IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – W/S Fairbrook Road,

275' N of the c/l Lesada Drive

(George Helfrich Property)

1st Election District 1st Council District

Ryan Homes, Inc. Petitioner

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-157-SPHA

* * * * * * * *

AMENDED ORDER

WHEREAS, this matter came before this Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the developers of the subject property, Ryan Homes, Inc. The Petitioners sought relief from Section 1BO1.2.C.1.c of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit; 1) a public street right of way setback of 14 feet in lieu of the required 15 feet, and a rear setback of 28 feet in lieu of the required 30 feet for Lot 79; 2) a rear setback of 28 feet in lieu of the required 30 feet for Lot 77; 3) a side building face to side building face setback of 19 feet in lieu of the required 20 feet for Lots 5, 6, 17, 18, 30, 31, 36, 37, 48, 49, 54, 55, 73, and 74; 4) a side building face to side building face setback of 18 feet in lieu of the required 20 feet for Lots 60 and 61; 5) a modification of the previously granted variances in case 02-520-SPHXA to allow an open projection setback of 15.5 feet in lieu of the previously approved 17.5 feet for Lots 79 and 77, and to otherwise affirm the variances granted in said case. In addition, the Petitioners requested a special hearing to approve an amendment to the approved Final Development Plan of the "George Helfrich Property," in accordance with the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

A public hearing was held on the requests on November 2, 2005 and after due consideration of all of the testimony and evidence presented in support of the relief sought, the undersigned Zoning Commissioner granted the Petitions for Special Hearing and Variance by Order dated November 9, 2005.

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Subsequent to the issuance of said opinion, Kenneth Colbert, the Professional Engineer who prepared the site plan for this property on behalf of the Petitioners, notified this office of a typographical error on Page 3 of the Order relative to the relief granted. Specifically, the Petitioners had requested a variance to allow a side building face to side building face setback of 19 feet in lieu of the required 20 feet for Lots 5, 6, 17, 18, 30, 31, 36, 37, 48, 49, 54, 55, 73 and 74. However, a variance of 18 feet was granted. Thus, an amended Order is necessary to correct the error.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18 day of November 2005 that the Order issued on November 9, 2005 be and the same shall hereby be AMENDED to reflect that a side building face to side building face setback of 19 feet in lieu of the required 20 feet has been GRANTED for Lots 5, 6, 17, 18, 30, 31, 36, 37, 48, 49, 54, 55, 73 and 74, in accordance with Petitioner's Exhibit 1; and

IT IS FURTHER ORDERED that all other relief granted in the Order issued on November 9, 2005, as well as any terms and conditions attached thereto, shall remain in full force and effect.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.

Zoning Commissioner for Baltimore County

cc: Deborah C. Dopkin, Esquire

409 Washington Avenue, Towson, Md. 21204

Mr. Steven K. Breeden, Member, Security Development LLC

P.O. Box 417, Ellicott City, Md. 21041

Mr. Richard Goldberg, VP, Ryan Homes, Inc.

11460 Cronridge Drive, Owings Mills, Md. 21117

Mr. Kenneth Colbert, Colbert Matz Rosenfelt, Inc.

2835 Smith Avenue, Suite G, Baltimore, Md. 21209

People's Counsel; Case File

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – W/S Fairbrook Road,

275' N of the c/l Lesada Drive

(George Helfrich Property)

1st Election District
1st Council District

Ryan Homes, Inc. Petitioner

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 06-157-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing and Petition for Variance, filed by the developers of the subject property, Ryan Homes, Inc. The Petitioners seek the following Variance relief from Section 1BO1.2.C.1.c. of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the following relief as follows: (Lot 79), to permit a 14 foot setback to the public street right of way in lieu of the required 15 feet, and to permit a 28 foot rear setback in lieu of the required 30 feet; (Lot 77), to permit a 28 foot rear setback in lieu of the required 30 feet; (Lots 5, 6, 17, 18, 30, 31, 36, 37, 48, 49, 54, 55, 73, 74), to permit a 19 foot side building face to side building face in lieu of the required 20 feet; (Lots 60, 61), to permit an 18 foot side building face to side building face in lieu of he required 20 feet; and to modify the previously granted variances in case 02-520-SPHXA, by approving a 15.5 foot open projection setback for Lots 79 and 77 in lieu of the previously approved 17.5 foot setback and to otherwise affirm the variances granted in said case; and by Special Hearing, to amend the approved Final Development Plan of the "George Helfrich Property". The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing on behalf of the Petitioner was Deborah Dopkin, Attorney and Kenneth Colbert, Professional Engineer. There were no Protestants or other interested persons present.

ORDER VENEZO COR PRINCES ORDER VENEZO COR PRIN

Proffered testimony and evidence revealed that the subject property known as the "George Helfrich Property", received development plan approval after a Hearing Officer's Hearing (HOH) pursuant to Case No. I-489 & 02-520- SPHXA and subsequent Hearing Officer Order The subject property was approved for 84 townhouse dwellings dated April 21, 2003. incorporating active and passive open space with a large pond and hiking trails. Mr. Kenneth Colbert, Professional Engineer for the project, testified as to the nature and cause of the variance requests. Mr. Colbert testified that much of the requested variance relief is actually a matter of inches and not feet, but the developer has chosen to round-off to the nearest foot for ease of surveying calculations. He indicated that at the time of the (HOH) and subsequent approval of the Development Plan, final architectural treatments had not been finalized. He testified that in the spirit of providing a quality product, certain of the townhouses had been adjusted and fronts offset by the architect to create an aesthetically appealing community and functionally comfortable interiors. Additionally, as a result of the irregularly shaped lots and the final architectural requirements, minor encroachments into the required setbacks resulted requiring the heretoforerequested variance relief. He also testified that several of the lots at issue are irregularly shaped, partly the result of final road layout, and that as a result of these skewed lot lines and the final architectural design/adjustments mentioned above, minor adjustments had to be made in the townhouse footprints.

Deborah Dopkin, Attorney for the Petitioner, testified that there is no change in density as a result of the variance request and there will be no impact or infringement upon the approved open space areas.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. The requested variances amount to "housekeeping" items which do not impact the considerable open space areas on this site. At 84 units, the site is well under the 157 dwelling units permitted. The variance relief will permit the proposed architectural treatments, which are supported by the Planning Office. I believe that in this case, requiring strict compliance

with the Baltimore County Zoning Regulations will be unnecessarily burdensome and not in the best interest of promoting a well planned, aesthetically pleasing 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). After due consideration of the testimony and evidence presented, I am convinced that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances exist in this case and that the relief requested will not cause any injury to the public health, safety or general welfare, and otherwise meets the spirit and intent of the Baltimore County Zoning Regulations.

