

IN RE: PETITION FOR VARIANCE

SE/S of Wicomico Road opposite extended
centerline of Monocacy Road
15th Election District
5th Councilmanic District
(2217 Wicomico Road)

Amy M. & Dominic D. Hoenig
Petitioners

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BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 01-393-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Amy M. & Dominic D. Hoenig. The Petitioners are requesting a variance for property they own at 2217 Wicomico Road. The subject property is zoned DR 3.5.

Appearing at the hearing on behalf of the variance request were Amy and Dominic Hoenig, property owners and Robert Sloan, Sr., adjacent property owner. There were no protestants or others in attendance.

The Petitioners are requesting a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow the construction of a new single-family dwelling on this unimproved lot with a setback as close as 0 ft. and 9 ft. for side yard setbacks in lieu of the required 10 ft. In addition, the Petitioners are requesting approval to amend a prior site plan in Zoning Case No. 83-76-A and to approve an undersized lot.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.37 acres, more or less, zoned DR 3.5. The subject property is a waterfront lot located on Wicomico Road in the Middleborough area of Baltimore County. The lot which is the subject of this hearing has been in the Petitioners' family for many years. Robert Sloan, Sr., who appeared at the hearing, is the father of Amy Hoenig, the Petitioner herein. Mr. Sloan lives on the south side of the lot in question. To the north of the lot in question is situated the home of

5/16/01
R. Sloan

the Petitioner's brother, Robert Sloan, Jr. Neither of these property owners have any objection to the construction of this new home and fully support Mr. and Mrs. Hoenig in the construction of this house.

The site plan submitted into evidence shows a 10 ft. drainage and utility easement that runs along the south property line of the lot in question. This drainage and utility easement is not a recorded Baltimore County easement and serves no purpose in the area where the Petitioners wish to construct their home. Therefore, it is appropriate for the house to be situated in a fashion that infringes upon this 10 ft. easement, as the easement serves no purpose along this area of the property. Therefore, the house as shown on the site plan is appropriately situated and the variances to allow it to be constructed as shown shall be approved.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should, therefore, be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioners; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioners of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief

5/16/01
By: [Signature]

requested will not confer upon the Petitioners any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations (attached herewith) which describe what steps the Petitioners must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
2. Conserve fish, wildlife, and plant habitat; and
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

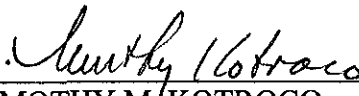
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

5/16/01
By: R. J. J. J. J.

THEREFORE, IT IS ORDERED this 16th day of May, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow the construction of a new single-family dwelling on this unimproved lot with a setback as close as 0 ft. and 9 ft. for side yard setbacks in lieu of the required 10 ft., for approval to amend a prior site plan in Zoning Case No. 83-76-A and to approve an undersized lot, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2) Compliance with the recommendations made by DEPRM in their memo dated April 12, 2001, to minimize any effect the proposed development might have on the Bay and its tributaries.
- 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.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE FOR FILING
5/16/01




Baltimore County
Zoning Commissioner

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

May 16, 2001

Mr. & Mrs. Dominic Hoenig
5926 Greenhill Avenue
Baltimore, Maryland 21206

Re: Petition for Variance
Case No. 01-393-A
Property: 2217 Wicomico Road

Dear Mr. & Mrs. Hoenig:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2217 Wicomico Road 21221

which is presently zoned DR 3.5

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)

1302.3.C.1. to Permit side yard setbacks as close as 0 ft. and 9 ft. for a proposed dwelling in lieu of the required 10 ft. (DR 5.5 regulations per record plat 50/28)
and to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING.

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

Case No. 01393 A

REV 9/15/98

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

WORK # - 410884-
CITY XZ54

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 3/30/01

ZONING DESCRIPTION FOR 2217 WICOMICO ROAD

Beginning at a point on the southeast side of Wicomico Road which is 30 feet wide at the distance of 0 feet east of the centerline of the nearest improved intersecting street

Monocacy Road which is 30 feet wide. Being Lot # 1A, in the re-subdivision plat of Lot 1, Helldorfer Subdivision as recorded in Baltimore County Plat Book # 50, Folio # 28 containing .37 acres. Also known as 2217 Wicomico Road and located in the 15th

Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JL 393 No.

92933

DATE 3/30/01 ACCOUNT 001 006 6150

AMOUNT \$ 100.00

RECEIVED FROM: HOENIG

FOR: Ryan Hoenig

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
5/30/2001 5/30/2001 09:52:23

REG 4801 CASHIER JRIC JMR DRYMER
RECEIPT # 179680

DEPT 5 521 ZONING VERIFICATION
DE NO. 092933

Receipt Tot 100.00
100.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 01-393- A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline
of Monocacy Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Dominic D & Amy M. Hoenig

Variance: to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

Hearing: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
4/28/01 Apr. 26 C464647

CERTIFICATE OF PUBLICATION

4/26/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/26/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-393-A

Petitioner/Developer: Dominic D

↓ Amy m. Hoening

Date of Hearing/Closing: May 14, 2001

**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 2217 Wicomico Rd

The sign(s) were posted on APRIL 28, 2001
(Month, Day, Year)

Sincerely,

SS6 [Signature] 4/28/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

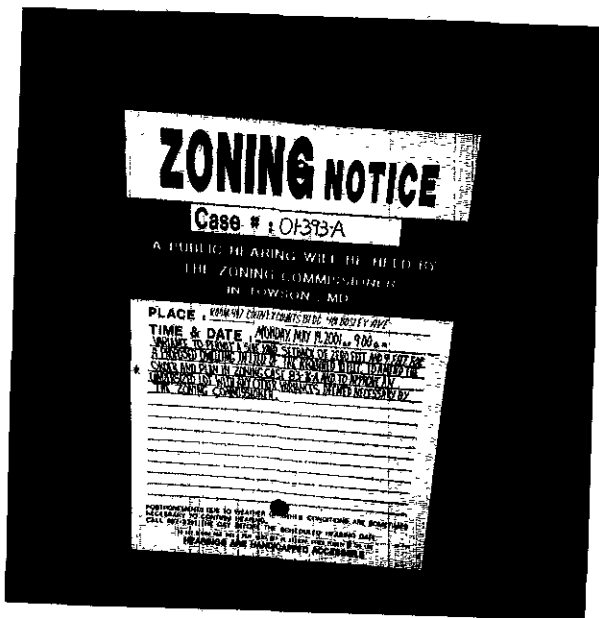
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: _____

