

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

August 18, 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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 98-48-A
2616 Chestnut Woods Court
NW/S Chestnut Woods Court, 1280' W of Red Tree Lane
4th Election District - 3rd Councilmanic
Legal Owner(s): Chestnut Woods, Inc.
Contract Purchaser(s): David E. Gonzales

Variance to permit both the principal structure and a portion of a principal structure (an attached residential garage) to be located 38 feet from the respective lot/property lines of the 50 feet required and to amend the FDP of "Chestnut Woods" for Lot No. 23.

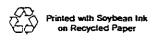
HEARING: FRIDAY, SEPTEMBER 12, 1997 at 11:00 a.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

Arnold Jablon Director

cc: David E. Gonzales
Howard Alderman, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 28, 1997.

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



TO: PUTUXENT PUBLISHING COMPANY
August 28, 1997 Issue - Jeffersonian

Please foward billing to:

Howard L. Alderman, Jr., Esq. Levin & Gann, PA 305 W. Chesapeake Avenue #113 Towson, MD 21204 410-321-0600

#### 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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

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HEARING: FRIDAY, SEPTEMBER 12, 1997 at 11:00 a.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECTAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



# Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

#2616 Chestnut Woods Court

98-48-A

which is presently zoned

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

REVIEWED B

legal owner(s) of the property which is the subject of this Petition.

RC5

Zipcode

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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.

EVIN & GANN, P.A. 505 West Chesapeake Suite 113 Towson, Maryland 2	Avenue 1204		Howard L. Alderman, Jr., Esquire LEVIN & GANN, P.A. 305 West Chesapeake Averwe, Suite 113 Towson, Maryland 21204 Tel.: (410) 321-0600	
Signature	)	<del></del>	City State Name, Address and phone number of representative to be contacted.	sat.
Howard	Cliden	Q	PHOENIX, MARYLAND 21131	
(Type or Print Name)		-	Address Phon	e No
Attorney for Petitioner:			17 GLENBERRY COURT (410) 785-96	30
City	State	Zipcode	Signature	
PHOENIX, MARY				
Address	<i>V</i>		(Type or Print Name)	—–
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DAVID E. GONZ	ALES		c/o dayid e. comzaves, presiden	T
Contract Purchaser/Lessee:	11		CHESINUT WOODS, INC.	
Contract Purchaseril eccess	_			

48

### VARIANCE CONTINUATION SHEET

98-48-A

Address:

**2616 Chestnut Woods Court** 

Owner:

David E. Gonzales, Inc.

Zoning:

RC-5

### Variance Request:

From BCZR § 1A04.3B.3 to permit both the principal structure and a portion of a principal structure (an attached residential garage) to be located 38.0 feet from the respective lot/property lines in lieu of the 50 feet required and to amend the FDP of "Chestnut Woods" for Lot No. 23.

### Justification:

- 1. Shape and configuration of lot;
- 2. Narrow and shallow buildable area;
- 3. Location of wells and septic reserve area to serve residence; and
- 4. Such further reasons as will be presented at the time of the hearing held on this petition.

### FOR FURTHER INFORMATION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 305 W. Chesapeake Avenue Suite 113 Towson, Maryland 21204

> (410) 321-0600 Fax: (410) 296-2801



Engineers • Surveyors • Land Planners

98-48-A

### ZONING DESCRIPTION FOR #2616 CHESTNUT WOODS COURT

Beginning at a point on the northwest side of Chestnut Woods Court which is 40 feet wide at the distance of 1280 feet west of the centerline of the nearest improved intersecting street, Red Tree Lane, which is 40 feet wide. Being Lot #23 in the subdivision of Chestnut Woods as recorded in Baltimore County Plat Book S.M. 69 folio 42, containing 5.7341 acres. Also known as 2616 Chestnut Woods Court and located in the 4<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

Leansed The Lager
6.19.97

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4th Election District
3rd Councinfails
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Chestnut Woods. Inc.
Contract Pureflaser(s)
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Variance: Contract Pureflaser(s)
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LAWRENCE Conning Comming Baltimore Council Mories: († Handicapped Special Capers (2) For Informing the File Please Call (4)

9/313 August 28

CERTIFICATE OF PUBLICATION

A. 28, 1997 TOWSON, MD.,

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive THIS IS TO CERTIFY, that the annexed advertisement was weeks, the first publication appearing on Man 28, 1927

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

Request for Zoning: Variance, Special Exception, or Special Hearing	
Date to be Posted: Anytime before but no later than	
Format for Sign Printing Black Lotton on White Background	

### **ZONING NOTICE**

Case No.: <u>48-48-A</u>

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

PLACE: *
DATE AND TIME:
REQUEST: A VARIANCE TO PERMIT PROPERTY LINE SETBACKS OF 38 FT.
IN LIEU OF THE REQUIRED 50 FT. PROPOSED FOR A PROPOSED
DWELLING AND TO AMEND THE FINAL DEVELOPMENT PLAN
OF CHESTNUT WOODS FOR LOT # 23.
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

9/96 post\_4.doc \*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.



