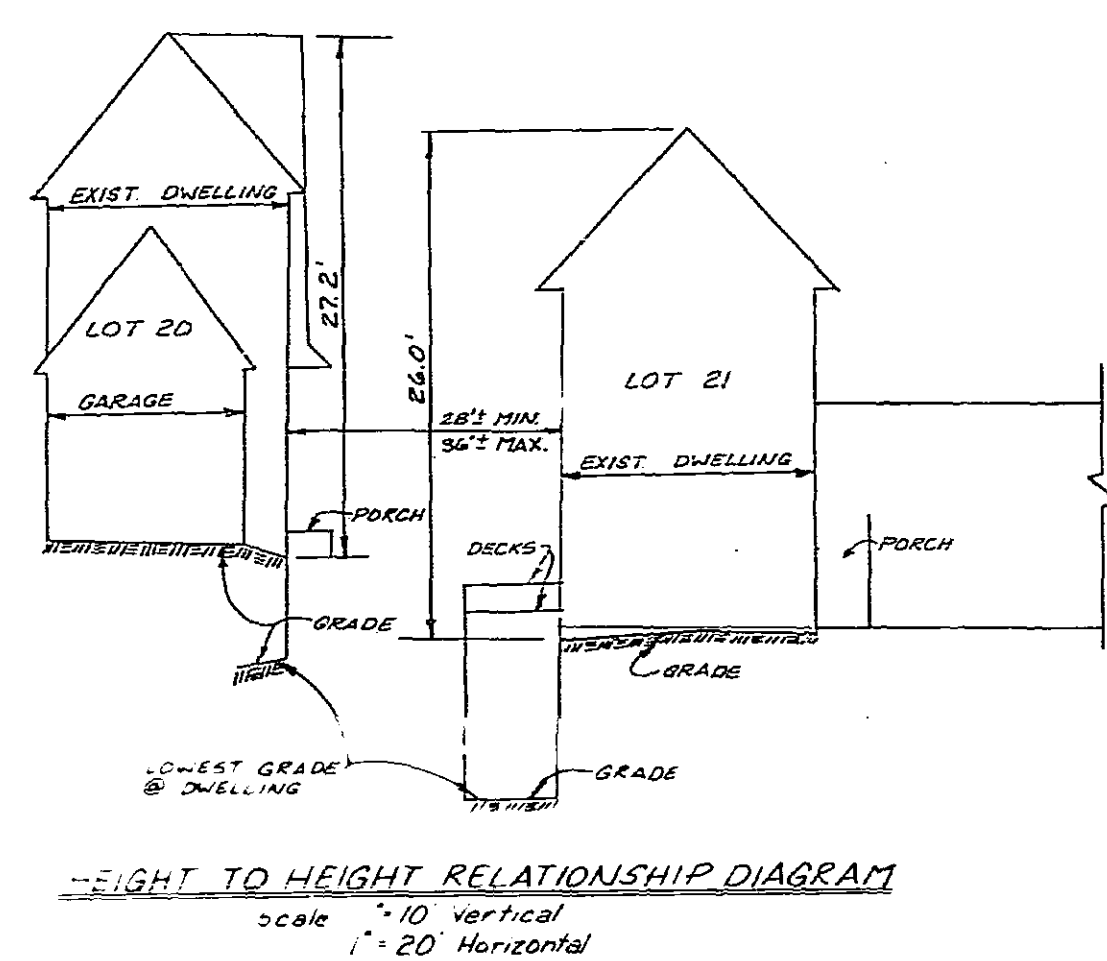
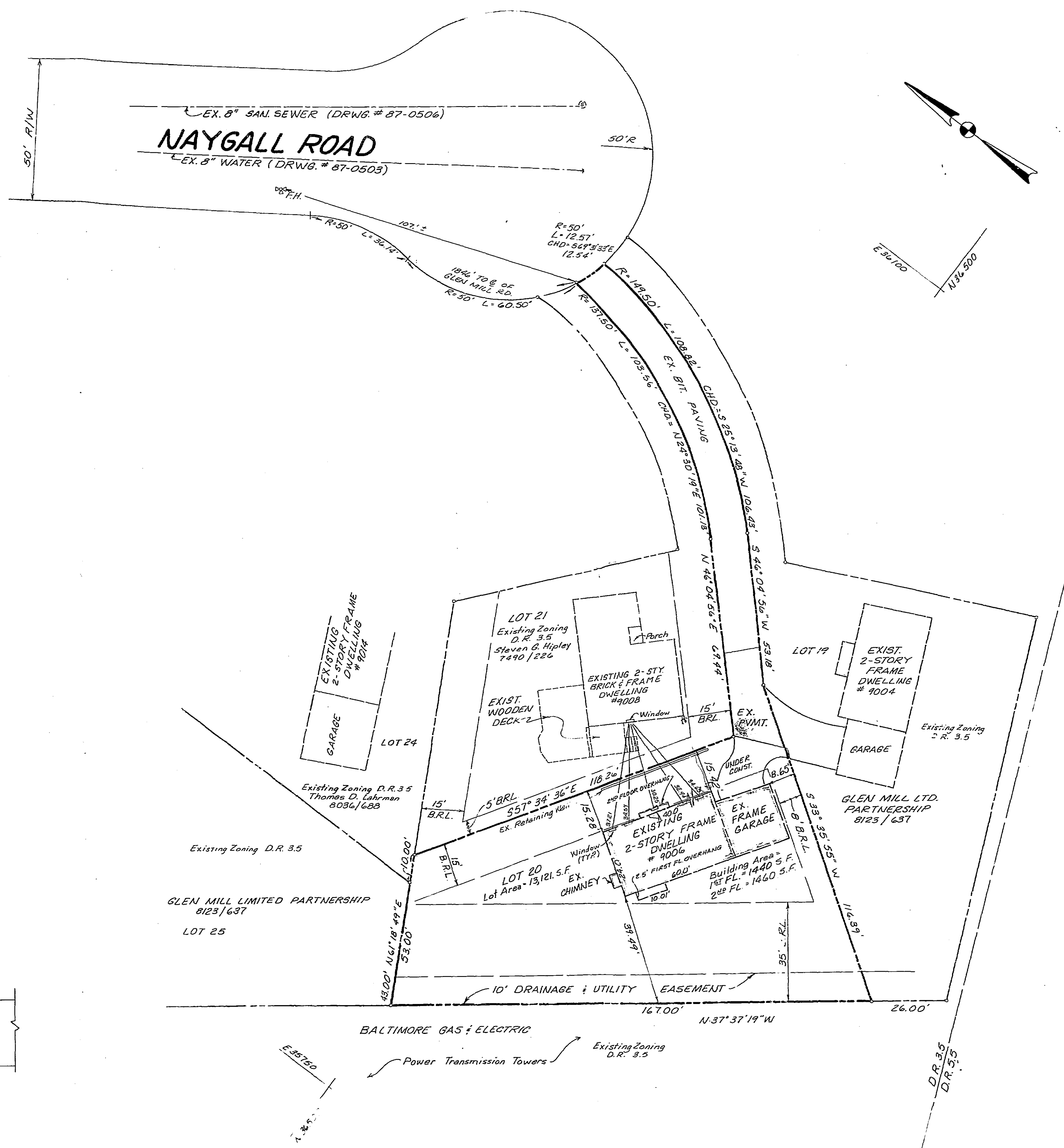


