

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE * ZONING COMMISSIONER
SW/end Arms Chapel Rd., SW *
Sacred Heart Lane; also, NW/end *
Bentley Hill Rd., N. Bond Ave. * OF BALTIMORE COUNTY
4th Election District *
3rd Councilmanic District * Case No. 98-250-SPHA
Ellwood Building Corp.
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Variance for the proposed subdivision known as Glyndonwood, Section A, lots 1 thru 16, and Section B, lots 1 thru 16. Special Hearing relief is requested to approve an amendment to the First Amended Final Development Plan for the aforesaid subdivision, in accordance with Sections 1B01.3.7 and 504.2 of the Baltimore County Zoning Regulations (BCZR). A series of variances are also requested. They are:

1. From Sections 1B02.3.B of the BCZR & V.B.3.b of CMDP to permit a minimum distance of 20 ft. from a building to a building, in lieu of the required 25 ft., 30 ft., or 40 ft., when the building height is from 20 ft. to 40 ft.; and,
2. From Sections 1B02.3.B of the BCZR & V.B.5.a. of the CMDP to permit a minimum distance from a window to a tract boundary of 15 ft. in lieu of the required 35 ft.; and,
3. From Sections 1B02.3.B of the BCZR and V.B.5.b. of the CMDP to permit a minimum distance of a building to a tract boundary of 15 ft. in lieu of the required 30 ft.; and,
4. From Sections 1B02.3.B of the BCZR and V.B.6.b of the CMDP to permit a minimum distance of a window to a property line of 3 ft. in lieu of the required 15 ft.; and,

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Date 3/26/98
By Ch. G. G. G.

5. From Sections 1B02.3.B of the BCZR and V.B.6.c of the CMDP to permit a minimum distance of 16 ft. from a window to window, in lieu of the required 40 ft.; and

6. From Section 301.1, pursuant to Section 1B02.3.B of the BCZR to permit open porches, decks or patios to project into the required yards by up to 66% in lieu of the permitted 25% maximum.

The subject property and requested relief is more particularly shown on the plat to accompany the Petitions for Special Hearing and Variance marked into evidence as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Ellwood A. Sinsky, Gary Sinsky and Tim Thompson, all on behalf of the Ellwood Building Corporation, property owner/Petitioner. Also present was David L. Martin, Landscape Architect with G.W. Stephens & Associates, Inc., the preparers of the site plan. The Petitioner was represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is an irregularly shaped parcel, over 5 acres in area, zoned D.R.3.5. The property is located near Sacred Heart Lane, in Glyndon. Vehicular access to the site is by way of Arms Chapel Road, which runs through the property and ultimately joins Bentley Hill Drive.

C.R.G. approval was obtained on March 2, 1989 for development of this property with 32 single family dwellings. It was indicated that some grading has been done on the site, pursuant to a grading permit issued by Baltimore County. At the time that C.R.G. approval was obtained, the project was subject to the Comprehensive Manual of Development Policies (CMDP), a compilation of regulations which standarize the required distance between buildings, from windows to property lines and tract bounda-

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Date 3/26/89
By [Signature]

ries and similar requirements. However, it was testified that these regulations were comprehensively amended in 1992.

In order to bring the project into compliance with the new regulations, special hearing relief is requested to amend the FDP and variance relief is requested for many of the individual lots. It was indicated that compliance with the new regulations would result in a better project, more esthetically pleasing, consistent with current standards and more marketable.

There were no adverse Zoning Plans Advisory Committee comments to the relief requested. Also, as indicated above, there were no Protestants or other interested persons who appeared at the hearing.

