3rd Councilmanic District \* Case No. 94-21-A Ester, Yehuda and Sima Glazer \* Petitioners

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \*

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owners of the subject property, Ester, Yehuda and Sima Glazer. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1802.3.C.1 to permit a front yard setback of 26 feet in lieu of the required front average setback of 32 feet for proposed Lot 1, and a front yard setback of 28 feet in lieu of the required front average setback of 72 feet for proposed Lot 3; from Section 303.1 to permit a rear yard setback of 20 feet in lieu of the required 30 feet for proposed Lot 2; and from Section 102.4 to permit a dwelling to be built on a lot of less than 20,000 sq.ft. which does not abut on a public right-of-way, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Sima Glazer, one of the property owners, and Richard E. Matz, Professional Engineer. The Petitioners were represented by Lee N. Sachs, Esquire. Appearing as Protestants in the matter were George and Kathleen Burnham and Jennell Spencer-Hagy, nearby residents of the area.

Testimony indicated that the subject property, known as 112 East Chestnut Hill Lane, consists of a gross area of 0.90 acres, more or less, zoned D.R. 3.5, and is improved with a two-story dwelling and swimming

pool. The Petitioners are desirous of subdividing the property to create three lots, Lot 2 of which would contain the existing improvements and proposed Lots 1 and 3 would be developed with single family dwellings which would be offered for sale. On behalf of the Petitioners, Richard Matz testified that the proposed three-lot subdivision is permitted given the size of the property and its present zoning classification. Testimony indicated that the requested variances are necessary due to the long, rectangular shape of the property, which runs lengthwise in a northerly direction between East Chestnut Hill Lane and Cherry Hill Road. Further testimony indicated the relief requested is necessary to preserve as many of the existing trees and shrubbery as possible and allow development along both Cherry Hill Road and Chestnut Hill Lane in a manner that would be in character and keeping with the surrounding neighborhood.

The Protestants are generally opposed to the variances requested. Testimony revealed that the Protestants are concerned about future development of the adjoining property at 110 East Chestnut Hill Lane, also owned by the Petitioners. The Protestants believe that a precedent will be established if the Petitioners are permitted to develop the subject property as proposed.

This office received inter-office correspondence dated July 29, 1993 from Pat Keller, Deputy Director of the Office Planning, in which it is strongly suggested that any variance for proposed Lot 3 be denied at this time. The Planning Office has advised that Lot 3 has not and will not be approved pursuant to the minor subdivision process. Therefore, any variance relief being sought for proposed Lot 3 is premature at this time in that approval for Lot 3 will not be granted by that agency. Thus, I am compelled to deny the variance requested for Lot 3. However, the remaining

- 2-

relief sought for proposed Lots 1 and 2 shall be considered in that those requests still remain valid.

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).

After due consideration of the testimony and evidence presented, it appears that the relief requested for proposed Lots 1 and 2 should be 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 Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the granting of the relief requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

- 3-

to the Zoning Commissioner of Baltimore County
205 CHERRY HILL ROAD

for the property located at 112 CHESTNUT HILL LANE

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 plet attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 and 303.1 and 102.4 TO PERMIT A FRONT YARD SETBACK OF 26 IN LIEU OF THE REQUIRED FRONT AVERAGE SETBACK OF

32' FOR PROPOSED LOT 1 AND TO PERMIT A 20' REAR SETBACK IN LIEU OF THE REQUIRED 30

FOR LOT 2 AND TO PERMIT A FRONT YARD SETBACK OF 28' FOR PROPOSED LOT 3 IN LIEU OF THE REQUIRED FRONT AVERAGE SETBACK OF 72' AND TO PERMIT A DWELLING TO BE BUILT ON A LOT LESS THAN 20,000 SF WHICH DOES NOT ABOUT ON A PUBLIC RIGHT OF WAY OF THE COUNTY, TO THE ZONING REQUIRED OF WAY OF THE ZONING LEW OF BELLIMOTE COUNTY, TO THE ZONING LEW OF BELLIMOTE COUNTY.

TO ALLOW CONSISTENT DEVELOPMENT ALONG BOTH CHERRY HILL ROAD AND CHESTNUT HILL LANE

AND TO PRESERVE LARGE TREES ON THE FRONT OF LOT 2 AND TO PRESERVE AS MUCH EXISTING

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling 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.