- Notes**
- 1) Building Setback Lines (BRL) are as shown on the Final Development Plan (First Amended) K1-484 9-14-87
 - 2) Plot Reference: Glen Mill Estates, Resubdivision Of "Joppa Village" E.H.R., Jr. 55-118
 - 3) Site is served by Public Sewer & Water
 - 4) Owner: Key Federal Savings Bank, 77 Gwynne Mill Ct, Owings Mills, MD 21117
 - 5) Deed Reference: B&27/500



3-1 TO HEIGHT RELATIONSHIP DIAGRAM
 - 1" = 10' vertical
 - 1" = 20' horizontal

		William N. Baftis, P.E. 301-391-2336	
Civil Engineers / Land Planners / Surveyors 1249 Engleberth Rd. Baltimore, Md. 21221			
PLAN TO ACCOMPANY ZONING VARIANCE HEARING FOR LOT 20, GLEN MILL ESTATES 9006 NAYGALL ROAD BALTIMORE COUNTY, MARYLAND			
ELECTION DISTRICT * II		COUNCILMANIC DISTRICT * 5	
	SCALE 1" = 20'		SHEET 1 OF 1
	JOB ORDER NO. 90048		
	DATE 4 OCT 90		
	WILLIAM N. BAFTIS, P.E.		
Detail added to # 9008 Naygall Road		Feb. 28, '91	
Detail added to # 9006 Naygall Road		Feb. 28, '91	
Height to Height Relationship Diagram Added		Feb. 28, '91	
REVISIONS		DATE	



