ORDER RECEWED/FOR FILING
Date U/U/U/
By

IN RE: PETITION FOR VARIANCE

NW/S Glen Hannah Court, 1,373' W of

the c/l Old Court Road

(8648 Glen Hannah Court, Lot 14)

2nd Election District

2nd Council District

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 01-396-A

Timber Glen, LLC, Owners;

Harvard Homes, LLC, Contract Purchasers *

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the 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 #14 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 1.6300 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 size of the forest conservation

easement area, and the location of the septic reserve area and well, a small portion of the proposed dwelling will be located within the required front setback. It was indicated at the hearing that the variance request is driven by the size of the forest conservation easement area, which occupies a substantial portion of the lot and limits the location of the building envelope. In fact, as noted within the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), a 35-foot setback must be maintained from the forest conservation easement area. The location of the proposed dwelling meets this setback, as well as all other front and side setback requirements, but for a small portion of the front of the dwelling, which will be oriented to face the shared panhandle driveway that leads to the property from Glen Hannah Court. Moreover, the proposed dwellings on adjacent Lots 12, 13 and 15 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 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 #14 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



June 6, 2001

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

Fax: 410-887-3468

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

RE: PETITION FOR VARIANCE

NW/S Glen Hannah Court, 1,373' W of the c/l Old Court Road

(8648 Glen Hannah Court)

2nd Election District – 2nd Council District

Timber Glen, LLC, Owners; Harvard Homes, LLC, Contract Purchasers - Petitioners

Case No. 01-396-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 8648 GLEN HANNAH CT.-LOT #14

is the subject of this Petition.

which is presently zoned RC-5

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

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 #14.

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.

Contract Purchaser/Le	ssee:		Legal Owner(s):		
HARVARD HOMES, INC.	HE /		TIMBER GLEN, L.L.		
CRAIG CARLSON, PRESI	DENT///MM/OP		HUGH COLE, JR., M	ANAGING MEM	BER
Name - Type of Print	00:11	Ancely	Name - Type or Print By: Way	20.	
Signature	-H3/MC	1 wester	Signature ,		
9017 RED BRANCH RD.	41	.0-884-0010	HUGH Cou	б,	
Address		Telephone No.	Name - Type or Print		
COLUMBIA,	MD	21045			
City	State	Zip Code	Signature		
Attorney For Petitione	r:		8835-P COLUMBIA 1	00 PKWY.	410-730-0810
	_		Address		Telephone No.
			COLUMBIA,	MD	21045
Name - Type or Print		,	City	State	Zip Code
			Representative to be	Contacted:	
Signature			DEVELOPMENT ENGIN		ULTANTS, INC.
			THOMAS A. CHURCH,	P.E.	<u> </u>
Company			Name		day ozur,
			6603 YORK ROAD		410-377-2600
\dd ess		Telephone No.	Address		Telephone No.
			BALTIMORE,	MD	21212
	State	Zip Code	City	State	Zip Code
			OFFICE	USE ONLY	
Case No. 0/- 39	1-1	-	ESTIMATED LENGTH	OF HEARING	<i></i>
case no. $0/39$	6-17		UNAVAILABLE FOR H	EARING	
			Reviewed By 3h	Date	4/2/01
REV 9115198			•		, , — , — — — — — — — — — — — — — — — —

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

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

ZONING DESCRIPTION FOR LOT #14 - #8648 GLEN HANNAH COURT

Beginning at a point on the northwest side of Glen Hannah Court which is 40 feet wide at the distance of 1,373 feet west of the centerline of Old Court Road which is 70 feet wide.

Being Lot #14 in the subdivision of Timber Glen as recorded in Plat Book #72, Folio #126.

Containing 71,003 square feet or 1.630 acres or land, more or less.

Also know as #8648 Glen Hannah Court and located in the 2nd Election District, 2nd. Councilmanic District.

99-134 March 26, 2001



BALTIMORE COUNTY, MARY OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 928				
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Dept 5 520 ZOWING VERIFICATION
CR ID. 092804
Recept Tot 100.00 200.00 CK Haltimore County, Maryland

HEARING HEARING

The Zoning Commissioner of Baltmore County, by authority of the Zoning Act and Regulations of Baltmore County will hold a public hearing in Towson. Maryland on the 'poperty identified herein as follows: Case: #01-396-A 8648 Glen Hannah Ct. Lot 14 MWS Glen Hannah Ct. Lot 14 MWS Glen Hannah Ct. Lot 14 Glection District Legal Owner(s). Timber Glen LLC Contract Purchaser. Harvard Honers: LLC: Variance: to permit a 40-foot setback in lea of a 50-foot setback and to amend the 3st amended Final Development Plan of Tumber Glen Lct #14.

2001. at: 18.90 a.m. in Room 407, Sounty Courts Bailding, 451 Bosley: Averance. (1) Hearing: Monday, May 21, 2011. Toning Commissioner for Bailding And Bosley: Averance. (2) For information concerning the File and/or Hearing: Mortes: (1) Rearings are Handleapped 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.