Based on the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the relief requested. I find that the Petitioner has satisfied the requirements set forth in Section 307 of the BCZR as to the requested variances, particularly, that sufficient testimony and evidence has been offered to sustain a conclusion that the property is unique, that practical difficulty would result if relief were denied and that relief can be granted without adverse impact to the surrounding locale. I also find that the Petitioner has satisfied the standards set forth in Section 502.7 of the BCZR as to the special hearing.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 26th day of March 1998 that, pursuant to the Petition for Special Hearing, approval to amend the First Amended Final Development Plan for the aforesaid subdivision, in accordance with Sections 1B01.3.7 and 504.2 of the BCZR, be and is hereby GRANTED; and

ORDER RECEIVED FOR FILMS
Date 3/26/98
By Ch. Spork

IT IS FURTHER ORDERED that a variance from Sections 1B02.3.B of BCZR & V.B.3.b of CMDP to permit a minimum distance of 20 ft. from a building to a building, in lieu of the required 25 ft., 30 ft., or 40 ft., when the building height is from 20 ft. to 40 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 1B02.3.B of the BCZR & V.B.5.a. of the CMDP to permit a minimum distance from a window to a tract boundary of 15 ft. in lieu of the required 35 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 1B02.3.B of the BCZR and V.B.5.b. of the CMDP to permit a minimum distance of a building to a tract boundary of 15 ft. in lieu of the required 30 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 1B02.3.B of the BCZR and V.B.6.b of the CMDP to permit a minimum distance of a window to a property line of 3 ft. in lieu of the required 15 ft., be and is hereby GRANTED; and,


IT IS FURTHER ORDERED that a variance from Sections 1B02.3.B of the BCZR and V.B.6.c of the CMDP to permit a minimum distance of 16 ft. from a window to window, in lieu of the required 40 ft., be and is GRANTED; and

IT IS FURTHER ORDERED that a variance from Section 301.1, pursuant to Section 1B02.3.B of the BCZR to permit open porches, decks or patios to project into the required yards by up to 66%, in lieu of the permitted 25% maximum, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed,

ORDER RECEIVED FOR FILING
Date 3/26/98
By M. Gorch

the Petitioner would be required to return,
and be responsible for returning, said
property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILMS
Date 3/26/98
By M. P. [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

March 26, 1998

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, Maryland 21221

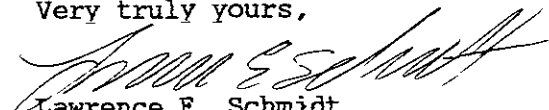
RE: Petitions for Special Hearing and Variance
Property: South of Arms Chapel Drive, N & S of Bentley Hill Drive
Ellwood Building Corp.
Case No. 98-250-SPHA

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, with restriction, in accordance with the attached Order.

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,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

c: Mr. Ellwood Sinsky, President
Ellwood Building Corp.
2416 Velvet Valley Road
Owings Mills, Maryland 21117





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

S. of Arms Chapel Drive,
N. & S. of Bentley Hill Drive

which is presently zoned D.R. 3.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an Amended Development Plan to the 1st Amended Final Development Plan for Glyndonwood Section A, Lots 1-16 and Section B Lots 1-16 in accordance with Section 1B01.3.7 and 504.2 of the BCZR.

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 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.

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/Lessor

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

John B. Contrum

(Type or Print Name)

Signature

814 Eastern Blvd (410) 686-8274

Address

Phone No

Baltimore, MD 21221

City

State

Zipcode

Legal Owner(s)

Ellwood Building Corporation

By: Ellwood Sinsky, President

(Type or Print Name)

Signature

(Type or Print Name)

Signature

2416 Velvet Valley Way (410) 363-6644

Address

Phone No

Owings Mills, MD 21117

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

**DROP OFF
NO REVIEW
1/6/98 uca**



98-250-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at S. of Arms Chapel Drive, N. & S. of Bentley Hill Drive

which is presently zoned D.R. 3.5

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

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

SEE ATTACHED

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

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.

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:

John B. Contrum

(Type or Print Name)

Signature

814 Eastern Boulevard (410) 686-8274

Address

Phone No.

Baltimore, MD 21221

City

State

Zipcode

Legal Owner(s):

Ellywood Building Corporation

By: Ellywood Sinsky, President

(Type or Print Name)

Signature

(Type or Print Name)

Signature

2416 Velvet Valley Way (410) 363-6644

Address

Phone No.

