

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE - NE/S Bucks *
 Schoolhouse Road, 2400' NE of * ZONING COMMISSIONER
 White Marsh Road * OF BALTIMORE COUNTY
 (Fiedler Property) *
 14th Election District * Case No. 98-315-SPHA
 6th Councilmanic District *
 Prestiege Development, Owners; *
 Pulte Home Corp., Contract Purchasers
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Prestiege Development, by Alan Klatsky, President, and the Contract Purchaser, Pulte Home Corporation, by John E. Bittner, Executive Vice President, through their attorney, Newton A. Williams, Esquire. The Petitioners seek approval of an amendment to the Final Development Plan for the Fiedler Property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1B01.2.C.1.b to permit rear property line setbacks of 24 feet in lieu of the required 30 feet for Lots 1, 61 and 63; from Section 301.1.A to permit an open projection (deck) setback of 18 feet in lieu of the required 22.5 feet for Lots 2 through 60, 62, and 64 through 73; and from Section 301.1.A to permit an open projection (deck) setback of 12 feet in lieu of the required 22.5 feet for Lots 1, 61 and 63. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were James Grande and Bruce Shields, representatives of Pulte Home Corporation, Co-Petitioner, Alan Scoll, a Landscape Architect with D. S. Thaler and Associates, Inc., the consulting firm which prepared the site plan for this

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property, and Newton A. Williams, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 27.27 acres, more or less, zoned D.R. 3.5 and is proposed for development with a residential subdivision of 73 single family dwellings, to be known as Glen Arbor. The property is located along the north side of Bucks Schoolhouse Road, east of Ridge Road, in the Fullerton area of eastern Baltimore County. This property was the subject of a prior Hearing Officer's Hearing (Case No. XIV-359) in which Deputy Zoning Commissioner Timothy M. Kotroco granted approval of a development plan for the subject property, formerly owned by the Fiedler family, on August 8, 1996. In addition to the proposed development, the Developer will undertake major repairs to Bucks Schoolhouse Road. Specifically, a 90-degree turn in the road will be eliminated and the road realigned to promote a safer and more efficient traffic flow.

The property has a number of site constraints associated therewith, including a stream to the rear of the site which prohibits development on that portion of the property. In addition, much of the property remains wooded. As a result of these site constraints, approximately 35% of the property is unusable for development. On behalf of Pulte Homes, Mr. Grande testified that five different model homes are being offered, namely, the Buckingham, the Chaucer, the Carlton, the Denton, and the Everly. The houses will sell in the price range of approximately \$160,000 to the low \$200,000. Two of the variance requests are for Lots 1, 61, and 63. Testimony indicated that these three lots are unusual in that Lots 61 and 63 are corner lots, and Lot 1 is located between Lots 2 and 3 and the Fiedler dwelling, which is not part of the new subdivision. Several of

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the garages in this development, including those to be constructed on Lots 1, 61 and 63, must be side and/or rear-loaded, and as a result of this requirement, variance relief is necessary as set forth above. The third variance at issue is actually a blanket variance for the majority of the lots proposed. Although a blanket variance is being requested, it is not expected that it will be utilized for all of these lots. Specifically, Mr. Grande indicated that Pulte Homes wants the freedom and flexibility to offer any of the five models identified above to prospective customers for any of the lots. That is, regardless of which lot the buyer chooses, Pulte wants to be able to offer any of the five model homes to be built thereon. For two of its larger models, the Chaucer and the Buckingham, variance relief is necessary under the second request to allow a standard 12' x 18' deck. The object of this blanket variance request is to give Pulte Homes the opportunity to provide a standard 12' x 18' deck for any of the lots in this subdivision. It is also to be noted that a number of the lots at issue abut areas of forest conservation and other lots within the subdivision so that the variance relief is from internal lot lines.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet 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;
- 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,

ORDER RECEIVED FOR FILING
Date 3/5/98
By [Signature]

C) 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 variance is 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 relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

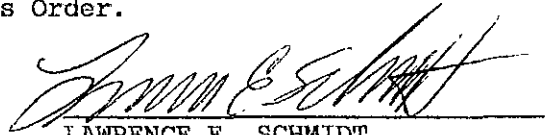
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of May, 1998 that the Petition for Special Hearing seeking approval of an amendment to the Final Development Plan for the Fiedler Property, 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 the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1B01.2.C.1.b to permit rear property line setbacks of 24 feet in lieu of the required 30 feet for Lots 1, 61 and 63; from Section 301.1.A to permit an open projection (deck) setback of 18 feet in lieu of the required 22.5 feet for Lots 2 through 60, 62, and 64 through 73; and from

Section 301.1.A to permit an open projection (deck) setback of 12 feet in lieu of the required 22.5 feet for Lots 1, 61 and 63, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The maximum size deck for any of the lots in this subdivision shall be limited to 12' x 18'.
- 3) When applying for any building permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 5/3/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

May 5, 1998

Newton A. Williams, Esquire
Nolan, Plunhoffs & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NE/S Bucks Schoolhouse Road, 2400' NE of White Marsh Road
(Fiedler Property)
14th Election District - 6th Councilmanic District
Prestiege Development, Owners; Pulte Home Corp., Contract Purchasers
Case No. 98-315-SPHA

Dear Mr. Williams:

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 black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Alan Klatsky, President, Prestiege Development
8010 Derby Lane, Owings Mills, Md. 21117

Mr. John E. Bittner, Executive Vice President, Pulte Home Corporation
1501 S. Edgewood Street, Baltimore, Md. 21227

Mr. Alan Scoll, D. S. Thaler & Assoc., Inc.
7115 Ambassador Road, Baltimore, Md. 21244

People's Counsel; Case Files



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Bucks Schoolhouse Road & Alan Tree Road &

Jacob Field Road
which is presently zoned D.R.5.5.

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, 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 AMENDMENT OF THE FINAL DEVELOPMENT PLAN, Fidler Property, N.A.W.
ABOVE
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 owners(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Pulte Home Corporation
(Type or Print Name)

John C. Buttner, Esq., V.P.
Signature

1501 S. Edgewood Street
Address

Baltimore MD 21227
City State Zip Code

Attorney for Petitioner:

Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.
(Type or Print Name)

Newton A. Williams
Signature

700 Nottingham Centre
502 Washington Avenue 410-823-7800
Address Phone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Prestige Development
(Type or Print Name)

Alan Klatsky, Pres.
Signature

(Type or Print Name)

Signature

8010 Derby Lane 410-356-4700
Address Phone No.

Owings Mills, MD 21117
City State Zip Code

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

Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.

Name
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204 410-823-7800
Address Phone No.

Office Use Only
ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: gum DATE _____

ORDER RECEIVED FOR FILING

Date

By



Zoning Administration and
Development Management

98-315-SPHA

FIEDLER PROPERTY

PULTE PROPOSAL

GLEN ARBOR

PULTE HOME CORPORATION [PULTE] IS THE BUILDER FOR THIS PROJECT.