The final relief requested by the Petitioner is to amend the Final Development Plan of the "George Helfrich Property" to reflect the variance relief granted. In accordance with this order, the Final Development Plan of the "George Helfrich Property" shall be amended to reflect the relief granted herein.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of November 2005 that the Petition for Variance seeking relief from Section 1B01.2.C.1.c of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit (Lot79) a 14 foot setback to the public street right of way in lieu of the required 15 feet, and to permit a 28 foot rear setback in lieu of the required 30 feet; (Lot 77), to permit a 28 foot rear setback in lieu of the required 30 feet; (Lot 5, 6, 17, 18, 30, 31, 36, 37, 48, 49, 54, 55, 73, 74), to permit an 18 foot side building face to side building face in lieu of the required 20 feet; (Lots 61,60), to permit an 18 foot building face to side building face in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the request to modify the previously approved variances in case 02-520SPHXA by approving a 15.5 foot open projection setback for lots 79 and 77 in lieu of the previously approved 17.5 foot setback and to otherwise affirm the variances

THE OWNER OF THE

granted therein, be and is hereby GRANTED; and,

IT IS FURTHERED ORDERED that the Special Hearing request to amend the Final Development Plan of the "The George Helfrich Property" to reflect the relief granted herein is hereby GRANTED; all in accordance with Petitioner's Exhibit No. 1.

Any appeal of this decision shall be entered within thirty (30) days of the date hereof.

Zoning Commissioner

for Baltimore County



JAMES T. SMITH, JR. County Executive

November 9, 2005

WILLIAM J. WISEMAN III

Zoning Commissioner

Deborah C. Dopkin, Esquire 409 Washington Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE W/S Fairbrook Road, 275' N of the c/l Lesada Drive (George Helfrich Property)

1st Election District – 1st Council District Ryan Homes, Inc. - Petitioners
Case No. 06-157-SPHA

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

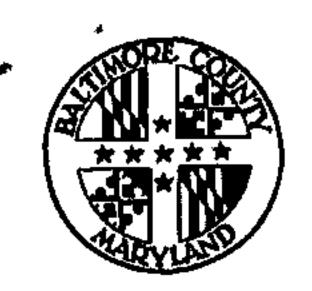
In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly ours,

Zoning Commissioner for Baltimore County

WJW:bjs

cc: Mr. Steven K. Breeden, Member, Security Development LLC P.O. Box 417, Ellicott City, Md. 21041
Mr. Richard Goldberg, VP, Ryan Homes, Inc. 11460 Cronridge Drive, Owings Mills, Md. 21117
Mr. Kenneth Colbert, Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G, Baltimore, Md. 21209
People's Counsel; Case/File



á

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

21041

Zip Code

21209

Zip Code

for the property located at: <u>Fairbrook Road and Granite Woods Drive</u> which is presently zoned <u>D.R.-5.5 and D.R.-16</u>

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 of thereof, hereby petition for a Special Hearing under 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

To amend the approved Final Development Plan.

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

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

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: <u>Legal Owner(s):</u> Ryan Homes, Inc., Richard Goldberg, Vice-President Security Development LLC for Dogwood Limited Partnership, Steven K. Breeden, Member Type or Print Name - Type or Print Signature Signature 11460 Cronridge Drive 410-654-0501 Address. Telephone No. Name - Type or Print Owings Mills MD 21117 Zip Code City State Signature 410-465-4244 P.O. Box 417 Attorney For Petitioner: Telephone No. Address. Deborah C. Dopkin MD Ellicott City Name - Type or Print City State Representative to be Contacted: gignature eborah C. Dopkin, P.A. Stuart L. Darley COLBERT MATZ ROSENFELT, INC ggompany : 409 Washington Avenue 410-821-0200 2835 Smith Avenue, Suite G 410-653-3838 Telephone No. Address Telephone No. Address Towson MD MD 21204 Baltimore City State Zip Code State OFFICE USE ONLY 106-157-SPHA ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING Reviewed By ________

Variances Requested - George Helfrich Property

Variances from Sec. 1B01.2.C.1.c, BCZR, for the following:

7614 Fairbrook (Lot 79):

14 ft. side setback to public street R/W in lieu of 15 ft. required 28 ft. rear setback in lieu of 30 ft. required

7618 Fairbrook (Lot 77): 28 ft. rear setback in lieu of 30 ft. required

7623, 7625, 7635, 7637, 7624 and 7626 Fairbrook (Lots 55, 54, 49, 48, 74, 73): 19 ft. side building face to side building face in lieu of 20 ft. required

7309, 7311, 7333, 7335, 7359, 7361, 7371 and 7373 Granite Woods Court (Lots 5, 6, 17, 18, 30, 31, 36, 37):

19 ft. side building face to side building face in lieu of 20 ft. required

7611 and 7613 Fairbrook (Lots 61, 60):

18 ft. side building face to side building face in lieu of 20 ft. required.

To modify the previously granted variances in Case No. 02-520-SPHA, to approve and allow a 15.5-foot open projection setback for 7614 and 7618 Fairbrook Road (Lots 79 and 77) in lieu of the previously approved 17.5-foot setback and to otherwise affirm the variances granted in that case.

CORRECTION:

CASE NO. 06-157-SPHA

ALL TO BE INCLUDED ON VARIANCE ONLY:

7614 FAIRBROOK (LOT 79): TO PERMIT A 14 FOOT SETBACK TO PUBLIC STREET R/W IN LIEU OF 15 FEET REQUIRED AND TO PERMIT A 28 FOOT REAR SETBACK IN LIEU OF THE 30 FEET REQUIRED

7618 FAIRBROOK (LOT 77): TO PERMIT A 28-FOOT REAR SETBACK IN LIEU OF THE 30 FEET REQUIRED.

7623, 7625, 7635, 7637, 7624, 7626 FAIRBROOK (LOTS 55, 54, 49, 48, 74, 73): TO PERMIT A 19 FOOT SIDE BUILDING FACE TO SIDE BUILDING FACE IN LIEU OF THE 20 FEET REQUIRED.

7309, 7311, 7333, 7335, 7359, 7361, 7371, 7373 GRANITE WOODS COURT (LOTS 5, 6 17, 18, 30, 31, 36, 37) TO PERMIT A 19-FOOT SIDE BUILDING FACE TO SIDE BUILDING FACE IN LIEU OF THE 20 FEET REQUIRED.

7611 AND 7613 FAIRBROOK (LOTS 61, 60): TO PERMIT AN 18 FOOT SIDE BUILDING FACE TO SIDE BUILDING FACE IN LIEU OF THE 20 FEET REQUIRED.

TO MODIFY THE PREVIOUSLY GRANTED VARIANCES IN CASE NO. 02-520-spha, TO APPROVE AND ALLOW A 15.5-FOOT OPEN PROJECTION SETBACK FOR 7614 AND 7618 FAIRBROOK ROAD (LOTS 79 AND 77) IN LIEU OF THE PREVIOUSLY APPROVED 17.5 FOOT SETBACK AND TO OTHERWISE AFFIRM THE VARAINCES GRANTED IN THAT CASE.

ChrisB. sent Dut Mis correction der agunda 10/18/05.

