

|                                         |   |                            |
|-----------------------------------------|---|----------------------------|
| IN RE: PETITION FOR ADMIN. VARIANCE     | * | BEFORE THE                 |
| N/S Willow Glen Drive, 50' W            |   |                            |
| of centerline o Pimlico Road            | * | DEPUTY ZONING COMMISSIONER |
| 3 <sup>rd</sup> Election District       |   |                            |
| 2 <sup>nd</sup> Councilmanic District   | * | OF BALTIMORE COUNTY        |
| (2400 Willow Glen Drive)                |   |                            |
|                                         | * | CASE NO. 00-140-A          |
| Wendy Klein-Schwartz & Elliott Schwartz |   |                            |
| Petitioners                             | * |                            |

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Wendy Klein-Schwartz & Elliott Schwartz, property owners, for that property known as 2400 willow Glen Drive in Meadowood Subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R) for a side yard setback of 5 ft. in lieu of the required 8 ft. and a rear yard setback of 12 ft. in lieu of the required 30 ft. for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative 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 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.

ORIGINAL FILED FOR FILING

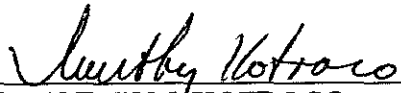
DATE 11/4/99

BY J.P. Jameson

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 Deputy Zoning Commissioner for Baltimore County this 4<sup>th</sup> day of November, 1999 that a variance Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R) for a side yard setback of 5 ft. in lieu of the required 8 ft. and a rear yard setback of 12 ft. in lieu of the required 30 ft. for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 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:raj

ORDER RECEIVED FOR FILING

DATE

11/14/99

BY





Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

November 4, 1999

Dr. & Mrs. Elliott Schwartz  
2400 Willow Glen Drive  
Baltimore, Maryland 21209

Re: Petition for Administrative Variance  
Case No. 00-140-A  
Property: 2400 Willow Glen Drive

Dear Dr. & Mrs. Schwartz:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



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

for the property located at 2400 Willow Glen Drive  
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and 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) 1802.3, B

for a side setback of 5 ft. in lieu of 8 ft. required and a rear setback of 12 ft. in lieu of 30 ft. required.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Legal Owner(s):

Name - Type or Print Elliott Schwartz  
Signature [Signature]  
Name - Type or Print Wendy Klein-Schwartz  
Signature [Signature]  
Address 2400 W. Willow Glen Drive Telephone No. 410-486-4894  
City Baltimore State MD Zip Code 21209

## Representative to be Contacted:

Name Dr. Elliott Schwartz  
Address 2400 Willow Glen Drive Telephone No. 410-486-3898  
City Baltimore State MD Zip Code 21209

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-140-A

Reviewed By BSR Date 10/4/99

RECEIVED 9/15/98

Estimated Posting Date 10/17/99

# 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

Address 2400 Willow Glen Drive  
City Baltimore State Maryland Zip Code 21209

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):

Location of the addition is determined by the placement of the existing house on the lot and by the existing interior house layout.

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

Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ELLIOTT SCHWARTZ & WENDY KLEIN-SCHWARTZ

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

9/2/99  
Date

Melanie L. Hughes  
Notary Public

My Commission Expires 03/01/2002

# 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

Address 2400 Willow Green Drive  
City BALTIMORE State MARYLAND Zip Code 21209

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):

Location of the addition is determined by the placement of the existing house on the lot and by the existing interior house layout.

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

Signature

ELLIOTT SCHWARTZ  
Name - Type or Print

Signature

Wendy Klein-Schwartz  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of August, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ELLIOTT SCHWARTZ & WENDY KLEIN-SCHWARTZ  
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

9/2/99

Notary Public

My Commission Expires

Melanie L. Hughes

03/01/2002



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2400 Willow Glen Drive  
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and 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) 1B02.3.B.

for a side setback of 5 ft. in lieu of 8 ft. required and a rear setback of 12 ft. in lieu of 30 ft. required.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

Name - Type or Print ELLIOTT SCHWARTZ  
Signature [Signature]  
Name - Type or Print WENDY KLEIN-SCHWARTZ  
Signature [Signature]  
Address 2400 Willow Glen Drive Telephone No. 410-484-4814  
BALTIMORE MD. 21209  
City State Zip Code

