

IN RE: PETITION FOR VARIANCE
E/S Cross Road, 190' S of the c/l
Forge Road
(Perry Hall Farms/Gunpowder Vicinity)
11th Election District
5th Councilmanic District

Perry Hall Farms Joint Venture
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-421-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Perry Hall Farms Joint Venture, by Edward A. Personette, General Partner. The Petitioner seeks relief from Sections 1B01.2.C.1, 1B01.2.C.2.a, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1970 Regulations Adopted), and from Sections V.B.3.b, V.B.5.a, V.B.5.b, and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P., 1970) to permit building separations and building setbacks to be less than that required by the B.C.Z.R. The properties which are the subject of this portion of the request have been highlighted in orange on the site plan submitted and are single family dwellings located adjacent to Silver Farm Court in Section IV of the Perry Hall Farms subdivision. In addition, special hearing relief is requested to amend the variances granted in prior Case No. 98-65-A on October 6, 1997 to allow a window to public right-of-way/front yard setback of 10 feet in lieu of the 13 feet granted for Lots 102, 109, 110 and 117 in Section IV, and to permit a window to public right-of-way/side yard setback of 10 feet in lieu of the 15 feet granted for Lots 102 and 110 in Section IV. Those properties are end-of-group townhouse units located adjacent to Warm Stone Circle and have been highlighted in yellow on the site plan. Lastly, the Petitioner requests an amendment to the Final Development Plan for Perry Hall Farms, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING

Date

2/2/99

Appearing at the public hearing held in this matter were Edward A. Personette, General Partner in the Perry Hall Farms Joint Venture, property owners, Richard L. Smith and Ray Hopkins, engineers with KCI Technologies, Inc., who prepared the site plan for this property, and Patricia Malone, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

The subject property is a major residential subdivision which was originally approved for development by the County Review Group (CRG) in 1990. The entire subdivision is approximately 165.97 acres, more or less, split zoned D.R.3.5, D.R.5.5 and D.R.10.5. The property is proposed for development with a mix of single family dwellings, townhouses, and apartments/condominium units. The development will be spread out over five (5) separate sections.

Recently, the matter came in for a public hearing for a series of variances under Case No. 98-65-A. By Order dated October 6, 1997, and as amended on October 30, 1997, Deputy Zoning Commissioner Timothy M. Kotroco outlined and delineated the history of the project and the specifics of the proposed development. To the extent applicable, the findings, conclusions, and terms of that decision, as amended, are incorporated herein.

The Petitioner now comes before me seeking variance relief as outlined above. The variances requested generally relate to the 28 single family dwelling lots which will be constructed as part of Section IV. Testimony and evidence offered indicated that variance relief was necessary to bring the development into compliance with the proposed scheme of development for this subdivision. As noted above, the project was originally approved by the CRG and is subject to the setback requirements that were in force at that time. The proposed scheme is more consistent with existing requirements and will promote a more appropriate development.

Special hearing relief is also requested for certain end townhouse units. This relief is required to amend the prior Order and results from the Petitioner's failure to recognize the need for variance relief in the prior case. That is, there is no change to the prior plan; however, that plan failed to earmark that a setback of 10 feet would be maintained from side property lines in lieu of

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7/2/99
1030

the required 13 feet. Although properly scaled on the previous plan, the distance was not dimensioned and a variance was not requested. Thus, special hearing relief is requested at this time to "clean up" the plan.

As noted above, no one appeared in opposition to the request. On behalf of the property owner, Mr. Personette explained the plan and the proposed changes. Testimony was also offered to support the requests by Dick Smith and Ray Hopkins, on behalf of KCI Technologies, Inc., the engineering firm which prepared the plan.

A Zoning Plans Advisory Committee (ZAC) comment was received from the Office of Planning, which, as written, generally supports the variance request for the single family dwelling units. However, the comment did raise an issue regarding the side yard setbacks for the townhouses. At the hearing, it was explained that the townhouses, under the proposed layout, will maintain a 5-foot strip between lots to allow residents sufficient room to move lawn maintenance equipment and the like from the front of units to the rear. The Office of Planning raised this issue as a concern. The existence of a 5-foot strip as shown on Petitioner's Exhibit 2 resolves this issue.

The Office of Planning comment also raised an issue concerning exterior mailboxes. In this regard, Mr. Personette indicated that it was his desire to develop the site with that amenity; however, he had been unable to do so, due to the requirements of the U.S. Post Office. Apparently, the Post Office requires a cluster mailbox theme to ease delivery for its mail carriers. Clearly, single exterior mailboxes for each unit would be preferable; however, the Developer needs U.S. Post Office approval for that arrangement. If it cannot be obtained, the cluster mailbox arrangement must be provided.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of July, 1999 that the Petition for Variance seeking relief from Sections 1B01.2.C.1, 1B01.2.C.2.a, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1970 Regulations Adopted), and from Sections V.B.3.b, V.B.5.a, V.B.5.b, and V.B.6.b of the

Comprehensive Manual of Development Policies (C.M.D.P., 1970) to permit building separations and building setbacks to be less than that required by the B.C.Z.R. for those single family dwelling units located adjacent to Silver Farm Court and highlighted in orange on Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the special hearing to amend the variances granted in prior Case No. 98-65-A to allow a window to public right-of-way/front yard setback of 10 feet in lieu of the required 13 feet for Lots 102, 109, 110 and 117, and to permit a window to public right-of-way/side yard setback of 10 feet in lieu of the required 15 feet for Lots 102 and 110, for those end-of-group townhouse dwelling units located adjacent to Warm Stone Circle and highlighted in yellow on Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that an amendment to the Final Development Plan for Perry Hall Farms, Section IV thereof to reflect the relief granted herein, 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.

LES:bjs



LAWRENCE E. SCHMIDT
Zoning Commissioner
For Baltimore County

ORDER RECEIVED FOR FILING
Date 7/2/09
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 2, 1999

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

RE: PETITION FOR VARIANCE
E/S Cross Road, 190' S of the c/l Forge Road
(Perry Hall Farms, Section IV)
11th Election District – 5th Councilmanic District
Perry Hall Farms Joint Venture - Petitioners
Case No. 99-421-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 black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Edward A. Personette
801 Stonebarn Road, Towson, Md. 21286
Messrs. Nicholas Linehan, Richard L. Smith and Ray Hopkins
KCI Technologies, Inc., 10 North Park Drive, Hunt Valley, Md. 21030
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Perry Hall/Gunpowder Vicinity Cross
Forge Rd. Zoning Maps NE11-I, NE11-H

which is presently zoned DR 3.5 & ~~H.1~~

This Petition shall be filed with the Department of Permits and 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) 1 B01.2C1, 1 B01.2C2A, 504 of the BCZR (1970) Adoption and Section V.B.3.b., V.B.5.A., V.B.5.b., V.B.6.b., of the CMDF (1970)

Adoption to allow building separations and building setbacks to be less than required by the BCZR and to amend variances granted October 6, 1997 for Section IV of the Perry Hall Farms Subdivision. See attached listing of variances and to amend the Final Development Plan (As Last Approved) for Perry Hall Farms Section IV.

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

To be determined at the Hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 99-A21-A

Date 9/15/98

Legal Owner(s):

Edward A. Personette

Name - Type or Print

Signature

Name - Type or Print

Signature

801 Stonebarn Road

410-316-7908

Address

Telephone No.

Towson, MD

21286

City

State

Zip Code

Representative to be Contacted:

Nicholas Linehan

Name

KCI Technologies Inc.

410-316-7908

Address

Telephone No.

10 North Park Drive, Hunt Valley, MD 21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hrs

UNAVAILABLE FOR HEARING

Reviewed By JL

Date 4/23/99

REVISED 5/7/99

ORDER RECEIVED FOR FILING

Date

By



4/23/99.

PERRY HALL FARMS - VARIANCE REQUEST

10 North Park Drive
Hunt Valley, MD 21030-1846
(410) 316-7800

Direct Dial Number

SPECIAL HEARING TO AMEND VARIANCES GRANTED

AMENDMENT DESCRIPTION	SECTION	LOT NUMBER
1. Amendment requested to allow a 10' front setback in lieu of the 13' setback granted in Case No. 98-65-A. (Window to Public Right-of-Way - Front Yard Setback) per Variance section 504 BCZR V.B.5.a. CMDP.	IV	102, 109, 110, 117
2. Amendment requested to allow a 10' side yard setback in lieu of the 15' setback granted in Case No. 98-65-A. (Window-to-Public Right-of-Way - Side Yard Setback) per Variance Section 504 BCZR and V.B.5.a. CMDP.	IV	102, 110

ORDER RECEIVED FOR FILING

Date

KCI TECHNOLOGIES, INC.
ENGINEERS and PLANNERS

VARIANCE REQUEST

PERRY HALL FARMS - SECTION IV

SINGLE FAMILY DETACHED LOTS

LOT NUMBER	VARIANCE REQUESTED
1-28	A, B, C
1, 9, 12	D
21, 9	E
19, 20, 21, 22, 8-18	F

LISTING OF VARIANCES REQUESTED (7/15/98)

- A. **Building to Building Separation:** Variance Section 1B01.2C1 BCZR and V.B.3.b. CMDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
- B. **Window to Window Separations:** Variance Section 1B01.2C2A BCZR and V.B.6.c. CMDP to permit a 20' window to window separation in lieu of 40'.
- C. **Window to Property Line Setback:** Variance Section 504 BCZR and V.B.6.b. CMDP to permit 5' setback in lieu of 15'.
- D. **Window to Public Right-of-Way (Side Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CMDP to permit a 15' side yard setback in lieu of a 25' setback from window to public right-of-way.
- E. **Window to Tract Boundary (Side Yard Setback):** Variance Section 504 BCZR and V.B.5.a. and V.B.5.b. of the CMDP to permit a 25' side yard setback in lieu of 35' window to tract boundary setback, and 30' building to tract boundary.
- F. **Window to Tract Boundary (Rear Yard Setback):** Variance Section 504 BCZR and V.B.5.a. of the CMDP to permit a 30' rear yard setback in lieu of the 35' window to tract boundary setback.

ORDER RECEIVED FOR FILING

Date 7/15/98

BY [Signature]



APRIL 23, 1999

**KCI Job Number 01-91028
Perry Hall Farms Section IV**

**Petition for Zoning Variance
and Special Hearing to Amend Existing Variances**

**ZONING DESCRIPTION
PERRY HALL FARMS - SECTION IV**

Beginning at a point on the east side of Cross Road which has a future sixty foot (60') right-of-way at the distance of 190 feet from the centerline of the nearest improved intersecting street Forge Road which has a future seventy foot (70') right-of-way width. Being Section IV in the subdivision of Perry Hall Farms as recorded on the record plats (Plat 1-S.M. 70-147, and Plat 2 - S.M. 70-148) containing 20.815 acres and is located in the 11th. Election District, the current zoning on the property is 3.5 H1.

