

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Loganview Drive, 602.5' W
of the c/l of Court Way
(3468 Loganview Drive)
12th Election District
7th Councilmanic District

Roy A. Sauer, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-91-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 owners of the subject property, Roy A. and Linda C. Sauer. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3' in lieu of the required 10' for a proposed 6' x 15' addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING

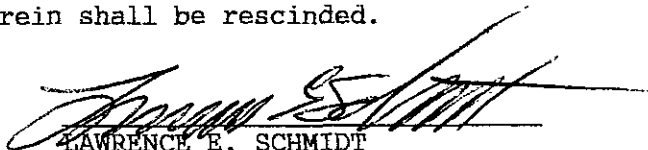
Date

By

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of October, 1997 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3' in lieu of the required 10' for a proposed 6' x 15' addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/14/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

October 14, 1997

Mr. & Mrs. Roy A. Sauer
3468 Loganview Drive
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Loganview Drive, 602.5' W of the c/l of Court Way
(3468 Loganview Drive)
12th Election District - 7th Councilmanic District
Roy A. Sauer, et ux - Petitioners
Case No. 98-91-A

Dear Mr. & Mrs. Sauer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted 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 Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

File





Petition for Administrative Variance

98-91-A

to the Zoning Commissioner of Baltimore County

for the property located at 3468 Loganview DR.

which is presently zoned DRSS

This Petition shall be filed with the Office of Zoning Administration & 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)

1 BOZ. 3.C.1 to permit a 3 ft side yard in lieu of 10 ft

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

See Reverse Side

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: MDL

DATE: 7/10/97

ESTIMATED POSTING DATE: 7/21/97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 91

ORDER RECEIVED FOR FILING

Date: 7/10/97

By: [Signature]

Affidavit

in support of Administrative Variance

98-91-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3468 Loganview Dr
address
Baltimore Maryland 21222
City State 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 REQUEST AN ADMINISTRATIVE VARIANCE TO PLACE A 6'x15'
EXTENSION ON THE EXISTING STRUCTURE AT 3468 LOGANVIEW DRIVE
IN ORDER TO ENLARGE A 10'x10' ROOM TO ACCOMMODATE THE
HOUSING OF OUR HANDICAPPED MOTHER IN ORDER TO AVOID HAVING
TO PLACE HER IN A NURSING HOME. EXISTING SETBACK IS 9'
NO ROOM TO EXPND.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Roy A. Sauer
(signature)
ROY A. SAUER
(type or print name)



Linda C. Sauer
(signature)
LINDA C. SAUER
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of September, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Roy & Linda Sauer

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Sept 9, 1997
date

C. June Powell
NOTARY PUBLIC

My Commission Expires:

May, 1999

98-91-A

ZONING DESCRIPTION FOR 3468 LOGAN VIEW DR
(address)

Beginning at a point on the ^{west}EAST side of
(north, south, east or west)

LOGAN VIEW DR. which is 50'
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 602.5 WEST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street COURT WAY
(name of street)

which is 50' wide. *Being Lot # 35,
(number of feet of right-of-way width)

Block --, Section # 1 in the subdivision of DUNDALK
(name of subdivision)

as recorded in Baltimore County Plat Book # 60, Folio # 114

containing .079. Also known as 3468 LOGAN VIEW DR.
(square feet or acres) (property address)

and located in the 12 Election District, Councilmanic District 7

#91



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 91

Petitioner: Roy A Saver

Location: 3468 Loganview Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Roy A Saver

ADDRESS: 3468 Loganview Drive
Baltimore MD 21222

PHONE NUMBER: (410) 285-4081

AJ:ggs

(Revised 09/24/96)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

042785

DATE 9/10/97 ACCOUNT 01-615

Item: 91
By: *mmk*

AMOUNT \$ 50.00

RECEIVED FROM: Roy + Linda Saver - 3468 Loganview Drive

FOR: 010 - Res Varience — \$ 50.00

CONTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
9/10/1997 9/10/1997 10:15:05
REG 0805 CASHIER BTRY RXT DRAWER
MISCELLANEOUS CASH RECEIPT
Receipt # 027507 OFLN
CR NO. 042785

50.00 CASH
Baltimore County, Maryland

mmk

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-91-A

Petitioner/Developer:

(Roy Sauer)

Date of ~~Hearing~~ Closing:

(Oct. 6, 1997)

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

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

____3468 Loganview Drive Baltimore Maryland 21222_____

The sign(s) were posted on _____Sept 19, 1997_____
(Month, Day, Year)

