

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
W/S Falls Road, 450 ft. S of
the c/l Fallscrest Way
11541 St. Davids Lane
8th Election District
3rd Councilmanic District
Paul Bekman, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-134-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Paul Bekman for that property known as 11541 St. Davids Lane in the Lutherville section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. lot line setback, in lieu of 50 ft., for an addition, in an R.C.5 zone. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship

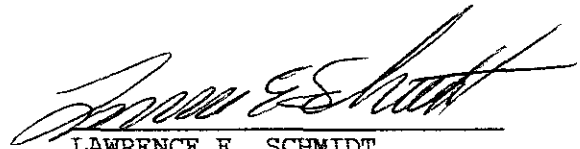
11/17/97
M. Shoop

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of November 1997 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 38 ft. lot line setback, in lieu of 50 ft., for an addition, in an R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORIGINAL FILED FOR FILING
DATE 11/17/97
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

November 6, 1997

Mr. Paul Bekman
11541 St. Davids Lane
Lutherville, Maryland 21093

RE: Petition for Administrative Variance
Case No. 98-134-A
Property: 11541 St. Davids Lane

Dear Mr. Bekman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Mr. Dwayne Van Horn
Penza Associates Architects, Inc.
2203 N. Charles St.
Baltimore, Md. 21218





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11541 St. Davids Lane Lutherville, MD 21093

which is presently zoned R.C.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3.B.3 Building Setbacks *to permit a 38 ft lot line setback
in lieu of 50 ft.*

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Addition of a 96 square foot (8'-0" x 12'-0") one story walk in closet addition at South wall of an existing residence will extend into the 50'-0" side yard set back 12'-0". Existing air conditioner condensers and trees prohibit an addition at the East wall.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variances advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that (we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

Mr. Paul Bekman

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11541 St. Davids Land (Hm) 561-4369
Address (Wk) 539-6633

Lutherville, Maryland 21093

City State Zipcode

Name, Address and phone number of representative to be contacted

Dwayne Van Horn
Penza Associates Architects, Inc.

2203 North Charles St 410 467-7741
Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised as required by the Zoning Regulations of Baltimore County in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: *MJC*

DATE: *10/8/97*

ESTIMATED POSTING DATE: *10/19/97*



Printed with Soybean Ink
on Recycled Paper

ITEM #: *134*

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 11541 St Davids Lane
Lutherville, Maryland 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (specify hardship or practical difficulty)

Addition of a 96 square foot (8'-0") one story walk-in closet
addition at South wall of an existing residence will
extend into the 50'-0" side yard set back 12'-0". Existing
air conditioner condensers and trees prohibit an addition at
the East wall.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information

(signature)

(type or print name)



(signature)

PAUL BEKMAN
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of September, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Paul D. Bekman

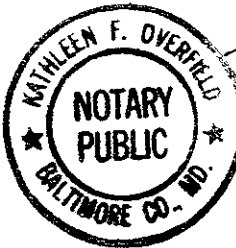
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief

AS WITNESS my hand and Notarial Seal.

9/30/97
date

Kathleen F. Overfield
NOTARY PUBLIC

My Commission Expires: 3/1/98



Beginning on the west side of Falls Road, 100 feet wide, at the distance of 450 feet south of the centerline of Fallscrest Way. Being Lot 8 in Section One, Plat Two of "The Clearings" as recorded in Plat Book 50, folio 57. Also known as 11541 Saint Davids Lane containing 1.163 acres in the 8th Election District.

134

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10/19/97

Format for Sign Printing, Black Letters on a White Background:

Item # 134

ZONING NOTICE

ADMINISTRATIVE VARIANCE

variance Case No.: 98-134-A

to permit a 38 ft lot line setback in
lieu of 50 ft.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

November 3, 1997

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

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

98-134-A

Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 134

Petitioner: MR. PAUL BEKMAN

Location: 11541 ST. DAVID'S LANE LUTHERVILLE, MD 21093

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MR. PAUL BEKMAN

ADDRESS: 11541 ST. DAVID'S LANE

LUTHERVILLE, MD. 21093

PHONE NUMBER: HM 561-4369
WK 539-6633

AJ:ggs

(Revised 09/24/96)

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **044431**

DATE **10/8/97** ACCOUNT **01-615**

Item: **134** AMOUNT **\$ 50.00**

By: **mk**

RECEIVED **Penzer Assoc.** FROM: **11341 St Dunlos Lane**

FOR: **010-Res Inc** **\$50.00**

PAID RECEIPT
10/08/97 10:00:30
CASHIER CLERK DRAMER
5 MISCELLANEOUS DASH RECEIPT
RECEIVED \$ 50.00
CR No. 044431
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
98-134-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: # 98-134-A

Petitioner/Developer:

(Paul Bekman)

Date of Hearing/Closing:

(Nov. 3, 1997)

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

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

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 _____

____11541 St. Davids Lane Lutherville Maryland 21093_____

The sign(s) were posted on _____ Oct. 17, 1997 _____
(Month, Day, Year)

Sincerely,

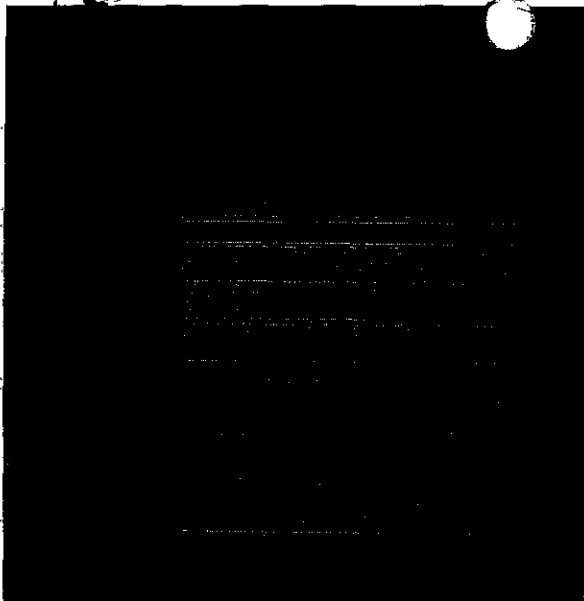

(Signature of Sign Poster & Date)

____Thomas P. Ogle, Sr._____

____325 Nicholson Road_____

____Baltimore, Maryland 21221_____

____(410)-687-8405_____
(Telephone Number)



98-134A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 21, 1997

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 98-134-A
11541 St. Davids Lane
W/S Falls Road, 450' S of c/l Fallscrest Way
8th Election District - 3rd Councilmanic
Legal Owner(s): Paul Bekman
Post by Date: 10/19/97
Closing Date: 11/04/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's 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.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Paul Bekman
Dwayne Van Horn





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 29, 1997

Mr. Paul Bekman
11541 St. Davids Land
Lutherville, MD 21093

RE: Item No.: 134
Case No.: 98-134-A
Petitioner: Paul Bekman

Dear Mr. Bekman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 8, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 20, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

Item Nos. 133, 134, 136, and 144

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/24/97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: OCT 20, 1997

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	132	139
	133	140
	134	141
	136	142
	138	145
		146

