IN RE: PETITION FOR VARIANCE
(3462 Loganview Dr.)
12th Election District
7th Councilman District
John & Beate Reynolds
Petitioners

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0049-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by John & Beate Reynolds, the legal owners of the subject property. The Petitioners are requesting variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard addition with a setback of 3 ft. in lieu of the required 10 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was John & Beate Reynolds. The file reveals that the Petition was properly advertised and posted as required by the Baltimore County Zoning Regulations. There were no protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. The Petitioners last year sought variance relief for a one (1) foot setback in lieu of the required 10'. At that time, the DOP expressed concerns with the Petition and the neighbors (Mr. & Mrs. DelaCruz) also opposed the relief. That petition was denied. In this case, the Petitioners propose to locate the structure 3 feet from the property line, and neither the DOP nor the neighbors oppose the petition.

The only substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP), which did not oppose the request, but suggested the parties ORDER RECEIVED FOR FILING

Date	11-13-13	
Bv	(La)	

consider a 10 foot maintenance and utility easement along the property line with the reduced side yard setback (between 3462 and 3460 Loganview Drive).

Testimony and evidence revealed that the subject property is approximately 5,000 square feet and is zoned DR 5.5. As shown on the site plan, the lot is only 50 feet wide. Mr. Reynolds indicated his health is failing, and that the proposed addition will accommodate his medical needs. Mrs. Reynolds stated she spoke with their neighbors (who previously opposed the petition for variance in the 2013 case), and indicated they did not object to the requested relief.

Based upon the testimony and evidence presented, I will grant the petition for variance.

To obtain variance relief requires a showing that:

(1) The property is unique; and

(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. Mr. Reynolds is disabled and requires living space on one floor, and given the small lot size and configuration, the addition can only be located where proposed.

If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer a practical difficulty, given they would be unable to construct the improvements. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 13th day of November, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") to permit a side yard addition with a setback of ORDER RECEIVED FOR FILING

2

Date	11-13-13
By	was

11-12-12

3 ft. in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

Petitioners may apply for appropriate permits 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, Petitioners
would be required to return, and be responsible for returning, said property to its
original condition.

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

JOHN E. BEWERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11-13-13

IN RE: PETITION FOR VARIANCE
(3462 Logan View Drive)

12th Election District
7th Councilman District
John & Beate Reynolds
Legal Owners
Petitioners

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2013-0226-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by John & Beate Reynolds, the legal owners of the subject property. The Petitioners are requesting Variance relief from Section 1B01.2.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing addition with a side yard setback of 1 ft. in lieu of the required 10 ft.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was John & Beate Reynolds and Henry and Wendy Tiburzi. Mr. and Mrs. DelaCruz, the adjoining neighbors, attended the hearing and opposed the relief. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The only substantive Zoning Advisory Committee (ZAC) comment was received from Department of Planning (DOP), which indicated it "was concerned about the Petitioners' Variance request."

This property is the subject of violation case # CO012447 for building an addition on the side of the house without permits.

ORDER RECEIVED FOR FILING

By_Ol

Testimony and evidence revealed that the subject property is approximately 5,000 square feet and is zoned DR 5.5. Mr. and Mrs. Reynolds stated that they wanted to complete the addition to give themselves some additional living space for their retirement years. They both indicated they were unaware a building permit (or variance relief) was needed before construction of the addition. Mr. and Mrs. DelaCruz, who resides at 3460 Logan View Drive, object to the petition, and they both expressed concern with the addition (which is now essentially complete) being just 1' from the property boundary. They stated that the contractor who built the addition stood in their yard to complete the construction, and they questioned why the Petitioners did not construct the addition off the rear of the home rather than on the side facing their home.

Based upon the testimony and evidence presented, I will deny the Petition for variance.

Under Cromwell and its progeny, to obtain variance relief requires a showing that:

(1) The property is unique; and

(2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have failed to satisfy this test. There was no testimony or evidence of any kind tending to show that the property is "unique," and I am therefore obliged to deny the Petition.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be denied.

THEREFORE, IT IS ORDERED, this 5th day of June, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") to permit an existing addition with a side yard setback of 1 ft. in lieu of the required 10 ft., be and is hereby DENIED.

