

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - S/S Joppa Road, SW of its intersection w/Greenhouse Circle (Arbour Green Subdivision) 11th Election District 5th Councilmanic District

* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 92-427-SPHA

Orville Jones
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing in which the Petitioner requests an amendment to the First Amended Final Development Plan of Arbour Green, and a Petition for Zoning Variance requesting relief from Section 1B01.2.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.3.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit between building separations of 25 feet for Lots 7, 21 and 39; 27 feet for Lots 17 and 31; 20 feet for Lots 10 and 17; and 35 feet for Lots 18 and 31, all in lieu of the required 40 feet for each; from Section 504 of the B.C.Z.R. and Section V.B.6 of the C.M.D.P. to permit facing window separations of 25 feet between buildings on Lots 21 and 39 in lieu of the required 40 feet; and from Sections 301.1 and 504 of the B.C.Z.R. to permit a deck to street right-of-way setback of 13 feet for Lots 2 and 3 in lieu of the required 18.75 feet, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Orville Jones who was represented by John B. Gontrum, Esquire. Appearing as Protestants in the matter were Michael and Debra Zink, adjoining property owners, who were represented by Anthony P. Palaigos, Esquire.

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Date 6/30/92
By [Signature]

Testimony indicated that the subject property, known as Arbour Green, consists of 10.817 acres, more or less, zoned D.R. 5.5 and is proposed for development with 21 single family and 38 townhouse dwelling units. The Petitioner, Orville Jones, proceeded with the subdivision of this property in 1982 at which time the site plan, identified herein as Petitioner's Exhibit 1, was approved by Baltimore County. Testimony indicated that the townhouse dwelling units were divided into two sections, known as Areas 1 and 2, and that construction of Area 2 commenced in 1986. Petitioner testified that the subject townhomes are three stories tall with single car garages on the first level. Because of locating the garages on the first level, the townhouse units are approximately 31 feet in height. Testimony indicated that the Petitioner recently applied for permits to begin construction of the approved townhomes for Area 1. At the time of application, he was informed by John Sullivan, a Zoning Technician in the Zoning Administration and Development Office, that variances were needed in order to proceed with construction. Apparently, at the time the site plan was approved in 1986, neither Baltimore County nor the Petitioner were aware that variances were needed. The Petitioner filed the instant Petitions in order to correct the error and complete construction of this development. Testimony revealed that while the proposed development complies with current development regulations, it must satisfy the development regulations that were in effect in 1986. The Petitioner argued that in the event the requested variances are denied, the Petitioner would not be able to construct townhomes that are in character and keeping with those already existing in this development. Testimony indicated that the Petitioner would have to alter the height and design of the proposed townhouses if strict compliance is required.

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The Petitioner is also requesting a variance for Lots 2 and 3 in order to permit the construction of a wooden deck off the rear of both dwellings which back to Joppa Road. Testimony indicated that variances for similar decks in this development have already been granted to Lots 1, 4, 5, and 6 of this particular row of townhomes. The Petitioner merely seeks to add a deck onto the rear of these other two dwellings.

Appearing and testifying in opposition to the Petitioner's request was Michael Zink. Mr. Zink resides at 9204 Greenhouse Circle. The rear yard of his property backs up to the subject property. Mr. Zink testified that he purchased his dwelling from the Petitioner in 1983 and that at the time of purchase, the area between his property and Joppa Road was marked Local Open Space on his subdivision plan. Mr. Zink testified that the Petitioner's attempt to develop this open space was litigated in the Circuit Court for Baltimore County. Testimony indicated that Mr. Zink filed suit to prevent the construction of the subject townhomes, 24 of which are already built. This matter went before the Honorable Judge John Fader and was denied. Mr. Zink testified that he also appeared in opposition to the Petitioner's request at the zoning hearing in 1986 which was granted by the then Zoning Commissioner, Arnold Jablon. Neither the Petitioner nor the Protestant was aware that this matter would have to come in for another hearing until the Petitioner applied for his building permits and was told that the requested variances were needed.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special condi-

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tions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

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

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

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

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the

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Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

It should be noted that the testimony presented by Mr. Zink revealed that the proposed townhomes that are to be constructed to the rear of his property are situated approximately 6 feet above-grade from his dwelling. The photographs submitted into evidence as Protestant's Exhibits 1 through 10 depict extensive landscaping and improvements to the Zink property and its close proximity to the proposed construction. In addition to the required landscaping that will be placed between the Zink property and the proposed townhomes to be constructed on Lots 35 through 39, the Petitioner shall be required, pursuant to this Order, to ensure that there will be no water runoff over and above that which currently exists onto the Zink property as a result of said construction. The Petitioner shall provide either an earthen berm, drainage ditch, piping or other method to divert any water runoff away from the Zink property and any adjoining residential properties on Greenhouse Circle.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of June, 1992 that the Petition for Special Hearing requesting an amendment to the First Amended Final Development Plan of Arbour Green, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 1B01.2.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.3.b of the Comprehensive Manual

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By [Signature]

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of Development Policies (C.M.D.P.) to permit between building separations of 25 feet for Lots 7, 21 and 39; 27 feet for Lots 17 and 31; 20 feet for Lots 10 and 17; and 35 feet for Lots 18 and 31, all in lieu of the required 40 feet for each; from Section 504 of the B.C.Z.R. and Section V.B.6 of the C.M.D.P. to permit facing window separations of 25 feet between buildings on Lots 21 and 39 in lieu of the required 40 feet; and from Sections 301.1 and 504 of the B.C.Z.R. to permit a deck to street right-of-way setback of 13 feet for Lots 2 and 3 in lieu of the required 18.75 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) In addition to the required landscaping to be installed between the Petitioner's property and the Zink property, the Petitioner shall install either an earthen berm, drainage ditch, piping or other method to ensure that all water runoff from the proposed improvements shall be diverted away from the Zink property and any adjoining residential properties on Greenhouse Circle.
- 3) Prior to the issuance of any permits, Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. Said plan shall provide sufficient landscaping and screening between the Zink property and the proposed townhomes.
- 4) 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.

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Date 6/30/92
By [Signature]

TMK:bjs

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Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 24, 1992

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
S/S Joppa Road, SW of its intersection with Joppa Road
(Arbour Green)
11th Election District - 5th Councilmanic District
Orville Jones - Petitioner
Case No. 92-427-SPHA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have 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,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Anthony Palaigos, Esquire
2 Hopkins Plaza, Suite 1200, Baltimore, Md. 21201

Mr. & Mrs. Michael Zink
9204 Greenhouse Circle, Baltimore, Md. 21236

People's Counsel

file

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at ARBOUR GREEN - PERRY HALL

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN AMENDMENT TO THE FIRST AMENDED FINAL DEVELOPMENT PLAN OF ARBOUR GREEN.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Under no circumstances shall the filing of this petition, or the granting of any relief therefrom, be deemed to constitute an admission of liability or an acknowledgment of fault on the part of the petitioner.

