IN RE: PETITION FOR ADMIN. VARIANCE N/S Berans Road, 98' N Bullock Road	*	BEFORE THE
(1237 Berans Road) 8th Election District	*	ZONING COMMISSIONER
2 <sup>nd</sup> Council District	*	OF
Kenneth Venick, et ux	*	BALTIMORE COUNTY
Petitioners	*	Case No. 07-309-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Kenneth Venick and his wife, Nina Venick. The Petitioners seek relief from Section 1A04.3.B.3 (1979-2005 Edition) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with side lot line setbacks of 21 feet in lieu of the required 50 feet and to amend the Final Development Plan of Morrisville for Lot No. 18. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

This case was originally filed as an administrative variance, pursuant to Section 32-3-303 of the Baltimore County Code. That section allows an individual to seek variance relief for an owner-occupied residential property without a formal hearing, provided certain conditions are met. First, the property is duly posted and advertised giving public notice of the requested relief. Under the Code, any property owner residing within 1,000 feet of the property in question can request a public hearing within 15 days of the sign posting, if that person objects to the relief requested. If no hearing is requested, the matter can be considered and an Order issued by the Zoning Commissioner/Deputy Zoning Commissioner, based on the documentation contained in the file.

In the instant case, the property was duly posted and within the requisite time period, a nearby property owner, Jai Seunarine, filed a request for public hearing. The matter was

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therefore scheduled for a public hearing, which was held on February 13, 2007.

Appearing at the hearing in support of the request were Kenneth Venick, property owner, and Walter Daniels, of Daniels & Associates, Ltd., the consultant who prepared the site plan and building elevation exhibits. Appearing as Protestants/interested citizens were the Petitioner's adjacent neighbors, namely: Jai Seunarine, his mother and father, Dr. Hollis and Eileen Seunarine, and Stu Keiser.

Testimony and evidence offered revealed that the subject property is an irregular, rectangular shaped parcel located on the north side of Berans Road across from Bullock Road in Owings Mills. The property is also known as Lot 18 of the Parcel Second Amended Plat of Morrisville Plat Book 59, Folio 15, and contains a gross area of 1.56 acres, more or less, zoned R.C.5. Presently, the site is improved with a two-story attractive stucco home of approximately 3,668 square feet. The Petitioner proposes the expansion of the home's rather small kitchen area located on the northwest corner (driveway side – rear of house) and adding an attached two-car garage. Photographs were submitted noting the mature stand of trees and vegetative buffer that would conceal the improvements from adjacent properties. Moreover, Mr. Daniels indicated that it would be architecturally "very difficult" from a functional standpoint, to construct the addition to other parts of the house, i.e., if he built straight out from the rear of the home it would not only be extremely costly but would create a rather unpleasing appearance.

Mr. Venick has owned the property and resided thereon for 11 years. His children are now teenagers and he describes his home as one of the smaller houses in the subdivision and additional kitchen area is badly needed within the house. He testified that he and Mr. Daniels have worked hard to design the improvements to be consistent with the character of development in the neighborhood. It should be noted that this is an opinion with which the Office of Planning

concurs as evidenced by their Zoning Advisory Committee (ZAC) comment, dated January 26, 2007. In the opinion of Mr. Walter Daniels, the proposed setback will not adversely impact the surrounding locale and is appropriate.

Testimony was then received from Mr. Jai Seunarine, who lives behind the Petitioner's property, which is accessed by a panhandle driveway that runs parallel to the Venick's western property boundary. Interestingly, Mr. Seunarine and his father, Dr. Hollis Seunarine, own several lots in the immediate area. Dr. Seunarine purchased these lots at a substantial investment for his children and grandchildren and emphasized that he is interested in preserving the aesthetic value of the neighborhood and strongly opposes the requested variance. He and his son see no compelling reason for the variance and believe 21 feet in lieu of 50 feet is excessive and represents a 68% reduction of the current B.C.Z.R. Mr. Keiser, who lives on the east side of the Venick's home, is not impacted by the addition but feels that to allow the variance under the current regulations would not be in accord with the spirit and intent of the neighborhood's covenants and would be out of character.

In response to the concerns raised by the Protestants, the Petitioners agreed to amend their petition, site plan (Petitioner's Exhibit 1) and building elevations (Petitioner's Exhibit 4) and reduce the requested variance to now permit a side yard set back of 42 feet in lieu of the required 50 feet. This would be accomplished by dropping the proposed garage addition from the site plan requiring only an 8-foot variance for the needed breakfast room.

After due consideration of the testimony and evidence presented and the continued efforts undertaken by the parties to reach a compromised solution, I am persuaded to grant the amended requested relief. Based on my review of the site, the placement of the existing dwelling within the vested plat of Morrisville and the existing wooded buffer depicted on the photographs

Date 2-21-7 FILING

as well as testimony, I find that the subject property is constrained which creates a unique condition bringing about a practical difficulty in B.C.Z.R. Sections 1A04.3.B and 307.1 if the regulations were strictly adhered to. The proposed addition is aesthetically pleasing and appropriate in this instance and within the spirit and intent of the zoning regulations and will not be out of character with the other homes in the area. Thus, I am persuaded that relief can be granted without detrimental impact to adjacent properties or surrounding locale. There were no adverse comments submitted by any County reviewing agency; however, in response to Dr. Seunarine's concerns that relief could be used by others to prejudice the existing zoning laws and community covenants, I will impose conditions.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Aday of February, 2007 that the Petition for Variance seeking relief from Section 1A04.3.B.3 (1979-2005 Edition) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with side lot line setbacks of 48 feet in lieu of the required 50 feet and to amend the Final Development Plan of Morrisville for Lot No. 18, in accordance with Petitioner's Exhibits 1 and 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The decision in this case is not a legal precedent that may be cited as such in any other zoning case involving residential structures in the Morrisville subdivision.

3) When applying for any permits, 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 taken in accordance with Section 32-3-401 of the

Baltimore County Code.

WJW:dlw

WHILIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

Date 2 ->1 -07

By SEW SEWED FOR FILING



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 21, 2007

Mr. Kenneth Venick Mrs. Nina Venick 1237 Berans Road Owings Mills, MD 21117

RE: PETITION FOR ADMIN. VARIANCE

N/S Berans Road, 98' N Bullock Road (1237 Berans Road)
8<sup>th</sup> Election District - 2<sup>nd</sup> Council District Kenneth Venick, et ux - Petitioners
Case No. 07-309-A

Dear Mr and Mrs. Venick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner

for Baltimore County

WJW:dlw Enclosure

e: Mr. Walter Daniels, Daniels & Associates, Ltd., 1426 Broadway Road, Timonium, Md. 21093

Mr. Jai Seunarine, 1239 Berans Road, Owings Mills, Md. 21117

Dr. Hollis and Mrs. Eileen Seunarine, 1525 Applecroft Lane, Cockeysville, Md. 21030

