

IN RE: PETITION FOR VARIANCE
SE/S Grummore Circle, 432' SE
of the c/l Tristram Lane
(8911 Grummore Circle)
3rd Election District
3rd Councilmanic District

Avalon Associates, LLC, Owners;
Walter & Tania Levy, Contr. Pur. *

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-424-A

* * * * *

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 owners of the subject property, Avalon Associates, LLC, by John B. Colvin, and the Contract Purchasers, Walter and Tania Levy, through their attorney, Newton A. Williams, Esquire. The Petitioners seek relief from Section 504 (formerly Section V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.)) and Section 1B01.2.C.2.a (formerly Section V.B.5.a of the C.M.D.P.) to permit a building and window to tract boundary setback of 20 feet each in lieu of the required 30 and 35 feet, respectively; and to amend the last approved partial development plan for Avalon-East, Phase I, Section II, Lot 31 thereof, accordingly. 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 Walter Levy, Contract Purchaser, C. William Clark, Esquire, who appeared on behalf of Newton A. Williams Esquire to represent the Petitioners, and Mitchell Kellman, a representative of Daft-McCune-Walker, Inc., the consulting firm which prepared the site plan for this property. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

By

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.31 acres, more or less, zoned D.R. 3.5 and is presently unimproved. The property is also known as Lot 31 of Avalon East, Lot 31 of Phase I, Section II, thereof. The Petitioners are desirous of developing the property with a single family dwelling; however, due to the property's location on a 90-degree curve and in the corner of the tract, the requested variances are necessary in order to orient the proposed dwelling in a logical and practical manner. Testimony indicated that this particular property is the only lot located on an arc of a circle road and in the corner of the tract and that strict compliance with the zoning regulations will render this lot undevelopable.

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, it is clear that practical difficulty or unreasonable hardship will result

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of July, 1998 that the Petition for Variance seeking relief from Section 504 (formerly Section V.B.5.b of the Comprehensive Manual of Development Policies (C.M.D.P.)) and Section 1B01.2.C.2.a (formerly Section V.B.5.a of the C.M.D.P.) to permit a building and window to tract boundary setback of 20 feet each in lieu of the required 30 and 35 feet, respectively; and to amend the last approved partial development plan for Avalon-East, Phase I, Section II, Lot 31 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/21/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

July 20, 1998

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

RE: PETITION FOR VARIANCE
SE/S Grummore Circle, 432' SE of the c/l Tristram Lane
(8911 Grummore Circle)
3rd Election District - 3rd Councilmanic District
Avalon Assoc., LLC, Owners; Walter & Tania Levy, Contr. Pur.
Case No. 98-424-A

Dear Mr. Williams:

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, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John B. Colvin, Avalon Assoc. LLC
124 Slade Avenue, Baltimore, Md. 21208

Mr. & Mrs. Walter Levy
4123 Century Towne Road, Randallstown, Md. 21133

People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

8911 1/2 Grummore Circle (Lot 31)

which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits & 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)

504 (V.B.5.b., CMDP) and 1B01.2.C.2.a. (V.B.5.a., CMDP) to permit a 20 feet building and window to tract boundary setback in lieu of 30 and 35 feet; respectively, and amend the last approved partial development plan.

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

Position of street and lot requires the dwelling to be angled, which places a portion of the dwelling within the setback. Other reasons to be determined at hearing.

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.

Contract Purchaser/Lessee:

x WALTER AND TANIA LEVY
(Type or Print Name)

x *Walter Levy* *Marysanne Levy*
Signature

x 4123 CENTURY TOWNE RD.
Address

x RANDALLSTOWN MD 21133
City State Zipcode

Attorney for Petitioner:

x NEWTON A. WILLIAMS
(Type or Print Name)

x *Newton A. Williams*
Signature

700 NOTTINGHAM CENTRE

x 502 WASHINGTON AVE 823-7800
Address Phone No.

x TOWSON MD 21204
City State Zipcode

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.

Legal Owner(s): *Auston Assoc. L.L.C.*
x *John B. Colvin*
(Type or Print Name)

John B. Colvin
Signature

JOHN B. COLVIN
(Type or Print Name)

x Signature (410) 486-1234

x 124 State Ave, Suite 200
Address Phone No.

x Balto. MD 21208
City State Zipcode

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

WALTER LEVY
Name
4123 CENTURY TOWNE RD. 410-922-9647
Address RANDALLSTOWN MD 21133 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates June 2, July 2 Next Two Months

ALL OTHER

REVIEWED BY: JRF DATE 5/8/98

#424

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

98-424-A

ORDER RECEIVED FOR FILING

Date

By

Description

0.307 Acre Parcel

To Accompany Petition for Zoning Variance

Southeast Side of Grummore Circle

Southeast of Tristam Lane

Third Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the southeast side of Grummore Circle at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Grummore Circle with the centerline of Tristam Lane (1) Southeasterly and northeasterly along the said centerline of Grummore Circle 432 feet, more or less, and thence (2) Southeasterly 25 feet to the point of beginning, thence leaving said beginning point and binding on the southeast side of Grummore Circle (1) Northeasterly by a line curving to the left with a radius of 50.00 feet for a distance of 25.00 feet (the arc of said curve being subtended by a chord bearing North 45 degrees 22 minutes 55 seconds East 24.74 feet and having a beginning tangent bearing of North 59 degrees 42 minutes 21 seconds East and a departing tangent bearing of North 31 degrees 03 minutes 28 seconds East), thence leaving said Grummore Circle and running the six following courses and distances, viz: (2) South 44 degrees 37 minutes 05 seconds East 25.06 feet, thence (3) North 86 degrees 44 minutes 08 seconds East 92.50 feet, thence (4) South 05 degrees 42 minutes 45 seconds East 111.10 feet, thence (5) South 86 degrees 44 minutes 08 seconds West 119.37 feet, thence (6) North 03 degrees 15 minutes 52 seconds West 98.68 feet, thence (7) North 44 degrees 37 minutes 05 seconds West 19.69 feet to the point of beginning; containing 0.307 acres of land, more or less.

424

98-424-A

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

May 4, 1998

Project No. 94104.E5 (L94104.E5)



RE: PETITION FOR VARIANCE
8911 Grummore Circle, SE/S Grummore Cir., 432' E
of c/I Tristram Lane, 3rd Election District, 3rd
Councilmanic

Legal Owners: Avalon Associates, LLC
Contract Purchaser: Walter and Tania Levy

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 98-424-A

* * * * *

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 10th day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARY' VD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 982889

DATE 5/8/98

ACCOUNT R-001-G15000

AMOUNT \$ 100.00

RECEIVED FROM: DMV

FOR: 010 Variance Item # 424
030 Amend SPA Taken by JEF
8911 Greenmore Circle

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHER'S VALIDATION

98-424-A

PAID RECEIPT
PROCESS ESTIM TIME
5/28/1998 5/02/1998 15:03:45
REQ NO:1 CASHIER CLERK DMV WORKER
E MISCELLANEOUS CASH RECEIPT
Receipt # 049507
CR NO. 052889
100.00 CASH
Baltimore County, Maryland

NOTICE OF PUBLIC HEARING

The Zoning Commission of Baltimore County, Maryland, will hold a public hearing in accordance with the provisions of the Zoning Act and Regulations of Baltimore County, Maryland, on the following identified property as follows:

Case #98-424-A
 8911 Gunmore Circle
 SE/S Gunmore Circle, 432' E
 of centerline Tristram Lane
 3rd Election District
 3rd Councilmanic District
 Legal Owner(s): Avalon Associates LLC
 Contract Purchaser: Tania & Walter Levy

Variance: to permit 20 feet building and window to tract boundary setback in lieu of 30 and 35 feet respectively and amend the last approved partial development plan.

Hearing: Tuesday, June 23, 1998 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Buxley 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.

6/29/98 June 4 1233422

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/4, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/4, 1998.

THE JEFFERSONIAN,

A. A. Hennis

LEGAL AD. - TOWSON

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-424-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: to permit a 20 feet building and window to
tract boundary setback in lieu of 30 and 35 feet
and amend the last approved partial development
plan

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

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.: 98-424-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE - To permit a 20' building and
window to tract boundary setback in lieu of
30' and 35' respectively. And amend the last
approved partial development plan.

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TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

May 18, 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: 98-424-A
8911 Grummore Circle
SE/S Grummore Circle, 432' E of centerline Tristram Lane
3rd Election District - 3rd Councilmanic District
Legal Owner: Avalon Associates LLC
Contract Purchaser: Tania & Walter Levy

Variance to permit 20 feet building and window to tract boundary setback in lieu of 30 and 35 feet respectively and amend the last approved partial development plan.

HEARING: Tuesday, June 23, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon
Director

c: Newton A. Williams, Esquire
Avalon Associates LLC
Tania & Walter Levy

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 8, 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.



