

## MEMORANDUM

DATE: March 1, 2016  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2016-0115-A- Appeal Period Expired

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The appeal period for the above-referenced case expired on February 29, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(516 Wilton Road)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Robert K. & Pricilla Brooks Smith,

*Legal Owners*

Petitioners

\*

BEFORE THE

\*

OFFICE OF ADMINISTRATIVE

\*

HEARINGS FOR

\*

BALTIMORE COUNTY

\*

CASE NO. 2016-0115-A

\* \* \* \* \*

**ORDER ON PROTESTANT'S MOTION FOR RECONSIDERATION**

By Order dated January 12, 2016, Petitioners were granted variance relief in connection with a proposed addition to the rear of their home. Thereafter, the Wiltondale Improvement Association, Inc. (Protestant) filed a Motion for Reconsideration. Protestant notes that the undersigned mistakenly issued the Order without allowing time for written submissions by both parties, as agreed at the conclusion of the hearing. Protestant is correct, and the Motion for Reconsideration was filed in a timely manner.

Having considered the arguments set forth therein, the Protestant's motion will be denied. Protestant contends that the rear addition would come "to within 20' of the rear property line," which is incorrect. The Order granting variance relief permitted a 23 ft. setback in lieu of the required 30 ft. Petitioners' evidence established that their home and one other were the only single family dwellings in the Wiltondale community to have a front-facing attached garage in the side yard, and the Protestant has not presented any evidence to rebut that argument. As such, I believe the property is unique and that Petitioners would experience a practical difficulty if the Regulations were strictly interpreted.

The Protestant noted at the hearing that the grant of variance relief in this case would set a dangerous precedent that could result in similar variances throughout the community. While I

ORDER RECEIVED FOR FILING

Date 1-28-16

By Den

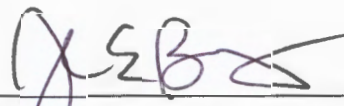
understand the community's concerns, each zoning case is evaluated on its own facts and merits. In light of the evidence presented it would appear as if only one other property in the community shares the unique attributes of the subject property, which would severely restrict the "precedential" value of this case.

THEREFORE, IT IS ORDERED, this 28<sup>th</sup> day of **January, 2016**, by this Administrative Law Judge, that the Petition for Variance to permit a rear yard addition with a rear setback of 23 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 1-28-16

2 By ADA



KEVIN KAMENETZ  
County Executive

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
JOHN E. BEVERUNGEN  
Administrative Law Judge

January 12<sup>28</sup>, 2016

Robert K. and Priscilla Smith  
516 Wilton Road  
Towson, Maryland 21286

**Motion For Reconsideration**  
RE: Petition for Variance  
Case No. 2016-0115-A  
Property: 516 Wilton Road

Dear Mr. & Mrs. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:slh  
Enclosure

c: Jay & Jessica Fox, 1850 Sorrel Ridge Lane, New Freedom, PA 17349  
Lindsay Kinkad, 518 Wilton Road, Towson, MD 21286  
Nathan Raider, Pres., Wiltondale Improvement Association,  
9 Aintree Road, Towson, MD 21286  
John C. Danz, Jr., V.P., Wiltondale Improvement Association,  
649 Sussex Road, Towson, MD 21286  
Fred Ross, 521 Sussex Road, Towson, MD 21286



2016-0115-A  
1-8-16

order: 1-12-16

**Debra Wiley**

**From:** John E. Beverungen  
**Sent:** Tuesday, January 19, 2016 11:49 AM  
**To:** Debra Wiley  
**Subject:** FW: 516 Wilton Road - Opposition to Variance

Deb, we sent this order out last week. Can you please put this email in the case file. Thanks.

**From:** Robert Smith [mailto:rksmith2012@gmail.com]  
**Sent:** Thursday, January 14, 2016 3:23 PM  
**To:** Nathan Raider <NRaider@fedder.com>  
**Cc:** John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Arch@Wiltondale.org  
**Subject:** Re: 516 Wilton Road - Opposition to Variance

Honorable Judge John Beverungen,

This email is in response to the Association's correspondence dated January 13, 2016.

As part of the argument that my request does not meet the "practical difficulty" test in *Cromwell v Ward*, the Association references 600 Wilton Road and states that I "*could convert (my) attached (I think they mean detached) garage to additional living space (one example of a successful garage conversion can be found at 600 Wilton Road).*"

I would point out that 600 Wilton is a corner lot and the attached garage (now living space) is actually behind the house (side-street facing). It is not representative of the case in question and cannot be construed to represent the same facts and circumstance as 516 Wilton Road. The existing garage at 516 Wilton cannot be incorporated as living space in a "practical" and certainly not an aesthetically pleasing manner without major cost. Of the 217 houses examined, mine is the only house with space between the garage and main house with a significant front set back. There are no examples of a successful conversion with my facts and circumstances because no other house has the same facts or circumstances.

The Association cites that the footprint of the addition as a percentage of the existing footprint is a concern. I walk around the neighborhood and see additions that double the size of the original house. Because homes in Wiltondale were built in the 1930's and some are small by today's standard, it is not unusual for any addition to represent 60% to 80% if not more of the original footprint.

The Association fears that "*we could soon find ourselves surrounded by oversized houses*". We have several houses with large additions and some that have doubled the footprint within the confines of the zoning requirement because of the nature of the existing lot. The definition of an "*oversized house*" that "*threatens the welfare*" of our neighborhood is unclear and appears arbitrary.

The Association references "*a few friendly neighbors that have voiced support for this variance*". I would like to point out that despite calling around the neighborhood to locate opposition, the Association was unable to present at the hearing any neighbor who is in opposition. My neighbor on either side and behind me stated in writing their support for the addition as have other neighbors with whom I have shared the plans. Additionally, the neighbor most impacted by the addition appeared at the hearing in support of it. The people who will actually see the addition are in complete support of it.

It is with no pleasure that I find myself in this dispute. Had there been better communication from the start and the Association clearly stated their opposition to any variance, we would probably not be in this discussion. Once the strong opposition became apparent, I would have hoped to have some compromise with the Association, but I understand this is not an option. Again, I thank you for your time in this matter and your consideration of my request. I will await your response and will respect and fully comply with the decision you render.

Sincerely,



Robert and Priscilla Smith

On Wed, Jan 13, 2016 at 1:36 PM, Nathan Raider <[NRaider@fedder.com](mailto:NRaider@fedder.com)> wrote:

Your Honor,

While the Wiltondale Improvement Association (WIA) respects the effort that the Petitioner has put forth in compiling data on garages in the Wiltondale neighborhood, he has still not provided sufficient evidence that this property is "unique and unusual" pertaining to the requested variance to the rear-setback requirements in a DR 5.5 zone. This lot is 8750 square feet (sf), which is larger than the average lot size in Section 1 of the Wiltondale neighborhood. The minimum lot size in a DR 5.5 zone is 6000 sf. The main house is 28 feet (') wide by 27' deep with a footprint of 756 sf, excluding the existing attached porch and attached garage. The back wall of the main house is 44' from the back property line. This distance to the rear property line is fairly typical for Section 1 of Wiltondale. It has been noted that this property has an unusually large front yard, but that should not be accepted as evidence that rear yard is unusually small.

A rear addition extending 14' off the back of this house would be permitted without a variance and the WIA would support such an improvement as long as the design meets the Architectural Guidelines of our deed restricted community. A 14' rear addition would net approximately 364 sf, or a 48% increase in the footprint of the house. The WIA feels strongly that this is the size of the addition that would be reasonable and appropriate for this property. A 7.5' deck would also be permitted without a variance under this scenario, and WIA would support adding the deck in this hypothetical case as long as it conforms to the Architectural Guidelines as well.

However, the Petitioner is proposing a rear addition that would extend 24' behind the footprint of the main house coming to within 20' of the rear property line, violating the 30' rear setback requirement by 10'. The deck shown on the Petitioner's plans would extend an additional 6' into the rear yard coming to within 14' of the rear property line, and violating the 22.5' setback required for decks by 8.5'. (See attached redlined site plan that clarifies the dimensions in accordance with the Petitioner's proposed building plans.) The proposed addition would add 573 sf, or a 76% increase to the footprint of the main house. If you refer to the Baltimore County GIS maps, most of the properties in Section 1 of Wiltondale would require a rear setback variance in order to build a 24' addition. And for that reason, WIA can't accept that this property meets the Cromwell v. Ward (1995) burden of uniqueness when there is no evidence to support this argument.

Even if your judicial review does find that the property qualifies as unique in some way, the Petitioner has not demonstrated that strict compliance with the Baltimore County Zoning Regulations (BCZR) would create a "practical difficulty" for the Petitioner, which is the second test established in Cromwell v. Ward. The Petitioner purchased this property in 2012, and the BCZR were in place at the time of acquisition and the setback requirements have not changed since then. As an alternative to the requested variance, the Petitioner has the option to build a rear addition and deck

using dimensions that would not require a variance, or he could convert his attached garage to additional living space (one example of a successful garage conversion can be found at 600 Wilton Road), or both. There can be no "practical difficulty" if other viable options for reasonable expansion exist and many other properties in Section 1 of Wiltondale have managed to construct reasonably-sized additions under the same zoning constraints without requiring a variance. Furthermore, there is no evidence of functional obsolescence for this property, and compliance with the BCZR will not unreasonably prevent the Petitioner's use of this property.

If this petition for a variance is approved, it will set a precedent that could threaten the welfare our community. If this property is determined to be unique, then most of the properties in Section 1 of Wiltondale will also qualify (violating the very definition of the word "unique"), and we could soon find ourselves surrounded by oversized houses that do not fit on their respective lots. While there may be a few friendly neighbors that have voiced support for this variance, the WIA represents the interests of all 372 homeowners who are members of the association, including the Petitioner. Our neighborhood bylaws delegate all zoning matters to the association's Board of Directors, and the Board is unanimously opposed to this petition.

In conclusion, the WIA strongly opposes this petition for a variance because it violates the spirit and intent of the BCZR.

Regards,

WILTONDALE IMPROVEMENT ASSOCIATION, INC.

Nathan M. Raider

President

[President@wiltondale.org](mailto:President@wiltondale.org)

**From:** Robert Smith [<mailto:rksmith2012@gmail.com>]

**Sent:** Monday, January 11, 2016 11:44 AM

**To:** John E. Beverungen

**Cc:** [president@wiltondale.org](mailto:president@wiltondale.org)

**Subject:** Re: correct email

Dear Sir,



This correspondence is a follow up to the Hearing of January 8, 2016 for Case 2106-0115, a variance request for 516 Wilton Road, Towson, Maryland 21286. In addition to statements, documents and photographs previously presented, please find additional support for the above referenced case requesting a variance due to the unique nature of the property and how the house was originally constructed on the lot.

The Wiltondale neighborhood is recorded in three plats: Plat 1, Plat 2, and Plat 3 recorded in 1936, 1939, and 1937 respectively. The property under discussion is in Plate 1. For the purposes of the attached analysis which is summarized below, I included houses on the north side of Stevenson Lane and heading north, houses on both sides of Yarmouth Road, Wilton Road, and Sussex Road. The houses included in this analysis include all houses in Plat 1 (except those facing York Road) and approximately 58% of the houses in Plate 2. The remaining houses in Plate 2 and those in Plat 3 are not unlike those in the provided analysis. A portion of Plat 2 and all of Plat 3 is "Upper Wiltondale" which has somewhat wider streets and in some cases larger lots and homes. But in general the attached analysis represents the neighborhood at large.

The attached analysis shows that most of the houses built in the neighborhood were constructed to facilitate an addition on the side of the house or in the back. Of the 217 properties examined 92 or 42.4% have no garage, 65 or 29.95% have garages behind the house, 37 or 17.05% have garages under the house, and 21 or 9.68% have garages attached to the house. Only two (2) houses or 1% of the total, my house being one of the two, have a front facing garage on the side of the house with space between the house and the garage. My house is connected with a brick arch (see photos below) and the other house (604 Wilton-See photos below) has a small gable roof connecting the house to the garage.

Two-hundred and fifteen houses (215) which represent 99% of all houses examined more easily facilitate additions. The 81 houses with no garages have room on the side and or back depending on how the house is situated. The 64 houses with garages behind the house are able to have a side and or rear addition. The 34 houses with garages under the house has allowed for living space to be constructed above the garage and allows for an addition in the back. And the 20 houses with garages attached to the house are able to convert the garage to living space (as some have done), and to build above the garage structure or in the back.

The two houses with a non-attached garage on the side of the house have limited ability to convert the garage space to living space or to build above the garage since this is non-contiguous space to the main house. Additionally it would change the character of the house, negatively impact the street-scape, hurt the value of neighboring homes and be wasteful to raze a functioning brick or stone garage not to mention that it would be cost prohibitive. The logical option for an addition for these two houses is in the rear. Of the two houses that represent the 1% of the houses included in this analysis, only 516 Wilton has a front set back that negatively impacts the ability to add a reasonably-sized family room addition on the rear of the house. The other house, 604 Wilton Road (see picture below) has a front set back significantly less.

In summary, I would like to say that the two houses with a non-attached garage on the side of the house are precluded from or significantly limited in the ability to build on the side of the property. Faced with the prospect of building in the rear of the house, 516 Wilton additionally faces a set-back challenge due to the limited space

available behind the house. For these reasons, we conclude the property is unique and we respectfully request a variance.

While it may or may not have any bearing on the case, I wanted to mention that from the start my wife and I were unsure if we wanted the deck on the back of the addition; but, we submitted the plans as drafted by the architect so we would only need to go through the zoning process once should we have decided to include the deck at the time of construction or in the future. A few weeks back, my wife and I decided that we would not include the deck. We will have a set of stairs but have concluded we do not need the deck since we will have a small patio or seating area in the back yard.

In closing, I thank you for your consideration in this matter and will be happy to provide any additional information you may need.

Attachment: Wiltondale Garage Analysis

Photos: Below

604 Wilton Road one of the two houses out of 217 that is on the side of the house and not connected

<image002.jpg>

<image004.jpg>

Please note that 604 Wilton (above) sits much closer to the sidewalk/road than 516 Wilton (below).

<image006.jpg>

<image008.jpg>

<image010.jpg>

On Fri, Jan 8, 2016 at 10:47 AM, John E. Beverungen <[jbeverungen@baltimorecountymd.gov](mailto:jbeverungen@baltimorecountymd.gov)> wrote:

This is the correct email to use if you choose to submit anything further.

