

IN RE: PETITION FOR VARIANCE
NE & SW/S Oyster Court, 240' SE
of Green Cove Circle &
SW/S Sandwood Road, 200'
N & E of Sandymount
15th Election District
7th Councilmanic District
(7, 8, 9 and 13 Oyster Court &
4513 and 4521 Sandwood Road)

Beachwood Estates, LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-157-A
*
*

* * * * *

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 Beachwood Estates, LLC. The petition was prepared and filed by Howard Alderman, Jr., attorney at law. The variance requests are as follows:

1. Lot 164 -- from Section 1B01.2.C.1.b to permit a building to building setback of 19' and 18' in lieu of the required 20'; and
2. Lot 159 -- from Section 1B01.2.C.1.b to permit a 23' rear yard setback in lieu of the required 30'; and
3. Lot 157 -- from Section 1B01.2.C.1.b to permit a building to building setback of 18' and 16' in lieu of the required 20'; and
4. Lot 156 -- from Section 1B01.2.C.1.b to permit a building to building setback of 16' and 18' in lieu of the required 20'; and
5. Lot 127 -- from Section 1B01.2.C.1 to permit a building to building setback of 14' and 13' in lieu of the required 20'; and
6. Lot 131 -- from Section 1B01.2.C.1.b to permit a building to building setback of 15' in lieu of the required 20';.

In addition, the Petitioners are requesting relief to amend the Final Development Plan for Beachwood Estates.

ORDER RECEIVED FOR FILING

Date

11/30/00

By

J.R. Jamison

Appearing at the hearing on behalf of the variance request were Dwight Little, professional engineer with W. Duvall & Associates and Howard Alderman, attorney at law. There were no protestants or others in attendance.

Testimony and evidence indicated that the lots, which are the subject of this variance request, are located within the residential community known as "Beachwood Estates". The subject property is, for the most part, built out with only a few vacant lots remaining. Some of those vacant lots are the subject of this variance request. Four of the lots in question are located on Oyster Court and the remaining two located on Sandwood Court. All are situated within the interior of this overall development. In order to construct houses of similar size and character to the other homes in the community, it is necessary to have variances granted, given that homes have already been constructed on opposite sides of these lots in question. Therefore, in order to proceed with the new homes, the requested variances are needed.

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 (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).

COPIES OF THIS
DATE 11/30/00
BY J.P. JENSEN

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.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 30th day of November, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance as follows:

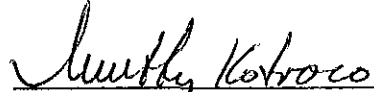
1. Lot 164 – from Section 1B01.2.C.1.b to permit a building to building setback of 19' and 18' in lieu of the required 20'; and
2. Lot 159 – from Section 1B01.2.C.1.b to permit a 23' rear yard setback in lieu of the required 30'; and
3. Lot 157 – from Section 1B01.2.C.1.b to permit a building to building setback of 18' and 16' in lieu of the required 20'; and
4. Lot 156 – from Section 1B01.2.C.1.b to permit a building to building setback of 16' and 18' in lieu of the required 20'; and
5. Lot 127 – from Section 1B01.2.C.1 to permit a building to building setback of 14' and 13' in lieu of the required 20'; and
6. Lot 131 – from Section 1B01.2.C.1.b to permit a building to building setback of 15' in lieu of the required 20';

be and is hereby GRANTED;

OFFICE OF THE ZONING
COMMISSIONER
11/30/00
R. Jensen

IT IS FURTHER ORDERED, that Petitioners' request to amend the Final Development Plan for Beachwood Estates, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

COPIES FOR FILING
11/30/10
R. Gresson



Baltimore County
Zoning Commissioner

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

November 30, 2000

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-157-A
Property: 7, 8, 9, 13 Oyster Court and
4513 & 4521 Sandwood Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted 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:

Beachwood Estates, LLC
c/o Thomas Carolan
250 Business Center Drive
Reisterstown, MD 21136

Dwight Little, P.E.
c/o W. Duvall & Associates
530 E. Joppa Road
Towson, MD 21286



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at ^{#7, 8, 9, 13 Oyster Court} #4513 & 4521 Sandwood Road

which is presently zoned DR 3.5

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 ATTACHMENT

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

Due to the lot configuration, and the required house orientation, the houses will not fit.

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.

Legal Owner(s):

Beachwood Estates, LLC

Name - Type or Print

Signature

Thomas Carolan, Member

Name - Type or Print

Signature

250 Business Center Drive 410-526-7599
Address Telephone No.

Reisterstown MD 21136
City State Zip Code

Representative to be Contacted:

Chuck Merritt c/o W. Duvall & Associates, Inc.
Name day eve.

530 E. Joppa Road 410-583-9571
Address Telephone No.

Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By BL Date 10/6/00

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr.

Name - Type or Print

Signature

Levin & Gann

Company

502 Washington Ave, 8th fl 410-321-0600

Address Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 01-157-A

**BEACHWOOD ESTATES
VARIANCES REQUIRED**

RELIEF REQUESTED:

LOT 164 ✓

Section 1 B01.2.C.1.b to permit a building to building setback of 19' and 18' in lieu of the required 20'.

