

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
 PETITION FOR VARIANCE for
 Glyndon Mews - W/S Gaskins Lane, * DEPUTY ZONING COMMISSIONER
 NE of Central Avenue * OF BALTIMORE COUNTY
 4th Election District *
 3rd Councilmanic District * Case Nos. 1V-479 and 96-52-A
 American Diabetes Assoc., Owners/
 Prestige Development Inc., Developers

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner on a combined hearing seeking approval of a development plan prepared by D. S. Thaler and Associates, Inc., and a Petition for Variance, for the proposed development of the subject property by the American Diabetes Association, Owners, and Prestige Development, Inc., Developer, with 22 single family dwellings, in accordance with the development plan submitted into evidence as Developer's Exhibit 5. The subject property is located adjacent to the 400 block of Central Avenue and adjoins Camp Glyndon and Pennington Avenue in the southeastern part of Glyndon Valley.

As to the development plan, approval is sought pursuant to the development regulations codified in Section 26-206 of the Baltimore County Code (BCC). Also, the Developer seeks approval of certain waiver requests, pursuant to Section 26-172 of the Code, to allow a street width less than that required and no sidewalks on one side of the access road.

As to the Petition for Variance, relief is sought from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1B01.2.C.1.b to permit a minimum building front and side setback to a street right-of-way of 15 feet in lieu of the required 25 feet (front only for Lots 1 through 15 and Lots 18 through 22, and side only for Lots 12 and 21); and, from Section 1A04.3.B.3 to permit a minimum building to a

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property line setback of 15 feet in lieu of the required 50 feet and a minimum building front setback to the center of a cul-de-sac of 63 feet in lieu of the required 75 feet for Lots 16 and 17.

As to the history of this project, the concept plan conference for this development was conducted on May 1, 1995. As required, a community input meeting was held on June 1, 1995 at Camp Glyndon in Reisterstown. Subsequently, a development plan was submitted and a conference held thereon on August 23, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on September 8, 1995.

Appearing at the public hearing required for this project were Jay Weiss and Alan Klatsky, representatives of Prestige Development, Inc., the Developer of this project, David S. Thaler, the engineer who prepared the development plan for this property, and Nancy Paige, Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Bruce Seeley with the Department of Environmental Protection and Resource Management (DEPRM), J. Frances Morsey with the Office of Planning and Zoning (OPZ), and Kate Milton, Stephany Wright, and Kurt Kugelberg, Project Manager for this development, all representatives of the Permits and Development Management (PDM) office. In addition, a number of community representatives, neighbors and concerned citizens were present to voice the concerns of Glyndon Valley residents and protest the development plan and requested variances. Daniel M. Twomey, Esquire, appeared on behalf of Ernest C. and Emma L. Buell, adjoining property owners who are opposed to the Developer's planned entrance road which will transect their driveway.

As shown on the plan, the subject property is an irregularly shaped parcel and consists of approximately 17.367 acres in area, split zoned D.R. 2 (10.074 acres), R.C. 2 (1.133 acres), and R.C. 5 (6.160 acres). The resultant density for this site permits 24 units; however, the Developer proposes only 22 units. The property is presently unimproved and is predominantly wooded, with some open fields. Significant environmental constraints exist on the site, including streams, wetland areas, and steep slopes.

In considering the development plan, I am required to determine what, if any, agency comments or issues remain unresolved. Testimony and evidence received indicated that all issues raised within the comments submitted by the various Baltimore County reviewing agencies have been resolved and incorporated within the revised development plan. Mr. Bruce Seeley, a representative of DEPRM, clarified issues concerning the revisions to the steep slope and erodible soil analysis and relocation of the forest buffer easement. Some advisory comments and minor changes were suggested by other agencies at the Hearing Officer's hearing, including future dedication of the roads to Baltimore County. The agency representatives' testimony corroborated that all County standards were satisfied and that Developer's Exhibit No. 5 was in compliance with each department's regulations, policies and rules.

The Hearing Officer's hearing also provides a forum to record the concerns of local residents. However, the Zoning Commissioner's authority to disapprove a development plan on this basis is limited. The Hearing Officer's hearing is conducted in accordance with Section 26-206 of the Code and represents the end of Phase 1 of the development process. Phase 1 is designed to ensure the evolution of a plan which has undergone wide-

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spread review and comment from both the County and the surrounding community. Yet, Section 26-206(b) provides that "The Hearing Officer shall grant approval of the plan that complies with these development regulations and applicable policies, rules and regulations..." (emphasis added). Since the plain meaning of this statute is clear, the use of the word "shall" in this Section denotes a mandatory direction. Thus, the Hearing Officer must approve a plan which complies with County regulations and policies.

This development plan generated significant protest from the Glyndon Community Association and concerned neighbors. Mr. Foster Nichols, Jr., First Vice President of the Glyndon Community Association, presented the concerns of the community as contained within their letter which was submitted into evidence as Protestant's Exhibit 1. The association "opposes categorically any proposed zoning changes or variances or waivers, such as setback restrictions, that allow increased density..." It is to be noted that a change to the zoning classification of the property is not requested. Indeed, this Zoning Commissioner does not have the authority to change the zoning of the property. Moreover, the variances do not alter the permitted density of the tract. Other concerns about traffic congestion, school overcrowding, environmental quality and compatibility of the project with the historic character of Glyndon were raised.

The proposed development utilizes principles of streetscape and Victorian architecture as described at length by Mr. Link, the Developer's Architect and more particularly described in schematic sketches entered into evidence as Developer's Exhibits 3A, 3B, and 3C. The architectural design and close proximity of the homes will encourage more buffering and overall open space throughout the site. The community representatives who

testified do not oppose these design concepts, but fear that the proposal is inconsistent with the rural character of Glyndon.

The issue relating to compatibility with the surrounding area was one of the main concerns of local residents and neighbors. A petition was submitted that stated, "We, the undersigned, are concerned members of the community who oppose additional residential development in and around Historic Glyndon that is not compatible with the scale and style of the existing neighborhood..." Another letter from a concerned resident states, "The historic section of Glyndon is characterized by 1 to 1 and 1/2 acre lots with old stand trees and 50-plus feet between houses." A primary objection of the Protestants was that the proposed project will differ from the existing community as the majority of the proposed units will be built on smaller lots.

The concept of compatibility is largely a matter of personal taste and preference. Mr. Link, and also Mr. Thaler, discussed the features of the project which will result in the successful blending of the proposed community into existing historic Glyndon. Their testimony, in my view, was persuasive. More importantly, it is of note that this project need not address the compatibility standards set forth in Section 26-282 of the Baltimore County Code. Those standards, which need be met during the development process for certain projects, are not, by definition, applicable here. Thus, the issue of compatibility raised by the community is not sufficient so as to warrant a denial of the plan.

Waivers are requested pursuant to Section 26-172 of the Baltimore County Code to permit a 24-foot road on a 40-foot right-of-way in lieu of the required 30-foot road on a 50-foot right-of-way, and to allow only one side of a portion of the entrance road to have sidewalk. Prior to approval

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of these waivers, it must be demonstrated that the size, scope and nature of the project does not justify strict compliance, that the waiver would be within the scope, spirit and intent of the regulations, and that all other standards will be met.

As to the road width waiver, same is appropriate since its approval would limit clearing and reduce the amount of impervious surface. In addition, the narrower road would reduce the impact on the driveway used by Mr. & Mrs. Buell, adjacent neighbors. Also, only 220 trips per day are estimated for the development's internal roads. These lightly traveled residential roads need not be wider than 24 feet to safely and efficiently serve the residents.

A waiver of the road width requirements in conjunction with the requested variances will permit the houses to be closer to each other, thus creating a greater sense of streetscape and community. Greater amounts of open space and buffering will be preserved between the new construction and already established homes.

As to the sidewalk waiver, the Developer seeks a waiver to the requirement that both sides of the street have sidewalks along a portion of the entrance road. A grant of this waiver is also appropriate. There is no need to maintain parallel sidewalks along both sides of the entrance road. Also, a grant of the waiver will decrease clearing and preserve existing vegetation.

An issue was also raised by Mr. & Mrs. Buell, adjoining property owners, relative to the impact of the proposed development on access to their lot. As shown on the site plan, access to the subject tract is by way of a proposed road from Central Avenue. This road parallels a paper road (Gaskins Lane) and an unimproved lane which serves as the Buell's

drive way. The developer has offered to improve the Buell's driveway from a point north of the new access road, to its terminus at the Buell's residence. Inexplicably, the Buell's have refused this offer, which would ease their means of access/egress, eliminate an unnecessary curb cut on Central Avenue, and lessen congestion. Instead, through Counsel, the Buells assert that the proposed road into the development cannot be built because same crosses their driveway and represents a trespass and/or taking of their property.

Mrs. Buell also testified that the new entrance to Glyndon Mews will make her driveway so steep that ingress and egress to her property will become too difficult. She testified that one problem with the new road is that she would have to stop at the new intersection and this would prevent her from maintaining a clear route to Central Avenue. Since the Buells did not want the new road to cross their driveway, a question of title was raised. The evidence offered at the hearing suggested that the Developer retains proper title to the property and has the option to cross the Buell's driveway, so long as ingress and egress to the Buell's home is not cut off the by the new road.

Developer's Exhibit No. 9, a letter from the Residential Title and Escrow Company to Mr. Alan Klatsky, confirms title insurance has been issued for this project and the likelihood that the developer retains proper title. However, as Zoning Commissioner, I have no power to render decisions reserved to the Circuit Court for Baltimore County. I have no authority to determine questions of title over road beds, easements, or adverse possession. Therefore, approval of the development plan for this project is subject to the Developer successfully defending any claims affecting title or violation of property rights raised by the Buells.

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As to the Petition for Variance, the Protestants oppose same and believe that the Developer is attempting to obtain relief in order to increase density. This conclusion is simply wrong and ignores the clear wording and intent of the B.C.Z.R.

The zoning classifications established in the B.C.Z.R. determine density. For example, the D.R. 2 classification allows 2 units per acre. As the site plan shows, the subject tract is large enough in acreage to support 24 units, although only 22 are proposed.

Density is not to be confused with standards for lot size, lot width and/or setbacks. The D.R. zoning classification and regulations attendant thereto were established to promote a diversity of housing types, avoid urban sprawl and preserve natural features of the land. (See B.C.Z.R. Section 1B00.1 - Legislative Declaration of Funds for D.R. zones and Section 1B00.2 - Purposes of D.R. zones.) As stated in Section 1B00.1.B of the B.C.Z.R. "...minimum standards for individuals lots, having {previously} been derived from maximum overall density standards, have resulted in an excessive spreading of residential development over subdivision tracts; such spreading of development has led to removal or undesirable transformation of natural vegetation and other features more properly left in their natural or previous states, and has led to visual monotony." For example, under the previous regulations, a 10-acre parcel zoned to permit two dwellings per acre, resulted in 20 units spread throughout the tract. Although the lots were bigger, the entire site was disturbed and areas of open space and natural vegetation were not provided. The adoption of the D.R. zoning classification was designed to foster the retention of open space and natural vegetation, while regulating overall density for the entire

tract. Undesirable clustering of housing was prevented by establishing setbacks between individual lots and houses.

In this case, variances are requested, not to increase density, but to allow the proposed dwellings to be closer to the road and achieve the desired community effect. Also, large back yards will result, allowing for more buffering towards existing development.

Pursuant to Section 307 of the B.C.Z.R., variances may be granted only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the zoning regulations shall be permitted as a result of any such grant of a variance from height or area regulations.

In the opinion of this Hearing Officer, the standard required to grant the variances has been met in the instant case. According to testimony from David S. Thaler, the practical difficulty is created by virtue of the unique topography of the site and its unusual bow-tie shape. The property is a mix of three zones with zoning lines that appear arbitrarily drawn. The stream, ridges, wetlands and general configuration differentiates this property from all other parcels in the zone. If the variances are denied, the developer will still be permitted to build 22 units on this land as of right. A denial would result in the lots being compressed depthwise to meet the regulations. Also, if the variances are denied, more trees will be lost, less buffering will be provided, and the potential to cluster the homes to form a stronger sense of community will be lost. Due to these practical difficulties and the significant increased

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benefit to the community, the variances should be granted. In my view, the Petitioner has satisfied the test set forth in Section 307.1 of the B.C.Z.R. and the case law.

A final comment is in order regarding the installation of public utilities to this development. All of the proposed lots will be served with public sewer and water; however, two of the lots, Lot Nos. 16 and 17, are split zoned D.R. 2 and R.C. 5. The development plan comment from the Office of Planning and Zoning suggests that a waiver is necessary in order for the connection to be made to the R.C. zoned lots. I disagree and apparently so does the Department of Public Works. I am aware of no regulation which requires such a waiver; however, even if a waiver was required, it would be granted in that the connection will be in the D.R. 2 zoned portion of the lots and public utility access to those lots is appropriate.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner and Hearing Officer for Baltimore County this 22nd day of September, 1995 that the development plan for Glyndon Mews, identified herein as Developer's Exhibit 5, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the requested waivers to permit a 24-foot road on a 40-foot right-of-way in lieu of the required 30-foot road on a 50-foot right-of-way, and to allow only one side of a portion of the entrance road to have sidewalk, pursuant to Section 26-172 of the Baltimore County Code, be and are hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

1) From Section 1B01.2.C.1.b to permit a minimum building front and side setback to a street right-of-way of 15 feet in lieu of the required 25 feet (front only for Lots 1 through 15 and Lots 18 through 22, and side only for Lots 12 and 21); and, from Section 1A04.3.B.3 to permit a minimum building to a property line setback of 15 feet in lieu of the required 50 feet and a minimum building front setback to the center of a cul-de-sac of 63 feet in lieu of the required 75 feet for Lots 16 and 17, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Developers may apply for their building permit and be granted same upon receipt of this Order; however, the Developers 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 Developer will be required to improve the Buell's driveway from the Buell's residence to the point at which the driveway connects with the new road, if the Buells request the Developer to do so in writing and send a copy of their request to the Zoning Commissioner within ninety (90) days of the date of this Order. If the Buells do not request the Developer to do so within the above-noted time frame, then this restriction is lost and the Developer is freed from the obligation.

3) The houses to be constructed must be "substantially" similar to the schematic sketches entered into the record as Exhibits 3A, 3B, and 3C. The Victorian style described in detail at the hearing must be followed throughout the development. The project design, building scale, and massing should compliment the historic character of the general Glyndon area. Prior to the issuance of any building permits, the exterior design of the dwellings should be reviewed by the Landmarks Preservation Commission. Units should incorporate dormers, gables, and porches. Building entries and side facades that front streets should be well-ar-

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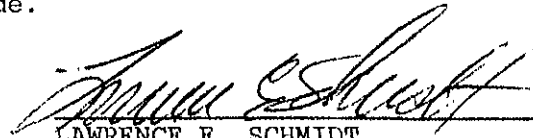
Date

By

ticated. The construction remains subject to review and approval by the Office of Planning and Zoning.

4) The Developer shall comply with DEPRM's requirements regarding steep slopes, erodible soil analysis and forest conservation.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.



LAWRENCE E. SCHMIDT
Hearing Officer
for Baltimore County

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

September 22, 1995

(410) 887-4386

Nancy E. Paige, Esquire
Gordon, Feinblatt, Rothman, Hoffberger & Hollander
233 East Redwood Street
Baltimore, Maryland 21202-3332

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE for Glyndon Mews
W/S Gaskins Lane, NE of Central Avenue
(400 Central Avenue)
4th Election District - 3rd Councilmanic District
American Diabetes Assoc., Owners, and
Prestige Development Inc., Developers
Case Nos. IV-479 and 96-52-A

Dear Ms. Paige:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance 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,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Hearing Officer
for Baltimore County

LES:bjs

cc: Mr. Bill G. Baxter, 407 Central Avenue, Reisterstown, Md. 21136
Mr. Alan G. Klatsky, 8010 Derby Lane, Owings Mills, Md. 21117
Mr. Jay Weiss, 1 Reservoir Circle, Pikesville, Md. 21208

Messrs. David S. Thaler and Phillip Carroll,
D. S. Thaler & Assoc., Inc., 7115 Ambassador Rd., Baltimore, Md. 21244

Daniel Twomey, Esquire, 308 W. Pennsylvania Avenue, Towson, Md. 21204
Ms. Elizabeth B. Steele, 211 Central Avenue, Glyndon, Md. 21071
Ms. Judith Kaplan, 107 Central Avenue, Glyndon, Md. 21071
Mr. Foster Nichols, Jr., 4708 Butler Road, Glyndon, Md. 21071
Kurt Kugelberg, Project Mgr., PDM; DEPRM; DPW; People's Counsel; File

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

400 BLOCK OF CENTRAL AVENUE

which is presently zoned

D.R.2, R.C.2,
R.C.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 ATTACHMENT

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHMENT

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.

