

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NE/Corner
Reisterstown & Keller Roads * DEPUTY ZONING COMMISSIONER
(Greyrock, Phase 1, 26.059-Acre Parcel)
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 99-13-SPHA
Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P.
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Rocky Gorge at Greyrock, Limited Partnership, and Rocky Gorge Communities, Inc., a General Partner, by Christopher Dormont, President, through their attorney, Benjamin Bronstein, Esquire. The Petitioners seek approval of an amendment to the Fourth Partial Development Plan of Greyrock, Phase 1, and a variance from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.c of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit windows between buildings to be as close as 30 feet apart in lieu of the required 40 feet for windows between buildings B16 and 17, B18 and 19, and B20 and 23. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Edmund F. Haile and Robert Covahey, representatives of Daft-McCune-Walker, Inc., the consulting firm which prepared the site plan for this property, Jack Fleury, and Benjamin Bronstein, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

By

At the onset of the hearing, Counsel for the Petitioners requested an amendment to the Petition for Variance and noted that the variance for Buildings B16 and B17 would not be necessary. The Petition was amended accordingly and the hearing proceeded on the remainder of the request.

Testimony and evidence offered revealed that the subject property consists of 26.059 acres, split zoned D.R.3.5 and D.R.10.5, located on the northeast side of Reisterstown Road at its intersection with Keller Road in Pikesville. The property is also known as Greyrock, a residential community of townhouse condominiums, Phase 1 of which is currently under development. This project has undergone a series of amendments since it was first approved in 1993, and due to a recent land exchange with adjacent property owners, the Petitioner now comes before me seeking approval of a fourth amendment of the partial development plan for Phase 1 of Greyrock to reflect the revised layout and reconfiguration of the project boundary. However, as a result of the proposed reconfiguration, the requested variance is necessary. On behalf of the Petitioners, Mr. Haile testified that this project was approved under the old County Review Group (CRG) process at which time the old setback requirements for windows between buildings under the Comprehensive Manual of Development Policies (C.M.D.P.) was 40 feet. Since that time, the C.M.D.P. has changed and a 30-foot separation between buildings with facing windows is now permitted. However, inasmuch as the plan was approved under the old regulations, a variance is necessary in order to proceed with the proposed modifications.

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 special hearing and variance relief are 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 15th day of September, 1998 that the Petition for Special Hearing seeking approval of an amendment to the Fourth Partial Development Plan of Greyrock, Phase 1, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.c of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit windows between buildings to be as close as 30 feet apart in lieu of the required 40 feet for windows between buildings B16 and 17, and B18 and 19, 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.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.c of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit windows between buildings to be as close as 30 feet apart in lieu of the required 40 feet for windows between buildings B20 and 23, be and is hereby DISMISSED without prejudice.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
Date 9/13/98
By [Signature]

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

September 16, 1998

CONSTANCE K. PUTZEL
OF COUNSEL

VIA FAX 410-887-3468

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
County Courts Building
Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
NE/Corner Reisterstown & Keller Roads
(Greyrock, Phase 1, 26.059-Acre Parcel)
3rd Election District - 3rd Councilmanic District
Rocky Gorge at Grey Rock, L.P. and Rocky Gorge
Communities, Inc., G.P. - Petitioners
Case No.: 99-13-8PHA

Dear Deputy Commissioner Kotroco:

Reference is made to your Finds of Fact and Conclusions of Law in the above entitled case. On page 2 of the opinion you correctly stated that the Petitioner withdrew the requested variance for Buildings 16 and 17. Unfortunately, your Order transposes the buildings and instead of dismissing the variance request between Buildings 16 and 17 you dismiss the variances between Buildings 20 and 23 and granted the variance between Buildings 16 and 17. I would appreciate your reconsidering this matter and revising your Order appropriately.

Thank you for your kind consideration and attention to this matter.

Very truly yours,

GEORGE AND BRONSTEIN, LLP

Benjamin Bronstein

BB/mlh

cc: Mr. Jack Fleury
Rocky Gorge Communities, Inc.

Mr. Robert Covahey
Daft-McCune-Walker, Inc.

ORDER RECEIVED FOR FILING

Date

By

Sep. 16 1998 03:50PM B2

PHONE NO. : 410 296 3719

FROM : GEORGE & BRONSTEIN, LLP

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

MULTIPLE FAX TRANSMITTAL

TO: Timothy Kotroco	FAX NO.: 410-887-3468
TO: Jack Fleury	FAX NO.: 303-658-8797
TO: Robert Covahey	FAX NO.: 410-296-4705

FROM: Benjamin Bronstein	PHONE NO.: 410-296-0200
DATE: September 16, 1998	Pages (including cover): 2
Reference:	

Message:

ORIGINAL WILL NOT FOLLOW ☒

ORIGINAL WILL FOLLOW BY ☐ REGULAR MAIL
☐ COURIER
☐ OTHER

PRIVILEGED AND CONFIDENTIAL

THE INFORMATION SUPPLIED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND MAY BE LEGALLY PRIVILEGED. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS REFERENCED ABOVE VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

IF YOU WISH TO SPEAK TO
THE FAX OPERATOR, PLEASE
CALL 410-296-0200

DATE SENT: September 16, 1998
TIME SENT: 3:20 p.m.
OPERATOR: Michelle



Baltimore County
Zoning Commissioner
Office of Planning

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

September 15, 1998

Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NE/Corner Reisterstown & Keller Roads
(Greyrock, Phase 1, 26.059-Acre Parcel)
3rd Election District - 3rd Councilmanic District
Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. - Petitioners
Case No. 99-13-SPHA

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance, as modified, have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Christopher Dormont, President, Rocky Gorge Communities, Inc.
1410 Spring Hill Road, Suite 425, McLean, Va. 22102

Mr. Robert Covahey, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Northeast side Reisterstown Road & Keller Ave.
which is presently zoned DR3.5 - DR10.5

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to amend the Fourth Partial Development Plan, Phase I, Grey Rock

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s): Rocky Gorge at Grey Rock, L.P.

Rocky Gorge Communities, Inc., General Partner

(Type or Print Name)

Signature

Christopher Domment, President

(Type or Print Name)

Signature

1410 Spring Hill Road, Suite 425

Address (703) 658-8710 Phone No.

McLean, Virginia 22102

City State Zipcode

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

Robert Covahey
Daft-McCune-Walker, Inc. (410) 296-3333

Name

200 E. Pennsylvania Ave., Towson, MD 21286

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing 1 1/2 hrs

the following dates _____ Next Two Months

ALL ☒ OTHER

REVIEWED BY: JD DATE 7-7-98

Attorney for Petitioner: Benjamin Bronstein, Esquire

George & Bronstein, LLP

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address (410) 296-0200 Phone No.