TO: PATUXENT PUBLISHING COMPANY
June 4, 1998 Issue - Jeffersonian

Please forward billing to:

Newton A. Williams 410-823-7800
700 Nottingham Centre
502 Washington Avenue
Towson, MD 21204

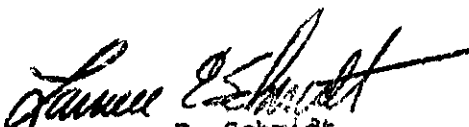
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HEARING: Tuesday, June 23, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

5C)
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.

**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: # 424

Petitioner: Walter & Tania Levy

Address or Location: 8911 Grummere Circle (Lot 31)

PLEASE FORWARD ADVERTISING BILL TO:

Name: Newton A. Williams

Address: 700 Nottingham Center
502 Washington Ave.

Towson, MD 21204

Telephone Number: (410) 823-7800

Revised 2/20/98 - SCJ

98.424-A

CERTIFICATE OF POSTING

RE. Case No.: 98-424-A

Petitioner/Developer: M. LEVY, ETAL
LINDA JONES & NEWTON WILLIAMS

Date of Hearing/Closing: 6/23/98
900 A

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 #8911 GRUMMORE CIR
P. END. PUBLIC ACCESS RD.

The sign(s) were posted on 6/3/98
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/10/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

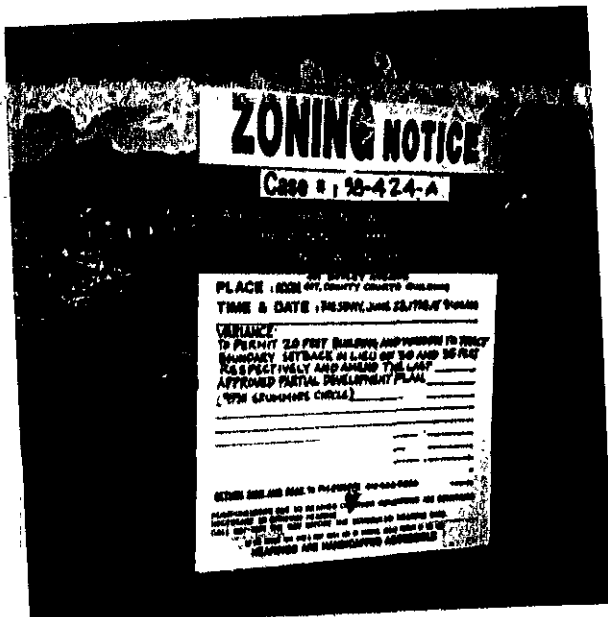
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



98-424-A
#8911 GRUMMORE CIR.
LEVY, ETAL

P.
6/3/98

6/23/98 294



Baltimore County
Department of Permits and
Development Management

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

June 15, 1998

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

RE: Item No.: 424
Case No.: 98-424-A
Petitioner: Walter and
Tania Levy
Location: 8911 Grummore
Circle

Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 8, 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)





Baltimore County
Fire Department

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

June 2, 1998

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 18, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

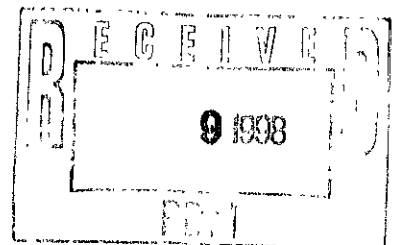
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

418, 419, 420, 421, 422, 423, and 424

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 22, 1998

FROM: Robert W. Bowling, Chief *RWB/DAK*
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for May 26, 1998
Item Nos. 416, 417, 418, 419, 420,
421, 422, 423 and 424

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

RWB:HJO:jrb

cc: File



**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 5-15-94
Item No. 424 JRF

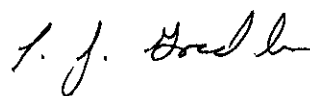
Dear Ms. Stephens:

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,


/s/ Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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

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

TO: PDM
FROM: R. Bruce Seeley *RBS*
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: *May 18, 98*

DATE: *5/20/98*

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

Item #'s:

416	423
417	424
418	425
420	426

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 18, 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. 413, 418, 419, 420, 421, 422, 424, and 426

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.

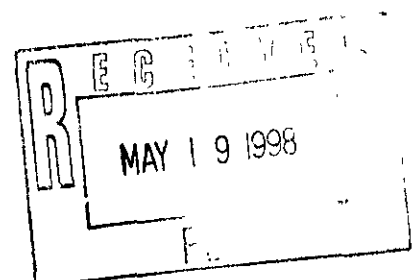
Prepared by:

Jeffrey W. Long

Division Chief:

Gayle L. Kerns

AFK/JL



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

WALTER LEVY

4123 CENTURY TOWN RD.
RANDALLSTOWN MD 21133

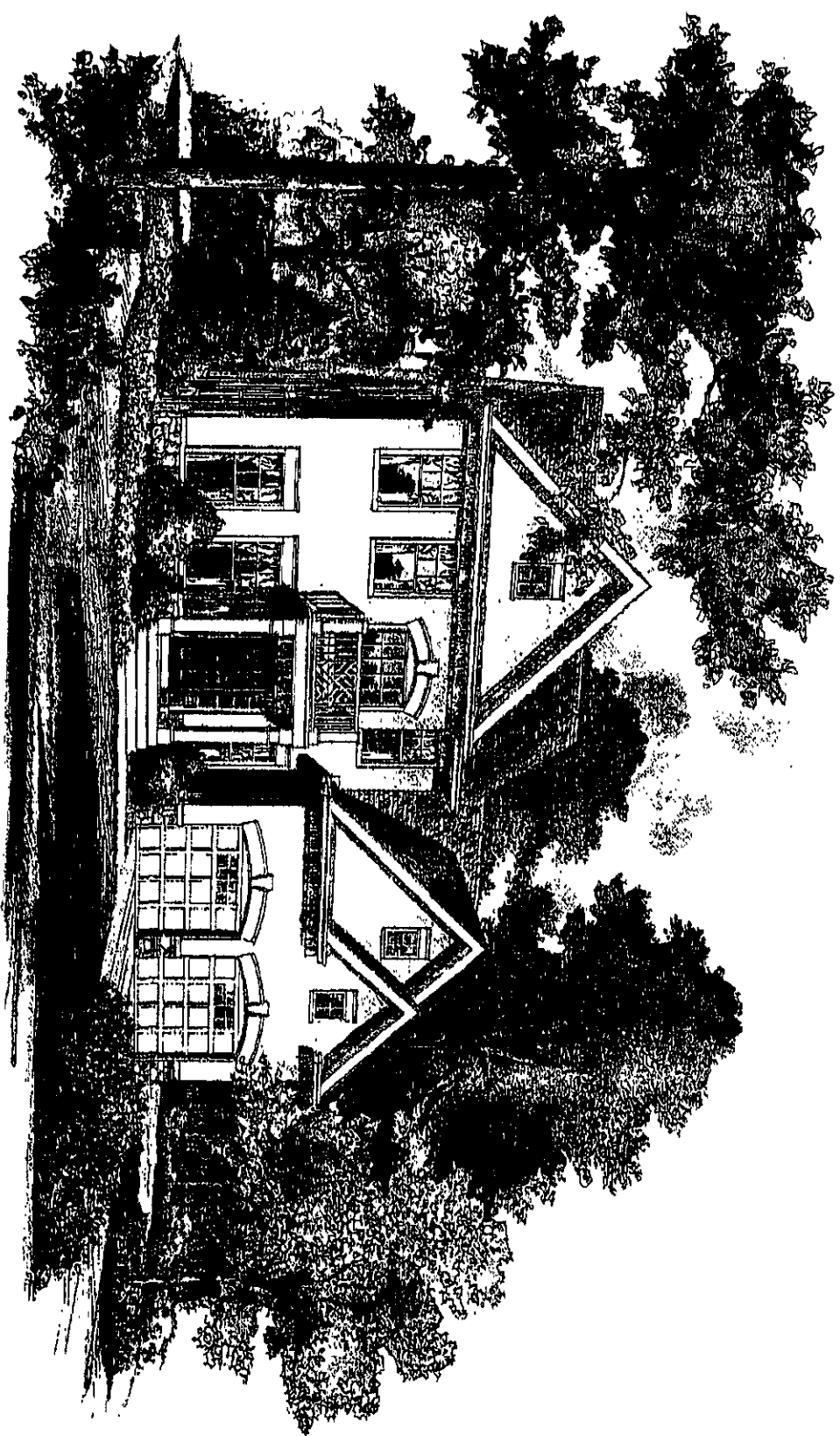
Mitch Kellman

DMW- 200 East Pennsylvania Ave
Towson, MD 21286

C. WILLIAM CLARK

502 WASHINGTON AVE STE 700
TOWSON MD 21204

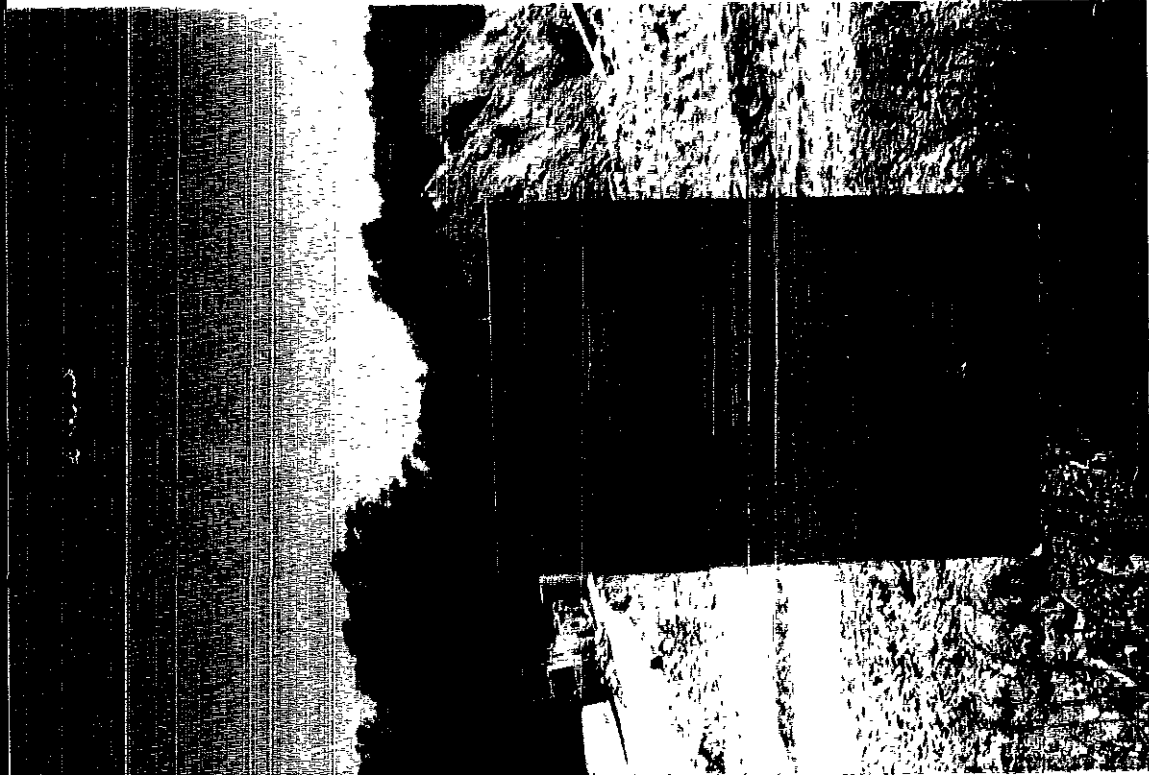




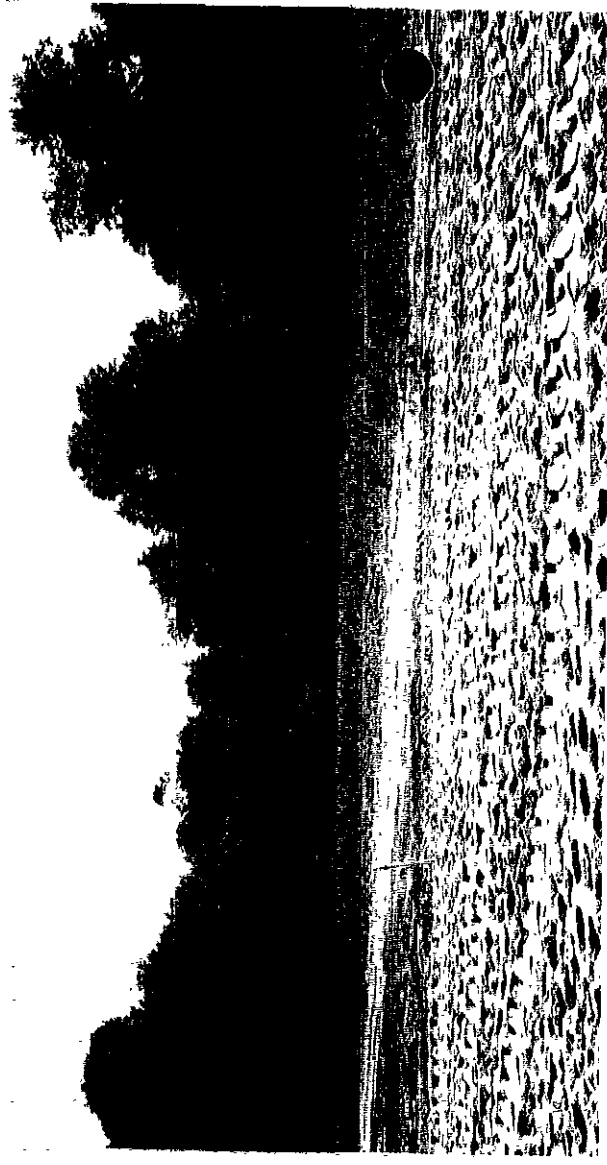
MITCH KELLMAN 296-4705
 NEWTON WILLIAMS 296-2765

Pet 3A

Post-It Fax Note		7671	Date	6-17-98	# of pages	1
To	MITCH KELLMAN		From	WALTER LEVY		
Co./Dept.			Co.			
Phone #			Phone #			
Fax #			Fax #			



A. Zoning Sign Posted



D. Lot 31 - in right foreground (subject property)

Lot 30 in left foreground to north

Looking NE from Lummore Circle

Avalon Associates -
The Levy Property
31 Lummore Circle

Case No. 98-424-A
SE/C of Avalon East, Phase I, Section II

ATTORNEY'S

EXHIBIT 4



C, Looking SE at Lot 31, - Tree line in center - Part of Avalon East - Parcel A:
Tree line on right - Part of Grey Rock, Phase 11 and 14
Both apparent open space.



D. Looking West from subject Lot 31 toward adjacent, Lot 32.



E. Looking NE from in front of subject Lot 31, toward Lot 30, and lots to north on east side of future Drummore Circle.



F. Typical residences under construction in
Avalon East -

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 8911 GRUMMORE CIRCLE

SUBDIVISION NAME: AVALON EAST, PHASE I, SECTION 2

PLAT BOOK# 70 FOLIO# 19 LOT# 31 SECTION# 504 (V.B.5.b) AND 1B01.2.C.2.a (V.B.5.d) TO PERMIT A 20 FOOT BUILDING AND WINDOW TO TRACT BOUNDARY SETBACK IN LIEU OF 30 FEET AND 35 FEET RESPECTIVELY, AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN.

OWNER: Avalon Associates L.L.C.

LOCATION INFORMATION

COUNCILMAN DISTRICT: 3

ELECTION DISTRICT: 3

1"=200' SCALE MAP NO.: NW 9-F

ZONING: DR 3.5

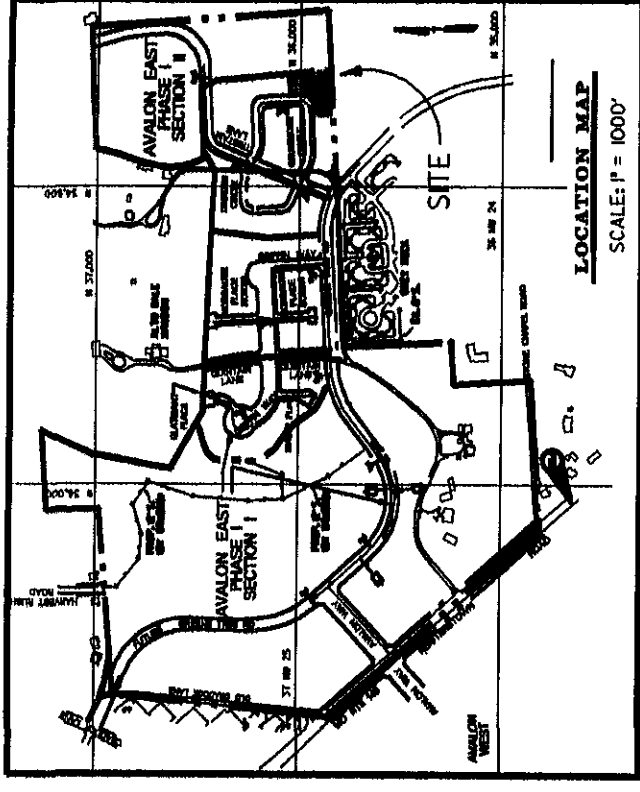
LOT SIZE: 0.31AC. 13,378 S.F.