John Beverungen

ALJ



CONNECT WITH BALTIMORE COUNTY



[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**IN RE: PETITION FOR VARIANCE**  
**(516 Wilton Road)**  
9<sup>th</sup> Election District  
5<sup>th</sup> Council District  
Robert K. & Pricilla Brooks Smith,  
*Legal Owners*  
  
Petitioners

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* **CASE NO. 2016-0115-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed for property located at 516 Wilton Road. Petitioners are requesting variance relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard addition and deck with a rear setback of 14 ft. in lieu of the required 22.5 ft. The Petitioners indicated they no longer plan to construct a deck attached to the proposed rear yard addition. As such, the variance request is for a 23 ft. setback in lieu of the required 30 ft. While not dispositive, the modified request proposes a larger setback (and therefore a more modest variance request) which is a factor in evaluating the petition.

This matter was originally filed as an Administrative Variance, with a closing date of November 30, 2015. On November 24, 2015, Wiltondale Improvement Association requested a hearing. The hearing was held on Friday, January 8, 2016 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

The subject property is approximately 8,750 square feet and is zoned DR 5.5. The property is improved with a single-family dwelling constructed in 1941. Petitioners have a large family and would like to construct an addition in the rear of the dwelling, but require zoning relief to do

ORDER RECEIVED FOR FILING

Date 1-12-16

By pw



so. The community association opposes the request and believes the setbacks required by the B.C.Z.R. should be enforced.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity necessitates variance relief; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. Following the hearing, Petitioners submitted an analysis of over 200 single-family dwellings in the Wiltondale community. While many homes had garages, only two homes (Petitioners' and 604 Wilton) had a front facing attached garage in the side yard. This attribute renders the property unique, and also drives the need for variance relief since the side yard is the only realistic and palatable option for expansion of the home, and doing so would require Petitioners to raze the existing garage. If the B.C.Z.R. were strictly interpreted, Petitioners would experience a practical difficulty, given they would not be able to construct the addition to provide additional living space for their large family. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

THEREFORE, IT IS ORDERED, this 12<sup>th</sup> day of **January, 2016**, by this Administrative Law Judge, that the Petition for Variance to permit a rear yard addition with a rear setback of 23 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

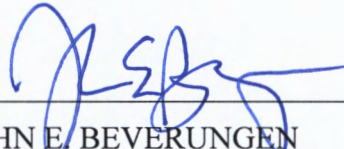
Date 1-12-16

By LSJ

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 1-12-16

By AW



KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
*Administrative Law Judge*

January 12, 2016

Robert K. and Priscilla Smith  
516 Wilton Road  
Towson, Maryland 21286

RE: Petition for Variance  
Case No. 2016-0115-A  
Property: 516 Wilton Road

Dear Mr. & Mrs. Smith:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

c: Jay & Jessica Fox, 1850 Sorrel Ridge Lane, New Freedom, PA 17349  
Lindsay Kinhead, 518 Wilton Road, Towson, MD 21286  
Nathan Raider, Pres., Wiltondale Improvement Association,  
9 Aintree Road, Towson, MD 21286  
John C. Danz, Jr., V.P., Wiltondale Improvement Association,  
649 Sussex Road, Towson, MD 21286  
Fred Ross, 521 Sussex Road, Towson, MD 21286





**ADMINISTRATIVE ZONING PETITION**  
FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING  
To be filed with the Department of Permits, Approvals and Inspections

**To the Office of Administrative Hearings for Baltimore County for the property located at:**

Address 516 WILTON ROAD Towson Md. 21286 Currently zoned DR 5.5  
Deed Reference B3353/00001 10 Digit Tax Account # 0920660470  
Owner(s) Printed Name(s) Robert K Smith AND PRISCILLA Brooks Smith

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

**For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.**

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 1B01.2.C.1.b. → To permit a rear yard addition and deck with a rear setback of 14 feet in lieu of the required 22.5 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2.        **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

**Owner(s)/Petitioner(s):**

Robert K Smith / PRISCILLA Brooks Smith  
Name #1 - Type or Print      Name #2 - Type or Print

Robert K Smith / Priscilla B. Smith  
Signature #1      Signature #2

516 WILTON RD Towson, MD.  
Mailing Address      City      State

21286 / 443-987-7956 / rksmith2012@  
Zip Code      Telephone #      Email Address gmail.com.

**Attorney for Owner(s)/Petitioner(s):**

Name- Type or Print

Signature

Mailing Address

Zip Code      Telephone #      Email Address

**Representative to be contacted:**

Jay M Fox  
Name - Type or Print

Signature J M Fox

1850 Somerset Ridge Lane New Freedom, PA  
Mailing Address      City      State

17349 / 443-722-4486 / synexbuilding@  
Zip Code      Telephone #      Email Address comcast.net

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 11 day of NOV, 2015 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0115-4      Filing Date 11/5/15      Estimated Posting Date 11/15/15      Reviewer JS



(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 516 WILTON ROAD Towson MD 21286  
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

We would like to build AN ADDITION the wall  
contain AN EAT IN Kitchen large enough to Accomodate  
our Family. This Addition is to be 25 Feet wide  
by 24 Feet in Length. It will have A 6 Foot Landing  
on the back with stairs to grade.

The current building set back to the rear property boundary  
is 30 feet. A variance of this set back to 18 feet  
is requested For both the addition and the landing.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Robert K Smith  
Signature of Owner (Affiant)

Robert K Smith  
Name- Print or Type

Priscilla Brooks Smith  
Signature of Owner (Affiant)

Priscilla Brooks Smith  
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

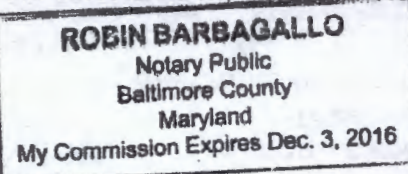
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31 day of October, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Robert K Smith Priscilla Brooks Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal



Robin Barbagallo  
Notary Public  
12-3-2016  
My Commission Expires

ZONING PROPERTY DESCRIPTION FOR 516 WILTON RD. TOWSON,MD. 21286

Being Lot 122 ,Section 1, in the subdivision of Wiltondale, as recorded in the Baltimore County Plat Book #0008,Folio#0057, containing a total of 8750 square feet. Located in the 9th Election District, and 5th Council District.

2016-0115-A

**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

No. **128778**

Date: **11/5/15**

**PAID RECEIPT**

BUSINESS ACTUAL TIME NEW  
 11/05/2015 11:05:01 10:17:01 1  
 REC W01 WALKIN LFAS LJR  
 RECEIPT 4 11/05/2015 11:05:01  
 5 501 0000 00000000  
 Recpt. No. 11/05/2015  
 REC. NO. 11/05/2015  
 Baltimore County, Md. 21201

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|----------------|-------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 650            |             |          |         | 575.00 |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |

Total: **575.00**

Rec From: **SMITH**

For: **2016 0115-A**

DISTRIBUTION

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
 PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**





## FORMAL DEMAND FOR HEARING

CASE NUMBER: 2016-0115-A

Address: 516 Witten Road

Petitioner(s): Priscilla & Robert Smith

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Wittondale Improvement  
Name - Type or Print Association

( ) Legal Owner OR ( ☒ ) Resident of

649 Sussex Road  
Address

Towson MD 21286  
City State Zip Code

410-825-6252  
Telephone Number

which is located approximately 300' feet from the  
property, which is the subject of the above petition, **do hereby**  
**formally demand that a public hearing be set in this matter.**  
**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS**  
**DEMAND.**

John C. Dery, Jr. 11/24/15  
Signature Date

Signature  
Revised 9/18/98 - wcr/scj

Date

2016-0115-A



# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2016-0115-A  
Petitioner: SMITH  
Address or Location: 516 WILTON ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAY FOX  
Address: 1850 SURREL RIDGE LANE  
NEW FREEDOM, PA. 17349  
Telephone Number: 443-727-4486

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2016- 0115 -A

Address 516 WILTON RD.

Contact Person: JASON SEIDELMAN  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11/5/15

Posting Date: 11/15/15

Closing Date: 11/30/15

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 2016- 0115 -A

Address 516 WILTON ROAD

Petitioner's Name SMITH

Telephone 443-987-7856

Posting Date: 11/15/15

Closing Date: 11/30/15

Wording for Sign: To Permit A REAR YARD ADDITION AND DECK WITH A REAR  
SETBACK OF 14 FEET IN LIEU OF THE REQUIRED 22.5 FEET.

Revised 7/21/15



501 N. Calvert St., P.O. Box 1377  
Baltimore, Maryland 21278-0001  
tel: 410/332-6000  
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3816758

**Sold To:**

Jay Fox - CU00509072  
1850 Sorrel Ridge Rd  
New Freedom, PA 17349-8723

**Bill To:**

Jay Fox - CU00509072  
1850 Sorrel Ridge Rd  
New Freedom, PA 17349-8723

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 17, 2015

**NOTICE OF ZONING HEARING**

The Administrative Law Judge 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: # 2016-0115-A**  
516 Wilton Road  
N/s Wilton Road, 280 ft. w/of intersection with Newberry Lane  
9th Election District - 5th Councilmanic District  
Legal Owner(s) Robert & Priscilla Smith

**Variance:** to permit a rear yard addition and deck with a rear setback of 14 ft. in lieu of the required 22.5 ft.

**Hearing:** Friday, January 8, 2016 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.  
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

12/149 Dec. 17 3816758

The Baltimore Sun Media Group

By *S. Wilkinson*  
Legal Advertising



## CERTIFICATE OF POSTING

Date: 12/18/15

RE: Case Number: 2016-0115-A

Petitioner/Developer: Robert Smith

Date of Hearing/Closing: Jan 8, 2016 10 AM

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 516 Wilton Rd

The signs(s) were posted on 12/18/15  
(Month, Day, Year)

J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

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)



# ZONING NOTICE

CASE # 2016-0115-A

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

JEFFERSON BLDG. ROOM 205

PLACE: 105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: FRIDAY JAN. 8, 2016 10AM

REQUEST: VARIANCE TO PERM. A REAR

YARD ADDITION AND DECK WITH A REAR

SETBACK OF 4 FT. IN LIEU OF THE REQUIRED

22.5 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. UNDER PENALTY OF LAW

## CERTIFICATE OF POSTING

Date: 11-15-15

RE: Case Number: 2016-0115-A

Petitioner/Developer: Robert Smith

Date of Hearing/Closing: 11-30-15

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 516 Wilton Rd

The signs(s) were posted on 11-15-15  
(Month, Day, Year)

J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

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)



# ZONING NOTICE

ADMINISTRATIVE

## VARIANCE

CASE # 2016-0115-A

TO PERMIT A REAR YARD ADDITION AND  
DECK WITH A REAR SETBACK OF 14 FEET  
IN LIEU OF THE REQUIRED 22.5 FEET

## PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE, PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
4:30 p.m. ON 11/30/15

ADDITIONAL INFORMATION IS AVAILABLE AT  
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT  
211 W. GASTEPARK AVE.  
TOWSON, MD 21204  
TEL. 887-3391





KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

November 25, 2015

## NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2016-0115-A**

516 Wilton Road

N/s Wilton Road, 280 ft. w/of intersection with Newberry Lane

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Robert & Priscilla Smith

Variance to permit a rear yard addition and deck with a rear setback of 14 ft. in lieu of the required 22.5 ft.

Hearing: Friday, January 8, 2016 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Mr. & Mrs. Priscilla Smith, 516 Wilton Road, Towson 21286  
Wiltondale Improvement Assoc., 649 Sussex Road, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., DECEMBER 19, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, December 17, 2015 Issue - Jeffersonian

Please forward billing to:

Jay Fox  
1850 Sorrel Ridge Lane  
New Freedom, PA 17349

410-722-4486

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## NOTICE OF ZONING HEARING

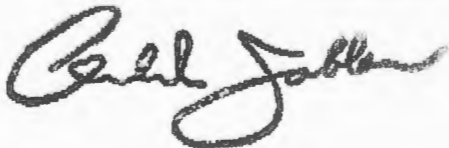
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2016-0115-A**

516 Wilton Road  
N/s Wilton Road, 280 ft. w/of intersection with Newberry Lane  
9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owners: Robert & Priscilla Smith

Variance to permit a rear yard addition and deck with a rear setback of 14 ft. in lieu of the required 22.5 ft.

Hearing: Friday, January 8, 2016 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Office of Administrative Hearings  
105 W. Chesapeake Ave., Suite 103  
Towson, MD 21204  
Attn: The Honorable John E. Beverungen

RECEIVED

JAN 21 2016

OFFICE OF ADMINISTRATIVE HEARINGS

RE: MOTION FOR RECONSIDERATION  
Case No. 2016-0115-A  
Property: 516 Wilton Road

Your Honor,

During the hearing on 1/8/16 for the above referenced case number 2016-0115-A for 516 Wilton Road, you instructed both the Petitioner and the Opposition to e-mail any additional evidence to your attention within one week of the hearing date. The one week deadline expired on 1/15/16. The Petitioner e-mailed additional evidence for your consideration on 1/11/16, and the Opposition e-mailed a response to that additional evidence on 1/13/16. However, we received your ruling dated 1/12/16 and postmarked 1/13/16, which was prior to the deadline that all parties agreed to at the hearing. Your ruling references the additional evidence provided by the Petitioner on 1/11/16 but does not consider the evidence submitted by the Opposition on 1/13/16, because the ruling was issued prior to your receipt of the evidence provided by the Opposition. We respectfully request that you accept this Motion for Reconsideration so that you can reopen this case and review the additional evidence provided by the Opposition via e-mail. Attached please find a print-out of the additional evidence that was sent via e-mail for your review and consideration.

Respectfully,  
WILTONDALE IMPROVEMENT ASSOCIATION, INC.

