

IN RE: PETITION FOR ADMIN. VARIANCE

SE of Timberfield Lane, SE corner of
Timberfield Lane and Lightfoot Drive
3rd Election District
2nd Councilmanic District
(3301 Timberfield Lane)

Rakhmin Khoshayev
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2011-0215-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings as a Petition for Administrative Variance filed by the legal owner of the subject property, Rakhmin Khoshayev for property located at 3301 Timberfield Lane. The variance request is from Section 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a carport addition in the front of an existing dwelling with a front setback of 28 in feet lieu of the required 30 feet. The subject property and requested relief are more particularly described on the site plan submitted with the Petition. The current size of the carport does not allow for the storage of two vehicles under cover and out of the elements.

The property was the subject of previous Administrative Variance request in Case No. 2011-0052-A. In that case, Petitioner requested variance relief from Sections 205.3 and 205.4 (1955-71 regulations) of the B.C.Z.R. to permit a proposed addition (10 feet x 30.6 feet) on an existing dwelling with a side yard setback of 9 feet and a rear yard setback of 10 feet in lieu of the minimum required 15 feet and 40 feet, respectively. Due to an increase in family size, Petitioner desired to enlarge the kitchen by incorporating the existing screened porch into the kitchen and building a new screened porch next to the extended kitchen area for convenience and accessibility. Relief was granted in Case No. 2011-0052-A (with conditions) on September 7, 2010, by then

ORDER RECEIVED FOR FILING

Date 2-17-11

By pm

Deputy Zoning Commissioner Thomas H. Bostwick. Petitioner now comes before this Administrative Law Judge seeking additional relief from the required setbacks.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated February 8, 2011. As stated previously in Case 2011-0052-A, the front of the existing dwelling is sited at an angle creating a very shallow side and rear yard on the west/southwest side. The Office does not oppose the requested variance provided building materials are consistent with those used in the existing carport.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 23, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 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. The information, photographs, and affidavits submitted provide sufficient facts that establish compliance 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, this 17 day of February, 2011, that a variance from Section 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a

ORDER RECEIVED FOR FILING

Date 2-17-11 2

By [Signature]

carport addition in the front of an existing dwelling with a front setback of 28 feet in lieu of the required 30 feet, be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Building materials for the carport addition shall be consistent with those of the existing carport.
3. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING

Date 2-17-11

By J2



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

February 17, 2011

RAKHMIN KHOSHAYEV
3301 TIMBERFIELD LANE
BALTIMORE MD 21208

Re: Petition for Administrative Variance
Case No. 2011-0215-A
Property: 3301 Timberfield Lane

Dear Mr. Khoshayev:

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.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

THB:pz

Enclosure

Petition for Administrative Variance



to the **Zoning Commissioner of Baltimore County** for the property
located at 3301 Timberfield Lane Baltimore, MD 21208
which is presently zoned DR 2, DR 5.5

Deed Reference: _____ / _____ Tax Account # 0326020410

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) 301.1 A TO

PERMIT A CARPORT ADDITION IN THE FRONT OF EXISTING
DWELLING WITH A FRONT SETBACK OF 28 FEET IN LIEU
OF THE REQUIRED 30 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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 _____

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.

Legal Owner(s):

Rakhmin Khoshayev

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

3301 Timberfield Lane (410) 484-3323

Address _____ Telephone No. _____

Baltimore MD 21208

City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

Case No. 2011-0215-A

Reviewed By ATZUI Date 1/14/2011

Estimated Posting Date 1/23/11 ~ 2/7/11

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 own and reside at 3301 Timberfield Lane
Address number Road or Street name

and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed) Due to front entrance addition it is very difficult to park two cars under the existing carport, therefore would like to

extend the carport for convenience and easy accessibility. The extended carport would require a variance because:

1. Extended area would get closer to the property line
2. Extended area would get closer to setback line
3. If built on any other side of the house would be very inconvenient and difficult to access
4. Location on the lot is skewed

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Rakhmin Khoshayev
Signature

Rakhmin Khoshayev

Name- print or type

Signature

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

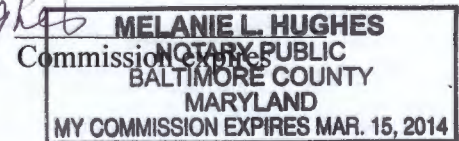
STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 11th day of January, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): RAKHMIN S. KHOSHAYEV
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Melanie L. Hughes
Name of Notary Public



