IN RE: PETITION FOR ADMIN. VARIANCE S/Side of Northbrook Road, 220' e of c/l of Hatton Road 3rd Election District 2nd Councilmanic District	* * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
(3215 Northbrook Road)	*	CASE NO. 06-268-A
Richard and Sharon Levine *Petitioners*	*	

* * * * * * * * * * * * * * * *

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, Richard and Sharon Levine. The variance request is for property located at 3215 Northbrook Road in the Pikesville area of Baltimore County. The variance request is from Sections 1B02.3.B and 111.C.3 (45-55) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single family dwelling with addition to have a sideyard setback of 6' 2 1/2" in lieu of the required 7'. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 2, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence

ORDER RECEIVED FOR FILING
Date 12-20-05
By

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 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 20 day of December, 2005, that a variance from Sections 1B02.3.B and 111.C.3 (45-55) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an existing single family dwelling with addition to have a sideyard setback of 6' 2 1/2" in lieu of the required 7', be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

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Date 12-20-05
By

JVM:dlw

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 20, 2005

Richard Levine
Sharon Levine
3215 Northbrook Road
Pikesville, Maryland 21208

Re: Petition for Administrative Variance
Case No. 06-268-A
Property: 3215 Northbrook Road

Dear Mr. and Mrs. Levine:

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
for Baltimore County

JVM:dlw
Enclosure

c: Moshe Miller, 3409 Menlo Drive, Baltimore, MD 21215
People's Counsel; Case File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3215 NORTHBROOK RD

which is presently zoned DR 3.5

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)

1B02.3.B (BCZR) 111.C.3 (45-55 BCZR)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDEYARD SETBACK OF 6'-2 1/2" IN LIEU OF THE REQUIRED 7'

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.

City — State — Zip Code

X ***Legal Owner(s):***

RICHARD & SHARON LEVINE
Name - Type or Print

Signature

Richard Levine
Name - Type or Print

Sharon Levine
Signature

3215 Northbrook Rd — 410 580 9480
Address — Telephone No.

Pikesville — MD — 21208
City — State — Zip Code

Representative to be Contacted:

MOSHE MILLER
Name

3409 NOLO DR — 410 949 7249
Address — Telephone No.

BALTIMORE — MD — 21215
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. 06-268-A

Reviewed By LTM **Date** 11/21/05

Estimated Posting Date 12/4/05

REV 10/25/01

ORDER RECEIVED FOR FILING
Date 12-20-05
By

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 3215 NORTHBROOK RD
Address
BALTIMORE MD 21208
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):

VARIANCE IS REQUESTED . . .

- TO ALLEVIATE HARDSHIP OF ACCESS TO LAUNDRY IN ~~BALTIMORE~~ Basement.
- TO PROVIDE SHOWER FACILITIES IN LOWER LEVEL FOR ELDERLY PARENTS
- NEED COAT / MUDROOM FOR GROWING FAMILY
- NEIGHBORS HAVE VERBALLY APPROVED THIS PROJECT

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.

Signature

RICHARD LEVINE
Name - Type or Print

Signature

SHARON LEVINE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2ND day of November, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared RICHARD LEVINE, SHARON LEVINE the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

MELANIE L. HUGHES
NOTARY PUBLIC BALTIMORE COUNTY
MY COMMISSION EXPIRES MARCH 1, 2006

REV 10/25/01

ARCH SERV LLC

ZONING DESCRIPTION

3215 Northbrook Rd
Baltimore MD 21208

Beginning at a point on the South side of Northbrook Rd, which is 60' wide, and 220' East of the centerline of the nearest improved intersecting street; Hatton Rd which is 60' wide.

Being lot #4, block F, section 2, in the subdivision of Greenspring Manor as recorded in Baltimore County Plat Book #20, folio #2~~0~~.

Said parcel contains 9125 sf. Also known as 3215 Northbrook Rd, and located in the third Election District, and the second Councilmanic District.

