IN RE: PETITION FOR VARIANCE
S/S Valley Mill Road, 2260 feet SW
centerline of Bentley Road
6<sup>th</sup> Election District
3<sup>rd</sup> Councilmanic District

(20101 Valley Mill Road)

Todd Morrill, Karen Morrill and Todd Cooper Morrill *Petitioners* 

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

\* CASE NO. 07-120-A

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

\*

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Todd Morrill, Karen Morrill and Todd Cooper Morrill. The Petitioners are requesting variance relief for property located at 20101 Valley Mill Road. The variance request is from Section 1A09.7B.5.b.1(a) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum of ninety-eight (98) feet [side] and seventy-six (76) feet [rear] in lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years; and for such further relief as may be necessary to permit the existing and proposed improvements shown on the Plan to accompany this Petition.

The property was posted with Notice of Hearing on November 17, 2006 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 21, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

### 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 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: ZAC comment letter was received from the Office of Planning dated October 5, 2006 which contains restrictions. ZAC comment letter from the Department of Environmental Protection and Resource Management dated November 27, 2006. Copies of which are incorporated herein and made a part hereof the file.

### Interested Persons

Appearing at the hearing on behalf of the variance request were Charles Merritt, development consultant and Todd Morrill, Petitioner. Howard L. Alderman, Jr., Esquire, represented the Petitioners. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

### **Amended Petition**

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After extended review by and discussion with representatives from DEPRM, the Petitioner agreed to move the proposed home on lot 2 at least 98 feet from the southern





boundary so as to comply with DEPRM comments. This will make the proposed home 98 feet from both the southern and eastern boundaries as shown in the redline Plat to Accompany. The original request showed the proposed house 76 feet from the southern boundary.

### Testimony and Evidence

The subject property contains 2.583 acres +/- zoned RC-8 and is improved by historic structures known as Holly Hillside which were recently added to the Baltimore County Historic Landmarks Preservation List. The property is presently composed of tax parcel 122 and parcel 159 as shown on exhibit 1. Parcel 159 is a very small triangular shaped parcel, the boundary of which with parcel 122 goes through one of the historic structures as shown.

The Petitioners would like to make a lot line adjustment between these two lots to increase the size of parcel 159 so as to move all historic structures onto lot 1 and to build a new home on lot 2 as shown on exhibit 1, the redline plat to accompany. Both reconfigured lots would have one-plus acres.

Mr. Alderman noted that the lot line adjustment did not involve the variance and vice versa. The request for variance arises because the property to the south and east have been given preferential agricultural assessment within the last 5 years. Under the RC 8 regulations, such preferential agricultural assessment triggers a requirement to setback any new structure 300 feet from the property line. He pointed out that regardless of whether or not lot 2 is reconfigured, the lot is usable for dwellings. For example if a home were placed 300 feet from the southern boundary line, it would be out in Valley Mill Road. DEPRM is satisfied if the new home is placed the same distance from both the east and southern borders.

In regard to density, Mr. Alderman noted that the historic structures have no density under Section 1A09.7 B7 so that at least theoretically two new homes could be build on these

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two lots. The Petitioner proposes one new home on lot 2. The new home would meet all RC 8 regulations. The Petitioner agreed to the conditions suggested by the Planning Office.

In regard to the variance request Mr. Alderman proffered the lots are unique due to their long narrow size, there is no other place to locate the new home, and density is satisfied. He noted that moving the new home according to DEPRM wishes locates the home away from the agricultural resources (forests) on either side, while protecting the scenic view along Valley Mill Road. The latter pushes the new house back off the road as far as possible. The driveway to the new home will be minimum width, there is no disturbance to natural vegetation and the plan complies with all forest retention regulations.

### Findings of Fact and Conclusions of Law

Parcel 159 contains approximately ½ acre. Parcel 122 contains approximately 2 acres. Mr. Alderman argues that a lots of record prior to August 6, 2004 both lots would be entitled to one dwelling. He also notes that Holly Hillside is now on the Baltimore County Historic Landmarks Preservation List and under Section 1A09.7 B7 historic structures are not counted as dwellings for purposes of calculating density. Consequently the Petitioner could build 2 dwellings on the two lots in addition to the historic dwelling. However the Petitioner proposes to maintain the historic structures and build one new dwelling.

Because the Petitioner is not making an argument for two new dwellings, I will not go into depth regarding the general proposition that any lot of record prior to August 6, 2004 is entitled to a dwelling under the RC-8 regulations. I will only say that I found in Case No. 05-267-SPH that lots of record in RC 8 zones with less than one acre are not entitled to a dwelling. I know of no appeal of this decision.

I agree that parcel 122 is large enough to merit one dwelling. Although I note that parcel 122 contains a dwelling, the historic property, I agree that Section 1A09.7B7 clearly

indicates that such is not to be counted as a dwelling. Presumably that is why the Petitioner sought or agreed to list the structures on the Landmarks Preservation List. Regardless of how this originated, the structures are on the List and are not to be counted. As such parcel 122 is entitled to a new dwelling and the lot line adjustments allow all the historic structures to be placed on one lot. This is an important tool towards preservation of the historic structures.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Even after the lot line adjustment lot 2 is oddly shaped considering the 300 foot setback requirement. The imposition of RC-8 zoning on this property disproportionably impacts the subject property as compared to others in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. There is no place on lot 2 to locate the dwelling which will not violate the setback standard. As importantly even though the Petitioner drew the new boundary line, the variance is not self imposed. This is because the new boundary line does not create the variance. Two of the historic structures are within 300 foot of a property which has received preferential assessments. The new dwelling has to be reasonably separated from the historic structures so as to help preserve them. So it simply does not matter where the new dwelling is placed on parcel 122. It will violate the setback regulation. Consequently reducing the size of parcel 122 by lot line adjustment does not create the variance.

Finally, I find this 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. The Planning Office and apparently the Landmarks Preservation Commission supports the request provided the Petitioner maintains the vegetative buffer

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between the historic structures and new home. DEPRN supports the request shown in the redline Plat to Accompany, exhibit 1.

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, this 12<sup>th</sup> day of December, 2006 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Section 1A09.7B.5.b.1(a) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum of ninety-eight (98) feet [side] and [rear] in lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years is hereby GRANTED to the following conditions:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioner shall retain the existing vegetative buffer to shield the historic structure from the view of the proposed structure.
- 3. The proposed structure shall be compatible in design, height and mass with the subject landmarks structure.
- 4. The Petitioner shall submit to the Office of Planning, for review and approval prior to the issuance of any building permits:
  - a. Photographs of all sides of the existing structure.
  - b. Elevation drawings of the proposed structure.

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

Order.

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JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

RE: PETITION FOR VARIANCE

20101 Valley Mill Road; S/S Valley Road,

2,260' SW c/line Bentley Road

6th Election & 3th Councilmanic Districts

Legal Owner(s): Todd, Karen & Todd Morrill\*

Petitioner(s)

BEFORE THE COUNTY

BOARD OF APPEALS

**FOR** 

BALTIMORE COUNTY

07-120-A

**DECISION AND ORDER** 

This case came before the Board of Appeals on May 16, 2007 as an appeal of the Variance, granted by the Deputy Zoning Commissioner (DZC) on December 12, 2006. The Office of People's Counsel filed an appeal. Carole S. Demilio, Deputy People's Counsel, and the Petitioners and property owners, Todd Morrill and Todd Cooper Morrill, were in attendance. (Howard Alderman represented the property owners at the hearing on December 12, 2006. Mr. Alderman was notified of the May 10, 2007 hearing but was advised by his clients that, given the nature of the proposed settlement reached in this matter, it would not be necessary for him to attend the hearing before the County Board of Appeals). The parties stipulated that the appeal had been settled, subject to the Board's review and approval. The parties then proffered the terms of the settlement for the record. As explained below, the Board hereby accepts those proffers and resolves the appeal as set forth below.

