

IN THE MATTER OF THE APPLICATION OF FREDERICK WEINSTEIN, ET UX FOR A SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH SIDE OF PEBBLE LANE, 750' SE OF THE C/L OF CINDER ROAD (16 PEBBLE LANE) 8TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 89-107-XA

OPINION

This matter comes before the Board as an appeal from the decision of the Deputy Zoning Commissioner granting the property owners' Petition for Special Exception, with restrictions.

The Petitioners, Frederick and Lois Weinstein, request approval to use the subject property as a professional office in a D.R.2 zone, located in the Roc Valley Community of the Fourth Councilmanic District.

Initially, the Petitioners sought approval on appeal for variances to build an extension to their dwelling which had been earlier denied by the Zoning Commissioner. In today's Hearing, the only issue is the matter of a Special Exception to provide an office. In opposition to the Petitioners, numerous neighbors of the subject property owners appeared and testified.

On behalf of the Petitioners, Mrs. Lois Weinstein testified as to her desire to resume her practice as a psychiatrist at the subject site. Reviewing her education through medical school and subsequent experience as a psychiatrist, Mrs. Weinstein described the arrangements and manner in which she would conduct her psychiatric service in her private residence.

With a room addition within the envelope of the house, an office would be provided that would be eleven (11%) percent of the total space of the house, well under the maximum allowable. Mrs. Weinstein further reviewed the limits she would impose upon her practice in keeping with her responsibilities as a parent. She discussed the kinds of people she would be granting appointments to visit her residential office. In particular, Mrs. Weinstein ascertained that

Case No. 89-107-XA Frederick Weinstein, et ux

2.

she would counsel basically rational people at her residence who are functioning under stressful situations, and not people with psychiatric problems.

Testimony from a land surveyor and a draftsman engaged by the Weinsteins confirmed that the office use would constitute only 11% of the total 3,421 sq. ft. of the residence.

Mr. Angelo Spazzano, the general contractor, testified that the new addition within the house envelope will actually cause a decrease in water run-off as it will be directed to an underground system.

Mr. Michael Flanagan of the Office of Traffic Engineering stated that he could ascertain no problem with traffic on the cul-de-sac serving the subject site and its neighbors.

Mr. Frederick Klaus, appeared as an expert witness in real estate and stated that the office use was consistent with the intent of the zoning regulations, and saw no violation of Section 502.1 of the Baltimore County Zoning Regulations. He further testified that there would be no negative impact on the real estate values of the area.

Counsel for the Appellants presented several neighboring property owners, all of whom voiced objection to an office use that would diminish the value of property and detract from the appeal of the neighborhood.

Mr. Norman Rocklin, director of the neighboring community of high value homes contiguous with the Pebble Lane residences, voiced his concern regarding covenants against professional offices in his community, and the affect subject site's special exception could bring to the area.

Mrs. Laurie Feeney testified that the recent sale of her home was subject to some delay as prospects expressed objection to the pending office use in the community. Mrs. Feeney stated that her family-built-home is under contract for much less than its appraised value, but acknowledged a substantial capital gain.

Case No. 89-107-XA Frederick Weinstein, et ux

3.

Mrs. Karen Ann Donoho testified to their purchase of the next door property without awareness of the proposed office use by the Petitioner. As with other protestants, Mrs. Donoho voiced fear of the potential danger from psychiatric patients calling at the office, as well as developing traffic congestion as the properties on the cul-de-sac reach full development. Concern was expressed for children playing in this dead-end street.

Mrs. Geraldine Cole of 6 Pebble Lane testified to the recent sale of her property at a reduced price, and as a real estate agent of long experience, said the office use in a relatively secluded area of unique and high priced homes would have a negative affect on the properties. On cross examination, Mrs. Cole, one of the first residents on Pebble Lane, acknowledged her awareness of covenants that allowed for office use in the houses. She further ascertained that as a multi-million dollar real estate agent she has never made use of her home as an office for her business.

Mr. William Harbstreet expressed his initial support until all the facts were revealed about the plan for the Weinstein property. Through his contacts, residents became aware of the initial zoning hearing, and opposition arose. Mr. Harbstreet observed that the width of the street of 24' limits curbside parking, and the absence of sidewalks presents a question of safety.

As the concluding opposing witness, Dr. Simon Calle, next door neighbor, reviewed his concern for the curbside parking planned for Dr. Weinstein's patients. The curvature of the cul-de-sac at the subject property limits parallel parking in the forty feet (40') fronting the subject residence. Sanitation trucks and other large vehicles have a problem maneuvering. Dr. Calle further objects to the presence of a psychiatrist office next door and his paying the price for her luxury.

In the consideration of this Petition for a Special Exception, the Board must assess each of the factors enunciated in Section 502.1 of the BCZR. In

Case No. 89-107-XA Frederick Weinstein, et ux

4.

this instance, the Board is persuaded that the special exception complies as there was no indication that any of the regulations set forth in 502.1 would substantiate disapproval of this Petition.

Counsel for the Appellant clearly established that a covenant accompanied the properties of Pebble Lane enabling the use of an office with the granting of a special exception. The sale of several properties since this Petition gives support to testimony that real estate values in the area have been maintained, under obvious awareness of the covenant consideration.

The testimony in regards to traffic and parking is not viewed as a factor that would be detrimental to health, safety and general welfare of those residing on this rather secluded street.

The Board also is cognizant of the stipulations made by Mrs. Weinstein in regards to the imposed limits to which she shall adhere in scheduling one appointment each hour, and the care she will take in the selection of patients to her office.

ORDER

For the reasons set forth in the foregoing Opinion, it is therefore this 19th day of July, 1989, by the County Board of Appeals ORDERED that the Petition for Special Exception be and the same is GRANTED with the following restrictions:

1. There shall be no signs advertising the use of a portion of the property for a professional office.
2. There shall be no more than one part-time non-professional employee at the subject location.
3. The office hours shall be limited to between 9:00 a.m. and 4:00 p.m., Monday through Friday. There shall be no office hours at any other time.

Case No. 89-107-XA Frederick Weinstein, et ux

5.

4. The relief granted herein is limited to Dr. Lois Weinstein only. Any future property owner and/or lessee who seeks to use the special exception granted herein must file for a new public hearing to determine its appropriateness.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Harry E. Buchheiser, Jr.
Harry E. Buchheiser, Jr.

Arnold G. Foreman
Arnold G. Foreman



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 687-3180

July 19, 1989

George T. Canaras, Esquire
1700 Charmuth Road
Lutherville, Maryland 21093

Re: Case No. 89-107-XA
Frederick Weinstein, et ux

Dear Mr. Canaras:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject matter.

Sincerely,
LindaLee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Robert W. Cannon, Esquire
Mr. and Mrs. Frederick Weinstein
Mr. Randy Hoffer
Mr. H. Robert Spazzano
Ms. Ann Arroyo
Mr. Robert Paulino
Dr. and Mrs. Simon Calle
Mr. William S. Harbstreet
Norman Rocklin, Esquire
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S Pebble Lane, 750' SE of the c/l of Cinder Road (16 Pebble Lane) 8th Election District 4th Councilmanic District Frederick Weinstein, et ux Petitioners

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-107-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to permit a professional office in a private residence, and zoning variances to permit a rear yard setback of 17 feet in lieu of the required 30 feet (tract boundary) for a proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Roc Valley," Lot 8, to permit construction of the proposed addition outside the building envelope, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Lois Weinstein, appeared, testified and were represented by Robert W. Cannon, Esquire. Also appearing on behalf of the Petition were: Randy Hoffer, a professional land surveyor; H. Robert Spazzano, general contractor; Ann Arroyo, realtor with O'Connor, Piper and Flynn; and Robert Paulino. Appearing as a Protestant was George C. Canaras, Esquire. Appearing as interested parties were Dr. and Mrs. Simon Calle, and William S. Harbstreet.

Testimony indicated that the subject property, known as 16 Pebble Lane and zoned D.R. 2, is currently improved with an existing single family dwelling. The subject property consists of approximately 12,200 sq.ft. more or less and is one of approximately 10 or 11 lots proposed for development on Pebble Lane.

ORDER RECEIVED FOR FILING

Date *7/19/89*
By *Linda M. Kuszmaul*

Dr. Weinstein testified that she is a licensed, professional psychiatrist. She proposes counseling individuals on a part-time basis at her home so that she can be more involved in raising her children. Petitioners are expecting their first child. Dr. Weinstein indicated that there would be no signs or advertisements on the exterior of the house to indicate the operation of her office out of the home. Petitioners' plans involve constructing a 23' x 15' two-story addition to the existing dwelling wherein the lower level will be used as office space and the second floor used as additional living space for their growing family. Dr. Weinstein testified that prior to filing the instant petition, they discussed their plans with numerous residents of Pebble Lane and obtained signatures from those who indicated they had no objection to the proposed addition for use as a "study/office." Petitioners introduced the signed document as Petitioner's Exhibit 2.

In response to inquiries regarding her practice, Dr. Weinstein testified she would only see patients on a part-time basis for approximately four (4) hours each day. At no time would she have evening hours. She indicated that the hours would never be any earlier than 8:00 AM or exceed 6:00 PM Monday through Friday, and there would be no weekend office hours. Petitioner testified extensively in her opinion that a professional office in her residence would not negatively impact any requirements as set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). In response to inquiries raised by Mr. Canaras, Petitioner indicated that her clients would not present a danger to the community. Dr. Weinstein testified that most of her patients are young professionals. She indicated if any patient were a danger to himself or others, she is associated with another professional practice and could see the individ-

ORDER RECEIVED FOR FILING

Date *7/19/89*
By *Linda M. Kuszmaul*

RECORDED

RECORDED

RECORDED

RECORDED

IN RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - S/S Public Lane 750' SE of the 7/1 of Cedar Road (16 Public Lane) 5th Election District 5th Councilmanic District

• BEFORE THE
• DEPUTY ZONING COMMISSIONER
• OF BALTIMORE COUNTY
• Case No. 89-107-XA

Frederick Weinstein, et al
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to permit a professional office in a private residence, and zoning variances to permit a rear yard setback of 17 feet in lieu of the required 30 feet (tract boundary) for a proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Hoe Valley," Lot B, to permit construction of the proposed addition outside the building envelope, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Lois Weinstein, appeared, testified and were represented by Robert W. Cannon, Esquire. Also appearing on behalf of the Petition were: Randy Hoffer, a professional land surveyor; H. Robert Spazzano, general contractor; Ann Arroyo, realtor with O'Connor, Piper and Flynn; and Robert Paulina. Appearing as interested parties were Dr. and Mrs. Simon Gallo, and William S. Harbstreet.

Testimony indicated that the subject property, known as 16 Public Lane and zoned D.R. 2, is currently improved with an existing single family dwelling. The subject property consists of approximately 12,200 sq. ft. more or less and is subject of approximately 10 or 11 lots proposed for development on Public Lane.

Dr. Weinstein testified that she is a licensed, professional psychiatrist. She proposes counseling individuals on a part-time basis at her home so that she can be more involved in raising her children. Petitioners are expecting their first child. Dr. Weinstein indicated that there would be no signs or advertisements on the exterior of the house to indicate the operation of her office out of the home. Petitioners' plans involve constructing a 23' x 15' two-story addition to the existing dwelling wherein the lower level will be used as office space and the second floor used as additional living space for their growing family. Dr. Weinstein testified that prior to filing the instant petition, they discussed their plans with numerous residents of Public Lane and obtained signatures from those who indicated they had no objection to the proposed addition for use as a "study/office." Petitioners introduced the signed document as Petitioner's Exhibit 2.

In response to inquiries regarding her practice, Dr. Weinstein testified she would only see patients on a part-time basis for approximately four (4) hours each day. At no time would she have evening hours. She indicated that the hours would never be any earlier than 8:00 AM or exceed 6:00 PM Monday through Friday, and there would be no weekend office hours. Petitioner testified extensively in her opinion that a professional office in her residence would not negatively impact any requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). In response to inquiries raised by Mr. Canaras, Petitioner indicated that her clients would not present a danger to the community. Dr. Weinstein testified that most of her patients are young professionals. She indicated if any patient were a danger to himself or others, she is associated with another professional practice and could see the individ-

ual at that location. For the safety of her family and the community she would only see individuals working through day to day problems.

