IN RE: PETITION FOR ADMIN. VARIANCE
N/S Hunting Tweed Drive, 160' NW
centerline of Huntsworth Lane
4th Election District
2nd Councilmanic District
(3220 Hunting Tweed Drive)

Jody & David Berg
Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 03-279-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Jody and David Berg, the legal owners of the subject property. The variance request is for property located at 3220 Hunting Tweed Drive in the Owings Mills area of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a principal building side yard setback of 26 ft. in lieu of the minimum required 50 ft. and to amend the Final Development Plan of "Huntington", Lot 21, Section II. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted 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 Petitioners.

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 Deputy Zoning Commissioner for Baltimore County, this 13th day of January, 2003, that a variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit a principal building side yard setback of 26 ft. in lieu of the minimum required 50 ft. and to amend the Final Development Plan of "Huntington", Lot 21, Section II, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

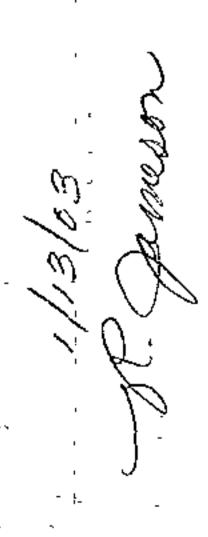
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

January 13, 2003

Mr. & Mrs. David Berg 3220 Hunting Tweed Drive Owings Mills, Maryland 21117

Re: Petition for Administrative Variance

Case No. 03-279-A

Property: 3220 Hunting Tweed Drive

Dear Mr. & Mrs. Berg:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy llotroco

TMK:raj Enclosure

c: Geoffrey C. Schultz McKee & Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville, MD 21030





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at _	3220 Hunting Tweed Drive
- •	is presently zonedRC-5

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 hereof, hereby petition for a Variance from Section(s)

1A04.3B.2.to penuit a principal building sideyard setback

feet in-lieu-of the minimum required 50 feet, and to amend the Final Development Plan.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is 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.

				I/We do solemnly declare and affirm, un perjury, that I/we are the legal owner(s) is the subject of this Petition.	der the penalties of of the property which
Contract Purchaseri	Lessee:			Legal Owner(s):	
				David Berg	
Name - Type or Print			Name -	ype or Prin	
Signature			-	Signature	
			_	Jody Berg	
Address		Telephone No.		Name - Type or Print	
City	State	Zip Code	-	Signatur	
Attorney For Petition	ner:			3220 Hunting Tweed Drive (410)	233-5525
				Address	Telephone No.
				Owings Mills, Maryland 2111	./
Name - Type or Print		· •···	City	State	Zip Code
				Representative to be Contacted	d:
Signature			•	Geoffrey C. Schultz	
·····			_	McKee and Associates, Inc.	
Company				Name	
2 4			_	· · · · · · · · · · · · · · · · · · ·	527-1555
Address		Telephone No.		Address	Telephone No.
				Cockeysville, Maryland 21030	
City	State	Zip Code		City	Zip Code
A Public Hearing having be	en formally demand	ed and/or found to	be requ	ired, it is ordered by the Zoning Commissioner	of Baltimore County, this
of Batimore County and that the	. that the	subject matter of this	petition	e set for a public hearing, advertised, as required	by the zoning regulations
Signification occurry and man me	o property be reposted	u.			
Ž					
			_	Zoning Commissioner of Baltimore Co	ounty
CASE NO	779-A			ADD	\ -A
CARE NO	2//	Reviewed	Ву	Date 12-12-0) <u> </u>
REV.9/15/98			Fetimoto	d Posting Date	
			C3 HHU E	resting oute	

Affidavit in Support of Administrative 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 that 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	z reside a
111000	, and series	, accerac	PICOCHII	, icolaç a

REV 09/15/98

3320 Hinting Tweed Drive

Address
Owings Mills, Maryland
City
State

Zip Code

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

The narrowness of the lot required a sideyard variance for construction of the original house, which was approved under Case No. 90-303-A. At that Hearing, it was demonstrated that the variance was necessary due to the shape of the lot and the location of the existing well and septic areas. The owners now desire to build an addition to the house for more garage space. For the same reasons argued at the original Hearing, and because of the location of the existing driveway and garage, the addition cannot be practically constructed without the requested relief.