PLACE SEAL HERE:

Zoning Description

Zoning description for 3301 **Timberfield Ln Pikesville, MD 21208**

beginning at a point on the southeast side of **Timberfield Ln** which is 60 feet wide at the distance of 30 feet southeast of the nearest improved intersection street **Lightfoot Dr** which is 60 feet wide. Being Lot # 8, Block C, Section # 2 in the subdivision of Midfield as recorded in Baltimore County Plat Book # 26, Folio # 127, containing 23,460.00 SF. Also known as **3301 Timberfield Ln Pikesville, MD 21208** and located in 3 Election District, 2 Counsilmanic District.

2011-0215-A

Zoning Description

Zoning description for 3301 **Timberfield Ln Pikesville, MD 21208**

beginning at a point on the southeast side of **Timberfield Ln** which is 60 feet wide at the distance of 30 feet southeast of the nearest improved intersection street **Lightfoot Dr** which is 60 feet wide. Being Lot # 8, Block C, Section # 2 in the subdivision of Midfield as recorded in Baltimore County Plat Book # 26, Folio # 127, containing 23,460.00 SF. Also known as **3301 Timberfield Ln Pikesville, MD 21208** and located in 3 Election District, 2 Counsilmanic District.

2011-0215-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **62957**
 Date: **1/14/2011**

PAID RECEIPT

BUSINESS ACTUAL TIME DEPT
 1/18/2011 1/14/2011 09:31:26 5
 REC WSO3 WALKIN ROAD LRD
 >>RECEIPT # 504363 1/14/2011 OFLH
 Dept 5 528 ZONING VERIFICATION
 CR NO. 062957
 Recpt Tot \$75.00
 \$75.00 CK \$4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75

Total: **\$75**

Rec From: **RAKHIMIN KHOSHAYEV**
 For: **3301 TIMBERFIELD LN**
2011-0215-A

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!

**CASHIER'S
 VALIDATION**

Certificate of Posting

RE: Case NO. 2011-0215-A

Petitioner/Developer _____

Rakhmin Khoshayev

Date of Hearing/Closing 2/7/11

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

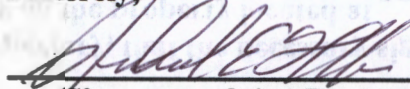
Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

3301 Timberfield Lane

The sign(s) were posted on 1/23/11
(Month, Day, Year)

Sincerely,

 1/23/11
(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

See Attached
Photograph

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

Certificate of Posting
Photograph Attachment

Re: 2011-0215-A

Petitioner/Developer: _____

Rakhmin Khoshayev

Date of Hearing/Closing: 2/7/11



3301 Timberfield Lane

Posting Date: 1/23/11

[Signature] 1/23/11
(Signature and date of sign poster)



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 7, 2011

Rakhmin Khoshayev
3301 Timberfield Lane
Baltimore, MD 21208

Dear Mr. Rakhmin Khoshayev

RE: Case Number 2011-0215 A, 3301 Timberfield Lane, Baltimore, MD 21208

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 14, 2011. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 3, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **January 31, 2011**

Item No.:

Administrative Variance: 2011-0215A – 0216A, 2011-0224A

Special Hearing: 2011-0213-SPH, 2011-0219-SPHA, 2011-0220-SPH, 2011-0225-SPHA

Variance: 2011-0217A, 2011-0219-SPHA, 2011-0221-XA, 2011-0222A – 0223A, 2011-0225-SPHA

Special Exception: 2011-0221-XA,

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

Rec'd in Janning
2-7-11

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0215 -A Address 3301 TIMBERFIELD LANE
Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/14/2011 Posting Date: 1/23/11 Closing Date: 2/7/11

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2011- 0215 -A Address 3301 TIMBERFIELD LANE
Petitioner's Name RAKHMIN KHOSHAYEV Telephone 410-484-3323
Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A CARPORT ADDITION IN THE FRONT OF
EXISTING DWELLING WITH A FRONT SETBACK OF 28 FEET
IN LIEU OF THE REQUIRED 30 FEET.

