

IN RE: PETITION FOR ADMIN. VARIANCE
S/S W. Timonium Road, 500' E of the c/l
Mays Chapel Road
(705 W. Timonium Road)
8th Election District
2nd Council District

Robert J. Weltchek and
Arnold M. Weiner - Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-406-A
*

* * * * *

ORDER OF DISMISSAL

WHEREAS, the owners of the subject property filed a Petition for Administrative Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 7 feet and 37 feet in lieu of the required 50 feet each for proposed additions to the existing dwelling. The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual(s) to seek variance relief for an owner-occupied residential property without a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

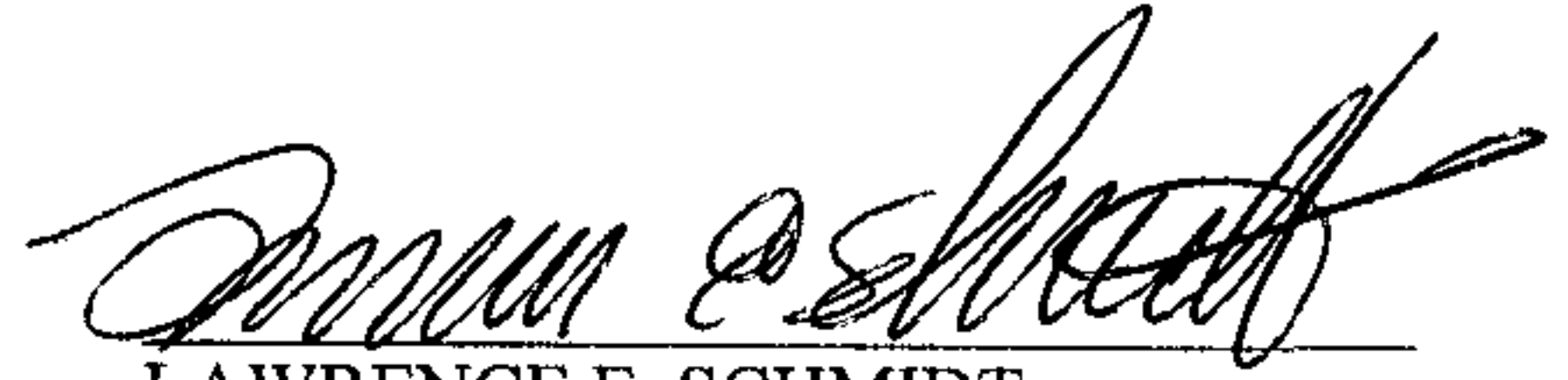
WHEREAS, the adjacent property owners, Dolores Pfeifer, Jeff Hasdey, and William Johnston, demanded a public hearing by letter dated March 25, 2004, and the matter was scheduled for a hearing before the undersigned on May 10, 2004. Prior to the hearing, Arnold M. Weiner, co-owner of the property, requested a withdrawal of the above-captioned matter by letter dated April 12, 2004. Mr. Weiner indicated that there would be no construction on the property that would require a variance of the side yard setback requirements and as such, they wished to withdraw the Petition.

ORDER RECEIVED FOR FILING

Date

By

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of May 2004 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 7 feet and 37 feet in lieu of the required 50 feet each for proposed additions to the existing dwelling, be and the same is hereby DISMISSED WITHOUT PREJUDICE.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Arnold M. Weiner and Robert J. Weltchek

Weiner & Weltchek, 2330 W. Joppa Road, Suite 300, Lutherville, Md. 21093

Mr. Will Baukhages, 28 E. Cross Street, Baltimore, Md. 21230

Ms. Dolores Pfeifer, 709 W. Timonium Road, Lutherville, Md. 21093

Mr. Jeff Hasdey, 707 W. Timonium Road, Lutherville, Md. 21093

Mr. William Johnston, 711 W. Timonium Road, Lutherville, Md. 21093

People's Counsel; Case File

ORDER RECEIVED FOR FILING
Date 5/14/04
By [Signature]



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 705. W. Timonium Road

which is presently zoned RC-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) 1A04.3B.2 To Permit

SIDE YARD SETBACKS OF 7 FT & 37 FT. IN LIEU OF 50 FT.

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.

State

Zip Code

Legal Owner(s):

Robert J. Weltchek, Weltchek & Weiner

Name - Type or Print

Signature

Arnold M. Weiner, Weltchek & Weiner

Name - Type or Print

Signature

2330 W. Joppa Rd., Suite 300

Address

(410) 769-8080

Telephone No.

Lutherville

MD

21093

City

State

Zip Code

Representative to be Contacted:

Same as above. WILL BAUKHAGES

Name

28 E. CROSS ST.

410-752-5006

Address

Telephone No.

BALTIMORE

MD

21230

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, 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. 04-406-A

Reviewed By SPJ

Date 03-05-04

Estimated Posting Date 03-14-04

ORDER RECEIVED FOR FILING
5/1/04
REV 10/25/01

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

Robert J. Weltchek
1434 W. Joppa Rd.
Ruxton, MD 21204

Arnold M. Weiner
13916 Green Branch Dr.
Phoenix, MD 21131

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):

East Side:

The existing Master Bedroom / Bathroom are located at the East end of the house. Both of these rooms are undersized by today's standards. For this reason, the owner needs to add this space and this is the best and most cost effective location for this addition.

West Side:

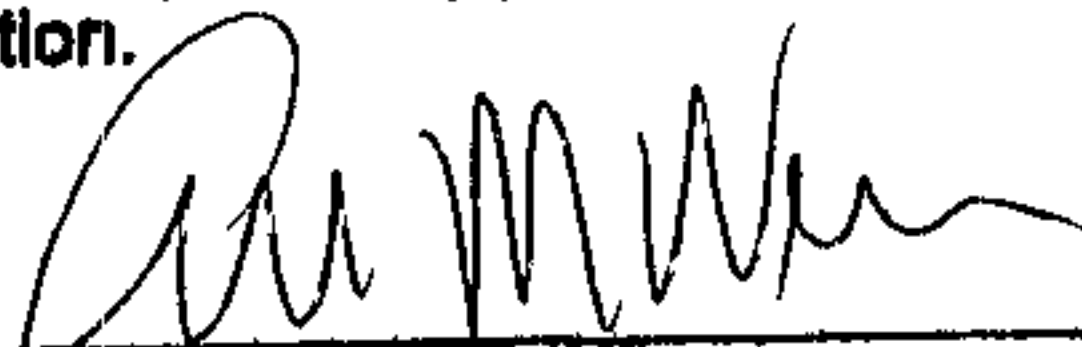
The existing two car garage is located at the West end of the house. The owner needs to have room in the garage for a third car. Due to it's proximity to the existing back door / Mud Room / Kitchen areas, this is the best and most cost effective location for this addition. Additionally, it will maintain the weatherproof access from garage to house.