Towson, Maryland 21204

City State Zipcode



ORDER RECEIVED FOR FILING

Date

By

99-13-SPHA 13



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Northeast side Reisterstown Road & Keller Ave.
which is presently zoned DR3.5 - DR10.5

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) 1B01.2.C.2.b (VB.6c CMDP) to permit windows between building as close as 30 ft in lieu of the minimum 40 ft for buildings B 16 and 17, B 18 and 19, and B 20 and 23.

No variance needed between bldg 16+17.

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

1. Configuration of Property
2. Topography of Property
3. And for such other reasons as may be demonstrated at hearing.

*YMK
7/04/98*

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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner: Benjamin Bronstein, Esquire

George & Bronstein, LLP

(Type or Print Name)

Signature

29/W. Susquehanna Ave., Suite 205

Address (410) 296-0200 Phone No.

Towson, Maryland 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): Rocky Gorge at Grey Rock, L.P.

Rocky Gorge Communities, Inc., General Partner

(Type or Print Name)

Christopher Dormont

Signature

Christopher Dormont, President

(Type or Print Name)

Signature

1410 Spring Hill Road, Suite 425

Address (703) 658-8710 Phone No.

McLean, Virginia 22102

City State Zipcode

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

Daft-McCune-Walker, Inc. (410) 296-3333

Name

200 E. Pennsylvania Ave., Towson, MD 21286

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

See SPH
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: [Signature] DATE 7-7-98

13

ORDER RECEIVED FOR FILING

99-13-SPHA

Description
26.059 Acre Parcel
To Accompany Petition for Special Hearing
Northeast Side of Reisterstown Road
Northwest Side of Keller Road
Third Election District, Baltimore County, Maryland



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

Beginning for the same at the point formed by the intersection of the northeast side of Reisterstown Road (100 feet wide) with the centerline of Keller Road (40 feet wide) and being at the end of the following course and distance measured from the point formed by the intersection of the centerline of Reisterstown Road with the centerline of Keller Road (1) Northeasterly along said centerline of Keller Road 50 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on the northeasterly line of said Reisterstown Road, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, (1) North 42 degrees 09 minutes 10 seconds West 517.98 feet, thence leaving said road and running the following seventeen courses and distances, viz: (2) North 23 degrees 01 minute 47 seconds East 796.38 feet, thence (3) South 58 degrees 53 minutes 50 seconds East 27.78 feet, thence (4) Northeasterly by a line curving to the right with a radius of 147.50 feet for a distance of 179.68 feet (the arc of said curve being subtended by a chord bearing North 57 degrees 55 minutes 43 seconds East 168.78 feet and having a beginning tangent bearing of North 23 degrees 01 minute 48 seconds East and a departing tangent bearing of South 87 degrees 10 minutes 22 seconds East), thence (5) South 87 degrees 10 minutes 22 seconds East 111.95 feet, thence (6) Southeasterly by a line curving to the right with a radius of 467.50 feet for a distance of 68.07 feet (the arc of said curve being

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subtended by a chord bearing South 83 degrees 00 minutes 06 seconds East 68.01 feet and having a beginning tangent bearing of South 87 degrees 10 minutes 22 seconds East and a departing tangent bearing of South 78 degrees 49 minutes 51 seconds East), thence (7) North 11 degrees 10 minutes 09 seconds East 59.40 feet, thence (8) Northwesterly by a line curving to the left with a radius of 165.00 feet for a distance of 74.72 feet (the arc of said curve being subtended by a chord bearing North 01 degree 48 minutes 15 seconds West 74.08 feet and having a beginning tangent bearing of North 11 degrees 10 minutes 09 seconds East and a departing tangent bearing of North 14 degrees 46 minutes 39 seconds West), thence (9) North 75 degrees 13 minutes 21 seconds East 9.11 feet, thence (10) Northwesterly by a line curving to the left with a radius of 125.00 feet for a distance of 60.02 feet (the arc of said curve being subtended by a chord bearing North 23 degrees 46 minutes 02 seconds West 59.45 feet and having a beginning tangent bearing of North 10 degrees 01 minute 39 seconds West and a departing tangent bearing of North 37 degrees 31 minutes 26 seconds West), thence (11) North 43 degrees 10 minutes 01 second East 221.59 feet, thence (12) South 48 degrees 00 minutes 36 seconds East 169.23 feet, thence (13) South 18 degrees 44 minutes 17 seconds West 41.71 feet, thence (14) South 71 degrees 15 minutes 43 seconds East 390.62 feet, thence (15) South 25 degrees 27 minutes 00 seconds West 148.72 feet, thence (16) South 64 degrees 33 minutes 00 seconds East 192.00 feet, thence (17) South 25 degrees 27 minutes 00 seconds West 414.39 feet, and thence (18) South 44 degrees 05 minutes 42 seconds East 102.87 feet to intersect the northwest side of Castleton Avenue, 50 feet wide, thence binding thereon (19) South 45 degrees 54 minutes 18 seconds West 111.10 feet, thence crossing said Castleton Avenue (20) South 42 degrees 58 minutes 03 seconds East 50.01 feet to intersect the southeast side of Castleton Avenue, thence binding thereon (21) South 45 degrees 54 minutes 18 seconds West 220.01 feet, thence crossing

said Castleton Avenue (22) North 41 degrees 01 minute 40 seconds West 50.07 feet to intersect the northwest side of Castleton Avenue, thence running the following three courses and distances, viz: (23) North 41 degrees 01 minute 40 seconds West 164.42 feet, thence (24) South 51 degrees 09 minutes 54 seconds West 82.53 feet, and thence (25) North 42 degrees 21 minutes 33 seconds West 46.03 feet to intersect the centerline of Keller Road, 40 feet wide, thence binding thereon (26) South 47 degrees 15 minutes 35 seconds West 682.33 feet to the point of beginning; containing 26.059 acres of land, more or less.

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

June 10, 1998

Project No. 87030.P (L87030P)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item 13
No. 056183

DATE 7-7-98 ACCOUNT R-001-6150
AMOUNT \$ 500.⁰⁰

RECEIVED FROM: George & Bronstein LLP.
FOR: Variance & Special Hearing, Grey Rock Phase I.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

99-13-SPHA

PAID RECEIPT
PROCESS ACTUAL TIME
7/07/1998 7/07/1998 11:48:32
REQ W502 CASHIER JRIC JMR DRAWER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 051386
CR NO. 056183

500.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/6/, 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 8/6/, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF ZONING HEARING

The Zoning Commission of Baltimore County and Regulations of the Zoning Commission will hold a hearing in Towson on the property shown as follows:

13-SPHA
Towson and
Roads (Grey Rock)
Section District
Legal District
Rocky Gorge at Grey Rock
L.P. & Rocky Gorge
Communities, Inc., General
Partner

Special Hearing: to amend the Fourth Partial Development Plan, Phase I, Grey Rock. **Variance:** to permit windows between building as close as 30 feet in lieu of the minimum 40 feet for buildings B-16 and 17, B-18 and 19, and B-20 and 22.

