

IN RE: PETITION FOR ADMIN. VARIANCE
SE/Corner Wiltonwood Road and
Stevenson Road
(2013 Wiltonwood Road)
3rd Election District
3rd Councilmanic District

Alan Hochman, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-265-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Alan and Julie Hochman. The Petitioners seek relief from Section 1A04.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 45 feet in lieu of the required 50 feet for a proposed addition, and from Section 400.1 of the B.C.Z.R. to permit an existing carport to remain in the side yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Fur-

ORDER RECEIVED FOR FILING

Date 2/11/98

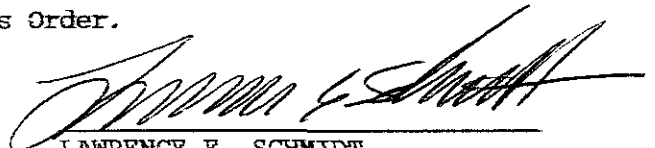
By [Signature]

thermore, 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 B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of February, 1998 that the Petition for Administrative Variance seeking relief from Section 1A04.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 45 feet in lieu of the required 50 feet for a proposed addition, and from Section 400.1 of the B.C.Z.R. to permit an existing carport to remain in the side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated January 27, 1998, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 2/10/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 10, 1998

Mr. & Mrs. Alan Hochman
2013 Wiltonwood Road
Stevenson, Maryland 21153

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/Corner Wiltonwood Road and Stevenson Road
(2013 Wiltonwood Road)
3rd Election District - 3rd Councilmanic District
Alan Hochman, et ux - Petitioners
Case No. 98-265-A

Dear Mr. & Mrs. Hochman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted 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 the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: DEPRM; People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2013 WILTONWOOD RD.

which is presently zoned RCS

This Petition shall be filed with the Dept. of Permits & 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) 1A04.3, BC2R, TO PERMIT

A REAR YARD SET BACK OF 45ft. FOR AN ADDITION IN LIEU OF THE REQUIRED 50ft; AND FROM 400.1; TO PERMIT AN EXISTING CAR PORT TO REMAIN IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR.

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

SEE REVERSE

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)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

H 410-602-1928

W 410-653-5410

Attorney for Petitioner

2013 WILTONWOOD RD

Address

Phone No

(Type or Print Name)

STEVENSON MD

21153

City

State

Zipcode

Name, Address and phone number of representative to be contacted

W 410-653-5410

Signature

ALAN HOCHMAN

H 410-602-1928

Name

Address

Phone No

STEVENSON MD

21153

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

REVIEWED BY: OCM

DATE 1-15-98

ESTIMATED POSTING DATE

1-25-98



Printed with Soybean Ink
on Recycled Paper

ITEM #:

265

98-265-A

ORDER RECEIVED FOR FILING

Date

By

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 2013 WILTONWOOD RD.
address
STEVENSON MD 21153
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)

SLOPE CONDITIONS AND EXISTING MATURE TREES DICTATE
THE DIRECTION OF THE PROPOSED BUILDING ADDITION
WHICH INFRINGES ON THE REAR SETBACK LINE

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] 1-10-98
(signature)
ALAN HOCHMAN
(type or print name)



[Signature] 1/10/98
(signature)
JULIE HOCHMAN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of January, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared,

Alan Hochman + Julie Hochman

the Affiants(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.

Jan 10, 1998
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 10/01/99

A-205-89

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 2013 WILTONWOOD ROAD

BEGINNING AT A POINT ON THE SOUTH SIDE OF
WILTONWOOD ROAD WHICH IS 30' WIDE AT THE
DISTANCE OF 15' OF THE CENTERLINE OF THE
NEAREST IMPROVED INTERSECTING STREET - STEVENSON
ROAD WHICH IS 30' WIDE,

THE SITE MAY BE DESCRIBED BY THE FOLLOWING
METES AND BOUNDS: N 73° 05' E, 227' 5", R 151' L 168
S 75° 02' E, 158' 7", N 46° 51' E, 347' 28", N 39° 45' W 25',
N 39° 45' W, 6.2', S 75° 17' W, 62' 5.5", N 16° 5' 5" W, 255'
TO THE BEGINNING,