LOT 159

Section 1B01.2.C.1.b to permit a 23' rear yard setback in lieu of the required 30'✓

LOT 157 ✓

Section 1B01.2.C.1.b to permit a building to building setback of 18' and 16' in lieu of the required 20'

LOT 156 ✓

Section 1B01.2.C.1.b to permit a building to building setback of 16' and 18' in lieu of the required 20'

LOT 127 ✓

Section 1B01.2.C.1.b to permit a building to building setback of 14' and 13' in lieu of the required 20'

LOT 131 ✓

Section 1B01.2.C.1.b to permit a building to building setback of 15' in lieu of the required 20'

And to amend the 3rd amended final development plan for Beachwood Estates consistent with the relief requested.

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

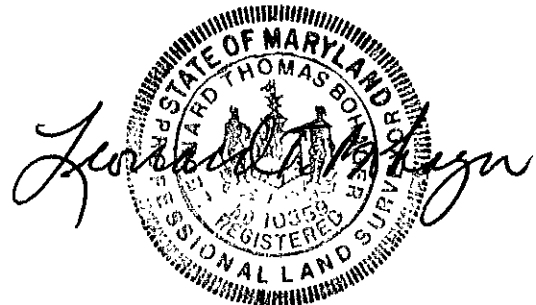
Telephone: (410) 583-9571

Fax: (410) 583-1513

September 27, 2000

ZONING DESCRIPTION FOR #127 SANDWOOD ROAD

Beginning at a point on the south side of Sandwood Road, which is 50 feet wide, at the distance of 200 feet southeast of the nearest improved intersecting street, Sandymount Road which is 50 feet wide. Being lot #127, Phase One, Section Three in the subdivision of Beachwood Estates as recored in Baltimore County Plat No. 69 folio 29, containing 0.1332 acres. Also known as #4513 Sandwood Road and located in the 15th Election District , Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571
Fax: (410) 583-1513

September 27, 2000

ZONING DESCRIPTION FOR #131 SANDWOOD ROAD

Beginning at a point on the south side of Sandwood Road, which is 50 feet wide, at the distance of 502 feet southeast of the nearest improved intersecting street, Sandymount Road which is 50 feet wide. Being lot #131, Phase One, Section Three in the subdivision of Beachwood Estates as recored in Baltimore County Plat No. 69 folio 29, containing 0.1328 acres. Also known as #4521 Sandwood Road and located in the 15th Election District , Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



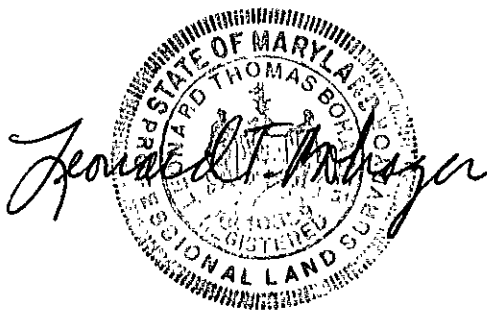
530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571
Fax: (410) 583-1513

September 27, 2000

ZONING DESCRIPTION FOR #131 SANDWOOD ROAD

Beginning at a point on the south side of Sandwood Road, which is 50 feet wide, at the distance of 502 feet southeast of the nearest improved intersecting street, Sandymount Road which is 50 feet wide. Being lot #131, Phase One, Section Three in the subdivision of Beachwood Estates as recored in Baltimore County Plat No. 69 folio 29, containing 0.1328 acres. Also known as #4521 Sandwood Road and located in the 15th Election District , Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571
Fax: (410) 583-1513

September 26, 2000

ZONING DESCRIPTION FOR #7 OYSTER COURT

Beginning at a point on the south side of Oyster Court, which is 50 feet wide, at a distance of 240 feet southeast of the nearest improved intersecting street, Greencove Circle which is 50 feet wide. Being lot # 156, Phase One, Section Two in the subdivision of Beachwood Estates as recored in Baltimore County Plat Book No. 69 foilo 22, containg 0.1263 acres. Also known as #7 Oyster Court and located in the 15th Election District Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571

Fax: (410) 583-1513

September 27, 2000

ZONING DESCRIPTION FOR #9 OYSTER COURT

Beginning at a point on the south side of Oyster Court, which is 50 feet wide, at the distance of 295 feet southeast of the centerline of the nearest improved intersecting street, Greencove Circle which is 50 feet wide. Being lot #157, Phase One, Section Two in the subdivision of Beachwood Estates as recored in Baltimore County Plat Book No.69 folio 22, containing 0.1263 acres. Also known as #9 Oyster Court and located in the 15th Election District Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571
Fax: (410) 583-1513

September 27, 2000

ZONING DESCRIPTION FOR #13 OYSTER COURT

Beginning at a point on the south side of Oyster Court, which is 50 feet wide, at the distance of 410 feet southeast of the centerline of the nearest improved intersecting street, Greencove Circle which is 50 feet wide. Being lot #159, Phase One, Section Two in the subdivision of Beachwood Estates as recored in Baltimore County Plat Book No.69 folio 22, containing 0.1367 acres. Also known as #13 Oyster Court and located in the 15th Election District Councilmanic District #7.



