

IN RE: DEV. PLAN HEARING & PETITION * BEFORE THE HEARING OFFICER/
FOR VARIANCE
N/S Hidden Glen Dr., E/S Green- * ZONING COMMISSIONER
spring Ave.(12001 Greenspring Ave.
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Legal owner: Estate of * Case No.VIII-680 & 97-496-A
Bertha A. Chenoweth
Contract Purchaser: Wise Devel- *
opment, Inc., Developer/Petitioner
* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to Section 26-206.1 of the Baltimore County Code, for the property located at 12001 Greenspring Avenue, known as the Chenoweth property. The Applicant/Petitioner (Wise Development, Inc.) seeks approval of a development plan for an 8 single family dwelling subdivision and filed a Petition for Variance for setback relief. The development plan was prepared by Colbert, Matz and Rosenfeld, Inc., engineers/surveyors/planners. The development plan/Petition for Variance was submitted for consideration by the Estate of Bertha A. Chenoweth, property owner, and Wise Development, Inc., by Wayne Yaffe, principal. The proposed development and requested relief are more particularly shown on Developer's Exhibits No. 1A and 1B, the red line development plan/plan to accompany the Petition for Variance, and schematic landscape plan.

As to the history of the project, through the development review process, a Concept Plan was submitted on October 21, 1996. Thereafter, on November 20, 1996, the required Community Input Meeting was held at the Chestnut Ridge Volunteer Fire Department. The Development Plan was submitted and a conference was held thereon on May 21, 1997. The Hearing Officer's hearing was scheduled and conducted in its entirety on June 6, 1997.

ORDER FOR FILING

Date

By

Appearing at the Hearing Officer's hearing was Richard E. Matz, the engineer who prepared the site plan. Also present in support of the plan was David P. Reter and Miriam Reter, and Harmon Miller. The Developer/Petitioner was represented by Steven Rosen, Esquire. Also present were representatives of the various Baltimore County agencies which reviewed the plan. These included Don T. Rascoe, the Project Manager, Kate Milton from the Office of Permits and Development Management (PDM), Robert W. Bowling, Development Plans Review, Office of Permits and Development Management (PDM), Ervin McDaniel from the Office of Planning (OP), and Gayle Parker from the Department of Environmental Protection and Resource Management. (DEPRM).

Several interested persons/Protestants also appeared from the surrounding neighborhood. They included Ilene Magaziner, Howard Price, Ivan Goldstein, Sharon Cylus and Cara Cylus.

Testimony and evidence presented was that the subject site is approximately 24 acres in area, zoned R.C.5. The property is an irregularly shaped parcel located adjacent to the intersection of Greenspring Avenue and Hidden Glen Drive in northern Baltimore County. Presently, the parcel is improved with a single family dwelling which is located on what is shown on the plan as lot No. 1. The Developer proposes an 8 single family house subdivision. In addition to the existing house, 7 new dwellings are proposed. Vehicular access to the new lots is by way of a proposed public street which will provide access to the site from Hidden Glen Drive. The new road will terminate in a cul-de-sac in the interior of the property. A forest conservation easement area and forest buffer easement are also shown on the plan.

Section 26-206 of the Baltimore County Code regulates the conduct of the Hearing Officer's hearing. The Hearing Officer is required by that

JOHN J. JARVIS
Date 6/14/77
By [Signature]

section to first identify any outstanding issues/unresolved agency comments. In this regard, the only issue identified by the Developer and the County was the existing/proposed means of access to lot No. 1. Presently, the dwelling on lot No. 1 is served by a driveway which enters the property from Greenspring Avenue. Apparently, a development plan comment was offered by Mr. Bowling that that driveway should be eliminated and access should be provided from the proposed new road.

At the hearing, the Developer raised an objection to this requirement. Testimony was offered by the property owner's grandson, who resides on the site. He indicated that the relocation of the driveway would be inconvenient and would result in a new and increased area of impervious surface. He also indicated that there was sufficient room for vehicles to turn around within the interior of the property so that it was not necessary for vehicles to back out from the driveway onto Greenspring Avenue.

Based on this testimony, Mr. Bowling agreed to eliminate this requirement. Thus, this issue was resolved at the hearing and access to lot No. 1 can continue to be by way of the existing driveway. A new means of access from the proposed road to lot No. 1 is not necessary.

Other than this issue, there were no comments identified by either the Developer or the County representatives present. It was agreed that the plan was in full compliance with all County development regulations, policies and procedures adopted thereto.

The citizens from the surrounding community offered a variety of concerns. Many of these related to traffic in the general vicinity and were not site specific. As I indicated at the hearing, the Hearing Officer's authority in considering this plan must be restricted to the four corners of the subject property and the impacts of the proposal. I cannot require the Developer or County to make off site improvements to benefit

ORDER RECEIVED FOR FILING

Date

By

the general vicinity. In this case, I am satisfied that the plan is in compliance with all County standards and should be approved.

