



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

April 24, 2023

Melvin C. Benhoff, III – mcbenhoff@gmail.com
Courtney J. Benhoff
1713 Circle Road
Towson, MD 21204

RE: Petition for Administrative Variance
Case No. 2023-0045-A
Property: 1713 Circle Road

Dear Mr. and Mrs. Benhoff:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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,


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1713 Circle Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Melvin C. Benhoff, III &	*	HEARINGS FOR
Courtney J. Benhoff		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0045-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, Melvin C. Benhoff, III and Courtney J. Benhoff (“Petitioners”) for the property located at 1713 Circle Road, Towson, Maryland (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §400.1: To permit a proposed accessory building (detached garage) to be located in the side yard in lieu of the rear yard. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-2G). There were no adverse ZAC comments contained in the case file from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on April 2, 2023 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 (“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 Petitioners. I find that 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.

Although the Department of Planning did not make any recommendations related to the detached garage, I will impose conditions that the detached garage shall not be converted into a dwelling unit or apartment, shall not contain any sleeping quarters, living area, kitchen or bathroom facilities, and will not have separate electric or utility connections, or used for commercial purposes. In addition, while Department of Plans Review did not provide a Zoning Advisory Comment, I will impose a condition that the proposed garage must remain outside of the 10 ft Drainage and Utility Easement as shown on the Site Plan.

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.

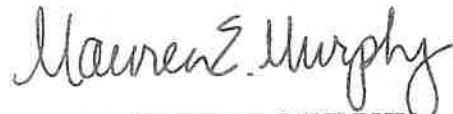
THEREFORE, IT IS ORDERED, this 24th day of **April, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), § 400.1: To permit a proposed accessory building (detached garage) to be located in the side yard in lieu of the rear yard, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. 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.

2. Petitioners and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.
5. The detached garage must be located outside of the 10 ft Drainage and Utility Easement.
6. The Site Plan shall be attached hereto and incorporated herein and made a part hereof.

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

A handwritten signature in cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw



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 1713 CIRCLE ROAD Currently zoned DR 1
 Deed Reference 45480 / 00184 10 Digit Tax Account # 190000388-7
 Owner(s) Printed Name(s) BENHOFF, MELVIN C. III, BENHOFF COURTNEY

(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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1302 **ACCESSORY BUILDING TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REAR YARD**

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):**

Melvin C. Benhoff III, Courtney J. Benhoff
 Name #1 – Type or Print Name #2 – Type or Print

Melvin C. Benhoff III, Courtney J. Benhoff
 Signature #1 Signature #2

1713 Circle Rd, Towson, MD
 Mailing Address City State

21204, (202) 499-0377, mcbenhoff@gmail.com
 Zip Code Telephone # Email Address

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

N/A
 Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Melvin C. Benhoff III
 Name – Type or Print

Melvin C. Benhoff III
 Signature

1713 Circle Rd, Towson, MD
 Mailing Address City State

21204, (202) 499-0377, mcbenhoff@gmail.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 _____ 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

CASE NUMBER 2023-0045-A Filing Date 3/12/23 Estimated Posting Date 3/14/23 Reviewer gh

Closing - 3/27/23

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.

Address: 1713 CIRCLE ROAD TOWSON MD 21204
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)

DUE TO THE IRREGULAR SHAPE OF THE LOT AND
THE STEEP SLOPE OF THE REAR YARD, IT IS
IMPOSSIBLE TO LOCATE A GARAGE IN THE REAR YARD

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

X Melvin C. Benhoff III
Signature of Owner (Affiant)
Melvin C. Benhoff III
Name- Print or Type

X Courtney Benhoff
Signature of Owner (Affiant)
Courtney Benhoff
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 8th day of OCT., 2022, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: MELVIN C. BENHOFF III & COURTNEY BENHOFF

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

AS WITNESS my hand and Notaries Seal

PAMELA C. WHYE
NOTARY PUBLIC, BALTIMORE COUNTY
STATE OF MARYLAND
My Commission Expires May 10, 2026

Pamela C. Whye
Notary Public
5-10-2026
My Commission Expires

REV. 5/5/2016

2023-0045-A

Dietz Surveying, Inc.
Land Surveying and Land Planning
8119 Oakleigh Road, Baltimore, MD 21237
Phone 410-661-3160 Fax 410-661-3163

Zoning Description
For
1713 Circle Road

Beginning at a point on the southwest side of Circle Road, which is 50 feet wide, at the distance of 865 feet, more or less, west of the centerline of Ruxton Road. Being Lot 1, in the subdivision of "Property of Frederick A. Levering, III & Wife", as recorded in Baltimore County Plat Book #48, Folio #108, containing 40,075 sq.ft. or 0.92 acres of land, more or less. Also known as 1713 Circle Road and located in the 9th Election District, 2nd Councilmanic District.

2023-0045-A



ADMINISTRATIVE ZONING PETITION

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Owner(s) Printed Name(s) BENHOFF, MELVIN C. III, BENHOFF COURTNEY

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

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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.

