IN RE: **PETITION FOR ADMIN. VARIANCE**	*	BEFORE THE
N/S Lightfoot Drive, 780' E of the c/l		
Carla Road	*	ZONING COMMISSIONER
(3018 Lightfoot Drive)		
3rd Election District	*	FOR
2nd Council District		
	*	BALTIMORE COUNTY
Mitchell L. Lucas, et ux		
Petitioners	*	Case No. 06-509-A

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Mitchell L. Lucas, and his wife, Susan H. Lucas. The Petitioners request a variance from Sections 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3, 1955 Regulations) to permit a side yard setback of 6 feet in lieu of the minimum required 10 feet, and a sum of the side yard setbacks of 16 feet in lieu of the minimum required 25 feet for a proposed addition. 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.

The Petition was filed through the administrative variance process. pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file

RECEIVED FOR FILING
Date 5-23-06
By

Based upon all of the evidence contained therein, I am persuaded to grant the requested variance. Relief is necessitated given the layout and location of the existing dwelling. The Petitioners propose enclosing an existing porch on the west side of the home to expand the existing kitchen and to construct a 12' x 20' addition thereto to create a breakfast room/mudroom area off the kitchen. Due to the location of the existing dwelling, the proposed addition will be located within the required side yard setback. As noted above, a minimum 10-foot side yard setback is required; thus, the requested variance is necessary. There were no adverse comments submitted by any County reviewing agency and none of the neighbors voiced any opposition. In this regard, it was indicated that several of their neighbors have made similar improvements to those proposed here. Thus, it appears that relief can be granted and that there will be no detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of May 2006 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3, 1955 Regulations) to permit a side yard setback of 6 feet in lieu of the minimum required 10 feet, and a sum of the side yard setbacks of 16 feet in lieu of the minimum required 25 feet for a proposed addition, 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 an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WJW:bjs

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

PLEASE RECEIVED FOR FILING
Date 5-23-06
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

May 22, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. & Mrs. Mitchell L. Lucas
3018 Lightfoot Drive
Pikesville, Maryland 21208

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
N/S Lightfoot Drive, 780' E of the c/l Carla Road
(3018 Lightfoot Drive)
3rd Election District – 2nd Council District
Mitchell L. Lucas, et ux - Petitioners
Case No. 06-509-A

Dear Mr. & Mrs. Lucas:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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:dlw

cc: People's Counsel; Case File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3018 LIGHTFOOT Dr.

which is presently zoned DR2

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) 1BD2.3.B (208.3, 1955 Regs, R-10)

To allow a proposed addition with a side yard setback of 6 ft. & a sum of side yard setbacks of 16 ft. in lieu of the minimum required 10 ft & 25 ft, respectively.

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

Legal Owner(s):

Mitchell L. Lucas
Name - Type or Print

x Signature

Susan H. Lucas
Name - Type or Print

x ~~Susan~~ Susan H. Lucas
Signature

3018 Lightfoot Drive 4106539105
Address Telephone No

Pikesville, MD. 21208
City State 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. 06-502-A Reviewed By Date 4-13-06

Estimated Posting Date 4-23-06

RECEIVED FOR FILING
Date 4-27-06
By

LV 102301

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 3018 LIGHTFOOT DRIVE
Address
PIKESVILLE 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):

We wish to add a breakfast room/ mudroom space to the existing kitchen that is located on the left side or east side of our existing dwelling. A number of neighbors have enclosed the existing 8' wide porch, which we hope to do as well for use as a new mudroom. Toward the rear behind the existing porch we hope to build a new breakfast room that is 12' wide, a very useful width for our family of 5. Building in this location will be the most efficiency due to the proximity to our existing kitchen and internal layout of the house.

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.

x [signature] x Susan H. Lucas
Signature Signature
Mitchell L. Lucas Susan H. Lucas
Name - Type or Print Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of March, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

#509

AS WITNESS my hand and Notarial Seal

Sondra Kassel
Notary Public
My Commission Expires 06/02/09

REV 10/23/01

Sondra Kassel
My Commission Expires
June 2, 2009

LEGAL DESCRIPTION – 3018 LIGHTFOOT, BALTIMORE, MD 21208

Beginning 780' easterly from a point 30' N 39d 41' 50" E of the intersection of Carla Road & Lightfoot Drive. Then proceeding N 9d 46' 00" W 162.42'. Then n 83D51' 00" E 70.14'. Then N9d 46' 00" W 157.99'. Then S 80d 14' 00" W 70.00'.