Owings Mills, MD 21117

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

**DROP OFF
NO REVIEW**

1/6/98 ucl



98-250-SPHA

LISTING OF VARIANCES REQUESTED

1.) **BUILDING TO BUILDING SEPARATION.** From Sections 1B02.3.B, (1B01.2.C.1) BCZR and V.B.3.b. of CMDP as existing in 1987 to permit a minimum distance of 20' from a building to a building in lieu of the required 25', 30', or 40' when the building height is from 20' to 40'.

2.) **WINDOW TO TRACT BOUNDARY (SIDE YARD BOUNDARY)*.** From Sections 1B02.3.B, (1B01.2.C.2.a) BCZR and V.B.5.a. CMDP as existing in 1987 to permit a minimum distance from a window to a tract boundary of 15' in lieu of the required 35'.

+30

*

Applies to side yard but for lots 14,15,16 of Section B which is side or rear of building window to tract boundary.

3.) **WINDOW TO TRACT BOUNDARY (REAR YARD BOUNDARY).** From Sections 1B02.3.B, (1B01.2.C.2.a) BCZR and V.B.5.a. CMDP as existing in 1987 to permit a minimum distance from a window to a tract boundary of 30' in lieu of the required 35'.

4.) **BUILDING TO TRACT BOUNDARY.** From Sections 1B02.3.B, (1B01.2.C.6) BCZR and V.B.5.b CMDP as existing in 1987 to permit a minimum distance of a building to a tract boundary of 15' in lieu of the required 30'.

5.) **WINDOW TO PROPERTY LINE.** From Sections 1B02.3.B, (1B01.2.C.6) BCZR and V.B.6.b. CMDP as existing in 1987 to permit a minimum distance of a window to a property line of 3' in lieu of the required 15'.

6.) **WINDOW TO WINDOW SEPARATION.** From Sections 1B02.3.B, (1B01.2.C.2.b) BCZR and V.B.6.c CMDP as existing in 1987 to permit a minimum distance of 16' from a window to a window in lieu of the required 40'.

7.) **PROJECTION OF PORCHES, ETC.** From Section 301.1 BCZR pursuant to Sections 1B02.3B, (1B01.2.C) BCZR to permit open porches, decks or patios to project into the required yards by up to 66% in lieu of the permitted 25% maximum.

STATEMENT OF REASONS:

The purpose of the variances is to bring a development plan and plat previously approved under the old 1976 CMDP into harmony with the concepts espoused in the current Baltimore County Master Plan and the new development regulations in force for all new developments. A couple of the existing lots are very peculiarly shaped such as being placed up against flood plain areas (Section B, Lot 1) which necessitate variances in order to build houses similar in character to the balance of the community. If the variances are not granted then the community if built under the previously approved regulations would not be in compliance with

modern housing trends as recognized in the new development regulations and the upscale housing contained in them.

VARIANCE REQUEST

GLYNDONWOOD

SECTION A

LOT NUMBER	VARIANCE NUMBER REQUESTED
1	1,2,4,5,6
2	1,5,6
3	1,5,6
4	1,5,6
5	1,5,6
6	1,5,6
7	1,5,6
8	1,5,6
9	1,5,6
10	1,5,6
11	1,5,6
12	1,5,6
13	1,5,6
14	1,5,6
15	1,3,5,6
16	1,2,3,4,5,6

SECTION B

1	2,3,5,7
2	1,3,5,6
3	1,3,5,6
4	1,3,5,6
5	1,3,5,6
6	1,3,5,6
7	1,3,5,6
8	1,3,5,6
9	1,3,5,6
10	1,5,6
11	1,5,6
12	1,5,6
13	1,5,6
14	1,2,4,5,6
15	1,2,4,5,6
16	1,2,4,5,6

