

IN RE: PETITION FOR VARIANCE
N/S Lambourne Road at intersection
W/S Yorkward Road
9th Election District
4th Councilmanic District
(21-31 Dunvale Road, SW corner of
Dunvale Road and Yorkward Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-090-A

Consolidated Hampton, LLC
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Consolidated Hampton, LLC. The variance request is for property located at the intersection of the southwest corner of Dunvale Road and Yorkward Road in the Towson area of Baltimore County. The variance requests are as follows:

- 1) A variance from Section 201.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a minimum distance of 44 ft. between the building and the centerline of a street in lieu of the required 60 ft. in the R.A.E.2 zone;
- 2) A variance from Section 201.3.C.1 of the B.C.Z.R., to allow a minimum distance of 14 ft. between the building and the street line in lieu of the required 15 ft. in the R.A.E.2 zone.
- 3) A variance from Section 201.3.C.1, to allow a minimum distance of 17 ft. between the building and the property line (other than a street line) in lieu of the required 30 ft. (for buildings over 40 ft. in height) in the R.A.E.2. zone.;
- 4) A variance from Section 201.3.C.2, to allow a minimum distance of 17 ft. between the building windows and the property line (other than a street line) in lieu of the required 25 ft. in the R.A.E.2 zone.
- 5) A variance from Section 201.3.C.2, to allow a minimum distance of 10 ft. between centers of facing windows of different apartments in lieu of required 75 ft. in the R.A.E.2 zone; and
- 6) A variance from Section 201.3.E, to allow a .072 amenity open space ratio in lieu of the required 0.2 amenity open space ratio in the R.A.E.2 zone.

ORDER RECEIVED FOR FILING

Date

By

10/22/02

By R. G. [Signature]

Appearing at the hearing on behalf of the variance request were Robert Becker, a member of Consolidated Hampton, LLC and Robert Hoffman, attorney at law, who represents the Petitioners. Representatives from Daft, McCune & Walker, the engineering firm who prepared the site plan of the property, also attended the hearing. Appearing in opposition to the Petitioners' request were William Rochford and William Wells, nearby residents and Lawrence Taubman, nearby business owner.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 4.61 acres, more or less, split zoned R.A.E.2 and B.R.-A.S. The subject property is located on the east side of York Road, sandwiched between Dunvale Road and Lambourne Road, in the Towson area of Baltimore County. The subject property is currently developed with 60 residential apartments. Those 60 apartments are scattered throughout several buildings situated on the property. The Petitioners herein are desirous of tearing down the old apartment buildings and constructing a new high-end apartment complex on the property. The particulars of the development are more specifically shown on Petitioners' Exhibit No. 1, the site plan of the property.

The testimony and evidence offered at the hearing demonstrated that the zoning of the property, given its size, would yield 368 apartment units. This calculation is based on the density of the property, multiplied by the acreage of the site. The developer herein proposes to construct 264 apartments within a single building with a maximum height of 70 ft. The testimony revealed that the height of the building was a matter that was negotiated with representatives of the surrounding community, as well as Baltimore County officials. The developer agreed with those entities, that they would not construct the building any taller than 70 feet, notwithstanding that the zoning of the property would allow a much taller building. Therefore, in order to accommodate the number of apartments in a building that is not as tall as

that which is permitted by the regulations, the footprint of the building was somewhat expanded. As a result, the variances that are being requested were generated.

Testimony further revealed that the Petitioners are providing 484 parking spaces for the residents of this proposed apartment complex. This number of parking spaces exceeds that which is required by the Baltimore County Zoning Regulations by 130 parking spaces. Because of the limited amount of off-site parking available to residents, the developer believed it important to provide an excess amount of parking for the future residents, as well as their guests.

As stated previously, two residents of an adjacent development appeared in opposition to the Petitioners' request. Mr. Wells and Mr. Rochford are very much concerned over the amount of traffic that will be generated by this new apartment complex. These gentlemen indicated that the intersections of Dunvale Road and Lambourne Road, with Yorkward Road and Fairmount Avenue, are heavily congested during peak rush hours. These gentlemen are concerned that the additional apartment units to be constructed on this property will exacerbate this adverse traffic situation. In addition to the concerns over traffic, these citizens were also concerned that the building itself is too large for the property. They asked that the variances be denied.