01-157-A

#157

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



530 East Joppa Road
Towson, Maryland 21286

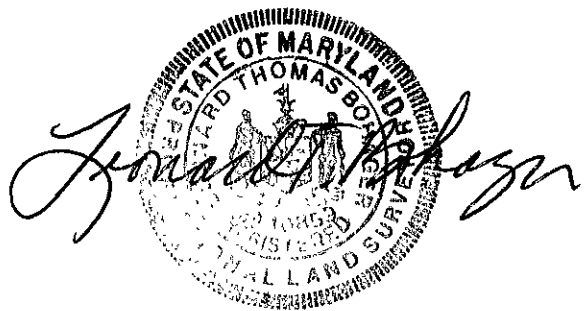
Telephone: (410) 583-9571
Fax: (410) 583-1513

September 26, 2000

ZONING DESCRIPTION FOR #8 OYSTER COURT

Beginning at a point on the north side of Oyster Court, which is 50 feet wide, at the distance of 235 feet southeast of the centerline of the nearest improved intersecting street, Greencove Circle, which is 50 feet wide. Being Lot #164, Phase One, Section Two in the subdivision of Beachwood Estates as recorded in Baltimore County Plat Book No. 69 folio 22, containing 0.1263 acres. Also known as #8 Oyster Court and located in the 15th Election District.

Councilmanic District #7.



01-157-A

#157

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

96882

DATE

10/6/00

ACCOUNT

Foot-6150

AMOUNT

\$ 350.00

RECEIVED

FROM:

2001-11-11 Assoc. - 1001

FOR:

2001-11-11 Assoc. - 1001

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
10/06/2000 10:00:00 00:00:00
SEE MEMO CASHIER UNIT 101 WAIVER
FORM 5 500 BOWLING MERIT VOUCHER
RECEIVED BY 10010000000000000000
CP NO. 00000000

Receipt To: 350.00
350.00 OF 350.00
Baltimore County, Maryland

01-157-A

CASHIER'S VALIDATION

Item # 157

01-157-A

CERTIFICATE OF POSTING

**RE: CASE # 01-157-A
PETITIONER/DEVELOPER
(Beachwood Estates, LLC)
DATE OF Hearing
(11-29-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

7,8,9,13 Oyster Court & 4513, 4521 Sandwood Road Baltimore , Maryland 21222_____

THE SIGN(S) WERE POSTED ON_____ 11-9-00_____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____THOMAS P. OGLE SR._____

_____325 NICHOLSON ROAD_____

_____BALTIMORE, MARYLAND 21221_____

_____410-687-8405_____
(TELEPHONE NUMBER)

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: #01-157-A

7, 8, 9, 13 Oyster Court & 4513, 4521 Sandwood Road
NE & SW/S Oyster Court, 240 feet SE of Green Cove Circle
& SW/S Sandwood Road, 200 N & E of Sandymount
15th Election District - 7th Councilmanic District
Legal Owner(s): Beachwood Estates, LLC

Variance: to permit a building to building setback of 18 feet and 19 feet in lieu of the required 20 feet for Lot 164; to permit a building to building setback of 16 feet and 18 feet in lieu of the required 20 feet for Lots 156 & 157; to permit a building to building setback of 13 feet and 14 feet in lieu of the required 20 feet for Lot 127; to permit a building to building setback of 15 feet in lieu of the required 20 feet for Lot 131; to permit a rear yard setback of 23 feet in lieu of the required 30 feet for Lot 159; and to amend the Third Amended Final Development Plan for Beachwood Estates.

Hearing: Wednesday, November 29, 2000 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 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.

11/083 Nov. 9

C432366

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/9, 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 11/9, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
7, 8, 9, 13 Oyster Court / 4513 & 4521 Sandwood Road,
NE & SW/S Oyster Ct, 240' SE of Green Cove Cir; and
SW/S Sandwood Rd, 200' N & E of Sandymount
15th Election District, 7th Councilmanic

Legal Owner: Beachwood Estates, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-157-A

* * * * *

ENTRY OF APPEARANCE

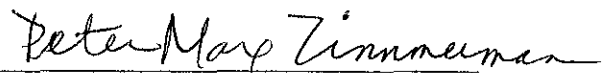
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed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

