

M E M O R A N D U M

DATE: January 8, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0157-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 7, 2019. 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

/dlw

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(8500 Topping Road) *
3rd Election District * OFFICE OF ADMINISTRATIVE
2nd Council District *
Benjamin M. Hoffman * HEARINGS FOR
Petitioner * BALTIMORE COUNTY
* CASE NO. 2019-0157-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 owner of the property, Benjamin M. Hoffman (“Petitioner”). The Petitioner is requesting Variance relief pursuant to §§ 1B02.3.B and 1B01.2.C.4, 1974 regs.) of the Baltimore County Zoning Regulations (“BCZR”) to permit a side yard addition (garage) with a 19' street setback in lieu of 40', a 53' street center line setback in lieu of 75', and to allow an accessory structure (pool & pool house) to be located in the closest third in lieu of the farthest third on the lot removed from any street, and to amend the Final Development Plan (“FDP”) of Stanton Woods. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s 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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 17, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 12-7-18

By bw

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). 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, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed accessory structure (pool house), I will impose conditions that the pool house shall not be converted into a dwelling unit or apartment, nor contain any sleeping quarters, living area, or kitchen facilities.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 7th day of **December, 2018** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 1B02.3.B and 1B01.2.C.4, 1974 regs., of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard addition (garage) with a 19' street setback in lieu of 40', a 53' street center line setback in lieu of 75', and to allow an accessory structure (pool & pool house) to be located in the closest third in lieu of the farthest third on the lot removed from any street, and to amend the Final Development Plan ("FDP") of Stanton Woods, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

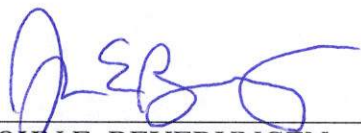
Date 12-7-18

By [Signature]

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.
2. Petitioner or subsequent owners shall not convert the accessory structure (pool house) into a dwelling unit or apartment. The accessory structure (pool house) shall not contain any sleeping quarters, living area, or kitchen facilities.

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 12-7-18

By lw



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 8500 Topping Road Currently zoned DRI
Deed Reference 40390 1 00108 10 Digit Tax Account # 17 000 03736
Owner(s) Printed Name(s) Benjamin M Hoffman

(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:

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1302.3.B (1301.2.C.4, 1974)
To permit a side yard addition (garage) with a 19 foot street setback in lieu 40 feet, a 53 foot street centerline setback in lieu of 75 feet, a ~~36 foot side yard set back in lieu of 50 feet~~, and to allow an accessory structure (pool & pool house) to be located in the closest third in lieu of the farthest third of the lot removed from any street, and to amend the Final Development Plan (FDP) of Stanton Woods.
- ☐ **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):

Benjamin M Hoffman

Name #1 – Type or Print

Name #2 – Type or Print

Benjamin M Hoffman

Signature #1

Signature #2

8500 Topping Rd Pikesville, MD

Mailing Address

City

State

21208

Zip Code

410 486-7344 BENBAN@comcast.net

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Mitch Kellman, DMW, Inc

Name – Type or Print

Mitch Kellman

Signature

501 Fairmount Ave Towson, MD

Mailing Address

City

State

21286 410-296-3333 mickellman@dmw.com

Zip Code

Telephone #

Email Address

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 12-7-18 day of Dec, 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 2019-0157-A Filing Date 11/8/18 Estimated Posting Date 11/18/18 Reviewer JS

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: 8500 Topping Road Balto. MD 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 practical difficulty or hardship here)

There is a limited area to place an accessory structure ^{due} to lot being a corner and that the lot narrows moving further away from the side street (irregular rear property line + shape of lot limits location of pool and pool house). Existing side of building placed on side building restriction line creates no room for expansion and the expansion of existing garage functioning from side street. The side (north) property line is jangled (irregular - shaped lot) which decreases side yard depth. Existing topography decreases going towards north of rear yard forming a slope or hill where pool is allowed to be located without a variance.

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

x Benjamin M. Hoffman
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Benjamin M. Hoffman
Name- Print or Type

Name- Print or Type

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

x STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of October 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: BENJAMIN M. HOFFMAN

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

AS WITNESS my hand and Notaries Seal



Marked Mark
Notary Public
9/8/2020
My Commission Expires



of development but, otherwise, which forms any part of the tract boundary, the window shall not be closer than 35 feet to the boundary.

- b. Except as otherwise may be provided under standards adopted pursuant to the authority of Section 504, the minimum distance between the centers of facing windows of different dwelling units on the same subdivision tract shall be 40 feet.

[Bill No. 100, 1970.]

3. Setbacks from Street Centerlines. The minimum distance between any building and the centerline of any street existing prior to the time of development shall be 50 feet or such greater distance as may be prescribed under standards adopted pursuant to the authority of Section 504. [Bill No. 100, 1970.]
4. Minimum Area Standards in Residential Transition Areas. Dwellings (no other principal building permitted) and accessory buildings in residential transition areas, if designated under Subparagraph 1B01.1.B.1 as Group I, Group II, or Group III uses, shall be situated on lots in accordance with the standards set forth in the table below and with the provisions of Section 400, respectively. No more than one principal building shall be situated on any lot in such a residential transition area.

Residential Transition Uses to Which Lot is Limited under Subparagraph B.1 of Subsection 1801.1	Zone Within Which Adjacent Dwelling or Lot is Situated	Minimum Standards for Dwelling Permitted					
		Minimum Lot Area, in Square Feet	Minimum Lot Width, in Feet	Minimum Distance from Building to Centerline of Any Street, in Feet	Minimum Rear-Yard Depth in Feet	Minimum Width of Any Side Yard (Except as Otherwise Provided, as on a Corner Lot), in Feet	Minimum Sum of Widths of Side Yards for Any Detached Building
Group I uses	D.R. 1	25,000	125	75	50	20	50
" " "	D.R. 2	13,000	90	65	40	15	30
" " "	D.R. 3.5	7,500	70	55	30	10	25
" " "	D.R. 5.5	5,700	55	50	30	8	20
Group II or Group III uses	D.R. 1 D.R. 2 D.R. 3.5 D.R. 5.5 D.R. 10.5	Two-Family Detached Dwelling	Two-Family Detached Dwelling	50	30	One- or Two-Family Detached Dwelling	20
		One-Family Detached Dwelling	One-Family Detached Dwelling			One-Family Semidetached Dwelling	
		One-Family Semidetached Dwelling	One-Family Semidetached Dwelling			Group House, or Group-House Apartment Building	
		Group House	Group House				
		Group-House Apartment Building	Group-House Apartment Building				
		per dwelling unit	per dwelling unit				
		70	70				
		55	55			8	
		35	35			15	
		20	20				