ORDER RECEIVED FOR FILING
Date 0513

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:sln

ORDER RECEIVED FOR FILING

Date___(0/5)||=

By______Al A



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 27, 2013

John & Beate Reynolds 3462 Logan View Drive Baltimore, Maryland 21222

RE:

Petitions for Variance

Case No.: 2013-0226-A

Property: 3462 Logan View Drive

Dear Mr. and Mrs. Reynolds:

I am in receipt of your letter dated June 19, 2013 in regard to the captioned matter, wherein variance relief was denied.

Although I am sympathetic to your plight, I am not at liberty to rescind the ruling in the June 5, 2013 Order. Your recourse at this juncture would be to file an appeal with the Baltimore County Board of Appeals, which reviews all appeals from Orders issued by this office.

For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln



KEVIN KAMENETZ County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

November 13, 2013

John Reynolds Beate Reynolds 3462 Loganview Drive Dundalk, Maryland 21222

RE:

Petition for Variance

Property: 3462 Loganview Drive

Case No.: 2014-0049-A

Dear Mr. and Mrs. Reynolds:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHNE. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Henry T. Tiburzi, 1217 Waterview Way, Essex, MD 21221



PETITION FOR ZONING HEAPING(S)

To the Office of Administrative law of	of Baltimore County for the property located at:
Address AUGA I MACINIAUN IN	which is presently zoned DK 5.5
	HATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situate in I	
and plan attached hereto and mad	e a part hereof, hereby petition for:
 a Special Hearing under Section 500.7 of the Zonin or not the Zoning Commissioner should approve 	g Regulations of Baltimore County, to determine whether
2a Special Exception under the Zoning Regulations	of Baltimore County to use the herein described property for
3. X a Variance from Section(s) 1207 -3(1)	BCZR to permit a sideucro
adaition with a set back	of 3' in live of required to
	roning law of Baltimore County, for the following reasons: r indicate below "TO BE PRESENTED AT HEARING". If nt to this petition I am right strong this variance of the for my husband wealth. We are retired failing. Hususband John needs his wing space able to climb struks or walk distance.
Property is to be posted and advertised as prescribed by the zoning regula I, or we, agree to pay expenses of above petition(s), advertising, posting, e and restrictions of Baltimore County adopted pursuant to the zoning law for Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, und which is the subject of this / these Petition(s).	tc. and further agree to and are to be bounded by the zoning regulations
Contract Purchaser/Lessee:	Legal Owners (Petitioners): John Rynolds , Beate Rynolds
Name- Type or Print	Name#1 Type of Print Name #2 - Type or Print Represent Death Regular
Signature	3462 Loganuw Price Dundolk MD
Mailing Address City State	Mailing Address City State
Zip Code Telephone # Cil Address	21222 / 443 5535990 Zip Code Telephone # Email Address
Zip Code Telephone # Attorney for Petitione FOR FILE TO Address Name-Type or Print	Representative to be contacted:
Name Transplant	Hepry Tiburza
Name- ppe of Print	Name Type of Print
Signaturate	Signature Jack May Esser LID
Mailing Address City State	Mailing Address City State
Zip Code Telephone # Email Address	2 2 1 4 0 9 0 8 3 3 2 2 1 2 2 2 2 2 2 2
CASE NUMBER 2014-0049-A Filing Date 8 128 1 13	Do Not Schedule Dates: Reviewer JCM

ZONING PORPERTY DESCRIPTION FOR 3462 Loganview Drive.

PART A

*Beginning at point on the west side of Loganview Drive which is 45' wide at the distance of 530' (+/-), south of the centerline of the nearest improved intersecting street, Courtway which is 50' wide.

PART B

Being Lot # 32, Block 1, in the subdivision of Dundalk as recorded in Baltimore County Plat Book #14, Folio #14 containing 5000 square feet. Located in the 12th Election District and 7th Council District.

