

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Southland Court, 242' S of the c/l
Dixie Drive
(30 Southland Court)
9th Election District
4th Councilmanic District

Alan Levitt and Janice Finkelstein
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-243-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Alan Levitt and Janice Finkelstein. The Petitioners seek relief from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the minimum required 10 feet, for a proposed two-story addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted 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 Deputy 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.

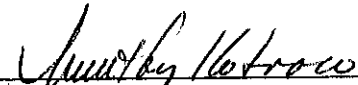
ORDER RECEIVED FOR FILING
Date 1/2/99
By [Signature]

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 Deputy Zoning Commissioner for Baltimore County this 7th day of January, 1999 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the minimum required 10 feet, for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 1/7/99
by Bjo



Baltimore County
Zoning Commissioner
Office of Planning

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

January 7, 1999

Mr. Alan Levitt
Ms. Janice Finkelstein
30 Southland Court
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Southland Court, 242' S of the c/l Dixie Drive
(30 Southland Court)
9th Election District – 4th Councilmanic District
Alan Levitt and Janice Finkelstein – Petitioners
Case No. 99-243-A

Dear Mr. Levitt & Ms. Finkelstein:

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel; Case File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 30 Southland Ct

which is presently zoned RESIDENTIAL

This Petition shall be filed with the Dept. of Permits & 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) DR 5.5
1B02.3C.

Setback of 5 ft. in lieu of the minimum required 10 ft. To allow a sideyard

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

Practical difficulty - we are building an addition which will end too close to the property line

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

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

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

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

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 11 day of December, 1998, 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: PP

DATE: 12-11-98

ESTIMATED POSTING DATE: 12/20/98

Printed with Soybean Ink
on Recycled Paper

ITEM #: 243

99-243-A

ORDER RECEIVED FOR FILING
1/17/99

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 30 Southland Ct
address
Towson, MD 21204
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 are building a small addition which will
be less than the requisite number of feet
from our property line. There is already
a foundation and a stone porch in
this location

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.

Alan F. Levitt
(signature)
Alan F. Levitt
(type or print name)



Janice E. Finkelstein
(signature)
Janice E. Finkelstein
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7 day of December, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ALAN F. LEVITT, JANICE E. FINKELSTEIN

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.

12/7/98
date

Mary Lu Miller
NOTARY PUBLIC

My Commission Expires:

1-1-2002

A-EP5-PP

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 30 Southland Ct
address
Towson MD 21204
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 are building a small addition which
will be less than the requisite number
of feet from our property line. There
is already a foundation and stone
porch in this location

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.

Alan F. Levitt
(signature)
Alan F. Levitt
(type or print name)



Janice E. Finkelstein
(signature)
Janice E. Finkelstein
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7 day of December, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ALAN F LEVITT, JANICE E FINKELSTEIN

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.

12/7/98
date

Margaret Miller
NOTARY PUBLIC

My Commission Expires: 1-1-2002

A-EP5-PP



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County
for the property located at 30 Southland Ct

which is presently zoned Residential DR 5.5

This Petition shall be filed with the Dept. of Permits & 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) BO2.3.4

Setback of 5 ft. in lieu of the minimum required 10 ft. To allow a side yard

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

Practical difficulty - we are building an addition which will end too close to the property line

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.

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

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

Legal Owner(s)

Alan Levitt

(Type or Print Name)

Alan Levitt

Signature

Janice Finkelstein

(Type or Print Name)

Janice Finkelstein

Signature

30 Southland Ct 410 494 8551 (#)

Address

Phone No

Towson, MD

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: PL

DATE: 12-11-98

ESTIMATED POSTING DATE: 12/20



Printed with Soy Ink
on Recycled Paper

ITEM #: 243

99-243-A

ZONING DESCRIPTION FOR 30 Southland Court

Beginning at a point on the south side of Southland Court which is 24 feet wide at a distance of 242 feet south of the centerline of the intersecting street, Dixie Drive which is 24 feet wide. Being Lot #30, Block 5, ~~Section #~~, as recorded in Baltimore County Plat Book #12, Folio #30 containing 7800 square feet. Also known as 30 Southland Court and located in the 9th Election District, 4th Councilman District.

