

IN RE: PETITION FOR VARIANCE

N/S Glen Hannah Court, 880' W of the
c/l Old Court Road
(8633 Glen Hannah Court)
2nd Election District
2nd Council District

Timber Glen, LLC, Owners;
Harvard Homes, LLC, Contract Purchasers *

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 01-395-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Timber Glen, LLC, by Hugh Cole, Jr., Managing Member, and the Contract Purchaser, Harvard Homes, LLC, by Craig Carlson, President/Member. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a setback of 40 feet from any lot line in lieu of the required 50 feet, and an amendment to the 1st Amended Final Development Plan of Timber Glen, Lot #8 thereof, accordingly. The subject property and requested relief 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 on behalf of the Petitioners was Thomas A. Church, Professional Engineer with Development Engineering Consultants, Inc., who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel containing a gross area of 1.0008 acres, more or less, zoned R.C.5 and is presently unimproved. The property is located in Timber Glen, a newly created subdivision of large single family lots, located off of Old Court Road, not far from its intersection with Windsor Mill Road in western Baltimore County. The Petitioners propose to develop the property with a two-story dwelling as shown on Petitioner's Exhibit 1. However, due to the irregular shape of the lot and the

ORDER RECEIVED FOR FILING

Date 6/6/01

By [Signature]

location of the septic reserve area and well, the building envelope is staggered and a small portion of the proposed dwelling will be located within the required rear property line setback. Thus, the requested variance is necessary. It is to be noted that the proposed dwelling meets all other front and side setback requirements. Moreover, the proposed dwellings on adjacent Lots 9 and 7 will be located towards the front of those lots and will not be impacted by the requested variance.

Based upon the testimony and evidence presented, I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and that the requested relief should be granted. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency. Moreover, the relief sought is minimal and will not impact any adjacent property. Thus, it appears that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding locale.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of June, 2001 that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a setback of 40 feet from any lot line in lieu of the required 50 feet, and an amendment to the 1st Amended Final Development Plan of Timber Glen, Lot #8 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 6/6/01

By [Signature]



Baltimore County
Zoning Commissioner

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

June 5, 2001

Mr. Hugh Cole, Jr.
Timber Glen, LLC
8835-P Columbia 100 Parkway
Columbia, Maryland 21045

RE: PETITION FOR VARIANCE
N/S Glen Hannah Court, 880' W of the c/l Old Court Road
(8633 Glen Hannah Court)
2nd Election District – 2nd Council District
Timber Glen, LLC, Owners; Harvard Homes, LLC, Contract Purchasers - Petitioners
Case No. 01-395-A

Dear Mr. Cole:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Craig Carlson, President, Harvard Homes, LLC
9017 Red Branch Road, Columbia, Md. 21045
Mr. Thomas A. Church, Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Md. 21212
People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8633 GLEN HANNAH CT.-LOT #8

which is presently zoned RC-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)

SECTION 1A04.3B2 BCZR TO PERMIT A 40' SETBACK IN LIEU OF 50' SETBACK FROM ANY

LOT LINE AND TO AMEND THE 1ST. AMENDED FINAL DEVELOPMENT PLAN OF TIMBER GLEN LOT #8.

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

THE HOUSE SOLD ON THIS LOT WOULD REQUIRE A 40 FOOT SIDE YARD SETBACK

IN LIEU OF A 50 FOOT SETBACK DUE TO IRREGULAR LOT CONFIGURATION.

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:

HARVARD HOMES, INC. *HC*

CRAIG CARLSON, PRESIDENT / *member*

Name - Type or Print

Signature

9017 RED BRANCH RD.

410-884-0010

Address

Telephone No.

COLUMBIA,

MD

21045

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Legal Owner(s):

TIMBER GLEN, L.L.C.

HUGH COLE, JR., MANAGING MEMBER

Name - Type or Print

Signature

Name - Type or Print

Signature

8835-P COLUMBIA 100 PKWY.

410-730-0810

Address

Telephone No.

COLUMBIA,

MD

21045

City

State

Zip Code

Representative to be Contacted:

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

THOMAS A. CHURCH, P.E.

Name

day 9 eve.

6603 YORK ROAD

410-377-2600

Address

Telephone No.

