

IN RE: PETITION FOR VARIANCE * BEFORE THE DEPUTY
 Kelox Road and Gwynndale Avenue * ZONING COMMISSIONER
 2nd Election District * OF BALTIMORE COUNTY
 2nd Councilmanic District * Case No.: 98-399-A
 Kelox West, LLC, * *
 Property Owner, * *

* * * * *

AMENDED ORDER

On June 17, 1998, the Deputy Zoning Commissioner entered his Findings of Fact and Conclusions of Law setting out the variances granted in the above-referenced case. Certain relief, however, was inadvertently omitted from that Order. This Amended Order should serve to include relief that was requested and granted at the hearing, but omitted inadvertently from the Order. This Amended Order incorporates by reference all provisions of the original Order relating to the facts and law as if set forth in their entirety in this Amended Order.

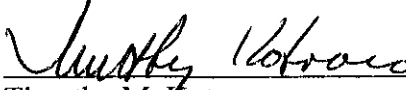
IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of June, 1998, that the Petition for Variance, seeking relief from the following:

Variance from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Comprehensive Manual of Development Policies ("C.M.D.P.") Section V.B.3, pursuant to B.C.Z.R. Section 504, to permit 15 ft. building to adjoining lot garage separation in lieu of the required 30 ft. for building heights between 25 ft. and 30 ft.; to permit 15 ft. building to building separation in lieu of the required 30 ft. for building

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heights between 25 ft. and 30 ft.; to permit 15 ft. garage to adjoining lot garage separation in lieu of the required 16 ft. for building heights between 0 ft. and 20 ft. for Lots 99-103; Variance from Section B.C.Z.R. 1B01.2.C.2.A and C.M.D.P. Section V.B.5.A, pursuant to B.C.Z.R. Section 504, to permit window to tract boundary separations of 15 ft. in lieu of the required 35 ft. for Lots 102 and 103; Variance from B.C.Z.R. Section 1B01.2.C.2.B and C.M.D.P. Section V.B.6.C, pursuant to B.C.Z.R. Section 504, to permit window to window separations of 15 ft. in lieu of the required 40 ft. for Lots 99-103; Variance from B.C.Z.R. Section 1B01.2.C.6 and C.M.D.P. Section V.B.5.B, pursuant to B.C.Z.R. Section 504, to permit a building to tract boundary setback of 15 ft. in lieu of the required 30 ft. for Lots 102 and 103; Variance from C.M.D.P. Section V.B.8, pursuant to B.C.Z.R. Section 504, to permit a 22 ft. front street right-of-way setback for Lots 99-103; Variance from B.C.Z.R. Section 301.1.A to allow the 25% extension into the varianced setbacks in lieu of the required setbacks for Lots 99-103, be and hereby is GRANTED, subject to the following restrictions:

- 1) The homes to be constructed on the subject property shall be in substantial conformity with the sizes and styles of homes described in Petitioner's Exhibit 2; and
- 2) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



Timothy M. Kotroco,
Deputy Zoning Commissioner for
Baltimore County

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B.C.Z.R. Section 504, to permit a building separation of 20 ft. in lieu of the required 30 ft. for building heights between 25 ft. and 30 ft. for Lots 16-48, 50-61, 80-87, and 90-97; Variance from B.C.Z.R. Section 1B01.2.C.2.4 and C.M.D.P. Section V.B.5.A, pursuant to B.C.Z.R. Section 504, to permit window to tract boundary separations of 30 ft. in lieu of the required 35 ft. for Lots 15-18; Variance from Section B.C.Z.R. 1B01.2.C.2.A and C.M.D.P. Section V.B.5.A, pursuant to B.C.Z.R. Section 504, to permit window to tract boundary separations of 20 ft. in lieu of the required 35 ft. for Lots 19 - 48; Variance from B.C.Z.R. Section 1B01.2.C.2.B and C.M.D.P. Section V.B.6.C, pursuant to B.C.Z.R. Section 504, to permit window to window separations of 15 ft. in lieu of the required 40 ft. for Lots 1-15, 64-73, and 98; Variance from B.C.Z.R. Section 1B01.2.C.2.B and C.M.D.P. Section V.B.6.C, pursuant to B.C.Z.R. Section 504, to permit window to window separations of 20 ft. in lieu of the required 40 ft. for Lots 16-48, 50-61, 80-87, and 90-97; Variance from C.M.D.P. Section V.B.6.B, pursuant to Section 504 B.C.Z.R., to permit window to property line separations of 7.5 ft. in lieu of the required 15 ft. for Lots 1-14, and 65-72; Variance from C.M.D.P. Section V.B.6.B, pursuant to B.C.Z.R. Section 504, to permit window to property line separations of 10 ft. in lieu of the required 15 ft. for Lots 15-64 and 73-98; Variance from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a side window to street right-of-way setback of 10 ft. in lieu of the required 25 ft. for Lots 11, 71, 79, and 88; Variance from B.C.Z.R. Section 1B01.2.C.6 and C.M.D.P. Section V.B.5.B, pursuant to B.C.Z.R. Section 504, to permit a building to tract boundary setback of 20 ft. in lieu of the required 30 ft. for Lots

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19-48; Variance from C.M.D.P. Section V.B.8, pursuant to B.C.Z.R. Section 504, to permit a 22 ft. front street right-of-way setback for Lots 1-98; Variance from B.C.Z.R. Section 1B01.2.C and C.M.D.P. Section V.B.5, pursuant to B.C.Z.R. Section 504, to permit a rear window to property line setback of 10 ft. in lieu of the required 15 ft. for Lots 79-88; Variance from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a rear window to street right-of-way setback of 15 ft. in lieu of the required 25 ft. for Lot 87; Variance from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a rear window to street right-of-way setback of 10 ft. in lieu of the required 25 ft. for Lot 88; Variance from B.C.Z.R. Section 301.1.A to allow the 25% extension into the varianced setbacks in lieu of the required setbacks for Lots 1-98; and, to amend the approved Final Development Plan to permit building setbacks of 15 ft. to open space and stormwater management in lieu of the required 35 ft. for Lots 1-14. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

At the hearing before the Zoning Commissioner, Robert A. Hoffman, Esquire appeared as the attorney for the Petitioner. Also appearing on behalf of the Petitioner were Cynthia McAuliffe and Don Travers of Grayson; Richard Matz of Colbert, Matz, Rosenfelt, Inc., the engineering firm that prepared the site plan for this project; and Wayne Caples of Koren Development Company, consultant on this project. There were no Protestants present.