509

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Case No. 5978
06-509-A

DATE 4-13-06 ACCOUNT R-001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: [illegible] & Associates LTD

FOR: Petition for Variance filed at the N. Fort Lightfoot Dr.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTION DATE	TIME	USER
4/14/2006	4/13/2006	14:24:30	2

[illegible]
[illegible] 4/13/2006 [illegible]
[illegible] VERIFICATION
[illegible]

Recpt Tot 65.00
65.00 CK 0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: Kristen Mathhews **DATE:** 4/24/06

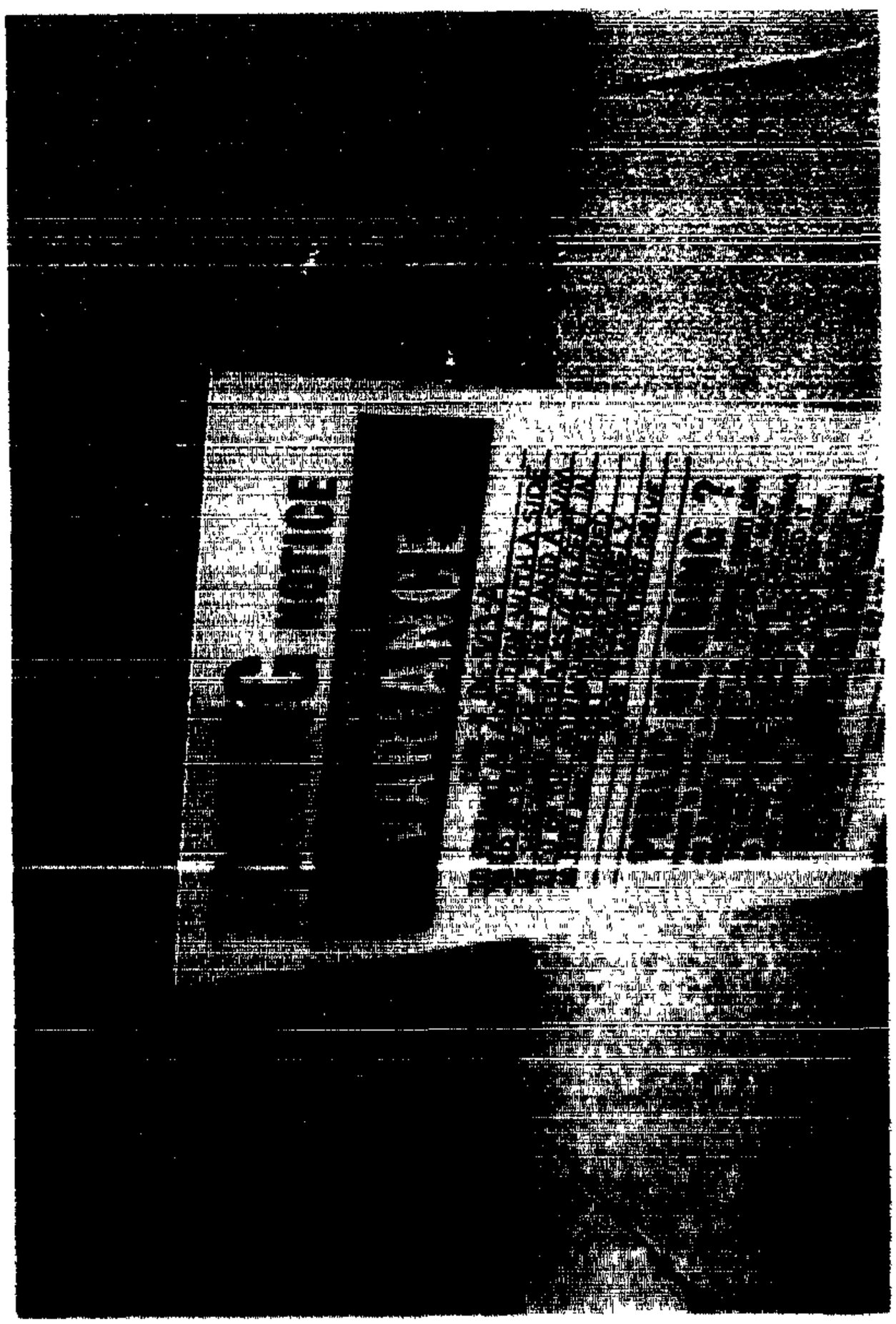
Case Number: 06-509-A

Petitioner/Developer: MITCHELL LUCAS

Date of Hearing (Closing): 05/08/06

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: 3018 LIGHTFOOT DRIVE

The sign(s) were posted on: 4/20/06



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)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-509 -A Address 3018 Lightfoot DR.

Contact Person John Sullivan Phone Number 410-887-3391
Planner Please Print Your Name

Filing Date: 4-13-06 Posting Date: 4-23-06 Closing Date: 5-08-06

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 06-509 -A Address 3018 Lightfoot DR.

Petitioner's Name Mitchell Lucas Telephone 410-633-9105

Posting Date: 4-23-06 **Closing Date:** 5-08-06

Wording for Sign To Permit an addition with a side yard setback of 6 ft. & a sum of sideyard setbacks of 16 ft. in lieu of the min. reqd. 10 ft & 25 ft. respectively.

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: 06-509 A

Petitioner: Mitchell Lucas

Address or Location: Site 3018 Lightfoot DR.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address:

Balto, MD. 21208

Telephone Number: 410-653-9105

Revised 2/20/98 - SCJ

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

May 8, 2006

Mitchell L. Lucas
Susan H. Lucas
3018 Lightfoot Drive
Pikesville, MD 21208

Dear Mr. and Mrs. Lucas:

RE: Case Number: 06-509-A, 3018 Lightfoot Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 13, 2006.