ZONING DESCRIPTION
For
8500 Topping Road
Baltimore County Tax Map 0068, Parcel 0449
Baltimore County, Maryland

Beginning at a point on the west side of Topping Road, which has a 50-foot right-of-way width, at a distance of 35 feet north of the centerline of Keyser Road, which has an approximate 70-foot right-of-way width;

Being Lot Number 23, of the "Stanton Woods" Subdivision as recorded in Baltimore County Plat Book Number 37, Folio 144, containing 29,926 square feet or .69 of an acre; and

also known as 8500 Topping Road and located in the 3rd Election District and 2nd Councilmanic District.

2019-0157-A

CERTIFICATE OF POSTING

Date: 11-17-18

RE: Case Number: 2019-0157-A

Petitioner/Developer: HOFFMAN

Date of Hearing/Closing: 12-3-18

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 B500 TOPPING Rd

The signs(s) were posted on 11-17-18
(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

#1

ADMINISTRATIVE VARIANCE

CASE # 2019-0157-A

TO PERMIT A SIDE YARD ADDITION (GARAGE)
WITH A 19-FOOT ^{STREET} SETBACK IN LIEU OF 40 FEET, A 53-FOOT STREET
CENTERLINE SETBACK IN LIEU OF 75 FEET, A 36-FOOT SIDE YARD SUM
SETBACK IN LIEU OF 50 FEET AND TO ALLOW AN ACCESSORY STRUCTURE (POOL
& POOL HOUSE) TO BE LOCATED IN THE CLOSEST THIRD IN LIEU OF THE
FARTHEST THIRD OF THE LOT REMOVED FROM ANY STREET AND TO AMEND
THE FINAL DEVELOPMENT PLAN (FDP) OF STANTON WOODS

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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 12/3/18

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
UNDER PENALTY OF LAW

ZONING NOTICE

#2

ADMINISTRATIVE VARIANCE

CASE # 2019-0157-A

TO PERMIT A SIDEYARD ADDITION (GARAGE) WITH A 19-FOOT
STREET SETBACK IN LIEU OF 40 FEET, A 53-FOOT STREET CENTERLINE SETBACK
IN LIEU OF 75 FEET, A 36-FOOT SIDEYARD SOH SETBACK IN LIEU OF 50 FEET,
AND TO ALLOW AN ACCESSORY STRUCTURE (POOL + POOL HOUSE) TO BE LOCATED
IN THE CLOSEST THIRD IN LIEU OF THE FARTHEST THIRD OF THE LOT RE-
MOVED FROM ANY STREET, AND TO AMEND THE FINAL DEVELOPMENT
PLAN (FDP) OF STANTON WOODS

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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 12/3/18 ☺

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0157 -A Address 8500 TOPPING ROAD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/8/18 Posting Date: 11/18/18 Closing Date: 12/3/18

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 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 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 2019- 0157 -A Address 8500 TOPPING ROAD, 21208

Petitioner's Name HOFFMAN Telephone 410-486-7344

Posting Date: 11/18/18 Closing Date: 12/3/18

Wording for Sign: _____

To permit a side yard addition (garage) with a 19 foot street setback in lieu 40 feet, a 53 foot street centerline setback in lieu of 75 feet, a 36 foot side yard sum setback in lieu of 50 feet, and to allow an accessory structure (pool & pool house) to be located in the closest third in lieu of the farthest third of the lot removed from any street, and to amend the Final Development Plan (FDP) of Stanton Woods.

Revised 6/30/2019

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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: 2019-0157-A
Property Address: 8500 Topping Rd
Property Description: West Side of Topping Road, 35
Feet North of the Centerline of Keyser Road
Legal Owners (Petitioners): Benjamin Hoffman
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitch Kellman
Company/Firm (if applicable): DMW, Inc.
Address: 501 Fairmount Ave, Suite 300
Towson MD 21286
Telephone Number: 410-296-3333

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

No. **177121**

Date: **11/8/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DKN
 11/09/2018 11/08/2018 11:16:53
 REC 0001 WALKER LJR
 RECEIPT # 813745 11/08/2018 GFLN
 Dept 5 528 ZONING VERIFICATION
 177121
 Receipt Tot \$150.00
 \$150.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
601	806	0000		6150					\$150.00

Total: **\$150.00**

Rec From: **HOFFMAN**

For: **2018-0157-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



November 4, 2018

JOHN A. OLSZEWSKI, JR.
County Executive
Benjamin Hoffman
8500 Topping Rd.
Pikesville, MD 21208

DIRECTOR
*Department of Permits,
Approvals & Inspections*

Dear Mr. Hoffman.:

RE: Case Number: 2019-0157A, Address: 8500 Topping Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 8, 2018. 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: MTC

Enclosures

c: People's Counsel
Mitch Kellman, DMW Inc. 501 Fairmount Ave. Towson, MD 21286

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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0157-A
Address 8500 Topping Road
(Hoffman Property)

Zoning Advisory Committee Meeting of **December 03, 2018**.

