| | | |
|---|---|---|
| IN RE: PETITION FOR ADMIN. VARIANCE<br>S/S of Lightfoot Drive<br>E of Darwood Drive<br>3rd Election District<br>2nd Councilmanic District<br>**(2714 Lightfoot Drive)** | * | BEFORE THE<br><br>DEPUTY ZONING COMMISSIONER<br><br>OF BALTIMORE COUNTY |
| Robert Gentry and Alfred Guerieri<br>Beazer Homes Corp.<br>*Legal Owners* & Petitioners<br>Jean & Rozalie Rozin<br>*Contract Purchaser/Lessee* | * | CASE NO. 06-670-A |

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Robert Gentry and Alfred Guerieri, Beazer Homes Corp. The variance request is for property located at 2714 Lightfoot Drive. The variance request is from Sections 504 and V.B.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a garage setback of 17 feet instead of the required 22 feet, and to amend the Final Development Plan of Greenspring Quarry, Lot J 12, Area J. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the recently completed new house on the property would have to be completely removed including the foundation and re-established at the proper setback of 22 feet. The structure now built was initially placed erroneously in the field by occupying an offset to the property corner instead of the actual corner for the initial placement as well as the subsequent foundation certification. The error was recognized when the house location was surveyed for final certification in order for the builder to sell the house and lot to the contract purchaser.

ORDER RECEIVED FOR FILING
8-1-06
BY

**Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Office of Planning dated July 13, 2006 which contains a restriction. Copy of which is attached hereto and made a part hereof.

**Applicable Law**

Section 307 of the B.C.Z.R. – ***Variances***.
"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on June 30, 2006 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits and photographs as required by Section 32-3-303 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

8-1-06

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 1st day of August, 2006, that a variance from Sections 504 and V.B.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a garage setback of 17 feet instead of the required 22 feet, and to amend the Final Development Plan of Greenspring Quarry, Lot J 12, Area J be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. No further front additions will be permitted.

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

ORDER RECEIVED FOR FILING
Date 8-1-06
By pz

JVM:pz

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

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

2714 Lightfoot Drive

**for the property located at** Baltimore, MD 21209

**which is presently zoned** D.R. 5.5

(Zoned 5.5 upon approval of Development Plan.

**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)

SEC 504 of the BCZR & V.B.8 to allow a garage setback of 17 feet instead of the required 22 feet. (A variance of 5') and to amend the Final Development Plan of Greenspring Quarry, Lot J 12, AREA "J"

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:***

Jean & Rozalija Rozin
Name - Type or Print

Signature

8 Willwood Ct. (410)602-3343
Address Telephone No.

Baltimore, MD 21209
City State Zip Code

***Attorney For Petitioner:***

N/A
Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

***Legal Owner(s):*** Corp.

Robert Gentry (Beazer Homes, ~~Inc.~~)
Name - Type or Print

Signature Corp.

Alfred Guerieri (Beazer Homes, ~~Inc.~~)
Name - Type or Print

Signature

8965 Guilford Road, Suite 290 (410)720-5071
Address Telephone No.

Columbia MD 21046
City State Zip Code

***Representative to be Contacted:***

Charles Ruzicka (KCI Technologies, Inc)
Name

10 North Park Drive (410)316-7800
Address Telephone No.

Hunt Valley MD 21030
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.** 06 670 A Filed ~~Reviewed~~ By JL Date 6/28/06

Estimated Posting Date ~~7/6/06~~ 6/30/06

REV 9/15/98

MUCH RECEIVED FOR FILING
Date 6-1-06
By BM

# **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 2714 Lightfoot Drive
Address

Baltimore MD 21209
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): A garage setback variance to Lightfoot Drive, Section 504.1 V.B.8 of the BCZR is requested to allow a setback of 17 feet instead of the required 22. The request is based on "Practical Difficulty" in that the recently completed new house on the property would have to be completely removed (including the foundation) and re-established at the proper setback of 22 feet.

The structure now built was initially placed erroneously in the field by occupying an offset to the property corner instead of the actual corner for the initial placement as well as the subsequent foundation certification. The error was recognized when the house location was surveyed for final certification in order for the builder to sell the house and lot to the contract purchaser.

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.

Rozalija Rozin
Signature

Jean Rozin
Name - Type or Print

Jean Rozin
Signature

Rozalija Rozin
Name - Type or Print

**STATE OF MARYLAND, COUNTY OF BALTIMORE,** to wit:

**I HEREBY CERTIFY**, this 19th day of June, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jean Rozin & Rozalija Rozin

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

**AS WITNESS** my hand and Notarial Seal

6/19/06
Date

Notary Public

My Commission Expires 5/01/10

*REV 09/15/98*

KCI TECHNOLOGIES

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

10 NORTH PARK DRIVE • HUNT VALLEY, MD 21030-1846 • 410-316-7800 • FAX 410-316-7817

610

# ZONING DESCRIPTION

## LOT J12 – AREA J
## 0.365 ACRES
## GREENSPRING QUARRY
## THIRD ELECTION DISTRICT
## BALTIMORE COUNTY, MARYLAND

**BEGINNING FOR THE SAME** at a point located on the south side of Lightfoot Drive, 50 feet wide, said point being offset 25 feet south of the centerline of Lightfoot Drive, at a distance of approximately 937 feet from the centerline intersection of Lightfoot Drive and Darwood Drive, said point also being the northeast corner of Lot J12 as shown on a Plat entitled "Area J Greenspring Quarry" which is recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 77, folio 125. Thence leaving said point so fixed and binding on the outline of Lot J12, and referring all courses to the Maryland State Grid System (NAD 83/1991);

1. South 21 degrees 35 minutes 49 seconds East 169.00 feet; thence

2. South 68 degrees 24 minutes 11 seconds West 92.00 feet; thence

3. North 21 degrees 35 minutes 49 seconds West 164.54 feet; thence

4. North 43 degrees 07 minutes 09 seconds East 43.01 feet to intersect the south side of the aforementioned Lightfoot Drive; thence binding thereon

5. Easterly by a line curving to the left having a radius of 50.00 feet and an arc length of 38.21 feet, subtended by a chord South 89 degrees 42 minutes 16 seconds East 37.29 feet; thence

6. North 68 degrees 24 minutes 11 seconds East 18.51 feet to the point of beginning.

**Containing** 0.365 acres of land, more or less.

Being known and designated as Lot J12 as shown on a Plat entitled "Area J Greenspring Quarry" which is recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 77, folio 125.

**THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE**

5/19/06

**BALTIMORE COUNTY, MARYLAND**
**OFFICE OF BUDGET & FINANCE**
**MISCELLANEOUS RECEIPT** Dec'd off #610 **No.** 30774

DATE 6/28/06 ACCOUNT 001.006.6150

AMOUNT $ 130.00 (2 checks)

RECEIVED FROM: KCT

FOR: Reimbursement - Appeal

2714 Edgefield Rd DK

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

**PAID RECEIPT**

| BUSINESS | ACTUAL | TIME | DCN |
|---|---|---|---|
| 6/28/2006 | 6/28/2006 | 09:39:22 | 1 |

REG 0500 WALKIN JRIC JHR
RECEIPT # 290911 6/28/2006 OFLN
Dept 5 628 ZONING VERIFICATION
CR NO. 006074
Recpt Tot $130.00
$130.00 CK $.00 CA
Baltimore County, Maryland

**CASHIER'S VALIDATION**

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN MATTHEWS **DATE:** 7/3/06

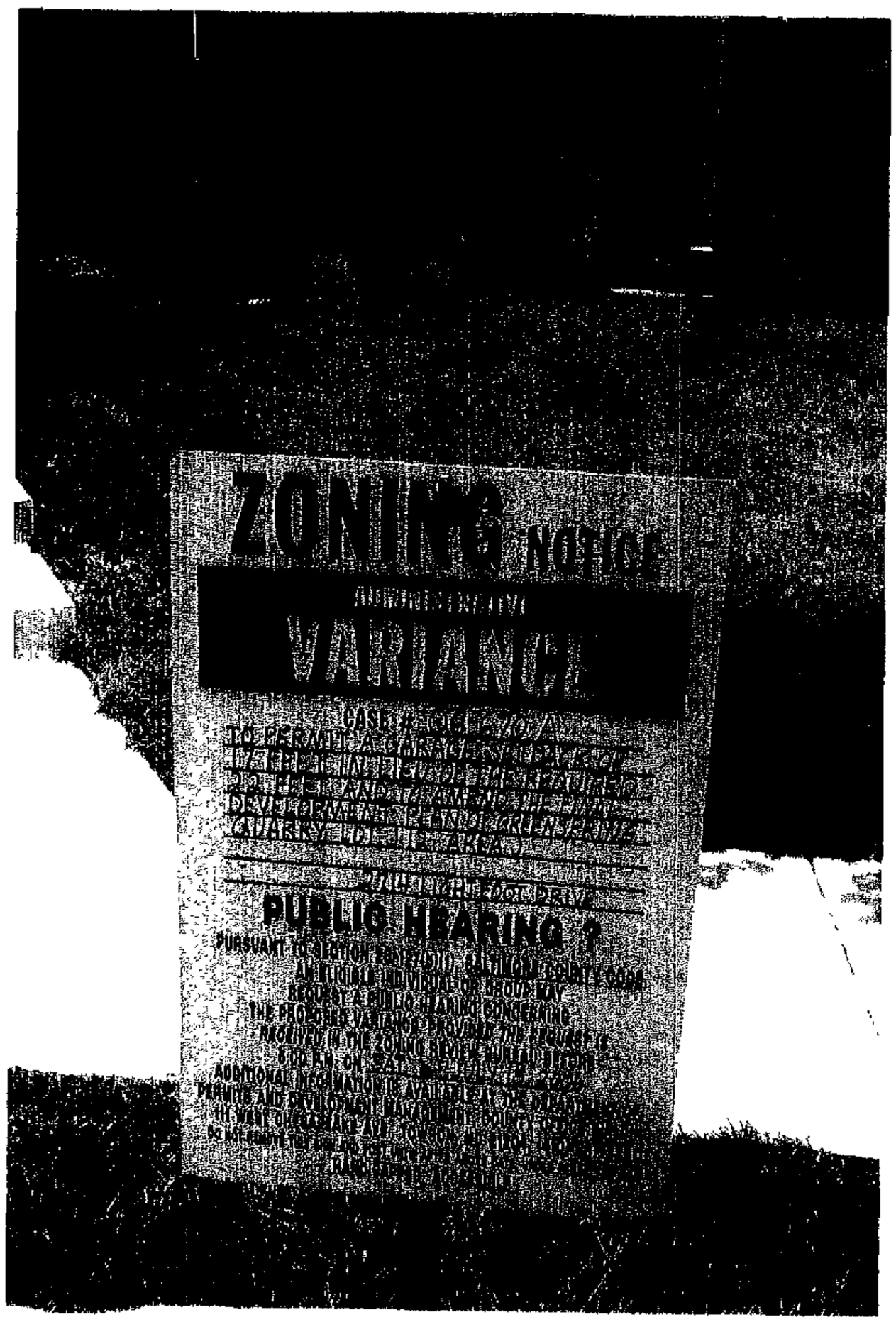
Case Number: 06-670-A

Petitioner/Developer: BEAZER HOMES~ CHUCK RUZICKA OF K.C.I. TECHNOLOGIES

Date of Hearing (Closing): 07/15/06

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:* *2714 LIGHTFOOT DRIVE*

*The sign(s) were posted on:* *06/30/06*




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)

# 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: 06 670 A

Petitioner: ~~ROZIN~~ BEAZER HOMES, CORP.