99.421-A

BAITMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **065451**

DATE 4/23/99 ACCOUNT R0016150

AMOUNT \$ 650.00

RECEIVED FROM: Perry Hall Family Loan + Venture

FOR: MULTIPLE VARIANCES + AMEND FDP

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAID TO: 061001 110
DATE: 4/23/1999 09:42:01
REF: 0903 CASHIER PERS PM DECEMBER 3
PER: 5 128 ZIMMERMAN OFFICE
UP TO: 065451
Receipt for 650.00 OK
of 15
Baltimore County, Maryland

CASHIER'S VALIDATION

09.421-A

**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: #99-421-A
Perry Hall Farms, Section IV
SE/S Cross Road, 1300' +/-
SW of Forge Road
11th Election District
5th Councilmanic District
Legal Owner(s):
Perry Hall Farms
Joint Venture

Variance: to allow building separations and building setbacks to be less than required; to amend variances granted October - 6, - 1997, and to amend the Final Development Plan for Perry Hall Farms, Section IV.

Hearing: Tuesday, June 29, 1999 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCEE SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/26 June 10 C317786

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6-10, 1999

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 6-10, 1999.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-421-A
PETITIONER/DEVELOPER:
(Perry Hall Farms Sec IV)
DATE OF Hearing
(June 29, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 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
SE/S Cross Road Baltimore , Maryland 21128_____

The sign(s) were posted on _____ 6-14-99 _____
[Month, Day, Year]

Sincerely,

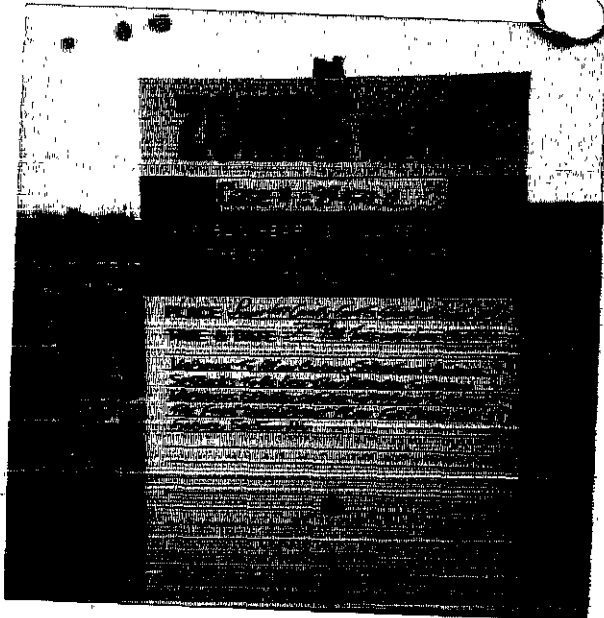

(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)



**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: 421

Petitioner: PERRY HALL FARMS JOINT VENTURE

Address or Location: PERRY HALL / GUNPOWDER VICINITY
CROSS AND FORGE ROAD ZONE MAPS
NE 11-I, NE 11-H.

PLEASE FORWARD ADVERTISING BILL TO:

Name: KCI TECHNOLOGIES,

Address: 10 NORTH PARK DRIVE

HUNT VALLEY, MD. 21030-1846.

ATTENTION: NICHOLAS LINEHAN.

Telephone Number: 410-316-7800-7908.

Revised 2/20/98 - SCJ

99.421-A

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.: 99-421-A

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

PLACE: _____

DATE AND TIME: _____

REQUEST: ^{# VARIANCES} TO ALLOW BUILDING SEPARATIONS, WINDOW SEPARATIONS, WINDOWS TO
PROPERTY LINE, WINDOWS TO PUBLIC STREET RIGHT-OF-WAY, WINDOWS TO TRACT BOUNDARY
(SIDES AND REARS) ALL LESS THAN REQUIRED AND TO AMEND THE PLAN AND ORDER
IN CASE # 98-65-A AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT
PLAN FOR PERRY HALL FARMS SECTION 4.

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



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 27, 1999

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: 99-421-A
Perry Hall Farms, Section IV
SE/S Cross Road, 1300' +/- SW of Forge Road
11th Election District – 5th Councilmanic District
Legal Owner: Perry Hall Farms Joint Venture

Variance to allow building separations and building setbacks to be less than required; to amend variances granted October 6, 1997; and to amend the Final Development Plan for Perry Hall Farms, Section IV.

HEARING: Tuesday, June 29, 1999 at 2:00 p.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: Perry Hall Farms Joint Venture
KCI Technologies, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 14, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
June 10, 1999 Issue – Jeffersonian

Please forward billing to:

KCI Technologies, Inc. 410-316-7908
10 North Park Drive
Hunt Valley, MD 21030-1846
Attention: Nicholas Linehan

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: 99-421-A
Perry Hall Farms, Section IV
SE/S Cross Road, 1300' +/- SW of Forge Road
11th Election District – 5th Councilmanic District
Legal Owner: Perry Hall Farms Joint Venture

Variance to allow building separations and building setbacks to be less than required; to amend variances granted October 6, 1997; and to amend the Final Development Plan for Perry Hall Farms, Section IV.

HEARING: Tuesday, June 29, 1999 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW 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
pdmlandacq@co.ba.md.us

June 25, 1999

Mr. Nicholas Linehan
KCI Technologies, Inc.
10 North Park Drive
Hunt Valley, MD 21030

RE: Case No.: 99-421-A
Petitioner: Personette
Location: Perry Hall Farms

Dear Mr. Linehan:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 23, 1999.

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.
W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 2, 1999

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

RE: Property Owner: PERRY HALL FARMS JOINT VENTURE

Location: DISTRIBUTION MEETING OF May 24, 1999

Item No.: 421 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.

* FOR AREAS CONTAINING LOTS #29-117.

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

cc: File

RECEIVED JUN 17 1999

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

6/16/99
ccr
✓

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 4, 1999

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

RECEIVED JUN 18 1999

SUBJECT: Perry Hall Farms

INFORMATION:

Item Number: 421

Petitioner: Edward A. Personette

Zoning: DR 3.5 H1

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

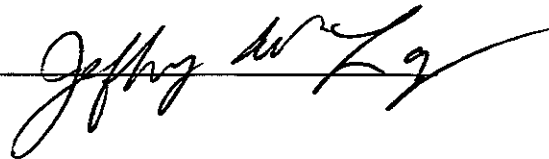
The petitioner requests additional front yard and side yard variances for Section IV of the Perry Hall Farms development. Numerous variances were granted on October 6 1997, and this Petition for Variance requests further reduction of setbacks. The original request for variances was supported by the Office of Planning in order to 1) bring existing CRG standards up to current CMDP standards, and 2) assure higher qualitative standards such as landscaping, brick etc. The front yard setback variance requests are not of particular concern.

The Perry Hall Farms project is located within the Honeygo Design Area and although exempt from these provisions, the reduction of front yard setbacks more closely emulates these parameters. The request to reduce the side yard, however is of concern to this office. The proposed development is already compact in its development layout, and a further reduction in the side yard requirement would exacerbate this existing undesirable site condition. For this reason the staff does not support the variance request to further reduce the side yard setbacks. In particular, this office is concerned about the side yard variance request for lot 110.

There appears to be no easement between lots 110 and 111 to access the rear yard areas serving the townhouses. This arrangement would present challenges in terms of maintenance and grass cutting.

As a final note, the aesthetic quality of the Perry Hall Farms project is of high quality. Flowers, landscaping, lighting fixtures (street lights), and building materials will all assure that this community remains desirable for residents. The use of exterior mailboxes throughout the community is a modern necessity. The quality of these fixtures is not up to the high standard of this community and should be upgraded.

Section Chief:

A handwritten signature in black ink, appearing to read "Jeffrey W. Long", written over a horizontal line.

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 1, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Item Nos. 421, 426, 435, 436, 437,
438, 444, 445, 447, 448, 449, 450,
and 453

The Bureau of Development Plans Review 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

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.21.99

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

RE: Baltimore County
Item No. 421

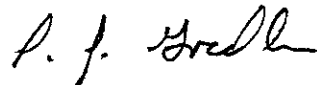
JLL

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for 
Michael M. Lenhart, Chief
Engineering Access Permits Division

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

RE: PETITION FOR VARIANCE
Perry Hall Farms, Section IV, SE/S Cross Rd, 1300' +/-
SW of Forge Rd
11th Election District, 5th Councilmanic

Legal Owner: Perry Hall Farms Joint Venture
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-421-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 or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Nicholas Linehan, KCI Technologies, Inc., 10 North Park Drive, Hunt Valley, MD 21030, representative for Petitioners.



PETER MAX ZIMMERMAN

People's Counsel Exhibit

- P.C. Exh #1 - Balt. Co. Services Unit Map of S.E. (1975)
- P.C. Exh #2 - Highway Map. Site in yellow (MAP 36)
- P.C. Exh #3A Zoning Map. Site in yellow (ZF CHESA CO)
3B Zoning Map " (ZF ROSEDALE)
- P.C. Exh #4 - Zoning Map East of Middle River 1000 scale
- P.C. Exh #5 - MD. DEPT of Aram. & Depature Subj. Site (200)
- P.C. Exh #6 - Bill # 70-88
- P.C. Exh #7 - Memo from J. Long to A. Jablon 6/2/98
" #8 - Trial Report of Plan Bd. (1987) Com. Vehicle on DR Lng.
- P.C. Exh #9 - Variance Opinions of B & A
-
- ✓ P.C. Exh #1 - Plat of Cochran Property
- ✓ P.C. Exh #2 - List of Names in support
- ✓ P.C. Exh #3 - Letter from Greater Chesaco Com. Assn. 9/21/98
- ✓ P.C. Exh #4 - Letters from local neighbors (4 letters)
- ✓ P.C. Exh #5 - Opinions of Variance cases (8) by Z.C.
- ✓ P.C. Exh #6 A+T - Photos of Truck Traffic on Chesacollve.
U-Z Plats of Property before & after.
- ✓ P.C. Exh #7 - Sage of area traffic noise

PH FARMS

#421

Ownership

Plot - just Sec IV (pg 1 of 7 and 5 of 7 only)

Acreage + Desc Corrected - just Sec IV

Correct zoning - everywhere

Piece 200 scales together

REVISED
5/2/99

99.421-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Richard L Smith

Edward A Bensonette

Patricia Malone

Ray Hopkins

ADDRESS

KCI TECHNOLOGIES, INC.
10 N. PARK DRIVE, 21030



IN RE: PETITION FOR VARIANCE * BEFORE THE
SW/S Forge Road and E/S Cross Road *
(Perry Hall Farms, Sec. I-V) * DEPUTY ZONING COMMISSIONER
11th Election District *
5th Councilmanic District * OF BALTIMORE COUNTY

Perry Hall Farms Joint Venture * Case No. 98-65-A
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Perry Hall Farms Joint Venture, by Edward A. Personette, Partner. The Petitioners seek relief from Sections 1B01.2.C.1, 1B01.2.C.2.A, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1970 Adoption) and Sections V.B.3.b, V.B.5.a, V.B.5.b, and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) (1970 Adoption) to permit building separations and building setbacks less than that required by the B.C.Z.R. and C.M.D.P., in accordance with the Listing of Variances Requested and accompanying Summary of Requested Setbacks submitted with the Petition filed, copies of which are attached hereto. The subject property and relief requested are more particularly described on the 7-page site plan submitted and accepted into evidence as Petitioner's Exhibit 2.