Nathan M. Raider  
President  
9 Aintree Road, Towson, MD 21286

c: Robert K. and Priscilla Smith, 516 Wilton Road, Towson, MD 21286  
Jay and Jessica Fox, 1850 Sorrel Ridge Lane, New Freedom, PA 17349  
Lindsay Kinkhead, 518 Wilton Road, Towson, MD 21286  
John C. Danz, Jr., VP, Wiltondale Improvement Association, Inc.  
649 Sussex Road, Towson, MD 21286  
Fred Ross, 521 Sussex Road, Towson, MD 21286



## Nathan Raider

---

**From:** Nathan Raider  
**Sent:** Wednesday, January 13, 2016 1:36 PM  
**To:** 'John E. Beverungen'  
**Cc:** Robert Smith (rksmith2012@gmail.com); Arch@Wiltondale.org  
**Subject:** RE: 516 Wilton Road - Opposition to Variance  
**Attachments:** 516 Wilton.pdf

Your Honor,

While the Wiltondale Improvement Association (WIA) respects the effort that the Petitioner has put forth in compiling data on garages in the Wiltondale neighborhood, he has still not provided sufficient evidence that this property is "unique and unusual" pertaining to the requested variance to the rear-setback requirements in a DR 5.5 zone. This lot is 8750 square feet (sf), which is larger than the average lot size in Section 1 of the Wiltondale neighborhood. The minimum lot size in a DR 5.5 zone is 6000 sf. The main house is 28 feet (') wide by 27' deep with a footprint of 756 sf, excluding the existing attached porch and attached garage. The back wall of the main house is 44' from the back property line. This distance to the rear property line is fairly typical for Section 1 of Wiltondale. It has been noted that this property has an unusually large front yard, but that should not be accepted as evidence that rear yard is unusually small.

A rear addition extending 14' off the back of this house would be permitted without a variance and the WIA would support such an improvement as long as the design meets the Architectural Guidelines of our deed restricted community. A 14' rear addition would net approximately 364 sf, or a 48% increase in the footprint of the house. The WIA feels strongly that this is the size of the addition that would be reasonable and appropriate for this property. A 7.5' deck would also be permitted without a variance under this scenario, and WIA would support adding the deck in this hypothetical case as long as it conforms to the Architectural Guidelines as well.

However, the Petitioner is proposing a rear addition that would extend 24' behind the footprint of the main house coming to within 20' of the rear property line, violating the 30' rear setback requirement by 10'. The deck shown on the Petitioner's plans would extend an additional 6' into the rear yard coming to within 14' of the rear property line, and violating the 22.5' setback required for decks by 8.5'. (See attached redlined site plan that clarifies the dimensions in accordance with the Petitioner's proposed building plans.) The proposed addition would add 573 sf, or a 76% increase to the footprint of the main house. If you refer to the Baltimore County GIS maps, most of the properties in Section 1 of Wiltondale would require a rear setback variance in order to build a 24' addition. And for that reason, WIA can't accept that this property meets the Cromwell v. Ward (1995) burden of uniqueness when there is no evidence to support this argument.

Even if your judicial review does find that the property qualifies as unique in some way, the Petitioner has not demonstrated that strict compliance with the Baltimore County Zoning Regulations (BCZR) would create a "practical difficulty" for the Petitioner, which is the second test established in Cromwell v. Ward. The Petitioner purchased this property in 2012, and the BCZR were in place at the time of acquisition and the setback requirements have not changed since then. As an alternative to the requested variance, the Petitioner has the option to build a rear addition and deck using dimensions that would not require a variance, or he could convert his attached garage to additional living space (one example of a successful garage conversion can be found at 600 Wilton Road), or both. There can be no "practical difficulty" if other viable options for reasonable expansion exist and many other properties in Section 1 of Wiltondale have managed to construct reasonably-sized additions under the same zoning constraints without requiring a variance. Furthermore, there is no evidence of functional obsolescence for this property, and compliance with the BCZR will not unreasonably prevent the Petitioner's use of this property.



If this petition for a variance is approved, it will set a precedent that could threaten the welfare of our community. If this property is determined to be unique, then most of the properties in Section 1 of Wiltondale will also qualify (violating the very definition of the word "unique"), and we could soon find ourselves surrounded by oversized houses that do not fit on their respective lots. While there may be a few friendly neighbors that have voiced support for this variance, the WIA represents the interests of all 372 homeowners who are members of the association, including the Petitioner. Our neighborhood bylaws delegate all zoning matters to the association's Board of Directors, and the Board is unanimously opposed to this petition.

In conclusion, the WIA strongly opposes this petition for a variance because it violates the spirit and intent of the BCZR.

Regards,  
WILTONDALE IMPROVEMENT ASSOCIATION, INC.  
Nathan M. Raider  
President  
[President@wiltondale.org](mailto:President@wiltondale.org)

**From:** Robert Smith [<mailto:rksmith2012@gmail.com>]  
**Sent:** Monday, January 11, 2016 11:44 AM  
**To:** John E. Beverungen  
**Cc:** [president@wiltondale.org](mailto:president@wiltondale.org)  
**Subject:** Re: correct email

Dear Sir,

This correspondence is a follow up to the Hearing of January 8, 2016 for Case 2106-0115, a variance request for 516 Wilton Road, Towson, Maryland 21286. In addition to statements, documents and photographs previously presented, please find additional support for the above referenced case requesting a variance due to the unique nature of the property and how the house was originally constructed on the lot.

The Wiltondale neighborhood is recorded in three plats: Plat 1, Plat 2, and Plat 3 recorded in 1936, 1939, and 1937 respectively. The property under discussion is in Plate 1. For the purposes of the attached analysis which is summarized below, I included houses on the north side of Stevenson Lane and heading north, houses on both sides of Yarmouth Road, Wilton Road, and Sussex Road. The houses included in this analysis include all houses in Plat 1 (except those facing York Road) and approximately 58% of the houses in Plate 2. The remaining houses in Plate 2 and those in Plat 3 are not unlike those in the provided analysis. A portion of Plat 2 and all of Plat 3 is "Upper Wiltondale" which has somewhat wider streets and in some cases larger lots and homes. But in general the attached analysis represents the neighborhood at large.

The attached analysis shows that most of the houses built in the neighborhood were constructed to facilitate an addition on the side of the house or in the back. Of the 217 properties examined 92 or 42.4% have no garage, 65 or 29.95% have garages behind the house, 37 or 17.05% have garages under the house, and 21 or 9.68% have garages attached to the house. Only two (2) houses or 1% of the total, my house being one of the two, have a front facing garage on the side of the house with space between the house and the garage. My



house is connected with a brick arch (see photos below) and the other house (604 Wilton-See photos below) has a small gable roof connecting the house to the garage.

Two-hundred and fifteen houses (215) which represent 99% of all houses examined more easily facilitate additions. The 81 houses with no garages have room on the side and or back depending on how the house is situated. The 64 houses with garages behind the house are able to have a side and or rear addition. The 34 houses with garages under the house has allowed for living space to be constructed above the garage and allows for an addition in the back. And the 20 houses with garages attached to the house are able to convert the garage to living space (as some have done), and to build above the garage structure or in the back.

The two houses with a non-attached garage on the side of the house have limited ability to convert the garage space to living space or to build above the garage since this is non-contiguous space to the main house. Additionally it would change the character of the house, negatively impact the street-scape, hurt the value of neighboring homes and be wasteful to raze a functioning brick or stone garage not to mention that it would be cost prohibitive. The logical option for an addition for these two houses is in the rear. Of the two houses that represent the 1% of the houses included in this analysis, only 516 Wilton has a front set back that negatively impacts the ability to add a reasonably-sized family room addition on the rear of the house. The other house, 604 Wilton Road (see picture below) has a front set back significantly less.

In summary, I would like to say that the two houses with a non-attached garage on the side of the house are precluded from or significantly limited in the ability to build on the side of the property. Faced with the prospect of building in the rear of the house, 516 Wilton additionally faces a set-back challenge due to the limited space available behind the house. For these reasons, we conclude the property is unique and we respectfully request a variance.

While it may or may not have any bearing on the case, I wanted to mention that from the start my wife and I were unsure if we wanted the deck on the back of the addition; but, we submitted the plans as drafted by the architect so we would only need to go through the zoning process once should we have decided to include the deck at the time of construction or in the future. A few weeks back, my wife and I decided that we would not include the deck. We will have a set of stairs but have concluded we do not need the deck since we will have a small patio or seating area in the back yard.

In closing, I thank you for your consideration in this matter and will be happy to provide any additional information you may need.

Attachment: Wiltondale Garage Analysis

Photos: Below



604 Wilton Road one of the two houses out of 217 that is on the side of the house and not connected

<image002.jpg>

<image004.jpg>

Please note that 604 Wilton (above) sits much closer to the sidewalk/road than 516 Wilton (below).

<image006.jpg>

<image008.jpg>

<image010.jpg>

On Fri, Jan 8, 2016 at 10:47 AM, John E. Beverungen <[jbeverungen@baltimorecountymd.gov](mailto:jbeverungen@baltimorecountymd.gov)> wrote:

This is the correct email to use if you choose to submit anything further.

John Beverungen

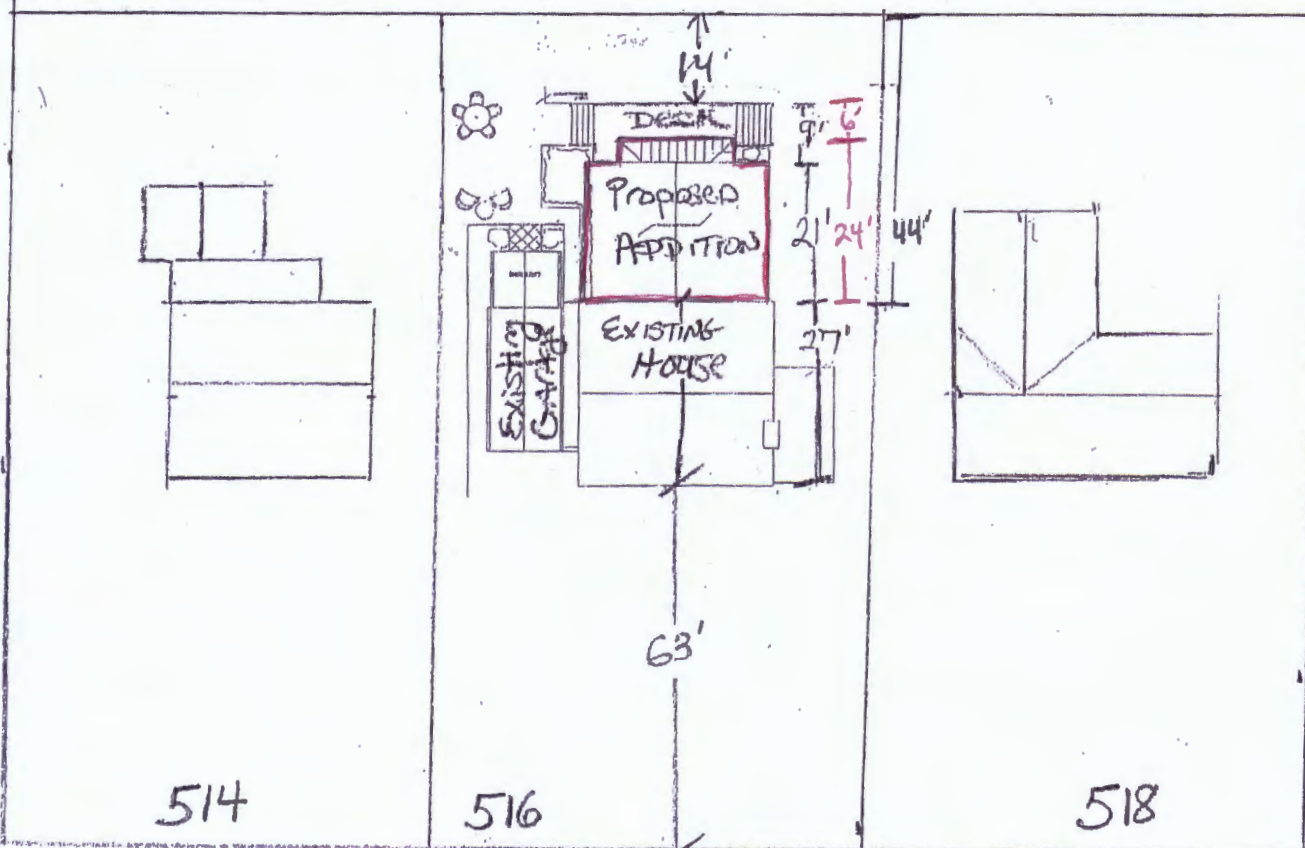
ALJ



CONNECT WITH BALTIMORE COUNTY

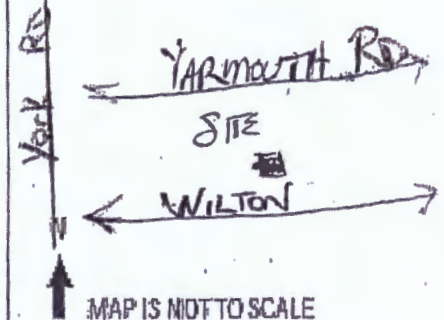


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 516 WILTON RD. OWNER(S) NAME(S) Robert AND PRISCILLA Smith  
 SUBDIVISION NAME WILTONDALE LOT # 122 BLOCK # \_\_\_\_\_ SECTION # 1  
 PLAT BOOK # 0008 FOLIO # 0057 10 DIGIT TAX # 0920660470 DEED REF. # 33353/00001



WILTON ROAD

SITE VICINITY MAP



ZONING MAP# \_\_\_\_\_  
 SITE ZONED DR 55  
 ELECTION DISTRICT 9  
 COUNCIL DISTRICT 5  
 LOT AREA, ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 8750 SF  
 HISTORIC? NO  
 IN CBCA? NO  
 IN FLOOD PLAIN? NO  
 UTILITIES?, MARK WITH X  
 WATER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? NO  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY Jay M Fox

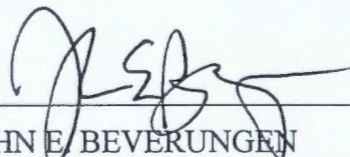
DATE 10-26-15 SCALE: 1 INCH = 30' FEET

2016-0115-A

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



---

JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:dlw



2016-0115-A  
1-8-16

order: 1-12-16

**Debra Wiley**

**From:** John E. Beverungen  
**Sent:** Tuesday, January 19, 2016 11:49 AM  
**To:** Debra Wiley  
**Subject:** FW: 516 Wilton Road - Opposition to Variance

Deb, we sent this order out last week. Can you please put this email in the case file. Thanks.