FIRST VARIANCE REQUEST — REAR YARDS

PULTE NEEDS REAR YARD VARIANCES ON THREE LOTS , NAMELY 1, 61 AND 63, ON BUCKS SCHOOLHOUSE ROAD DUE TO TOPOGRAPHY PROBLEMS, FOR SIDELOADED GARAGES. SECTION IB01.2C.1.b., 25 FEET IN LIEU OF 30 FEET REQUIRED.

SECOND REAR YARD VARIANCES --DECKS

IN TODAY'S MARKET BUYERS WANT THE OPTION TO ADD DECKS, AND WITH THIRTY FOOT REAR YARDS IN FIEDLER / GLEN ARBOR THE DECK WIDTH IS CUT TO SEVEN AND ONE HALF FEET, WHICH IS TOO NARROW AND NOT DESIRABLE.. SECTION 301.1A. 18 FOOT DECK SETBACK IN LIEU OF 22.5 FEET REQUIRED .

1. PULTE HAS FOUND DECKS UP TO 12 FEET IN WIDTH TO BE COMPATIBLE, AND OF A USEABLE WIDTH, AND SEEKS THE AMENDMENT OF THIS PROJECT TO PERMIT SUCH DECKS.
2. THESE ARE REAR DECKS AND WILL NOT BE VISIBLE FROM THE FRONT STREETS.
3. NOT EVERY BUY ER WILL CHOOSE A DECK EITHER INITIALLY OR LATER, BUT, THE ALLOWANCE OF SUCH DECKS FROM THE OUTSET WILL ALLOW THEM AND PUT EVERYONE ON NOTICE BY AMENDING THE FINAL DEVELOPMENT PLAN.
4. THE DECK RELIEF WILL FOSTER THE HEALTH, SAFETY AND WELFARE OF THE AREA, BY NOTICE PRIOR TO PURCHASE, BY LIMITATION AND BY UNIFORMITY WHERE USED.
5. THE REQUEST WILL ALLOW THE GENERALITY OF THE PROJECTIONS INTO YARDS TO FIT THIS PARTICULAR PROJECT.
6. SUCH OTHER AND FURTHER AND FURTHER REASONS AS SHALL BECOME EVIDENT IN THE COURSE OF THE MATTER.

ORDER RECEIVED FOR FILING

Date

By

315



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at Bucks School House Road and Alan Tree Road &
Jacob Field Road
which is presently zoned D.R.5.5.

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, 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)

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

Contract Purchaser/Lessee:

Pulte Home Corporation
(Type or Print Name)

John C. Buttner, Exec. V.P.
Signature

1501 S. Edgewood Street
Address

Baltimore MD 21227
City State Zip Code

Attorney for Petitioner:

Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.
(Type or Print Name)

Newton A. Williams
Signature
700 Nottingham Centre
502 Washington Avenue 410-823-7800
Address Phone No.
Towson MD 21204
City State Zip Code

Legal Owner(s):

Prestige Development
(Type or Print Name)

Alan Klatsky, Pres.
Signature

(Type or Print Name)

Signature

8010 Derby Lane 410-356-4700
Address Phone No.

Owings Mills Md 21117
City State Zip Code

Name, Address and phone number of representative to be contacted
Newton A. Williams
Nolan, Plumhoff & Williams, Chtd.

Name
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204 410-823-7800
Address Phone No.

Office Use Only

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing _____
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: Jan DATE _____

98-35-SPHA

ORDER RECEIVED FOR FILING
Date 5/5/98
By _____

Zoning Administration and
Development Management

FIEDLER PROPERTY
PULTE PROPOSAL
GLEN ARBOR

PULTE HOME CORPORATION [PULTE] IS THE BUILDER FOR THE FIELDER PROPERTY. CERTAIN VARIANCES ARE REQUIRED TO SUIT THIS GENERAL PROJECT TO THE PULTE MODELS.

FIRST VARIANCE REQUESTS — REAR YARDS — THREE LOTS

1. SECTION 1B01.2C.1.b. BCZR TO ALLOW A REAR-OF- BUILDING TO REAR-OF - PROPERTY -LINE SETBACK OF 24 FEET IN LIEU OF THE REQUIRED 30 FEET, LOTS 1, 61 AND 63.

SECOND VARIANCE — REAR DECKS OF USEABLE WIDTHS

2. SECTION 301.1 A. BCZR, TO ALLOW AN 18 FOOT OPEN PROJECTION SETBACK , DECKS, IN LIEU OF THE REQUIRED 22.5 FOOT SETBACK, LOTS 2 TO 60, 62, AND 64 TO 73.

THIRD VARIANCE — REAR DECKS ON THREE LOTS

3. SECTION 301.1 A. ,BCZR, TO ALLOW A 12 FOOT SETBACK IN LIEU OF THE REQUIRED 22.5 FOOT SETBACK, LOTS 1, 61 AND 63.

REASONS FOR REQUESTED VARIANCES —

1. PULTE HAS FOUND DECKS OF UP TO 12 FEET IN WIDTH TO BE COMPATIBLE AND USEABLE BY ITS BUYERS.

2. THESE REAR DECKS WILL NOT BE VISIBLE FROM FRONT STREETS.

3. NOT EVERY OWNER WILL ELECT TO BUILD A DECK, BUT THE ALLOWANCE FROM THE OUTSET WILL PUT ALL ON NOTICE OF THE ALLOWANCE OF SUCH DECKS.

4. THE REQUESTED RELIEF WILL ALLOW THE GENERALITY OF THE REGULATIONS TO FIT THIS PARTICULAR PROJECT.

315

February 23, 1998

FIEDLER PROPERTY
(Description for Zoning Purposes Only)

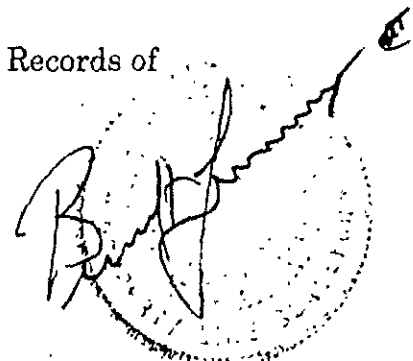
Beginning at a point located approximately 2,400 feet southeast of the intersection of Bucks Schoolhouse Road (White Marsh Road) and Bucks Schoolhouse Road along the westerly right-of-way line of future re-aligned Bucks Schoolhouse Road, a 50 foot right-of-way, thence running the following nine (9) courses and distances:

1. South 85°25'27" East 139.07 feet, more or less, to a point; thence,
2. North 07°08'23" East 360.00 feet, more or less, to a point; thence,
3. North 50°08'23" East 934.70 feet, more or less, to a point; thence,
4. South 51°36'36" East 477.28 feet, more or less, to a point; thence,
5. South 17°37'55" West 1196.12 feet, more or less, to a point; thence,
6. North 73°43'42" West 260.07 feet, more or less, to a point; thence,
7. South 17°37'55" West 170.05 feet, more or less, to a point located approximately at the centerline of Bucks Schoolhouse Road; thence,
8. North 73°43'43" West 684.30 feet, more or less, to a point; thence,
9. North 06°39'54" East 391.25 feet, more or less, to the point of beginning.

