



JOHN A. OLSZEWSKI, JR.  
*County Executive*

PAUL M. MAYHEW  
*Managing Administrative Law Judge*  
MAUREEN E. MURPHY  
*Administrative Law Judge*

March 9, 2023

Yevgeniy & Irina Leychenko – [leychenko@msn.com](mailto:leychenko@msn.com)  
5 Ashmere Road  
Owings Mills, MD 21117

RE: Petition for Administrative Variance  
Case No. 2023-0021-A  
Property: 5 Ashmere Road

Dear Petitioners:

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

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order 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 that reads "Maureen E. Murphy". The signature is written in a cursive, flowing style.

MAUREEN E. MURPHY  
Administrative Law Judge  
for Baltimore County

MEM:dlw  
Enclosure

|                                            |   |                             |
|--------------------------------------------|---|-----------------------------|
| <b>IN RE: PETITION FOR ADMIN. VARIANCE</b> | * | BEFORE THE                  |
| <b>(5 Ashmere Road)</b>                    |   |                             |
| 4 <sup>th</sup> Election District          | * | OFFICE OF ADMINISTRATIVE    |
| 4 <sup>th</sup> Council District           |   |                             |
| Yevgeniy & Irina Leychenko                 | * | HEARINGS FOR                |
| Petitioners                                | * | BALTIMORE COUNTY            |
|                                            | * | <b>CASE NO. 2023-0021-A</b> |

\* \* \* \* \*

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Yevgeniy and Irina Leychenko (“Petitioners”) for the property located at 5 Ashmere Road, Owings Mills, Md. (the “Property”). The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), §400.1 to permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of the required 2.5 feet.

The Property and requested relief are more fully depicted on the site plan (the “Site Plan”) (Pet. Ex.1). Street view photographs were submitted showing the location of the proposed carport. (Pet. Ex. 2A, 2B).

Zoning Advisory Committee (“ZAC”) received from Office of Zoning Review (“OZR”) indicates that Petitioner had requested information on setbacks for an addition which is why the hand-written statement refers to a 5.25 ft. setback for an addition (1954 BCZR). However, when OZR reviewed the file, the Site Plan showed a detached carport, not an addition. As a result, the OZR changed the requested relief needed for an accessory structure under BCZR, §400.1. (See File). Department of Environmental Protection and Sustainability (“DEPS”) provided a ZAC comment which, from an environmental perspective, did not oppose the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on February 19, 2023, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioners have filed the supporting affidavits as required by BCC, §32-3-303.

The Site Plan shows the location of the proposed 220 sf, detached carport in the rear yard and the zoning request is for a 0 ft. setback on the eastern side of the Property (abutting 7 Ashmere Rd.). To be clear, the detached carport does not need to meet a 5.25 ft. side yard setback but rather a 2.5 ft. side yard setback as required by BCZR, §400.1. The carport also needs to meet the height limit of 15 ft. As a result, the Variance relief requested in the hand written statement of 0 ft. in lieu of 5.25 ft. will be dismissed as moot.

To that extent Petitioners will construct the detached carport in the location (rear yard) as shown on the Site Plan, the carport width needs to be reduced and/or or moved over in order to provide the minimum 2.5 ft. side yard setback from the abutting property at 7 Ashmere Rd. The carport must also meet the maximum height requirements for an accessory structure of 15 ft.

THEREFORE, IT IS ORDERED, this 9<sup>th</sup> day of **March, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from 1954 for a side yard setback for an addition of 5.25 ft., be, and it is hereby **DISMISSED AS MOOT**; and

IT IS FURTHER ORDERED, that any detached carport constructed or installed in the location as shown on the Site Plan must meet all of the requirements in BCZR, §400, including the side yard setback of 2.5 ft and the maximum height of 15 ft.

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.

2. Building materials for the carport addition shall be compatible with those of the existing principal dwelling.

3. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

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

Order.

A handwritten signature in cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY  
Administrative Law Judge  
for Baltimore County

MEM:dlw



**ADMINISTRATIVE ZONING PETITION**  
**FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING**

To be filed with the Department of Permits, Approvals and Inspections  
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 5 Ashmere Road, Owings Mills, MD, 21117 Currently Zoned \_\_\_\_\_  
Deed Reference 22129 1 0063 10 Digit Tax Account # 0418035575  
Owner(s) Printed Name(s) YEVGENIY LEYCHENKO, IRINA LEYCHENKO

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 400.1 → To permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of the required 2.5 feet.

