

IN RE: **PETITIONS FOR VARIANCE**
S/S Overlook Circle, S/W Corner of
Philadelphia Road & Overlook Circle
(5400 Overlook Circle)

W/S Philadelphia Road, 830' S of the
C/line Holter Road
(5401 Overlook Circle)

11th Election District
5th Council District

Val Mor, Inc.
Petitioners

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*
*

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

**Case Nos. 2008-0519-A &
2008-0520-A**

* * * * *

ORDER OF DISMISSAL


This matter came before the Zoning Commissioner for consideration of Petitions for Variance filed by Val Mor, Inc., by and through its President, Robert E. Lund, for the adjacent properties, known as 5400 and 5401 Overlook Circle. The Petitioner requested variance relief in order to allow the construction of dwellings on lots that are subject to the Honeygo-Overlay District regulations.

The cases were heard contemporaneously on Wednesday, July 16, 2008; however, were continued to allow the Petitioner time to meet with an architect to reconfigure the proposed dwellings. The Office of Planning has objected to the proposed 2-foot recessed garages in lieu of the required 8-foot setback. As evidenced by the Draft Order attached, the record was left open to submit a revised site plan and building elevations that met the development standards of Baltimore County Zoning Regulations (B.C.Z.R.) Section 259.9. The Commission was convinced that the other variance relief requested was appropriate.

The Petitioner was notified in writing on September 2, 2008, November 5, 2008 and January 14, 2009 with respect to the need to receive revised building elevations/site plan if he wished to proceed with the matter. There being no verbal or written response within the period prescribed in those letters, the relief requested shall be dismissed without prejudice.

COPIES RECEIVED FOR FILING
Date 3-4-09
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County
this 4th day of March 2009 that the Petitions for Variance in the above-captioned
matters be and the same are hereby DISMISSED without prejudice.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Attachment

- c: Mr. Robert E. Lund, 5401 Overlook Circle, White Marsh, Maryland 21162
- Mr. Douglas W. DuVal, L.S., DuVal & Associates, P.A., 1729 York Road,
Suite 205, Lutherville, Maryland 21043
- Mr. Harry B. Mowell, Esquire, 16925 York Road, Monkton Maryland 21111
- Mr. Kevin Bonnell, 5529 Overlook Circle, White Marsh, Maryland 21162
People's Counsel; Donnell Zeigler, Office of Planning; File

ORIGINAL RECEIVED FOR PLANS
Date 3-4-09
By [signature]

DRAFT

IN RE: PETITIONS FOR VARIANCE	*	BEFORE THE
S/S Overlook Circle, S/W Corner of Philadelphia Road & Overlook Circle (5400 Overlook Circle)	*	ZONING COMMISSIONER
	*	OF
W/S Philadelphia Road, 830' S of the C/line Holter Road (5401 Overlook Circle)	*	BALTIMORE COUNTY
	*	
11 th Election District	*	
5 th Council District	*	
Val Mor, Inc. Petitioner	*	Case Nos. 2008-0519-A & 2008-0520-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Val Mor, Inc., by and through its President, Robert E. Lund, for the adjacent properties, known as 5400 and 5401 Overlook Circle. Since the properties are owned by the same entity and are located adjacent to one another, the two (2) cases were heard contemporaneously.¹ In Case No. 2008-0519-A, Petitioner requests variance relief from Sections 259.9.C.3, 259.9.B.4.d and 259.9.B.4.e of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of a dwelling with a front entry garage recessed 2-feet behind the front façade in lieu of the required 8 feet, a building-to-building separation of 17-feet in lieu of the required 20-feet, a rear setback of 34-feet in lieu of the required 50-feet, and an amendment to the latest Final Development Plan (FDP) for "Overlook @ Perry Hall", Lot 42. In Case No. 2008-0520-A, the Petitioner requests similar relief. Specifically, relief is requested from Sections 259.9.B.3, 259.C.3.a and 259.9.B.4.b & e of the B.C.Z.R. to permit the construction of a

¹ While these two cases were technically scheduled for separate hearings at 9:00 AM and 10:00 AM on July 16, 2008, both cases involved similarly affected parties and request for variance from the regulations governing the Honeygo-Overlay District of Baltimore County. The properties are located across the street from each other and for the convenience of the members of the public who chose to attend the hearing, the matters were reviewed together.

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 Date 3-4-08
 [Signature]

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proposed dwelling with a lot width of 78-feet in lieu of the required 85-feet, a side street setback of 32-feet in lieu of the required 40-feet, a rear setback of 48-feet in lieu of the required 50-feet with a front entry garage recessed 2-feet behind the front façade in lieu of the required 8-feet, and an amendment to the latest Final Development Plan (FDP) for "Overlook @ Perry Hall", Lot 37. The subject properties and requested relief are more particularly described on the site plan submitted in each case, which were accepted into evidence and respectively marked as Petitioner's Exhibits 1.

Appearing at the requisite public hearing in support of the variance request were Douglas W. DuVal of DuVal and Associates, P.A., Robert Lund on behalf of the owner, and Harry B. Mowell, Esquire, attorney for Val Mor, Inc. Kevin L. Bonnell, President of the Homeowners Association of the Overlook @ Perry Hall, appeared individually and as a representative of the 40 homeowners in this community. Additionally, Curtis Murray, a Planner II, with the Office of Planning, appeared and participated in the proceedings. There were no Protestants or other interested persons in attendance.

The testimony and evidence disclosed that the subject property in Case 2008-0519-A known as 5400 Overlook Circle – Lot 42 – in the Overlook @ Perry Hall subdivision, is an irregular shaped corner lot containing 0.1841 acres, more or less (8,017 square feet), of unimproved land, zoned D.R.3.5H. This lot is 98 feet deep on the western boundary, 84 feet wide on its south side with 97 feet of frontage on the south side of Overlook Circle and 65 feet on Philadelphia Road (MD Route 7). It is the location of an existing home on Lot 41 coupled with the need of the proposed home to be set back 40 feet from the right-of-way of Philadelphia Road that drives the need for a 17-foot separation between homes (west side between Lots 41 and 42). Likewise, rear and front yard setbacks are equally constrained by the major and minor

ORIGINAL RECEIVED FOR PLANS
Date 3-4-09
By [Signature]

roadways that surround both corner lots. The property in Case No. 2008-0520-A known as 5401 Overlook Circle – Lot 37 in the Overlook @ Perry Hall subdivision contains 0.2465 acres, more or less (10,737 square feet), of unimproved land, zoned D.R.3.5H. This is one of the larger lots in the subdivision with 87.71 feet of frontage on the north side of Overlook Circle and 110 feet along Philadelphia Road. Both of these lots located in White Marsh require variance relief as set forth above; however, this lot (37) albeit in excess of 10,000 square feet only measures 78 feet wide at the front and rear walls of the proposed dwelling unit. The regulations require 85 feet, which is possible due to the corner lot and mandatory setbacks required from major and minor roadways.