- Notes**
- 1) Building Setback Lines (BRL) are as shown on the Final Development Plan (First Amended) XI-484 9-14-87
 - 2) Plot Reference: Glen Mill Estates, Re subdivision of Jappa Village E.H.R., Jr. 35-118
 - 3) Site is served by Public Sewer & Water
 - 4) Owner: Key Federal Savings Bank 7F Gwynns Mill Ct Owings Mills, MD 21117
 - 5) Deed Reference: 8627/500

		William N. Baftis, P.E. 301-391-2336	
Civil Engineers / Land Planners / Surveyors 1249 Englebert Rd. Baltimore, Md. 21221			
PLAN TO ACCOMPANY ZONING VARIANCE HEARING FOR			
LOT 20, GLEN MILL ESTATES 9006 NAYGALL ROAD BALTIMORE COUNTY, MARYLAND			
ELECTRIC DISTRICT *II COUNCILMANIC DISTRICT *5		SCALE 1" = 20' JOB ORDER NO. 90048 DATE 4 OCT 90	
WILLIAM N. BAFTIS PE SHEET 1 OF 1		1	
Detail added to # 9006 Naygall Road Feb. 28, '91 Detail added to # 9006 Naygall Road Feb. 28, '91 Height to Height Relationship Diagram Added Feb. 28, '91 Height to Height Detail Revised Mar. 11, '91		NO. REVISIONS DATE	

REVISED PLANS

91-257-A

7/1/91

receipt

06A0480102MICRC
Please Make Checks Payable To: Baltimore County 001153PH05-16-91

\$91.37

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: _____

Key Federal Savings Bank
P. O. Box 429
Owings Mills, Maryland 21117

ATTN: DANIEL W. HUME
RE:
Case Number: 91-257-A
4/8 Rayall Road, 1846' S of c/1 Glenmill Road
9006 Rayall Road
11th Election District - 5th Councilmanic
Petitioner(s): Key Federal Savings Bank
HEARING: THURSDAY, MAY 16, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ _____ 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 ISSUE. 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 check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: John B. Gontum, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 8, 1991

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 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-257-A
4/8 Rayall Road, 1846' S of c/1 Glenmill Road
9006 Rayall Road
11th Election District - 5th Councilmanic
Petitioner(s): Key Federal Savings Bank
HEARING: THURSDAY, FEBRUARY 13, 1991 at 10:00 a.m.

Variance to permit a 30 ft. distance between facing windows in lieu of 40 ft.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Key Federal Savings Bank
John B. Gontum, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 2, 1991

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 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-257-A
4/8 Rayall Road, 1846' S of c/1 Glenmill Road
9006 Rayall Road
11th Election District - 5th Councilmanic
Petitioner(s): Key Federal Savings Bank
HEARING: THURSDAY, MAY 16, 1991 at 2:00 p.m.

Variance to permit a 30 ft. distance between facing windows in lieu of 40 ft. and to permit a 28 ft. distance between dwelling in lieu of 30 ft.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Key Federal Savings Bank
John B. Gontum, Esq.
Protestants

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 1, 1991

John B. Gontum, Esquire
Romadka, Gontum, & Hennegan
814 Eastern Blvd
Essex, MD 21221

RE: Item No. 186, Case No. 91-257-A
Petitioner: Key Federal Savings Bank
Petition for Zoning Variance

Dear Mr. Gontum:

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 WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Daniel W. Hume
Key Federal Savings Bank
P.O. Box 429, 7F Owings Mill Court
Owings Mills, MD 21117

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
28th day of November, 1990.