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

2. \_\_\_\_\_ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

**Owner(s)/Petitioner(s):**

YEVGENIY LEYCHENKO, IRINA LEYCHENKO  
Name #1 – Type or Print Name #2 – Type or Print  
Y. Leychenko, I. Leychenko  
Signature #1 Signature #2  
5 ASHERE ROAD, OWINGS MILLS MD  
Mailing Address City State  
21117 1 443-739-3245 1 leychenko@msr.com  
Zip Code Telephone #'s (Cell and Home) Email Address

**Attorney for Owner(s)/Petitioner(s):**

\_\_\_\_\_  
Name - Type or Print  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Mailing Address City State  
\_\_\_\_\_  
Zip Code Telephone # Email Address

**Representative to be Contacted:**

\_\_\_\_\_  
Name - Type or Print  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Mailing Address City State  
\_\_\_\_\_  
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0021-A Filing Date 2/7/23 Estimated Posting Date 2/19/23 Reviewer JS

closing 3/6/23

Revised 8/2022

ZONING PROPERTY DESCRIPTION

For 5 Ashmere Road, Owings Mills, MD, 21117-2401

Beginning at a point on the SW Ashmere Road which is 30 feet wide at the distance of 64.5 feet NW of the centerline of the nearest improved intersecting street Oakmere Road which is 30 feet wide. The lot area 13,338 square feet.

Being lot #5, Block A, Section # B, in the subdivision of 0000 as recorded in Baltimore County Plat Block # 0020, Folio # 0029 containing 13,338 square feet.

Located in the 04 Election District and 04 Council District.

|                    |                            |                   |
|--------------------|----------------------------|-------------------|
| Yevgeniy Leychenko | <u><i>Y. Leychenko</i></u> | <u>12/19/2022</u> |
| Irina Leychenko    | <u><i>I. Leychenko</i></u> | <u>12/19/2022</u> |

2023-0071-A



**ADMINISTRATIVE ZONING PETITION**  
**FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING**

To be filed with the Department of Permits, Approvals and Inspections  
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 5 Ashmere Road, Owings Mills, MD, 21117 Currently Zoned \_\_\_\_\_  
Deed Reference 22129 1 0063 10 Digit Tax Account # 0418035575  
Owner(s) Printed Name(s) YEVGENIY LEYCHENKO, IRINA LEYCHENKO

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 400.1 → To permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of the required 2.5 feet.

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

2.        **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

**Owner(s)/Petitioner(s):**

YEVGENIY LEYCHENKO, IRINA LEYCHENKO  
Name #1 – Type or Print Name #2 – Type or Print  
Y. Leychenko I. Leychenko  
Signature #1 Signature #2  
5 Ashmere Road, Owings Mills, MD  
Mailing Address City State  
21117 443-739-3245 leychenko@msn.com  
Zip Code Telephone #'s (Cell and Home) Email Address

**Attorney for Owner(s)/Petitioner(s):**

\_\_\_\_\_  
Name - Type or Print  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Mailing Address City State  
\_\_\_\_\_  
Zip Code Telephone # Email Address

**Representative to be Contacted:**

\_\_\_\_\_  
Name - Type or Print  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Mailing Address City State  
\_\_\_\_\_  
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0021-A Filing Date 2, 17, 23 Estimated Posting Date 2, 19, 23 Reviewer JS

Revised 8/2022

ZONING PROPERTY DESCRIPTION

For 5 Ashmere Road, Owings Mills, MD, 21117-2401

Beginning at a point on the SW Ashmere Road which is 30 feet wide at the distance of 64.5 feet NW of the centerline of the nearest improved intersecting street Oakmere Road which is 30 feet wide. The lot area 13,338 square feet.

Being lot #5, Block A, Section # B, in the subdivision of 0000 as recorded in Baltimore County Plat Block # 0020, Folio # 0029 containing 13,338 square feet.

Located in the 04 Election District and 04 Council District.

