



Baltimore County Government
Office of Zoning Administration
and Development Management

receipt

43-439-A

Account 887-16100

Item Number 447

Taken in by [Signature]

Date 6-11-93
J & S Development Association, Inc.
Site is 19 Franklin Tree Ct.

#010 - Variance - \$50.00
#080 - Sign & Posting - \$5.00
Total - \$55.00

346338318210666

\$95.00

Please State Checks Payable to Baltimore County

Other Validation

JUN 16 1993

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein to:

Item 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204.

Room 118, 6th Conference, 400 Washington Avenue, Towson, Maryland 21204 on the following:

Case Number: 93-439-A (Item 947)

19 Franklin Tree Court

5/8 Franklin Tree Court, 700' E of 47th Wilson Avenue

In Election District - 1st Council District

Petitioner(s): J & S Development Association, Inc.

HEARING: MONDAY, JULY 12, 1993 at 10:00 a.m. In Room 118, 6th Conference.

Variances to allow a 33 foot window-to-window setback in line of the required 40 foot setback.

[Signature]

Arnold Jablon

Director

cc: J & S Development Association, Inc.

Robert A. Hoffman, Esq.

NOTES: (1) HEARING DATE & TIME MUST BE ATTENDED BY THE 100, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARING AND SUBSEQUENT DECISIONS: FOR SPECIAL RECOMMENDATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERNING THE FILE NUMBER HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

July 2, 1993

(410) 887-3353

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 447, Case No. 93-439-A
Petitioner: J & S Dev. Assoc., Inc.
Petition for Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 11, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby associated zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petition filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Highway Administration

6-17-93

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No. 447 (555)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

[Signature] Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teleprinter for impaired hearing or speech
383-7555 Baltimore Metro • 562-9451 O.C. Metro • 1-800-492-5882 Statewide Toll Free
700 North Calvert St., Baltimore, Maryland 21202-6717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: June 28, 1993
FROM: Pat Sellar, Deputy Director
Office of Planning and Zoning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 420, 435, 441, 443, 444, 445, 446, 447, 448, 457, 458, 459 and 461.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: [Signature] W. Long
Division Chief: [Signature] L. Long

PK/JLW

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: June 25, 1993
FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM
SUBJECT: Zoning Item #447, J & S Development Association, Inc.
(Palapage Woods)
19 Franklin Tree Court
Zoning Advisory Committee Meeting of June 21, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

1. The existing wetlands in the swale behind 19 Franklin Tree Court should be shown.
2. The grades shown do not match the approved grading for the site.

JLP:sp
JASDEV/TXTSP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee
DATE: June 28, 1993
FROM: Captain Jerry Pfeiffer, Fire Dept.
SUBJECT: JUNE 28, 1993 Meeting...

- Revised #138- Building shall be in compliance with the 1991 Life Safety Code.
- #441 - No comments
 - #442 - Standpipes in accordance with NFPA 303 are required where a hose lay from fire apparatus to the end of a prior exceeds 150'.
 - #443 - No comments
 - #444 - No comments
 - #445 - Building shall comply with the 1991 Life Safety Code and shall be equipped with smoke detectors in accordance with State Law.
 - #446 - No comments
 - #447 - No comments
 - #448 - No comments
 - #449 - No comments

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S Franklin Tree Ct., 700' E of : OF BALTIMORE COUNTY
C/O Hilton Ave. 19 Franklin : Tree Ct.), Int. Election Dist., : Case No. 93-439-A
Int. Councilmatic Dist. : J & S DEVELOPMENT ASSOCIATION, :
INC., Petitioner :

ENTRY OF APPEARANCE

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

[Signature] Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

[Signature] Carole S. Beallio
Carole S. Beallio
Deputy People's Counsel
Room 417, Court House
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 23rd day of June, 1993, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

RECEIVED
JUL 21 1993
JACM

NEA - PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME
Stephen Nugent

ADDRESS
21 Franklin Tree Ct
Baltimore Md 21228

Jeffrey S. Cherman, Esq.
(Counsel for Mr. Nugent)

60 Park Center Ct #100
Cummings Mills Md 21117

Sandra A. Gallagher
Director of Land Development
Porten Sullivan Corporation
400 N. Monroe Road
Suite 910
Rockville, Maryland 20852

