



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 15, 2023

Abraham and Chana Hendler – a.hendler.18@gmail.com
917 Painted Post Road
Pikesville, MD 21208

RE: **Corrected Order and Opinion**
Case No. 2023-0112-A
Property: 917 Painted Post Road

Dear Mr. and Mrs. Hendler:

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 black ink that reads "Maureen E. Murphy". The signature is written in a cursive, flowing style.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(917 Painted Post Road)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Abraham & Chana Hendler	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0112-A
* * * * *		

CORRECTED 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, Abraham and Chana Hendler (“Petitioners”) for the property located at 917 Painted Post Road, Pikesville (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B02.3 (record date 6/1/1961) to permit a proposed dwelling addition (family room) with a rear yard setback of 22 ft in lieu of the required 30 ft. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1 (the “Site Plan”). Street view photographs of the Property were provided. (Pet. Exs. 2A-G). A My Neighborhood zoning map shows the irregular shape of the Property. (Pet. Ex. 3). There were no adverse Zoning Advisory Committee (“ZAC”) comments contained in the case file from any of the County reviewing agencies.

The Petitioners have filed the supporting affidavits as required by Section 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 Site Plan, architectural renderings, photographs, and affidavit submitted provide

sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on May 27, 2023 and June 11, 2023 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

THEREFORE, IT IS ORDERED, this 15th day of **June, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1B02.C.3 (record date 6/1/1961) to permit a proposed dwelling addition with a rear yard setback of 22 ft in lieu of the required 30 ft rear yard setback, be and it is hereby, **GRANTED**.

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

A handwritten signature in dark ink, appearing to read "Maureen E. Murphy". The signature is fluid and cursive, with the first name "Maureen" being more prominent than the last name "Murphy".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw



JOHN A. OLSZEWSKI, JR.
County Executive

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

June 15, 2023

Abraham and Chana Hendler – a.hendler.18@gmail.com
917 Painted Post Road
Pikesville, MD 21208

RE: Petition for Administrative Variance
Case No. 2023-0112-A
Property: 917 Painted Post Road

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MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(917 Painted Post Road)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Abraham & Chana Hendler	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0112-A
* * * * *		

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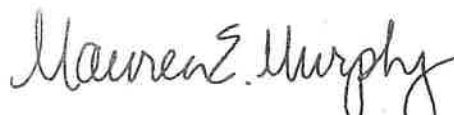
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sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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



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 917 PAINTED Post RD Pikesville MD 21208 Currently Zoned DR 5.5
Parcel Reference 14610 / 00142 10 Digit Tax Account # 0206570660
Owner(s) Printed Name(s) Abraham Hendler Chana Hendler

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

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

I, 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) B & M1C - SEE Attached

the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.
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):

Abraham Hendler Chana Hendler
Name #1 - Type or Print Abraham Hendler Name #2 - Type or Print Chana Hendler
Abraham Hendler Chana Hendler
Signature #1 917 PAINTED Post Pikesville MD Signature #2 Chana Hendler
Mailing Address 1208 410 580 9490 443 691 1050 a.hendler.18@gmail.com
City Pikesville State MD
Zip Code 21208 Telephone #'s (Cell and Home) 410 580 9490 443 691 1050 Email Address a.hendler.18@gmail.com

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

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Representative to be Contacted:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

IF 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 0112-A Filing Date 5/18/23 Estimated Posting Date 5/28/23 Reviewer gh

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: 917 Painted Post Rd. Baltimore 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)

We purchased our house in 2000 when we were a family of 6.
Over the years our family has grown to a family of 10. We have
9 grandchildren as well, all of whom visit frequently. As a result,
we need more living space to accommodate our growing family.
The proposed addition will add a family room (16'x18') which
will add living space to the existing house. The addition will not
exceed the height limit for the neighborhood, and it will be set
back the appropriate distance from the property lines.
We respectfully request a variance to allow the addition to begin.