Appearing at the hearing on behalf of the Petition were John B. Gontrum, Esquire, attorney for the Petitioners, and Nicholas Linehan, Registered Landscape Architect, with KCI Technologies, Inc., the engineering firm which prepared the site plan for this property. Appearing as Protestants in the matter were numerous residents from the surrounding community, all of whom signed the Protestants Sign-In Sheet, including Dorothy McMann, President of the Perry Hall Improvement Association, and Edward Watts.

As noted above, the Petitioners are requesting a number of variances relating to the types of residential housing units to be constructed. Testimony and evidence offered revealed that the subject property is a large tract of land comprised of a gross area of 165.97 acres, more or less, split zoned D.R. 3.5, D.R. 5.5, and D.R.10.5. The property is proposed for development with a mix of single family dwellings, townhouses and apartment/condominium units, to be known as Perry Hall Farms. Development of the subject property will be spread out over five separate Sections. Given the size of the property and its zoning classifications, the property could be developed with 1257 residential units. However, due to some reconfiguration of the types of homes to be built, namely, the elimination of back-to-back townhouses and replacing same with a traditional townhouse unit, the Petitioners now propose constructing only 1142 residential units. Testimony revealed that development of this property proceeded through the old County Review Group (CRG) process, and was not subject to the new development plan regulations and Hearing Officer's Hearing. The property obtained CRG approval in May, 1990, and was to be developed in accordance with the C.M.D.P. in effect at that time. Since then, not only has the C.M.D.P. changed dramatically, but the Perry Hall area is now subject to compliance with the Honeygo Plan. The Honeygo Plan superimposes design standards upon developments in that area to make them more compatible, not only with one another, but also in keeping with modern building trends. However, since this project was approved prior to the adoption of the Honeygo Plan, it is not bound by those design standards.

The Developer, through negotiations with the Office of Planning and the County Council, is attempting to bring their project into compli-

ance with the Honeygo Plan to the extent possible. However, in order to to do so, the requested variances are necessary.

As noted above, the subject property is proposed to be developed over five separate sections. Section I will contain 102 single family residences, the price of which will range from \$210,000 to \$330,000. The Developer proposes side windows in these units. Furthermore, a steeper pitched roof is proposed for these houses, thereby raising the height of the houses themselves. As a result of these design features, a number of variances are generated for each of the houses, including window to window separation and building height to building height distances. However, adding more windows and increasing the pitch of the roofs is more consistent with the Honeygo Plan than that which was previously approved in 1990.

As to Section II of Perry Hall Farms, the Petitioners propose a mixed development of townhouses and single family dwellings. The Developer proposes to construct 50 single family homes and 108 townhouse condominiums in this Section. However, the variances requested for Section II relate only to the single family dwelling units. The single family homes proposed for Section II will range in price from \$170,000 to \$220,000. Again, variances are necessary in order to allow the Developer to place windows on the sides of the dwellings and to create steeper pitched roofs which will bring the proposed development more in compliance with the Honeygo Plan.

Section III of Perry Hall Farms will consist entirely of condominium units which will be offered for sale, none of which will be initially offered for rent. These condominiums will be sold at a price of between \$95,000 to \$120,000. The Developer at this time wishes to install eleva-

tors in the condominium buildings, and add windows on the end units, which generates the variances necessary for that particular Section.

Section V of Perry Hall Farms, which also consist of condominium units only, and the Developer seeks similar relief as necessary for Section III.

Section IV of Perry Hall Farms is proposed to be developed with some single family homes as well as townhouse dwelling units. This was the Section of the project which was formerly proposed to be developed with back-to-back townhouses. Given that the County Council has passed legislation which eliminates that particular design, the Developer has voluntarily amended its plan to construct more traditional townhouses. The Developer could have proceeded with its original plan, since it had been approved prior to the Council's new legislation. However, through negotiations with the County Councilman, and in an effort to comply more closely with the Honeygo Plan and current trends in development practices, the Developer has eliminated all back-to-back townhomes in this Section, and seeks only to construct traditional townhouse dwelling units. In order to proceed with the amendments to Section IV, however, the requested variances are necessary.

As noted above, all of the variances being requested are an attempt by this Developer to bring the entire project more into compliance with the Honeygo Plan as well as present development standards contained within the C.M.D.P. Furthermore, the requested variances should make this development more acceptable to the Office of Planning, who supports the relief requested, and meet the market demands of the buying public.

As stated previously, many residents of the surrounding community appeared in opposition to the relief requested. Ms. Dorothy McMann testi-

fied that while she agrees with the Developer's attempts to bring this development more in compliance with the Honeygo Plan, she believes that the Developer could achieve that goal without the need of so many variances. She, as well as others in attendance, believe that Developers should comply with the development regulations as written, and therefore, not have to rely on variance relief.

After discussing this issue with the Petitioners, it was learned that this Developer has expended close to \$1,000,000 in engineering fees over the past 7 years to bring this project to its present status. It would be too burdensome for the Developer, both financially and practically, to start over from scratch and do a complete redesign of the entire subdivision. That would be the only way that the Developer could rule out the need for variance relief. Furthermore, many of the variance requests being made are due to the fact that the Developer is bound by the design standards contained within the C.M.D.P. that was in effect in 1990, which was the year the C.R.G. approved this project. Since then, however, the C.M.D.P. has been amended several times, and much of what the Developer proposes to do today in this development would be permitted without the need for variance relief. However, while the Developer for the most part satisfies the present design standards of the C.M.D.P., they must request variances because they are subject to the C.M.D.P. that was in effect in 1990.

After considering all of the testimony and evidence offered by the Petitioner as well as the Protestants in attendance, I am persuaded to grant the variances. As previously stated, I believe the requested variances will result in a better development of the property and will assist

the Developer in building a project that is more in keeping with the current standards of the C.M.D.P. as well as the Honeygo Plan.

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 variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the requirements from which the Petitioners seek relief would be unduly burdensome. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of October, 1997 that the Petition for Variance seeking relief from Sections 1B01.2.C.1, 1B01.2.C.2.A, and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) (1970 Adoption) and Sections V.B.3.b, V.B.5.a, V.B.5.b, and V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) (1970 Adoption) to permit building separations and building setbacks less than that required by the B.C.Z.R. and the C.M.D.P., in accordance with the Listing of Variances Requested and accompanying Summary of Requested Setbacks, copies of which are attached hereto and made a part hereof, and Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the comments submitted by the Bureau of Developer's Plans Review, dated September 8, 1997, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

LISTING OF VARIANCES REQUESTED

98-65-A

- A. ***Building to Building Separation:*** Variance Section 1B01.2C1 BCZR and V.B.3.b. CMDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
- B. ***Window to Window Separations:*** Variance Section 1B01.2C2A BCZR and V.B.6.c. CMDP to permit a 20' window to window separation in lieu of 40'.
- C. ***Window to Property Line Setback:*** Variance Section 504 BCZR and V.B.6.b. CMDP to permit 10' setback in lieu of 15'.
- D. ***Window to Public Right-of-Way (Side Yard Setback):*** Variance Section 504 BCZR and V.B.5.a. CMDP to permit a 15' side yard setback in lieu of a 25' setback from window to public right-of-way.
- E. ***Window to Public Right-of-Way (Front Yard Setback):*** Variance Section 504 BCZR and V.B.5.a. CMDP to permit a 13' front setback for non-garage townhouses with perpendicular parking in lieu of 25'.
- F. ***Window to Tract Boundary (Side Yard Setback):*** Variance Section 504 BCZR and V.B.5.a. and V.B.5.b. of the CMDP to permit a 25' side yard setback in lieu of 35' window to tract boundary setback, and 30' building to tract boundary.
- G. ***Window to Tract Boundary (Rear Yard Setback):*** Variance Section 504 BCZR and V.B.5.a. of the CMDP to permit a 30' rear yard setback in lieu of the 35' window to tract boundary setback.
- H. ***Window to Window Separations (Multi-Family):*** Variance Section 1B01.2C2A BCZR and V.B.6.c. CMDP to permit a 30' window to window separation in lieu of 40'.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
for September 8, 1997
Item No. 065

Date: Sept. 8, 1997

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Due to the extensive nature of the requested variances and the inadequate landscape design standards of the Baltimore County Landscape Manual adopted May 7, 1984, this office requests that the Hearing Officer condition the granting of any variances on conformance with the landscape standards of the Baltimore County Landscape Manual adopted October 1, 1990.

