MEMORANDUM

DATE:

May 18, 2016

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2016-0225-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 16, 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 ADMIN. VARIANCE (3506 Old Court Road)

3rd Election District 2nd Council District

Jacob L. and Julie L. Blumenfeld

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0225-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Jacob L. and Julie L. Blumenfeld ("Petitioners"). The Petitioners are requesting Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 18 ft. and a sum of both sides of 33 ft. in lieu of the required 25 ft. and 40 ft., respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 26, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information and ORDER RECEIVED FOR FILING

Date	4-15-16	
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photographs submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this <u>15th</u> day of **April**, **2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 18 ft. and a sum of both sides of 33 ft. in lieu of the required 25 ft. and 40 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

ORDER	RECEIVED FOR	FILING
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ADMINISTRATIVE ZONING PETTION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

	<u> </u>
ner(s) Printed Name(s) <u>Julie L. Blumenfeld, Jacob L. Blur</u> (SELECT THE HEARING(S) BY MARKING X AT THE APP	menfeld
(SELECT THE HEARING(S) BY MARKING X AT THE APP	
_	PROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the	he reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situattached hereto and made a part hereof, hereby petition f	ate in Baltimore County and which is described in the plan/plat for an:
1. X ADMINISTRATIVE VARIANCE from Section(s)) (see attachment)
of the zoning regulations of Baltimore County, to the zoni	ing law of Baltimore County.
O ADMINISTRATIVE OPPOSAL PRADING (
2 ADMINISTRATIVE SPECIAL HEARING to applicate type of work in this space: i.e., to	prove a waiver pursuant to Section 32-4-107(b) of the Baltimoraze, 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 reg I/ we agree to pay expenses of above petition(s), advertising, posting, e Baltimore County adopted pursuant to the zoning law for Baltimore County	etc. and further agree to be bound by the zoning regulations and restrictions of
	Owner(s)/Petitioner(s):
	Julie L. Blumenfeld / Jacob L. Blumenfeld
	Name #1 — Type of Print Name #2 – Type of Print
	Signature #1 Signature #2
Attorney for Owner(s)/Petitioner(s)/ING Name- Type or Print Signature HDER	Representative to be contacted:
FORT	Richard E. Matz
Name- Type or Print	Name – Type or Print
Signaturario	Signature
Signation.	•
Mailing Address City State	
Zip Code Telephone # Email Address	
A PUBLIC HEARING having been formally demanded and/or found County, this day of that the subject	I to be required, it is ordered by the Office of Administrative Hearings for Baltima ject matter of this petition be set for a public hearing, advertised, and re-posted
County, thisday of, that the subject required by the zoning regulations of Baltimore County.	
required by the zoning regulations of Baltimore County.	ninistrative Law Judge for Baltimore County

Affidavit in Support of Auministrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

Address: 3506 OVD COURT ROAV
Print or Type Address of property

(see attachment)

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.

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)

City State

(If additional space for the petition request or the above statement is need	ded, label and attach it to this Form)
	1//
Signature of Owner (Affiant) Signature of	f Owner (Affiant)
Julie L. Blumenfeld Jacob L. Bl	(menfeld
Name- Print or Type Name- Print or	
The following information is to be completed by a Notary Publi	c of the State of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:	
I HEREBY CERTIFY, this 12 day of February, 2016, and for the County aforesaid, personally appeared:	, before me a Notary of Maryland, in
Print name(s) here: JULIE L. BLUMENFELD / JACOB L. BLUME	
the Affiant(s) herein, personally known or satisfactorily identified to me as s	such Affiant(s).
AS WITNESS my hand and Notaries Seal	0-2-
Notary Public	
My Commission Expires	REV. 5/8/2014

Zoning Petition Attachment 3506 Old Court Road Baltimore County, Maryland

Variances Requested

To permit a side yard setback of 18 ft. and a sum of both sides of 33 ft. in lieu of the required 25 ft. and 40 ft., respectively.

Affidavit in Support of Administrative Variance

Based upon personal knowledge, the following are the facts upon which we base the request for an Administrative Variance at the above address:

This site is located in the Pikesville area of Baltimore County. The petitioner's property is located on Old Court Road, and is currently improved with an existing two-story single family dwelling which was constructed approximately 65 years ago. The surrounding neighborhood is residential in nature and comprised of similarly sized dwellings. The petitioners purchased the property at 3506 Old Court Road approximately 1 year ago.