PROTESTANT'S EXHIBIT NO. 4

RE: Steven and Janet Nugent
21 Franklin Tree Court, Apt. 471

Dear Ms. Gallagher:

This letter is written pursuant to an agreement of July 7, 1993 (the "Agreement"), by and between Steven and Janet Nugent ("Nugents"), J & S Development Associates, Inc. ("J & S") and Porten Sullivan Corporation ("Porten") which contains provisions resolving claims of the Nugents against J & S and Porten arising from the siting and construction of 21 Franklin Tree Court and 19 Franklin Tree Court.

In consideration of the full performance by J & S and Porten of all of the terms, conditions and obligations of the Agreement, the Nugents advise you of their support for the granting of the variance requested by J & S which is the subject of Case No.: 93-439-A (Item 447) before the Zoning Commissioner of Baltimore County. The Nugents support the grant of the request for a window-to-window variance because the Agreement provides for the planting of trees and shrubbery which, when planted, will screen the windows of 19 Franklin Tree Court from the windows of 21 Franklin Tree Court. Also, the Agreement provides for certain other actions by J & S and Porten, which result in an acceptable, practical resolution of problems created by the siting of 19 Franklin Tree Court.

To confirm their Agreement to the representations regarding their position which are contained in this letter, the Nugents have signed below.

*Photographs
Exhibit 2
photographs
in case
93-439-A*



HOUSE SCHEDULE			
LOT NO.	HOUSE TYPE	LOT NO.	HOUSE TYPE
37	L' STD.	49	L' REVERSE WALKOUT
38	B' STD.	50	B' REVERSE "
39	B' REVERSE "	51	B' STD.
40	C' REVERSE "	52	C' STD. NO WALKOUT
41	B' REVERSE "	53	B' STD.
42	C' REVERSE "	54	C' STD.
43	B' REVERSE "	55	B' STD.
44	C' REVERSE "	56	C' STD.
45	B' REVERSE WALKOUT	57	B' STD.
46	C' REVERSE "	58	C' STD.
47	B' REVERSE "	59	C' STD. NO WALKOUT
48	B' STD.		

NOTE:
ALL LOTS 51 THROUGH 59
LOCATED IN SHADED AREA
HAVE ALREADY BEEN PERMITTED

PATAPSCO WOODS
SECTION FOUR
57 / 84

SINGLE FAMILY RESIDENTIAL

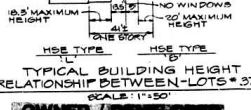
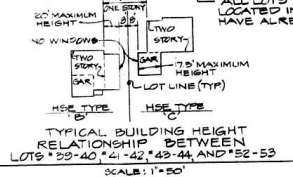
ORANGE (UTILITY)
EASEMENT

LIMIT OF 100 YEARS FLOOD
PLAIN RESERVATION

SINGLE FAMILY RESIDENTIAL

PATAPSCO WOODS
SECTION TWO
50 / 102

NOTE:
ALL LOTS 37 THROUGH 42
LOCATED IN SHADED AREA
HAVE ALREADY BEEN PERMITTED



SECTION THREE - PHASE I PATAPSCO WOODS

SCALE: 1" = 50'

OWNER / DEVELOPER

J. & S. DEVELOPMENT ASSOCIATES
c/o PORTEN SULLIVAN
6001 MONTROSE ROAD
SUITE 910
ROCKVILLE, MD. 20852
(301) 231-8745

AUGUST W. PETERS
1. LINDSEY D.
ACCT. NO. 01-16-19142
2110 / 224
LOT 31

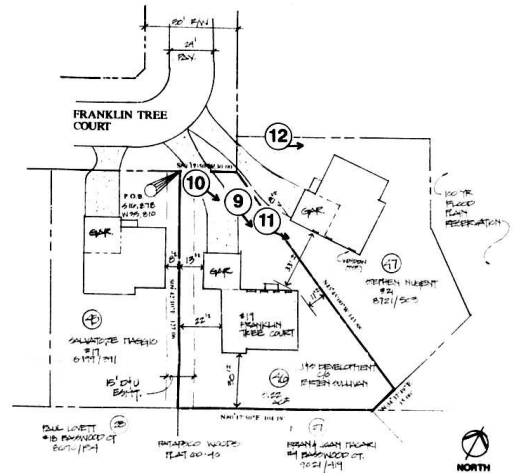
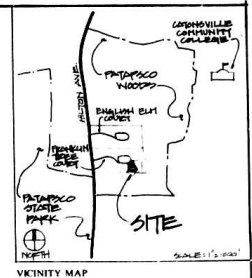
AUGUST W. PETERS
1. SARAH D.
ACCT. NO. 01-16-19150
1180 / 277