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

Robert J. Weltchek

Name - Type or Print


Signature

Arnold M. Weiner

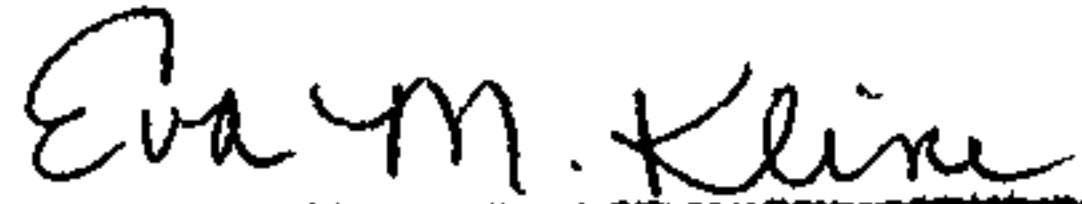
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of March, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert J. Weltchek and Arnold M. Weiner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal


Notary Public

My Commission Expires

4-1-07

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

Robert J. Weltchek
1434 W. Joppa Rd.
Ruxton, MD 21204

Arnold M. Weiner
13916 Green Branch Dr.
Phoenix, MD 21131

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):

East Side:

The existing Master Bedroom / Bathroom are located at the East end of the house. Both of these rooms are undersized by today's standards. For this reason, the owner needs to add this space and this is the best and most cost effective location for this addition.

West Side:

The existing two car garage is located at the West end of the house. The owner needs to have room in the garage for a third car. Due to it's proximity to the existing back door / Mud Room / Kitchen areas, this is the best and most cost effective location for this addition. Additionally, it will maintain the weatherproof access from garage to house.

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

Robert J. Weltchek

Name - Type of Print

Signature

Arnold M. Weiner

Name - Type of Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of MARCH, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert J. Weltchek and Arnold M. Weiner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Eva M. Kline

Notary Public

My Commission Expires 4-1-07



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 705. W. Timonium Road

which is presently zoned RC-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) 1 A04.3.B.2. To Permit

SIDE YARD SETBACKS OF 7 FT & 37 FT. IN LIEU OF 50 FT.

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):

Robert J. Weltchek, Weltchek & Weiner
Name - Type or Print

Signature

Arnold M. Weiner, Weltchek & Weiner

Name - Type or Print

Signature

2330 W. Joppa Rd., Suite 300

Address

(410) 769-8080

Telephone No.

Lutherville

MD

21093

City

State

Zip Code

Representative to be Contacted:

~~Same as above.~~ WILL BAUKHAGES

Name

28 E. CROSS ST. 410-752-5006

Address

Telephone No.

BALTIMORE

MD

21230

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 04 day of April 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. 04-406 A

Reviewed By SDA Date 03-05-04

RFV 10/25/01

Estimated Posting Date 03-14-04

ZONING DESCRIPTION

Zoning Description for 705 W. Timonium Road

Beginning at a point on the South side of W. Timonium Road, which is 60 ft. wide, at a distance of 500 ft.

East of the centerline of the nearest improved intersecting street, Mays Chapel Road, which is 60 ft. wide.

Being Lot # 6, Block —, Section # —, in the subdivision of West Wind, as recorded in Baltimore County

Plat Book # 29, Folio # 132, containing 0.98 Acres. Also Known as 705 W. Timonium Road, and located in the 8th Election District, 2nd Councilmanic District.

04-406. (7)

04-406-A

BAITMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 32141

DATE 12-03-04

ACCOUNT RUC1006610

AMOUNT \$ 65.00

RECEIVED

FROM White Bookettes

FOR

Res. Dev. (Admin) 65.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

8007

PAID RECEIPT

RECEIVED

TIME

PM

3/06/2004 3/06/2004 11:19:55

1

RECEIVED BY: WILSON, JIM

RECEIVED BY: 1/06/07 3/06/2004

OPEN

RECEIVED BY: 5 SAN ANTONIO-RECEIVED

EX. NO. 002141

RECEIVED FOR

405.00

RECEIVED FOR

420.00 DA

RECEIVED FOR

45.00-15

Baltimore County, Maryland

CASHIER'S VALIDATION



FORMAL DEMAND FOR HEARING

CASE NUMBER: 04-406-A

Address: 705 W. Timonium Rd

Petitioner(s): Neighbors

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

We Pfeiffer Hasday
Name - Type of Print Thurston

☒ Legal Owners OR ☒ Resident of
707, 709, 711 W. Timonium Rd.
Address

Timonium md. 21093
City State Zip Code

410-257-5986
Telephone Number

which is located approximately borders feet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter.

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

William D. Thurston 3/29/04
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

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: #04-406-A

705 W. Timonium Road
Side of W. Timonium Road, 500 feet e/of centerline of
Mays Chapel Road

Legal Election District - 2nd Councilmanic District

Legal Owner(s): Robert Weltchek & Arnold Weiner

Administrative Variance: to permit side yard setbacks of
7 feet and 37 feet in lieu of 50 feet

Hearing: Monday, May 10, 2004 at 10:00 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 Com-
missioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.

4/310 Apr. 22 C660817

CERTIFICATE OF PUBLICATION

4/22/2004

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 4/22/2004.

