

IN RE: PETITIONS FOR VARIANCE
AND SPECIAL HEARING

NW/S Wilkens Avenue

@ SWC Valley Road

1ST Election District

1ST Councilmanic District

(Hidden Bluff)

Grayson Development

Company, LLC

Petitioner

BEFORE THE

DEPUTY ZONING

COMMISSIONER

OF BALTIMORE COUNTY

Case No. 02-544-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for Baltimore County for consideration of Petitions for Variance and Special Hearing filed by the Petitioner, Grayson Development Company, LLC. The Petitioner requests the following variance relief:

1. From Sections 1B01.2.C.1.c and 504 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Division II, Section A, p. 31 (Table VII) of the Comprehensive Manual of Development Policies ("C.M.D.P.") to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet for Lot Nos. 15-17, 19-22, 24-26, 32, 33, 35-42, 46-53, 55, 56, and 58.
2. From B.C.Z.R. Sections 1B01.2.C.1.c and 504 and Division II, Section A, p. 31 (Table VII) of the C.M.D.P. to allow a minimum distance of 26 feet from rear building face to property line in lieu of the required 30 feet for Lot No. 51.
3. From B.C.Z.R. Sections 1B01.2.C.1.c and 504 and Division II, Section A, p. 31 (Table VII) of the C.M.D.P. to allow a minimum distance of 20 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 15 and 16 and 25 and 26.

Additionally, the Petitioner filed a Petition for Special Hearing to allow the single-family attached homes proposed on Lot Nos. 16, 17, 18, 21, 25, 26, 29, 32, and 34 to be located a minimum distance of 27 feet from the forest conservation easement area in lieu of the required 35 feet. Initially with regard to Variance No. 1, relief was sought for Lot Nos. 15-22, 24, 25, 29, 32-42, 46-53, 55, 56, and 58, and, with regard to Variance No. 3, relief was sought for Lot

Nos. 15 and 16, 17 and 18, and 25 and 26. However, the Petitioner amended its variance requests at the hearing as set forth above and withdrew its Petition for Special Hearing. The subject property and requested variance relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing in support of the requested relief were David Vannoy and Cindy McAuliffe, representatives of the Developer, and Donald Mitten of Morris & Ritchie Associates, the engineering firm that prepared the site plan for the property. No protestants or other interested persons from the surrounding community attended the hearing. Robert A. Hoffman, attorney at law, represented the Developer.

The property under consideration is an irregularly shaped parcel located on the northwest side of Wilkens Avenue opposite its intersection with Walker Avenue in the Catonsville area of Baltimore County. The property contains approximately 26.42 acres of land zoned D.R.3.5. Development Plan approval was obtained by The Southern Land Company under Case No. I-483 on March 1, 2001, to develop the property with 58 single-family attached homes.

Subsequent to Development Plan approval, the Petitioner purchased the property from The Southern Land Co. The Petitioner now proposes the same 58 single-family attached homes, with minor changes to the building footprints, as shown on Petitioner's Exhibit No. 1. The above-listed variance relief is needed to accommodate the changes.

As stated above, there was no testimony offered in opposition to the Petition for Variance. The variances requested are internal to this Development and are not detrimental to any surrounding properties. After considering the testimony and evidence offered by the

ORDER RECEIVED FOR FILING
Date 8/29/02
By J.R. [Signature]

Petitioner regarding these variances and the lack of opposition thereto, I find that the variances should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and its property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1. whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and
3. whether relief can be granted in such fashion that the spirit and intent of the ordinance and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are particular to the property which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to these special conditions. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the Baltimore County Zoning Regulations.

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

ORDER RECEIVED FOR FILING
Date 8/29/82
By H. J. [Signature]

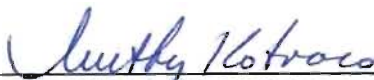
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of August, 2002, that the Petition for Special Hearing be and is hereby DISMISSED, as withdrawn, and

IT IS FURTHER ORDERED that the variances requested as follows:

1. From Sections 1B01.2.C.1.c and 504 of the Baltimore County Zoning Regulations ("B.C.Z.R.") and Division II, Section A, p. 31 (Table VII) of the Comprehensive Manual of Development Policies ("C.M.D.P.") to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet for Lot Nos. 15, 16, 17, 19, 20, 21, 22, 24, 25, 26, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, and 58;
2. From B.C.Z.R. Sections 1B01.2.C.1.c and 504 and Division II, Section A, p. 31 (Table VII) of the C.M.D.P. to allow a minimum distance of 26 feet from rear building face to property line in lieu of the required 30 feet for Lot No. 51; and
3. From B.C.Z.R. Sections 1B01.2.C.1.c and 504 and Division II, Section A, p. 31 (Table VII) of the C.M.D.P. to allow a minimum distance of 20 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 15 and 16 and 25 and 26

be and are hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order, however, Petitioner is hereby made aware that proceeding at this time is at its 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 8/29/02
By R. Johnson



Baltimore County
Zoning Commissioner

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

August 29, 2002

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

Re: Petitions for Special Hearing & Variance
Case No. 02-544-SPHA
Property: 400 Frederick Road

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Copies to:

Cynthia McAuliffe
David Vannoy
9025 Chevrolet Drive, Suite K
Ellicott City, MD 21042

Wayne Caples
8815 Centre Park Drive, Suite 104
Columbia, Maryland 21045

Don Mitten
Morris & Ritchie Assoc.
110 W. Road, Suite 245
Towson, MD 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 400 Frederick Road
which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 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 previously approved Development Plan (PDM# I-483) to allow a minimum distance of 27 feet from the forest conservation easement area in lieu of the required 35 feet for Lots 16, 17, 18, 21, 25, 26, 29, 32, and 34.

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:

SEE ATTACHED

Name - Type or Print

Signature

Address

Telephone No.

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,

Maryland

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,

Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

Case No. 02-544-SP4A

220 9/15/98

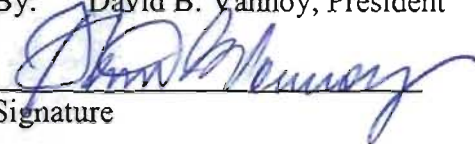
REVISED 7/12/02 DTK

ORDER RECEIVED FOR FILING
Date 8/29/02
J. J. J.

Signature Page

Legal Owner:

Valley Road Limited Partnership
Grayson Development Company, LLC, General Partner
By: David B. Vannoy, President


Signature

9025 Chevrolet Drive, Suite K
Ellicott City, Maryland 21042
(410) 461-5900

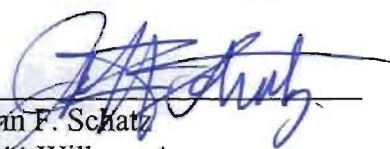
TOIDOC51/ald99/#138077 v1

544

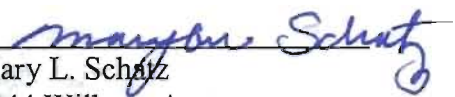
Signature Page

Legal Owner:

Parcel 1294

By: 

John F. Schatz
5444 Wilkens Avenue
Baltimore, Maryland 21228
(410) 744-6349

By: 

Mary L. Schatz
5444 Wilkens Avenue
Baltimore, Maryland 21228
(410) 744-6349

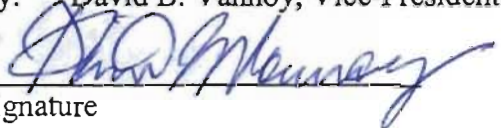
D 544

Signature Page

Contract Purchaser:

Grayson Homes at Hidden Bluff, LLC

By: David B. Vannoy, Vice-President


Signature

9025 Chevrolet Drive, Suite K
Ellicott City, Maryland 21042
(410) 461-5900

TOIDOC51/ald99/#138077 v1

544

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

Beginning at a point located on the northwesterly side of Wilkens Avenue which has a variable width at the distance of 200 feet northeasterly of the centerline of the nearest improved intersecting street, Fairway Avenue, which has a width of 40 feet. **Thence** the following courses and distances:

North 49 degrees 36 minutes 52 seconds West, 665.75 feet; North 30 degrees 53 minutes 52 seconds West, 457.92 feet; North 03 degrees 37 minutes 52 seconds West, 237.08 feet; North 78 degrees 43 minutes 08 seconds East, 1067.00 feet; South 76 degrees 46 minutes 52 seconds East, 186.89 feet; South 12 degrees 37 minutes 31 seconds West, 30.98 feet; South 77 degrees 22 minutes 29 seconds East, 237.21 feet; South 22 degrees 51 minutes 56 seconds East, 82.06 feet; South 30 degrees 12 minutes 02 seconds West, 387.02 feet; South 38 degrees 57 minutes 21 seconds West, 881.37 feet; South 50 degrees 43 minutes 22 seconds East, 46.79 feet; South 37 degrees 23 minutes 04 seconds West, 24.80 feet to the point and place of beginning, and being all of (1) lands laid out and shown on a plat entitled "Final Plat One – Hidden Bluff" and recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 74, folio 33, and (2) lands laid out and shown on a plat entitled "Final Plat Two – Hidden Bluff" and recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 74, folio 34.