393

Petitioner: _____

Amy and Dominic Hoenig

Address or Location: _____

2217 Wicomico Rd Balto. MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Amy Hoenig

Address: _____

5926 Greenhill Avenue

Baltimore, Maryland 21206

Telephone Number: _____

410 325-3174

Revised 2/20/98 - SCJ

-15-

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

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



North

scale: 1"=1000'

public private

SEWER: ☐ ☐

WATER : ☐ ☐

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings:



North

date: _____

prepared by: _____

Scale of Drawing: 1"=

reviewed by: ITEM #: CASE#:

reviewed by:

ITEM #

CASE#:

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 26, 2001 Issue – Jeffersonian

Please forward billing to:
Amy Hoenig
5926 Greenhill Avenue
Baltimore MD 21206

410 325-3174

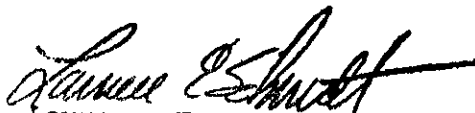
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-393-A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline of Monocacy Road
15th Election District – 5th Councilmanic District
Legal Owners Dominic D & Amy M Hoenig

Variance to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *EDZ*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 11, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-393-A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline of Monocacy Road
15th Election District – 5th Councilmanic District
Legal Owners Dominic D & Amy M Hoenig

Variance to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

GJZ

C: Amy M & Dominic D Hoenig, 5926 Greenhill Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 28, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

May 11, 2001

Amy M & Dominic D Hoenig
5926 Greenhill Avenue
Baltimore MD 21206

Dear Mr. & Mrs. Hoenig:

RE: Case Number: 01-393-A, 2217 Wicomico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Jeric
5/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2001

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

APR 16

SUBJECT: 2217 Wilcomoco Road

INFORMATION:

Item Number: 01-393

Petitioner: Amy Hoenig

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a side yard setback of 9 feet in lieu of the minimum required 10 feet, and a side yard set back of 3 feet in lieu of the minimum required 15 feet and a combined side yard setback of 12 feet in lieu of the minimum required 25 feet. This office also supports a request for a minimum lot width of 51 feet in lieu of the required 70 feet. However, we do not support the request for a side yard setback of 0 feet from the southeast side lot line.

Prepared by: Marla A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

April 12, 2001

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

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 9, 2001

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS IN REGARD TO THE FOLLOWING ITEM #'S.

380, 381, 382, 384, 386, 387, 389, 390, 391, 392, 393, 394,

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

cc: File

Come visit the County's Website at www.co.ba.md.us





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Pericari
Secretary

Parker F. Williams
Administrator

Date: 4 9 . 01

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

RE: Baltimore County
Item No. 393

JLL

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MB/RS*

DATE: April 12, 2001

SUBJECT: Zoning Item #393
2217 Wicomico Road

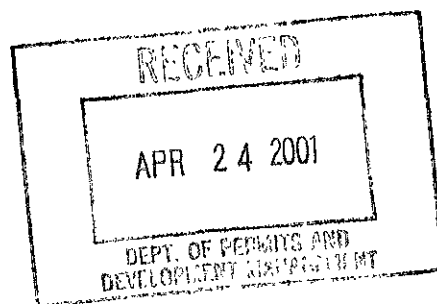
Zoning Advisory Committee Meeting of April 9, 2001

- _____ 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 (Section 14-401 through 14-422 of the Baltimore County Code).
- X 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).

Reviewer: Keith Kelley

Date: April 12, 2001

RECEIVED FOR FILING
Date 5/16/01
By R. J. [Signature]



RECEIVED

APR 24 2001

DEPT. OF PERMITS AND
DEVELOPMENT AIRPORT

RE: PETITION FOR VARIANCE
2217 Wicomico Road, SE/S Wicomico Rd,
opp ext. c/I Monocac Rd
15th Election District, 5th Councilmanic

Legal Owner: Dominic D. & Amy M. Hoenig
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-393-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Dominic D. & Amy M. Hoenig, 5926 Greenhill Avenue, Baltimore, MD 21206, Petitioners.

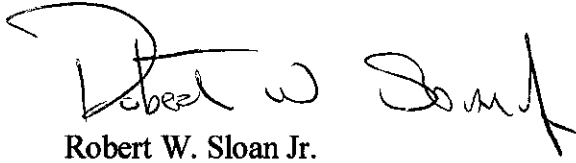


PETER MAX ZIMMERMAN

To Whom it May Concern,

I, Robert W. Sloan Jr. of 2219 Wicomico Road, do not oppose a side yard setback of zero feet and 9 feet for a proposed dwelling, an undersized lot permit, amendments to the order and plan in zoning case 83-76-A and or any other variances deemed necessary by the zoning commissioner for 2217 Wicomico road.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W Sloan Jr.", with a stylized flourish at the end.

Robert W. Sloan Jr.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

4/18/01

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-398-A

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

Residential Processing Fee Paid
(\$50.00)

Accepted by JL
Date 3/30/01

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant Amy and Dominic Hoenig Address 5926 Greenhill Ave Telephone Number 410-325-3174
Lot Address 2217 Wilcomico Road Election District 15 Councilmanic District 5th Square Feet 1161172
Lot Location: N E S W side/corner of Wilcomico Rd (street) 0 feet from N E S W corner of Monocacy Rd (street)
Land Owner: Amy M. and Dominic D. Hoenig Tax Account Number 19-00-008809
Address: 5926 Greenhill Ave Balb. MD 21206 Telephone Number (410) 325-3174

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>DR3.5</u>		

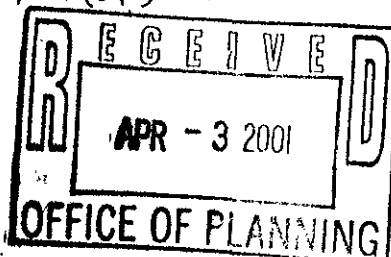
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the application to conform with the following recommendations

See attached 2AC comment.

