

IN RE: **PETITION FOR VARIANCE**

N/S Wake Robin Drive, 315' SW c/line of
Sherwood Road

(428 Wake Robin Drive)

8th Election District

3rd Council District

Sterling S. Wyand, *Legal Owner*

Steve Schneidereith, *Contract Purchaser*

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2010-0038-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Sterling S. Wyand, and Steve Schneidereith, of Regional Homes of Maryland, the contract purchaser. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 23 feet in lieu of the required 40 feet and a front yard setback of 40 feet in lieu of the required front averaging setback of 45 feet pursuant to B.C.Z.R. Section 303.1 for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request was Steve Schneidereith, Vice President of Regional Homes of Maryland. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a triangular shaped corner lot¹ containing approximately 23,739 square feet of land zoned D.R.2. The currently unimproved property is located on the northeast corner of Wake Robin Drive and Topsfield Drive in Cockeysville. As illustrated on the record plat of Dun Rovin, the lot in question known as Parcel A, was created through a Major Subdivision Process approved in 1956.

¹ The lot is 156 feet deep at the western boundary and tapers to a 60-foot width at Topsfield Road (eastern boundary) with 160 feet of frontage along Wake Robin Drive.

ORDER RECEIVED FOR FILING

Date 10-19-09

By 103

The subject parcel, known as Lot 12, was deemed an unbuildable lot due to poor soil conditions. In the 1980's, however, public water became available negating the previous 100-foot distance restriction between well and septic areas. The Ground Water Management Division of the Department of Environmental Protection and Resource Management (DEPRM) has approved perc tests and located the septic reserve area on the western half of the property. The instant variances only concern this remaining half acre lot that is by comparison wider than the other hundred lots in Dun Rovin but has a narrow range of depth given its triangular corner lot configuration.

Further evidence demonstrated that Regional Homes of Maryland is proposing to build a custom home but is having difficulty due to the septic reserve area being located at the widest portion of the lot and a 5 foot storm drainage right-of-way running along the rear of the property. According to Mr. Schneidereith, DEPRM has demanded a 20-foot side yard setback from the septic reserve area with no grading permitted between the house and reserve area. As illustrated on the photographs submitted and confirmed by the Office of Planning in its Zoning Advisory Committee (ZAC) comment, the northern and western portions of the property contain mature evergreen trees along its boundaries that buffer the views from the property from adjacent homes and particularly the existing dwelling at 426 Wake Robin Drive. Building elevations were submitted as Petitioners' Exhibit 2 denoting a 52' wide x 50' deep, two-story home with a front-loaded garage that will be setback 40 feet from Wake Robin Drive's right-of-way. The closest home is setback 45 feet from the right-of-way line but contains a covered porch that measures 41 feet from the roadway. Thus, the Petitioners were advised to request a front yard setback of 40 feet in accordance with the front yard averaging requirements of B.C.Z.R. Section 303.1.

After due consideration of all the evidence presented, I am persuaded to grant the variance. It is clear that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioners and prevent use of the property for a permitted purpose. Moreover, testimony and evidence demonstrated that many of the homes in

the immediate vicinity are set back a similar distance from the public right-of-ways. There were no adverse ZAC comments submitted by any County reviewing agency and the proposal appears compatible with the pattern of development in the area. Thus, I find that the relief requested is appropriate in this instance and will not be detrimental to adjoining properties or the surrounding locale. Further, it was Mr. Schneidereith's opinion that the history and shape of the subject property make the property unique. It was also Mr. Schneidereith's additional opinion that a grant of the requested variances would be in harmony with the intent of the zoning regulations and would not create injury to the public, health, safety and welfare. As noted above, he has a reputation of providing an exceptional custom home product.

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 19th day of October 2009 that the Petition for Variance seeking relief from Sections 1B02.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a proposed dwelling with a rear yard setback of 23 feet in lieu of the required 40 feet and a front yard setback of 40 feet in lieu of the required front averaging setback of 45 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If, for whatever reason this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Regional Homes of Maryland shall submit its plans for the new single-family dwelling as part of the building permit process to the Office of Planning for review with particular attention to providing a full front porch with the garage projection not to exceed 8 feet.

