

JOHN A. OLSZEWSKI, JR. County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

April 1, 2024

Srinivasa Rao Valluri - <u>srini.valluri@yahoo.com</u> 124 Judges Lane Towson, MD 21204

RE: Petition for Administrative Variance

Case No. 2024-0052-A Property: 124 Judges Lane

Dear Petitioner:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

ANDREW M. BELT Administrative Law Judge for Baltimore County

AMB:dlw Enclosure

c: Michael A. Bergamini, Esquire - mbergamini@whhlawfirm.com

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE (124 Judges Lane)

8th Election District * OFFICE OF ADMINISTRATIVE 2nd Council District

Srinivasa Rao Valluri * HEARINGS FOR

* BALTIMORE COUNTY

Petitioner * CASE NO. 2024-0052-A

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") as a Petition for Administrative Variance filed by the legal owner of the property, Srinivasa Rao Valluri ("Petitioner") for the property located at 124 Judges Lane, Towson (the "Property"). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR"), Section 1B02.3.B (1B01.2.C.4, 1970, Residential Transition Area ["RTA"], DR 3.5 zone), to permit a 15 ft. side yard setback, if necessary, in lieu of the Final Development Plan ("FDP") shown/required 30 ft. and amend the last approved FDP of Ruxton Crossing Townhouses for a proposed 1 story addition. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-2D). There were no adverse Zoning Advisory Committee ("ZAC") comments received from any of the County reviewing agencies.

It is to be noted that originally a Formal Demand for Hearing was filed by the Ruxton Crossing Homeowners Association, Inc. on March 25, 2024. However, on March 28, 2024, an email was received from Michael A. Bergamini, Esquire with Winegrad, Hess & Heimlicher, LLC that they wish to withdraw/cancel its Formal Demand for Hearing filed in this matter and no longer wish to intervene.

The Petitioner having filed a Petition for Administrative Variance and the Property having been posted on March 10, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code ("BCC"). In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner. It is affied by the Petitioner that a resident of the home has recently suffered a stroke and is in need of assistance to perform activities of daily living. Consequently, a first-floor bedroom is being constructed to conform to the needs of this individual who requires wheel chair assistance. I find that there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted.

Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>1st</u> day of April, 2024, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), Section 1B02.3.B (1B01.2.C.4, 1970, Residential Transition Area ["RTA"], DR 3.5 zone), to permit a 15 ft. side yard setback, if necessary, in lieu of the Final Development Plan ("FDP") shown/required 30 ft. and amend the last approved FDP of Ruxton Crossing Townhouses for a proposed 1 story addition, be, and they are each hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

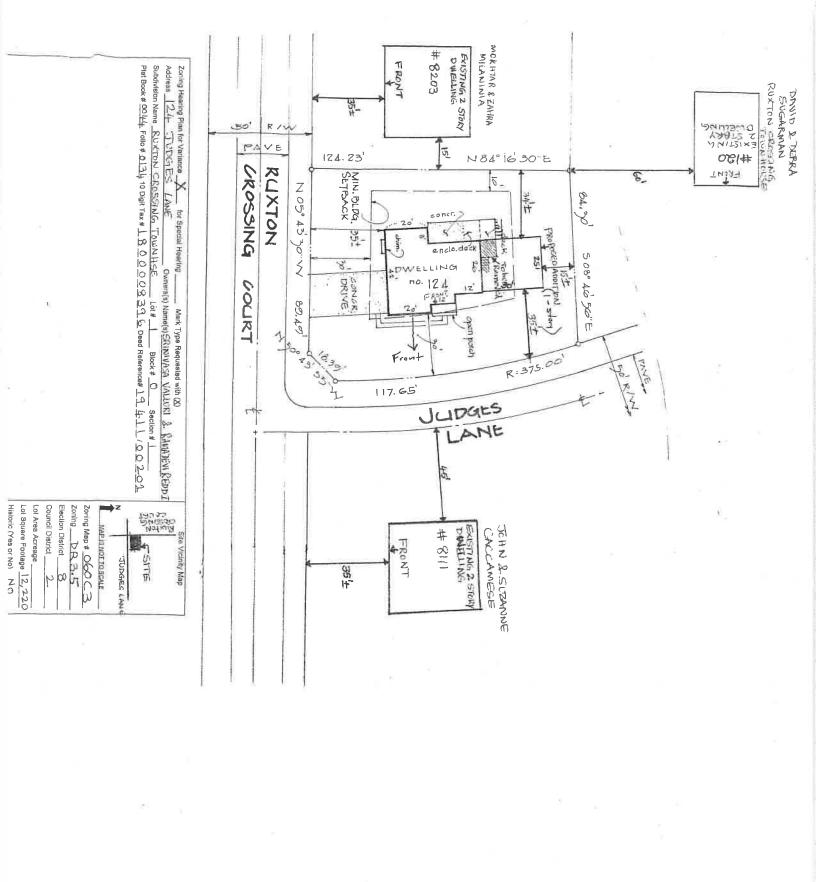
- Petitioner may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein.
- The email dated March 28, 2024 from Michael A. Bergamini, Esquire is attached and incorporated herein.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

