

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S side of Woodvalley Drive, 330 feet W		
of Melody Lane	*	DEPUTY ZONING
3 rd Election District		
2 nd Councilmanic District	*	COMMISSIONER
(3605 Woodvalley Drive)		
	*	FOR BALTIMORE COUNTY
Michael Aronoff		
<i>Petitioner</i>	*	Case No. 2009-0255-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 owner of the subject property, Michael Aronoff for property located at 3605 Woodvalley Drive. The variance request is from Section 1B02.3.B (Section 205.2 1955 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to construct an addition measuring 8 feet x 30 feet in size onto the front of the garage. The current garage was converted from a carport which severely limits the types of cars that can be stored in the garage and the amount of indoor storage space. The garage structure was not maintained by the previous owners and has significant wood and termite damage that is in need of repair. There are three outside sheds attached to the garage which are dilapidated due to rain damage and lack of maintenance and are a significant eyesore. The placement of the dwelling and garage are such that the current garage is only 4 feet beyond the 40 foot setback. The garage entry is from the middle of the property with the garage door extending from the house towards the street. The most reasonable and sensible way to expand the garage is towards the street. The nearby properties having similar

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 4-30-09
 [Signature]

configurations appear to be set back farther from the street and any expansion of the garages would not be restricted by the Zoning Regulations. Petitioner plans to remove the three dilapidated sheds and expand the existing garage to provide a reasonable amount of indoor storage. While the new garage will have approximately the same footprint as the current garage and sheds combined, it will extend only approximately 5 feet beyond the 40 foot setback, and only approximately 9 feet from the existing garage towards the street. The proposed new garage will blend with the existing dwelling and have minimal impact on the surrounding properties, and will not extend beyond the existing tree buffer between properties. Petitioner also states that when construction is completed, landscaping will be installed to insure that the garage and the rest of the property is aesthetically pleasing to the neighborhood.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated April 15, 2009 which indicates they reviewed the request and do not object to the variance provided that the sheds in disrepair that are located in the side yard of the property are removed.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 11, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits 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

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4-30-09

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P3

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.

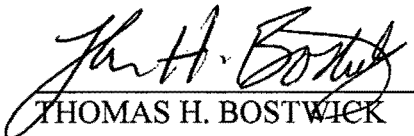
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 30th day of April, 2009 that a variance from Section 1B02.3.B (Section 205.2 1955 Zoning Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet

is hereby GRANTED, subject to the following:

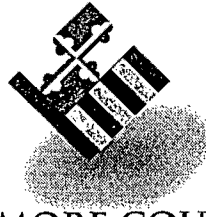
1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The dilapidated sheds that are located in the side yard of the property shall be removed.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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4-30-09

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 30, 2009

MICHAEL ARONOFF
3605 WOODVALLEY DRIVE
BALTIMORE MD 21208

Re: Petition for Administrative Variance
Case No. 2009-0255-A
Property: 3605 Woodvalley Drive

Dear Mr. Aronoff:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3605 Woodvalley Dr., Baltimore, MD 21208
which is presently zoned BR 2 (Formerly R-20)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, leg. 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) 1802.3B, BC2R (Section 205.2, 1955

Zoning Regulations) to permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet.

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):

Michael Aronoff

Name - Type or Print

Signature

Name - Type or Print

Signature

3605 Woodvalley Drive

Address

Baltimore MD

City

State

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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. 2009-0255-A

REV 9/15/98

4-30-09

Reviewed By JNP Date 3/30/09

Estimated Posting Date 4/12/09

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

3605 Woodvalley Drive

Address

Baltimore

MD

21208

City

State

Zip Code

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

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]

Signature

Michael Aronoff

Name - Type or Print

Michael

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of March, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