ROLAND S. PETERS
1. HELENE
ACCT. NO. 01-16-191280
1180 / 277

EUGENE F. GREENWALT
1. MARIAN M.
ACCT. NO. 01-07-580970
2154 / 200



ENGINEERS
D. S. THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21244
(410) 944-3647



LOT #46 (19 FRANKLIN TREE COURT)

SCALE: 1" = 50'

VARIANCE REQUEST:

SECTION 1801.2.C.2.B. (B.C.Z.R.) AND V.B.A.C. (C.M.D.P.)
TO ALLOW A 35' WINDOW TO WINDOW SEPARATION, IN
LIEU OF THE REQUIRED 40' SEPARATION.

GENERAL NOTES:

ELECTION DISTRICT 1
CONGRESSIONAL DISTRICT 1
ZONING: RM-2
CRD APPROVED 2/19/06 AMENDED 3/06
PLAT 94-101 & 97-45
LOT 19 & 20 & 21 & 22

PETITIONER'S EXHIBIT 2

PLAT TO ACCOMPANY VARIANCE PETITION
PATAPSCO WOODS - LOT #46
(19 FRANKLIN TREE COURT)

5/26/93

BALTIMORE CO GRID NORTH

W 34.250
916.750

ROLAND S PETERS
+ HELENE
ACCT NO 61-K-191280
1180 / 277

HILTON AVENUE

PATAPSCO WOODS
SECTION FOUR

DR-2 (66)
SINGLE FAMILY RESIDENTIAL

15 DRAINAGE / UTILIT
EASEMENT

LIMIT OF 100 YEAR FLOOD
PLAIN RESERVATION

PATAPSCO W
SECTION T

— LOT LINE (TYP)

PATA PSCO WOODS

SCALE: 1" = 50'

TYPICAL BUILDING HEIGHT
RELATIONSHIP BETWEEN
LOTS *39-40, *41-42, *43-44, AND *52-53

18' 6" MAXIMUM HEIGHT
35' 6"
NO WINDOWS
41' 6"
22' MAXIMUM HEIGHT
ONE STORY

HSE TYPE HSE TYPE
"A" "B"

TYPICAL BUILDING HEIGHT
RELATIONSHIP BETWEEN LOTS - 37-36

SCALE: 1" = 50'

OWNER / DEVELOPER



LOT #46 (19 FRANKLIN TREE COURT)

SCALE: 1" = 30'