Sincerely,

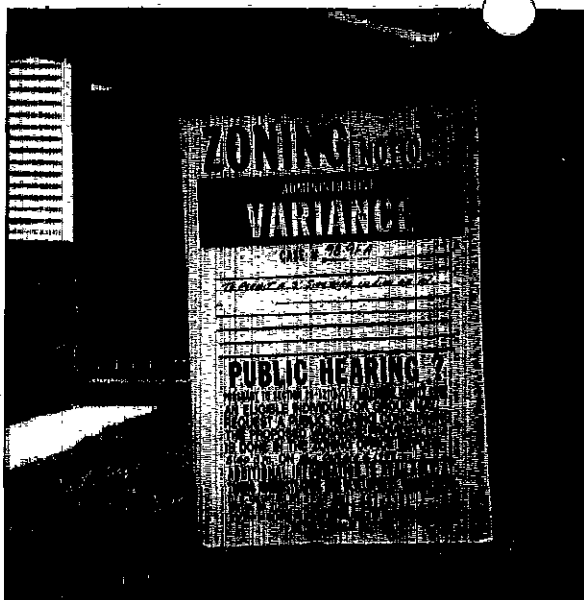
Thomas P. Ogilvie
(Signature of Sign Poster & Date)

____Thomas P. Ogilvie, Sr._____

____325 Nicholson Road_____

____Baltimore, Maryland 21221_____

____(410)-687-8405_____
(Telephone Number)



98-91-A

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 9/21/97.

Format for Sign Printing, Black Letters on a White Background:

Item # 91

ZONING NOTICE**ADMINISTRATIVE
VARIANCE****Case No.:** 98-91-A.to permit a 3' side yard in lieu of 10'**PUBLIC HEARING ?**

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

*

10/5/97

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW**HANDICAPPED ACCESSIBLE**



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 23, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-91-A
3468 Loganview Drive
W/S Loganview Drive, 602.5' W of c/l Court Way
12th Election District - 7th Councilmanic
Legal Owner(s): Roy A. Sauer and Linda C. Sauer
Post by Date: 09/21/97
Closing Date: 10/06/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Roy and Linda Sauer





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 1997

Mr. and Mrs. Roy Sauer
3468 Loganview Drive
Baltimore, MD 21222

RE: Item No.: 91
Case No.: 98-91-A
Petitioner: Roy Sauer, et ux

Dear Mr. and Mrs. Sauer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 10, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A T I M O R E C O U N T Y, M A R Y L A N D
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 9/25/97

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

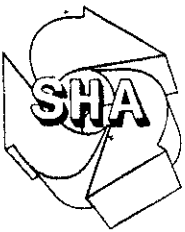
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 22, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 88
89
90
91
92
95
96
98

RBS:sp

BRUCE2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 9-23-97
Item No. 091 MJK

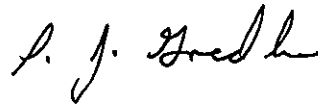
Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPTEMBER 22, 1997

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

087, 088, 089, 090, 091, 092, 094, 095, AND 097

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: September 23, 1997

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

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

Item Nos. 88, 89, 91, 92, and 97

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Gary L. Keins

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: September 26, 1997

FROM: *RWB* Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for September 29, 1997
Item Nos. 087, 088, 089, 091, 092,
095, 096, 097, and 098