Containing 1081634 square feet or 24.8309 acres of land and being located in the First Election District of Baltimore County, Maryland.



#544

- ☐ 3445-A BOX HILL CORPORATE CENTER DRIVE, ABINGDON, MD 21009
- ☐ 110 WEST ROAD, SUITE 245, TOWSON, MD 21204
- ☐ 9090 JUNCTION DRIVE, SUITE 9, ANNAPOLIS JUNCTION, MD 20701

- 410-515-9000 ■ FAX 410-515-9002
- 410-821-1690 ■ FAX 410-821-1748
- 410-792-9792 ■ FAX 410-792-7395

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13243

DATE 5/31/02 ACCOUNT R001 006 6150
AMOUNT \$ 650.00

RECEIVED FROM: VBH

FOR: ZONING VAR / SPH

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
5/03/2002 5/31/2002 15:03:04
REG W505 WALKIN RDOS LRB DRAWER 5
>> RECEIPT # 268785 5/31/2002 OFLN
Dept: 5 528 ZONING VERIFICATION
CR NO. 013243
Recpt Tot \$650.00
650.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 14470

DATE 7-12-02 ACCOUNT 001 006 6110

AMOUNT \$ 100.00

RECEIVED FROM: DAVID KARCESKI
VENUE GREETER + HOWARD

FOR: AMENDED PETITION, + FEES
02-544-SPIA
400 FREDERICK ROAD

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #02-544-SPHA

400 Frederick Road

N/west side of Wilkens Avenue 200 feet northeast center line of the Fairway Avenue

1st Election District - 1st Councilmanic District

Legal Owner(s): David B. Vannoy, President, Grayson Development Company, LLC and John and Mary Schatz, Parcel 1294

Contract Purchaser: David B. Vannoy, Grayson Homes at Hidden Bluff, Vice-President

Special Hearing: to amend previously approved Development Plan (PDM I-483) to allow a minimum distance of 27 feet from the forest conservation easement area in lieu of the required 35 feet for lots 16, 17, 18, 21, 25, 26, 29, 32 & 34. **Variance:** to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet in the D.R. 3.5 zone for Lots 15-22, 24, 25, 29, 32-42, 46-53, 55, 56, and 58. To allow a minimum distance of 26 feet from rear building face to property line in lieu of the required 30 feet in the D.R. 3.5 zone for Lot 51. To allow a minimum distance of 20 feet from side building face to side building face in lieu of the required 25 feet in the D.R. 3.5 zone for Lots 15, 16, 17, 18, 25, and 26.

Hearing: Wednesday, July 31, 2002 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.

JT/7/40 July 16

C550553

CERTIFICATE OF PUBLICATION

7/18/2002

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 7/16/2002.

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

J. Wilkinson

LEGAL ADVERTISING

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:

02-544-SHA

Petitioner:

Graysin Homes at Hidden Bluff, LLC

Address or Location:

400 Frederick Road

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Amy Duntell

Address:

210 Arden Avenue
Towson, Maryland 21204

Telephone Number:

(410) 494-6244

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 16, 2002 Issue – Jeffersonian

Please forward billing to:
Amy Dontell
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: 02-544-SPHA

400 Frederick Road

N/west side of Wilkens Avenue 200 feet northeast center line of the Fairway Avenue

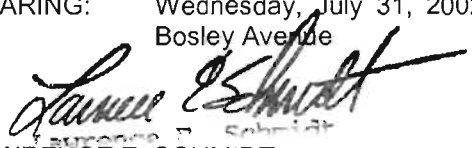
1st Election District – 1st Councilmanic District

Legal Owner: David B. Vannoy, President, Grayson Development Company, LLC and John and Mary Schatz, Parcel 1294

Contract Purchaser: David B. Vannoy, Grayson Homes at Hidden Bluff, Vice-President

Special Hearing to amend previously approved Development Plan (PDM I-483) to allow a minimum distance of 27 feet from the forest conservation easement area in lieu of the required 35 feet for lots 16, 17, 18, 21, 25, 26, 29, 32, & 34. Variance to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet in the D. R. 3.5 zone for Lots 15-22, 24, 25, 29, 32-42, 46-53, 55, 56, and 58. To allow a minimum distance of 26 feet from rear building face to property line in lieu of the required 30 feet in the D. R. 3.5 zone for Lot 51. To allow a minimum distance of 20 feet from side building face to side building face in lieu of the required 25 feet in the D. R. 3.5 zone for Lots 15, 16, 17, 18, 25, and 26.