Further evidence revealed, as illustrated on the Second Amended Final Development Plan (Petitioner's Exhibit 2), the lots in question are the only remaining undeveloped lots in the Overlook @ Perry Hall subdivision. The lots essentially make up the "gateway" to the surrounding community as they lie at the entrance of this subdivision.² In both cases, the Petitioner maintains that the building envelope constraints and the restrictions contained in Section 529.9 of the B.C.Z.R. have essentially prohibited the Developer's architect from designing an attractive dwelling that would be in keeping with the surrounding neighborhood.³ While the Petitioner acknowledged that the Honeygo Overlay Zoning Regulations are strictly followed, the petitions for variance represent the property owner's proposal to forego several of the zoning regulations in order to build aesthetically pleasing dwellings that will add to the character of the surrounding locale. The Petitioner submitted front and side building elevations

² For the historical development of this subdivision through the County process, *See* Case No. XI-884, which is the Hearing Officer's decision regarding the 17.65 acres in this Honeygo District of Perry Hall.

³ Mr. Bonnell, President of the Overlook @ Perry Hall Homeowners Association testified that each of the 40 homes built in the community are between 2,600 and 3,000 square feet.

CASE FILED FOR PERMITS
Date 3-4-09
BY [Signature]

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to demonstrate the type of structure(s) that Mr. Lund intends to build. The elevations were marked and accepted into evidence as Petitioner's Exhibits 3A-3B. After reviewing the elevation drawings, Kevin Bonnell expressed that he and the other homeowners do not object to the variance requests as they are more concerned with the construction of attractive dwellings that would be in rhythm with the other homes in the community and add to surrounding property values rather than forcing the Petitioner to build smaller less impressive structures without garage amenities in order to meet certain of the variance requirements.

The Zoning Advisory Committee (ZAC) comment received from the Office of Planning was delivered in a somewhat unusual manner. As the hearing was underway, the Office of Planning delivered its comment which objected to allowing a 2-foot recessed garage behind the front façade in lieu of the 8-foot required. The comment further stated that the reduction of the garage setback is not allowed within the Honeygo Overlay District and the smaller setback would be uncharacteristic to other existing dwellings in Overlook @ Perry Hall. This was the first time that this Commissioner, or the Petitioner, was presented with a copy of this ZAC comment.

In order to further address the comment, Curtis Murray remained at the hearing and explained the reasons for the Office of Planning's position and attempted to work with the Petitioner in order to reach a mutually agreeable solution. I determined, in the interest of fairness to the Petitioner and the community representative, that they should be permitted additional time to discuss the matter with Mr. Murray since they were first presented with the comment after the hearing was underway. After continuing discussions, the Petitioner agreed to stay or continue the hearing and its request for variance relief, allowing time to meet with the architect in attempts to reconfigure the proposed dwellings in order to meet the Office of Planning's

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Date 3-4-09
By [Signature]

DRAFT

concerns and the Honeygo Performance Standards. Thus, after hearing the aforementioned testimony and evidence regarding the site constraints and the impacts they have on the lot size (Lot 37), side and rear yard setbacks (Lots 37 and 42), I agreed to keep the record open to allow the Petitioner time to submit a revised site plan and building elevation that may meet some or all of the development standards of B.C.Z.R. Section 259.9 and may render the relief requested in both cases under Section 259.9C.3 for front entry garage recesses moot. It is to be noted that at the conclusion of the testimony and evidence presented, I advised those present that I was persuaded to grant the variance relief requested for building-to-building separation and side yard and rear yard setbacks as well as the lot width of 78 feet as requested. I find that the Petitioner has met the requisite burden imposed upon it by Section 307 of the B.C.Z.R. for variance relief to be granted and that strict compliance with the zoning regulations would be unnecessarily burdensome to Val Mor, Inc., in its desire to build compatible structures as a permitted use on these lots. A failure to grant variances on these facts would deprive the Petitioner a reasonable use of its property. *See Belvoir Farms v. North*, 355 Md. 259 (1999). I find that Lots 37 and 42 are unique in size, shape and are, in fact, constrained by the right-of-way lines of both the major – Philadelphia Road – and minor arterial roads as defined in these regulations. As placed on the site plan during the hearing by Douglas W. DuVal, the paved portion of the roads are actually 20 feet away from the property boundaries of the lots. In short, to deny variance relief in this regard would prohibit the applicant from developing the property for a permitted purpose and the requested relief will not result in any detriment to the health, safety and general welfare of this community. Conversely, the relief will benefit the homeowners of Overlook @ Perry Hall by providing for a pleasing dwelling that will be more in character with the development.

ORIGINAL RECEIVED FOR FILING
Date 3-4-09
By [Signature]

DRAFT

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _____ day of August 2008 that the Petition for Variance filed in Case No. 2008-0519-A seeking relief from Sections 259.9.B.4.d and 259.9.B.4.e of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit building-to-building separation of 17-feet and rear setback of 34-feet in lieu of the required 20-feet and 50-feet, respectively, and to amend the latest Final Development Plan for "Overlook @ Perry Hall", Lot 42, in accordance with Petitioner's Exhibits 1 and _____?, be and is hereby GRANTED;

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 2008-0520-A, seeking relief from Sections 259.9.B.3 and 259.9.B.4.b & e of the B.C.Z.R., to permit the construction of a dwelling with a lot width of 78-feet, side street setback of 32-feet, rear setback of 48-feet in lieu of the required 85-feet, 40-feet and 50-feet, respectively, and to amend the latest Final Development Plan for "Overlook @ Perry Hall", Lot 37, in accordance with Petitioner's Exhibits 1 - ??, be and is hereby GRANTED; and

IT IS FURTHER ORDERED, that the Petition for Variance filed in both of the cases above for Lots 37 and 42 to permit the construction of dwellings with front entry garages recessed 2-feet behind the front façade in lieu of the 8-feet required, by B.C.Z.R. Section 259.9.C.3, be and are hereby DENIED; and:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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.

ORDER RECEIVED FOR FILING
Date 3-4-09
By [Signature]

DRAFT

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

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

ORDER PREPARED FOR FILING
Date 3-4-09
By [Signature]



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 4, 2009

Mr. Harry B. Mowell, Esquire
16925 York Road
Monkton Maryland 21111

RE: PETITIONS FOR VARIANCE
(5400 Overlook Circle)
(5401 Overlook Circle)
Val Mor, Inc. Petitioner
Case Nos. 2008-0519-A and 2008-0520-A

Dear Mr. Mowell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance are hereby dismissed without prejudice. Having not received the courtesy of a reply to my January 14, 2009 letter (copy enclosed), or copies of the building elevations for review by the Office of Planning, I have no choice but to dismiss these cases without prejudice.

