

IN RE: PETITION FOR VARIANCE
N/S Lightfoot Drive, 1,380' E of the c/l
Carla Road
(3002 Lightfoot Drive)
3rd Election District
2nd Council District

Boris Malachevsky, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 05-482-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Boris Malachevsky, and his wife, Yelena Malachevsky. The Petitioners request a variance from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 8 feet in lieu of the minimum required 11.25 feet required for an open projection, in this case, a deck. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing in support of the request were Boris and Yelena Malachevsky, property owners. There were no Protestants or other interested persons present; however, it is to be noted that the Petition was filed in response to a complaint registered by a nearby property owner with the Code Enforcement Division of the Department of Permits and Development Management relative to the subject deck.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the north side of Lightfoot Drive, east of Carla Road in the subdivision known as Labyrinth in Pikesville. The property contains a gross area of 10,360 sq.ft., more or less, zoned D.R.2, and is improved with a single-family dwelling. The Petitioners have owned and

ORDER RECEIVED FOR FILING
Date 5/19/05
By [Signature]

resided on the property for the past four years. Testimony indicated that the Petitioner recently commenced construction of a 12' x 28' deck on the west side of the home without benefit of a permit. Subsequently, a nearby property owner filed a complaint and the Petitioner was advised to file the instant Petition to resolve the matter. Mr. Malachevsky testified that the deck was built to replace a previously existing screened porch and that its location was the most practical in that the kitchen and dining room are located on that side of the home. He further testified that there are existing trees and shrubs that provide screening and that his neighbors on that side of the property, Joseph and Galia Berry, have no objections to the deck. (See Petitioner's Exhibit 2) Photographs were submitted which show that that several houses in the immediate vicinity have similar decks.

Variance relief is necessary due to the narrow width of the lot and the layout and location of the existing dwelling. In this regard, the site plan shows that the house currently provides side yard setbacks of 10 feet on each side. Thus, variance relief would be necessary to construct any addition on either side of the dwelling. Moreover, a 10-foot drainage and utility easement is located on the west side of the property and there is a concrete patio and sidewalk to the rear of the home. Thus, it appears that variance relief is warranted in this instance.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested variance. There were no adverse Zoning Advisory Committee comments submitted by any County reviewing agency and no one appeared in opposition to the request.

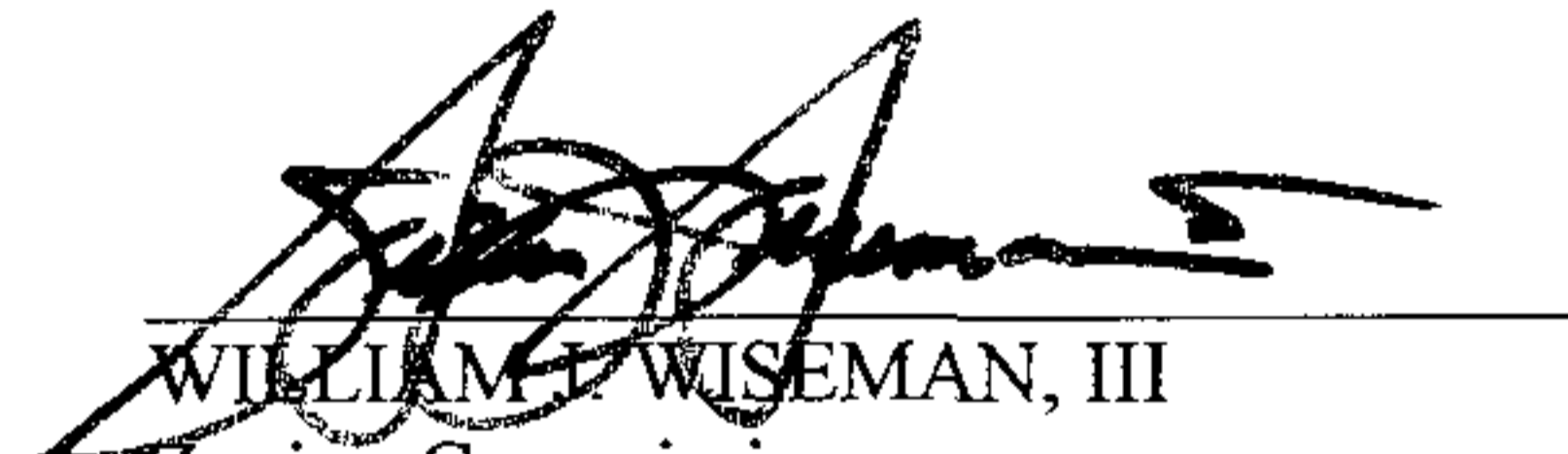
Moreover, the adjacent property owners who would be most affected by the request have no objections to the proposal. In my judgment, the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted that there will be no detriment to adjacent properties or the health, safety and general welfare of the locale.

ORDER RECEIVED FOR FILING
Date 5/19/05
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on this petition held and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of May 2005, that the Petition for Variance seeking relief from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 8 feet in lieu of the minimum required 11.25 feet for an open projection (deck), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.