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

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

April 21,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 24, 2006

Item Numbers: 491-515

Pursuant to your 509 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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 25, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For May 1, 2006
Item Nos. 491, 492, 493, 494, 495, 498,
499, 500, 502, 504, 505, 507, 508, 509,
511, 513, 514, 515, 516, 517

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-04252006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 3, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-509- 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.

RECEIVED

MAY - 2006

Prepared By: _____

Division Chief: _____

CM/LL

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

SHA
State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 4.21.06

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

RE: Baltimore County
Item No. 509 JJS

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

FOR ZC'S FILE ONLY

Mitchell L. Lucas
3018 Lightfoot Drive
Baltimore, MD 21208

April 11, 2006

Dear Baltimore County official:

We have informed our neighbor at 3020 Lightfoot Drive of our request for a variance to build up to 5 feet closer to our mutual property line than is currently allowed. There will still be 15 feet between the two houses. Our neighbor finds our request acceptable and is signing this letter below in acknowledgement.

Sincerely,

Mitchell Lucas
Owner of 3018 Lightfoot Drive

By signing, I agree that I am owner of 3020 Lightfoot Drive and that I find the variance request acceptable.

Signature: Alex Mirelskiy / Marina Raukhverger Date: 4.12.06

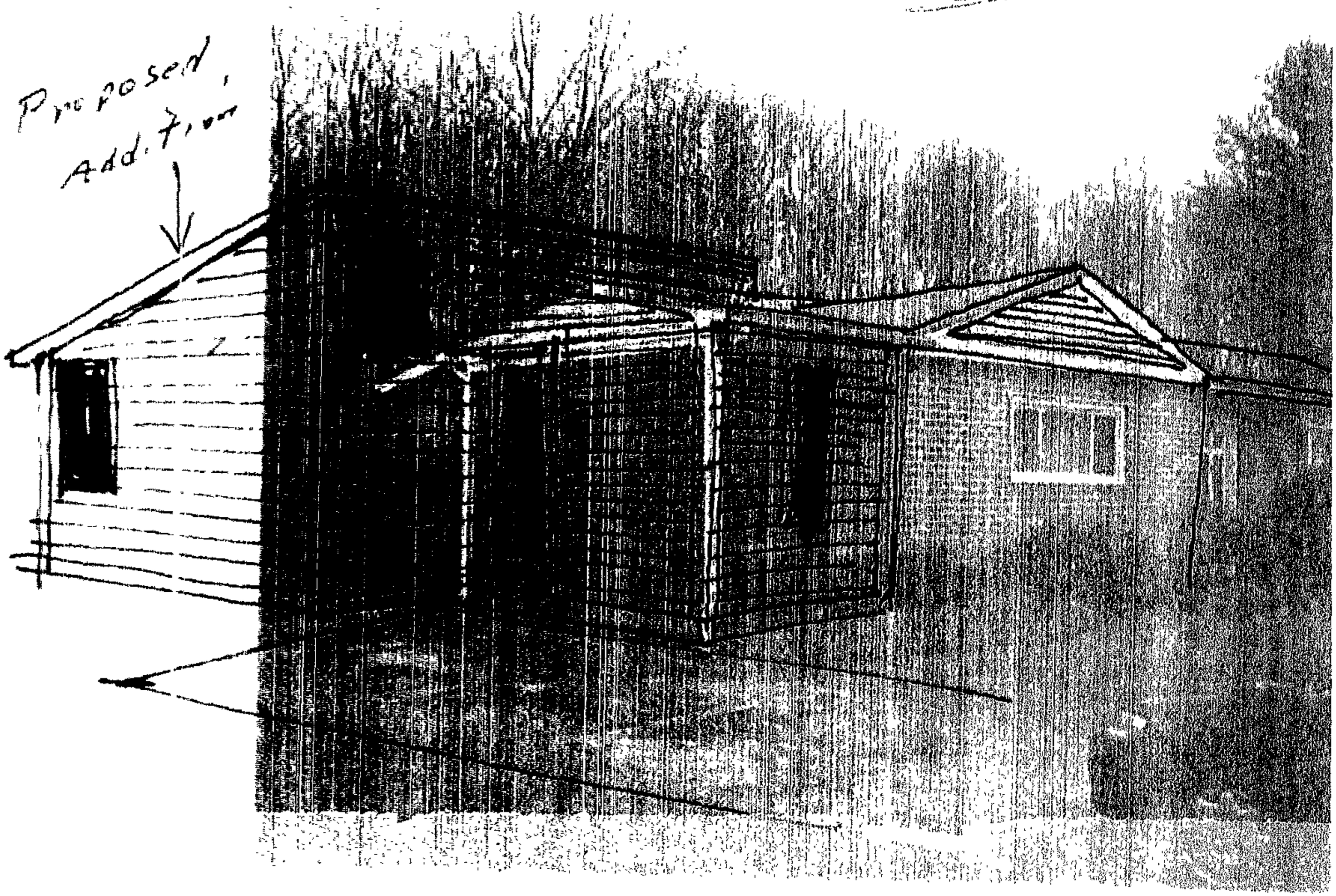
Name: Alex Mirelskiy / Marina Raukhverger