Containing approximately 27.27 acres of land, more or less, located in the 14th Election District of Baltimore County. Being all that land as shown on a Subdivision Plat entitled "Fiedler Property" as recorded in the Land Records of Baltimore County, Maryland at Plat Book S.M. No. 69 folio 84.

Fiedler/SAM/gfl/D#1098/2/23/98

98-315-SPHA

A handwritten signature, possibly "R. H. Fiedler", is written over a circular official stamp. The stamp contains some illegible text and a central emblem.

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

No. **046686**

DATE 3 5 98 ACCOUNT 2201 6180

AMOUNT \$ 500.00

RECEIVED FROM: Police Dept School House

FOR: (021) VICTIM
(04) S.A.

48-315-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

CASHIER'S VALIDATION

**NOTICE OF ZONING
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: #98-316-SPHA
NE/S - Bucks - Schoolhouse
Road, 2400 SE White Marsh
Road
14th Election District
6th Councilmanic District
Legal Owner(s):

Prestige Development
Contract Purchaser:
Pulte Home Corporation
Special Hearing: to approve
an amendment of the Final
Development Plan, Fiedler
Property. Variance: to allow a
rear yard setback of 25 feet in
lieu of 30 feet for lots 1, 61,
and 65; and to allow an
18-foot deck setback in lieu of
22.5 feet required.

Hearing: Monday, April 20,
1998 at 9:00 a.m. in Room
407, County Courts Bldg.,
401 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 concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

4/015 April 2 C217837

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/2/, 1998

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 4/2/, 1998

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

FIEDLER PROP.

RE: Case No.: 98-315-SPHA

Petitioner/Developer: PULTE & GRANDE, ETAL

C/O MATZ, O'KEEFE, ETAL

Date of Hearing/Closing. 4/20/98

@ 9:00 AM
RM-407
COB

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen.

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at NE/S BUCKS SCHOOLHOUSE RD.
2400'E SE. WHITEMARSH RD. ON SITE
FIEDLER PROP.

The sign(s) were posted on

4/1/98

(Month, Day, Year)

ZONING NOTICE

Case #: 98-315-SPHA

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

PLACE 401 BOSLEY AVENUE
ROOM 407, COUNTY COURTS BUILDING
TIME & DATE MONDAY, APRIL 20, 1998 AT 9:00 AM

SPECIAL HEARING TO APPROVE AN
AMENDMENT OF THE FINAL DEVELOPMENT PLAN,
FIEDLER PROPERTY
VARIANCE TO ALLOW A REAR YARD SETBACK OF
25 FEET IN LIEU OF 30 FEET FOR LOTS 1, 61 AND 63,
AND TO ALLOW AN 8 FOOT DECK SETBACK IN LIEU OF
22.5 FEET REQUIRED
NE/S BUCKS SCHOOLHOUSE RD, 2400'E SE WHITEMARSH RD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONTINUE HEARING
CALL 881-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE
IF YOU HAVE TO CANCEL FOR ANY REASON, PLEASE CALL 881-3391
HEARINGS ARE HANDICAPPED ACCESSIBLE

Sincerely,

Patrick M. O'Keefe 4/1/98
(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 ; CELL 410-905-8571
(Telephone Number)

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.: 98-315-SPHA.

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A VARIANCE TO ALLOW ~~REAR~~ REARYARD SETBACKS^{OF} 24ft. IN
LIEU OF THE REQUIRED 30ft; TO ALLOW OPEN PROJECTION SETBACKS
(DECKS) OF 18ft. IN LIEU OF THE REQUIRED 22.5ft. AND VARIANCES
TO PERMIT 12ft. SETBACKS IN LIEU OF THE REQUIRED 22.5ft.
FOR ~~BE~~ OPEN PROJECTIONS (DECKS); AND ^{A SPECIAL HEARING} TO AMEND THE FINAL
DEVELOPMENT PLAN OF THE FIEDLER PROPERTY.
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

TO: PATUXENT PUBLISHING COMPANY
April 2, 1998 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams, Esquire
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204

410-823-7800

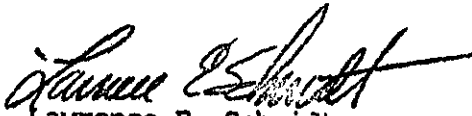
NOTICE OF ZONING HEARING

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: 98-315-SPHA
NE/S Bucks Schoolhouse Road, 2400' SE White Marsh Road
14th Election District - 6th Councilmanic District
Legal Owner: Prestiege Development
Contract Purchaser: Pulte Home Corporation

Special Hearing to approve an amendment of the Final Development Plan, Fiedler Property.
Variance to allow a rear yard setback of 25 feet in lieu of 30 feet for lots 1, 61, and 65; and to allow an 18-foot deck setback in lieu of 22.5 feet required.

HEARING: Monday, April 20, 1998 at 9:00 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

March 13, 1998

NOTICE OF ZONING 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: 98-315-SPHA

NE/S Bucks Schoolhouse Road, 2400' SE White Marsh Road

14th Election District - 6th Councilmanic District

Legal Owner: Prestiege Development

Contract Purchaser: Pulte Home Corporation

Special Hearing to approve an amendment of the Final Development Plan, Fiedler Property.
Variance to allow a rear yard setback of 25 feet in lieu of 30 feet for lots 1, 61, and 65; and to allow an 18-foot deck setback in lieu of 22.5 feet required.

HEARING: Monday, April 20, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

c: Newton A. Williams, Esquire
Prestiege Development
Pulte Home Corporation

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 5, 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

April 16, 1998

Newton A. Williams, Esq.
700 Nottingham Centre
502 Washington Avenue
Towson, MD. 21204

RE:

Item No.: 315
Case No.: 98-315-SHA
Petitioner: Prestiege Development
Location: Bucks Schoolhouse, Alan
Tree Road and Jacob Field

Dear Mr. Williams:

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 March 5, 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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

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

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



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

TO: POM

DATE: 3/23/98

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: March 16, 98

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

Item #'s:

315

RBS:sp

BRUCE2/DEPRM/TXTS8P

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: March 20, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for March 23, 1998
 Item Nos. 311, 312, 315, 316, 317,
 318, and 319

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

RWB:HJO:jrb

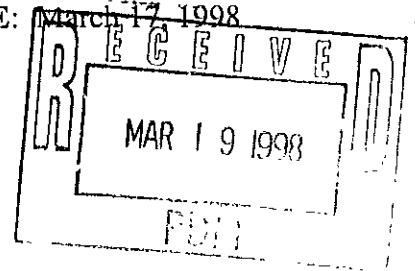
cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 17, 1998



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):

Item No. 315

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.