X Owner(s)/Petitioner(s):

Melvin C. Benhoff III, Courtney J. Benhoff
Name #1 – Type or Print Name #2 – Type or Print

Melvin C. Benhoff III, Courtney J. Benhoff
Signature #1 Signature #2

1713 Circle Rd, Towson, MD
Mailing Address City State

21204, (202) 499-0377, mcbenhoff@gmail.com
Zip Code Telephone # Email Address

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

N/A
Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Melvin C. Benhoff III
Name – Type or Print

Melvin C. Benhoff III
Signature

1713 Circle Rd, Towson, MD
Mailing Address City State

21204, (202) 499-0377, mcbenhoff@gmail.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 _____ 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

CASE NUMBER 2023-0045-A Filing Date 3/12/23 Estimated Posting Date 3/14/23 Reviewer gh

Closing - 3/27/23

Rev 5/5/2016

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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: 1713 CIRCLE ROAD TOWSON MD 21204
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)

DUE TO THE IRREGULAR SHAPE OF THE LOT AND
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(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

X Melvin C. Benhoff III
Signature of Owner (Affiant)
Melvin C. Benhoff III
Name- Print or Type

X Courtney Benhoff
Signature of Owner (Affiant)
Courtney Benhoff
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 8th day of OCT., 2022, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: MELVIN C. BENHOFF III & COURTNEY BENHOFF

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

AS WITNESS my hand and Notaries Seal

PAMELA C. WHYE
NOTARY PUBLIC, BALTIMORE COUNTY
STATE OF MARYLAND
My Commission Expires May 10, 2026

Pamela C. Whye
Notary Public
5-10-2026
My Commission Expires

REV. 5/5/2016

2023-0045-A

Dietz Surveying, Inc.
Land Surveying and Land Planning
8119 Oakleigh Road, Baltimore, MD 21237
Phone 410-661-3160 Fax 410-661-3163

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2023-0045-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 10, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0045-A
Address: 1713 Circle Rd
Legal Owner: Melvin and Courtney Benhoff

Zoning Advisory Committee Meeting of March 13, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING March 6, 2023
FORMAL OR INFORMAL RESPONSE DUE AT March 13, 2023 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovement@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
* tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov; Jesse Krout, jkrout@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2023-0040-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: James Locke
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 2270 MONOCACY RD

Location: Property located North side of Monocacy Rd. Southeast 153 feet to centerline of Wicomico Rd.

Existing Zoning: DR 3.5 **Area:** 9,000 SQ FT.

Proposed Zoning:

VARIANCE:

BCZR 1B02.3.C.1: To permit a side yard setback of 1 foot and a combined total of 12 feet in lieu of the required 10 feet and combined total of 25 feet side yard setback.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2023-0041-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Daniel and Erin Bakondi
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 5

Property Address: 501 STONELEIGH RD

Location: Property located on the South side of Stoneleigh Rd.; 50 feet South of Petworth Rd.

Existing Zoning: DR 5.5 **Area:** 6,552 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1 and 400.1: To approve a rear addition with a rear yard setback of 5 feet in lieu of the required 30 feet setback and to approve an existing detached garage in the side yard with a setback of 2 feet in lieu of the rear yard and a 2.5 foot setback as required.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/20/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0042-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Gail Keller and Heather Hicks
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 3710 KAHL FARM RD

Location: Property located on the North side of Kahl Farm Rd., 470 feet East of Libby Lane.

Existing Zoning: DR 2 **Area:** 15,537 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To approve an accessory building (pavilion) located in the side yard in lieu of the rear yard and located in the 1/3 area of the yard closest to the side street in lieu of the 1/3 furthest removed from the side street.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/27/2023

Miscellaneous Notes:

Case Number: 2023-0043-A **Reviewer:** Shaun Crawford
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jerome and Brunilda Stephens
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 8715 DOGWOOD RD

Location: Property located beginning at the centerline of Dogwood Rd. 888 feet Northwest of Willow Run Rd.

Existing Zoning: RC 2 **Area:** 15.74 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.3: To allow an accessory building (garage) with a height of 26 feet in lieu of the required 15 feet.

Attorney: Not Available

Prior Zoning Cases: 2006-0400-SPH; 2011-0279-SPHX; 2017-0268-A; 2022-0270-A

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/27/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0044-SPHA **Reviewer:** Jason Seidelman

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: SPECIAL HEARING, VARIANCE

Legal Owner: Milford Mill Properties, LLC

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 3600 MILFORD MILL RD

Location: Property located on the Northwest corner of intersection of Milford Mill Rd. (85 feet) and Liberty Rd. (85 feet)

Existing Zoning: BL-CCC (BR-CCC, BL, BR)

Area: 4.9 ACRES

Proposed Zoning:

SPECIAL HEARING:

To amend the site plan approved in Zoning Case No. 2014-0082-SPHA.

VARIANCE:

1.) BCZR 450.4.Table of Sign Regulations.5(d): To allow a total of six wall-mounted enterprise signs for a single tenant in a multi-tenant commercial building in lieu of the one wall-mounted enterprise sign and one canopy enterprise sign permitted by right (Signs A, B, C, D, E) and to allow a wall-mounted enterprise sign on a facade of the tenant space without a separate exterior customer entrance (Sign F).

2.) BCZR 450.4.Table of Sign Regulations.5(d): To allow the total sign area of the wall-mounted enterprise signs on one facade for a tenant space in a multi-tenant commercial building to exceed two times the length of the wall containing the exterior entrance and defining the space occupied by the tenant (Signs A, B, C, D, E [254 square feet in lieu of the permitted 198 square feet [length of tenant space wall 99 feet x 2= 198 square feet permitted]]).