The petitioners are requesting variance relief from the Baltimore County Zoning Regulations (BCZR) for the construction and renovation of an existing two story dwelling. The petitioners propose to renovate and build new additions to the existing dwelling to meet growing family demands. The proposed addition will be constructed to match the style of the existing dwelling and maintain the character of the neighborhood.

Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION 3506 Old Court Road Baltimore County, Maryland

Beginning at a point on the South side of Old Court Road, which is 40 feet wide, located 730 feet, more or less, East of the centerline of the nearest improved intersecting street, Stevenson Road, which is 60 feet wide.

- 1. North 83 degrees 46 minutes 34 seconds East 149.63 feet, thence leaving the South side of said Old Court Road,
- 2. South 05 degrees 32 minutes 29 seconds East 485.86 feet to the North side of Ridge Terrace, 50 feet wide, thence binding on the North side of said Ridge Terrace,
- 3. Westerly by a curve to the right having a radius of 800.83 feet, for an arc length of 92.82 feet, the chord of said arc bearing South 86 degrees 22 minutes 10 seconds West 92.77 feet,
- 4. Westerly by a curve to the right having a radius of 3942.15 feet, for an arc length of 57.18 feet, the chord of said arc bearing North 89 degrees 53 minutes 40 seconds West 57.18 feet, and thence leaving the North side of said Ridge Terrace,
- 5. North 05 degrees 32 minutes 29 seconds West 475.36 feet to the place of beginning.

Containing 1.657 Acres more or less.

Located in the 3rd Election District and 2nd Councilmanic District. Known as 3506 Old Court Road.

Professional Certification

I hereby certify that these documents were prepared or approved by me, and licensed professional engineer under the laws of the State of Maryland.

License No. 13203 Expiration Date: 11/02/2016

MARCH 17, 2016

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/26/2016

Case Number: 2016-0225-A

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, INC. ~

JULIE & JACOB BLUMENFELD

Date of Hearing (Closing): APRIL 11, 2016

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: 3506 OLD COURT ROAD

The sign(s) were posted on: MARCH 26, 2016



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2016-	0225	-A	Address _	3506	Old Court	RD.	_
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DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/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 legal owner/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:
Case Number: 2016-0225 - A
Property Address: 35506 010 COURT RD
Property Description: Two STORY SINGE FAMILY PUBLISHS
Legal Owners (Petitioners): JULIE JACAB PLUMEN FELD
Contract Purchaser/Lessee: CMZ
PLEASE FORWARD ADVERTISING BILL TO:
Name: COLBERT MATZ ROSEN FELT
Company/Firm (if applicable):
Address: 2935 SMITHAVE
BAILTIMORE, MD. 21208
Telephone Number: 40 - 653 - 3838

Revised 5/20/2014





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KEVIN KAMENETZ County Executive

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

April 12, 2016

Julie L & Jacob L Blumenfeld 3506 Old Court Road Baltimore MD 21208

RE: Case Number: 2016-0225 A, Address: 3506 Old Court Road

Dear Mr. & Ms. Blumenfeld:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 18, 2016. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209

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Boyd K. Rutherford, Lt. Governor

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

Date: 3/28/16

Ms. Kristen Lewis
Baltimore, County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 3/26/16 A field inspection and internal review reveals that an entrance onto 1/26/16 Consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-02-25-14.

3506012 Court Road. Julie & Facob Blumonfeld.

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

Sincerely,

David W. Peake

Metropolitan District Engineer Baltimore & Harford Counties

DWP/RAZ

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Office of Administrative Hearings 105 West Chesapeake Avenue, Suite 103 Jefferson Building Towson, Maryland, 21204

Hasler

FIRST-CLASS MAIL

04/16/2016

Return Service Requested



ZIP 21204 011D12603654

RECEIVED

APR 2 2 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Jacob L. and Julie L. Blumenfeld 3506 Old Court Road Baltimore, MD 21208

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TEMPORARILY AWAY

BC: 21204471028 *0727-03382-17-40

21204@4710 CLH-S58 212



From:

Bruno P Rudaitis

Sent: Thursday, April 14, 2016 12:50 PM

To: Debra Wiley
Subject: case 2016-0225-A

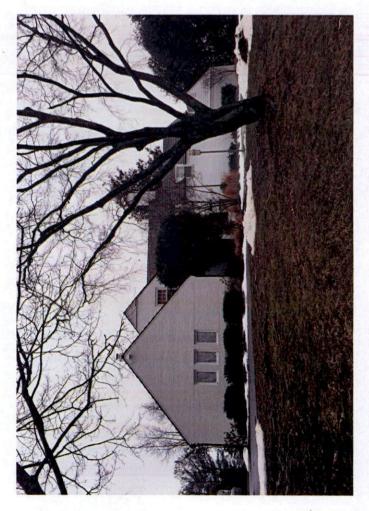
The Section number is 1802.3.C.1, BCZR to permit a side yard setback of 18 ft. and a side yard combination of 33 ft. in lieu of the required 25 ft. and 40 ft., respectively.