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

JAMES E. DYER
Chairman,
Zoning Plans Advisory Committee

Petitioner: Key Federal Savings Bank

Petitioner's Attorney: John B. Gontum

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 3, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Edith May Souza, Item No. 166
Earlie E. and Linda R. Towe, Item No. 170
Roland H. and Darlene Farrow, Item No. 171
Kwan Woo Lee, Item No. 173
Harry E. Belsinger, et al., Item No. 175
Gary D. and Kathleen M. Stewart, Item No. 178
Dale A. and Cheryl Poletynski, Item No. 181
Bruce D. and Mary V. Frith, Item No. 182
Ellen C. Misler, Item No. 183
William M. and Constance M. Pitcher, Item No. 185
Key Federal Savings Bank, Item No. 186
Stephen D. and Wendy K. Mooney, Item No. 189
Brian D. and Tullia Briscoe, Item No. 193
Charles Henry and Vickie Jean Wallis, Item No. 195
Sharon Plaskowski, Item No. 196
Gary E. Stahl, Item No. 199
Keith E. and Terri L. Yeager, Item No. 201
Robert E. and Deborah L. Jennings, Item No. 202
Robert E. and Karen F. Ege, Item No. 207
Javad Darbandi, Item No. 208
Thomas D. and Jeannette Considine, Item No. 209
Helen M. Yingling, Item No. 214

In reference to the Petitioners' requests, staff offers no comments.

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/cmm

ITEMS MUL. TPL/ZAC1

received
12/10/90

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(410) 887-3554

November 28, 1990

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

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 177, 181, 182, 186, 189, 193, 194, 195, 196, 199, 201, and 202.

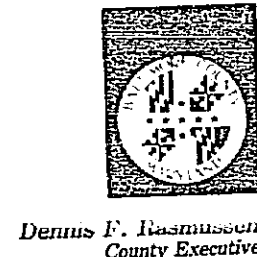
Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

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



RE: Property Owner: KEY FEDERAL SAVINGS BANK
Location: #9006 NAYGALL ROAD
Item No.: 186 Zoning Agenda: NOVEMBER 27, 1990

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.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Robert W. Bowling* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/29/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
NOVEMBER 15, 1990

received
11/21/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 186
PROPERTY OWNER: Key Federal Savings Bank
LOCATION: W/S Naygall Road, 1846' S of centerline
Glen Mill Road (#9006 Naygall Road)
ELECTION DISTRICT: 11th
COUNCILMANIC DISTRICT: 5th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMP (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - No Comment.

PERMITS MAY BE APPLIED FOR 8 ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 27, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 27, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 177, 181, 182, 186, 189, 193, 194, 195, 199, 201 and 202 and 91-90 X (Baltimore County General Hospital).

For Item 93-revised (Baptist Home of Maryland), a County Review Group Meeting may be required for these improvements.

For Item 196, a County Review Group Meeting may be required.

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

RWB:s

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

MARCE 26, 1991

(301) 887-4500

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

REVISED PETITIONS AND PLATS FOR 686 (891-257-A) WERE SUBMITTED ON 3/14/91/

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.

#7 - NO COMMENTS AT THIS TIME.

REVIEWER: *Robert W. Bowling* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
3/27/91

APPEAL

Petition for Zoning Variance
W/S Naygall Road, 1846' S of the c/l of Glen Mill Road
(9006 Naygall Road)
11th Election District - 5th Councilmanic District
KEY FEDERAL SAVINGS BANK - Petitioner
Case No. 91-257-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: A. & 1. Plan to accompany Petition

2. Photographs (A through G)

3. Building Permit

4. Final Development Plan

5. Application for Permit

6. & 7. Plans to accompany Petition

Protestant's Exhibits: 1. Petition of protest

Deputy Zoning Commissioner's Order dated May 30, 1991 (Granted w/ restrictions)

Notice of Appeal received June 25, 1991 from Margaret L. Ibex, Protestant

cc: Daniel W. Hume, Vice President - Key Federal Savings Bank
P.O. Box 429, 7F Gwynns Mill Court, Owings Mills, MD 21117

John B. Gontrum, Esquire, Romadka, Gontrum & Hennegan
814 Eastern Boulevard, Essex, MD 21221

Clyde F. Hinkle - Bafitis & Associates, Inc.
1249 Engleberth Avenue, Baltimore, MD 21222

Walter Stefanowicz - Bay Builders, Inc.
4 Nashua Court, Bay 16, Baltimore, MD 21221

Senator Thomas Bromwell, 7503 Belair Road, Baltimore, MD 21236

Bob Gorman, 9030 Naygall Road, Baltimore, MD 21234

Margaret Ibex, 9031 Naygall Road, Baltimore, MD 21234

Baltimore County Government
Office of Zoning Administration
Development Management
Office of Planning & Zoning