Legal Owner(s):

ORVILLE JONES

(Type or Print Name)

Signature

ORVILLE JONES

(Type or Print Name)

Signature

9533 BELAIR ROAD 256-6630

Address

BALTIMORE, MARYLAND 21236

City, State, Zip

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Signature

9533 BELAIR ROAD 256-6630

Address

BALTIMORE, MARYLAND 21236

City, State, Zip

ESTIMATED LENGTH OF HEARING

OFFICE USE ONLY

Res. Two Months

ALL OTHERS

DATE 6/30/92

REVIEWED BY

ORDER RECEIVED FOR FILING

Date 6/30/92

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at ARBOUR GREEN - PERRY HALL
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
TO CONTINUE BUILDING THE SIMILAR STYLE AND QUALITY HOUSES THAT HAVE BEEN BUILT TO DATE IN THE REST OF THE ARBOUR GREEN DEVELOPMENT
THE EXISTING TOWNHOUSES ARE 3 STORY BRICK (SOME WITH GARAGES) THAT CONTAIN BETWEEN 2,268 SF AND 2,592 SF PER BUILDING
INDIVIDUAL HOUSES ARE 2 STORY COLONIALS, RANCHERS AND SPLIT LEVELS BETWEEN 1900 SF FOR RANCHERS AND 2,600 FOR THE SPLIT LEVEL, PER BUILDING.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

814 Eastern Ave 686-8274

Baltimore, MD 21221

City State Zipcode

Under no circumstances shall the undersigned, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

ORVILLE JONES

(Type or Print Name)

Signature

ORVILLE JONES

(Type or Print Name)

Signature

9533 BELAIR ROAD 256-6630

Baltimore, MD 21236

City State Zipcode

Name, Address and phone number of legal owner, contact purchaser or representative to be contacted

ORVILLE JONES

(Type or Print Name)

Signature

9533 BELAIR ROAD, BALTO 21236

Baltimore, MD 21236

City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS

Responsible for Hearing

By the following date: Next Two Months

REVIEWED BY: DATE 4/2/02

ORDER RECEIVED FOR FILING

Date 4/2/02

By [Signature]

CONTINUATION SHEET #1

PETITION FOR VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

FOR THE PROPERTY LOCATED IN THE SUBDIVISION OF ARBOUR GREEN
off the 4500 block East Joppa Road, Perry Hall,
which is presently zoned DR 5.5.

from section S.1.B01.2.c.1 (BCZR) and V.B.3.b (CDMP) to permit
between building separations of 25 feet for proposed buildings on
lots 7, 21, and 39, 27 feet for lots 17 and 31, 20 feet for
lots 10 and 17, and 35 feet for lots 18 and 31, all in lieu of
the required 40 feet.

Also from S.504 (BCZR) and V.B.6. a (CDMP) to permit facing
window separations of 25' between buildings on lots 21 and 39 in
lieu of the required 40 feet.

Also from S.301.1 and S.504(BCZR), to permit a 13 foot deck
to street right-of-way setback for lots 2 and 3 in lieu of the
permitted 18.75 feet.

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

4932 HAZELWOOD AVENUE

BALTIMORE, MD 21206

(410) 866-2001

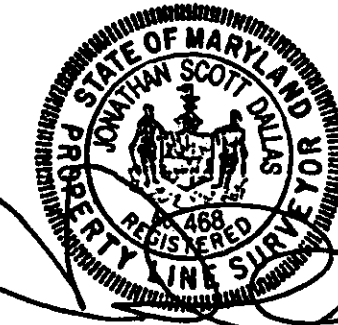
FAX (410) 866-2003

ZONING DESCRIPTION FOR # 4 GREENGABLE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Greengable Garth which is 40 feet wide at the distance of 70 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

BEING Lot # 2, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio # 67, containing
1596 S.F. ± = 0.036 AC. ±. Also known as # 4 Greengable Garth
and located in the 11th Election District.



J. S. DALLAS, INC.

SURVEYING & ENGINEERING

4932 HAZELWOOD AVENUE

BALTIMORE, MD 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR # 6 GREENGABLE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Greengable Garth which is 40 feet wide at the distance of 91 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

BEING Lot # 3, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio # 67, containing
1596 S.F. ± = 0.036 AC. ±. Also known as # 6 Greengable Garth
and located in the 11th Election District.



J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #13 GREENGABLE GARTH

Beginning at a point on the southwest side of

Greengable Garth which has a 50' radius at the distance of 273 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 10, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
7,625 S.F. ± = .175 AC ±-. Also known as #13 Greengable Garth and
located in the 11th Election District.

J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #13 GLASSHOUSE GARTH

Beginning at a point on the south side of (H.O.A. 18' wide)

Glasshouse Garth which is 40 feet wide at the distance of 180 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 39 Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
2179 S.F. ± = .050 AC ±-. Also known as #13 Glasshouse Garth and
located in the 11th Election District.



J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #14 GLASSHOUSE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Glasshouse Garth which is 40 feet wide at the distance of 178 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 21 Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
2,406 S.F. ± = .055 AC ±-. Also known as #14 Glasshouse Garth and
located in the 11th Election District.

J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

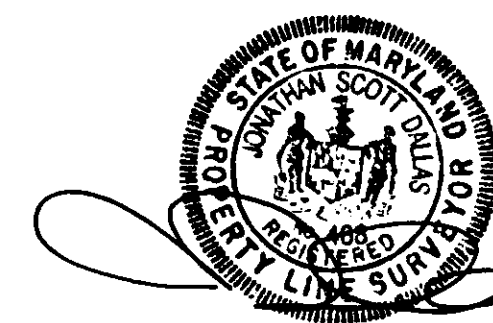
FAX (410) 866-2003

ZONING DESCRIPTION FOR #14 GREENGABLE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Greengable Garth which is 40 feet wide at the distance of 193 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 7, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
7,100 S.F. ± = .163 AC ±-. Also known as #14 Greengable Garth and
located in the 11th Election District.



J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #20 GLASSHOUSE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Greengable Garth which is 40 feet wide at the distance of 249 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 18, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
1,974 S.F. ± = .045 AC ±-. Also known as #20 Glasshouse Garth and
located in the 11th Election District.

J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #21 GLASSHOUSE GARTH

Beginning at a point on the south side of (H.O.A. 18' wide)

Glasshouse Garth which is 40 feet wide at the distance of 269 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 35 Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
2,454 S.F. ± = .056 AC ±-. Also known as #21 Glasshouse Garth and
located in the 11th Election District.



J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

FAX (410) 866-2003

ZONING DESCRIPTION FOR #22 GLASSHOUSE GARTH

Beginning at a point on the north side of (H.O.A. 18' wide)

Glasshouse Garth which is 40 feet wide at the distance of 259 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 17, Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
3,180 S.F. ± = .073 AC ±-. Also known as #22 Glasshouse Garth and
located in the 11th Election District.

J.S. DALLAS, INC.

