

M E M O R A N D U M

DATE: February 5, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0114-A- Appeal Period Expired

The appeal period for the above-referenced case expired on February 4, 2016. 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

IN RE: PETITION FOR VARIANCE

(3444 Yorkway)

12th Election District

7th Council District

Gary & Nancy Lambert

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2016-0114-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Gary & Nancy Lambert, owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B02.3.C.1 to permit an existing addition with a side yard setback as close as 3 ft. and a rear yard setback as close as 10 ft. in lieu of the minimum required 10 ft. and 30 ft., respectively. A site plan was marked as Petitioners' Exhibit 1.

Owners Gary and Nancy Lambert appeared in support of the Petition. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the county agencies.

The subject property is approximately 6,448 square feet and is zoned DR 5.5. The property is improved with a single family dwelling constructed in 1953. Petitioners purchased the property recently, and began to renovate the home prior to occupancy. They later learned that a building permit was required, and though the deficient setbacks are existing conditions Petitioners were instructed to obtain variance relief.

ORDER RECEIVED FOR FILING

Date 1-5-16

By Den

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. The property is pie-shaped, which creates the need for variance relief. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to renovate the existing dwelling, parts of which are in poor condition. 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. This is demonstrated by the lack of Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 5th day of January, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §1B02.3.C.1 to permit an existing addition with a side yard setback as close as 3 ft. and a rear yard setback as close as 10 ft. in lieu of the minimum required 10 ft. and 30 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

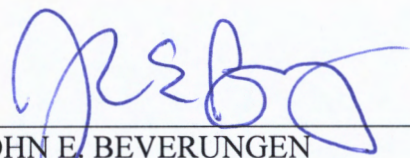
Date

1-5-16

By

sen

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 1-5-16

By Den



KEVIN KAMENETZ
County Executive

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

January 5, 2016

Gary & Nancy Lambert
3405 Loganview Dr.
Dundalk, Maryland 21222

RE: Petition for Variance
Case No. 2016-0114-A
Property: 3444 Yorkway

Dear Mr. & Mrs. Lambert:

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 County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 3444 Yorkway which is presently zoned DR 5.5
Deed References: 35684/00310 10 Digit Tax Account # 1214040541
Property Owner(s) Printed Name(s) Gary & Nancy Lambert

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

Section 1B02.3.C.1 – to permit an existing addition with a side yard setback as close as 3 feet and a rear yard setback as close as 10 feet in lieu of the minimum required 10 feet and 30 feet, respectively.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Signature #1

Mailing Address

Zip Code

Name #2 - Type or Print

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

Zip Code

City

Telephone #

State

Email Address

CASE NUMBER 2016-0114-A

Filing Date 11/5/2015

Do Not Schedule Dates: _____

Reviewer TM

ZONING PROPERTY DESCRIPTION FOR 3444 YORKWAY

Beginning at a point on the northwest side of Yorkway, which has a 50-foot right of way, at the distance of 300 feet (+/-) northeast of the centerline of the nearest improved intersecting street Liberty Parkway, which has an 80-foot right of way. Being Lot #28, Block #2, in the subdivision of Dundalk as recorded in Baltimore County Plat Book #14, Folio #8, containing 6448 square feet and located in the 12th Election District and 7th Councilman District.

2016-0114-A

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

No. **128777**

Date: **11/6/15**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 11/05/2015 11/05/2015 09:50:28 5

REC WSOS WALKIN RROS LRB
 RECEIPT # 026921 11/05/2015 OFL

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 128777

Recpt Tot \$75.00

\$77.00 OT

Baltimore County, Maryland

Total: **75.00**

Rec From: **Lambert**

For: **3444 Yorkway**
21222 2016-0114-1

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3811920

Sold To:

Troy McNeil - CU00508687
3405 Loganview Dr
Dundalk, MD 21222-5949

Bill To:

Troy McNeil - CU00508687
3405 Loganview Dr
Dundalk, MD 21222-5949

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 15, 2015

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

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: # 2016-0114-A

3444 Yorkway
NW/s of Yorkway, 300 ft. +/- NE of centerline of Liberty
Parkway
12th Election District - 7th Councilmanic District
Legal Owner(s) Gary & Nancy Lambert

Variance: to permit an existing addition with a side yard setback as close as 3 ft. and a rear yard setback as close as 10 ft. in lieu of the maximum required 10 ft. and 30 ft. respectively.

Hearing: Monday, January 4, 2016 at 11:00 a.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.

JT 12/718 Dec. 15

3811920

CERTIFICATE OF POSTING

CASE NO: 2016-0114-A

PETITIONER/DEVELOPER

TROY MCNEIL

DATE OF HEARING/CLOSING:

1/4/16

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

3444 Yorkway Rd

THIS SIGN(S) WERE POSTED ON December 14, 2015
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 12/14/15

SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

matter 12/14/15



ZONING NOTICE

CASE # 2016-0114-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING 105 WEST
CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: MONDAY JANUARY 4, 2016
AT 11:00 A.M.

