

Petitions for Special Hearing	*	Before the
and Variance - SWC Windsor Boulevard	*	Deputy Zoning Commissioner
and Rolling Road	*	
Second Election District	*	of Baltimore County
Second Councilmanic District	*	
Coscan/Adler Limited Partnership	*	Case No.: 97-521-SPHA
Petitioner		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance for property located at the southwest corner of Windsor Boulevard and Rolling Road. The petitions were filed by the owner of the property, Coscan/Adler Limited Partnership, through Robert A. Hoffman, Esquire, Attorney at Law. The Petitioner requests a special hearing to approve an amendment to the previously approved development plan to reflect the proposed improvements and the following variances. The variances to the Comprehensive Manual and Development Policies (CMDP) are requested pursuant to Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.). The variances are; as follows:

Variance from Section II, page 21 of the CMDP to permit six of the proposed attached single family buildings a maximum length of ten (10) units at 184 feet and for two buildings a maximum length of seven (7) units at 130 feet and for one building a maximum of eight (8) units at 148 feet in lieu of the maximum building length of six (6) units or 180 feet, whichever is less; a variance from Section II, page 24 of the CMDP to permit two of the proposed back-to-back buildings a maximum building length of nine

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(9) units at 180 feet in lieu of the maximum building length of six (6) units or 180 feet, whichever is less; a variance from Section 1B01.2(B)2 of the B.C.Z.R. and Section II, page 26 of the CMAP to permit two (2) multi-family buildings a maximum building length of 352 feet each with 40 feet of this length being incorporated with two (2) connecting breezeway seating amenities per building in lieu of the 240 feet maximum multi-family building length permitted; variance from Section II, page 24 of the CMAP to permit a maximum twelve (12) parking spaces between landscape islands in front of back-to-back units in lieu of the maximum ten (10) parking spaces permitted; a variance from Section II, page 27 of the CMAP to allow a private yard area of 400 contiguous square feet in lieu of the 500 contiguous square feet required; a variance from Section II, page 19 of the CMAP to permit Unit 7, a side building face to public right-of-way of 20 feet in lieu of the 25 feet required; variance to Section II, page 19 of the CMAP to allow Units 23 through 62, a rear building setback to tract boundary of 24 feet in lieu of the 30 feet required; variance to Section II, page 23 of the CMAP to allow Units 83 and 90 a side building face to public right-of-way of 14 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 86 a front building setback to public right-of-way of 18 feet in lieu of the 25 feet required and to allow a side building face to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 87 through 90 a front building setback to public right-of-way of 16 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 91 and 108 a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow

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Units 91 through 108 a front building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 120 a side building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 115 through 120 and 128 through 132 a front building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 127 a front building setback to public right-of-way of 15 feet in lieu of the 25 feet required and a side building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 109 through 114, 121 through 126, and 142 through 150 a front building setback to public right-of-way of 23 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 133 a front building setback to public right-of-way of 12 feet in lieu of the 25 feet required and a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 134 a front building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 135 a front building setback to public right-of-way of 14 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 141 and 142 a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 151 through 155 and 160 a front building face to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 156 a building setback to tract boundary of 22 feet in lieu of the 40 feet required; variance of Section II,

page 25 of the CMDP to allow Units 161 through 220 a front building face to building right-of-way of 15 feet in lieu of the 25 feet required; variance from Section II, page 25 of the CMDP to allow Units 221 through 232 a front building face to public right-of-way of 13 feet in lieu of the 25 feet required; variance of Section II, page 25 of the CMDP to allow Units 197 through 208 a side building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 26 of the CMDP to allow Units 221 through 232 a side building setback to public right-of-way of 9 feet in lieu of the 25 feet required.

The subject property and relief sought are more particularly described on a site plan, which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were David Adler, President of The Adler Corporation, a general partner in the ownership of the subject property, Tim Madden, a registered Landscape Architect and certified land planner with Morris and Ritchie Associates, Inc., who prepared the site plan for this project, and Petitioners' legal counsel, Robert A. Hoffman, Esquire. There were no protestants present. There were representatives of the Claybrooke Community Association, which adjoins the subject property. Members of the Claybrooke Community Association raised questions, which are addressed below and placed as a condition on approval. No County representatives were present.

Testimony and evidence offered revealed that the subject property consists of 19.8 acres, more or less, zoned DR16.

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Testimony was given by Mr. David Adler, who stated that the reason for the plan revision and variances was to revise the project from two housing types to offering three housing types (garden condominiums, back-to-back townhouses, and traditional townhouses), and to change the private roads on site to public roads.

Testimony was received from Tim Madden, who described that the change from private to public roads created a hardship to this project because of the unusual shape and features to the site and that the public road right-of-way generated the need for building setbacks. The additional units per building is to create effective building masses to form, enclose, and preserve open space areas. By increasing the number of units per buildings, the total number of buildings necessary to the same density is reduced, which also results in less "end" facades. The variance requested for the parking standards will allow for a simple road lay-out, with parking in front of the units. This provides for a residential street scape image and avoids a commercial or apartment parking lot effect.