That the Afriant(s) acknowledge(s) that if a formal de advertising fee and may be required to provide addition	emand is filed, Affiant(s) will be required to pay a reposting and nal information.
X Signature	× Judy 5 Bag
David Berg	Jody Berg
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE,	to wit:
I HEREBY CERTIFY, this 11th day of December State of Maryland, in and for the County aforesaid, personal county aforesaid, personal county aforesaid.	sonally appeared before me, a Notary Public of the
David Berg and Jody Berg	
the Affiant(s) herein, personally known or satisfactorily law that the matters and facts hereinabove set forth are	identified to me as such Affiant(s), and made oath in due form of true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
DECEMBER 11,2001 Date	Notary Public My Commission Expires June 29, 2005
Date	Notary Public
	My Commission Expires ערייב באר באייני פייב באר אייני פייב באר אייני פייב באר אייני פייב באר אייני באר אייני פייב פייב פייב פייב פייב פייב פייב

Engineering • Surveying • Environmental Planning Real Estate Development

December 12, 2002

ZONING DESCRIPTION 3220 HUNTING TWEED DRIVE 4TH ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND



BEGINNING at a point on the north side of Hunting Tweed Drive (50-foot wide rightof-way) said point lying 160 feet northwest of the centerline of Huntsworth Lane (50-foot wide right-of-way) and being known as Lot 21 of Section Two "Huntington" recorded in Plat Book 55, folio 13.

CONTAINING 2.350 acres of land, more or less as recorded in Deed Liber 7758, folio 728.

4th Eloction Dist

2nd Council manic Dist

ITEM#279

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

BALTIMORE COUNTY,

	FOR: ZOM: 19 MOCONING OF THOM: FOR: ZOM: 99 MOCONING ONE OF THE PINK - AGENCY	MISCELLANEOUS F
The state of the s	YELLOW-CUSTOMER	RECEIPT ACCOUNT AMOUNT \$ (7)
	Case # 03-779.	30.20 S
CASHIER'S VALIDATION		
A CANCEL SECTION AND ASSESSMENT AND ASSESSMENT AND ASSESSMENT ASSE	Control of the second of the s	The transfer was a fine of the same with the

1" brand lax transmittal memo 7671

CERTICATE OF POSTING

RE: Case No.: 03-279-A

Petitioner/Developer MCKEE, ETAL'

Date of Hearing/Closing.

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention, 1

i u Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #3220 HUNTING TWEED DE. The sign(s) were posted on (Month, Day, Year)

Sincerely.

PATRICK M. O'KEEFE

(Printed Name) PENNY LANE

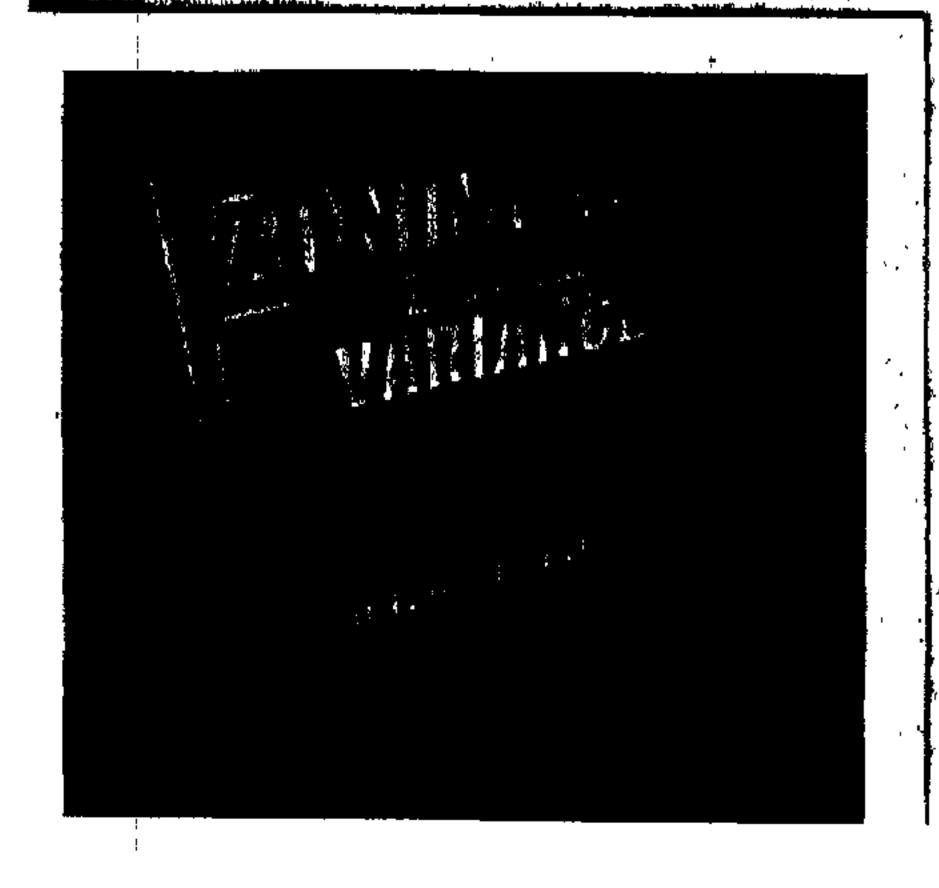
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 ; CELL-410-95-5571