243

99-243-A

BALTIMORE COUNTY, MARY ID
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Item No. 062401

DATE 12-11-98 ACCOUNT R-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Janice Finkelstein

FOR: Residential Variance filing fee
30 Southland Ct.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
12/11/1998	12/11/1998	10:07:22
REG 0002	CASHIER JRIC JMR	DRAWER 2
5 MISCELLANEOUS CASH RECEIPT		
Receipt #	072995	OFFICE
CIR NO.	062401	

50.00 CHECK
Baltimore County, Maryland

99-243-A

CASHIER'S VALIDATION

A-EXS-PP

CERTIFICATE OF POSTING

RE: Case # 99-243-A
Petitioner/Developer:
(Janice E. Finkelstein)
Date of Hearing/Closing:
(Jan 4, 1999)

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 _____
30 Southland Court Baltimore, Maryland 21204 _____

The sign(s) were posted on _____ Dec. 18, 1998 _____
(Month, Day, Year)

Sincerely,

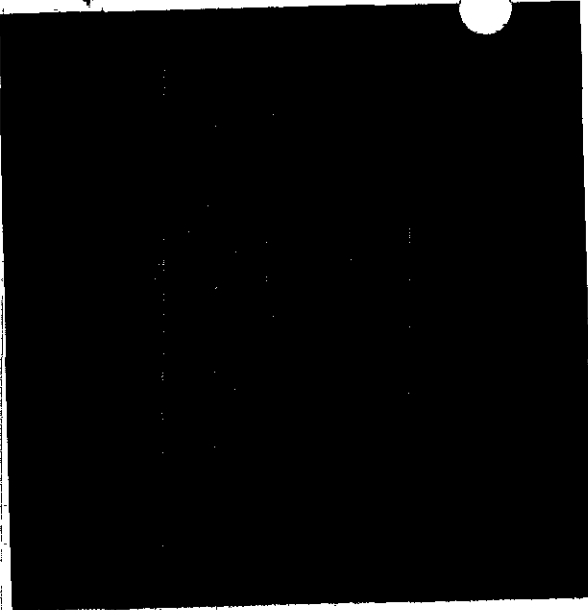

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



99-243-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 99- 243 -A Address 30 Southland CtContact Person: John Sullivan Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 12-11-98 Posting Date: 12-20-98 Closing Date: 1-4-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification 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.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 99- 243 -A Address 30 Southland Ct.Petitioner's Names A. Levitt and J. Finkelstein Telephone (410) 494-8581 (H)
343-0252 (B)Posting Date: 12-20-98 Closing Date: 1-4-99Wording for Sign: To Permit A Sideyard Setback of 5' in lieu of the
minimum required 10' for a proposed addition.



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/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 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.: 243

Petitioner: Alan F. Levitt, Janice E. Finkelstein

Location: 30 Southland Ct Towson, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Janice Finkelstein

ADDRESS: 30 Southland Ct

Towson, MD 21204

PHONE NUMBER: 410 - 494-8581

AJ:ggs

(Revised 09/24/96)

99-243-A

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: December 29, 1998

FROM: Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for December 21, 1998
 Item No. 243

 The Bureau of Developer's Plans Review did not receive a plan for
the subject item.

RWB:HJO:jrb

cc: File

ZONF1221.243

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 1/4/98

FROM: R. Bruce Seeley, Project Manager *RB/JS*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 01 Dec 21, 98

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

Item #'s: 236
237
238
239
241
242
243
244
245



Baltimore County
Fire Department

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

JANUARY 4, 1999

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

RE: Property Owner: ALAN LEVITT AND JANICE FINKELSTEIN - 243
MICHAEL HORVATH - 237

Location: DISTRIBUTION MEETING OF DECEMBER 21, 1998

Item No.: 237 AND 243 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.

NO PLANS RECEIVED - NO REVIEW.

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

cc: File



AV
1/4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: December 22, 1998

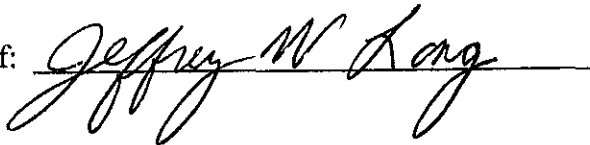
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 237, 243, and 244

