IN RE: PETITION FOR ADMINISTRATIVE

ZONING VARIANCE

W/S Loganview Drive, 330 ft. S

of Court Way

3454 Loganview Drive

12th Election District 7th Councilmanic District \* OF BALTIMORE COUNTY

ZONING COMMISSIONER

BEFORE THE

\* Case No. 98-148-A

Thelma Yancura, Petitioner

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thelma Yancura for that property known as 3454 Loganview Drive in the Dundalk section of Baltimore County. The Petitioner herein seeks a variance from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a front average setback of 21 ft. in lieu of the required 25 ft. for a proposed addition in a D.R.5.5 zone. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed 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 presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare 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 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

of Mittelline

upon the Petitioner.

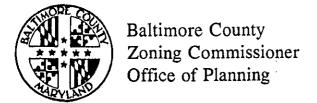
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this \_\_\_\_\_\_ day of November 1997 that the Petition for a Zoning Variance from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (BCZR) to permit a front average setback of 21 ft., in lieu of the required 25 ft., for a proposed addition in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY



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

November 13, 1997

Ms. Thelma Yancura 3454 Loganview Drive Baltimore, Maryland 21222

RE: Petition for Administrative Variance

Case No. 98-148-A

Property: 3454 Loganview Drive

Dear Ms. Yancura:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, 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 filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Mr. Dave Dulisse
7163 Holabird Avenue
Baltimore, Maryland 21222



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

3454 Loganview Drive

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 BO2. 3. C. I AND 303. I, TO VERMIT A FRONT AVERAGE SETBACK OF 21 FT. IN LIEU OF THE REQUIRED 25 FT. FOR A PROPOSED ADDITION.

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

Pratical difficulty - See Reverse

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.

•		Legal Owner(s).
		Thelma Yancorra Yancura
		(Type or Print Name)  Thelma II. Janeura
		Signature D. Ganciera
		(Type or Print Name)
State	Zipcode	Signature Drive
		3454 Loganview 10-284-385
	***	BAltimore MD 21222 City State Zipcode
	,	Name, Address and phone number of representative to be contacted  Dave Dulisse
Phone No ,	- <del></del>	7163 Holabira are 410 288-0665
State	Zipcode	Address Phone No
	State Phone No .	State Zipcode

REVIEWED BY:

DATE: 10 14 97

circulation throughout Baltimore County, and that the property be reposted.



Printed with Soybean Ink on Recycled Paper 18-148-A

Zoning Commissioner of Baltimore County

# Affidavit in support of Administrative Variance

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 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) 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. (signature) (type or print name) , before me, a Notary Public of the State I HEREBY CERTIFY, this of Maryland, in and for the County aforesaid. the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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 My Commission Expires:



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

3454 Loganview Drive which is presently zoned DR 5.5

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) | BOZ, 3, C, 1 FOR AND 303.1 TO PERMIT A FRONT AVERAGE SETBACK OF 2 | FT. IN LIEU OF THE REGUIRED 25 FT. FOR A PROPOSED ADDITION,

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

Procesco County 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 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.

			legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee			Legat Owner(s).
			Thelma Yancurra Yancura
(Type or Print Name)			(Type or Print Name)
			Thelma H. Jancera
Signature			Signature
Address		<del></del>	(Type or Print Name)
City	State	Zipcode	Signature
Attorney for Petitioner			3454 Logan view 10 410284-3852
(Type or Print Name)			Address Phone No
			BAltimoso MD 2/222 State Zipcode
Signature			Name, Address and phone number of representative—to be contacted
			Dave Dulisse
Address	Phone No		7163 Holabird ave 410288-0665
City	State	Zipcode	Address Phone No

Zoning Commissioner of Baltimore County



REVIEWED BY:

DATE:

circulation, throughout Baltimore County, and that the property be reposted

63

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this

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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