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

Reviewer: Steve Ford

Date: 11/26/18

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

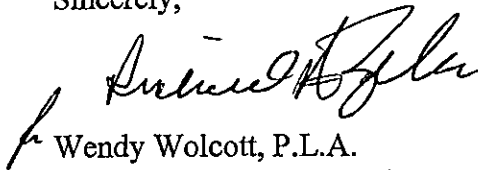
Dear Ms. Lewis:

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. 2019-0157-A

*Administrative Variance
Benjamin Hoffman
8500 Trapping Road.*

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

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>11-29</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>11-26</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>11-17-18</u>	by <u>Tribon</u>
SIGN POSTING (2 nd)	Date: _____	by _____
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 03 Account Number - 1700003736			
Owner Information					
Owner Name:		HOFFMAN BENJAMIN M		Use: RESIDENTIAL	
Mailing Address:		8500 TOPPING RD BALTIMORE MD 21208-1610		Principal Residence: YES	
				Deed Reference: /40390/ 00108	
Location & Structure Information					
Premises Address:		8500 TOPPING RD BALTIMORE MD 21208-1610		Legal Description: WS TOPPING ROAD NW COR KEYSER RD STANTON WOODS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0068	0010	0449		0000	
					Block:
					23
					Lot:
					23
					Assessment Year:
					2017
					Plat No:
					1
					Plat Ref:
					0037/ 0144
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1976		2,930 SF		29,926 SF	
Property Land Area		County Use			
29,926 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	BRICK	3 full	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2018	
				As of	
				07/01/2019	
Land:	148,500	148,500			
Improvements	249,700	283,100			
Total:	398,200	431,600		420,467	
Preferential Land:	0			431,600	
Transfer Information					
Seller: KAPLAN MILTON		Date: 06/20/2018		Price: \$418,000	
Type: ARMS LENGTH IMPROVED		Deed1: /40390/ 00108		Deed2:	
Seller: MILLDALE JOINT V ENTURE		Date: 03/26/1976		Price: \$28,500	
Type: ARMS LENGTH IMPROVED		Deed1: /05618/ 00482		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

ZAC AGENDA

Case Number: 2019-0157-A **Reviewer:** Jason Seidelman

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: BENJAMIN HOFFMAN

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 8500 TOPPING RD

Location: NW CORNER OF INTERSECTION OF TOPPING RD. (50') AND KEYSER RD. (70')

Existing Zoning: DR 1

Area: 29,926 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a side yard addition (garage) with a 19' street setback in lieu 40', a 53' street center line setback in lieu of 75', and to allow an accessory structure (pool & pool house) to be located in the closest third in lieu of the farthest third on the lot removed from any street, and to amend the final development plan (FDP) of Stanton Woods.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 12/03/2018

Miscellaneous Notes:



APPLICATION FOR BUILDING PERMIT

INSTRUCTIONS: Complete each of the open fields on the form and either present it to an Engineering Assistant at the Department of Permits, Approvals and Inspections in Room 100, County Office Building, Towson, MD or email the form to paipermittapps@baltimorecountymd.gov prior to your visit so that it will be on file. Please include the full address of the property in the subject field for retrieval. Gray fields on the form are for office use only. Fields marked with an asterisk (*) are required. When you meet with an engineering assistant, they will indicate actions that you will need to take in order to have your building permit approved. Please refer to www.baltimorecountymd.gov/permitprocessing to ensure you bring the right documentation with you to expedite your application process. Do not use this form for fence, electric, or plumbing permits.

OFFICIAL USE ONLY

Date	3-21-19
OE#	TM
Permit #	B
Receipt #	A
Control #	RD
XRef #	
Fee	54 + 25
Total Paid	
Paid By	

TYPE OF IMPROVEMENT

- ☒ 1. New Construction
☐ 2. Addition
☐ 3. Alteration
☐ 4. Repair
☐ 5. Wrecking
☐ 6. Moving
☐ 7. Other

TYPE OF USE

Residential

- ☐ 01. One Family
☐ 02. Two Family
☐ 03. Three and Four Families
☐ 04. Five or More Families
Number of Units: _____
☒ 05. Swimming Pool
☐ 06. Garage
☐ 07. Other: _____

Non-Residential

- ☐ 08. Amusement, Recreation, Place of Assembly
☐ 09. Church, Other Religious Building
☐ 10. Industrial, Storage Building
☐ 11. Parking Garage
☐ 12. Service Station, Repair Garage
☐ 13. Hospital, Institutional, Nursing Home
☐ 14. Office, Bank, Professional
☐ 15. Public Utility
☐ 16. School, College, Other Educational
☐ 17. Store
____ Mercantile
____ Restaurant
Type: _____
☐ 18. Swimming Pool
Type: _____
☐ 19. Tank, Tower
☐ 20. Transient Hotel, Motel Units
☐ 21. Other: _____

PROPERTY INFORMATION

*Property Address	8500 Topping Road, Baltimore, MD 21208		
Suite/Space/Floor	n/a		
Subdivision	Stanton Woods		
*Tax Account Number	1700003736		
District	03	Precinct	

OWNER INFORMATION

*First and Last Name	Benjamin Hoffman		
Corporation Name	n/a		
*Address	8500 Topping Road		
*City, State, Zip	Baltimore, MD 21208		
*Phone	(410) 977-1088		

APPLICANT INFORMATION

*First and Last Name	Spurge Eismeier		
Company	Permits By Pinecrest		
*Address	P.O. Box 4327		
*City, State, Zip	Annapolis, MD 21403		
*Phone	(410) 267-1914	Email	permits@pinecrestdev.net
MHIC#		MHBR#	
*Business/Tenant Name	n/a		
Contractor	Great Scapes by ESI Inc. (MHIC #42767)		
*Engineer/Architect	David Wallace, P.E.		
Seller			

I have carefully read this application, know the same is correct and true and that in doing this work all provisions of the Baltimore County Code and appropriate state regulations will be complied with whether herein specified or not, and will request all required inspections.

*Applicant Signature	Original Signature Required
----------------------	-----------------------------

PLANS				DRC #		Class	04
CONST	D	PLOT	PLAT	DATA	EL	PL	2
Historic District/Building Yes ___ No ___ Will this building have sprinklers? Yes ___ No ___							
Is this property located in a floodplain? Yes ___ No ___							

FOUNDATION TYPE

- ☐ 1. Slab ☐ 2. Block ☐ 3. Concrete

BASEMENT

- ☐ 1. Full ☐ 2. Partial ☐ 3. None

TYPE OF CONSTRUCTION

- ☐ 1. Masonry
☐ 2. Wood Frame
☐ 3. Structure Steel
☐ 4. Reinforced Concrete

TYPE OF HEATING FUEL

- ☐ 1. Electricity
☐ 2. Gas
☐ 3. Geothermal
☐ 4. Oil

CENTRAL AIR

- ☐ 1. Yes ☐ 2. No

TYPE OF SEWAGE DISPOSAL

- ☒ 1. Public Sewer
☒ Exists ☐ Proposed

- ☐ 2. Private System
☐ Septic ☐ Privy
☐ Exists ☐ Proposed

TYPE OF WATER SUPPLY

- ☒ 1. Public System
☒ Exists ☐ Proposed

- ☐ 2. Private System
☐ Exists ☐ Proposed

ESTIMATED COSTS

Material/Labor: 35K

OWNERSHIP

- ☒ 1. Private ☐ 3. Sale
☐ 2. Public ☐ 4. Rental

RESIDENTIAL CATEGORY

- ☒ 1. Detached
☐ 2. Semi-Detached
☐ 3. Group
☐ 4. Townhouse
☐ 5. Mid-Rise
☐ 6. High-Rise