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:pz
Enclosures

c: Mr. Robert E. Lund, 5401 Overlook Circle, White Marsh, Maryland 21162
Mr. Douglas W. DuVal, L.S., DuVal & Associates, P.A., 1729 York Road,
Suite 205, Lutherville, Maryland 21043
Mr. Kevin Bonnell, 5529 Overlook Circle, White Marsh, Maryland 21162
Donnell Zeilger, Office of Planning; File



AMENDED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5400 OVERLOOK CIRCLE
which is presently zoned DR 3.5H

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) 259.9.C.3, 259.9.B.4d, 259.9.D.4e. (PCR)

To permit the construction of a dwelling with a front entry garage recessed 2-feet behind the front façade, building to building separation of 17-feet and rear setback of 34-feet in lieu of the required 8-feet, 20-feet, 50-feet, respectively and to amend the latest F.D.P. for "Overlook at Perry Hall", Lot 42.

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:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print VAL MOR INC

Signature Robert S. Yund pres.

Name - Type or Print _____

Signature _____

Address 5401 OVERLOOK CIRCLE Telephone No. 443-992-3285

WHITE MARSH, MD State _____ Zip Code 21162

Attorney For Petitioner:

Name - Type or Print _____ City _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Representative to be Contacted:

Name Douglas W. DuVal, L.S.

DuVal & Associates, P.A.

Address 1729 York Rd., Ste. 205 Telephone No. 410-666-5467

Lutherville, MD State _____ Zip Code 21093

OFFICE USE ONLY

Case No. 2008-0519-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JM/DT Date 10/23/08

COPIES RECEIVED FOR FILING

Date 3-4-09
By [Signature]

REV 9/15/98

Handwritten notes:
apa
duvalapa@vinson.net



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5400 OVERLOOK CIRCLE
which is presently zoned DR 3.5H

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) 1801.2. C. i.b. TO ALLOW A BUILDING TO BUILDING SEPARATION OF 17 FEET IN LIEU OF THE REQUIRED 20 FEET FOR A NEW SINGLE FAMILY DWELLING

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

In order to site a similar ^{sized} house consistent with the adjoining houses requires a larger foot print than allowed.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print VAL MOR INC
Signature [Signature]
Name - Type or Print _____
Signature _____
Address 5401 OVERLOOK CIRCLE Telephone No. 443-992-3285
WHITE MARSH MD 21162
State Zip Code

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name DOUGLAS, W. DUVAL, L.S.
DUVAL & ASSOCIATES, P.A.
Address 1729 YORK RD., SUITE 205 Telephone No. 410-666-5467
LUTHERVILLE MD 21093
City State Zip Code

OFFICE USE ONLY

Case No. 2008-0519-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
Date 5-1-09

Reviewed By CM

WANDA RECEIVED FOR PLANNING
Date 3-4-09
By [Signature]

ZONING DESCRIPTION FOR 5400 Overlook Circle

Beginning at a point on the west side of Philadelphia Road which is 80 feet wide at the distance of 900 feet south of the centerline of the nearest improved intersecting street Holter Road which is 50 feet wide. Being Lot #42 in the subdivision of Overlook at Perry Hall as recorded in Baltimore County Plat Book #76, Folio #41, containing 8017 sq. ft.. Also known as 5400 Overlook Circle and located in the 11th Election District, 5th Councilmanic District.

0519

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 13949

PAID RECEIPT

Date: 5-1-08

BUSINESS ACTUAL TIME TRM
 5/02/2008 5/01/2008 12:09:33 9

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
<u>001</u>		<u>000</u>		<u>6150</u>				<u>325</u>

RES 0006 BALCON KREN KCM
 >>RECEIPT # 624908 5/01/2008 OFLI
 Dept 5.528 ZONING VERIFICATION
 013949

Receipt Tot \$325.00
 \$325.00 OK \$.00 CA
 Baltimore County, Maryland

Total: 325.00

Rec From: D. Dunlap

For: Maintenance 2008-0519-A
5400 LITTLE ROCK RD - Huntsgo

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

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: # 2008-0519-A
5400 Overlook Circle
S/side of Overlook Circle,
s/west corner of Philadelphia
Road and Overlook Circle
11th Election District
5th Councilmanic District
Legal Owner(s): Val Mor, Inc.
Variance: to allow a building
to building separation of 17
feet in lieu of the required 20
feet for a new single family
dwelling.

Hearing: Wednesday, July
16, 2008 at 9:00 a.m. in
Room 102, Jefferson Build-
ing, 105 W. Chesapeake Ave-
nue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Balti-
more County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.
JT 7/601 July 1 177237

CERTIFICATE OF PUBLICATION

7/31, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 7/11, 2008.

- The Jeffersonian
- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
- North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2008-0519-A

Petitioner/Developer: DUVAL &
ASSOCIATES

Date Of Hearing/Closing: July 16, 2008

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

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 5400 OVERLOOK CIRCLE

This sign(s) were posted on July 1, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 7/1/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

Jason G. July 1, 2008

ZONING NOTICE

CASE # 2008-0519-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 102, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVENUE TOWSON 21284

DATE AND TIME: WEDNESDAY, JULY 16, 2008
AT 9:00 AM

REQUEST: TO PERMIT THE CONSTRUCTION OF A DWELLING
WITH A FRONT PORCH (AS PER TELEGRAPH 2-FEET
BEHIND THE FRONT FACADE BUILDING TO BUILDING SEPARATION
OF 17 FEET AND REAR SETBACK OF 30 FEET IN L.I.U. OF THE
REARWARD 8 FEET, 20 FEET, TO 1 FEET RESPECTIVELY AND
TO AMEND THE LATEST F.D.P. 500 "DUNGLOE AT PERRY
HALL", LOT 42.

PLEASE BE AWARE YOU TO HOLDERS OF OTHER ZONING AND SUBDIVISION MAPS.
FOR CONSENT HEARINGS CALL 410-336

DO NOT REMOVE THIS SIGN AND POST COPY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 2008-0519-A
Petitioner: VAL MOD INC
Address or Location: 5401 OVERLOOK CIR 21162

PLEASE FORWARD ADVERTISING BILL TO:

Name: Douglas DUVALL / DUVALL & ASSOCIATES
Address: 1729 YORK RD ST 205
LUTHERVILLE MD 21093
Telephone Number: 410-666-5467

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 3, 2008
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: 2008-0519-A

5400 Overlook Circle

S/side of Overlook Circle, s/west corner of Philadelphia Road and Overlook Circle

11th Election District – 5th Councilmanic District

Legal Owners: Val Mor, Inc.

Variance to allow a building to building separation of 17 feet in lieu of the required 20 feet for a new single family dwelling.