REQUEST:

VARIANCE TO PERMIT AN EXISTING
ADDITION WITH A SIDE YARD SETBACK AS CLOSE AS 3-FT.
AND A REAR YARD SETBACK AS CLOSE AS 10-FT. IN LIEU
OF THE MAXIMUM REQUIRED 10-FT. AND 30-FT.,
RESPECTIVELY

POSTPONEMENTS DUE TO WEATHER AND OTHER CIRCUMSTANCES ARE SOMETIMES NECESSARY
TO CONSIDER DELAYING CALL 410-487-2201

DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2010-0114-A
Petitioner: Gary & Nancy Lambert
Address or Location: 3444 Yorkway 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: Troy McNeill
Address: 3405 Loganview Dr.
Baltimore, Md. 21222
Telephone Number: 443-890-1400



KEVIN KAMENETZ
County Executive

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

November 17, 2015

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: 2016-0114-A

3444 Yorkway

NW/s of Yorkway, 300 ft. +/- NE of centerline of Liberty Parkway

12th Election District – 7th Councilmanic District

Legal Owners: Gary & Nancy Lambert

Variance to permit an existing addition with a side yard setback as close as 3 ft. and a rear yard setback as close as 10 ft. in lieu of the maximum required 10 ft. and 30 ft., respectively.

Hearing: Monday, January 4, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Lambert, 3444 Yorkway, Dundalk 21222
Troy McNeil, 3405 Loganview Drive, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 15, 2015.**
- (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, December 15, 2015 Issue - Jeffersonian

Please forward billing to:
Troy McNeil
3405 Loganview Drive
Baltimore, MD 21222

443-890-1400

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: 2016-0114-A

3444 Yorkway

NW/s of Yorkway, 300 ft. +/- NE of centerline of Liberty Parkway

12th Election District – 7th Councilmanic District

Legal Owners: Gary & Nancy Lambert

Variance to permit an existing addition with a side yard setback as close as 3 ft. and a rear yard setback as close as 10 ft. in lieu of the maximum required 10 ft. and 30 ft., respectively.

Hearing: Monday, January 4, 2016 at 11:00 a.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.

RE: PETITION FOR VARIANCE
3444 Yorkway; NW/S Yorkway, 300' NE of
c/line of Liberty Parkway
12th Election & 7th Councilmanic Districts
Legal Owner(s): Gary & Nancy Lambert
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-114-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
NOV 10 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 10th day of November, 2015, a copy of the foregoing Entry of Appearance was mailed to Troy McNeill, 3405 Loganview Drive, Baltimore, Maryland 21222, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment11/16DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C11/18DEPS
(if not received, date e-mail sent _____)N/C

FIRE DEPARTMENT

11/25PLANNING
(if not received, date e-mail sent _____)N/C11/21

STATE HIGHWAY ADMINISTRATION

no Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

12/15/15

SIGN POSTING

Date:

12/14/15by Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 12 Account Number - 1214040541			
Owner Information					
Owner Name:	LAMBERT NANCY LAMBERT GARY		Use:	RESIDENTIAL NO	
Mailing Address:	3405 LOGANVIEW DR BALTIMORE MD 21222-		Principal Residence:	Deed Reference: /35684/ 00310	
Location & Structure Information					
Premises Address:		3444 YORKWAY BALTIMORE 21222-6049		Legal Description: 3444 YORKWAY DUNDALK	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0103	0023	0573		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	6B
2	28	2015			0014/ 0008
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1953	1,238 SF		6,448 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	NO	STANDARD UNIT	SIDING	1 full	1 Detached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2015		07/01/2015	
				07/01/2016	
Land:	50,100	50,100			
Improvements	96,300	104,300			
Total:	146,400	154,400		149,067	151,733
Preferential Land:	0				0
Transfer Information					
Seller: U S BANK NATIONAL ASSOCIATION TRUSTEE		Date: 12/22/2014		Price: \$69,300	
Type: NON-ARMS LENGTH OTHER		Deed1: /35684/ 00310		Deed2:	
Seller: LAIRD ROBERT M		Date: 11/07/2014		Price: \$129,897	
Type: NON-ARMS LENGTH OTHER		Deed1: /35545/ 00010		Deed2:	
Seller: JACKSON ERIN		Date: 06/11/2003		Price: \$132,000	
Type: ARMS LENGTH IMPROVED		Deed1: /18176/ 00540		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore CountyNew Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **12** Account Number: **1214040541**

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.

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



KEVIN KAMENETZ
County Executive

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

December 23, 2015

Gary & Nancy Lambert
3444 Yorkway
Dundalk MD 21222

RE: Case Number: 2016-0114 A, Address: 3444 Yorkway

Dear Mr. & Ms. Lambert:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 5, 2015. 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 that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Troy McNeill, 3405 Loganview Drive, Baltimore MD 21222

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 11/12/15

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

RE: Baltimore County
Item No. 2016-0114-A
Variance
Gary & Nancy Lambert
3444 Yorkway.

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. 2016-0114-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

NOV 18 2015



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 18, 2015

SUBJECT: DEPS Comment for Zoning Item # 2016-0114-A
Address 3444 Yorkway
(Lambert Property)

Zoning Advisory Committee Meeting of November 9, 2015.