### Background and Relief Sought

This case involves a proposal to construct a new dwelling on approximately 2.583 acres zoned Resource Conservation 8 (R.C. 8)(Environmental Enhancement). The property consists of two lots known as Parcel 122 and Parcel 159. The site is present y improved with three historic structures designated on the Final Landmarks List #328 and the County Register (MHT) # 400. The boundary line between Parcel 122 and Parcel 159 goes through one of the structures.

BCZR 1A09.7 contains the development standards for the R.C.8 Zone. One dwelling is permitted on a lot between 1-10 acres. The minimum lot size is 3 acres. An exception under BCZR 1A09.7 B. 4 states, "Minimum development allowance. Any lot of record or parcel of land lawfully existing on August 6, 2004, may be developed with a single dwelling."

The R.C. 8 Zone further provides in BCZR 1A09.7 B. 7 that, subject to specific conditions and performance standards stated in the legislation, "Historic properties. No building or structure on a development tract which is officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Places, or which is subject to an easement held by the Maryland Historical Trust will be counted as a lot or dwelling for purposes of calculating density...," Petitioners sought a lot line adjustment of the aforementioned parcels to move all the historic structures on Lot 1, consisting of 1+ acre and to construct a new dwelling on Lot 2, also 1+ acre.

In addition, Petitioners sought side and rear setback variances of 98 feet from BCZR 1A09.7.B.5.b.1 (a), which requires a dwelling to have a setback of 300 feet from an adjacent property that is used or suitable for agriculture use, is assessed for a gricultural use, or subject to an agricultural or conservation easement.

### Nature of the Appeal

People's Counsel filed a timely appeal of the decision of the DZC decision, which granted the variances and imposed certain conditions. The case proceeded to the Board de novo on May 12, 2007. People's Counsel's appeal is based on concerns for the underlying density issue. The DZC's decision approved a new dwelling for the site without addressing the conditions and performance standards that exclude the existing historic dwelling in the calculation of density. BCZR 1A09.7 B. 7.

The parties discussed these concerns and desire to achieve a reasonable resolution consistent with the law governing the Resource Conservation Zones. The Board has reviewed the facts and law. For the following reasons, it complies with the relevant standards, and, therefore, will be approved.

### Discussion

As noted above, the parties appeared before the Board on May 10, 2007 to apprise the Board of the terms of their proposed resolution. By proffer, Deputy People's Counsel stated the following:

- Subsequent to discussions between People's Counsel and Mr. Morrill, the Office of Planning issued a revised comment dated April 3, 2007, offered as Exhibit A. People's Counsel is satisfied that the comment addresses the conditions and performance standards required by the zoning regulations to qualify the historic structure for exclusion from the calculation of density for the site. BCZR 1A09.7.B.7.a-d, 1A09.C.
- 2. People's Counsel agrees that the site is entitled to one dwelling or lot under the "grandfather" provision stated above for a lot in existence prior to August 6, 2004. The proposed dwelling would utilize the allotted density. This is in addition to the excluded landmark structure.
- 3. As noted, the historic structure, as now qualified, would not be viewed as a density unit or lot under the aforementioned regulations in R.C.8.
- 4. The lot line adjustment shown on the site plan, offered as Exhibit B, provided for Lot 1, on which the historic dwelling and structures are located, and Lot 2, on which the proposed dwelling is located; said proposal does not conflict with the spirit and intent of the R.C.

8 zone regulations since the proposal limits development to the single density unit attributed to the site.

5. In light of this resolution, and subject the Board's approval, People's Counsel indicated the office would not pursue its appeal of the setback variances requested, provided, however, that the conditions contained in the Deputy Zoning Commissioner's Order are included in the Order of the Board.

Having reviewed the pertinent file information, Petition, and exhibits presented at the hearing, and having heard the proffer, the Board finds that the proposed resolution should be approved. The Board is satisfied: (i) that the performance standards and conditions in the R.C. 8 Zone regulations have been satisfied in order to exclude the historic structure from the calculation of density or number of lots on the site; and (ii) that the lot line adjustment and proposed dwelling are appropriate under the R.C. 8 Zone regulations for development of a lot existing as of August 6, 2004; and (iii) there being no continuing opposition to the variances granted by the DZC, subject to the stated conditions, the same shall be approved by this Board.

### **ORDER**

Therefore, it is this Am day of July, 2007, ORDERED by the County Board of Appeals of Baltimore County, that the Petitioner shall be entitled to a lot line adjustment in accordance with Exhibit B, the site plan submitted at the hearing; and

IT IS FURTHER ORDERED, that the Petitioner has one density unit on the entire site and that Petitioner shall be entitled to construct one residential dwilling on Lot 2, in accordance with Exhibit B as aforesaid;

IT IS FURTHER ORDERED, that the designated historic structure on Lot 1 shall not be included in the calculation of density on the site, subject to the comments of the Office of Planning, Exhibit A, attached hereto; and

IT IS FURTHER ORDERED that the Variances from Section 1A09.7B.5.b.1(a) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum of ninety-eight (98) feet [side] and [rear] in lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years are hereby GRANTED, subject to the following conditions:

1. The Petitioner shall retain the existing vegetative buffer to shield the historic structure from the view of the proposed structure.

2. The proposed structure shall be compatible in design, height and mass with the

subject landmarks structure.

3. The Petitioner shall submit to the Planning Office, for review and approval prior to the issuance of any building permits:

a. Photographs of all sides of the existing structure.

b. Elevation drawings of the proposed structure.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY,

Margaget Brassil, Ph.D. Chair

Edward W. Crizer, J

Michael Mohler



### County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

July 2, 2007

Carole S. Demilio, Deputy People's Counsel for Baltimore County Room 47, Old Courthouse 400 Washington Avenue Towson, MD 21204

RE: In the Matter of: Todd Morrill; Karen Morrill; and Todd Cooper Morrill – Legal Owners /Petitioners

Case No. 07-120-A

Dear Ms. Demilio:

Enclosed please find a copy of the final Opinion and Order issued this date by the County

Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco

Administrator

### Enclosure

c: Howard L. Alderman, Jr., Esquire
Todd Morrill; Karen Morrill; and
Todd Cooper Morrill
Charles Merritt /Merritt Development Consultants
Pat Keller, Planning Director
William J. Wiseman III, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

## Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel

June 4, 2007

Deputy People's Counsel

BALTIMORE COUNTY BOARD OF APPEALS

Margaret Brassil, Ph.D. Chair County Board of Appeals Old Courthouse, Room 49 400 Washington Avenue Towson, MD 21204

Re:

Todd, Karen & Todd Morrill 20101 Valley Mill Road Case No.: 07-120-A

Dear Ms. Brassil:

Enclosed please find a proposed Decision and Order for review by the Board. After discussions with and review by the Petitioners, we received a letter from them agreeing with the terms of the proposed Order.

Thank you in advance for your anticipated consideration.

