

IN RE: PETITION FOR ZONING VARIANCE
Old Elm Ct. NW of Hill Spring Dr.
Lots 56, 64, 72, and 74
8th Election District
3rd Councilmanic District
Diversified Homes, M.P. of
Maryland and
Hillside at Seminary Joint
Venture - Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-426-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit window to property line setbacks of 11 feet for Lot 64 and 7 feet for Lot 72 in lieu of the required 15 feet for each; and a window to street setback of 16 feet for Lot 56 and 15 feet for Lot 74 in lieu of the required 25 feet for each, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Jan Kiracofe, Project Production Manager, appeared, testified, and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Julie Higgins, Landscape Architect with Crozier Associates; John Copes, Vice President, Excelsior Properties, Inc., General Partner of Hillside at Seminary Joint Venture, Developer of the subject property; and Melvin Mossowitz, Contract Purchaser of Lot 64. There were no Protestants.

Testimony indicated that the subject properties, known as Lots 56, 64, 72 and 74 are part of the 19-lot subdivision of Hillside at Seminary and are in various stages of development. Testimony indicated that variances are required for Lots 56 and 74, the two end lots on the corners of Elm Court and Hill Spring Drive, even using the smallest footprint model, the Dorsey, which is compatible to other homes in the development. Petitioners argued a home built by any other builder would have similar problems. Mr. Mossowitz testified as to his preference for development of

Lots 56 and 74 by Petitioner to insure compatibility. Petitioners contend the variances requested will have no adverse impact on the health, safety or general welfare of the community. Further, Petitioners pointed out the variances about Hill Spring Drive and the land across the street is dedicated open space.

Testimony presented indicated that construction of the dwellings for Lots 64 and 72 has commenced. Lot 64 had the foundation laid and Lot 72 was framed to the first floor when in February 1989 the Petitioners were advised by the developer's engineers that all the lots in the subject development were subject to Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) and Sections 1801.2C.6 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) which required a window to property line setback of 15 feet. It was subsequently determined that the subject properties in addition to one other property in the development were in violation of this regulation. Petitioners subsequently contacted Crozier Associates, who had been employed to layout the development in compliance with County regulations. Ms. Higgins testified the error was made by her firm on three properties in this development. Pictures and testimony presented indicated that the spirit and intent of the zoning regulations would be met if the variance were granted for Lots 64 and 72 due to the location and staggering of the houses on adjoining properties. Testimony indicated that at the time the violation was noted, Lot 64 was under contract for purchase by Mr. Mossowitz. Petitioners argued that the granting of the requested variance will not result in any detriment to the health, safety or general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the 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 the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial 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.

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

It is clear from the testimony that if the variances are granted, such uses as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of May, 1989 that the Petition for Zoning Variance to permit window to property line setbacks of 11 feet for Lot 64 and 7 feet for Lot 72 in lieu of the required 15 feet for each; and a window to street setback of 16 feet for Lot 56 and 15 feet for Lot 74 in lieu of the required 25 feet for each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall not request any other variances for any of the 19 lots in the Hillside at Seminary development located off of Old Elm Court as set forth in Petitioner's Exhibit 1.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:hjs

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

ZONING DESCRIPTION FOR LOT 72

Beginning on the southside of Old Elm Court, 40 feet wide at the distance of 200 feet west of the centerline of Hill Spring Drive. Being Lot 72 in the subdivision of The Hillside at Seminary, Plat Two. Book E.H.K., Jr. 53 folio 74. Also known as #5 Old Elm Court in the eighth Election District.

03-01-89

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

ZONING DESCRIPTION FOR LOT 74

Beginning on the corner of the southwest side of Old Elm Court, 40 feet wide with the northwest side of Hill Spring Drive, 50 feet wide at the distance of 800 feet northeast of the centerline of Seminary Avenue. Being Lot 74 in the subdivision of The Hillside at Seminary, Plat Two. Book E.H.K., Jr. 53 folio 74. Also known as #1 Old Elm Court in the eighth Election District.

