



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 8, 2023

Anna and Andrew Janet – anna.k.janet@gmail.com
8304 Burning Wood Road
Baltimore, MD 21208

RE: Petition for Administrative Variance
Case No. 2023-0064-A
Property: 8304 Burning Wood Road

Dear Petitioners:

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,

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

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Erica Wunderlich, AIA – ericaw@levinbrown.com
Elizabeth A. Grace, 3508 Woodvalley Drive, Baltimore, MD 21208
Robert S. Shemer & Shelley R. Shemer (Trustees), 8306 Burning Wood Road,
Baltimore, MD 21208
Richard Winelander (Trustee), Enzo Martinez Trust, 8300 Burning Wood Road,
Baltimore, MD 21208

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(8304 Burning Wood Road)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Anna & Andrew Janet	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0064-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, Anna and Andrew Janet (“Petitioners”) for the property located at 8304 Burning Wood Road, Baltimore, Maryland (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B02.3.C.1. (§205.3 of 1958 regulations): To permit a side dwelling addition with a side yard setback of 9.5 ft. in lieu of the required 15 ft. 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 on the Site Plan. (Pet. Ex.1). There were no adverse ZAC comments contained in the case file from any of the County reviewing agencies. However, it is to be noted that three (3) letters of support were received from neighbors who reside on Burning Wood Road (8300 & 8306) and Wood Valley Drive (3508), all of whom had no objections to Petitioner’s zoning request.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on April 12, 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.

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 **8th** day of **May, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B02.3.C.1. (§205.3 of 1958 regulations): To permit a side dwelling addition with a side yard setback of 9.5 ft. in lieu of the required 15 ft., be 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.

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 8304 Burning Wood Road Baltimore MD 21208 Currently zoned DR-2
Deed Reference 39419 / 00392 10 Digit Tax Account # 0302004150
Owner(s) Printed Name(s) Anna & Andrew Janet

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

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

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

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

BCZR: 1B02.3.C.1. (1958 Regulations) → To permit a side yard dwelling addition with a side setback of 9.5' in lieu of the required 15'.

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):

Anna Janet / Andrew Janet
Name #1 – Type or Print Name #2 – Type or Print
Anna Janet / Andrew Janet
Signature #1 Signature #2

8304 Burning Wood Rd Baltimore Maryland
Mailing Address City State
21208 / (917)856-1986 / anna.k.janet@gmail.com
Zip Code 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:

Erica Wunderlich, AIA
Name – Type or Print
Erica Wunderlich
Signature
15 Greenspring Valley Rd Owings Mills Maryland
Mailing Address City State
21117 / (410) 241-5293 (cell) / ericaw@levinbrown.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 2023-0064-A Filing Date 3/24/23 Estimated Posting Date 4/2/23 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: 8304 Burning Wood Road Baltimore Maryland 21208
Print or Type Address of property City State Zip Code

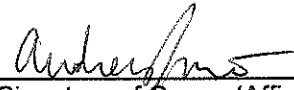
Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

We are requesting the existing 15' side yard setback be reduced to 9'-6" on the East side of the
property nearest Lot 1 in order to allow for a new 1-story home-gym and closet addition. The
current side yard setback of 15' per the original plat from 1958 causes undue hardship for an
addition at the rear of the existing home due to the shape of the property.

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


Signature of Owner (Affiant)

Anna Janet
Name- Print or Type


Signature of Owner (Affiant)

Andrew Janet
Name- Print or Type

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

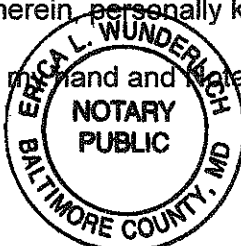
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

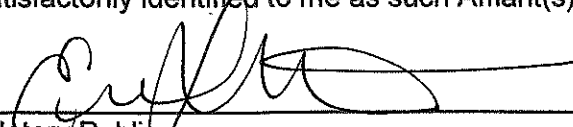
I HEREBY CERTIFY, this 20 day of MARCH, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: ANNA & ANDREW JANET

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

AS WITNESS my hand and Notaries Seal




Notary Public

07.29.23
My Commission Expires

My commission expires on 07.29.23

ZONING PROPERTY DESCRIPTION FOR
8304 BURNING WOOD ROAD, BALTIMORE, MD 21208

Beginning at a point on the South side of Burning Wood Road which is 50' wide at the distance of 250 feet west of the centerline of the nearest improved intersecting street Woodvalley Drive which is 60 feet wide.

