IN RE: PETITION FOR ADMIN. VARIANCE W/S of Wildon Court, 550 feet NW of Cedar Lane 11th Election District 3rd Councilmanic District **(12 Wildon Court)** Mark T. and Deborah L. Holtschneider *Petitioners*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 07-103-A

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Mark T. and Deborah L. Holtschneider. The variance request is for property located at 12 Wildon Court. The variance request is from Section 1A04.3.B.2.b and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a side yard setback of 40 feet in lieu of the minimum required 50 feet, and to permit a proposed deck (open projection) with a side yard setback of 25 feet in lieu of the minimum required 37.5 feet, and to amend the Final Development Plan for Wildon Lot 10 to allow construction outside of the building envelope.

The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that their lot is long and narrow with a narrow building envelope. The boundary line setbacks on both ends of the house are very close to the house. A large drainage ditch and small stream are located in front of the house. The septic reserve area is in the back yard. None of the surrounding properties have these conditions. Petitioners state the primary purpose of the addition is to expand the kitchen, add a study/homework room for their 3 sons, add a bathroom upstairs for the children, and build a deck. They have thoroughly investigated an addition and spent many hours and dollars on surveyors, architects, designers and

APPROVED FOR FILING
Date 10-6-06

an eco-scientist. They told the Petitioners that the only place to build the addition is behind the house as shown on the accompanying plat. Petitioners state that building on the side of house near the stream would be a problem because of the flood plain. Building on the other side of the house would be a problem because of the grading and proximity to the shared driveway. Building in the front yard would be difficult because of the terrain and stream. Building in the backyard near the garage would not be possible because of the septic reserve area. Building behind the family room would be structurally difficult because the back wall consists of a brick fireplace with sliding glass doors on each side. In addition, their family room is only one story high and thus the addition could not be used to improve the upstairs area. There is only crawl space under the family room and a basement built there would not connect to the basement under the main part of the house which would not make it very functional. The other end of the backyard is the only practical place to build an addition. Petitioners state that although their current plan is for the addition to go 15 feet into the boundary line setback, they are seeking a 30 foot variance just in case their final plans change and they want to make the addition larger. They are seeking for a variance on the side of the house for a raised deck which would replace the 13 year old deck. Petitioners state their proposed addition and deck will not effect any of our neighbors' homes.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances.***

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

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10/26/06

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on September 17, 2006 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 and photographs as required by Section 32-3-303 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 Petitioner.

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 6th day of October, 2006, that a variance from Section 1A04.3.B.2.b and 301.1.A of

RECEIVED FOR FILING
Date 10-6-06
By

the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition with a side yard setback of 40 feet in lieu of the minimum required 50 feet, and to permit a proposed deck (open projection) with a side yard setback of 25 feet in lieu of the minimum required 37.5 feet, and to amend the Final Development Plan for Wildon Lot 10 to allow construction outside of the building envelope be and is hereby GRANTED, subject to the following:

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.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:pz

ORDER RECEIVED FOR FILING
Date 10-6-06
By B

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

October 6, 2006

MARK T. AND DEBORAH L. HOLTSCHNEIDER
12 WILDON COURT
KINGSVILLE MD 21087

Re: Petition for Administrative Variance
Case No. 07-103-A
Property: 12 Wildon Court

Dear Mr. and Mrs. Holtschneider:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:pz

Enclosure

10-6-06
B

FLOOD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12 Wildon Ct.

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) 1A04.3.B.2.b and 301.1.A, BCZR to permit a proposed addition with a side yard setback of 40 feet in lieu of the minimum required 50 feet, and to permit a proposed deck (open projection) with a side yard setback of 25 feet in lieu of the minimum required 37½ feet, and to amend the Final Development Plan for Wildon, Lot 10, to allow construction outside of the building envelope.

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):

Mark T. Holtschneider
Name - Type or Print

Signature

Name - Type or Print

Deborah L. Holtschneider
Signature

cell mark 410-868-9608
12 Wildon Ct H 410-592-2000 cell Deb 410-967-0507
Address — Telephone No.

Kingsville MD 21087
City — State — Zip Code

Representative to be Contacted:

Deborah Holtschneider
Name H 410-592-2000

12 Wildon Ct c 410-967-0507
Address — Telephone No.

Kingsville MD 21087
City — State — Zip Code

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

Zoning Commissioner of Baltimore County

CASE NO. 07-103-A

Reviewed By JNP **Date** 9/8/06

Estimated Posting Date 9/17/06

REV 10/25/01

PLEASE RECEIVED FOR FILING

Date 10-6-06

By ____

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12 Wildon Ct
Address
Kingsville MD 21087
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):

See Attachment A

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.

Mark Holtschneider
Signature

Name - Type or Print

Deborah L. Holtschneider
Signature

Deborah L Holtschneider
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of September, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mark Holtschneider and Deborah Lee Holtschneider

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 12/15/2009

REV 10/25/01

400

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 12 Wildom Court
Address
Kingsville MD 21087
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):

See Attachment A

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

Mark Holtschneider
Name - Type or Print

Deborah L. Holtschneider
Signature

Deborah L. Holtschneider
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of September, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Mark Holtschneider and Deborah Lee Holtschneider 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 12/15/2009

REV 10/25/01

FLOOD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12 Wildon Court

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) 1A 04.3.B.2.b and 301.1.A, BCZR to permit a proposed addition with a side yard setback of 40 feet in lieu of the minimum required 50 feet, and to permit a proposed deck (open projection) with a side yard setback of 25 feet in lieu of the minimum required 37½ feet, and to amend the Final Development Plan for Wildon, Lot 10, to allow construction outside of the building envelope,

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

Legal Owner(s):

Mark T. Holtschneider
Name - Type or Print

Signature

Deborah L. Holtschneider
Name - Type or Print

Deborah L. Holtschneider
Signature

Mark (C) 410-868-9608 (W) 410-625-0800
12 Wildon Ct. (H) 410-592-2000 (C) 410-967-0507
Address — Telephone No.

Kingsville MD 21087
City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Representative to be Contacted:

Debbie Holtschneider
Name

12 Wildon Court 410-967-0507 C 410-592-2000 H
Address — Telephone No.

Kingsville MD 21087
City — State — Zip Code

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

Zoning Commissioner of Baltimore County

CASE NO. 07-103-A

Reviewed By JWP **Date** 9/8/06

Estimated Posting Date 9/17/06

REV 10/25/01 ORDER RECEIVED FOR FILING

Date 10-6-06 By

Attachment A

Mark and Debbie Holtschneider, as the owners of 12 Wildon Court, are requesting a variance so that we can build an addition on to the back of our house. The requested addition will result in a small encroachment into the 50 foot boundry line setback.

Our property is unique, unusual, and different from the surrounding properties. Our lot is long and narrow, with a narrow building envelope. The boundry line setback on both ends of the house are very close to the house. A large drainage ditch and small stream are located in front of the house. Our septic reserve is in the back yard. None of the surrounding properties have these conditions.

We are pleading practical difficulty. The primary purposes of the addition are to expand the kitchen, add a study/homework room for our three sons, add a bathroom upstairs for the children, and build a deck. We bought the house in March of 2005 and moved in during June of 2005. Since then, we have thoroughly investigated an addition and spent many hours (and dollars) on surveyors, architects, designers and an eco-scientist. They have told us that the only place to build is behind the house as shown on the accompanying plat.

Building on the side of the house near the stream would be a problem because of the flood plain. Building on the other side of the house would be a problem because of the grading and proximity to the shared driveway. Building in the front yard would be difficult because of the terrain and stream. Building in the backyard near the garage would not

07-103-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 20338

DATE 9/8/06 ACCOUNT R-001-006-6150

AMOUNT $ 130.00

RECEIVED FROM: Holtschneider

FOR: Adm Variance - 12 Wildon Court
07-103-A (Holtschneider

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
9/08/2006	9/08/2006	08:39:25	1

REG 0001 WALKIN JRIC JWR
>>RECEIPT # 300875 9/08/2006 OFLH
Dept 5 520 ZONING VERIFICATION
CR NO. 020338
Recpt Tot $130.00
$130.00 CH $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-103-A

Petitioner/Developer: MARK & DEBRA HOLTSCHNEIDER

Date of Hearing/Closing: 10/2/06

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 located at 12 WILDOW COURT

The sign(s) were posted on 9/17/06
(Month, Day, Year)

Sincerely,

9/17/06
(Signature of Sign Poster and Date)