BALTIMORE,

MD

21212

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By *BK*

Date

4/2/01

ORDER RECEIVED FOR FILING

Case No. *01-395-A*

Date *9/15/98*

By *[Signature]*

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION
FOR
LOT #8 - #8633 GLEN HANNAH COURT

Beginning at a point on the north side of Glen Hannah Court which is 40 feet wide at the distance of 880 feet west of the centerline of Old Court Road which is 70 feet wide.

Being Lot #8 in the subdivision of Timber Glen as recorded in Plat Book #72, Folio #126.

Containing 43,597 square feet or 1.0008 acres of land, more or less.

Also know as #8633 Glen Hannah Court and located in the 2nd Election District, 2nd. Councilmanic District.

99-134

March 26, 2001



395

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92803

DATE 4-2-01 ACCOUNT 001-006-6150

AMOUNT \$ 100.00

RECEIVED FROM: Dev. Engineering Consultant
Lot # 5 8633 Glen Hannah Ct. ITEM #
FOR: 01 - Variance & Amendment
50 50

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
4/02/2001 4/02/2001 11:56:21
REC M304 CASHIER NOOL DMD DRAWER 2
> RECEIPT # 136137 OFLR
DATE 5 528 ZONING VERIFICATION
CR NO. 092803
Recpt Tot 100.00
200.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #01-395-A

8633 Glen Hannah Ct., Lot 8
N/S Glen Hannah Court, 880'
W of centerline Old Court Rd.
2nd Election District
2nd Councilmanic District
Legal Owner(s): Timber
Glen LLC

Contract Purchaser:
Harvard Homes LLC

Variance: to permit a 40-foot setback in lieu of a 50-foot setback and to amend the 1st amended Final Development Plan of Timber Glen Lot #8.

Hearing: Monday, May 21, 2001 at 10:00 a.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.

5/015 May 3' C466458

CERTIFICATE OF PUBLICATION

5/3, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/3, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-395-A

Petitioner/Developer: _____

Timber Glen, LLC

Date of Hearing/Closing: 5-21-01 @ 10AM

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:

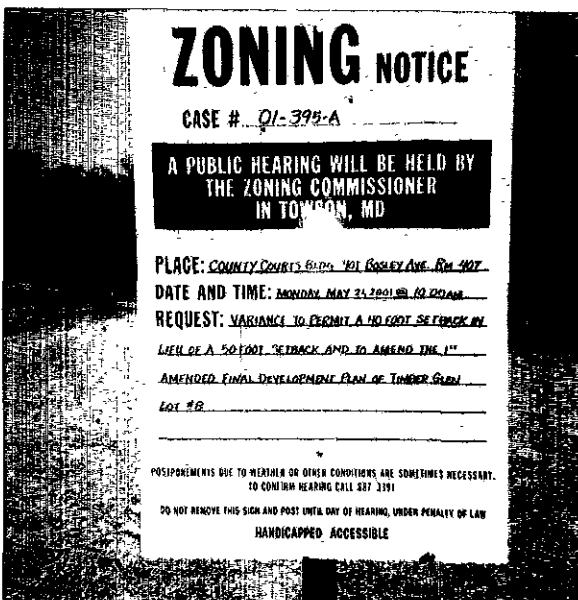
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 8633 Glen Hannah Ct.

Lot 8 Randallstown, MD 21133

The sign(s) were posted on May 3, 2001
(Month, Day, Year)

Sincerely,

Shacy Gardner 5/3/01
(Signature of Sign Poster and Date)



SHANNON BAUM SIGNS INC.
(Printed Name)
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784
(Address)

(City, State, Zip Code)

410-781-4000

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 01-395-A

Petitioner/Developer: HARVARD

HOMES LLC

Date of Hearing/Closing: May 21, 2001

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 8633 GLEN HANNAH

Court Lot #8

The sign(s) were posted on May 5, 2001
(Month, Day, Year)