**From:** Robert Smith [mailto:rksmith2012@gmail.com]  
**Sent:** Thursday, January 14, 2016 3:23 PM  
**To:** Nathan Raider <NRaider@fedder.com>  
**Cc:** John E. Beverungen <jbeverungen@baltimorecountymd.gov>; Arch@Wiltondale.org  
**Subject:** Re: 516 Wilton Road - Opposition to Variance

Honorable Judge John Beverungen,

This email is in response to the Association's correspondence dated January 13, 2016.

As part of the argument that my request does not meet the "practical difficulty" test in *Cromwell v Ward*, the Association references 600 Wilton Road and states that I "*could convert (my) attached (I think they mean detached) garage to additional living space (one example of a successful garage conversion can be found at 600 Wilton Road).*"

I would point out that 600 Wilton is a corner lot and the attached garage (now living space) is actually behind the house (side-street facing). It is not representative of the case in question and cannot be construed to represent the same facts and circumstance as 516 Wilton Road. The existing garage at 516 Wilton cannot be incorporated as living space in a "practical" and certainly not an aesthetically pleasing manner without major cost. Of the 217 houses examined, mine is the only house with space between the garage and main house with a significant front set back. There are no examples of a successful conversion with my facts and circumstances because no other house has the same facts or circumstances.

The Association cites that the footprint of the addition as a percentage of the existing footprint is a concern. I walk around the neighborhood and see additions that double the size of the original house. Because homes in Wiltondale were built in the 1930's and some are small by today's standard, it is not unusual for any addition to represent 60% to 80% if not more of the original footprint.

The Association fears that "*we could soon find ourselves surrounded by oversized houses*". We have several houses with large additions and some that have doubled the footprint within the confines of the zoning requirement because of the nature of the existing lot. The definition of an "*oversized house*" that "*threatens the welfare*" of our neighborhood is unclear and appears arbitrary.

The Association references "*a few friendly neighbors that have voiced support for this variance*". I would like to point out that despite calling around the neighborhood to locate opposition, the Association was unable to present at the hearing any neighbor who is in opposition. My neighbor on either side and behind me stated in writing their support for the addition as have other neighbors with whom I have shared the plans. Additionally, the neighbor most impacted by the addition appeared at the hearing in support of it. The people who will actually see the addition are in complete support of it.

It is with no pleasure that I find myself in this dispute. Had there been better communication from the start and the Association clearly stated their opposition to any variance, we would probably not be in this discussion. Once the strong opposition became apparent, I would have hoped to have some compromise with the Association, but I understand this is not an option. Again, I thank you for your time in this matter and your consideration of my request. I will await your response and will respect and fully comply with the decision you render.

Sincerely,



Robert and Priscilla Smith

On Wed, Jan 13, 2016 at 1:36 PM, Nathan Raider <[NRaider@fedder.com](mailto:NRaider@fedder.com)> wrote:

Your Honor,

While the Wiltondale Improvement Association (WIA) respects the effort that the Petitioner has put forth in compiling data on garages in the Wiltondale neighborhood, he has still not provided sufficient evidence that this property is "unique and unusual" pertaining to the requested variance to the rear-setback requirements in a DR 5.5 zone. This lot is 8750 square feet (sf), which is larger than the average lot size in Section 1 of the Wiltondale neighborhood. The minimum lot size in a DR 5.5 zone is 6000 sf. The main house is 28 feet (') wide by 27' deep with a footprint of 756 sf, excluding the existing attached porch and attached garage. The back wall of the main house is 44' from the back property line. This distance to the rear property line is fairly typical for Section 1 of Wiltondale. It has been noted that this property has an unusually large front yard, but that should not be accepted as evidence that rear yard is unusually small.

A rear addition extending 14' off the back of this house would be permitted without a variance and the WIA would support such an improvement as long as the design meets the Architectural Guidelines of our deed restricted community. A 14' rear addition would net approximately 364 sf, or a 48% increase in the footprint of the house. The WIA feels strongly that this is the size of the addition that would be reasonable and appropriate for this property. A 7.5' deck would also be permitted without a variance under this scenario, and WIA would support adding the deck in this hypothetical case as long as it conforms to the Architectural Guidelines as well.

However, the Petitioner is proposing a rear addition that would extend 24' behind the footprint of the main house coming to within 20' of the rear property line, violating the 30' rear setback requirement by 10'. The deck shown on the Petitioner's plans would extend an additional 6' into the rear yard coming to within 14' of the rear property line, and violating the 22.5' setback required for decks by 8.5'. (See attached redlined site plan that clarifies the dimensions in accordance with the Petitioner's proposed building plans.) The proposed addition would add 573 sf, or a 76% increase to the footprint of the main house. If you refer to the Baltimore County GIS maps, most of the properties in Section 1 of Wiltondale would require a rear setback variance in order to build a 24' addition. And for that reason, WIA can't accept that this property meets the Cromwell v. Ward (1995) burden of uniqueness when there is no evidence to support this argument.

Even if your judicial review does find that the property qualifies as unique in some way, the Petitioner has not demonstrated that strict compliance with the Baltimore County Zoning Regulations (BCZR) would create a "practical difficulty" for the Petitioner, which is the second test established in Cromwell v. Ward. The Petitioner purchased this property in 2012, and the BCZR were in place at the time of acquisition and the setback requirements have not changed since then. As an alternative to the requested variance, the Petitioner has the option to build a rear addition and deck



using dimensions that would not require a variance, or he could convert his attached garage to additional living space (one example of a successful garage conversion can be found at 600 Wilton Road), or both. There can be no "practical difficulty" if other viable options for reasonable expansion exist and many other properties in Section 1 of Wiltondale have managed to construct reasonably-sized additions under the same zoning constraints without requiring a variance. Furthermore, there is no evidence of functional obsolescence for this property, and compliance with the BCZR will not unreasonably prevent the Petitioner's use of this property.

If this petition for a variance is approved, it will set a precedent that could threaten the welfare our community. If this property is determined to be unique, then most of the properties in Section 1 of Wiltondale will also qualify (violating the very definition of the word "unique"), and we could soon find ourselves surrounded by oversized houses that do not fit on their respective lots. While there may be a few friendly neighbors that have voiced support for this variance, the WIA represents the interests of all 372 homeowners who are members of the association, including the Petitioner. Our neighborhood bylaws delegate all zoning matters to the association's Board of Directors, and the Board is unanimously opposed to this petition.

In conclusion, the WIA strongly opposes this petition for a variance because it violates the spirit and intent of the BCZR.

Regards,

WILTONDALE IMPROVEMENT ASSOCIATION, INC.

Nathan M. Raider

President

[President@wiltondale.org](mailto:President@wiltondale.org)

**From:** Robert Smith [<mailto:rksmith2012@gmail.com>]

**Sent:** Monday, January 11, 2016 11:44 AM

**To:** John E. Beverungen

**Cc:** [president@wiltondale.org](mailto:president@wiltondale.org)

**Subject:** Re: correct email

Dear Sir,

This correspondence is a follow up to the Hearing of January 8, 2016 for Case 2106-0115, a variance request for 516 Wilton Road, Towson, Maryland 21286. In addition to statements, documents and photographs previously presented, please find additional support for the above referenced case requesting a variance due to the unique nature of the property and how the house was originally constructed on the lot.

The Wiltondale neighborhood is recorded in three plats: Plat 1, Plat 2, and Plat 3 recorded in 1936, 1939, and 1937 respectively. The property under discussion is in Plate 1. For the purposes of the attached analysis which is summarized below, I included houses on the north side of Stevenson Lane and heading north, houses on both sides of Yarmouth Road, Wilton Road, and Sussex Road. The houses included in this analysis include all houses in Plat 1 (except those facing York Road) and approximately 58% of the houses in Plate 2. The remaining houses in Plate 2 and those in Plat 3 are not unlike those in the provided analysis. A portion of Plat 2 and all of Plat 3 is "Upper Wiltondale" which has somewhat wider streets and in some cases larger lots and homes. But in general the attached analysis represents the neighborhood at large.

The attached analysis shows that most of the houses built in the neighborhood were constructed to facilitate an addition on the side of the house or in the back. Of the 217 properties examined 92 or 42.4% have no garage, 65 or 29.95% have garages behind the house, 37 or 17.05% have garages under the house, and 21 or 9.68% have garages attached to the house. Only two (2) houses or 1% of the total, my house being one of the two, have a front facing garage on the side of the house with space between the house and the garage. My house is connected with a brick arch (see photos below) and the other house (604 Wilton-See photos below) has a small gable roof connecting the house to the garage.

Two-hundred and fifteen houses (215) which represent 99% of all houses examined more easily facilitate additions. The 81 houses with no garages have room on the side and or back depending on how the house is situated. The 64 houses with garages behind the house are able to have a side and or rear addition. The 34 houses with garages under the house has allowed for living space to be constructed above the garage and allows for an addition in the back. And the 20 houses with garages attached to the house are able to convert the garage to living space (as some have done), and to build above the garage structure or in the back.

The two houses with a non-attached garage on the side of the house have limited ability to convert the garage space to living space or to build above the garage since this is non-contiguous space to the main house. Additionally it would change the character of the house, negatively impact the street-scape, hurt the value of neighboring homes and be wasteful to raze a functioning brick or stone garage not to mention that it would be cost prohibitive. The logical option for an addition for these two houses is in the rear. Of the two houses that represent the 1% of the houses included in this analysis, only 516 Wilton has a front set back that negatively impacts the ability to add a reasonably-sized family room addition on the rear of the house. The other house, 604 Wilton Road (see picture below) has a front set back significantly less.

In summary, I would like to say that the two houses with a non-attached garage on the side of the house are precluded from or significantly limited in the ability to build on the side of the property. Faced with the prospect of building in the rear of the house, 516 Wilton additionally faces a set-back challenge due to the limited space

available behind the house. For these reasons, we conclude the property is unique and we respectfully request a variance.

While it may or may not have any bearing on the case, I wanted to mention that from the start my wife and I were unsure if we wanted the deck on the back of the addition; but, we submitted the plans as drafted by the architect so we would only need to go through the zoning process once should we have decided to include the deck at the time of construction or in the future. A few weeks back, my wife and I decided that we would not include the deck. We will have a set of stairs but have concluded we do not need the deck since we will have a small patio or seating area in the back yard.

In closing, I thank you for your consideration in this matter and will be happy to provide any additional information you may need.

Attachment: Wiltondale Garage Analysis

Photos: Below

604 Wilton Road one of the two houses out of 217 that is on the side of the house and not connected

<image002.jpg>

<image004.jpg>

Please note that 604 Wilton (above) sits much closer to the sidewalk/road than 516 Wilton (below).

<image006.jpg>

<image008.jpg>



<image010.jpg>

On Fri, Jan 8, 2016 at 10:47 AM, John E. Beverungen <[jbeverungen@baltimorecountymd.gov](mailto:jbeverungen@baltimorecountymd.gov)> wrote:

This is the correct email to use if you choose to submit anything further.

John Beverungen

ALJ



CONNECT WITH BALTIMORE COUNTY



[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

CASE NAME \_\_\_\_\_  
CASE NUMBER 2016-115-A  
DATE 1-8-2016

[illegible]

|             |            |
|-------------|------------|
| CASE NAME   |            |
| CASE NUMBER | 2016-115-A |
| DATE        | 1-8-2016   |

## CITIZEN'S SIGN - IN SHEET

E - MAIL

|                |                                 |                                |                                |
|----------------|---------------------------------|--------------------------------|--------------------------------|
| NATHAN ADLER   | 9 Antree Rd., 21086             | BARTONVILLE, MD 21286          | President @willthndale.org     |
| John Ross, Jr. | <del>649 Sussex Rd. 21086</del> | <del>Baltimore, MD 21086</del> | <del>#john.dont.123,</del>     |
| Fred Ross      | 521 Sussex Rd. 21286            | Darwin, MD 21286               | @gmail.com<br>fross2@gmail.com |



Was AV  
closing date:  
11-30-15

Formal Demand per  
June 15. 12-1-15

CASE NO. 2016- 0115-A

## CHECKLIST

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>11/16</u>                    | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>N/C</u>                                              |
| <u>11-18</u>                    | DEPS<br>(if not received, date e-mail sent _____)                     | <u>NC</u>                                               |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                   |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                   |
| <u>11/12</u>                    | STATE HIGHWAY ADMINISTRATION                                          | <u>no Obj</u>                                           |
| _____                           | TRAFFIC ENGINEERING                                                   | _____                                                   |
| _____                           | COMMUNITY ASSOCIATION                                                 | _____                                                   |
| _____                           | ADJACENT PROPERTY OWNERS                                              | _____                                                   |
| ZONING VIOLATION                | (Case No. _____)                                                      |                                                         |
| PRIOR ZONING                    | (Case No. _____)                                                      |                                                         |
| NEWSPAPER ADVERTISEMENT         | Date: <u>12/17/15</u>                                                 |                                                         |
| SIGN POSTING                    | Date: <u>12/18/15</u> by <u>Pulson</u>                                |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>   |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |

Comments, if any: \_\_\_\_\_

\_\_\_\_\_

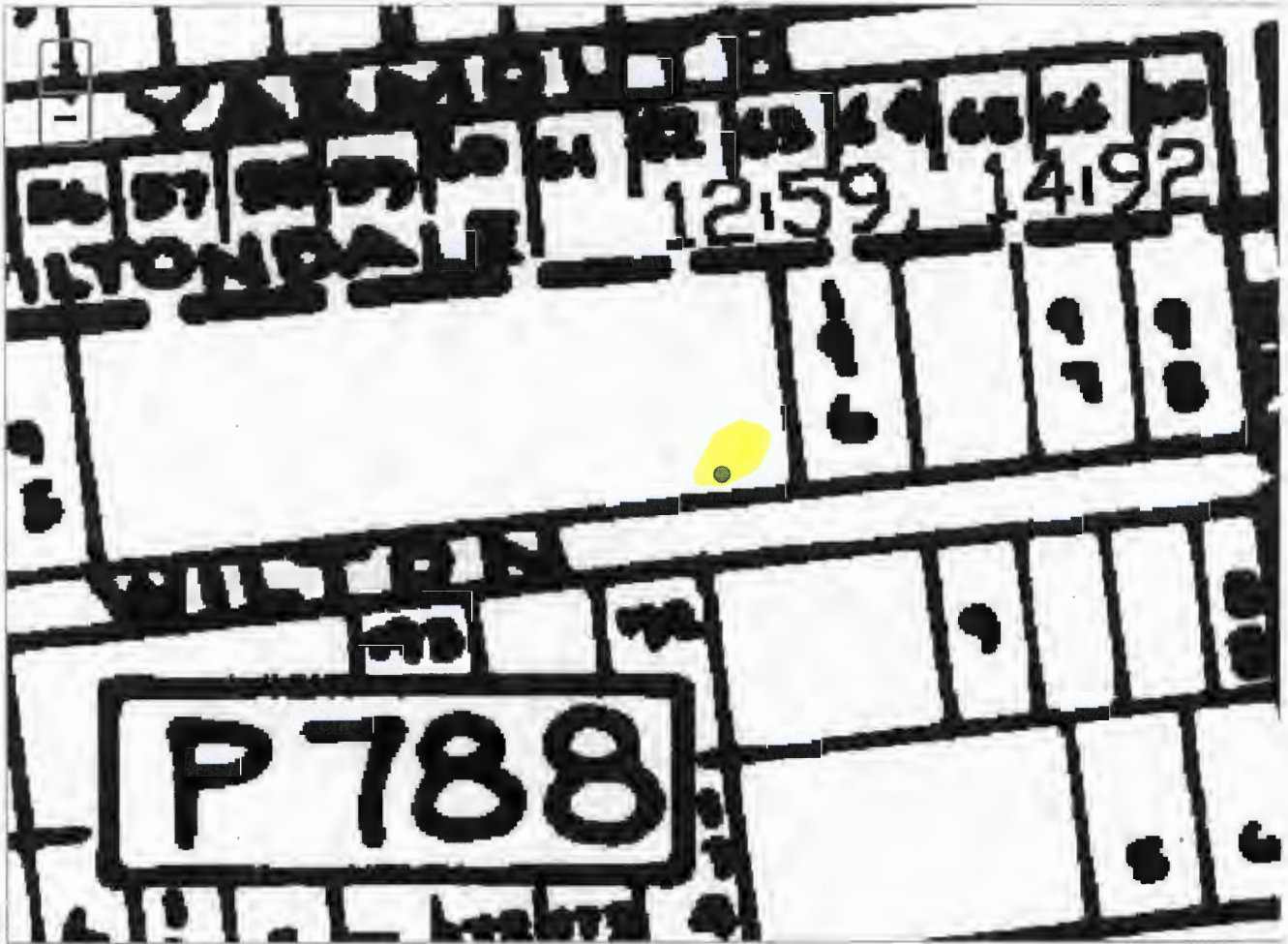
\_\_\_\_\_

Real Property Data Search ( w4)

Guide to searching the database

## Search Result for BALTIMORE COUNTY

| View Map                                                 |                                             | View GroundRent Redemption                       |                                           | View GroundRent Registration                                |                 |
|----------------------------------------------------------|---------------------------------------------|--------------------------------------------------|-------------------------------------------|-------------------------------------------------------------|-----------------|
| <b>Account Identifier:</b>                               |                                             | <b>District - 09 Account Number - 0920660470</b> |                                           |                                                             |                 |
| <b>Owner Information</b>                                 |                                             |                                                  |                                           |                                                             |                 |
| <b>Owner Name:</b>                                       | SMITH ROBERT K<br>SMITH PRISCILLA<br>BROOKS |                                                  | <b>Use:</b>                               | RESIDENTIAL<br>YES                                          |                 |
| <b>Mailing Address:</b>                                  | 516 WILTON RD<br>TOWSON MD 21286-7612       |                                                  | <b>Deed Reference:</b>                    | /33353/ 00001                                               |                 |
| <b>Location &amp; Structure Information</b>              |                                             |                                                  |                                           |                                                             |                 |
| <b>Premises Address:</b>                                 |                                             | 516 WILTON RD<br>TOWSON 21286-7612               |                                           | <b>Legal Description:</b><br>516 WILTON RD NS<br>WILTONDALE |                 |
| <b>Map:</b>                                              | <b>Grid:</b>                                | <b>Parcel:</b>                                   | <b>Sub District:</b>                      | <b>Subdivision:</b>                                         | <b>Section:</b> |
| 0070                                                     | 0020                                        | 0788                                             |                                           | 0000                                                        | 1               |
| <b>Block:</b>                                            | <b>Lot:</b>                                 | <b>Assessment Year:</b>                          | <b>Plat No:</b>                           | <b>Plat Ref:</b>                                            | <b>1</b>        |
|                                                          | 122                                         | 2014                                             |                                           | 0008/<br>0057                                               |                 |
| <b>Special Tax Areas:</b>                                |                                             |                                                  | <b>Town:</b><br>Ad Valorem:<br>Tax Class: |                                                             |                 |
|                                                          |                                             |                                                  | NONE                                      |                                                             |                 |
| <b>Primary Structure Built</b>                           | <b>Above Grade Enclosed Area</b>            | <b>Finished Basement Area</b>                    | <b>Property Land Area</b>                 | <b>County Use</b>                                           |                 |
| 1941                                                     | 1,512 SF                                    | 500 SF                                           | 8,750 SF                                  | 04                                                          |                 |
| <b>Stories</b>                                           | <b>Basement</b>                             | <b>Type</b>                                      | <b>Exterior</b>                           | <b>Full/Half Bath</b>                                       | <b>Garage</b>   |
| 2                                                        | YES                                         | STANDARD UNIT                                    | BRICK                                     | 2 full/ 1 half                                              | 1 Detached      |
| <b>Last Major Renovation</b>                             |                                             |                                                  |                                           |                                                             |                 |
|                                                          |                                             |                                                  |                                           |                                                             |                 |
| <b>Value Information</b>                                 |                                             |                                                  |                                           |                                                             |                 |
| <b>Base Value</b>                                        |                                             | <b>Value As of 01/01/2014</b>                    | <b>Phase-in Assessments</b>               |                                                             |                 |
|                                                          |                                             |                                                  | <b>As of 07/01/2015</b>                   | <b>As of 07/01/2016</b>                                     |                 |
| <b>Land:</b>                                             | 152,100                                     | 129,600                                          |                                           |                                                             |                 |
| <b>Improvements</b>                                      | 229,400                                     | 298,400                                          |                                           |                                                             |                 |
| <b>Total:</b>                                            | 381,500                                     | 428,000                                          | 412,500                                   | 428,000                                                     |                 |
| <b>Preferential Land:</b>                                | 0                                           |                                                  |                                           | 0                                                           |                 |
| <b>Transfer Information</b>                              |                                             |                                                  |                                           |                                                             |                 |
| <b>Seller: SULLIVAN STEPHEN</b>                          |                                             | <b>Date: 03/27/2013</b>                          | <b>Price: \$460,000</b>                   |                                                             |                 |
| <b>Type: ARMS LENGTH IMPROVED</b>                        |                                             | <b>Deed1: /33353/ 00001</b>                      | <b>Deed2:</b>                             |                                                             |                 |
| <b>Seller: MCALLISTER KEVIN F</b>                        |                                             | <b>Date: 12/07/2004</b>                          | <b>Price: \$445,000</b>                   |                                                             |                 |
| <b>Type: ARMS LENGTH IMPROVED</b>                        |                                             | <b>Deed1: /21092/ 00235</b>                      | <b>Deed2:</b>                             |                                                             |                 |
| <b>Seller: FORTUNE CHRISTOPHER</b>                       |                                             | <b>Date: 07/13/2004</b>                          | <b>Price: \$399,900</b>                   |                                                             |                 |
| <b>Type: ARMS LENGTH IMPROVED</b>                        |                                             | <b>Deed1: /20392/ 00581</b>                      | <b>Deed2:</b>                             |                                                             |                 |
| <b>Exemption Information</b>                             |                                             |                                                  |                                           |                                                             |                 |
| <b>Partial Exempt Assessments:</b>                       | <b>Class</b>                                | <b>07/01/2015</b>                                | <b>07/01/2016</b>                         |                                                             |                 |
| <b>County:</b>                                           | 000                                         | 0.00                                             |                                           |                                                             |                 |
| <b>State:</b>                                            | 000                                         | 0.00                                             |                                           |                                                             |                 |
| <b>Municipal:</b>                                        | 000                                         | 0.00 0.00                                        | 0.00 0.00                                 |                                                             |                 |
| <b>Tax Exempt:</b>                                       | <b>Special Tax Recapture:</b>               |                                                  |                                           |                                                             |                 |
| <b>Exempt Class:</b>                                     | NONE                                        |                                                  |                                           |                                                             |                 |
| <b>Homestead Application Information</b>                 |                                             |                                                  |                                           |                                                             |                 |
| <b>Homestead Application Status: Approved 08/19/2013</b> |                                             |                                                  |                                           |                                                             |                 |

**Baltimore County**New Search (<http://sdatt.dat.maryland.gov/RealProperty/>)District: **09** Account Number: **0920660470**

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Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml) (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



Real Property Data Search ( w3)

Guide to searching the database

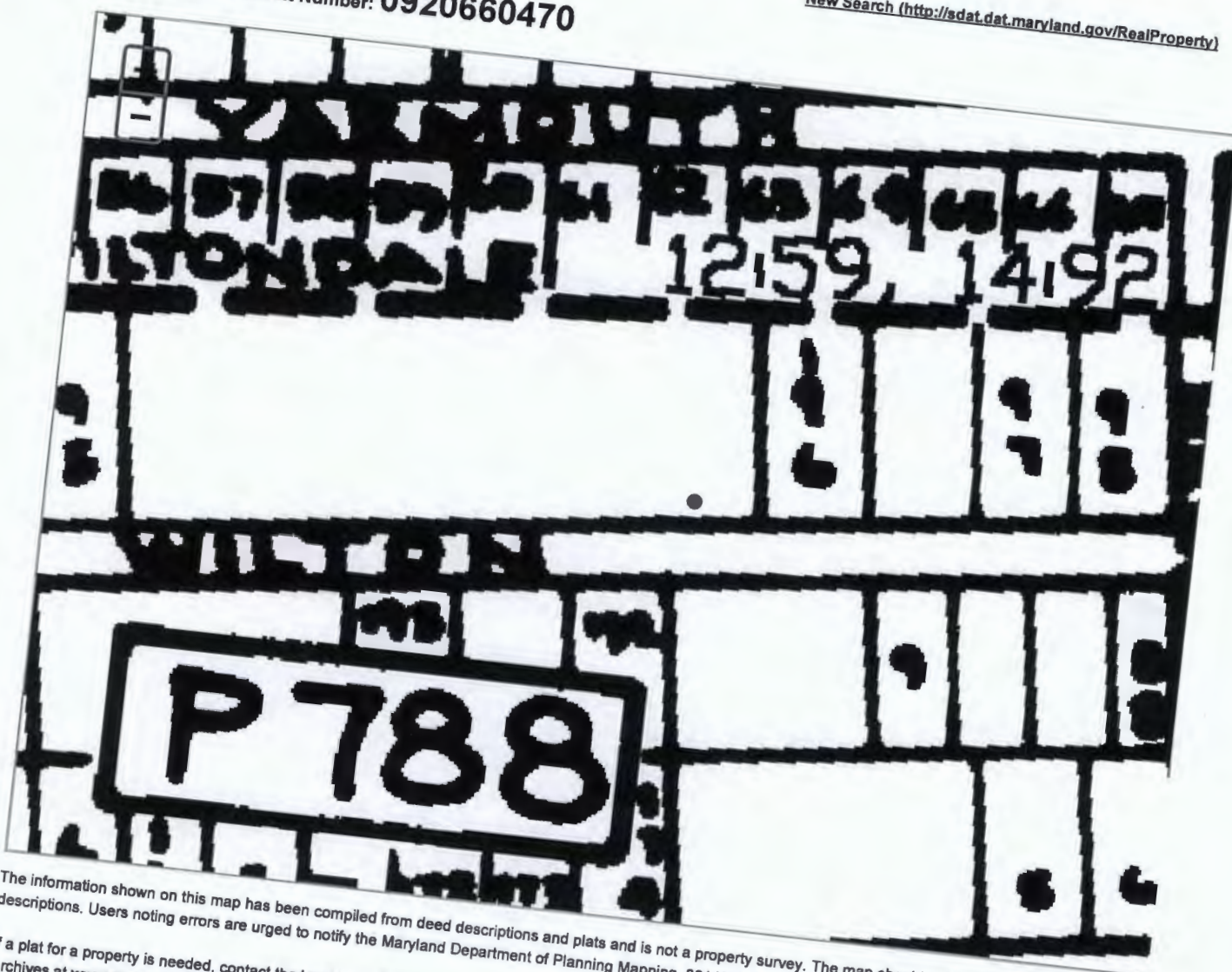
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|----------------------------------------------------------|---------------------------------------------|--------------------------------------------------|-----------------------------|-------------------------------------------------------------|-----------------|
| <b>Account Identifier:</b>                               |                                             | <b>District - 09 Account Number - 0920660470</b> |                             |                                                             |                 |
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| <b>Owner Name:</b>                                       | SMITH ROBERT K<br>SMITH PRISCILLA<br>BROOKS |                                                  | <b>Use:</b>                 | RESIDENTIAL                                                 |                 |
| <b>Mailing Address:</b>                                  | 516 WILTON RD<br>TOWSON MD 21286-7612       |                                                  | <b>Principal Residence:</b> | YES                                                         |                 |
|                                                          |                                             |                                                  | <b>Deed Reference:</b>      | /33353/ 00001                                               |                 |
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| 0070                                                     | 0020                                        | 0788                                             |                             | 0000                                                        | 1               |
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|                                                          | 122                                         | 2014                                             |                             | 0008/0057                                                   |                 |
| <b>Special Tax Areas:</b>                                |                                             |                                                  | <b>Town:</b>                |                                                             |                 |
|                                                          |                                             |                                                  | NONE                        |                                                             |                 |
| <b>Ad Valorem:</b>                                       |                                             |                                                  |                             |                                                             |                 |
| <b>Tax Class:</b>                                        |                                             |                                                  |                             |                                                             |                 |
| <b>Primary Structure Built</b>                           | <b>Above Grade Enclosed Area</b>            | <b>Finished Basement Area</b>                    | <b>Property Land Area</b>   | <b>County Use</b>                                           |                 |
| 1941                                                     | 1,512 SF                                    | 500 SF                                           | 8,750 SF                    | 04                                                          |                 |
| <b>Stories</b>                                           | <b>Basement</b>                             | <b>Type</b>                                      | <b>Exterior</b>             | <b>Full/Half Bath</b>                                       | <b>Garage</b>   |
| 2                                                        | YES                                         | STANDARD UNIT                                    | BRICK                       | 2 full/ 1 half                                              | 1 Detached      |
| <b>Last Major Renovation</b>                             |                                             |                                                  |                             |                                                             |                 |
|                                                          |                                             |                                                  |                             |                                                             |                 |
| <b>Value Information</b>                                 |                                             |                                                  |                             |                                                             |                 |
| <b>Base Value</b>                                        |                                             | <b>Value</b>                                     |                             | <b>Phase-in Assessments</b>                                 |                 |
|                                                          |                                             | <b>As of</b>                                     |                             | <b>As of</b>                                                |                 |
|                                                          |                                             | 01/01/2014                                       |                             | 07/01/2015                                                  |                 |
|                                                          |                                             |                                                  |                             | 07/01/2016                                                  |                 |
| <b>Land:</b>                                             | 152,100                                     | 129,600                                          |                             |                                                             |                 |
| <b>Improvements</b>                                      | 229,400                                     | 298,400                                          |                             |                                                             |                 |
| <b>Total:</b>                                            | 381,500                                     | 428,000                                          |                             | 412,500                                                     | 428,000         |
| <b>Preferential Land:</b>                                | 0                                           |                                                  |                             |                                                             | 0               |
| <b>Transfer Information</b>                              |                                             |                                                  |                             |                                                             |                 |
| <b>Seller: SULLIVAN STEPHEN</b>                          |                                             | <b>Date: 03/27/2013</b>                          |                             | <b>Price: \$460,000</b>                                     |                 |
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| <b>Seller: MCALLISTER KEVIN F</b>                        |                                             | <b>Date: 12/07/2004</b>                          |                             | <b>Price: \$445,000</b>                                     |                 |
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| <b>Exemption Information</b>                             |                                             |                                                  |                             |                                                             |                 |
| <b>Partial Exempt Assessments:</b>                       | <b>Class</b>                                | <b>07/01/2015</b>                                |                             | <b>07/01/2016</b>                                           |                 |
| <b>County:</b>                                           | 000                                         | 0.00                                             |                             |                                                             |                 |
| <b>State:</b>                                            | 000                                         | 0.00                                             |                             |                                                             |                 |
| <b>Municipal:</b>                                        | 000                                         | 0.00 0.00                                        |                             | 0.00 0.00                                                   |                 |
| <b>Tax Exempt:</b>                                       |                                             | <b>Special Tax Recapture:</b>                    |                             |                                                             |                 |
| <b>Exempt Class:</b>                                     |                                             | NONE                                             |                             |                                                             |                 |
| <b>Homestead Application Information</b>                 |                                             |                                                  |                             |                                                             |                 |
| <b>Homestead Application Status: Approved 08/19/2013</b> |                                             |                                                  |                             |                                                             |                 |