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. <u>For those petitions which require a public hearing</u>, 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:
Petitioner: John And Beate Reynolds Address or Location: 3467. Logan View Drive
PLEASE FORWARD ADVERTISING BILL TO: Name: John Reynold Address: 3462 Logan View DR Baltimore Mol DIDD
Telephone Number: 443 503-5990

BALTII OFFIC	E OF BUI	OUNTY, N	IARYLAN D FINANC RECEIPT	E	Sub Rev/	No. Date:	102	2559 <i>8/13</i>	PAID RECEIPT BUSINESS ACTIVAL THE BOW 6/28/2013 6/28/2013 6/:32:18 2 NEG WEICH JEW JEE >HECEIPT II 84/3687 6/28/2013 07:18
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Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry
Commercial and Residential
2944 Edgewood Avenue
Baltimore, MD 21234
Phone - 410-530-6293
E-mail - wdgjr@comcast.net

To: Zoning Office, Attn. Ms Kristen Lewis

We Are Sending You	u: 🔽 Atta	ched Under separate cover the following items:
☐ Copy of Letter ☐	Prints 🔽	Documents □ Other
No. of Copies	Date	Description

1		Certificate Of Posting
2	10.23.03	Site Photos
-		

Transmitta	s are	as check	ed helow.

For approval	4	For your use	As requested	~	For review & content

Project: Case No.: 2014-0049-A

Remarks:

3462 Loganview Dr.

Signe

William D. Gulick, Jr.

Project Manager

Certificate of Posting

Department of Permits, Approval, and Inspections Baltimore County 111 W. Chesapeake Avenue Room 111 Towson, MD 21204

Date:

Oct. 23, 2013

Attention:

Ms. Kristen Lewis

Re:

Case Number:

2014-0049-A

Petitioner/Developer:

John & Beate Reynolds

Date of Hearing/Closing:

Nov 12, 2013

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: 3462 Loganview Drive

The sign(s) were posted on: OCT. 23, 2013

Tround Y

William D. Gulick, Jr.

2944 Edgewood Avenue Baltimore, MD 21234 (410) 530-6293





Baltimore, Maryland 21278-0001

October 24, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on October 22, 2013

The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Sugar Wilkings

NOTICE OF ZONING HEARING

The Administrative Law Judges of Bettimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2014-0049-A
3462 Logarniew Drive, S30 ft. S/of centerline of Court Way 12th Election District - 7th Councillmanic District Legal Owner(s): John & Beate Reynolds
Variance: to permit a sideyard addition with a setback of 3' in lieu of the required 10'.

Hearing: Tuesday, November 12, 2013 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.



KEVIN KAMENETZ County Executive

September 23, 2013

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

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0049-A

3462 Loganview Drive

W/s Loganview Drive, 530 ft. S/of centerline of Court Way

12th Election District – 7th Councilmanic District

Legal Owners: John & Beate Reynolds

Variance to permit a sideyard addition with a setback of 3' in lieu of the required 10'.

Hearing: Tuesday, November 12, 2013 at 2:30 p.m. in Room 205, Jefferson Building,

105 West Chesapeake Avenue, Towson 21204

Arnold Jablen

Director

AJ:kl

C: Mr. & Mrs. Reynolds, 3462 Loganview Road, Dundalk 21222 Henry Tiburzi, 1217 Waterview Way, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, OCTOBER 23, 2013.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 22, 2013 Issue - Jeffersonian

Please forward billing to:

John Reynolds 3462 Loganview Drive Dundalk, MD 21222 443-503-5990

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0049-A

3462 Loganview Drive

W/s Loganview Drive, 530 ft. S/of centerline of Court Way

12th Election District – 7th Councilmanic District

Legal Owners: John & Beate Reynolds

Variance to permit a sideyard addition with a setback of 3' in lieu of the required 10'.

Hearing: Tuesday, November 12, 2013 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: December 16, 2013.

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2014-0049-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 13, 2013. 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 RE: PETITION FOR VARIANCE

3462 Loganview Drive; W/S Loganview Drive,
530' S of c/line Court Way

12th Election & 7th Councilmanic Districts
Legal Owner(s): John & Beate Reynolds

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2014-049-A

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

SFP 1 1 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Cambo S Nambio

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204

105 West Chesapeake Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of September, 2013, a copy of the foregoing Entry of Appearance was mailed to Henry Tiburzi, 1217 Water Way, Essex, MD 21221,

Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-0049-A

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
9/13/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	N/C
	DEPS (if not received, date e-mail sent)	
434	FIRE DEPARTMENT	
10/10/13	PLANNING (if not received, date e-mail sent)	<u> </u>
9/12/13	STATE HIGHWAY ADMINISTRATION	mo dy
	TRAFFIC ENGINEERING	0
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ON (Case No.	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	Date: 10,3313	ty Lulich
PEOPLE'S COUNS	EL APPEARANCE Yes No D	
Comments, if any: _		