Being Lot 2, Block B in the subdivision of Longmeadow West as recorded in Baltimore County Plat Book 26, Folio 73 containing 27,878 square feet located in the 3rd Election District and 2nd Council District.

2073-0064-4



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 8304 Burning Wood Road Baltimore MD 21208 Currently zoned DR-2
Deed Reference 39419 / 00392 10 Digit Tax Account # 0302004150
Owner(s) Printed Name(s) Anna & Andrew Janet

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

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

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

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

BCZR: 1B02.3.C.1. (1958 Regulations) → To permit a side yard dwelling addition with a side setback of 9.5' in lieu of the required 15'.

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):

Anna Janet / Andrew Janet
Name #1 – Type or Print Name #2 – Type or Print

[Signature] / [Signature]
Signature #1 Signature #2

8304 Burning Wood Rd Baltimore Maryland
Mailing Address City State

21208 / (917)856-1986 / anna.k.janet@gmail.com
Zip Code 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:

Erica Wunderlich, AIA
Name Type or Print

[Signature]
Signature

15 Greenspring Valley Rd Owings Mills Maryland
Mailing Address City State

21117 / (410) 241-5293 (cell) / ericaw@levinbrown.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 2023-0064-A Filing Date 3/24/23 Estimated Posting Date 4/2/23 Reviewer JS

Affidavit in Support of Administrative Variance

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

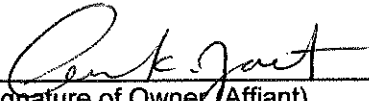
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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: 8304 Burning Wood Road Baltimore Maryland 21208
Print or Type Address of property City State Zip Code

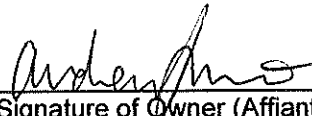
Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

We are requesting the existing 15' side yard setback be reduced to 9'-6" on the East side of the property nearest Lot 1 in order to allow for a new 1-story home-gym and closet addition. The current side yard setback of 15' per the original plat from 1958 causes undue hardship for an addition at the rear of the existing home due to the shape of the property.

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


Signature of Owner (Affiant)

Anna Janet
Name- Print or Type


Signature of Owner (Affiant)

Andrew Janet
Name- Print or Type

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

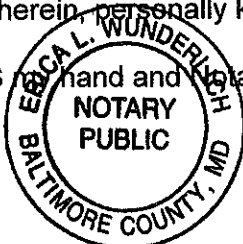
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

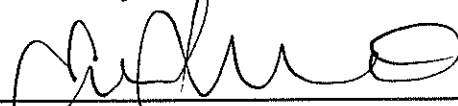
I HEREBY CERTIFY, this 20 day of MARCH, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: ANNA & ANDREW JANET

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

AS WITNESS, hand and Notaries Seal




Notary Public

My Commission Expires

My commission expires on 07.29.23

REV. 5/5/2016

ZONING PROPERTY DESCRIPTION FOR
8304 BURNING WOOD ROAD, BALTIMORE, MD 21208

Beginning at a point on the South side of Burning Wood Road which is 50' wide at the distance of 250 feet west of the centerline of the nearest improved intersecting street Woodvalley Drive which is 60 feet wide.

Being Lot 2, Block B in the subdivision of Longmeadow West as recorded in Baltimore County Plat Book 26, Folio 73 containing 27,878 square feet located in the 3rd Election District and 2nd Council District.

2073-0064-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: April 28, 2023

FROM: Vishnu Desai, Supervisor
EFC for VKD
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 03, 2023
Item No. 2023-0059-A, 0060-A, 0061-A, 0062-SPHA & 0064-A

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

*

*

*

*

*

VKD: cen

cc: file

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING March 27, 2023
FORMAL OR INFORMAL RESPONSE DUE AT April 3, 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, myneighborhoodimprovment@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; Earl Wrenn, EWrenn@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: 2023-0059-A **Reviewer:** Jason Seidelman

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Meagan and John Baker

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 6

Property Address: 506 HIGHLAND AVE

Location: Property located on the Southwest corner of intersection of Highland Ave. (60 feet) and Allegheny Ave. (40 feet).