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The testimony and evidence offered by the Petitioner revealed that the subject site consists of a gross area of 18.8929 acres, zoned D.R.5.5. The property is located on the southwest side of Gwynndale Road, south of Kelox Road and north of Flannery Lane in Woodlawn. The Petitioner proposes to construct 27 single-family detached homes and 76 single-family semi-detached homes on this site.

Testimony indicated that, prior to purchase by Kelox and Grayson, the property had been subdivided for development, and plats for the lots had been recorded. Grading permits had been issued, and a portion of the property had, in fact, been graded in preparation for development. The prior owner had also designed and completed utility drawings for the site. Prior to actual construction, though, the project was brought to a halt as it was determined that the proposed product was not marketable. The property was purchased in this condition by Kelox and Grayson.

The single-family detached homes and single-family semi-detached homes that Grayson proposes to construct, as described in an exhibit submitted at the hearing as Exhibit 2, will not fit on the lots as developed by the prior owner without violating the setback restrictions contained in the Baltimore County Zoning Regulations and the Comprehensive Manual of Development Policies. Therefore, in order to utilize this site for the proposed construction, Grayson requires certain variances, as outlined earlier in this order.

Section 307.1 of the Baltimore County Zoning Regulations outlines a two-step process for the granting of variances. That two-step process was discussed by the Court

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of Special Appeals in Cromwell v. Ward, 102 Md. App. 691 (1995). In that opinion, the Court interpreted the Baltimore County Zoning Regulations to require the applicant to establish the following:

First, the Petitioner must prove, and the Zoning Commissioner must find, that the “property whereon structures are to be placed (or uses conducted) is -- in and of itself -- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property.”

I find from the testimony and evidence presented in this case that the subject property is unique, unusual, and different from properties surrounding the subject site so as to cause the relevant setback requirements to impact disproportionately upon this particular parcel of land. As indicated above, the property is unique in that it had been subdivided prior to purchase by Grayson, and the lots had already been recorded. Certain grading had been completed, and the utilities had been designed and approved. Therefore, Grayson was left without the ability to create lots that would suit the product it was seeking to construct and sell. Rather, Grayson had to work with the unique features of this property as existed at the time of sale to the Petitioner and make its products fit within a scheme developed by the prior owner for use with a lesser product. Based upon this evidence, therefore, I find that Grayson satisfied the “first step” of showing uniqueness relating to the property.

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Having satisfied this “first step,” the Petitioner must proceed to the “second step” of this variance process, which is to demonstrate that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guideline set forth in B.C.Z.R. Section 307.1 has been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings & Loan Assoc. v. Buschman, 227 Md. 243 (1961), the Court of Appeals considered the identical regulation. As the Court noted: “Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive.” Id. at 248-250. Thus, by the use of the term “or,” Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard. The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, 22 Md. App. 28 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. Id. at 40-41.

Compared with this burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions, and would not affect the property’s use. The

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Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser standard of practical difficulty applies. The prongs of that standard which must be satisfied by the Petitioner are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonable prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; 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, 22 Md. App. at 39. See also McLean v. Soley, 270 Md. 208, 214-215 (1973).

I find that, based on the testimony and evidence provided at the hearing before me, the Petitioner has, in fact, proven the practical difficulty standards as set forth above and that the variances requested should be granted. Grayson has demonstrated that requiring it to comply with B.C.Z.R. Section 1B01.2.C, C.M.D.P. Section V.B, and related provisions would be unnecessarily burdensome. Without the requested variances, Grayson would be unable to develop a marketable product on the site. Additionally, I find that the granting of these variances will do substantial justice to the Petitioner, the neighboring property owners, and others. The evidence confirms that there will be no adverse impact from the variances. I further find that the grant of these variances is

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consistent with the spirit of the ordinance and is accomplished without injury to the public health, safety, or general welfare.

Pursuant to the advertising, posting of the property, and public hearing on this Petition, and for the reasons set forth above, the variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of June, 1998, that the *Petition for Variance*, seeking relief from the following: Variance from Section 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Comprehensive Manual of Development Policies ("C.M.D.P.") Section V.B.3, pursuant to B.C.Z.R. Section 504, to permit 15 ft. building to adjoining lot garage separation in lieu of the required 30 ft. for building heights between 25 ft. and 30 ft.; to permit 15 ft. building to building separation in lieu of the required 30 ft. for building heights between 25 ft. and 30 ft.; to permit 15 ft. garage to adjoining lot garage separation in lieu of the required 16 ft. for building heights between 0 ft. and 20 ft. for Lots 1-15, 64-73 and 98; Variance from B.C.Z.R. Section 1B01.2.C.1 and C.M.D.P. Section V.B.3, pursuant to B.C.Z.R. Section 504, to permit a building separation of 20 ft. in lieu of the required 30 ft. for building heights between 25 ft. and 30 ft. for Lots 16-48, 50-61, 80-87, and 90-97; Variance from B.C.Z.R. Section 1B01.2.C.2.4 and C.M.D.P. Section V.B.5.A, pursuant to B.C.Z.R. Section 504, to permit window to tract boundary separations of 30 ft. in lieu of the required 35 ft. for Lots 15-18; Variance from Section B.C.Z.R. 1B01.2.C.2.A and C.M.D.P. Section V.B.5.A, pursuant to B.C.Z.R. Section 504, to permit window to tract boundary separations of 20