RWB:HJO:jrb

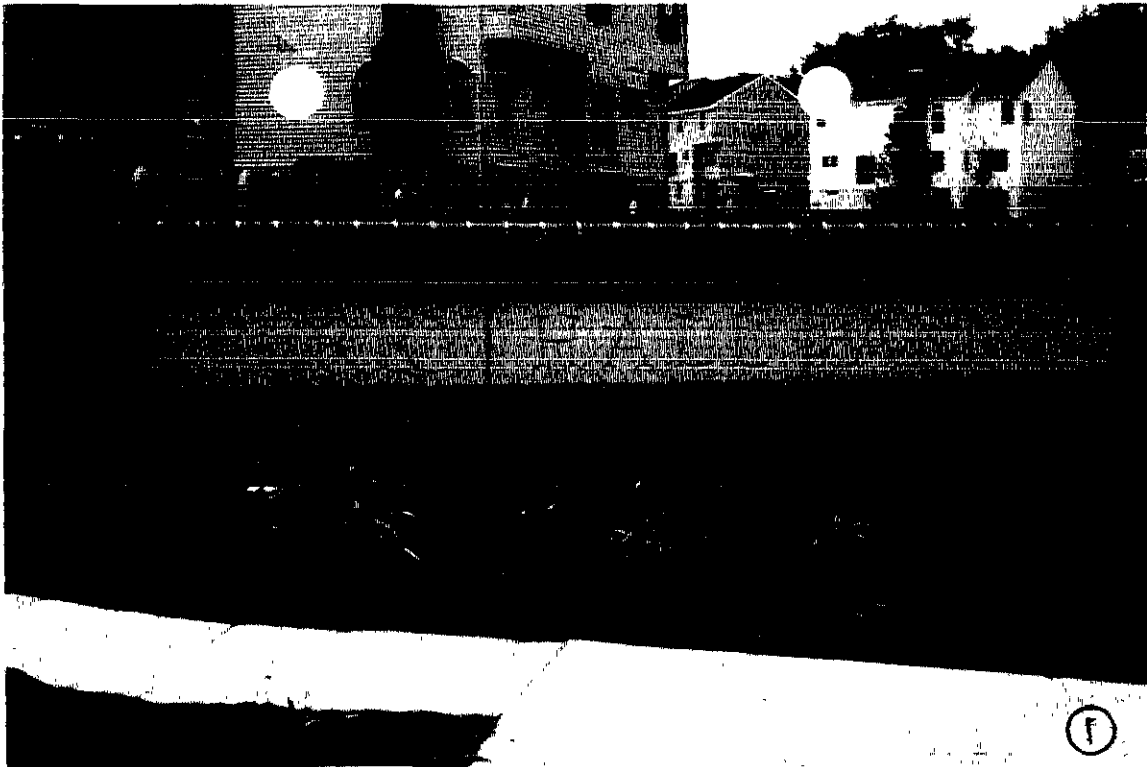
cc: File

ZONE908.065

98-65-A

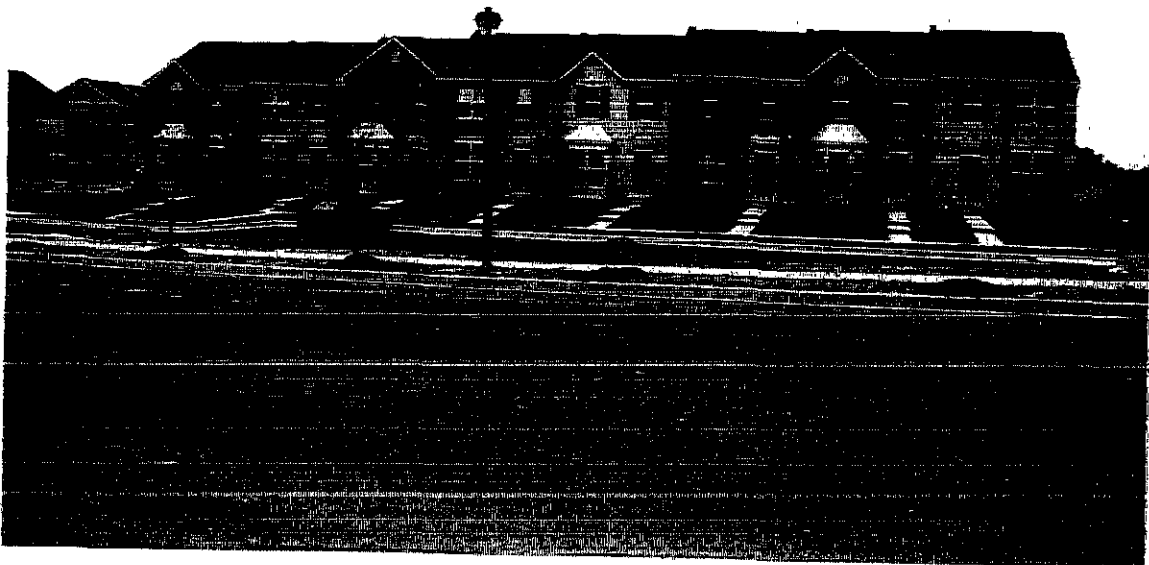
SUMMARY OF REQUESTED SETBACKS

Key	Type of Variance	Existing Setback	Requested Setback	Location / Bldg. Types
A	Building to Building Separations 20-25' Bldg. Ht. 30-35' Bldg. Ht. 35-40' Bldg. Ht.	25' 30' 40'	20' 20' 30'	Section I, II, - Single family detached lot Section IV, Townhouse lots Section III, V Multifamily, apartments, condominiums
B	Window to Window Separation (side yard)	15'	10'	Sections I, II, Single family detached lots Section IV Townhouse lots
C	Window to Property Line Setback	15'	10'	Section I, II Single Family detached lots Section IV Townhouse lots
D	Window to public Right-of-Way (side yard setback)	25'	15'	Section I, II Single Family detached lots Section IV Townhouse lots
E	Window to Public Right-of-Way (front yard)	25'	13'	Section IV Townhouse lots
F	Window to Track Boundary (side yard)	35'	25'	Section II Single Family detached lots
G	Window to Track Boundary (rear yard)	35'	30'	Section II Single Family detached lots
H	Window to Window Separations (multi-family)	40'	30'	Section III, V Condominium and Apartments



LOTS 63-70 - SECT. 1 FOUR

②



LOTS 71-76, SECT 14

③



LOTS 77-82, SECTION 4

④



LOT 81 & 82, SECTION TWO

8



LOTS 86 & 87, SECTION TWO

9



LOTS 67-69, SECTION TWO

7



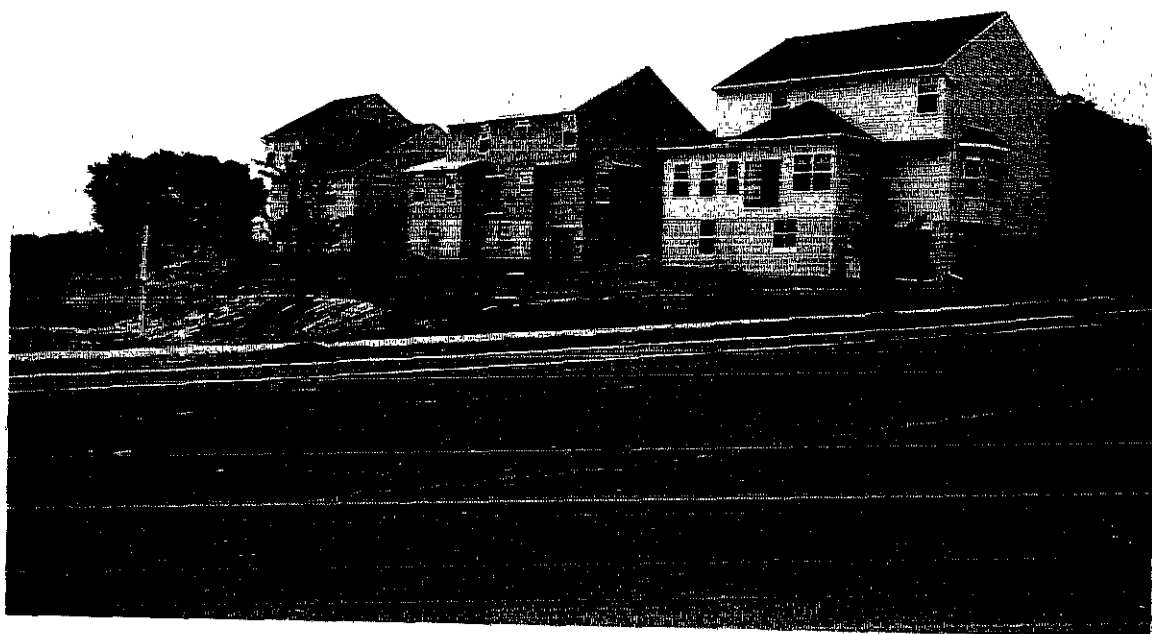
LOTS 54-58, SECTION 2

⑥



LOTS 48-50, SECTION TWO

⑤



VARIANCES GRANTED - 10/6/1997
CASE NO. 98-65-A
PERRY HALL FARMS - SECTION IV
TOWNHOUSE LOTS 29-117

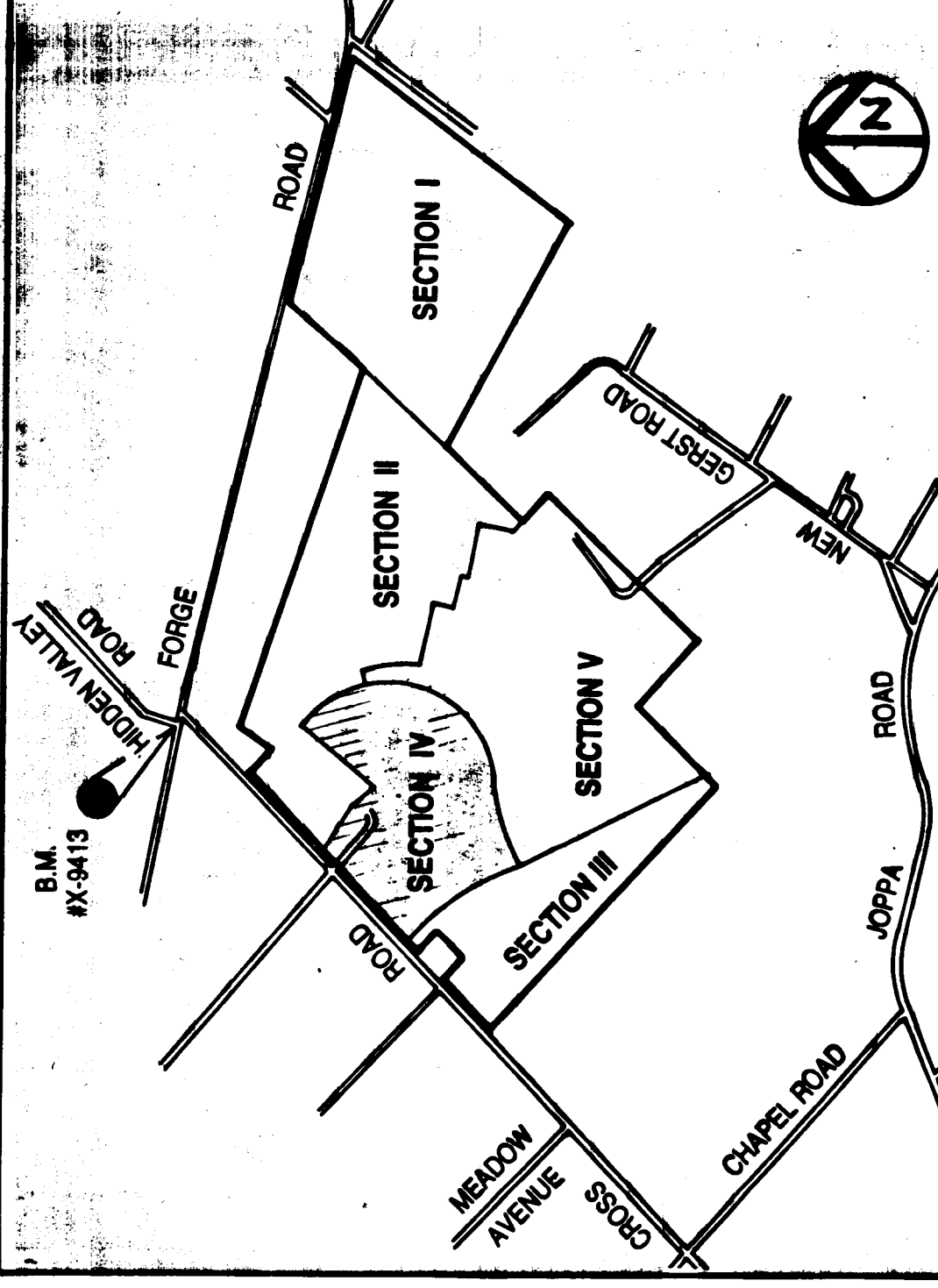
KEY	LOT NUMBER	VARIANCE REQUESTED	ORIENTATION OF LOT OR UNIT
	29 54 62 63 71	D, E	End units facing street
	82 83 97 102 110		
	111 117		
	34 35 41 42 48	A, B, C, D	End units facing building side, rear or property boundary
	49 50 96 103		
	30-33 36-40 43-47 50-53 56-61	E	Interior units
	64-69 72-75 78-81 84-88 91-95		
	98-101 104-109 112-116		

REQUEST TO AMEND 10' SETBACK IN LIEU OF 15' SETBACK GRANTED

LISTING OF VARIANCES GRANTED - 10/6/1997

- A. *Building to Building Separation:* Variance Section 1801.2C1 BCZR and V.B.3.b. CMDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
- B. *Window to Window Separation:* Variance Section 1801.2C2A BCZR and V.B.6.c. CMDP to permit a 20' window to window separation in lieu of 40'.
- C. *Window to Property Line Setback:* Variance Section 504 BCZR and V.B.6.b. CMDP to permit 10' setback in lieu of 15'.
- D. *Window to Public Right-of-Way (Side Yard Setback):* Variance Section 504 BCZR and V.B.5.a. CMDP to permit a 15' side yard setback in lieu of a 25' setback from window to public right-of-way.
- E. *Window to Public Right-of-Way (Front Yard Setback):* Variance Section 504 BCZR and V.B.5.a. CMDP to permit a 13' front setback for non-garage townhouses with perpendicular parking in lieu of 25'.
- F. *Window to Tract Boundary (Side Yard Setback):* Variance Section 504 BCZR and V.B.5.a. and V.B.5.b. of the CMDP to permit a 25' side yard setback in lieu of 35' window to tract boundary setback, and 30' building to tract boundary.
- G. *Window to Tract Boundary (Rear Yard Setback):* Variance Section 504 BCZR and V.B.5.a. of the CMDP to permit a 30' rear yard setback in lieu of the 35' window to tract boundary setback.
- H. *Window to Window Separation (Multi-Family):* Variance Section 1801.2C2A BCZR and V.B.6.c. CMDP to permit a 30' window to window separation in lieu of 40'.