It is also of note that testimony was offered by Ivan Goldstein, who resides in the general vicinity. Mr. Goldstein, however, does not reside in the immediate area. He offered a number of general objections to the plan and indicated that he would appeal any Order approving the proposal. After offering his comments, he abruptly left the hearing. Unfortunately, counsel for the Developer did not have an opportunity to cross examine Mr. Goldstein or question him about his objections and motives. A proffer was made that this testimony arose from a personal disagreement with the Developer which had no bearing to the property at issue. Obviously, the Board of Appeals, on appeal, will decide the merits of this Hearing Officer's decision and Mr. Goldstein's standing to appeal. I am not persuaded by his testimony.

Based upon the testimony and evidence offered, I am persuaded to approve the development plan submitted. As noted above, Section 26-206 of the Code requires that the Hearing Officer approve any plan which complies with all County development regulations. In that this plan clearly so complies, approval must be given.

As to the Petition for Variance, relief was requested therein to permit a side setback of 30 ft. in lieu of the required 50 ft. and a setback of 65 ft. from the centerline of any street in lieu of the required 75 ft. At the hearing, Mr. Matz indicated that the Petition for Variance was being withdrawn, without prejudice. He indicated that variance relief is not necessary for the project. His proffer, in this regard, was corroborated by Kate Milton, from the Zoning Review Division of the Office of Permits and Development Management. Thus, the Petition shall be withdrawn, without prejudice.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 18th day of June 1997, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Variance, approval to permit a side setback of 30 ft., in lieu of the required 50 ft., and a setback of 65 ft. from the centerline of any street, in lieu of the required 75 ft., be and is hereby DISMISSED WITHOUT PREJUDICE; and,

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PDM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions of this opinion and Order and/or the development plan comments.

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


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn.

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 17, 1997

Steven Rosen, Esquire
250 W. Pratt Street, Suite 800
Baltimore, Maryland 21201

RE: Case No. VIII-680 & Case No. 97-496-A
Project: Chenoweth Property
Wise Development, Inc., Applicant/Developer

Dear Mr. Rosen:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion has been approved and the Petition for Variance has been dismissed, without prejudice.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

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

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

- c: Ms. Ilene Magaziner, 6 Falling Leaf Court, Owings Mills, Md. 21117
- Mr. Ivan Goldstein, 5 Hunter Horn Court, Owings Mills, Md. 21117
- Ms. Sharon Cylus and Ms. Cara Cylus 12002 Ridge Valley Drive, 21117
- c: Mr. Donald T. Rascoe, Project Manager, Office of PDM
- c: Other Reviewing County Agencies



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12001 Greenspring Avenue

which is presently zoned RC-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) 1A04.3.B.3

of the Baltimore County Zoning Regulations for a side setback of 30 feet in lieu of the required 50 feet. AND 65' FROM THE CENTERLINE OF ANY STREET IN LIEU OF THE REQUIRED 75'

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

The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property.

Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

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:

Wayne Yaffe

Wise Development, Inc.

(Type or Print Name)

Signature

22 Summer Fields Court

Address

Lutherville, MD 21093

City

State

Zipcode

Attorney for Petitioner:

Steve Rosen

Abrahamoff, Neuberger & Linder

(Type or Print Name)

Steve Rosen/REM.

Signature

250 W. Pratt St. Ste. 800

Address

Phone No.

Baltimore, MD 21201 539-8300

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):

Estate of Bertha A. Chenoweth

(Type or Print Name)

Signature

M. R. I. A. M. V. R. E. T. E. R.

(Type or Print Name)

410-356-6279

Signature

12001 Greenspring Avenue

Address

Phone No.

Owings Mills MD 21127

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.

Name

3723 Old Court Rd. 206

Address

Baltimore, MD 21208 653-3838

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

All _____ OTHER _____

REVIEWED BY: SNA DATE 4-30-97

496.



Printed with Soybean Ink
on Recycled Paper



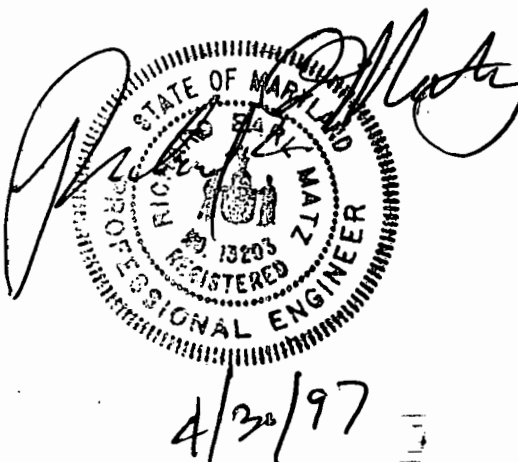


ZONING DESCRIPTION

Beginning at a point on the east side of Greenspring Avenue which is 20 feet wide at the distance of 25 feet north of the centerline of Hidden Glen Drive which is 50 feet wide. Thence the following courses and distances:

N24°01'48"W 534.77 feet; N23°31'48"W 514.54 feet; N49°08'17"E 386.92 feet;
S33°03'33"E 732.50 feet; N79°28'27"E 554.42 feet; S72°01'33"E 401.00 feet;
S11°23'33"E 457.00 feet; N84°16'27"W 1292.27 feet, to the Point of Beginning.