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

Abraham Hendler
Signature of Owner (Affiant)

Chana Hendler
Signature of Owner (Affiant)

Abraham Hendler
Name - Print or Type

CHANA HENDLER
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 11th day of May, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Abraham Hendler and Chana Hendler

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

3/23/25
My Commission Expires

2023-0112-A

Administrative Variance; from sections: 1B02.3 (recorded date 06/1/1961) of the BCZR :To permit a proposed addition (Family Room) with a rear yard setback of 22 feet in lieu of the required 30 feet.

917 Painted Post Road Pikesville, MD 21208

Description of Legal Property

BEING KNOWN AND DESIGNATED as Lot No. 6, Block G, as shown on a Plat entitled, "Plat No. Five, Scott's Hill", which Plat is recorded among the Land Records of Baltimore County in Plat Book W. I. R. No. 27, folio 115. The improvements thereon being known as No. 917 Painted Post Road.

Part A

Beginning at a point on the South East side of Painted Post Rd. which is 15 feet wide at the North East intersection of Scotts Hill Drive and Painted Post Rd. which is 15 feet wide,

2023-0112-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: June 1, 2023

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 30, 2023
Item No. 2023-0101-A, 0107-SPH, 0111-SPH & 0112-A

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

* * * * *

VKD: cen
cc: file

CERTIFICATE OF POSTING

2023-0112-A

RE: Case No.: _____

Petitioner/Developer: _____

Abraham & Chana Hendler

June 12, 2023

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

917 Painted Post Road ***SIGN 1***

May 27, 2023

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 May 27, 2023
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2023-0112-A

RE: Case No.: _____

Petitioner/Developer: _____

Abraham & Chana Hendler

June 12, 2023

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

917 Painted Post Road ***SIGN 2***

May 27, 2023

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 May 27, 2023
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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: May 30, 2023