WCR - Revised 7/7/08



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverly K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Admin Rec'd
2-15

Date: 2-14-2011

Clery
2/7/10

2011-0215
Comet

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

RE: Baltimore County
Item No. 2011-0215-A
3301 TIMBERFIELD LN.
KHOSHAYEV PROPERTY
ADMIN. VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0215-A

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey
For Steven D. Foster, Chief
Access Management Division

SDF/mb

Patricia Zook - Re: Comments needed for Administrative Variances (5)

From: Dennis Kennedy
To: Zook, Patricia
Date: 2/10/2011 10:46 AM
Subject: Re: Comments needed for Administrative Variances (5)
CC: Richards, Carl

Hi Patti:
Apparently our new system is not working.
We had no comment on any of the following items:

2011-0207-A
2011-0210-A
2011-0211-A
2011-0216-A
2100-0217-A

Dennis Kennedy

>>> Patricia Zook 2/10/2011 9:43 AM >>>
Good morning Dennis -

The following administrative variance cases were brought to our office. In reviewing the files, they are all missing comments from your office:

2011-0216-A
2011-0215-A
2011-0211-A
2011-0210-A
2011-0207-A

If you have 'no comment' just let me know via e-mail and I'll place the response in the case file(s).

As always, thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Comments needed for Administrative Variances (5)

From: Patricia Zook
To: Kennedy, Dennis
Date: 2/10/2011 9:43 AM
Subject: Comments needed for Administrative Variances (5)

Good morning Dennis -

The following administrative variance cases were brought to our office. In reviewing the files, they are all missing comments from your office:

2011-0216-A
2011-0215-A
2011-0211-A
2011-0210-A
2011-0207-A

If you have 'no comment' just let me know via e-mail and I'll place the response in the case file(s).

As always, thanks for your help, Dennis.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 8, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

RECEIVED

SUBJECT: 3301 Timberfield Lane
INFORMATION:

FEB 09 2011

Item Number: 11-215

ZONING COMMISSIONER

Petitioner: Rakhim Khoshayev

Zoning: DR 2 and DR 5.5

Requested Action: Administrative Variance

The petitioner requests an administrative variance for a front yard setback of 28 feet in lieu of the minimum required setback of 30 feet. This would allow for an addition to extend the existing carport.

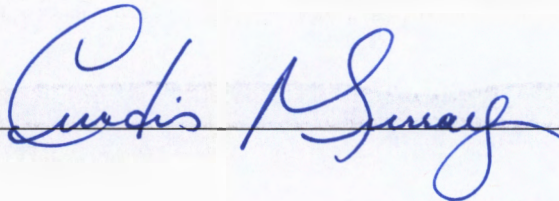
As stated previously stated in case 2011-0052a, the front of the existing dwelling is sited at an angle creating a very shallow side and rear yard on the west/ southwest side.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance provided building materials are consistent with those used in the existing carport.

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

Prepared by:
JM/LL: CM



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



FEB 15

ZONING COMMISSIONER

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 15, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-215-A
Address 3301 Timberfield Lane
(Koshayev Property)

Zoning Advisory Committee Meeting of January 31, 2011.

X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: JWL Date: 2/14/2011

RECEIVED

FEB 15 2011

ZONING COMMISSIONER

previous order

IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Timberfield Lane and SW of
Lightfoot Drive
3rd Election District
2nd Councilmanic District
(3301 Timberfield Lane)

Rakhmin Khoshayev
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2011-0052-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Rakhmin Khoshayev for property located at 3301 Timberfield Lane. The variance request is from Sections 205.3 and 205.4 (1955-71 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition on an existing dwelling with a side yard setback of 9 feet and a rear yard setback of 10 feet in lieu of the minimum required 15 feet and 40 feet, respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Due to an increase in family size, Petitioner desires to enlarge the kitchen by incorporating the existing screened porch into the kitchen and build a new screened porch next to the extended kitchen area for convenience and accessibility. The most affected property owner at 3303 Timberfield Lane did not express any concern about the proposed addition.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated August 16, 2010 which indicates that the variance would allow for a 10 feet x 30.6 feet addition to expand the existing kitchen and add a new screened porch. The front of the existing dwelling is sited at an angle creating a very shallow side and rear yard on the west/southwest side. The Planning Office

does not object to the requested variances provided building materials are consistent with those used in the existing dwelling.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 15, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 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 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 7th day of September, 2010 that a variance from Sections 205.3 and 205.4 (1955-71 regulations) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed addition on an existing dwelling with a side yard setback of 9 feet and a rear yard setback of 10 feet in lieu of the minimum required 15 feet and 40 feet, respectively is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Building materials for the dwelling addition shall be consistent with those of the existing dwelling.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2011
Item Nos. 2011- 213, 215, 216, 217,
219, 220, 221, 222 and 223

