

IN RE: PETITION FOR VARIANCES * BEFORE THE
NW/S Dolfield Road * DEPUTY ZONING
100' NW of C/L Watts Road * COMMISSIONER
Villages of Lyonsfield Run * OF
2nd Election District *
3rd Councilmanic * BALTIMORE COUNTY
Petitioner(s): *
Watts Road Land Limited * Case No.: 91-490-A
Partnership and Watts Road *
Limited Partnership *

FINDING OF FACTS AND CONCLUSIONS OF LAW

The Petitioner herein seeks the following variances:

- 16' Buildings-Building in Lieu of 40' - for Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241
- 20' Buildings-Building in Lieu of 40' - for Lot Nos. 39-48, 64-116, 164-197, 211-227
- 16' Window-Window in Lieu of 40' - for Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241
- 20' Window-Window in Lieu of 40' - for Lot Nos. 39-48, 64-116, 164-197, 211-227
- 7' Window-Property Line in Lieu of 15' - for Lot Nos. 1-241
- 15' Window-Side Street in Lieu of 25' - for Lot Nos. 48, 63, 64, 73, 74, 84, 85, 95, 105, 106, 139, 143, 155, 178, 179, 188, 189, 194, 210, 211, 223, 241
- 20' Building-Tract Boundary in Lieu of 30' - for Lot Nos. 1-19, 21-31, 47, 116-138, 164-170
- 20' Window-Tract Boundary in Lieu of 35' - for Lot Nos. 1-19, 21-31, 47, 116-138, 164-170
- To Allow an Accessory Building (Garage) in Front Yard Instead of Rear Yard Only, 20' From Right-Of-Way Line - for Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241

At the hearing, Petitioner amended its variance petition to request that the variances be granted subject to the following provisions:

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- No deck or patio shall be located closer than 4 feet to a property line that has no wall or fence.
- No deck shall be located closer than 4 feet to an adjoining wall or structure other than a fence.
- No patio shall be located closer than 2 feet to an adjoining structure or wall other than a fence.
- No fence shall be located closer than the lesser of the distance of the outside wall of a building structure facing a street (not an alley) and 10 feet to a street (not an alley).
- A uniform opaque fence shall be provided for all lots with either sides or rears fronting on a right of way and that have fences, as such opaque fence is set forth on the Exhibit that accompanied the Revision to the Zoning Variance Petition as Exhibit C.
- A defined walkway system utilizing the open space connections shall be shown on the final landscape plan.
- The final landscape plan shall be reviewed and approved by Deputy Director, Office of Planning, after approval of this zoning variance request by the Zoning Commissioner and before a building permit is issued for the lots granted variances herein.
- No side of a building shall be located closer than 15 feet to a public street right of way (not an alley).

The Petitioner, by Charles S. Krocker, Vice President of NVR Development, appeared, testified, and was represented by Jeffrey H. Scherr, Esquire. Also appearing on behalf of Petitioner was David S. Thaler, P.E., L.S., D.S. Thaler & Associates, Inc., and Larry I. Rosenberg of Mark Building Company. Kathryn Turner, Attorney at Law, representing Lyons Mill Partnership appeared at the hearing but did not present testimony. Petitioner also

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called Pat Keller, Deputy Director of the Office of Planning and Zoning.

Testimony and exhibits entered into the record indicate that the subject property for which the variances are sought is approximately 102 ± acres and the number of lots for which variances are requested is 241. The number of dwelling units approved by the CRG for the subject property is 378 and the number of dwelling units allowed by current zoning is 571. The subject property is a portion of a site known as Lyonsfield Run which is approximately 186 acres and is CRG approved for 805 dwelling units.

Mr. Krocker testified that the Lyonsfield Run project contains several sections of townhouses and garden apartments and that the variances sought will allow the construction of single family homes, at reasonably affordable prices, as part of an overall village concept.

Mr. Krocker further testified that the Lyonsfield Run project was originally approved with townhouses in place of the proposed single family houses, that there were approximately 50 more townhouse units than the proposed single family units and that the previously approved townhouses did not need variances. The purpose of replacing the townhouses with the single family houses is to create a greater variety of housing types and to meet the need for single family detached dwellings within a village setting, adjacent to the Owings Mills Town Center.

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The plans introduced into evidence supported Mr. Krocker's testimony that the village concept provides for a variety of uses and housing types on the subject property including open spaces, pedestrian walkways, recreation areas and alley ways that are designed to take auto traffic and parking off the streets in front of many of the single family houses and make the streets more pedestrian friendly.

As to practical difficulty, in summary, Mr. Krocker testified that to achieve the village concept with open spaces, pedestrian friendly streets, walkways, recreation areas and a variety of housing types including single family detached houses, the variances would be required.

Mr. Thaler testified in some detail with regard to practical difficulty in developing the site as proposed. Through testimony and exhibits, he pointed out that 30% - 40% of the site is wetland, floodplain and related forest area. To build single family detached homes in the proposed village concept, the single family detached lots must be clustered on smaller lots with which are not currently allowed by Baltimore County Zoning Regulations. Mr. Thaler pointed out that the proposed single family detached lots follow the "back to the future" concept of smaller more intimate neighborhoods of the early 20th century, which are currently allowed in other jurisdictions.

Mr. Rosenberg testified that he, through Mark Building Company, is an experienced builder having built homes in Howard and Baltimore Counties. Mark Building has built homes such as

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those proposed to be built on the lots with the variances proposed by Petitioner. He also testified that such homes tend to be more affordable than the larger homes allowed by current area regulations, are very popular and sell very quickly.

Mr. Keller testified favorably and said that the comments he made in his report of July 30, 1991 were satisfied by the conditions sought by Petitioner as noted above. Mr. Keller also testified that the Department of Planning and Zoning viewed the proposed plan very favorably and as meeting the objectives of the Baltimore County Master Plan.

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

- Whether compliance with the strict letter of the restrictions governing . . . setbacks, . . . would unreasonably prevent the owner from using the property for a permitted purpose or render conformity with such restrictions unnecessarily burdensome;
- Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved, and be more consistent with justice to other property owners; and
- Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Id. at 214-15; see also Anderson v. Bd., Town of Chesapeake Beach, 22 Md. App. 28, 39 (1974).

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It is clear from the testimony and exhibits that compliance with the strict letter of the current area regulations will unreasonably prevent the Petitioner from using the property and be unnecessarily burdensome, that if the variances are granted, 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 health, safety, and general welfare, provided the restrictions hereinafter set forth are met.

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

THEREFORE, it is ordered by the Deputy Zoning Commissioner for Baltimore County this 15th day of September, 1991 that the Petition for Variances to permit:

- 16' Buildings-Building in Lieu of 40' - for Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241
- 20' Buildings-Building in Lieu of 40' - for Lot Nos. 39-48, 64-116, 164-197, 211-227
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- 7' Window-Property Line in Lieu of 15' - for Lot Nos. 1-241
- 15' Window-Side Street in Lieu of 25' - for Lot Nos. 48, 63, 64, 73, 74, 84, 85, 95, 105, 106, 139, 143, 155, 178, 179, 188, 189, 194, 210, 211, 223, 241
- 20' Building-Tract Boundary in Lieu of 30' - for Lot Nos. 1-19, 21-31, 47, 116-138, 164-170
- 20' Window-Tract Boundary in Lieu of 35' - for Lot Nos. 1-19, 21-31, 47, 116-138, 164-170

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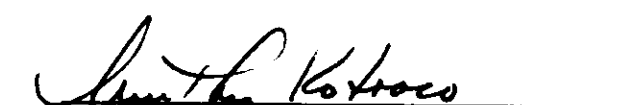
- To Allow an Accessory Building (Garage) in Front Yard Instead of Rear Yard Only, 20' From Right-Of-Way Line - for Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241

be and it is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The petitioner may apply for its building permit and be granted same upon receipt of this order; however, petitioner is hereby made aware that proceeding at this time is at its own risk until such date as the thirty-day appellate process from this order has expired. If, for whatever reason, this order is reversed, the petitioner would be required to return, and be responsible for returning, said property to its original condition.
- No deck or patio shall be located closer than 4 feet to a property line that has no wall or fence.
 - No deck shall be located closer than 4 feet to an adjoining wall or structure other than a fence.
 - No patio shall be located closer than 2 feet to an adjoining structure or wall other than a fence.
 - No fence shall be located closer than the lesser of the distance of the outside wall of a building structure facing a street (not an alley) and 10 feet to a street (not an alley).
 - A uniform opaque fence shall be provided for all lots with either sides or rears fronting on a right of way and that have fences, as such opaque fence is set forth on the Exhibit that accompanied the Revision to the Zoning Variance Petition attached hereto as Exhibit C.
 - A defined walkway system utilizing the open space connections shall be shown on the final landscape plan.
 - A final landscape plan shall be reviewed and approved by Deputy Director, Office of Planning, after approval of this zoning variance request by the Zoning Commissioner and before a building permit is issued for the lots granted variances herein.

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- No side of a building shall be located closer than 15 feet to a public street right of way (not an alley).


Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 9, 1991
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 25, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 463, 464, 465, 471, 478, 480, 484, 485, 487, 488, 489.

For Items 476 and 490, the previous County Review Group Meeting Comments still apply.

For Items 481, 482 and 486, County Review Group Meetings may be required.

For Item 481, Cockeysville Road is an existing road, and no further improvements are required at this time.

In addition, entrances shall be a minimum of 24 feet and a maximum of 35 feet wide. Depressed curb is to be used with no curb returns to the property line.

Also, prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (887-3321).

For Item 482, Hammonds Ferry Road and Second Avenue are existing roads, and no further improvements are requested at this time.

However, prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (887-3321).

For Item 486, Pulaski Highway (U.S. Route 40) is a State Road and any improvements, including entrances, are subject to requirements and approval of the State Highway Administration.

ANDREW JAY GRAHAM
JAMES M. KRAMON
LEE W. OGBURN
JEFFREY H. SCHERR
NANCY E. SHAW
JAMES P. ULWICH
PHILIP M. ANDREWS
GERTRUDE C. BOWEN
MARILYN HOPE FISHER
KAR HODGINS LAUTEN
JOHN R. KAYE
KATHLEEN A. BERRANE
KEVIN F. ARTHUR
ANDREW J. BARRAS
SETH M. ROTENBERG

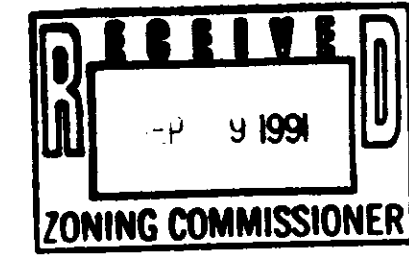
LAW OFFICES
KRAMON & GRAHAM, P.A.
SUN LIFE BUILDING
CHARLES CENTER
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 752-6030
FACSIMILE
(301) 539-1269

BEL AIR OFFICE
THE EMERSON PROFESSIONAL BUILDING
2107 LAUREL BUSH ROAD
BEL AIR, MARYLAND 21014
(301) 879-9040
(301) 838-9095
FACSIMILE
(301) 838-9298

September 9, 1991

VIA HAND DELIVERY

Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Room 113
Towson, Maryland 21204



Re: Lyonsfield Run - Zoning Variance

Dear Commissioner Kotroco:

Enclosed herewith is a proposed Order that you asked me to prepare at the end of the zoning case on August 21, 1991. As I explained to you at the conclusion of the hearing, I left for vacation shortly after the hearing and just returned. Accordingly, I apologize for the delay in forwarding this to you.

In reviewing the proposed Order, Mr. Thaler's assistant advised that lot number 211 was accidentally omitted from variance request number 6. I put this lot in order on the premise that the evidence introduced at the hearing is the same as to this lot and that requesting a variance for it may be treated as an amendment.

If you have any questions or need any additional information, please do not hesitate to give me a call.

Sincerely,

Jeffrey H. Scherr

JHS:kts
Enclosure

cc: Charles S. Krockner, P.E., L.S.
David S. Thaler, P.E., L.S.
Mr. Louis A. Stempkowski

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6. An effective open space network including paths, recreation areas and passive open space have been provided on the site plan. Additional notes however, should be provided on the Final Landscape Plan stating or showing the following:
- No fence shall be located closer than 10 feet to a right-of-way.
 - A uniform opaque fence shall be provided for all lots with either sides or rears fronting on a right-of-way.
 - A paved walkway system utilizing the open space connections shall be shown on the plan approved by the Zoning Commissioner.
 - A schematic fence (opaque) detail shall be shown on the plan approved by the Zoning Commissioner.
 - A Final Landscape Plan shall be reviewed and approved by the Deputy Director, Office of Planning, within 60 days of approval of the petitioner's request.

ANALYSIS

Zoning History - The subject property received CRG approval on January 7, 1988. Subsequently, the CRG was amended May 17, 1991 to provide a more traditional type of layout. The original CRG was shown as containing townhouses, and multi-family units, but no single-family detached dwellings. The original CRG was developed using a meandering system of roads and parking lots. Buildings, streets, and parking lots were not structured or organized in a cohesive manner.

The CRG was amended (May, 1991) to reflect a more neo-traditional form of street and building layout and configuration. The amended CRG plan had 244 single-family detached units, 137 single-family attached units, and 196 multi-family units for a total of 577 housing units. The revised CRG also showed 122 forty-foot wide lots and 122 seventy-foot wide lots.

Site Description - The subject property consists of rolling terrain with woods. There is a low area containing wetlands and floodplain located on the southern third of the tract. The site remains largely undeveloped.

Location and Character of Area - Lyons Mill Road and Dolefield Road remain largely undeveloped. Both roads have older scattered single-family homes located along them. Directly to the west of the

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petitioner's property lies a new single-family development known as Lyonswood. The project has housing units under construction and some are now occupied. To the north of the site is the 125-acre County school site and the Owings Mills New Town, directly to the east is the Lyons Mill project, which remains undeveloped.

Site Analysis - The petitioner's property consists of almost 190 acres containing 577 housing units. The site is located between Lyons Mill Road and Dolefield Road in the Owings Mills area. The site has a large portion of unbuildable area containing wetlands and floodplain. The site has a mix of single-family, town house, and multi-family units. The site contains a wide range of zoning from R.C.5 to D.R.10.5. The nature of the site design is an integrated, compact development using open spaces and a semi-grid road network to tie the project together. The site is located within the Owings Mills Growth Area and this level of development would be appropriate at this particular location given the surrounding zoning and development.

Conformance with Zoning Regulations - The subject property must meet all County regulations subject to the relief being requested.

Baltimore County Master Plan - 1989-2000 - In reference to this project, the Master Plan states the following:

- Page 21, LAND USE STRUCTURE, shows this area designated as the Owings Mills, Urban Center. Land use is shown as Low and Medium Density Urban Residential Area. Page 92, LAND USE PLAN, Western Sector reinforces the low and medium residential classification of this area.
- Page 41, PRIORITY PLANNING STUDIES, shows the Owings Mills Growth Area as being located in a priority planning area. The Owings Mills Master Plan was adopted May 21, 1984.
- Page 83 of the Master Plan outlines issues and actions for the Owings Mills Growth Area. Quality of design stated that "particular attention must not be given to ... other design related aspects ... (that includes) 'livability of new residential development areas ...' Page 69 of the Master Plan discusses possible alternatives to the DR zoning that would allow more intense single-family development. The development, as presented, appears to meet the purpose and intent of the plan.
- The Owings Mills Master Plan, adopted May 21, 1984, shows this area as suitable for medium and high density residential development. The plan states on Page 5, Recommended General Policies, "Create a variety of residential, employment, recreation, and service opportunities." Under objectives, Page 34 states the need to "create a development pattern which

AUG 21 91-490-A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 31, 1991

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

SUBJECT: Lyonsfield Run

INFORMATION:

Application Number: 476

Petitioner: Watts Road Ltd., Partnership
NVR Development, Inc.
20 North Charles Street
Baltimore, Maryland 21201

Property Size: ±189.42 acres

Zoning: R.C.3, R.C.5, D.R.3.5, D.R.5.5, D.R.10.5

Requested Action: Variances to building setbacks

Hearing Date: / /

Attachments: A. Proposed C.M.D.P. revisions

SUMMARY AND RECOMMENDATION:

The petitioner has submitted a request to allow for the development of neo-traditional, mixed use residential development. The nature and extent of the request are quite significant based upon the size of the project. The project is located within the Owings Mills Growth Area as designated by the Baltimore County Master Plan 1989-2000. The plan has been significantly revised since original approval in 1988 to provide a more cohesive planned community that is sensitive to the needs of the future residents.

The actual detail work on schematic site layouts (40, 70 foot lots), perspectives of street treatment, sample architectural elevations, uniform fencing and landscaping has not yet been completed. Until these items are provided staff is unable to support the petitioner's request.

Rec'd 8/1/91
for

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provides a variety of living opportunities..." and "... clustered, mixed-use development patterns..." The provision of high density single-family development provides for the opportunity to mix housing opportunities within the growth area. The development, as presented, appears to meet the purpose and intent of the plan.