RBS:sp

BRUCE2/DEPRM/TXTS8P



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 134

10/24/97
MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Cindy M. Webb

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 27, 1997

FROM: *Pub* Robert W. Bowling, Chief
Bureau of Developer's Plans Review

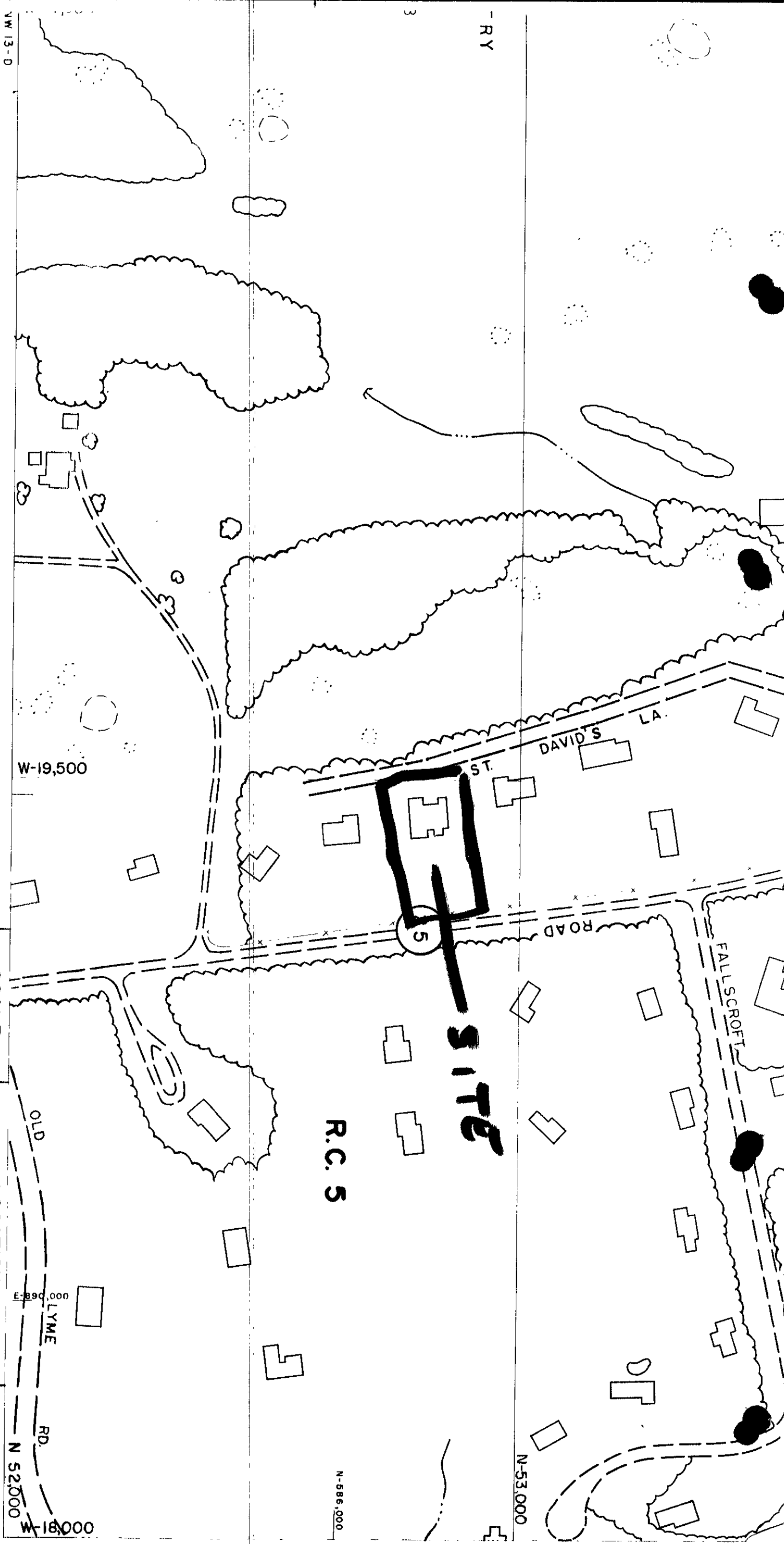
SUBJECT: Zoning Advisory Committee Meeting
for October 27, 1997
Item Nos. 132, 133, 134, 136, 141,
142, and 145