Mr. Stu Keiser, 1235 Bevans Road, Owings Mills, Md. 21117

People's Counsel; Case File



## Petition for Administrative Variance

	to the Zonii	ng Commissioner of Baltimore County ocated at 1231 BERANS Ro which is presently zoned RCS
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THE TRACKS OF THE		BULLAT DE MORRISVILLE
TO LINE THE FINE		ement plat of morrisville
		of Baltimore County, for the reasons indicated on the back
roperty is to be posted and advertised as or we, agree to pay expenses of above Variations of Baltimore County	prescribed by the zon nce, advertising, posting adopted pursuant to t	ning regulations. The solution and are to be bounded by the zoning he zoning faw for Baltimore County.
	And the second	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.
ontract Purchaser/Lessee:		Legal Owner(s):
		Lend Venit
ame - Type or Print		Name - Type or Print
ignature		Signature DAICK
ddress	Telephone No.	Name - Type or Print
ity	Zip Code	Signature
ttorney For Petitioner:		1237 Beras Rd. 410-2527 Address Telephone No.
Tuno of Oriot	<del></del>	City State 2/12  State Zip Code
ame - Type or Print		Representative to be Contacted:
ignature	<del></del>	Walter Daniels
ompany :	<del></del>	Name 1426 Broadway Rd 410.560.358
ddress	Telephone No.	Address Telephone No. Timonium Mo Ziog3
State	Zip Code	City State Zip Code
Public Hearing having been formally demandents  that equiations of Baltimore County and that the property	t the subject matter of this y be reposted.	equired, it is ordered by the Zoning Commissioner of Baltimore County spetition be set for a public hearing, advertised, as required by the zoning
	Tall Tribit	
CASE NO 07 - 309 - /	Δ	Zoning Commissioner of Baltimore County
CASE NO. 07-309-/	Revie	ewed By Date

REV 10/25/01

# Affidavi Support of Administrative Variance

The undersigned hereby af the ler the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information is given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto is the competent to testify thereto is the competent to testify thereto is the competent to testify the competent t
That the Affiant(s) does/do progreside at 1237 Boras Ed
That the Affiant(s) does/do progresside at 1237 Berans Rd  Address  Owners Mills www 2/117s.  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):
We wish to add a breakfast room and garage to our
existing home. It can not be located in the front or rear
ward due to esthetic concerns on wall a condict solver
It can not be located on the south side of the house due to setback and stope a steep slope. The addition needs
due to setback and stoppe a steep slape. The add in
and the house the means of the law of the la
to be located on the same side of the horse as oor
existing kitchen.
That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting an advertising fee and may be required to provide additional information.
MWW VUNCO
Signature Signature
Lenet Verice Nina Venice
Name - Type or Print  Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
THEREBY CERTIFY, this 4th Juy of January 2007, before me, a Notary Public of the State
of Maryland, in and for the County foresaid, personally appeared
Runnelle Venich, and Men Venick
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal
1/ Mark Mache
Notary Public Notary Public
My Commission Expires 3/01/10
TOTAL

REV 10/: 3/01

Affidavit: Co	ort of Administrative Variance
TRIBLICATION	MUMINISHAUVE Variance
The undersigned hereby affirms under	penalties of perjury to the Zoning Commissioner of Baltimore County, as
tollows: I hat the information herein gigen is competent to testify thereto in the event is a	is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are public hearing is scheduled in the future with regard thereto.
That the Affiant(s) coes/do presently reside at	1237 Beras Rd.
	Address (1/17)
	City State Zip Code
That based upon personal knowledge, it is a Variance at the above address (indicate it	lowing are the facts upon which I/we base the request for an Administrative
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existing Kitchen.	
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That the Affiant(s) acknowledge(s) that advertising fee and may be required to p	Thrmal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
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Signature	Signature :
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the Affian (s) herein, personally known or	factorily identified to me as such Affiant(s).
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## Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the pro	perty located at 1237 Bevans 124
·	which is presently zoned 1265
owner(s) of the property situate in Baltimore County and	Permits and Development Management. The undersigned, legal d which is described in the description and plat attached hereto and
made a part hereot, hereby petition for a Variance from	Section(s) 1A04.3.B, 3(1979-12,2005 BCZR)
TO PERMIT A PROPOSED ADDITION WITH	SIDE LOT LINE SETBACKS OF ZIFT, IN LIEU AMEND THE FIMAL DEVELOPMENT PLAN OF
- 1	
of the zoning regulations of Baltimore County, to the zon of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
<ol> <li>or we, agree to pay expenses of above Variance, advertising</li> </ol>	by the zoning regulations.  ng, posting, etc. and further agree to and are to be bounded by the zoning suant 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):
	Kenneth Venick
Name - Type or Print	Name Type or Print
Signature	Signature Venice
Address Telephone N	o. Name - Type or Print
City State Zip Coo	$i_{12} = 0$
Attorney For Petitioner:	Address Telephone No.
Name - Type or Print	Ours Mills 2/17 City State Zip Code
	Representative to be Contacted:
Signature	Walter Daniels
Company	Name 1426 Broadway Rd 410-560-3581
Address Telephone No	
City State Zip Cod	
this day of 1-2-1-101 that the subject ma	d to be required, it is ordered by the Zoning Commissioner of Baltimore County, atter of this petition be set for a public hearing, advertised, as required by the zoning
regulation 10 By County and that the property be reposted.	ENTRY
CASE NO. 07 - 309 - A	Zoning Commissioner of Baltimere: County  Reviewed By  JL  Date: - 10507
REV 10/25/01	Estimated Posting Date

ZONING DESCRIPTION FOR 1237 BERANS ROAD, OWINGS MILLS,
BALTIMORE COUNTY, MARYLAND
BEGIANNIM AT A POINT WITHE NORTH SIDE OF BERANS RD, 98 FT. N. OF BULLOCK RD C/L,
1237 Berans Road, Owings Mills, Maryland 21117, also known as Lot#18 of the Partial
Second Amended Plat of Morrisville, Plat Book 59, Folio 15, Baltimore County,
Maryland

Election District 8 Councilmanic District 2

Zoning RC5

# 309

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #07-309-A

1237 Berans Road North side of Berans Road, 98 feet north of Bullock Road.

8th Election District - 2nd Councilmanic District

Legal Owner(s): Kenneth & Nina Venick

Variance: to permit a proposed addition with a side lot

line setback of 21 feet in lieu of the required 50 feet and

to amend the Final Development Plan of Morrisville for

Lot #18. Hearing: Tuesday, February 13, 2007 at 9:00 a.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) 887-4386.

(2) For information concerning the File and/or Hearing,

Contact the Zoning Review Office at (410) 887-3391. JT 1/821 Jan. 30

### CERTIFICATE OF PUBLICATION

211,2007
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
nce in each ofsuccessive weeks, the first publication appearing
$\frac{130}{30}$ , $\frac{2007}{}$ .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