Hearing: Monday, August 24, 1998 at 10:00 a.m., in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for Special accommodations Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

8/024 August 6 c248788

CERTIFICATE OF POSTING

RE: Case # 99-13-SPHA
Petitioner/Developer:
(Rocky Gorge at Grey Rock)
Date of Hearing/Closing:
(August 24, 1998)

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

Attention : Ms. Gwendolyn Stephens

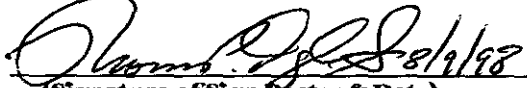
Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____

NEC Reisterstown and Keller Roads Baltimore, Maryland 21208 _____

The sign(s) were posted on _____ August 9, 1998 _____
(Month, Day, Year)

Sincerely,

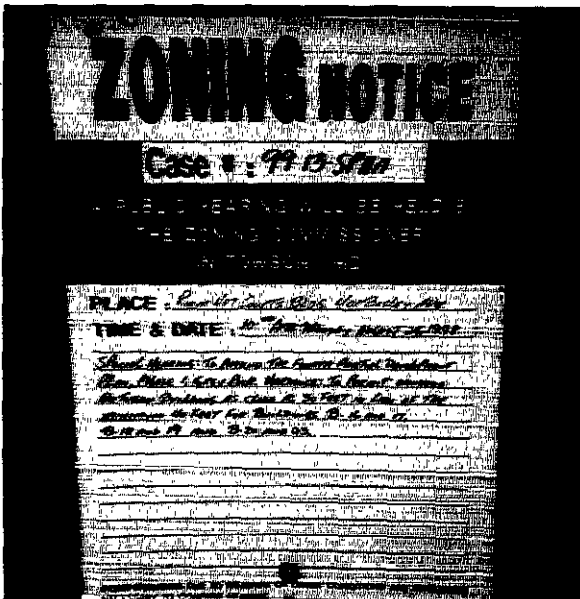

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
Phase I Grey Rock, NE/S Reisterstown Rd and Keller
Avenue, 3rd Election District, 2nd Councilmanic

Legal Owners: Rocky Gorge at Grey Rock L.P.,
et al.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-13-SPHA

* * * * *

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 30th day of July, 1998, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN

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.: 99-13-SPHA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A Variance to permit windows between buildings
as close as 30 ft. in lieu of the minimum required
40 ft. for bldg. nos. B-16, 17, 18, 19, 20 & 23; and
to amend the Forth Partial development Plan,
Phase I, Grey Rock for same.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
August 6, 1998 Issue - Jeffersonian

Please forward billing to:

George and Bronstein, LLP
Suite 205
29 West Susquehanna Avenue
Towson, MD 21204

410-296-0200

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: 99-13-SPHA

NEC Reisterstown and Keller Roads (Grey Rock)

3rd Election District -- 2nd Councilmanic District

Legal Owner: Rocky Gorge at Grey Rock, L.P. & Rocky Gorge Communities, Inc., General Partner

Special Hearing to amend the Fourth Partial Development Plan, Phase I, Grey Rock. Variance to permit windows between building as close as 30 feet in lieu of the minimum 40 feet for buildings B-16 and 17, B-18 and 19, and B-20 and 23.

HEARING: Monday, August 24, 1998 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

scj
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: 98-13-SPHA

Petitioner: Rocky Gorge at Brey Rock, L.P.

Address or Location: NE Corner, Reisterstown Rd & Keller Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: George and Bronstein, LLP

Address: Suite 205,
29 West Susquehanna Ave
Towson, Md, 21204

Telephone Number: (410) 296-0200



Baltimore County
Department of Permits and
Development Management

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

July 22, 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: 99-13-SPHA

NEC Reisterstown and Keller Roads (Grey Rock)

3rd Election District – 2nd Councilmanic District

Legal Owner: Rocky Gorge at Grey Rock, L.P. & Rocky Gorge Communities, Inc., General Partner

Special Hearing to amend the Fourth Partial Development Plan, Phase I, Grey Rock. Variance to permit windows between building as close as 30 feet in lieu of the minimum 40 feet for buildings B-16 and 17, B-18 and 19, and B-20 and 23.

HEARING: Monday, August 24, 1998 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish below it.

Arnold Jablon
Director

c: Benjamin Bronstein, Esquire
Rocky Gorge at Grey Rock & Rocky Gorge Communities, Inc.
Daft-McCune-Walker, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 9, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

August 19, 1998

Benjamin Bronstein, Esq.
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204

RE: Item No.: 13
Case No.: 99-13-SPHA
Location: Northeast
Reisterstown Road and Keller
Avenue

side

Dear Mr. Bronstein:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 7, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: July 31, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
for July 27, 1998
Item Nos. 011, 012, (013) 014, 015,
016, 017, and 018

Case Number 98-473-X (7501 Oakleigh Road

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

July 27, 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 JULY 20, 1998

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

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

018, 012, 013, 014, 015, AND 016

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File



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

TO: PDM
FROM: R. Bruce Seeley *RBS/98*
Permits and Development Review
DEPRM

DATE: *7/22/98*

SUBJECT: Zoning Advisory Committee
Meeting Date: *July 20, 98*

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

Item #'s:

12
13
14
15

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

Paris 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 7.20.98
Item No. 013 JJS

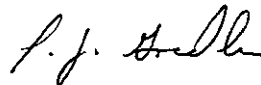
Dear Ms. Stephens:

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

sent
8/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 17, 1998

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

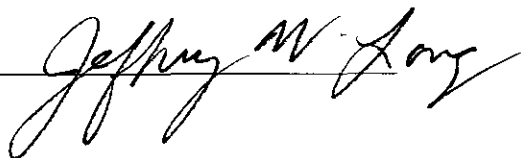
SUBJECT: Zoning Advisory Petitions

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

Item Nos. 13, 14, and 18

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) 887-3480.

Section Chief:



AFK/JL

7/7

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

July 1, 1998

CONSTANCE K. PUTZEL
OF COUNSEL

HAND DELIVERED

Arnold Jablon, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: **Northeast Side Reisterstown Road and Keller Avenue**

Dear Mr. Jablon:

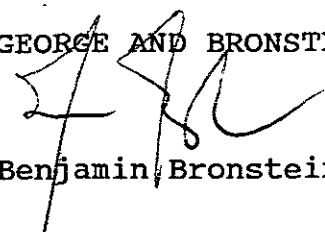
In reference to the above entitled property I am hereby enclosing the following:

1. Petition for Special Hearing in triplicate.
2. Petition for Variance in triplicate.
3. Twelve (12) copies of the Fourth Amended Partial Development Plan and Plat to Accompany Special Hearing and Variance.
4. Three (3) copies of the description under seal.
5. Copy of the 200 Scale Zoning Map.
6. My check to cover costs.

Please enter my appearance on behalf of the Petitioner and advise me as to the hearing date.