PK/cmm
LYSFIELD.RUN/TXTCM

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Items that need to be addressed include the following:

1. The overall site plan and layout approved in the amended CRG plan is far superior than the CRG plan originally approved in January of 1988.
2. Regarding the "blanket variances" being proposed for the larger 70-foot, and a smaller 40-foot single-family lot, staff would support variances that would allow the development of these lots, however, such variances would have to be in conformance with the revised C.M.D.P. (see attached). The most appropriate building types would be either single-family in accordance with the D.R.3.5, 5.5, 10.5, and 16 zones and alternate housing for either zero lot line, zipper lot or neo-traditional housing. At this point in time staff cannot adequately address the request because sample layouts have not been provided for the 70 and 40-foot lots. Two dimensional, as well as street perspective drawings should be provided.
3. The issue of decks and patios also needs to be addressed by the petitioner. Staff has developed recommendations for patios and decks which are also included in the C.M.D.P. and are provided as follows:
 - no deck or patio shall be located closer than four (4) feet to a property line which has no wall or fence;
 - no deck shall be located closer than four (4) feet to an adjoining structure or wall; and
 - no patio shall be located closer than two (2) feet to an adjoining structure or wall.
4. The provision of fencing or screening should also be shown for the 70 and 40-foot lots. It is not possible to evaluate the site plan since typical lot layouts have not been provided. A typical fence detail which would be used by all residents should be provided on the plan.
5. A major concern of providing small lots without alley or rear parking is the dominance of garages on the street frontage. Typical architectural samples committing to quality of architectural design also need to be provided. An example of the effect of architectural design on the street fronts can be seen when roof pitches are located perpendicular to the street rather than parallel to the street. A perspective drawing of the streetscape for the 40 and 70-foot lots should be provided.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME: Kathryn Turner, Lynn & Owen
ADDRESS: 305 W. Chesapeake
Towson

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME: CHARLES S. KROCKNER
ADDRESS: 7601 LENINSVILLE RD 300 NAWEN VA 22102
D.S. THALER
ALAN SCOTT
JOHN R. H. SCHERR, AIA

A RESIDENTIAL STANDARDS Single-Family Detached

Building Type: Single-Family Detached, Semi-Detached and Duplex Dwellings

Location: D.R.3.5, 5.5, 10.5, 16

Minimum setback requirements:

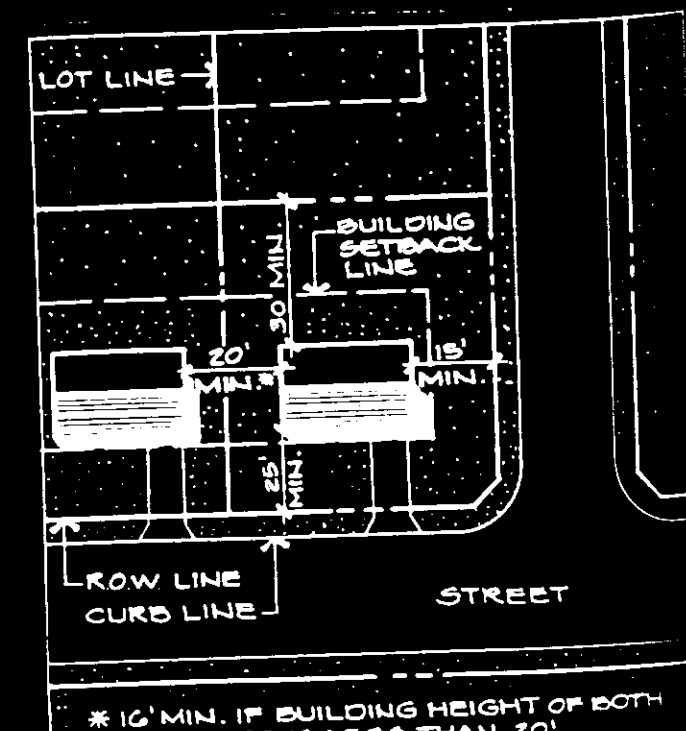
From a front building face to a public street right-of-way or property line -- 25 feet

Between side building faces -- 16 feet for buildings up to 20 feet in height, and 20 feet for buildings with heights greater than 20 feet

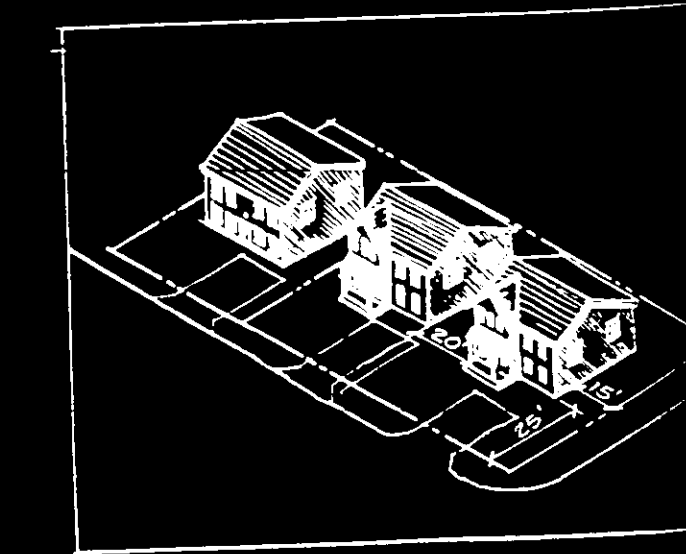
From a rear building face to a rear property line or public street right-of-way -- 30 feet

From a side building face to a public street right-of-way and/or tract boundary -- 15 feet

From side or front building face to the edge of paving of a private road -- 25 feet



Minimum setbacks for single family detached, semi-detached and duplex units in DR 3.5, 5.5, 10.5 and 16 zones.



URBAN DEVELOPMENT STANDARDS II-5

REVISION TO ZONING VARIANCE PETITION CASE NO. 91-490-A

Petitioner respectfully requests that the Petition for Zoning Variance heretofore submitted in the above captioned case, be revised to provide:

- That the variances requested, the Summary of Variance Requests, the Variance Request Matrix and the Plat To Accompany Zoning Petition are submitted herewith as Exhibits A and B, respectively.
- That the variances be granted with the following provisions:
 - No deck or patio should be located closer than 4 feet to a property line that has no wall or fence.
 - No deck shall be located closer than 4 feet to an adjoining wall or structure other than a fence.
 - No patio shall be located closer than 2 feet to an adjoining structure or wall other than a fence.
 - No fence shall be located closer than the lesser of the distance of the outside wall of a building structure facing a street (not an alley) and 10 feet to a street (not an alley).
 - A uniform opaque fence shall be provided for all lots with either sides or rears fronting on a right of way and that have fences, as such opaque fence is set forth on the Exhibit that accompany Zoning Variance Petition attached hereto as Exhibit C.
 - A defined walkway system utilizing the open space connections shall be shown on the Final Landscape Plan.
 - A final landscape plan shall be reviewed and approved by Deputy Director, Office of Planning, after approval of this zoning variance request by the Zoning Commissioner and before a building permit is issued for the lots to be varied, if in fact, the same is approved by the Zoning Commissioner.
- That the Plan dated August 6, 1991 entitled "Lyonsfield Run Exhibit to Accompany Zoning Variance Petition" prepared by D.S. Thaler & Associates, Inc. dated August 6, 1991 consisting of 2 sheets denominated sheet 2 of 3 and sheet 3 of 3 and attached hereto collectively as Exhibit C are to be made a part of the Zoning Variance Petition.

Attorney for Petitioner

Jeffrey N. Scherr
Kramon & Graham, P.A.
Sun Life Building
6th Floor
20 South Charles Street
Baltimore, Maryland 21201
(301) 752-6030

On Behalf of Owner:

Charles K. Krocker, P.E., L.S.
NVR Development
7601 Lewinsville Road
Suite 207
McLean, Virginia 22102-2897

SUMMARY OF VARIANCE REQUESTS

- VARIANCE A. Section 1801.2.C.1
Requires a 40 foot building separation.
- REQUEST: 16' BUILDING-BUILDING IN LIEU OF 40'
- LOT NOS. 1-38, 49-63, 117-163, 198-210, 228-241
20' BUILDING-BUILDING IN LIEU OF 40'
- LOT NOS. 39-48, 64-116, 164-197, 211-227
- VARIANCE B. Sections 1801.2.C.2.b and V.B.6.c (C.M.D.P.)
Requires a 40 foot window-to-window separation between centers of facing windows.
- REQUEST: 16' WINDOW-WINDOW IN LIEU OF 40'
- LOT NOS. 1-38, 49-63, 117-163, 198-210, 228-241
20' WINDOW-WINDOW IN LIEU OF 40'
- LOT NOS. 39-48, 64-116, 164-197, 211-227
- VARIANCE C. Sections 1801.2.C.6 and V.B.6.b (C.M.D.P.)
Requires a 15 foot window-to-property line setback.
- REQUEST: 7' WINDOW-PROPERTY LINE IN LIEU OF 15'
- LOT NOS. 1-241
- VARIANCE D. Section V.B.6.a (C.M.D.P.)
Requires a 25 foot window-to-side street right-of-way setback. (For corner lots.)
- REQUEST: 7' WINDOW-SIDE STREET IN LIEU OF 25'
- LOT NOS. 48, 63, 64, 73, 74, 84, 85, 95, 105, 106, 139, 143, 155, 178, 179, 188, 189, 194, 210, 223, 241
- VARIANCE E. Sections 1801.2.C.6 and V.B.5.b (C.M.D.P.)
Requires a 30 foot building-to-tract boundary setback.
- REQUEST: 20' BUILDING-TRACT BOUNDARY IN LIEU OF 30'
- LOT NOS. 1 19, 21-31, 47, 116-138, 164-170
- VARIANCE F. Section 1801.2.C.2.a
Requires a 35 foot window-to-tract boundary setback.
- REQUEST: 20' WINDOW-TRACT BOUNDARY IN LIEU OF 35'
- LOT NOS. 1-19, 21-31, 47, 116-138, 164-170
- VARIANCE G. Section 400.1
Allows accessory buildings only in the rear yard.
- REQUEST: TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN FRONT YARD INSTEAD OF REAR YARD ONLY, 20' FROM RIGHT-OF-WAY LINE
- LOT NOS. 1-38, 49-63, 117-163, 198-210, 228-241

PETITIONER'S
EXHIBIT 1A

A4621 91-490-A

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 31, 1991

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

SUBJECT: Lyonsfield Run

INFORMATION:

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Property Size: ±189.42 acres