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Yevgeniy Leychenko | <u>Y. Leychenko</u> | <u>12/19/2022</u> |
| Irina Leychenko    | <u>I. Leychenko</u> | <u>12/19/2022</u> |

2023-0021-A

# CERTIFICATE OF POSTING

Date: 2-19-23

RE: Case Number: 2023-0021-A

Petitioner/Developer: Leychenko

Date of Hearing/Closing: 3-6-23

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 5 Ashmere Rd

The signs(s) were posted on 2-19-23  
(Month, Day, Year)

J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road  
(Street Address of Sign Poster)

Parkton, MD 21120  
(City, State, Zip Code of Sign Poster)

~~410-343-1443~~ 443-834-8162  
(Telephone Number of Sign Poster)

# ZONING NOTICE

#2

## ADMINISTRATIVE VARIANCE

CASE # 2023-0021-A

TO PERMIT A REAR YARD ACCESSORY STRUCTURE  
(DETACHED, OPEN CARPORT) WITH A SIDE SETBACK OF  
0 FEET IN LIEU OF THE REQUIRED 2.5 FEET

## PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE  
4:30 P.M. ON 3/6/23

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,  
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391  
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

# ZONING NOTICE

#1

## ADMINISTRATIVE VARIANCE

CASE # 2023-0021-A

TO PERMIT A REAR YARD ACCESSORY  
STRUCTURE (DETACHED, OPEN CARTPORT) WITH A  
SIDE SETBACK OF 0 FEET IN LIEU OF THE REQUIRED  
2.5 FEET

## PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS  
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111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391  
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE



**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge  
Office of Administrative Hearings

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

DATE: February 16, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0021-A  
Address: 5 Ashmere Rd  
Legal Owner: Yevgeniy and Irina Leychenko

Zoning Advisory Committee Meeting of February 20, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

ZONING ADVISORY COMMITTEE AGENDA  
ROOM 123, COUNTY OFFICE BUILDING  
DISTRIBUTION MEETING February 13, 2023  
FORMAL OR INFORMAL RESPONSE DUE AT February 20, 2023 Meeting

\* Agenda Only  
+ Agenda and Petition  
& Agenda and Plat  
# Agenda, Petition and Plat

Distribution:

\* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, [dwiley@baltimorecountymd.gov](mailto:dwiley@baltimorecountymd.gov); [dmignon@baltimorecountymd.gov](mailto:dmignon@baltimorecountymd.gov)  
\* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), [klewis@baltimorecountymd.gov](mailto:klewis@baltimorecountymd.gov)  
\* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), [JPerlow@baltimorecountymd.gov](mailto:JPerlow@baltimorecountymd.gov)  
\* PAI, Development Management (Lloyd Moxley), MS # 1105, [lmoxley@baltimorecountymd.gov](mailto:lmoxley@baltimorecountymd.gov)  
\* PAI, Code Enforcement (Lisa Henson), MS # 1105, [lhenson@baltimorecountymd.gov](mailto:lhenson@baltimorecountymd.gov)  
\* PAI, Building Inspection (Matt Gawel), [mg@baltimorecountymd.gov](mailto:mg@baltimorecountymd.gov)  
\* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, [sjacobs@baltimorecountymd.gov](mailto:sjacobs@baltimorecountymd.gov)  
\* Highways (Tom Hargis), MS #1003 [thargis@baltimorecountymd.gov](mailto:thargis@baltimorecountymd.gov)  
\* Neighborhood Improvements (Marcia Williams), MS #4201, [myneighborhoodimprovrment@baltimorecountymd.gov](mailto:myneighborhoodimprovrment@baltimorecountymd.gov)  
\* County Council, District 3, (Tom Bostwick), MS #2201, [council1@baltimorecountymd.gov](mailto:council1@baltimorecountymd.gov)  
\* [tbostwick@baltimorecountymd.gov](mailto:tbostwick@baltimorecountymd.gov)  
\* Mike Ruby (Newspaper), [mildmanneredcomm@aol.com](mailto:mildmanneredcomm@aol.com)  
+ People's Counsel, [rwheatley@baltimorecountymd.gov](mailto:rwheatley@baltimorecountymd.gov)  
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), [joseph.griffiths@maryland.gov](mailto:joseph.griffiths@maryland.gov)  
+ Kathy Are, [kare@baltimorecountymd.gov](mailto:kare@baltimorecountymd.gov)  
& State Highway Administration, Access Permits Division (Steven Autry), [SAutry@mdot.maryland.gov](mailto:SAutry@mdot.maryland.gov)  
& Fire Department (Inspector Muddiman), MS # 1102F, [dmuddiman@baltimorecountymd.gov](mailto:dmuddiman@baltimorecountymd.gov)  
& PAI, Development Plans Review (Vishnu Desai), [vdesai@baltimorecountymd.gov](mailto:vdesai@baltimorecountymd.gov)  
# People's Counsel (Peter Zimmerman), MS #4204 [pzimmerman@baltimorecountymd.gov](mailto:pzimmerman@baltimorecountymd.gov)  
# Planning Office (Jenifer Nugent), MS # 4101, [jnugent@baltimorecountymd.gov](mailto:jnugent@baltimorecountymd.gov); Henry Ayakwah [hayakwah@baltimorecountymd.gov](mailto:hayakwah@baltimorecountymd.gov); Taylor Bensley [tbensley@baltimorecountymd.gov](mailto:tbensley@baltimorecountymd.gov)  
# DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, [jlivingston@baltimorecountymd.gov](mailto:jlivingston@baltimorecountymd.gov); Steve Ford, [sford@baltimorecountymd.gov](mailto:sford@baltimorecountymd.gov)  
# IF FLOODPLAIN, Maryland Department of the Environment, [kevin.wagner@maryland.gov](mailto:kevin.wagner@maryland.gov)  
# Public Works (Terry Curtis), MS #1315, [tcurtis@baltimorecountymd.gov](mailto:tcurtis@baltimorecountymd.gov)  
\* IF ELDERLY HOUSING, Community Development, MS #1102M  
\* IF TOWER, Tower Coordinator, c/o OIT, MS #2007  
# IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)  
# IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

