

IN RE: PETITION FOR SPECIAL HEARING *

N/S Tufton Road, 2,100' E c/line

Mantua Mill Road *

(2330 Tufton Road) *

8th Election District *

3rd Council District *

Michael H. Weinman, et ux

Petitioners *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-417-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Michael H. Weinman, and Loretta (Laurie) M. Weinman, his wife, by and through their attorney, Benjamin Bronstein, Esquire. The Petitioners, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), request a special hearing to approve an amendment to the previously approved site plan in Case No. 99-150-SPHA to reflect the proposed improvements (two-story addition and garage expansion) to the existing accessory building.¹ The subject property and relief requested are more particularly described on the amended site plan and building elevation drawings which were submitted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the request were Benjamin Bronstein, Esquire, attorney for Mr. and Mrs. Weinman, owners; Thomas A. Church, professional engineer with Development Engineering Consultants, Inc., who prepared the site plan of this property; and Dwight Griffith, President of Griffith Brilhar Builders. There were no Protestants or other interested persons present.

An appreciation of the property's past history and use is relevant and is briefly outlined. Located on the north side of Tufton Avenue east of the intersecting Dover and Mantua Mill Roads, the rectangularly shaped 29.368 acres of R.C.2 land is in one of the finest residential

¹ Apparently, Petitioners had filed a "spirit and intent" letter with the Department of Permits and Development Management (DPDM) requesting similar approval and were instructed to file the instant Petition.

RECEIVED FOR FILING
Date 5-28-08
By [signature]

areas of Reisterstown. The Petitioners purchased their lot in 1997. At that time, the site was improved with a single existing structure containing a garage for storage with a small area of living space for a tenant "the caretaker" to oversee the property. The Petitioners filed a petition for special hearing and variance in Case No. 99-150-SPHA and were granted approval by then Zoning Commissioner Lawrence E. Schmidt permitting the renovation of the accessory building (garage) with the caretaker's living quarters and its attendant height of 23 feet in lieu of the permitted 15 feet.² Thereafter, and as shown on Petitioners' Exhibit 1, the Petitioners constructed a substantially sized single-family dwelling (9,394 square feet) on the property.

Testimony and evidence offered revealed that Mr. and Mrs. Weinman regularly entertain on the property and frequently travel. They now wish to expand the accessory structure by adding two (2) additional garage bays for vehicle storage and an apartment on the first floor consisting of a living room, one bedroom, bath and kitchenette for use by their resident cook/housekeeper, and expand the second floor area above the new addition to relocate one existing bedroom and replace it with an eating area. The plans also include replacing an existing deck with a screen porch. The total area for the garage will be 576 square feet and for the living area - 1,706 square feet. As the elevation drawings (Petitioners' Exhibit 2) clearly demonstrate, the first and second floor improvements to this accessory building will make it a very impressive structure.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and there was no opposition from area neighbors. As a means to obtain approval for the proposed addition at the rear of the existing detached

² The Petitioners zoning approval received on January 7, 1999 allowed the Weinman's to construct a new dwelling oriented towards Tufton Avenue while retaining the accessory caretaker structure in the front yard. The improvements are not visible from Tufton Avenue and the use of the garage will continue as living quarters for a caretaker and storage.

ORIGINAL RECEIVED FOR FILING
Date 5-28-08
By [signature]

accessory building, Petitioners seek an amendment to the previous zoning case through the special hearing criteria as set forth in Section 502.1. Specifically, the Zoning Commissioner is required to conduct a public hearing to determine whether the proposed amendment is appropriate and will not be detrimental to the health, safety and general welfare of the locale. Based upon the uncontradicted testimony and evidence offered, I am persuaded that the special hearing relief should be granted. The proposed amendment is entirely consistent and compatible with the existing use and the building elevations received from Griffith Brilhar Builders (Petitioners' Exhibit 2) evidence the design of the accessory structure will maintain continuity with this locale and the improvements on the property. The new improvements meet the spirit and intent of the site plan in Case No. 99-150-SPHA.

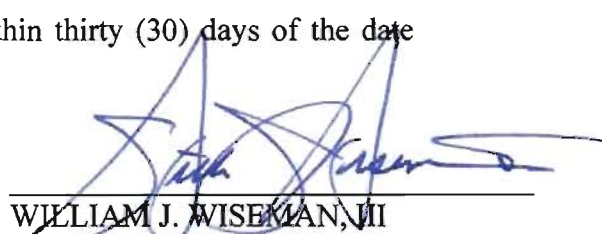
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of May 2008, that the Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) is granted and that the proposed amendment to the previous site plan in prior Case No. 99-150-SPHA as reflected on Exhibits 1 and 2, be and is hereby APPROVED, subject to the following advisory restriction:

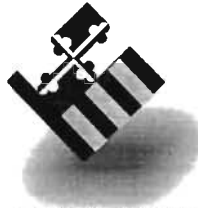
- The Petitioners are permitted to proceed with this addition but are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

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

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORIGINAL FILED FOR FILING
Date 5-28-08
By [signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 28, 2008

Benjamin Bronstein, Esquire
Suite 205, Susquehanna Building
29 W. Susquehanna Avenue
Towson, MD 21204

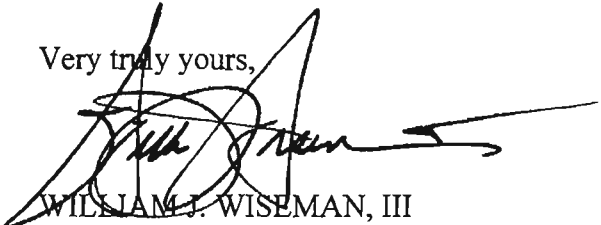
RE: PETITION FOR SPECIAL HEARING
N/S Tufton Road, 2,100' E c/line Mantua Mill Road
(2330 Tufton Road)
8th Election District - 3rd Council District
Michael H. Weinman, et ux - Petitioners
Case No. 08-417-SPH

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Mr. and Mrs. Michael Weinman, 2330 Tufton Road, Baltimore, MD 21136
Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road,
Towson, MD 21212
Dwight Griffith, President, Griffith Brilhar Builders, 3004 Fallston Road, Fallston, MD 21047
People's Counsel; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2330 Tufton Road

which is presently zoned RC 2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment (an addition) to the site plan in Case # 99-150 SPHA.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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:

Benjamin Bronstein

Name - Type or Print

Signature

Company

29 West Susquehanna Avenue, Suite 205 410-296-0200

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Michael Weinman

Name - Type or Print

Signature

Laurie Weinman

Name - Type or Print

Signature

2330 Tufton Road

Address

Telephone No.

Baltimore

Maryland

21136

City

State

Zip Code

Representative to be Contacted:

Tom Church, P.E., Development Engineering Consultants, Inc.