(Telephone Number)



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: 03-279-A Petitioner: DAVIO & JODY BERG	
Address or Location: 3220 HUNTING TWEED DE	コイミ
PLEASE FORWARD ADVERTISING BILL TO: Name: DAVID BERG	
Address: 3220 HUNTING TWEED DRIVE	
OWINGS MILLS MD-21117	
Telephone Number: 410 - 233 - 5525	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 279 -A Address 3220 Hunting Tweed Dr.
Contact Person: David Dave Phone Number. 410-887-339
Filing Date: 12-12-02 Posting Date: 12-23 Closing Date: 1-7-0
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. An reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closin date.
DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to fill a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may (a) grant the requested relief; (b) deny the requested relief; or (conder that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearin (whether due to a neighbor's formal request or by order of the zoning or deputy zonin commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date time and location. As when the sign was originall posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 03- 279 - Address 3220 Hunting Tweed Dr
Petitioner's Name David Berg Telephone 410 233 5527
Posting Date: Dec. 23, 2002 Closing Date: Van. 7, 2003
Wording for Sign. To Permit an addition to an existing single family dwelling to
have a side yard setback of 26 feet in lieu of the minimum 50
feet; and to amend the final Development Plan



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

January 6, 2003

Mr. and Mrs. David Berg 3220 Hunting Tweed Drive Owings Mills, MD 21117

Dear Mr. and Mrs. Berg:

RE: Case Number: 03-279-A, 3220 Hunting Tweed Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 12, 2002.

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,

U. Callibal)

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Geoffrey Schultz, McKee & Associates, 5 Shawan Rd., Suite 1, Cockeysville 21030

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

December 31, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

Distribution Meeting of December 23, 2002

Dear Mr. Zahner:

Pursuant 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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

257-290

279

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 27, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 30, 2002

Item Nos. 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287,

288, 289, and 290

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS 1767

DATE:

February 3, 2003

SUBJECT:

Zoning Item 279

Address

3220 Hunting Tweed Drive

Zoning Advisory Committee Meeting of: <u>December 23, 2002</u>

The proposed garage must be at least 20 feet from the septic system and reserve area. Contact GWM for more information.

Reviewer: Sue Farinetti Date: January 23, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 30, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

30

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-273, 03-278, & 03-279

ADMINISTRATIVE VARIANCE

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 Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Date: 12.30.02

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County

Item No. 279

RDD

Administrator

Dear. Mr. Zahner:

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,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kiemtz Secretary Mary Abrams Deputy Secretary

December 27, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 12/30/02 re: case numbers 03-257-A, 03-258-SPHA, 03-259-SPHA, 03-260-A, 03-261-A, 03-262-A, 03-263-A, 03-264-SPH, 03-265-A, 03-266-XA, 03-267-A, 03-268-A, 03-270-A, 03-271-A, 03-272-A, 03-273-A, 03-274-A, 03-275-A, 03-276-A, 03-277-XA, 03-278-SPH, 03-279-A, 03-280-A, 03-281-SPHA, 03-282-A, 03-283-SPHA, 03-284-A, 03-285-A, 03-286-A, 03-287-A, 03-288-A, 03-289-A, 03-290-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/26/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

