

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE – NE/Corner Old Eastern		
And Weber Avenues	*	ZONING COMMISSIONER
(Hopewell Pointe, fka Hopkins Landing)		
15 th Election District	*	OF BALTIMORE COUNTY
5 th Council District		
	*	Case No. 02-537-SPHA
Hopewell Point, LLC		
Petitioner	*	

* * * * *

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 owner of the subject property, Hopewell Point, LLC, by Ellwood Sinsky, Managing Member, through their attorney, John B. Gontrum, Esquire. The Petitioner requests a special hearing to approve an amendment to the previously approved site plan and Order issued in prior Case No. 97-440-A, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) From Section 1B01.2.C.2.b (V.B.6.c of the Comprehensive Manual of Development Policies [C.M.D.P.]) to permit a window to window setback for Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, and 4A and 4B of 12 feet in lieu of the required 40 feet; 2) from Section 504 (V.B.6.b, CMDP) to permit a window to lot line/property line setback of 2 feet for Condominium Building 1A, 8 feet for Condominium Buildings 1B, 2A, and 2B, and 12 feet for Condominium Building 4B, all in lieu of the required 15 feet; 3) from Section 504 (V.B.6.a, CMDP) and Section 1B01.2.C.3 (V.B.9, CMDP) for a window and building to street right-of-way setback of 16 feet each for buildings 3A and 3B and 19 feet for Condominium Building 4A, all in lieu of the required 25 feet; 4) from Section 504 (V.B.5.b, CMDP) for a building to tract boundary setback for Condominium Building 4B of 19 feet in lieu of the required 30 feet; 5) from Section 1B01.2.C.2.a (V.B.5.a, CMDP) for a window to tract boundary setback for Condominium Building 4B of 19 feet in lieu of the required 35 feet; 6) from Section 1B01.2.C.6 (V.B.3.a, CMDP) to permit a building height for Condominium Building 2B

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 By [Signature]

of 60 feet in lieu of the maximum allowed 50 feet; and 7) from Section 504 (V.B.3.b, CMDP) to permit building to building separations between Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, and 4A and 4B of 12 feet in lieu of the required 75 feet. Additionally, prior to the issuance of a decision in this case, the Petitioner requested further relief within the Petition for Special Hearing to confirm that a covered entranceway extending 4 feet into the required front yard setback (25% of the 16-foot setback provided) for Buildings 3A and 3B, can be constructed. 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 Ellwood A. Sinsky, on behalf of Hopewell Point, LLC, property owners; Mitchell E. Kellman and John Seefried, representatives of Daft-McCune-Walker, Inc., who prepared the site plan for this property; and, John B. Gontrum, Esquire, attorney for the Petitioners. Also appearing in support of the request were Thomas E. Carski, and William Jones, a representative of the Baltimore County Office of Economic Development. Appearing as an interested person was Greg Barth, a nearby resident of the area. There were no Protestants present.

The instant Petitions relate to a 54.72-acre, waterfront tract located along the south side of Weber Avenue, east of Eastern Avenue on Hopkins Creek in eastern Baltimore County. The County Review Group (CRG) approved the property for substantial residential development in 1987. At that time, a subdivision plan proposing a community of approximately 290 townhouses was approved; however, that project was never built. Instead, the Developer revised its plan and obtained approval of those revisions as a "refinement" from the CRG plan on January 31, 1992. Although the property has had a modest change in zoning classification over the years, at the time of the original CRG approval, the site was a mix of B.L.-C.N.S., D.R.5.5, and D.R.16. As more particularly shown on the site plan, the subdivision as approved features a mix of single family dwellings/villas and condominium buildings.

Over the years, there have been a series of amendments to the original CRG plan and one prior zoning case (Case No. 97-440-A). In that case, the undersigned Zoning Commissioner

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granted a series of variances for setbacks, distances between buildings, etc., on June 11, 1997. The instant requests seek two-fold relief. Specifically, the Petitioner requests approval to amend the previously approved site plan and Order in Case No. 97-440-A. In this regard, the instant proposal represents the latest amended CRG plan. Additionally, relief is requested under the Petition for Variance as described above. It is to be particularly noted that the variance relief sought relates entirely to the condominium buildings. As shown on the plan, there are actually eight (8) condominium buildings, which are designated as Buildings 1A and 1B, 2A and 2B, 3A and 3C, and 4A and 4B. None of the single family units and/or villas are subject to the instant case.

The first variance requests approval of a distance of 12 feet in lieu of the required 40 feet between buildings (i.e. measured from Building 1A to Building 1B, 2A to 2B, etc.). This is actually a technical variance in that there will be a breezeway or other similar structural connection between the Buildings. Nonetheless, because they might technically be considered separate structures, relief is requested to approve the 12-foot distance in lieu of the required 40 feet between each building. The second variance relates to a window to lot line/property line setback of 2 feet for Buildings 1A, 2A and 2B; and, 12 feet for Building 4B in lieu of the required 15 feet for each. This can be characterized as an internal lot line variance. The third variance requests relief for a setback from windows and buildings to the street right-of-way of 16 feet for Buildings 3A and 3B, and 19 feet for Building 4A, in lieu of the required 25 feet. Again, this is an internal variance in that same will be measured from the buildings to Hopkins Landing Drive, which is a new road that is to be constructed within the interior of the site to provide vehicular access.