DATE: February 2, 2011

Closing 2/7

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-02072011 -NO COMMENTS.doc

2011-0215-A

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.3A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 03 Account Number - 0326020410

Owner Information

Owner Name: KHOSHAYEV RAKHMIN **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 3301 TIMBERFIELD LN **Deed Reference:** 1) /21764/ 364
BALTIMORE MD 21208-4425 2)

Location & Structure Information

Premises Address **Legal Description**
3301 TIMBERFIELD LN 3301 TIMBERFIELD LN
MIDFIELD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
78	5	605			2	C	8	2	1	
									Plat Ref:	26/ 127

Special Tax Areas **Town Ad Valorem Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1960	2,079 SF	23,460.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2010	Phase-in Assessments As Of 07/01/2011
Land	139,360	139,300		
Improvements:	244,380	207,200		
Total:	383,740	346,500	383,740	346,500
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
ZERDEN DAVID D	04/21/2005	\$420,000
Type:	Deed1:	Deed2:
IMPROVED ARMS-LENGTH	/21764/ 364	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:Date:Price:Type:Deed1:Deed2:**Exemption Information**Partial Exempt AssessmentsClass

07/01/2010

07/01/2011

County

000

0

0

State

000

0

0

Municipal

000

Tax Exempt:

NO

Special Tax Recapture:Exempt Class:

* NONE *

Patricia Zook - Comments Needed for 2 Administrative Variance Cases

From: Patricia Zook
To: Murray, Curtis
Date: 2/10/2011 9:50 AM
Subject: Comments Needed for 2 Administrative Variance Cases

Good morning Curtis -

These two administrative variance case files were brought to our office and both are missing Planning comments:

2011-0215-A
2011-0216-A

Thanks for your help, Curtis!

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Front of the house



2011-0215-A



2011-0215-A



2011-0215-A

ICE

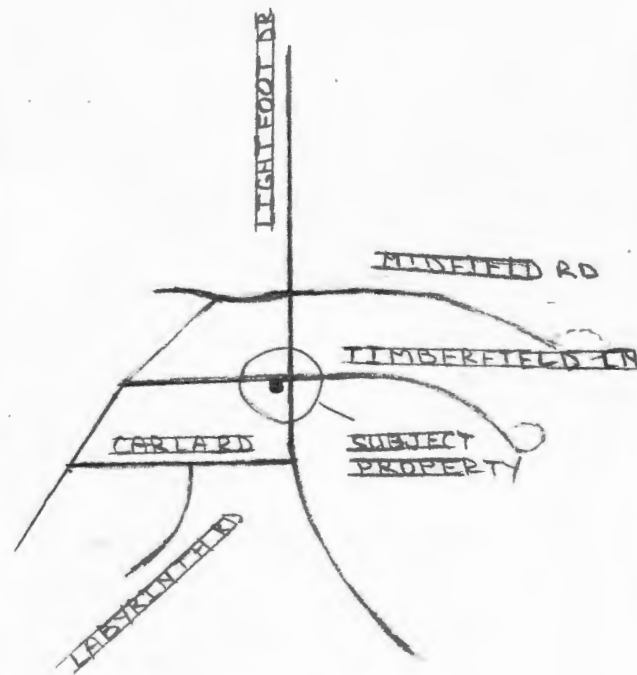


SPECIAL HEARINGS



WANTED
SETBACK

SCALE OF DRAWING : 1" = 30'