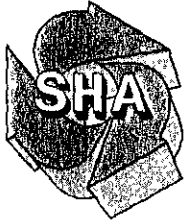
Prepared by: _____

Jeffrey W. Long

Division Chief: _____

Gary L. Kerns

AFK/JL



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 3/13/98
Item No. 315 JCM
Bucks Schoolhouse Rd

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,

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

ls
4/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 17, 1998

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):

Item No. 315

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:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE
Bucks Schoolhouse Road & Alan Tree Road * ZONING COMMISSIONER
& Jacob Field Road, NE/S Bucks School-
house Rd, 2,400' SE White Marsh Rd * OF BALTIMORE COUNTY
14th Election District, 6th Councilmanic *
Legal Owner(s): Prestige Development * CASE NO. 98-315-SPHA
Contract Purchaser(s): Pulte Home Corp. *
Petitioners
* * * * *

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 2nd day of April, 1998, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
CATHERINE A. POTTHAST*
E. BRUCE JONES**
STUART A. SCHADT

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX (410) 296-2765
E-MAIL: npw@nolanplumhoff.com

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

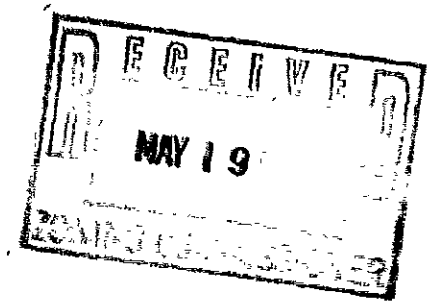
RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823 - 7856

* ALSO ADMITTED IN D.C.
** ALSO ADMITTED IN NEW JERSEY

May 13, 1998

Honorable Lawrence E. Schmidt
Baltimore County Zoning Commissioner
Courts Building, 4th Floor
401 Bosley Avenue
Towson, Maryland 21204



Re: The Fiedler Property, Prestiege Homes and Pulte Corporation
Case No.: 98-315-SPHA

Dear Commissioner Schmidt:

On behalf of our clients, we wish to thank you for your recent favorable decision in the above-entitled case.

However, we would like to make one request, namely the width of the decks across the rear of the homes, as opposed to their depth toward the rear property lines.

We would respectfully ask you to consider allowing decks greater than 18 feet across the rear of the house or houses in question, but not greater than the width of the house from side to side.

Pulte has no wish to build decks wider than 18 feet, but for the homeowners, such flexibility would be very helpful.

According to my calculations, the Pulte order will expire on Thursday, June 4, 1998, and we would greatly appreciate it if you would consider modifying your condition with respect to the width of the decks, as outlined.

Thanking you for your kind consideration of this request, I am

Respectfully,

Newton A. Williams

cc: Mr. Jim Grande, Pulte Home Corporation
Mr. Alan Scoll, D.S. Thaler & Associates



Baltimore County
Zoning Commissioner
Office of Planning

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

June 15, 1998

Newton A. Williams, Esquire
Nolan, Plumbhoff and Williams
Suite 700 Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204-4528

RE: Case No. 98-315-SPHA
The Fiedler Property, Prestiege Homes and Pulte Corp.

Dear Mr. Williams:

This is to acknowledge your letter of May 13, 1998 and our subsequent telephone conversation regarding the above matter.

As we discussed, I shall amend my Order to permit decks to be greater than 18 ft. across the rear of the house or houses in question, but not greater than the width of the house from side to side. It is my understanding that such a modification is requested to allow homeowners with flexibility to add larger decks. The decks would not be any deeper than indicated in the Order (12 ft.), but may be wider. Moreover, the builder, Pulte Homes Corporation, does not intend on installing wider decks but wants to offer this flexibility to its customers.

I am adding a copy of this letter to the file and noting same as an amendment to my Order dated May 5, 1998.

Please call me should you have any questions regarding same.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt

LES:mmn

c: Mr. Jim Grande, Pulte Home Corp., 1501 S. Edgewood St., 21227

Mr. Alan Scoll, D.S. Thaler & Associates, 7115 Ambassador Rd., 21244



NEWTON A. WILLIAMS
THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
ROBERT E. CAHILL, JR.
C. WILLIAM CLARK
CATHERINE A. POTTHAST*
E. BRUCE JONES**

* ALSO ADMITTED IN D.C.
**ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX (410) 296-2765
E-MAIL: npw@nolanplumhoff.com

JAMES D. NOLAN
(RETIRED 1980)

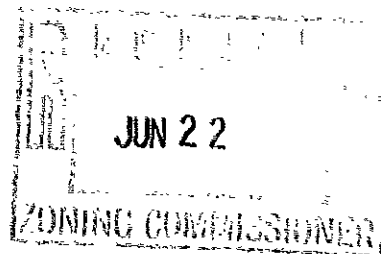
J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
823 - 7856

June 18, 1998

The Honorable Lawrence E. Schmidt
Baltimore County Zoning Commissioner
County Courts Building, Suite 405
401 Bosley Avenue
Towson, MD 21204



RE: The Fiedler Property, Prestiege Homes and Pulte Corporation
Case No.: 98-315-SPHA

Dear Commissioner Schmidt:

Thank you very much for your amendatory letter of June 15, 1998, relating to the original Order.

As we explained in our letter, and subsequently that you acknowledged in yours, the ability to build a deck wider than 18 feet may be important to some home purchasers.

Again, thank you.

Respectfully,

Newton A. Williams

NAW:brh

cc: Mr. Jim Grande, Pulte Home Corporation
Mr. Alan Scoll, D.S. Thaler & Associates

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
602 Washington Avenue, Suite 700
Towson, Maryland 21204
410-823-7800
Fax: 410-296-2765

Soph
98-315-5PHA

To: *Gwen Stephens, PDM*

Date: *3/6/98*

Fax #: *410-887-5708*

Pages: *4*, including this cover sheet.

From: *Newton Williams*

Subject: *Pulte, Fidler Property Case.*

OUR

FILE #

1944/10

COMMENTS:

*Gwen: I will be out of town - week
before Easter 4/6 to 4/10. Thank you.
Best regards,
Newton.*

WARNING: Unauthorized interception of this telephonic communication could be a violation of Maryland and Federal law."

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

PETITIONER(S) SIGN-IN SHEET

ADDRESS

1501 S. EDGEWOOD ST.

Suite K, BALF. Mcl 21236

—

—

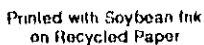
7115 Ambleside Rd.