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

Reviewer: Steve Ford

Date: 11-18-2015

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: November 25, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

DEC 01 2015

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-114

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

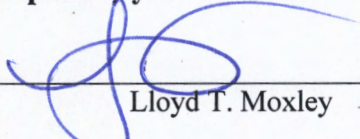
Property Address: 3444 Yorkway
Petitioner: Gary Lambert, Nancy Lambert
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a request for variance to permit an existing addition with a side yard setback as close as 3 feet and a rear yard setback as close as 10 feet in lieu of the minimum required 10 feet and 30 feet.

The Department has no objection to granting the petitioned zoning relief.

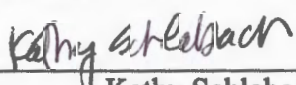
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Troy McNeill
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For November 9, 2015
Item No. 2016-0111, 0113, 0114, 0115, 0118 and 0120

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

DAK
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11092015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

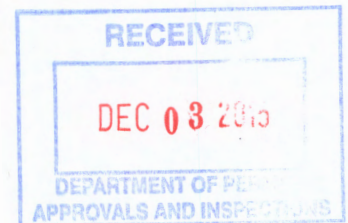
DATE: November 25, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-114

INFORMATION:

Property Address: 3444 Yorkway
Petitioner: Gary Lambert, Nancy Lambert
Zoning: DR 5.5
Requested Action: Variance

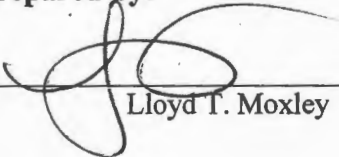


The Department of Planning has reviewed the petition for a request for variance to permit an existing addition with a side yard setback as close as 3 feet and a rear yard setback as close as 10 feet in lieu of the minimum required 10 feet and 30 feet.

The Department has no objection to granting the petitioned zoning relief.

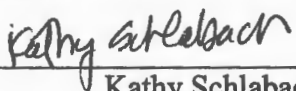
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
Troy McNeill
Office of the Administrative Hearings
People's Counsel for Baltimore County

Baltimore County
Permits, Approvals
And Inspections

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

DATE

BUILDING INSPECTOR

Inspections and Enforcement
y Office Building
West Chesapeake Avenue
Baltimore, MD 21204

Plumbing Inspection: 410-887-3620

Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. _____ Property No. 1214 040 541 Zoning: _____

Name(s): US Bank National Assoc Trustee

C/O Nation star Mortgage LLC

Address: 350 Highland Dr Lewisville Dr TX 75067

OR CURRENT OWNER

Violation Location: 3444 Yorkway Baltimore MD 21222

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNT LAWS:

Baltimore County Code 2003 Article 35

35-2-301 Permits required

35-2-304 Penalty for action with out permit

Secure all required permits for repair -
alteration to SFD

Building Plumbing Electrical

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 10/21/15 DATE ISSUED: 10/7/15

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION
SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR
90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Rodney Lamb PRINT NAME: Rodney Harrick

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE
CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION
OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: _____ DATE ISSUED: _____

INSPECTOR: Rodney Lamb PRINT NAME: Rodney Harrick

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

0114-A

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 12 Account Number - 1214040541			
Owner Information					
Owner Name:	LAMBERT NANCY LAMBERT GARY		Use:	RESIDENTIAL NO	
Mailing Address:	3405 LOGANVIEW DR BALTIMORE MD 21222-		Principal Residence:	Deed Reference: /35684/ 00310	
Location & Structure Information					
Premises Address:		3444 YORKWAY BALTIMORE 21222-6049		Legal Description: 3444 YORKWAY DUNDALK	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0103	0023	0573		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	6B
2	28	2015		0014/0008	
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1953	1,238 SF		6,448 SF	04	
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage
1 1/2	NO	STANDARD UNIT		1 full	1 Detached
Last Major Renovation					
Value Information					
Base Value		Value As of 01/01/2015		Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		50,100		50,100	
Improvements		96,300		104,300	
Total:		146,400		149,067 151,733	
Preferential Land:		0		0	
Transfer Information					
Seller: U S BANK NATIONAL ASSOCIATION TRUSTEE		Date: 12/22/2014		Price: \$69,300	
Type: NON-ARMS LENGTH OTHER		Deed1: /35684/ 00310		Deed2:	
Seller: LAIRD ROBERT M		Date: 11/07/2014		Price: \$129,897	
Type: NON-ARMS LENGTH OTHER		Deed1: /35545/ 00010		Deed2:	
Seller: JACKSON ERIN		Date: 06/11/2003		Price: \$132,000	
Type: ARMS LENGTH IMPROVED		Deed1: /18176/ 00540		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

0114-A





Permits, Approvals & Inspections

111 W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
10/19/2015

Permit Processing Residential Permit Report

Page 1 of 1

Property Information

Tax Account Number: **1214040541**

Plat Ref: 014:008

Election District: **12**

Owner Name(s): LAMBERT NANCY and LAMBERT GARY

PDM #:

Address: 3405 LOGANVIEW DR

Zoning District(s): DR 5.5

BALTIMORE, MD 21222

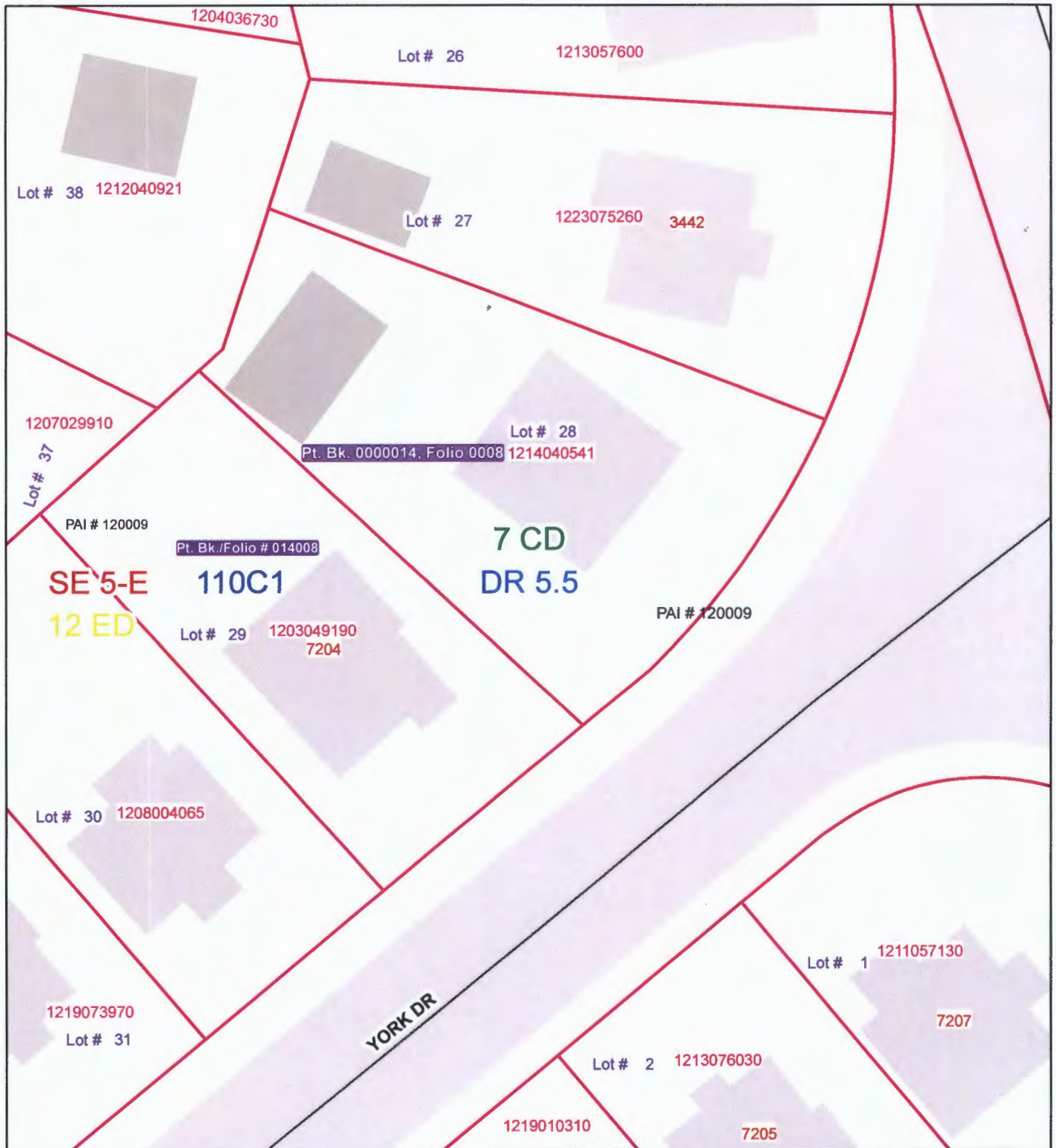
Premise Address: 3444 YORKWAY

Elevation Range: 10ft - 10ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes	Internal Alts.	Add / Ext. Alts.	Access. Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Elec. & Plumb	Agency Acknowledgment						
													Initial & Date						
Contact Agency	Potential Overlay Issues																		
Code Enforcement County Office Building Room 213 Phone: 410-887-8099 Rental Housing: 410-887-6060 Bldg. Inspections: 410-887-3953 Finance: 410-887-4643	Open Code Enforcement Actions: Do <u>NOT</u> Issue Permit <table border="1"><thead><tr><th>Case#</th><th>Type</th><th>Action Status</th></tr></thead><tbody><tr><td>CB1500644</td><td>Building</td><td>Correction Notice Issued</td></tr></tbody></table>	Case#	Type	Action Status	CB1500644	Building	Correction Notice Issued												
Case#	Type	Action Status																	
CB1500644	Building	Correction Notice Issued																	
DEPS-Dev. Coord. Jefferson Building 4th Floor Phone: 410-887-3733	100 Year Flood Zone	X		X	X	X		X	X	X									
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	100 Year Flood Zone	X						X		X									
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	100 Year Flood Zone <i>NOT IN F.P. May 5356</i> InFill Lot Review <i>DTB 5-5-14 Zone 4-unsub</i> Verify Water Service Size <i>DC-1-P AdP 535F</i> <i>DTB 9-26-8 Zone 4-unsub</i>	X	X	X	X	X		X	X			X	OK To File <i>Final</i>						
Building Plans Review County Office Building Room 120 Phone: 410-887-3987	100 Year Flood Zone	X	X	X	X	X			X	X									