Name

6603 York Road

410-377-2600

Address

Telephone No.

Towson

Maryland

21212

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

08-417-SPH

UNAVAILABLE FOR HEARING

REV 9/15/98

ORDER RECEIVED FOR REVIEW

Date

5-28-08

By

EW

Reviewed By

A-Tsu

Date

03/05/08

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION FOR 2330 TUFTON AVENUE

BEGINNING FOR THE SAME at a point in the centerline of Tufton Avenue, said point being 2,100± feet from the centerline of Mantua Mill Road. Thence the following courses and distances:

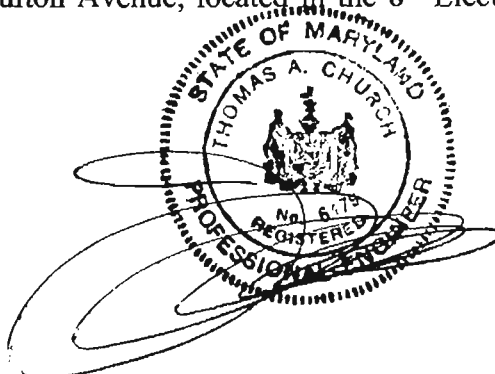
1. North 11 degrees 40 minutes 30 seconds East, 592.22 feet
2. North 04 degrees 15 minutes 20 seconds East, 401.66 feet
3. South 85 degrees 44 minutes 40 seconds East, 1,169.51 feet
4. South 04 degrees 15 minutes 20 seconds West, 1,123.67 feet to the centerline of Tufton Avenue. Thence along the centerline of Tufton Avenue:
5. North 86 degrees 28 minutes 40 seconds West, 44.15 feet
6. North 84 degrees 57 minutes 40 seconds West, 150.75 feet
7. North 79 degrees 07 minutes 40 seconds West, 259.74 feet
8. North 78 degrees 06 minutes 00 seconds West, 800.00 feet to the point of beginning.

Containing 1,279,270 s.f. or 29.368 acres of land, more or less.

Being the same parcel of land described in a deed recorded in the Land Records of Baltimore County in Liber S.M. 12368, Folio 540.

Also known as 2330 Tufton Avenue, located in the 8th Election District, Baltimore County, Maryland

Our Contract No.: 07-131



08-417-SPH
February 18, 2008

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No.

1464

Date:

03/05/08

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			652				65-

Total:

65-

Rec

From:

Benjamin Bernstein - Attorney-At-Law

For:

2330. Tufton Rd

08-417 SPH

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S
VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #08-417-SPH

2330 Tufton Road

N/side of Tufton Road, 2100 feet east of centerline of Mantua Mill Road

8th Election District

3rd Councilmanic District

Legal Owner(s): Michael &

Laurie Weinman

Special Hearing: for an amendment (an addition) to the site plan in Case 99-150-SPHA

Hearing: Tuesday, May 6, 2008 at 11:00 a.m. In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 4/828 April 22 170900

CERTIFICATE OF PUBLICATION

4/24/, 2008

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/, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 08-417-SPH

Petitioner/Developer: MICHAEL +

LAURIE WEINMAN

Date of Hearing/Closing: 4-28-08

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

ATTN: Kristen Matthews ((410) 887-3394)

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:

2330 TUFTON RD

The sign(s) were posted on 5-11-08
(Month, Day, Year)

Sincerely,

Robert Black 5-14-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

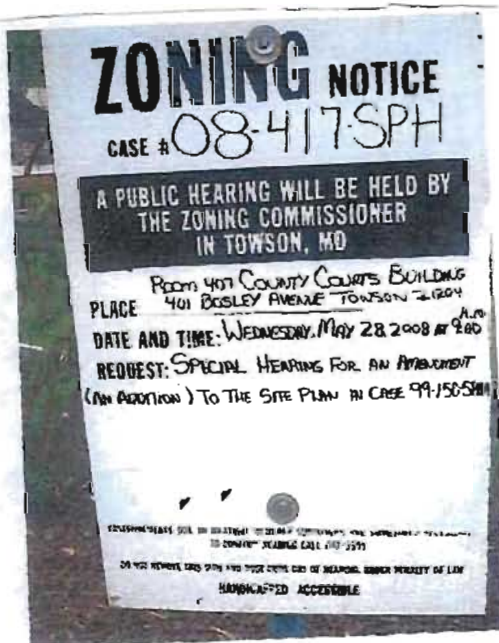
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 22, 2008 Issue - Jeffersonian

Please forward billing to:
Benjamin Bronstein
29 West Susquehanna Avenue, Ste. 205
Towson, MD 21204

410-296-0200

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: 08-417-SPH

2330 Tufton Road

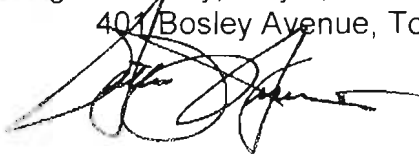
N/side of Tufton Road, 2100 feet east of centerline of Mantua Mill Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael & Laurie Weinman

Special Hearing for an amendment (an addition) to the site plan in Case 99-150-SPHA.

Hearing: Tuesday, May 6, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 20, 2008
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 08-417-SPH

2330 Tufton Road

N/side of Tufton Road, 2100 feet east of centerline of Mantua Mill Road

8th Election District – 3rd Councilmanic District

Legal Owners: Michael & Laurie Weinman

Special Hearing for an amendment (an addition) to the site plan in Case 99-150-SPHA.

Hearing: Tuesday, May 6, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Benjamin Bronstein, 29 West Susquehanna Avenue, Ste. 205, Towson 21204
Mr. & Mrs. Weinman, 2330 Tufton Road, Baltimore 21136
Tom Church, 6603 York Road, Towson 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 21, 2008.**
- (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.

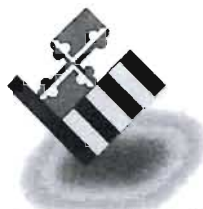
For Newspaper Advertising:

Item Number or Case Number: 08-417-SPH
Petitioner: MICHAEL WEINMAN
Address or Location: 2330 TUFTON ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: BENJAMIN BRONSTEIN
Address: 29 WEST SUSQUEHANNA AVENUE
TOWSON, MD 21204
Telephone Number: (410) 296-0200

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

April 30, 2008

Benjamin Bronstein
29 West Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Dear Mr. Bronstein:

RE: Case Number: 08-417-SPH, 2330 Tufton Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 5, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures

c: People's Counsel
Michael Weinman Laurie Weinman 2330 Tufton Road Baltimore 21136
Tom Church, P.E. Development Engineering Consultants, Inc. 6603 York Road
Towson 21212

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 13, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 17 2008
Item Nos. 08-371, 400, 401, 402, 403, 404,
405, 406, 408, 409, 410, 411, 412, 413, 414,
416, and 417

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-03132008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 12, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 10, 2008

Item Number: 400,403,404,405,406,407,409,410,411,412,413,414,415,416 and 417

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.