Signed by: Jeffrey M. Long
for the Director, Office of Planning and Community Conservation



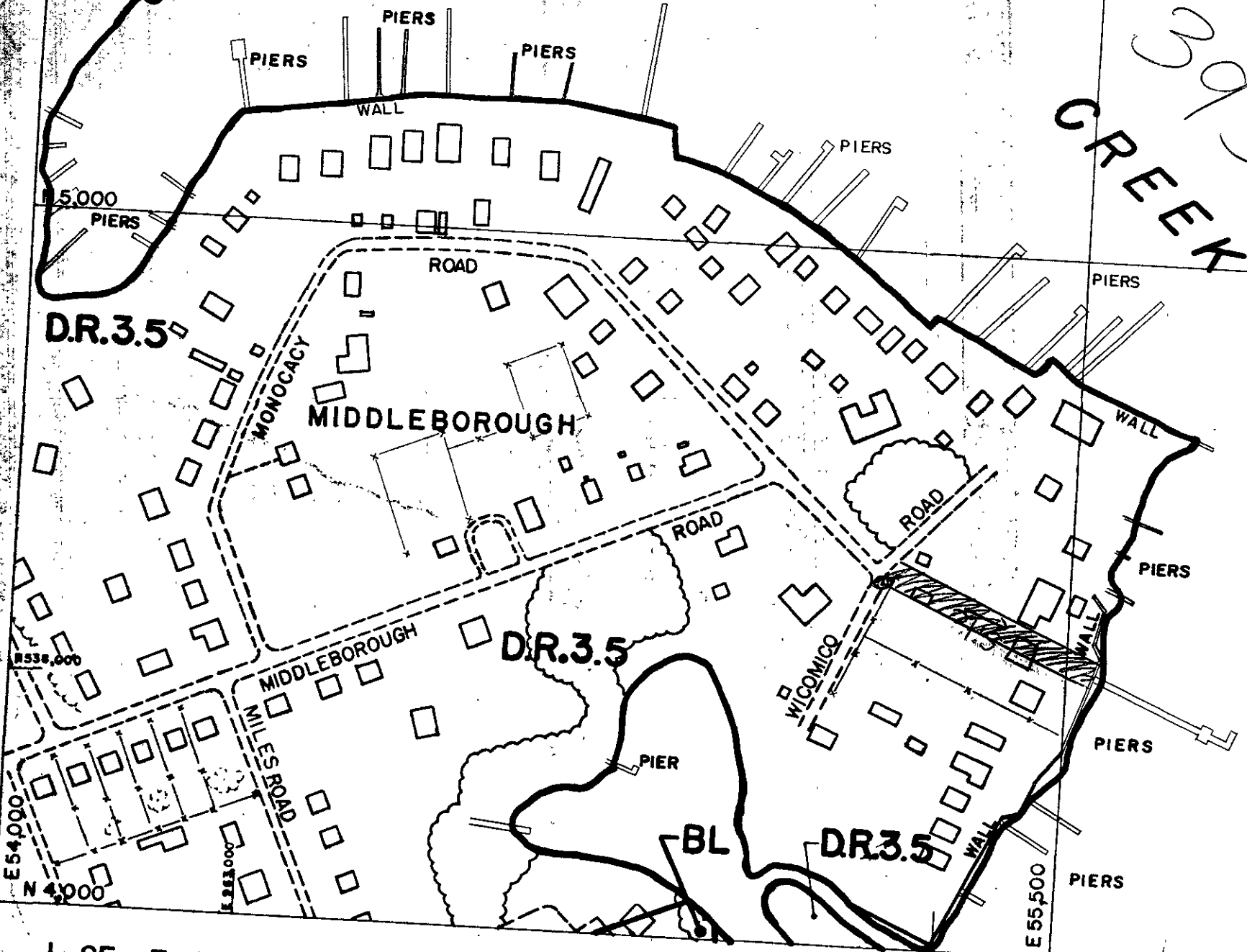
Date: 4/13/2001

Revised 2/25/99

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

DR.3.5

393
CREEK



I-SE Z-SW

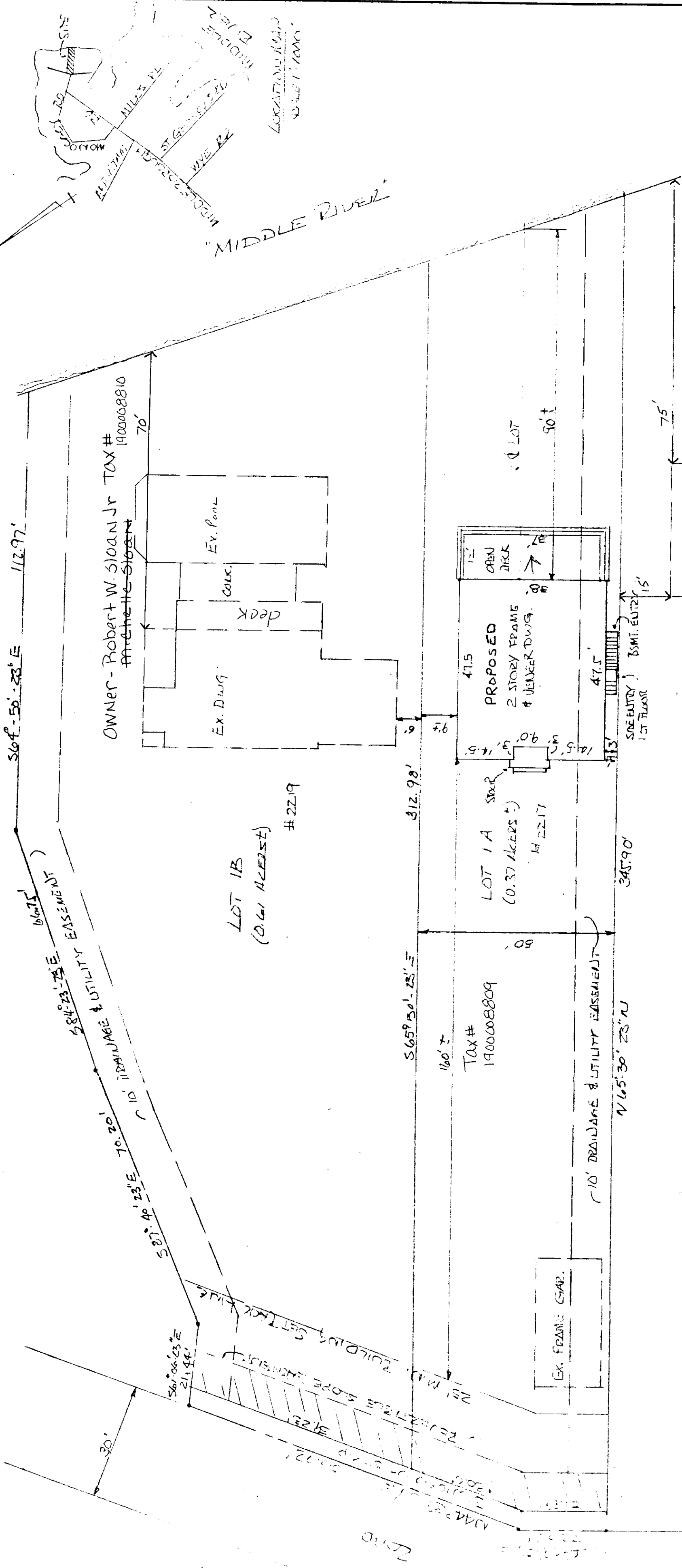
NE 2 J

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96

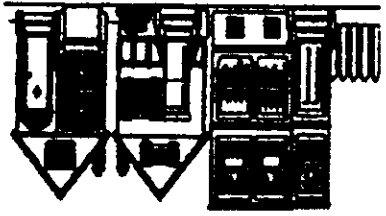
Plat to accompany Petition for Zoning Variance

HELDDORFER SUBDIVISION
46-120

Lot 2



SA Bluebill Ct.
Berlin, MD.
410-641-7581



A. Randall Cassell
Design and Drafting Service
NKBA Kitchen Specialist



113 Gothard Road
Lutherville, MD.
410-825-8734

Location Information

Councilman's District - 5th
Election District - 15

1'-200' scale map - NE-2J

Zoning - DR 3.5

Lot size -

0.37 Acreage

16,177.2 Square Feet

Sewer - public

Water - public

Chesapeake Bay Critical Area - YES

Flood Zone C, Elevation 12.9

Not in historic district

Prior zoning hearings - NONE

Zoning violations - NONE

Plat of Lot 1A section A

HELDDORFER SUBDIVISION

(RECORDED PLAT BOOK 50/28)

15TH EIGHTH DIST BALTIMORE CO. MD

SCALE: 1"=20'

PLAT PREPARED BY FRANK LEE

REGISTERED LAND SURVEYOR

DATED DEC. 28, 1992

NO adjacent ownership

in past 6 years

2217 Wilcomico Road
Heldorfer Re-subdivision

Plat book - 50

Folio - 28

Lot 1A Section A

Amy Maria Hoening

Dominic Douglas Jack Hoening

Zoning Office Use ONLY

Reviewed by: Item #: Case #:

SCALE: 1"=20'

DATE:

APPROVED BY: DOMINIC & AMY HOENIG

Location (Plat)

DRAWING NUMBER

211

HELDORFER SUBDIVISION
46-120

Lot 2.

Ex. 229.

564-50-23 E 112.97'

03-23-15

OWNER - Robert W. Sloan Jr
~~Attorney at Law~~ TAX # 190

LOT 1B
(0.61 Acrest)

2219

Tax# 1906008809

LOT 1A S.W. 1/4
(0.37 acres ±)

47.5
PROPOSED
2 STORY FRAME
JAMES DWG

OPEN
DRINK

6-105000

Plat of lot 1A section A

Re-
HELLDORFER SUBINVEST

RECORDED REC BOOK 44-1241 50/28

2217 Wilcomido Road

Helldorfer Re-Subdivision

flat book - 50

Folio 28

lot 1A section A

Amy Maria Hoenig

✓ mine works just fine

100

15TH ELYT. DIST
BALTIMORE CO. MD.

SCALE: 1" = 20'

PLAT PREPARED BY FRANK S LEE
REGISTERED LAW SURVEYOR
DATED DEC. 22, 1982

Nil adjacent ownership
in past 6 years

Zoning Office Use Only