Comments from the Department of Public Works, Architectural Landscape Section, were addressed by Tim Madden, and a revised plan was submitted, which included revised schematic landscape drawings addressing Mr. Harden's comments. Comments from the Office of Planning and Zoning requesting additional planting in the Claybrooke open space were complied with on the revised plan.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner with respect to his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance a Petitioner must demonstrate the following:

1. Whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and,

2. Whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety or general welfare, and meet the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, this special hearing and variance request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of August, 1997, that the Petition for Special Hearing to approve an amendment to the previously approved development plan to reflect the

FOR THE COMMISSIONER
Date: 8/4/97
By: [Signature]

proposed improvements, and in accordance with Petitioner's Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance seeking relief from Section II, page 21 of the Comprehensive Manual of Development Policies (CMDP) to permit six of the proposed attached single family buildings a maximum length of ten (10) units at 184 feet and for two buildings a maximum length of seven (7) units at 130 feet and for one building a maximum length of eight (8) units at 148 feet in lieu of the maximum building length of six (6) units or 180 feet, whichever is less, in accordance with Petitioner's Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section II, page 24 of the CMDP to permit two of the proposed back-to-back buildings a maximum building length of nine (9) units at 180 feet in lieu of the maximum building length of six (6) units or 180 feet, whichever is less, in accordance with Petitioner's Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section 1B01.2(B)(2) of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section II, page 26 of the CMDP to permit two (2) buildings a maximum multi-family building length of 352 feet each with 40 feet of this length being incorporated with two connecting breezeway seating amenities per building in lieu of the maximum multi-family building length of 240 feet, in accordance with Petitioner's Exhibit 1, be and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section II, page 24 of the CMDP to permit a maximum of twelve (12) parking spaces

between landscaped islands in front of the back-to-back units in lieu of the maximum ten (10) parking spaces permitted, in accordance with Petitioner's Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section II, page 19 of the CMDP to permit forty townhouse units, a rear yard setback to track boundary of 24 feet in lieu of the 30 feet required, in accordance with Petitioner's Exhibit 1, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section II, page 27 of the CMDP to allow a private yard area of 400 contiguous square feet in lieu of the 500 contiguous square feet required, in accordance with Petitioner's Exhibit 1, be and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for variance seeking relief from Section II, page 19 of the CMDP to permit Unit 7, a side building face to public right-of-way of 20 feet in lieu of the 25 feet required; variance to Section II, page 19 of the CMDP to allow Units 23 through 62, a rear building setback to tract boundary of 24 feet in lieu of the 30 feet required; variance to Section II, page 23 of the CMDP to allow Units 83 and 90 a side building face to public right-of-way of 14 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMDP to allow Unit 86 a front building setback to public right-of-way of 18 feet in lieu of the 25 feet required and to allow a side

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building face to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 87 through 90 a front building setback to public right-of-way of 16 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 91 and 108 a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 91 through 108 a front building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 120 a side building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 115 through 120 and 128 through 132 a front building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 127 a front building setback to public right-of-way of 15 feet in lieu of the 25 feet required and a side building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 109 through 114, 121 through 126, and 142 through 150 a front building setback to public right-of-way of 23 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 133 a front building setback to building right-of-way of 12 feet in lieu of the 25 feet required and a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 134 a front building setback to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 135 a front building setback to public right-of-way of 14 feet in lieu of the 25 feet required; variance of Section II, page 23 of

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the CMAP to allow Units 141 and 142 a side building setback to public right-of-way of 20 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Units 151 through 155 and 160 a front building face to public right-of-way of 15 feet in lieu of the 25 feet required; variance of Section II, page 23 of the CMAP to allow Unit 156 a building setback to tract boundary of 22 feet in lieu of the 40 feet required; variance of Section II, page 25 of the CMAP to allow Units 161 through 220 a front building face to building right-of-way of 15 feet in lieu of the 25 feet required; variance from Section II, page 25 of the CMAP to allow Units 221 through 232 a front building face to public right-of-way of 13 feet in lieu of the 25 feet required; variance of Section II, page 25 of the CMAP to allow Units 197 through 208 a side building setback to public right-of-way of 17 feet in lieu of the 25 feet required; variance of Section II, page 26 of the CMAP to allow Units 221 through 232 a side building setback to public right-of-way of 9 feet in lieu of the 25 feet required, in accordance with Petitioner's Exhibit No. 1, be and are hereby **GRANTED**, subject to the following restrictions:

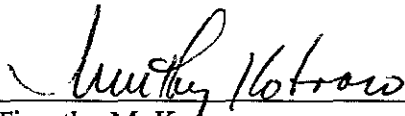
1. Developer shall install an eight foot (8 ft.) high board on board wooden fence in the rear yards of Units 63 through 72.
2. Any of Units 23 through 62 that are constructed with sunroom additions shall not be permitted to have open above grade decks.
3. The final landscape plan must be reviewed and approved by the County landscape architect which includes provisions for off-site plantings in the Claybrooke local open space behind Units 23 through 62.
4. The developer shall study the possible inclusion of security fencing along the southern boundary line adjoining the Kingswood Commons Development.

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5. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as a thirty day appellate process from this Order has expired. If, for whatever reason this Order is reversed, the relief granted shall be rescinded.