WILLIAM F. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 5/19/05
By [Signature]

Zoning Commissioner



Baltimore County

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
William J. Wiseman III, Zoning Commissioner

May 19, 2005

Mr. & Mrs. Boris Malachevsky
3002 Lightfoot Drive
Pikesville, Maryland 21208

RE: PETITION FOR VARIANCE
N/S Lightfoot Drive, 1,380' E of the c/I Carla Road
(3002 Lightfoot Drive)
3rd Election District – 2nd Council District
Boris Malachevsky, et ux - Petitioners
Case No. 05-482-A

Dear Mr. & Mrs. Malachevsky:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Joseph Berry
3004 Lightfoot Drive, Pikesville, Md. 21208
Code Enforcement Division, DPDM
People's Counsel; Case/File





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 3002 Lightfoot Drive
which is presently zoned DR 2

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)

an open projection (deck) with a side yard setback of 8ft. in lieu of the required 11.25 ft. 1302.3.B and Section 301.1A to permit

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

To be presented at the hearing

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

Legal Owner(s):

BORIS MALACHEVSKY
Name - Type or Print
Boris Malachevsky
Signature
YELENA MALACHEVSKY
Name - Type or Print
Yelena Malach
Signature
3002 Lightfoot Drive 410-486-1038
Address Telephone No.
Pikesville MD 21208
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Representative to be Contacted:

Name
Address Telephone No.
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BA Date 3/23/05

ORDER RECEIVED FOR FILING
Date 5/19/05
Case No. 05-482-A
REV 9/15/98

ZONING DESCRIPTION

Zoning Description For 3002 Lightfoot Drive

Beginning at a point on the North side of Lightfoot Drive, which is 60 feet wide at a distance of 1,380 feet east of Carla Road which is 50 feet wide. Being Lot #21, in the subdivision known as Labyrinth as recorded in Baltimore County Plat Book #26, Folio# 130, containing 10,360 square feet. Also known as 3002 Lightfoot Drive and located in the 3rd Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No: 443317

DATE: 3/23/05 ACCOUNT: R 001-006-6150

AMOUNT \$: 65.00

RECEIVED FROM: Boris Malachuk

FOR: Carroll

DISTRIBUTION: WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

1 for m off 482

PAID RECEIPT

BUSINESS ACTION TIME DRAW

3/24/2005 3/23/2005 15:15:40 2

760 B004 WALKIN JOHN PAID 0011

RECEIPT # 316396 3/23/2005 0011

Dept 5 520 ZONING VERIFICATION

TR NO. 443617

Receipt Tot \$65.00

\$65.00 (X) \$.00 (C)

Baltimore County, Maryland

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: #05-482-A
3002 Lightfoot Drive
N/side of Lightfoot Drive,
1,380 feet east of centerline
of Carla Road

3rd Election District
2nd Councilmanic District
Legal Owner(s): Boris &
Yelena Malachevsky

Variance: to permit an
open projection (deck) with
a side yard setback of 8
feet in lieu of the required
11.25 feet.

Hearing: Tuesday, May 3,
2005 at 10:00 a.m. in
Room 487, County Courts
Building, 481 Bosley Ave-
nue, Towson 21284.

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County

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

(2) For information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

JY/4/7/19 Apr. 19 47373

CERTIFICATE OF PUBLICATION

4/20/2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/19/2005.

- The Jeffersonian
- Arbutus Times
- Catonsville Times
- Towson Times
- Owings Mills Times
- NE Booster/Reporter
- North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date April 19, 2005

RE: Case Number 05-482-A

Petitioner/Developer MR & MRS. BORIS MALACHEVSKY

Date of (Hearing) Closing MAY 3, 2005

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 3002 LIGHTFOOT DRIVE

The sign(s) were posted on

April 16, 2005

ZONING NOTICE

CASE # 05-482-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

ROOM 407, COUNTY COURTS BUILDING
PLACE: 401 BOSLEY AVENUE TOWSON 21204

DATE AND TIME: TUESDAY MAY 3, 2005
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN OPEN
PROJECTION (DECK) WITH A SIDE
YARD SETBACK OF 8 FEET IN LIEU OF
THE REQUIRED 11.25 FEET.

3002 LIGHTFOOT DRIVE

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 667-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 19, 2005 Issue - Jeffersonian

Please forward billing to:
Boris Malachevsky
3002 Lightfoot Drive
Pikesville, MD 21208

410-486-1038

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: 05-482-A

3002 Lightfoot Drive

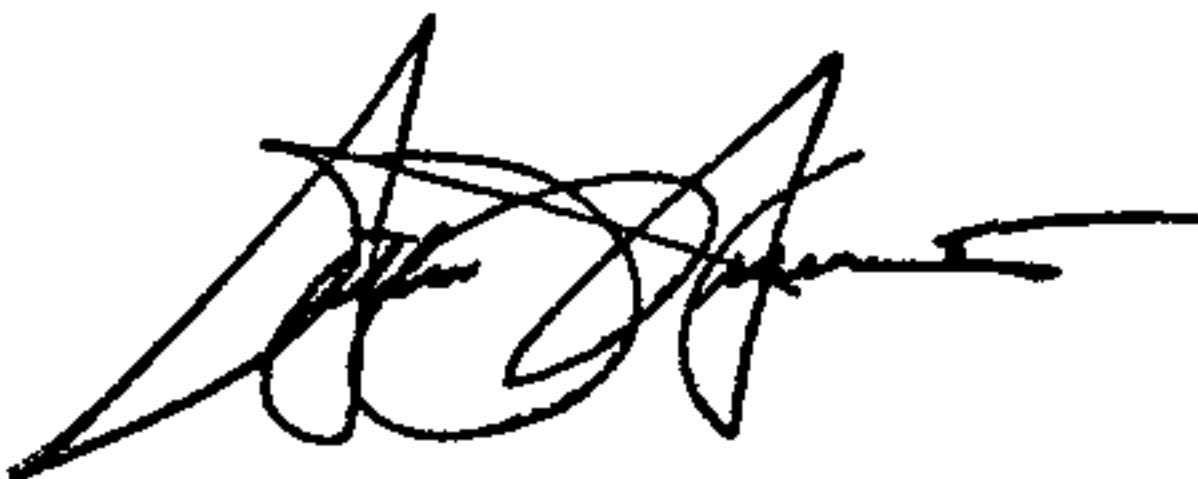
N/side of Lightfoot Drive, 1,380 feet east of centerline of Carla Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Boris & Yelena Malachevsky

Variance to permit an open projection (deck) with a side yard setback of 8 feet in lieu of the required 11.25 feet.

