IN THE MATTER OF
THE APPLICATION OF
THE ESTATE OF MILDRED C. DETT AND
DAVID & MARY CHAMBERS -PETITIONERS
FOR VARIANCES ON PROPERTY LOCATED
ON THE WEST SIDE GLYNDON DRIVE,
20' NORTH OF C/L GLYER COURT
(442 GLYNDON COURT)
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE

* COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

* CASE NO. 98-316-A

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on appeal filed by J. Carroll Holzer, Esquire, on behalf of Walter and Sonya Welsh and Michael and Joyce Hull, Protestants /Appellants, from the June 4, 1998 Order of the Deputy Zoning Commissioner in which the subject Petition for Variance was granted in part and denied in part.

The Board convened for hearing on December 29, 1998 as scheduled. Lawrence Hammond, Esquire, appeared on behalf of Seneca Harbor Development Corp., Petitioner /Developer; J. Carroll Holzer, Esquire, appeared on behalf of Protestants /Appellants.

At the outset of the hearing and on the record, Counsel for Petitioner withdrew the Petition for Variance filed in Case No. 98-316-A and requested that this matter be dismissed.

ORDERED that the Petition for Variance filed in Case No. 98-316-A is WITHDRAWN AND DISMISSED, and that the Deputy Zoning Commissioner's Order of June 4, 1998, including the relief granted therein, is rendered null and void.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles L. Marks, Chairman

Anna M. Felling

Donna M. Felling

Phomas P. Melvin



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

January 21, 1999

J. Carroll Holzer, P.A. 508 Fairmount Avenue Towson, MD 21286

RE: Case No. 98-316-A /Estate of Mildred C.

Dett and David & Mary Chambers -Owners;

and Seneca Harbor Development Corp -Petitioner

Dear Mr. Holzer:

Enclosed please find a copy of the Board's Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte & Rachely for For.
Kathleen C. Bianco

Administrator

encl.

Michael and Joyce Hull CC: Walter and Sonya Welsh Stephen H. Sirkin Lawrence Hammond, Esquire Samuel Rothblum /Seneca Harbor Dev. Corp. Gordon Greenspun /Basic Dev. David Chambers Harry W. Clark and Alverta S. Jones /Personal Representatives -Estate of Mildred Dett Robert Rosenfelt & Richard Matz /Colbert Matz, and Rosenfelt People's Counsel for Baltimore County Pat Keller, Director /Planning Lawrence E. Schmidt /Z.C. Arnold Jablon, Director / PDM Virginia W. Barnhart, County Attorney

1/2/12

IN RE: PETITION FOR VARIANCE

BEFORE THE

W/S Glyndon Dr., 20' N of the c/l

Glyer Ct. (442 Glyndon Court

* DEPUTY ZONING COMMISSIONER

and 308 Bond Avenue)

4th Election District

* OF BALTIMORE COUNTY

3rd Councilmanic District

* Case No. 98-316-A

Estate of Mildred C. Dett and

David and Mary Chambers - Petitioners

* * * * * * * *

ORDER ON MOTION FOR RECONSIDERATION

WHEREAS, this matter came before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the Estate of Mildred C. Dett, Owners of 308 Bond Avenue, and David and Mary Chambers, Owners of 442 Glyndon Drive, and the Contract Purchasers, Seneca Harbor Development Corporation, by Samuel Rothblum, through their attorney, Lawrence Hammond, Esquire, seeking certain variance relief for the proposed development of the subject property with 28 single family dwellings; and,

WHEREAS, at the public hearing held on April 10, 1998, several residents, who live adjacent to proposed Lots 1 through 4 of the proposed development, appeared in opposition to the request and offered persuasive testimony in support of a denial; and

WHEREAS, by Order issued June 4, 1998, the relief requested was granted for all lots except Lots 1 through 4, subject to certain other terms and restrictions; and,

WHEREAS, subsequent to the issuance of said Order, a Motion for Reconsideration was received from Counsel for the Petitioners on June 19, 1998, for consideration of a revised site plan attached thereto which proposed modifications to Lots 1 through 4; and,

WHEREAS, pursuant to a Response to the Motion for Reconsideration received from J. Carroll Holzer, Esquire, Counsel for the Protestants, on

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June 24, 1998, advising this Deputy Zoning Commissioner that the Protestants have filed an Appeal of the decision rendered by me in the above-captioned matter to the County Board of Appeals on June 19, 1998, this Deputy Zoning Commissioner no longer has jurisdiction to entertain the Petitioners' Motion for Reconsideration;

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this And day of July, 1998 that the Motion for Reconsideration filed by the Petitioners in the above-captioned matter, be and is hereby DISMISSED as moot.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner for Baltimore County

TMK:bjs

cc: Lawrence Hammond, Esquire
465 Main Street, Reisterstown, Maryland 21136

Mr. Harry W. Clark, 304 New Avenue, Reisterstown, Md. 21136

Ms. Alverta S. Jones, 32 Brookebury Drive, Reisterstown, Md. 21136

Mr. Samuel Rothblum, Seneca Harbor Dev. Corp., 212 Washington Avenue, Towson, Md. 21204

Mr. David Chambers, 442 Glyndon Drive, Reisterstown, Md. 21136

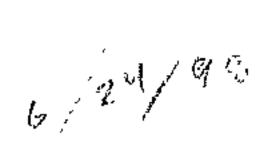
Mr. & Mrs. Michael W. Hull, 231 Sacred Heart Lane, Reisterstown, 21136

Mr. & Mrs. Walter D. Welsh, 233 Sacred Heart Lane, Reisterstown, 21136

Mr. Stephen H. Sirkin, 307 Townleigh Road, Reisterstown, Md. 21136

Messrs. Robert Rosenfelt and Richard Matz, Colbert Matz & Rosenfelt 2835 Smith Avenue, Suite G, Baltimore, Md. 21209 People's Counsel; Case Files

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IN RE:

PETITION FOR VARIANCE

W/S Glyndon Dr. 20' N of

the c/1 Glyer Ct.

(442 Glyndon Ct. and

308 Bond Avenue

4th Election District

3rd Councilmanic District

Estate of Mildred C. Dett and David and Mary Chambers-

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 98-316-A

Response to Motion for Reconsideration

Appellants Walter and Sonya Welsh, and Michael and Joyce Hull by and through their attorney, J. Carroll Holzer, in response to Petitioners and Contract Purchasers' Seneca Harbor Development Corporation say as follows:

- 1. Appellants on June 19, 1998 noted an appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner in Case No. 98-356-A. (Notice of Appeal attached hereto and incorporated herein as Exhibit A).
- 2. As a result of Appellants' filing an appeal to the Board of Appeals on June 19, 1998, the Deputy Zoning Commissioner no longer has jurisdiction to entertain the instant Motion for Reconsideration.
- The Revised Plan submitted with the Petitioners and Contract Purchasers' Motion for Reconsideration purports to address the objection of the Hulls and Welshes by relocating the Storm Water Management Reservation to an area formerly reserved for Lots # 2, 3, and 4.
- 4. Appellants submit that such changes and modifications do not address their concerns because it is their position that none of the variances granted is permissible.

LAW OFFICE

HOLZER AND LEE

305 WASHINGTON AVENUE
SUITE 502
TOWSON, MARYLAND
21204

(410) 825-6961 FAX: (410) 825-4923 In the alternative, as parties in the instant Petition for Variance, Appellants respectfully request that a public hearing be held prior to a ruling in order to address the issues raised in the Motion and Revised Plan.

Respectfully submitted,

J. Carroce Horzar (1.1.

J. Carroll Holzer 305 Washington Avenue Suite 502 Towson, Maryland 21204 410-825-6961 Attorney for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of June, 1998, a copy of the foregoing Response to Motion for Reconsideration was mailed first-class, postage pre-paid to Lawrence Hammond, Esquire, Hammond & Hammond, L.L.C., 465 Main Street, P.O. Box 569, Reisterstown, Maryland 21136; Mr. and Mrs. Welsh, 233 Sacred Heart Lane, Glyndon, Maryland 21136; Mr. and Mrs. Hull, 231 Sacred Heart Lane, Glyndon, Maryland 21136; People's Counsel for Baltimore County, Peter Max Zimmerman, Esquire, Basement, Old Courthouse, Towson, Maryland 21204.

J. Carroll Holzer (1.1.

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IN RE:

PETITION FOR VARIANCE

442 Glyndon Court and

308 Bond Avenue, W/S Glyndon Dr.,

20' N of the c/l Glyer Court

4th Election District

3rd Councilmanic District

ESTATE OF MILDRED C. DETT

Seneca Harbor Dev. Corp.

Contract Purchasers

Petitioners

* BEFORE THE

* DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

* Case No. 98-316-A

NOTICE OF APPEAL

Appellants Walter and Sonya Welsh of 233 Sacred Heart Lane; and Michael and Joyce Hull of 231 Sacred Heart Lane, individually, by and through their attorney J. Carroll Holzer and Holzer and Lee, hereby note an appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner of Baltimore County rendered on June 4, 1998, attached hereto.

Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover the costs of the appeal.

Respectfully submitted,

Carroll Holzer

Holzer and Lee

305 Washington Avenue

Suite 502

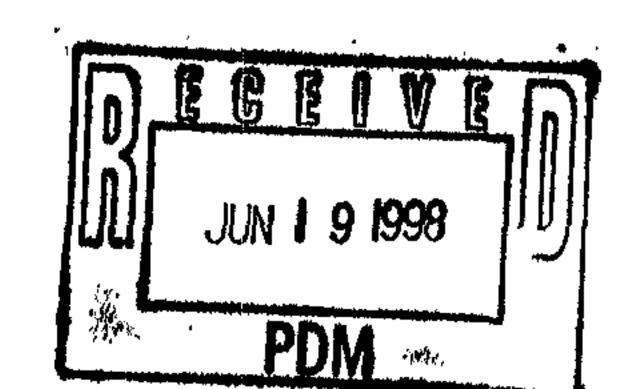
Towson, Maryland 21204

410-825-6961

Attorney for Appellants

LAW OFFICE
HOLZER AND LEE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MARYLAND
21204

(410) 825-6961 FAX[,] (410) 825-4923



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the <u>19th</u> day of June, 1998 a copy of the foregoing
Notice of Appeal was mailed first class, postage pre-paid to Lawrence Hammond, Esq., 465 Main
Street, Reisterstown, MD 21136; and Peter Max Zimmerman, Esq., People's Counsel for Baltimore
County, 400 Washington Ave., Old Courthouse, Towson, MD 21204.

1 Carroll Holzer

NOTICES\A:\Welsh,NOA

IN RE:

PETITION FOR VARIANCE

W/S Glyndon Dr. 20' N of

the c/l Glyer Ct.