HEARING: Wednesday, July 31, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


LAWRENCE E. SCHMIDT 672
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.

Changes are
in here

Thunber

George Zahner



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

June 17, 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: 02-544-SPHA

400 Frederick Road

N/west side of Wilkens Avenue 200 feet northeast center line of the Fairway Avenue

1st Election District – 1st Councilmanic District

Legal Owner: David B. Vannoy, President, Grayson Development Company, LLC and John and Mary Schatz, Parcel 1294

Contract Purchaser: David B. Vannoy, Grayson Homes at Hidden Bluff, Vice-President

Special Hearing to amend previously approved Development Plan (PDM I-483) to allow a minimum distance of 27 feet from the forest conservation easement area in lieu of the required 35 feet for lots 16, 17, 18, 21, 25, 26, 29, 32, & 34. Variance to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet in the D. R. 3.5 zone for Lots 15-22, 24, 25, 29, 32-42, 46-53, 55, 56, and 58. To allow a minimum distance of 26 feet from rear building face to property line in lieu of the required 30 feet in the D. R. 3.5 zone for Lot 51. To allow a minimum distance of 20 feet from side building face to side building face in lieu of the required 25 feet in the D. R. 3.5 zone for Lots 15, 16, 17, 18, 25, and 26.

HEARING: Wednesday, July 31, 2002 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 692
Director

C: Robert Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue,
Towson 21204
David B. Vannoy, President, Grayson Development Company, LLC, 9025 Chevrolet Drive,
Suite K, Ellicott City 21042
John and Mary Schatz, 5444 Wilkens Avenue, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 16, 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.



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 26, 2002

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

Dear Mr. Hoffman:

RE: Case Number: 02-544-SPHA, 7302 Gephardt Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 31, 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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: David B Vannoy, President, Grayson Development Co, 9025 Chevrolet Drive, Suite K,
Ellicott City 21042
John & Mary Schatz, 5444 Wilkens Avenue, Baltimore 21228
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:

544

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



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

ju
7/31

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *803 1767*

DATE: July 24, 2002

SUBJECT: Zoning Item 544
Address 400 Frederick Road (Hidden Bluff)

Zoning Advisory Committee Meeting of June 17, 2002

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Additional Comments:

1. The requested reduction of the minimum 35 foot setback from the Forest Conservation Easement does not fall under the Hearing Officers purview. These decisions are to be made by the director of DEPRM as per section 14-415 of the Baltimore County Code. Therefore it is recommended that this Special Hearing be postponed until the applicant has submitted a variance request in accordance with Article X of the Baltimore County Forest Conservation Regulations, and the Department makes a decision.
2. In addition, the correct address of Hidden Bluff cannot be 400 Frederick Road, since it is on Wilkens Avenue and Valley Road.

Reviewer: John Russo

Date: July 23, 2002

Jim
7/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 26, 2002

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

SUBJECT: Zoning Advisory Petition(s): **Case(s)02-544 & 03-024**



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: [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. 544 LTM

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 372 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.16.02

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

RE: Baltimore County
Item No. 02-544-SPHA
REVISIO

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 372, are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

1- 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
400 Frederick Road N/west of Wilkens Ave. 200
feet NE center line of Fairway Avenue

1st Election District 1st Councilmanic District
Legal Owner: John and Mary Schatz
Valley Rd. Limited Partnership
David B. Vannoy, Pres. Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-544-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 Robert A. Hoffman, VENABLE, BAETJER & HOWARD, LLP 210 Allegheny Ave. Towson, Md. 21204 Attorney for Petitioner(s)


PETER MAX ZIMMERMAN

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com



OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
(410) 494-6285

dhkarceski@venable.com

July 12, 2002

HAND-DELIVERED

W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building - Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions for Variance and Special Hearing
Petitioner: Grayson Development Company, LLC
Location: 400 Frederick Road

Dear Mr. Richards:

With this letter, I am enclosing for drop-filing revised Petitions for Variance and Special Hearing for the above-referenced property. I have also enclosed the following:

1. Site Plan (12)
2. Revision Fee Check for \$100.00 (1)

To the best of our knowledge, this property is not in violation of any zoning laws.