Timothy M. Kotroco
Deputy Zoning Commissioner for
Baltimore County

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By [Signature]

97-521-SPHA

Variance items, 1, 2 and 3 include departures from the standards set forth in the Comprehensive Manual of Development Policies (CMDP). The following variances are requested from the specifically cited CMDP Provisions, which were adopted by Baltimore County in accordance with Section 504.2 of the BCZR:

1. A variance from Section II, page 21 of the CMDP is requested from the standard building length permitted for single family attached housing. Section II, page 21 stated that the maximum building length "Shall be six (6) units or 180 feet, whichever is less." A variance is requested for six of the proposed attached single family buildings to have a maximum length of ten (10) units at 184 feet and for two buildings to have a maximum length of seven (7) units at 130 feet and for one building to have a maximum length of eight (8) units at 148 feet. *in lieu of the Allowed*

A variance from Section II, page 24 of the CMDP is requested from the standard building length permitted for back-to back town homes. Section II, page 24 states that the maximum building length "Shall be six (6) units or 180 feet, whichever is less". A variance is requested for two of the proposed back-to back buildings to have a maximum length of nine (9) units at 180 feet.

The justification for the additional units per building is to create effective building masses to form, enclose and preserve open space areas. By permitting more than six (6) units per building, more units will face on the open space amenities and conversely, the streamlined architecture will contribute to the establishment and definition of the community amenity areas.

A variance from BCZR, Section 1B01.2 (B)(2) further described in Section II, page 26 of the CMDP is requested from the maximum building length permitted for multi-family housing. Section II, page 26 states "the maximum building length shall be 240'" A variance is requested for two (2) buildings to have a maximum length of 352' each with ~~40'~~ of this length being incorporated with two connecting breezeway seating amenities per building. *in lieu of the allowed*

By increasing the number of units per buildings, the total number of building necessary to achieve the same density is reduced. This also results in less "end" facades, which typically are the most stark and massive parts of the building. The project will appear more organized with buildings less spread out all over the site, and much more effective in their placement.

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*Variances for side and front building setbacks
To street ROW for 170 units*

2. A variance from the CMAP is requested from the standard building setbacks as follows:

97-521-SP4A

UNITS REQUESTING VARIANCE	VARIANCE REQUESTED (STANDARD)	GOVERNING SECTION OF CMAP
Unit 7	Side Bldg. Face to Public R/W 20' (25')	Section II, page 19
Units 83 & 90	Side Bldg. Face to Public R/W 14' (25')	Section II, page 23
Unit 86	Front Bldg. Stbk to Public R/W 18' (25') Side Bldg. Face to Public R/W 15' (25')	Section II, page 23 Section II, page 23
Units 87-90	Front Bldg. Stbk to Public R/W 16' (25')	Section II, page 23
Units 91 & 108	Side Bldg. Stbk to Public R/W 20' (25')	Section II, page 23
Units 91-108	Front Bldg. Stbk to Public R/W 17' (25')	Section II, page 23
Unit 120	Side Bldg. Stbk to Public R/W 15' (25')	Section II, page 23
Units 115-120, 128-132	Front Bldg. Stbk to Public R/W 17' (25')	Section II, page 23
Unit 127	Front Bldg. Stbk to Public R/W 15' (25') Side Bldg. Stbk to Public R/W 15' (25')	Section II, page 23
Units 109-114, 121-126, 142-150	Front Bldg. Stbk to Public R/W 23' (25')	Section II, page 23
Unit 133	Front Bldg. Stbk to Public R/W 12' (25') Side Bldg. Stbk to Public R/W 20' (25')	Section II, page 23
Unit 134	Front Bldg. Stbk to Public R/W 15' (25')	Section II, page 23
Unit 135	Front Bldg. Stbk to Public R/W 14' (25')	Section II, page 23
Units 141-142	Side Bldg. Stbk to Public R/W 20' (25')	Section II, page 23
Units 151-155, 160	Front Bldg. Face to Public R/W 15' (25')	Section II, page 23
Unit 156	Bldg. Stbk to Tract Boundary 22' (40')	Section II, page 23
Units 161-220	Front Bldg. Face to Public R/W 15' (25')	Section II, page 25
Units 221-232	Front Bldg. Face to Public R/W 13' (25')	Section II, page 25
Units 197-208, 221-232	Side Bldg. Stbk to Public R/W 17' (25')	Section II, page 25
Units 221-232	Side Bldg. Stbk to Public R/W 9' (25')	Section II, page 26

Justification for this petition includes the irregular shape of the parcel and its impact on the ability to develop the property near allowable densities for said property. In addition, this project was originally approved as a condominium project with all private roads. We have now converted to all public roads. This imposition of the required minimum right-of-way widths creates a hardship to the originally approved project. The variances requested herein provide the relief from the hardship created by Public Rights-of-Way.

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3. A variance is requested from Section 409.8 (C) (1) of the Baltimore County Zoning Regulations (BCZR), from the standard distance of 180 feet between landscape islands in parking areas. In addition, Section II, page 24 of the CMDP states that for back-to-back units parking... " should be clustered in pods to discourage large parking lots, not suitable for this type of development. A landscape peninsula shall separate every 10 parking spaces...."

A variance is sought to permit a maximum of 12 parking spaces (102') between landscaped islands in front of the back-to-back units.

The relief from these parking standards will allow for a simple road layout, with parking in front of the units. This provides for a residential street scape image and avoids a commercial, or apartment style, parking lot effect.

The project will be heavily landscaped through overall site plantings, which will include installation of large canopy trees for immediate impact. Planting islands are located to break up parking lengths where appropriate and provide parking where it will best serve the units.