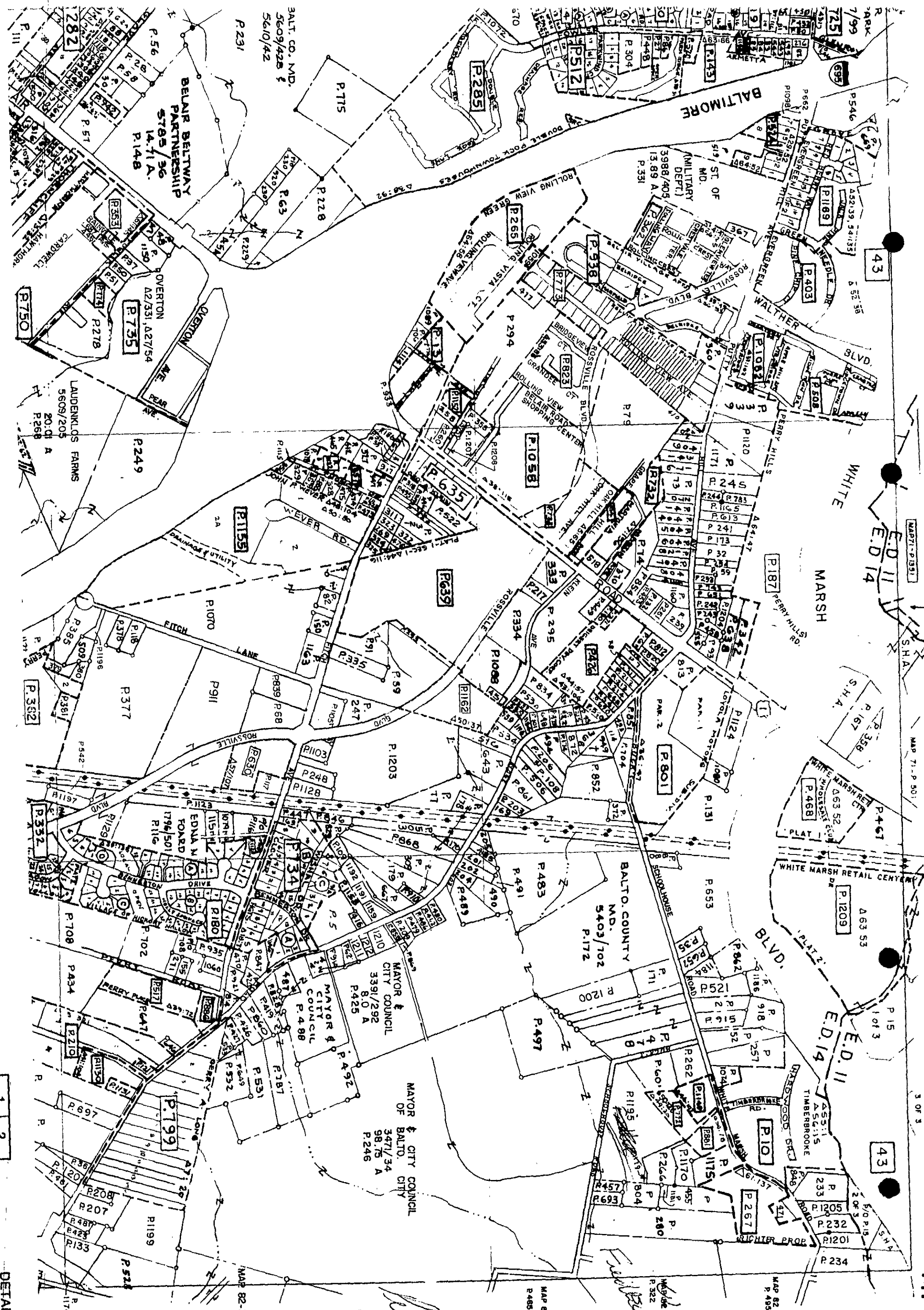
Bulto, 2/244

Watkinson Center 502 Washington

9 Ave, Tucson 2/20/4

Snide 700





DETAIL MAP

81-2

TRW REDI
Copyright 1994

Published by
TRW REDI Property Data

11/15/94
11/15/94

11/15/94
11/15/94

11/15/94
11/15/94

MAP 82-1
P.495

MAP 82-2
P.495

The Carlton

#3A



View
to front
from road

18-
3A
92

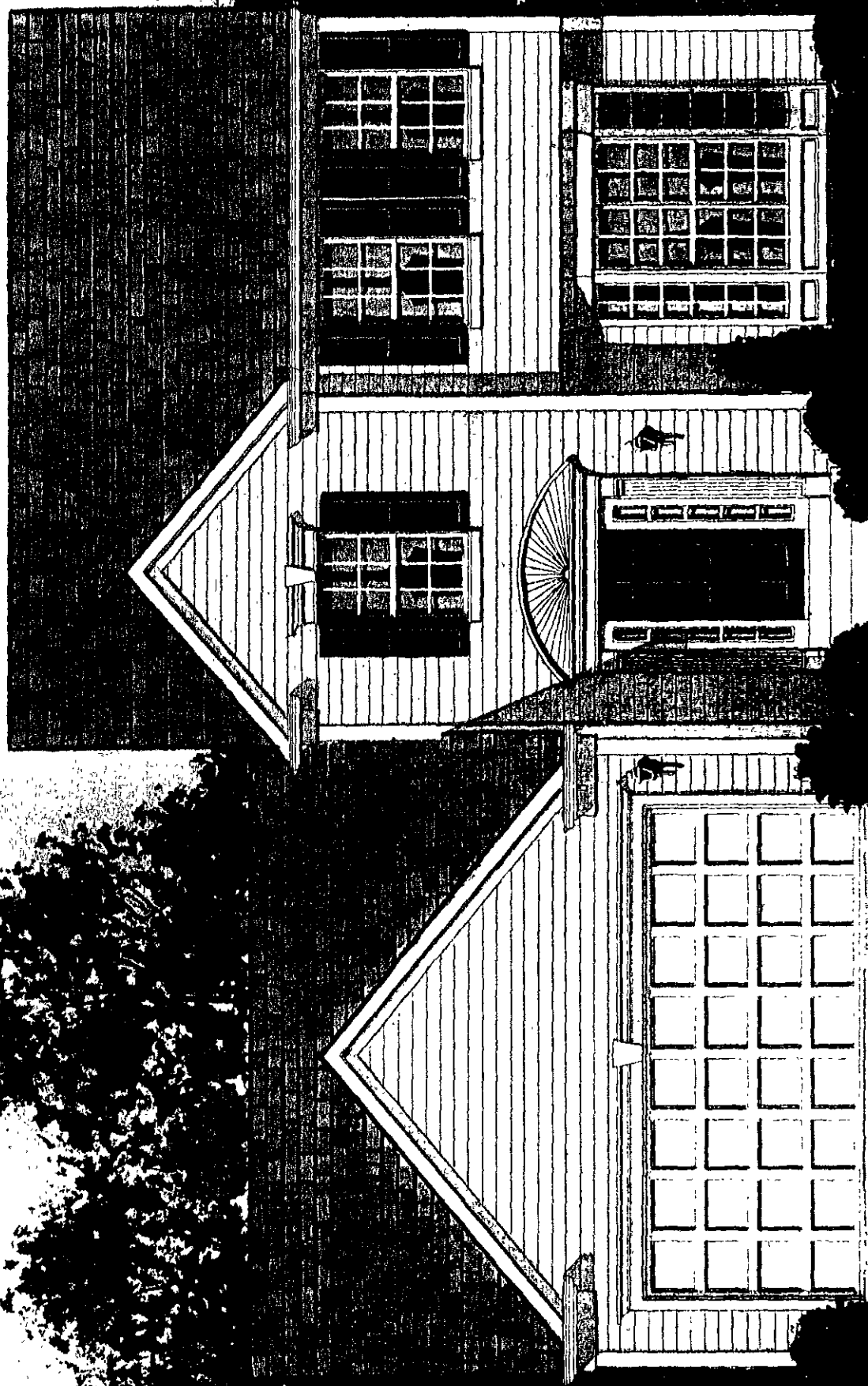
THE CHAUCE.