18ana 2 An Jim Ratto

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

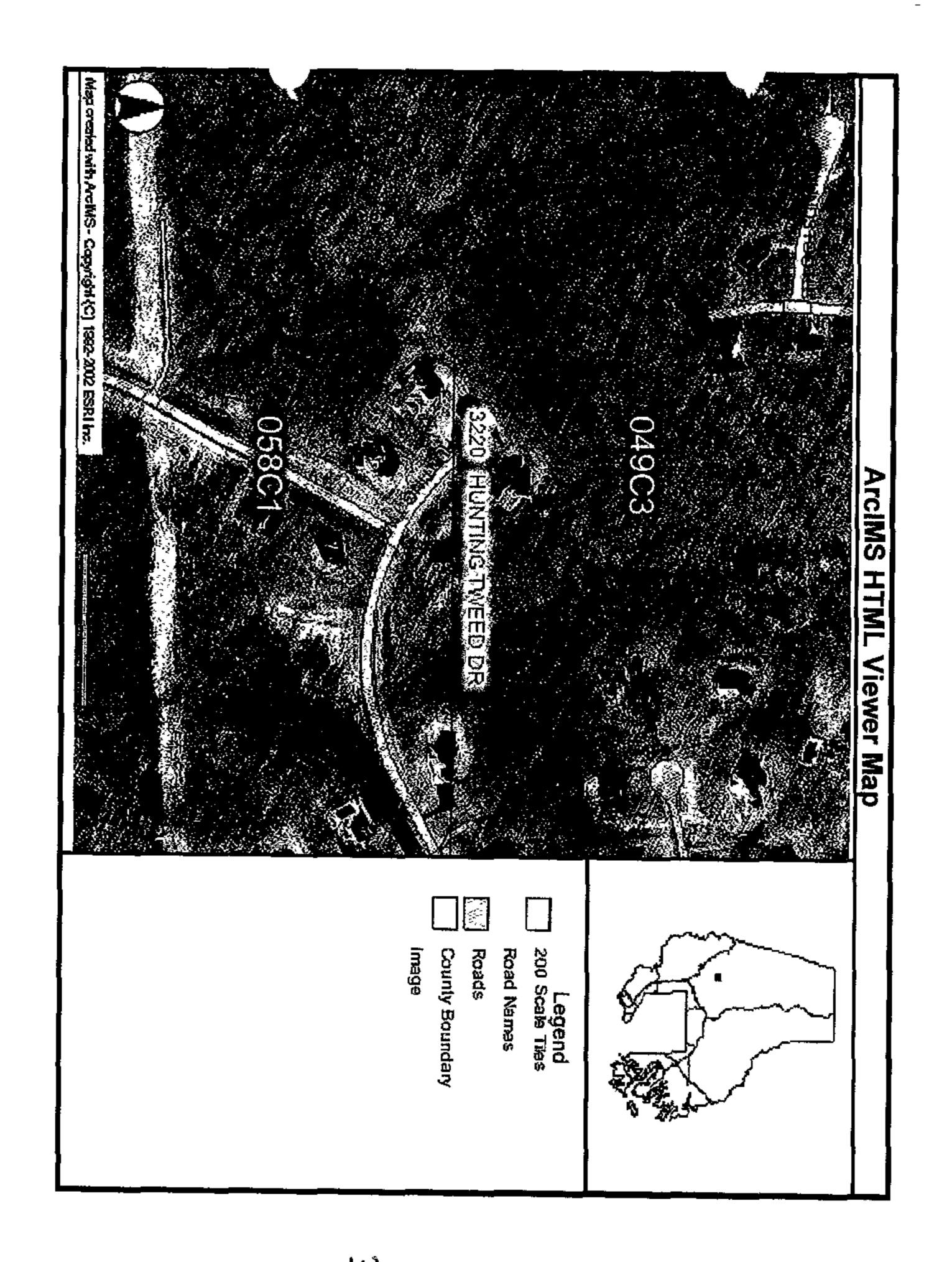
Engineering • Surveying • Environmental Planning Real Estate Development

DATE: December 12, 2002 RE: TO: Baltimore County Zoning Office 3220 Hunting Tweed Drive Administrative Variance Request ATTENTION: (X) We are submitting () We are forwarding We are returning () Under separate cover (X) Herewith Description No. Site Plans Processing Fee (\$100) Signed Petitions Sealed Descriptions 3 200-Scale Zoning Map Affidavit Forms Aerial Photo Set of Site Photographs (X) For processing () For your use () For your review () Please return to this office () In accordance with your request () Please call when ready Remarks: For further information, please contact the writer at this office. Very truly yours, McKee & Associates, Inc. **Enclosures** McKee File