It should be noted that the developer is proposing to develop the property with a far lesser number of apartment units than would be permitted under the Zoning Regulations. They have opted, as a result of negotiations with the surrounding communities and representatives from Baltimore County, to construct a building that would be no taller than 70 feet. This caused the building to have somewhat of a larger footprint and a lesser amount of density units. However, given the concerns raised by the citizens in attendance, I do believe it is necessary, prior to the issuance of permits for this project, that the developer submit this development proposal to the Traffic Engineering Section of the Department of Public Works for their review as to the manner in which the future residents will access this development. As the site plan indicates and the

testimony corroborated, the developer is proposing a parking garage in the center of the building for the residents and their guests. The Traffic Engineering Division should pay particular attention to the manner in which motor vehicles enter and exit the parking garage and the stacking of those vehicles on Lambourne Road and Dunvale Road, once they exit the parking garage itself.

Furthermore, as was the concern raised by Mr. Lawrence Taubman, the developer should be required to provide some visitor parking on the first level of the garage itself. Mr. Taubman, who operates the Dulaney Valley Shopping Center, is concerned that potential visitors to this apartment building may utilize his parking lot for parking purposes. He is concerned that these visitors would interfere with customer parking for the tenants within his shopping center. Therefore, he simply asks that the developer of this project provide the necessary visitor parking within the parking garage itself. This too shall be studied by the Traffic Engineering Division, so as to determine the appropriate amount of visitor parking and the location of that parking within the parking garage.

The concerns raised by the citizens in attendance as to traffic generated by this development is not directly related to the variances being requested. As stated previously, the developer could have constructed many more apartment units had they chosen to simply build a taller apartment building. Instead, by reducing the height of the building, they have substantially reduced the amount of apartment dwellings, thereby reducing any impact on traffic. Accordingly, the variance request should be granted and the project approved subject to the conditions and restrictions imposed at the end of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208

ORDER PREPARED FOR FILING
DATE 10/20/02
BY R. Gammal

(1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

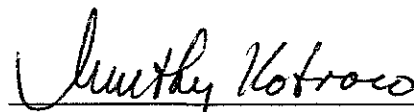
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the 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.

THEREFORE, IT IS ORDERED this 20th day of October, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from (1) Section 201.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a minimum distance of 44 ft. between the building and the centerline of a street in lieu of the required 60 ft. in the R.A.E.2 zone; (2) from Section 201.3.C.1 of the B.C.Z.R., to allow a minimum distance of 14 ft. between the building and the street line in lieu of the required 15 ft. in the R.A.E.2 zone; (3) from Section 201.3.C.1, to allow a minimum distance of 17 ft. between the building and the property line (other than a street line) in lieu of the required 30 ft. (for buildings over 40 ft. in height) in the R.A.E.2. zone.; (4) from Section 201.3.C.2, to allow a minimum distance of 17 ft. between the

ORDER RECORDED FOR FILING
Date 10/20/00
By J. J. Gammack

building windows and the property line (other than a street line) in lieu of the required 25 ft. in the R.A.E.2 zone; (5) from Section 201.3.C.2, to allow a minimum distance of 10 ft. between centers of facing windows of different apartments in lieu of required 75 ft. in the R.A.E.2 zone; and, (6) from Section 201.3.E, to allow a .072 amenity open space ratio in lieu of the required 0.2 amenity open space ratio in the R.A.E.2 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The developer shall be required to submit this proposal to the Bureau of Traffic Engineering of the Department of Public Works. Traffic Engineering shall review the proposed development, specifically the manner by which the residents will enter and exit the proposed parking garage. Particular attention should be paid to the stacking of vehicles, either on Dunvale Road or Lambourne Road, as a result of vehicles exiting the parking garage. Traffic Engineering shall insure that traffic will flow in an orderly fashion from the subject development.
3. The Developer shall provide an appropriate amount of visitor parking within the parking garage, on site. The amount of visitor parking shall be determined by the Bureau of Traffic Engineering.
4. When applying for any permits, the site 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:raj

ORIGINAL FILED FOR FILING
DATE 10/20/00
BY [Signature]



Baltimore County
Zoning Commissioner

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

October 20, 2000

Robert Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-090-A
Property: 21-31 Dunvale Road, SW corner
of Dunvale Road and Yorkward Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been approved in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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

