IN RE: PETITION FOR ADMIN. VARIANCE NW/S of Greenspring Valley Road, 60 ft. SW centerline of Nacirema Lane 3rd Election District 2nd Councilmanic District **(1716 Greenspring Valley Road)** Deborah & William Paterakis *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-043-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Deborah and William Paterakis. The administrative variance is requested for property located at 1716 Greenspring Valley Road in the Stevenson area of Baltimore County. The administrative variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory garage structure of 32 ft. high in lieu of 15 ft. permitted in the Baltimore County Zoning Regulations, and to amend the first Amended Final Development Plan of resubdivision of the "Mensana 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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 29, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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 ZAC comment was received from the Office of Planning dated August 5, 2005, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

ORDER RECEIVED FOR FILING
Date 8/18/05
By

"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 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."

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 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, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this 18 day of August, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for administrative variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory garage structure of 32 ft. high in lieu of 15 ft. permitted in the Baltimore County Zoning Regulations, and to amend the first Amended Final Development Plan of resubdivision of the "Mensana Property", be and is

JAMES HOLZER FOR PLANNING
8/18/05

hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner 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 comply with the ZAC comments submitted by the Office of Planning dated August 5, 2005, wherein it is stated that:

   (1) the Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities;
   (2) the accessory structure shall not be used for commercial purposes; and
   (3) the Office of Planning supports the requested variance provided it is constructed in accordance with the elevation drawings dated 6/14/05.

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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

PLANNING, ZONING & PUBLIC WORKS
Date 8/18/05
By

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
William J. Wiseman III, Zoning Commissioner

August 18, 2005

Mr. & Mrs. William Paterakis
1716 Greenspring Valley Road
Stevenson, Maryland 21153

Re: Petition for Administrative Variance
Case No. 06-043-A
Property: 1716 Greenspring Valley Road

Dear Mr. & Mrs. Paterakis:

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

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: David Buffington, 1220-C East Joppa Road, Towson, MD 21286

Printed on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1716 Greenspring Valley Road

which is presently zoned RC-5 RC-2

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)

400.3 to allow an accessory garage structure of 32' high in lieu of 15' permitted in the Baltimore County Zoning Regulations, and

[redacted] to amend the first Amended Final Development Plan of resubdivison of the Mensana Property.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

WILLIAM PATERAKIS
Name - Type or Print

* Will Pat
Signature

DEBORAH PATERAKIS
Name - Type or Print

* Deborah Paterakis
Signature

1716 GREENSPRING VALLEY RD 410-602-9410
Address Telephone No.

STEVENSON MD 21153
City State Zip Code

Representative to be Contacted:

DAVID BOFFINGTON
Name

1220-C EAST JOPPA ROAD 410 821-1690
Address Telephone No.

TOWSON MD 21286
City State Zip Code

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. 06 043 A

Reviewed By JL DROP OFF * **Date** 7/22/05

Estimated Posting Date 7/31/05

* SEE POLICY

REV 10/25/01

CASH RECEIVED FOR FILING
8/18/05

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 1716 Greenspring Valley Road
Address

Stevenson MD 21153
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):

To provide for an accessory garage structure of required capacity sympathetic to the historic and rural nature of the site.

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

* Will Pat
Signature

WILLIAM PATERAKIS
Name - Type or Print

* Deborah Pateraki
Signature

DEBBORAH PATERAKIS
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of June, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARYLAND

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

M. JUNAID SIDDIQI
Notary Public
Howard County
MARYLAND
My Commission Expires March 01, 2009

* M. Junaid Siddiqi
Notary Public

My Commission Expires 3/1/05

REV 10/25/01

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

Zoning Description

Beginning at a point located on the northwesterly side of Greenspring Valley Road which has a variable width at the distance of 60 feet southwesterly of the centerline of the nearest intersecting street, Nacirema Lane, which has a width of 60 feet. **Thence** the following courses and distances, viz:

South 75 degrees 04 minutes 30 seconds West, 282.92 feet; North 00 degrees 28 minutes 43 seconds West, 225.96 feet; North 18 degrees 56 minutes 01 seconds East, 61.00 feet; North 30 degrees 40 minutes 56 seconds East, 70.98 feet; North 11 degrees 54 minutes 28 seconds East, 53.64 feet; North 01 degrees 22 minutes 59 seconds West, 149.20 feet; North 11 degrees 30 minutes 18 seconds West, 43.54 feet; North 43 degrees 14 minutes 36 seconds West, 43.85 feet; North 61 degrees 27 minutes 27 seconds West, 328.52 feet; South 67 degrees 52 minutes 25 seconds West, 346.97 feet; North 25 degrees 46 minutes 53 seconds West, 62.59 feet; North 69 degrees 22 minutes 35 seconds East, 367.17 feet; North 44 degrees 13 minutes 57 seconds East, 376.55 feet; South 41 degrees 15 minutes 00 seconds East, 225.99 feet; North 89 degrees 19 minutes 29 seconds East, 70.00 feet; South 00 degrees 40 minutes 31 seconds East, 52.00 feet; North 89 degrees 19 minutes 29 seconds East, 52.28 feet; South 00 degrees 40 minutes 31 seconds East, 809.45 feet to the point and place of beginning, being known and designated as #1716 Greenspring Valley Road.