Reviewed by:	Item #:	Case #:
--------------	---------	---------

DONOVIC & WILLYS HOUSE 1119

SCALE: 1" = 30'	APPROVED BY:
-----------------	--------------

NAME:	Location: <i>Florida</i>
-------	--------------------------

100-89608-1

DRAWING NUMBER
1-17

665

**SA Bluebill Ct.
Berlin, MD.
410-641-7581**

GRAPHICS

113 Gotthard Road
Lutherville, MD.
410-825-8734

DRAWN BY HILL
REVISED

DRAWING NUMBER
1-17

IN RE: PETITION FOR VARIANCE

SE/S of Wicomico Road opposite extended
centerline of Monocacy Road
15th Election District
5th Councilmanic District
(2217 Wicomico Road)

Amy M. & Dominic D. Hoenig
Petitioners

*
*
*
*
*

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 01-393-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Amy M. & Dominic D. Hoenig. The Petitioners are requesting a variance for property they own at 2217 Wicomico Road. The subject property is zoned DR 3.5.

Appearing at the hearing on behalf of the variance request were Amy and Dominic Hoenig, property owners and Robert Sloan, Sr., adjacent property owner. There were no protestants or others in attendance.

The Petitioners are requesting a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow the construction of a new single-family dwelling on this unimproved lot with a setback as close as 0 ft. and 9 ft. for side yard setbacks in lieu of the required 10 ft. In addition, the Petitioners are requesting approval to amend a prior site plan in Zoning Case No. 83-76-A and to approve an undersized lot.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.37 acres, more or less, zoned DR 3.5. The subject property is a waterfront lot located on Wicomico Road in the Middleborough area of Baltimore County. The lot which is the subject of this hearing has been in the Petitioners' family for many years. Robert Sloan, Sr., who appeared at the hearing, is the father of Amy Hoenig, the Petitioner herein. Mr. Sloan lives on the south side of the lot in question. To the north of the lot in question is situated the home of

5/16/01
R. Sloan

the Petitioner's brother, Robert Sloan, Jr. Neither of these property owners have any objection to the construction of this new home and fully support Mr. and Mrs. Hoenig in the construction of this house.

