

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Justa Lane, 700 ft. W
centerline of Boxerhill Road
8th Election District
2nd Councilmanic District
(1117 Justa Lane)

Patrick A. Dasch
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-385-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 owner of the subject property, Patrick A. Dasch. The variance request is for property located at 1117 Justa Lane in the Cockeysville area of Baltimore County. The variance request is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 45 ft. and a setback of 72 ft. to the centerline of the road in lieu of the required 50 ft. and 75 ft. respectively for a new addition on an existing dwelling split by the zone line. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 6, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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

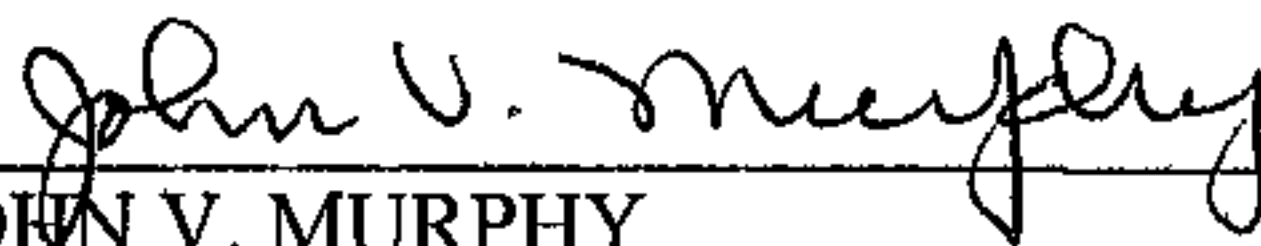
FILED
3/31/04
R. Jameson

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 Petitioner.

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 31 day of March, 2004, that a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 45 ft. and a setback of 72 ft. to the centerline of the road in lieu of the required 50 ft. and 75 ft. respectively for a new addition on an existing dwelling split by the zone line, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

3/31/04


Zoning Commissioner

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



Baltimore County

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

March ³¹~~29~~, 2004

Mr. Patrick A. Dasch
1117 Justa Lane
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 04-385-A
Property: 1117 Justa Lane

Dear Mr. Dasch:

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 that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1117 Justa Lane
which is presently zoned RC-4/RC-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 A04.3.B.3 to permit a side yard setback of 45 ft. and a setback of 72 ft. to the centerline of the road in lieu of the required 50 ft. and 75 ft. respectively for a new addition on an existing dwelling split by the zone line.

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.

State Zip Code

Legal Owner(s):

Patrick A. Dasch

Name - Type or Print

Patrick A. Dasch

Signature

Name - Type or Print

Signature

1117 Justa Lane 410-252-2173

Address

Telephone No.

Cockeysville Maryland 21030

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Public hearing having been formally demanded and/or found 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 regulations of Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

CASE NO. 04-385-A

Reviewed By BH

Date 2/23/04

Estimated Posting Date 3/7/04

REV 10/25/01

ORDER RECEIVED FOR FILING
Date 3/3/04
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

1117 Justa Lane
Address
Cockeysville Maryland 21030
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):

The line between RC-4 and RC-5 runs through the middle of my house. As a result, I'm Requesting a west side set back to forty feet in which I may permit the construction of a 24' x 36' addition. This setback which I'm requesting is in the RC-4 zoning

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.