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## CERTIFICATE OF POSTING

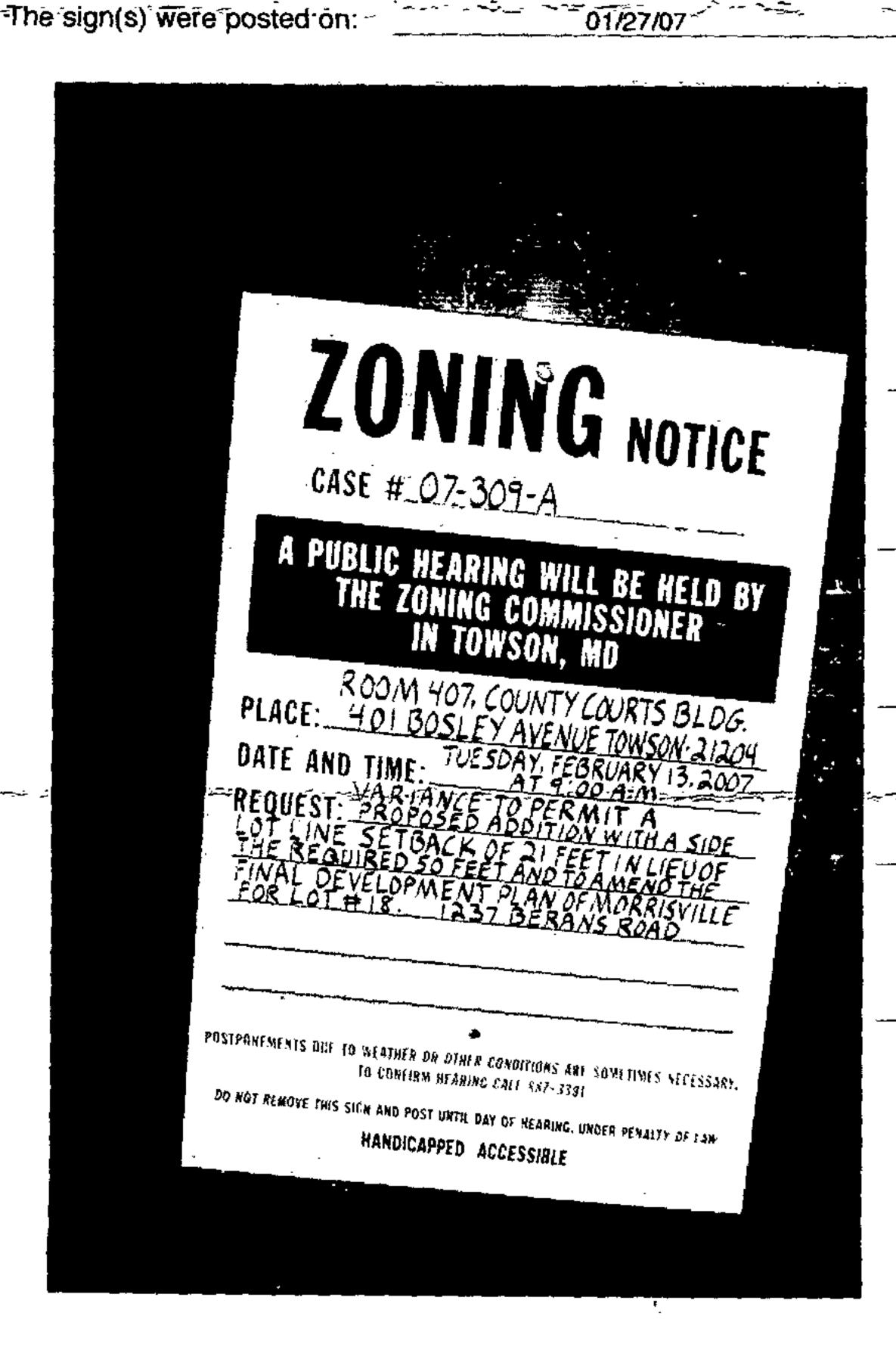
ATTENTION: KRISTEN MATHHEWS

Case Number: 07-309-A

Petitioner/Developer: MR. & MRS. VENICK~WALTER DANIELS~ARCHITECT

Date of Hearing (Closing): 02/13/07

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1237 BERANS ROAD



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366 (Telephone Number of Sign Poster)

## CERTIFICATE OF POSTING

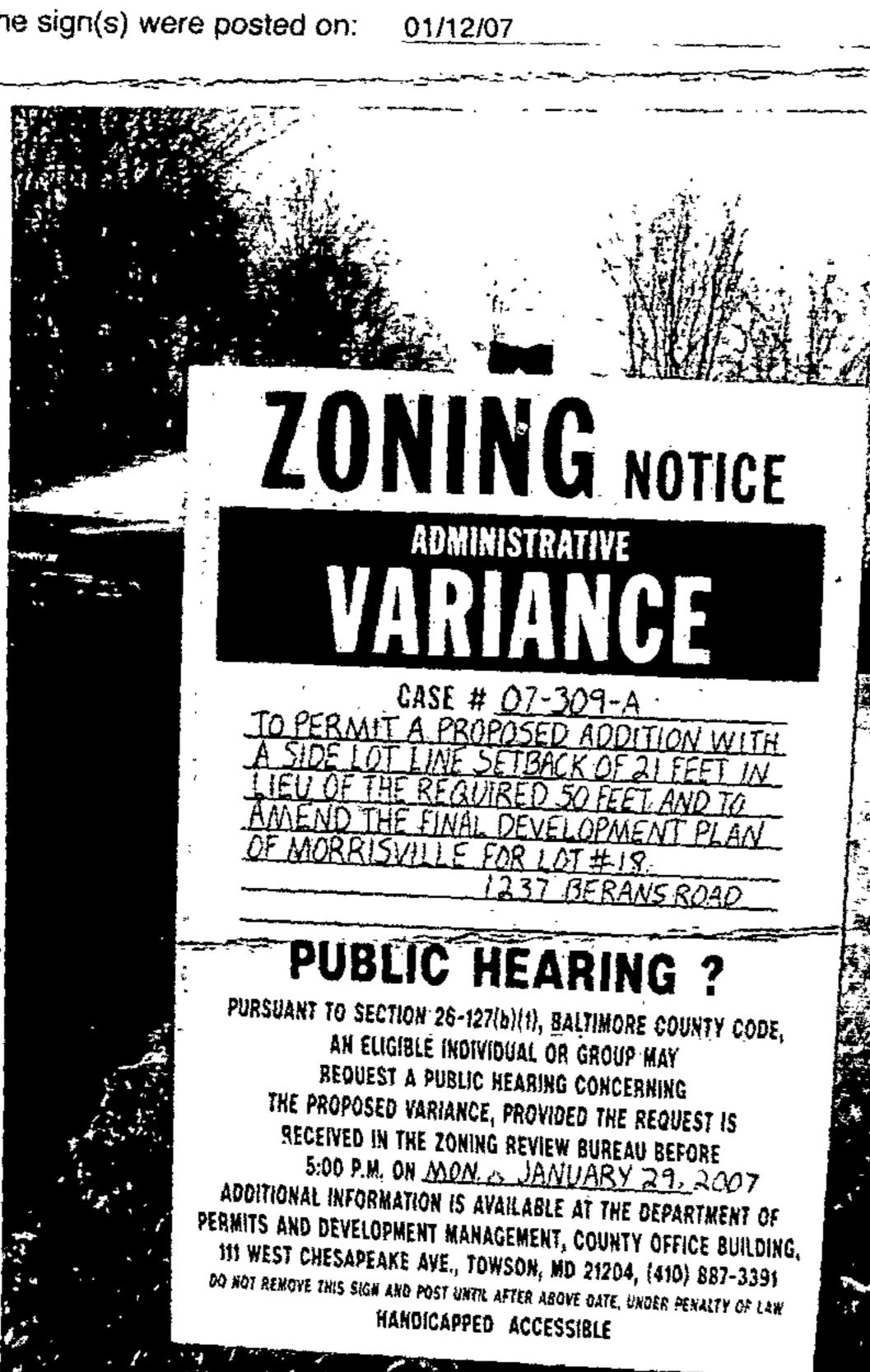
Case Number: 07-309-A

Petitioner/Developer: KEN & NINA VENICK—WALTER DANIELS-ARCHITECT

Date of Hearing (Closing): 01/29/07

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 1237 BERANS ROAD

The sign(s) were posted on: 01/12/07



Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



JAMES T. SMITH, JR. County Executive

January 23, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-309-A

1237 Berans Road
North side of Berans Road, 98 feet north of Bullock Road
8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District
Legal Owners: Kenneth & Nina Venick

Variance to permit a proposed addition with a side lot line setback of 21 feet in lieu of the required 50 feet and to amend the Final Development Plan of Morrisville for Lot #18.

