

IN RE: PETITION FOR VARIANCE
N/S Dovefield Road, 443' E
centerline Likens Road
11th Election District
5th Councilmanic District
(Lot #34 Dovefield Road)

Charles & Nancy Marsheck
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-050-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Charles and Nancy Marsheck. The Petitioners are requesting a variance for property they own at #34 Dovefield Road, which property is zoned DR 5.5. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a minimum rear yard set back of 13 ft. and 18 ft. in lieu of the required 30 ft.

Appearing at the hearing on behalf of the variance request were Mr. and Mrs. Marsheck and Thomas Church, professional engineer with Development Engineering Consultants, Inc. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, is known as Lot No. 34 of the Likens property subdivision. The subdivision was approved by Hearing Officer Schmidt. A variance is being requested for Lot No. 34, due to the fact that there was a road realignment for the access road to this property. As a result of the road realignment the variance request has been generated.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208

ORDER RECEIVED FOR FILING

Date 9/8/00

By

R. J. [Signature]

(1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

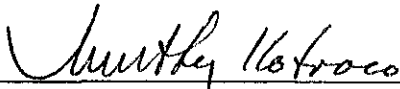
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 8th day of September, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a minimum rear yard set back of 13 ft. and 18 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

COPY RECEIVED FOR FILING
Date 9/8/00
By R. Jensen

- 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

9/18/00

By

R. J. J. J. J.

IN RE: PETITION FOR VARIANCE
N/S Dovefield Road, 443' E
centerline Likens Road
11th Election District
5th Councilmanic District
(Lot #34 Dovefield Road)
Charles & Nancy Marsheck
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-050-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208

ORDER RECEIVED FOR FILING
Date 9/8/00
By [Signature]

9/12/00
Typographical error
Lot #13, Street address
is NO 34. [Signature]
ZONING COMMISSIONER



Baltimore County
Zoning Commissioner

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

September 8, 2000

Mr. & Mrs. Charles Marsheck
8711 Blairwood Road, Apt. B2
Baltimore, Maryland 21236

Re: Petition for Variance
Case No. 01-050-A
Property: #34 Dovefield Road

Dear Mr. & Mrs. Marsheck:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been approved 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,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Thomas A. Church, P.E.
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Maryland 21212





Petition for Variance

AND TO AMEND THE FINAL DEVELOPMENT PLAN OF THE LIKENS PROPERTY.

to the Zoning Commissioner of Baltimore County

for the property located at #34 DOVEFIELD ROAD

which is presently zoned DR-5.5

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)

1B01.2.C.1.b TO ALLOW A MINIMUM REAR SETBACK OF 13' TO THE NORTH CORNER IN LIEU OF THE REQUIRED 30', AND A MINIMUM OF 18' TO THE SOUTH CORNER IN LIEU OF THE REQUIRED 30'.

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

SEE ATTACHED LETTER

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):

CHARLES MARSHECK

Name - Type or Print

Signature

NANCY MARSHECK

Name - Type or Print

Signature

8711 BLAIRWOOD ROAD

APARTMENT B-2

410/529-3579

Address

Telephone No.

BALTIMORE,

MD

21236

City

State

Zip Code

Representative to be Contacted:

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

THOMAS A. CHURCH, P.E.

Name

6603 YORK ROAD

410/377-2600

Address

Telephone No.

BALTIMORE

MD

21212

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date 8-2-00

Case No. 01-050A

REV 9/15/98

9/5/00
CASE RECEIVED FOR FILING

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION

#34 DOVEFIELD ROAD

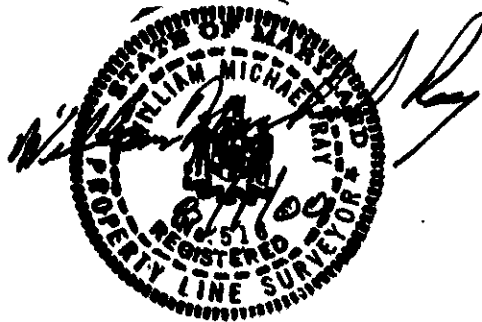
Beginning at a point on the north side of Dovefield Road which is 50 feet wide at a distance of 443 feet, East of the centerline of the nearest improved intersecting street, Likens Road which is 50 feet wide. Being Lot #13, in the Subdivision of Likens Property as recorded in Baltimore County Plat Book #72, Folio #112.

Containing 8,890 square feet of 0.204 acres of land, more or less.

Also known as #34 Dovefield Road and located in the 11th Election District, 5th Councilmanic District.

97-121

07-07-00



050

01-050-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

050
95209

DATE 8-3-00 ACCOUNT Fac 6152

AMOUNT \$

100.00

RECEIVED
FROM:

C. Marshbeck 4000 10

FOR:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
8/02/2000 8/02/2000 11:31:59

REF 00301 CASHIER JRG JRG BROWER

DOCT 5 528 JRG JRG VERIFICATION

Receipt # 156721

CR NO. 005209

Receipt Tot 100.00

100.00 OK 100.00

Baltimore County, Maryland

01-050-A

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-060-A
34 Dovefield Road
N/S Dovefield Road, 443 E
of centerline Likens Road
11th Election District
5th Councilmanic District
Legal Owner(s): Charles &
Nancy Marshell
Variance: to allow a minimum rear setback of 13 feet to the North corner in lieu of the required 30 feet and a minimum of 18 feet to the South corner in lieu of the required 30 feet.