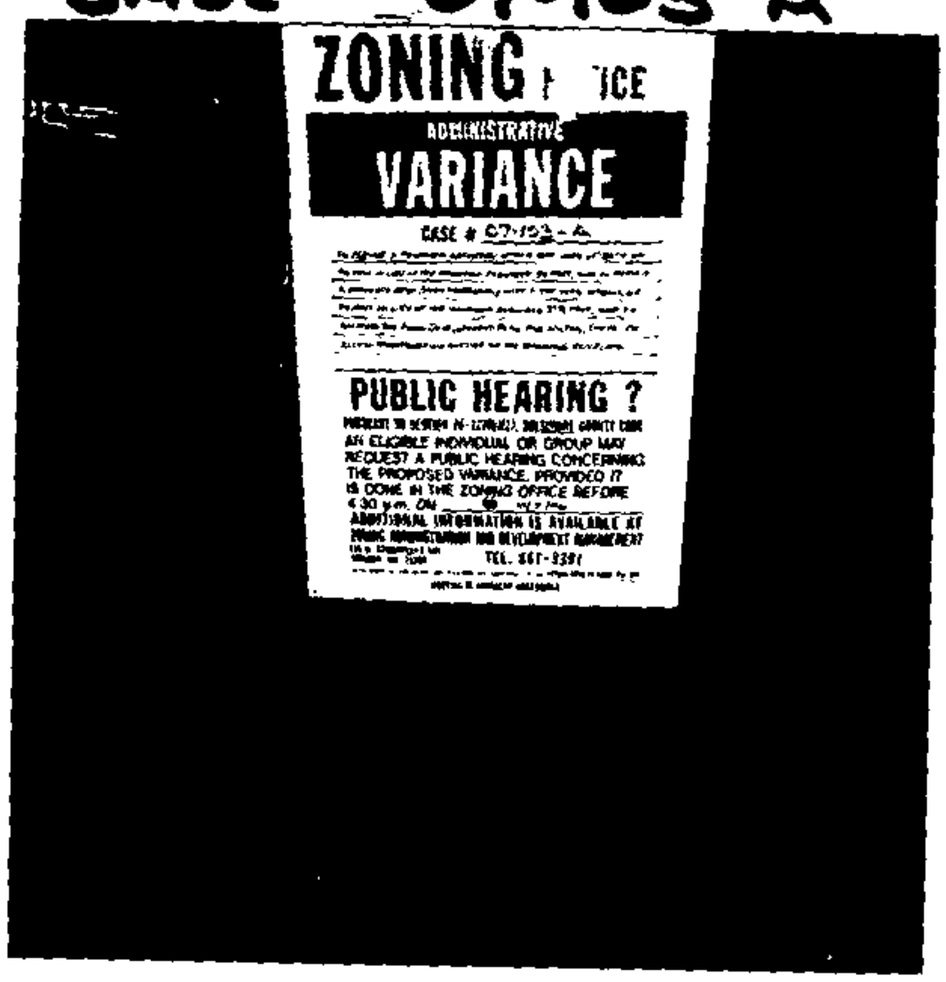
RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CASE # 07-103-A



12 WILDOW CT.
POSTED 9/17/06
9/17/06

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 07-103 -A Address 12 Wildon Court

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/8/06 **Posting Date:** 9/17/06 **Closing Date:** 10/2/06

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 07-103 -A Address 12 Wildon Court

Petitioner's Name Mark & Deborah Holtschneider Telephone 410-967-0507

Posting Date: 9/17/06 **Closing Date:** 10/2/06

Wording for Sign: To Permit a proposed addition with a side yard setback of 40 feet in lieu of the minimum required 50 feet, and to permit a proposed deck (open projection) with a side yard set back of 25 feet in lieu of the minimum required 37½ feet, and to amend the Final Development Plan for Wildon, Lot 10, to allow construction outside of the building envelope.

WCR - Revised 6/25/04

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

October 2, 2006

Mark T. Holtschneider
Deborah L. Holtschneider
12 Wildon Court
Kingsville, MD 21087

Dear Mr. and Mrs. Holtschneider:

RE: Case Number: 07-103-A, 12 Wildon Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 8, 2006.

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:amf

Enclosures

c: People's Counsel

Baltimore County
Fire Department

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

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

September 24, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 18, 2006

Item Number(s): 100 thru 112, 114,115, 116
(103)

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 25, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 25, 2006
Item Nos. 07-101, 102, 103, 105, 106,
107, 108, 109, 110, 111, 112, 114, 115,
And 116

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-09212006.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: October 12, 2006

SUBJECT: Zoning Item # 12 Wildon Court07-103-A
Address 12 Wildon Court
(Holtschneider Property)

Zoning Advisory Committee Meeting of September 18, 2006

____ 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 33-3-101 through 33-3-120 of the Baltimore County Code).

____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:
There shall be no disturbance within the 25-foot wetland buffer. It appears the addition can be constructed based on DEPRM requirements, however, the deck may be an issue. If the deck encroaches on the 25-foot wetland buffer, it cannot be approved.

Reviewer: Paul A. Dennis Date: October 2, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-103-A.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 21, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-103- 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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By: Curtis Murray

Division Chief: Lynn Lanham

CM/LL

RECEIVED

SEP 25 2006

ZONING COMMISSIONER

W:\DEVREV\ZAC\7-103.doc

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

SHA
State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 18, 2006

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

RE: Baltimore County
Item No. 103
7-103-A
HOLTSCHNEIDER PROPERTY
VARIANCE - PERMIT PROPOSED
ADDITION IN LIEU OF REQUIRED
SETBACK REQUIREMENT

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 103 .

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

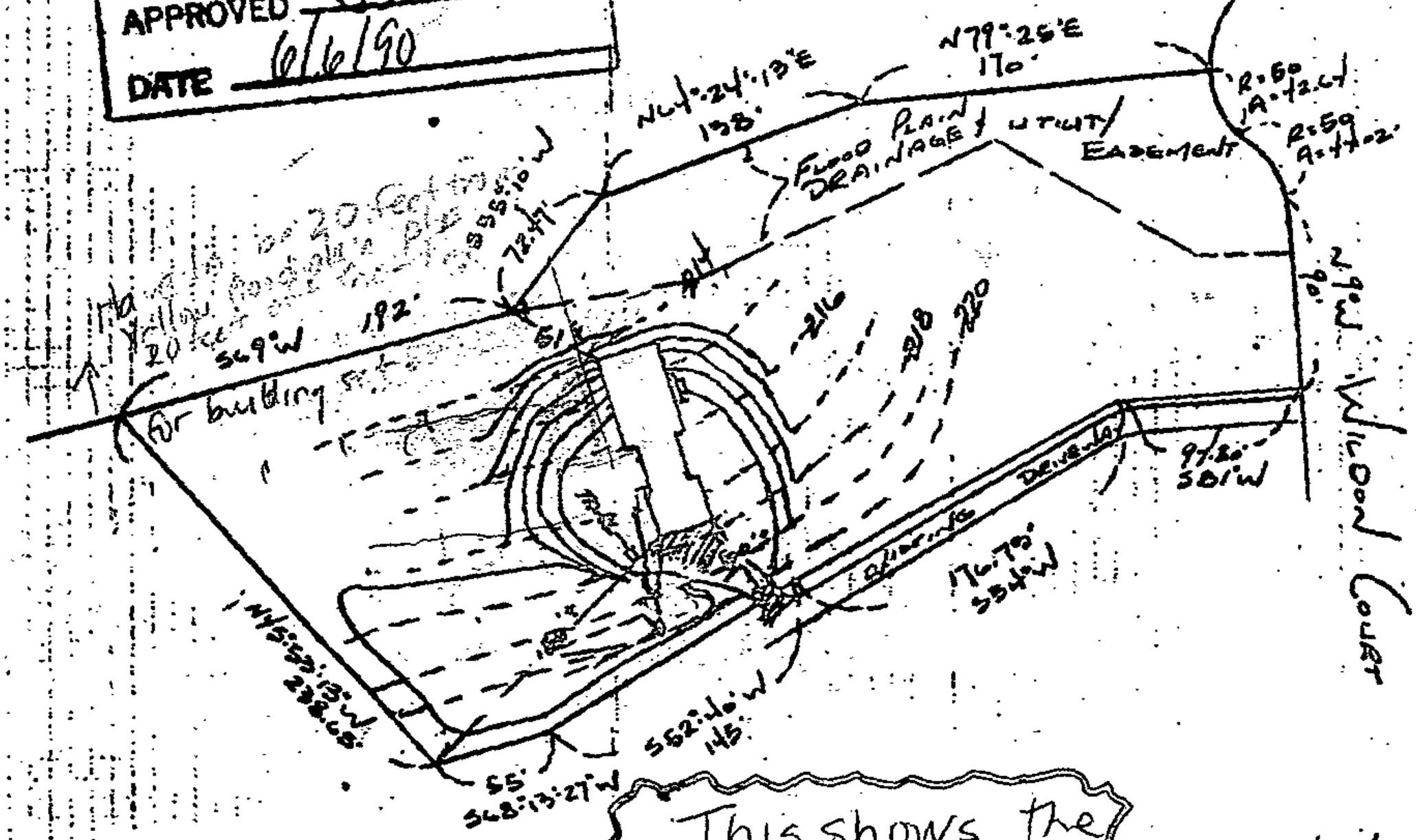
FOR Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

20mmg = 50 ft set back
DPW - 20 feet off flood plain

DAVE THOMAS
887-3984

REVISED PLOT PLAN
CHANGE IN SEWAGE
DISPOSAL LOCATION
APPROVED D Farinetti
DATE 6/6/90



This shows the location of the septic reserve

FOUNDATION LOCATION
No. 12 WILDON CT.
LOT 10 RESUBDIVISION
LOTS 5, 6, 8, 9, 10, 11, 17 & 18
WILDON
PLAT BOOK S.M.N. 58/40

INV. TRENCH = 217.±
INV. DISTR. B.B. of = 218.±
INV. TANK = 218.5
GRND @ TANK = 220.±
First Floor = 221.5