SEWER: YES WATER: YES

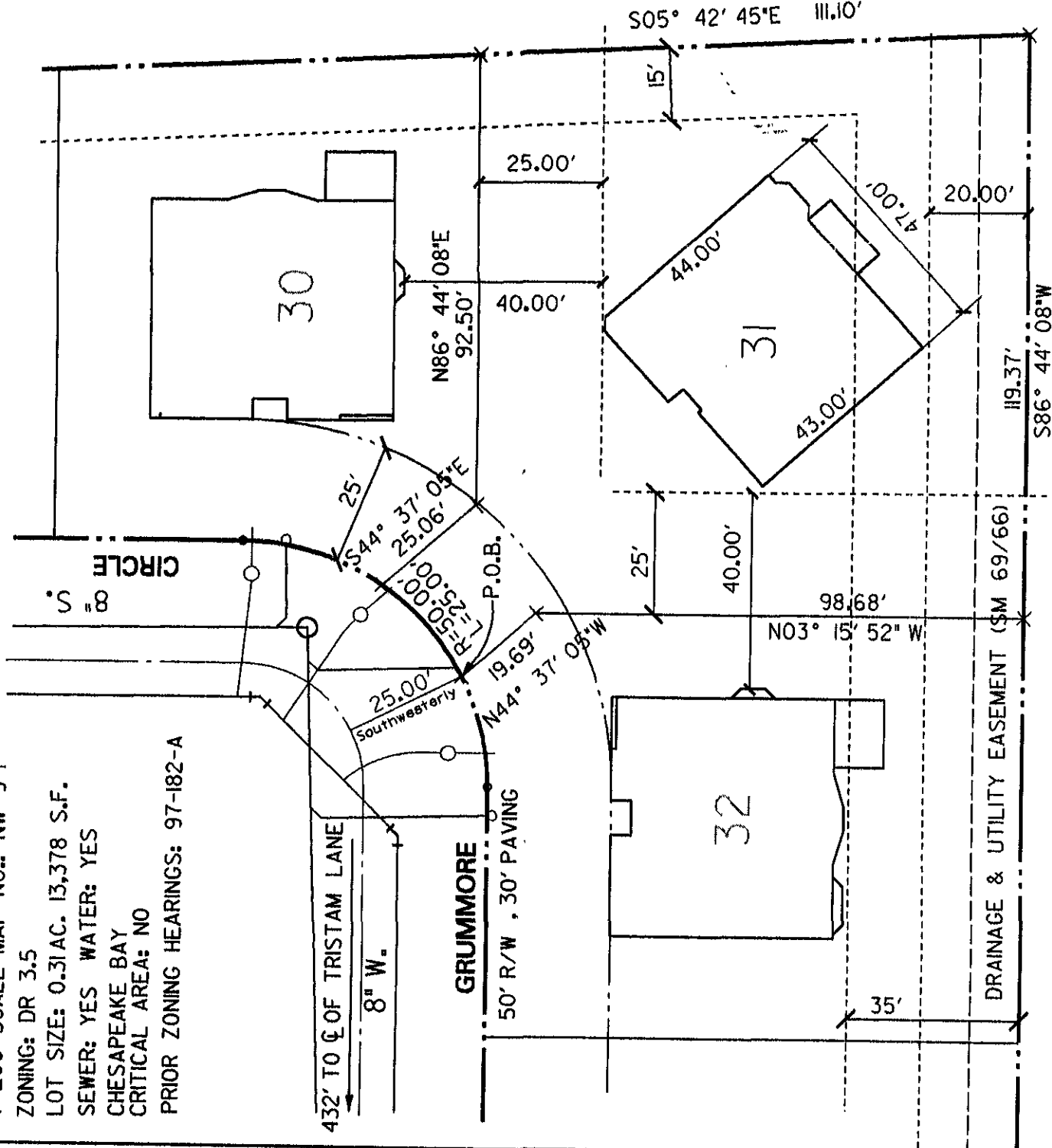
CHESAPEAKE BAY

CRITICAL AREA: NO

PRIOR ZONING HEARINGS: 97-182-A



AVALON EAST
PARCEL A
SM 69/66



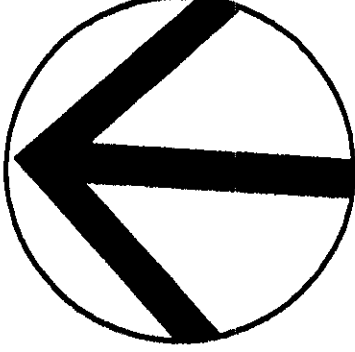
GREY ROCK PHASE II & IV SM 83/133

98-424-A

DMW

Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals



ZONING OFFICE USE ONLY		
REVIEWED BY:	ITEM#	CASE#
JRF	424	

DRAWN:	SJB
DESIGNED:	MK
SCALE:	1"=30'
PROJECT NO.:	94104.E5

CHECKED BY:	JJS
DATE CHECKED:	5/4/98
DRAWING:	1 OF 1

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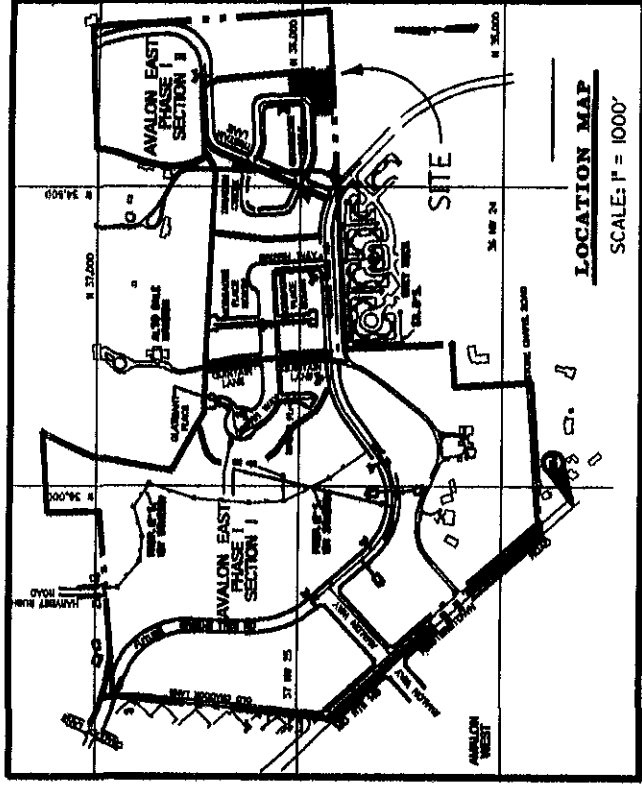
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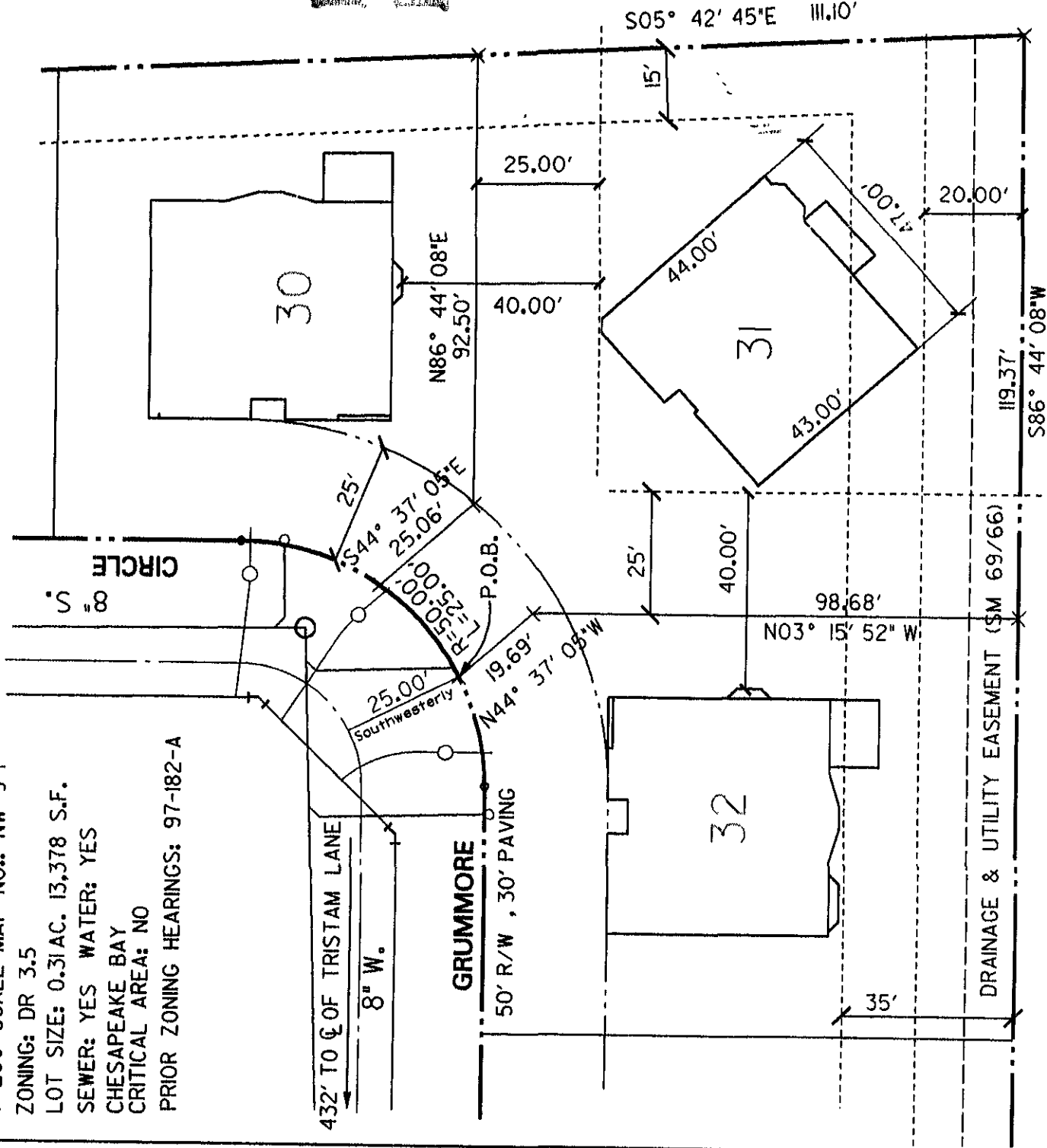
CRITICAL AREA: NO