1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 12, 2008

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

RE: Baltimore County
Item No. B-417-SPH
2330 TUFTON ROAD
WEINMAN PROPERTY
SPECIAL HEARING

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. B-417-SPH.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BW 5/6
11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 24, 2008

RECEIVED
APR 01 2008

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

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-417- Special Hearing**

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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray

Division Chief:

Lynn Latham

CM/LL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
2330 Tufton Road; N/S Tufton Road, *
2,100' E c/line Mantua Mill Road * ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): Michael & Laurie Weinman* FOR
Petitioner(s) *
BALTIMORE COUNTY
*
08-417-SPH

* * * * *

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 and all 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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

Per _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, P.E., Development Engineering Consultants, 6603 York Road, Baltimore, MD 21212 and Benjamin Bronstein, Esquire, 29 West Susquehanna Avenue, Suite 205, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Matthews, Kristen
Date: 05/01/08 4:21:37 PM
Subject: 08-417-SPH - 5/6 @ 11 AM

Hi Kristen,

Just checking to see if you have the posting for the above-referenced case as it wasn't in the file. I have contacted Ben Bronstein's office and left a voice mail as well.

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

CC: Zook, Patricia

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 08-A17-SPH

DATE 5-16-08, 5-28-08

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Dwight Griffith

279 Maple Farm Rd Forest Hill 21050

Forest Hill MD 21050

Ben Branstetter

29 W. Susquehanna Ave

Jackson 21204

branstetter@kentlaw.edu

T.A. Church

16603 York Rd.

Baltimore MD 21212



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search (2007 v.w.1.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 08 **Account Number -** 0814010780

Owner Information

Owner Name:	WEINMAN MICHAEL H WEINMAN LORETTA M	Use:	AGRICULTURAL
Mailing Address:	PO BOX 5992 BALTIMORE MD 21282-5992	Principal Residence:	YES
		Deed Reference:	1) /12368/ 540 2)

Location & Structure Information

Premises Address	Legal Description
2330 TUFTON AVE	29.368 AC NS 2330 TUFTON AVE 2160 E DOVER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
41	14	90						2	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2000	9,394 SF	29.36 AC	05
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2008	07/01/2007	07/01/2008	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	385,260	460,260			
Improvements:	1,393,850	1,586,640			
Total:	1,779,110	2,046,900	1,779,110	1,868,373	
Preferential Land:	10,260	10,260	10,260	10,260	

Transfer Information

Seller: EASTERN SAVINGS BANK	Date: 09/05/1997	Price: \$400,000
Type: IMPROVED ARMS-LENGTH	Deed1: /12368/ 540	Deed2:
Seller: HOUSE HOMER C	Date: 08/13/1996	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11745/ 334	Deed2:
Seller: NEUMAN JEFFREY M	Date: 03/23/1990	Price: \$665,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 8434/ 250	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

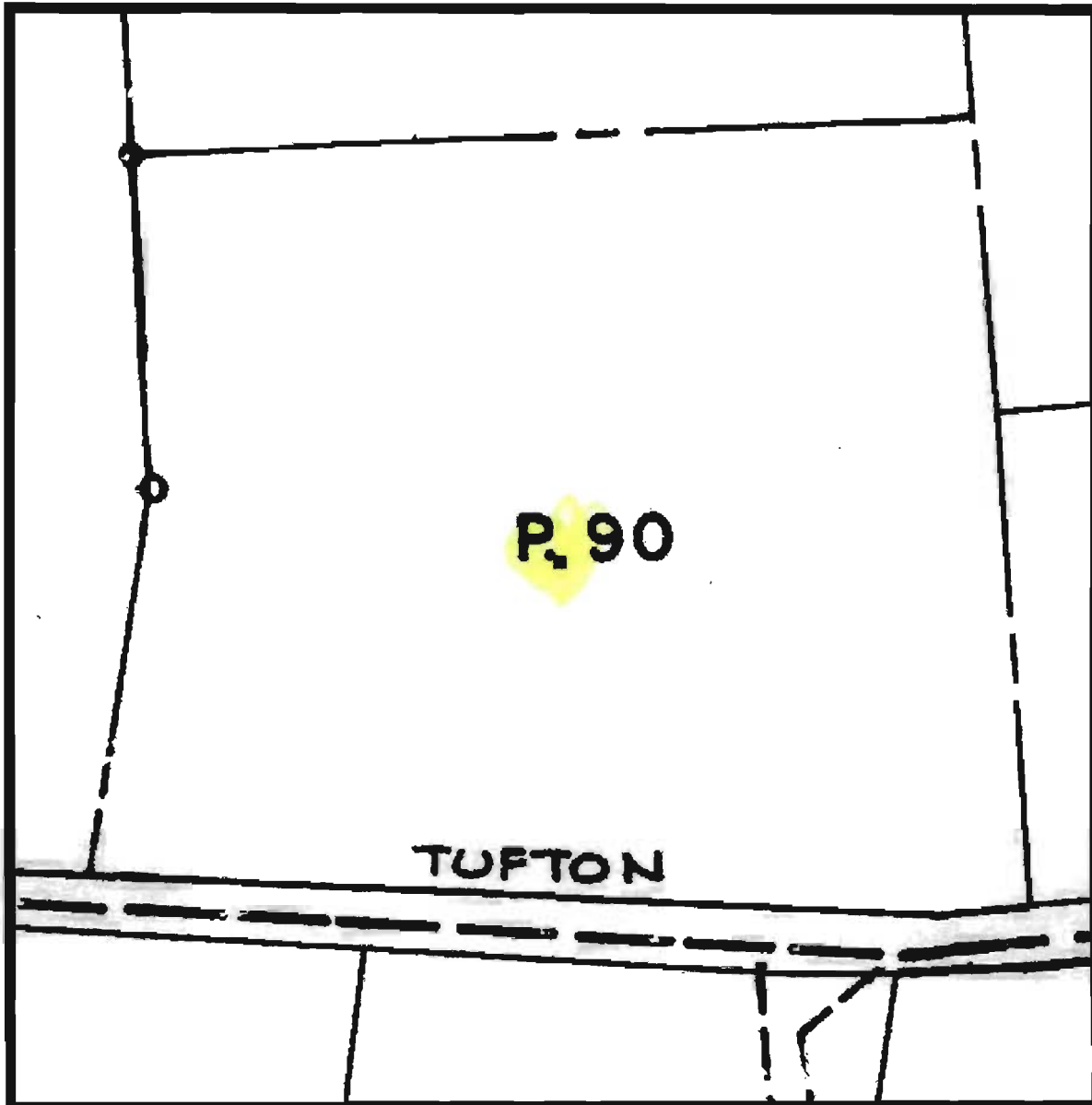
Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 08 Account Number - 0814010780