Address or Location: 2714 LIGHTFOOT DR.

PLEASE FORWARD ADVERTISING BILL TO.

Name: Beazer Homes

Address: 8965 Guilford Rd. Suite 290
Columbia Md.

Telephone Number: 410 720 5071

Revised 2/20/98 - SCJ

Zoning File Copy

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

# ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 610 -A Address 2714 LIGHTFOOT DR.

Contact Person: DROP OFF FILED VL Phone Number: 410-887-3391
Planner, Please Print Your Name

**Filing Date:** 6/28/06 **Posting Date:** 7/09/06 **Closing Date:** 7/24/06

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- 610 -A Address 2714 LIGHTFOOT DRIVE

Petitioner's Name BEAZER HOMES INC. Telephone 410 720 5071

**Posting Date:** ~~7/09/06~~ 6/30/06 **Closing Date:** ~~7/24/06~~ 7/15/06

Wording for Sign: To Permit A GARAGE SETBACK OF 17 FT. IN LIEU OF THE REQUIRED 22 FT, AND TO AMEND THE FINAL DEVELOPMENT PLAN OF GREENSPRING QUARRY LOT J 12, AREA J

WCR - Revised 6/25/04

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
*County Executive*

TIMOTHY M. KOTROCO, *Director*
*Department of Permits and Development Management*

July 25, 2006

Robert Gentry
Alfred Guerieri
Beazer Homes, Corp.
8965 Guilford Road, Suite 290
Columbia, MD 21046

Dear Mr. Gentry and Mr. Guerieri:

RE: Case Number: 06-670-A, 2714 Lightfoot Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 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.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Jean & Rozalija Rozin 8 Willwood Court Baltimore 21209
Charles Ruzicka (KCI Tehnologies, Inc.) 10 North Park Drive Hunt Valley 21030

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

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

**DATE:** July 13, 2006

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

RECEIVED

JUL 14 2006

ZONING COMMISSIONER

**SUBJECT:** 2714 Lightfoot Drive

**INFORMATION:**

**Item Number:** 6-670

**Petitioner:** Beazer Homes Corp.

**Zoning:** DR 5.5

**Requested Action:** **Administrative Variance**

**SUMMARY OF RECOMMENDATIONS:**
The petitioner requests an administrative variance citing a surveying error as a practical difficulty. The existing dwelling was built with a 17-foot setback from the garage to the front property line instead of the required 22' for an attached garage.

**SUMMARY OF RECOMMENDATIONS:**
*If granted, the dwelling must be as shown on the revised final development plan. No further front* additions should be permitted.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

**Prepared by:** Curtis Murray

**Division Chief:** AFK/LL: CM

W:\DEVREV\ZAC\6-670.doc

8-1-06

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** July 10, 2006

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

**SUBJECT:** Zoning Advisory Committee Meeting
For July 10, 2006
Item Nos. 231, 657, 658, 659, 661, 662, 663, 664, 666,670,671, and 672

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-07072006.doc

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

July 5, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 10, 2006

Item Number(s): 657 through 673
670

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.

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

Printed with Soybean Ink on Recycled Paper

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: 6.30.06

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

RE: Baltimore County
Item No. 670 JLL

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

#

06-670-A

**FREQUENT FLYER ATTORNEYS**
**DROP OFF ZONING PETITIONS**
**POLICY PROCEDURES**

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with **all** technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.

2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.

3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

Description Lacks actual Direction (S.E.?) from Dorwood Drive.

No Advertising form Provided.

3/22/05
JLL/rjc

The owner is Beazer Homes Inc.
This reviewer does not take responsibility for the applicant meeting the admin. variance residence requirements. Applicant Advised prior to filing. (a Letter of Explanation has been added to file 6/29/06)

KCI TECHNOLOGIES
ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS
10 NORTH PARK DRIVE • HUNT VALLEY, MD 21030-1846 • 410-316-7800 • FAX 410-316-7817

16 FILE
06 670 A

June 29, 2006

Baltimore County, Maryland
Planning and Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland, 21204

Attn: Mr. John Lewis

Subject: ***Exhibit to File Zoning Variance Case No. 06-670-A***

Dear Mr. Lewis,

Please submit this correspondence and attached exhibit to Administrative Variance Case No. 06-670-A, which has been submitted for the property located at 2714 Lightfoot Drive. I have attached a copy of the Use and Occupancy permit No. B609519 granted by Baltimore County Department of Permits and Development Management for the above referenced dwelling granted to Beazer Homes, Corp., which should meet the residency requirement.

If you have any questions or comments, please do not hesitate to call me at my office at 410-316-7847.

Sincerely,

Charles S. Ruzicka, L.S.
Senior Associate/Survey Division Chief

RECEIVED
JUN 29 2006
Per...

