IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Luiss Deane Drive, 476' E
centerline of Old Harford Road
9th Election District
6th Councilmanic District
(2614 Luiss Deane Drive)

Werner & Margaret Schock, Legal Owners and Jeffrey W. Schock, Contract Purchaser Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 02-546-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Werner & Margaret Schock and Jeffrey Schock, Contract Purchaser. The variance request is for property located at 2614 Luiss Deane Drive in the eastern area of Baltimore County. The variance request is from Section 427.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a 6 ft. high fence to be 6 inches from each side property line (adjoining side yards) in lieu of the minimum required distance of 30 ft. each. 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

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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.

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.

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



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

Fax: 410-887-3468

July 9, 2002

Mr. & Mrs. Werner Schock 8820 Walther Boulevard Baltimore, Maryland 21234

> Re: Petition for Administrative Variance Case No. 02-546-A

Property: 2614 Luiss Deane Drive

Dear Mr. & Mrs. Schock:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

Suthy 16 troes

TMK:raj Enclosure

c: Mr. Jeffrey W. Schock 2614 Luiss Deane Drive Baltimore, MD 21234



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	This Petition shall be filed with the Department of Permits a owner(s) of the property situate in Baltimore County and which is made a part hereof, hereby petition for a Variance from Section(s	s described in the description and plat attac	ched hereto and
	to be 6 in ches from the new	roperty line adjoc	line (od)
_	side property) and Ginches from ing side yards) in lieu of the	eminimum require	1 distance
	of 30 pt. each.		
	of the zoning regulations of Baltimore County, to the zoning law of this petition form.	of Baltimore County, for the reasons indica	ted on the back
	Property is to be posted and advertised as prescribed by the zon I, or we, agree to pay expenses of above Variance, advertising, posting regulations and restrictions of Baltimore County adopted pursuant to the	g, etc. and further agree to and are to be bound	led by the zoning
		I/We do solemnly declare and affirm, under th perjury, that I/we are the legal owner(s) of the is the subject of this Petition.	e penalties of property which
	Contract Purchaser/Lessee:	Legal Owner(s):	
	TEFFREY W. Schock Name - Type or Print T TWSchock Signature 410 - 385-1707 (W)	Werner Schock Name - Type or Print Werner Schock Signature	
	ZG14 LUISS DEANE DR. 410-661-1652(H) Address Telephone No. Rational MD 21234 City State Zip Code	Many and Schook Wetur.	Schock Prof
	Attorney For Petitioner:		T, # 2008 <u>0-665-09</u> 5(Telephone No.
	Name - Type or Print	Baltimore MD City State	21234 Zip Code
	Signature	Representative to be Contacted:	
	2 /		
	Company	Name	
	Address Telephone No.	Address	Telephone No.
	City State Zip Code	City State	Zip Code
	A Public Hearing having been formally demanded and/or found to be required that the subject matter of this pregulations of saltimore County and that the property be reposted.	uired, it is ordered by the Zoning Commissioner of petition be set for a public hearing, advertised, as req	Baltimore County, uired by the zoning
	regulations of altimore County and that the property be reposted.	The part of the	3.1
	E 1/4	Zoning Commissioner of Baltimore Count	3.2
n	CASE NO. 02-546-9 Review	· WANTED AND THE CONTRACTOR OF	A STATE OF THE PARTY OF THE PAR

Estimated Posting Date ___

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 201	4 LUISS DEANE DR.	
Address	Timore MD State	2123L Zip Code
That based upon personal knowledge, the following are th Variance at the above address (indicate hardship or practic	cal difficulty):	
Due to the lack of in my backyard, as street and Homes I would like a votalong my property	Fany Type of privil 5 indicated by the Located behind M winance to build a f y line, 6 FT. in he	lacy 2 How ence ence
That the Affiant(s) acknowledge(s) that if a formal dema advertising fee and may be required to provide additional in Signature TEFF LEY W. Schock Name - Type or Print	and is filed, Affiant(s) will be required to pay a renformation. Werker Schock Name - Type or Print	posting and
STATE OF MARYLAND, COUNTY OF BALTIMORE, to will HEREBY CERTIFY, this \(\frac{\sqrt{\sq}}}}}}}\sqrt{\sq}}}\signa\sqrt{\sq}\sqrt{\sqrt{\sq}}\sqrt{\sq}\signat\signgta\sqrt{\sq}\signat\signat\sigr		of the State
the Affiant(s) herein, personally known or satisfactorily ident	itified to me as such Affiant(s).	
Notary Public, Baltimore County, Maryland	Iotary Public My Commission Expires 8-21-02	