Zoning: R.C.3, R.C.5, D.R.3.5, D.R.5.5, D.R.10.5

Requested Action: Variance to building setbacks

Hearing Date: / /

Attachments: A. Proposed C.M.D.P. revisions

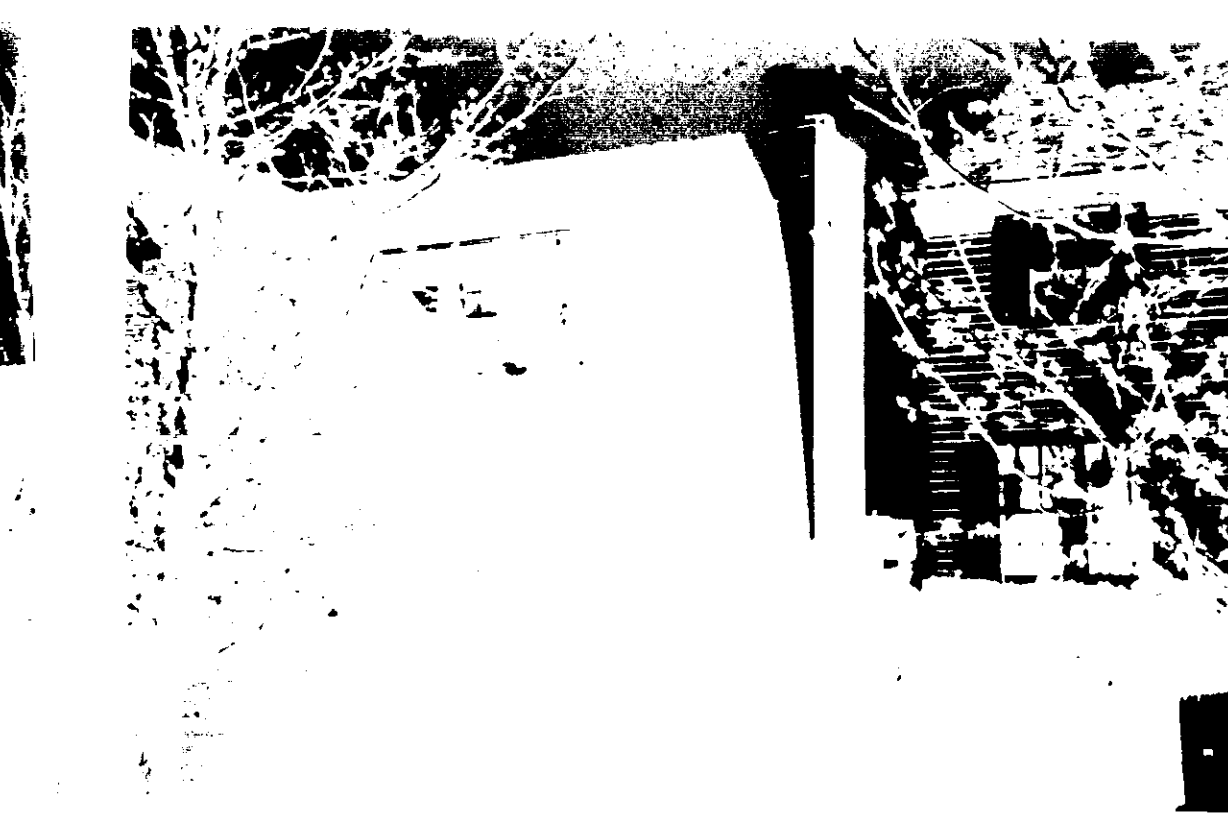
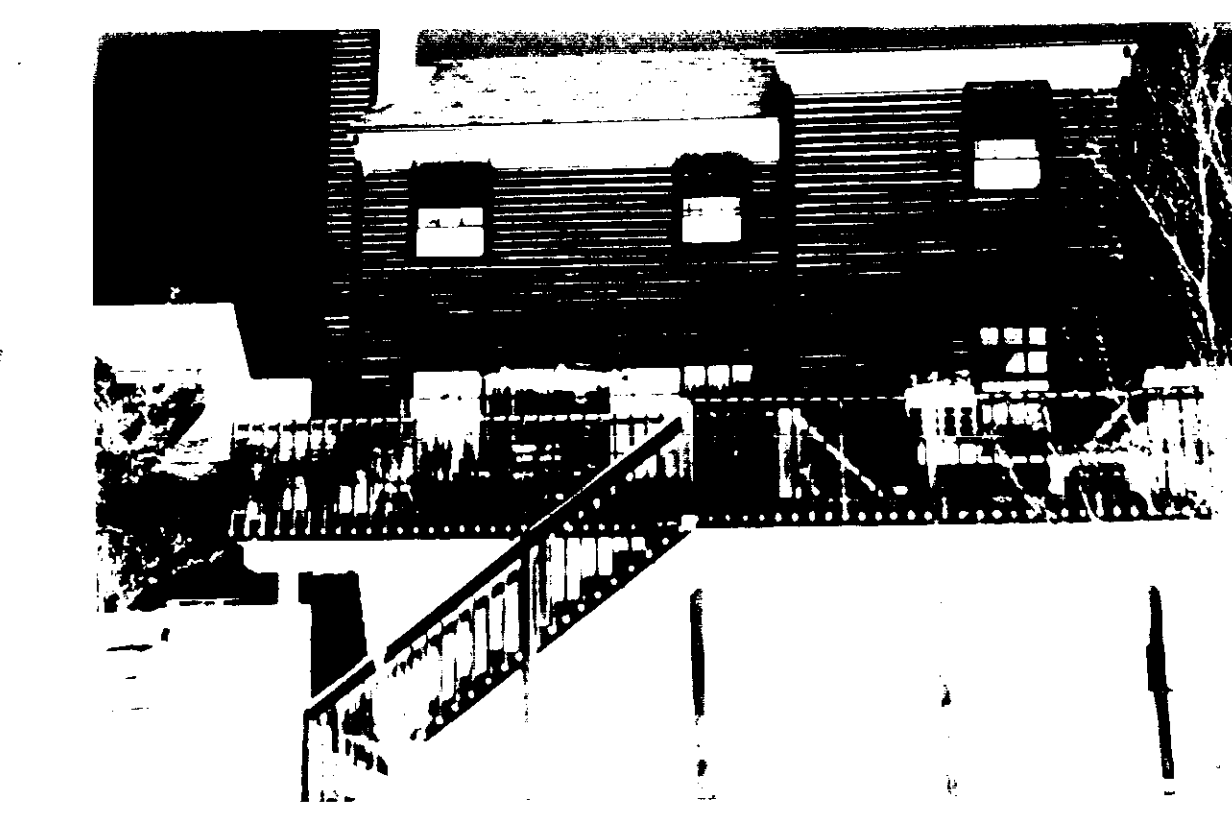
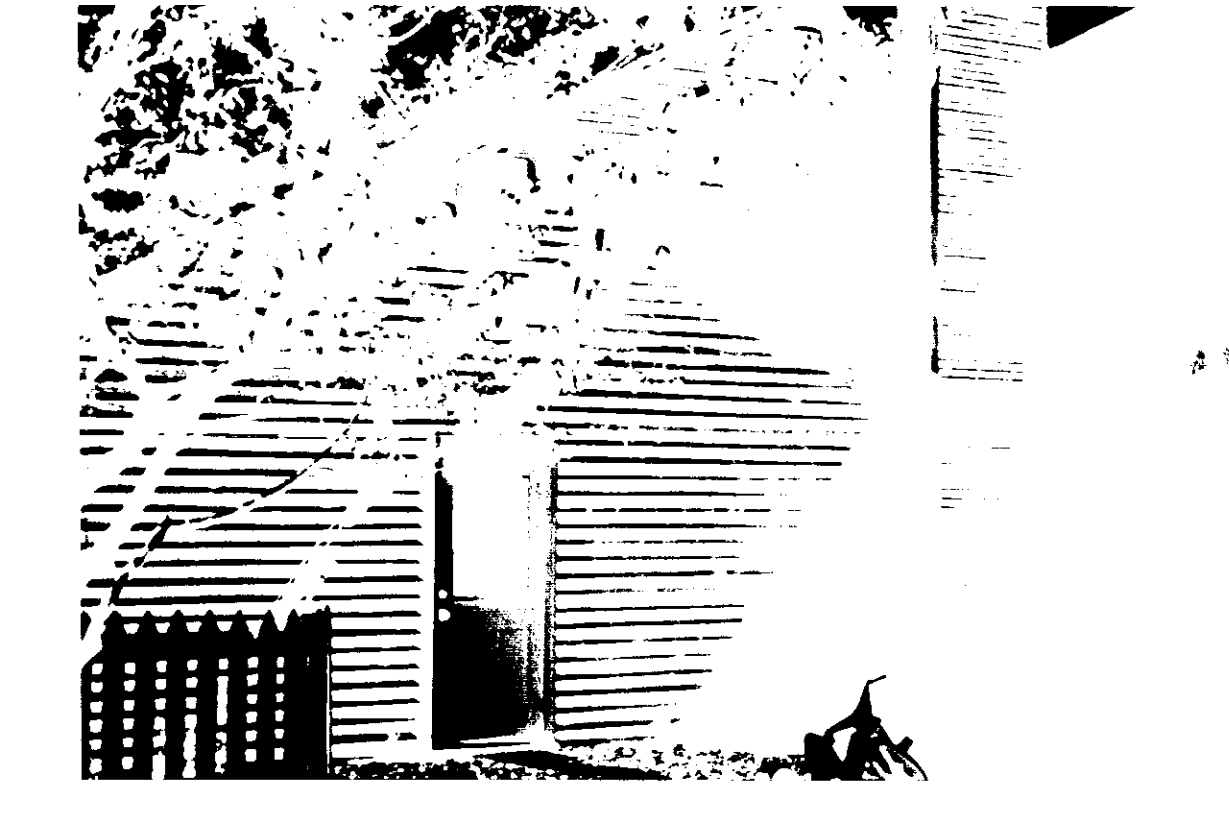
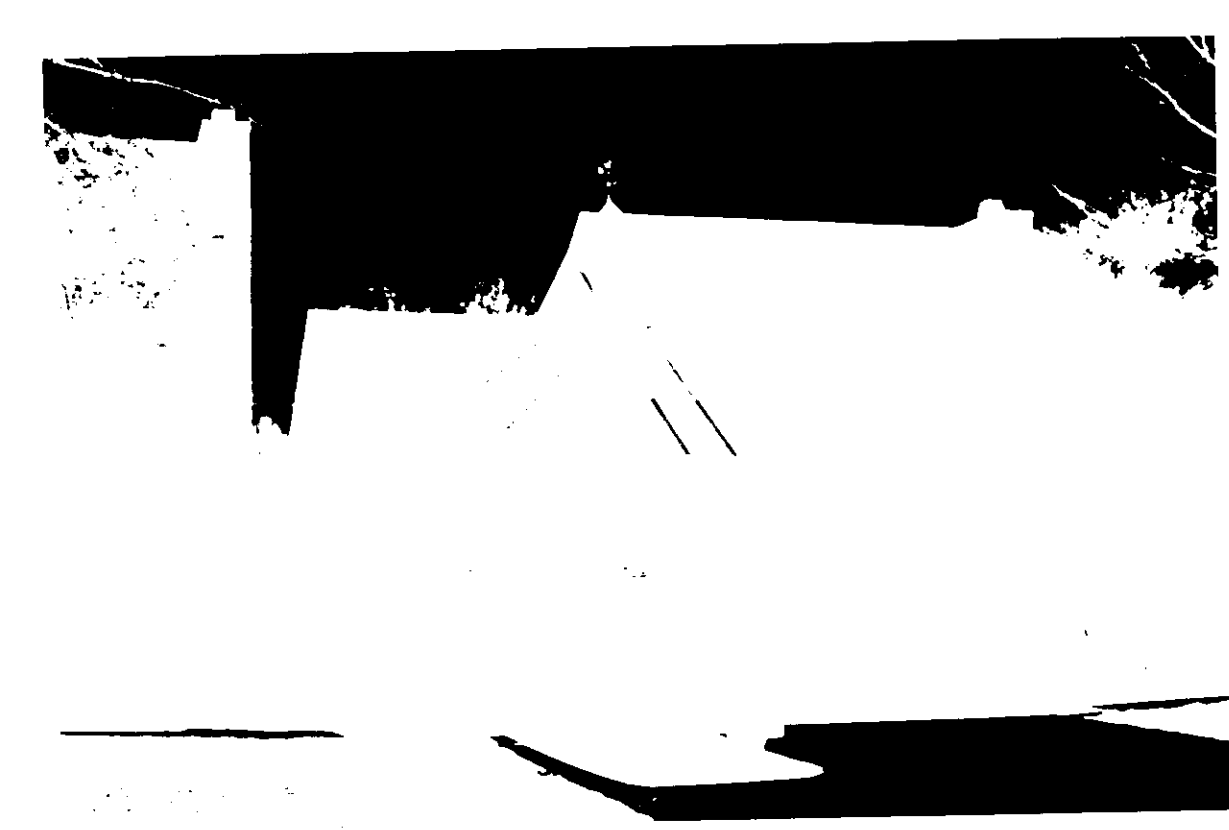
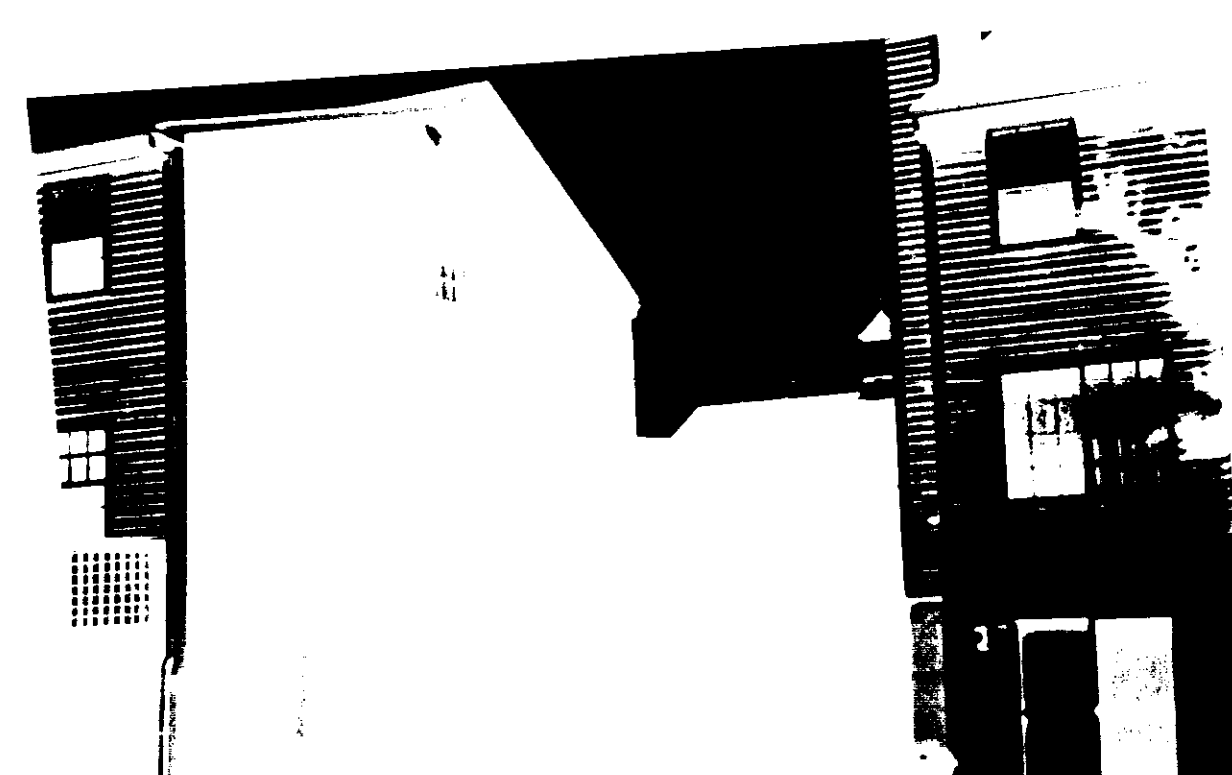
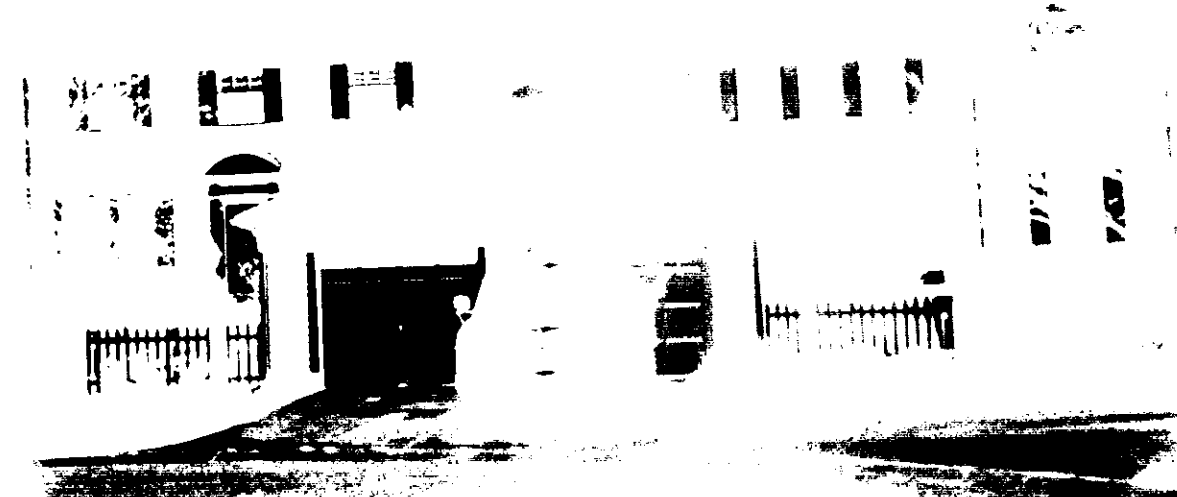
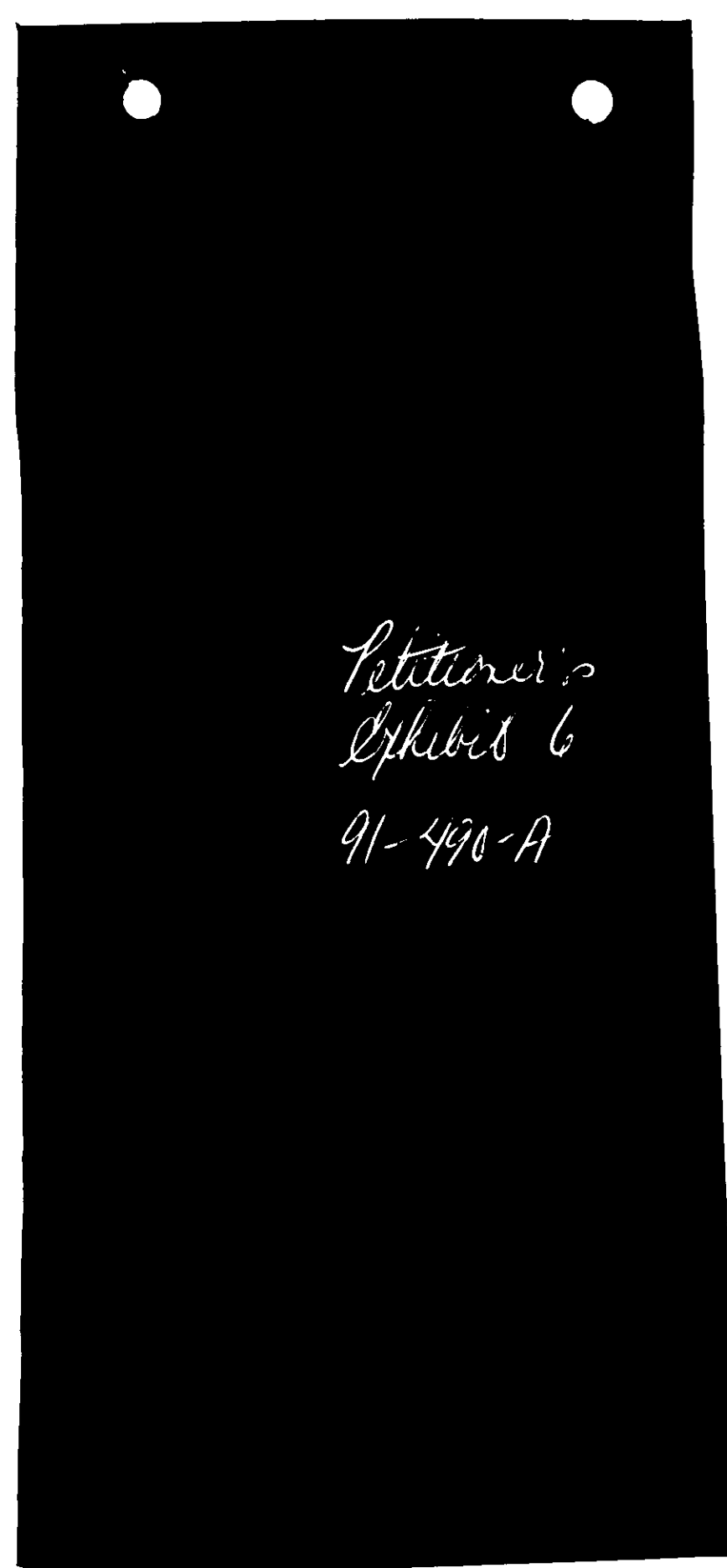
SUMMARY AND RECOMMENDATION:

The petitioner has submitted a request to allow for the development of neo-traditional, mixed use residential development. The nature and extent of the request are quite significant based upon the size of the project. The project is located within the Owings Mills Growth Area as designated by the Baltimore County Master Plan 1989-2000. The plan has been significantly revised since original approval in 1988 to provide a more cohesive planned community that is sensitive to the needs of the future residents.

The actual detail work on schematic site layouts (40, 70 foot lots), perspectives of street treatment, sample architectural elevations, uniform fencing and landscaping has not yet been completed. Until these items are provided staff is unable to support the petitioner's request.

Rec'd 8/1/91

PETITIONER'S
EXHIBIT 2

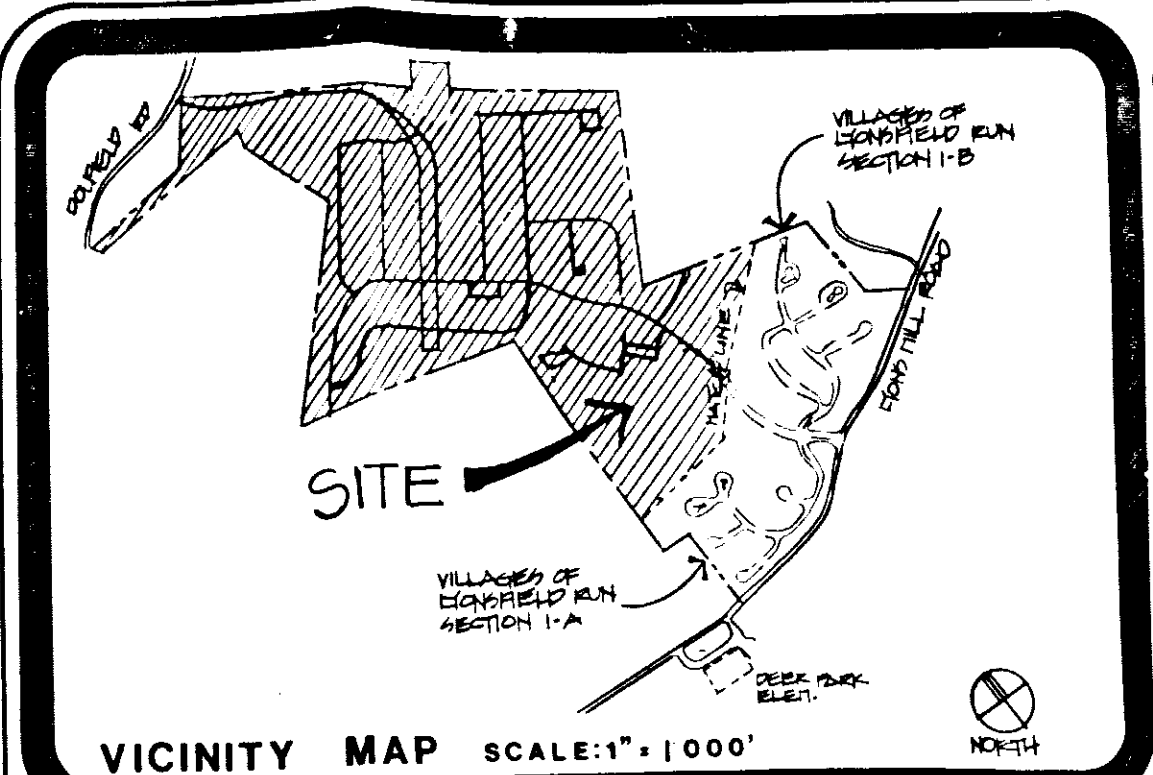




27. REFUSE COLLECTION IN THE GARDEN/IN AREA PLANNED FOR FRONT-END LAUNCH B.C.T. SERVICE.
28. REFUSE COLLECTION FOR INDIVIDUAL HOMES PLANNED FOR FRONT PICKUP ON STREET.
29. Acceptance of this plan in no way binds Baltimore County into refuse collection of this development. At the time of construction and after all requirements (trash pads) have been met, a representative of the Bureau will meet with the developer or his representatives to discuss details of refuse collection.
30. LANE ROAD/ WATTS ROAD MAY REQUIRE A PERMIT ROAD CLOSING PRIOR TO PLANS BEING RECORDED.

VARIANCE REQUESTS

- SUMMARY OF VARIANCE REQUESTS
- VARIANCE A. Section 1801.2.C.1
Requires a 40 foot building separation.
REQUEST: 16' BUILDING-BUILDING IN LIEU OF 40'
101 NUS. 1-18, 49-63, 117-163, 198-210, 228-241
20' BUILDING-BUILDING IN LIEU OF 40'
101 NUS. 39-48, 64-116, 164-197, 211-227
- VARIANCE B. Sections 1801.2.C.2.a and V.B.5.a.c (C.M.D.P.)
Requires a 40 foot window-to-window separation between centers of facing windows.
REQUEST: 16' WINDOW-WINDOW IN LIEU OF 40'
101 NUS. 1-38, 49-63, 117-163, 198-210, 228-241
20' WINDOW-WINDOW IN LIEU OF 40'
101 NUS. 39-48, 64-116, 164-197, 211-227
- VARIANCE C. Sections 1801.2.C.6 and V.B.5.b (C.M.D.P.)
Requires a 15 foot window-to-property line setback.
REQUEST: 7' WINDOW-PROPERTY LINE IN LIEU OF 15'
101 NUS. 1-241
- VARIANCE D. Section V.B.6.a (C.M.D.P.)
Requires a 25 foot window-to-side street right-of-way setback. (for corner lots.)
REQUEST: 15' WINDOW-SIDE STREET IN LIEU OF 25'
101 NUS. 38, 63, 73, 74, 84, 85, 95, 105, 106, 139, 141, 155, 178, 179, 189, 189, 194, 210, 227, 231
- VARIANCE E. Sections 1801.2.C.6 and V.B.5.b (C.M.D.P.)
Requires a 30 foot building-to-tract boundary setback.
REQUEST: 20' BUILDING-TRACT BOUNDARY IN LIEU OF 30'
101 NUS. 1-19, 21-31, 47, 116-138, 164-170
- VARIANCE F. Section 1801.2.C.2.d
Requires a 35 foot window-to-tract boundary setback.
REQUEST: 20' WINDOW-TRACT BOUNDARY IN LIEU OF 35'
101 NUS. 1-19, 21-31, 47, 116-138, 164-170
- VARIANCE G. Section 400.1
Allows accessory buildings only in the rear yard.
REQUEST: TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN FRONT YARD INSTEAD OF REAR YARD ONLY, 20' FROM RIGHT-OF-WAY LINE
101 NUS. 1-18, 49-63, 117-163, 198-210, 228-241



GENERAL NOTES

1. CURRENT OWNER: Lyonsfield Run
2. CITY PLAN: D.C. 1801.2.C.1
3. GENERAL DATA: Section 1801.2.C.1
4. SITE INFORMATION: 101 NUS. 1-18, 49-63, 117-163, 198-210, 228-241
5. UTILITIES: Public water and sewer lines are shown on the site plan.
6. ENVIRONMENT: The site is located in a residential area.
7. EXISTING: The site is currently undeveloped.
8. NOTES: The site is located in a residential area.
9. NOTES: The site is located in a residential area.
10. NOTES: The site is located in a residential area.
11. NOTES: The site is located in a residential area.
12. NOTES: The site is located in a residential area.
13. NOTES: The site is located in a residential area.
14. NOTES: The site is located in a residential area.
15. NOTES: The site is located in a residential area.
16. NOTES: The site is located in a residential area.
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18. NOTES: The site is located in a residential area.
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20. NOTES: The site is located in a residential area.
21. NOTES: The site is located in a residential area.
22. NOTES: The site is located in a residential area.
23. NOTES: The site is located in a residential area.
24. NOTES: The site is located in a residential area.