The fourth and fifth variance requests relate to a reduced setback distance to a tract boundary for Condominium Building 4B. As shown on the site plan, this distance is measured to the tract boundary and adjacent land, known as the Hubers Property, which is largely undeveloped. The sixth variance is actually to correct a technical issue. The existing zone line that divides the parcel into D.R.10.5 and D.R.16 bisects Building 2B. As shown on the plan, a small portion of the Building will technically be located in the D.R.10.5 zone and will exceed the height limitation of 50 feet. Obviously the entire building will be 60 feet in height; however, the D.R.10.5 regulation

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allows a maximum height of 50 feet. The seventh variance is similar to the first variance noted above. Specifically, it relates to the distance between all of the Buildings of 12 feet in lieu of the required 75 feet. Finally, as noted above, prior to the decision being issued in this case, the Petitioner requested confirmation that a covered entryway extending from Buildings 3A and 3B would be permitted. In residential zones, the B.C.Z.R. allows an open projection such as a deck or porch, to extend a distance of 25% into the required setback area. In this case, Buildings 3A and 3B are setback 16 feet from the right-of-way of Hopkins Landing Road. The Petitioner seeks confirmation that a proposed covered entranceway for these buildings, not to extend more than 4 feet into the required setback, will be permitted.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. The subject proposal is an appropriate development and use of the subject property and represents a welcomed revitalization effort on the County's east side. Overall, the scheme of the development appears appropriate and the relief requested should be approved. Additionally, I am persuaded that the property is unique, given its unusual configuration and environmental constraints associated therewith. I am also persuaded that the property owner would suffer a practical difficulty if relief were denied. As noted above, many of the variances requested are of an internal or technical nature and will not adversely impact adjacent properties.

It should also be noted that a Zoning Advisory Committee comment was offered by the Office of Planning which generally supports the requests; however, requests that certain conditions be implemented relative to landscaping and architectural elevations of the building. The Petitioner indicated that they had no objections to these conditions being included as a restriction to the relief granted. Thus, compliance with the Office of Planning's recommendations shall be required.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions 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 9th day of August, 2002 that the Petition for Special Hearing to approve an amendment to

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Date 8/9/02
By [Signature]

the previously approved site plan and Order issued in prior Case No. 97-440-A, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED a covered entranceway which extends no more than 4 feet into the 16-foot front yard setback provided for Buildings 3A and 3B (25% maximum allowed) can be constructed, in accordance with Petitioner's Exhibit 1, and as such, the Petition for Special Hearing, as amended, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) From Section 1B01.2.C.2.b (V.B.6.c of the Comprehensive Manual of Development Policies [C.M.D.P.]) to permit a window to window setback for Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, and 4A and 4B of 12 feet in lieu of the required 40 feet; 2) from Section 504 (V.B.6.b, CMDP) to permit a window to lot line/ property line setback of 2 feet for Condominium Building 1A, 8 feet for Condominium Buildings 1B, 2A, and 2B, and 12 feet for Condominium Building 4B, all in lieu of the required 15 feet; 3) from Section 504 (V.B.6.a, CMDP) and Section 1B01.2.C.3 (V.B.9, CMDP) for a window and building to street right-of-way setback of 16 feet each for buildings 3A and 3B and 19 feet for Condominium Building 4A, all in lieu of the required 25 feet; 4) from Section 504 (V.B.5.b, CMDP) for a building to tract boundary setback for Condominium Building 4B of 19 feet in lieu of the required 30 feet; 5) from Section 1B01.2.C.2.a (V.B.5.a, CMDP) for a window to tract boundary setback for Condominium Building 4B of 19 feet in lieu of the required 35 feet; 6) from Section 1B01.2.C.6 (V.B.3.a, CMDP) to permit a building height for Condominium Building 2B of 60 feet in lieu of the maximum allowed 50 feet; and 7) from Section 504 (V.B.3.b, CMDP) to permit building to building separations between Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, and 4A and 4B of 12 feet in lieu of the required 75 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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.

- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning dated July 8, 2002, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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Date 8/9/02
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 8, 2002

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NE/Corner Old Eastern Avenue and Weber Avenue
(Hopewell Pointe, fka Hopkins Landing)
15th Election District – 5th Council District
Hopewell Point, LLC - Petitioners
Case No. 02-537-SPHA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions 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,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Ellwood Sinsky, Hopewell Point, LLC
2416 Velvet Valley Way, Owings Mills, Md. 21117
Thomas E. Carski, Esquire, 514 Hampton Lane, Towson, Md. 21286
Messrs. Mitchell Kellman & John Seefried, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Mr. Greg Barth, 1812 Hilltop Avenue, Baltimore, Md. 21221
Office of Planning; DEPRM; People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Southwest side of Eastern Avenue
which is presently zoned DR 16 ; DR 10.5

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

an amended site plan and order in Case 97-440-A

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Gontar
Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Hopewell Point LLC
Name - Type or Print

Signature

Name - Type or Print

Signature

2416 Velvet Valley Way
Address

Telephone No.

