

IN RE: PETITION FOR VARIANCE

N/S Bond Avenue, 25' E of the c/l

Glyndon Watch Lane

(310 Bond Avenue/231 Glyndon Watch Lane)

4th Election District

3rd Councilmanic District

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 00-101-A

Christopher S. Howell, et al, Owners;

Regional Homes of Glyndon Watch, LLC, *

Contract Purchasers

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the then owners of the subject property, Christopher S. Howell and Samuel R. Rothblum, and the Contract Purchaser, Regional Homes of Glyndon Watch, LLC, by Gordon Greenspun, Principal. The Petitioners seek relief from Section 1B01.2.C.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side building face to tract boundary setback of 10 feet in lieu of the required 15 feet, and an amendment to the last approved Final Development Plan for Glyndon Watch (aka Dett/Chambers Property, Case IV-514), Lot 1 thereof, for a proposed dwelling. 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.

Appearing at the requisite public hearing in support of the request was Eric M. Levitt, a representative of Regional Homes of Glyndon Watch, LLC, which recently acquired title to the subject property, Richard E. Matz, Professional Engineer who prepared the site plan for this property, and Lawrence M. Hammond, Esquire, attorney for the Petitioners. Appearing as interested persons were Phil Huppmann, Walter D. Welsh, and Michael and Joyce Hull. Mr. Welsh and Mr. & Mrs. Hull were represented by J. Carroll Holzer, Esquire.

Testimony and evidence received revealed that the subject lot consists of a gross area of 1.488 acres, more or less, zoned D.R.3.5, and is part of a new residential subdivision, to be known as Glyndon Watch, formerly known as the Dett/Chambers Property. The subject lot, known as Lot 1 of

ORDER RECEIVED FOR FILING
Date 11/8/99
By [Signature]

Glyndon Watch, is located on the north side of Bond Avenue, adjacent to that road's intersection with a proposed new road, to be known as Glyndon Watch Lane, which will provide access to this subdivision.

This Zoning Commissioner is familiar with the subject property and subdivision by virtue of prior proceedings before me. The Glyndon Watch subdivision was approved following a lengthy review through the County's development review process. Originally, a development plan was submitted showing a proposal to construct 28 single family dwellings. The overall tract for this development contains approximately 8.4409 acres. Following the project's review by appropriate County agencies and a Hearing Officer's Hearing in Case No. IV-514, I issued an Order on December 14, 1998 that denied that plan. I noted in my Hearing Officer's Opinion and Development Plan Order that the proposed scheme of development was inappropriate for the subject property. Specifically, I observed that the proposal represented an over-development of the subject site. I stated, in part, "...the site cannot practically handle a single family dwelling scheme of that density. The dwelling lots are laid out in such a manner so as to not permit any potential expansion to any of the proposed houses, including additions or reasonably-sized decks. Ultimate purchasers will be forced to seek variance relief in order to obtain any such improvements or amenities, which will detrimentally impact existing properties that abut the tract."

Following the issuance of that Order, the Developer filed a Motion for Reconsideration which was denied on January 21, 1999. Ultimately, the Developer reached an agreement with surrounding neighbors and submitted a plan which met the minimum development requirements of Baltimore County. Reluctantly, I approved that plan on March 29, 1999.

The concerns expressed in those prior Orders are indeed realized by the filing of the instant Petition for Variance. In the subject case, the dimensions of proposed Lot 1 are insufficient to accommodate a dwelling of the size proposed. Thus, the applicant now seeks variance relief as set out above.

At the hearing, Mr. Matz testified and presented his best efforts to persuade this Zoning Commissioner that relief should be granted. He indicated that the lot was but 27 feet wide and that a

ADDED RECORD FOR FILING
11/8/99
Lete
C

reasonably-sized single family home cannot be accommodated due to that dimension. He also argued that my prior Order expressed concerns about potential variance relief for decks or additions; however, that this proposal was for neither. That is, the requested relief here was for a dwelling, and not an amenity. He also testified that the Builder was not known at the time of development and that the Builder subsequently elected to construct dwellings in this subdivision should not be penalized for any deficiencies in the original plan.

Mr. Matz' arguments are not persuasive. First, the Petition seeks variances even greater than originally anticipated. As stated in my original Order, I feared that only single family dwellings without decks or additions would fit in the minimal building envelopes shown on the development plan. It appears that my concerns were understated; in fact, the dwellings themselves cannot fit within the approved building envelopes. Secondly, the contention that this Builder is not connected to the plan is disingenuous. Admittedly, Regional Homes of Glyndon Watch, LLC was not a party in the prior development plan case. However, the principal of that limited liability corporation is Gordon Greenspun, who signed the instant Petition on behalf of that LLC. There is no doubt that this is the same Gordon Greenspun who participated in the original proceedings as the Developer. Renaming of a corporate or business entity does not clean unwashed hands.

