IN RE: PETITION FOR ADMIN. VARIANCE SE/S of Lenning Knoll Court, 25 ft. W centerline of Mayflower Road 14th Election District 6th Councilmanic District (1 Lennings Knoll Court)

Mary C. & Joel B. Leberkight

Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 04-129-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, Mary C. and Joel B. Leberkight. The variance request is for property located at 1 Lennings Knoll Court in the eastern area of Baltimore County. The variance request is from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing deck setback of 18 ft. in lieu of 22 ½ ft. with a proposed sunroom addition on same with a setback of 18 ft. in lieu of 30 ft. and to amend the Final Development Plan for "Lennings Knoll", for Lot #25. 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

2015103 2000 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.

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.
- 2. Compliance with the Zoning Advisory Committee (ZAC) recommendations submitted by Development Plans Review dated September 30, 2003, a copy of which is attached hereto and made a part hereof.
- 3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

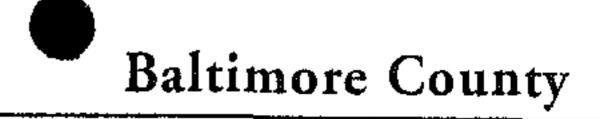
FOR BALTIMORE COUNTY

Sold JVM:raj

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr, County Executive Lawrence E. Schmidt, Zoning Commissioner

October 19, 2003

Mr. & Mrs. Joel B. Leberkight 1 Lennings Knoll Court Baltimore, Maryland 21237-4369

Re: Petition for Administrative Variance

Case No. 04-129-A

Property: 1 Lennings Knoll Court

Dear Mr. & Mrs. Leberkight:

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,

John V. Murphy

Deputy Zoning Commissioner

John mensphy

JVM:raj Enclosure



Visit the County's Website at www.baltimorecountyonline.info



Fedicion ha Administrative Variance

to the Zoning Commissioner of Baltimore County

fight there perspectly leasured at	1 Lennings	ct	
	s presently zon	••••	

I/We do solemnly declare and affirm, under the penalties of

Date

This valido. with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property cluate 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) | Bol. 2.C.1.b and 301.1

TO ALLOWAN EXISTING DECK SETBACK OF 18 FT. IN LIEU OF 22 & FT. WITH A PROPOSED SUNROOM ADDITION ON SAME WITH A SETBACK OF 18 FT. IN LIEU OF 30 FT. AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT ITLAN OF LENNINGS KNOLL FOR LOT NO. 25

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.
If 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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessen: Legal Owner(s): Voel. B. Leberkight Name - Typo of Print Name - Type or Print Signature ebenkight Address Telephone No. Name /- Xxpe or Print Čny State Zip Code Signature MERCHANNY FOR FORMANIES. Kizoll Telephone No Name Type of Prior State Representative to be Contacted: Signature Verry Company Audiess Telephone No Žip Čode State State Zip Code & Gubile Flearing having been formally demanded and/or tound to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning refulations of Baltimore County and that the property be reposted Zoning Commissioner of Baltimore County

Reviewed By

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	1 Lennings	Knoll CT	
	Address City	Md. State	2 / 2 3 7 Zip Code
That based upon personal knowledge, the follovariance at the above address (indicate hardshill we would like to but of our house we a hocation and the hoom is Existing. Chail only be 18th. This Room would in And we could get m	Iready has bur prob we were	rethedece methehouse lem is the toldatzaning	request for an Administrative nome on the rear Katthis to the rear set back y we need 3014.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature	additional information	May C. Sel	seekniskt
Voel B. Leberknight Name - Type or Print	Nan	ne-Type or Print	r Knight
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this	rsonally appeared ctorily identified to m	be (Co) Gh- le as such Affiant(s)	e, a Notary Public of the State
AS WITNESS my hand and Notarial Seal		School (1/2)	South
	Notary Pub	lic 1	1.100
	My Commis	ssion Expires ///)(P105

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	1 Lennings Address	Knoll C+	7*
	Ba/to	State	2 / 2 3 7 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardshow of our house we a hocation and the hoom is Existing. Chail only be 1814.	clready had loor Ard Jur problement	rethecles methologies lem is the toldatzaning	request for an Administrative come on the rear Katthis to the rear set back we weed 3014.
This Room would in And we could get m	verease of	romoundec	sace.
	,		
That the Affiant(s) acknowledge(s) that if a fadvertising fee and may be required to provide Signature Joel B. Leberknight Name - Type or Print	additional information		herknight
STATE OF MARYLAND, COUNTY OF BALTII	MORE. to wit:		
HEREBY CERTIFY, this 27 day ofof Maryland, in and for the County aforesaid, per	arsonally appeared		e, a Notary Public of the State
the Affiant(s) herein, personally known or satisf	actorily identified to m	e as such Affiant(s).	
AS WITNESS my hand and Notarial Seal	Ala	elres Q. X	Scatt.
	Notary Publ My Commis	ssion Expires ///>	4/05

REV 10/25/01

DELORES A. SCOTT
NOTARY PUBLIC STATE OF MARYLAND
My Communication Expires November 26, 2005



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at	1 Lennings	CT
·	s presently zon	

is the subject of this Petition.