Revised to show septic tank in rear yard
6-04-90

I HAVE SURVEYED THE ABOVE PLATTED PROPERTY FOR THE PURPOSE OF LOCATING THE BUILDINGS AS SHOWN HEREON

David Rimm

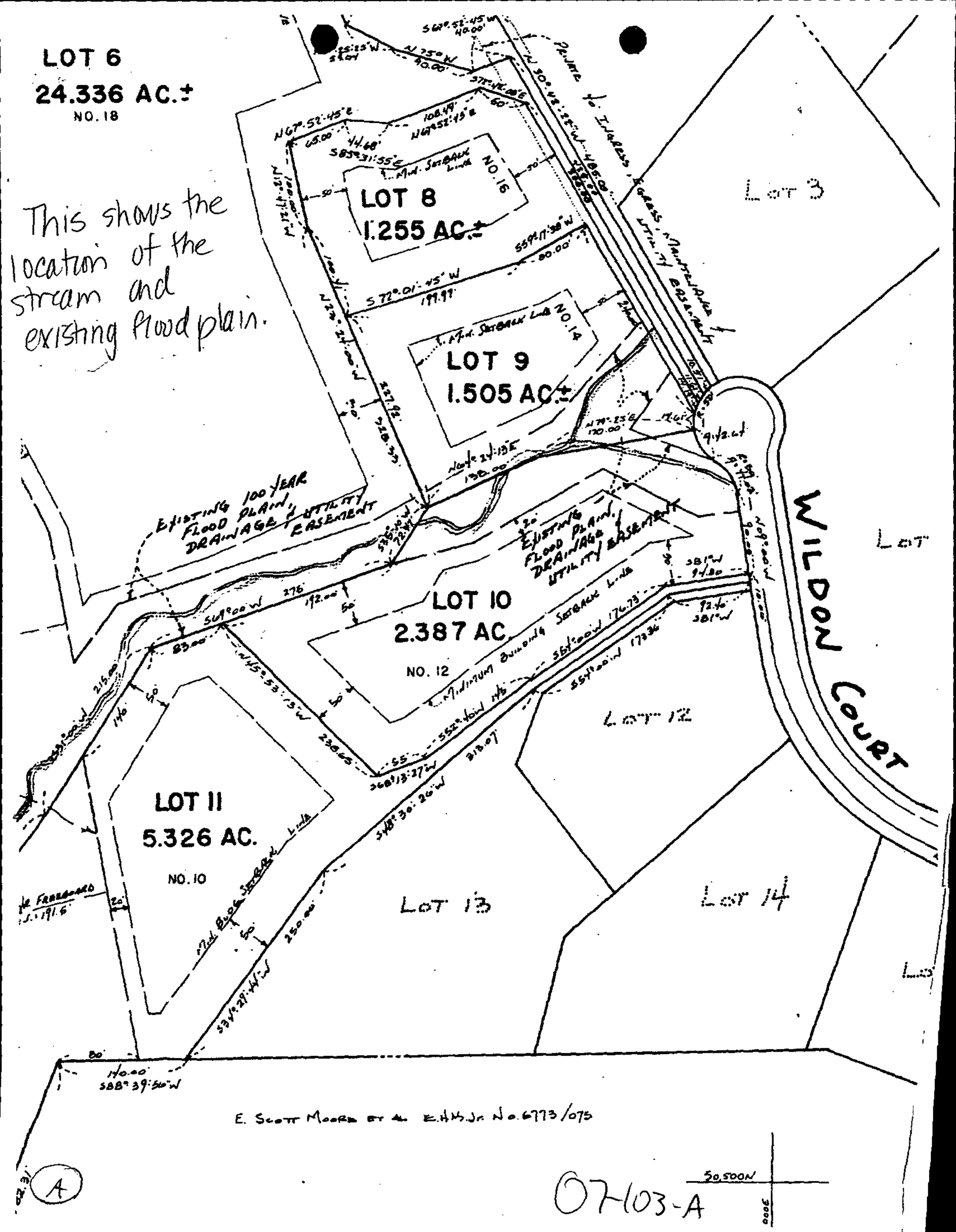
STATE OF MARYLAND
DAVID EDWARD RAMSONE
No. 9618
REGISTERED
PROPERTY LINE SURVEYOR

THE INFORMATION ON THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS INDICATED HEREON ARE CONTAINED WITHIN THE OUTLINES OF THE LOT UPON WHICH THEY ARE ERECTED. AND IS NOT TO BE CONSTRUED AS AN ESTABLISHMENT OF PROPERTY LINES.

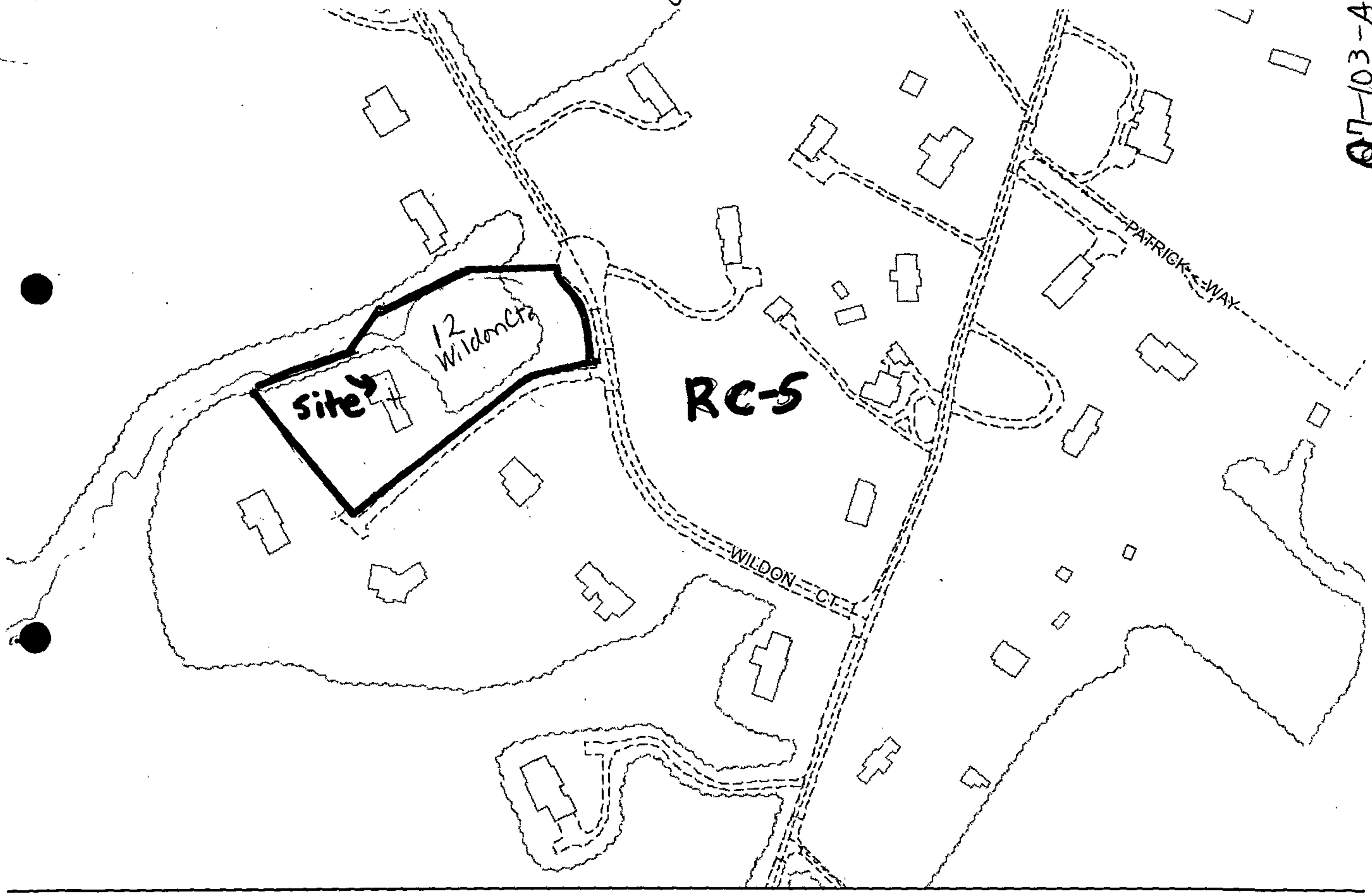
SCALE: 1" = 100' DATE: 2-8-90

GERWOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 Delaware Avenue
TOWSON, MARYLAND 21204
410-823-4470

07-103-A


LOT 6
24.336 AC.±
NO. 18
This shows the location of the stream and existing flood plain.
LOT 8
1.255 AC.±
NO. 16
LOT 9
1.505 AC.±
NO. 14
Lot 3
Existing 100 YEAR FLOOD PLAIN, DRAINAGE & UTILITY EASEMENT
LOT 10
2.387 AC
NO. 12
Existing FLOOD PLAIN, DRAINAGE & UTILITY EASEMENT
WILDON COURT
LOT 11
5.326 AC.
NO. 10
LOT 13
Lot 14
E. SCOTT MOORE ET AL E.H.S.Jr. No. 6773/075
A
07-103-A

