IN RE: PETITION FOR ADMIN. VARIANCE

N side of Janellen Drive; 1,085 feet E of the c/l of Dorian Road 3rd Election District 2nd Councilmanic District (3405 Janellen Drive)

Jill Glick

Petitioner

- BEFORE THE
- * OFFICE OF
- * ADMINISTRATIVE HEARINGS
- * FOR BALTIMORE COUNTY
- * Case No. 2012-0153-A

OPINION AND ORDER

This matter comes before this Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owner of the subject property, Jill Glick. The variance request is from Section 1B02.3.A.1 (205.3 1958) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an addition with a side yard setback of 10 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 15, 2012, 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 Administrative Law Judge, the

ORDER REC	EIVED FOR FILING
Date	2-6-12
Ву	m

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 Administrative Law Judge for Baltimore County, this day of February, 2012 that a Variance from Section 1B02.3.A.1 (205.3 1958) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an addition with a side yard setback of 10 feet in lieu of the required 15 feet, be and is hereby GRANTED, subject to the following:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.

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

TIMOTHY M. KOTROCO Administrative Law Judge for Baltimore County

TMK:pz

ORDER F	RECEIVED FOR FILING	
Date	2-10-18	
Ву	m	2



KEVIN KAMENETZ County Executive

LAWRENCE M. STAHL

Managing Administrative Law Judge

JOHN E. BEVERUNGEN

TIMOTHY M. KOTROCO

Administrative Law Judges

February 6, 2012

JILL GLICK 3405 JANELLEN DRIVE BALTIMORE MD 21208

> Re: Petition for Administrative Variance Case No. 2012-0153-A Property: 3405 Janellen Drive

Dear Ms. Glick:

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 with the Department of Permits, Approvals and Inspections an appeal within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

TIMOTHY M. KOTROCO Administrative Law Judge

luthy Kotroco

for Baltimore County

TMK:pz

Enclosure

c: Beverly True, 3920 London Bridge Road, Sykesville MD 21784

Petition for Administrative Variance



FRM476_09

to the Zoning Commissioner of Baltimore County for the property

which is presently zoned Dr 2

Deed Reference: 284531 444 Tax Account # 03/606/990

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) 1002.38 .1. (205.3-1958)

TO PERMIT AN ADDITION WITH A SIDE VARD SETBACK OF 10-FEET IN LIEU OF THE REQUIRED IS 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. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Name - Type or Print Signature Signature Address Telephone No. State Zip Code Attorney For Petitioner: Name - Type or Print resentative to be Contacted: Signature Company Address Telephone No. 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, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning this _____ day of _____ that the subject regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County Case No. 2012-0153-A Reviewed By

Affidavit in Support of Administrative Variance

County, as follows: That the information her and that Affiant(s) is/are competent to testif	enalties of perjury to the Zoning Commissioner of Baltimore rein given is within the personal knowledge of the Affiant(s) fy thereto in the event that a public hearing is scheduled in
the future with regard thereto. That the Affiant(s) does/do presently own an	Address number Road or Street name
and that this address is the subject of this var	riance request as required by law.
an Administrative Variance at the above add additional sheet if needed) we would additional sheet if needed) we would consist of an additional sheet if needed) would consist of an additional sheet if needed)	ollowing are the facts upon which I/we base the request for dress (indicate the hardship or practical difficulty; attach an a life to construct a small string home; enclosing the existing part of the party. The addition of the layout of our form and lot area on the lot to act this This is
with their variance request, they will be resp	formal demand is filed, and the Affiant(s) desire to proceed consible for reposting the property and for payment of the hey may be required to provide additional information.
Signature	Signature
Jill Glids	
Name- print or type	Name- print or type
A Notary Public must complete the STATE OF MARYLAND, BALTIMORE	following section prior to the filing appointment.
I HEREBY CERTIFY, this 2000 day of the State of Maryland, in and for the County	f <u>December</u> , <u>3011</u> , before me, a Notary Public of aforesaid, personally appeared:
(Name Affiant(s) here):	y known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	
	Name of Notary Public Commission expires \$/14/2012
18	Name of Notary Public Commission expires
2 12	
PLACE SEAL HERE:	

