

IN RE: PETITION FOR VARIANCE - S.S. of Cedar Chip Court, 175', 250' and 400', respectively, W of the c/l of Meadowbank Court (81, 83 & 87 Cedar Chip Court) OF BALTIMORE COUNTY
Perry Hall Courts II Joint Venture Case No. 94-224-A
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owner of the subject properties, Perry Hall Courts II Joint Venture, by David Gonzales, and the Contract Purchaser, Landon, Inc., by Gary Houston, Vice President, through their attorney, Steven Rosen, Esquire. The Petitioner seeks a variance from Section 1801.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.3 of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit a distance between buildings of 23 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 28 and 29 and lots 30 and 31, a distance between buildings of 20 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 29 and 30, and a distance of 24 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 31 and 32, and from Sections V.B.6.a and V.B.9 of the C.M.D.P. to permit a window and building setback from the street right-of-way of 14 feet in lieu of the required 25 feet for lot 32. The relief sought is more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Steven Rosen, Esquire, and Richard E. Mats, Professional Engineer. There were no Protestants.

Testimony revealed that the subject properties, known as 81, 83 and 87 Cedar Chip Court, (lots 29, 30 and 32, respectively) are located

within the subdivision of Perry Hall Courts, Section II and are currently unimproved. The Petitioner is desirous of developing these lots with single family dwellings; however, due to the size of the lots and site constraints, the relief requested is necessary in order to build a home compatible with other homes in the neighborhood. Testimony revealed that there are apparently other styles of dwellings that the builder could construct on these lots but that the proposed dwellings are the most suitable for these particular lots.

In support of their request, the Petitioner submitted a letter identified as Petitioner's Exhibit 2 from Mr. Jim Kim, who resides at 79 Cedar Chip Court, indicating his approval of the relief requested for the adjoining property at 81 Cedar Chip Court. A letter of support was also submitted from Mr. Charles Tirschman, identified as Petitioner's Exhibit 3. Mr. Tirschman resides at 85 Cedar Chip Court, which is located between 83 and 87 Cedar Chip Court. Attached to Mr. Tirschman's letter were site plans of the subject properties, Sheets 1 and 2, dated November, 1993 and November 22, 1993, respectively, depicting the distances between the existing homes and those proposed to be constructed. Mr. Tirschman indicated the distances shown on those site plans are the same as those that were represented to the existing homeowners by the Petitioner as to what would be constructed on the adjoining properties. Therefore, it is tantamount that the Petitioner adhere to and maintain these setbacks when building the new homes in question. As such, the Petitioner will be required to construct the proposed dwellings in accordance with the setbacks depicted on the site plans attached to Mr. Tirschman's letter.

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 is clear that practical difficulty or unreasonable hardship will result if the variance is not granted, pursuant to the site plans attached to Petitioner's Exhibit 3. 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 variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of January, 1994 that the Petition for

Variance seeking relief from Section 1801.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.3 of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit a distance between buildings of 23 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 28 and 29, and lots 30 and 31, a distance between buildings of 20 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 29 and 30, and a distance of 24 feet in lieu of the required 30 feet for building heights of 25 feet to 30 feet for lots 31 and 32, and from Sections V.B.6.a and V.B.9 of the C.M.D.P. to permit a window and building setback from the street right-of-way of 14 feet in lieu of the required 25 feet for lot 32, for proposed dwellings in accordance with the site plans dated November, 1993 and November 22, 1993, respectively, and attached to Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permits 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 relief granted herein shall be rescinded.
- 2) The relief granted is contingent upon construction of the proposed dwellings in accordance with the distances and setbacks depicted on the site plans attached to Mr. Tirschman's letter identified herein as Petitioner's Exhibit 3.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY K. KOTROCO
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

January 11, 1994

(410) 887-4386

Steven M. Rosen, Esquire
Abramoff, Neuberger & Linder
8826 Orchard Tree Lane
Baltimore, Maryland 21286

RE: PETITION FOR VARIANCE
S/S Cedar Chip Court, 175', 250' and 400', respectively,
W of the c/l of Meadowbank Court
(81, 83 and 87 Cedar Chip Court)
11th Election District - 6th Councilmanic District
Perry Hall Courts II Joint Venture - Petitioner
Case No. 94-224-A

Dear Mr. Rosen:

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

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

Very truly yours,

Timothy K. Kotroco

TIMOTHY K. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

cc: Mr. Richard E. Mats
3723 Old Court Road, Suite 206, Baltimore, Md. 21208

People's Counsel

File

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 81, 83 & 87 CEDAR CHIP COURT
which is presently zoned D.R. 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 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)
IN ORDER TO KEEP CONSISTENT AND COMPATIBLE HOUSE TYPES WITH THOSE ALREADY IN THE NEIGHBORHOOD AND TO NOT CREATE AN UNDOE HARDSHIP ON LOT 30 IF LOT 29 WERE TO BE BUILT FIRST, AND ALSO, ON LOT 32 TO AVOID ENCRANCHING ON FLOODPLAIN SETBACKS DUE TO THE OLD BUILDING ENVELOPE.

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.

Correct Purchaser/Lessor:
LANDON, INC.
Type or Print Name

GARY HOUSTON, VICE PRESIDENT
8826 ORCHARD TREE LANE
TOWSON MD 21286

Signature for Petitioner:
STEVE ROSEN

ABRAMOFF, NEUBERGER & LINDER
250 W. PRATT STREET #800 539-8300

Signature:
DAVID GONZALES

Signature:
RICHARD E. MATS

Signature:
TIMOTHY K. KOTROCO

Signature:
TIMOTHY K. KOTROCO

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Signature:
TIMOTHY K. KOTROCO

1801.2.C.6(V.B.3)CMDF TO PERMIT A 23 FEET DISTANCE BETWEEN BUILDINGS ON LOTS 28 & 29 AND LOTS 30 & 31 AND A 20 FEET DISTANCE BETWEEN BUILDINGS ON LOTS 31 & 32, ALL FOR BUILDINGS WITH A HEIGHT BETWEEN 25 FEET & 30 FEET; AND FOR LOT 32 FROM SECTION V.B.6.a(CMDF) AND V.B.9 TO PERMIT A WINDOW AND BUILDING SETBACK FROM THE RIGHT-OF-WAY OF 14 FEET IN LIEU OF THE REQUIRED 25 FEET.

cedarchi.var

COLBERT ENGINEERING, INC. 94-224-A

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

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH SIDE OF CEDAR CHIP COURT, 50 FEET WIDE AT THE DISTANCES OF 175 FEET, 250 FEET AND 400 FEET RESPECTIVELY OF THE CENTERLINE OF MEADOWBANK COURT, 50 FEET WIDE, BEING LOTS 29, 30 & 32, PERRY HALL COURTS SECTION 2 AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #62 FOLIO #64 CONTAINING 0.1322 ACRES, 0.1322 ACRES AND 0.2008 ACRES RESPECTIVELY. ALSO KNOWN AS 81, 83 & 87 CEDAR CHIP COURT RESPECTIVELY IN THE ELEVENTH ELECTION DISTRICT.