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

E COUNTY NING AND ZONING ONING MAP



SCALE 1" = 200' ±	LOCATION CHESTNUT RIDGE	
	DATE OF PHOTOGRAPHY JANUARY 1986	COUNTRY CLUB
		SHEET N.W. 14-D

#134

98-134A

ADDITION AT SIDE

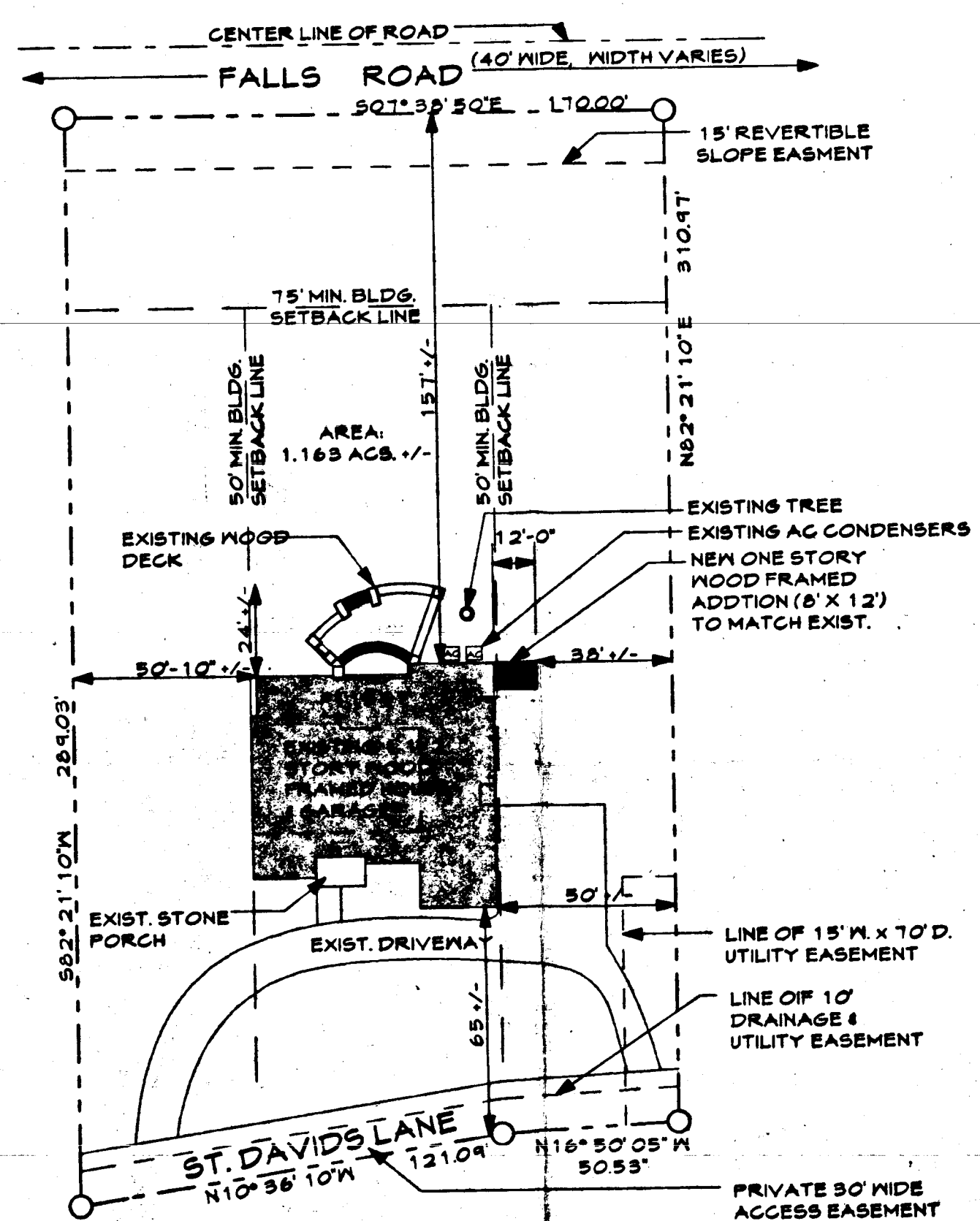
98-134-A



134

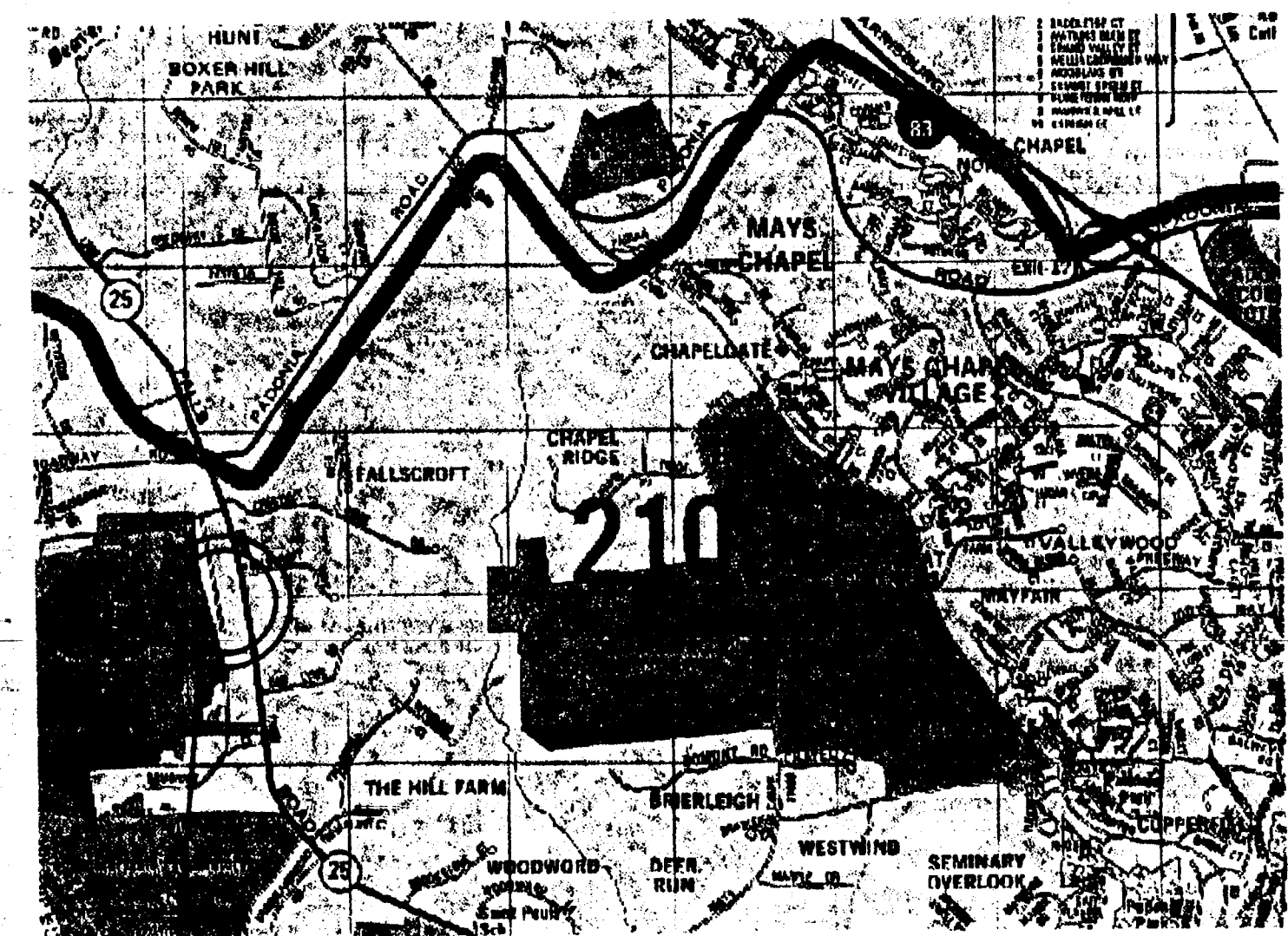
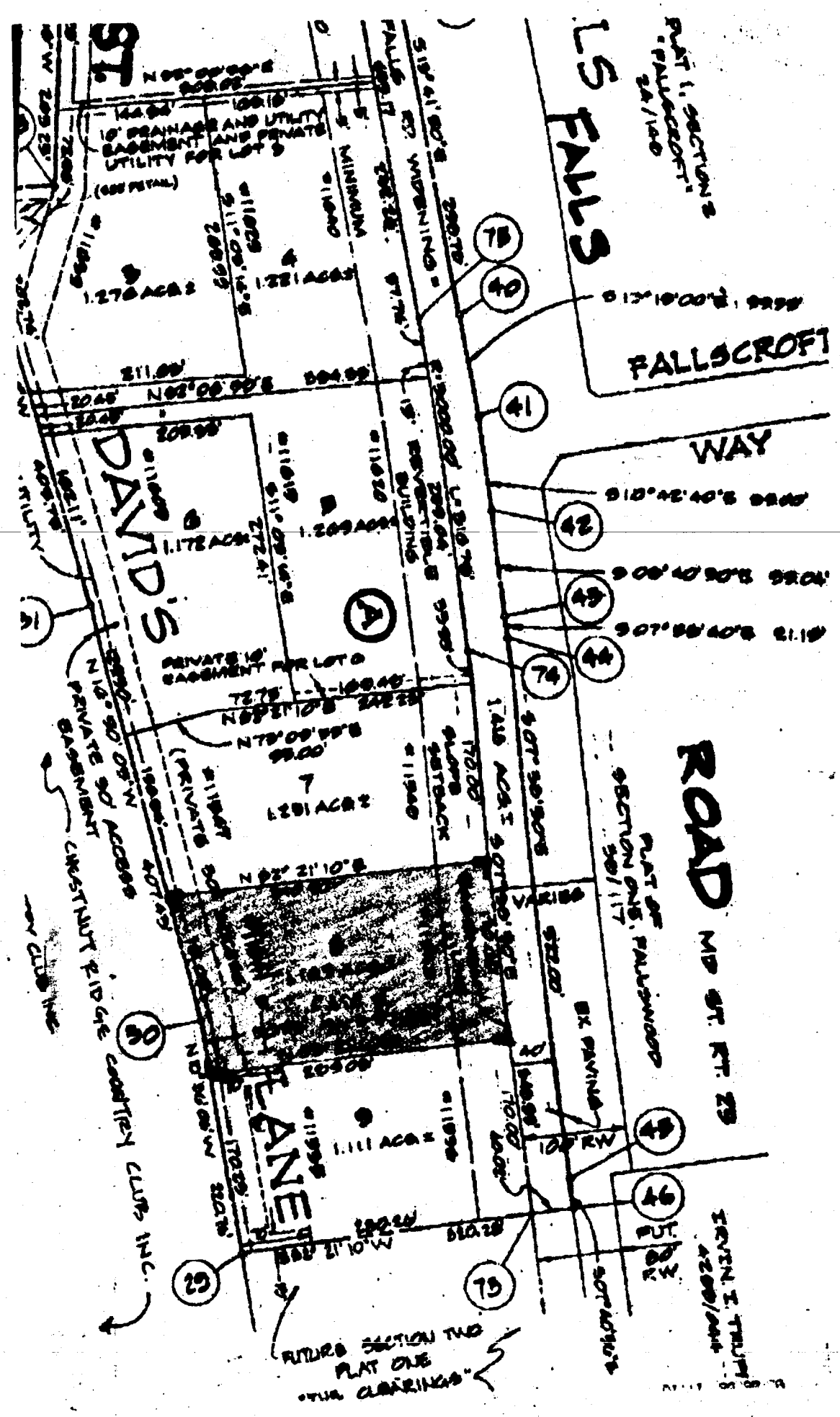
BERKMAN RESIDENCE