Patrick A. Dasch
Signature

Signature

Patrick A. Dasch
Name - Type or Print

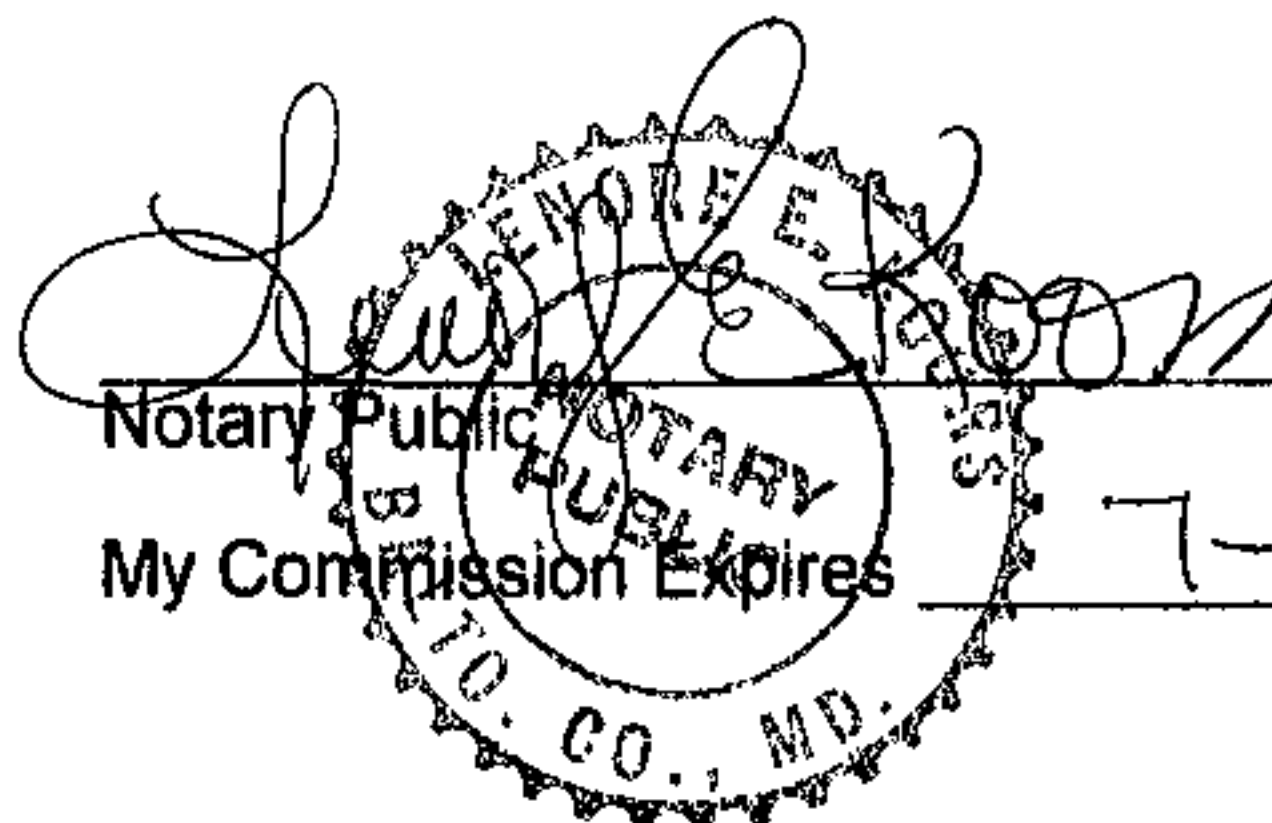
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PATRICK A. DASCH
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



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

Address 1117 Justa lane
City Cockeysville State Maryland Zip Code 21030

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):

The line between RC-4 and RC-5 runs through the middle of my house. As a result, I'm Requesting a west side set back to forty feet in which I may permit the construction of a 24' x 36' addition. This setback which I'm requesting is in the RC-4 zoning

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.

Patrick A. Dasch
Signature

Signature

Patrick A. Dasch
Name - Type or Print

Name - Type or Print

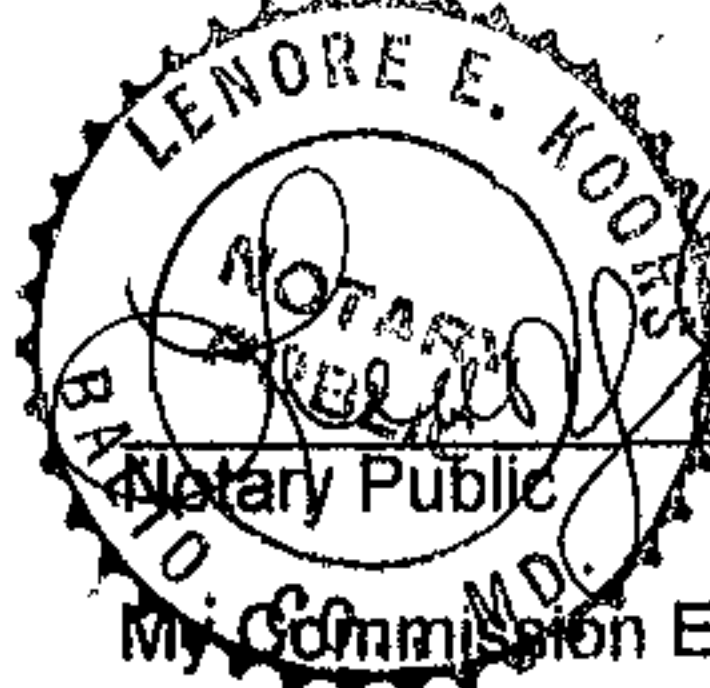
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of February, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PATRICK A. DASCH

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



My Commission Expires

7-1-05



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1117 Justa Lane
which is presently zoned RC-4/RC-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)

1A04.3.B.3 to permit a side yard setback of 45 ft. and a setback of 72 ft. to the centerline of the road in lieu of the required 50 ft. and 75 ft. respectively for a new addition on an existing dwelling split by the zone line.