03-01-89

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

ZONING DESCRIPTION FOR LOT 64

Beginning on the north of Old Elm Court, 40 feet wide at the distance of 490 feet west of the centerline of Hill Spring Drive. Being Lot 64 in the subdivision of The Hillside at Seminary, Plat Two. Book E.H.K., Jr. 53 folio 74. Also known as #18 Old Elm Court in the eighth Election District.

03-01-89

89-122

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 Sections 1801.2C.6, 504, and the Comprehensive Manual of Development Policies, Section V.B.6.b, to permit window to lot line of 11 ft. (lot 64) and 7 ft. (lot 72) for required 15 ft. and from Section V.B.9, to permit setbacks from existing street of 16 ft. (lot 56) and 15 ft. (lot 74) for the required 25 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. As to Lots 64 and 72, substantial construction has occurred pursuant to valid building permits.
2. As to Lots 56 and 74, utilizing the smallest house proposed in Hillside at Seminary (Diversified), the houses cannot be moved westward, closer to neighboring houses, without violating other setbacks and distance requirements.
3. That as to Lots 64 and 72, it is not practical or economical to tear out foundations and existing construction, or to redesign these houses without windows.
4. That without the requested variances the petitioners will sustain an unduly and sustaining practical difficulty and unreasonable hardship. (See attached sheet) Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

and to amend the second amended final development plan of Hillside at Seminary to build beyond the front building envelope on Lots #56 and #74.

Contract Purchaser: Lots 56, 64, & 74
Diversified Homes, M.P. OF MD.
(Type or Print Name)
Signature
7920 McDonough Road, Suite 201
Address
Owings Mills, MD 21117
City and State

Legal Owner(s):
Lot 72, Diversified Homes, M.P. OF MD.
(Type or Print Name)
Signature
Lots 56, 64 & 74, Hillside at Seminary Joint Venture
(Type or Print Name)
Signature
Diversified Homes, M.P. OF MD.
(Type or Print Name)
Signature

Attorney for Petitioner: Newton Williams,
Nolan, Plushoff & Williams
(Type or Print Name)
Signature
Suite 1105, Hampton Plaza
Address
Towson, MD 21204
City and State
A lawyer's Telephone No.: 823-7800 Phone No.

1. 7930 McDonough Road, Suite 201
Address
Owings Mills, MD 21117
City and State
Name, address and phone number of legal owner, trust purchaser or representative to be contacted
Newton A. Williams
Name
Towson, MD 21204
Address
823-7800
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 2nd day of May, 1989, at 2:00 o'clock

P.A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)
2. 602 Garrett Building
Baltimore, MD 21202

Attachment No. 1

PETITION FOR ZONING VARIANCE

Continuation of No. 4

and the requested variances are in harmony with the spirit and intent of the Regulations.

Development Engineering Consultants, Inc.
Site Engineers & Surveyors

ZONING DESCRIPTION FOR LOT 56

Beginning on the corner of the northeast side of Old Elm Court, 40 feet wide with the northwest side of Hill Spring Drive, 50 feet wide at the distance of 850 feet northeast of the centerline of Seminary Avenue. Being Lot 56 in the subdivision The Hillside at Seminary, Plat Two. Book E.H.K., Jr. 53 folio 74. Also known as #2 Old Elm Court in the eighth Election District.