**Zoning Description
November 5, 1997**

Description to accompany a Special Hearing & Variance Request
Glyndonwood Sections A & B
Liber 61 Folio 25
Property of Ellwood Building Corporation

Beginning for the same at a point at the intersection of Arms Chapel Road 50' wide and Sacred Heart Lane 60' wide at the said intersection, thence the following course:

South 58 degrees 41 minutes 07" West, 247.11' to point number 6 of the subdivision depicted on the "Amended Plat of Glyndonwood" to include:

Lots 1 through 16 inclusive in Section A and lots 1 through 16 inclusive in Section B

as recorded in the Baltimore County Land Records – Liber 61, Folio 25 containing the acreage shown on Table "A" of the accompanying Special Hearing and Variance Plat.

Note:

The above description is for zoning purposes only and is not intended to be used for conveyances or agreements.



CERTIFICATE OF PUBLICATION

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: #98-250-SPHA
SW/end Arms Chapel Road,
SW Sacred Heart Lane; also
NW/end Bentley Hill Road, N
Bond Avenue
4th Election District
3rd Councilmanic District
Legal Owner(s): Elwood
Building Corporation

Special Hearing: to approve an amended development plan to the 1st Amended Final Development Plan for Glyndowood - Section A, Lots 1-16 and Section B, Lots 1-16.

Variance to permit a minimum distance of 20 feet building to building in lieu of the required 25 feet, 30 feet, or 40 feet; to permit minimum distance from a window to a tract boundary of 15 feet and 30 feet in lieu of the required 35 feet; to permit a minimum distance of a building to a tract boundary of 15 feet in lieu of the required 30 feet; to permit a minimum distance of a window to a property line of 3 feet in lieu of the required 15 feet; to permit a minimum distance of 16 feet from a window to window in lieu of the required 40 feet; and to permit open porches, decks or patios to project into the required rear yards by up to 66% in lieu of the permitted 25% maximum.

Hearing: Wednesday, February 18, 1998 at 11:00 a.m., Room 487 County Courts Bldg., 481 Bosley Avenue.

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.

1/436 Jan 29 C203259

TOWSON, MD., January 29, 19 98

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 Jan 29, 19 98.

THE JEFFERSONIAN,

A. Henricks
LEGAL AD. - TOWSON

**BALTIMORE COUNTY, MARYLAND AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **048705**

DATE 1/6/98 ACCOUNT 001-6150

AMOUNT \$ 650.00 (WCR)

RECEIVED FROM: Ellwood Building Corporation (\$550)
Romadka, Gontrum & McLaughlin (\$100)

FOR: SPECIAL HEARING & MULTI VARIANCES
#070 - MAXIMUM FEE

Arms Chapel Drive - Ellwood Building Corp.
ITEM #250 DROP-OFF - NO REVIEW #98-250-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
1/07/1998 1/07/1998 09:45:56

REG MS04 CASHIER LGNI LXS DRAWER

5 MISCELLANEOUS CASH RECEIPT

Receipt # 034202 GFLN

CR NO. 048705

650.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

C E R T I F I C A T E O F P O S T I N G

**RE: Case No. 98-250-SPHA
Petitioner/Developer:
(Ellwood Bldg Corp.)
Date of Hearing/Closing:
(Feb. 18, 1998)**

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21284**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**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 _____**

SW/end Arms Chapel Road & NW/end Bentley Hill Road Baltimore, Maryland 21136 _____

