

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE – W/S Garrison Forest
 Road, 350' S of the c/l Carroll Avenue * ZONING COMMISSIONER
 (Lots 1 – 31, Oaks at Garrison Forest) * OF BALTIMORE COUNTY
 4th Election District *
 3rd Council District * Case No. 01-537-SPHA
 MRM Properties, LLC and *
 Beazer Homes Corp., Maryland Division *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, MRM Properties, LLC, and the Contract Purchasers, Beazer Homes Corporation, Maryland Division, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve an amendment to the Final Development Plan for the subdivision known as Oaks at Garrison Forest, and variance relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: to permit a minimum front building to property line setback of 6 feet in lieu of the required 25 feet for Lots 10 through 14 and Lots 23 through 25; a rear building to property line setback of 10 feet in lieu of the required 30 feet for Lot 17; and, a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for Lots 1 through 31, all of which are zoned D.R.1. 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 in support of the request were Joseph D. Fortino, Manager of Land Planning for Beazer Homes Corporation, Contract Purchasers of the subject property; Mitchell Kellman, on behalf of Daft-McCune-Walker, Inc., the consultants who prepared the site plan for this property; and, Robert A. Hoffman, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

By

8/30/01


Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the west side of Garrison Forest Road, between Crondall Lane and Carroll Avenue in Reisterstown. The property consists of a gross area of 31.1 acres, more or less, zoned D.R.1, and is proposed for residential development with 31 single family homes. The project previously obtained development plan approval in 1999 at which time another developer was involved. However, Beazer Homes Corporation recently contracted to purchase the property from MRM Properties, LLC and proposes to develop the site with large single family dwellings in the \$400,000 price range. Due to site constraints associated with the property and its location adjacent to an industrial park, a series of variances are being requested. Moreover, special hearing relief is necessary to amend the final development plan for this project to modify the building envelopes as proposed.

The first variance requested relates to reduced front yard setbacks for Lots 10 – 14 and 23 – 25. As more particularly shown on the plan, these lots front on the circle at the end of the two cul-de-sacs which terminate within the interior of the property. Due to the configuration of those cul-de-sacs and the curved road frontage, the requested variance relief is necessary. It was indicated at the hearing that the subject lots maintain the required distance from the front of the house to the street paving. However, variance relief is requested to allow a lesser distance than that required from the front of the building to the street right-of-way, due to the location of the buildings immediately adjacent to the cul-de-sac and the width of that portion of the road. The second variance requested is for a single lot, shown on the plan as Lot 17. It is anticipated that this variance will not be necessary; however, it was indicated that if the orientation of the building facing Stoney Creek Court is at all altered, a variance could be required. Specifically, the building is slightly shifted so that the front wall of the building is not precisely parallel to the road and if an optional sunroom is added to the rear of the house, the required rear setback might not be met. In that scenario, the rear setback would actually be measured from the sunroom addition to the side property line and that distance would be less than the 30 feet required.

ORDER RECEIVED FOR FILING
Date 8/30/11
By [Signature]

The third variance is for all 31 lots. Again, it is not anticipated that this variance would be necessary for every lot. In that the homes are quite substantial, Beazer is offering a sunroom addition to each potential purchaser. In the event that such an addition is chosen, then variance relief would be necessary between those houses with sunrooms. Under the B.C.Z.R., a sunroom is considered part of the principal structure. Thus, a variance to permit a reduced distance between buildings is necessary.

It was indicated at the hearing that the variance requests are generally driven by the unique shape of the overall tract and certain environmental constraints associated therewith. Specifically, it was indicated that a large area of the tract is steeply sloped and will be retained as part of the forest buffer or forest conservation easement area. Additionally, a common area for storm water management is shown on the site plan. Moreover, as noted above, the property is located adjacent to the Business Center at Owings Mills project, the property for which is zoned M.L.-I.M. In order to place these houses further away from that industrial center, variance relief is requested. Additionally, the individual factors associated with each lot as noted above, i.e., cul-de-sac, location and dimension, etc., drives the need for the individual variances. For all of these reasons, I believe that variance relief should be granted.

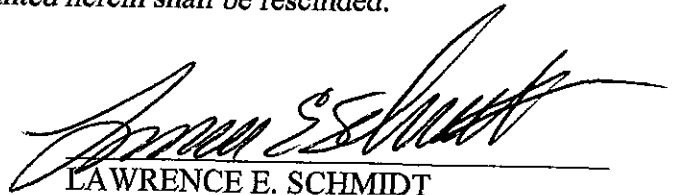
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of August, 2001, that the Petition for Special Hearing to approve an amendment to the Final Development Plan for Oaks at Garrison Forest, to reflect the relief granted herein in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: to permit a minimum front building to property line setback of 6 feet in lieu of the required 25 feet for Lots 10 through 14 and Lots 23 through 25; a rear building to property line setback of 10 feet in lieu of the required 30 feet for Lot 17; and, a minimum distance from building side to building side of 20 feet

in lieu of the required 30 feet for Lots 1 through 31, all of which are zoned D.R.1, 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 8/30/01
By [Signature]