Testimony presented by Randy Hoffer and Robert Spazzano regarding the proposed addition in relationship to the existing house indicated the office space would be limited to 350 sq. ft. and residential space of approximately 3,000 sq. ft. In response to concerns raised by the adjoining property owners, Dr. & Mrs. Gallo, regarding water runoff problems which may be exacerbated by the proposed addition, Mr. Spazzano indicated in his opinion the addition would create no adverse impact on their property. He testified the addition could be built with an adequate drainage system to prevent runoff onto adjacent properties.

Ms. Ann Arroyo testified that she has been a licensed realtor since 1980 and has been employed with O'Connor, Piper and Flynn for the past 3 and 1/2 years. She testified that her work involves freetime operations in addition to the sale of real estate. In her opinion, she believes the proposed addition and use of a portion of same as office space by Dr. Weinstein would have no adverse affect on property values and/or the community.

Mr. Canaras testified in opposition to the proposed addition and relief requested by Petitioners. He argued the Petitioners' position that practical difficulty and unreasonable hardship would result if the proposed addition were denied is without merit and at best, is a self-created hardship as Petitioners just purchased the property in March 1988. He testified he owns a property on Public Lane which is currently occupied by a daughter and son-in-law. Mr. Canaras testified in his opinion the proposed addition will result in an over-development of the lot. He indicated the houses on Public Lane are already over-sized houses on small lots.

Mr. Canaras further testified he believes the use of the property for counselling purposes would create a danger to the health, safety and general welfare of the community. Mr. Canaras argued he felt the adjoining residents who had signed Petitioner's Exhibit 2 had been misled as to Petitioners' intentions.

At the close of the hearing, all parties were advised I would make an inspection of the property and surrounding community prior to rendering a decision. Thereafter, a letter dated October 6, 1988 was received signed by seven residents of Public Lane indicating their opposition to the relief requested. A number of individuals who had previously signed a petition in favor of the request, as set forth in Petitioner's Exhibit 2, were now indicating their opposition.

Petitioners seek relief from Section 502.8, pursuant to Section 101, B.C.Z.R., and use of the property for professional office space, pursuant to Section 502.1, B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the petitioner and his property. Melan v. Salay, 776 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirements would unreasonably prevent the use of the property for a permitted purpose or render enforcement unreasonably burdensome;
- 2) whether the grant would do substantial injustice to adjacent as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 20 (1975).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. Testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. Petitioners filed the instant petition four months after moving into a newly constructed home. Petitioners should have known at the time of purchase whether or not the subject property would meet their needs. Further, an inspection of the area revealed the existing home comprises a large portion of the property already. Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied. The special exception issue, however, remains to be examined.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Dotts, 437 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the Petition for Special Hearing should be denied and the Petition for Special Exception should be granted.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of December, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 17 feet in lieu of the required 30 feet (tract boundary) for a proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Hoe Valley," Lot B, to permit construction of the proposed addition outside the building envelope, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a professional office in a private residence, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner is hereby made aware that proceeding at his/their own risk with such time aspired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall submit a revised site plan indicating the portion of the existing property which will be used for the professional office space. Said revised plan must contain sufficient information indicating that the professional office space does not exceed 25% of the total floor area of the existing dwelling.

3) There shall be no signs advertising the use of a portion of the property for a professional office.

4) The relief granted herein is limited to Dr. Lois Weinstein only. Any future property owner and/or herein must file for a new public hearing to determine its appropriateness.

5) There shall be no more than one part-time non-professional person shall be employed by Dr. Weinstein at the subject location to assist Petitioner in the operation of her professional office.

6) The office hours shall be limited to between 8:00 AM and 6:00 PM, Monday through Friday. There shall be no office hours at any other time.

ANN:bjc
Ann M. MacFarland
Deputy Zoning Commissioner
for Baltimore County

George T. Canaras
Attorney at Law
1800 Chesapeake Road
Lutherville, Maryland 21088
282828

January 24, 1989

Office of the Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21284

Re: Petition for Special Exception
Weinstein, et al
Case No. 89-107-XA

Dear Sirs:

Please enter an appeal from the Order dated December 27, 1988 which granted a Special Exception permitting a professional office in a private residence. Enclosed find a check in the amount of \$115.00 covering the cost of filing the above appeal. A copy of this letter will be forwarded to the County Board of Appeals, Room 215, County Office Building.

Should anything further be required, please let me know.

Sincerely yours,
Ann M. MacFarland
Deputy Zoning Commissioner

cc: County Board of Appeals

By Hand

10451 (10/88)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: September 27, 1988

FROM: J. Robert Haines, Deputy Director, Office of Planning and Zoning

SUBJECT: Frederick Weinstein, Zoning Petition No. 88-107-XA

The applicant is requesting a special exception to allow a professional office in conjunction with a primary residence. Concurrently, the applicant is requesting variances to allow for the proposed expansion. In response to this request, staff provides the following information:

- Sec. 1801.1(c)(3) enables professional offices with a special exception. It is the applicant's stated intent to expand the present single-family dwelling to address the problem of "insufficient living area." It is also the applicant's stated intent to provide for an office use subject to the regulations outlined for professional offices in DR zones. The two requests appear to be in apparent conflict with the need for more living space being taken up by a proposed office.
- The proposed addition, due to its location (separated from main dwelling by garage) appears to function as a two-story office addition rather than as expanded living quarters.
- The impacts of a professional office use at this location raises several concerns. The existing driveway is presently located almost upon the property line. Additional traffic and parking will exacerbate the impacts of this proximity and inadequate space exists for planning or fencing. The proposed addition will encroach in a required setback on a site that is already constrained by the existing building and driveway.

Based upon the analysis conducted and information provided, staff does not recommend approval of this request.

JK/af



RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE OF BALTIMORE COUNTY
575 Pebble Lane, 200' SE of Cluster Road (16 Pebble Lane) 8th District

FREDERICK WEINSTEIN, et ux, Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 334, County Office Building
Towson, Maryland 21284
494-2188

I HEREBY CERTIFY that on this 14th day of September, 1988, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Frederick Weinstein, 16 Pebble Lane, Timonium, MD 21093, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
494-2533

J. Robert Haines
Zoning Commissioner

Date: 9/15/88

Mr. & Mrs. Frederick Weinstein
16 Pebble Lane
Timonium, Maryland 21093

Re: Petition for Special Exception and Zoning Variance
CASE NUMBER 88-107-XA
575 Pebble Lane, 200' SE of Cluster Road (16 Pebble Lane)
8th Election District - 4th Councilmanic District
Petitioners: Frederick Weinstein, et ux
HEARING SCHEDULED: TUESDAY, OCTOBER 4, 1988 at 10:00 a.m.

Dear Mr. & Mrs. Weinstein:

Please be advised that \$17.50 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. To not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED TO THE DAY OF THE HEARING OR THE OFFICE SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign and post set(s) to the County Office minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 9/15/88 ACCOUNT: [unclear]

RECEIVED FROM: [unclear] AMOUNT: \$17.50

FOR: [unclear] OF: [unclear]

VALIDATION OR SIGNATURE OF CARRIER: [unclear]

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception and Zoning Variance
CASE NUMBER 88-107-XA
575 Pebble Lane, 200' SE of Cluster Road (16 Pebble Lane)
8th Election District - 4th Councilmanic District
Petitioners: Frederick Weinstein, et ux
HEARING SCHEDULED: TUESDAY, OCTOBER 4, 1988 at 10:00 a.m.

Variances to permit an addition with rear yard setback of 37' in lieu of the required 50' ft. (tract boundary) and to award the 2nd floor development right of 30' ft. (tract boundary) and to allow construction of addition outside of the building envelope.
Special Exceptions to allow a professional office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Frederick Weinstein, et ux
file

CERTIFICATE OF PUBLICATION

TOWSON, MD. 9/21/88

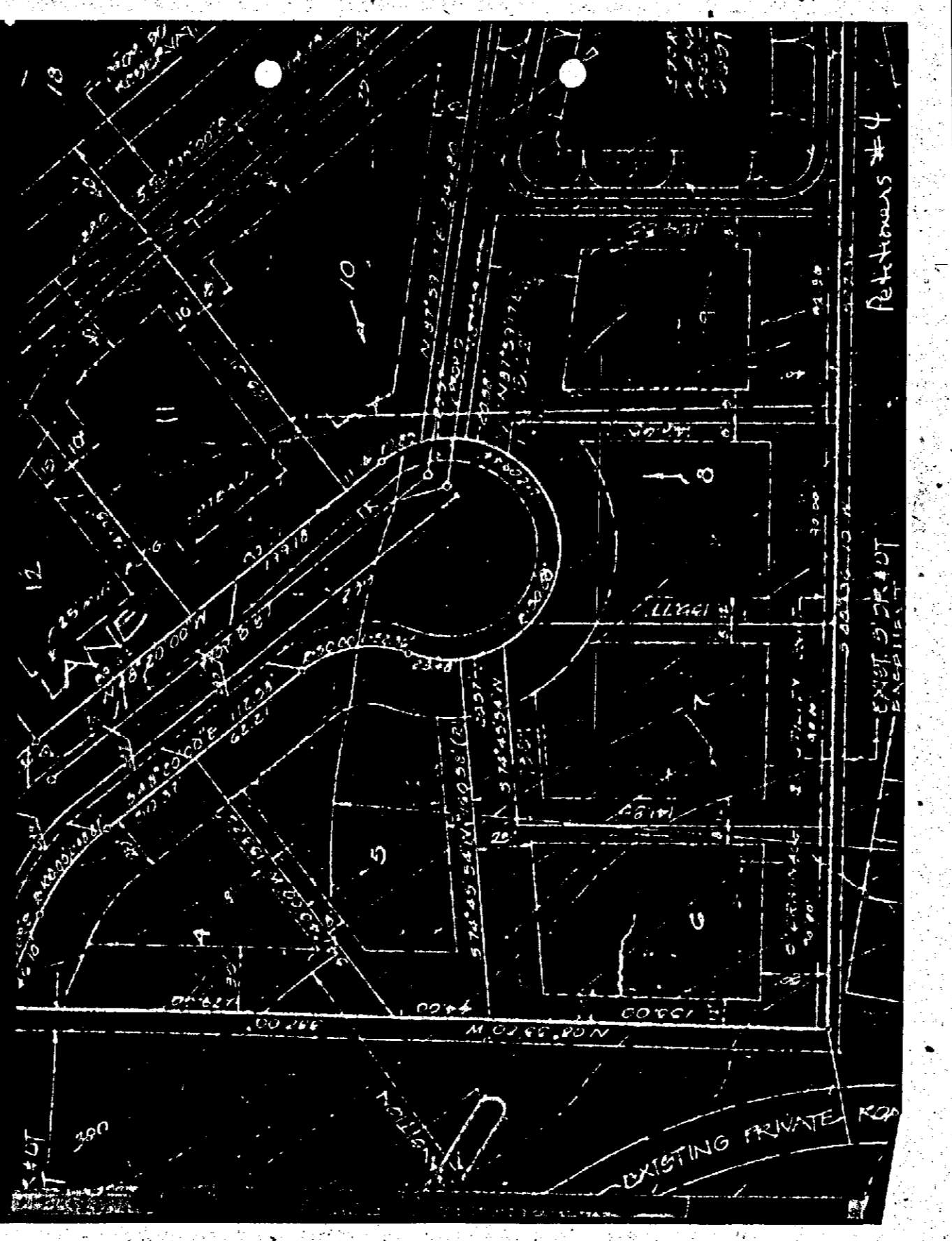
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 9/14/88, 1988.

THE JEFFERSONIAN,
S. Zobe Dolson
Publisher

We are neighbors of Lois and Fred Weinstein of 16 Pebble Lane, and we do not object to their building an addition onto the back of their home for use as a study/office.