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ft. in lieu of the required 35 ft. for Lots 19 - 48; Variance from B.C.Z.R. Section 1B01.2.C.2.B and C.M.D.P. Section V.B.6.C, pursuant to B.C.Z.R. Section 504, to permit window to window separations of 15 ft. in lieu of the required 40 ft. for Lots 1-15, 64-73, and 98; Variance from B.C.Z.R. Section 1B01.2.C.2.B and C.M.D.P. Section V.B.6.C, pursuant to B.C.Z.R. Section 504, to permit window to window separations of 20 ft. in lieu of the required 40 ft. for Lots 16-48, 50-61, 80-87, and 90-97; Variance from C.M.D.P. Section V.B.6.B, pursuant to Section 504 B.C.Z.R., to permit window to property line separations of 7.5 ft. in lieu of the required 15 ft. for Lots 1-14, and 65-72; Variance from C.M.D.P. Section V.B.6.B, pursuant to B.C.Z.R. Section 504, to permit window to property line separations of 10 ft. in lieu of the required 15 ft. for Lots 15-64 and 73-98; Variance from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a side window to street right-of-way setback of 10 ft. in lieu of the required 25 ft. for Lots 11, 71, 79, and 88; Variance from B.C.Z.R. Section 1B01.2.C.6 and C.M.D.P. Section V.B.5.B, pursuant to B.C.Z.R. Section 504, to permit a building to tract boundary setback of 20 ft. in lieu of the required 30 ft. for Lots 19-48; Variance from C.M.D.P. Section V.B.8, pursuant to B.C.Z.R. Section 504, to permit a 22 ft. front street right-of-way setback for Lots 1-98; Variance from B.C.Z.R. Section 1B01.2.C and C.M.D.P. Section V.B.5, pursuant to B.C.Z.R. Section 504, to permit a rear window to property line setback of 10 ft. in lieu of the required 15 ft. for Lots 79-88; Variance from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a rear window to street right-of-way setback of 15 ft. in lieu of the required 25 ft. for Lot 87; Variance

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from C.M.D.P. Section V.B.6.A, pursuant to B.C.Z.R. Section 504, to permit a rear window to street right-of-way setback of 10 ft. in lieu of the required 25 ft. for Lot 88; Variance from B.C.Z.R. Section 301.1.A to allow the 25% extension into the varianced setbacks in lieu of the required setbacks for Lots 1-98; and, to amend the approved Final Development Plan to permit building setbacks of 15 ft. to open space and stormwater management in lieu of the required 35 ft. for Lots 1-14, be and hereby is GRANTED, subject to the following restrictions:

- 1) The homes to be constructed on the subject property shall be in substantial conformity with the sizes and styles of homes described in Petitioner's Exhibit 2; and
- 2) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



Timothy M. Kotroco,
Deputy Zoning Commissioner for
Baltimore County

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DATE 6/19/15
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

June 17, 1998

Patricia Malone, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE (Kelox West)
SE/S Kelox Road, 166' NE of the c/l Gwynndale Avenue
2nd Election District - 2nd Councilmanic District
Kelox West, LLC, et al - Petitioners
Case No. 98-399-A

Dear Ms. Malone:

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,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Kelox West, LLC, Otis Warren of Maryland, Inc.
10 S. Howard Street, Baltimore, Md. 21201

Mr. David E. Forester, V.P., Rouse Investing Co.
10275 Little Patuxent Parkway, Columbia Md. 21044

Mr. Don Travers, Grayson Homes at Gwynndale Manor, LLC
9025 Chevrolet Drive, Suite K, Ellicott City, Md. 21042

Mr. Richard E. Matz, Colbert Matz Rosenfelt, Inc.
2835-G Smith Avenue, Baltimore, Md. 21209

People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Kelox Road & Gwynndale Avenue

which is presently zoned DR 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, hereby petition for a Variance from Section(s)

(See attached list.)

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: Don Travers
Grayson Homes at Gwynndale Manor, LLC

(Type or Print Name)

Signature

9025 Chevrolet Drive, Ste. K

Address

Ellicott City MD 21042

City State Zipcode

Attorney for Petitioner

Patricia Malone, Esq.

(Type or Print Name)

Signature

Venable, Baetjer & Howard
210 Allegheny Ave. 410-494-6262

Address Phone No.

Towson MD 21204

City State Zipcode

Legal Owner(s): Kelox West, L.L.C.*
Otis Warren of Maryland, Inc. (Gen'l. Ptnr.)

(Type or Print Name)

Signature

Rouse Investing Company*
David E. Forester, V.P.

(Type or Print Name)

Signature

*10 S. Howard St. 410-539-1010
Baltimore MD 21201

Address Phone No.

**10275 Little Patuxent Pkwy.
Columbia MD 21044 410-992-6000

City State Zipcode

Name, Address and phone number of representative to be contacted.
Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.

Name

2835 G Smith Avenue 410-653-3838

Address Phone No.

Baltimore MD 21209

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

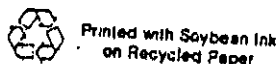
ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

98-399-A

**DROP OFF
NO REVIEW**

**4/22/98
401**



Printed with Soybean Ink on Recycled Paper



KELOX WEST

Lots	Variances Requested															
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1-10	X				X		X				X				X	X
11	X				X		X		X		X				X	X
13-14	X				X		X				X				X	X
15	X		X		X			X			X					X
16-18		X	X			X		X			X					X
19-48		X		X		X		X		X	X					X
49								X			X					X
50-61		X				X		X			X					X
62-63								X			X					X
64	X				X			X			X					X
65-70	X				X		X				X					X
71	X				X		X		X		X					X
72	X				X		X				X					X
73	X				X			X			X					X
74-78								X			X					X
79								X	X		X	X				X
80-86		X				X		X			X	X				X
87		X				X		X			X	X	X			X
88								X	X		X	X		X		X
89								X			X					X
90-97		X				X		X			X					X
98	X				X			X			X					X

Listing of Variances requested:

- A. Section 1B01.2.c.1 B.C.Z.R and CMAP Section V.B. 3 pursuant to Section 504 B.C.Z.R. for building separations as follows:
 - 1. Buildings to adjoining lot garage: 15' separation in lieu of the required 30' for building heights between 25' and 30'
 - 2. Building to building: 15' separation in lieu of the required 30' for building heights between 25' and 30'
 - 3. Garage to adjoining lot garage: 15' separation in lieu of the required 16' for building heights between 0' and 20'

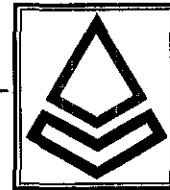
- B. Section 1B01.2.C.1 B.C.Z.R and CMAP Section V.B.3. pursuant to Section 504 B.C.Z.R. to permit a building, separation of 20' in lieu of the required 30' for building heights between 25' and 30'

- C. Section 1B01.2.C.2.4 B.C.Z.R and CMAP Section V.B.5.a pursuant to Section 504 B.C.Z.R. to permit window to tract boundary separations of 30' in lieu of the required 35'

- D. Section 1B01.2.C.2.a B.C.Z.R and CMDP Section V.B.5.a pursuant to Section 504 B.C.Z.R to permit window to tract boundary separations of 20' in lieu of the required 35'
- E. Section 1.B01.2.c.2.b B.C.Z.R. and CMDP Section V.B.6.C. pursuant to Section 504 B.C.Z.R. to permit window to window separations of 15' in lieu of the required 40'
- F. Section 1.B01.2.c.2.b B.C.Z.R. and CMDP Section V.B.6.C. pursuant to Section 504 B.C.Z.R. to permit window to window separations of 20' in lieu of the required 40'
- G. CMDP Section V.B.6.b. pursuant to Section 504 B.C.Z.R. to permit window to property line separations of 7.5' in lieu of the required 15'
- H. CMDP Section V.B.6.b. pursuant to Section 504 B.C.Z.R. to permit window to property line separations of 10' in lieu of the required 15'
- I. CMDP Section V.B.6.a. pursuant to Section 504 B.C.Z.R. to permit a side window to street right-of-way setback of 10' in lieu of the required 25'
- J. Section 1B01.2.C.6 B.C.Z.R and CMDP Section V.B.5.b pursuant to Section 504 B.C.Z.R. to permit a building to tract boundary setback of 20' in lieu of the required 30'
- K. CMDP Section V.B.8 pursuant to Section 504 B.C.Z.R to permit a 22' front street right-of-way setback
- L. Section 1.B01.2.C. B.C.Z.R. and CMDP Section V.B.5. pursuant to Section 504 B.C.Z.R to permit a rear window to property line setback of 10' in lieu of the required 15'
- M. CMDP Section V.B.6.a pursuant to Section 504 B.C.Z.R to permit a rear window to street right-of-way setback of 15' in lieu of the required 25'
- N. CMDP Section V.B.6.a pursuant to Section 504 B.C.Z.R to permit a rear window to street right-of-way setback of 10' in lieu of the required 25'
- O. To amend the approved Final Development Plan to permit building setbacks of 15' to open space and stormwater management in lieu of 35'
- P. Section 301.1.a to allow the 25% extension into the variances setbacks in lieu of the required setbacks.

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



KELOX WEST ZONING DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHEASTERLY SIDE OF KELOX ROAD, WHICH IS 60 FEET WIDE, AT A DISTANCE OF 166 FEET NORTHEAST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, GWYNNDALE AVENUE, WHICH IS 70 FEET WIDE. BEING ALL THE LOTS IN THE SUBDIVISION OF KELOX WEST, AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. S.M.63 FOLIO NO. 017, CONTAINING 18.8929 ACRES, LOCATED IN THE SECOND ELECTION DISTRICT.

J:\96148DES.DOC

Robert P. Matz
PROFESSIONAL ENGINEER
STATE OF MARYLAND
11/15/98

98-399-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 21, 19 98

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 21, 19 98.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

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: #88-398-A
SW end Plannery Lane, NW
Gwynndale Avenue, E/S
Woodlawn Cemetery - Kelox
West
2nd Election District
2nd Councilmanic District
Legal Owner(s): Kelox West,
LLC & Rouse Investing Com-
pany
Contract Purchaser: Grayson
Homes at Gwynndale Manor,
LLC

Setback Variances: to per-
mit building to building, win-
dow to tract boundary,
window to window, window to
property line, window to street
right-of-way, building to tract
boundary, and to allow 25%
open projections into vari-
anced setbacks in lieu of the
required setbacks (Section
301.1, BCZR) for Lots 1-98.
Hearing: Monday, June 8,
1998 at 2:00 p.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) 887-3301.

5/273 May 21 0230107

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

No. **048728**

DATE 4/22/98 ACCOUNT 001-6150

AMOUNT \$ 650.00 (WCR)

RECEIVED FROM: Grayson Homes, Inc.

FOR: #070 - MAXIMUM FILING FEE

Kelox West ITEM #399

Drop-Off - No Review CASE ##98-399-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
4/24/1998	4/23/1998	11:40:08
RF 5 MS01	CASHIER CLUN CM, DRAWER	1
5	MISCELLANEOUS CASH RECEIPT	
Receipt #	046821	OFFN
CH NO.	048728	

650.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

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:

ITEM 399

ZONING NOTICE

Case No.: 98-399-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SETBACK VARIANCES TO PERMIT BUILDING TO
BUILDING WINDOW TO TRACT BOUNDARY, WINDOW TO
WINDOW, WINDOW TO PROPERTY LINE, WINDOW TO
STREET RIGHT-OF-WAY, BUILDING TO TRACT
BOUNDARY, AND TO ALLOW 25% OPEN PROJECTIONS

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: Don Travers, Grayson Homes at Gwynndale Manor

Address or Location: ~~9025 Chevrolet Drive, Ste K~~ Belox Rd. x
~~Ellicott City, Md 21042~~ Gwynndale Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Don Travers, Grayson Homes at Gwynndale Manor