ANDREW M. BELT Administrative Law Judge

for Baltimore County

AMB:dlw



Donna Mignon

From:

Debra Wiley

Sent:

Thursday, March 28, 2024 9:56 AM

To:

Michael A. Bergamini; Jeffrey N Perlow

Cc:

dmingon@baltimorecountymd.gov; srinivasa valluri; Donna Mignon; Administrative

Hearings

Subject:

RE: Scheduling of Hearing for Case No. 2024-0052-A - 124 Judges Lane - Valluri -

Formal Demand for Hearing Filed

Follow Up Flag:

Follow up

Flag Status:

Flagged

Good Morning,

Our office is in receipt of your email and have noted that the Formal Demand for Hearing has been withdrawn.

We will now process as an Administrative Variance and forward to the appropriate judge for their review and issuance of an Order, which will be sent via email once completed.

Thank you and have a great and safe day.

From: Michael A. Bergamini < mbergamini@whhlawfirm.com >

Sent: Thursday, March 28, 2024 9:24 AM

To: Jeffrey N Perlow < JPerlow@baltimorecountymd.gov>

Cc: Debra Wiley <dwiley@baltimorecountymd.gov>; dmingon@baltimorecountymd.gov; srinivasa valluri

<srini.valluri@yahoo.com>

Subject: FW: Scheduling of Hearing for Case No. 2024-0052-A - 124 Judges Lane - Valluri - Formal Demand for Hearing

Filed

CAUTION: This message from mbergamini@whhlawfirm.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning.

As per my phone call with Jeff this morning, my client, Ruxton Crossing Homeowners Association, Inc. wishes to withdraw/cancel its Formal Demand for Hearing filed in this matter and no longer wishes to intervene. Please let me know if anything else is needed at this time. Thanks!

Best regards,

Michael

Michael A. Bergamini, Esquire

Winegrad, Hess & Heimlicher, LLC

400 Redland Court, Suite 212 Owings Mills, Maryland 21117

Tel: 410-581-0600 | Fax: 410-581-0455

mbergamini@whhlawfirm.com

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af0QakrODTKqPqrGsPHTgcqfsBytTFlAjo_ipG9Ek5/http%3A%2F%2Fwww.whhlawfirm.com

This e-mail message from Winegrad, Hess & Heimlicher, LLC contains confidential information for the use only of the intended recipient and may constitute a communication protected by the attorney-client privilege. If you are not the intended recipient or person responsible for delivering it to the intended recipient, you are hereby notified that any use, distribution, or copying of this communication or its contents is strictly prohibited. If you have received this communication in error, please reply to this e-mail and notify us immediately by telephone at (410) 581-0600.

