

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Old Court Road, 240' E		
Stevenson Road	*	DEPUTY ZONING COMMISSIONER
3rd Election District		
2nd Councilmanic District	*	OF BALTIMORE COUNTY
(3521 Old Court Road)		
	*	CASE NO. 01-407-A
Beverly and Morris Weinman		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Beverly and Morris Weinman, legal owners of that property known as 3521 Old Court Road in the Dumbarton area of Baltimore County. The Petitioners herein seek relief from Section 205.3 (1955-1971 Regulations), to permit a side yard setback of 10 ft. in lieu of the required 15 ft. for a proposed 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.

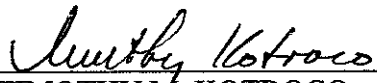
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public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

5/8/01
 J.P. Johnson

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 8th day of May, 2001, that a variance from Section 205.3 (1955-1971 Regulations), to permit a side yard setback of 10 ft. in lieu of the required 15 ft. for a proposed 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 FOR FILING
DATE 5/8/01
BY R. J. G. [Signature]



Baltimore County
Zoning Commissioner

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

May 8, 2001

Mr. & Mrs. Morris Weinman
3521 Old Court Road
Baltimore, Maryland 21208

Re: Petition for Administrative Variance
Case No. 01-407-A
Property: 3521 Old Court Road

Dear Mr. & Mrs. Weinman:

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 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,

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

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. David C. Ammon
345 N. Charles Street
Baltimore, MD 21201



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3521 OLD COURT ROAD
which is presently zoned DR2

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) 205.3 (1955-1971 REGULATIONS)
TO PERMIT A SIDEYARD SETBACK OF 10 FT. IN LIEU OF THE REQUIRED 15 FT.
(FOR A PROPOSED ADDITION)

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

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

* 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. 01-407-A

Reviewed By JL

Date 4/05/01

Estimated Posting Date 4/15/01

REL 9/15/93

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 3521 Old Court Road
Address
Baltimore, Maryland 21208
City State Zip Code

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

This residence was constructed approximately 1960. Plumbing and bathrooms are original. The original terra cotta sewer line (our portion) has been crushed by the roots of a large tree in the front yard and backs up periodically. We removed the tree several years ago, but the problem persists. Repairing the sewer line will involve digging up the area immediately west of the residence, where there is an existing pool bathhouse, with permanent sink, toilet and electricity, built in the 1960's, prior to our purchasing the house. The potential resale value of our residence in diminished not only by the drainage problem, but also by the small master bathroom, which measures 4'x7', thus causing future problems of accessibility. We wish to demolish the existing pool bathhouse, which currently encroaches on the 15' Side yard setback by 9', and expand the new bedroom/bathroom into a portion of the existing bathhouse area. Thus encroaching by only 5' on the 15' Side yard setback, and saving the cost of duplicate excavation. Expansion to the rear of the existing bedroom is not possible because of a large 24" dia tree, immediately adjacent to the outside wall, which provides the primary shade in the back yard. Interior renovation is not possible without diminishing the size of existing adjacent bedroom or living room.

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]
Signature
Morris Weinman
Name - Type or Print

[Signature]
Signature
Beverly Weinman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of April, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Morris Weinman and Beverly Weinman

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

4/5/01
Date

[Signature]
Notary Public
My Commission Expires 7/1/02

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.

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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

Morris Weinman

Name - Type or Print

Signature

Beverly Weinman

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of April, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Morris Weinman and Beverly Weinman

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

4/5/01

Notary Public

My Commission Expires

Tracy L. Haydes

7/1/02

Zoning Description

407

ZONING DESCRIPTION FOR 3521 Old Court Road Baltimore, Maryland

Beginning at a point on the north side of Old Court Road which is 60 feet wide at the distance of 240 feet East of the centerline of the nearest improved intersection street Stevenson Road which is 60 feet wide. *Being Lot # 20 Block A, Section # 1 in the subdivision of Dumbarton Heights as recorded in Baltimore County Plat Book # 24, Folio # 57, containing 22,652.16 square feet. Also known as 3521 Old Court Road and located in the 3rd Election District, 2nd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