(442 Glyndon Ct. and

308 Bond Avenue)

4th Election District

3rd Councilmanic District*

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 98-316-A

Estate of Mildred C. Dett and David and Mary Chambers -Petitioners

MOTION FOR RECONSIDERATION

The opinion of the Deputy Zoning Commissioner was filed on June 4, 1998 which denied the Petitioners' requested relief with respect to Lots 1 through 4 and granted the requested relief with respect to Lots 5 through 28 only, subject to certain conditions, expounded in the Deputy Commissioner's Order. Now the Petitioners and the Contract Purchasers, by their counsel, Lawrence M. Hammond and Hammond & Hammond, L.L.C., moves for reconsideration and states as follows:

- 1. That the Protestants, Mr. and Mrs. Michael W. Hull and Mr. and Mrs. Walter D. Welsh, raised considerable objections to the Plan as proposed.
- 2. That in order to address the objections of the Protestants, the Petitioners hereby submit for consideration a "Revised Plan to accompany Petition for Variance for the Chambers/Dett property." Copy of said Plan is attached hereto and incorporated as Exhibit 1.

- 3. That the Revised Plan calls for the storm water management reservation area to be located in that portion of the property that was formerly reserved for Lots 2, 3 and 4.
- 4. That Lot 1 has been reoriented to face Bond Avenue and, as such, constitutes a conforming lot.
- 5. That Lots 2, 3 and 4 would be located in the area formerly reserved for storm water management reservation.

WHEREFORE, it is respectfully requested that the Deputy
Zoning Commissioner reconsider the Order issued on June 4, 1998
and pass such an Order as to grant the Petitioners' requested
relief pursuant to the "Revised Plan to accompany Petition for
Variance of the Chambers/Dett Property."

Respectfully submitted,

Lawrence M. Hammond Hammond & Hammond, L.L.C.

465 Main Street
P. O. Box 569

Reisterstown, MD 21136

410-833-7576

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of June, 1998, a copy of the foregoing Motion for Reconsideration was mailed by first class, prepaid postage to the following:

Peter Max Zimmerman, Esquire Office of Peoples Counsel Room 47, Old Court House 400 Washington Avenue Towson, Maryland 21204

Mr. & Mrs. Michael Hull 231 Sacred Heart Lane Reisterstown, MD 21136

Mr. & Mrs. Walter D. Welsh 233 Sacred Heart Lane Reisterstown, MD 21136

Mr. Steven Sirkin 307 Townleigh Road Reisterstown, MD 21136

Lawrence M. Hammond, Esquire

Attorney for Petitioners

HAMMOND & HAMMOND, L.L.C.

(410) 833-7576

ATTORNEYS AT LAW

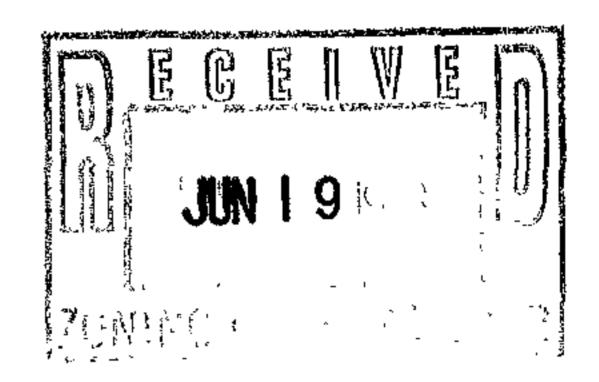
466 MAIN STREET

P.O. BOX 569

REISTERSTOWN, MARYLAND 21136-0569

LLOYD J. HAMMOND LAWRENCE M. HAMMOND DOUGLAS S. CURTIS TELECOPIER (410) 833-4744

June 18, 1998



Timothy M. Kotroco,
Deputy Zoning Commissioner
Baltimore County Zoning Commission
Office of Planning
Suite 405
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 98-316-A

Dear Mr. Kotroco:

Enclosed herewith is a Motion for Reconsideration for the above captioned matter.

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions you may have.

Very truly yours,

Lawrence M. Hammond

LMH:dje
Enclosure as noted

e / mark

IN RE: PETITION FOR VARIANCE

* BEFORE THE

W/S Glyndon Dr., 20' N of the c/l

Glyer Ct. (442 Glyndon Court

* DEPUTY ZONING COMMISSIONER

and 308 Bond Avenue)

4th Election District * OF BALTIMORE COUNTY

3rd Councilmanic District

Case No. 98-316-A

Estate of Mildred C. Dett and

David and Mary Chambers - Petitioners

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the Estate of Mildred C. Dett, Owners of 308 Bond Avenue, and David and Mary Chambers, Owners of 442 Glyndon Drive, and the Contract Purchasers, Seneca Harbor Development Corporation, by Samuel Rothblum, through their attorney, Lawrence Hammond, The Petitioners seek relief from Section 1801.2.C.1.b of the Esquire. Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.3 of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit front setbacks of 20 feet in lieu of the required 25 feet and rear setbacks of 25 feet in lieu of the required 30 feet, and from Section 301.1.A of the B.C.Z.R. to permit an open porch to be 15 feet from the front property line in lieu of the required 18.75 feet, and 17.5 feet from the rear property line in lieu of the required 22.5 feet. 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 Petition were Lawrence Hammond, Esquire, who appeared on behalf of the Petitioners, and Robert Rosenfelt and Richard Matz, principals with Colbert Matz and Rosenfelt, the engineering firm which prepared the site plan for this property. Many residents from the surrounding community appeared, both in support of and

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By

By

in opposition to the relief requested, all of whom signed the respective Petitioners/Citizens sign in sheets.

Testimony and evidence offered revealed that the two properties identified above are being combined under one development proposal to construct 28 single family dwellings. As shown on the site plan submitted into evidence as Petitioner's Exhibit 1, the two parcels are located adjacent to one another in the Glyndon area of Baltimore County and consist of a combined area of 8.197 acres, more or less, zoned D.R. 3.5. The parcel known as 442 Glyndon Drive is located on the west side of that road, just north of its intersection with Bond Avenue, while the property known as 308 Bond Avenue is located just west of that road's intersection with Glyndon Drive. The Developer, Seneca Harbor Development Corporation, proposes a 28-lot subdivision for this site with access via a new road which leads out to Glyndon Drive and Bond Avenue. Due to the narrow configuration of the property and the layout chosen by the developer, variances are needed for each and every lot.

The development proposed for this site will be the subject of a future development plan hearing before this Deputy Zoning Commissioner as Hearing Officer for Baltimore County. Testimony indicated that the Petitioners filed the instant Petition to determine if the requested variances would be granted in order that they could proceed with the development of the site in accordance with a plan which had already received variance approval. The Petitioners did not wish to gamble on submitting a development plan for approval until they were sure that the design and layout of the property shown on Petitioner's Exhibit 1 would be approved.

The residents who appeared in opposition reside on properties adjacent to Lots 1 through 4 of this project. Testimony indicated that if

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the variances are granted, the proposed houses for Lots 1 through 4 will be located 5 feet closer to the Protestants' property lines.

In considering this request, the Developer represented to the community that he would provide additional landscaping between the proposed development and their homes. This buffer would consist of a board on board fence, or various vegetative trees and bushes. Prior to the close of the hearing I required that the Petitioners submit to this Deputy Zoning Commissioner a landscape plan which had been reviewed and approved by the While the Petitioners have submitted a landscape surrounding neighbors. plan to the citizens who reside adjacent to the proposed development, they were unable to satisfy the concerns of all the residents in the surrounding Namely, Mr. & Mrs. Hull, and Mr. Welsh, still raised considercommunity. able objection to the plan as proposed. These particular neighbors object to the number of variances being requested by the Petitioners, and the imposition of the additional houses on their existing homes. They note that not only does the Developer need variances from front and rear setback requirements for the proposed houses, but a waiver of public works standards is also necessary to construct a public road 30 feet wide in lieu of the required 40 feet. All of this relief is necessary in order to allow development on this parcel of land.

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,

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

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

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested variances for Lots 5 through 28 only. 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 granting of the relief requested, as modified, 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. However, in reviewing the site plan submitted, it is clear that the Hulls and Mr. Welsh will be affected by the construction of the houses on proposed Lots 1 through 4. These lots abut the rear yards of those residents. Therefore, I find that the variances requested for Lots 1 through 4 should be denied, and the houses proposed for those lots eliminated in their entirety. By virtue of the elimination of the variances for Lots 1 through 4, the overall density of the subject development shall be reduced from 28 single family dwellings to 24. In addition, the area presently shown on the site plan as Lots 1 through 4 shall be left as open space for use by the future homeowners' association of homeowners' the proposed development.

ORDER RECEIVED FOR FILING Date

By Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested, as modified, shall be granted in part and denied in part.

Baltimore County this 44 day of June, 1998 that the Petition for Variance seeking relief from Section 1801.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.3 of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit front setbacks of 20 feet in lieu of the required 25 feet and rear setbacks of 25 feet in lieu of the required 30 feet, and from Section 301.1.A of the B.C.Z.R. to permit an open porch to be 15 feet from the front property line in lieu of the required 18.75 feet, and 17.5 feet from the rear property line in lieu of the required 22.5 feet, in accordance with Petitioner's Exhibit 1, for Lots 5 through 28, only, be and is hereby GRANTED, subject to the following restrictions which are contingent to the relief granted:

- 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 relief granted herein is limited to Lots 5 through 28, only, and is contingent upon the Petitioners' obtaining approval of a development plan for the subject property which is to be submitted for consideration by this Hearing Officer at some point in the near future.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the variances requested for Lots 1 through 4 shall be denied and that area of the subject site shall be set

aside as homeowners' open space for the future owners of the remaining lots of this subdivision.