Dean Call, MD 17 Pebble Lane
Laurence Roman 2 Pebble Lane
George Lottin 14 Pebble Lane
Heather Lee 4 Pebble Lane
William A. Harbitt 5 Pebble Lane
Biker Jochel 8 Pebble Lane
Christy Lee 6 Pebble Lane
Patrick E. Feeney 12 Pebble Lane
Conroy M. Feeney
Andrew A. Feeney 10 Pebble Lane

**PETITIONER'S
REQUIREMENT 2**



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 9/21/88

Posted for: [unclear]

Petitioner: [unclear]

Location of property: [unclear]

Location of Sign: [unclear]

Posted by: [unclear] Date of return: 9/21/88

Number of Signs: [unclear]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 9/21/88

Posted for: [unclear]

Petitioner: [unclear]

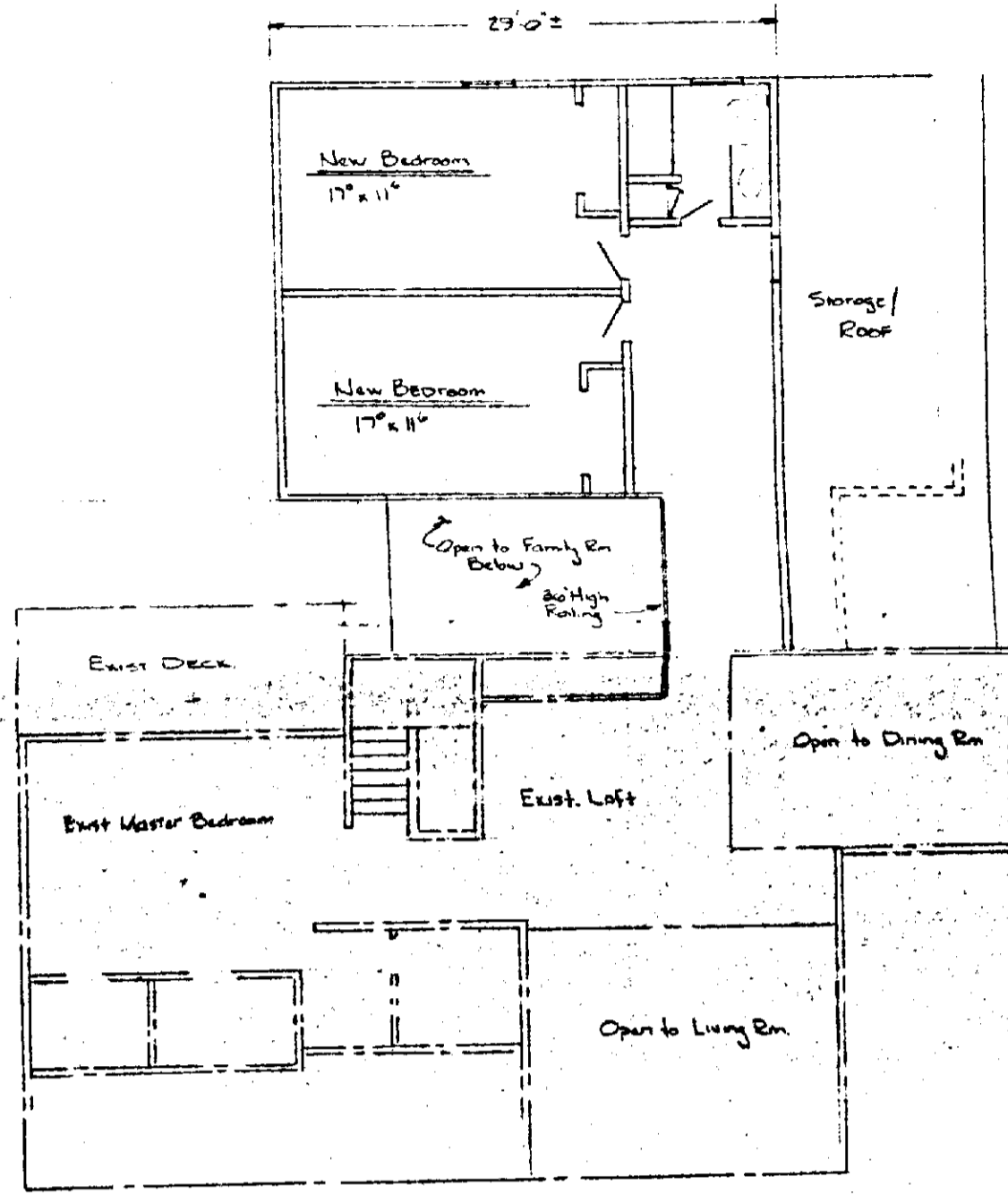
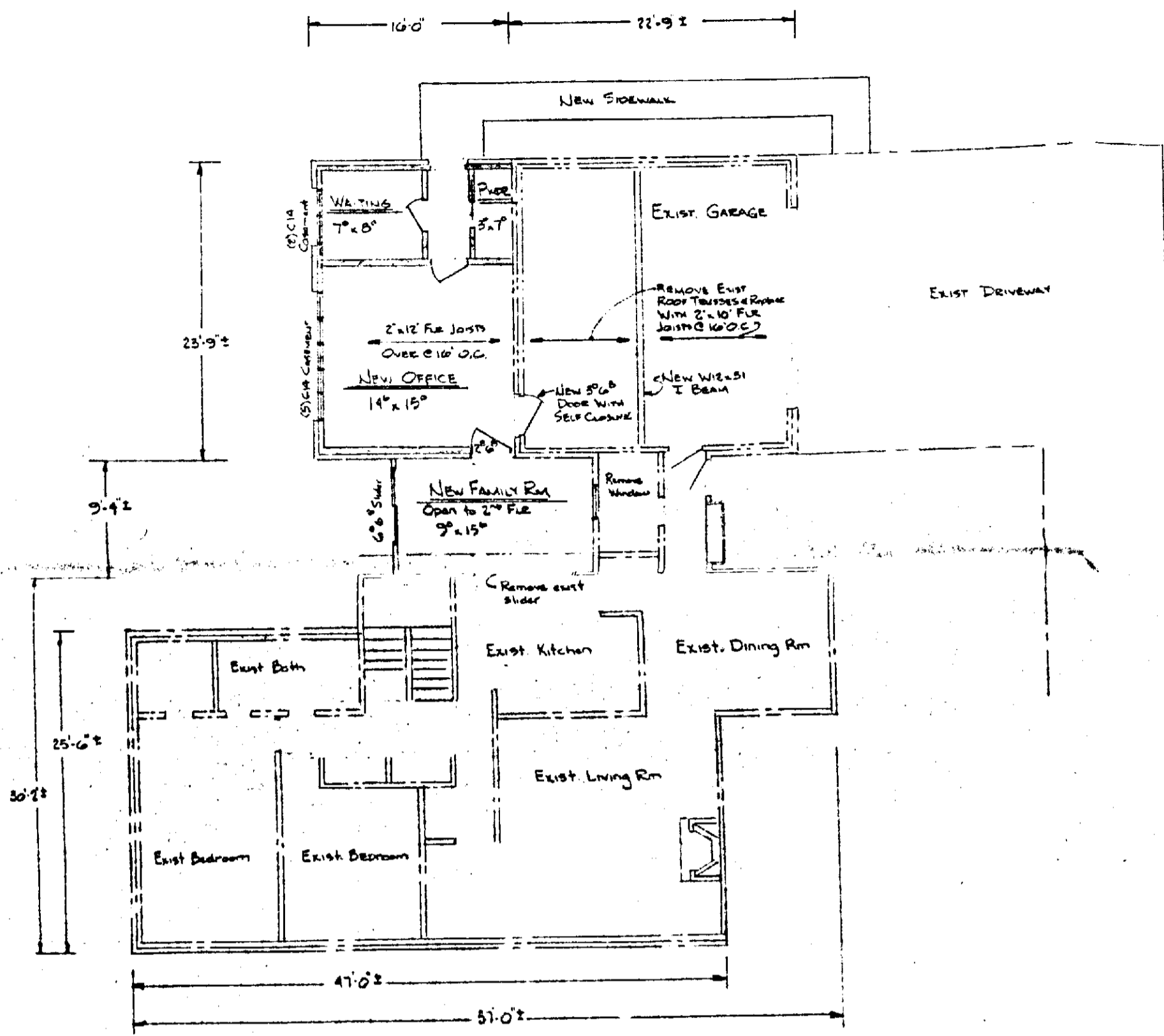
Location of property: [unclear]

Location of Sign: [unclear]

Posted by: [unclear] Date of return: 9/21/88

Number of Signs: [unclear]





**PRELIMINARY
NOT FOR CONSTRUCTION**

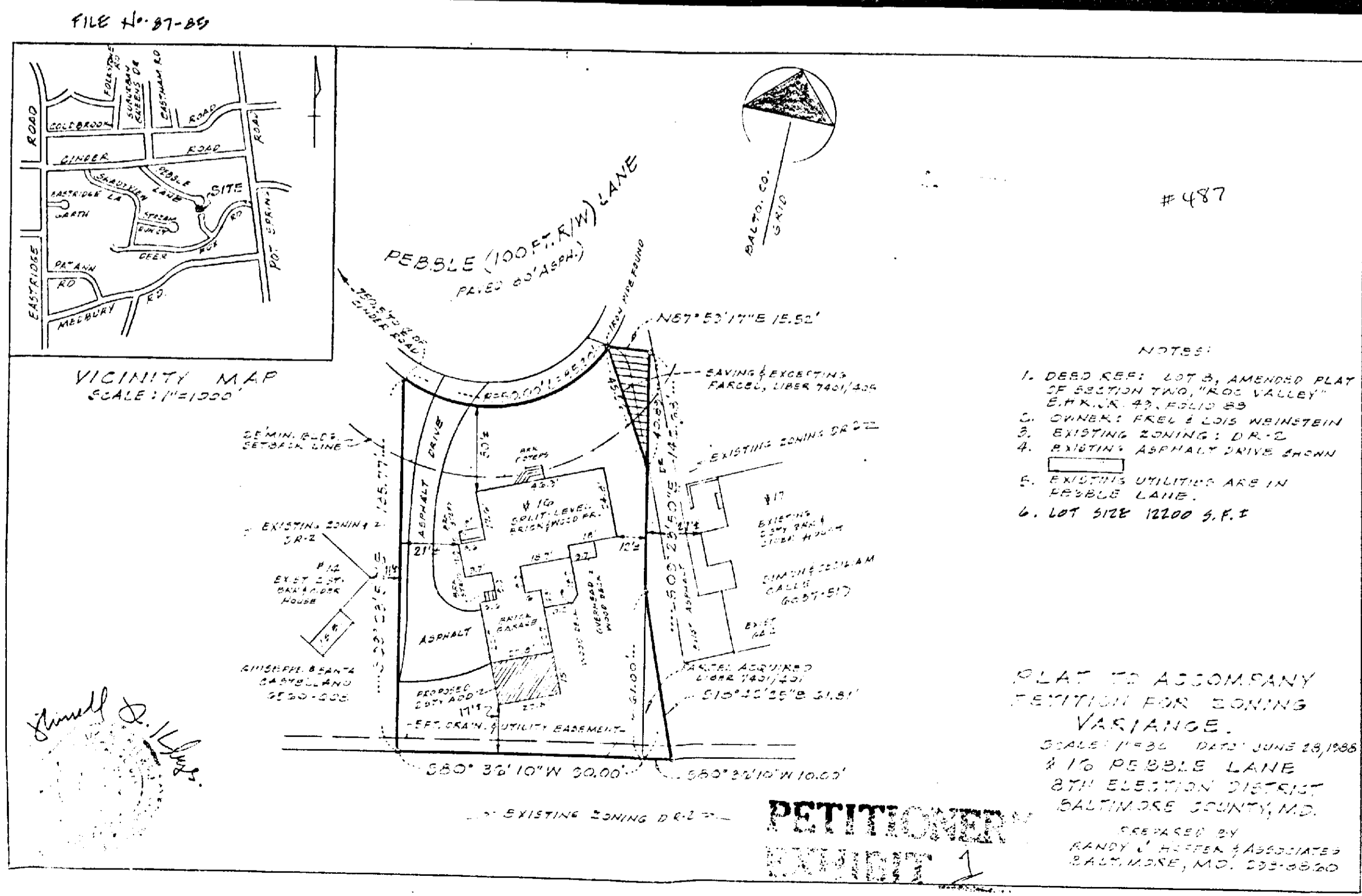
Exist Home = 2209 SQ FT.
 New Addition = 1212 SQ FT.
 Total = 3421 SQ FT.