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

·	Baltime City	gre imb	21234 Zip Code
That based upon personal knowledge, the for Variance at the above address (indicate hard	ship or practical difficult	culty):	
Due to the I in my backyou Location of my Home, I To build a lines, 6 FT. i	ack of rd, as in the strate would fence of in height	any Type ndicated eet and like a long mu	by the Homes, behing variance property
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provid TOSCLOCK Signature TEFFI-EY W. Schock Name - Type or Print	e additional informat		Rock
STATE OF MARYLAND, COUNTY OF BALT	FIMORE, to wit:		
I HEREBY CERTIFY, this 15th day of of Maryland, in and for the County aforesaid,	トトゥィ つのユ personally appeared	,, befor	e me, a Notary Public of the State
the Affiant(s) herein, personally known or sati	sfactorily identified to	o me as such Affiant(s).	
AS WITNESS my hand and Notarial Seal		C 4 W	•
CRAIG M. MUDF Notary Public, Baltimore Count	Notary F	Public Pu	

My Commission Exp. 8/21/02



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at ZG14 LUISS DEANE DR.

	which is presently zoned
owner(s) of the property situate in Baltimore County and w made a part hereof, hereby petition for a Variance from Se	rmits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and ection(s) 427 B To allow a 6 M high
fence to be 6 inches from rea	r property line (ads'oining a front) garde only lines (ads'oining side yards) in lie
of the minimum required di	stance of 30 pt. each.
of the zoning regulations of Baltimore County, to the zonin of this petition form.	g law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, regulations and restrictions of Baltimore County adopted pursual	posting, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
Name - Type or Print TWSChock Signature JWSChock 10-385-178	Wether Schock Name - Type or Prim Wether Schock 39(6) Signature
Z614 LUISS DEANE DR. 410-661-165 Address Telephone No. BAITIMORE MD Z1Z34 City State Zip Code	
Attorney For Petitioner:	8870 Walther Blvd, 410-665-0950 Address Telephone No.
Name - Type or Print	Battimore MD 21234 City State Zip Code
Signature	Representative to be Contacted:
Company	Name
Address Telephone No.	Address Telephone No.
City State Zip Code	City State Zip Code
	be required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Baltimore County
CASE NO. 02-546-9	Reviewed By 3 12 Date 6 - 4-02
REV 10/25/01	stimated Posting Date 6-17-02

ZONING DESCRIPTION FOR 2614 Luiss Deane Drive

Beginning at a point on the north side of Luiss Deane Drive which is 40ft. wide at the distance of 476ft. east of the centerline of the nearest improved intersecting street Old Harford Rd. which is 60ft. wide. Being Lot #8, in the subdivision of Pine Grove as recorded in Baltimore County Plat Book #0068, Folio #0124, containg 5,000 square feet. Also known as 2614 Luiss Deane Drive and located in the 9th Election District, 6th Councilmanic District.

546

DALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DZ 546-4	PAID R
DATE 6-04-02 ACCOUNT R-001-006-6150 AMOUNT \$ 50.	NE6 US02 BHT >>MCEIPT W 20 Dept 5 528 014301
RECEIVED My Library Jerry Shalf	Pet i i .00 Ealithu
FOR: Residential Variance filing tee	Magazina 12.5. 12. A. Carlotta and a
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CA

CASHIER'S VALIDATION



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 02-546-A
PETITIONER/DEVELOPER:
Werner Shock
DATE OF CLOSING:
July 2, 2002

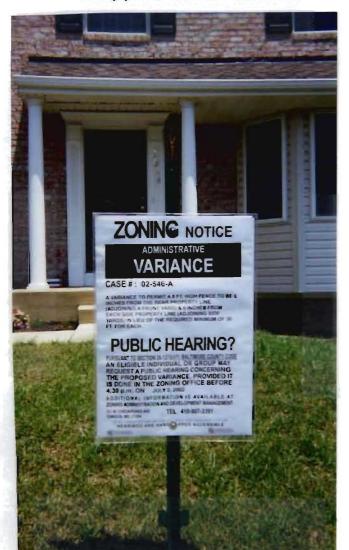
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