OWNER/DEVELOPER
WATTS ROAD LAND LIMITED PARTNERSHIP
C/O NVR DEVELOPMENT L.P.
7801 LEWISVILLE ROAD
MCLEAN, VIRGINIA 22102
ATTN: CHARLES KROCKER

C.R.G.
FORMERLY KENT-MAR
LYONSFIELD RUN
PLANNING NO. _____
PUBLIC SERVICES C.R.G. NO. _____
ELECTION DISTRICT NO. _____

D.S. THALER & ASSOC., INC.
SURVEYORS
LAND PLANNERS
7416 AMBASSADOR ROAD
BALTIMORE, MD 21207
(301) 844-3647

25.	Summary of Variance Requests	Summary of Variance Requests	Summary of Variance Requests
1. SUMMARY OF VARIANCE REQUESTS	2. SUMMARY OF VARIANCE REQUESTS	3. SUMMARY OF VARIANCE REQUESTS	4. SUMMARY OF VARIANCE REQUESTS
5. SUMMARY OF VARIANCE REQUESTS	6. SUMMARY OF VARIANCE REQUESTS	7. SUMMARY OF VARIANCE REQUESTS	8. SUMMARY OF VARIANCE REQUESTS
9. SUMMARY OF VARIANCE REQUESTS	10. SUMMARY OF VARIANCE REQUESTS	11. SUMMARY OF VARIANCE REQUESTS	12. SUMMARY OF VARIANCE REQUESTS
13. SUMMARY OF VARIANCE REQUESTS	14. SUMMARY OF VARIANCE REQUESTS	15. SUMMARY OF VARIANCE REQUESTS	16. SUMMARY OF VARIANCE REQUESTS
17. SUMMARY OF VARIANCE REQUESTS	18. SUMMARY OF VARIANCE REQUESTS	19. SUMMARY OF VARIANCE REQUESTS	20. SUMMARY OF VARIANCE REQUESTS
21. SUMMARY OF VARIANCE REQUESTS	22. SUMMARY OF VARIANCE REQUESTS	23. SUMMARY OF VARIANCE REQUESTS	24. SUMMARY OF VARIANCE REQUESTS
25. SUMMARY OF VARIANCE REQUESTS	26. SUMMARY OF VARIANCE REQUESTS	27. SUMMARY OF VARIANCE REQUESTS	28. SUMMARY OF VARIANCE REQUESTS
29. SUMMARY OF VARIANCE REQUESTS	30. SUMMARY OF VARIANCE REQUESTS	31. SUMMARY OF VARIANCE REQUESTS	32. SUMMARY OF VARIANCE REQUESTS
33. SUMMARY OF VARIANCE REQUESTS	34. SUMMARY OF VARIANCE REQUESTS	35. SUMMARY OF VARIANCE REQUESTS	36. SUMMARY OF VARIANCE REQUESTS
37. SUMMARY OF VARIANCE REQUESTS	38. SUMMARY OF VARIANCE REQUESTS	39. SUMMARY OF VARIANCE REQUESTS	40. SUMMARY OF VARIANCE REQUESTS
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77. SUMMARY OF VARIANCE REQUESTS	78. SUMMARY OF VARIANCE REQUESTS	79. SUMMARY OF VARIANCE REQUESTS	80. SUMMARY OF VARIANCE REQUESTS
81. SUMMARY OF VARIANCE REQUESTS	82. SUMMARY OF VARIANCE REQUESTS	83. SUMMARY OF VARIANCE REQUESTS	84. SUMMARY OF VARIANCE REQUESTS
85. SUMMARY OF VARIANCE REQUESTS	86. SUMMARY OF VARIANCE REQUESTS	87. SUMMARY OF VARIANCE REQUESTS	88. SUMMARY OF VARIANCE REQUESTS
89. SUMMARY OF VARIANCE REQUESTS	90. SUMMARY OF VARIANCE REQUESTS	91. SUMMARY OF VARIANCE REQUESTS	92. SUMMARY OF VARIANCE REQUESTS
93. SUMMARY OF VARIANCE REQUESTS	94. SUMMARY OF VARIANCE REQUESTS	95. SUMMARY OF VARIANCE REQUESTS	96. SUMMARY OF VARIANCE REQUESTS
97. SUMMARY OF VARIANCE REQUESTS	98. SUMMARY OF VARIANCE REQUESTS	99. SUMMARY OF VARIANCE REQUESTS	100. SUMMARY OF VARIANCE REQUESTS

PLAT TO ACCOMPANY
ZONING VARIANCE PETITION

REVISIONS

DATE: 10/1/80

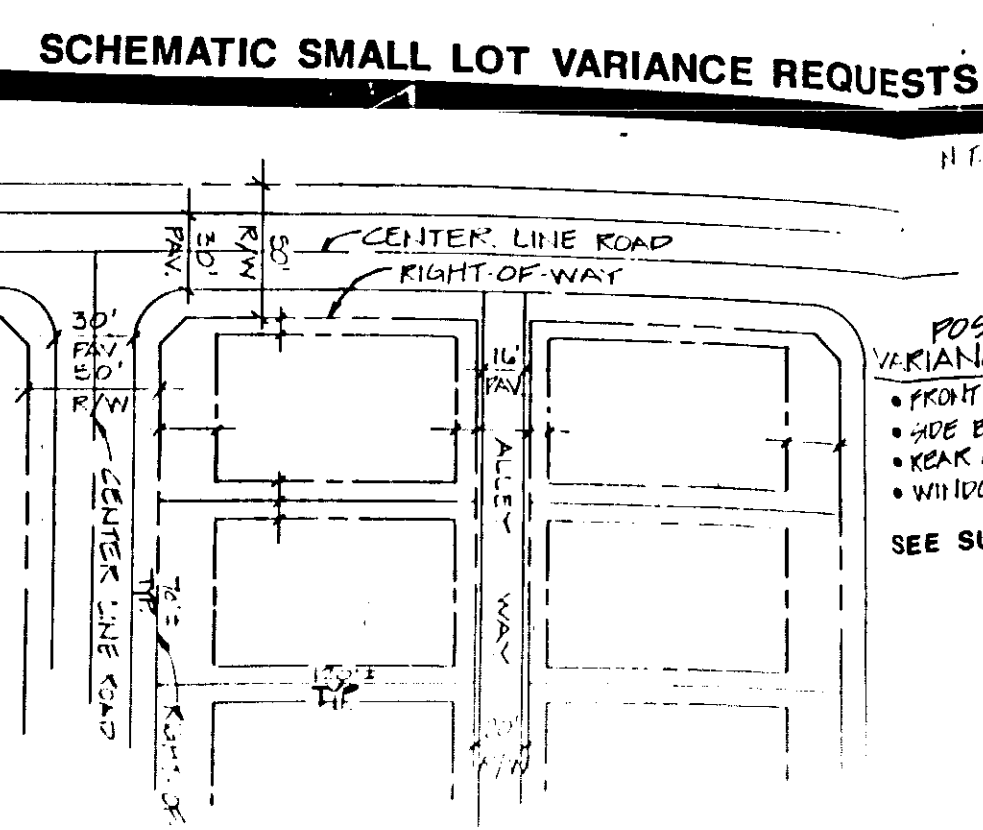
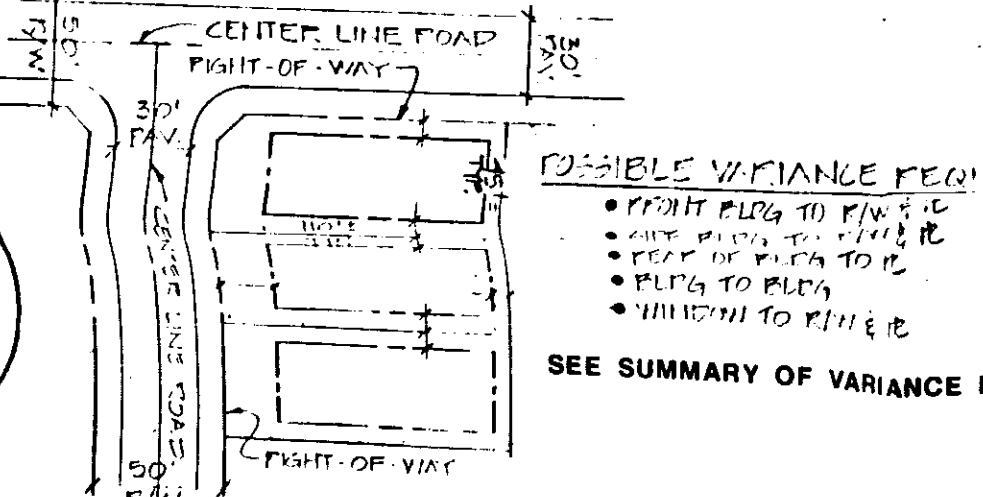
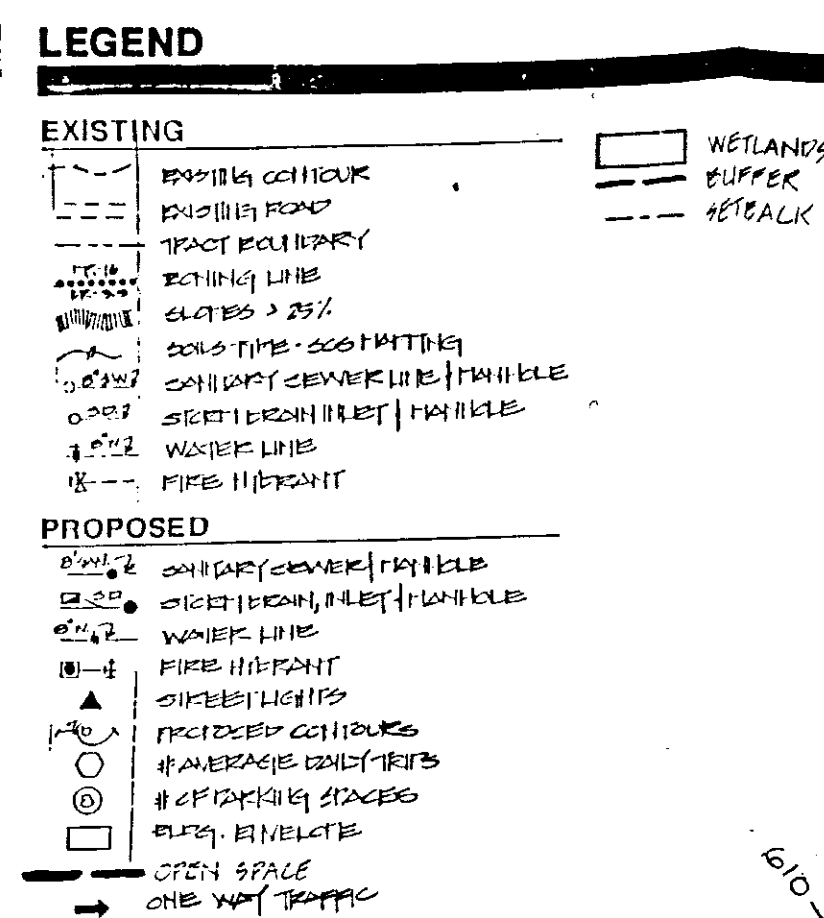
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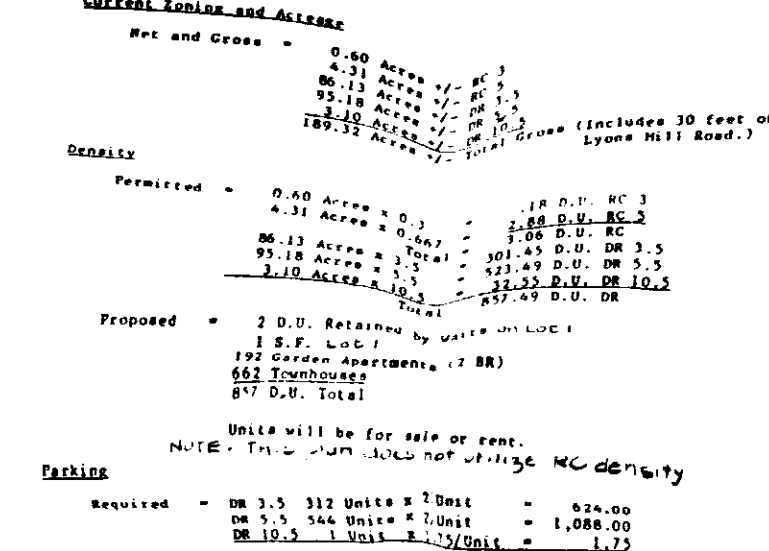
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____



NOTES:

- 1.) DESIGNER MUST PROVIDE POSITIVE DRAINAGE FOR #6 STONE.
- 2.) LENGTH AND WIDTH OF STORM DRAIN CUTFALL AND DEPTH OF FACILITY IS A FUNCTION OF STORAGE REQUIRED/OK WATER QUALITY

[illegible]



S. Soils		Limitations		
Soil Series	Hydro Class	With Reagents	Without Reagents	Screen Packings
<u>Symbol</u>				
Cleveland (CvB)	C	Severe: Water Table	Severe: Water Table	Severe: Water Table
Watchung (Wab)	D	Severe: Water Table Drainage	Severe: Water Table Drainage	Severe: Water Table Drainage
Chrome (CnB3)	D	Severe: Slope	Severe: Slope	Severe: Slope
Chrome (CnB3)	D	Severe	Severe: Slope	Severe: Slope
Manor (McB2)	B	Moderate: Slope	Severe: Slope	Severe: Slope
Walboro (Wb)	D	Severe: Water Table, Flooding	Severe: Water Table, Flooding	Severe: Water Table, Flooding

Glennville (GcC2)	0	Moderate: Slope	Moderate: Slope	Moderate: Slope
Glennville (GcC2)	0	Slight	Slight	Moderate: Slope
Flintrock (FlnC2)	0	Slight	Slight	Moderate: Slope
Honor (HnCC2)	0	Moderate: Slope	Moderate: Slope	Severe: Slope
Honor (HnCC2)	0	Slight	Slight	Moderate: Slope
Edgemont (EgC)	0	Severe	Severe: Slope	Severe: Slope
Edgemont (EgC2)	0	Moderate	Moderate: Slope	Severe: Slope
Edgemont (EgC2)	0	Moderate	Slight	Moderate

2. The size is approximately 100 wooded with mixed hardwood forest and 100

open field. Existing trees will be retained wherever possible.

8. Existing streams are as shown with associated 100 year floodplains.

9. All existing dwellings to be removed are shown, one will remain. No existing structures are historically significant. A barn will also remain on lot 1 as shown.

10. Proposed buildings in a Residential Transition Area will not exceed 130 feet in length nor 35 feet in height. The minimum distance between buildings will be 15 feet. The height of the highest building. All required buffer planting will comply with the Baltimore County Landscaping Manual. Some woodlands and wetlands are shown. Other areas will require additional plantings. Street lighting will be in accordance with Baltimore County standards and located as shown on the plan.

11. Current Ownership: Kent-Hay Corporation
200 West Vine Street, Rm. 2-6
Lexington, KY 40501

Deed Reference: 5325/006, 4574/209
Property No.: 02-22-450150, 02-11-11146
M.A.V. Schoenberger
101 Watto Road
Owings Mills, MD 21111
Deed Reference: 5576/0106, 5114/0017

Property No.: 17-00-003615, 16-00-001411, 02-21-001100
Elmer C. Wertz
120 Watts Road
Owings Mills, MD 21117
Deed Reference: 2463/0471

Property No.: 02-13-400330
Philip L. Watts, Jr.
112 Watts Road
Orwigs Mills, MD 21117
Deed Reference: 5576/0103

Property No.: 17-00-003614

12. Estimated Average Daily Trips:

1 Single-Family, @ 12.4	ADT's = 12.4
662 Group Houses, @ 0.5	ADT's = 3.31
192 Garden Apts. @ 6.5	ADT's = 1,248
85, Uninc.	Total = 4,287 ADT's

13. Stormwater will be managed by dry ponds as located on the plan.
14. Wetlands and stream are have been field located and are shown. No clearing, grading or other disturbance is allowed on the wetlands or stream buffers except as permitted by Baltimore County water quality policy.
15. There are no critical areas, archeological sites, endangered species habitats or hazardous materials on the site.

16. The CRC plan is a concept plan on which meter charges may occur. Building envelopes will be shown on the final Development Plan. Areas have not been determined by planimeter, therefore density potentials are subject to refinement following the completion of accurate boundary surveys.
17. In townhouse areas, all islands are to be trash pick-up collection points.
18. The accessible neighborhood center, if built, will be for use of residents

19. Restrictive measures to be imposed by the employer by binding covenants and the final development plan to ensure compliance with best management practices are as follows:

A. Driftings proposed on steep slopes consisting walkout to the surface at the lowest level shall be planned to ensure that the slope is not oversteepened.

B. Dwellings proposed on steep slopes permitting only a walkout deck at the lowest level shall be limited to a deck no more than 15 feet from the building face. Such decks shall be constructed of reduced or full size logs. The rear yard shall be landscaped with native plants and trees. The rear yard shall be limited to vegetative cover.

C. Dwellings proposed on steep slopes permitting only a walkout deck at the lowest level shall be limited to a deck no more than 15 feet from the building face. Such decks shall be constructed of reduced or full size logs. The rear yard shall be landscaped with native plants and trees. The rear yard shall be limited to vegetative cover.

D. No lot owner will be allowed to erect existing, located across beyond the limits shown on the Final Development Plan.

- E. All downspouts must be directed onto grass, stone, or other pervious surfaces (lawn, woods). Kerosene stains are to be directed onto impervious sidewalks or driveways.
- F. Storm drain outfalls discharging into wetlands shall be designed as follows:
 - 1. Minimize disturbance to wetlands and their vegetative

2. Storm drain outfalls shall be located down steep slopes. Where steep slopes abut wetlands, the outfall should be located as close to the toe of the slope as possible to minimize wetland disturbance.

1. Where embankment enhancements (such as trees, revegetated areas) shall be collected and maintained at the top of the embankment.
2. Disturbance to existing vegetation and the steep slopes shall be minimized as much as practicable.

- h. Measures to prevent soil erosion sloughing both during and following construction in steep slope areas:
- i. Maryland Department of Water Resources and Baltimore County Soil Conservation Districts indicate that we adhere to all compliance with detailed erosion and sediment control plans to be approved by the Baltimore County Soil Conservation District.

2. Two-way grass will be planted on the edge of the disturbed area abutting the steep slopes by a double-ended steel fence.
3. Fencing construction of all large, all disturbed areas adjacent to the steep slopes shall be seeded and mulched to provide a quick growing groundcover during the growing season, or mulched and seeded if not during the growing season, in accordance with Bureau of Soil Conservation District specifications.

4. Grading and development steps on the steep slopes shall be done so as to arrest and slow concentrate runoff flows. Splash aprons shall be provided at a gutter downspout so as to begin channeling flow on the slope. The downspout and splash apron shall be placed so as to direct the downspout and splash apron flow at and on the steep slopes.
5. All steep-sloped areas not disturbed will be maintained in present forested, vegetative cover.

20. Temporary boundary markers and flow protection devices coincident with limits of L.F.S. or limit of trees to remain shall be installed prior to work commencing. Existing forest shall not be disturbed except as approximately delineated on this plan without prior approval from the Department of Recreation and Parks.

