ORDER RECEIVED FOR FILING Date 1/2/2019 IN RE: PETITION FOR VARIANCE

E/S Ravenridge Road, 141' S of the c/l

Woodraven Court

(9303 Ravenridge Road)

9th Election District

3rd Council District

HNS Development, LLC Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 04-063-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, HNS Development, LLC, through Mark L. Storck. The Petitioners seek relief from Section 504 of the Baltimore County Zoning Regulations (Bill #100, 1970) and from Section V.B.8 of the Comprehensive Manual of Development Policies (1970) to permit a single-family dwelling with a garage setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet, and to amend the Final Development Plan for Cromwell Woods, Section II, Lot 2 thereof, accordingly. 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 in support of the request were Mark L. Storck and Richard Hall, representatives of HNS Development, LLC, property owners, and Len Buerhaus, Surveyor. Appearing as Protestants in the matter were Vasilios Peros and Joseph J. DiMaggio, representatives of the Cromwell Woods Association, Inc.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the east side of Ravenridge Road, just south of Woodraven Court in the vicinity of Cromwell Bridge Road in Parkville. The property contains a gross area of 12,894 sq.ft., more or less, split zoned D.R.1 and D.R.2. As shown on the site plan, the zone line runs through the front portion of the property and thus, only a small portion of the site is zoned D.R.1 and the

predominant zoning is D.R.2. Testimony indicated that the Petitioners commenced construction of a single-family dwelling in August 2003. Subsequently, a complaint was registered with the Department of Permits and Development Management by a nearby neighbor as to the location of the dwelling on the lot. Specifically, that the house was located too close to the street. Following an investigation by a Code Enforcement Inspector, a stop-work order was issued and the Petitioners were advised to file the instant Petition to resolve the matter. Testimony at the hearing indicated that the surveyor erred when the property was staked for construction. Specifically, the building envelope was situated such that a portion of the dwelling is located 15 feet from the street right-of-way for Ravenridge Road. Thus, the requisite zoning relief is necessary. Photographs were submitted at the hearing which show that the dwelling will be an attractive structure featuring a front loaded attached two-car garage. The proposed dwelling appears to be generally consistent with the character of the neighborhood.

The Protestants who appeared at the hearing were opposed to the grant of any relief. They indicated that the surveyor's mistake constituted a self-created hardship and opined that the Petitioners' proof did not satisfy the burden set forth in Section 307.1 of the B.C.Z.R. as construed by the Court of Special Appeals in Cromwell v. Ward, 307 Md. App. 691 (1995). In Cromwell, infra, the Court established two requirements that must be satisfied in order for variance relief to be granted. First, it must be shown that the property is unique and that this uniqueness drives the need for a variance. Upon a finding of uniqueness, it must then be shown that the Petitioner/ Property Owner would suffer a practical difficulty if relief were denied. Section 307.1 of the B.C.Z.R. also requires that the grant of any variance relief cannot result in an adverse impact on adjacent properties. In this regard, the Petitioners produced a letter from the adjacent property owner at 9301 Ravenridge Road, which indicates that he has no objections to the request. That neighbor, Ben Scotto, indicated that the house is not out of character with the neighborhood and that the location of the dwelling is appropriate. The Petitioners also produced a letter from the neighbors who reside across the street from the subject property, Timothy and Pamela Keffer, which indicates that they have no objections to the request.

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After the hearing, the opposing parties were encouraged to discuss their differences and subsequently, a written agreement dated September 26, 2003 was submitted. In part, that agreement indicates that the Cromwell Woods Association, Inc. does not oppose the granting of the variance and sets forth conditions for this approval. Although the property is somewhat similar to other lots in the neighborhood, a finding of uniqueness can be made based on the configuration of the lot. One such characteristic is the property's angled frontage on Ravenridge Road. As shown on the site plan, the unusual angle of the lot results in the house being closer to the road on the northern side of the property than the southern side. Another unique characteristic of the site is the property is located adjacent to a storm water management reservation maintained by Baltimore County.

Based upon these factors, and the testimony and evidence offered at the hearing, I am persuaded to grant the variance. It is clear that denial of the requested relief would result in a practical difficulty upon the Petitioners. Moreover, the proposed dwelling is consistent with others in the surrounding neighborhood and will not cause adverse impacts upon the adjacent properties. Thus, variance relief will be granted and the agreement by and between the Petitioners and the Cromwell Woods Association will be incorporated herein as a condition to the relief granted.

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 shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of October 2003 that the Petition for Variance seeking relief from Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), (Bill #100, 1970), and from Section V.B.8 of the Comprehensive Manual of Development Policies (C.M.D.P.) (1970), to permit a single-family dwelling with a garage setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet, and to amend the Final Development Plan for Cromwell Woods, Section II, Lot 2 thereof only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

October 1, 2003

Mr. Mark L. Storck HNS Development, LLC 3H Nashua Court Essex, Maryland 21221

RE: PETITION FOR VARIANCE

E/S Ravenridge Road, 141' S of the c/l Woodraven Court

(9303 Ravenridge Road)

9th Election District – 3rd Council District

HNS Development, LLC - Petitioners

Case No. 04-063-A

Dear Mr. Storck:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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 yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc:

Mr. Richard Hall, 2829 Northwind Road, Baltimore, Md. 21234

Mr. Len Buerhaus, 1220 Longford Road, Lutherville, Md. 21093

Mr. Vasilios Peros, 9317 Ravenridge Road, Baltimore, Md. 21234

Mr. Joseph J. DiMaggio, 9 Lochwell Court, Baltimore, Md. 21234

People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 9303 RAVENRIGDE RO

which is presently zoned DR.

This Petition shall be filed with the Department of Permits a of the property situate in Baltimore County and which is describered, hereby petition for a Variance from Section(s) 504, 80	and Development Management. The undersigned, legal owner(s) ribed in the description and plat attached hereto and made a part $ZR(Bill\ 100,1970)$ and Section V.B. $8(1970\ CMDP)$ ruction) with) a garage setback of 15 feet from quired 22 feet and to amend the Final Development
to permit a single-family dwelling (under constr	ruction) with) a garage set back of 15 feet from
the street R-O-W in lieu of the minimum re	quired 22 feet and to amend the Final Development
Plan for Cromwell Woods II, Lot 2.	
of the Zoning Regulations of Baltimore County, to the zoning law or practical difficulty) The house was staked	of Baltimore County, for the following reasons: (indicate hardship
was framed before the error u	d incorrectly by our surveyor. he front setback line. The house was found.
Property is to be posted and advertised as prescribed by the zor I, or we, agree to pay expenses of above Variance, advertising, por regulations and restrictions of Baltimore County adopted pursuant to the	osting, etc. and further agree to and are to be bounded by the zoning.
I/We do perjury, that I/we is the subject of this Petiti	solemnly declare and affirm, under the penalties of are the legal owner(s) of the property which on.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type or Print MARK A- STORCK
Signature	Signature Mal 1 Shi.
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature 410-682-6570
Attorney For Petitioner:	3H NASHUA CT. 410-419-8060 Address Telephone No.
Name - Type or Print	ESSEX MD 21221 City State Zip Code
Signature	Representative to be Contacted:
Chimpany	MARK L STORCK Name 410-419-8060
Aldress Telephone No.	3 H 10円5日以日 0 410-682・6570 Address Telephone No.
State Zip Code	ESSEX. MD 2122 City State Zip Code
	OFFICE USE ONLY
Case Nq. 04-063-A	ESTIMATED LENGTH OF HEARING
E Reviewed By	UNAVAILABLE FOR HEARING

ZONING DESCRIPTION FOR 9303 Lavantidge Rd.
Beginning at a point on the east side of lavenridge ld which is 50 feet wide, at a distance of 141 feet
<u>side of Lavenridge Id. which is 50</u>
feet wide, 9t a distance of 141 feet
south of the centerline of Woodraven Ct.
which is 50 feet wide. Being Lot = 2 and
Parcel B" of the resubdivision of
Cromwell Woods II as recorded in Baltimore
County Plat Book #65, Folio #147, Confamos
Ld. and located in the 9th Election
District, 3RD Councilmanic District.
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	BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE S 6 2 ACCOUNT K-001-006-6150 AMOUNT \$ 120,00	DAID DEPETED PUSINESS ACTUAL TIME DAY 8/07/2003 8/06/2003 15:26:45 3 RED USUS WALKIN LPET LAP >> ECCIPT # 265373 8/07/2003 OFLE Dept 5 528 ZONING VERIFICATION CR NO. 027421 Recpt Tot \$130.00 130.00 CK .00 CA Baltimore County, Maryland
	FOR: Variance-9203 Ravenridge Koad 04-063-A	-
, * * · · · · · · · · · · · · · · · · ·	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

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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: #04-063-A 9303 Ravenridge Road E/side of Ravenridge Road, 141 feet south of Woodraven Court 9th Election District 3rd Councilmanic District Legal Owner(s): HNS Development LLC, Mark Storck Variance: to permit a setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet and to amend Lot 2, of the Final Development Plan for Comwell Woods II. Hearing: Thursday, August 28, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-

LAWRENCE E. SCHMIDT 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.

