

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Loganview Drive, 40' W
centerline of Yardley Drive
12th Election District
7th Councilmanic District
(3510 Loganview Drive)

John and Bonnie Heier
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-491-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by John and Bonnie Heier, property owners, for that property known as 3510 Loganview Drive in the Dundalk area of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 14 ft. front yard setback and a 3 ft. side yard setback in lieu of the required 18.75 ft. and 7.5 ft., respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative 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 Petitioners have 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 Deputy 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 upon the Petitioners.

NOTED RECEIVED FOR FILING

Date

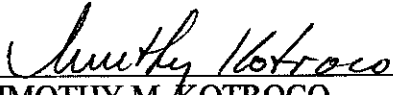
By

6/26/00
R. J. J. J.

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 Deputy Zoning Commissioner for Baltimore County this 26th day of June, 2000, that a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 14 ft. front yard setback and a 3 ft. side yard setback in lieu of the required 18.75 ft. and 7.5 ft., respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 6/26/00
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 26, 2000

Mr. & Mrs. John W. Heier, III
3510 Loganview Drive
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 00-491-A
Property: 3510 Loganview Drive

Dear Mr. & Mrs. Heier:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at *3510 Loganview DR.
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and 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 B02.3.C.1 and 301.1 to permit a 14-ft front setback and a 3-ft side setback in lieu of 18.75 ft and 7.5 ft, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

* John W. Heier III
Name - Type or Print

* John W. Heier III
Signature

* Bonnie S Heier
Name - Type or Print

* Bonnie S Heier
Signature

* 3510 Loganview DR 410-284-4056
Address Telephone No.

* Baltimore Md. 21222
City State Zip Code

Representative to be Contacted:

* John W. Heier III
Name

* 3510 Loganview DR 410-284-4056
Address Telephone No.

* Baltimore Md. 21222
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 9/15/98 day of September that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. GO-491-A

Reviewed By MNK Date 5/22/01

Estimated Posting Date 6/14/01

close - 6/19/01

ORDER RECEIVED FOR FILING
Date 9/15/98
BY [Signature]

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 * 3510 Hoganview DR
Address
* Baltimore Md. 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):

*
I am building a porch on the right half FRONT and right side of my house to divert water further away from the foundation on that portion of the house.

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

* John W. Heier III
Signature

* Bonnie S. Heier
Signature

* John W. Heier III
Name - Type or Print

* Bonnie S. Heier
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28TH day of April, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John W. Heier III and Bonnie S. Heier
the Affiant(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

4/28/00
Date

[Signature]
Notary Public

My Commission Expires 08/01/00

Beginning on the south side of Loganview Drive, 50 feet wide, at the distance of 40 feet west of the centerline of Yardley Drive. Being Lot 55, Block 1 of the subdivision of "Dundalk" as recorded in Plat Book 14, folio # 13. Also known as 3510 Loganview Drive containing .115 acres in the 12th Election District

491

00-491-A

BAITMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 081345

DATE 5/22/07 ACCOUNT 001-6150

491 AMOUNT \$ 50.00
BY MAX

RECEIVED John Heier III 3510 Laganville Dr.
FROM:

FOR: 010-Res. Ver. (Admin) \$ 50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PRINT ACTUAL

TIME

5/23/2000 5/22/2000 14:19:24

REG 4901 CASHIER JRIC JMR DEWATER 1

Dept 5 528 ZIMING VERIFICATION

Receipt # 147344

CR NO. 081345

Receipt Tot

50.00 CR 50.00

50.00 CR

Baltimore County, Maryland

CASHER'S VALIDATION

A-124-00

CERTIFICATE OF POSTING

**RE: CASE #00-491-A
PETITIONER/DEVELOPER
(John W. Hefer III)
DATE OF Closing
(6-19-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

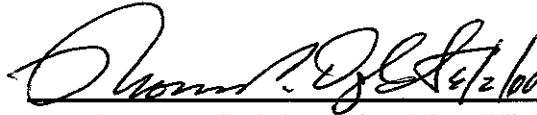
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

3510 Loganview Drive Baltimore, Maryland 21222_____

THE SIGN(S) WERE POSTED ON _____ 6-2-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # CO-49/A

TO BE SET AT 10 FT. FRONT SETBACK AND 3 FT. SIDE SETBACK IN GRN. OF 1872 E. 10TH AVE. EXTENDING

PUBLIC HEARING ?