Hearing: Tuesday, May 3, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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.



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

March 28, 2005

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: 05-482-A

3002 Lightfoot Drive

N/side of Lightfoot Drive, 1,380 feet east of centerline of Carla Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Boris & Yelena Malachevsky

Variance to permit an open projection (deck) with a side yard setback of 8 feet in lieu of the required 11.25 feet.

Hearing: Tuesday, May 3, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Malachevsky, 3002 Lightfoot Drive, Pikesville 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 18, 2005.**
- (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.

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: 05-482-A

Petitioner: BORIS MALACHEVSKY

Address or Location: 3002 Lightfoot Drive, Pikesville
MD 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: BORIS MALACHEVSKY

Address: 3002 Lightfoot Drive
Pikesville, MD 21208

Telephone Number: 410-486-1038

**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*

April 25, 2005

Boris Malachevsky
Yelena Malachevsky
3002 Lightfoot Drive
Pikesville, Maryland 21208

Dear Mr. and Mrs. Malachevsky:

RE: Case Number: 05-482-A, 3002 Lightfoot Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 23, 2005.

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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

March 29, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 11, 2005

Item No. 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484

Pursuant to your request, the above referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

Acting Lt. Warren T. Moffitt
Fire Marshal's Office
410-887-4880
MS-1102F

Cc:file

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 20, 2005
Department of Permits & Development
Management

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for April 11, 2005
Item No. 473, 474, 476, 477, 478,
479, 480, 481, 482

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

DAK:CEN:clw
cc: file
ZAC-NO COMMENTS-04202005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JDO}
DATE: April 13, 2005
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of April 4, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-474

05-477

05-478

05-480

05-481

05-482

Reviewers: Sue Farinetti, Dave Lykens

Ray
5/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 1, 2005

APR 1 2005

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

PLANNING OFFICE

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-482**

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A. Cunningham

Division Chief: Tom Parker

MAC/LL



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

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

Maryland Department of Transportation

Date: 3.25.05

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

RE: Baltimore County
Item No. 482 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,

Steven D. Foster, Chief
Engineering Access Permits Division

Bill Wiseman - variance

From: "Boris Malachevsky" <soccer6@comcast.net>
To: <wwiseman@co.ba.md.us>
Date: 5/3/2005 8:59:09 PM
Subject: variance

Sir,

Below, please find the information you requested:

House:
depth - 35`
width - 50`

Lot:
width - 70.2`
depth - 147.6`

Case # 05-482-A

Thank you.

Boris Malachevsky.

RE: PETITION FOR VARIANCE * BEFORE THE
 3002 Lightfoot Drive, N/side Lightfoot Drive, * ZONING COMMISSIONER
 1,380' E c/line Carla Road *
 3rd Election & 2nd Councilmanic Districts
 Legal Owner(s): Boris & Yelena Malachevsky* FOR
 Petitioner(s) * BALTIMORE COUNTY
 * 05-482-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County
Carole S. Demilio
 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 31st day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to, Boris & Yelena Malachevsky, 3002 Lightfoot Avenue, Pikesville MD 21208, Petitioner(s).

RECEIVED

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

CW

Click here for a plain text ADA compliant screen.

| | |
|---|--|
|  Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search | Go Back View Map New Search Ground Rent |
|---|--|

Account Identifier: District - 03 Account Number - 0313042050

| |
|--------------------------|
| Owner Information |
|--------------------------|

| | |
|--|---|
| Owner Name: MALACHEVSKY BORIS MALACHEVSKY YELENA Mailing Address: 3002 LIGHTFOOT DR BALTIMORE MD 21208-4412 | Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /14948/ 478 2) |
|--|---|

| |
|---|
| Location & Structure Information |
|---|

| Premises Address | Legal Description | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|----------------------------------|---------------|-----------------|--------------|-------------|---------|-------|----------------|------------------|----------|--|----|---|-----|--|--|---|---|----|---|---|---|--|--|--|--|--|--|--|--|--|------------------|---------|--|
| 3002 LIGHTFOOT DR | 3002 LIGHTFOOT DR LABYRINTH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table style="width:100%; border-collapse: collapse;"> <tr> <th>Map</th> <th>Grid</th> <th>Parcel</th> <th>Sub District</th> <th>Subdivision</th> <th>Section</th> <th>Block</th> <th>Lot</th> <th>Assesment Area</th> <th>Plat No:</th> <th></th> </tr> <tr> <td>78</td> <td>5</td> <td>560</td> <td></td> <td></td> <td>1</td> <td>C</td> <td>21</td> <td>2</td> <td>2</td> <td>2</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Plat Ref:</td> <td>26/ 130</td> </tr> </table> | Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assesment Area | Plat No: | | 78 | 5 | 560 | | | 1 | C | 21 | 2 | 2 | 2 | | | | | | | | | | Plat Ref: | 26/ 130 | |
| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assesment Area | Plat No: | | | | | | | | | | | | | | | | | | | | | | | | | |
| 78 | 5 | 560 | | | 1 | C | 21 | 2 | 2 | 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | Plat Ref: | 26/ 130 | | | | | | | | | | | | | | | | | | | | | | | | |
| Special Tax Areas | Town Ad Valorem Tax Class | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Primary Structure Built | Enclosed Area | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1960 | 1,496 SF | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Property Land Area | County Use | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10,360.00 SF | 04 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stories | Basement | Type | Exterior | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | YES | STANDARD UNIT | BRICK | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| |
|--------------------------|
| Value Information |
|--------------------------|