03-01-89

89-122

ROBERT AND SUSAN ZAWADNY
1846 HILL SPRING DRIVE
TOWSON, MARYLAND 21204
MAY 12, 1989

RECEIVED
MAY 15 1989
ZONING OFFICE

MS. NASTAROWICZ
ASSISTANT ZONING COMMISSIONER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

DEAR MS. NASTAROWICZ:
THIS LETTER IS IN RESPONSE TO THE VARIANCE ON OUR RECENTLY
PURCHASED PROPERTY, LOT #72, AT THE HILLSIDE AT SEMINARY VENTURE
IN LUTHERVILLE. IT IS OUR UNDERSTANDING THAT IF THE VARIANCE IS
NOT ALLOWED, WE WOULD BE UNABLE TO HAVE WINDOWS ON THE SIDE OF
OUR HOME, INVOLVING THE FAMILY ROOM AND MASTER BEDROOM. WE FEEL
THAT THIS WOULD SUBSTANTIALLY DETRACT FROM THE VALUE OF THE HOME,
AS THERE ARE NO WINDOWS ON THE OPPOSITE SIDE, AS SHOWN IN THE
BLUEPRINTS, LEAVING WINDOWS ONLY ON THE FRONT AND THE BACK.
WE ARE A FAMILY OF TWO ADULTS AND TWO CHILDREN, WITHOUT
THIRD CHILD ON THE WAY. WE HAVE ALREADY SOLD OUR PRESENT HOME
AND ARE VERY EXCITED ABOUT MOVING INTO OUR NEW, LARGER HOME AT
THE HILLSIDE. IT IS SOMETHING THAT WE HAVE WORKED TOWARD FOR
MANY YEARS. WE HOPED THAT YOU WOULD PLEASE ALLOW THE VARIANCE
SO THAT THE HOUSE MAY BE COMPLETED AS PLANNED.
WE REGRET THAT WE WERE NOT PRESENT AT THE RECENT MEETING
CONCERNING THE VARIANCE, BUT WE WERE JUST MADE AWARE OF THE
MEETING YESTERDAY, MAY 11. HAD WE KNOWN, WE WOULD MUST CERTAINLY
HAVE ATTENDED, AS THIS MATTER IS VERY IMPORTANT TO US. THANK YOU
FOR YOUR CONSIDERATION.

Sincerely,
Robert V. Zawadny
Susan D. Zawadny

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: April 15, 1989

Posted for: Variance

Petitioner: Hillside at Seminary Joint Venture and Diversified Homes

Location of property: Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive, Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive, Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive

Location of Signs: Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive, Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive, Hillside at Seminary Joint Venture and Diversified Homes, 1846 Hill Spring Drive

Remarks: S. Zabe Olson

Posted by: S. Zabe Olson Date of return: April 14, 1989

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD. April 6, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

TOWSON TIMES,
S. Zabe Olson
Publisher

PO 10917
reg M27118
ca 89-426-A
price \$ 114.34

CERTIFICATE OF PUBLICATION
TOWSON, MD. April 6, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

THE JEFFERSONIAN,
S. Zabe Olson
Publisher

PO 10917
reg M27118
ca 89-426-A
price \$ 114.34

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3223
J. Robert Haines
Zoning Commissioner

March 16, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-426-A
Elm Court, NE of Hill Spring Drive
Lots 56, 64, 74, and 72
8th Election District - 3rd Councilmanic
Petitioner(s): Hillside at Seminary Joint Venture and Diversified Homes, MLP of MD
HEARING SCHEDULED: TUESDAY, MAY 2, 1989 at 2:00 p.m.

Variance to permit window to lot line of 11 ft. (Lot #64) and 7 ft. (Lot #72) for required 15 ft. and to permit setbacks from existing street of 16 ft. (Lot #56) and 15 ft. (Lot #74) for the required 25 ft.; and to amend the Second Amended Final Development of Hillside at Seminary to build beyond the front building envelope on Lots #56 and #74.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County

cc: Diversified Homes, MLP of MD
Newton A. Williams, Esq.
Phyllis A. Hotchkiss/Melvin W. Mossowitz
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3223
J. Robert Haines
Zoning Commissioner

Date: 4/10/89

Diversified Homes, MLP of MD
7320 McDougall Road, Suite 102
Owings Mills, Maryland 21117

Re: Petition for Zoning Variance
CASE NUMBER: 89-426-A
Elm Court, NE of Hill Spring Drive
Lots 56, 64, 74, and 72
8th Election District - 3rd Councilmanic
Petitioner(s): Hillside at Seminary Joint Venture and Diversified Homes, MLP of MD
HEARING SCHEDULED: TUESDAY, MAY 2, 1989 at 2:00 p.m.