Contract Purchaser/Lessee:

X Mr. Alan G. Klatsky
(Type or Print Name)

X
Signature

8010 Derby Lane
Address

Owings Mills MD. 21117
City State Zipcode

Attorney for Petitioner:

Mr. Neil Schechter, Esquire
(Type or Print Name)

Signature

233 E. Redwood St. (410) 576-4000
Address Phone No.
Baltimore, MD. 21202
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

X Bill G. Baxter
(Type or Print Name)

X
Signature

(Type or Print Name)

Signature

407 Central Ave.
Address Phone No.

Reisterstown MD 21136
City State Zipcode

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

D.S. THALER & ASSOCIATES, INC.
c/o PHILLIP J. CARROLL

Name
7115 AMBASSADOR ROAD 21244 944-3647
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL OTHER

REVIEWED BY: DATE 8/10/95

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96-52-A

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 petitions for a Variance from Section

VI B.C.Z.R. - SECTION 1B01.2.C.1.b.
CMDP II.A. 30.

To allow a minimum 15' building front and side setback to right-of-way in lieu of 25' (front only: lots 1 to 15 & 18 to 22, side: lots 12 & 21).

V2 B.C.Z.R. - SECTION 1A04.3.B.3.

To allow a minimum 15' building setback to a property line in lieu of 50' and to allow a minimum of 63' building front setback to center of cul-de-sac in lieu of 75' (lots 16 & 17).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons:

Compliance with the prescribed setbacks would result in development which is inconsistent with the dominant streetscape of historic Glyndon. The proposed plan is consistent with the configuration of neighborhood properties and results in a deeper landscaped rear buffer to protect adjoining properties, responsive to the expressed wishes of the community.

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July 31, 1995

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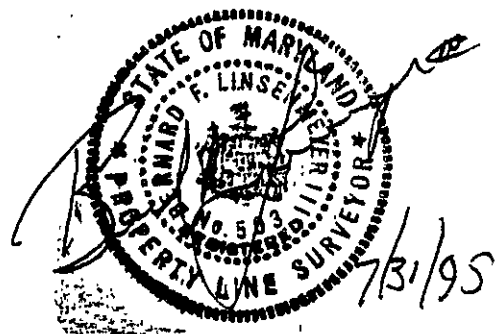
96-52-A

GLYNDON MEWS
Description to Accompany Zoning Petition
(for zoning purposes only)

Beginning at a point approximately 500 feet north of the intersection of Gaskins Lane and Central Avenue; thence running the following sixteen (16) courses and distances:

1. North 45°13'39" West 992.67 feet, more or less, to a point;
2. North 44°46'21" East 597.51 feet, more or less, to a point;
3. South 75°44'50" East 193.40 feet, more or less, to a point;
4. North 21°46'43" East 110.73 feet, more or less, to a point;
5. North 25°06'38" East 190.51 feet, more or less, to a point;
6. South 75°53'23" East 367.85 feet, more or less, to a point;
7. North 03°00'19" East 244.74 feet, more or less, to a point;
8. North 56°30'06" East 475.00 feet, more or less, to a point;
9. South 50°29'54" East 173.10 feet, more or less, to a point;
10. South 39°30'06" West 572.01 feet, more or less, to a point;
11. North 75°53'23" West 184.20 feet, more or less, to a point;
12. South 04°43'21" West 152.76 feet, more or less, to a point;
13. North 70°23'47" West 108.45 feet, more or less, to a point;
14. South 25°21'21" West 754.05 feet, more or less, to a point;
15. South 64°53'39" East 127.05 feet, more or less, to a point;
16. South 08°16'21" West 414.50 feet, more or less, to a point;

Containing approximately 17.37 acres of land, more or less.



NOTICE OF HEARINGS

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 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: #96-52-A

(Item 60)

400 East Central Avenue

Chesapeake

W/S Eastons Lane 500' N

of 40 Central Avenue

4th Election District

3rd Contingent

Legal Owner:

Bill G. Bander

Contract Purchaser:

Alan G. Katsky

Hearing: Friday,

September 8, 1995 at

9:00 a.m. in Rm. 106,

County Office Building.

Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (front only; lots 1 to 15 and 18 to 22; side; lots 12 and 21); and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).

LAWRENCE E. SCHMIDT
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 887-3391.

8/25/95 Aug. 24.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug. 26, 1995

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 Aug. 24, 1995.

THE JEFFERSONIAN,

A. Henrich

LEGAL AD. - TOWSON

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/neighbor 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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 60

Petitioner: Prestige Development, Inc.

Location: Glyndon Mews (w/ls at Gaskins Lane) 500' N centerline of Central Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr. Alan G. Klatzky

ADDRESS: 8010 Derby Lane
Owings Mills, MD 21117

PHONE NUMBER: (410) 576-4005 (attorney)

AJ:ggs

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(Revised 04/09/93)



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

004851

DATE

8/10/95

ACCOUNT

96-52-A
01-015

Item: 60

To K. By: MJK

AMOUNT

\$ 685.00

RECEIVED
FROM:

Prestige Development, Inc. - Glyndon Mills

070 - multi-lot variance - \$ 650.00

020 - 184 - \$ 35.00

FOR:

03A03#0004NICHRC

BA C002#40PM08-10-95

\$685.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY
August 24, 1995 Issue - Jeffersonian

Please forward billing to:

Prestige Development, Inc.
Mr. Alan G. Katsky
8010 Derby Lane
Owings Mills, MD 21117
576-4000

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: 96-52-A (Item 60)
400 Block Central Avenue - Glyndon Mews
W/S Gaskins Lane, 500' N of c/l Central Avenue
Legal Owner: Bill G. Baxter
Contract Purchaser: Alan G. Katsky
HEARING: FRIDAY, SEPTEMBER 8, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (front only: lots 1 to 15 and 18 to 22; side: lots 12 and 21); and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).

LAWRENCE E. SCHMIDT
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 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1995

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:

DEVELOPMENT PLAN HEARING

Project Number: IV-479

Project Name: Glydon Mews

Developer: Prestige Development, Inc.

Location: W/S Gaskins Lane, NE of Central Avenue

Acres: 18.7

Proposal: 21 single family dwellings

AND

CASE NUMBER: 96-52-A (Item 60)

400 Block Central Avenue - Glyndon Mews

W/S Gaskins Lane, 500' N of c/l Central Avenue

Legal Owner: Bill G. Baxter

Contract Purchaser: Alan G. Katsky

Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (front only: lots 1 to 15 and 18 to 22; side: lots 12 and 21); and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).

HEARING: FRIDAY, SEPTEMBER 8, 1995 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Bill G. Baxter
Alan G. Klatsky
Neil Schechter, Esq.
D. S. Thaler & Associates, Inc.

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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Section 307

VARIANCES

[B.C.Z.R., 1955; Bill No. 107, 1963.]

307.1

The zoning commissioner of Baltimore County and the county board of appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the zoning regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking, or sign regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare. They shall have no power to grant any other variances. Before granting any variance, the zoning commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification.¹⁶ Any order by the zoning commissioner or the county board of appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance. (B.C.Z.R., 1955; Bill No. 107, 1963; No. 32, 1988; Bill No. 2, 1992.)

307.2

In addition to the authority and limitations set forth in Section 307.1 above, within the Chesapeake Bay critical area, the zoning commissioner, or upon appeal, the board of appeals of Baltimore County, shall have the power to authorize the expansion of those uses in existence at the time of the effective date of this section. Any order granting a variance pursuant to this subsection shall contain findings of fact which shall include the following: [Bill No. 32, 1988.]

1. That special conditions or circumstances exist that are peculiar to the land or structure within the critical area of the county; [Bill No. 32, 1988.]
2. That strict compliance with the critical area regulations would result in practical difficulty, unreasonable hardship, or severe economic hardship; [Bill No. 32, 1988.]

MICROFILMED

PETITION PROBLEMS

#29 --- JRA

1. Date on receipt is 7/25/95; date on petition is 8/9/95; posting date is 8/13/95; petitions on shelf for this week begin with #55. Where has this petition been??

#55 --- JJS

1. Zoning on petition says "D.R.-5.5"; zoning on folder says "D.R.-3.5". Which is correct?

#60 --- MJK

1. Receipt is still in file folder; was not given to petitioner/attorney.
2. No telephone number for legal owner.

#61 --- MJK

1. Receipt is still in folder; was not given to petitioner/attorney.
2. Need title of person signing for legal owner.
3. No telephone number for legal owner.

revised 10/1/95

RE: PETITION FOR VARIANCE * BEFORE THE
400 Block Central Ave. (Glyndon Mews), W/S * ZONING COMMISSIONER
Gaskins Lane, 500' N of c/l Central Ave. * OF BALTIMORE COUNTY
4th Election District, 3rd Councilmanic *
Bill G. Baxter *
Petitioner * CASE NO. 96-52-A

* * * * *

AMENDED *
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice 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 Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th September day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Neil Schechter, Esquire, 233 E. Redwood Street, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

60

D. S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244

(410) 944-ENGR • (410) 944-3647 • FAX: (410) 944-3684

Date August 10, 1995

To: Baltimore County Government
County Office Building
Office of P.D.M.
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Glyndon Mews
Variance Petition
Project No. IV-476

Attention: Mr. Mitchell J. Kellman

Gentlemen:

- ☒ We are submitting
- ☐ We are forwarding
- ☐ We are returning
- ☐ We request

☒ Herewith

☐ Under Separate Cover

No.	Description
1	Zoning petition package: 1) 3 Original petition forms with attachment. 2) 12 Copies of the sealed plan. 3) 3 Copies of a sealed description of the property. 4) 1 Copy of the 1"=200' scale Zoning map with property outline shown. 5) 1 Letter Requesting a joint hearing. 6) 1 Filing fee in the amount of \$685.00.

Remarks: _____

- ☐ In accordance with your request
- ☐ For your review
- ☒ For processing
- ☐ Plans reviewed and accepted
- ☐ Plans reviewed and accepted as noted
- ☐ For revision by you

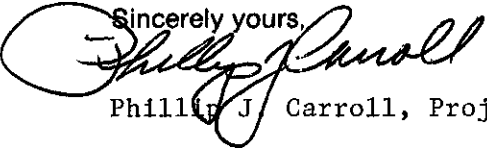
- ☒ For your use
- ☐ Please call when ready
- ☐ Please return to this office
- ☒ Approval requested
- ☐ Conference requested at your convenience

MICROFILMED

For further information, please contact the writer at this office

CC: file

Enclosure ☒ Mr. Alan Klatsky
Nancy Paige, Esquire
Henry F. Sadler, P.E., Chief Engineer.
Alan E. Scoll, R.L.A.

Sincerely yours,

Phillip J. Carroll, Project Engineer.

#60

LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, LLC
THE GARRETT BUILDING
233 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202-3332

410-576-4000

Telex 908041 BAL

Fax 410-576-4246

NANCY E. PAIGE
410-576-4294

August 7, 1995

Arnold Jablon
Director of Zoning Administration
and Development Management
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

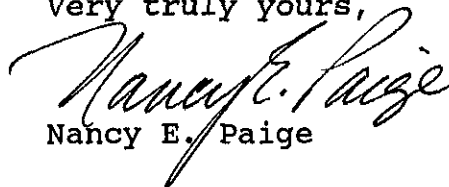
RE: Glyndon Mews, Project No. IV-476
Request for Joint Hearing

Dear Mr. Jablon:

Prestige Development, Inc., the developer of the referenced project, hereby requests a joint hearing on the Development Plan for Glyndon Mews and the requested variances therefor.

Thank you for your assistance.

Very truly yours,

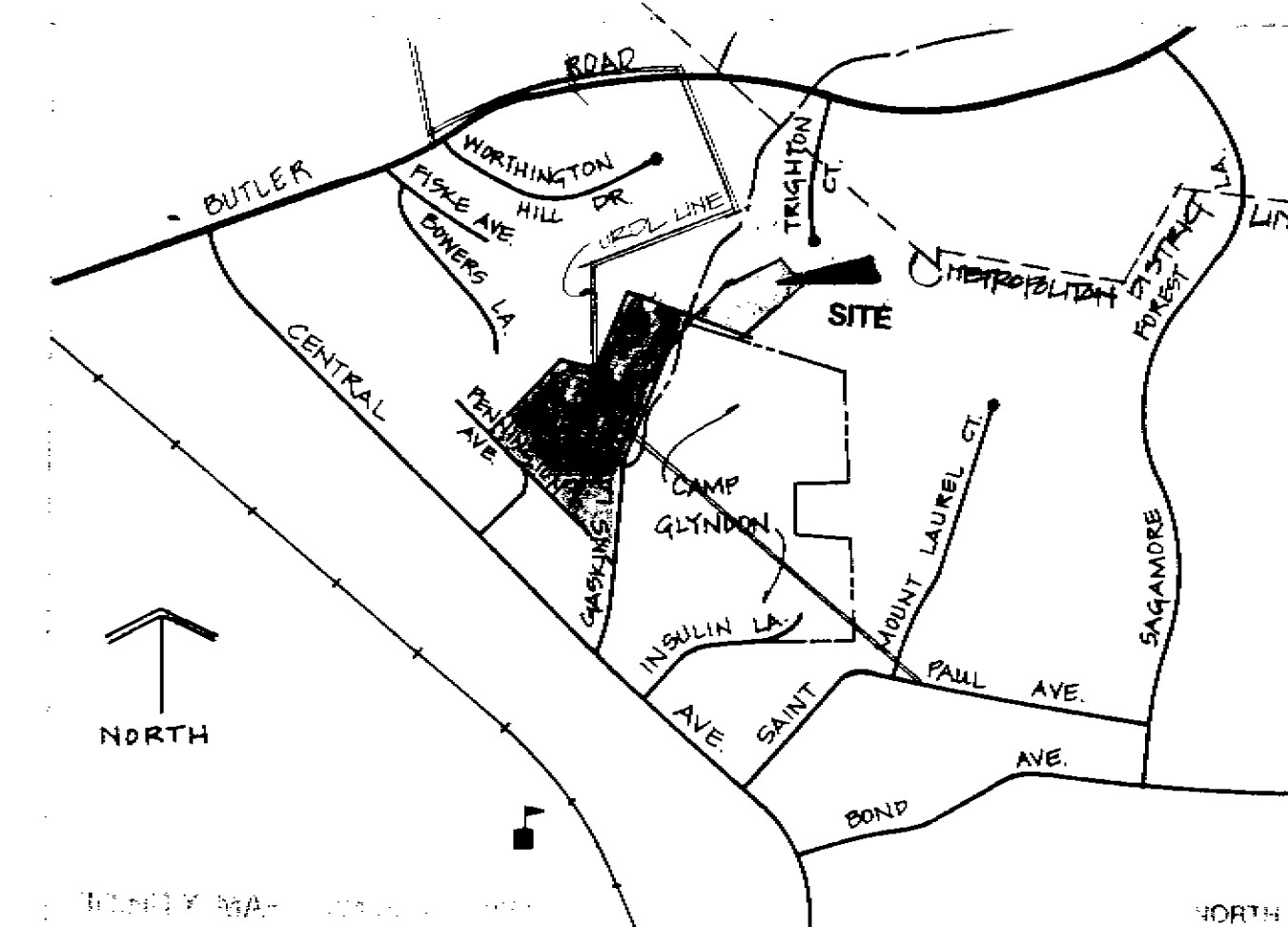

Nancy E. Paige

cc: Alan Klatsky, Pres.
Prestige Development, Inc.