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:

Legal Owner(s):

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

Name - Type or Print

Signature

Name - Type or Print

Signature

1117 Justa Lane

Address

410-252-2173

Telephone No.

Cockeysville

City

Maryland

State

21030

Zip Code

Representative to be Contacted:

Name

Address

Telephone No

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 ___ day of _____ 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. 04-385-A

Reviewed By BR Date 2/23/04

REV 10/25/01

Estimated Posting Date 3/7/04

Patrick Dasch
1117 Justa lane
Cockeysville Md. 21030

ZONING DESCRIPTION

Zoning description for 1117 Justa lane:

Typical metes and bounds: S.86 degrees 15 minutes East 138.54 ft., S.6 degrees 24 minutes W.589.77 ft. to place of beginning. Containing 1.92 acres of land located in the 8th election district and 2nd council manic district.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 29927

DATE

2/23/04

ACCOUNT

POST 206-6100

AMOUNT

\$ 65.00

RECEIVED

FROM:

PAID

PAID

FOR:

PAID

PAID

PAID RECEIPT

BUSINESS ACTION TIME

2/23/2004 2/23/2004 10:17:39

RE: NAME MAIL FROM JEE

RECEIPT # 12284 2/23/2004

REF: 5 228 20000000000000000000

CS NO. 029927

Receipt Tot

\$65.00

\$65.00 TX

\$65.00 CA

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN
MATT HEWS

Date March 15, 2004

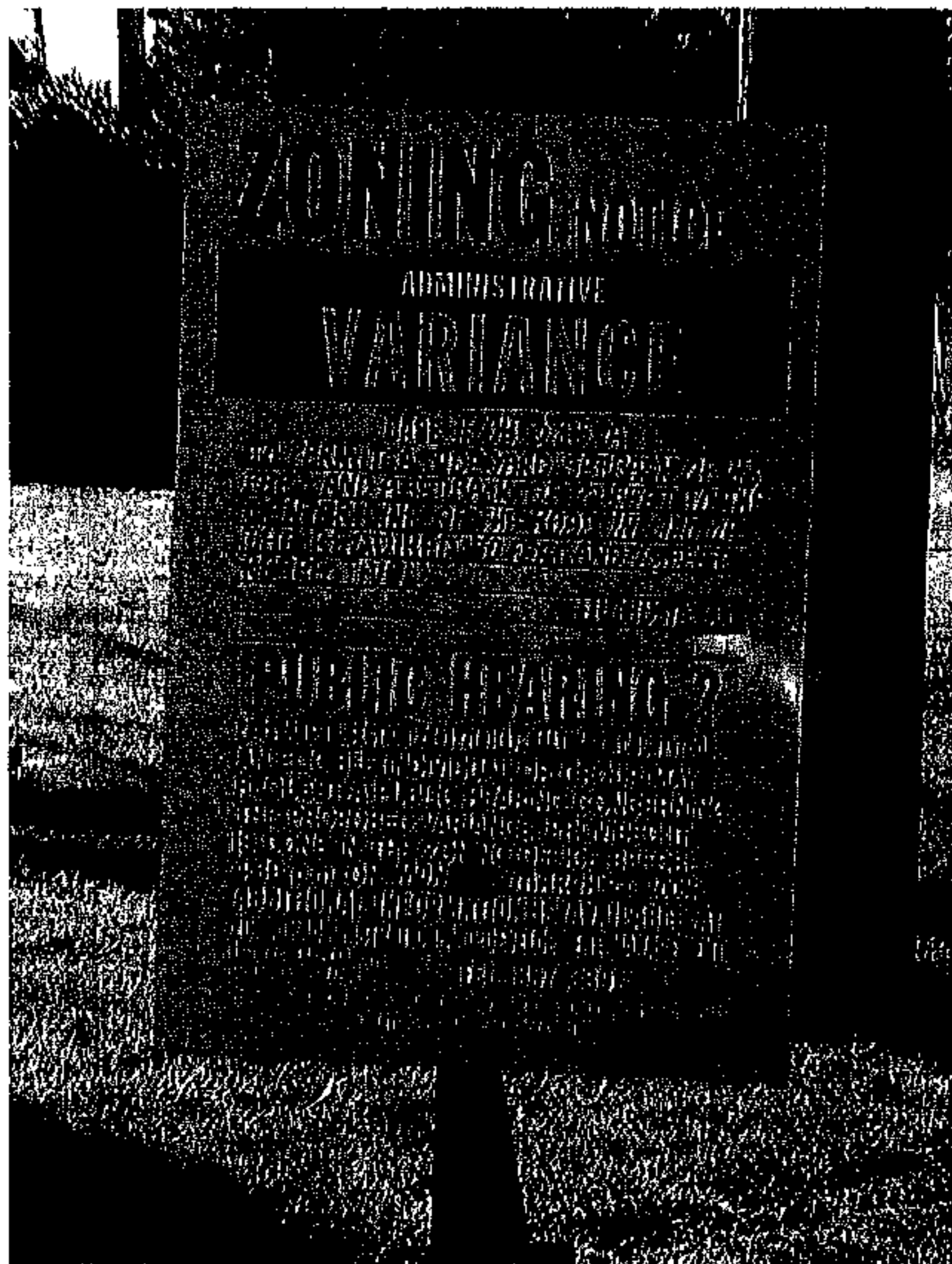
RE: Case Number 04-385-A

Petitioner/Developer KIMBERLY DASH

Date of Hearing/Closing March 22, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1117 JUSTA LANE

The sign(s) were posted on March 6, 2004



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

**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/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of 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: 04-385-A

Petitioner: Patrick A. Dasch

Address or Location: 1117 Justa lane Cockeysville Md. 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: Patrick A. Dasch

Address: 1117 Justa Lane
Cockeysville Md. 21030

Telephone Number: 410-252-2173

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04- 385 -A Address 1117 Justa Lane

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/23/04 Posting Date: 3/7/04 Closing Date: 3/22/04

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 04- 385 -A Address 1117 Justa Lane

Petitioner's Name Patrick Dasch Telephone 410-252-2173

Posting Date: 3/7/04 Closing Date: 3/22/04