# ZAC AGENDA

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**Case Number:** 2023-0020-A      **Reviewer:** Mitchell Kellman  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** ADMINISTRATIVE VARIANCE  
**Legal Owner:** Janet Deery  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 4    **Council Dist:** 2

**Property Address:** 7 MARYHILL CT

**Location:** Property located on the South side of Maryhill Court, 245 feet Southwest the centerline at Velvet Hill Drive.

**Existing Zoning:** DR 2      **Area:** .375 ACRES

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

To permit an accessory building (detached shed) in the side yard in lieu of the required rear yard and amend the Final Development Plan (FDP) of Velvet Hills (last approved), Lot 14 only.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 02/27/2023

**Miscellaneous Notes:**

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**Case Number:** 2023-0021-A      **Reviewer:** Jason Seidelman  
**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL  
**Type:** ADMINISTRATIVE VARIANCE  
**Legal Owner:** Yevgeniy and Irina Leychenko  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 4    **Council Dist:** 4

**Property Address:** 5 ASHMERE RD

**Location:** Property located on the Northeast side of Ashmere Rd. (50 feet), 67 feet Southeast of Oakmere Rd. (50 feet)

**Existing Zoning:** DR 3.5      **Area:** 13,338 SQ FT.

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of the required 2.5 feet.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 03/06/2023

**Miscellaneous Notes:**

# ZAC AGENDA

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**Case Number:** 2023-0022-A      **Reviewer:** Shaun Crawford  
**Existing Use:** COMMERCIAL    **Proposed Use:** COMMERCIAL  
**Type:** VARIANCE  
**Legal Owner:** Northpoint Property, LLC./ Kai Tang (Owner)  
**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 15    **Council Dist:** 7

**Property Address:** 801 NORTH POINT BLVD

**Location:** Property located beginning at 1,650 feet East of intersection of Eastern Blvd. and Northpoint Blvd.

**Existing Zoning:** BL                      **Area:** 1.12 ACRES

**Proposed Zoning:**

VARIANCE:

1.) BCZR 409.6A(2): To allow 96 parking spaces in lieu of the required 112 parking spaces.

2.) For any further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

**Attorney:** J. Neil Lanzi

**Prior Zoning Cases:** 1965-0135-X; 1989-0402-A

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:**

**Miscellaneous Notes:**

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# ZAC AGENDA

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**Case Number:** 2023-0023-SPH      **Reviewer:** Jason Seidelman

**Existing Use:** COMMERCIAL      **Proposed Use:** COMMERCIAL

**Type:** SPECIAL HEARING

**Legal Owner:** Ebenezer Grace Worship center, Inc.

**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 11    **Council Dist:** 5

**Property Address:** 9116 9118 BELAIR RD

**Location:** Property located Northeast corner of intersection of Belair Rd. (75 feet) and Minte Dr. (40 feet).

**Existing Zoning:** DR 1 NC & BL

**Area:** 0.188 ACRES AND 0.264 ACRES

**Proposed Zoning:**

SPECIAL HEARING:

BCZR 500.7 and 259.14: To approve the use of an NC overlay district property to serve a development on an adjacent property including access, storm water management, a turn around area, water and sewer utility lines, connections to adjacent public roads.