# BALTIMORE COUNTY, MARYLAND
## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
## TOWSON, MARYLAND 21204

TIMOTHY M. KOTROCO
DIRECTOR

BUILDINGS ENGINEER

PERMIT NO: B409517

PERMISSION IS HEREBY GRANTED TO:

NAME: BEAZER HOMES,CO
ADDRESS: 8965 GUILFORD RD,COLUMBIA,MD 21046-2384

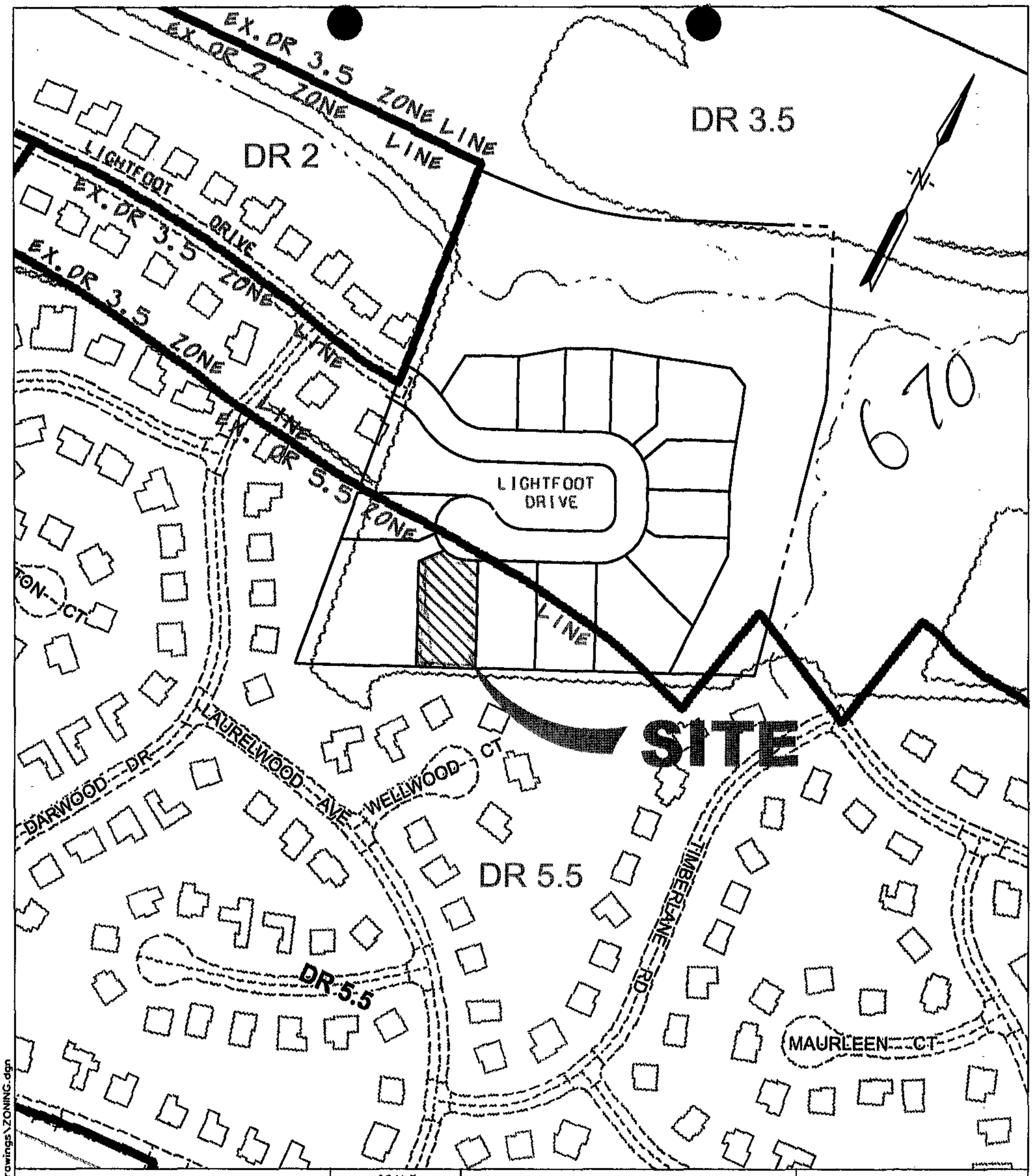
TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED AS FOLLOWS ON PERMIT NO. B409517