Archserv, LLC

410 . 466 . 1034 ofc
410 . 558 . 6601 fax
410 . 949 . 7249 cell

www.archserv.org
moshe@archserv.org

3409 Menlo Drive
Baltimore MD 21215

#268

Architectural Services Space Planning Square Foot Documentation

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1583

DATE 11/21/05 ACCOUNT 1001 000 1170

AMOUNT $ 65.00

RECEIVED FROM: Architect

FOR: 06-368-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	MCDH
11/22/2005	11/21/2005	08:30:12	1

SCI ADOC WALKTH DRIC DAR
>>RECEIPT # 282481 11/21/2005 OFLN
Dept 1 528 ZONING VERIFICATION
CK NO. 001583
Recpt Tot 65.00
65.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

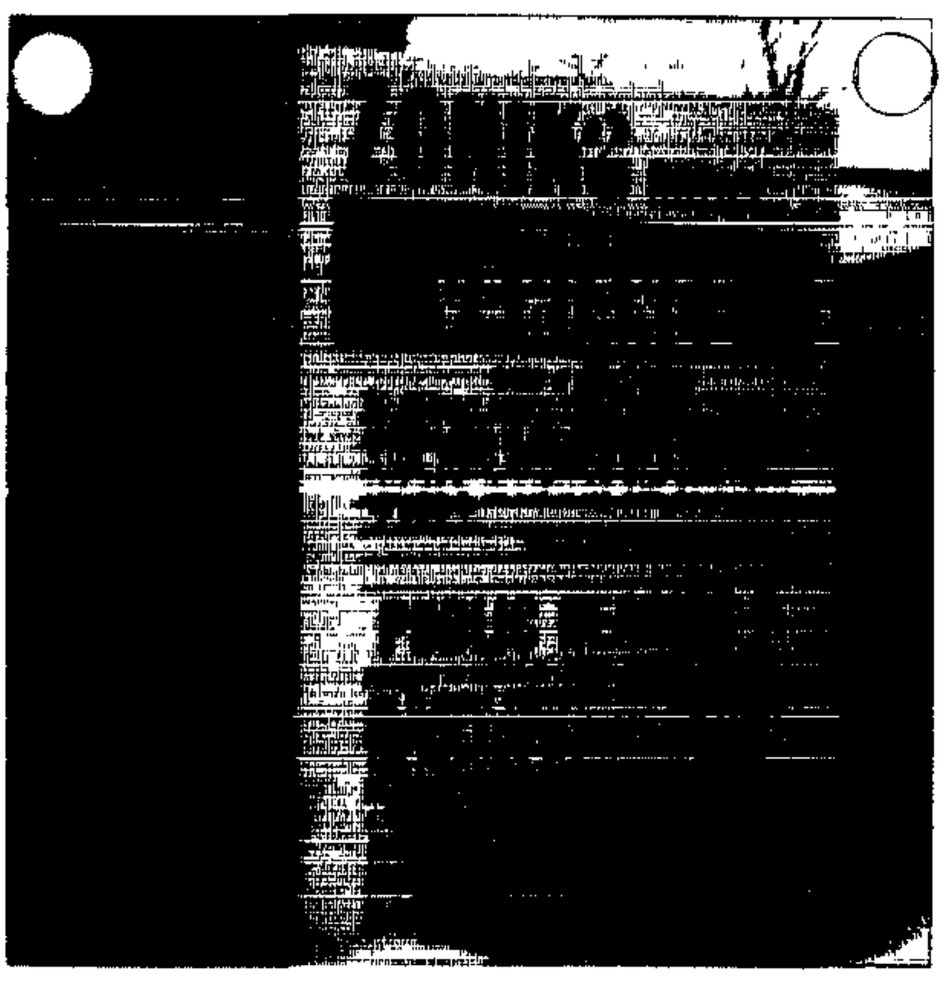
ATTENTION: KRISTEN MATTHEWS

Date December 7, 2005

RE Case Number 06-268-A
Petitioner/Developer SHARON LEVINE
Date of Hearing (Closing) DECEMBER 19, 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 3215 NORTH BROOK RD

The sign were posted on December 2, 2005
(Month, Day, Year)



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 MD 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/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 x 06-268-A

Petitioner RICHARD & SHARON LEVINE

Address or Location 3215 NORTHBROOK RD

PLEASE FORWARD ADVERTISING BILL TO

Name RICHARD & SHARON LEVINE

Address 3215 NORTHBROOK RD

BALTIMORE MD 21208

Telephone Number 410 580 9480

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-268 -A Address 3215 NORTHBROOK RD

Contact Person: LLOYD T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/21/05 **Posting Date:** 12/4/05 **Closing Date:** 12/19/05

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 06-268 -A Address 3215 NORTHBROOK RD

Petitioner's Name R. LEVINE ET UX Telephone

Posting Date: 12/4/05 **Closing Date:** 12/19/05

Wording for Sign: *To Permit* AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDEYARD SETBACK OF 6'2½" IN LIEU OF THE REQUIRED 7'

WCR - Revised 6/25/04

H HAVE RECEIVED POST IT 4 PO NOSTE MILLER

Department of Permits
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

December 19, 2005

Richard Levine
Sharon Levine
3215 Northbrook Road
Pikesville, Maryland 21208

Dear Mr. and Mrs. Levine:

RE: Case Number: 06-268-A, 3215 Northbrook Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 21, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Moshe Miller 3409 Menlo Drive Baltimore 21215

Printed on Recycled Paper

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

TO:

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

November 29, 2005

SUBJECT

ATTENTION: Zoning Review Planners

items, and

Distribution Meeting of: November 21, 2005

Item No.: 263, 264, 266, 268, 269.