Hearing: Tuesday, February 13, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Mr. & Mrs. Venick, 1237 Berans Road, Owings Mills 21117 Walter Daniels, 1426 Broadway Road, Timonium 21093 Jai Seunariwe, 1239 Berans Road, Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 29, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, January 30, 2007 Issue - Jeffersonian

Please forward billing to:

Kenneth Venick 1237 Berans Road Owings Mills, MD 21117

410-252-8123

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-309-A

1237 Berans Road

North side of Berans Road, 98 feet north of Bullock Road

8<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Kenneth & Nina Venick

Variance to permit a proposed addition with a side lot line setback of 21 feet in lieu of the required 50 feet and to amend the Final Development Plan of Morrisville for Lot #18.

Hearing: Tuesday, February 13, 2007 at 9:00 a.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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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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 News	<u>spaper Adver</u>	tising:			_	
	ber or Case N		07	309	A	
Petitioner	LENNE	<b>レス・ 人作と</b>	ICK +	NINA	くまろころで	
Address o	or Location:	237	BERANS	120.	<u> </u>	
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PLEASE	FORWARD A	DVERTISING	BILL TO:			
	LENNETH			•		
Address:	1237	BERDNS	20		<del></del>	
. , <b></b>		<del></del>	<u> </u>			
	OWINGS	. MILLS	MO	21117		
Telephone	Number:	410 -25	2.917	2		
				<u> </u>		



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and January 23, 2007

Kenneth Venick Nina Venick 1237 Berans Road Owings Mills, MD 21117

Dear Mr. & Mrs. Venick:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 07-309-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand concerning the above-proposed administrative procedure.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be advertised with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact John Lewis at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr. Supervisor

u. Callaball

Zoning Review

WCR:klm

C: Walter Daniels, 1426 Broadway Road, Timonium 21093 Jai Seunariwe, 1239 Berans Road, Owings Mills 21117 Melky miss



## FORMAL DEMAND FOR HEARING

CASE NUMBER: <u>07-309-A</u>
Address: 1237 BERANS ROAD
Petitioner(s): KONNITH & NINA VENILA
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
I/We JAI SEUNARINE  Name - Type or Print
( ) Legal Owner OR ( ) Resident of
1239 BERANS ROAD
OWING MILLS MD 2/1/7 City State Zip Code
443-350-6845 410-252-2930 Telephone Number
which is located approximatelyfeet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.
Signature Date
Signature Revised 9/18/98 - wcr/scj

18W) 13

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** January 26, 2007

**TO**:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

1237 Berans Road

INFORMATION:

**Item Number:** 

7-309

Petitioner:

Kenneth and Nina Venick

Zoning:

RC 5

Requested Action:

Administrative Variance

The property in question contains an existing dwelling in the vested plat of Morrisville. The variance request is for a side yard of 21 feet in lieu of the required 50 feet for a garage addition and to amend the final development plan of Morrisville. A finding of compliance with RC5 performance standards is not required.

#### **SUMMARY OF RECOMMENDATIONS:**

Due to the placement of the adjacent dwelling and the existing wooded buffer, the Office of Planning does not oppose the requested side yard variance.

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

Reviewed by:

Division Chief:

AFK/LL: CM



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 6, 2007

Kenneth Venick Nina Venick 1237 Berans Road Owings Mills, MD 21117

Dear Mr. and Mrs. Venick:

RE: Case Number: 07-309-A, 1237 Berans Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2007.

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 Walter Daniels 1426 Broadway Road Timonium 21093



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

Maryland Department of Transportation

Date: JANUARY 23, 2007

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

RE:

**Baltimore County** 

Item No.7-309-A

1237 BERANS ROAD

VENICK PROPERTY

ADMINISTRATIVE VARIANCE

Robert L. Flanagan, Secretary

Neil J. Pedersen, Administrator

Dear Ms. Matthews:

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. 7-309A.

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,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

#### Fire Department

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



#### Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

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

January 26, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 22, 2007

309

Item Number: 304 and 307 through 321

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** January 24, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

DAT

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For January 29, 2007

Item Nos. 07-260,304, 307, 309, 310, 311, 312, 313, 314, 315, 317, 318, 319,

320, and 321

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-01222007.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** January 26, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

1237 Berans Road

**INFORMATION:** 

Item Number:

7-309

**Petitioner:** 

Kenneth and Nina Venick

Zoning:

RC 5

Requested Action:

Administrative Variance

The property in question contains an existing dwelling in the vested plat of Morrisville. The variance request is for a side yard of 21 feet in lieu of the required 50 feet for a garage addition and to amend the final development plan of Morrisville. A finding of compliance with RC5 performance standards is not required.

#### SUMMARY OF RECOMMENDATIONS:

Due to the placement of the adjacent dwelling and the existing wooded buffer, the Office of Planning does not oppose the requested side yard variance.

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

Reviewed by:

Division Chief:

AFK/LL: CM



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 28, 2007

Mr. Walter Daniels Daniels & Associates, Ltd. 1426 Broadway Road Timonium, Md. 21093

RE: PETITION FOR ADMIN. VARIANCE
N/S Berans Road, 98' N Bullock Road
(1237 Berans Road)
8th Election District - 2nd Council District
Kenneth Venick, et ux - Petitioners
Case No. 07-309-A

Dear Mr. Daniels:

It has been brought to my attention that there was a typographical error on the Order for the above-captioned case. Therefore, this letter will serve as a CORRECTIVE ORDER regarding the decision rendered in the above captioned case.

Specifically, on Page 4 of the second full paragraph, the 4<sup>th</sup> line, the setbacks of 48 feet was erroneously noted; it should have read 42 feet. Please change Page 4 of your copy of the Order accordingly. This correction merely resolves a typographical error, and does not materially alter the effect of the Order.

If you require additional information concerning this matter, please contact the Office of the Zoning Commissioner for Baltimore County at (410) 887-3868.

Thank you for your consideration in this matter.

N.S.

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:dlw

c: Mr. and Mrs. Venick, 1237 Berans Road, Owings Mills, MD 21117
Mr. Jai Seunarine, 1239 Berans Road, Owings Mills, Md. 21117
Dr. Hollis and Mrs. Eileen Seunarine, 1525 Applecroft Lane, Cockeysville, Md. 21030
Mr. Stu Keiser, 1235 Bevans Road, Owings Mills, Md. 21117
People's Counsel; Gase File

# APPLECROFT FARM HOLLIS SEUNARINE, M.D. 1703 BEAVERBROOK LANE COCKEYSVILLE, MARYLAND 21030

January 26, 2007

Mr. Timothy M. Kotroco
Director, Department of Permits and Development Management
Zoning Review Office
111 West Chesapeake Avenue
Mail stop 1105
Towson, Maryland 21204

RE: Requested Variance Case # 07-309-A

Dear Mr. Kotroco:

My name is Hollis Seunarine, M.D. and I own and operate Applecroft Farm located at 1703 Beaverbrook Lane. I am writing as a neighbor in opposition of the requested variance Case # 07-309-A concerning the reduction of the side lot setback from 50 feet to 21 feet for Lot #18. I am concerned that the requested variance will create increased environmental strain including possible silt and erosion problems.