Rev 3/09

ZONING DESCRIPTION FOR # 3405 JANELLEN DRIVE

BEGINNING AT A POINT on the North side of Janellen Drive which is 1085 feet East of the intersection formed by the East side of Dorian Road, 50 feet wide, and the South side of Janellen Drive, 50 feet wide. Being Lot # 9, Block D, Section 3, in the resubdivision of Sections 3 & 4 Glenmar as recorded among the Land Records of Baltimore County in Liber G.L.B. 25, folio 3, containing 23,522.00 square feet. Also known as # 3405 Janellen Drive and located in the 3rd Election District, and the 2nd Councilmanic District, Baltimore County, Maryland.

OFFIC	E OF BUD	GET AN	MARYLANI D FINANC RECEIPT	E		No. Date:	7828	9 Sils	PAID RECEIPT DISTRESS ACTUAL TINE ON 1/04/2012 1/03/2012 14:31:24
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MEMORANDUM

DATE:

March 8, 2012

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2012-0153-A - Appeal Period Expired

The appeal period for the above-referenced case expired on March 7, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

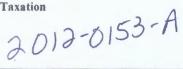
CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
1-18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	nc
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	·
	PLANNING (if not received, date e-mail sent)	
1-9-12	STATE HIGHWAY ADMINISTRATION	nc
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	TION (Case No	
PRIOR ZONING	(Case No. 03-532-1	
NEWSPAPER AI	DVERTISEMENT Date:	0
SIGN POSTING	Date: 1-15-12	by Pulson
PEOPLE'S COU	NSEL APPEARANCE Yes No	
PEOPLE'S COU	NSEL COMMENT LETTER Yes No	
Comments, if any	•	
		•

Maryland Department of Assessments and Taxation

Real Property Data Search (vw5.1A) BALTIMORE COUNTY

Exempt Class:



Go Back View Map New Search GroundRent Redemption GroundRent Registration

		District - 03 Acco			,				
			Owner Info	rmation					
Owner Name:	GLICI	K JAMIE		Use:	10 (RESIDENTIA	AL
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		Locati	on & Structu	re Information	1				
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Special Tax Areas	Valorem								
	Tax Class								
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Stories Basement	Type	Exterior							
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			Value Infor	mation					
	Base Value	Value	Phase-in As						
		As Of 01/01/2011	As Of 07/01/2011	As Of 07/01/20	12				
Land	176,130	153,600	07/01/2011	07/01/20	12				
Improvements:	212,980	213,000							
Total:	389,110	366,600	366,600	366,600		,			
Preferential Land:	0			0					
			Transfer Info	ormation					
Seller: ABOSCH OSC	AR			Date:	07/29/	2009	Price:	\$390,000	
	TH IMPROVED			Deed1:	/28452	/ 00444	Deed2:		
Seller: POWERS LAV	VRENCE			Date:	06/20/	1980	Price:	\$125,000	
	TH IMPROVED			Deed1:		5/ 00367	Deed2:		
Seller:		,					Price:		-
Type:				Date: Deed1:			Deed2:		
- 15-00		1	Exemption In				Decuz.		
	ente		ZACINPHON IN		-	07/01/2011	-	07/01/2012	
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its - Distribution Mtg. of 1/9/12 Lanham, Lynni Livingston, Jeffreyi Lykens, Davidi M... Debra Wiley - ZAC Cor Ases listed below and the hearing date, if assigned. If you wish to submit a ZAC the hearing date. If it's not received by the see advised that you must do so before the hearing date. ases listed below and the hearing date, if assigned. If you wish to submit a ZAC the hearing date. If it's not received by the see advised that you must do so before the hearing date. If it's not received by the see advised that you must do so decision. It will not be considered in our decision. From: it will not be considered in our decision. Date: 10. Subject ing date assigned in database as of 1/9/12 Administrative Variance (Closing Date: 1/30/12) 2012-0153-A (3405 Janellen Drive) No hearing date assigned in database as of 1/9/12 2012-0154-A (3621 Burmont Avenue) No hearing date assigned in database as of 1/9/12 2012-0155-SPHX (4212 Ridge Road) Administrative Variance (Closing Date: 1/30/12) 2012-0156-A (36 Bush Cabin Circle) Thanks and have a great day! Legal Administrative Secretary Unice of Administrative nearings Suite 103 105 West Chesapeake Avenue, Suite 103 Legar runnings and Hearings Office of Administrative Hearings Debbie Wiley Towson, Md. 21204 410-887-3868 dwiley@baltimorecountymd.gov 410-887-3468 (fax)