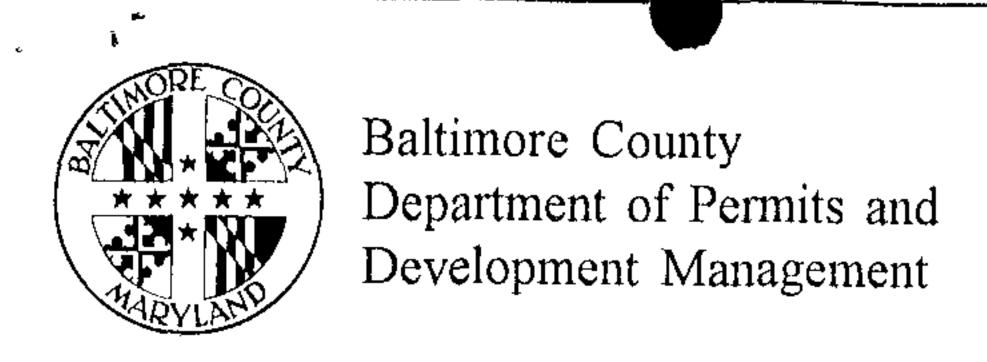
(2) For information concerning the File and/or Hearing Contact the Zoning Review Office at (410) 887-3391.

JT/8/740 Au19 C621938

CERTIFICATE OF PUBLICATION

CERTIFICATE OF POSTING

•	RE: Case No.: 24-063-A
	Petitioner/Developer: H/S DE///S
	OPMENT LLC MARK STOR
	Date of Hearing/Closing: 8/28/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	•
Ladies and Gentlemen:	· • • • • • • • • • • • • • • • • • • •
The property	of perjury that the necessary sign(s) required by law located at
••	Sincerely,
COMPANY OF THE STATE OF THE STA	(Signature of Sign Poster and Date) SSG ROBERT BLACK (Printed Name) 1508 Leslie Rd (Address) Dundalk, Maryland 21222 (City, State, Zip Code) (410) 282-7940
	(Telephone Number)



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

August 12, 2003

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: 04-063-A

9303 Ravenridge Road

E/side of Ravenridge Road, 141 feet south of Woodraven Court

9th Election District – 3rd Councilmanic District

Legal Owner: HNS Development LLC, Mark Storck

<u>Variance</u> to permit a setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet and to amend Lot 2, of the Final Development Plan for Cromwell Woods II.

Hearings:

Thursday, August 28, 2003, at 9:00 a.m., in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Mark Storck, 3 H Nashua Court, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 13, 2003.

(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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 14, 2003 Issue - Jeffersonian

Please forward billing to:

Mark Storck 3 H Nashua Court Essex, MD 21221

410-682-6570

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: 04-063-A

9303 Ravenridge Road

E/side of Ravenridge Road, 141 feet south of Woodraven Court

9th Election District – 3rd Councilmanic District

Legal Owner: HNS Development LLC, Mark Storck

<u>Variance</u> to permit a setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet and to amend Lot 2, of the Final Development Plan for Cromwell Woods II.

Hearings:

Thursday, August 28, 2003, at 9:00 a.m., in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

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

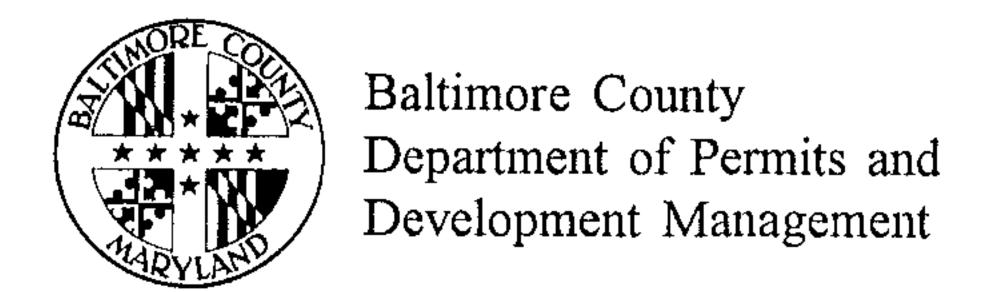
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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 Item Number or 0	· · · · · · · · · · · · · · · · · · ·	04-063-4	4
Petitioner: MA	5 Develop	nent, LLC	
Address or Locat	ion: 9303	Ravehridge R	road
PLEASE FORWA	ARD ADVERT	ISING BILL TO:	Hus Devel Obnert LLC
Address:	341	ASKUA CT.	<u></u>
Telephone Numb		10 4/198060	410 682.6570



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

August 25, 2003

HNS Development, LLC Mark Storck 3 H Nashau Court Essex, MD 21221

Dear Mr. Storck:

RE: Case Number: 04-063-A, 9303 Ravenridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 6, 2003.

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

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel



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

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

August 20, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: August 18, 2003

Item No.:

4-64A 4-65A 4-66A 4-67A

4-68A

Dear Ms. Hart:

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.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File





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

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

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Milamand Department of Transport 1 19

Date: 8.19.03

Baltimore County

Item No. 063

RE:

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

Dear. Ms. Hart:

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 22, 2003

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 04-063

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 25, 2003

TO: Timothy M. Kotroco, Director

> Department of Permits & Development Management

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

Review

SUBJECT: Zoning Advisory Committee Meeting

For August 25, 2003 Item Nos. 063) 064, 065, 066, 067,

and 068

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR VARIANCE
	9303 Ravenridge Road; E/side of
	Ravenridge Rd, 141' S Woodraven Court
	9 th Election & 3 rd Councilmanic Districts
	Legal Owner(s): Mark L Storck, HNS
	Development LLC

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AUG 1 9 2003

Per.

* BEFORE THE

ZONING COMMISSIONER *

ж FOR

BALTIMORE COUNTY *

* 04-063-A

*

Petitioner(s)

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

CAROLE 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 day of August, 2003, a copy of the foregoing Entry of Appearance was mailed to, Mark L Storck, 3H Nashua Court, Essex, MD 21221, Petitioner(s).

PETER MAX'ZIMMERMAN

People's Counsel for Baltimore County

PLEA.	SE F	PRINT	CLE	4RLY
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CASE NAME	
CASE NUMBER	
DATE	

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
-MARK & STOCK	9300 THORNELLOOD DR	BATTIMORQ, MO21234	HNSHOMES @ YAHOO, COM.
Len Buerhaus	1220 Longford Rd.	Luther 11/2 Md. 21239	HNS Homes @ Yahoo.com
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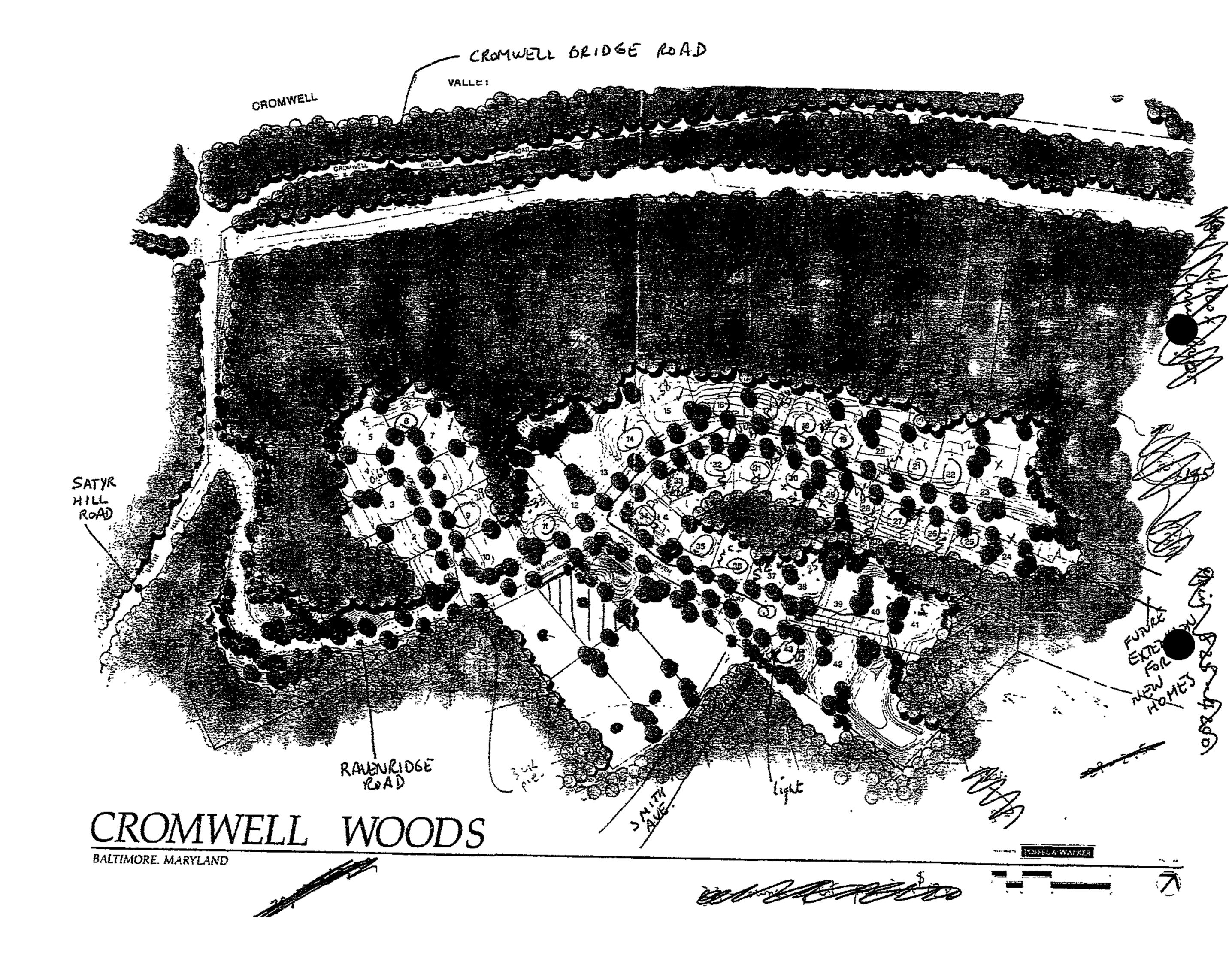
Operator