Pursuant to your request, the 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 Fire Marshal's Office has no comments at this time.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

DAK:CEN: cc: File
cc: File
ZAC-NO CON

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 29, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-268- Administrative Variance**

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 Diana Itter in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: Lyn Lanham

CM/LL

W:\DEVREVIEW\AC\6-268.doc

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

State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

Date: 11·28·05

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

RE: Baltimore County
Item No. 268 LTM

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,

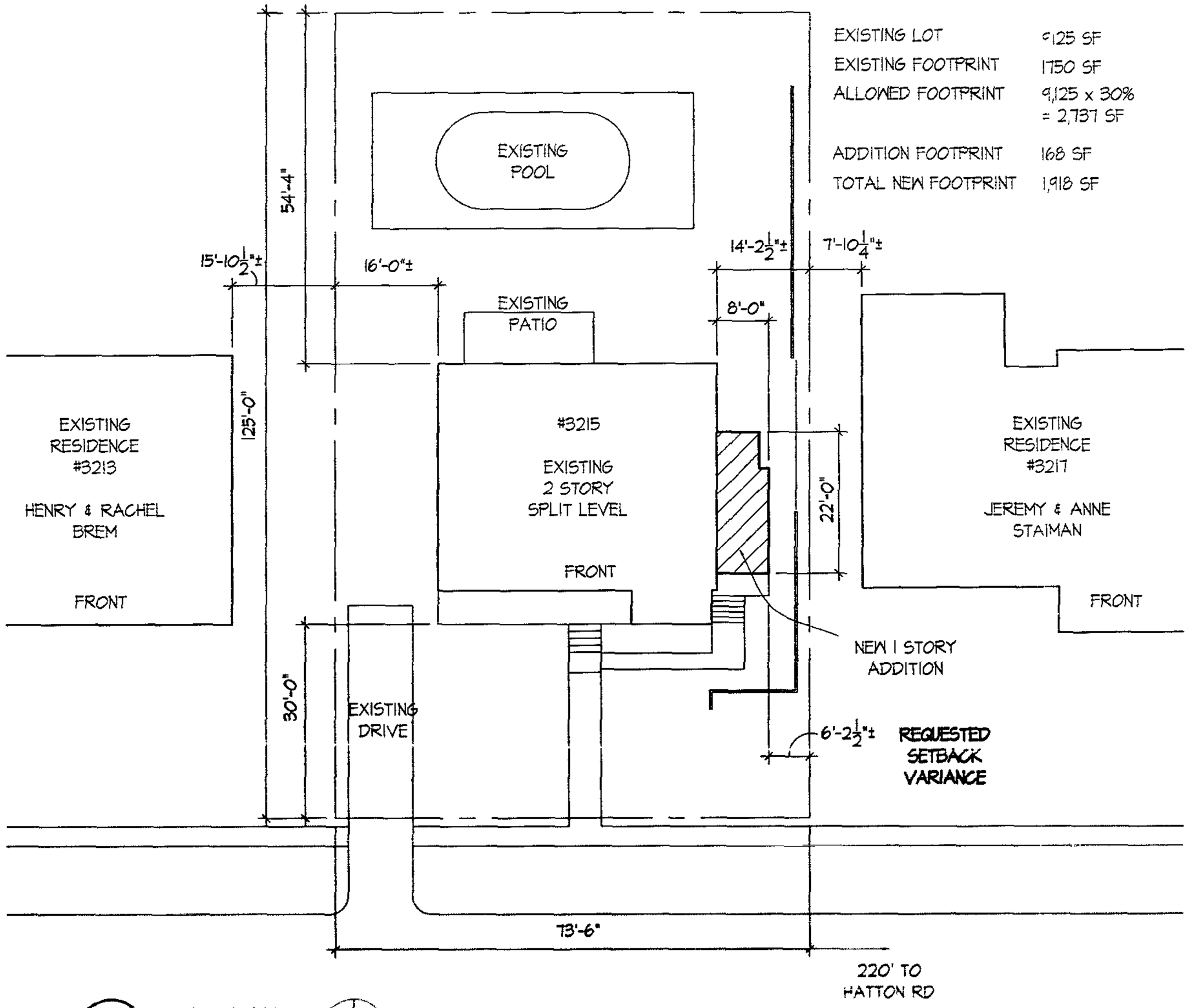
S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