Sincerely,

Carole S. Demilio

Deputy People's Counsel for Baltimore County

CSD/rmw

cc: Todd Morrill



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

December 12, 2006

TODD MORRILL KAREN MORRILL 20101 VALLEY MILL ROAD FREELAND MD 21053-9524

> Re: Petition for Variance Case No. 07-120-A

> > Property: 20101 Valley Mill Road

Dear Mr. and Mrs. Morrill:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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:pz

Enclosure

c:

Howard Alderman, Esquire, Levin & Gann, 502 Washington Avenue, 8<sup>TH</sup> Floor, Towson, MD 21204

Todd Morrill, 2401 Benson Hill Road, Sparks MD 21152

Charles Merritt, 2416 E. Joppa Road, Baltimore MD 21234

# Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel CAROLE S. DEMILIO Deputy People's Counsel

December 28, 2006

Hand-delivered
Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re:

PETITION FOR VARIANCE

S/S Valley Mill Road, 2,260' SW c/line Bentley Road

(20101 Valley Mill Road)

6th Election District; 3rd Council District

Todd Morrill, Karen Morrill and Todd Cooper Morrill - Petitioners

Case No.: 07-120-A

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated December 12, 2006 by the Baltimore County Deputy Zoning Commissioner.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

RECEIVED

DEC 2 & 2006

Per X

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio /

Deputy People's Counsel

PMZ/CSD/rmw

cc: Howard L. Alderman, Jr. Esquire

Todd & Karen Morrill



## Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 20101 Valley Mill Road

which is presently zoned RC-8

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)

see attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

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:		Legal Owner(s)	į	
NONE			TODD MORRILL		
Name - Type or Print	<del></del>	Nam	re - Type on Print	Z.	<del></del>
Signature	<del></del>	<del></del>	Signature KAREN MORRIL	L TODD	COOPER MORRILL
Address	<del></del>	Telephone No.	Name Type or Print	141/1/1/1/	a Caster Home
City State  Attorney For Petitioner:		Zip Code	Signature 20101 VALLEY MI		410-357-5488
Attorney 1 Of 1 Chaon			Address	<del></del>	Telephone No.
			FREELAND	MARYLAND	21053-9524
Name - Type or Print		City		State	Zíp Code
	<del></del>	<del></del>	Representative	to be Contact	ed:
Signature			CHARLES MERRITT	MERRITT DEVELO	PMENT CONSULATANTS
Company		<del></del>	Name 2416 East Joppa Roa	d 41	0-663-5525
Address		Telephone No.	Address BALTIMORE	MD 21	Telephone No.
City	State	Zip Code	City	Sta	te Zip Code
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### Attachment 1 PETITION FOR VARIANCE

CASE NO: <u>07 — /20 — A</u>
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Address:

20101 Valley Mill Road - Lot Nos. 1 & 2

Legal Owner:

Todd Morrill, Karen Morrill & Todd Cooper Morrill

### REQUESTED RELIEF:

Variance from BCZR Section 1A09.7B.5.b.1.(a) to permittin lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years: (1) the residential building envelope for the existing residential -dwelling and accessory residential structures on Lot No. 1 to be a minimum of two hundred-\*forty-five (245) feet [dwelling-side] and fifty-five (55) feet [accessory building-rear]; (1) the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum of ninety-eight (98) feet [side] and seventy-six (76) feet [rear]; and (2) for such further relief as may be necessary to permit the existing and proposed improvements shown on the Plan to accompany this Petition.

### JUSTIFICATION:

- Irregular shape of property; Α.
- В. Setback variances are internal to the property only;
- C. Imposition of the newly created RC-8 agricultural setback requirements renders the property unuseable without the requested relief; and
- For such further reasons that will be presented at the hearing on this Petition. D.

### FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 8th Floor, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com

### **ZONING DESCRIPTION FOR**

### 20101 VALLEY MILL ROAD

Beginning at a point on the south side of Valley Mill Road which is 16 feet wide at a distance of 2260 feet southwest of the nearest intersecting street, Bentley Road, as recorded in Liber 16768, Folio 512 and being in the 6<sup>th</sup> Election District. From the point of beginning along the following courses and distances:

- 1) South 26-46-48 West 262.90 feet
- 2) North 53-37-00 West 15.00 feet
- 3) South 42-51-00 West 58.74 feet
- 4) South 58-54-00 West 60.00 feet
- 5) South 70-04-00 West 190.00 feet
- 6) South 52-26-00 East 150.00 feet
- 7) South 51-30-00 East 99.00 feet
- 8) North 81-30-00 East 290.40 feet
- 9) North 07-30-00 West 462.00 feet to the point of beginning and containing 2.583 Ac.

Item#120

NOTICE OF ZONING HEA

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The Zoning Commissioner of Battimore County, by authoritised the Zoning Act and Regulations of Battimore thoritised the Zoning Act and Regulations of Battimore the property identified the Information Towson, Maryland on the property identified the Information Towson, Maryland on South Side Valley Mill Road, 2260 feet +/- southwest South side Valley Mill Road, 2260 feet +/- southwest Cooper Morrill

Variance: to Bendey Road

Cooper Morrill

Variance: to permit the following: in lieu of the required Cooper Morrill

Variance: to permit the following: in lieu of the required Cooper Morrill

Variance: to permit the following: in lieu of the required Cooper Morrill

Variance: to permit the following: in lieu of the prior ceived preferential agricultural assessments in the prior five (5) years: the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a miniproposed residential dwelling on Lot No. 2 to be a miniproposed residential dwelling and proposed improvements shown on the Plan to accompany this Pettition.

Hearing: Tuesday, November 28, 2006 at 9:00 a.m. In Hearing: Tuesday, November 28, 2006 at 9:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenne, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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.

11/105 Nov. 9

THIS IS TO CERTIFY, that the annexed advertisement was published

successive weeks, the first publication appearing newspaper published in Baltimore County, Md., in the following weekly

once in each of

The Jeffersonian

Catonsville Times Arbutus Times

Times Towson

□ NE Booster/Reporter Owings Mills Times

North County News

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LEGAL ADVERTISING

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# ROTRECTED MOTICE OF ZONING HEARING

This coning of and Regulations of Baltimore thority 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: #07-120-A

20101 Valley Mill Road

South side Valley Mill Road, 2260 feet +/- southwest centerline of Bentley Road.

6th Election District - 3rd Councilmanic District Legal Owner(s): Todd Morrill, Karen Morrill and Todd Cooper Morrill

Variance: To permit the following: In lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years: the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum of ninety-eight (98) feet [side] and seventy-six (76) feet [rear]; and for such relief as my be necessary to permit the existing and proposed improvements shown on the Plan to accompany this Petition.

Hearing: Monday, December 4, 2006 at 2:00 p.m. In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT/11/723 Nov. 21

# E OF PUBLICATION

11/22/12000

TFY, that the annexed advertisement was published successive weeks, the first publication appearing y newspaper published in Baltimore County, Md., 30<u>0</u>2 in the following weekl THIS IS TO CERT once in each of

The Jeffersonian Times Arbutus

Catonsville Times

Times Towson J

Mills Times Owings

NE Booster/Reporter

North County News

Mulingr

LEGAI. ADVERTISING

Requested: 3/26/2007

### APPEAL SIGN POSTING REQUEST

CASE NO. 07-120-A

### 20101 VALLEY MILL ROAD

6<sup>th</sup> ELECTION DISTRICT

APPEALED: 12/28/2006

ATTACHMENT - (Plan to accompany Petition - Petitioner's Exhibit No. 1)

\*\*\*COMPLETE AND RETURN BELOW INFORMATION\*\*\*\*

### **CERTIFICATE OF POSTING**

TO: Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, MD 21204

Attention: Kathleen Bianco

Administrator

CASE NO.: 07-120-A

LEGAL OWNER: TODD MORRILL, KAREN MORRILL & TODD COOPER MORRILL

This is to certify that the no located at:	ecessary appea	al sign was posted conspicuously of	n the property  MAP ZKI
•	20101 V	may en -1	
The sign was posted on  By:  (Signature of Sign Poster)	26/07	, 2007.	