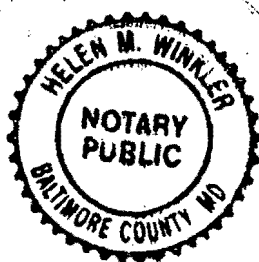
Michael Aronoff

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 30, 2009

Date



Helen M. Winkler

Notary Public

Helen M. Winkler

My Commission Expires

02/21/2012

REV 09/15/98

2009-0255-A

Affidavit in Support of Administrative Variance – Attachment A

The current garage was converted from a carport. As such, the door opening and the interior height is only approximately 72" and 70", respectively. This severely limits the types of cars that can be stored in the garage and the amount of indoor storage space. In addition, the garage structure was not maintained by the previous owners and as such has significant wood damage. Furthermore, the garage has some termite damage that is in need of repair. Overall, the garage is in need of major repair. In addition, there are three outside sheds attached to the garage which are dilapidated due to rain damage and general lack of maintenance and are a significant eyesore.

The house has neither a basement nor an attic and as such, has very limited storage space. Each house surrounding the subject property, while similar, has a unique floor plan and provides varying degrees of usable space. The placement of the current house and garage is such that the current garage is only approximately 4' beyond the 40' setback. Furthermore, the garage entry is from the middle of the property with the garage door extending from the house towards the street (interior side entry type). As such, the most reasonable and sensible way to expand the garage is towards the street. The nearby properties having similar configurations appear to be setback further from the setback/street and therefore any natural expansion of the garage of these properties would most likely not be restricted by the zoning requirements.

The plan is to remove the dilapidated sheds and expand existing garage to provide a reasonable amount of indoor storage. While the new garage will have approximately the same footprint as the current garage and sheds combined, it will extend only approximately 5' beyond the 40' setback (and only approximately 9' from the existing garage towards the street). This extension beyond the setback will provide reasonable storage space for a house of this size. The new garage will blend with the remaining structure and have minimal impact on the subject property and the surrounding properties and it will not extend beyond the current tree buffer between the subject property and the properties on either side of the subject property and will not require the removal of existing trees between the extended garage and the street. In fact, it is expected to improve the look and curb appeal of the subject house thereby increasing the value of the subject property and as such, increasing the value of the surrounding properties.

When the garage is complete, appropriate landscaping will be performed to insure that the garage and the rest of the property is pleasing to the eye and does not burden the surrounding properties. There will not be any negative impact on the surrounding properties or the neighborhood. This project will not negatively impact the public safety or welfare and should only serve to improve the subject property and the surrounding properties.

Michael Aronoff
Name
Michael Aronoff
Signature

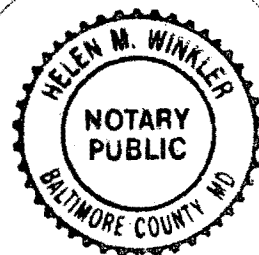
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of March, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Michael Aronoff, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge and belief.

AS WITNESS my hand and Notarial Seal

March 30, 2009

Helen M. Winkler
Notary Public Helen M. Winkler
My Commission Expires 02/21/2012



2009-0255-A

Zoning Description

ZONING DESCRIPTION FOR 3605 Woodvalley Drive, Pikesville, MD 21208.

Beginning at a point on the South side of Woodvalley Drive which is 60 feet wide at the distance of 330 feet West of the centerline of the nearest improved intersecting street Melody Lane which is 50 feet wide. Being Lot # 3, Block D in the subdivision of Longmeadow West as recorded in Baltimore County Plat Book # 26, Folio # 7, containing 30,928 square feet. Also known as 3605 Woodvalley Drive, Baltimore, MD 21208 and located in the 3rd Election District, 2nd Councilman District.