**Attorney:** Jennifer Busse

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:**

**Miscellaneous Notes:**

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# ZAC AGENDA

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**Case Number:** 2023-0024-A      **Reviewer:** Shaun Crawford

**Existng Use:** RESIDENTIAL    **Proposed Use:** RESIDENTIAL

**Type:** ADMINISTRATIVE VARIANCE

**Legal Owner:** Regina Smith

**Contract Purchaser:** No Contract Purchaser was set.

**Critical Area:** No    **Flood Plain:** No    **Historic:** No    **Election Dist:** 1    **Council Dist:** 1

**Property Address:** 7939 GALLOPING CIR

**Location:** Property located beginning at North side of Galloping Circle 101 feet North of Cantwell Drive.

**Existing Zoning:** DR 5.5

**Area:** 7,535 SQ FT

**Proposed Zoning:**

ADMINISTRATIVE VARIANCE:

BCZR 1B01.2.C.1.b.(1972 CZMP Section V.B.5.a): To permit a dwelling addition with a window to tract boundary setback of 21 feet in lieu of the required 35 feet tract boundary setback. And to amend the last approved final development plan of Parkview Trail, lot 568 only.

**Attorney:** Not Available

**Prior Zoning Cases:** None

**Concurrent Cases:** None

**Violation Cases:** None

**Closing Date:** 03/06/2023

**Miscellaneous Notes:**

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Note to Hearing Officer:

2023-0021-A

Sir/Ma'am,

I believe Mr. Leychenko was advised about the setbacks for an addition which is why his relief statement asks for zero feet in lieu of 5.25 feet (1954 regs). His plan, however, shows an accessory structure, and that is how I wrote it up.

Jason Seidelman

Zoning Review

Baltimore County, MD

410-887-3391

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW OFFICE

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number: 2023 - 0021 -A Address 5 ASHMERG ROAD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 2/7/23 Posting Date: 2/19/23 Closing Date: 3/6/23

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 and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number: 2023 - 0021 -A Address 5 ASHMERG ROAD

Petitioner's Name: LEYCHENKO Telephone (Cell) 443-739-3245

Posting Date: 2/19/23 Closing Date: 3/6/23

Wording for Sign: To Permit \_\_\_\_\_

\_\_\_\_\_ To permit a rear yard accessory structure (detached, open carport) with a side setback of 0 feet in lieu of \_\_\_\_\_  
\_\_\_\_\_ the required 2.5 feet. \_\_\_\_\_

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS**  
**ZONING REVIEW OFFICE**

**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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.\*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2023-0021-A  
Property Address: S ASHMORE ROAD  
OWINGS MILLS, MD 21117  
Legal Owners (Petitioners): YEVGENIY + IRINA LEYCHENKO  
Contract Purchaser/Lessee: \_\_\_\_\_