CORNER LOT

- ☐ 1. Yes ☐ 2. No

GARBAGE DISPOSAL

- ☐ 1. Yes ☐ 2. No

DESCRIBE PROPOSED WORK

CONST INGROUND SWIMMING POOL ON REAR PROPERTY OF SFD. 40'X20'=800SF. 3'8"-6'DEEP. CARTRIDGE FILTER. FILLED BY TRUCK. 185 LF OF 6'OF WOOD FENCE TO CODE. POOL LETTER ATTD. *SEE ZONING CASE #2019-0157-A*

Proposed Use	SFD + INGROUND SWIMMING POOL
Existing Use	SFD

Efficiency #	1-Bedroom #	2-Bedroom #	3-Bedroom #	Total Bedrooms	
1-Family Bedroom #	Bathroom #	Kitchen #	Powder Rm #	Total Apt/Condos	

BUILDING SIZE	
Floor	800SF
Width	
Depth	
Height	3'8-8'
Stories	
Lot #s	23

LOT SIZE AND SETBACKS	
Size	29926SF
Front Street	
Side Street	
Front Setback	NC
Side Setback	30'+/64'
Side St Setback	
Rear Setback	40'
Zoning	DR1

Obtain approval signatures from each of the checked departments below:

Required	Approval Signatures	Date
☐ BLD INSP (Room G21)		
☐ BLD PLAN (Room 120)		
☐ FIRE (Room 120)		
☐ SEDI CTL (Room G21)		
☒ ZONING (Room 111)	<i>WCR F/NAL</i>	<i>3/21/2019</i>
☐ PUB SERV (Room 119)		
☐ ENVRNMNT (Room 319)		
☐ PLANNING (Room 101 in the Jefferson Building)		
☐ PERMITS (Room 100)		
☐		



Permits, Approvals & Inspections

111W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
3/21/2019

Permit Processing Residential Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: 1700003736

Plat Ref: 037:144

Election District: 3

Owner Name(s): HOFFMAN BENJAMIN M

PDM #:

Address: 8500 TOPPING RD

Zoning District(s): DR 1

BALTIMORE, MD 21208

Premise Address: 8500 TOPPING RD

Elevation Range: 502ft - 516ft

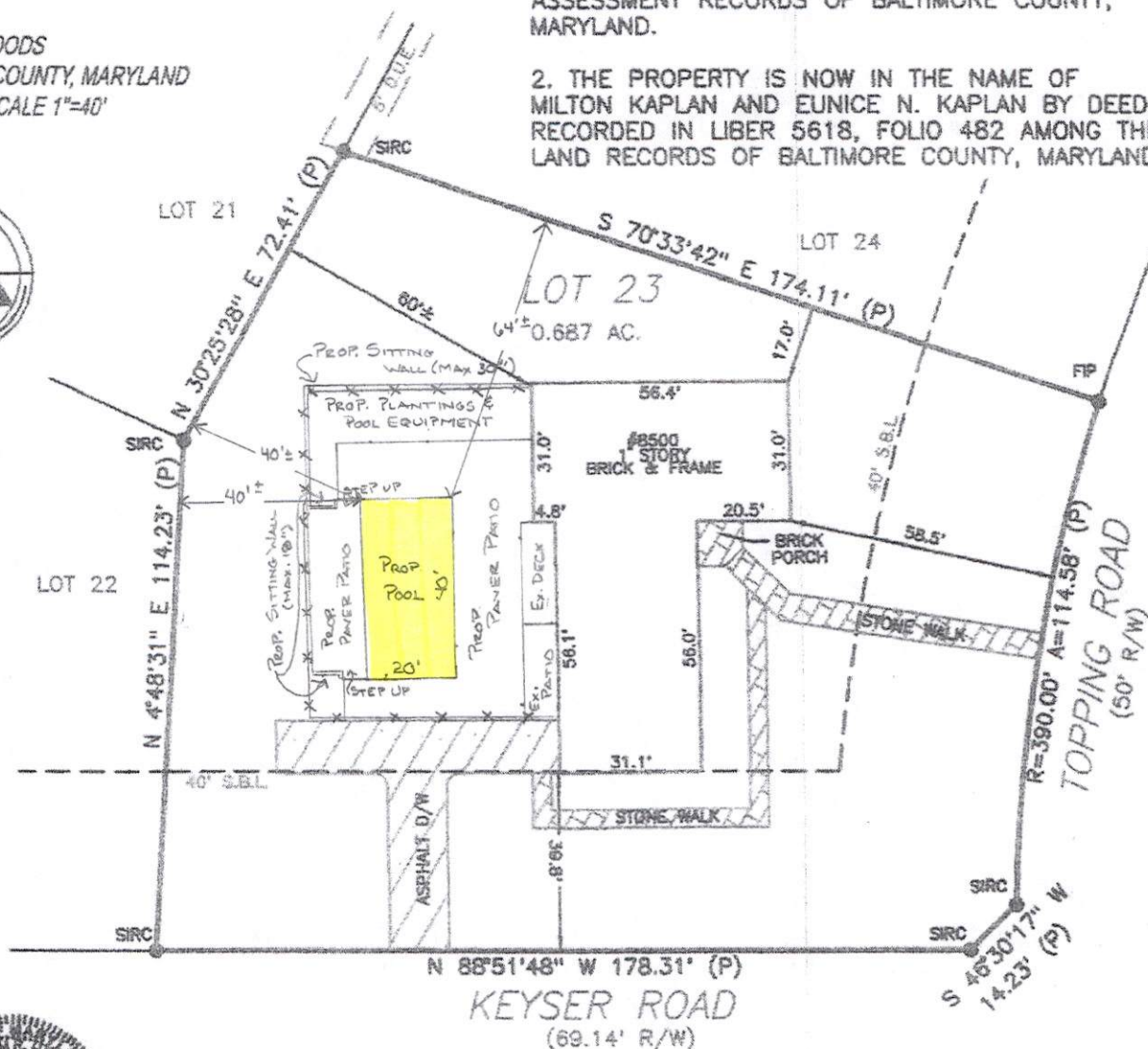
Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes	Internal Alts.	Add / Ext. Alts.	Access. Struct.	Open Decks	Piers/Pilings	Grading/SW	Tanks	Ret. Walls/Bulk	Razing	Elec. & Plumb	Agency Acknowledgment
Contact Agency	Potential Overlay Issues												Initial & Date
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	InFill Lot Review	X											OK To File
	Verify Water Service Size.	X											
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Zoning Cases: 2019-0157-A; 1959-4728-X; 1953-2799-X	X		X	X	X	X						WCR final 3/21/2009