SHRUBBERY AS POSSIBLE, AND TO KEEP DEVELOPMENT COMPATIBLE WITH EXISTING NEIGHBORHOOD.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested shall be denied in part and granted in part.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 64 day of August, 1993 that the Petition for Variance requesting relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1802.3.C.1 to permit a front yard setback of 26 feet in lieu of the required front average setback of 32 feet for proposed Lot 1; from Section 303.1 to permit a rear yard setback of 20 feet in lieu of the required 30 feet for proposed Lot 2; and from Section 102.4 to permit a dwelling to be built on a lot of less than 20,000 sq.ft. which does not abut on a public right-of-way, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The 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) Within sixty (60) days of the date of this Order. and prior to the issuance of any permits, the Petitioners shall submit a revised site plan incorporating the modified relief granted herein. Said plan shall depict the elimination of proposed Lot 3 and the proposed building envelope for that lot. That portion of the property that was proposed as Lot 3 shall be reconfigured into Lot 2 so as to make Lot 2 one lot containing approximately 0.54 acres.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.
- IT IS FURTHER ORDERED that the Petition for Variance requesting

relief from Section 1802.3.C.1 of the B.C.Z.R. to permit a front yard

SAN FOR FILE

setback of 28 feet in lieu of the required front average setback of 72 feet for proposed Lot 3, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

> Deputy Zoning Commissioner for Baltimore County

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

RECEIVED FOR F

ORDER P Date

(410) 887-4386

August 26, 1993

Lee N. Sachs, Esquire Wartzman, Omansky 1414 Reisterstown Road Baltimore, Maryland 21208

RE: PETITION FOR VARIANCE N/S Chestnut Hill Lane and S/S Cherry Hill Road, 100' W of the c/l of Mardan Drive (112 E. Chestnut Hill Lane) 4th Election District - 3rd Councilmanic District Ester, Yehuda and Sima Glazer - Petitioners Case No.94-21-A

Dear Mr. Sachs:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in part and denied in part 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 the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, withen Kotroco Deputy Zoning Commissioner for Baltimore County

cc: Mr. Richard E. Matz 3723 Old Court Road, Suite 206, Baltimore, Md. 21208 People's Counsel

Ester, Yehuda & Sima Glazer 5 Sapphire Hill Court Baltimore, MD 414 Rejetorarcii 3723 Old Court Rd., Ste. 206 653-3838 ONDER RECEIVE

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

SAND FOR FILL

COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 206 BALTIMORE, MARYLAND 21208 PHONE: (410) 653-3636

ZONING DESCRIPTION

FAX: (410) 653-7953

BEGINNING AT A POINT ON THE SOUTH SIDE OF CHERRY HILL ROAD, 80 FOOT WIDE, AT A DISTANCE 100 FEET WEST OF THE CENTERLINE OF MARDAN ROAD, 50 FOOT WIDE AS PREVIOUSLY RECORDED IN LIBER 6075, FOLIO 359 NOW BEING SUBDIVIDED INTO LOTS 1, 2 AND 3.

1) BINDING ON SAID SOUTH SIDE OF CHERRY HILL ROAD, BY A CURVE TO THE RIGHT WITH A RADIUS OF 900.00 FEET, THE DISTANCE OF 123.49 FEET, THE CHORD OF SAID ARC BEING SOUTH 87 DEGREES 25 MINUTES 25 SECONDS EAST 123.39 FEET TO A PIPE FOUND,

2) SOUTH 02 DEGREES 48 MINUTES 43 SECONDS WEST 89.22 FEET TO A PIPE (3) SOUTH 61 DEGREES 40 MINUTES 22 SECONDS EAST 29.85 FEET TO A

(4) SOUTH 00 DEGREES 59 MINUTES 10 SECONDS EAST 52.85 FERT TO A (5) SOUTH 52 DEGREES 27 MINUTES 24 SECONDS WEST 42.42 FEET TO A