Containing an area of 322,692 square feet or 7.4080 acres of land, more or less, and being located in the Third Election District of Baltimore County, Maryland.

043

STATE OF MARYLAND
MICHAEL LEE FOX
11041
PROFESSIONAL LAND SURVEYOR
6/24/05

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax (410) 821-1748 www.mragta.com

Abingdon, MD (410) 515-9000 ✦ Laurel, MD (410) 792-9792 ✦ Towson, MD (410) 821-1690 ✦ Georgetown, DE (302) 855-5734 ✦ Wilmington, DE (302) 326-2200 ✦ York, PA (717) 751-6073

CERTIFICATE OF POSTING

RE: Case No.: 06-043-A

Petitioner/Developer: WILLIAM + DEBORAH PATERAKIS

Date of Hearing/Closing: 8-15-05

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

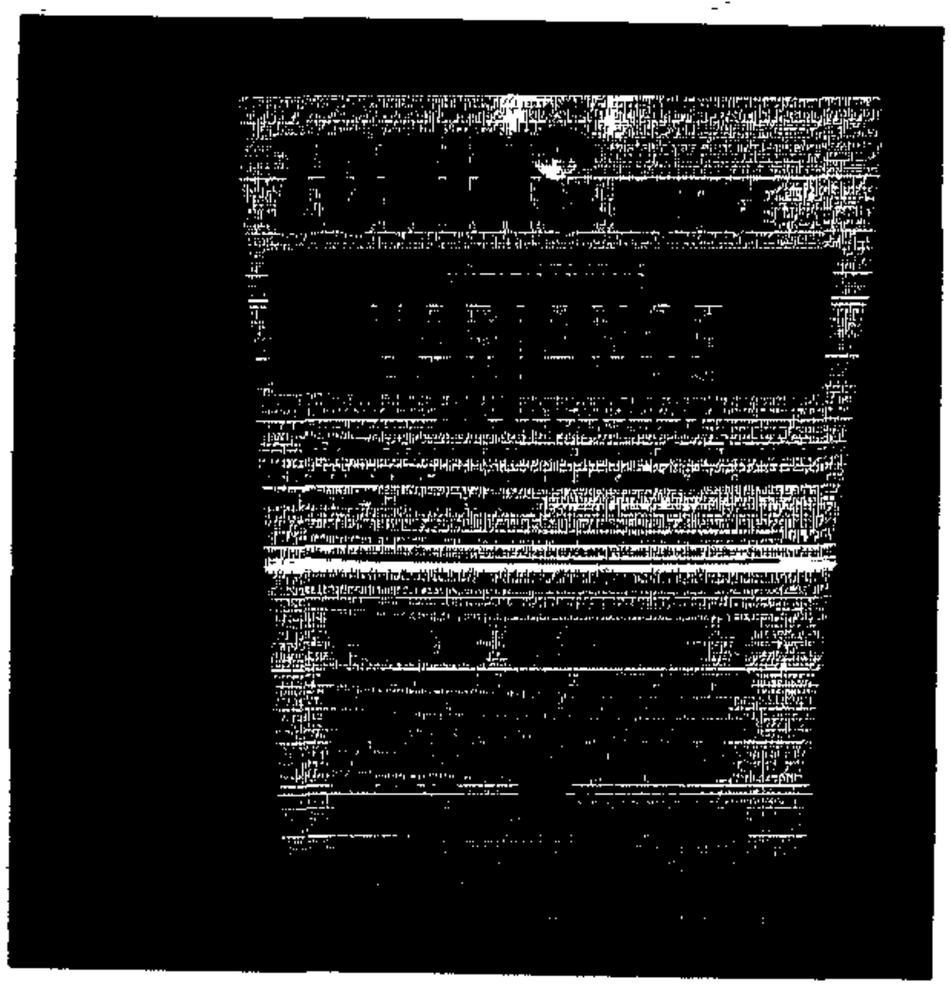
ATTN: Kristen Matthews {(410) 887-3394}

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 located at: 1716 GREENSPRING VALLEY RD

The sign(s) were posted on JULY 29, 2005
(Month, Day, Year)

Sincerely,



Robert Black 8-2-05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

1716 GREENSPRING VALLEY RD.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JL 043

No. 448166

DATE 7/22/05 ACCOUNT 001 006 6150

AMOUNT $ 130.00

RECEIVED FROM: Morris & Ritchie

FOR: Res. SPHA

1716 GREENSPRING VALLEY RD

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
7/22 2005 [illegible]
[illegible]
RECEIPT # 448166
Dept 5 [illegible]
DATE 44816
Recpt Tot 130.00
130.00 CK 0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

RECEIVED
AUG - 4 2005
DEVELOPMENT [illegible]

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 043

Petitioner: PATERAKIS

Address or Location: 1716 GREENSPRING VALLEY RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: WILLIAM PATERAKIS

Address: 1716 GREENSPRING VALLEY RD.
STEVENSON MD. 21153

Telephone Number: 410 602 9010

Revised 2/20/98 - SCJ

APP HAS ~~CHANGED TO~~ PICKED UP THIS FORM 7/22/05 ZONING FILE COPY DROP OFF. (SEE POLICY)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-043 -A Address 1716 GREENSPRING VALLEY RD.