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web
site at www.mdp.state.md.us/tax_mos.htm



IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE
N/S Tufton Avenue, 2160 ft. E
of c/l of Manut^a Mill Rd.
2330 Tufton Avenue
8th Election District
3rd Councilman^{ic} District
Michael Weinman[?], et ux
Petitioners

2/7
Prior Case

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-150-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance and Special Hearing for the property located at 2330 Tufton Avenue in the Greenspring Valley community of Baltimore County. The Petition was filed by Michael Weinman and Laurie Weinman, his wife, property owners. Special hearing relief is requested to approve the use of an accessory building (garage) with a caretaker's apartment. Variance relief is requested from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit a building height of 23 ft. in lieu of the permitted 15 ft. for an accessory structure.

The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Special Hearing and Variance received as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Michael Weinman and Laurie Weinman, Petitioners. Also appearing in support of the request was Kathleen Lickleighbor. The Petitioners were represented by Benjamin Bronstein, Esquire. There were no Protestants or other interested persons present.

The subject property is approximately 29.368 acres in area, zoned R.C.2. It is a rectangularly shaped lot, with frontage on Tufton Avenue. Presently, the property is improved with a single existing structure which is the subject of the Petition. The structure contains a small area of living space for a tenant to oversee the property and an area for

storage. This single existing building is noted on the Petition as an accessory building (garage) and on the site plan as a tenant house. The Petitioners propose constructing a substantially sized single family dwelling on the property, as more particularly shown on the site plan. After construction, they will thereafter reside in the dwelling. The Petitioners desire to retain the existing structure, which is 23 ft. in height. It is anticipated that that building will be used as a garage (storage) and that the small area of living quarters will be retained. Apparently, Mr. and Mrs. Weinman frequently travel, and the caretaker's quarters are requested so that an individual can reside on the property and maintain same, particularly when Mr. and Mrs. Weinman are elsewhere.

Variance relief is requested to permit the height of the existing building at 23 ft., in lieu of the 15 ft. allowed. Special hearing relief is requested to approve the use of the building as a garage with a caretaker's apartment.

Based upon the uncontradicted testimony and evidence presented, I am persuaded to grant the Petition. In my judgment, the Petitioners have satisfied the requirements of Sections 307 and 502.1 of the BCZR. Clearly, there will be no detrimental impact to surrounding properties caused by the maintenance of the existing building and use thereof. The continued use and existing dimension of the structure in the manner proposed appears appropriate and, thus, relief should be granted.

It is also to be noted that if the house is constructed where shown on the plan and oriented towards Tufton Avenue, further variance relief may be required. In that event, the accessory building would be located in the front yard, contrary to the requirements of Section 400 of the BCZR. Clearly, this is a large lot, capable of containing both the exist-

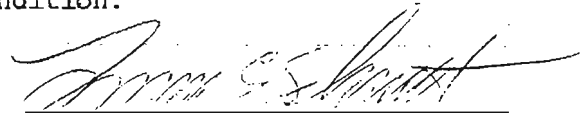
ing and proposed structures. Moreover, the proposed locations of each building appear appropriate.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of January 1999 that, pursuant to the Petition for Special Hearing, approval to use the accessory building (garage) with a caretaker's apartment, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to permit a maximum height of 23 ft., in lieu of the permitted 15 ft., for an accessory structure, be and is hereby GRANTED subject, however, to the following restriction:

1. The 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.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

Case No.: 08-417-SPH 2330 TUFTON RD

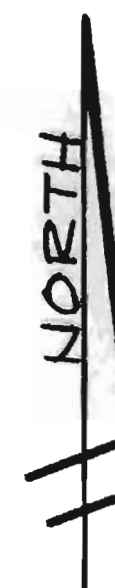
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	2A - Existing Conditions 2B - Proposed enlargements 1st Floor 2C - " " 2nd Floor	
No. 3	2D - Elevations @ Height Previously Approved (2 Pages)	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