#509

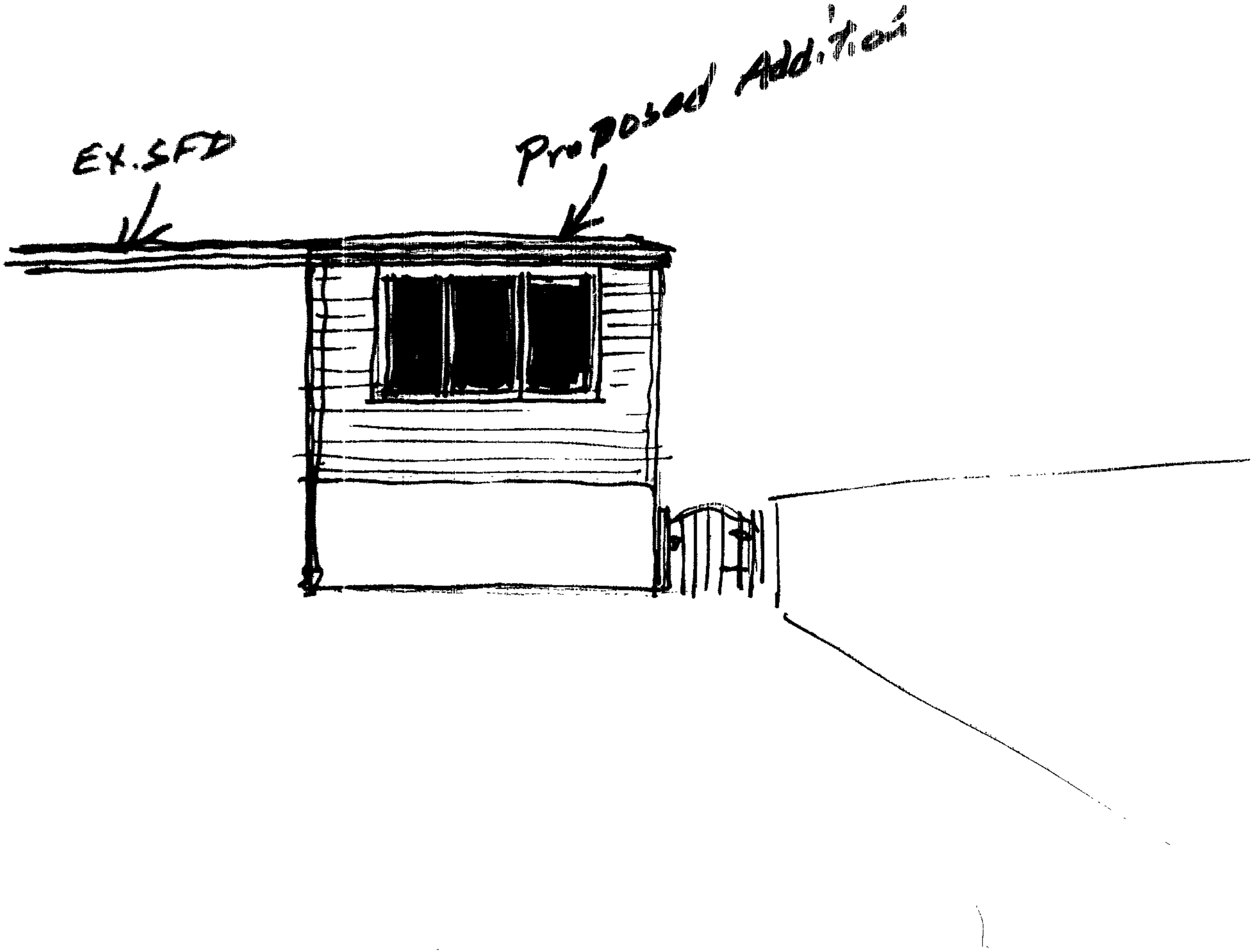
3018 LIGHTFOOT PHOTO #1 - FRONT CORNER

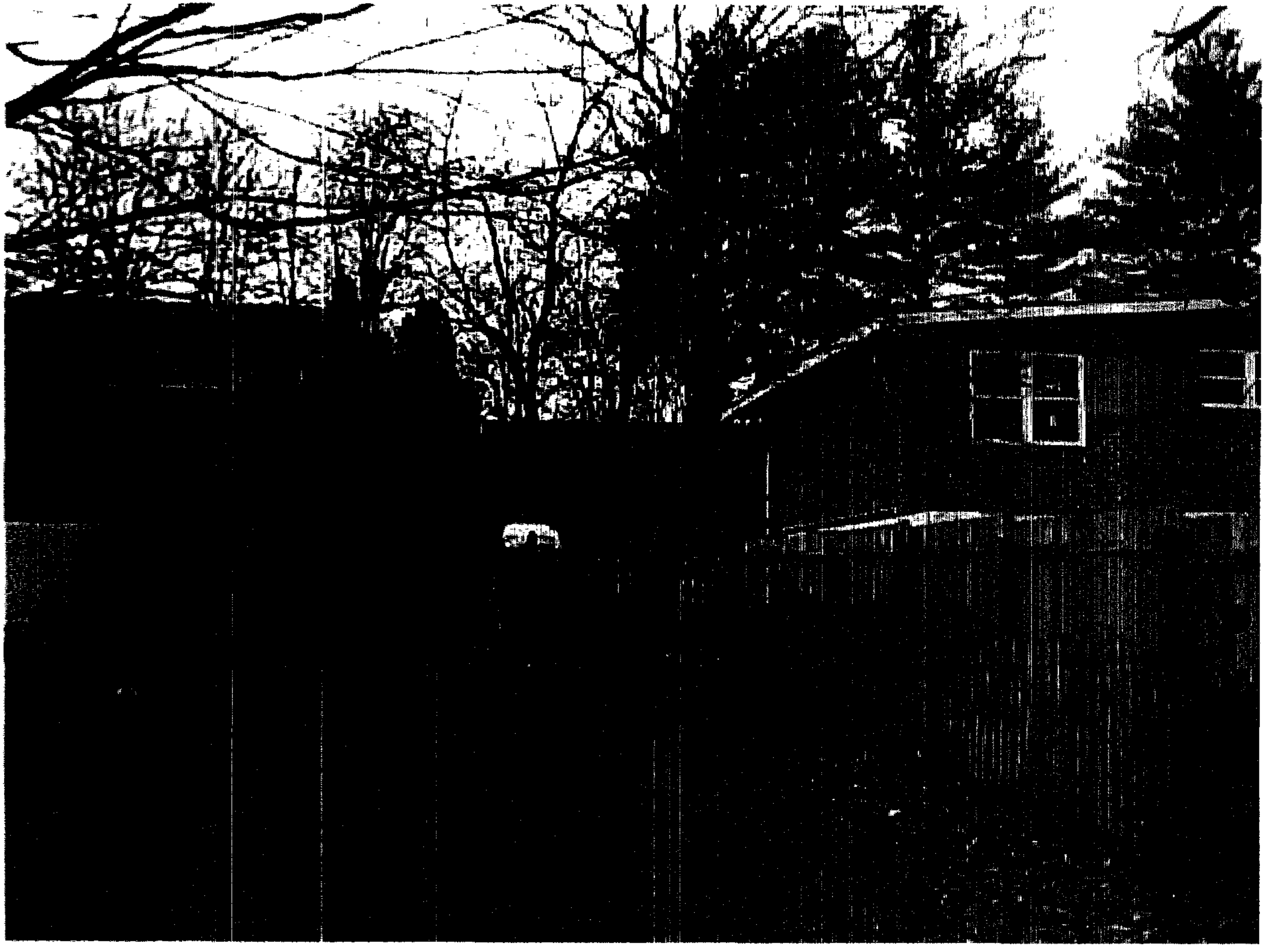
Existing SFD