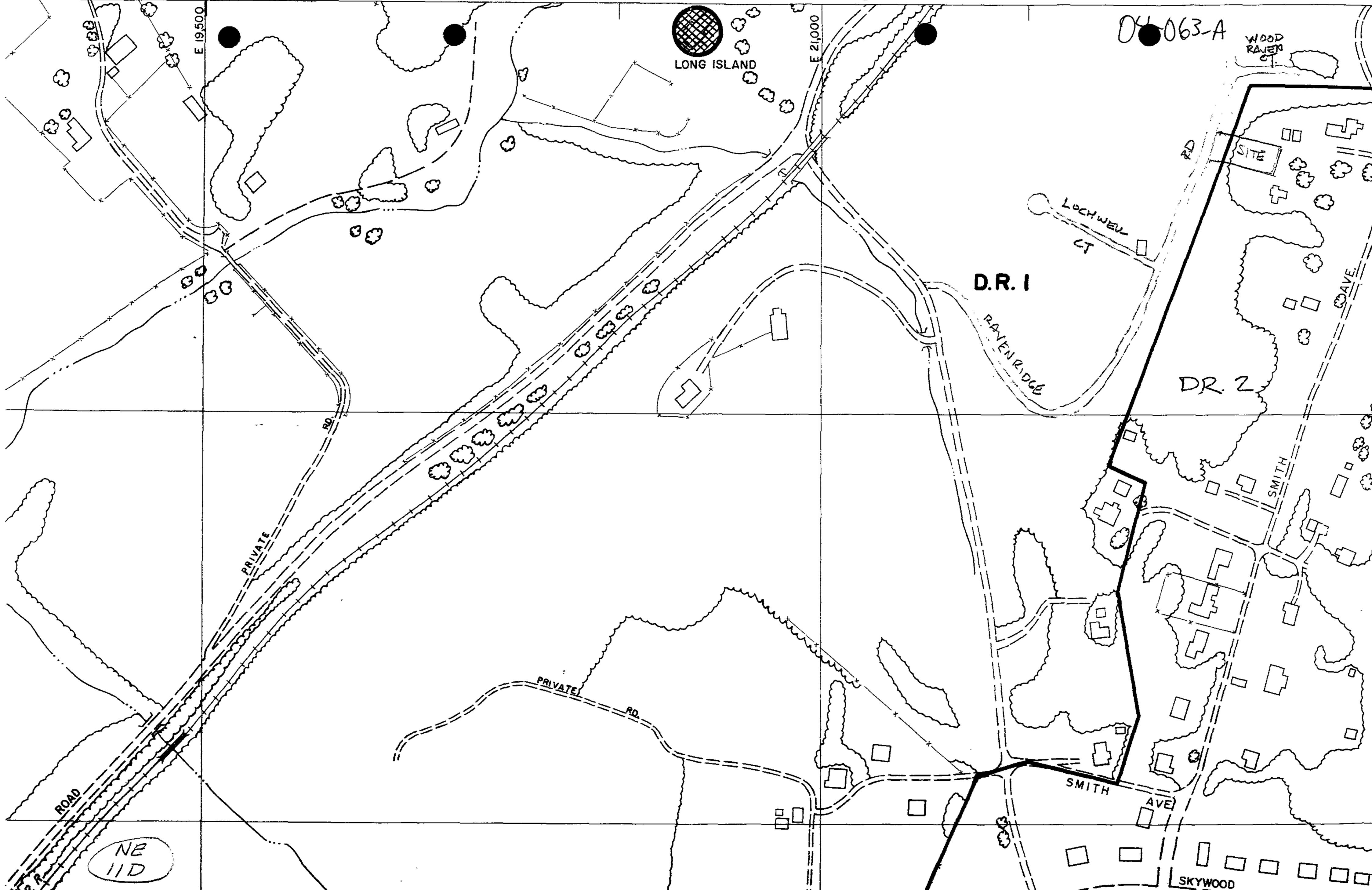
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CASE NAME	9303	RAVENRIDGE	RD.
CASE NUMBER		-063-A	
DATE	/28/03	3	

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
VASILIOS PEROS JOSEPH J. DIMAGGO	9317 RAVENRIDGE RD 9 LOCHWIELL COURT	BAUMORE MD 21234	
JOSEPH J. DIMAGGO	9 LOCHWIELL COURT	BALTIMORE, MD 21234 BALTIMORE, MD 2/234	
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CROMWELL WOODS ASSOCIATION, INC.

MINUTES OF MEETING OF BOARD OF DIRECTORS

August 27, 2003

A meeting of the Board of Directors of Cromwell Woods Association, Inc. (the "Corporation"), was held at 9317 Ravenridge Road, Baltimore, Maryland 21234 at 8 p.m., on August 27, 2003. Directors Vasilios Peros, Joe DiMaggio and Fred Hofferbert were present in person or by telephone.

Vasilios Peros called the meeting to order and acted as Chairman. Joe DiMaggio acted as Secretary.

The Chairman stated that the first order of business was the consideration of the variance requested for 9303 Ravenridge Road. The Board discussed that the requested variance was to reduce the front yard setback to 15 feet (the "Variance"). The Board further discussed that, because of the location of this property near the entrance to the community, this would have a detrimental effect on the harmony and architectural lines of the community. The Board determined that the variance should be opposed.

The Chairman then requested a vote of the Directors and a majority of all the votes cast at the meeting approved such actions.

Upon motion then duly made, seconded and unanimously carried, it was:

RESOLVED, that Vasilios Peros and Joe DiMaggio are hereby authorized and directed to oppose the Variance; and

FURTHER RESOLVED, that the appropriate officers of the Corporation are hereby authorized and directed to take any and all other actions as they may deem necessary or desirable to effect the purposes of the foregoing resolutions.

There being no further business, the meeting on motion was adjourned.

iMaggio, Secretary

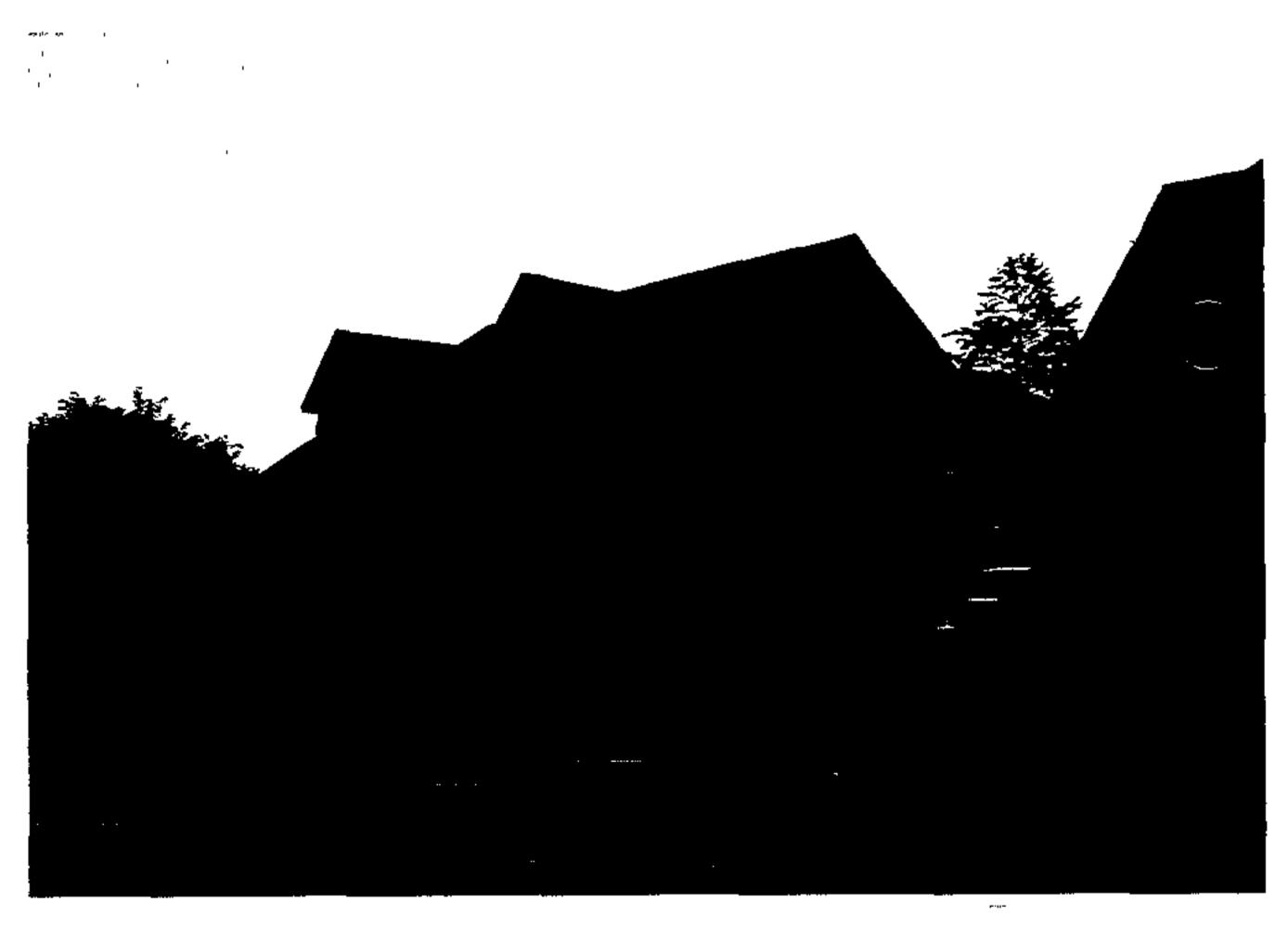
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1862A