Baltimore County

District: 09 Account Number: 0920660470

New Search (<http://sdat.dat.maryland.gov/RealProperty>)



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Property maps provided courtesy of the Maryland Department of Planning.

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KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

December 30, 2015

Robert K & Priscilla Brooks Smith  
516 Wilton Road  
Towson MD 21286

RE: Case Number: 2016-0115 A, Address: 516 Wilton Road

Dear Mr. & Ms. Smith:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 5, 2015. 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: jaw

Enclosures

c: People's Counsel  
Jay M Fox, 1850 Sorrel Ridge Lane, New Freedom PA 17349



Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary  
Gregory C. Johnson, P.E., Administrator

Date: 11/12/15

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

RE: Baltimore County  
Item No. 2016-0115-A  
*Administrative Variance*  
*Robert K. & Priscilla Brooks Smith*  
*516 Wilton Road*

Dear Ms. Lewis:

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. 2016-0115-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Peake".

David W. Peake  
Metropolitan District Engineer – District 4  
Baltimore & Harford Counties

DWP/RAZ

Closing  
11-30-15

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**

**RECEIVED**



NOV 18 2015

OFFICE OF ADMINISTRATIVE HEARINGS

**TO:** Hon. Lawrence M. Stahl; Managing Administrative Law Judge  
Office of Administrative Hearings

**FROM:** Jeff Livingston, Department of Environmental Protection and  
Sustainability (EPS) - Development Coordination

**DATE:** November 18, 2015

**SUBJECT:** DEPS Comment for Zoning Item # 2016-0115-A  
Address 516 Wilton Road  
(Smith Property)

Zoning Advisory Committee Meeting of November 9, 2015.

X The Department of Environmental Protection and Sustainability has no  
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 11-18-2015

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** November 16, 2015

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 9, 2015  
Item No. 2016-0111, 0113, 0114, 0115, 0118 and 0120

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

DAK  
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC11092015.doc



Case No.: 2016-0115-A

Exhibit Sheet

Petitioner/Developer

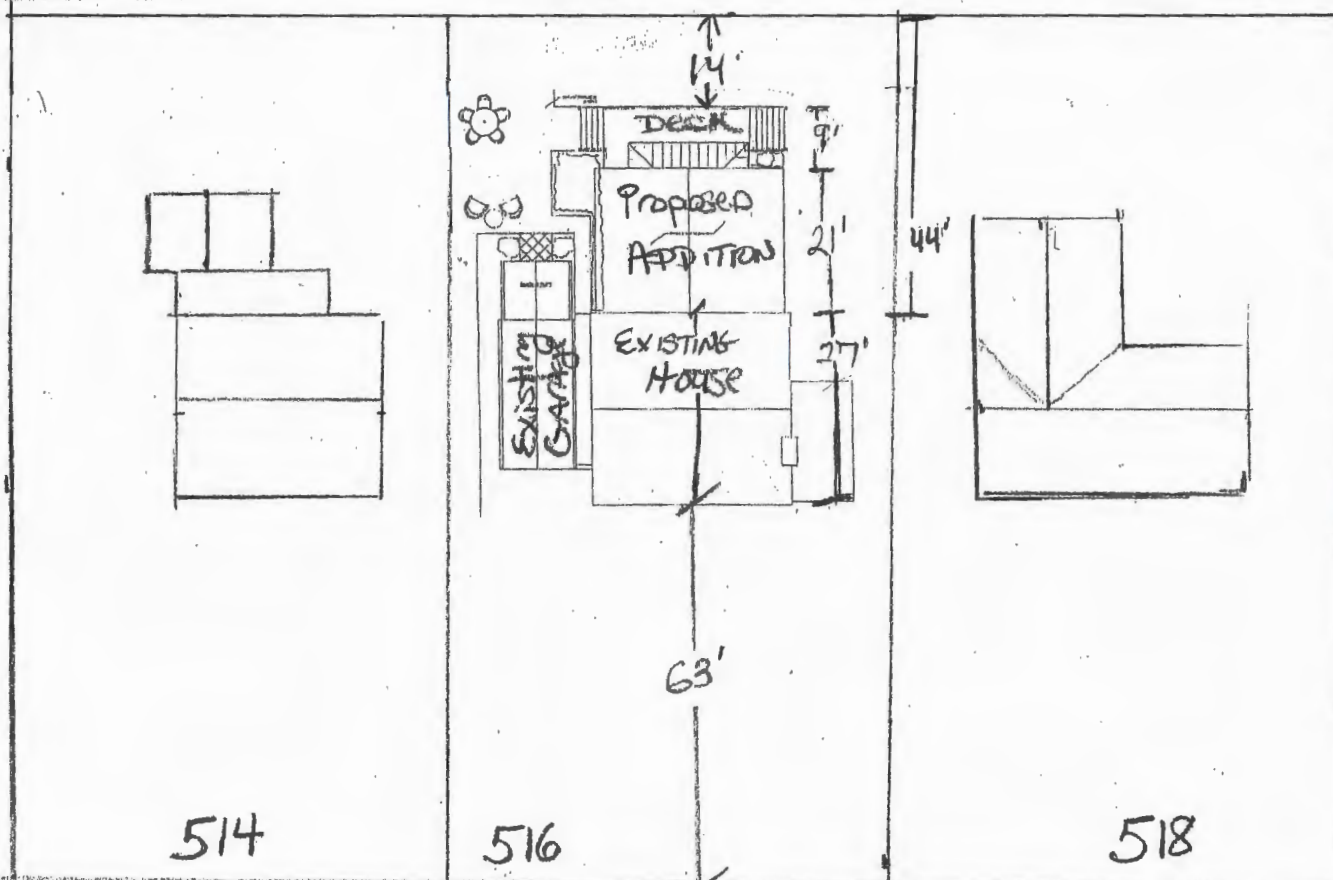
DW  
3-1-16

Protestant

DW  
1-12-16

|        |                           |  |
|--------|---------------------------|--|
| No. 1  | Plan                      |  |
| No. 2  | Elevations                |  |
| No. 3  | Letters from neighbors    |  |
| No. 4  | Photos                    |  |
| No. 5  | post-hearing<br>statement |  |
| No. 6  |                           |  |
| No. 7  |                           |  |
| No. 8  |                           |  |
| No. 9  |                           |  |
| No. 10 |                           |  |
| No. 11 |                           |  |
| No. 12 |                           |  |

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
ADDRESS 516 WILTON RD. OWNER(S) NAME(S) Robert AND PRISCILLA SMITH  
SUBDIVISION NAME WILTONDALE LOT # 122 BLOCK # \_\_\_\_\_ SECTION # 1  
PLAT BOOK # 0008 FOLIO # 0057 10 DIGIT TAX # 0920660470 DEED REF. # 33353/00001



WILTON ROAD

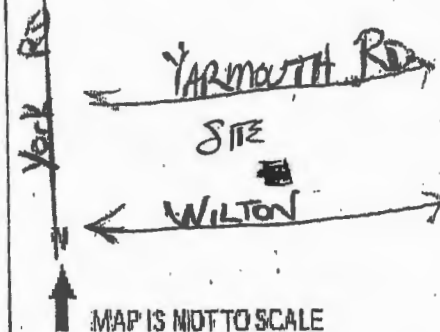


PLAN DRAWN BY Jay M. Fox

2016-0115-A

DATE 10-26-15 SCALE: 1 INCH = 30' FEET

SITE VICINITY MAP



ZONING MAP#

SITE ZONED DR 55

ELECTION DISTRICT 9

COUNCIL DISTRICT 5

LOT AREA: ACREAGE \_\_\_\_\_

OR SQUARE FEET 8750 SF.

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE \_\_\_\_\_

SEWER IS:

PUBLIC X PRIVATE \_\_\_\_\_

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER  
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Ex. 1



[illegible]

## Proposed Addition

Ex. 2

|              |  |                                    |  |
|--------------|--|------------------------------------|--|
| SHEET NO.:   |  | DRAWING TITLE:                     |  |
| D2           |  | ELEVATIONS                         |  |
| SCALE:       |  | DATE: 07-27-15                     |  |
| 1/4" = 1'-0" |  | DESIGN DEVELOPMENT/<br>PRICING SET |  |

SMITH RESIDENCE  
516 WILTON ROAD  
WILTONDALE, MD 21286



**Patrick D. Jarosinski & Associates**  
ARCHITECTURE ■ PLANNING ■ INTERIORS

P.O. BOX 234 ■ Riderwood, Maryland ■ 21130  
D. 410-494-1017 C. 410-283-6708  
[www.pdassociates.com](http://www.pdassociates.com)

**DO NOT SCALE DRAWINGS:** In the event that a dimension is inadvertently left off a drawing or the Contractor is unable to determine a dimension by a mathematical process, contact the Architect. PDJ Associates, Inc. will not be held responsible for any assumptions arising from the scaling of a drawing by the Contractor.

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**Subject:** 516 Wilton Road Addition

**Date:** Wednesday, December 9, 2015 at 2:19:47 PM Eastern Standard Time

**From:** Robert Smith <robert.smith@infor.com>

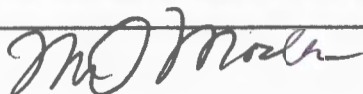
**To:** mades7@hotmail.com <mades7@hotmail.com>

517 Yarmouth

Mike and Laura,

You may have noticed the sign in our front yard announcing our plan to put an addition on the back of the house. The sign was posted because we are asking for a variance with a set back from the rear property line of "14 feet in lieu of 22.5". Essentially, I have been told that if I share the plans with the neighbors and the neighbors are comfortable with the plans, the County has no objections. In a few weeks the individual reviewing the plans will make a decision. The builder and architect said that it would be a good idea to let the County know in writing that I have communicated with the neighbors and that there are no objections. I would like to stop by and share the plans with you and answer any questions that you may have. Once the plans have been reviewed would one of you be willing to sign the following?

I have reviewed the plans for the addition to 516 Wilton Road and am comfortable with the plans as proposed.



If you are neutral or have any objections and do not feel comfortable with signing. That is ok as well. No pressure.

Thank you very much, Robert and Priscilla Smith

Ex.3

**Subject:** FW: 516 Wilton addition

**Date:** Friday, December 11, 2015 at 3:45:25 PM Eastern Standard Time

**From:** Robert Smith <robert.smith@infor.com>

---

**From:** Robert Smith <rksmith2012@gmail.com>

**Date:** Friday, December 11, 2015 at 3:39 PM

**To:** Robert Smith <robert.smith@infor.com>

**Subject:** Fwd: 516 Wilton addition

514 Wilton

Begin forwarded message:

**From:** Robert Smith <[rksmith2012@gmail.com](mailto:rksmith2012@gmail.com)>

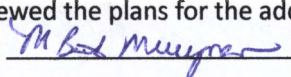
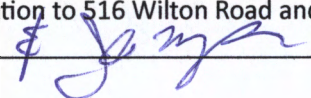
**Subject:** 516 Wilton addition

**Date:** December 9, 2015 at 1:43:30 PM EST

**To:** [mayhew4@comcast.net](mailto:mayhew4@comcast.net)

Jim and Beth, You may have noticed the sign in the front yard announcing our plan to put an addition on the back of the house. The sign was posted because we are asking for a variance with a set back from the rear property line of "14 feet in lieu of 22.5". Essentially, I have been told that if I share the plans with the neighbors and the neighbors are comfortable with the plans, the County has no objections. In a few weeks the individual reviewing the plans will make a decision. The builder and architect said that it would be a good idea to let the County know in writing that I have communicated with the neighbors and that there are no objections. I know Priscilla mentioned the addition to you in passing and we are more than willing to share the plans with you if you would like to see them. To that end, would one of you be willing to sign the following.