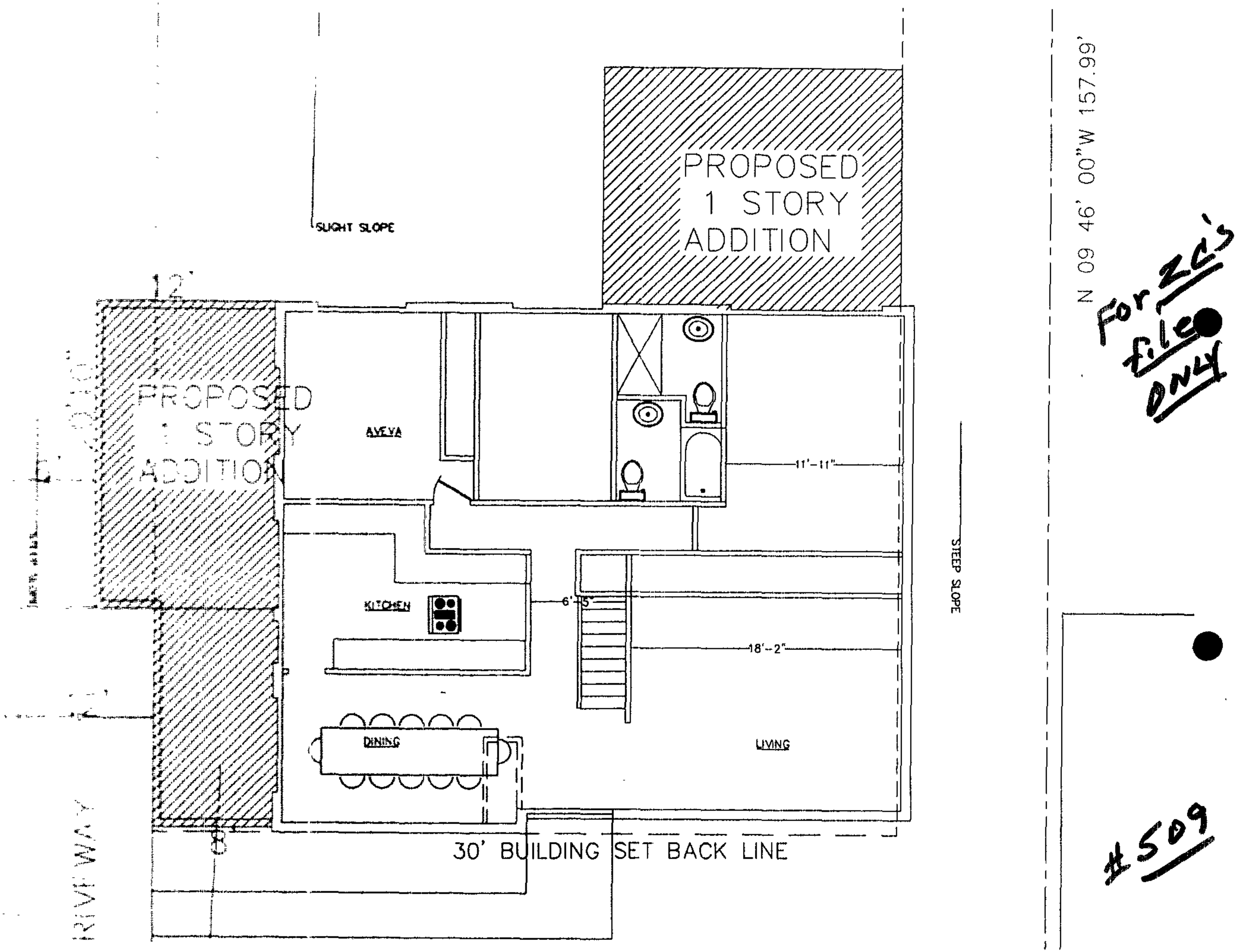
Existing SFD



3016 LIGHTFOOT - PHOTO #2 - BACKYARD

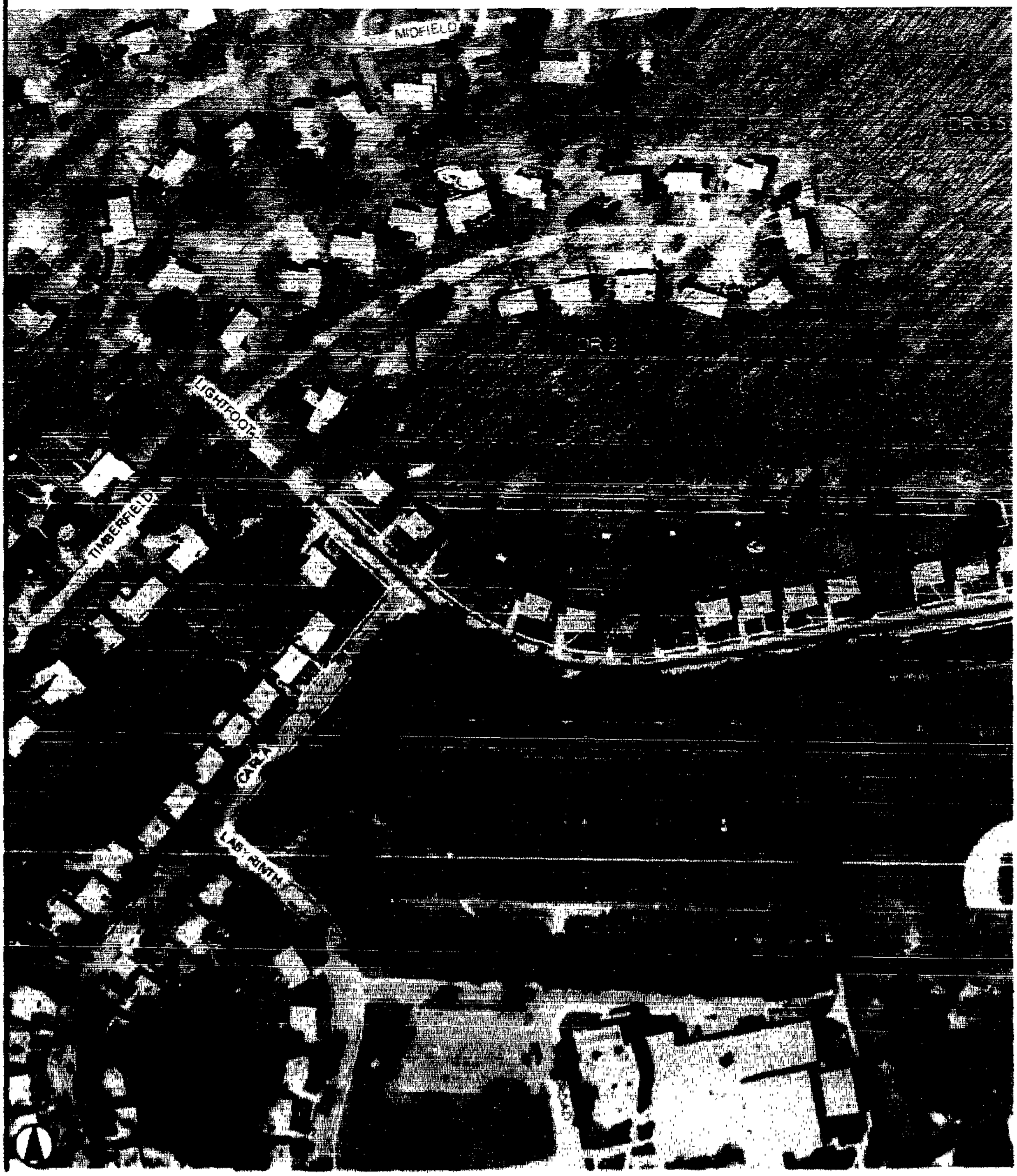





PROPOSED
1 STORY
ADDITION
SLIGHT SLOPE
12'
PROPOSED
1 STORY
ADDITION
AVEVA
11'-11"
N 09 46' 00"W 157.99'
STEEP SLOPE
KITCHEN
6'-5"
18'-2"
DINING
LIVING
30' BUILDING SET BACK LINE
For ZC's file ONLY
#509