Corrected PetroN

RECEIVED

9/2

CORRECTION:

CASE NO. 06-157-SPHA

OCT 1 4 2005

ALL TO BE INCLUDED ON VARIANCE ONLY:

ZONING COMMISSIONER

7614 FAIRBROOK (LOT 79): TO PERMIT A 14 FOOT SETBACK TO PUBLIC STREET R/W IN LIEU OF 15 FEET REQUIRED AND TO PERMIT A 28 FOOT REAR SETBACK IN LIEU OF THE 30 FEET REQUIRED

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TO MODIFY THE PREVIOUSLY GRANTED VARIANCES IN CASE NO. 02-520-spha, TO APPROVE AND ALLOW A 15.5-FOOT OPEN PROJECTION SETBACK FOR 7614 AND 7618 FAIRBROOK ROAD (LOTS 79 AND 77) IN LIEU OF THE PREVIOUSLY APPROVED 17.5 FOOT SETBACK AND TO OTHERWISE AFFIRM THE VARAINCES GRANTED IN THAT CASE.

CORRECTION:

CASE NO. 06-189-A 5502 W. NORTH AVENUE/

ZONING DESCRIPTION: TO PERMIT AN ACCESSORY STRUCTURE (CARPORT) TO BE LOCATED IN THE FRONT YARD WITH A 13 FOOT SETBACK IN LIEU OF THE REQUIRED REAR YARD WITH A 2 FOOT FRONT.

Location to nearest tooth Bounday Survey 10 of foot

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Colbert Matz Rosenfelt, Inc.

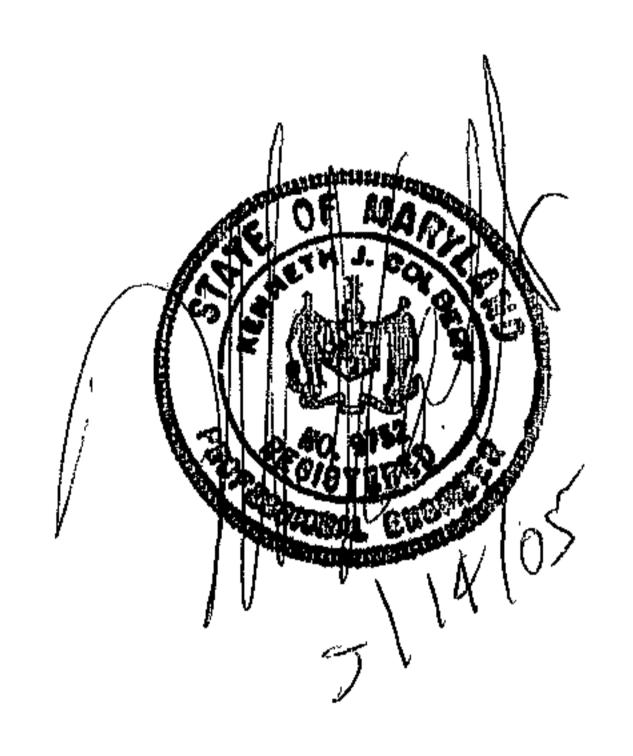
Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION GEORGE HELFRICH PROPERTY FAIRBROOK ROAD AND GRANITE WOODS COURT

Beginning at a point on the west side of Fairbrook Road, which is 70 feet wide, at a distance of 275 feet north of Lesada Drive, which is of varying width.

Being Plat 1 of 3, George Helfrich property, as recorded in Plat Book 77, page 008. Containing 9.74 acres and located in the 1st Election District.



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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: #06-157-8PHA

Fairbrook Road and Granite Woods Court W/side of Fairbrook Road, 275 feet north of Lesada Drive 1st Election District - 1st Councilmanic District
Legal Owner(s): Security Development LLC for
Dogwood Ltd. Partnership, Steven Breeden
Contract Purchaser: Ryan Homes, Inc., Richard

Special Hearing: to amend the approved Final Development Plan. Variance: to modify the previously granted variances in Case No. 02-520-SPHA, to approve and allow a 15.5-foot open projection setback for 7614 & 7618 Fairbrook Road (Lots 77 & 79) in lieu of the previously approved 17.5-foot setback and to otherwise affirm the variances granted in that case. 7614 Fairbrook (Lot 79) to permit a 14-foot setback to public street r/w in ileu of 15 feet required and to permit a 25-foot rear setback in ileu of the 30 feet required. 7618 Fairbrook (Lot 77) a permit a 28-foot rear setback in ileu of the 30 feet required. 7623, 7625, 7635, 7637, 7624 & 7626 Fairbrook (Lots 55, 54, 49, 48, 74 & 73) to permit a 19-foot side building face to side building face in ileu of the foot side building face to side building face in lieu of the 20 feet required. 7309, 7311, 7333, 7335, 7359, 7361, 7371 & 7373 Granite Woods (Lots 5, 6, 17, 18, 30, 31, 36 & 37) to permit 19-foot side building face to side building face in ileu of the 20 feet required. 7611 & 7613 Fairbrook (Lots 61 & 60) to permit 18-foot side building face to side building face in ileu of the 20 feet required. Hearing: Wednesday, November 2, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401, Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning

Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT/10/696 Oct. 18

CERTIFICATE OF PUBLICATION

1020,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 1018 ,20 05.
☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News