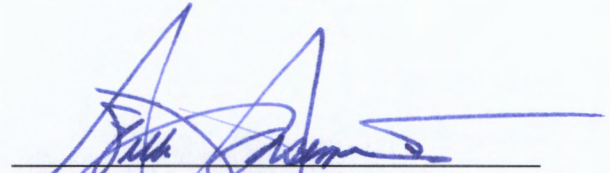
RECEIVED FOR FILING

Date 10-19-09

By [Signature]

3. Petitioners shall not remove or interfere with the evergreen landscaping along the western property boundary without the approval by the Baltimore County Landscape Architect, Avery Harden, prior to receiving its Use and Occupancy Permit for the new dwelling.
4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

COPIES RECEIVED FOR FILING
Date 10-19-09
By DLW



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

October 19, 2009

WILLIAM J. WISEMAN III
Zoning Commissioner

Sterling S. Wyand
11 Hingham Lane
Berlin, Maryland 21811

RE: PETITION FOR VARIANCE

N/S Wake Robin Drive, 315' SW c/line of Sherwood Road

(428 Wake Robin Drive)

8th Election District - 3rd Council District

Sterling S. Wyand, *Legal Owner*; Steve Schneidereith, *Contract Purchaser* - Petitioners
Case No. 2010-0038-A

Dear Mr. Wyand:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, 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: Steve Schneidereith, Vice President, Regional Homes of Maryland, 4100 Kiwi Court,
Baltimore, MD 21133
People's Counsel; Office of Planning; Avery Harden, Baltimore County Landscape Architect,
DPDM; File

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: #2010-0038-A

428 Wake Robin Drive

N/side of Wake Robin Drive, 315 ft. s/west of centerline of Sherwood Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): Sterling Wyand

Contract Purchaser: Steve Schneiderlith

Variance: to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

Hearing: Wednesday, September 30, 2009 at 2:00 p.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

JT 9/7/56 Sept. 15

213638

CERTIFICATE OF PUBLICATION

9/15, 2009

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 9/15, 2009.

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

J. Wilkinson

LEGAL ADVERTISING



TAX ACCOUNT # 0182004591

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 428 WAKE ROBIN DRIVE
which is presently zoned DR2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3C.1 & 303.1 TO PERMIT

A PROPOSED DWELLING WITH A REAR SETBACK OF 23 FEET IN LIEU OF THE REQUIRED 40 FEET PURSUANT TO SECTION 1 B02.3C.1 OF BCZR. AND A FRONT SETBACK OF 40 FEET IN LIEU OF THE REQUIRED FRONT AVERAGING SETBACK OF 45 FEET PURSUANT TO SECTION 303.1 OF BCZR

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

(ATTACHED)

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:

STEVE SCHNEIDERBETH
Name - Type or Print
[Signature] V.P. REGIONAL HOMES
Signature
4100 KIWI CT 410-977-3624
Address Telephone No.
RANDAUSTOWN MD 21133
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

STERLING WYAND
Name - Type or Print
[Signature]
Signature
N/A
Name - Type or Print
N/A
Signature
11 BERRY HINGHAM LANE 443-695-4090
Address Telephone No.
BERLIN MD 21811
City State Zip Code

Representative to be Contacted:

STEVE SCHNEIDERBETH
Name
4100 KIWI CT 410-977-3624
Address Telephone No.
RANDAUSTOWN MD 21133
City State Zip Code

OFFICE USE ONLY

Case No. 2010-0038-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

REV 9/15/98

ADEN RECEIVED FOR FILING
Reviewed By A-Tali
Date 10-19-09
By [Signature]

Date 8/3/2009

Petition for Variance

The subject property is of equivalent size compared to the other lots in the neighborhood. The septic system takes up most of the left hand side of the lot, therefore pushing the house envelope closer to the narrow side of the lot. The shape of the lot is a little different than the other lots in the neighborhood. Most lots are deeper than wider allowing the house box to fit a normal house appropriately. The subject lot is very wide but not as deep as other lots in the neighborhood. Take the total depth of the lot, subtract the front and rear set back and your left with not enough room for a normal house. The end user for this lot wants a first floor master bedroom due to their age and as they get older do not want to climb stairs.