LOCATION OF PROPERTY: 2714 LIGHTFOOT DR
DIST: 03 LOT NO: 112 BLOCK NO.
SUBDIVISION: GREENSPRING QUARRY

DATE: 06/08/2006
FEE PAID: 190.00

ISSUED BY THE BUILDING ENGINEER

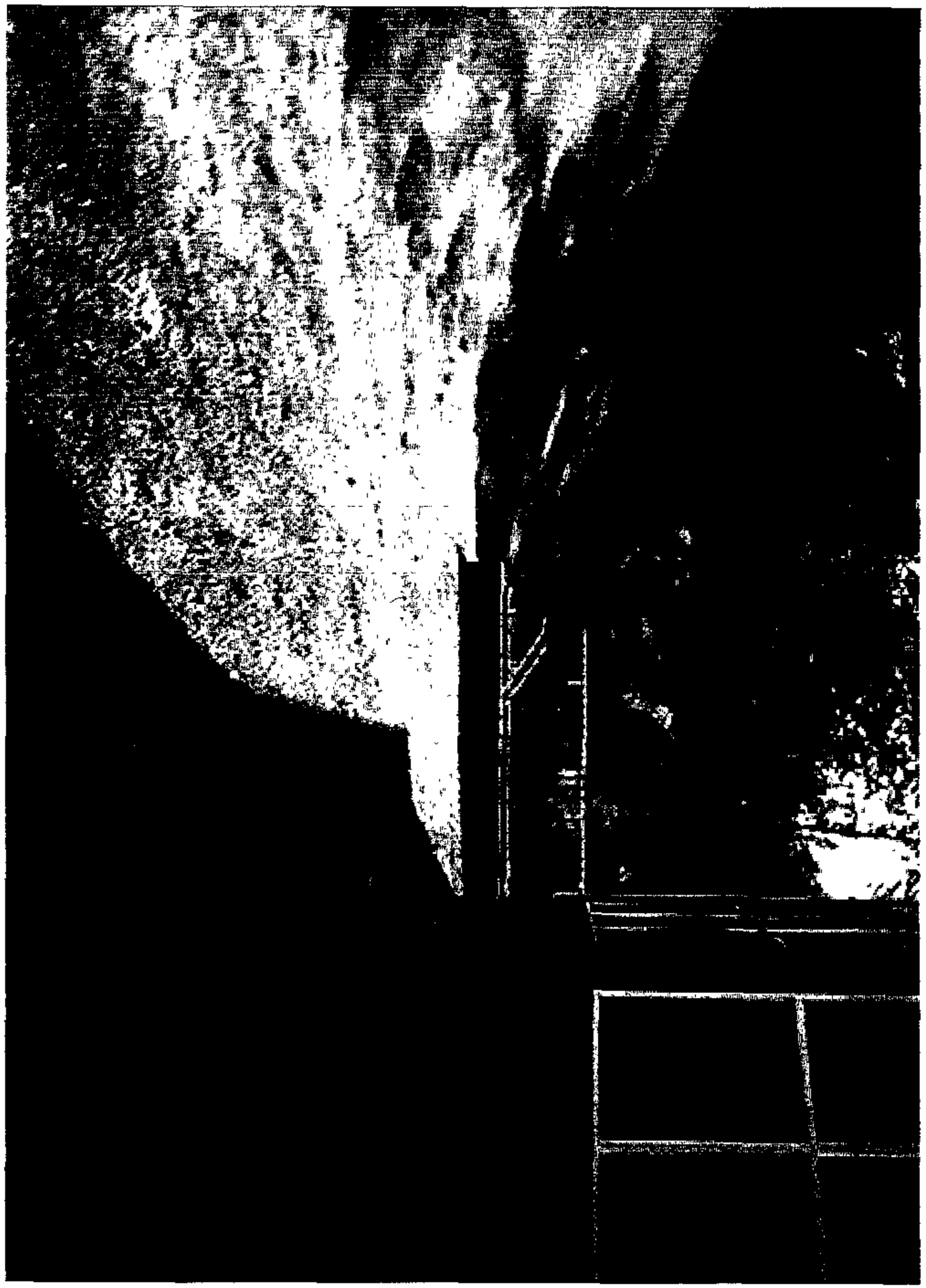
RECEIVED
JUN 29 2006
Per...

