IN RE: PETITION FOR ADMIN. VARIANCE

SE side of Wickfield Road, 89 feet SE from the c/l of Woodcourt Road 3rd Election District 2nd Councilmanic District (6517 Wickfield Road)

Moshe and Shoshane Rubin *Petitioners*

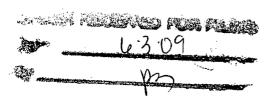
- * BEFORE THE
- DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2009-0292-A

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, Moshe and Shoshane Rubin for property located at 6517 Wickfield Road. The variance request is from Section 1B02.2.3.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 5 feet in lieu of the required 10 feet for addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct a two story addition to the existing home. The new addition would be 17'8" x 28' and would contain a new master bedroom with bathroom and two bedrooms on the basement level. The family has five children and the additional bedrooms are a necessity.

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 May 13, 2009 which indicates that they have no objection to the Petitioners' request to make improvements to the existing dwelling.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 16, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.



The Petitioners have filed the supporting affidavits as required by Section 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 Petitioners.

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 3rd day of June, 2009 that a variance from Section 1B02.2.3.c.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 5 feet in lieu of the required 10 feet for addition is hereby GRANTED, subject to the following:

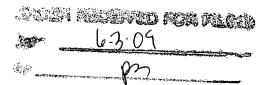
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order: however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this 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.

Deputy Zoning Commissioner

for Baltimore County

THB:pz



2



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

June 3, 2009

MOSHE AND SHOSHANE RUBIN 6517 WICKFIELD ROAD BALTIMORE MD 21209

Re: Petition for Administrative Variance

Case No. 2009-0292-A

Property: 6517 Wickfield Road

Dear Mr. and Mrs. Rubin:

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,

THOMAS H. BOSTWICK

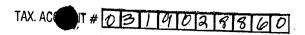
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

:: Beverly True, 3920 London Bridge Road, Sykesville MD 21784





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property	located at	6517 Wick F	ied KDAD
Addition Miles	whic	h is presently zon	ied DR 55

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)

Permit A Side setback OF 5 Ft. in lieu of the Required 101 For an addition

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			4
			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/Less	ee:		Legal Owner(s):
	4		Moste M. Rubin
Name - Type or Print	tt ve	* 4. Sp. 1	Name - Type or Print X M M M M M M M M M M M M
Signature		•	Signature Shoshana Rubin
Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petitioner:		• •	6517 WickField Rd 410-486-3244 Address Telephone No.
•			Battimore mp alang
Name - Type or Print	•	· •	City State Zip Code
Signature			Representative to be Contacted:
	• • •		Provorly Trup
Сотралу	•	•	3920 LOWON Bridge 81 342-04
Address		Telephone No.	Address Telephone No.
Çity	State	Zip Code	City State Zip Code
this day of	, tha	it the subject matter of t	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
egulations of Baltimore County and	that the proper	ty be reposted.	SALICH!
2009	1-17	27-1A	Zoning Commissioner of Baltimore County
CASE NO.		(Z V)	lowed By

Estimated Posting Date

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.

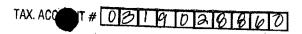
That the Affiaht(s) does/do presently reside at	6517 Wick	Field Road		
	Battimore	State	<u> </u>	31209 Zip Code
That based upon personal knowledge, the folic Variance at the above address (indicate hardsh	owing are the facts up ip or practical difficulty	on which I/we base /):	the request for	an Administrative
	. **			
We would like to construct a ne The new addition would be 17'	8" x 28' and would	consist of a nev	w Master	
Bedroom with Bathroom, and to our family (5 children) it has be especially as the children grow	en difficult to have	enough bedroo	om space, 🕝	•
is more cost effective to add or	n to our existing ho	me than build a	new home.	, , , ,
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is filed additional information.	d, Affiant(s) will be	required to pa	y a reposting and
& Ahsha Kila	X	In me	2 km	
Signature	Sign	ature		
Shoshana Rubbin	Nam	note A A	win.	
edent in a grant and grant and grant in	Trace	a - a - a - a - a - a - a - a - a - a -		
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:		•	
of Maryland, in and for the County aforesaid, per	ersonally appeared) <i>S</i> ,, befo	re me, a Notary	Public of the State
Charles March 18 Comment				
the Affiant(s) herein, personally known or satisf	actorily identified to m	e as such Affiant(s)).	
AS WITNESS my hand and Notarial Seal		•		
	Dai	ea S	UTC	•
	Notary Publ	ic		
6. 6. 15.	My Commis	ssion Expires		