LEGAL ADVERTISING

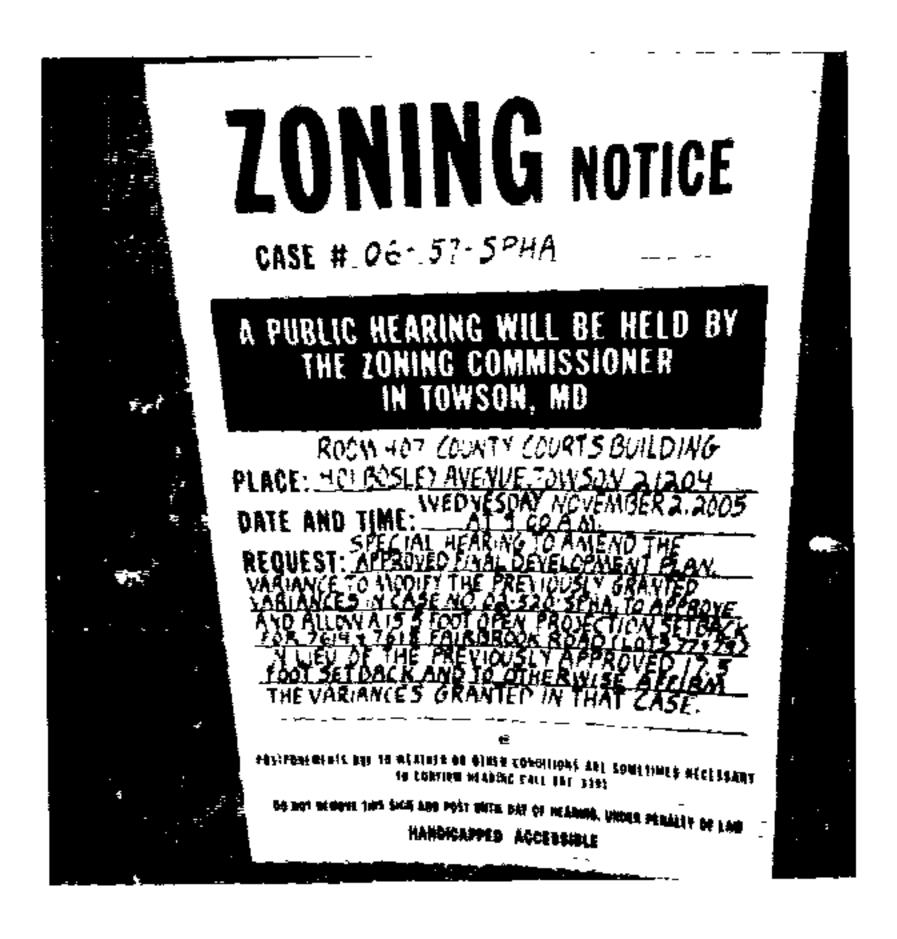
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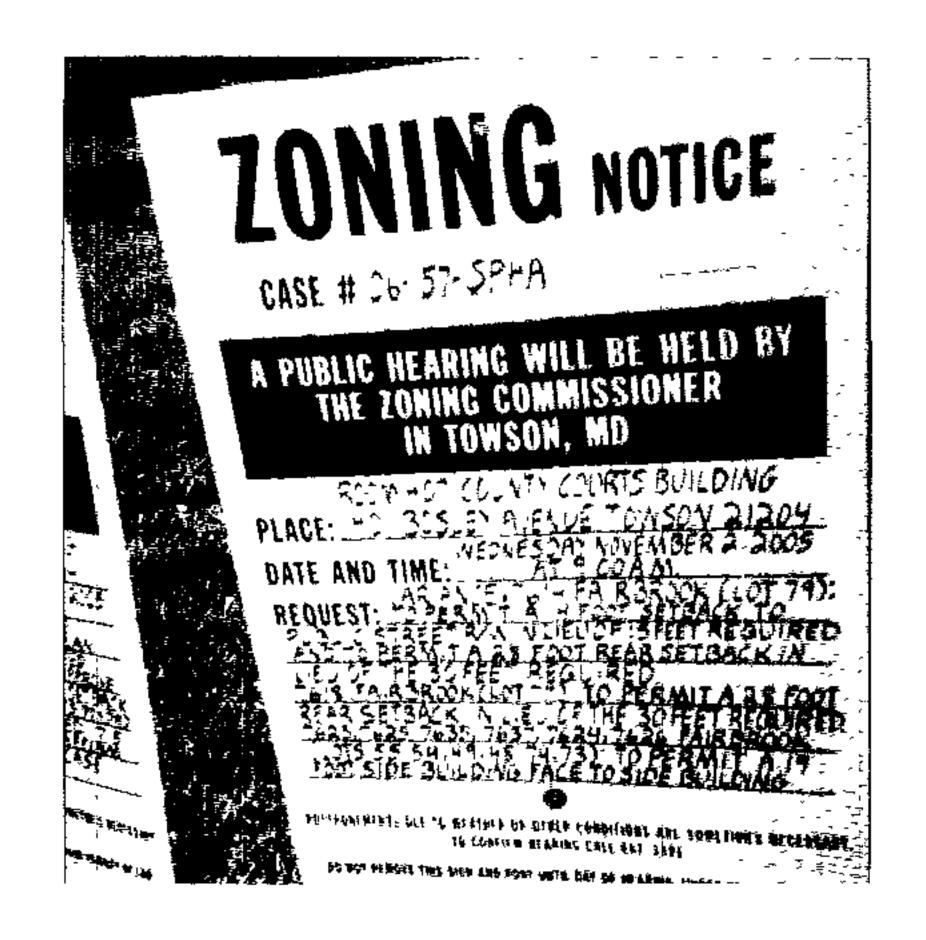
CERTIFICATE OF POSTING

ATTE	ENTION: KRISTEN MATTHE	WS Dure October 16,2005
151-	Gase Number 06-157-SP Frethluner/Developer, REHARD GOLDBI Date of Healing) D'on no NOVE ME	HA TWISTEVEN BREEDEN ERG-/STUART DARLEY/COLBERT, MATZ + BER 2, 2005 ROSENFELT
	This is to certify under the penalties of pen	July that the necessary sign(s) required by low and EAIRBROOK ROAD 4 1000 SITE)
	The sign(a) were posted on	October 16, 2005
	SEE ATTACHED PHOTOS	Signature of Sign Former
	ATTACH PHOTOGRAPH OF SIGN POSTER ON PROPERTY	523 PENNY LANE (Street Address of Sign Poster)
	The same of the second	HUNT VALLEY MID 21030
		Telephone Number of Slan Posteri

06-157-SPHA

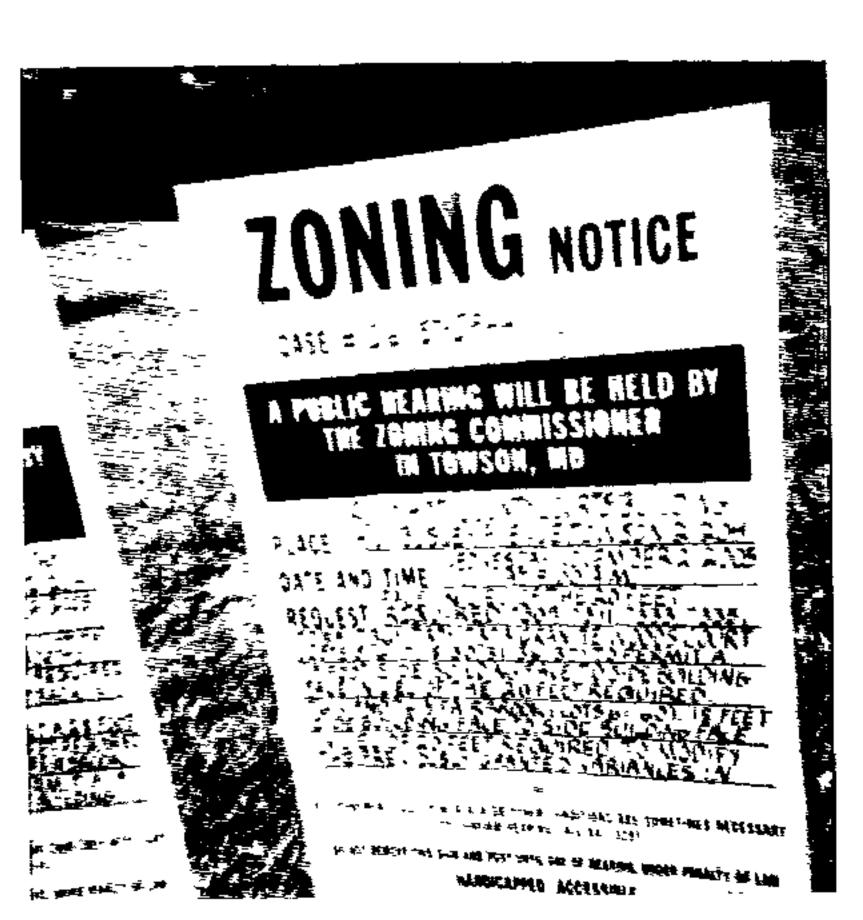
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ZONING NOTICE CASE # 06-157-SPHA	
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	
PLACE: 401 BOSLEY AVENUE TOWSON 21204 PLACE: 401 BOSLEY AVENUE TOWSON 21204 WEONESDAY NOVEMBER 2. 2005 REQUEST: APPROVE AND ALLOW A 15.3 FOOT PAIR DROOK ROAD (LOTS 74.27) A 1811 THE PREVIOUSLY APPROVED 13. TO SET THE PREVI	
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TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 18, 2005 Issue - Jeffersonian