I have reviewed the plans for the addition to 516 Wilton Road and am comfortable with the plans as proposed.

 & 

12/12/15

I can walk over or if it is more convenient for you to print out and put in the our mailbox, that is fine as well. If you are neutral or have any objections and do not feel comfortable with signing. That is ok as well. No pressure.

Thank you very much, Robert and Priscilla Smith

**Subject:** FW: Addition to house

**Date:** Wednesday, December 9, 2015 at 1:58:23 PM Eastern Standard Time

**From:** Robert Smith <robert.smith@infor.com>

---

**From:** Robert Smith <rksmith2012@gmail.com>

**Date:** Wednesday, December 9, 2015 at 1:56 PM

**To:** Robert Smith <robert.smith@infor.com>

**Subject:** Fwd: Addition to house

518 Wilton

Begin forwarded message:

**From:** Robert Smith <rksmith2012@gmail.com>

**Subject:** Addition to house

**Date:** December 9, 2015 at 1:39:37 PM EST

**To:** kinkeadsbaltimore@comcast.com

**Cc:** Priscilla Smith <pris.robertsmith@gmail.com>

Andrew and Lindsay, You may have noticed the sign in the front yard announcing our plan to put an addition on the back of the house. The sign was posted because we are asking for a variance with a set back from the rear property line of "14 feet in lieu of 22.5". Essentially, I have been told that if I share the plans with the neighbors and the neighbors are comfortable with the plans, the County has no objections. In a few weeks the individual reviewing the plans will make a decision. The builder and architect said that it would be a good idea to let the County know in writing that I have communicated with the neighbors and that there are no objections. We are willing to share the plans with you again if you would like to see them. To that end, would one of you be willing to sign the following.

I have reviewed the plans for the addition to 516 Wilton Road and am comfortable with the plans as proposed. PP kinkead 518 Wilton Rd

I can walk over or if it is more convenient for you to print out and put in the our mailbox, that is fine as well. If you are neutral or have any objections and do not feel comfortable with signing. That is ok as well. No pressure.

Thank you very much, Robert and Priscilla Smith



Addition on back of house less than 30 feet from property line.



Ex. 4

House and Shed





518



ADDITION WITH Deck Landing  
& STAIRS



514



REAR OF  
PROPOSED  
ADDITION

LANDING  
WITH STAIRS





518

Subject  
House 516



20' 4"

Tape Reading IN  
Field To Fence

Proposed Addition  
Without the Deck  
Deck Adds 6'



Neighbor's shed less than a foot from my property line.



th.

Neighbor's shed 16 inches from property line.











Front Porch and Side Addition









Garage connected to house and converted to living space.





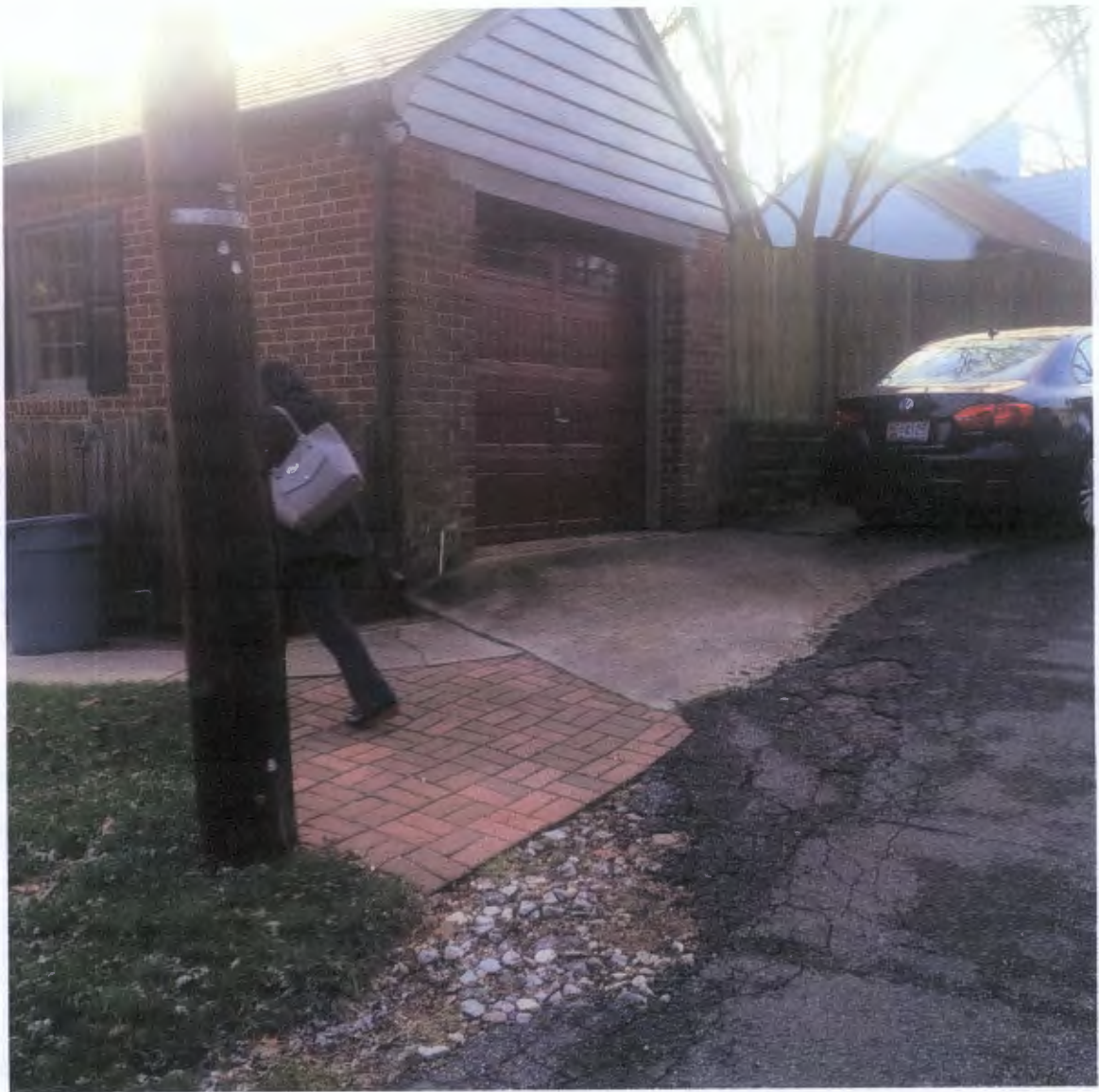


Large addition on back off house



Addition is approximately two car length from the property line. See picture below.





Addition connecting garage and house.



Above addition is little more than the distance of a car from the end of the property line. See photo below.





Addition and connected garage are approximately one car length from the end of the property line.



See picture below for view from the other side of the garage.





Addition connected to garage



See below. Garage is less than the distance of one care to property line



Large addition less than two car lengths from property line.



## John E. Beverungen

---

**From:** Robert Smith <rksmith2012@gmail.com>  
**Sent:** Monday, January 11, 2016 11:44 AM  
**To:** John E. Beverungen  
**Cc:** president@wiltontdale.org  
**Subject:** Re: correct email  
**Attachments:** Wiltontdale Garage Analysis.xlsx

Dear Sir,

This correspondence is a follow up to the Hearing of January 8, 2016 for Case 2106-0115, a variance request for 516 Wilton Road, Towson, Maryland 21286. In addition to statements, documents and photographs previously presented, please find additional support for the above referenced case requesting a variance due to the unique nature of the property and how the house was originally constructed on the lot.

The Wiltontdale neighborhood is recorded in three plats: Plat 1, Plat 2, and Plat 3 recorded in 1936, 1939, and 1937 respectively. The property under discussion is in Plate 1. For the purposes of the attached analysis which is summarized below, I included houses on the north side of Stevenson Lane and heading north, houses on both sides of Yarmouth Road, Wilton Road, and Sussex Road. The houses included in this analysis include all houses in Plat 1 (except those facing York Road) and approximately 58% of the houses in Plate 2. The remaining houses in Plate 2 and those in Plat 3 are not unlike those in the provided analysis. A portion of Plat 2 and all of Plat 3 is "Upper Wiltontdale" which has somewhat wider streets and in some cases larger lots and homes. But in general the attached analysis represents the neighborhood at large.

The attached analysis shows that most of the houses built in the neighborhood were constructed to facilitate an addition on the side of the house or in the back. Of the 217 properties examined 92 or 42.4% have no garage, 65 or 29.95% have garages behind the house, 37 or 17.05% have garages under the house, and 21 or 9.68% have garages attached to the house. Only two (2) houses or 1% of the total, my house being one of the two, have a front facing garage on the side of the house with space between the house and the garage. My house is connected with a brick arch (see photos below) and the other house (604 Wilton-See photos below) has a small gable roof connecting the house to the garage.

Two-hundred and fifteen houses (215) which represent 99% of all houses examined more easily facilitate additions. The 81 houses with no garages have room on the side and or back depending on how the house is situated. The 64 houses with garages behind the house are able to have a side and or rear addition. The 34 houses with garages under the house has allowed for living space to be constructed above the garage and allows for an addition in the back. And the 20 houses with garages attached to the house are able to convert the garage to living space (as some have done), and to build above the garage structure or in the back.

The two houses with a non-attached garage on the side of the house have limited ability to convert the garage space to living space or to build above the garage since this is non-contiguous space to the main house. Additionally it would change the character of the house, negatively impact the street-scape, hurt the value of neighboring homes and be wasteful to raze a functioning brick or stone garage not to mention that it would be cost prohibitive. The logical option for an addition for these two houses is in the rear. Of the two houses that represent the 1% of the houses included in this analysis, only 516 Wilton has a front set back that negatively impacts the ability to add a reasonably-sized family room addition on the rear of the house. The other house, 604 Wilton Road (see picture below) has a front set back significantly less.

In summary, I would like to say that the two houses with a non-attached garage on the side of the house are precluded from or significantly limited in the ability to build on the side of the property. Faced with the prospect of building in the rear of the house, 516 Wilton additionally faces a set-back challenge due to the limited space available behind the house. For these reasons, we conclude the property is unique and we respectfully request a variance.

While it may or may not have any bearing on the case, I wanted to mention that from the start my wife and I were unsure if we wanted the deck on the back of the addition; but, we submitted the plans as drafted by the architect so we would only need to go through the zoning process once should we have decided to include the deck at the time of construction or in the future. A few weeks back, my wife and I decided that we would not include the deck. We will have a set of stairs but have concluded we do not need the deck since we will have a small patio or seating area in the back yard.

In closing, I thank you for your consideration in this matter and will be happy to provide any additional information you may need.

Attachment: Wiltondale Garage Analysis

Photos: Below

604 Wilton Road one of the two houses out of 217 that is on the side of the house and not connected





Please note that 604 Wilton (above) sits much closer to the sidewalk/road than 516 Wilton (below).





On Fri, Jan 8, 2016 at 10:47 AM, John E. Beverungen <[jbeverungen@baltimorecountymd.gov](mailto:jbeverungen@baltimorecountymd.gov)> wrote:

This is the correct email to use if you choose to submit anything further.

John Beverungen

ALJ



CONNECT WITH BALTIMORE COUNTY



[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)