Affidavit in Support of Administrative Variance

WIN THE FOREST

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		<i>WickField</i>	Road	
		Address BAHIM City	vor P	MD State	21809 Zip Code
That bas Variance	ed upon personal knowledge, the follow at the above address (indicate hardship	ving are the fac o or practical dil	cts upon which I/\ fficulty):		st for an Administrative
	We would like to construct a new The new addition would be 17'8 Bedroom with Bathroom, and two our family (5 children) it has been especially as the children grow of is more cost effective to add on	" x 28' and w to bedrooms en difficult to older. Becau	ould consist o to the baseme have enough I se of existing o	f a new Master ent. Due to the s bedroom space economic condi	, tions it
		: • ^ • • • • • • • • • • • • • • • • •			
				1 + 2 + 4 + 4 + 4 + 4 + 4 + 4 + 4 + 4 + 4	
That the advertising Signature Name - Ty	Affiant(s) acknowledge(s) that if a forms fee and may be required to provide a constant of the	mal demand i	s filed, Affiant(s) nation. Signature Name - Type or Pr	Rubin	to pay a reposting and
	OF MARYLAND, COUNTY OF BALTIM		1		
I HEREE of Maryla	BY CERTIFY, this. A day of and, in and for the County aforesaid, per	sonally appear	<i>√03</i> 7 ed	, before me, a N	otary Public of the State
the Affia	nt(s) herein, personally known or satisfa	ctorily identified	to me as such A	Affiant(s).	
AS WITH	NESS my hand and Notarial Seal	Notar	Tale & (James	tan 10 kg mit di Si kan diju tuu
	The state of the s	My Co	ommission Expire	es	





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the propert	ty located at 6517 WickField Road
Donald Brillian Co.	which is presently zoned DR5.5
This Petition shall be filed with the Department of Permowner(s) of the property situate in Baltimore County and Whimade a part hereof, hereby petition for a Variance from Section 1.	its and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and tion(s) 1802.2.3.C.1; BCZR, TO
PERMIT A SIDESETBACK OF REQUIRED 10ft FOR AN	ADDITION.
of the zoning regulations of Baltimore County, to the zoning of this petition form.	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, pregulations and restrictions of Baltimore County adopted pursuant	osting, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
Name - Type or Print	Noste A Roll Name - Type or Print X My Man A
Signature	Shoshana Rubin
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature
Attorney For Petitioner:	4517 WICKFIELD ROAD 410-484-3244 Address Telephone No.
Name - Type or Print	BAHIMORE MO 21209 City State Zip Code
	Representative to be Contacted:
Signature	FORMALL Trup
Company	Name
Address Telephone No.	Address Telephone No.
City State Zip Code	StateZip 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.

	20	09-0292-4	- . · .
CASE	10		
REV 10/25	5/01	Le 3.09	
	in the second	(An	

Zoning Commissioner of Baltimore County

Date

Date

Estimated Posting Date 5-17.09

ZONING DESCRIPTION FOR 6517 WICKFIELD ROAD

Beginning at a point on the South East side of Wickfield Road which is 40' wide at the distance of 89' South East of the centerline of the nearest improved intersecting street Woodcourt Road. which is 40' wide. Being Lot # 38, Block F, Section # 3 in the subdivision of Pickwick as recorded in Baltimore County Plat Book # 29, Folio # 146, and containing 8494 Square Feet. Also known as 6517 Wickfield Road and located in the 3rd Election District, 2nd Councilmanic District.

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		GET AND JS CASH				No. Date:	3992	o God	nega Nance	VEDS ACTUAL 2017 5/04/20		min 2
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DISTRIBL		PINK - AG			CUSTOME			COUNTING		CASHIER'S VALIDATION		

PLEASE PRESS HARDIIII

LUNING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0292-A
TO PERMIT A SIDEYARD SETERCH OF
5 FEET IN LIED OF THE REQUIRED
TO FEET FOR AN ADDITION

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
REQUEST A PUBLIC PROVIDED THE REQUEST IS
THE PROPOSED VARIANCE, PROVIDED THE REQUEST OF