11/30/93

CIVIL ENGINEERS • LAND SURVEYORS

ITEM # 223

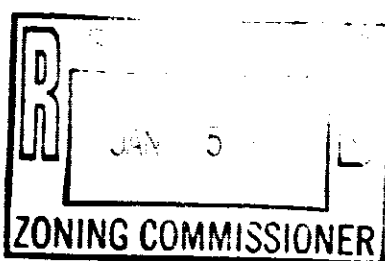
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12-1-93 Date of Posting: 12/1/93
Posted for: 12/1/93
Petitioner: 12/1/93
Location of property: 12/1/93
Location of Sign: 12/1/93
Remarks: 12/1/93
Posted by: 12/1/93 Date of return: 12/1/93
Number of Signs: 12/1/93

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/1/93
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 1 successive weeks, the first publication appearing on 12/1/93.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 12-1-93
51, #53, #57 CEDAR CHIP CT.
NO - VARIANCE FOR 5 LOTS - \$150.00
0.50 - 3 SIGNS - \$115.00
TOTAL - \$265.00

receipt
94-224-A

Account: R-0014180
Number: 223

Please Make Checks Payable To: Baltimore County
CASHIER VALIDATION

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl John
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 223
Petitioner: PERRY HALL COURTS II JOINT VENTURE
Location: PERRY HALL
PLEASE FORWARD ADVERTISING BILL TO:
NAME: LANDCON, INC. ATTENTION: BOBBIE CANTOR
ADDRESS: BB26 ORCHARD TREE LANE
BALTIMORE, MD 21236
PHONE NUMBER: 825-4200

Al:ggg

(Revised 04/09/93)

Item Number: 223
Planner: 67
Date Filed: 12-1-93

94-224-A

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- ☐ Descriptions, including accurate beginning point
- ☐ Actual address of property
- ☐ Zoning
- ☐ Acreage
- ☐ Plats (need 12, only 1 submitted)
- ☐ 200 scale zoning map with property outlined
- ☐ Election district
- ☐ Councilmanic district
- ☐ ECZR section information and/or wording
- ☐ Hardship/practical difficulty information
- ☐ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- ☒ ~~Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/purchaser~~
- ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXTSOPH)
11/17/93

TO: POTTSPER PUBLISHING COMPANY
December 16, 1993 Issue - Jeffersonian

Please forward billing to:
Steve Rosen
250 W. Pratt Street #800
Baltimore, Maryland 21201
410-539-8300

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-224-A (Item 223)
81 Cedar Chip Court, 83 Cedar Chip Court and 87 Cedar Chip Court
S/S Cedar Chip Court, 175', 250', and 400' respectively W from c/l Meadowbank Court
11th Election District - 6th Councilmanic
Legal Owner(s): Perry Hall Courts II Joint Venture
Contract Purchaser(s): Landcon, Inc.
HEARING: WEDNESDAY, JANUARY 5, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a 25 foot distance between buildings on lots 28 and 29 and lots 30 and 31 and a 20 foot distance between buildings on lots 29 and 30 and to permit a 24 foot distance between buildings on lots 31 and 32, all for buildings with a height between 25 feet and 30 feet; and for lot 32 to permit a window and building setback from the right-of-way of 14 feet in lieu of the required 25 feet.

LAWRENCE E. SCHULTZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 13, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-224-A (Item 223)
81 Cedar Chip Court, 83 Cedar Chip Court and 87 Cedar Chip Court
S/S Cedar Chip Court, 175', 250', and 400' respectively W from c/l Meadowbank Court
11th Election District - 6th Councilmanic
Legal Owner(s): Perry Hall Courts II Joint Venture
Contract Purchaser(s): Landcon, Inc.
HEARING: WEDNESDAY, JANUARY 5, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a 25 foot distance between buildings on lots 28 and 29 and lots 30 and 31 and a 20 foot distance between buildings on lots 29 and 30 and to permit a 24 foot distance between buildings on lots 31 and 32, all for buildings with a height between 25 feet and 30 feet; and for lot 32 to permit a window and building setback from the right-of-way of 14 feet in lieu of the required 25 feet.

Arnold Jablon
Director

cc: Perry Hall Courts II Joint Venture
Landcon, Inc.
Steve Rosen, Esq.
Richard E. Metz

NOTES: (1) HEARING 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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Printed with Recycled Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 23, 1993

Steve Rosen, Esquire
Abramoff, Neuberger & Linder
250 West Pratt Street
Baltimore, Maryland 21201

RE: Case No. 94-224-A, Item No. 223
Petitioner: Perry Hall Courts II Joint Venture, et al
Petition for Variance

Dear Mr. Rosen:

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.

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 December 1, 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 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.



Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

12-10-93

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

Re: Baltimore County
Item No. 94-224-A (RT)

Dear Ms. Minton:

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 project.

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,
Bob Small
for DAVID N. RANNEY, ACTING CHIEF
John Comstock, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2250 Shalenside Toll Free

Writing Address: P.O. Box 717 • Baltimore, MD 21208-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21208

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 10, 1993

FROM: Pat Keller, 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. 206, 222, 223, 228 and 232.

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: *Jeffrey M. Long*

Division Chief: *Samuel L. Kern*

PK/JL:lw

ZAC.206/PZONE/ZAC1

BALTIMORE COUNTY GOVERNMENT
Department of Permits and Licenses

111 West Chesapeake Avenue
Towson, MD 21204

DECEMBER 16, 1993

(410) 887-3610

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

ZONING AGENDA: DECEMBER 13, 1993

Property Owner: REVISED PETITIONS AND PLANS WERE RECEIVED FOR
ITEM #206 ON 12/1/93

Location:
Item No.: #206

Property Owner: Roman Szyjka
Location: #6002 Hamilton Avenue
Item No.: #222 (WCR)

Property Owner: Perry Hall Courts II Joint Venture
Location: #81, #83, & #87 Cedar Chip Court
Item No.: 223 (RT)

Property Owner: George Sears, Jr.
Location: #20 Clyde Avenue
Item No.: 226 (JLL)

Property Owner: George Sears, Jr.
Location: #22 Clyde Avenue
Item No.: 227 (JLL)

Property Owner: Wayne DeFontes
Location: #15 Eastern Boulevard
Item No.: #232 (WCR)

Gentlemen:

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

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

REVIEWER: *Robert Sauerwald*
Planning Group
Special Inspection Division
Robert Sauerwald

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 10, 1993

FROM: Pat Keller, 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. 206, 222, 223, 228 and 232.