Per WCR
Rob Hoffman
5/27/97

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By

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Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 4, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/Corner Windsor Boulevard and Rolling Road
(Windsor Commons)
2nd Election District - 2nd Councilmanic District
Coscan/Adler Limited Partnership - Petitioner
Case No. 97-521-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David Adler, President, The Alder Corporation
10480 Little Patuxent Parkway, Suite 400, Columbia, Md. 21044-3502

Mr. Timothy Madden, Morris & Ritchie Associates, Inc.
110 West Road, Suite 105, Towson, Md. 21204

Mr. G. Bryan Powell, 2813 Cunningham Drive, Baltimore, Md. 21207

People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Southwest corner of Windsor Blvd. & Rolling Rd.

97-521-SPHA

which is presently zoned DR-16

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 part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment to the previously approved Development Plan.

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)

Signature

210 Allegheny Ave.

(410) 494-6200
Phone No

Towson

MD
State

21204
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):

Coscan/Adler Limited Partnership

(Type or Print Name) By: The Adler Corporation, General Partner

By:

Signature

David Adler, President

(Type or Print Name)

Signature

10480 Little Patuxent Parkway
Suite 400

410-740-8780

Address

Phone No.

Columbia

MD

21044-3502

City

State

Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204

(410) 494-6200

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

JRP

DATE

5-19-97

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ORDER RECEIVED FOR FILING
Date
By



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at Southwest corner of Windsor Blvd. & Rolling Rd.

97-521-SPHA

which is presently zoned DR-16

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 part of hereof, hereby petition for a Variance from Section(s)

See Attached.

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

To be determined at hearing.

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 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.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

(410) 494-6200

Address

Phone No

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

Coscan/Adler Limited Partnership

(Type or Print Name) By: The Adler Corporation, General

By:

Partner

Signature

David Adler, Partner

(Type or Print Name)

Signature

10480 Little Patuxent Parkway
Suite 400

410-740-8780

Address

Phone No.

Columbia

MD

21044-3502

City

State

Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

(410) 494-6200

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JRF

DATE 5-19-97

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By

Zoning Administration
& Development Management

MORRIS & RITZ ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



97-521-SPHA August 13, 1993

Zoning Description for 18.714 Acres on the North Side of Rolling Road, Election District No. 2, Councilmanic District No. 2.

BEGINNING at a point on the north side of Rolling Road, of variable right-of-way width, at a distance of 150 feet north of the intersection of Rolling Road with Windsor Boulevard, 70 feet wide, and running thence, by a curve to the right with a radius of 2972.40 feet and an arc length of 48.51 feet, South 02° 06' 50" West 219.07 feet, by a curve to the left with a radius of 1467.39 feet and an arc length of 440.13 feet, South 16° 22' 45" East 729.84 feet, by a curve to the right with a radius of 1110.92 feet and an arc length of 140.46 feet, and leaving the road, North 80° 36' 25" West 695.10 feet, North 12° 41' 48" West 135.39 feet, North 65° 08' 08" West 332.47 feet, North 25° 50' 12" East 1352.73 feet, South 65° 23' 46" East 153.82 feet, as recorded in Deed 6323/832, CONTAINING 815,190 square feet or 18.714 acres of land, more or less.



Scott D. Paul
9/14/07

#521

☒ 133 N. MAIN STREET, SUITE 200
BETHESDA, MARYLAND 20814
(410) 879-1690 (410) 836-7560
FAX (410) 879-1920

☐ 806-D BOSLEY AVENUE
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1745

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning and Regulations of Baltimore County, will hold a public hearing in Room 407, Courthouse Building, 401 Bostey Avenue, on the property identified hereinafter as follows:

Case: #97-521-SPMA
Windsor Commons
SWC-Windsor Boulevard and
Rolling Road
2nd Election District
2nd Councilmember
Legal Owner(s):
Coscar/Adler Limited Partnership

Special Hearing to approve an amendment to the previously approved development plan. Variance for multiple family attached dwellings, maximum

the proposed single family buildings to have a maximum length of 10 units at 184 feet and for two buildings to have a maximum length of 7 units at 130 feet and for one building to have a maximum length of 8 units at 140 feet, back-to-back town homes for two of the proposed back-to-back buildings to have a maximum length of 9 units at 180 feet in lieu of the allowed 6 units of 180 feet for multi-family housing; two buildings to have a maximum length of 352 feet each in lieu of the allowed maximum building length of 240 feet and for side and front building setbacks to street right-of-way for 170 units.

Hearing: Thursday, July 3, 1997 at 8:00 a.m., Room 407, Courthouse Building, 401 Bostey Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3363.
(2) For information concerning the file and/or hearing, Please Call (410) 887-3391.

6/07/96 June 5, C-148585

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/5, 1997

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 6/5, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 058728

DATE 9/17/98 ACCOUNT 001-6150

AMOUNT \$ 40.00 (JCM)

RECEIVED FROM: Stuart D Kaplow

FOR: VERIFICATION #98-3725

Windsor Commons

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/21/1998 9/18/1998 16:10:40
REC US06 CASHIER MMEL NRM DRAWER 6
5 MISCELLANEOUS CASH RECEIPT
Receipt # 040318 OPEN
CR NO. 052728

40.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 038089

DATE 5-19-97 ACCOUNT E-001-G15-000

AMOUNT \$ 500.00

RECEIVED FROM: Venable, Budget + Howard

020 - Variance

ITEM # 521

FOR: 030 - SPH (Amend) Taken by: JCF

Project: Windsor Commons

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

05/20/97 04 7 LBS R 3694
Dept 5 513 ZONING VERIFICATION
CR NO. 138089
\$500.00 CH P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 97-521-SPHA
Petitioner/Developer: COSCAN/ADLER LTD, ETAL
% ROBERT HOFFMAN, ESQ
Date of Hearing/Closing: 7/3/97

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:

WINDSOR COMMONS
SITE COVERED.