ITENI#279

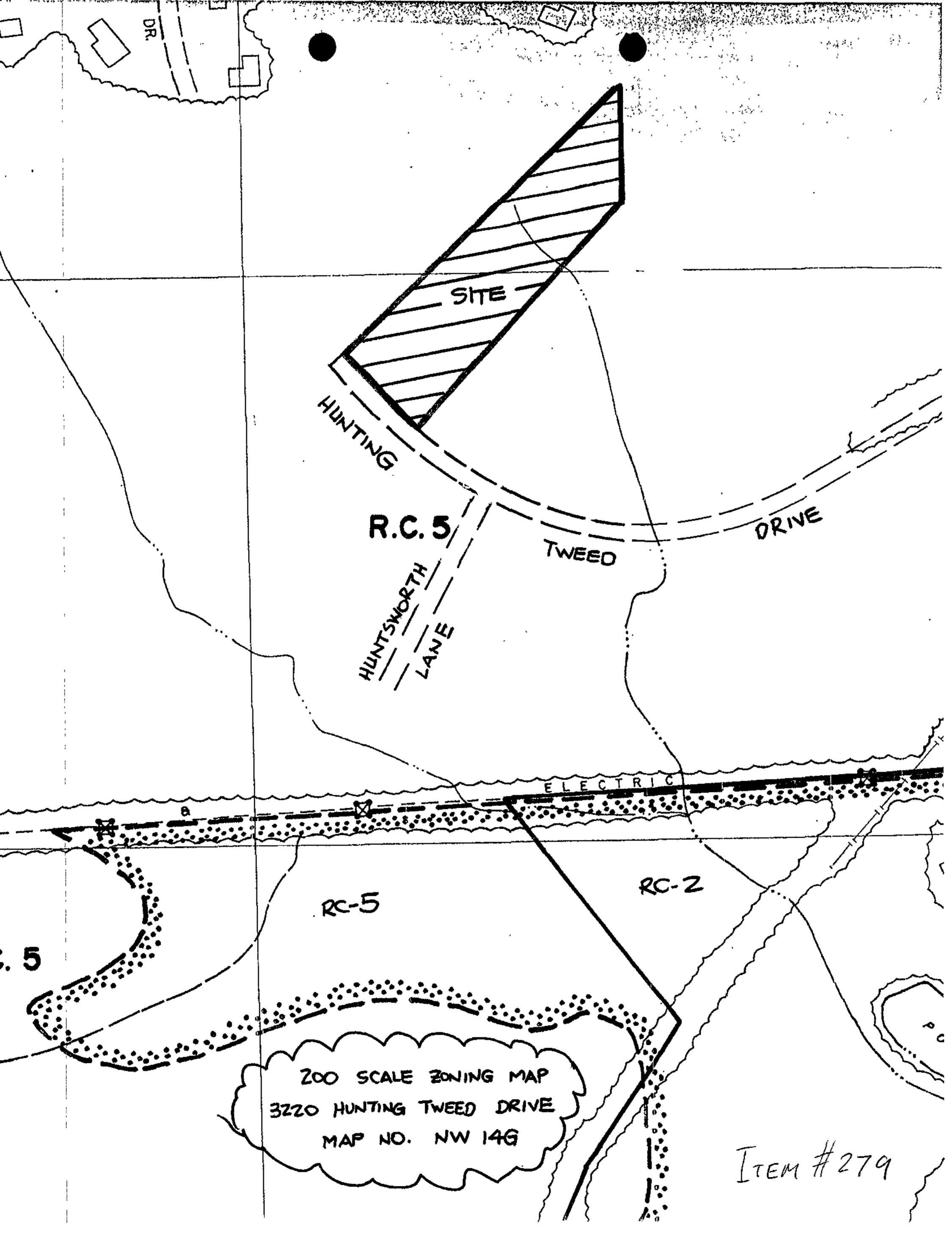
David and Jody Berg, w/enclosures

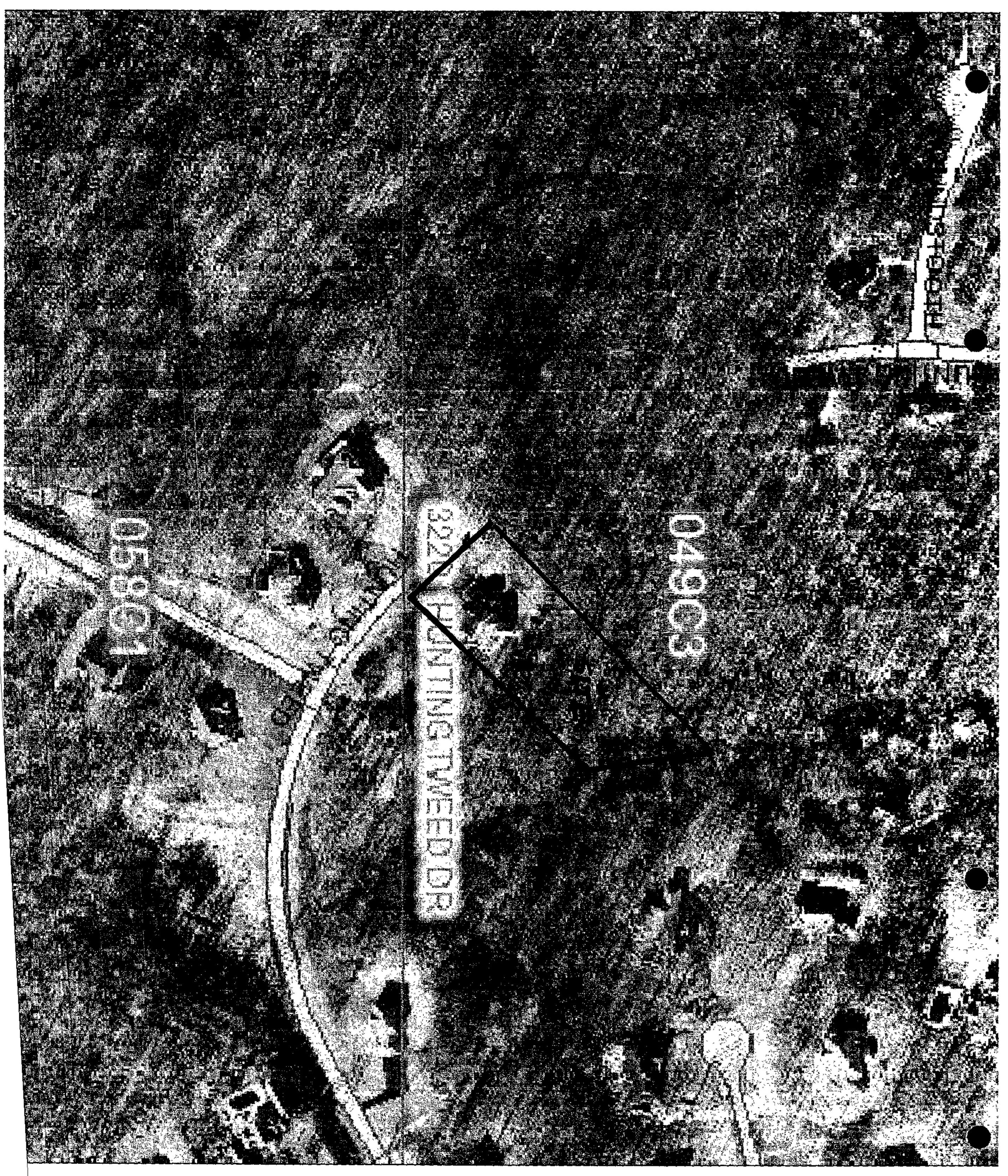
Mike Eagan, w/enclosures



BZZO HUNTING TWEED

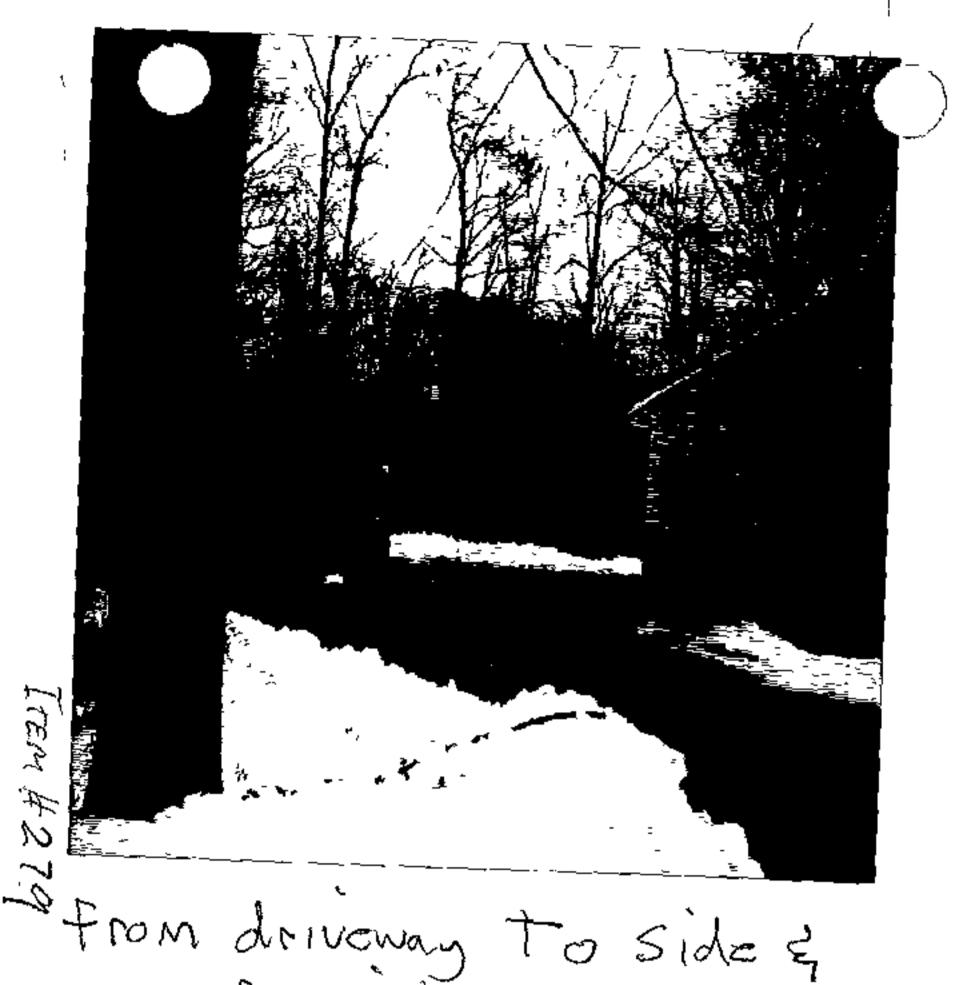
TEM # 27



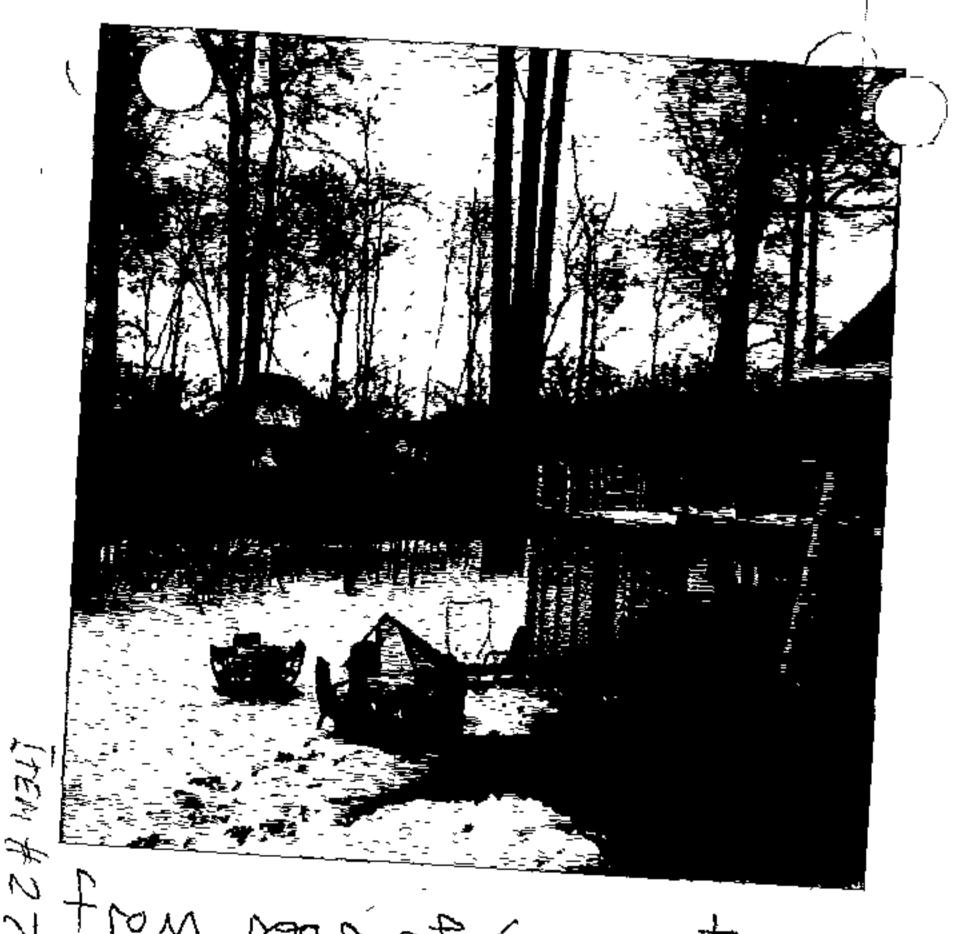


ITEM #279

HUNTING TWEED



From driveway to side & cear of existing garage



2 From rear of Garage to #3218 Hunting Tweed Drive



from rear of garage to N#3218 Hunting Tweed Drive



3220 & #3218 Hunting Tweed

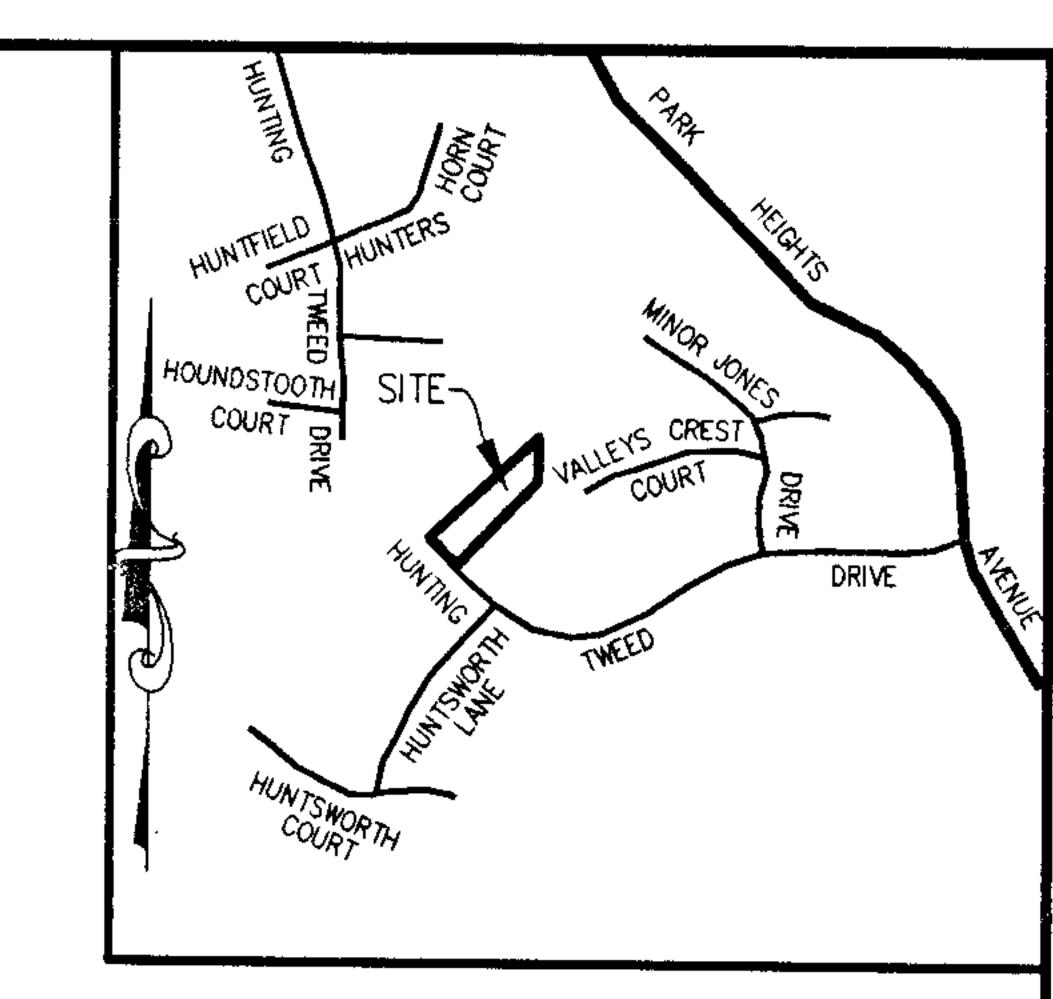
(front or houses)