PRIOR ZONING HEARINGS: 97-182-A



RETRACTED
98-424-A

AVALON EAST
PARCEL A
SM. 69/66

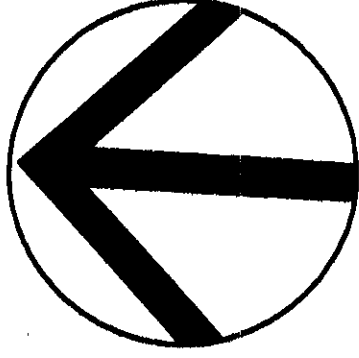


GREY ROCK PHASE II & IV SM 83/133

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ZONING OFFICE USE ONLY	DRAWN: SUB	CHECKED BY: JJS
	DESIGNED: MK	DATE CHECKED: 5/4/98
	SCALE: 1"=30'	DRAWING: 1 OF 1
REVIEWED BY: JRF	ITEM# 424	PROJECT NO.: 94104.E5

• Gracious winning entry, meet with majestic old trees.

- Fully restored 19th Century historic barn.
- The Park at Avalon; a pedestrian promenade and bicycle path beneath a canopy of century-old trees.
- Biking and jogging trails throughout the community.

Club on the Park

- Beautiful multi-media fitness center.
- Elegantly furnished conference and entertainment rooms with fully-equipped kitchen and bar, overlooking the pool and deck.
- Olympic-sized swimming pool surrounded by a generously landscaped deck with lounge chairs.
- Two lighted tennis courts.
- Comfortable, well-designed men's and women's changing rooms, showers and lockers.
- An oasis of country charm and gracious living in the midst of the conveniences and advantages of an urban location.

area features

- Gateway to the Greenspring Valley, surrounded by estates and luxury residential communities.
- Minutes from Owings Mills Mall and Townsontown Shopping Center.
- Near Numerous retail centers along Reisterstown Road.
- Only 15 minutes from dining, theater, sports events, National Aquarium and Inner Harbor attractions in downtown Baltimore.
- Close to public schools and some of the finest private schools in Maryland.
- Near houses of worship and medical centers.
- Minutes from I-695, I-795 and I-95.

Interior

- 2 story foyer.
- 9' ceiling on first floor.
- Master suite on first floor.
- Volume ceilings in selected rooms.
- Laundry room on living floors.
- Spacious walk-in closets and storage space.
- Gourmet kitchen with breakfast nook.
- Spacious bright bathrooms.
- Fully wired with a pair cable for TV, phones, faxes, computers, etc.
- Hardwood foyer, six panel doors, oak rails, brass hardware, door chimes.

• Elevations detailed in stone and stucco.

- Distinctive roof lines.
- Two car garage.
- Professionally coordinated colors.
- Landscaping and lighting tie the community together.
- Convenience outlets, hose bibs.
- Low maintenance.

Energy Savings Features

- BG&E Energy-Wise.
- High efficiency gas furnace.
- High efficiency air conditioning compressor.
- Gas hot water heater.
- R-30 insulation in ceilings and overhangs.
- R-13 insulation in exterior walls.
- Energy wrap and air seal.
- Double pane insulated Low E glass windows.
- Insulated steel exterior doors.

Kitchen

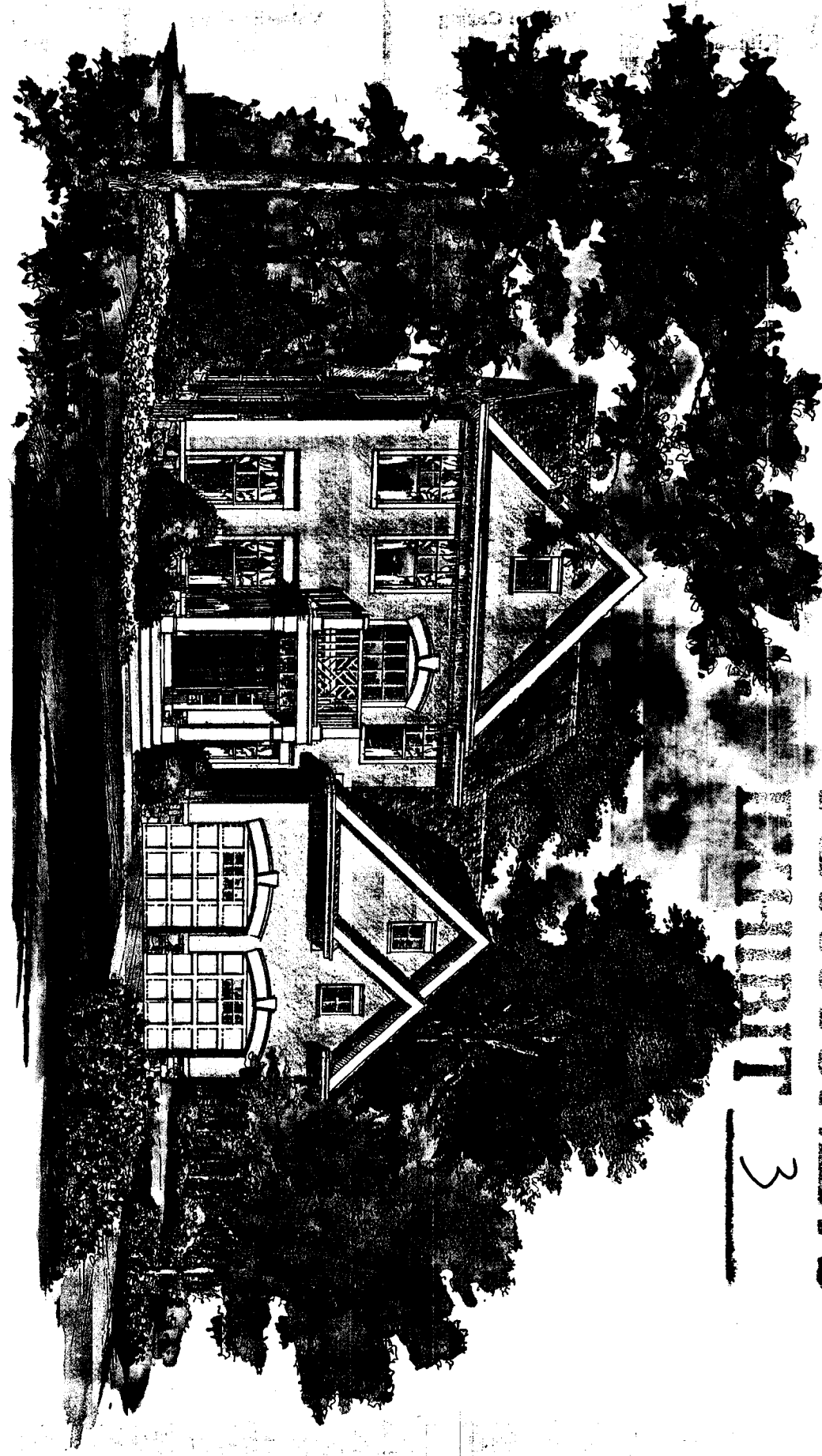
- Breakfast bar.
- Extra tall 42" wall cabinets.
- GE continuous clean range.
- GE posscrubber dishwasher.
- Disposal.
- Large Pantry.