Please forward billing to:

Ryan Homes 11460 Cronridge Drive, Ste. 128 Owings Mills, MD 21117

410-654-0501

CORRECTED 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: 06-157-SPHA

Fairbrook Road and Granite Woods Court W/side of Fairbrook Road, 275 feet north of Lesada Drive 1st Election District – 1st Councilmanic District

Legal Owners: Security Development LLC for Dogwood Ltd. Partnership, Steven Breeden

Contract Purchaser: Ryan Homes, Inc., Richard Goldberg

Special Hearing to amend the approved Final Development Plan. Variance to modify the previously granted variances in Case No. 02-520-SPHA, to approve and allow a 15.5-foot open projection setback for 7614 & 7618 Fairbrook Road (Lots 77 & 79) in lieu of the previously approved 17.5-foot setback and to otherwise affirm the variances granted in that case. 7614 Fairbrook (Lot 79) to permit a 14-foot setback to public street r/w in lieu of 15 feet required and to permit a 25-foot rear setback in lieu of the 30 feet required. 7618 Fairbrook (Lot 77) to permit a 28-foot rear setback in lieu of the 30 feet required. 7623, 7625, 7635, 7637, 7624 & 7626 Fairbrook (Lots 55, 54,49, 48, 74 & 73) to permit a 19-foot side building face to side building face in lieu of the 20 feet required. 7309, 7311, 7333, 7335, 7359, 7361, 7371 & 7373 Granite Woods (Lots 5, 6, 17, 18, 30, 31, 36 & 37) to permit 19-foot side building face to side building face in lieu of the 20 feet required. 7613 Fairbrook (Lots 61 & 60) to permit 18-foot side building face to side building face in lieu of the 20 feet required.

Hearing: Wednesday, November 2, 2005 at 9:00 a.m. in Room 407, County Courts Building,

#101 Bosley Avenue, Towson 21204

WILLIAM JWISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY!

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708





Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 3, 2005

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: 06-157-SPHA

Fairbrook Road and Granite Woods Court W/side of Fairbrook Road, 275 feet north of Lesada Drive 1st Election District – 1st Councilmanic District

Legal Owners: Security Development LLC for Dogwood Ltd. Partnership, Steven Breeden Contract Purchaser: Ryan Homes, Inc., Richard Goldberg

Special Hearing to amend the approved Final Development Plan. Variance to modify the previously granted variances in Case No. 02-520-SPHA, to approve and allow a 15.5 foot open projection setback for 7614 & 7618 Fairbrook Road (Lots 77 & 79) in lieu of the previously approved 17.5 foot setback and to otherwise affirm the variances granted in that case.

Hearing: Wednesday, November 2, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Deborah Dopkin, 409 Washington Avenue, Towson 21204
Steven Breeden, P.O. Box 417, Ellicott City 21041
Richard Goldberg, 11460 Cronridge Drive, Ste. 128, Owings Mills 21117
Stuart Darley, Colbert Matz Rosenfelt, 2835 Smith Avenue, Ste. G, Baltimore 21209

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 18, 2005.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 18, 2005 Issue - Jeffersonian

Please forward billing to:

Ryan Homes

410-654-0501

11460 Cronridge Drive, Ste. 128

Owings Mills, MD 21117

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: 06-157-SPHA

Fairbrook Road and Granite Woods Court

W/side of Fairbrook Road, 275 feet north of Lesada Drive

1st Election District – 1st Councilmanic District

Legal Owners: Security Development LLC for Dogwood Ltd. Partnership, Steven Breeden

Contract Purchaser: Ryan Homes, Inc., Richard Goldberg

<u>Special Hearing</u> to amend the approved Final Development Plan. <u>Variance</u> to modify the previously granted variances in Case No. 02-520-SPHA, to approve and allow a 15.5 foot open projection setback for 7614 & 7618 Fairbrook Road (Lots 77 & 79) in lieu of the previously approved 17.5 foot setback and to otherwise affirm the variances granted in that case.

Hearing: Wednesday, November 2, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY |

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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: 06-157-SPHA
Petitioner: Security Development LLC for Pogwood Limited Partnership
Address or Location: Fair brook Road and Gmuite Woods Court
PLEASE FORWARD ADVERTISING BILL TO:
Name: Ryan Homes
Address: 1460 Crowridge Drive, Euite 128
Ococnas Milles Md. 2117
Telephone Number: 40-654-0501

Revised 7/11/05 - SCJ



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Fairbrook Road and Granite Woods Court which is presently zoned DR-5.5 and DR-16

Is the subject of this Petition.

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

410-465-4244

410-653-3838

21209

Zip Code

Telephone No.

21041

Zip Code

Telephone No.

MD

State

MD

State

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 of thereof, hereby petition for a Variance from Section(s)

See attached sheet for variances requested, and to affirm variance relief granted in Case No. 02-520-SPHA.

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 presented at hearing.

Property 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.

Contract Purchaser/Lessee: Legal Owner(s): Ryan Homes, Inc., Richard Goldberg, Vice-President Security Development LLC for Dogwood Limited Partnership, Steven K. Breeden, Member Name - Type or Print Marhe, Typoe or Print Signature Signature 11460 Cronridge Drive, Sulte 128 Telephone No. Name - Type or Print Address. Owings Mills MD 21117 City Zip Code Signature State P.O. Box 417 Attorney For Petitioner: Address. Deborah C. Dopkin Ellicott City Name - Type or Print City borak Representative to be Contacted: Signature Deborah C. Dopkin, P.A. Stuart L. Darley Company COLBERT MATZ ROSENFELT, INC. Washington Avenue 2835 Smith Avenue, Suite G 410-821-0200 Telephone No. Address **Baltimore** 21204 MD TOW QUI City Zip Code State OFFICE USE ONLY Case No. ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING SECTION

Department of Permits an Development Management

Development Processing
County Office Building
111 W Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

James T Smith, Jr, County Executive Timothy M Kotroco, Director

October 31, 2005

Deborah C. Dopkin 409 Washington Avenue Towson, Maryland 21204

Dear Ms. Dopkin:

RE: Case Number: 06-157-SPHA

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 15, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Ryan Homes, Inc. Richard Goldberg 11460 Cronridge Drive Ste. 128 Owings Mills 21117 Security Development Steven K. Breeden P.O. Box 417 Ellicott City 21041 Stuart L. Darley Colbert, Matz, Rosefelt 2835 Smith Ave. Ste. G Baltimore 21209

Visit the County's Website at www.baltimorecountyonline.info

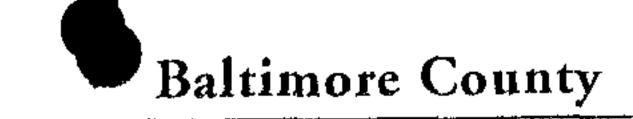


Fire Department



700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500





James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 September 22, 2005

ATTENTION: Zoning review planners

Distribution Meetings of: October 3, 2005

Item No.:

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant J.D.Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 27, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 10, 2005

Item Nos. 155, 156, 157, 159, 160, 161,

162, 163, 164, 165.and 166

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09272005.doc



BALTIMORE COUNTY, MARYRANDO

INTER-OFFICE CORRESPONDENCE

SEP 2 7 2005

ZONING COMMISSIONER

DATE: September 26, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 6-157 Special Hearing

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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

RE:

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration 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,

Steven D. Foster, Chief

1. 1. Hall

9. 21.05

Baltimore County

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING AND VARIANCE

Fairbrook Road and Granite Woods Court; W/side Fairbrook Road, 275' N of Lesada Dr 1st Election & 1st Councilmanic Districts Legal Owner(s): Security Development, LLC

for Dogwood Limited, Steven K. Breeden

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-157-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

RECEIVED

11 / 7 : Mills

Per.....