2010-0038-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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

Account Identifier: District - 08 **Account Number -** 0820045951

Owner Information

Owner Name: WYAND STERLING S **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 11 HINGHAM LN **Deed Reference:** 1) / 5204/ 198
 BERLIN MD 21811-1549 2)

Location & Structure Information

Premises Address **Legal Description**
 TOPSFIELD DR PARCEL A
 NE COR WAKE ROBIN DR
 DUN ROVIN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
51	6	369						2	1	
									Plat Ref:	23/ 12

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		23,739.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2008	07/01/2009
Land	5,930	5,930		
Improvements:	0	0		
Total:	5,930	5,930	5,930	5,930
Preferential Land:	0	0	0	0

Transfer Information

Seller: TILGHMAN PHILIP O	Date: 07/26/1971	Price: \$1,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5204/ 198	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

2010-0038-A

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 428 WAKE ROBIN DRIVE

Beginning at a point on the ^{north} east side of Wake Robin Drive which is 50 feet wide at the distance of 315 south west of the centerline of the nearest improved intersecting street (Sherwood Road) which is 50 feet wide. Being lot 12 (parcel A) in the subdivision of Don Rovin as recorded in Baltimore County Plat Book # 23, Folio # 12, containing 23,739 square feet. Also known as 428 Wake Robin and located in the 8th Election District, 3rd Councilmanic District.

2010-0038-A

No. 43259

Date: _____

PAID RECEIPT

0953274-505 ACTING FIVE 040

DATE: 8/27/09 TIME: 11:40 AM

SEB 4505 55L 11M 1000 在印

6415371-8 4991561-0/03/2002 00410

4. 520 FORMING VERIFICATION

1997

Project Test 60/100

1/5.10	15	1.00	0.0
--------	----	------	-----

Baltimore County, Maryland

Total:

Rec

From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 09/15/09

Case Number: 2010-0038-A

Petitioner / Developer: STEVE SCHMEIDEREITH of REGIONAL HOME SALES

Date of Hearing (Closing): SEPTEMBER 30, 2009

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:
428 WAKE ROBIN DRIVE

The sign(s) were posted on: SEPTEMBER 15, 2009



Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

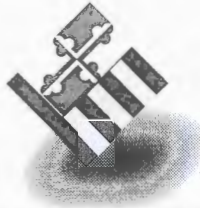
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 27, 2009

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: 2010-0038-A

428 Wake Robin Drive

N/side of Wake Robin Drive, 315 ft. s/west of centerline of Sherwood Road

8th Election District – 3rd Councilmanic District

Legal Owners: Sterling Wyand

Contract Purchaser: Steve Schneidereith

Variance to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

Hearing: Wednesday, September 30, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Steve Schneidereith, 4100 Kiwi Court, Randallstown 21133
Sterling Wyand, 11 Hingham Lane, Berlin 21811

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 15, 2009**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 15, 2009 Issue - Jeffersonian

Please forward billing to:
Steve Schneidereith
4100 Kiwi Court
Randallstown, MD 21133

410-977-3624

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: 2010-0038-A

428 Wake Robin Drive
N/side of Wake Robin Drive, 315 ft. s/west of centerline of Sherwood Road
8th Election District – 3rd Councilmanic District
Legal Owners: Sterling Wyand
Contract Purchaser: Steve Schneidereith

Variance to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

Hearing: Wednesday, September 30, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake 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.

**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: 2010-0038-A
Petitioner: SCHNEIDEREITH
Address or Location: 428 WAKE ROBIN DRIVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEVE SCHNEIDEREITH
Address: 4100 KIWI CT.
RANDALLSTOWN, MD 21133
Telephone Number: 410-977-3624



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

September 24, 2009

Sterling Wyand
11 Hingham Ln.
Berlin, MD 21811

Dear: Sterling Wyand

RE: Case Number 2010-0038-A, 428 Wake Robin Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 3, 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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Steve Schmeidereith; 4100 Kiwi Ct.; Randallstown, MD 21133