| | Base Value | Value As Of 01/01/2005 | Phase-in Assessments | |
|---------------------------|------------|------------------------|----------------------|------------------|
| | | | As Of 07/01/2004 | As Of 07/01/2005 |
| Land: | 40,840 | 74,590 | | |
| Improvements: | 104,700 | 188,320 | | |
| Total: | 145,540 | 262,910 | 145,540 | 184,663 |
| Preferential Land: | 0 | 0 | 0 | 0 |

| |
|-----------------------------|
| Transfer Information |
|-----------------------------|

| | | |
|-------------------------------|---------------------------|-------------------------|
| Seller: MERNICK MOLLIE | Date: 01/31/2001 | Price: \$134,000 |
| Type: NOT ARMS-LENGTH | Deed1: /14948/ 478 | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |
| Seller: | Date: | Price: |
| Type: | Deed1: | Deed2: |

| |
|------------------------------|
| Exemption Information |
|------------------------------|

| Partial Exempt Assessments | Class | 07/01/2004 | 07/01/2005 |
|----------------------------|-------|------------|------------|
| County | 000 | 0 | 0 |
| State | 000 | 0 | 0 |
| Municipal | 000 | 0 | 0 |

Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: March 30, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 482
Legal Owner/Petitioner: Malacheusky, boris & yelena
Contract Purchaser: n/a
Property Address: 3002 Lightfoot Dr.
Location Description: N/S Lightfoot Dr. 1380' E. Carla Rd.

VIIOLATION INFORMATION: Case No. 05-0521
Defendants: Malacheusky, Boris & Yelena

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

| NAME | ADDRESS |
|------|---------|
|------|---------|

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- 1. Complaint letter/memo/email/fax (if applicable)
- 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- 3. State Tax Assessment printout
- 4. State Tax Parcel Map (if applicable)
- 5. MVA Registration printout (if applicable)
- 6. Deed (if applicable)
- 7. Lease-Residential or Commercial (if applicable)
- 8. Photographs including dates taken
- 9. Correction Notice/Code Violation Notice
- 10. Citation and Proof of Service (if applicable)
- 11. Certified Mail Receipt (if applicable)
- 12. Final Order of the Code Official/Hearing Officer (if applicable)
- 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/ph
C: Code Enforcement Officer



Baltimore County
 Department of Permits and
 Development Management

Code Inspections and Enforcement
 County Office Building
 111 West Chesapeake Avenue
 Towson, MD 21204

3

Code Enforcement: 410-887-3351
 Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
 Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

| | | |
|---|-------------------------------|---------|
| Citation/Case No. 05-0521 | Property No. 0313042050 | Zoning: |
| Name(s): Malachovsky Boris Malachovsky Yelena | Address: 3002 Lightfoot Dr | |
| Violation Location: Same | | |

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IBC sec 105 - Deck constructed
 Without building perm. + - obtain
 Building perm. +

500⁰⁰ fine

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

| | |
|-----------------------|----------------------|
| On or Before: 1/28/05 | Date Issued: 1/14/05 |
|-----------------------|----------------------|

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Paul Helme

INSPECTOR: *[Signature]*

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN

| | |
|-----------------|--------------|
| Not Later Than: | Date Issued: |
|-----------------|--------------|

INSPECTOR: _____

AGENCY

Code Enforcement - Daily Works Report

Inspector -

Area Case # Location Apt Zip Date Rec Reinsp Dt
017 05-0521 3002 LIGHTFOOT DR 21208 1/13/2005

Tax Acct #: 0313042050

Owner: MALACHEVSKY, BORIS & YELENA

Complainant Name: (Last) MILLER (First) BARBARA

Addr: Str # Dir Street Name Type Apt
City ST Zip
Phone: (Home) 410/378-5147 (Work)

Problem: DECK BLT. W/O PERMIT

*1/14/05 - Found existing deck on side and rear
construction looks recent issued on to obtain
perm. and \$500 fine recheck 1/28*

[Handwritten signature]

[Handwritten initials]

| | | | | | |
|----------------------------|---------------------|--------------------------|------------------------------------|----------------------|----|
| P/U Date | | Closed Date | | Gary F to update | |
| Anonymous Complaint | Complainant Updated | Updated by voice message | Unable to update | Update not necessary | |
| Executive office Complaint | Yes | No | If Yes is Executive memo attached? | Yes | No |

entered KH

CODE ENFORCEMENT REPORT

657

DATE: 1/12/05 INTAKE BY: umh CASE #: 05-0521 INSPEC: 17

COMPLAINT LOCATION: 3002 Lightfoot Dr

ZIP CODE: DIST: 3

COMPLAINANT NAME: Barbara Miller PHONE #: (H) 378-5147 (W) (410)

ADDRESS: ZIP CODE:

PROBLEM: deck built w/o Permit

IS THIS A RENTAL UNIT? YES NO IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION: Boris and Yelena Malachersky