Jab.ltr

Baltimore County Zoning
Commission

ORiffin



SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Density Units/Acre	Units Proposed
DR-2	9.9±	19.8	2.0	19
RC-5	7.3±	4.8	0.7	2
RC-2	1.5±	1	0.7	1
Total	18.7±	25.6		21

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (acres)	Open Space Provided (acres)	Average Daily Trips	Phase	Development Schedule
SINGLE FAMILY	21	2 SPACES/UNIT	42	None	SEE CHART BELOW	10/UNIT		
Total	21	42	42			210		

OPEN SPACE PROPOSAL

Local Open Space Type	Acres	Undeveloped Areas	Acres
Active Open Space		Storm Water Management	1.0±
100 Year Flood Plain		HOA/COA Areas	
Forest Buffer (includes F.P.)	8.0±	Other	
Amenity Areas			
Trails and Connectors			
Other			
Total Provided	8.0±	Total Provided	1.0±
Proposed Ownership	Belo, Co		

ADDITIONAL INFORMATION

- Anticipated Actions:
 - Variances
 - Waivers
 - Special Exceptions
 - Other
- To allow a min. of 15' building setback from the property line in RC-5 Zone in lieu of 50'
- To allow a 24' Road on a 40' R/W in lieu of a 30' Road on a 50' R/W
- To allow two (2) houses in an RC-5 Zone to be serviced by public water and sewer.

GLYNDON MEWS

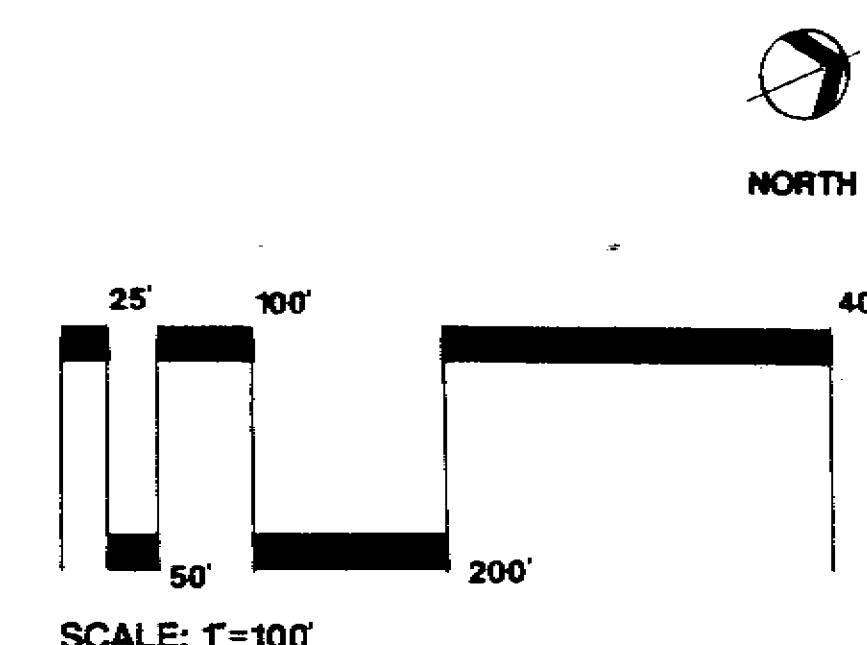
CONCEPT PLAN
SITE PROPOSAL MAP

3

4

LEGEND

TRACT BOUNDARY	SLOPES > 25%	ROAD
ZONING LINE	SOILS	SANITARY SEWER
EASEMENT	TREES	STORM DRAIN
CONTOUR	WETLANDS	WATER
UTILITY POLE	LIGHT	FIRE HYDRANT
VIEW	RIDGE LINE	



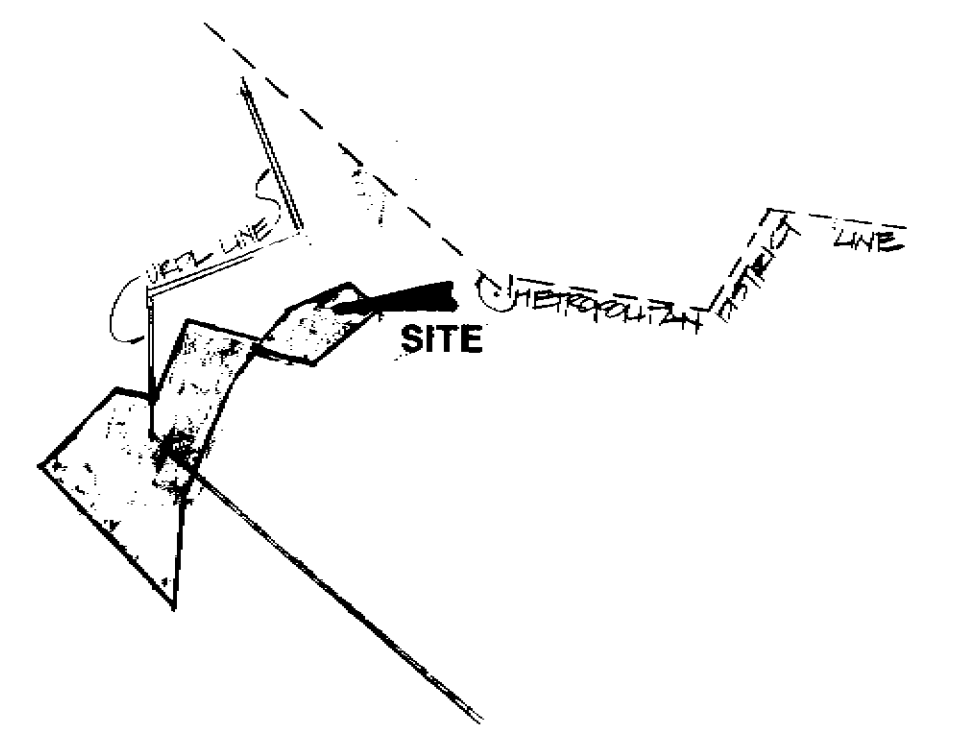
PRESTIGE DEVELOPMENT, INC.
8010 DERBY LANE
OWINGS MILLS, MD. 21117
(410) 356-4700
ATTN: MR. ALAN KLATSKY

PLAN NOT SUBJECT TO BALTIMORE
COUNTY APPROVAL

4-9-95

100'

ITPSA



A. PREPARER OF PLAN
Name: D.S. THALER & ASSOCIATES, INC.
Address: 1119 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21244
(410) 944-3647

B. ENVIRONMENTAL INFORMATION

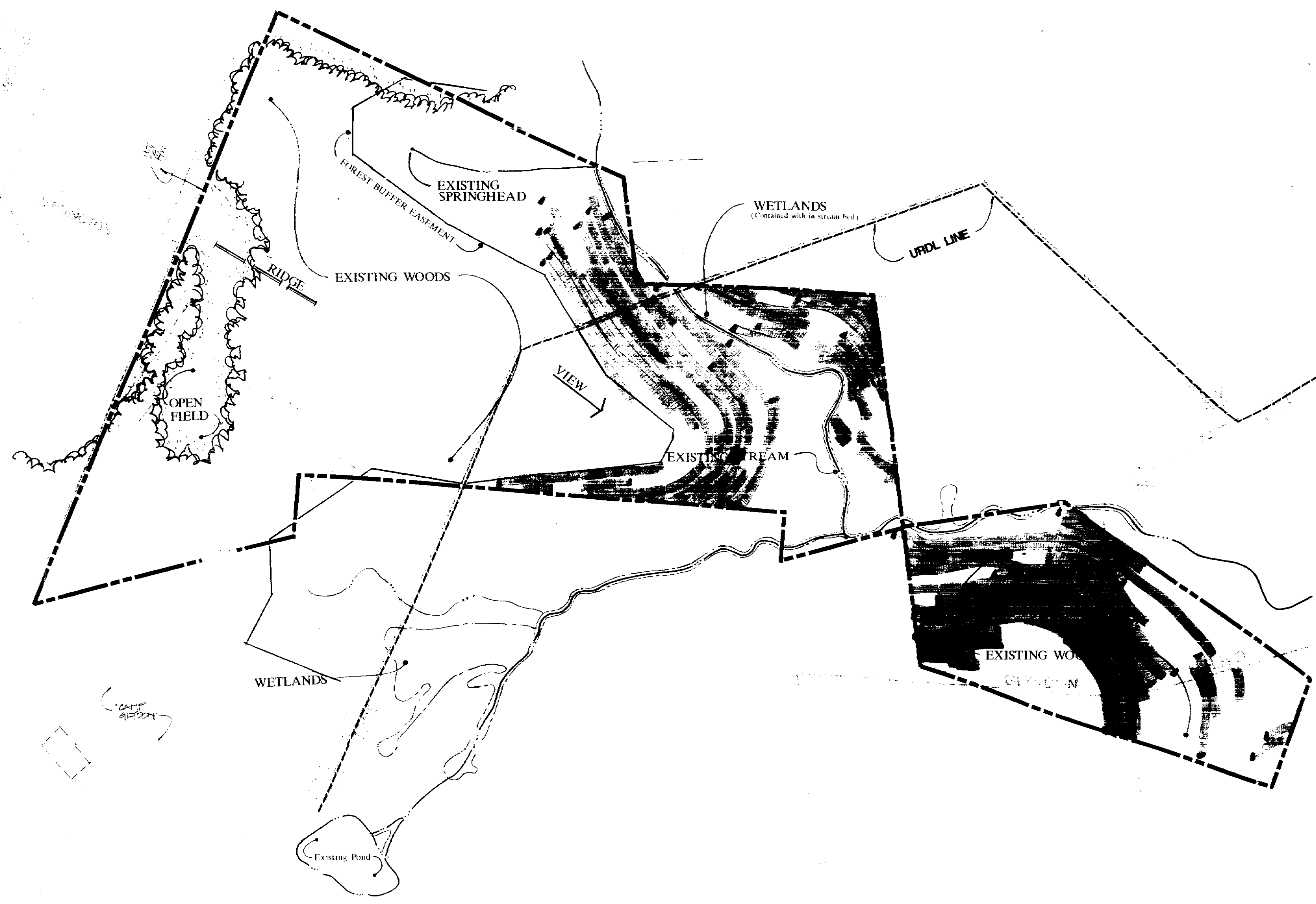
Existing	Not Existing	Field Existing	Field Verified	REMARKS
X				Topography and street grades (minimum 5 ft. contour appropriately labeled)
X				Slopes greater than 25%
X				100 year floodplain
X				Soils mapped according to Soil Survey, Baltimore County, Maryland
X				Streams, seeps, ponds or other water bodies shown on site and within 200 ft. of site boundaries
X				Wetlands
X				Forest buffer limits including adjustments for steep slopes and/or erodible soils
X				Land cover on and within 200 ft. of site
X				Significant regulated plant or wildlife communities
X				Wells on site and within 100 ft. of site
X				Septic on site and within 100 ft. of site
X				Underground fuel tanks on site and within 100 ft. of site
X				Soil evaluation tests (perc tests) performed

C. EXISTING BUILT CONDITIONS

Existing	Not Existing	REMARKS
X		Locations of existing buildings within 200 ft. of site boundaries
X		Location of existing roads within 200 ft. of site boundaries
X		Designated historic sites
X		Designated archaeological sites
X		Significant views
X		Significant features (specimen trees, buildings, streetscape, etc.)
X		Land uses on and within 200 ft. of site
X		Roads rights-of-way and easements

D. COUNTY ADOPTED PLANS

Existing	Not Existing	In Existing Conformance	REMARKS
X		X	Balto. Co. Master Plan 1989-2000
X		X	Community or Revitalization Plan(s)
X		X	Recreation and Parks Plan
X		X	Streetscape Plan
X		X	Greenways Plan
X		X	Other:



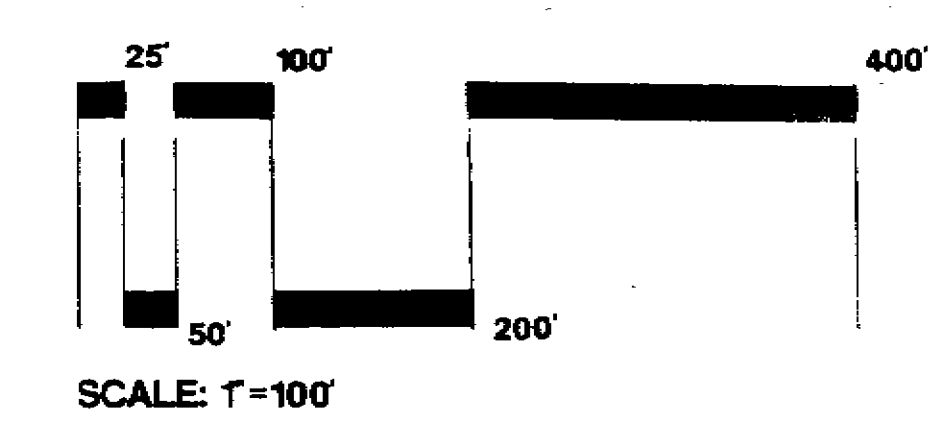
GIYVMS
DELAWARE

GLYNDON MEWS
SITE CONSTRAINTS PLAN

GLYNDON MEWS

LEGEND

TRACT BOUNDARY	SLOPES > 25%	ROAD
ZONING LINE	SOILS	SANITARY SEWER
EASEMENT	TREES	STORM DRAIN
CONTOUR	WETLANDS	WATER
UTILITY POLE	LIGHT	FIRE HYDRANT
VIEW	RIDGE LINE	



PROJ. NAME: GLYNDON MEWS
PLAN TITLE: CONCEPT PLAN
SITE CONSTRAINTS PLAN
D.P.W. NO.:
COUNCIL DIST.: 3
COMMUNITY INPUT MEETING:
HEARING OFFICE HEARING:
APPROVAL:
OWNER/DEVELOPER: PRESTIGE DEVELOPMENT, INC.
8010 DERBY LANE
OWINGS MILLS, MD. 21117
(410) 356-4700
ATTN: MR. ALAN KLATSKY