Existing Zoning: DR 3.5

Area: 7,125 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.C.1: To permit a side yard dwelling addition with a side yard setback of 5 feet and a rear yard setback of 8 feet 7 inches in lieu of the required 10 feet and 30 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: 2014-0140-A

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/10/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0060-A **Reviewer:** Mitchell Kellman

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Davis Yasharpour and Ayala Hakkakian

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 6806 CHEROKEE DR

Location: Property located on the Southwest side of Cherokee Dr., 512 feet South of the centerline of Lightfoot Dr.

Existing Zoning: DR 5.5

Area: 7,490 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.3.B ("A" Residence Zone, 1954): To permit a 5 foot side yard setback in lieu of 7 feet for a 1- story addition, and if necessary, amend Zoning Case No. 2015-0052-A.

Attorney: Joseph Haken

Prior Zoning Cases: 2015-0052-A

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/17/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0061-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Joseph and Alyson Bishop (trustee)
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: 13 MANOR BROOK RD

Location: Property located on the Southwest side of Manor Brook Rd. 1,008 feet West of Monkton Rd.

Existing Zoning: RC 7, RC 4 (VESTED RDP)

Area: 4.34 ACRES

Proposed Zoning:

VARIANCE:

1.) BCZR 103.1; 103.3; 1A03.4.B.4 (section 1A00.3.B.3 of 1975 Zoning Regulation): To permit a front yard setback of 24 feet from the property line in lieu of the required 50 feet from any lot line.

2.) To permit any such further relief as may be deemed necessary by the Administrative Law Judge.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0062-SPHA **Reviewer:** Shaun Crawford
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: James Trela
Contract Purchaser: Ron Leubecker

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 3

Property Address: 5433 PATTERSON RD

Location: Property located beginning at center of Patterson Rd., 1,470 feet Southeast of Patterson Farm.

Existing Zoning: RC 2

Area: 35.11 ACRES

Proposed Zoning:

SPECIAL HEARING:

- 1.) To permit an accessory (in law) apartment permitted as a temporary use within an existing accessory building situated on the same owner occupied lot as the principal dwelling, and having a separate utility meter and sewerage services from the principal dwelling, pursuant to Section 400.4.B.4 BCZR.
- 2.) To modify the relief granted in Case 1990-0530-SPHA, by (i) permitting the granted variances to remain in place for the proposed repurposing of the accessory structure, and (ii) eliminating Restriction #2 contained in the August 23, 1990 Amended Order, so as to allow the use of the structure by this new Petitioner as an accessory (in law) apartment.

VARIANCE:

- 1.) BCZR 400.4.B.2.: To permit the size of the existing 1,800 square foot second floor space within an existing accessory structure proposed for use as an accessory (in law) apartment to be permitted, in lieu of the maximum 1,200 square feet.
- 2.) BCZR 400.4.B.4: (if necessary) To permit the size of the existing accessory (in law) apartment building to have a separate utility meter and sewerage services from the principal dwelling.
- 3.) Any relief that the Administrative Law Judge deems to be necessary.

Attorney: Not Available

Prior Zoning Cases: 1988-0128-SPH; 1990-0530-SPHA

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0063 **Reviewer:**
Existing Use: **Proposed Use:**
Type:
Legal Owner:
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Unknown **Flood Plain:** Unknown **Historic:** Unknown **Election Dist:** **Council Dist:**

Property Address:
Location:

Existing Zoning: **Area:**
Proposed Zoning:

Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

Case Number: 2023-0064-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Anna and Andrew Janet
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8304 BURNING WOOD RD
Location: Property located on the South side of Burning Woods Rd. (50 feet), 282 feet Northwest of Wood Valley Rd. (60 feet).

Existing Zoning: DR 2 **Area:** 27,878 SQ FT.

Proposed Zoning:
ADMINISTRATIVE VARIANCE:
BCZR 1B02.3.C.1. (1958 regulations): To permit a side dwelling addition with a side yard setback of 9.5 feet in lieu of the required 15 feet.

Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 04/17/2023

Miscellaneous Notes:

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023 - 0064 -A Address 8304 BURNING WOOD ROAD

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

Filing Date: 3/24/23 Posting Date: 4/2/23 Closing Date: 4/17/23

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 - 0064 -A Address 8304 BURNING WOOD ROAD

Petitioner's Name: JANET Telephone (Cell) 917-856-1986

Posting Date: 4/2/23 Closing Date: 4/17/23

Wording for Sign: To Permit _____

_____ To permit a side yard dwelling addition with a side setback of 9.5' in lieu of the required 15'. _____

**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: 2023-0064-A
Property Address: 8304 BURNING WOOD ROAD
BALTIMORE, MD 21208
Legal Owners (Petitioners): ANNA + ANDREW JANET
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): ERICA WUNDERLICH / LEVIN BROWN + ASSOCIATES
Address: 15 GREENSPRING VALLEY ROAD
OWINGS MILLS, MD 21117
Telephone Number: 410-241-5293

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

MEMORANDUM

February 21, 2023

To Whom it May Concern:

Please accept this correspondence provided in absence from the hearings as indication of the following:

1. We have reviewed the design documents presented to us by the owners of 8304 Burning Wood Road, Pikesville, Maryland, 21208.
2. These documents, dated February 20, 2023, include a site plan, plans, elevations, and exterior renderings.
3. We believe that the proposed addition to their residence will be consistent with the aesthetics of the neighborhood and will be in keeping with the character, materials, and scale of the surrounding houses.
4. We have also noted that they are requesting a side yard variance of 9'-6" in lieu of the 15' county setback. We have no objections to this request.

Sincerely,



Signature(s)



Elizabeth Grace

Kelly Raiser

Name(s)

3508 Woodvalley Dr
Pikesville, MD
Address

2/21/23

Date

MEMORANDUM

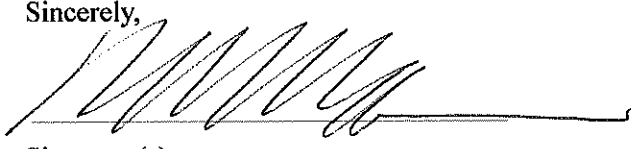
February 21, 2023

To Whom it May Concern:

Please accept this correspondence provided in absence from the hearings as indication of the following:

1. We have reviewed the design documents presented to us by the owners of 8304 Burning Wood Road, Pikesville, Maryland, 21208.
2. These documents, dated February 20, 2023, include a site plan, plans, elevations, and exterior renderings.
3. We believe that the proposed addition to their residence will be consistent with the aesthetics of the neighborhood and will be in keeping with the character, materials, and scale of the surrounding houses.
4. We have also noted that they are requesting a side yard variance of 9'-6" in lieu of the 15' county setback. We have no objections to this request.

Sincerely,


Signature(s)

Robert T. Shemer
Name(s)
8306 Burningwood Rd.
Balto. MD 21208
Address

Shelley R. Shemer
8306 Burningwood Road
Balto, Md. 21208
02-24-2023
Date

MEMORANDUM

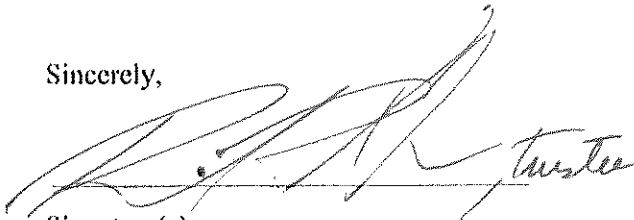
February 21, 2023

To Whom it May Concern:

Please accept this correspondence provided in absence from the hearings as indication of the following:

1. We have reviewed the design documents presented to us by the owners of 8304 Burning Wood Road, Pikesville, Maryland, 21208.
2. These documents, dated February 20, 2023, include a site plan, plans, elevations, and exterior renderings.
3. We believe that the proposed addition to their residence will be consistent with the aesthetics of the neighborhood and will be in keeping with the character, materials, and scale of the surrounding houses.
4. We have also noted that they are requesting a side yard variance of 9'-6" in lieu of the 15' county setback. We have no objections to this request.