92940

DATE

4/5/01

ACCOUNT

001 006 6150

AMOUNT \$

50.00

RECEIVED FROM

DAVID AMMON

FOR

RV FILING

PAID RECEIPT

PAYMENT ACTUAL TIME

4/05/2001 4/05/2001 14:40:00

REF: 4605 CASHIER NOTE WEB DRIVER

>> RECEIPT # 207917

DEPT: 5 528 ZONING VERIFICATION

CR NO. 092940

Receipt Tot

00 CR 50.00

10.00-00

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN

RE Case No. 01-407-A

Petitioner/Developer: D. AAMON, AIA

Date of Hearing/Closing 4/30/01

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 # 3521 OLD CT. RD.

The sign(s) were posted on

4/9/01

(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 4/10/01
(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)

01-407-A
#3521 OLD CT.

**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: 407
Petitioner: MORRIS WEINMAN
Address or Location: 3521 OLD COURT ROAD BALTIMORE, MD 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: MORRIS WEINMAN
Address: 3521 OLD COURT RD.
BALT. MD 21208
Telephone Number: 443.286.4000

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 407 -A Address 3521 OLD COURT RD
Contact Person: J. L. LEWIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/05/01 Posting Date: 4/15/01 Closing Date: 4/30/01

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 01- 407 -A Address 3521 OLD COURT RD
Petitioner's Name MORRIS AND BEVERLY WEINMAN Telephone 443-286-4000
Posting Date: ~~4/05/01~~ 4/15/01 Closing Date: 4/30/01
Wording for Sign: TO PERMIT A SIDE YARD SETBACK OF 10 FT. IN LIEU OF
THE REQUIRED 15 FT. FOR A PROPOSED ADDITION



Baltimore County
Department of Permits and
Development Management

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

April 30, 2001

Beverly & Morris Weinman
3521 Old Court Road
Baltimore MD 21208

Dear Mr. & Mrs. Weinman:

RE: Case Number: 01-407-A, 3521 Old Court Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 5, 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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: David Ammon, 345 N Charles Street, Baltimore 21201
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

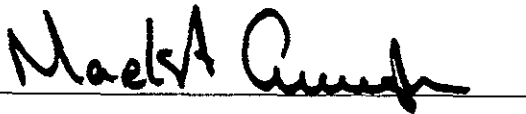
DATE: April 19, 2001

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

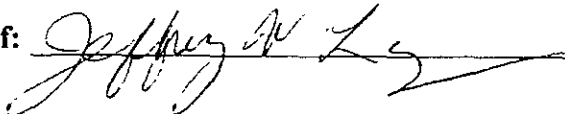
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-379, 01-407 & 01-410

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Baltimore County
Fire Department

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

April 17, 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 16, 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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407,
409, and 411

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

cc: File

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**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 4-12-01

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

RE: Baltimore County
Item No. 407

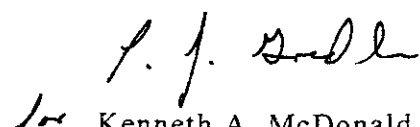
JLL

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 133 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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