/2 B









To whom it may concern:

I Ben Scotto live at 9301 Ravenridge Rd. The home next to the house under construction at 9303 Ravenridge Rd. I have spoken with Mark L Storck the person building the house and he has informed me of the location problem. I feel the house looks very good in its location and it does not affect the character of my home. I 'm the only neighbor located on this side of the street with this home. I support any variance needed for Mr. Storck with regard to this house location.

Ben South

DA 3A

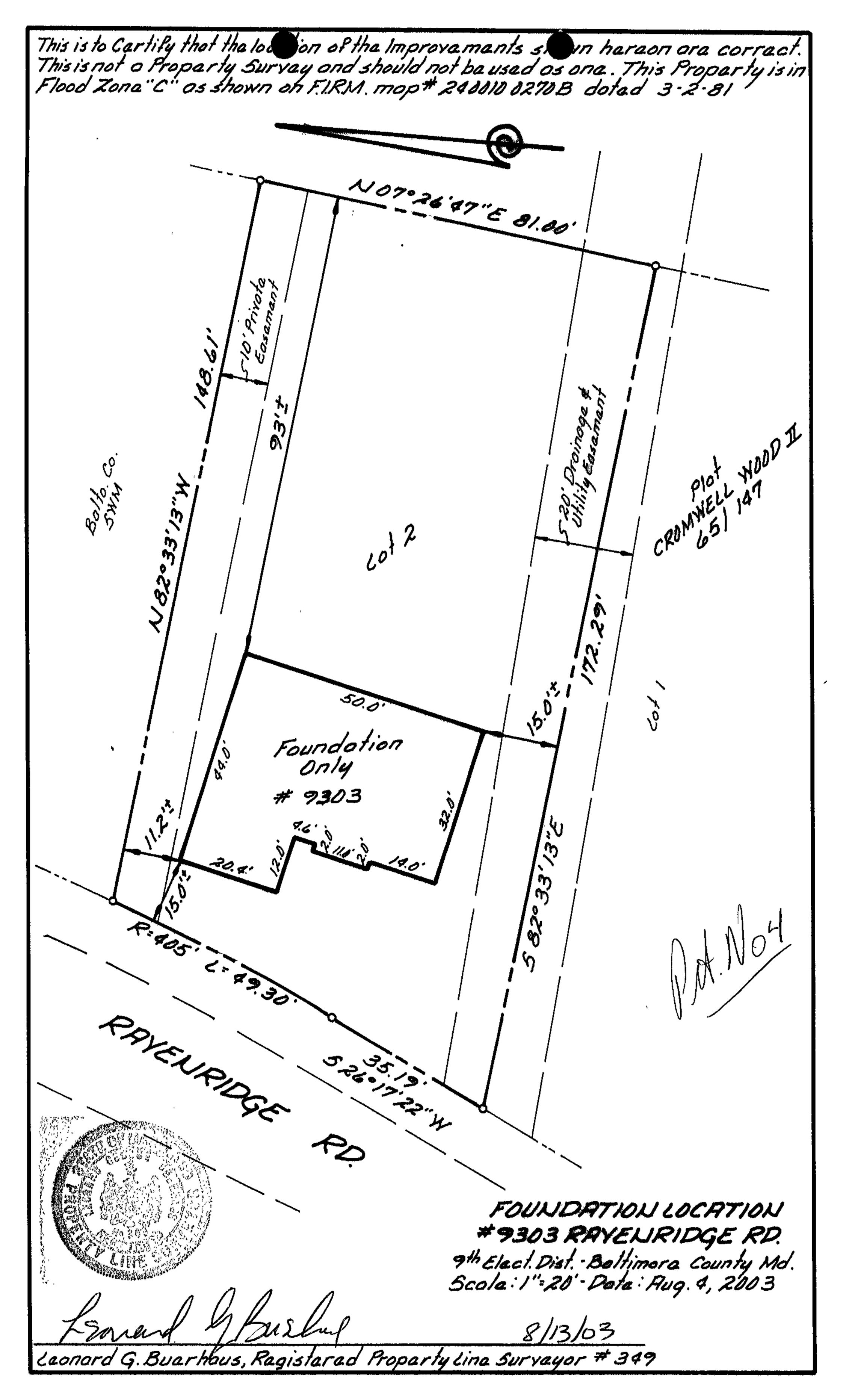
Re: Zoning Hearing for Construction on Raven Ridge Rd.

We live at 9302 Raven Ridge Rd. in the Cromwell Woods Development. Our home is directly across the street from the site where a house is being constructed at this time. We have spoken to Mr. Mark Storck, the builder several times concerning the house and its placement on the lot. The house appears to be well constructed and the placement does not affect or detract from our property or development. We appreciate Mr. Storck's communication and concern in this matter.

Pamela and Timothy Keffer

Fam Keffen Sin Keffen

123B



EXHIBITA

AGREEMENT

THIS AGREEMENT (this "Agreement") is made this 26th day of September, 2003, by and between CROMWELL WOODS ASSOCIATION, INC. ("CWA"), a Maryland corporation whose address is 9324 Ravenridge Road, Baltimore, Maryland 21234, and HNS DEVELOPMENT, LLC ("HNS"), a Maryland limited liability company whose address is 3H Nashua Court, Essex, Maryland 21221.

WHEREAS, HNS is in the business of developing residential lots and building houses for residential purposes;

WHEREAS, CWA is a Maryland homeowner's association, which owns certain parcels of land in the subdivision commonly known as Cromwell Woods and whose declarations and covenants govern the lots owned by its members within such subdivision;

WHEREAS, HNS owns that certain lot located at 9303 Ravenridge Road, Baltimore, Maryland 21234 (the "Lot") and is developing the Lot and building certain improvements thereon;

WHEREAS, HNS and CWA agree that the improvements being built upon the Lot are non-conforming regarding certain front yard setback requirements, pursuant to the Baltimore County Code and the regulations promulgated there under; and

WHEREAS, in connection with the development of the Lot, CWA has requested that HNS and its successors and assigns, become a member of the CWA and that the Lot be subject to CWA's declarations, covenants, regulations and other rules, in consideration of CWA's agreement not to further oppose the granting of, or appeal of, the Petition For Variance made to the Zoning Commissioner of Baltimore County at the public hearing held on August 28, 2003 (Case No. 04-063-A) (the "Petition"), a copy of which is attached hereto as Exhibit A, subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants, agreements and obligations contained herein, and other good and valuable consideration, the parties agree as follows:

1. CWA'S OBLIGATIONS AND REPRESENTATIONS

- 1.1 CWA agrees that it will not further oppose the granting of the Petition by the Zoning Commissioner for Baltimore County.
- 1.2 CWA agrees that it will not, in the event that the Petition is granted by the Zoning Commissioner for Baltimore County, appeal the decision of the Commissioner to the Circuit Court for Baltimore County or otherwise seek to modify the findings of fact and conclusion of

law in any way. CWA will support the granting of the Petition throughout CWA's community, however such support shall not require any affirmative action or the expenditure of funds by CWA.

- 1.3 CWA agrees that it will execute any documents, and support in any lawful manner, requests reasonably made by HNS to effectuate the granting of the Petition.
- 1.4 CWA acknowledges that it has received a copy of the construction plans for the dwelling and improvements on the Lot, a copy of which is attached hereto as Exhibit B (the "Plans"), and that it has reviewed the Plans. Subject to the modifications set forth herein, CWA hereby approves the Plans, does not object to the dwelling and improvements as set forth therein and waives any objection regarding the Plans and the variance requested in the Petition, now or in the future, against HNS and its successors and assigns.
- 1.5 Subject to the modifications set forth herein, CWA agrees and acknowledges, at all times after the Petition is granted, that the Plans are in compliance and conforming in all aspects to the Declaration of Easements, Covenants, Conditions and Restrictions dated September 11, 1991 and amendments thereto, of CWA, a copy of which is attached hereto as Exhibit C (the "Declaration").
- 1.6 Upon completion of the improvements and any attendant structures in accordance with the approved Plans, CWA agrees that, upon written request by HNS, it will issue to HNS a "Certificate of Compliance" as set forth in Section 1, Paragraph 1.5 and Section 8.10 of the Declaration.
- 1.7 CWA agrees that for and in consideration of the payment by HNS of the Fee (as defined herein), CWA agrees: (i) to waive any claim it may have for fees, costs, or expenses of any nature regarding the resolution of the subject matter herein, and (ii) that the annual assessments, as defined in the Declaration, for the Lot for the remainder of calendar year 2003 and for calendar year 2004, are paid in full.
- 1.8 CWA agrees that, in the event CWA appeals the granting of the Petition, or any other appeal is noted, then this Agreement shall automatically terminate and be of no further force and effect.
- 1.9 CWA agrees that, in the event that HNS or its successors or assigns desire to build a deck on the dwelling on the Lot, that CWA's approval of such deck shall not be unreasonably withheld providing the deck is in compliance with the Declaration and the Deck Requirements (as defined herein).
 - 1.10 CWA is a corporation duly authorized and in good standing in accordance with the laws of the State of Maryland and has the requisite corporate power to enter into this Agreement.