Hearing: Wednesday, July 16, 2008 at 9:00 a.m. in Room 102, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Val Mor, Inc., 5401 Overlook Circle, White Marsh 21162
Douglas DuVal, DuVal & Assoc., 1729 York Road, Ste. 205, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 1, 2008.**
- (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, July 1, 2008 Issue - Jeffersonian

Please forward billing to:
Douglas DuVal
DuVal & Associates
1729 York Road, Ste. 205
Lutherville, MD 21093

410-666-5467

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: 2008-0519-A

5400 Overlook Circle

S/side of Overlook Circle, s/west corner of Philadelphia Road and Overlook Circle

11th Election District – 5th Councilmanic District

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Hearing: Wednesday, July 16, 2008 at 9:00 a.m. in Room 102, Jefferson Building,
105 W. Chesapeake 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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 5, 2008

Mr. Robert E. Lund
5401 Overlook Circle
White Marsh, Maryland 21162

RE: PETITIONS FOR VARIANCE

S/S Overlook Circle, S/W Corner of Philadelphia Road & Overlook Circle
(5400 Overlook Circle)

W/S Philadelphia Road, 830' S of the c/line Holter Road
(5401 Overlook Circle)

11th Election District – 5th Council District
Val Mor, Inc. Petitioner
Case Nos. 2008-0519-A & 2008-0520-A

Dear Mr. Lund:

On September 2, 2008, I requested information concerning the progress of your revising proposed building elevations with attendant amendments to the site plans (copy enclosed for our convenience). To date, I have not had the courtesy of a reply. Failing to provide the requested information prior to December 30, 2008 (or the reasons for your inability to do so) will result in my issuing an Order dismissing the above-captioned cases.

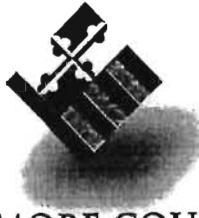
Very truly yours,

A handwritten signature in black ink, appearing to read 'William J. Wiseman III', with a long horizontal flourish extending to the right.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Mr. Douglas W. DuVal, L.S., DuVal & Associates, P.A., 1729 York Road,
Suite 205, Lutherville, Maryland 21043
People's Counsel; Curtis Murray, Office of Planning; File



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 2, 2008

Mr. Robert E. Lund
5401 Overlook Circle
White Marsh, Maryland 21162

RE: PETITIONS FOR VARIANCE

S/S Overlook Circle, S/W Corner of Philadelphia Road & Overlook Circle
(5400 Overlook Circle)

W/S Philadelphia Road, 830' S of the c/line Holter Road
(5401 Overlook Circle)

11th Election District – 5th Council District
Val Mor, Inc. Petitioner
Case No.s 2008-0519-A & 2008-0520-A

Dear Mr. Lund:

On July 16, 2008, Petitions for Variance came before me for consideration for the above-referenced properties. At the conclusion of the hearing, the record was left open in order to receive revised building elevations/site plan.

I would appreciate receiving an update and the benefit of the status in this regard.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Mr. Douglas W. DuVal, L.S., DuVal & Associates, P.A., 1729 York Road,
Suite 205, Lutherville, Maryland 21043
People's Counsel; Curtis Murray, Office of Planning; File

Bill - FYI

From: Curtis Murray
To: Wiseman, Bill
Date: 09/03/08 2:28:26 PM
Subject: 08-519A & 08-520A

Bill,

(Overlook Circle)

I have not received building elevations for the above referenced cases.

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
105 W. Chesapeake Avenue, Suite 101
Towson, MD 21204
Phone (410) 887-3480
Fax (410) 887-5862
cjmurray@baltimorecountymd.gov

CC: Wiley, Debra

- Place in file(s)



Baltimore County, Maryland

Date 9/2/08

To: Curtis Murray

From: Bill Wiseman

- | | |
|--|--|
| <input type="checkbox"/> Please Note & File | <input type="checkbox"/> To be Signed |
| <input type="checkbox"/> For Your Information | <input checked="" type="checkbox"/> Please Comment |
| <input type="checkbox"/> Please Note & Return | <input type="checkbox"/> Please See Me |
| <input type="checkbox"/> Please Handle | <input type="checkbox"/> Investigate & Report |
| <input type="checkbox"/> Please answer, Sending me Copy of your letter | |
| <input type="checkbox"/> Please Prepare reply for my Signature | |

Remarks:

Have you received any building elevations ?

From: Debra Wiley
To: duvalapa@verizon.net
Date: 08/01/08 1:13:17 PM
Subject: Your Client - Robert E. Lund - Val Mor, Inc. - 2008-0519-A & 2008-0520-A

Dear Mr. DuVal,

Bill Wiseman asked that I send you the draft of the proposed Order on 5400 and 5401 Overlook Circle. He wanted you to know that he takes no pride of authorship and asked that you look over the Order and make any corrections or additions deemed appropriate. At the hearing, you had the second Amended Final Development Plan, which was marked as Petitioner's Exhibit 2, but was retained by you for copying. Bill believes that this exhibit would have shown the approved building envelopes which are now being exceeded by the requested variances. He wanted you to know that he did not make any comments about the "compatibility exceeding the size of the building envelope in order to achieve a better product". He hoped that maybe you would spend a sentence or two in this regard and make any other changes that would smooth this Order to the benefit of your client.

The record of this case will remain open until we hear from either you or Mr. Lund with regard to revised building elevations/site plan. If you have any questions, please do not hesitate to give Bill a call on 410-887-3868.

Thank you for your assistance.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

259.9 Development standards for H and H1 Overlay Districts (Bill No. 176-1994)

These standards are intended to be additions to, modifications of and exceptions from the standards required by the underlying zoning classification on the land in the area. All conflicts are to be resolved in accordance with Subsection G of this section. (See Sections 259.9.G.1 through 259.9.G.4 below) of this section.

Section 259.9.A.3 (Bill No. 73-1999)

Accessory structures, including but not limited to solar panels, antennas, satellite dishes, trash pads and storage sheds are not permitted in the front yard of any principal use.

Section 259.9.B.1 (Bill No. 40-1997;73-1999)

Except for nonresidential principal buildings or uses, and their accessory parking, the requirements of Section 1B01.1.B.1 (residential transition area) of these regulations do not apply.

Section 259.9.B.3 (Bill No. 40-1997;73-1999)

Except for properties with approved development plans or CRG plans, the minimum width for any single-family detached lot is 85 feet as measured along both the front wall and rear wall of the dwelling unit.