Copies to:

Consolidated Hampton, LLC
c/o Mr. Robert B. Becker
P. O. Box 1189
Brooklandville, MD 21022

Mr. William F. Rochford
31 Lambourne Road, Apt. 507
Towson, MD 21204

Mr. William K. Wells
31 Lambourne Road, Apt. 501
Towson, MD 21204

Mr. Lawrence Taubman
828 Dulaney Valley Road
Towson, MD 21204



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21-31 Dunvale Road, southwest corner of Dunvale Road and Yorkward Road

which is presently zoned R.A.E.2/B.R.-A.S.

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)

SEE ATTACHED

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 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:

Patricia A. Malone

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue 410-494-6200

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

Consolidated Hampton, LLC

Name - Type or Print

Signature

Robert B. Becker, Member

Name - Type or Print

Signature

P. O. Box 1189 410-823-8100

Address Telephone

Brooklandville, MD 21021

City State Zip

Representative to be Contacted:

Patricia A. Malone

Name

210 Allegheny Avenue 410-494-6200

Address Telephone

Towson, MD 21204

City State Zip

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2

UNAVAILABLE FOR HEARING

Reviewed By JL Date 01/01/98

ORDER RECEIVED FOR FILING

Date 10/30/97

Case No. 01090 A

201 915198

ATTACHMENT TO PETITION FOR VARIANCES

Consolidated Hampton, LLC
21 – 31 Dunvale Road

1. Variance from Baltimore County Zoning Regulations (“BCZR”) Section 201.3.C.1 to allow a minimum distance of 44 feet between the building and the center line of a street in lieu of the required 60 feet in the R.A.E.2 zone.
2. Variance from BCZR Section 201.3.C.1 to allow a minimum distance of 14 feet between the building and the street line in lieu of the required 15 feet in the R.A.E.2 zone.
3. Variance from BCZR Section 201.3.C.1 to allow a minimum distance of 17 feet between the building and the property line (other than a street line) in lieu of the required 30 feet (for buildings over 40 feet in height) in the R.A.E.2 zone.
4. Variance from BCZR Section 201.3.C.2 to allow a minimum distance of 17 feet between the building windows and the property line (other than a street line) in lieu of the required 25 feet in the R.A.E.2 zone.
5. Variance from BZCR Section 201.3.C.2 to allow a minimum distance of 10 feet between centers of facing windows of different apartments in lieu of required 75 feet in the R.A.E.2 zone.
6. Variance from BCZR Section 201.3.E to allow a .072 amenity open space ratio in lieu of the required 0.2 amenity open space ratio in the R.A.E.2 zone.

090

Description

To Accompany Petition for Zoning Variance

3.430 Acre Parcel

Northwest Side of Lambourne Road

Southwest Side of Yorkward Road

Ninth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the point formed by the intersection of the northwest side of Lambourne Road, 60 feet wide, with the southwest side of Yorkward Road, 60 feet wide, and being at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Lambourne Road with the centerline of Yorkward Road (1) South 58 degrees 29 minutes 11 seconds West 30 feet, and thence (2) North 31 degrees 25 minutes 01 second West 30 feet to the point of beginning, thence leaving said beginning point and binding on the said side of Lambourne Road (1) South 58 degrees 29 minutes 11 seconds West 521.86 feet, thence leaving the said road and running the three following courses and distances, viz: (2) North 31 degrees 41 minutes 26 seconds West 195.00 feet, thence (3) South 58 degrees 29 minutes 11 seconds West 20.00 feet, and thence (4) North 31 degrees 41 minutes 26 seconds West 100.52 feet to intersect the southeast side of Dunvale Road, 60 feet wide, thence binding thereon the two following courses and distances, viz: (5) North 57 degrees 45 minutes 59 seconds East 340.45 feet to a point of curvature, and thence (6) Southeasterly by a line curving to the right with a radius of 200.00 feet for a distance of 317.01 feet (the arc of said curve being subtended by a chord bearing

South 76 degrees 49 minutes 32 seconds East 284.85 feet) to intersect the southwest side of Yorkward Road, thence binding thereon (7) South 31 degrees 25 minutes 01 second East 99.47 feet to the point of beginning; containing 3.430 acres of land, more or less.