Surveying & Engineering

4932 Hazelwood Avenue

Baltimore, Md. 21206

(410) 866-2001

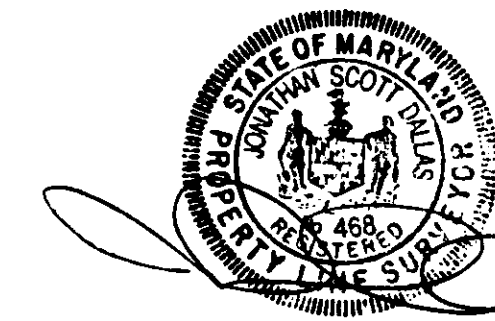
FAX (410) 866-2003

ZONING DESCRIPTION FOR #23 GLASSHOUSE GARTH

Beginning at a point on the west side of (H.O.A. 18' wide)

Glasshouse Garth which is 40 feet wide at the distance of 272 feet ±
west of the centerline of Greenhouse Circle which is 50 feet wide.

Being lot # 34 Block B, in the subdivision of Arbour Green as
recorded in Baltimore County Plat Book # 54, folio #121, containing
2,354 S.F. ± = .054 AC ±-. Also known as #23 Glasshouse Garth and
located in the 11th Election District.



PW/Developers Engineering Division (Public Services)			
Development Review Committee Response Form			
Authorized signature <i>David H. Jones</i>			
Date <i>5/18/92</i>			
Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450		5-11-92
DED DEPRM RP STP TE			NC
Orville Jones	451		NC
DED DEPRM RP STP TE			NC
Harbor Realty Partnership	452		NC
DED DEPRM RP STP TE			NC
Jerald H. And Brenda D. Windes	453		NC
DED DEPRM RP STP TE			NC
Daniel C. And Susan E. Gutkin	454		NC
DED DEPRM RP STP TE			NC
Donald And Anne Kahn	455		NC
DED DEPRM RP STP TE			NC
Signet Bank, Maryland	456		NC
DED DEPRM RP STP TE			NC
Ronald W. Bair	457		NC
DED DEPRM RP STP TE			NC
A. Eric And Esther J. Dott	458		NC
DED DEPRM RP STP TE			NC
William J. And Mary Jane Kramer	459		NC
DED DEPRM RP STP TE			NC
Douglas B. And Judith A. Celmar	460		NC
DED DEPRM RP STP TE			NC
COUNT 11			

DPW/Traffic Engineering			
Development Review Committee Response Form			
Authorized signature <i>Randy Family</i>			
Date <i>5/18/92</i>			
Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450		5-11-92
DED DEPRM RP STP TE		N/C	
Orville Jones	451	N/C	
DED DEPRM RP STP TE		N/C	
Harbor Realty Partnership	452	N/C	
DED DEPRM RP STP TE		N/C	
Jerald H. And Brenda D. Windes	453	N/C	
DED DEPRM RP STP TE		N/C	
Daniel C. And Susan E. Gutkin	454	N/C	
DED DEPRM RP STP TE		N/C	
Donald And Anne Kahn	455	N/C	
DED DEPRM RP STP TE		N/C	
Signet Bank, Maryland	456	N/C	
DED DEPRM RP STP TE		N/C	
Ronald W. Bair	457	N/C	
DED DEPRM RP STP TE		N/C	
A. Eric And Esther J. Dott	458	N/C	
DED DEPRM RP STP TE		N/C	
William J. And Mary Jane Kramer	459	N/C	
DED DEPRM RP STP TE		N/C	
Douglas B. And Judith A. Celmar	460	N/C	
DED DEPRM RP STP TE		N/C	
COUNT 11			

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section
Office of Planning and Zoning

DATE: May 18, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 11, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Orville Jones - Arbour Green - Item 451

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

Petitions.txt

RECEIVED
MAY 19 1992
ZONING OFFICE

Department of Environmental Protection & Resource Management			
Development Review Committee Response Form			
Authorized signature <i>L. B. Jones</i>			
Date <i>6-1-92</i>			
Project Name	Waiver Number	Zoning Issue	Meeting Date
7610 Bay Front Road			4-13-92
(AT CBCA) DEPRM			IN PROCESS
3301 Edwards Lane (Parkside Marina)	402		
DEPRM (AT CBCA)			IN PROCESS
207 St. Marys Road	406		IN PROCESS
DEPRM (AT CBCA)			IN PROCESS
Broadview II (related to CFB refinement)	415		IN PROCESS
DEPRM (AT EIRB)			
COUNT 4			
Orville Jones	451		5-11-92
DEPRM			NO COMMENTS
Donald And Anne Kahn	455		NO COMMENTS
DEPRM			NO COMMENTS
William J. And Mary Jane Kramer	459		NO COMMENTS
DEPRM STP			NO COMMENTS
COUNT 3			
Phillip And Carol Faulkenious	461		5-18-92
DED DEPRM RP STP TE			IN PROCESS
August J. And Elsie W. Seifert	464		WRITTEN COMMENTS
DED DEPRM RP STP TE			
Francis D. And Suzanne L. Bowie	465		NO COMMENTS
DED DEPRM RP STP TE			
Robert N. And Joan M. Greene	466		IN PROCESS
DED DEPRM RP STP TE			

Baltimore County Government
Fire Department

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

(301) 887-4500

MAY 13, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ORVILLE JONES
Location: ARBOR GREEN SUBDIVISION
Item No.: 451 (JLL) Zoning Agenda: MAY 11, 1992

Gentlemen:

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

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Carl J. Jones* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 14 1992
ZONING OFFICE

Department of Recreation and Parks			
Development Review Committee Response Form			
Authorized signature <i>Carl J. Jones</i>			
Date <i>5/18/92</i>			
Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450		5-11-92
DED DEPRM RP STP TE		No Comment	
Orville Jones	451		
DED DEPRM RP STP TE		No Comment	
Harbor Realty Partnership	452		
DED DEPRM RP STP TE		No Comment	
Jerald H. And Brenda D. Windes	453		
DED DEPRM RP STP TE		No Comment	
Daniel C. And Susan E. Gutkin	454		
DED DEPRM RP STP TE		No Comment	
Donald And Anne Kahn	455		
DED DEPRM RP STP TE		No Comment	
Signet Bank, Maryland	456		
DED DEPRM RP STP TE		No Comment	
Ronald W. Bair	457		
DED DEPRM RP STP TE		No Comment	
A. Eric And Esther J. Dott	458		
DED DEPRM RP STP TE		No Comment	
William J. And Mary Jane Kramer	459		
DED DEPRM RP STP TE		No Comment	
Douglas B. And Judith A. Celmar	460		
DED DEPRM RP STP TE		No Comment	
COUNT 11			

ANTHONY P. PALAIGOS

June 12, 1992

HAND DELIVERED

Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Arnold Jablon, Director

Re: Case No. 92-427-SPHA
Petitioners: Orville Jones
Subject: Petition for Special Hearing and
Petition for Variances
My Clients: Mike and Debra Zink
Our File No. 7403(A)

Dear Mr. Jablon:

The purpose of this letter is to formally enter my appearance on behalf of Michael and Debra Zink who reside at 9204 Greenhouse Circle, Baltimore, Maryland 21236, who intend to appear at the hearing in the above captioned case before the Zoning Commissioner on Monday, June 22, 1992 and protest the relief sought in the aforementioned Petitions.