3444 Yorkway

2016-0114-A



Publication Date: 11/2/2015

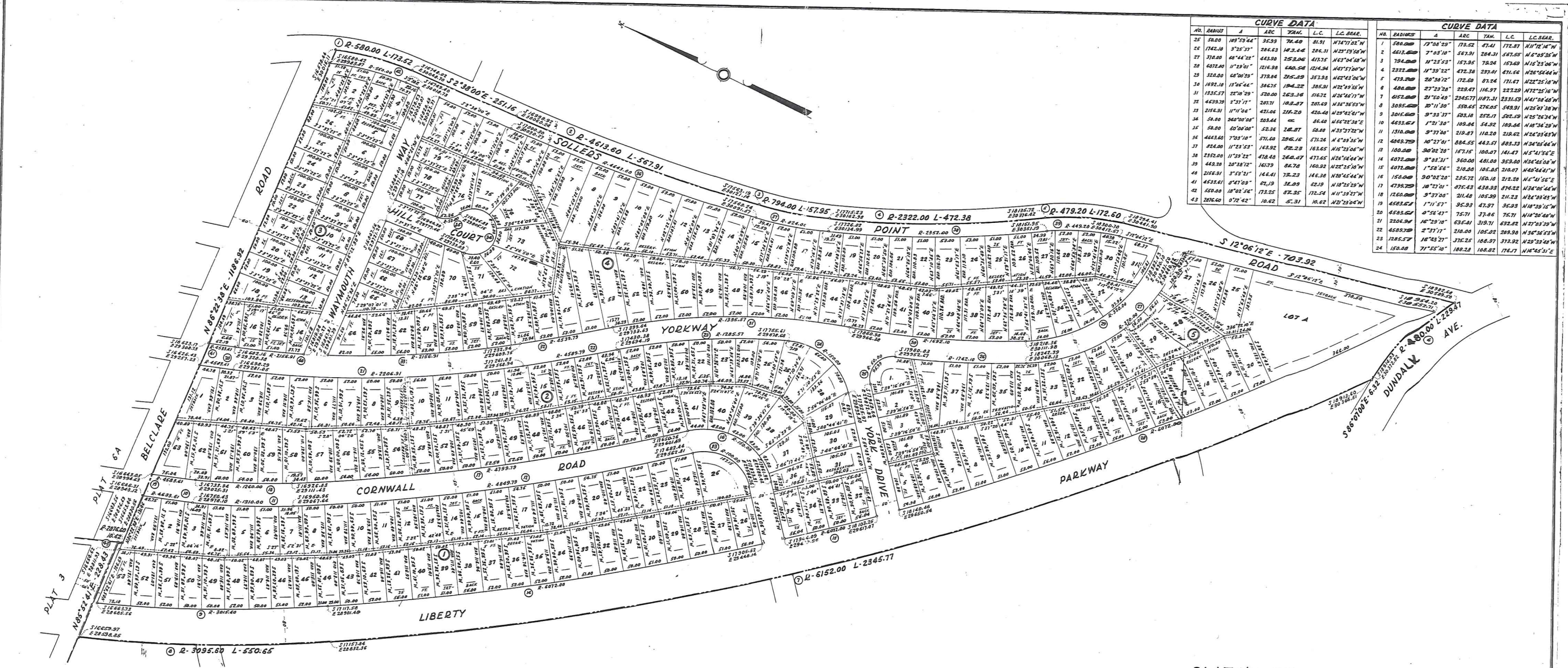
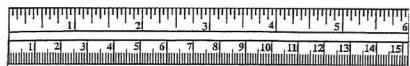