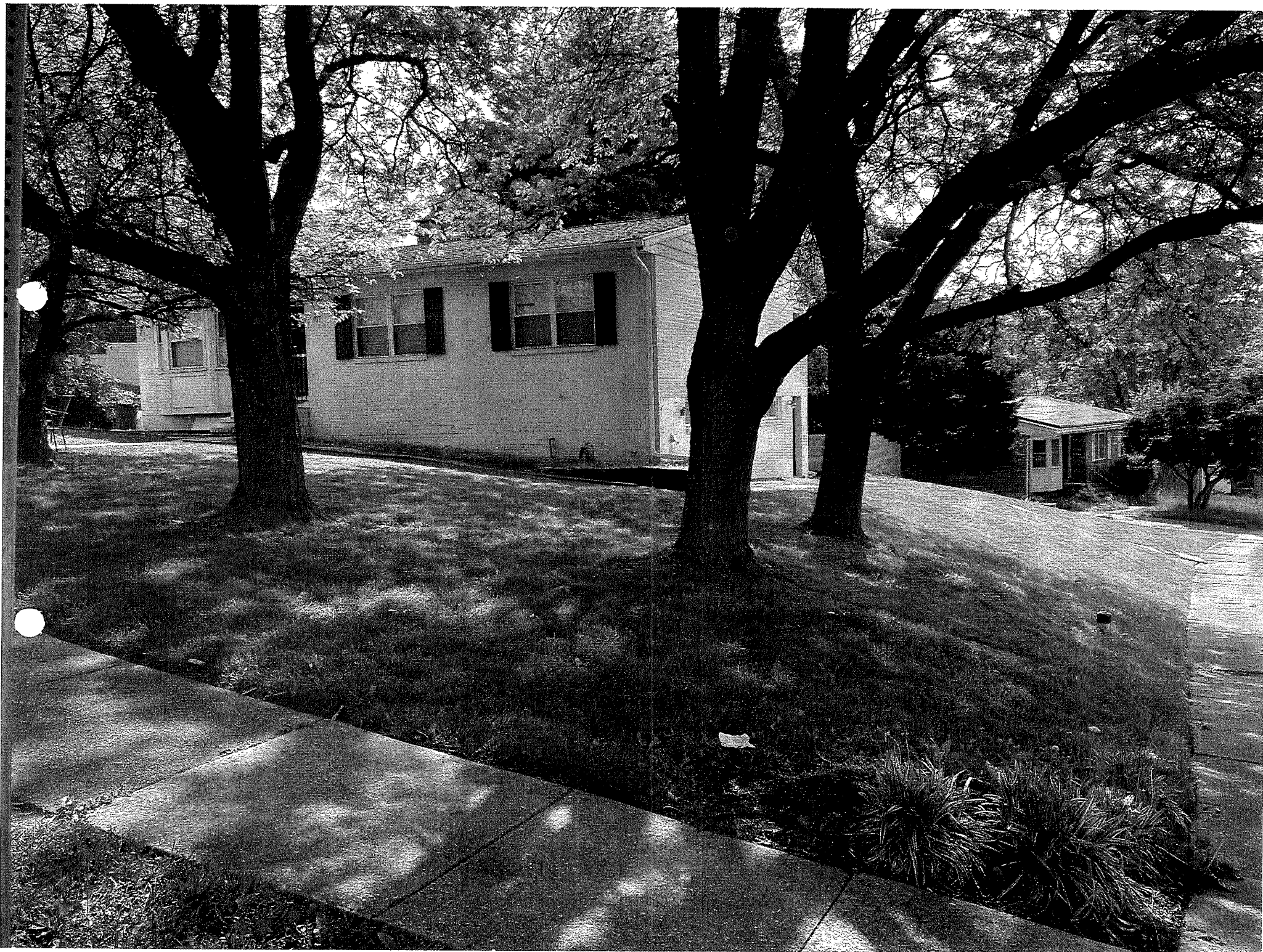
SUBJECT: DEPS Comment for Zoning Item # 2023-0112-A
Address: 917 Painted Post Rd
Legal Owner: Abraham and Chana Hendler

Zoning Advisory Committee Meeting of May 30, 2023.