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 12.21.91

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

RE: Baltimore County
Item No. 243 JJS

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

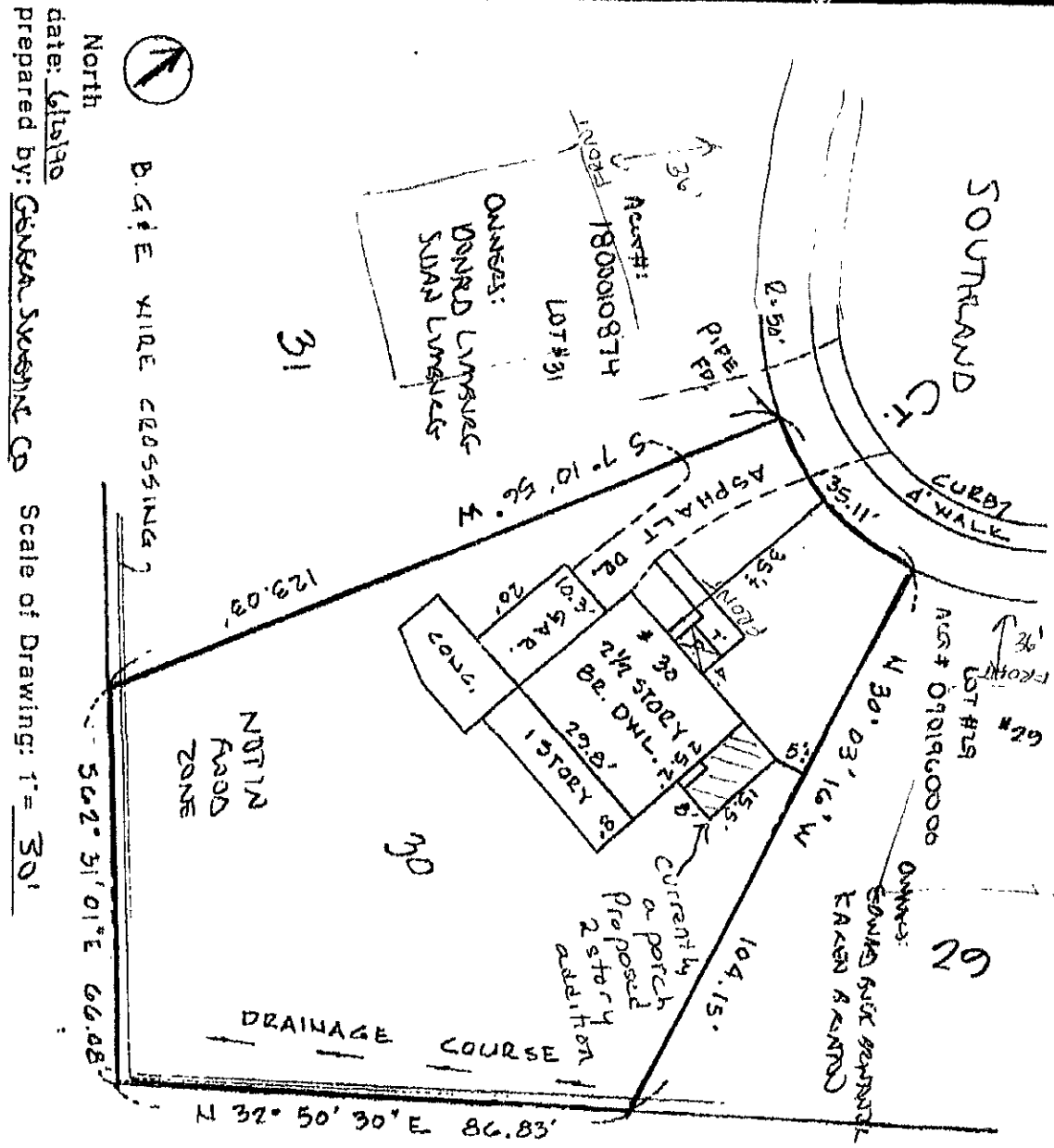
PROPERTY ADDRESS: 30 SOUTHLAND COURT

Subdivision name: SOUTHLAND HILLS

Plat book # 12, folio # 30, lot # 30, section #

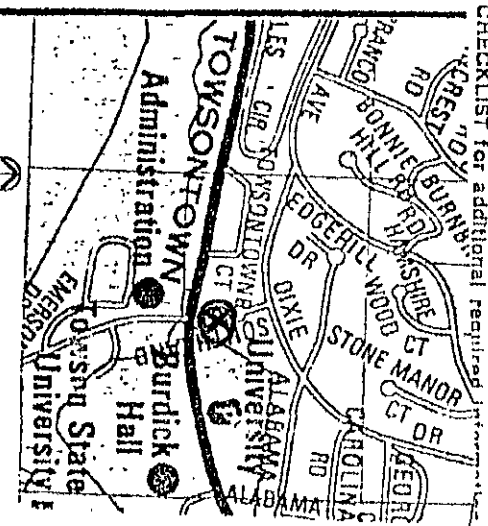
OWNER: AVAN LEVITT AND JANICE FINKELSTEIN