ALSO KNOWN AS 2013 WILTONWOOD ROAD
AND LOCATED IN THE 3RD ELECTION DISTRICT,
AND 3RD COUNCILMANIC DISTRICT,

265

98-265-A

265
No. 044567

ACCOUNT	
Alv	6.50

1126

AMOUNT \$ 50.00

FROM	TO	DATE	TIME
FROM: 044507	TO: 044507	1/16/1998	14:28:25
FROM: 044507	TO: 044507	1/15/1998	14:28:25
FROM: 044507	TO: 044507	1/14/1998	14:28:25
FROM: 044507	TO: 044507	1/13/1998	14:28:25
FROM: 044507	TO: 044507	1/12/1998	14:28:25
FROM: 044507	TO: 044507	1/11/1998	14:28:25
FROM: 044507	TO: 044507	1/10/1998	14:28:25
FROM: 044507	TO: 044507	1/9/1998	14:28:25
FROM: 044507	TO: 044507	1/8/1998	14:28:25
FROM: 044507	TO: 044507	1/7/1998	14:28:25
FROM: 044507	TO: 044507	1/6/1998	14:28:25
FROM: 044507	TO: 044507	1/5/1998	14:28:25
FROM: 044507	TO: 044507	1/4/1998	14:28:25
FROM: 044507	TO: 044507	1/3/1998	14:28:25
FROM: 044507	TO: 044507	1/2/1998	14:28:25
FROM: 044507	TO: 044507	1/1/1998	14:28:25

Ad. Van. (010)

YELLOW - CUSTOMER

CASHIER'S VALIDATION

98-265-A

CERTIFICATE OF POSTING

ADMINISTRATIVE VARIANCE

RD Case No 98-265-A

Posterior Developer at AL HACKNER, ETAL

Date of Hearing Closing 2/9/98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Catherine Stephens

Ladies and Gentlemen:

This letter is to certify that the posted signs and any other necessary signs required by law
were posted conspicuously on the property located at #2013 WILTONWOOD RD.

Sign(s) were posted on 1/22/98
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/22/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

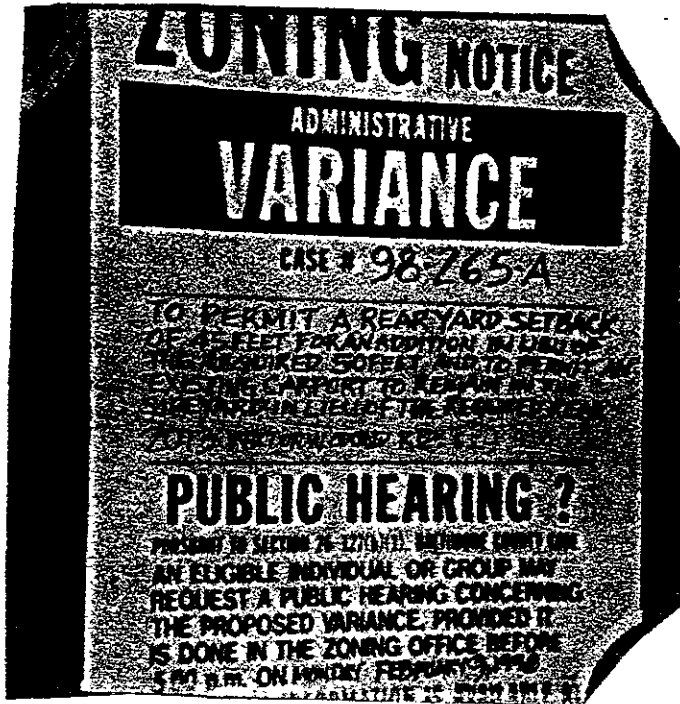
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 265 -A Address 2013 WILTON WOOD RD.