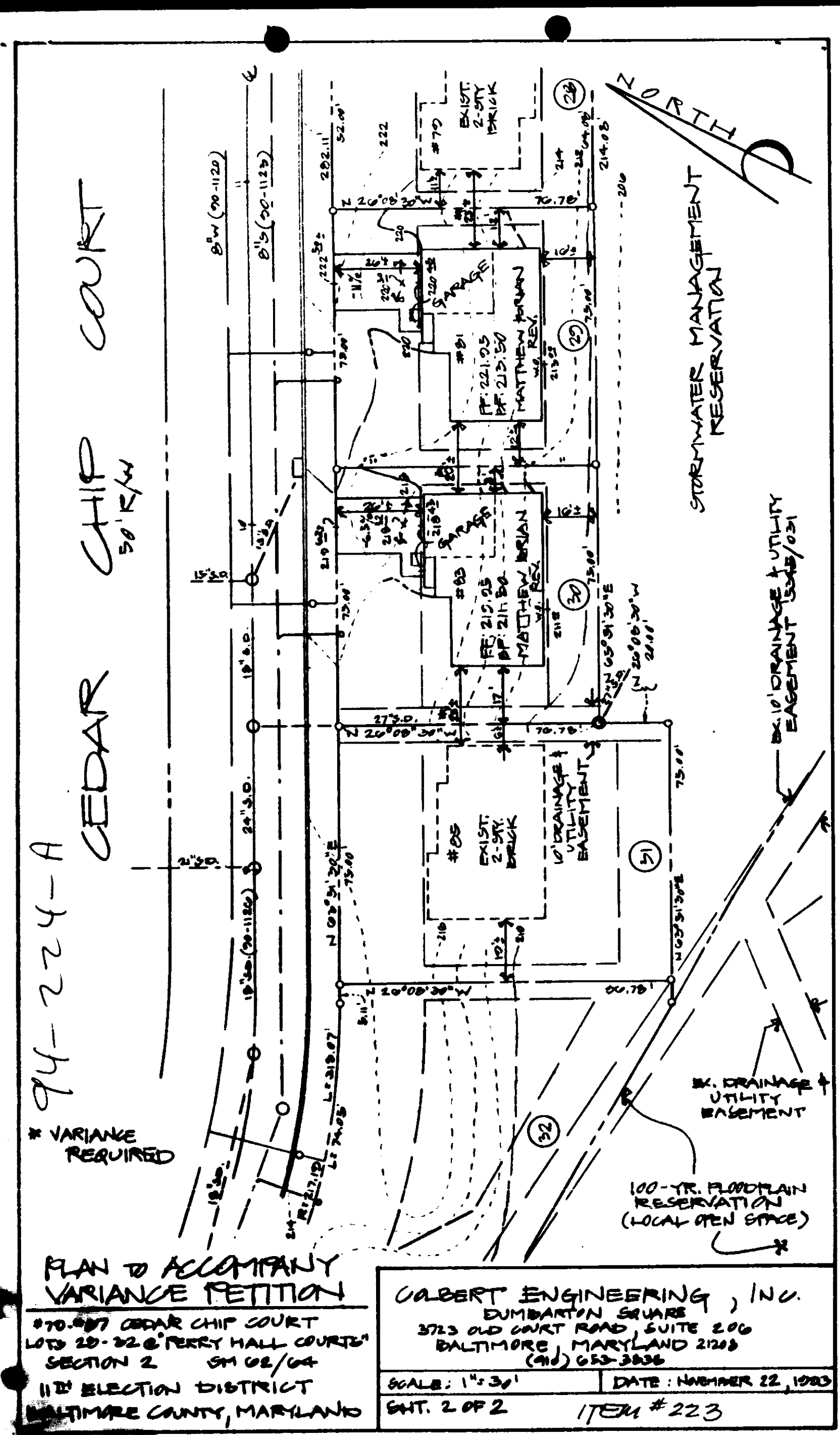
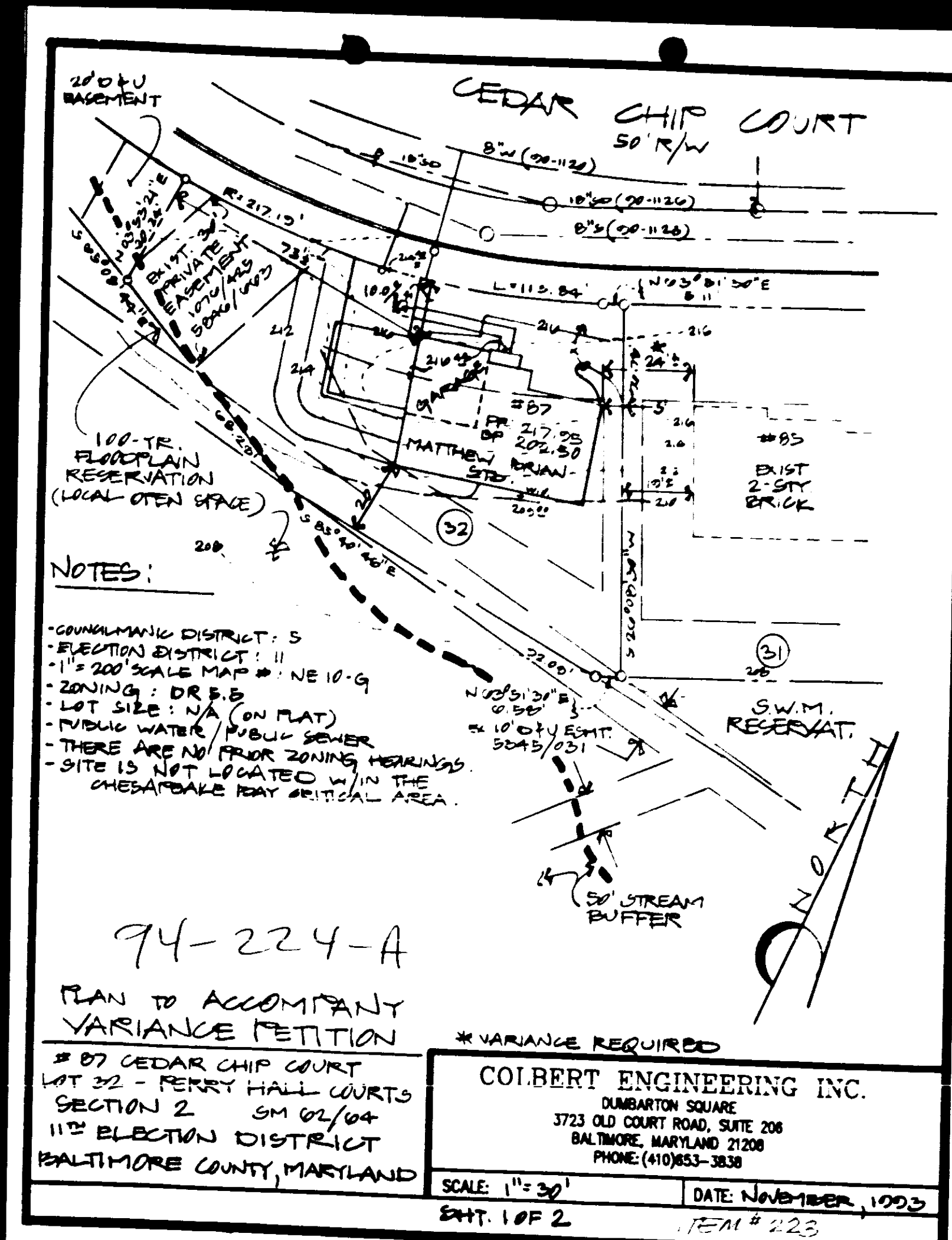
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Samuel L. Kern*

PK/JL:lw

ZAC.206/PZONE/ZAC1



December 6, 1993

Office of the Zoning Commissioner
111 West Chesapeake Avenue
Towson, MD 21204

Dear Commissioner:

I have been contacted by Mr. Mats of Colbert Engineering, Inc. and have been advised that variances to the Baltimore County Zoning Regulations are being requested for Lots 29, 30 and 32. Lot 29 is adjacent to my house and Mr. Mats has showed me a plat which would require a 23 foot separation between my house and Lot 29. Based on this plat and the proposed separation of 23 feet, I would not oppose the granting of a variance.

Very truly yours,

Jim Kim
Jim Kim
Owner of #79 Cedar Chip Court
(Lot 28 Perry Hall Courts - Section 2)

Enclosure

120693.co2

PETITIONER'S
EXHIBIT 2

December 6, 1993

Office of the Zoning Commissioner
111 West Chesapeake Avenue
Towson, MD 21204

Dear Commissioner:

I have been contacted by Mr. Mats of Colbert Engineering, Inc. and have been advised that variances to the Baltimore County Zoning Regulations are being requested on Lots 29, 30 and 32 adjacent to my property. After reviewing the issues with Mr. Mats, I would not oppose those variances based on the plan Mr. Mats provided me which I am attaching hereto.

Based on that plat, I will have 23 feet between my house and Lot 30 and 24 feet between my house and Lot 32.