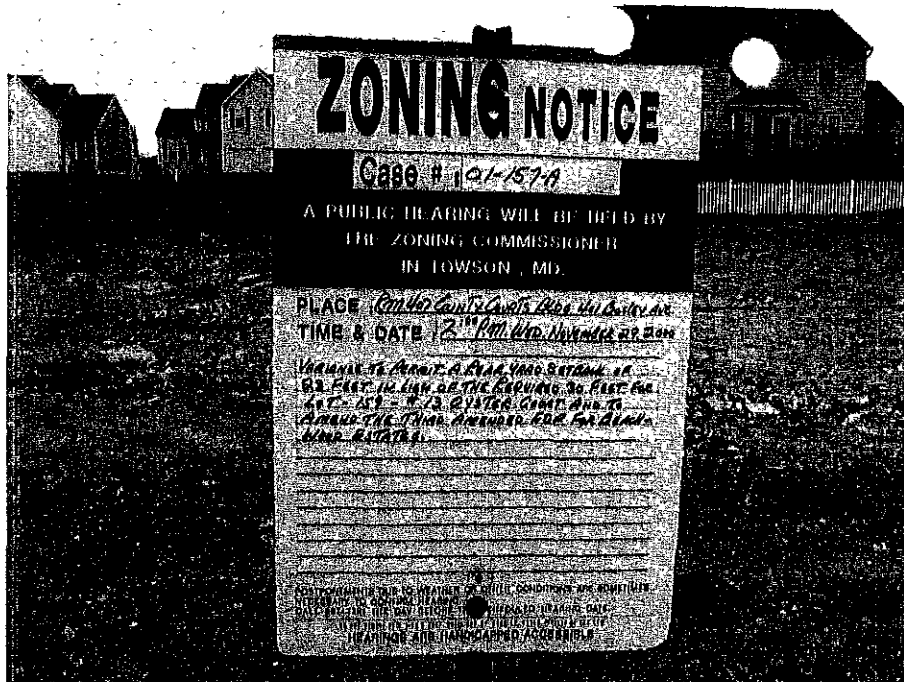

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

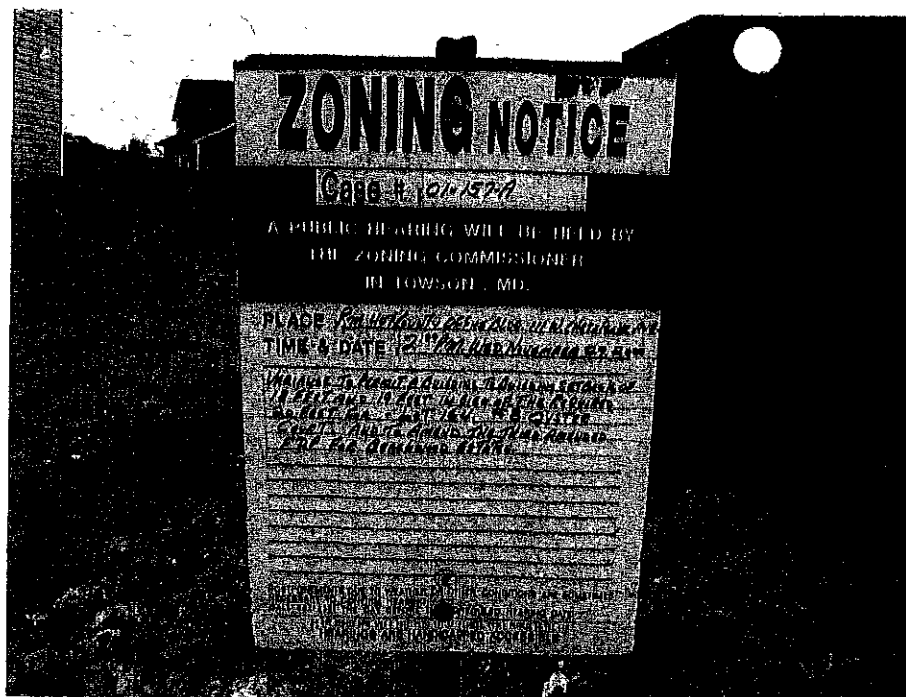
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of October, 2000 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Lot 159 # 13 Oyster Court



Lot 164 #8 Oyster Court



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

October 16, 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: 01-157-A
7, 8, 9, 13 Oyster Court & 4513, 4521 Sandwood Road
NE & SW/S Oyster Court, 240 feet SE of Green Cove Circle &
SW/S Sandwood Road, 200 N & E of Sandymount
15th Election District – 7th Councilmanic District
Legal Owner: Beachwood Estates, LLC

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HEARING: Wednesday, November 29, 2000, 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

602

C: Howard L. Alderman, Jr., Levin & Gann, 502 Washington Avenue, 8th Floor
Towson 21204
Chuck Merritt, W. Duvall & Associates, Inc., 530 E. Joppa Road, Towson 21286
Thomas Carolan, Member, Beachwood Estates, LLC, 250 Business Center Drive
Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 10, 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.

ZONING NOTICE

Case # 101-157-A

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

PLACE Rm 407 County Court Bldg. 401 Dexter Ave

TIME & DATE 2:00 PM WED NOVEMBER 29 2000

VARIOUS TO PREVENT A QUINCY TO QUINCY SATHUR
AP IN EAST IN LINE OF THE REWARD ON POST CAR
LOT 131 - 4 HSB1 SANDHARD ROAD AND TO
REWARD THE THREE AMENDED FDP CAR HATCH-
WOOD A STATOR.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIME NECESSARY TO CONFIRM HEARING.

Lot 131 # 4521 Sandwood Road

ZONING NOTICE

Case # 01-157-A

A FABRIC, IN ARREST, WILL BE TRIED BY
~~THE FEDERAL GOVERNMENT~~
 IN TOWSON, MD.

PLACE: San Jose City Court, 401 San Jose Ave.