Ordering for Sign: To Permit a side yard setback of 45 ft. and a setback of 72 ft. to the centerline of the road in lieu of the required 50 ft. and 75 ft. respectively.

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 22, 2004

Patrick A. Dasch
1117 Justa Lane
Cockeysville, Maryland 21030

Dear Mr. Dasch:

RE: Case Number: 04-385-A, 1117 Justa Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 23, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

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

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2-27-04

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

RE: Baltimore County
Item No. 385 BPR

Dear Ms. Matthews:

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

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410.545.0300 www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley *RB*

DATE: March 25, 2004

SUBJECT: Zoning Item # 04-385
Address 1117 Justa Lane
Dasch Property

Zoning Advisory Committee Meeting of March 1, 2004

☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

GROUNDWATER MANAGEMENT

The proposed addition must be at least thirty feet (30') from the water well and at least twenty feet (20') from the septic system and the septic reserve area. Prior to approval of a building permit, an inspection of the water well and septic system may be required.

Reviewer: Sue Farinetti

Date: March 8, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 2, 2004

RECEIVED

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

MAR 3 2004

SUBJECT: Zoning Advisory Petition(s): **Case 4-379 and 4-385**
Administrative Variance

ZONING COMMISSIONER

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: March 25, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For March 8, 2004
Item Nos. 349, 376, 377, 378, 379, 380,
381, 382, 384, 389, 388, and 389

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

RWB:CEN:jrb

cc: File

February 9, 2004

Department of Zoning
111 West Chesapeake Ave.
Towson , Md. 21204

To whom it may concern,

I am a neighbor of Patrick Dasch. I live at 1114 Justa Lane directly across from Mr. Dasch. I am aware that he has requested a variance to build a 24' x 36' addition on the west side of his house. I am in support of Mr. Dasch's request, and support him 100%. If you have any questions feel free to call me @ 410 561 1060.

Sincerely,

A handwritten signature in cursive script that reads "Richard Koors". The signature is written in black ink and is positioned above the printed name.