Very truly yours,

Charles Firschohn
Charles Firschohn
Owner of #85 Cedar Chip Court
(Lot 31 Perry Hall Courts - Section 2)

Enclosure

120693.com

PETITIONER'S
EXHIBIT 3

94-224-A



PETITIONER'S
EXHIBIT 4A

94-224-A



4B

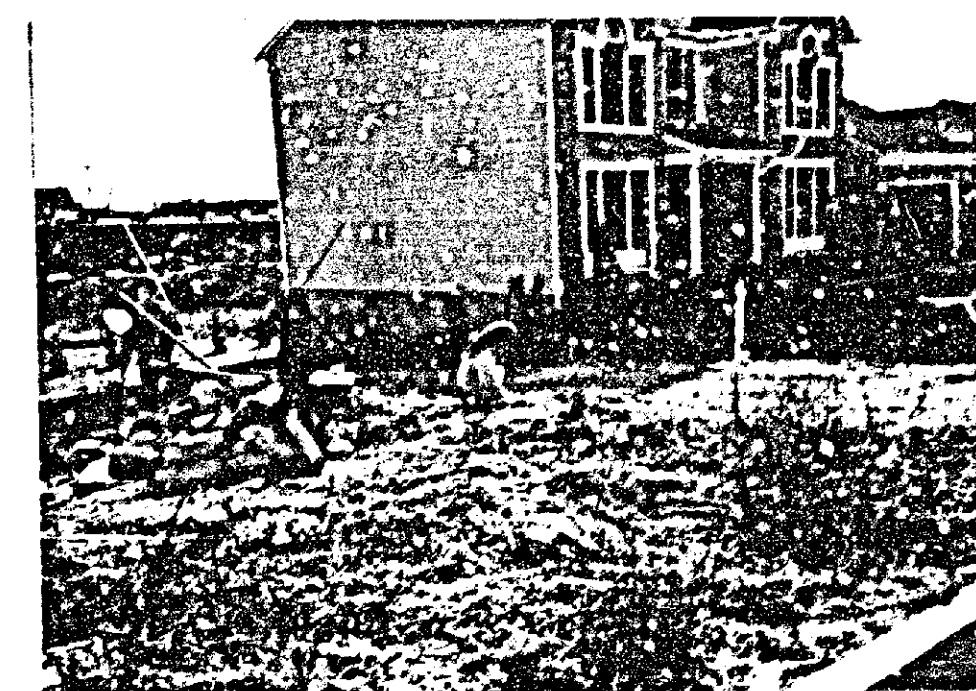
94-224-A



4C

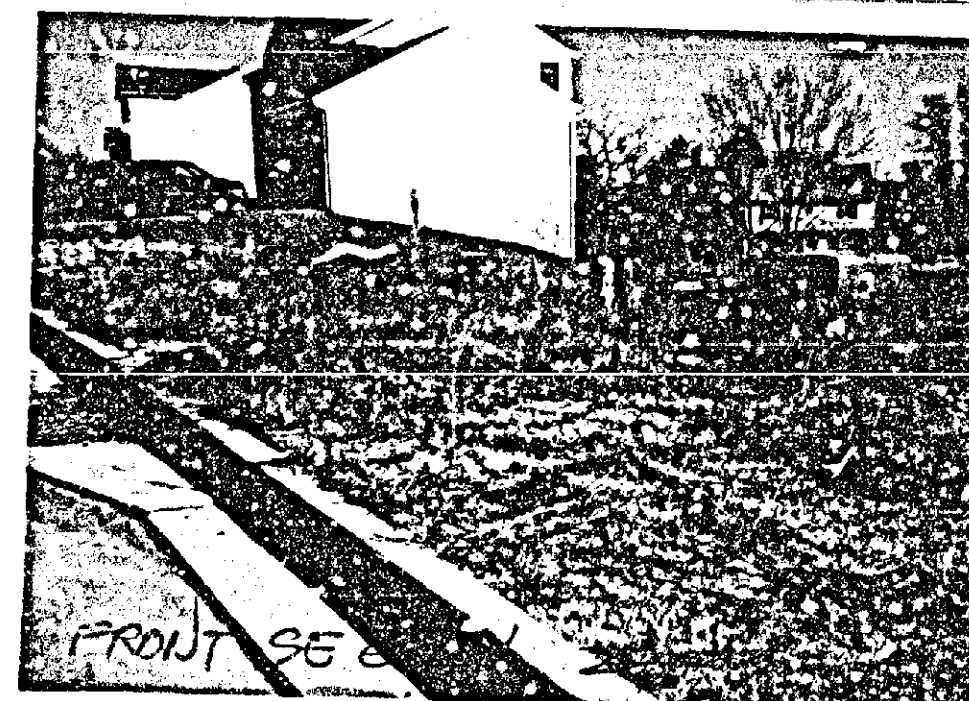
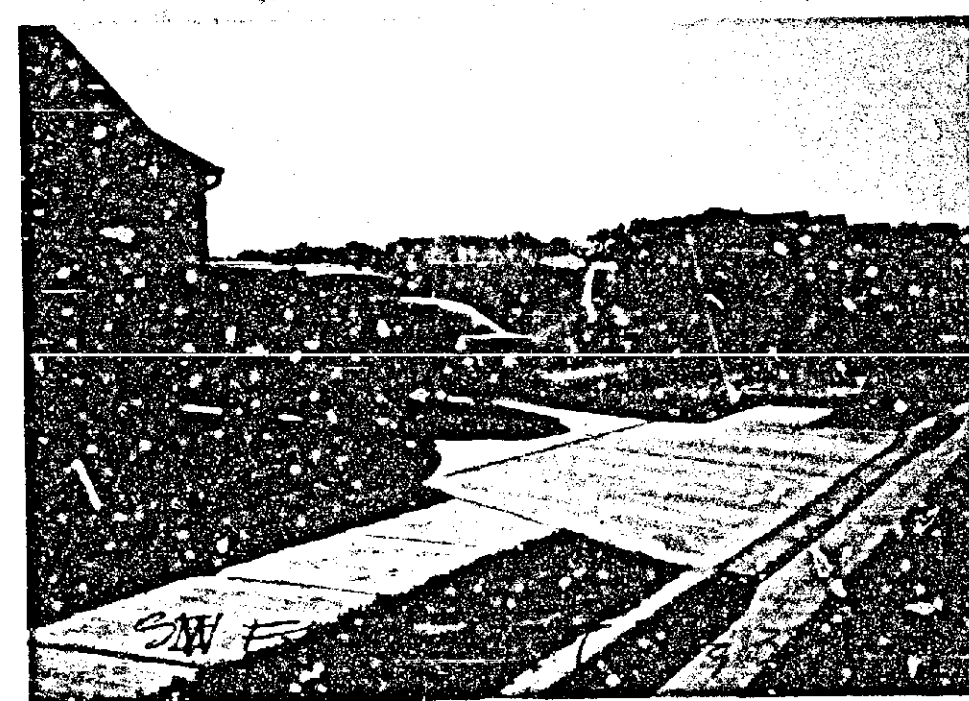