REVISIONS:
ZADM PROJ. NO.: 11-44
ZADM P.M.:
ELECTION DIST.: 4

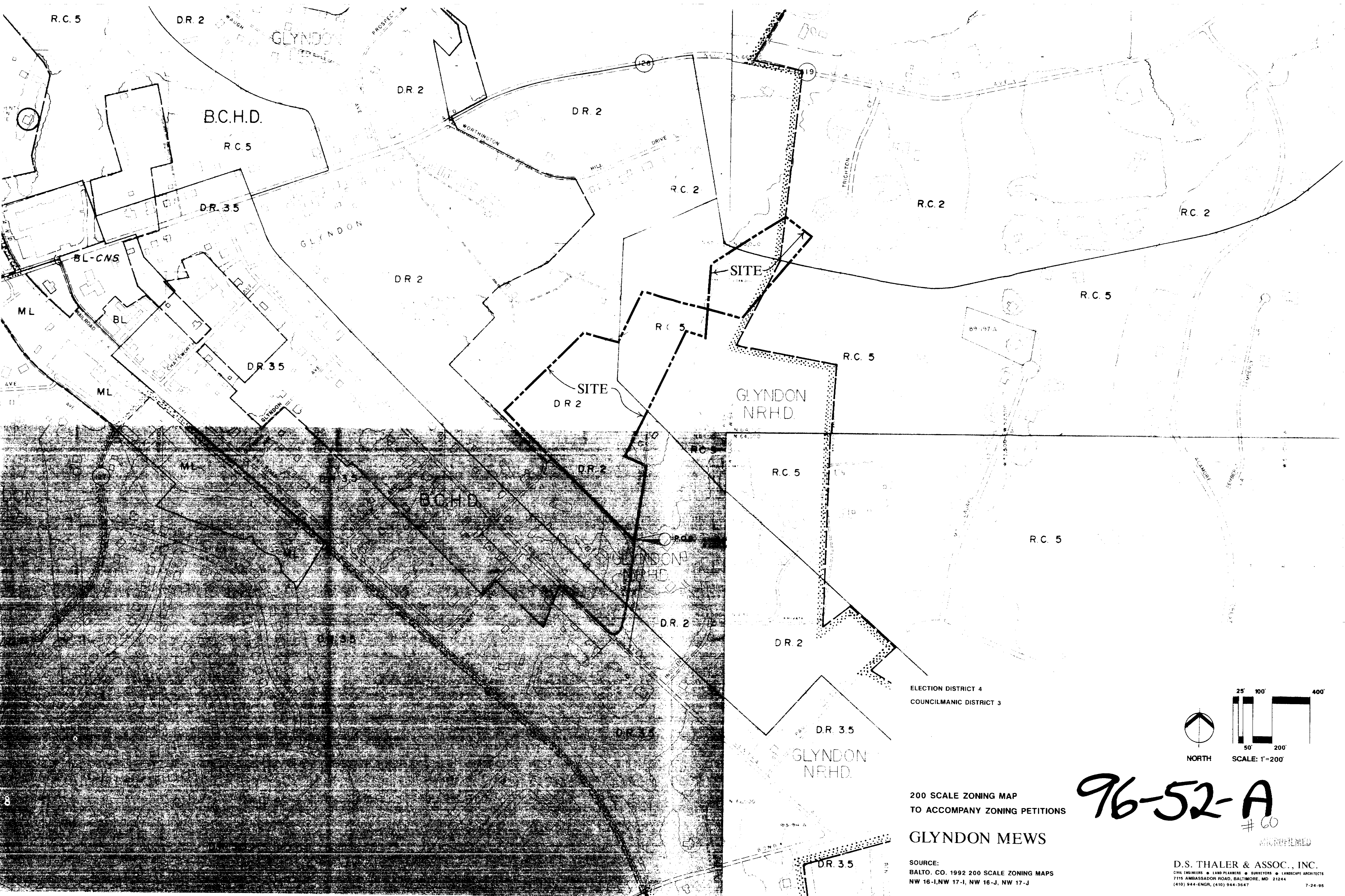
PLAN NOT SUBJECT TO BALTIMORE COUNTY APPROVAL

D.S. THALER & ASSOCIATES, INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS

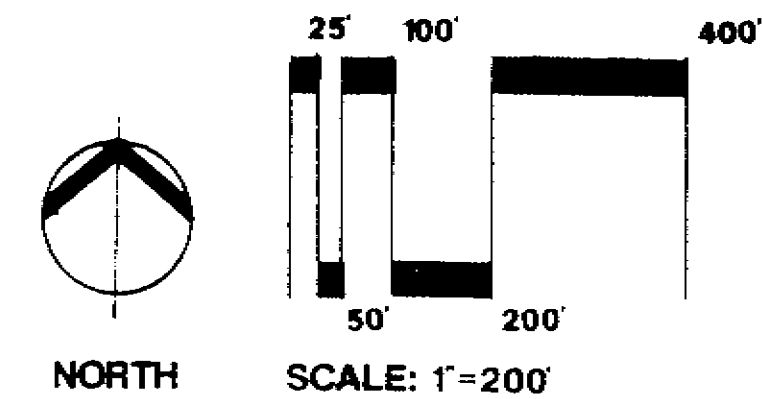
7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21244
(410) 944 - ENGR (410) 944 - 3647 FAX (410) 944 - 3684

DATE: 4-5-95
SCALE: 1" = 100'
C.I.: S
PROJ. NO.: 1795A
SHEET: 1 OF 1

RECEIVED
APR 03 1995
BALTIMORE COUNTY
400-700



ELECTION DISTRICT 4
COUNCILMANIC DISTRICT 3



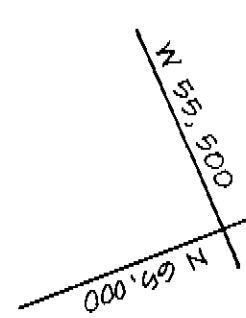
200 SCALE ZONING MAP
TO ACCOMPANY ZONING PETITIONS

GLYNDON MEWS

SOURCE:
BALTO. CO. 1992 200 SCALE ZONING MAPS
NW 16-I, NW 17-I, NW 16-J, NW 17-J

96-52-A
#60
MICROFILMED

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENG01, (410) 944-3647 7-24-95



CONCEPT PLAN
SITE PROPOSAL MAP



B. ENVIRONMENTAL INFORMATION

Existing Delimited Verified

Copyright © 2011 John Wiley & Sons, Ltd.
J. Polym. Sci. Part A: Polym. Chem.: first published online 12 May 2011
DOI: 10.1002/pola.23111

Existing

Locations of existing buildings within 200'

D. COUNTY ADOPTED PLANS

Existing	Not in	Existing	Conformance

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: a control group (n = 10) and an experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: a control group (n = 10) and an experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: a control group (n = 10) and an experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD).

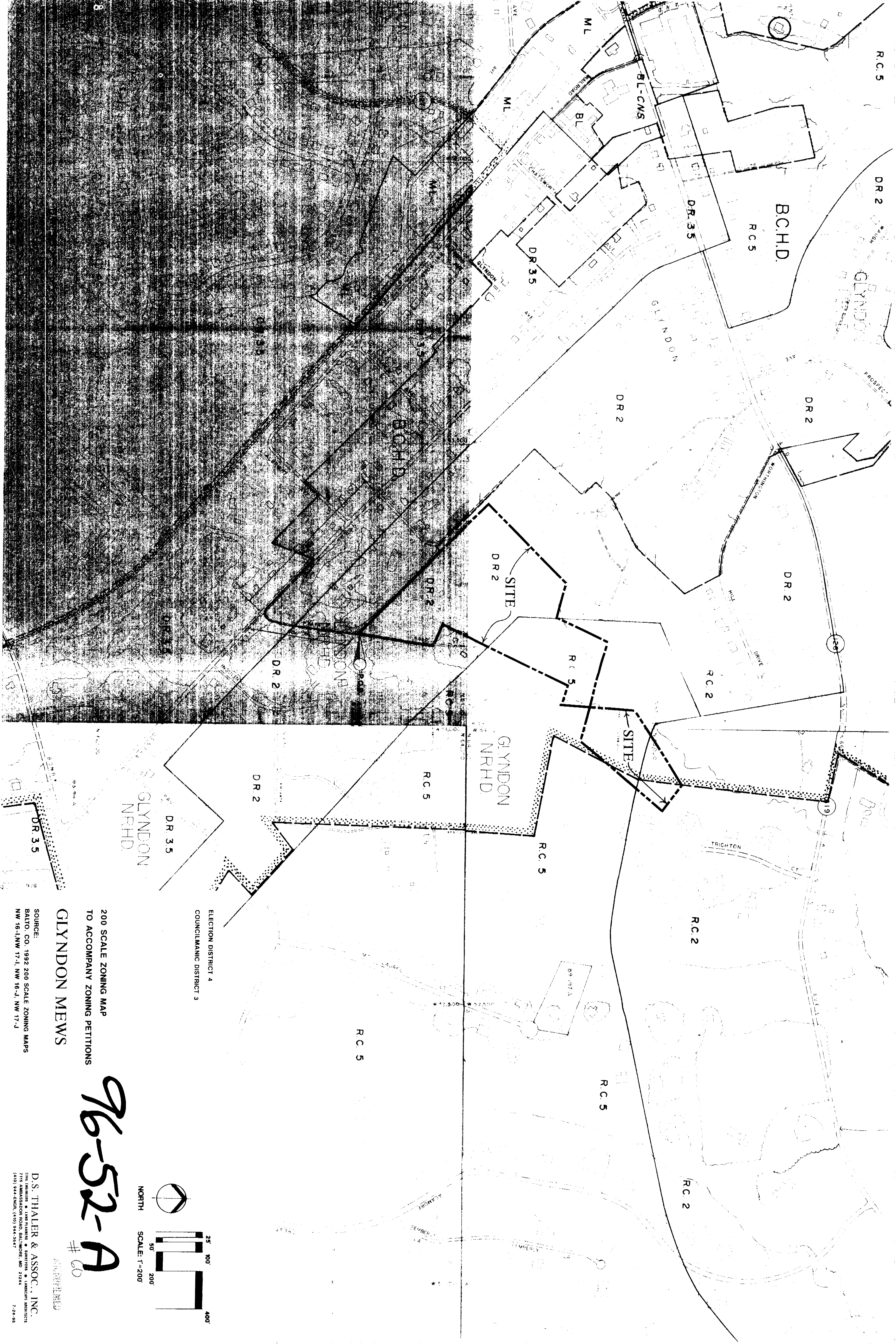


PRESTIGE DEVELOPMENT, INC.
8030 DERRY LANE
PLAN NOT SUBJECT TO BALTIMORE

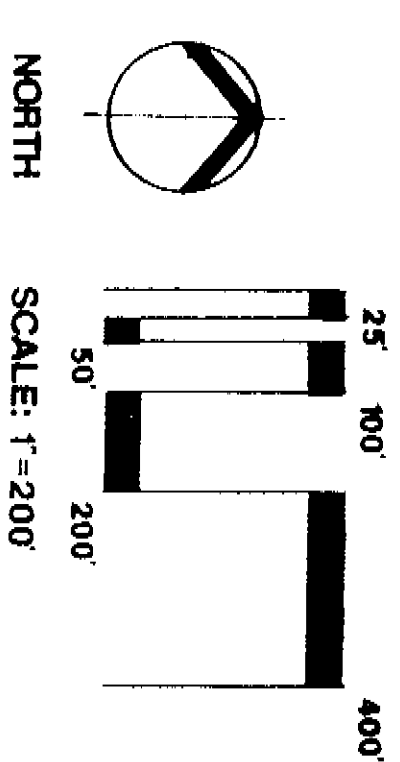
(410) 356-4700

D.S. THALER & ASSOCIATES, INC.

PROJ. NO.: 15



ELECTION DISTRICT 4
COUNCILMANIC DISTRICT 3

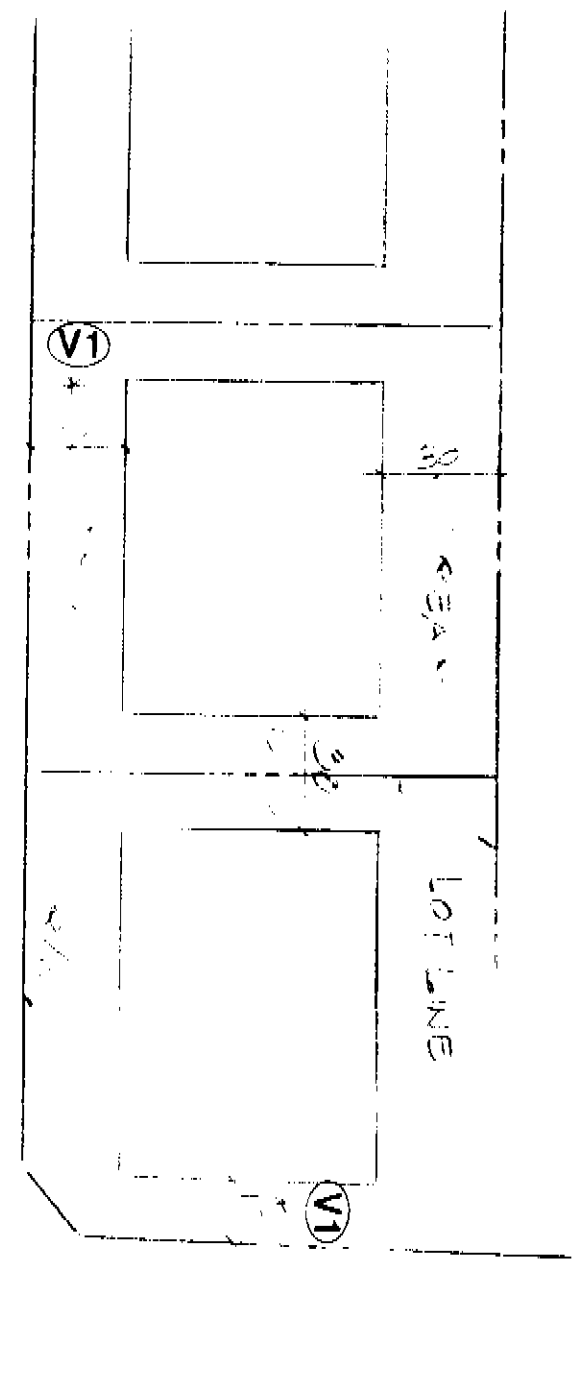


200 SCALE ZONING MAP
TO ACCOMPANY ZONING PETITIONS

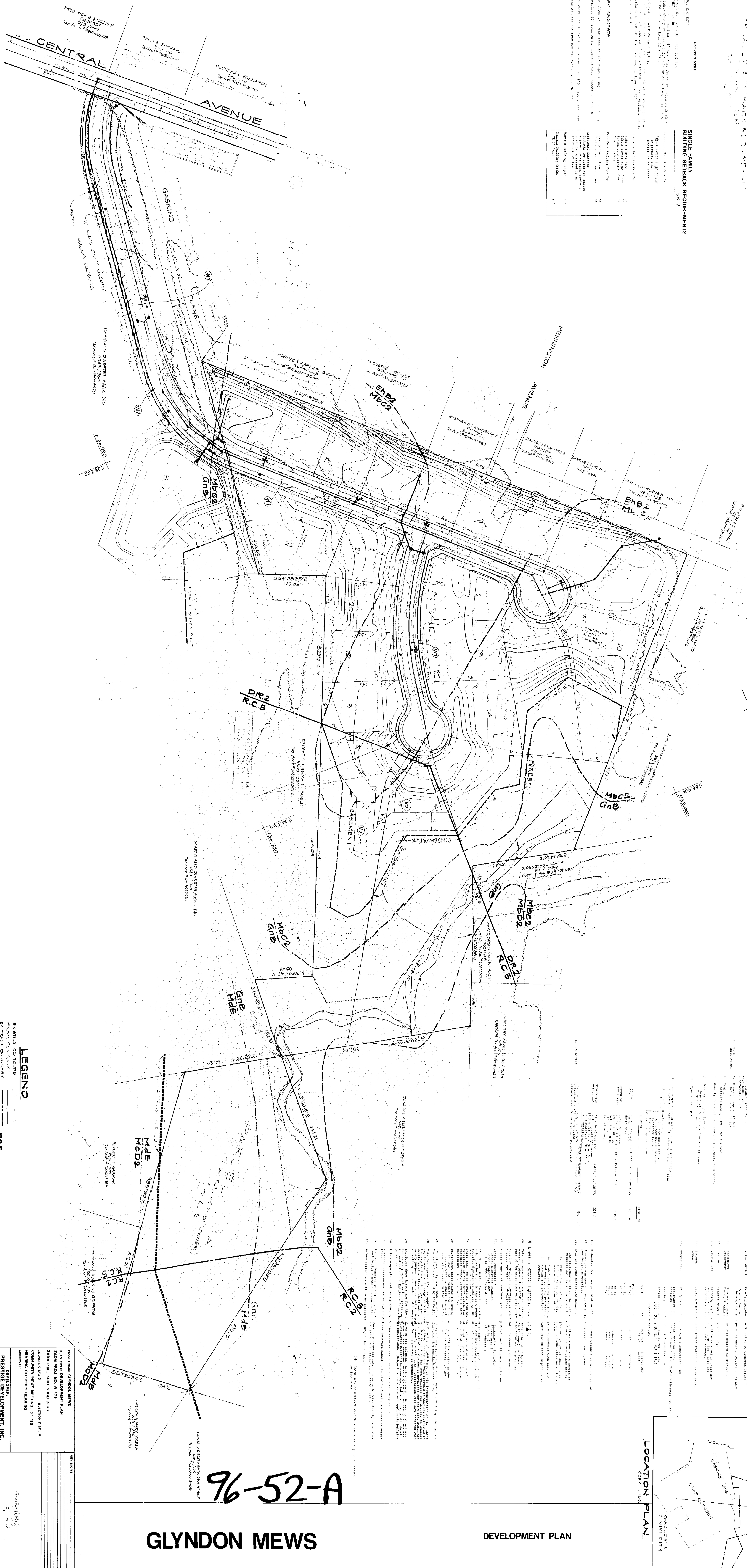
GLYNDON MEWS

SOURCE:
BAITO, CO. 1992 200 SCALE ZONING MAPS
NW 16-I, NW 17-I, NW 16-J, NW 17-J

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDMARK ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-6509, (410) 944-3647
7-24-95