Owings Mills, MD
City

State

21117
Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 2/29/02

Case No. 02-937 SPHA

Date 2/15/98

ORDER RECEIVED FOR FILING
8/15/02
B



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Southeast Side of Eastern & Weber Ave.

which is presently zoned DR 16 DR 10.5

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 ATTACHED

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

SEE ATTACHED

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

JOHN B. GONTRUM

Name - Type or Print

Signature

ROMADKA, GONTRUM & MCLAUGHLIN

Company

814 Eastern Boulevard 410-686-8274

Address

Telephone No.

Baltimore, MD 21221

City

State

Zip Code

Legal Owner(s):

HOPEWELL POINT LLC

Name - Type or Print

Signature

ELLWOOD SINSKY, MANAGING MEMBER

Name - Type or Print

Signature

2416 Velvet Valley Way 410-363-6644

Address

Telephone No.

Owings Mills, MD 21117

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By gcm

Date 5-29-02

Case No. 02-537 SPH

REV 9/15/98

Date
By

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5/29/02

VARIANCES REQUESTED

PURSUANT TO SECTION 103.1 OF THE BCZR

REGULATIONS IN EFFECT AT TIME OF SUBDIVISION AND PLAN APPROVAL

1. From Section 1B01.2C.2.b (V.B.6c., CMAP) to permit a window to window setback for Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, 4A and 4B of 12' in lieu of the required 40'.
2. From Section 504 (V.B.6.b., CMAP) for a window to lot/property line setback of 2' for Condominium Building 1A, of 8' for Condominium Buildings 1B, 2A, 2B, and of 12' for Condominium Building 4B in lieu of the required 15'.
3. From Section 504 (V.B.6.a., CMAP) and Section 1B01.2C.3 (V.B.9., CMAP) for a setback of window and building to street right of way of 16' for buildings 3A and 3B and of 19' for Condominium Building 4A in lieu of the required 25'.
4. From Section 504 (V.B.5.b.CMAP) for a building to tract boundary setback of 19' for Condominium Building 4B in lieu of the required 30'.
5. From Section 1B01.2C.2.a (V.B.5.a., CMAP) for a window to tract boundary setback of 19' for Condominium Building 4B in lieu of the required 35'.
6. From Section 1B01.2C.6 (V.B.3.a, CMAP) for a building height of 60' for Condominium Building 2B in lieu of the required 50'.
7. From Section 504 (V.B.3.b CMAP) for building to building separations between Condominium Buildings 1A and 1B, 2A and 2B, 3A and 3B, 4A and 4B of 12' in lieu of the required 75'.

REASONS FOR VARIANCE

The layout of this site and its relationship to the water offer both unique opportunities and constraints in site development. Most of the variances area sought based on internal lot lines and the location of zoning lines within the proposed development.

Variance 7 is sought alternatively to the approval of a structural connection as permitted under V.B.3.b CMAP so as to break up the massing of the wall area and give a more open feel to the buildings rather than connect them. The buildings, if connected, would meet standards, but this allows the buildings to be offset and to have some green area between them.

Variance 6 is caused by the zoning line running through Condominium Building 2B, which would permit the building height to be 60' in the 85% D.R. 16 portion and only 50' in the 15% D.R. 10.5 portion. This creates a unique condition and a practical difficulty on the D.R. 10.5 portion.

Variances 4 and 5 are caused by the positioning of building 4B to pick up parking area

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By

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and the location of the storm water management pond. In addition, the desire to separate the building from 4A rather than to have one building mass facing the waterfront causes the proximity to the tract boundary.

Variances 2 and 3 come from internal positioning of the property lines defining the condominium units from the single family detached homes and also the roadway to be built. This allows the development to provide additional parking area for the residents and maintain the desired buffer areas within the critical area.

Variance 1 and Variance 7 are similar in that both are created by the desire to separate the buildings rather than provide one building face.

Other good and valid reasons supporting the variances will be provided at the requested variance hearing.

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Description

To Accompany Variance Hearing

2.924 Acre Parcel

A Portion of Hopewell Pointe

Northeast Side of Hopkins Landing Drive, Southeasterly of Old Eastern Avenue

Fifteenth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the northeast side of Hopkins Landing Drive (variable width) at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Hopkins Landing Road with the centerline of Old Eastern Avenue, (1) Southeasterly, along said centerline of Hopkins Landing Drive, 3085 feet, more or less, and thence (2) Northeasterly, 26 feet, more or less, to the point of beginning, thence leaving said point of beginning and said road for the three following courses and distances, viz: (1) South 51 degrees 52 minutes 00 seconds East 756.89 feet, thence (2) South 38 degrees 08 minutes 00 seconds West 147.41 feet, and thence, (3) South 64 degrees 08 minutes 00 seconds West 195.64 feet to the northeast side of Hopkins Landing Road, thence binding on the northeast side of Hopkins Landing Road, the two following courses and distances, viz: (4) North 25 degrees 52 minutes 00 seconds West 690.93 feet to a point of curvature, and thence (5) Northwesterly, by a line curving to the left with a radius of 398.81 feet, for a distance of 54.14 feet (the arc of said curve being subtended by a chord bearing North 29 degrees 45 minutes 20 seconds West 54.10 feet) to the point of beginning; containing 2.924 acres of land, more or less.