**Baltimore County
Zoning Commissioner**

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

August 29, 2001

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

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
W/S Garrison Forest Road, 350' S of the c/l Carroll Avenue
(Lots 1 - 31, Oaks at Garrison Forest)
4th Election District - 3rd Council District
MRM Properties, LLC, Owners; Beazer Homes Corp., Contract Purchasers - Petitioners
Case No. 01-537-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing and Variance have 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. Richard S. Davison, MRM Properties, LLC
1233 Mount Royal Avenue, Baltimore, Md. 21217
Mr. Joseph D. Fortino, Manager of Land Planning
Beazer Homes Corporation, 8965 Guilford Road, Suite 290, Columbia, Md. 21046
People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

West side of Garrison Forest Road, 350 ft.

for the property located at south of center line of Carroll Avenue

which is presently zoned D.R. 1

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to amend the Final Development Plan.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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:

BEAZER HOMES CORPORATION, MARYLAND DIVISION

Name - Type or Print

By:

Signature Joseph D. Fortino, Manager of Land Planning

8965 Guilford Rd. S-290 (410) 720-5071

Address Telephone No.

Columbia, MD 21046

City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Verable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

SEE ATTACHED

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 6/21/01

ORDER RECEIVED FOR FILING

Case No. 01-537-SPHA

Date 6/20/01
By [Signature]
REV 9/15/98

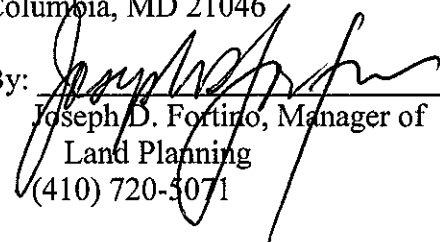
Petition for Special Hearing
West side of Garrison Forest Road
350 ft. south of center line of Carroll Avenue

Legal Owner(s)

MRM Properties, L.L.C.
1233 Mt. Royal Avenue
Baltimore, MD 21217

By: 
Richard S. Davison, Managing Member
(410) 727-4586

Beazer Homes Corporation
Maryland Division
8965 Guilford Road
Suite 290
Columbia, MD 21046

By: 
Joseph D. Fortino, Manager of
Land Planning
(410) 720-3071

TO1DOCS1/erl01/#118216 v1

ORDER PROVIDED FOR FILING
Date 8/30/11
By REP

01-537-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at West side of Garrison Forest Rd, 350 ft. south of center line of Carroll Ave.

which is presently zoned D.R. 1

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:

BEAZER/HOMES CORPORATION, MARYLAND DIVISION

Name - Type or Print

By:

Signature Joseph D. Fortino, Manager of Land Planning

8965 Guilford Rd., S-290 (410) 720-5071

Address Telephone No.

Columbia, MD 21046

City State Zip Code

Attorney For Petitioner:

Robert A. Hoffman

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):

SEE ATTACHED

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson, MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By JNP Date 6/21/01

ORDER RECEIVED FOR FILING

Date 8/30/01
By REB 9/15/98

Case No. 01-537-SPHA

Petition for Variance
West side of Garrison Forest Road
350 ft. south of center line of Carroll Avenue

1. Variance from Section 1B01.2.C.1.b. of the Baltimore County Zoning Regulations ("BCZR") to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet in the D.R.1 Zone for lots 10 through 14 and 23 through 25.
2. Variance from BCZR Section 1B01.2.C.1.b to allow a rear setback to property line of 10 feet in lieu of the required 30 feet in the D.R.1 Zone for Lot 17.
3. Variance from BCZR Section 1B01.2.C.1.b to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet in the D.R.1 Zone for Lots 1 through 31.

TOIDOC51/erl01/#118219 v1

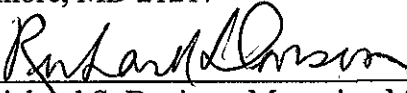
ORDER RECEIVED FOR FILING
Date 8/30/01
By [Signature]

01-537-SPHA

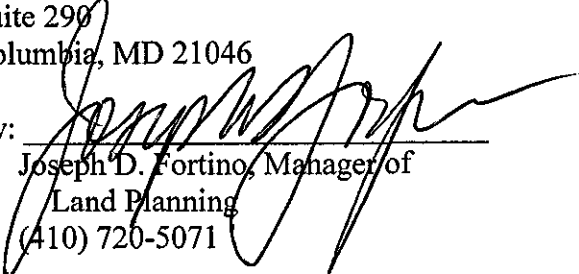
Petition for Variance
West side of Garrison Forest Road
350 ft. south of center line of Carroll Avenue