The requirements for variance relief are set out in Section 307 of the B.C.Z.R. In addition to the standards expressly set out therein, it is clear from the case law that the need for a variance cannot be the result of a self-imposed hardship. That is precisely the case here. The builder, unable to fit his desired size house on the subject property now asks this Zoning Commissioner for relief to accommodate a poorly designed plan. Under the circumstances, relief will not be forthcoming, at least not by my Order.

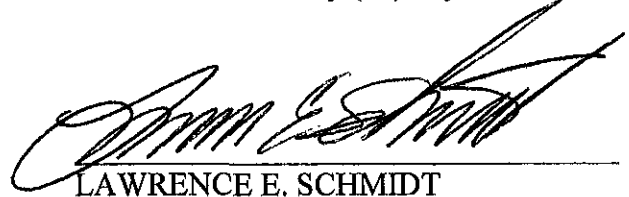
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be denied.

8th
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November, 1999 that the Petition for Variance seeking relief from Section 1B01.2.C.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side building face to

ORDER RECEIVED FOR FILING
Date 11/8/99

tract boundary setback of 10 feet in lieu of the required 15 feet, and an amendment to the last approved Final Development Plan for Glyndon Watch (aka Dett/Chambers Property), Lot 1 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

DATE FOR FILING
11/9/99
[Signature]



Baltimore County
Zoning Commissioner

November 8, 1999

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

Lawrence M. Hammond, Esquire
465 Main Street
Reisterstown, Maryland 21136

RE: PETITION FOR VARIANCE
N/S Bond Avenue, 25' E of the c/l Glyndon Watch Lane
(310 Bond Avenue/231 Glyndon Watch Lane)
4th Election District – 3rd Councilmanic District
Christopher S. Howell & Samuel R. Rothblum, and
Regional Homes of Glyndon Watch, LLC - Petitioners
Case No. 00-101-A

Dear Mr. Hammond:

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Gordon Greenspun, Regional Homes of Glyndon Watch, LLC
115 Sudbrook Lane, Baltimore, Md. 21208
Messrs. Christopher S. Howell and Samuel R. Rothblum
212 Washington Avenue, Towson, Md. 21204
Mr. Richard Matz, Colbert-Matz-Rosenfelt
2835 Smith Avenue, Suite G, Baltimore, Md. 21209
J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286
Mr. Phil Huppman, 1 Village Vale Court, Reisterstown, Md. 21136
Mr. Walter D. Welsh, 233 Sacred Heart Lane, Reisterstown, Md. 21136
Mr. & Mrs. Michael W. Hull, 231 Sacred Heart Lane, Reisterstown, Md. 21136
People's Counsel; Case File

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





Petition for Variance

to the Zoning Commissioner of Baltimore County ^{will be}
for the property located at (310 Bond Avenue) - ^{231 Glyndon}
which is presently zoned DR - 3.5 ^{Watch Lane}

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)

1B01.2.C.b. of the BCZR for a setback from side building face to tract boundary of 10 ft. in lieu of 15 ft. required, and to amend the last approved Final Development Plan for Glyndon Watch, Lot 1.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property.

Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

Property is to be posted and advertised as prescribed by 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:

Gordon Greenspun
Regional Homes of Glyndon Watch, LLC
Name - Type or Print
Gordon Greenspun
Signature
115 Sudbrook Lane 410-486-9290
Address Telephone No.
Baltimore, MD 21208
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

Christopher S. Howell
Name - Type or Print
Christopher S. Howell
Signature
Samuel R. Rothblum
Name - Type or Print
Samuel R. Rothblum
Signature
212 Washington Ave. (410) 296-4122
Address Telephone No.
Towson, MD 21204
City State Zip Code

Representative to be Contacted:

Robert S Rosenfelt, P.E.
Colbert Matz Rosenfelt, Inc.
Name
2835 Smith Avenue Suite G 410-653-3838
Address Telephone No.
Baltimore, MD 21209
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hrs.

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 9-7-99

ZONING DESCRIPTION
310 BOND AVENUE/231 GLYNDON WATCH LANE

Beginning at a point on the north side of Bond Avenue, which is 60 feet wide, at the distance of 25 feet east of the centerline of the nearest intersecting street, Glyndon Watch Lane, which is 50 feet wide.

Being Lot 1 in the proposed subdivision of Glyndon Watch, containing 6,307 sq. ft. Also known as 310 Bond Avenue/231 Glyndon Watch Lane, and located in the 4th Election District, 3rd Councilmanic District.