3.) BCZR 450.4.Table of Signs Regulations.7(b): To allow letter copy for the names of tenants/occupants displayed on individuals sign panels to be a minimum of 3 inches in height in lieu of the required 8 inches.

Attorney: David Karceski

Prior Zoning Cases: 2012-0015-XA; 2014-0082-SPHA

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0045-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Melvin and Courtney Benhoff
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 1713 CIRCLE RD

Location: Property located on the Southwest side of Circle Rd. 865 feet west of the centerline of Ruxton Rd.

Existing Zoning: DR 1 **Area:** .92 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1: To permit a proposed accessory building to be located in the side yard in lieu of the rear yard.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/27/2023

Miscellaneous Notes:

Case Number: 2023-0046-A **Reviewer:** Shaun Crawford
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Andrew and Patricia Flott (Trustee)
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 2 STANLEY DR

Location: Property located beginning at the intersections of Frederick Rd. and Stanley Dr. at a distance of 201 feet East of North Beechwood Ave.

Existing Zoning: DR 2 **Area:** 14,760 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.1 & 400.3: To approve an accessory building (garage) with a height of 20 feet and a side yard placement, in lieu of the required maximum height of 15 feet and rear yard only placement required. And to approve an existing accessory structure (pool) with a side yard placement in lieu of the rear yard only placement.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/27/2023

Miscellaneous Notes:

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVAL AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023 -0045 -A Address 1713 Circle Road

Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/1/23 Posting Date: 3/12/23 Closing Date: 3/27/23

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023 -0045 -A Address 1713 Circle Road 21204

Petitioner's Name: Melvin C Benhoff III Telephone (Cell) 202-499-0377

Posting Date: 3/12/23 Closing Date: 3/27/23

Wording for Sign: To Permit a propose accessory building (garage)
to be located in the side yard in lieu of the required
rear yard.