RC 2



SUBJECT SITE

TUFTON
POINT OF
BEGINNING

AVENUE

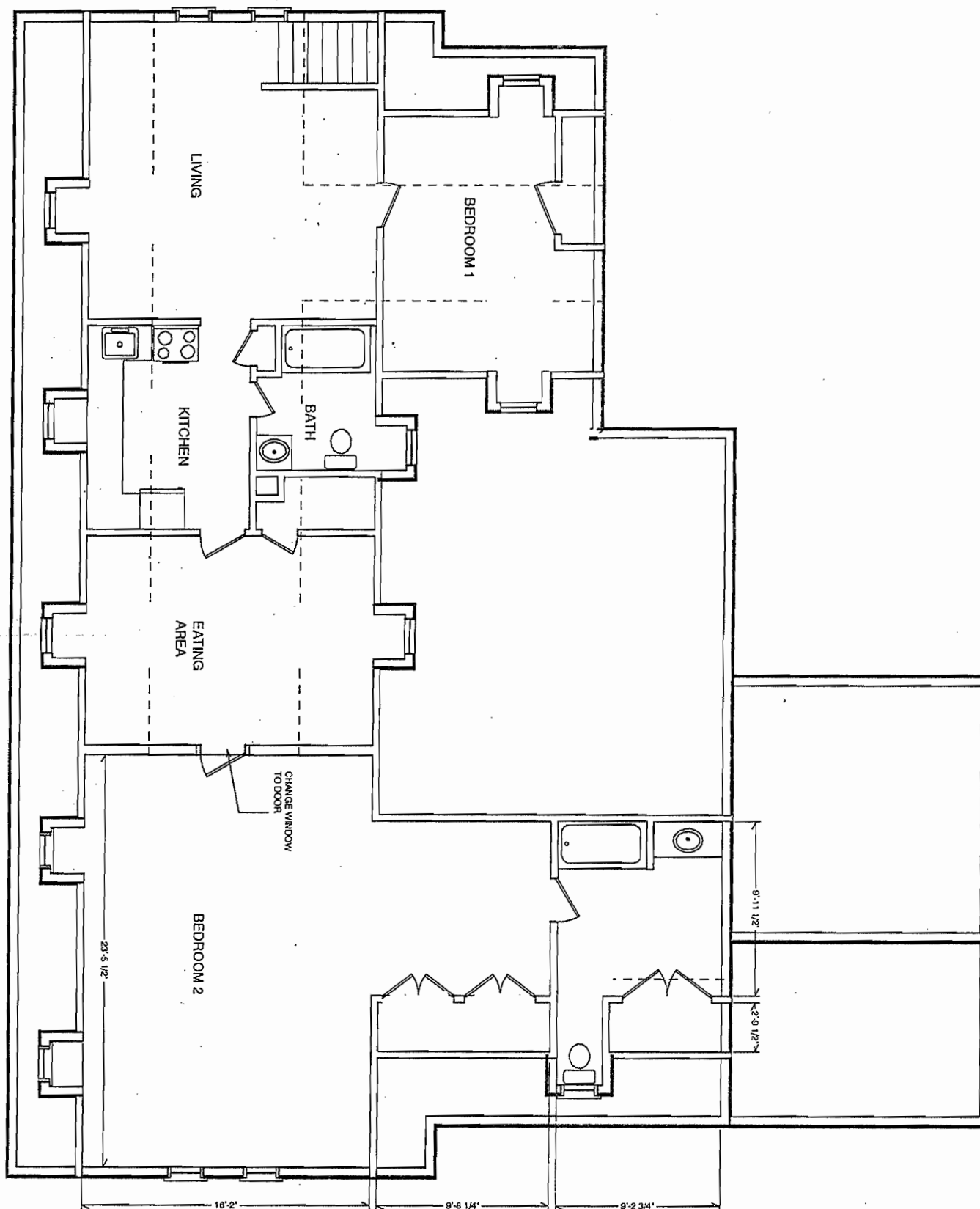
08-417-SPH

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
6603 York Road, Baltimore, Maryland 21212
Phone: 410/ 377-2600 Fax: 410/ 377-2625

ZONING MAP
2330 TUFTON AVENUE
REF MAP 041 A 2

Scale: 1" = 200'
BY: T.L.B.
CONTR. No. 07-131

Issued: 2/26/08



PETITIONER'S

EXHIBIT NO. 2C

G RIFFITH BRILHAR **T**
BUILDERS

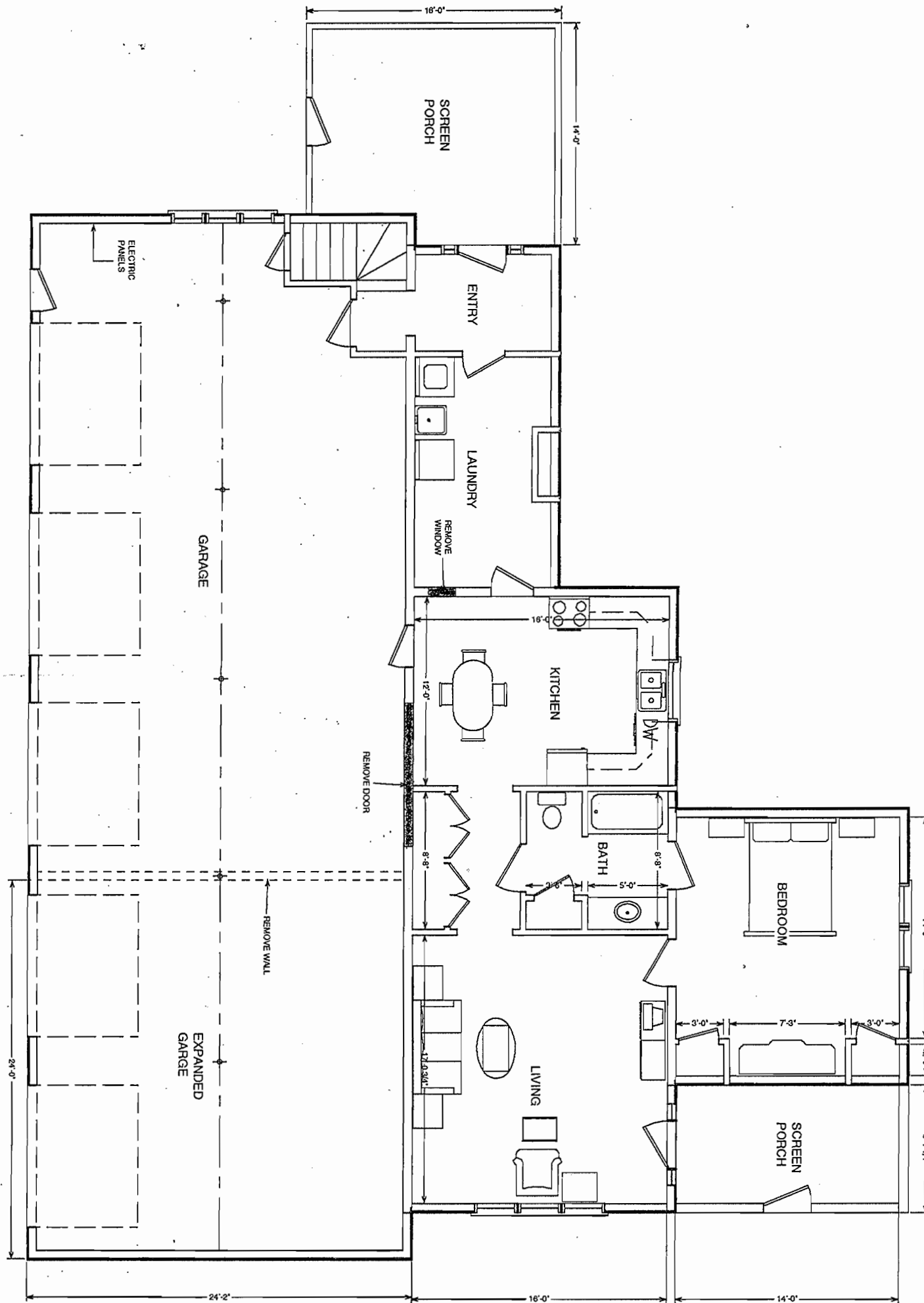
3004 FALLSTON RD
410-557-8900

FALLSTON MD 21047
410-557-6319 FAX

WEINMAN GARAGE
OPTION B
2ND FLOOR

SCALE: 1/8" = 1'