TAX ACCOUNT #: 03-13-042050 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

. 01/12/2005

STANDARD ASSESSMENT INQUIRY (1)

ME: 13:36:51

| PROPERTY NO. | DIST | GROUP | CLASS | OCC. | HISTORIC | DEL | LOAD DATE |
|--------------|------|-------|-------|------|----------|-----|-----------|
| 03 13 042050 | 03 | 2-0 | 04-00 | H | NO | | 01/06/05 |

MALACHEVSKY BORIS
 MALACHEVSKY YELENA
 3002 LIGHTFOOT DR

DESC-1.. IMPS
 DESC-2.. LABYRINTH
 PREMISE. 03002 LIGHTFOOT DR

00000-0000

BALTIMORE MD 21208-4412 FORMER OWNER: MERNICK MOLLIE

| ----- FCV ----- | | ----- PHASED IN ----- | | | | |
|-----------------|---------|-----------------------|---------|---------|---------|---------|
| | PRIOR | PROPOSED | | CURR | CURR | PRIOR |
| LAND: | 40,840 | 74,590 | | FCV | ASSESS | ASSESS |
| IMPV: | 104,700 | 188,320 | TOTAL.. | 184,663 | 184,663 | 145,540 |
| TOTL: | 145,540 | 262,910 | PREF... | 0 | 0 | 0 |
| PREF: | 0 | 0 | CURT... | 184,663 | 184,663 | 145,540 |
| CURT: | 145,540 | 262,910 | EXEMPT. | | 0 | 0 |
| DATE: | 07/01 | 09/04 | | | | |

| ---- | TAXABLE BASIS | ---- | FM DATE |
|------|-----------------|------|----------|
| | ASSESS: 184,663 | | 11/11/04 |
| | ASSESS: 145,540 | | |
| | ASSESS: 0 | | |

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

Case No.:

05-482 A

Exhibit Sheet

ONLY Petitioner
at HEARING

Petitioner/Developer

Protestant

| No. 1 | | |
|--------|---|--|
| No. 2 | Site PLAN | |
| No. 3 | Neighbour Letter IN SUPPOR - BERRY | |
| No. 4 | Photo's of SIMILAR DECK on Lightfoot | |
| No. 5 | | |
| No. 6 | | |
| No. 7 | | |
| No. 8 | | |
| No. 9 | | |
| No. 10 | | |
| No. 11 | | |
| No. 12 | | |