Contact Person: JOHN LEWIS (DROP-OFF SEE POLICY IN FILE) Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/22/05 **Posting Date:** 7/31/05 **Closing Date:** 8/15/05

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **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. **DEADLINE:** 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.

3. **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 Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 06-043 -A Address 1716 GREENSPRING VALLEY RD

Petitioner's Name WILLIAM + DEBORAH PATERAKIS Telephone 410-602-9010

Posting Date: 7/31/05 **Closing Date:**

Wording for Sign: *To Permit* A PROPOSED ACCESSORY STRUCTURE (GARAGE) WITH A HEIGHT OF 32 FT. IN LIEU OF 15 FT. AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR LOT #2, MENSANA PROPERTY

WCR - Revised 6/25/04

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

August 15, 2005

William Paterakis
Deborah Paterakis
1716 Greenspring Valley ROad
Stevenson, Maryland 21153

Dear Mr. and Mrs. Paterakis:

RE: Case Number: 06-043-A, 1716 Greenspring Valley Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 31, 2005.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
David Buffrugton 1220 C East Joppa Road Towson 21286

Printed on Recycled Paper

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

August 2, 2005

Distribution Meeting of August 1, 2005

ATTENTION: Zoning Review Planners

Item No. 032, 033, 034, 035, 036, 037, 038, 039, 040, 041 and 043

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

The Fire Department has no comments at this time.
If you have any questions contact my office.

Acting Lt. Warren T. Moffitt
Fire Marshal's Office
410-887-4880
MS-1102F

Cc:file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: August 8, 2005

RECEIVED
AUG 1 0 2005
ZONING COMMISSIONER

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 8, 2005
Item Nos. 032, 033, 034, 035, 036, 038, 039, 040, 041, 042, 043,

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-08082005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley

DATE: September 2, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 1, 2005

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

06-032
06-033
06-034
06-036
06-038
06-039
06-040
06-041
06-043

Reviewers: Sue Farinetti, Dave Lykens, Glenn Shaffer, Bruce Seeley

S:\Devcoord\ZAC-8-1-05NC.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 5, 2005

RECEIVED

AUG 11 2005

ZONING COMMISSIONER

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 1716 Greenspring Valley Road

INFORMATION:

Item Number: 6-043

Petitioner: William and Deborah Paterakis

Zoning: RC 5 and RC 2

Requested Action: Administrative Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:
The Office of Planning has reviewed the petitioner's request, site plan and architectural elevation drawings for the proposed accessory structure and finds it to be compatible with the historic character of the area and RC 5 regulations. The Office of Planning supports the requested height variance provided it is constructed in accordance with the architectural elevation drawings dated 6/14/05. In addition the accessory structure shall not be used for the following:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Lynn Lochner
AFK/LL: CM

W:\DEVREV\ZAC\6-043.doc

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

SHA State Highway Administration Driven to Excel
Maryland Department of Transportation

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

Date: 7·29·05

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

RE: Baltimore County
Item No. 043 JLL

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

KEEP IN FILE
06-043-A

FREQUENT FLYER ATTORNEYS
DROP OFF ZONING PETITIONS
POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with **all** technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.

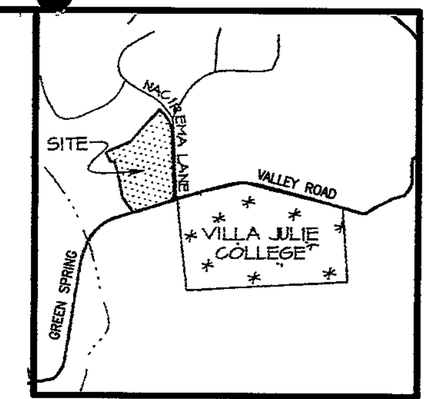
2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.

3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

Zoning Comments 06-043-A
Obvious Filing Deficiencies:due to insistence on filing without a formal review, this office accepts no responsibility for the accuracy of any of this petition filing information

a. Property noted as Historic: (More hearings required)?
b. Prior zoning history indicated, while no reference on plan to actual previous case/order. No request to amend earlier hearing by Special Hearing (if needed).
c. Inaccurate vicinity map. Does not show site limits.
d. Owner/occupants not named on plan for this Administrative Variance Petition.
e. No site address on plan.
f. No photographs with references have been provided as required per Administrative Variance checklist.
g. Dwelling shown as proposed, Administrative Variance requires residence of applicant.
h. No advertising form with filing. (Staff will complete as convenient).
i. Point of beginning to street/centerline not on plan.