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

August 24, 2000

Project No. 89117.B (L87117.B)



BALTIMORE COUNTY, MAR
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

IND

No.

8527.

DATE

8/24/00

ACCOUNT

120016150

AMOUNT \$

250.00

RECEIVED FROM:

VENORACE BARNER + HOWARD

FOR:

COMM VAC

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PRINTED

ACTUAL

TIME

8/24/2000

8/24/2000

10:23:26

NET

5203

CASHIER LILLIAN BARNER

5

POST

5

5203 ZIMMERS (RECEIVED)

5

Receipt #

137127

08/27/00

08/27/00

CR NO.

085279

Receipt for

250.00

250.00

CR

.00

01

1001 LILLIAN BARNER, MARVARD

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5776

DATE 9/5/01 ACCOUNT 001 006 6152

AMOUNT \$ 20⁰⁰

RECEIVED FROM: City of Baltimore

FOR: Supp (001-90-1)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
9/05/2001 9/05/2001 10:21:33

6 0005 CASHIER NBT MEB DROMER 5
RECEIPT # 252722 OFLN

pt 5 520 ZONING VERIFICATION
NO. 005776

Remt Tol 20.00

20.00 01 .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commission 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 # 01-090-A

21 - 31 Gwynneth Road
W/S Lampbourne Road at intersection W/S Yorkward Road
B'n Election District 4th Councilmanic District
Legal Owner(s): Consolidated Hampton, LLC

Variance: to allow a minimum distance of 44 feet between the building and the centerline of a street in lieu of the required 60 feet; to allow a minimum distance of 14 feet between the building and street line in lieu of the required 35 feet; to allow a minimum distance of 17 feet between the building and property line in lieu of the required 30 feet; to allow a minimum distance of 17 feet between the building and property line in lieu of the required 25 feet; to allow a minimum distance of 10 feet between centers of facing windows in lieu of the required 75 feet and to allow a 0.72 amenity open space ratio in lieu of the required 2 amenity open space ratio.

Hearing: Friday, October 9, 2009 at 2:00 p.m. in Room 106, Baltimore County Building, 111 West Chesapeake Avenue.
Lawrence E. Schmidt
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible. For special accommodations, please contact the Zoning Commission's Office at (410) 887-4386.
(2) For information concerning the filing of a hearing, contact the Zoning Review Office at (410) 887-3391.