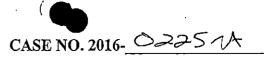








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CHECKLIST

Comment <u>Received</u>	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
3-29	DEPS (if not received, date e-mail sent)	NC
	FIRE DEPARTMENT	<u> </u>
	PLANNING (if not received, date e-mail sent)	
3-28	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	. ADJACENT PROPERTY OWNERS	·
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PRIOR ZONING	(Case No.)
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Comments, if any:		



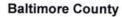


Real Property Data Search (w1)

Guide to searching the database

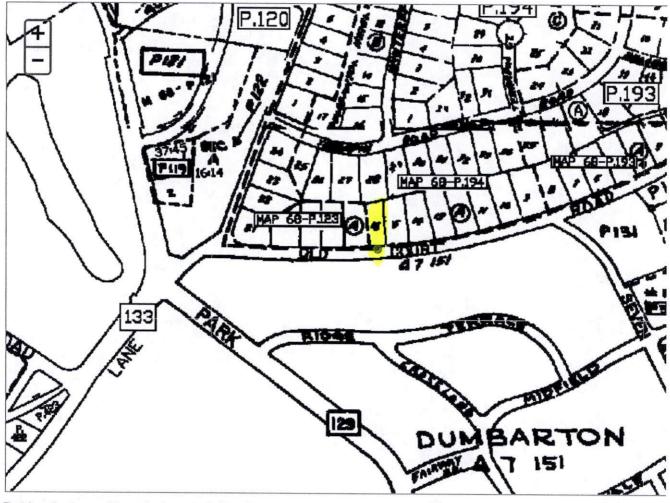
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New Search (http://sdat.dat.maryland.gov/RealProperty)

District: 03 Account Number: 0307050072



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (http://www.plats.net).

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), which is the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml), which is the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml), which is the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml).

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



MAR 2 9 2016

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:

March 29, 2016

SUBJECT:

DEPS Comment for Zoning Item

2016-0225-A

Address

3506 Old Court Road (Blumenfeld Property)

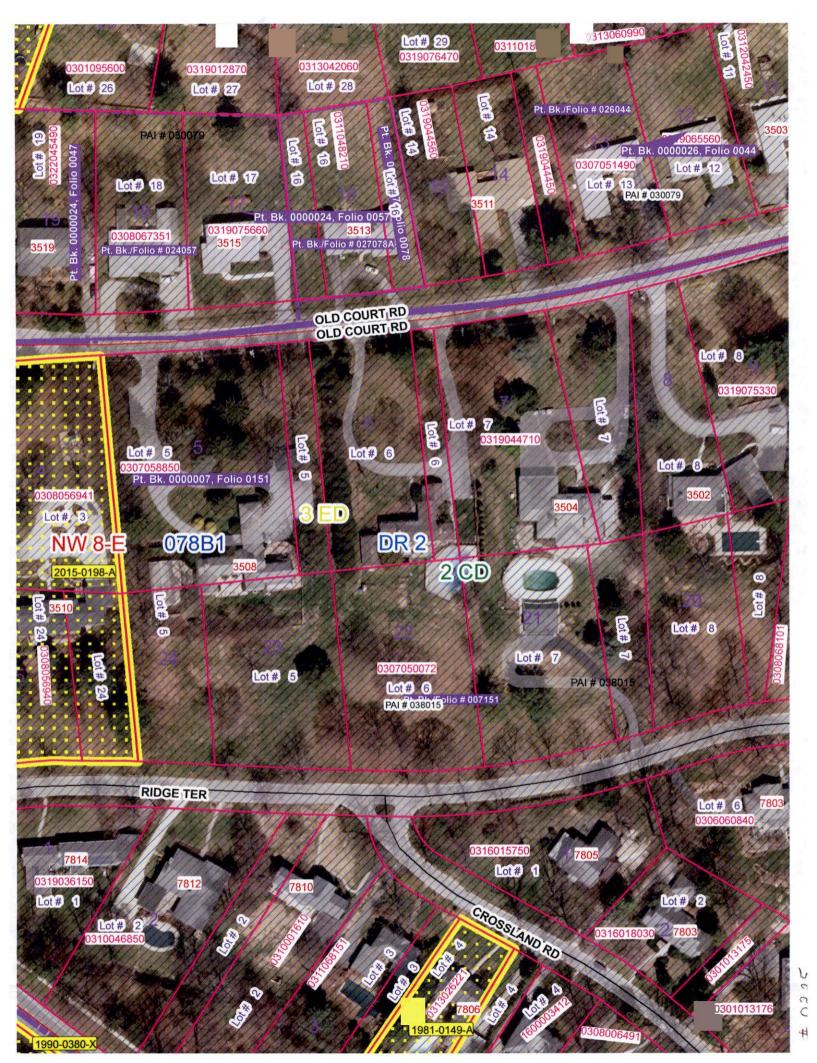
Zoning Advisory Committee Meeting of April 4, 2016.