ANY ELIGIBLE INDIVIDUAL OR GROUP CONCERNED BY THE PROPOSED VARIANCE, SHOULD REQUEST A PUBLIC HEARING BEFORE THE ZONING OFFICE BEFORE THE PROPOSED VARIANCE IS DONE. A PUBLIC HEARING IS DONE ON 2ND & 3RD AVENUE. ADDITIONAL INFORMATION IS AVAILABLE AT THE ZONING OFFICE. 887-3301

Posted at 3510 Loganview Drive

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 491 -A Address 3510 Loganview Drive
Contact Person: Mitchell J. Kellman Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 5/22/05 Posting Date: 6/4/05 Closing Date: 6/19/05

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 00- 491 -A Address 3510 Loganview Drive
Petitioner's Name John W. Heier III Telephone 410-284-4056
Posting Date: 6/4/05 Closing Date: 6/19/05
Wording for Sign: To Permit a 14-ft front setback and a 3-ft
side setback in lieu of 18.75 ft and 7.5 ft, respectively.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 12, 2000
Item Nos. 489, 490, 491, 492, 493, 494,
495, 497, 498, 499, 500, and 502

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: July 17, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of June 5, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
489	1100 Sparks Road
491	3510 Loganview Drive
492	17441 Troyer Road
493	10 Marks Manor Court
494	1424 Armacost Road
495	1306 Old Eastern Avenue
496	610 Old North Point Boulevard
497	7373 Edsworth Road
498	7206 Denberg Road
499	230 Pidco Road
500	1009 Malvern Avenue
501	2205-2207 Frederick Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

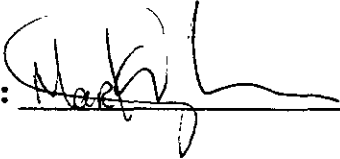
DATE: June 8, 2000

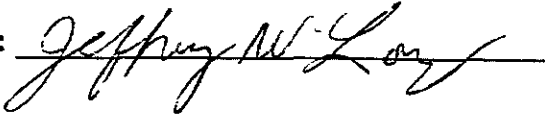
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 477, 491 & 497

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: 

Section Chief: 

AFK/JL:MAC

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: June 18, 1999

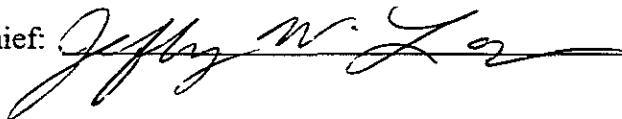
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 491

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

RECEIVED JUN 21 1999



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 6.8.00

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

RE: Baltimore County
Item No. 491 MJK

Dear Ms. Jackson:

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,

1- Kenneth A. McDonald Jr., 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

To:

4/17/00
From: John W. Heier 3rd.
3510 Loganview Dr.
Baltimore Md. 21222

My neighbor Harry Brittain located at 3512 Loganview Dr.
Baltimore Md. 21222 has given his consent for the building of an open porch on the front
and right side of house located at 3510 Loganview Dr. Baltimore Md. 21222

Signed Harry Brittain of 3512 LOGANVIEW DR.
BALTO. MD. 21222
Phone
(410-284-3534)

491

00-491-A

4/17/00
From: John W. Heier 3rd.
3510 Loganview Dr.
Baltimore Md. 21222

My neighbor David R. McKinney located at 3508 Loganview Dr.
Baltimore Md. 21222 has given his consent for the building of an open porch on the front
and right side of house located at 3510 Loganview Dr. Baltimore Md. 21222