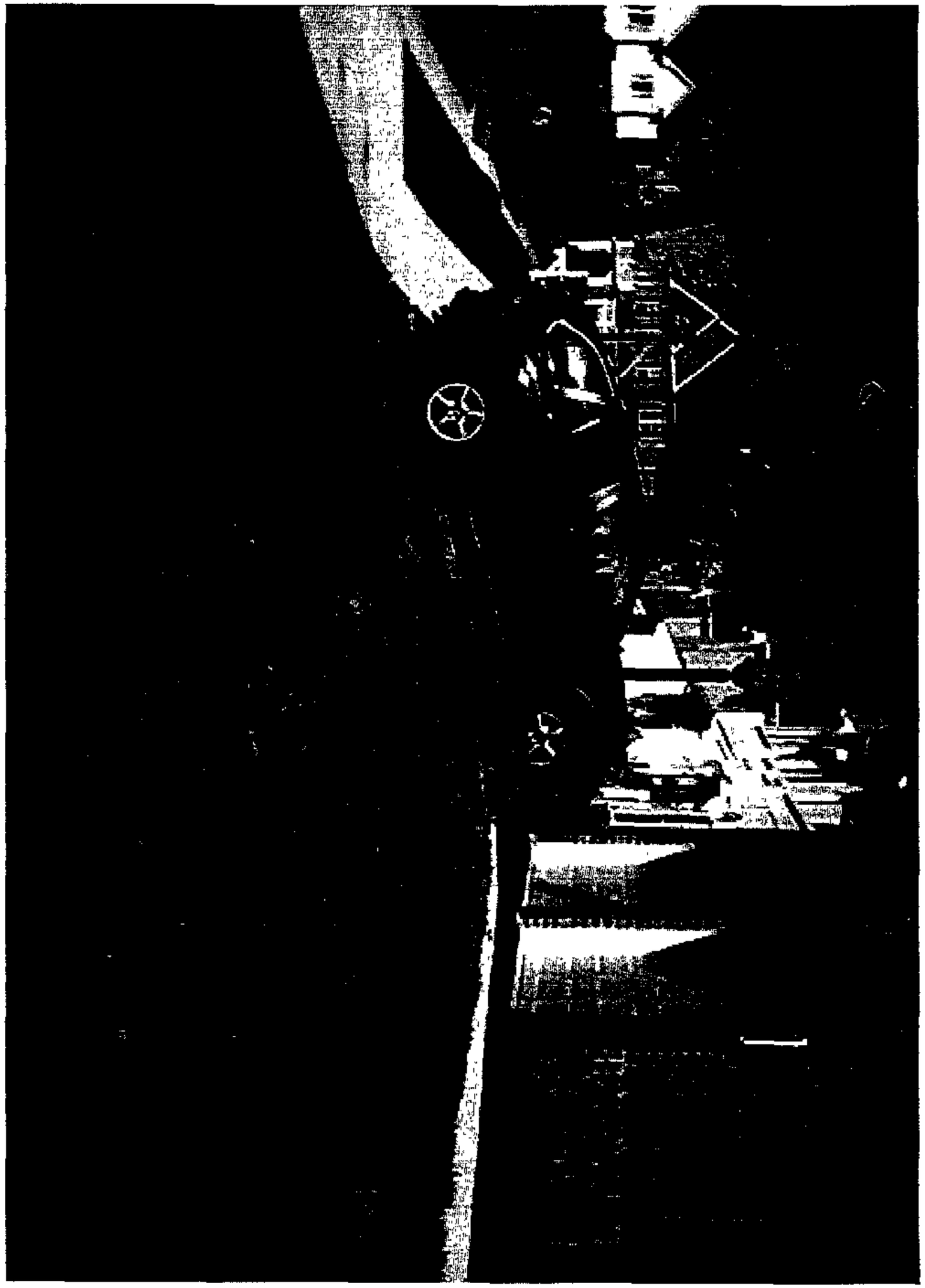



| | | | |
|---|---|---|---|
| | SCALE<br>1"=200' | LOCATION<br>2714 LIGHTFOOT DRIVE<br>GREENSPRING QUARRY | SHEET<br>ZONING MAP<br>078C1 |
| | DATE OF PHOTOGRAPHY<br>1995/1996 | | |

FILE:M:\2005\01053918\drawings\ZONING.dgn

610





629

670

# ZONING CASE HISTORY:

1. Case 2567

   Special permit for a contractor's storage yard granted on May 11, 1953, by the Zoning Commissioner; no restrictions.

2. Case 68-17-X

   Special exception for three wireless transmitting and receiving structures granted on July 24, 1967, by the Zoning Commissioner, subject to approval of the site plan for the development of the property by State Roads Commission, Office of Planning and Zoning, and the Bureau of Public Services.

3. Case 78-224-X

   Special exception for a research laboratory for the Arundel Corporation granted by the Deputy Zoning Commissioner on May 5, 1978, subject to the following restrictions:

   a. No other construction, other than that required to renovate the existing buildings, including the added room to the main building, should be permitted.

   b. The outward appearance of the building, including roof lines, shall remain as at present, so as to resemble a residence.

   c. Hours of operation shall be from 7:30 a.m. to 4:00 p.m., Monday through Friday.

   d. Trucks in excess of three-quarter ton shall not come onto the property.

   e. No chemicals of volatile nature shall be introduced onto property, and only such chemicals as Sodium Hydroxide, shall be used there. No explosives or explosive materials may be brought onto the property.

   f. Evergreen screening, consisting of pine trees, three to four feet in height on 3-foot centers, shall be planted between the subject property and Lightfoot Drive to the south.

   g. Landscaping shall be installed and maintained, as indicated on an approved site plan.

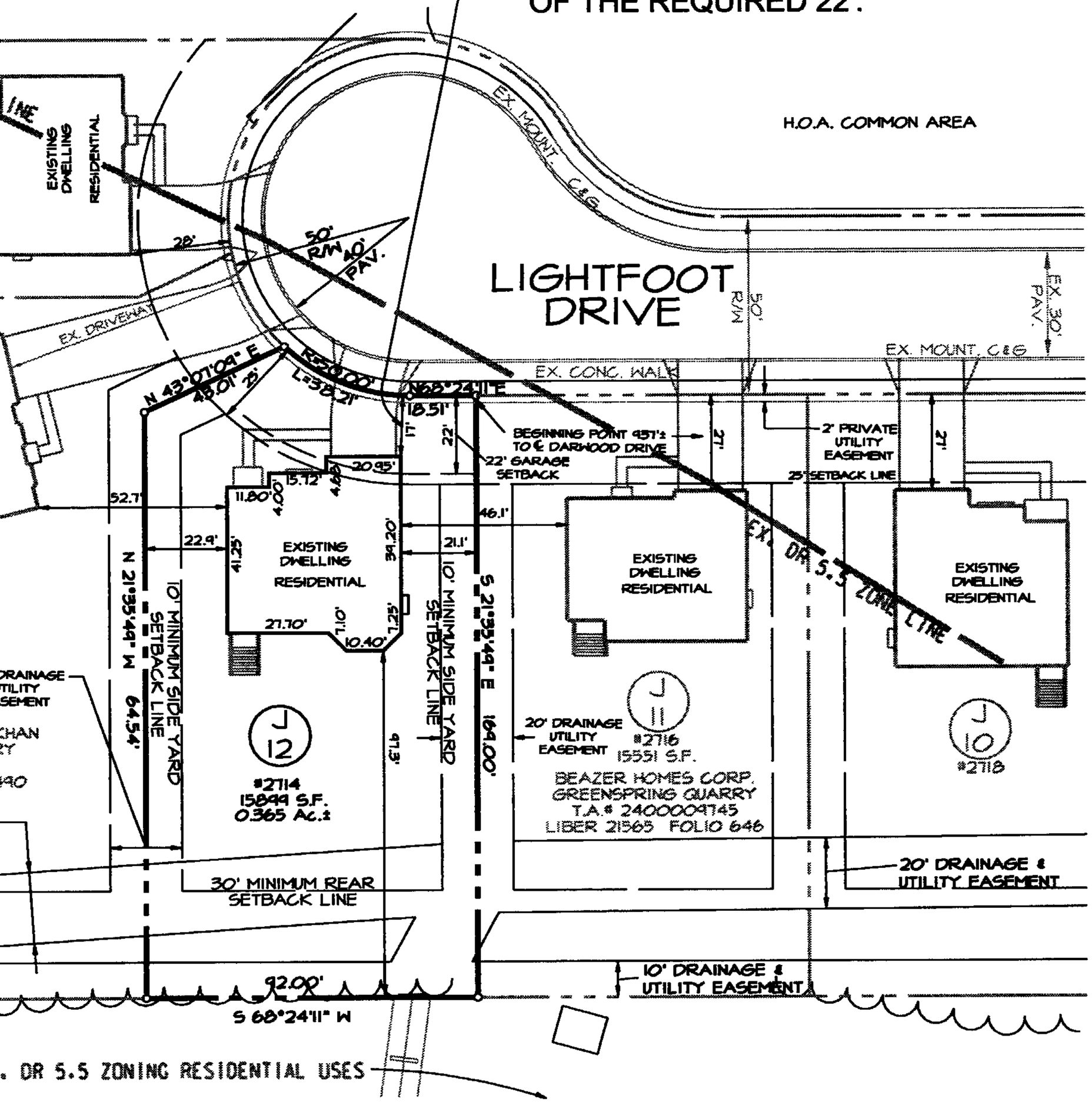
   h. Approval of a site plan by the Department of Public Works, the Department of Health, the Department of Traffic Engineering, and the Office of Planning and Zoning, to include landscaping approval by the Division of Current Planning and Development.