The site plan submitted into evidence shows a 10 ft. drainage and utility easement that runs along the south property line of the lot in question. This drainage and utility easement is not a recorded Baltimore County easement and serves no purpose in the area where the Petitioners wish to construct their home. Therefore, it is appropriate for the house to be situated in a fashion that infringes upon this 10 ft. easement, as the easement serves no purpose along this area of the property. Therefore, the house as shown on the site plan is appropriately situated and the variances to allow it to be constructed as shown shall be approved.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should, therefore, be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioners; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioners of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief

5/16/01
By: [Signature]

requested will not confer upon the Petitioners any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations (attached herewith) which describe what steps the Petitioners must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
2. Conserve fish, wildlife, and plant habitat; and
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

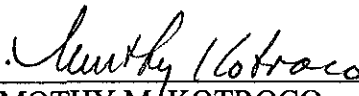
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

5/16/01
By: R. J. [Signature]

THEREFORE, IT IS ORDERED this 16th day of May, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow the construction of a new single-family dwelling on this unimproved lot with a setback as close as 0 ft. and 9 ft. for side yard setbacks in lieu of the required 10 ft., for approval to amend a prior site plan in Zoning Case No. 83-76-A and to approve an undersized lot, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2) Compliance with the recommendations made by DEPRM in their memo dated April 12, 2001, to minimize any effect the proposed development might have on the Bay and its tributaries.
- 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.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE FOR FILING
5/16/01




Baltimore County
Zoning Commissioner

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

May 16, 2001

Mr. & Mrs. Dominic Hoenig
5926 Greenhill Avenue
Baltimore, Maryland 21206

Re: Petition for Variance
Case No. 01-393-A
Property: 2217 Wicomico Road

Dear Mr. & Mrs. Hoenig:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2217 Wicomico Road 21221

which is presently zoned DR 3.5

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)

1302.3.C.1. to Permit side yard setbacks as close as 0 ft. and 9 ft. for a proposed dwelling in lieu of the required 10 ft. (DR 5.5 regulations per record plat 50/28)
and to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner
of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DETERMINED AT HEARING.

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

Case No. 01393 A

REV 9/15/98

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

WORK # - 410884-
CITY XZ54

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1/2 HR

UNAVAILABLE FOR HEARING

Reviewed By JL Date 3/30/01

ZONING DESCRIPTION FOR 2217 WICOMICO ROAD

Beginning at a point on the southeast side of Wicomico Road which is 30 feet wide at the distance of 0 feet east of the centerline of the nearest improved intersecting street

Monocacy Road which is 30 feet wide. Being Lot # 1A, in the re-subdivision plat of Lot 1, Helldorfer Subdivision as recorded in Baltimore County Plat Book # 50, Folio # 28 containing .37 acres. Also known as 2217 Wicomico Road and located in the 15th

Election District, 5th Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JL 393 No.

92933

DATE 3/30/01 ACCOUNT 001 006 6150

AMOUNT \$ 100.00

RECEIVED FROM: HOENIG

FOR: Ryan Hoenig

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
5/30/2001 5/30/2001 09:52:23

REG 4801 CASHIER JRIC JMR DRYMER
RECEIPT # 179680

DEPT 5 521 ZONING VERIFICATION
DE NO. 092933

Receipt Tot 100.00
100.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 01-393- A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline
of Monocacy Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Dominic D & Amy M. Hoenig

Variance: to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

Hearing: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
4/28/01 Apr. 26 C464647

CERTIFICATE OF PUBLICATION

4/26/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/26/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-393-A

Petitioner/Developer: Dominic D

↓ Amy m. Hoenig

Date of Hearing/Closing: May 14, 2001

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 2217 Wicomico Rd

The sign(s) were posted on APRIL 28, 2001
(Month, Day, Year)

Sincerely,

SSG Robert Black 4/28/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

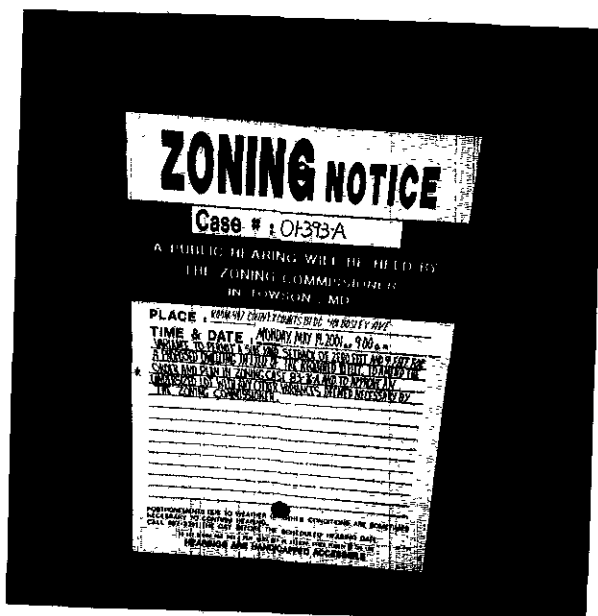
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**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: _____

393

Petitioner: _____

Amy and Dominic Hoenig

Address or Location: _____

2217 Wicomico Rd Balto. MD 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Amy Hoenig

Address: _____

5926 Greenhill Avenue

Baltimore, Maryland 21206

Telephone Number: _____

410 325-3174

Revised 2/20/98 - SCJ

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: _____



Vicinity Map

scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

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



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 26, 2001 Issue – Jeffersonian

Please forward billing to:
Amy Hoenig
5926 Greenhill Avenue
Baltimore MD 21206

410 325-3174

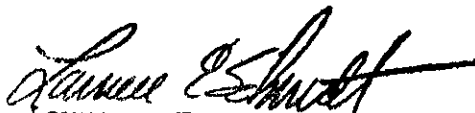
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-393-A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline of Monocacy Road
15th Election District – 5th Councilmanic District
Legal Owners Dominic D & Amy M Hoenig

Variance to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *EDZ*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 11, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-393-A
2217 Wicomico Road
SE/S of Wicomico Road opposite extended centerline of Monocacy Road
15th Election District – 5th Councilmanic District
Legal Owners Dominic D & Amy M Hoenig

Variance to permit a side yard setback of zero feet and 9 feet for a proposed dwelling in lieu of the required 10 feet; to amend the order and plan in zoning case 83-76-A and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, May 14, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

GJZ

C: Amy M & Dominic D Hoenig, 5926 Greenhill Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 28, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

May 11, 2001

Amy M & Dominic D Hoenig
5926 Greenhill Avenue
Baltimore MD 21206

Dear Mr. & Mrs. Hoenig:

RE: Case Number: 01-393-A, 2217 Wicomico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Jeric
5/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2001

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

APR 16

SUBJECT: 2217 Wilcomoco Road

INFORMATION:

Item Number: 01-393

Petitioner: Amy Hoenig

Zoning: DR 3.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a side yard setback of 9 feet in lieu of the minimum required 10 feet, and a side yard set back of 3 feet in lieu of the minimum required 15 feet and a combined side yard setback of 12 feet in lieu of the minimum required 25 feet. This office also supports a request for a minimum lot width of 51 feet in lieu of the required 70 feet. However, we do not support the request for a side yard setback of 0 feet from the southeast side lot line.