PIPE FOUND, AND (6) SOUTH 02 DEGREES 40 MINUTES 30 SECONDS WEST 125.54 FEET TO AN IRON BAR FOUND ON THE NORTH SIDE OF EAST CHESTNUT HILL LANE, 50 FEET WIDE, THENCE BINDING ON SAID EAST CHESTNUT HILL LANE AND BINDING ON PART OF THE SEVENTH LINE OF SAID LAND (7) BY A CURVE TO THE LEFT WITH A RADIUS OF 365.00 FEET, THE DISTANCE OF 71.91 FEET, THE CHORD OF SAID ARC BEING SOUTH 84 DEGREES 04 MINUTES 25 SECONDS WEST, 71.79 FEET TO A POINT BEING NORTH 77 DEGREES 57 MINUTES 38 SECONDS EAST 5.98 FEET FROM A RAILROAD PIKE FOUND AT THE END OF SAID SEVENTH LINE, THENCE FOR A NEW LINE OF DIVISION (8) NORTH 08 DEGREES 18 MINUTES 02 SECONDS WEST 187.96 FEET TO A PIPE FOUND AT END OF THE EIGHTH LINE OF THE AFOREMENTIONED LAND, THENCE BINDING ON SAID LAST LINE OF SAID LAND CONVEYED TO FRANKLIN M. EWING AND KAREN A. HARMAN (9) NORTH 03 DEGREES 25 MINUTES 43 SECONDS WEST 134.59 FEET TO THE PLACE OF BEGINNING.

CONTAINING 33,827 SQ. FT. OR 0.7766 OF AN ACRE OF LAND. ALSO KNOWN AS 112 E. CHESTNUT HILL LANE AND LOCATED IN THE FOURTH ELECTION DISTRICT.

CHESTNUT.ZON



CIVIL ENGINEERS . LAND SURVEYOR!

TMK:bjs

- 5-

IVVe do selemnly declare and allim, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Politics.

which is presently sense. DR 3.5

ZONNIS DEPARTMENT OF BALTIMORE COUNTY 94-21-4

posted for: February	Juda y Sima Glazar
ocation of property: # //2 Y	- # 112A E chest-mut Hill form + #705 Chorry Hill Rd
Location of Signer Facing  Fro for ty To 4	you dway of Echastanit Hillon. or
Remarks: Posted by Militer Signature	Ly Date of return: 7/30/93

<u>L</u>	MOTHER O	P HEARING
TO BE SEE OF SEE OF SEE	Res Zening Communication Country Act Bellimore Country Offic Country Offic Chesapes worn, Mary on 118, Otyon 1220	orthy will hold a on the property in Room 106 of the Building, 111 ske Avenue in land 21204 or Courthouse, 400 versus, Towson,
	Chesnut He Cherry Hill I S/S Cherry I E. Chesnu proximatel Marden Driv 4th Election 3rd Council: Petitioner(s) Ester, Ye Glezer Hearing: We	Hill Road and N/S t Hill Lane, ap- y 100' W of the District manic thude and Sime adneeday, 8, 1993 at 9:00 Rm. 118, Old
gain 32 into of the point of th	pack of 25 ference of the control of	ermit a front yard at in lieu of the re- irage setback of seed iot 1; to per- set of 20 feet for lot 2; to and setback of 28 re required front k of 72 feet for and to permit a uilt on a lot leas uilt on a lot leas a public right-of-
	Zoning C	CE E. SCHMDT Commissioner for Sellimore County
COPE COR BOT-	ind Accessible imodiations 3353. (2)For infern File and/or He 3301.	ngs are Handi- i; for special ac- Please Call nation concerning ering, Please Call

## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on

THE JEFFERSONIAN.

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration &

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

DATE: July 29, 1993

Petitioner:

SUMMARY OF RECOMMENDATIONS:

1. Any consideration for relief on lot 3 should not be entertained since the

a) The front to back orientation of lots 2 and 3 is not appropriate.

b) The proposed panhandle drive is not being utilized to achieve better use

development on the north side of East Chestnut Hill Lane, which is characterized by large front yards and mature trees.