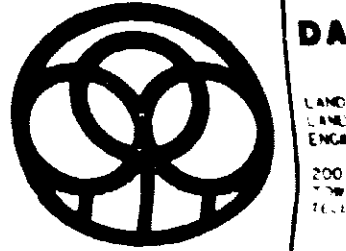
21. Disturbed wetlands shall be revegetated.

22. Slopes and vegetation shall be graded and cleared to provide 500 feet of sight distance on either side of Road 1 and Road 2 entrances onto Lyons Hill Road and 400 foot sight distance a either side of the Road 2 entrance onto Wolfcreek Road.

23. All adjacent dwellings and lots shall be in green that meets 9' x 4' x 36' with air entrance with the required 5' x 150' lot access.

24. An asbestos panel must be replaced by _____.

**PETITIONER'S
EXHIBIT 4**



DAFT McCUNE WALKER INC.

LAND PLANNING CONSULTANTS
ARCHITECTS ARCHITECTS
ENGINEERS SURVEYORS
200 EAST PENNSYLVANIA AVENUE
PHILADELPHIA, PENNSYLVANIA
TELEPHONE 215-596-3333

KENT-MAR
PROPERTY
CRG PLAN

SCALE:

1° = 100'

JOB ORDER NO.

87031

ISSUE DATE
DEC 18 1987

DEC. 16, 1967

DATE	REVISIONS

LEGEND

FIELD LOCATED HYDRICS

HOA(HOME OWNERS ASSOCIATION) AREAS

SCS MAPPED SOIL LIMITS

▲ STREET LIGHTS

 LOCAL OPEN SPACE RESIDENTIAL TRANSITION AREA SLOPES 25% OR GREATER

75 RIA BUFFER

☒ DUMPSTER LOCATIONS

MARKING DETAIL

1

ANDREW JAY GRAHAM
JAMES M. BRADY
LEE H. OSBURN
JAMES H. SCHUB
NANCY E. GREGOR
JAMES P. ULWICK
PHILIP M. ANDREWS
GERYMON C. BONILLI
WILLIAM HOPE FISHER
WILLIAM H. LANTIER
WILLIAM A. BERNARD
KEVIN F. ARTHUR
ARON U. PASMAN
PETER F. GRAUB
GEOFFREY M. DEWITT
ROBERT M. DUFFINNEY
IAN GALT-NEHER

LAW OFFICES
KRAMON & GRAHAM, P.A.
COMMENCE PLACE
ONE SOUTH STREET, SUITE 3000
BALTIMORE, MARYLAND 21202-3201

(410) 782-8200
FACSIMILE
(410) 528-1288
WHILE'S OFFICE DIAL
711-2752

THE ENGINEERING PROFESSIONAL BUILDING
200 SOUTH STREET, SUITE 1000
BALTIMORE, MARYLAND 21202-3201
(410) 782-8200
FACSIMILE
(410) 528-1288

March 10, 1994

Arnold Jablon, Esquire, Director
Mitchell Kellman, Planner II
Office of Zoning Administration
Office of Planning and Zoning
111 West Chesapeake Avenue
Room 113
Towson, Maryland 21204

Re: Lyonsfield Run - Updated Plat to
Accompany Zoning Variance Petition

Dear Messrs. Jablon and Kellman:

I am in receipt of a copy of an Updated Plat to Accompany
Zoning Variance Petition submitted to you by Ms. Stacey McArthur
of U.S. Thaler & Associates, Inc. The lots on the northwestern
portion of the site have been realigned to incorporate recently
located wetlands and in anticipation of the road which, it is
hoped, will eventually be built to and through the Baltimore
County school site.

You will recall that I presented the original case for the
variances that were obtained for this portion of property. I
believe that the reconfiguration of the lots to accommodate the
wetlands and road is well within the spirit and intent of the
original zoning variance.

Please advise whether or not you concur with this
conclusion. Should you have any questions or need any additional
information, please do not hesitate to give me a call.

Sincerely,

Jeffrey M. Schmitt

Send
Letter



April 18, 1994 2nd F.F. MAR 11 1994

Reference is made to your letter in which you requested confirmation that the proposed red-lined
changes are within the spirit and intent of zoning case 91-490-A. Please be advised that since
these changes are due to the elimination and renumbering of lots, the same have been considered
as being within the spirit and intent of said hearing. The zoning office will require a plan
for the case file with a signature block for the Director of ZON to sign and a final development
plan listing those changes. Enclosed, please find a sample copy of the signature block and
if you need further assistance, please do not hesitate to contact me at 807-1991. SEE PLAN IN FILE
HARD 5/5/94 JLL

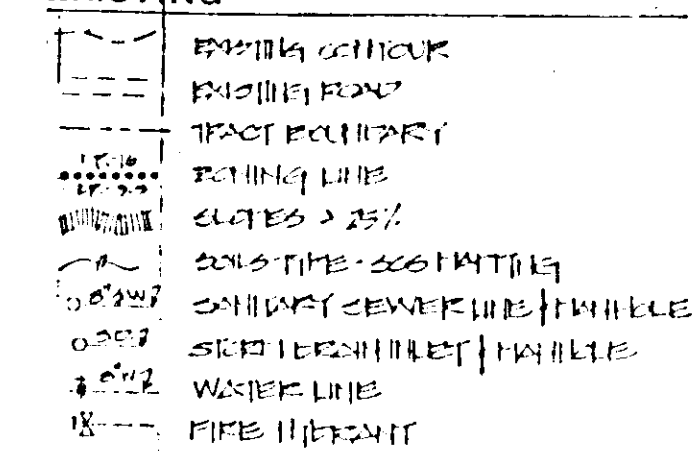


- NOTES:
- 1) DESIGNER MUST PROVIDE POSITIVE DRAINAGE FOR #6 STONE.
 - 2) LENGTH AND WIDTH OF STORM DRAIN CUTFALL AND DEPTH OF FACILITY IS A FUNCTION OF STORAGE REQUIRED/OK WATER QUALITY

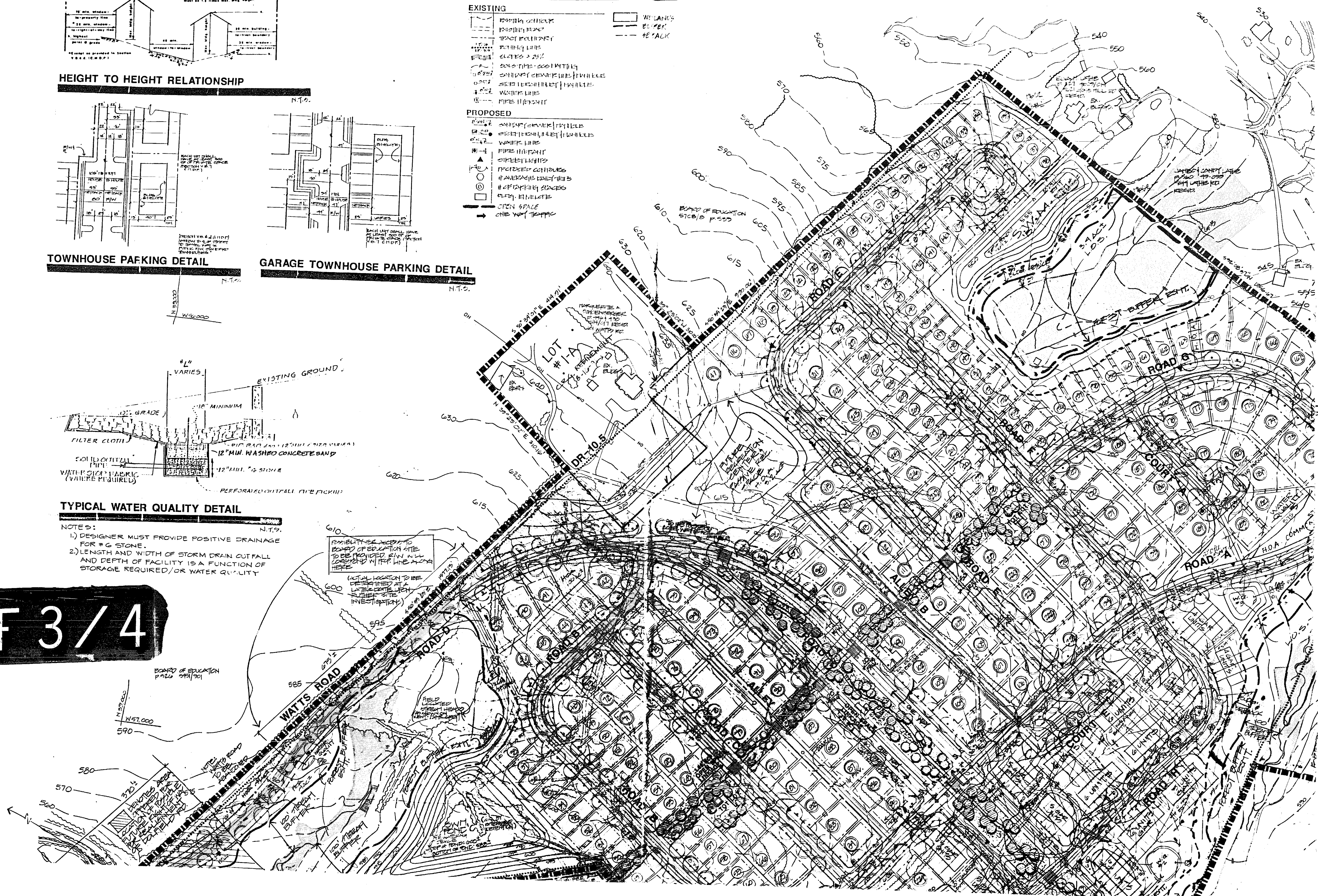
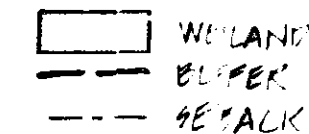
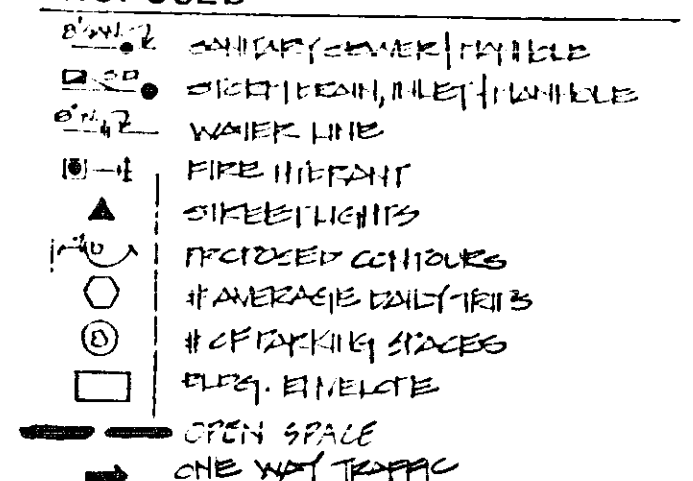
F 3 / 4



EXISTING



PROPOSED



NOTES: N.T.S

- 1.) DESIGNER MUST PROVIDE POSITIVE DRAINAGE FOR #6 STONE.
- 2.) LENGTH AND WIDTH OF STORM DRAIN CUTFALL AND DEPTH OF FACILITY IS A FUNCTION OF STORAGE REQUIRED/OR WATER QUALITY

NOTES:

- 1.) DESIGNER MUST PROVIDE POSITIVE DRAINAGE FOR #6 STONE.
- 2.) LENGTH AND WIDTH OF STORM DRAIN CUTFALL AND DEPTH OF FACILITY IS A FUNCTION OF STORAGE REQUIRED/OR WATER QUALITY

PROPERTY LINE
BOARD OF EDUCATION SITE
TO BE PROVIDED. R/W WILL
COMMENCE W/ PROP. LINE ALONG
HERE

ACTUAL LOCATION
DETERMINED AS
LATER DATE
FURTHER SITE
INVESTIGATION

BOARD OF EDUCATION
P. 926 SAFI/201

$\begin{array}{r} 1150 \\ \times 50 \\ \hline 57000 \end{array}$

P.O.B.

STATE AND DEPT OF
NATURAL RESOURCES
5377/CP4 p. 363

DR-5.5

PUMPING STATION MAY
BE NEEDED FOR THIS
AREA - FURTHER STUDIES
WILL BE REQUIRED

DEPT 2 EAGERS IR
ANNE E RICHMEL P 3X
3/10/787
7109 BRISTOL RD.
VACANT

POSSIBLE VARIANCE REQUESTS

- FRONT FLG TO F/W & E
- AIRE FLG TO F/W & E
- REAR OF FLG TO R
- FLG TO FLG
- UNDER TO R/W & E

SEE SUMMARY OF VARIANCE REQUEST

SCHEMATIC SMALL LOT VARIANCE REQUESTS

NT.

POSSIBLE
VARIANCE REQUEST

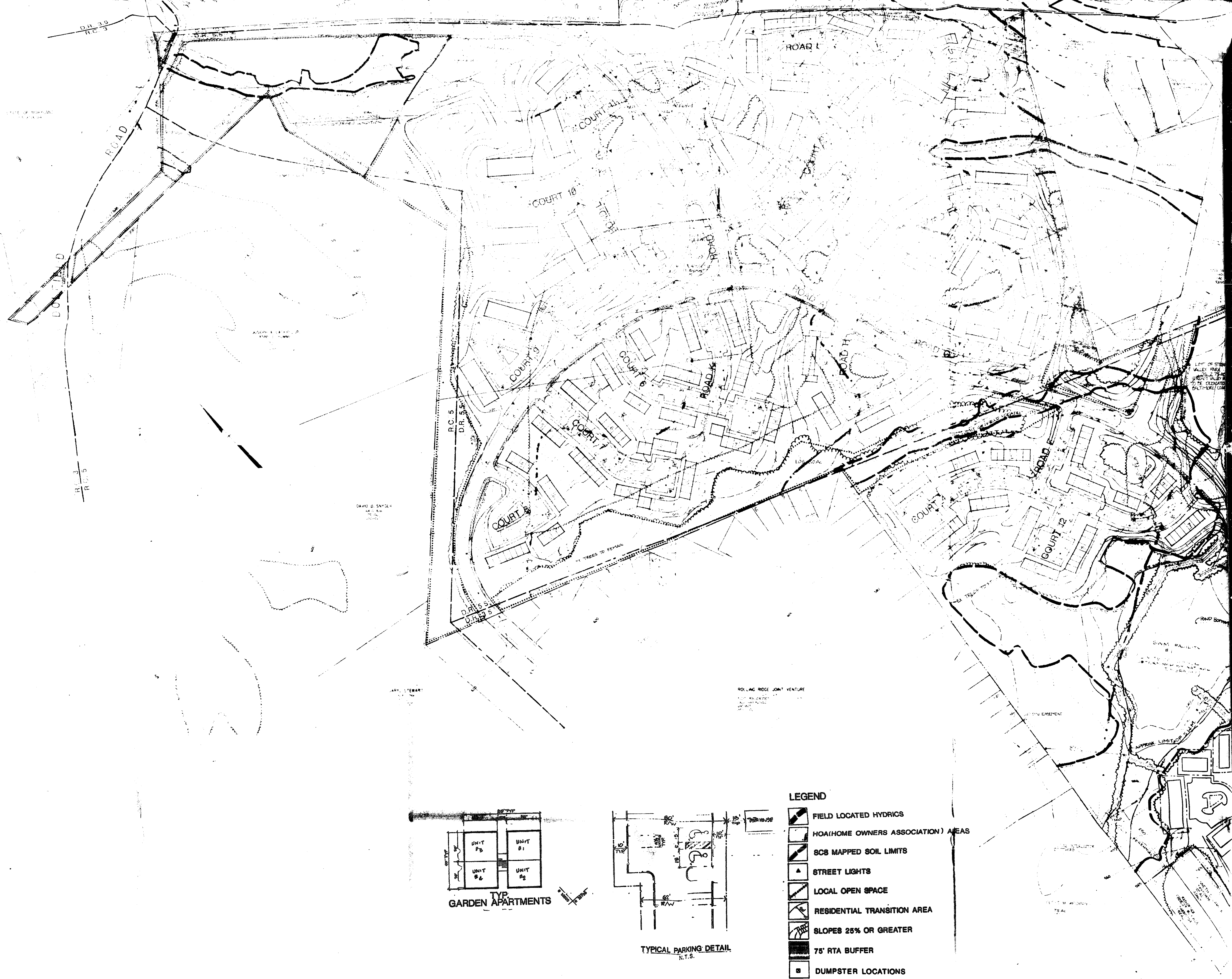
- FRONT BLDG TO R/W
- SIDE BLDG TO R/W & ME
- REAR OF BLDG TO R/W
- WINDOW TO R/W & ME

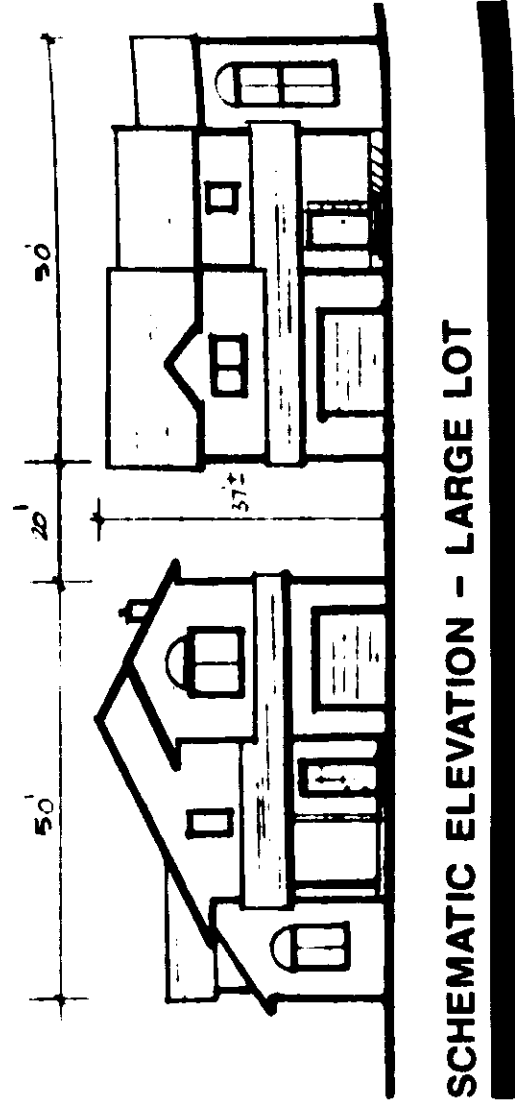
SEE SUMMARY OF VARIANCE REQUESTS

NOTE
ALL RADI ON ROAD
X MUST BE MINIMUM
300 (30 MPH DESIGN SPEED)