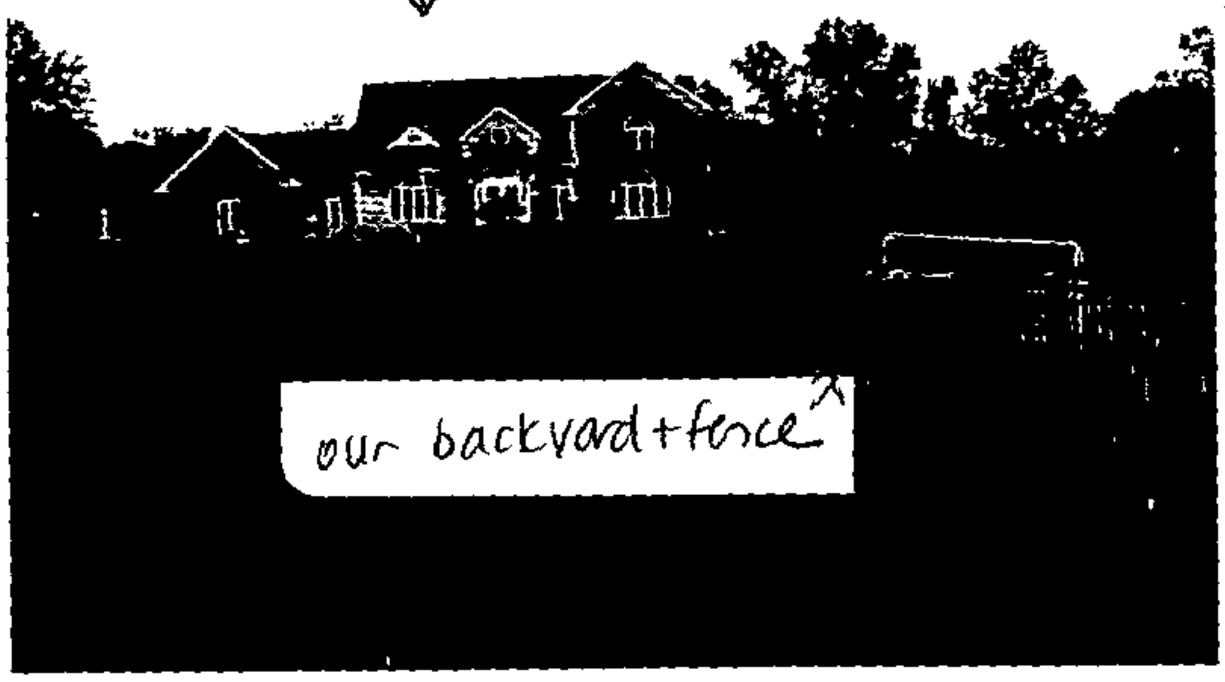
Zoning Map

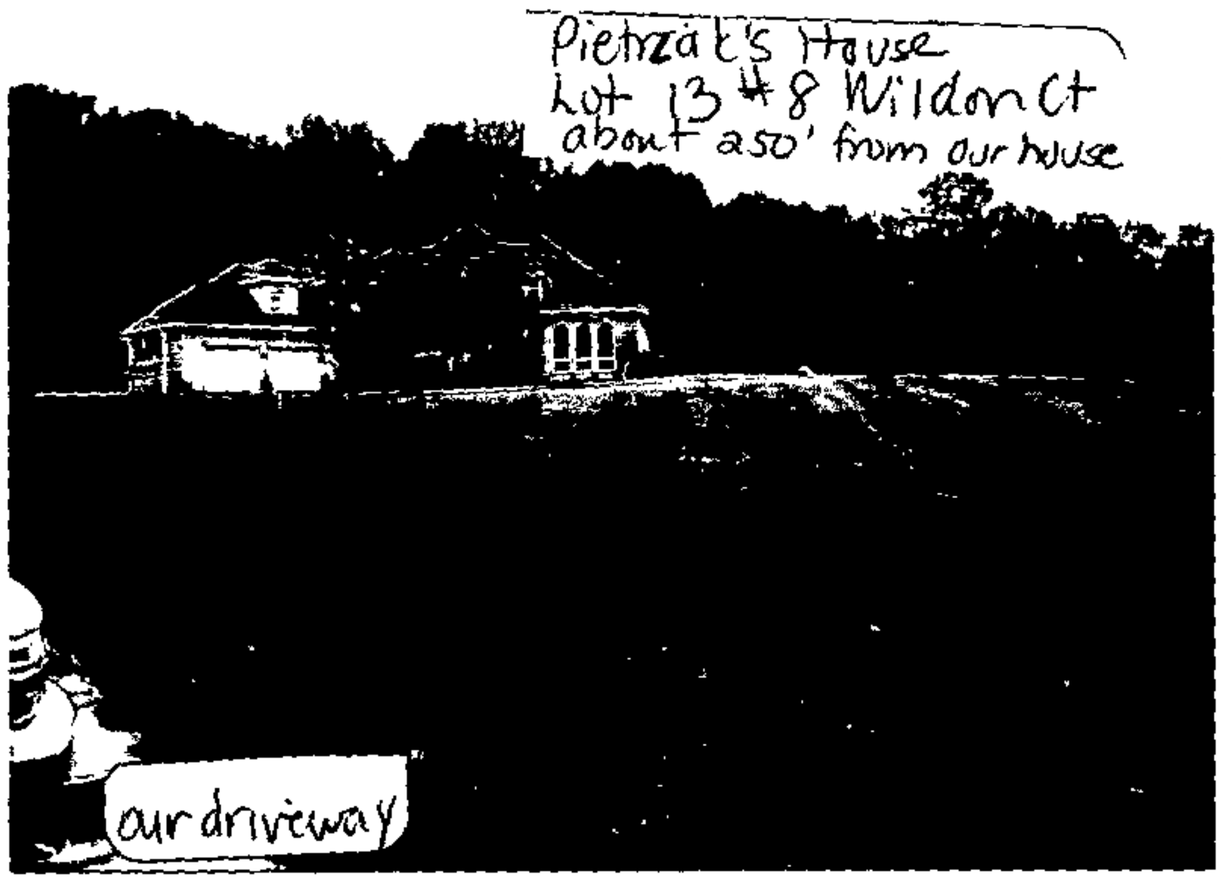


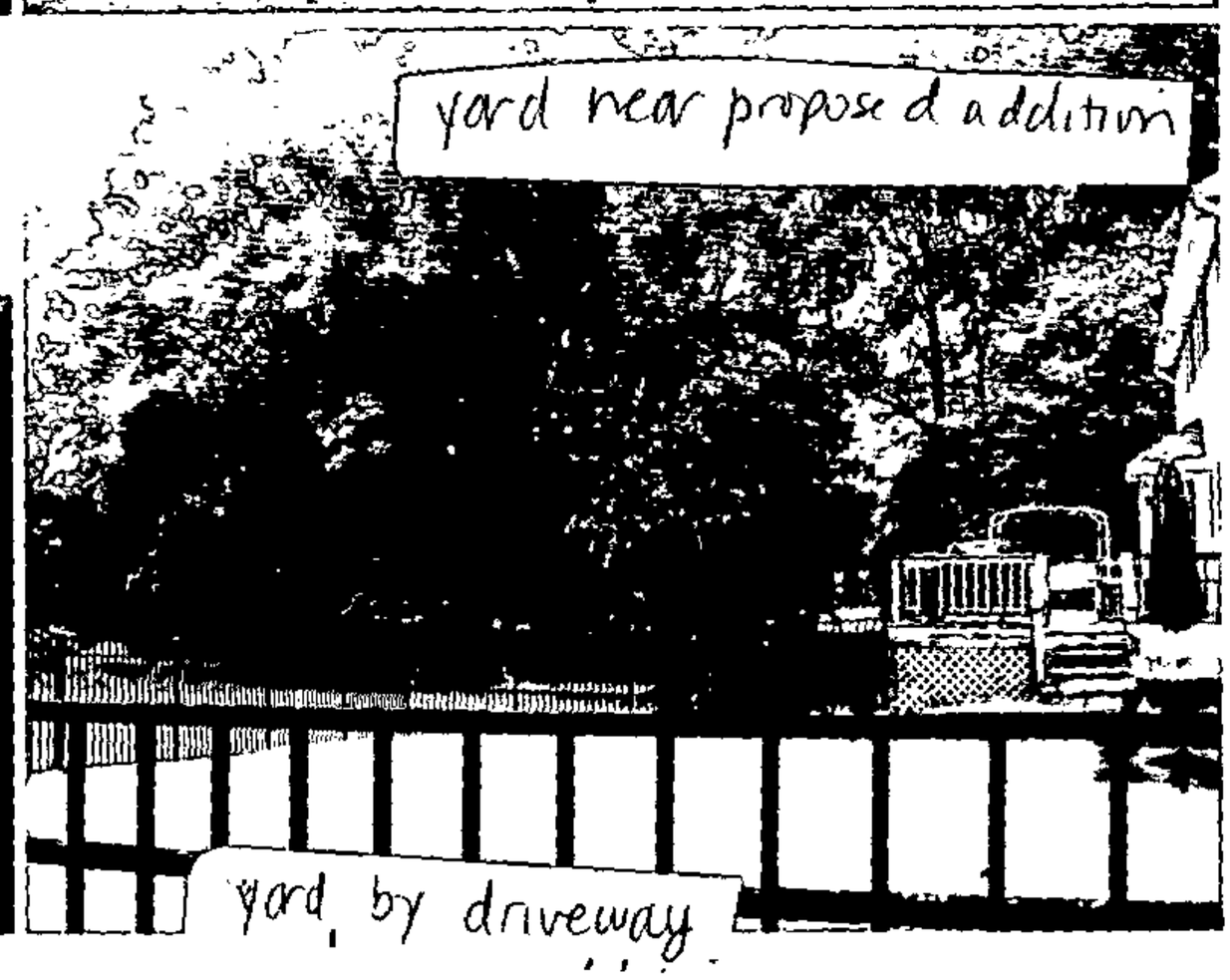
Kingsville

map # 064 A1

97-103-A

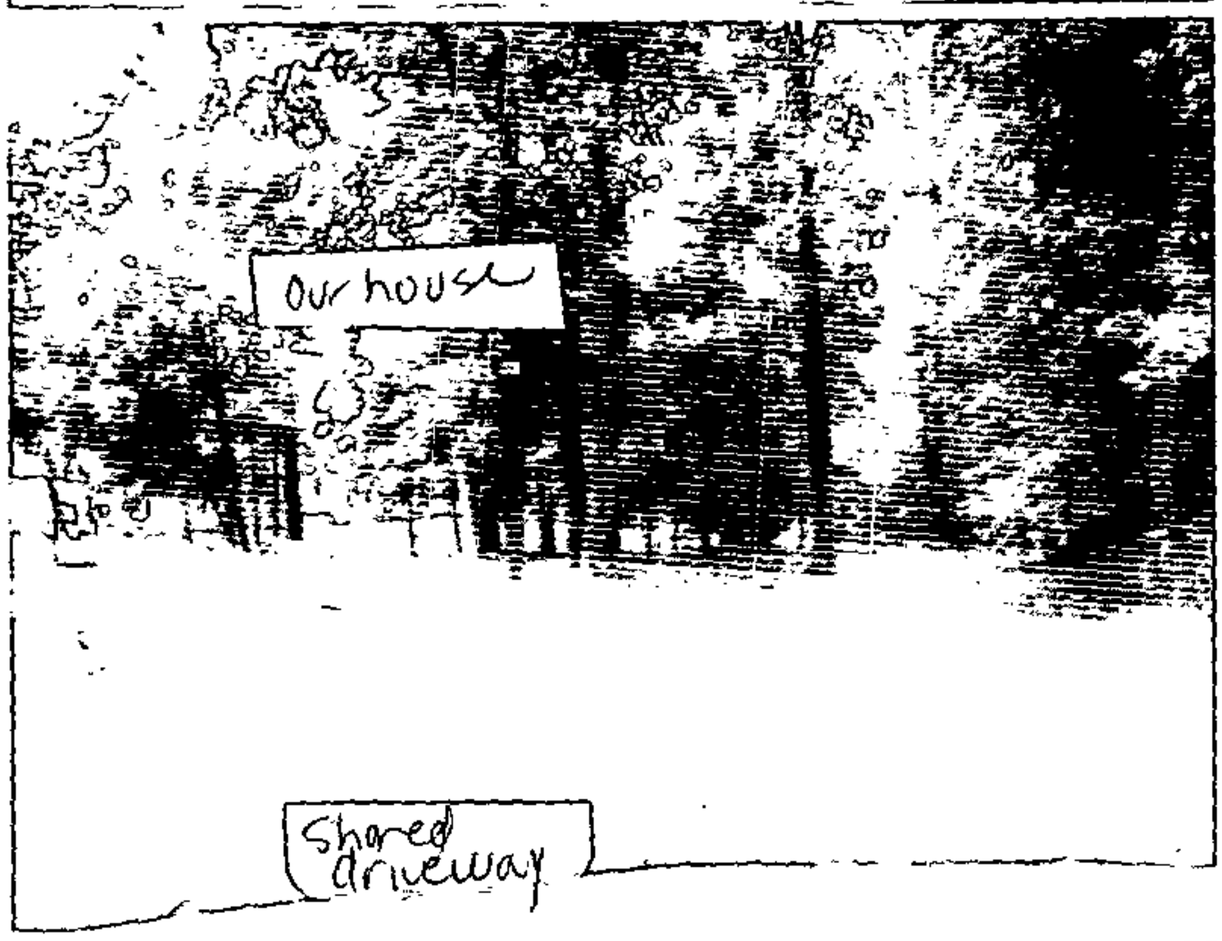


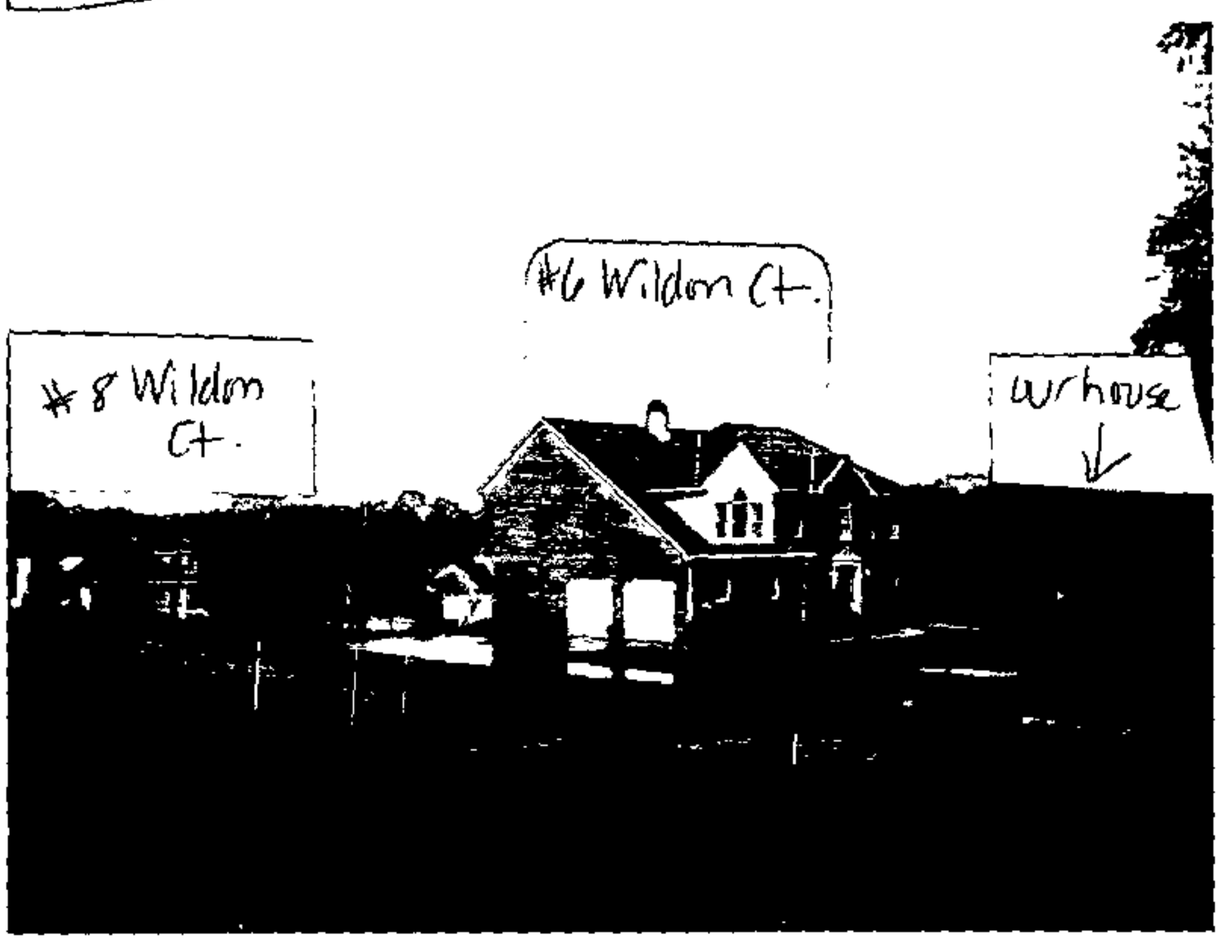




12 Wildon Ct.

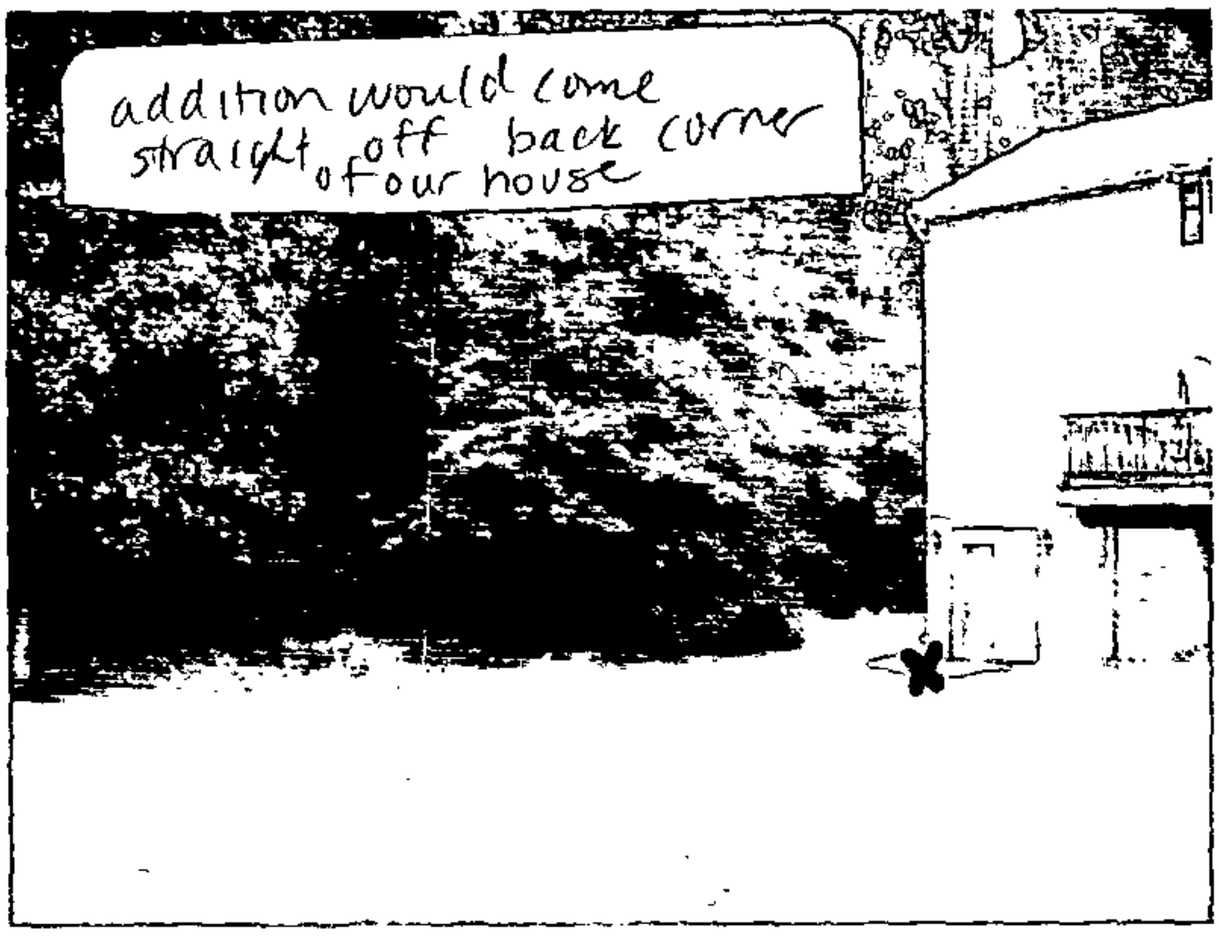
07-103-A

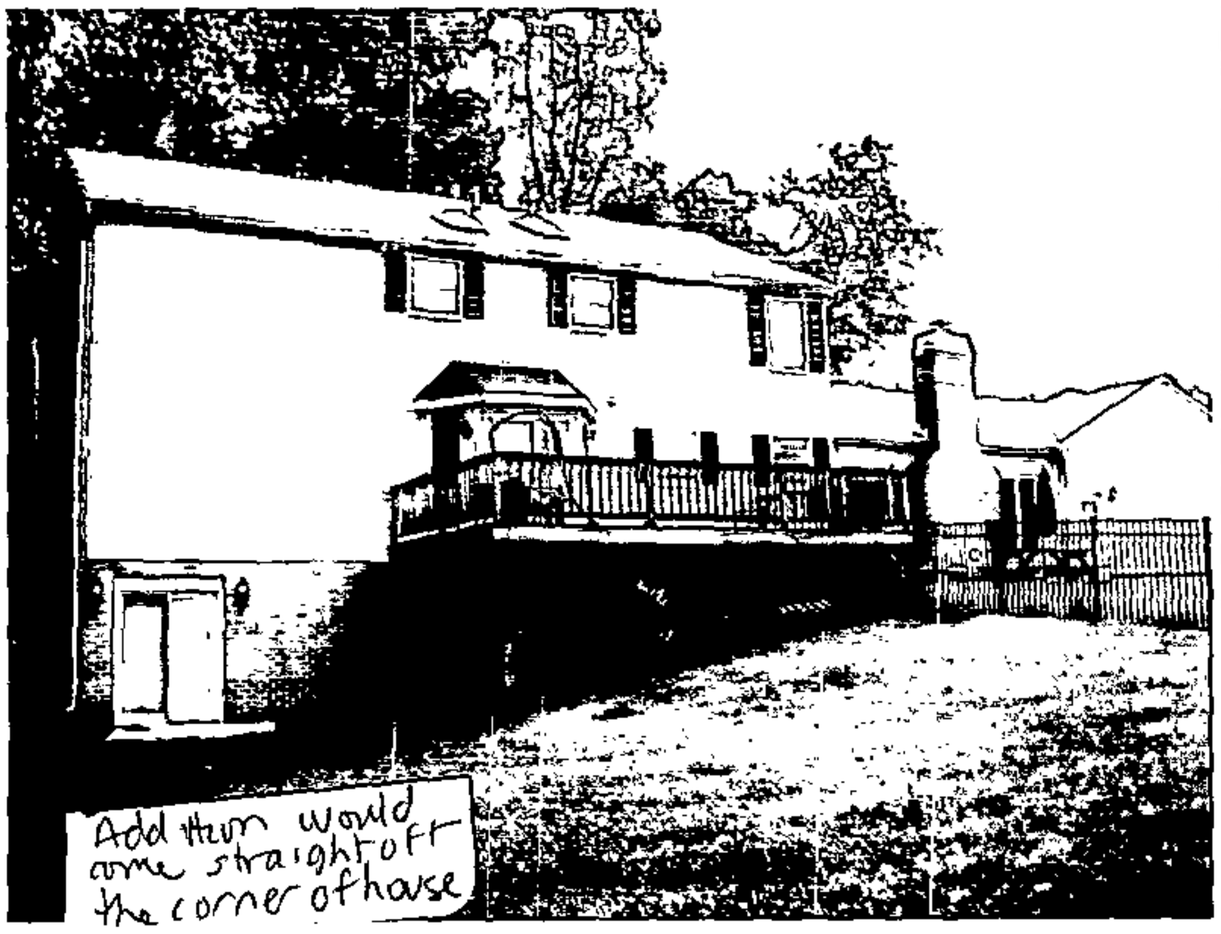


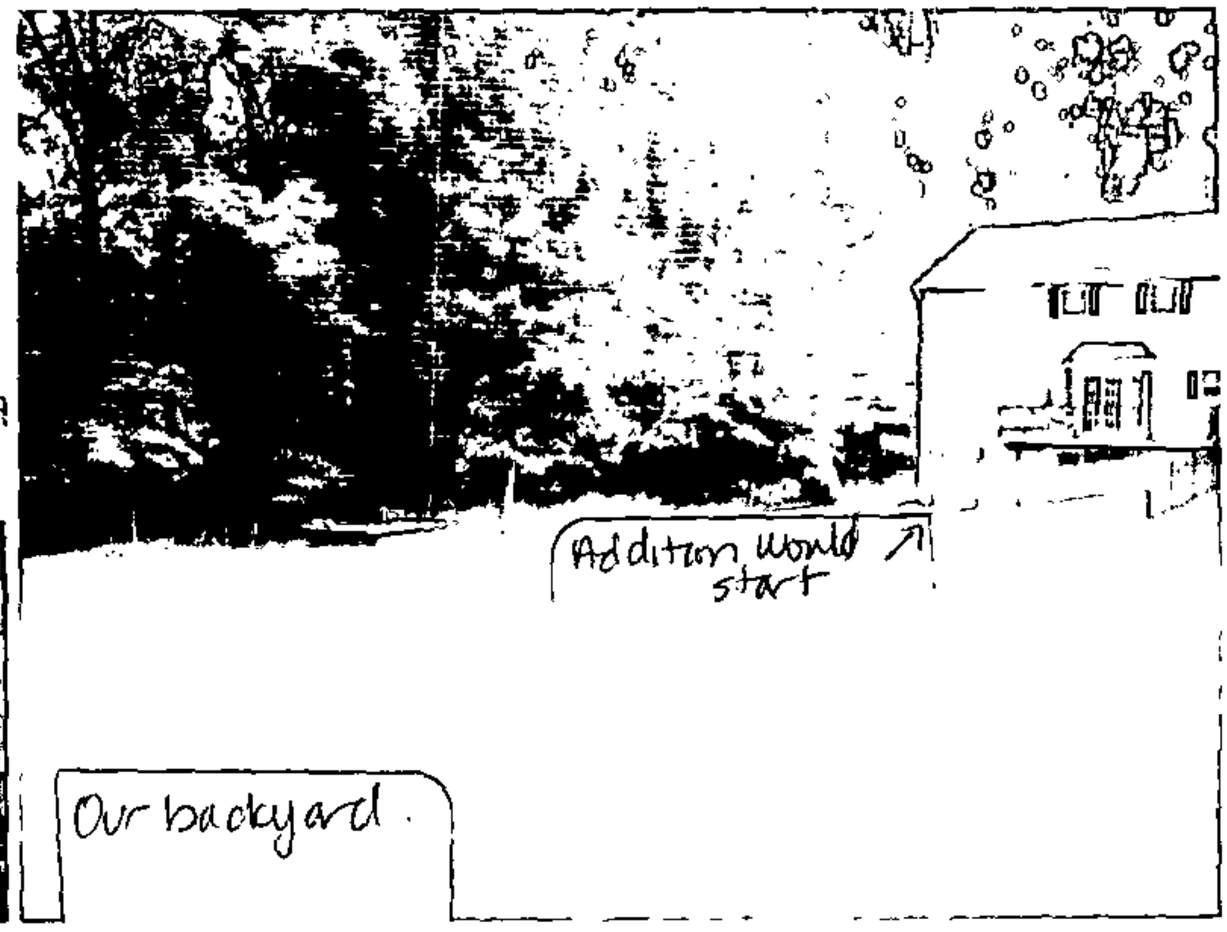


12 Wildon Ct.

07-103-A

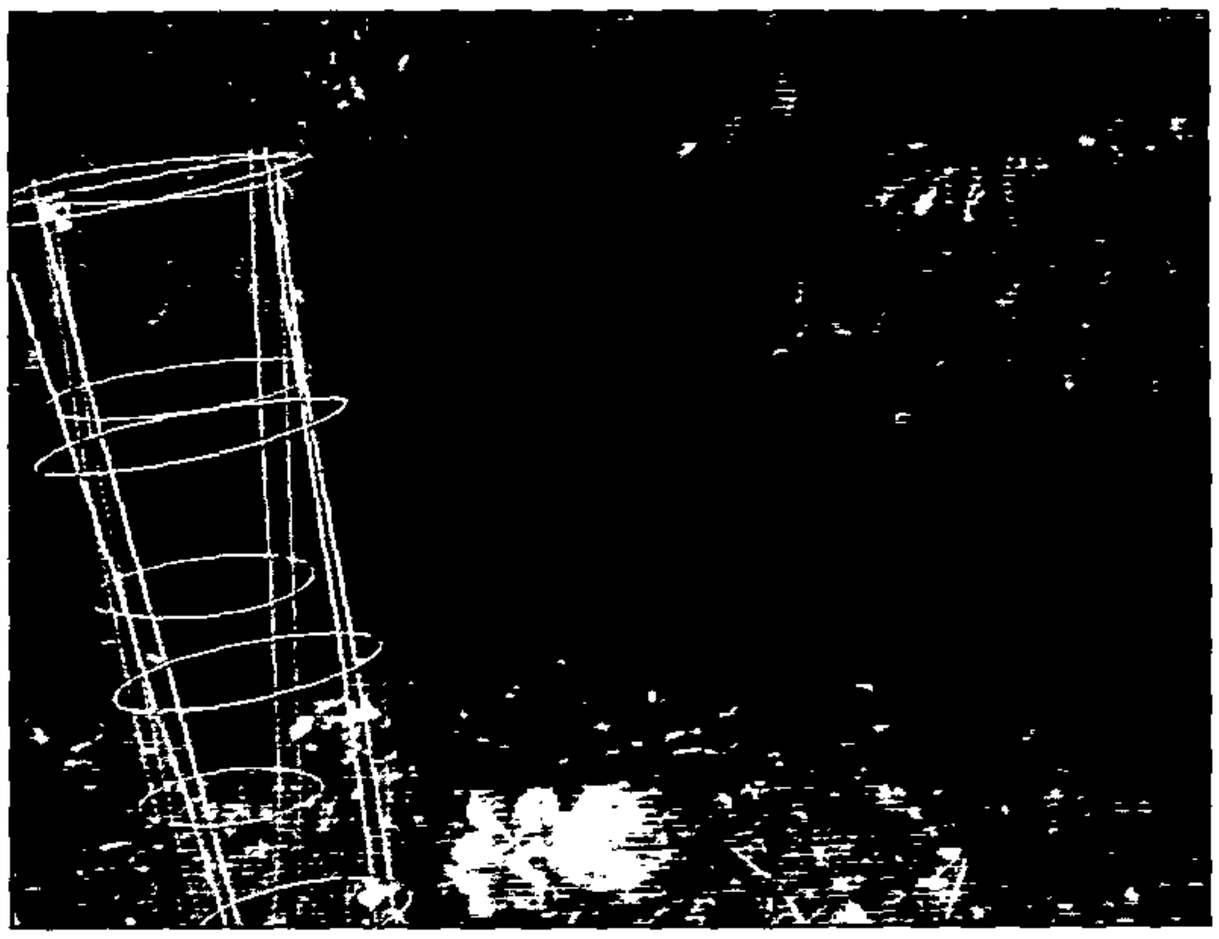


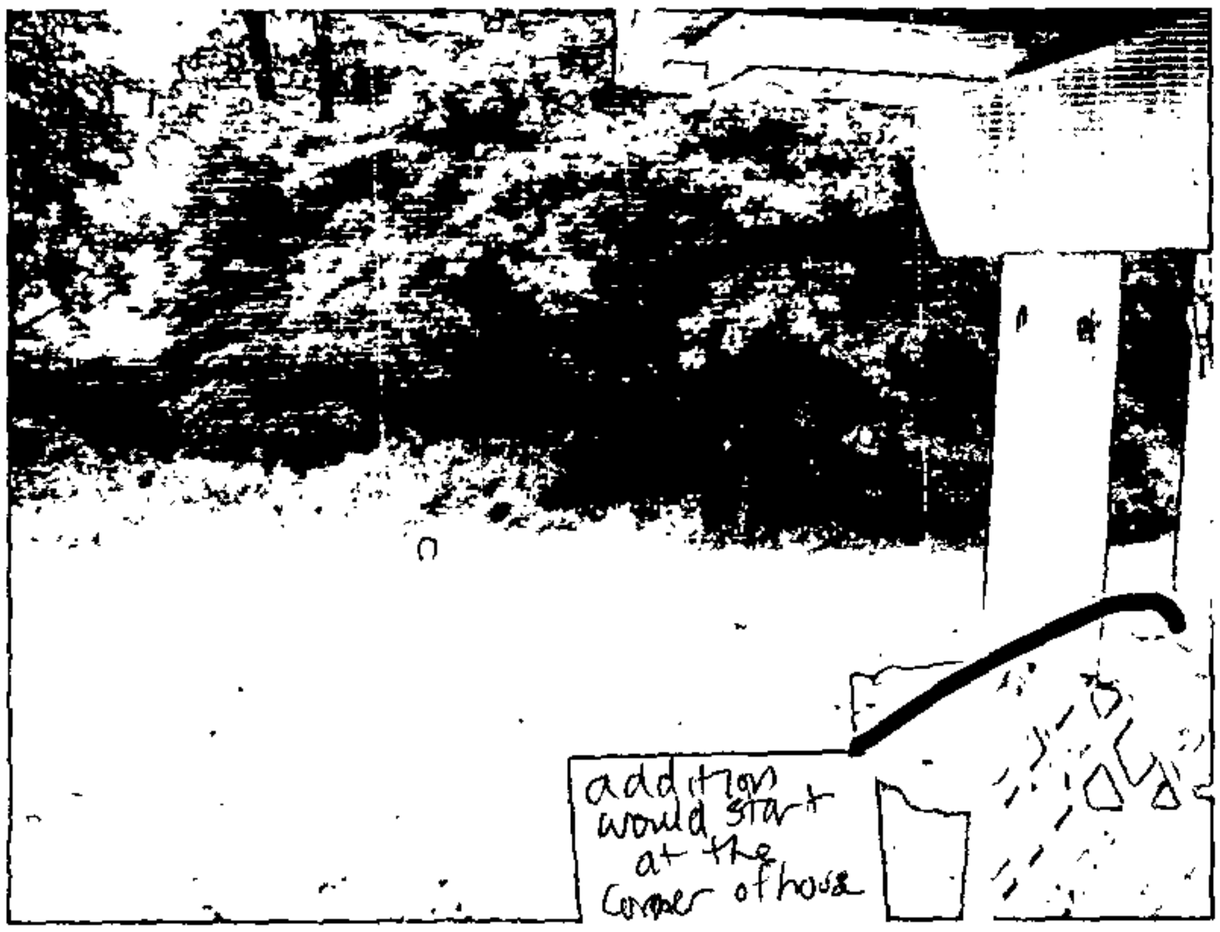




12 Wildon Ct.

07-103-A



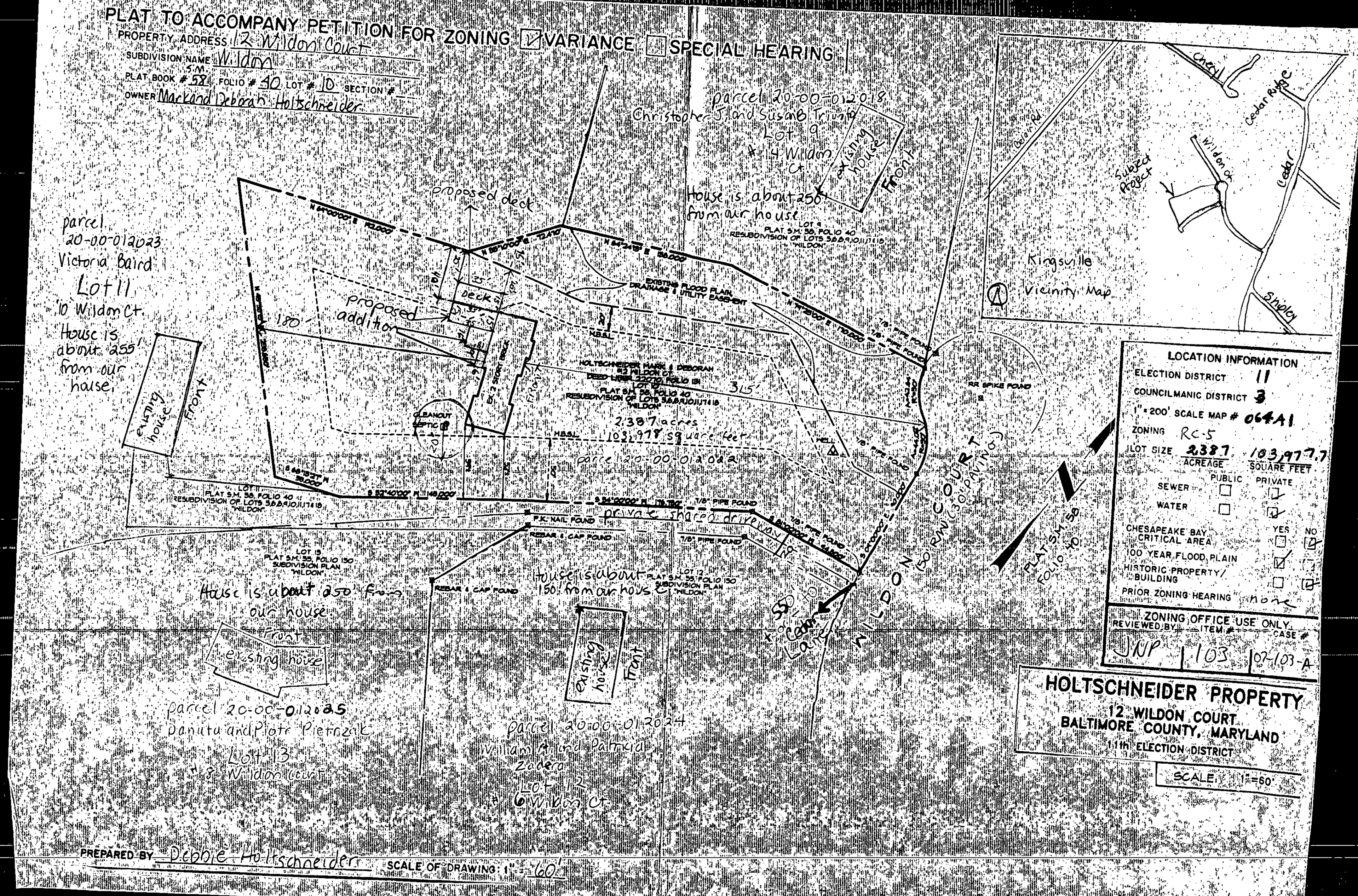


12 Wildon Ct.

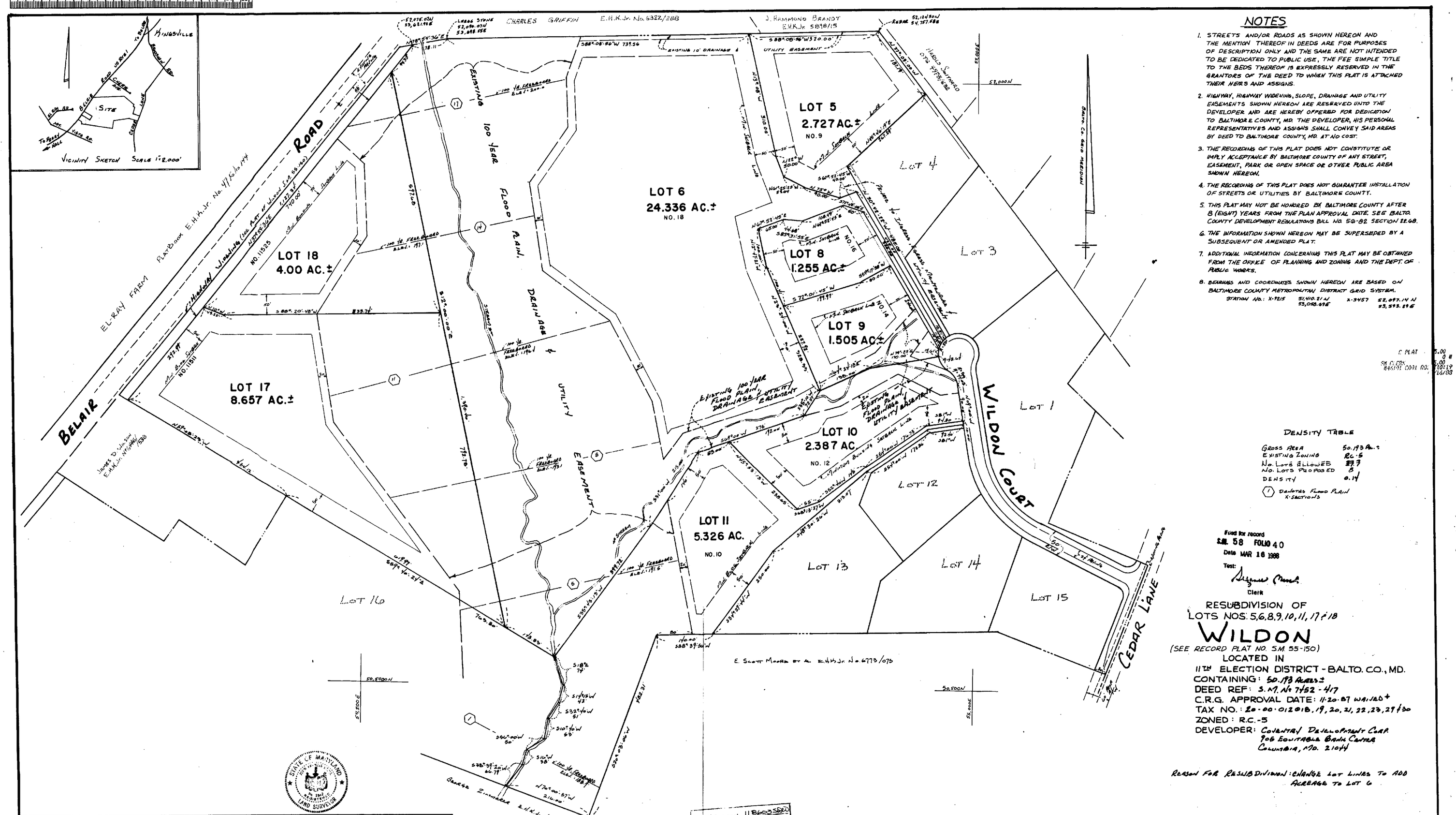
07-103-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☑ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 12 Wildon Court
SUBDIVISION NAME Wildon S.M.
PLAT BOOK # 58 FOLIO # 40 LOT # 10 SECTION #
OWNER Mark and Deborah Holtschneider



PREPARED BY Debbie Holtschneider SCALE OF DRAWING: 1" = 60'



NOTES

1. STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.