IMOTHY M. KOTROCO

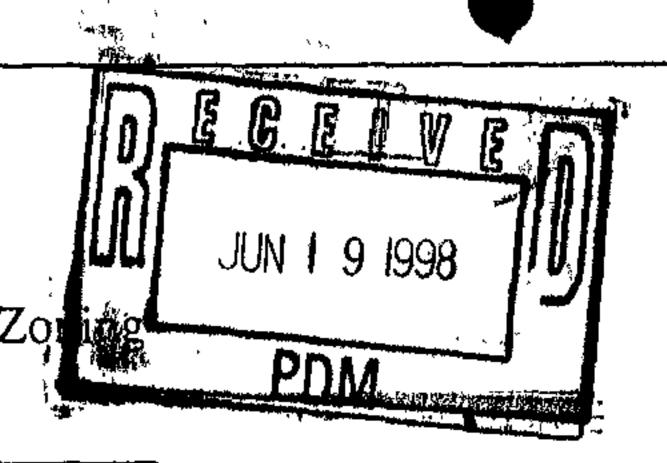
Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zon



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

June 4, 1998

Lawrence Hammond, Esquire 465 Main Street Reisterstown, Maryland 21136

RE: PETITION FOR VARIANCE
W/S Glyndon Drive, 20' N of the c/l Glyer Court
(442 Glyndon Court and 308 Bond Avenue)
4th Election District - 3rd Councilmanic District
Estate of Mildred C. Dett and Seneca Harbor Dev. Corp.
Case No. 98-316-A

Dear Mr. Hammond:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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,

we truly yours,

we they look one

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Harry W. Clark, 304 New Avenue, Reisterstown, Md. 21136

Ms. Alverta S. Jones, 32 Brookebury Drive, Reisterstown, Md. 21136

Mr. Samuel Rothblum, Seneca Harbor Dev. Corp.

212 Washington Avenue, Towson, Md. 21204

Mr. David Chambers, 442 Glyndon Drive, Reisterstown, Md. 21136

Mr. & Mrs. Michael W. Hull, 231 Sacred Heart Lane, Reisterstown, 21136

Mr. & Mrs. Walter D. Welsh, 233 Sacred Heart Lane, Reisterstown, 21136

Mr. Stephen H. Sirkin, 307 Townleigh Road, Reisterstown, Md. 21136

Messrs. Robert Rosenfelt and Richard Matz, Colbert Matz & Rosenfelt 2835 Smith Avenue, Suite G, Baltimore, Md. 21209 People's Counsel; Case Files



ORDER RECE

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property focated at 442 Glyndon Drive and 308 Bond Avenue

which is presently zoned

De₌

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) B01.2C.1b (V.B.3 CMDP) of

the current Zoning Regulations for front setbacks of 20 feet in lieu of 25 feet required and for rear setbacks of 25 feet in lieu of 30 ft. required & Sec. 301.1A to allow an open porch to be 15 ft. from the front property line in lieu of 18.75 ft. and 17.5 ft. from the rear property line in lieu of 18.75 ft. and 17.5 ft. from the rear property line in lieu of 18.75 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or 5 ft. practical difficulty) The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	We do solamnly declare and affirm, under the penalties of perjury, that (we are the legal owner(s) of the property which is the subject of this Penbon.
Contract Purchaser/Lassee.	Legal Cwner(s) Harry Warner Clark
Samuel Rothblum	Personal Rep., Estate of Mildred C. De
(Type or Pant Name)	(Type or Print Name)
Samuel Rath	Harry Warner Clark
Seneca Harbor Develoment Corp.	Alverta Sarah Jones
212 Washington Avenue	Personal Rep., Estate of Mildred C. De
Address	(Type or Print Name)
Towson MD 21204	A. Iverta Darah Tones
State Zipcode	Signature (Clark) 304 New Ave.
Attainey for Petitioner	(Jones) 32 Brookebury Dr. 439-3947
Lawrence Hammond, Esq.	
	Address Phone No
James Branch	Reisterstown, MD 21136
Signature	Name, Address and phone number or representative to be contacted
465 Main Stroot 410 000 7576	Robert S Rosenfelt, P.E.
465 Main Street 410 833-7576	Colbert Matz Rosenfelt, Inc.
Reisterstown MD 21136	Name 2835 Smith Avenue Ste G Baltimore. MD 21209 410 653-3838
City State Zipcode	Address Figure No. 2 1209 4 10 033 - 38 38
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additional signatures	ESTIMATED LENGTH OF HEARING
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ORDER RECEIVED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property focated at 442 Glyndon Drive and 308 Bond Avenue

which is presently zoned

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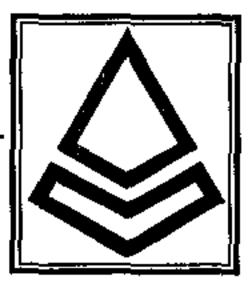
Property is to be posted and advertised as prescribed by Zoning Regulations.

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.

	We do solumnly declare and affirm, under the penalties of perjury, that two are to legal owner(s) of the property which is the subject of this Peobon.
Contract Purchaser/Lessee.	Legal Owner(s)
Gordon Greenspun	David Chambers
Jorden Luensmun	(Type or Phint Name)
Basic Development Co., Inc.	Signature
115 Sudbrook Lane	Mary Chambers
Address	(Tyce of Print Name)
Baltimore MD 21208	Mary Jane J. Chambers:
State Ziccode	Sig-ature
Attorney for Peritioner	
Lawrence Hammond, Esq.	442 Glyndon Drive 410 833-6785
(Tyse or a same)	Address Phone No
	Reisterstown MD 21136
Granie	City State 7 ocode
	Name, Address and phone number or representative to be contacted Dohorth C Dogon Follow D To
465 Main Street 410 833-7576	Robert S Rosenfelt, P.E. Colbert Matz Rosenfelt, Inc.
Address Phone No.	
Reisterstown MD 21136	Name 2835 Smith Avenue Ste G
State Z'prode	Baltimore, MD 21209 410 653-383
	CFF CE USE CNLY
Applied Administration, on	ESTIMATED LENGTH OF HEARING unavailable for Hearing
	the following dates Next Two Months
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Si Santa	REVIEWED BY:DATE

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION FOR 442 GLYNDON DRIVE AND 308 BOND AVENUE

Beginning at a point on the west side of Glyndon Drive, 70 feet wide, at a distance of 20 feet north of the centerline of Glyer Court, 40 feet wide, then running the following courses and distances:

N82°00'00"W 253.83 ft.;

S4.75°W 695.25 ft. to a point in the roadbed of Bond Avenue; thence proceeding within the roadbed of Bond Avenue S86°00'00"W 194.04 ft.; thence leaving said roadbed and running N4.75°00'00"E 1106.16 ft.;

N71.5°E 209.22 ft.;

N10°48'00"E 47.62 ft.;

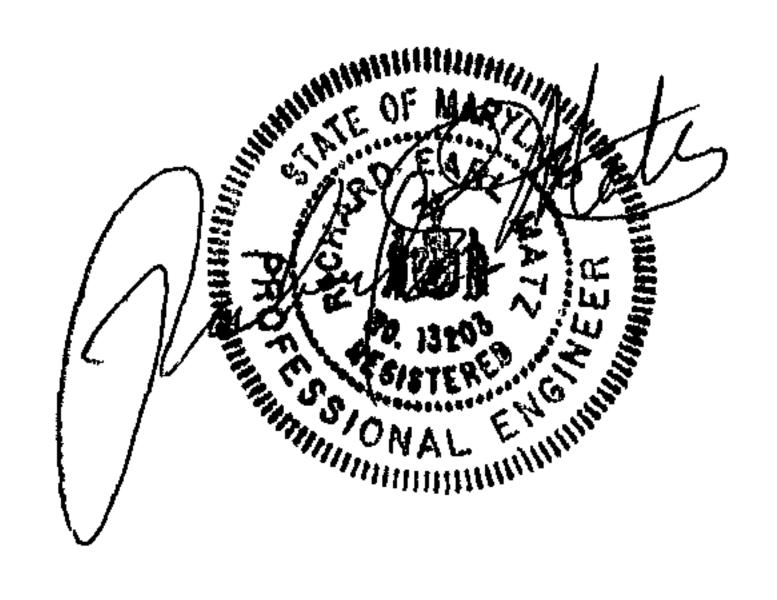
S51°12'00"E 34.65 ft.;

N89°08'00"E 257.00 ft.;

S11°01'00"W 362.68 ft. to a point on the aforementioned west side of Glyndon Drive;

thence binding along the west side of Glyndon Drive by a curve to the left having a radius of 1535 ft. and a length of 200.37 ft. to the Point of Beginning.

As recorded in Deed Liber 4039, Folio 001 and Deed Liber 4919, Folio 544, and containing 8.062 acres. Also known as 442 Glyndon Drive and 308 Bond Avenue and located in the 4th Election District, 3rd Councilmanic District.



98-316-A and 21209 653-7953

2835 Smith Avenue, Suite G Baltimore, Maryland 21209 Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

BALTIMORE COUNTY, OFFICE OF BUDGET & FINA CALLANEOUS RECEIPT		No.		198 672 NEI US 5 H	ISCELLANDIS CASH RECEIPT	
/ *	AMOUNT \$ 210 4012-CR, P.A. # 98-316-).00		RATE OF PARTY OF THE PARTY OF T	41	
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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-A
442 Glyndon Drive and 308
Bond Avenue
W/S Glyndon Drive, 20' N
Glyer Court
4th Election District
3rd Councilmanic District
Legal Owner(s):

Legal Owner(s):
Harry Warner Clark and Alverta Sarah Jones, Personal Representatives of the Estate of Mildred C. Dett; David Chambers and Mary Chambers

Contract Purchaser: Samuel Rothblum and Gor-

Samuel Rothblum and Gordon Greenspun

Variance: to allow front setbacks of 20 feet in ileu of 25 feet required; to allow rear setbacks of 25 feet in ileu of 30 feet required; and to allow an open porch to be 15 feet from the front property line in lieu of 18 75 feet and 17.5 feet from the rear property line in lieu of 22.5 feet.

Hearing: Friday, April 10, 1998 at 11:00 a.m., in Room 106, County Office Building, 111 West Chesapaake 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 Fife and/or Hearing. Please Call (410) 887-3391.

364 March 26 - c216144

CERTIFICATE OF PUBLICATION

TOWSON, MD., 327	, 19 <u>98</u>
THIS IS TO CERTIFY, that the annexed advert	tisement was
published in THE JEFFERSONIAN, a weekly newspap	•••
in Towson, Baltimore County, Md., once in each of	successive
weeks, the first publication appearing on 326	, 19 <u>98</u> .