2. HNS' OBLIGATIONS

- 2.1 HNS agrees that the Lot, as of the date hereof and thereafter, will be made a part of CWA and that HNS and its successors and assigns shall become a member of CWA. HNS, for itself and on behalf of its successors and assigns, agrees to execute such documents as may be necessary to subject the property at 9303 Ravenridge Road to the Declaration and/or the same covenants as contained therein and to CWA's other governing documents the Articles of Incorporation, the By-Laws and the rules and regulations, if any adopted now or in the future by CWA or its membership (the "Governing Documents"), except as set forth herein.
- 2.2 HNS agrees to build the dwelling and improvements on the Lot in conformity with the Plans with the following modifications:
- 2.2.1 HNS shall include a brick front to grade on the dwelling on the Lot and shall use the following brick material: Stratford Rose.
- 2.2.2 HNS shall use siding whose color is Antique Parchment (an off white to beige color). HNS shall finish the doors with a stained wood finish. HNS shall use a dark green color on the shutters.
- 2.2.3 HNS shall install garage doors of equal or greater quality as those doors currently in use in CWA's community.
 - 2.2.4. HNS shall install a concrete driveway.
- 2.2.5 HNS agrees to build a mailbox and support structure in accordance with CWA's Declaration, regulations and other rules and consistent with the requirements of the U.S. Postal Service.
 - 2.2.6 HNS shall install an upgraded landscaping package on the Lot.
- 2.2.7 HNS shall not install meters on the front yard facing structure of the improvements on the Lot.
- 2.3 HNS and its successors and assigns agree that, in the event that it decides to add a deck to the dwelling located on the Lot, that such deck shall be in compliance with the Declaration, regulations and rules of CWA and shall meet the following requirements (collectively, the "Deck Requirements"):
- 2.3.1 HNS agrees that such deck shall be approximately 16 feet by 16 feet in size and shall be located on the rear portion of the dwelling on the Property and shall not wrap around the sides of the dwelling on the Lot.
- 2.3.2 HNS agrees that the deck shall be constructed entirely of pressure treated lumber.

- 2.3.3 HNS agrees that any awning added to such deck shall be located over the deck and shall be of approximately the same size as the deck. The material of such awning shall be a canvas fabric, Sunbrella, Signature series, style 4923, whose color is Black Forest Fancy.
- 2.3.4 In the event of any deviations outside the Deck Requirements, HNS shall submit revised deck plans for approval by CWA.
- 2.4 HNS agrees to make a one-time contribution in the amount of Eight Thousand Dollars (\$8,000) (the "Fee") to CWA, the proceeds of which may be used by CWA in its sole discretion. The Fee shall be payable in certified funds and shall be delivered upon execution of this Agreement to William Butler ("Escrow Agent"), Howard, Butler & Melfa, P.A., 410 Allegheny Avenue, Towson, Maryland 21204 to be deposited into and held in the Escrow Agent's trust account until such date as the granting of the variance requested in accordance with the Petition is made final, without the right of an appeal or further review by any party (the "Release Date") expected to be the 31st day after the Zoning Commissioner's written decision on the Petition for Variance. Upon the Release Date, William Butler shall issue a check in the amount of the Fee to CWA and deliver same to the attorney for CWA Cynthia Hitt Kent, Law Office of Cynthia Hitt Kent, LLC, 3600 Crondall Lane, Suite 105, Owings Mills, Maryland 21117.
- 2.5 HNS agrees to waive any claim it may have for fees, costs, or expenses of any nature regarding the resolution of the subject matter herein.
- 2.6 HNS is a limited liability company duly authorized and in good standing in accordance with the laws of the State of Maryland and has the requisite corporate power to enter into this Agreement.

3. MODIFICATION

Any modification to this Agreement must be made in writing and signed by all parties hereto.

4. **JURISDICTION**

This Agreement shall be governed by the laws of the State of Maryland, without regard to its conflicts of laws principles. The parties agree to the exclusive jurisdiction and venue of the state and/or federal courts sitting in Baltimore County or Baltimore City, Maryland for the resolution of any dispute under this Agreement.

5. SUCCESSORS AND ASSIGNS

This Agreement may be assigned by either party with the prior written consent of the other, consent not to be unreasonably withheld. This Agreement shall binding upon and shall inure to the benefit the parties hereto, their successors and permitted assigns.

6. SEVERABILITY

In the event that one or more of the provisions contained herein are declared unenforceable, the remainder of the Agreement shall remain in full force and effect.

7. ENTIRE AGREEMENT AND WAIVER

This Agreement represents the entire agreement between the parties regarding the subject matter herein. The parties agree that the subject matter of this Agreement relates solely to the original Plans for the dwelling being built on the Lot, the Petition for Variance and the payment of the consideration stated herein by HNS. By entering into this Agreement, the parties do not waive any future rights or remedies for any future covenant violations or breach of CWA's Declaration or the Governing Documents.

8. COUNTERPARTS

This Agreement may be signed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same agreement.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this Agreement on the date first written above.

WITNESS:

CROMWELL WOODS ASSOCIATION, INC.

By:

Vasiliøs Peros, President

HNS DEVELOPMENT, LLC

Ή...

Mark Storck, Managing Member



Petition for Variance

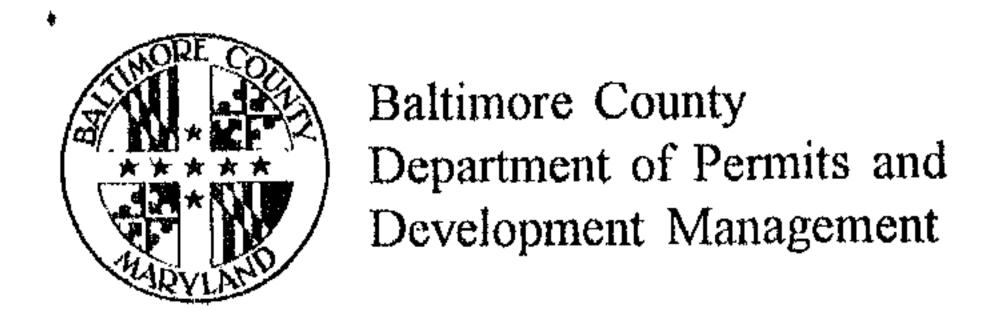
to the Zoning Commissioner of Baltimore County

for the property located at 9303 RANGORIGDE RO which is presently zoned DRI/DR2

This Petition shall be filed with the Department of Pern of the property situate in Baltimore County and which is thereof, hereby petition for a Variance from Section(s)	nits and Development Management. The undersigned, legal owner(s) described in the description and plat attached hereto and made a part BCZR (Bill 100,1970) and Section V.B. 8 (1970 (MDP) instruction) within a garage set back of 15 feet from required 22 feet and to amend the Final Development
to permit a single-family dwelling (under d	instruction within a garage cother L. B. 8 (1970 CMOP)
the street R-O-W in lieu of the minimum	required 22 feet and to away & the Fill On
of the Zoning Regulations of Baltimore County, to the zoning	g law of Baltimore County, for the following reasons: (indicate hardship
It is so feet too close to was state was framed before the error	Hed incorrectly by our surveyor. The found.
TIODETIVIS TO DE POSTER and adventiged as a second of the contract of the cont	zoning regulations.
is the subject of this P	e do solemnly declare and affirm, under the penalties of I/we are the legal owner(s) of the property which etition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type or Print
Signature	Signature Signature STORCK
Address Telephone No.	- Mah L A
City	Name - Type or Print
Attorney For Petitioner: State Zip Code	Signature 3 H NASHUA CT. 410-682-6570 Address
Name - Type or Print	255ex MD 21221
Signature	Representative to be Contacted:
	A company of the state of the s
Company	Mame STORK & STORK 410-419-8060
Address Telephone No.	Address Telephone No.
State Zip Code	City State Zip Code
	OFFICE USE ONLY
Case No. 04-063-4	ESTIMATED LENGTH OF HEARING
Reviewed By	UNAVAILABLE FOR HEARING JNP Date 8601

ZONING DESCRIPTION FOR 9303 Lavantidge Rd.
- Intervalled Lett.
Beginning at a point on the east side of Lavenridge Rd. which is 50
side of Lavenridge Rd. which is 50
feet wide, at a distance of 141 feet
500th of the centerline of Woodraven Ct.
which is 50 feet wide. Being Lot = 2 and
Parcel B of the resubdivision of
Cromwell Woods II as recorded in Baltimore
County Plat Book #65 Folio #147 Cantaining
0.296 acres Also known as #9809) Ravenrida
- Ed. and located in the 9th Election
District, 3RD Councilmanic District.
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<u></u>
DLD-D/3 1



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

August 12, 2003

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: 04-063-A

9303 Ravenridge Road

E/side of Ravenridge Road, 141 feet south of Woodraven Court

9th Election District – 3rd Councilmanic District

Legal Owner: HNS Development LLC, Mark Storck

<u>Variance</u> to permit a setback of 15 feet from the street right-of-way in lieu of the minimum required 22 feet and to amend Lot 2, of the Final Development Plan for Cromwell Woods II.