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

POSTED ON: June 14, 2002



LOCATION:

2614 Luiss Deane Drive

DATE:

June 18, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286 410-823-4470 PHONE 410-823-4473 FAX





DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 November Advertision
For Newspaper Advertising:
Item Number or Case Number: 02- 546- 4
Petitioner: Mart Ma Werner Shock Address or Location: 2614 Luis's Degne DR
Address or Location: 2414 Luis's Degne DR
PLEASE FORWARD ADVERTISING BILL TO:
Name: Teffrey W. Shock (Contract Purchases)
Address: Same
Teiephone Number: 410-665-0950

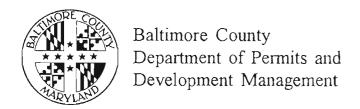
Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Address 2614 Luiss Deane DR.

Case Number 02- 546

Contact Pe	ersoņ: _	Plan	ohn nner, Please P	SU//, v.	an	Pr	none Number:	410-887-3391
Filing Date	Filing Date: $6-04-02$ Posting Date: $4-17-02$ Closing Date: $7-02-0$					te: <u>7-02-02</u>		
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com orde (typi	nmissioner that tically wit	er. He ma he matter hin 7 to 10	ay: (a) gr be set ir days of t	ant the requ n for a publ the closing d	lested relief; ic hearing. ate) as to wh	b) den) You wil hether th	y the request I receive writ	deputy zoning ed relief; or (c) ten notification been granted, as 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 P	art of the	Form is f	or the Sign	Poster Only			
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Petitioner's	Name _	Wern	n Sho	rcK		Telep	hone <u>410 -</u>	665-0950
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							the mi	
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		-					WCR	- Revised 6/28/00



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 2, 2002

Mr. & Mrs. Werner Schock 8820 Walther Boulevard Baltimore MD 21234

Dear Mr. & Mrs. Schock:

RE: Case Number: 02-546-A, 2614 Luiss Deane Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 02, 2002.

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 Ruchards, J.

W. Carl Richards, Jr. G > C Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Jeffrey W Schock, 2614 Luiss Deane Drive, Baltimore 21234 People's Counsel



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

June 11,2002

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

ATTENTION: George Zahner

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 10, 2002

Item No.: See Below

Dear Mr. Zahner:

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, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

535-549

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 22, 2002

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 17, 2002 Item No. 546

The Bureau of Development Plans Review has reviewed the subject zoning item.

An existing overland drainage swale is located in the 10 foot-wide drainage and utility easement at the rear property of lot 8. This swale carries storm water down to a yard inlet at the back property line of lots 9 and 10. See record drawing no. 96-1193.

Baltimore County policy prohibits the construction of a permanent structure within a designated utility easement. Since we don't know what type of fence (*privacy, chain link, etc.*) will be constructed, we recommend building it outside our easement.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Ath NT

DATE:

July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of <u>June 10, 2002</u>

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

535-537, 539, 540, 546, 547, 549



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 19, 2002

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2614 Luis Dean Drive

INFORMATION:

Item Number:

02-546

Petitioner:

Jeffery Schock

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to permit a 6-foot high fence. However, this office will support the construction of a fence not to exceed 4 feet in height.

Prenared by

Section Chief:

AFK/LL:MAC:

JN24-



Maryland Department of Transportation State Highway Administration

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

Date: 6.17.02

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County

Item No. 546

216

Administrator

Dear. Mr. Zahner:

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).

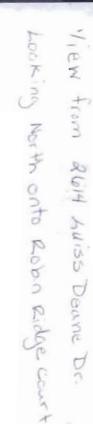
Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING PROPERTY ADDRESS ZONY LUTSS DEADE DR. SUPPRISED AS OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION SEE PAGES & B & OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION SEE PAGES & B & OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION CROSS DE CONTROL OF					
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Pet & #1





Photos taken from petitioner's back yard # 546