98-148-A

# Affidavit in support of Administrative Variance

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 3454 Logan VIEW VIVE
address
BAHIMOSE MD 21222 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)
Pratical Difficulty. More space is needed in
Kitchen and can only be expanded on front.
line Addition would extend 4 feet from house
TIME. HOCKETTON WOOTEN PRISONER TO THE TENTON
1
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.  The Ima H. Vancura  (signature)  (signature)
(type or print name) (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  I HEREBY CERTIFY, this 20 day of SCAL 197, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Thelma H YANGURA
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(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
date Notary Public Q -17
My Commission Expires: 9 1700/
to the second

# Zoning Description for

148

# 3454 Loganview . Drive

Begining at a point on the west side of Loganview the which is 50 fret wiche of the distance of 330-feet south of the centerline of the nearest improved intersecting street Court way Which is <u>so feet</u> wide. Being lot # 28 Block 1 Section 60 in the subdivision of Dundalk as recorded in Baltimore County Plat Book # 14 Folio # 118 and 114 Containing 5000 sq. feet. Also known as 3454 Loganview Drive Located in the 12th Election District Ith

Councilmanic District.

98-148-A



# Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenua 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:	+e=pud44=+Be==================================
Item No.: 148	
Petitioner: YANCUCA	
Location: 3454 Logan view	Drive
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: David Dulisse	
ADDRESS: 7163 Holesbird are	
BAltimore MD 21222	
PHONE NUMBER: 410 288-0665	

Printed with Soybean Ink

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10 26 97.

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

# **ZONING NOTICE**

# ADMINISTRATIVE VARIANCE

Case No.: 98-148-A

HEU OF THE REQUIRED 25 FT. FOR A PROPOSED ADDITION

### **PUBLIC HEARING?**

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, 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

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, MARYLAND  CE OF BUDGET & FINANCE  NISCELLANEOUS RECEIPT  JL 148	PAID RECEIPT PROCESS ACTUAL TIME 0/14/1997 10/14/1997 11:44:21
DATE 10 14 97 ACCOUNT ROOKA 50  AMOUNT \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	SO USOS CASHIER STRY BXT DRAWER  5 NISDELLANDIS CASH RECEIPT  SSIPT 8 034859  SO CO CAECX
FOR:	Valtimore County, Harvisod
<u>[ IUTION</u> W É - CASHIER PINK, - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

### **CERTIFICATE OF POSTING**

RE: Case No.: # 98-148-A

Petitioner/Developer:
(Thelma H. Yancura)

Date of Hearing/Closing:
(Nov. 10, 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	letter is to certify under the penalties of perjury that the necessary sign(s) required		
law were posted conspicuously	on the property located at	<del> </del>	
3454 Loganview Drive Baltim	nore Maryland 21222	_	
The sign(s) were posted on	Oct. 24, 1997(Month, Day, Year)		
	(Month, Day, Year)		

Sincerely,

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.\_\_\_\_\_\_

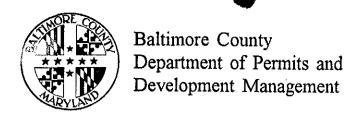
325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405

(Telephone Number)

98-148-A



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

October 30, 1997

### **ABOUT YOUR ADMINISTRATIVE VARIANCE**

CASE NUMBER: 98-148-A
3454 Loganview Drive
W/S Loganview Drive, 330' S of Court Way
12th Election District - 7th Councilmanic District
Legal Owner: Thelma Yancura
Post by Date: 10/26/97
Closing Date: 11/10/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 410-887-3391. This notice serves as a refresher regarding the administrative process.

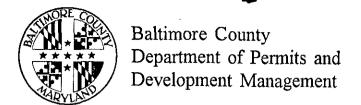
- 1. The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2. The "Closing Date" noted above is the deadline for a neighbor to file a formal request for a public hearing.
- 3. After the 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 a public hearing.
- 4. In cases that must go to a public hearing (whether due to a neighbor's formal request or by order the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing 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

c: Thelma Yancura Dave Dulisse





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

November 5, 1997

Ms. Thelma Yancura 3454 Loganview Drive Baltimore, MD 21222

RE: Item No.: 148

Case No.: 98-148-A

Petitioner: Thelma Yancura

Dear Ms. Yancura:

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 October 14, 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,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)





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 10.28.97

Item No.