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 6, 2013

John & Beate Reynolds 3462 Loganview Drive Essex MD 21222

RE: Case Number: 2014-0049 A, Address: 3462 Loganview Drive

Dear Mr. & Ms. Reynolds:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 28, 2013. 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,

U. Carl Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel Henry Tiburzi, 1217 Waterview Way, Essex MD 21221



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

James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 9-12-13

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

RE: **Baltimore County**

Item No 2014-0049-A

Variance Fohn à Beate Reynolds 3462 Loganview Drive

Dear Ms. Lewis:

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. 2014-0049-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).

Sincerely,

Development Manager

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: October 10, 2013

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

RECEIVED

SUBJECT:

3462 Loganview Drive

INFORMATION:

Item Number:

14-049

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner:

Zoning:

John and Beate Reynolds

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The property described above was the subject of a prior zoning case (13-226) wherein the petitioner requested a side yard setback of 1-foot in lieu of the required 10-feet. The relief requested in the aforementioned case (13-226) was denied, as the subject property was not unique nor warranted variance relief.

Currently as part of this case (14-049) the petitioner requests a side yard setback of 3-feet in lieu of the required 10-feet. The Department of Planning does not oppose this request as the requested relief was reduced. However, and relief granted shall be subject to the following:

Consider a 10-foot maintenance and utility easement along the property line with the reduced side yard setback (between 3462 Loganview Drive and 3460 Loganview Drive).

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

Prepared By:

Division Chief:

AVA/LL:cim

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 13, 2013

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 16, 2013

Item No. 2014-0047, 0048, 0049, 0050, 0051, 0052, 0054, 0055, 0056,

0057, 0058 and 0059

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

DAK:CEN Cc: file

BALTIMORE COUNTY MARYLAND INTER-OFFICE CORRESPONDENCE

TO:	W. Carl Richards, Jr. Zoning Review Supervisor
FROM:	Glenn Berry, Chief Division of Code Inspections & Enforcement
SUBJECT:	Item No.: - Legal Owner/Petitioner: John & Beate Reynold's Contract Purchaser: Property Address: 3462 Loganniew DR Location Description: w/s of Loganniew DR ENFORMATION: Case No. 8/2569/ 2014-0049-A
VIIOLATION	INFORMATION: Case No. Defendants:
When the petiti hearing date:	be advised that the aforementioned petition is the subject of an active violation case. on is scheduled for a public hearing, please notify the following person(s) regarding the ADDRESS 225691
In addi	tion places find attached a duplicate conv. of the following partinent documents relative to
	tion, please find attached a duplicate copy of the following pertinent documents relative to se, for review by the Zoning Commissioner's Office:

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Room 113 in order that the appropriate action may be taken relative to the violation case.

Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

AGB/

C: Code Enforcement Officer

14.

March 22, 2013

To whom it may concern:

There is an addition being built at 3462 Loganview Dr. Baltimore MD 21222. They are working without a permit and by the looks of it everything is out of code. I would like to remain anonymous to avoid any issues that may arise from being a snitch.

Thank you,

Annoyed Resident

ODE ENFORC	EMENT RE	T	FA0170441
DATE: 3 122 1 13 INTAKE BY: 6B	CASE #:	00125691	INSPEC:
COMPLAINT 3462 LOGANUIEU	DR		
COMPLAINANT NAME: ANONY LETTER	PHONE #: (H)		(W)
ADDRESS:			
PROBLEM: ADD BEING BUILT	-20	PERM	TS
IS THIS A RENTAL UNIT? YES NO IF YES, IS THIS SECTION 8? YES NO OWNER/TENANT INFORMATION:			
TAX ACCOUNT #:		ZONING:	
INSPECTION:			
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REINSPECTION:			
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REINSPECTION:			
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REINSPECTION:			
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Baltimore County

Depa it of Permits and Development Management

OFFICE HOURS 7:30 am - 3:30 pm Building Inspection: 410-887-3953

Code Inspections and Enforcement County Office Building 111 West Chesapeal enue /2 Towson, MD 21204