(Print Name)

Requested: 3/26/2007

# APPEAL SIGN POSTING REQUEST

CASE NO. 07-120-A 2010 / 2/2/2/2/2/2/20. 4108 LINK AVENUE

6th ELECTION DISTRICT

APPEALED: 12/28/2006



### MERRITT DEVELOPMENT CONSULTANTS INC.

2416 EAST JOPPA ROAD, BALTIMORE MD, 21234 PHONE:410-663-5525 FAX:410-663-4315 MERRITTDC@COMCAST.NET

TO:	90M	TRANSMI	DATE: III III
_ <del></del> _	_ <del></del>	<del></del>	PROJECT NAME:
· · · · <del>· · ·</del>	<del></del>	· - <del></del>	OUR PROJECT NO.:
ATTN: K	RISTEN	<del></del>	•
WE ARE S	UBMITTING TH	E FOLLOWING:	
FOR APPRO	<del></del>	FOR YOUR USE/F	FOR REVIEW
	5160	POSTING	CASE NO 07-120.A
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<del></del>	<del></del>	· 	DEVELOPMENT MANAGEMENT
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SINCERELY,

CHARLES MERRITT
PRESIDENT

### CERTIFICATE OF POSTING

	Date: 11/17/00
RE: Case Number: 07-170-A  Petitioner/Developer: TODD M	
Date of Hearing/Closing: DEC. 4.	
This is to certify under the penalties of perjury the on the property located atZolol	nat the necessary sind(s) required by law were posted conspicuously  VALLEY MILL ROAD
The sign(s) were posted on	(Month, Day, Year)
-	Stopelure of Stop Poblica)
•	Charles E. Merritt 9831 Magledt Road

Battimore, MD 21234

410-665-5562

# A PUBLIC HEARING WILL BE HELD BY THE ICHING COMMISSIONER IN TOYSON, AD THE PUBLIC PUBLICATION OF THE PUBLIC PROPERTY OF THE PUBLIC PUB





JAMES T. SMITH, JR. County Executive

8)

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 2, 2006

### NOTICE OF ZONING HEARING

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CASE NUMBER: 07-120-A

20101 Valley Mill Road

South side Valley Mill Road, 2260 feet +/- southwest centerline of Bentley Road.

6<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner(s): Todd Morrill, Karen Morrill and Todd Cooper Morrill

VARIANCE To permit the following: in lieu of the required 300 foot setback from an adjacent property that has received preferential agricultural assessments in the prior five (5) years: the residential building envelope for the proposed residential dwelling on Lot No. 2 to be a minimum, of ninety-eight (98) feet [side] and seventy-six (76) feet [rear]; and for such relief as may be necessary to permit the existing and proposed improvements shown on the Plan to accompany this Petition.

Hearing: Tuesday, November 21, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

Timothy Kotroco

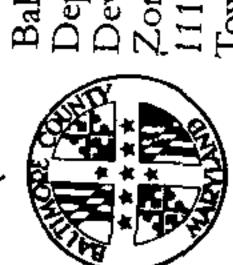
Director

TK:amf

C: Todd, Karen and Todd Cooper Morrill 20101 Valley Mill Road Freeland 21053-9524 Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore 21234 Todd Morrill 2401 Benson Mill Road Sparks 21152

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 6, 2006.

- (2) HEARING'S 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.



Baltimore County Department of Permits and Development Management

\*\* 10-4-05BPL THO212PRST

Zoning 111 West Chesapeake Avenue, Room 111 Towson, Maryland 21204

Return Service Requested

Todd, Karen and Todd Cooper Morrill 20101 Valley Mill Road Freeland, MD 21053-9524

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John Challe Den Schille Halley

# APPROVED SIGN POSTERS As of 9/1/06

CL-# D	1	
Staff Sergeant Robert A. Black	<b>-</b> .	
1508 Lestie Road	Telephone:	410-282-7940
Dundalk, MD 21222	Cell:	410-499-7940
,	Fax:	410-282-7940
Brenda Bond		410-202-7940
· <del>-</del>	Tolophoss	
143 Brandon Road	Telephone:	410-303-9882
Baltimore, MD 21212	Fax:	410-321-5488
	•	
Bruce E. Doak		
Gerhold, Cross & Etzel, Ltd.	Telephone:	440.000.4
Suite 100, 200 E. X.	Fax:	410-823-4470
Suite 100, 320 E. Towsontown Boulevard	₹°¤X.	410-823-4473
Towson, MD 21286		
Stacy Gardner		
Shannon-Baum Signs, Inc.	Telephone:	410-781-4000
105 Competitive Goals Drive	Toll Free:	800-368-2295
Eldersburg, MD 21784	Fax:	
		410-781-4673
Thomas I II. E		
Thomas J. Hoff	<b></b>	
406 W. Pennsylvania Avenue	Telephone:	410-296-3668
Towson, MD 21204	Fax:	410-296-5326
•		410-200-0020
Linda M. Jones		
Daft-McCune-Walker	Telephone:	
200 East Donner I and a second		410-296-3333
200 East Pennsylvania Avenue	Fax:	410-296-4705
Towson, Maryland 21286		
• •		
Richard Hoffman		
904 Deliwood Drive	Telephone:	440 070 040-
Fallston, MD 21047	Fax:	410-879-3122
	, 4A.	410-879-3122
Chadae E. Manney		•
Charles E. Merritt	<b></b> .	
9831 Magledt Road	Telephone:	410-665-5562
Baltimore, MD 21234	Cell:	410-663-5525
	<sup>'</sup> Fax;	410 660 404 5
Garland E. Moore		410-663-4315
3225 Ryerson Circle	Telephone.	•
Baltimore, MD 21227	Telephone:	410-242-4263
Daitiniore, MO 2122/	Fax;	410-242-4263
Chair and a		
Linda O'Keefe	,	
523 Penny Lane	Telephone:	410 666 6000
Hunt Valley, MD 21030	Fax:	410-666-5366
37 M. 2.400	Cell:	410-666-0929
William D. Gulick, Jr.	QQII.	443-604-6431
McKep & Approximately	<b>-</b>	
McKee & Associates, Inc.	Telephone:	410-527-1555
5 Shawan Place Suite 1	Fax:	410-527-1563
Cockeysville, MD 21030		o.o#1-1503
Martin Ogle	<b>-</b>	• •
5016 Castlestone Drive	Telephone:	
Baltimore, MD 21237		410-933-9470
	Fax:	410-931-1767
	Cell;	443-629-3411
1 1	, E-Mail	mert1114.aol.com
J. Lawrence Pilson, R.S.	!	······································
015 Old Barn Road	Telephone:	4400
Parkton, Maryland 21120	· O'Opirolia.	410-343-1443
The State ATIZO		•

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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 5, 2006

Todd and Karen Morrill Todd Cooper Morrill 20101 Valley Mill Road Freeland, MD 21053-9524

Dear Mr.'s and Mrs. Morrill:

RE: Case Number: 07-120-A

The above matter, previously scheduled for Tuesday, November 21, 2006, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

INDV

Timothy Kotroco Director

KT:amf

C:Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore 21234

RATO-II-06BALTMD211SW6LP ing West Chesapeake Avenue, Room 111 son, Maryland 21204 ....ore County artment of Permits'and Development Management ,on

Return Service Requested

Todd, Karen and Todd Cooper Morrill 20101 Valley Mill Road Freeland, md 21053-9524

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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

October 5, 2006

### CORRECTED 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:

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6<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

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Hearing: Tuesday, November 28, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

Timothy Kotroco

Director

TK:amf

C: Todd, Karen and Todd Cooper Morrill 20101 Valley Mill Road Freeland 21053-9524 Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore 21234 Todd Morrill 2401 Benson Mill Road Sparks 21152

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 13, 2006.

- (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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

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Director

TK:amf

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FRIO-9-05BALTMD212PRST15TCL

Baltimore County Department of Permits and Development Management

Zoning 111 West Chesapeake Avenue, Room 111 Towson, Maryland 21204

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Return Service Requested

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20101 Valley Mill Road Freeland, MD ว1กรร.จรว<sub>ี</sub> Todd and Karen Morrill Todd Cooper Morrill

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## 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

November 14, 2006

### CORRECTED NOTICE OF ZONING HEARING

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Hearing: Monday, December 4, 2006 at 2:00 p.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204.

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, 502 Washington Avenue, 8th Floor, Towson 21204
Todd, Karen and Todd Cooper Morrill 20101 Valley Mill Road Freeland 21053-9524
Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore 21234
Todd Morrill 2401 Benson Mill Road Sparks 21152

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 20, 2006.