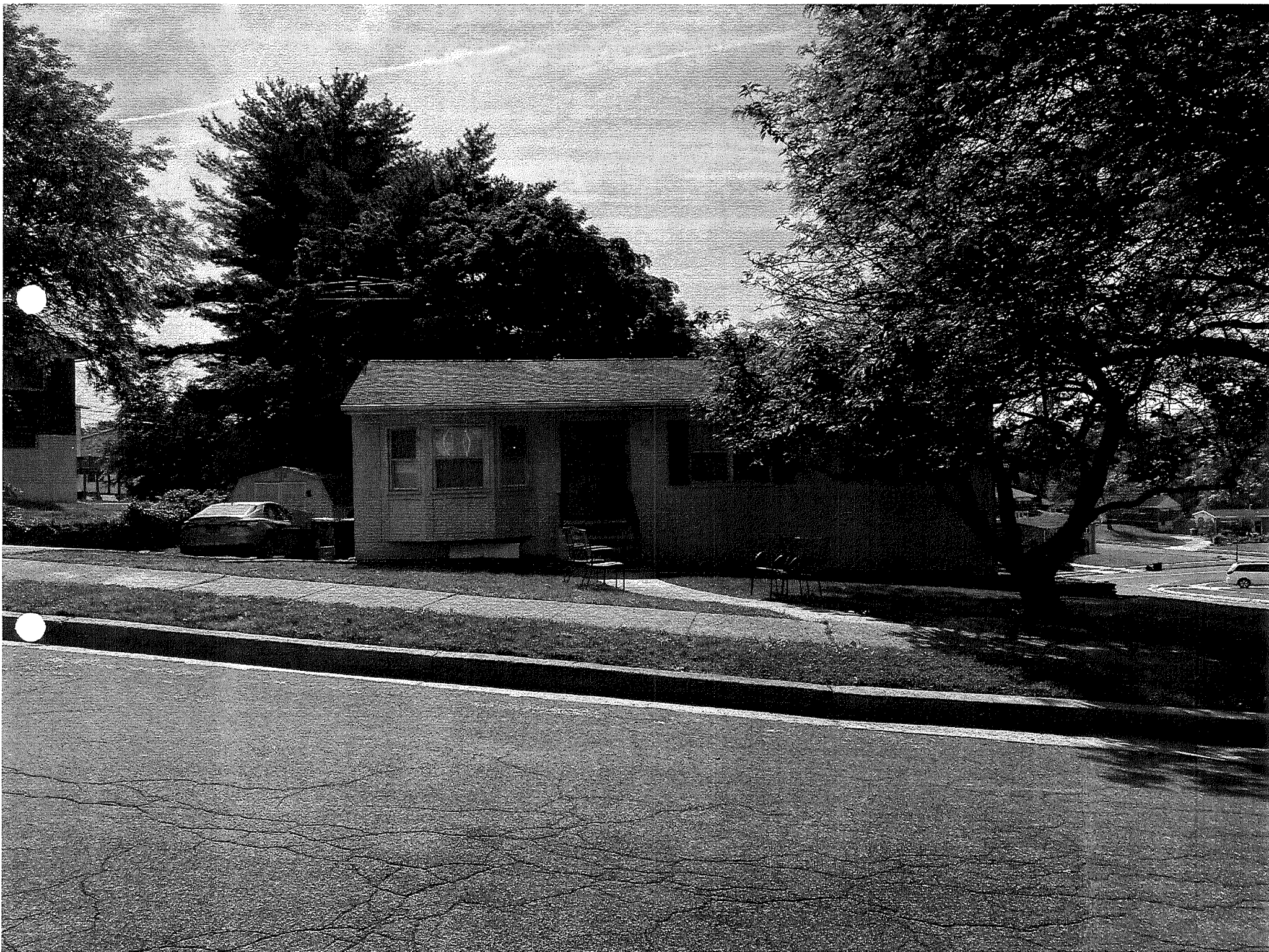
X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