VICINITY MAP
SCALE 1"=1000

LOCATION INFORMATION

ELECTION DISTRICT: 3

COUNCILMANIC DISTRICT: 2

1"=200' SCALE MAP # 078C1

ZONING: DR 2 DR 5.5

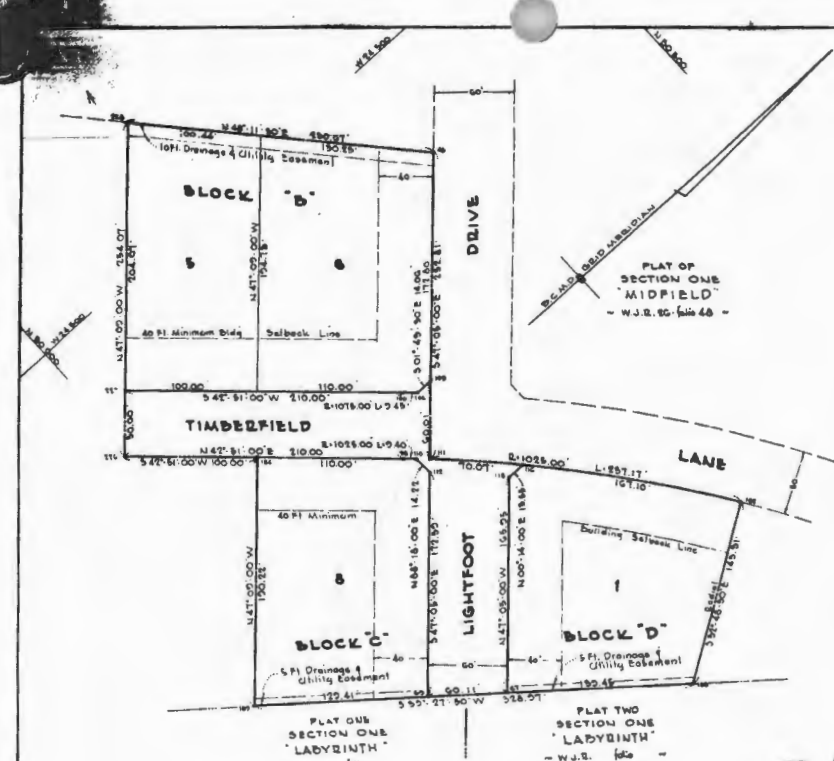
LOT SIZE: 0.538 ACR/23,460.00 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLANE	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING 2011-00525

REVIEWED BY	ITEM #	CASE #
A-TSUI	0215	2011-0215



WLR 26 FOLD 127
UNOFFICIAL AND UNRECORDED

THIS PHOTO TAKEN FROM THE RECORDS OF THE CIRCUIT COURT FOR BALTIMORE COUNTY IS FOR OFFICIAL USE ONLY AND NOT TO BE DUPLICATED FOR SALE OR GIFT.

PLAT I

SECTION TWO

MIDFIELD

SEC. ELEC. DIST. BALTO. CO. MD.
SCALE 1"=50' OCT. 18, 1959

DEVELOPER:

SYLVIA CONSTRUCTION CO.
P.O. BOX 950, BALTIMORE 9, MD.

Point	To	B.	L.	A.	T.D.	CHORD
58	110	10°25'00"	2.40	00°31'52"	4.70	4.49°06'40"E 9.40
100	100	10°25'00"	2.45	00°30'14"	4.75	3.48°06'07"W 9.45
111	185	10°25'00"	131.17	19°18'50"	117.13	4.50°35'47"E 295.64
116	185	10°25'00"	107.10	09°50'26"	59.74	4.52°31'17"E 166.01

COORDINATES					
No.	WEST	NORTH	No.	WEST	NORTH
45	24 415.75	50 518.77	110	24 194.75	50 508.75
67	24 075.47	50 085.40	118	24 175.00	50 175.40
67	24 111.58	50 095.29	184	24 062.47	50 510.51
78	24 258.38	50 145.09	185	24 204.84	50 100.05
100	24 259.25	50 180.10	184	24 595.35	50 065.45
106	24 588.77	50 187.00	189	24 175.75	50 235.00
107	24 589.50	50 201.08	125	24 401.40	50 225.14
110	24 551.19	50 191.26	127	24 438.05	50 025.14
111	24 245.19	50 100.19	128	24 587.66	50 164.25
112	24 137.75	50 155.50			

PLAT I
FILED
OCT 19 1959
BALTO. CO. MD.