CERTIFICATE OF POSTING RE: Case Number: Petitioner/Developer: Mosla Rubin Date of Hearing/Closing: 6/1/09 This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 6517 Wickfield The signs(s) were posted on J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES
Case Number 2009-0292 -A Address 6517 Wickfield Rd.
Contact Person: J. Meples Phone Number: 410-887-3391 Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 5-6-09 Posting Date: 5 (1) Closing Date: 6
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. <u>POSTING/COST:</u> 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. <u>DEADLINE</u> : 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.
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 2009-0292-A Address 6517 Wickfield Kd-
Petitioner's Name Moshem KUBIN Telephone 410-486-324
Posting Date: 5/17/09 Closing Date: 6/1/09
Wording for Sign: To Permit A SIDEYARD SETBACK of 5tt.
AN ADDITIONA.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:	
Petitioner: Moshem Rubin Robo Balto, Md. 213 Address or Location: 6517 Wickfield Robo, Balto, Md. 213	20
PLEASE FORWARD ADVERTISING BILL TO:	
Name:	
Address:Awe *	
Telephone Number: 410-486-3244	

Revised 7/11/05 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and Development Management June 2, 2009

Moshem & Sheshana Rubin 6517 Wickfield Rd. Baltimore, MD 21209

Dear: Moshem & Sheshana Rubin

RE: Case Number 2009-0292-A, 6517 Wickfield Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 06, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

Beverly True; 3920 London Bridge Rd.; Skyesville, MD 21784

AV

6/1/09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

June 3, 2009

SUBJECT:

Zoning Item #

09-292-A

Address

6517 Wickfield Road

(Rubin Property)

Zoning Advisory Committee Meeting of May 18, 2009

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

Reviewer:

JWL

Date: 6/3/09

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: May 13, 2009

RECEIVED

MAY 15 2009

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-292- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request to make improvements to the existing dwelling.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 13, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 09-292- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request to make improvements to the existing dwelling.

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



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: May 11, 2009

Item Numbers 0284, 0290, 0291, 0292

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 INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

DAT

DATE: May 15, 2009

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

FROM:

Zoning Advisory Committee Meeting

For May 18, 2009

Items Nos. 2009-234, 284, 290, 291

and 292 3

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

DAK:CEN:cab

cc: File



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: May 14,2009

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

RE: **Baltimore County**

Item No 2009-0292-A

6517 WICKFIELD RD RUBIN PROPERTY

ADMIN, VARIANCE

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. 2009-0292-A.

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,

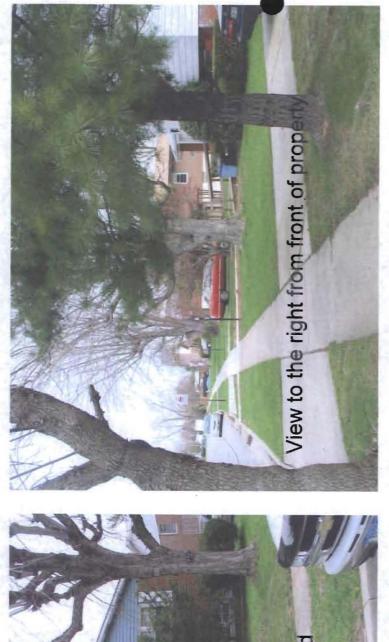
Steven D. Foster, Chief Engineering Access Permits