My clients and I will participate as opponents to the Petitions and to the extent the Petitioner presents any testimony in support of his Petitions, then my clients would request the opportunity to cross-examine each of those witnesses in regards to the testimony offered at the hearing.

Should you have any questions, please do not hesitate to call and, again, please enter my appearance on behalf of Michael and Debra Zink and enter them in the records of these proceedings as opponents to the Petitions.

Very truly yours,
Anthony P. Palaigos

APP/hp
Enclosure
cc: Michael and Debra Zink

RECEIVED
JUN 18 1992

ZONING OFFICE

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Anthony P. Palaigos, ATTY	2108 GARDEN AVE, SUITE 1100
FOR MICHAEL & DEBRA ZINK	BALTIMORE, MARYLAND 21201
MICHAEL & DEBRA ZINK	9204 GREENHOUSE CIRCLE
	BALTIMORE, MARYLAND 21236

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
ORVILLE JONES	9533 Belair Rd 21236

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
Bureau of Public Services

LANDSCAPE ARCHITECT'S AND OWNER'S
SIGNATURE AND CERTIFICATION FORM

I certify that I have reviewed this Final Landscape Plan; that I am aware of the regulations presented in the Baltimore County Landscape Manual; and I agree to comply with these regulations and all applicable policy, guidelines and ordinances. I agree to certify the implementation of the approved Final Landscape Plan upon completion of the landscape installation not later than one (1) year from the date of occupancy to the Department of Public Works, Bureau of Public Services, County Office Building, Room 211, Towson, MD 21204.

Orville M. Jones 7/6/92
Owner's signature Date

Orville M. Jones 256-6630
(Print) Owner's Name Tele. No.
Baltimore, Maryland 21236

LIST OF PLANTS
18 PINUS STROBUS 5'-6'