AMENDED PLAN 98-65-A



VICINITY MAP
SCALE: 1" = 1000'

BENCHMARK
No. 14413
ELEV: 275.99
GAL SPIKE NORTH SIDE OF FORGE ROAD,
25' ± WEST OF CROSS ROAD

PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE
SPECIAL HEARING TO AMEND EXISTING VARIANCES
GRANTED IN CASE NO. 98-65-A
PERRY HALL FARMS
SECTIONS I, II, III, IV, & V

11th ELECTION DISTRICT

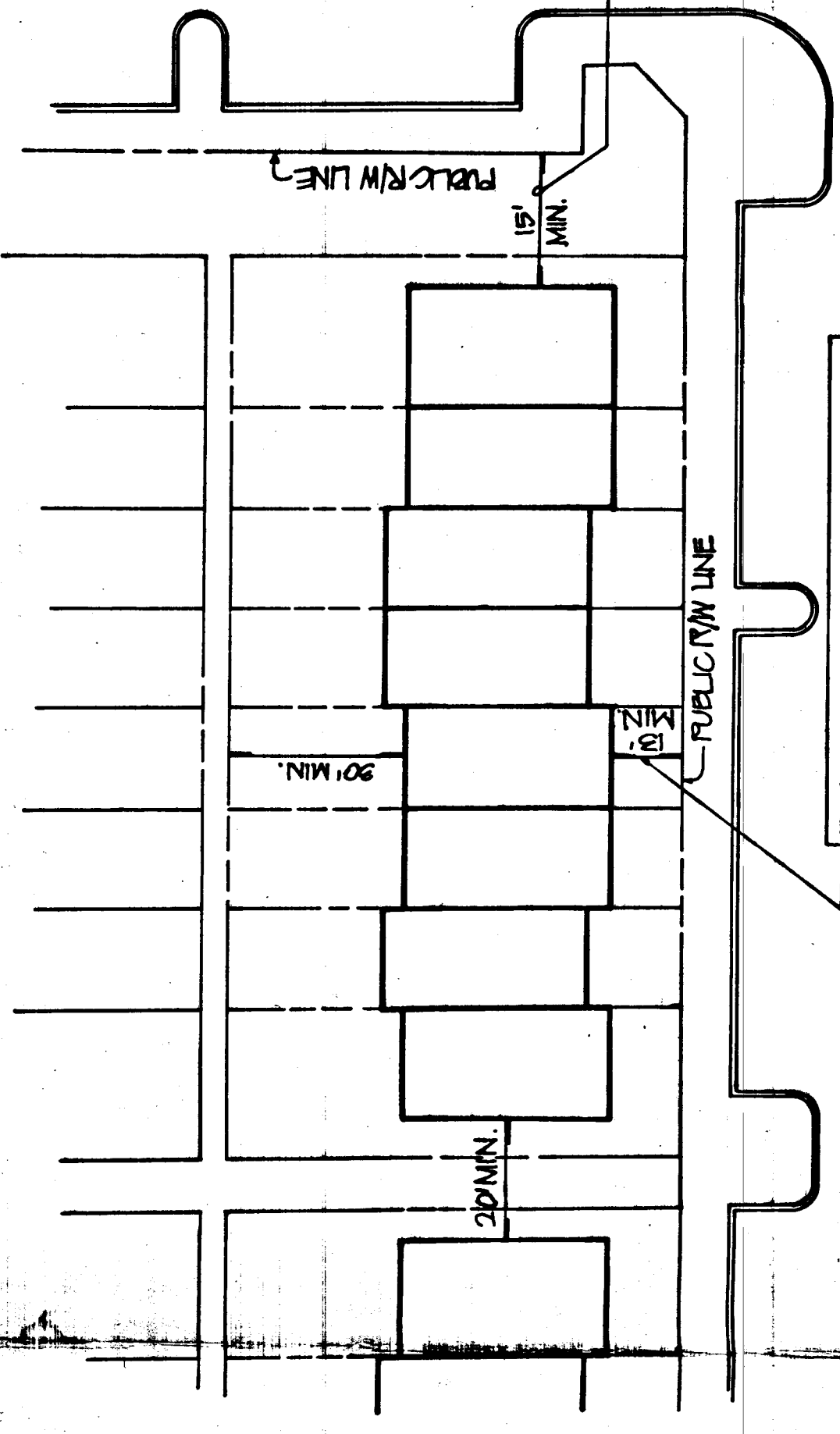
BALTIMORE COUNTY, MARYLAND

PERRY HALL FARMS - SECTION IV

SHEET 2 OF 3

KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
1100 HUNTSWOOD DRIVE
HUNTSVILLE, ALABAMA 35894
HUNT VALLEY, MARYLAND 21090-1888 (410) 316-7800
JOB NO. 0191028

TYPICAL SINGLE FAMILY DETACHED LOT
PROPOSED SETBACKS
SCALE: 1" = 50'



REQUEST TO AMEND 10' SETBACK IN LIEU OF 15' SETBACK GRANTED

TYPICAL TOWNHOUSE LAYOUT
SETBACKS GRANTED - 10/6/1997
SCALE: 1" = 30'

SPECIAL HEARING TO AMEND VARIANCES GRANTED

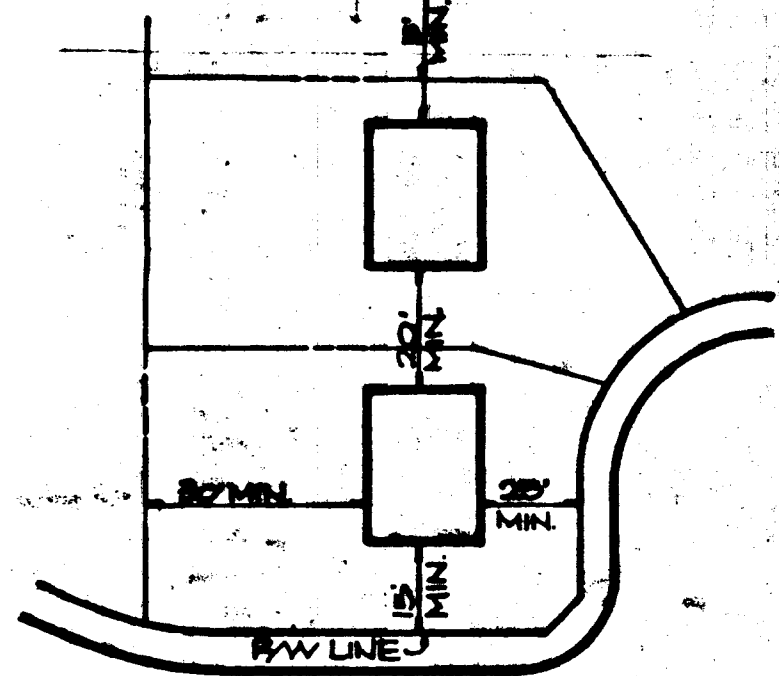
AMENDMENT DESCRIPTION	SECTION	LOT NUMBER
1. Amendment requested to allow a 10' front setback in lieu of the 15' front setback for 10'-15' detached lots (Window to Public Right-of-Way - Front Yard Setback) per Variance Section 504 BCZR V.B.5.a. CMDP.	IV	
2. Amendment requested to allow a 10' side yard setback in lieu of the 15' side yard setback for 10'-15' detached lots (Window to Public Right-of-Way - Side Yard Setback) per Variance Section 504 BCZR and V.B.5.a. CMDP.	IV	

VARIANCE REQUEST
PERRY HALL FARMS - SECTION IV
SINGLE FAMILY DETACHED LOTS

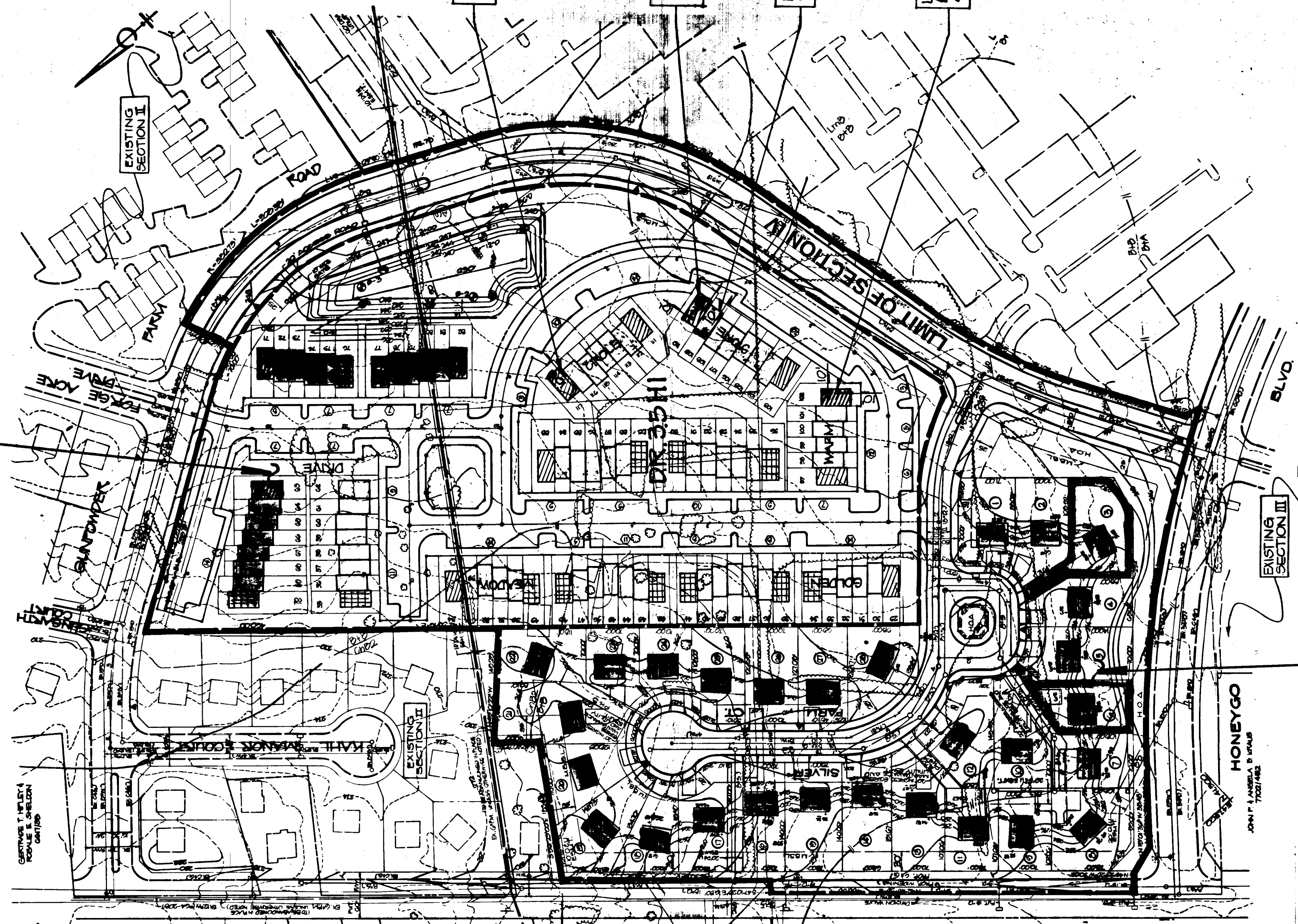
LOT NUMBER	VARIANCE REQUESTED
1	A, B, C
2	D
3	E

LISTING OF VARIANCES REQUESTED (7/15/98)

- A. *Building to Building Separation:* Variance Section 1801.2C1 BCZR and V.B.3.b. CMDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
- B. *Window to Window Separation:* Variance Section 1801.2C2A BCZR and V.B.6.c. CMDP to permit a 20' window to window separation in lieu of 40'.
- C. *Window to Property Line Setback:* Variance Section 504 BCZR and V.B.6.b. CMDP to permit 10' setback in lieu of 15'.
- D. *Window to Public Right-of-Way (Side Yard Setback):* Variance Section 504 BCZR and V.B.5.a. of the CMDP to permit a 15' side yard setback in lieu of a 25' setback from window to public right-of-way.
- E. *Window to Tract Boundary (Side Yard Setback):* Variance Section 504 BCZR and V.B.5.a. and V.B.5.b. of the CMDP to permit a 25' side yard setback in lieu of 35' window to tract boundary setback, and 30' building to tract boundary.
- F. *Window to Tract Boundary (Rear Yard Setback):* Variance Section 504 BCZR and V.B.5.a. of the CMDP to permit a 30' rear yard setback in lieu of the 35' window to tract boundary setback.



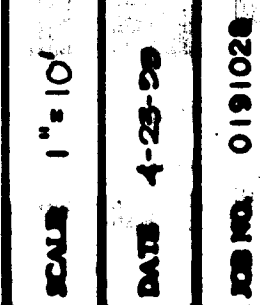
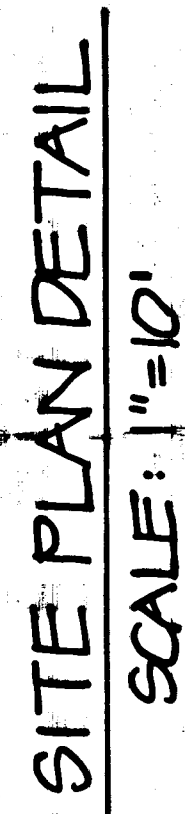
SECTION IV -
TOWNHOUSE LOTS AMENDMENTS
TO VARIANCES GRANTED 10/6/97



SECTION IV -
SINGLE FAMILY DETACHED
LOTS VARIANCE REQUEST
SEE NOTES A-F

Legend

- Townhouse Units Requesting Variance
- Single Family Units Requesting Variance
- Units Finished Or Under Construction



VARIANCES GRANTED - 10/6/1997
CASE NO. 98-65-A
PERRY HALL FARMS - SECTION IV
TOWNHOUSE LOTS 29-117

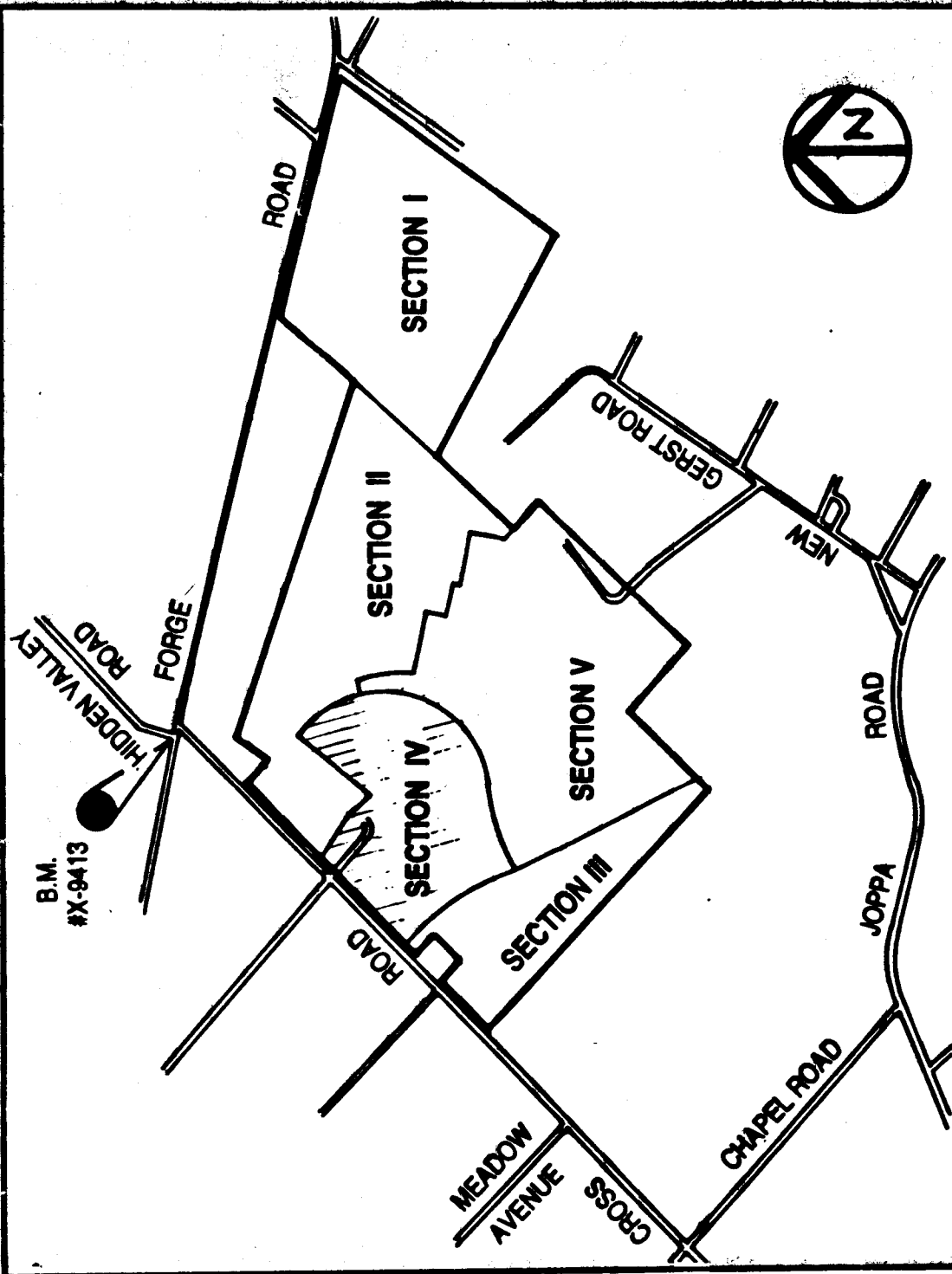
KEY	LOT NUMBER	VARIANCE REQUESTED	ORIENTATION OF LOT OR UNIT
1	29	54	63 71
2	82 83	97 102	110
3	111 117		
4	34 35	41 42	48
5	49 55	70 76	77
6	89 90	96 103	
7	30-33	36-40	43-47 50-53 56-61
8	64-69	72-75 78-81	84-88 91-95
9	98-101	104-109	112-116

REQUEST TO AMEND 10' SETBACK IN LIEU OF 15' SETBACK GRANTED

LISTING OF VARIANCES GRANTED - 10/6/1997

- A. **Building to Building Separation:** Variance Section 1801.2C1 BCZR and V.B.3.b. CNDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
- B. **Window to Window Separation:** Variance Section 1801.2C2A BCZR and V.B.6.a. CNDP to permit a 20' window to window separation in lieu of 40'.
- C. **Window to Property Line Setback:** Variance Section 504 BCZR and V.B.6.b. CNDP to permit 10' setback in lieu of 15'.
- D. **Window to Public Right-of-Way (Side Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 15' side yard setback in lieu of a 25' setback from window to public right-of-way.
- E. **Window to Public Right-of-Way (Front Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 13' front setback for non-garage townhouses with perpendicular parking in lieu of 25'.
- F. **Window to Street Boundary (Side Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 25' side yard setback in lieu of 35' window to street boundary setback, and 30' building to street boundary.
- G. **Window to Street Boundary (Rear Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 30' rear yard setback in lieu of the 35' window to street boundary setback.
- H. **Window to Window Separation (Multi-Family):** Variance Section 1801.2C2A BCZR and V.B.6.c. CNDP to permit a 30' window to window separation in lieu of 40'.

AMENDED PLAN 9/15/97



VICINITY MAP
SCALE: 1" = 1000'

BENCHMARK
ELEV: 275.99
N. X-4413
GAL. MARK NORTH SIDE OF FORGE ROAD,
25' WEST OF CROSS ROAD

PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE
SPECIAL HEARING TO AMEND EXISTING VARIANCES
GRANTED IN CASE 98-65-A
PERRY HALL FARMS
SECTIONS I, II, III, IV, & V

11th ELECTION DISTRICT

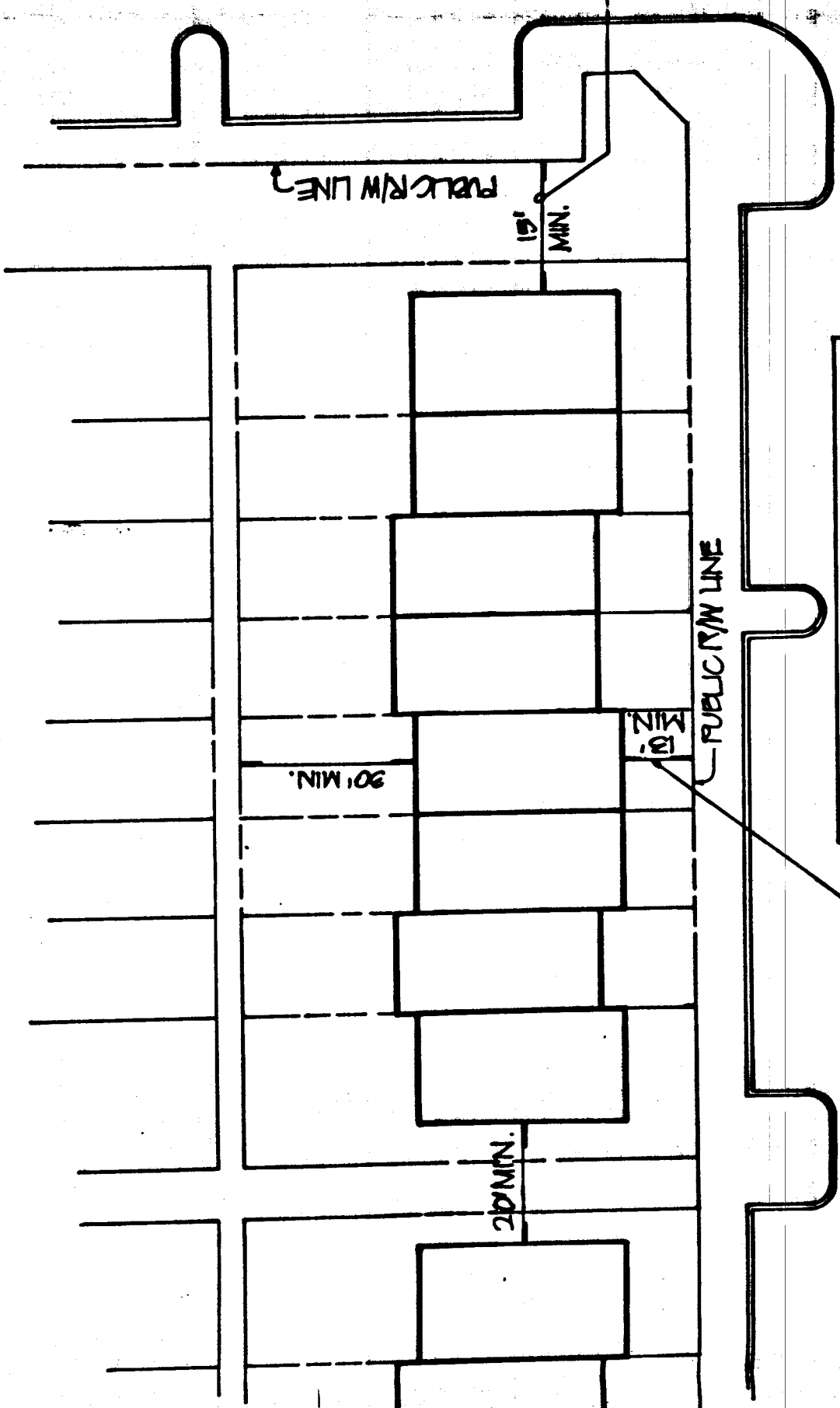
BALTIMORE COUNTY, MARYLAND

PERRY HALL FARMS - SECTION IV

SHEET 2 OF 2

KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
10 NORTH PARK DRIVE
HUNT VALLEY, MARYLAND 21096-1888 (410) 316-7600

SCALE: 1" = 100'
DATE: 4-28-99
JOB NO.: 0191028



REQUEST TO AMEND 10' SETBACK IN LIEU OF 15' SETBACK GRANTED

TYPICAL TOWNHOUSE LAYOUT
SETBACKS GRANTED - 10/6/1997
SCALE: 1" = 30'

SPECIAL HEARING TO AMEND VARIANCES GRANTED

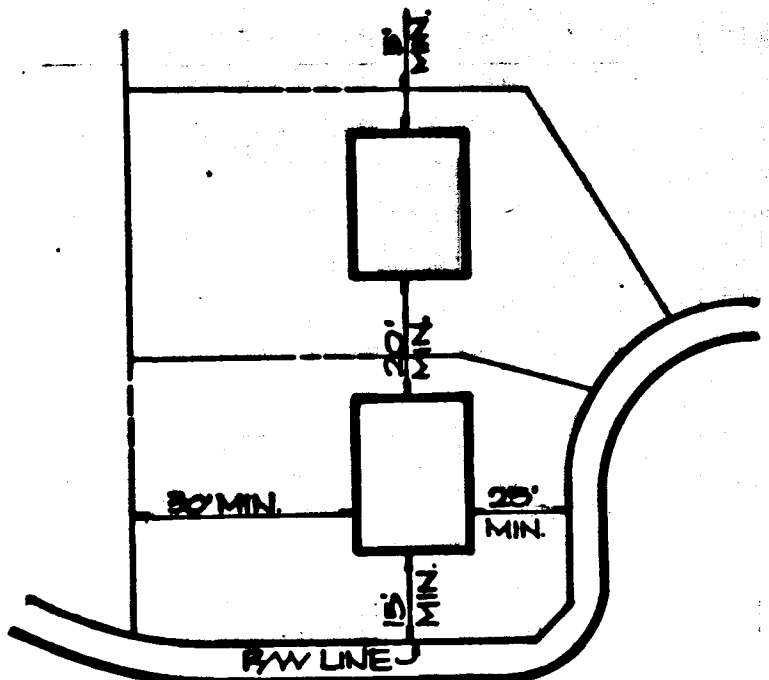
AMENDMENT DESCRIPTION	SECTION	LOT NUMBER
1. Amendment requested to allow a 10' front setback in lieu of the 15' setback granted in Case No. 98-65-A. (Window to Public Right-of-Way - Front Yard Setback) per Variance Section 504 BCZR V.B.5.a. CNDP.	IV	102, 109, 110, 117
2. Amendment requested to allow a 10' side yard setback in lieu of the 15' setback granted in Case No. 98-65-A. (Window to Street Boundary - Side Yard Setback) per Variance Section 504 BCZR and V.B.5.a. CNDP.	IV	102, 110

VARIANCE REQUEST
PERRY HALL FARMS - SECTION IV
SINGLE FAMILY DETACHED LOTS

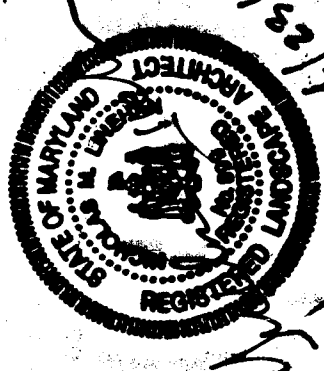
LOT NUMBER	VARIANCE REQUESTED
1-8	A, B, C
9-13	D
21, 23	E
18, 20, 22, 24, 26-28	F

LISTING OF VARIANCES REQUESTED (7/15/98)

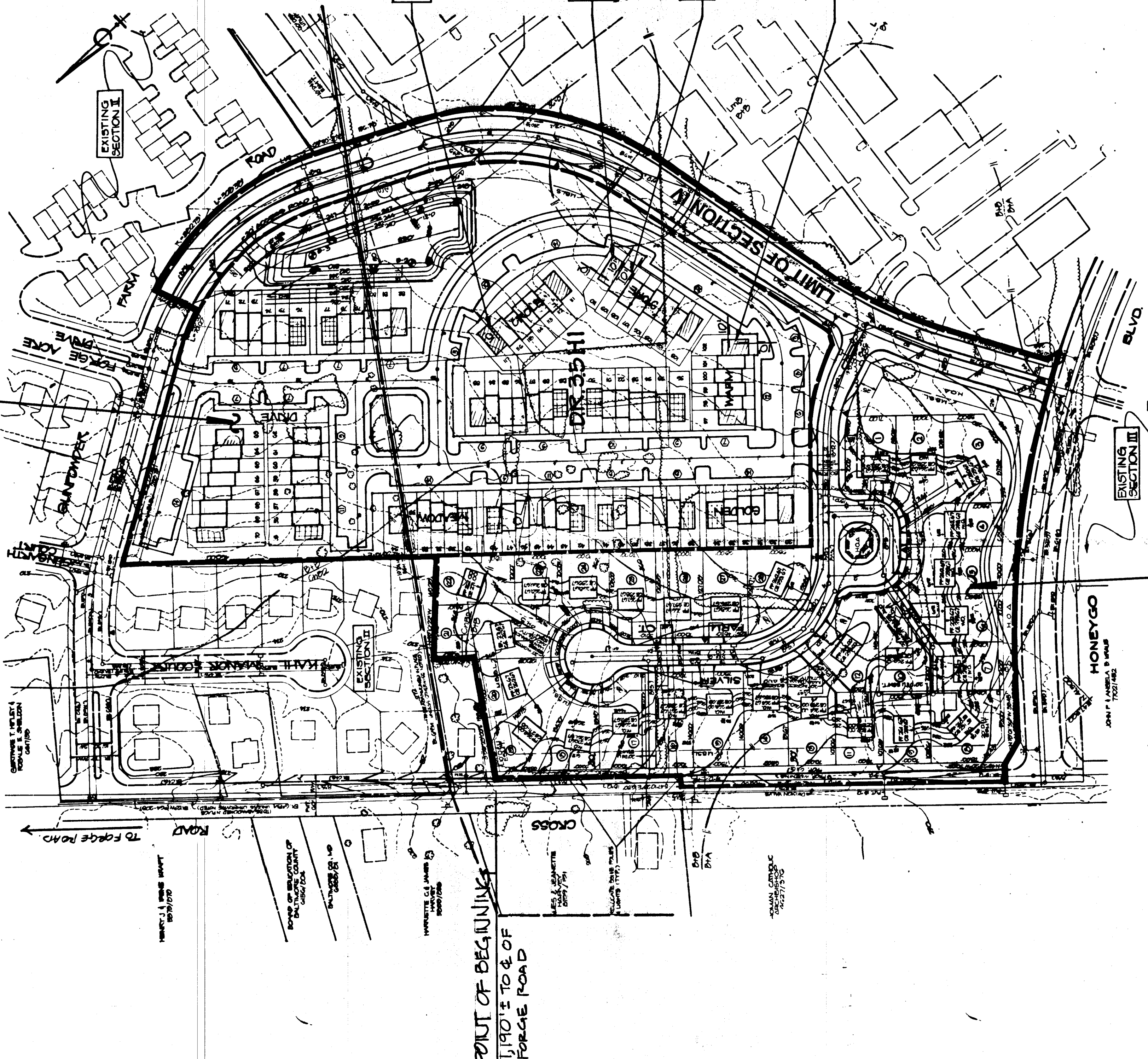
- A. **Building to Building Separation:** Variance Section 1801.2C1 BCZR and V.B.3.b. CNDP to permit a 20' building to building separation in lieu of the 25' separation for 20'-25' building heights, 20' separation in lieu of 30' for 25'-30' building heights, 30' separation in lieu of 40' for 30'-40' building heights.
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- E. **Window to Street Boundary (Side Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 25' side yard setback in lieu of 35' window to street boundary setback, and 30' building to street boundary.
- F. **Window to Street Boundary (Rear Yard Setback):** Variance Section 504 BCZR and V.B.5.a. CNDP to permit a 30' rear yard setback in lieu of the 35' window to street boundary setback.



TYPICAL SINGLE FAMILY DETACHED LOT
PROPOSED SETBACKS
SCALE: 1" = 50'



SECTION IV -
TOWNHOUSE LOTS AMENDMENTS
TO VARIANCES GRANTED 10/6/97



SECTION III -
DETACHED LOTS VARIANCE REQUEST
SEE NOTES A-F

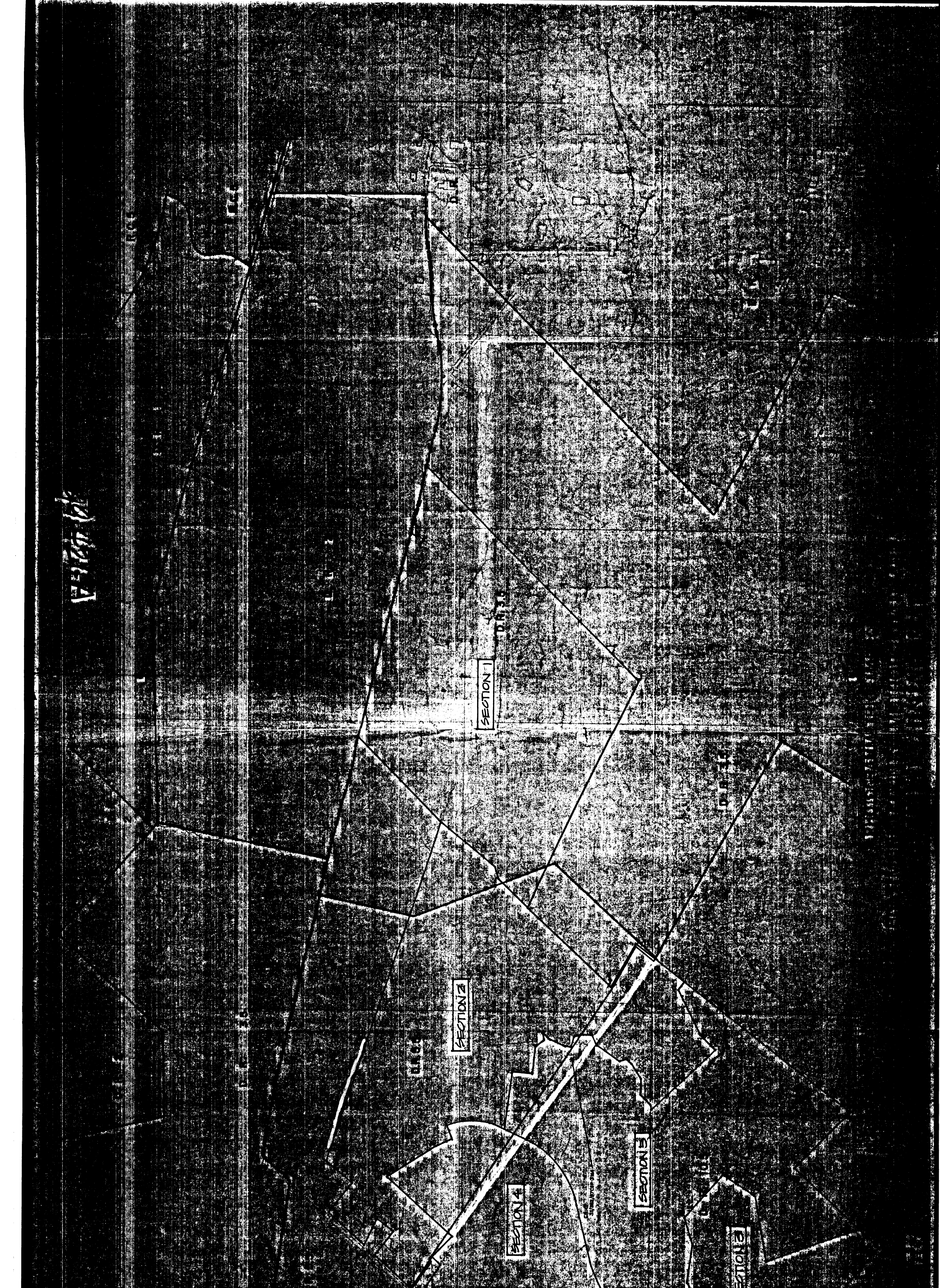
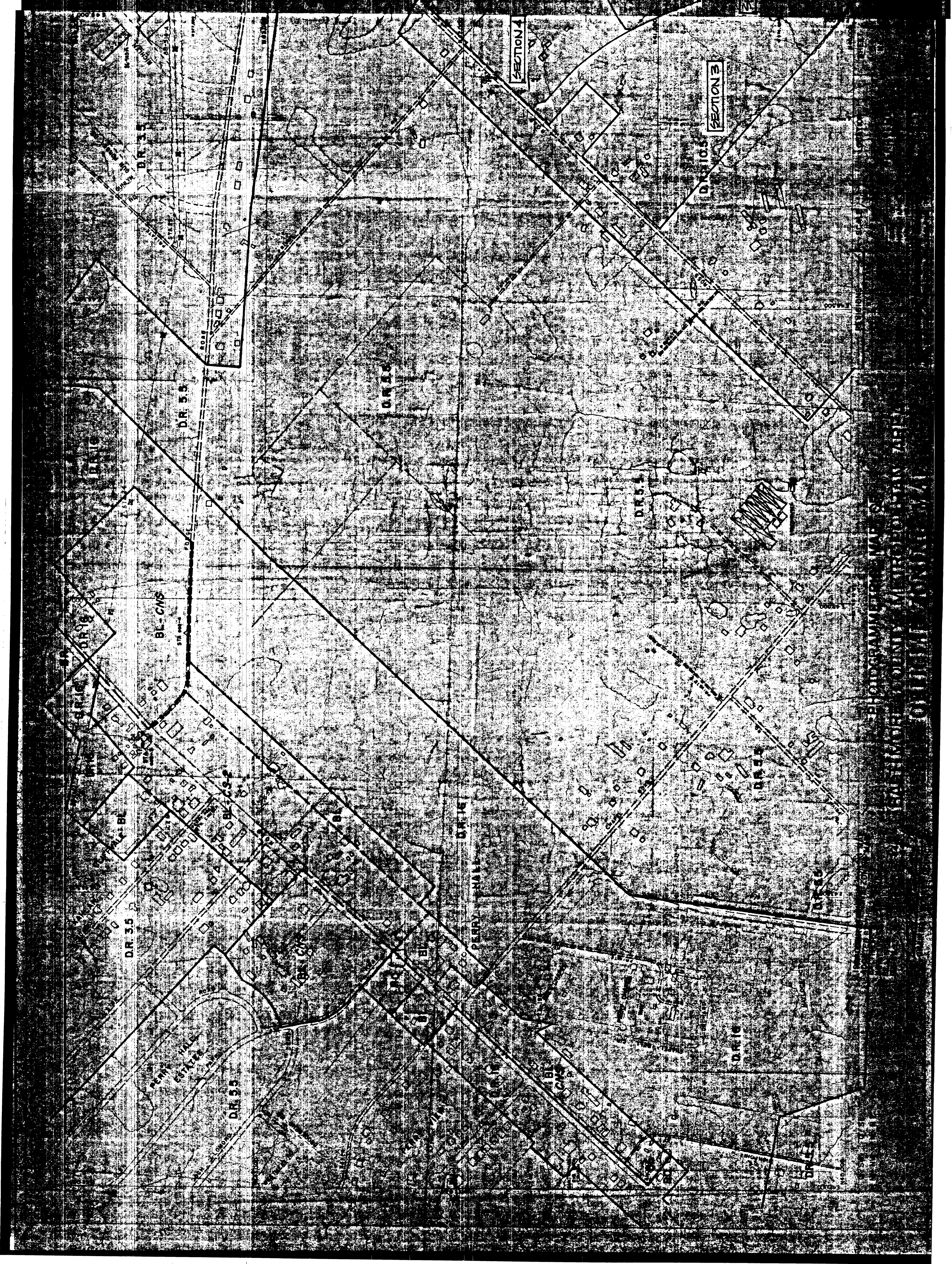
LOT 117 - AMEND FRONT
SETBACK - SEE NOTE 1

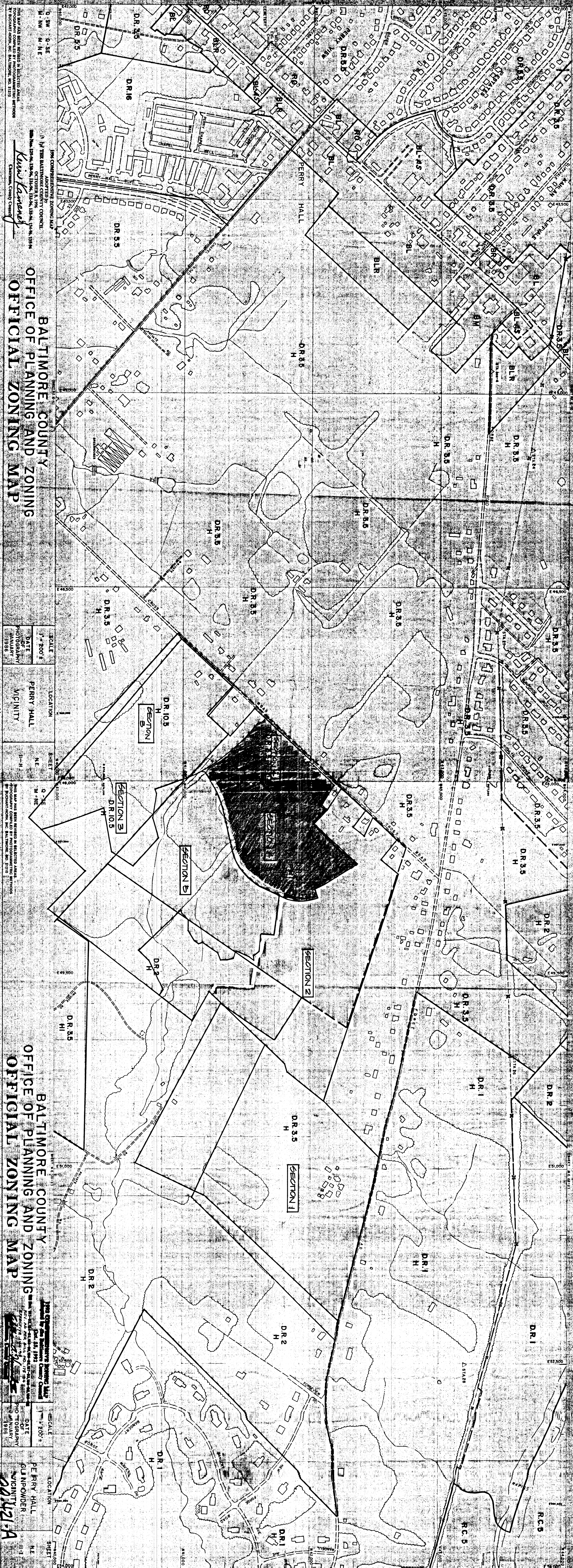
LOT 110 - AMEND FRONT
SETBACK - SEE NOTE 2

LOT 109 - AMEND FRONT
SETBACK - SEE NOTE 1

LOT 102 - AMEND FRONT
SETBACK - SEE NOTE 1 & 2

79-4915A





**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 OLYMPIAN/OLYMPIA BOWLING LEAGUE
Organized by the Burlington County Council
Date: Feb. 15, 1992
 Bowling: 10-11-92, 12-12-92, 13-13-92, 14-14-92, 15-15-92, 16-16-92, 17-17-92, 18-18-92, 19-19-92, 20-20-92
 REV. AS PER BILL NO. 175-94
 EFFECTIVE 1-24-92
Richard J. M... ..
 1992

SCALE 1:200 ±
DATE OF PHOTOGRAPHY JANUARY 1986
LOCALITY
PERRY HALL
GUNPOWDER
VICINITY
20421-A
SHE