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 19, 2009

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

RECEIVED

SUBJECT: 428 Wake Robin Drive

OCT 19 2009

INFORMATION:

ZONING COMMISSIONER

Item Number: 10-038 (*revised comment*)

Petitioner: Sterling Wyand

Zoning: DR 2

Requested Action: Variance

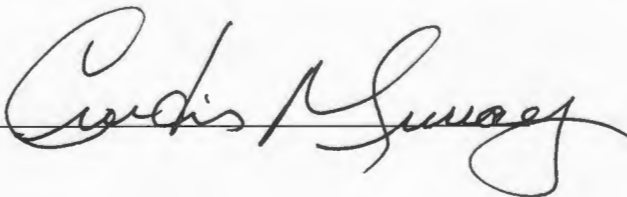
The petitioner requests a variance from Section 1B02.3C.1 and 303.1 of the BCZR to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the referenced variance request, provided that the architecture of the proposed dwelling is compatible with other homes in the community. A full front porch shall be added to the proposed dwelling and the garage projection should not exceed eight feet. Currently there is screening along the northern and western property boundaries, if any of this vegetation is removed during the construction process, the vegetative screening shall be replaced of a like kind, so that there is a visual barrier between the existing adjacent homes and the new dwelling.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:
AFK/LL: CM



BW 9/30
2pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 8, 2009

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

SUBJECT: 428 Wake Robin Drive

INFORMATION:

Item Number: 10-038

Petitioner: Sterling Wyand

Zoning: DR 2

Requested Action: Variance

RECEIVED

SEP 09 2009

ZONING COMMISSIONER

The petitioner requests a variance from Section 1B02.3C.1 and 303.1 of the BCZR to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the referenced variance request, provided that the architecture of the proposed dwelling is compatible with other homes in the community. A full front porch shall be added to the proposed dwelling and the garage projection should not exceed eight feet. Currently there is screening along the northern and eastern property boundaries, if any of this vegetation is removed during the construction process, the vegetative screening shall be replaced of a like kind, so that there is a visual barrier between the existing adjacent homes and the new dwelling.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:

Division Chief:
AFK/LL: CM

BW
9-30-09**BALTIMORE COUNTY, MARYLAND****Inter-Office Correspondence****RECEIVED****SEP 10 2009****ZONING COMMISSIONER**

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: September 10, 2009
SUBJECT: Zoning Item # 10-038-A
Address 428 Wake Robin Drive
(Wyand Property)

Zoning Advisory Committee Meeting of August 10, 2009

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

Prior to building permit approval, a detailed site grading plan must be submitted to GWM. No grading will be permitted between the house and the septic reserve area. Contact Rob Powell in GWM for more information.

Reviewer: S. Farinetti

Date: 8/21/2009

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 8, 2009

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

SUBJECT: 428 Wake Robin Drive

INFORMATION:

Item Number: 10-038

Petitioner: Sterling Wyand

Zoning: DR 2

Requested Action: Variance

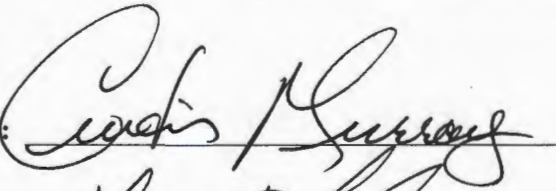
The petitioner requests a variance from Section 1B02.3C.1 and 303.1 of the BCZR to permit a proposed dwelling with a rear setback of 23 feet in lieu of the required 40 feet and a front setback of 40 feet in lieu of the required front averaging setback of 45 feet.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the referenced variance request, provided that the architecture of the proposed dwelling is compatible with other homes in the community. A full front porch shall be added to the proposed dwelling and the garage projection should not exceed eight feet. Currently there is screening along the northern and eastern property boundaries, if any of this vegetation is removed during the construction process, the vegetative screening shall be replaced of a like kind, so that there is a visual barrier between the existing adjacent homes and the new dwelling.