Sincerely,

SSG Robert Black 5/5/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

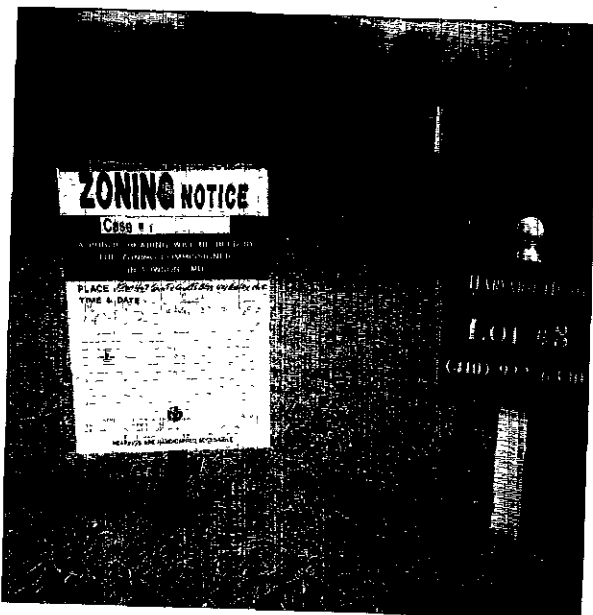
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-395-A LOT #8 TIMBER GLEN

Petitioner: TIMBER GLEN, LLC

Address or Location: 8835-P COLUMBIA 100 PKWY, COLUMBIA, MD 21045

PLEASE FORWARD ADVERTISING BILL TO:

Name: DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Address: 6603 YORK ROAD

BALTIMORE, MD 21212

Telephone Number: 410/377-2600

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 3, 2001 Issue -- Jeffersonian

Please forward billing to:

Development Engineering Consultants, Inc
Thomas A Church PE
6603 York Road
Baltimore MD 21212

410 377-2600

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: 01-395-A

8633 Glen Hannah Court, Lot 8

N/S Glen Hannah Court, 880' W of centerline Old Court Road

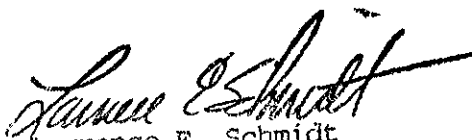
2nd Election District -- 2nd Councilmanic District

Legal Owner: Timber Glen LLC

Contract Purchaser: Harvard Homes LLC

Variance to permit a 40-foot setback in lieu of a 50-foot setback and to amend the 1st amended Final Development Plan of Timber Glen Lot #8.

HEARING: Monday, May 21, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

GDZ
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

April 17, 2001

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: 01-395-A
8633 Glen Hannah Court, Lot 8
N/S Glen Hannah Court, 880' W of centerline Old Court Road
2nd Election District – 2nd Councilmanic District
Legal Owner: Timber Glen LLC
Contract Purchaser: Harvard Homes LLC

Variance to permit a 40-foot setback in lieu of a 50-foot setback and to amend the 1st amended Final Development Plan of Timber Glen Lot #8.

HEARING: Monday, May 21, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GJZ
Director

C: Hugh Cole Jr, Timber Glen LLC, 8835-P Columbia 100 Pkwy, Columbia 21045
Thomas A Church PE, Development Engineering Consultants Inc, 6603 York Road,
Baltimore 21212
Craig Carlson President, Harvard Homes, 9017 Red Branch Rd, Columbia 21045

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 5, 2001.**
(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.





Baltimore County
Department of Permits and
Development Management

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

May 18, 2001

Hugh Cole Jr
Timber Glen LLC
8835-P Columbia 100 Pkwy
Columbia MD 21045

Dear Mr. Cole:

RE: Case Number: 01-395-A, 8366 Glen Hannan Ct Lot # 8

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 2, 2001.

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. 612
Supervisor, Zoning Review

WCR: gdz

Enclosures

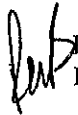
c: Craig Carlson President, Harvard Homes LLC, 9017 Red Branch Rd
Columbia 21045
Thomas A Church, Development Engineering Consultants Inc,
6603 York Road, Baltimore 21212
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 15, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For April 23, 2001
Item Nos. 383, 395, 396, 397, 398, 399,
400, 402, 404, 405, 406, 407, 408, 409,
410, and 411

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

April 17, 2001

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 April 16, 2001

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:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407,
409, and 411

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

cc: File

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





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.12.01

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

RE: Baltimore County
Item No. 395 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,

for 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

5/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 18, 2001

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

APR 18

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-395 & 01-396

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC

RE: PETITION FOR VARIANCE
8633 Glen Hannah Court - Lot 8, N/S Glen Hannah Ct,
880' W of c/l Old Court Rd
2nd Election District, 2nd Councilmanic

Legal Owner: Timber Glen, LLC
Contract Purchaser: Harvard Homes, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-395-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 26th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioners.


PETER MAX ZIMMERMAN

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Top Church 6603 York Rd!
(DEVELOPMENT ENGR.) 21212



Printed with Soybean Ink
on Recycled Paper