8/16/1 Sept. 21 0420721

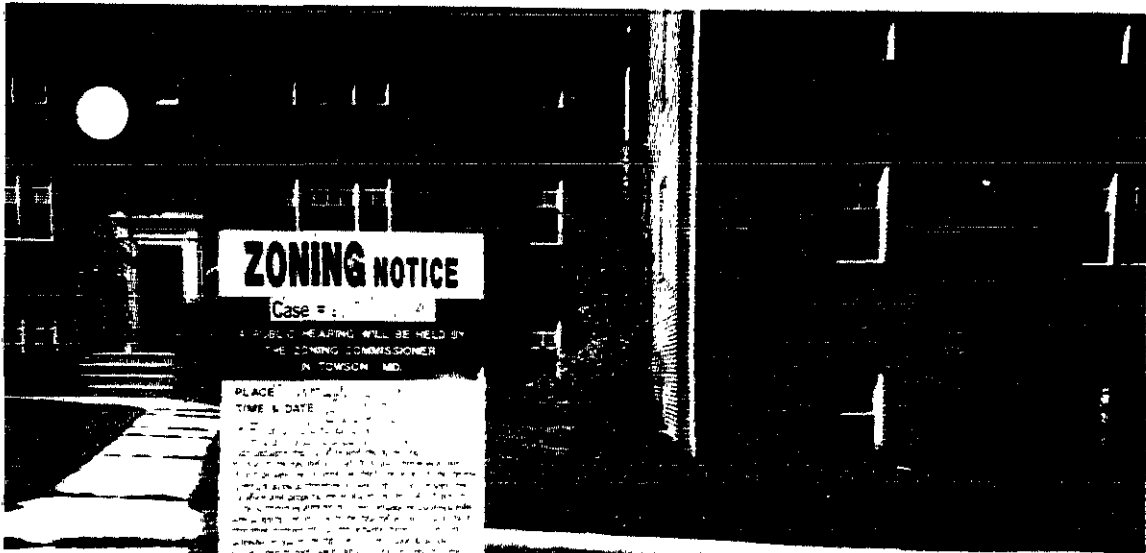
CERTIFICATE OF PUBLICATION

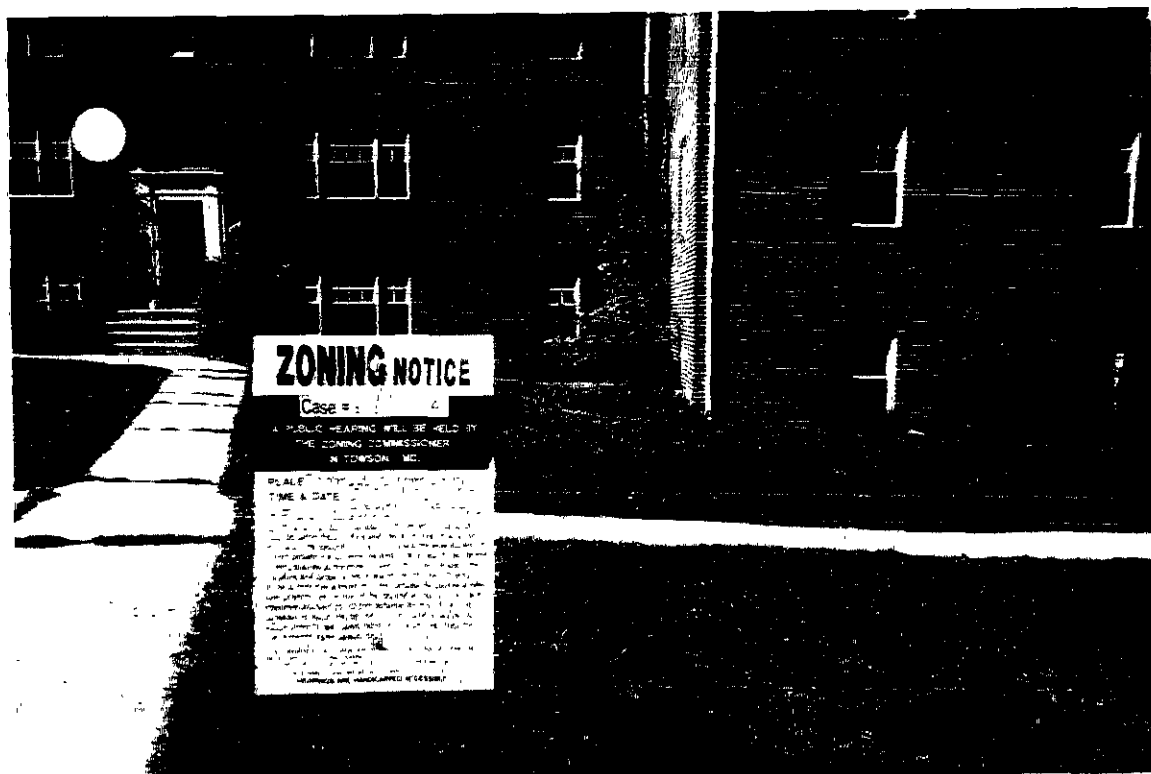
TOWSON, MD, 9/21, 2000

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 9/21, 2000.

THE JEFFERSONIAN,
J. Williams Sr.

LEGAL ADVERTISING





CERTIFICATE OF POSTING

RE: Case No.

01-090-A

Petitioner/Developer

Consolidated Hampton,
LLC

Date of Hearing/Closing

Friday October 6, 2000
at 2:00pm

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 penalties of perjury that the necessary sign(s) required by
law were posted conspicuously for the property known as

21 - 31 Dunvale Road

N/S Lambourn Rd at intersection of W/S of
Yorkward Road

The signs were posted on

Sept. 21, 2000
(Month, Day, Year)

Sincerely,

 9/21/2000

(Signature of Sign Poster and Date)

Mitchell J. Kellman

(Printed Name)

200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)

RE: PETITION FOR VARIANCE
21-31 Dunvale Road, N/S Lambourne Rd at intersectiOn
W/S Yorkward Rd
9th Election District, 4th Councilmanic