If you have any questions regarding the enclosed materials, please feel free to give me a call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "D. Karceski".

David H. Karceski

DHK
Enclosure

Case Number

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET.

[illegible]



IN RE: DEVELOPMENT PLAN HEARING
@ SWC Valley Road
1st Election District
1st Councilmanic District
(Hidden Bluff)
Rox Schabell and
The Southern Land Co.
Petitioners

BEFORE THE
HEARING OFFICER
OF BALTIMORE COUNTY
Case No. 1-483

THEREFORE, IT IS ORDERED by this Deputy Zoning Commission/Hearing Officer for Baltimore County this 12th day of March, 2001, that the Development/UD Authorization Plan submitted into evidence at the hearing before me as Developer's Exhibit No. 1A and 1B, be and they are hereby APPROVED.

IT IS FURTHER ORDERED, that the Petitioners have in fact satisfied all of the conditions and requirements imposed upon them by Section 430 of the Baltimore County Zoning Regulations, which provisions deal specifically with Planned Unit Developments/Residential.

IT IS FURTHER ORDERED, that the Petitioners shall submit elevation drawings of the homes to be constructed on the properties to the Office of Planning for their particular review of the garage doors that are proposed to be installed on these homes.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Dept. Of Mental Hygiene
State Of Maryland For Use By
Spring Grove
P.1878
Use: Commercial
Zoned: O-T

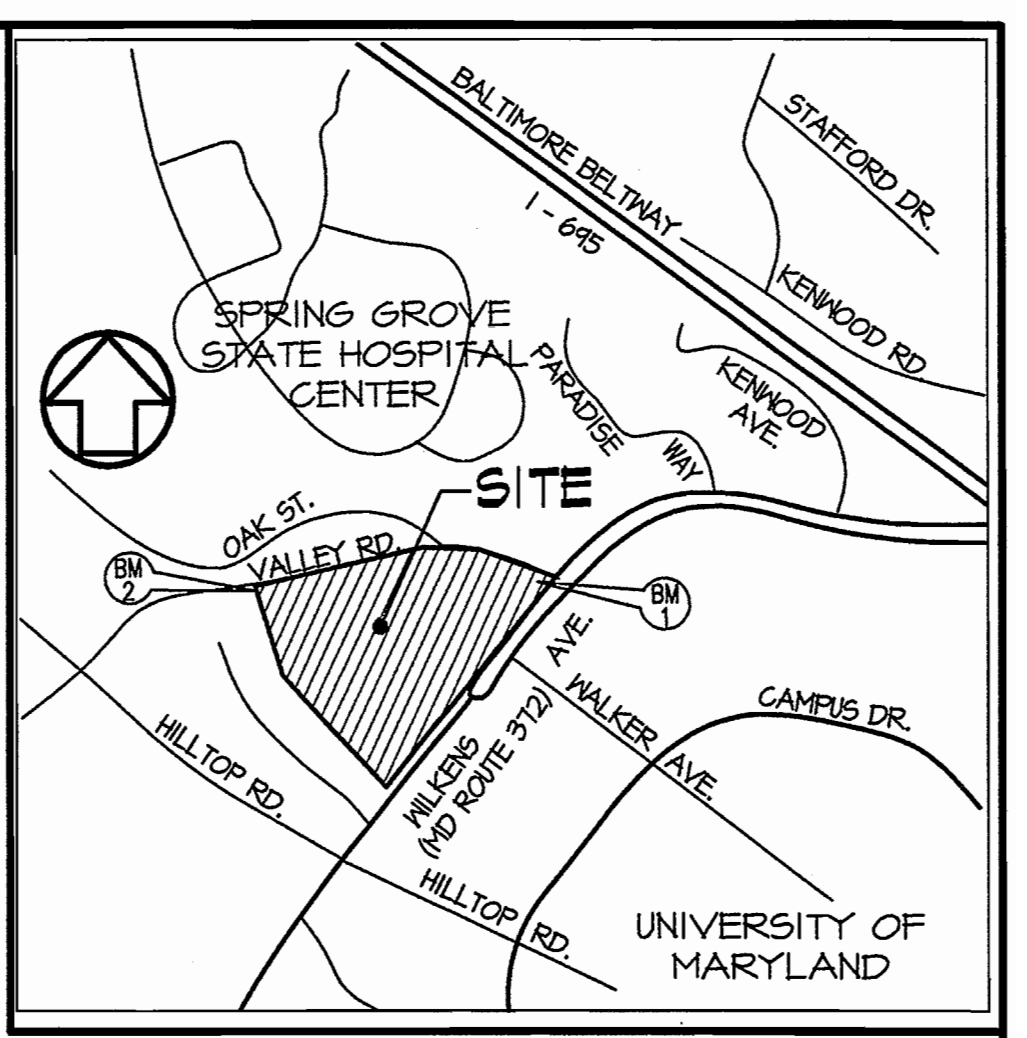
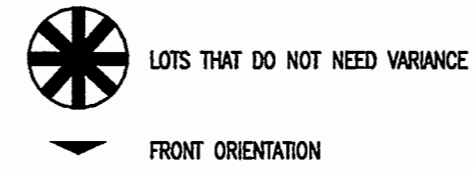
Petition for Variance

- Variance from Sections 1801.2.C.1.c and 504 of the Baltimore County Zoning Regulations ("BCZR") and Section 11A, p.31 (Table VII), of the Comprehensive Manual of Development Policies ("CMP") to allow a minimum distance of 7 feet from front building face to property line in lieu of the required 25 feet in the D.R.3.5 zone for Lots 15 thru 22, 24 thru 26, 29, 32 thru 42, 46 thru 53, 55, 56, and 58.
- Variance from BCZR Sections 1801.2.C.1.c and 504 and CMP Section 11A, p.31 (Table VII), to allow a 26 foot rear building face to property line setback in lieu of the required 30 feet in the D.R.3.5 zone for Lot 51.
- Variance from BCZR Sections 1801.2.C.1.c and 504 and CMP Section 11A, p.31 (Table VII), to allow a minimum distance of 15 feet from side building face to side building face in lieu of the required 25 feet in the D.R.3.5 zone for Lots 15 and 16, 17 and 18, 25 and 26, and 29 and 30.
- Special Hearing to amend the previously approved Development Plan (PDM #1-483) to allow a minimum distance of 33 feet between lot 18 and the forest conservation easement area in lieu of the required 35 feet.
- Special Hearing to amend the previously approved Development Plan (PDM #1-483) to allow a minimum distance of 33 feet between lot 29 and the forest conservation easement area in lieu of the required 35 feet.
- Special Hearing to amend the previously approved Development Plan (PDM #1-483) to allow a minimum distance of 33 feet between lot 29 and the forest conservation easement area in lieu of the required 35 feet.
- Special Hearing to amend the previously approved Development Plan (PDM #1-483) to allow a minimum distance of 33 feet between lot 34 and the forest conservation easement area in lieu of the required 35 feet.

GENERAL NOTES

- OWNER: Lot 1 JOSEPH M. SCHWARTZ, ET AL.
400 FREDERICK RD.
BALTIMORE, MD 21228
PREMISES ADDRESS:
5441 VALLEY RD.
- OWNER/DEVELOPER: Lot 2 thru 58
VALLEY ROAD LIMITED PARTNERSHIP
9025 CHEVROLET DRIVE SUITE K
ELICOTT CITY, MD 21042
ATTN: MR. DAVE WANNY
- PLAN PREPARED BY:
MORRIS & RITCHIE ASSOCIATES, INC.
110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
ATTN: SCOTT D. RUCK, R.A.
- PROPERTY INFORMATION:
A. TOTAL GROSS AREA OF SITE: 26.42 AC. +/-
B. NET AREA OF SITE PARCEL 1285: 24.52 AC. +/-
C. NET AREA OF SITE PARCEL 1294: 0.51 AC. +/-
D. PROPERTY ADDRESS: 5441 VALLEY RD. BALTIMORE, MD 21228
E. ELECTION DISTRICT: #1
F. COUNCILMANIC DISTRICT: 1
G. BALTIMORE COUNTY A.D.C.: MAP 41, GRID F5, & G5
H. CIRCUS TRACT: 4475/780
I. BALTIMORE REFERENCE: TAX MAP 101, GRID 15
J. DEED REFERENCE: 12300012661 thru 12300012708
K. TAX ACCOUNT NO.: SW-EF (GROWNSTOWN ARBITUS)
L. ZONING MAP REFERENCE: SW-EF (GROWNSTOWN ARBITUS)
M. BALTIMORE COUNTY PHOTO GRAMMETRIC: SW-EF (GROWNSTOWN ARBITUS)
N. BALTIMORE COUNTY SOIL SURVEY: 46 DR 3.5
O. EXISTING ZONING: DR 3.5
- D.R.C. # 0225028
- ALL ROADS AND UTILITIES WITHIN THIS DEVELOPMENT WILL BE PRIVATE.

LEGEND:



VICINITY MAP
SCALE: 1" = 1000'

BENCH MARKS:

TR2 MRA 2 RAC
N 580914.0300
E 1392757.7700
ELEV. 241.800
ELEV. 251.731

TR11 MRA 11 RAC
N 580907.2394
E 1391150.8175
ELEV. 241.800
ELEV. 251.731

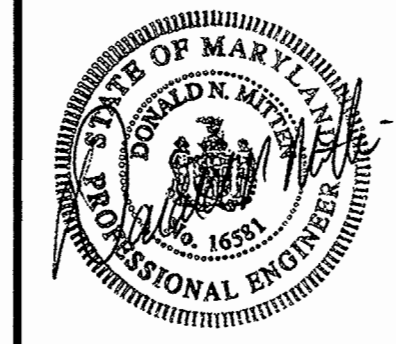
BEARINGS & COORDINATES SHOWN ON THE PLAN ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM
HORIZONTAL DATUM - NAD 83/91
VERTICAL DATUM - NAVD 88

ZONING SETBACK VARIANCE TABLE

Lot Number	Front Setback to Property Line	Rear Setback to Property Line	Setback to FCE	Building Face to Building Face
1	N/A	N/A	N/A	N/A
2	N/A	N/A	N/A	N/A
3	N/A	N/A	N/A	N/A
4	N/A	N/A	N/A	N/A
5	N/A	N/A	N/A	N/A
6	N/A	N/A	N/A	N/A
7	N/A	N/A	N/A	N/A
8	N/A	N/A	N/A	N/A
9	N/A	N/A	N/A	N/A
10	N/A	N/A	N/A	N/A
11	N/A	N/A	N/A	N/A
12	N/A	N/A	N/A	N/A
13	N/A	N/A	N/A	N/A
14	N/A	N/A	N/A	N/A
15	19	N/A	N/A	20
16	7	N/A	33	20
17	9	N/A	N/A	15
18	7	N/A	33	15
19	18	N/A	N/A	N/A
20	23	N/A	N/A	N/A
21	20	N/A	N/A	N/A
22	20	N/A	N/A	N/A
23	N/A	N/A	N/A	N/A
24	24	N/A	N/A	N/A
25	18	N/A	N/A	22
26	21	N/A	N/A	22
27	N/A	N/A	N/A	N/A
28	N/A	N/A	N/A	N/A
29	7	N/A	33	19
30	N/A	N/A	N/A	19
31	N/A	N/A	N/A	N/A
32	20	N/A	27	N/A
33	20	N/A	N/A	N/A
34	7	N/A	33	N/A
35	8	N/A	N/A	N/A
36	22	N/A	N/A	N/A
37	20	N/A	N/A	N/A
38	18	N/A	N/A	N/A
39	24	N/A	N/A	N/A
40	21	N/A	N/A	N/A
41	20	N/A	N/A	N/A
42	21	N/A	N/A	N/A
43	N/A	N/A	N/A	N/A
44	N/A	N/A	N/A	N/A
45	N/A	N/A	N/A	N/A
46	22	N/A	N/A	N/A
47	22	N/A	N/A	N/A
48	18	N/A	N/A	N/A
49	20	N/A	N/A	N/A
50	22	N/A	N/A	N/A
51	18	26	N/A	N/A
52	19	N/A	N/A	N/A
53	22	N/A	N/A	N/A
54	N/A	N/A	N/A	N/A
55	19	N/A	N/A	N/A
56	24	N/A	N/A	N/A
57	N/A	N/A	N/A	N/A
58	22	N/A	N/A	N/A



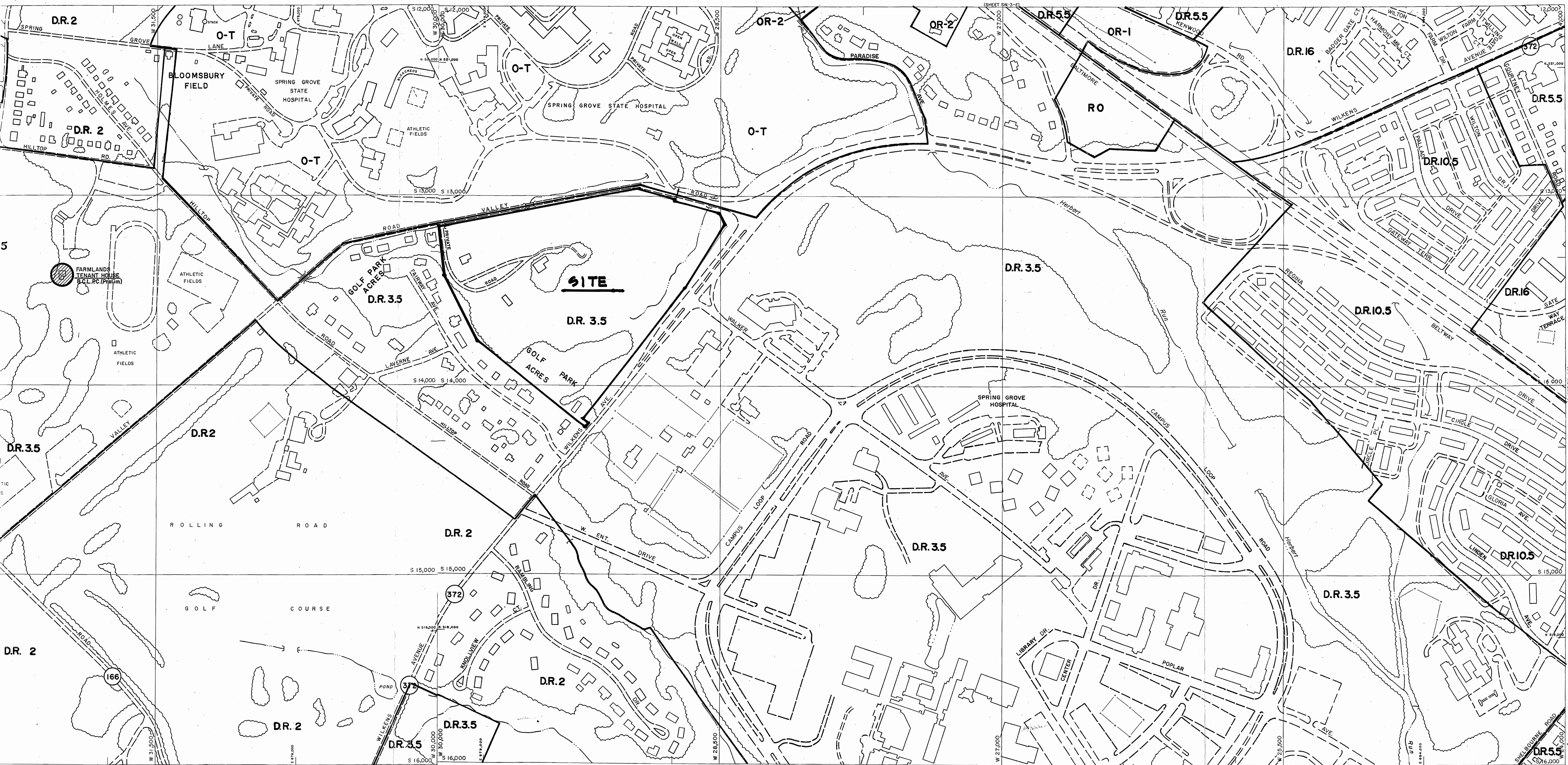
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
110 WEST ROAD SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1680
FAX (410) 821-1748



PLAN TO ACCOMPANY
VARIANCE PETITION/SPECIAL HEARING PLAN
HIDDEN BLUFF
PDM# 1-483
ELECTION DISTRICT #1 BALTIMORE COUNTY, MARYLAND COUNCILMANIC DISTRICT #1

DATE	REVISIONS	JOB NO.: 10757
		SCALE: 1"=50'
		DATE: 07/29/2002
		DRAWN BY: SL
		DESIGN BY: DNM
		REVIEW BY: DNM
		SHEET: 1 OF 1

Pet Ex #1



ONING
AP

SCALE 1" = 200' ±	LOCATION CATONSVILLE	SHEET S.W. 4-F
DATE OF PHOTOGRAPHY JANUARY 1986		

2000 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bill Nos. 97-00, 98-00, 99-00, 00-00, 01-00, 02-00, 03-00.

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

Joseph R. Smith
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION CROWDENTOWN ARBUTUS	SHEET S.W. 4-E
DATE OF PHOTOGRAPHY JANUARY 1986		

#544