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

S. Wilkins

LEGAL ADVERTISING

Certificate Of Posting

RE: Case NO.: 04-406 A

Petitioner/Developer: _____
WELTCHER & WEINER

Date of Hearing/Closing: 3/29/04

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

Attention:

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
at _____

705 W. TIMONIUM RD.

BALTO. MD. 21093

This sign(s) were posted on 3 13 04
(Month, Day, Year)

Sincerely,

Martin Ogle
(Signature of Sign Poster and Date)

MARTIN OGLE

(Printed Name)

5016 CASTLESTONE DR.

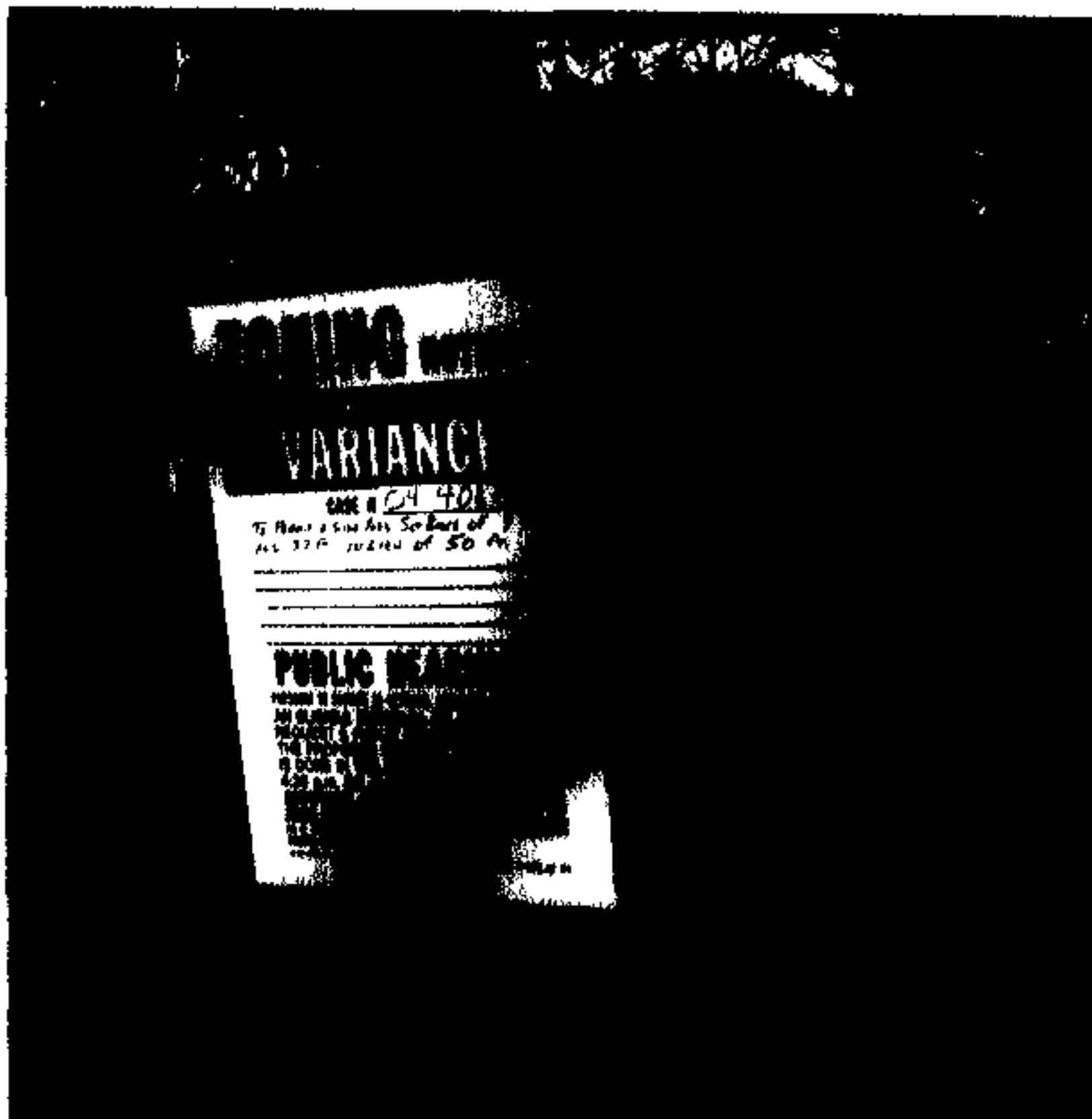
(Address)

BALTO. MD. 21237

(City, State, Zip Code)

410-933-9470

(Telephone Number)



Martin Ogle
3/13/04

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE
VARIANCE
705 W. Timonium Rd; S/side of W Timonium* ZONING COMMISSIONER
Rd, 500' E c/line of Mays Chapel Rd
8th Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): Robert J Weltcheck and * BALTIMORE COUNTY
Arnold M Weiner of Weltcheck & Weiner *
Petitioner(s) * 04-406-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
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 23rd day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to, Will Baukhages, 28 East Cross Street, Baltimore, MD 21230, Representative for Petitioner(s).

RECEIVED

MAR 23 2004

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 22, 2004 Issue - Jeffersonian

Please forward billing to:

Robert Weltchek
Weiner & Weltcher
2330 W. Joppa Rd., Ste. 300
Lutherville, MD 21093

410-769-8080

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: 04-406-A

705 W. Timonium Road

S/side of W. Timonium Road, 500 feet e/of centerline of Mays Chapel Road

8th Election District – 2nd Councilmanic District

Legal Owners: Robert Weltchek & Arnold Weiner

Administrative Variance to permit side yard setbacks of 7 feet and 37 feet in lieu of 50 feet.

Hearing: Monday, May 10, 2004, at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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.



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

March 30, 2004

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: 04-406-A

705 W. Timonium Road

S/side of W. Timonium Road, 500 feet e/of centerline of Mays Chapel Road

8th Election District – 2nd Councilmanic District

Legal Owners: Robert Weltchek & Arnold Weiner

Administrative Variance to permit side yard setbacks of 7 feet and 37 feet in lieu of 50 feet.

Hearing: Monday, May 10, 2004, at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Will Baukhages, 28 E. Cross Street, Baltimore 21230

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 24, 2004.**
- (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.**

**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: 04-406-A
Petitioner: ROBERT J. WELTCHER, ARNOLD M. WEINER
Address or Location: 705 W. TIMONIUM ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT J. WELTCHER
Address: C/O WEINER & WELTCHER
2330 W. JOPPA ROAD, SUITE 300
LUTHERVILLE, MD 21093
Telephone Number: 410-769-8080

Revised 2/20/98 - SCJ

04-406-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04 406 -A Address 705 W. TUNNUN RD.