1713 Circle Road

Front of home and driveway



2023-0045-A

Front side of home

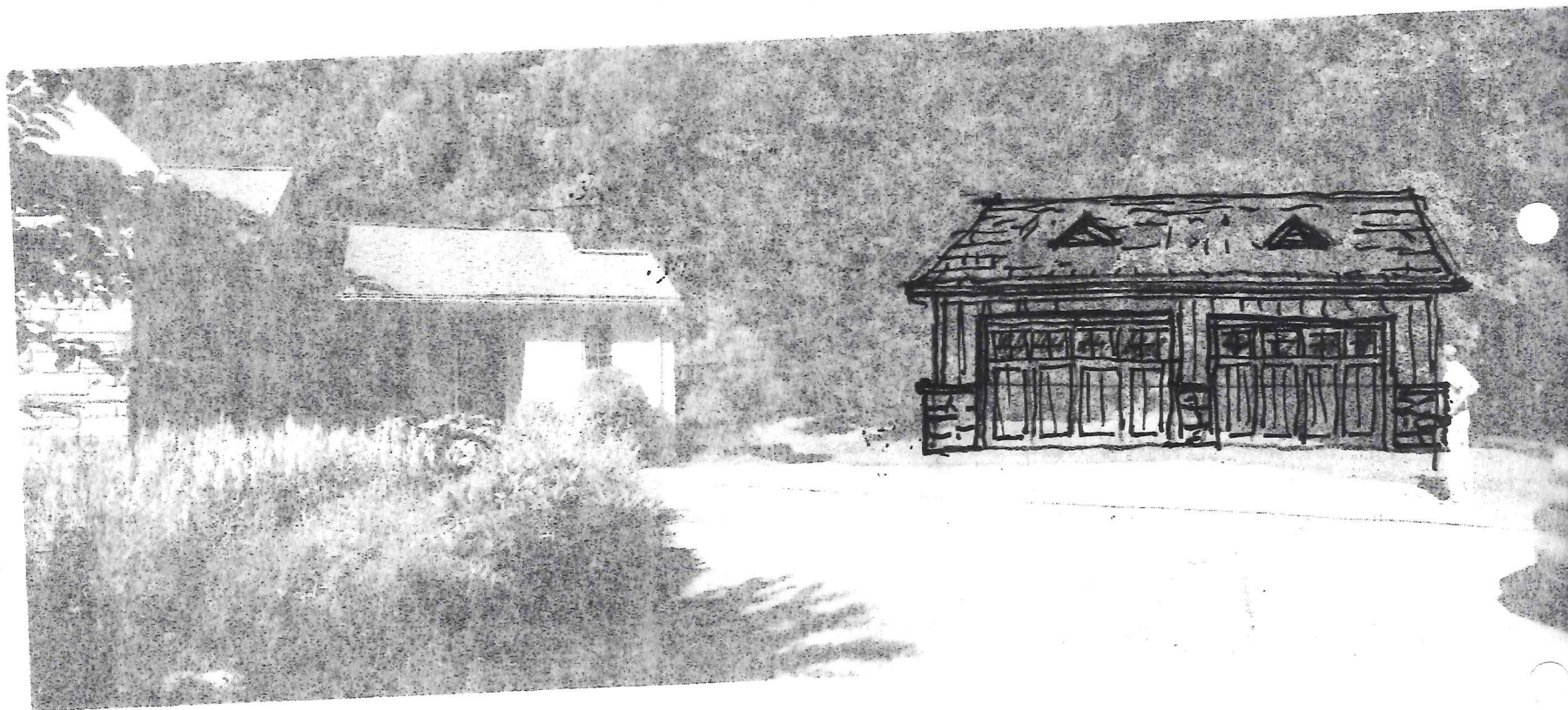


2023-0045-A

Proposed Garage Location



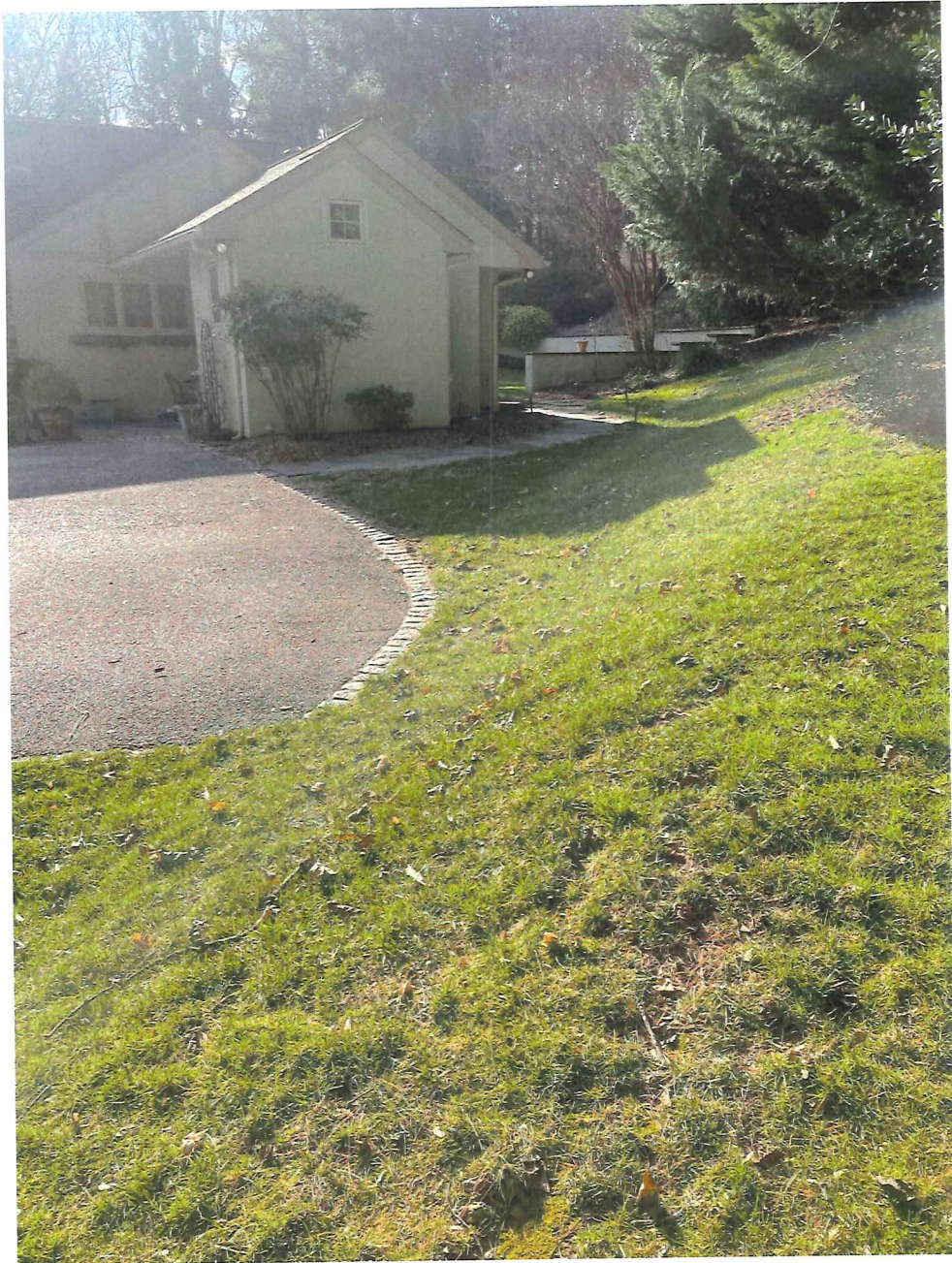
↑
Red marker front left
corner of Garage