PLAT TO ACCOMPANY PETITION FOR VARIANCE

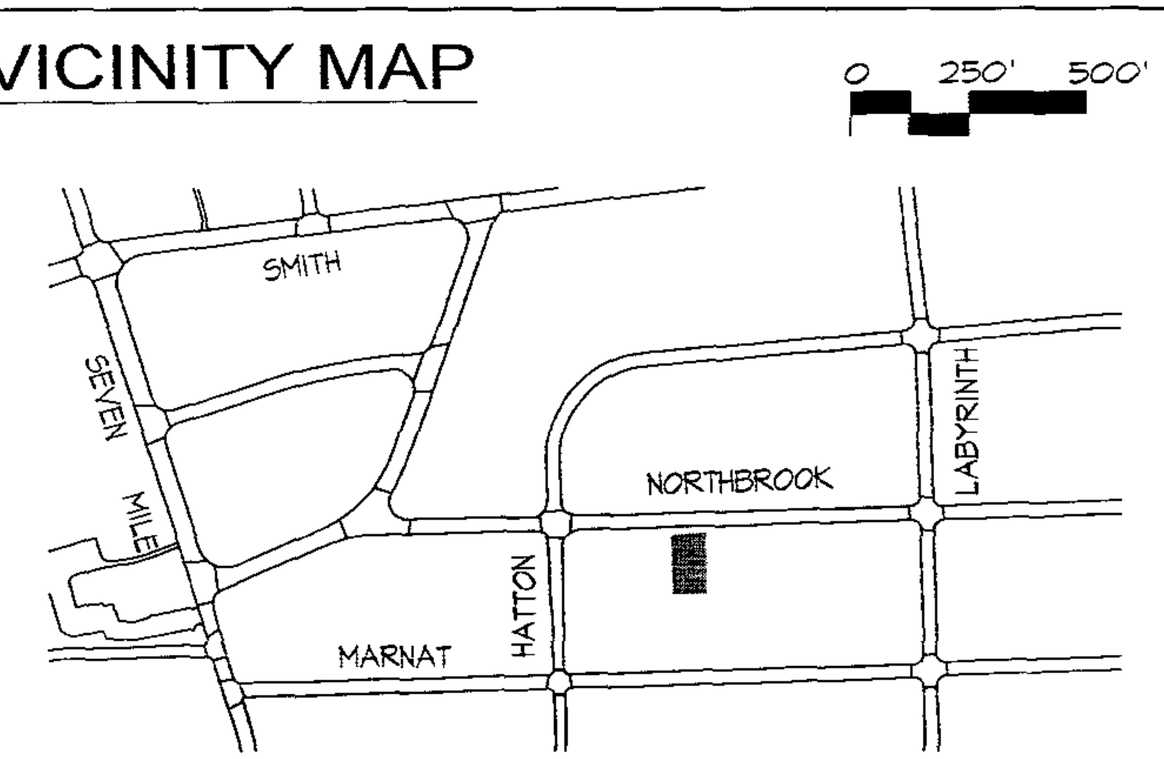
Property address:	Subdivision name:	Map:	Grid:	Parcel:	Section:	Block:	Lot:	Plat Ref:	Owner:
3215 Northbrook Rd	Greenspring Manor	78	4	499	2	F	4	20/2[illegible]	Richard & Sharon Levine

EXISTING LOT	9125 SF
EXISTING FOOTPRINT	1750 SF
ALLOWED FOOTPRINT	9,125 x 30% = 2,737 SF
ADDITION FOOTPRINT	168 SF
TOTAL NEW FOOTPRINT	1,918 SF



1 SP **SITE PLAN** SCALE: 1" = 20'

VICINITY MAP



LOCATION INFO

Election District:	3
Councilmanic District	2
1"=200' scale map #:	078C1
Zoning:	DR 3.5
Lot acreage:	.21
Lot square feet:	9125
Sewer:	Public
Water:	Public
Chesapeake Bay critical area:	No
100 year flood plain:	No
Historic Property / Building:	No
Prior zoning hearing:	No

ZONING OFFICE USE

REVIEWED BY	ITEM #	CASE #
		268

ARCH SERV LLC

ARCHSERV, LLC
3409 Menlo Dr
Baltimore, MD 21215
410 . 466 . 1034 ofc
410 . 949 . 7249 cell
www.archserv.org
moshe@archserv.org