Legal Owner(s)

MRM Properties, L.L.C.
1233 Mt. Royal Avenue
Baltimore, MD 21217

By: 
Richard S. Davison, Managing Member
(410) 727-4586

Beazer Homes Corporation
Maryland Division
8965 Guilford Road
Suite 290
Columbia, MD 21046

By: 
Joseph D. Fortino, Manager of
Land Planning
(410) 720-5071

TO1DOCS1/erl01/#118216 v1

01-537-SPHA

Description

To Accompany Petition for Zoning Waivers

Lot 1, 3500 Stoney Creek Court

Lot 2, 3502 Stoney Creek Court

Lot 3, 3504 Stoney Creek Court

Lot 4, 3506 Stoney Creek Court

Lot 5, 3508 Stoney Creek Court

Lot 6, 3510 Stoney Creek Court

Lot 7, 3512 Stoney Creek Court

Lot 8, 3514 Stoney Creek Court

Lot 9, 3516 Stoney Creek Court

Lot 10, 3518 Stoney Creek Court

Lot 11, 3520 Stoney Creek Court

Lot 12, 3522 Stoney Creek Court

Lot 13, 3521 Stoney Creek Court

Lot 14, 3519 Stoney Creek Court

Lot 15, 3517 Stoney Creek Court

Lot 16, 3515 Stoney Creek Court

Lot 17, 3513 Stoney Creek Court

Lot 18, 3511 Stoney Creek Court

Lot 19, 4 Deer Stream Court

Lot 20, 6 Deer Stream Court

Lot 21, 8 Deer Stream Court

Lot 22, 10 Deer Stream Court

Lot 23, 12 Deer Stream Court

Lot 24, 9 Deer Stream Court

Lot 25, 7 Deer Stream Court

Lot 26, 5 Deer Stream Court

Lot 27, 3 Deer Stream Court

Lot 28, 3507 Stoney Creek Court

Lot 29, 3505 Stoney Creek Court



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

**Lot 30, 3503 Stoney Creek Court
Lot 31, 3501 Stoney Creek Court
Oaks at Garrison Forest
West Side of Garrison Forest Road
South of Carroll Avenue
Fourth Election District, Baltimore County, Maryland**

Beginning at a point on the west side of Garrison Forest Road, a variable width right-of-way, at a distance of 350 feet more or less southerly along the centerline of Garrison Forest Road from the centerline intersection with Carroll Avenue. Being Lots 1 through 31 in the subdivision of Oaks at Garrison Forest as recorded in Baltimore County Plat Book 73, Folio 9 located in the Fourth Election District, and Third Councilmanic District.

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

May 5, 2001

Project No. 01003.A (L01003.A)



BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No.

3317

DATE

6/21/01

ACCOUNT

R-001-006-6150

AMOUNT

\$ 650.00

RECEIVED
FROM:

Beazer Homes Corporation, Maryland Division

FOR:

West side of Garrison Forest Rd., 350' S of Cor. 11th Ave

01-537-SPHA (Variance/Special Hearing)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

6/22/2001

6/21/2001

15:06:14

REC MS02

CASHIER

SWAT SWAT DRIVER

2

RECEIPT # 177467

OFLN

Dept

5

528 ZONING VERIFICATION

CR NO.

003317

Recpt Tot

650.00

650.00 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: #01-537-SPHA

Garrison Forest Road

W/S Garrison Forest Road, 350' Carroll Avenue

4th Election District - 3rd Councilmanic District

Legal Owner(s): MRM Properties LLC

Contract Purchaser: Beazer Homes Corp.

Variance: to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet for lots 10 through 14 and 23 through 25, to allow a rear setback to property line of 10 feet in lieu of the required 30 feet for lot 17, to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for lots 1 through 31.

Hearing: Monday, August 27, 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.

8/19 Aug. 9

C486233

CERTIFICATE OF PUBLICATION

8/9, 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 8/9, 2001.

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE. Case No. 01-537-SPHA

Petitioner/Developer: BEAZER, ETAL
% V.B.H.

Date of Hearing/Closing: 8/27/01

887-3468

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 2 ONSITE LOCATIONS

W/S GARRISON FOREST RD. @ 600 ± 1000
FEET SOUTH OF CARROLL AVE. (TWO SIGNS)

The sign(s) were posted on 8/10/01
(Month, Day, Year)