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Cas		roperty No.	2023760	Zoning:
Name(s):	Reyno	lds J	OHN ente	30.500
Address:	3462	Logar	VIEW DR.	Dundaik M
Violation Location:	SAM			2/222
DID	JNLAWFULLY V	IOLATE THE FO	OLLOWING BALTIMO	ORE COUNTY LAWS:
Buil Sub	TITE 3	Count egulation 5 build 72.301	ing Perm	WAITY FOR
14 s	emits dition dition Let Alo	Legu	Peak /	CCESARY SIDE. MUST RECTIONS. PLEASE CRIL
YOU ARE H	EREBY ORDEREI	O TO CORRECT	THESE VIOLATION(S)	ON OR BEFORE:
ON OR BEFO	RE:		DATE ISSUED:	
EACH VIOL	ATION SUBJECTS	YOU TO POTENT		ANOR. A CONVICTION FOR 500, OR \$1000 PER DAY, PER TH.
Print Name			-	
INSPECTOR:				
UNTIL THE RESUME WI	VIOLATIONS ARE TH THE APPROVA DITIONS MUST BE	OF THE FOREGO E CORRECTED A L OF THE DIVIS	ND/OR PROPER PERMION OF CODE INSPECT	SHALL CEASE ALL WORK ITS OBTAINED. WORK CAN CIONS AND ENFORCEMENT.
D IGDE COO.	7/3/5	2 /1	3/0	11/1
INSPECTOR: Rev. 7/09	Jun	n person	//n	AGENCY

DATE: 04/17/2013 STANDARD ASSESSMENT INQUIRY (1)

TIME: 07:50:21

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC

DEL LOAD DATE

12 02 023760 12 3-0 04-00 H NO

04/03/13

REYNOLDS JOHN

DESC-1..

REYNOLDS BEATE

DESC-2.. DUNDALK

3462 LOGANVIEW DR

PREMISE. 03462 LOGANVIEW DR

00000-0000

BALTIMORE MD 21222-5951 FORMER OWNER: SELBY STEPHEN G

----- FCV ---------- PHASED IN -----CURR CURR PRIOR PROPOSED PRIOR FCV ASSESS ASSESS LAND: 49,000 49,000 99,700 TOTAL.. 148,700 IMPV: 157,800 148,700 148,700 TOTL: 206,800 148,700 PREF... 0 0 0 CURT... 148,700 148,700 PREF: 0 148,700 CURT: 206,800 148,700 EXEMPT. 0

DATE: 09/08 09/08

---- TAXABLE BASIS ----

FM DATE

ASSESS: 148,700 09/15/12

ASSESS: 148,700

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Department of Permits, **Approvals & Inspections Complaint Report**

Report Criteria:

Employee(s): EE0000000 to EE9999999 Scheduled Date(s): 6/4/2013 to 6/4/2013

PE Range: BI01 to bi06

Record ID CO0125691 AS/400 Case

Assigned To Tim Kidd

Assigned Date Scheduled Time Received By 04/09/2013

Glenn Berry

Received Date 03/22/2013

Status Open - Normal Hearing Date ADC Grid 44G8

Complaint Description: ADDITION BEING BUILT - NO PERMITS.

Facility:

FA0170441 PDM 1202023760 3462 LOGANVIEW DR DUNDALK, MD, 21222

Owner:

REYNOLDS JOHN REYNOLDS BEATE

3462 LOGANVIEW DR **BALTIMORE MD 21222** Complainant:

ANONYMOUS EMAIL

Daily Activity Details

arial Number A0179242

Inspector Tim Kidd

Activity Date 04/08/2013

Service

Result

FACT FINDING

Action

MONITOR

Inspector Notes: 4/8/13 Owners have applied for variance case #2013-0226A. R/C 6/4/13 TK/lk

Violation Details

Violation Record ID:

IV0088989

Comply By: 06/04/2013 Program Category/Section Source: Building Inspection/IBC

Complied On:

IN-OFFICE ADMINISTRATIVE WORK

Status:

NOT IN COMPLIANCE

Violation Description **IBC** Violation

Correction Text: Violation Text:

Violation Comment:

Serial Number

Inspector

Activity Date

Service

Result

Action

DA0178095

Tim Kidd

03/27/2013

INITIAL INSPECTION

NOT IN COMPLIANCE

CORRECTION NOTICE ISSUED

Inspector Notes: 3/27/13 Visited site to find nearly finished addition to side of house. Will post site and mail correction notices. Also had spoke with owner to inform of process to secure permits. R/C 4/5/13