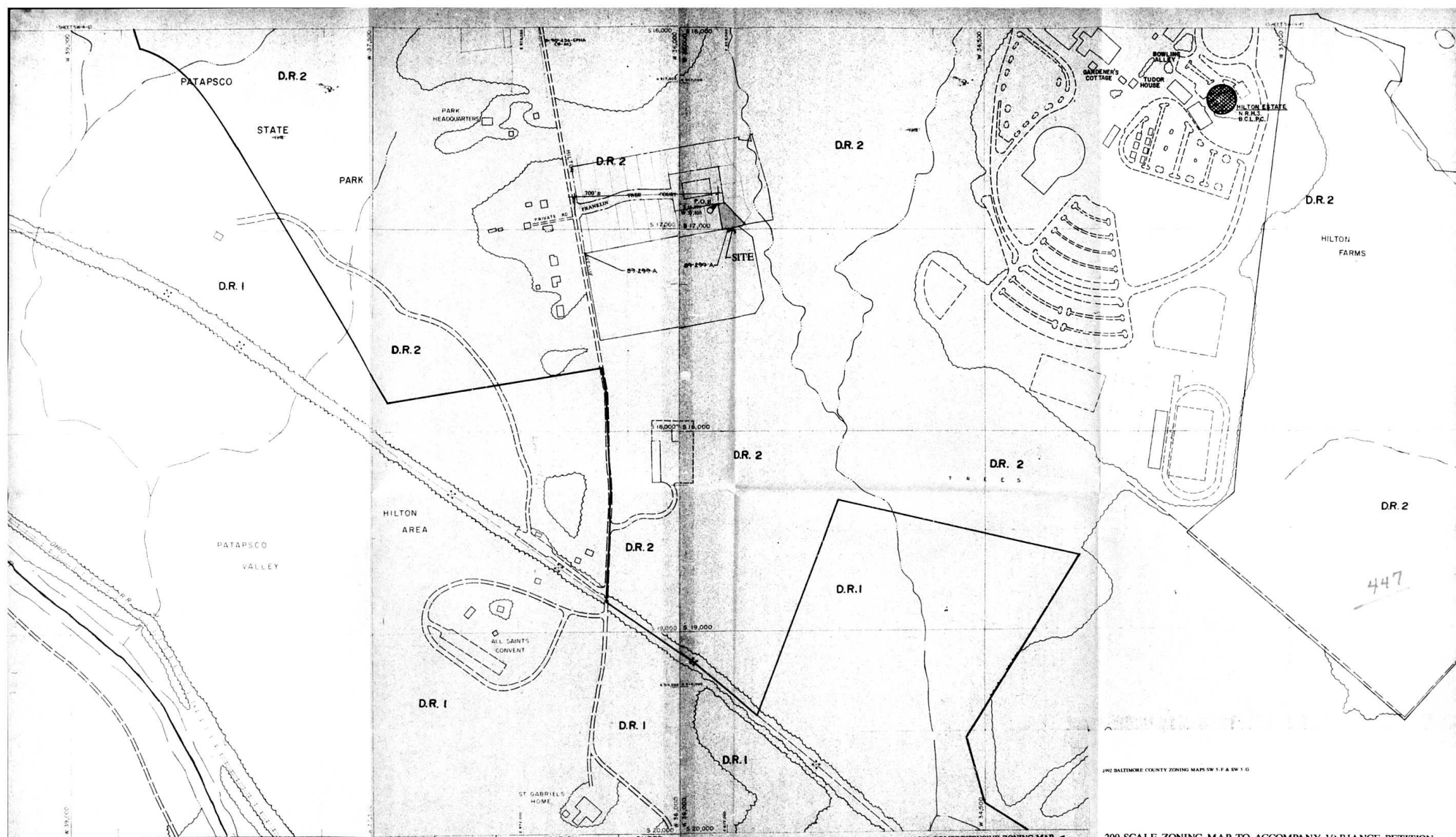
SECTION 1801.2.C.2.b. (B.C.Z.R.) AND V.B.6.c. (C.M.D.P.)
TO ALLOW A 33' WINDOW TO WINDOW SEPARATION
LIEU OF THE REQUIRED 40' SEPARATION.

ELECTION DISTRICT: 1
COUNCILMAN'S DISTRICT: 1
ZONING: DR-2
CRG APPROVED: 2/19/86; AMENDED 7/3/88
PLAT: 56-103 & 57-83
LOT: #46 ac 0.22 AC±

447

PLAT TO ACCOMPANY VARIANCE PETITION
PATAPSCO WOODS - LOT #46
(19 FRANKLIN TREE COURT)

5/26/9



BALTIMORE COUNTY
PLANNING AND ZONING
GENERAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992

SCALE
 1" = 200'

DATE OF PHOTOGRAPHY
 JANUARY 1986

LOCATION
 CATONSVILLE

SHEET
 SW
 5-6

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

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 12, 1988

200 SCALE ZONING MAP TO ACCOMPANY VARIANCE PETITION
PATAPSCO WOODS - LOT #46
93-439-A

D.S. THALER & ASSOC., INC.
 CIVIL ENGINEERS & LAND PLANNERS & SURVEYORS & LANDSCAPE ARCHITECTS
 1100 AMBASSADOR ROAD, BALTIMORE, MD 21244
 (410) 844-ENGR, (410) 844-3847
 5-26-93