Section 259.9.B.4 (Bill No. 40-1997;73-1999)

Except as provided in this section, the provisions of Section 1B01.2.C apply to development in the overlay districts. In the districts, the minimum residential dwelling setbacks are:

- a. Ten feet from the right-of-way of a collector street, neighborhood street, alley or court as defined in the Honeygo Overlay District design guidelines;
- b. Forty feet from the right-of-way of a major or minor arterial or collector road, as defined in these regulations;
- c. Not applied to porches or stoops in front yards; and
- d. Six feet from a side yard lot line that is not adjacent or the same as a public right-of-way if the dwelling unit is designed to have a side or rear entry garage. However, the sum of all side yard widths may not be less than 20 feet.
- e. Except for properties with approved development plans or CRG plans, 50 feet from the rear property line except for:

- ④ (1) Unroofed additions, including patios and decks (subject to Section 301.1.B.C.2.F); and
- (2) Roofed additions which do not exceed in width 50% of the dwelling unit, and which do not extend more than 10 feet into the rear yard setback area.

Section 259.9.C.3 (Bill No. 73-1999)

a. Except for properties with approved development plans or CRG plans (vested prior to September 13, 1999 in accordance with Section 103.1), which shall be allowed front entry garages in accordance with the regulations in effect prior to January 14, 1995 (see 1992 CMDP), a front entry garage shall be recessed at least eight feet behind the front facade of the dwelling. A two-car garage facing the street shall have two individual doors separated by a divider. The front facade of all garages, including the divider and not including the garage doors, shall be constructed of the same approved materials as the front facade of the building.

b. The exterior surface of a side-entry garage, not including the garage doors, which faces the front of the

DEVELOPER: VAL MOJ
P.O. BOX
FEISTER
(410) 935

58

7

ROAD



UNIT 15

58

PLEASE PRINT CLEARLY

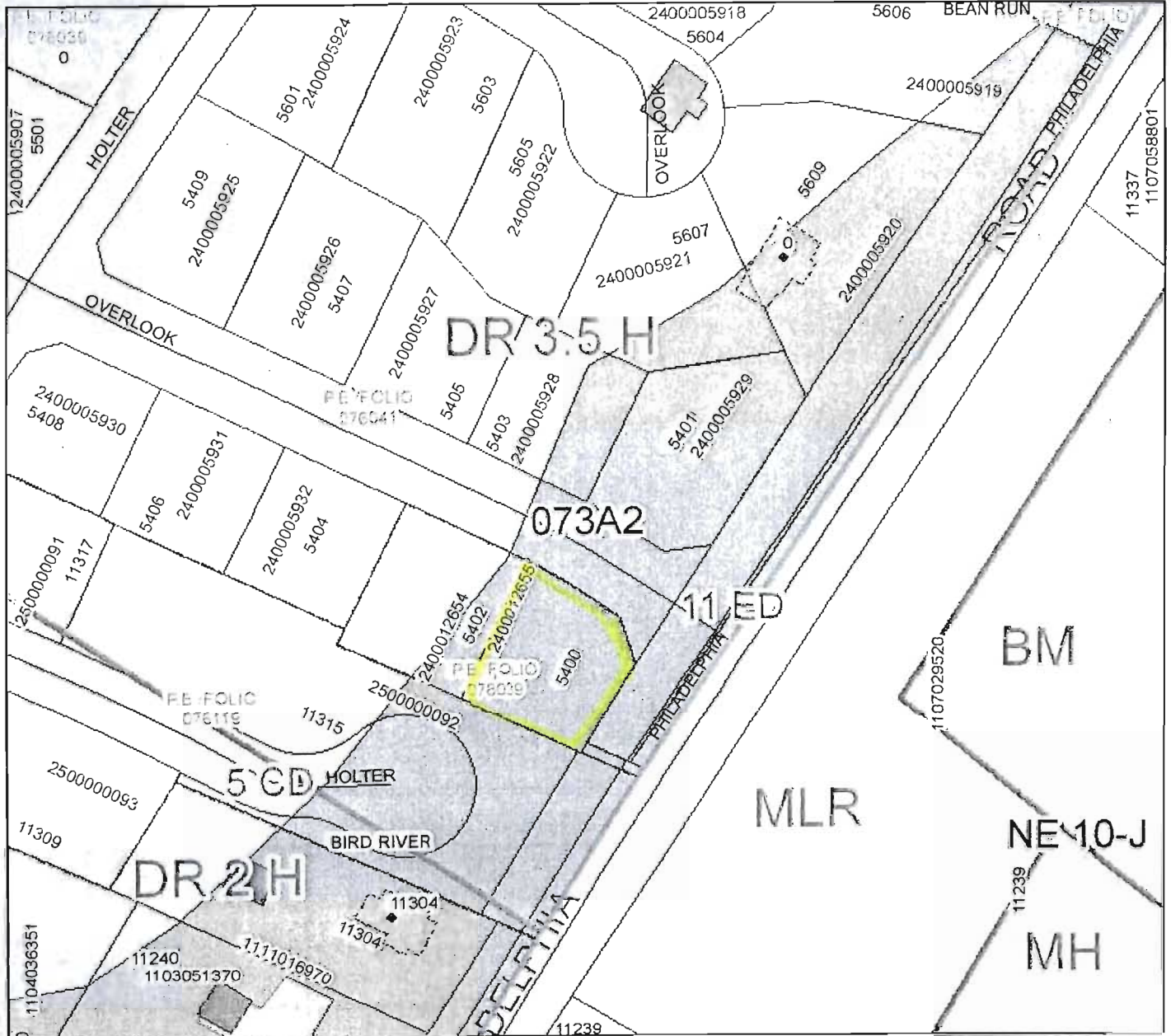
CASE NAME Vae Mor, Inc.
CASE NUMBER 2008-0519-A
DATE 7-16-08 0520 TH

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Kevin Bennett	5529 Overlook Cir	White Marsh, MD 21162	
	President	Overlook@PerryHall	

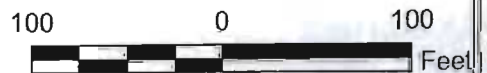
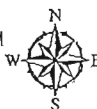
19007
Lynson

5400 & 5401 Overlook Rd



Publication Date: September 11, 2007
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch equals 100 feet