Sincerely,


Signature(s)

Richard Winclander, Trustee, Enzo Martínez Trust

Name(s)

8300 Burning Wood Road
Pikesville, MD 21208

Address

March 15, 2023

Date

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration	
Special Tax Recapture: None			
Account Identifier: District - 03 Account Number - 0302004150			
Owner Information			
Owner Name:	JANET ANDREW S JANET ANNA K	Use: RESIDENTIAL Principal Residence: YES	
Mailing Address:	8304 BURNING WOOD RD BALTIMORE MD 21208-1709	Deed Reference: /39419/ 00392	
Location & Structure Information			
Premises Address:	8304 BURNING WOOD RD BALTIMORE 21208-1709	Legal Description: 8304 BURNING WOOD RD LONGMEADOW	
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:			
0068 0015 0170 3030032.04 0000 B 2 2023 Plat Ref: 0026/ 0073			
Town: None			
Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use			
1960 3,815 SF 27,878 SF 04			
StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements			
1 NO STANDARD UNITFRAME/5 3 full/ 1 half 1 Attached			
Value Information			
	Base Value	Value	Phase-in Assessments
		As of	As of
		01/01/2023	07/01/2022
			As of
			07/01/2023
Land:	140,400	140,400	
Improvements	419,700	530,700	
Total:	560,100	671,100	560,100
Preferential Land:	0	0	597,100
Transfer Information			
Seller: KEMPER LOUISE T	Date: 09/20/2017	Price: \$630,000	
Type: ARMS LENGTH IMPROVED	Deed1: /39419/ 00392	Deed2:	
Seller: KEMPER RICHARD F	Date: 04/18/1997	Price: \$0	
Type: NON-ARMS LENGTH OTHER	Deed1: /12134/ 00351	Deed2:	
Seller: BALDER JOHN M	Date: 04/02/1981	Price: \$185,000	
Type: ARMS LENGTH IMPROVED	Deed1: /06273/ 00397	Deed2:	
Exemption Information			
Partial Exempt Assessments: Class		07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00
Special Tax Recapture: None			
Homestead Application Information			
Homestead Application Status: Approved 04/25/2019			
Homeowners' Tax Credit Application Information			
Homeowners' Tax Credit Application Status: No Application Date:			