Sincerely,

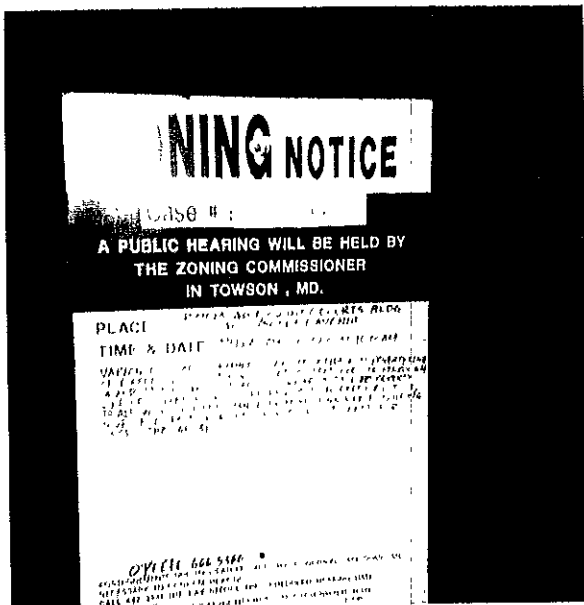
Patrick M. O'Keefe 8/13/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



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: 01-537-SPHA

Petitioner: BEAZER HOMES CORPORATION

Address or Location: WEST SIDE OF CAMPION FOREST RD., 350 FT. SOUTH OF CENTER LINE
OF CARROLL AVENUE

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMY DONTILL

Address: 210 ALLEGHENY AVENUE
TOWSON, MD 21204

Telephone Number: (410) 794 6244

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 7, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6244

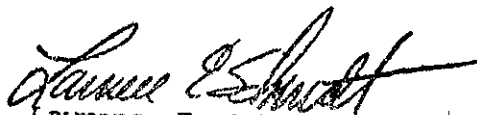
NOTICE OF ZONING HEARING

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: 01-537-SPHA
Garrison Forest Road
W/S Garrison Forest Road, 350' Carroll Avenue
4th Election District – 3rd Councilmanic District
Legal Owner: MRM Properties LLC
Contract Purchaser: Beazer Homes Corp

Variance to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet for lots 10 through 14 and 23 through 25, to allow a rear setback to property line of 10 feet in lieu of the required 30 feet for lot 17, to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for lots 1 through 31.

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



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
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

July 19, 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: 01-537-SPHA
Garrison Forest Road
W/S Garrison Forest Road, 350' Carroll Avenue
4th Election District – 3rd Councilmanic District
Legal Owner: MRM Properties LLC
Contract Purchaser: Beazer Homes Corp

Variance to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet for lots 10 through 14 and 23 through 25, to allow a rear setback to property line of 10 feet in lieu of the required 30 feet for lot 17, to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for lots 1 through 31.

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

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

Arnold Jablon 672
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Ave,
Towson 21204
MRM Properties LLC, Richard S Davison, Managing Member, 1233 Mt Royal Ave,
Baltimore 21217
Joseph D Fortino Manager, Beazer Homes Corp, 8965 Guilford Rd, Ste 290,
Columbia 21046

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 7, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 9, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6244

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: 01-537-SPHA
Garrison Forest Road
W/S Garrison Forest Road, 350' Carroll Avenue
4th Election District – 3rd Councilmanic District
Legal Owner: MRM Properties LLC
Contract Purchaser: Beazer Homes Corp

Variance to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet for lots 10 through 14 and 23 through 25, to allow a rear setback to property line of 10 feet in lieu of the required 30 feet for lot 17, to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for lots 1 through 31.

HEARING: Monday, August 27, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G02
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

July 19, 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: 01-537-SPHA
Garrison Forest Road
W/S Garrison Forest Road, 350' Carroll Avenue
4th Election District – 3rd Councilmanic District
Legal Owner: MRM Properties LLC
Contract Purchaser: Beazer Homes Corp

Variance to allow a minimum front setback to property line of 6 feet in lieu of the required 25 feet for lots 10 through 14 and 23 through 25, to allow a rear setback to property line of 10 feet in lieu of the required 30 feet for lot 17, to allow a minimum distance from building side to building side of 20 feet in lieu of the required 30 feet for lots 1 through 31.

HEARING: Monday, August 27, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon 672
Director



C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Ave,
Towson 21204
MRM Properties LLC, Richard S Davison, Managing Member, 1233 Mt Royal Ave,
Baltimore 21217
Joseph D Fortino Manager, Beazer Homes Corp, 8965 Guilford Rd, Ste 290,
Columbia 21046

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 11, 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

August 24, 2001

Robert A Hoffman
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 01-537-SPHA, Garrison Forest Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 21, 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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Richard S Davison, MRM Properties LLC, 1233 Mt Royal Avenue, Baltimore 21217
Joseph D Fortino, Beazer Homes Corp, Maryland Division, 8965 Guilford Road,
Suite 290, Columbia 21046
People's Counsel

John Alexander

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 2, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For July 23, 2001
Item Nos. 485, 527, 528, 529, 530, 532,
534, 536, 537, 540, 541, 542, 543, 544,
546, 547, 548, 549, and 550

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

July 24, 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 July 16, 2001

Item No.: 485, 526, 530, 532, 537, 544, 546, 547, 549

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.