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

RE Case No.: 98-316-A

Petitioner/Developer: DETT/CHAMBERS, ETA

CO RICHARD MATZ

Date of Hearing/Closing: 3/10/98

1100011

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 \$\frac{\pma_{208}}{42} \frac{\mathbb{GLYNDON}}{\mathbb{QL}} \frac{\mathbb{P}}{2} \frac{\mathbb{E} \mathbb{NS}}{\mathbb{QLYNDON}} \frac{\mathbb{D}}{\mathbb{D}} \frac{\mathbb{D}}{2} \frac{\mathbb{QLYNDON}}{2} \frac{\mathbb{D}}{2} \frac{

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

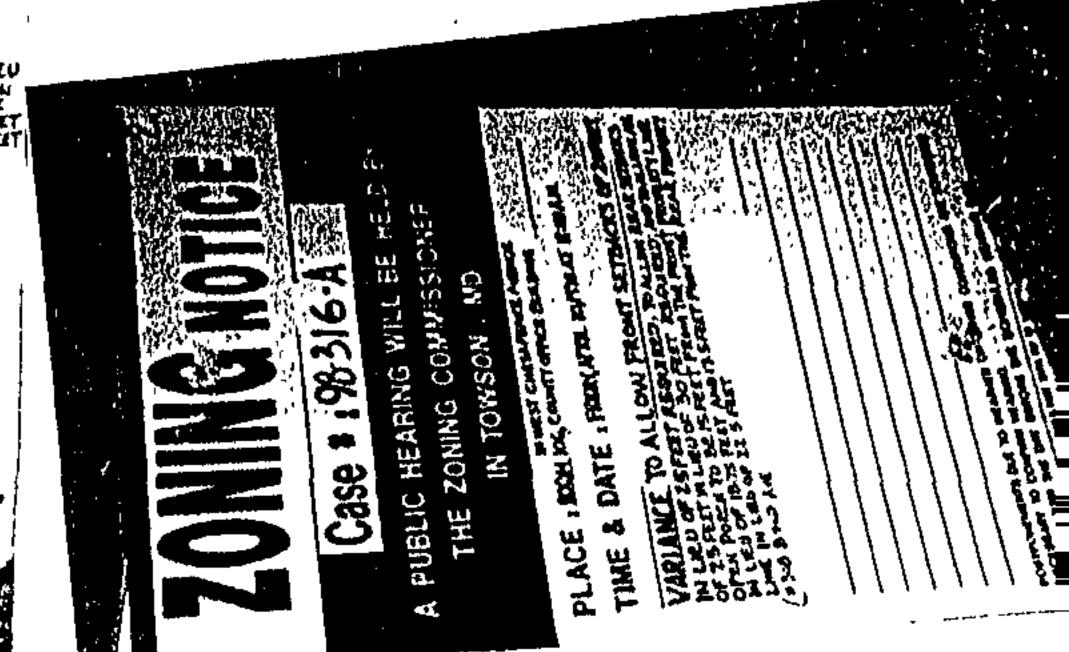
(Printed Name)
523 PENNY LANE

(Address) HUNT VALLEY, MD, 21030

(City, State, Zip Code) 410-666-5366; CELL-410-905-8571

(Telephone Number)

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CERTIFICATE F POSTING

	RE: Case No.: 98-3/6 A
	Petitioner/Developer: DAVID & MARY CHAMBER. MILDRED DETT
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perju	ury that the necessary sign(s) required by law
were posted conspicuously on the property locate BOND AUE & GLYNDON	ed at
The sign(s) were posted on $\frac{7/23/9}{4}$	8 /11 / 98
GUINDON DE.	Sincerely,
	Buy (Fee 2 2/23/9
	(Signature of Sign Poster and Date)
	GARY C-FREUND
	(Printed Name)
	(Address)
•	(City, State, Zip Code)
•	(Telephone Number)



Baltimore County Department of Permits and Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

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

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

AJ:ggs

(Revised 09/24/96)



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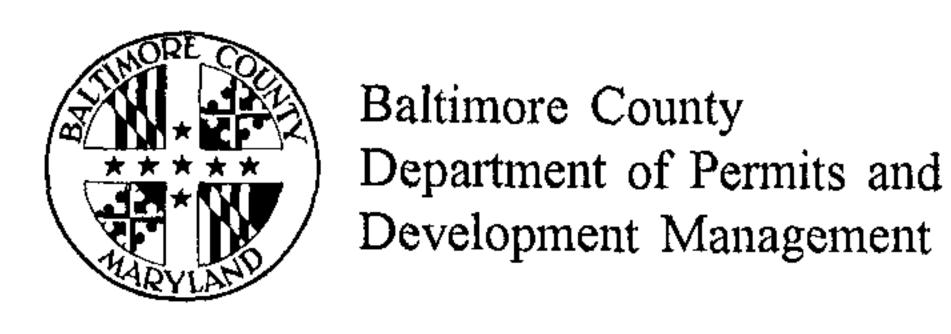
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Exhibit B Request for Zoning: Variance, Special Exception, or Special Hearing Date to be Posted: Anytime before but no later than ____ Format for Sign Printing, Black Letters on White Background: ZONING NOTICE Case No.: 98-316-A A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD PLACE: DATE AND TIME: 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



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

March 12, 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: 98-316-A

442 Glyndon Drive and 308 Bond Avenue W/S Glyndon Drive, 20' N Glyer Court

4th Election District - 3rd Councilmanic District

Legal Owner: Harry Warner Clark and Alverta Sarah Jones, Personal Representatives of the

Estate of Mildred C. Dett; David Chambers and Mary Chambers Contract Purchaser: Samuel Rothblum and Gordon Greenspun

Variance to allow front setbacks of 20 feet in lieu of 25 feet required; to allow rear setbacks of 25 feet in lieu of 30 feet required; and to allow an open porch to be 15 feet from the front property line in lieu of 18.75 feet and 17.5 feet from the rear property line in lieu of 22.5 feet.

HEARING:

Friday, April 10, 1998 at 11:00 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue

c: Colbert, Matz, Rosenfelt, Inc.

Lawrence Hammond, Esquire

Harry Clark

Alverta Jones

Mary & David Chambers

Gordon Greenspun

Samuel Rothblum

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 26, 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.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

August 26, 1998

NOTICE OF ASSIGNMENT

CASE #: 98-316-A

IN THE MATTER OF: ESTATE OF MILDRED C. DETT -Legal Owners (308 Bond Avenue); and DAVID AND MARY CHAMBERS -Legal Owners (442 Glyndon Avenue) / and SENECA HARBOR DEVELOPMENT CORP -Contract Purchaser 4th Election District; 3rd Councilmanic District

(Petition for Variance GRANTED in part and DENIED in part by D.Z.C.)

ASSIGNED FOR:

TUESDAY, DECEMBER 29, 1998 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco Administrator

cc: Counsel for Appellants /Protestants

: J. Carroll Holzer, Esquire

Appellants /Protestants

: Michael and Joyce Hull Walter and Sonya Welsh

Stephen H. Sirkin

Counsel for Petitioner /Developer

: Lawrence Hammond, Esquire

Petitioner /Developer : Samuel Rothblum /Seneca Harbor Dev. Corp.

Gordon Greenspun /Basic Dev.

Property Owners

: David Chambers

: Harry W. Clark

and Alverta S. Jones
/Personal Representatives Estate of Mildred Dett

Robert Rosenfelt & Richard Matz /Colbert Matz, and Rosenfelt

People's Counsel for Baltimore County Pat Keller, Director /Planning Lawrence E. Schmidt /Z.C. Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney

Jen 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: March 24, 1998

and Development Management

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

Office of Planning

SUBJECT: 442 Glyndon Avenue and 308 Bond Avenue

INFORMATION

Item Number:

316

Petitioner:

Senceca Harbor Development Corporation

Zoning:

DR 3.5

Requested Action:

Variance

Summary of Recommendations:

The Office of Planning supports the relief requested provided the following conditions are met:

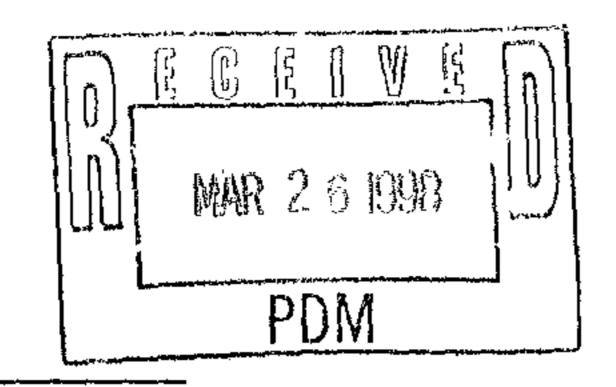
- 1) Lots 17 and 20 should be eliminated in order to avoid undesirable building-to-building relationships between existing and proposed residences;
- 2) a board-on-board fence should be placed along the western property line of the Dett Property to mitigate the encroachment of the proposed homes on the existing homes located on Sacred Heart Lane;
- 3) a pedestrian path should be provided from Townleigh Road to the proposed road in order to permit pedestrian access from the Sacred Heart Lane/Townleigh Road area to Glyndon Elementary School/Recreation Center; and
- 4) a limit of disturbance area should be shown for Lots 13 and 14.

Prepared by: __

Division Chief:

AFK/JL





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

March 23, 1998

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

Property Owner: HARRY WARNER CLARK AND ALVERTA SARAH JUNES, EE: PERSONAL REPRESENTATIVES OF THE USTATE OF MILDRED C. DETT AND DAVID CHAMBERS AND MARY CHAMBERS

Location: DISTRIBUTION MEETING OF MARCH 16, 1998

Item No.: 316

Zoning Agendas

Gentlemens

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 proporty.

Fire hydrants for the relorenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

PEVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F car File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 20, 1998

Department of Permits & Development

Management

FROM!

Robert W. Bowling, Chief

Mureau 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



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

Baltimore County 3/13/98 CAM Item No. 3/6 RE:

Glydon Drive

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

RE: PETITION FOR VARIANCE BEFORE THE 442 Glyndon Drive and 308 Bond Avenue, W/S Glyndon Dr, 20' N Glyer Ct * ZONING COMMISSIONER 4th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY Legal Owners: Harry Clark & Alverta Jones, P.R.s Estate Mildred C. Dett; CASE NO. 98-316-A David & Mary Chambers Contract Purchaser: S. Rothblum & G. Greenspun 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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this Aday of April, 1998, a copy of the foregoing Entry of Appearance was mailed to Lawrence Hammond, Esq., 465 Main Street, Reisterstown, MD 21136, attorney for Petitioners.

PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 29, 1999

Permits & Development Management

FROM:

Charlotte E. Radcliffe () County Board of Appeals

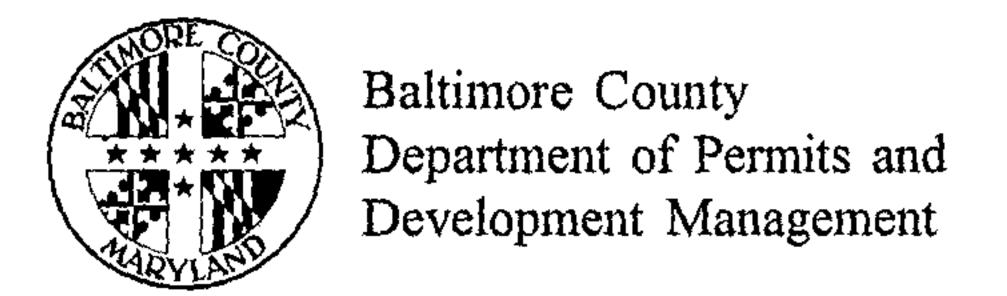
SUBJECT: Closed File:

98-316-A /The Estate of Midred C. Dett and

David & Mary Chambers - Petitioners

Since no further appeal was taken in the above captioned case, which was dismissed by Order dated January 21, 1999, we are hereby closing the file and returning same herewith.