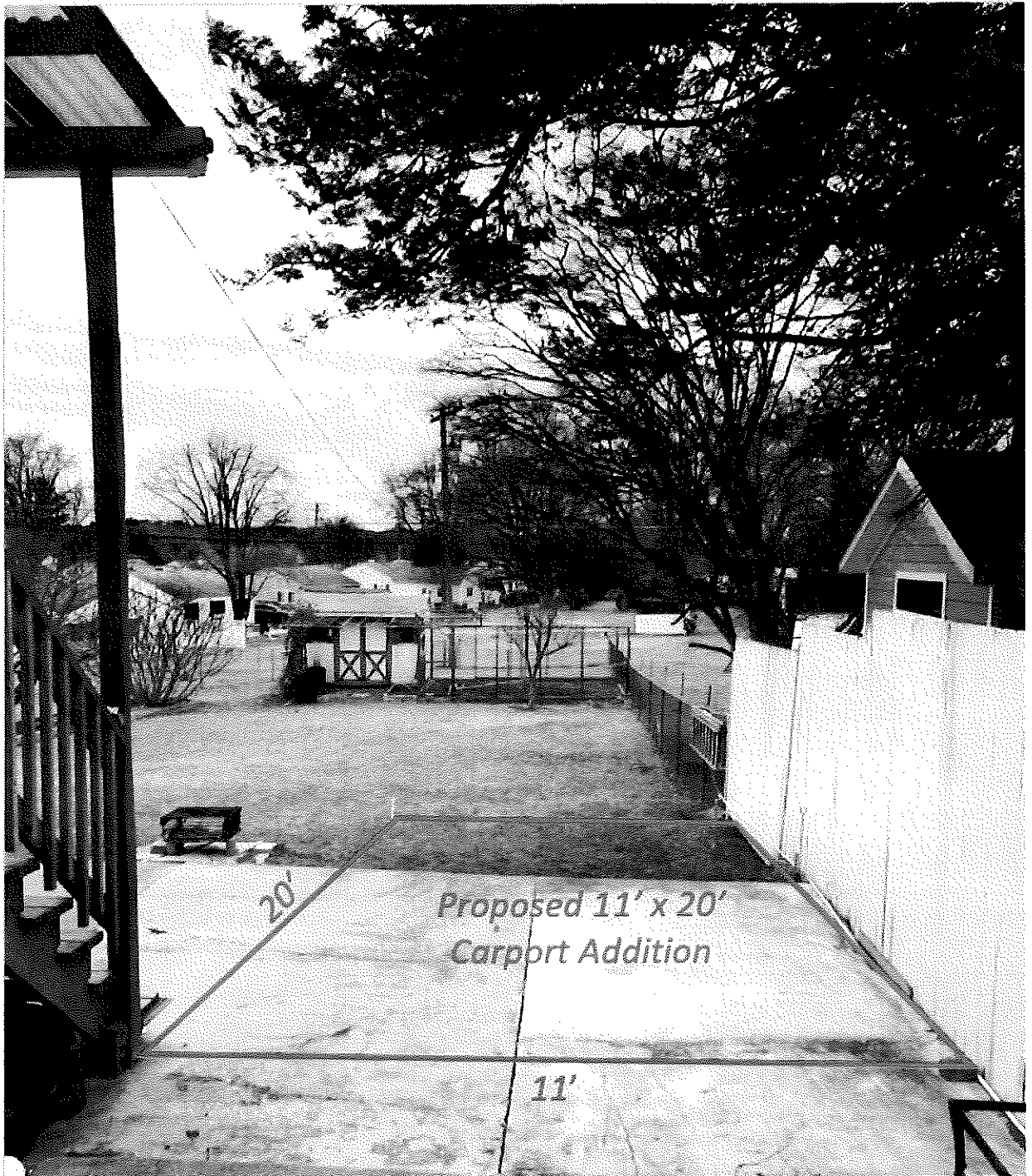
PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): YEVGENIY LEYCHENKO  
Address: S ASHMORE ROAD  
OWINGS MILLS, MD 21117  
Telephone Number: 443-739-3245

\*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Real Property Data Search ( )  
Search Result for BALTIMORE COUNTY