101

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

101
Item No.

06987

DATE 9-7-99 ACCOUNT R-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Colbert Matz Rosentz

FOR: Residential Variance Filing Fee
231 Glyndon Watch Lake

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/07/1999 9/07/1999 10:29:46

REQ MSGS CASHIER NOTE MSG NUMBER

DATE 5 528 ZIMING UPRIFICATION

Receipt # 120778

CR NO. 069874

Receipt Tot 50.00
.00 CR 60.00 CR
10.00-00

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. 00-101-A

Petitioner/Developer GLYNDON WATCH, LLC,
ETAL
c/o R. MATZ

Date of Hearing/Closing. 10/28/99

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen.

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #301 BOND AVE.
(onsite)

The sign(s) were posted on

10/12/99
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe SR

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

(Telephone Number)

7955

ZONING NOTICE

Case # 00-101-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER

IN TOWSON, MD.

PLACE SIGN FOR COUNTY OFFICE BUILDING

TIME & DATE: THURSDAY, OCT 28, 1999 9:00 AM

VARIANCE FOR A SPOTBOX FROM

506 BOND AVE. TO TRACT SOUTHWEST

OF BOND AVE. IS BEING REQUIRED AND TO

BEAR THE COST OF THE DEVELOPMENT

(SEE BOND AVE. WATCH, LOT 1)

Let us see how we can help you.

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: #00-101-A
231 Glyndon Watch Lane (aka 301 Bond Avenue)
N/S Bond Avenue, 25' E of centerline Glyndon Watch Lane
4th Election District - 3rd Councilmanic District
Legal Owner(s): Christopher S. Howell and Samuel R. Rothblum
Contract Purchaser: Regional Homes of Glyndon Watch, LLC
Variance: for a setback from side building face to tract boundary of 10 feet in lieu of 15 feet required and to amend the last approved Final Development Plan for Glyndon Watch, Lot 1.
Hearing: Thursday, October 28, 1999 at 9:00 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 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.

JRU/10/663 Oct. 12

C345810

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/15/, 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 Tues 10/12/, 1999

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
231 Glyndon Watch Lane (FKA 310 Bond Avenue),
N/S Bond Ave, 25' E of c/l Glyndon Watch Ln
4th Election District, 3rd Councilmanic

Legal Owner: Christopher Howell & Samuel Rothblum
Contract Purchaser: Regional Homes of Glyndon Watch
Petitioner(s)

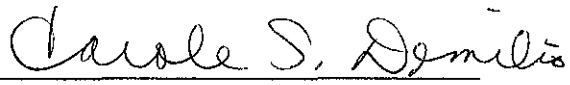
LE 101.3
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-101-A

* * * * *

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 18th day of October, 1999 a copy of the foregoing Entry of Appearance was mailed to Robert S. Rosenfelt, Colbert, Matz, Rosenfelt, Inc., 2835 G Smith Avenue, Suite G, Baltimore, MD 21209, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

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: 00-101-A

231 Glyndon Watch Lane (fka 301 Bond Avenue)

N/S Bond Avenue, 25" E of centerline Glyndon Watch Lane

4th Election District - 3rd Councilmanic

Legal Owner: Christopher S. Howell and Samuel R. Rothblum

Contract Purchaser: Regional Homes of Glyndon Watch, LLC

VARIANCE: for a setback from side building face to tract boundary of 10 feet in lieu of 15 feet required and to amend the last approved Final Development Plan for Glyndon Watch, Lot 1.

HEARING: THURSDAY, OCTOBER 28, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

Arnold Jablon
Director

cc: Christopher S. Howell and Samuel R. Rothblum
Robert S. Rosenfelt, P.E.
Gordon Greenspun

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 13, 1999.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT 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.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

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: 00-101-A
231 Glyndon Watch Lane (fka 301 Bond Avenue)
N/S Bond Avenue, 25" E of centerline Glyndon Watch Lane
4th Election District - 3rd Councilmanic
Legal Owner: Christopher S. Howell and Samuel R. Rothblum
Contract Purchaser: Regional Homes of Glyndon Watch, LLC

VARIANCE: for a setback from side building face to tract boundary of 10 feet in lieu of 15 feet required and to amend the last approved Final Development Plan for Glyndon Watch, Lot 1.

HEARING: THURSDAY, OCTOBER 28, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Christopher S. Howell and Samuel R. Rothblum
Robert S. Rosenfelt, P.E/
Gordon Greenspun

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 13, 1999.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT 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.



TO: PATUXENT PUBLISHING COMPANY
October 12, 1999 Issue - Jeffersonian

Please forward billing to:

Mr. Eric Levitt
c/o Regional Homes
115 Sudbrook Lane, Suite 210
Baltimore, MD 21298

410-486-9290

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: 00-101-A
231 Glyndon Watch Lane (fka 301 Bond Avenue)
N/S Bond Avenue, 25" E of centerline Glyndon Watch Lane
4th Election District - 3rd Councilmanic
Legal Owner: Christopher S. Howell and Samuel R. Rothblum
Contract Purchaser: Regional Homes of Glyndon Watch, LLC

VARIANCE: for a setback from side building face to tract boundary of 10 feet in lieu of 15 feet required and to amend the last approved Final Development Plan for Glyndon Watch, Lot 1.