Attachment (File No. 98-316-A)



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

June 23, 1998

Lawrence Hammond, Esquire 465 Main Street Reisterstown, MD 21136

RE: Petition for Zoning Variance

Case No.: 98-316-A

442 Glyndon Dr. & 308 Bond Ave.

District: 4c3

Estate of Mildred C. Dett and David and Mary Chambers - Petitioners

Dear Mr. Hammond:

Please be advised that an appeal of the above referenced case was filed in this office on June 19, 1998 by J. Carroll Holzer, Esquire on behalf of Walter and Sonya Welsh and Michael and Joyce Hull. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

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

Sincerely,

Arnold Jablon

Director

AJ:rye

c: Mr. Stephen H. Sirkin People's Counsel

APPEAL

Petition for Zoning Variance

W/S Glyndon Drive, 20' N of the c/l Glyer Court

(442 Glyndon Court and 308 Bond Avenue)

4th Election District – 3rd Councilmanic District

Estate of Mildred C. Dett and David and Mary Chambers- Petitioners

Case Number: 98-316-A

Petition for Variance

Description of Property

Certificate of Posting

Certification of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners and Citizens Sign-In Sheets

Petitioners' Exhibits: 1 – Amended Plat to Accompany Petition for Variance

Letter from Judy Floam for Bob Rosenfelt to Deputy Zoning Commissioner Timothy Kotroco dated April 28, 1998

Letter from Neighbors of Townleigh Road and Village Vale Court to Lawrence Schmidt, Baltimore County Zoning Commissioner dated May 20, 1998

Letter from Steve Sirkin to Mr. Kotroco dated May 25, 1998

Facsimile Memo from Judy Floam to Deputy Zoning Commissioner Timothy Kotroco dated May 27, 1998

Letter from Michael and Joyce Hull to Steve Sirkin dated May 27, 1998

Letter from Walter Welsh to Steve Sirkin dated May 28, 1998

Letter from Stephen H. Sirkin to Timothy Kotroco, Deputy Zoning Commissioner, dated May 31, 1998

Deputy Zoning Commissioner's Order dated June 4, 1998 (Granted in Part, Denied in Part)

Notice of Appeal received on June 19, 1998 from J. Carroll Holzer, Esquire on behalf of Walter and Sonya Welsh and Michael and Joyce Hull



*J. Carroll Holzer, Esq., HOLZER AND LEE, 305 Washington Ave., St. 502, Towson, 21204

c: Lawrence Hammond, Esquire, 465 Main Street, Reisterstown, MD 21136 Mr. Harry W. Clark, 304 New Avenue, Reisterstown, MD 21136

Ms. Alverta S. Jones, 32 Brookebury Drive, Reisterstown, MD 21136

Mr. Samuel Rothblum, Seneca Harbor Dev. Corp., 212 Washington Avenue, - (Developer) Towson, MD 21204

Mr. David Chambers, 442 Glyndon Drive, Reisterstown, MD 21136

Mr. and Mrs. Michael W. Hull, 231 Sacred Heart Lane, Reisterstown, MD 21136

Mr. and Mrs. Walter D. Welsh, 233 Sacred Heart Lane, Reisterstown, MD 21136

Mr. Stephen H. Sirkin, 307 Townleigh Road, Reisterstown, MD 21136

Messrs. Roberts Rosenfelt and Richard Matz, Colbert, Matz, and Rosenfelt, 2835

Smith Avenue, Suite G, Baltimore, MD 21209

People's Counsel of Baltimore County, MS #2010

Timothy Kotroco, Deputy Zoning Commissioner

Arnold Jablon, Director of PDM

Developer: Gordon Greenspun 115 Sudbrook Lane Suite 210 Baltimore, MD 21208 Case No. 98-316-A

VAR -To permit front setbacks of 20' ilo req'd 25'; rear setbacks of 25' ilo req'd 30'; open porch to be 15' from front property line ilo 18.75', and 17.5' from rear property line ilo 22.5'.

6/04/98 -DZC's Order in which Petition for Variance was GRANTED in part ((as to lots 5 through 28); and DENIED in part (as to lots 1 through 4).

8/27/98 - Notice of Assignment for hearing scheduled for Tuesday, December 29, 1998 at 10:00 a.m. sent to following:

J. Carroll Holzer, Esquire Michael and Joyce Hull Walter and Sonya Welsh Stephen H. Sirkin Lawrence Hammond, Esquire Samuel Rothblum /Seneca Harbor Dev. Corp. Gordon Greenspun /Basic Dev. David Chambers Harry W. Clark and Alverta S. Jones /Personal Representatives -Estate of Mildred Dett Robert Rosenfelt & Richard Matz /Colbert Matz, and Rosenfelt People's Counsel for Baltimore County Pat Keller, Director /Planning Lawrence E. Schmidt /Z.C. Arnold Jablon, Director / PDM Virginia W. Barnhart, County Attorney

12/29/98 -Convened for Hearing (C.F.M.). Counsel for Developer /Petitioner, L. Hammond, indicated that he would be withdrawing the Petition for Variance on the record; that Petitioner was not proceeding with the Plan as filed in this matter. In open hearing and on the record, he withdrew the Petition, rendering moot the appeal filed herein by Appellants. J. Carroll Holzer, Esquire, appeared on behalf of the Appellants at this hearing.

An order of dismissal of petition will be issued by the Board; the relief granted below by the DZC will be rendered null and void as a result of the withdrawal of this petition.

facsimile memo

DATE: 6/16/98	
TO: Concer Trinothey Kate	oco FAX NO: 887-3468
TO:	FAX NO.:
TO:	FAX NO.:
FROM: Judy Floom	PROJECT NO.: 97123.1
PROJECT NAME: Chambers/ Dett- 4	20 perty (98 316-A
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,	Thank fore,
	Judy Floam
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Colbert Matz Rosenfelt, Inc. Civil Engineers Surveyors Planners 2835 Smith Avenue Suite G Baltimore, Md. 21209	CC:SENT BY:

COLBERT MATZ ROSENFELT, INC.	
2835 Smith Avenue Suite G BALTIMORE, MARYLAND 21209	LETER OF TRANSMITTAL
(410) 653-3838 FAX (410) 653-7953	DATE 5 8 98 JOB NO. 97123.1
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Journey Hell.	
An.	405 CAM
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☐ Copy of letter ☐ Change order	
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package.	
7)	
COPY TO file,	SIGNED: Judith Floam e not as noted, kindly notify us at once. Judith Floam
4. .	SIGNED:
if enclosures ar	e not as noted, kindly notify us at once. Judith #10am

COLBERT MATZ ROSENFELT, INC. 2835 Smith Avenue Suite BALTIMORE, MARYLAND 21209

LETTE OF TRANSMITTAL

(410) 653-3838 FAX (410) 653-7953	DATE 4/28/98 JOB NO. 97/23.1. ATTENTION
Belt. County hero Court Blkg. 401 Bosley are.	Det Chambers featerty Glyndon Drive & D Bend avenue, Reinterstoux
Res. 405 WE ARE SENDING YOU At Attached Under separate cover via	The following items: ☐ Samples ☐ Specifications
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THESE ARE TRANSMITTED as checked below: ☐ For approval ☐ Approved as submitted ☐ Approved as noted ☐ Approved as noted	d
As requested Returned for correction For review and comment ————————————————————————————————————	Return corrected prints PRINTS RETURNED AFTER LOAN TO US Select to adjourning
submit the landscaf sometime med weeks.	se plane to you
COPY TO	SIGNED: Judy Alvane Bob Rosenfels

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

April 27, 1998

Re:

Dett/Chambers Property

Dett/Champers Floperty
442 Glyndon Drive and 308 Bond Avenue ZONING COMMIT

Dear Neighbor,

As you may be aware, a zoning hearing was held regarding this property on April 10, 1998. The Zoning Commissioner requested that, prior to issuing his Order in the case, we submit to him a landscape plan for the proposed subdivision. At the hearing, representatives of the community asked to see the plan before it was submitted to the Commissioner.

As your property directly adjoins the property in question, we are sending a reduced copy of the landscape plan for your information. If you have specific questions about the Plan, please give me a call at 410-653-3838. We are coordinating this effort with Mr. Steve Sirkin, and you may call him as well.

We are scheduling a meeting for Monday, May 4, 1998 at 10:30 AM at the office of the developer, Sam Rothblum. The address of his office is:

> Seneca Harbor Development Company 212 Washington Avenue Towson, Maryland 21204

If you are interested in attending the meeting, please confirm by responding to Mr. Rothblum directly at 410-296-4122.

The enclosed plan is designed to meet the concerns of community members that were expressed at the hearing, as well as Baltimore County's requirements for street trees within the proposed subdivision.

Again, you may reach me at 410-653-3838, during working hours. Mr. Sirkin can be reached at home, at 410-526-4186, or on his mobile phone at 410-746-6197.

Yours truly,

Robert S. Rosenfelt, R.E., Vice-President

Colbert Matz Rosenfelt, Inc.

CC:

Sam Rothblum Steve Sirkin

Timothy Kotroco

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Stephen H. Sirkin 307 Townleigh Road Reisterstown, Maryland 21136-1417

410-526-4186(H) 410-887-3518(W) 410-746-6197 (Cellular) 410-526-7389 (Fax)



May 31, 1998

Mr. Timothy Kotroco Deputy Zoning Commissioner 401 Bosley Avenue Towson, Maryland 21204

Dear Mr. Kotroco,

I am enclosing a copy of my letter in response to Mr. and Mrs. Hull note.

I am at a bit of a loss, I have made continued good faith efforts to keep the Hull's informed. They have not been satisfied. I am limited time between professional/work, personal/family, and other obligations to work on this issue. I have done the best I can to speak for the community. Clearly I do speak for, and with the support of, Townleigh and Village Vale residents.

As to the landscaping plan, in response to my letter which I personally sent out to all the individuals adjacent to the Chambers Dett properties, I have received negative responses from two families. The Welshs appear to desire a fence instead of shrubbery and the Hulls would like the existing landscaping of the property to stay in place. You should have received letters from both and I am enclosing copies to make sure you have them on file.