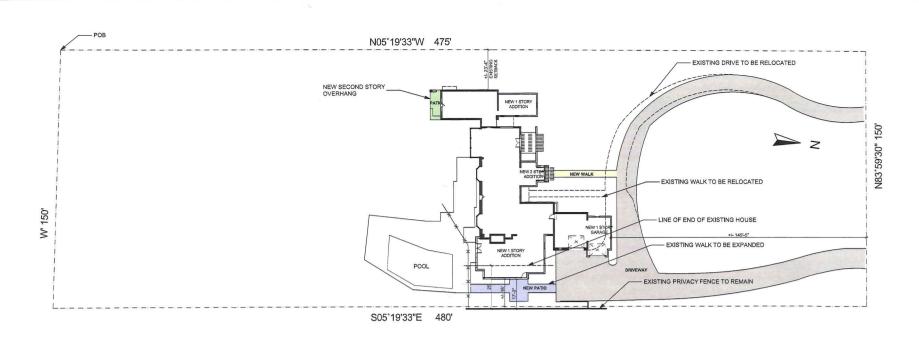
X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Steve Ford

Date: 03-29-2016





12/30/2015 BID SET

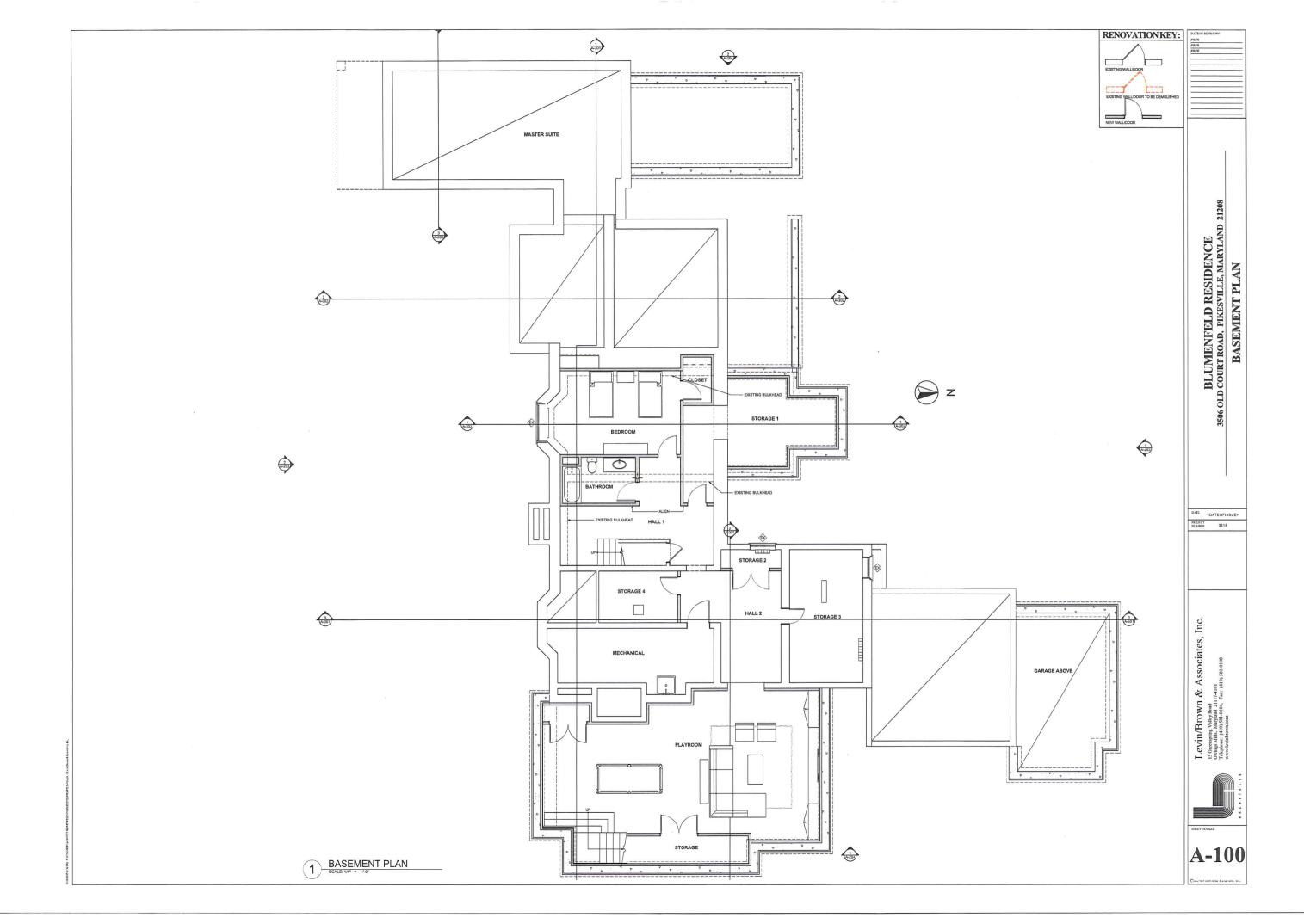
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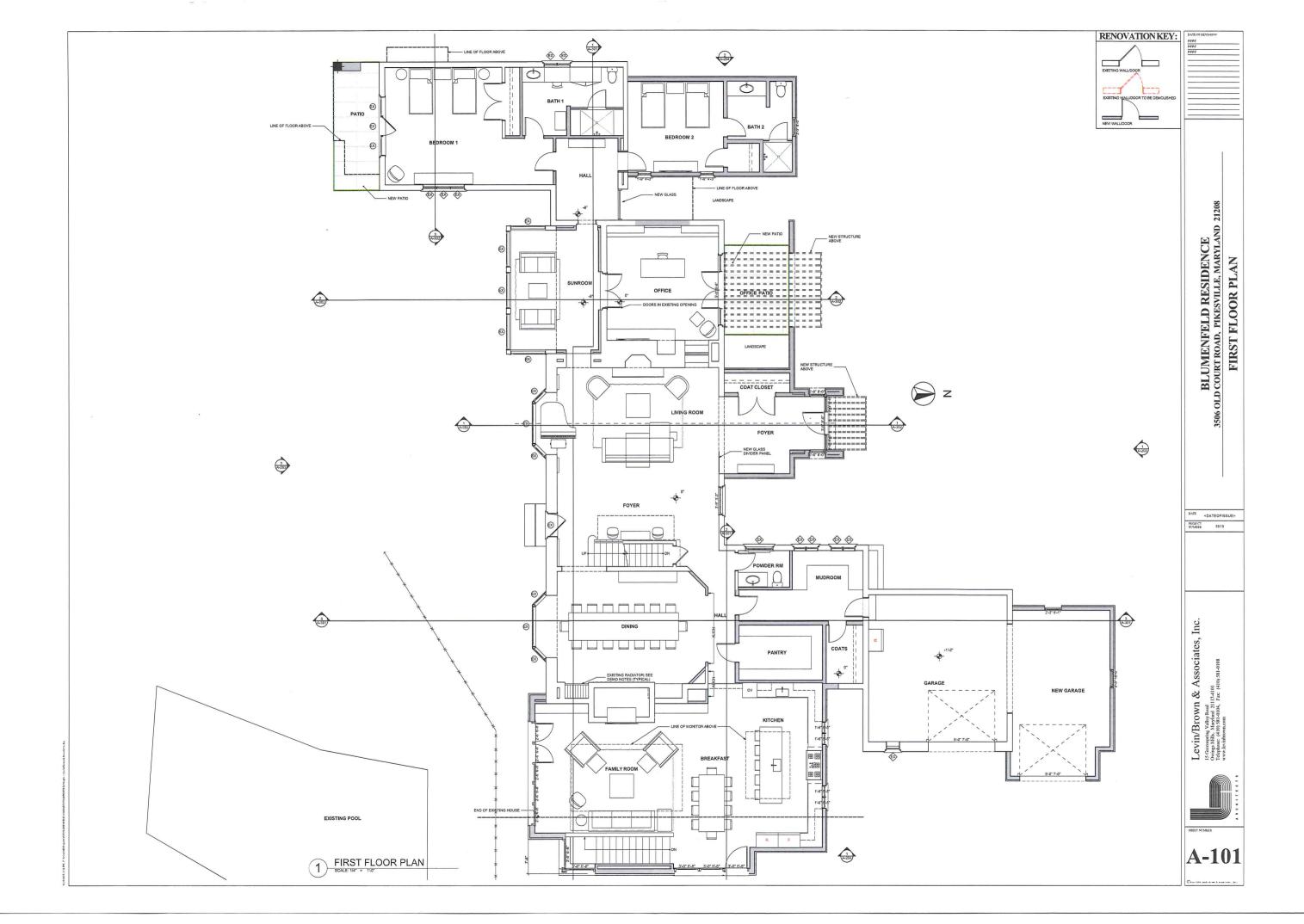
SITE PLAN
SCALE: 1" = 20"