148 JLC

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,

f. f Grall Ir Ronald Burns, Chief

Engineering Access Permits

Division

LG

# DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

## INTER-OFFICE CORRESPONDENCE

TO:

POM

DATE:

FROM:

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee
Meeting Date: Oct, 27,1997

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

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

**DATE:** October 27, 1997

Dept. of Permits & Development Management

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. 135, 137, 142, 145 (148) 153, 154, and 162

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.

Division Chief: Cary L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: October 31, 1997

Department of Permits & Development

Management

Robert W. Bowling, Chief Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for November 3, 1997

Item Nos. 137, 143, 147, 148, 151,

152, 153, & 163

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

RWB:HJO:jrb

cc: File

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: November 3, 1997

Dept. of Permits & Development Management

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):

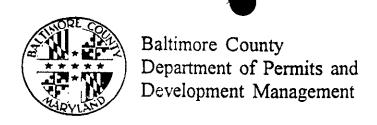
Item Nos. 151, 155, 156, 157, 158, 159, 160, 161, and 167

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:

Division Chief:

AFK/JL



Development Processing County Office Building 111 West Chesapeake Avenua 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.

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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:	ه هنه شه هنه هم چه م <b>ي</b> ه وي	gar anak agan universitä vaniv direk Anne v	
Item No.:			
Petitioner:			
Location:			
PLEASE FORWARD ADVERTISING BILL TO:			
NAME: David Dulisse	J		•
ADDRESS: 7163 Holabird are		<u> </u>	
BAltimore MD 21222			
PHONE NUMBER: 410 288-0665			
AJ:ggs	2 I	(Rev	ised 09/24/96)