THE UNIVERSITY OF CHICAGO PRESS

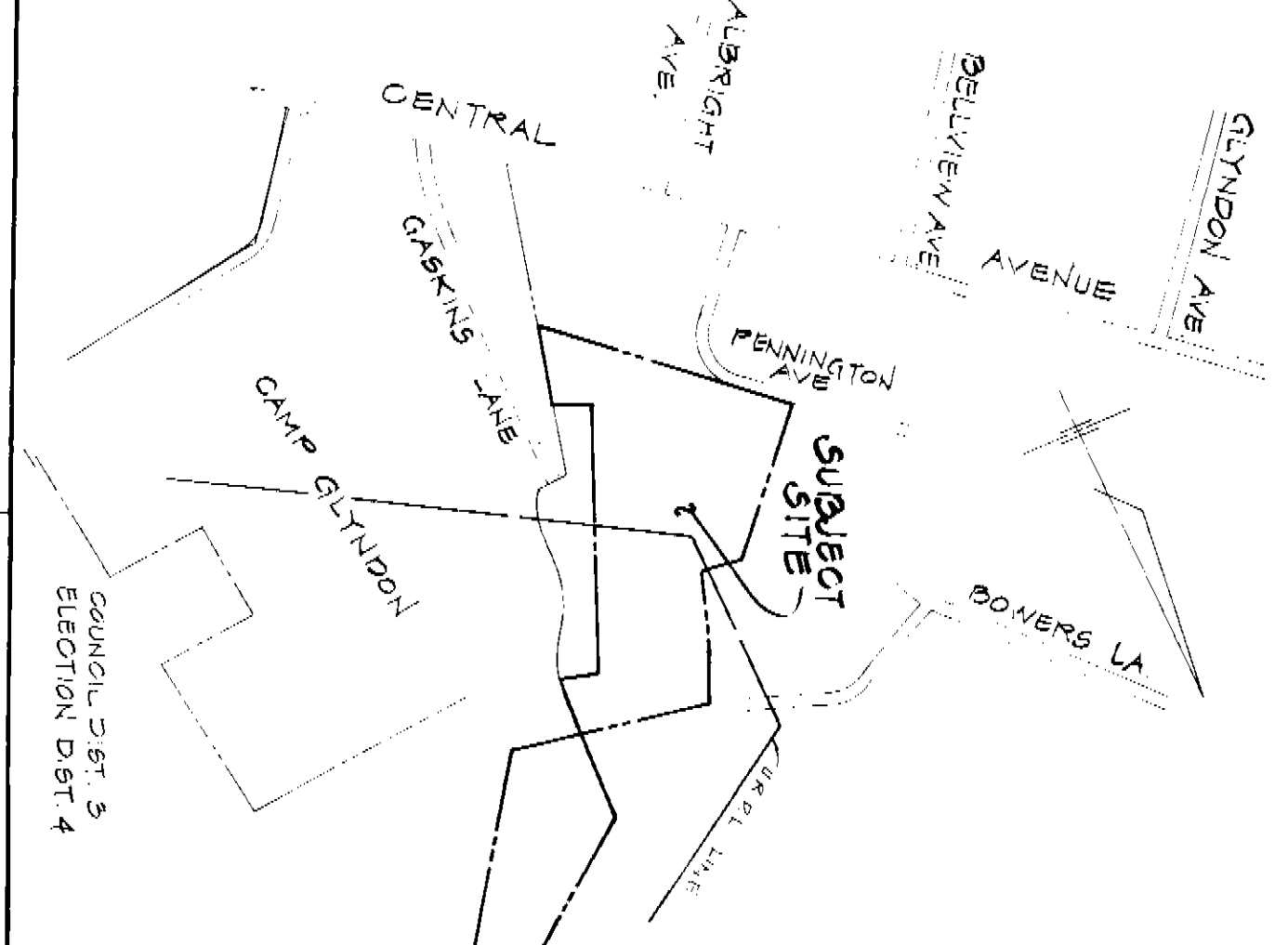
[illegible][illegible]

GENERAL NOTES

- [illegible]

ZONE	AREA	ALLOWED	DATED	NO.
OR2	1007	20		20
RO2	1183	-		-
RO2	1180	4		2
RO2	1180			20

LOCATION PLAN



LEGEND

- RC5**
- W—
EX TRACK BOUNDARY
EX ZONING LINE
EX SOLI LINE
FOREST BUFFER EASMENT
PROM./WY. LINE
BX BEG OF WOODS
TRACT/DISTRICT MARK
LINE START
WY TO L-ROAD FROM ROAD
METADANS
- W—
W—

DEVELOPER
PRESTIGE DEVELOPMENT, INC.
8010 DUNDY LAKE

OWINGS MILLS, MD 21117
(410) 396-4700
ATTN: MR. ALAN KUTATSKY

PROJ. NAME: QUINCY BRIDGE
 PLAN TITLE: DEVELOPMENT PLAN
 ZONE PROJ. NO. 479
 ZONE P.L. NAME: KIDDERING
 CONTROL CRT. 2
 ELECTION DIST. 4
 COMMUNITY IMPACT MEETING: 6/1/93
 HEARING OFFICER'S: HEARING
 APPROVAL:

DEVELOPER:
 PRESTIGE DEVELOPMENT, INC.
 OWINGS BLDG., MARLYND 21117
 (410) 356-4700
 ATTN: MR. ALAN KLANKY

D.S. THALER & ASSOCIATES, INC.
 CIVIL ENGINEERS
 LANDSCAPE ARCHITECTS
 SURVEYORS
 LAND PLANNERS
 1505 RAINESBORO ROAD
 BATHINGEN, MARYLAND 21044

DATE: 7/21/95
 SCALE: 1" = 50'
 C.D. &
 PROJ. NO. 1934

GLYNDON MEWS

DEVELOPMENT PLAN

96-52-A

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE for
Glyndon Mews - W/S Gaskins Lane, * DEPUTY ZONING COMMISSIONER
NE of Central Avenue * OF BALTIMORE COUNTY
4th Election District
3rd Councilmanic District * Case Nos. IV-479 and 96-52-A
* American Diabetes Assoc., Owners/
Prestige Development Inc., Developers
* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner on a combined hearing seeking approval of a development plan prepared by D. S. Thaler and Associates, Inc., and a Petition for Variance, for the proposed development of the subject property by the American Diabetes Association, Owners, and Prestige Development, Inc., Developer, with 22 single family dwellings, in accordance with the development plan submitted into evidence as Developer's Exhibit 5. The subject property is located adjacent to the 400 block of Central Avenue and adjoins Camp Glyndon and Pennington Avenue in the southeastern part of Glyndon Valley.

As to the development plan, approval is sought pursuant to the development regulations codified in Section 26-206 of the Baltimore County Code (BCC). Also, the Developer seeks approval of certain waiver requests, pursuant to Section 26-172 of the Code, to allow a street width less than that required and no sidewalks on one side of the access road.

As to the Petition for Variance, relief is sought from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1B01.2.C.1.b to permit a minimum building front and side setback to a street right-of-way of 15 feet in lieu of the required 25 feet (front only for Lots 1 through 15 and Lots 18 through 22, and side only for Lots 12 and 21); and, from Section 1A04.3.B.3 to permit a minimum building to a

ORDER RECEIVED FOR FILING
Date 4/24/95
By [Signature]

property line setback of 15 feet in lieu of the required 50 feet and a minimum building front setback to the center of a cul-de-sac of 63 feet in lieu of the required 75 feet for Lots 16 and 17.

As to the history of this project, the concept plan conference for this development was conducted on May 1, 1995. As required, a community input meeting was held on June 1, 1995 at Camp Glyndon in Reisterstown. Subsequently, a development plan was submitted and a conference held thereon on August 23, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on September 8, 1995.

Appearing at the public hearing required for this project were Jay Weiss and Alan Klatsky, representatives of Prestige Development, Inc., the Developer of this project, David S. Thaler, the engineer who prepared the development plan for this property, and Nancy Paige, Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Bruce Seeley with the Department of Environmental Protection and Resource Management (DEPRM), J. Frances Morsey with the Office of Planning and Zoning (OPZ), and Kate Milton, Stephany Wright, and Kurt Kugelberg, Project Manager for this development, all representatives of the Permits and Development Management (PDM) office. In addition, a number of community representatives, neighbors and concerned citizens were present to voice the concerns of Glyndon Valley residents and protest the development plan and requested variances. Daniel M. Towner, Esquire, appeared on behalf of Ernest C. and Emma L. Buell, adjoining property owners who are opposed to the Developer's planned entrance road which will transect their driveway.

2

As shown on the plan, the subject property is an irregularly shaped parcel and consists of approximately 17.367 acres in area, split zoned D.R. 2 (10.074 acres), R.C. 2 (1.133 acres), and R.C. 5 (6.160 acres). The resultant density for this site permits 24 units; however, the Developer proposes only 22 units. The property is presently unimproved and is predominantly wooded, with some open fields. Significant environmental constraints exist on the site, including streams, wetland areas, and steep slopes.

In considering the development plan, I am required to determine what, if any, agency comments or issues remain unresolved. Testimony and evidence received indicated that all issues raised within the comments submitted by the various Baltimore County reviewing agencies have been resolved and incorporated within the revised development plan. Mr. Bruce Seeley, a representative of DEPRM, clarified issues concerning the revisions to the steep slope and erodible soil analysis and relocation of the forest buffer easement. Some advisory comments and minor changes were suggested by other agencies at the Hearing Officer's hearing, including future dedication of the roads to Baltimore County. The agency representatives' testimony corroborated that all County standards were satisfied and that Developer's Exhibit No. 5 was in compliance with each department's regulations, policies and rules.

The Hearing Officer's hearing also provides a forum to record the concerns of local residents. However, the Zoning Commissioner's authority to disapprove a development plan on this basis is limited. The Hearing Officer's hearing is conducted in accordance with Section 26-206 of the Code and represents the end of Phase 1 of the development process. Phase 1 is designed to ensure the evolution of a plan which has undergone wide-

ORDER RECEIVED FOR FILING
Date 4/24/95
By [Signature]

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spread review and comment from both the County and the surrounding community. Yet, Section 26-206(b) provides that "The Hearing Officer shall grant approval of the plan that complies with these development regulations and applicable policies, rules and regulations..." (emphasis added). Since the plain meaning of this statute is clear, the use of the word "shall" in this Section denotes a mandatory direction. Thus, the Hearing Officer must approve a plan which complies with County regulations and policies.

This development plan generated significant protest from the Glyndon Community Association and concerned neighbors. Mr. Foster Nichols, Jr., First Vice President of the Glyndon Community Association, presented the concerns of the community as contained within their letter which was submitted into evidence as Protestant's Exhibit 1. The association "opposes categorically any proposed zoning changes or variances or waivers, such as setback restrictions, that allow increased density..." It is to be noted that a change to the zoning classification of the property is not requested. Indeed, this Zoning Commissioner does not have the authority to change the zoning of the property. Moreover, the variances do not alter the permitted density of the tract. Other concerns about traffic congestion, school overcrowding, environmental quality and compatibility of the project with the historic character of Glyndon were raised.

The proposed development utilizes principles of streetscape and Victorian architecture as described at length by Mr. Link, the Developer's Architect and more particularly described in schematic sketches entered into evidence as Developer's Exhibits 3A, 3B, and 3C. The architectural design and close proximity of the homes will encourage more buffering and overall open space throughout the site. The community representatives who

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testified do not oppose these design concepts, but fear that the proposal is inconsistent with the rural character of Glyndon.

The issue relating to compatibility with the surrounding area was one of the main concerns of local residents and neighbors. A petition was submitted that stated, "We, the undersigned, are concerned members of the community who oppose additional residential development in and around Historic Glyndon that is not compatible with the scale and style of the existing neighborhood..." Another letter from a concerned resident states, "The historic section of Glyndon is characterized by 1 to 1 and 1/2 acre lots with old stand trees and 50-plus feet between houses." A primary objection of the Protestants was that the proposed project will differ from the existing community as the majority of the proposed units will be built on smaller lots.

The concept of compatibility is largely a matter of personal taste and preference. Mr. Link, and also Mr. Thaler, discussed the features of the project which will result in the successful blending of the proposed community into existing historic Glyndon. Their testimony, in my view, was persuasive. More importantly, it is of note that this project need not address the compatibility standards set forth in Section 26-282 of the Baltimore County Code. Those standards, which need be met during the development process for certain projects, are not, by definition, applicable here. Thus, the issue of compatibility raised by the community is not sufficient so as to warrant a denial of the plan.

Waivers are requested pursuant to Section 26-172 of the Baltimore County Code to permit a 24-foot road on a 40-foot right-of-way in lieu of the required 30-foot road on a 50-foot right-of-way, and to allow only one side of a portion of the entrance road to have sidewalk. Prior to approval

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By [Signature]

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of these waivers, it must be demonstrated that the size, scope and nature of the project does not justify strict compliance, that the waiver would be within the scope, spirit and intent of the regulations, and that all other standards will be met.

As to the road width waiver, same is appropriate since its approval would limit clearing and reduce the amount of impervious surface. In addition, the narrower road would reduce the impact on the driveway used by Mr. & Mrs. Buell, adjacent neighbors. Also, only 220 trips per day are estimated for the development's internal roads. These lightly traveled residential roads need not be wider than 24 feet to safely and efficiently serve the residents.

A waiver of the road width requirements in conjunction with the requested variances will permit the houses to be closer to each other, thus creating a greater sense of streetscape and community. Greater amounts of open space and buffering will be preserved between the new construction and already established homes.

As to the sidewalk waiver, the Developer seeks a waiver to the requirement that both sides of the street have sidewalks along a portion of the entrance road. A grant of this waiver is also appropriate. There is no need to maintain parallel sidewalks along both sides of the entrance road. Also, a grant of the waiver will decrease clearing and preserve existing vegetation.

An issue was also raised by Mr. & Mrs. Buell, adjoining property owners, relative to the impact of the proposed development on access to their lot. As shown on the site plan, access to the subject tract is by way of a proposed road from Central Avenue. This road parallels a paper road (Gaskins Lane) and an unimproved lane which serves as the Buell's

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drive way. The developer has offered to improve the Buell's driveway from a point north of the new access road, to its terminus at the Buell's residence. Inexplicably, the Buell's have refused this offer, which would ease their means of access/egress, eliminate an unnecessary curb cut on Central Avenue, and lessen congestion. Instead, through Counsel, the Buells assert that the proposed road into the development cannot be built because same crosses their driveway and represents a trespass and/or taking of their property.

Mrs. Buell also testified that the new entrance to Glyndon Mews will make her driveway so steep that ingress and egress to her property will become too difficult. She testified that one problem with the new road is that she would have to stop at the new intersection and this would prevent her from maintaining a clear route to Central Avenue. Since the Buells did not want the new road to cross their driveway, a question of title was raised. The evidence offered at the hearing suggested that the Developer retains proper title to the property and has the option to cross the Buell's driveway, so long as ingress and egress to the Buell's home is not cut off by the new road.