The remaining 21 families have either not contacted me, which I had indicated I would consider a positive response, or have spoken to me directly in support. Mr. Wist is especially pleased at the response of the developer to his suggestions. The Kanters may be desirous of some changes. I will communicate them as soon as they are received.

I hope this responds satisfactorily to your request. I expect to be in attendance at Thursday's hearing, should you wish to speak with me.

Sincerely,

Stochen H. Sirkin

Stephen H. Sirkin

307 Townleigh Road Reisterstown, Maryland 21136-1417 410-526-4186(H) 410-887-3518(W) 410-746-6197 (Cellular) 410-526-7389 (Fax)

May 31, 1998

Dear Michael and Joyce,

I received your note of the 24th again raising your concerns about the Dett Chambers Property and the handling of the landscaping plan.

Michael and Joyce, I am <u>NOT</u> the problem. Your being "shocked and dismayed" neither accurately reflects the handling of the matter nor addresses it.

When I stopped to speak with Joyce on Friday afternoon, May 22nd I had not realized that you did not get a copy of the landscape plan. I made that very clear. I had indeed deferred to the developers to get the plan to the neighbors who were directly impacted by the proposal. They sent it to those whose property abutted the Dett Chambers property. I did receive a copy of the plan and the list of names it was sent to. I skimmed over the list, saw that "Sacred Heart Lane" was one of the addresses and made the assumption that you were covered. I sincerely apologize for that oversight and shared my concern to the developer's agent. I have since communicated with you in writing regarding the "updated" plan and provided opportunities for you to see it and provide additional input. Your note was your response.

You were aware of the requirement that a plan be drafted. That was made very clear by Mr. Kotroco at the hearing. You know my address and, I trust, my phone number. When you heard nothing you could have called or walked the under 200 yards to my home. You may recall that I had dropped by your home several evenings in the past three months. You also had the option of contacting the developer. Setting aside those options, Mr. Welsh shared the information he received. That letter gave both the developer's and my name as contact points. You then choose to make no contact. I appreciate you became aware of the meeting with developer after the fact. However, you had, and still have, ample time to correct that oversight.

As to your desire to have the privacy you have enjoyed over the past 32 years, I have heard from no family who lives directly adjacent to the Dett Chambers property, or in its vicinity, that feels otherwise. The landscaping

only mitigates the loss of privacy. However that appears to be the best option available.

Over the past 32 years, of which I have lived here seven, we have collectively lost the opportunity to minimize the impact of development on the Dett and Chambers properties. Where was the community effort to work with Mr. and Mrs. Dett while they were alive to preserve their beautiful land? Where were the efforts to alter county zoning on the properties to minimize the development that could take place. For better or worse, the collective "we" of this community did not develop a relationship with the Detts, especially Mrs. Dett after the loss of her husband, to provide for an alternative use of her property after her death. That "we" ignored zoning cycle after zoning cycle when there were repeated opportunities to down zone. In fact I am aware of no efforts between the death of Mrs. Dett and the time over six months later, that I initiated community meetings (for Townleigh Road and Village Vale Court neighbors, that you attended) to even explore the issue as a community.

As to your suggestion of "putting houses on one side (preferably the east side) of the proposed road thereby enabling him to leave a buffer of existing trees along the west side of the property that adjoins or impacts existing homes," this was appropriate input for the hearing and would be for future hearings. It also addresses one of the points the Townleigh Road and Village Vale community communicated in a letter we sent to County Executive Ruppersberger in the Fall, based on a discussion at a meeting you attended.

Having said that, the matter before us is the landscaping proposal. You and Mr. Welsh are the only families whose property abuts on the parcel who have communicated to me negatively regarding the proposal. Your concerns have been passed to Mr. Kotroco directly and will be reflected in the letter I will send to him on behalf of the community.

Meanwhile, I look forward to seeing you on Thursday morning at the hearing concerning the waiver on the width of the proposed road and keeping Townleigh from being connected to Glyndon. My community would appreciate your support in the Townleigh Road issue not just for the privacy issue but for the safety and well being of my neighbors, especially their youngsters.

Sincerely,

Stephen H. Sirkin

c: Mr. Timothy Kotroco, Deputy Zoning Commissioner

JUN 1971CS

June 9,1998

Mr. Timothy Kotroco Deputy Zoning Commissioner 401 Bosley Avenue Room 405 Towson, Maryland 21204

Dear Mr. Kotroco:

We are in receipt of your letter of June 4, 1998 regarding your decision in case No. 98-316 A (Dett Property) and are appreciative of the fact that set back variances were denied on four (4) of the twenty eight (28) proposed sites while not changing the remaining configuration of the Landscape Plan of the Dett-Chambers Property.

I feel certain that this recent decision will still meet with the satisfaction of the Townleigh Road and Village Vale Court residents in that Townleigh Road remains a dead end street.

However, I am not certain that all parties understand that without the set back variances and the waiver to change the Road Right of Way from 50 to 40 feet (as yet undecided) the proposed houses on the Dett property would have a depth of only 17 feet.

A road could transverse the Dett property and maintain the existing woodland on the west side of the property if the number of dwellings were further reduced by more strict adherence to existing codes!

I am unable to discern how such a reduction would be an injustice to the applicants cited in your decision, - particularly the Estate of Mrs. Dett.

Is this development in keeping with "Smart Growth" and the preservation of wild life habitats?

Thank you again for your indulgence in this matter.

Sincerely,

Walter D. Welsh

233 Sacred Heart Lane

Reisterstown, Maryland 21136

Watter HWelsh

cc: Mr. Lawrence Schmidt, Zoning Commissioner
Mr. T. Bryan McIntire, Councilman - 3rd District
Mr. C. A. Dutch Ruppersberger, County Executive
Mr. William Hughey, County Planner

JN-118.78

May 27, 1998

Mr. Steve Sirkin 307 Townleigh Road Reisterstown, Maryland 21136

Re: Dett/Chambers Property

Dear Mr. Sirkin:

We are writing you in regards to the developer's landscape plan for the Dett Property. As you are aware, we did not receive a copy of this plan nor did we receive notice of the meeting that was held at the developer's office of Mr. Sam Rothblum on May 4th. After contacting Mr. Robert Rosenfelt of Colbert, Matz, & Rosenfelt, Inc. we learned that you were instructed by them to distribute a copy of said landscape plan to all residents directly affected by this new subdivision.

Quite frankly, we were shocked and dismayed by your decision not to send us a copy of this landscape plan. You certainly have been aware of our interest in this matter from the onset. You were also aware that we have attended all the meetings concerning this new subdivision, - two of which were held at your house. We have had several discussions one on one with you concerning this situation.

In addition, you know as well as we that the proposed subdivision will have great impact upon us and our neighbors! The fact that there is a small narrow county parcel separating us from the Dett Property should not, in our opinion, prohibit us from being given the same consideration as others whose property directly adjoins the Dett Property. We are again sorry that you have decided otherwise. We might add that it is common knowledge that we have maintained this county parcel directly in back of us for the past 32 years. This should account for something.

We now are in possession of a copy of the landscape plan given to us by our neighbor, Mr. Walter Welsh. He too was surprised that we had not received the original.

Now, as to whether this landscape plan is acceptable to us is a good question. The best landscape for the Dett Property is the one that currently exists on said property. You are asking us to be happy going from total privacy provided by the now Dett Property to no privacy provided by the proposed landscape plan.

It seems to us that the developer could maybe best serve the community by adhering to the current zoning laws and possibly just putting houses on one side (preferably the east side) of the proposed road thereby enabling him to leave a buffer of existing trees along the west side of the property that adjoins or impacts existing homes.

If the developer feels that this would not be possible, then perhaps he could provide us with a plan that would give us the privacy that we have enjoyed for the past 32 years. We do not feel that the current proposed plan will accomplish this!

Sincerely yours,

Michael W. Hull

Joyce A. Hull

231 Sacred Heart Lane

Michael W Hull

byee a. Hull

Reisterstown, Maryland 21136

cc: Timothy Kotroco

Mry 28, 1998 MR STEVE SIRKIN 307 TOWN/EIGH ROAD REISTERSTOWN, MD. 21136 A Barrier To The State of the S Dana Ma Sirkin WITH REFERENCE to your letter of May 25, 1998 CONCERNING THE TRAPOSED landscaping of the Dett property, Please be advised as followso The entire Proposal for Development AS TOO MANY VARIANCES ARE REQUIRED to accompatate a number of Duellings in excess of existing Zoning Codeso Specifically the proposed SHRUBBERY IN/IEU of A FEUCE boxDezing our proporty is unaccuplat Kasper fully 233 SICRED HEART LAN

DEGET VED 5/25/98 08.316/A
MAY 27 1998 M. Hotroco, I've sent the enclosed note to the individuals whose property directly adjoins the Det Chamber property. Triday I spok with Joyce Hull who had not received a copy of the (MR lands coping proposal. The had the material because her neighbor should with her. While she was still upset with developers she had made no effort to contact them or me regarding her concern(s) I have sent her a copy of the enclosed letter and will show her my enlarged copy of the landscape plan. By the way, I only received one call from the original CMR mailing and that was from Michelle Kanter. Jim Wist and Phil Huppan visited M. Rothboom's office to discuss the landscape proposal. The than that there were no negative calls and my immediate neighbour were positive. I will be in town in about a week regarding the responses) to the latest letter.

Steve Sirkin 307 Townleigh Road Reisterstown, Maryland 21136-1417 410-526-4186

May 25, 1998

Neighbory.

Several weeks ago those of you with property directly adjoining the Dett Chambers property were sent a mailing from Colbert, Matz, Rosenfelt, Inc. which included a map of their proposed landscape plan. Based on that letter, you should have been in contact with them or me, regarding your suggestions for the proposal. I know several individuals visited their office on May 4th.

They have updated the proposal and are preparing to submit it to Timothy Kotroco at the Planning Office. Mr. Kotroco has requested a letter from the community, to indicate its support for this landscape plan, before he would go forward with acting on the earlier request by the developers for a zoning variance.

Friday I was contacted by CMR requesting that I draft such a letter for the community. They indicated they would be sending me a copy of the updated proposal which I expect to receive in the next day or so:

I would like to respond to Mr. Kotroco by June 4th. If you were satisfied with the original plan, while I would appreciate your giving me a call to confirm that view, I will consider no response as a positive one. If you would like to review the latest proposal, I expect to be available Thursday night from 7:30 p.m. for anyone who wishes to drop by my home and review it. If you have a concern, and/or cannot come by at that time, please contact me as soon as possible. My letter to Mr. Kotroco will reflect the total response.

