IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
SW/C of Valley Road
and Wilkins Avenue
1st Election District
1st Councilmanic District
(W/S Wilkins Ave. @ SW/C Valley Road)

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 03-156-SPHA

Valley Road Limited Partnership Petitioners

\* \* \* \* \* \* \* \*

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#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, the Valley Road Limited Partnership. The Petitioners are requesting zoning relief for a development known as "Hidden Bluff", which is located in the Catonsville area, at the intersection of Valley Road and Wilkins Avenue. The variance relief requested is: (1) from Sections 1B01.2.C.1, 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 5 ft. from front building face to property line in lieu of the required 25 ft. for Lots #18, #29 and #34 and (2) from Sections 1B01.2.C.1. and 504 of the B.C.Z.R. and Division II, Section A, p. 31 (Table VII) of the C.M.D.P., to allow a minimum distance of 15 ft. from side building face to side building face in lieu of the required 25 ft. for Lots #17, #18 and Lots #29 and #30. In addition, Petitioners are requesting special hearing relief to amend the site plan and relief granted in Case No. 02-544-SPHA.

Appearing at the hearing on behalf of the zoning relief were Don Mitten, Wayne Caplan and David Karceski, attorney at law, representing the property owner. There were no protestants or others in attendance.

The transfer was represented by the first of the first of

Testimony and evidence indicated that the special hearing and variance relief apply to Lots #17, #18, #29, #30 and #34. The property has been approved for development with 58 residential dwellings as are depicted on Petitioners' Exhibit No. 2, the site plan submitted into evidence. The lots in question require special hearing and variance relief due to the existence of a forest conservation easement, which runs along the border of the property on its north side. As can be seen by reviewing the site plan submitted, there exists a 35 ft. forest conservation easement setback, which affects the homes to be constructed on Lots #17, #18, #29, #30 and #34. Those houses, in order to be constructed outside of this 35 ft. setback area, have been relocated closer to the front of the properties, thereby generating the variance request. The developer has been asked by the Department of Environmental Protection & Resource Management (DEPRM) to relocate these houses in the fashion depicted on the site plan which results in the need for the variance. The special hearing relief is simply to amend the site plan, which was previously approved in Case No. 02-544-SPHA.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioner and his 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 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 of the ordinance will be observed and public safety and welfare secured.

11862 Januar

#### 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 variance and special hearing are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. 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 B.C.Z.R.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of November, 2002, that the Petitioners' request for variance (1) from Sections 1B01.2.C.1.e 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 5 ft. from front building face to property line in lieu of the required 25 ft. for Lots #18, #29 and #34 and (2) from Sections

1B01.2.C.1. and 504 of the B.C.Z.R. and Division II, Section A, p. 31 (Table VII) of the C.M.D.P., to allow a minimum distance of 15 ft. from side building face to side building face in lieu of the required 25 ft. for Lots #17, #18 and Lots #29 and #30, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the special hearing relief to amend the site plan and relief granted in Case No. 02-544-SPHA, be and is hereby GRANTED.

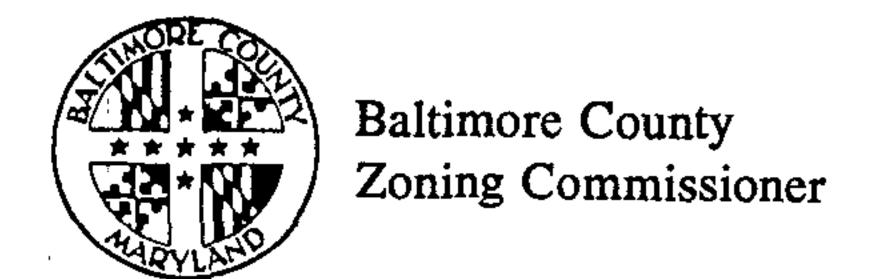
IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