Developer's Exhibit No. 9, a letter from the Residential Title and Escrow Company to Mr. Alan Klatsky, confirms title insurance has been issued for this project and the likelihood that the developer retains proper title. However, as Zoning Commissioner, I have no power to render decisions reserved to the Circuit Court for Baltimore County. I have no authority to determine questions of title over road beds, easements, or adverse possession. Therefore, approval of the development plan for this project is subject to the Developer successfully defending any claims affecting title or violation of property rights raised by the Buells.

ORDER RECEIVED FOR FILING
Date 4/24/95
By [Signature]

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As to the Petition for Variance, the Protestants oppose same and believe that the Developer is attempting to obtain relief in order to increase density. This conclusion is simply wrong and ignores the clear wording and intent of the B.C.Z.R.

The zoning classifications established in the B.C.Z.R. determine density. For example, the D.R. 2 classification allows 2 units per acre. As the site plan shows, the subject tract is large enough in acreage to support 24 units, although only 22 are proposed.

Density is not to be confused with standards for lot size, lot width and/or setbacks. The D.R. zoning classification and regulations attendant thereto were established to promote a diversity of housing types, avoid urban sprawl and preserve natural features of the land. (See B.C.Z.R. Section 1B00.1 - Legislative Declaration of Purds for D.R. zones and Section 1B00.2 - Purposes of D.R. zones.) As stated in Section 1B00.1.B of the B.C.Z.R. "...minimum standards for individuals lots, having (previously) been derived from maximum overall density standards, have resulted in an excessive spreading of residential development over subdivision tracts; such spreading of development has led to removal or undesirable transformation of natural vegetation and other features more properly left in their natural or previous states, and has led to visual monotony." For example, under the previous regulations, a 10-acre parcel zoned to permit two dwellings per acre, resulted in 20 units spread throughout the tract. Although the lots were bigger, the entire site was disturbed and areas of open space and natural vegetation were not provided. The adoption of the D.R. zoning classification was designed to foster the retention of open space and natural vegetation, while regulating overall density for the entire

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tract. Undesirable clustering of housing was prevented by establishing setbacks between individual lots and houses.

In this case, variances are requested, not to increase density, but to allow the proposed dwellings to be closer to the road and achieve the desired community effect. Also, large back yards will result, allowing for more buffering towards existing development.

Pursuant to Section 307 of the B.C.Z.R., variances may be granted only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the zoning regulations shall be permitted as a result of any such grant of a variance from height or area regulations.

In the opinion of this Hearing Officer, the standard required to grant the variances has been met in the instant case. According to testimony from David S. Thaler, the practical difficulty is created by virtue of the unique topography of the site and its unusual bow-tie shape. The property is a mix of three zones with zoning lines that appear arbitrarily drawn. The stream, ridges, wetlands and general configuration differentiates this property from all other parcels in the zone. If the variances are denied, the developer will still be permitted to build 22 units on this land as of right. A denial would result in the lots being compressed depthwise to meet the regulations. Also, if the variances are denied, more trees will be lost, less buffering will be provided, and the potential to cluster the homes to form a stronger sense of community will be lost. Due to these practical difficulties and the significant increased

benefit to the community, the variances should be granted. In my view, the Petitioner has satisfied the test set forth in Section 307.1 of the B.C.Z.R. and the case law.

A final comment is in order regarding the installation of public utilities to this development. All of the proposed lots will be served with public sewer and water; however, two of the lots, Lot Nos. 16 and 17, are split zoned D.R. 2 and R.C. 5. The development plan comment from the Office of Planning and Zoning suggests that a waiver is necessary in order for the connection to be made to the R.C. zoned lots. I disagree and apparently so does the Department of Public Works. I am aware of no regulation which requires such a waiver; however, even if a waiver was required, it would be granted in that the connection will be in the D.R. 2 zoned portion of the lots and public utility access to those lots is appropriate.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner and Hearing Officer for Baltimore County this 29th day of September, 1995 that the development plan for Glyndon Mews, identified herein as Developer's Exhibit 5, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the requested waivers to permit a 24-foot road on a 40-foot right-of-way in lieu of the required 30-foot road on a 50-foot right-of-way, and to allow only one side of a portion of the entrance road to have sidewalk, pursuant to Section 26-172 of the Baltimore County Code, be and are hereby APPROVED; and,

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IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) From Section 1B01.2.C.1.b to permit a minimum building front and side setback to a street right-of-way of 15 feet in lieu of the required 25 feet (front only for Lots 1 through 15 and Lots 18 through 22, and side only for Lots 12 and 21); and, from Section 1A04.3.B.3 to permit a minimum building to a property line setback of 15 feet in lieu of the required 50 feet and a minimum building front setback to the center of a cul-de-sac of 63 feet in lieu of the required 75 feet for Lots 16 and 17, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Developers may apply for their building permit and be granted same upon receipt of this Order; however, the Developers 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 Developer will be required to improve the Buell's driveway from the Buell's residence to the point at which the driveway connects with the new road, if the Buell's request the Developer to do so in writing and send a copy of their request to the Zoning Commissioner within ninety (90) days of the date of this Order. If the Buell's do not request the Developer to do so within the above-noted time frame, then this restriction is lost and the Developer is freed from the obligation.

3) The houses to be constructed must be "substantial" similar to the schematic sketches entered into the record as Exhibits 2A, 2B, and 2C. The Victorian style described in detail at the hearing must be followed throughout the development. The project design, building scale, and massing should complement the historic character of the general Glyndon area. Prior to the issuance of any building permits, the exterior design of the dwellings should be reviewed by the Landmarks Preservation Commission. Units should incorporate dormers, gables, and porches. Building entries and side facades that front streets should be well-ar-

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tulated. The construction remains subject to review and approval by the Office of Planning and Zoning.

4) The Developer shall comply with DEPRM's requirements regarding steep slopes, erodible soil analysis and forest conservation.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LES:bjs

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Hearing Officer
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/2/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

September 22, 1995

(410) 887-4386

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Nancy E. Paige, Esquire
Gordon, Feinkopf, Rothman, Hoffberger & Hollander
233 East Redwood Street
Baltimore, Maryland 21202-3332

RE: DEVELOPMENT PLAN HEARING AND PETITION FOR VARIANCE for Glyndon Mews
W/S Gaskins Lane, NE of Central Avenue
(400 Central Avenue)
4th Election District - 3rd Councilmanic District
American Diabetes Assoc., Owners, and
Prestige Development Inc., Developers
Case Nos. 1V 479 and 96-52-A

Dear Ms. Paige:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance 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,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Hearing Officer
for Baltimore County

LES:bjs

cc: Mr. Bill G. Baxter, 407 Central Avenue, Reisterstown, Md. 21136
Mr. Alan G. Klatsky, 8010 Derby Lane, Owings Mills, Md. 21117
Mr. Jay Weiss, 1 Reservoir Circle, Pikesville, Md. 21208

Messrs. David S. Thaler and Phillip Carroll,
D. S. Thaler & Assoc., Inc., 7115 Ambassador Rd., Baltimore, Md. 21244

Daniel Twomey, Esquire, 308 W. Pennsylvania Avenue, Towson, Md. 21204
Ms. Elizabeth B. Steele, 211 Central Avenue, Glyndon, Md. 21071
Ms. Judith Kaplan, 107 Central Avenue, Glyndon, Md. 21071
Mr. Foster Nichols, Jr., 4708 Butler Road, Glyndon, Md. 21071
Kurt Kugelberg, Project Mgr., PCM; DEPRM; DPW; People's Counsel; File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 400 BLOCK OF CENTRAL AVENUE
which is presently zoned D.R.2.C.2
R.C.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 ATTACHMENT

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate which is the basis for the petition):

SEE ATTACHMENT

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 Person/Case:

X Mr. Alan G. Klatsky

[Signature]

8010 Derby Lane

Owings Mills MD. 21117

City State Zip

Signature

Mr. Neil Schechter

[Signature]

233 E. Redwood St. (410) 576-4000

Baltimore, MD. 21202

City State Zip

Legal Owner(s)

X Bill G. Baxter

[Signature]

407 Central Ave

Reisterstown MD 21136

City State Zip

Signature

D.S. Thaler & Associates, Inc.

c/o Phillip J. Casagrande

7115 Ambassador Road 21244 944-3647

Baltimore, MD. 21202

City State Zip

Signature

ESTIMATED LENGTH OF HEARING

Approximate for Hearing

ALL OTHER

REVIEWED BY DATE

ORDER RECEIVED FOR FILING
Date 10/2/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/2/95
By [Signature]

#66

July 31, 1995

GLYNDON MEWS
Description to Accompany Zoning Petition
(for zoning purposes only)

Beginning at a point approximately 500 feet north of the intersection of Gaskins Lane and Central Avenue; thence running the following sixteen (16) courses and distances:

1. North 45°13'39" West 992.67 feet, more or less, to a point;
2. North 44°46'21" East 597.51 feet, more or less, to a point;
3. South 75°44'50" East 193.40 feet, more or less, to a point;
4. North 21°46'43" East 110.73 feet, more or less, to a point;
5. North 25°06'38" East 190.51 feet, more or less, to a point;
6. South 75°53'23" East 367.85 feet, more or less, to a point;
7. North 03°00'19" East 244.74 feet, more or less, to a point;
8. North 56°30'06" East 475.00 feet, more or less, to a point;
9. South 50°29'54" East 173.10 feet, more or less, to a point;
10. South 39°30'06" West 572.01 feet, more or less, to a point;
11. North 75°53'23" West 184.20 feet, more or less, to a point;
12. South 04°43'21" West 152.76 feet, more or less, to a point;
13. North 70°23'47" West 108.45 feet, more or less, to a point;
14. South 25°21'21" West 754.05 feet, more or less, to a point;
15. South 64°53'39" East 127.05 feet, more or less, to a point;
16. South 08°16'21" West 414.50 feet, more or less, to a point;

Containing approximately 17.37 acres of land, more or less.

SL/ST/483/GlyndonMews/7-31



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 at Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland, on Friday, September 8, 1995, at 9:00 a.m. in Room 106, County Office Building. The hearing is to consider the following:
Case #96-52-A
(Item 60)
400 Block Central Avenue - Glyndon Mews
W/S Gaskins Lane, 500' N of c/l Central Avenue
4th Election District
2nd Councilmanic
Legal Owner: Bill G. Baxter
Contract Purchaser: Alan G. Katsky
Hearing Friday, September 8, 1995 at 9:00 a.m. in Room 106, County Office Building.
Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (lots 1 to 15 and 18 to 22; side lots 12 and 21) and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible for special accommodations. Please call 887-3353.
(2) For information concerning the Fire and Hearing, please call 887-3391.
8/25/95 Aug. 24

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 26, 1995

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 Aug 24, 1995

THE JEFFERSONIAN,

LEGAL AD., TOWSON

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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 60

Petitioner: Prestige Development, Inc.

Location: Glyndon Mews (W/S Gaskins Lane, 500' N of c/l Central Ave.)

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mr. Alan G. Katsky

ADDRESS: 8810 Derby Lane

Owings Mills, MD 21117

PHONE NUMBER: (410) 576-4000 (at home)

AJ:ggg

(Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
August 24, 1995 Issue - Jeffersonian

Please forward billing to:

Prestige Development, Inc.
Mr. Alan G. Katsky
8810 Derby Lane
Owings Mills, MD 21117
576-4000

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: 96-52-A (Item 60)
400 Block Central Avenue - Glyndon Mews
W/S Gaskins Lane, 500' N of c/l Central Avenue
Legal Owner: Bill G. Baxter
Contract Purchaser: Alan G. Katsky
HEARING: FRIDAY, SEPTEMBER 8, 1995 at 9:00 a.m. in Room 106, County Office Building.

Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (front only: lots 1 to 15 and 18 to 22; side lots 12 and 21); and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).

LAWRENCE E. SCHMIDT
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 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1995

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:

DEVELOPMENT PLAN HEARING
Project Number: IV-479
Project Name: Glyndon Mews
Developer: Prestige Development, Inc.
Location: W/S Gaskins Lane, NE of Central Avenue
Acres: 18.7
Proposals: 21 single family dwellings

AND

CASE NUMBER: 96-52-A (Item 60)
400 Block Central Avenue - Glyndon Mews
W/S Gaskins Lane, 500' N of c/l Central Avenue
Legal Owner: Bill G. Baxter
Contract Purchaser: Alan G. Katsky

Variance to allow a minimum 15-foot building front and side setback to right-of-way in lieu of 25 feet (front only: lots 1 to 15 and 18 to 22; side lots 12 and 21); and to allow a minimum 15-foot building setback to property line in lieu of 50 feet and to allow a minimum of 63 feet building front setback to center of cul-de-sac in lieu of 75 feet (lots 16 and 17).

HEARING: FRIDAY, SEPTEMBER 8, 1995 at 9:00 a.m. in Room 106, County Office Building.

ARNOLD JABLON
Director

cc: Bill G. Baxter
Alan G. Katsky
Neil Schachter, Esq.
D. S. Thaler & Associates, Inc.

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 CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

004851

DATE 8/10/95 ACCOUNT 96-52-A

TO Item 60

FOR Bill G. Baxter

AMOUNT \$ 685.00

RECEIVED Prestige Development, Inc. - Glyndon Mews

FROM 670-1111-1111 - \$ 685.00

FOR Bill G. Baxter

93A034000-NTC-RG \$425.00
SA 0002140000B-LD-25

VALIDATION OR SIGNATURE OF CASHIER

PETITION PROBLEMS

#29 - JRA

1. Date on receipt is 7/25/95; date on petition is 8/9/95; posting date is 8/13/95; petitions on shelf for this week begin with #55. Where has this petition been??

#55 - JJS

1. Zoning on petition says "D.R.-5.5"; zoning on folder says "D.R.-3.5". Which is correct?

#60 - MJK

1. Receipt is still in file folder; was not given to petitioner/attorney.
2. No telephone number for legal owner.

#61 - MJK

1. Receipt is still in folder; was not given to petitioner/attorney.
2. Need title of person signing for legal owner.
3. No telephone number for legal owner.

RE: PETITION FOR VARIANCE *
400 Block Central Ave. (Glyndon Mews), W/S *
Gaskins Lane, 500' N of c/l Central Ave. *
4th Election District, 3rd Councilmanic *
Bill G. Baxter *
Petitioner *
CASE NO. 96-52-A *

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 96-52-A

APPEARED &
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice 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 Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of September, 1995, a copy of the foregoing Entry of Appearance was mailed to Neil Schachter, Esquire, 233 E. Redwood Street, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Section 307 VARIANCES [B.C.Z.R., 1955; Bill No. 107, 1963.]

307.1 The zoning commissioner of Baltimore County and the county board of appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the zoning regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking, or sign regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare. They shall have no power to grant any other variances. Before granting any variance, the zoning commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the zoning commissioner or the county board of appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance. [B.C.Z.R., 1955; Bill No. 107, 1963; No. 32, 1968; Bill No. 2, 1992.]

307.2 In addition to the authority and limitations set forth in Section 307.1 above, within the Chesapeake Bay critical area, the zoning commissioner, or upon appeal, the board of appeals of Baltimore County, shall have the power to authorize the expansion of those uses in existence at the time of the effective date of this section. Any order granting a variance pursuant to this subsection shall contain findings of fact which shall include the following: [Bill No. 32, 1988.]

1. That special conditions or circumstances exist that are peculiar to the land or structure within the critical area of the county; [Bill No. 32, 1988.]
2. That strict compliance with the critical area regulations would result in practical difficulty, unreasonable hardship, or severe economic hardship; [Bill No. 32, 1988.]

66
D. S. THALER & ASSOCIATES, INC.

7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21244
(410) 944-ENGR • (410) 944-3647 • FAX: (410) 944-3684

To: Baltimore County Government
County Office Building
Office of P.D.M.
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: August 10, 1995

Re: Glyndon Mews
Variance Petition
Project No. IV-476

Attention: Mr. Mitchell J. Kellman

Gentlemen:

☒ We are submitting ☒ Herewith ☐ Under Separate Cover

- ☐ We are forwarding
☐ We are returning
☐ We request

No.	Description
1	Zoning petition package: 1) 3 Original petition forms with attachment. 2) 12 Copies of the sealed plan. 3) 3 Copies of a sealed description of the property. 4) 1 Copy of the 1"=200' scale Zoning map with property outline shown. 5) 1 Letter Requesting a joint hearing. 6) 1 Filing fee in the amount of \$685.00.