HEARING: THURSDAY, OCTOBER 28, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.


Lawrence E. Schmidt
LAWRENCE E. 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.

**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: AD-101-A

Petitioner: Christopher S. Howell

Address or Location: 231 Glyndon Watch La.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Eric Levett c/o Regional Homes

Address: 115 Sudbrook Lane, Suite 210
Baltimore, Md 21208

Telephone Number: 410-486-9290

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 19, 1999

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

SUBJECT: Zoning Advisory Committee Meeting
for October 18, 1999
Item Nos. 101, 102, 103, 104, 105,
108, 110, 111, 113, 114, 116, 117,
118, 119, 120, 121, 122, 123, 127,
128, and 129

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

RWB:HJO:jrb

cc: File

ZAC10189.NOC

hs
10/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 19, 1999

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

SUBJECT: 310 Bond Avenue

INFORMATION:

Item Number: 101

Petitioner: Gordon Greenspun Regional Homes of Glyndon Watch, Contract
Purchaser

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

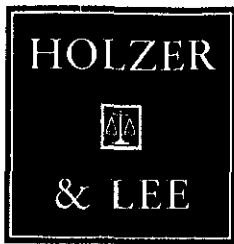
The Hearing Officer approved the development plan for the Dett/Chambers property on March 29, 1999 (see IV-514). It is clear to this office that it would have been more appropriate to file the instant variance request as part of the development process. It is also apparent to this office that the subject request is a self-created hardship. In addition, the layout of this residential subdivision leaves much to be desired. In fact, as Mr. Schmidt's indicated in the above mentioned order, "As noted in my prior opinion, the site cannot practically handle the single family dwelling scheme which is proposed." Also to the point regarding impact on adjacent properties, in an earlier order on March 14, 1998, Mr. Schmidt opined: "The dwelling lots are laid out in such a manner so as to not permit any potential expansion to any of the proposed houses, including additions or reasonably sized decks. Ultimate purchasers will be forced to seek variance relief in order to obtain any such improvements or amenities, which will detrimentally impact existing properties that abut the tract."

Lot 1 is located closer to an adjacent tract than any of the others lots within the Dett/Chambers subdivision. Given this condition, at time of our review of the concept plan, this office recommended additional landscaping between Lot 1 and the homes located on Glyndale Court to mitigate the impact of development. The requested

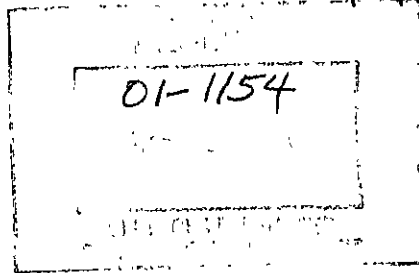
variance proposes construction of a dwelling even closer to the tract boundary than indicated on the development plan. It is the opinion of this office that the subject case constitutes a classic example of a self-imposed hardship and that the variance, if granted, would have a detrimental impact on the adjacent community. Therefore, the Office of Planning recommends the applicant's request be denied.

Section Chief: Jeffrey W. Long

AFK/JL



MICROFILM THESE SHEETS
AND PUT IN FDP MICRO RECORDS
ON ALL FDP (PLANS) MICRO CARDS
FOR GLYNDON WATCH PUT ON
NOTE TO SEE LTR DATED 4/19/01



LAW OFFICES
CARROLL HOLZER, PA
HOWARD HOLZER
907-1989
THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING
508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@BCPL.NET

To: George
Back to
Plans
4/24/01 ucr

April 19, 2001
#7086

4/23/01
g
wkr
re and people

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

Re: Glyndon Watch Development
Chambers/Dett Property
PDM File No. IV-514

Lots 2-12
Glyndon Watch Lane
Reisterstown MD 21136

Dear Mr. Jablon:

Please be advised that I represented Michael and Joyce Hull and Walter and Sonya Welsh in opposing the Development Plan for the Glyndon Watch Subdivision.

In the approval of the Development Plan by Hearing Officer Larry Schmidt, Mr. Schmidt indicated in his decision in Case No. IV-514, page 2, "As indicated in my initial Order, I do not believe that this Plan represents the best development potential for this property. As noted in my prior Opinion, the site cannot practically handle the single-family dwellings scheme, which is proposed." Unfortunately, Hearing Officer Schmidt was required by law to approve the Plan based upon the fact that there were no unresolved agency comments or open issues. He expressed the fact that his personal tastes and preferences for the development could not take precedence over his applying Section 26-206 of the Baltimore County Code.