Very truly yours,

GEORGE AND BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosures

99-13-5PHA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ed Hails

200 E. A Ave 21286

JACK FLURY

7611 LITTLE RIVER TURNPIKE, ANNAPOLIS, VA

BOB CAVANEY

200 E PENN. AVE. 21286

DA PRINSTEIN

29 W SUSSEX AVE 21214

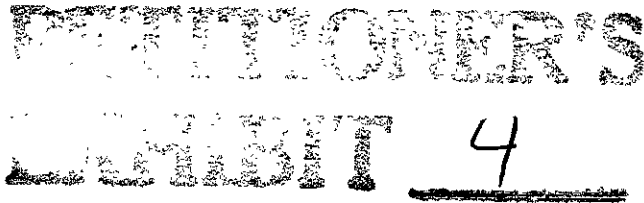




Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21204
410 296 3333
Fax 296 4705
E-Mail @ DMW.com

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



Ed Haile coordinates all DMW production activities. His extensive public-sector experience makes him an especially effective corporate liaison with state and local government agencies.

Ed has more than 40 years of experience in engineering administration and management in both government and private industry. He is recognized as an expert in local jurisdictional policies and procedures, particularly those concerned with public works. He also manages large development projects for the firm from inception in the office to completion in the field.

Significant Projects

Oak Crest Village
Retirement Community
Parkville, Maryland

I-95 Connection to Harbor
Tunnel Throughway
Baltimore County, Maryland

John F. Kennedy
Highway Widening
White Marsh to
Susquehanna River

McPherson Square Station
WMATA
Washington, D.C.

Civic Involvements

Baltimore County Chamber
of Commerce, President,
1978

Goucher College, Trustee
1978 - Present

Professional Background

Daft-McCune-Walker, Inc.
Towson, Maryland
1981 - Present

Kidde Consultants, Inc.
Towson, Maryland
1968 - 1981

Department of Public
Works, Baltimore County,
Maryland
1960 - 1968

Pennsylvania Railroad
1957 - 1960

U.S. Army Corps of
Engineers
1955 - 1957

Registrations

Professional Engineer
MD, PA, DE, and VA

Land Surveyor
MD, PA, DE, and VA

Education

Graduate Studies
University of Maryland
Towson State University

B.E. - Civil Engineering
Johns Hopkins University

Associations

American Society of
Civil Engineers

Tau Beta Pi Honorary
Engineering Fraternity

Baltimore County
Engineering Association
Chairman, 1985 - Present

Maryland Society of
Surveyors, Director
1977 - 1981



inc.

THE LESSARD ARCHITECTURAL GROUP

9603 WESTWOOD CTR. DR. • SUITE 400 • VIENNA, VA 22182 • 703/760-9944 • FAX 703/760-9928

B-16 from 1/4 scale

OWNER: LESSARD ARCHITECTURAL GROUP, INC.
DESIGNER: LESSARD ARCHITECTURAL GROUP, INC.
REVISIONS TO BE MADE BY THE ARCHITECT.
REVISIONS TO BE MADE BY THE ARCHITECT.
REVISIONS TO BE MADE BY THE ARCHITECT.
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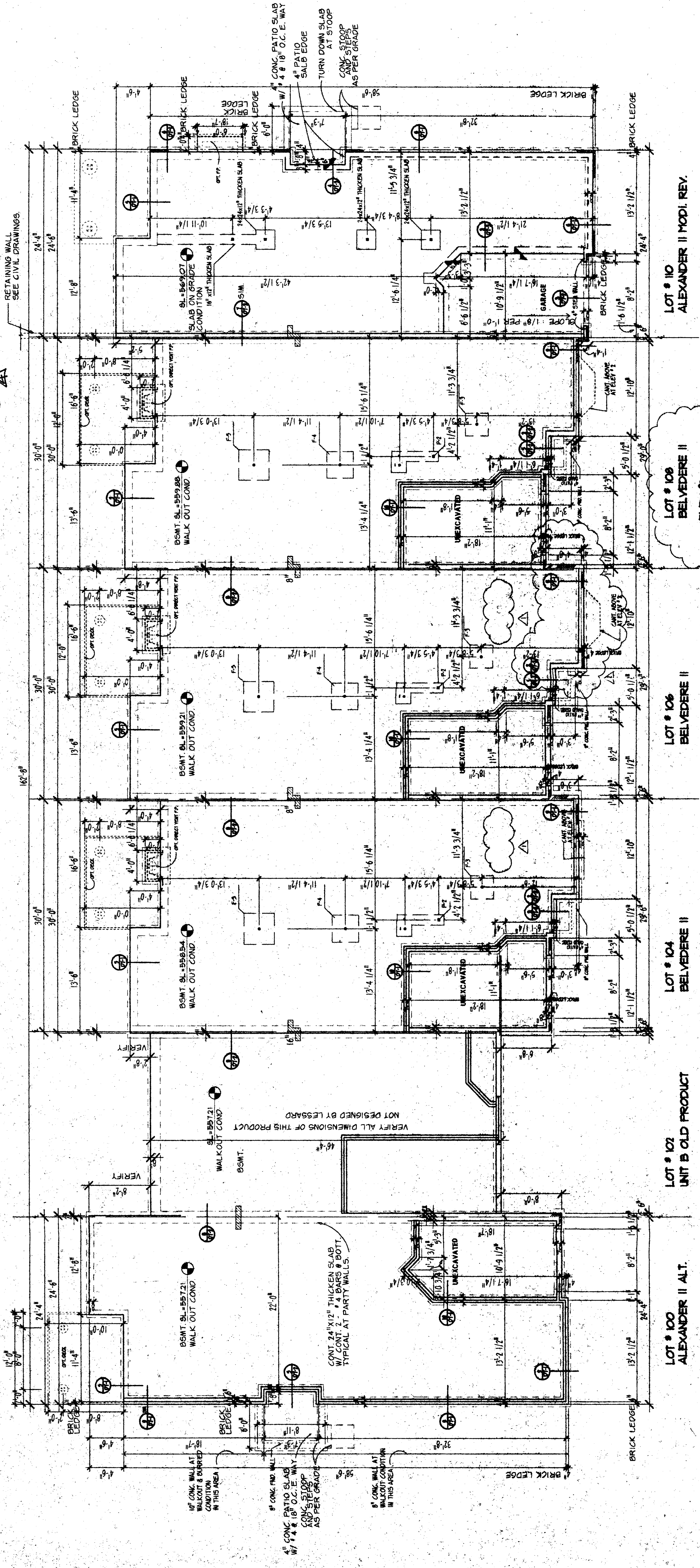
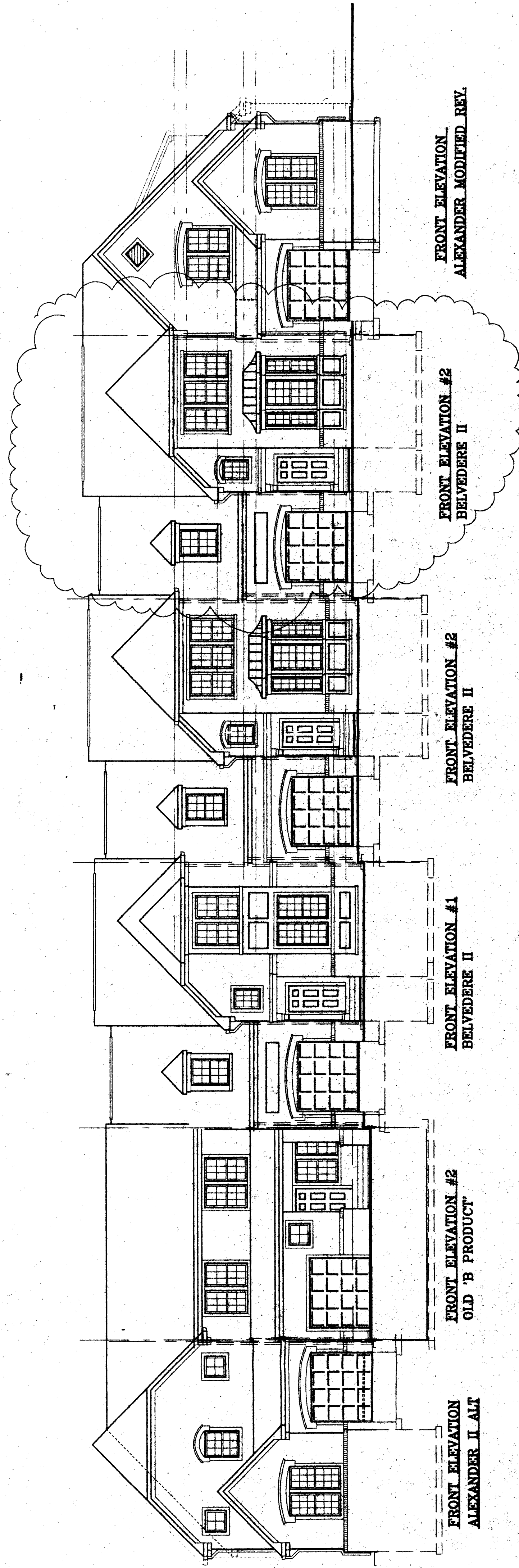
NO.	REVISION	DATE
1	DATE	12-24-97
2	DATE	1-28-98
3	DATE	1-28-98
4	DATE	1-28-98