7/22/05



VICINITY MAP

SCALE: 1" = 2000'

LOCATION INFORMATION	
ELECTION DISTRICT	3
COUNCILMANIC DISTRICT	2
1" = 200' SCALE MAP#	NW 12E
ZONING	RC5, RC2
LOT SIZE	322,690 S.F. 7.40 AC. ±
SEWER	N/A
WATER	N/A
CHESAPEAKE BAY CRITICAL AREA	N/A
100 YEAR FLOODPLAIN	N/A
HISTORIC PROPERTY BUILDING	YES
PRIOR ZONING HEARING	YES

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
DROP OFF	043	

STATE OF MARYLAND
DAVID W. BURKHARDT
No. 13488
REGISTERED
PROFESSIONAL ENGINEER

MRA

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

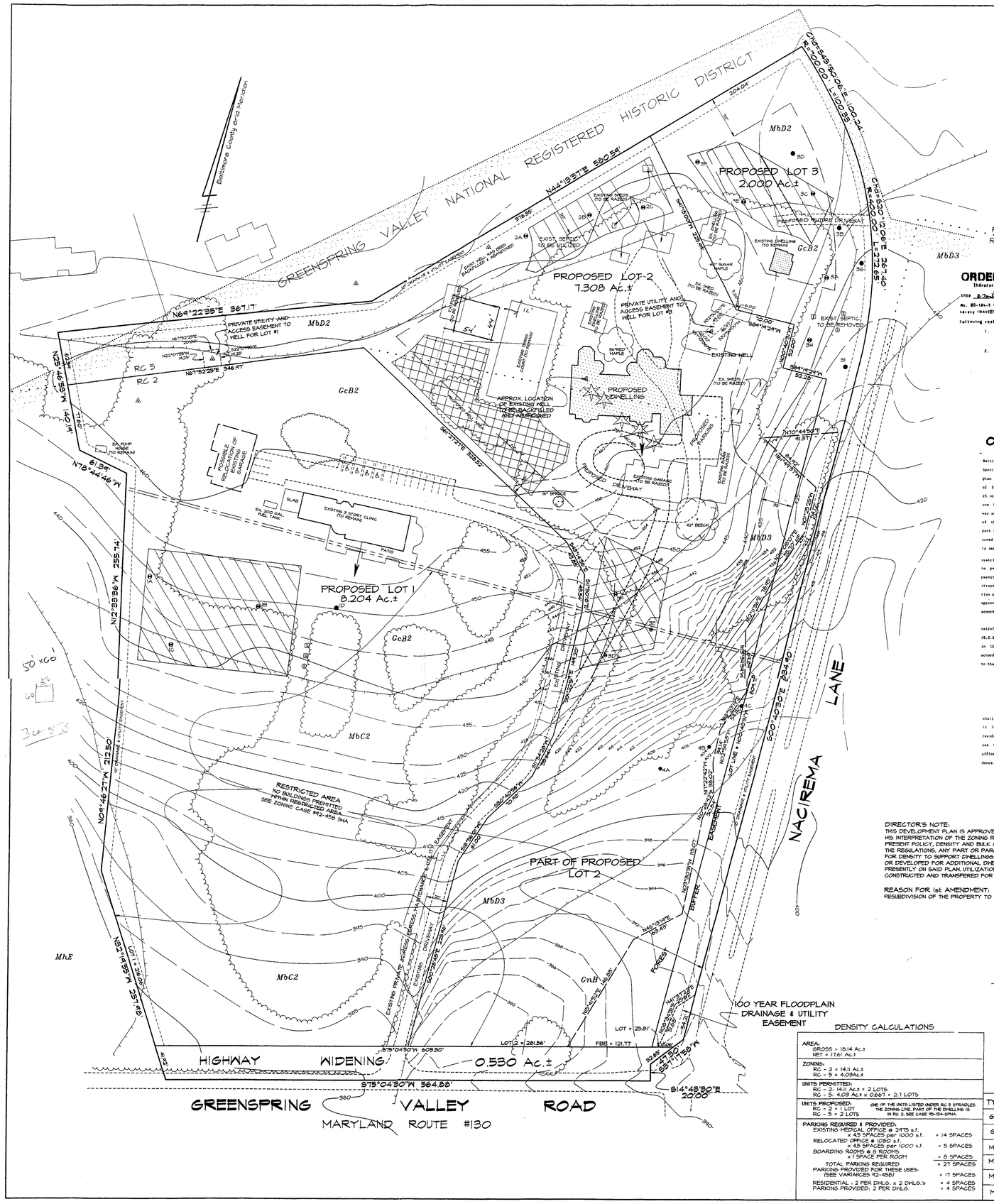
MRAGTA.COM

PLAT TO ACCOMPNY PETITION FOR ZONING

Pet Ex #1

BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 100'	DATE: 06-27-05	DRAWN BY: MLS	DESIGN BY: DH	REVIEW BY: DH	JOB NO. :



ORDER #70-116-X

IN THE MATTER OF THE APPLICATION OF
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward G. Duncan, Deputy Zoning Commissioner — DATE: December 11, 1969

FROM: George E. Gavrelis, Director of Planning

SUBJECT: Petition #70-116-X, 16th side of Dulaney Spring Valley Road 1820' West of Greenspring Avenue. Petition for Special Exception for Boarding House for 11 guests.