Contact Person: J. MURPHY Phone Number: 410-887-3391
Planner, Please Print Your Name.

Filing Date: 1-15-98 Posting Date: 1-25-98 Closing Date: 2-9-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 98- 265 -A Address 2013 WILTON WOOD RD.
Posting Date: 1-25-98 Closing Date: 2-9-98

Wording for Sign: TO PERMIT A REAR YARD SETBACK OF 45 FT. FOR AN
ADDITION IN LIEU OF THE REQUIRED 50 FT. AND TO PERMIT
AN EXISTING CARPORT TO REMAIN IN THE SIDEYARD
IN LIEU OF THE REQUIRED REAR.



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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

For newspaper advertising:

Item No.: 265

Petitioner: ALAN HOCHMAN

Location: 2013 WILTONWOOD RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ALAN HOCHMAN

ADDRESS: 2013 WILTONWOOD ROAD
STEVENSON, MD 21153

PHONE NUMBER: 410 653-5410

AJ:ggs

(Revised 09/24/96)

98-265-A

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____

 Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acres square feet

SEWER: ☐ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



Baltimore County
Department of Permits and
Development Management

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

February 4, 1998

Mr. and Mrs. Alan Hochman
2013 Wiltonwood Road
Stevenson, MD 21153

RE: Item No.: 265
Case No.: 98-265-A
Petitioner: Alan Hochman, et ux

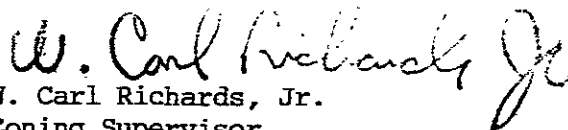
Dear Mr. and Mrs. Hochman:

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 January 15, 1998.

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 (410-887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 27, 1998

To: Arnold L. Jablon
From: Bruce Seeley *BS/qs*
Subject: Zoning Item #265

Hochman Property

Zoning Advisory Committee Meeting of January 26, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.
- Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X GWM An evaluation of the well and septic system serving the property may be required prior to building permit approval.



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 1-23-58
Item No. 265 JCM

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

P. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: January 27, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 264 and 265

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

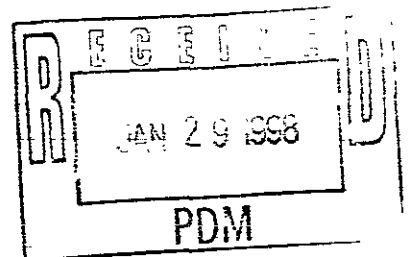
Prepared by:

Jeffrey W. Long

Division Chief:

Dary Kerns

AFK/JL





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 28, 1998

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 January 26, 1998

Item No.: See Below

Zoning Agenda:

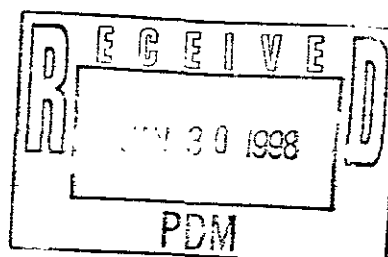
Gentlemen:

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:

259, 261, 262, and 265

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: January 30, 1998

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 2, 1998
Item Nos. 260, 261, 262, 264, and
265

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 27, 1998

To: Arnold L. Jablon
From: Bruce Seeley *BS/98*
Subject: Zoning Item #265

Hochman Property

Zoning Advisory Committee Meeting of January 26, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
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- Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X GWM An evaluation of the well and septic system serving the property may be required prior to building permit approval.