**The sign(s) were posted on _____ Feb. 2, 1998 _____
(Month, Day, Year)**

Sincerely,

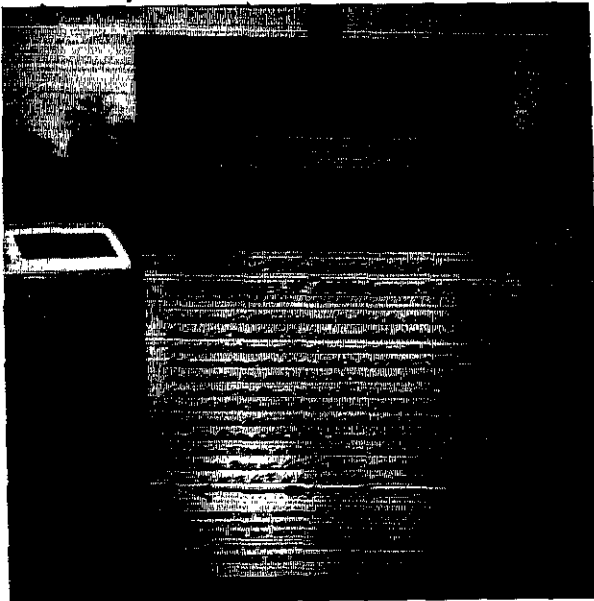

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

**(410)-687-8405
(Telephone Number)**



ARMS CHAPEL RD.

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.: 98-250-SPHA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE AN AMENDED
DEVELOPMENT PLAN TO THE 1ST AMENDED FINAL DEVELOPMENT
PLAN FOR GLYNDOWOOD SECTION A, LOTS 1-16 AND
SECTION B, LOTS 1-16. VARIANCE TO PERMIT A
MINIMUM DISTANCE OF 20 FEET BUILDING TO 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

IN LIEU OF THE REQUIRED 25 FT., 30 FT., OR 40 FT.; TO PERMIT MINIMUM DISTANCE FROM A WINDOW TO A TRACT BOUNDARY OF 15 FT. AND 30 FT. IN LIEU OF THE REQUIRED 35 FT.; TO PERMIT A MINIMUM DISTANCE OF A BUILDING TO A TRACT BOUNDARY OF 15 FT. IN LIEU OF THE REQUIRED 30 FT.; TO PERMIT A MINIMUM DISTANCE OF A WINDOW TO A PROPERTY LINE OF 3 FT. IN LIEU OF THE REQUIRED 15 FT.; TO PERMIT A MINIMUM DISTANCE OF 16 FT. FROM A WINDOW TO A WINDOW IN LIEU OF THE REQUIRED 40 FT.; AND TO PERMIT OPEN PORCHES, DECKS OR PATIOS TO PROJECT INTO THE REQUIRED YARDS BY UP TO 66% IN LIEU OF THE PERMITTED 25% MAXIMUM.

IN LIEU OF THE REQUIRED 25 FT., 30 FT., OR 40 FT.; TO PERMIT MINIMUM DISTANCE FROM A WINDOW TO A TRACT BOUNDARY OF 15 FT. AND 30 FT. IN LIEU OF THE REQUIRED 35 FT.; TO PERMIT A MINIMUM DISTANCE OF A BUILDING TO A TRACT BOUNDARY OF 15 FT. IN LIEU OF THE REQUIRED 30 FT.; TO PERMIT A MINIMUM DISTANCE OF A WINDOW TO A PROPERTY LINE OF 3 FT. IN LIEU OF THE REQUIRED 15 FT.; TO PERMIT A MINIMUM DISTANCE OF 16 FT. FROM A WINDOW TO A WINDOW IN LIEU OF THE REQUIRED 40 FT.; AND TO PERMIT OPEN PORCHES, DECKS OR PATIOS TO PROJECT INTO THE REQUIRED YARDS BY UP TO 66% IN LIEU OF THE PERMITTED 25% MAXIMUM.

TO: PATUXENT PUBLISHING COMPANY
January 29, 1998 Issue - Jeffersonian

Please forward billing to:

John B. Gontrum, Esquire 410-686-8274
814 Eastern Boulevard
Baltimore, MD 21221

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: 98-250-SPHA

SW/end Arms Chapel Road, SW Sacred Heart Lane; also NW/end Bentley Hill Road, N Bond Avenue

