

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of June, 1987, that the Petition for Zoning Variance to permit window to property line setback of 13 feet in lieu of the required 15 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

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 such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Charles J. Ball
Zoning Commissioner of
Baltimore County

AJ/srl

cc: John J. Nagle, III, Esquire

People's Counsel

ORDER RECEIVED FOR FILING

Date June 17, 1987
By John J. Nagle, III

The Ryland Group, Inc.
698 Fairmount Avenue, Suite 102
Towson, Maryland 21204

May 8, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
SE/S Yew Rd., 120' SW of the c/l of Yew Ct.
(43 Yew Rd.)
15th Election District - 6th Councilmanic District
The Ryland Group, Inc. - Petitioner
Case No. 87-491-A

TIME: 9:30 a.m.

DATE: Monday, June 15, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

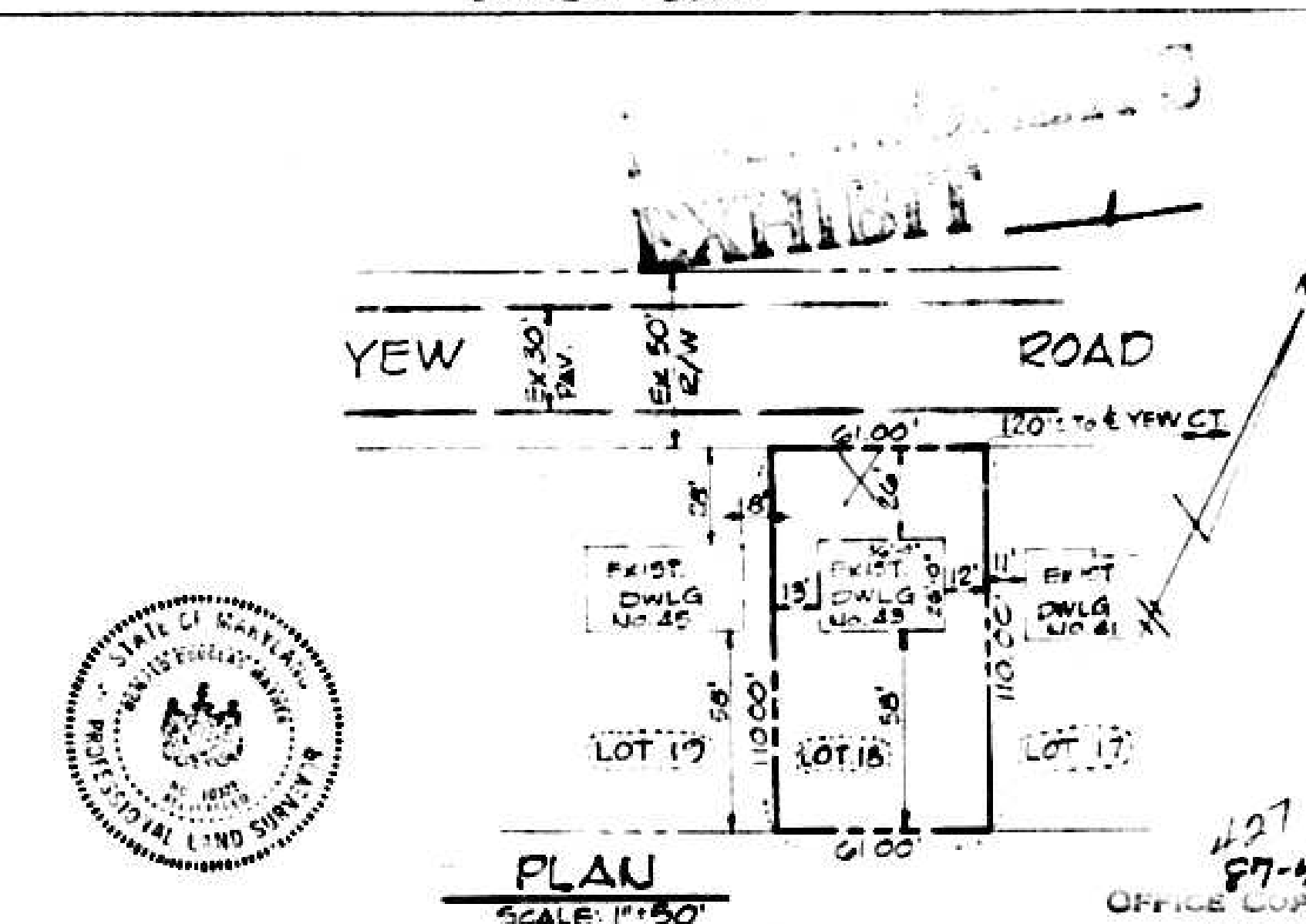
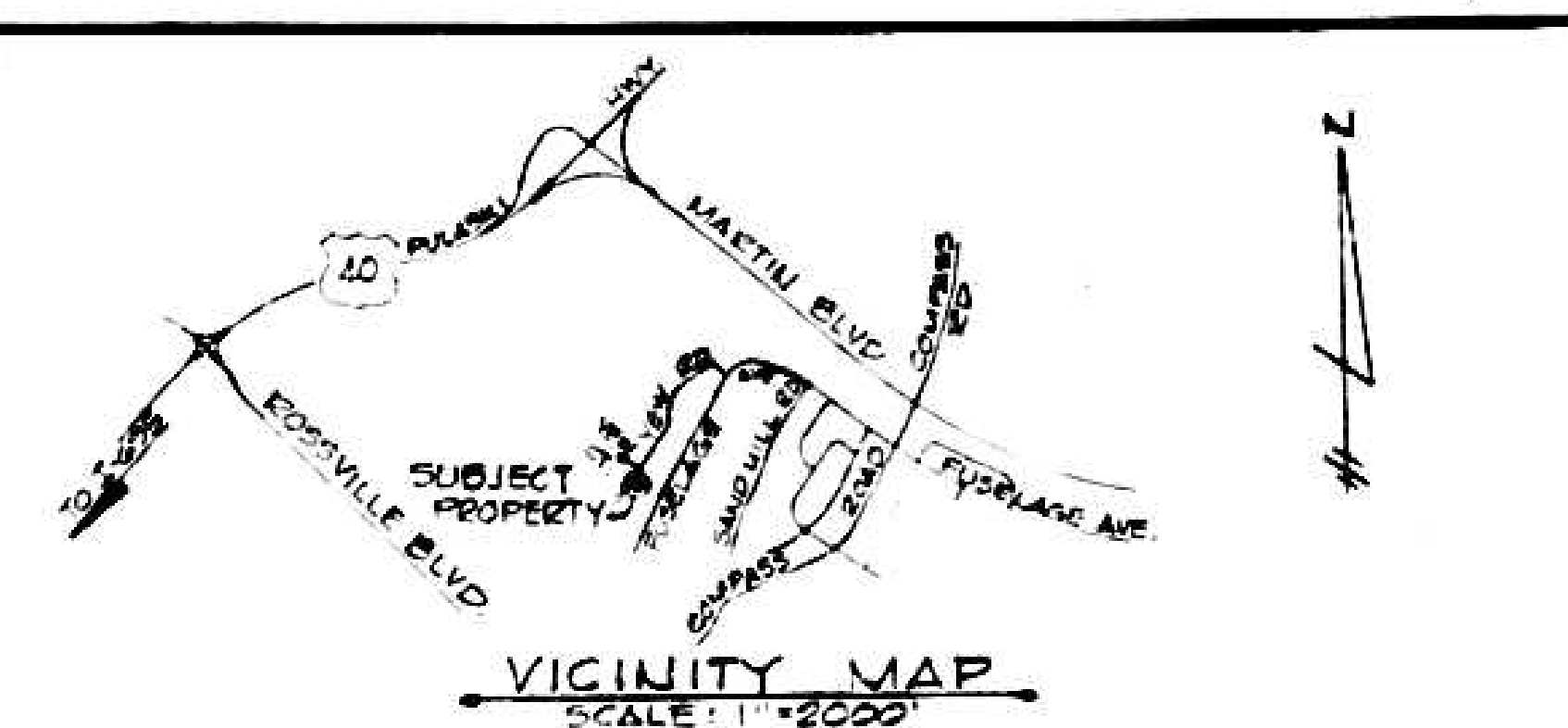
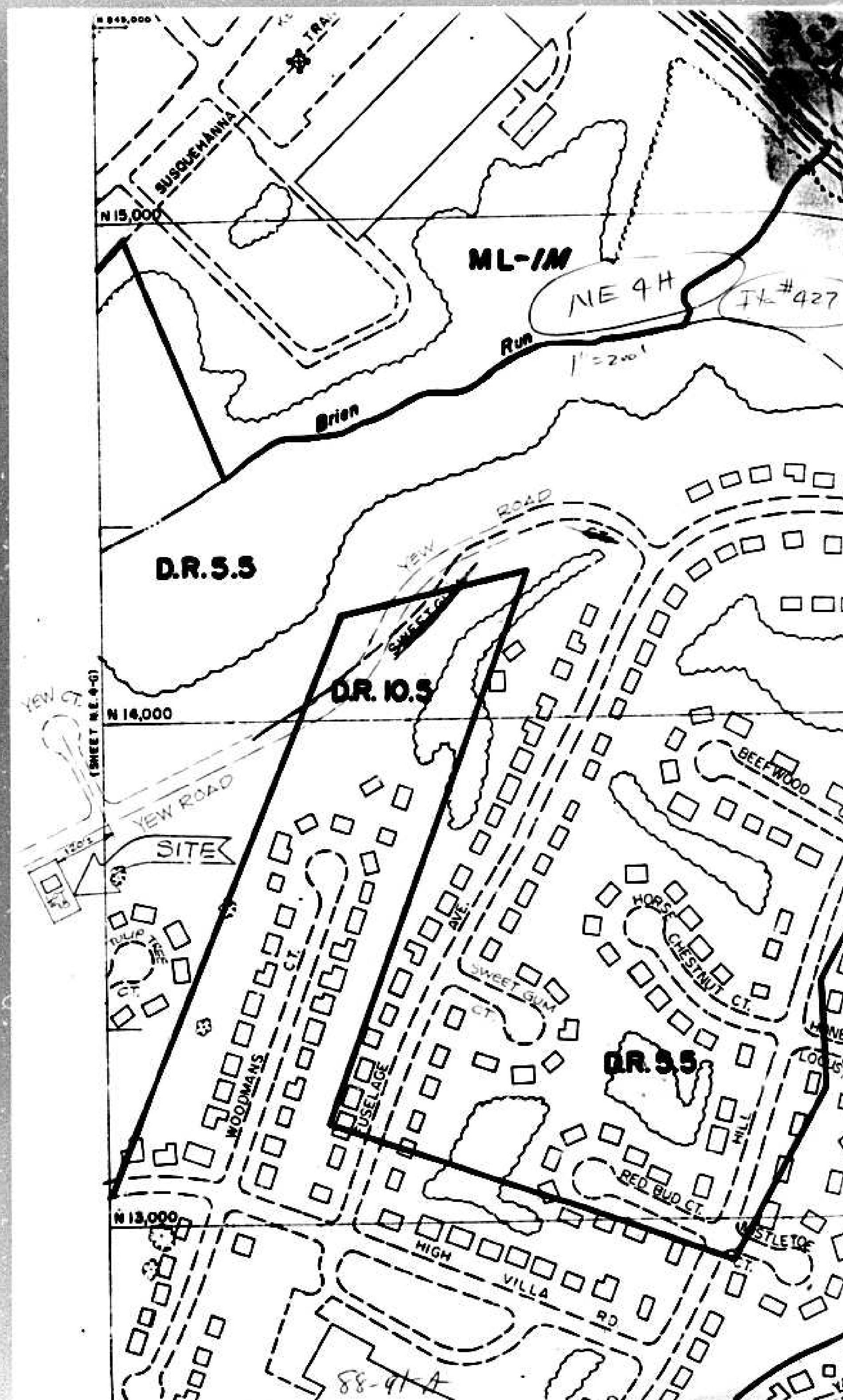
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 32559