NOTE: MAS Drafting Services Assumes No Responsibility For Any Damages Including Structural Failures Due To Any Deficiencies, Omissions, Or Errors In The Design Or Blueprints. It Is Recommended That Contractor Consults Local Building Codes And Officials Prior To Start Of Actual Construction.

MAS DRAFTING SERVICES
 Residential Design & Drafting
 Electrical Design & Drafting
 2522 Lound Road
 Finksburg, Maryland 21048-1528
 Phone: 301-876-7115
 301-857-1214

PRELIMINARY SKETCHES FOR NEW 2 STORY ADDITION
 New Residence For:
 Dr. & Mrs. Frederick G. Winsten
 District 2 - Rock Valley Subdivision
 Lot 8, Section 2 (Block 49), Folio 88
 #16 Pebble Lane
 Timonium, Md. 21093
 Drawn By: Michael Smith Dep. No. 540912-2

PETITIONER'S # 3



ual at that location. For the safety of her family and the community she would only see individuals working through day to day problems.

Testimony presented by Randy Hoffer and Robert Spazzano regarding the proposed addition in relationship to the existing house indicated the office space would be limited to 350 sq.ft. and residential space of approximately 3,000 sq.ft. In response to concerns raised by the adjoining property owners, Dr. & Mrs. Calle, regarding water runoff problems which may be exacerbated by the proposed addition, Mr. Spazzano indicated in his opinion the addition would create no adverse impact on their property. He testified the addition could be built with an adequate drainage system to prevent runoff onto adjacent properties.

Ms. Ann Arroyo testified that she has been a licensed realtor since 1981 and has been employed with O'Connor, Piper and Flynn for the past 3 and 1/2 years. She testified that her work involves free-lance appraisals in addition to the sale of real estate. In her opinion, she believes the proposed addition and use of a portion of same as office space by Dr. Weinstein would have no adverse affect on property values and/or the community.

Mr. Canaras testified in opposition to the proposed addition and relief requested by Petitioners. He argued the Petitioners' position that practical difficulty and unreasonable hardship would result if the proposed addition were denied is without merit and at best, is a self-created hardship as Petitioners just purchased the property in March 1988. He testified he owns a property on Pebble Lane which is currently occupied by a daughter and son-in-law. Mr. Canaras testified in his opinion the proposed addition will result in an over-development of the lot. He indicated the houses on Pebble Lane are already over-sized homes on small lots.

-3-

Mr. Canaras further testified he believes the use of the property for counselling purposes would create a danger to the health, safety and general welfare of the community. Mr. Canaras argued he felt the adjoining residents who had signed Petitioner's Exhibit 2 had been misled as to Petitioners' intentions.

At the close of the hearing, all parties were advised I would make an inspection of the property and surrounding community prior to rendering a decision. Thereafter, a letter dated October 6, 1988 was received signed by seven residents of Pebble Lane indicating their opposition to the relief requested. A number of individuals who had previously signed a petition in favor of the request, as set forth in Petitioner's Exhibit 2, were now indicating their opposition.

Petitioners seek relief from Section 1802.3B, pursuant to Section 307, B.C.Z.R., and use of the property for professional office space, pursuant to Section 502.1, B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soloy, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

-4-

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. Testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. Petitioners filed the instant petition four months after moving into a newly constructed home. Petitioners should have known at the time of purchase whether or not the subject property would meet their needs. Further, an inspection of the area revealed the existing home comprises a large portion of the property already. Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied. The special exception issue, however, remains to be examined.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

-5-

MICROFILMED

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be denied and the Petition for Special Exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of December, 1988 that the Petition for Zoning Variance to permit a rear yard setback of 17 feet in lieu of the required 30 feet (tract boundary) for a proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Roc Valley," Lot 8, to permit construction of the proposed addition outside the building envelope, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a professional office in a private residence, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

-6-

MICROFILMED

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

PETITION FOR SPECIAL EXCEPTION Item 47

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

89-107-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Professional Office.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name)	Legal Owner(s): Frederick Weinstein (Type or Print Name)
Signature Frederick Weinstein	Signature Frederick Weinstein
Address 16 Pebble Lane	Address 16 Pebble Lane 561-5598
City and State Timonium, Maryland	City and State Timonium, Maryland 21093
Attorney for Petitioner: (Type or Print Name)	Name, address and phone number of legal owner, contract purchaser or representative to be contacted Lois Weinstein Name 16 Pebble Lane 561-5598 Address 16 Pebble Lane 561-5598 Phone No.
Signature Peter Max Zimmerman	Signature Lois Weinstein
Address Room 304, County Office Building Towson, Maryland 21204 494-2188	Address 16 Pebble Lane 561-5598 Phone No.
Attorney's Telephone No.:	Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of October, 1988, at 10 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

x.c.o.-No. 1 (over)

ESTIMATED LENGTH OF HEARING 1-1/2 HRS. (over)

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

RECEIVED BY JMK DATE 7/6/88

1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall submit a revised site plan indicating the portion of the existing property which will be used for the professional office space. Said revised plat must contain sufficient documentation evidencing that the professional office space does not exceed 25% of the total floor area of the existing dwelling.

3) There shall be no signs advertising the use of a portion of the property for a professional office.

4) The relief granted herein is limited to Dr. Lois Weinstein only. Any future property owner and/or lessee who seeks to use the special exception granted herein must file for a new public hearing to determine its appropriateness.

5) There shall be no more than one part-time non-professional person shall be employed by Dr. Weinstein at the subject location to assist Petitioner in the operation of her professional office.

6) The office hours shall be limited to between 8:00 AM and 6:00 PM, Monday through Friday. There shall be no office hours at any other time.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

-7-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
434-2222 897-3353

J. Robert Haines
Zoning Commissioner

December 27, 1988



Dennis F. Rasmussen
County Executive

Robert W. Cannon, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
S/S Pebble Lane, 750' SE of the c/l of Cinder Road
(16 Pebble Lane)
8th Election District - 6th Councilmanic District
Frederick Weinstein, et ux - Petitioners
Case No. 89-107-XA

Dear Mr. Cannon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted and the Petition for Zoning Variance has been denied in accordance with the attached Order.

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 Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Dr. & Mrs. Simon Calle
17 Pebble Lane, Timonium, Md. 21093

George T. Canaras, Esquire
1700 Charmuth Road, Lutherville, Md. 21093

People's Counsel

File

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

PETITION FOR VARIANCE
S/S Pebble Lane, 750' SE C/L : OF BALTIMORE COUNTY
Cinder Road (16 Pebble Lane)
8th District :

FREDERICK WEINSTEIN, et ux, : Case No. 89-107-XA
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of September, 1988, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Frederick Weinstein, 16 Pebble Lane, Timonium, MD 21093, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING
Date 12/27/88
By J. Robert Haines

PETITION FOR ZONING VARIANCE Item 487
89-107-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11B02.3.B.1.504. (V.B.3.6.1) To permit an addition with rear yard setback of 17 in lieu of the required 30 ft. (tract boundary) and to amend the 3rd Amended Final Development Plan at "Roc Valley", Lot 8 to allow construction of addition outside of the building envelope.

MAP NE12A
BC
BK
DATE 5/16/88
200 BT
1000 BF
DP

Insufficient living area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
Signature

Address: _____
City and State: _____

Legal Owner(s):
Frederick Weinstein
(Type or Print Name)
Signature: _____
Lois Weinstein
(Type or Print Name)
Signature: _____
City and State: _____

Attorney for Petitioner:
16 Pebble Lane 561-5598
Address Phone No.
Timonium, Maryland 21093
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Lois Weinstein
Name
16 Pebble Lane 561-5598
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of October, 1988, at 10 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING
Date By [Signature]

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026180

DATE 1-27-89 ACCOUNT 061-206-6100

AMOUNT \$ 115.00

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 0674

DATE 10/1/88 ACCOUNT 061-115-000

AMOUNT \$ 200.00

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 09097

DATE 10/4/88 ACCOUNT 061-115-000

AMOUNT \$ 130.30

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CASHIER

#487

ZONING DESCRIPTION

BEGINNING ON THE SOUTH SIDE OF PEBBLE LANE 100 FT. WIDE AT END OF PEBBLE LANE CUL-DE-SAC ± 750.5 FEET SOUTH EAST OF CENTER LINE OF CINDER ROAD. ENTRANCE ON PEBBLE LANE 145 FEET OPPOSITE AND WEST OF CENTERLINE OF SUBURBAN GREEN DRIVE. LOCATED AT END (CUL-DE-SAC) OF PEBBLE LANE KNOWN AS LOT #8 IN THE SUBDIVISION OF "ROC VALLEY" AS RECORDED IN BALTIMORE COUNTY IN EHK JR 49 FOLIO 88 (AKA #16 PEBBLE LANE)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Date: 9/15/88

Mr. & Mrs. Frederick Weinstein
16 Pebble Lane
Timonium, Maryland 21093

Re: Petition for Special Exception and Zoning Variance
CASE NUMBER: 89-107-XA
5/3 Pebble Lane, 750' SE c/l Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic
Petitioner(s): Frederick Weinstein, et ux
HEARING SCHEDULED: TUESDAY, OCTOBER 4, 1988 at 10:00 a.m.

Dear Mr. & Mrs. Weinstein:

Please be advised that \$13.30 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,
J. Robert Haines
Zoning Commissioner of Baltimore County

JRH:gs
cc: File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-107-XA

District: 8th Date of Posting: 9/19/88

Posted for: Notices & Special Exception

Petitioner: Frederick Weinstein, et ux

Location of property: 5/3 Pebble Lane, 750' SE Cinder Road, 16 Pebble Lane

Location of Sign: Facing Pebble Lane approx 15' from SW corner property of P.H. Weinstein

Remarks: [Signature]

Posted by: [Signature] Date of return: 9/19/88

Number of Signs: 7

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept 12, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Sept 7, 1988.

THE JEFFERSONIAN,
S. Zeke Johnson
Publisher

MICROFILMED

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Date: August 16, 1988

Mr. & Mrs. Frederick Weinstein
16 Pebble Lane
Timonium, Maryland 21093

Re: Petition for Special Exception and Zoning Variance
CASE NUMBER: 89-107-XA
5/3 Pebble Lane, 750' SE c/l Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic
Petitioner(s): Frederick Weinstein, et ux
HEARING SCHEDULED: TUESDAY, OCTOBER 4, 1988 at 10:00 a.m.

Dear Mr. & Mrs. Weinstein:

Please be advised that \$13.30 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,
J. Robert Haines
Zoning Commissioner of Baltimore County

JRH:gs
cc: Frederick Weinstein, et ux
File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-107-XA

District: 8th Date of Posting: 9/21/88

Posted for: [Signature]

Petitioner: Frederick Weinstein, et ux

Location of property: 5/3 Pebble Lane, 750' SE Cinder Road, 16 Pebble Lane

Location of Sign: Facing Pebble Lane approx 15' from SW corner property of P.H. Weinstein

Remarks: [Signature]

Posted by: [Signature] Date of return: 9/21/88

Number of Signs: 7

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 20th day of July, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Frederick Weinstein, et ux Received by: James F. Dyer
Chairman, Zoning Plans Advisory Committee

MICROFILMED

County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 460-3100 887-3180

HEARING ROOM - Room 301, County Office Building

March 22, 1989

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-107-XA

FREDERICK WEINSTEIN, ET UX
5/3 Pebble Lane, 750' SE of the c/l of Cinder Road (16 Pebble Lane)

8th Election District
4th Councilmanic District

SE - To permit a professional office in a private residence

VAR - To permit a rear yard setback of 17 ft. in lieu of the required 30 ft. for proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Roc Valley", Lot 8, to permit construction of the proposed addition outside the building envelope.