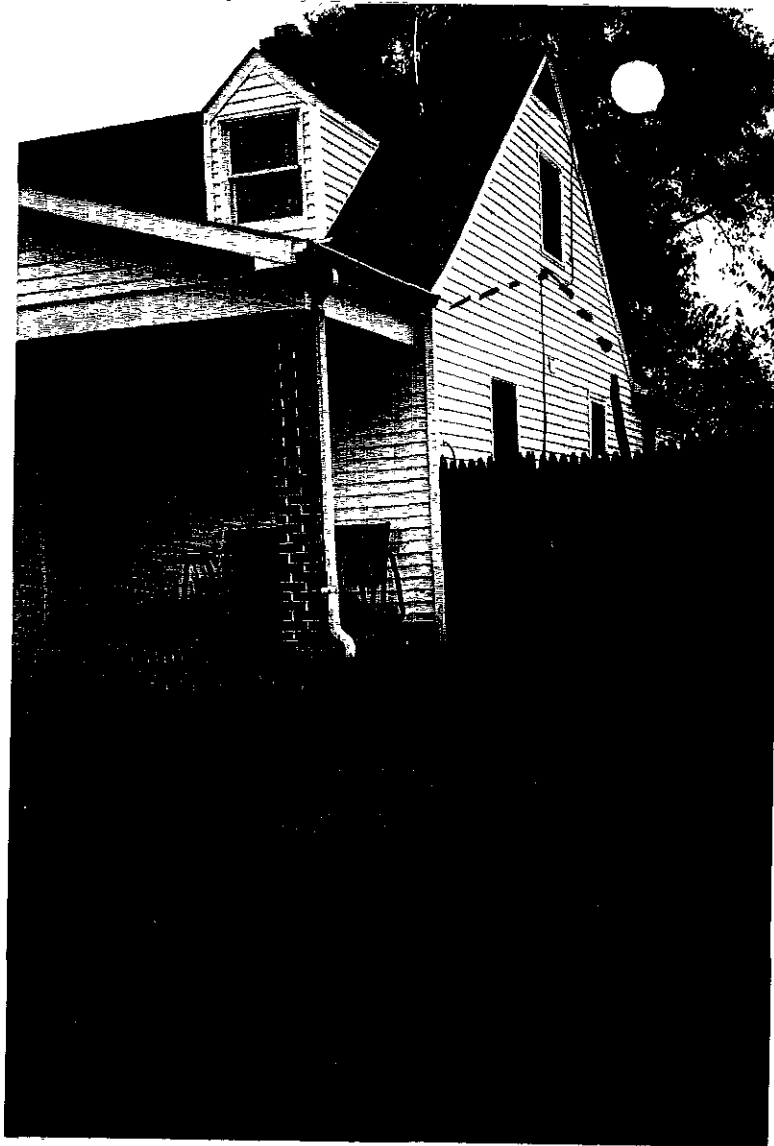
The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