APPROVED, BALTIMORE COUNTY PLANNING BOARD:

[Signature] DIRECTOR

DATE

APPROVED

[Signature] DEPUTY STATE'S COUNTY HEALTH OFFICER

DATE

APPROVED

[Signature] COUNTY BOARD ENGINEER

DATE

NOTE:

Streets and/or roads shown herein, and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the lands thereon is, expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

NOTE:

Coordinates and bearings shown on this plat are referred to the system of coordinates established in the Baltimore County Metropolitan District and are based on the following traverse stations:

X 1958 W 25°25'41" N 30 847.60
X 1950 W 25°05'12" N 31 049.58

OWNER'S CERTIFICATE:

The requirements of Section 17, D. Article 17, of the Annotated Code of Maryland, (Plat 1947 Supplement) as far as they relate to the preparation of this plat have been complied with.

Sylvia Construction Co.
OWNER

DATE

SURVEYOR'S CERTIFICATE:

I, NORMAN FRANK HERMANN, a registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill 490, Chapter 1010 of the Acts of 1949, and subsequent acts amendatory thereof.

Norman Frank Hermann 10/19/59
REGISTERED LAND SURVEYOR 1950 DATE

MATZ, CHILDS & ASSOCIATES
2125 N. CHARLES ST.
BALTIMORE 18, MD.

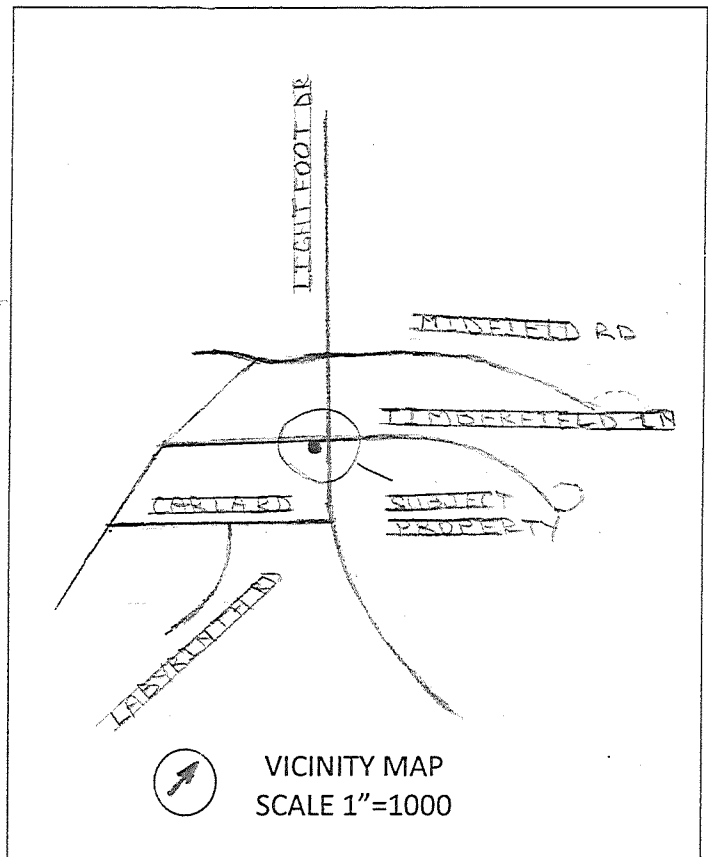
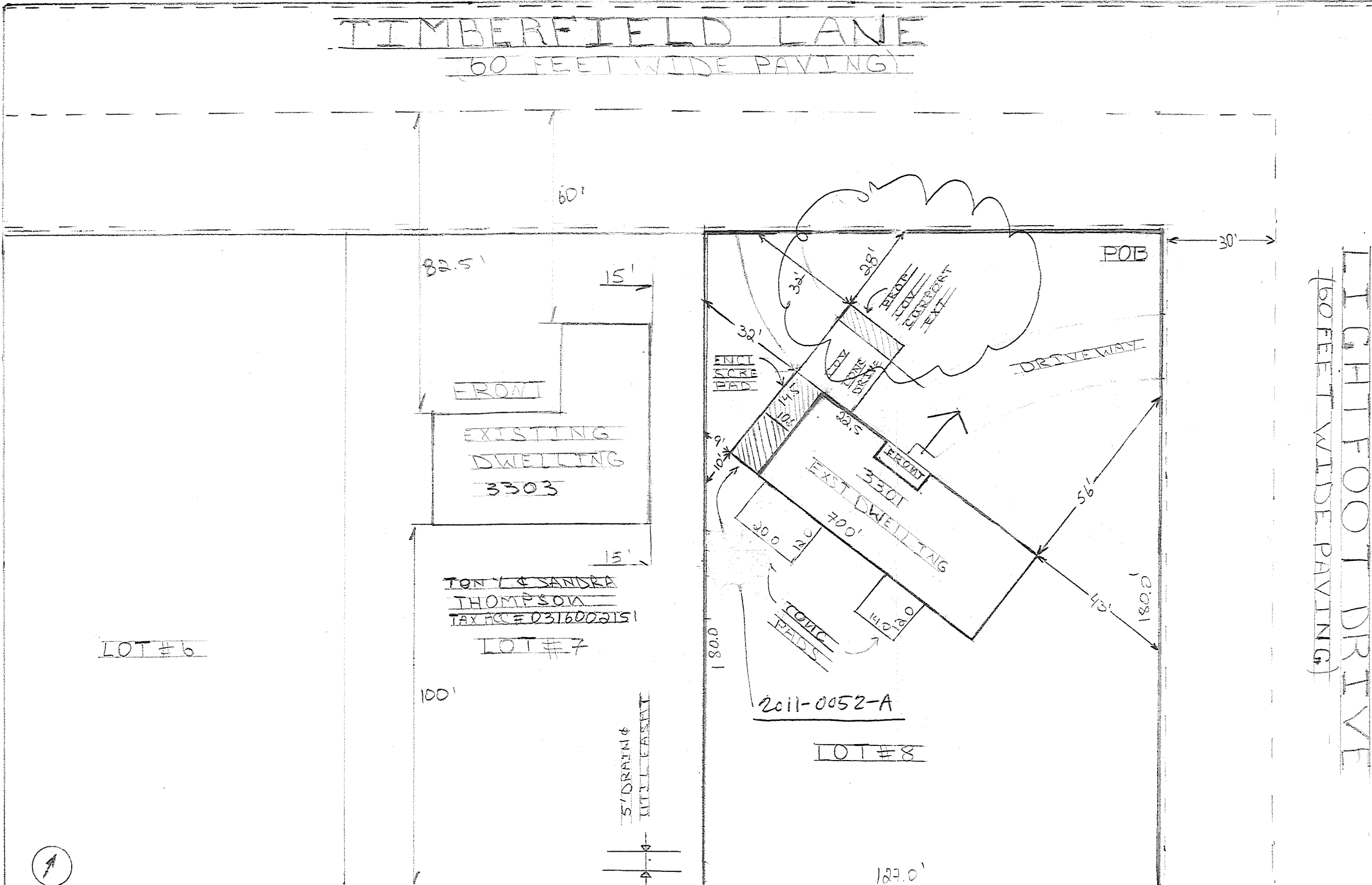
2011-0215-A