Hearings:

Thursday, August 28, 2003, at 9:00 a.m., in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Mark Storck, 3 H Nashua Court, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 13, 2003.

(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.

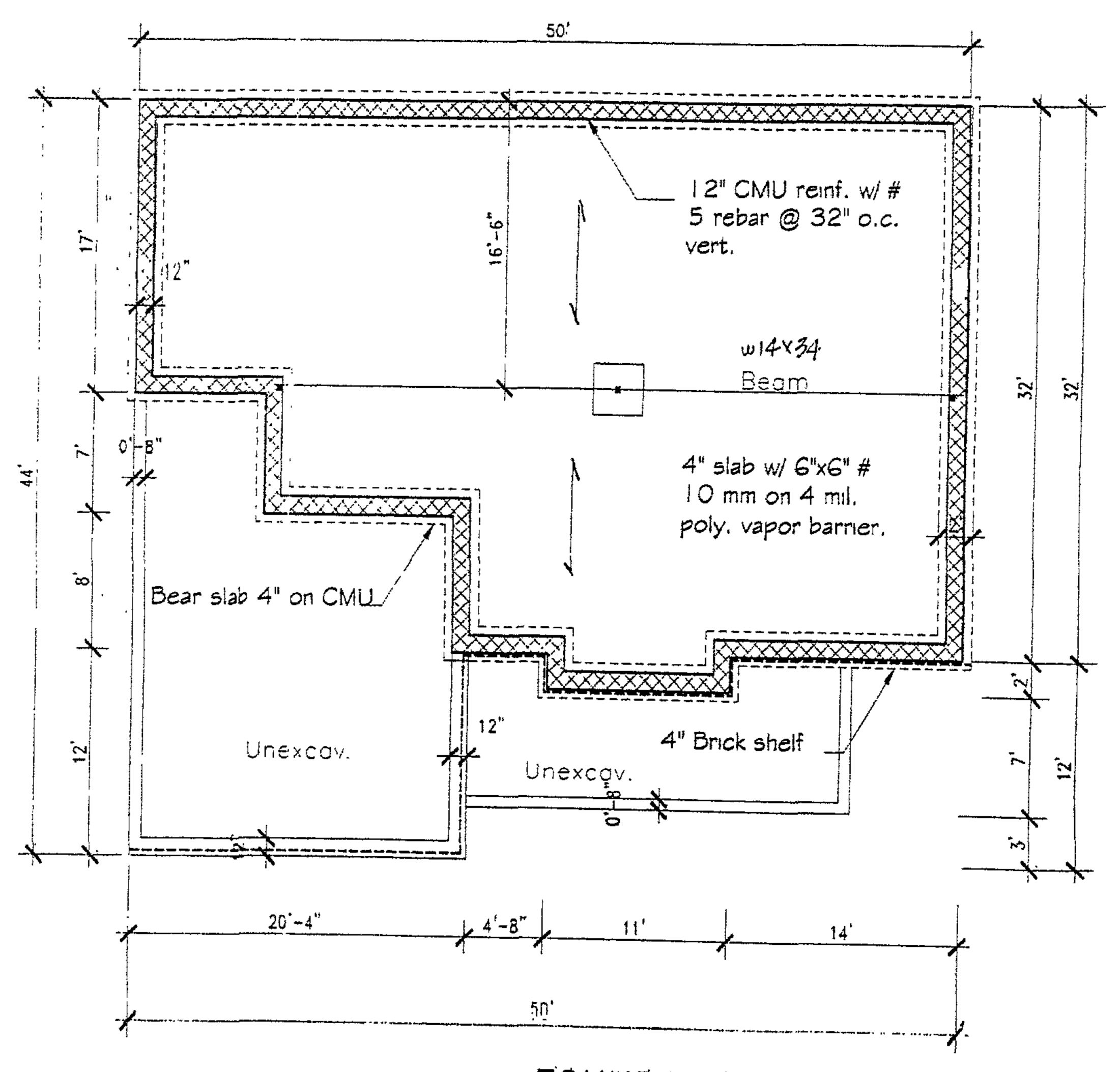


/ AWNING APPROVAL Deck House :

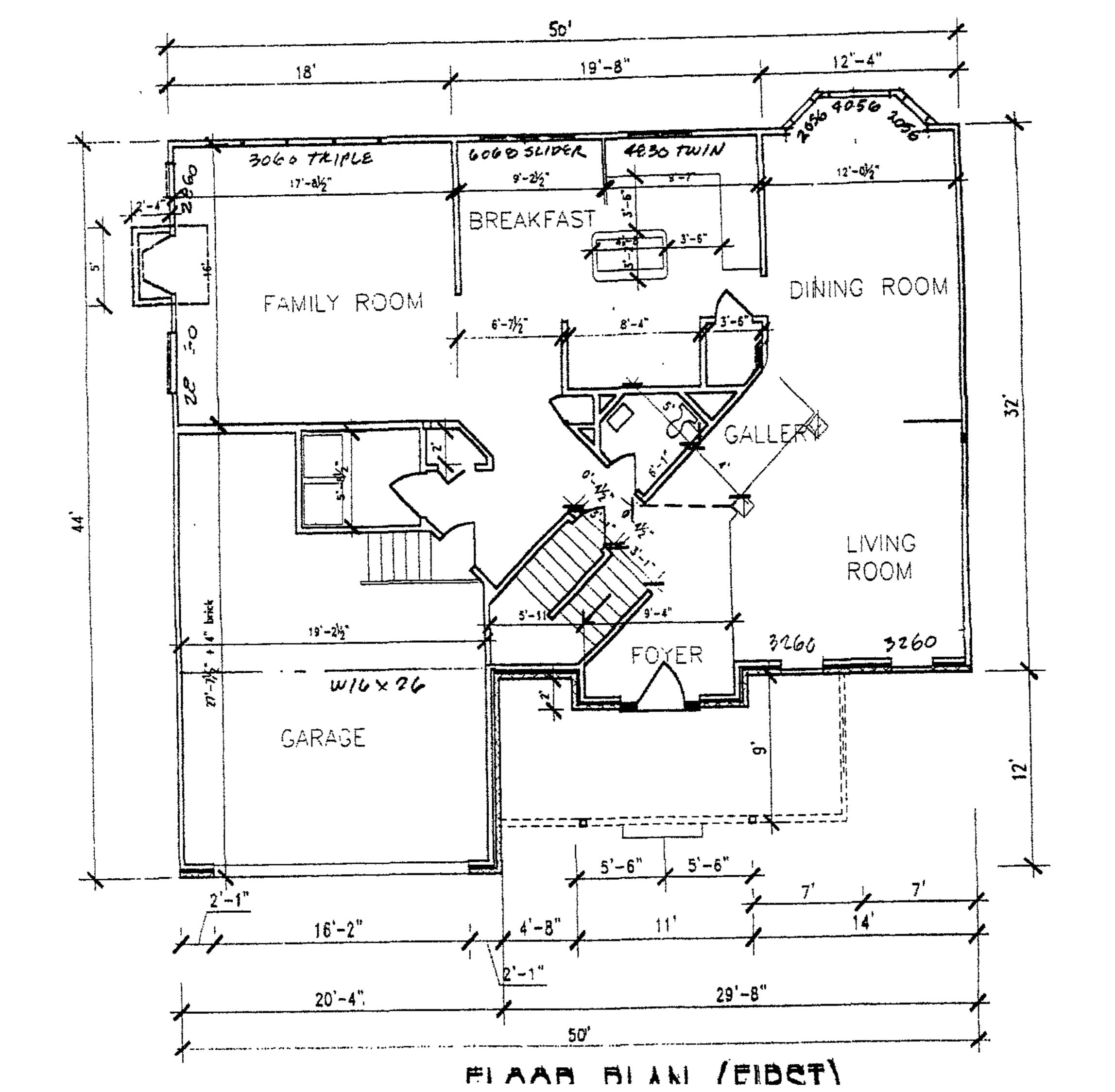
Deck:

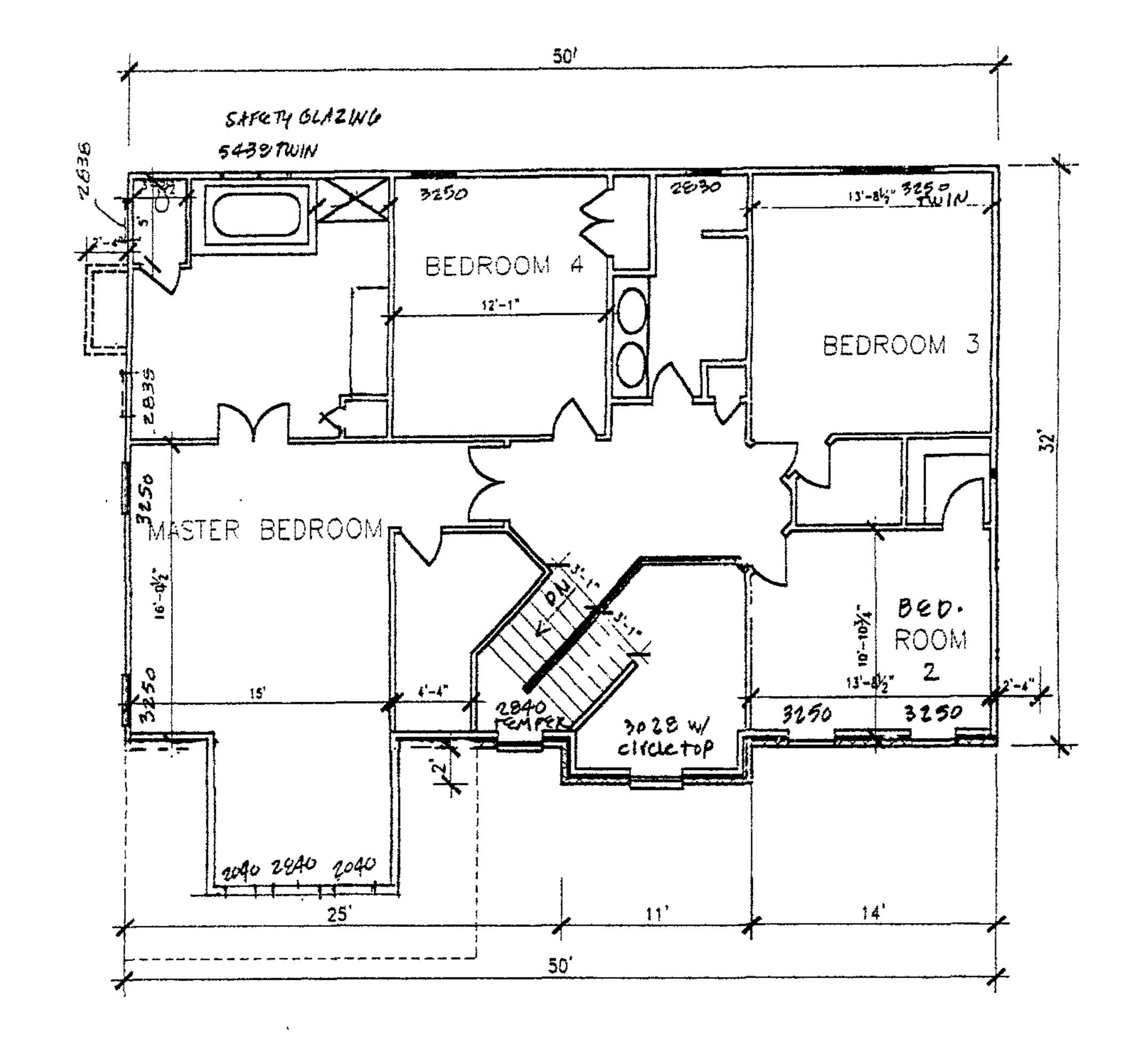
AWNING:

FRONT ELEVATION

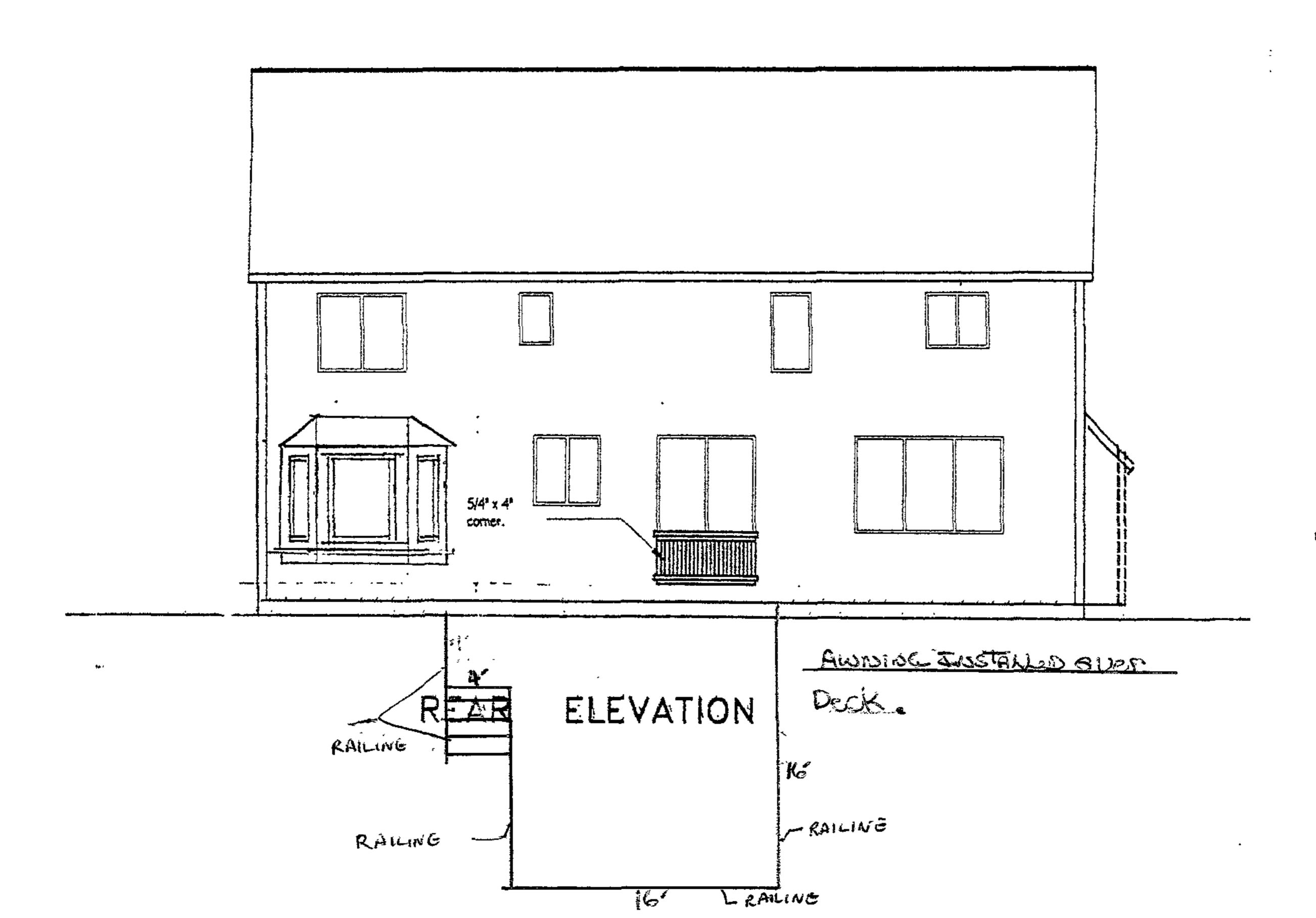


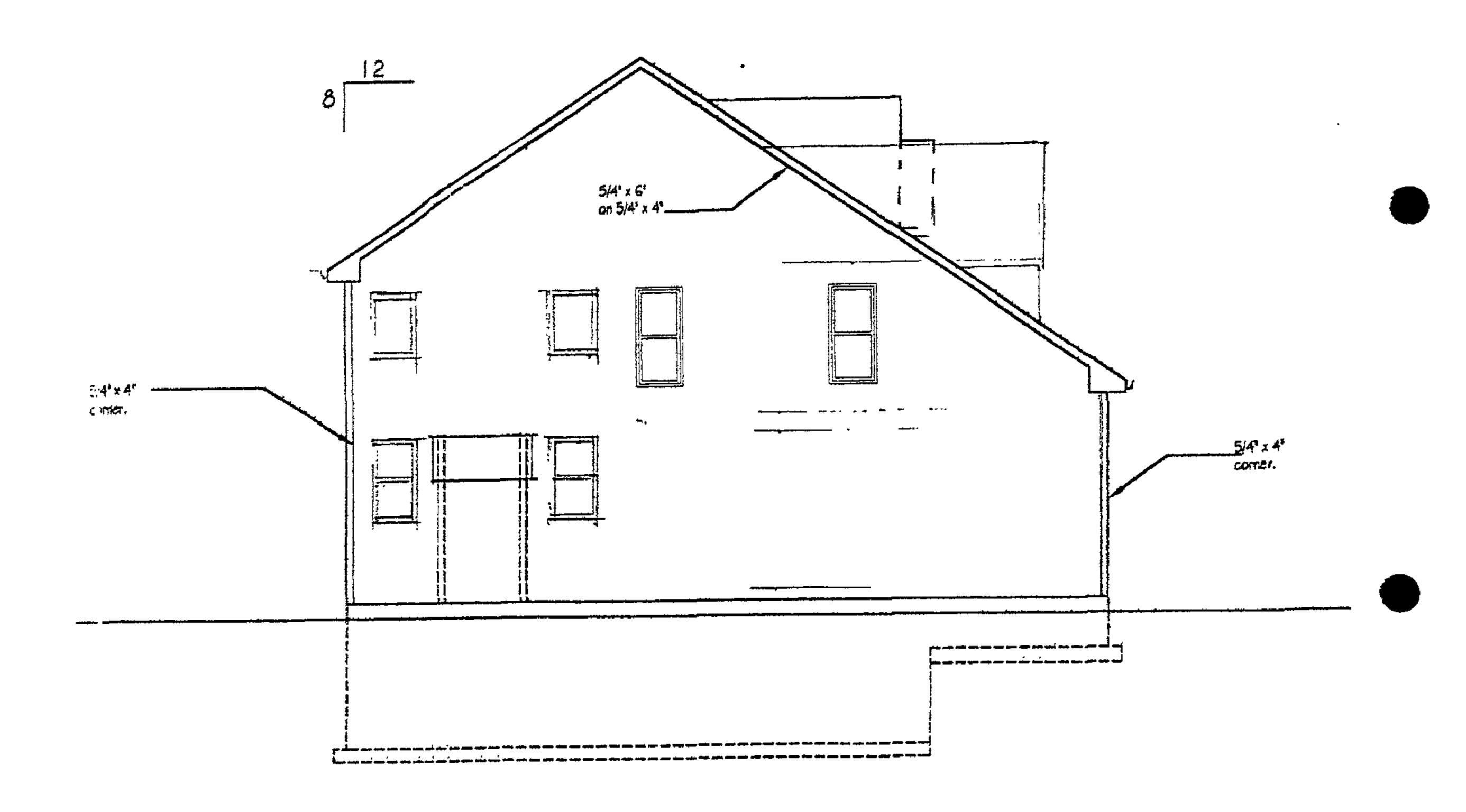
FOUNDATION PLAN



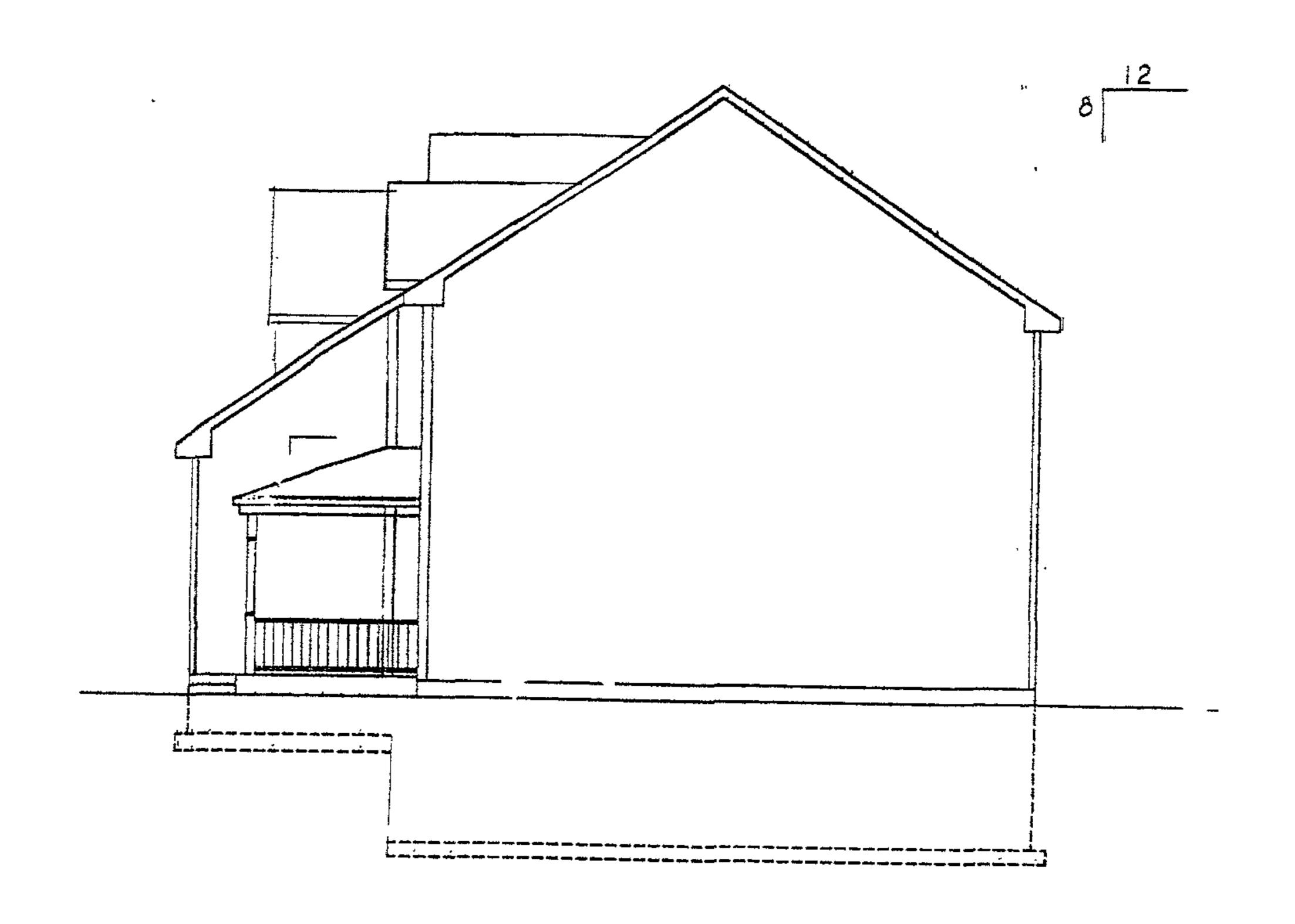


FLOOR PLAN (SECOND)

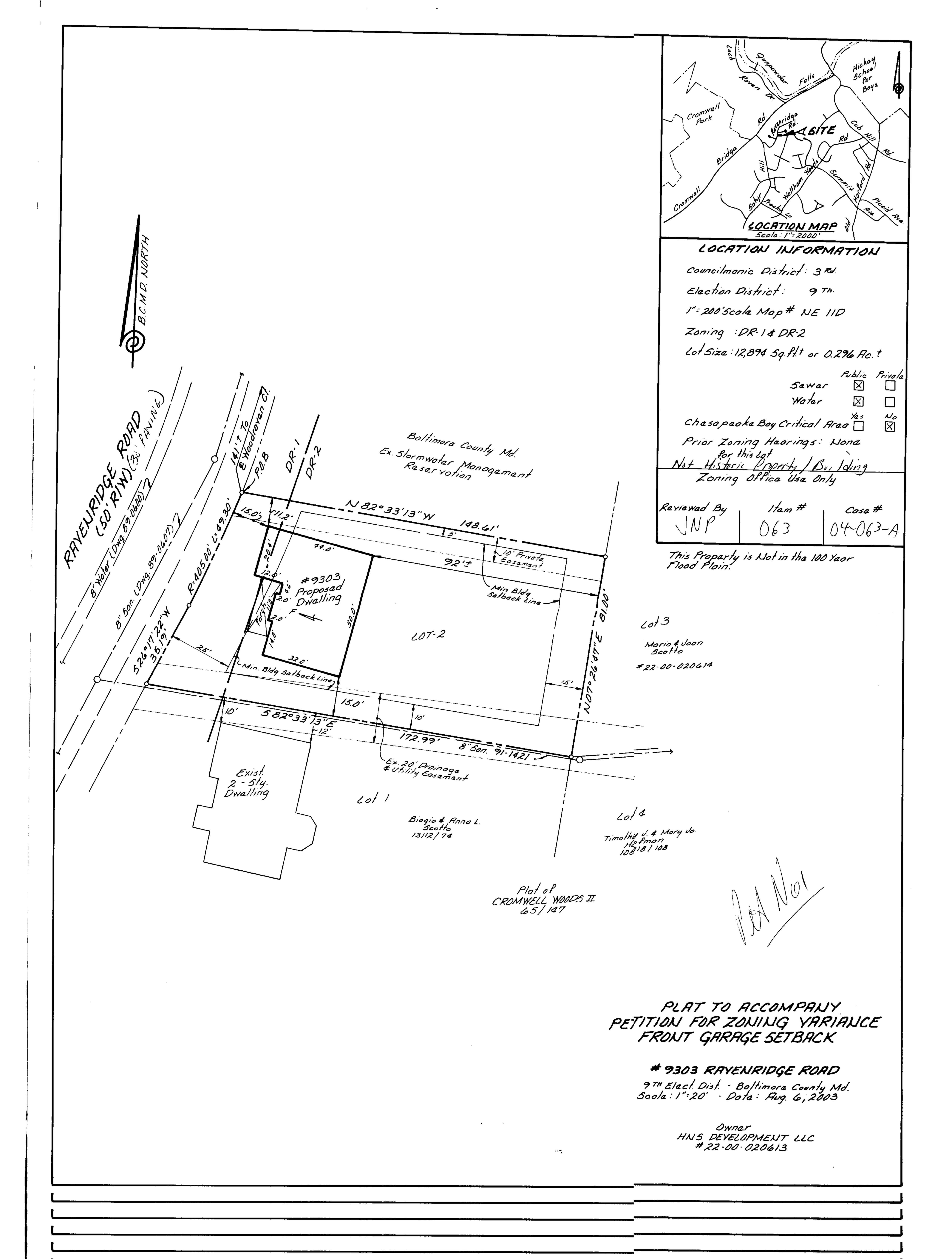




LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is conditioned upon the Petitioners' compliance with the terms and conditions of the agreement entered into between it and the Cromwell Woods Association, Inc., dated September 26, 2003.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs