

IN RE: PETITION FOR RESIDENTIAL \* BEFORE THE DEPUTY  
 ZONING VARIANCE \* ZONING COMMISSIONER  
 N/S Woodvalley Drive, 236 ft. E \* OF BALTIMORE COUNTY  
 of c/l Marie Drive \* Case No. 96-490-A  
 3216 Woodvalley Drive \*  
 3rd Election District \*  
 3rd Councilmanic District \*  
 Robert B. Schulman, et ux \*  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Robert B. Schulman and Patricia J. Schulman, his wife, for that property known as 3216 Woodvalley Drive in the Halcyon Gate subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR), to permit a new side yard setback of 1.5 ft. and the sum of 31.5 ft. in lieu of 20 ft. and 50 ft., respectively (for an attached garage). The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING  
 Date 7/8/66  
 BY [Signature]

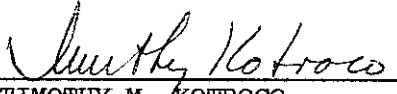
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welfare of the public and should, therefore, be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8<sup>th</sup> day of July, 1996 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR), to permit a new side yard setback of 1.5 ft. and the sum of 31.5 ft., in lieu of 20 ft. and 50 ft., respectively (for an attached garage), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:mmn

ORDER RECEIVED FOR FILING  
Date 7/8/96  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 5, 1996

Mr. and Mrs. Robert B. Schulman  
3216 Woodvalley Drive  
Baltimore, Maryland 21208

RE: Petition for Administrative Variance  
Case No. 96-490-A ✓  
Property: 3216 Woodvalley Drive

Dear Mr. and Mrs. Schulman:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:mmm  
encl.

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# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3216 Woodvalley Drive  
96-490-A which is presently zoned DR-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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

1.B02.3C.1 (Chart to allow a new side yard set back of 1.5 ft. and sum of 31.5 ft. in lieu of 20 ft and 50 ft.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The unique features of the lot, which is essentially pie shaped and hilly, create an impossibility to put the garage in any other location. The property behind the house has a significant upward slope. Over 60% of the homes in the neighborhood have garages. The neighborhood has experienced a significant increase in car thefts and miscellaneous crimes. The petitioner's car was stolen and two others broken into.

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/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/Lessee

Legal Owner(s)

(Type or Print Name)

ROBERT B. SCHULMAN  
(Type or Print Name)

Signature

Robert B. Schulman  
Signature

Address

PATRICIA J. SCHULMAN  
(Type or Print Name)

City State Zipcode

Patricia J. Schulman  
Signature

Attorney for Petitioner

3216 Woodvalley DR 332-0850  
Address Phone No

(Type or Print Name)

BALTO MD 21208  
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted

Address Phone No.

Robert Schulman  
Name 401 E. PRATT ST - STE 41800  
WORLD TRADE CTR 332-0850  
Address Phone No

City State Zipcode

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_, 19\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
Date 6/12/96  
By [Signature]

REVIEWED BY: [Signature] DATE: 6/12/96  
ESTIMATED POSTING DATE: 6/16/96



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 475  
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# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3216 Woodvalley Drive  
address  
Baltimore, Maryland 21208  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The property, which is essentially a pie shaped configuration and is hilly, has such unique characteristics that the topography does not allow for a garage to be built on any other portion of the lot. The location of the hills behind the house constrains the erection of the garage in the back of the house, leaving only the side of the house as the only possible garage location. Over 60% of the homes in the neighborhood have garages. Moreover, the neighborhood has experienced a significant increase in crime, car thefts and miscellaneous crimes. The petitioner's car was stolen and two cars were broken into.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

(signature)

(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of June, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

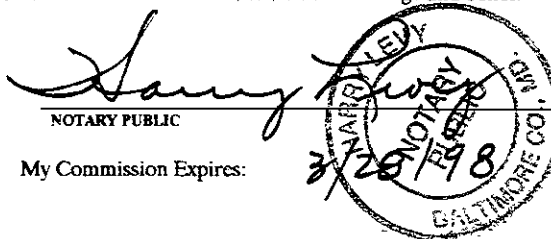
Robert B. Schulman,

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

6/4/96



NOTARY PUBLIC

My Commission Expires:

# 495

96-490-A

ZONING DESCRIPTION FOR 3216 Woodvalley Drive

Beginning at a point on the North side of Woodvalley Drive which is 60' wide at the distances of 236' East of the centerline of the nearest improved intersecting street, Marcie Drive which is 60' wide. \*Being Lot #7, Block A, Plat 1 in the subdivision of Halcyon Gate as recorded in Baltimore County Plat Book #27, Folio #114, containing 0.846 Acres. Also known as 3216 Woodvalley Drive and located in the 3rd Election District, C2 Councilmanic District.

Typical metes and bounds: N.84 13' 00" E. 62.36 ft., S.03 13' 10" E.260.00 ft., S.86 46' 50" W. 130.00 ft., and N.16 41' 23" W. 226.47 ft. to the place of beginning.

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**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-490-17

District 20th Date of Posting 6/14/96  
Posted for: various  
Petitioner: Robert & Patricia Schickler  
Location of property: 3216 Kildon Valley Dr.  
Location of Signs: Facing, location on property being zoned.  
Remarks: \_\_\_\_\_  
Posted by: M. Schickler Date of return: 6/21/96  
Number of Signs: 1 Signatures



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Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, Maryland 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

---

ARNOLD JABLON, DIRECTOR

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For newspaper advertising:

Item No.: 485  
Petitioner: Robert B. Schulman  
Location: 3216 Woodvalley Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert B. Schulman  
ADDRESS: 401 East Pratt Street, Suite 1800  
Baltimore, Maryland 21202  
PHONE NUMBER: 410/332-0850

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 14, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-490-A (Item 485)  
3216 Woodvalley Drive  
N/S Woodvalley Drive, 236' E of c/l Marie Drive  
3rd Election District - 2nd Councilmanic  
Legal Owner(s): Robert B. Schulman and Patricia J. Schulman

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 16, 1996. The closing date (July 1, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon  
Director

cc: Robert and Patricia Schulman

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

June 28, 1996

Robert and Patricia Schulman  
3216 Woodvalley Drive  
Baltimore, MD 21208

RE: Item No.: 485  
Case No.: 96-490-A  
Petitioner: Robert Schulman, et ux

Dear Mr. and Mrs. Schulman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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*John Alexander*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: June 21, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

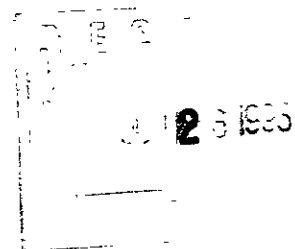
SUBJECT: Zoning Advisory Committee Meeting  
for June 24, 1996  
Item Nos. 484, 485, 488, & 489

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:jrb

cc: File

ZONE14



RECORDED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 06/20/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 17, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 483, 484, 485, 486, 488 & 489.

JUN 21 1996

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM / Roslyn Eubanks  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

DATE: 6/14/96

SUBJECT: Zoning Advisory Committee  
Meeting Date: Jun 17

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 483  
484  
485  
486  
487  
488  
489

RBS:sp

BRUCE2/DEPRM/TXTSBP

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: June 12, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 467, 471, 472, 473, 474, 480, 482, 484, 485, 488, and 489

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Cam L. Kerns*

PK/JL



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

6-18-96

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


RE: Baltimore County  
Item No. 485 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

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My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



# PETITION PROBLEMS

## #483 -- RT

1. No telephone number for legal owner.

## #485 -- MJK

1. Only one legal owner signature on back of petition form.

## #487 -- JLL

1. Need authorization for person signing for legal owner.

June 11, 1996

RECEIVED

# 485

May 29, 1996

To the Zoning Commissioner for Baltimore County

Re: Petition for Variance  
3216 Woodvalley Drive  
Baltimore, Maryland 21208

Dear Sir:

This is to advise you that I am the owner of 3214 Woodvalley Drive, Baltimore, Maryland 21208. I have been advised of the Petition for Variance filed by Robert Schulman regarding 3216 Woodvalley Drive, Baltimore, Maryland 21208 and the proposed plans to construct a garage on the East side of his residence.

I have no objection to the plans as proposed by Mr. Schulman and hereto recommend that the request for variance be granted administratively.