As recorded in Deed Liber 927, Folio 504, containing 22.92 acres. Also known as 12001 Greenspring Avenue and located in the 8th Election District.



CERTIFICATE OF POSTING

RE: Case No.:

0-496-A &
PDM - 8-680

Petitioner/Developer: CHENOWETH PROP.
RICHARD YAFFEE, ETAL

C/o R. MATZ

Date of Hearing/Closing: 6/6/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #12001 GREENSPRING AVE @
CORNER - HIDDEN GLEN DRIVE - 3 SIGNS TOTAL

The sign(s) were posted on

5/6/97
(Month, Day, Year)

Sincerely,

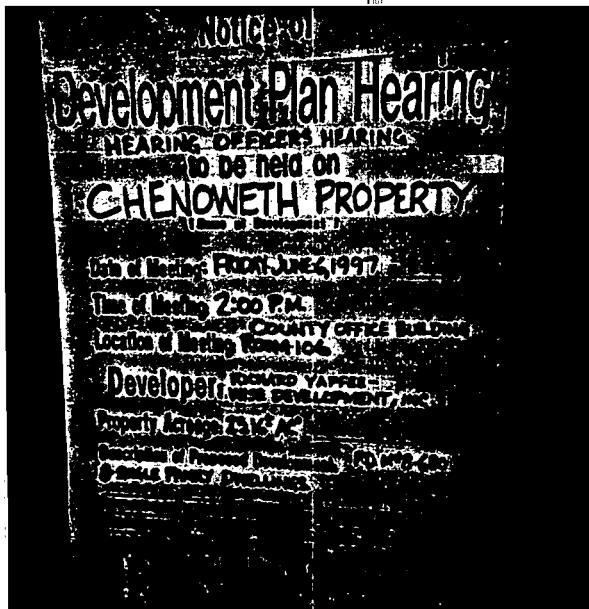
Patrick M. O'Keefe - 5/8/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

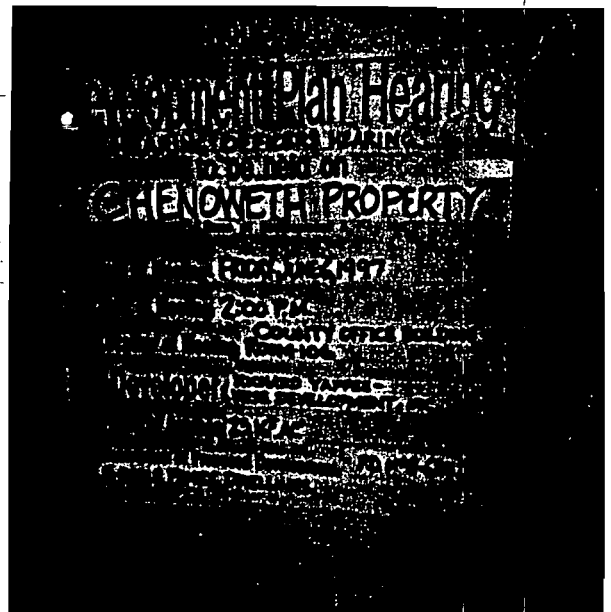
523 Penny Lane

(Address)



DEVEL. PLAN HRG.
CHENOWETH
@ HIDDEN GLEN DR.

MATZ
H-6/6/97
P-5/8/97



CERTIFICATE OF POSTING

CHENOWETH PROPERTY
PD # 8-680

RE: Case No.:

97-496-A

Petitioner/Developer:

RICHARD YAFFEE, ETAL

C/O RICHARD MATZ

Date of Hearing/Closing:

6/6/97

AT 2:00 P.M.
COB-RM-106

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #12001 GREENSPRING AVE @

CORNER HIDDEN GLEN DRIVE. - 3 SIGNS TOTAL

The sign(s) were posted on

5/6/97

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 5/8/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

ZONING NOTICE

Case #: 97-496-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: ROOM 106 - COUNTY OFFICE BUILDING

TIME & DATE: FRIDAY, JUNE 6, 1997 AT 2:00 P.M.

VARIANCE: FOR A SIDE YARD
SETBACK OF 30 FEET IN LIEU OF
THE REQUIRED 50 FEET AND 65 FEET
FROM THE CENTERLINE OF ANY STREET
IN LIEU OF THE REQUIRED 75 FEET
• 12001 GREENSPRING AVE. & 1/2 HIDDEN GLEN DR.