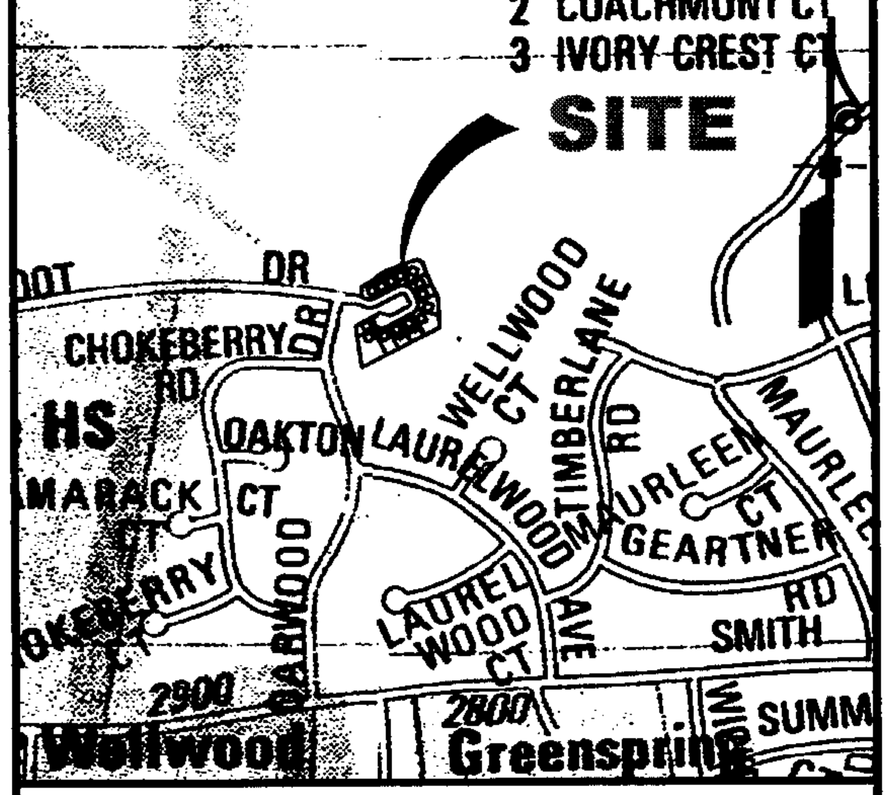
4. Case 87-494-SPH

   Special hearing for a non-conforming use for a warehouse granted by the Zoning Commissioner on October 14, 1987, subject to the following restriction:

   a. The letter dated August August 13, 1987, from counsel Arundel to Robert Goldman, is and shall be adopted and made part of the Order, in its entirety, and the Petioner is thereby restricted and encumbered by and to numbered paragraphs therein 1, 2, 3 and 4. These restrictions conforming use to terminate for the subject property.

GARAGE SETBACK VARIANCE REQUESTED TO ALLOW A SETBACK OF 17'± INSTEAD OF THE REQUIRED 22'.




VICINITY MAP
SCALE: 1: = 1000'

## LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1"=200' SCALE MAP # 078C1

ZONING: D.R. 5.5

LOT SIZE: 0.3650 ACREAGE 15899 SQUARE FEET

| | YES | NO |
|---|---|---|
| CHESAPEAKE BAY CRITICAL AREA | ☐ | ☒ |
| 100 YEAR FLOOD PLAIN | ☐ | ☒ |
| HISTORIC PROPERTY/ BUILDING | ☐ | ☒ |

PRIOR ZONING HEARING
(See attached)

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
*County Executive*

WILLIAM J. WISEMAN III
*Zoning Commissioner*

August 1, 2006

ROBERT GENTRY AND ALFRED GUERIERI
BEAZER HOMES CORP
8965 GUILFORD ROAD, SUITE 290
COLUMBIA MD 21046

Re: Petition for Administrative Variance
Case No. 06-670-A
Property: 2714 Lightfoot Drive

Dear Messrs. Gentry and Guerieri:

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

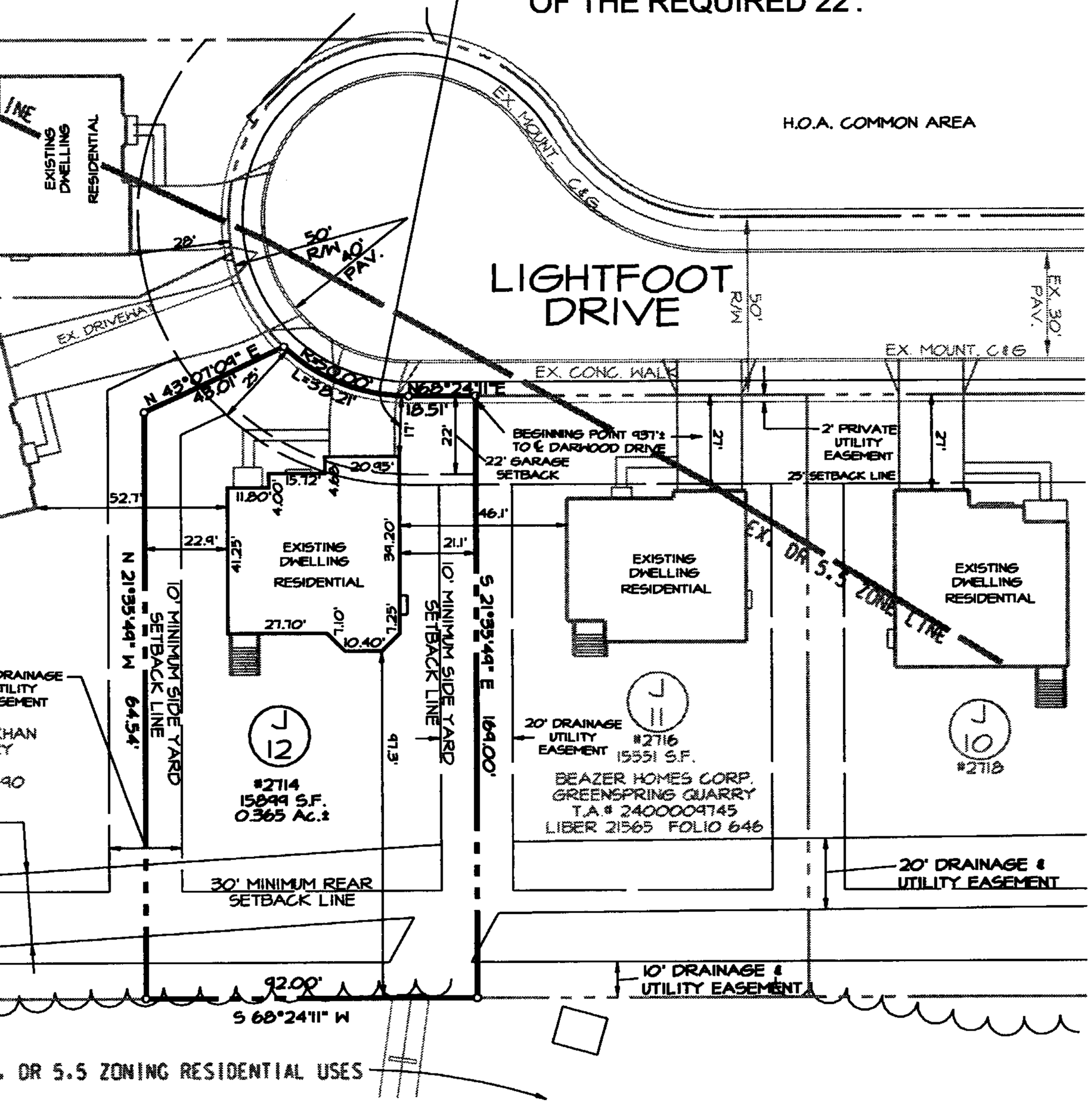
JVM:pz

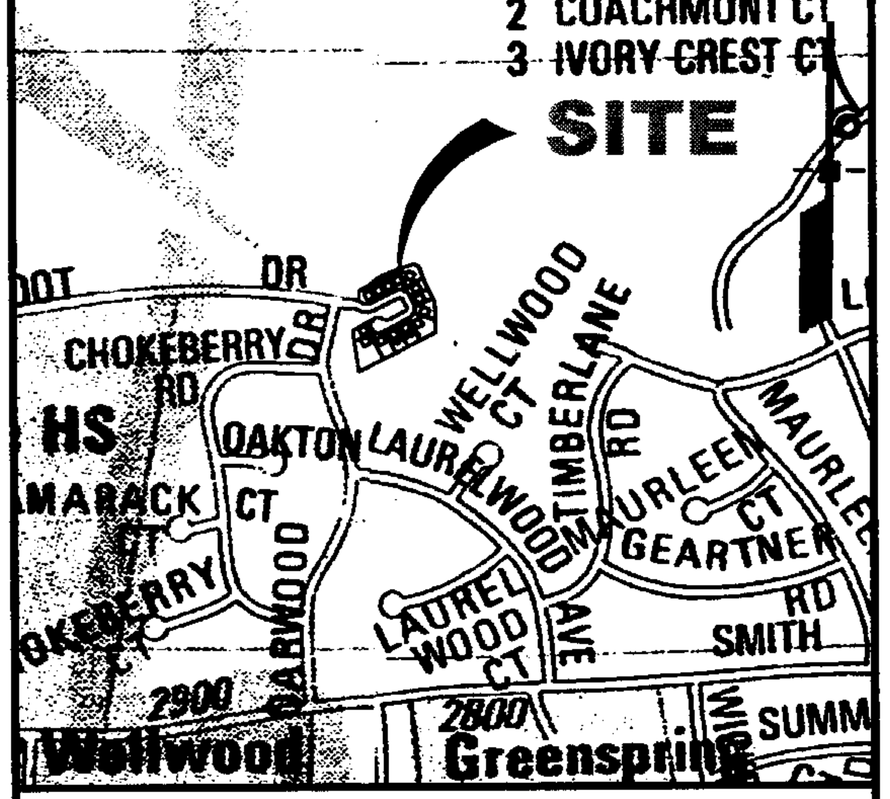
Enclosure

c: Jean & Rozalie Rozin, 8 Willwood Court, Baltimore MD 21209

PAID RECEIPT FOR FILING
8-1-06

GARAGE SETBACK VARIANCE REQUESTED TO ALLOW A SETBACK OF 17'± INSTEAD OF THE REQUIRED 22'.

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PRIOR ZONING HEARING
(See attached)