Deluxe Baths

- Wood vanities with cultured marble tops sized for his and hers.
- Full length vanity mirror and light.
- Five shelf linen closet.
- Porcelain tub set with ceramic tile.
- Easy-care no-wax flooring.
- Elongated toilets.
- Bays windows and skylights.
- Custom lighting packages and appliance packages.
- Superbaths/wirlpool tubs/double bowl vanity.
- Custom trim packages.
- Additional wiring and outlets for home office communication and computer enhancements.
- Patio or deck.
- Architectural elevations.
- Alternate laundry room locations.
- Hardwood, marble and ceramic flooring.
- Vaulted, tray, or cathedral ceilings.
- Intercom.
- Arway.

Questar's Commitment to Excellence

- Questar's Personalization™ Program
- Full basement with poured concrete walls.
- 3/4" plywood subfloors nailed and glued.
- Interior and exterior drainiles.
- Engineered floor truss system.
- Preclose-in walkthrough.
- Presentment orientation prior to closing.
- Post-settlement warranty inspection at 90 days.
- 10 year Home Buyers Warranty (HBW).



PEITIONER'S

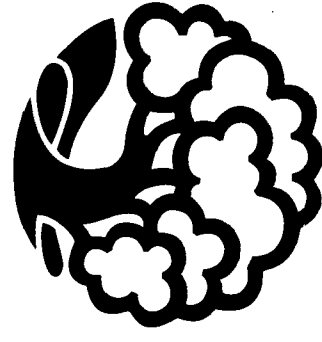
LIONEL

AVALON ESTATE HOMES

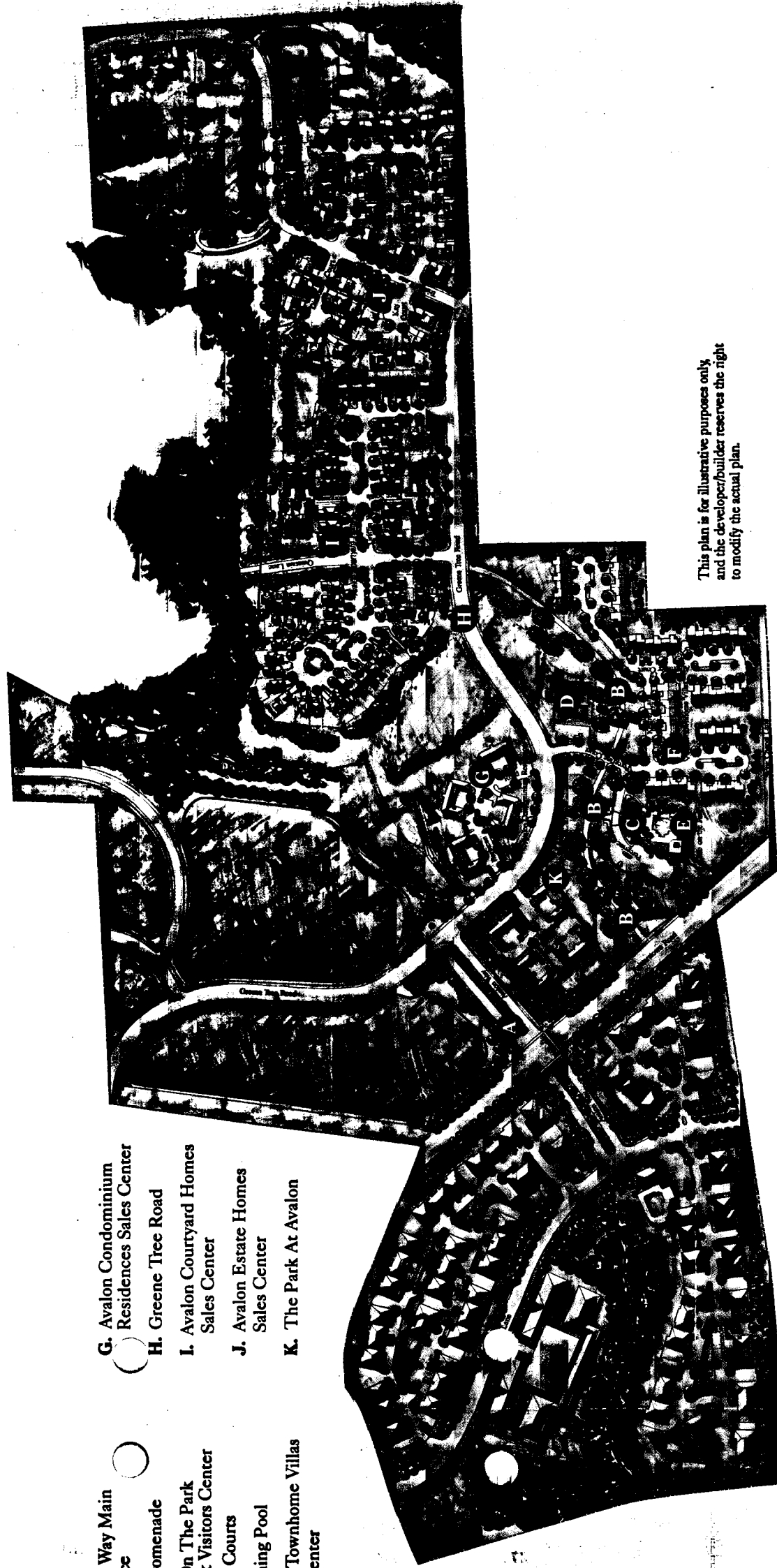
A Planned Community Unparalleled In Baltimore County

- Delight in the feeling of country living amidst century-old trees, rolling meadows, winding pathways and streams.
- Experience the peace and security of an urban oasis, convenient to highway and metro, shopping and schools.
- Take pride in a real community with a sense of place and history.
- Feel at home with the distinctive architecture, the elegant streetscapes.
- Use your imagination to choose and personalise the right design for your lifestyle.
- Appreciate the foresight of homes electronically designed to meet the new millennia.
- Luxuriate in the light and openness, the spaciousness and attention to detail.
- Exercise all your options—pool or tennis or fitness center. Bicycling or jogging or walking.
- Meet your friends and neighbors at The Club on the Park, a perfectly restored 19th century barn reborn as a social and recreational center, the very heart of Avalon.

AVALON



Another quality project from
Questar Homes
Building a tradition of excellence
Club on the Park Sales and Visitors Center:
2 Peregrine Court
Baltimore, Maryland 21208
Tel: (410) 602-8500
Avalon Estate Homes
Tel: (410) 415-1200

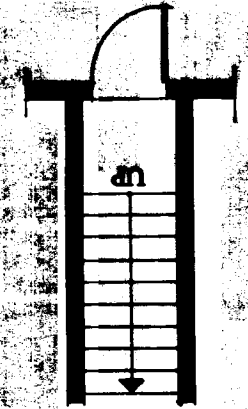
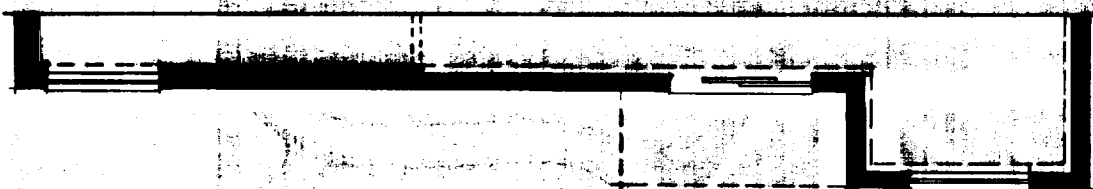


- A. Avalon Way Main Entrance
- B. The Promenade
- C. Club On The Park Sales & Visitors Center
- D. Tennis Courts
- E. Swimming Pool
- F. Avalon Townhome Villas Sales Center
- G. Avalon Condominium Residences Sales Center
- H. Greene Tree Road
- I. Avalon Courtyard Homes Sales Center
- J. Avalon Estate Homes Sales Center
- K. The Park At Avalon