BLUMENFELD RESIDENCE 3506 OLD COURT ROAD PIKESVILLE MARYLAND 21208

	OWNER: Blumenfeld 3506 Old Court Road Pikesville, Maryland 21208	ARCHITECT: Levin/Brown & Associates, Inc. 15 Greenspring Valley Road Owings Mills, Maryland 21117	CIVIL ENGINEER: Company Name Street City, State ZIP	STRUCTURAL ENGINEER: Levin/Brown & Associates, Inc. 15 Greenspring Valley Road Owings Mills, Maryland 21117	MECHANICAL & ELECTRICAL ENGINEER Company Name Street City, State ZIP	KITCHEN CONSULTANT: Company Name Street City, State ZIP	DATE «DATEOFISSUE» PROJECT NUMBER 3515
	Contact Phone: (000) 000-0000 Fax: (000) 000-0000	Erica Wunderlich. Project Architect Phone: (410) 581-0104 Fax: (410) 581-0108	Contact Phone: (000) 000-0000 Fax: (000) 000-0000	Murray Weiner Phone: (410) 581-0104 Fax: (410) 581-0108	Contact Phone: (000) 000-0000 Fax: (000) 000-0000	Contact Phone: (000) 000-0000 Fax: (000) 000-0000	Inc.
arkhovering I's,			LIST OF SITE PLAN DRAWINGS C-1 Site Plan		LIST OF MECHANICAL DRAWINGS M-1 Mechanical Floor Plan LIST OF PLUMBING DRAWINGS P-1 Plumbing Floor Plan	LIST OF KITCHEN EQUIPMENT DRAWINGS K-1 Kitchen Equipment Plan	Levin/Brown & Associates, I is Greensmin Valley Read 174101 Owings Milk. Maryland 211174101 Archive. Trefebree: (1615) 581-0108 www.devinforom.com
SSECUENTED PROMODER REPORTED HOUSE CLOSED					LIST OF ELECTRICAL DRAWINGS E-1 Electrical Floor Plan		SHET NAMER
27920K, 212 PK, F'AchCAD ProjectiVH							CS-1