STRIP BLDG 16
12-18-97
1/8" = 1'-0"
ROCKY GORGE COMM.
GREY ROCK
BALTIMORE, MD
RCC43

ST-16

P:\RCC43\ST-16

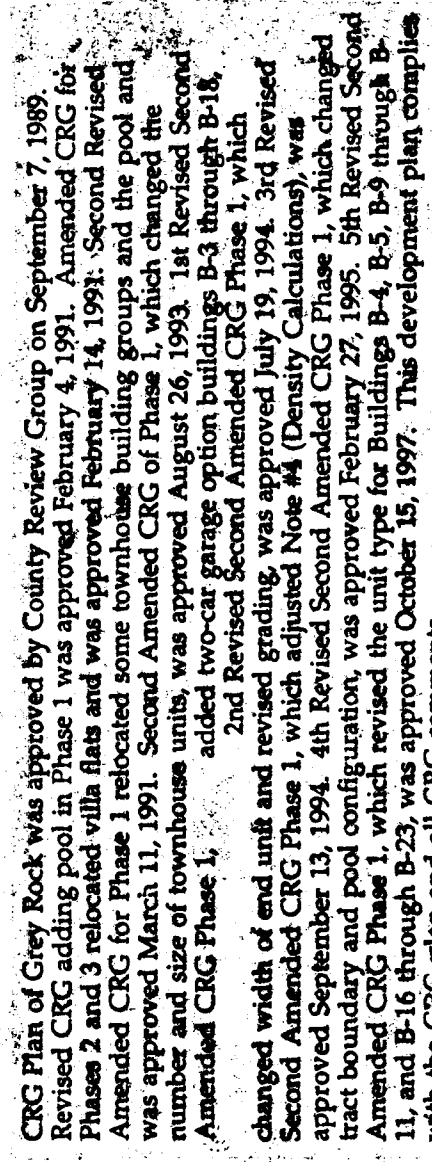
LOT 100-110
UNIT 3



STRIP FOUNDATION PLAN
LOT #s 100-110

NOTE:
SEE LOT LIST FOR UPDATED OPTIONS OF DECKS & BAYS.
FOUNDATION PLANS SHALL BE COORDINATED WITH LOT LIST

1. SEE 1/4" SCALE FOUNDATION PLAN FOR ALL NOTES AND INFO.

[illegible]

Proposed =	250 garage/driveway spaces
	276 overflow spaces
	326 Total
	326 post spaces

Setbacks:
Minimum setbacks in plan must zoning requirements as follows:
0 Feet Building to Lot Line or Property R/W (Public Road)

0-20 Foot Height = 45 Feet Between Buildings
20-25 Foot Height = 25 Feet Between Buildings
25-30 Foot Height = 30 Feet Between Buildings
30-40 Foot Height = 40 Feet Between Buildings
40-50 Foot Height = 50 Feet Between Buildings
50-60 Foot Height = 60 Feet Between Buildings
50 Foot, Medium Building Height

6. The development plan is approved by the Director of P&M based on the following criteria:

- a) The proposed building shall conform to the applicable zoning regulations, density, and bulk controls as they are delineated in the regulations. Any part or parcel of the tract that has been utilized for density to support dwelling units shall be considered as such.
- b) The proposed building shall have a purpose other than that indicated presently on said plat. Utilization with have occurred when a building is constructed and transferred for the purpose of occupancy.

	School District	Millbrook
4. Capacity: Seats:	416	
5. 1991 Projected:	430	
6. Estimated Pupil Yield	12	

(Phase 3)

18. A final Landmarks Plan must be approved by the Office of Planning prior to the issuance of grading permits.

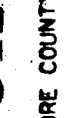
19. Provisional Section

20. The provision section of this partial development plan is not intended nor should it be utilized as a final development plan from which