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 TWO (2) SIGNS

- 1) SWC WINDSOR BLVD, & ROLLING ROAD & ALONG
- 2) WINDSOR BLVD. AT WS. ROLLING RD.

The sign(s) were posted on 6/12/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/13/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

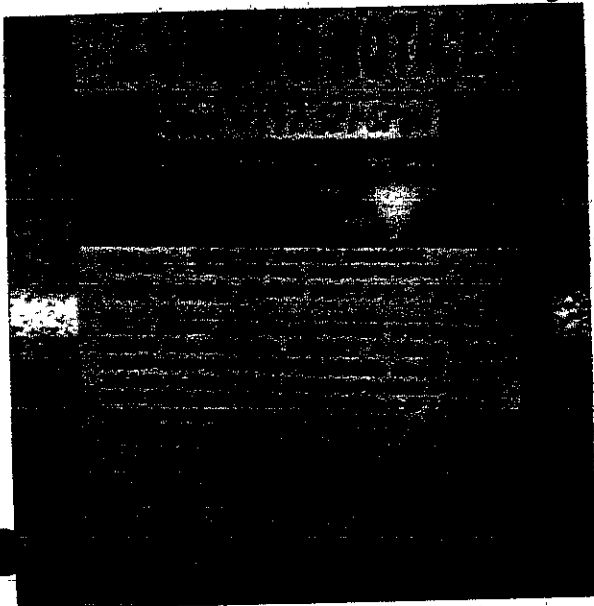
(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354

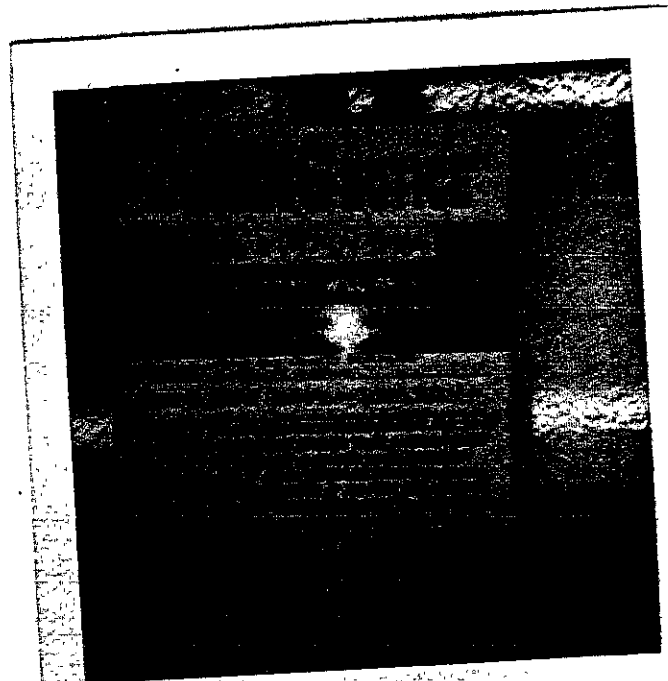
9706
cert doc



97-521-SPHA

MRA

P-6/14/97



97-521-SPHA

MRA

P-6/14/97

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.: 97-521-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE from the CMIP is requested from the
standard building setbacks for unit 7, units 83 & 90, unit 86, units
87-90, units 91 & 105, unit 120, units 115-120, 125-132, unit 127

units 109-114, 121-126, 142-150, unit 133, unit 134, unit 135, units 141-142,
units 151-155, 160, unit 156, units 161-220, units 221-232, units 197-206,
221-232, units 221-232. FILE CAN BE INSPECTED FOR MORE

INFORMATION IN ROOM 111 AT THE COUNTY OFFICE BUILDING.
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



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.: 521-A

Petitioner: Coscan/Adler Limited Partnership

Location: Southwest corner of Windsor Blvd. & Rolling Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara Ormord

ADDRESS: 210 Allegheny Avenue
Towson, Md 21204

PHONE NUMBER: 410-494-6201

AJ:qgs

(Revised 09/24/96)

TO: PUTUXENT PUBLISHING COMPANY
June 5, 1997 Issue - Jeffersonian

Please forward billing to:

Barbara Ormord
210 Allegheny Avenue
Towson, MD 21204
410-494-6201

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 NUMBER: 97-521-SPHA
Windsor Commons
SWC Windsor Boulevard and Rolling Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Coscan/Adler Limited Partnership

Special Hearing to approve an amendment to the previously approved development plan.
Variance for single family attached housing - for six of the proposed single family buildings to have a maximum length of 10 units a 184 feet and for two buildings to have a maximum length of 7 units at 130 feet and for one building to have a maximum length of 8 units at 148 feet; back-to-back town homes - for two of the proposed back-to-back buildings to have a maximum length of 9 units at 180 feet in lieu of the allowed 6 units or 180 feet; for multi-family housing - two buildings to have a maximum length of 352 feet each in lieu of the allowed maximum building length of 240 feet; and for side and front building setbacks to street right-of-way for 170 units.