TIME & DATE: 3:10 PM Nov. 28, 1964

VARIABLE TO LIMIT A BUILDING TO BUILDING SETBACK
OR A FEET AND IN FACT IN LINE OF THE PERMITS
IN FEET FOR A LOT IMP. THAT'S SAYING NO MORE
AND TO ACHIEVE THE SAME PURPOSE FOR A
BUILDING SETBACK.

POSTPONING THE DECISION LEADING TO OTHER CONDITIONS ARE POSSIBLE
BUT THE DECISION MUST BE MADE BY THE PROPOSED TEAM OF
THE PROJECT. THE DECISION MUST BE MADE BY THE PROPOSED TEAM OF
THE PROJECT AND NOT BY THE AGENCY.

Lot 129 # 4513 Sandwood Road

TO: PATUXENT PUBLISHING COMPANY
Thursday, November 9, 2000 Issue – Jeffersonian

Please forward billing to:

Thomas Carolan, Member
Beachwood Estates, LLC
250 Business Center Drive
Reisterstown, MD 21136

410 526-7599

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:

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7, 8, 9, 13 Oyster Court & 4513, 4521 Sandwood Road
NE & SW/S Oyster Court, 240 feet SE of Green Cove Circle &
SW/S Sandwood Road, 200 N & E of Sandymount
15th Election District – 7th Councilmanic District
Legal Owner: Beachwood Estates, LLC

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HEARING: Wednesday, November 29, 2000, at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt
G>Z

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: 01-157-A

Petitioner: Beachwood Estates, LLC

Address or Location: #7,8,9,13 Oyster Court and
#4513 & 4521 Sandwood Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Beachwood Estates LLC

Address: 250 Business Center Drive

Reisterstown MD 21136

Telephone Number: 410-526-7599

Revised 2/20/98 - SCJ

01-157-A



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

November 24, 2000

Howard L. Alderman, Jr.
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, MD 21204

Dear Mr. Alderman, Jr.:

RE: Case Number: 01-157-A, #7,8,9,13 Oyster Court/#4513 & 4521 Sandwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 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.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Beachwood Estates, LLC, Thomas Carolan, Member, 250 Business Center Drive
Reisterstown 21136
Chuck Merritt, c/o W. Duvall & Associates, Inc., 530 E. Joppa Road, Towson 21204
People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: November 13, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For October 23, 2000
Item Nos. 149, 150, 151, 152, 153, 154,
155, 156, 157, and 158

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

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

October 17, 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: SEE BELOW

Location: DISTRIBUTION MEETING OF October 16, 2000

Item No.: See Below

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.

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

149, 150, 151, 152, 153, 154, 155, 156, 157, and 158

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB*

DATE: October 24, 2000

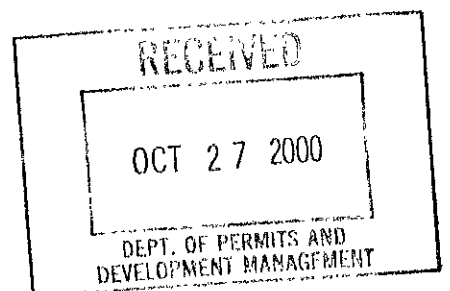
SUBJECT: Zoning Item #157
7, 8, 9 Oyster Court, 4513 and 4521 Sandwood Road
Beachwood Estates

Zoning Advisory Committee Meeting of October 16, 2000

- ☒ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item (**Lots 156, 157 and 159**).
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code) (**Lots 127, 131 and 164**).

Reviewer: Keith Kelley

Date: October 23, 2000



Sim
11/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 17, 2000

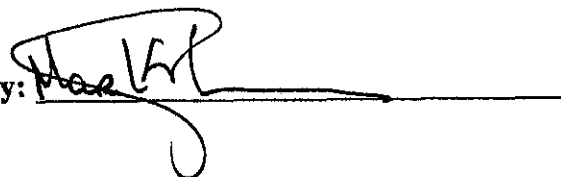
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

17

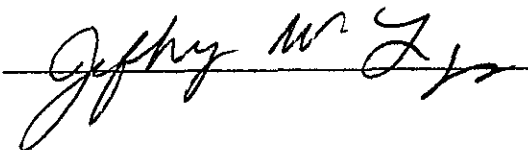
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-139, 01-149 and 01-157.

The Office of Planning has reviewed the above referenced case(s) 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