1713 CIRCLE ROAD

2023-0045-A

Side view of home
and rear yard



2023-09-15-A

Side view rear yard



2023-0045-A

rear yard



2023-0045-A

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1713 Circle Road

Front of home and driveway



2023-0045-A

Front side of home

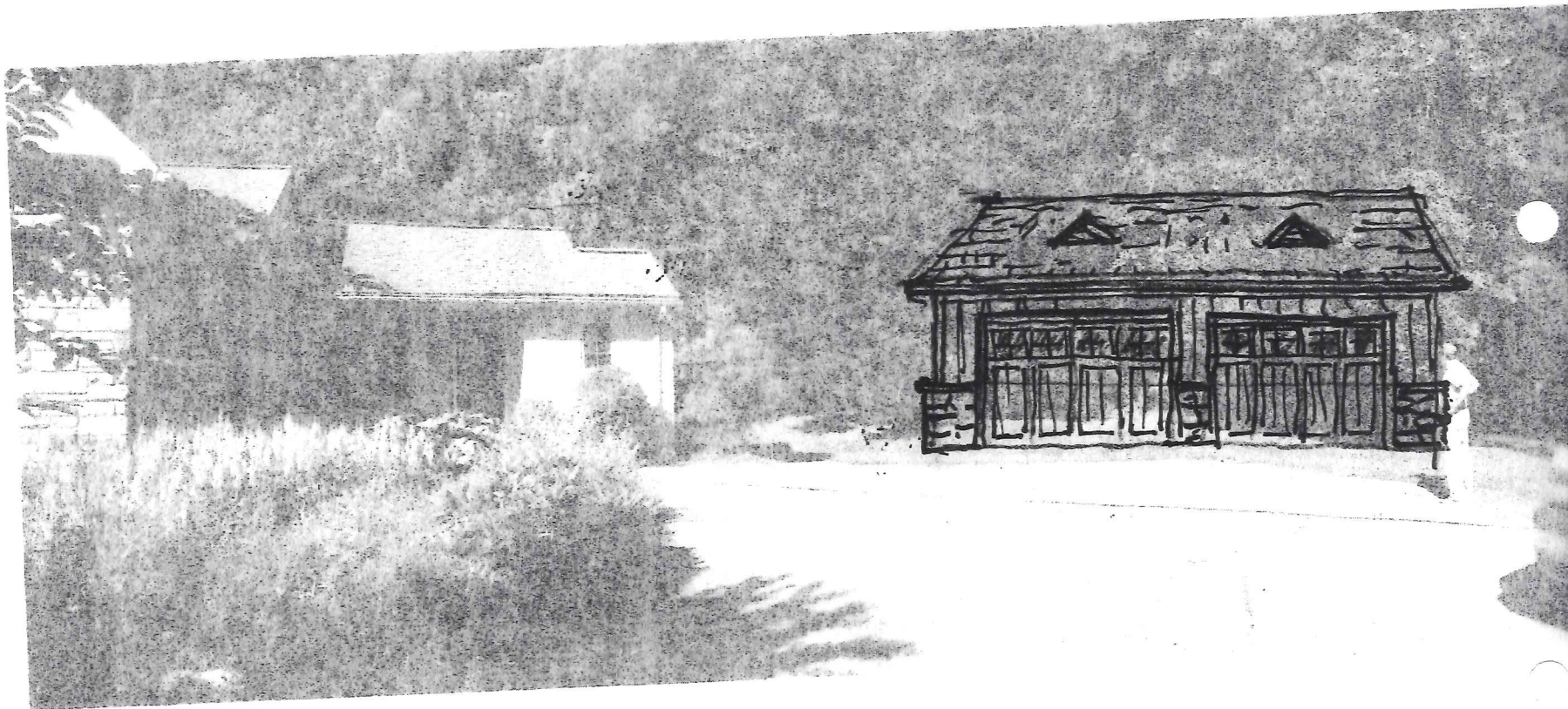


2023-0045-A

Proposed Garage Location



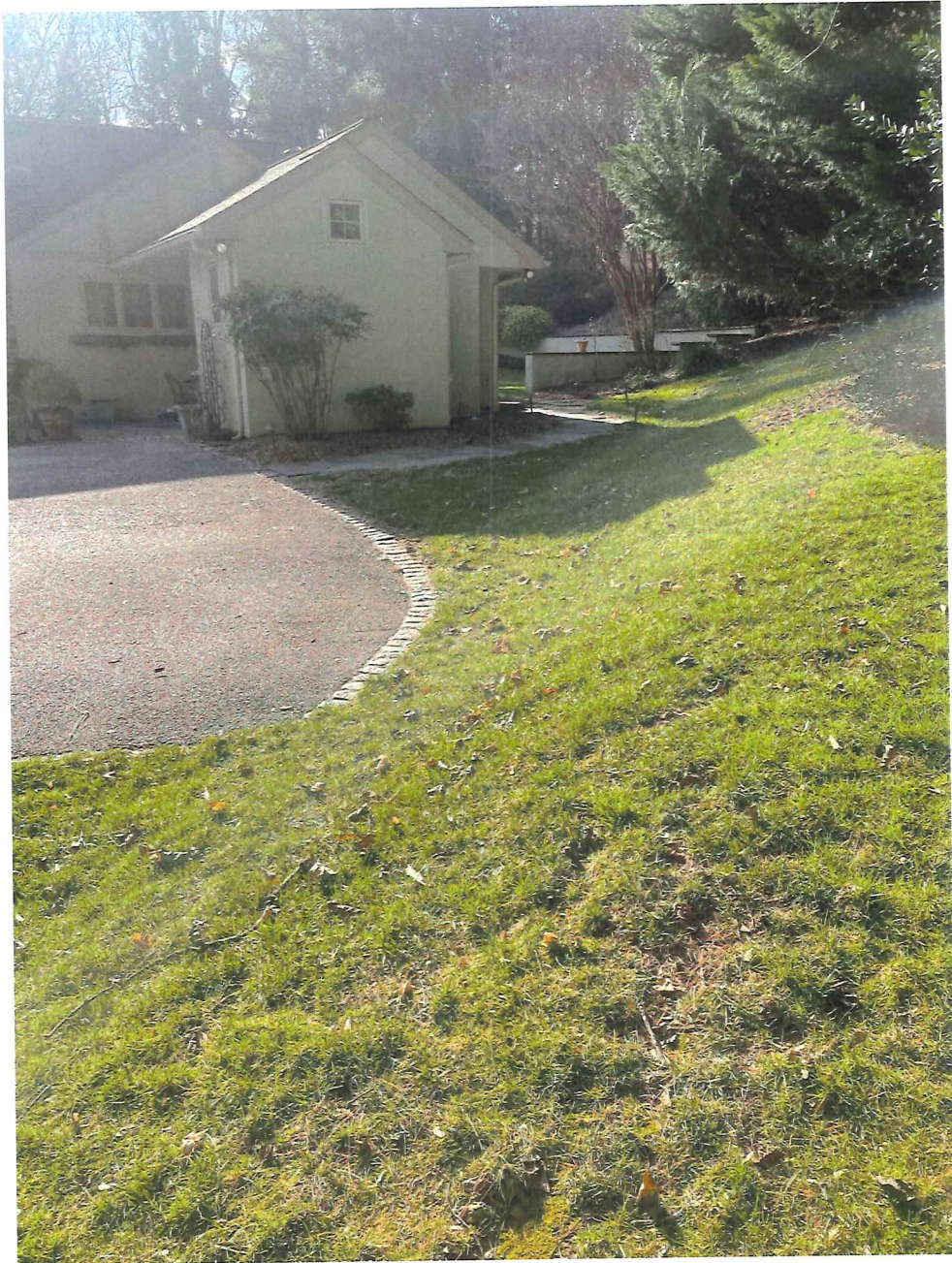
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Red marker front left
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1713 CIRCLE ROAD