3rd District

10 AD/1951 — Thursday, December 18, 1969 — (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has review the subject petition. We have met the site proposed by the petitioner could be limited to a site of 75 feet and that the buildings would be substantial brick structures with, further conversation of approved site facilities, although, as indicated by the extension of the existing building, this independent may will be satisfactory for the building, to support that consideration be given to conditioning the special exception, if granted, so that any failure of the sewage disposal system will give the County authority to rescind the grant after a specified grace period. Past and present experience with septic systems indicates that such a provision may well be in the public interest.

In any event, should it be decided to grant the petition, we recommend that grant be conditioned upon our approval of the site plan.

ORDER #85-268-SPH

Therefore, it is ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of March, 1985, that the special exception granted in Case No. 85-164-X has been utilized and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The restrictions enumerated in Case No. 85-164-X shall be adopted in their entirety and made a part of this Order.
2. A revised site plan shall be submitted showing the gross size of the mansion to be 17,160 square feet, as reflected on Petitioner's Exhibit J, and the size of building "E" shall be reduced to reflect 1,000 square feet instead of 1,800 square feet.

Zoning Commissioner
Baltimore County

ORDER #85-164-X

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of January, 1985, that the Petition for Special Exception for physicians' offices in the B.C.C.Z Zone and a doctor's office in the R.C. 5 Zone is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The physicians' offices to be conducted in the main house (mansion) in the R.C.2 Zone shall not exceed 5,000 square feet and shall not have more than twelve guests (patients) in residence.
2. The doctor's office to be conducted in Building E located in the R.C.5 Zone shall not exceed 1,000 square feet and shall be limited to one physician with no guests (patients) in residence.
3. All other improvements contained on the subject 18.41 acres shall be used in the manner and for the purposes established and shown on the approved site plan in Case No. 70-116-X.
4. The seminary shall be conducted after December 31, 1985.
5. A revised site plan, prepared in conformity with the above restrictions, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.
6. The uses allowed by this granted for in this Order shall be utilized within two years from the date hereof.

Zoning Commissioner of
Baltimore County

ORDER # 92-456-SPHA

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25th day of August 1992, that, pursuant to the Petition for Special Hearing, approval of a reduction of the area of the property for which a special exception was previously granted in zoning cases No. 70-116-X, 80-164-X and 85-158-SPH (for physicians' offices with facilities for 12 patients and residents, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure on proposed lot 1, 2 (tennis court) to be located 0 ft. from the side lot line, in lieu of the required 2-1/2 ft., be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that a petition for Variance to permit an existing accessory structure with a height of 30.ft., in lieu of the required 15 ft., be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that a Petition for Variance from Sections 409.6 and 409.4b of the B.C.Z.R. to permit 23 parking spaces, in lieu of the required 33, and to permit a 16 ft. 2-way drive aisle, in lieu of the required 20 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

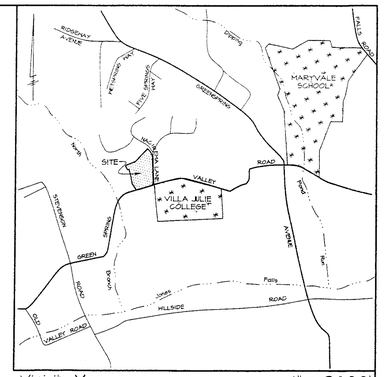
1. The Petitioners may apply for their building permit and be granted same upon receipt of this order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. There shall be no construction within that portion of lot No. 4 located within the Greenspring Valley Road and the front yard of the aforementioned lot, as measured from the front building envelope of the existing three story clinic building; as more fully set forth in the above findings of fact and Conclusion of law.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

37. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR PROPOSED LOT 2 THE FOLLOWING SHALL OCCUR:
   1. A NEW WELL SHALL BE PROPERLY DRILLED IN THE PROPOSED WELL AREA.
   2. THE EXISTING WELL SHALL BE BACKFILLED BY A LICENSED MASTER WELL DRILLER WHO SHALL SUBMIT A WELL ABANDONMENT REPORT TO DEPRM.
38. THE EXISTING UNDERGROUND ELECTRIC CABLE IN THE SEPTIC RESERVE AREA SHALL BE PROPERLY MOVED.
38. PRIOR TO USE AND OCCUPANCY OF PROPOSE DWELLING ON LOT 2 THE EXISTING DWELLING WHICH IS LABELED "TO BE RAZED" SHALL BE RAZED UNDER PERMIT.
39. PRIOR TO USE AND OCCUPANCY OR RENOVATION OF THE EXISTING DWELLING ON PROPOSED LOT 3, THE EXISTING DWELLING LABELED "TO BE RAZED" SHALL BE RAZED UNDER PERMIT.

DIRECTOR'S NOTE:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF ZADM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THE ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN HEREON SHALL NOT BE FURTHER DIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERED FOR THE PURPOSE OF OCCUPANCY.

REASON FOR 1st AMENDMENT:
RESUBDIVISION OF THE PROPERTY TO REDUCE THE NUMBER OF LOTS FROM 4 TO 3.