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 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



40
8/27

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 23, 2001

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

JUL 23 2001
ZONING

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-527, 01- 530, 01-536, 01-537, 01-540,
01-541, and 01- 543

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.23.01

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

RE: Baltimore County
Item No. 537

JNP

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,

dr

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

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
Garrison Forest Road, W/S Garrison Forest Rd,
350' S of c/l Carroll Ave
4th Election District, 3rd Councilmanic

Legal Owner: MRM Properties LLC
Contract Purchaser: Beazer Homes corp.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-537-SPHA

* * * * *

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 7th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

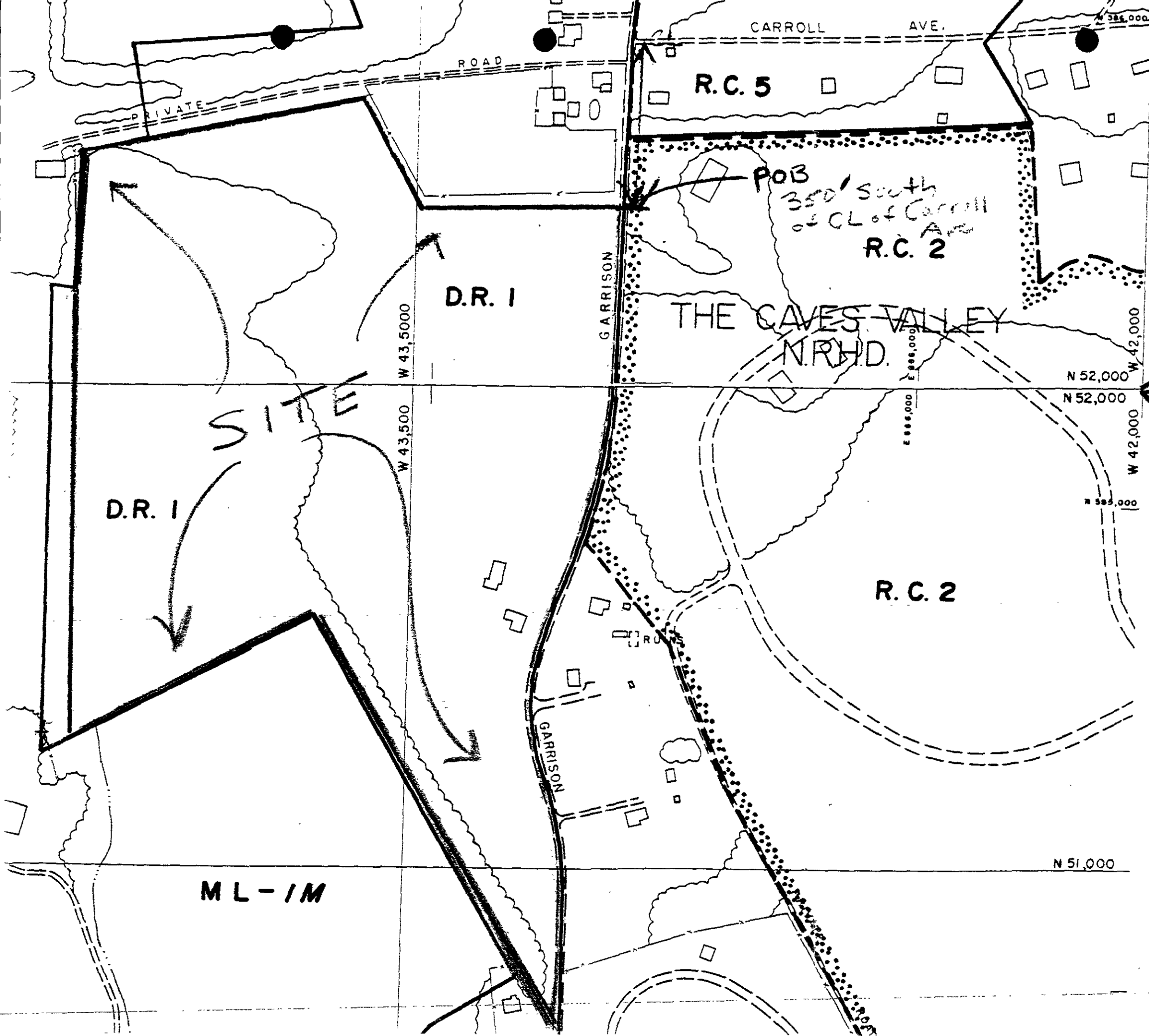

PETER MAX ZIMMERMAN

Case Number _____

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]