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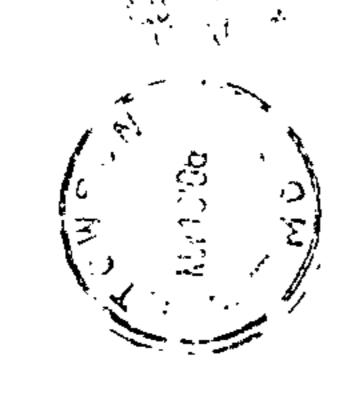
Visit the County's Website at www.baltimorecountyonline.info



Department of Permits and Development Management

Zoning Review

County Office Building 111 West Chesapeake Avenue, Room 111 Towson, Maryland 21204



111, 231, 37, 35,

Return Service Requested

2006 REPEIVED

MORRILL RESIDENCE: Sold Sold VALLEY MILL RD Sold FREELAND MD 21053-9524 11.0 30CH 3.5 11.0 30CH 3.5 11.0 5.0CH 3.5

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 2, 2006 Issue - Jeffersonian

Please forward billing to:

Todd Morrill 2401 Benson Mill Road Sparks, MD 21152 410-357-5488

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401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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TO: PATUXENT PUBLISHING COMPANY

Thursday, November 9, 2006 Issue - Jeffersonian

Please forward billing to:

Todd Morrill 2401 Benson Mill Road Sparks, MD 21152

410-357-5488

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WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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Tuesday, November 21, 2006 Issue - Jeffersonian

Please forward billing to:

Todd Morrill 2401 Benson Mill Road Sparks, MD 21152 410-357-5488

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WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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# 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:
Petitioner: TODD MORRILL
Address or Location: 20101 VAUEX MILL PORTS
PLEASE FORWARD ADVERTISING BILL TO:
Name: Topo Morrill
Address: 2401 BOUSON MILL ROAD
SPARKS MD 21152



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 20, 2006

Todd Morrill
Karen Morrill
20101 Valley Mill Road
Freeland, MD 21053-9524

Dear Mr. and Mrs. Morrill:

RE: Case Number: 07-120-A, 20101 Valley Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 15, 2006.

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

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

Very truly yours,

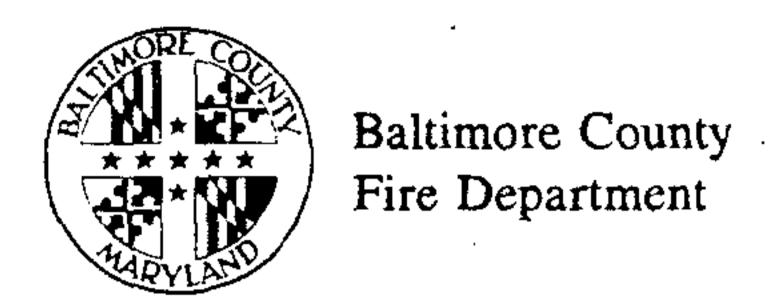
u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures ·

c: People's Counsel Charles Merritt Merritt Development Consultants 2416 E. Joppa Road Baltimore 21234



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

October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 2, 2006

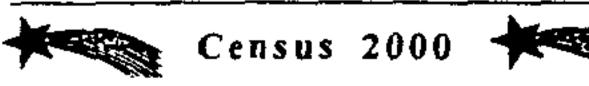
Item Number(s): 113-130

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

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File











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

Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 527. 25, 2006

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

Dear Ms. Matthews:

RE: Baltimore County

Item No. 12D

# 07-120-A

MORRILL PROPERTY

20101 VALLEY MILL RD

VARIANCE-IN LEGUIDE

REQUIRED # SETBACK

Robert L. Flanagan, Secretary

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 12.0

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Engineering Access Permits

Division

SDF/MB

A.

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 2, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 2, 2006

Item Nos. 07-113, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130,

and 133

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- 10022006.doc

BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: October 5, 2006

FROM:

Arnold F. Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

20101 Valley Mill Road

INFORMATION:

Item Number:

7-120

Petitioner:

Todd Morrill

Zoning:

RC8

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject property and offers the following comments:

The above referenced property is historic. The site plan should include a note that 20101 Valley Mill Road is on the Final Landmarks List # 328 and the County Register (MHT) # 400.

This Office supports the requested variances provided the applicant retains the existing vegetative buffer to shield the historic structure from the view of the proposed structure. Additionally, the proposed structure should be compatible in design, height and massing with the subject Landmarks structure.

The applicant should submit the following information to this office (Karin Brown, Preservation Services) for review and approval prior to the issuance of any building permits:

- 1. Photographs of all sides of the existing structure.
- 2. Elevation drawings of the proposed structure

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

Prepared by:

Division Chief:

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#### BALTIMORE COUNTY, MARYLAND

#### Inter-Office Correspondence





DEC .

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Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

11/04/06

SUBJECT:

Zoning Item # 07-120-A

Address

20101 Valley Mill Road

(Morill Property)

Zoning Advisory Committee Meeting of September 25, 2006

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

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 33-3-101 through 33-3-120 of the Baltimore County Code).

——— Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

#### Additional Comments:

The attached plan shows a lot line adjustment, however, this was never approved.

The request was tabled at the DRC pending further review.

Reviewer:

Thomas Panzarella

Date: September 29, 2006

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Department of Permits and Development Management

Zoning Review

111 West Chesapeake Avenue, Room 111 Towson, Maryland 21204 County Office Building

Carried Strain **9**0.10333 35A 17 35

Return Service Requested

Karen Morrill Todd Morrill

910E3 0E91 20101 Valley Mill Road Freeland, MD

SENDER AS ADDRESSED FORWARD 10 2 **HXHZ** 

12/03/

\*0492-01852-03 the description of the descripti ü

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#### BALTIMORE COUNTY, MARYLAND

12-4-06

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

20101 Valley Mill Road

**INFORMATION:** 

Item Number:

7-120 (revised comments)

Petitioner:

Todd Morrill

Zoning:

RC 8

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject property and offers the following comments:

The above referenced property is historic. The site plan should include a note that 20101 Valley Mill Road is on the Final Landmarks List # 328 and the County Register (MHT) # 400.

This Office supports the requested variances provided the applicant retains the existing vegetative buffer to shield the historic structure from the view of the proposed structure. Additionally, the proposed structure should be compatible in design, height and massing with the subject Landmarks structure.

It is noted in section 1A09.7B7 "No building or structure on a development tract which is officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Places, or which is subject to an easement held by the Maryland Historical Trust will be counted as a lot or dwelling for purposes of calculating density" This section lists four criterion that have to be met in order for a landmarked structure/dwelling to not be counted as a density unit."

By virtue of the review by the Baltimore County Council, the Baltimore County Landmarks Preservation Commission and the Office of Planning; landmarking of the subject property and the structures within, the proposal meets the criterion found in Section A09.7B7, thus making the existing structures not count as a density unit.

**DATE:** April 3, 2007

It is required by the Section 1A09C that the Office of Planning offer a finding that the subject proposal meets all of the performance objectives found on that section. While it could possibly be determined from the submitted site plan that this proposal meets the mentioned performance standards, the Office of Planning has reviewed the petitioner's request, accompanying site plan, elevation drawings, and photographs thus finding the proposal to be in accordance with the spirit and intent of the RC 8 regulations and performance standards listed within Section 1A09 of the Baltimore County Zoning Regulations. As such, as stated above this office does not oppose the subject request.

For further information concerning the matters stated here in, please contact Bill Hughey or Curtis Murray at 410-887-3480.