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

April 24, 2002

Project No. 87076.M (L87076M)



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Description

To Accompany Variance Hearing

2.852 Acre Parcel

A Portion of Hopewell Pointe

Southwest Side of Hopkins Landing Drive, Southeasterly of Old Eastern Avenue

Fifteenth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the southwest side of Hopkins Landing Drive (variable width) at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Hopkins Landing Drive with the centerline of Old Eastern Avenue, (1) Southeasterly, along said centerline of Hopkins Landing Drive, 1215 feet, more or less, and thence (2) Southwesterly, 35 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on the southwest side of Hopkins Landing Drive the two following courses and distances, viz: (1) Southeasterly, by a line curving to the right with a radius of 450.00 feet, for a distance of 85.49 feet (the arc of said curve being subtended by a chord bearing South 68 degrees 37 minutes 28 seconds East 85.36 feet), and thence (2) South 74 degrees 04 minutes 00 seconds East 732.03 feet, thence leaving Hopkins Landing Drive for the five following courses and distances, viz: (3) South 15 degrees 56 minutes 00 seconds West 164.50 feet, thence (4) North 74 degrees 04 minutes 00 seconds West 544.00 feet, thence (5) North 15 degrees 56 minutes 00 seconds East 38.00 feet, thence (6) North 74 degrees 04 minutes 00 seconds West 273.00 feet, and thence (7) North 15 degrees 56 minutes 00 seconds

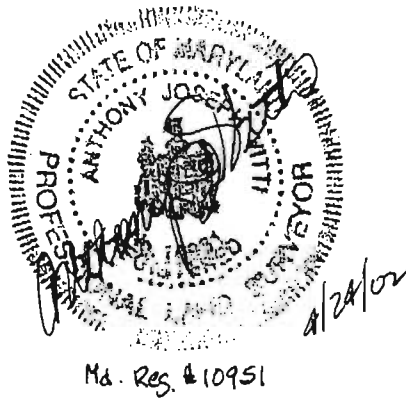
537

East 134.60 feet to the point of beginning; containing 2.852 acres of land, more or less.

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

April 24, 2002

Project No. 87076.M (L87076M-1)



537

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5.29.02 ACCOUNT 001-COL-5462

AMOUNT \$ 500.00

RECEIVED
FROM:

Hopewell Print LLC

FOR:

SDH-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jan.

PAID RECEIPT

BUSINESS ACTUAL TIME
5/29/2002 5/29/2002 08:44:08
REG # 903 WALKIN SMAT SHM DRAWER 3
RECEIPT # 241470 5/29/2002 OFLH
DEPT 5 500 AMOUNT VERIFICATION
CR NO. 013236

500.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

*Please call 2412 in
Sarah No. 13236
reference to
acct #
6150*

**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: #02-537-SPHA
Southeast side of Eastern and Weber Avenue
Southwest side of Hopkins Landing Drive, southeasterly of Old Eastern Avenue
15th Election District
5th Councilmanic District
Legal Owner(s): Elwood Sinsky, Managing Member
Special Hearing: to approve an amended site plan and order in Case 97-440-A.
Hearing: Friday, July 19, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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.

JT77/626 July 2 6548303

CERTIFICATE OF PUBLICATION

7/3/, 2002

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 7/2/, 2002.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-537-SPHA

Petitioner/Developer: SINSKY, ETAL
JOHN GONTROM, ESQ

Date of Hearing/Closing: 7/19/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room
111 West Chesapeake Avenue
Towson, MD 21204

Attention:

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 OLD EASTERN AVE @
WEBER AVE - ONSITE

The sign(s) were posted on

7/3/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 7/12/02
(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)

# of pages ▲	Date	From	Co.	Phone #	Fax #
7671					
Post-It® Fax Note	To	Co./Dept.	Phone #	Fax #	
				887-	



02-537-SPHA
OLD EASTERN @ WEBER

SINSKY/GONTROM

7/19/02

**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: 537
Petitioner: Hopewell Point LLC
Address or Location: SE SIDE OF EASTERN BRIDGE & WEBER AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ELLWOOD SINKER
Address: 2416 VETER VALLEY WAY
OWINGS MILLS, MD 21117
Telephone Number: 410-363-6644

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 2, 2002 Issue – Jeffersonian

Please forward billing to:
Ellwood Sinsky
2416 Velvet Valley Way
Owings Mills, MD 21117

410-363-6644

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: 02-537-SPHA

Southeast side of Eastern and Weber Avenue

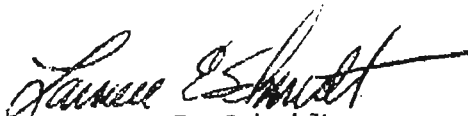
Southwest side of Hopkins Landing Drive, southeasterly of Old Eastern Avenue

15th Election District – 5th Councilmanic District

Legal Owner: Ellwood Sinsky, Managing Member

Special Hearing to approve an amended site plan and order in Case 97-440-A.