### Representative to be Contacted:

Name DR. ELLIOTT SCHWARTZ day  
Address 2400 Willow Glen Dr. Telephone No. 410-486-3898  
BALTIMORE MD. 21209  
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-140-A

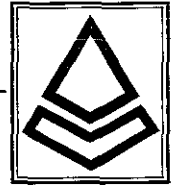
Reviewed By BL Date 10/7/99

REV 9/15/98

Estimated Posting Date 10/17/99

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

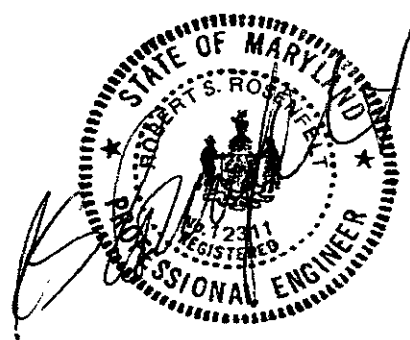


00-140-A

## ZONING DESCRIPTION 2400 WILLOW GLEN DRIVE

Beginning at a point on the north side of Willow Glen Drive, which is 42 feet wide, at the distance of 50 feet west of the centerline of the nearest improved intersecting street, Pimlico Road, which is 100 feet wide.

Being Lot 10, Block 'A', Section 3 in the subdivision of Meadowood, as recorded in Baltimore County Plat Book 24, Folio 50, 10, being 10,671 square feet. Also known as 2400 Willow Glen Drive and located in the 3<sup>rd</sup> Election District, 2<sup>nd</sup> Councilmanic District.



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 072200

DATE 10/4/99 ACCOUNT RO01-6150

AMOUNT \$ 50.00

RECEIVED FROM: Schwartz

FOR: code 1110 zoning variance

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELL. CUSTOMER  
ITom H140

CASHIER'S VALIDATION

PAID RECEIPT  
PROCESS ACTUAL TIME  
10/04/1999 10/04/1999 09:30:33  
REG 0803 CASHIER PUES PER DRAMER  
Dept 5 520 ZONING VARIATION  
Receipt # 100283 DR11  
CR NO. 072200  
Receipt tot 50.00  
50.00 OK  
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No 00-140-A

Petitioner/Developer DR. ELIOT, ETAL  
% R. MATZ, PE

Date of Hearing/Closing: 11/1/99

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen.

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at #2400 WILLOW GLEN  
DRIVE

The sign(s) were posted on 10/13/99  
(Month, Day, Year)

Sincerely,

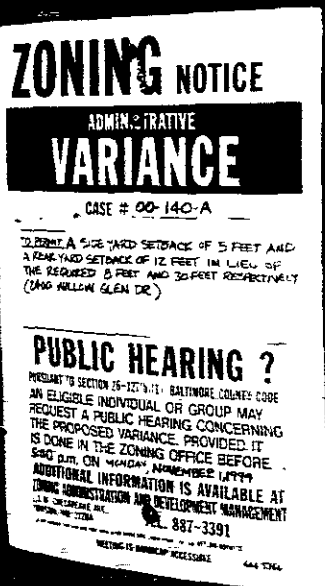
Patrick M O'Keefe 10/20/99  
(Signature of Sign Poster and Date)

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)



# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

CASE # 00-140-A

TO PERMIT A SIDE YARD SETBACK OF 5 FEET AND  
A REAR YARD SETBACK OF 12 FEET IN LIEU OF  
THE REQUIRED 8 FEET AND 30 FEET RESPECTIVELY  
(1400 HILLTOP GLEN DR.)

### PUBLIC HEARING ?

PURSUANT TO SECTION 26-1271(b)(1) BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
5:00 P.M. ON MONDAY, NOVEMBER 1, 1999

ADDITIONAL INFORMATION IS AVAILABLE AT  
ZONING REGISTRATION AND DEVELOPMENT MANAGEMENT  
111 W. CHESAPEAKE AVE.  
BALTIMORE, MD 21201

TEL. 887-3391

MEETING IS BARNDROP ACCESSIBLE

444-5266

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

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

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

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

---

---

**For Newspaper Advertising:**

Item Number or Case Number: 00-140-A  
Petitioner: ELLIOTT SCHWARTZ & WENDY KLEIN-SCHWARTZ  
Address or Location: 2400 Willow Glen Drive

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: DR. ELLIOTT SCHWARTZ  
Address: 2400 Willow Glen Drive  
BALTIMORE, MARYLAND 21209  
Telephone Number: (410) 410-484-4814 ; 410-486-3898 (0)