	SITE VICINITY
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)	NO GLENS
ADDRESS 3405 Jamellen Drive OWNER(S) NAME(S) JUL COLICK JAMIE CLICK	KEYSER SEIELDING
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VIOLATION CASE INFO:



Jase Number: 2012-0152-A

Primary Use: Commercial

Reviewer: DT

Type: VARIANCE

Legal Owner: HD Development of MD, Inc.

Contract Purchaser:

Critical Area: NO

Flood Plain: NO

Historic: NO

Election Dist: 15th

Councilmanic Dist: 6th

Property Address: 9955

Pulaski Hwy

Location: S/S of Mohrs Lane, 453.59 feet East of centerline of Pulaski Highway.

Existing Zoning: BR-IM/MH-IM

Area: 11.66 acres

Proposed Zoning: VARIANCE to permit two wall-mounted enterprise signs with sign face/areas of 305 square feet each in

lieu of the maximum permitted 150 square feet each (Sign Nos. 1 and 3).

Attorney: David Karceski, 210 W. Pennsylvania Avd., Ste. 500, Towson, MD 21204

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous:

Case Number: 2012-0153-A

Primary Use: Residential

Reviewer: DT

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Jill Glick

Contract Purchaser:

Critical Area: NO

Flood Plain: NO

Historic: NO

Election Dist: 3rd

Councilmanic Dist: 2nd

Property Address: 3405 Janellen Dr

Location: N/S of Janellen Drive, 1085 feet East of centerline Dorian Road.

Existing Zoning: DR 2

Area: 23,522.Sq. Ft.

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit an addition with a side yard setback of 10 feet in lieu of the

required 15 feet.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases: Miscellaneous:

Closing Date:

1/30/2012

















12-0153-A

Exhibit Sheet

31

/etitioner/Developer

Protestant

	Site plan	
2	sero par	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		:
No. 8		
No. 9		
No. 10	4	
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 18, 2012

TO:

Arnold Jablon, Director

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 16, 2011

Item Nos. 2012-152,153,154,155

And 156

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

DAK:CEN cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-01162012 -NO COMMENTS.doc



KEVIN KAMENETZ County Executive

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

January 18, 2012

Jill Glick 3405 Janellen Drive Baltimore, MD 21208

RE: Case Number 2012-0153-A, 3405 Janellen Drive

Dear Ms. Glick,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 15, 2012. 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel Beverly True, 3920 London Bridge Road, Sykesville, MD 21784 Martin O'Malley, Governor Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

suita citi.

Date: 1-9-1Z

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0153-A
Administrative Variance
Fill Glick
3405 Janellen Drive.

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. 2012-0153-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/rz

in Militai.

CERTIFICATE OF POSTING

RE: Case Number: 2012-0153-A Petitioner/Developer: Date of Hearing/Closing: 1-30-12 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 3405 Janelle Diese (Month, Day, Year) The signs(s) were posted on J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster) 410-343-1443 (Telephone Number of Sign Poster)



DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 Newspar	per Advertising:	
Item Number	or Case Number: 2012 - 0153 - A	
Petitioner:	GLICK	
Address or Lo	ocation: 3405 JANELLEN DRIVE	
PLEASE FOR	RWARD ADVERTISING BILL TO:	
Name:	MR. JILL GHCK	
Address:	3405 JANELLEN DRWE	
	BALTO. MD 21208-1808	
Telephone No	umber: 410-812-3218	

BALTIMORE COUNTY DEPARTMENT OF PERIVITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