HEARING: Friday, July 19 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue



Lawrence E. Schmidt

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

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 12, 2002

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: 02-537-SPHA

Southeast side of Eastern and Weber Avenue

Southwest side of Hopkins Landing Drive, southeasterly of Old Eastern Avenue

15th Election District – 5th Councilmanic District

Legal Owner: Ellwood Sinsky, Managing Member

Special Hearing to approve an amended site plan and order in Case 97-440-A.

HEARING: Friday, July 19 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Boulevard,
Baltimore 21221

Ellwood Sinsky, Managing Member, Hopewell Point, LLC, 2416 Velvet Valley Way,
Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 2, 2002**
- (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.

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





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

July 12, 2002

John B Gontrum Esquire
Romadka Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore MD 21221

Dear Mr. Gontrum:

RE: Case Number: 02-537-SPHA, SE/S Eastern & Weber Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 29, 2002.

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: Hopewell Point LLC, Ellwood Sinkys, 2416 Velvet Valley Way, Owings Mills 21117
People's Counsel

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





Baltimore County
Fire Department

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

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

June 11, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 10, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

537

535-549

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



hs
7/19

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 22, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 17, 2002
Item Nos. 535, 536, 537, 538, 539, 540,
543, 544, 545, 547, and 549

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

RWB:CEN:jrb

cc: File

7/19

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB Seeley*

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 10, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

535-537, 539, 540, 546, 547, 549

jm
7/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 8, 2002

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

SUBJECT: Weber Avenue

INFORMATION:

Item Number: 02-537

Petitioner: Hopewell Point LLC.

Zoning: DR 16 & DR 10.5

Requested Action: Variance

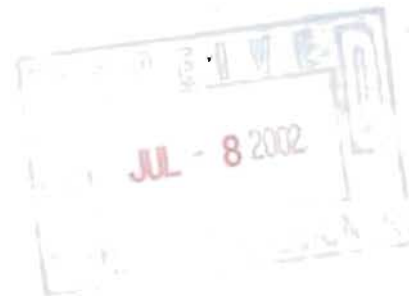
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request contingent upon the following:

1. The condominium buildings shall be connected at the first floor with architectural detailing and landscaping to screen utilities. A sidewalk connection should be provided in the 12-foot space between the buildings. Provide elevations indicating building materials and colors.
2. The Hopkins Landing Drive cross section shall be revised to provide a 6-foot tree lawn adjacent to the curb with the sidewalks placed in an easement adjacent to the tree lawn. Revise the landscape plan accordingly.

Prepared by: Mark A. Cunningham

Section Chief: Alfred J. [Signature]
AFK/LL:MAC:





**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6.17.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 537

JCM

Dear Mr. Zahner:

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,

K 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
Southeast side of Eastern and Weber Ave.

15th Election District 5th Councilmanic District

Legal Owner: Ellwood Sinsky, Managing Member
HOPEWELL POINT LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-537-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 of other proceedings in this matter and of the passage of any preliminary or final Order.


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 20th day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, ROMADKA, GONTRUM & MCLAUGHLIN, 814 Eastern Blvd. Baltimore, Md. 21221, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Elwood A. Sisk

John Seefried at OMW

Thomas B. Caraci

Mitch Kellman

2416 JORDEN VALLEY WAY 21117

200 E. PENNSYLVANIA AVE, Towson MD 21204

514 HAWKINS LAKE

Towson, MD 21286

200 E. Pennsylvania Ave ^{Towson} 21286



Printed with Soybean Ink
on Recycled Paper

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

GREG Barth
Gunny Tekuna

1812 HILTOP AVE. 21221
Tepkion
405 Ward Rep



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NEC Old Eastern and Weber Avenues
(Hopewell Pointe, fka Hopkins * ZONING COMMISSIONER
Landing)
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Hopewell Pointe, LLC, * Case No. 97-440-A
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at the northeast corner of Old Eastern Avenue and Weber Avenue, in eastern Baltimore County. The property is proposed for development as a residential subdivision to be known as Hopewell Pointe, previously referred to in plans submitted as Hopkins Landing. A series of variances are requested from the Baltimore County Zoning Regulations (BCZR) and the applicable provisions of the Comprehensive Manual of Development Policies (CMDP) (1972), as follows:

A. From Section 1B01.2.C.1 of the BCZR and CMDP Section V.B.3, pursuant to Section 504 of the BCZR, to allow as little as 16 ft. between building to building in lieu of required 25 ft. for heights up to 40 ft., if necessary;

B. From Section V.B.6.a., CMDP and pursuant to Section 504 BCZR to allow as little as 15 ft. from side window or windowed door to street right-of-way and as little as 15 ft. from front window or windowed door to street right of way in lieu of required 25 ft. setback, if necessary;

C. From Section V.B.6.b CMDP pursuant to Section 504 BCZR to allow as little as 6 ft. from window or windowed door to lot line in cases where lot is adjacent to open space, and 8 ft. elsewhere, in lieu of the required 15 ft., if necessary;

JUN 16 1997

D. From Section 1B01.2.C.2.b BCZR and CMDP Section V.B.6.c, pursuant to Section 504 of the BCZR, to allow as little as 16 ft. from window to window in lieu of required 40 ft., if necessary;

E. From Section V.B.8, pursuant to Section 504 of the BCZR to allow as little as 20 ft. from garage to street right of way in lieu of required 22 ft., if necessary;

F. From Section 301.1 of the BCZR, pursuant to Section 504, to allow open porches, decks, or patios to project into the required yards by up to 50%, in lieu of the 25% maximum allowed; and

G. From Section 1B01.2.C.1, BCZR, and CMDP Section V.B.3 pursuant to Section 504 to allow as little as 50 ft. between building to building in lieu of 75 ft. for heights up to 60 ft., if necessary.