Richard Koors

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 117 Justa Lane

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME U/A

PLAT BOOK # NA FOLIO # NA LOT # NA SECTION # NA

OWNER Patrick A. Dasch

existing Dwelling

Richard & Lenore
Moors

Parcel # 309

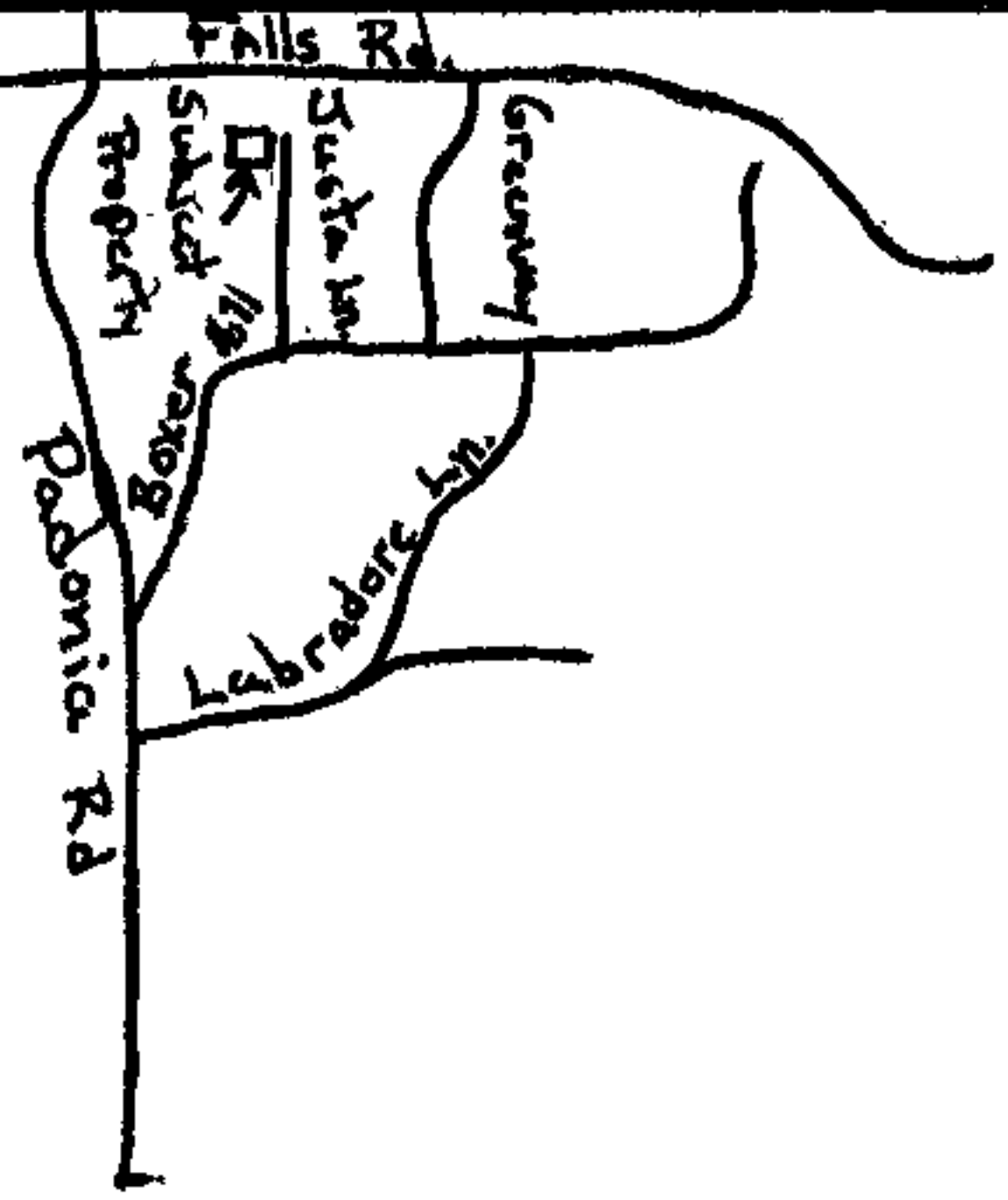
176'-6"

Justa Ln.