11541 ST. DAVID'S LANE

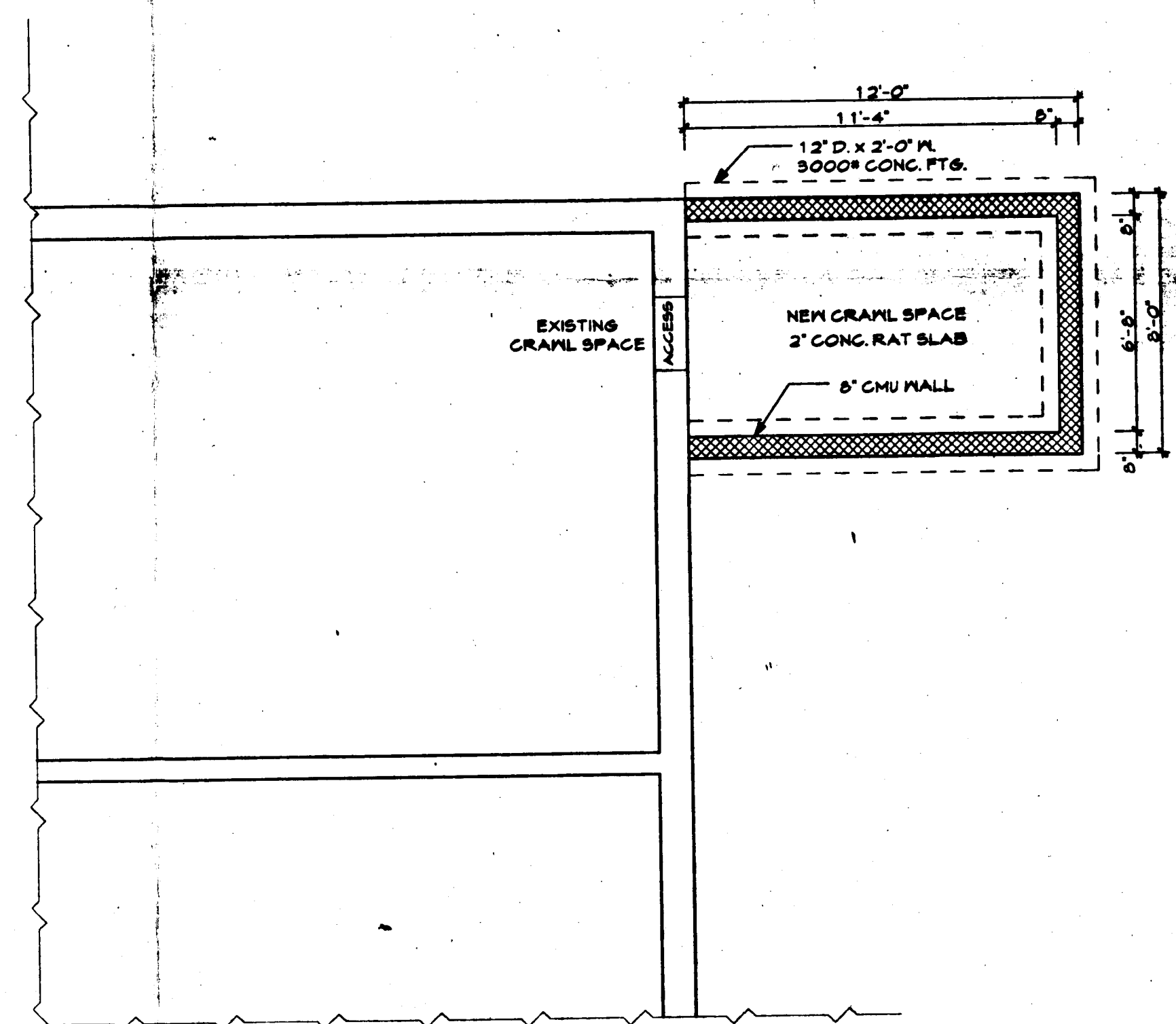


11541 SAINT DAVIDS LANE
 ZONED RC 5
 EHK JR 50, FOLIO 57
 LOT 8, SECTION ONE, PLAT TWO, 'THE CLEARINGS'
 ELECTION DISTRICT NO. 8
 RECORDED IN BALTIMORE COUNTY IN BOOK 50-57.
 THIS PROPERTY LIES IN ZONE 'C' (AREA OF MINIMAL
 FLOODING) AS SHOWN ON FIRM MAP NO 240010
 0299B, DATED MARCH 2, 1981.

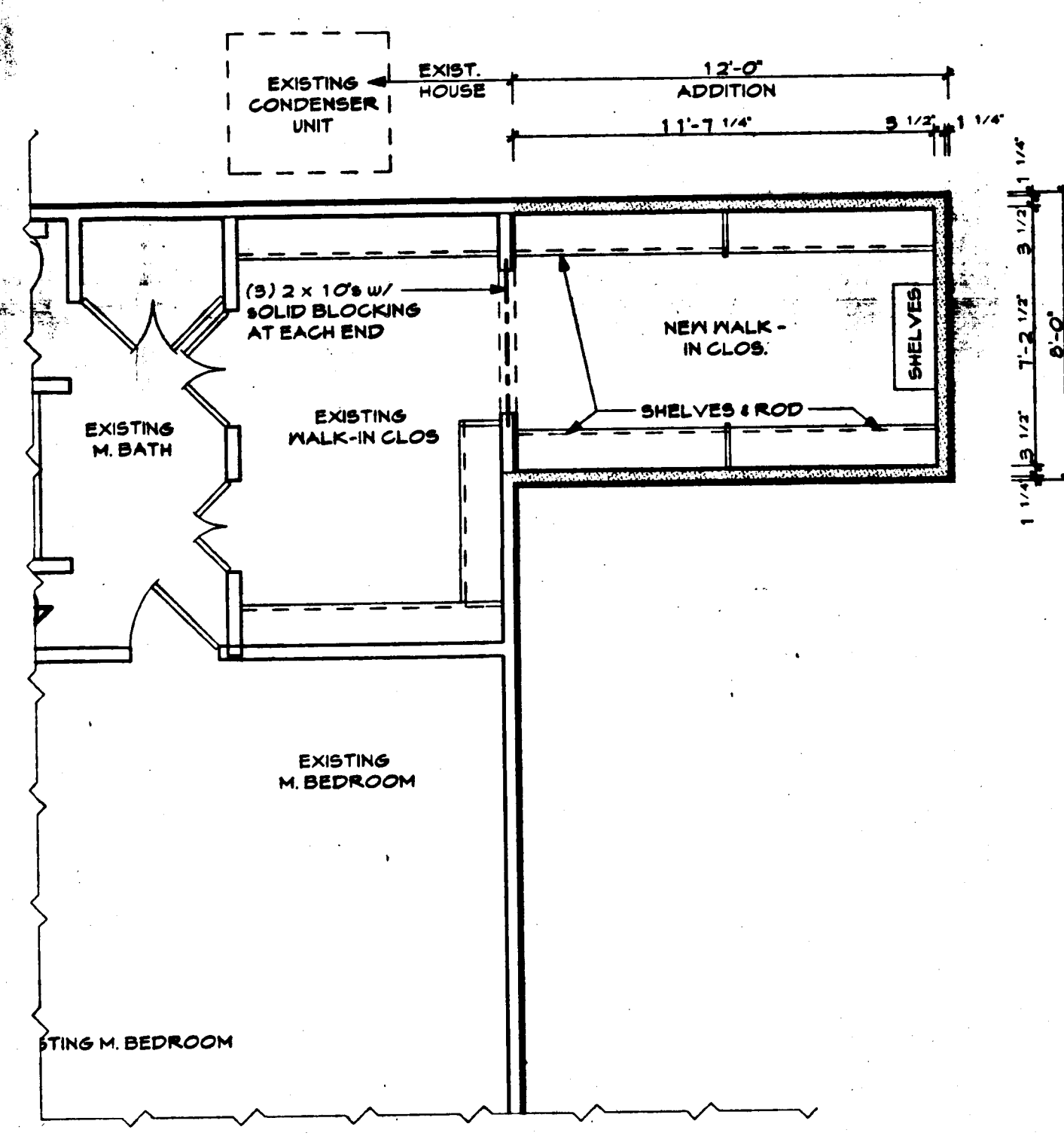
EXISTING LOT SIZE: 50,688 SQ. FT.
 EXISTING HOUSE FOOT PRINT: 4,111 SQ. FT.
 EXISTING WOOD DECK AREA: 646 SQ. FT.
 NEW ADDITION AREA: 46 SQ. FT.
 TOTAL NEW LOT COVERAGE: 9% (PERCENT)