NW 14 H
NW 13 H
year 2000
1" = 200'
Zoning Map

ML-1M

01-537-SPNA

STONEY

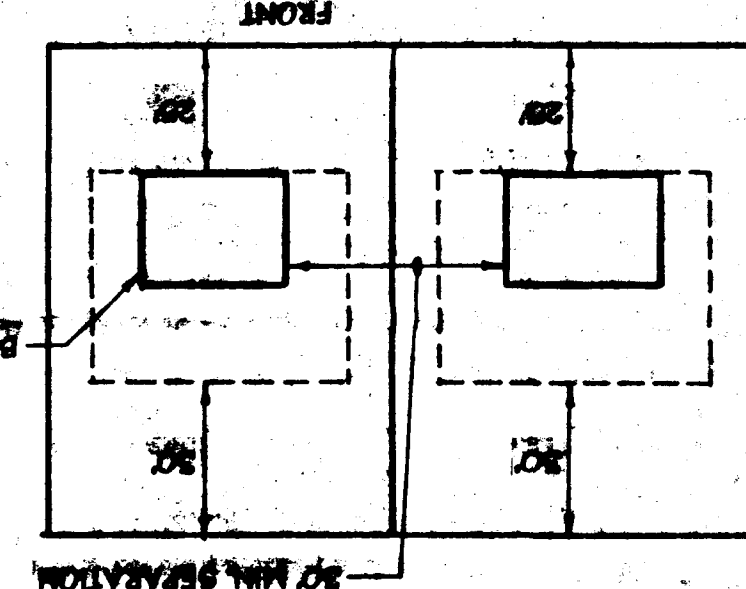
JUP 01-537-5014

THE OAKS AT GARRISON FOREST

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE
AND SPECIAL HEARING

FOR LOTS 1-34
COUNCIL DISTRICT 3
BALTIMORE COUNTY, MD
DATE: 11/15/01
PROJECT # 01003
FORM NO. 4-431
APPLICANT: BEAZER HOMES
OWNER: BHM PROPERTIES, LLC / 1233 MT. ROYAL AVE, BALTIMORE MD 21217
BICHARD DAVISON, MANAGING MEMBER, BEAZER HOMES
NOTE: AT THE TIME OF VARIANCE APPLICATION, BEAZER HOMES IS IN THE PROCESS OF PURCHASING THE LOTS FROM BHM PROPERTIES, LLC.

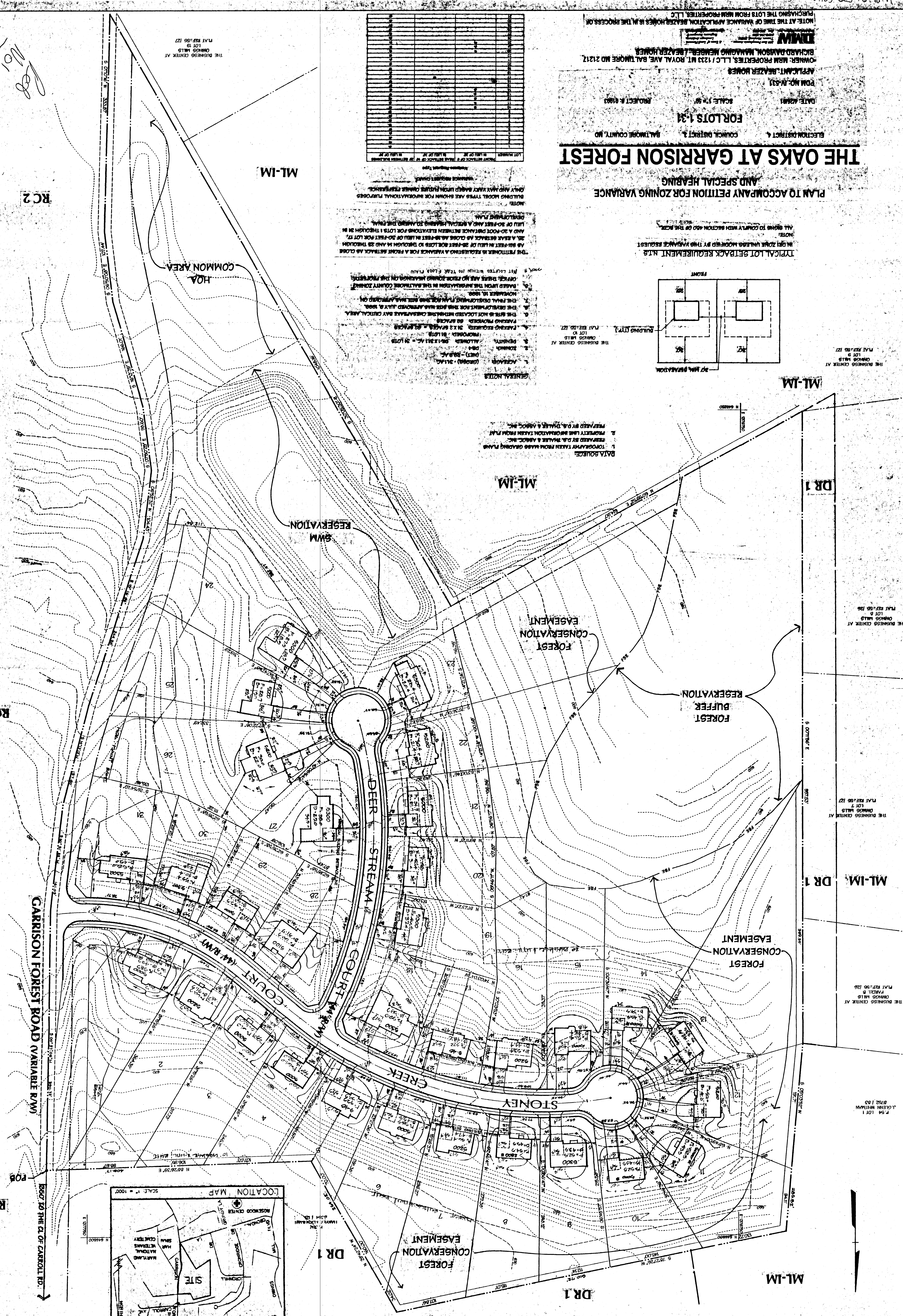
TYPICAL LOT SETBACK REQUIREMENT, M.T.S.
NOTE: ALL RIGHTS TO COMPLY WITH SECTION 450 OF THE CODE.
IN LOT 20, WHERE MODELED BY THE VARIANCE REQUEST.