Prepared by: Marla A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

April 12, 2001

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

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 9, 2001

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.

**THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS IN REGARD TO THE
FOLLOWING ITEM #'S.**

380, 381, 382, 384, 386, 387, 389, 390, 391, 392, 393, 394,

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

cc: File

Come visit the County's Website at www.co.ba.md.us





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Pericari
Secretary

Parker F. Williams
Administrator

Date: 4 9 . 01

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

RE: Baltimore County
Item No. 393

JLL

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MB/RS*

DATE: April 12, 2001

SUBJECT: Zoning Item #393
2217 Wicomico Road

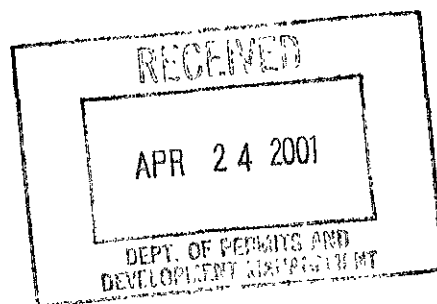
Zoning Advisory Committee Meeting of April 9, 2001

- _____ 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 (Section 14-401 through 14-422 of the Baltimore County Code).
- X 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).

Reviewer: Keith Kelley

Date: April 12, 2001

RECEIVED FOR FILING
Date 5/16/01
By R. J. [Signature]



RE: PETITION FOR VARIANCE
2217 Wicomico Road, SE/S Wicomico Rd,
opp ext. c/I Monocac Rd
15th Election District, 5th Councilmanic

Legal Owner: Dominic D. & Amy M. Hoenig
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-393-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Dominic D. & Amy M. Hoenig, 5926 Greenhill Avenue, Baltimore, MD 21206, Petitioners.

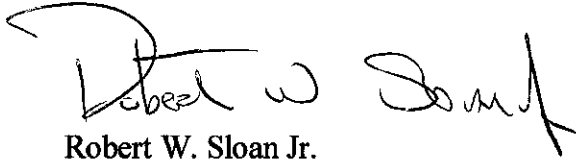


PETER MAX ZIMMERMAN

To Whom it May Concern,

I, Robert W. Sloan Jr. of 2219 Wicomico Road, do not oppose a side yard setback of zero feet and 9 feet for a proposed dwelling, an undersized lot permit, amendments to the order and plan in zoning case 83-76-A and or any other variances deemed necessary by the zoning commissioner for 2217 Wicomico road.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Sloan Jr.", with a stylized flourish at the end.

Robert W. Sloan Jr.

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

4/18/01

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-398-A

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

Residential Processing Fee Paid
(\$50.00)

Accepted by JL
Date 3/30/01

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant Amy and Dominic Hoenig Address 5926 Greenhill Ave Telephone Number 410-325-3174
Lot Address 2217 Wilcomico Road Election District 15 Councilmanic District 5th Square Feet 1161172
Lot Location: N E S W side/corner of Wilcomico Rd (street) 0 feet from N E S W corner of Monocacy Rd (street)
Land Owner: Amy M. and Dominic D. Hoenig Tax Account Number 19-00-008809
Address: 5926 Greenhill Ave Balb. MD 21206 Telephone Number (410) 325-3174

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan	☒	☐
Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>DR3.5</u>		

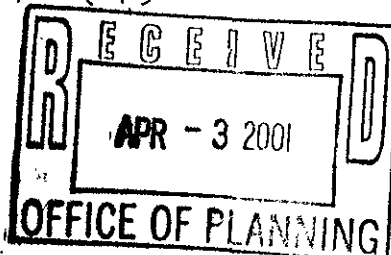
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the application to conform with the following recommendations

See attached 2AC comment.

Signed by: Jeffrey M. Long
for the Director, Office of Planning and Community Conservation