HEARING: THURSDAY, JULY, 3, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

May 30, 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:

CASE NUMBER: 97-521-SPHA

Windsor Commons

SWC Windsor Boulevard and Rolling Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Coscan/Adler Limited Partnership

Special Hearing to approve an amendment to the previously approved development plan.

Variance for single family attached housing - for six of the proposed single family buildings to have a maximum length of 10 units a 184 feet and for two buildings to have a maximum length of 7 units at 130 feet and for one building to have a maximum length of 8 units at 148 feet; back-to-back town homes - for two of the proposed back-to-back buildings to have a maximum length of 9 units at 180 feet in lieu of the allowed 6 units or 180 feet; for multi-family housing - two buildings to have a maximum length of 352 feet each in lieu of the allowed maximum building length of 240 feet; and for side and front building setbacks to street right-of-way for 170 units.

HEARING: THURSDAY, JULY, 3, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Coscan/Adler Limited Partnership
Robert A. Hoffman, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 18, 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

June 26, 1997

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

RE: Item No.: 521
Case No.: 97-521-SPHA
Petitioner: Coscan/Adler Ltd. Part.

Dear Mr. Hoffman:

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 May 19, 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, appearing to read "W. Carl Richards, Jr.", written over a printed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



____ Attach original petition

Due Date 6/11/97

To: Arnold L. Jablon

From: Bruce Seeley *6/1/98*

Subject: Zoning Item_521

Windsor Commons

Zoning Advisory Committee Meeting of 6/2/97

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

x Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 13, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 9, 1997
Item No. 521

The Development Plans Review Division has reviewed the subject zoning item.

The landscape plan should be enlarged to at least 1 inch=30 feet. Provide the minimum planting unit calculation from the landscape manual on the plan.

Street trees are not permitted in the Rolling Road right-of-way. This change will necessitate that the Rolling Road streetscape and buffer become a varied planting of compatible over and understory trees and shrubs.

Broad branched major deciduous trees may not be placed within 15 feet of a street light.

Sidewalks should be set back to the right-of-way line where they run directly in front of parking spaces. This facilitates pedestrian safety, snow placement and street tree placement. This includes the sidewalks on both sides of the Ashfield Drive entrance, the Chadwell Circle play area, Sharrington Drive and various other sections throughout the site. Street trees may be placed between the sidewalk and curb only where the landscape strip has been widened.

The central weakness of the planting design is the lack of major deciduous trees complementing the roadway and fronts of units. The layout offers many unutilized spaces where major deciduous trees may be placed.

Minimum required planting units must generally be used where they are generated. The trees used in the southern property line buffer and the Clay's Lane park may not be considered as part of the required planting units.

A more organized streetscape must be proposed for the Windsor Boulevard section. Delineate the sidewalk as contiguous with the right-of-way line. Place street trees 5 feet off right-of-way not closer than 30 feet off center.

Arnold Jablon, Director
June 13, 1997
Page 2

Buffer plantings for various sideyards have been omitted. The entire buffer planting design needs refinement.

Storm water management facility requires plantings.

RWB:HJO:jrb

cc: File



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 5-30-97
Item No. 521 JRF

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 Government
Fire Department



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

(410) 887-4500

June 3, 1997

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

RE: Property Owner: COSCAN/ADLER LIMITED PARTNERSHIP

Location: DISTRIBUTION MEETING OF June 2, 1997

Item No.: 521 Zoning Agenda:

Gentlemen:

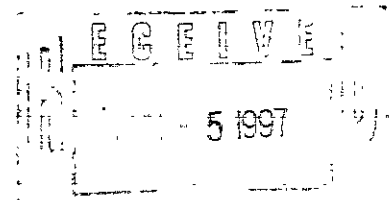
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are apoliteable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.6.4 Fire Hydrants, as published by the Department of Public Works.
* THIS APPLIES TO ALL AREAS WITHIN THE DEVELOPMENT.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE (410) 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
Windsor Commons, SWC Windsor Boulevard	*	ZONING COMMISSIONER
and Rolling Road, 2nd Election District,		
2nd Councilmanic	*	OF BALTIMORE COUNTY
Coscan/Adler Limited Partnership	*	CASE NO. 97-521-SPHA
Petitioner	*	

* * * * *

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 3rd day of July, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

October 27, 1997

Mr. Timothy F. Madden
Morris & Ritchie Associates, Inc.
110 West Road, Suite 105
Towson, MD 21204

RE: Zoning Verification
Windsor Commons
Zoning Case 97-521-SPHA
2nd Election District

Dear Mr. Madden:

Your letter dated October 17, 1997 has been forwarded to me for reply. In this letter it was requested that lot 136 be granted a front yard variance of 21 feet in lieu of the required 25 feet as being within the spirit and intent of zoning case 97-521-SPHA. A review of this case file indicated to me that this indeed could have been an oversight because of the large number of variances requested. I discussed your situation with Timothy Kotroco who was the sitting commissioner on this case. Mr. Kotroco feels that it would be appropriate to approve this variance as within the spirit and intent of his original order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,


Catherine A. Milton
Planner II
Zoning Review

CAM:rye

c: zoning case 97-521-SPHA

Enclosure



Seni
7/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: July 1, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Windsor Commons

INFORMATION

Item Number: 521

Petitioner: Coscan/Adler Limited Partnership

Zoning: DR-16

Requested Action: Special Hearing and Variance

Summary of Recommendations:

The Office of Planning supports the requested special hearing to amend the approved final development plan for Windsor Commons and variances to CMDP standards as indicated on the petition attachment, site plan and first amended schematic landscape plan.