LOT NUMBER	AREA (SQ. FT.)	AREA (AC.)
1	10,000	.23
2	10,000	.23
3	10,000	.23
4	10,000	.23
5	10,000	.23
6	10,000	.23
7	10,000	.23
8	10,000	.23
9	10,000	.23
10	10,000	.23
11	10,000	.23
12	10,000	.23
13	10,000	.23
14	10,000	.23
15	10,000	.23
16	10,000	.23
17	10,000	.23
18	10,000	.23
19	10,000	.23
20	10,000	.23
21	10,000	.23
22	10,000	.23
23	10,000	.23
24	10,000	.23
25	10,000	.23
26	10,000	.23
27	10,000	.23
28	10,000	.23
29	10,000	.23
30	10,000	.23
31	10,000	.23
32	10,000	.23
33	10,000	.23
34	10,000	.23

GENERAL NOTES
1. ACRES: 3.14 AC.
2. ZONING: RM-1
3. DENSITY: 10 UNITS PER ACRE
4. PARKING REQUIRED: 21.2 SPACES
5. TRAILER: 10 FT. X 30 FT. X 10 FT.
6. THE SITE FOR LOCATED MECHANICAL CHIMNEY MAY OCCUR AT THE DEVELOPMENT SITE.
7. THE FINAL DEVELOPMENT PLAN FOR THIS SITE WAS APPROVED ON NOVEMBER 10, 1999.
8. BASED UPON THE INFORMATION IN THE BALTIMORE COUNTY ZONING OFFICE, THERE ARE NO OTHER ZONING REGULATIONS ON THE PROPERTY.
9. NOT LOCATED WITHIN 100 FEET ELEVATION.
THE PETITIONER IS REQUESTING A VARIANCE FOR A FRONT SETBACK AS CLOSE AS POSSIBLE TO THE FRONT PROPERTY LINE.
AS SETBACK OF 25 FEET SETBACKS TO THROUGH IN AND 25 THROUGH IN SETBACKS AS CLOSE AS POSSIBLE TO THE FRONT PROPERTY LINE.
DEVELOPMENT PLAN
NOTE: ONLY AND MAX VARY BASED UPON BUILDING CHIMNEY REQUIREMENTS.
VARIANCE REQUESTED:

DATA SOURCE:
1. TOPOGRAPHY TAKEN FROM MASS GRADING PLANS
2. PROPERTY LINE INFORMATION TAKEN FROM PLAN
PREPARED BY D.A. SHAVER & ASSOC., INC.
REVIEWED BY D.A. SHAVER & ASSOC., INC.