SCHEMATIC LARGE LOT VARIANCE REQUESTS

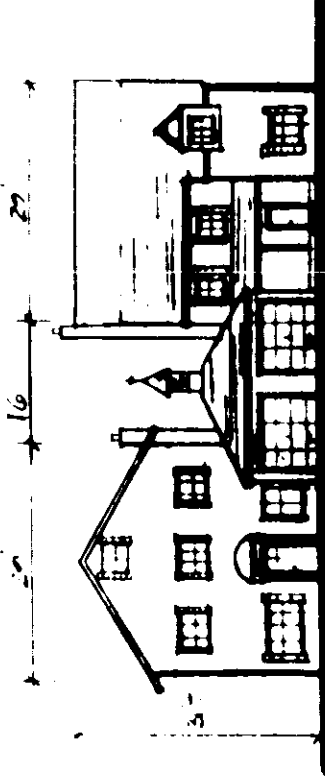
F4/4





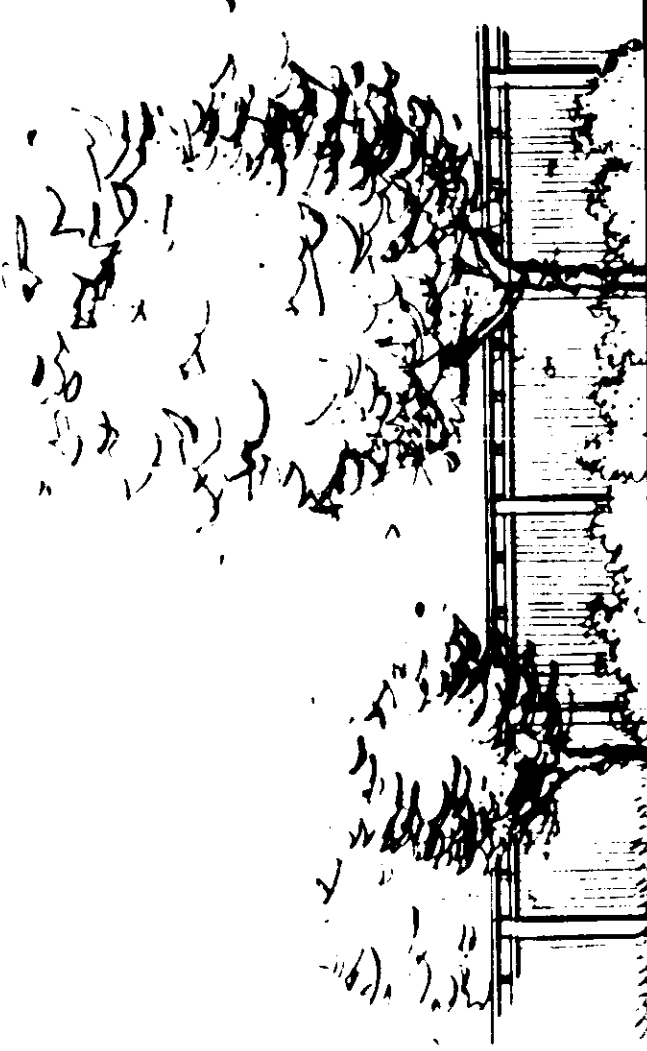
SCHEMATIC ELEVATION - LARGE LOT

SCALE: 1"=20'



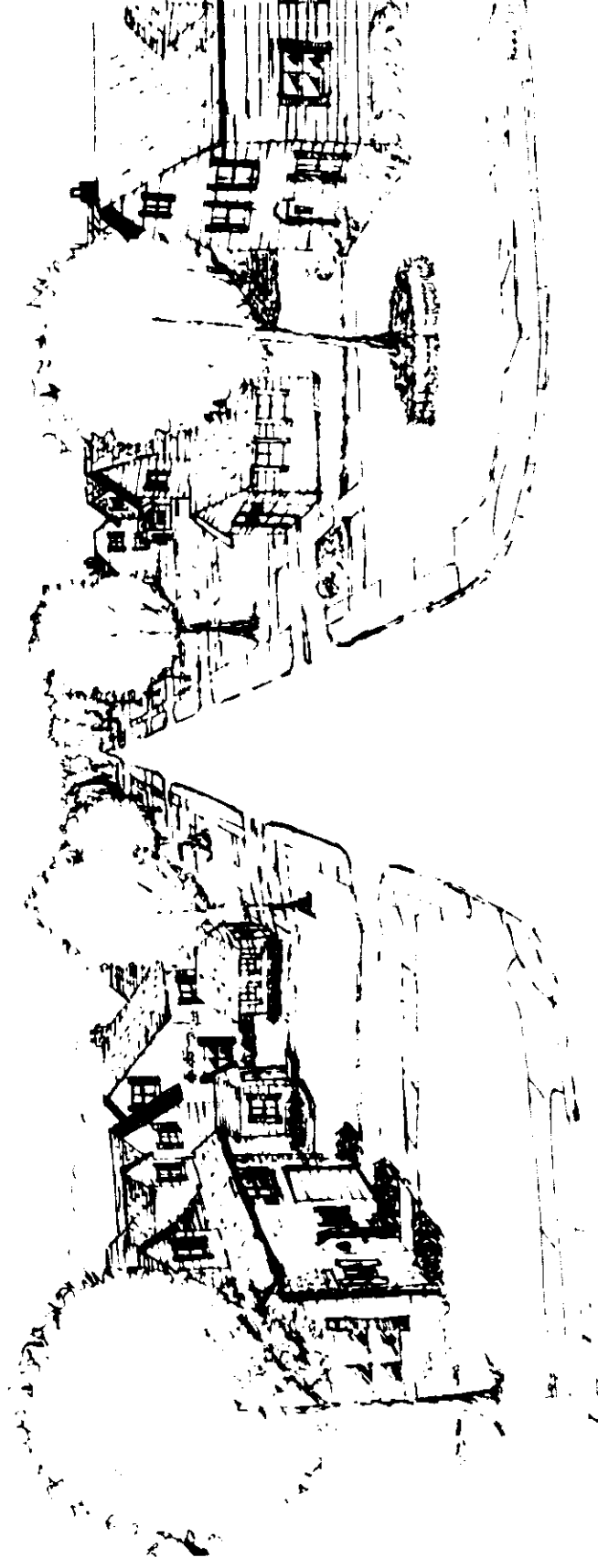
SCHEMATIC ELEVATION - SMALL LOT WITH DETACHED GARAGE

SCALE: 1"=20'



SCHEMATIC ELEVATION - TYPICAL OPAQUE FENCE

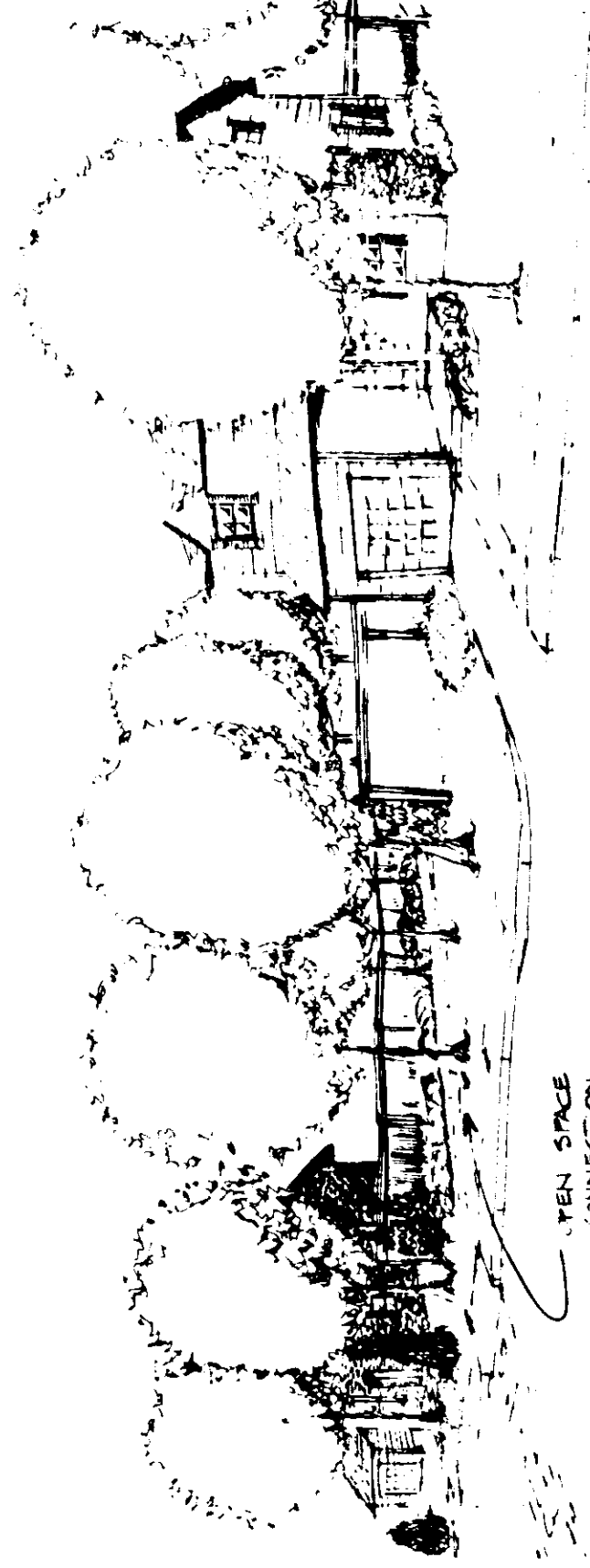
Not To Scale



BIRDS EYE VIEW - SMALL LOTS ON BOTH SIDES

Not To Scale

Character Sketch - For Illustrative Purpose Only

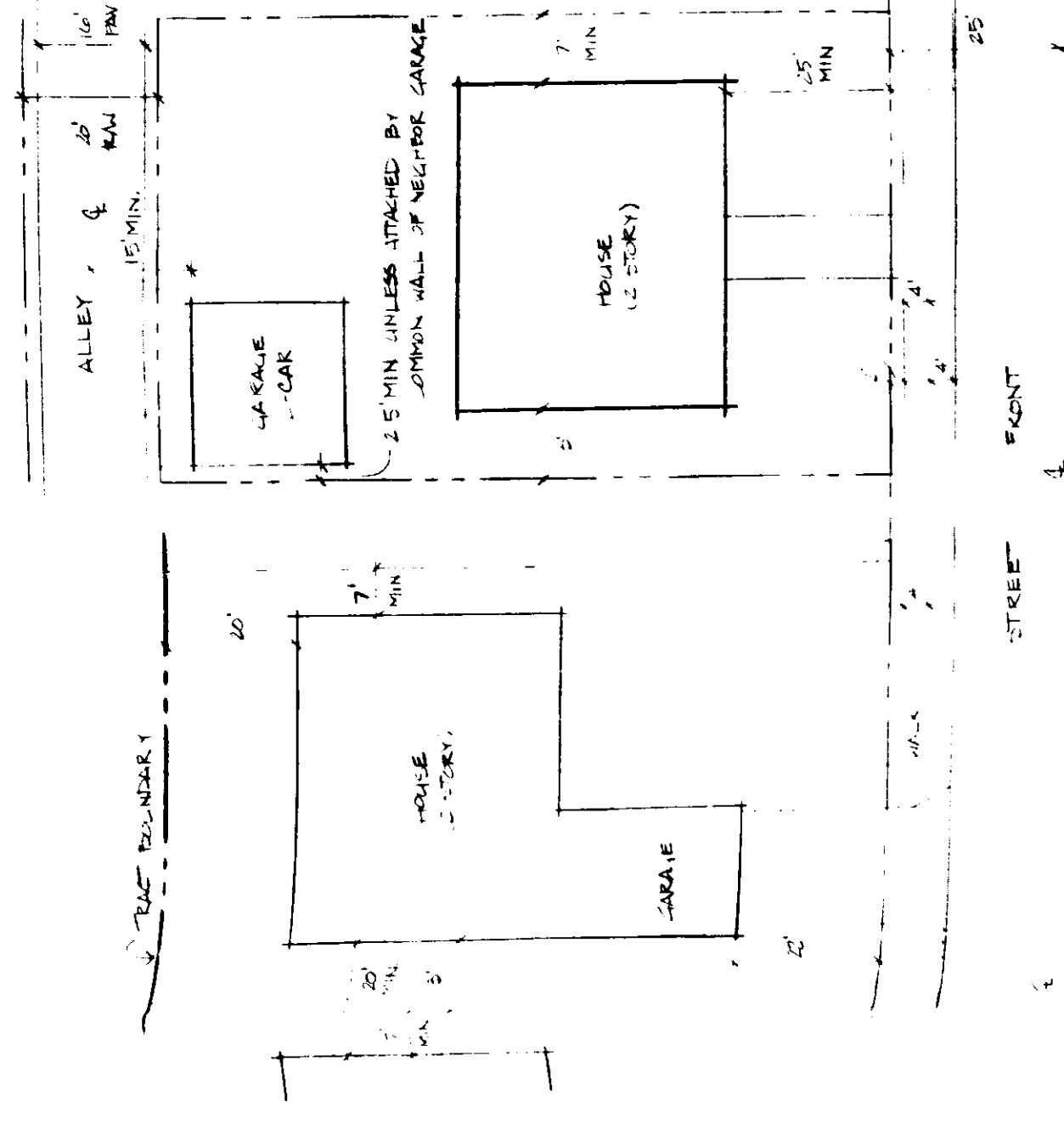


SCHEMATIC STREETScape TREATMENT

Not To Scale

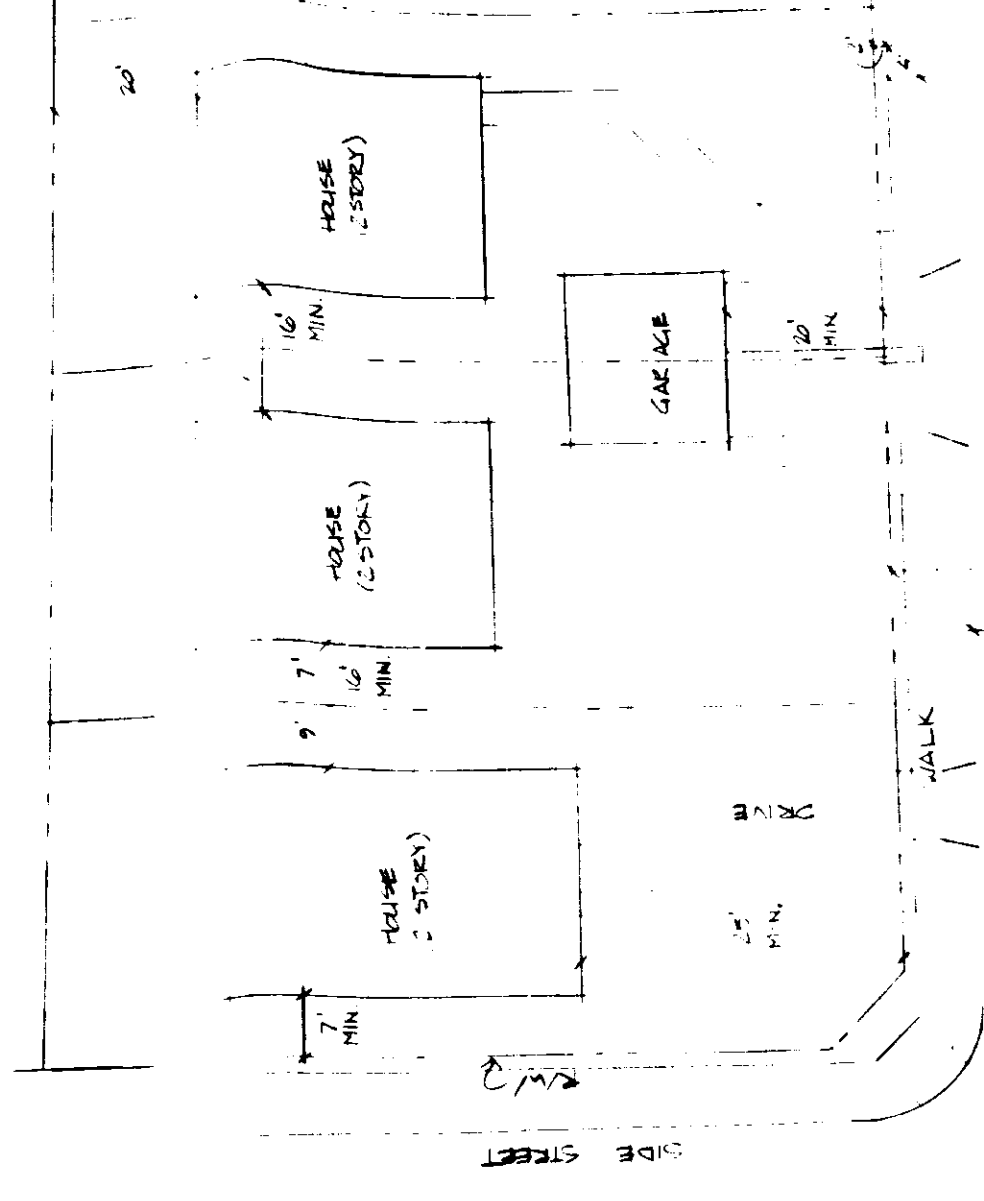
Character Sketch - For Illustrative Purpose Only

- NOTES:
- * THE LANDSCAPE TREATMENT WILL PROVIDE FOR A NON-MONOTONOUS STREETScape
 - * ALL FENCES WILL BE OPAQUE
 - * DETACHED GARAGES ON THE SMALL LOTS WILL BE UTILIZED ON AN INTERMITTENT BASIS TO PROVIDE FOR A DIVERSITY OF STREETScape



SCHEMATIC LAYOUT - TYPICAL LARGE LOT LAYOUTS

SCALE: 1"=20'



SCHEMATIC LAYOUT - TYPICAL SMALL LOT LAYOUTS

SCALE: 1"=20'