2. We recommend approval of the setback variances for lots 1 and 2.

ZAC.22/ZAC1

PK/JL:lw

**Baltimore County Government** Office of Zoning Administration and Development Management

NOTICE OF HEARING

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Variance to permit a front yard setback of 26 feet in lieu of the required front average setback of 32 feet for proposed lot 1; to parmit a rear setback of 30 feet in lieu of the required 30 feet for lot 2;

to permit a front yard setback of 28 feet in lieu of the required front average setback of 72 feet for

proposed lot 3; and to permit a dwelling to be built on a lot less than 20,000 square feet which does not

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

Zoning Administration and Development Management

The Development Plan Review Section has reviewed

reviewed the minor subdivision plan for this site and the

the subject zoning item. The Department of Public Works has

DATE: August 2, 1993

TO: Arnold Jablon, Director

for August 2, 1993

Item No. 22

comments are attached.

Attachment

FROM: Robert W. Bowling, Senior Engineer Development Plan Review

Zoning Advisory Committee Meeting

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

S/S Cherry Hill Road and M/S E. Chestnut Hill Lane, approximately 100' W of Mardan Drive

HEARING: WEINTESDAY, AUGUST 18, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

111 West Chesapeake Avenue

Case NUMBER: 94-21-1 (Item 22)

abut on a public right-of-way.

cc: Ester, Yehuda & Sisa Glazer

Richard E. Matz

Printed ins Body but Paper

Lee N. Sachs, Eaq.

4th Election District - 3rd Councilmanic

Petitioner(s): Ester, Yehuda and Sima Glazer

#112 and #112-a E. Chestnut Hill Lane and #205 Cherry Hill Road

Towson, MD 21204

JUL. 27 1993

(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

Lee N. Sachs, Esquire Wartzman, Omansky, Blibaum, Simons, Steinberg, Sachs and Sagel, P.A. 1414 Reisterstown Road Baltimore, Maryland 21208

> RE: Case No. 94-21-A, Item No. 22 Petitioner: Ester Glazer, et al. Petition for Variance

(410) 887-3353

Dear Mr. Sachs:

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 assure 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.

Baltimore County Government Office of Zoning Administration and Development Management

August 9, 1993

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 July 13, 1993, and a hearing was scheduled accordingly.

The following comments are related <u>only to the filing of future</u> <u>zoning petitions</u> 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 seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

fqieeen Zoning Administration & Develorment Management est Chesapeuke Avenue Account: R-001-6150

ITEM #22 (WCR) 7/13/93

#010 - RESIDENTIAL VARIANCE --- \$50.00 each ---- \$150.00 #030 - SIGN POSTING -----5105.00 each ---3 SIGNO-----5105.00

Legal Owner: Glazer 112 Chestnut Hill Lane 4th Election District Attorney: Lee N. Sachs Wartzman, Omansky, et al.

NO REVIEW - DROP-OFF

32:02%0301M108EC 

O. James Lighthizes Hal Kassoff Administrator

7-22-93

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109

Dear Ms. Kehring:

111 W. Chesapeake Avenue

Towson, Maryland 21204

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.

John Contestabile, Chief Engineering Access Permits

My telephone number is \_\_\_\_\_ Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717 BALT MORE COUNTY, MARY AND

Development Management

SUBJECT: 205 Cherry Hill Road, 112 and 112A Chestnut Hill Lane

Item Number:

Ester, Yehuda and Sima Glazer

Planning Office has denied its subdivision from parcel #1018. The denial was based on the following reasons:

of an irregularly shaped parcel, or to avoid development in an environmentally sensitive area, both, criteria for panhandle approval.

c) A dwelling on the proposed lot 3 is not consistent with the pattern of

d) If allowed, lot 3 will set a precedent for additional panhandles along the north side of East Chestnut Hill Lane.

Ochry W. Long

Pg. 1

BALTIMORE COUNTY, MARYLAND

SUBJECT: MINOR SUBDIVISION REVIEW COMMENTS

Development Plan Review

PROJECT NAME: GLAZER PROP

PROJECT NO: 93097MP

LOCATION: CHERRY HILL RO & E CHESTNUTHILL LANG

DISTRICT: 4C3

The following comments as checked are supplied in response to our review of the subject site.

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

\_\_\_\_ All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 3 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

The Developer is responsible for the full cost of all highway and storm drain construction.