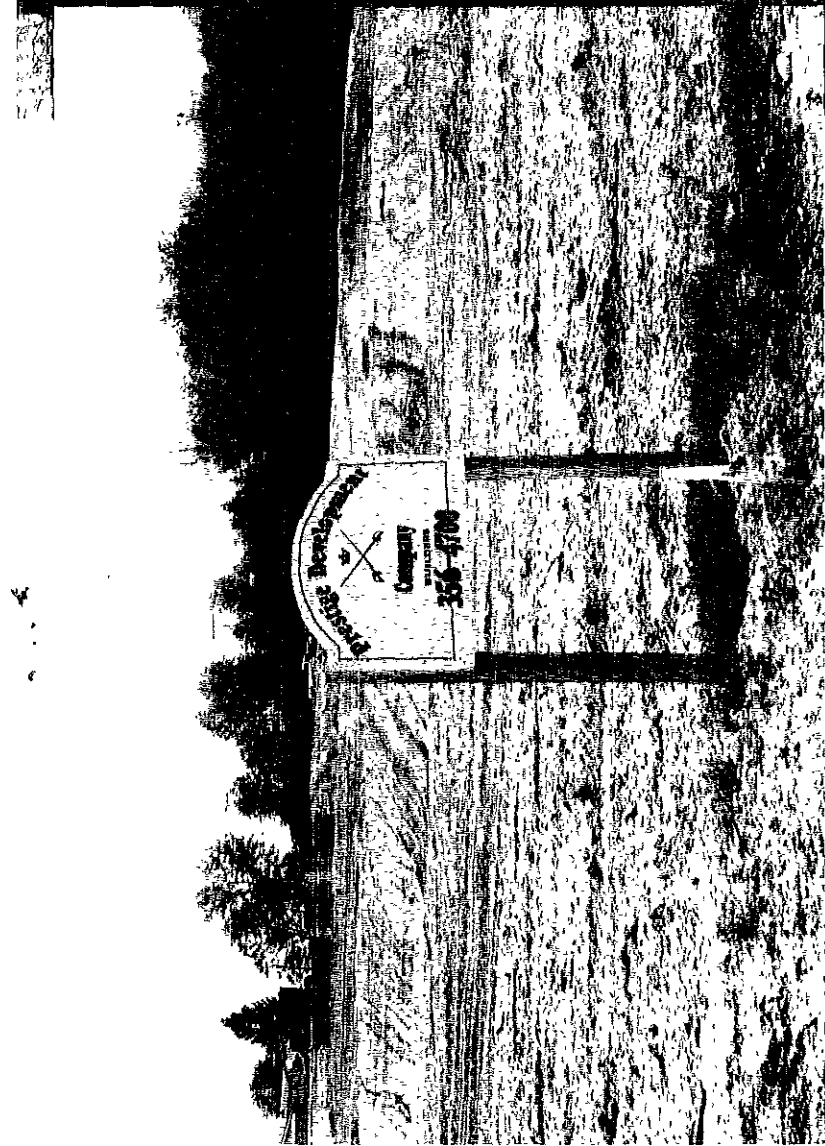


1254
1254

The Denton

1300
1300





A. Fracture Sign Looking W

Case No. 48-455-35774



13 with Glen Acre sign

410-882-3900



13 with Glen Acre sign

410-882-3900

ZONING NOTICE

Case #198315 SPJA

A PUBLIC HEARING WILL BE HELD AT THE ZONING COMMISSION

ON TUESDAY, 12/15/2010

PLACE, TIME & DATE: 7:00 PM - 8:00 PM

AGENDA: 1. APPROVE AN

ORDINANCE TO APPROVE AN

AMENDMENT TO THE FINAL DEVELOPMENT PLAN

FOR THE PROPERTY

LOCATED AT THE CORNER OF

STATE ROUTE 100 AND

STATE ROUTE 100

IN THE TOWNSHIP OF

SPRINGFIELD, NEW JERSEY

THE ZONING COMMISSION

WILL BE HELD AT THE

SPRINGFIELD TOWNSHIP

ADMINISTRATIVE CENTER

ON TUESDAY, 12/15/2010

AT 7:00 PM

THE ZONING COMMISSION