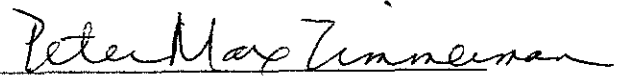
Legal Owner: Consolidated Hampton LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-90-A

* * * * *

ENTRY OF APPEARANCE

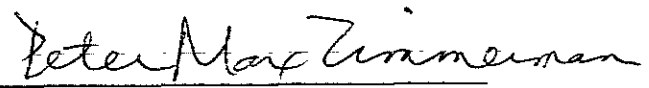
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


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 13th day of September, 2000 a copy of the foregoing Entry of Appearance was mailed to Patricia A. Malone, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


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

September 8, 2000

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: 01-090-A

21 – 31 Dunvale Road

N/S Lambourne Road at intersection W/S Yorkward Road

9th Election District – 4th Councilmanic District

Legal Owner: Consolidated Hampton, LLC

Variance to allow a minimum distance of 44 feet between the building and the centerline of a street in lieu of the required 60 feet; to allow a minimum distance of 14 feet between the building and street line in lieu of the required 15 feet; to allow a minimum distance of 17 feet between the building and property line in lieu of the required 30 feet; to allow a minimum distance of 17 feet between the building windows and property line in lieu of the required 25 feet; to allow a minimum distance of 10 feet between centers of facing windows in lieu of the required 75 feet; and to allow a .072 amenity open space ratio in lieu of the required .2 amenity open space ratio.

HEARING: Friday, October 6, 2000, at 2:00 p.m. in Room 106, Baltimore County Building, 111 West Chesapeake Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature, the initials "GDZ" are printed.

Arnold Jablon
Director

C: Consolidated Hampton, LLC, Robert B. Becker, Member, PO Box 1189,
Brooklandville 21022
Patricia A. Malone, Venable, Baetjer & Howard, LLP, 210 Allegheny Avenue,
Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY: SEPTEMBER 22, 2000.**
- (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.



TO: PATUXENT PUBLISHING COMPANY
Thursday, September 21, 2000 Issue – Jeffersonian

Please forward billing to:
Barbara W. Ormord
210 Allegheny Avenue
Towson, MD 21204

410 494-6200

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: 01-090-A
21 – 31 Dunvale Road
N/S Lambourne Road at intersection W/S Yorkward Road
9th Election District – 4th Councilmanic District
Legal Owner: Consolidated Hampton, LLC

Variance to allow a minimum distance of 44 feet between the building and the centerline of a street in lieu of the required 60 feet; to allow a minimum distance of 14 feet between the building and street line in lieu of the required 15 feet; to allow a minimum distance of 17 feet between the building and property line in lieu of the required 30 feet; to allow a minimum distance of 17 feet between the building windows and property line in lieu of the required 25 feet; to allow a minimum distance of 10 feet between centers of facing windows in lieu of the required 75 feet; and to allow a .072 amenity open space ratio in lieu of the required .2 amenity open space ratio.

HEARING: Friday, October 6, 2000, at 2:00 p.m. in Room 106, Baltimore County Building, 111 West Chesapeake Avenue.



Lawrence E. Schmidt GJZ

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.

**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: 01-090-A
Petitioner: CONSOLIDATED HAMPTON, LLC
Address or Location: 21-31 DUNVALE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARBARA W. ORMOROD
Address: 210 ALLEGANY AVENUE
TOWSON, MD.
Telephone Number: 410 494-6200



Baltimore County
Department of Permits and
Development Management

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

September 29, 2000

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

Dear Ms. Malone:

RE: Case Number: 01-090-A, 21 – 31 Dunvale Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 24, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

C: Consolidated Hampton, LLC, Robert B. Becker, Member
P O Box 1189, Brooklandville 21022
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 3, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2000
Item Nos. 070, 071, 072, 073, 075, 078,
079, 081, 082, 085, 086, 087, 088, 089,
~~090~~, 091, 092, 093, 094, 095, 097, 098,
100, 101, 103. and 104

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

September 19, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: CONSOLIDATED HAMPTON, LLC - 090

Location: DISTRIBUTION MEETING OF SEPTEMBER 11, 2000

Item No.: 090

Dear Ms. Stephens:

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.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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



MR
10/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 28, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-090