November 8, 2002

David Karceski, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance

Case No. 03-156-SPH

Property: W/S Wilkins Avenue @ SW/C Valley Road

Dear Mr. Karceski:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy Hotroco

TMK:raj Enclosure

c: Don Mitten
Morris & Ritchie Associates
110 West Road, Suite 245
Towson, MD 21204

Wayne Caplan 8815 Centre Park Drive Columbia, MD 21045



220 9/15/98

# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located atw/S-Wilkins Avenue @ SWC Valley Rd

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 Variance from Section(s)

#### See attached

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

To be determined at Hearing

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

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

IWe 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: Legal Owner(s): SEE ATTACHED SEE ATTACHED Name - Type or Print Name - Type or Print Signature Signature Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: Address Telephone No. Robert A. Hoffman Name - Type or Print City State Zip Code Representative to be Contacted: Signature Venable, Baetjer and Howard, LLP Robert A. Hoffman Cempany Name 20 Allegheny Avenue 410-494-6200 210 Allegheny Avenue 410-494-6200 **Address** Telephone No. Address Telephone No. Øøwson, MD 21204 Towson, MD 21204 (City State Zip Code State Zip Code OFFICE USE ONLY Case No. \_ 03-156-5/1. ESTIMATED LENGTH OF HEARING.

UNAVAILABLE FOR HEARING

Date

Reviewed By JRF

#### Petition for Variance

- 1. Variance from Sections 1B01.2.C.1.c and 504 of the Baltimore County Zoning Regulations ("BCZR") and Division II, Section A, p.31 (Table VII) of the Comprehensive Manual of Development Policies ("CMDP") to allow a minimum distance of 5 feet from front building face to property line in lieu of the required 25 feet for Lot Nos. 18, 29 and 34.
- 2. Variance from BCZR Sections 1B01.2.C.1.c and 504 and Division II, Section A, p.31 (Table VII) of the CMDP to allow a minimum distance of 15 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 17 and 18 and Lot Nos. 29 and 30.

#### Petition for Special Hearing

Special Hearing to amend the site plan and relief granted in Case No. 02-544-SPHA.

TO1DOCS1/DHK01/#138141 v5

#### 4/7

#### 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

TO1DOC\$1/ald99/#138077 vI

### Signature Page

#### Legal Owner:

Parcel 1294

By: Jøhn F. Schatz

5444 Wilkens Avenue

Baltimore, Maryland 21228

(410) 744-6349

Baltimore, Maryland 21228 (410) 744-6349

#### 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

TO1DOCS1/ald99/#138077 v1

## 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.



7/23/02

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

DATE 9-27-02 ACCOUNT 001-00G-6150

AMOUNT \$ 500.00

RECEIVED VISING CCG CASTJON A HOMASD

FROM:

VISING CCG CASTJON A HOMASD

FOR:

FOR:

YELLOW - CUSTOMER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

PAGINESS ACTUAL TIME
1/21/2002 1/27/2002 09:13:52
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>RECEIPT # 226408 9/27/2002 OFLN
Dep 5 528 ZONING VERIFICATION
OR 10. 016829
Recent Tot #500.00
F00.00 CX ,00 CA
Bolliance County, Haryland

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: #03-156-SPHA

W/side Wilkins Avenue at SWC Valley Road S/west corner of Valley Road and Wilkins Avenue 1st Election District - 1st Councilmanic District

Legal Owner(s): Valley Road Limited Partnership, David B. Vannoy, President – John and Mary Schatz – Grayson Homes at Hidden Bluff David B. Vannoy, VP

Variance: to approve a minimum distance of 5 feet from front building face to property line in lieu of the required 25 feet for Lots Nos. 18, 29 and 34. Variance to approve a minimum distance of 15 feet from side building face to sidebuilding face in lieu of the required 25 feet for Lot Nos. 17 and 18 and Lot Nos. 29 and 30. Special Hearing to amend the site plan and relief granted in Case No. 02-544-SPHA.