I thank you for the opportunity to voice my opposition to the requested variance. Please add me to the interested parties mailing list concerning this variance request notifying me of any public hearings. If you have any questions, please feel free to contact me at (410) 433-2200.

Sincerely,

Hollis Seunarine, M.D. FAAFP

### HOLLIS SEUNARINE, M.D. 1225 BERANS ROAD OWINGS MILLS, MARYLAND 21117

January 26, 2007

Mr. Timothy M. Kotroco
Director, Department of Permits and Development Management
Zoning Review Office
111 West Chesapeake Avenue
Mail Stop 1105
Towson, Maryland 21204

RE: Requested Variance Case # 07-309-A

Dear Mr. Kotroco:

My name is Hollis Seunarine, M.D. and I own 1225 Berans Road (Lot 10). I am writing as a neighbor in opposition of the requested variance Case # 07-309-A concerning the reduction of the side lot setback from 50 feet to 21 feet for Lot #18. In my opinion, there is no need for a 68% reduction in the current setback. Additionally, I am troubled by the environmental impact that a larger residence will have on the community.

I thank you for the opportunity to voice my opposition to the requested variance. Please add me to the interested parties mailing list concerning this variance request notifying me of any public hearings. If you have any questions, please feel free to contact me at (410) 433-2200.

Sincerely,

Hollis Seunarine, M.D., FAAFP

## DR. HOLLIS AND EILEEN SEUNARINE 1525 APPLECROFT LANE COCKEYSVILLE, MARYLAND 21030

January 26, 2007

Mr. Timothy M. Kotroco
Director, Department of Permits and Development Management
Zoning Review Office
111 West Chesapeake Avenue
Mail Stop 1105
Towson, Maryland 21204

RE: Requested Variance Case # 07-309-A

Dear Mr. Kotroco:

My name is Hollis Seunarine, M.D. and I live at 1525 Applecroft Lane with my wife, Eileen Murray Seunarine, and my family. I am writing in opposition to the requested variance Case # 07-309-A concerning the reduction of the side lot setback from 50 feet to 21 feet for 1237 Berans Road (Lot 18). I can find no compelling rational necessitating the approval of the requested variance.

I thank you for the opportunity to voice my opposition to the requested variance. Please add me to the interested parties mailing list concerning this variance request notifying me of any public hearings. If you have any questions, please feel free to contact me at (410) 433-2200.

Sincerely,

Hollis Seunarine, M.D., FAAFP

Sincerely,

Eileen Murray Seunarine

Cilcen Murray Secrations

### JAI SEUNARINE 1239 BERANS ROAD OWINGS MILLS, MARYLAND 21117

January 26, 2007

Mr. Timothy M. Kotroco
Director, Department of Permits and Development Management
Zoning Review Office
111 West Chesapeake Avenue
Mail Stop 1105
Towson, Maryland 21204

RE: Requested Variance Case # 07-309-A

Dear Mr. Kotroco:

My name is Jai Seunarine and I live at 1239 Berans Road (Lot #19) with my wife, two children and our dog, Max. I am writing to oppose the requested variance Case # 07-309-A concerning the reduction of the side lot setback from 50 feet to 21 feet for Lot #18. Our home is located directly behind the current residence located on Lot #18 and we gain access to our home via a panhandle that borders Lot 18, the location for the proposed variance. It is our understanding that the current residents wish to expand their existing house an additional 29 feet, leaving only a 21 foot setback from the existing property lines and panhandle.

We oppose the granting of the requested variance permitting a side lot setback of 21 feet in lieu of the 50 feet setback for the following reasons:

- There is no compelling reason for the variance. The requested variance of 21 feet in lieu of the 50 feet setback is excessive and represents a 68% reduction of the current setback.
- The granting of the variance would be inconsistent with the intended purpose of the existing RC-5 zoning which is to ensure the preservation of the rural community.
- The granting of the proposed variance and the subsequent construction of a larger residence will restrict access (general and emergency) via the panhandle for the residents at 1239 and 1241 Berans Road as well as impede **traffic visibility** of Berans Road from the panhandle creating potential traffic hazards.
- We are concerned that construction of a large residence on the existing lot and reduction of the setback will create increased environmental strain potentially contributing to silt and erosion problems, as well as septic reserve issues.
- The Architectural Review Committee for the neighborhood development has not approved the plan in accordance with existing covenants.

• If the variance is granted and construction of a larger residence occurs, it will lower the aesthetic value of the neighborhood. Additionally, it could potentially lower the property values of the residences at 1239 and 1241 Berans Road.

We appreciate being given an opportunity to voice our concerns regarding the variance request Case # 07-309-A. We greatly enjoy living in Baltimore County and our community. Further, we have no objection to any of our neighbors making modifications to their homes in keeping with existing zoning laws and community covenants. Thank you for your attention to this matter. If you have any questions or concerns, please feel free to contact me at (443) 250-6845.

Sincerely,

Jai Seunarine



Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search Ground Rent** 

**Account Identifier:** 

District - 08 Account Number - 1900010668

**Owner Information** 

**Owner Name:** 

SEUNARINE JAI

SEUNARINE DEBRA

Use:

RESIDENTIAL

Principal Residence:

YES

**Mailing Address:** 

1239 BERANS RD

**Sub District** 

OWINGS MILLS MD 21117-1641

Deed Reference:

1) /13739/ 476

#### Location & Structure Information

Section

**Premises Address** 

1239 BERANS RD

50

Legal Description

4.39 AC

MORRISVILLE TRACT A

**Assessment Area** 

Plat No:

Plat Ref:

59/ 15

**Special Tax Areas** 

16

Map Grid Parcel

256

**Primary Structure Built** 

2000

Town Ad Valorem

Tax Class

Subdivision

**Enclosed Area** 3,124 SF

**Property Land Area** 4.39 AC

**County Use** 

04

Stories

**Basement** YES

Type STANDARD UNIT

Block Lot

Exterior FRAME

Value Information

Base Value Value As Of 01/01/2005

Phase-in Assessments As Of 07/01/2006

As Of 07/01/2007

Land: Improvements: 133,900 369,020

267,800 374,730 642,530

595,992

642,530

Total: Preferential Land:

502,920 0

000

000

0

#### Transfer Information

Seller: SEUNARINE JAI **NOT ARMS-LENGTH** Type:

SEUNARINE HOLLIS Seller: NOT ARMS-LENGTH Type:

Seller: BERANS GENERAL PARTNERSHIP MULT ACCTS ARMS-LENGTH Type:

Date:

Date:

Date:

05/12/1999 Deed1: /13739/ 476

12/02/1998

08/29/1995

Deed1: /13340/ 396

Price: \$0 Deed2:

Price: \$0

Deed2:

\$315,000 Price:

Deed1: /11188/ 554 Deed2:

**Exemption Information** 

0

07/01/2006

Partial Exempt Assessments Class County 000

State Municipal

07/01/2007

0 0 0

Tax Exempt: Exempt Class:

NO

Special Tax Recapture:

\* NONE \*

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation **BALTIMORE COUNTY** Real Property Data Search