From: srinivasa valluri < srini.valluri@yahoo.com >

Sent: Wednesday, March 27, 2024 8:08 PM

To: Michael A. Bergamini < mbergamini@whhlawfirm.com>; Debra Wiley < dwiley@baltimorecountymd.gov>

Cc: Donna Mignon < dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of Hearing for Case No. 2024-0052-A - 124 Judges Lane - Valluri - Formal Demand for Hearing

Filed

Hello Debra.

I am good with the Monday, April 29, 2024 at 10 AM or 11 AM date.

Thanks,

Srini.

On Wednesday, March 27, 2024 at 08:07:15 PM EDT, srinivasa valluri srinivasa valluri <a href="mailto:sri

Hello Debra,

This is Srini Valluri, Currently we have Administrative Variance Sign for the last two weeks in the yard, Do i need to contact the same person to repost a new sign? also what information do i need to provide to them to post the sign. Could you please send me the information.

Thanks,

Srini.

On Wednesday, March 27, 2024 at 08:07:51 AM EDT, Debra Wiley < dwiley@baltimorecountymd.gov > wrote:

Good Morning All,

A "formal demand" for a hearing has been filed for the Administrative Variance in the above-referenced matter.

As a result, this case will need to be set in for a virtual hearing (using the Webex platform) before the Administrative Law Judge in the Baltimore County Office of Administrative Hearings. This will involve reposting the property with a new sign reflecting the hearing date information as well as a new advertisement in the newspaper. You will be responsible for contacting the sign poster and making those arrangements. Kristen Lewis, with the Office of Zoning Review, will handle the newspaper advertisement, however, the billing will be issued to you by the newspaper.

I can offer Monday, April 29, 2024 at 10 AM or 11 AM, and need all parties' responses contained herein before moving forward. Once confirmed, you will receive another email with the details as well as the Webex invitation to participate in the hearing.

Thank you and have a great and safe day.

CONNECT WITH BALTIMORE COUNTY

www.baltimorecountymd.gov





ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Hearings for Baltimore County for the property located at:

101 - TOLICO	1 000 -21-	×1 0	D02-E	5 6
Address 124 JUDGES LANE, TOWSO	,	Currently Zone	0 0 0 2	9 (
	git Tax Account #	PASSA	U O CARE	716
wner(s) Printed Name(s) <u>SRINIVASA</u> RADVA	HURLA	KATIVIET DEN	I KEDDI	E
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE APPROPI	RIATE SELECTION	S) AND ADDING THE	PETITION REQUE	EST)
or Administrative Variances, the Affidavit on the reverse of this Petition	form must be compl	eted and notarized.		
he undersigned, who own and occupy the property situate in Baltimore Cou ereof, hereby petition for an:				
ADMINISTRATIVE VARIANCE from Section(s) 17302.3. I Transition Areas, DR 3.5 Zone) to permit if necessary, in Hen of the final deve 30-feet and amond the last approved FDF	3(1301.2.0	2.4, 1970, 6	Posilential	
Transition Areas, DR3.5 Zone) to permit	1 a 15-fo	ot side yar	L Scolback,	,
of necessary, in the of the first accord FDI	of Ruxton	Crossing To	an poux	R_
f the zoning regulations of Baltimore County, to the zoning law of Baltimore	County a pro	poseld 1- 5	tory aldit	10 mc.
ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursua	ant to Section 32-4-1	107(b) of the Baltimore	County Code: (ind	icate type of
ork in this space: i.e., to raze, alter or construct addition to building)				
f the zoning regulations of Baltimore County, to the zoning law of Baltimore	e County.			
roperty is to be posted and advertised as prescribed by the zoning regulati	ions.			2
we agree to pay expenses of above petition(s), advertising, posting, etc. a	and further agree to b	e bound by the zoning	regulations and res	strictions of
altimore County adopted pursuant to the zoning law for Baltimore County.				
Owner(s)/Petitioner(s):				
PRINIVASA RAO VALURI				2
	- Type or Print	 8		9 - 1
V. Limitalakero	<u> </u>			
Signature #1 Signa	ature # 2			9
124 JUDGES LANE TOWSON	MD			
Mailing Address City	State	I I O I O MAIL O	0.000	n
Dip Code Telephone #'s (Cell and Home)	Email Address	LURIGYAHO	0.0011	
TOO SOLD WITH THE TOTAL PROPERTY AND THE TOTA	Donrocont	ative to be Contact	ad:	
Attorney for Owner(s)/Petitioner(s):	Kepresein	a bouc	eu.	
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A PUBLIC HEARING having been formally demanded and/or found to I	he required it is or	dered by the Office of	Administrative Hea	rings for
A PUBLIC REARING having been formally demanded and/or found to				
Baltimore County, this day of, nearing, advertised, and re-posted as required by the zoning regulations of	Baltimore County.	e subject matter of this	petition be set for a	public
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Administrative	Law Judge for Baltime	ore County	
Case Number 2004 - 9052 - A Filing Date 2 20	2024 Estimate	d Posting Date 3	10124	Reviewer
	Closing			Revised 8/2022
)	Ī	