NOTICE: SEE AND SIGN TO PROPOSED DEVELOPMENT (PD# 8-680)
APPLICANT: RICHARD YAFFEE - WISE DEVELOPMENT, INC.
ALL APPLICANTS MUST SIGN AND DATE THE FOLLOWING STATEMENT:
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Notice of

Development Plan Hearing

HEARING OFFICERS HEARING
to be held on

CHENOWETH PROPERTY
(Name of Development)

Date of Meeting: FRIDAY, JUNE 6, 1997

Time of Meeting: 2:00 P.M.

Location of Meeting: COUNTY OFFICE BUILDING
ROOM 106

Developer: RICHARD YAFFEE -
WISE DEVELOPMENT, INC.

Property Acreage: 23.16 AC

Description of Proposed Development: PD # 8-680
8 SMALL FRAMED DWELLINGS



To see the Plan or for more information,
come to County Office Building, Room 106

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 in Towson, Maryland on the property identified herein as follows:

Case: #97-496-A
12001 Greenspring Avenue
N/S. Hidden Glen Drive, E/S
Greenspring Avenue
8th Election District
3rd Councilmanic
Legal Owner(s):

Estate of Bertha A. Chenoweth

Contract Purchaser(s):
Wise Development, Inc.

Variance: for a side setback of 30 feet in lieu of the required 50 feet and 65 feet from the centerline of any street in lieu of the required 75 feet.

Hearing: Friday, June 6, 1997 at 2:00 p.m., Room 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

5/410 May 22 C145270

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 22 19 97

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 May 22 19 97

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

040965

DATE 7/15/97 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Ivan Goldstein

FOR: Appeal # 97-496-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

RYE

PAID RECEIPT

PROCESS ACTUAL TIME
7/15/1997 7/15/1997 11:37:46

REG WS04 CASHIER LSMI LXS DRAWER

MISCELLANEOUS CASH RECEIPT

Receipt # 012281

CR NO. 040965

OFLH

210.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

036540

DATE 4.30.97 ACCOUNT R. COI-6150

AMOUNT \$ 250.00

RECEIVED FROM: CELBERT MATZ, RECEIPT

FOR: ORO Com. VARIANCE 250.00
TOTAL 250.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

#496

5000

PAID RECEIPT

04/30/97 04 7 LBS R 4879

Dept 5 513 ZONING VERIFICATION

CR NO. 036540

\$250.00 CK P-A-I-D

Baltimore County Maryland

Office Of Budget & Finance

CASHIER'S VALIDATION



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 496

Petitioner: ESTATE OF BERTHA CHENOWETH

Location: 12001 GREENSPRING AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: WISE DEVELOPMENT, INC.

ADDRESS: 22 SUMMER FIELDS COURT
LUTHERVILLE, MD 21093

PHONE NUMBER: 410-321-7805

AJ:ggs

496
(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE**Case No.:** _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE: 30 FT. SIDE SETBACK IN LIEU OF
THE REQUIRED 50 FT. & 65 FT. FROM CENTERLINE IN LIEU OF
REQUIRED 65 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW**HANDICAPPED ACCESSIBLE**

ITEM 496

496



Baltimore County
Department of Permits and
Development Management

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

May 13, 1997

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 in Towson, Maryland on the property identified herein as follows:

DEVELOPMENT PLAN HEARING
PROJECT NUMBER: VIII-680
PROJECT NAME: Chenoweth Property
LOCATION: N/S Hidden Glen Drive, E/S Greenspring Avenue
ACRES: 23.16
DEVELOPER: Richard Yaffee/Wise Development, Inc.
PROPOSAL: 8 single family dwellings.

and

CASE NUMBER: 97-496-A
12001 Greenspring Avenue
N/S Hidden Glen Drive, E/S Greenspring Avenue
8th Election District - 3rd Councilmanic
Legal Owner(s): Estate of Bertha A. Chenoweth
Contract Purchaser(s): Wise Development, Inc.

Variance for a side setback of 30 feet in lieu of the required 50 feet and 65 feet from the centerline of any street in lieu of the required 75 feet.

HEARING: FRIDAY, JUNE 6, 1997 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Estate of Bertha A. Chenoweth
Wise Development, Inc.
Steve Rosen, Esq.
Richard E. Matz, P.E.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 7, 1997.
(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
Department of Permits and
Development Management

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

May 30, 1997

Steven Rosen, Esquire
Abramoff, Neuberger & Linder
250 W. Pratt Street, Suite 800
Baltimore, MD 21201

RE: Item No.: 496
Case No.: 97-496-A
Petitioner: Estate of B. Chenoweth

Dear Mr. Rosen:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 30, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: May 27, 1997

FROM: Robert W. Bowling, Chief *RWB/DK*
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for May 19, 1997
Item No. 496

The Development Plans Review Division has reviewed the subject zoning item. Access to lot 1 should be off the proposed public road.