0519



SIDE OF #3402

0519

LOT # 42

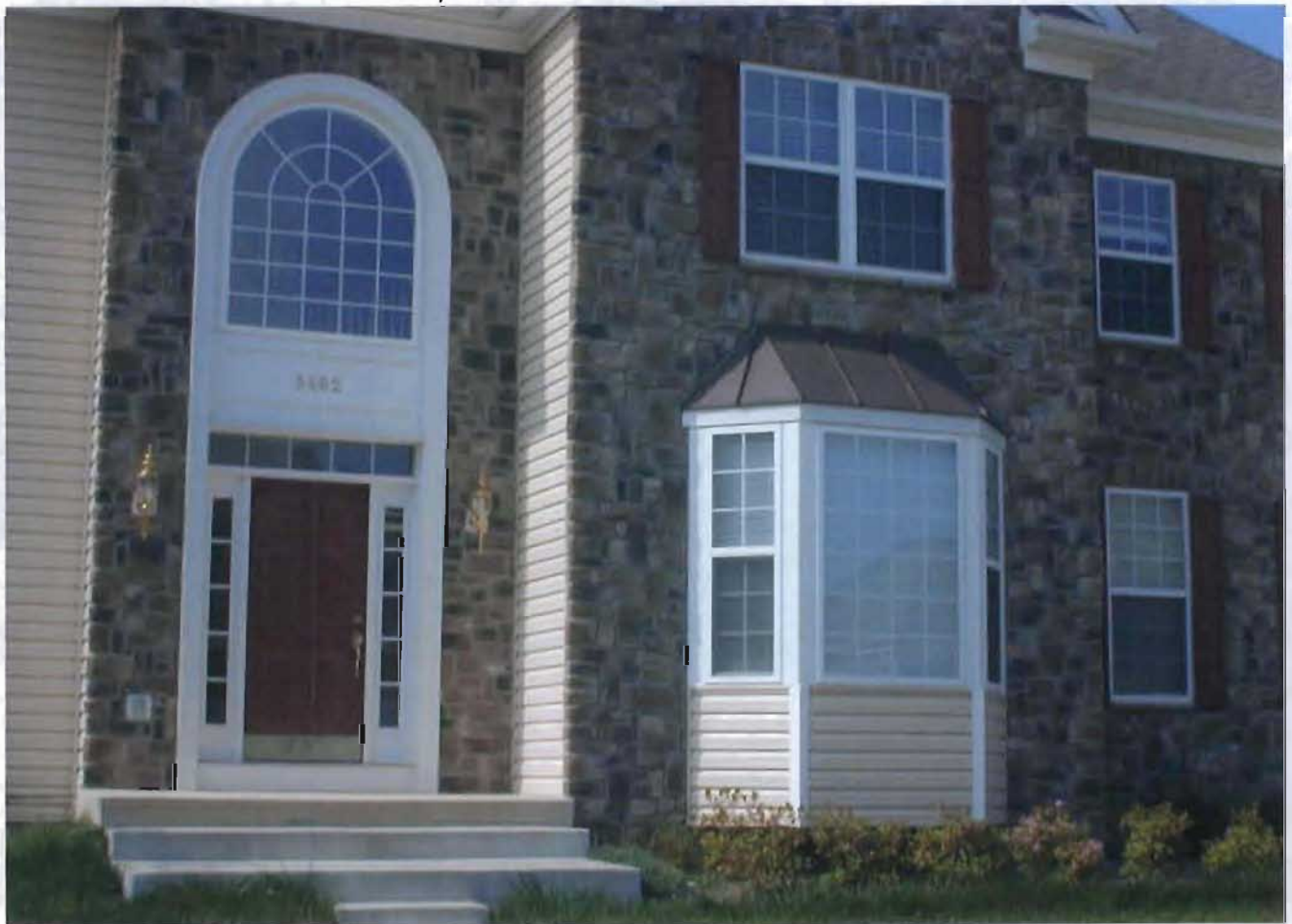


0519

BACK OF #5402



FRONT OF #5402



0519

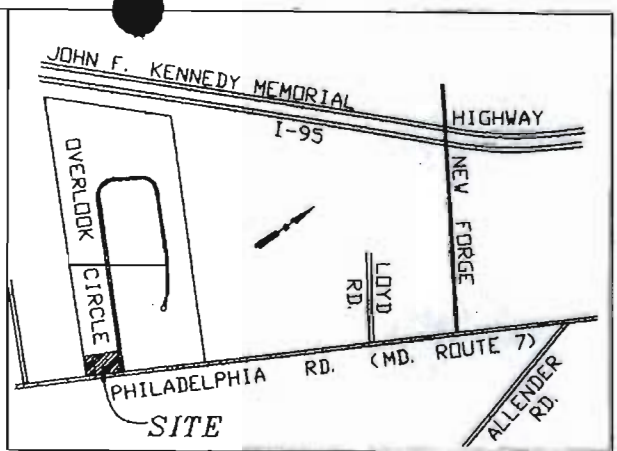
Case No.: 2008-0519-A 5400 OVERLOOK CIRCLE

Exhibit Sheet

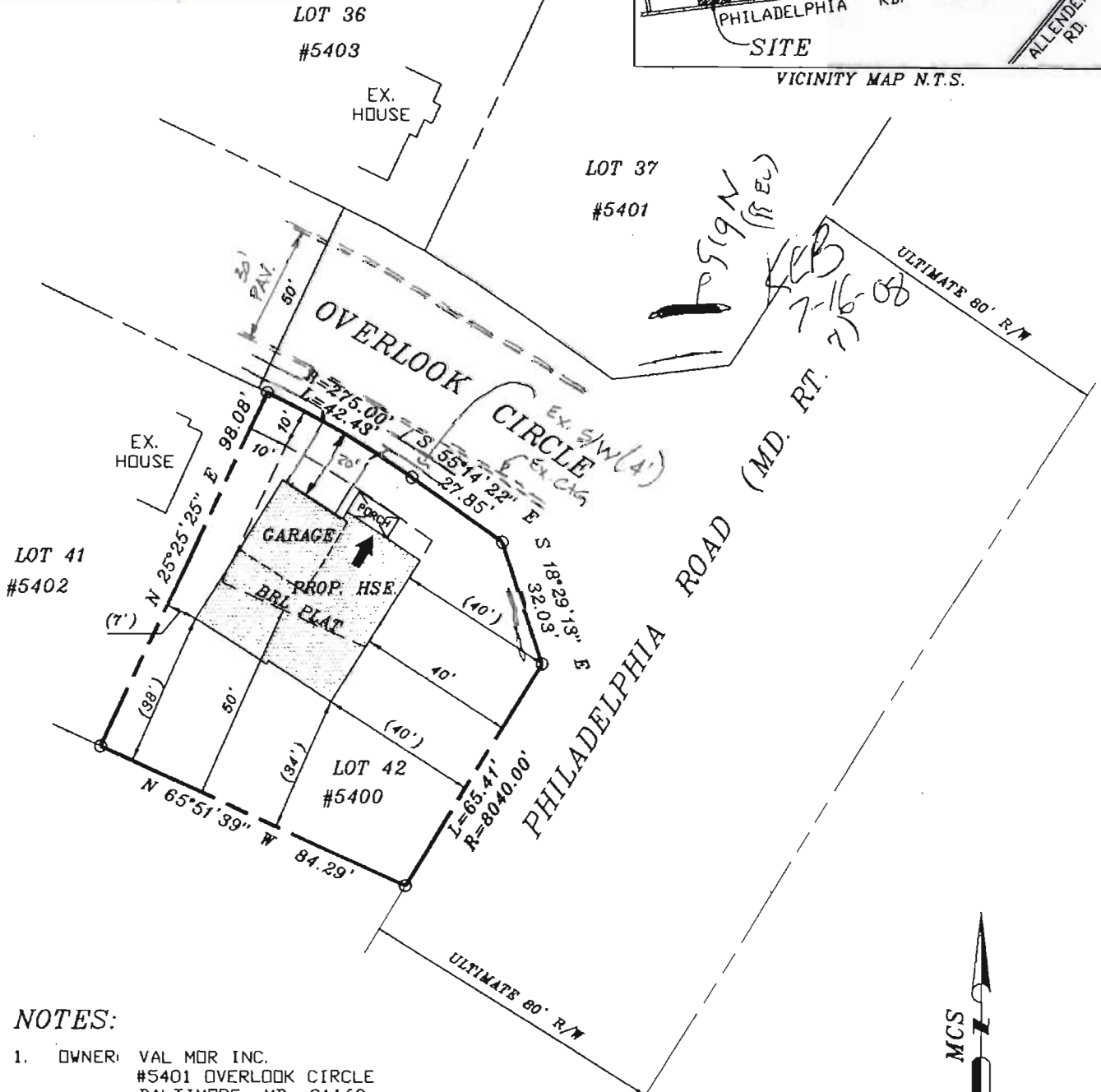
Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2	Site Plan 2nd Amended Final Development Plan	(Missing from file)
No. 3	3A - FRONT BLDG ELEV. 3B - SIDE BLDG ELEV. - WINDOW TREATMENTS	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



VICINITY MAP N.T.S.



Handwritten notes:
 SIGN (REC)
 FEB 7-16-08
 7/16-08

NOTES:

1. OWNER: VAL MOR INC.
#5401 OVERLOOK CIRCLE
BALTIMORE, MD. 21162
2. OWNERSHIP: OVERLOOK AT PERRY HALL, PLAT NO. 76/41 AND
RESUBDIVISION OF LOTS 9 & 10 AND LOTS 41 & 42 PLAT No. 78/39
TAX ID#2400012655
DEED REF. 22124-191
TAX MAP 73, GRID 7, PARCEL 312, LOT 42
8017 SQ. FT. / 0.1841 AC±
3. EXISTING ZONING: DR3.5 H
4. EXISTING USE: VACANT
5. PROPOSED USE: RESIDENTIAL
6. PRIOR ZONING HEARINGS: 02-518-SPVA-H
7. PUBLIC WATER - YES
PUBLIC SEWER - YES
8. NOT IN CHESAPEAKE CRITICAL BAY AREA
9. NOT IN FLOOD PLAIN
10. NOT HISTORIC

DATE	REVISION
05-16-08	CHANGED HOUSE FOOTPRINT

PETITIONER'S

EXHIBIT NO. 1

**PLAN TO ACCOMPANY PETITION
 FOR VARIANCE
 #5400 OVERLOOK CIRCLE
 LOT 42 OVERLOOK AT PERRY HALL (76-41)
 TAX MAP #73, PARCEL #312**

11th Election District Baltimore County, Maryland
 SCALE: 1"=40' 11C5 Date: MAY 1, 2008



DUVAL & ASSOCIATES, PA.
 SURVEYING · ENGINEERING
 1729 YORK ROAD
 SUITE 203
 LUTHERVILLE, MD 21093
 PHONE: 410-886-5487 FAX: 410-583-4688
 E-MAIL: DUVALAPA@VERIZON.NET

Amended Plan

2008-0519-A



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

July 10, 2008

Douglas DuVal
DuVal & Associates, P.A.
1729 York Road, Ste. 205
Lutherville, MD 21093

Dear Mr. DuVal:

RE: Case Number: 2008-0519-A, 5400 Overlook Circle

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 23, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Val Mor Inc., 5401 Overlook Circle, White Marsh 21162



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

July 3, 2008, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 7, 2008

Item Number: 0519a, 0520a, 0583, 0584, 0585, 0587, 0589, 0590, 0591, 0592, 0593

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File



Martin O'Malley, Governor |
Anthony G. Brown, Lt. Governor |

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MAY 5, 2008

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

RE: Baltimore County
Item No. B-519-A
5400 OVERLOOK CIRCLE
VAL MAR, INC. PROPERTY
VARIANCE

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. B-519-A.

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,

FoA¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 9, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For May 12, 2008
Item Nos. 08-504, 506, 507, 508, 509,
511, 512, 513, 515, 516, 517, and 519

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

DAK:CEN:lrk
ZAC-04092008-NO COMMENTS
cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 15, 2008

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

SUBJECT: 5400 Overlook Circle

INFORMATION:

Item Number: 8-519

Petitioner: Val Mor Inc.

Zoning: DR 3.5H

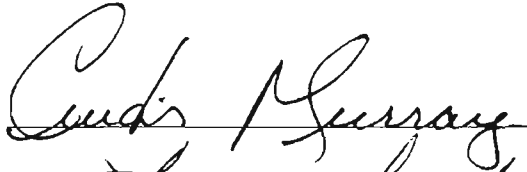
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning objects to allowing a 2 foot recessed garage in lieu of the 8-foot setback. The reduction of the garage setback is not allowed within Honeygo Overlay District and the smaller setback would be uncharacteristic to all of the existing dwellings in the Overlook at Perry Hall Development.

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

Reviewed by:



Division Chief:
AFK/LL: CM



RE: PETITION FOR VARIANCE * BEFORE THE
 5400 Overlook Circle; S/S Overlook Circle, * ZONING COMMISSIONER
 SW/S cor of Philadelphia Rd & Overlook Cir*
 11th Election & 5th Councilmanic Districts *
 Legal Owner(s): Val Mor, Inc * FOR
 Petitioner(s) * BALTIMORE COUNTY
 * 08-519-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

 PETER MAX ZIMMERMAN
 People’s Counsel for Baltimore County

RECEIVED
 MAY 14 2008
 Per.....

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People’s Counsel
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 2008, a copy of the foregoing Entry of Appearance was mailed to Douglas Duval, Duval & Associates, 1729 York Road, Suite 205, Lutherville, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People’s Counsel for Baltimore County



George M. Morris
Law Offices of David B. Love, P.A.
201 N. Charles St., Ste. 1100
Baltimore, MD 21201
(410) 547-5520
lorw419@aol.com



Thomas C. Morrow
Shaw & Morrow, P.A.
102 W. Pennsylvania Ave., Ste. 401
Towson, MD 21204
(410) 583-0500 Fax: (410) 583-0502
tcmorrow@msn.com



Jay I. Morstein
6225 Smith Ave.
Baltimore, MD 21209
(410) 580-4217
jay.morstein@piperrudnick.com



Thomas K. Moseley
1515 LaBelle Ave., Ste. 5
Ruxton, MD 21204
(410) 339-7696



Harry B. Mowell
16925 York Rd.
Monkton, MD 21111
(410) 329-6488 Fax: (410) 357-4663
BarneyMowell@hotmail.com