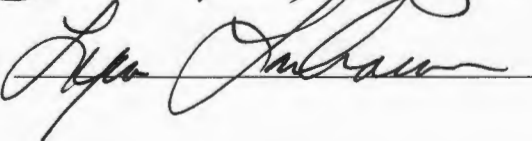
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:

AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 13, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For August 10, 2009
Item Nos. 2009-0326, 2010-032, 034, 036, 037,
038, 039 and 040

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08132009 (2) -NO COMMENTS.doc



BALTIMORE COUNTY
MARYLAND

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

August 21, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 10, 2009

Item Numbers 0325, 0328, 0032, 0034, 0036, 0037, 0038, 0040

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

RE: PETITION FOR VARIANCE * BEFORE THE
428 Wake Robin Drive; N/S of Wake Robin *
Drive, 315' SW of c/line of Sherwood Road * ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): Sterling Wyand * FOR
Contract Purchaser(s): Steve Schneidereith *
Petitioner(s) * BALTIMORE COUNTY
* 10-038-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

AUG 13 2009

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of August, 2009, a copy of the foregoing Entry of Appearance was mailed to Steve Schneidereith, 4100 Kiwi Court, Randallstown, Md 21133, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2009, Legislative Day No. 12

Bill No. 58-09

Councilmembers Kamenetz, Gardina, McIntire, Oliver & Olszewski

By the County Council, July 6, 2009

A BILL
ENTITLED

AN ACT concerning

Development

FOR the purpose of requiring adherence to all current laws and zoning classifications for certain residential development plans; providing for the expiration of development plan approval; providing for the manner and time of the vesting of development plans; defining terms; providing limits on the vesting of certain development plans; providing for the application of the Act; and generally relating to the development process and the expiration and vesting of development plans.

BY adding

Section 32-4-101(ccc) and (ddd)

Article 32 - Planning, Zoning and Subdivision Control

Title 4 - Development

Baltimore County Code 2003

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike-out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3d)

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

Account Identifier: District - 08 Account Number - 0820045951

Owner Information

Owner Name: WYAND STERLING S **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 11 HINGHAM LN **Deed Reference:** 1) / 5204/ 198
 BERLIN MD 21811-1549 2)

Location & Structure Information

Premises Address: TOPSFIELD DR **Legal Description:**
 PARCEL A
 NE COR WAKE ROBIN DR
 DUN ROVIN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
51	6	369						2	Plat Ref:	23/ 12

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		23,739.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value			Phase-In Assessments		
		As Of	As Of	As Of	As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010			
Land	5,930	5,930					
Improvements:	0	0					
Total:	5,930	5,930	5,930	5,930			
Preferential Land:	0	0	0	0			

Transfer Information

Seller: TILGHMAN PHILIP O	Date: 07/26/1971	Price: \$1,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5204/ 198	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

Case No.: 2010-0038-A WAKE ROBIN DRIVE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	BLDG ELEVATIONS	
No. 3	PHOTOGRAPHS OF SUBJECT PROPERTY	
No. 4	PORTION OF WAKE ROBIN SUBDIVISION PLAT	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

