IN RE: PETITION FOR ADMIN. VARIANCE S/S of Beach Road, 490 +/- ft. E

centerline of Stevens Road

11th Election District 5th Councilmanic District

(11211 Beach Road)

MyVan H. & Robert M. Baranoski Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-221-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, MyVan H. & Robert M. Baranoski. The variance request is for property located at 11211 Beach Road in the eastern area of Baltimore County. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow permit a proposed single-family dwelling to have a property line setback of 20 ft. in lieu of the required 35 ft for this RC 2 zoned property. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The case was originally filed as an administrative variance, but was ultimately set in for a hearing after a demand for hearing was received from Richard Nowakowski, an adjacent The hearing was scheduled for January 27, 2004. The property was posted property owner. with notice on January 12, 2004 and was published in "The Jeffersonian" newspaper on January 8, 2003.

Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

DR FILLING

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: a Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection & Resource Management (DEPRM) dated December 5, 2003, a copy of which is attached hereto and made a part hereof, stating that the Petitioners must comply with the Chesapeake Bay Critical Area Regulations. A ZAC comment was also received from Development Plans Review dated November 26, 2003, a copy of which is attached hereto and made a part hereof, stating that the Petitioners must conform with Federal Flood Insurance requirements which require that the first floor or basement floor must be at least 1 ft. above the flood plain elevation in all construction.

Interested Persons

Appearing at the hearing on behalf of the variance request were Robert and Myvan Baranoski, Petitioners. No protestants or citizens appeared in opposition to the Petitioners' request. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

JRDER RECEIVED

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Testimony and evidence indicated that the property, which is the subject of this variance request, contains 25,360 sq. ft. and is zoned R.C.2. Testimony of the Petitioners indicated that this property is improved with an existing home which is 20 feet from the side yard boundary on lot 8 of the Bird River Beach subdivision, which was established in the 1920's. The RC 2 zoning was imposed many years later making this and virtually all homes in the area non-conforming. Most have 5 to 10 ft. side yard setbacks as shown on Petitioner's Exhibit No. 3. The existing home suffered termite and foundation damage to the extent that the Petitioners want to replace it rather than simply repairing it.

The Petitioners are fortunate, however, to own lot 9 as well and instead of selling off lot 9 to allow yet another home to be built, the Petitioners determined to center the new home on both lots with 20 ft. on each side. This size home is dictated by the fact that the Petitioners have three children and one on the way. This large and growing family needs more space, which the existing home could not provide.

This petition started as an administrative variance but the next door neighbor, Mr. Nowakowski, who lives at 11209 Beach Road objected to the new home being built close to his home which is 9 ft. from the common boundary. If the variance were granted his home would be 29 ft. from the side of the new home. Mr. Baranoski testified that his neighbor objected to the idea that bedroom windows of each home would face each other and diminishes his privacy. Mr. Baranoski testified, however, that he discussed this matter with Mr. Nowakowski, showed him the elevations of his new home, which have no windows on that side, and as a result Mr. Nowakowski's opposition was to be withdrawn. Mr. Nowakowski did not attend the hearing. In addition, the Petitioner indicated that they had polled their neighbors on both sides, as well as

front and back, and all have agreed to the proposal as evidenced by the neighbors' signatures on Petitioner's Exhibit No. 1.

Finally, the Petitioners testified that the great majority of lots in the old non-conforming subdivision could not possibly meet the RC 2 side yard setback requirements. However, even with their double lot, they feel the property is unique in that they need to reconstruct rather than repair the existing home. The existing home is 20 ft. off the property line, and constructing a long thin home centered on the two lots does not satisfy their family space requirements. This home could be 30 ft. wide with a detached garage just 3 ft. off the property line. They point out the local community association supports the petition to center the new home on two lots rather than sell off another lot for yet another new home. The 20 ft. set back is far superior to most in the neighborhood and eliminates the detached garage only a few feet from a property line.

Findings of fact and conclusions of law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no increase in residential density requested beyond that otherwise allowable by the Zoning Regulations. Furthermore, I find that such variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this <u>37</u> day of January, 2004, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling to have a property line setback of 20 ft. in lieu of the required 35 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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;
- 2. The Petitioners shall have no windows in the side of the new home, which faces 11209 Beach Road as shown in the Petitioners' elevations presented at the hearing.
- 3. Compliance with the ZAC recommendations submitted by DEPRM dated December 5, 2003, a copy of which is attached hereto and made a part hereof.
- 4. Compliance with the ZAC recommendations submitted by Development Plans Review dated November 26, 2003, a copy of which is attached hereto and made a part hereof.
- 5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:ra

ORDER RECEIVED FOR FILING

Dete

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

January 27, 2004

Mr. & Mrs. Robert M. Baranoski 11211 Beach Road White Marsh, Maryland 21162

> Re: Petition for Administrative Variance Case No. 04-221-A Property: 11211 Beach Road

Dear Mr. & Mrs. Baranoski:

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,

John V. Murphy

Deputy Zoning Commissioner

John murphy

JVM:raj Enclosure

c: Richard Nowakowski 11213 Beach Road White Marsh, MD 21162



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



Petition for Administrative Variance

to the Zoning Commissioner of 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

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) | AOI.3.8.3 (BCZIZ)

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TO PERMIT A PROPOSED SIHALE FAMILY DWELLING TO HAVE A PROPERTY LIHE SETBACK OF 20'

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.

			is the subject of this Pet	ition.	
Contract Purchase	er/Lessee:		Legal Owner(s):		
			Robert M	Baranoski	-
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·		Name - Type or Print	, A	
Signature			INM. A		
Oigilataio			Signature Myvan H. F	Baranoski	,
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City	State	Zip Code	Signature	Sarunt-	14
Attorney For Petit		- Zip Qoue		0) 110	100 111
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			White Marsh	Md	21162
Name - Type or Print			City	State	Zip Code
Signature			Representative to	be Contacted:	
					•
Company			Name	 	<u></u>
			== ····		
Address		Telephone No.	Address		Telephone No.
City 3	State	Zip Code	City	State	Zip Code
A Public Hearing having	been formally demande	ed and/or found to be	required, it is ordered by the	Zoning Commissioner o	f Baltimore County,
requiations of Baltimore Co	ounty and that the property	t the subject matter of t y be reposted.	his petition be set for a public he	aring, advertised, as rec	quired by the zoning
19/10					
			Zoning Commissi	oner of Baltimore Coun	fv
CARTO	1-221-A		-		· ·
CASE NO	<u> </u>	Rev	lewed By CTM	Date\	105
REV 10/25/01	••	Esti	mated Posting Date	11/16/05)

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 reside at	11211 Beach	Koad	
! i i	White Marsh	Md	21162
·	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts upor up or practical difficulty):	n which I/we base the reque	est for an Administrative
Existing Zoning of RC-Z requ	vires a 35' side	yard setback on	each side
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need a larger dwelling than	, the existin	a side setbanks	c. 11 - 11
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advertising fee and may be required to provide	additional information.	1	
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Signature DP-LIC # 8 652 745 585 427	Signat	14 DELICH B 652.619.	313.065
Robert M. Branck:	B	yvan H. Barar	
Name - Type or Print	Name/	- Type or Print	
410-679-1122 Home	410-0	079-1122 HOME/4	10-278-4709 WOR
STATE OF MARYLAND, COUNTY OF BALTIE	MORE, to wit:		1
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of Maryland, in and for the County aforesald, pe	ersonally appeared	1/ 0.04.00	Li
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the Affiant(s) herein, personally known or satisf	actorny identified to me	as such Amani(s).	
AS WITNESS my hand and Notarial Seal			
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	Notary Public	ULOPH XI (1) a	les outen
	My Commissi		p7.2007

REV 10/25/01

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.

competent to testify thereto in the event that a	public hearing is so	cheduled in the future	with regard thereto.
That the Affiant(s) does/do presently reside at		each Rd	} '
	Address White Mai	rsh Mo	
That based upon personal knowledge, the fo Variance at the above address (indicate hards	City	State	Zip Code se the request for an Administrative
Existing ZONING of RC-2			1
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and need a lacree deal	1 +h	tha 1.	The opening
and need a larger dwell	ing man	ine existin	g side setbackswillall
The existing dwelling is a	ilredy 20° t	rom the one	: sideyard property lin
and we request this be a	illowed on	the other si	de as well. With a
20' sideyard setback on ear	ch side, we	will still he	ive the largest sideya
setbacks in our area. (Most home	es are between	n 5'-12' feet from thier
Sideyard property lines) It	approved, we	will also be	able to remove a
20'x12' Istory structure As the area now has public for wells and septic is gon That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	that is evi	rrently only	2' from side property 1
As the area now has public	water & sev	ver, the need	for 35 setbacks to acco
That the Affiant(s) acknowledge(s) that if a	formal demand is	filed, Affiant(s) will b	e required to pay a reposting and
advertising lee and may be required to provide	e aquillonal informat	uon.	
Signature DR. LICH 8 652 745 585-427	<u> </u>	Signature Do Lictor R.A.	H. Barandi. 552-619-313-065
Robert M. Baranoski	•		Barawaski
Name - Type or Print		Name - Type or Print	2 Home / 410-278-4709 was
410-679-1122 HOME		410 -679-1126	- 140me / 410 210 410 was
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:		
I HEREBY CERTIFY, this day of	November	, <u>2<i>0</i>203_</u> , bef	ore me, a Notary Public of the State
of Maryland, in and for the County aforesaid, in the Affiant(s) herein, personally known or satisfactors.	personally appeared	& B 1 D 1	reacht
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	Notary F	Public ()	

My Commission Expires

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1211 Beach Road, White Marsh which is presently zoned RC-2