PAGE: 3



PETITIONER' S

EXHIBIT NO. 2B

GRIFFITH BRILHAR **T**
BUILDERS

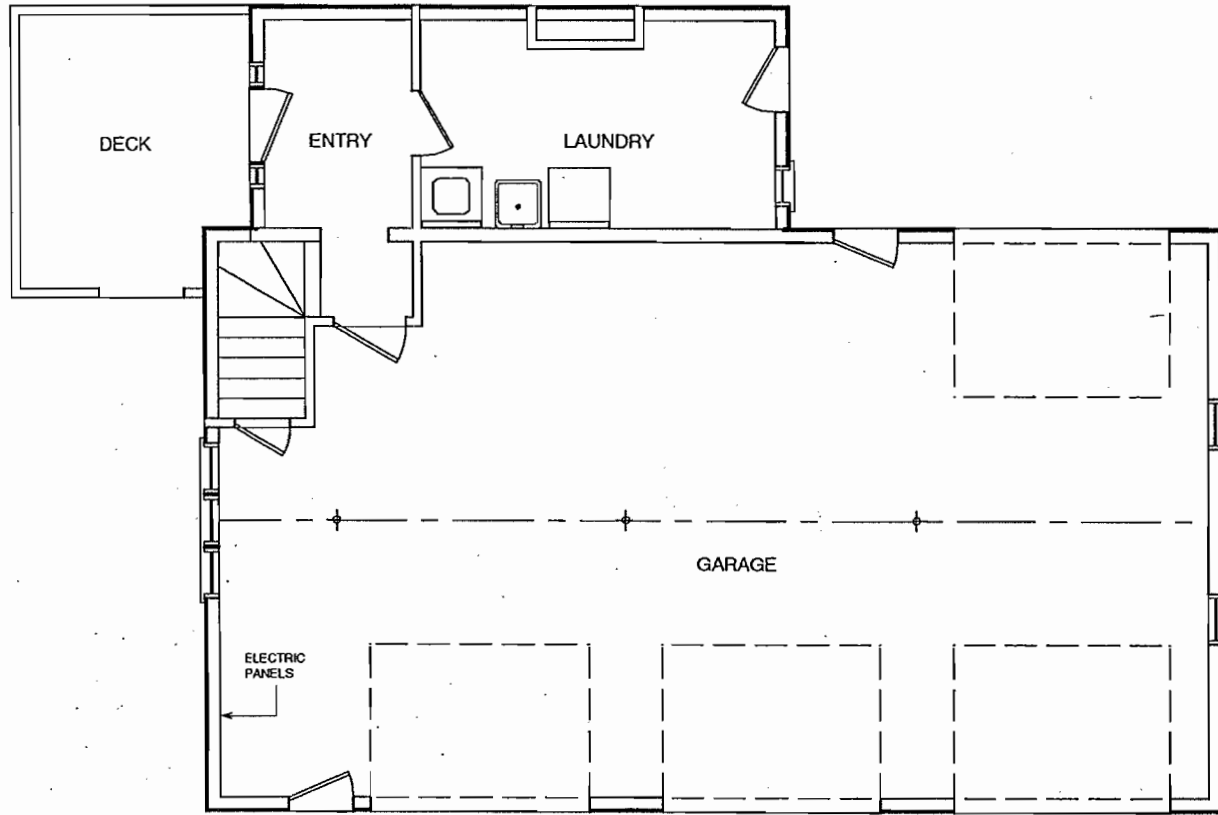
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410-557-8900

FALLSTON MD 21047
410-557-6319 FAX

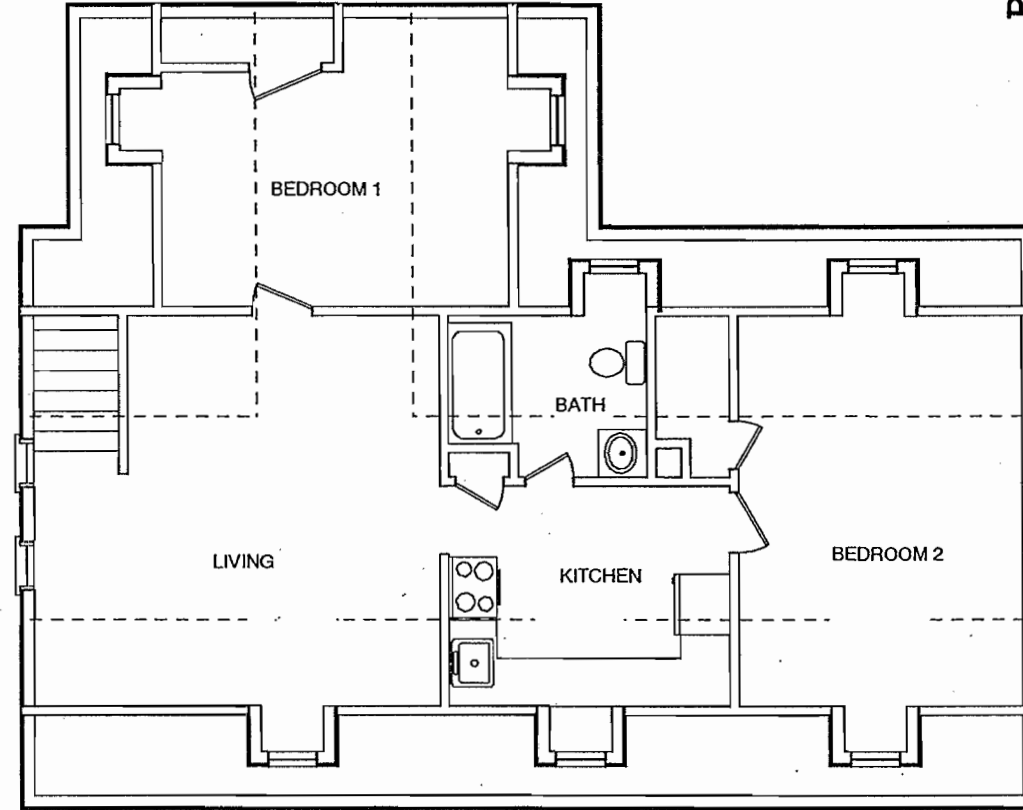
WEINMAN GARAGE
OPTION B
1ST FLOOR

SCALE: 1/8" = 1'

PAGE: 2



1ST FLOOR



2ND FLOOR

PETITIONER'S

EXHIBIT NO.

2A

GRIFFITH BRILHAR
BUILDERS

3004 FALLSTON RD
410-557-8900

FALLSTON MD 21047
410-557-6319 FAX

WEINMAN GARAGE

EXISTING

SCALE: 1/8" = 1'

PAGE: 1

☐ VARIANCE, ☒ SPECIAL HEARING AND TO AMEND SITE PLAN
CASE NO. 99-150-SPHA FOR CASE NO. 99-150-SPHA

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of January 1999 that, pursuant to the Petition for Special Hearing, approval to use the accessory building (garage) with a caretaker's apartment, be and is hereby GRANTED; and,

1. The 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.

condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County



ELECTION DISTRICT NO.: 8 TH
COUNCILMANIC DISTRICT NO.: 3 RD
ZONING: RC 2
(REFERENCE MAP(S): 041 A2)

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒
	YES	NO

100 YEAR FLOODPLAIN	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☒

PRIOR ZONING HEARINGS: CASE NO. 99-150-SPHA
(SEE ZONING ORDER THIS SHEET)

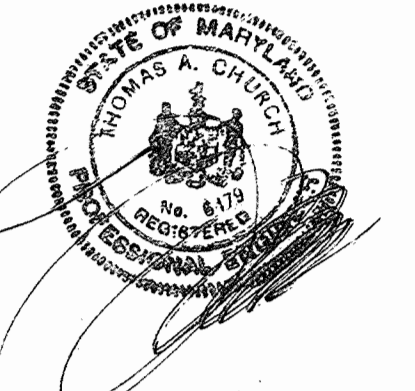
REVIEWED BY	ITEM #	CASE #
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TAX ACCT.: 08-14-010780
DEED REF.: 12368/540
PLAT REF.: N/A.