The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Ellwood A. Sinsky, General Manager of Hopewell Pointe Limited Liability Company, property owner. Also present was Samuel Crozier, a Landscape Architect employed with Daft-McCune-Walker. The Petitioner was represented by John B. Gontrum Esquire. Ellen Jackson, on behalf of the Essex/Middle River Civic Association appeared in opposition.

Testimony and evidence presented was that the subject site is 54.72 acres in area, split zoned B.L.-A.S., B.M., D.R.2, D.R.10.5 and D.R.16. As noted above, the property is located in eastern Baltimore County, adjacent to Old Eastern Avenue, not far from Back River Neck Road. The property is a long, yet narrow, irregularly shaped property with significant frontage on Hopkins Creek. Presently, the property is largely undeveloped. Although currently undeveloped, the site has been the subject of

prior development plan submissions. Previously, a proposed community of approximately 290 townhouses was approved by the CRG in 1987. However, that project was never built out. Instead, the Developer has revised its plans and has received approval of such revisions as a "refinement" from the Development Review Committee. As presently proposed, the Developer contemplates the construction of 5 condominium buildings and 104 villa units. The condominium buildings will contain 117 separate condominiums, for a total onsite development of 221 units. The proposed residential subdivision is laid out to take advantage of the waterfront nature of the subject property and is more particularly shown on the site plan and exhibits which were offered at the hearing and are contained within the case file.

Mr. Crozier offered extensive testimony regarding the subdivision. He noted that the buildings will be two to three stories high and will be laid out in such a manner that the most residences will have sight lines to the water. Mr. Crozier also testified extensively about the site constraints associated with this property. Due to its waterfront nature and expansive area of wetlands on the property, the opportunity for building and supporting infrastructure is limited. Thus, the project has been laid out in a manner consistent with those site constraints.

The Petitioner for Variance seeks relief from the requirements contained within the 1972 CMDP. Many of those requirements are not applicable to current development, however, this project is governed by those regulations in effect when the original approval was granted by the CRG in 1987. The variances are fully described within the attachment filed with the Petition and primarily deal with the required distances between buildings, between window to building faces, from garages to street right of ways and open porches, decks or patios into yard areas. Mr. Crozier

offered detailed testimony regarding each of these variance requests, specifically describing where and why the variances were necessary and presenting justification to support same. Essentially, the community which is proposed is driven by a desire to offer alternate housing types (e.g., condominiums and villas) while taking advantage of the site's unique characteristics owing to its frontage on Hopkins Creek.

Ms. Jackson, the sole protestant who appeared, objects to the proposal. She also submitted a letter from the Essex/Middle River Civic Council, Inc., in opposition to the request. Her testimony and the contents of the letter indicate that objections are raised relating to the density of the project. Specifically, it is alleged that the variances, if granted, would contribute to an increased density of housing on the site. It is further noted that this Civic Council has worked to downzone both this property and the area in general in an effort to prevent over development. I am appreciative of the Council's concerns and agree that over development of the site would be improper. However, the allegations that the project is over density are simply in error. As noted by Mr. Crozier, the zoning assigned to this site in 1987, when the project was originally approved as a townhouse development allowed 476 units. The current zoning allows 310 units a sufficient reduction. As noted above, the previous townhouse community proposed 290 units. Approximately 70 units have been eliminated under the current plan, so that 221 are now proposed. These numbers are persuasive to the conclusion that not only is the project under density but is significantly less intense than originally proposed. Thus, I am not persuaded by the arguments presented by the Civic Council. I do not find that this project is too dense.

To the contrary, I am convinced by Mr. Crozier's testimony. In my judgment, a finding that the property is unique is appropriate. Clearly,

its configuration, environmental constraints and waterfront feature make this property unique. Moreover, those factors support a finding that the Petitioner would suffer a practical difficulty if the variance relief was not granted. In my judgment, the proposed layout is appropriate for this site. Thus, the Petition for Variance shall be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of June 1997 that a variance from Section 1B01.2.C.1 of the BCZR and CMDP Section V.B.3 pursuant to Section 504 of the BCZR to allow as little as 16 ft. between building to building in lieu of required 25 ft. for heights up to 40 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section V.B.6.a., CMDP and pursuant to Section 504 BCZR to allow as little as 15 ft. from side window or windowed door to street right-of-way and as little as 15 ft. from front window or windowed door to street right of way in lieu of required 25 ft. setback, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section V.B.6.b CMDP pursuant to Section 504 BCZR to allow as little as 6 ft. from window or windowed door to lot line in cases where lot is adjacent to open space, and 8 ft. elsewhere, in lieu of the required 15 ft., be and is hereby GRANTED; and,