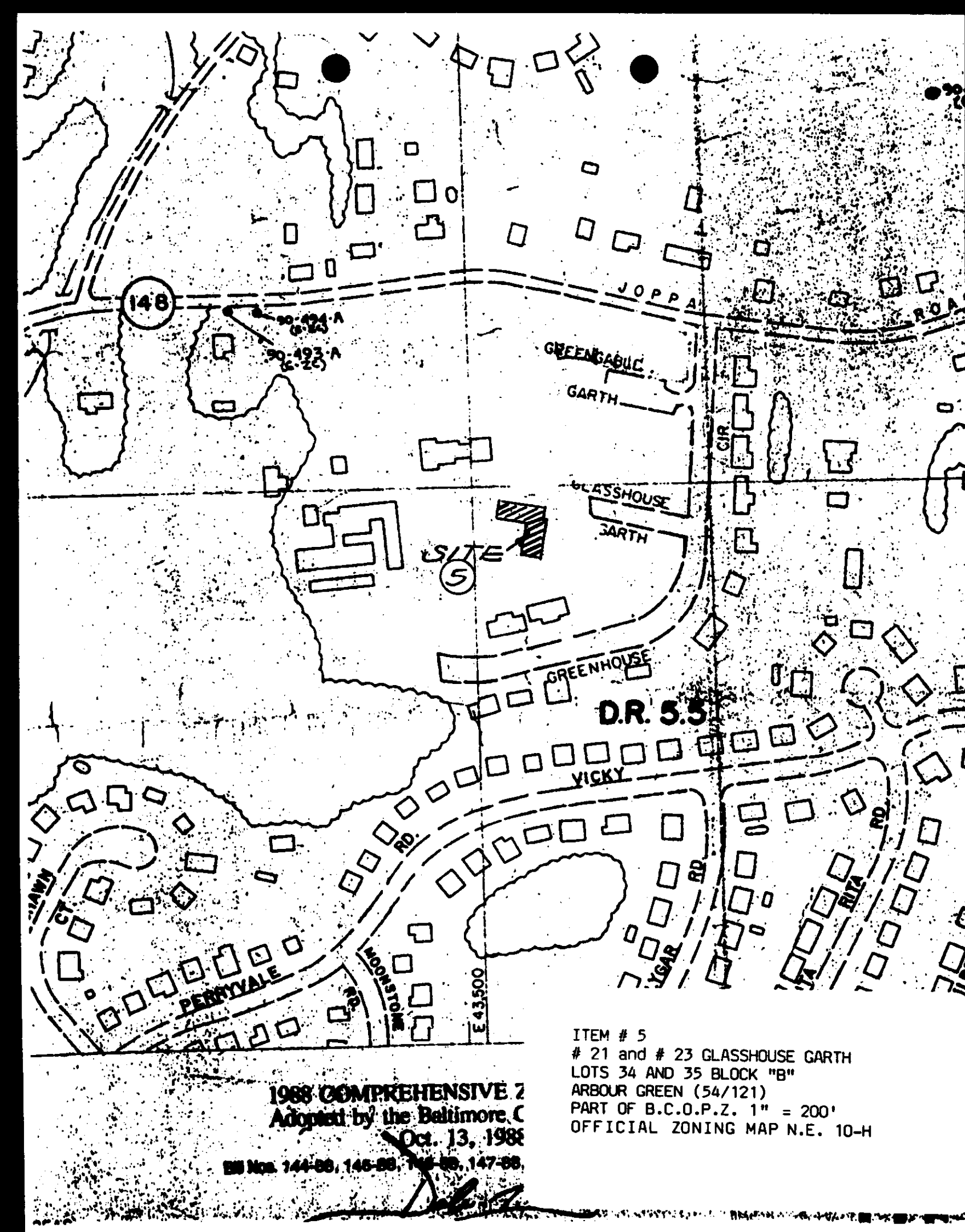
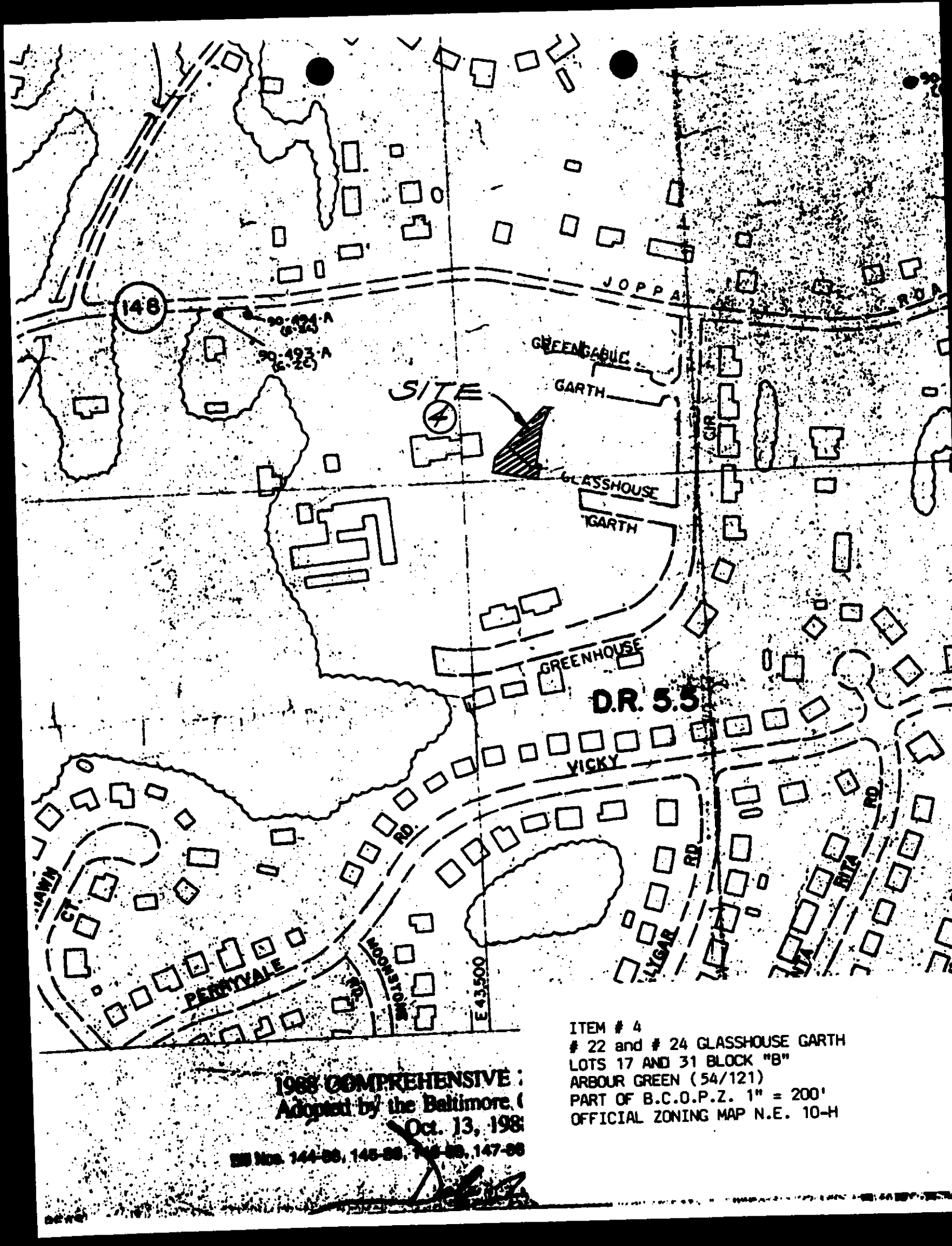
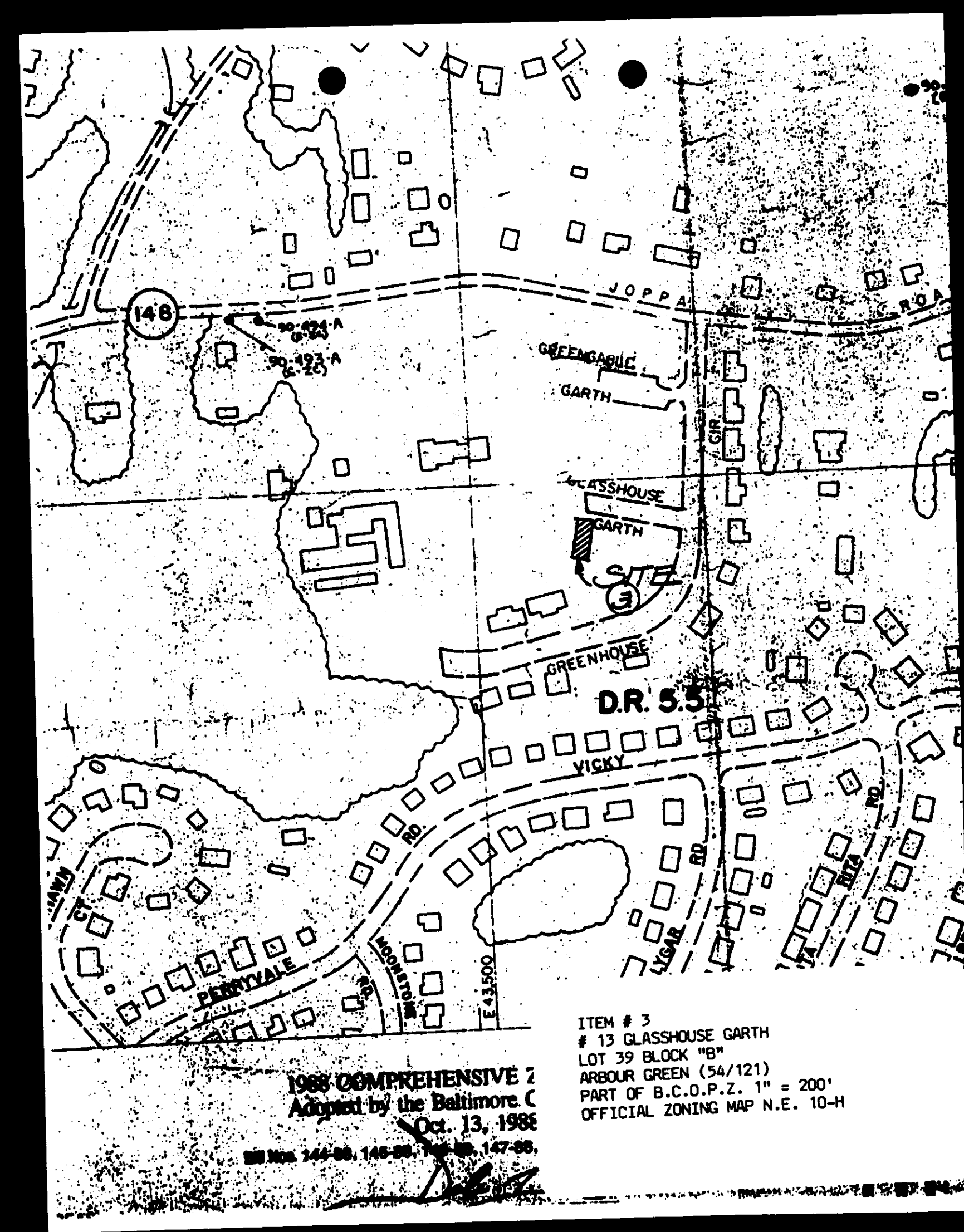
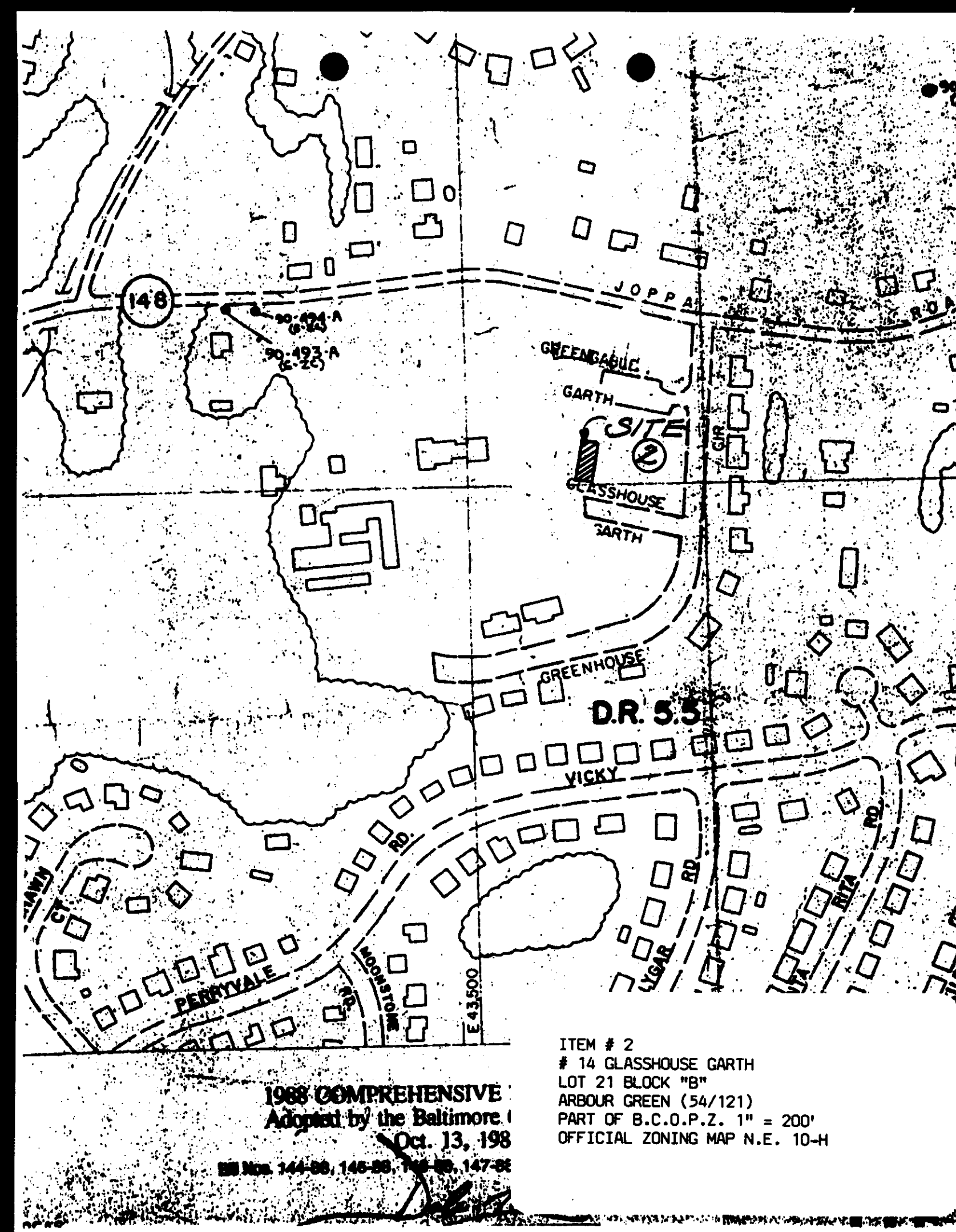