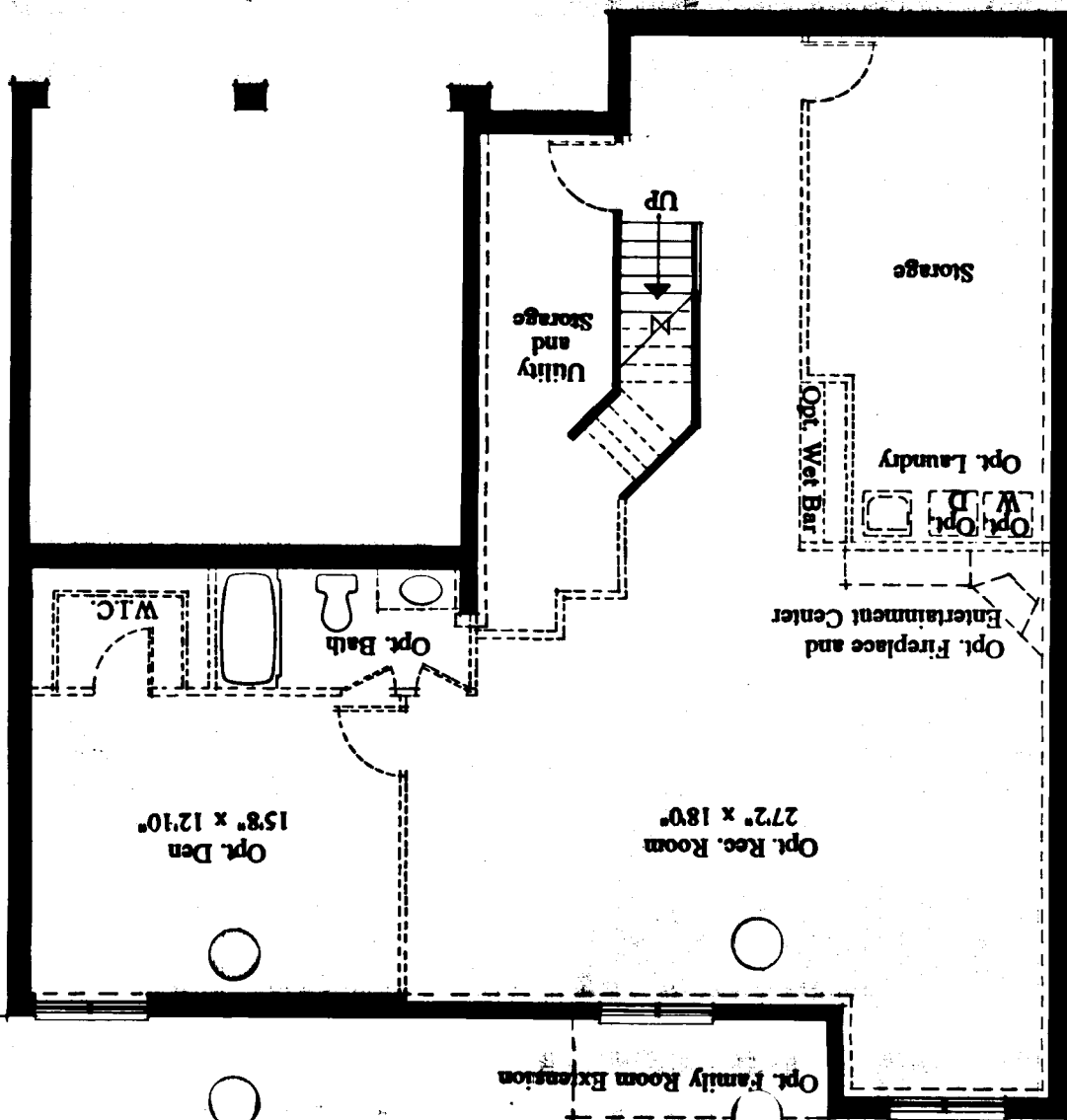
This plan is for illustrative purposes only, and the developer reserves the right to modify the actual plan.