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE SPECIAL HEARING

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

PROPERTY ADDRESS 3002 Lightfoot Drive

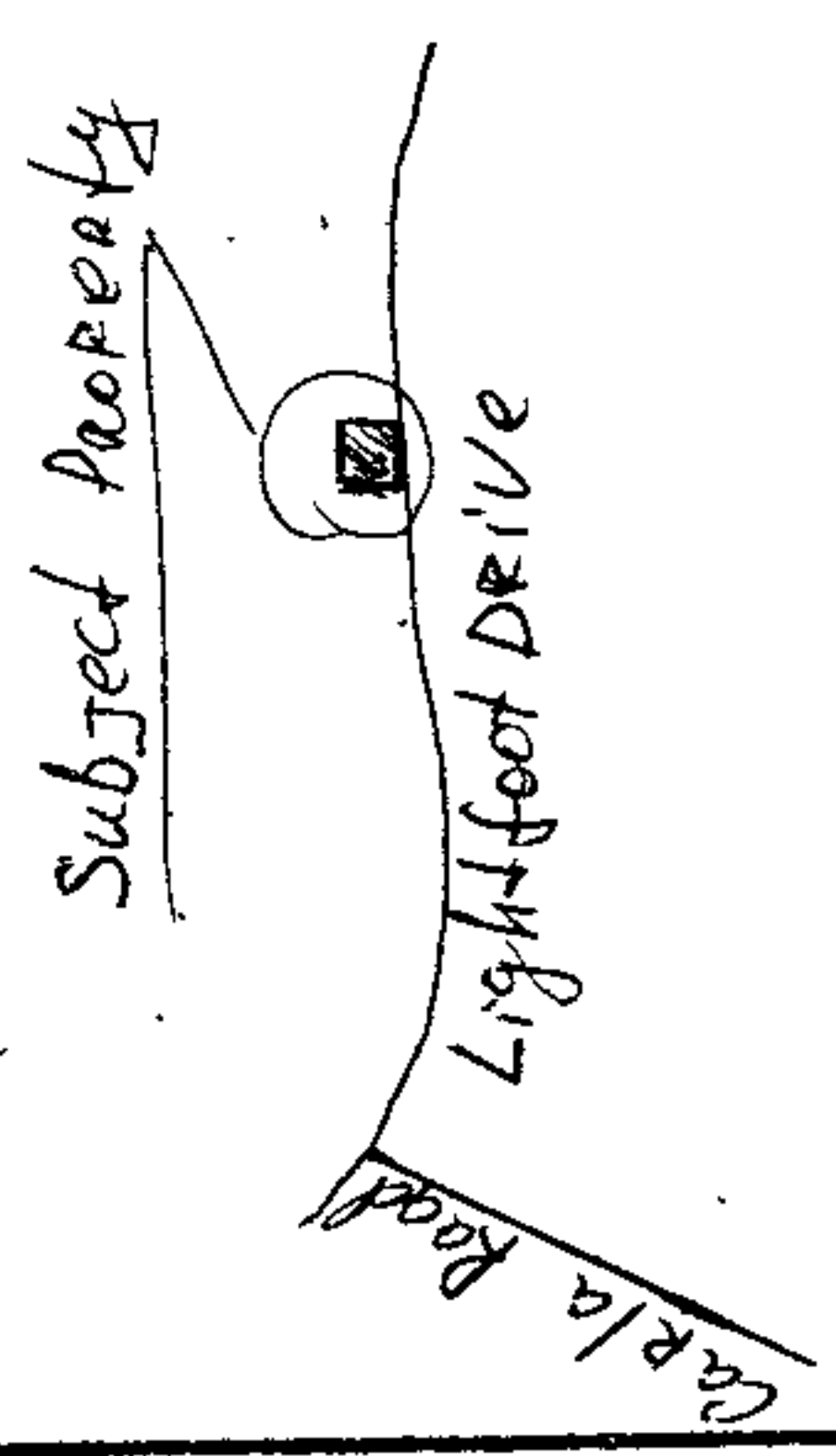
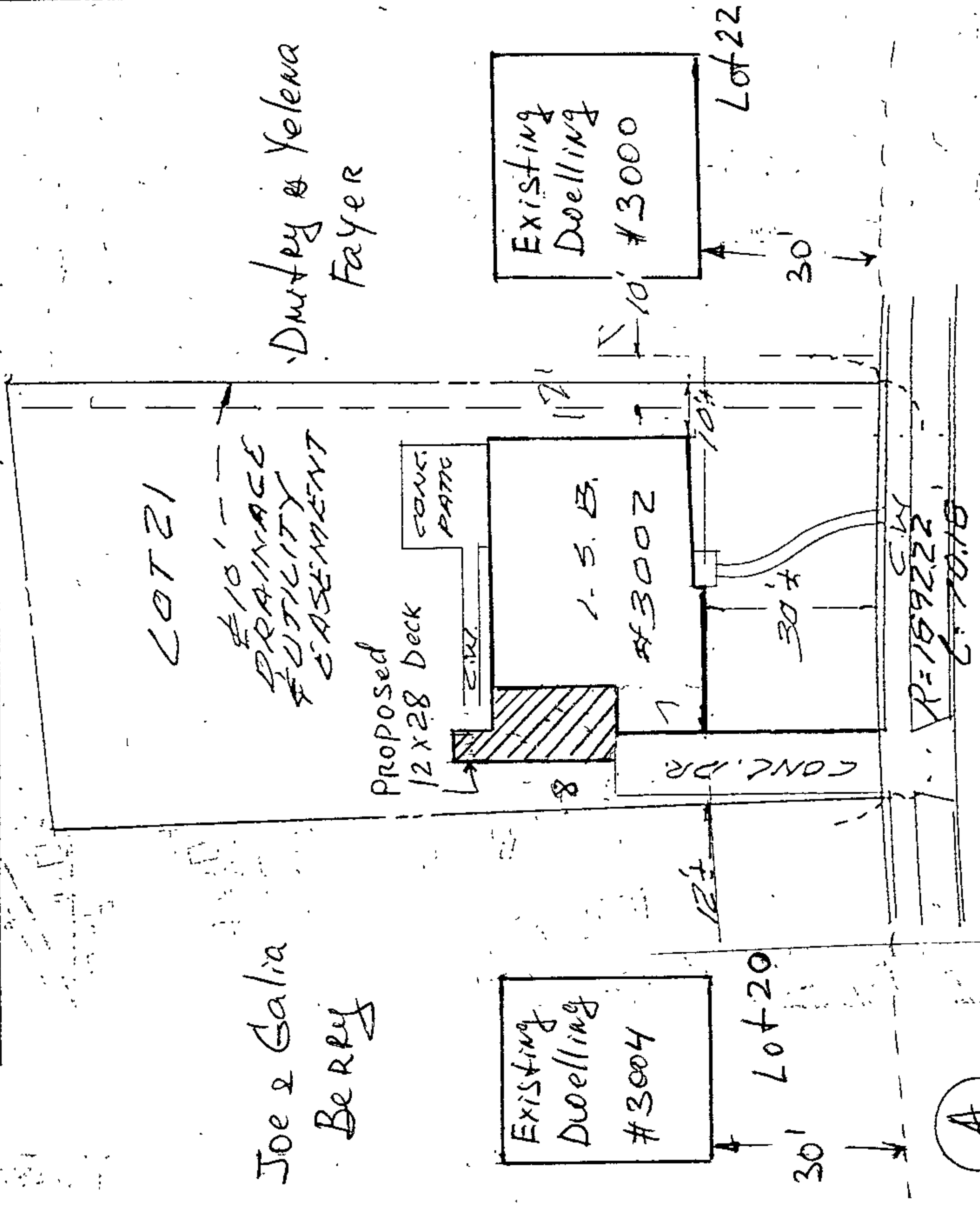
SUBDIVISION NAME Labyrinth

PLAT BOOK # 26 FOLIO # 130 LOT # 21 SECTION # 1

OWNER Boris & Yelena Malackevsky

Joe & Galia Berry

Dmitry & Yelena Fayer



VICINITY MAP
SCALE: 1" = 1000'

| LOCATION INFORMATION | |
|------------------------------|---|
| ELECTION DISTRICT | 3 |
| COUNCILMANIC DISTRICT | 2 |
| 1" = 200' SCALE MAP # | NW 8D |
| ZONING | DR2 |
| LOT SIZE | 10,360 SQUARE FEET |
| SEWER | <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE |
| WATER | <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PRIVATE |
| CHESAPEAKE BAY CRITICAL AREA | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| 100 YEAR FLOOD PLAIN | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| HISTORIC PROPERTY / BUILDING | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| PRIOR ZONING HEARING | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |

ZONING OFFICE USE ONLY
CASE # 05-482-A

PETITIONER'S B.M.