Continued

Please be advised that a fee of \$128.34 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED BY THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 106, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

DATE OF HEARING: 5/2/89
TIME: 2:00 PM
LOCATION: ROOM 106, COUNTY OFFICE BUILDING, TOWSON, MD 21204

post set(s), there each set not

of 1

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 1105, TOWSON PLAZA
300 EAST JOPPA ROAD
TOWSON, MARYLAND 21204-3075
301 823-7800
TELEFAX 301 298-2748

J. EARLE PLUMHOFF
(301-823-7800)
JAMES D. NOLAN
(RETIRED, 1980)
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 925-2111

March 3, 1989

HAND DELIVERY

The Honorable J. Robert Haines
Zoning Commissioner
Zoning Commissioner's Office
County Office Building
Towson, Maryland 21204

The Honorable Ann Nastarowicz
Deputy Zoning Commissioner
Zoning Commissioner's Office
County Office Building
Towson, Maryland 21204

RE: Request for Early Hearing for Related Cases Concerning Hillside at Seminary Variances (Diversified Homes and Hillside at Seminary Joint Venture) Blitz Day Filing, Friday, March 3, 1989, Early Settlement Problems and Construction Problems

Dear Commissioner Haines and Commissioner Nastarowicz:

On Friday, March 3, 1989, we are filing two variance cases, each related to the other, concerning five lots in the Hillside at Seminary Subdivision, presently being developed in the main by Diversified Homes.

Due to the complicated nature of the Comprehensive Manual and Development Policy Regulations, and the fact that they were not the original engineers on the project, some problems have been sustained with regard to five lots, namely as follows:

1. In the first case, Lot 58, the purchaser of the house on Lot 58, which is presently under roof, has sold their own home, and settlement has been tentatively set for April 15, 1989, a very short, perhaps an unattainable date, but we will do our best.

2. As to Lots 56 and 74 on the northwest and southwest corners of Old Elm Court and Hillside Drive, these lots have not been sold, but the proposed houses on them cannot be moved without incurring other variance and setback problems, and accordingly, we are asking for a 15 and 16 foot side yard, respectively, for the required 25 foot side yard against the street right of way on Hillside Drive.

The Honorable J. Robert Haines
The Honorable Ann Nastarowicz
March 3, 1989
Page Two

3. As to Lot 72, again in the second case, the foundations are in, a June settlement is scheduled, and we are asking for a 7 feet for a 15 foot window to lot boundary variance, and again, the time is short.

4. Finally, as to Lot 64, again in the second case, the foundations are in, there is a contract purchaser for the house, settlement is set for around June 15, and we are asking for an 11 feet for a 15 foot window to side lot boundary.

This very expensive subdivision, is composed of excellent homes primarily by Diversified Homes, and we would respectfully ask that these cases be set in as soon as possible, particularly the case involving Lot 58 with settlement due April 15, and if it would be convenient for you, we respectfully suggest it might be well to consolidate them and we will of course be guided by your convenience in the matter.

Thanking you and your staff for your kind attention to this request for early hearings in these respective cases, I am

Respectfully,
Newton A. Williams
Newton A. Williams

NAW/caw

cc: Mrs. Gwen Stephens
Zoning Commissioner's Office
Ms. Julie Higgins
Crozier Associates
Mr. Sam Shockley
Development Engineering Consultants, Inc.

Phyllis A. Hotchkiss
Melvin W. Mossowitz
408 Old Trail
Baltimore, Maryland 21212
March 2, 1989

Mr. Robert Haines
Zoning Commissioner
Baltimore County
Towson, Maryland 21204

Dear Mr. Haines:

We are aware that an emergency request for an early hearing is being made relative to the variance for lot 64 at the Hillside at Seminary. This letter is to join that request for an expedited hearing.