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

This Patition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Jalitmore 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 Bol. 2. C. I. b and 301.1

To Allow an Existing deak setback on 18 Ft. In Lieu of 22 th At with a Proposed Surroom Addition on Same with a 3ct back on 18 ft in lieu of 30 At. and to Amend the Last Approved Final Development Plan of Lenning Knoll for Lot No 25

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.

Contract Furchaser/Lessee: Legal Owner(s): B. Lebarkight Name - Type or Print Name - Type or Print Signature C. Leberkight Address i elephone No Zip Code City State Attorney For Petitioner: Telephone No Name - Type or Print Representative to be Contacted: Signature Steve Blane or Jerry Company 7034 Golden Ring Rd ลีย์ปกคุ_{งร}ิ Lelephone No Telephone No City State Zip Code Zip Code State

A Public Parriag harms been formully demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of the the subject matter of this petition be set for a public hearing, advertised, as required by the zoning togulations of Burnary County and that the property by reported

		Zoning Commissioner of Baltimore County
CASE MO.	04-129 A	Reviewed By JL Date 9/12/03
3EV 10/23/01		Astimated Posting Date 7/22/03

Zoning description of 1 Lenning knoll CT.

Beginning at a point on the East Side of Lenning knoll Ct., which is 50 foot wide, at the distance of feet west of the centerline of the nearest improved street Mayflower Rd., which is 50 foot wide. *Being lot # 25 in the subdivision of Lenning knoll as recorded in Baltimore county Plat Book #67, Folio # 22 containing 7,895. Also known as 1 Lenning Knoll Ct. and located in the 14th election District, 6th Councilmanic District.

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT No. 293//	CATTO ACTIVE TO THE ONLY
DATE ACCOUNT	TO COOK WINTER CHARGE TO STAND THE TOTAL OF THE STAND TO STAND THE STAND THE STAND THE STAND THE STANDARD THE
RECEIVED FROM:	130.00 CK . O CH Bultimore County, Anyloru -
FOR: REC VARY HMEND FOR:	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

	RE: Case No.: 04-129-A
	Petitioner/Developer: JOEL V MA
	LEBERKNIGHT
	Date of Hearing/Closing: 10/7/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
ATTN: Becky Hart {(410) 887-3394}	
Ladies and Gentlemen:	4
This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
	S KNOCL C+
	3//
The sign(s) were posted on	(Month, Bay, Year)
•	Sincerely,
	9/5/23
ZONIN'S NOTICE	(Signature of Sign Poster) (Date)
ADMINISTRATIVE VIRIANCE	SSG Robert Black
TO LARMU AN EXCELLENCE OF A PROPOSED SUMBOYON	(Print Name)
AT A Y LOW CAN LEAD WITH AN 18 FT SETTATE IN LITURY 201 FT AND PART OF AND PART OF AND TO AND TO AND THE LAST SET MAD I I AND EAST OF AND THE LAST SET MAD I I AND EAST.	1508 Leslie Road
PUBLIC HEARING ?	(Address)
PURSUANT TO SECTION 26-127(8)(1), OALTIMORE COUNTY CORE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPERED VARIANCE, PROVIDED IT IS DONE IN THE ZONING DEFICE BEFORE AND DITIONAL INFORMATION IS STORY OF THE PROPERTY OF TH	Dundalk, Maryland 21222
ADDITIONAL INFORMATION IS AVAILABLE AT TOURIST AND ISTRACTION AND INFORMATION ASSETS AVAILABLE AT TOURIST CONTROL OF THE PROPERTY MANAGEMENT MANAGEMENT TOURISM TO THE PROPERTY OF THE PROPERT	(City, State, Zip Code)
MELLiffe te definitete meltete bei fin fin fin fin fin fin fin fin fin fi	(410) 282-7940
	(Telephone Number)

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.