Prepared by:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** April 3, 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

20101 Valley Mill Road

**INFORMATION:** 

Item Number:

7-120 (revised comments)

**Petitioner:** 

Todd Morrill

Zoning:

RC 8

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

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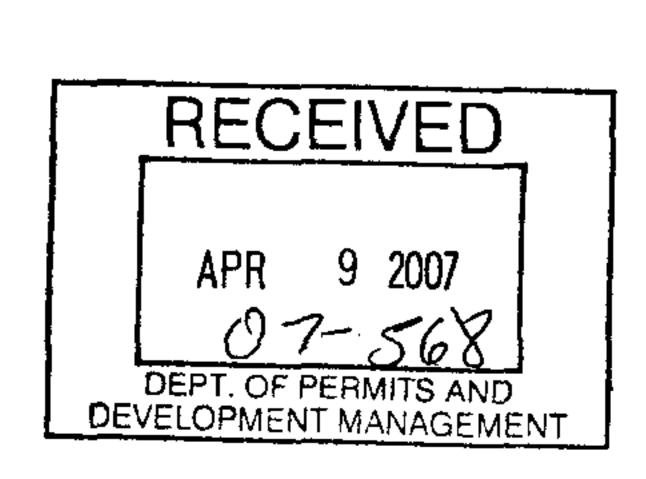
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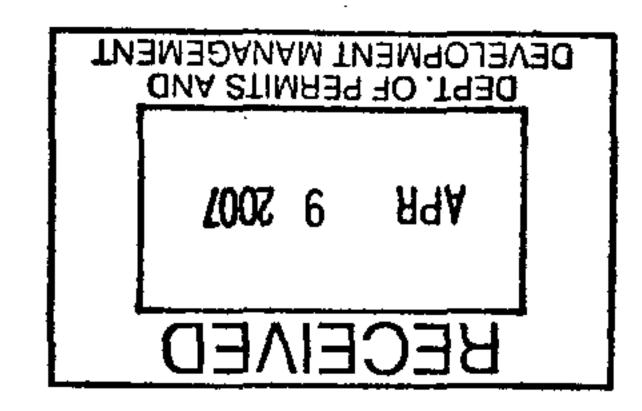
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For further information concerning the matters stated here in, please contact Bill Hughey or Curtis Murray at 410-887-3480.

Prepared by:

AFK/LL: CM

LAW OFFICES

Levin & Gann

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE 502 WASHINGTON AVENUE 8th Floor TOWSON, MARYLAND 21204 410-321-0600 TELEFAX 410-296-2801

October 25, 2006

Timothy M. Kotroco, Esquire

Deputy Zoning Commissioner for

**Baltimore County** 

HOWARD L. ALDERMAN, JR.

halderman@LevinGann.com

DIRECT DIAL

410-321-4640

401 Bosley Avenue, Suite 405 Towson, Maryland 21204

> Re: Request for Rescheduling

Case No.: 07-120-A

Property Address: 20101 Valley Mill Road Scheduled Hearing Date: November 28, 2006

Dear Mr. Kotroco:

I prepared and signed a Petition for Variance for the above-referenced property, which together with the other required materials, was filed by Merritt Development Consultants. I have never received the official Notice of Hearing for this matter, however, I did receive a copy of the Zoning Commissioner's Hearing Schedule listing all hearings. Upon reviewing that Schedule I see that this matter is scheduled for November 28, 2006 at 9:00 a.m. I write to request a postponement, with the concurrence of my clients, the Morrill family, given that I have a specially set hearing before the County Board of Appeals for Baltimore County on the same day. I have enclosed a copy of the Notice of Postponement and Reassignment in Case No. 06-332-SPH.

Upon your receipt and review of this letter and the enclosure, I would request that this matter be rescheduled to the next available hearing date.

Should you or your staff need any additional information in this regard, please do not hesitate to contact me.

Very truly yours

Howard L. Alderman, Jr.

HLA/pal Enclosure

c/enc: Mr. and Mrs. Todd L. Morrill

Merritt Development Consultants

G:\Clients\Morrill, T.(9637)\kotroco-t.Itr.wpd

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

OCT 2 6 2006

# BALTIMORE COUNTY, MARYLAND

# ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

#### Inter-Office Correspondence

TO:

Development Coordination

DATE: November 27, 2006

FROM:

Wally Lippincott, Jr.

SUBJECT:

Sph Case No. 07-120-A

The petition is requesting a variance from the RC 8 regulation concerning setbacks from adjacent agricultural operations. This setback can be an important tool in reducing conflicts between residential and adjacent agricultural uses. This is particularly important in agricultural areas such as the one in which this property is located.

In this case the petitioner is requesting relief from the 300 foot setback for the dwelling. The adjacent use is in forest which is an agricultural product and an agricultural setback is also advisable to reduce the potential for conflict between the residential use of this property and the rights of the adjacent property owner to harvest.

Recommendation: To approve a variance for the side yard setback but to move the proposed dwelling location towards V alley Mill Road so as to eliminate the need for the variance on the rear of the property.

DEC: 1 4 2000

I have we will be the same of

- A. Areas where disturbance of natural vegetation is prohibited; or
- B. Areas where revegetation of landscaping is required.

#### 1A09.7 Development area and standards.

1A09

- A. Maximum height. No structure with a height greater than 35 feet is permitted, except as otherwise provided under Section 300.
- B. Area regulations.
  - Maximum lot density. A contiguous tract of land, whether or not in one or more parcels, not part of an approved subdivision may be developed in an R.C. 8 Zone at the following density:

Number of Acres	Number of Lots							
1 to 10	1							
10 to 30	2 .							
30 to 50	3							
51 acres or more	.02 lot per acre							

- 2. Lot area. The area of any proposed residential lot in a major or minor subdivision must not be less than three acres.
- 3. Building envelope. For residential development, the maximum area of the building envelope on any residential lot other than a farm is 20,000 square feet, and no single dwelling, garage or accessory building shall have a building footprint that exceeds 5,000 square feet. The placement of the building envelope is determined on the basis of:
  - a. The goals for the zone; and
  - b. The minimum setbacks for the zone.
- 4. Minimum development allowance. Any lot of record or parcel of land lawfully existing on August 6, 2004, may be developed with a single dwelling.
- 5. Setbacks.
  - a. Any principal building constructed in an R.C. 8 Zone shall be situated at least:
    - (1) Thirty-five feet from the right-of-way of public or private interior streets;
    - (2) Eighty feet from any principal building; and
    - (3) Fifty feet from the rear lot line.

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(1) As determined by the Director of DEPRM, any dwelling or accessory residential structure to be constructed shall be located at least 300 feet from an adjacent property that is either:

- (a) Cultivated or used for pasture, or received preferential agriculture assessment at any time over the past five years;
- (b) Land that is suitable for agriculture production, excluding forestry, that is not in production as part of a federal or state conservation program; or
- (c) Land that is suitable for agriculture production, excluding forestry, and is subject to an agricultural or conservation easement.
- (2) A modification to a residential dwelling in existence prior to August 6, 2004, is exempt from the requirements of this subsection.
- 6. Impervious surface coverage, nonresidential development. Except for residential lots which are subject to a building envelope restriction, no more than 5% of any lot may be covered by impervious surfaces such as structures or pavement.
- Historic properties. No building or structure on a development tract which is officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Places, or which is subject to an easement held by the Maryland Historical Trust will be counted as a lot or dwelling for purposes of calculating density, provided that:
  - a. There is an area of sufficient size, as determined by the Director of Planning in consultation with the Landmarks Preservation Commission or Maryland Historical Trust, surrounding the building, structure or landmark to preserve the integrity of its historic setting;
  - b. An overall photographic and written description of the building, structure or landmark identified has been submitted and is determined to be in compliance with the Secretary of the Interior's standards for the treatment of historic properties;
  - c. Documentation of the preservation, restoration and protection for the building, structure or landmark has been approved by the Director of Planning in consultation with the Maryland Historical Trust prior to issuance of any building permit; and
  - d. When provisions of this paragraph apply to any development, the conditions for approval must be noted on the concept plan and development plan, or the minor subdivision plan.
- C. Performance standards. Conditions for approval pursuant to this section must be noted on the concept plan and development plan, or minor subdivision plan. The following standards are intended to foster creative development that promotes the goals stated in Section 1A09.1.B.