12/27/88 - Z.C.'s Order - DENYING Petition for Variance GRANTING Petition for Special Exception

ASSIGNED FOR: WEDNESDAY, JUNE 28, 1989 at 1:00 p.m.

cc: Mr. and Mrs. Frederick Weinstein Petitioners
Robert W. Cannon, Esquire Counsel for Petitioners
George T. Canaras, Esquire Counsel for Appellants/Protestants
Mr. Randy Hoffer
Mr. H. Robert Spazzano
Ms. Ann Arroyo
Mr. Robert Paulino
Dr. & Mrs. Simon Calle
Mr. William S. Harbstreit
People's-Council-of-Baltimore-County out per Shirley 4/27/89
Pat Keller
J. Robert Haines
Ann Kastarcowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablor, County Attorney Office of Law

Linda Lee M. Kusznau
Legal Secretary

MICROFILMED

County Board of Appeals of Baltimore County
 COUNTY OFFICE BUILDING
 111 W. CHESAPEAKE AVENUE
 TOWSON, MARYLAND 21204
 (301) 887-3180

HEARING ROOM -
 Room 301, County Office Building
 March 22, 1989
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

RECEIVED
 89 APR 27 10 16 AM '89

ASSIGNED FOR: WEDNESDAY, JUNE 28, 1989 at 1:00 p.m.

cc: Mr. and Mrs. Frederick Weinstein Petitioners
 Robert W. Cannon, Esquire Counsel for Petitioners
 George T. Canaras, Esquire Counsel for Appellants/Protestants
 Mr. Randy Hoffer
 Mr. H. Robert Spazzano
 Mrs. Ann Arroyo
 Mr. Robert Paulino
 Dr. & Mrs. Simon Calle
 Dr. William S. Hartstreet
 People's Council of Baltimore County
 P. David Fields
 Pat Keller
 J. Robert Haines
 Ann Nastarowicz
 James E. Dyer
 Docket Clerk - Zoning
 Arnold Jablon, County Attorney

FREDERICK WEINSTEIN, ET UX
 S/S Pebble Lane, 750' SE of the c/l of Cinder Road (16 Pebble Lane)
 8th Election District
 4th Councilmanic District
 SE - To permit a professional office in a private residence
 VAR - To permit a rear yard setback of 17 ft. in lieu of the required 30 ft. for proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Rock Valley", Lot 8, to permit construction of the proposed addition outside the building envelope.

12/27/88 - Z.C.'s Order - DENYING Petition for Variance GRANTING Petition for Special Exception

Linda Lee M. Kuzmaul
 Legal Secretary

Handwritten notes: "Detail of what was should be completed. The Z.C. discussed the setback. If the setback is not approved, they may have to appeal with the Board of Appeals. I should be done in the meantime." "Approved" "7/2/89"

Office of Law

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
 September 28, 1988

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

Mr. & Mrs. Frederick Weinstein
 16 Pebble Lane
 Timonium, Maryland 21093

RE: Item No. 487 - Case No. 89-107-XA
 Petitioner: Frederick Weinstein, et ux
 Petition for Special Exception and Zoning Variance

MEMBERS
 Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Dear Mr. & Mrs. Weinstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
 James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:dt

MICROFILMED

Baltimore County
 Fire Department
 Towson, Maryland 21204-2586
 494-4500

Paul H. Reinecke
 Chief

July 26, 1988

J. Robert Haines
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, MD 21204

RE: Property Owner: Frederick Weinstein, et ux
 Location: S/S Pebble La., 750' SE of c/l of Cinder Road
 Item No.: 487
 Zoning Agenda: Meeting of 7/19/88
 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: [Signature] July 21, 1988 Noted and Approved: [Signature] July 21, 1988
 Planning/Code Inspection Division Fire Prevention Bureau

7/31

MICROFILMED

Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 405
 Towson, Maryland 21204
 494-3334

Dennis F. Rasmussen
 County Executive

August 5, 1988

Mr. J. Robert Haines
 Zoning Commissioner
 County Office Building
 Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number 475, 476, 482, (487) 1, 2, 3, 4, 7, 8, 9 and 10.

Very truly yours,
 Stephen E. Weber, P.E.
 Assistant Traffic Engineer

SEM/RP/lab

MICROFILMED

RECEIVED
 AUG 15 1988
 ZONING OFFICE

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3333

J. Robert Haines
 Zoning Commissioner

October 7, 1988

Robert W. Cannon, Esquire
 Weinberg and Green
 100 S. Charles Street
 Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
 S/S Pebble Lane, 750' SE of the c/l of Cinder Road
 (16 Pebble Lane)
 8th Election District - 4th Councilmanic District
 Frederick Weinstein, et ux - Petitioners
 Case No. 89-107-XA

Dear Mr. Cannon:

Enclosed are copies of the following correspondence received regarding the above-captioned matter:

1) Letter dated October 6, 1988 from Dr. & Mrs. Simon Calle;

2) Letter dated October 6, 1988 from Residents of Pebble Lane.

If you have any comments on the contents, please respond in writing within fifteen (15) days of the date of this letter.

Very truly yours,
 ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjs

cc: Dr. & Mrs. Simon Calle
 17 Pebble Lane, Timonium, Md. 21093
 George T. Canaras, Esquire
 1700 Charmuth Road, Lutherville, Md. 21093
 Case File

MICROFILMED

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

J. Robert Haines
 Zoning Commissioner

TO: Pat Keller, Deputy Director
 Office of Planning and Zoning

FROM: Frederick Weinstein
 Zoning Petition No. 89-107-XA

Date: September 27, 1988

The applicant is requesting a special exception to allow a professional office in conjunction with a primary residence. Concurrently, the applicant is requesting variances to allow for the proposed expansion. In response to this request, staff provides the following information:

- Sec. 1801.1, C.9B enables professional offices with a special exception. It is the applicant's stated intent to expand the present single-family dwelling to address the problem of "insufficient living area." It is also the applicant's stated intent to provide for an office use subject to the regulations outlined for professional offices in DR zones. The two requests appear to be in apparent conflict with the need for more living space being taken up by a proposed office.
- The proposed addition, due to its location (separated from main dwelling by garage) appears to function as a two-story office addition rather than as expanded living quarters.
- The impacts of a professional office use at this location raises several concerns. The existing driveway is presently located almost upon the property line. Additional traffic and parking will exacerbate the impacts of this proximity and inadequate space exists for plantings or fencing. The proposed addition will encroach in a required setback on a site that is already constrained by the existing building and driveway.

Based upon the analysis conducted and information provided, staff does not recommend approval of this request.

PK/sf

RECEIVED
 SEP 30 1988
 ZONING OFFICE

0291-06/19/89
 ARQ15

Petitions for Zoning Variance and Special Exception
 S/S Pebble Lane, 750' SE of the c/l of Cinder Road (16 Pebble Lane)
 8th Election District
 4th Councilmanic District

Petitioners: Frederick and Lois Weinstein

BEFORE THE
 COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY

CASE NUMBER: 89-107-XA

SUBPOENA

To: Michael S. Flanigan
 Bureau of Traffic Engineering
 Department of Public Works
 County Courts Building, Suite 405
 401 Bosley Avenue
 Towson, Maryland 21204

You are hereby commanded personally to appear before the County Board of Appeals of Baltimore County, at Room 301 in the County Office Building, located at 111 West Chesapeake Avenue, in Towson, Maryland 21204, on Wednesday, June 28, 1989, at 1:00 p.m., to testify for the Petitioners in the above-entitled case, there and then pending before the County Board of Appeals of Baltimore County, this Subpoena to remain in effect until you are granted leave to depart by the Chairman of the County Board of Appeals, or by someone acting or his behalf.

Issued by the Hon. William T. Hackett, Chairman of the County Board of Appeals of Baltimore County, this 27th day of June, 1989.

William T. Hackett
 Chairman of the County Board of Appeals of Baltimore County

TO THE CHAIRMAN OF THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

I hereby certify that I served the foregoing Subpoena on Michael S. Flanigan this ___ day of June, 1989.

16 JUN 20 AM 10:31
 RECEIVED
 COUNTY BOARD OF APPEALS

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3333

J. Robert Haines
 Zoning Commissioner

Dennis F. Rasmussen
 County Executive

June 15, 1989

Dr. & Mrs. Eric W. Donoho
 14 Pebble Lane
 Timonium, Maryland 21093

RE: Petition for Special Exception
 S/S Pebble Lane, 750' SE of the c/l of Cinder Road
 (16 Pebble Lane)
 8th Election District - 4th Councilmanic District
 Frederick Weinstein, et ux - Petitioners
 Case No. 89-107-XA

Dear Dr. & Mrs. Donoho:

In response to your letter dated June 13, 1989 regarding the above-captioned matter, please be advised that an appeal of the decision rendered by the Zoning Commissioner's Office was taken to the County Board of Appeals and a hearing has been scheduled for June 28, 1989 in Room 301 of the County Office Building. It is suggested that you attend the hearing to express your concerns at that time.

If you have any further questions on the subject, please contact the Board at 887-3180.

Very truly yours,
 ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 for Baltimore County

AMN:bjs

RECEIVED APPEALS
 COUNTY BOARD OF APPEALS
 89 JUN 15 11 21 AM '89

MICROFILMED

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333
J. Robert Haines
Zoning Commissioner

February 10, 1989



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception
S/S Pebble Lane, 750' SE of the c/1 of Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic District
FREDERICK WEINSTEIN, et ux - Petitioners
Case No. 89-107-XA

Dear Board:

Please be advised that an appeal of the Special Exception
decision only in the above-referenced case was filed in this office
on January 24, 1989 by George T. Canaras, Attorney for Protestants.
All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the
appeal hearing when it has been scheduled. If you have any questions
concerning this matter, please do not hesitate to contact this office.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. & Mrs. Frederick Weinstein, 16 Pebble Lane, Timonium, Md. 21093
Mr. Robert Cannon, 100 South Charles Street, Baltimore, Md. 21201
Mr. Randy Hoffer, 7414 Lesada Drive, Baltimore, Md. 21207
Mr. H. Robert Spazzano, 2 Offutt Court, Woodstock, Md. 21163

Appeal - Case No. 89-107-XA
Frederick Weinstein, et ux - Petitioners
February 8, 1989
Page 2

Ms. Ann Arroyo, 111 W. Hill Street, Baltimore, Md. 21230
Robert Paulino, 1995 St. James Road, Marriottsville, Md. 21104
George T. Canaras, 1700 Charmuth Road, Lutherville, Md. 21093
Dr. & Mrs. Simon Calle, 17 Pebble Lane, Timonium, Md. 21093
Mr. William S. Harbstreet, 5 Pebble Lane, Timonium, Md. 21093
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204
File

RECEIVED

APPEAL
Petition for Special Exception
S/S Pebble Lane, 750' SE of the c/1 of Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic District
Frederick Weinstein, et ux - Petitioner
Case No. 89-107-XA

Petition for Special Exception ✓
Description of Property ✓
Certificate of Posting ✓
Certificate of Publication ✓
Entry of Appearance of People's Counsel ✓
Zoning Plans Advisory Committee Comments ✓
Director of Planning & Zoning Comments ✓
Petitioner's Exhibits: 1. Plat to accompany Petition ✓
2. Letter of support from neighbors ✓
Zoning Commissioner's Order dated December 27, 1988 (Special Exception) ✓
Granted with Restrictions)
Notice of Appeal received January 24, 1989 from George T. Canaras, ✓
Attorney on behalf of the Protestants

cc: Mr. & Mrs. Frederick Weinstein, 16 Pebble Lane, Timonium, Md. 21093
Mr. Robert Cannon, 100 South Charles Street, Baltimore, Md. 21201 (Counsel)
Mr. Randy Hoffer, 7414 Lesada Drive, Baltimore, Md. 21207
Mr. H. Robert Spazzano, 2 Offutt Court, Woodstock, Md. 21163
Ms. Ann Arroyo, 111 W. Hill Street, Baltimore, Md. 21230
Mr. Robert Paulino, 1995 St. James Road, Marriottsville, Md. 21104
*Mr. George T. Canaras, 1700 Charmuth Road, Lutherville, Md. 21093 (Counsel)
Dr. & Mrs. Simon Calle, 17 Pebble Lane, Timonium, Md. 21093
Mr. William S. Harbstreet, 5 Pebble Lane, Timonium, Md. 21093
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204
Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Docket Clerk

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

BALTIMORE: (301) 332-8800
WASHINGTON AREA: 470-7400

TELECOPIERS
(301) 332-8882
(301) 332-8883

WRITER'S DIRECT DIAL NUMBER

October 20, 1988

(301) 332-8816

10480 LITTLE PATUXENT PARKWAY
SUITE 850
COLUMBIA, MARYLAND 21044-3308

TELECOPIERS
(301) 740-8500
(301) 740-8500

FILE NUMBER

30839.1

HAND DELIVER

The Honorable Ann M. Nastarowicz
Deputy Zoning Commissioner for
Baltimore County
Office of Planning & Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Zoning Variance
S/S Pebble Lane, 750' SE of the c/1 of Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic District
Frederick Weinstein, et ux - Petitioners
Case No. 89-107-XA

Dear Commissioner Nastarowicz:

Our clients, the Petitioners in the referenced matter,
have been out of town and I have been unable to review the letters
which you transmitted to me with your letter dated October 7,
1988. As a result, I will not be able to respond in writing
within the fifteen days outlined in your letter. I respectfully
request a one week extension of time in order to consult with our
clients and to respond.