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

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

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)

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.

is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Baranoski Name - Type or Print Name - Type or Print Signature Signature <u>Saranoski</u> Address Telephone No. Name - Type or Print City State Zip Code Signature / Attorney For Petitioner: Address Telephone No. MJ 21162 Name - Type or Print Zip Code State Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City State Zip Code City Zip Code State A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted Zoning Commissioner of Baltimore County CASE NO. Reviewed By Date REV 10/25/01 **Estimated Posting Date**

ZONING DESCRIPTION FOR:

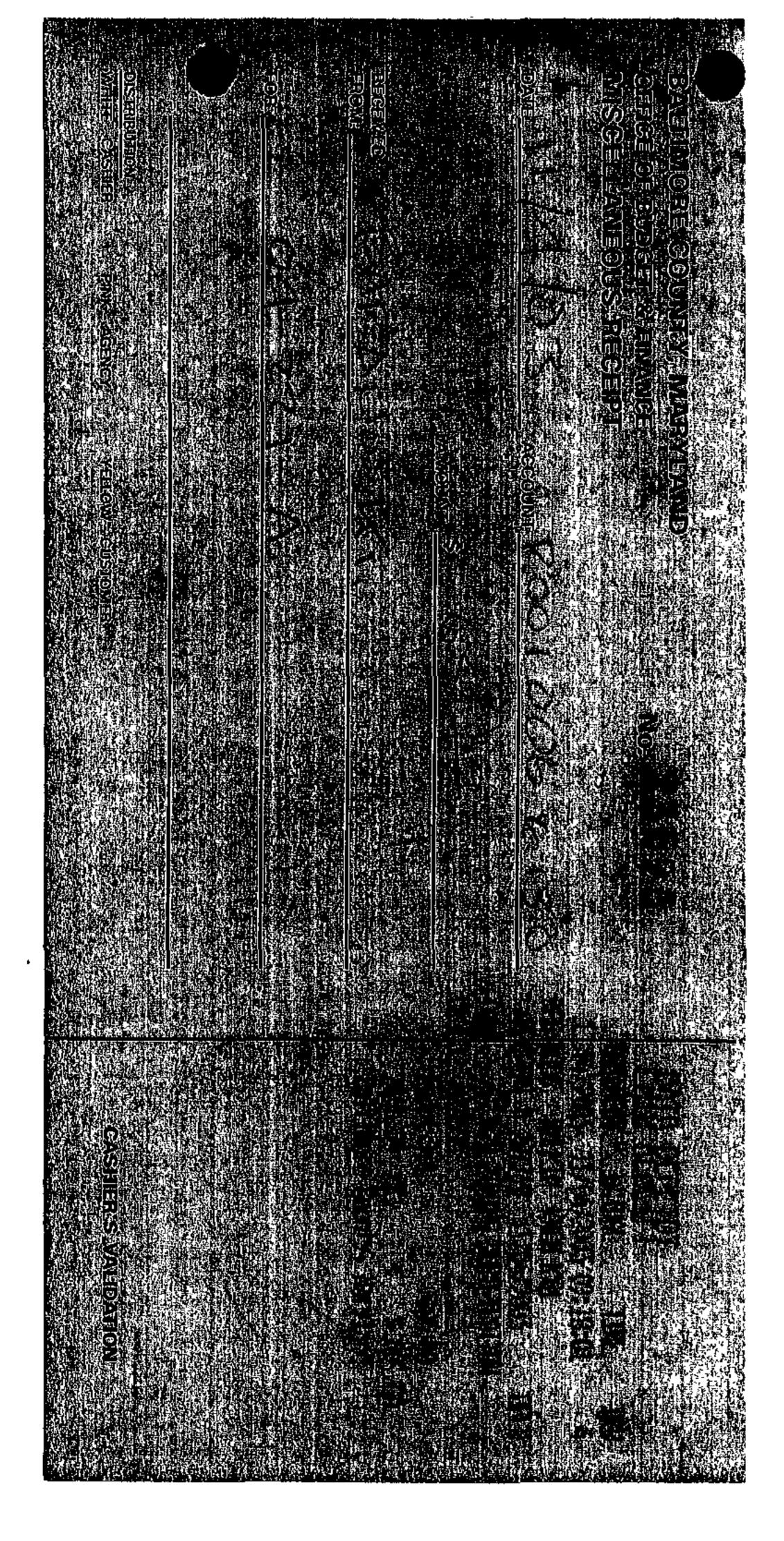
11211 Beach Road, White Marsh, Maryland 21162

Beginning at a point on the south side of beach Road which is 20' Paved (R/W Unknown) at the distance of 490"+/- East of the centerline of the nearest improved intersecting street Stevens Road which is 20' Paved (R/W Unknown).

Being part of lot 7, and all of lots 8 and 9 in the subdivision of "Bird River Beach" as recorded in Baltimore County Plat Book # 7, Folio# 187 containing 25,360 Square feet.

