



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

January 31, 2024

Yitzchok and Rachel Tendler – tendleryitzy@gmail.com
6603 Troy Ct.
Baltimore, MD 21209

RE: Petition for Administrative Variance
Case No. 2024-0005-A
Property: 6603 Troy Ct.

Dear Mr. and Mrs. Tendler:

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 blue ink signature of Derek J. Baumgardner, consisting of a stylized 'D' followed by a series of loops and a long horizontal stroke.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6603 Troy Ct.)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Yitzchok & Rachel Tendler	*	HEARINGS FOR
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2024-0005-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, Yitzchok and Rachel Tendler (“Petitioner”) for the property located at 6603 Troy Ct., Baltimore (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.B (211.2 & 211.3, R.6, 1955 regs) to permit a front (street) setback of 15 ft. in lieu of 25 ft., side setback of 7 ft. in lieu of 18 ft. and side setback sum of 18 ft. in lieu of 20 ft. for proposed additions. The Property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence (the “Site Plan”). (Pet. Ex. 1). Street view photographs were marked and accepted into evidence. (Pet. Ex. 2A-2F). There were no adverse Zoning Advisory Committee (“ZAC”) comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on January 14, 2024, 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 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 information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of BCZR, Section 307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners. I also find that the requested relief is within the spirit and intent of the BCZR, particularly in light of the lack of opposition.

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 will be granted.

THEREFORE, IT IS ORDERED, this 31st day of **January, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the BCZR, Section 1B02.3.C.1, to approve an addition with a front setback 18 ft. and a side setback as close as 7 ft., in lieu of the required 25 ft. front and 10 ft. side setbacks requirement, be and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- 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.


DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB: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 6603 Troy Ct Baltimore MD 21209 Currently Zoned DR5.5
Deed Reference 36587 / 00089 10 Digit Tax Account # 0 3 1 0 0 0 1 2 9 0
Owner(s) Printed Name(s) Yitzchok Tendler and Rachel Tendler

(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. Y **ADMINISTRATIVE VARIANCE** from Section(s) 1B02.3.B (211.2 & 211.3, R. 6, 1955 reg.) to permit a front (street) setback of 15 feet in lieu of 25 feet, side setback of 7 feet in lieu of 8 feet, and side setback sum of 18 feet in lieu of 20 feet for proposed additions.

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 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.

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):

Yitzchok Tendler		Rachel Tendler	
Name #1 – Type or Print		Name #2 – Type or Print	
Signature #1		Signature #2	
6603 Troy Ct		Baltimore	MD
Mailing Address		City	State
21209	410-501-8529	tendleryitzy@gmail.com	
Zip Code	Telephone #'s (Cell and Home)	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:

Yitzchok Tendler

Name - Type or Print _____

Signature _____

6603 Troy Ct Baltimore MD

Mailing Address _____ City _____ State _____

21209 410-501-8529 tendleryitzy@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 2624-0005-A Filing Date 1 / 3 / 24 Estimated Posting Date 1 / 14 / 24 Reviewer [Signature]

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: 6603 Troy Ct Baltimore MD 21209
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 a variance to be able to construct an addition to meet the needs of our family. When evaluating the options for the layout on our property, we had the following considerations: We are unable to add on the right side of the property as that would be too close to the neighbor and make the land unusable. We are unable to add in the backyard as that would essentially take up most of the space in the already small backyard, which would then decrease the area that our children are able to play in. As such, the only option is to add to the front left corner and the left side of the house. However, due to the usable area and the layout of the property as well as the curve of the court that we live on, we are only able to accomplish the addition in by using a variance.

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

AM
Signature of Owner (Affiant)

Yitzchok Tendler
Name - Print or Type

Rachel
Signature of Owner (Affiant)

Rachel Tendler
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 15th day of December, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

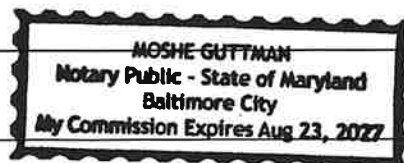
Print name(s) here: *Yitzchok Tendler, Rachel Tendler*

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

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires



ZONING DESCRIPTION
6603 TROY COURT

Beginning on the east side of Troy Court, 50 foot wide, which is 115 feet north of the centerline of Shelrick Place, 50 foot wide. Being Lot Number 15, of Block D, Plat F, and Section 3 of the Meadowood Subdivision as recorded in Plat Book 25, Folio 13. Also known as 6603 Troy Court containing .238 acres in the 3rd Election District and 2nd Councilmanic District.