Thank you for your consideration of this request.

Sincerely yours,

Robert W. Cannon
Robert W. Cannon

081/pg

MICROFILMED

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

BALTIMORE: (301) 332-8800
WASHINGTON AREA: 470-7400

TELECOPIERS
(301) 332-8882
(301) 332-8883

WRITER'S DIRECT DIAL NUMBER

October 28, 1988

(301) 332-8816

10480 LITTLE PATUXENT PARKWAY
SUITE 850
COLUMBIA, MARYLAND 21044-3308

TELECOPIERS
(301) 740-8500
(301) 740-8500

FILE NUMBER

30889.1

The Honorable Ann M. Nastarowicz
Deputy Zoning Commissioner for
Baltimore County
Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Petition for Special Exception and Zoning Variance
S/S Pebble Lane, 750' SE of the c/1 of Cinder Road
(16 Pebble Lane)
8th Election District - 4th Councilmanic District
Frederick Weinstein, et ux - Petitioners
Case No. 89-107-XA

Dear Commissioner Nastarowicz:

Thank you for extending the time to respond to the
materials forwarded to me with your earlier letter. Under
separate cover, Dr. Lois M. Conn Weinstein, the petitioner, is
corresponding directly to you in order to respond.

Please let me know if you have any questions.

Sincerely yours,

Robert W. Cannon
Robert W. Cannon

081/AJF04/gef

cc: Dr. Lois M. Conn Weinstein

RECEIVED
OCT 31 1988
ZONING OFFICE

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

10480 LITTLE PATUXENT PARKWAY
SUITE 850
COLUMBIA, MARYLAND 21044-3308

TELECOPIERS
(301) 740-8500
(301) 740-8500

WRITER'S DIRECT DIAL NUMBER

(301) 332-8816

March 15, 1989

The Honorable William T. Hackett
Chairman, Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

Re: Case No. 89-107-XA

Dear Chairman Hackett:

On behalf of the petitioners, I respectfully request that
this matter be set in for an early hearing before the Board of
Appeals. An appeal was taken from the Order of the Deputy Zoning
Commissioner granting the special exception to permit a
professional office in a private residence. I believe that the
matter will not require more than half of one day.

Your assistance in scheduling this matter for a early
hearing would be appreciated.

Very truly yours,

Robert W. Cannon
Robert W. Cannon

081/djm

cc: George T. Canaras, Esquire
People's Counsel, Baltimore County
Dr. Lois Conn Weinstein

RECEIVED
MAY 20 11:12-17
COUNTY BOARD OF APPEALS

WEINBERG AND GREEN
ATTORNEYS AT LAW
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2773

10480 LITTLE PATUXENT PARKWAY
SUITE 850
COLUMBIA, MARYLAND 21044-3308

TELECOPIERS
(301) 332-8882
(301) 332-8883

WRITER'S DIRECT DIAL NUMBER

(301) 332-8816

June 19, 1989

BY HAND DELIVERY

Hon. William T. Hackett,
Chairman
County Board of Appeals of
Baltimore County
County Office Building, Suite 315
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Petition for
Zoning Variance filed by Frederick and Lois Weinstein

Case Number: 89-107-XA
S/S Pebble Lane, 750' SE of the c/1 of Cinder Road
(16 Pebble Lane)

Dear Chairman Hackett:

Please issue a Subpoena for the following designated
witness:

Michael S. Flanigan
Bureau of Traffic Engineering
Department of Public Works
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

and make the same returnable to the Chairman of the County Board
of Appeals of Baltimore County, the witness to appear before the
County Board of Appeals of Baltimore County, Room 301, County

RECEIVED
JUN 20 11:10-31
COUNTY BOARD OF APPEALS

WEINBERG AND GREEN

Hon. William T. Hackett
June 19, 1989
Page 2

Office Building, 111 West Chesapeake Avenue, Towson, Maryland
21204, at 1:00 p.m. on Wednesday, June 28, 1989, to testify for
the Petitioners at the public hearing there and then scheduled in
the above-entitled case.

Respectfully yours,

Robert W. Cannon
Robert W. Cannon
Attorney for Petitioners
Frederick and Lois Weinstein

0291/abw

ROCKLIN AND ROCKLIN

ATTORNEYS AT LAW
804 EQUITABLE TOWSON BUILDING
CORNER WASHINGTON AND CHESAPEAKE AVENUES
TOWSON, MARYLAND 21204

J. PAUL ROCKLIN
1907-1977
TELEPHONE
AREA CODE 301
298-4440

June 13, 1989

County Board of Appeals of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 89-107-XA
FREDERICK WEINSTEIN, ET UX
S/S Pebble Lane, 750' SE
of the c/l of Cinder Road
(16 Pebble Lane)
8th Election District
4th Councilmanic District

Gentlemen:
It is at the request of the Board of Directors of Deer Fox Association, Inc., which is the homeowners association Board representing the owners of the 65 units contiguous to the Weinstein property, that I am writing this letter, and will represent them in this matter.

The Board of Directors of Deer Fox Association, Inc. met and resolved to vehemently oppose the Petition for Variance and the Petition for Special Exception relative to the above entitled matter.

Very truly yours,

ROCKLIN & ROCKLIN

By: *William Rocklin*

cc: Robert W. Cannon, Esq.
100 South Charles Street 21201
George T. Canaras, Esq.
1700 Charwath Road 21093
Phyllis Friedman, Esq.
People's Counsel of Baltimore County
111 W. Chesapeake Avenue 21204

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OCT 6 1989
ZONING OFFICE

MICROFILMED

George T. Canaras
ATTORNEY AT LAW
1700 CHARWATH ROAD
LUTHERVILLE, MARYLAND 21093
298-2428

January 24, 1989

Office of the Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception
Weinstein, et ux
Case No. 89-107-XA

Dear Sirs:

Please enter an appeal from the Order dated December 27, 1988 which granted a Special Exception permitting a professional office in a private residence. Enclosed find a check in the amount of \$115.00 covering the costs of filing the above appeal. A copy of this letter will be forwarded to the County Board of Appeals, Room 315, County Office Building.

Should anything further be required, please let me know.

Sincerely yours,
George T. Canaras

cc: County Board of Appeals

By Hand

RECEIVED
1-24-89 (w.o.k.)
ZONING OFFICE

MICROFILMED

14 Pebble Lane
Timonium, MD 21093
June 13, 1989

RECEIVED
JUN 14 1989
ZONING OFFICE

Mrs. Ann Nastarowicz
Deputy Zoning Commissioner
Baltimore County Zoning Office
Towson, MD 21204

RE: Petition for Special Exception
Case No. 89-107-XA
Frederick Weinstein, et ux - Petitioners

Dear Mrs. Nastarowicz:

Having moved to 14 Pebble Lane on April 25, 1989, and acquiring some background information on the previous petition, we would like to submit to you our concerns about the special exception permitting a professional office in a private residence, which happens to be adjacent to our property.

With three children (ages 11, 9 and 7), one of our reasons for selecting this house was particularly, the neighborhood. It is a quiet court with well-maintained and attractive housing recently built.

The idea of any type of office on this secluded street, we find extremely unappealing. The treatment of psychiatric patients concerns us, even though Dr. Weinstein has said her patients "would not present danger to the community." How can we be totally assured that patients would not represent any threat in any way to ourselves or, more importantly, our children? We can not. It only takes one patient under duress, anxious about a session, disturbed or troubled by a situation to be discussed, to come into or go out of the court or driveway, not fully conscious of children around to cause an accident. And it doesn't matter if they are "young professionals" or old blue collar workers being upset or under stressing situations.

Patient treatment increases traffic flow into and out of the court area, causing concern for our children's safety as they walk, ride and otherwise play in what is considered a dead-end street.

One part-time non-professional person may be employed to assist Dr. Weinstein. Add to that extra vehicle, one caretaker for the daughter of Dr. Weinstein, plus one patient and this court may be used by three extra vehicles each day during the daytime hours. This additional vehicle parking on the court may obstruct residential occupants in normal entering and exiting driveways, since space between driveways is minimal. Utilization of the driveway for additional parking, causes concern also. We were told that our property line extends to the edge of the Weinsteins' driveway, and we do, in fact, maintain that area. If this is the case, then we are interested in the traffic entering and exiting which may, inadvertently, drive onto the grass from the driveway. It appears as though this has happened in the past, and we would be apprehensive about the creation of permanent grooves to this grassy area.

For the reasons cited above, hoping to keep our residential neighborhood solely residential, we would like to add our objection to this petition.

Sincerely,
Karen A. Donoho
Mrs. Karen A. Donoho

Sincerely,
Eric W. Donoho
Dr. Eric W. Donoho

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RECEIVED
OCT 6 1989
ZONING OFFICE

Mrs. Ann Nastarowicz
Deputy Zoning Commissioner
Baltimore County Zoning Office
Baltimore, Maryland 21204
Ref. Case No. 89 107 X A (10/4/88 hq)
Fred Weinstein and wife
16 Pebble Lane
Timonium, MD 21093

Reference is made to Case No. 89 107 X A concerning construction of a professional office and additional rooms of Fred Weinstein and wife of which hearing was held 10:00 an October 4, 1988.

When the Weinsteins visited our home recently and expressed their desire to expand their home all the facts apparently were not brought out to us and we did not know Mrs. Weinstein was a psychiatrist and would be using the room for her practice.

We feel this type of professional office on our street would limit the number of buyers available for resales of real estate on our street. Also we feel it would depreciate the value of our homes.

This street has large homes on small lots and we would oppose any construction beyond the envelope size for homes on the lots. We do not think it would cause a hardship on the Weinsteins if they were not able to expand as this is a new home of which they have owned just a few months and if it would impose a hardship it seems they should have purchased a larger home.

We also feel that after the last 3 homes are built it would create a traffic problem for parking if at a minimum a street about 700 feet long and 24 feet wide to have cars parked on both sides of the street, would be difficult for emergency vehicles to travel over.

Without an improvement association the neighbors consider me as spokesman for the street and I am preparing this letter for them and their signature appears below. We want to revoke all permission granted prior to this letter and oppose Special Exception and Variance requested. We all thank you for the consideration of including this letter in the files of this case. Also, please furnish each neighbor with a copy of the order when decision is made to this request.

Sincerely,
William J. Harbitt 5 Pebble Lane Timonium Md 21093
Laurence Romanini 2 Pebble Lane Timonium, MD 21093
Mrs. Mrs. Jeanette 6 Pebble Lane Timonium, MD 21093
Mr. & Mrs. William J. Holt 8 Pebble Lane Timonium, MD 21093
Amber A. Walker 10 Pebble Lane Timonium, MD 21093
Mr. & Mrs. B. E. Ewing 12 Pebble Lane Timonium, MD 21093
Mrs. & Mr. Robert Walters 7 Pebble Lane Timonium, MD 21093

MICROFILMED

October 6, 1988

Mrs. Ann Nastarowicz
Deputy Zoning Commissioner
Baltimore County Zoning Office
Baltimore, MD 21093

RE: Case No. 89 107 X A
Dr. and Mrs. Fred Weinstein
16 Pebble Lane
Timonium, MD 21093

Dear Madam Commissioner:

As you know, my wife and I attended the hearing that you conducted on October 4, 1988 at 10:00 AM, on the above referred case.

At the hearing, we expressed some of our concerns, but unfortunately not all of them. The reasons for this shortcoming were that this is the first time we have to face this kind of situation as homeowners, and the first time that we went to a hearing of this kind. Secondly, the fact that it is only now and after a great deal of thought that we have come to realize the full range of implications of the Weinstein's request, if it is approved and implemented.