Very truly yours,



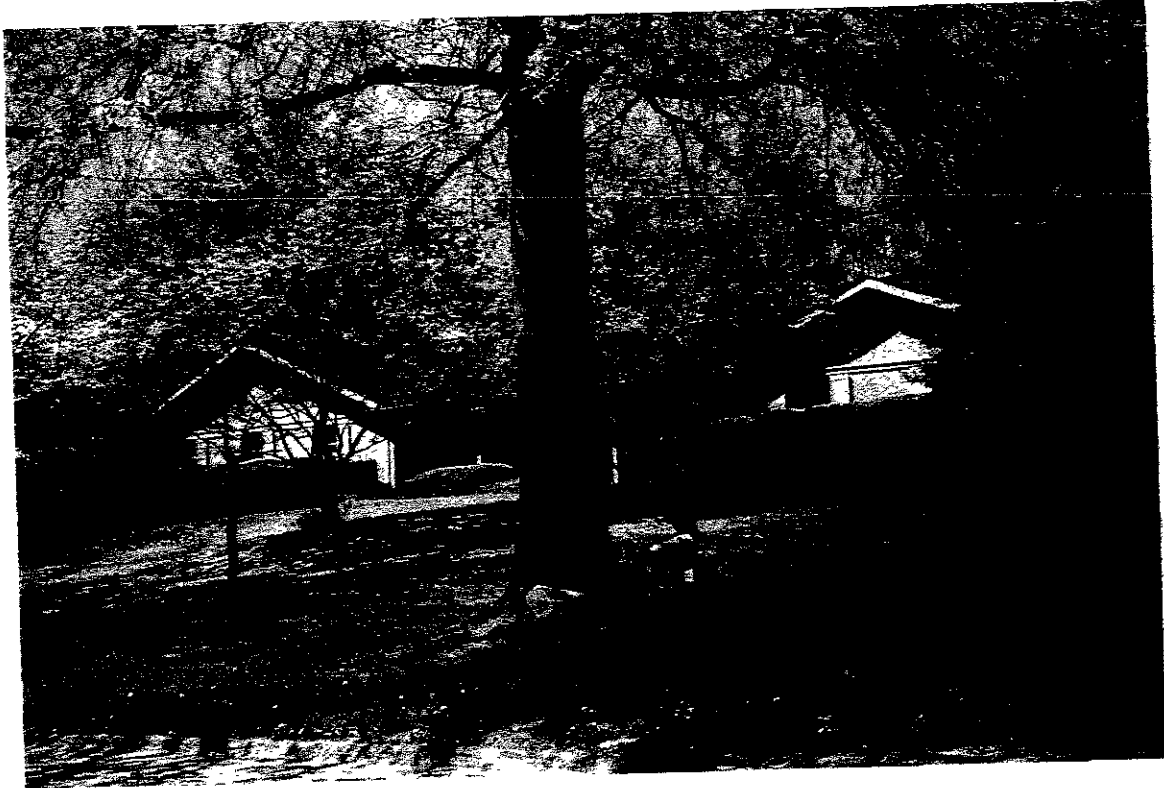
Robert Weinblatt

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Front View

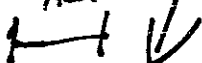
96-490-A

# 495



garage  
addition

Front View Red-Addition



From the  
end of the  
carport to  
the tree line  
is the  
garage  
addition.

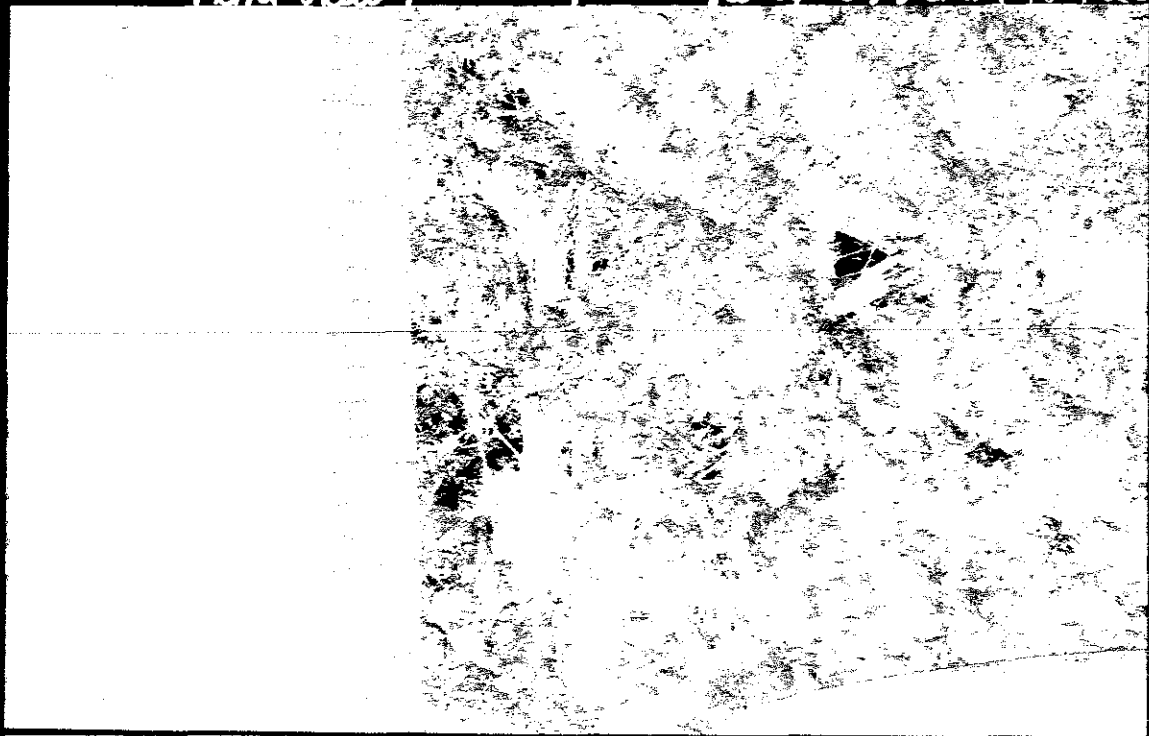


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96-490-A  
# 504

Front View | 4

Screen addition to tree line



Back View  
addition from  
back of carpet  
to tree line

Red-  
Addition



Hill begins  
+ goes up as we  
go back

Back  
of  
Carpet

Hill

Back View  
Close up  
Extension to  
Tree line



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BACK of Carpet