SURVEY NUMBER: 1804.1837

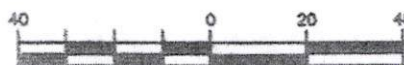
REVISION HISTORY: (REV'D 5/31/2018)

18041837
BOUNDARY SURVEY
LOT 23
STANTON WOODS
BALTIMORE COUNTY, MARYLAND
05-19-2018 SCALE 1"=40'

1. THE PROPERTY SHOWN HEREON IS IDENTIFIED AS ACCOUNT NUMBER 1700003736 AMONG THE ASSESSMENT RECORDS OF BALTIMORE COUNTY, MARYLAND.
2. THE PROPERTY IS NOW IN THE NAME OF MILTON KAPLAN AND EUNICE N. KAPLAN BY DEED, RECORDED IN LIBER 5618, FOLIO 482 AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND.



EXPIRES 1-14-2019



GRAPHIC SCALE (In Feet)
1 inch = 40' ft

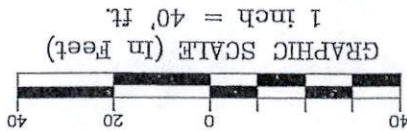
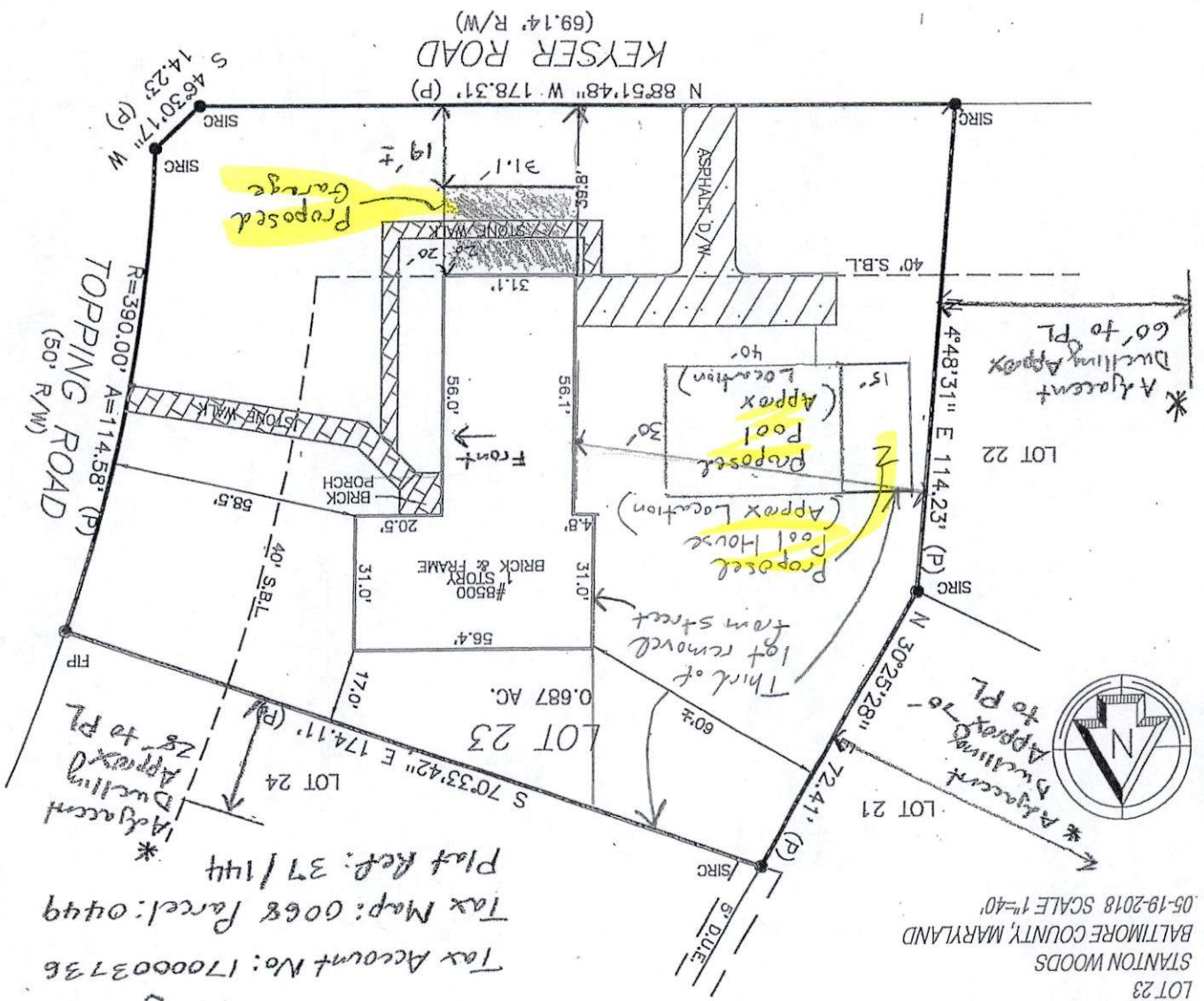
REVISED
POOL LOCATION APPROVED
BY WCR ON 3/21/2019

POINTS OF INTEREST:
NONE VISIBLE

2019-0157-A

Owner: Benjamin M Hoffman
Address: 8500 Topping Road
Tax Account No: 1700003736
Tax Map: 0068 Parcel: 0449
Plat Ref: 37/144

Zoning: DR1
Lot Size: 29,926 sq. Ft. (.69 Ac)
STANTON WOODS
BALTIMORE COUNTY, MARYLAND
05-19-2018 SCALE 1"=40'



Property is served by Public Utilities, is not historic, not within a flood hazard zone, and not within the CRCA.