Since that time, there has been a Petition for Variance filed in Case No. 00-101-A, wherein the developer desired a variance to permit a side building set back of 10 feet in lieu of 15 feet. This relief was denied by Mr. Schmidt, the Zoning Commissioner in that case, in which he said,

"The Petition seeks variances even greater than originally anticipated. As stated in my original Order, I feared that only single-family dwellings without decks or additions would fit in the minimal building envelope shown on the Development Plan. It appears that my concerns were understated; in fact, the dwelling themselves cannot fit within in the approved building envelopes."

He then denied the Variance request.

Thereafter, a property owner on Lot No. 7 (220 Glyndon Watch Lane), Amy L. Estes and Jennifer L. Reed, applied for a permit to construct a deck. It appears that in the course of that application, the distance between the building envelope and the property line was misstated by the applicant and, as a result, a permit was issued for the construction of the deck. After complaints by Mr. and Mrs. Hull and Mr. and Mrs. Welsh, a Stop Work Order was issued. It appears that the owners of Lot No. 7 must now come in and seek a variance to permit the deck. That case will be handled on its merits at a public hearing, I am sure, before the Zoning Commissioner or his Deputy. As a result of their request for continued enforcement of the rules and zoning regulations by Mr. and Mrs. Hull and Mr. and Mrs. Welsh, antagonism is being generated between the new neighbors in the Glyndon Watch community and my clients. It appears that it should be totally unnecessary for Mr. and Mrs. Hull and Mr. and Mrs. Welsh to be required to constantly police the activities that are taking place in this subdivision.

I would therefore request, that your office "red flag" any applications for decks or other appurtenances to the following residences within Glyndon Watch Subdivision so that Baltimore County can properly enforce the regulations as opposed to requiring the intervention of my clients and the resulting antagonism to them by their neighbors.

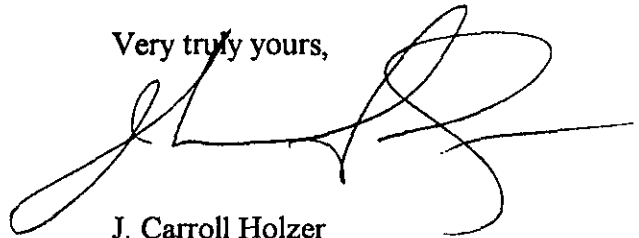
The homes in question are as follows:

- 210 Glyndon Watch Lane (Subdivision Lot No. 12)
- 212 Glyndon Watch Lane (Subdivision Lot No. 11)
- 214 Glyndon Watch Lane (Subdivision Lot No. 10)
- 216 Glyndon Watch Lane (Subdivision Lot No. 9)
- 218 Glyndon Watch Lane (Subdivision Lot No. 8)
- 220 Glyndon Watch Lane (Subdivision Lot No. 7)
- 222 Glyndon Watch Lane (Subdivision Lot No. 6)
- 224 Glyndon Watch Lane (Subdivision Lot No. 5)
- 226 Glyndon Watch Lane (Subdivision Lot No. 4)
- 228 Glyndon Watch Lane (Subdivision Lot No. 3)
- 230 Glyndon Watch Lane (Subdivision Lot No. 2)

It appears to me that if these addresses were "red flagged" so that members of your staff, who are reviewing this matter from a zoning standpoint as well as from permitting standpoint, could be alerted to the fact that all of these properties have the same potential problems for decks as that being suggested for 220 Glyndon Watch Lane.

I would appreciate any efforts that you would be able to provide to rectify this situation brought on by the approval of the less than satisfactory development plan, which is creating many difficulties and hardships for my clients. Please feel free to give me a call if you have any questions or desire any additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Carroll Holzer', with a long horizontal stroke extending to the right.

J. Carroll Holzer

Cc: John Alexander
Larry Schmidt
County Executive Dutch Ruppersberger
3rd District Councilman Brian McIntyre
Mr. and Mrs. Hull
Mr. and Mrs. Welsch

TO: ZC/Deputy ZC

9-7-99

From: JH Planner II

MEMO to The File

Subject: Case #

~~Variance Case #00-101-A~~

00-101-A

Petitioner's representative, Judy Floam of Colbert Matz Rosenfelt, stated that this site was to have already been recorded by this date but it has not. Ms. Floam stated however that this site will be recorded this week. At that time the ~~property~~ property's address will change from #310 Bond Ave to #231 Glyndon Watch Lane.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

WALTER D. WELSH

MICHAEL W HULL

Joyce A. Hall

233 SACRED HEART LANE

231 SACRED HEART LANE

231 SACRED HEART LANE



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Lawrence M. Hammond

465 main ST

Eric M. Levitt

Reisterstown, MD 21138
11306 Reisterstown Rd. 2nd Floor

Richard E. Matz

Owings Mills, MD 21117
2835 G SMITH AVE. SUITE G.

