

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
W/S Merritt Boulevard, 368' +/-  
NE of Merritt Boulevard  
1946 Merritt Boulevard  
12th Election District  
7th Councilmanic District  
Beverly I. Karras  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-497-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.C.1, to permit a side yard setback of 5 feet in lieu of the required 10 feet, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for a Residential Variance, the subject property having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioner is requesting a variance to permit a side yard setback of 5 feet in lieu of the required 10 feet.

The Petitioner has filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the subject variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner. Based upon the information available, the relief should be granted.

Additionally, the Petitioner has requested that the photo exhibits be returned upon the decision being rendered. Said photos have been marked as exhibits and have become a permanent part of the subject record; therefore, they cannot be returned.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of June, 1990 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.C.1, to permit a side yard setback of 5 feet in lieu of the required 10 feet, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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. The Petitioner shall not construct any plumbing, bathroom or kitchen in the subject structure.
3. The Petitioner shall not allow or cause the subject structure to be converted to a second dwelling unit and/or apartment.

4. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:mmm  
cc: Peoples Counsel

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

June 20, 1990

Mrs. Beverly I. Karras  
1946 Merritt Boulevard  
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance  
Case No. 90-497-A

Dear Mrs. Karras:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
J. Robert Haines  
Zoning Commissioner

JRH:mmm  
encl.  
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 22-26(b)(1) of the Baltimore County Code to permit a side yard setback of 5 ft. in lieu of the required 10 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (indicate hardship or practical difficulty):
1. To preserve and utilize natural elements.
  2. To utilize maximum visibility.
  3. To allow for easier construction.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, 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.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

Beverly I. Karras

(Type or Print Name)

Signature

(Type or Print Name)

Signature

1946 Merritt Blvd 288-3946

Baltimore, MD 21222

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

City/State/Zip Code

WITNESSED by the Zoning Commissioner of Baltimore County, this 21st day of June, 1990, that the subject matter of this petition is posted on the property on or before the 7th day of June, 1990.

J. Robert Haines  
ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at  
1946 Merritt Blvd.  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)

1. To preserve and utilize natural elements.
2. To utilize maximum visibility.
3. To allow for easier construction.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Beverly I. Karras  
AFFIANT (Handwritten Signature)

Beverly I. Karras  
AFFIANT (Printed Name)

AFFIANT (Handwritten Signature)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of June, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Beverly I. Karras

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-26-90  
DATE

NOTARY PUBLIC  
My Commission Expires: 7-1-90

APRIL 26, 1990

ZONING DESCRIPTION

Beginning for the same and being known and designated as Lot No. 58 as shown on the Plat of "Dundalk Farms", which plat is recorded among the Land Records of Baltimore County in Plat Book L.M.C.M. #10, Folio # 53, containing 844.5 sq. ft. The improvements thereon being known as 1946 Merritt Blvd and located in the 12th Election District.

(Liber S.M. No. 8372, Folio 587)

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Townson, Maryland 21204

Account: R-001-6150  
Number

receipt  
N: 2332

Date

DESCRIPTION

PROPERTY

| DESCRIPTION                    | UNIT | PRICE   |
|--------------------------------|------|---------|
| PUBLIC HEARING FEE             | 1    | \$0.00  |
| 10% HEARING VARIANCE FEE       | 1    | \$0.00  |
| 10% HEARING SIGN / ADVERTISING | 1    | \$25.00 |
| TOTAL:                         |      | \$25.00 |

LAST NAME OF OWNER: KARRAS

B C 91 \*\*\*\*\*60008 4 0304 F

Cashier Validation:

Please make checks payable to Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Townson, Maryland

District: 12th  
Posted for: 1946 Merritt Blvd  
Petitioner: Beverly I. Karras  
Location of property: 1946 Merritt Blvd, 288-3946  
Location of Sign: 1946 Merritt Blvd, 288-3946  
Remarks: 0-4 from property of Baltimore County  
Posted by: J. Robert Haines  
Date of return: 7/1/90  
Number of Signs: 1



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 16, 1990



Dennis F. Rasmussen  
County Executive

Ms. Beverly I. Karras  
1946 Merritt Blvd  
Baltimore, MD 21222

RE: Item No. 379, Case No. 90-497-A  
Petitioner: Beverly I. Karras  
Petition for Residential Variance

Dear Ms. Karras:

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 filing 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

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
15th day of May, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Beverly I. Karras

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: May 14, 1990

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Beverly A. Karras, Item No. 379