Vicinity Map



Plan To Accompany
Administrative
Zoning Variance

Election District 3
Councilmanic District 2

Ex Use: Single-Family Dwelling
Proposed Use: Single-Family Dwelling w/ Garage Addition & Pool

Plat. 37/144



Lot # 8
10476 - 19940011
0326040835
Pt. Bk. 000023, Folio 0101

Lot # 19
Pt. Bk./Folio # 037145
1700003827
Pt. Bk. 000037, Folio 0145

1700003826
Lot # 18

RC5

Pt. Bk./Folio # 023101
PDM # 030073

Lot # 7
0319045230

STEVENSON RD

Pt. Bk. 000037, Folio 0144

1700003733
Lot # 20

Lot # 25
1700003738

1700003739
Lot # 26

DR 1

10479 - 19594728
10479 - 19532799

PDM # 038010

1700003734
Lot # 21
Pt. Bk./Folio # 037144

1700003737
Lot # 24

068B1

Lot # 35
1700003748
8503

NOT LOCATED

1700003735
Lot # 22
3428

1700003736
Lot # 23

TOPPING RD
NOT LOCATED

Lot # 36
1700003749

NW 10-E

3ED

2CD

NOT LOCATED

KEYSER RD

KEYSER RD

Pt. Bk./Folio # 022132

0319042671
8419

Lot # 4
8404

0311078300
Pt. Bk. 000022, Folio 0132

Lot # 4
0319011940

DR 2

PDM # 030069

068B2

0312042810

Lot # 3
0319039626

TOPPING RD
NOT LOCATED

0311068120
Lot # 3

Pt. Bk./Folio # 024149

Pt. Bk. 000024, Folio 0149

0308081570
Lot # 6

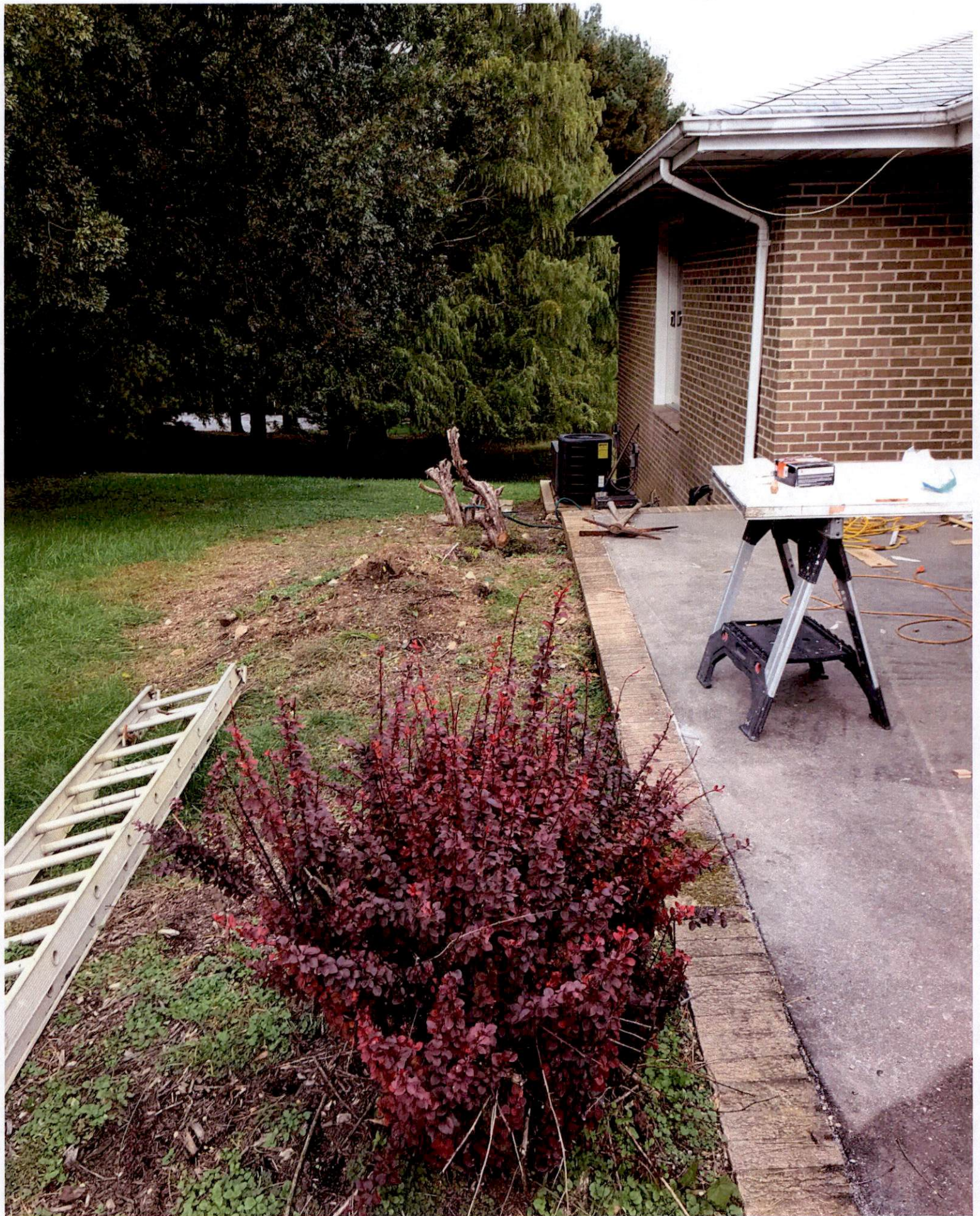
Lot # 5
0319028430



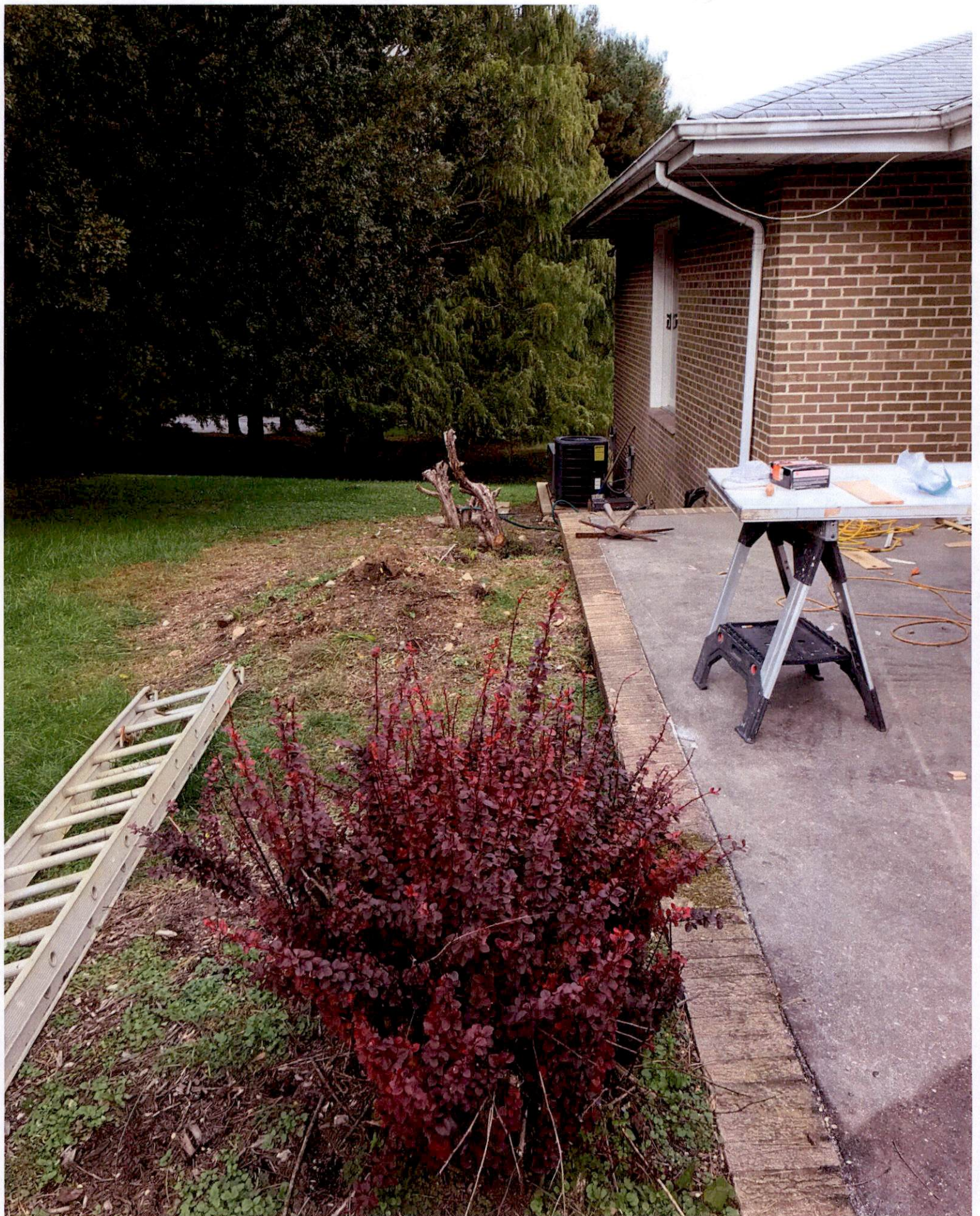
2019-0157-A



2019-0157-A



2019-0157-A



2019-0157-A

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: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0157-A
Address 8500 Topping Road
(Hoffman Property)