Violation Details

Violation Record ID: Program Category/Section Source: Building Inspection/IBC

IV0088362

Comply By: 04/05/2013

Complied On:

Status: NOT IN COMPLIANCE

Violation Description **IBC** Violation

Correction Text: Violation Text:

Violation Comment:

Comment Details - No Comments

Lien Information - None

Mileage:



Department of Permits, **Approvals & Inspections Complaint Report**

Report Criteria:

Employee(s): EE0000000 to EE9999999 Scheduled Date(s): 7/9/2013 to 7/10/2013

PE Range: BI01 to bi06

Record ID CO0125691 AS/400 Case

Assigned To Tim Kidd

Assigned Date Scheduled Time Received By 04/09/2013

Glenn Berry

Received Date 03/22/2013

Status Open - Normal Hearing Date ADC Grid

44G8

Complaint Description: ADDITION BEING BUILT - NO PERMITS.

Facility:

FA0170441 PDM 1202023760 3462 LOGANVIEW DR DUNDALK, MD, 21222

REYNOLDS JOHN REYNOLDS BEATE

3462 LOGANVIEW DR **BALTIMORE MD 21222** Complainant:

ANONYMOUS EMAIL

Daily Activity Details

Serial Number DA0188444

Inspector Tim Kidd

Activity Date 06/18/2013

Service

Result

FACT FINDING

Action MONITOR

Inspector Notes: 6/18/13 On June 5th variance was denied. Owners have 30 days to appeal. Will follow up with findings. R/C 7/9/13 TK/lk

Violation Details

Violation Record ID:

IV0093931

Comply By: 07/09/2013 Program Category/Section Source: Building Inspection/IBC

Complied On:

IN-OFFICE ADMINISTRATIVE WORK

Status:

NOT IN COMPLIANCE

Violation Description IBC Violation

Correction Text: Violation Text: Violation Comment:

Serial Number

Inspector

Activity Date

Service

Result

Action

DA0179242

Tim Kidd

04/08/2013

IN-OFFICE ADMINISTRATIVE WORK

FACT FINDING

MONITOR

Inspector Notes: 4/8/13 Owners have applied for variance case #2013-0226A. R/C 6/4/13 TK/lk

Violation Details

Violation Record ID:

IV0088989

Comply By: 06/04/2013

Complied On:

Status:

NOT IN COMPLIANCE

Program Category/Section Source: Building Inspection/IBC

Violation Description IBC Violation

Correction Text: Violation Text:

Violation Comment:

Serial Number

Inspector

Activity Date

Service

Result

Action

DA0178095

Tim Kidd

03/27/2013

INITIAL INSPECTION

NOT IN COMPLIANCE

CORRECTION NOTICE ISSUED

TK/lk

Inspector Notes: 3/27/13 Visited site to find nearly finished addition to side of house. Will post site and mail correction notices. Also had spoke with owner to inform of process to secure permits. R/C 4/5/13

Violation Details

Violation Record ID:

IV0088362

Comply By: 04/05/2013

Complied On:

Status:

NOT IN COMPLIANCE

Program Category/Section Source: Building Inspection/IBC

Violation Description IBC Violation

Correction Text:

Violation Text: Violation Comment:

TURN over >



Department of Permits, Approvals & Inspections Complaint Report

Report Criteria:

Employee(s): EE0000000 to EE9999999 Scheduled Date(s): 3/22/2013 to 3/22/2013

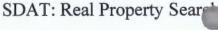
PE Range: BI01 to bi06

Assigned Date Scheduled Time Received By Hearing Date ADC Grid Record ID AS/400 Case Assigned To Received Date Status Glenn Berry 03/22/2013 Open - Normal Lewis Mayer 03/22/2013 CO0125691 Complaint Description: ADDITION BEING BUILT - NO PERMITS. Complainant: Facility: Owner: ANONYMOUS EMAIL FA0170441 REYNOLDS JOHN REYNOLDS BEATE PDM 1202023760 3462 LOGANVIEW DR 3462 LOGANVIEW DR **BALTIMORE MD 21222** DUNDALK, MD, 21222 Daily Activity Details - No Data Violation Details - No Data Comment Details - No Comments Lien Information - None _____ Mileage:

3/27/13. will post site and will mail.