PLAT TO ACCOMPANY PETITION FOR ZONING

☒ VARIANCE

☐ SPECIAL HEARINGS

PROPERTY ADDRESS: 3301 TIMBERFIELD LN BALTIMORE, MD 21208
 SUBDIVISION NAME: MIDFIELD
 PLAT BOOK #: 26 FOLIO #: 127 LOT #: 8 SECTION #: 2
 OWNER: RAKHMIN KHOSHAYEV



LOCATION INFORMATION			
ELECTION DISTRICT: 3			
COUNSILMANIC DISTRICT: 2			
1"=200' SCALE MAP # 078C1			
ZONING: DR 2 DR 5.5			
LOT SIZE: 0.538 ACR/23,460.00 SQUARE FEET			
SEWER	PUBLIC	PRIVATE	
	☒	☐	
WATER	☒	☐	
CHESAPEAKE BAY CRITICAL AREA	YES	NO	
	☐	☒	
100 YEAR FLOOD PLANE	☐	☒	
HISTORIC PROPERTY/BUILDING	☐	☒	
PRIOR ZONING HEARING 2011-0052-A			
REVIEWED BY	ITEM #	CASE #	
A. TSUI	0215	2011-0215-A	

* ZONING CASE NO. 2011-0052-A GRANTED
 A SIDE ADDITION WITH A 9 FEET SIDE SETBACK
 AND A 10 FEET REAR SETBACK.

SCALE OF DRAWING: 1"=30'

NORTH
 PREPARED BY: RAKHMIN KHOSHAYEV