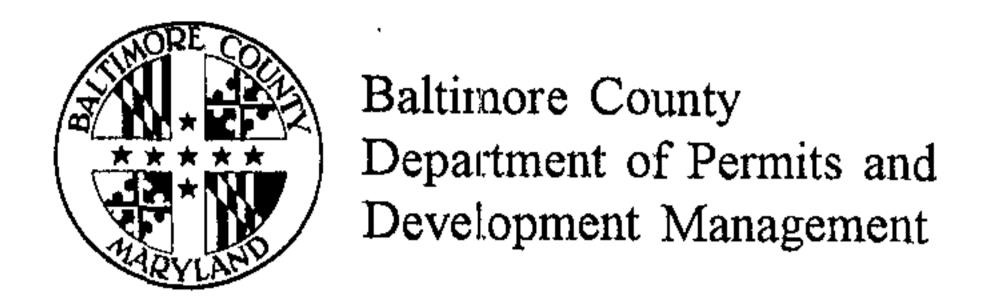
For Newspaper Advertising:
Item Number or Case Number: 04 129 A
Petitioner: LeberKnight
Address or Location: 1 Lennings Knoll C+
PLEASE FORWARD ADVERTISING BILL TO:
Name: 57 eur 13/ain
Address: 7034 Goldon Ring Rd
Balto MD. 21237
Telephone Number: <u>4/0 780-0062</u>

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ase Number 04- 129 -A Address LENVINUS KNOLL CT.
ontact Person: Joith LEwis Planner Please Print Your Name Phone Number: 410-887-3391
iling Date: 9 12 03 Posting Date: 9 22 03 Closing Date: 10 07 0
ny contact made with this office regarding the status of the administrative variance should be irough the contact person (planner) using the case number.
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.
<u>DEADLINE</u> : 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.
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.
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neignbors 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.
Some was production of the second
titioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
ise Number 04- 129 A Address LENNINGS KNOLL CT.
titioner's Name JOEL 4 MARY LEBERKNIGHT Telephone 410.780-9106
sting Date: 9/22/03 Closing Date: 10/07/03
ording for Sign: To Permit AN EXISTING DECK HAN WITH A PROPOSED SUNROOM ADDITION
IN SAME BOTH WITH AN 18 FT. SETBACK IN LIEU OF 222 FT. AND 30 FT. RESPECTIVEL
AND TO AMEND THE LAST APPROVED FINAL DEVELOPMENT PLAN FOR LENNINGS KNOLL
001 100 25 0010

BALTIMOPE COUNT: DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



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

October 6, 2003

Joel Leberkight Mary Leberkight 1 Lennings Knoll Court Baltimore, MD 21237-4369

Dear Mr. and Mrs. Leberkight:

RE: Case Number: 04-129-A, 1 Lennings Knoll Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 12, 2003.

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,

u. Callibal) W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

People's Counsel C: Steve Blane



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

September 24, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: September 22, 2003

Item No.: 112, 114-122, 124, 126, 128-130, 136

Dear Ms. Hart:

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

7. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZIČK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT: Zoning Advisory Committee Meeting

For September 29, 2003

Item No. 129

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

DATE: September 30, 2003

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley 235 MT

DATE:

October 22, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of September 22, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

04-113,114,118,119,120,121,122,123,127,128,129,130,136

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case 04-117, 04-129 and 04-130

Administrative Variance

DATE: September 29, 2003

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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/LL:MAC

State - 10 - 200 et Administration

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

JLL

OF YOUR O'DEPARTMENT OF TRANSPORTS

Date: 9.23.03

Baltimore County

Item No. 129

RE:

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

Dear. Ms. Hart:

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.