| View Map                                                                                                    | View GroundRent Redemption                 | View GroundRent Registration                               |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------|------------------------------------------------------------|
| <b>Special Tax Recapture:</b> None                                                                          |                                            |                                                            |
| <b>Account Identifier:</b> District - 04 Account Number - 0418035575                                        |                                            |                                                            |
| <b>Owner Information</b>                                                                                    |                                            |                                                            |
| <b>Owner Name:</b>                                                                                          | LEYCHENKO YEVGENIY<br>LEYCHENKO IRINA      | <b>Use:</b> RESIDENTIAL<br><b>Principal Residence:</b> YES |
| <b>Mailing Address:</b>                                                                                     | 5 ASHMERE RD<br>OWINGS MILLS MD 21117-2401 | <b>Deed Reference:</b> /22129/ 00603                       |
| <b>Location &amp; Structure Information</b>                                                                 |                                            |                                                            |
| <b>Premises Address:</b>                                                                                    | 5 ASHMERE RD<br>OWINGS MILLS 21117-2401    | <b>Legal Description:</b> 5 ASHMERE RD<br>CEDARMERE        |
| <b>Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:</b>         |                                            |                                                            |
| 0058 0007 0083 4010011.04 0000 B A 5 2022 Plat Ref: 0020/ 0029                                              |                                            |                                                            |
| <b>Town:</b> None                                                                                           |                                            |                                                            |
| <b>Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use</b> |                                            |                                                            |
| 1954 1,225 SF 612 SF 13,338 SF 04                                                                           |                                            |                                                            |
| <b>StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements</b>             |                                            |                                                            |
| 1 YES STANDARD UNITSIDING/3 1 full                                                                          |                                            |                                                            |
| <b>Value Information</b>                                                                                    |                                            |                                                            |
|                                                                                                             | <b>Base Value</b>                          | <b>Value</b>                                               |
|                                                                                                             |                                            | <b>Phase-in Assessments</b>                                |
|                                                                                                             |                                            | As of As of As of                                          |
|                                                                                                             |                                            | 01/01/2022 07/01/2022 07/01/2023                           |
| <b>Land:</b>                                                                                                | 66,000                                     | 66,000                                                     |
| <b>Improvements</b>                                                                                         | 159,100                                    | 180,100                                                    |
| <b>Total:</b>                                                                                               | 225,100                                    | 246,100                                                    |
| <b>Preferential Land:</b>                                                                                   | 0                                          | 0                                                          |
|                                                                                                             |                                            | 232,100 239,100                                            |
| <b>Transfer Information</b>                                                                                 |                                            |                                                            |
| <b>Seller:</b> MORRIS JEANETTE MARIE                                                                        | <b>Date:</b> 06/29/2005                    | <b>Price:</b> \$240,000                                    |
| <b>Type:</b> ARMS LENGTH IMPROVED                                                                           | <b>Deed1:</b> /22129/ 00603                | <b>Deed2:</b>                                              |
| <b>Seller:</b> HOWARD JOSEPH N                                                                              | <b>Date:</b> 06/24/1992                    | <b>Price:</b> \$105,000                                    |
| <b>Type:</b> ARMS LENGTH IMPROVED                                                                           | <b>Deed1:</b> /09245/ 00167                | <b>Deed2:</b>                                              |
| <b>Seller:</b>                                                                                              | <b>Date:</b>                               | <b>Price:</b>                                              |
| <b>Type:</b>                                                                                                | <b>Deed1:</b>                              | <b>Deed2:</b>                                              |
| <b>Exemption Information</b>                                                                                |                                            |                                                            |
| <b>Partial Exempt Assessments:</b>                                                                          | <b>Class</b>                               | <b>07/01/2022 07/01/2023</b>                               |
| <b>County:</b>                                                                                              | 000                                        | 0.00                                                       |
| <b>State:</b>                                                                                               | 000                                        | 0.00                                                       |
| <b>Municipal:</b>                                                                                           | 000                                        | 0.00 0.00 0.00 0.00                                        |
| <b>Special Tax Recapture:</b> None                                                                          |                                            |                                                            |
| <b>Homestead Application Information</b>                                                                    |                                            |                                                            |
| <b>Homestead Application Status:</b> Approved 11/25/2008                                                    |                                            |                                                            |
| <b>Homeowners' Tax Credit Application Information</b>                                                       |                                            |                                                            |
| <b>Homeowners' Tax Credit Application Status:</b> No Application <b>Date:</b>                               |                                            |                                                            |