Hearing: Wednesday,
September 6, 2000 at 3:00
p.m. in Room 407, County
Courts Building, 401 Bosley
Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concerning the file and/or
hearing, contact the Zoning
Review Office at (410) 887-
3391.

8/298 Aug. 24 C414580

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/25/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/24/, 2000.

THE JEFFERSONIAN,
J. Wilkinson

LEGAL ADVERTISING


**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 01-050-A
34 Dovefield Road
N/S Dovefield Road, 443 E
of centerline Likens Road
11th Election District
5th Councilmanic District
Legal Owner(s): Charles &
Nancy Marshack

Variance: to allow a minimum rear setback of 13 feet to the North corner in lieu of the required 30 feet and a minimum of 18 feet to the South corner in lieu of the required 30 feet.

Hearing: Tuesday, September 19, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 867-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 867-3391.

8/348 August 31 C 415529

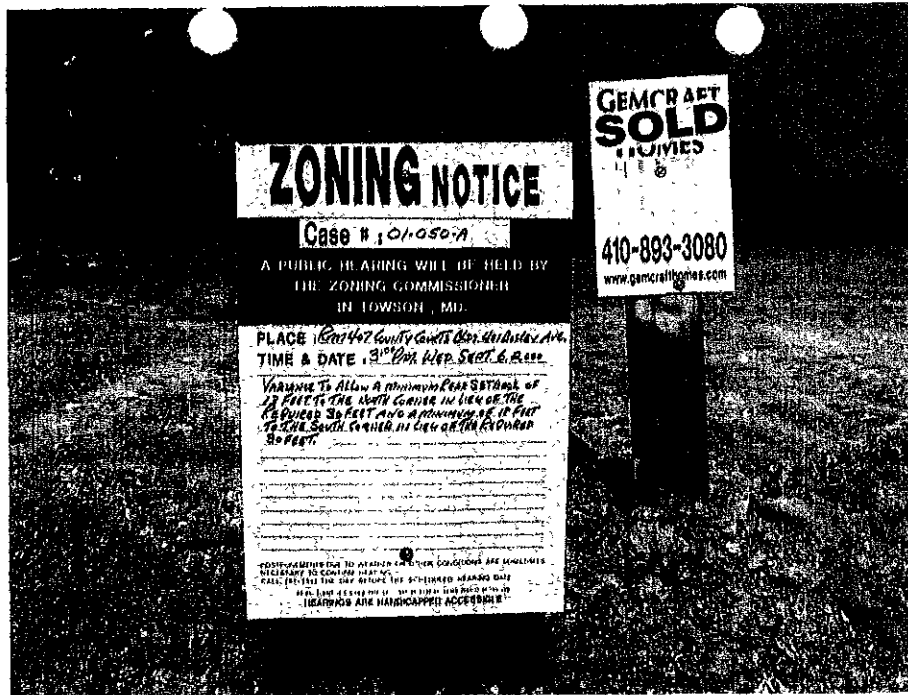
CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/31, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/31, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING



34 Dovefield Road

CERTIFICATE OF POSTING

**RE: CASE # 01-050-A
PETITIONER/DEVELOPER
(Charles Marsheck)
DATE OF Hearing
(9-6-00)**

**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**

34 Dovefield Road Baltimore , Maryland 21128_____

THE SIGN(S) WERE POSTED ON_____ 8-22-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE
34 Dovefield Road, N/S Dovefield Rd,
443' E of c/I Likens Rd
11th Election District, 5th Councilmanic

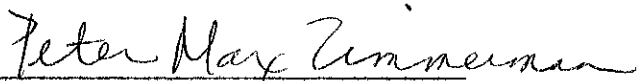
Legal Owner: Charles & Nancy Marsheck
Petitioner(s)

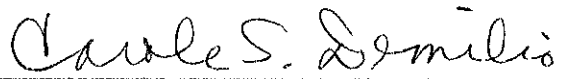
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-50-A

* * * * *

ENTRY OF APPEARANCE

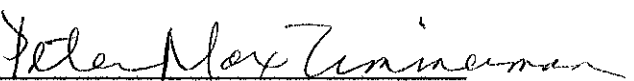
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 11, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-050-A
34 Dovefield Road
N/S Dovefield Road, 443 E of centerline Likens Road
11th Election District 5th Councilmanic District
Legal Owners: Charles & Nancy Marsheck

Variance to allow a minimum rear setback of 13 feet to the North corner in lieu of the required 30 feet and a minimum of 18 feet to the South corner in lieu of the required 30 feet.

HEARING: Tuesday, September 19, 2000, at 10:00 a.m., in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon". Below the signature, the initials "GDZ" are written.