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner Please Print Your Name

Filing Date: 03-05-04 Posting Date: 03-14-04 Closing Date: 03-29-04

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 04 406 -A Address 705 W. TUNNUN RD.

Petitioner's Name WELCHER & WELCHER Telephone 410-752-5006

Posting Date: 03-14-04 Closing Date: 03-29-04

Wording for Sign: To Permit SIDE YARD SETBACKS OF 7 FT. & 37 FT.
(IN LIEU OF 50 FT.)

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 29, 2004

Robert J. Weltchek
Weltchek & Weiner
2330 W. Joppa Road
Lutherville, Maryland 21093

Dear Mr. Weltchek:

RE: Case Number: 04-406-A, 2330 W. Joppa Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 5, 2004.

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 black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Will Baukhages 28 E. Cross Street Baltimore 21230

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 15, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 15, 2004

Item No.: 341, 399-412

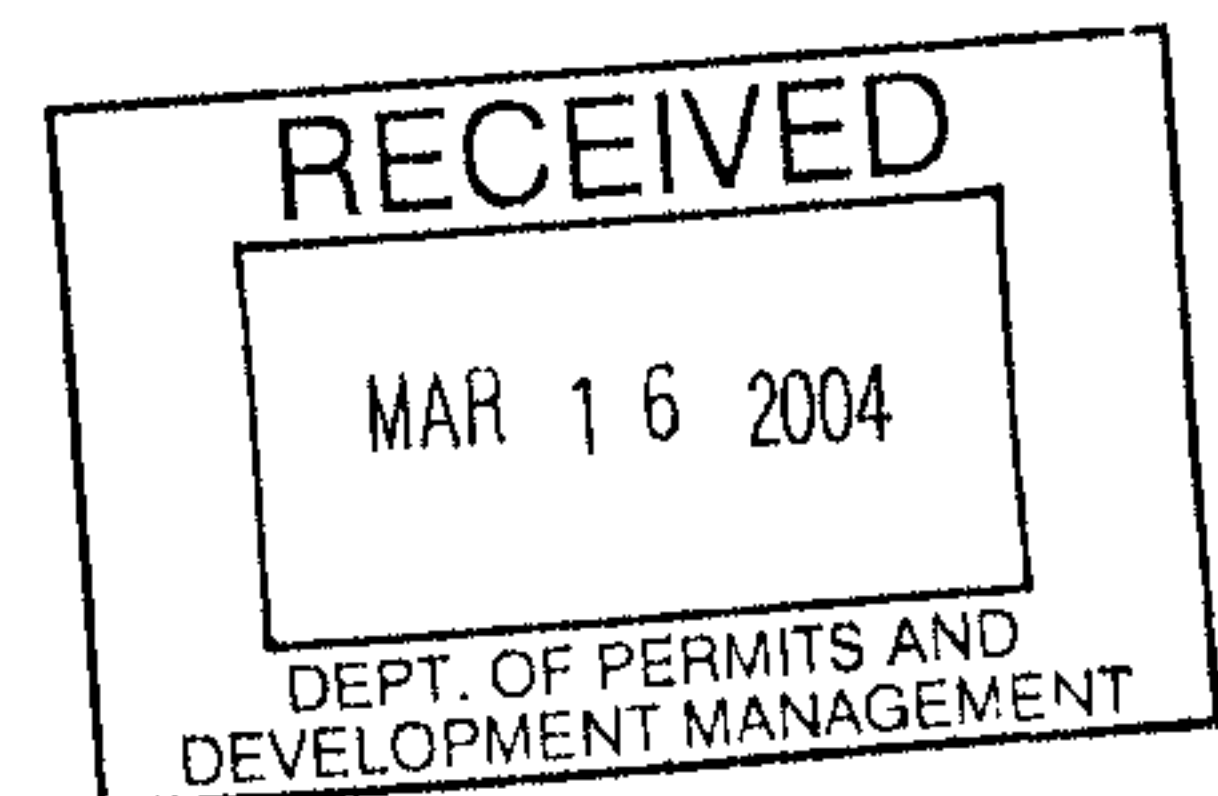
Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File



Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: April 5, 2004

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 22, 2004
Item Nos. 341, 400, 401, 402, 403,
405, 406, 407, 408, 410, 411, and 412

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: R. Bruce Seeley *RB/TA*
DATE: April 6, 2004
SUBJECT: Zoning Item # 04-406
Address 705 West Timonium Road

Zoning Advisory Committee Meeting of March 15, 2004

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X 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).

_____ 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).

Additional Comments:

The proposed additions must be at least 30ft. from the well and 20ft. from the septic area. An evaluation of the septic system may be required prior to building permit approval.

Reviewer: Sue Farinetti

Date: March 17, 2004

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

3/29/04
Formal Demand
for Hearing
Submitted
5/14/04

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 23, 2004

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

SUBJECT: Zoning Advisory Petition(s): **Case 4-406 – Administrative Variance**

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:

Mark A. Cunningham

Section Chief:

Tyler Tanham

AFK/LL

RECEIVED

MAR 24 2004

ZONING COMMISSIONER



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3.16.04

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

RE: Baltimore County
Item No. 406 JRA

Dear Ms. Matthews:

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,

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

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 30, 2004

Robert Weltchek
Arnold Weiner
Weltchek & Weiner
2330 W. Joppa Road, Ste 300
Lutherville, MD 21093

Dear Messrs. Weltchek & Weiner:

RE: Demand for Public Hearing, Administrative Variance, and Case Number: 04-406-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand or the zoning commissioner is requiring a public hearing concerning the above-proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact John Alexander at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Will Baukhages, 28 E. Cross St., Baltimore 21230
William Johnston, 711 W. Timonium Rd., Timonium 21093

Visit the County's Website at www.baltimorecountyonline.info



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

March 23, 2004

Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Re: Robert J Weltchek & Arnold M. Weiner, of Weltchek and Weiner
705 W. Timonium Road
Case No.: 04-406-A

Dear Mr. Schmidt

The enclosed Petition seeks administrative variance relief under BCC 26-127 (b). The Code authorizes this procedure "... if the subject of the variance petition involves an owner-occupied lot zoned residential." It appears from the Affidavit that Messrs. Weltchek and Weiner reside elsewhere than the subject property and do not qualify for administrative relief.