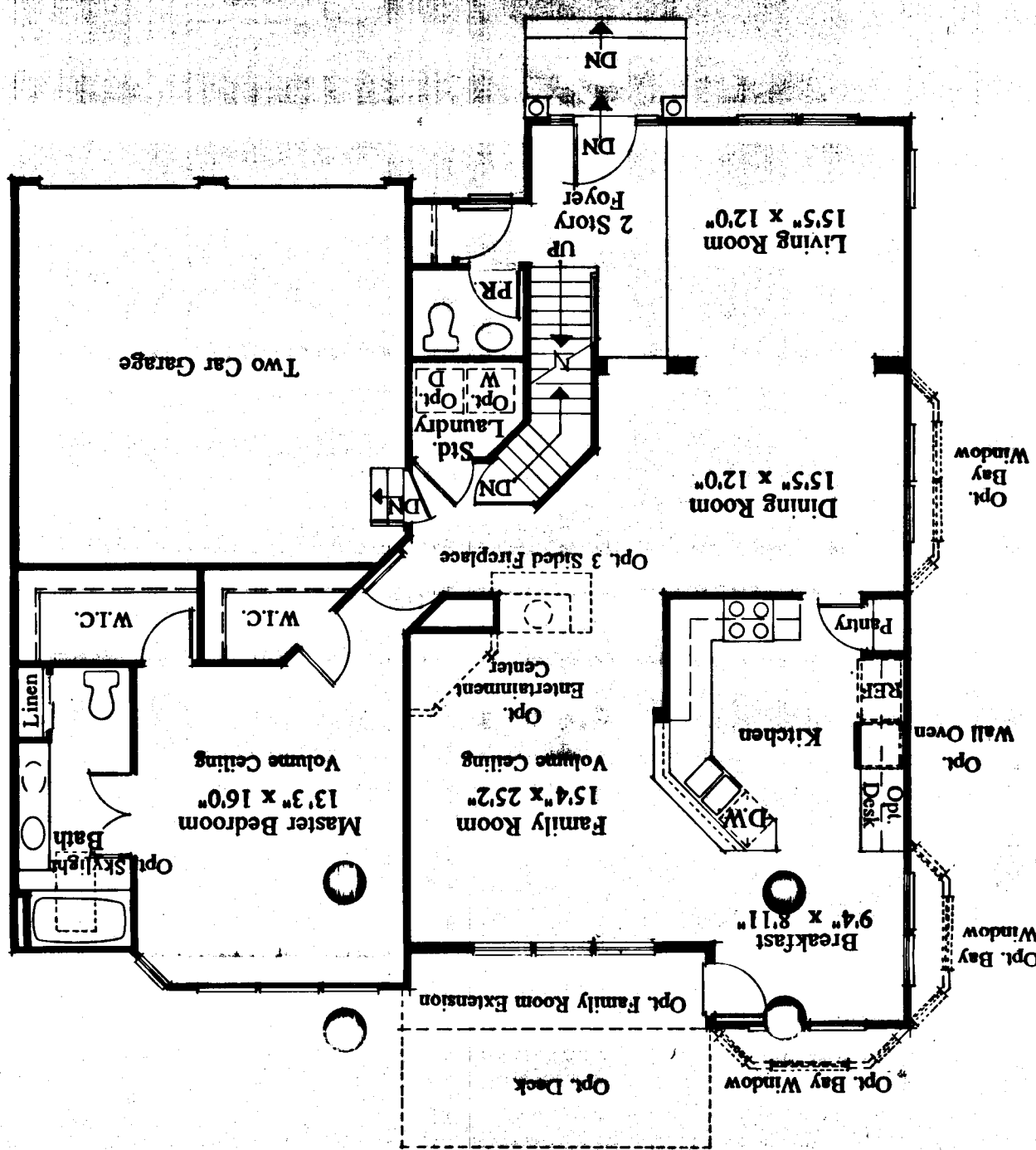
Opt. Away



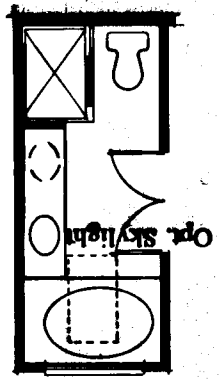
Basement



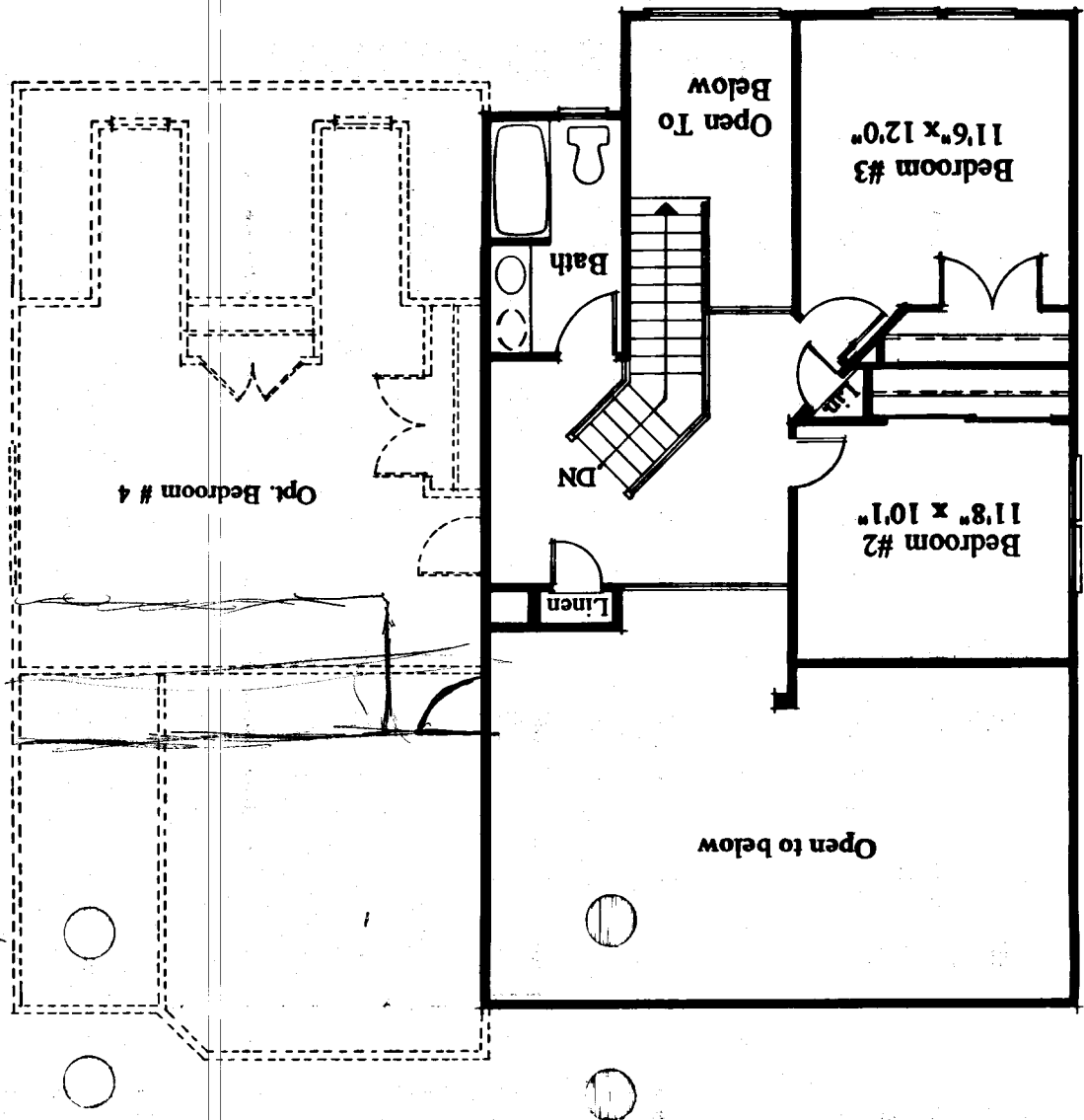
First Floor Plan



Opt. Master Superbath



Second Floor Plan



Renderings and floorplans are depicted for illustrative purposes only. Details and dimensions may differ from actual plans.

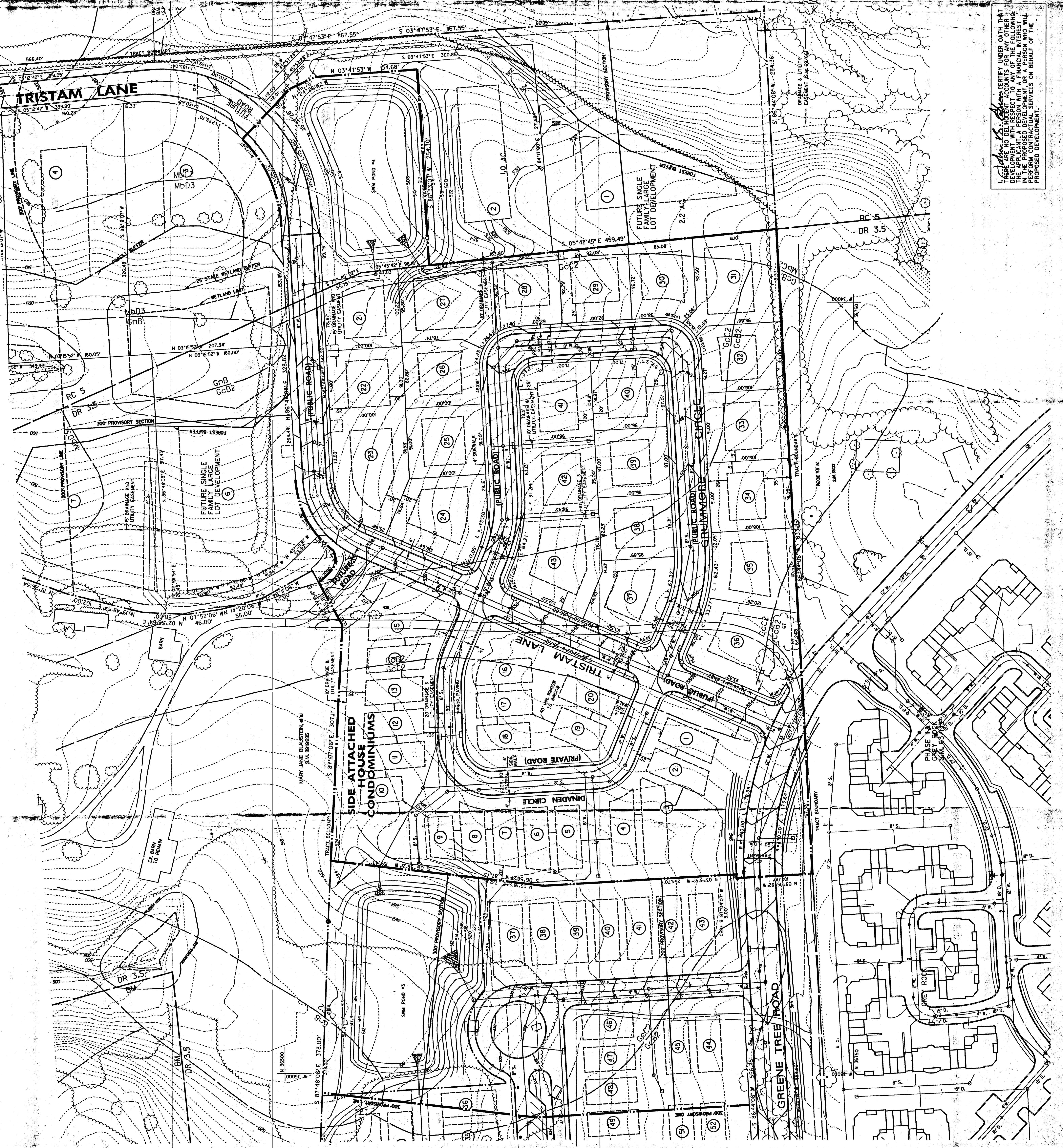


1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992		SCALE 1" = 200'	LOCATION PIKESVILLE GREY ROCK	SHEET N.W. 9-F
DATE OF PHOTOGRAPHY JANUARY 1986				

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

Edmund A. Harwood IV
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC., BALTIMORE, MD. 21210



SYMBOL	DESCRIPTION
---	EXISTING CONTOUR
---	PROPOSED CONTOUR
~~~~~	TREES TO BE RETAINED
---	FOREST BUFFER
---	300 FT. PROVISIONARY LIMIT
---	TRACT BOUNDARY
---	SOIL TYPE

**THIS PLAN COMPLIES WITH ALL BALTIMORE COUNTY COMMENTS.**

REASON FOR 1st AMENDMENT - 11/19/97

LOTS 1- 42 AND ROADS C, D & F, SHOWN ON THE AVALON EAST SIDE  
PARTIAL DEVELOPMENT PLAN APPROVED 12/4/92, REVISED TO ALIGN  
WITH TRISTAN WAY IN COMPLIANCE WITH THE APPROVED 7TH REFINED  
CRQ - DRC 07217G.

NOTE: NO LOTS OR UNITS HAVE BEEN SOLD WITHIN 300' OF SECTION 11.

**Daft·McCune·Walker, Inc.**  
200 East Pennsylvania Avenue  
Towson, Maryland 21286  
(410) 296-3333  
Fax 296-4705

# FIRST AMENDED PARTIAL DEVELOPMENT PLAN

# AVALON - EAST PHASE I - SECTION II

( REFERENCE PLAT C RESUBDIVISION )

BALTIMORE COUNTY, MD.	HARD COUNCIL DISTRICT		THIRD ELECTION DISTRICT
			ISSUE DATES REVIEW: 12/4/97 ECO: _____ PERM: _____ CONSTRUCTION: _____
			RASE CEO HLS HLJ DESIGNED BY: KJM DATE CHECKED: JMS
			SCALE: 1" = 50' PROJECT NO.: 9400LB DRAWINGS: 1 OF 2

I, John B. Bunn CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING THE APPLICANT A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

**DIRECTOR OF POM** **DATE**