\_\_\_\_ A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, after which a Record Plat or Building Permit may be approved.

\_\_\_ In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

Robert W. Bowling, P.E



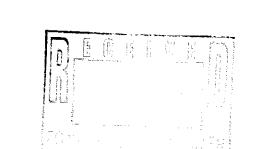
Towson, MD 21204 August 3, 1993 (410) 887-3353

3723 OLD COURT ROAD ● SUITE 206 **BALTIMORE, MARYLAND 21208** 

PHONE: (410) 653-3838 FAX: (410) 653-7953

Tim 94-21-4

8/18 Hearing



RE: Preliminary Petition Review (Item #22) Legal Owner: Ester, Yehuda & Sima Glazer 205 Cherry Hill Road, 112 Chestnut Hill Lane, and 112-A Chestnut Hill Lane

4th Election District

Dear Mr. Sachs:

Lee N. Sachs, Esquire

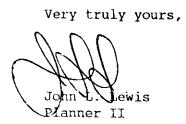
Baltimore, MD 21208

Wartzman, Omansky, et al. 1414 Reisterstown Road

111 West Chesapeake Avenue

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The petition was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.



JLL:scj

cc: Zoning Commissioner

Enclosure: Receipt

RE: PETITION FOR VARIANCE

: BEFORE THE ZONING COMMISSIONER S/S Cherry Hill Rd. & N/S East Chestnut Hill Lane, approx. 100': OF BALTIMORE COUNTY W of Mardan Drive (#112 & 112-A

E. Chestnut Hill La. & #205 : Case No. 94-21-A Cherry Hill Rd.), 4th Election Dist., 3rd Councilmanic Dist. :

ESTER, YEHUDA & SIMA GLAZER, Petitioners

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.

> Peter Max Zamonan People's Counsel for Baltimore County

Carole & Demilio Carole S. Demilio Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-2188

I HEREBY CERTIFY that on this 29th day of July , 1993, a copy of the foregoing Entry of Appearance was mailed to Lee N. Sachs, Esquire, Wartzman, Omansky, et al., 1414 Reisterstown Rd., Baltimore, MD 21208, Attorney for Petitioner.

Peter Max Zimmerman

6677.93

COLBERT ENGINEERING. NC. 3723 Old Court Road Suite 206 BALTIMORE, MARYLAND 21208

(410) 653-3838 FAX (410) 653-7953 TO ZONING

REQUEST FOR VARIANCE PETITION 112 CHESTNUT HILL LAWE THE GLAZER PROPERTY LOTS 1,2,53

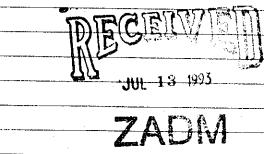
CHECKS-\$85 - A TOTAL OF \$755 FOR LOTS 14 PRINTS OF PLAN TO ACCOMPANY VARIANCE PETITION. SET OF COLOR XERUX OF PHOTOGRAPHS TO LOPIES OF PETITION FOR VARIANCE

1"=200' SCALE AERIAL PHOTOGRAPH 1"= 200' ZONING MAP. ZONING DESCRIPTIONS SEALED THESE ARE TRANSMITTED as checked below: ☐ Resubmit\_\_\_\_copies for approval

☐ For approval For your use

(A) 40% Pre-Consumer Content • 10% Post-Consumer Content

☐ Submit \_\_\_\_\_copies for distribution ☐ Returned for corrections ☐ Return \_\_\_\_\_ corrected prints



## COLBERT ENGINEERING, INC.

August 19, 1993

3723 OLD COURT ROAD • SUITE 206 BALTIMORE, MARYLAND 21208 PHONE: (410) 653-3838 FAX: (410) 653-7953

Mr. Ervin McDaniel, Chief Development Review Section Baltimore County 111 W. Chesapeake Ave. Towson, MD 21204

SUBJECT: Glazer Property (93097 MP)



Dear Mr. McDaniel:

In response to your inter-office correspondence dated July 28, 1993, I am asking you to review the above-mentioned project a second time noting some parameters you may not have taken into consideration during your first review. For convenience, I will list your comment and my response will follow.