1'-9"



VICINITY MAP
SCALE: 1" = 1000'



Parcel # 214
vacant lot

RC-5
RC-4

45'



Proposed
addition
24x36

existing
Dwelling

39'-10"

44'



NORTH

PREPARED BY Patrick A. Dasch

SCALE OF DRAWING: 1" = 30'

LOCATION INFORMATION

ELECTION DISTRICT 8

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # HW 15-D

ZONING RC-4 / RC-5

LOT SIZE 1.920 ACRES SQUARE FEET

PUBLIC PRIVATE

SEWER ☐ ☒

WATER ☐ ☒

CHESAPEAKE BAY
CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY/
BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY Item # CASE #

19N 385 04-385-A

Ret #1

R.C. 4

ROAD

LABORADOR

L.A.

ROAD

JUSTA

L.A.

Requested
of zoning
line
changed

R.C. 4

CO.

P.

R.C. 5

W-19500

#385

NW 15-D

000068-3

RC 5 Setbacks

50' Side

50' Rear

75' from Centerline of R1)

DR 5.5-

ARTHUR H. BECKER

5069/151

79.19A.

R157

P.433

P.477

P.479

P.377

14A

14D

12D

13A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

11A

12A

MDP

Maryland

Department of Planning

Z 1a Z Z Z

ASSIGNED TO IDENTIFY OWNERSHIP. MUST BE PRECEDED BY A MAP NUMBER.)

(7200)