2. HIGHWAY, HIGHWAY WIDENING, SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MD. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MD. AT NO COST.
3. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PARK OR OPEN SPACE OR OTHER PUBLIC AREA SHOWN HEREON.
4. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
5. THIS PLAT MAY NOT BE HONORED BY BALTIMORE COUNTY AFTER 8 (EIGHT) YEARS FROM THE PLAN APPROVAL DATE. SEE BALTO. COUNTY DEVELOPMENT REGULATIONS BILL NO. 56-82 SECTION 22.60.
6. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
7. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPT. OF PUBLIC WORKS.
8. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON BALTIMORE COUNTY METROPOLITAN DISTRICT GRID SYSTEM.

STATION No.:	X	Y
X-7515	52,400.21 W 53,095.69 E	X-3457 22,893.14 N 23,893.81 E

C PLAT
SM 55/150
BALTIMORE COUNTY, MD.
7/16/88

DENSITY TABLE

GROSS AREA	50.193 Ac.±
EXISTING ZONING	R.C.5
No. LOTS ALLOWED	87.7
No. LOTS PROPOSED	8
DENSITY	0.14

(7) DENOTES FLOOD PLAIN X-SECTIONS

Filed for record
S.M. 58 FOLIO 40
Date MAR 16 1988
Test:
Clerk

RESUBDIVISION OF
LOTS NOS. 5,6,8,9,10,11,17 & 18
WILDON
(SEE RECORD PLAT NO. S.M. 55-150)
LOCATED IN