ZONING HEARING PLAN FOR

X

VARIANCE

SPECIAL HEARING

PROPERTY ADDRESS: 8304 BURNING WOOD ROAD, BALTIMORE, MD 21208

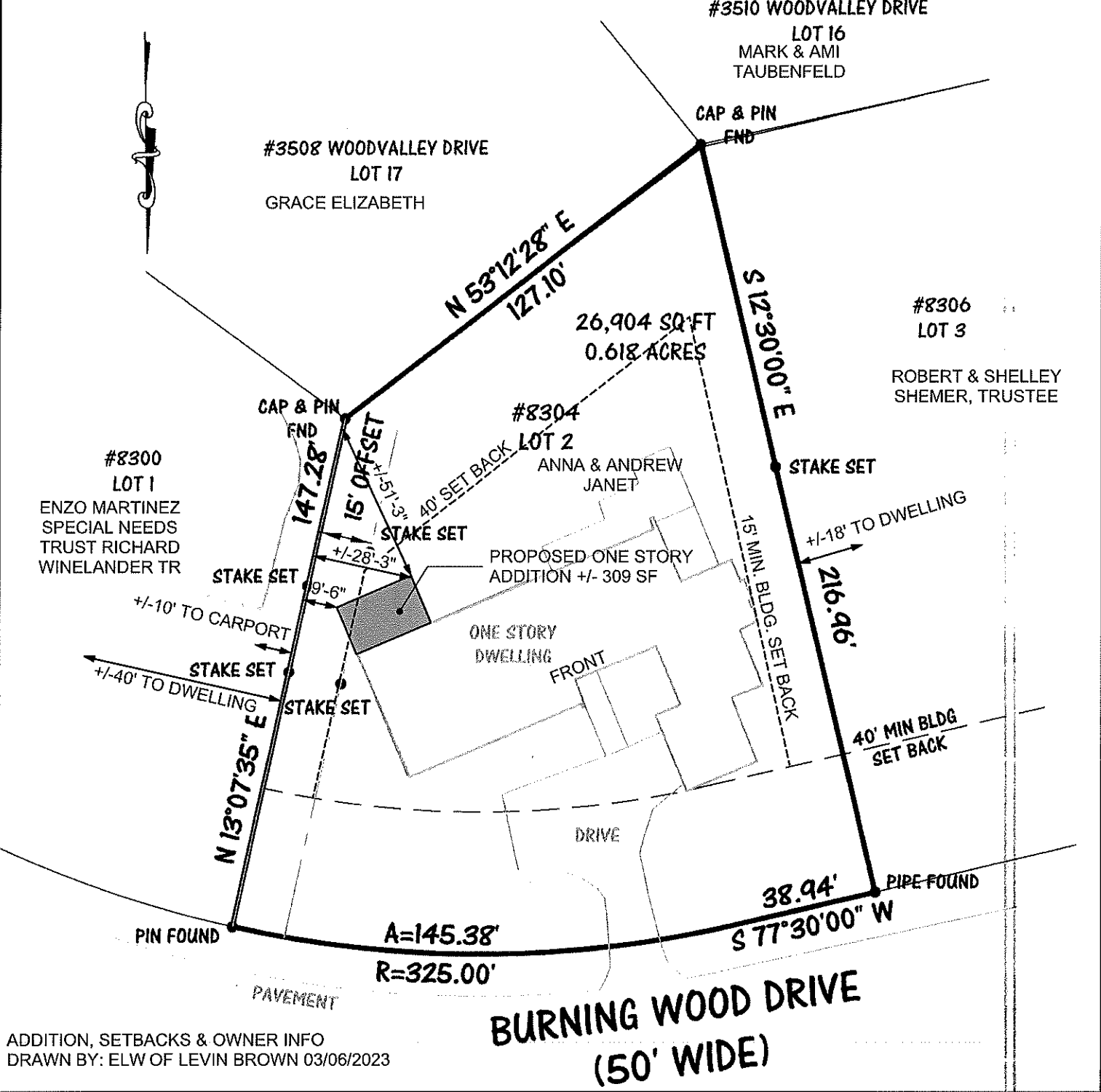
OWNER: ANNA & ANDREW JANET

SUBDIVISION NAME: LONGMEADOW WEST

BLOCK: B LOT: 2 PLAT BOOK 26 FOLIO 73

TAX # 0302004150

DEED REF # 39419/00392



ADDITION, SETBACKS & OWNER INFO
DRAWN BY: ELW OF LEVIN BROWN 03/06/2023

DEED REFERENCE: 39419-392

TGF LAND SURVEYING INC.
1315 DEER CREEK CHURCH ROAD
FOREST HILL, MARYLAND 21050-1815
410.149.4726

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11028, EXPIRATION DATE: SEPTEMBER 5, 2024.

DATE: 2 FEBRUARY 2023 SCALE: 1"=40'

PROPERTY BOUNDARY SURVEY

LOT 2

"LONG MEADOW WEST"