Phil Huppmann
Phil HUPPMANN

BALTIMORE, MD 21209.
1 Village Voke CT 21138



* After property is recorded (to be completed week of 9/7/99) this will be the proper...

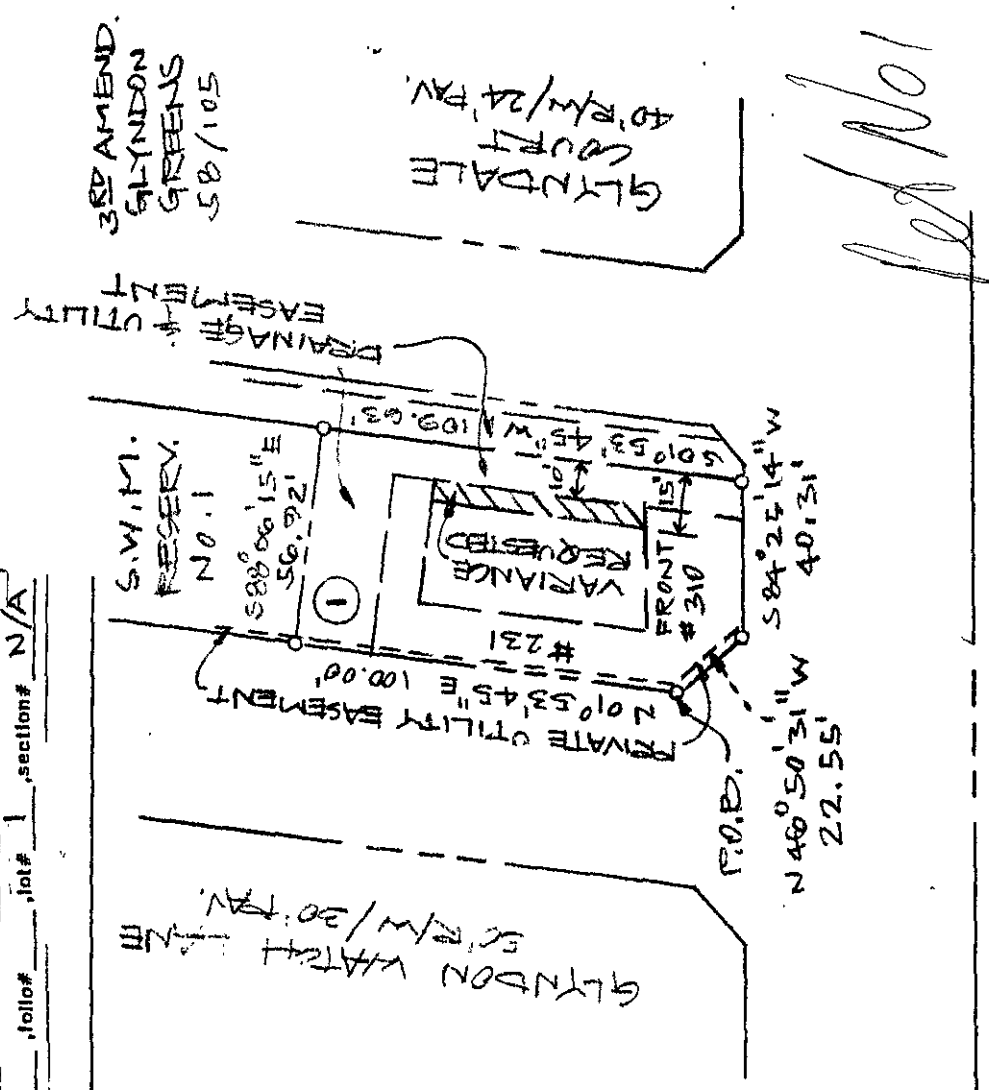
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: #231 GLYNDON WATCH LANE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: GLYNDON WATCH (a.k.a. CHAMBERS/DETT PROPERTY)

plat book# _____, folio# _____, section# N/A

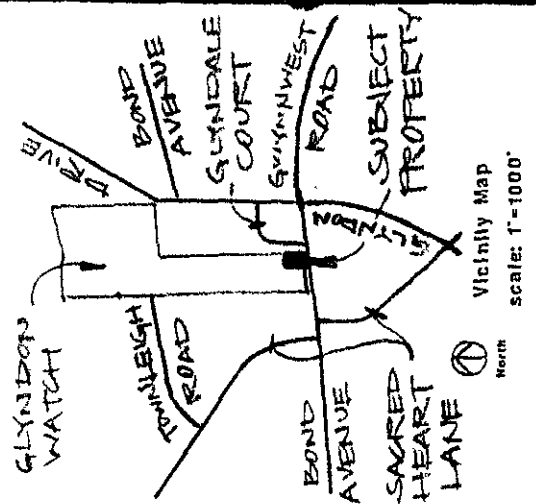
OWNER:



BOND AVENUE
60' R/W / 40' PAV.