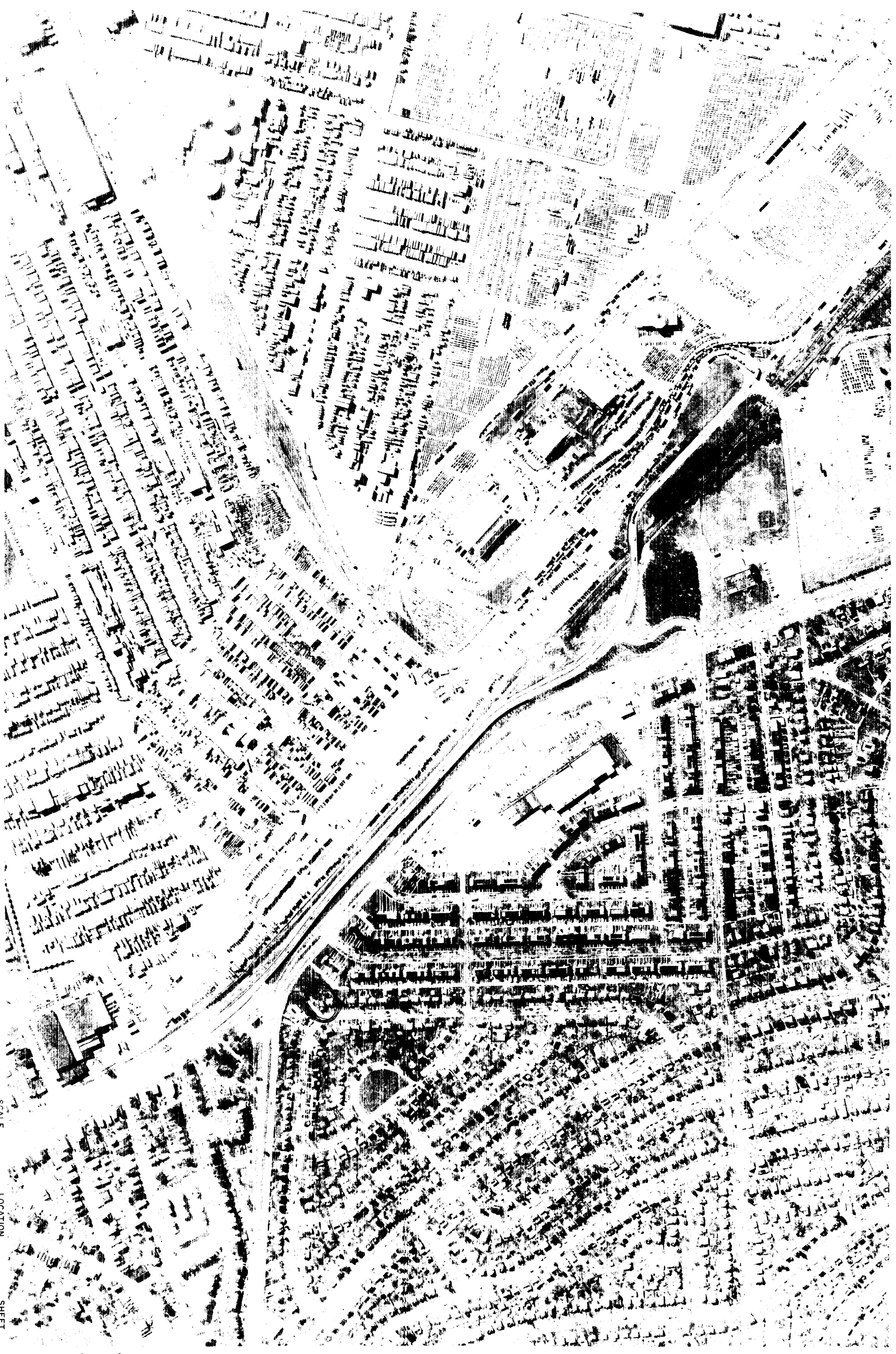
RWB:HJO:jrb

cc: File



91-98-A





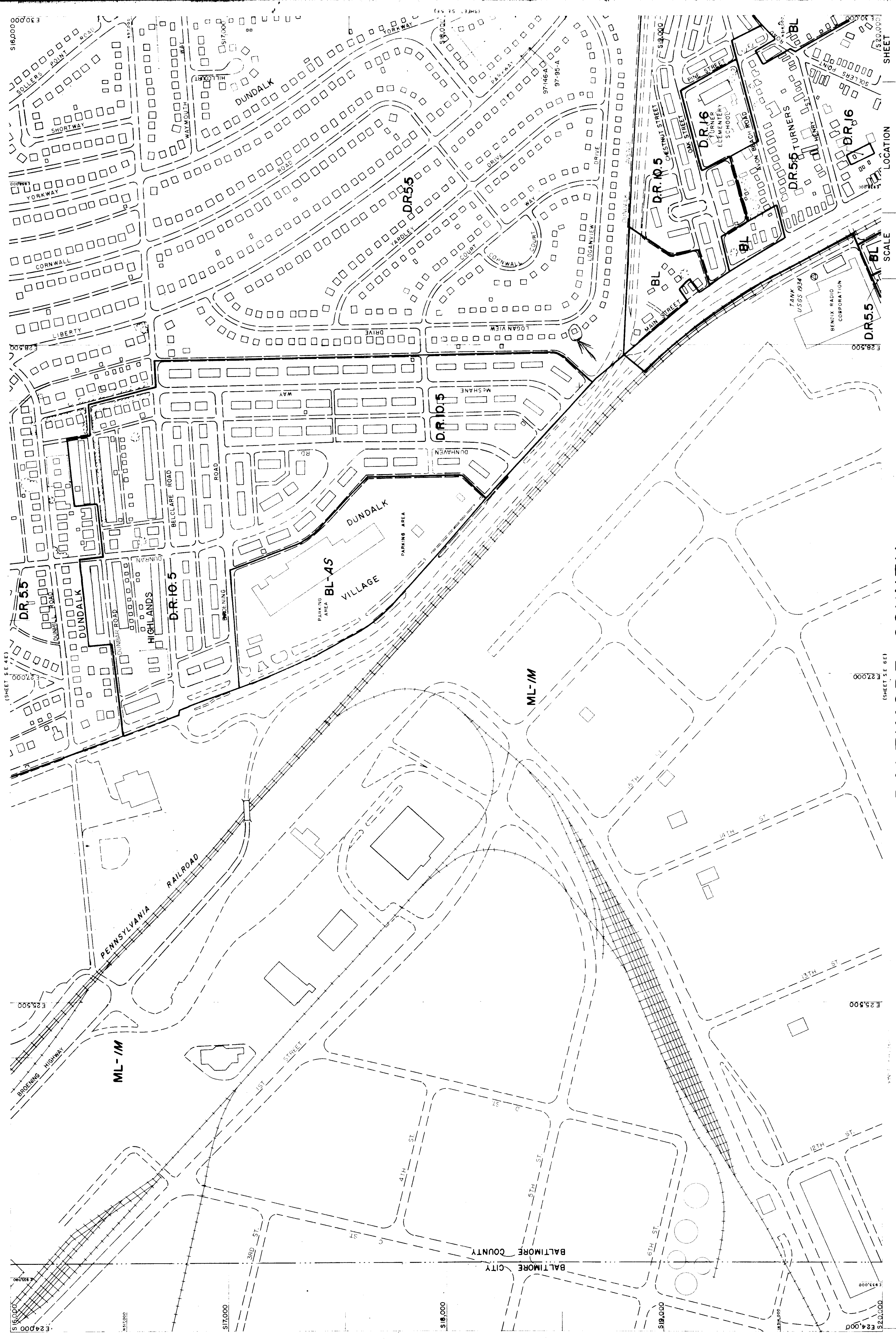
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200'
LOCATION
SHEET