The purpose of this letter is to express to you, in as brief and clear a manner as we can, our feelings about this matter:

1. When I signed (my wife did not) the letter giving the Weinstein's my approval for the project, I was not given all of the facts as presented to you in court. Originally I was told that all they wanted to build was one room on top of the garage and within the present envelope; and subsequently that it was a very small addition including an office for Dr. Weinstein to see an occasional patient, in her practice of Psychology. It was only in court when the case was presented that we became aware of the magnitude of the project and its implications.

2. We do not have any objections if the Weinstein's wish to expand their house within the boundaries of the envelope. We do have objections to them exceeding such boundaries for two reasons: a) The area becomes more crowded than what it already is, and b) The expansion they have in mind will take away some of the privacy we have. We like the situation as it is at present, and this is one of the reasons why we purchased the house where we live now. A change in envelope in the house next to ours will be to our disadvantage.

Mrs. Ann Nastarowicz
October 6, 1988
Page Two

3. We feel that the establishment of a psychiatric office in a strictly residential area will change the character of our neighborhood significantly and adversely. We anticipate that the market potential of our house and the market price will be reduced if the change requested takes place.

4. The new construction will aggravate some water drainage problems that we already have. In addition, it will bring some parking problems especially to us who are located next to the Weinsteins'.

5. The Weinstein's purchased their present home approximately one year ago or less. We wonder now, if the house was too small for their present and planned family needs, why did they buy the house? And if Dr. Weinstein wished the convenience of having a professional office in her home, why did they not select an area where this was already allowed, rather than disturbing a small and strictly residential neighborhood.

6. If the change requested by the Weinstein's is approved and goes into effect, the only beneficiaries of such a project are the Weinstein's themselves, and not our community. We do not think it is fair in a case such as this for one family to benefit at the expense of the remaining families.

For the above reasons, we wish to oppose the expansion requested by the Weinstein's and I wish to withdraw my original approval.

We apologize for the lengthy nature of this letter and for not having brought these issues to your attention at the hearing. Thank you kindly for your consideration of this letter.

Sincerely,

Simon Calle, M.D.
Simon Calle, M.D.

Cecilia M. Calle
Cecilia M. Calle

Owners & Residents
17 Pebble Lane
Timonium, MD 21093

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16 Pebble Lane
Timonium, Maryland
October 27, 1988

Deputy Zoning Commissioner Nastarowicz
Office of the Zoning Commissioner
1st Floor
County Office Building
Towson, Maryland 21204

RE: Case no. 89 107 XA

Dear Deputy Zoning Commissioner Nastarowicz:

This letter is in response to the two letters recently submitted to you by our neighbors regarding our request for a variance and special exception. We were surprised by the letters since we had discussed our plans with our neighbors this past summer and they had had no objections. What has happened is that Mr. Canaras, the attorney who opposed us at our hearing, brought up issues at the hearing which were extreme distortions of our plans, and some of our neighbors are now frightened that these distortions might be accurate. We spoke with our neighbors last summer because we wanted them to be fully informed and we object to Mr. Canaras' implications that we were trying to hide something.

From the beginning, there has been no change in the scope of our proposed project, and what the neighbors were told was exactly what was planned. We want to build a modest, 15-foot addition, extending into our own backyard, to be used as bedroom space and as a study/office for part-time counseling. I am a psychiatrist who counsels people regarding stress management, phobias such as fear of flying, career decisions, and other areas of concern in their lives. The people I see are ordinary, responsible individuals who are for the most part young professionals. I see no one who could be considered "crazy" by any stretch of the imagination. Mr. Canaras' suggestion that one of these individuals might become violent or disruptive is patently absurd.

The counseling I do amounts to no more than having a guest to our home to talk. My work is limited, quiet, and would have no discernible impact on the neighborhood. I post no signs and do not advertise. I do not have and will never have any office employees or associates. I have no equipment--the "office" would be a small sitting room. I see only one person per hour, during the daytime only; I have no weekend or evening hours. As you can see, this "practice" does not amount to very much. In fact, if you didn't know I was working, you wouldn't know! I cannot imagine that this would have any effect on resale values in the

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neighborhood since no one would even know I was there.

Mr. Canaras (and now some of the neighbors due to his alarming them) raised the objection that Pebble Lane is comprised of "large houses on small lots." Our proposed addition is only 15 feet and extends toward the trees growing in our own back yard. It would not bring our home any closer to our neighbors on either side, since the addition is the same width as the existing garage. The addition would in no way encroach on our neighbors' privacy, which is clearly shown on the surveyor's map. At the hearing, you indicated that you were going to look at the site yourself and I am sure you will see how unobtrusive a project the addition really is. Mr. Canaras' objection perplexes us since the only house where the expression "large house on a small lot" really applies is the one built by Mr. Canaras at 12 Pebble Lane. We find it curious that he would make such a fuss over our 15 feet when he built a very large house tightly sandwiched between its neighbors.

The intended use of the study/office would cause no problems with parking. The Pebble Lane cul-de-sac balloons into a large area at the end, where we live, and there are two parking spaces on the street directly in front of our own property, plenty to accommodate the one car of the person I would be seeing. One car per hour coming to our home obviously does not create a traffic problem.

Mr. Canaras also raised the specter of water run-off problems which would be allegedly created by the addition, and further alarmed the neighbors. Our builders tell us that the addition would actually improve the run-off situation in the area by catching rain water and diverting it into an underground storm drain.

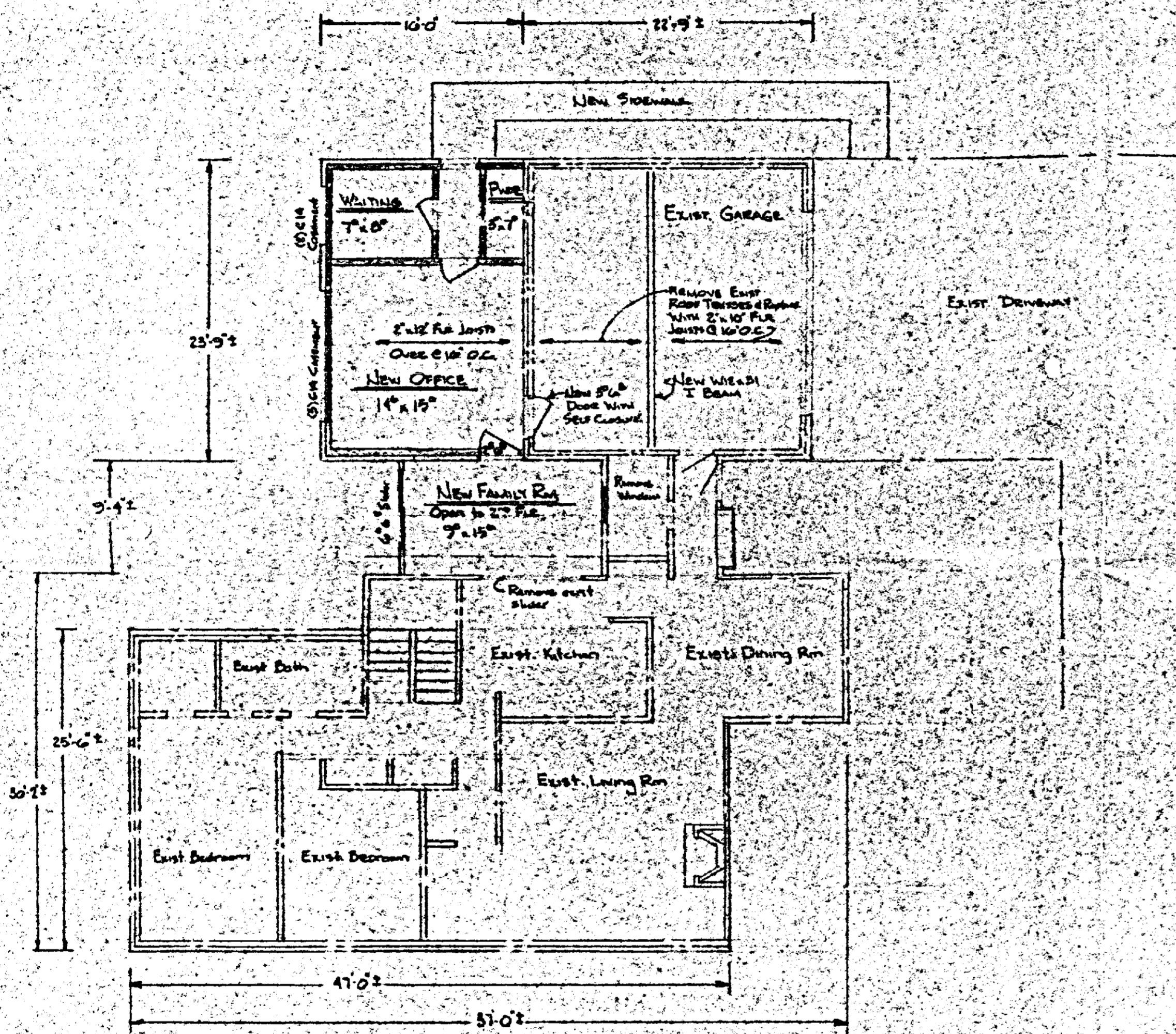
Mr. Canaras has repeatedly asked why we bought this house if we intended to alter it. It seems to us that adding onto a house is a very common thing to do. The covenants in our area specifically state that home offices are not prohibited and so we felt that our neighbors who bought homes in this area would have no objection to such conservative use as that which we are planning. The pertinent portion of the covenants is enclosed.

It is clear to us that Mr. Canaras raised his arguments solely to frighten our neighbors into opposing us, not because the arguments have any validity.

Thank you very much for giving us the opportunity to respond to the issues raised by Mr. Canaras which are now worrying our neighbors.

Sincerely,
Lois and Fred Weinstein
Lois and Fred Weinstein

MICROFILMED

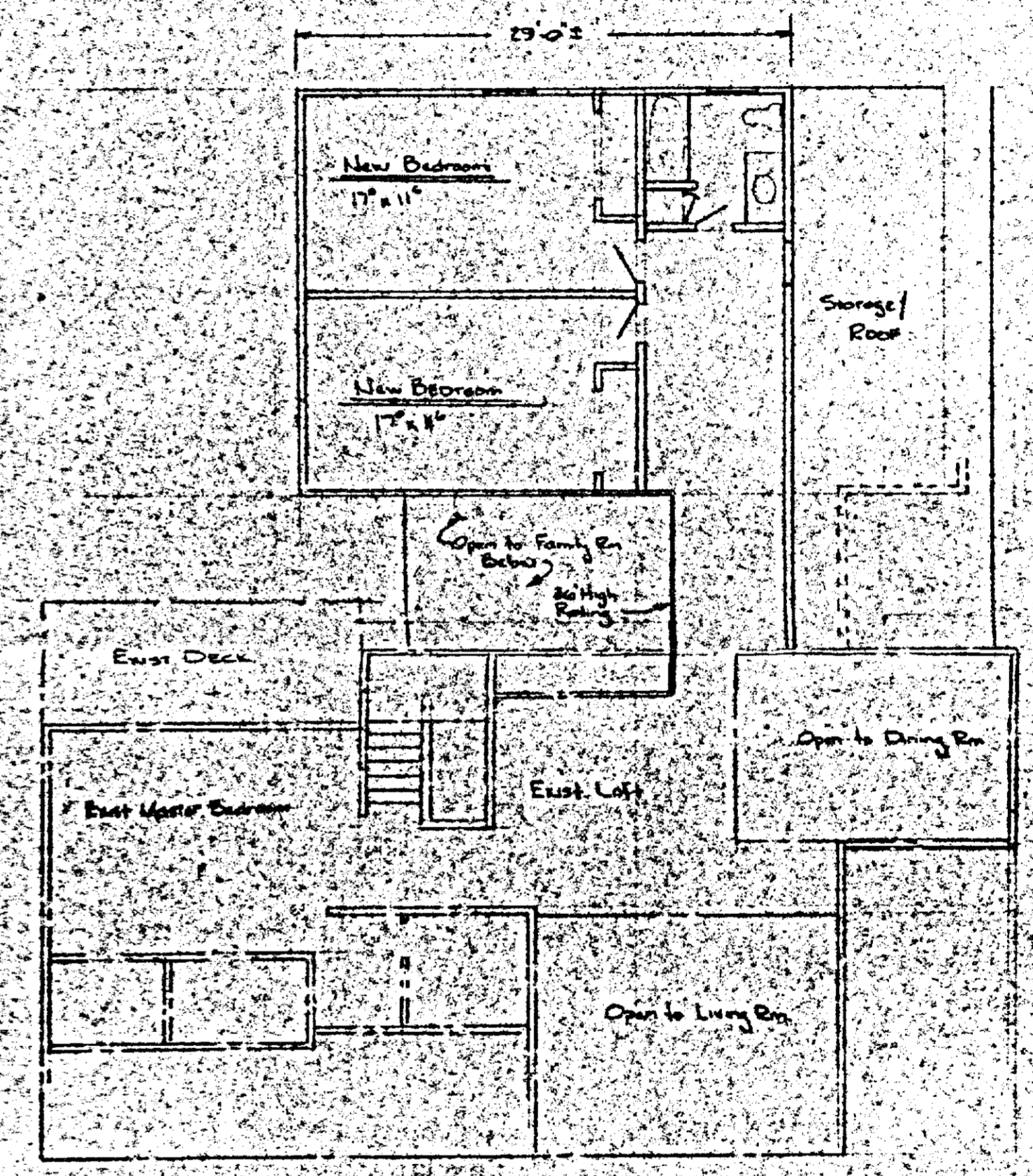


FIRST FLOOR PLAN
 Scale: 1/8" = 1'-0"
 Approx. 524 SQ FT NEW LIVING SPACE

New Office = 380 SQ FT (11% of total sq footage)

EXIST HOME = 2209 SQ FT.
 NEW ADDITION = 1212 SQ FT.
 TOTAL = 3421 SQ FT.