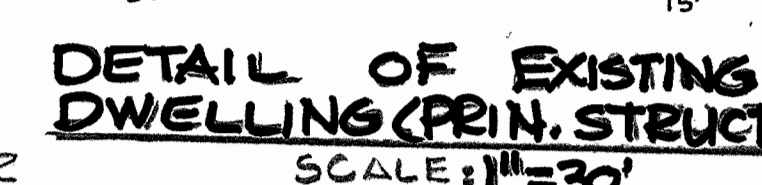
OWNER: MICHAEL H. & LORETTA M.
WEINMAN
ADDRESS: P.O. BOX 5992
BALTIMORE, MD, 21282

TAX ACCT.: 08-14-010780
DEED REF.: 12368/540
PLAT REF.: N/A.

Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 6479, Expiration Date: 08/05/2009.



PETITIONER'S
EXHIBIT NO. 1



DEAN R. & CAROLYN M. TAYLOR
19-00-014875
6760/738



THOMAS S. C.
WHEDBEE
24-00-002450
17274/740



EX. SEPTIC
RESERVE
AREA FOR
CARETAKER'S
APARTMENT

EXISTING CONTOURS
PROPERTY LINE
LIMIT OF DISTURBANCE
FOREST BUFFER
EASEMENT LINE
MINIMUM BUILDING
SETBACK LINE
FRONT ORIENTATION
ARROW

TOTAL AREA OF DISTURBANCE =
3,420 S.F. + 360 S.F. = 3,780 S.F. (< 5,000 S.F.)
(NO GRADING PROPOSED UNDER THIS PLAN)

CASE No: 08-417-SPH

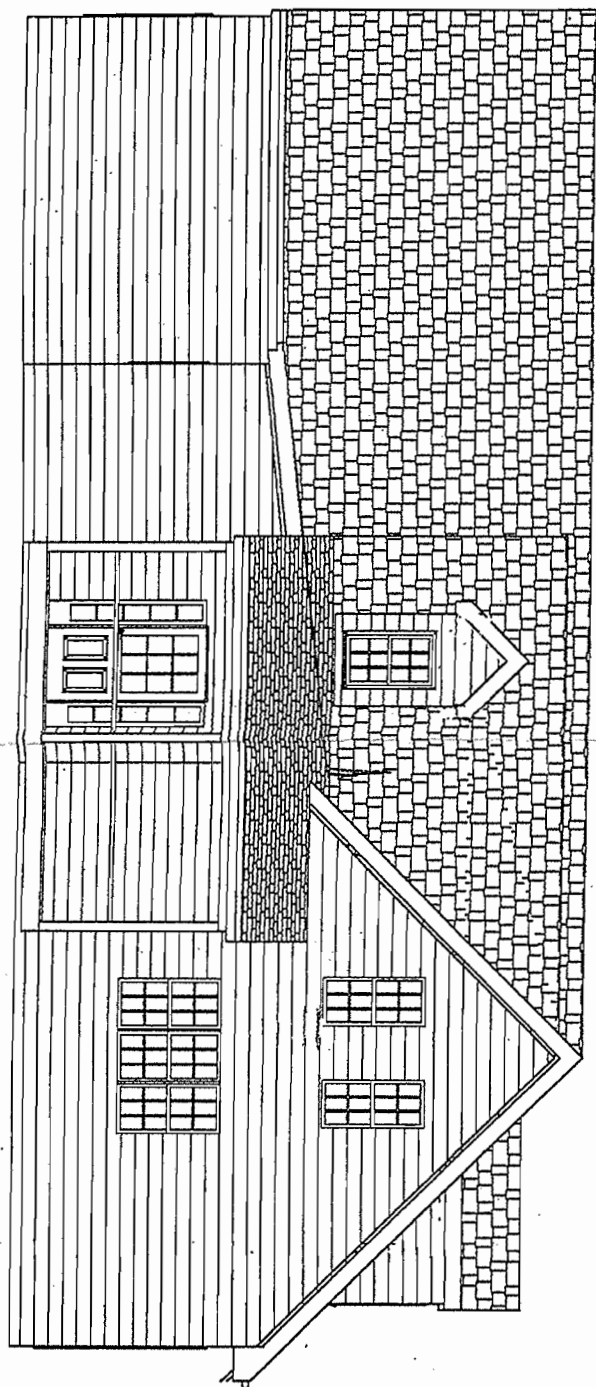
Drafting	T.L.B.		
Check	T.A.C.		
Design	T.L.B.	02/25/08	REVISE TITLE PER PHONE CALL FROM BENJAMIN BRONSTEIN 2/25/2008
Check	T.A.C.	DATE	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD 410-377-2600 BALTIMORE, MARYLAND 21212