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

1 inch = 30 feet



CURVE DATA					CURVE DATA								
NO.	RADIUS	ARC	TANG.	L.C. BEAR.	NO.	RADIUS	ARC	TANG.	L.C. BEAR.				
1	50.00	109°59'44"	96.93	74.49	81.91	N174°11'21"W	1	580.00	13°04'29"	173.62	47.41	172.87	N17°12'14"W
2	1742.10	5°25'37"	286.63	140.34	286.31	N23°19'58"W	2	4613.60	7°43'10"	547.91	284.31	547.55	N16°09'35"W
3	310.00	60°44'22"	443.90	253.06	417.15	N63°04'58"W	3	794.00	11°21'53"	157.93	78.34	157.63	N15°23'06"W
4	6072.00	11°29'01"	1216.98	600.54	1214.94	N47°17'00"W	4	2352.00	11°29'22"	471.38	237.41	471.56	N26°04'44"W
5	320.00	60°00'59"	378.84	215.49	357.93	N62°43'06"W	5	478.20	20°30'72"	175.69	87.54	171.67	N22°25'16"W
6	1892.10	15°04'44"	346.75	194.22	385.31	N22°19'55"W	6	486.00	27°23'28"	220.47	116.37	227.29	N17°25'16"W
7	1535.57	22°10'29"	520.00	263.34	516.72	N26°46'11"W	7	657.00	21°50'40"	234.67	116.71	233.61	N41°04'46"W
8	4639.79	5°37'11"	207.71	103.87	207.69	N36°36'53"W	8	3095.00	10°11'30"	559.65	276.05	549.91	N25°01'30"W
9	2156.91	11°11'06"	421.06	216.20	420.40	N29°42'41"W	9	3016.60	9°33'37"	583.10	252.17	566.29	N10°26'44"W
10	59.00	240°00'00"	203.44	00.00	00.00	N26°46'11"W	10	4633.61	7°43'10"	547.91	284.31	547.55	N16°09'35"W
11	59.00	60°00'00"	52.36	26.87	52.80	N33°37'22"W	11	1310.00	9°37'30"	219.47	110.20	218.62	N24°29'43"W
12	4643.60	7°03'10"	571.60	286.16	571.26	N4°09'36"W	12	4049.79	10°27'41"	884.53	443.51	883.33	N24°05'44"W
13	824.00	11°23'53"	143.92	82.28	143.65	N16°28'06"W	13	100.00	30°02'20"	167.15	100.07	141.47	N5°41'54"E
14	2352.00	11°29'22"	471.38	237.41	471.65	N16°28'06"W	14	6072.00	9°01'31"	360.00	481.00	359.00	N40°44'41"W
15	443.20	20°30'72"	175.69	87.54	176.78	N22°25'16"W	15	6072.00	1°58'56"	210.80	105.85	210.87	N40°44'41"W
16	2156.91	11°11'06"	421.06	216.20	420.40	N29°42'41"W	16	150.00	90°02'20"	235.72	150.10	210.20	N4°41'56"E
17	4535.01	0°47'03"	62.19	31.09	62.19	N10°25'29"W	17	4795.79	10°27'41"	874.53	438.33	874.52	N24°05'44"W
18	559.00	10°02'54"	173.25	87.35	172.54	N11°39'27"W	18	1260.00	5°37'00"	211.48	105.30	211.23	N18°09'43"W
19	2876.60	0°42'42"	10.62	5.31	10.62	N20°28'04"W	19	4593.61	1°11'57"	95.93	47.97	95.93	N18°09'43"W
20	4593.61	0°58'47"	75.71	37.86	75.71	N18°09'43"W	20	4593.61	1°56'47"	75.71	37.86	75.71	N18°09'43"W
21	2204.94	12°09'10"	435.01	217.51	435.01	N27°03'39"W	21	2204.94	12°09'10"	435.01	217.51	435.01	N27°03'39"W
22	4593.61	0°58'47"	75.71	37.86	75.71	N18°09'43"W	22	4593.61	2°37'11"	210.00	105.29	209.36	N36°36'53"E
23	1285.57	16°43'27"	376.25	188.97	376.25	N18°09'43"W	23	1285.57	16°43'27"	376.25	188.97	376.25	N18°09'43"W
24	150.00	71°55'10"	188.28	108.82	176.17	N18°09'43"E	24	150.00	71°55'10"	188.28	108.82	176.17	N18°09'43"E

S 12°06'12"E

LEGEND
Roads, streets and reserved sections are shown on this plat for the purpose of description only and not for the purpose of dedication.
Plat outlines shown thus: _____
The boundaries of streets and other highways, of lots and other parcels of land are shown by a solid line, for example: _____
The location of various points are shown according to the system of coordinates established by the Topographical Survey Commission of Baltimore City, thus: 116345.67
Black numbers shown thus: ②
Lot numbers shown thus: 2
House setbacks shown thus: _____
Reservations on lots shown thus: _____

Owners Certificate:
Certification is hereby made that all the requirements of the Annotated Code of Maryland Chapter 1016, Acts of 1945 have been complied with on this plat.
THE DUNDALK COMPANY
Paul J. Garry

PLAT NO. 6B
DUNDALK
BEING A DEVELOPMENT OF
THE DUNDALK COMPANY
DUNDALK - BALTIMORE COUNTY - MD.
SCALE: 1 IN. = 80 FT. DECEMBER 1946
HIGHWAYS DEPARTMENT OF BALTIMORE COUNTY.
STREET ALIGNMENT AND LOCATION
STREET GRADIENTS & STORM DRAINS
Approved: *J. Paul Caffery*
Date: March 12, 1947.
ATTEST: *Paul J. Garry*
VICE PRES.