Also known as 11211 Beach Road, White Marsh, Maryland 21162 and located in the 11th Election District, 5th Councilmanic 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: #04-221-A

11211 Beach Road
Syside Beach Road, 490 feet east of centerline Stevens Road
11th Election District - 5th Councilmanic District
Legal Owner(s): Robert and Myvain Baranski
Administrative Variance: to permit a proposed single-family dwelling to have a property line setback of 20 feet in lieu of the required 35 feet.

Hearing(s): Tuesday, January 27, 2004 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 accommisdations 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.

1/127 Jan. 8

C643739

CERTIFICATE OF PUBLICATION

1/8/,2004
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
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
Dulking.

LEGAL ADVERTISING

	RE: Case No.: 04-221-A
	Petitioner/Developer:
•	ROBERT BARANASK
•	
	Date of Hearing/Closing: 1/27/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. BECKY HART	
Ladies and Gentlemen:	•
This letter is to certify under the penalties of were posted conspicuously on the property lo	perjury that the necessary sign(s) required by law ocated at GEACH 120
The sign(s) were posted on	//12/04 (Month, Day, Year)
CASE # 04-221-A	Sincerely,
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN
	(Printed Name)
	904 DELLWood DR. (Address)
	FALLS TON, MO 21047
	(City, State, Zip Code)
	(410) 879-31ZZ
	(Telephone Number)
1121112	•
11211 BEACH RD. POSTED 1/12/04 Thohaf GAM. 1/12/04	

CERTIFICATE OF POSTING

	Petitioner/Developer:
	ROBT- 1 MYVAH BARAHOSI
•	10001-111YVAH 10 ARAHOSU
	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: Ms. BECKY HART	
	•
Ladies and 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	
•	-11 BEACH 12D
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	"
The sign(s) were posted on	11/16/03
	(Month, Day, Year)
1SE#04-221-A	
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	Sincerely,
	Quel 5 1/16
	Sincerely, (Signature of Sign Poster and Date)
	(Signature of Sign Poster and Date)
	Quel 5 1/16
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name)
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWood DR. (Address)
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO 2104
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWood DR. (Address)
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [ALLS TONI, Mo 2104 (City, State, Zip Code) (410) 879-3127
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO 2104 (City, State, Zip Code)
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [-ALLS TONI, Mo 2104] (City, State, Zip Code) (410) 879-3127
1 BEACH RA	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [ALLS TON, MO 2104] (City, State, Zip Code) (410) 879-3127
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [-ALLS TON, Mo 2104] (City, State, Zip Code) (410) 879-3127

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

December 31, 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: 04-221-A

11211 Beach Road

S/side Beach Road, 490 feet east of centerline Stevens Road

Legal Owner: Robert and Myvan Baranski

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Administrative Variance to permit a proposed single-family dwelling to have z property line setback of 20 feet in lieu of the required 35 feet.

Hearing:

Tuesday, January 27, 2004 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Muthy Kotroco

Timothy Kotroco Director

TK:rlh

C: Robert and Myvan Baranaski, 11211 Beach Road, White Marsh 21162

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 12, 2004.

- (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

January 8, 2004 Issue - Jeffersonian

Please forward billing to:

Robert M. Baranoski 11211 Beach Road White Marsh, MD 21162

410-679-1122

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: 04-221-A

11211 Beach Road

S/side Beach Road, 490 feet east of centerline Stevens Road

Legal Owner: Robert and Myvah Baranski

Administrative Variance to permit a proposed single-family dwelling to have z property

line setback of 20 feet in lieu of the required 35 feet.

Hearing:

Tuesday, January 27, 2004 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 Advertising:
Item Number or Case Number: O4-271-A
Petitioner: Robert M Baranoski
Address or Location: 1/211 Beach Road White Marsh MO 21162
PLEASE FORWARD ADVERTISING BILL TO: Name: Robert M. Baranoski. Address: 11211 Beach Rd White March MO 21162
Telephone Number: 410-679-1122

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

· 04
Case Number # 221 -A Address 11211 BEACH RO
Contact Person: LIOYD T. MOXLEY Phone Number: 410-887-3391
Filing Date: 11 4/03 Posting Date: 11/16/03 Closing Date: 12/1/03
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. Any 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 closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file 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 (c) order 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.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning 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 originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office. (Detach Mong Dotter Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT Case Number 93- 221 -A Address 1/2/1 REACH 120AD Petitioner's Name 12087 6 MYNAH BACAHOSKI Telephone (416)679 1/22
Posting Date: 11/16/03 Closing Date: 17/1/03
Wording for Sign: To Permit A. PROPOSED SIHGLE FAMILY
DWELLING TO HAVE A PROPERTY LINE SETBACK
OF 20' IN LIEU OF THE REQUIRED 351
——————————————————————————————————————

Department of Permits and 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

January 23, 2004

Robert Baranoski Myvan Baranoski 11211 Beach Road White Marsh, MD 21162

Dear Mr. and Mrs. Baranoski:

RE: Case Number: 04-221-A, 11211 Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 4, 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

WCR:klm

Enclosures

c: People's Counsel



Baltimore County
Department of Permits and
Development Management

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

December 1, 2003

Robert Baranoski Myvan Baranoski 11211 Beach Road White Marsh, MD 21162

Dear Mr. and Mrs. Baranoski:

RE: Case Number: 04-221-A, 11211 Beach Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 16, 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. Callabal)

WCR:klm

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley M

DATE:

December 5, 2003

SUBJECT:

Zoning Item # 04-221

Address

11211 Beach Road

Baranoski Property

Zoning Advisory Committee Meeting of November 17, 2003

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

__X__ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer:

Keith Kelley

Date: December 1, 2003

OFFIDER RECEIVED FOR FILLING

Date

Date

Sy

Manual

Manual

Sy

Manual

Sy

Manual

S:\Devcoord\ZAC SHELL I1-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 26, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 24, 2003

Item No. 221

The Bureau of Development Plans Review has reviewed the subject-zoning item.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

RWB:CEN:jrb

cc: File

ORDER RECEIVED FOR FILING Date

ZAC-11-24-2003-ITEM NO 221-11262003



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 November 19, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 17, 2003

Item No.:

220, 221, 223-228, 230, 231

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: /1.18.03

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

RE: Baltimore County

Item No. 221 LTM

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

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

RECEIVED. November 20, 2003

NOV 2 0 2003

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT:

Zoning Advisory Petition(s): Case 04-221 – 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.

Section Chief:

AFK/LL

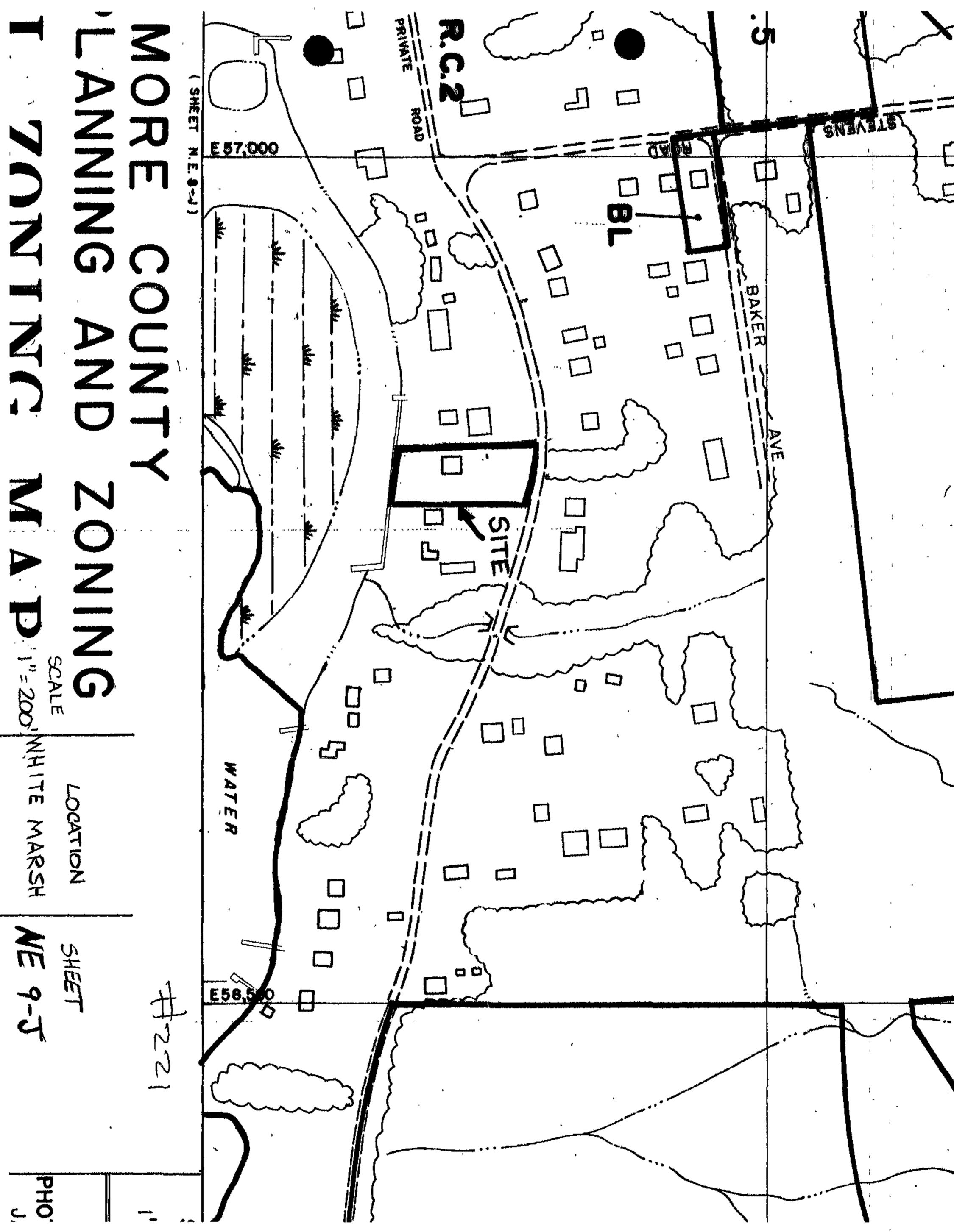
case # 04 221-A RICHARD FLOWSKI 11213 DEACH RD 443-220-5396 Hello my objection to the code varience is I (FAMILY) moved to the county, and my saticular property so as not to We real close to the other house. The house in question is about 80 from the property line I an only 10 away. The owner has over 100 to the road prontage. I got a permit for an addition and built straigt out to the road as not to crowd buch 35 he wants 20 dan not trying le be ignerant. I just wont my legal distance I hope I explained my concern without going on and on with all my reasons. Please feel free to coll if I need anything else 443- 220-5396 Mank you so much er yeure time and Rich Nowahoursh. here is a small sketch MRS SULLIUE MY HOUSE RICK NOVAKOWSKI MEW HOME NOW G---- 35-4 i=2071 SHEP 11213 BEACH RD