887-3353

July 23, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
W/S Naygall Road, 1846' S of the c/l of Glen Mill Road
(9006 Naygall Road)
11th Election District, 5th Councilmanic District
KEY FEDERAL SAVINGS BANK - Petitioner
Case No. 91-257-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 25, 1991 by Margaret L. Ibex, Protestant. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

cc:

Daniel W. Hume, Vice President - Key Federal Savings Bank
P.O. Box 429, 7F Gwynns Mill Court, Owings Mills, MD 21117

John B. Gontrum, Esquire, Romadka, Gontrum & Hennegan
814 Eastern Boulevard, Essex, MD 21221

Clyde F. Hinkle - Bafitis & Associates, Inc.
1249 Engleberth Avenue, Baltimore, MD 21222

Appeal Cover Letter - Case No. 91-257-A
KEY FEDERAL SAVINGS BANK
July 23, 1991
Page 2

Walter Stefanowicz - Bay Builders, Inc.
4 Nashua Court, Bay 16, Baltimore, MD 21221

Senator Thomas Bromwell, 7503 Belair Road, Baltimore, MD 21236

Bob Gorman, 9030 Naygall Road, Baltimore, MD 21234

Margaret Ibex, 9031 Naygall Road, Baltimore, MD 21234

Steven G. Hipley, 9008 Naygall Road, Baltimore, MD 21234

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

RE: PETITION FOR ZONING VARIANCE : BEFORE THE COUNTY BOARD OF APPEALS
W/S Naygall Rd., 1846' S of : OF BALTIMORE COUNTY
17th Election District :
4006 Naygall Road : Zoning Case No. 91-257-A
11th Election District :
5th Councilmanic District :
KEY FEDERAL SAVINGS BANK, :
Petitioner :
: : : : :
ENTRY OF APPEARANCE

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

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(410) 867-2188

I HEREBY CERTIFY that on this 8th day of November, 1991, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 814 Eastern Blvd., Essex, MD 21221; and Ms. Margaret L. Ibe, 9031 Naygall Rd., Baltimore, MD 21234.

Phyllis Cole Friedman
Phyllis Cole Friedman

82-1111 6-ADH 16

11/26/91 @ 10:00



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

FILE COPY

Hearing Room -
Room 301, County Office Bldg. August 21, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-257-A KEY FEDERAL SAVINGS BANK
W/s Naygall Rd., 1846' S of c/l Glen Mill
Road (9006 Naygall Road)
11th Election District
5th Councilmanic District

VAR-Distance between buildings and facing windows.

5/30/91 - D.Z.C.'s Order GRANTING Petition with restrictions.

ASSIGNED FOR: TUESDAY, NOVEMBER 26, 1991 AT 10:00 a.m.

cc: Daniel W. Hume, V.P. - Key Federal Petitioner
Savings Bank

John B. Gontrum, Esquire Counsel for Petitioner
Ms. Margaret Ibe, Esquire Protestant/Appellant
Mr. Clyde F. Hinkle
Mr. Walter Stefanowicz
Senator Thomas Brownell
Mr. Bob Gorman
Mr. Steven G. Hipley
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee M. Kuszmaul
Legal Secretary

AUG 23 1991

Following parties notified of hearing set for November 26, 1991 at 10:00 a.m.:
Daniel W. Hume, V.P. - Key Federal Savings Bank
John B. Gontrum, Esquire
Clyde F. Hinkle
Walter Stefanowicz
Senator Thomas Brownell
Bob Gorman
Margaret Ibe
Steven G. Hipley
People's Counsel
P. David Fields, Pat Keller, J. Robert Haines,
Tim Kotroco, James E. Dyer, W. Carl Richards, Arnold
Jablon, Docket Clerk
Public Services

LAW FIRM

Romadka, Gontrum & Hennehan, P.A.

814 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 686-0118

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEHAN
DONALD H. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE
MARY H. BUCHANAN
*Also admitted in Florida

August 5, 1991

Baltimore County Board of Appeals
County Office Building
Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Key Federal Savings Bank
Case No. 91-257-A

Dear Mr. Chairman and Members of the Board:

The above-referenced case pertains to zoning variances which the Zoning Office felt necessary for a building which is under construction in the subdivision known as Glen Mill Estates. The subject building was purchased by Key Federal in a foreclosure proceeding on the builder/developer. The building was under construction at the time, and Key Federal proceeded to do further work on the building when a stop work order was issued and variances were required for the existing structure. Since that time, over many months of zoning proceedings, the building has remained unfinished.