Maryland Department of Transportation
State Highway Administration

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

Date: 10-16-00

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

RE: Baltimore County
Item No. 157 BR

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,

to 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

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

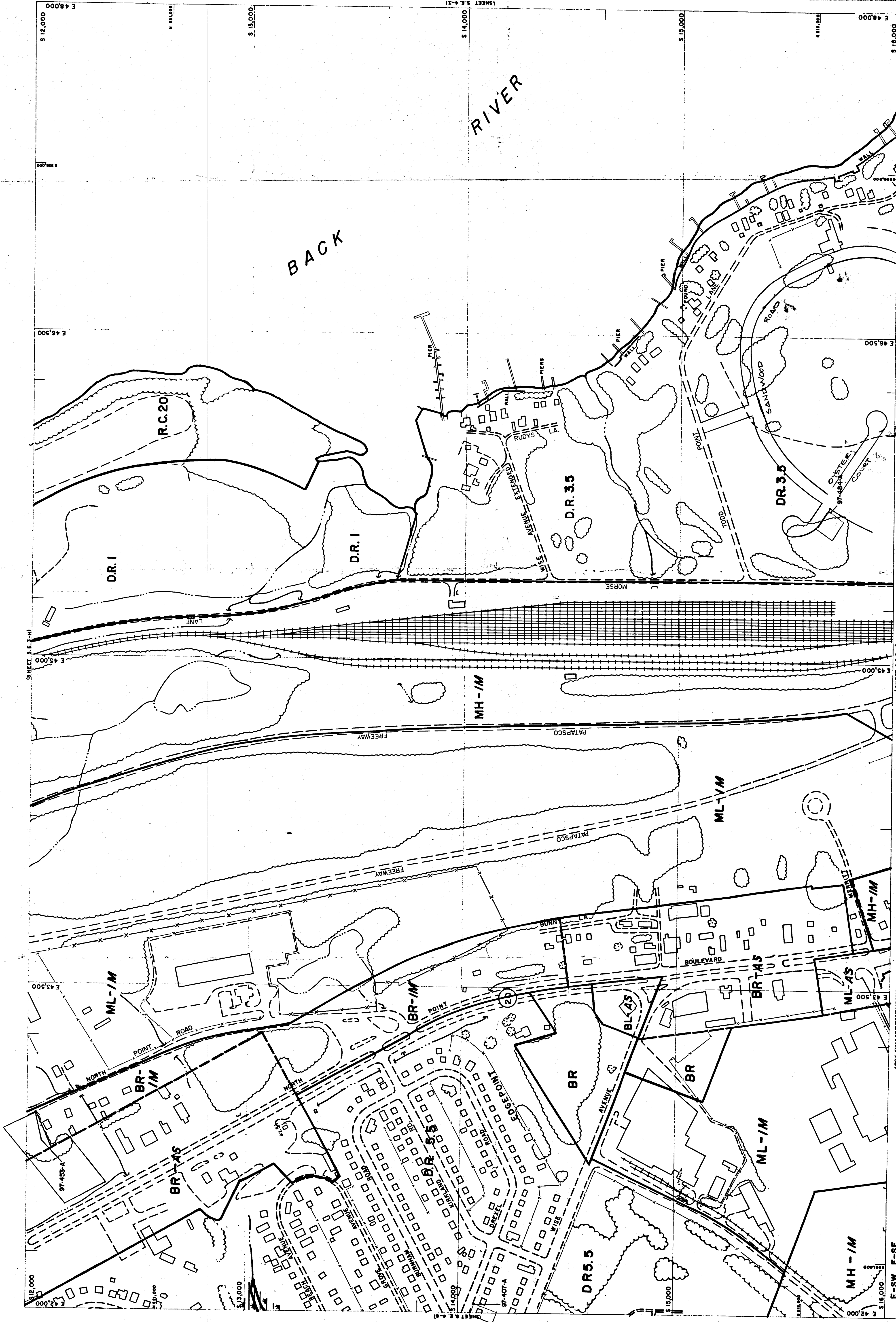
ADDRESS

Dwight Little PE
Howard L Alderman Jr Esq

W. Durrall & Associates, Inc.
530 E. Joppa Rd 21286
Levin & Gann, PA Nottingham Centre
8th Floor, 502 Washington Ave 21240



SE 4-H



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

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kananev
Chairman, County Council