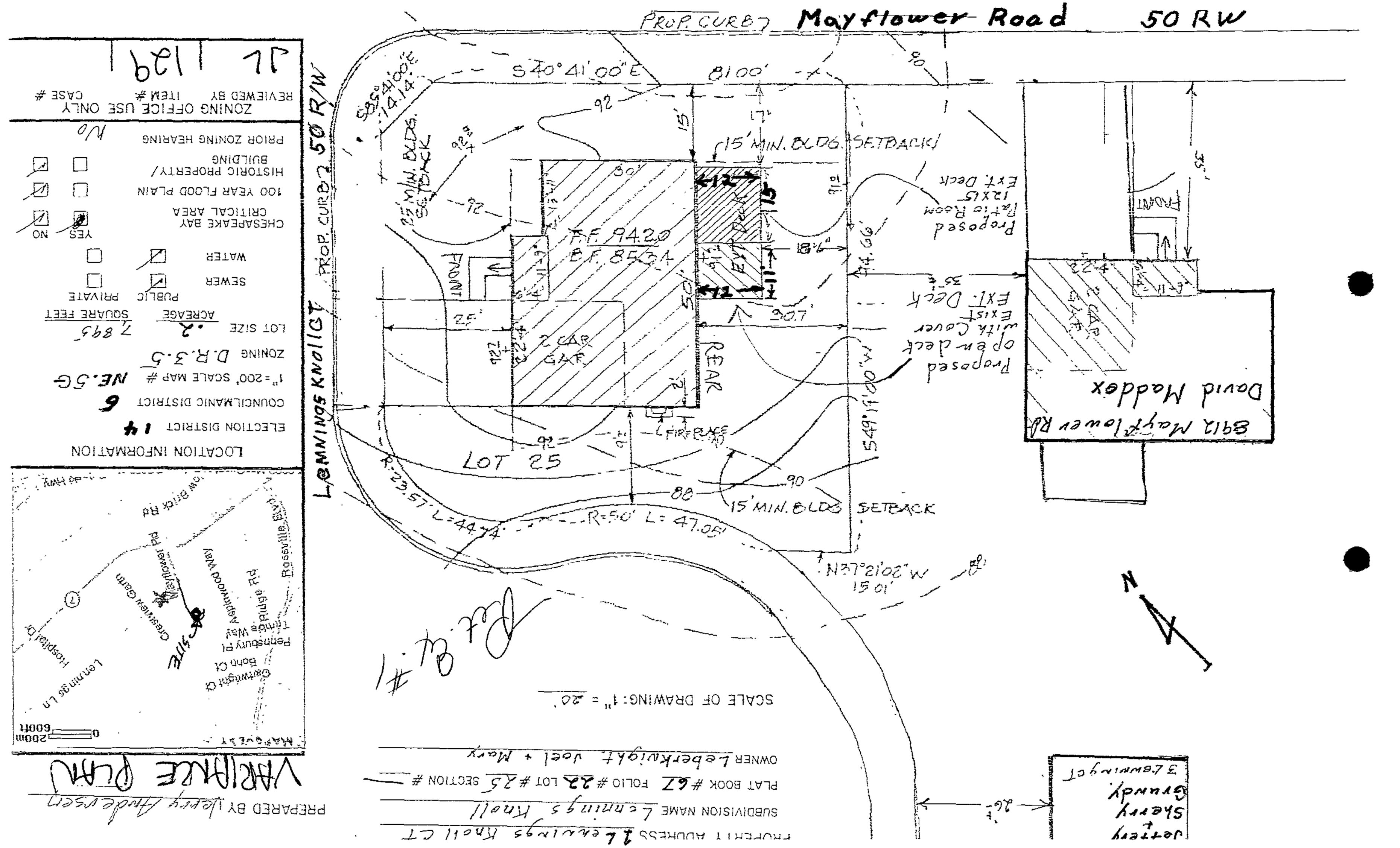
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