SCALE OF DRAWING: 1" =

PREPARED BY

EXHIBIT NO. 1

May 2, 2004

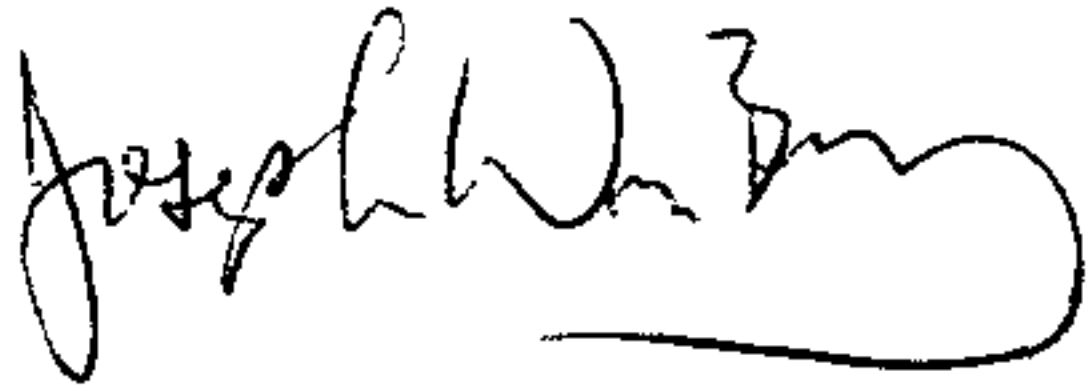
To Whom It May Concern:

We, the undersigned, reside at 3004 Lightfoot Drive in Pikesville, Maryland. Our next door neighbor is the Malachevsky family, Boris and Yelena, who live at 3002 Lightfoot Drive.

The side of our house faces the Malachevsky's outdoor deck. We are therefore the closest neighbor to that deck. We wish to state for the record that we have had no problem whatsoever with the existence of their deck. It has not been an intrusion onto our property nor onto our privacy nor do we find it unsightly. It has not bothered us whatsoever and we find the Malachevskys to be delightful and helpful neighbors.

We regret that we are unable to appear in person on their behalf but due to work commitments we hope this letter will suffice. Any further questions can be directed to us that the address/phone number below.

Sincerely Yours,



Joseph and Galia Berry
3004 Lightfoot Drive
Pikesville, MD 21208-4412
410-484-1371