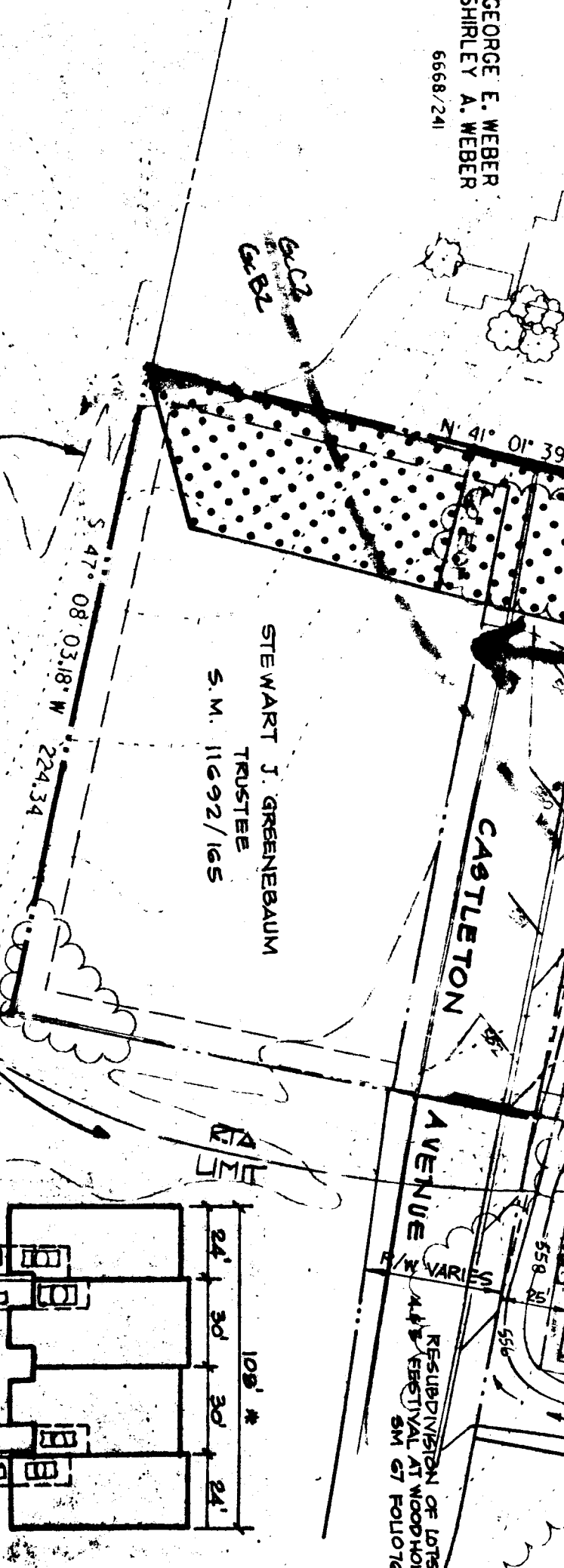
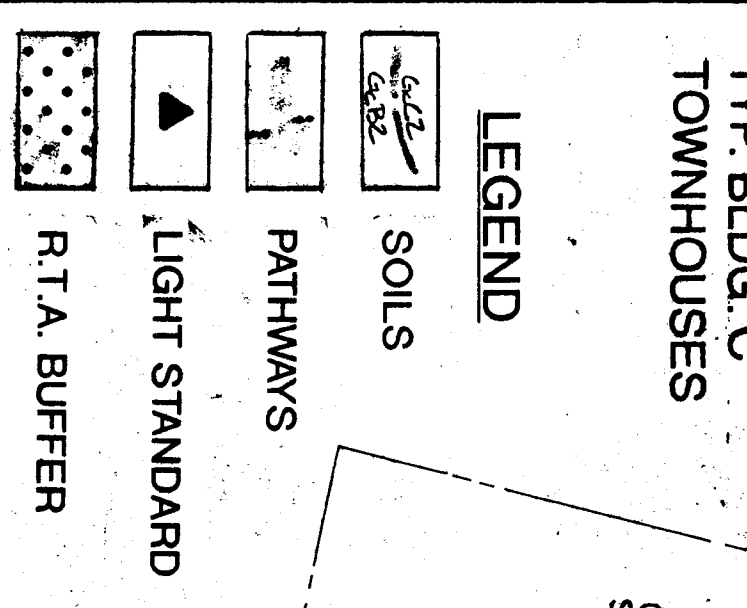
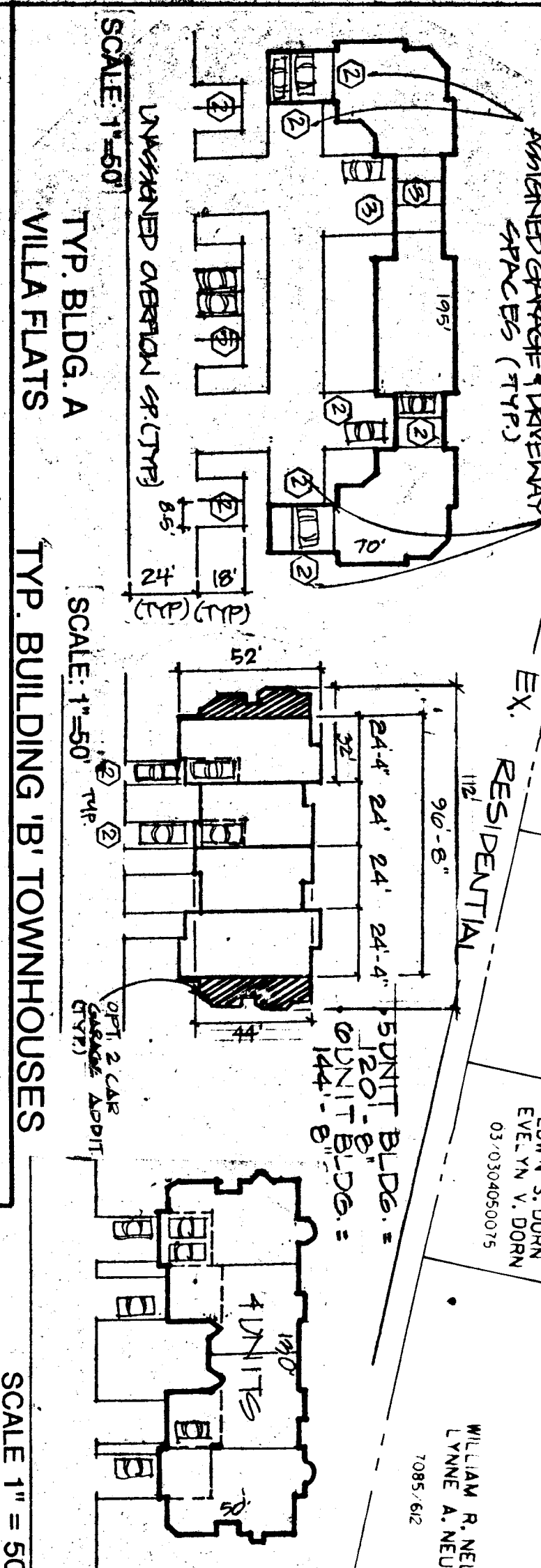
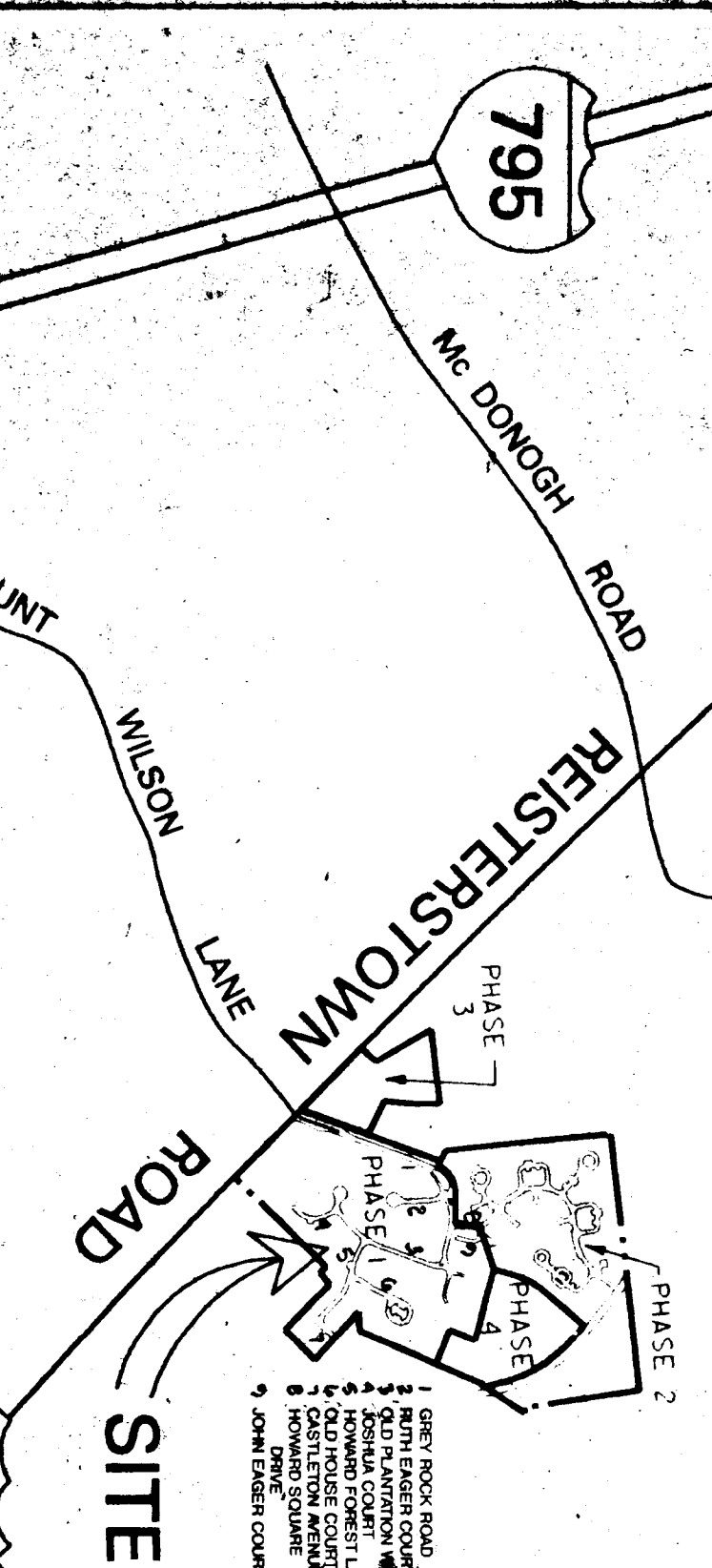
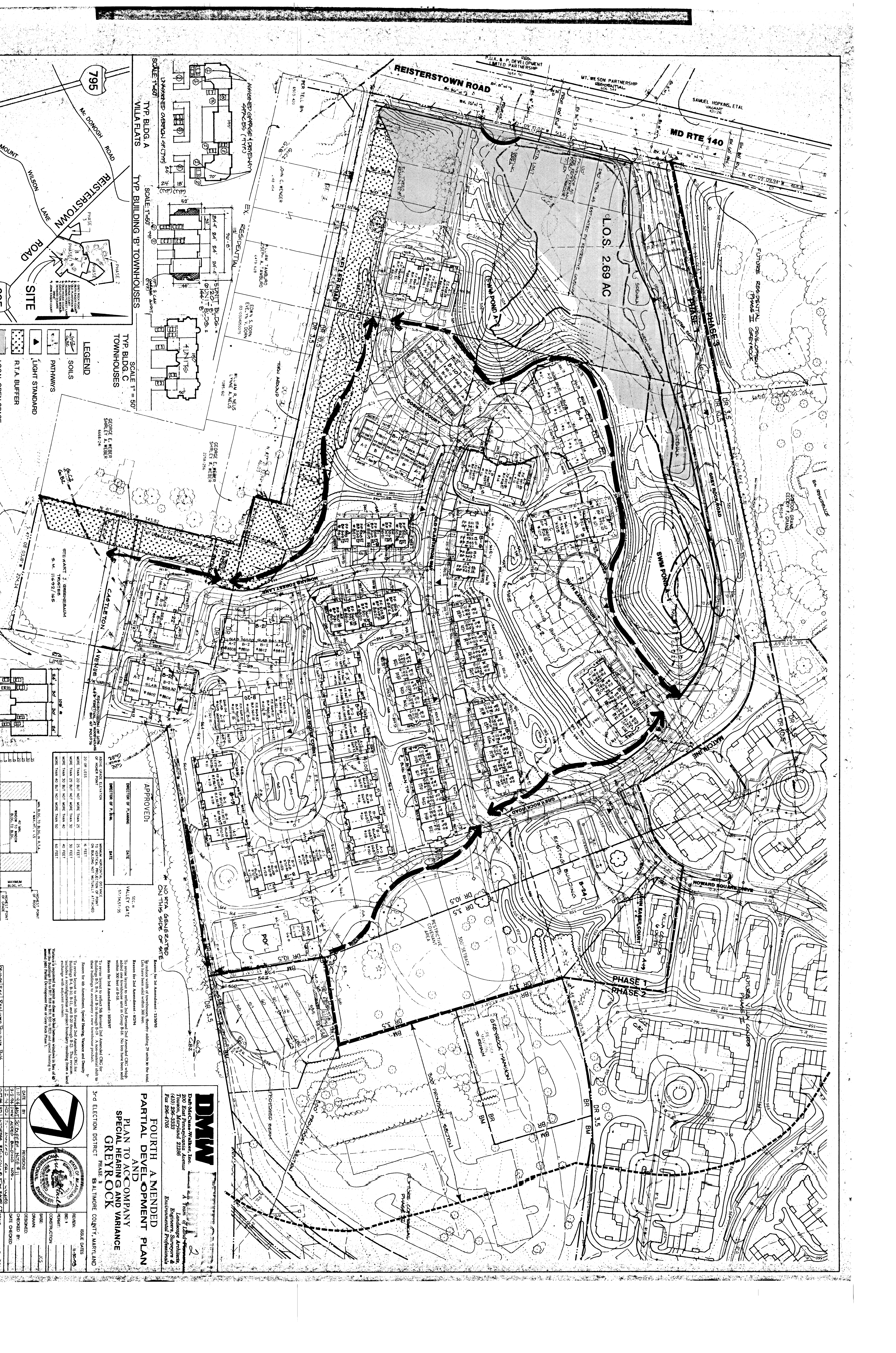
At the time of building permit applications, the Provisionary Section of the Department of Public Works shall be notified of the proposed construction and the applicant shall be required to submit a plan showing the proposed construction and the location of the proposed construction. The applicant shall be required to submit a plan showing the proposed construction and the location of the proposed construction. The applicant shall be required to submit a plan showing the proposed construction and the location of the proposed construction.