94-224-A



4D

94-224-A



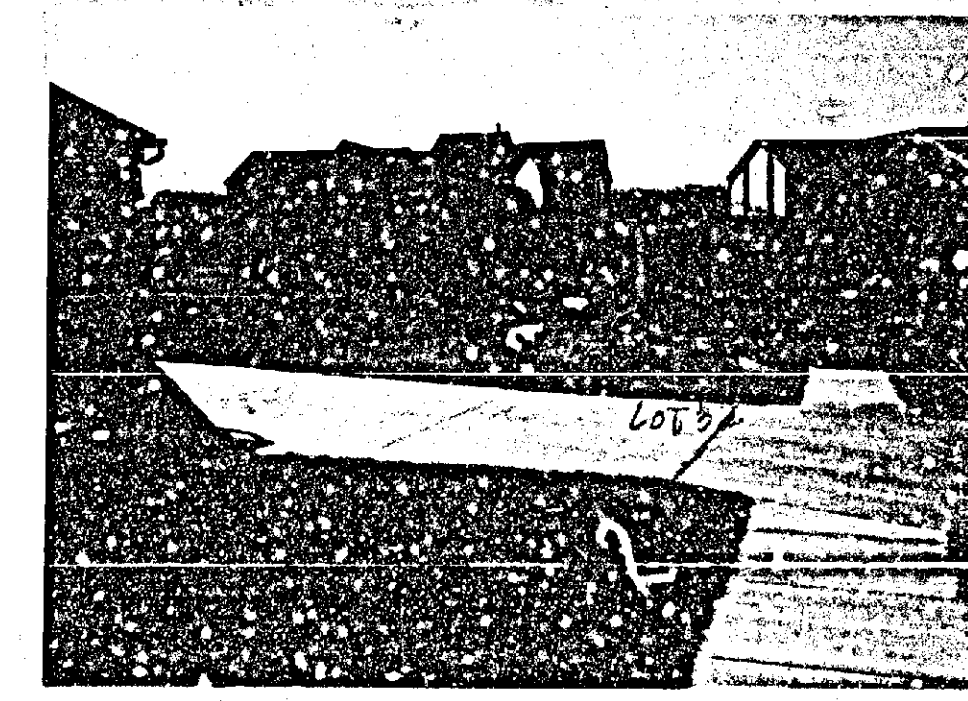
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94-224-A



4F

94-224-A



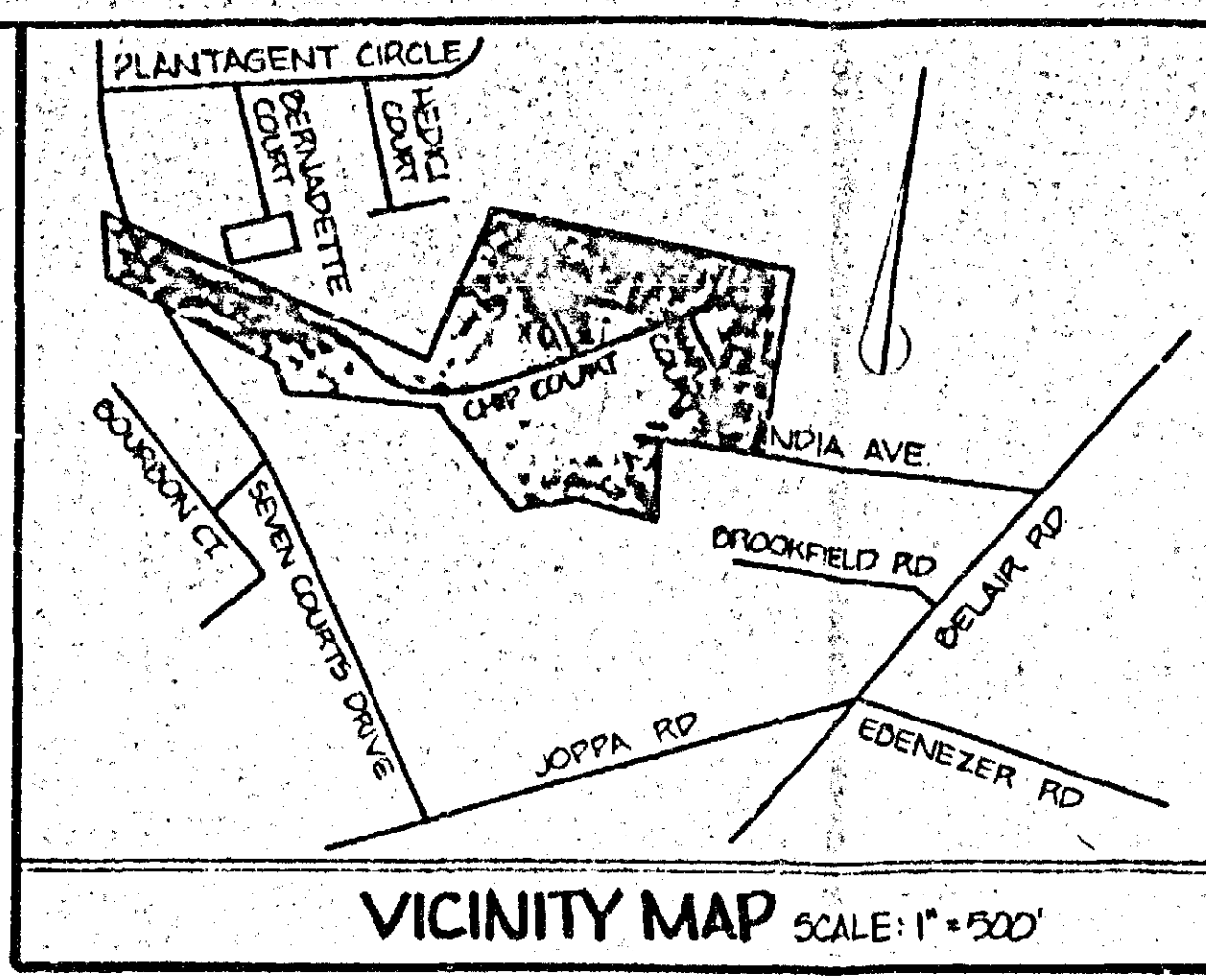
4G

94-224-A

SM 03 JUL10064
Date AUG 24 1990

Superior
Clark

SEVEN COURTS
30/114



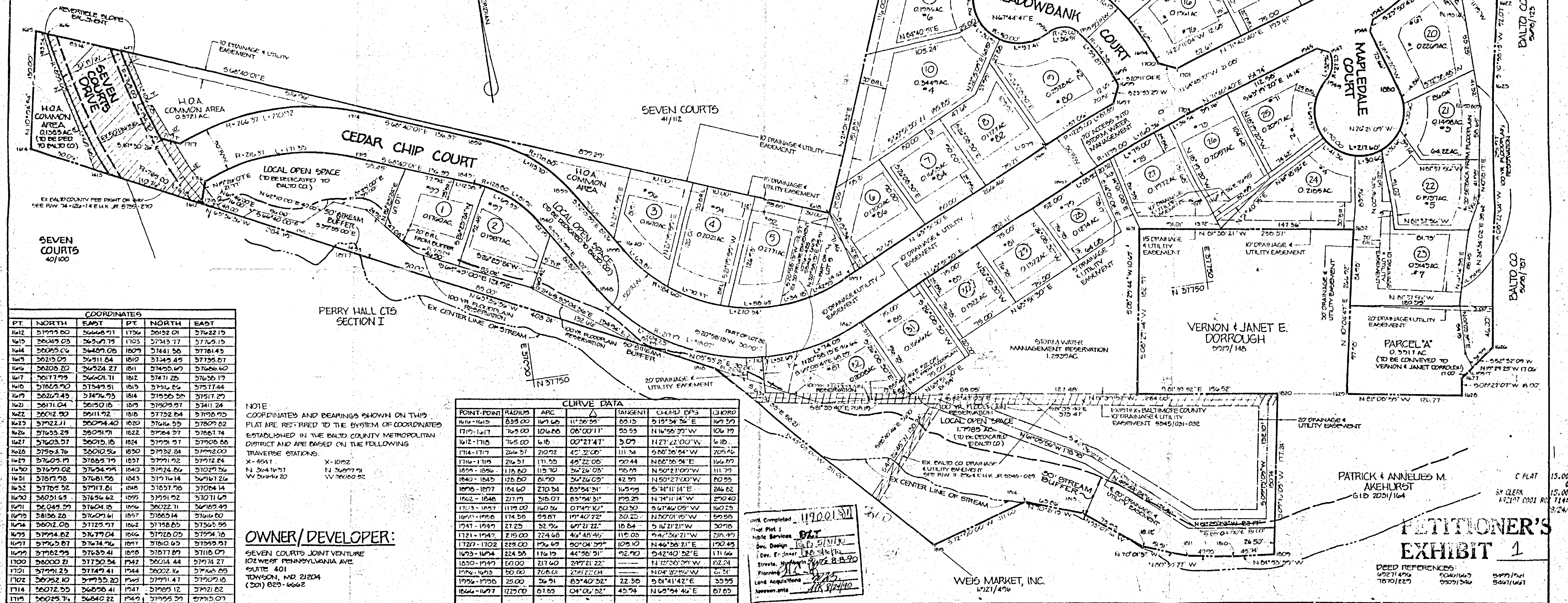
VICINITY MAP SCALE: 1"=500'