ORDER RECEIVED FOR FILING

Date 2/16/98
By GP:sp

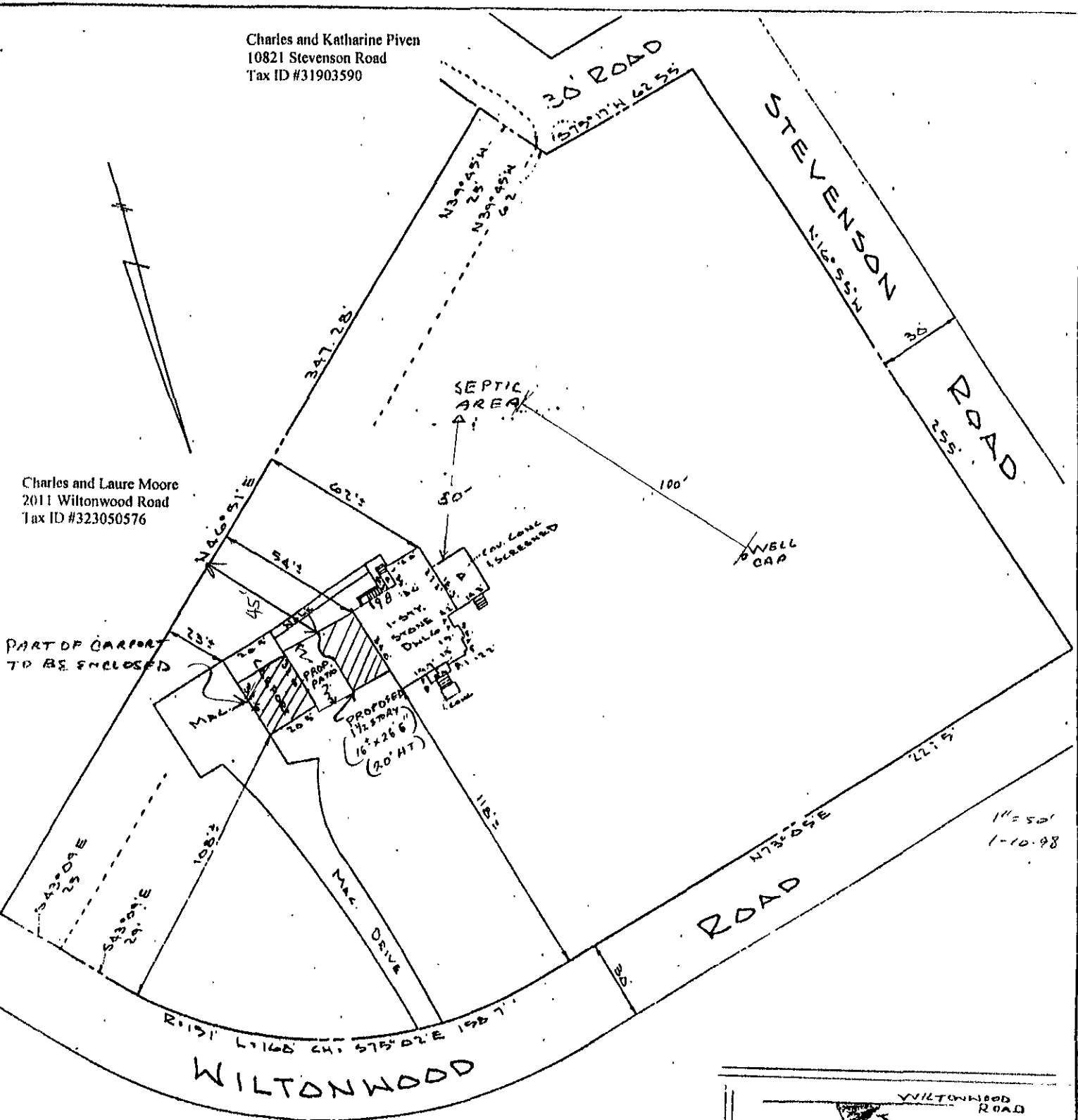
Plat to accompany Petition for Zoning Variance

Property Address: 2013 Wiltonwood Road

Owner: Alan and Julie Hochman

Charles and Katharine Piven
10821 Stevenson Road
Tax ID #31903590

Charles and Laure Moore
2011 Wiltonwood Road
Tax ID #323050576



LOCATION INFORMATION:

Election District - 03, Councilmatic District-03

Acreage = 1.797 acres 78,277.32 square feet

Prior Zoning Hearings: None

Sewer: Private

Water: Private

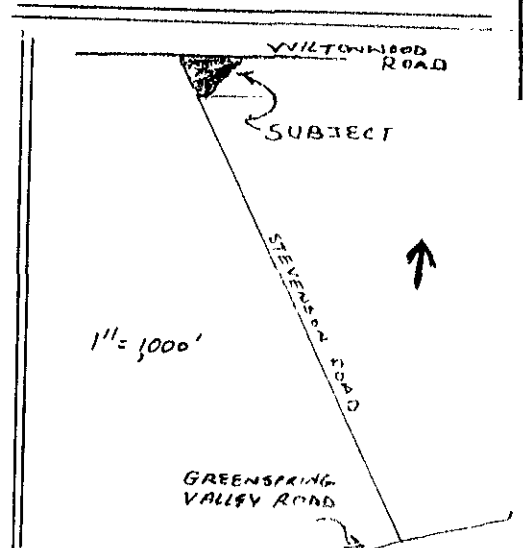
Chesapeake Bay Critical Area: No

Zoning: RC-5

Zoning Map N.W. 12-E

265

98-265-A

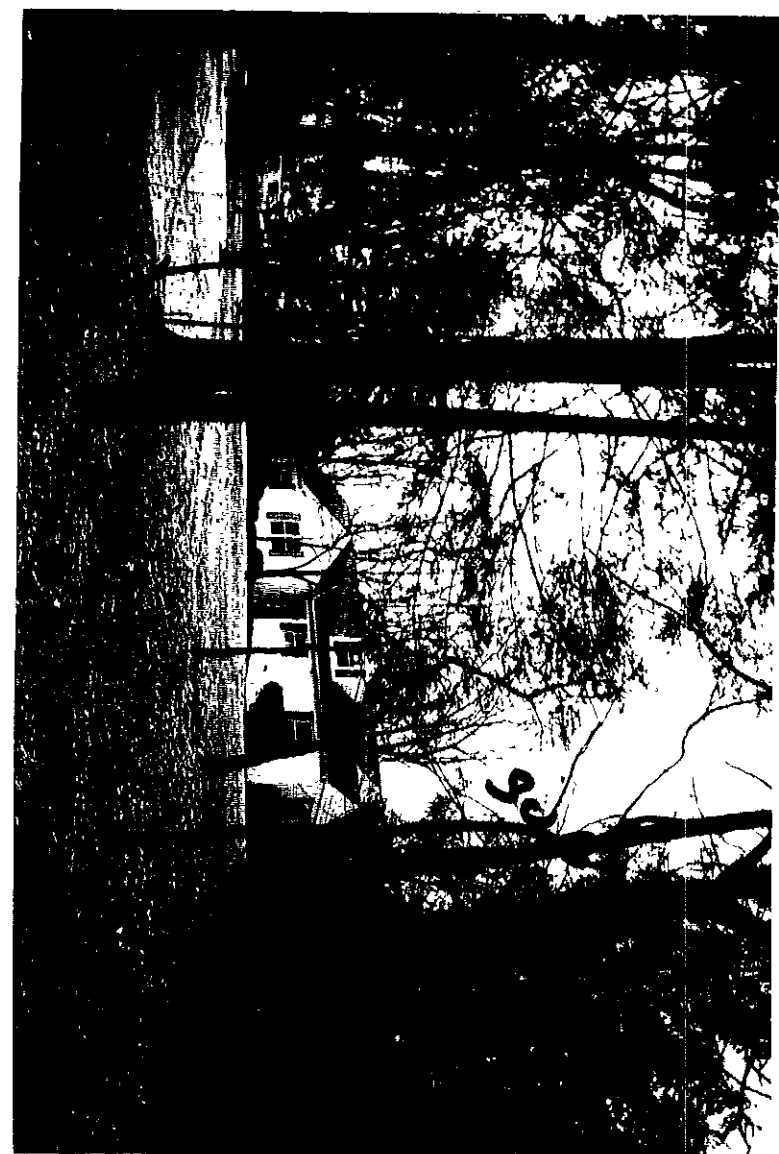
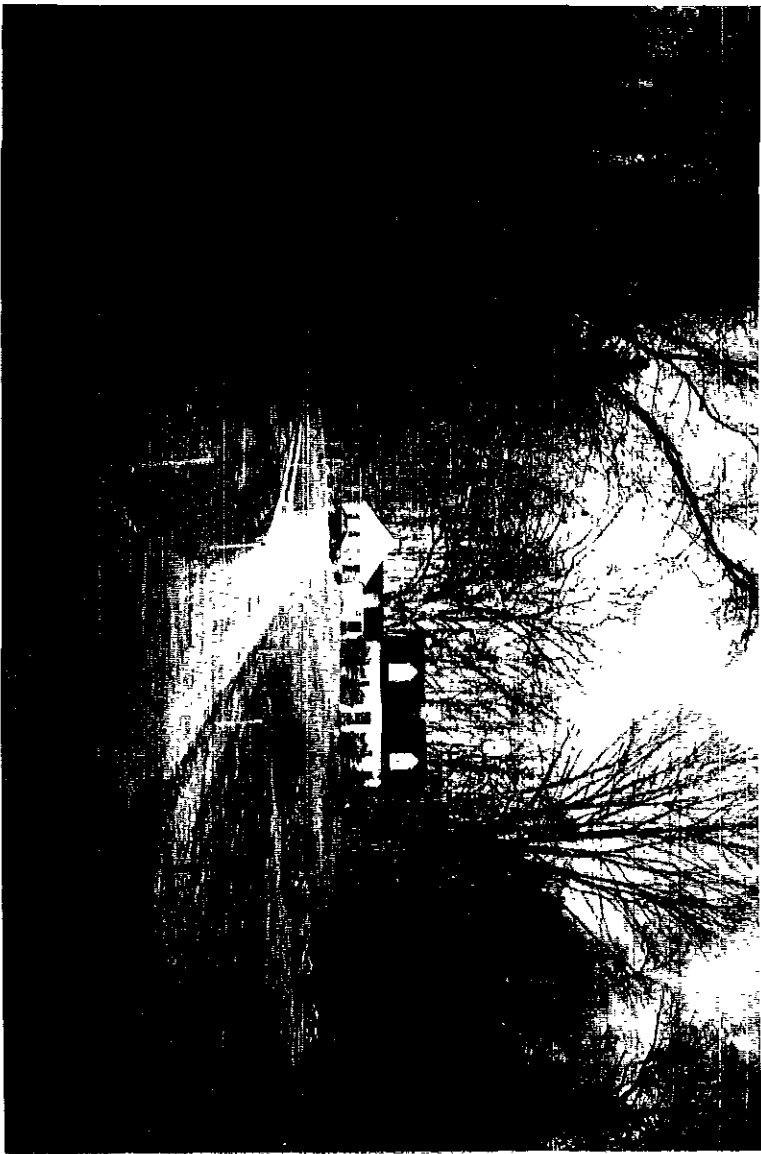




