

August 28, 2024

Woodfield Landscaping, Inc
ATTN: Peter Curro
2112 Bel Air Road, STE 3
Fallston, MD 21047

Re: Zaganichny Property
709 Nicholas Lane
Forest Buffer Variance
Tracking # 03-24-4154

Dear Peter Curro:

A request for a variance from Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains (i.e., Forest Buffer Law) was received by the Department of Environmental Protection and Sustainability (EPS) on July 8, 2024. This variance seeks to reduce the 35-foot principal setback to approximately 11 feet from the existing Forest Buffer Easement (FBE), which will result in approximately 588 square feet (SF) of impact within the 35-foot setback [Baltimore County Code with §33-3-111(d)]. The project proposes to construct a replacement 1,800 SF deck with a 725 SF covered screen room partially within the 35-foot setback. The existing FBE is on the adjacent property to the east of 709 Nicholas Lane and is owned by Hayfield Inc.

This Department has reviewed your request and has determined that a practical difficulty exists, in that the proposed screen room, which is an extension of the existing primary structure within the 35-foot setback, will be entirely over an existing deck – which will also be replaced. Furthermore, we find that the potential for impacts to water quality as a result of this proposal can be adequately minimized by the installation of erosion and sediment controls along the easement boundary throughout the porch and deck's construction. No forest or streams will be impacted by the construction of the porch and deck.

Therefore, we will grant this request in accordance with §33-3-106(a)(1) of the Baltimore County Code with the following conditions:

1. The following notes must appear on all subsequent plans submitted for this project:

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- A variance to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (tracking # 03-24-4154) was granted by Baltimore County Environmental Protection and Sustainability to reduce the 35-foot principle setback to approximately 11 feet, resulting in 588 square feet of impact within the 35-foot setback in the form of a screen room.”
 - “There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.”
2. This construction project shall provide all sediment and erosion control measures determined necessary during building permit review process. This includes high-visibility orange construction fence along the FBE boundary anywhere that the limit of disturbance is within 50 feet of the FBE.

Please sign the statement on the following page and return a signed copy of this letter to this Department. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of the addition permit for this property.

This variance is approved by the Director of the Department of Environmental Protection and Sustainability on _____. Any changes to site layout may require submittal of revised plans and a new variance request.

If you have any questions regarding this correspondence, please contact Art Garcia at (410) 887-3980.

Sincerely yours,

Horacio Tablada
Director

c/c: HT/AYG
Vladislav Zagranichny & Svetlana Ostrowsky, Landowners

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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner's Signature

Date

Printed Name

Property Owner's Signature

Date

Printed Name