## FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Lonna Shaivitz of 3407 Old Forest Road in the Dumbarton Heights subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Section 1802.3.8 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 ft. in lieu of the required 15 ft., for an addition, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having files a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Saltimore County Code. Based upon the inforwelfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

this 4 day of March, 1994 that the Fetition for a Zoning Variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 ft., in lieu of the reguired 15 ft., for an addition, in accordance with Petitioner's Exhibit be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

Suite 113 Courthouse 400 Washington Avenu-Towson, MD 21204

(410) 887-4386

Ms. Lonna Shaivitz 3407 Old Forest Road Baltimore, Maryland 21208

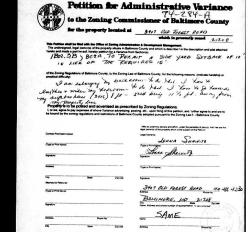
RE: Petition for Administrative Variance Case No. 94-284-A Property: 3407 Old Forest Road

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filling an appeal, please feel free to contact our Appeals Clerk at 807-3391.

Deste 3rd 2/14/14 Posts to: Verience Lowe Shortz 340) Old Fornt RL Sp 484 Alliabert PA - Towing foodway on preparty being road .... Date of return ... 2/18/94

Baltimere County Zoning Administration o Development Menogement	=n 296 recolpt
11 711 The Companies derived 10 1 - 26 - 14  CONNY Shared 220	3407. OLD FOREST Ps.
ADIA . UAD . (010) - POSTING (090) -	50.00
	03/13/00/14/10/96C 405,00
Part Mai Carl	Paper to demand family (see 10.0 - 2.0 - 19.



mem e: 291

ESSENTE POSTING DATE 2-13-94

Affidavit in support of Administrative Variance The undersigned hereby affarms under the penalties of perjusy to the Zoning Commissioner of Bahimore County, as follows: That the information herein given is within the periodal knowledge of the Affaint(s) and that Affaint(s) labor competent is testify thereto in the event that a public bearing is scheduled in the future with regard therein. That the Atlantics) dives do percently reside at 3407 Old Farest Pd. Bestimine Me 21708 That based upon personal biomicdge, the following are the facts upon which face base the request for an Adm.

Variance at the above address: income memory or process officials: Cos 11 1/2 / 1 miches my magity less Lone Shewig LONNA SHOW.TO -STATE OF MANYLAND CON MY OF BALTIMORE, IN THE INTERPRETATION OF MANY OF BALTIMORE AND A CONTRACT OF MANY OF MA 1994 , before mc, a Notary Public of the State

the Affanties) herein, personally known or uninfactority identified to me as such Affanti(s), and mode ceth in due form of lan that the matters and facts becomishing out forth are time and convert to the heat of language their languages and heater

Detri Sharris

My Commission Express Bec. 11. 1944

Ann Sheiner

AS WITNESS my hand and Notamal Seal.

1-8-94

94-284-A EXAMPLE 3 - Zoning Description - 3 copies Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet. ZONING DESCRIPTION FOR 3407 OH Forest Rd. (address)
Election District 3 Councilmanic Discrict 2 Beginning at a point on the SS side of ODTacest to OLD FoleST 10. which is
(street on which property fronts)
(street on which property fronts) wide at a distance of # #3#.60 E of the (mumber of feet) (north, south, east or west) centerline of the nearest improved intersecting street Windestat Po. 50 wide. \*Being Lot \* 12 C\_\_\_\_, Section # \_\_\_\_\_\_ in the subdivision of Dumbauten Heights as recorded in Baltimore County Plat Book 1 7647 26 , Folio 1 144 , containing 30, 343 44. # (-6966 A) ... 291 \*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Buddivision description as shown, instead state: "As recorded in Deed Liber 26., Folio (\*\*)" and include the measurements and directions (enter and bounds only) here and on the plat in the

111 West Chesapeake Avenue Towson, MD 21204

tallmore County Zoning Requisitions require that notice be given to the content published an absolute property comess relative to property which requires a published property of the content of the cont This office will ensure that the logal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. PAYMENT WILL BE MADE AS FOLLOWS: Posting fees will be accessed and peid to this office at the time of filing. 2) Billing for legal advertising, due upon receipt, will come from and should be resitted directly to the enempaper. ON PAYMENT OF ANYMOUS PAYMENT PAYMEN ARNOLD JABLON, DIRECTOR For newspaper advertising: Iten No.: 291

CONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Petitioner: LONNA SHALLITE Location: 3407 OLD FOREST Ro. BALTO, Md. 21208 PLEASE FORMARD ADVERTISING BILL TO: SAME

486-4230

AJ:ggs

10

(410) 887-3353

February 18, 1992

Ms. Lonna Shavitz 1407 Old Forest Road Baltimore, Maryland 21209

RE: Case No. 94-284-A, Item No. 291 Petitioner: Lonna Shavitz Petition for Administrative Variance

111 West Chesapeake Avenue Lowson, MD 21203

The Jossed Flate Advisory Computer (JCC) has reviewed the plane and the processing that may have a bearing on this come.