JAMES T. SMITH, IR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

January 23, 2007

Todd Morrill Karen Morrill Todd Cooper Morrill 20101 Valley Mill Road Freeland, Maryland 21053-9524

Dear Todd, Karen and Todd Cooper Morrill:

RE: 07-120-A, 20101 Valley Mill Road

Please be advised that an appeal of the above-referenced case was filed in this office on December 28, 2006 by the People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

imothy Kotroco

Director

TK:amf

c: William J. Wiseman III, Zoning Commissioner Timothy Kotroco, Director of PDM People's Counsel Todd Morrill 2401 Benson Mill Road Sparks 21152 Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore 21234 Howard Alderman Levin & Gann, PA 502 Washington Avenue, Suite 800 Towson 21204

#### APPEAL

Petition for Variance 20101 Valley Mill Road

South side Valley Mill road, 2260 feet southwest centerline Bentley Road 6<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner(s): Todd Morrill, Karen Morrill and Todd Cooper Morrill

Case No.: 07-120-A

Petition for Variance (September 15, 2006)

Zoning Description of Property

Notice of Zoning Hearing (October 2, 2006, October 5, 2006 and November 14, 2006)

Certification of Publication (November 9, 2006 and November 22, 2006)

Certificate of Posting (November 17, 2006) by Merritt Development Consultants, Inc.

Entry of Appearance by People's Counsel (September 28, 2006)

√ Petitioner(s) Sign-In Sheet – 1 Sheet

Protestant(s) Sign-In Sheet – None

Citizen(s) Sign-In Sheet – None

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Plan to accompany Variance petition

2. County Council Bill No. 94-06

Protestants' Exhibits: None

Miscellaneous (Not Marked as Exhibit)

Letter from Howard Alderman to request postponement Excerpts from Resource Conservation Zones, 1A-71 and 1A-72 Inter-Office Correspondence from Wally Lippincott, Jr.

Deputy Zoning Commissioner's Order (GRANTED in accordance w/order - December 12, 2006)

Notice of Appeal received on December 28, 2006 from the People's Counsel

People's Counsel of Baltimore County, MS #2010

Zoning Commissioner/Deputy Zoning Commissioner

Timothy Kotroco, Director of PDM

Todd Morrill 2401 Benson Mill Road Sparks 21152 Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore

21234

Howard Alderman Levin & Gann, PA 502 Washington Avenue, Suite 800 Towson 21204

date sent January 23, 2007, amf 🏄

JAN 2 3 2007

**BALTIMORE COUNTY BOARD OF APPEALS** 

#### **APPEAL**

Petition for Variance
20101 Valley Mill Road
South side Valley Mill road, 2260 feet southwest centerline Bentley Road
6<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District
Legal Owner(s): Todd Morrill, Karen Morrill and Todd Cooper Morrill

Case No.: 07-120-A

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Entry of Appearance by People's Counsel (September 28, 2006)

Petitioner(s) Sign-In Sheet - 1 Sheet

Protestant(s) Sign-In Sheet – None

Citizen(s) Sign-In Sheet – None

Zoning Advisory Committee Comments

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- 1. Plan to accompany Variance petition
- 2. County Council Bill No. 94-06

Protestants' Exhibits: None

Miscellaneous (Not Marked as Exhibit)

- 1. Letter from Howard Alderman to request postponement
- 2. Excerpts from Resource Conservation Zones, 1A-71 and 1A-72
- 3. Inter-Office Correspondence from Wally Lippincott, Jr.

Deputy Zoning Commissioner's Order (GRANTED in accordance w/order - December 12, 2006)

Notice of Appeal received on December 28, 2006 from the People's Counsel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Todd Morrill 2401 Benson Mill Road Sparks 21152

Charles Merritt Merritt Development Consultants 2416 East Joppa Road Baltimore

21234

Howard Alderman Levin & Gann, PA 502 Washington Avenue, Suite 800 Towson 21204

date sent January 23, 2007, amf 🤚



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

OCT 2 6 2006

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

October 10, 2006

#### NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 06-332-SPH

IN THE MATTER OF: NIELS BRAID -Legal Owner /Petitioner 20315 Middletown Road 6th Election District; 3rd Councilmanic District

3/01/06 -- D.Z.C.'s Order in which Petition for Special Hearing was APPROVED.

which was assigned for hearing on 10/10/06 was postponed on that date by agreement of counsel and reassigned to the following agreed-upon date:

#### **REASSIGNED FOR:**

# TUESDAY, NOVEMBER 28, 2006 at 10:00 a.m.

NOTICE:

This appeal is an evident ary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

> Kathleen C. Bianco Administrator -

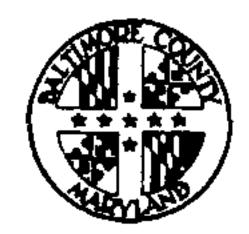
Appellant C:

: Office of People's Counsel

Counsel for Legal Owner /Petitioner Legal Owner /Petitioner Guy C. Ward /McKee & Associates, Inc. : Howard L. Alderman, Jr., Esquire

: Niels Braid

William J. Wiseman III /Zoning Commissioner Pat Keller, Planning Director Timothy M. Kotroco, Director /PDid



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180

FAX: 410-887-3182

## Hearing Room - Room 48 Old Courthouse, 400 Washington Avenue

April 25, 2007

#### NOTICE OF ASSIGNMENT

CASE #: 07-120-A

IN THE MATTER OF: TODD MORRILL; KAREN MORRILL; **TODD COOPER MORRILL - Petitioners** 20101 Valley Mill Road 6<sup>th</sup> E; 3<sup>rd</sup> C

12/12/06 – Petition for Variance GRANTED with restrictions by Deputy Zoning Commissioner.

NOTE: This matter has been specially assigned for an early morning hearing at the request of People's Counsel with agreement of Petitioner; and has been

**ASSIGNED FOR:** 

THURSDAY, MAY 10, 2007 at 9:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full

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If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

> Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Counsel for Petitioners

Petitioners

: Howard L. Alderman, Jr., Esquire

: Todd Morrill; Karen Morrill; and

Todd Cooper Morrill

Charles Merritt / Merritt Development Consultants

Pat Keller, Planning Director William J. Wiseman III, Zoning Commissioner Timothy M. Kotroco, Director /PDM

CASE #: 07-120-A

# IN THE MATTER OF: TODD MORRILL; KAREN MORRILL; TODD COOPER MORRILL - Petitioners

20101 Valley Mill Road 6<sup>th</sup> E; 3<sup>rd</sup> C

VAR – To permit residential bldg env for proposed res dwelling on Lot 2 to be min of 98' /side and 76' /rear ilo req'd 300' setback from adj property that received preferential ag assessments in prior 5 years

12/12/06 - Petition for Variance GRANTED with restrictions by Deputy Zoning Commissioner.

4/25/07 – At the request of Deputy People's Counsel and upon confirmation of date and time, Notice of Assignment sent to following parties; case specially assigned for early a.m. hearing as requested; and assigned for Thursday, May 10, 2007 at 9:00 a.m.:

Office of People's Counsel
Howard L. Alderman, Jr., Esquire
Todd Morrill; Karen Morrill; and
Todd Cooper Morrill
Charles Merritt /Merritt Development Consultants
Pat Keller, Planning Director
William J. Wiseman III, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

5/10/07 – Board convened for hearing as specially assigned by request of counsel (Brassil, Mohler M, Crizer).

Petition granted with conditions as indicated on the record at the hearing in this matter. Proposed Order to be submitted by Ms. Demilio.