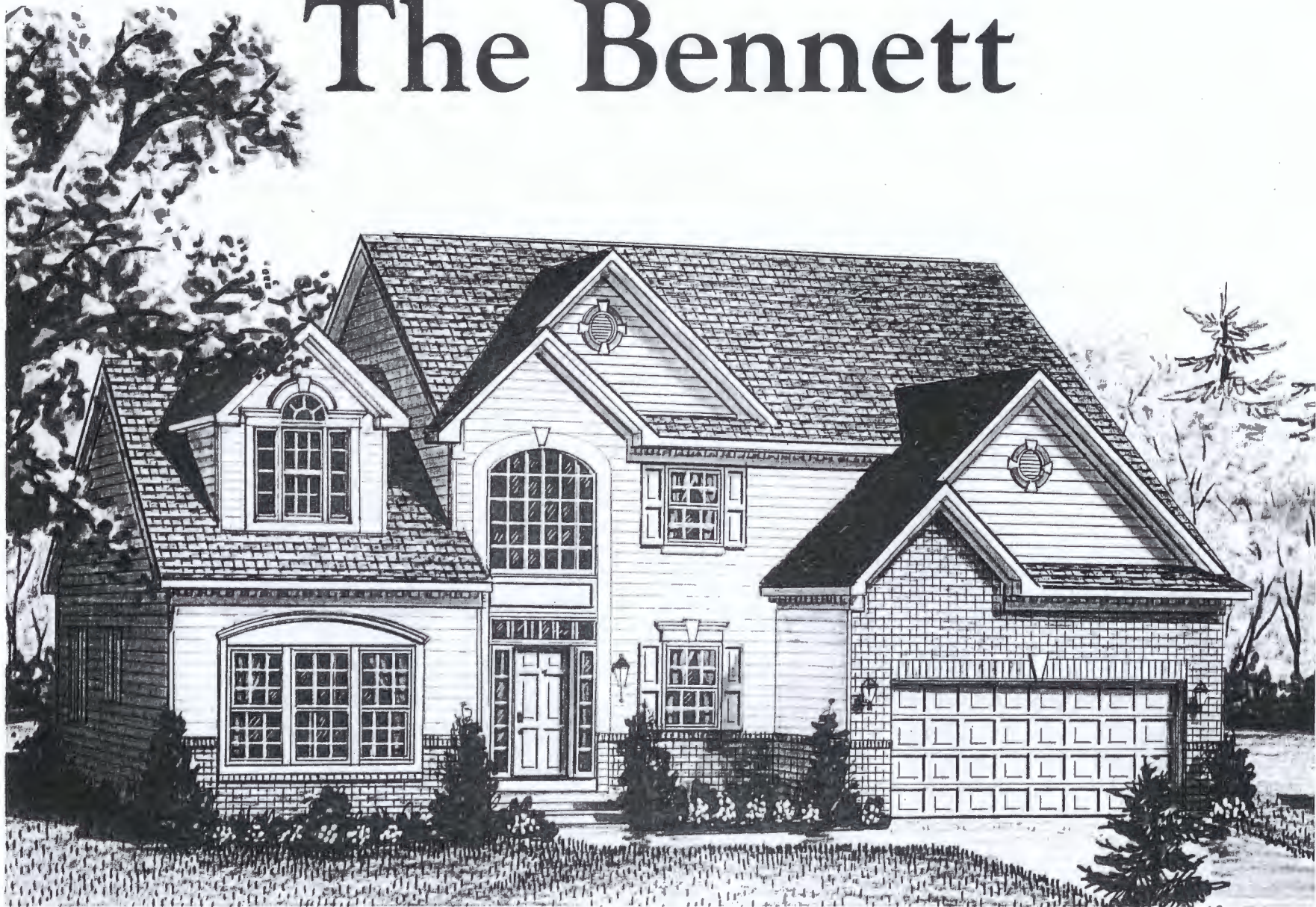


PETITIONER'S

EXHIBIT NO.

3

The Bennett



Elevation 3 shown with Fourth Bedroom and optional brick front

REGIONAL HOMES

PETITIONER'S

EXHIBIT NO.

2

ROBIN

DRIVE

GLB 23/12

Dun Round Plot 1

Parcel A

Prop. 8. W. Sec
DRNG 83-0268

Accepted
3/13/84

Conard W. & Julia
Mayor, Sr.
4754-057
08-13-026020

Philip C. & Joan K.
Passman
5541-106
08-13-001551

Sterling & Myron
5204-198
08-20-045951

8" x 6" Ice
6" Valve
6" x 1 H. (6.0' Bury)