POIRRETION NOTICES. DISO HED Spike with owner.

To inform. OF process, Lo. Secure Permits. R/C. 4.5.13. Mileage:



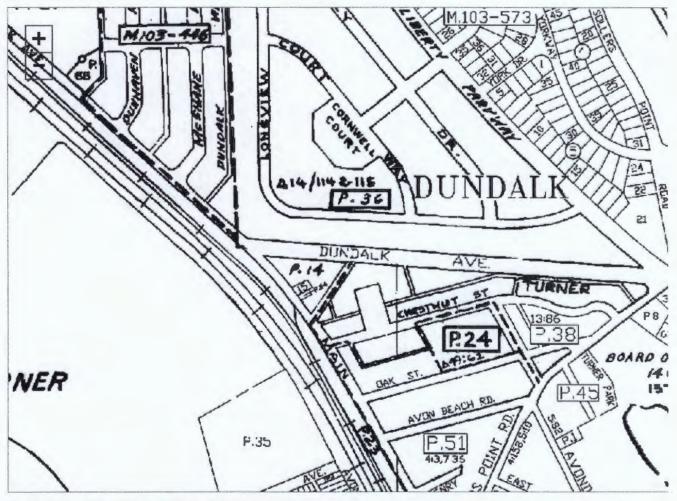
Real Property Data Search (w2) Search Help Search Result for BALTIMORE COUNTY View Map View GroundRent Redemption View GroundRent Registration Account Identifier: District - 12 Account Number - 1202023760 **Owner Information** RESIDENTIAL REYNOLDS JOHN Owner Name: REYNOLDS BEATE Principal Residence: YES 3462 LOGANVIEW DR 1) /12294/ 00363 Mailing Address: Deed Reference: **BALTIMORE MD 21222-5951** 2) Location & Structure Information 3462 LOGANVIEW DR Premises Address: **Legal Description:** 3462 LOGANVIEW DR 0-0000 DUNDALK Plat No: Subdivision: Map: Grid: Parcel: Sub District: Section: Block: Lot: Assessment Year: 6C 0014/0114 0110 0005 0036 0000 32 2012 Plat Ref: Town: NONE Special Tax Areas: Ad Valorem: Tax Class: Primary Structure Built Above Grade Enclosed Area Finished Basement Area **Property Land Area** County Use 1,785 SF 5,000 SF 1950 Full/Half Bath Garage Last Major Renovation Stories Exterior **Basement Type** 1.500000 NO STANDARD UNIT SIDING 1 full/ 1 half Value Information Base Value Value Phase-in Assessments As of As of 01/01/2012 07/01/2013 07/01/2014 Land: 49,000 49,000 157,800 99,700 **Improvements** 206,800 148,700 148,700 148,700 Total: Preferential Land: 0 Transfer Information Seller: SELBY STEPHEN G Date: 07/24/1997 Price: \$90,000 Type: ARMS LENGTH IMPROVED Deed1: /12294/ 00363 Deed2: Date: 05/23/1990 Seller: HOWARD EDDIE ELMER Price: \$79,400 Deed1: /08487/ 00564 Type: ARMS LENGTH IMPROVED Deed2: Date: Price: Seller: Deed1: Deed2: Type: **Exemption Information** 07/01/2013 07/01/2014 Partial Exempt Assessments: Class 000 0.00 County: 000 0.00 State: 000 0.00|0.000.00|0.00Municipal: Tax Exempt: Special Tax Recapture: **Exempt Class:** NONE Homestead Application Information

Homestead Application Status: Approved 09/27/2013

Baltimore County

New Search (http://sdat.resiusa.org/RealProperty)

District: 12 Account Number: 1202023760



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning @2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/QurProducts/OurProducts.shtml). www.mdp.state.md.us/QurProducts/OurProducts.shtml).



(http://imsweb05.mdp.state.md.us/website/mosp/)

■ Loading... Please

Loading... Please Wait.

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Exhibit Sheet

Petitioner/Developer

Protestants

12-16-13

No. 1 Site pl	an	
No. 2		X
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

3462 Loganview Drive



2013-0226

Plat dak 1947 7'+ 17'