Comment a. The front to back orientation of lots 2 and 3 is not within the guidelines of the Comprehensive Manual Development

Response a: Although the front to back orientation of lots 2 and 3 are not strictly within the guidelines of the CMDP, the distance between the front of the existing dwelling and the rear of proposed lot 3 is more than 100 feet apart. The front of the existing dwelling is well buffered from the rear of lot 3 by large existing trees and extensive smaller shrubbery.

Comment b. The proposed panhandle drive is not being utilized to achieve better use of an irregularly shaped parcel or to avoid development in an environmentally sensitive area which are criteria for panhandle approval.

Response b: The proposed panhandle is not really a panhandle. It is an existing driveway which has served the existing dwelling for many years. The purpose of leaving the driveway intact, is, in fact, not to disturb the environment by grading or paving excessive areas and to retain the semi-rural nature

Comment c. A dwelling at this location is not consistent with the pattern of development on the north side of East Chestnut Hill Lane, which is characterized by large front yards and

CIVIL ENGINEERS • LAND SURVEYORS

## COLBERT ENGINEERING, INC.

September 7, 1993

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Baltimore County Suite 113 Courthouse

Towson, MD 21204 SUBJECT: Case No. 94-21-A Glazer Property

400 Washington Avenue

CEI No. 93003 Dear Mr. Kotroco:

Pursuant to your zoning decision, we are enclosing two copies of a revised site plan removing the proposed Lot 3. The remaining Lot 2 now contains 0.54 acres.

Please note that the removal of Lot 3 negates the necessity for the variance dealing with a panhandle on a lot less than 20,000 square feet which was granted. Since no Lot 3 now exists, I don't believe any revision is necessary in your order.

Should you have questions or need clarification, please do not hesitate to call.

Very truly yours, Richard E. Matz, P.E. Colbert Engineering, Inc.

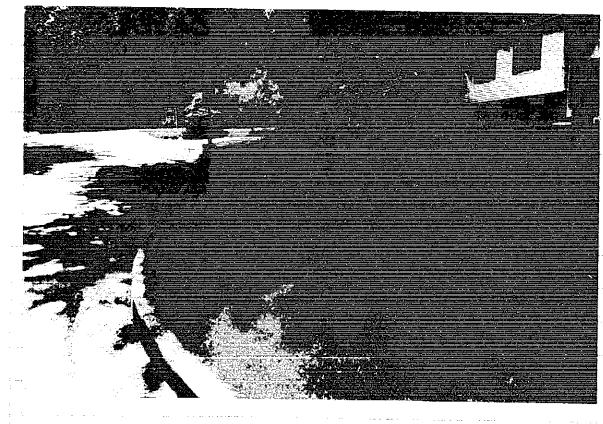
Enclosure cc: Yehudah Glazer w/att. Lee N. Sachs w/att.

090793.kot

CIVIL ENGINEERS . LAND SURVEYORS



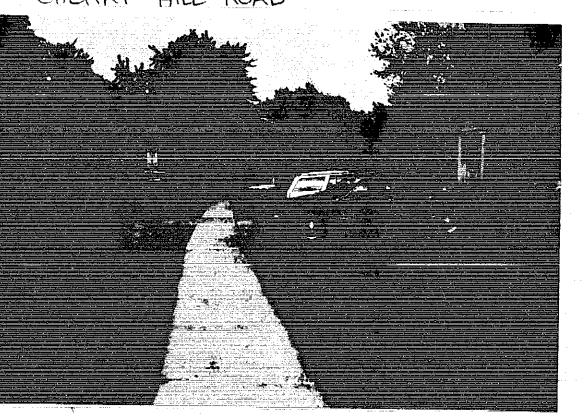
FRONT YARD AND NEIGHBOR - 114 E CHESTNUT HILL LANE



114 E. CHESTNUT HILL LANE TOWARDS PROPERTY



FRONT OF PROPERTY ALONG CHERRY HILL ROAD



201 & 203 CHERRY HILL ROAD LOOKING EAST TOWARD PROPERTY



EXISTING DRIVEWAY ALONG E CHESTNUT HILL LANE SERVING EXISTING HOUSE

PETITIONER'S EXISTING HOUSE EXHIBIT 2

REAR OF EXISTING HOUSE