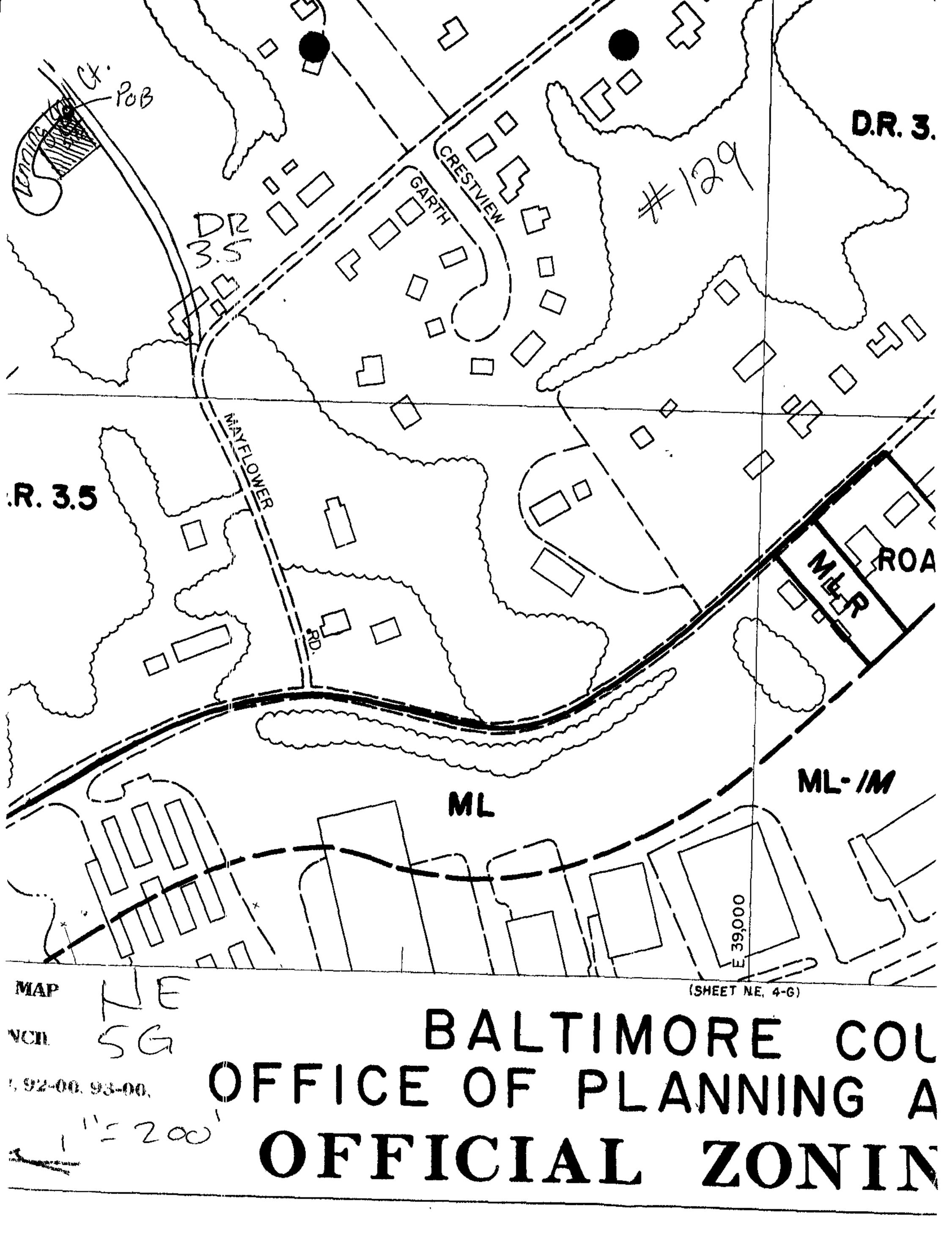
Very truly yours,

P. J. Hordle

f

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