CARÖLE 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 23rd day of September, 2005, a copy of the foregoing Entry of Appearance was mailed Stuart Darley, Colbert, Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and to Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CASE NAME CASE NUMBER 06-15 75A DATE Nov 2 2005

PETITIONER'S SIGN-IN SHEET

								Key Course	REBORAL BARIN	NAME
								2835 SMITH AUE	409 Whenkerow Ave	ADDRESS
								MP 2	10WSON MD 21204	CITY, STATE, ZIP
								albert e	Dookin @ Dookinlaw-eom	E- MAIL

Case No.: 06-157 SPHA RYAN HOMES INC

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		<u> </u>
140. 1	AMENDED PLAN	
No. 2	COLORED PLAT	
No. 3	ZONING MAP	
No. 4	COLOR GODED COPY OF REQUESTED ZONING REL	VELT
No. 5	AERIAL OVERLAY	
No. 6		
No. 7		
No. 8		;
No. 9		
No. 10		
No. 11		
No. 12		

Ju 4/11

IN RE: DEVELOPMENT PLAN HEARING
S/S Dogwood Road, N Fairbrook Road
1st Election District

1st Councilmanic District (George Helfrich Property)

Security Development Corporation Petitioner/Developer

- BEFORE THE
- * HEARING OFFICER
- * OF BALTIMORE COUNTY
- * Case Nos. I-489 & 02-520-SPHX

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner and Hearing Officer for Baltimore County as a requested approval of a Development Plan prepared by D. S. Thaler & Associates, Inc., proposing the development of the subject property into eight-four (84) townhouse dwellings. The subject property comprises 28.47 acres, more or less, and is predominantly zoned D.R.5.5 with a small area of D.R.16 and R.C.6 zoning. The property is located on the south side of Dogwood Road, north of the termination point of Fairbrook Road in Catonsville.

Appearing at the hearing on behalf of the Development Plan approval request were Steve Breeden, Rob Moxley and Mark Moxley, appearing on behalf of the Dogwood Road Limited Partnership, the Developers of the site, David Thaler, Alan Scoll and Mark Vaszil, appearing on behalf of D. S. Thaler & Associates, Inc., the engineers who prepared the Development Plan of the property, and Ben Bronstein, attorney at law, representing the Developer. Appearing as interested citizens were James Markle and G. W. Helfrich, the owner of the property. Mr. Mike Marino, attorney at law, appeared representing the Fairbrook Apartments, the adjacent property owners. As is usual and customary, representatives of the various Baltimore County reviewing agencies also attended the hearing; namely, John Sullivan (Zoning Review) and Don Rascoe (Development Management) from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks. Ms. Joanne Wieber, who appeared on behalf of the Homeowners of

Parkview Trail, appeared in opposition to the request. There were no others in attendance.

In addition to the requested approval of the Development Plan, the Petitioner is also requesting variance relief regarding the development of the site. Originally, the Petitioner requested a special exception approval for the adult day care center which is operated by "The Easter Seals" located on the northern end of the site. The Petitioner withdrew the special exception request based on a letter issued by the Department of Permits & Development Management. Therefore, at issue in the case is the requested approval of the Development Plan, along with variance relief to allow two 7-unit buildings in lieu of the permitted 6, a variance to permit 11 parking spaces in a row in lieu of the 10 permitted, and an open projection setback of 17.5 ft. for a 12 ft. deck to be constructed on the rear of each of these townhouses in lieu of the required setback of 22 ft. The third variance request, which involved "The Easter Seals" property, was withdrawn at the hearing.

Testimony and evidence indicated that the property to be developed comprises 28.47 acres. The property can be developed with as many as 157 dwelling units. However, the Developer, pursuant to this Development Plan, is requesting approval of the development of the property with 84 townhouse dwellings as depicted on Developer's Exhibit "1A", the Development Plan which was submitted into evidence. The development of the property occurs on the southern end of the site with the northern end continuing to be occupied by "The Easter Seals" as an adult day care center. The center of the site comprises environmental features such as a lake, stream valley and passive and active open space, all of which is depicted on the Development Plan.

As to the history of this project, a Concept Plan Conference was held on July 23, 2001. As required, a Community Input Meeting was held on August 20, 2001 at the Woodlawn Library. Subsequently, a Development Plan Conference was held on June 5, 2002 and the first Hearing Officer's Hearing was held on June 28, 2002 and continued to August 8, 2002 at the request of DEPRM and the Developer. A second Development Plan Conference was held on February 26, 2003 and a final hearing on the matter held on April 10, 2003.

At the Hearing Officer's hearing, I attempt to determine what, if any, issues or comments remain unresolved as of the date of the hearing before me. No issues were raised by either the Developer or the County representatives who were in attendance. The County representatives indicated that the plan as submitted meets and satisfies the Development Regulations of their respective agencies.

Issues were raised by Ms. Joanne Wieber who appeared on behalf of the Homeowners of Parkview Trail. Ms. Wieber testified that members of her association met and agreed to oppose the development of this site. The reasons for their opposition were stated in a written letter submitted into evidence as Protestant's Exhibit No. 1. Much of the testimony that Ms. Wieber provided in opposition to this Development Plan was inaccurate. Ms. Wieber indicated that her community objects to the development of the property, given that it lies adjacent to the Patapsco However, in actuality, the property proposed to be developed is situated State Park. approximately 2 miles from the Patapsco State Park property. Ms. Wieber further objected to traffic on Johnnycake and Dogwood Roads. However, the property to be developed is serviced by Fairbrook Road and has no direct access to Dogwood Road. Mr. Thaler testified that the preferred method of travel for residents of this subdivision would be over Fairbrook Road and out to other main travel ways. Ms. Wieber also was opposed to any commercial development on the property. However, none is proposed. Finally, Ms. Wieber indicated that her association would prefer that the subject property be developed with a community center such as a boys and girls club or a YMCA. It should be noted that "The Easter Seals" intends to continue to operate their adult day care facility on the property as they have in the past. Furthermore, Mr. Thaler testified that the central 1/3 of the subject development will be maintained as public lands and will include a large pond, a public beach area associated with that pond and also fishing. There are hiking trails proposed to be installed along with active and passive open space. Therefore, the center of the property to be developed will, in essence, be set aside as public park land.