Finally, regarding the next step(s) in the development process. There will be a Special Hearing on June 4th at 9 a.m. in Room 407 of the County Courts Building "to approve a waiver from public works standards to permit a road right of way of 40 feet in lieu of the required 50 feet and a waiver of the requirement to extend Townleigh Road through the Dett Chambers Property in order to connect with Glyndon Road:" There will be community input meetings, probably at Glyndon Elementary, at some future date to discuss the finalized proposal for the Dett Chambers Property.

I look forward to hearing from you and accurately reflecting the views of our community regarding the landscaping plan and the development of the Dett Chambers property.

Sincerely,

Jun ,

Neighbors: This Is An important Not Regarding The Proposed Landscape Plan For The Dett-Chambers Properties

Neighbors of Townleigh Road & Village Vale Court

Stephen H. Sirkin, Spokesperson 307 Townleigh Road Reisterstown, Maryland 21136-1417 410-526-4186 (H) 410-887-3518 (W) 410-746-6197 (Cellular)

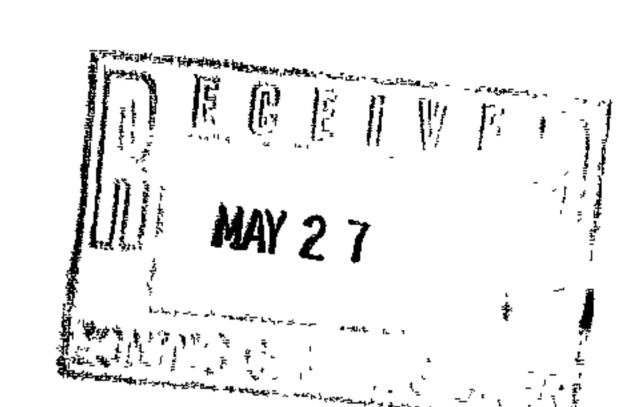
May 20, 1998

Mr. Lawrence Schmidt

Baltimore County Zoning Commissioner 401 Bosley Avenue

Towson, Maryland 21204

Dear Mr. Schmidt,



We, the neighbors of the Townleigh Road and Village Vale Court community, would like to express our appreciation to those people in county offices and on the developers staff who have aided our community in working toward a suitable and acceptable plan for the Chambers/Dett property development in our community.

The attached proposal map depicts that plan that best addresses our concerns. A major issue was the possible cut-through of Township. This would have had a disastrous impact on our small community since we have a large number of pre-school and grade school children who play in the area from home to home and regularly cross over the street and the court.

> A second factor for retaining our existing road pattern is that of property protection and safety. It is a known fact in law enforcement circles that undesirable elements avoid "no outlet" and cul-de-sac areas. We wish to continue avoiding the problems that would be inherent with a through street.

Our concern over visual impact on properties directly

adjoining the area to be developed have been handled by the Zoning Board and the C-M-R, Inc. people at a previous meeting. The developers are to replant the boundary line with adequate trees and shrubs, especially reflecting concerns expressed by families living on those boundaries. This is to be detailed to the Zoning Office.

We look forward to your support for the points outlined and the proposal that has been developed.

Sincerely,

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c: County Executive "Dutch" Ruppersburger Delegate Michael Finister Councilman T. Bryan McIntire Bill Huey, Office of County Planning Timothy Kotroco, Deputy Zoning Commissioner Bob Olsen, Office of Public Works Delegate Michael Finister Delegate Bob Frank Delegate Dan Morhaim Senator Paula Hollinger	

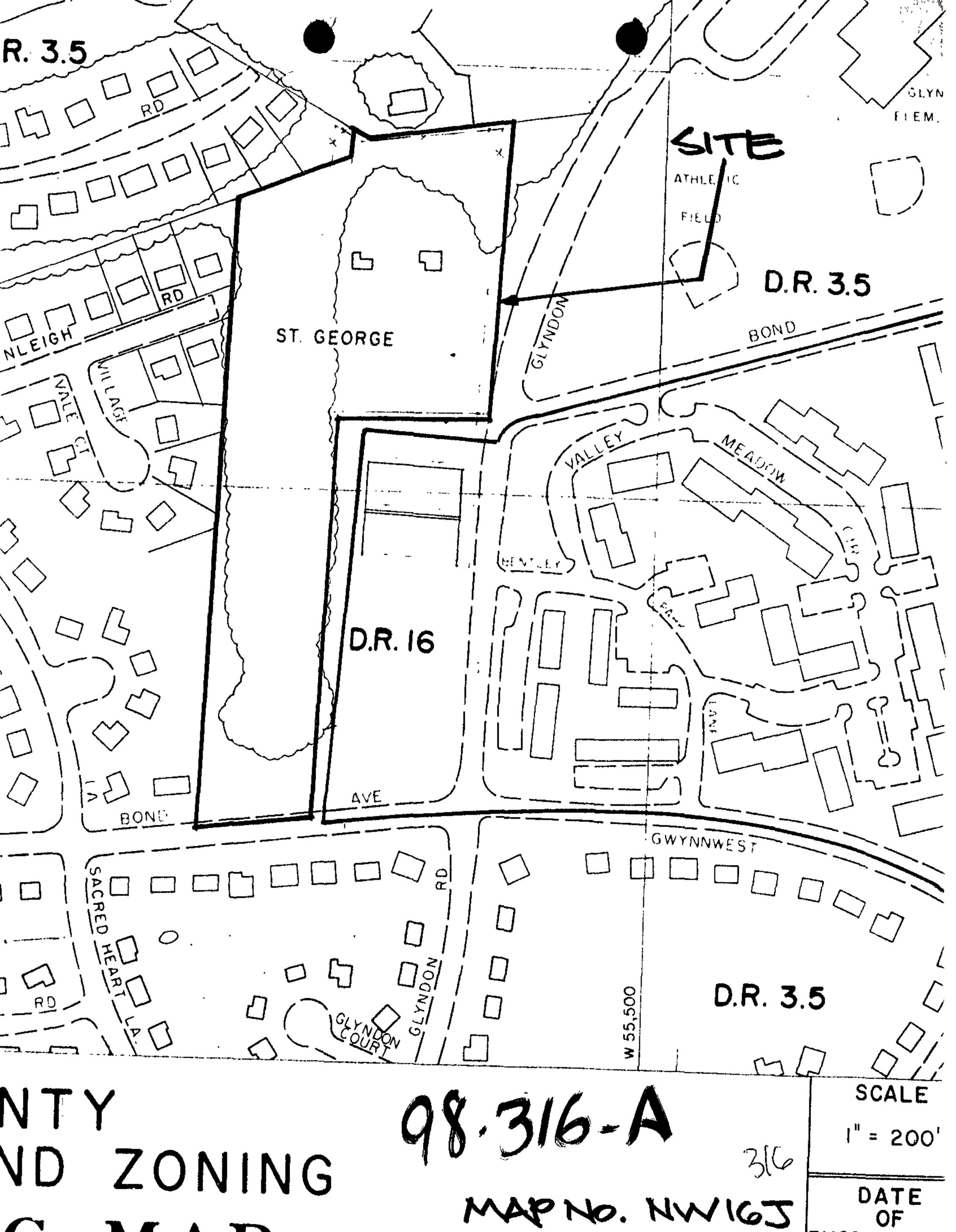
R.S. Rosenfelt, Colbert-Matz-Rosenfelt, Inc.

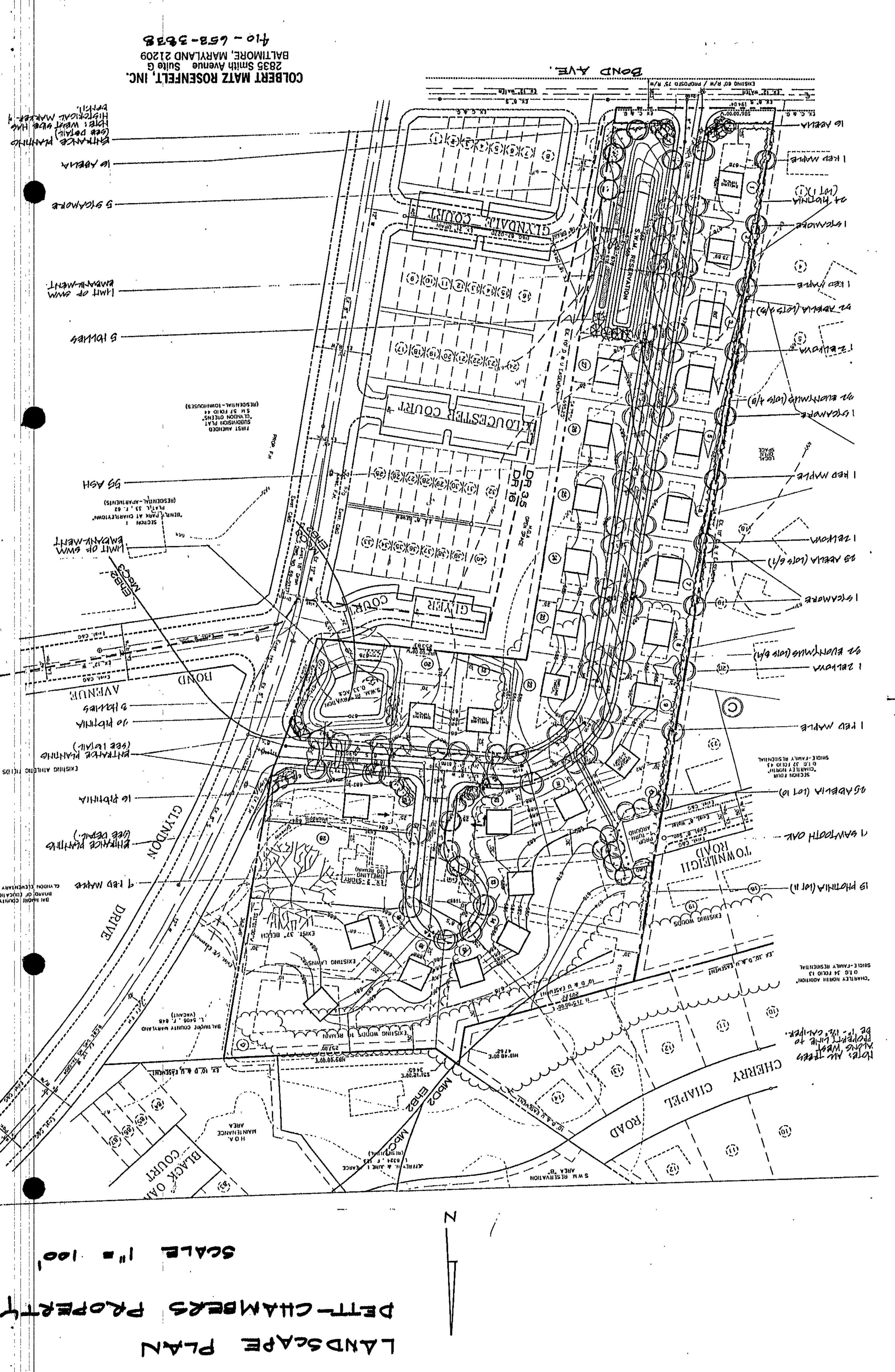
Caren B. Shillman, Legislative Aid for Councilman McIntire

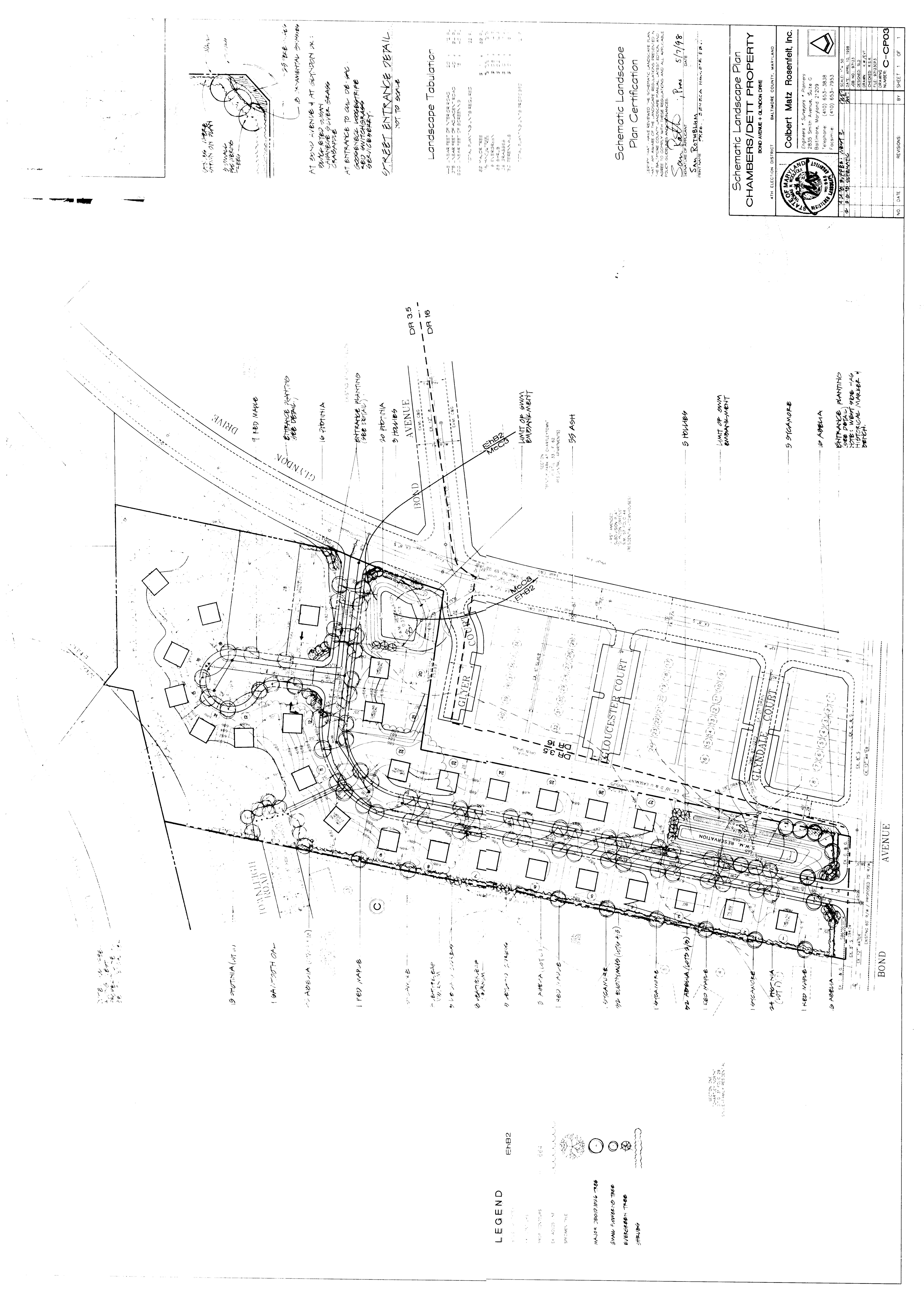
Paula Houck, County Executive's Office

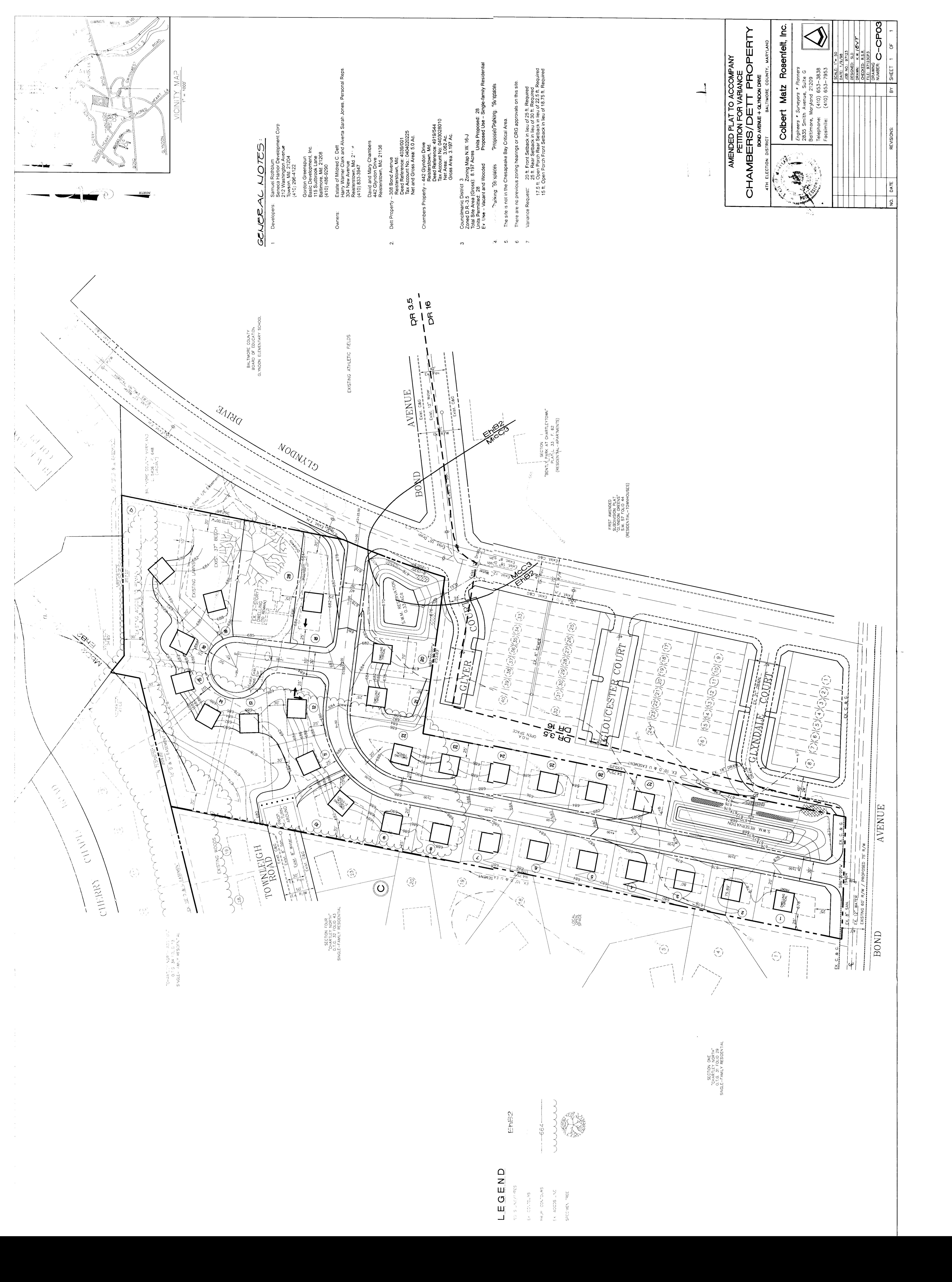
CITIZEN SIGN-IN SHEET

NAME	ADDRESS
M. Col Stephen Sirkin	307 Town kigh Rd 2/136-1417
NAKMAS MichAE / W Hull	231 Snopped Honet LA 21136
X-XNRIMES WALTER D WELSA	233 SACRED HEART LA 21136
SAM Rothblum	100 Stonehurst Rol 21131
Christopher Havell	212 Washryton Ave 21204
MRSMRS LAWRENCE R Kelly	304 Town Leich Rd 21136
MR+ MRs Robotc Caulfield	315 Town leigh Rd 2117C
MV + MS MEVIN E. Lors	314 Townleigh Rd 21136
MR & Mrs. J. Philip Hupp MANN	1 VILLAGE VOIE 05. 21/36
DENNIS SKRAKOWSKI	312 TOWNLE164.RD. 21136
MARGARET SKRAKOWSKI	312 TOWNLEIGH RD 21136
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Home: 307 Townleigh Road 8 01 La Salle Road Reisterstown, Maryland 2 [138] Baltimore, Maryland 2 1286	
Relateratown, Maryland 21136 Baltimore, Maryland 21286 (410) 526-4186 (410) 746-6197 (Cellular)	
(410) 746 6197 (Cellular) E-Mail: SteveJew@aol.com	









PETITIONER(S) SIGN-IN SHEET

	NAME	ADDRESS
	John Philip Huppmanny	1 VIllagie Vale CJ. Rei Jen John 21136
	JOAN RUN HUPPMANN	1 SILAGEDALE CT. REISTERSTOWN 21136
	DENNIS EKRAKOWSKI	312 TOWNLEIGH RD. REISTERS TOWN 21136
	MARGARET JKRAKOWSKI	3/2 TOWNLEIGH RD REIST, MD 001134
	Judy Bosley	305 Townleigh Rd REDST MD 21139
	Richard Bosley	305 Townleigh Rol Reist. MD 21136
	Joette Stinnett	401 6/11/01 DRes DmD 2)36
of the	Thomas Stimett	404 Gyndon Re Peistisbun 118.21136
mrck-	DAVID CHAMBERS	412 GLYNDON DR REISTERSTOUNIND 21136
	Robert Roenfelt	Colbert Mat & Rosenfe & BN. 21209
	RICHARD E. MATZ	COURSERT MATEROSENFELT, INC. 21209
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