Remarks:

- ☐ In accordance with your request
☐ For your review
☒ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you
- ☐ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at your convenience

For further information, please contact the writer at this office

CC: Mr. Alan Klatsky
Enclosure ☒ Mr. Alan Klatsky
Nancy Paige, Esquire
Henry F. Sadler, P.E., Chief Engineer.
Alan E. Scoll, R.L.A.

Sincerely yours,
Phillip J. Carroll
Phillip J. Carroll, Project Engineer.

66
LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, LLC

THE GARRETT BUILDING
233 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202-3332
410-576-4000
Telex 908041 BAL
Fax 410-576-4246

NANCY E. PAIGE
410-576-4294

August 7, 1995

Arnold Jablon
Director of Zoning Administration
and Development Management
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Glyndon Mews, Project No. IV-476
Request for Joint Hearing

Dear Mr. Jablon:

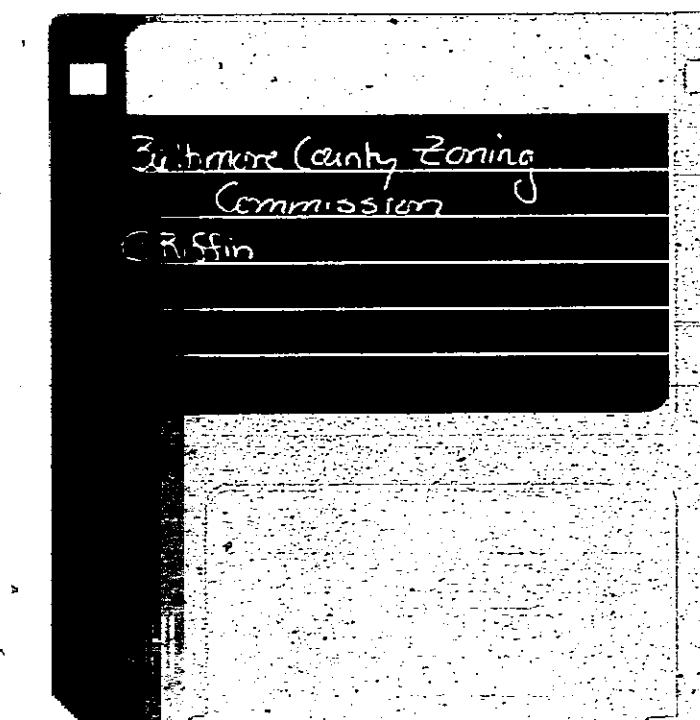
Prestige Development, Inc., the developer of the referenced project, hereby requests a joint hearing on the Development Plan for Glyndon Mews and the requested variances therefor.

Thank you for your assistance.

Very truly yours,
Nancy E. Paige
Nancy E. Paige

cc: Alan Klatsky, Pres.
Prestige Development, Inc.

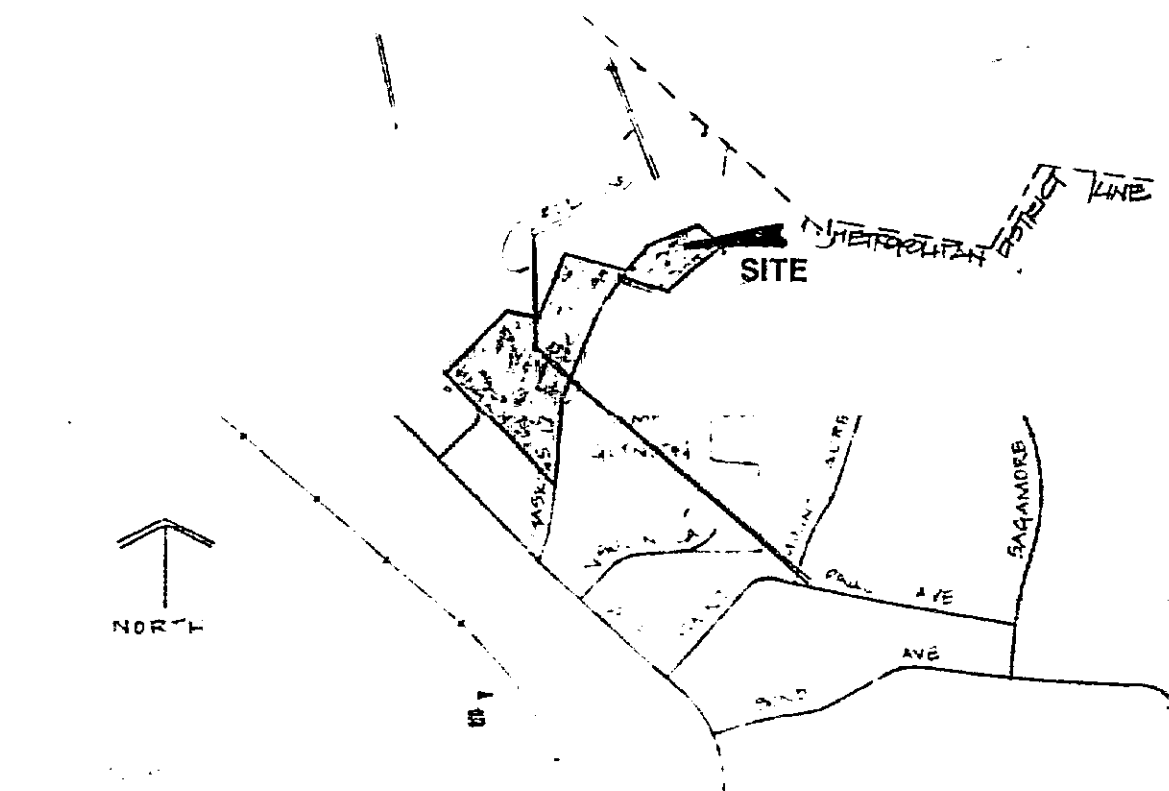
Jab:ltr





LEGEND

TRACE BOUNDARY	BLOPES > 25%	ROAD
ZONING LINE	SOLS	SANITARY SEWER
EASEMENT	TREES	STORM DRAIN
CONTOUR	WETLANDS	WATER
UTILITY POLE	LIGHT	FIRE HYDRANT
VIEW	PROPERTY BOUNDARY	RODGE LINE



A. PREPARER OF PLAN
 Name: D.S. THALER & ASSOCIATES, INC.
 Address: 1115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21244
(410) 944-3647

B. ENVIRONMENTAL INFORMATION

Existing	Not Existing	Field	Plan	Remarks
X				Topography and street grades (minimum 5 ft. contour approximately 25% slope greater than 25% 100 year floodplain)
X				Soils mapped according to Soil Survey, Baltimore County, Maryland
X				Streams, seeps, ponds or other water bodies shown on site and within 200 ft. of site boundaries
X				Wetlands
X				Forest buffer limits including adjustments for slope, aspect and/or erodible soils
X				Land cover on and within 200 ft. of site
X				Significant riparian plant or wildlife communities
X				Wells on site and within 100 ft. of site
X				Septic on site and within 100 ft. of site
X				Underground fuel tanks on site and within 100 ft. of site
X				Soil evaluation tests (per tests) performed

C. EXISTING BUILT CONDITIONS

Existing	Not Existing	Remarks
X		Locations of existing buildings within 200 ft. of site boundaries
X		Location of existing roads within 200 ft. of site boundaries
X		Designated historic sites
X		Designated archeological sites
X		Significant views
X		Significant features (specimen trees, buildings, street scene, etc.)
X		Land uses on and within 200 ft. of site
X		Roads rights-of-way and easements

D. COUNTY ADOPTED PLANS

Existing	Not Existing	In	Remarks
X			Balto. Co. Master Plan 1989-2000
X			Community or Revitalization Plan(s)
X			Recreation and Parks Plan
X			Greenways Plan
X			Greenways Plan
X			Other

PROJ. NAME: GLYNDON MEWS
 PLAN TITLE: CONCEPT PLAN
 PLAN NO.: CONCEPT PLAN
 PLANNING NO.:
 COUNCIL DIST.: 2
 ELECTION DIST.: 4
 COMMUNITY INPUT MEETING:
 HEARING OFFICE HEARING:
 APPROVAL:
 OWNER/DEVELOPER:
PRESTIGE DEVELOPMENT, INC.
8010 DERBY LANE
OWINGS MILLS, MD. 21117
(410) 356-4700
 ATTN: MR. ALAN KLATSKY

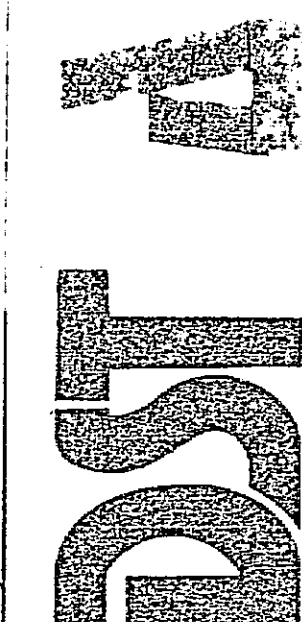
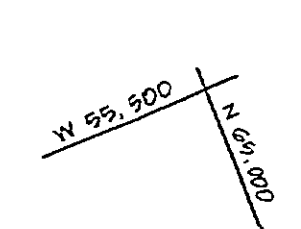
REVISIONS:
 1. CH'D 4/4/95 DDP
 2. SHOW TAX NO'S

PLAN NOT SUBJECT TO BALTIMORE COUNTY APPROVAL

DATE: 4-5-95
 SCALE: 1" = 100'
 C.I.: 5
 PROJ. NO.: TP5A
 SHEET: 1 OF 1

CONCEPT PLAN
 SITE CONSTRAINTS PLAN

GLYNDON MEWS



Existing Zoning and Maximum Density Permitted

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (acres)	Open Space Proposed	Average Daily Trips	Phase	Development Schedule
SINGLE FAMILY	21	2 SPACES /UNIT	42	None	SEE CHART BELOW	10/UNIT		
Total	21	42	42			210		

OPEN SPACE PROPOSAL

Undeveloped Areas	Acres
Storm Water Management	1.0±
HOACOA Areas	
Other	
Total Provided	1.0±

Anticipated Actions:

- Variance _____
- Waiver _____
- Special Exceptions _____
- Other _____

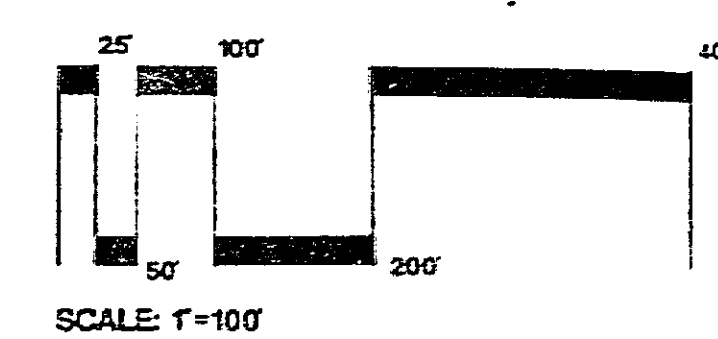
→ To allow a min. of 15' building setback from the property line in R-C-5 Zone in lieu of 50'.

→ To allow a 24" Road on a 40" R/W in lieu of a 30" Road on a 50" R/W.

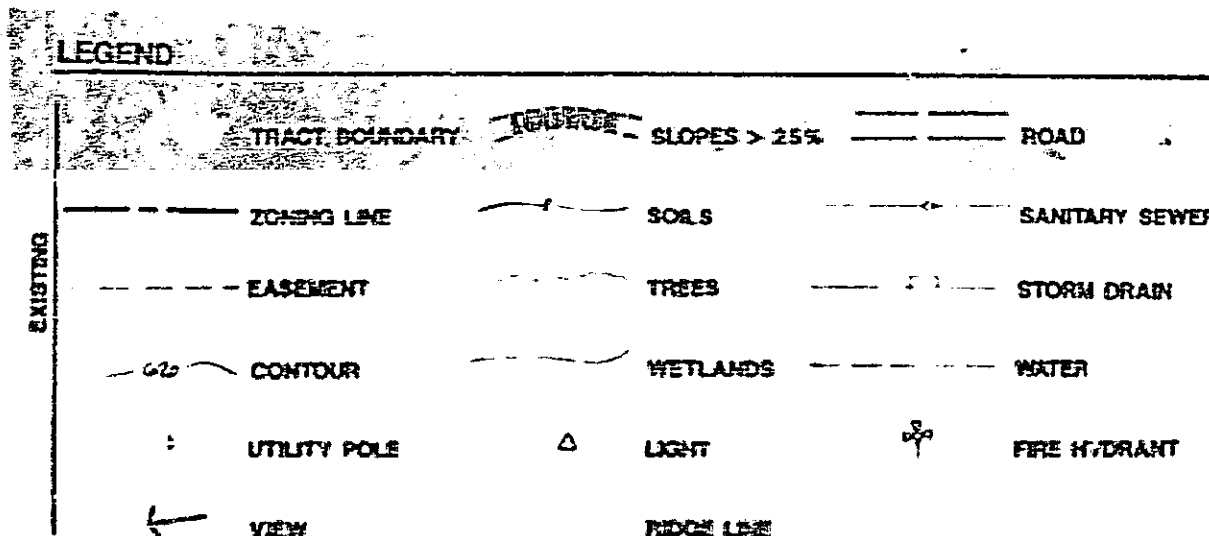
→ To allow two (2) houses in an R-C-5 Zone to be serviced by public water.

[illegible]

PLAN NOT SUBJECT TO BALTIMORE
COUNTY APPROVAL



SCALE: T=10



1. **DEVELOPMENT**
Glyndon House

2. **APPLICANT/DEVELOPER:** American Investment Corporation
8510 Cherry Lane
Owensboro, KY 42301
Tel: (410) 356-4100
Alton Allen Realty

3. **OWNER:** American Airlines Corporation
3701 Old Orchard Road
Baltimore, Maryland 21208

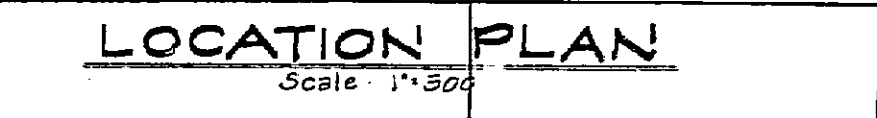
4. **PROPERTY REFERENCE**
DECEASATION NO. 1
TAX ACCOUNT NUMBER: 0417035626
TAX ID: 48-0010 123 00000000

5. **DEVELOPMENT**
PLAN PREPARED BY: D.C. Forster & Associates, Inc.
7115 Lakeside Drive
Baltimore, MD 21214

6. **GENERAL DATA:**
Site Address: 1404 N. 1st
City: Baltimore, MD 21202
Subdivided: 1
Waterfront: 67

7. **SITE INFORMATION:**
A. Gross acreage = 17.368
Net acreage = 17.368
B. Zoning: Existing
C. Density Calculations: See Deed
D. Existing Single Family
Required: 22 units ± 2/30
Proposed: 12 units
E. Open Spaces: N/A

USE:	The existing use is - retail sale only.
EXISTING:	There are no known historic resources in the D.R.J & C.C.'s zones and vacant in the R.C.Z' zone.
ROADS:	There are no roads in the project area.
TOPOGRAPHY	Topo: topographic; water, streams, critical habitat, wetlands, riparian areas, species of biological significance on the site.
STORAGE	All roads are public.
AVERAGE DAILY TRAFFIC (ADT):	Average daily trips = calculated from the Ballwin County Department of Planning Policy.
TRAFFIC LIGHTS:	"Single Phase"
	Average Daily Traffic = 22 miles / 10/mile = 220 ADTS
STORMWATER MANAGEMENT:	Stormwater management will conform to Ballwin County standards.
GRADING:	Grading shall be as "natural" only.
VEGETATION:	Existing vegetation will be retained in areas not needed for construction or other uses. Existing vegetation consists of: woods, meadow.
STORAGE	There are no known "degraded storage lands on site."