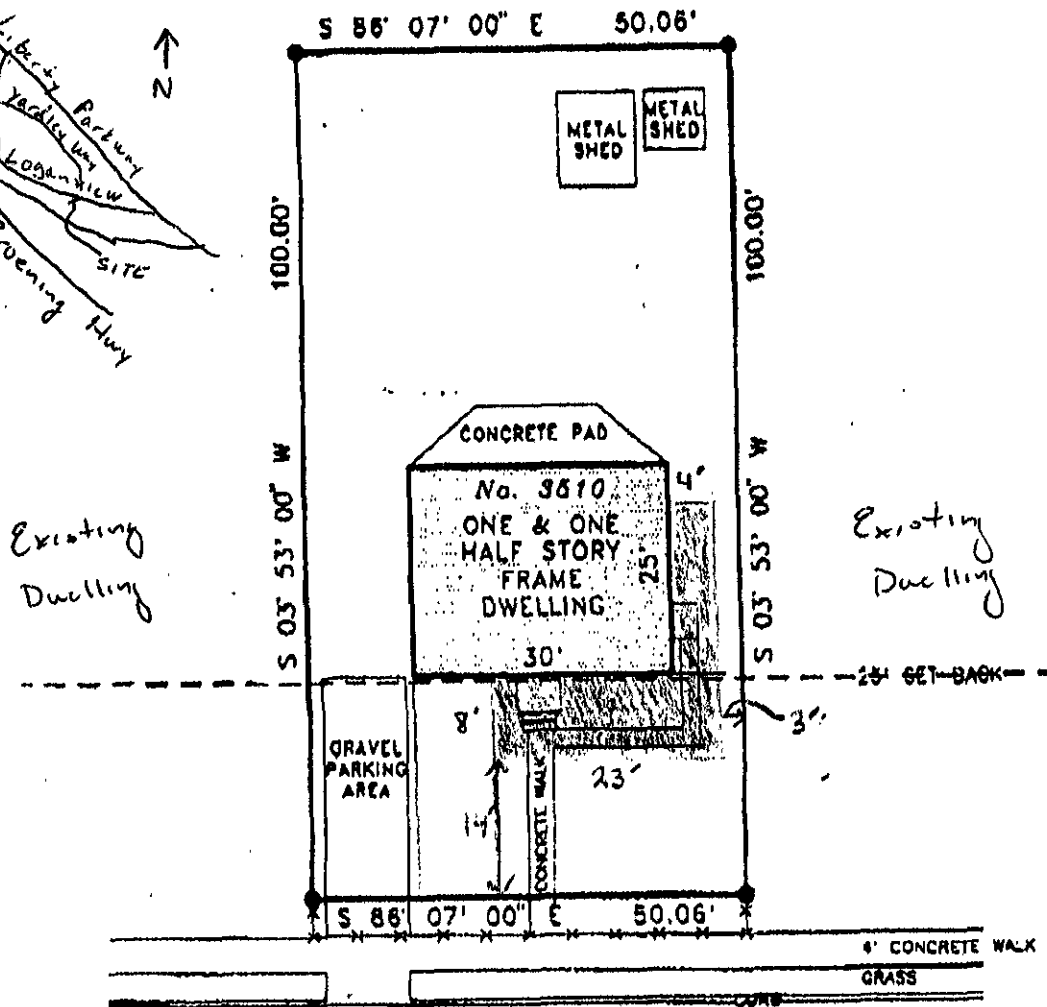
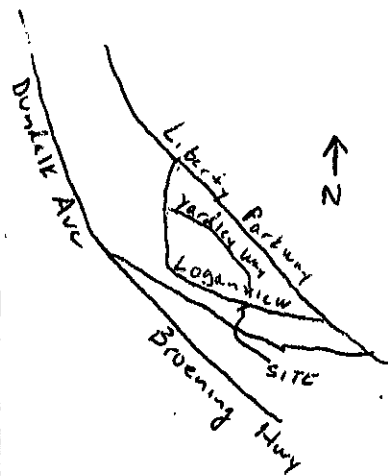
Signed