Hearing: Thursday, November 7, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

L'AWRENCE 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. C570273 JT/10/777 Oct. 22

#### CERTIFICATE OF PUBLICATION

10/24,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 10 22 ,2002.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

## CERTIFICATE OF POSTING

· R	E: Case No.: <u>03-156-8PHA</u>
	Petitioner/Developer: Valley Road
	Limited Partnership
	Date of Hearing/Closing: 11-7-02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	-
This letter is to certify under the penalties of perjuwere posted conspicuously on the property located Wilkens Ave. Cafonsville, MD 2122	dat Corner of Valley Road 4
The sign(s) were posted on October 17,	2002
· · · · · · · · · · · · · · · · · · ·	Contain Day Marin
ZOTILE J NOTICE  CASE # (2) P. C. OF IMA  A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MO  PLACE **CAMPLET-REST**   PAPER IN TANK   PAR 187.7  DATE AND TIME IMPRISE IN APPLIED A PUBLICATION OF THE PARTY   FRONTS   SWEETING A PUBLIC PARTY   PAPER IN THE PARTY   FRONTS   SWEETING   PARTY   A PUBLIC PARTY   FRONTS   SWEETING   PARTY   A PUBLIC PARTY   FRONTS   WILL PARTY   PARTY   PARTY   FRONTS   WILL PARTY   PARTY   FRONTS   WILL PARTY   PARTY   FRONTS   WILL PARTY   FRONTS   FRONTS   WILL PARTY   FRONTS   FRONTS	Sincerely,  Macy Ardner  (Signature of Sign Poster and Date)  Stacy Gardner  (Printed Name)  SHANNON-BAUM SIGNS INC.  105 COMPET(AHME:GOALS DR.  ELDERSBURG, MD. 21734
HAMBICAPPED ACCESSIBLE	(City, State, Zip Code)
	410-781-4000
	(Telephone Number)

## CERTIFICATE DE POSTING

\* Re-posting of sign.
Originally posted 10-17-02

RE: Case No.: 03-156-SPHA

Petitioner/Developer: Valley Rd

Limited Partnership

Date of Hearing/Closing: 11-7-02

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 100 ft. up from corner of Valley Rd. at entrance to Grayson Homes at Hidden Bluff development.

Catansville, MD 21228

The sign(s) were posted on

October 24, 2002

(Month, Day, Year)

Sincerely,

Italy Mardaev 10/24/02

(Signature of Sign Poster and Date)

Stacy Gardney

(Printed Name)

SHANNON-BAUM SIGNS INC. 105 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784

(City, State, Zip Code) 410-781-4000

(Telephone Number)

**RE: PETITION FOR SPECIAL HEARING** & VARIANCE

W/side Wilkins Ave., SW corner Valley Rd.

and Wilkins Avenue

1<sup>st</sup> Election District 1<sup>st</sup> Councilmanic District

Legal Owner: Valley Road Ltd., and John &

Mary Schatz

Contract Pur.: Grayson Homes at Hidden Bluff

David B. Vannoy, VP

Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

03-156-SPHA

#### **ENTRY OF APPEARANCE**

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204 (410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9<sup>th</sup> day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, VENABLE, BAETJER & HOWARD, LLP, 210 Allegheny Avenue, Towson, MD 21204 Attorney for Petitioner(s).

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Thursday November 7, 2002 Issue - Jeffersonian

Please forward billing to Amy Dontell

410- 494-6244

210 Allegheny Avenue Towson, MD 21204

#### **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: 03-156 SPHA

W/side Wilkins Avenue at SWC Valley Road

S/west corner of Valley Road and Wilkins Avenue

Election District 1st - Councilmanic District 1st

Legal Owner: Valley Road Limited Partnership, David B. Vannoy, President- John and

Mary Schatz- Grayson Homes at Hidden Bluff David B. Vannoy, VP

VARIANCE to approve a minimum distance of 5 feet from front building face to property line in lieu of the required 25 feet for Lots Nos. 18, 29 and 34. Variance to approve a minimum distance of 15 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 17 and 18 and Lot Nos. 29 and 30.