4th Election District - 3rd Councilmanic District

Legal Owner: Ellwood Building Corporation

Special Hearing to approve an amended development plan to the 1st Amended Final Development Plan for Glyndowood Section A, Lots 1-16 and Section B, Lots 1-16. Variance to permit a minimum distance of 20 feet building to building in lieu of the required 25 feet, 30 feet, or 40 feet; to permit minimum distance from a window to a tract boundary of 15 feet and 30 feet in lieu of the required 35 feet; to permit a minimum distance of a building to a tract boundary of 15 feet in lieu of the required 30 feet; to permit a minimum distance of a window to a property line of 3 feet in lieu of the required 15 feet; to permit a minimum distance of 16 feet from a window to window in lieu of the required 40 feet; and to permit open porches, decks or patios to project into the required rear yards by up to 66% in lieu of the permitted 25% maximum.

HEARING: Wednesday, February 18, 1998 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

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

January 15, 1998

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: 98-250-SPHA

SW/end Arms Chapel Road, SW Sacred Heart Lane; also NW/end Bentley Hill Road, N Bond Avenue

4th Election District - 3rd Councilmanic District

Legal Owner: Ellwood Building Corporation

Special Hearing to approve an amended development plan to the 1st Amended Final Development Plan for Glyndowood Section A, Lots 1-16 and Section B, Lots 1-16. Variance to permit a minimum distance of 20 feet building to building in lieu of the required 25 feet, 30 feet, or 40 feet; to permit *minimum distance from a window to a tract boundary of 15 feet and 30 feet in lieu of the required 35 feet*; to permit a minimum distance of a building to a tract boundary of 15 feet in lieu of the required 30 feet; to permit a minimum distance of a window to a *property line of 3 feet in lieu of the required 15 feet*; to permit a *minimum distance of 16 feet from a window to window in lieu of the required 40 feet*; and to permit open porches, decks or patios to project into the required rear yards by up to 66% in lieu of the permitted 25% maximum.

HEARING: Wednesday, February 18, 1998 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a date "1/15/98" written at the end.

c: John B. Gontrum, Esquire
Ellwood Building Corporation

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 3, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

February 12, 1998

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 250
Case No.: 98-250-SPHA
Petitioner: Ellwood Building Corp.

Dear Mr. Gontrum:

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 January 6, 1998.

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 cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 29, 1998

To: Arnold L. Jablon
From: Bruce Seeley *BS/49*
Subject: Zoning Item #98-250

Glyndonwood, S. of Arms Chapel Drive

Zoning Advisory Committee Meeting of January 20, 1998

- 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:
- X 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), if the property is being subdivided according to the Development Regulations.
- 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).
- X No evidence was found regarding an issued, valid grading permit and/or an executed Public Works Agreement; therefore, the current regulations apply to this proposed project.



**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 *1/16/98*
Item No. *250 WCR*

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

INTER-OFFICE CORRESPONDENCE

AFK
1/28

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: January 27, 1998

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

SUBJECT: Zoning Advisory Petitions

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

Item No. 250

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Caryl Kerns*


AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: January 26, 1998

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for January 26, 1998
Item Nos. 250, 252, 253, 255,
and 258

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

January 28, 1998

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 January 20, 1998

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.

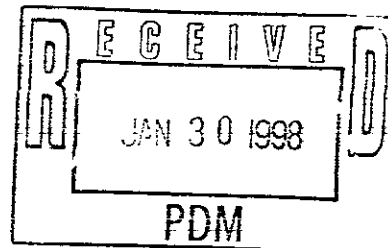
8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

249, 250, 251, 252, 254, 255, 256, and 258

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 PETITION FOR VARIANCE * ZONING COMMISSIONER
 SW/end Arms Chapel Rd, SW Sacred Hrt Ln; * OF BALTIMORE COUNTY
 also NW/end Bentley Hill Rd, N Bond Ave *
 4th Election District, 3rd Councilmanic *
 Ellwood Building Corp. * CASE NO. 98-250-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 9th day of February, 1998, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner.

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

January 26, 1998

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Drop-Off Petition Review (Item #250)
Ellwood Building Corporation
4th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

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 "C.A. Milton".