GENERAL NOTES

1. GROSS ACRES 11.5666
2. NET ACRES 11.5666
3. TOTAL AREA OF ROAD DEDICATION 2.5528
4. STORMWATER MANAGEMENT AREA 1.2597
5. LOCAL OPEN SPACE REQUIRED 0.4
6. LOCAL OPEN SPACE PROVIDED 0.4224
7. NO. OF UNITS PERMITTED 100
8. NO. OF UNITS PROPOSED 100
9. NO. OF PARKING SPACES REQUIRED (2/UNIT) 200
10. NO. OF PARKING SPACES PROVIDED 200
11. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
12. THE WATER SURFACE ELEVATION FIGURES SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100-YEAR WATER SURFACE BOUNDARY ELEVATIONS. THE 100-YEAR FLOODPLAIN BOUNDARY SHOWN IS EQUAL TO THE FLOODPLAIN LINE OF WIDER.
13. HIGHWAY AND HIGHWAY WIDENING, SLOPE REPAIRS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES, AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
14. STREETS AND/OR ROADS SHOWN HEREON AND MENTIONED THEREOF IN THIS PLAN ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE SAID THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAN IS ATTACHED, THEIR HEIRS AND ASSIGNS.
15. THIS PLAN MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 22-56.
16. THE RECORDING OF THIS PLAN DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
17. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAN.

18. ADDITIONAL INFORMATION CONCERNING THIS PLAN MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE RECORDING OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THE PLAN.
19. THE OWNER/DEVELOPER SHALL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
20. DATE OF CG APPROVAL: JULY 13, 1989.
21. ALL AREAS OUTSIDE THE L.O.S. THAT ARE NOT IN THE LOTS WILL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.
22. ALL LOCAL OPEN SPACE WILL BE DEDICATED TO BALTIMORE COUNTY.
23. THIS SITE IS LOCATED WITHIN THE FOLLOWING AREAS AND DISTRICTS:
ELECTION DISTRICT NO. 11
CONGRESSIONAL DISTRICT NO. 5
CENSUS TRACT NO. 4114.03
WATERSHED NO. 4
SUBURBAN NO. 25
24. RESTRICTIVE COVENANTS GOVERNING THE USE OF STREAM BUFFER AND WETLANDS AREAS SHALL BE RECORDED IN THE DEEDS OF LOTS 2 AND 30.
25. A NEW FESTIVAL AT PERRY HALL, LOT 3 IS RESERVICED AS A PARKIN LOT TO PROVIDE MORE AREA FOR STORM WATER MANAGEMENT FACILITIES IN PERRY HALL (COURTS SECTION 2).
26. "NO CLEARING, GRADING OR DISTURBANCE OF THE STREAM BUFFER EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPRM."

CONTINUED GENERAL NOTES:
28. EXISTING UTILITY MAINS WITHIN STORMWATER MANAGEMENT RESERVATION TO BE RELOCATED SOUTH OF RESERVATION AND EXISTING EASEMENT EXTINGUISHED.
29. STREAM BUFFER DIRECTLY SOUTH OF STORM WATER RESERVATION TO BE LANDSCAPED WITH NATIVE SPECIES. PLAN TO BE APPROVED BY DEPRM PRIOR TO ISSUANCE OF GRADING PERMIT.



COORDINATES					
PT.	NORTH	EAST	PT.	NORTH	EAST
1412	57179.60	57164.91	1756	57162.01	57172.15
1413	57179.60	57164.91	1757	57162.01	57172.15
1414	57179.60	57164.91	1807	57162.01	57172.15
1415	57179.60	57164.91	1808	57162.01	57172.15
1416	57179.60	57164.91	1809	57162.01	57172.15
1417	57179.60	57164.91	1810	57162.01	57172.15
1418	57179.60	57164.91	1811	57162.01	57172.15
1419	57179.60	57164.91	1812	57162.01	57172.15
1420	57179.60	57164.91	1813	57162.01	57172.15
1421	57179.60	57164.91	1814	57162.01	57172.15
1422	57179.60	57164.91	1815	57162.01	57172.15
1423	57179.60	57164.91	1816	57162.01	57172.15
1424	57179.60	57164.91	1817	57162.01	57172.15
1425	57179.60	57164.91	1818	57162.01	57172.15
1426	57179.60	57164.91	1819	57162.01	57172.15
1427	57179.60	57164.91	1820	57162.01	57172.15
1428	57179.60	57164.91	1821	57162.01	57172.15
1429	57179.60	57164.91	1822	57162.01	57172.15
1430	57179.60	57164.91	1823	57162.01	57172.15
1431	57179.60	57164.91	1824	57162.01	57172.15
1432	57179.60	57164.91	1825	57162.01	57172.15
1433	57179.60	57164.91	1826	57162.01	57172.15
1434	57179.60	57164.91	1827	57162.01	57172.15
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1437	57179.60	57164.91	1830	57162.01	57172.15
1438	57179.60	57164.91	1831	57162.01	57172.15
1439	57179.60	57164.91	1832	57162.01	57172.15
1440	57179.60	57164.91	1833	57162.01	57172.15
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1442	57179.60	57164.91	1835	57162.01	57172.15
1443	57179.60	57164.91	1836	57162.01	57172.15
1444	57179.60	57164.91	1837	57162.01	57172.15
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1446	57179.60	57164.91	1839	57162.01	57172.15
1447	57179.60	57164.91	1840	57162.01	57172.15
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1471	57179.60	57164.91	1864	57162.01	57172.15
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1473	57179.60	57164.91	1866	57162.01	57172.15
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1492	57179.60	57164.91	1885	57162.01	57172.15
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1495	57179.60	57164.91	1888	57162.01	57172.15
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1498	57179.60	57164.91	1891	57162.01	57172.15
1499	57179.60	57164.91	1892	57162.01	57172.15
1500	57179.60	57164.91	1893	57162.01	57172.15