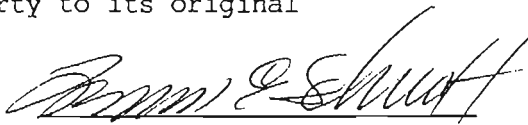
IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.2.b of the BCZR and CMDP Section V.B.6.c, pursuant to Section 504, BCZR, to allow a little as 16 ft. from window to window in lieu of required 40 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section V.B.8, pursuant to Section 504 BCZR, to allow as little as 20 ft. from garage to street right of way in lieu of required 22 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1 of the BCZR, pursuant to Section 504 to allow open porches, decks, or patios to project into the required yards by up to 60% in lieu of the 25% maximum allowed, be and is hereby GRANTED; and,

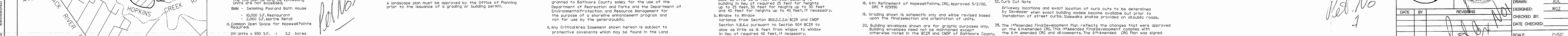
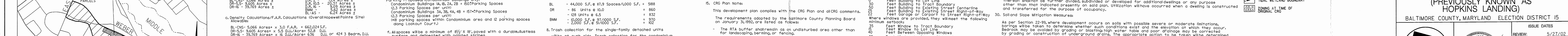
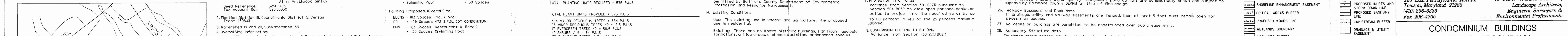
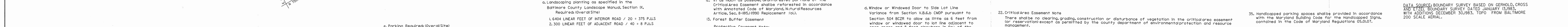
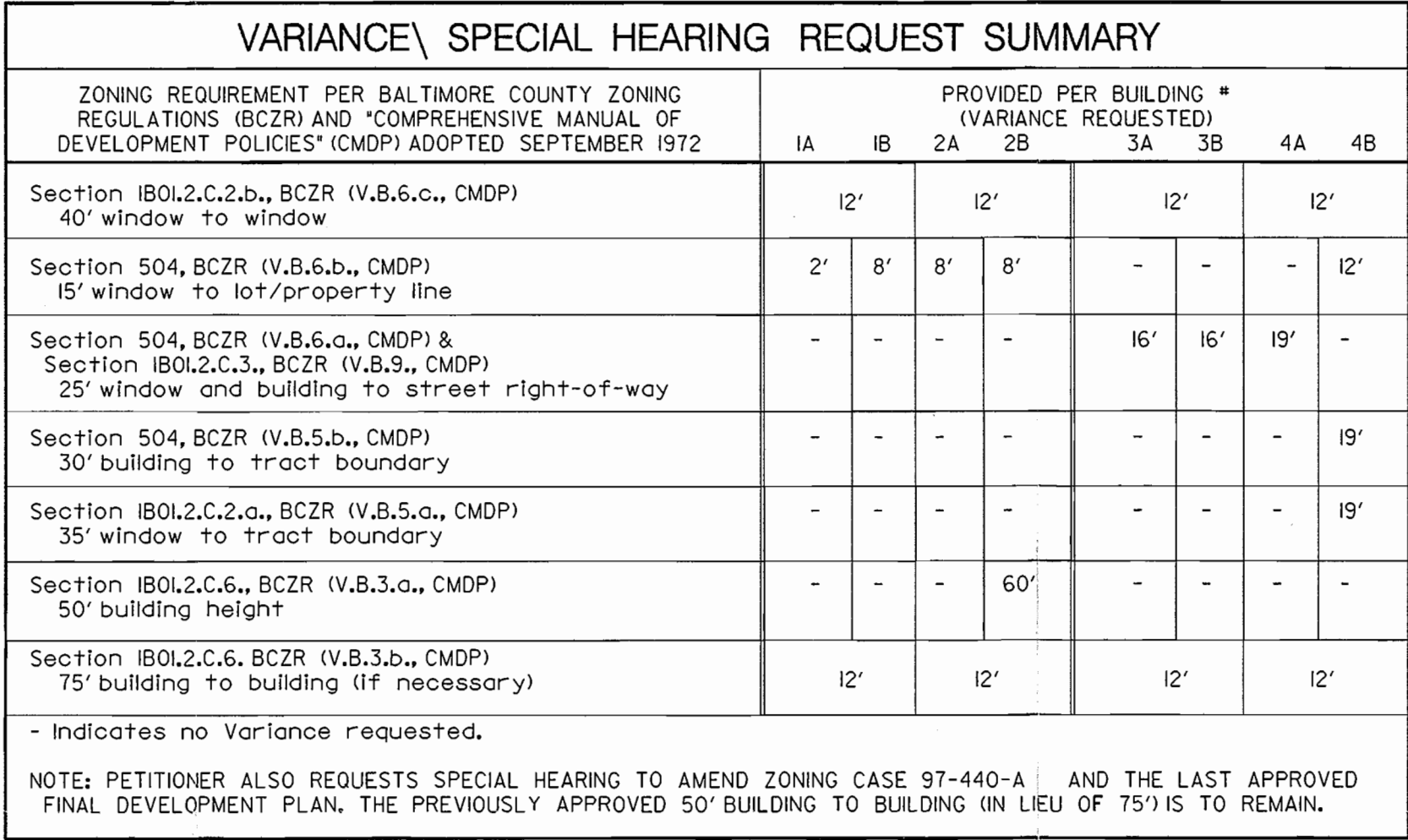
IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.1, BCZR, and CMDP Section V.B.3, pursuant to Section 504, to allow as little as 50 ft. between building to building in lieu of 75 ft. for heights up to 60 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