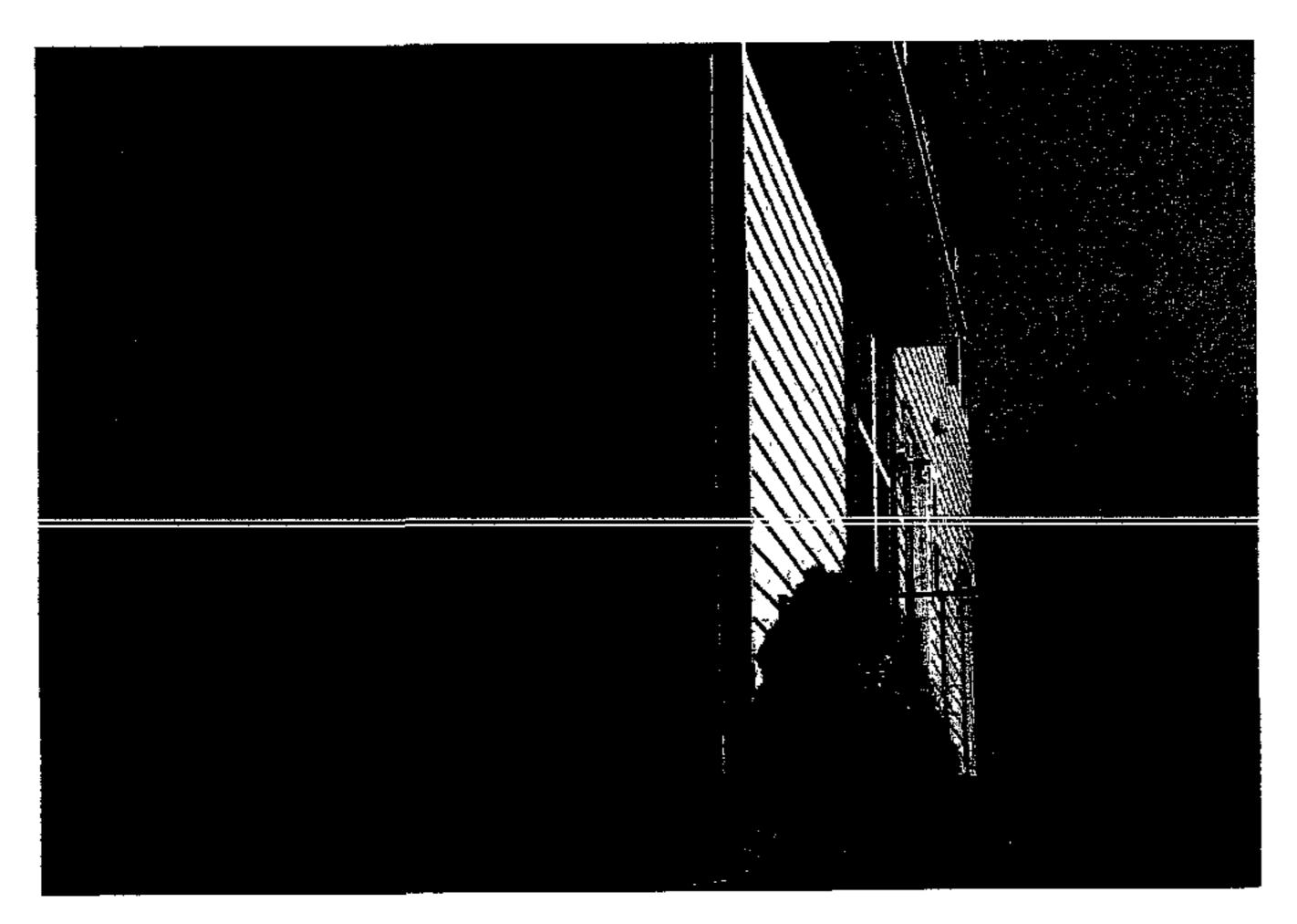
#129

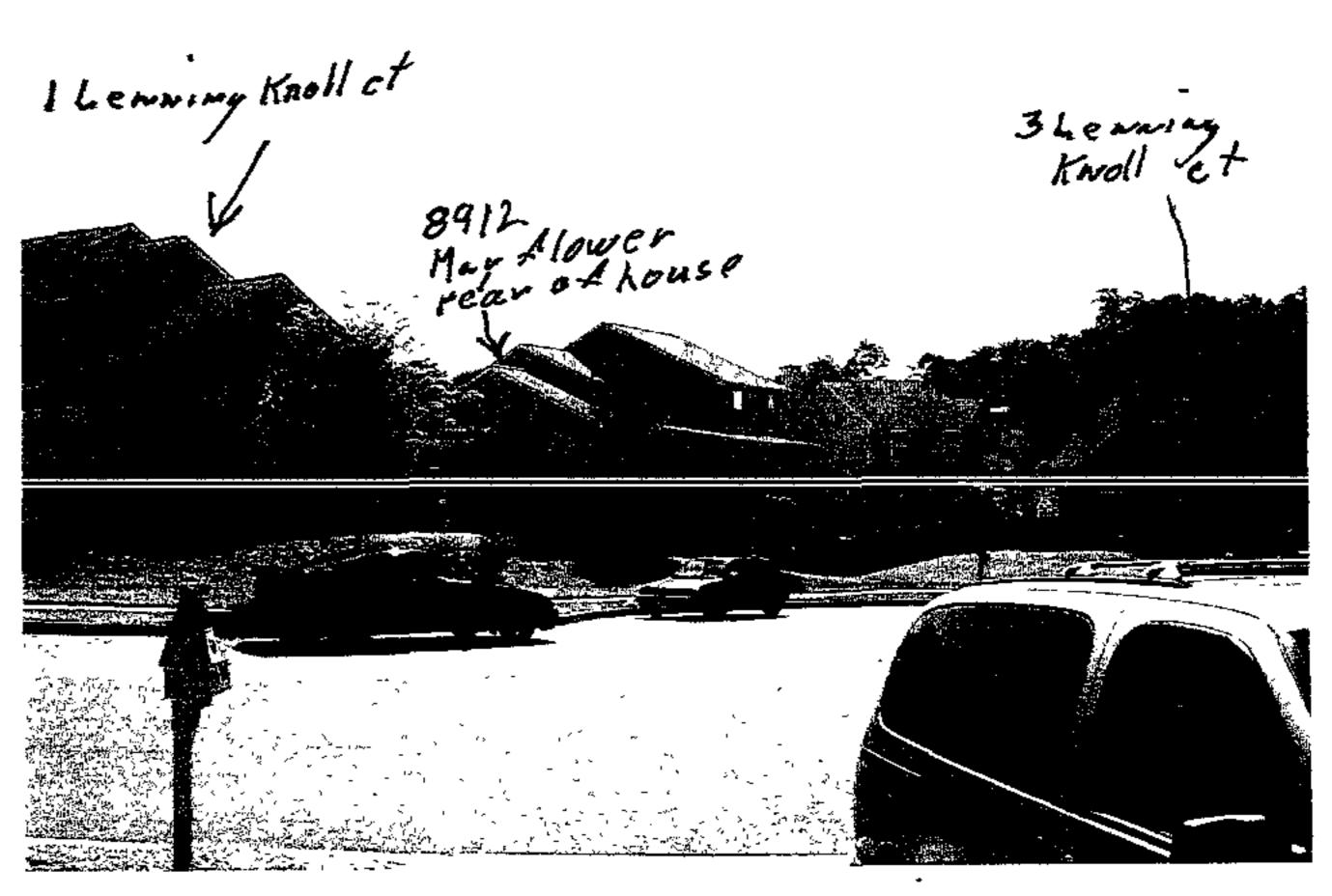
Lenning Know et 3 Lenning Ct

May Flower House