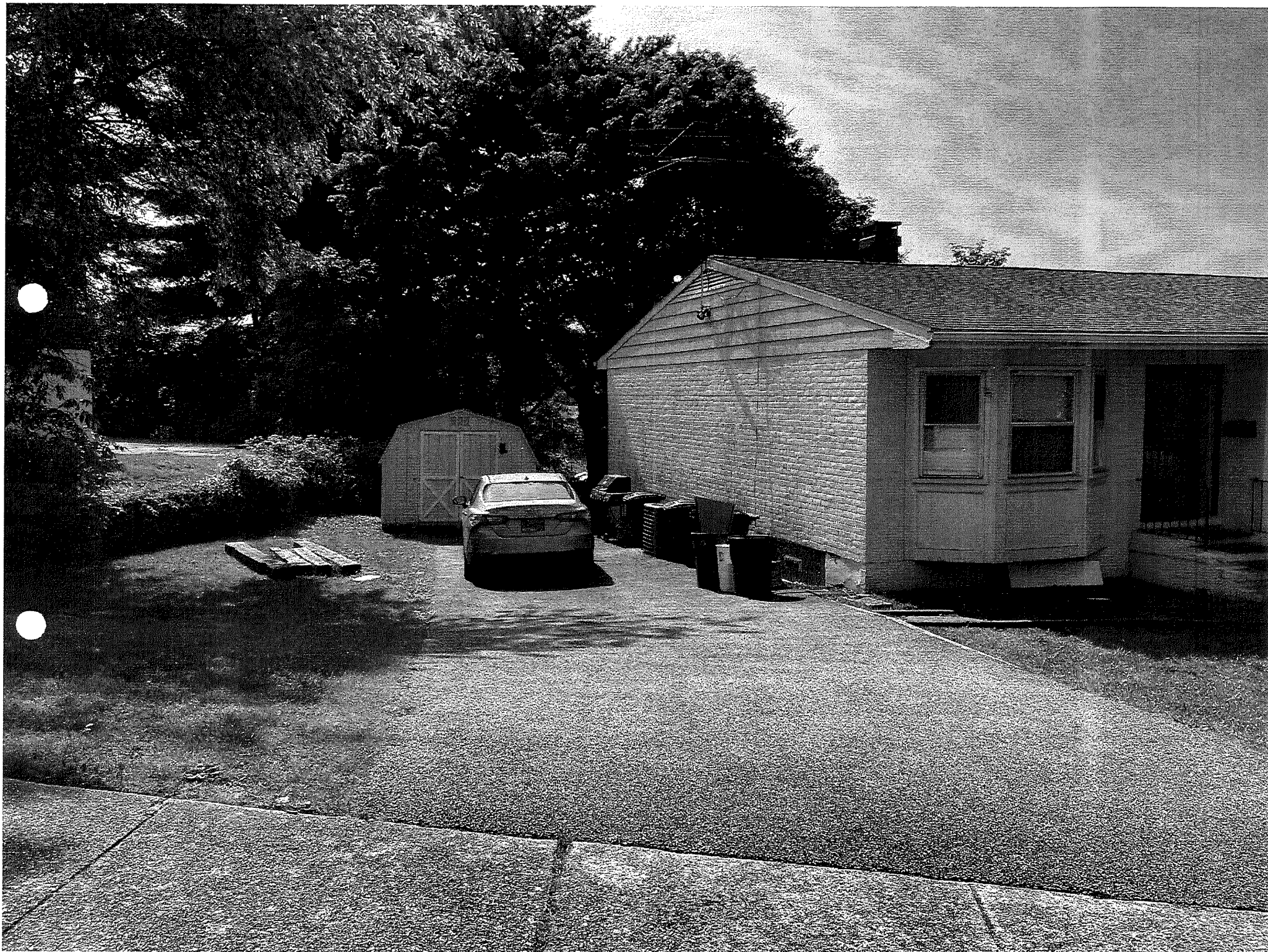
Reviewer: Earl D. Wrenn



2023-0112-A



2023-06-11



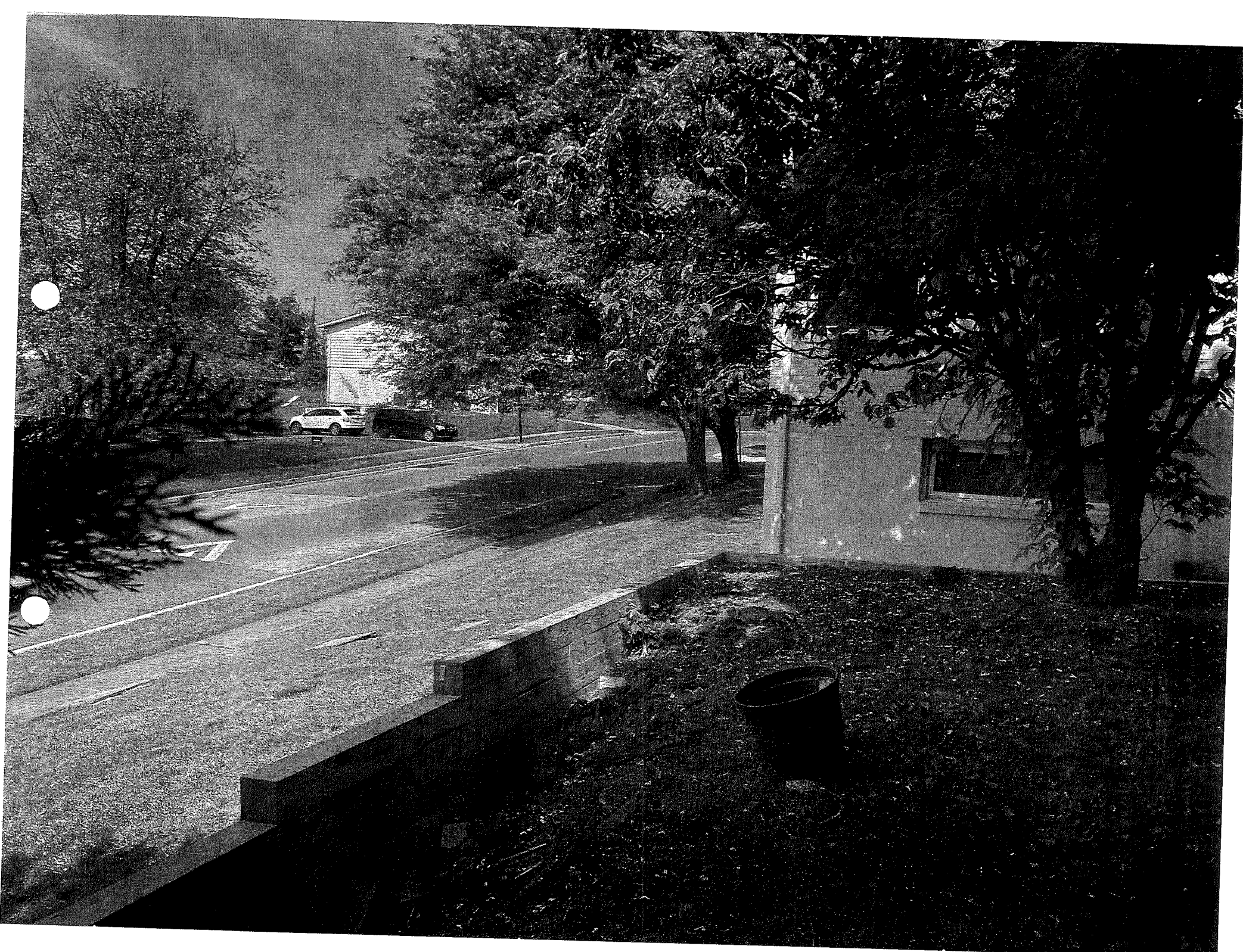
2023-01-2 A



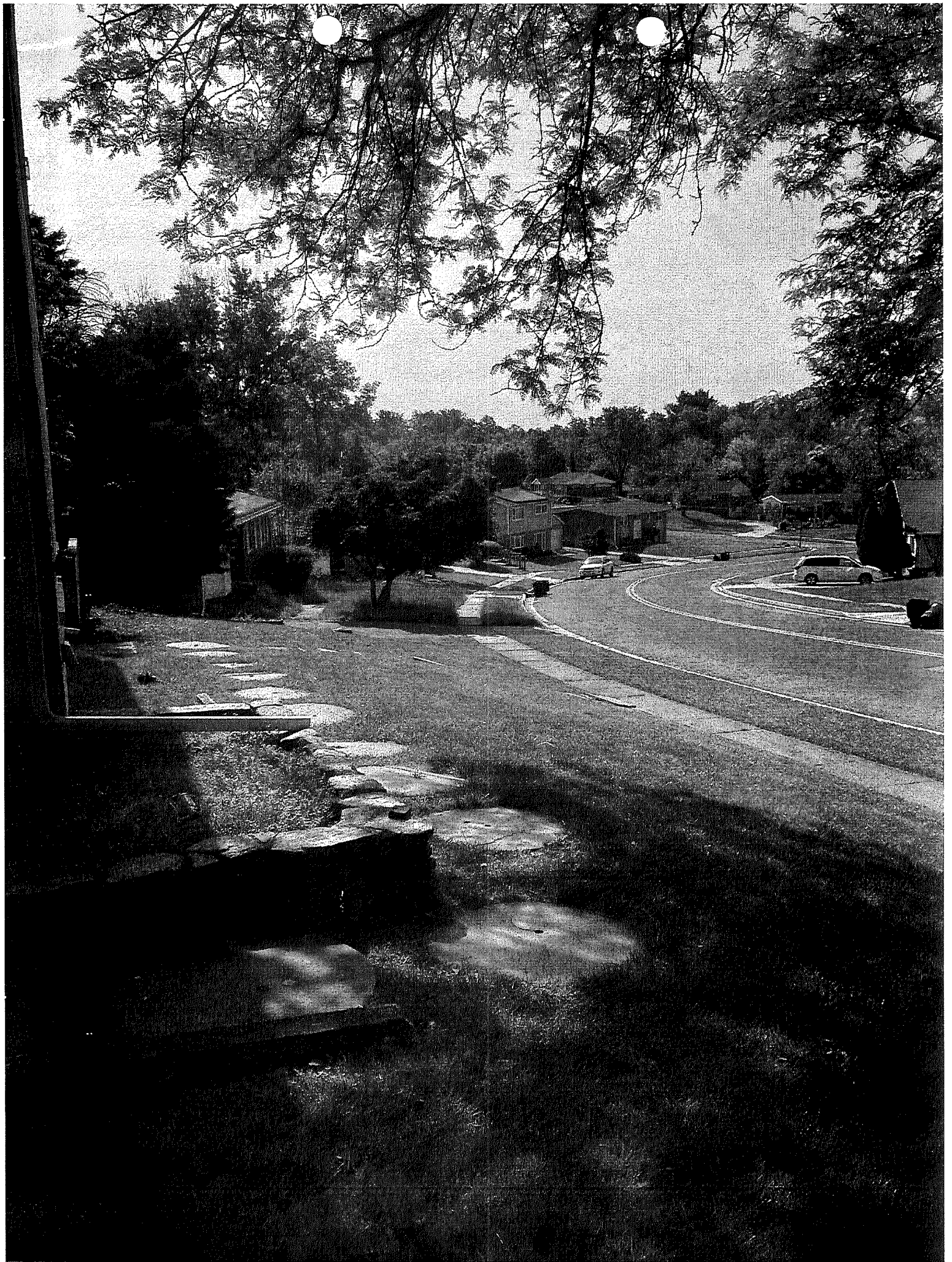
2023-0112-A



2623-0112A

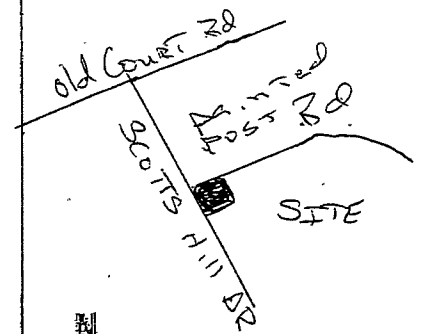


2023-6112-A



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 917 Painted Post Rd. Balt. MD 21208 OWNER(S) NAME(S) Abraham and Chana Hendler
 SUBDIVISION NAME "Plot No. Five, Scotts Hill" LOT # 10 BLOCK # G SECTION # _____
 PLAT BOOK # 27 FOLIO # 115 10 DIGIT TAX # 02 06 5 1 0 6 6 0 DEED REF. # L4610/00L42