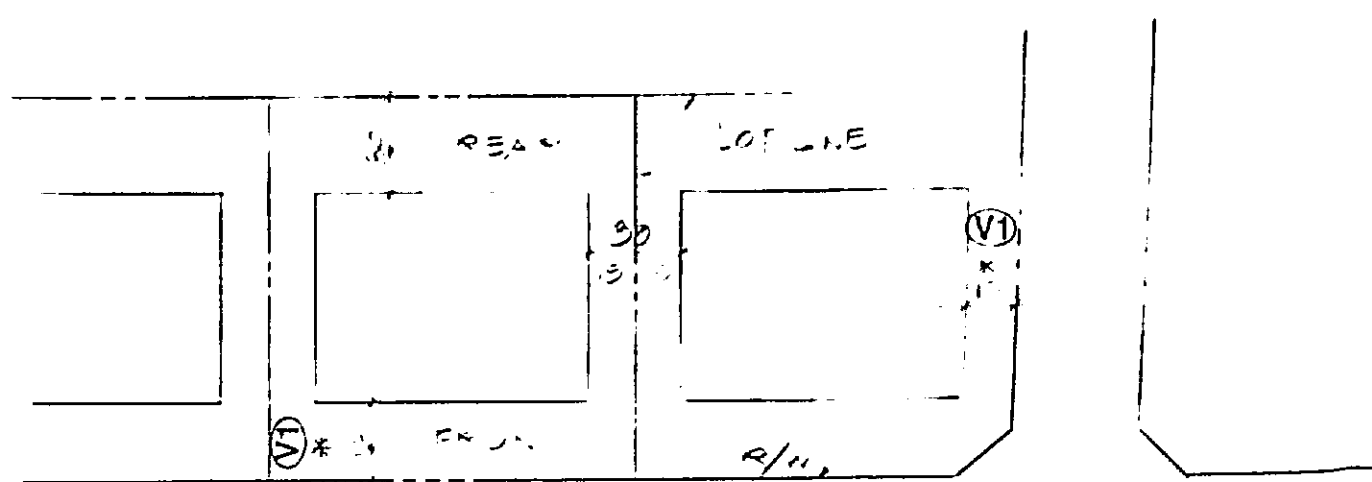
96-52-A

DEVELOPER
PRESTIGE DEVELOPMENT, INC
8010 DERBY LANE
OWINGS MILLS, MD 21117
(410) 386-4700
ATTN: MR. ALAN CLATSKY

PROJ. NAME: GLYNDON MEWS PLAN TITLE: DEVELOPMENT PLAN ZADM PROJ. NO. JV-478 ZADM P.M.: KURT KUGELBERG COUNCIL DIST: 3 ELECTION DIST.: 4 COMMUNITY INPUT MEETING: 6/1/95 HEARING OFFICER'S HEARING APPROVAL:	REVISIONS: # 66
DEVELOPER: PRESTIGE DEVELOPMENT, INC. 8010 DERBY LANE OWINGS MILLS, MARYLAND 21117 (410) 356-4700 ATTN: MR. ALAN KLATSKY	
D.S. THALER & ASSOCIATES, INC. CIVIL ENGINEERS LANDSCAPE ARCHITECTS	SURVEYORS LAND PLANNERS
7115 AMBASSADOR ROAD BALTIMORE, MARYLAND 21244 TEL. 443-5830 FAX 443-5831	 DATE: 7/2/95 SCALE: 1" = SHEET: 1 OF 1 PROJ. NO.: DRAWN BY:

DATE: 7/21/01
SCALE: 1" = 5'
CL: 2"
PROJ. NO.:
SHEET: 1

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84



TYPICAL LOT SETBACK REQUIREMENT
FOR 100' X 100' LOTS

VARIANCE REQUESTS

1. B.C.Z.R. - SECTION 1801.2.C.1.D.
CMPD 11.A.30.
To allow a minimum 15' building front and side setback to right-of-way in lieu of 25' (front only lots 1 to 15 & 18 to 22, side lots 12 & 13).
2. B.C.Z.R. - SECTION 1801.2.C.1.D.
CMPD 11.A.30.
To allow a minimum 15' building setback to a property line in lieu of 25' and to allow a minimum of 63' building front setback to center of cul-de-sac in lieu of 75' (lots 16 & 17).

WAIVER REQUESTS

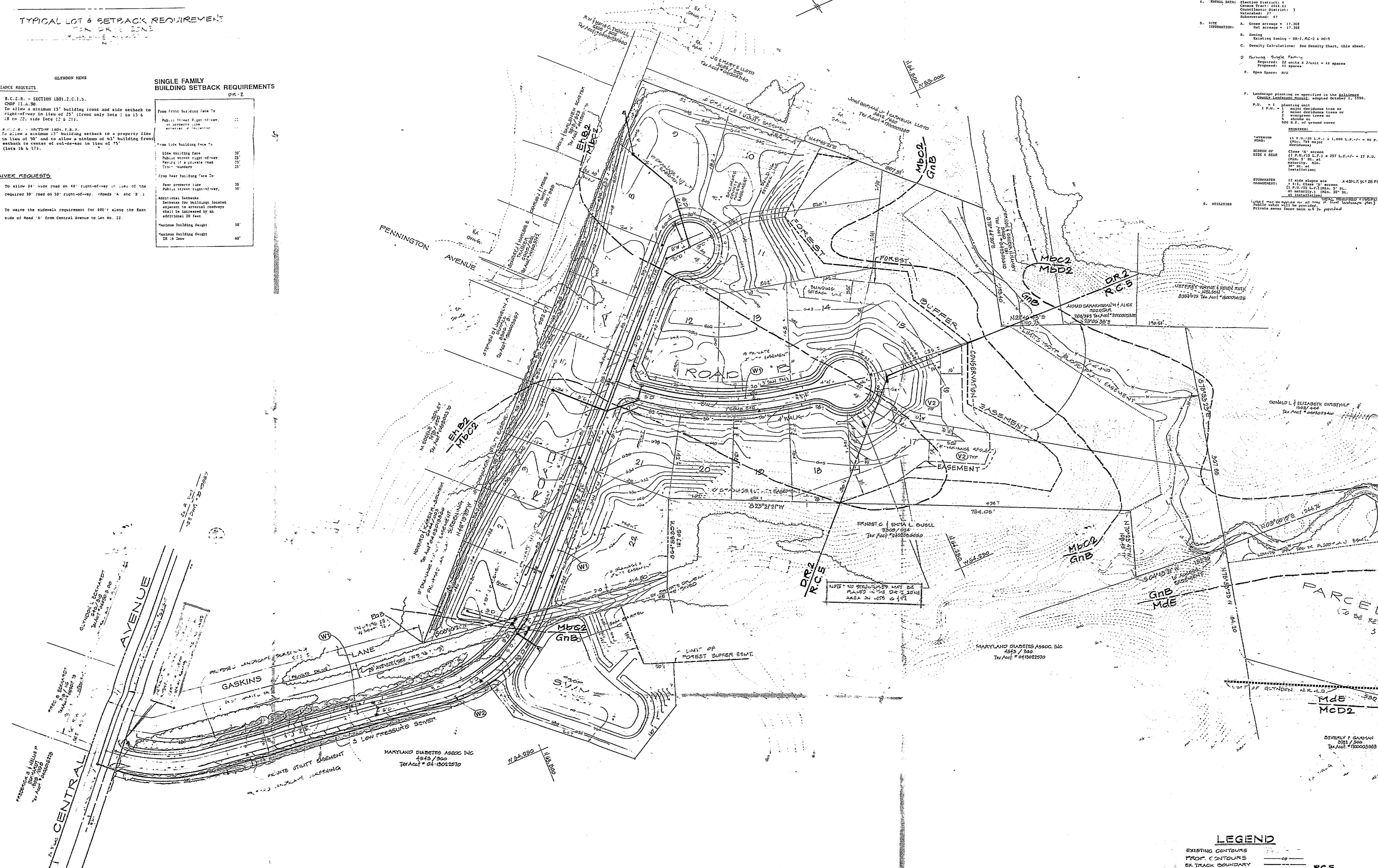
1. To allow 24' wide road on 60' right-of-way in lieu of the required 30' road on 50' right-of-way. (Roads A and B.)
2. To waive the sidewalk requirement for 400' along the East side of Road A from Central Avenue to Lot No. 22.

SINGLE FAMILY BUILDING SETBACK REQUIREMENTS

| FROM FRONT BUILDING FACE TO | REQUIREMENT |
|---|-------------|
| Public Street Right-of-Way | 25' |
| Side Property Line | 15' |
| From Side Building Face To | |
| Side Property Line | 15' |
| Public Street Right-of-Way | 25' |
| From Rear Building Face To | |
| Rear Property Line | 15' |
| Public Street Right-of-Way | 30' |
| Additional Setbacks | |
| Setbacks for buildings located adjacent to arterial roadways shall be increased by 10' additional 20 feet | |
| Maximum Building Height | 30' |
| Maximum Building Height | 30' in Zone |

GENERAL NOTES

1. DEVELOPMENT: Cuydon Homes
2. APPLICANT/DEVELOPER: Prestige Development Corporation
8010 Cherry Lane
Owens Mills, MD 21116
Tel: (410) 344-1700
Attn: Alan Ratzlaff
3. OWNER: American Diabetes Association
2701 Old Court Road
Baltimore, Maryland 21208
4. PROPERTY REFERENCE: DEPARTMENTAL: 04302250
TAX MAP: 48 GRID: 12 PARCEL: 568
AC: 10.00
5. PLAN PREPARED BY: D.S. Thier & Associates, Inc.
1115 Underwood Road
Baltimore, MD 21204
6. GENERAL DATA: Easement: Easement 4
Conservation: 400' x 100'
Subdivided: 3
Watercourse: 1
Subdivided: 1
7. SITE INFORMATION: A. Gross acreage = 17.368
B. Net acreage = 17.368
C. Existing Zoning = DR-2, MC-2 & PC-5
D. Density Calculations: See Density Chart, this sheet.
E. Building: Single Family
Required: 22 units x 2 unit = 44 spaces
Proposed: 44 spaces
F. Open Spaces: N/A
8. LANDSCAPE PLANTING: As specified in the Baltimore County Landscape Manual, adopted October 1, 1990.
P.D. = 1 planting unit
1 P.D. = 1 mature deciduous tree or 2 medium deciduous trees or 3 shrubs or 600 sq. ft. of ground cover
REQUIREMENTS:
1. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
2. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
3. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
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64. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
65. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
66. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
67. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
68. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
69. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
70. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
71. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
72. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
73. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
74. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
75. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
76. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
77. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
78. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
79. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
80. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
81. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
82. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
83. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
84. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
85. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
86. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
87. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
88. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
89. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
90. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
91. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
92. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
93. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
94. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
95. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
96. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
97. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
98. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
99. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.
100. P.D. 1.00 L.P. = 1.000 L.P. = 30 P.D.

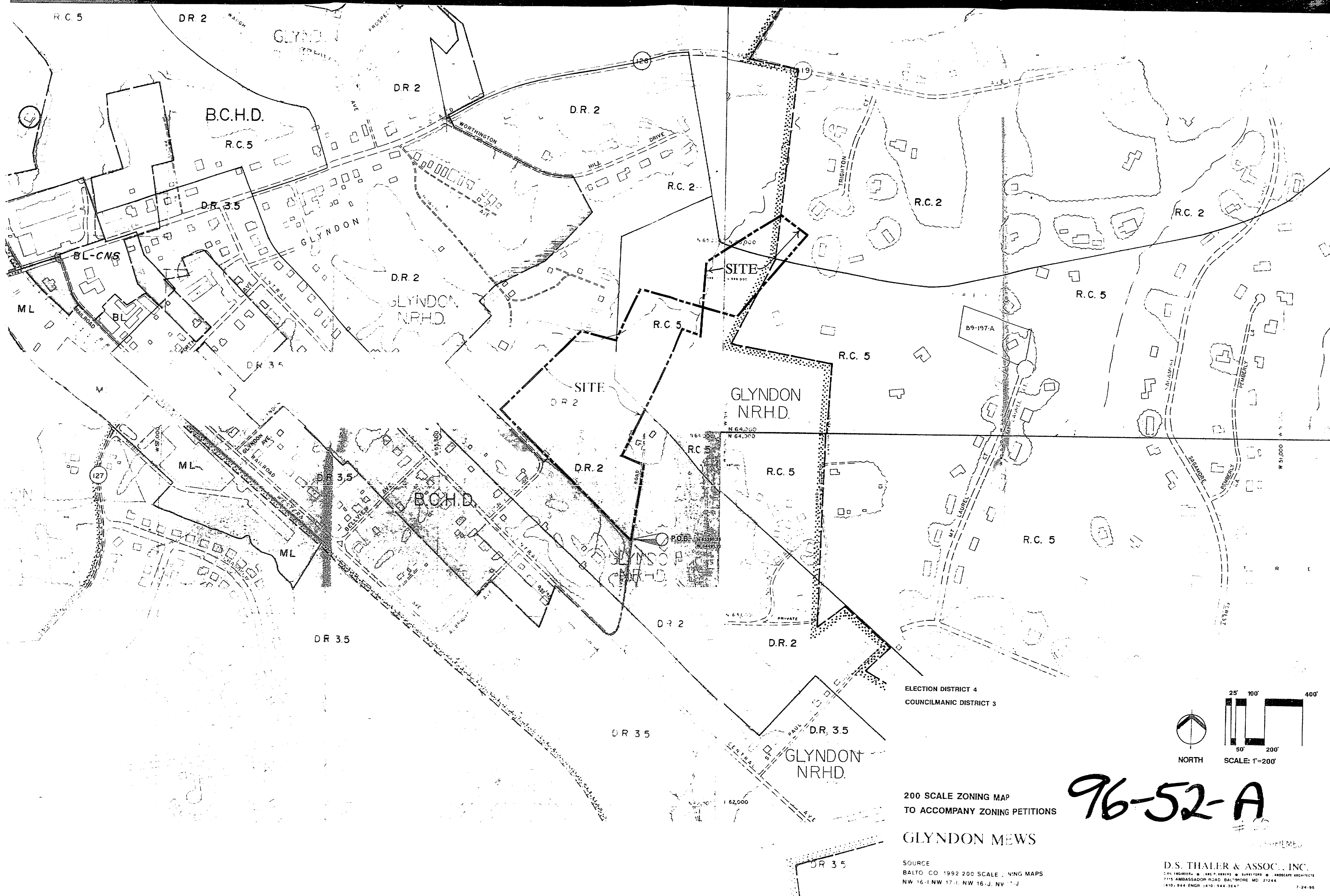


LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- EX. TRACK BOUNDARY
- EX. ZONING LINE
- EX. SOIL LINE
- FOREST BUFFER ESMT.
- PROPOSED ESMT.
- EX. EDGE OF WOODS
- PROPOSED ESMT.
- STREET
- WETLAND

I, Alan Ratzlaff, certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

DEVELOPER
PRESTIGE DEVELOPMENT CORPORATION
OWENS MILLS, MD 21116
ATTN: ALAN RATZLAFF



ELECTION DISTRICT 4
COUNCILMANIC DISTRICT 3

200 SCALE ZONING MAP
TO ACCOMPANY ZONING PETITIONS

GLYNDON MEWS

SOURCE
BALTO. CO. 1992 200 SCALE ZONING MAPS
NW 16-1, NW 17-1, NW 16-J, NW 17-J

96-52-A

D.S. THALER & ASSOC., INC.
CITY ENGINEERS • LAND ARCHITECTS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-0800 • (410) 944-3647

7-24-95