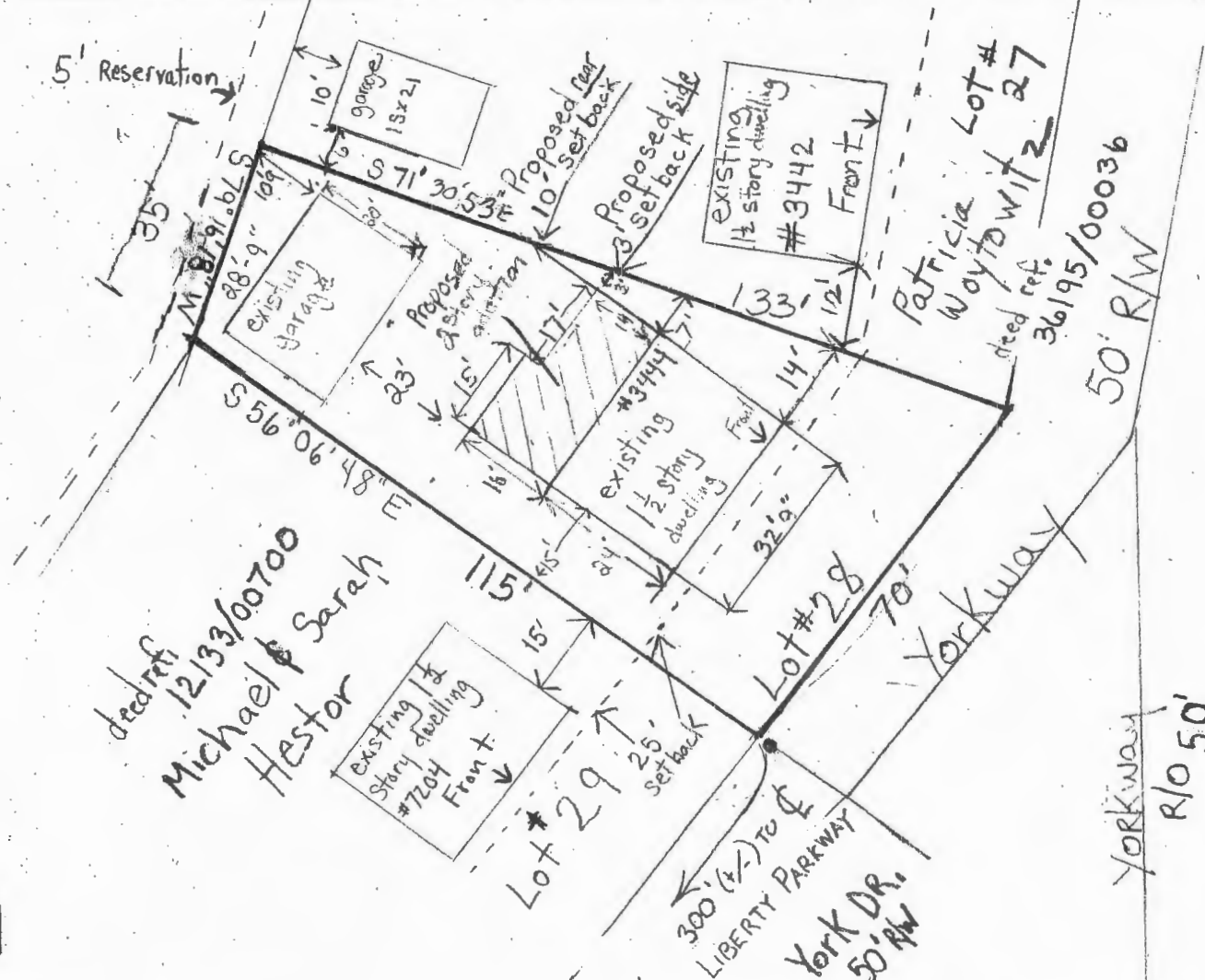
2016-0114-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

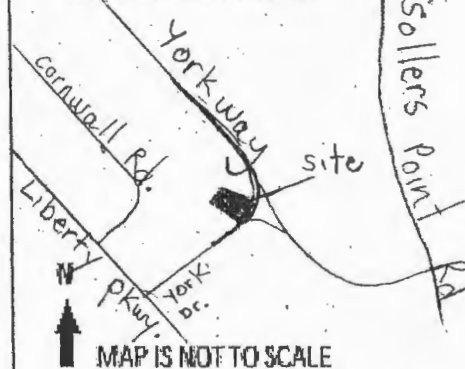
ADDRESS 3444 Yorkway OWNER(S) NAME(S) Gary & Nancy Lambert

SUBDIVISION NAME Dunalk LOT # 28 BLOCK # 2 SECTION # N/A

PLAT BOOK # 0014 FOLIO # 0008 10 DIGIT TAX # 121404054 DEED REF. # 35684/00310



SITE VICINITY MAP



ZONING MAP# 110C1
 SITE ZONED DR-5.5
 ELECTION DISTRICT 12th
 COUNCIL DISTRICT 7th
 LOT AREA ACREAGE .148
 OR SQUARE FEET 6,448
 HISTORIC? N/A
 IN CBCA? N/A
 IN FLOOD PLAIN? N/A
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? N/A
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY Troy McNeill