In addition, the Director of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Keene

AFK/JL



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 22, 1998

Stuart D. Kaplow, Esquire
502 Baltimore Avenue
Towson, MD 21204

Dear Mr. Kaplow:

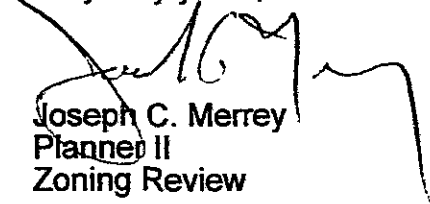
RE: Windsor Commons, PDM Number II-505, Zoning Case Numbers 94-86-A and
97-521-SPHA, 2nd Election District

Having reviewed your letter of September 9, 1998 regarding the above referenced property, Mr. Richards has requested that I review same and respond accordingly. Having reviewed the proposal as outlined in your letter and the attached site plan proposal, it is the opinion of this office that the proposal to remove the original 78 back-to-back townhouses for 6 ten-unit townhouse buildings, 2 seven-unit buildings, 3 eight-unit buildings, and 2 nine-unit buildings (as more specifically delineated in your submittal), is within the spirit and intent of the Baltimore County Zoning Regulations and the above referenced zoning cases.

When applying for building permits, a copy of this letter should be incorporated on the permit site plan.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Joseph C. Merrey
Planner II
Zoning Review

JCM:scj

Enclosure

c: zoning case #97-521-SPHA, #94-86-A

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

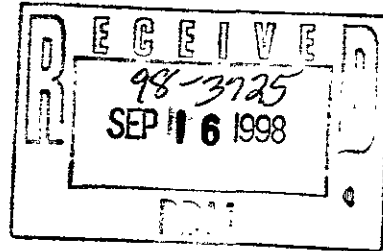
STUART D. KAPLOW, P.A.
ATTORNEYS AT LAW
502 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (410) 339-3910
FACSIMILE (410) 339-3912

September 9, 1998

Hand Delivery

Mr. W. Carl Richards, Jr.
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Windsor Commons, PDM II-505



Dear Mr. Richards:

I am writing to request confirmation from the Department of Permits and Development Management that the proposed alternate plan plan of the approved First Amended Development Plan for Windsor Commons are within the spirit and intent of the variances granted in the Hearing Officer's order in Case No. II-505 and 94-86-A and the Deputy Zoning Commissioner's order in Case No. 97-521-SPHA.

By way of background, the alternate plan of Windsor Commons is being submitted today by the contract purchaser, Questar Properties, Inc., for consideration of the DRC. The plan is the result of discussions with Pat Keller and the Planning Office will support granting the requested exemption from the development regulations at the DRC.

Simply put, the alternate plan, while substantially similar to the approved plan creates a far better neighborhood, in that the original 78 back to back townhouse units are removed and the overall plan density is reduced from 312 density units (232 dwellings) to 299 density units (226 dwellings).

The approved plan includes 6 ten unit townhouse buildings, 2 seven unit buildings, and 1 eight unit building. The alternate plan has a very similar configuration for the townhouse units, with 6 ten unit buildings, 2 seven unit buildings, 3 eight unit buildings, 2 nine unit buildings. And be aware that the approved plan permits back to back townhouses units with nine units buildings (that is a total of 36 units) with a maximum building length of 180 feet, while the new nine units buildings have a maximum length of 166 feet.

Despite that the changes from the original plan are de minimus, at best, the alternate plan will not utilize many of the prior approved variances, including permitting the multi-family building length to be 352 feet and a variety of setback variances.

Accordingly, we believe that the modified plan is within the spirit and intent of the grant of the earlier variances and, upon approval by the DRC, will require no further relief

Mr. W. Carl Richards, Jr.

Page Two

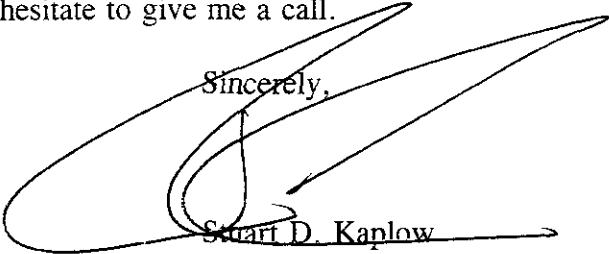
September 9, 1998

with respect to the Zoning Regulations. I am requesting that you please confirm this assessment is correct.

I have enclosed our firm check in the amount of \$40.00 payable to Baltimore County.

Thank you for your courtesies in this matter. Should you require any additional information to review this request, do not hesitate to give me a call.

Sincerely,



Stuart D. Kaplow

SDK:tbm

Attachment

cc: Mr. John B Colvin
Mr. Rick Chadsey



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

December 11, 2000

Rick Chadsey, P.E.
George William Stephens, Jr. and Associates
1020 Cromwell Bridge Road
Towson, MD 21286

Dear Mr. Chadsey :

RE: Windsor Commons, PDM #II-505

The revised (11/20/00) zoning hearing plan from case #99-477-SPHA is approved for spirit and intent as complying with the zoning commissioner's order and plan.