ER-QUADRANGLE

DATE OF PHOTO

SHA GRID

887

BALTIMORE COUNTY,
MARYLAND

197739.6mN
427457.6mE

890

872-588

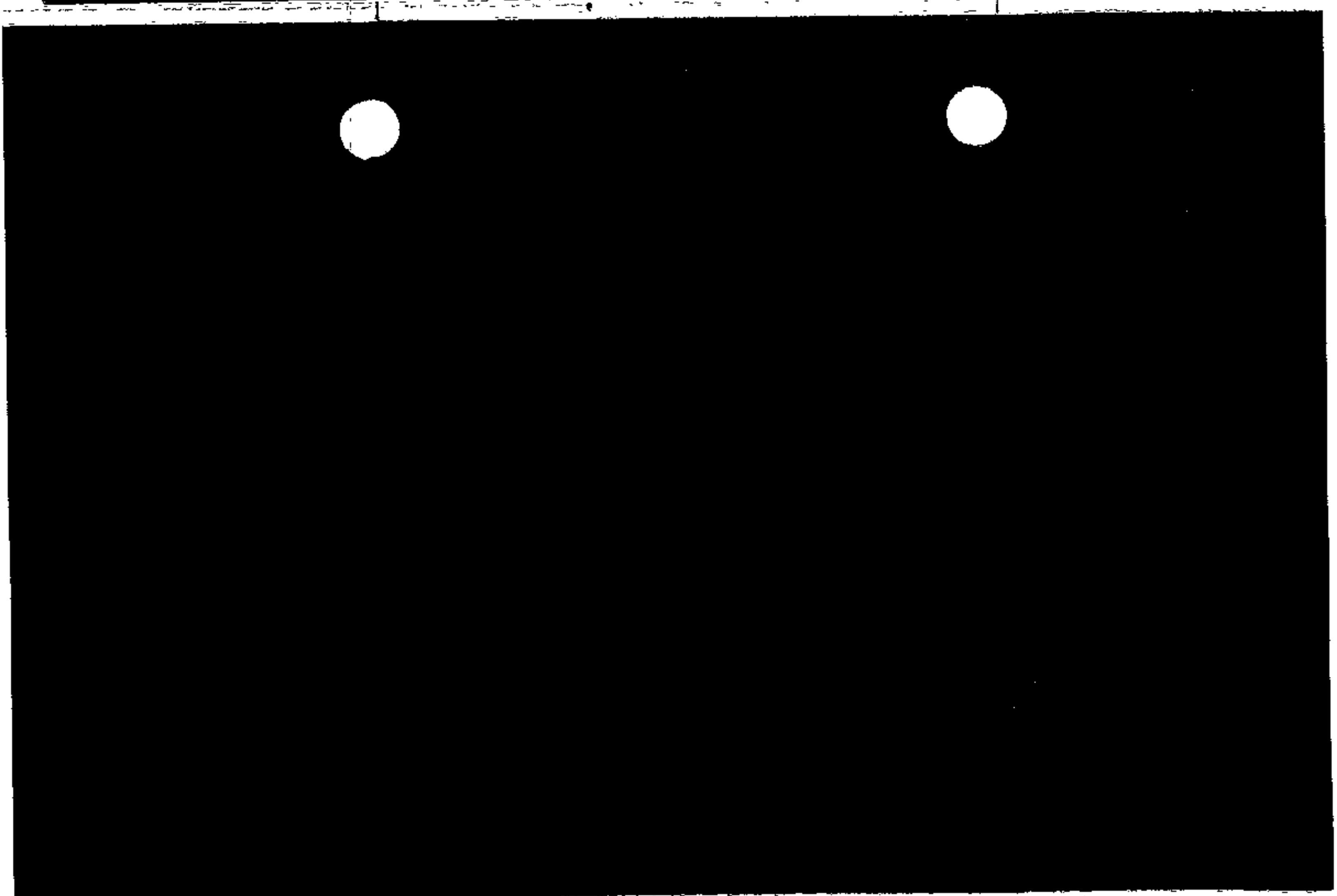