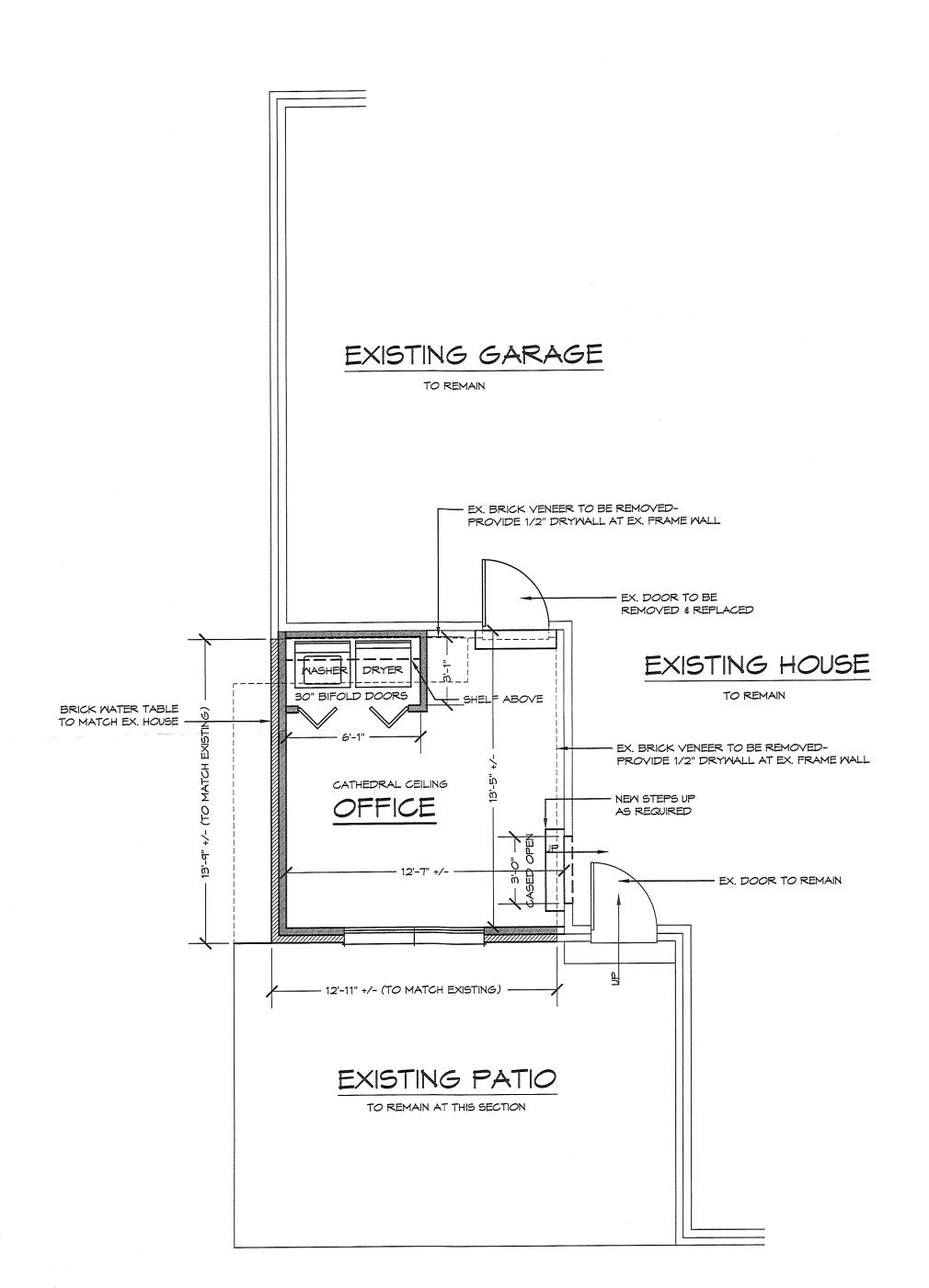
ADMINIOTRATIVE VARIANCE IN CHIMANOL CHEET AND DATECT
Case Number 2012- 0153 -A Address 3405 JANELLEN DRIVE
Contact Person: Donna Thompson Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: 1312 Posting Date: 1512 Closing Date: 13013
Any contact made with this office regarding the 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. <u>DEADLINE:</u> 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 2012- 0153 -A Address 3405 JANELLEN DRIVE
Petitioner's Name GUCK Telephone 410-812-3318
Posting Date: 1512 Closing Date: 13012
Wording for Sign: To Permit AN ADDITION WITH A SIDE VARD SETBACK OF
10-FEET IN LIEU OF THE REQUIRED 15-FEET.