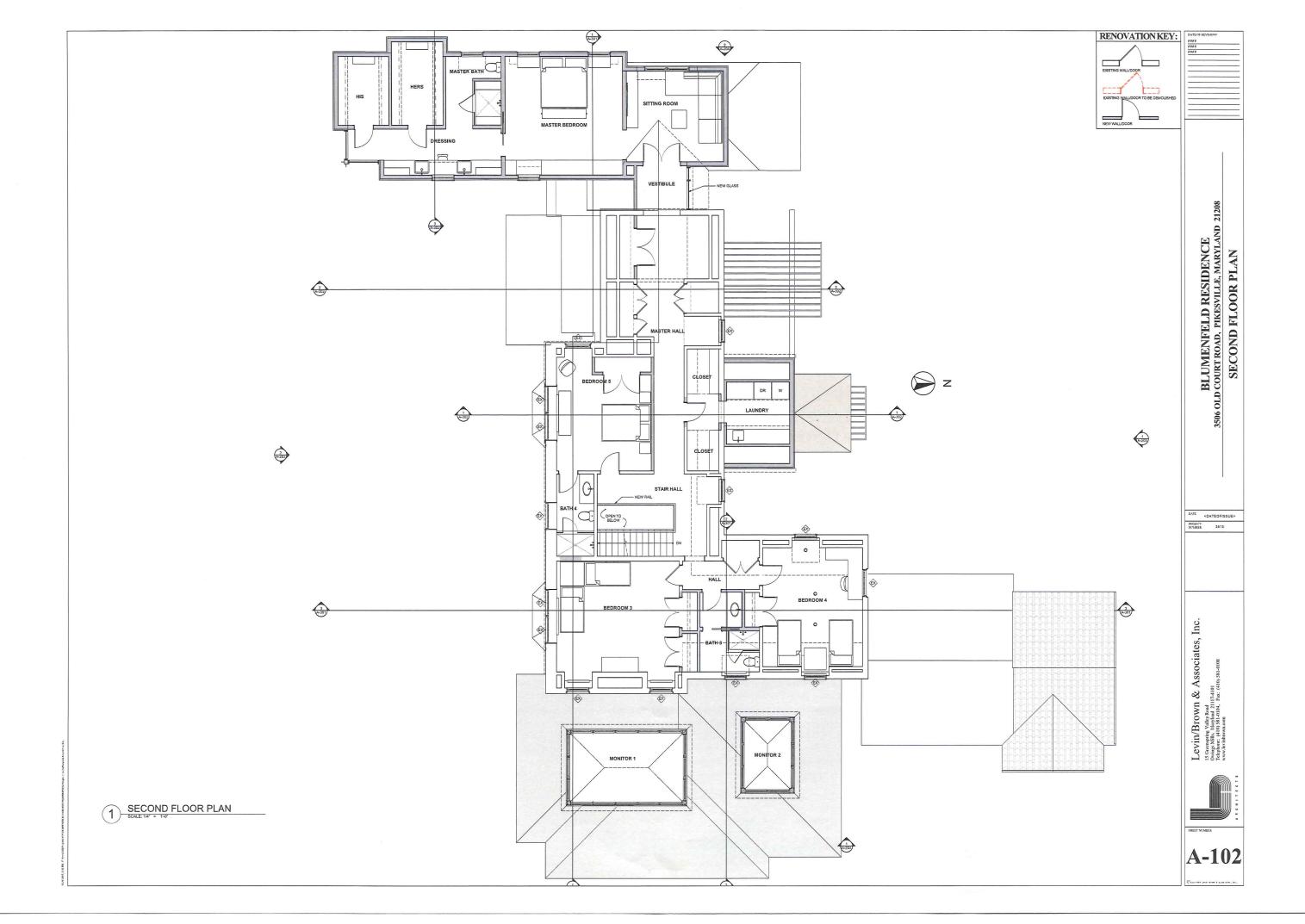


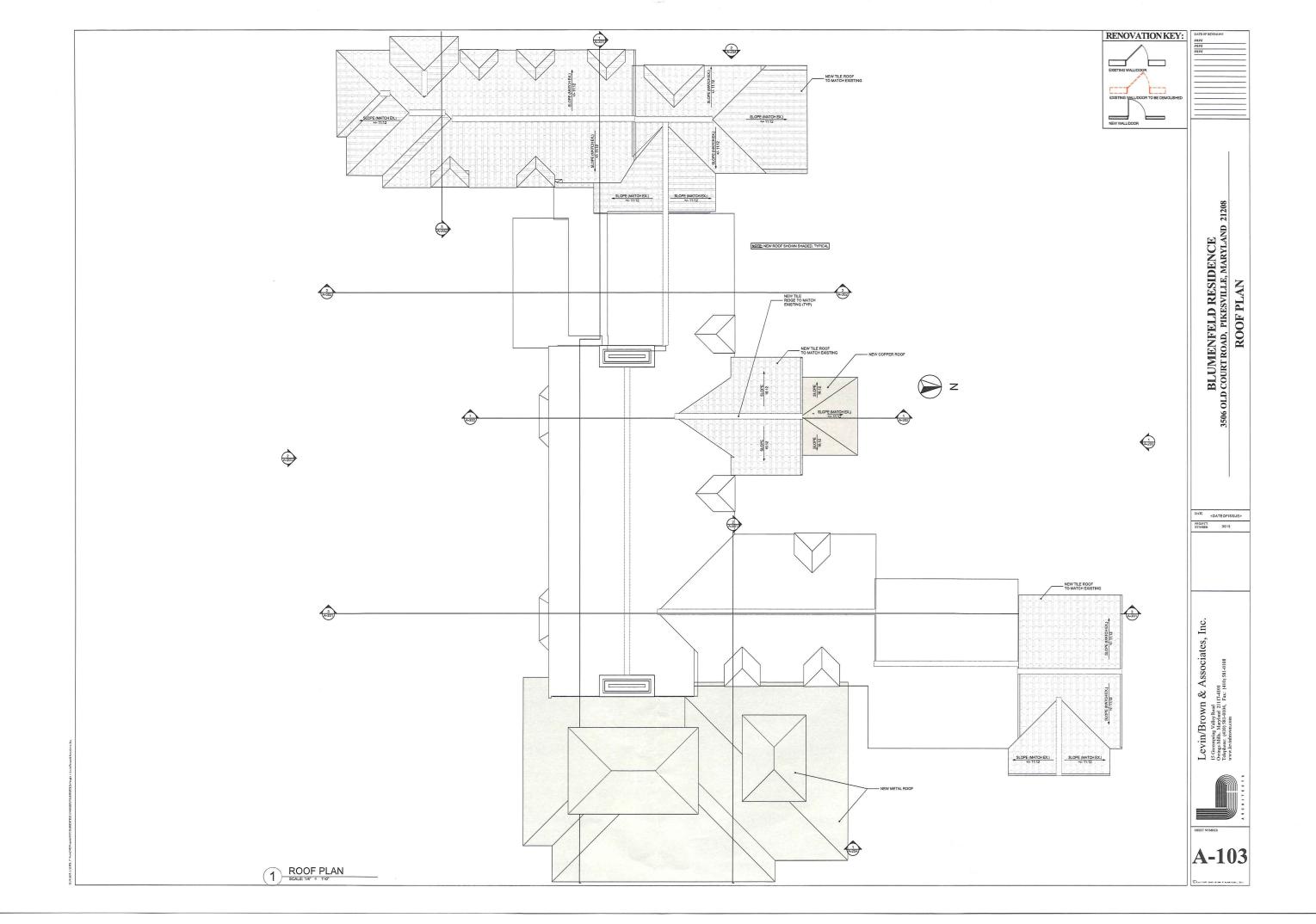
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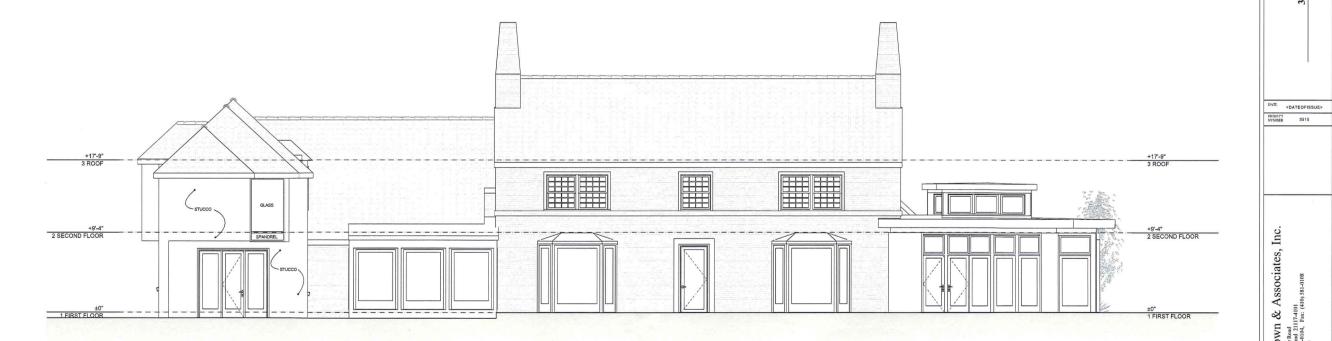


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BLUMENFELD RESIDENCE 3506 OLD COURTROAD, PIKESVILLE, MARYLAND 21208 EXISTING ELEVATIONS



1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

Levin/Brown & Associates, Inc. 15 Greenspring Valley Road Oring, Mills, Maryland 2117-4101 Telephone (410) \$81,0104, Faz. (410) \$81,0108 www.levinbrown.com