2009-0255-A

CERTIFICATE OF POSTING

RE: Case No. 2009-0255-APetitioner/Developer MICHAEL ARONOFFDate Of Hearing/Closing: 4/27/09

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 3605 WOODMILEY DRIVE

This sign(s) were posted on April 11, 2009

Month, Day, Year

Sincerely,

4/11/2009

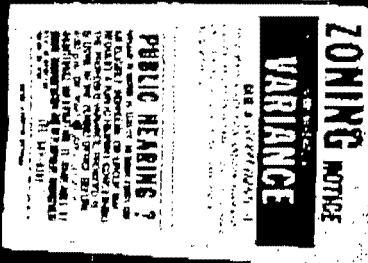
Signature of Sign Poster and Date

Martin Ogle

60 Chelmsford Court

Baltimore, Md, 21220

443-629-3411



04/11/2009

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0255 -A Address 3605 Woodvalley Drive
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/30/09 Posting Date: 4/12/09 Closing Date: 4/27/09

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, usually within 10 days of the closing date if all County agencies' comments are received, 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)

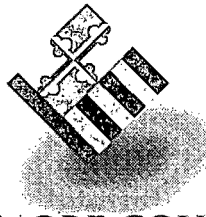
Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0255 -A Address 3605 Woodvalley Drive
Petitioner's Name Michael Anonoff Telephone 410-716-3689 (w)
443-804-5957 (cell)
Posting Date: 4/12/09 Closing Date: 4/27/09

Wording for Sign: To Permit a proposed addition (garage extension) with a front street setback of 35 feet in lieu of the minimum required 40 feet.

WCR - Revised 7/7/08



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 27, 2009

Michael Aronoff
3605 Woodvalley Dr.
Baltimore, MD 21208

Dear: Michael Aronoff

RE: Case Number 2009-0225-A, 3605 Woodvalley Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2009. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 9, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For April 13, 2009
Items Nos. 2009-238, 244, 247, 248,
249, 250, 251, 252, 253, 254, ~~255~~ and 256

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

DAK:CEN:cab

cc: File

ZAC-04072008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 10, 2008

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 15, 2008
Item No. 2009-155

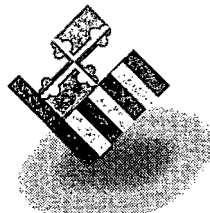
The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We have no comment on the variance or special exception requests; however, we are taking this opportunity to advise the developer/owner that this site is in an "Area of Special Concern" for sewer. Building permits will not be issued unless the Director of Public Works agrees in writing. There may be monetary considerations and/or time constraints attached to the Director's agreement.

DAK:CEN:cab

cc: File

ZAC-ITEM NO 2009-155-12152008.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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 9, 2009

Item Numbers 0238, 0247, 0248, 0249, 0251, 0252, 0253, **0255** and 0256

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.