6/04/07 - Proposed Opinion and Order submitted by Carole Demilio for review by Board. 5-1-7

CASE NAME MONTH Ruget
CASE NUMBER 07-120-A
DATE OU Der 06

# PETITIONER'S SIGN-IN SHEET

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									Suleson Tousn 21204	PARKS AND AL	7	CITY, STATE, ZIP
	•									THORRILLAHRIS, COM		E- MAIL

RE: PETITION FOR VARIANCE

20101 Valley Mill Road; S/S Valley Road,

2,260' SW c/line Bentley Road

6<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts

Legal Owner(s): Todd, Karen & Todd Morrill\*

Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

07-120-A

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 and all 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 28<sup>th</sup> day of September, 2006, a copy of the foregoing Entry of Appearance was mailed to, Charles Merritt, Merritt Development Consultants, Inc, 2416 East Joppa Road, Baltimore, MD 21234, Representative for Petitioner(s).

RECEIVED

2 6 2006

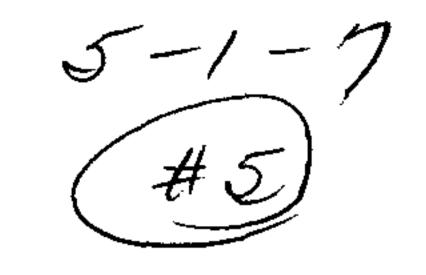
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182



Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

April 25, 2007

#### NOTICE OF ASSIGNMENT

CASE #: 07-120-A

IN THE MATTER OF: TODD MORRILL; KAREN MORRILL;
TODD COOPER MORRILL - Petitioners

20101 Valley Mill Road 6<sup>th</sup> E; 3<sup>rd</sup> C

12/12/06 -- Petition for Variance GRANTED with restrictions by Deputy Zoning Commissioner.

NOTE: This matter has been specially assigned for an early morning hearing at the request of People's Counsel with agreement of Petitioner; and has been

ASSIGNED FOR:

THURSDAY, MAY 10, 2007 at 9:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County

Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full

compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco Administrator

c;

Appellant

: Office of People's Counsel

Counsel for Petitioners

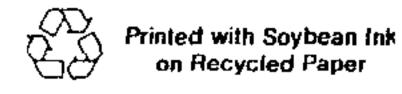
: Howard L. Alderman, Jr., Esquire

Petitioners

: Todd Morrill; Karen Morrill; and Todd Cooper Morrill

Charles Merritt /Merritt Development Consultants

Pat Keller, Planning Director William J. Wiseman III, Zoning Commissioner Timothy M. Kotroco, Director /PDM



Maril Maril Desity instaces esist Keg Let Lue Adjustant Le buld en Second let PC Caran No pertennace standads complied DEPRon reguests Discussions Them Plan
New Vecs Frent Plan

- bekrong ad blade Kog Der 22-402 thing ytend I thanks the bobsel MM Tol Kol

Lefter From Avnold Pat Keller II 4-3-07
Bi Blan to Accompany Variance Petition

BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

20101 Valley Mill Road

INFORMATION:

Item Number:

7-120 (revised comments)

Petitioner:

Todd Morrill

Zoning:

RC8

Requested Action:

Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject property and offers the following comments:

The above referenced property is historic. The site plan should include a note that 20101 Valley Mill Road is on the Final Landmarks List # 328 and the County Register (MHT) # 400?

This Office supports the requested variances provided the applicant retains the existing vegetative buffer to shield the historic structure from the view of the proposed structure. Additionally, the proposed structure should be compatible in design, height and massing with the subject Landmarks structure.

It is noted in section 1A09.7B7 "No building or structure on a development tract which is officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Places, or which is subject to an easement held by the Maryland Historical Trust will be counted as a lot or dwelling for purposes of calculating density" This section lists four criterion that have to be met in order for a landmarked structure/dwelling to not be counted as a density unit."

By virtue of the review by the Baltimore County Council, the Baltimore County Landmarks Preservation Commission and the Office of Planning; landmarking of the subject property and the structures within, the proposal meets the criterion found in Section A09.7B7, thus making the existing structures not count as a density unit.

P.C. ExA

**DATE:** April 3, 2007

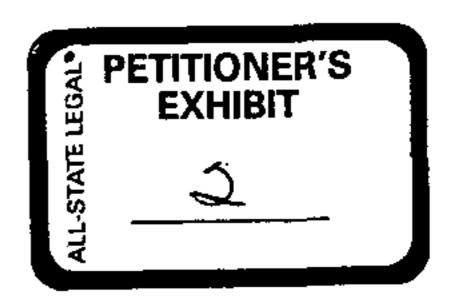
It is required by the Section 1A09C that the Office of Planning offer a finding that the subject proposal meets all of the performance objectives found on that section. While it could possibly be determined from the submitted site plan that this proposal meets the mentioned performance standards, the Office of Planning has reviewed the petitioner's request, accompanying site plan, elevation drawings, and photographs thus finding the proposal to be in accordance with the spirit and intent of the RC 8 regulations and performance standards listed within Section 1A09 of the Baltimore County Zoning Regulations. As such, as stated above this office does not oppose the subject request.

For further information concerning the matters stated here in, please contact Bill Hughey or Curtis Murray at 410-887-3480.

Prepared by:

AFK/LL: CM

# COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND Legislative Session 2006, Legislative Day No. 15



Bill No. 94-06

Mr. John Olszewski, Sr., Chairman By Request of County Executive

By the County Council, August 7, 2006

#### A BILL ENTITLED

AN ACT concerning

Final Historical Landmarks List

FOR the purpose of adding new landmarks to the Final Historical Landmarks List; and generally relating to the Baltimore County Historical Landmarks List.

WHEREAS, the Landmarks Preservation Commission has met and compiled a preliminary list of additional structures to be added to the Final Historical Landmarks List; and

WHEREAS, the following structures have been identified on the preliminary landmarks list by the Commission and have been reviewed by the County Executive; and

WHEREAS, a public hearing was held by the County Council on June 19, 2006 to determine which structures should be included on the "final landmarks list"; and

WHEREAS, the County Council finds that the following structures contribute substantially to the architectural and historical heritage of the county, state or nation; now, therefore

**EXPLANATION:** 

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

Strike out indicates matter stricken from bill.

Underlining indicates amendments to bill.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE

COUNTY, MARYLAND that new items 324 through 338, inclusive, be and they are hereby added to the Final Historical Landmarks List, to read as follows:

#### Final Historical Landmarks List


The following historical landmarks are hereby adopted as part of the Final Historical Landmarks List:


- (324) William Slade's Store and setting, 2224 White Hall Road
- (325) Webb Bungalow and setting, 176 Winters Lane
- (326) Daniel Lee House #2, 100 East Pennsylvania Avenue
- (327) James property stable/carriage-house and setting, 634 Main Street
- (328) "Holly Hillside" 20101 Valley Mill Road
- (329) "Scott's Tavern" house, stone outbuilding, and log outbuilding, 11806 Greenspring Avenue
- (330) Franklinville Cotton Factory, auxiliary brick building southeast of the factory, and frame boiler-house, Jericho Road
- (331) "Cliffholme" 4040 Stewart Road
- (332) "Eighteen Mile House" and setting, 808 Westminster Pike
- (333) Rockland Blacksmith's House and setting, 10113 Falls Road
- (334) Watters House, 4301 Windy Hill Road
- (335) Rider-Bushman House and setting, 1812 Landrake Road
- (336) "Wickcliffe" ("Castle") at "Maryvale", Greenspring Valley Road
- (337) Shipley Mill, 13027 Beaver Dam Road
- (338) "Partridge House", 2315 Hunter Mill Road


SECTION 2. AND BE IT FURTHER ENACTED, that this Final Historical Landmarks List shall be maintained by the Landmarks Preservation Commission as provided in Section 32-7-105 of the Baltimore County Code, 2003, as amended.

SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five days from the date of its enactment.


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






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Called Mr. Alderman, alled to reschedule

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