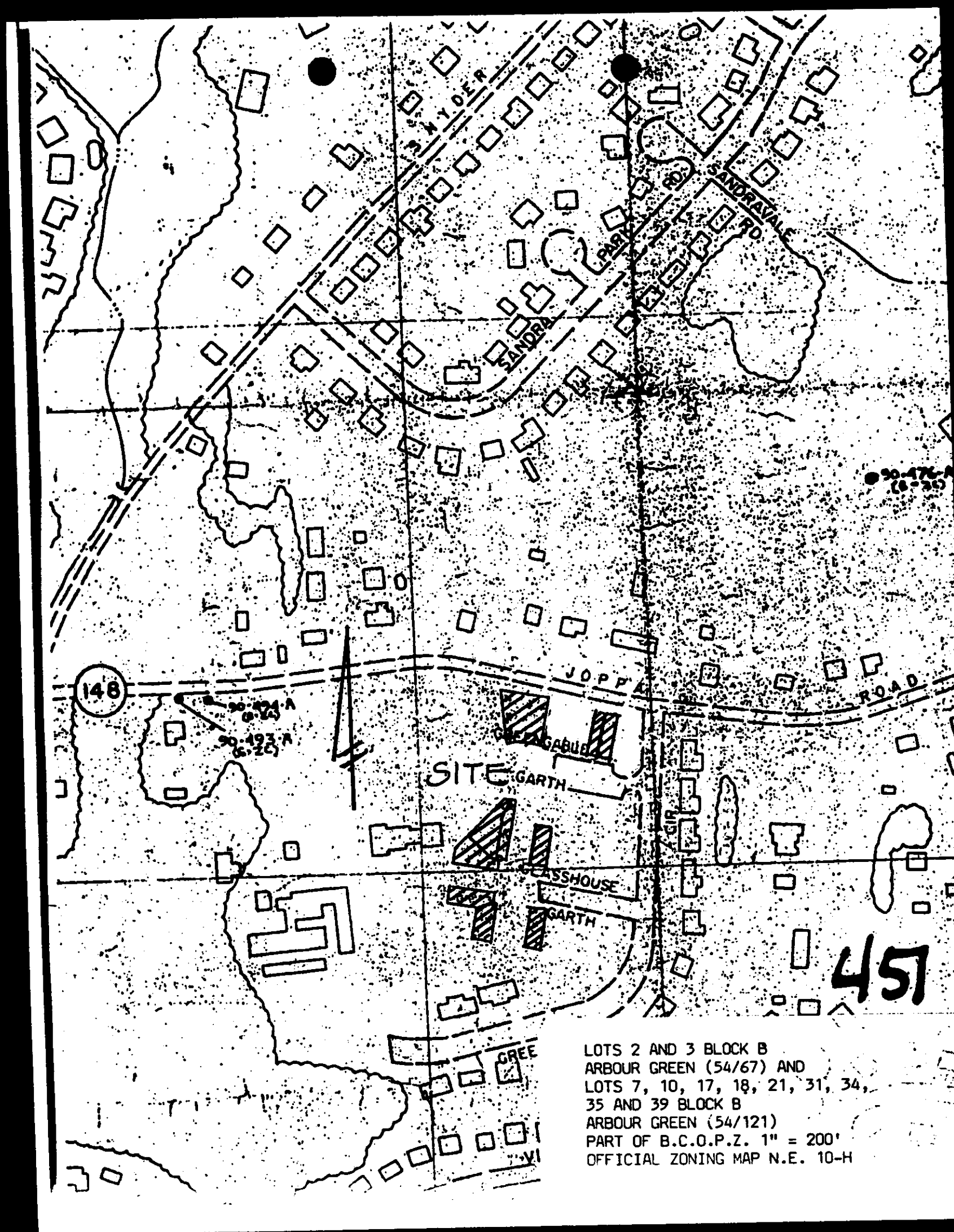
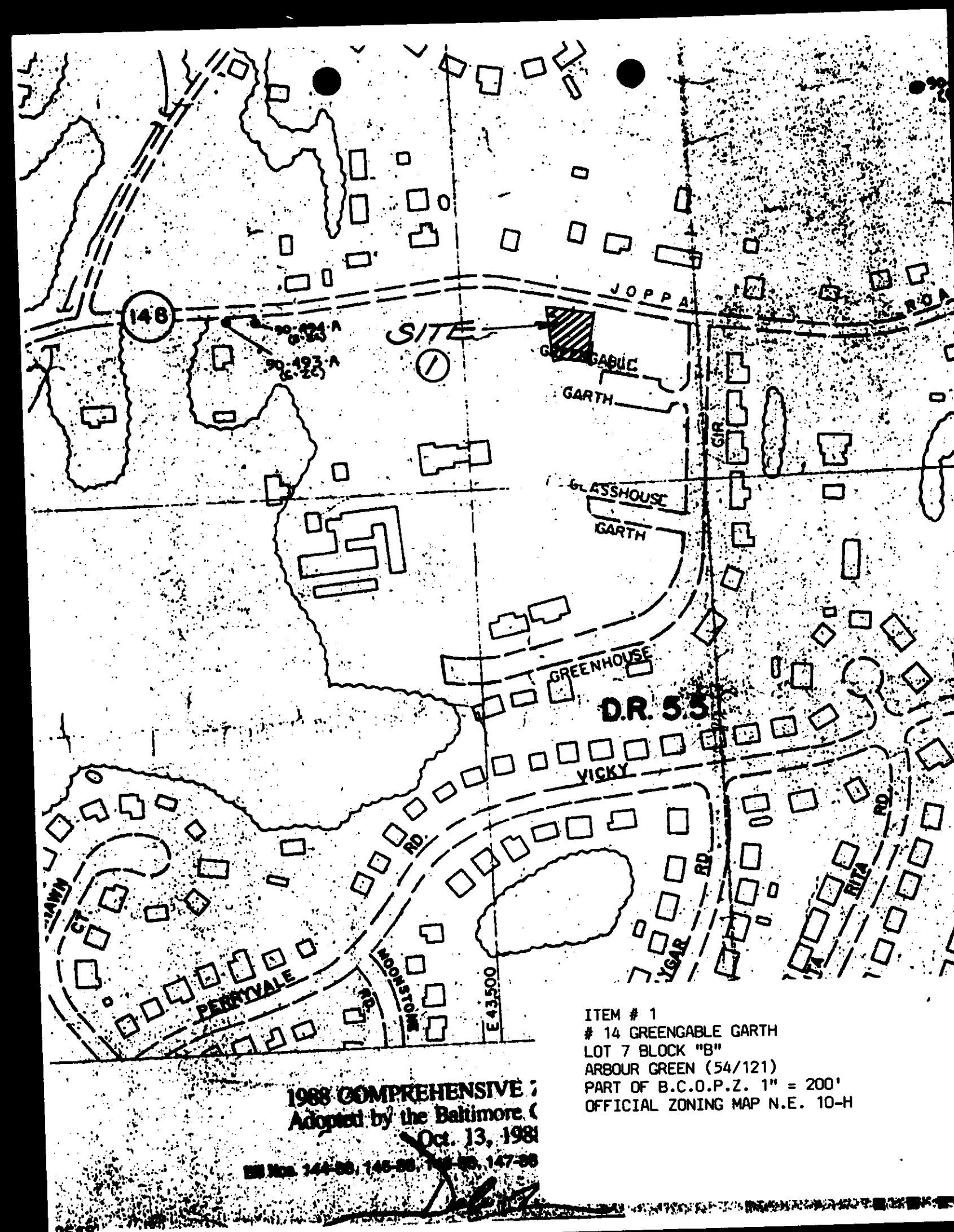
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9209