Document this approval on all future plans and for F.D.P. approval comply with the accompanying F.D.P. comments.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:ggs

Enclosure

C: 99-477-SPHA

P.S. A SIGNED S&I PLAN ACCOMPANIES THIS LTR.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Vanessa Jones

2803 Cunningham

L. BRYAN Powell

2813 CUNNINGHAM

Desiree Prioleau

2833 Cunningham Dr.

Gregory Prioleau

2833 Cunningham Dr.

Jonathan D. Hancock

2803 Claybrooke Dr.

Kim Crosland

2806 Cunningham Dr.

MR & MRS DANIEL HARRIS

2817 CUNNINGHAM DR.



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Rob Hoffman
Wayne Caplen
✓ Tim Madden
David Adler

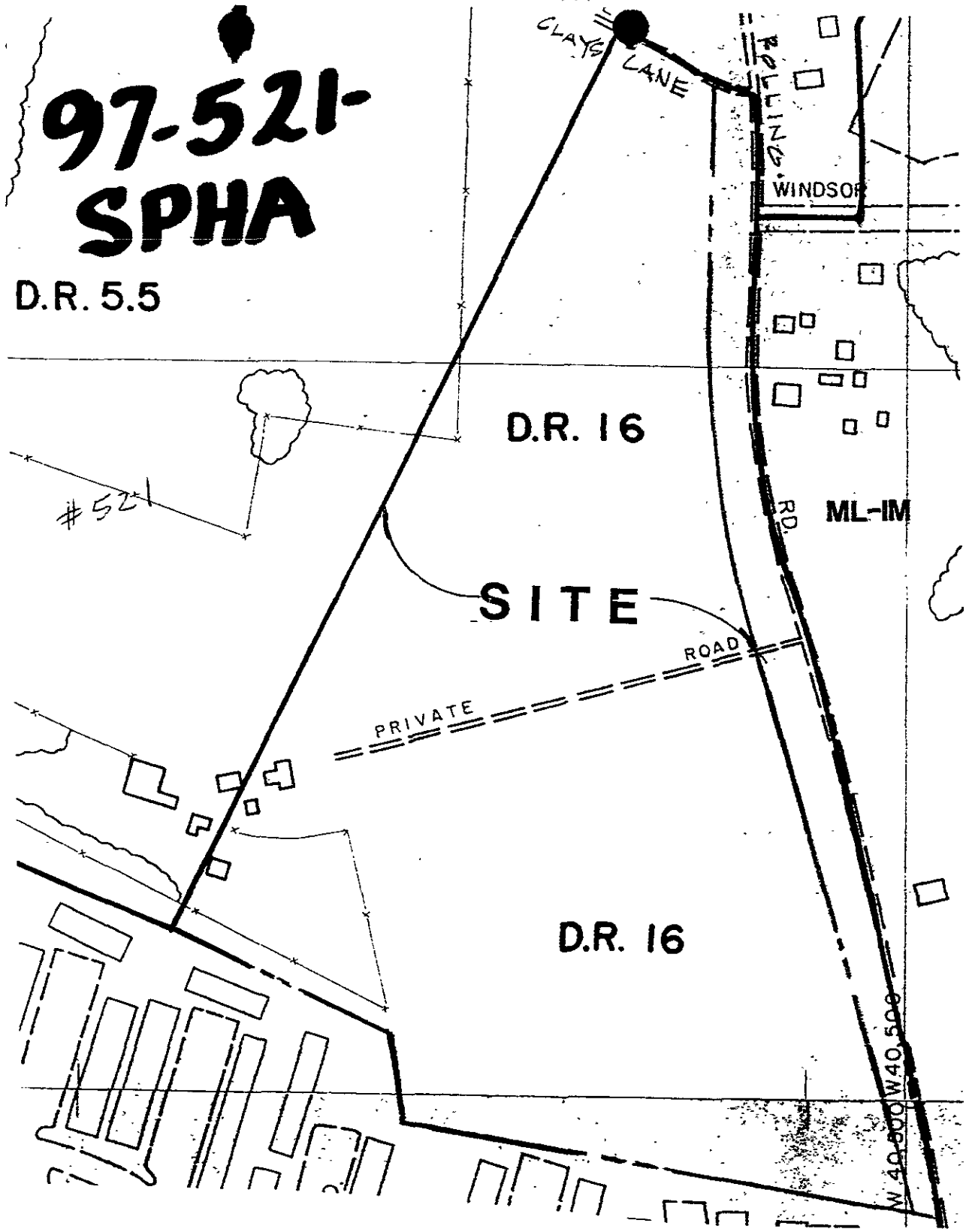
ADDRESS

210 Allegheny Ave 21204
Suite 400 8815 Centre Park Dr. Columbus 21045
Morris & Ritchie 110 West Rd.
Coscan Adler 10880 Little Patuxent Pkwy
Columbia, Md.



**97-521-
SPHA**

D.R. 5.5



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

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**ZONING MAP
WINDSOR COMMONS
MAPS NW 3-G & 4-G**

SCALE 1"=200'	DATE 0.16.02	DRAWN BY	DESIGN BY	REVIEW BY	JOB NO 95910
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