Baltimore County
Department of Permits and
Development Management

Development Pr County Office Bu. 111 West Chesapea Towson. Maryland

## 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.

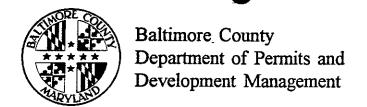
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 48
	Petitioner: Chestnut Woods, Inc.
	Location: 2616 Chestnut Woods Court
	PLEASE FORWARD ADVERTISING BILL TO:
	Howard L. Alderman, Jr., Esquire Levin & Gann, PA
	ADDRESS: 305 West Chesapeake Avenue, Suite 113
	Towson, MD 21204
	PHONE NUMBER: 410-321-0600
Έ,	AJ:ggs
	(Revised 09/24/96)

-16-



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

September 8, 1997

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 305 W. Chesapeake Avenue, Ste. 113 Towson, MD 21204

RE: Item No.: 48

Case No.: 97-48-A

Petitioner: Chestnut Woods, Inc.

Dear Mr. Alderman:

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 August 5, 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,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)





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 8.14-97

Item No. 048

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,

P. J. sull

Ar Ronald Burns, Chief

Engineering Access Permits

Division

LG

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

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

**DATE:** August 15, 1997

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Jary W' Long Saryl Kerns

Item Nos. 23, 42, 43, 46, 47, 48, 49, 50, and 51

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Division Chief:

AFK/JL

21 ---

Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

August 19, 1997

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

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF August 25, 1997

Zoning Agenda: Item No.: See Below

Gentlemen:

Pursuant to your request, the referenced property has need surveyed by this Bureau and the comments below are applicable on t required to be timestic or incorporated into the final plant for in Long Controls

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### BALTIMORE COUNTY, MARYLAND

### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

### INTER-OFFICE CORRESPONDENCE

TO:

PDM

FROM:

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee Meeting Date: Que H. 9

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

Item #'s:

42

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 22, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for August 25, 1997

Item Nos. 044, 045, 046, 047,  $\sqrt{048}$ ,

049, 050, and 051

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

RE: PETITION FOR VARIANCE	*	BEFORE THE
2616 Chestnut Woods Court, NW/S Chestnut Woods Court, 1280' W of Red Tree Lane	*	ZONING COMMISSIONER
4th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner(s): Chestnut Woods, Inc. Contract Purchaser(s): David E. Gonzales	*	CASE NO. 98-48-A
Petitioners		* * *

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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 Maro Zimmernas

People's Counsel for Baltimore County

CAROLE S. DEMILIO

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

I HEREBY CERTIFY that on this day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner.

ter Max Zimmeina

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

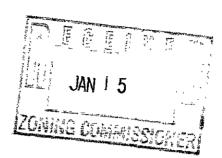
law offices
LEVIN & GANN

A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR. Halderman Rosensel.com

January 12, 1999



The Honorable Lawrence E. Schmidt Zoning Commissioner for Baltimore County 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

RE: 2616 Chestnut Woods Court Case No.: 98-48-A

#### Dear Hon. Schmidt:

I filed a Petition for Variance in the above-referenced case on behalf of the then property owner, Chestnut Woods, Inc. and the Contract purchaser, David E. Gonzales. The hearing was scheduled for Friday, September 12, 1997 at 11:00 a.m. in the County Office Building. Prior to the hearing, the property was sold to an unrelated third party. It is my understanding that the Petitioner advised the third party of the then pending Variance case and my involvement in connection therewith.

When I did not hear from the new owner of the property, I sent a copy of the Zoning Advisory Committee Comments to the engineer, G. Dwight Little, P.E., under cover of letter dated September 15, 1997. Since that time, I have been advised by my clients to close my file.

In response to your question of me, I have no idea as to whether or not the current owners desire to move forward with the Variance case or not; I have never spoken with those owners. I am sending a copy of this letter to Dwight Little and to Mr. Gonzales in the event either of them has any additional information. Upon their receipt of the copy of this letter, I would ask them to call you if either of them can shed additional light on this matter for you.

January 12, 1998 Hon. Lawrence E. Schmidt page 2

Thank you for your continuing cooperation in this and all other matters.

Very truly yours,

Howard L. Alderman, J.

HLA/mek
Enclosures
c: Mr. David E. Gonzales
G. Dwight Little, P.E.

97-4641

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600

LAW OFFICES
LEVIN & GANN

TELECOPIER 410-296-2801

Q / ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR. halderma@counsel.com

August 29, 1997

Ms. Gwendolyn Stephens, Docket Clerk
Department of Permits and Development Management
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

RE:

Petition for Variance

2616 Chestnut Woods Court

Case No.: 98-48-A

Hearing Date: September 12, 1997

Dear Ms. Stephens:

It has come to my attention this morning that the above-referenced property was not properly posted in accordance with the requirements of the Baltimore County Code and Baltimore County Zoning Regulations. As you are aware, we represent Chestnut Woods, Inc., owner and petitioner in this matter.

I intend to contact our client next week regarding this issue. As soon as I have had an opportunity to discuss rescheduling of the hearing with our client, I will contact you promptly so that we may select a mutually agreeable date.

Thank you for your cooperation in this regard and I will be in touch to reschedule this hearing.

Very truly yours

Howard L. Alderman, Jr.

HLA/lah

cc:

Chestnut Woods, Inc.

Dwight Little, P.E.