DATE 6/15/87 ACCOUNT 01-615-000
AMOUNT \$ 75.00
RECEIVED FROM: Development Evg. Co.
FOR: Res. Var. # 427
8 8020*****35001a 81087
VALIDATION OR SIGNATURE OF CARRIER

Charles J. Ball
Zoning Commissioner
Baltimore County



PLAT FOR ZONING VARIANCE
OWNER: THE RYLAND GROUP, INC.
DISTRICT-1506 ZONED-DR-5.3
SUBDIVISION: BRIEN RUN VILLAGE
LOT 18, PLAT 2, BOOK 54, FOLIO 33

NOTE: EXISTING UTILITIES IN YEW ROAD

Development Engineering Consultants, Inc.
SITE ENGINEERING & SERVICES

Drawn SLE Scale: AS SHOWN Date: 4-14-87
Check S.B.S.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
day of April, 1987.

Petitioner: The Ryland Group, Inc.
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning, Commissioner Date: May 13, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 87-491-A, 87-492-A, 87-497-A, 87-498-A and 87-501-A

There are no comprehensive planning factors requiring comment on these petitions.

NEG:JGH:sib

RECEIVED
MAY 15 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. Wayne Flack
The Ryland Group, Inc.
698 Fairmount Avenue, Suite 102
Towson, Maryland 21204

RE: Item No. 427 - Case No. 87-491-A
Petitioner: The Ryland Group, Inc.
Petition for Zoning Variance

Dear Mr. Flack:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Mr. Sam Shockley
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Maryland 21212

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-1500

Paul H. Rencke

April 28, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: The Ryland Group

Location: SE/S Yew Road, 120' SW centerline Yew Court

Item No.: 427

Zoning Agenda: Meeting of 4/28/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle lead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Sam Shockley 4/21/87 Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John B. Reisinger Date: May 11, 1987
FROM: James E. Dyer
SUBJECT: Lot #18, Brien Run Village

Please be advised that this office is approving the issuance of an Occupancy Permit conditioned on the agreement contained in the attached letter.

If you desire any further information, please contact me at your convenience.

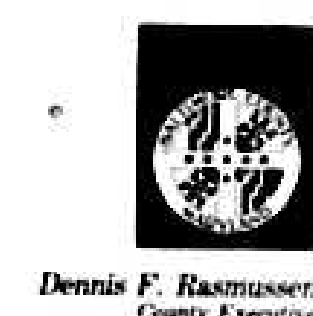
/20

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

May 4, 1987

Mr. Michael M. Brodsky
Vice President
The Ryland Group, Inc.
698 Fairmount Avenue, Suite 102
Towson, Maryland 21204



RE: 2' Side Yard Variance
Item #427
Lot #18, Brien Run Village
15th Election District

Dear Mr. Brodsky:

Notwithstanding our correspondence of April 28, 1987, regarding an early hearing date and the probability of the requested variance being granted; you have recently informed us of a misunderstanding regarding the construction of the premises. The premises have been constructed and are ready for occupancy pending the issuance of a Use and Occupancy Permit by the Department of Permits and License, Building Engineer. Due to the fact that the building setback deficiency was not discovered until recently, the premises have been sold and the buyers have sold their premises and must vacate said premises by May 12, 1987. Unless a Occupancy permit is granted, the buyers must store their furniture and live in a hotel until such time as the variance deficiency has been corrected. In order to alleviate this hardship you are now requesting that we release the occupancy permit with the understanding that failure to obtain a variance, via the hearing scheduled for June 15, 1987, you and/or the buyers, the legal owners of the property will physically remove the window and make any and all structural changes required by the Buildings Engineer.

Please have the buyers and present legal owners sign in the spaces provided below and return to this office. Upon receipt of the signatures, we will request the building engineer to release the use and occupancy permit.

OWNERS/CONTRACT PURCHASERS
LOT 18, YEW ROAD, BRIEN RUN VILLAGE

Douglas A. Bennett 5/25/87
DATE

Barbara A. Bennett 5/25/87
DATE

PRESENT OWNERS/SELLERS
LOT 18, YEW ROAD, BRIEN RUN VILLAGE

Michael Brodsky 5/6/87
DATE

V.P. Ryland Group Inc.

Mr. Michael D. Brodsky
May 4, 1987
Page Two

If you have any questions, please do not hesitate to call.

Sincerely,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

JED:kkb

Hartshorn Lower Creek
JFay Dock.

Enclosures
Hand Carried
cc: Michael H. Brodsky
D.F.L.

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