101

RC 2

RC

RC

ML-IM

DR 1

ML-IM

DR 1

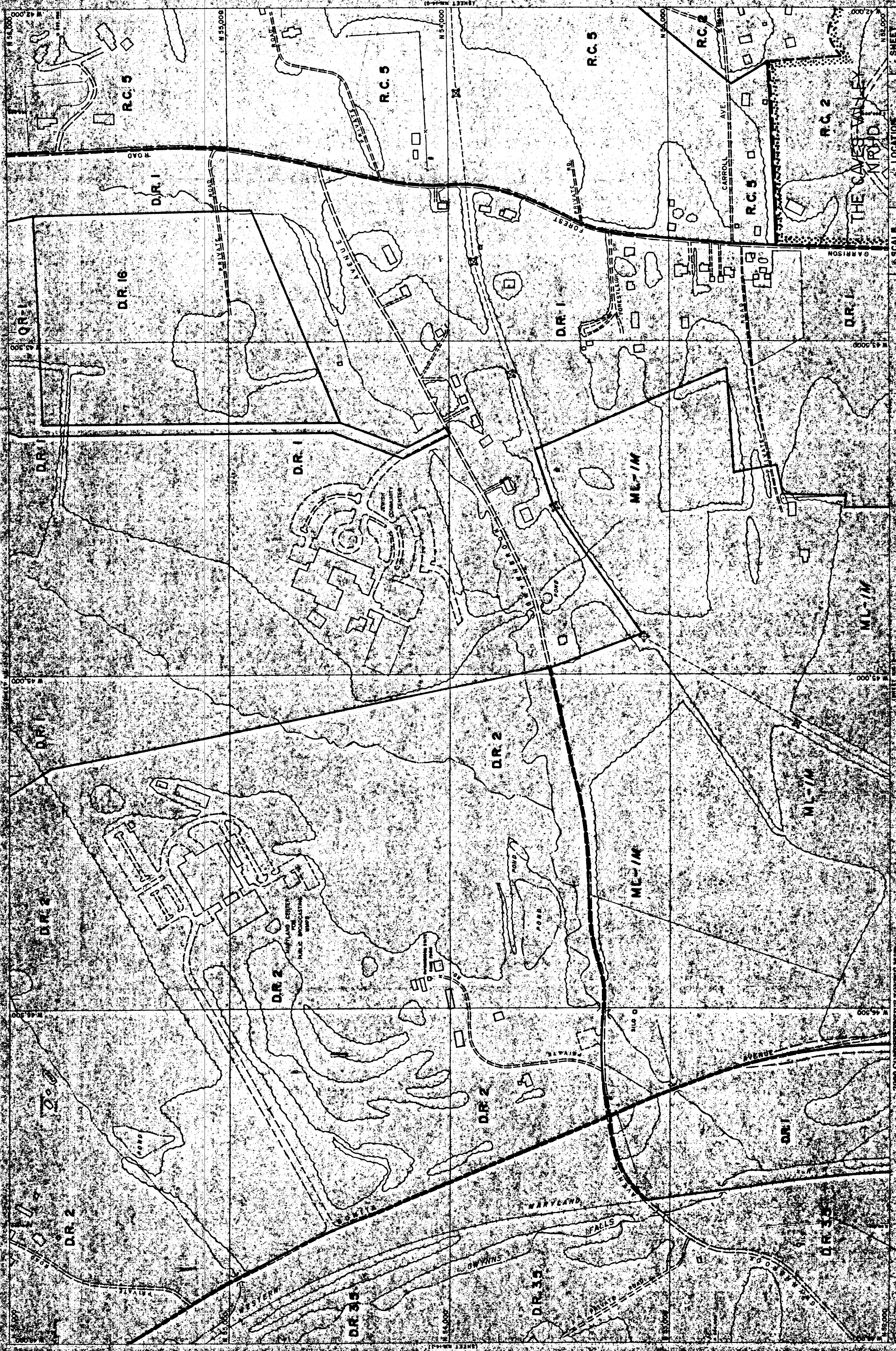
ML-IM

DR 1

DR 1

NW 14 H

01-5374-CPH



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

2005 COMPREHENSIVE ZONING MAP
APPROVED BY THE BOARD OF PLANNING AND ZONING
JANUARY 1998
DATE OF ADOPTION
JANUARY 1998
BY THE BOARD OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' 4"

LOCATION
Gwynnbrook

DATE
JANUARY 1998

NW 13 H

01-537-SPA



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

2008 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY BOARD
OCTOBER 10, 2008
Bills Nos. 57-00, 58-00, 59-00, 60-00, 61-00, 62-00, 63-00, 64-00, 65-00, 66-00, 67-00, 68-00, 69-00, 70-00, 71-00, 72-00, 73-00, 74-00, 75-00, 76-00, 77-00, 78-00, 79-00, 80-00, 81-00, 82-00, 83-00, 84-00, 85-00, 86-00, 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00, 94-00, 95-00, 96-00, 97-00, 98-00, 99-00, 100-00

James B. Bateman
Chairman, County Council

T-SW T-SE
T-NW T-NE
THIS MAP HAS BEEN REVERSED IN SELECTED AREAS
TO CORRECT PHOTOGRAPHIC ERRORS
BY BUCHART-HORN, INC., BALTIMORE, MD. 21116

SCALE	LOCATION	SHEET
1" = 200'	Gwynnbrook Rosewood School Vicinity	N.W. 13-H
DATE OF PHOTOGRAPHY		
JANUARY 1986		