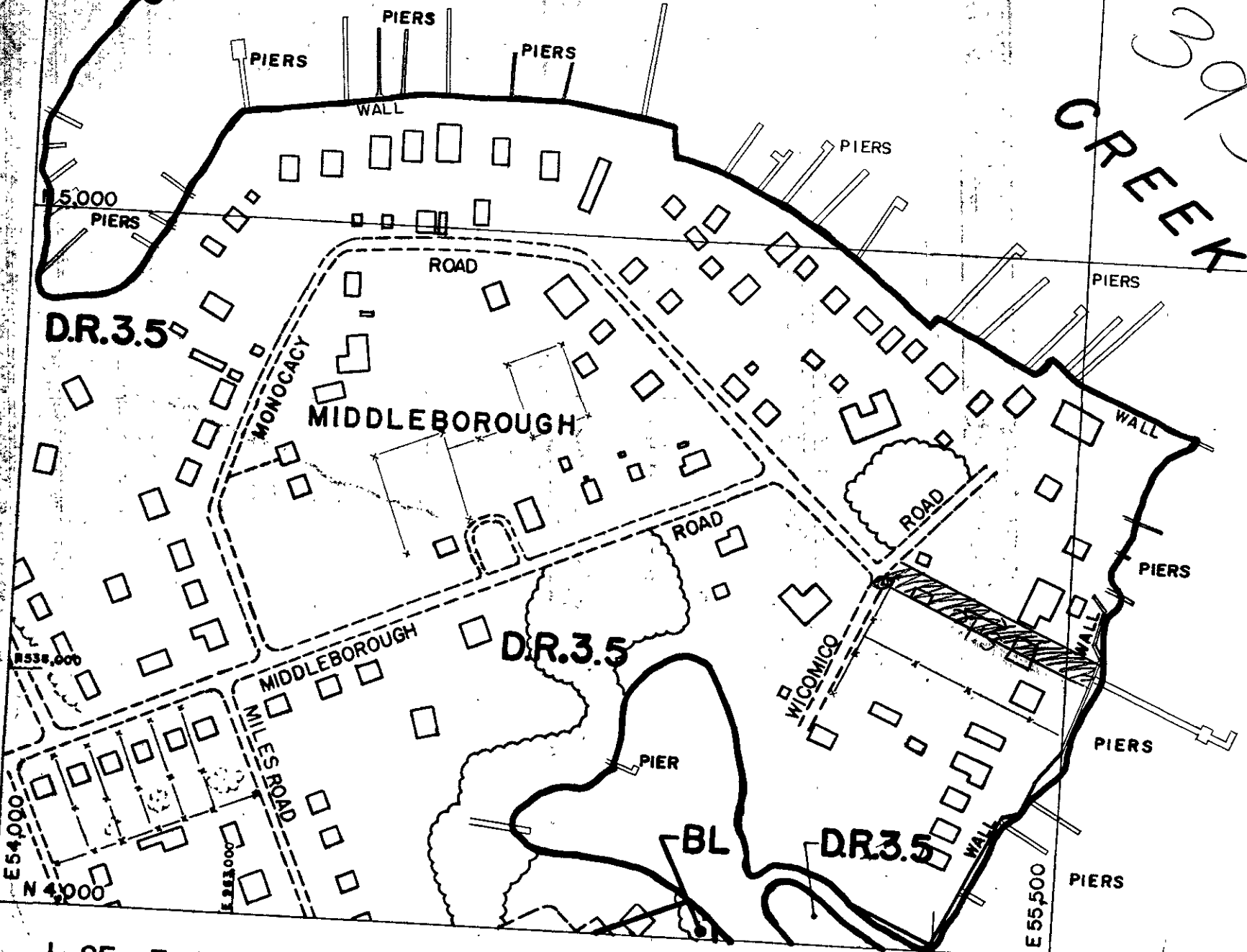
Date: 4/13/2001

Revised 2/25/99

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

DR.3.5

393
CREEK



I-SE Z-SW

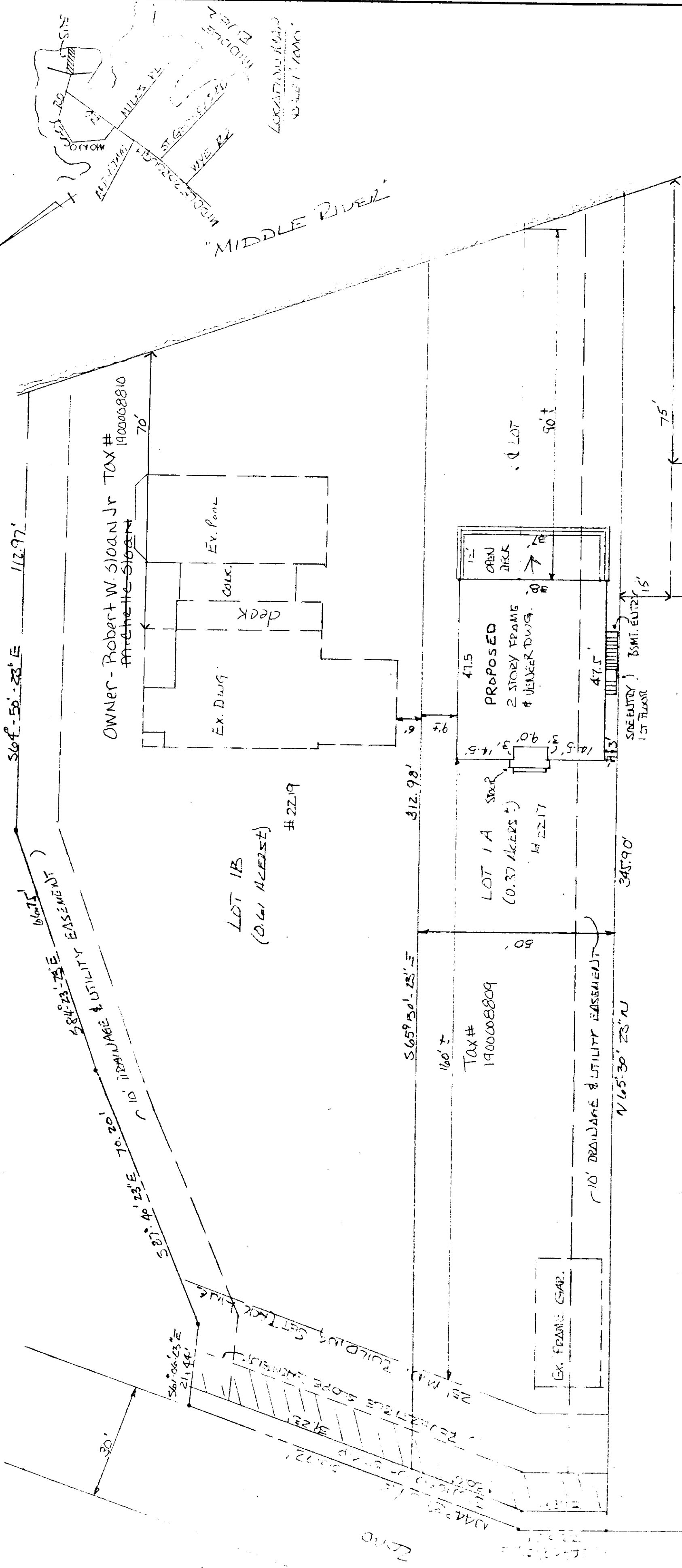
NE 2 J

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96

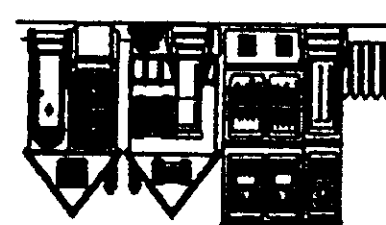
Plat to accompany Petition for Zoning Variance

HELLDORFER SUBDIVISION
46-120

Lot 2



SA Bluebill Ct.
Berlin, MD.
410-641-7581



A. Randall Cassell
Design and Drafting Service
NKBA Kitchen Specialist



113 Gothard Road
Lutherville, MD.
410-825-8734

Location Information

Councilman's District - 5th
Election District - 15
1'-200' scale map - NE-2J
Zoning - DR 3.5
Lot size -
Acreage 16,177.2
Sewer - public
Water - public
Chesapeake Bay Critical Area - YES
Flood Zone C, Elevation 12.9
Not in historic district
Prior zoning hearings - NONE
Zoning violations - NONE