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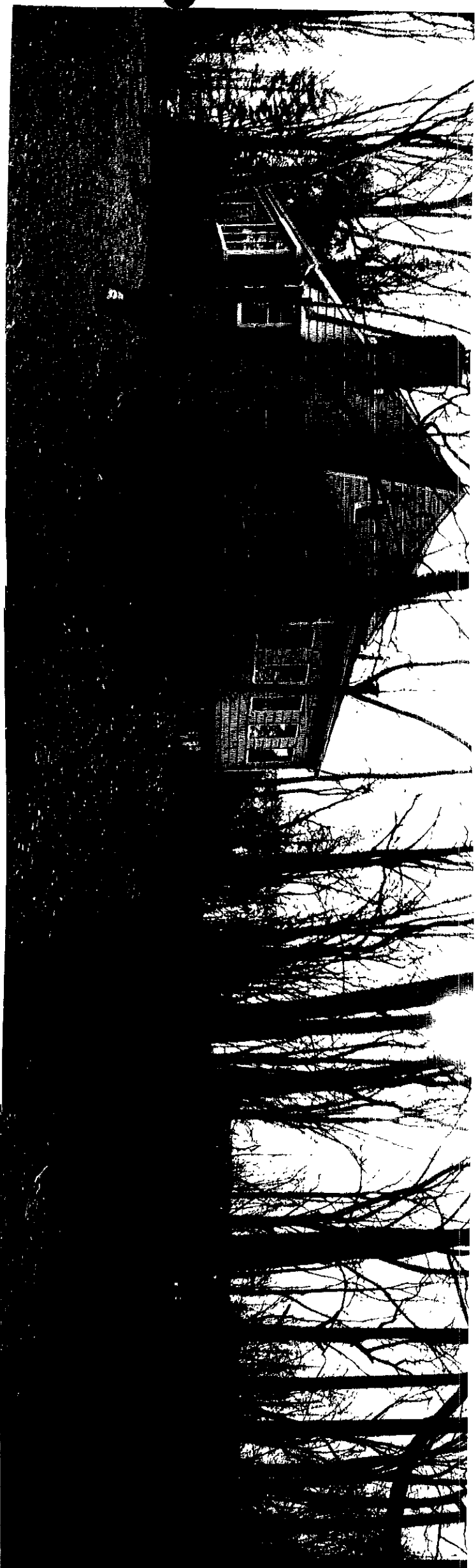
98-265-A