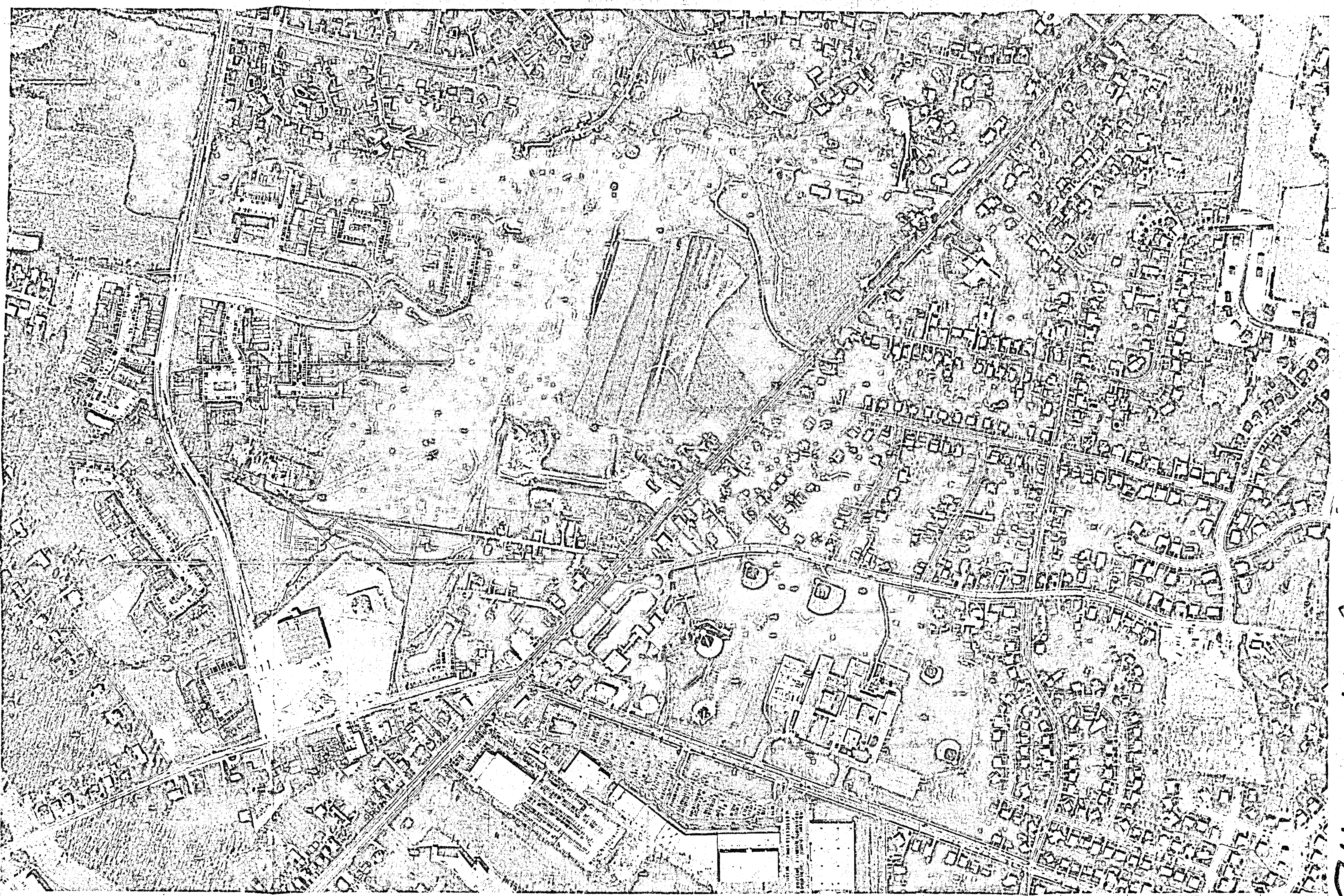
NOTE:
COORDINATES AND BEARINGS SHOWN ON THIS PLAN ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTO COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:
X-4541
N 364°16'31" W 3060.91
X-1052
N 366°57'11" W 3060.82

OWNER/DEVELOPER:

SEVEN COURTS JOINT VENTURE
102 WEST PENNSYLVANIA AVE.
SUITE 401
TOWSON, MD 21204
(301) 629-6666

CURVE DATA					
POINT-POINT	RADIUS	ARC	TANGENT	CHORD BEG	CHORD
1413-1414	833.00	107.65	11°36'55"	51°54'34"E	107.65
1414-1415	106.00	106.00	08°00'11"	51°54'34"E	106.19
1415-1416	106.00	106.00	08°00'11"	51°54'34"E	106.19
1416-1417	106.00	106.00	08°00'11"	51°54'34"E	106.19
1417-1418	106.00	106.00	08°00'11"	51°54'34"E	106.19
1418-1419	106.00	106.00	08°00'11"	51°54'34"E	106.19
1419-1420	106.00	106.00	08°00'11"	51°54'34"E	106.19
1420-1421	106.00	106.00	08°00'11"	51°54'34"E	106.19
1421-1422	106.00	106.00	08°00'11"	51°54'34"E	106.19
1422-1423	106.00	106.00	08°00'11"	51°54'34"E	106.19
1423-1424	106.00	106.00	08°00'11"	51°54'34"E	106.19
1424-1425	106.00	106.00	08°00'11"	51°54'34"E	106.19
1425-1426	106.00	106.00	08°00'11"	51°54'34"E	106.19
1426-1427	106.00	106.00	08°00'11"	51°54'34"E	106.19
1427-1428	106.00	106.00	08°00'11"	51°54'34"E	106.19
1428-1429	106.00	106.00	08°00'11"	51°54'34"E	106.19
1429-1430	106.00	106.00	08°00'11"	51°54'34"E	106.19
1430-1431	106.00	106.00	08°00'11"	51°54'34"E	106.19
1431-1432	106.00	106.00	08°00'11"	51°54'34"E	106.19
1432-1433	106.00	106.00	08°00'11"	51°54'34"E	106.19
1433-1434	106.00	106.00	08°00'11"	51°54'34"E	106.19
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1436-1437	106.00	106.00	08°00'11"	51°54'34"E	106.19
1437-1438	106.00	106.00	08°00'11"	51°54'34"E	106.19
1438-1439	106.00	106.00	08°00'11"	51°54'34"E	106.19
1439-1440	106.00	106.00	08°00'11"	51°54'34"E	106.19
1440-1441	106.00	106.00	08°00'11"	51°54'34"E	106.19
1441-1442	106.00	106.00	08°00'11"	51°54'34"E	106.19
1442-1443	106.00	106.00	08°00'11"	51°54'34"E	106.19
1443-1444	106.00	106.00	08°00'11"	51°54'34"E	106.19
1444-1445	106.00	106.00	08°00'11"	51°54'34"E	106.19
1445-1446	106.00	106.00	08°00'11"	51°54'34"E	106.19
1446-1447	106.00	106.00	08°00'11"	51°54'34"E	106.19
1447-1448	106.00	106.00	08°00'11"	51°54'34"E	106.19
1448-1449	106.00	106.00	08°00'11"	51°54'34"E	106.19
1449-1450	106.00	106.00	08°00'11"	51°54'34"E	106.19
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1452-1453	106.00	106.00	08°00'11"	51°54'34"E	106.19
1453-1454	106.00	106.00	08°00'11"	51°54'34"E	106.19
1454-1455	106.00	106.00	08°00'11"	51°54'34"E	106.19
1455-1456	106.00	106.00	08°00'11"	51°54'34"E	106.19
1456-1457	106.00	106.00	08°00'11"	51°54'34"E	106.19
1457-1458	106.00	106.00	08°00'11"	51°54'34"E	106.19
1458-1459	106.00	106.00	08°00'11"	51°54'34"E	106.19
1459-1460	106.00	106.00	08°00'11"	51°54'34"E	106.19
1460-1461	106.00	106.00	08°00'11"	51°54'34"E	106.19
1461-1462	106.00	106.00	08°00'11"	51°54'34"E	106.19
1462-1463	106.00	106.00	08°00'11"	51°54'34"E	106.19
1463-1464	106.00	106.00	08°00'11"	51°54'34"E	106.19
1464-1465	106.00	106.00	08°00'11"	51°54'34"E	106.19
1465-1466	106.00	106.00	08°00'11"	51°54'34"E	106.19
1466-1467	106.00	106.00	08°00'11"	51°54'34"E	106.19
1467-1468	106.00	106.00	08°00'11"	51°54'34"E	106.19
1468-1469	106.00	106.00	08°00'11"	51°54'34"E	106.19
1469-1470	106.00	106.00	08°00'11"	51°54'34"E	106.19
1470-1471	106.00	106.00	08°00'11"	51°54'34"E	106.19
1471-1472	106.00	106.00	08°00'11"	51°54'34"E	106.19
1472-1473	106.00	106.00	08°00'11"	51°54'34"E	106.19
1473-1474	106.00	106.00	08°00'11"	51°54'34"E	106.19
1474-1475	106.00	106.00	08°00'11"	51°54'34"E	106.19
1475-1476	106.00	106.00	08°00'11"	51°54'34"E	106.19
1476-1477	106.00	106.00	08°00'11"	51°54'34"E	106.19
1477-1478	106.00	106.00	08°00'11"	51°54'34"E	106.19
1478-1479	106.00	106.00	08°00'11"	51°54'34"E	106.19
1479-1480	106.00	106.00	08°00'11"	51°54'34"E	106.19
1480-1481	106.00	106.00	08°00'11"	51°54'34"E	106.19
1481-1482	106.00	106.00	08°00'11"	51°54'34"E	106.19
1482-1483	106.00	106.00	08°00'11"	51°54'34"E	106.19
1483-1484	106.00	106.00	08°00'11"	51°54'34"E	106.19
1484-1485	106.00	106.00	08°00'11"	51°54'34"E	106.19
1485-1486	106.00	106.00	08°00'11"	51°54'34"E	106.19
1486-1487	106.00	106.00	08°00'11"	51°54'34"E	106.19
1487-1488	106.00	106.00	08°00'11"	51°54'34"E	106.19
1488-1489	106.00	106.00	08°00'11"	51°54'34"E	106.19
1489-1490	106.00	106.00	08°00'11"	51°54'34"E	106.19
1490-1491	106.00	106.00	08°00'11"	51°54'34"E	106.19
1491-1492	106.00	106.00	08°00'11"	51°54'34"E	106.19
1492-1493	106.00	106.00	08°00'11"	51°54'34"E	106.19
1493-1494	106.00	106.00	08°00'11"	51°54'34"E	106.19
1494-1495	106.00	106.00	08°00'11"	51°54'34"E	106.19
1495-1496	106.00	106.00	08°00'11"	51°54'34"E	106.19
1496-1497	106.00	106.00	08°00'11"	51°54'34"E	106.19
1497-1498	106.00	106.00	08°00'11"	51°54'34"E	106.19
1498-1499	106.00	106.00	08°00'11"	51°54'34"E	106.19
1499-1500	106.00	106.00	08°00'11"	51°54'34"E	106.19