Arnold Jablon
Director

C: Charles & Nancy Marsheck, 8711 Blairwood Road, Apartment B-2, Baltimore 21236
Development Engineering Consultants, c/o Thomas Church, 6603 York Road,
Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 4, 2000.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-050-A





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 17, 2000

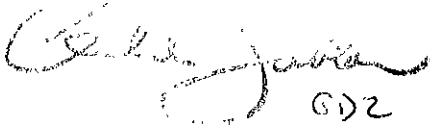
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CASE NUMBER: 01-050-A
34 Dovefield Road
N/S Dovefield Road, 443 E of centerline Likens Road
11th Election District 5th Councilmanic District
Legal Owners: Charles & Nancy Marsheck

Variance to allow a minimum rear setback of 13 feet to the North corner in lieu of the required 30 feet and a minimum of 18 feet to the South corner in lieu of the required 30 feet.

HEARING: Tuesday, September 06, 2000, at 3:00 p.m., in Room 407, County Courts Building, 401 Bosley Avenue



GDZ

Arnold Jablon
Director

C: Charles & Nancy Marsheck, 8711 Blairwood Road, Apartment B-2, Baltimore 21236
Development Engineering Consultants, c/o Thomas Church, 6603 York Road,
Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 25, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, August 31, 2000 Issue – Jeffersonian

Please forward billing to:

Thomas A. Church, P.E. 410-377-2600
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-050-A
34 Dovefield Road
N/S Dovefield Road, 443 E of centerline Likens Road
11th Election District 5th Councilmanic District
Legal Owners: Charles & Nancy Marsheck

Variance to allow a minimum rear setback of 13 feet to the North corner in lieu of the required 30 feet and a minimum of 18 feet to the South corner in lieu of the required 30 feet.

HEARING: Tuesday, September 19, 2000, at 10:00 a.m., in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
6DZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-050-A

**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: 050

Petitioner: CHARLES AND NANCY MARSHECK

Address or Location: 34 DOVEFIELD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: THOMAS A. CHURCH, P.E.

Address: DEVELOPMENT ENGINEERING CONSULTANTS, INC.

6603 YORK ROAD, BALTIMORE, MD 21212

Telephone Number: 410/377-2600

Revised 2/20/98 - SCJ

01-050-A



Baltimore County
Department of Permits and
Development Management

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

August 29, 200

Charles & Nancy Marsheck
8711 Blairwood Road
Apartment B-2
Baltimore, MD 21236

Dear Mr. & Mrs. Marsheck:

RE: Case Number: 01-050-A, 34 Dovefield Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 2, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
GDZ

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Development Engineering consultants, c/o Thomas Church, 6603 York Road,
Baltimore 21212
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 30, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For August 21, 2000
Item Nos. 047 and 050

The Bureau of Development Plans Review did not receive plans for the above-mentioned items.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

August 22, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF AUGUST 14, 2000

Item No.: See Below

Dear Ms. Stephens:

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

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM #'S.

046, 048, 049, 050, 052, 053, 055, 056

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *M/RBS*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of August 14, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
046	104 Glen Ridge Road
047	19807 York Road
050	34 Dovefield Road
051	200 Detroit Avenue
052	326 South Wind Road
053	4467 Spring Avenue
056	435 Main Street
550 Revised	Phillips Purchase



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.16.00

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

RE: Baltimore County
Item No. 050 JCM

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,

for

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

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

August 2, 2000

Baltimore County
Department of Permits &
Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Mr. Arnold Jablon

Gentlemen:

Subject: Variance Request
Lot #13 - 34 Dovefield Road
Likens Property
Our Contract: 97-121

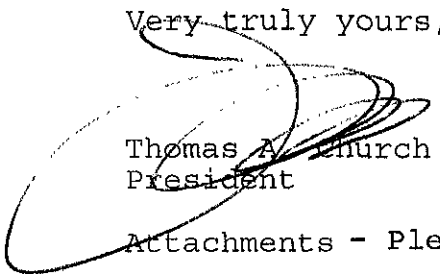
This letter serves as an explanation of the hardship which is the basis for our variance request on the above referenced property.

Originally, the alignment of Dovefield Road at the eastern end turned 80 degrees to the left and went into the Shirley Rye property. This 80 degree intersection formed a rectangular shape lot. Later, Bob Bowling's design section requested a 100' radius curvature of the road which resulted into a "pie" shaped lot.

The approved development plan shows this pie shaped lot, and this is one of the two lots that will require a variance and was mentioned to Commissioner Schmidt when we received permission to remove the "no variance note" from the Likens Plans. The lot has been sold to the Marsheck family on June 30th by the builder.

We are requesting that the rear setback line which is normally 30' be reduced as shown on the attached plan.