Vicinity Map — 1" = 2000'

GENERAL NOTES

1. BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY D.S. THALER & ASSOC.
2. TOPOGRAPHY SHOWN IS FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. NW 12-E.
3. ALL LOTS SHOWN HEREON TO BE SERVED BY PRIVATE WELL AND SEPTIC.
4. SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 27.
5. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 301 & 400 OF THE BALTIMORE COUNTY ZONING REGULATIONS.
6. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT BY THE OWNERSHIP OR HIS ESTATE SINCE DECEMBER 30, 1971. THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
7. ~~/~~~~/~~~~/~~~~/~~~~/~~ DESIGNATES 350' SIGHT LINE. THE AREA BETWEEN THE SIGHT LINE AND THE EDGE OF THE ROAD MUST BE CLEARED, GRADED, AND KEPT FREE OF ALL OBSTRUCTIONS.
8. ALL EXISTING SEPTIC SYSTEMS, WELL, AND PERCOLATION TESTS WERE FIELD LOCATED.
9. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
10. NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREA.
11. ACCESS TO EXISTING DWELLINGS MUST BE MAINTAINED AT ALL TIMES.
12. THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. IT IS THE DEVELOPERS RESPONSIBILITY TO ADVISE FUTURE HOMEOWNERS THAT AGRICULTURE HAS A PREFFERED USE STATUS AND THAT ODORS, NOISE, DUST, FARM EQUIPMENT, LIVESTOCK, AND THE USE OF AGRICULTURAL CHEMICALS (PESTICIDES, FERTILIZERS, HERBICIDES, AND OTHER CONTROL AGENTS) ARE IN ACTIVE USE.
13. CENSUS TRACT 4088 — COUNCILMANIC DISTRICT 3
    SCHOOL DISTRICT: FORT GARRISON — REGIONAL PLANNING DISTRICT 304
    WATERSHED 24 — SUBSERWSHED 61
14. THERE ARE NO KNOWN ARCOLOGICAL SITES, ENDANGERED SPECIES HABITATS, HISTORIC BUILDINGS OR HAZARDOUS MATERIALS ON SITE.
15. THE SITE IS APPROXIMATELY 50% WOODED WITH MAJOR DECIDUOUS TREES AND 50% LAWN.
16. OPEN SPACE IS NOT REQUIRED IN RC ZONES.
17. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY NOT BE LOCATED IN FLOOD PLAIN AREAS OR WETLANDS.
18. PARKING AREAS AND PANHANDLE DRIVES SHALL HAVE A DURABLE AND DUSTLESS SURFACE AND BE PROPERLY DRAINED.
19. A LANDSCAPE OR PLANTING PLAN IS NOT REQUIRED.
20. NO MORE THAN 15% OF ANY LOT IN AN RC ZONE MAY BE COVERED BY IMPERVIOUS SURFACE. NO MORE THAN 25% OF THE NATURAL VEGETATION MAY BE REMOVED FROM ANY LOT IN AN RC 4 ZONE. (B.C.Z.R. Sec. 1A04.3.B)
21. NO STRUCTURE HEREAFTER ERECTED IN AN RC ZONE SHALL EXCEED A HEIGHT OF 35 FEET, EXCEPT AS PROVIDED UNDER SECTION 300 OF THE B.C.Z.R.
22. A LOT HAVING AN AREA OF LESS THAN 1 ACRE MAY NOT BE CREATED IN AN RC 5 ZONE. THE MAXIMUM GROSS RESIDENTIAL DENSITY OF A LOT OF RECORD IS 0.667 DWELLINGS PER ACRE.
23. ANY PRINCIPAL BUILDING HEREAFTER CONSTRUCTED IN AN RC 5 ZONE SHALL BE SITUATED AT LEAST 75 FEET FROM THE CENTERLINE OF ANY STREET AND AT LEAST 50 FEET FROM ANY LOT LINE OTHER THAN A STREET LINE EXCEPT AS OTHERWISE PROVIDED.
24. NO MORE THAN 15% OF ANY LOT IN AN RC 5 ZONE MAY BE COVERED BY BUILDINGS, EXCEPT AS OTHERWISE PROVIDED. (BILL No. 178-79)
25. NO LOT OF RECORD LYING WITHIN AN RC 2 ZONE AND HAVING A GROSS AREA OF LESS THAN 2 ACRES MAY BE SUBDIVIDED. NO SUCH LOT HAVING A GROSS AREA BETWEEN 2 AND 100 ACRES MAY BE SUBDIVIDED INTO MORE THAN 2 LOTS, AND SUCH A LOT HAVING A GROSS AREA OF MORE THAN 100 ACRES MAY BE SUBDIVIDED ONLY AT A RATE OF 1 LOT FOR EACH 50 ACRES OF GROSS AREA. (BILL No. 178-79)
26. A LOT HAVING AN AREA OF LESS THAN 1 ACRE MAY NOT BE CREATED IN AN RC 2 ZONE.
27. NO PRINCIPAL STRUCTURE OR DWELLING (WHETHER OR NOT IT IS A PRINCIPAL STRUCTURE) IN AN RC 2 ZONE MAY BE SITUATED WITHIN 75 FEET OF THE CENTERLINE OF ANY STREET AND WITHIN 35 FEET OF ANY LOT LINE OTHER THAN A STREET LINE. (BILL No. 178-79)
28. NO MORE THAN 1 PRINCIPAL DWELLING IS PERMITTED ON ANY LOT IN AN RC 2 ZONE.
29. ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
30. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
31. WAIVER WO-56, DATED JUNE 19, 1992 GRANTED THE FOLLOWING:
    - WAIVING OF REQUIREMENTS FOR TRASH PADS
    - SIDEWALKS ARE NOT REQUIRED
    - WAIVING OF STREET LIGHT REQUIREMENTS WITH THE EXCEPTION OF (1) LIGHT TO BE LOCATED AT THE SITE ENTRANCE ON GREENSPRING VALLEY ROAD
32. LOTS ARE "FOR SALE" FOR SINGLE FAMILY DWELLINGS.
33. THIS SITE IS EXEMPT FROM STORM WATER MANAGEMENT REQUIREMENTS AS ALL LOTS ARE 2 ACRES OR GREATER.
34. THE EXISTING SEPTIC SYSTEM ON LOT 3 WILL BE BACKFILLED AND REMOVED, AS PER DEPRM RECOMMENDATION A NEW SYSTEM WILL BE INSTALLED PRIOR TO THE RENOVATION OF THE EXISTING DWELLING TO REMAIN OR OCCUPANCY - WHICHEVER COMES FIRST.
35. A WAIVER TO ALLOW THE EXISTING WELL ON LOT 2 TO SERVE THE DWELLING ON LOT 3 TO BE APPLIED FOR. APPROVED DECEMBER 8, 1994.
36. ON OCTOBER 24, 1994, THE DEVELOPMENT REVIEW COMMITTEE REVIEWED THIS PROJECT AND DETERMINED IT TO BE ELIGIBLE AS A REFINEMENT TO THE CRG PLAN UNDER SECTION 26-121 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS. THIS EXEMPTS THIS DEVELOPMENT FROM HAVING TO OBTAIN APPROVAL FROM EITHER THE PLANNING BOARD OR THE HEARING OFFICER.