The Petitioner requests a residential Variance to side yard setback requirements.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500

Paul H. Reinecke  
Chief

MAY 10, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: BEVERLY I. KARRAS

Location: #1946 MERRITT BOULEVARD

Item No.: 379 Zoning Agency: MAY 15, 1990

Certification:

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

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", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 5-14-90  
Special Inspection Division

Noted and  
Approved *Paul H. Reinecke*  
Fire Prevention Bureau

JH/BER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

DATE: \_\_\_\_\_



Dennis F. Rasmussen  
County Executive

Ms. Beverly I. Karras  
1946 Merritt Boulevard  
Baltimore, Maryland 21222

Re:

Case Number: 90-497-A  
Location: 1946 Merritt Boulevard  
Petitioner(s): Beverly I. Karras

Dear Petitioner(s):

No hearing having been requested by your neighbors or by the Zoning Commissioner, the above matter has completed the Administrative process.

Please bring the sign and post to 111 W. Chesapeake Avenue, Towson, Maryland, Room 113 at your earliest convenience. When you return the sign and post, you will be given a copy of the written Order relative to this case.

Thank you for your cooperation.

Very truly yours,

*G. G. Stephens*  
G. G. STEPHENS  
(301) 887-3391

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 11, 1990



Dennis F. Rasmussen  
County Executive

Ms. Beverly I. Karras  
1946 Merritt Boulevard  
Baltimore, Maryland 21222

Re: \*CASE NUMBER: 90-497-A  
ITEM NUMBER: 379  
LOCATION: 1946 Merritt Boulevard

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case numbers. \*Any contact made to this office should reference this number.

After the closing date to file a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising and reposting of the property and a public hearing to be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

*G. G. Stephens*  
G. G. STEPHENS

April 30, 1990

#379  
90-497-A

To Whom It May Concern:

We are the Szyslowski Family. We own the lot marked #59 in Baltimore County 7th Councilmatic District and live in dwelling on same known as 1944 Merritt Blvd.

Let it be known that we are aware of proposed construction on Lot #58 (south west property), by Beverly Karras, and we have no objection to the construction and/or variance proposed.

We are documenting this fact since we are the most effected by the said construction.

Signed,

*Paul Szyslowski*

Witness: *Paul Szyslowski*

Joe - Please add to file

Only return this part with your correspondence if you have any questions or we may identify your account. Please correct any errors in your name or address.

Return this part with your Form SS 1

CP 578  
28087363

DATE OF THIS NOTICE: 10-30-89  
EMPLOYER IDENTIFICATION NUMBER: 52-1649109

INTERNAL REVENUE SERVICE  
PHILADELPHIA, PA 19255

I & L REALTY PARTNERSHIP  
SCHONBERGER STEVEN D GEN PTR  
516 349 QUADRANGLE VILLAGE  
BALTIMORE MD 21210

Commissioner Haines,

Please note the highlight on the above which indicates I am the general partner for the IBL Realty Partnership. Information regarding the zoning variance request is forthcoming.

Thanks

*Steve Schimberg*  
(823-6141)

JUN 12 1990  
ZONING OFFICE



at to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1946 Merritt Blvd.

Division name: DUNDALK FARMS

Lot book: 12, lot: 53, lot: 54, section: 1

OWNER: Beverly I. KARRAS

**Petitioner's Exhibit 1**

**90-497-A**

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Councilmanic District: 7th

Election District: 12th

1"=200 scale map: SE 4-F

Zoning: 50'x168' 844.5'

Lot size: 50'x168' 844.5'

SEWER: ☒ ☐

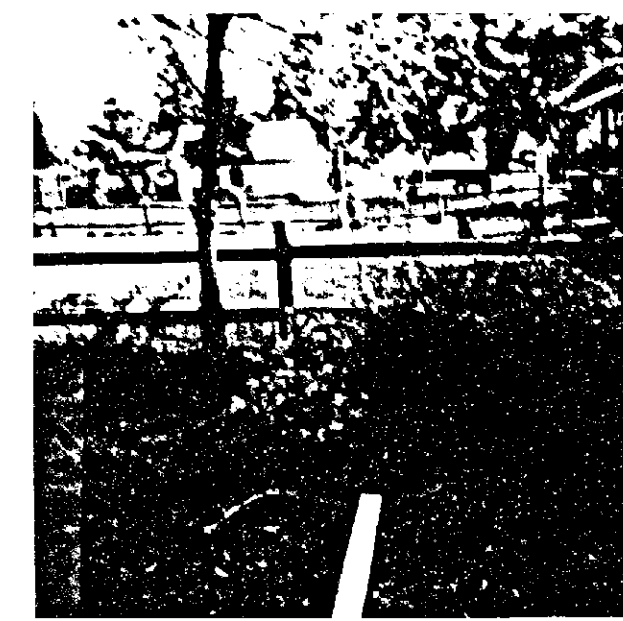
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: None