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

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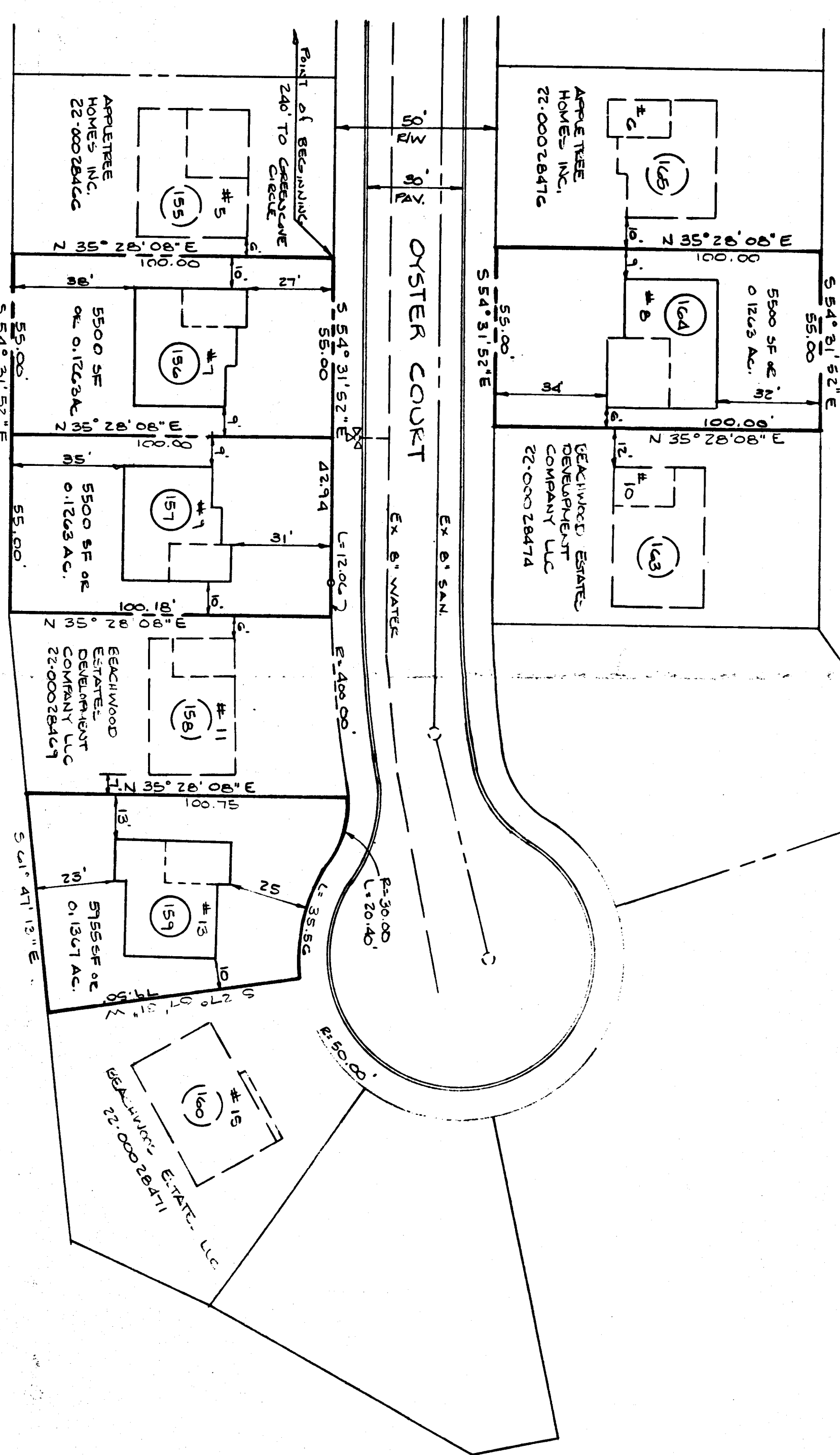
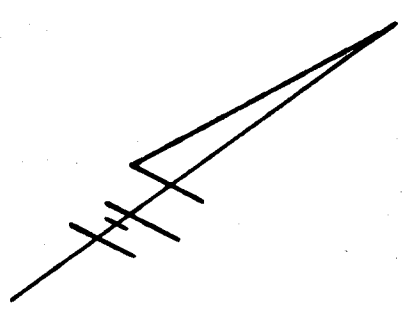
01-157-A