son for 1st Amendment - 1/26/09
To reduce width of townhouses, thereby adding 29 units to the total,
I have been sold within 300 feet.
Reason for 2nd Amendment - 6/2/04
Previous layout to reflect 2nd Revised 2nd Amended CRG which
increased the unit in Group D by 30. No high have been sold
within 300 feet of 18.

APPROVED:	
DIRECTOR OF PLANNING	DATE
DIRECTOR OF P. D. M.	DATE

3rd ELECTION DISTRICT GREY ROCK PHASE 1 BALTIMORE COUNTY, MARYLAND	
	

2	
JOB ORDER NO.	87030. H
ISSUE DATE	11-30-73



APPROVED:	
DIRECTOR OF PLANNING	DATE
DIRECTOR OF P. Bldg.	DATE
DATE	

NO. OF UNITS	
20 OR LESS	25 FEET
MORE THAN 20 BUT NOT MORE THAN 25	30 FEET
MORE THAN 25 BUT NOT MORE THAN 30	35 FEET
MORE THAN 30 BUT NOT MORE THAN 40	40 FEET
MORE THAN 40 BUT NOT MORE THAN 50	50 FEET

Reason for this Amendment - 10/28/97
To revise layout to reflect 5th Revised and Amended CAC for Building B, Bldg. A and to revise Bldg. A. A conceptual plan to show buildings, streets, parking, and landscaping. The plan includes a reconfiguration of project boundary resulting from a land exchange with adjacent owners.

Reason for this Amendment - 10/28/97
To revise layout to reflect 5th Revised and Amended CAC for Building B, Bldg. A and to revise Bldg. A. A conceptual plan to show buildings, streets, parking, and landscaping. The plan includes a reconfiguration of project boundary resulting from a land exchange with adjacent owners.

DMW
Dale MacCune-Waters, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 286-3333
Fax 286-7006

**FOURTH AMENDED
PARTIAL DEVELOPMENT PLAN
AND
SPECIAL HEARING AND VARIANCE
GREY ROCK
PHASE 1**

3rd ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVIEW: 11-20-97
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE CHECKED: [Signature]

DATE: 11-20-97
REVISIONS: [Signature]
DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE CHECKED: [Signature]

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NE/Corner
Reisterstown & Keller Roads * DEPUTY ZONING COMMISSIONER
(Greyrock, Phase 1, 26.059-Acre Parcel)
3rd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
* Case No. 99-13-SPHA
Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P.
Petitioners

* * * * *

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Rocky Gorge at Greyrock, Limited Partnership, and Rocky Gorge Communities, Inc., a General Partner, by Christopher Dormont, President, through their attorney, Benjamin Bronstein, Esquire. The Petitioners sought approval of an amendment to the Fourth Partial Development Plan of Greyrock, Phase 1, and variance relief from Section 1B01.2.C.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.c of the Comprehensive Manual of Development Policies {C.M.D.P.}) to permit windows between buildings to be as close as 30 feet apart in lieu of the required 40 feet between buildings B16 and 17, and B18 and 19, and B20 and 23, as set forth on the site plan submitted into evidence as Petitioner's Exhibit 1.

At the onset of the hearing, Counsel for the Petitioners requested an amendment to the Petition for Variance, in that the variance for Buildings B16 and B17 would not be necessary. The Petition was amended accordingly and the hearing proceeded on the remainder of the request.

By Order dated September 15, 1998, the special hearing and variance relief were granted. However, subsequent to the issuance of said Order, Counsel for the Petitioners requested an amendment to the Order,

ORDER RECEIVED FOR FILING

Date

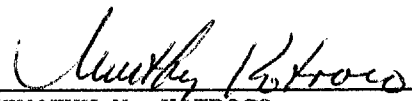
By

and noted that while the body of the Order accurately reflected the variance relief to be approved, the granting language at the end of the Order inadvertently dismissed the relief sought for Buildings B20 and 23 and granted relief for Buildings B16 and 17 in error. Thus, it is clear that an amendment is necessary in order to correct the variance relief granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of September, 1998 that the Order issued September 15, 1998 in the above-captioned matter be and the same shall hereby be AMENDED to GRANT the Petition for Variance to permit windows between buildings to be as close as 30 feet apart in lieu of the required 40 feet for windows between Buildings B18 and 19 and B20 and 23, in accordance with Petitioner's Exhibit 1; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking similar relief for Buildings B16 and 17, be and is hereby DISMISSED without prejudice; and,

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued September 15, 1998, including the granting of the Petition for Special Hearing, shall remain in full force and effect.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205, Towson, Md. 21204

Mr. Christopher Dorment, President, Rocky Gorge Communities, Inc.
1410 Spring Hill Road, Suite 425, McLean, Va. 22102

Mr. Robert Covahey, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286

People's Counsel; Case Files

ORDER RECEIVED FOR FILING
Date
By

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

September 16, 1998

CONSTANCE K. PUTZEL
OF COUNSEL

VIA FAX 410-887-3468

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
County Courts Building
Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
NE/Corner Reisterstown & Keller Roads
(Greyrock, Phase 1, 26.059-Acre Parcel)
3rd Election District - 3rd Councilmanic District
Rocky Gorge at Grey Rock, L.P. and Rocky Gorge
Communities, Inc., G.P. - Petitioners
Case No.: 99-13-SPHA

Dear Deputy Commissioner Kotroco:

Reference is made to your Finds of Fact and Conclusions of Law in the above entitled case. On page 2 of the opinion you correctly stated that the Petitioner withdrew the requested variance for Buildings 16 and 17. Unfortunately, your Order transposes the buildings and instead of dismissing the variance request between Buildings 16 and 17 you dismiss the variances between Buildings 20 and 23 and granted the variance between Buildings 16 and 17. I would appreciate your reconsidering this matter and revising your Order appropriately.

Thank you for your kind consideration and attention to this matter.

Very truly yours,

GEORGE AND BRONSTEIN, LLP

Benjamin Bronstein

BB/mlh

cc: Mr. Jack Fleury
Rocky Gorge Communities, Inc.

Mr. Robert Covahey
Daft-McCune-Walker, Inc.

ORDER RECEIVED FOR FILING

Date

By

Sep. 16 1998 03:30PM

PHONE NO. : 410 296 3719

FROM : GEORGE & BRONSTEIN, LLP