PLEASE PRINT CLEARLY

CASE NAME //21/ Beach Road
CASE NUMBER 04-4
DATE //27/04

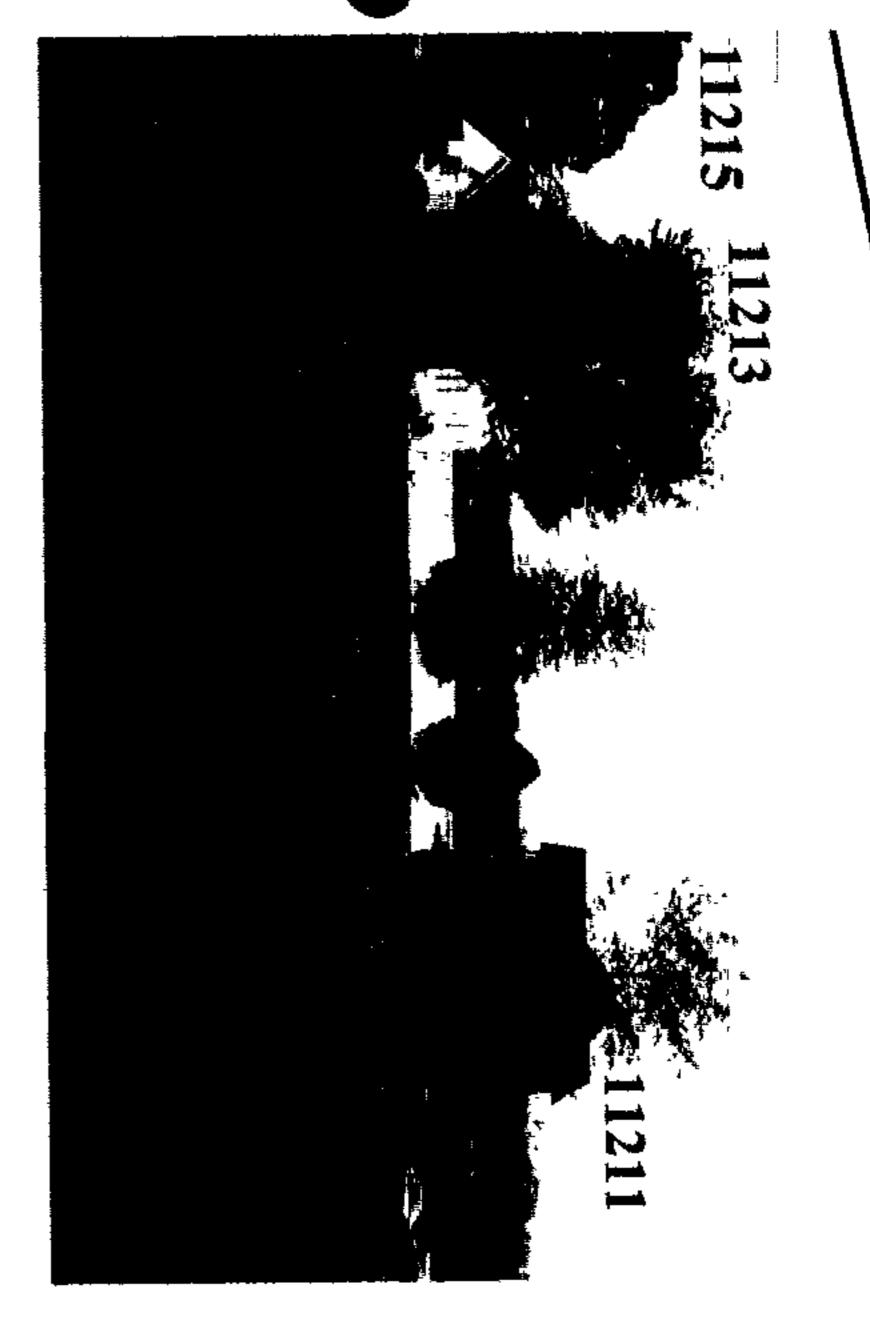
ETITIONER'S SIGN-IN SHEET

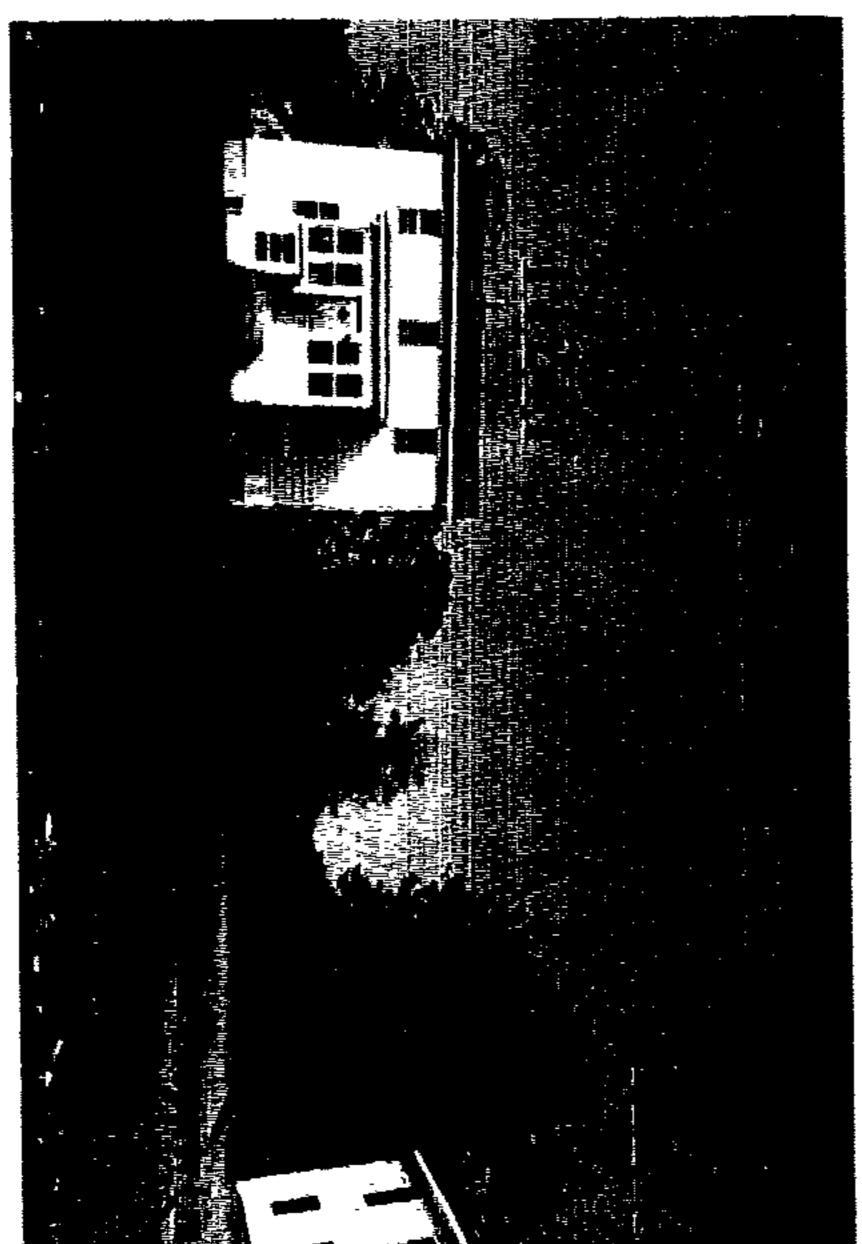
E-MAIL	Housepao 1960@ Hotmil.	8									
CITY, STATE, ZIP	1 -5										
ADDRESS	11211 Beach Ro 11211 Beach Rd										
NAME	Robert Barawskin X				-						