Socioned are all comments submitted thus far from the members of ZAC comments are respect information on your petition. If additional comments are repeat information on your petition, and a socional comments are comments and a social comments are of the comments of the

The following comments are related only to the filing of future routing petitions and are sized at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system abovely enabound zoning attorneys who red through the control of the control of the control of the first through the control of the control of the control of the requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

WITH OF CASE WIFED ASSISSED.

(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

"CONTRACT 5, 1994

Lorna She'vitz 3407 Old Forest Road Baltimore, Maryland 21208

CASE MINIST: 94-284-8 (free 291) 3407 Old Forest Road \$/\$ Old Forest Road, 434-9/- E of c/l Minterset Road 3rd Election District - 2nd Councilments

Finance to shrined that your retition for Administrative Louing Tarinoon has been easigned the above case mater. Context and with this office repection the ratios of this cost about reference the case mater and be directed to MF-1301. This notice also serves as a reference requesting the administrative process.

1) You prove with the period on or before follower [3], 1991. The clusting date (Federary 28, 1994) In the deather for a neighbor to fill a formal request for a public hearing, first the clusted date, the Unit necessary of the behavior protect primary formations, Prop. (4) gard the requested resides, for (4) descend that the active is not to for any follower of the contraction of the con

In cases requiring public hearing (whether due to a meighter's formal request or by Order of the Omedictioner), the property will be reported and notion of the hearing will appear in a failtiers County newspaper. Charpes related to the reporting and newspaper afteritating are pepalls by the publicance(s).

Flower be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST OD THROUGH FIRAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA DICK-UP, MIGH READY, THE ORDER MILL SE PORMAGED TO YOU VIA FIRST CLASS MAIL.



Hal Kassoff

2-7-94

Baltimore County Item No.: + 291 (JCH)

Ms. Charlotte Minton Zoning Administration and Development Management County Office Building

Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours, Bob Small

DAY 10 N. CATSEL, ACTING CHIEFE John Contestabile, Chief

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 et Address: 707 North Calvert Street • Baltimore, Maryland 21202

1-6-94

To whom it may Comeun The are aware Hat Lower Staine & is apolyty for a Francis de quain at 340+ are Love Kone

It he was fine on the pide of her It will be on the pide of her ledwoom. The left side of the house freezy from the first of the house!

Ben Walf

To whom it may consure We are aware that Love Staining in appying for a Freig opinion at 344 lle Freix And to the South For your of the persenty live Ale Son

> Wendy Diener 3405 BLD FOREST MAND

1-6-94

700 East Joppa Road Suite 901

DATE: 02/03/94

Arnold Jablon Director Zoning Administration and Development Management Baltimbre County Office Building Townon, MD 21204 MAIL STOP-1105 RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Prevention Bureau has no comments at this time FOR THE FOLLOWING "ITEM NUMBERS": 265, 289, 291, 292, 293, 294 AND 298.

REVIEWER: LT. ROBERT P. SAUERWALD Fire Prevention, PHONE 887-4881, MS-1102F

PROPERTY ADDRESS: 3407 014 Forest Rd.
Southiston same: Durn har ton. Heights
plat books 557 June 12 . section 4

OWNER: Re + Mrs. Bernard Shaivity

prepared by: Bradley Will

Scale of Drawing: 1"- 50

**&** 

Arnold Jablon, Director Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 291, 293 and 298.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: February 14, 1994

REREVED

FEB A

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffry W. Long
Division Chief: Cary L. Cerns

ZAC.291/PZONE/ZAC1

● 94-284-A

My House boling at picture, my house at left, neighbors house on right

Plat to accompany Petition for Zoning X Variance Special Hearing 94-284-A SOLD FOREST RA. Pet Noi Sobject Proper Vicinity Map

LOCATION INFORMATION tion District: 3 nettmania District: 2 1-200 seels maps: NW 8-E Zontag: DR-2 Lot etre: -6966 30,343-70 SEWER: 17 [ WATER:

ake Bay Critical Area: 📋 🗹 None Zoning Office USE ONLY! JCM 291



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

162

SCALE LOCATION SHEET

1'\* 200'±
DATE
DOTE
PHOTOGRAPHY
JANUARY
1986

PREPARED BY AIR PHOTOGRAPHICS, I MARTINSBURG, W. V. 25401