The building currently is under a contract of sale from Key Federal that has to be completed.

We would respectfully request a speedy hearing with respect to this matter over the issue of zoning variances since the variances depend on whether the building has to be torn down, or whether the building can go forward. We appreciate your consideration with respect to this matter.

Very truly yours,
John B. Gontrum
John B. Gontrum

JBG:ams



Baftis & Associates, Inc.

RECEIVED
MAY 02 1991

ZONING OFFICE

Ms. Anne M. Nastarowicz,
Deputy Zoning Commissioner
Baltimore County
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Nastarowicz:

Re: Glen Mill Estates 9006 Naygall Road Case #91-257-A

Per your request, field measurements were taken on May 20, 1991 and observed by Mr. Steven Hipley, resident of #9008 Naygall Road, no other observers were present.

Dimensions were taken from the outside face of brick veneer of house #9008 Naygall Road and the outside foundation corner face of #9006 Naygall Road. The points on the dwelling structures utilized #9006 Naygall Road. The points on the dwelling structures utilized for dimensioning represent "solid" structure points and not "soft" structure points such as vinyl siding which vary in dimension from place to place on the dwellings.

The dimension measured between the above reference points is 27.85 feet.

We attempted to secure a dimension on #9006 Naygall Road which represented a 30.0 separation between #9006 and #9008. The subject area of the foundation face of #9006 was obstructed by wooden form work which has not been removed. Based on measurements were able to secure it appears that a 30.0' separation of structures occurs at a point 10.6' west from the eastern most front corner of dwelling #9006.

Trusting that the data presented above meets your specifications, we remain respectfully yours.

Sincerely yours,
RAYMOND AND ASSOCIATES, INC.

Raymond and Associates, Inc.
Raymond and Associates, Inc.

111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 867-2188

Civil Engineers - Land Planners - Surveyors - 1249 Englebert Road / Baltimore, Maryland 21221 / 301-391-2336

Re: 91-257-A
Copies of April 2, 1991 Notice mailed to the following:

Senator Thomas L. Brownell/7503 Belair Road/Baltimore, MD 21236
Resident/9004 Naygall Road/Baltimore, MD 21234
Margaret Ibe/9031 Naygall Road/Baltimore, MD 21234
Bob Gorman/9030 Naygall Road/Baltimore, MD 21234
Steven G. Hipley/9008 Naygall Road/Baltimore, MD 21234
Tom Lahrman/9014 Naygall Road/Baltimore, MD 21234

LAW FIRM

Romadka, Gontrum & Hennehan, P.A.

814 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 686-0118

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEHAN
DONALD H. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE
MARY H. BUCHANAN
*Also admitted in Florida

March 6, 1991

RECEIVED
MAR 6 1991
ZONING OFFICE

Office of Planning and Zoning
Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Attention: Ann Nastarowicz

Re: Revised Site Plan - Lot #20, Glen Mill Estates
9006 Naygall Road

Dear Ms. Nastarowicz:

Enclosed please find a revised site plan of the above captioned property.

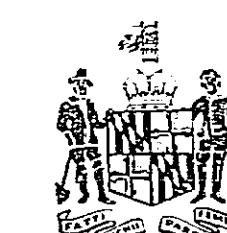
In addition, a copy of the enclosed plan has been sent to Mrs. Margaret Ibe, at 9031 Naygall Road for her review and to share with her neighbors.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,
John B. Gontrum
John B. Gontrum

JBG/pac
Enclosure

THOMAS L. BROWNELL
8TH LEGISLATIVE DISTRICT
BALTIMORE COUNTY
COMMITTEES
FINANCE
EXECUTIVE NOMINATIONS
CHAIRMAN
BALTIMORE COUNTY SENATE DELEGATION
RULES COMMITTEE
ETHICS COMMITTEE
CO-CHAIRMAN WORKERS COMPENSATION
BENEFIT AND INSURANCE OVERSIGHT



SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1991

February 6, 1991

MEMORANDUM TO: Baltimore County Zoning
FROM: Senator Thomas L. Brownell
RE: Variance Hearing - Case # 91-257A
Wednesday, February 13

Because of the problems the Glen Mills Estates Community has experienced relative to roadway, storm drain, sanitary sewer deficiencies, water, and zoning problems, I would hope that your Department will not reach any conclusions until all problems have been resolved.