#078C1

Baltimore County - My Neighborhood

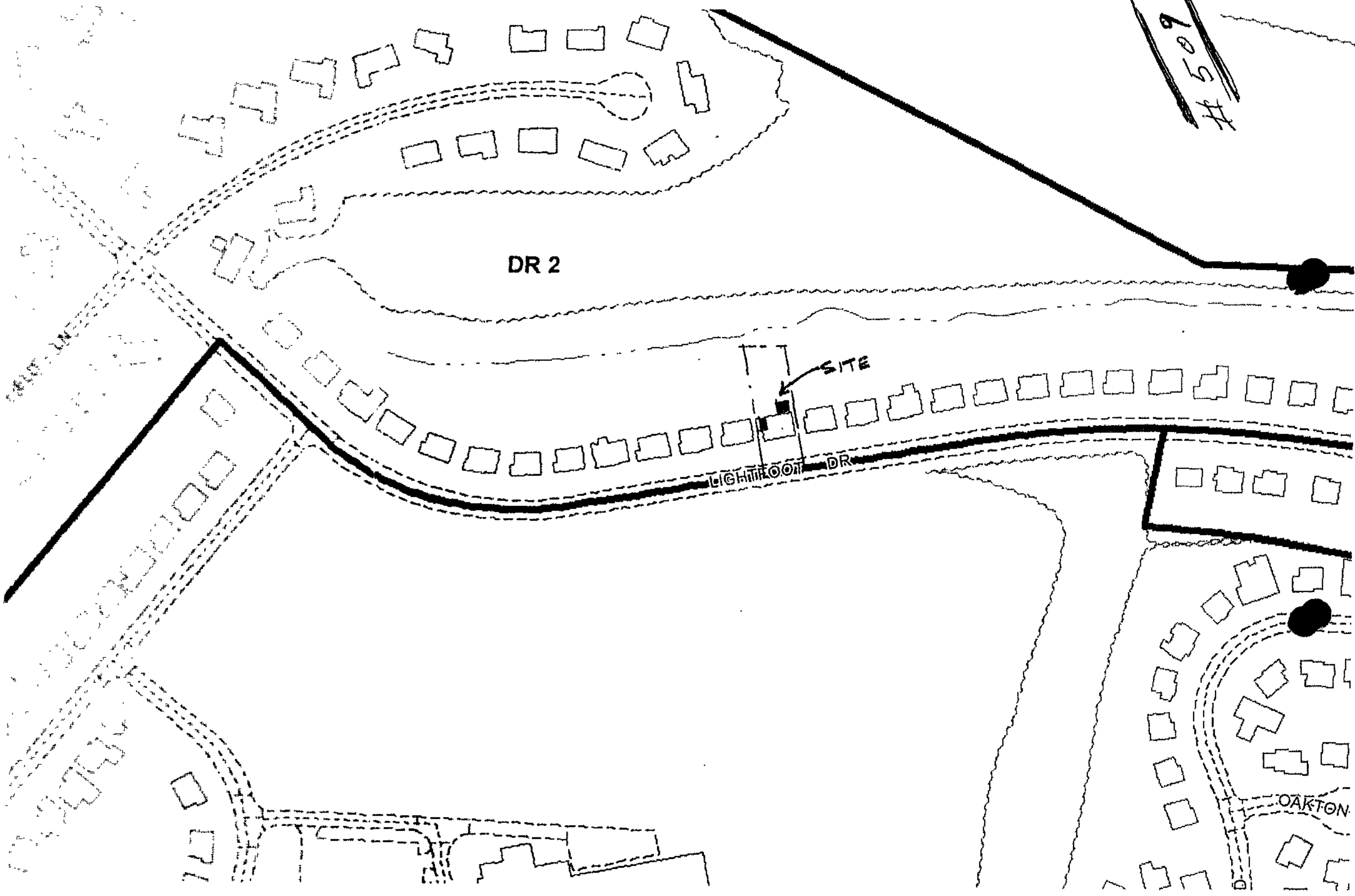


#509

3018 LIGHTFOOT DRIVE

#078C1

#502



PLAT TO ACCOMPANY PETITION FOR ZONING ☒VARIANCE ☐SPECIAL HEARING

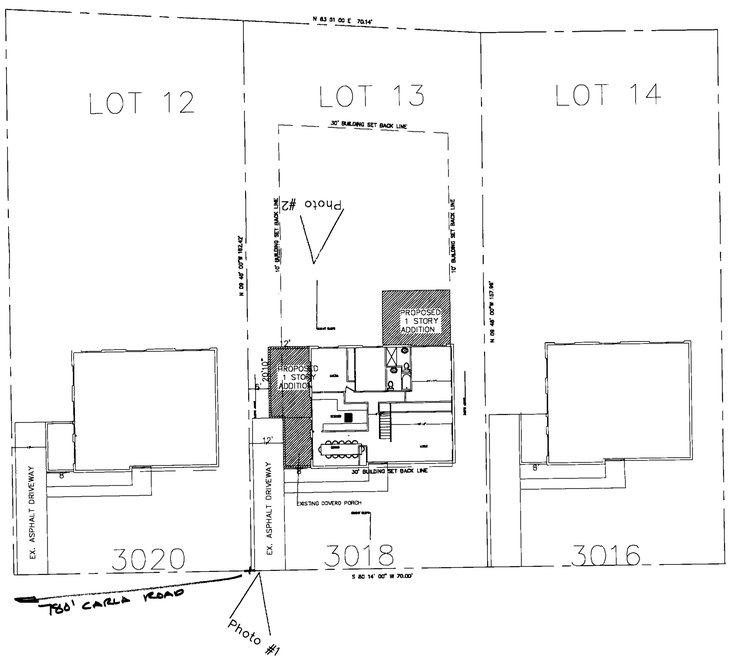
PROPERTY ADDRESS– 3018 LIGHTFOOT DRIVE, BALTIMORE , MARYLAND 21208

SUBDIVISION NAME: LABYRINTH

PLAT BOOK: #26 FOLIO: #130 LOT: #13 , BLOCK "C', PLAT# 2, SECTION #1

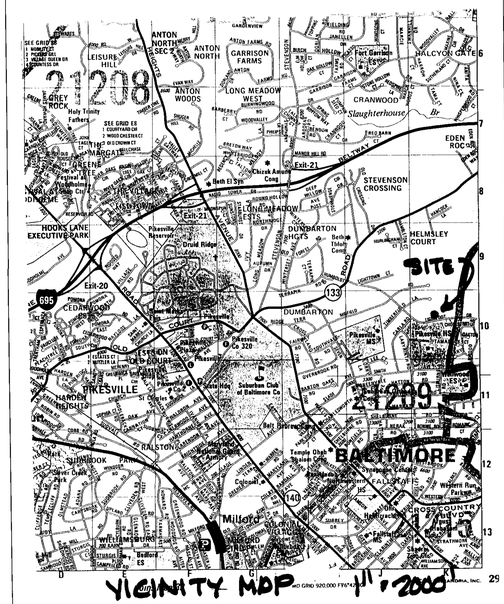
OWNER: Mitchell & Susan Lucas, 3018 Lightfoot Drive, Baltimore, MD 21208

FLOOD CONTROL RESERVATION



LIGHT FOOT DRIVE (60' ROW)

BALTIMORE COUNTY BOARD OF EDUCATION
(PIKESVILLE HIGH SCHOOL)



LOCATION INFORMATION

Councilmanic District : 2

Election District: 3

1" = 200' scale map: 78C1

Zoning: DR2

Lot Size: 11214 SF 0.25 AC

Sewer : PUBLIC

Water: PUBLIC

Chesapeake Bay Critical Area: No

100 Year Flood Plain : FLOOD ZONE C
FEMA MAP: 240010 0240B
AREAS OF MINIMAL FLOODING

Historic Property: No

Prior Zoning Hearings: None

Pet. Ex. 1

Zoning Office Use Only

reviewed by:	item #:	case #:
JJS	509	

DANIELS & ASSOCIATES
ARCHITECTS, Ltd.
1426 Broadway Road Suite #100
Timonium, MD 21093 (410) 560-3588

ADDITIONS TO THE EXISTING RESIDENCE:
LUCAS RESIDENCE
3018 LIGHTFOOT DRIVE, BALTIMORE COUNTY MARYLAND 21208

Date: 4/13/06

Revisions

No.	Date	Reference

Drawing Title
SITE PLAN
1" = 20'-0"

Drawing Number
A1