5 Ashmere Road Owings Mills MD 21117

2023-0021-A



5 Ashmere Road Owings Mills MD 21117

2023-0021-A

2073-0021-A



Plan Draw By Yevgeniy Leychenko Date 12/15/2022 Scale: 1 inch = 40 Feet

Cedarmer Rd

Ashmere Rd

Oakmere Rd

19

17

15

3

5

7

1

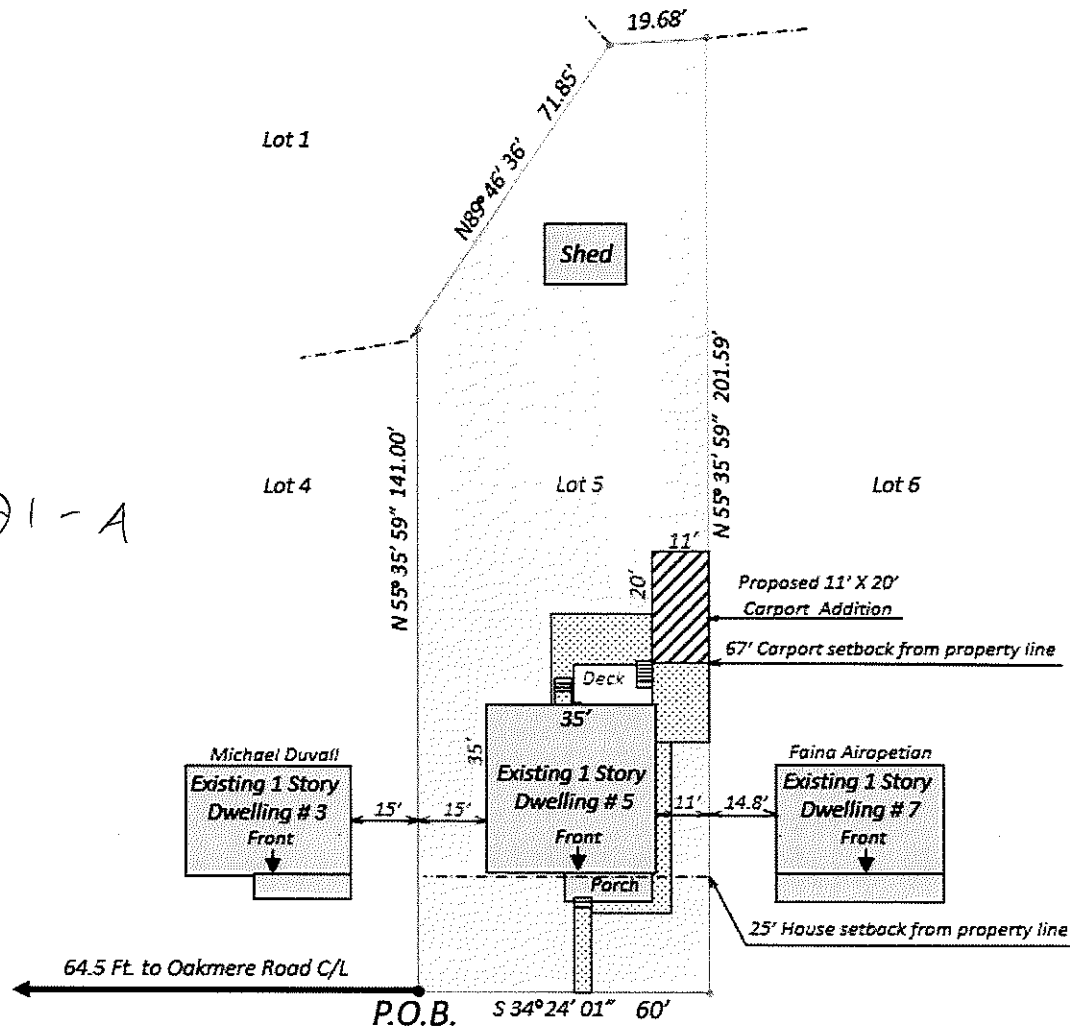
N

MAP IS NOT TO SCALE

Violation Case Number(s)

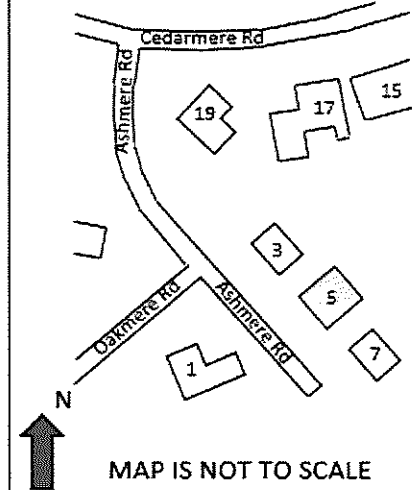
Zoning Hearing Plan Variance X for Special Hearing \_\_\_\_\_ Mark Type Requested with (X)  
 Address 5 Asmere Road, Owings Mills, MD, 21117 Owner(s) Name(s) Yevgeniy Leychenko, Irina Leychenko  
 Subdivision name 0000 Lot # 5 Block # A Section # B  
 Plat Box # 0020 Folio # 0029 10 Digit Tax # 0418035575 Deed Reference # 22129/00603

2073-0021-A



Plan Draw By Yevgeniy Leychenko Date 12/15/2022 Scale: 1 inch = 40 Feet

Site Vicinity Map



Zoning Map # 0058  
 Zoning DR 3.5  
 Election District 04  
 Council District 04  
 Lot Area Acreage .306  
 Lot Square Footage 13,338  
 Historic (Yes or No) NO  
 CBCA (Yes or NO) NO  
 Food Plain (Yes or No) NO  
 Utilities-Mark with (X) \_\_\_\_\_  
 Water is:  
 Public X Private \_\_\_\_\_  
 Sewer is:  
 Public X Private \_\_\_\_\_  
 Prior Hearing (Yes or No) NO  
 If (Yes) list Case Number(s)  
 and order result(s) below

Violation Case Number(s)