Zoning Office USE ONLY

reviewed by: 379 ITEM #: CASE#:



**90-497-A**



**90-497-A**

**Petitioner's Exhibit 2**

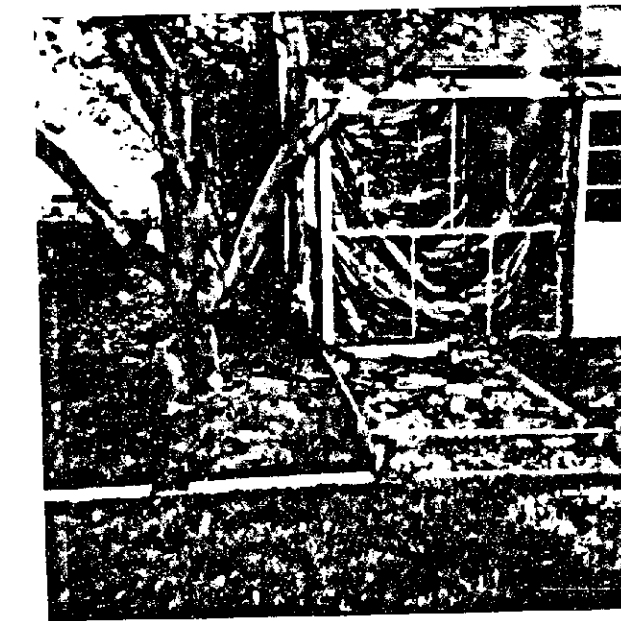


**90-497-A**

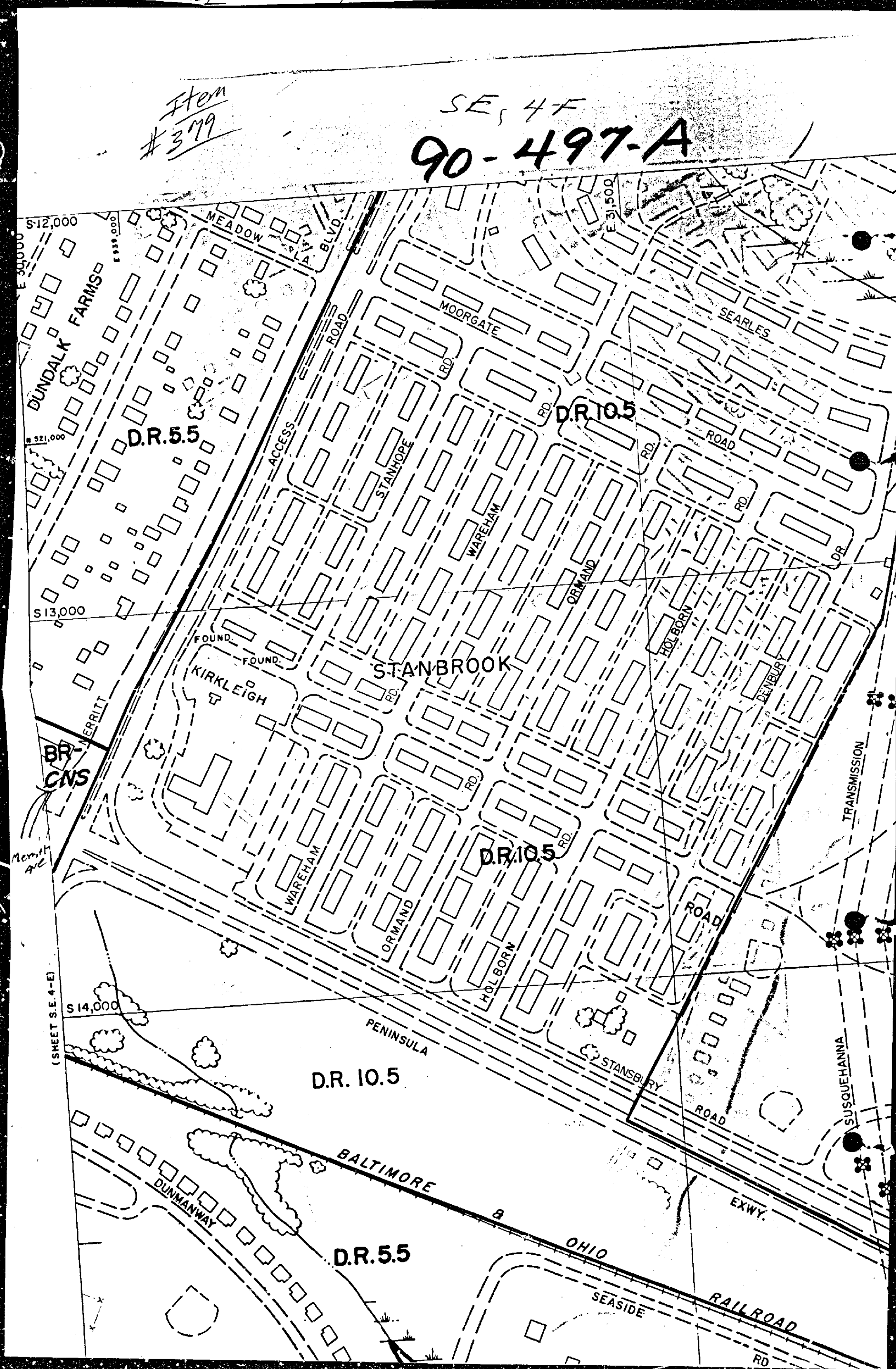


**90-497-A**

**Petitioner's Exhibit 3**

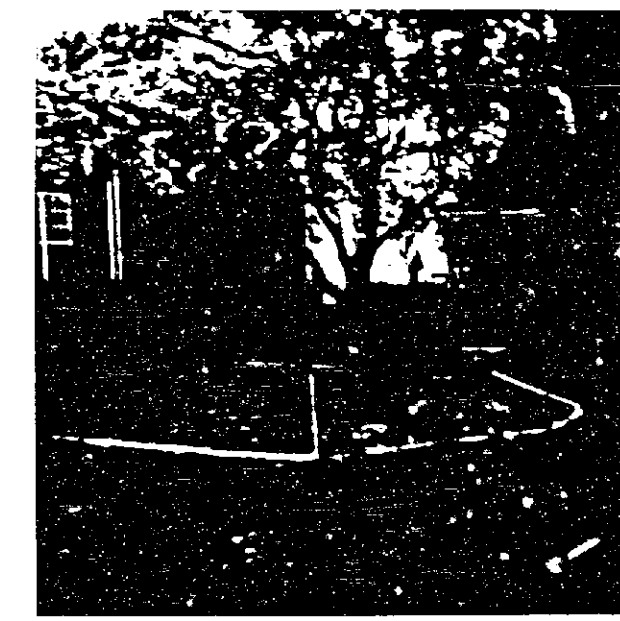