DATE OF PHOTOGRAPHY
JANUARY 1986
DUNDALK
91
S.E. 5-E

98-91-A



SCALE
1" = 200' ±

DATE OF PHOTOGRAPHY
JANUARY 1986

LOCATION
DUNDALK

SHEET
91

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

F-SE E-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

98-91-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

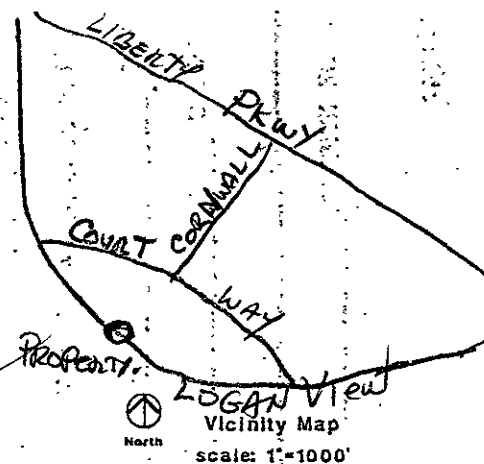
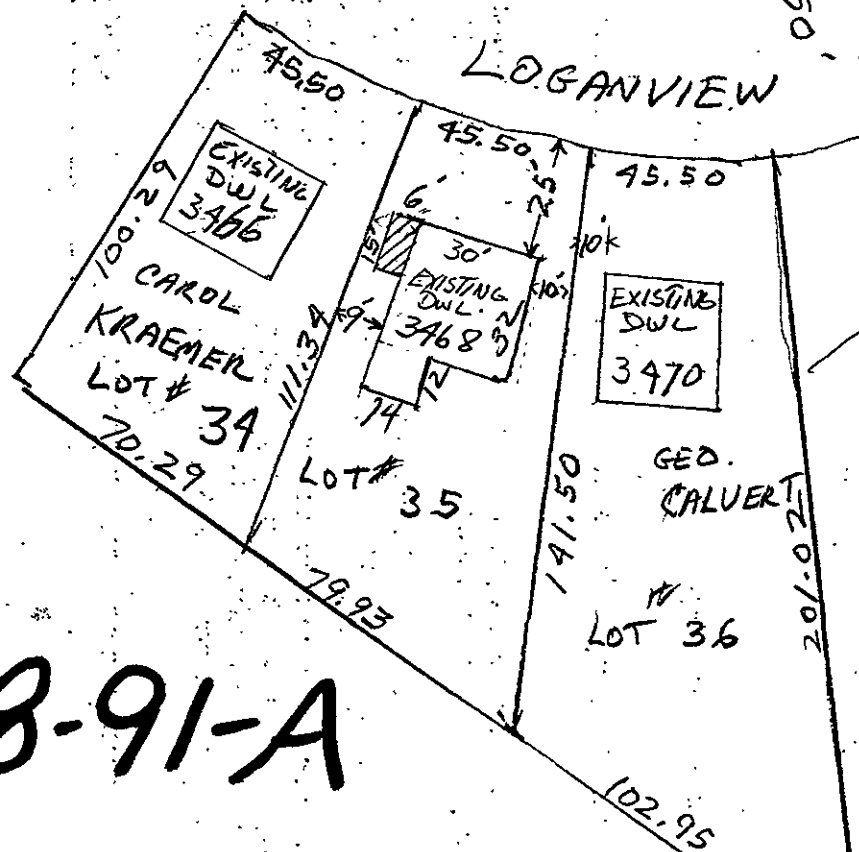
PROPERTY ADDRESS: 3468 LOGANVIEW DR.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: DUNDALK

plat book# 60, folio# 114, lot# 35, section# 1

OWNER: ROY & LINDA SAUER



LOCATION INFORMATION

Election District: 12
 Councilmanic District: 7
 1"=200' scale map#: SE 5E
 Zoning: DR 5.5
 Lot size: .079 acreage 3640 square feet

public private
 SEWER: ☒ ☐
 WATER: ☒ ☐
 Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: mk ITEM #: 91 CASE#:

98-91-A



North

date: 9-8-97

prepared by: Joseph Powell Sr. Scale of Drawing: 1" = 50'