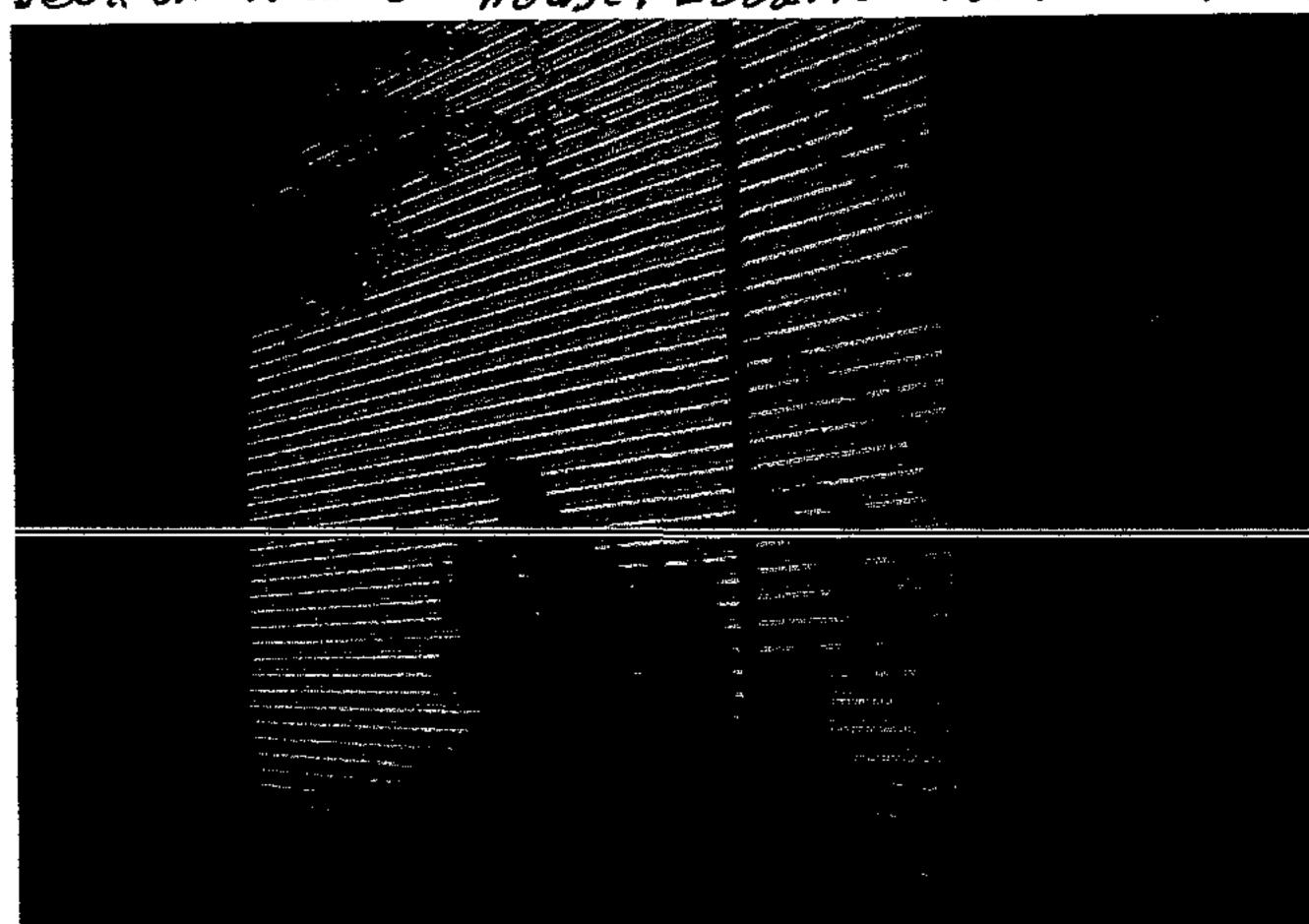
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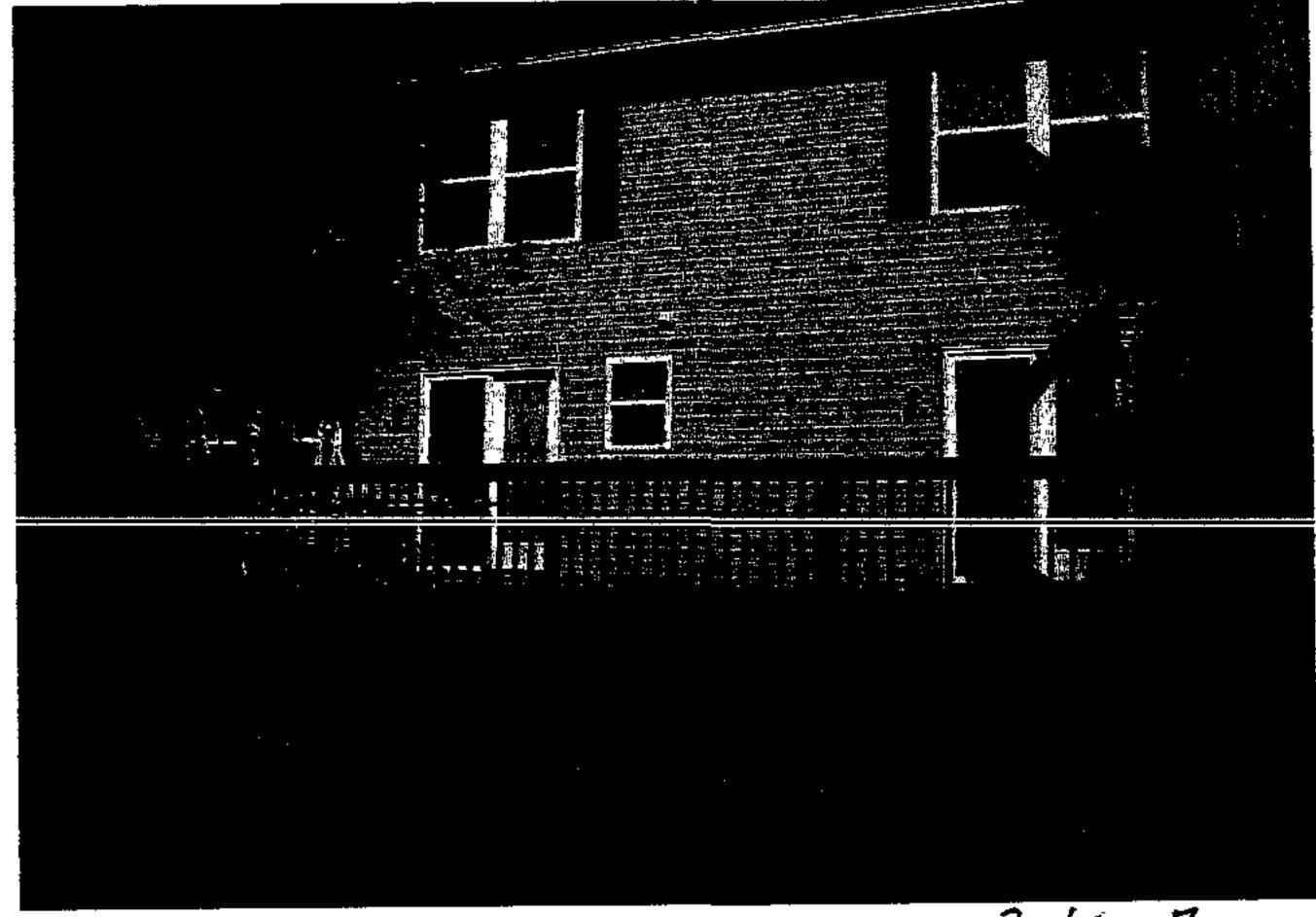
Deck on Rear of house. Location for Potio Room



Right Side of house



Left side of house



Deck Location for New Patio Room