SITE LOCATION MAP
 N.T.S.

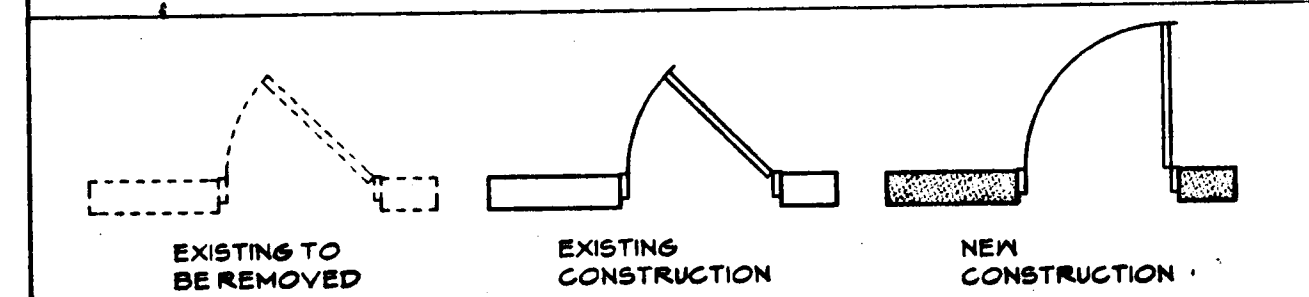


FOUNDATION FLOOR PLAN
 SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"