Lot # 42  
0903370270

0903371690  
Lot # 43

512  
Lot # 44  
0913007370

Lot # 45  
0915640221

516  
0919071830  
Lot # 46

518  
0914650533  
Lot # 47

520  
0912003520  
Lot # 48

0910000680  
Lot # 49

YARMOUTH RD

Pt. Bk./Folio # 012059

Lot # 62  
0912840080  
2004-0062-A

NE 9-A

Lot # 59  
0918720341

Lot # 60  
0919000790

515  
0908011200  
Lot # 61

519  
0905740180  
Lot # 63

521  
0906450530  
Lot # 64

Lot # 65  
0912000431

0923155310

Pt. Bk. 0000012, Folio 0059  
Lot # 66

0913400290  
Lot # 68

ED 070A3  
DR 5.5  
0918100690  
Lot # 119

512  
0914400300  
Lot # 120

514  
0904001500  
Lot # 121

516  
0920660470  
Lot # 122

518  
0920300690  
Lot # 196

520  
0904750330  
Lot # 124

Lot # 197  
0906200360

WILTON RD

2016-0115-A

Pt. Bk./Folio # 010108

513  
0916450190  
Lot # 193

515  
0908001472  
Lot # 106

517  
0912593360  
Lot # 192

Lot # 104  
0903006660  
519

Lot # 103  
0913129560  
1965-0270-A

Lot # 191  
0902370260

Lot # 189  
0908302370  
Pt. Bk. 0000010, Folio 0108

0902002880  
Lot # 108  
Pt. Bk. 0000008, Folio 0057

NE 8-A

Lot # 171  
0916151301

Lot # 172  
0908001090

0920000640  
Lot # 173

Lot # 174  
0914000930

520  
0902575240  
Lot # 63

Lot # 64  
0913754370

524  
0903478190  
Lot # 65

Lot # 175  
0909350020

0908002580

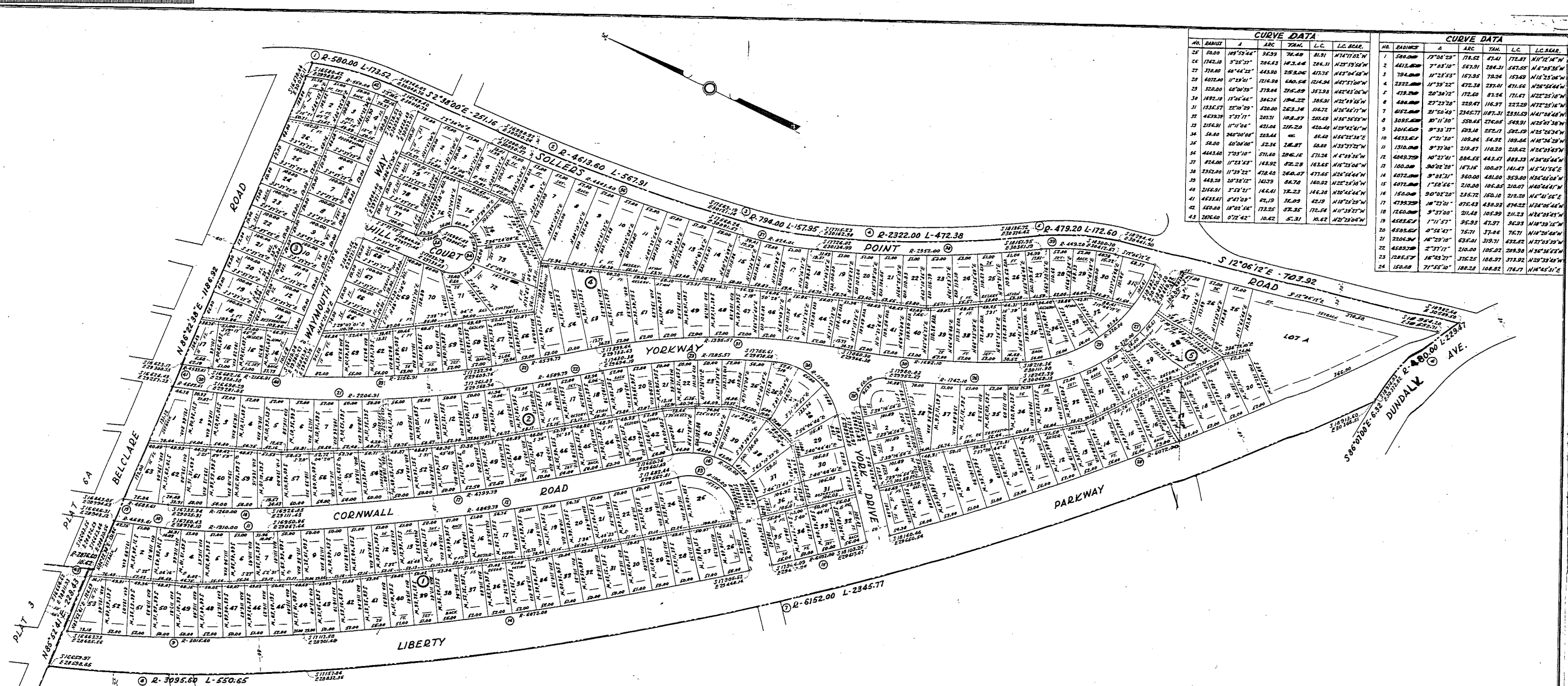
512

514

516

518





**LEGEND**

Roads, streets and reserved sections are shown on this plat for the purpose of description only and not for the purpose of dedication.

Plot outlines shown thus: \_\_\_\_\_

The boundaries of streets and other highways, of lots and other parcels of land are shown by a solid line, for example: \_\_\_\_\_

The location of various points are shown according to the system of coordinates established by the Topographical Survey Commission of Baltimore City, thus: 216345.67, 22012.34

Block numbers shown thus: ②

Lot numbers shown thus: 2

House setbacks shown thus: \_\_\_\_\_

Reservations on lots shown thus: \_\_\_\_\_

**Owners Certificate:**

Certification is hereby made that all the requirements of the Annotated Code of Maryland Chapter 1016, Acts of 1945 have been complied with on this plat.

**THE DUNDALK COMPANY**

*Paul J. Gandy*

HIGHWAYS DEPARTMENT OF  
BALTIMORE COUNTY.

STREET ALIGNMENT AND LOCATION  
STREET GRADES & STORM DRAINS

Approved: *J. Paul Caffrey*

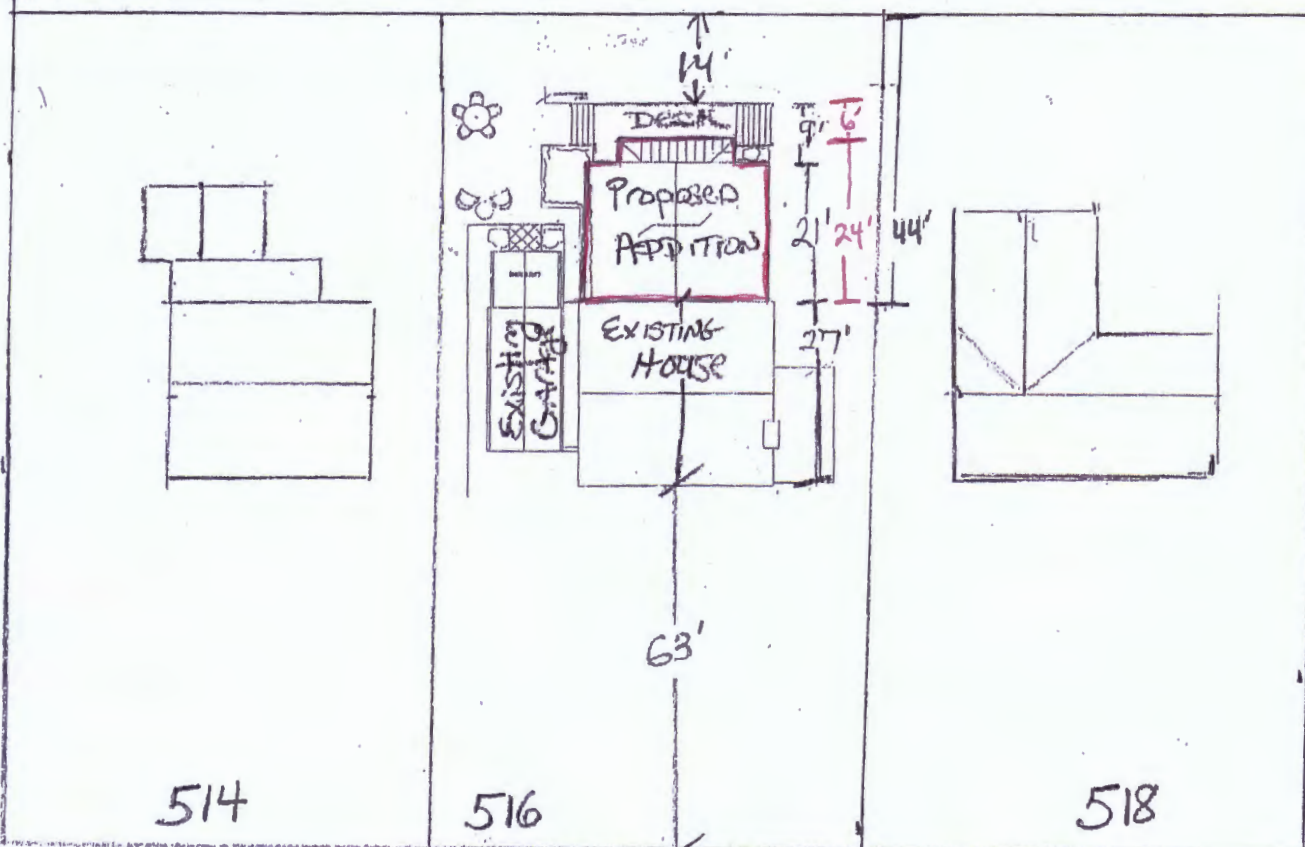
Dated: March, 12<sup>th</sup> 1947.

**PLAT NO. 6B**  
**DUNDALK**  
BEING A DEVELOPMENT OF  
**THE DUNDALK COMPANY**  
DUNDALK - BALTIMORE COUNTY - MD.  
SCALE: 1" = 80 FT. DECEMBER 1946

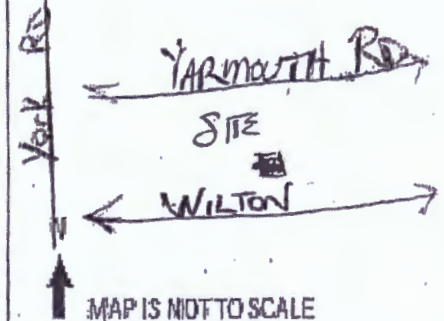
ATTEST: *[Signature]* *[Signature]*

2016-0114-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 516 WILTON RD. OWNER(S) NAME(S) Robert AND PRISCILLA Smith  
 SUBDIVISION NAME WILTONDALE LOT # 122 BLOCK # \_\_\_\_\_ SECTION # 1  
 PLAT BOOK # 0008 FOLIO # 0057 10 DIGIT TAX # 0920660470 DEED REF. # 33353/00001



# SITE VICINITY MAP



ZONING MAP# \_\_\_\_\_  
 SITE ZONED DR 55  
 ELECTION DISTRICT 9  
 COUNCIL DISTRICT 5  
 LOT AREA, ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 8750 SF  
 HISTORIC? NO  
 IN CBCA? NO  
 IN FLOOD PLAIN? NO  
 UTILITIES?, MARK WITH X  
 WATER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 SEWER IS:  
 PUBLIC X PRIVATE \_\_\_\_\_  
 PRIOR HEARING? NO  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



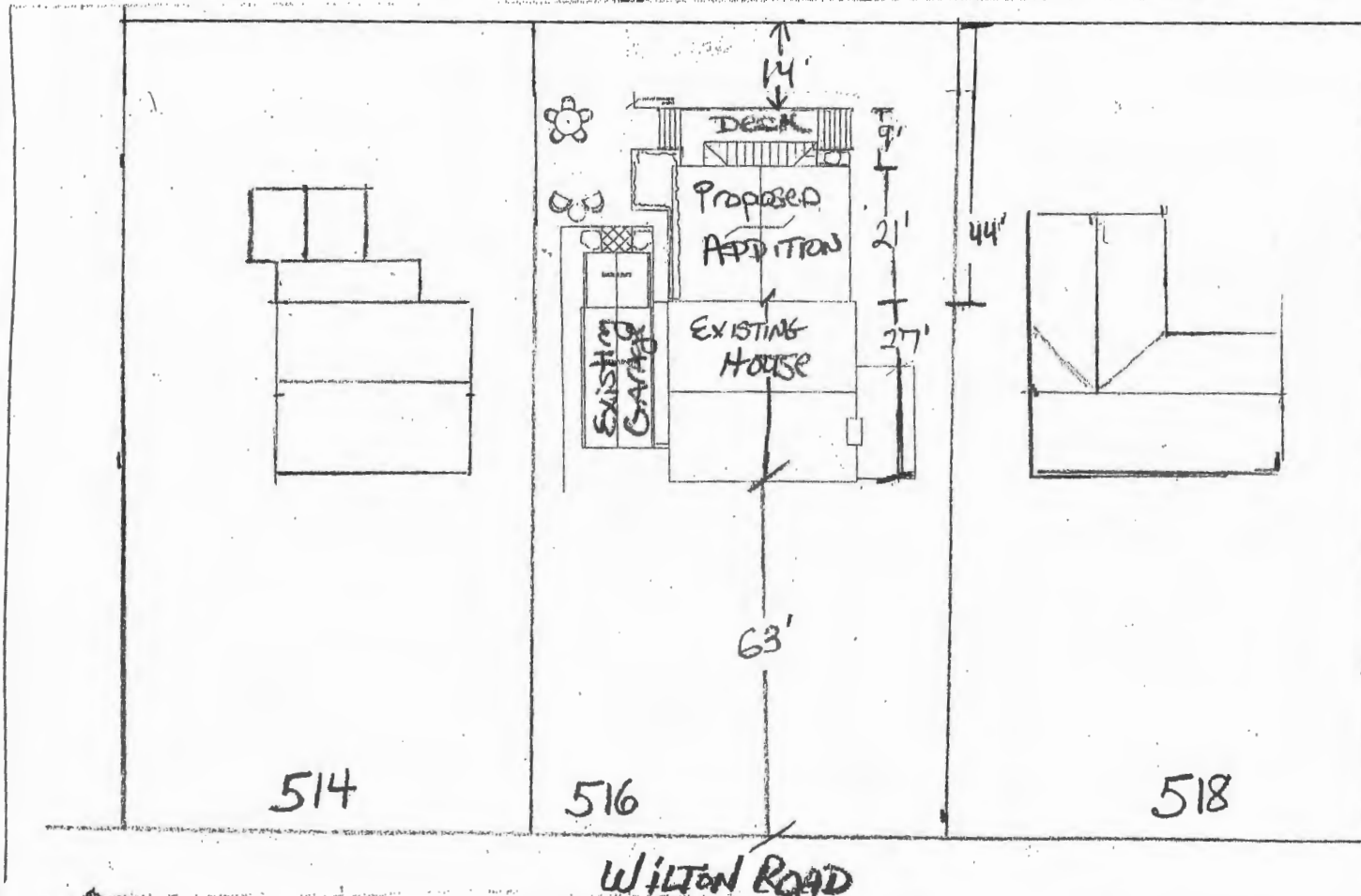
PLAN DRAWN BY Jay M Fox DATE 10-26-15 SCALE: 1 INCH = 30' FEET

2016-0115-A

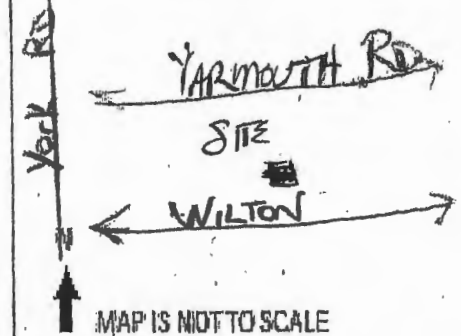
WILTON ROAD



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
ADDRESS 516 WILTON RD. OWNER(S) NAME(S) Robert AND PRISCILLA Smith  
SUBDIVISION NAME WILTONDALE LOT # 122 BLOCK # \_\_\_\_\_ SECTION # 1  
PLAT BOOK # 0008 FOLIO # 0057 10 DIGIT TAX # 0920660470 DEED REF. # 33353/00001



SITE VICINITY MAP



ZONING MAP# \_\_\_\_\_  
SITE ZONED DR 55  
ELECTION DISTRICT 9  
COUNCIL DISTRICT 5  
LOT AREA, ACREAGE \_\_\_\_\_  
OR SQUARE FEET 8750 SF  
HISTORIC? NO  
IN CBCA? NO  
IN FLOOD PLAIN? NO  
UTILITIES? MARK WITH X  
WATER IS:  
PUBLIC X PRIVATE \_\_\_\_\_  
SEWER IS:  
PUBLIC X PRIVATE \_\_\_\_\_  
PRIOR HEARING? NO  
IF SO GIVE CASE NUMBER  
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY Jay M Fox

DATE 10-26-15 SCALE: 1 INCH = 30' FEET

2016-0115-A