SITE VICINITY MAP



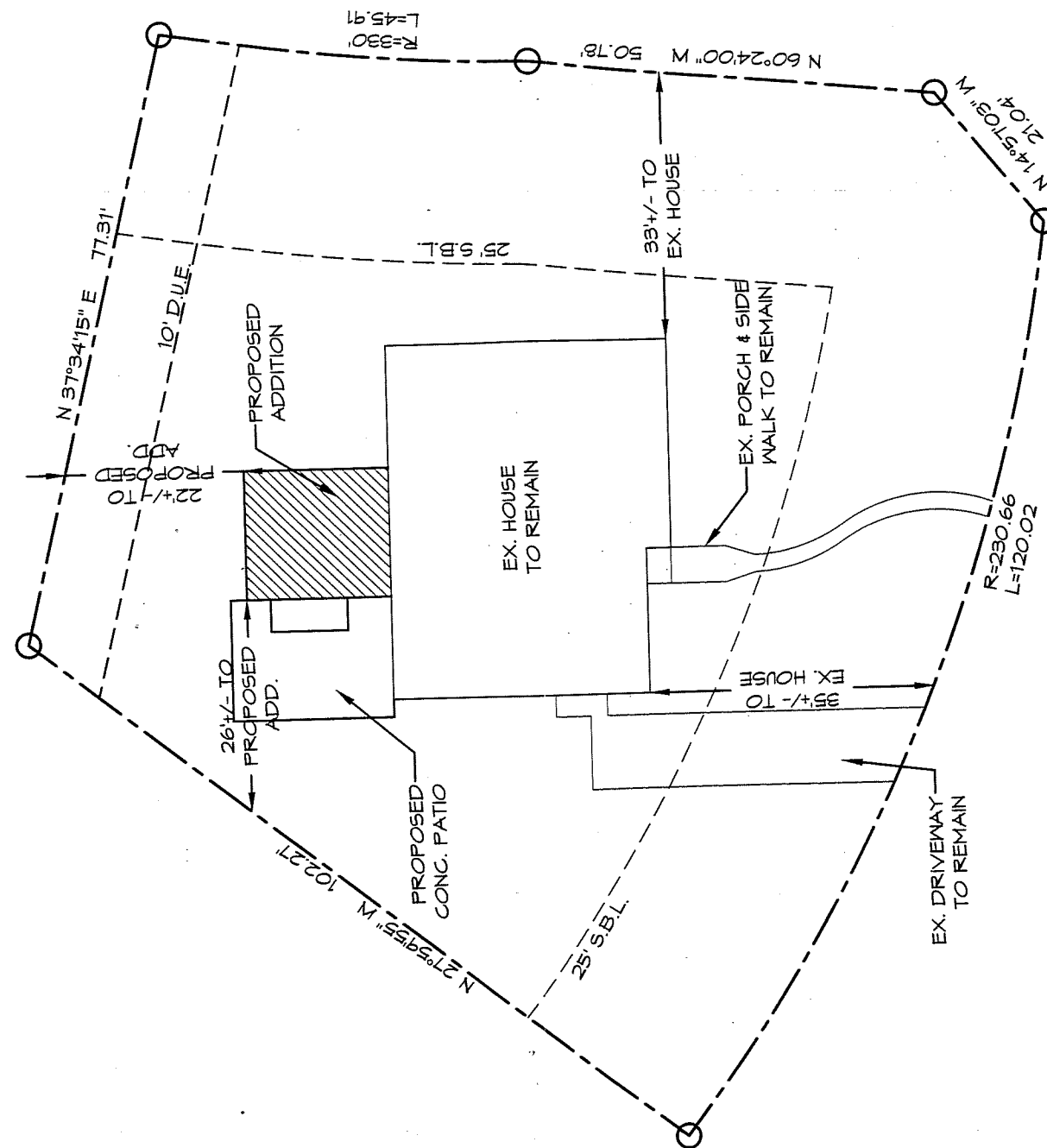
N



MAP IS NOT TO SCALE

ZONING MAP# 0078A2
 SITE ZONED DR 5.5
 ELECTION DISTRICT 2
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 0.2424
 OR SQUARE FEET 10,557
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PAINTED POST ROAD

N

PLAN DRAWN BY Greg Little DATE 5.2023 SCALE: 1 INCH = 20'-0" FEET

2023-0112-A