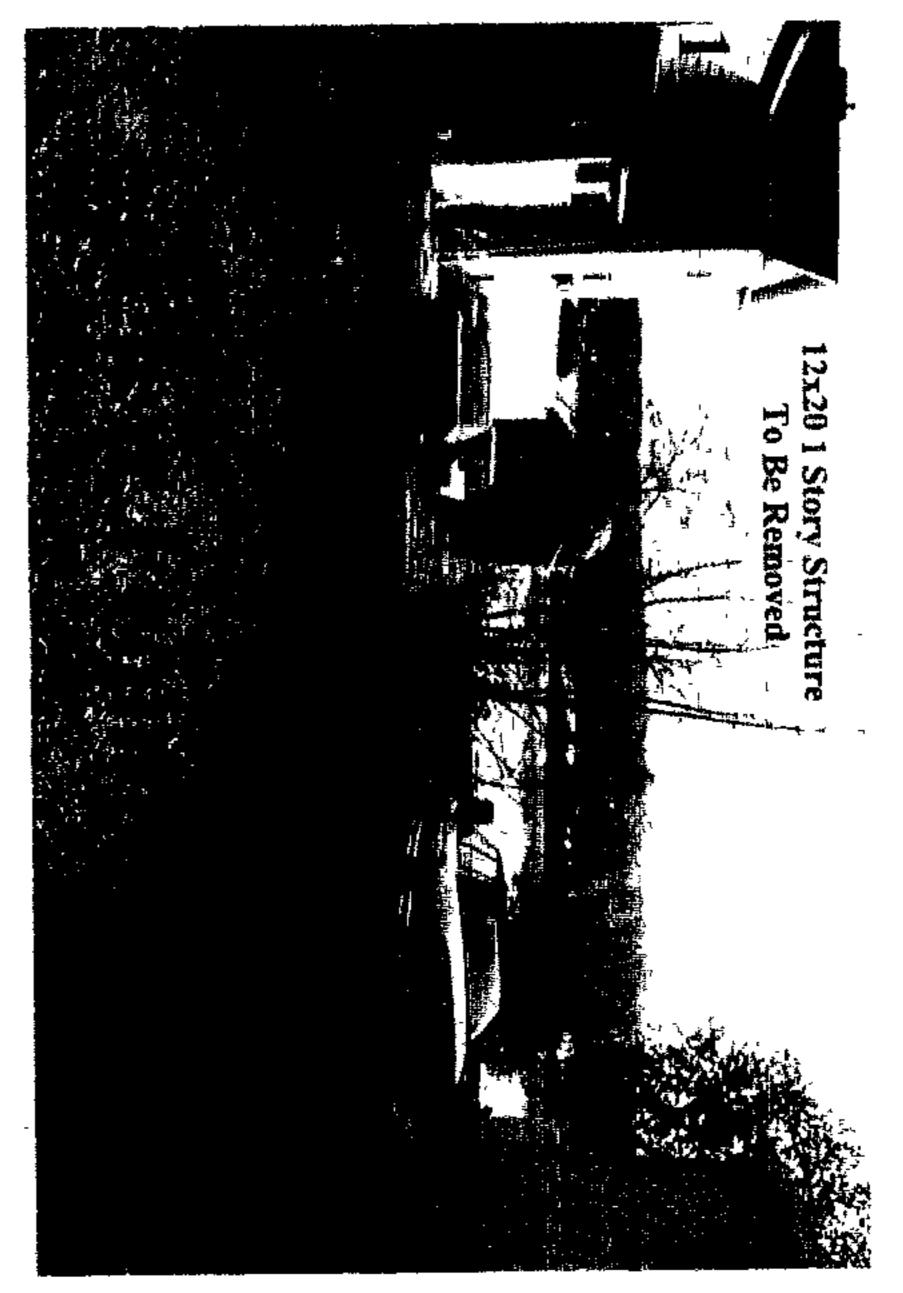


PLAT TO ACCOMPANY PETITION FOR ZONING PROPERTY ADDRESS 11211 BEACH ROAD SEE PAGES 5 & 6	X VARIANCE	Applition
SUBDIVISION NAME BIRD RIVER BEACH PLAT BOOK # 7 FOLIO # 187 LOT # 8494 SECTION # MA OWNER ROBERT & MYVAN BARANOSKI :-03-03	3387/542	03
57. 401. 10 - 10 - 10 - 10 - 10 - 10 - 10 - 1		OX YE
	r •	BAKER
LOT 9 / WOER MAY!	140 V V V V V V V V V V V V V V V V V V V	SELECT ROAD
107 10		BIRD RIVER SUBJECT VICINITY MAP SCALE: 1" = 1000' PROPERTY
# 11211		LOCATION INFORMATION
PROPOSE 38'×32' Du		ELECTION DISTRICT
20' CISTORY AKAGE 120' 14		T"=200' SCALE MAP # NE Q-T
AGALE SOLE TO THE		RC-2
# 1		řή.
38. From 1.	NOTE:	SEWER ME
# EXISTING X3#	EXISTING & PROPOSED	WATER
SARACE/SHED IN THE	PWELLING LIE IN FLOOD ZONE "C"	CHESAPEAKE BAY CRITICAL AREA
O'O'O' DOWN O'O'	ō	100 YEAR FLOOD PLAIN
30,36. L	COMMUNITY FANEL # 240010 0295 B	PERTY/
	3-2-81	HEARING NO
NORTH		REVIEWED BY ITEM # CASE #
PREPARED BY R.M.B. SCALE OF DRAWING:	20 = 20	









#22 122#