HEARING: Thursday, November 7, 2002 at 10:00 am in Room 407, County Court

Building 401 Bosley Avenue

Lawrence B. Schmidt

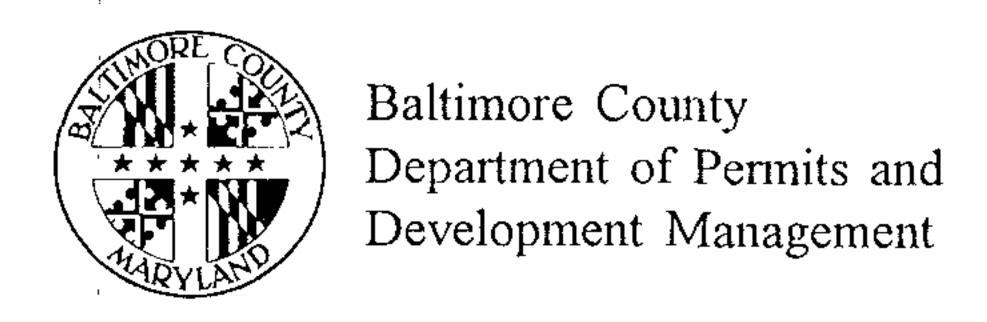
LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1)

(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.



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

October 7, 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: 03-156 SPHA
W/side Wilkins Avenue at SWC Valley Road
S/west corner of Valley Road and Wilkins Avenue
Election District 1st - Councilmanic District 1st

Legal Owner: Valley Road Limited Partnership, David B. Vannoy, President- John and Mary Schatz- Grayson Homes at Hidden Bluff David B. Vannoy, VP

VARIANCE to approve a minimum distance of 5 feet from front building face to property line in lieu of the required 25 feet for Lots Nos. 18, 29 and 34. Variance to approve a minimum distance of 15 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 17 and 18 and Lot Nos. 29 and 30.

HEARING: Thursday, November 7, 2002 at 10:00 am in Room 407, County Court

Building 401 Bosley Avenue

Arnold Jablon Director

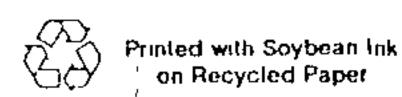
Cc: Robert A. Hoffman Venable, Baetjer and Howard LLP 210 Allegheny Avenue Towson, MD 21204

David B. Vannoy, President, 9025 Chevrolet Drive, Suite K Ellicott City, MD 21042 Mary L. Schatz 5444 Wilkins Avenue Baltimore, MD 21228

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY .Tuesday, October 22, 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 REVISION C



## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

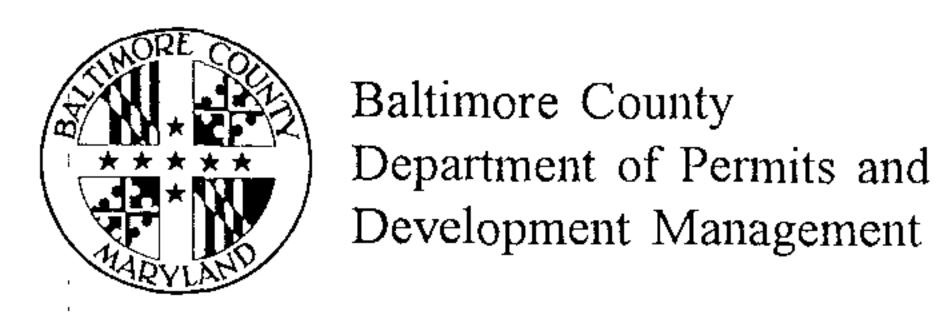
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 03-156-50HA  Petitioner: Valley Foad Limited Partnership  Address or Location: W/s of Wilkens Arenue @ SWC of Vilkens Arenue
and Valley for I
PLEASE FORWARD ADVERTISING BILL TO:
Name: Amy Dontell
Address: 20 Alleghern Avenue
Towson (M) 21204
Telephone Number: 410) 494-624

Revised 2/20/98 - SCJ







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

November 4, 2002

Robert A. Hoffman Venable, Baetjer and Howard, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-156-SPHA, Location: W/side Wilkins Avenue @ SWC Valley Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 27, 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.

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: Enclosures

People's Counsel c:

Valley Road Limited Partnership David B. Vannoy, President Grayson Development Co.,

LLC, General Partner

Grayson Homes At Hidden Bluff, LLC David B. Vannoy, VP 9025 Cheviolet Drive Ste K Ellicott City, MD 21042

John F.Schatz Mary L. Schatz 5444 Wilkins Avenue Baltimore, MD 21228

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

September 10, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

148-151, 153-158

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

cc: File

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** October 29, 2002

TO: Arnold Jablon, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** Zoning Advisory Committee Meeting

For October 15, 2002

Item Nos. 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, and 158

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

RWB:CEN:jrb

cc: File

Jh/7

## DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS 1767

DATE:

October 25, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 7, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

147-148, 150-154, 156-158

Jun 11/1

**DATE:** October 17, 2002

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

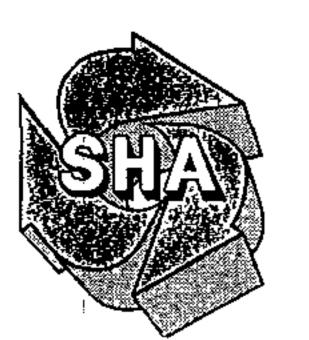
SUBJECT: Zoning Advisory Petition(s): Case(s) 03-156

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:

**Section Chief:** 

AFK/LL:MAC







### Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 10.4.02

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

RE: Baltimore County

Item No. 156

JRF

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/JS 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

_ <del>_//-</del>	
CASE NAME 03-156- SPHA	
CASE NUMBER 4)/S WILKINS,	9V E.
DATE 11/7/02	. <u>.</u>

## PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	.+ E- MAIL
DAVID KARCESKI DON MITTEN	210 ALLESKENY AVENUE 110 WEST RD, SURE 245 TOWSON BUT CENTREPLIK DNIP	CITY, STATE, ZIP  TUNSON MARYLAND	,
DON MITTEN	110 WEST RD, SURE 245 TOWSON	* 11	
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# Baltimore County Department of Environmental Protection and Resource Management

Office of the Director 401 Bosley Avenue, Suite 416 Towson, Maryland 21204

November 1, 2002

Mr. Dean C. Hoover Morris & Ritchie Associates, Inc. 110 West Road, Suite 245 Glen Arm, Md. 21057

Re: Hidden Bluff
Wilkens Avenue & Valley Road
Forest Conservation Policy Request

Dear Mr. Hoover:

This Department received your request to reduce the 35 foot setback from Forest Conservation Easement on two lots at the above referenced site. We determined that this request is in compliance with Baltimore County Policy 06-93. Therefore we approve your request to reduce the 35 foot setback to 27 and 33 feet from the Forest Conservation Easement on lots 32 and 16 respectively as shown on the exhibit on file with the following condition.

1. The following note must appear on all plans submitted for this project:

In accordance with Baltimore County Policy 06-93, the required 35 foot setback from the Forest Conservation Easement was reduced to 27 and 33 feet on lots 32 and 16 respectively. Conditions were placed on this variance to reduce forest conservation impacts. These conditions include, but are not limited to posting permanent protective signage along the Forest Conservation Easement."

If you have any questions regarding this correspondence please call John Russo at (410) 887-3980.

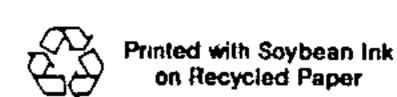
Sincerely yours,

Patricia M. Farr, Supervisor

**Environmental Impact Review** 

c: David Karceski

JGR/hiddenbfFCV





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dhkarceski@venable.com



November 18, 2002

#### HAND-DELIVERED

Timothy M. Kotroco, Deputy Zoning Commissioner for Baltimore County Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re: Petitions for Special Hearing and Variance

W/S Wilkens Avenue, SW/C Valley Road

1<sup>st</sup> Election District, 1<sup>st</sup> Councilmanic District

Case No. 03-156-SPHA

Dear Mr. Kotroco:

I am in receipt of your Findings of Fact and Conclusions of Law and accompanying Order dated November 8, 2002, and respectfully request that a correction be made to your Order. While it is clear from the body of your Findings of Fact and Conclusions of Law that you intended to grant all the relief necessary for approval of the site plan introduced in the case (Petitioner's Exhibit No. 2, copy enclosed), in the Order that relief is granted from incorrect subsections of Section 1B01.2.C.1 of the Baltimore County Zoning Regulations.