2023-0045-A

Side view of home
and rear yard



2023-09-15-A

Side view rear yard

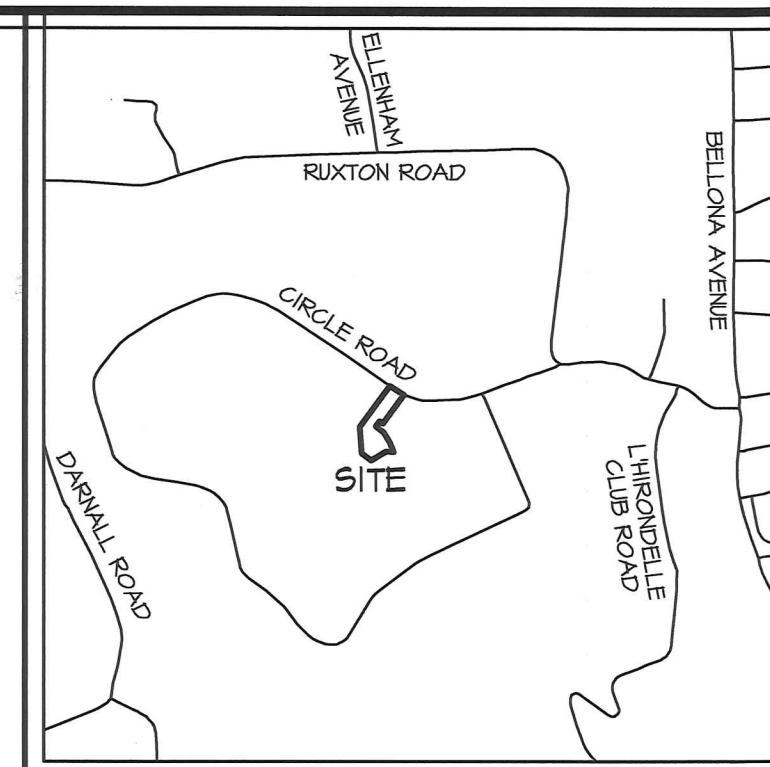
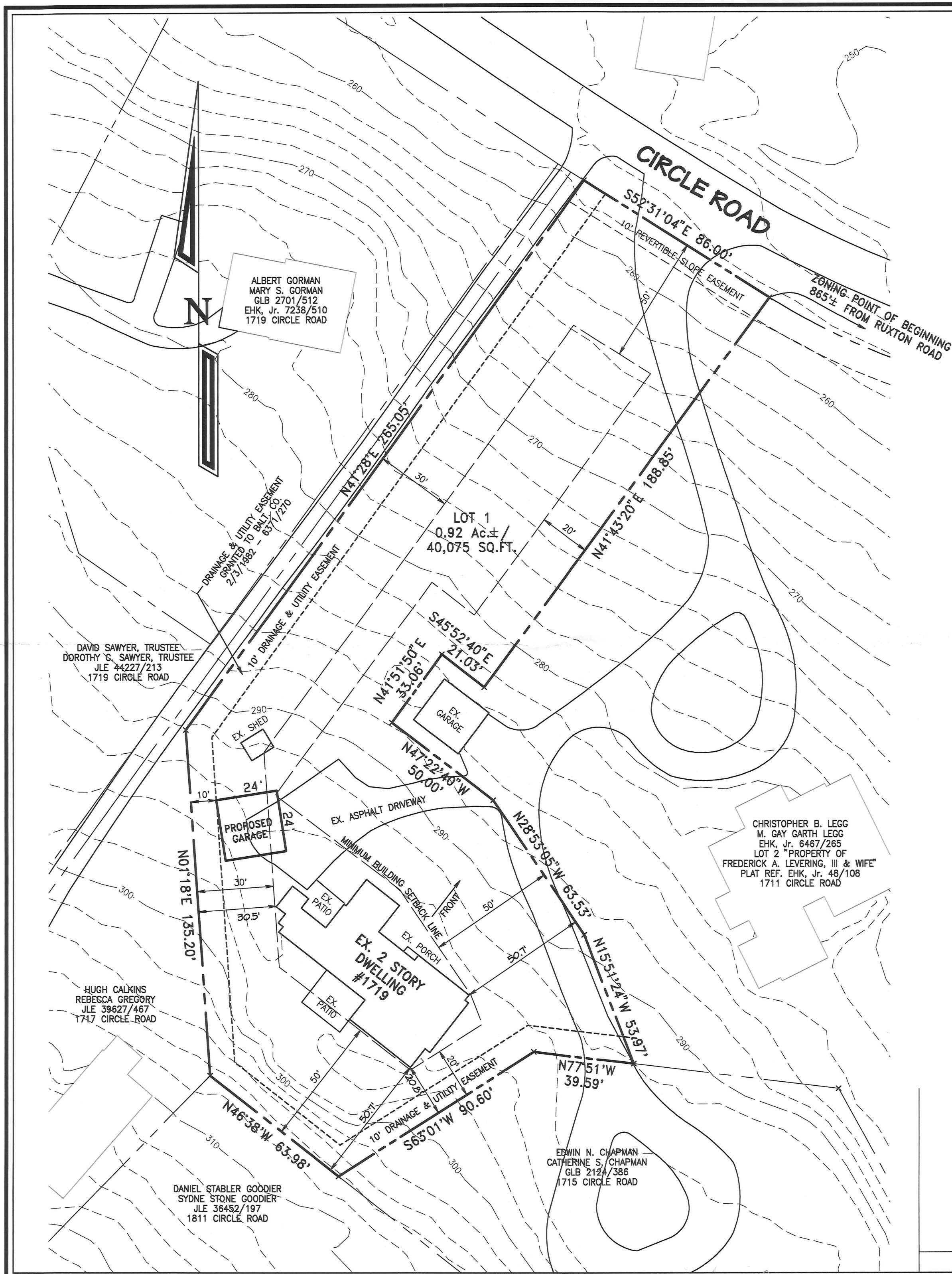