Go Back View Map **New Search Ground Rent** 

**Account Identifier:** 

District - 08 Account Number - 1900010667

**Owner Information** 

**Owner Name:** 

**VENICK KENNETH** 

**VENICK NINA** 

Use:

RESIDENTIAL

Principal Residence:

YES

**Mailing Address:** 

1237 BERANS RD

**OWINGS MILLS MD 21117** 

Deed Reference:

1) /10187/ 9

**Location & Structure Information** 

**Premises Address** 

1237 BERANS RD

**Legal Description** 

1.56 AC 67953 SQ FT

MORRISVILLE TRACT A

Plat No:

Map Grid Parcel 50 16 256

**Sub District** 

**Primary Structure Built** 

1994

Subdivision

Section

Block Lot 18

**Assessment Area** 

**Property Land Area** 

Plat Ref: 59/ 15

Special Tax Areas

Town **Ad Valorem** 

Tax Class

**Enclosed Area** 3,668 SF

Type

**County Use** 04

1.56 AC

**Exterior** 

**Stories** 

YE\$

**Basement** 

STANDARD UNIT

STUCCO

**Value Information** 

Base Value Value As Of 01/01/2005

**Phase-in Assessments** As Of 07/01/2006

As Of 07/01/2007

Land: **Improvements:** Total:

**Preferential Land:** 

105,600 211,200 266,430 401,350 372,030 612,550

532,376

612,550

**Transfer Information** 

Seller: BERANS GENERAL PARTNERSHIP

12/02/1993 Date:

**Deed1:** / 7675/ 402

\$130,000 Price:

IMPROVED ARMS-LENGTH Type:

FINELAND ENTERPR ISES INCORPORATED

**Deed1:** /10187/ 9 09/18/1987 Date:

Deed2: Price: \$0

NOT ARMS-LENGTH

Date: Deed1: Deed2: Price:

Deed2:

Seller: Type:

Type:

Seller:

**Exemption Information** 

**Partial Exempt Assessments** County State

07/01/2006

07/01/2007

Municipal

000 000 000

Class

**Special Tax Recapture:** 

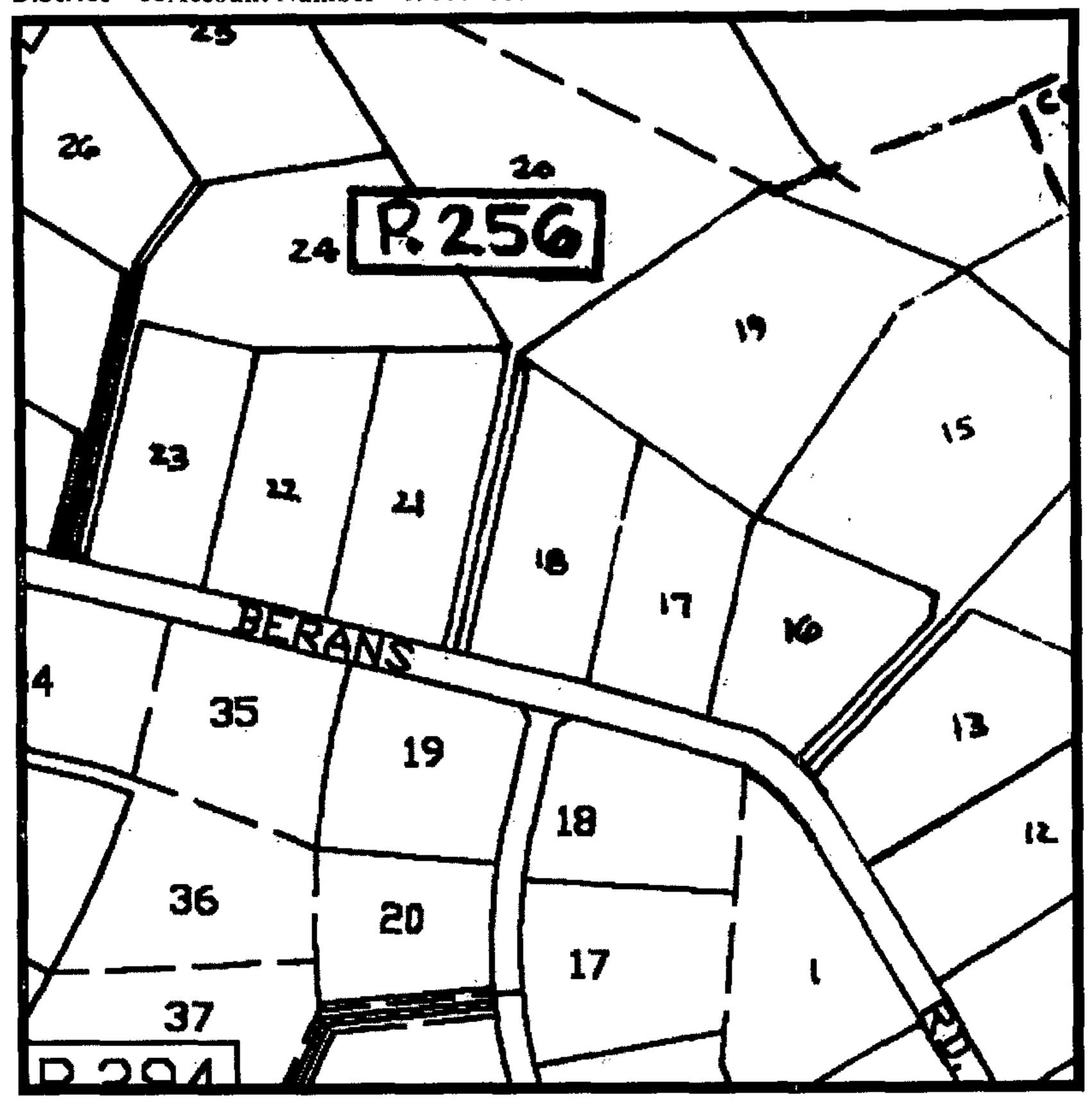
Tax Exempt: **Exempt Class:**  NO

\* NONE \*



Go Back View Map New Search

District - 08Account Number - 1900010667



Property maps provided courtesy of the Maryland Department of Planning ©2004. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

### Daniels & Associates Architects, Ltd

1426 Broadway Road, Timonium, Maryland 21093 taxes 410-561-0517 tel. 410-560-3588

2/27/07

To: Mr. William Wiseman From: Walter Daniels

Re: 1237 Boans Road, Kennoth Venice Residence, Case No. 07-309-A

Via fax 410-887-3468 3 pages

Mr. Wiseman,

Pursuant to our telephone conversation today regarding case no. 07-309-A, when you acknowledge a typographical error on page 4 of the order, which should not read 48 feet but the 42 feet as referred to on page 3

Attached are copies of pages 3 and 4 of the order

We look forward to your letter clarifying this item

Thank You

hate Danis

• •

concurs as evidenced by their Zoning Advisory Committee (ZAC) comment, dated January 20 2007. In the opinion of Mr. Walter Daniels, the proposed setback will not adversely impact the surrounding locale and is appropriate.

Petitioner's property, which is accessed by a panhandle driveway that runs parallel to the Venick's western property boundary. Interestingly, Mr. Seunarine and his father, Dr. Holli Scunarine, own several lots in the immediate area. Dr. Seunarine purchased these lots at a substantial investment for his children and grandchildren and emphasized that he is interested in preserving the aesthetic value of the neighborhood and strongly opposes the requested variance. He and his son see no compelling reason for the variance and believe 21 feet in lieu of 50 feet is excessive and represents a 68% reduction of the current B.C.Z.R. Mr. Keiser, who lives on the east side of the Venick's home, is not impacted by the addition but feels that to allow the variance under the current regulations would not be in accord with the spirit and intent of the neighborhood's covenants and would be out of character.