Address: 9025 Chevrolet Drive, Ste K.
Ellicott City, Md. 21042

Telephone Number: _____

Revised 2/20/98 - SCJ

98-399-A

TO: PATUXENT PUBLISHING COMPANY
May 21, 1998 Issue - Jeffersonian

Please forward billing to:

Don Travers
Grayson Homes at Gwynndale Manor
9025 Chevrolet Drive
Suite K
Ellicott City, MD 21042

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: 98-399-A


SW/end Flannery Lane, NW Gwynndale Avenue, E/S Woodlawn Cemetery -- Kelox West
2nd Election District - 2nd Councilmanic District

Legal Owner: Kelox West, LLC & Rouse Investing Company

Contract Purchaser: Grayson Homes at Gwynndale Manor, LLC

Setback Variances to permit building to building, window to tract boundary, window to window, window to property line, window to street right-of-way, building to tract boundary, and to allow 25% open projections into varianced setbacks in lieu of the required setbacks (Section 301.1, BCZR) for Lots 1-98.

HEARING: Monday, June 8, 1998 at 2:00 p.m. in Room 407, County Courts Building,
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 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

May 4, 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: 98-399-A

SW/end Flannery Lane, NW Gwynndale Avenue, E/S Woodlawn Cemetery -- Kelox West
2nd Election District - 2nd Councilmanic District

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HEARING: Monday, June 8, 1998 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue


Arnold Jablon
Director

c: Patricia Malone, Esquire
Colbert Matz Rosenfelt, Inc.
Kelox West, LLC
Rouse Investing Company
Grayson Homes at Gwynndale Manor, LLC

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 24, 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.



RE: PETITION FOR VARIANCE
Kelox West, SW end Flannery Lane, NW Gwynndale
Ave, E/S Woodlawn Cemetary, 2nd Election District,
2nd Councilmanic

Legal Owners: Kelox West, LLC and Rouse
Investing Co.
Contract Purchaser: Grayson Homes at Gwynndale
Manor, LLC

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: 98-399-A

Petitioner(s)
* * * * *

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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Patricia Malone, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, P.O. Box 5517, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING

X

RE: Case No. 98-399-A

Petitioner/Developer GRAYSON HOMES, ETAL
% DICK MATZ

Date of Hearing/Closing. 6/8/98
2:00 PM
RM-407
CCB

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 TWO ONSITE LOCATIONS
END FLANNERY LA. & END KELOX RD.

The sign(s) were posted on 5/20/98
(Month, Day, Year)

Sincerely,

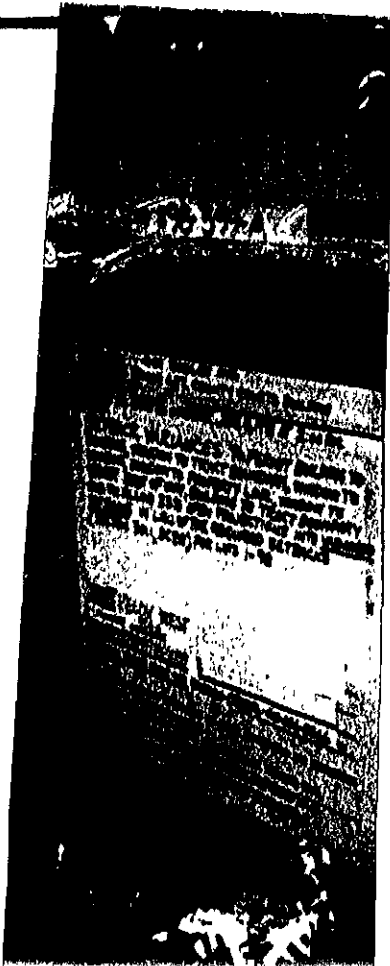
Patrick M. O'Keefe 5/31/98
(Signature of Sign Poster and Date)

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)





Baltimore County
Department of Permits and
Development Management

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

May 20, 1998

Patricia Malone, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Item Number: 399
Case Number: 98-399-A
Petitioner: Kelox West, L.L.C.

Dear Ms. Malone:

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 April 22, 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 Gwen Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR:rye

Enclosures



Due Date: May 11, 1998

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBs/98*
SUBJECT: Zoning Item #399

Kelox West

Zoning Advisory Committee Meeting of May 4, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X Please note that impacts to wetlands will also require State and Federal approvals.



Baltimore County
Department of Permits and
Development Management

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

June 3, 1998

Patricia Malone, Esq.
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 399
Case No.: 98-399-A
Petitioner: Kelox West, LLC
Location: Kelox Road and
Gwynndale Avenue

Dear Ms. Malone:

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 April 22, 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,

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



*Jim
6/8*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 11, 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. 399

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**

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 5-1-94
Item No. 399 WCR

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

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

May 7, 1998

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

RE: Property Owner: KELOX WEST, L.L.C.

Location: DISTRIBUTION MEETING OF MAY 4, 1998

Item No.: 399 Zoning Agenda:

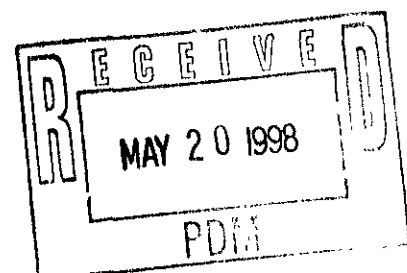
Gentlemen:

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

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

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: May 11, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
for May 11, 1998
Item Nos. 394, 396, 397, 398, 399,
400, 401, 402, and 403

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

RWB:HJO:jrb

cc: File



Baltimore County
Department of Permits and
Development Management

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

April 23, 1998

Patricia Malone, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Drop-Off Petition (Item #399)
Kelox West
2nd Election District

Dear Ms. Malone:

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

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures



GWYNN OAK IMPROVEMENT ASSOCIATION
2415 Poplar Drive
Baltimore, Maryland 21207

June 8, 1998

Zoning Commissioner
Towson, Md. 21204

Re: Case Number 98-399-A
Property Owned by Kelox West, L.L.C. and Rouse Investing Co.
Contract Purchaser: Grayson Homes at Gwynndale Manor LLC

Dear Zoning Commissioner,

The Gwynn Oak Improvement Association supports the request for Setback Variances to build homes described to community members on May 19, 1998. The description of the homes presented to the community members is attached.