MICROFILMED



SECOND FLOOR PLAN
 Scale: 1/8" = 1'-0"

Approx. 688 SQ FT NEW LIVING SPACE

PRELIMINARY NOT FOR CONSTRUCTION

NOTE: MAS Drafting Services Assumes No Responsibility for Any Damages Including Structural Failures Due To Any Omissions, Mistakes, or Errors in the Design or Blueprints. It is Recommended that Contractor Consults Local Building Codes and Officials Prior To Start of Actual Construction.

MAS DRAFTING SERVICES
 Residential Design & Drafting
 Electrical Design & Drafting
 2522 Landale Road
 Fishersburg, Maryland 21040-1528
 Phone: 301-576-7113
 301-557-1214

PRELIMINARY SKETCHES FOR NEW 2 STORY ADDITION
 New Residence For:
 DE & MRS Frederick G. Wernick
 District 8 - Ros Valley Subdivision
 Lot 8, Section 2 (Dose #49, Folio 88)
 510 Pebble Lane
 Timonium, Md. 21093
 Drawn By: Michael Smith
 Date: 8/6/88

PETTYOWNER'S #3

IN THE MATTER OF THE APPLICATION OF FREDERICK WEINSTEIN, ET UX FOR A SPECIAL EXCEPTION ON PROPERTY LOCATED ON THE SOUTH SIDE OF PEBBLE LANE, 750' SE OF THE C/OF CINDER ROAD (16 PEBBLE LANE) 8TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT

HISTORY
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 89-107-XA

OPINION

This matter comes before the Board as an appeal from the decision of the Deputy Zoning Commissioner granting the property owners' Petition for Special Exception, with restrictions.

The Petitioners, Frederick and Lois Weinstein, request approval to use the subject property as a professional office in a D.R.2 zone, located in the Roc Valley Community of the Fourth Councilmanic District.

Initially, the Petitioners sought approval on appeal for variances to build an extension to their dwelling which had been earlier denied by the Zoning Commissioner. In today's hearing, the only issue is the matter of a Special Exception to provide an office. In opposition to the Petitioners, numerous neighbors of the subject property owners appeared and testified.

On behalf of the Petitioners, Mrs. Lois Weinstein testified as to her desire to resume her practice as a psychiatrist at the subject site. Reviewing her education through medical school and subsequent experience as a psychiatrist, Mrs. Weinstein described the arrangements and manner in which she would conduct her psychiatric service in her private residence.

With a room addition within the envelope of the house, an office would be provided that would be eleven (11%) percent of the total space of the house, well under the maximum allowable. Mrs. Weinstein further reviewed the limits she would impose upon her practice in keeping with her responsibilities as a parent. She discussed the kinds of people she would be granting appointments to visit her residential office. In particular, Mrs. Weinstein ascertained that

Case No. 89-107-XA
Frederick Weinstein, et ux
2.
She would counsel basically rational people at her residence who are functioning under stressful situations, and not people with psychiatric problems. Testimony from a land surveyor and a draftsman engaged by the Weinsteins confirmed that the office use would constitute only 11% of the total 3,421 sq. ft. of the residence.

Mr. Angelo Spazzano, the general contractor, testified that the new addition within the house envelope will actually cause a decrease in water runoff as it will be directed to an underground system.

Mr. Michael Flanagan of the Office of Traffic Engineering stated that he could ascertain no problem with traffic on the cul-de-sac serving the subject site and its neighbors.

Mr. Frederick Klaus, appeared as an expert witness in real estate and stated that the office use was consistent with the intent of the zoning regulations, and saw no violation of Section 502.1 of the Baltimore County Zoning Regulations. He further testified that there would be no negative impact on the real estate values of the area.

Counsel for the Appellants presented several neighboring property owners, all of whom voiced objection to an office use that would diminish the value of property and detract from the appeal of the neighborhood.

Mr. Norman Bocklin, director of the neighboring community of high value homes contiguous with the Pebble Lane residences, voiced his concern regarding covenants against professional offices in his community, and the effect subject site's special exception could bring to the area.

Mrs. Laurie Feeney testified that the recent sale of her home was subject to some delay as prospects expressed objection to the pending office use in the community. Mrs. Feeney stated that her family-built home is under contract for much less than its appraised value, but acknowledged a substantial capital gain.

Case No. 89-107-XA
Frederick Weinstein, et ux
3.

Mrs. Karen Ann Donoho testified to their purchase of the next door property without awareness of the proposed office use by the Petitioner. As with other protestants, Mrs. Donoho voiced fear of the potential danger from psychiatric patients calling at the office, as well as developing traffic congestion as the properties on the cul-de-sac reach full development. Concern was expressed for children playing in this dead-end street.

Mrs. Geraldine Cole of 6 Pebble Lane testified to the recent sale of her property at a reduced price, and as a real estate agent of long experience, said the office use in a relatively secluded area of unique and high priced homes would have a negative affect on the properties. On cross examination, Mrs. Cole, one of the first residents on Pebble Lane, acknowledged her awareness of covenants that allowed for office use in the houses. She further ascertained that as a multi-million dollar real estate agent she has never made use of her home as an office for her business.

Mr. William Harstrotter expressed his initial support until all the facts were revealed about the plan for the Weinstein property. Through his contacts, residents became aware of the initial zoning hearing, and opposition arose. Mr. Harstrotter observed that the width of the street of 24' limits curbside parking, and the absence of sidewalks presents a question of safety.

As the concluding opposing witness, Dr. Simon Calle, next door neighbor, reviewed his concern for the curbside parking planned for Dr. Weinstein's patients. The curvature of the cul-de-sac at the subject property limits parallel parking in the forty feet (40') fronting the subject residence. Sanitation trucks and other large vehicles have a problem maneuvering. Dr. Calle further objects to the presence of a psychiatrist office next door and his paying the price for her luxury.

In the consideration of this Petition for a Special Exception, the Board must assess each of the factors enunciated in Section 502.1 of the BCZC. In

Case No. 89-107-XA
Frederick Weinstein, et ux
4.
this instance, the Board is persuaded that the special exception complies as there was no indication that any of the regulations set forth in 502.1 would substantiate disapproval of this Petition.

Counsel for the Appellant clearly established that a covenant accompanied the properties of Pebble Lane enabling the use of an office with the granting of a special exception. The sale of several properties since this Petition gives support to testimony that real estate values in the area have been maintained, under obvious awareness of the covenant consideration.

The testimony in regards to traffic and parking is not viewed as a factor that would be detrimental to health, safety and general welfare of those residing on this rather secluded street.

The Board also is cognizant of the stipulations made by Mrs. Weinstein in regards to the imposed limits to which she shall adhere in scheduling her appointment each hour, and the care she will take in the selection of patients to her office.

ORDER

For the reasons set forth in the foregoing Opinion, it is therefore this 19th day of July, 1989, by the County Board of Appeals ORDERED that the Petition for Special Exception be and the same is GRANTED with the following restrictions:

- There shall be no signs advertising the use of a portion of the property for a professional office.
- There shall be no more than one part-time non-professional employee at the subject location.
- The office hours shall be limited to between 9:00 a.m. and 4:30 p.m., Monday through Friday. There shall be no office hours at any other time.

Case No. 89-107-XA
Frederick Weinstein, et ux
5.

4. The relief granted herein is limited to Dr. Lois Weinstein only. Any future property owner and/or lesion who seeks to use the special exception granted herein must file for a new public hearing to determine its appropriateness.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William J. Haddock
William J. Haddock, Chairman

Henry E. Buchheit
Henry E. Buchheit, Jr.,

Arnold G. Jablon
Arnold G. Jablon

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21284
(301) 887-3180

July 19, 1989

George T. Canaras, Esquire
1700 Chesapeake Road
Luttrellville, Maryland 21093

Re: Case No. 89-107-XA
Frederick Weinstein, et ux

Dear Mr. Canaras:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject matter.

Sincerely,
Lindalee M. Kuzmaul
Lindalee M. Kuzmaul
Legal Secretary

Enclosure

- cc: Robert W. Cannon, Esquire
Mr. and Mrs. Frederick Weinstein
Mr. Randy Hoffer
Mr. H. Robert Spazzano
Ms. Ann Arroyo
Mr. Robert Paulino
Dr. and Mrs. Simon Calle
Mr. William S. Harstrotter
Norman Bocklin, Esquire
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21284
(301) 887-3180

HEARING ROOM -
Room 301, County Office Building

March 22, 1989
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY CODE. BILL NO. 59-79.

CASE NO. 89-107-XA FREDERICK WEINSTEIN, ET UX

5/5 Pebble Lane, 750' SE of the c/o of Cinder Road (16 Pebble Lane)

8th Election District
4th Councilmanic District

SE - to permit a professional office in a private residence

VAR - to permit a rear yard setback of 17 ft.

In lieu of the required 30 ft. for proposed addition, and an amendment to the 3rd Amended Final Development Plan for "Roc Valley", lot A, to permit construction of the proposed addition outside the building envelope.

12/27/88 - J.C.'s Order - DENYING Petition for Variance GRANTING Petition for Special Exception

ASSIGNED FOR: WEDNESDAY, JUNE 29, 1989 at 1:00 p.m.

- cc: Mr. and Mrs. Frederick Weinstein Petitioners
Robert W. Cannon, Esquire Counsel for Petitioners
George T. Canaras, Esquire Counsel for Appellants/Protestants
Mr. Randy Hoffer
Mr. H. Robert Spazzano
Ms. Ann Arroyo
Mr. Robert Paulino
Dr. & Mrs. Simon Calle
Mr. William S. Harstrotter
Norman Bocklin, Esquire
P. David Fields
Pat Keller
J. Robert Haines
Ann Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney

out per Shirley 4/27/89

Lindalee M. Kuzmaul
Legal Secretary
Office of Law

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333

J. Robert Haines
Zoning Commissioner

June 19, 1989

Dr. & Mrs. Rita M. Donoho
14 Pebble Lane
Timonium, Maryland 21093

Re: Petition for Special Exception
5/5 Pebble Lane, 750' SE of the c/o of Cinder Road (16 Pebble Lane)
8th Election District - 4th Councilmanic District
Frederick Weinstein, et ux - Petitioners
Case No. 89-107-XA

Dear Dr. & Mrs. Donoho:

In response to your letter dated June 13, 1989 regarding the above-captioned matter, please be advised that an appeal of the decision rendered by the Zoning Commissioner's office was taken to the County Board of Appeals and a hearing has been scheduled for June 29, 1989 in Room 301 of the County Office Building. It is suggested that you attend the hearing to express your concerns at that time.

If you have any further questions on the subject, please contact the Board at 887-3180.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjls
File
6/20/89
Board of Appeals