11TH ELECTION DISTRICT - BALTO. CO., MD.
CONTAINING: 50.193 ACRES±
DEED REF: S.M. No 7452 - 417
C.R.G. APPROVAL DATE: 11-20-87 WA-120+
TAX NO.: 20-00-012018, 19, 20, 21, 22, 23, 29 & 30
ZONED: R.C.-5
DEVELOPER: COVENTRY DEVELOPMENT CORP.
706 EQUITABLE BANK CENTER
COLUMBIA, MD. 21044

REASON FOR RESUBDIVISION: CHANGE LOT LINES TO ADD ACREAGE TO LOT 6

OWNER'S CERTIFICATE

THE UNDERSIGNED OWNER OF THE LAND SHOWN HEREON HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTED CODE OF MARYLAND, HAS BEEN COMPLIED WITH INSOFAR AS SAME CONCERNS THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS.

State Director, V.P.
Joint Venture Est. Bank
F.S.B. Mortgagee
William Kaehlig
Bruce Gleason
Principal
Coventry Dev. Corp.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND DOES CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTED CODE OF MARYLAND, PARTICULARLY INSOFAR AS SAME CONCERNS THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS.

12-28-87

STATE OF MARYLAND — JAMES T. ETZEL — No. 2941 — PROFESSIONAL LAND SURVEYOR

APPROVED FOR BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS.