Revised 7/06/11

TOTOMO HELDING BLANCOD MADIANOE A FOR BOTOMA HELDING	SITE VICINITY MAP
ADDRESS 3405 Janellen Drive OWNER(S) NAME(S) JUL COLICK JAMES COLICK	RO RETSER ROOS STATE
SUBDIVISION NAME GENMAR LOT# 9 BLOCK # 10 SECTION # 3	MARCIE LONG MARCIE NOSN
PLAT BOOK #0025 FOLIO #0003 10 DIGIT TAX #0316061990 DEED REF. #28452100444	San to Service Es
	GARRISON PARMS COME HOUGH
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A Company of the comp	HISTORIC? NO
SHOW SINGER	IN CBCA? NO
2403 tanit = 3407.	IN FLOOD PLAIN ? NO
FRONT FRONT	WATER IS:
Frank M. Trains	PUBLIC 人 PRIVATE
- and its	SEWER IS:
allen Drive	PUBLIC & PRIVATE
Tanellen Drive	PRIOR HEARING ? Yes
	IF SO GIVE CASE NUMBER
	AND ORDER RESULT BELOW
[DE]	#03-532-X Aranted
	(Home OFFICE)
PLAN DRAWN BY BOTTYLE DATE 12/28/11 SCALE: 1 INCH = 60 FEET	OFF ICE
	VIOLATION CASE INFO:

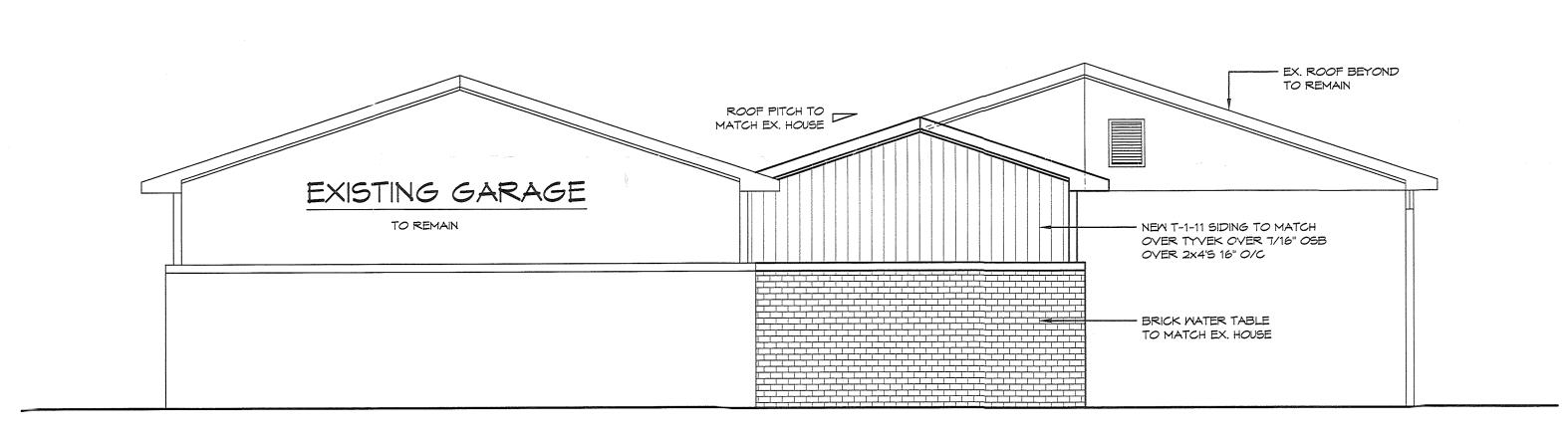
2012-0153-A





PROPOSED PARTIAL FIRST FLOOR PLAN

SCALE: \(\frac{1}{2}\)'=1'-0''



PROPOSED RIGHT ELEVATION

SCALE: \(\frac{1}{4}"=1'-0"\)

PROJECT ADDRESS: 3405 JANELLEN DRIVE BALTIMORE COUNTY, MD

3L CUSTOM HOME
DESIGN INC.

SCALE: 1/4" = 1'-0"

DATE: 12/2011

SHEET NO.: 1 OF