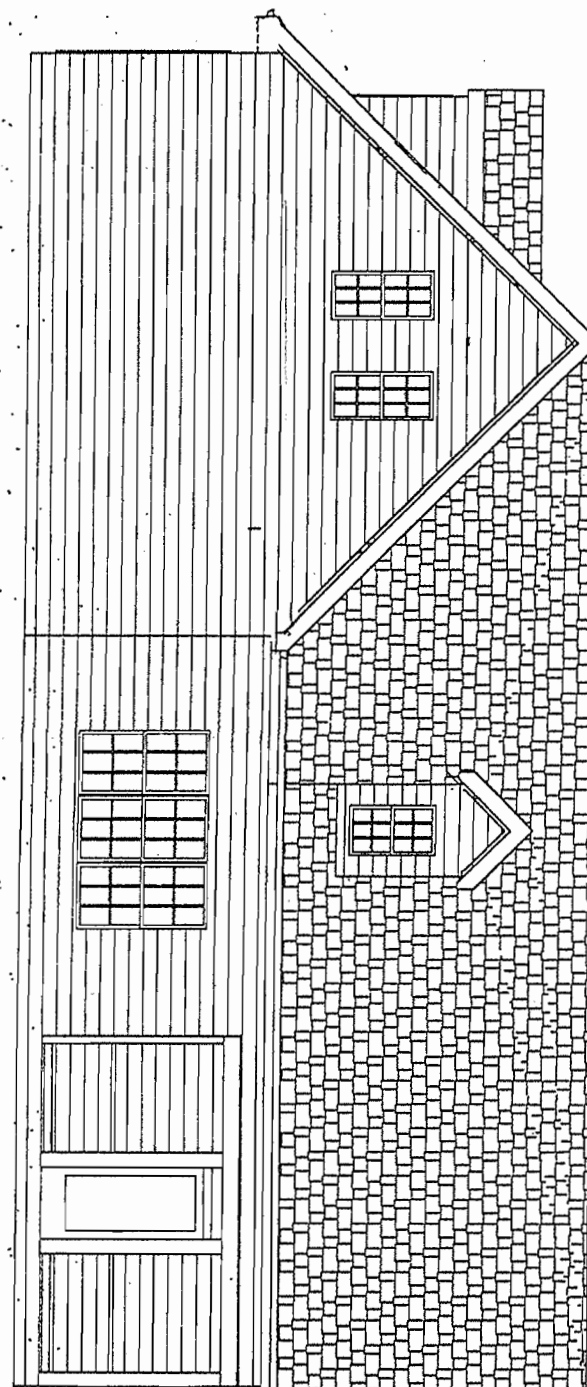
APPLICANT
MICHAEL H. & LORETTA M.
WEINMAN
PO. BOX 5992, BALTIMORE, MD, 21282

PLAT TO ACCOMPANY PETITION FOR ZONING SPECIAL HEARING AND TO
AMEND SITE PLAN FOR CASE NO. 99-150-3PHA
2330 TUFTON AVENUE
DISTRICT: 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD

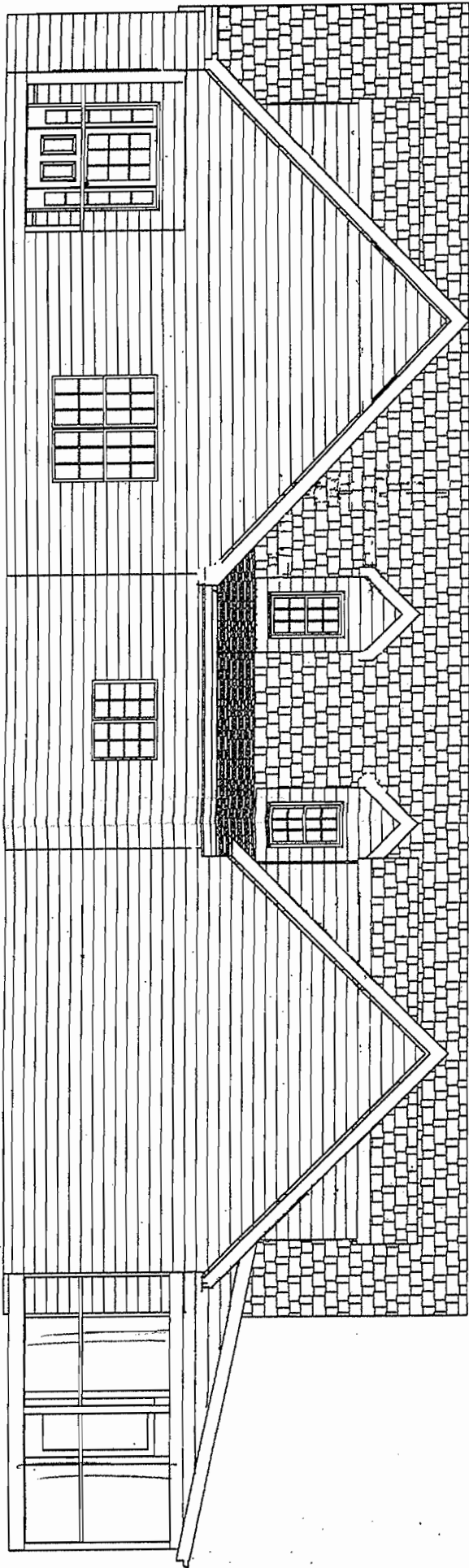
SHEET 1 OF 1	DATE 02/13/2008 REV. 02/25/08	CONTRACT NUMBER 07-131
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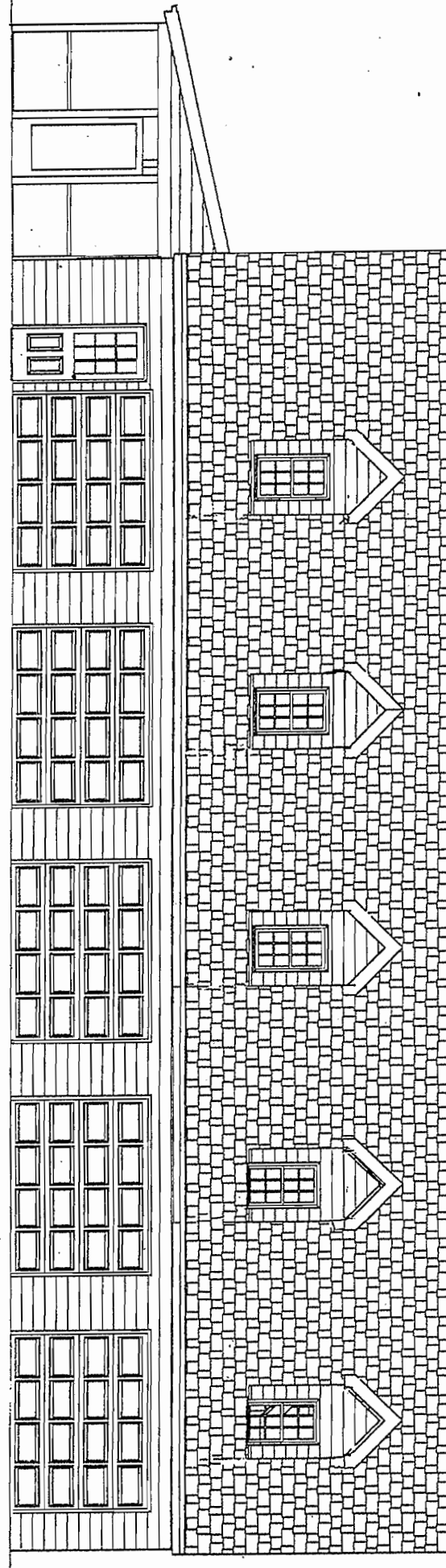
LEFT



RIGHT



REAR



FRONT

PETITIONER'S

EXHIBIT NO. 2D
TWO PAGES

G RIFFITH BRILHAR **T**
BUILDERS

3004 FALLSTON RD
410-557-8900

FALLSTON MD 21047
410-557-6319 FAX

WEINMAN GARAGE
ELEVATIONS

SCALE: 1/8" = 1'

PAGE: 4