DATE 10/27/15 SCALE: 1 INCH = 30 FEET

2016-0114-A

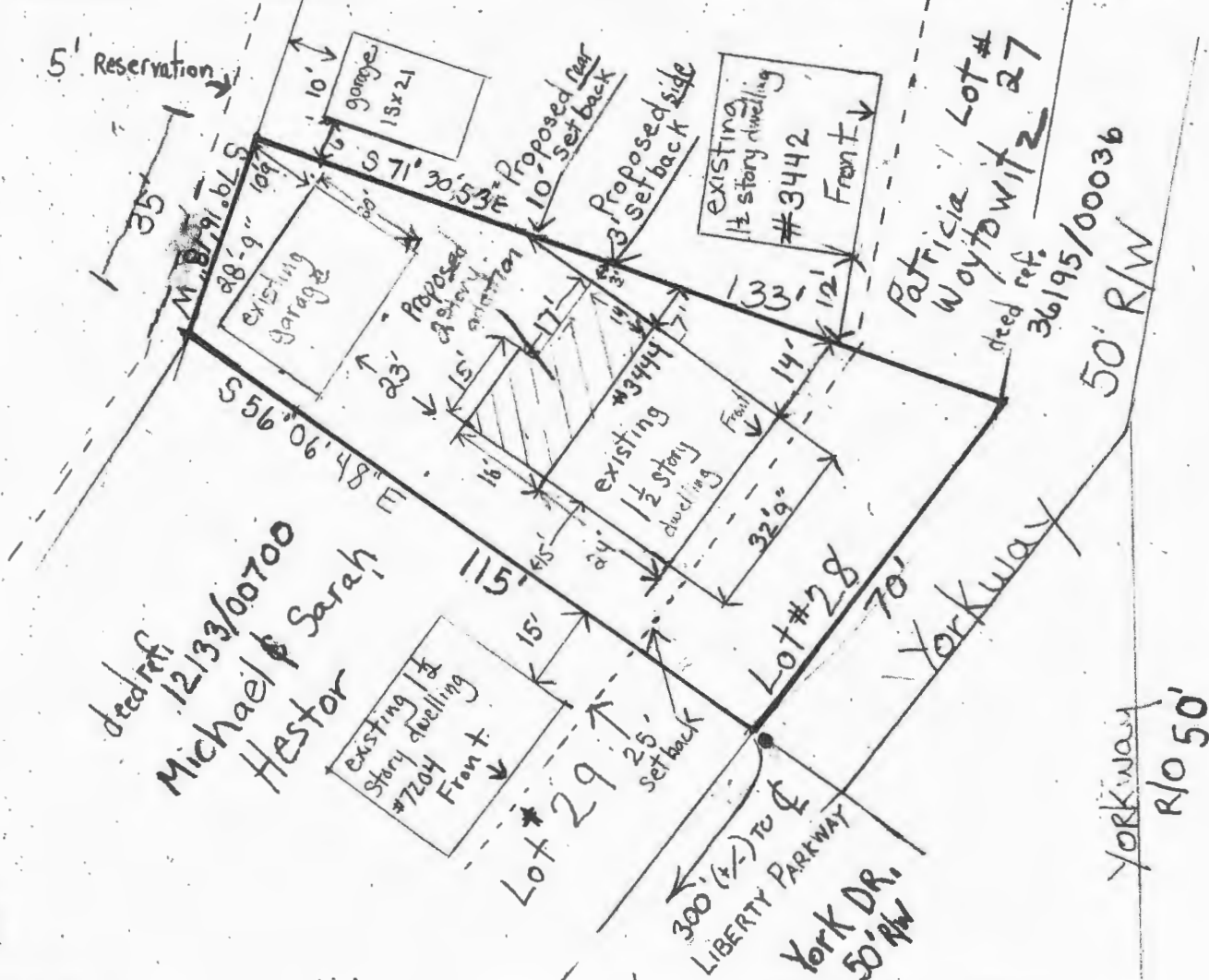
VIOLATION CASE INFO:
Code Enforcement Correctio
Notice - R. Larrick Inspector

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3444 Yorkway OWNER(S) NAME(S) Gary & Nancy Lambert

SUBDIVISION NAME Dunalk LOT# 28 BLOCK# 2 SECTION# N/A

PLAT BOOK# 0014 FOLIO# 0008 10 DIGIT TAX# 121404054 DEED REF.# 35684/00310

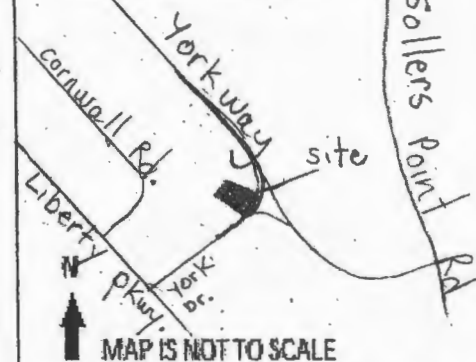


PLAN DRAWN BY Troy McNeill

DATE 10/27/15 SCALE: 1 INCH = 30 FEET

2016-0114-A

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 110C1

SITE ZONED DR-5.5

ELECTION DISTRICT 12th

COUNCIL DISTRICT 7th

LOT AREA ACREAGE .148

OR SQUARE FEET 6,448

HISTORIC? N/A

IN CBCA? N/A

IN FLOOD PLAIN? N/A

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? N/A

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Code Enforcement Correction

Notice - R. Larrick Inspector

2016-0114-A