98-265-A

265



WESTERN - SIDE OF STREET

SCOPE & MARKER PERMANENT TREES

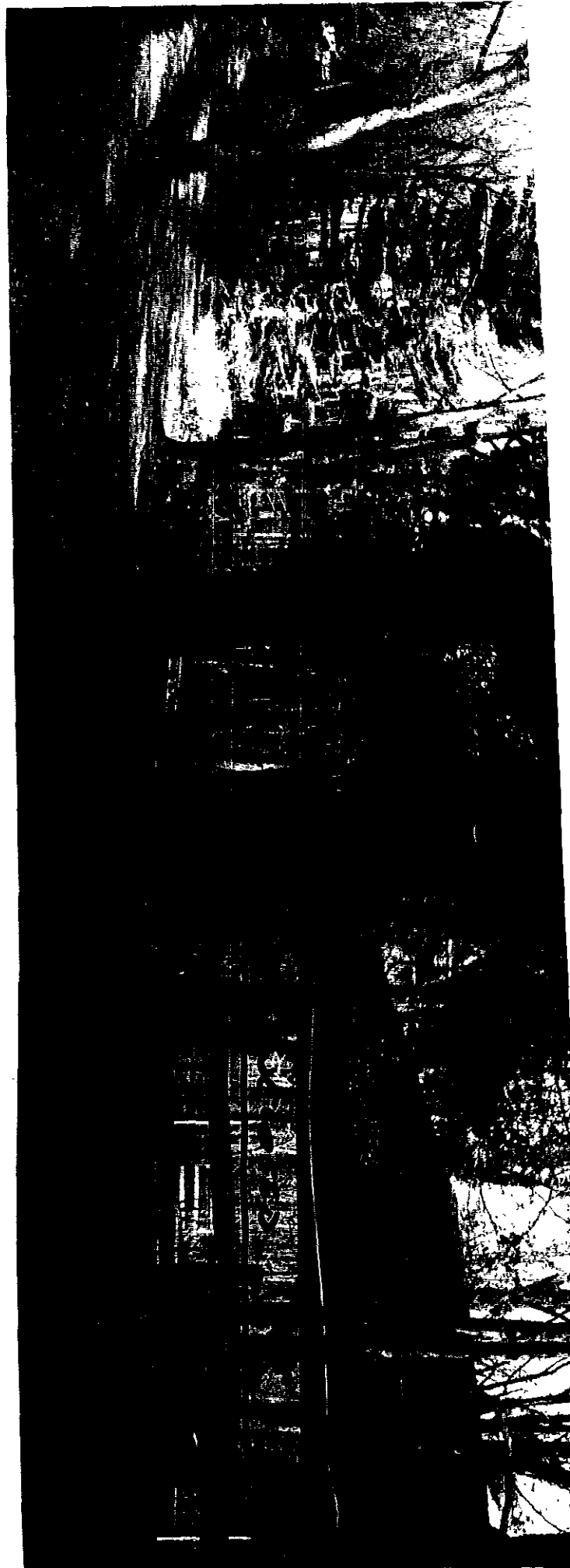
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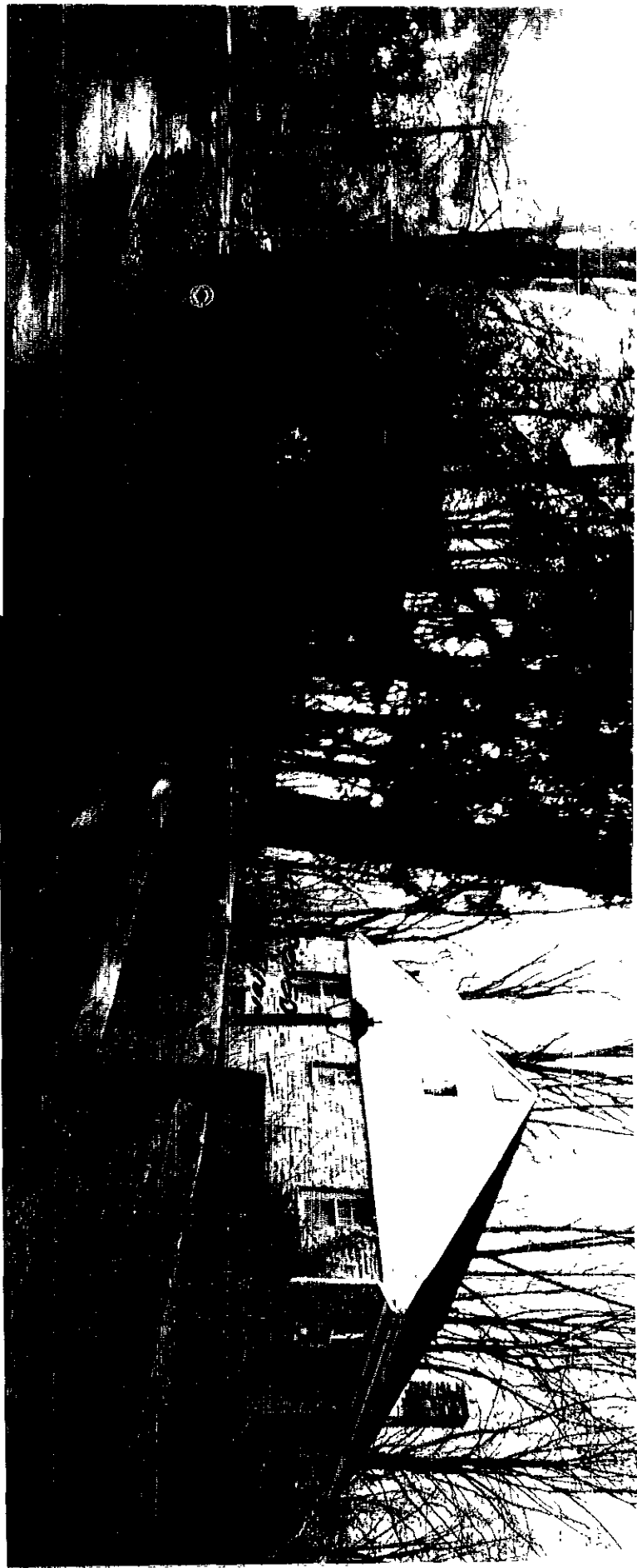
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