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 124 JUDGES LANE	TOWSON	MD	21204
Print or Type Address of Property	City	State	Zip Code
Based upon personal knowledge, the following are	al difficulty or hardship l My family re nce in comple	nere) cently had ting batic com with att	a Brain
to have his condition the	cked on a f	requent b	o he is wheel ne hospital asis. Based 2000ae tho
Proposed construction of on one main level.	a new bed to	4	End bath room
(If additional space for the petition request or the above the signature of Owner (Affiant) SRINIVA SA RAO VALLUR). Name - Print or Type	Signature of Ow RAMA Name - Print or	ner (Affiant) DEVIRE	to this Form)
The following information is to be comp	oleted by a Notary Pub	olic of the State of	Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, t	o wit:		
and for the County aforesaid, personally appeared:		, before me a No	
Print name(s) here: RAMA DEVI RE	DOI, SRIN	IVASA RAC	> VALLYRA
the Affiant(s) herein, personally known or satisfactorily i	identified to me as such Ai	ffiant(s).	
AS WITNESS my hand and Notaries Seal Notary Public 10 6 2 5 My Commission Expires	Shew	KATHLEEN MCNE Notary Pr Baltimore C Maryla My Commission Expir	ublic County nd



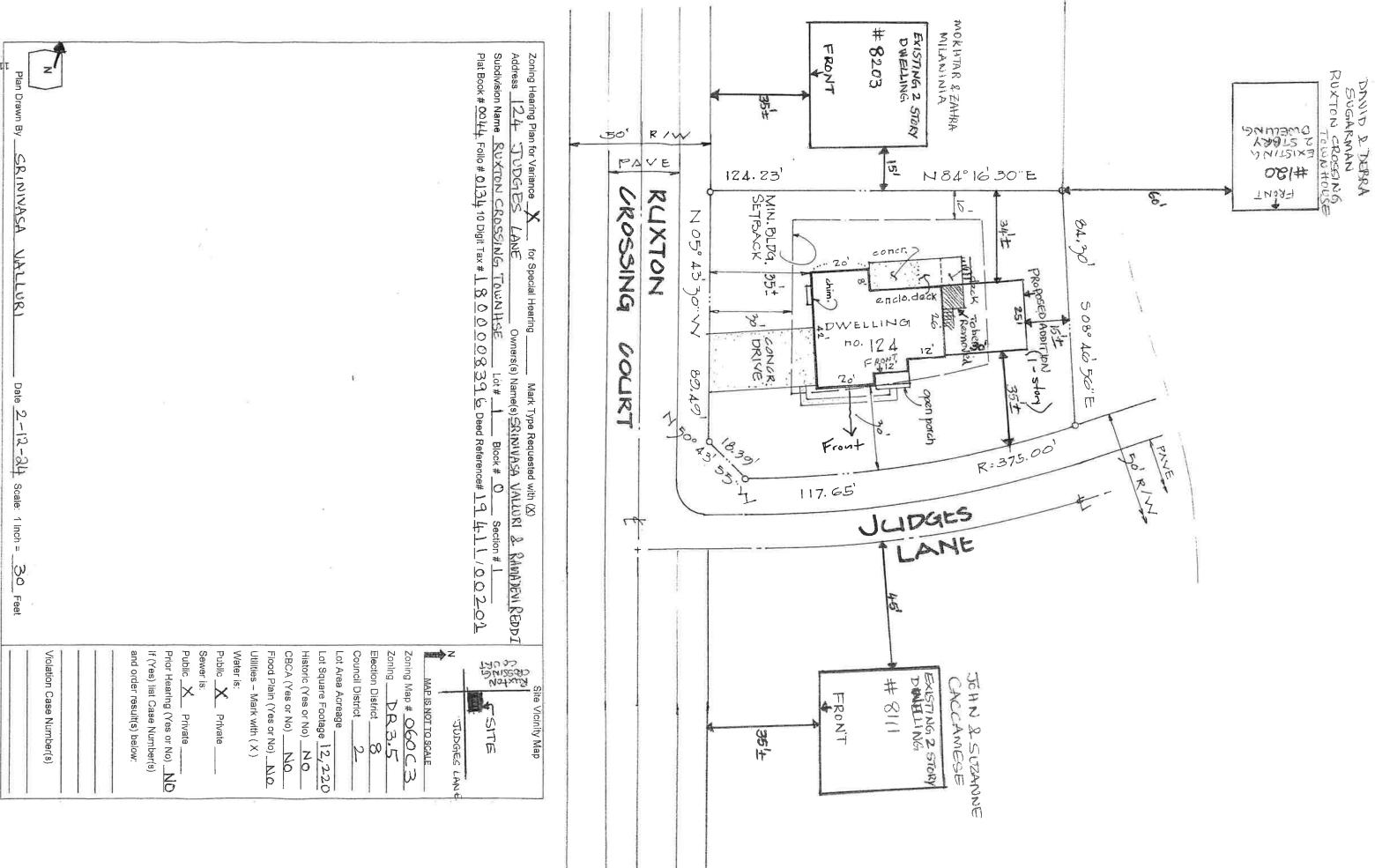
The Zoning Petition Property Description

Zoning Property Description for 124 Judges Lane

Beginning at a point on the West side of Judges lane on which the property fronts, which is 50 feet of right-of-way width wide, at the distance of 50 feet North of the centerline of the nearest improved intersection street Ruxton crossing court which is 30 feet of right-of-way width wide.