We believe the Petition for Administrative Variance should be denied, if not withdrawn. The Petitioners should file a Petition for Variance under BCZR 307. We are not taking a position on the merits of the variance relief at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel for Baltimore County

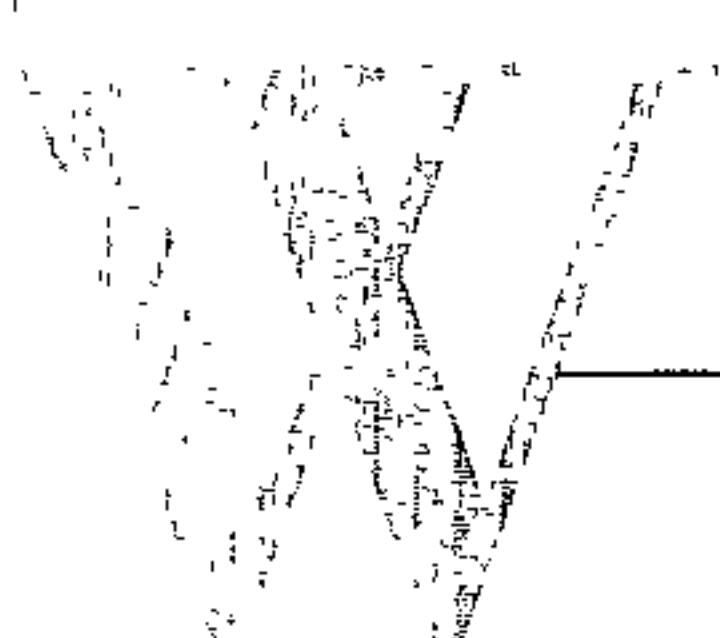
Enclosures

CSD/rmw
cc: Will Baukhages, Representative for Petitioners

RECEIVED

MAR 24 2004

ZONING COMMISSIONER



WEINER & WELTCHEK

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

April 12, 2004

4/12/04
Per telephone
conversation w/ Mr.
Weiner, Petition is
being withdrawn.
[Signature]

Ms. Kristen Matthews
Baltimore County Office of
Permits & Development Management
County Office Building, Room 109
Towson, Maryland 21204

Re: Case No. 04-406-A

Dear Ms. Matthews:

I am writing this letter to advise that there will be no construction work on the house that would require a variance of the side yard set backs as requested in the above-referenced case number.

Very truly yours,

[Signature]
Arnold M. Weiner

AMW:emk

cc: Will Baukhages

March 25, 2004

Baltimore County
Department of Permits & Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

Attn: Timothy M. Kotroco

Reference: Zoning Variance #04-406-A

Dear Sir:

The above-referenced variance request pertains to the property at 705 W. Timonium Road. Since our homes are adjacent to this property, we are concerned about the impact this change may have on our respective properties.

Therefore, we are requesting a public hearing to determine if granting this request will impact the surrounding homes in a negative manner.

Thank you for your attention to this request.

Agnes Pfeiffer
Jeff Hosley (Jeff Hosley)
John Johnston

709 W. Timonium Rd
707 W Timonium Rd
711 W. Timonium Rd.

RECEIVED

MAR 29 2004

Per.....

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 04-406-A

Withdrawn 4/12/04

Date Completed/Initials

3/29/04

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

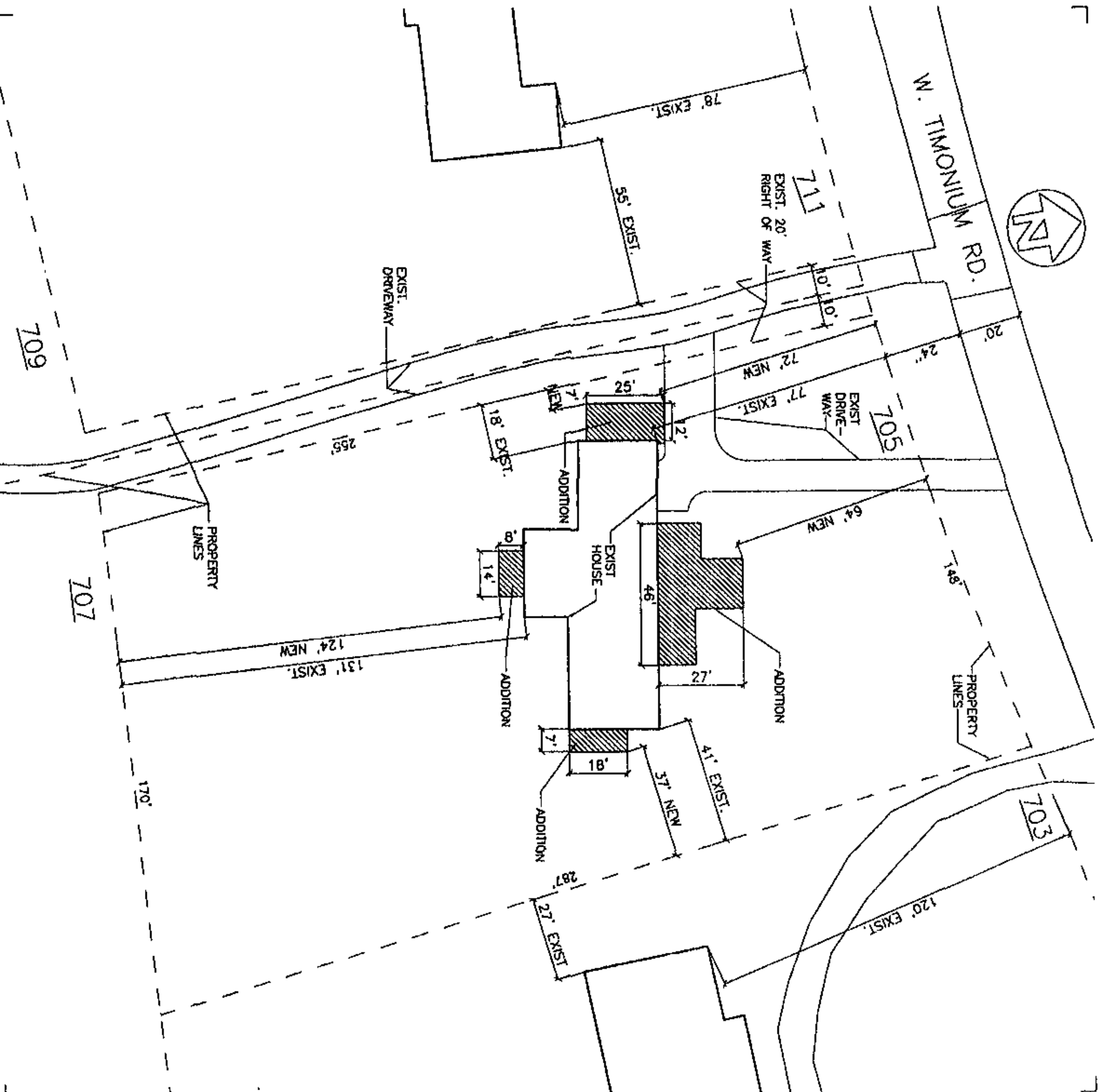
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 7025 W. TIMONICK ROAD