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

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 15, 2009

RECEIVED

APR 15 2009

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

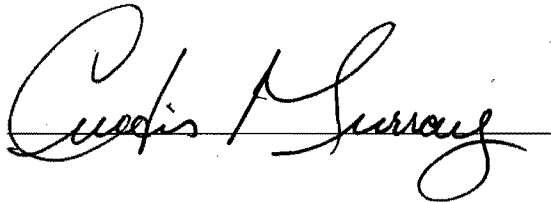
ZONING COMMISSIONER

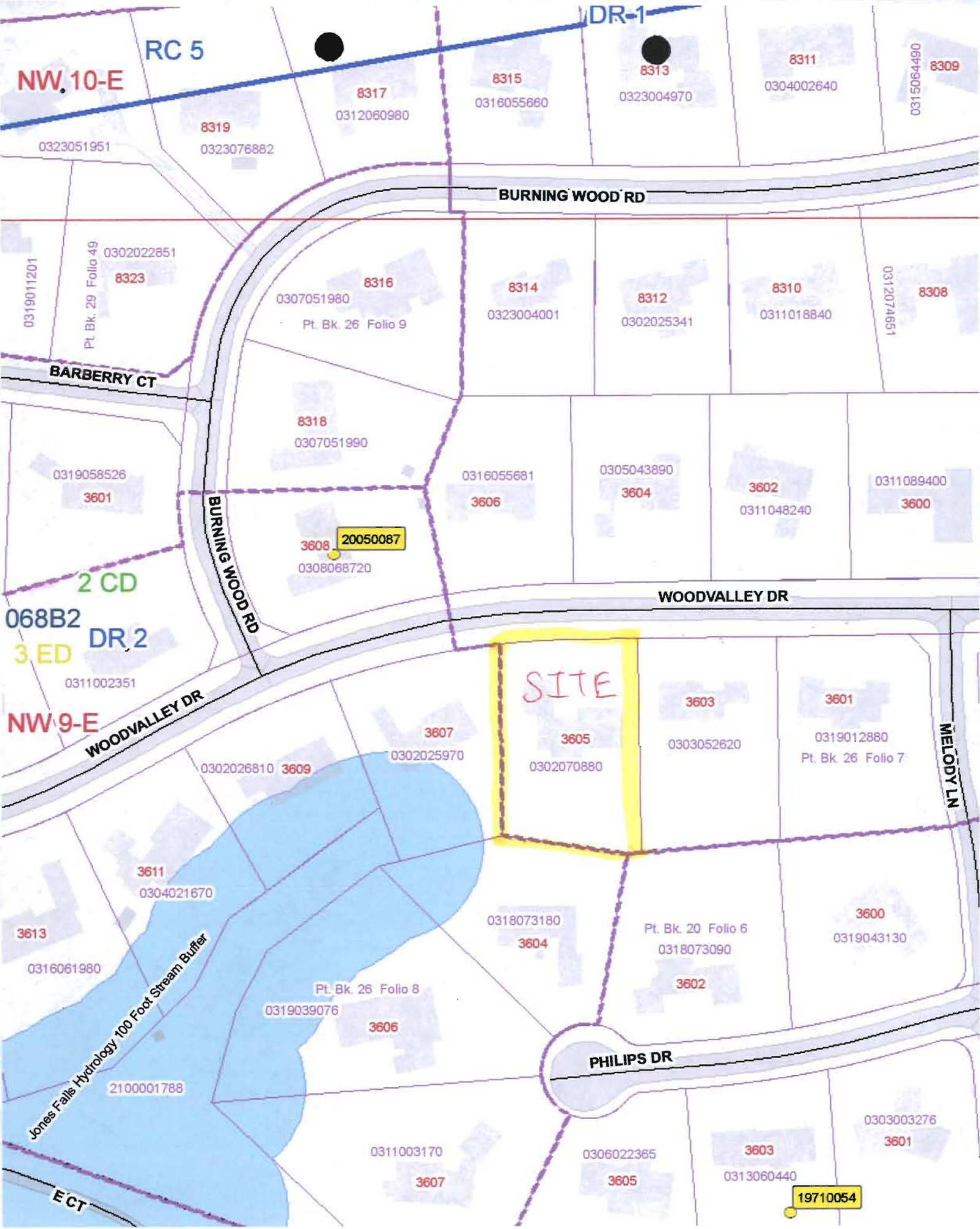
SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-255- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the sheds that are in the side yard of the property in disrepair are removed.

For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL





2009-0255-A

PHOTO # 2

3603 WOODVALLEY DRIVE
NANCY T MAILMAN
LOT 2, LONGMEADOW WEST
TAX ACCT # 0303052620
40' TO SUBJECT PROPERTY



PHOTO # 1 SUBJECT PROPERTY

3605 WOODVALLEY DRIVE

MICHAEL ARONOFF

LOT 3, LONGMEADOW WEST

TAX ACCT # 0302070880



2005-0255-A

PHOTO # 6
3604 PHILIPS DRIVE
MARC & RACHEL REIBMAN
LOT 1, LONGMEADOW WEST
TAX ACCT # 0318073180



PHOTO # 3
3604 WOODVALLEY DRIVE
ALLAN & ABBY RICHMOND
LOT 12, LONGMEADOW WEST
TAX ACCT # 0305043890



PHOTO # 5
3607 WOODVALLEY DRIVE
RAYMOND ELLIN
LOT 4, LONGMEADOW WEST
TAX ACCT # 0302025970
70' TO SUBJECT PROPERTY



PHOTO # 4
3606 WOODVALLEY DRIVE
PHILIP & RITA SCHLEIDER
LOT 11, LONGMEADOW WEST
TAX ACCT # 0316055681



☐ **Special Hearing**

JNP 0255 2009-0255-A