It should also be noted that Parkview Trail is a residential community that is situated approximately 2 miles from the property to be developed. Most of the information provided in

the letter submitted as Protestant's Exhibit No. 1 did not apply to this property. The concerns raised in that letter are not sufficient to warrant that the Development Plan be denied. I am satisfied, based on the testimony and evidence presented at the hearing, that the Development Plan as submitted meets and satisfies all of the Development Regulations contained within the Baltimore County Code and the Baltimore County Zoning Regulations. Accordingly, the Development Plan shall be approved.

As stated previously, the Developer, in conjunction with their Development Plan approval request, has also asked that certain variances be considered in conjunction with the development of this property. Two of the townhouse buildings proposed for the property, that being Building Nos. 2 and 7, each contain 7 townhouse dwellings in lieu of the permitted 6. In addition, there are some parking areas that provide for 11 parking spaces in a row in lieu of the permitted 10. Finally, all of the townhouse dwellings to be constructed are proposed to have 12 ft. decks extending from the rear of the homes. In order for the property to be developed in the fashion depicted on Developer's Exhibit No. 1A, these variance requests are necessary.

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.

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 is 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 Baltimore County Zoning Regulations.

The final relief requested by the Petitioner involves accessory structures/fences in non-density portions of lots in a D.R.16 zone sharing lot area in a D.R.5.5 zone and to amend area of special exception and special hearing in Case No. 86-354-XSPH. After considering the testimony and evidence offered, I find that the special hearing request should be granted to approve the location of the accessory structures and fences as requested.

Pursuant to the Zoning and Development Plan Regulations of Baltimore County as contained within the Baltimore County Zoning Regulations and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the Development Plan shall be approved consistent with the comments contained herein.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County this Abril, 2003, that the Development Plan prepared by D. S. Thaler & Associates, proposing the development of the subject property known as the "George Helfrich Property", be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the variance relief to allow two 7-unit buildings in lieu of the permitted 6, 11 parking spaces in a row in lieu of the permitted 10, and rear yard setbacks of 17.5 ft. in lieu of the permitted 22 ft., be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the special exception request, as well as the variance to allow the existing parking area to remain as indicated on that portion of the property occupied by The Easter Seals, be and are hereby DISMISSED as not being necessary.

IT IS FURTHER ORDERED, that the special hearing relief to permit accessory structures/fences in non-density portions of lots in a D.R.16 zone sharing lot area in a D.R.5.5 zone and to amend the previously approved special exception and special hearing in Case No.

86-354-XSPH, be and is hereby GRANTED.

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

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER/

HEARING OFFICER

FOR BALTIMORE COUNTY

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PETITIONS SPECIAL CASEPTICE END ABBRING SFS Of Dogwood Rosd, 2339 F of Molling Boad 1st Thertion District

IN RE:

Case No.

George Welfrich

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The Periliames, in his special exception request, proposed to expand the facility by excing a miniature golf course and a golf delving range, and to chain the right to utilize the clubbouse and fields as a training facility.