On October 16, 1988 we entered into a contract with Diversified Homes to build a house on lot 64. We were told that delivery would be no later than May-June 1989. Acting on that delivery date, we entered into a contract to sell the home in which we currently reside and will have to vacate on June 28, 1989. We have three children, ages ten, four and a new born of seven weeks. We have no alternative housing arrangements after June 28, 1989. Our inability to move into our new home on lot 64 on June 28, 1989 would create a severe hardship for our family.

We have been property owners in Baltimore County for the past fifteen years. We sincerely wish to remain property owners in Baltimore County, but we need the County's assistance at this time. We are hereby requesting that you grant an expedited hearing so that the variance issue can be addressed and hopefully resolved as soon as possible.

Thank you for your time and assistance in this matter.

Very truly yours,
Phyllis A. Hotchkiss
Melvin W. Mossowitz

cc: Craig Grief - Project manager

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
2nd day of March, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

Petitioner: Diversified Homes
Petitioner's Attorney: *Newton Williams*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1989

Newton Williams, Esquire
Nolan, Plumhoff & Williams
Suite 1105, Hampton Plaza
Towson, MD 21204

RE: Item No. 370, Case No. 89-426-A
Petitioner: Diversified Homes
Petition for Zoning Variance

Dear Mr. Williams:

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. 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 file, certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

cc: Diversified Homes, MLP of MD
7920 McDonogh Road
Cwings Mills, MD 21117

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Hillside at Seminary, Joint Venture & Diversified
Homes, MLP of MD
Location: Elm Court, NW of Hill Spring Dr.

Item No.: 370

Zoning Agenda: March 21, 1989

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 dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 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.
* Pan Handle road to lots #62 and #63 shall have a minimum width of 16 feet and support 50,000 lb. fire apparatus.

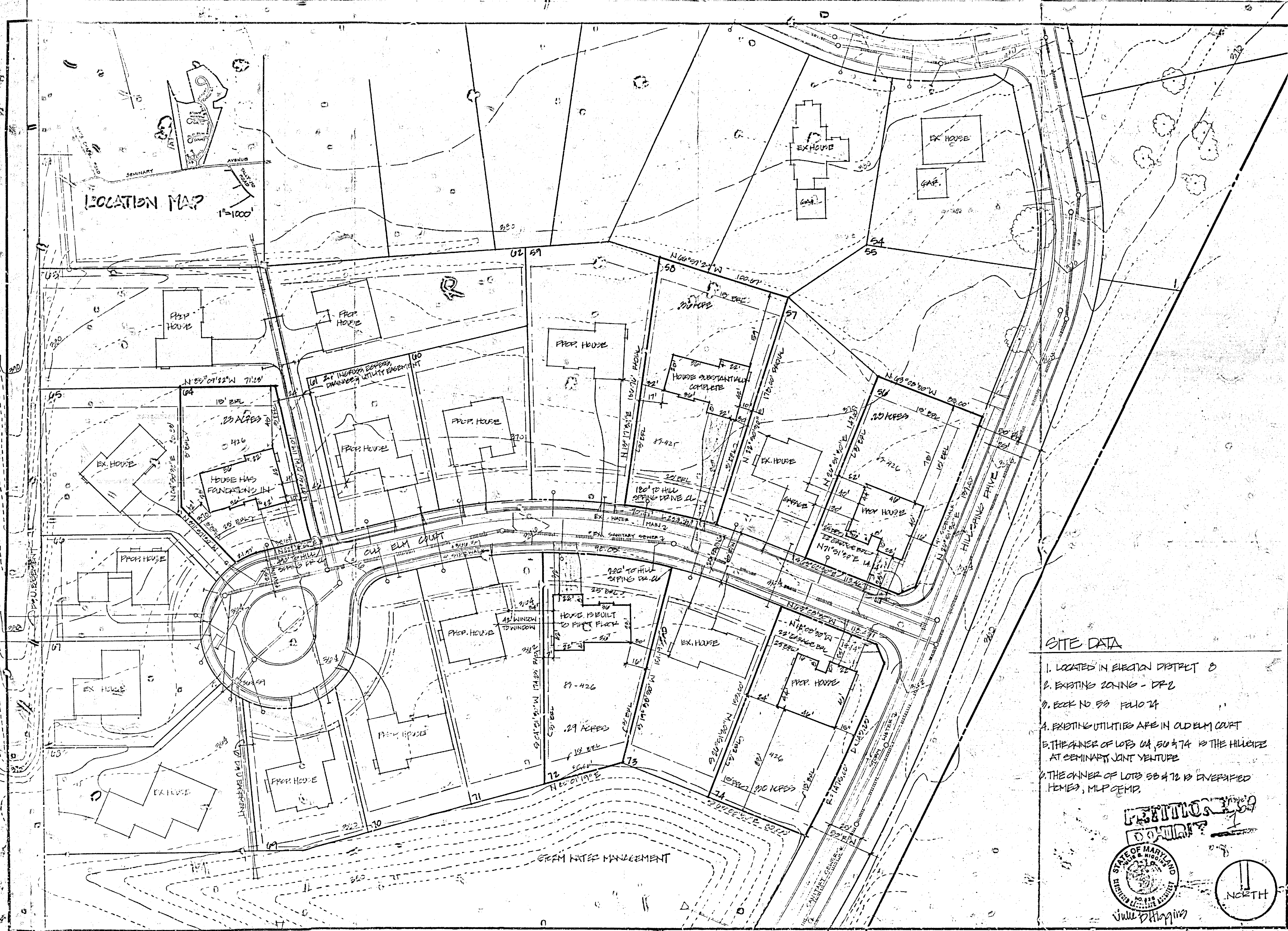
REVIEWER: *John P. Kelly* 3-17-89
Planning Group
Special Inspection Division