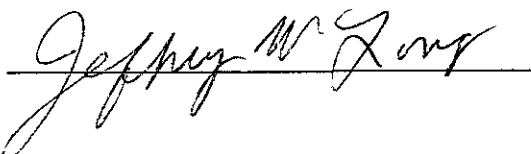
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC

SEP 28

Ink
10/6/00



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 10.2.00

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

RE: Baltimore County
Item No. 090

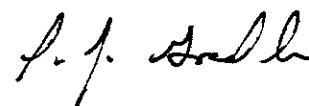
JLL

Dear Ms. Jackson:

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,


/s/ Kenneth A. McDonald Jr., 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

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

September 1, 2000

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

DAVID H. KARCESKI
(410) 494-6285
dhkarc@venable.com

*To: George
ok, But
not too soon
to comply
9/1/00*

HAND-DELIVERED

Carl W. Richards, Supervisor
Baltimore County Department of Permits
and Development Management
County Office Building - Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance -- Consolidated Hampton, LLC
21-31 Dunvale Road
Case No. 01-090-A

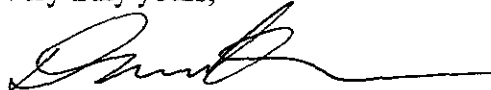
Dear Mr. Richards:

I am writing to request your assistance in obtaining an accelerated hearing date for the above-referenced matter to the extent possible. We filed a Petition for Variance on behalf of our client, Consolidated Hampton, LLC, on Thursday, August 24, 2000.

The project involves the proposed redevelopment of the middle block of the Hampton Apartments property that is located in a commercial revitalization district for which we believe there is much support in the surrounding community. Councilman Skinner is very aware of the proposed redevelopment and the community's support for it and we would encourage your calling him at your convenience. The completion of the project is, however, dependant on the attainment of a HUD insured loan through a rather stringent application process. Thus, the required zoning approvals must be quickly granted for the site.

Due to the urgency relating to the submission of the HUD application, any assistance you can offer in expediting the hearing date would be greatly appreciated.

Very truly yours,



David H. Karceski

DHK

cc: Honorable Wayne M. Skinner
Robert B. Becker
Robert A. Hoffman, Esquire

VENABLE, BAETJER AND HOWARD, LLP
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210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
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VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
(410) 494-6244

September 5, 2001

HAND-DELIVERED

Carl W. Richards, Supervisor
Baltimore County Department of Permits and Development Management
County Office Building - Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 01-090-A

Dear Mr. Richards:

Enclosed please find a check in the amount of \$20.00, for providing us with a copy of the October 6, 2000 above-referenced hearing cassette tape. Thank you for your assistance with this matter.

Very truly yours,


Amy L. Dontell
Paralegal

ALD
Enclosure
TO:DOCSI/ald99/#122292 v1

***** ACTIVITY REPORT *****

TRANSMISSION OK

TX/RX NO.	0184
CONNECTION TEL	94108238497
CONNECTION ID	
START TIME	10/20 15:39
USAGE TIME	02'54
PAGES	8
RESULT	OK

*10/20/00 signed
Copy faxed to
Todd Selson
BX 10/20/00*



Daft-McCune-Walker, Inc.

Zoning Office

200 East Pennsylvania Avenue
Towson, Maryland 21286
410-296-3333
Fax 410-296-4705

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

To: Ms Gwendolyn Stephens
Balto. Co. Dept. of Permits & Dev. Mgmt
111 W. Chesapeake Ave, Room 111
Towson, MD 21204

Date: Sept 25, 2000
Job No.: 89117. B1
Attention: Variance Posting Cert.
Reference: 01-090-A

We are sending you ☐ attached ☐ under separate cover ☐ via _____
☐ Shop drawings ☐ Samples ☐ Plans
☐ Specifications ☐ _____

Copies	Date	Number	Description
2	9/21/00	1	Cert. of Sign Posting
	9/21/00	7	7 photographs of sign at property

These are transmitted as checked below:

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☒ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected for prints
☐ For review and comment ☐ _____

Remarks: _____

cc: _____

Signed: *Mitch Kellman*

Case Number 01-090-A

PLEASE PRINT LEGIBLY

CITIZEN'S SIGN-IN SHEET

[illegible]