Please advise my Annapolis Office regarding the Hearing scheduled on Case #91-257A, Wednesday, February 13, at Baltimore number 841-3620.

Thank you for your consideration.

RECEIVED
FEB 11 1991
ZONING OFFICE

SETTLEMENT AGREEMENT

THIS AGREEMENT, by and between Margaret Ibe on behalf of Glen Mill Estates and Steven Hipley and wife, referred to as the "Community", and Key Federal Savings Bank, referred to as the "Owner", made this 15th day of November 1991

Premises: Much damage has been done to the Community and the value of the homes in Glen Mill Estates as the result of actions by the builder of the property including the structure at 9006 Naygall Road. In order to enhance the marketability of all the homes in Glen Mill Estates and the neighboring properties to 9006 Naygall Road and to settle and terminate litigation between the parties the following conditions have been made and accepted.

1. Owner agrees to retain through his engineer the services of a registered, professional landscape architect to design drawings for the retaining wall between Lots 20 and 21 as shown on the recorded plat of Glen Mill Estates and to indicate plantings between the Lots 20 and 21 on Owner's property. These plans are to be submitted to Baltimore County for review and approval after review by the Community. Thereafter the Owner is to repair and install the retaining wall at a cost not to exceed a reasonable cost as indicated by the value of the property.
2. Owner agrees to install a drainage system as required by Baltimore County to deflect additional water from its property from flowing on the adjoining properties as a result of its building.
3. Owner agrees to sign the revised record plat and development plan of the Glen Mill Estates with the signing of this Agreement.

4. Owner agrees to provide the sum of \$3,000 for landscaping to be used as follows:
\$1,000 to be used by Owner for landscaping between Lots 20 and 21 on Owners property with receipts for work to be available to community;
\$1,000 to be used by the Community for landscaping along Panhandle #7 as shown on the Plat of Glen Mill Estates leading to Owner's property;
\$1,000 to be used by the Community for landscaping throughout Glen Mill Estates.
In the event that landscaping costs for landscaping between Lots 20 and 21 do not amount to \$1,000 then the excess is to be used by the Community for landscaping along Panhandle #7.

5. Owner agrees to retain the services of a landscape

architect by November 23, 1991. All of Owner's work is to be completed within 45 days of final County approval of landscape drawings unless delayed by weather.

6. Margaret Ibe agrees to dismiss her appeal from zoning variances filed with the County Board of Appeals of Baltimore County by November 19, 1991, with this Agreement to be placed in the file.

7. The parties to this Agreement hereby agree to release each other from any and all claims which they may have against one another arising out of the zoning and building sought by Owner.

Margaret L. Ibe
Margaret L. Ibe

Steven Hipley
Steven Hipley

[Signature]
Key Federal Savings Bank
By: Daniel Hume, vice-president

Sharon Hipley
Sharon Hipley

LAW FIRM
ROMADKA,
GONTHUM &
HENNINGAN, P.A.
ESSEX, MARYLAND

2

Respectfully,
Tom Lehman
Tom Lehman
9014 Naygall Rd.
Baltimore, Md. 21234

RECEIVED
FEB 5 1991
ZONING OFFICE

Margaret L. Ibe
9031 Naygall Road
Baltimore, Maryland 21234
November 18, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
111 W Chesapeake Avenue
Towson, Maryland 21204

Re: CASE NO. 91-257-A
Dear Sir:

Attached you will find a SETTLEMENT AGREEMENT regarding the appeal on CASE NO. 91-257-A. As of this date I wish to dismiss my appeal on zoning variances against KEY FEDERAL SAVINGS BANK on the property at 9006 Naygall Road.