Plat of Lot 1A section A

HELLDORFER SUBDIVISION
(RECORDED PLAT 301-46-120-50/28)

15TH EUST. DIST BALTIMORE CO. MD
SCALE: 1"=20'

PLAT PREPARED BY FRANK LEE
REGISTERED LAND SURVEYOR
DATED DEC. 28, 1992

NO adjacent ownership
in past 6 years

2217 Wilcomico Road
Helldorfer Re-subdivision
Plat book - 50
Folio - 28
Lot 1A Section A
Amy Maria Hoening
Dominic Douglas Jack Hoening

Zoning Office Use ONLY

Reviewed by: Item #: Case #:

SCALE: 1"=20'
DATE:

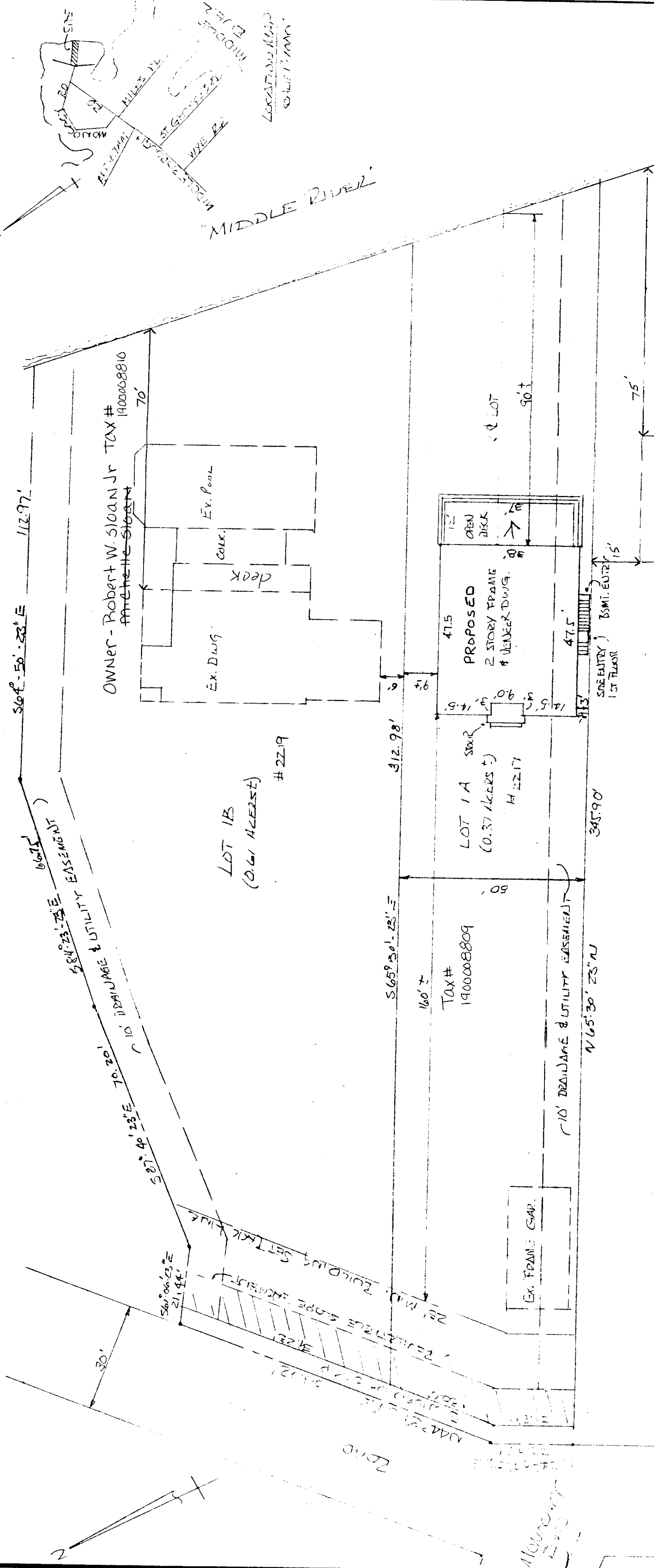
Location Plans

DRAWING NUMBER
2111

Plat to accompany Petition for Zoning Variance

HELDDORFER SUBDIVISION
46-120

Lot 2



Plat of lot 1A section A

Re-
HELDDORFER SUBDIVISION

(RECORDED AT BALTIMORE COUNTY 50/28)

15TH ELET. DIST BALTIMORE CO. MD.

SCALE 1" = 20'

PLAT PREPARED BY FRANK LEE
REGISTERED LAND SURVEYOR
DATED DEC. 22, 1992

NO ADJACENT OWNERSHIP
IN PAST 10 YEARS

2217 Wilcomico Road
Heldorfer Re-subdivision
Plat book - 50
Folio - 28

lot 1A section A

Amy Maria Hoening

Dominic Douglas Juck Hoening

Zoning Office Use ONLY

Reviewed by: Item #: Case #:

Dominic & Amy Hoening

SCALE: 1" = 20'

DATE: _____

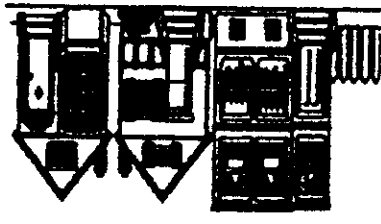
Location: _____

DRAWING NUMBER
7131

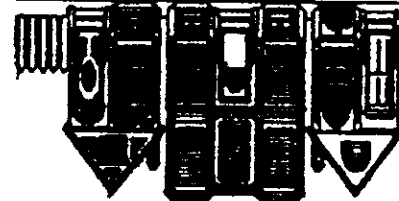
1100 06-1772

290

SA Bluehill Ct.
Berlin, MD.
410-641-7581



AR GRAPHICS
Design and Drafting Service
NKBA Kitchen Specialist
A. Randall Cassell



113 Gothard Road
Lutherville, MD.
410-825-8734

LOCATION INFORMATION

Councilman's District - 5th
Election District - 15

1" = 200' scale map - NE-2J

Zoning - DR 3.5

Lot size -

.37 acreage

16,117.2 square feet

Chesapeake Bay Critical Area - public

Flood Zone C, Elevation 12.9

Not in historic district

Prior zoning hearings - NONE 83-76A

Zoning violations - NONE