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DATE_

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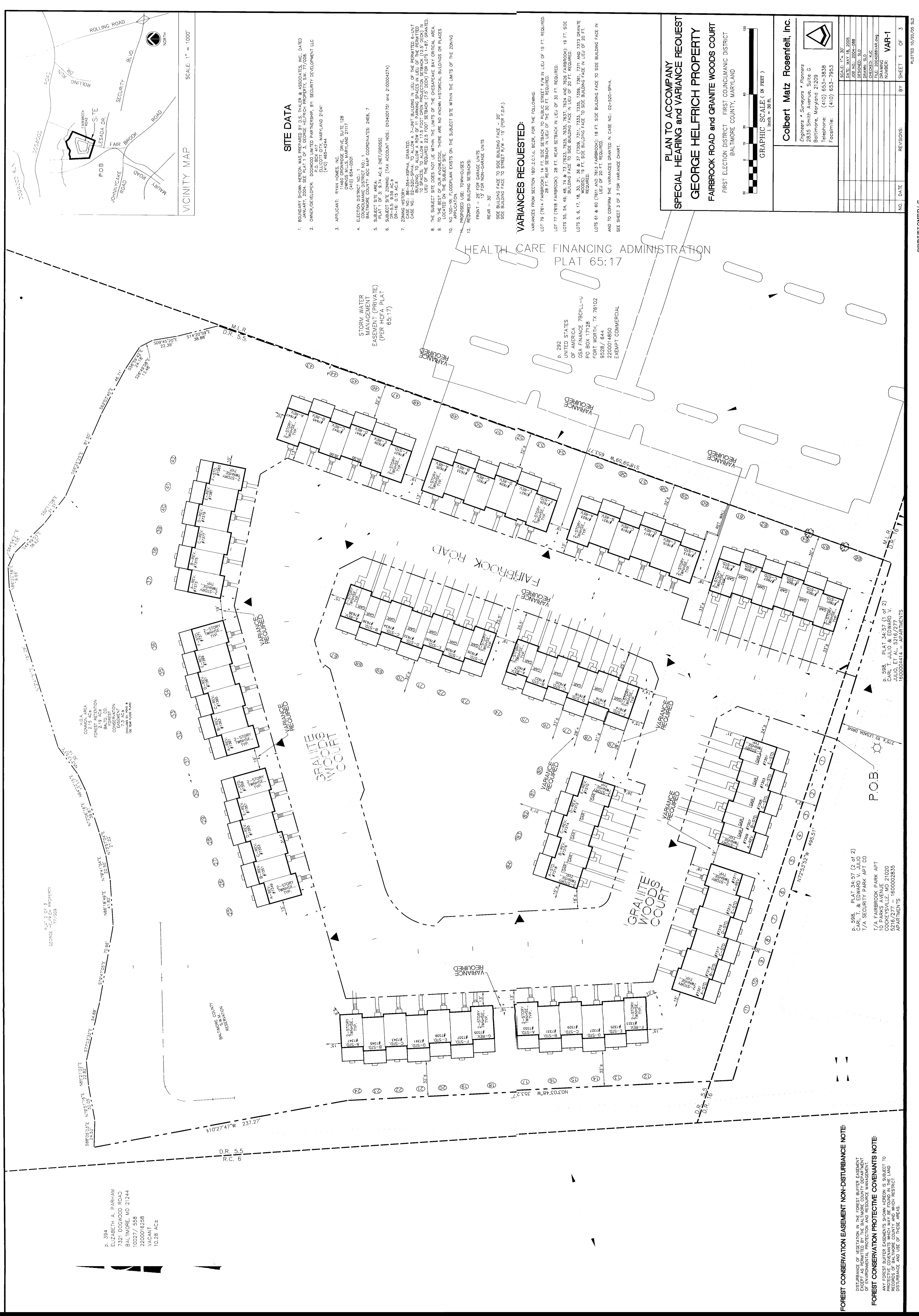
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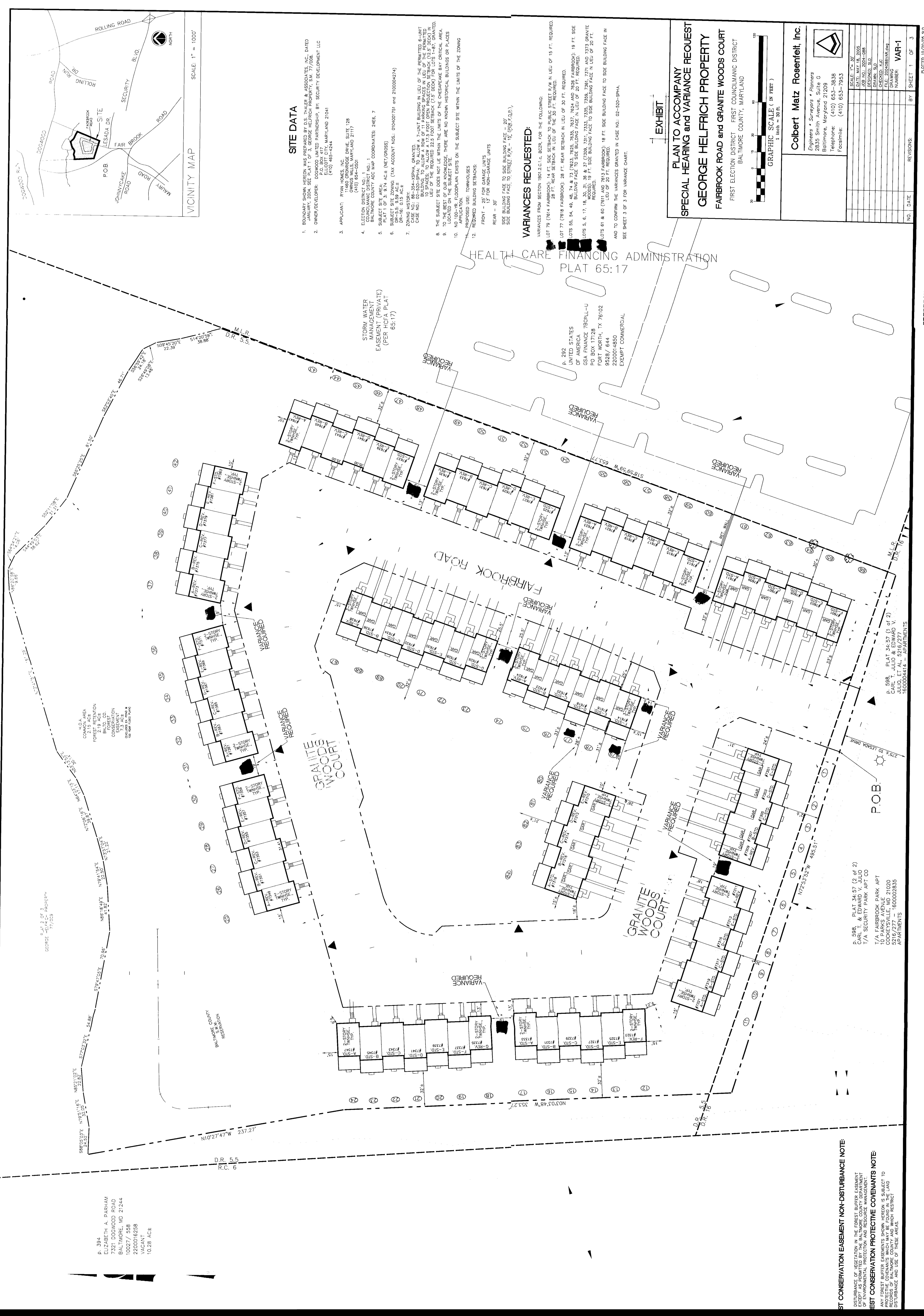
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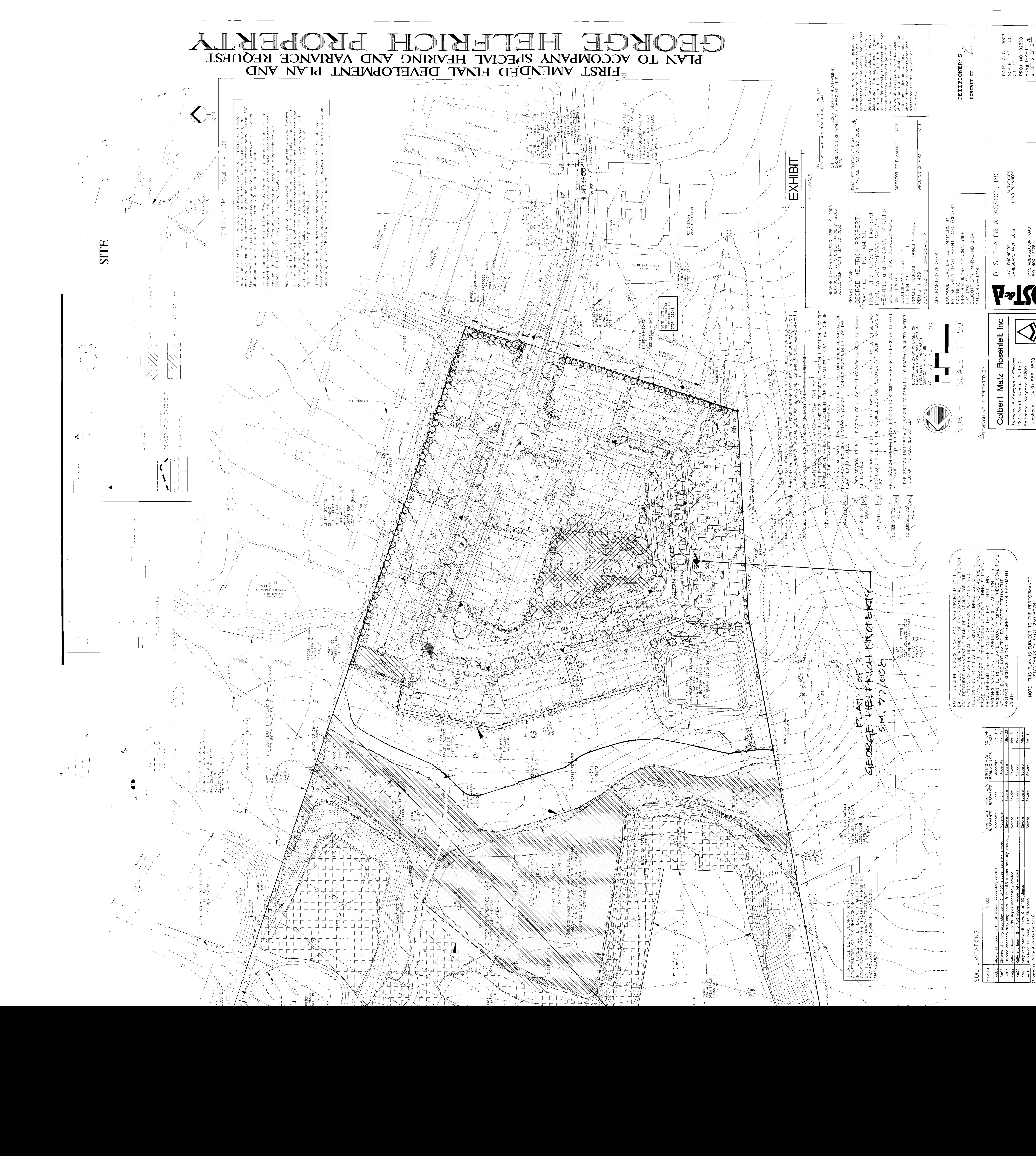
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


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