2024-0005-A

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

No. 229452

Date: 1/3/2024

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	801	0000		6156					\$ 75.1

Total: \$ 75.1

Rec From: Yitzchok & Rachel Temler

For: Administrative Zoning Variance
6603 Troy Court
Case No. 2024-0005-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

mtk

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024-0005 -A Address 6603 Troy Court

Contact Person: Mitch Kellman Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/3/2024 Posting Date: 1/14/24 Closing Date: 1/29/24

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: 2024-0005 -A Address 6603 Troy Court

Petitioner's Name: Yitzchok & Rachel Tendler Telephone (Cell): 410-501-8529

Posting Date: 1/14/24 Closing Date: 1/29/24

Wording for Sign: To Permit a front (street) setback of 15 feet in lieu of 25 feet, side setback of 7 feet in lieu of 8 feet, and side setback sum of 18 feet in lieu of 20 feet for proposal additions.

Revised 1/2022

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 - 0310001290

Owner Information

Owner Name:

TENDLER YITZCHOK A
TENDLER RACHEL N

Use:

RESIDENTIAL

Mailing Address:

6603 TROY CT
BALTIMORE MD 21209-2635

Principal Residence:

YES

Deed Reference:

/36587/ 00089

Location & Structure Information

Premises Address:

6603 TROY CT
BALTIMORE 21209-2635

Legal Description:

6603 TROY CT
MEADOWOOD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	F
0079	0007	0187	3060089.04	0000	3	D	15	2023	Plat Ref:	0025/ 0013

Town: None

Primary Structure Built

1959

Above Grade Living Area

2,540 SF

Finished Basement Area

Property Land Area

10,350 SF

County Use

04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	SPLIT LEVEL	1/2 BRICK FRAME/ FRAME	4	2 full/ 1 half		

Value Information

	Base Value	Value	Phase-in Assessments
		As of	As of
		01/01/2023	07/01/2023
Land:	121,300	121,300	As of 07/01/2024
Improvements	363,600	369,100	
Total:	484,900	490,400	
Preferential Land:	0	0	486,733 488,567

Transfer Information

Seller: THE NORMAN H JACOBSON

Date: 08/27/2015

Price: \$300,000

Type: NON-ARMS LENGTH OTHER

Deed1: /36587/ 00089

Deed2:

Seller: JACOBSON NORMAN H

Date: 05/14/2008

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: /26994/ 00661

Deed2:

Seller:

Date:

Price:

Type:

Deed1:

Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
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

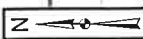
Homestead Application Status: Approved 08/18/2016

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

2024-0005-A

[illegible]

Baltimore County Government VITA Fsd HERE Gamlin INCREMENT P USGS EPA USDA

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: January 25, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0005-A
Address: 6603 TROY CT
Legal Owner: Yitzchok & Rachel Tendler

Zoning Advisory Committee Meeting of January 26, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

The Department of Public Works and Transportation (DPWT) Bureau of Engineering and Construction offers the following comments following the review of the ZAC Agenda for the distribution meeting of January 19, 2024 and comments due January 26, 2024:

2024-0005-A, 6603 Troy Ct.: No Exception taken

ZAC AGENDA

Case Number: 2024-0005-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Yitzchok & Rachel Tendler
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 6603 TROY CT
Location: Eastside of Troy Court, north of centerline of Shelrick Place

Existing Zoning: DR 5.5 (VESTED R-6) **Area:** 10,350 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

Section 1B02.3.B (211.2 & 211.3, R.6, 1955 regs) to permit a front (street) setback of 15 ft. in lieu of 25 ft., side setback of 7 ft. in lieu of 8 ft. and side setback sum of 18 ft. in lieu of 20 ft. for proposed additions.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/29/2024

Miscellaneous Notes:

*Landscape - NC
Per Parks - NC & No Greenways Affected*

Case Number: 2024-0006-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Beth Doefler, Mike DeQuevedo
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 5

Property Address: 1343 S SENECA RD
Location: Lot 222 in the subdivision of Bowleys Quarters

Existing Zoning: DR 5.5 **Area:** 17,250 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR, Section 400.3 to approve an accessory building (garage) at total height of 20 ft. in lieu of the required maximum height of 15 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/29/2024

No Greenways affected.

Landscape: N/C.

Miscellaneous Notes:

*Landscape - NC
Per Parks - NC & No Greenways Affected*

ZONING NOTICE

#1

ADMINISTRATIVE VARIANCE

CASE # 2024-0005-A

TO PERMIT A FRONT (STREET) SETBACK OF 15 FEET IN
LIEU OF 25 FEET, SIDE SETBACK OF 7 FEET IN LIEU OF
9 FEET AND SIDE SETBACK SUM OF 18 FEET IN LIEU OF
20 FEET FOR PROPOSED ADDITIONS

6602 TROY COURT

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
4:30 P.M. ON 12/29

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS ^{APPROVALS AND INSPECTIONS} 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

CERTIFICATE OF POSTING

Date: 1-14-24

RE: Case Number: 2024-0005-A

Petitioner/Developer: Tindler

Date of Hearing/Closing: 1-29-24

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 6603 Troy Ct

The sign(s) were posted on 1-14-24
(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)