LEVINE RESIDENCE
3215 Northbrook RD Baltimore, MD 21208

DATE: 11.3.05
DRAWING: 05074
SCALE: 1" = 20'

PLAT MAP

SP

HATTON RD

DR 3.5

LABYRINTH RD

NORTHBROOK RD

MARNAT RD

DR 5.5

SHELBURNE RD

SZOLDI DR

ROAD

RAK RD

BONNIE RD

Plan Sheet: *078C1*

#268

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004 The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this

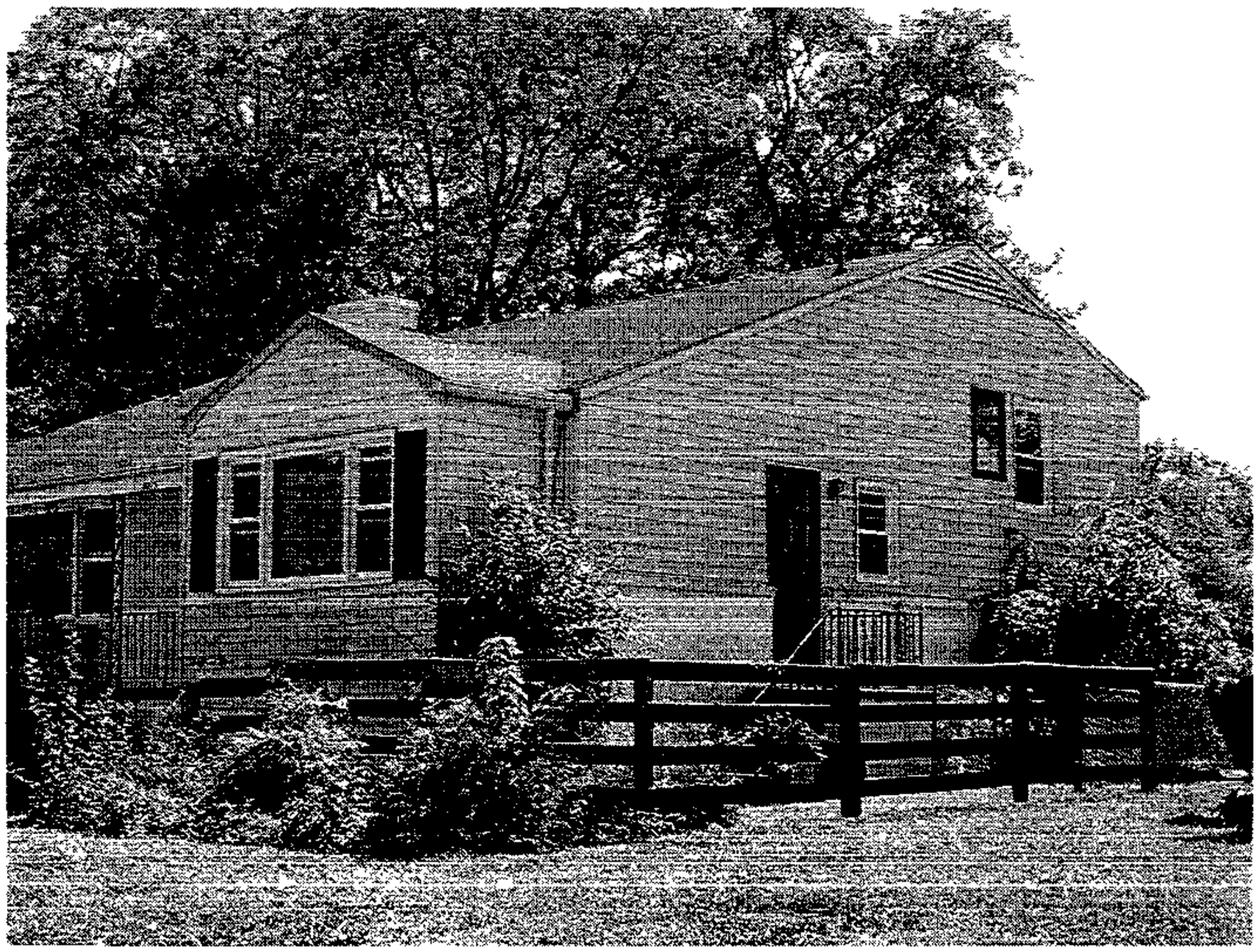
Legend

Zoning

Buildings

FRONT

RIGHT SIDE



PROPOSED SIDE FOR ADDITION

FRONT

3

#268

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: December 6, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 28, 2005
Item Nos. 173, 263, 264, 266, 268, 269, 270

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- 12062005.doc