MEMORANDUM

DATE:

October 17, 2017

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2018-0053-A - Appeal Period Expired

The appeal period for the above-referenced case expired on October 16, 2017. 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 * (3507 Northridge Drive)

(3507 Northridge Drive)
3rd Election District

2nd Council District Larry M. & Susan E. Weissman

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2018-0053-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Larry M. and Susan E. Weissman ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B02.3.B [1954 Regs.] of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an addition with a side street setback of 24 ft. in lieu of the required 30 ft. 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 received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 27, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("B.C.C."). 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

UNDER RECEI	The Collination
Date	9-14-17
By	pu

ORDER RECEIVED FOR EILING

general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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>14th</u> day of **September**, **2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.B [1954 Regs.] of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an addition with a side street setback of 24 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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	7-14-17	NAME AND ADDRESS OF
Du	(0)	



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

	for Baltimore County for the property located at: Currently zoned bk 2
Deed Reference 09958 / 00357 Owner(s) Printed Name(s) Weissman, Larry M	10 Digit Tax Account # 0 3 2 3 0 5 4 2 3 0 Weissman, Sycapa E
(SELECT THE HEARING(S) BY MARKING $\overline{\mathbf{X}}$ AT THE APPRO	PRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the r	reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situate attached hereto and made a part hereof, hereby petition for	an:
1. ADMINISTRATIVE VARIANCE from Section(s)	302.3.B BEZR (1954 Regs.)
To permit an addition with a in lieu of the required 30!	side street setback of 24'
of the zoning regulations of Baltimore County, to the zoning	law of Baltimore County.
2 ADMINISTRATIVE SPECIAL HEARING to approach County Code: (indicate type of work in this space: i.e., to raz	ove a waiver pursuant to Section 32-4-107(b) of the Baltimore ze, alter or construct addition to building)
of the Baltimore County Code, to the development law of Ba Property is to be posted and advertised as prescribed by the zoning regular / we agree to pay expenses of above petition(s), advertising, posting, etc. a Baltimore County adopted pursuant to the zoning law for Baltimore County.	tions. and further agree to be bound by the zoning regulations and restrictions of
	Owner(s)/Petitioner(s): Weissman, Larry M, Weissman, Susan E Name #1 - Type or Print Name #2 - Type or Print
ALTERIA MOST S	Signature #1 Signature #2 3507 Northridge or kery le MD Mailing Address City State 21208 1 443-253-4146 Reterpanworkshop @
Attorney for Owner(s)/Petitioner(s):	Zip Code Telephone # Email Address Verizor n Representative to be contacted:
Name- Type or Print	Name – Type or Print
Signature Signature	Signature
Name- Type or Print Signature Mailing Address Figure 4 Figure 4 Figure 5 Figure 6 Figure 6 Figure 7 Figure	Mailing Address City State
Zip Code Email Address	Zip Code Telephone # Email Address
County, thisday of, that the subject required by the zoning regulations of Baltimore County.	be required, it is ordered by the Office of Administrative Hearings for Baltimore matter of this petition be set for a public hearing, advertised, and re-posted as trative Law Judge for Baltimore County
20/2.45	Karana and American

CASE NUMBER 2018 - 0053 - A Filing Date 8 /5 / 17 Estimated Posting Date 8 /27 / 17

Reviewer_

Affidavit in Support of Administrative Variance

(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: 3507 Northridge or PiNesville MO 21208 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 <u>practical difficulty or hardship</u> here)
My Mom recently became a widower She had to permanent move in with us. Due to her physical and medical conditions to provide her with a needs constant care that we want to provide her with a need toput in a small addition to accomplate her needs. The we are requesting the approval for a ten foot humpout facing by hane. Existing set hocklis It. I to property line Therefore ware requesting approval for an additional 5'10".
(If additional space for the petition request or the above statement is needed, label and attach it to this Form)
Signature of Owner (Affiant) Larry M. Welssman Name-Print or Type Signature of Owner (Affiant) 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 day of
Print name(s) here: Lally M. Welssman, Susan Welssman
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notaries Seal Notary Public
LINDA FIELDS /0/02/2020
Notary Public My Commission Expires Baltimore County

Maryland My Commission Expires Oct. 02, 2020 REV. 5/5/2016

Affidavit in Support of Administrative Variance (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.

and occupied by the undersigned.
Address: 3507 Northridge Dr Pikeville MP 2/208 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 <u>practical difficulty or hardship</u> here)
My Mom recently became a widower. She had to permanently move in with us. Due to her physical and medical medical condition. She needs Constant care that w want to provide her with. We need to put in a small addition to accompate her needs. Thus, we are requesting the approval for a ten feet bump out facing by lance Existing set book is 124.2 to property line therefore we are requesting approval for an ladditional x'10".
(If additional space for the petition request or the above statement is needed, label and attach it to this Form) Lam Limina Weissman Signature of Owner (Affiant) Name-Print of Type 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
Print name(s) here: Larry M. Weissman, Susan Weissman
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s). AS WITNESS my hand and Notaries Seal Notary Public
LINDA FIELDS Notary Public Baltimore County My Commission Expires

Maryland
My Commission Expires Oct. 02, 2020

REV. 5/5/2016



CASE NUMBER 2018 - 0053 - 4

Filing Date

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: 3507 Address Currently zoned DR Deed Reference 0995 Owner(s) Printed Name(s) 从 (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. 1 ADMINISTRATIVE VARIANCE from Section(s) 1802. 3. B BCZQ, (1954 Regs) To permit an addition with a side street setback in lieu of the required 30. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County 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): Name #1 - Type or Print Signature #1 Signature # 2 Mailing Address Zip Code Attorney for Owner(s)/Petitioner(s): Representative to be contacted: RDER RECEIVED FOR FILING Name- Type or Print Name - Type or Print Signature Signature State Mailing Address City State Zip Code Telephene # Email Address Zip Code Telephone # **Email Address** A PUBLIC BEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this day of 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

Estimated Posting Date 7 27

ZONING PETITION PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR 3507 NORTHRIDGE DRIVE, PIKESVILLE, MD 21208

BEGINNING AT A POINT ON THE SOUTHEAST CORNER OF INTERSECTION SIDE OF NORTHRIDGE DRIVE WHCH IS 50FT WIDE AT A DISTANCE OF 25FT EAST OF THE CENTERLINE OF THE NEAREST INPROVED INTERSECTING STREET "IVY LANE, WHICH IS 50FT WIDE.