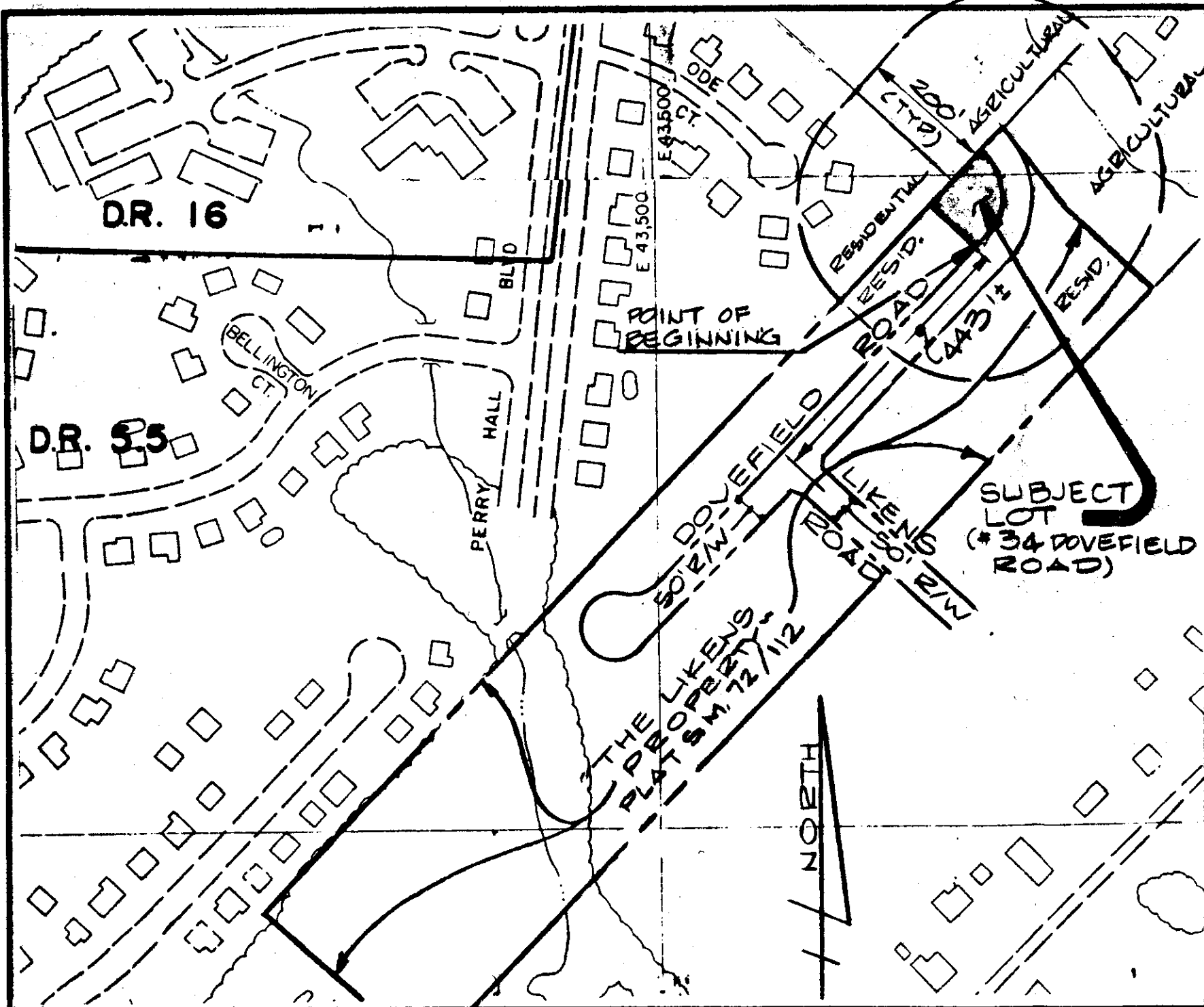
Very truly yours,



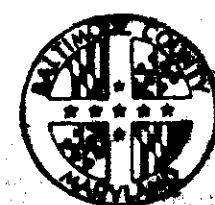
Thomas A. Church
President

Attachments - Please attach this letter to the Variance Request.

050



ZONING MAP
SCALE: 1" = 200'



Baltimore County
Zoning Commissioner

June 19, 2000

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

Mr. Thomas Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Maryland 21212

RE: DEVELOPMENT PLAN HEARING
(Likens Property)
11th Election District - 5th Council District
Case No. XI-799

Dear Mr. Church:

This letter is to follow-up our meeting this date concerning the above-captioned matter and the issue of whether variance relief for any of the lots in this development can be requested.

Based upon my review of the file, the approved development plan, and my Opinion and Order dated January 22, 1999, I agree that the note on the plan stating that no variances are permitted is erroneous. It was not my intent to preclude the ability of the property owner or its successors in title to Petition for variance relief. Indeed, my Order does not provide for any such prohibition. Rather, variance requests will be considered on a case-by-case, or lot-by-lot basis, as they are presented. In my judgment, the present note on the plan should be deleted.

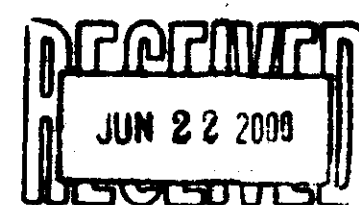
Please call me if you have any further questions on the subject.