SUBDIVISION NAME WEST WIND

PLAT BOOK # 29 FOLIO # 132 LOT # 6 SECTION # _____

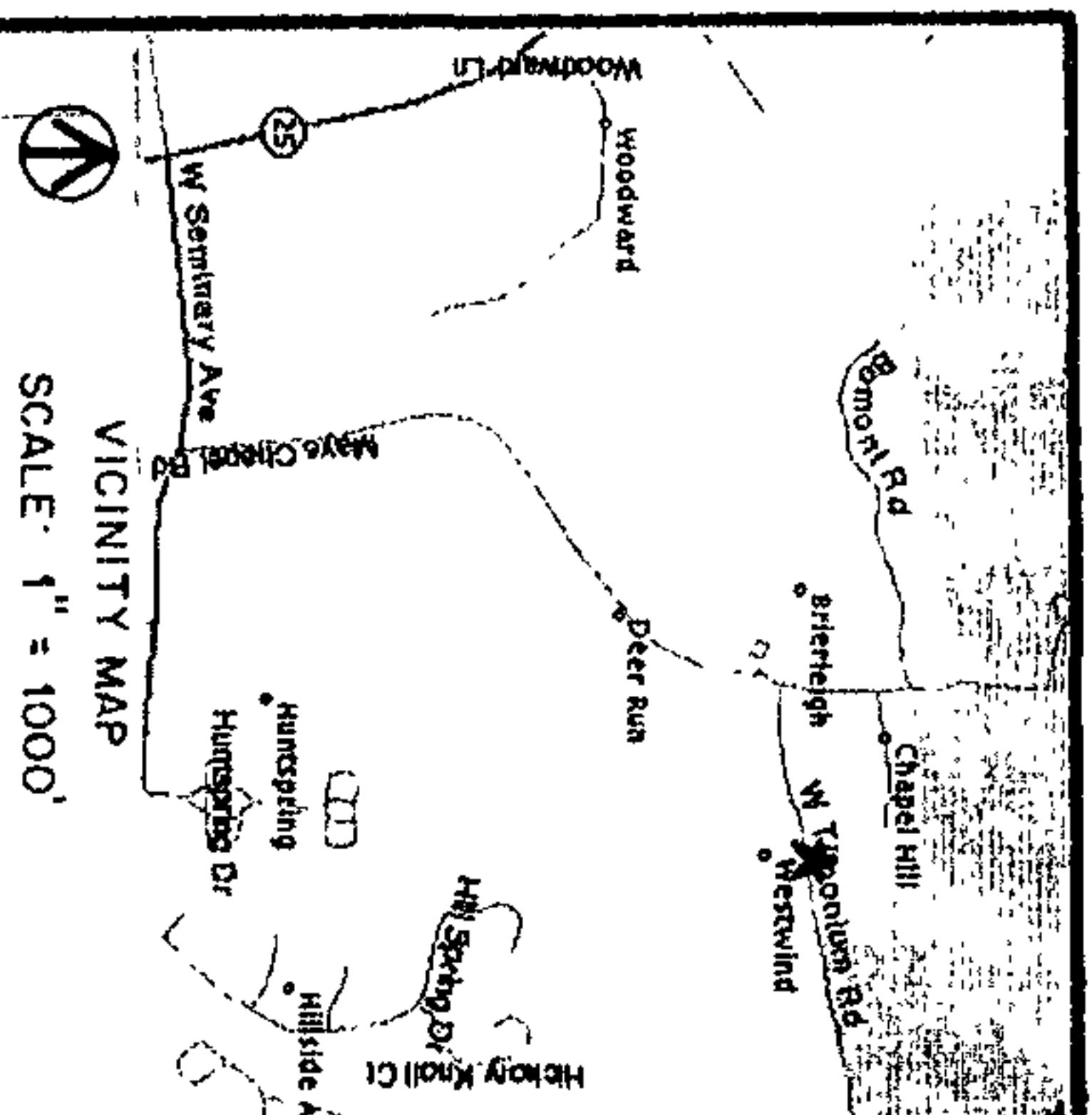
OWNER DEET CREEK SIDER



PREPARED BY WILL BAUKHAGES

SCALE OF DRAWING: 1" = 60'

SCALE OF DRAWING: 1" = 60'



LOCATION INFORMATION

ELECTION DISTRICT 8TH

COUNCILMANIC DISTRICT 2 RD

1"=200' SCALE MAP # N.Y. 13-C

ZONING RC-5 (ORIG. R.D.D.)