NEW & EXISTING CONSTRUCTION LEGEND



FLOOR PLANS & SITE PLAN

9/23/97	PERMIT

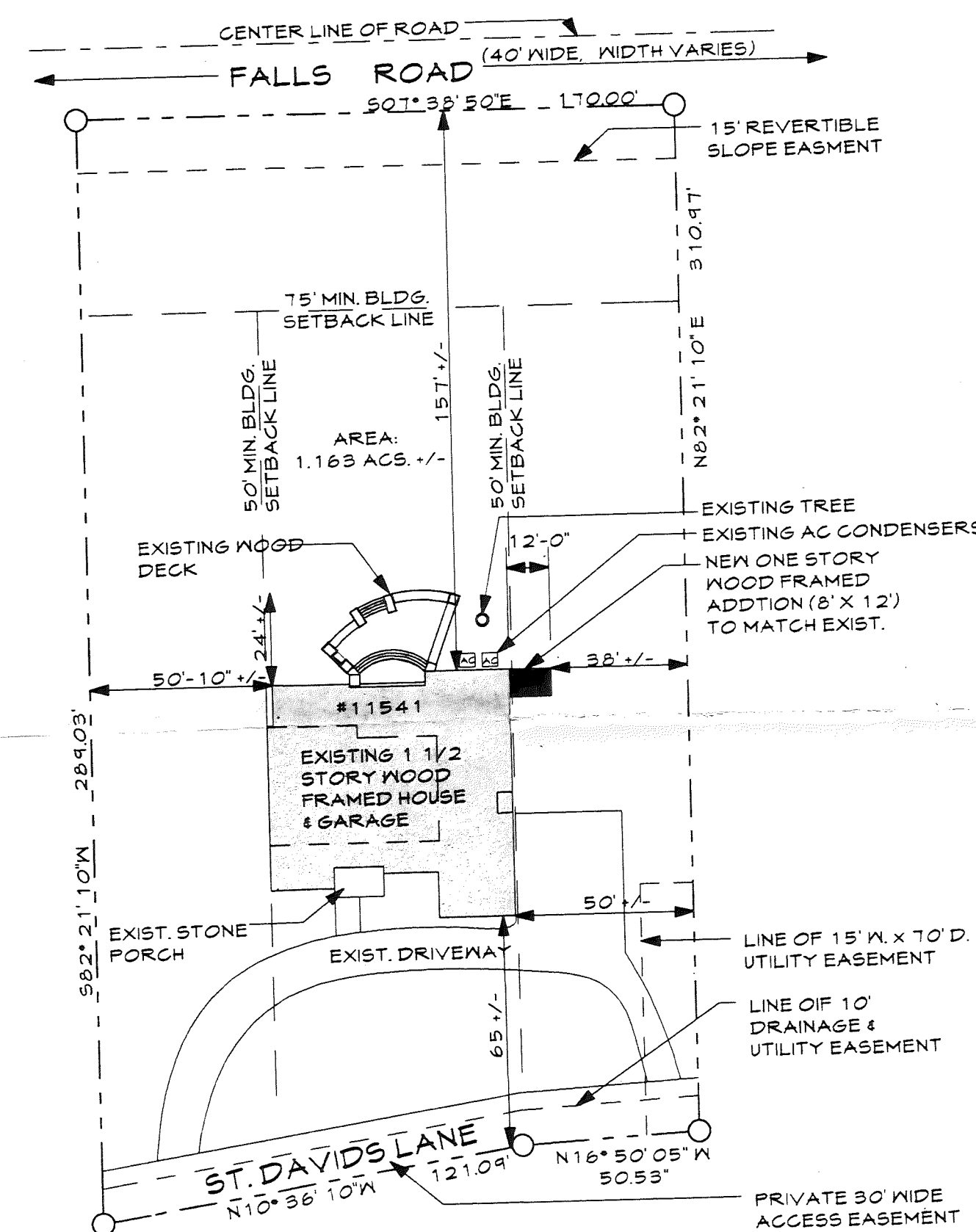
ADDITIONS AND RENOVATIONS TO

BEKMAN RESIDENCE

11541 ST. DAVIDS LANE
 LUTHERVILLE, MARYLAND 21093

PENZA ASSOCIATES
 ARCHITECTS, INC.
 2203 NORTH CHURCH STREET
 BALTIMORE, MARYLAND 21218
 (410) 467-7741

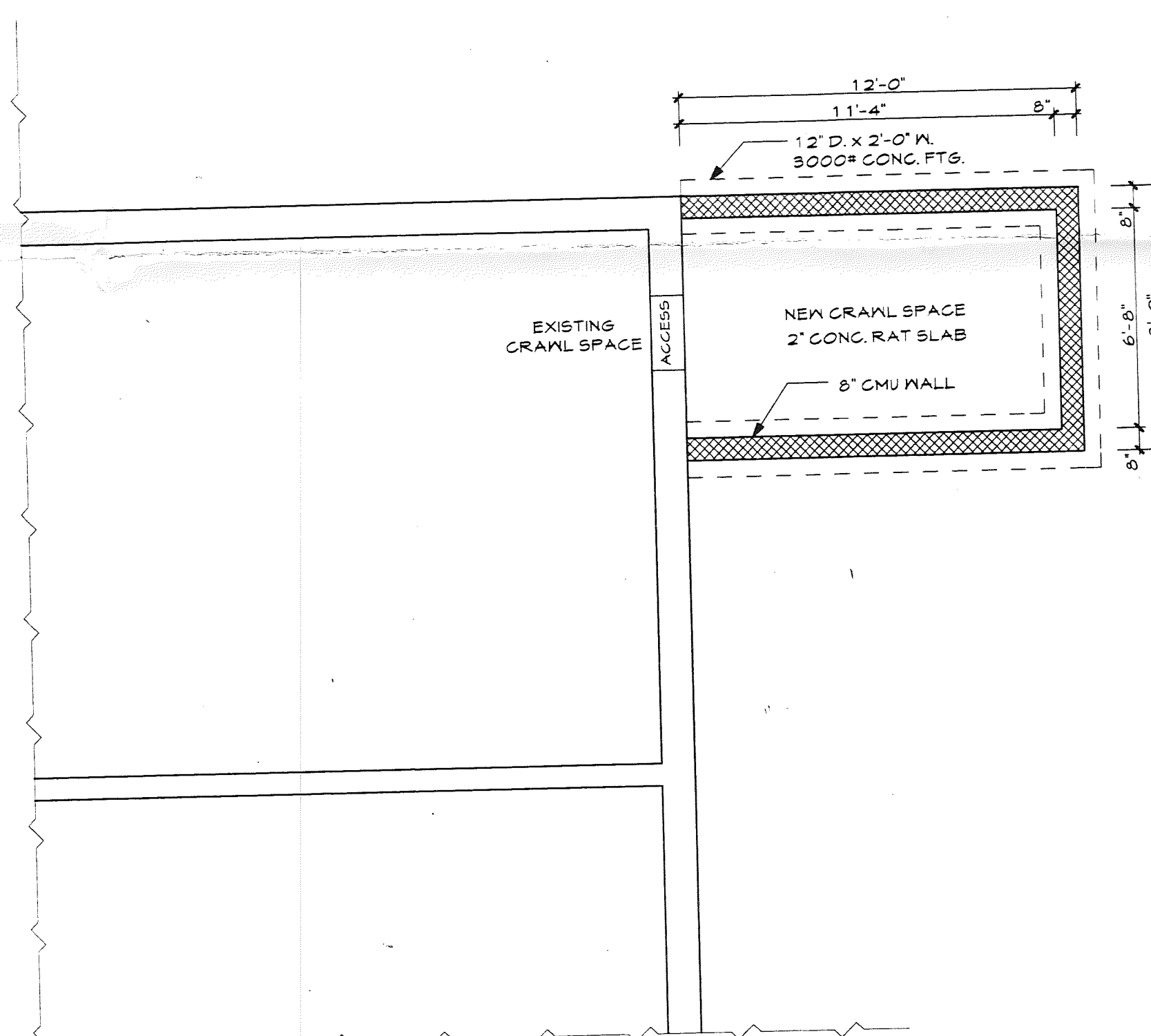
A-1



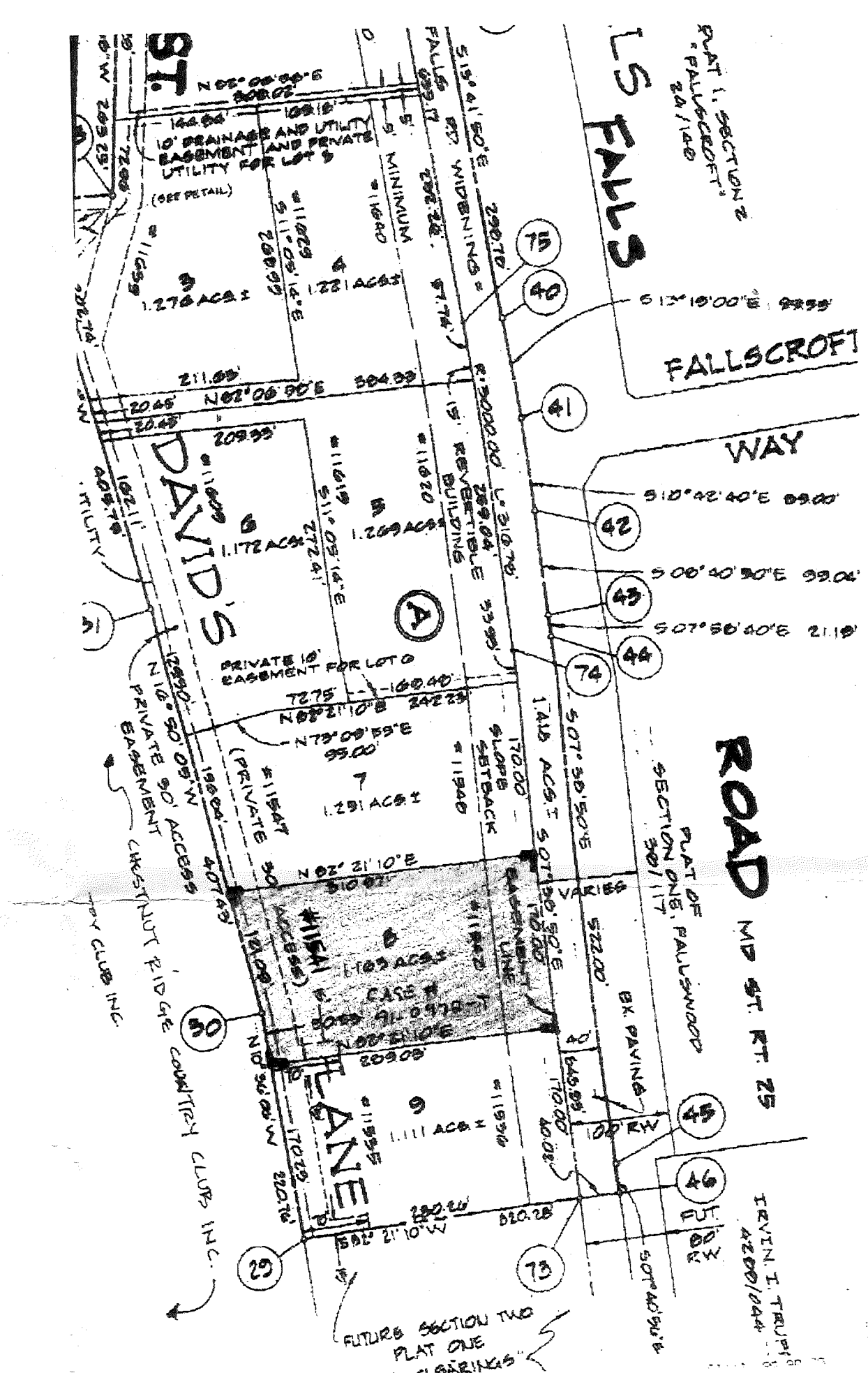
11541 SAINT DAVIDS LANE
ZONED RQ-5
EHL JR 50, FOLIO 57
LOT 8, SECTION ONE, PLAT TWO, "THE CLEARINGS"
ELECTION DISTRICT NO. 8
RECORDED IN BALTIMORE COUNTY IN BOOK 50-57.
THIS PROPERTY LIES IN ZONE "C" (AREA OF MINIMAL
FLOODING) AS SHOWN ON FIRM MAP NO 240010
0235B, DATED MARCH 2, 1981.