In Case No. 03-156-SPHA, Petitioner requested the following relief:

- Variance from Sections 1B01.2.C.1.c and 504 of the Baltimore County Zoning Regulations ("BCZR") and Division II, Section A, p.31 (Table VII) of the Comprehensive Manual of Development Policies ("CMDP") to allow a minimum distance of 5 feet from front building face to property line in lieu of the required 25 feet for Lot Nos. 18, 29 and 34.
- Variance from BCZR Sections 1B01.2.C.1.c and 504 and Division II, Section A, p.31 (Table VII) of the CMDP to allow a minimum distance of 15 feet from side building face to side building face in lieu of the required 25 feet for Lot Nos. 17 and 18 and Lot Nos. 29 and 30.

Chi Make



Timothy M. Kotroco, Deputy Zoning November 18, 2002 Page 2

The Order grants the necessary relief for the requested lots but does so pursuant to Sections 1B01.2.C.1.e and 1B01.2.C.1.1 rather than Section 1B01.2.C.1.c, referenced in the Petition filed in the case. As I am sure you are aware, I need to make sure your Order is perfectly clear to ensure that our client, Grayson Development Company, LLC, does not have any problems at the permitting stage.

I would appreciate it if you would countersign this letter to indicate your agreement with this correction and include it in the permanent case file for the case.

Thank you for your attention to this matter.

Very truly yours,

David H. Karceski

AGREED AND APPROVED:

Timothy M. Kotroco,

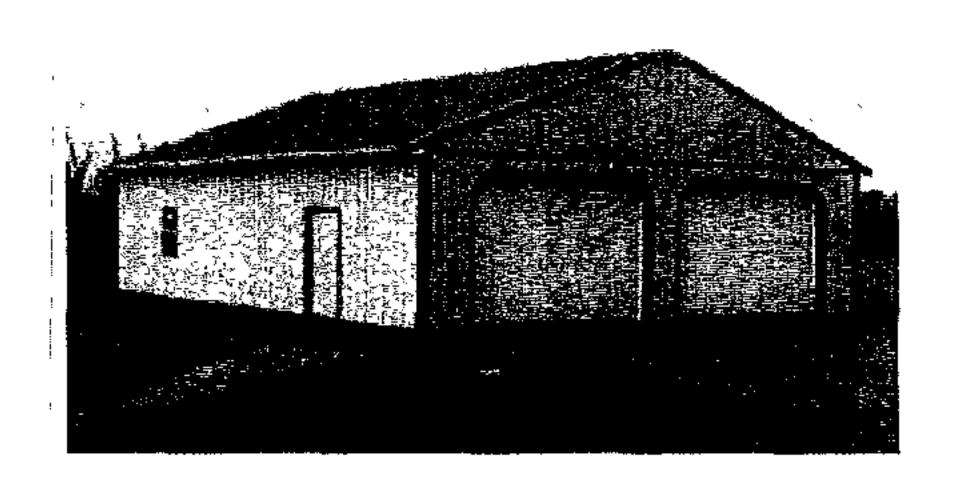
Deputy Zoning Commissioner

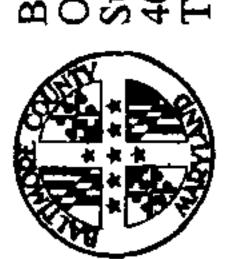
for Baltimore County

DHK

Enclosure

TO1DOCS1/DHK01/#149358 v1





Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

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