In response to the concerns raised by the Protestants, the Petitioners agreed to amend their petition, site plan (Petitioner's Exhibit 1) and building elevations (Petitioner's Exhibit 4) and reduce the requested variance to now permit a side yard set back of 42 feet in lieu of the required 50 feet. This would be accomplished by dropping the proposed garage addition from the site plan requiring only an 8-foot variance for the needed breakfast room.

After due consideration of the testimony and evidence presented and the continued efforts undertaken by the parties to reach a compromised solution, I am persuaded to grant the amended requested relief. Based on my review of the site, the placement of the existing dwelling within the vested plat of Morrisville and the existing wooded buffer depicted on the photographs

as well as testimony, I find that the subject property is constrained which creates a unique condition bringing about a practical difficulty in B.C.Z.R. Sections 1A04.3.B and 307.1 if the regulations were strictly adhered to. The proposed addition is aesthetically pleasing and appropriate in this instance and within the spirit and intent of the zoning regulations and will not be out of character with the other homes in the area. Thus, I am persuaded that relief can be granted without detrimental impact to adjacent properties or surrounding locale. There were no adverse conuments submitted by any County reviewing agency; however, in response to Dr. Seunarine's concerns that relief could be used by others to prejudice the existing zoning laws and community covenants, I will impose conditions.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

this Aday of February. 2007 that the Petition for Variance seeking relief from Section 1A04.3.B.3 (1979-2005 Edition) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with side lot line setbacks of 48 feet in lieu of the required 50 feet and to amend the Final Development Plan of Morrisville for Lot No. 18, in accordance with Petitioner's Exhibits 1 and 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The decision in this case is not a legal precedent that may be cited as such in any other zoning case involving residential structures in the Morrisville subdivision.

## PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# PETITIONER'S SIGN-IN SHEET

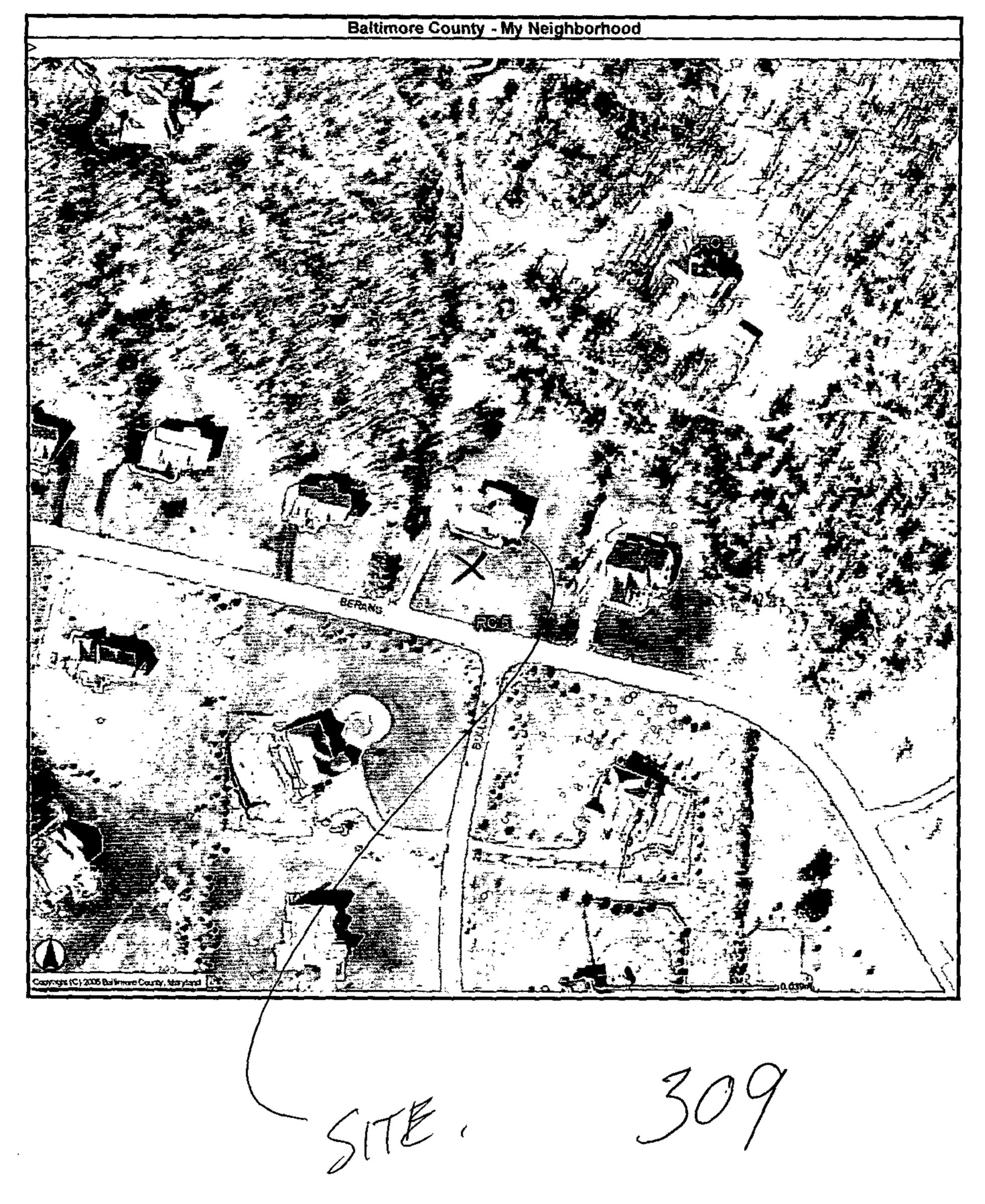
E- MAIL	Kentrie Concast, next	Widaniels 14 @concest. net										
CITY, STATE, ZIP	m.115 m	timenium. Wo 21013										
ADDRESS	1237 Berans P.J.	Bradu										
NAME	Leavel Venick	NA TEN JANIES, ARCHING										