Councilman S. G. Samuel Moxley
754 Frederick Rd.
Catonsville, MD 21228
(410) 887-0896
bccdistrict1@comcast.net



Christopher I. Moylan
9940 Franklin Square Drive, Ste. D
Baltimore, MD 21236
(410) 933-7010 Fax: (410) 769-8246
cimoylan@juno.com



Daniel P. Moylan
Venable, Baetjer and Howard, LLP
210 Allegheny Ave.
Towson, MD 21204
(410) 494-6258



Martin I. Moylan
202 Taplow Rd.
Baltimore, MD 21212
(410) 433-8452 Fax: (410) 433-8457



Christopher D. Mudd
836 West 32nd St.
Baltimore, MD 21211
(410) 494-6365
cdmudd@venable.com



James R. Mudgett
6322 Windsor Hill Rd.
Baltimore, MD 21207-6071
(410) 944-5655 Fax: (410) 944-4506



Kurt M. Mueller
40 South Dundalk Ave., Ste. 400
Dundalk, MD 21222
(410) 284-9600



Donald C. Mulcahey
5615 Hydes Rd.
Hydes, MD 21082-9703
(410) 592-8708



Timothy B. Mullen
Karen A. Besok & Associates
231 E. Baltimore St., Ste. 901
Baltimore, MD 21202
(410) 385-5823 Fax: (301) 596-7590
tbmullen@worldnet.att.net



Timothy L. Mullin, Jr.
Miles & Stockbridge
10 Light St.
Baltimore, MD 21202-3913
(410) 821-6565 Fax: (410) 823-8123



Roger R. Munn, Jr.
Law Offices of Stacy L. Siegel
29 West Susquehanna Ave., Ste. 21
Towson, MD 21204
(410) 583-0404



Hon. Edward P. Murphy
District Court for Baltimore County
900 Walker Ave.
Catonsville, MD 21228
(410) 512-2000
allewolf.murphy@verizon.net



Hon. Joseph F. Murphy, Jr.
County Courts Building
401 Bosley Ave.
Towson, MD 21204-4420
(410) 887-3206
joseph.murphy@courts.state.md.us



Kevin P. Murphy
Scherer, Cole & Murphy
791 Aquahart Rd., Ste. 118
Glen Burnie, MD 21061
(410) 768-1470 Fax: (410) 768-1659
scmlow@hotmail.com



John M. G. Murphy
20 S. Charles St., Ste. 702
Baltimore, MD 21201
(410) 244-6700
jmurphy@jahnmgmurphyllaw.cc

IMPORTANT MESSAGE

FOR Bill

DATE 1-14 TIME 10:24 A.M. P.M.

M. Robert Hund

OF _____

PHONE 443-992-3285
AREA CODE NUMBER EXTENSION

FAX

MOBILE _____
AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION	<input type="checkbox"/>

MESSAGE _____

Re: 2008-0519-A & 20080520-A
met with Donnell &
resolved issues - wants
to get his bldg. permit

SIGNED _____



FORM 3002P
MADE IN U.S.A.

From: Donnell Zeigler
To: Wiley, Debra
Date: 02/26/09 3:28:20 PM
Subject: Re: 5400 & 5401 Overlook Circle (Robert E. Lund) Case Nos. 2008-0519-A & 2008-0520-A

Hello Debra,

I have not heard anything from Mr. Lund. I am still awaiting elevations that he said he would give to me, weeks ago.

Donnell

>>> Debra Wiley 02/26/09 1:51 PM >>>

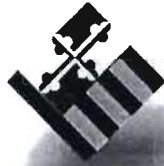
Hi Donnell,

Please find attached a copy of Bill's letter to Mr. Lund, dated January 14, 2009, in which he requests copies of the building elevations for his (Bill's) review prior to yesterday, Wednesday, February 25th.

When you and I last spoke (around 1/14/09), you indicated that there had been recent discussions between you and Mr. Lund.

Can you please give me a status update as to whether you've received anything further from Mr. Lund. Thanking you in advance.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

January 14, 2009

Mr. Robert E. Lund
5401 Overlook Circle
White Marsh, Maryland 21162

RE: PETITIONS FOR VARIANCE

S/S Overlook Circle, S/W Corner of Philadelphia Road & Overlook Circle
(5400 Overlook Circle)

W/S Philadelphia Road, 830' S of the c/line Holter Road
(5401 Overlook Circle)

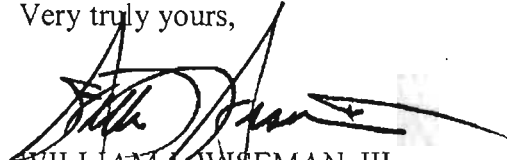
11th Election District – 5th Council District
Val Mor, Inc. Petitioner
Case Nos. 2008-0519-A & 2008-0520-A

Dear Mr. Lund:

I have been made aware that there had been recent discussions between you and Donnell Zeigler, Office of Planning, with respect to revised building elevations for the above-referenced two (2) sites. Additionally, my legal assistant, Patricia Zook, received a call from you indicating that these issues have now been resolved yet our office was unable to obtain verification from the Office of Planning. In view of this, I am requesting copies of the building elevations for my review and file prior to Wednesday, February 25th in hopes that this matter may be concluded.

In the event that you and the Office of Planning are unable to agree upon acceptable design drawings, I will have little choice but to dismiss these cases without prejudice. I have allowed more than enough time to reach an amicable resolution.

Very truly yours,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Donnell Zeilger, Office of Planning; File

PLAN S21111

Upper Floor 871 Sq. Ft.
 Main Floor 1117 Sq. Ft.
 Total Area 1988 Sq. Ft.



44'



40'

©2005 Copyright Alan Mascord Design Associates, Inc

R

esonating with English country charm, this efficient design is an ideal starter home for a young family. Cost savings are built into the footprint, which is efficient, square, and compact. Striking a chord with many professionals who occasionally work from home, the floor plan provides an office with double doors and a built-in desk just off the entry.

The front hall leads past a powder room and laundry room on the way to a large great room. Coziness and spaciousness is achieved via a vaulted ceiling and transom windows tempered by a fireplace and built-ins. Cabinets in the C-shape kitchen wrap around an island. Optional built-ins located in the dining room provide extra storage for dishware.

The home's three bedrooms are on the upper level. Bedrooms 2 and 3 share a bath with an enclosed tub and toilet compartment—an arrangement that allows siblings to share the bath at the same time. Transom windows take up the back wall the master bedroom, filling the space with light. Double doors lead into the bath,

which also provides convenient compartments for the shower and the toilet.

PETITIONER'S

EXHIBIT NO.

3A

7-31-07

(REL)



PETITIONER'S

EXHIBIT NO. 3B

RIGHT SIDE ELEVATION
SCALE - NOT TO SCALE

Baylor CAD
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