PETITIONER'S

EXHIBIT NO. 2

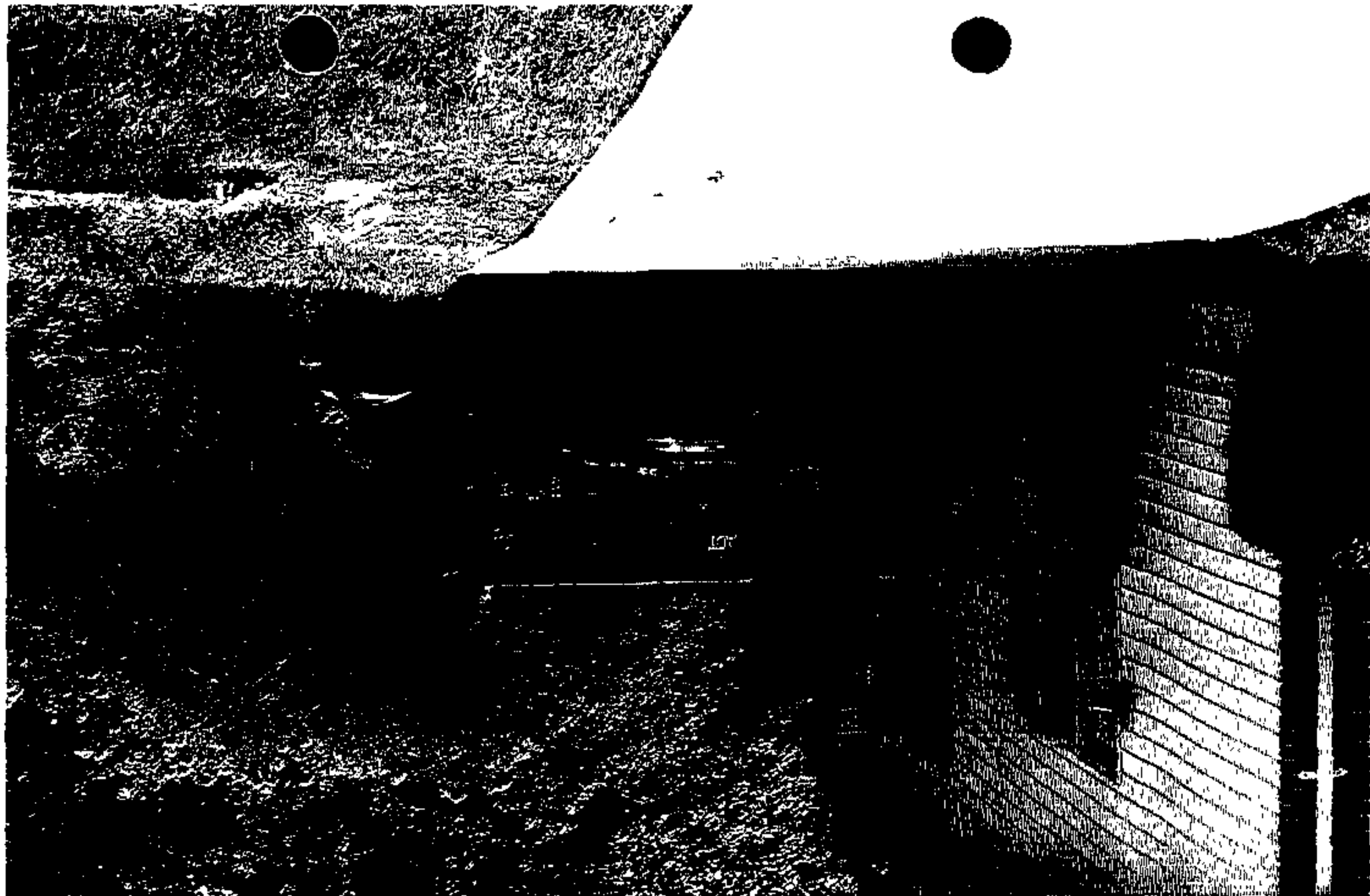


THE

Q112, R00005, 04/26 05

AC#

3114
Lynch
Dana





3D

11/11/11 11:11:11

01/26/05 04:26:05



3000
per day

DATE: 04/26/05

DATE: 04/26/05

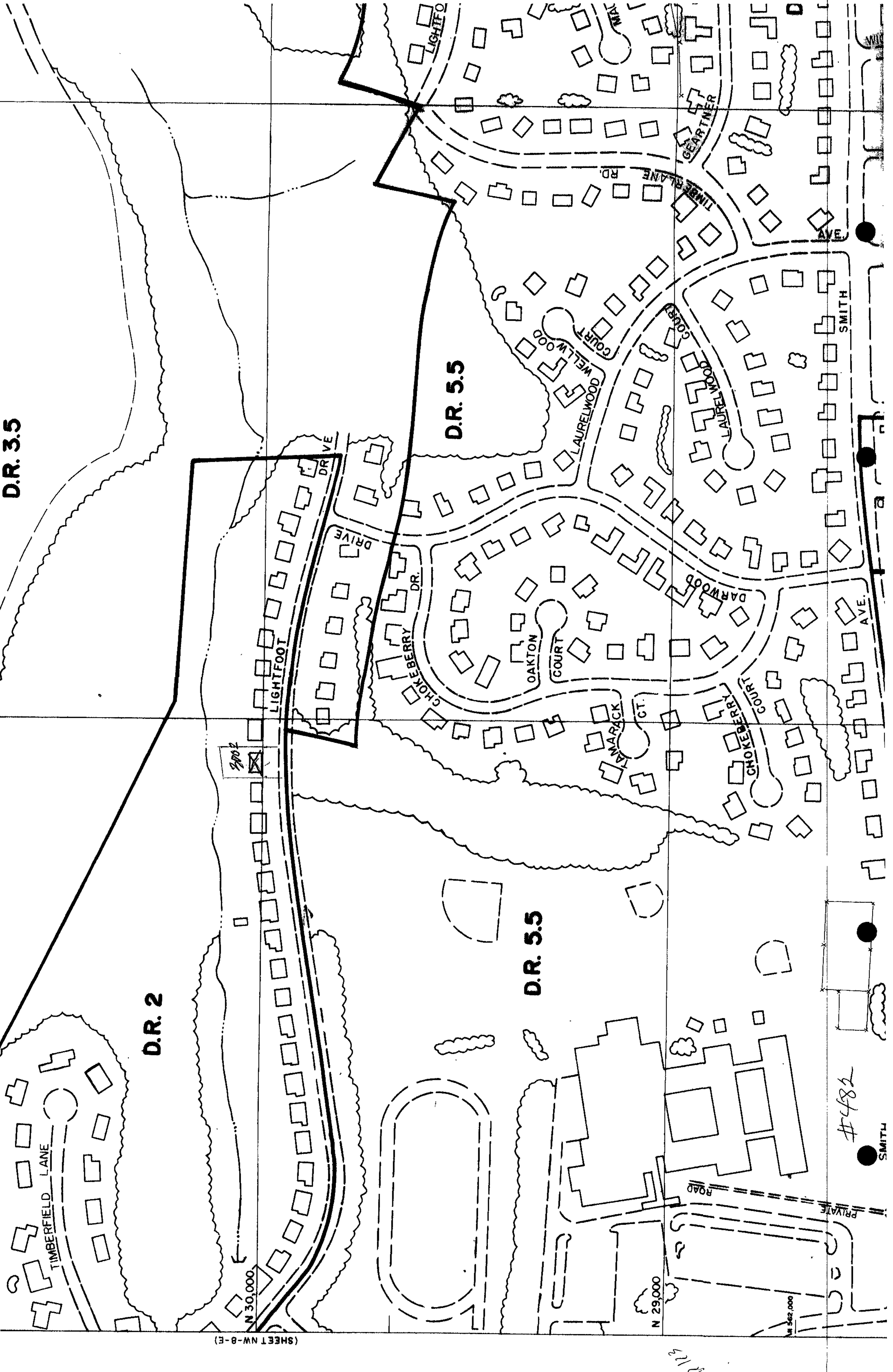
30

D.R. 3.5

D.R. 2

D.R. 5.5

D.R. 5.5



#482

SMITH

12/12/82

2902

N 30,000

N 29,000

N 562,000

PRIVATE ROAD

SMITH