Zoning Advisory Committee Meeting of **December 03, 2018.**

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

Reviewer: Steve Ford

This Photo Not Included on Map Sheet



2019-0157-A Side (street) Yard Looking from Front Street

RECEIVED

DEC 04 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

2019-0157-A Rear Yard looking from Side Street



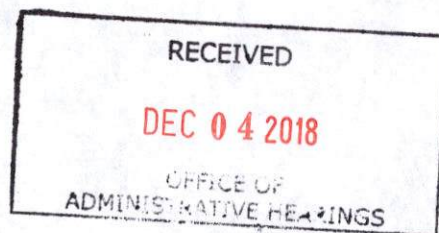
This Photo Not Included on Ke Sheet

RECEIVED
DEC 04 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

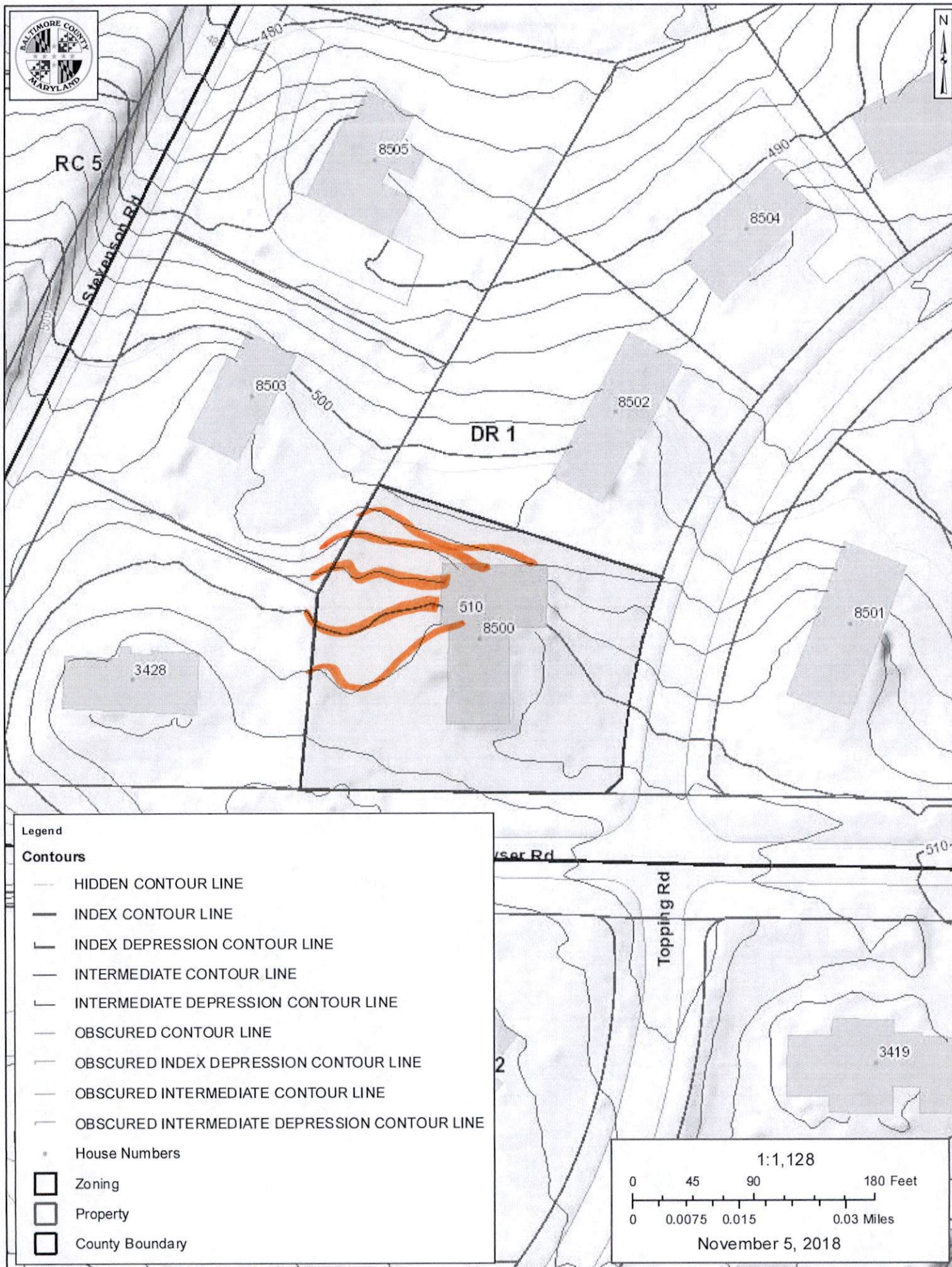
This Photo Not Included on Key Sheet



2019- 0157-A Side/Rear of Dwelling Looking From Side Street



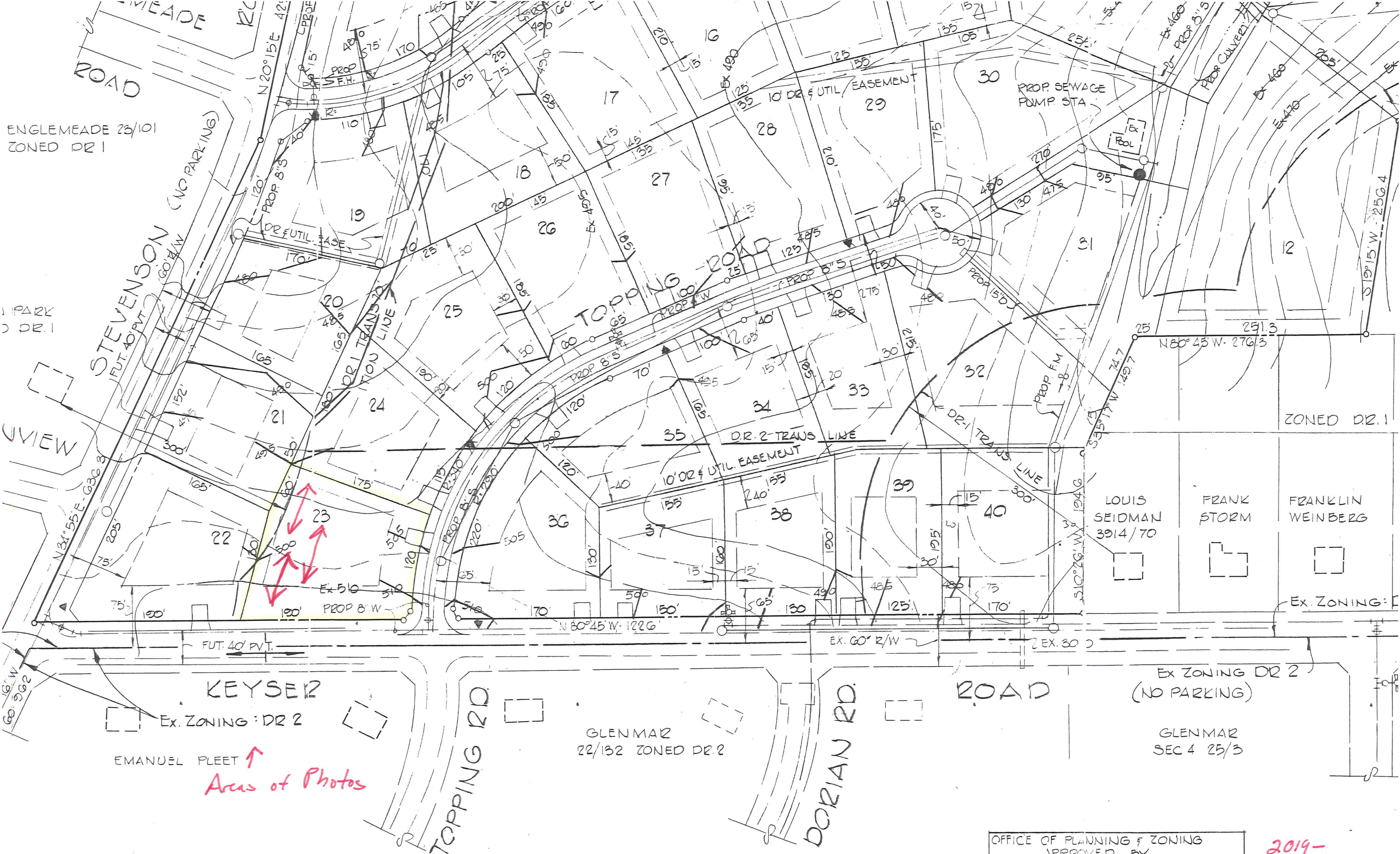
Baltimore County - My Neighborhood



ENGLEMEADE 23/101
ZONED DR 1

1 PARK
0 DR 1

VIEW



KEYSER

Ex. ZONING: DR 2

EMANUEL FLEET ↑
Area of Photos

GLENMAR
22/132 ZONED DR 2

Ex ZONING DR 2
(NO PARKING)

GLENMAR
SEC 4 25/3

OFFICE OF PLANNING & ZONING
APPROVED BY
William P. Proctor 1/11/74
DIRECTOR DATE

2019-
0157-A