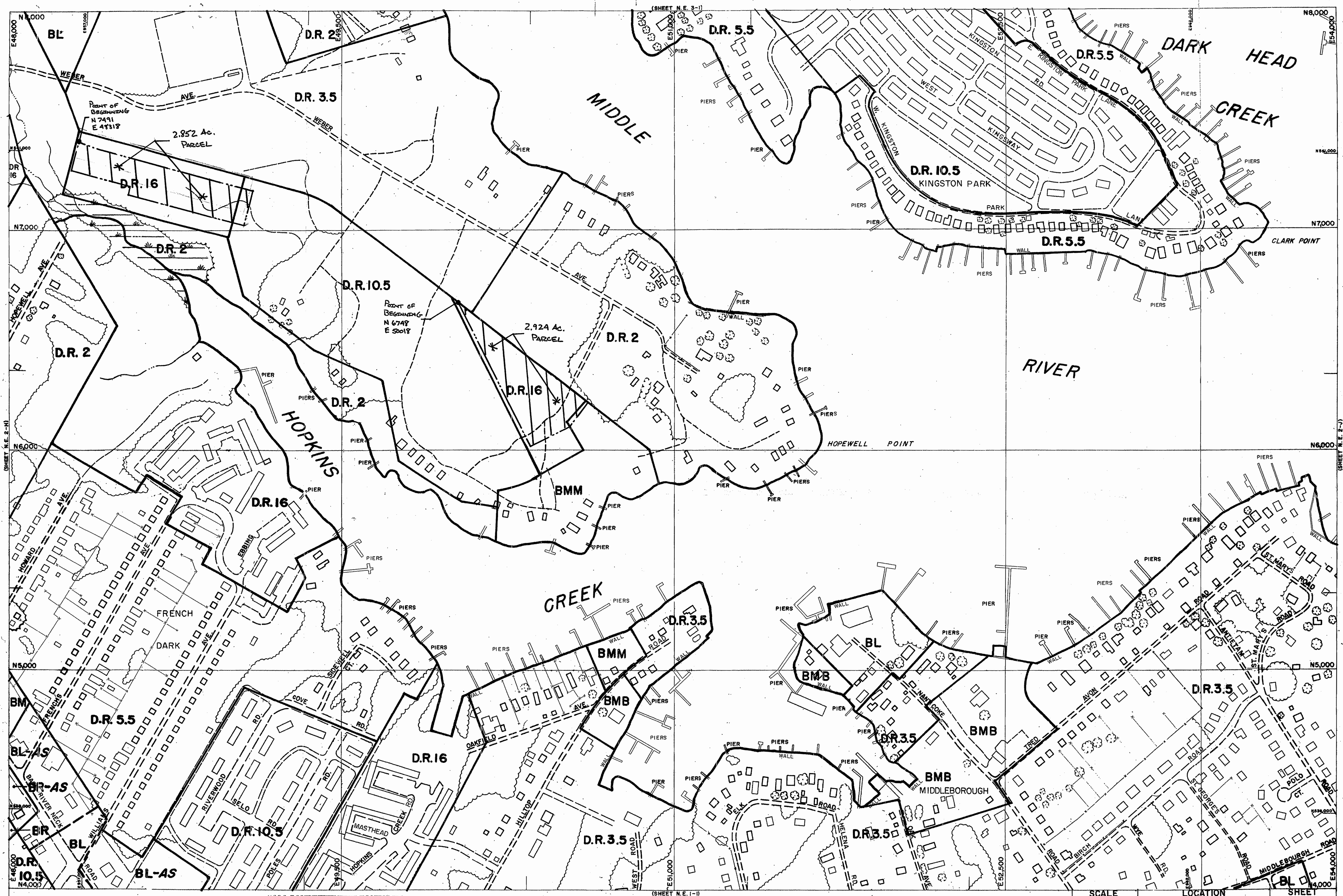
LES/mmn



N.E.
2-1

SCALE
1" = 200' ±

ZONING MAP



I- SE
2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210
Joseph Battaglia
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION MIDDLE RIVER	SHEET N E 2-1
DATE OF PHOTOGRAPHY JANUARY 1986		

CONDO. VARIANCE
HOPEWELL POINTE
87076.MF
4/02

537

NE 2 1