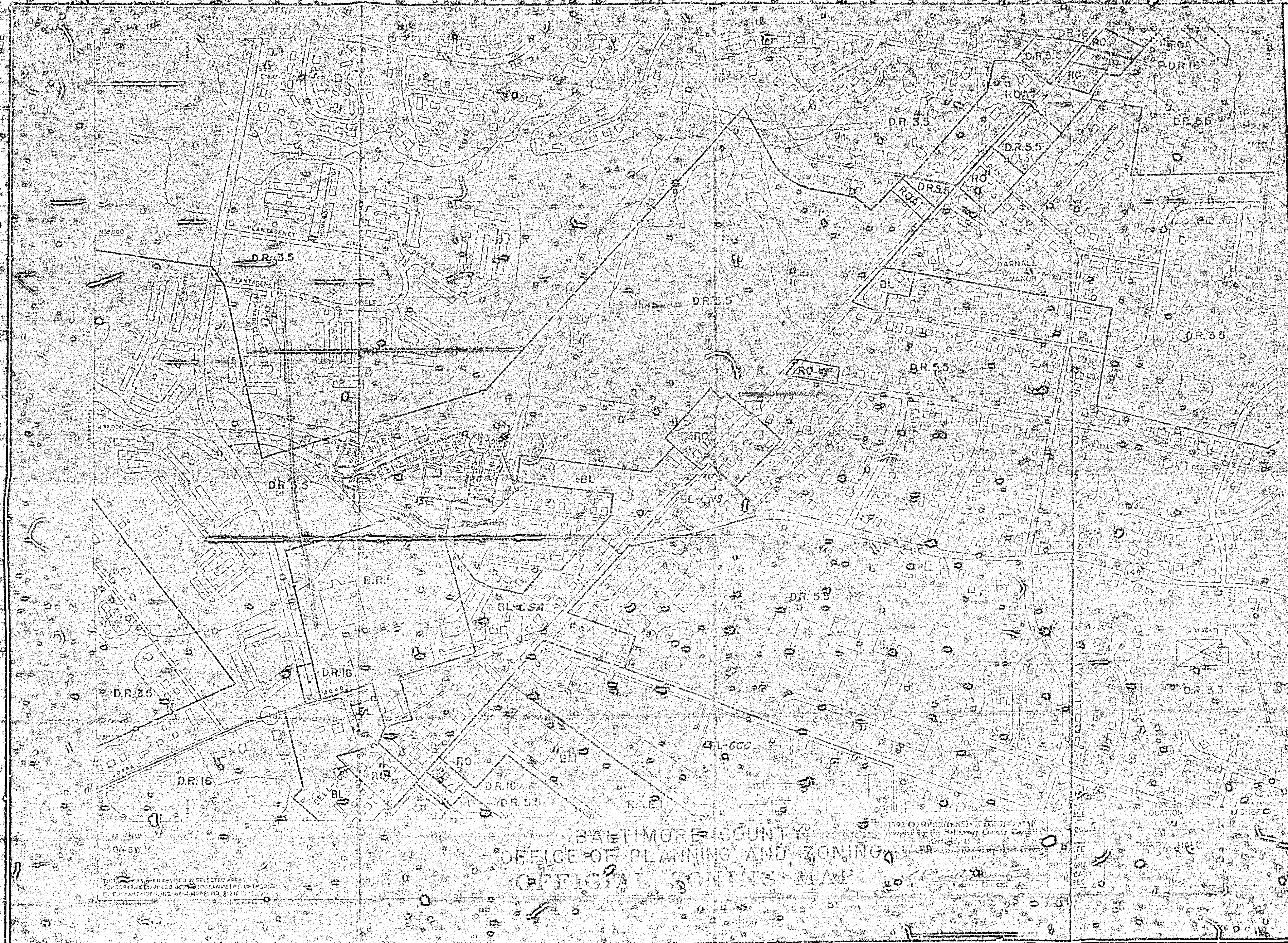
94-224-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	PERRY HALL	NE. 10-G
DATE OF PHOTOGRAPHY JANUARY 1986	ITEM # 223	LOTS 29, 30 & 32 PERRY HALL COURTS



94-224-A

LOTS 29, 30 & 32
PERRY HALL COURTS
ITEM #223