Revised 2/20/98 - SCJ

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 140 -A Address 2400 Willow Glen Drive

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 10/4/99 Posting Date: 10/17/99 Closing Date: 11/1/99

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 00- 140 -A Address 2400 Willow Glen Drive

Petitioner's Name Schwartz Telephone 410-486-3898

Posting Date: 10/17/99 Closing Date: 11/1/99

Wording for Sign: To Permit a side yard setback of 5 ft. and a rear yard setback of 12 ft. in lieu of the required 8 ft. and 30 ft. respectively.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

November 1, 1999

Mr. Elliott Schwartz  
2400 Willow Glen Drive  
Baltimore, MD 21209

Dear Mr. Schwartz:

RE: 00-140-A , 2400 Willow Glen Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on .

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over the typed name.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:rsj





Baltimore County  
Fire Department

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

November 29, 1999

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RECEIVED JAN 06 2000

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 25, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

130, 131, 133, 134, 135, 137, 140, 142, 143, 144, 148,  
149, 150, 151, 152,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File



RECEIVED  
OCT 28  
AV

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** October 28, 1999

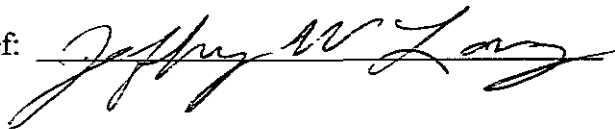
**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):  
Item No(s): 134 and 140

If there should be any questions or this office can provide additional information, please  
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

## Special Hearing

| Category                | Percentage |
|-------------------------|------------|
| 1. The Government       | 45%        |
| 2. The Church           | 35%        |
| 3. The Media            | 20%        |
| 4. The Education System | 15%        |
| 5. The Family           | 10%        |
| 6. The Community        | 5%         |
| 7. The Economy          | 3%         |
| 8. The Culture          | 2%         |
| 9. The Environment      | 1%         |
| 10. The Technology      | 1%         |

TAX ACCT NO.-0319017520

Expenditure AD,

Vicinity Map  
Scale: 1"=1000'

## LOCATION INFORMATION

**Councilman's District:** 2

Zoning: D.R. 5,5

acreage square feet

WATER: ☒ ☐

**Prior Zoning Hearings:**

NON E

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:

|     |     |          |
|-----|-----|----------|
| 13K | 140 | 00-140-A |
|-----|-----|----------|

PET. EX. #1

SITE

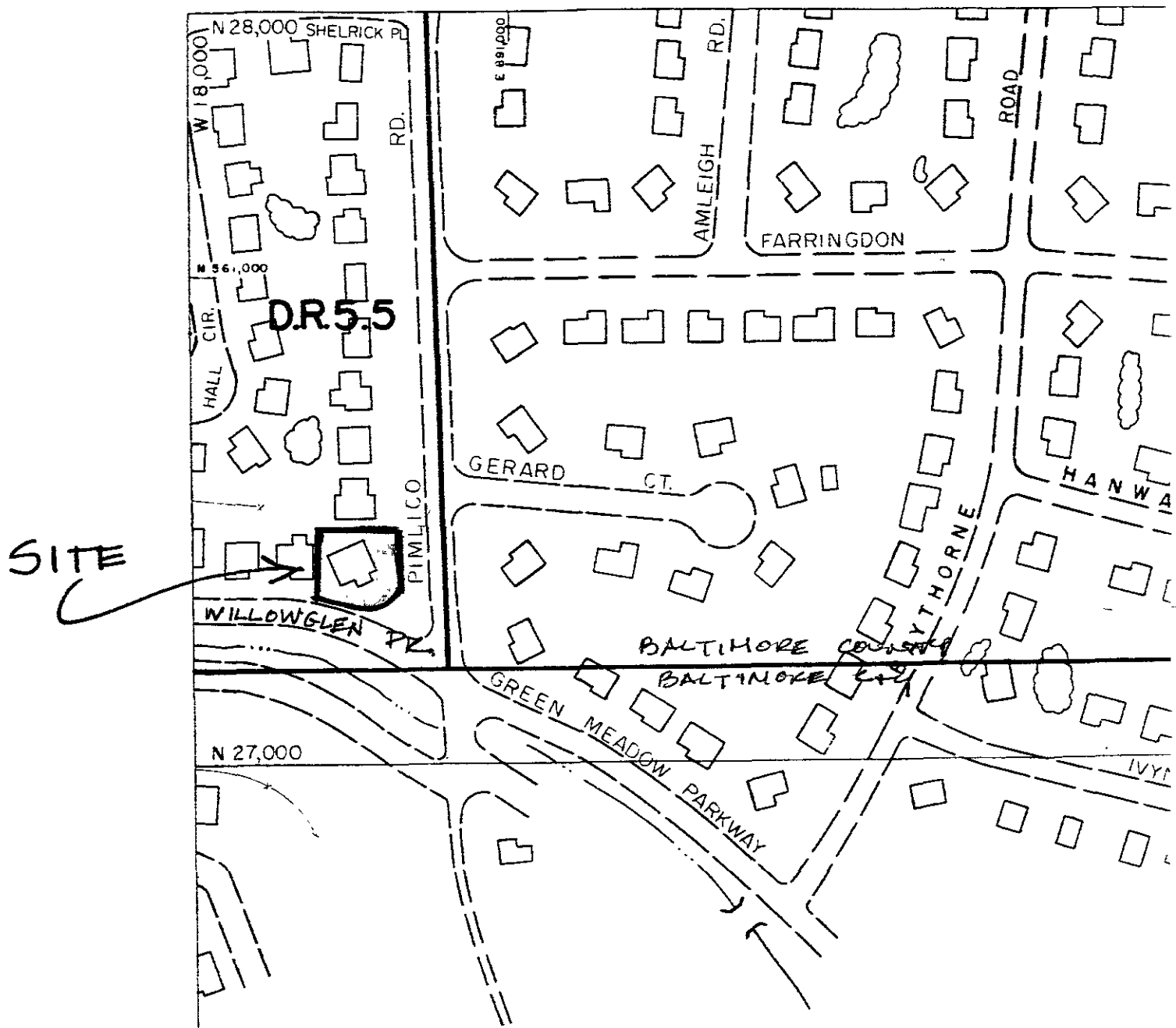
00-140-A

1" = 200'

MAP NO.  
N.W. 7-C

#140





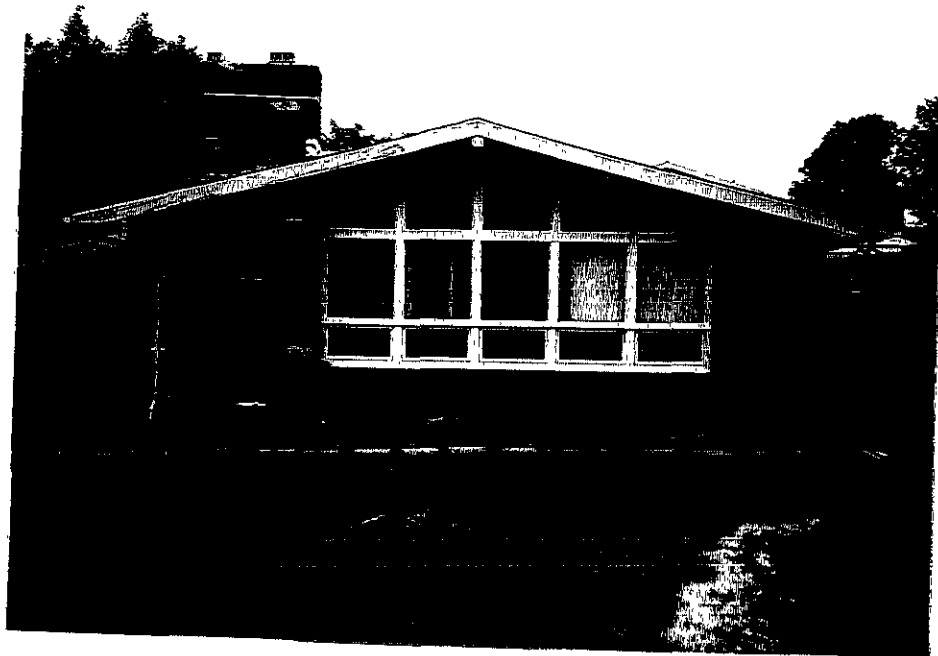
00-140-A

MAP. NO. N.W. 7-C

1" = 200'

#140

00-140-A



East

00-140-A



North



South

00-140-A



West



North