2023-0045-A

rear yard



2023-0045-A



Vicinity Map

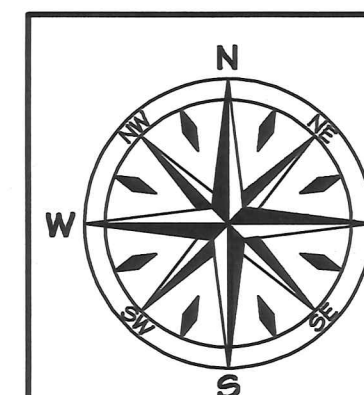
Scale: 1" = 1000'

Notes

1. Owner: Melvin C. Benhoff, III
Courtney Benhoff
1713 Circle Road
Baltimore, MD 21204
2. Deed Ref.: J.L.E. No. 45480 folio 184
Lot 1, "Property of Frederick A. Levering, III & Wife"
Plat Ref. EHK, Jr. 48/108
3. Tax Account No. 19-00-003887
4. Zoned: DR 1
5. This site is not in the Chesapeake Bay Critical Area.
6. This site is not in the 100 year flood plain.
7. There are no known underground fuel tanks.
8. This is not a historic property/building.
9. This site is serviced by public water and private septic.
10. No Prior Zoning Hearings

Plat to Accompany an Administrative Variance

of the
Benhoff Property
1713 Circle Road
Baltimore County, Maryland
Tax Map 49 Grid 18 Parcel 79
9th Election District, 2nd Councilmanic District
Scale: 1"=30' Date: July 6, 2022



Dietz Surveying Inc.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsveying.net