PETITIONER'S EXHIBIT 4C

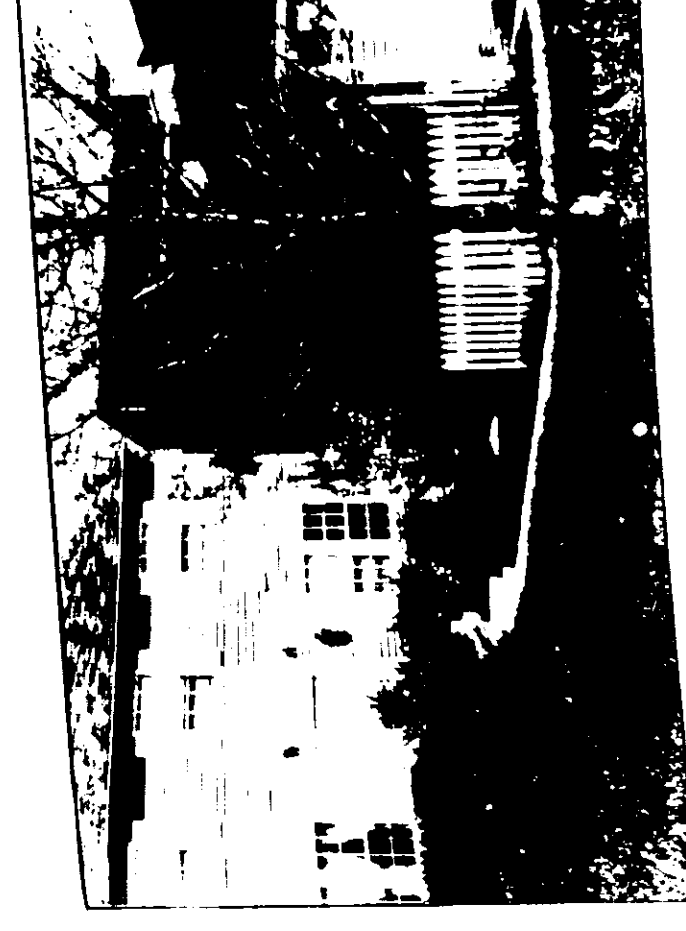
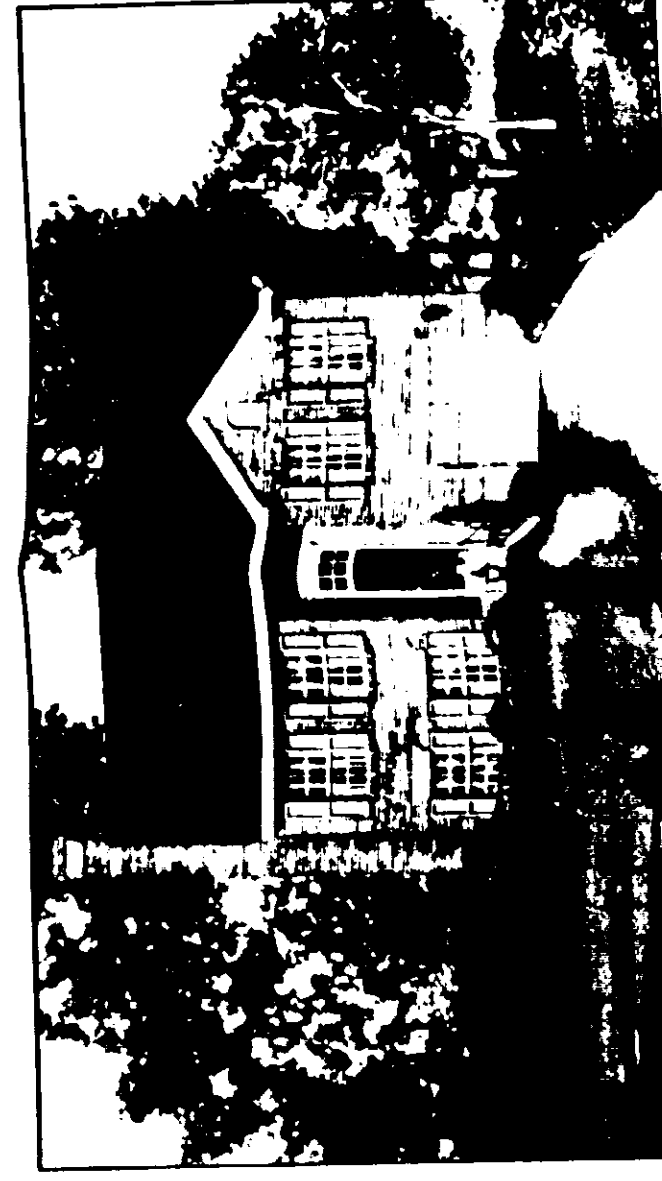
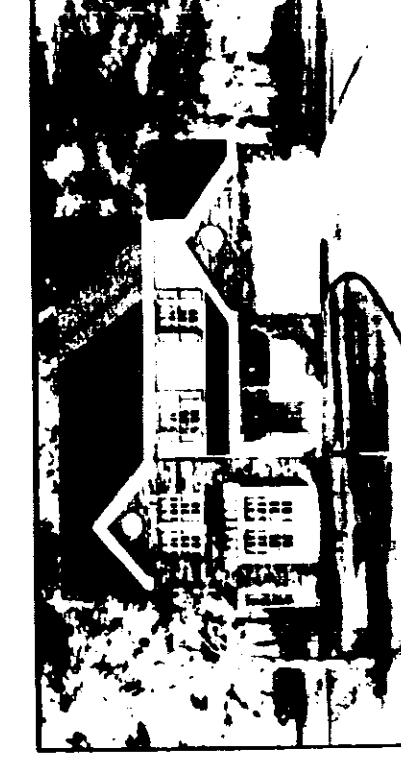
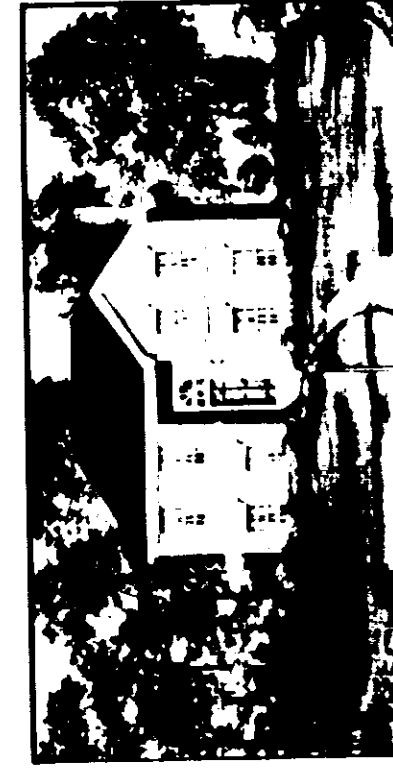
LYONSFIELD RUN EXHIBIT TO ACCOMPANY ZONING VARIANCE PETITION

D.S. THALER & ASSOCIATES, INC.
 CIVIL ENGINEERS LANDSCAPE ARCHITECTS LAND PLANNERS SURVEYORS
 7115 AMBASSADOR ROAD
 BALTIMORE, MARYLAND 21207
 (301) 944-ENGR (301) 944-3847

DATE: AUGUST 6, 1991

FOR ILLUSTRATIVE PURPOSES ONLY

SHEET 2 OF 3



PETITIONER'S EXHIBIT 4C

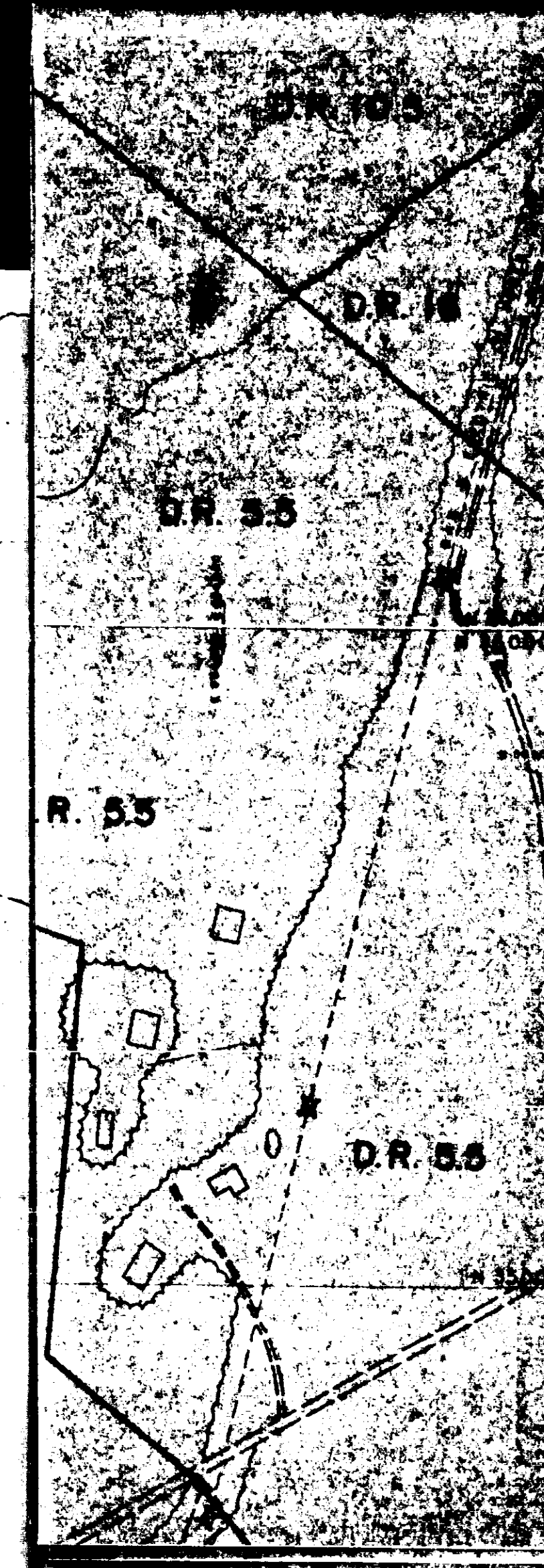
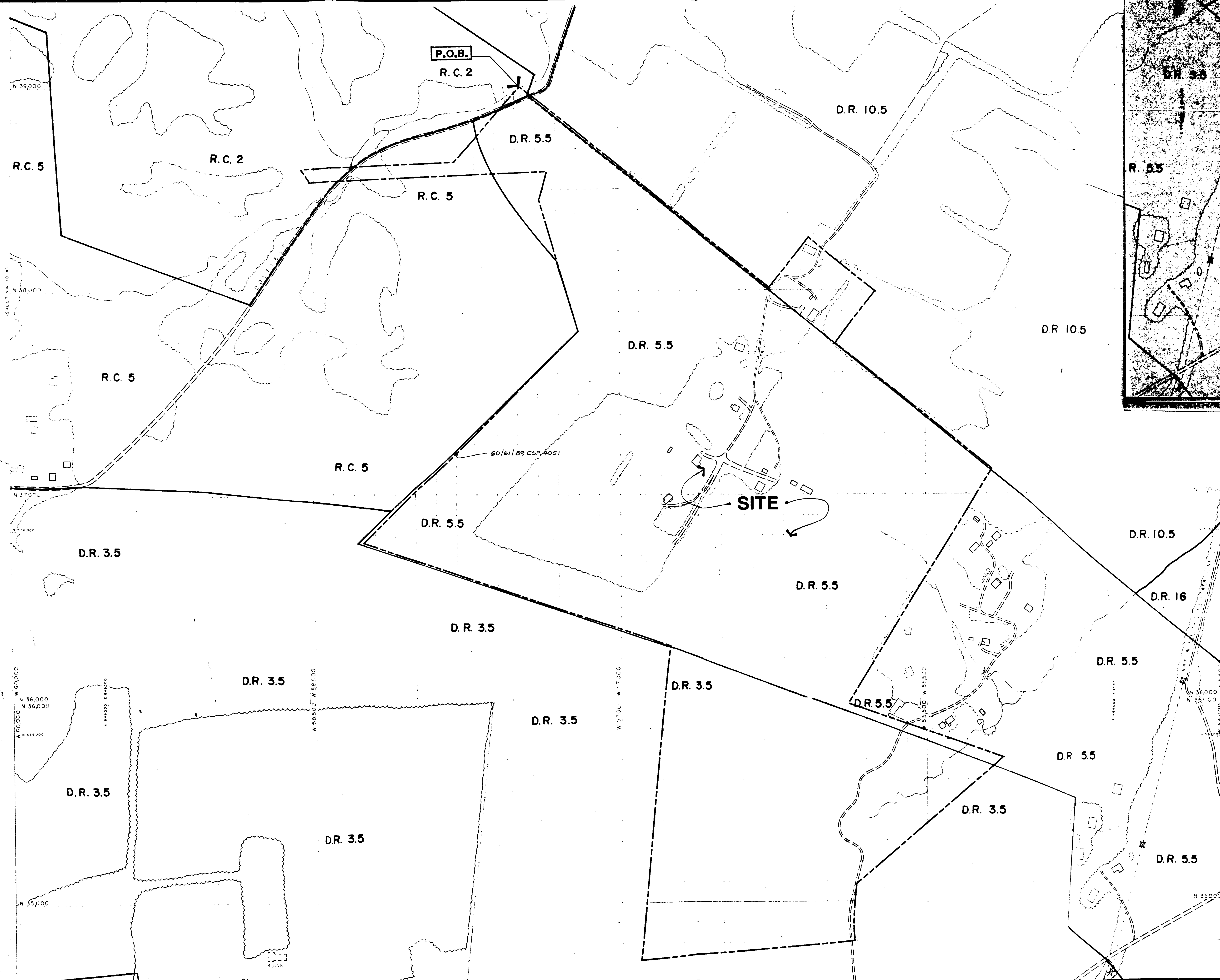
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 (301) 944-ENGR (301) 944-3847

DATE: AUGUST 19, 1991

POTENTIAL BUILDING TYPES FOR ILLUSTRATIVE PURPOSES ONLY

SHEET 3 OF 3



PETITIONER'S EXHIBIT 3

LYONSFIELD RUN

EXHIBIT TO ACCOMPANY ZONING VARIANCE PETITION

BALTIMORE COUNTY
200-SCALE ZONING MAPS NW 9-J, 10-J

PREPARED BY:
D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS/LANDSCAPE ARCHITECTS/SURVEYORS/LAND PLANNERS
7715 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21207
(301) 844-ENGR (301) 844-3847

DATE: APRIL 19, 1991

SCALE: 1"=200'
SHEET 1 OF 3

91-490-A

476

LYONSFIELD RUN

EXHIBIT TO ACCOMPANY ZONING VARIANCE PETITION

BALTIMORE COUNTY
200-SCALE ZONING MAPS NW 9-J, 10-J

PREPARED BY:
D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS/LANDSCAPE ARCHITECTS/SURVEYORS/LAND PLANNERS
7715 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21207
(301) 844-ENGR (301) 844-3847

DATE: APRIL 19, 1991

SCALE: 1"=200'

Anne style. It also was once called the "junction" because the city's streets are crisscrossed here. Now it's a neighborhood with a future after going through a period of deterioration in the 1980s.

IN BALTIMORE COUNTY

Catonville: The commercial heart of Catonsville is still a place with friendly storekeepers and neighborhood shops. Westview and Security Square malls may have stolen some of the thunder, but Catonsville's Frederick Avenue — its Main Street — is striving to stay a vibrant area. A consulting team is even examining the area's retail activity and development parcels to enhance the "village quality" of the community. In many ways, it remains a placid, old-fashioned suburb with trim blocks of Dutch colonials, bungalows and aristocratic mini-estates.

Cockeysville: Once just a quarry and village and train stop, Cockeysville has emerged as a sprawling apartment and single-family community. Close to Interstate 83, it makes a trip to the city easy for commuters, though traffic does approach quagmire status during rush hours.

Greenbelt: One of the nation's first planned communities, Greenbelt was created in 1929 as a model of modern living. It offers a mix of housing styles, from single-family homes to multi-family units, and a variety of amenities, including a shopping center and a school.

Glyndon: Glyndon is one of the oldest communities that often goes undiscovered. But with its historic Emory Grove Methodist campground and picturesque Victorian homes, it appeals to those seeking quiet suburban solitude. And after all these years, it still manages to keep its own distinct personality. What else would you expect from a town whose name was picked out of a hat at a public meeting in 1875?

Middle River: This blue-collar haven developed as an aviation center during World War II but now offers other industrial pursuits as well. The area didn't just sprout up in recent years, though; it was first shown on a 1776 map. Today, in addition to its proximity to industrial employment, the area offers waterfront properties for reasonable prices, access to bay boating and convenient shopping.

Owings Mills: At the end of the present subway line, the area has blossomed into a massive residential area with all types of housing styles — from town homes to elegant single-family homes — with a wide range of prices. The Owings Mills Mall and nearby office parks anchor the newly developed region that's attracting yuppies of all ages.

Rodgers Forge: It may seem unimaginative — now after row of look-alike brick row houses. But look closer and you'll find personal details and friendly people that individualize the neighborhood more than you first think. Located near Towson, it's a place for first-



THE BUNARON GOODMAN

ER'S The planned community of Columbia is convenient to Baltimore and Washington. developments — built mostly in the last 10 years — keep popping up, attracting more and more people to the area. With its proximity to Interstate 95, it's a commuter's dream. But the area's expansion isn't going unchecked. It's been marked for controlled suburban growth in the 1990s.

Surrounding Counties: This charming town of granite-facade antique shops and restaurants in Howard County isn't so much a neighborhood as a historic anchor for the surrounding area. Ellicott City is the county seat, so you'll find office buildings and courthouses outside the Main Street area. There's also plenty of housing, most of it new — town houses, apartments and single-family homes — located off U.S. Route 40.

Ruxton: Even if you drive along Ruxton Road and its offshoot arteries, you won't see many of the homes from the street. The rambling late-Victorian houses — there are some contemporary ones, too — are tucked away at the end of winding driveways on multi-acre lots. Located close to the city, the area appeals to those looking for lots of house and a six-figure price tag to match.

Towson: This seemingly unplanned sprawl is Baltimore County's political seat, complete with government buildings and enough legal shingles to meet the needs of thousands. There's a bit of respite from modernization, though, in the pre-Civil War era stone Court House, located on Chesapeake Avenue. It's an area in upheaval, though. The Towson Town Center is being expanded on a grand scale, a major shopping and office complex is being built on York Road and the skyline features a mishmash of styles. Numerous neighborhoods encircle the area, including Stoneleigh, Wiltondale, Anneslie, Knollwood, Orchard Hills, Dulansy Village and Campus Hills, to name only a few. It's a sought-after area. Schools are good, and there's a variety of housing styles available.

White Marsh: Burgeoning White Marsh has taken on a life of its own. It's amazing what a regional shopping mall and office parks will do. Housing

Columbia: What was once rolling farmland has evolved into a successful planned residential and commercial development — a place where people can work, play and shop. At age 24, the "new" town in Howard County is still growing. The population, which exceeds 70,000, is expected to top 100,000 by the late 1990s. It's convenient to Baltimore and Washington, and amenities abound: schools, pools, recreational facilities, parks. There's also a mall with more than 200 stores and some 1,500 businesses in the area. Just visiting the model-home parks is a treat. The houses are well-thought-out architecturally, and there is a style for every liking and pocketbook.

Bel Air: Bel Air, dating to 1794 when it was spelled Belair, is feeding the pull of suburban growth. Its Main Street, dominated by a classic red brick courthouse, is giving way to trendy bars and shops. The Harford County town, located about 25 miles from Baltimore, has definitely become a commuter suburb, leading to the development of numerous housing communities and shopping centers in the surrounding area. Nowhere is this more evident than in Abingdon, close to Interstate 95. Its first planned community, Box Hill North, has given rise to streets and streets of varied housing at affordable prices by today's standards.

Annapolis: Annapolis, the capital of Maryland for nearly 300 years and the home of the U.S. Naval Academy, is truly a Colonial town. When the city was

designed a National Historic Landmark in 1965, Secretary of the Interior Stewart Udall said, "Annapolis has the greatest concentration of 18th century buildings anywhere in the United States." The homes, inns and shops have been authentically restored, affecting a quaint charm. You'll find everything from Georgian mansions to petite brick town homes. Its setting on the Severn River also adds to its attraction. It's considered one of the East Coast's foremost boating centers and hosts power boat and sailboat shows in the fall that attract visitors from all over the world.