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



North
date: 6/16/90
prepared by: GENEAL SWENSON CO

Scale of Drawing: 1" = 30'



Vicinity Map
North
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 09
Councilmanic District: 4

1"=200' scale map#: NE9-A
Zoning: RESIDENTIAL DR 5.5
Lot size: .179 7800 square feet

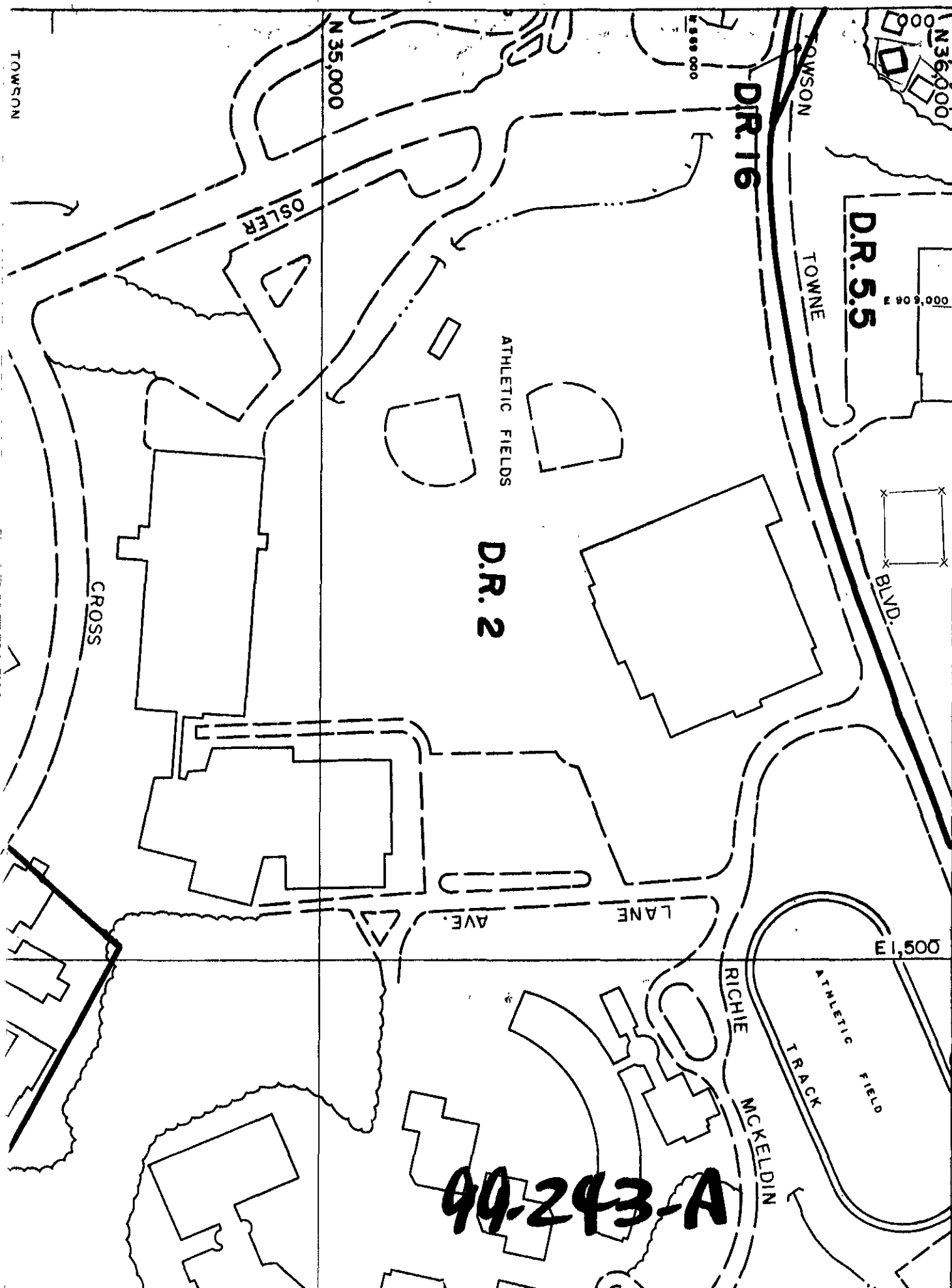
SEWER: ☒ PUBLIC ☐ PRIVATE
WATER: ☒ YES ☐ NO
Chesapeake Bay Critical Area: ☐ YES ☒ NO
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