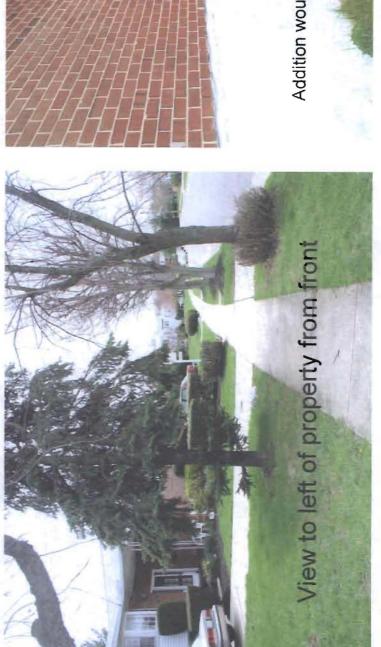
SDF/MB

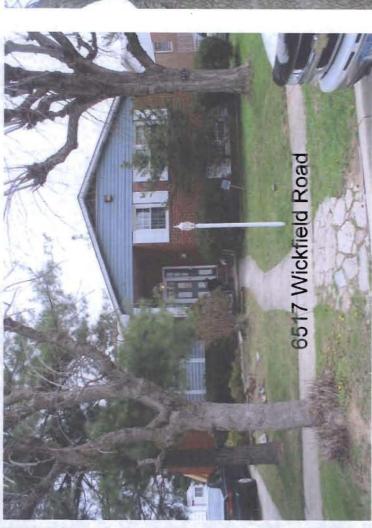


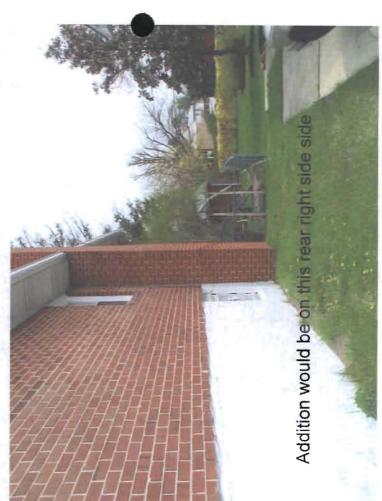


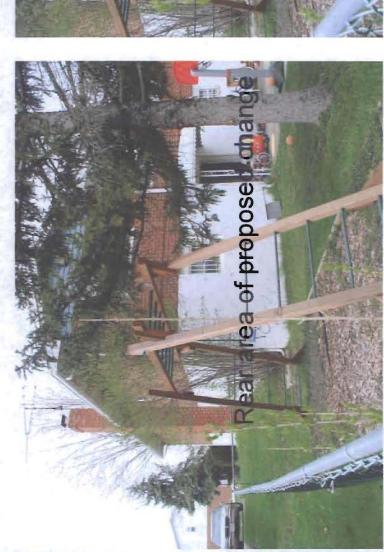
http://bamaps1.baltimorecountymd.gov/arcims_path/bcgims?ServiceName=Zoning2&Client... 4/15/2009





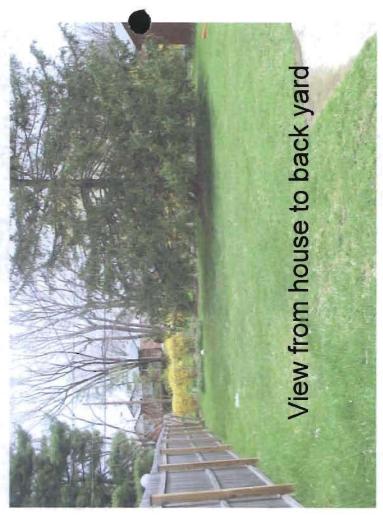










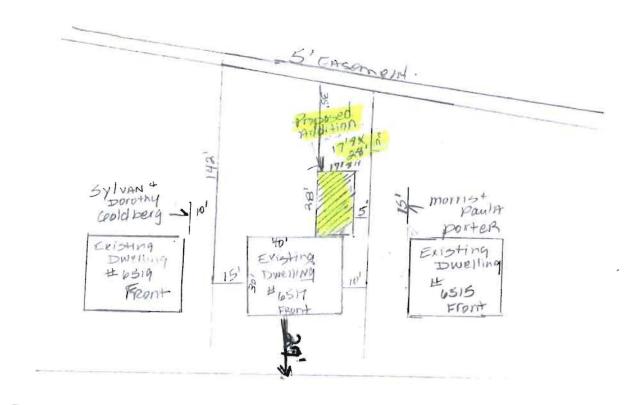


PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE SPECIAL HEARING

PROPERTY ADDRESS 6517 WICKFIELD ROAD SEE FAGES 5 & 6 OF THE CHECKLIFT F R ADDITIONAL REQUIRED INFORMATION

SUBCIVISION NAME PICKWICK

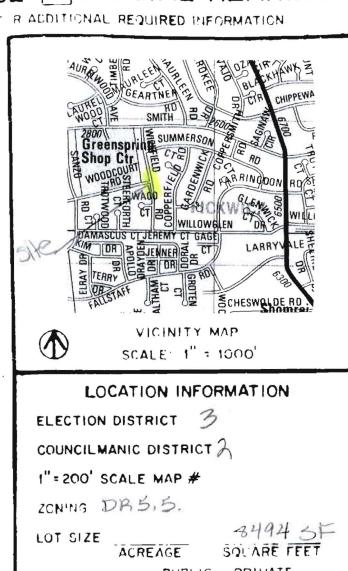
PLAT BOOK # 29 FOLIO # 146 LOT # 38 SECTION # 3 OWNER MOSHEM + Shoshana RUDIN



WICKFIELD ROAD (40'R/W)



PREPARED BY BEVERLY TYLLE - SCALE OF DRAWING: 1" = 40'



PUBLIC PRIVATE 1 SEWER WATER NO CHESAPEAKE BAY IV CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

CASE #

ITEM #

REVIEWED BY