Being Lot # ($\underline{1}$), Block ($\underline{0}$), Section # ($\underline{1}$) in the subdivision of the Ruxton Crossing Town House recorded in Baltimore County Plat Book # ($\underline{0044}$), Folio # ($\underline{0134}$), containing 12,220 total square feet. Located in the ($\underline{8}$) Election District and ($\underline{2}$) Council District.

2024-6052-A



2024-0052-A

				Rev Source/	Sub Rev/	Date.	~ "	76/2024	
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BALTIMORE COUNTY DEPARTMENT OF REPAITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case No	miber 2824 0052 A Address 124 Tudges Care
	Person: Mitch Collman Phone Number: 410-887-3391
Filing D	ate: 2 26/2024 Posting Date: 3/10/2024 Closing Date: 3/25/24
Amy bor	person (planner) using the case number.
	POSTING/COST. The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The conting notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
	DEADLINE: The closing date is the deadline for a neighbor loccupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
	ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
	POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that most go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative law lodge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the aftered sign must be forwarded to this office.
Petitio	ner: This Part of the Form is for the Sign Poster Only perad. None named line?
2.	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Č≥se Ñi	mober: 2024 - 0052 - Address 124 Judges Lune Sinivasa Valluri Telephone (Tell) 410 - 499 - 5903
Petition	ner's Name: Stank Relli Telephone (Cell) 4/0- 4/99-5903
Pesting	Date: 3/10/24 Closing Date: 3/24/24
Wordin	efor Sign: To Permit to permit a 15 - toot sile yards
1+ (E)	necessary, in New of the final development plan
an	word FDP of Rexton Crossing Towhorsesfor a
Pa	posel 1- Story allition.
1	Revised 1/2022

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS.