OWNER
LEE & NELSON HENDLER
1718 GREENSPRING VALLEY ROAD
STEVENSON, MARYLAND 21153
410-653-2403

CONTRACT PURCHASER/DEVELOPER
WILLIAM J. & DEBORAH A. PATERAKIS
3922 DANCE MILL ROAD
PHOENIX, MARYLAND 21131

SYMBOLS LEGEND

- SOIL LINE
- EXISTING WELL
- PROPOSED WELL AREA
- EXISTING SEPTIC CLEAN-OUT
- OIL FILL CAP
- EXISTING PAVING
- PROPOSED PERC TEST
- PASSED PERC TEST
- FAILED PERC TEST
- CONTOURS
- SLOPES > 25%

DENSITY CALCULATIONS

AREA:
GROSS = 18.14 Ac.±
NET = 17.61 Ac.±

ZONING:
RC - 2 = 14.11 Ac.±
RC - 5 = 4.03Ac.±

UNITS PERMITTED:
RC - 2: 14.11 Ac.± = 2 LOTS
RC - 5: 4.03 Ac.± x 0.667 = 2.7 LOTS

UNITS PROPOSED: (ONE OF THE UNITS LISTED UNDER RC 5 STRADDLES THE ZONING LINE. PART OF THE DWELLING IS IN RC 2. SEE CASE 92-154-SPHA.)
RC - 2 = 1 LOT
RC - 5 = 2 LOTS

PARKING REQUIRED & PROVIDED:
EXISTING MEDICAL OFFICE @ 2475 s.f. x 4.5 SPACES per 1000 s.f. = 14 SPACES
RELOCATED OFFICE @ 1080 s.f. x 4.5 SPACES per 1000 s.f. = 5 SPACES
BOARDING ROOMS @ 6 ROOMS x 1 SPACE PER ROOM = 6 SPACES
TOTAL PARKING REQUIRED = 27 SPACES
PARKING PROVIDED FOR THESE USES: (SEE VARIANCES 92-456) = 17 SPACES
RESIDENTIAL : 2 PER DWLG. x 2 DWLG.'s = 4 SPACES
PARKING PROVIDED: 2 PER DWLG. = 4 SPACES

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
GcB2	Slight	Slight	Moderate: Slope
GnB	Severe: High Water Table Moderately Slow Permeability	Severe: High Water Table	Severe: High Water Table
MbC2	Moderate: Slope	Moderate: Slope	Severe: Slope
MbD2	Severe: Slope	Severe: Slope	Severe: Slope
MbD3	Severe: Slope	Severe: Slope	Severe: Slope
MhE	Severe: Slope	Severe: Slope	Severe: Slope

DATE	REVISION
12/23/94	10,000 SF SEA on Lot 3 REVISED NOTES 37,38 & 39 ADDED
12/2/94	REVISED PER 1st SUBMITTAL COMMENTS. WELL & SEPTIC SERVING LOT 3 REVISED AND NOTES 34, 35 & 36 ADDED
11/8/94	LOT LINES REVISED