Sincerely,



William Obriecht, Chairman

Attachment: Grayson Homes at Gwynndale Manor Limited Partnership



GRAYSON HOMES

9025 Chevrolet Drive • Suite K • Ellicott City, Maryland 21042 • (410) 461-5900 • Fax (410) 461-5907

May 19, 1998

GRAYSON HOMES AT GWYNNDALE MANOR

LIMITED PARTNERSHIP

THE HAWTHORNE:

76 Single-Family Attached Homes (Duplex) From \$109,990.

- One-Car Garage.
- Front Elevation looks like a Large - Center Hall Colonial Single Family Home with One Front Entry and One Side Entry.
- 1,400 Square Feet with an Unfinished Lower Level; 2 Full Baths; and 9' First Floor Ceilings.
- Sunrooms; Fireplaces; and Finished Lower Levels are available.

27 Single Family Homes – 3 Different Homes Available.

THE FARLEIGH – From \$129,990

- 1,200 Square Feet; 3 Bedrooms; 2 Baths; and 9' First Floor Ceilings.
- Split Foyer – Single Level Living on the First Floor with a Full Unfinished Lower Level.
- A 2-Car Garage, Finished Lower Level and Fireplaces are available.

THE HARPER – From \$139,990

- 1,550 Square Feet; 4 Bedrooms; 2 Full Baths plus a Powder Room; and a 1 Car Garage. Also included is a Full Unfinished Lower Level.
- Two Story Colonial.
- A Finished Lower Level and Fireplace are available; as well as a 2 Car Garage.

GRAYSON HOMES

9025 Chevrolet Drive • Suite K • Ellicott City, Maryland 21042 • (410) 461-5900 • Fax (410) 461-5907

Page 2

THE WHITMAN – From \$149,990

- 1,750 Square Feet; 3 Bedrooms; 2 Full Baths plus a Powder Room; 1 Car Garage; a two-story Family Room; and a Full Unfinished Lower Level is available.
- Two Story Colonial.
- A Fourth Bedroom Option over the Family Room; a Finished Lower Level and Fireplaces are available; as well as a 2 Car Garage.

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

1800 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, Maryland 21201-2978
(410) 244-7400, Fax (410) 244-7742

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
410-494-6201

4/20/98
P
April 20, 1998

Hand Delivery

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

Re: Property Owner: Kelox West, LLC
Location: Kelox Road and Gwynndale Avenue
Petition for Zoning Variance

Sophy
OK

Dear Mr. Richards: *Carl*

I am hereby drop filing the enclosed Petitions for Zoning Variance with regard to the above captioned property. This request has previously been reviewed by John Alexander. This property is not in violation of any zoning laws. Enclosed are the following documents:

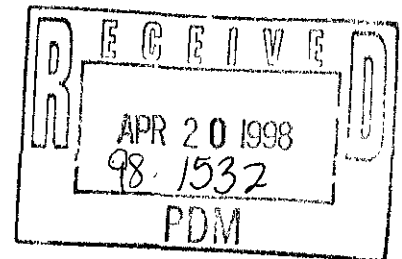
1. Petition for Zoning Variance (3);
2. Zoning Description (3);
3. Site Plan (12);
4. 200' Scale Zoning Map (1);
5. Newspaper Advertising Form; (1) and
6. Check in the amount of \$650.00

If you have any questions, please give me a call.

Sincerely,

Barbara

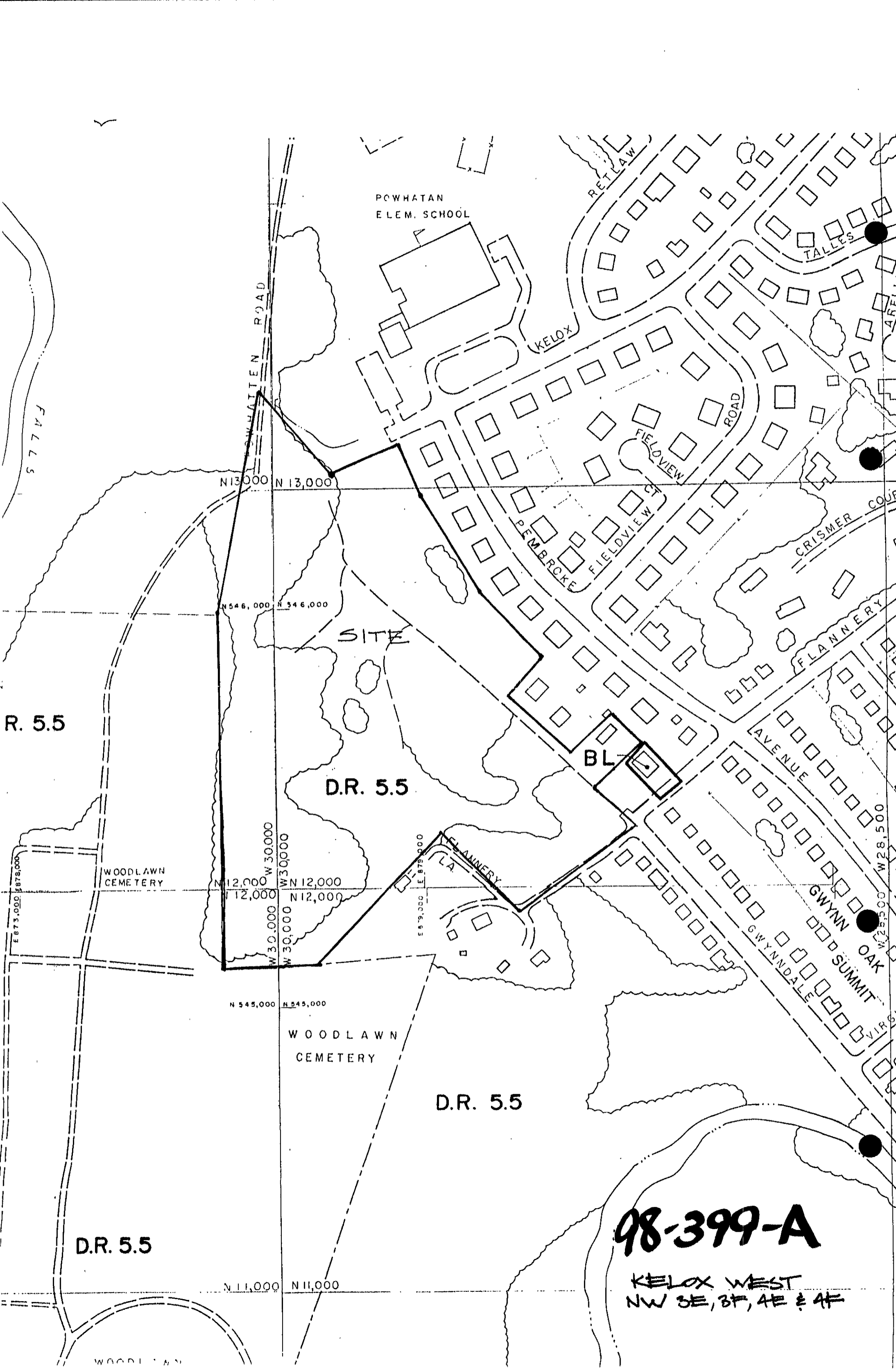
Barbara W. Ormord
Legal Assistant



cc: Robert A. Hoffman, Esquire

TOIDOC51/BAW01/0064217.01

98-399-A



POWHATAN
ELEM. SCHOOL

FALLS

SHAWATTEN ROAD

N 13,000 N 13,000

N 546,000 N 546,000

SITE

D.R. 5.5

BL

R. 5.5

WOODLAWN
CEMETERY

N 12,000 W 30,000
N 12,000 W 30,000

FLANNERY
LA.

E 879,000

N 545,000 N 545,000

WOODLAWN
CEMETERY

D.R. 5.5

D.R. 5.5

N 11,000 N 11,000

98-399-A

KELOX WEST
NW 3E, 3F, 4E & 4F

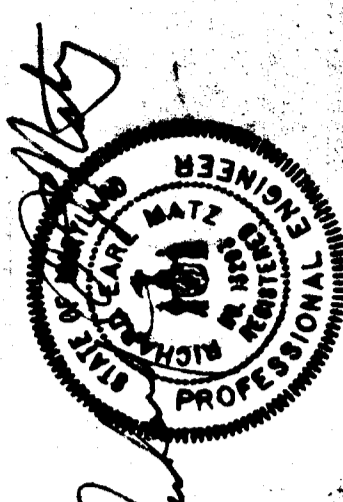
BALTIMORE, MD. 21205
(410) 553-3939

BALTIMORE COUNTY
AND ELECTION DISTRICT
Woodlawn, MD
Kelox Road and Gwynndale Avenue
KELOX WEST
(A Reevaluation of Potentially Apartments 30/92)

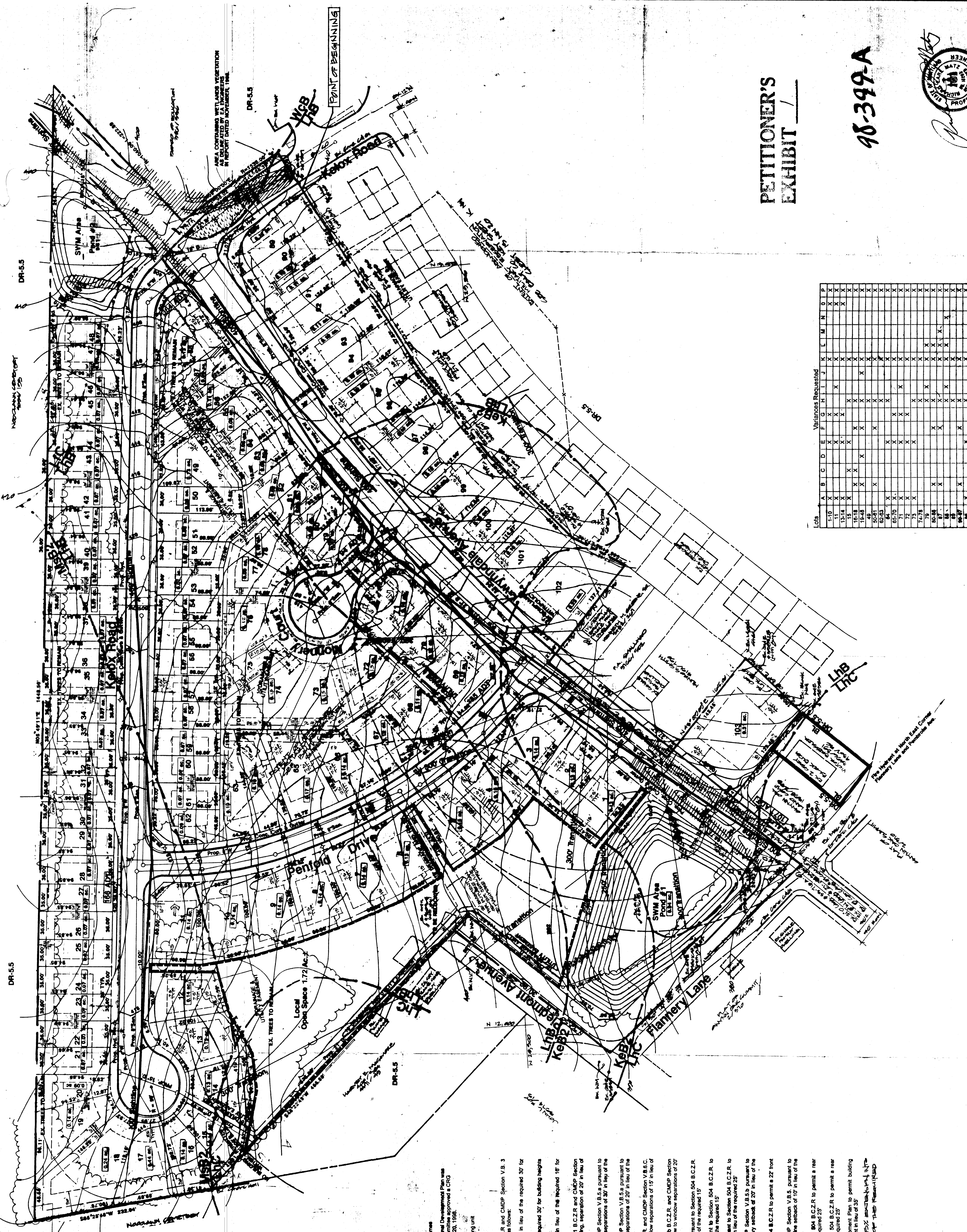
LPU INC.
CONSULTING ENGINEERS
• STRUCTURAL
• CIVIL
• SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800
PLAN TO ACCOMPANY
PETITION FOR VARIANCE
1ST AMENDED
KELOX WEST
FINAL
DEVELOPMENT
PLAN
Approved by:
Director of Planning
Date:
CRG NO. 89057
13688
09/29/89

PETITIONER'S
EXHIBIT

98-399-A



FOR PLAN TO ACCOMPANY
VARIANCE APRIL 15, 1998



Lot	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
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VICINITY MAP
1" = 2000'

Owner:
Kelox West, LLC
Ota Warren of Maryland, Inc. General Partner
10 South Howard Street
Baltimore, MD 21201

Developer:
Howard Research and Development Corp.
1000 North Howard Street
Columbia, MD 21044

Design:
Crown Homes of Maryland, LLC
9025 Cherrill Drive, Suite K
Elkton City, MD 21042
410-481-1507

Site Size:
18.8228 acres

Zoning:
Zoned D.R.S.S. Zoning Map No. 11, S.E. 4.E. 3.F. 4.F
Expiring 1/1/98

Proposed Use:
27 single-family detached homes
17 single-family attached homes

The original CRD Plan was approved May 4, 1988. The Final Development Plan was approved by the Board of Planning and Zoning on April 15, 1998. The CRD Plan was amended on April 15, 1998. The Final Development Plan was approved by the Board of Planning and Zoning on April 15, 1998.

Other Notes:
A. Lot 1-15 - 64-73, 98-103 - Section 1801.2.C.1 B.C.Z.R. and CMPD Section V.B.3 pursuant to Section 504 B.C.Z.R. for building separations as follows:
Building to adjoining lot garage, 15' separation in lieu of the required 30' for building heights between 25' and 30'
Building to building, 15' separation in lieu of the required 30' for building heights between 25' and 30'
Garage to adjoining lot garage, 15' separation in lieu of the required 15' for building heights between 0' and 20'
B. Lots 16-48, 50-51, 90-97, 99-97 - Section 1801.2.C.1 B.C.Z.R. and CMPD Section V.B.3 pursuant to Section 504 B.C.Z.R. to permit a building, separation of 20' in lieu of the required 30' for building heights between 25' and 30'
C. Lots 15-18 - Section 1801.2.C.2.4 B.C.Z.R. and CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit window to front boundary separations of 30' in lieu of the required 35'
D. Lots 19-48 - Section 1801.2.C.2.4 B.C.Z.R. and CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit window to front boundary separations of 20' in lieu of the required 35'
E. Lots 1-5, 64-73, 98-103 - Section 1801.2.C.2.5 B.C.Z.R. and CMPD Section V.B.6.C. pursuant to Section 504 B.C.Z.R. to permit window to window separations of 15' in lieu of the required 40'
F. Lots 16-48, 50-51, 90-97, 99-97 - Section 1801.2.C.2.5 B.C.Z.R. and CMPD Section V.B.6.C pursuant to Section 504 B.C.Z.R. to permit window to window separations of 20' in lieu of the required 40'
G. Lots 1-14, 64-72, 98-103 - CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit window to property line separations of 15' in lieu of the required 15'
H. Lots 15-64, 73-98 - CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit window to property line separations of 10' in lieu of the required 15'
I. Lots 1, 71, 79 and 98 - CMPD Section V.B.6.A. pursuant to Section 504 B.C.Z.R. to permit a side window to street right-of-way setback of 10' in lieu of the required 25'
J. Lots 19-48 - Section 1801.2.C.8 B.C.Z.R. and CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit a building to front boundary setback of 20' in lieu of the required 30'
K. All Lots - CMPD Section V.B.8 pursuant to Section 504 B.C.Z.R. to permit a 22' front street right-of-way setback
L. Lots 79-88 - Section 1801.2.C. B.C.Z.R. and CMPD Section V.B.5.5 pursuant to Section 504 B.C.Z.R. to permit a rear window to property line setback of 10' in lieu of the required 15'
M. Lot 87 - CMPD Section V.B.8 pursuant to Section 504 B.C.Z.R. to permit a rear window to street right-of-way setback of 15' in lieu of the required 25'
N. Lot 89 - CMPD Section V.B.8 pursuant to Section 504 B.C.Z.R. to permit a rear window to street right-of-way setback of 10' in lieu of the required 25'
O. Lots 1-14 - To amend the approved Final Development Plan to permit building setbacks of 15' to open space and stormwater management in lieu of 35'
P. SECTION 501.1.A TO ALLOW THE 25% OPEN SPACE INSTEAD OF THE 35% OPEN SPACE SETBACKS.
THE UNPAVED SETBACKS IN LIEU OF THE 35% OPEN SPACE SETBACKS.
NO REAR ZONING CASES.

NOTE: PUBLIC REFUSE COLLECTION