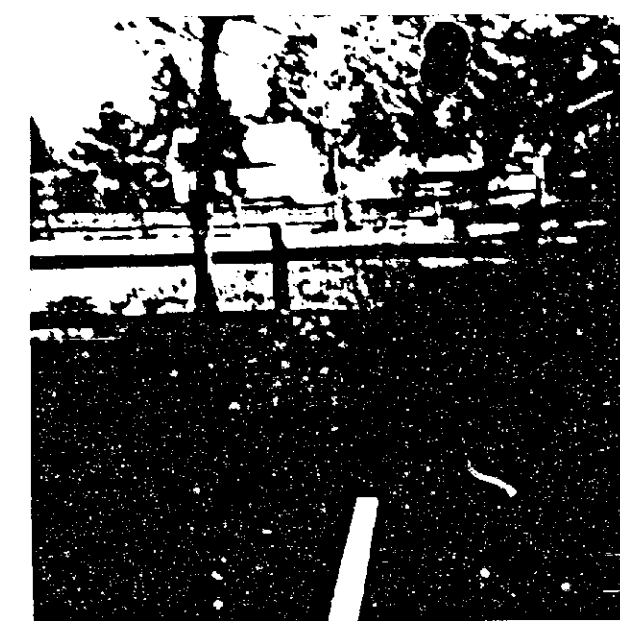


**90-497-A**



Upon Completion, please  
return photos to  
Beverly Karras  
1946 Merritt Blvd  
Baltimore, MD 21222  
(enc. provided)

KARRAS  
1946 Merritt Blvd  
Baltimore, MD 21222



RECEIVED  
MAY 17 1980  
ZONING OFFICE  
**90-497-A**