LOT SIZE 0.98 42,689

ACREAGE	SQUARE FEET
111111	PRIVATE

SEWER ☐ ☒

WATER	☐	☒
-------	--------------------------	-------------------------------------

CHESAPEAKE BAY ☐ YES ☒ NO

CRITICAL AREA		
	☐	☒

100 LEAH FLOOD FARM	☐	☒
HISTORIC PROPERTY/	☐	☒

BUILDING ☐ ☒

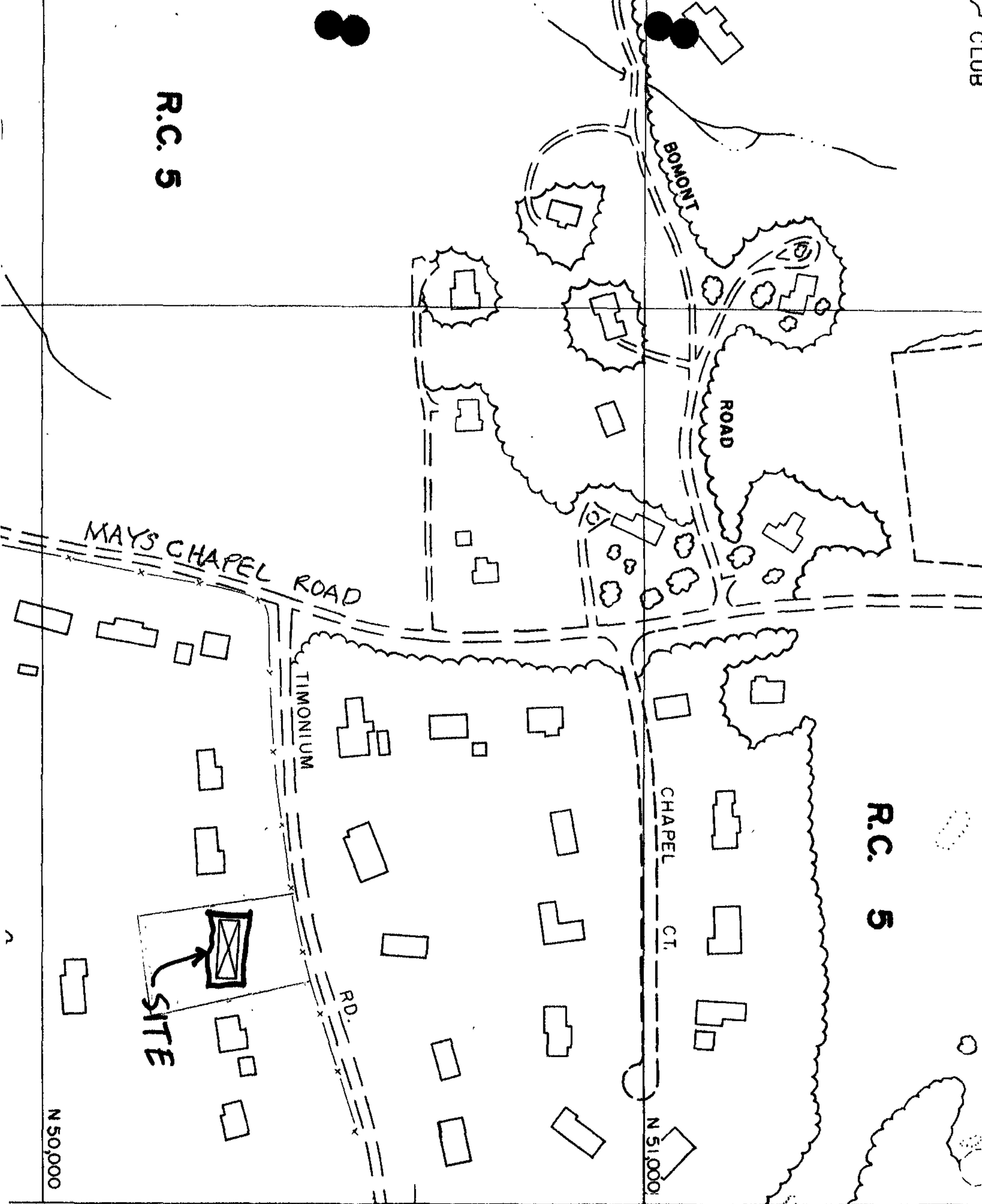
PRIOR ZONING HEARING **NONE**

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

104-4066-1
8007

R.C. 5

R.C. 5



N 50,000

N 51,000

711 W. TIMONIUM RD.

04 406.7



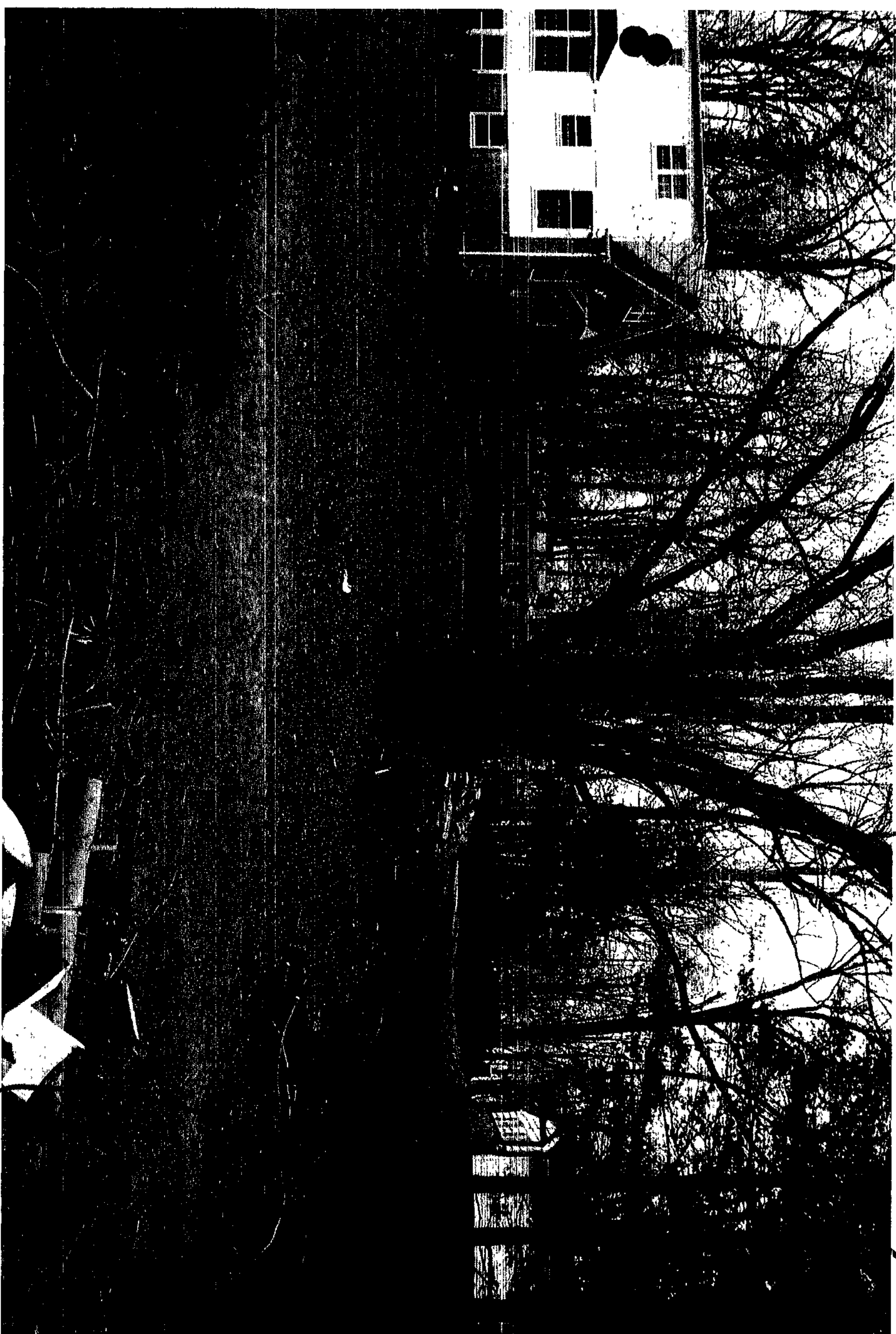