243

99-243-A



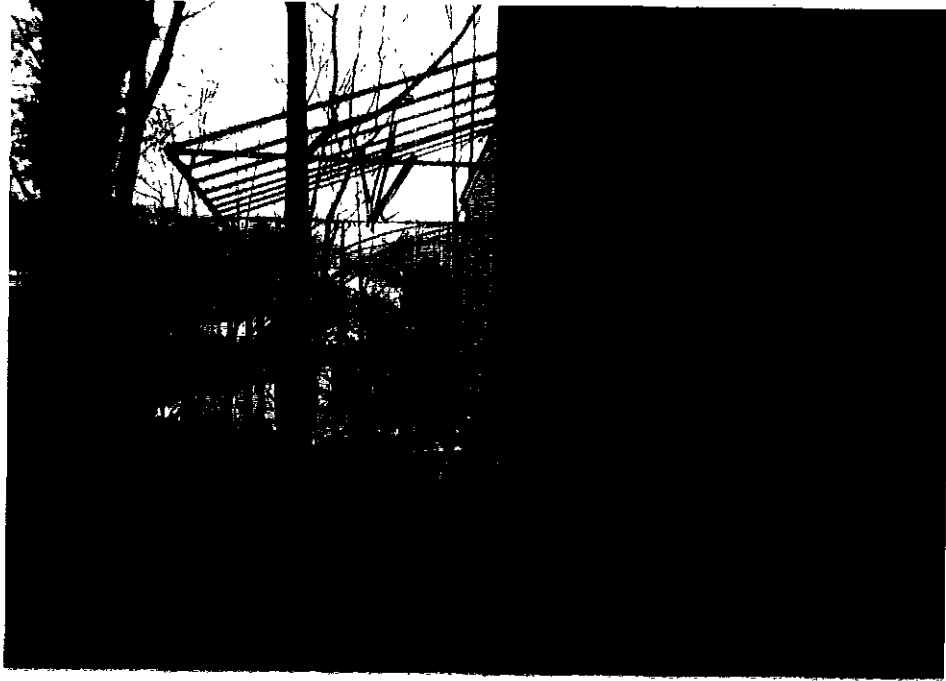
99-243-A

NE 9-A

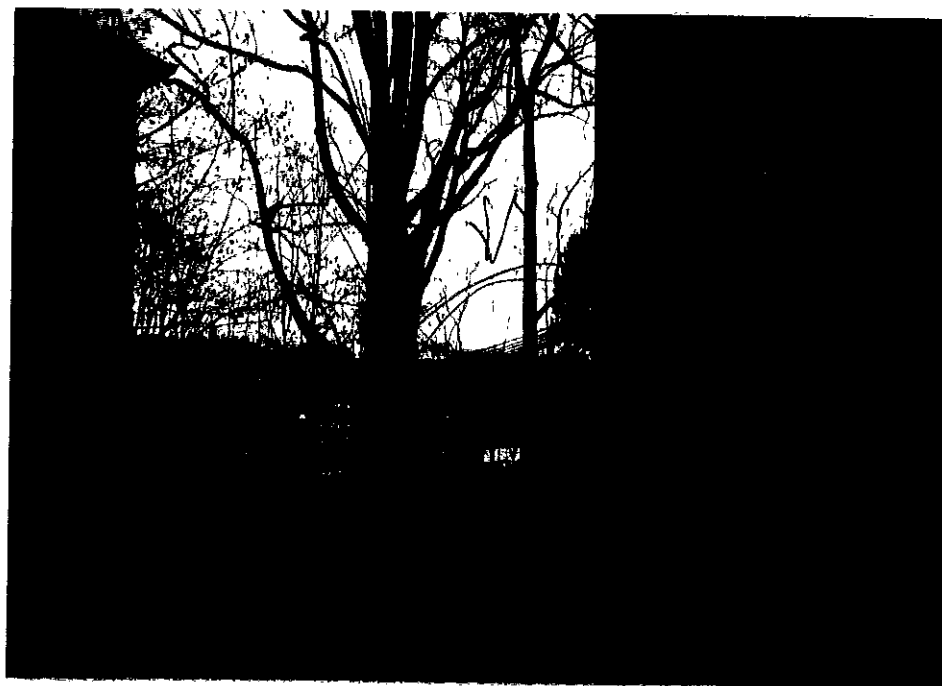
243



99-243-A



99-243-A



99-243-A



99-243-A



99-243-A



243

49243A

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION	SHEET
1" = 200' ±			
DATE OF PHOTOGRAPHY	JANUARY 1986	WILTONDALE TOWSON	N.E. 9-A