David R. McKinney 3508 Loganview Dr.,
Baltimore Md. 21222
4/17/00

00-491-A # 491

Site Plan For Zoning Variance

Vicinity Map



LOGANVIEW DRIVE

50' R/W 25' EXISTING PAVING

LOCATION DRAWING

ADDRESS: 3510 LOGANVIEW DRIVE
COUNTY/CITY: BALTIMORE COUNTY
PLATBOOK: JWB 14, FOLIO 1-13
DEED REF.: LIBER 10858, PAGE 441
SUBDIV NAME: DUNDALK
LOT No., BLOCK No.: LOT No. 55, BLOCK 1
FLOOD ZONE: C
SCALE: 1" = 20'

7th Councilmanic District
12th Election District

Lot size - 5000 sq
or .115 Ac.

Zoning - DR5.5

Owners: John & Bonnie
Heier

Site is not in the CBA
or floodplain



Utilities are located within
NOTES: Loganview Drive and are public

- 1) THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.
- 2) THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS OR OTHER EXISTING OR FUTURE IMPROVEMENTS.
- 3) THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.
- 4) THE OFFSET DIMENSIONS TO THE APPARENT PROPERTY LINES SHOWN HEREON REFLECT AN ACCURACY OF ± 2.

0005 E YAN

491

00-491-A

DRAWING NUMBER

PLAN HOLD CORPORATION • IRVINE CALIFORNIA

DRAWING NUMBER

PLAN HOLD CORPORATION • IRVINE CALIFORNIA

DRAWING NUMBER

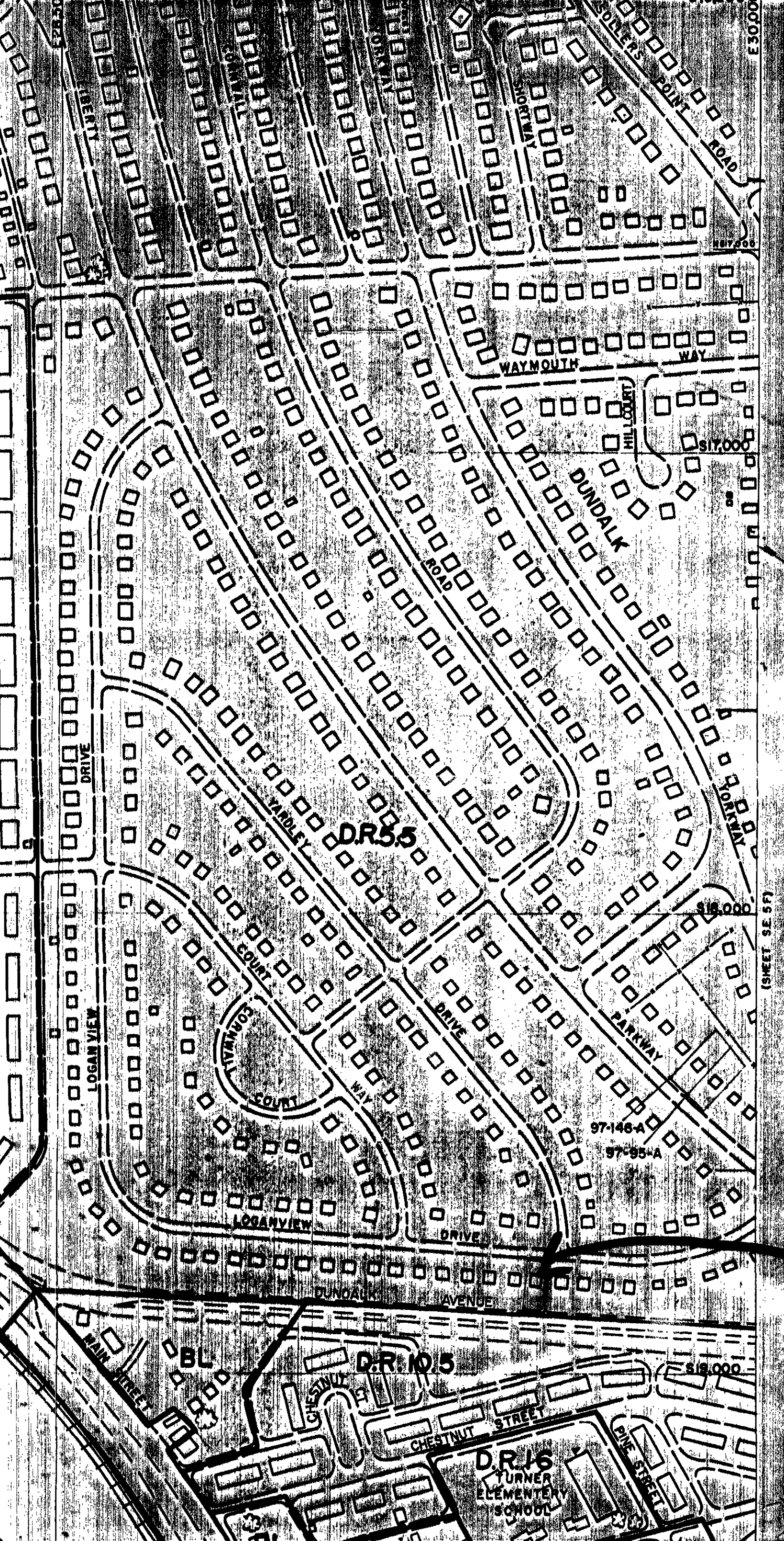
PLAN HOLD CORPORATION • IRVINE CALIFORNIA