RWB:HJO:jrb

cc: File

ZONE519.496



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 5-9-97
Item No. 496 JRA

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley *201/41*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *May 12th*

DATE: *5/12/97*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

489

490

491

492

493

494

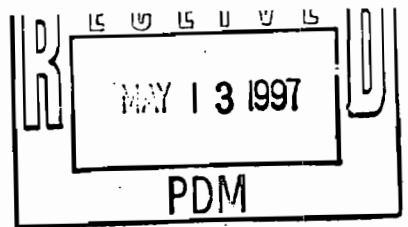
495

496

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

May 12, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 12, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

488, 489, 490, 491, 492, 493, 494, 495, 496, 497, and 499

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR VARIANCE * BEFORE THE
12001 Greenspring Avenue, N/S Hidden Glen *
Drive, E/S Greenspring Avenue * ZONING COMMISSIONER
8th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY
Legal Owner(s): Estate of Bertha A. Chenoweth
Contract Purchaser(s): Wise Development, Inc.
Petitioners * CASE NOS. 97-496-A

* * * * *

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 30th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Steve Rosen, Esq., Abramoff, Neuberger & Linder, 250 W. Pratt Street, Suite 800, Baltimore, MD 21201, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

June 24, 1997

Ms. Eubanks
Baltimore County Board of Appeals
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Dear Ms. Eubanks:

Ref: Zoning case No. VIII-680 & Case No. 97-496-A, Project Chenoweth property.

I am appealing the Zoning Commissioner's ruling on the above case.

Enclosed is a check for \$210.

Sincerely,


Ivan Goldstein
5 Hunters Horn Court
Owings Mills, MD 21117

RECEIVED
COUNTY BOARD OF APPEALS
97 JUL 10 PM 12:35

FORWARDED
TO PDM-12M 109
7-10-97 CW/CSA



Baltimore County
Department of Permits and
Development Management

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

July 24, 1997

Steve Rosen, Esquire
Abramoff, Neuberger & Linder
250 W. Pratt Street, Suite 800
Baltimore, MD 21202

RE: Petition for Zoning
Variance
N/S Hidden Glen Dr., E/S
Greenspring Ave.
(12001 Greenspring Avenue)
8th Election District
3rd Councilmanic District
Estate of Bertha
Chenoweth - Legal Owner
Contract Purchaser: Wise
Development, Inc. -
Petitioner/Developer
Case No. 97-496-A

Dear Mr. Rosen:

Please be advised that an appeal of the above-referenced case was filed in this office on July 10, 1997 by Ivan Goldstein. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 410-887-3180.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:rye

c: Ms. Ilene Magaziner
Ms. Sharon Cylus and Ms. Cara Cylus
People's Counsel



APPEAL

Petition for Zoning Variance
N/S Hidden Glen Dr., E/S Greenspring Ave.
(12001 Greenspring Avenue)
8th Election District - 3rd Councilmanic District
Estate of Bertha A. Chenoweth
Contract Purchaser: Wise Development, Inc. - Developer/Petitioner
Case No. 97-496-A

Petition for Zoning Variance

Description of Property

Certificates of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Exhibit: Developer #1 - Schematic Landscape Plan and Plan to Accompany
Petition for Variance and Development Plan

Zoning Commissioner's Order dated Jun 18, 1997 (Dismissed Without
Prejudice)

Notice of Appeal received on July 10, 1997 from Ivan Goldstein

c: Steven Rosen, Esquire, 250 W. Pratt Street, Suite 800, Baltimore,
Maryland 21201
Ms. Ilene Magaziner, 6 Falling Leaf Court, Owings Mills, MD 21117
Mr. Ivan Goldstein, 5 Hunter Horn Court, Owings Mills, MD 21117
Ms. Sharon Cylus and Ms. Cara Cylus, 12002 Ridge Valley Drive,
Owings Mills, MD 21117
People's Counsel of Baltimore County, M.S. 2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

1B01.2.C.3 **SETBACKS FROM STREET CENTERLINES**

- a. Paper Streets -- Unimproved (paper) streets shall be considered the same as existing (improved) streets. The applicant has the option of either petitioning for a variance or a road closing. To initiate a road closing procedure, a person should contact:

Law Office 887-4420
Bureau of Land Acquisition 887-3252

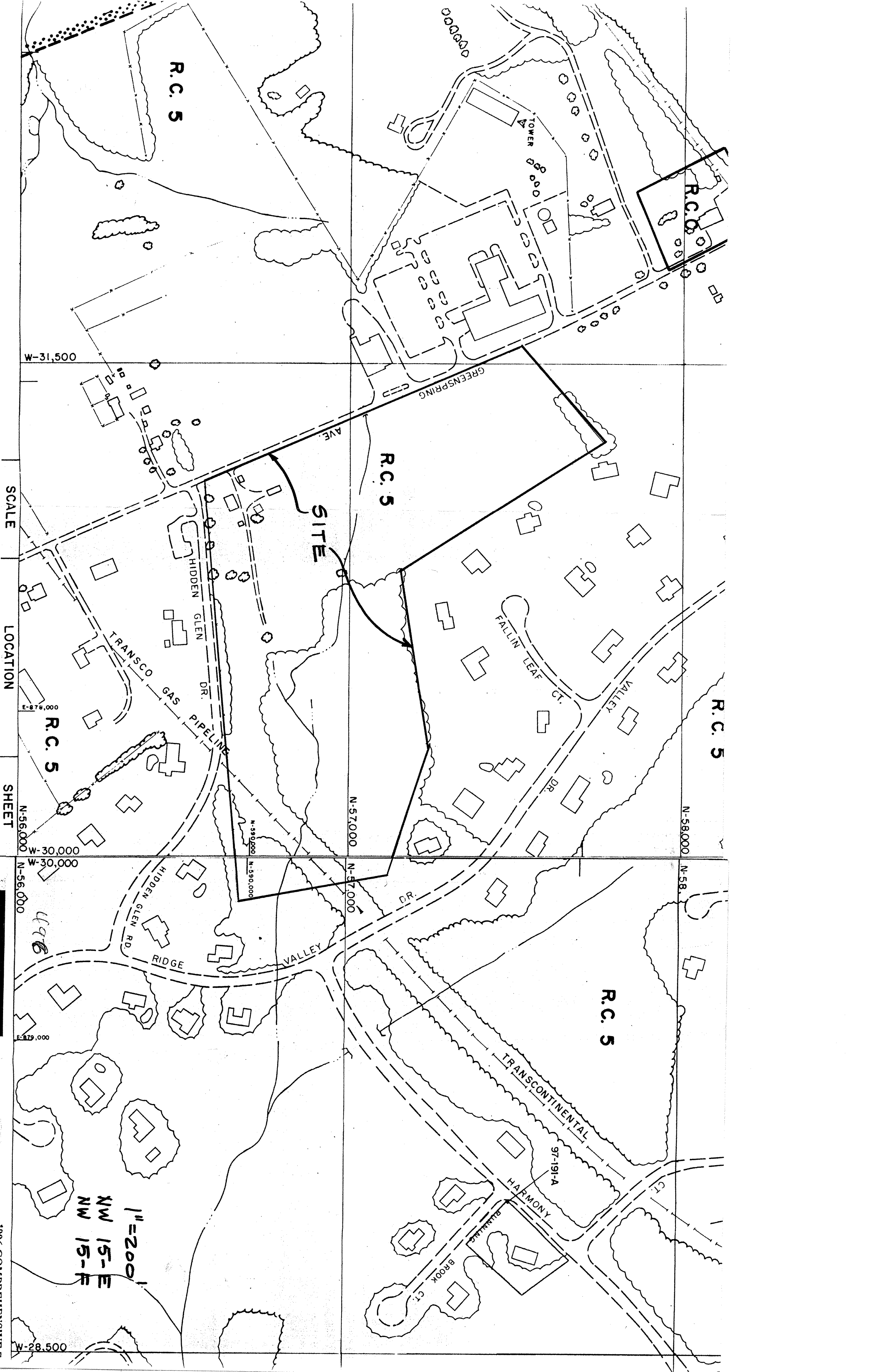
- b. Road Widening - Existing Lots -- When the County or State widens a road right-of-way that adjoins a lot and the setbacks and/or the lot area become deficient or the deficiency is increased by the taking, then the following applies:

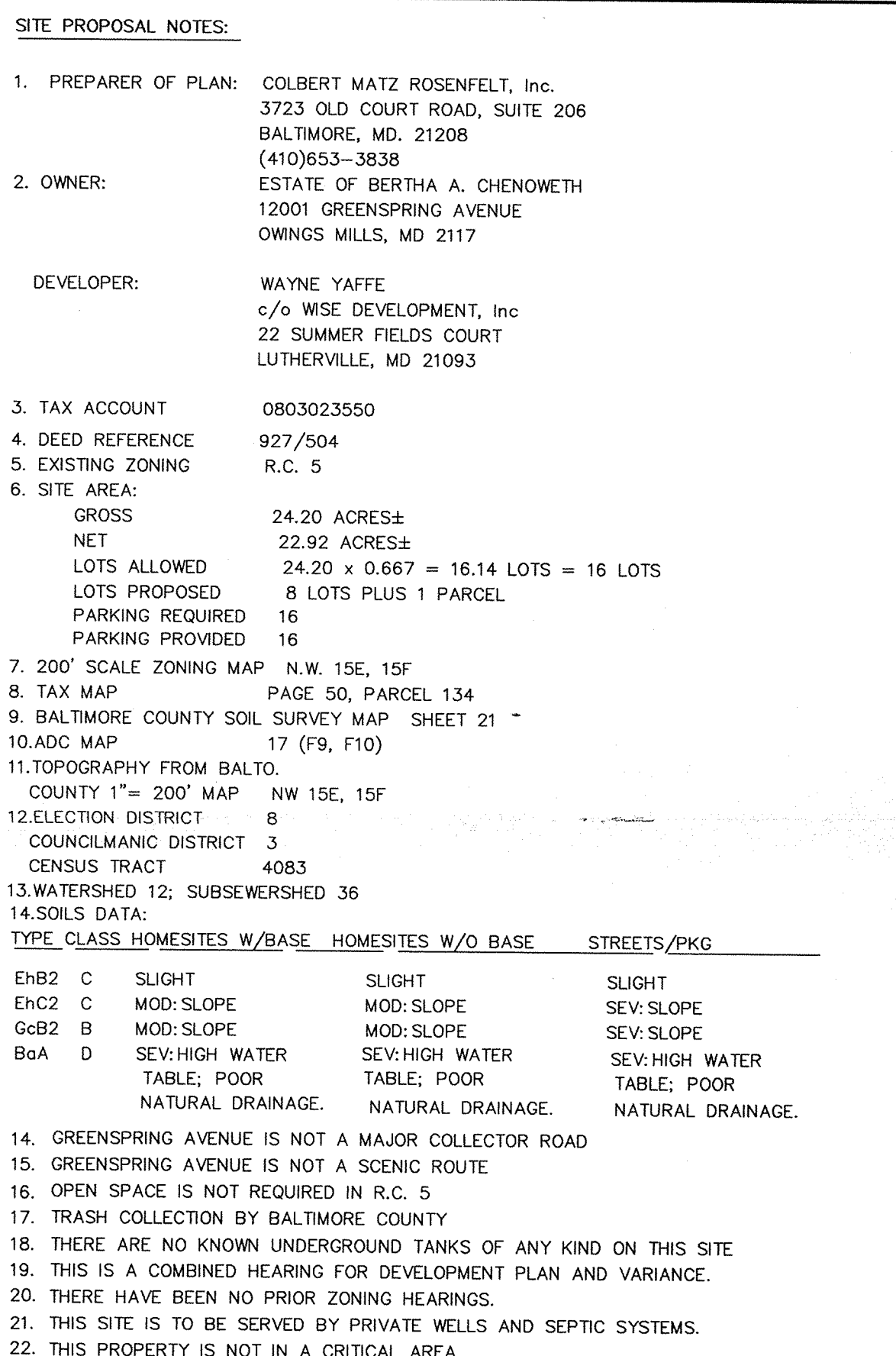
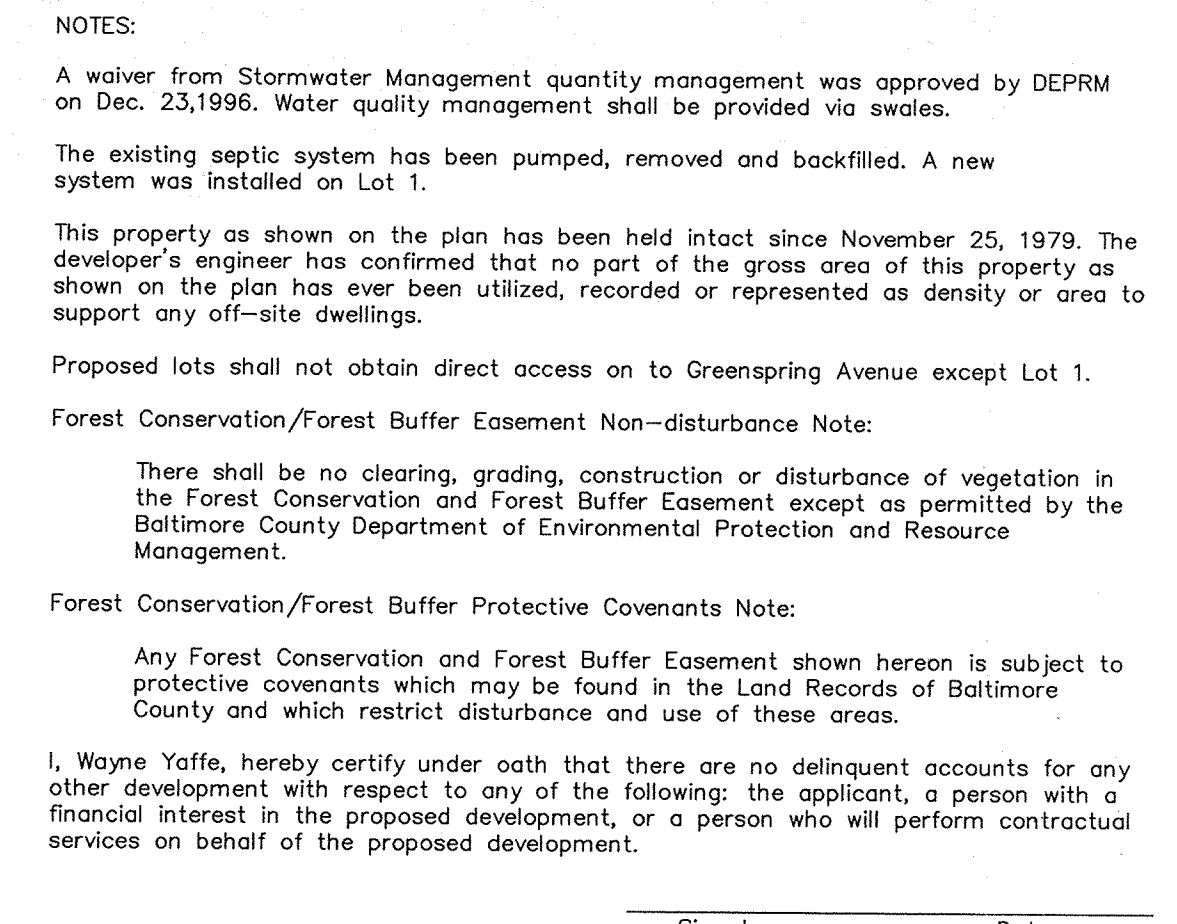
1. If the lot is "a lot of record" as defined in B.C.Z.R. unimproved and considered buildable (area-wise) prior to the taking, the area will be considered nonconforming after the taking. However, all structures and uses must meet the setbacks required in the current zoning regulations.
2. If the lot is improved with a structure, then any deficiencies (inclusive of height, setback and/or area) that are created by the taking will be considered nonconforming.