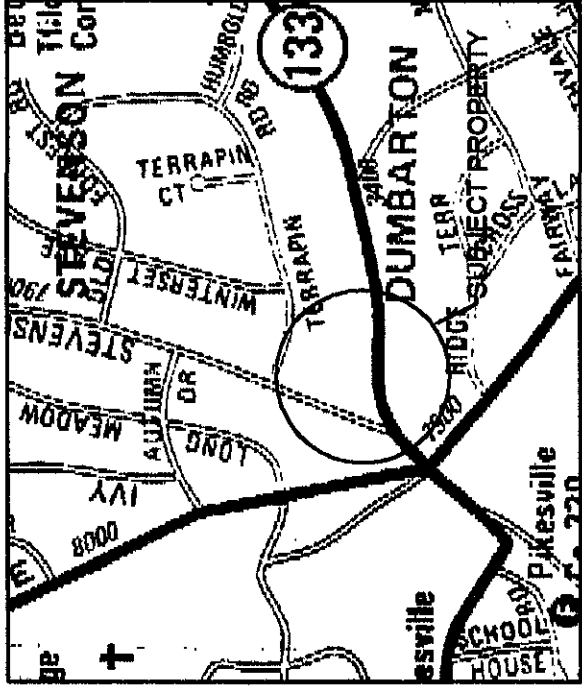
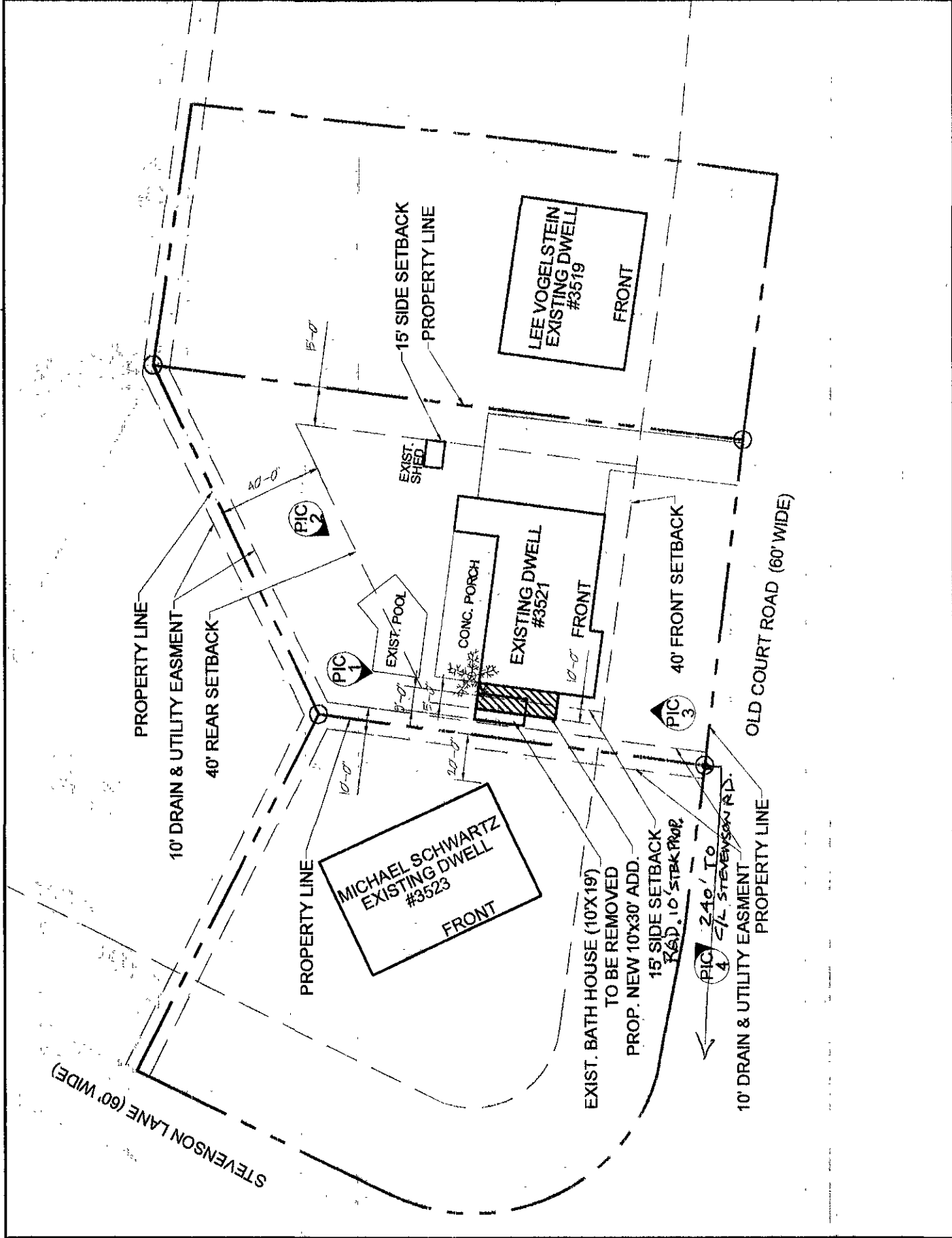
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance

☐ Special Hearing

PROPERTY ADDRESS: 3521 OLD COURT ROAD BALTIMORE, MARYLAND

Subdivision name: DUMBARTON HEIGHTS
plat book# 24 folio# 57 lot# 20 section # 1
OWNER: MORRIS & BEVERLY G. WEINMAN



Vicinity Map
SCALE: 1" = 1000'

LOCATION INFORMATION

Councilmanic District: 2
Election District: 3
1"=200' scale map#: NW8E
Zoning: D.R.2
Lot size: .52 acreage 22,652.16' square feet
SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ yes ☒ no
Prior Zoning Hearings: ☒ ☐ #87-412-A

Zoning Office USE ONLY!
reviewed by: ITEM # CASE #

101



One Story, Brick Veneer, Slab on Grade Construction / Master Bedroom & Master Bathroom Addition
date: April 5, 2001
prepared by: David C. Ammon

Scale of Drawings: 1" = 50'-0"

#1
D.C.

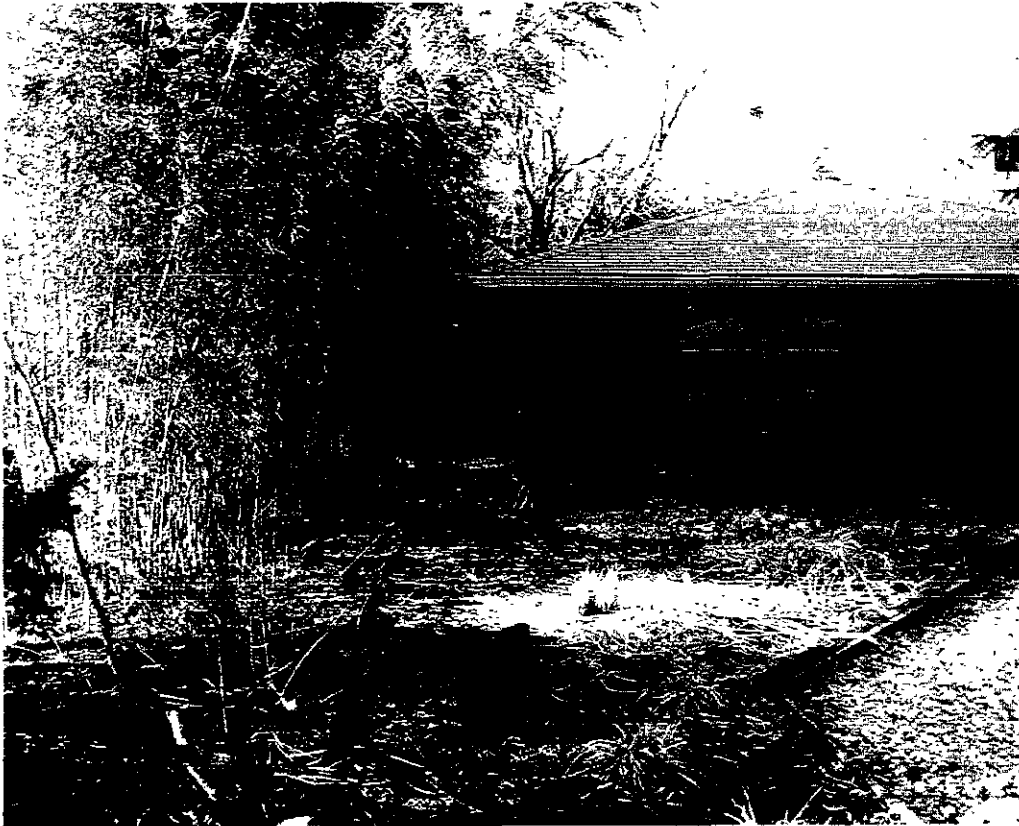


Picture 1 SEE LOCATION ON SITE PLAN



Picture 2 SEE LOCATION ON SITE PLAN

A07

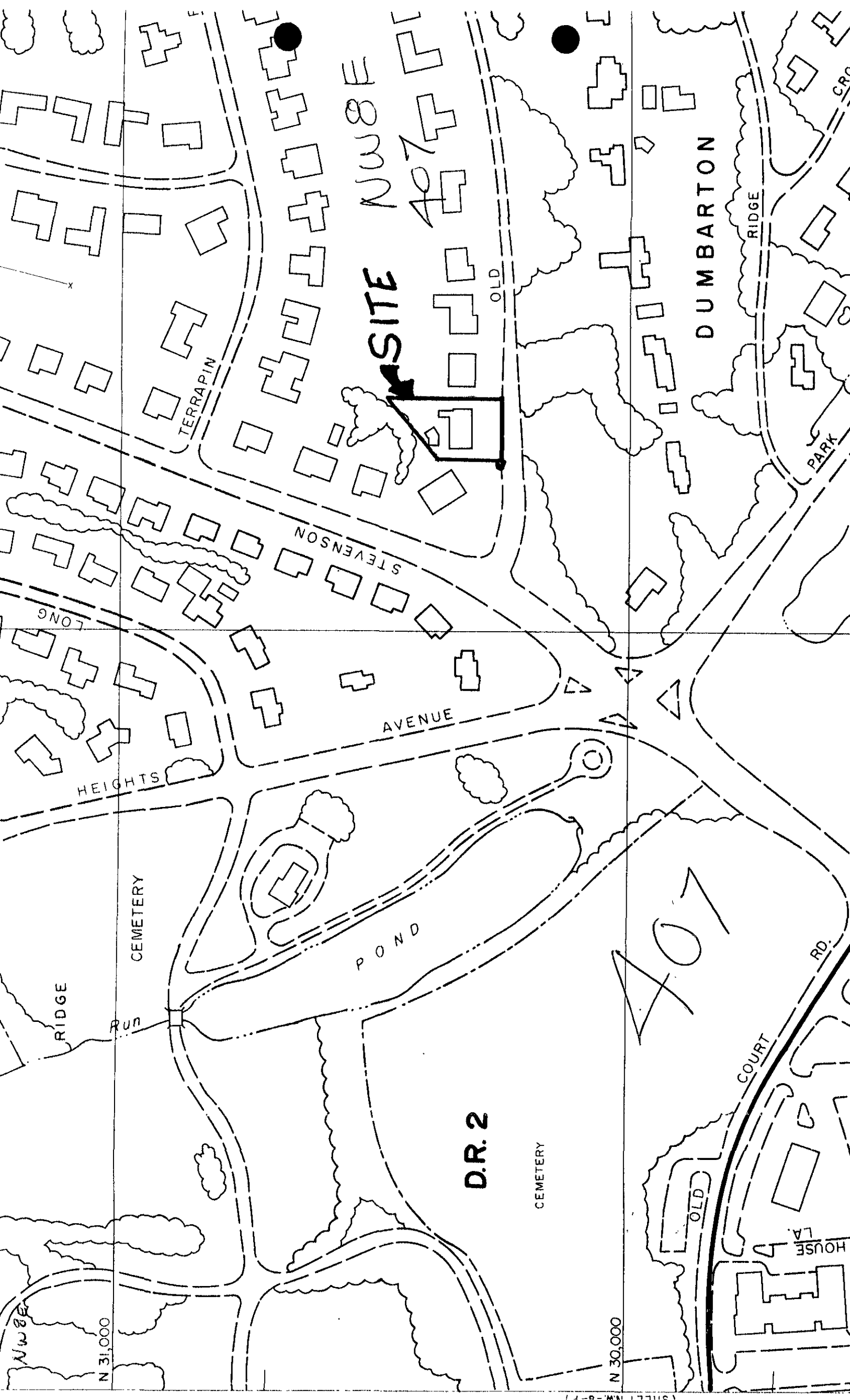


Picture 3 SEE LOCATION ON SITE PLAN



Picture 4 SEE LOCATION ON SITE PLAN

407





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

DUMBARTON

NW
8-E