North
date: 8-20-99
prepared by: COLBERT MATZ ROSENFIELD, INC.
Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 4
Councilmanic District: 3
1"=200' scale map: NW 10 J
Zoning: DR 3.5
Lot size: 0.1448 acreage 6307 square feet

Chesapeake Bay Critical Area:
Prior Zoning Hearings: CASE No. IV-514
SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 101 CASE#:

00-101-A

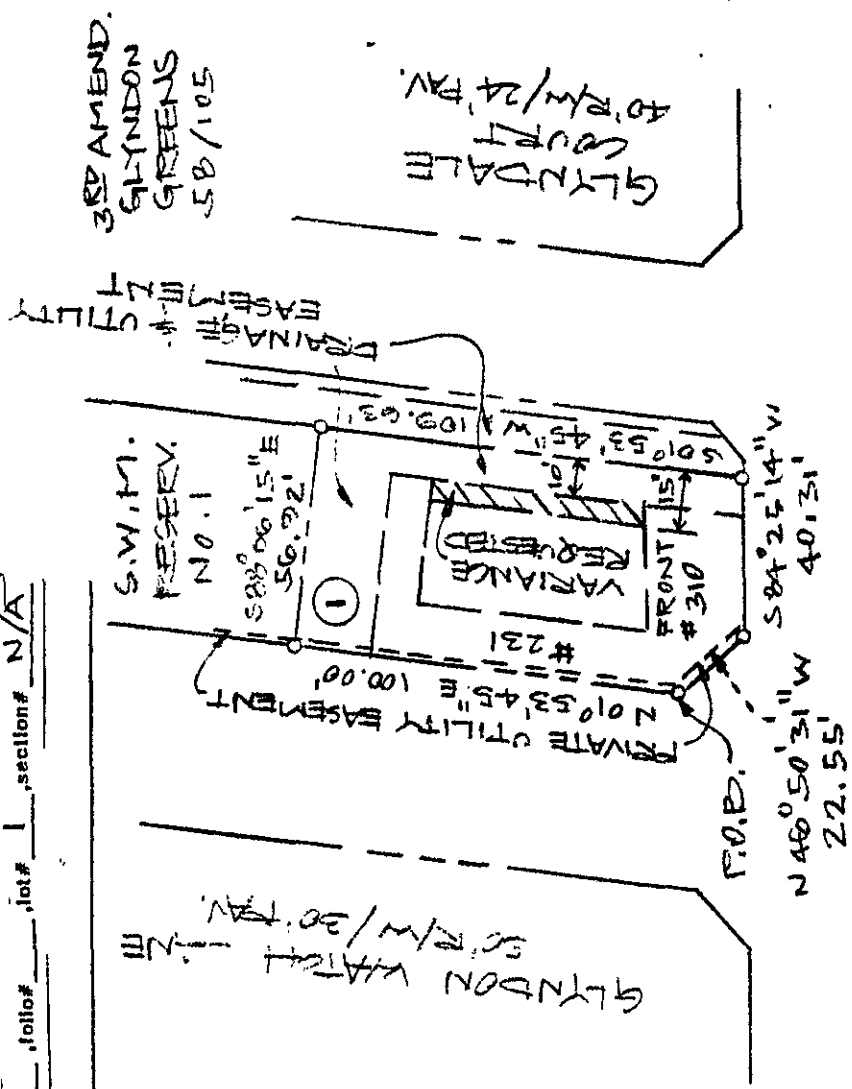
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: #231 GLYNDON WATCH LANE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: GLYNDON WATCH (A.K.A. CHAMBERS/BETT PROPERTIES)

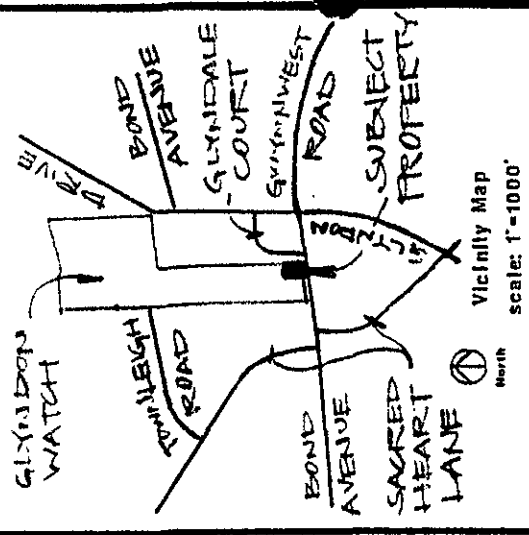
plat book# _____, folio# _____, lot# _____, section# N/A

OWNER: _____



BOND AVENUE
60' R/W / 40' PAV.