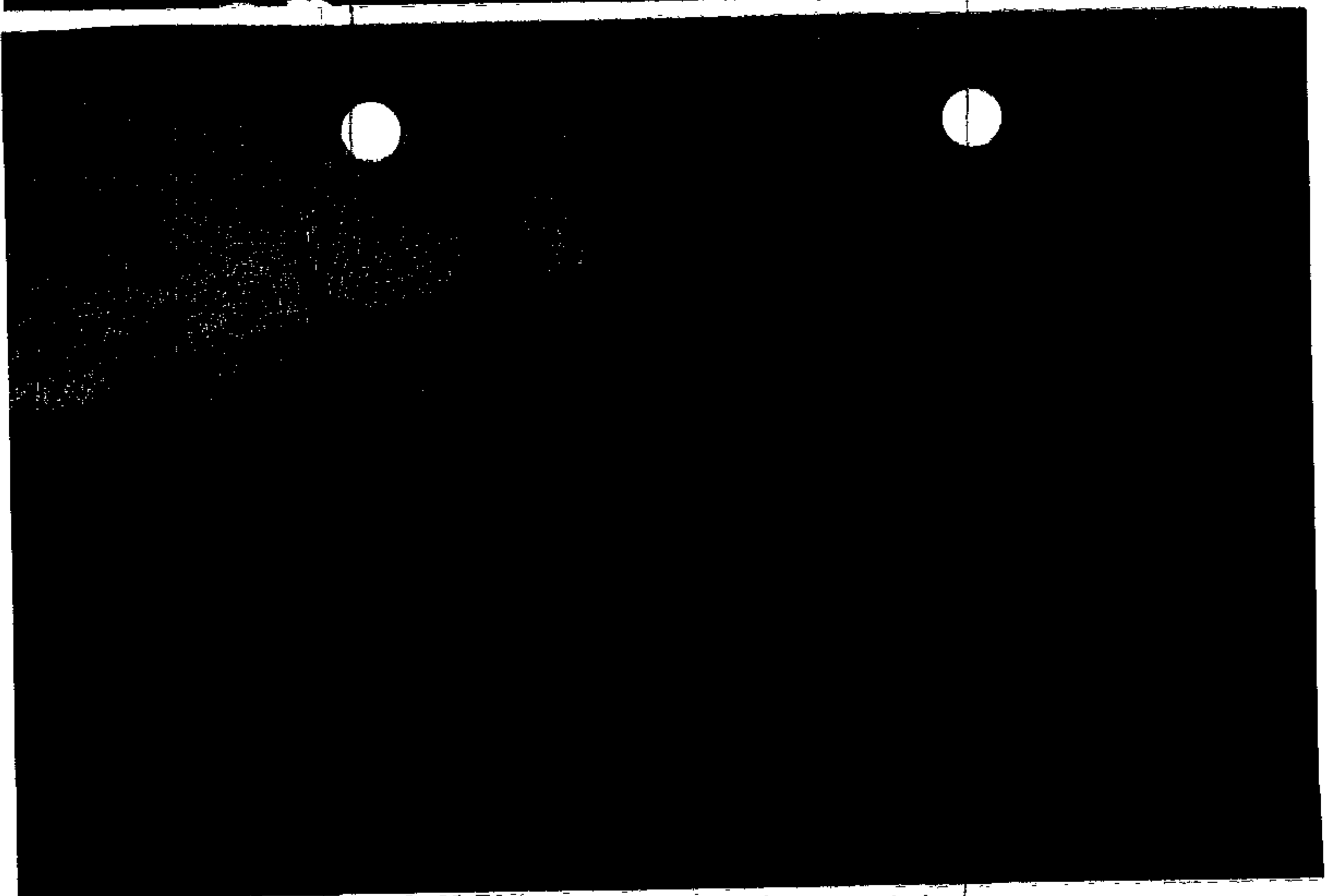
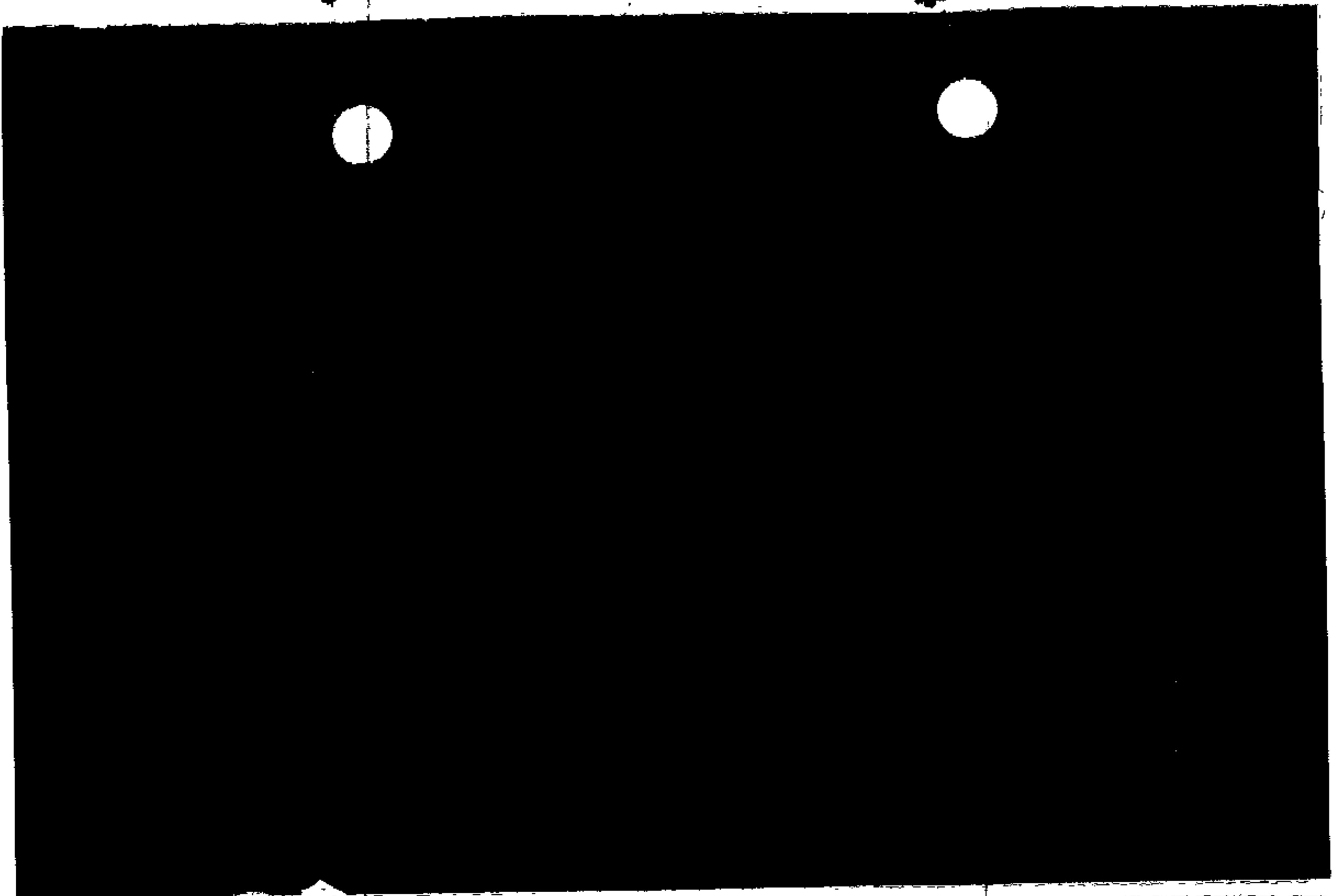
MAP NO.

50

58

591

#385



L1413
465-5558