ZONING REVIEW OFFICE.

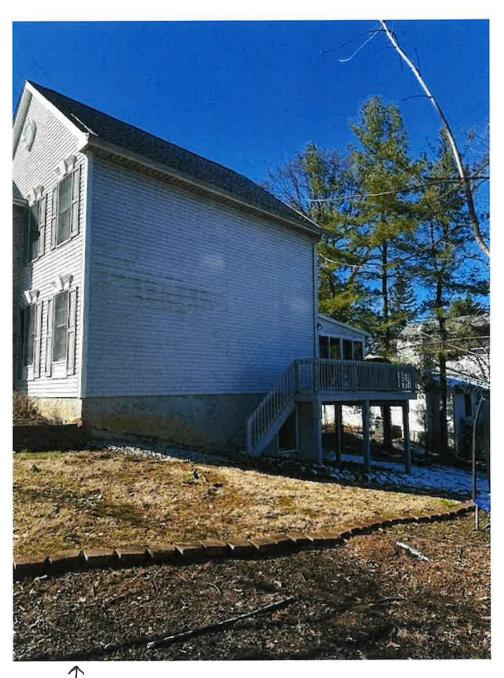


Front of the house facing Judges lane.

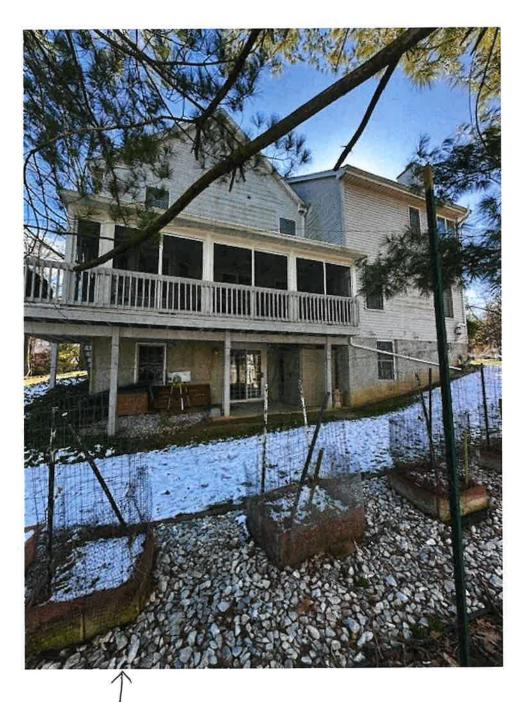
2024-0052-A



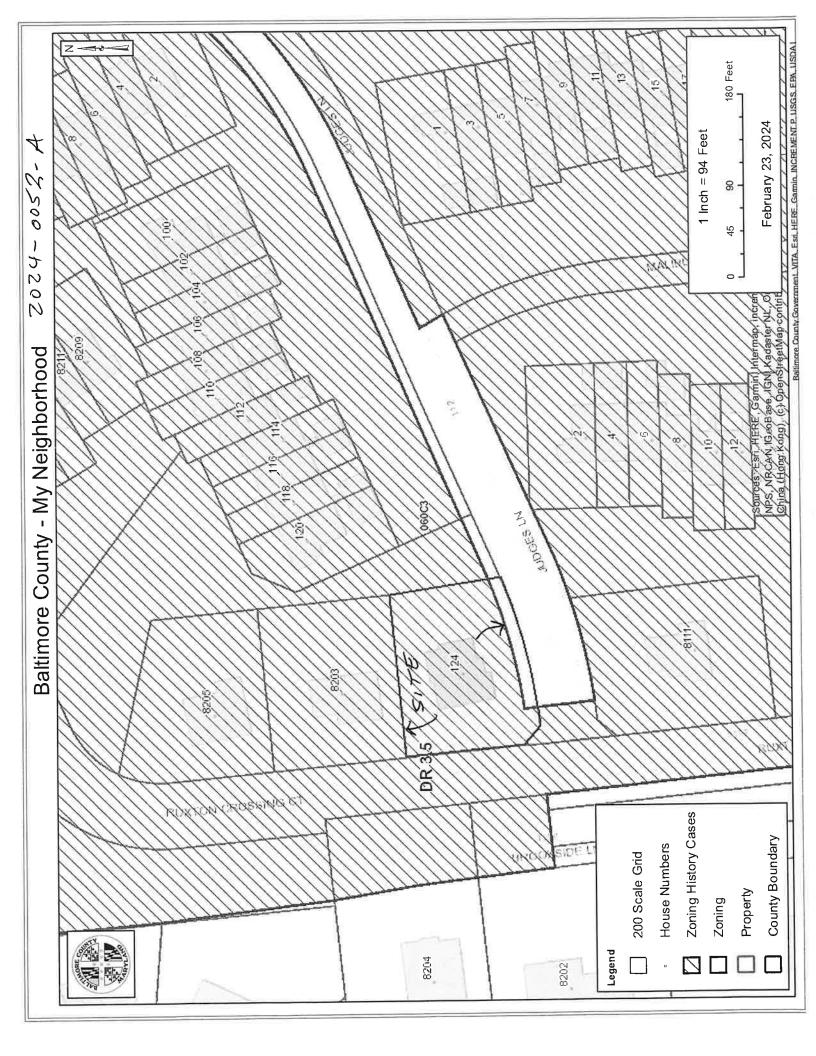
Side of the house facing Ruxton Crossing Court.



Side of the house facing the Ruxton crossing Townhouse



Back of the house.



Real Property Data Search () Search Result for BALTIMORE COUNTY

View Map

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier:

District - 08 Account Number - 1800008396

Owner Information

Owner Name: Mailing Address: VALLURI SRINIVASA RAO

RESIDENTIAL

REDDI RAMA DEVI Principal Residence:YES

Deed Reference:

124 JUDGES LA

/19411/ 00201

BALTIMORE MD 21204-2045

Location & Structure Information

Premises Address:

124 JUDGES LN **BALTIMORE 21204-2045** Legal Description: .2805 AC

124 JUDGES LN

RUXTON CROSSING TOWNHSE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 3

Plat Ref: 0044/ 0134

0060 0023 0115 8050098.04

0000

0 1 2023

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use 2,450 SF

12,220 SF

Stories Basement Type

Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

2 full/ 1 half 1 Attached STANDARD UNIT SIDING/5 YES

Value Information

	Base Value	Value	Phase-in Assessments		
		As of 01/01/2023	As of 07/01/2023	As of 07/01/2024	
Land:	137,000	137,000			
Improvements	293,000	351,300			
Total:	430,000	488,300	449,433	468,867	
Preferential Land:	0	0			

Transfer Information

Seller: MUTCH PATRICK F Type: ARMS LENGTH IMPROVED Date: 01/09/2004 Deed1: /19411/ 00201 Price: \$445,000 Deed2:

Seller: MATSON HOMES INC Type: ARMS LENGTH IMPROVED Date: 03/25/1991 Deed1: /08740/ 00773

Price: \$230,100 Deed2: Price:

Deed2:

Seller: Type:

Date: Deed1:

Exemption Information

Partial Exempt Assessments: Class 000 County:

07/01/2023 0.00 0.00 0.00|0.00

07/01/2024

0.00|0.00

State: Municipal: 000 Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 08/09/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No ApplicationDate:

2024-0052-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/10/2024

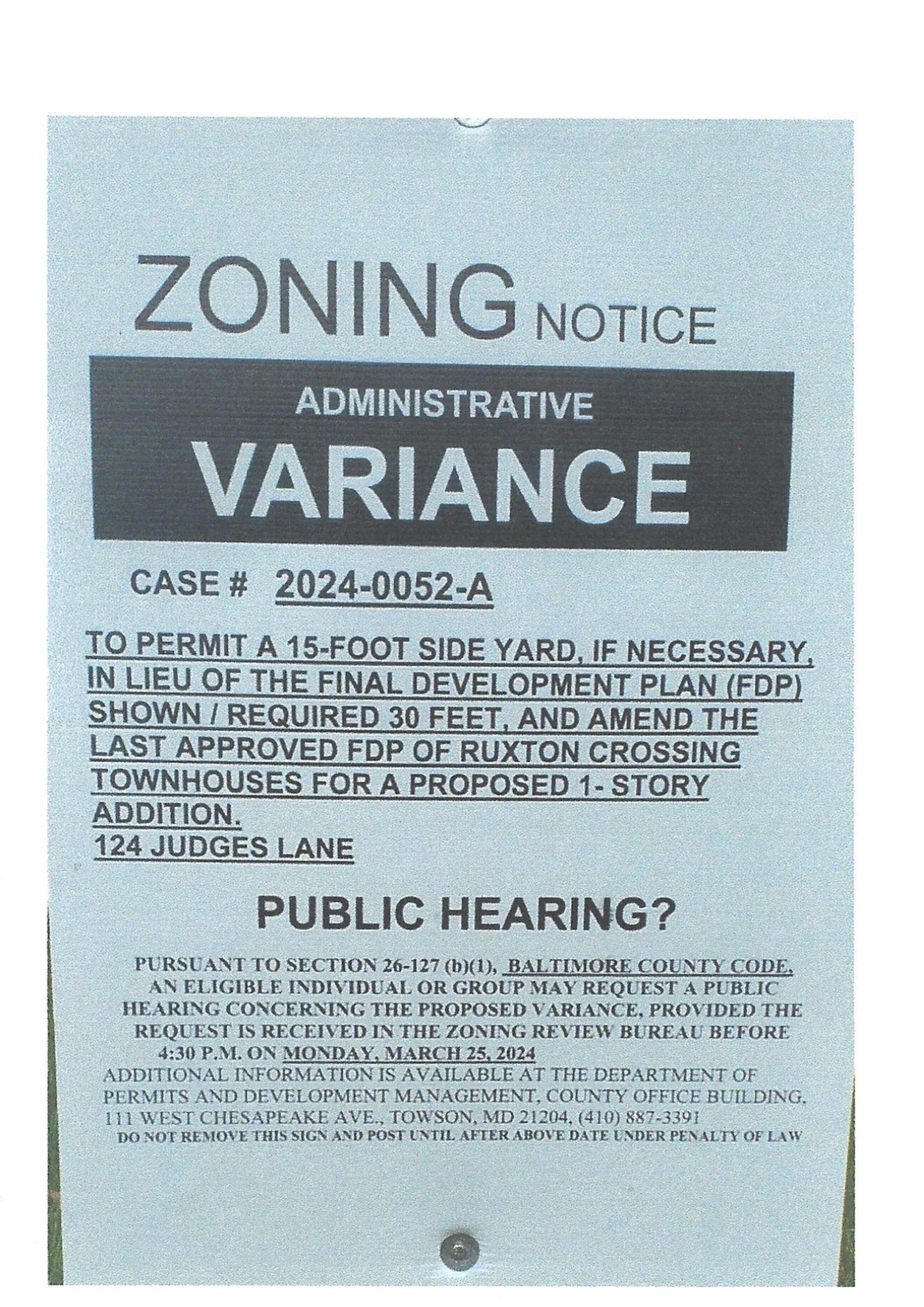
Case Number: 2024-0052-A

Petitioner / Developer: SRINIVASA VALLURI & RAMA REDDI

Date of Closing: MARCH 25, 2025

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 124 JUDGES LANE

The sign(s) were posted on: MARCH 10, 2024



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge

Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE: March 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0052-A

Address: 124 JUDGES LANE Legal Owner: Srinivasa Rao Valluri

Zoning Advisory Committee Meeting of March 11, 2024.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director DATE: March 7, 2024

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

Case 2024-0052-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment

DPW-T: No Exception taken.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.