WILL BE HELD AT THE

SPRINGFIELD TOWNSHIP

ADMINISTRATIVE CENTER

ON TUESDAY, 12/15/2010

AT 7:00 PM

THE ZONING COMMISSION

WILL BE HELD AT THE

SPRINGFIELD TOWNSHIP

ADMINISTRATIVE CENTER

ON TUESDAY, 12/15/2010

AT 7:00 PM



D. Looking N. on BSH Rd.
NW Corner in front
of Judson House



E. Looking E on BSH Rd.
SE Corner corner of
Fidelity House Property on
N.W. 1/4



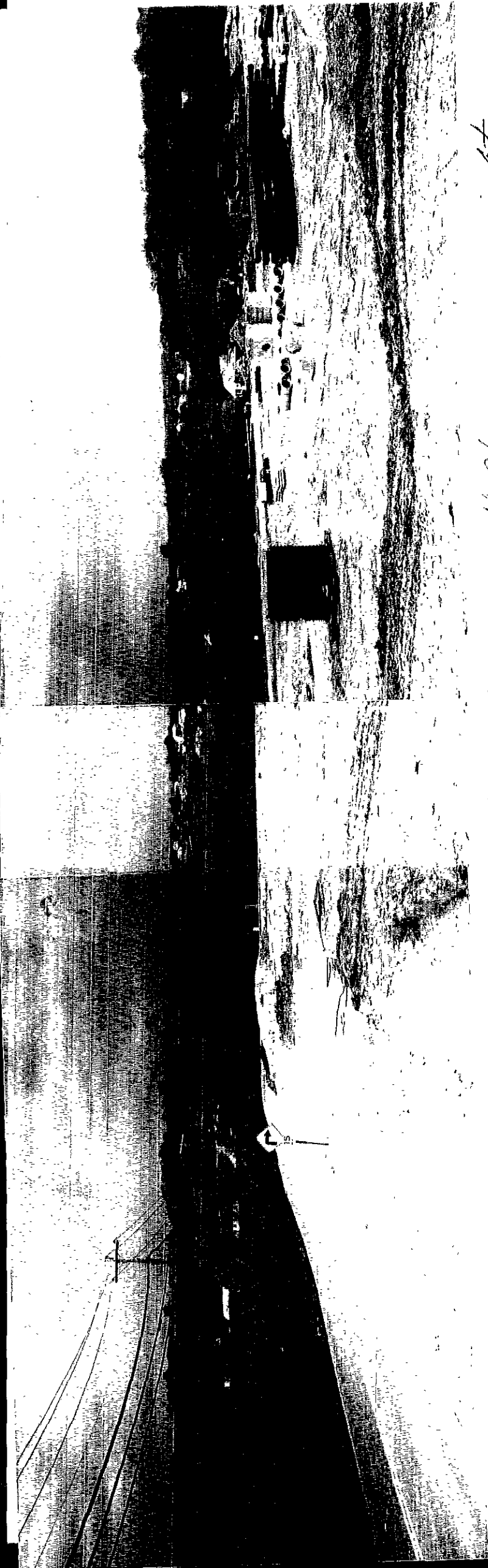
F. Judson House



6. Looking N on BSH Rd across 500M at Fiddler House to river.



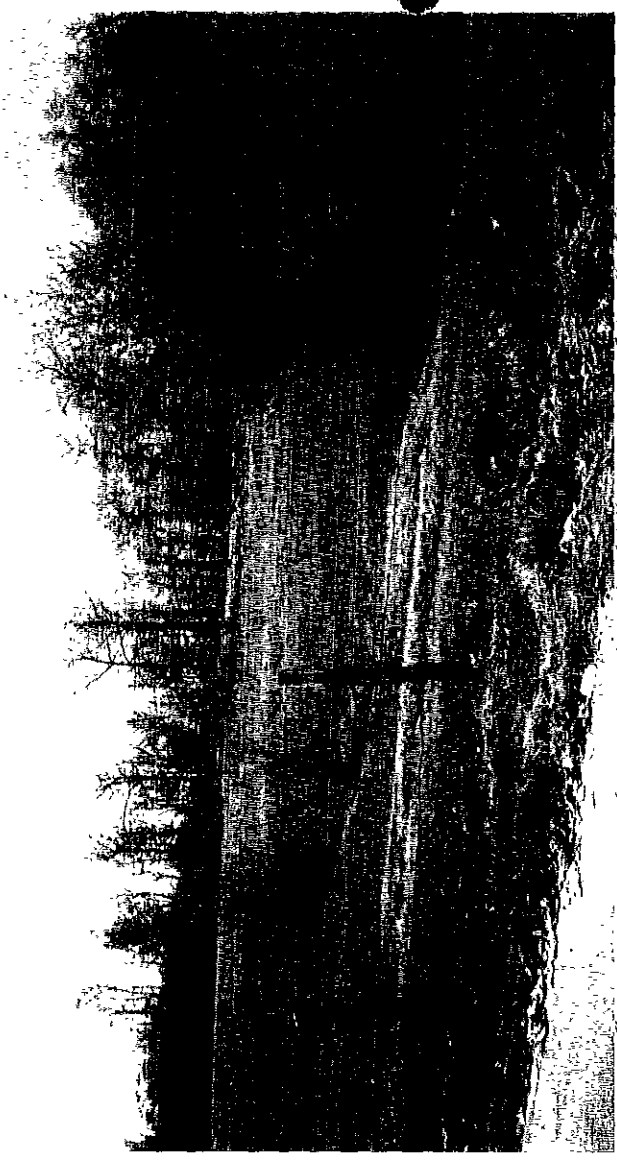
N. Looking N.E. across site from point of sale.



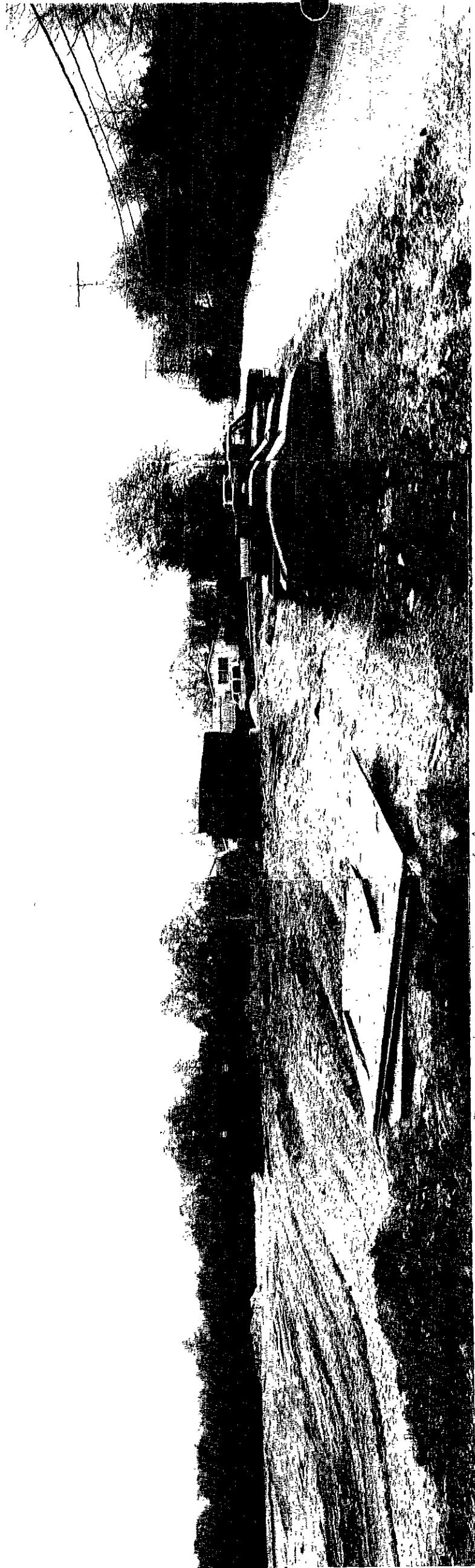
Looking across Lake, BSH Rd on left - looking N, Fadden Home on corner on right.