WAKE Robin Drive

TOP 5 FIELD

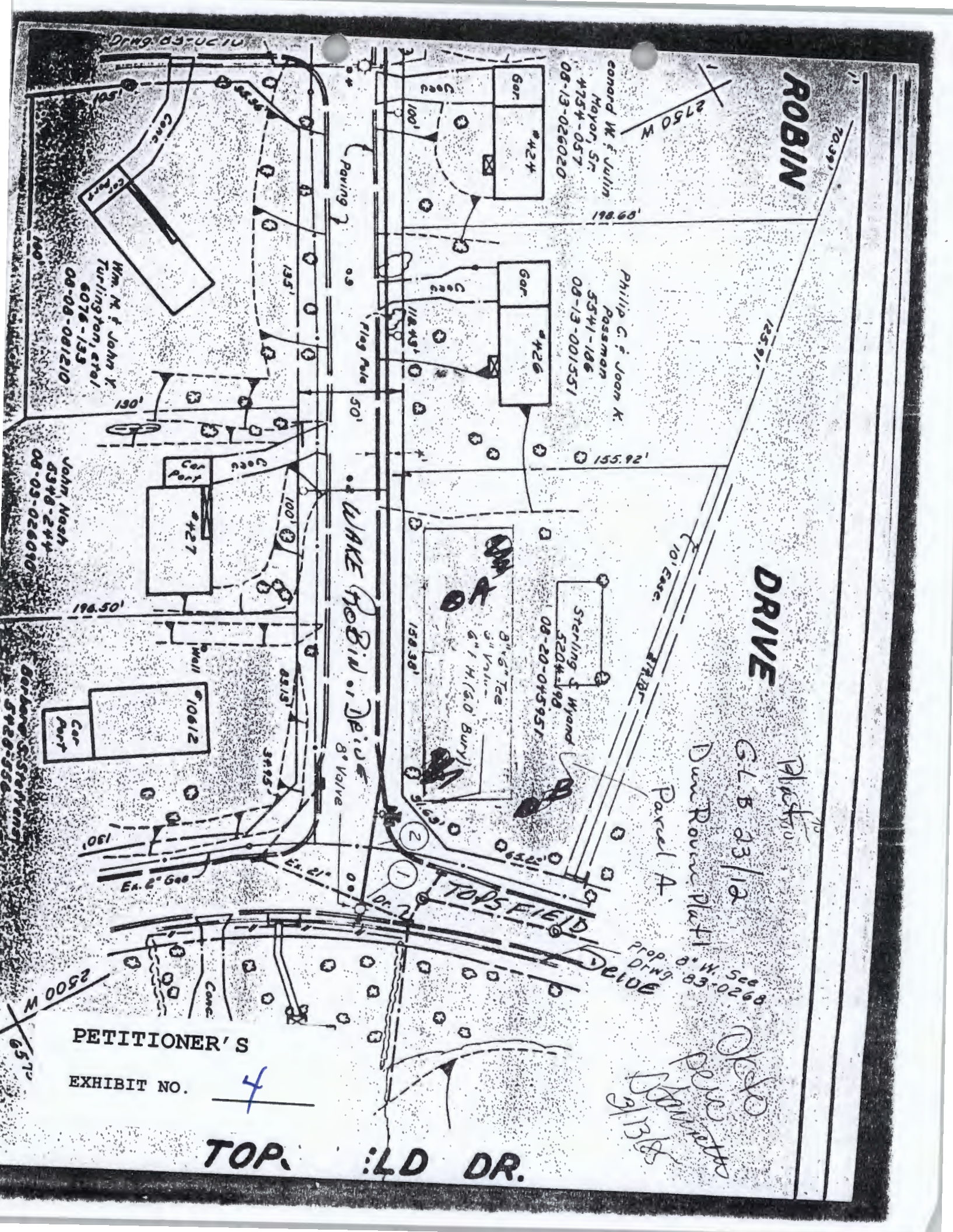
DRIVE

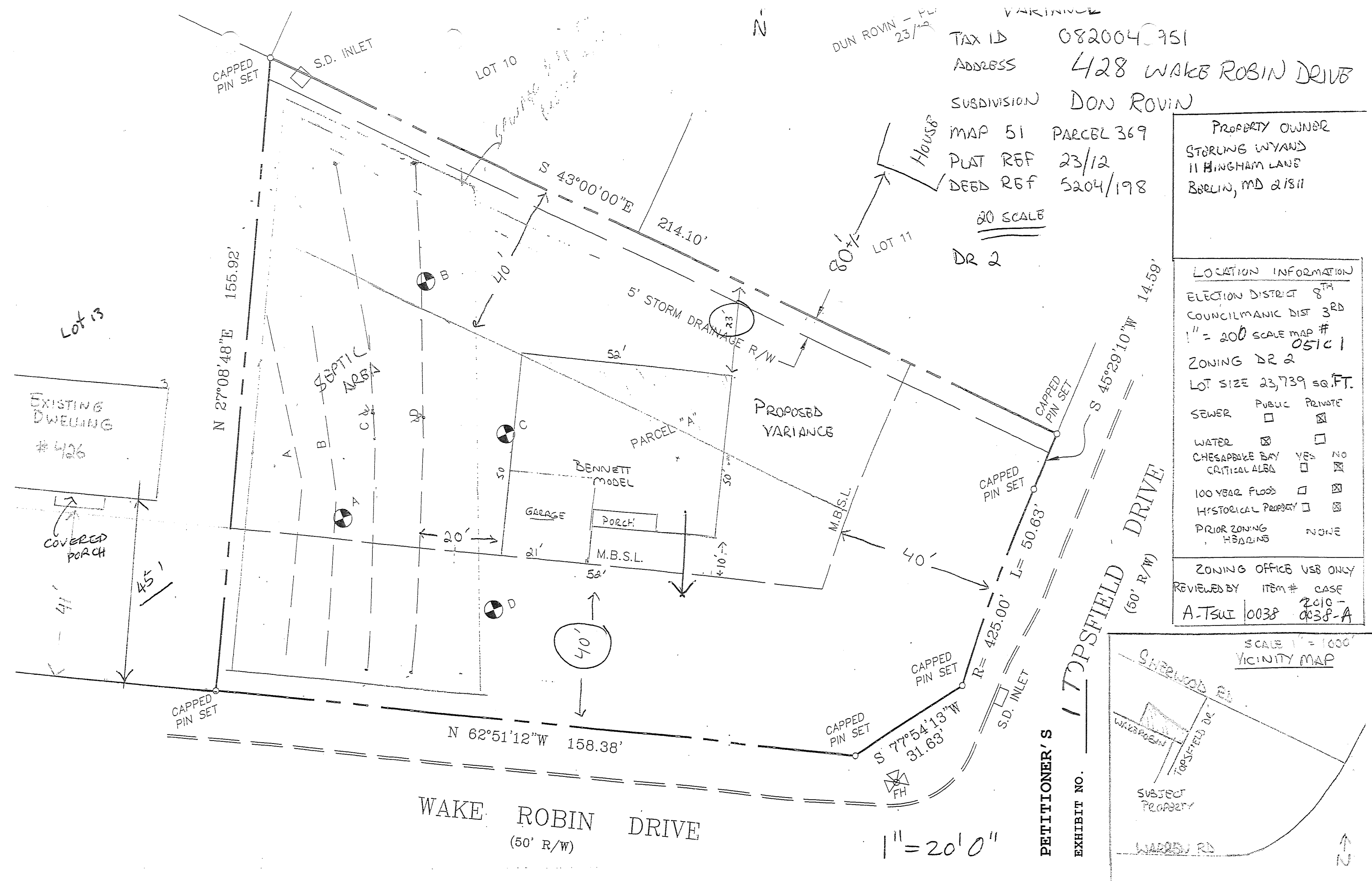
PETITIONER'S

EXHIBIT NO.

4

TOP. LD DR.





DUN ROVIN - PL
23/12

Virginiville

TAX ID 0820040951
ADDRESS 428 WAKE ROBIN DRIVE
SUBDIVISION DON ROVIN

PROPERTY OWNER
STERLING WYAND
11 HINGHAM LANE
BERLIN, MD 21811

LOCATION INFORMATION

ELECTION DISTRICT 8TH
COUNCILMANIC DIST 3RD
" = 200 SCALE MAP # 051C 1
ZONING DR 2
LOT SIZE 23,739 sq. FT.

SEWER	PUBLIC	PRIVATE
	☐	☒
WATER	☒	☐
CHESAPEAKE BAY	YES	NO
CRITICAL AREA	☐	☒
100 YEAR FLOOD	☐	☒
HISTORICAL PROPERTY	☐	☒
PRIOR ZONING		NONE
HABITING		

ZONING OFFICE USB ONLY
REVIEWED BY ITEM # CASE
A-TSUI 0038 2016-0038-A

SCALE 1" = 1000'
VICINITY MAP