Frontof # 3220 Hunting Tweed Drive

SITE WHI THE SUBJECT OF PREVIOUS ZONING CASE 303-A. (SEE COMMISIONER'S ORDER THIS SHEET) HIS PROPERTY IS NOT HISTORIC. THIS SITE CONTAINS A 100 YEAR FLOODPLAIN. THIS PROPERTY IS NOT IN THE CBCA. THERE ARE NO STORMWATER MANAGEMENT SYSTEMS ATHIN 100 FEET OF THIS SITE. ELLOT OPERATES ON PRIVATE WELL & SEPTIC SYSTEMS EXISTING 2 STORY DWELLING 9 VALLEYS CREST COURT 8916/259 ACCT. NO. 22-00-005849 SIE TABULATION LOT 5A "VALLEY CREST FARMS" ELECTION DISTRICT 4TH 62/127 RC-5 2. COUNCILMANIC DISTRICT 2ND 2 200 SCALE ZONING MAP # NW 14G HARRY B. WOLFE, JR. 1416/117 ACCT. NO. 04-23-075425 RC-5 : EXISTING ZONING RC-5 6 GROSS AREA 106,994 SF= 2.456 AC. 102,366 SF= 2.350 AC. PROPOSED

1 STORY ADDITION ———— (GARAGE) HEIGHT 17' LANCE S. LOWENSTEIN 8274/339 ACCT. NO. 20-00-009508 RC-5 4th ELECTION DISTRICT SCALE: 1" = 50' MOKEE & ASSOCIATES, INC. 5 SHAMAN ROAD, Suite 1 TELEPHONE: (410) 527-1555 COCKEYSVILLE, MARYLAND 21030 FACSIMILE: (410) 527-1563



VICINITY MAP SCALE: 1" = 1000'

PREVIOUS ZONING HEARING

CASE NO. 90-303-A
DATE OF ORDER- FEBRUARY 2, 1990
ORDER: VARIANCE GRANTED TO PERMIT A
SIDEYARD SETBACK OF 42 FEET
IN LIEU OF THE REQUIRED 50 FEET
AND APPROVAL GRANTED FOR THE
AMENDMENT OF THE FINAL DEVELOPMENT
PLAN.

PLAT TO ACCOMPANY
PETITION FOR
ADMINISTRATIVE VARIANCE

3220 HUNTING TWEED DRIVE 4th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 50'

SCALE: 1" = 50'

A Mend Final Development Plan

OWNER

DAVID & JODY BERG

3220 HUNTING TWEED DRIVE

OWINGS MILLS, MD 21117

DEED REF: 7758/728

ACCT NO: 20-00-009512

LOT 21- SECTION II

"HUNTINGTON"

Ad. At.

#03-279-A