Catherine A. Milton
Planner II
Zoning Review

CAM:scj

Enclosure (receipt)

c: Zoning Commissioner

98-250-
SPHA



PETITION FOR VARIANCE
PETITION FOR SPECIAL HEARING

ELLWOOD BUILDING CORPORATION

The enclosed Petitions and plans have not been reviewed by any technician. The site is not the subject of any violation. The issues are intended to bring an approved development plan under the prior development regulations into conformity with the current development regulations.

Submitted by: John B. Gontrum
814 Eastern Boulevard
Baltimore, Maryland 21221

* Changes made to variance request per
Carl Richards review.
JBF

98-250-
SPHA

WCR Review 12/97

LISTING OF VARIANCES REQUESTED 1B02.3.B

1.) **BUILDING TO BUILDING SEPARATION.** From Section ~~1B01.2.C1 BCZR and V.B.3.b. of CMDP~~ to permit a minimum distance of 20' from a building to a building in lieu of the required 25', 30', or 40' when the building height is from 20' to 40'.

2.) **WINDOW TO TRACT BOUNDARY (SIDE YARD BOUNDARY)*.** From Section ~~504 BCZR and V.B.5.a. of CMDP~~ to permit a minimum distance from a window to a tract boundary of 15' in lieu of the required 35'. 1B02.3.B

*

Applies to side yard but for lots 14,15,16 of Section B which is side or rear of building window to tract boundary.

3.) **WINDOW TO TRACT BOUNDARY (REAR YARD BOUNDARY).** From Section ~~504 BCZR and V.B.5.a. of CMDP~~ to permit a minimum distance from a window to a tract boundary of 30' in lieu of the required 35'. 1B02.3.B (1B01.2.C.2.a)

4.) **BUILDING TO TRACT BOUNDARY.** From Sections ~~504 BCZR and V.B.5.b. of CMDP~~ to permit a minimum distance of a building to a tract boundary of 15' in lieu of the required 30'. 1B02.3.B (1B01.2.C.6)

5.) **WINDOW TO PROPERTY LINE.** From Sections ~~504 BCZR and V.B.6.b. of CMDP~~ to permit a minimum distance of a window to a property line of 3' in lieu of the required 15'. 1B02.3.B (1B01.2.C.2.b)

6.) **WINDOW TO WINDOW SEPARATION.** From Sections ~~1B01.2.C2.a BCZR and V.B.6.c of CMDP~~ to permit a minimum distance of 16' from a window to a window in lieu of the required 40'. 1B02.3.B (1B01.2.C.2.b)

7.) **PROJECTION OF PORCHES, ETC.** From Section 301.1 BCZR pursuant to Section ~~504 BCZR~~ to permit open porches, decks or patios to project into the required yards by up to 66% in lieu of the permitted 25% maximum. 1B02.3.B (1B01.2.C.2.c)

STATEMENT OF REASONS:

The purpose of the variances is to bring a development plan and plat previously approved under the old 1976 CMDP into harmony with the concepts espoused in the current Baltimore County Master Plan and the new development regulations in force for all new developments. A couple of the existing lots are very peculiarly shaped such as being placed up against flood plain areas (Section B, Lot 1) which necessitate variances in order to build houses similar in character to the balance of the community. If the variances are not granted then the community if built under the previously approved regulations would not be in compliance with modern housing trends as recognized in the new development regulations and the upscale housing contained in them.



Baltimore County
Department of Permits and
Development Management

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

January 6, 1998

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Drop-Off Petition (Item #250)
Ellwood Building Corporation
4th Election District

Dear Mr. Gontrum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the sign posting, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "WCR/scj".

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

98-250-SPHA



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAVID L. MARTIN-GOWS

658 KENILWORTH DR. TOWSON

TIM THOMPSON

2416 Velvet Valley Way 21117

Ellwood A. SISKY

✓ ✓

GARY SISKY

2416 VELVET VALLEY WAY

John B Gontum