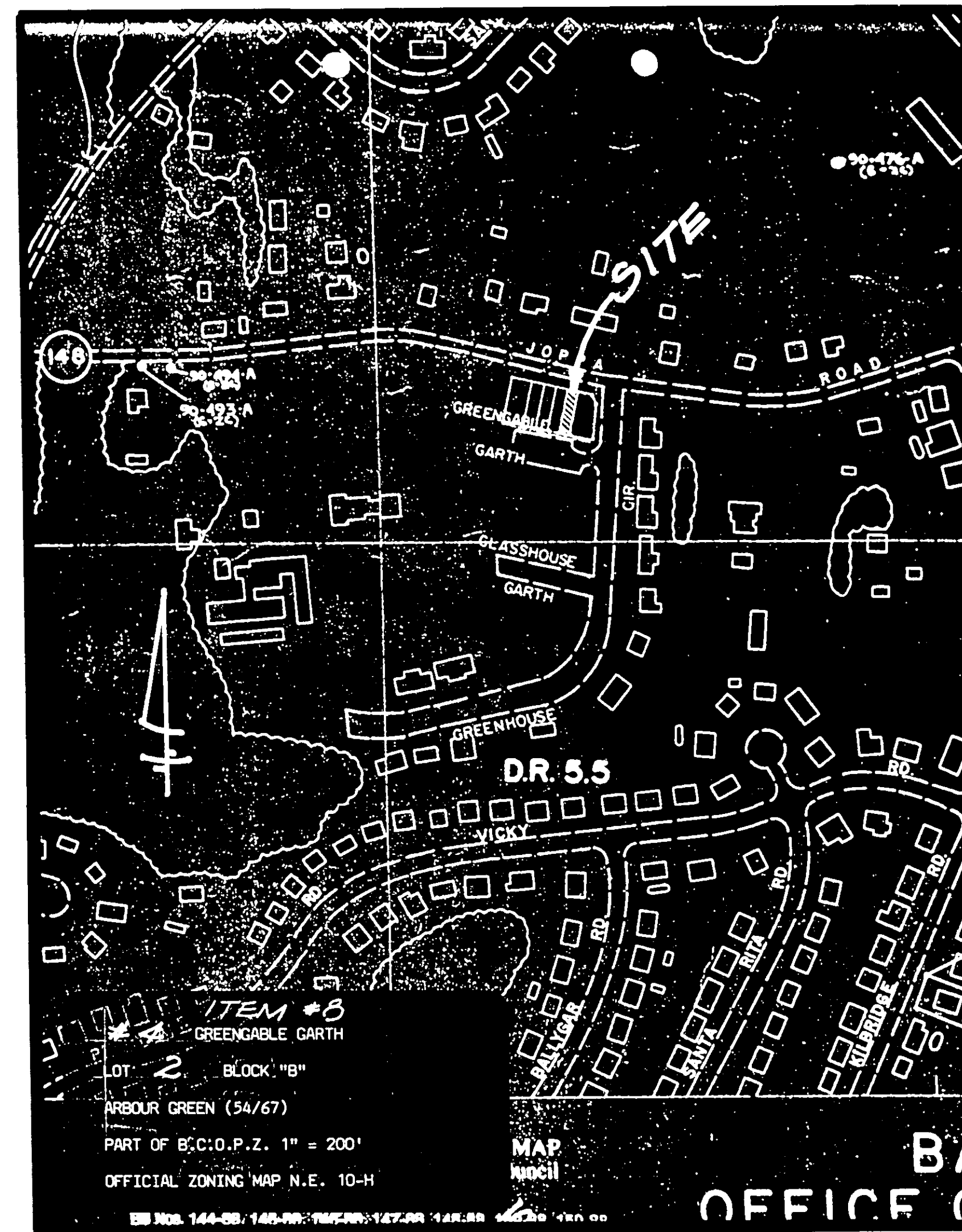
22
EX HOUSE
9204

GREENHOUSE CIRCLE

LANDSCAPE PLAN AS REQUIRED BY
ZONING CASE # 92-927-SP1
FOR MR. & MRS. MICHAEL ZINK
2304 GREENHOUSE CIRCLE

BALTIMORE COUNTY
DEPT. OF PUBLIC WORKS
LANDSCAPE ARCHITECT'S SIGNATURE
Orville M. Jones
date 7-7-92





ARBOR GREEN INC.
7533 BELAIR ROAD
BALTIMORE, MARYLAND 21236
410-256-6630

27 MAY, 1992

PLANNING BOARD HEARING
11 JUNE, 1992

ARBOR GREEN HOMEOWNERS:

I WILL BE GOING BEFORE THE PLANNING BOARD OF BALTIMORE COUNTY AGAIN TO REQUEST THE ENCLOSED REQUIRED VARIANCES SO THAT I MAY COMPLETE THE DEVELOPMENT USING THE SAME STYLE TOWNHOUSE AND INDIVIDUAL HOUSE THAT HAS BEEN BUILT TO DATE.

I AM ENCLOSED A COPY OF THE VARIANCES REQUESTED.

WHEN THESE REQUESTS ALONG WITH A REVISED DEVELOPMENT PLAN WERE PRESENTED TO THE PLANNING BOARD LAST WEEK, SEVERAL OF THE MEMBERS IMMEDIATELY OBJECTED AND ON THE ADVICE OF COUNCIL I WITHDREW THE REQUEST UNTIL THE JUNE MEETING.

IF THESE VARIANCES ARE DENIED, I WILL BE UNABLE TO BUILD 2 TOWNHOUSES ON GLASSHOUSE GARTH ADJACENT TO THE EXISTING ONES AND THE OTHERS COULD BE ONLY 25' HIGH. THIS WOULD MEAN BASEMENTS AND 2 STORY HOUSES WITH LOW PITCHED ROOFS AND NO GARAGES FOR THE OTHER TOWNHOUSES. I THINK THIS WOULD BE HARMFUL TO THE APPEARANCE OF THE NEIGHBORHOOD.

IF YOU ARE OR ARE NOT IN FAVOR OF THE VARIANCES, PLEASE SIGN IN THE APPROPRIATE SPACE PROVIDED BELOW AND RETURN THIS LETTER TO ME.

Orville H. Jones
ORVILLE H. JONES

FAVOR GRANTING THE VARIANCES *yes*

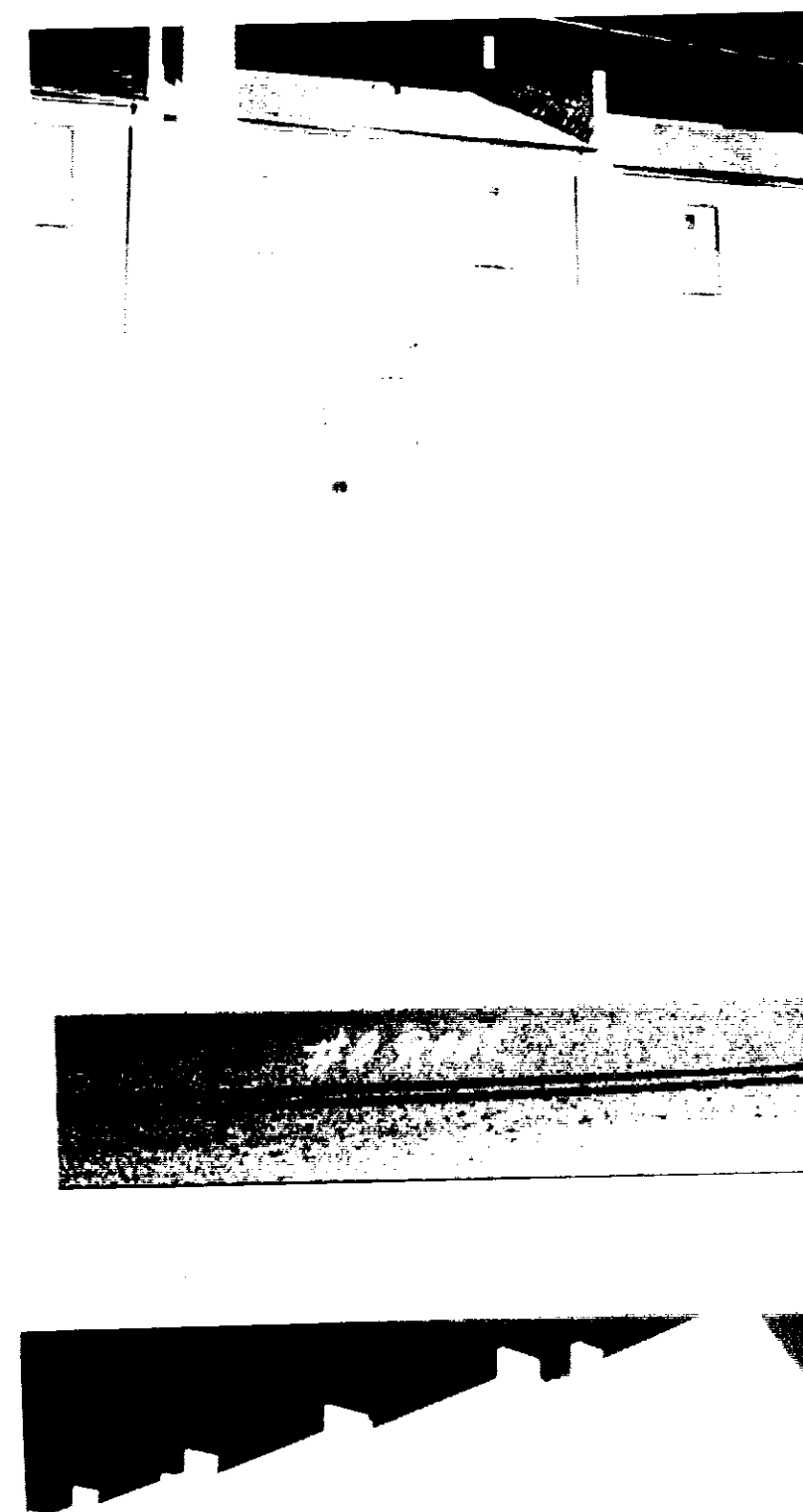
I DO NOT FAVOR GRANTING THE VARIANCES.

NAME: MR. *Richard C. Craft*
MRS. *Patricia Griffin*

ADDRESS *12 Marshhouse Garth*

PETITIONER'S
EXHIBIT 4

Petitioner's
Exhibits 2 & 3
Case 92-427-
SPNA



Protestant's
Exhibits
1-1D
Case 92-427-
SPNA





92-427-SPH