00-491-A

SITE

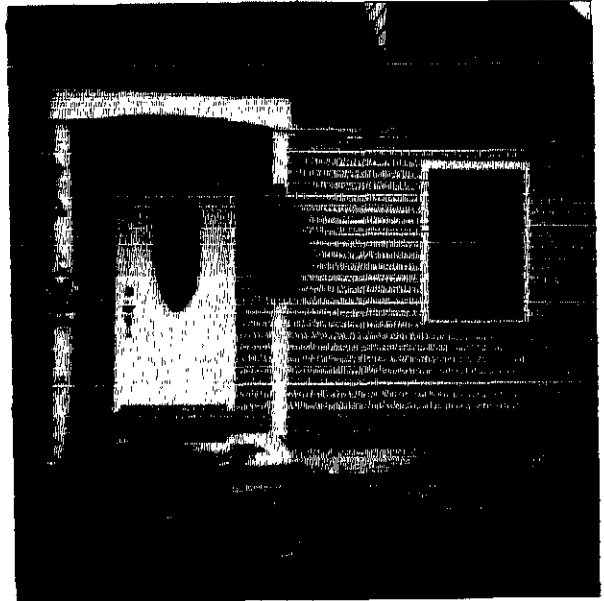
#491

SE 56





Front of house



Front of house



Front of house

00-491-A



side of house



side of house

00-491-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

APPROVED SIGN POSTERS

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000
Toll Free: 800-368-2295
Fax: 410-781-4673

Richard Hoffman
904 Dellwood Drive
Fallston, MD 21047

Telephone: 410-879-3122

Garland E. Moore
3225 Ryerson Circle
Baltimore, MD 21227

Telephone: 410-242-4263
Mobile: 410-382-4470

Tom Ogle
325 Nicholson Road
Baltimore, MD 21221

Telephone: 410-687-8405
Mobile: 410-262-8163
Fax: 410-687-4381

Patrick M. O'Keefe, Sr.
523 Penny Lane
Hunt Valley, MD 21030

Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

Linda M. Jones
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

Telephone: 410-296-3333
Fax: 410-296-4705

Staff Sergeant Robert A. Black
1508 Leslie Road
Dundalk, MD 21222

Telephone: 410-282-7940
Cell: 410-499-7940
Pager: 410-373-9662
Work: 410-288-3284

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 11/17/99

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 00-491-A

Petitioner: John W. Heier III

Address or Location: 3510 Loganview Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: John W. Heier III

Address: 3510 Loganview Drive

Baltimore, MD 21222

Telephone Number: (410) 284-4056