BEING LOT #14, SECTION "E" IN THE SUBDIVISION OF "LONG MEADOW" IN BALTIMORE COUNTY, PLAT BOOK #19, FOLIO 139 CONTAINING 22,506SF, OF LOT. LOCATED ON THE 3RD ELECTION DISTRICT AND 2ND COUNCIL DISTRIC.

OWNERS / PETITIONERS:

WEISSMAN LARRY M

WEISSMAN SUSAN E

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/29/2017

Case Number: 2018-0053-A

Petitioner / Developer: LARRY & SUSAN WEISSMAN

Date of Hearing (Closing): SEPTEMBER 11, 2017

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:

3507 NORTHRIDGE DRIVE

The sign(s) were posted on: AUGUST 27, 2017





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 2018- 0053 -A Address 3507 NORTHRIDGE DR.
Contact Person: Jun Fernance . Phone Number: 410-887-3391
Planner. Please Print Your Name
Filing Date: 8/15/17 Posting Date: 8/27/17 Closing Date: 9/11/17
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2018- 0053 -A Address 3507 NORTHRIDGE DR.
Petitioner's Name Larry & Susan Weissman Telephone 443-253-4146
Posting Date: 8/27/17 Closing Date: 9/11/17
Wording for Sign: To Permit an addition with a side street setback
Wording for Sign: To Permit an addition with a side street setback of 24' in lies of the required 30.

Revised 6/30/2018

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 twenty (20) 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: 2018-0053-A Property Address: 3507 NORTH RIDGE On PIKESVILLE, MD 21208 Property Description:
Legal Owners (Petitioners): WEISSMAN LARRY, WEISSMAN SUSAN Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO: Name: WEISSMAN SUSAN & LARRY Company/Firm (if applicable): Address: 3507 NORTH RIDGE DA. PIKESVILLE, MD 21208
Telephone Number: 6/ 443 - 253 - 4146



KEVIN KAMENETZ County Executive

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

September 12, 2017

Larry M & Susan E Weissman 3507 Northdridge Drive Pikesville MD 21208

RE: Case Number: 2018-0053 A, Address: 3507 Northridge Road

Dear Mr. & Ms. Weissman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 15, 2017. 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

9-11

RECEIVED

AUG 2 5 2017

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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:

August 25, 2017

SUBJECT:

DEPS Comment for Zoning Item

2018-0053-A

Address

3507 Northridge Drive

(Weissman Property)

Zoning Advisory Committee Meeting of August 28, 2017.

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

Reviewer:

Steve Ford

Date: 8-25-2017



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater

Date: 8/23/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2013 - 0053 - 4

Aministratice Variouse Lavy M. & Susai E. Weissman 3507 Northridge Drive-

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,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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:

August 25, 2017

SUBJECT:

DEPS Comment for Zoning Item

2018-0053-A

Address

3507 Northridge Drive (Weissman Property)

Zoning Advisory Committee Meeting of August 28, 2017.

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

Reviewer:

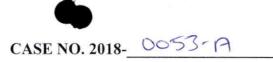
Steve Ford

Date: 8-25-2017

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-PAID RECEIPT

ACTUAL TIME 1/15/2017 10:21:26 OH CAN **51** 8/15/2017 ZONING VERIFICATION ***75.00** \$.QQ CA County, Maryland



CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	-
8-25	DEPS (if not received, date e-mail sent)	NC
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
8-23	STATE HIGHWAY ADMINISTRATION	No objection
-	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ON (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	ZERTISEMENT Date:	
SIGN POSTING	Date: 8-27-17	by O'Keefe
PEOPLE'S COUNS		
PEOPLE'S COUNS	EL COMMENT LETTER Yes \square No \square	
Comments, if any: _		
F. 10		

Case Number: 2018-0053-A

Primary Use: RESIDENTIAL

Reviewer: FernandoBonifac

io

Type: ADMISTRATIVE VARIANCE

Larry M & Susan E Weissman Legal Owner:

Contract Purchaser

Flood Plain: No Historic No Critical Area: No

Election Dist Third

Councilmanic Dist Second

Property Address: 3507 Northridge DRIVE

Location: SE corner of Northridge Drive and Ivy Lane at a distance of 25 ft. E of the centerline of Ivy Lane

Existing Zoning:

Area: 22,506 sq. ft.

Proposed Zoning: ADMISTRATIVE VARIANCE:

To permit an addition with a side street setback of 24 ft. in lieu of the required 30 ft.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 9/11/2017 12:00:00AM

Miscellaneous:



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Real Property Data Search

Search Result for BALTIMORE COUNTY

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587°47'30"E 116.93"

OR SQUARE FEET 22,506 SF UTILITIES? MARK WITH X

PLANS DRAWN BY MIKE COH

507 Northridge Dri. €

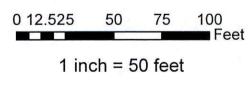


Publication Date: 7/19/2017



Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





OR SQUARE FEET 22,506 SF UTILITIES? MARK WITH'X. AND ORDER RESULT BELOW