1B01.2.C.4 **MINIMUM AREA STANDARDS IN RESIDENTIAL TRANSITION AREAS** for subdivisions approved from September 19, 1970 to September 25, 1981 (adoption of Bill 100-70 until Repeal by Bill 124-81) - Dwellings (no other principal building permitted) and accessory buildings in residential transition areas, if designated under Subparagraph 1B01.1.B.1 as Group I, Group II, or Group III uses, shall be situated on lots in accordance with the standards set forth in the table below and with the provisions of Section 400, respectively. No more than one principal building shall be situated on any lot in such a residential transition area.

Residential Transition Uses to Which Lot is Limited under Subparagraph 8.1 of Subsection 1B01.1	Zone Within Which Adjoining Dwelling or Lot is Situated	Minimum Standards for Dwelling Permitted					
		Minimum Lot Area, In Square Feet	Minimum Lot Width, In Feet	Minimum Distance from Building to Centerline of Any Street, In Feet	Minimum Rear-Yard Depth, In Feet	Minimum Width of Any Side Yard (Exception Otherwise Provided, as on a Corner Lot), In Feet	Minimum Sum of Widths of Side Yards for Any Detached Building
Group I uses	D.R. 1	25,000	125	75	50	20	30
	D.R. 2	13,000	90	65	40	15	30
	D.R. 3.5	7,500	70	55	30	10	25
	D.R. 5.5	5,700	55	50	30	8	20
Group II or Group III uses	D.R. 11 D.R. 2 D.R. 3.5 D.R. 5.5 D.R. 10.5	Two-Family Detached Dwelling	Two-Family Detached Dwelling	30	30	One- or Two-Family Detached Dwelling	20
		One-Family Detached Dwelling	One-Family Detached Dwelling			One-Family Semi-detached Dwelling	
		One-Family Semi-detached Dwelling	One-Family Semi-detached Dwelling			Group House, or Group-House Apartment Building	
		Group House	Group House				
		Group-House Apartment Building	Group-House Apartment Building				
		Two-Family Detached Dwelling	Two-Family Detached Dwelling				
		One-Family Detached Dwelling	One-Family Detached Dwelling				
		One-Family Semi-detached Dwelling	One-Family Semi-detached Dwelling				
		Group House	Group House				
		Group-House Apartment Building	Group-House Apartment Building				
		Two-Family Detached Dwelling	Two-Family Detached Dwelling				
		One-Family Detached Dwelling	One-Family Detached Dwelling				

Provided, however, that alternative standards of lot or side-yard width may be applied to non-rectangular lots if such standards have been adopted under the authority of Section 504. (Bill No. 100, 1970.)





CHENOWETH PROPERTY
PDM # VIII-680
DEVELOPMENT PLAN AND PLAN TO
ACCOMPANY PETITION FOR VARIANCE
ELECTION DISTRICT 8 COUNCILMANIC DISTRICT 3
BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.

*Engineers * Surveyors * Planners*
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208

Telephone: (410) 653-3838
FAX: (410) 653-3053



Drawings in compliance with Development Plan regulations			Facsimile: (416) 653-7953		
			SCALE: 1"= 10' DATE: 04/07/97 JOB NO.: 95190 DESIGNED: DRH DRAWN: DRH CHECKED: REM FILE: 95190DEV.DWG DRAWING NUMBER:		
NO.	DATE	REVISIONS:	RY	SHEET	1 OF 1