Very truly yours,

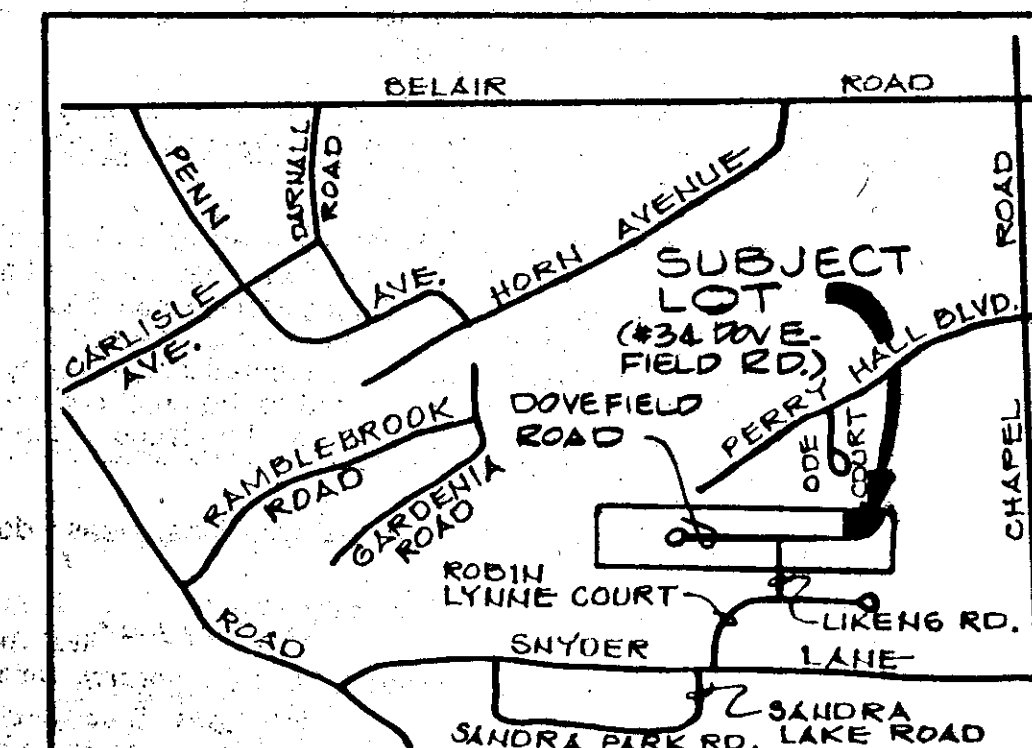
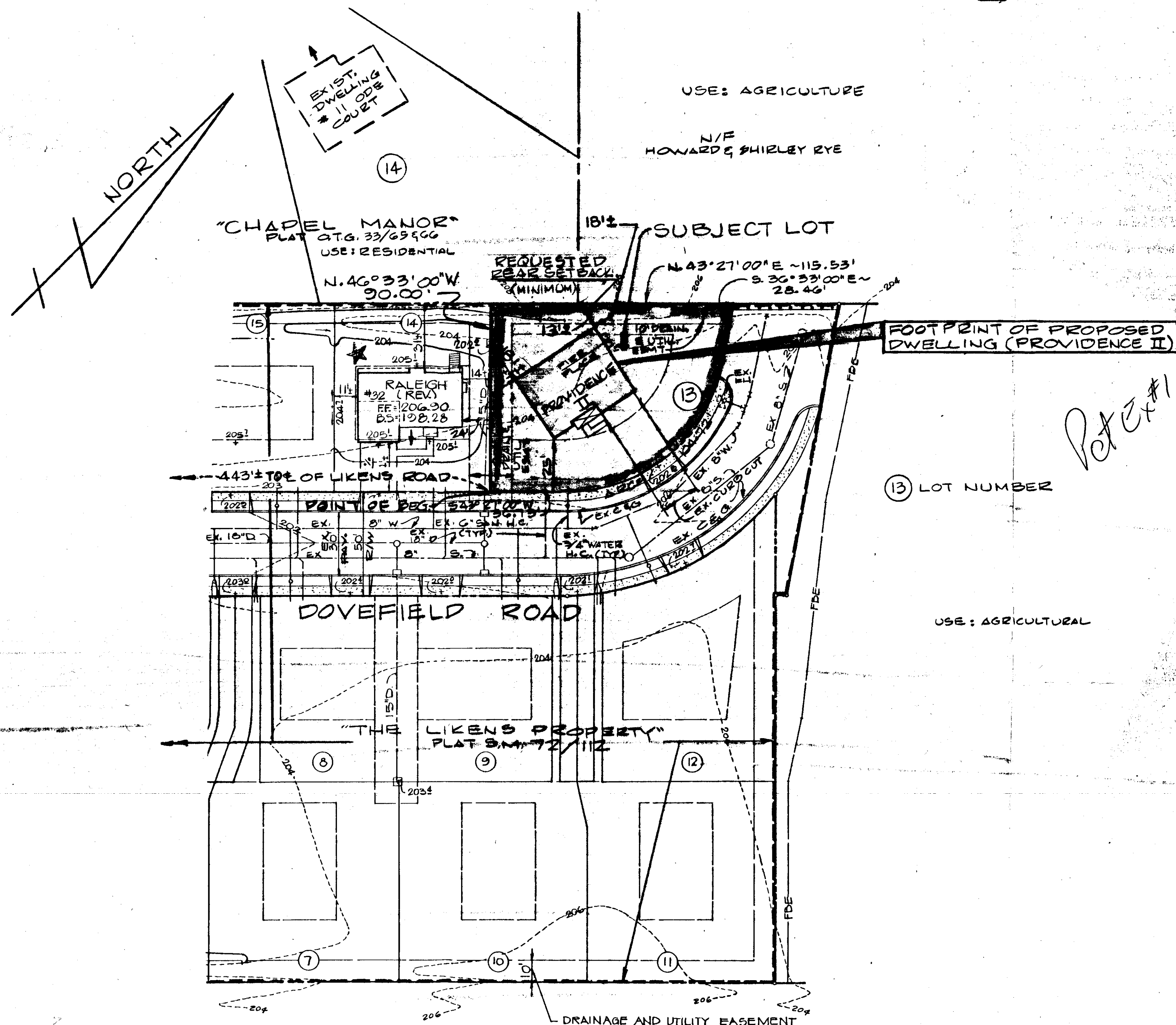
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjc

cc: Mr. Carl Richards, PDM
Case File



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL EXCEPTION



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT: 11
COUNCILMANIC DISTRICT: 5
1" = 200' SCALE MAP #: NE 106,11H
ZONING: DR-5.5
LOT SIZE: 8,890 S.F. = 0.204 AC.±

PUBLIC PRIVATE
SEWER: ☒ ☐
WATER: ☒ ☐
CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE
"NO VARIANCE" NOTE

ZONING OFFICE USE ONLY

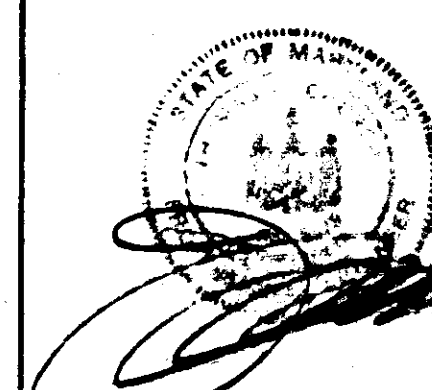
REVIEWED BY: ITEM #: CASE #

OWNER INFORMATION:
CHARLES E. NANCY MARSHACK
8711 BLAIRWOOD RD. APT B-2
BALTIMORE, MD, 21236
410-529-3579

DEED REFERENCE:

PLAT REFERENCE:
S.M. 72/112

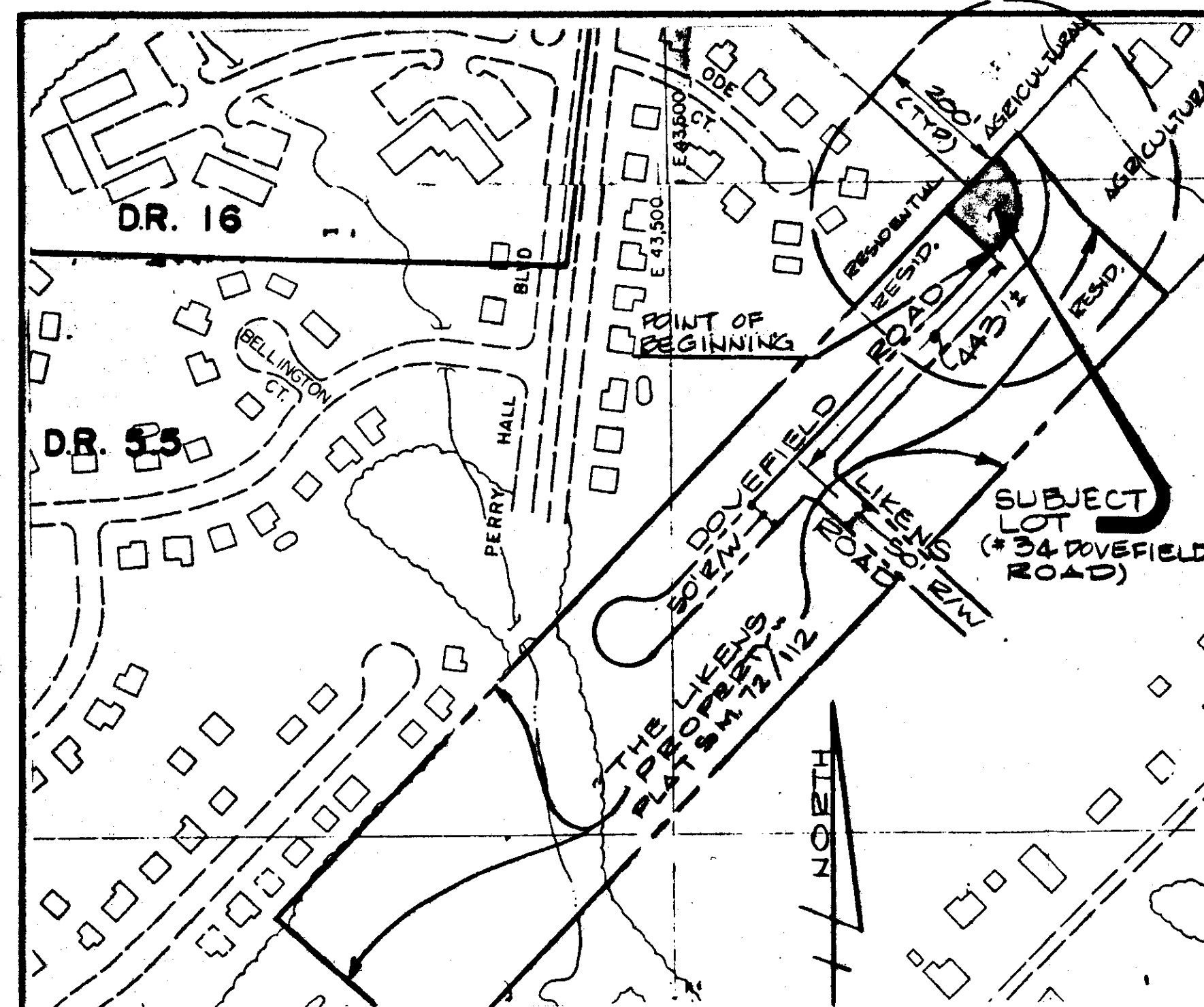
THERE IS NO 100 YEAR FLOOD PLAIN
ON-SITE WHICH AFFECTS THE SUBJECT LOT.



DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

PLAT TO ACCOMPANY PETITION FOR A VARIANCE
#34 DOVEFIELD ROAD
(LOT 13 - THE LIKENS PROPERTY)
ELECTION DISTRICT NO. 11 BALTIMORE COUNTY, MD.

SHEET 1 OF 1
DATE AUG. 2, 2000
SCALE 1" = 30'
CONTRACT NUMBER 97-121



ZONING MAP
SCALE: 1" = 200'



Baltimore County
Zoning Commissioner

June 19, 2008

Suite 405, County Courts Bldg.
401 Bowley Avenue
Towson, Maryland 21204
410-587-4386
Fax: 410-587-3468

Mr. Thomas Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Maryland 21212

RE: DEVELOPMENT PLAN HEARING
(Likens Property)
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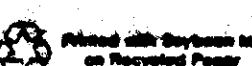
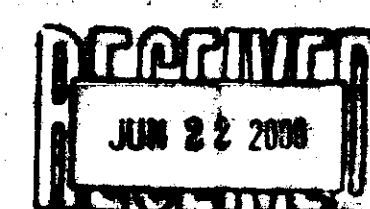
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Very truly yours,
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

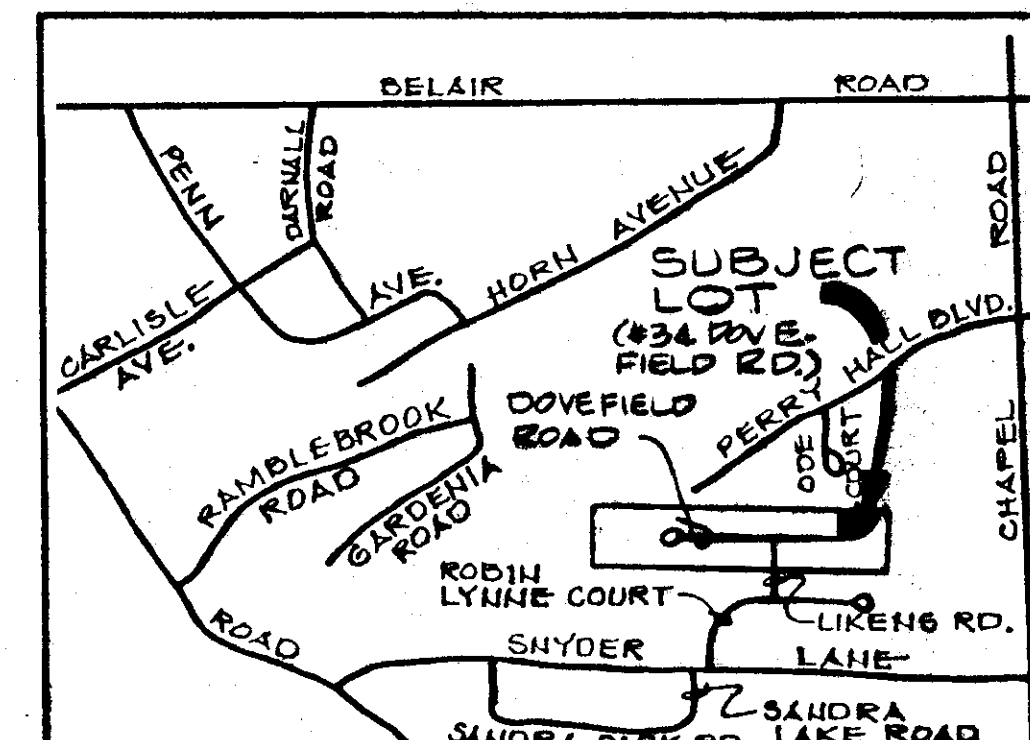
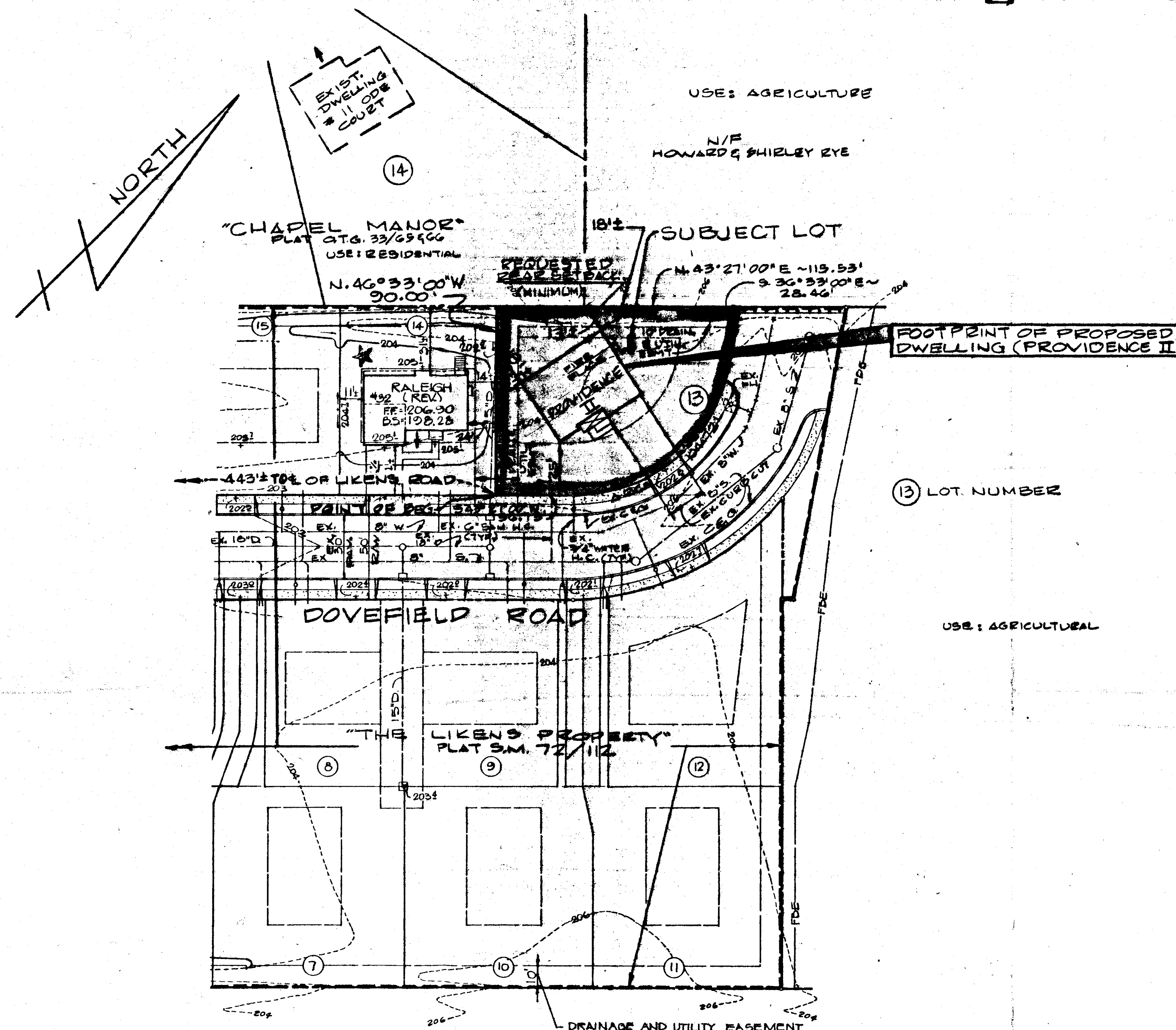
LES:hjs

cc: Mr. Carl Richards, PDM
Case File



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

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL EXCEPTION



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

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SEWER: ☒ PUBLIC ☐ PRIVATE
WATER: ☒ ☐
CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE
"NO VARIANCES" NOTE

ZONING OFFICE USE ONLY

REVIEWED BY: *Jcar* ITEM #: 050 CASE #

OWNER INFORMATION:
CHARLES & NANCY MARSHACK
8711 PLAINWOOD RD, APT B-2
BALTIMORE, MD, 21236
410-529-3579

DEED REFERENCE:

PLAT REFERENCE:
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THERE IS NO 100 YEAR FLOOD PLAIN ON-SITE WHICH AFFECTS THE SUBJECT LOT.