H. Fullerton Reservoir Site



L, On w/s of BSH RR. opposite Site



Looking on 657 Rd at 25/10/84



M. SE/C of Ditt, looking L to DSK



C, View across site to North



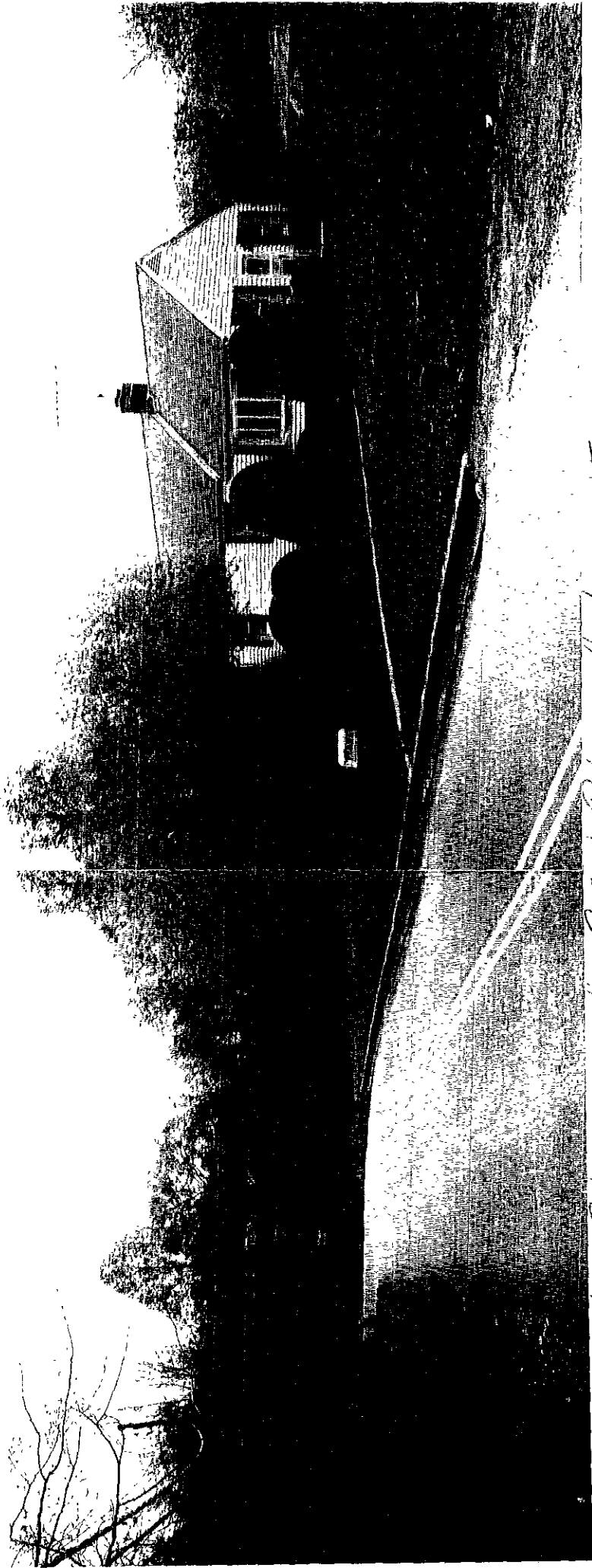
D, Same close up - note large building



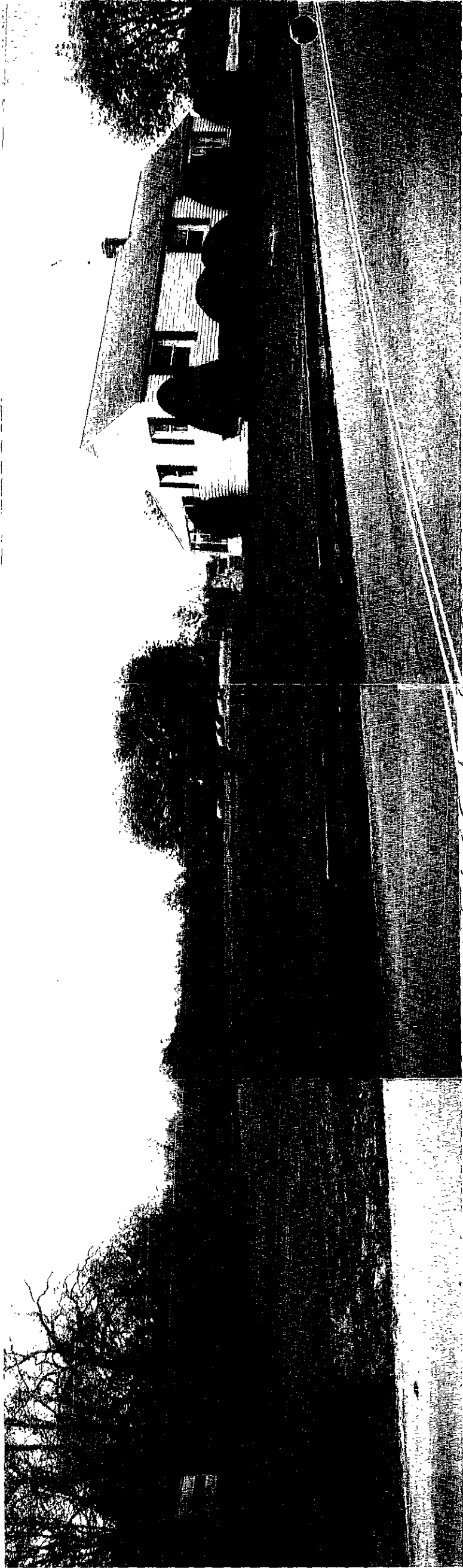
R, Looking N at corner SWM and
Frieder Road to answer



Q, Looking E on rough graded Road "H"



S. Fiedler House and BST Rd. - Looking N.E.



T. BSH Rd. and Fiedler Lane looking SE. from BSH Rd.

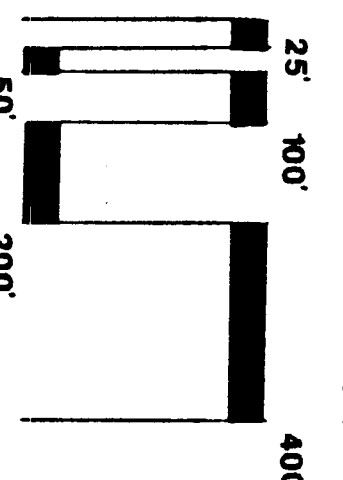
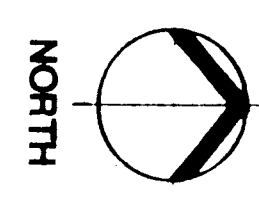
1996 BALTIMORE COUNTY ZONING MAP TO
ACCOMPANY ZONING PETITION (NE 7F, 6B & 8B)
FIEDLER PROPERTY

D. S. THALER & ASSOC., INC.
CIVIL ENGINEERS
LANDSCAPE ARCHITECTS
SURVEYORS
LAND PLANNERS
7115 AMBASSADOR ROAD
BALTIMORE, MARYLAND 21244
(410) 344-ENGR (410) 344-3647

02/18/98

98-315-SP44A

315



SCALE: 1"=200'