5#

VIEW OF WEST ADDITION
LOOKING SOUTH

711 W. TIMONIUM RD.

TIMONIUM ROAD

WEST ADDITION



VIEW OF WEST ADDITION LOOKING NORTH

REAR OF SUBJECT PROP. AND RT.

IT

703 W. TIMONIUM RD.

EAST ADDITION
BETWEEN EUSTICE LAKES

04-406-A

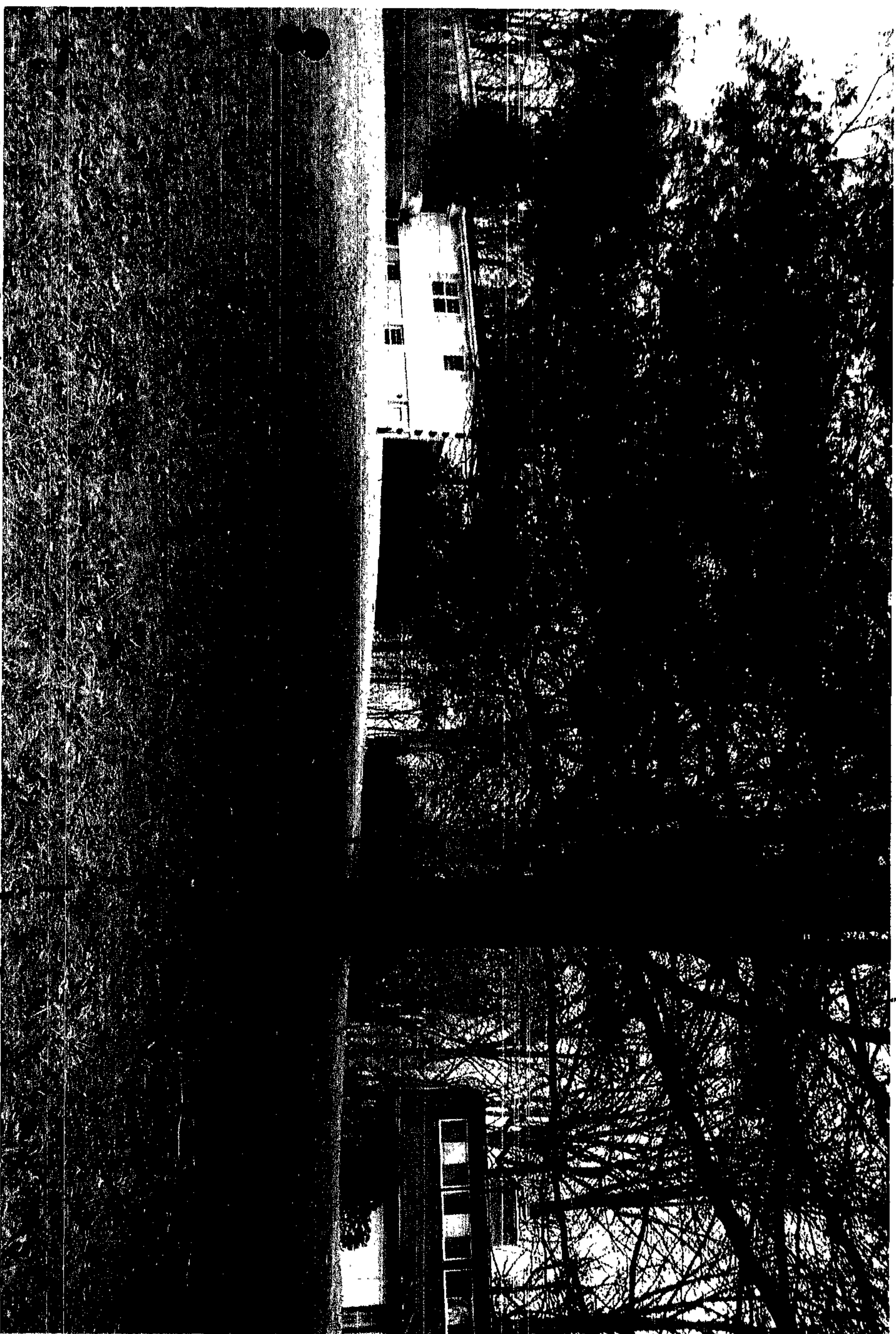
← TIMONIUM ROAD →

← R

VIEW OF EAST ADDITION
LOOKING SOUTH

703 W. TIMONIUM ROAD

04.406.74



VIEW OF EAST ADDITION
LOOKING NORTH

SUB SECT
PROPERTY ON
LEFT.

KNP

WEST ADDITION



VIEW OF WEST ADDITION
LOOKING SOUTH

04-406.A