EXISTING LOT SIZE: 50,688 SQ. FT.
EXISTING HOUSE FOOT PRINT: 4,111 SQ. FT.
EXISTING WOOD DECK AREA: 696 SQ. FT.
NEW ADDITION AREA: 96 SQ. FT.
TOTAL NEW LOT COVERAGE: 9% (PERCENT)

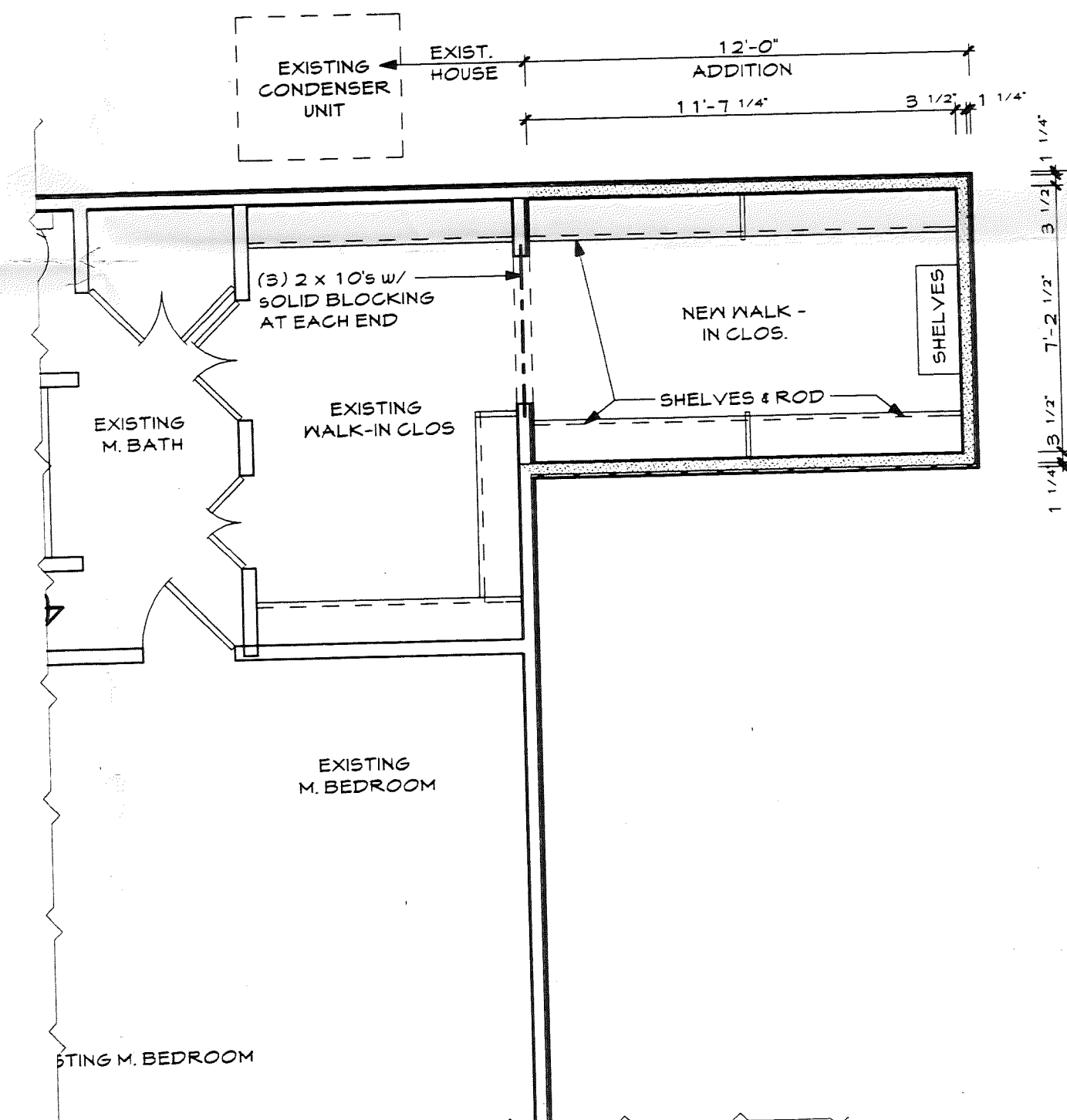
3 SITE PLAN
A-1 SCALE: 1" = 50'-0"



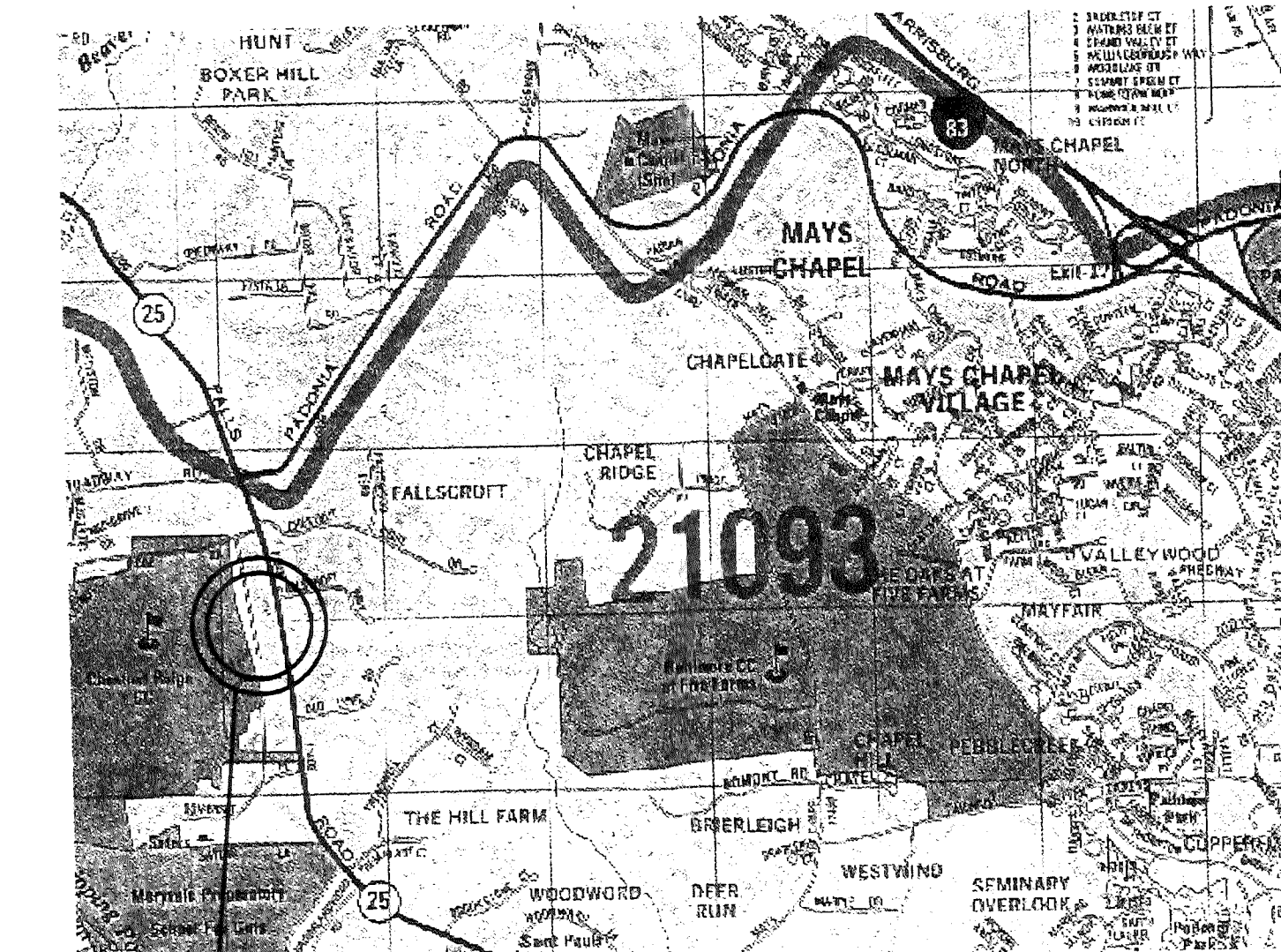
2 FOUNDATION FLOOR PLAN
A-2 SCALE: 1/4" = 1'-0"