PB 26-73

8304 BURNING WOOD ROAD

MAP 68 PARCEL 170

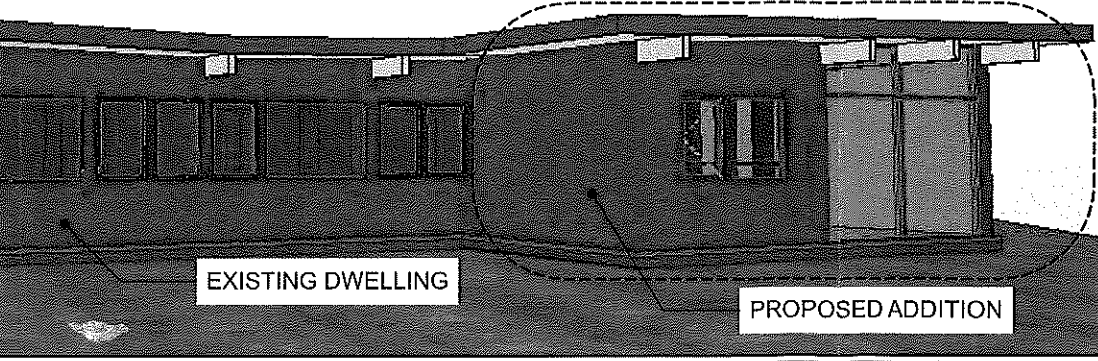
THIRD ELECTION DISTRICT

BALTIMORE COUNTY, MD

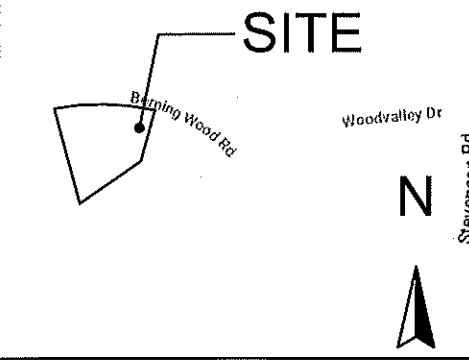
SURVEY PHOTOS OF PROPERTY:



ADDITION RENDERING:



SITE VICINITY MAP (NTS)



PROPERTY INFO:

ZONING MAP: 068B2
SITE ZONED: DR-2
ELECTION DISTRICT: 3
COUNCIL DISTRICT: 2
LOT AREA: 27, 878 SF = 0.64 ACRES
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
WATER: PUBLIC
SEWER: PUBLIC
PRIOR HEARING: NO
CASE NUMBER AND ORDER: N/A

2023-0064-A

Levin/Brown
& Associates, Inc.
ARCHITECTS © copyright Levin/Brown & Associates, Inc.

DATE	03/06/2023
PROJECT NUMBER	0123

PAI # 030030

Pt. Bk. 000017, Folio 0038

DR 1

Lot # 4

0302037641

Lot # 3A

0326040525

Pt. Bk. 0000017, Folio 0038

PAI # 030030

Lot # 3

0307029500

Lot # 2

0307002860

NW 10-E

Lot # 7

0315064490

8309

0307061670

Lot # 6

Lot # 5

0319002480

Pt. Bk. 0000026, Folio 0073

8305

Lot # 4

0314090200

8303

Lot # 3

0303003210

Pt. Bk. 0000026, Folio 0006

3504

BURNING WOOD RD

2 CD

0302004150

Lot # 2

Lot # 3

0305043840

Lot # 1

0316076330

Pt. Bk. Folio # 026073

PAI # 030092

DR 2

Lot # 17

0316076310

3508

Lot # 16

0308008740

3510

Lot # 14

0311089400

3600

Lot # 15

0319036380

3512

NW 9-E

Lot # 13

0308081600

8205

8204

Lot # 8

0306022390

WOODVALLEY DR

MELODY LN

Lot # 9

0302048426

0305077520

Lot # 10

3511

Lot # 11

0308066527

Pt. Bk. 0000026, Folio 0007

3513

Lot # 1

0319012880

3601

0315017101

Lot # 7

8202

PAI # 030030

Pt. Bk. 0000017, Folio 0038

DR 1

Lot # 4
0302037641

Lot # 3A

0326040525

Pt. Bk. 0000017, Folio 0038

Lot # 3 0307029500

Lot # 2 0307002860

PAI # 030030

NW 10-E

Lot # 7
0315064490
8309

0307061670

Lot # 6

Lot # 5 0319002480

Pt. Bk. 0000026, Folio 0073

Lot # 4

0314090200

8303

Lot # 3
0303003210

Pt. Bk. 0000026, Folio 0006

3504

BURNING WOOD RD

2 CD

0302004150

Lot # 2

Lot # 1 0316076330

PAI # 030092

Pt. Bk. 0000026, Folio 026073

068B2

Lot # 3
0305043840

Lot # 4
0312074651

PAI # 030092

DR 2

Lot # 17 0316076310
3508

Lot # 16
0308008740
3510

Lot # 3 0308081600
8205

TALL CHIMNEY CT

Lot # 8 0306022390
8204

NW 9-E

WOODVALLEY DR

Lot # 9 0302048426

0305077520

Lot # 10
3511

0315017101
Lot # 7 8202

Lot # 1
0319012880

Lot # 11 0308066527

Pt. Bk. 0000026, Folio 0007

3513

MELODY LN

3601