File Name: Z:\Circle Road, 1713 Job# 22239\CIRCLE RD 1713.pro

Revisions

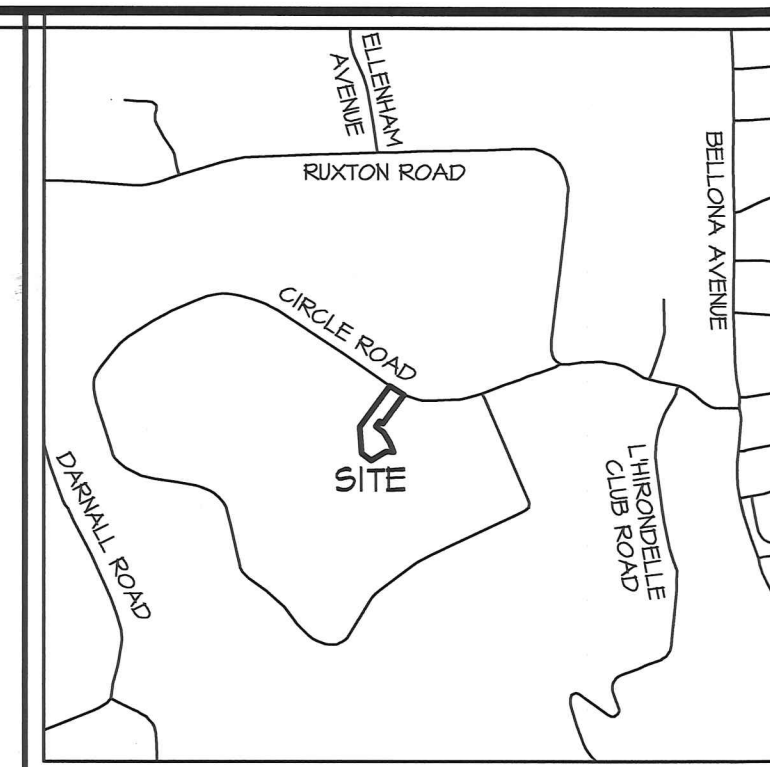
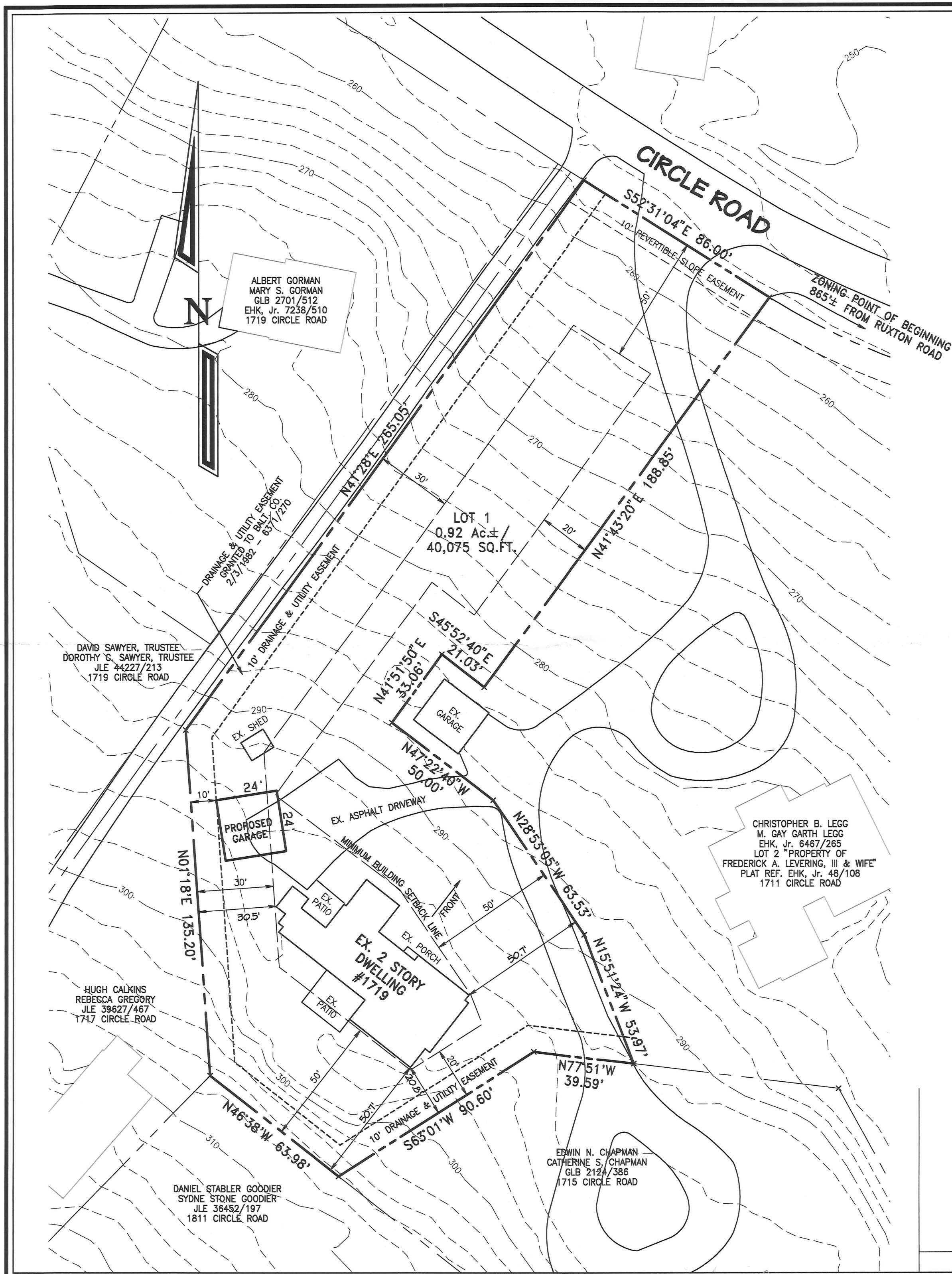
Date

Plot Date: 7/6/2022

FIELD: BRD

DRAWN: BRD/SAL

Job No. 22239



Vicinity Map

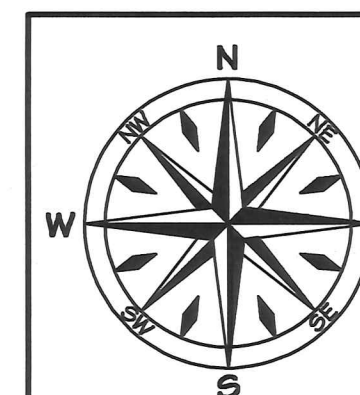
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Revisions

Date

Plot Date: 7/6/2022

FIELD: BRD

DRAWN: BRD/SAL

Job No. 22239