STATE OF MARYLAND — BRUCE EDWIN GERHOLD — No. 5211 — PROFESSIONAL LAND SURVEYOR

OFFICE OF PLANNING AND ZONING
APPROVED BY:
DIRECTOR OF PLANNING — DATE
for
DIRECTOR OF ZADM — DATE
1/9/95

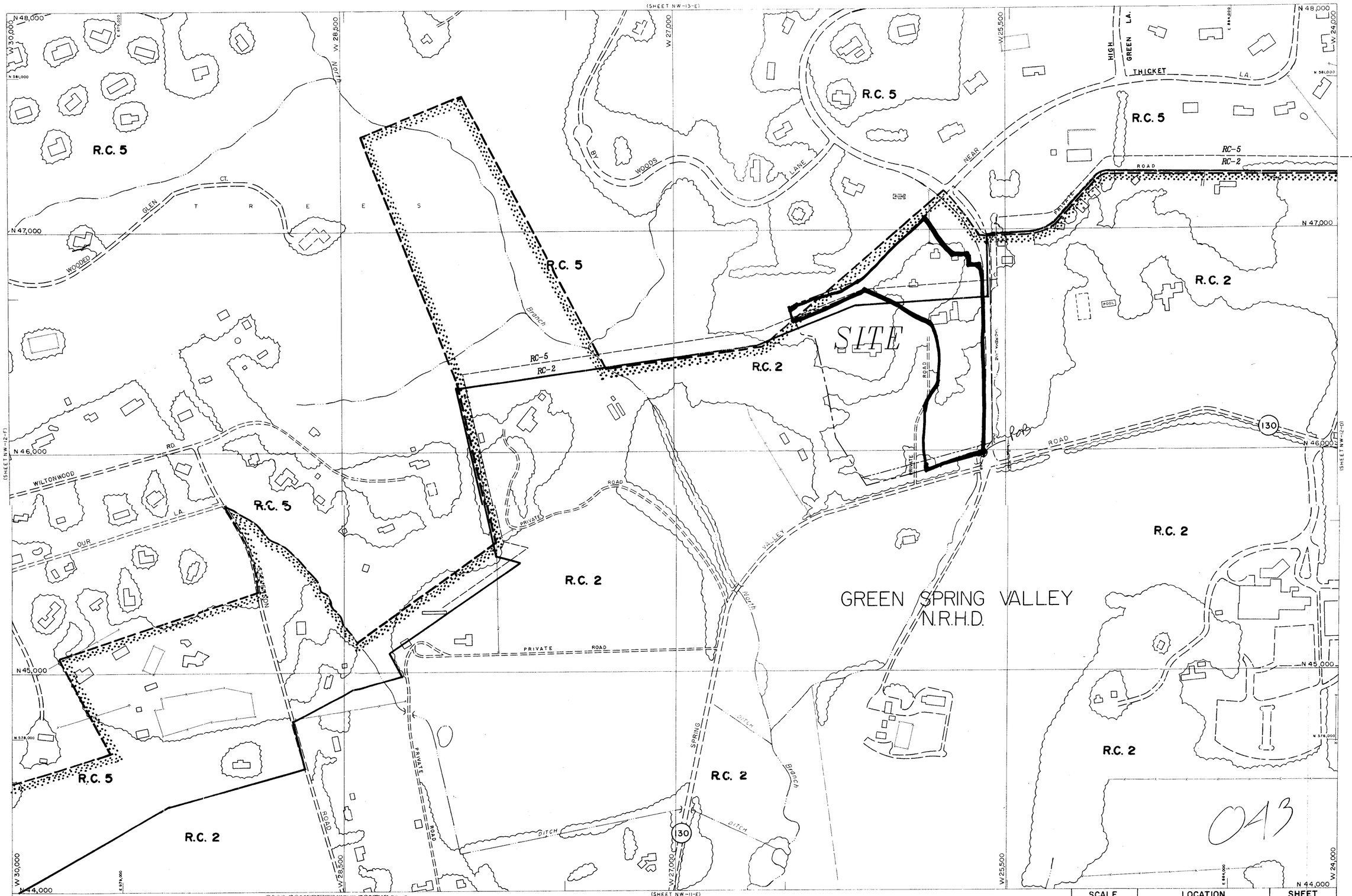
1st AMENDED FINAL DEVELOPMENT PLAN
RESUBDIVISION OF
MENSANA PROPERTY

ORIGINAL CRG No.92-047
APPROVED SEPTEMBER 24, 1992.
1718 GREENSPRING VALLEY ROAD
Deed Ref: S.M. No. 8014 folio 281
Tax Account No. 22-00-016374,
22-00-016375, 22-00-016376
& 22-00-016377
Zoned R.C. 2 & R.C. 5
Tax Map 59; Grid 16; Parcel 456
3rd ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
Scale: 1" = 50' — November 3, 1994

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

043

EXHIBIT



2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 16, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

(Chairman, County Council)

S-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY RICHARD WOIN, INC. BALTIMORE, MD. 21202

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	STEVENSON	N. W. 12-E
DATE OF PHOTOGRAPHY JANUARY 1986		

NW 12 E