North
date: 8-20-79
prepared by: COLBERT MATZ ROSENFIELD, INC.
Scale of Drawing: 1" = 50'



LOCATION INFORMATION

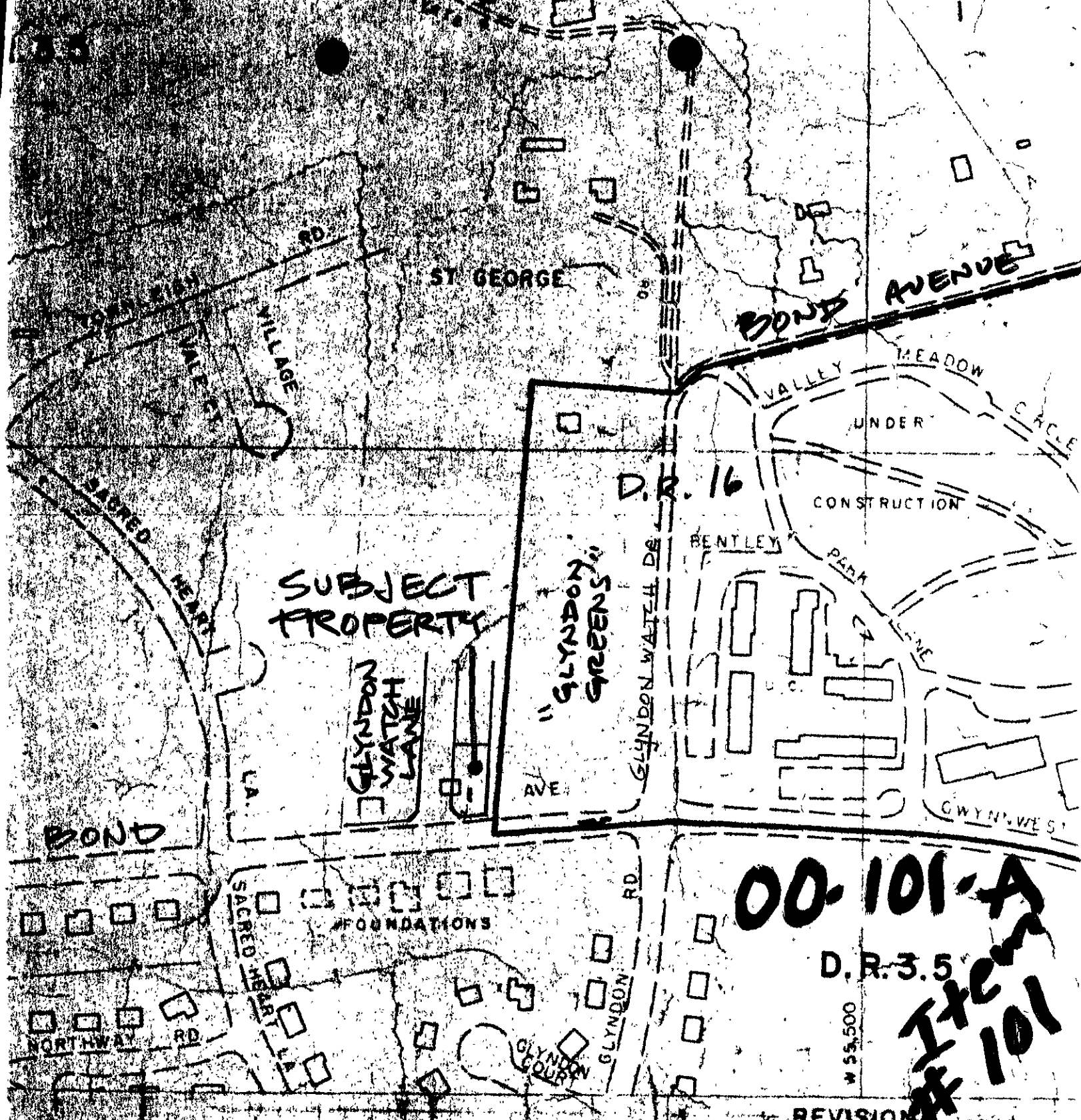
Election District: 4
Councilmanic District: 3
1"=200' scale map#: NW 16 J
Zoning: DR 3.5
Lot size: 0.1448 6307
acreage square feet

Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: ☐ YES ☒ NO
SEWER: ☒ public ☐ private
WATER: ☒ YES ☐ NO

Zoning Office USE ONLY!

reviewed by: [Signature] ITEM #: 101 CASE#: _____

00-101-A



00-101-A
D.R. 3.5
W 55,500
Item # 101

MAP OF ROPOLITAN AREA

REVISION	
BY	DATE
Planimeter	MAPS, INC. 4-11-70
P/O NW 16-J	
1" = 200'	
Compiled By Photogrammetric Map AERO SERVICE CORPORATION-PHIL	

Petitioner's
Exhibits 1A
and 2A-2F
photographs

Case # 00-101~~1~~-A