2/26/88

APPROVED FOR BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

Robert W. Sheesley 2-26-88

APPROVED FOR BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING.

Nancy C. Shore 3/1/88
for DIRECTOR DATE

Waiver info: W-87-307 DATE: 11-20-87

SCALE 1"=100' DECEMBER 28, 1987

GERHOLD, CROSS & ETZEL
REGISTERED PROFESSIONAL LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
(301) 823-4470

MSA SSU 1236-2941 53-40

D7-103-A

be possible because of the septic reserve area. Building behind the family room would be structurally difficult because the back wall consists of a brick fireplace with sliding glass doors on each side. In addition, the family room is only one story high, and thus the addition could not be used to improve the upstairs area. Further, there is only crawl space under the family room and thus a basement built there would not connect to the basement under the main part of the house, which would not make it very functional. Consequently, the other end of the backyard is the only practical place to build an addition.

Although our current plan is for the addition to go 15 feet in to the boundary line setback, we are seeking a 30 foot variance just in case our final plans change and we want to make the addition longer. We are asking for a variance on the side of the house for a raised deck, which would replace the 13+ year deck we currently have.

From the plat and the pictures you can see that our proposed addition will not effect any of our neighbors' homes. The closest houses are 150 to 250 feet away. Our neighbors will be happy that we are fixing the house and replacing the old deck.

Thank you for considering our request.

Sincerely,
Mark and Debbie Holtschneider

07-103-A

Zoning Description For 12 Wildon Court

Beginning at a point on the west side of Wildon Court which is *50* feet wide at the distance of +/-*550* feet northwest of the center line of Cedar Lane which is *60* feet wide. Being Lot # 10 in the subdivision of Wildon as recorded in Baltimore County Plat Book # 58, Folio #40, containing 2.387 acres. Also known as 12 Wildon Court and located in the 11th Election District, 3rd Councilmanic District.

07-103-A