NOTED & APPROVED: *Capt. Wm. J. Brady*
Fire Prevention Bureau

/s/



Dennis F. Rasmussen
County Executive



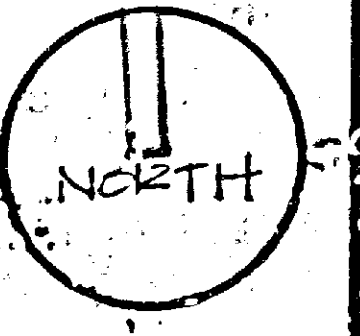
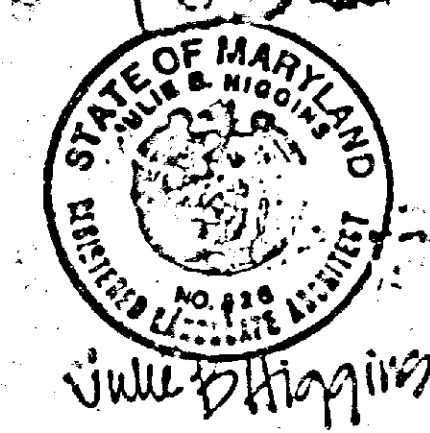
LOCATION MAP

1"=1000'

SITE DATA

- 1. LOCATED IN ELECTION DISTRICT 8
- 2. EXISTING ZONING - DR2
- 3. BOOK NO 55 FOLIO 74
- 4. EXISTING UTILITIES ARE IN ODELM COURT
- 5. THE OWNER OF LOTS 64, 50 & 74 IS THE HILLIER AT SEMINARY JOINT VENTURE
- 6. THE OWNER OF LOTS 53 & 72 IS DIVERSIFIED HOMES, MLP CORP.

PETITION
COUNTY



THE HILLSIDE at SEMINARY
DR ELECTION DISTRICT 8, BALTIMORE COUNTY, MD

SITE PLAN TO ACCOMPANY PETITION FOR
ZONING VARIANCE

DATE	REVISIONS	BY