Sincerely,
Margaret L. Ibe
Margaret L. Ibe
(410) 256-3477
(410) 887-7663

02-11117 61-10416

June 23, 1991

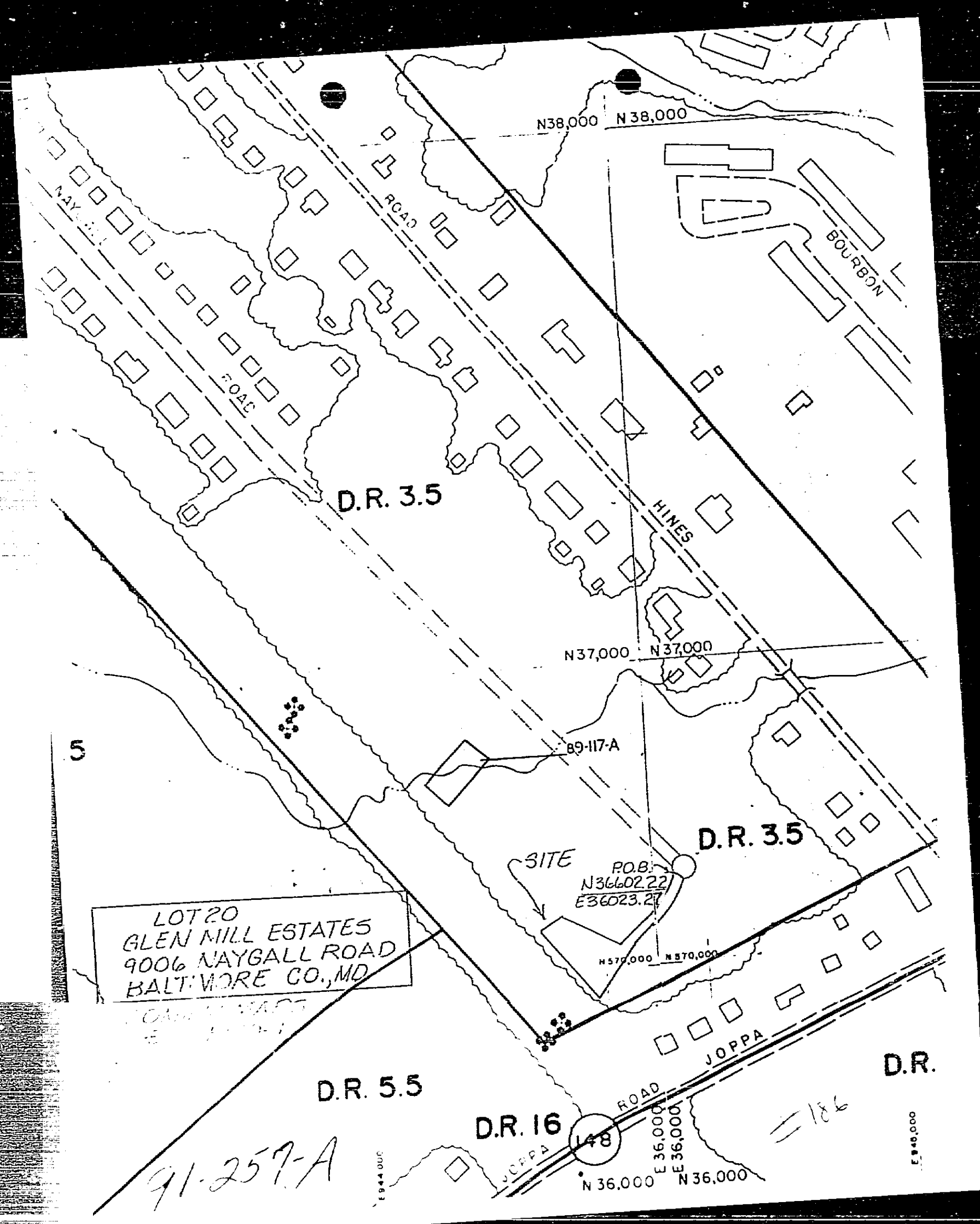
To: Baltimore County Zoning Department
From: Margaret L. Ibe & husband of
Glen Mill Estates

Re: Case 91-257 A Zoning Variance

To appeal the above zoning case
91-257 A. Check #493 in the amount
of \$50 to cover expenses.

Margaret L. Ibe

Key Federal Savings Bank
9006 Naygall Road
Baltimore, Maryland 21234



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Steven S. Hipley	2008 Naygall Rd
Bob Gorman	9030 NAYGALL RD.
Margaret Ibe	9031 Naygall Rd.
Indaladenas	9004 Naygall Rd.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Tom Lehman	9014 Naygall Rd.
Margaret Ibe	9031 Naygall Rd.
Sharon Hipley	9004 Naygall Rd.
Thomas L. Brownell	12 Redfield St
Bob Gorman	9030 NAYGALL RD

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Clyde F. Hinkle	8470 E. 11th St. Bldg 2122
Daniel W. Hume	1249 E. 11th St. Bldg 2122
WALTER STEFANOWICZ	4 MASHUA CT. Bldg 16, Bldg 2122