148 LEFT SIDE VIEW



148 RICHTSIDE VIEW



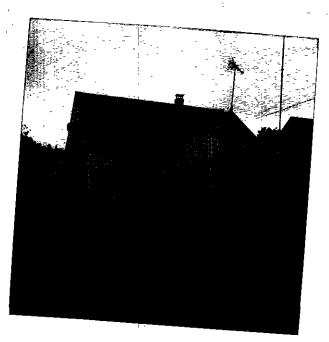
148

PROPOSED

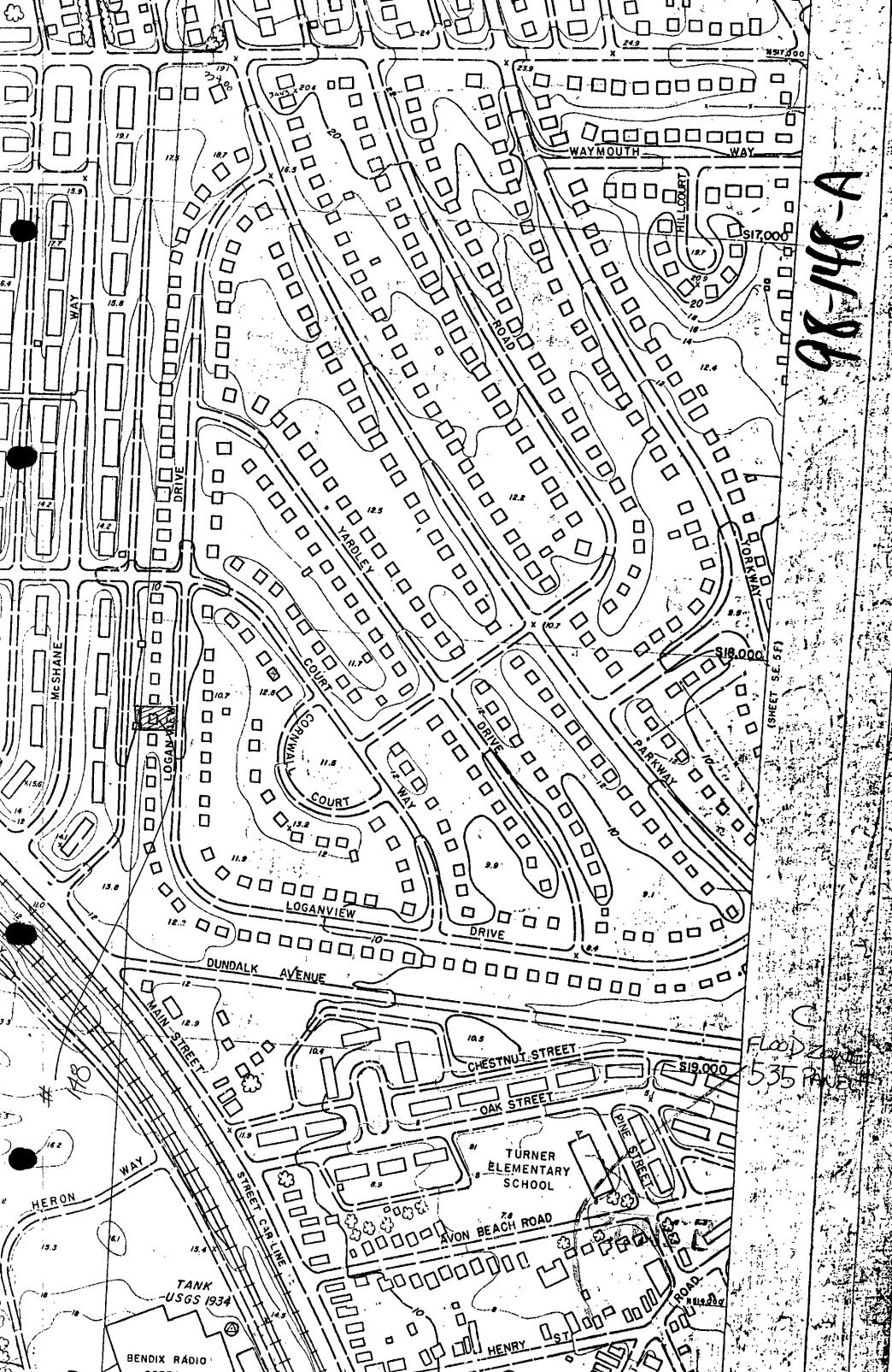
AREA OF ADDITION

WITH PROP. POACH

TO GOON RIGHT SIDE



Rear View 148



Plat to accompany Petition for Zoning Varianc	e Special Hearing
PROPERTY ADDRESS: 3454 Logan view Drive see pages 5 & 6 of the 1  Subdivision name: Denclark Folio # 113 + 114	CHECKLIST for additional required information
plat book# 14 ,tollo#114+113lot# 28 ,section# 6C	152
OWNER: Thelma H Yancura	
	Subject Church Williams
	Property &
· ·	3
	,
Alley	Vicinity Map
	Marin scale: 1'*1000'
5' Reservation 12 Lot 28 Lot 27	LOCATION INFORMATION
2. 3. 6	Councilmanic District 7
Micheal Jane Grange 20x14 Haines 30 Briant Stephanie	1-200 scale maps SE SE
l l l l l l l l l l l l l l l l l l l	200 mg 30 CC
85 85 BS 15' 185'	Lot size: 114 5,000 acreage square feet
[8.5]	Elev. 11 ft.  Fld Zone C SEWER: []
130' 121'm 120' 330' to & of Court Way	Panel 535 WATER: [X]
50'	Chesapeake Bay Critical Area:
LOGGANIEU Dr. Curb	Prior Zoning Hearings: NONE
North  Loganvier Dr.  3454 50' R/W 24' paving	Zoning Office USE ONLY!
dos. 10-14-97	reviewed by: ITEM #; CASE#:
prepared by: jew Disse Scale of Drawing: 1'= 30'	JC 148