#157



PHOTOGRAMMETRIC MAP OF 01-157-A
BALTIMORE COUNTY METROPOLITAN AREA

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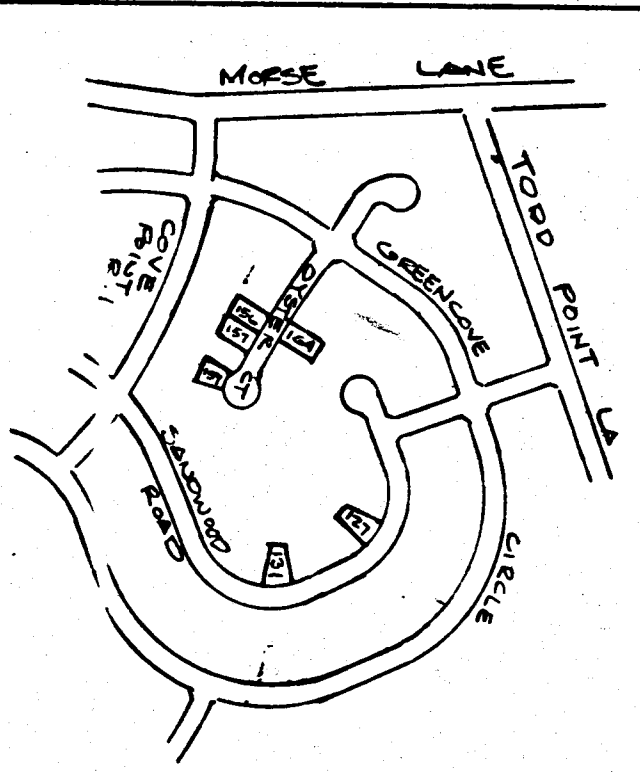
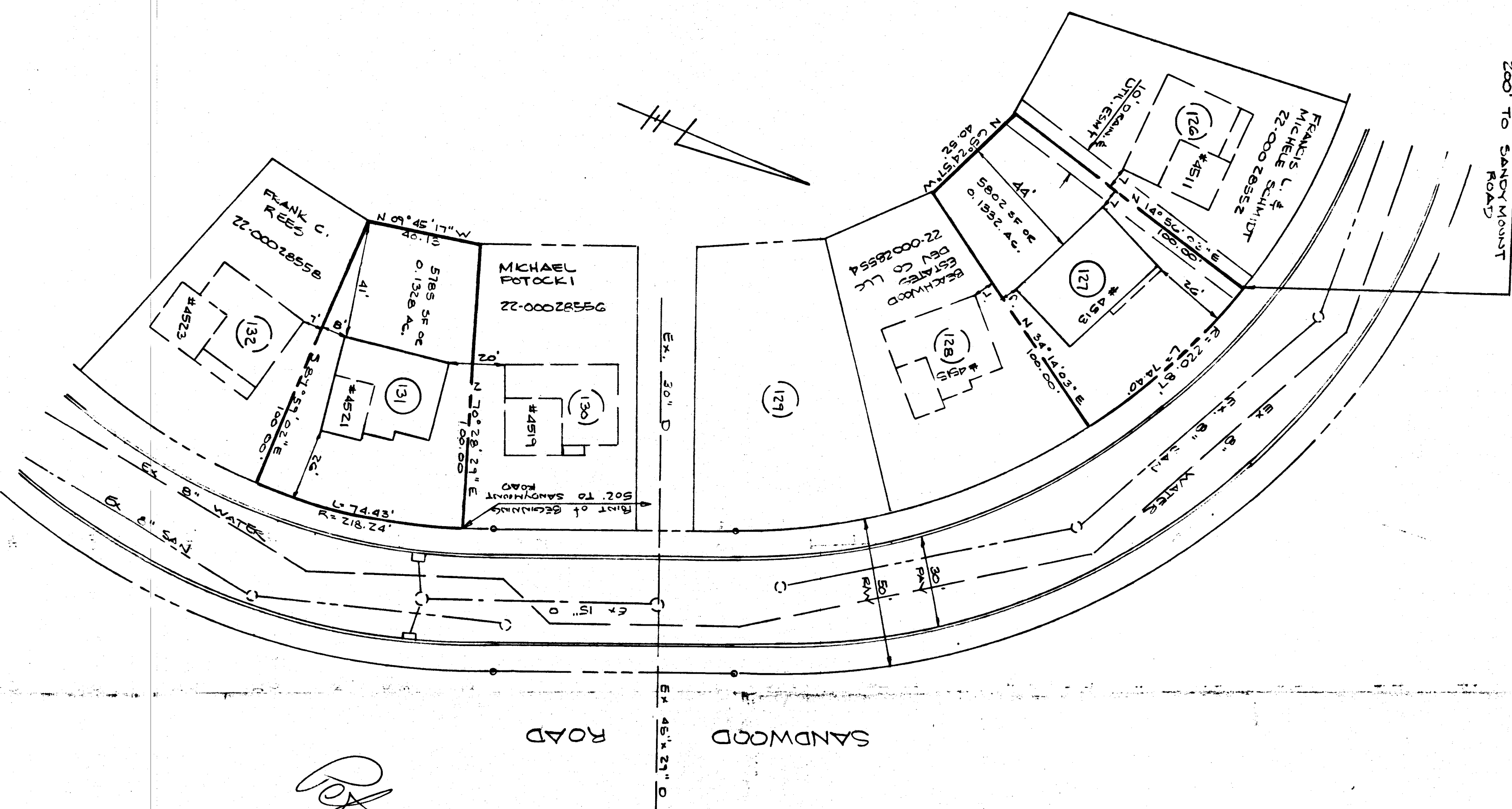
**BEACHWOOD ESTATES
VARIANCES REQUESTED**

RELIEF REQUESTED:

- LOT 16**
Section 1B01.2.C.1.b to permit a building to building setback of 19' and 18' in lieu of the required 20'.
- LOT 15**
Section 1B01.2.C.1.b to permit a 23' rear yard setback in lieu of the required 30'.
- LOT 14**
Section 1B01.2.C.1.b to permit a building to building setback of 18' and 16' in lieu of the required 20'.
- LOT 13**
Section 1B01.2.C.1.b to permit a building to building setback of 16' and 18' in lieu of the required 20'.
- LOT 12**
Section 1B01.2.C.1.b to permit a building to building setback of 14' and 13' in lieu of the required 20'.
- LOT 11**
Section 1B01.2.C.1.b to permit a building to building setback of 15' in lieu of the required 20'.

And to amend the 3rd amended final development plan for Beachwood Estates consistent with the relief requested.

POINT OF BEGINNING
200' TO SANDY MOUNT
ROAD



VICINITY MAP
SCALE 1"=500'

1. THESE LOTS ARE NOT LOCATED IN A 100 YEAR FLOOD PLAIN LOCATED IN A
2. LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 ARE LOCATED IN THE CHEESAPEAKE BAY CRITICAL AREA
3. NO PRIOR ZONING HISTORY
4. ZONING: EX 3.5; MAP SE 4.1

PLAN TO ACCOMPANY ZONING HEARING

CANAL OF LOTS 12C, 127,
121, 15C, 157, 1C4
BEACHWOOD ESTATES LLC
2401 YORK ROAD
LUTHERVILLE MD 21073

W. DUVALL & ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, AND PLANNERS
TOWSON, MARYLAND 21286
TEL. (410) 583-9571
FAX (410) 583-1513