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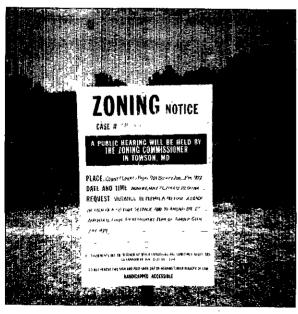
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S Waken	☐ North County News	☐ NE Booster/Reporter	Owings Mills Times	☐ Towson Times	☐ Catonsville Times	Arbutus Times	The Jeffersonian
	•						

LEGAL ADVERTISING

CERTIFICATE OF POSTING

,	RE: Case No.: <u>01 - 376 - A</u>
	Petitioner/Developer:
	Timber Glen, LLC
	Date of Hearing/Closing: 5.2/-01@10
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 perjuere posted conspicuously on the property locate Lot 14 Randallstown, MD 211	ed at 8648 Glen Honnah Ct.
	OO / Month, Day, Year)
	Sincerely,



Sincerely, States 5/3/01
(Signature of Sign Poster and Date)
Stacy Gardner
SHANNON-BAUM STENS INC.
ELDERSBURG, MD. 21784
(City, State, Zip Code)
410-781-4000
(Telephone Number)
- '/

CERTIFICAT OF POSTING

1	RE: Case No.: 0/- 396-A
	Petitioner/Developer: HARVa.nd
, , , , , , , , , , , , , , , , , , ,	Homes LLC
် မိ	Date of Hearing/Closing: May 21, 20
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 perju were posted conspicuously on the property located Court Lot 14 The sign(s) were posted on	dat 8648 GLEN Hannah
	5, 2001 onth, Day, Year)
	Sincerely,
	SSV MINE 5/5/01 (Signature of Sign Poster and Date)
ING NOTICE	SSG ROBERT BLACK
	(Printed Name)
The state of the s	1508 Leslie Ed
(10)	(Address)
	Dundalk, Maryland 21222
Constitution of the Consti	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 0/-396-A LOT #14 TIMBER GLE 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

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 3, 2001 Issue - Jeffersonian

Please forward billing to:

Thomas A Church

410 377-2600

Development Engineering Consultants Inc

6603 York Road Baltimore MD 21212

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: 01-396-A

8648 Glen Hannah Court, Lot 14

NW/S Glen Hannah Court, 1,373' W of centerline Old Court Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Timber Glen LLC

Contract Purchaser: Harvard Homes, LLC

<u>Variance</u> 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 #14.

HEARING:

Monday, May 21, 2001 at 10:00 a.m. in Room 407, County Courts

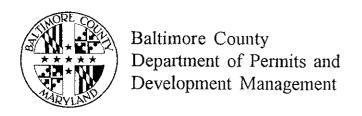
Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GO 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.



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: 01-396-A 8648 Glen Hannah Court, Lot 14

NW/S Glen Hannah Court, 1,373' W of centerline Old Court Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Timber Glen LLC

Contract Purchaser: Harvard Homes, LLC

<u>Variance</u> 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 #14.

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

Building, 401 Bosley Avenue

Arnold Jablon 602

Director

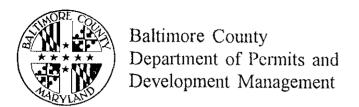
C: Hugh Cole Jr, Timber Glen LLC, 8835-P Columbia 100 Pkwy, Columbia 21045 Craig Carlson President, Harvard Homes LLC, 9017 Red Branch Road, Columbia 21045

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

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.



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: 01-396-A, 8648 Glen Hannah Ct Lot # 14

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. 602 Supervisor, Zoning Review

W. Carl Richards , Is.

WCR: gdz

Enclosures

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 18, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

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: Mash Com

Section Chief: _(

AFK/JL:MAC



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

A .

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 15, 2001

Department of Permits & Development Mgmt.

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



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: Bal

Baltimore County

Item No. 396

B2.

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,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

~ ~

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Arnold Jablon

TO:

FROM	[:	R. Bruce Seel	ey (Mb
DATE	:	April 27, 200	1
SUBJE	ECT:	Zoning Item	#396 8648 Glen Hannah Court Timber Glen Lot 14
	Zonin	g Advisory Cor	mmittee Meeting of April 16, 2001
			nvironmental Protection and Resource Management has no ve-referenced zoning item.
_		nvironmental Protection and Resource Management requests eview of the above-referenced zoning item to determine the onmental regulations apply to the site.	
			nvironmental Protection and Resource Management offers nts on the above-referenced zoning item:
		Protection of	of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Sections the 14-350 of the Baltimore County Code).
			of this property must comply with the Forest Regulations (Section 14-401 through 14-422 of the unty Code).
		Critical Area	of this property must comply with the Chesapeake Bay Regulations (Sections 26-436 through 26-461, and other ne Baltimore County Code).
	<u>X</u>		etback from the Forest Buffer and Forest Conservation s been maintained.

Reviewer: Betty Kelley Date: April 25, 2001





RE: PETITION FOR VARIANCE 8648 Glen Hannah Court - Lot 14, N/S Glen Hannah Ct, 1373' 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. 01-396-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 May Zinnen
PETER MAX ZIMMERMAN