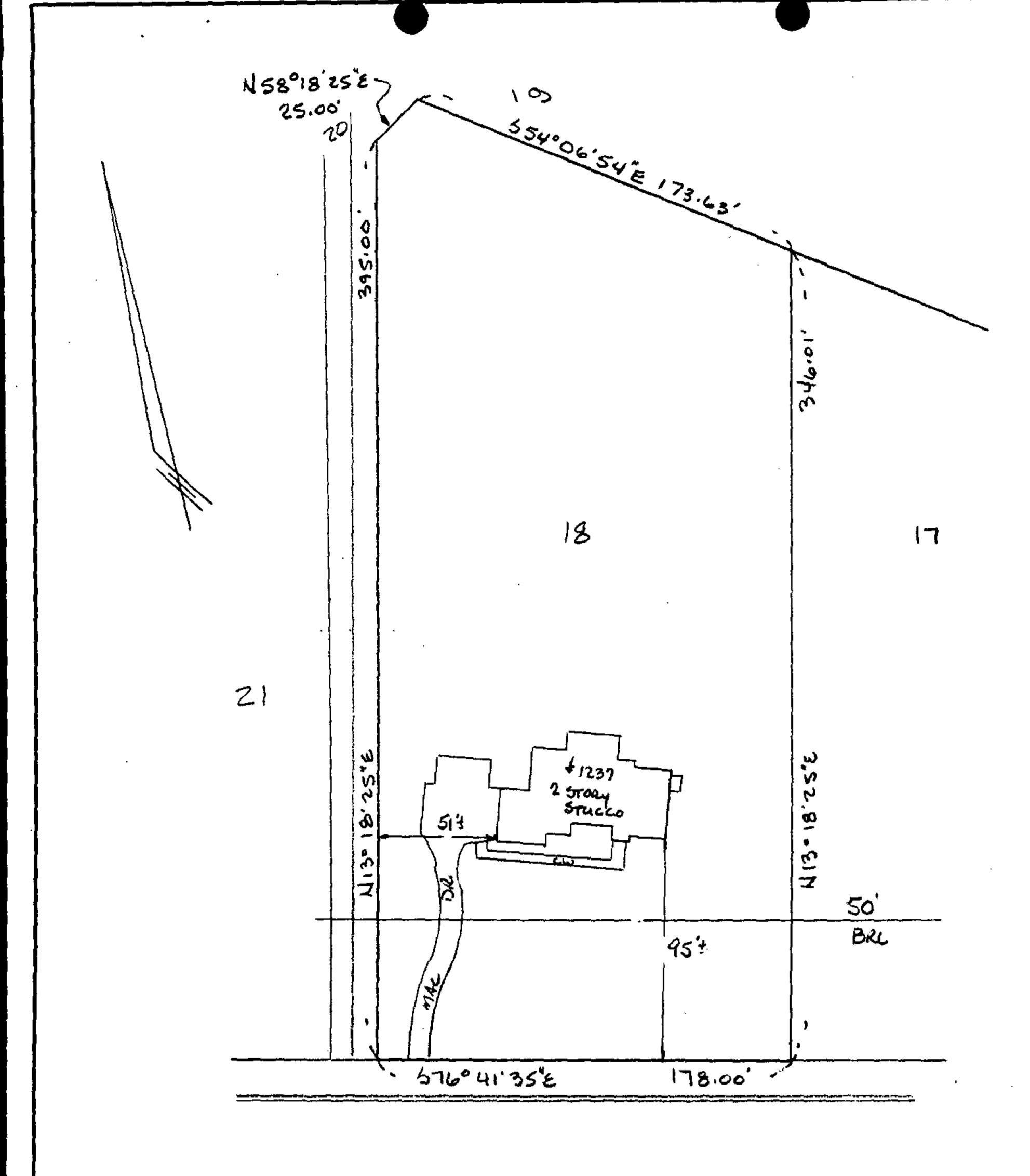
## PLEASE PRINT CLEARLY

7-309-A		
CASE NAME O	CASE NUMBER	DATE 62/13/07

## SITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
JAISEUMARINE	1239 BERMUS ROAD	Dumes mucs mosilit	JSEUNARINE (D) KOL. COM
	25 Applearof	Cackeysville, m.D. 21030	Helly @ Jaimedical Com
Eileen Seunarine	O	ey sulle	E Segnorine @ Mac Com
Sty Keizy	25 BELLINS ROHA	11	skelser & Kesseralle, com
K\$158R			
		•	





BERANS ROAD 50'RW

### PETITIONER'S

EXHIBIT NO.

<u>3</u>

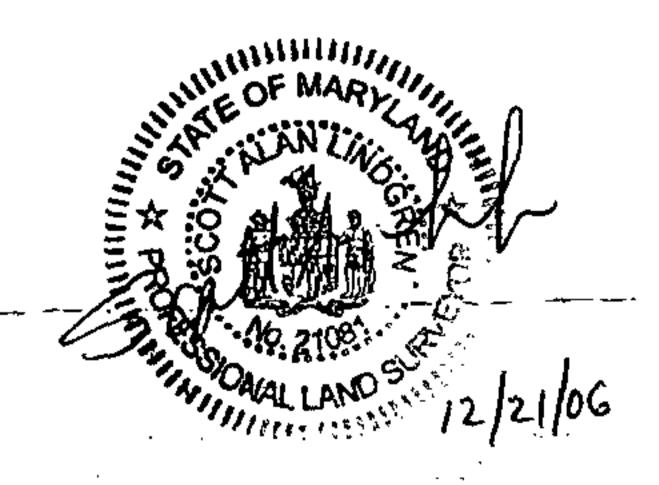
THE LOT SHOWN HEREON IS IN FLOOD ZONE C.

PER FEMA. FLOOD INSURANCE RATE MAP PANEL . 240010 0230 B

DATED: MBE. 2.1981 FLOOD DE MINIMAL FLOODING.

This plat is of benefit to a consumer only insofar as it is required by a Lender/Title insurance Company or their agent in connection with the contemplated transfer. Financing or re-financing. This plat is NOT to be relied upon for the establishment or location of fences, garages, buildings or other—existing or future improvements. This plat DOES NOT provide for the accurate identification of property boundary lines, but such identification is not required for the transfer of title or securing financing or re-financing of the property shown hereon.

The setback dimensions shown hereon and as they relate to structures noted are to be interpreted as being within 5 feet either way of the dimension shown.



### GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

Sulte 100

320 East Towsontown Boulevard Towson, Maryland 21286

PH: (410)823-4470 FAX: (410)823-4473

FIELD WORK: CP

DRAWN:

1237 BERANS ROAD

LOTIB PARTIAL SECOND AMENDED PLAT OF MORRISVILLE PLAT BOOK 59 Folio 15 BALTIMORE COUNTY MARYLAND.

LOCATION DRAWING

DATE: 12.20.06 50

SCALE: 1: 60'

Mr. & Mrs. Venick 1237 Berans Road Owings Mills, MD 21117

January 30, 2007

Dear Mr. & Mrs. Venick,

Thank you for contacting me regarding your request to file for a Zoning Variance in Baltimore County. I have reviewed your request to apply for an 8 foot variance on the garage side of Lot 18 at 1237 Berans Road Owings Mills Maryland. After reviewing this information, along with the Declaration of Covenants, Conditions and Restrictions of Falls Woods, I agree that your request is reasonable. Please accept this letter on behalf of the Falls Woods Covenants Board as an approval to apply for such variance.

Per our conversation you must still submit all building plans to the Falls Woods Covenants Board for approval. Good luck filing for this Zoning Variance and I look forward to seeing your building plans.

Sincerely yours,

BERANS GENERAL PARTNERSHIP

By:

Jeffrey M. Attman

DEBRA J. GALLO
Notary Public
Anno Arundel County
Maryland
My Commission Expires Dec 18, 2007

ULC 2/09

PETITIONER'S

EXHIBIT NO.

5

Case No.: 07-309-A 1237 BEVANS RD

### **Exhibit Sheet**

### Petitioner/Developer

### Protestant

No. 1	AMENDED SITE PLAN	3 Photo's
No. 2	PHOTO - DENOTES VEGITATION NATURAL	PLAT
No. 3	LOCATION SURVEY	
No. 4	BLDG ELEVATION BREAKFAST ROOM	
No. 5	Community Rose approved	
No. 6		
No. 7		
No. 8	-	
No. 9		
No. 10		
No. 11		
No. 12		