Westminster: Amid the rolling farmland of Carroll County, Westminster strives to retain its simple life. It's more country than suburb. An opera house, shops, churches and small eateries line Main Street. It also has its own historic pedigree, having been founded in 1764. In-town homes feature rambling brick styles. The surrounding area is mainly tract housing, most with large lots for gardens and children's swing sets.

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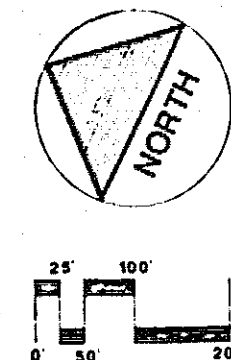
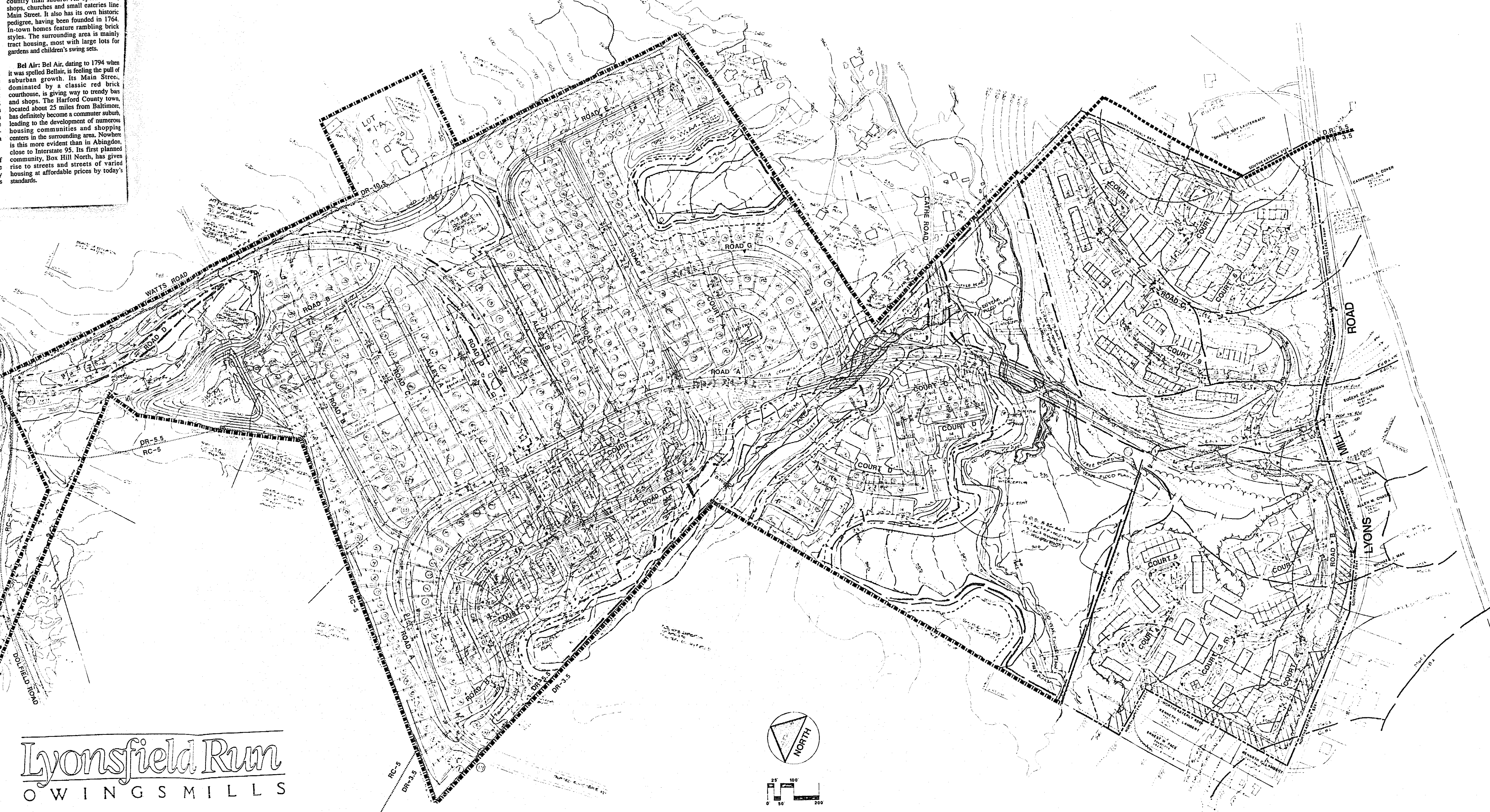
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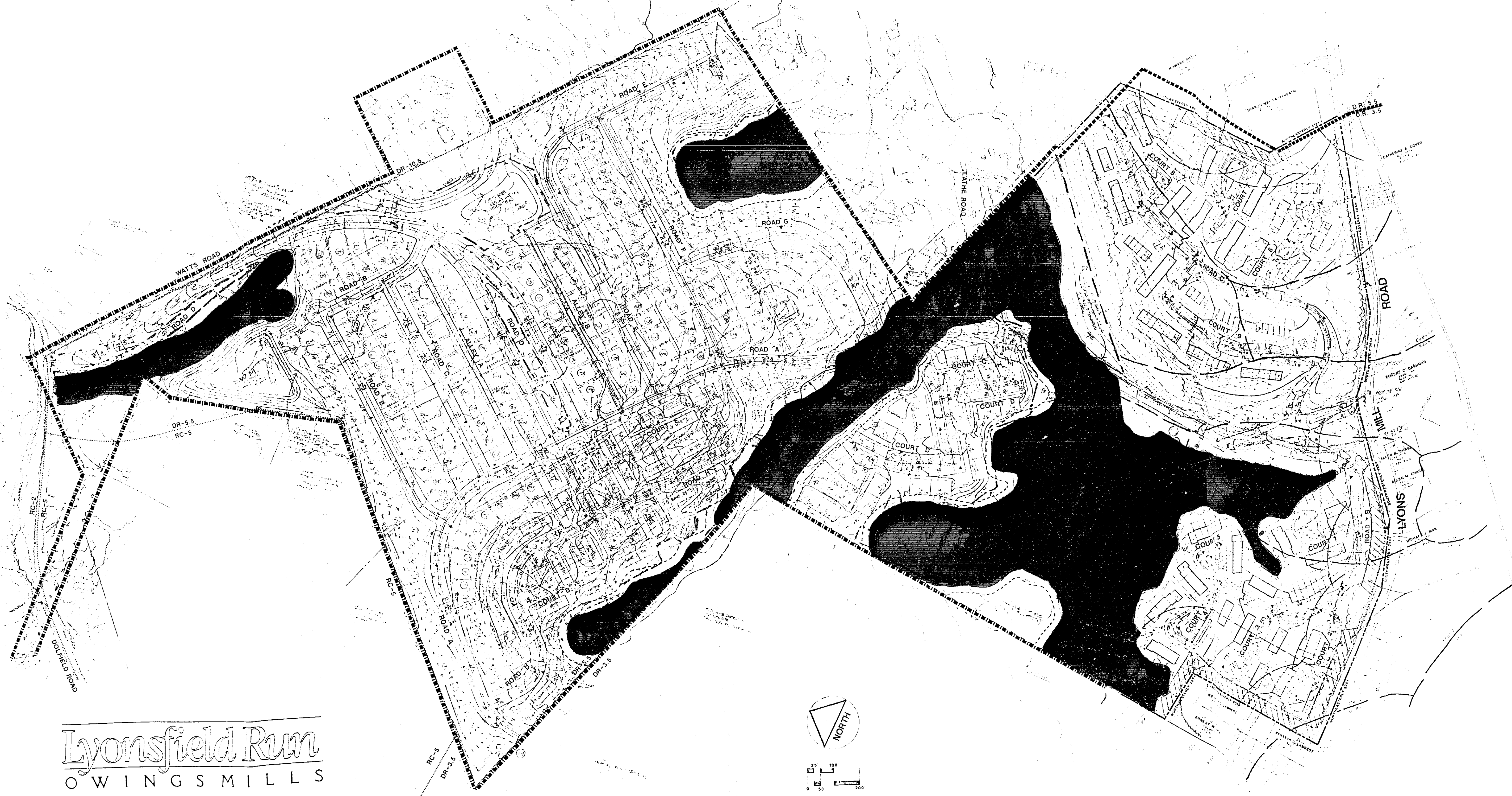
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Lyonsfield Run
OWINGS MILLS

NVR CROWN

D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS/LANDSCAPE ARCHITECTS/SURVEYORS
1115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21207
(301) 944-ENGR (301) 944-3847





Lyonsfield Run
OWINGS MILLS

NVR CROWN

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7115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21207
(301) 944-ENGR (301) 944-3647

PETITIONER 3
EXHIBIT 5

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-490-11

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.1. (BCZR) to allow a 15' building-to-building setback in lieu of the required 40' (for building heights between 30 and 40 feet).

(continued on separate sheet attached)

1. Smaller units would be incompatible with the concept and intent of development in the immediate and surrounding neighborhoods.
2. Further reasons to be determined at the hearing.

Properly 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: (Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner: (Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: (301) 752-6030

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock _____ M.

J. Robert Haines
 Zoning Commissioner of Baltimore County.

(over)

Variance From Section (continued)

1801.2.C.2.b (BCZR) and V.B.6.c. (CMDF) to allow a 15' window-to-window separation for dwellings on the same tract of land in lieu of the required 40'.

V.B.6.b (CMDF) to allow a 7' window to side and rear property line setback in lieu of the required 15'.

V.B.6.a. (CMDF) to allow a 7' window to side street right-of-way line (for a corner lot) in lieu of the required 25'.

V.B.5.b. (CMDF) to allow a 20' building-to-tract boundary setback in lieu of the required 30'.

1801.2.C.2.a (BCZR) and Section V.B.5.a. (CMDF) to allow a 20' window-to-tract boundary setback in lieu of the required 35'.

Section 400.1 to allow an accessory building (garage) in the front yard instead of the rear yard only, 20' from the right-of-way line.

See Summary of Variance Requests attached.

#8/smlactra.mh

SUMMARY OF VARIANCE REQUESTS

SECTIONS TO BE VARIANCED:

- 1801.2.C.1
Requires a 40 foot building separation. (Lot Nos. 1-241)
- 1801.2.C.2.b and V.B.6.c (C.M.D.P.)
Requires a 40 foot window-to-window separation between centers of facing windows. (Lot Nos. 1-241)
- 1801.2.C.6 and V.B.6.b (C.M.D.P.)
Requires a 15 foot window-to-property line setback. (Lot Nos. 1-241)
- V.B.6.a (C.M.D.P.)
Requires a 25 foot window-to-side street right-of-way setback. (Lot Nos. 63, 64, 73, 74, 84, 85, 105, 106, 139, 155, 178, 188, 189, 194, 210, 223, 241)
- 1801.2.C.6 and V.B.5.b (C.M.D.P.)
Requires a 30 foot building-to-tract boundary setback. (Lot Nos. 5-15, 30)
- 1801.2.C.2.a
Requires a 35 foot window-to-tract boundary setback. (Lot Nos. 4-16, 29, 30, 125-138)
- SECTION 400.1
Allows accessory buildings only in the rear yard. (Lot Nos. 1-38, 49-63, 117-163, 198-210, 228-241)

DESCRIPTION TO ACCOMPANY ZONING VARIANCE PLAT THE VILLAGES OF LYONSFIELD RUN

Beginning for the same at a point north of Dolfield Road, said point being 100 feet, more or less, in a northwesterly direction from the intersection of said Dolfield Road and Walts Road; thence, crossing said Dolfield Road and running more or less on the easterly side of the aforementioned Walts Road, South 50° 35' 23" East 1577.13 feet to a point; thence, North 39° 25' 02" East 310.18 feet to a point; thence, South 50° 34' 01" East 414.91 feet to a point; thence, South 39° 25' 02" West 310.00 feet to a point; thence, South 50° 35' 23" East 990.09 feet to a point; thence, South 32° 08' 37" West 1356.67 feet to a point; thence, South 71° 37' 21" East 290.50 feet to a point; thence, South 70° 33' 34" East 521.20 feet to a point; thence, South 49° 36' 48" West 985.13 feet to a point; thence, South 05° 11' 58" West 125.72 feet to a point; thence, 150.14 feet by a curve to the left, having a radius of 700.00 feet and a chord of South 00° 56' 42" East 149.85 feet to a point; thence, South 35° 15' West 1060.08 feet to a point; thence, North 05° 45' 46" East 1546.68 feet to a point; thence, North 71° 01' 57" West 1578.76 feet to a point; thence, North 45° 43' 31" East 166.80 feet to a point; thence, North 45° 48' 56" East 1321.83 feet to a point; thence, North 16° 16' 50" West 670.18 feet to a point; thence, North 15° 44' 34" East 141.48 feet to a point; thence, South 88° 10' 28" West 1171.75 feet to a point;

VARIANCE REQUEST MATRIX

LOT NO:	A.	B.	C.	D.	E.	F.	G.
1	X	X	X				X
2	X	X	X				X
3	X	X	X				X
4	X	X	X			X	X
5	X	X	X			X	X
6	X	X	X			X	X
7	X	X	X			X	X
8	X	X	X			X	X
9	X	X	X			X	X
10	X	X	X			X	X
11	X	X	X			X	X
12	X	X	X			X	X
13	X	X	X			X	X
14	X	X	X			X	X
15	X	X	X			X	X
16	X	X	X			X	X
17	X	X	X			X	X
18	X	X	X			X	X
19	X	X	X			X	X
20	X	X	X			X	X
21	X	X	X			X	X
22	X	X	X			X	X
23	X	X	X			X	X
24	X	X	X			X	X
25	X	X	X			X	X
26	X	X	X			X	X
27	X	X	X			X	X
28	X	X	X			X	X
29	X	X	X			X	X
30	X	X	X			X	X
31	X	X	X			X	X
32	X	X	X			X	X
33	X	X	X			X	X
34	X	X	X			X	X
35	X	X	X			X	X
36	X	X	X			X	X
37	X	X	X			X	X
38	X	X	X			X	X
39	X	X	X			X	X
40	X	X	X			X	X
41	X	X	X			X	X
42	X	X	X			X	X
43	X	X	X			X	X
44	X	X	X			X	X
45	X	X	X			X	X
46	X	X	X			X	X
47	X	X	X			X	X
48	X	X	X			X	X
49	X	X	X			X	X
50	X	X	X			X	X

LOT NO:	A.	B.	C.	D.	E.	F.	G.
51	X	X	X				X
52	X	X	X				X
53	X	X	X				X
54	X	X	X				X
55	X	X	X				X
56	X	X	X				X
57	X	X	X				X
58	X	X	X				X
59	X	X	X				X
60	X	X	X				X
61	X	X	X				X
62	X	X	X				X
63	X	X	X				X
64	X	X	X				X
65	X	X	X				X
66	X	X	X				X
67	X	X	X				X
68	X	X	X				X
69	X	X	X				X
70	X	X	X				X
71	X	X	X				X
72	X	X	X				X
73	X	X	X				X
74	X	X	X				X
75	X	X	X				X
76	X	X	X				X
77	X	X	X				X
78	X	X	X				X
79	X	X	X				X
80	X	X	X				X
81	X	X	X				X
82	X	X	X				X
83	X	X	X				X
84	X	X	X				X
85	X	X	X				X
86	X	X	X				X
87	X	X	X				X
88	X	X	X				X
89	X	X	X				X
90	X	X	X				X
91	X	X	X				X
92	X	X	X				X
93	X	X	X				X
94	X	X	X				X
95	X	X	X				X
96	X	X	X				X
97	X	X	X				X
98	X	X	X				X
99	X	X	X				X
100	X	X	X				X

LOT NO:	A.	B.	C.	D.	E.	F.	G.
101	X	X	X				X
102	X	X	X				X
103	X	X	X				X
104	X	X	X				X
105	X	X	X				X
106	X	X	X				X
107	X	X	X				X
108	X	X	X				X
109	X	X	X				X
110	X	X	X				X
111	X	X	X				X
112	X	X	X				X
113	X	X	X				X
114	X	X	X				X
115	X	X	X				X
116	X	X	X				X
117	X	X	X				X
118	X	X	X				X
119	X	X	X				X
120	X	X	X				X
121	X	X	X				X
122	X	X	X				X
123	X	X	X				X
124	X	X	X				X
125	X	X	X				X
126	X	X	X				X
127	X	X	X				X
128	X	X	X				X
129	X	X	X				X
130	X	X	X				X
131	X	X	X				X
132	X	X	X				X
133	X	X	X				X
134	X	X	X				X
135	X	X	X				X
136	X	X	X				X
137	X	X	X				X
138	X	X	X				X
139	X	X	X				X
140	X	X	X				X
141	X	X	X				X
142	X	X	X				X
143	X	X	X				X
144	X	X	X				X
145	X	X	X				X
146	X	X	X				X
147	X	X	X				X
148	X	X	X				X
149	X	X	X				X
150	X	X	X				X

B. 15' WINDOW-TRACT BOUNDARY IN LIEU OF 15',
C. 7' WINDOW-PROPERTY LINE IN LIEU OF 15',
E. 25' BUILDING-TRACT BOUNDARY IN LIEU OF 3',
F. 30' WINDOW-TRACT BOUNDARY IN LIEU OF 35',
G. TO ALLOW AN ACCESSORY BUILDING (GARAGE)
FRONT YARD INSTEAD OF REAR YARD ONLY, 20'
FROM RIGHT-OF-WAY LINE.

FRONT YARD INSTEAD OF REAR YARD ONLY, 20
FROM RIGHT-OF-WAY LINE.

G. TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN FRONT YARD INSTEAD OF REAR YARD ONLY, 20' FROM RIGHT-OF-WAY LINE.

LOT NO. 27

- A. 15' BUILDING-BUILDING IN LIEU OF 40'
- B. 15' WINDOW-WINDOW IN LIEU OF 40'
- C. 7' WINDOW-PROPERTY LINE IN LIEU OF 15'
- G. TO ALLOW AN ACCESSORY BUILDING (GARAGE) FRONT YARD INSTEAD OF REAR YARD ONLY, 20' FROM RIGHT-OF-WAY LINE

G. TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN FRONT YARD INSTEAD OF REAR YARD ONLY, 20' FROM RIGHT-OF-WAY LINE.

LOT NO. 44

- A. 15' BUILDING-BUILDING IN LIEU OF 40'
- B. 15' WINDOW-WINDOW IN LIEU OF 40'
- C. 7' WINDOW-PROPERTY LINE IN LIEU OF 15'

B. 15' WINDOW-WINDOW IN LIEU OF 40'
C. 7' WINDOW-PROPERTY LINE IN LIEU OF 15'
G. TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN
FRONT YARD INSTEAD OF REAR YARD ONLY,

LOT NO. 60

A. 15' BUILDING-BUILDING IN LIEU OF 40'

B. 15' WINDOW-WINDOW IN LIEU OF 40'

C. 7' WINDOW-PROPERTY LINE IN LIEU OF 15'

G. TO ALLOW AN ACCESSORY BUILDING (GARAGE) IN
FRONT YARD INSTEAD OF REAR YARD ONLY, 20'
FROM RIGHT-OF-WAY LINE.