4 PLAT PLAN
A-1 N.T.S.

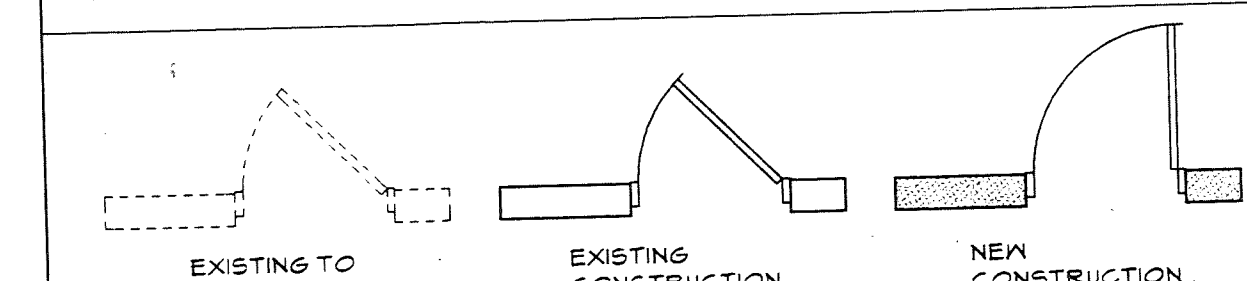


1 FIRST FLOOR PLAN
A-2 SCALE: 1/4" = 1'-0"



SITE LOCATION MAP
N.T.S.

NEW & EXISTING CONSTRUCTION LEGEND

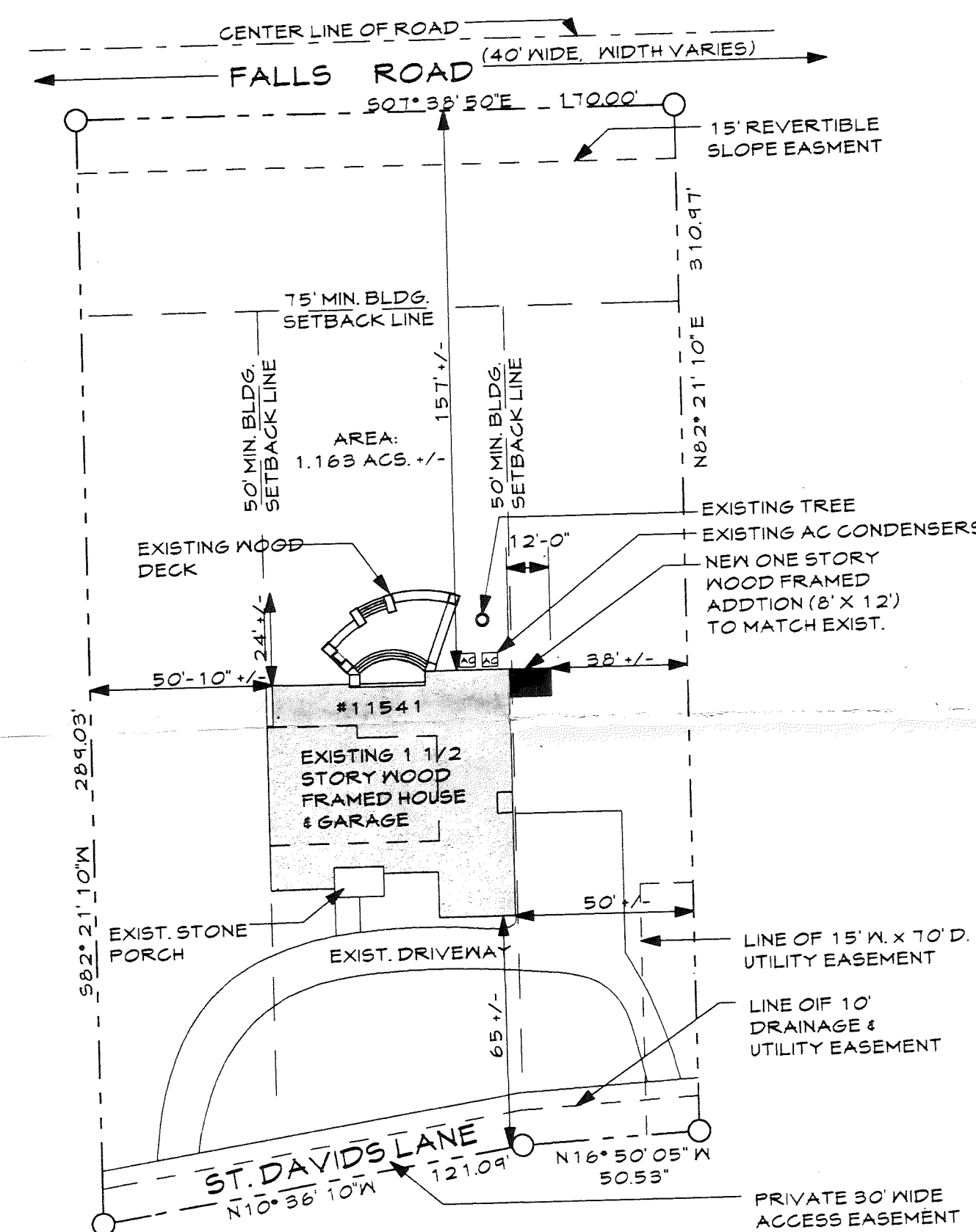


PENZA ASSOCIATES
ARCHITECTS, INC.
2203 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218
(410) 467-7741

ADDITIONS AND RENOVATIONS TO
BEKMAN RESIDENCE
11541 ST. DAVIDS LANE
LUTHERVILLE, MARYLAND 21093

FLOOR PLANS & SITE PLAN
9/23/97 PERMIT

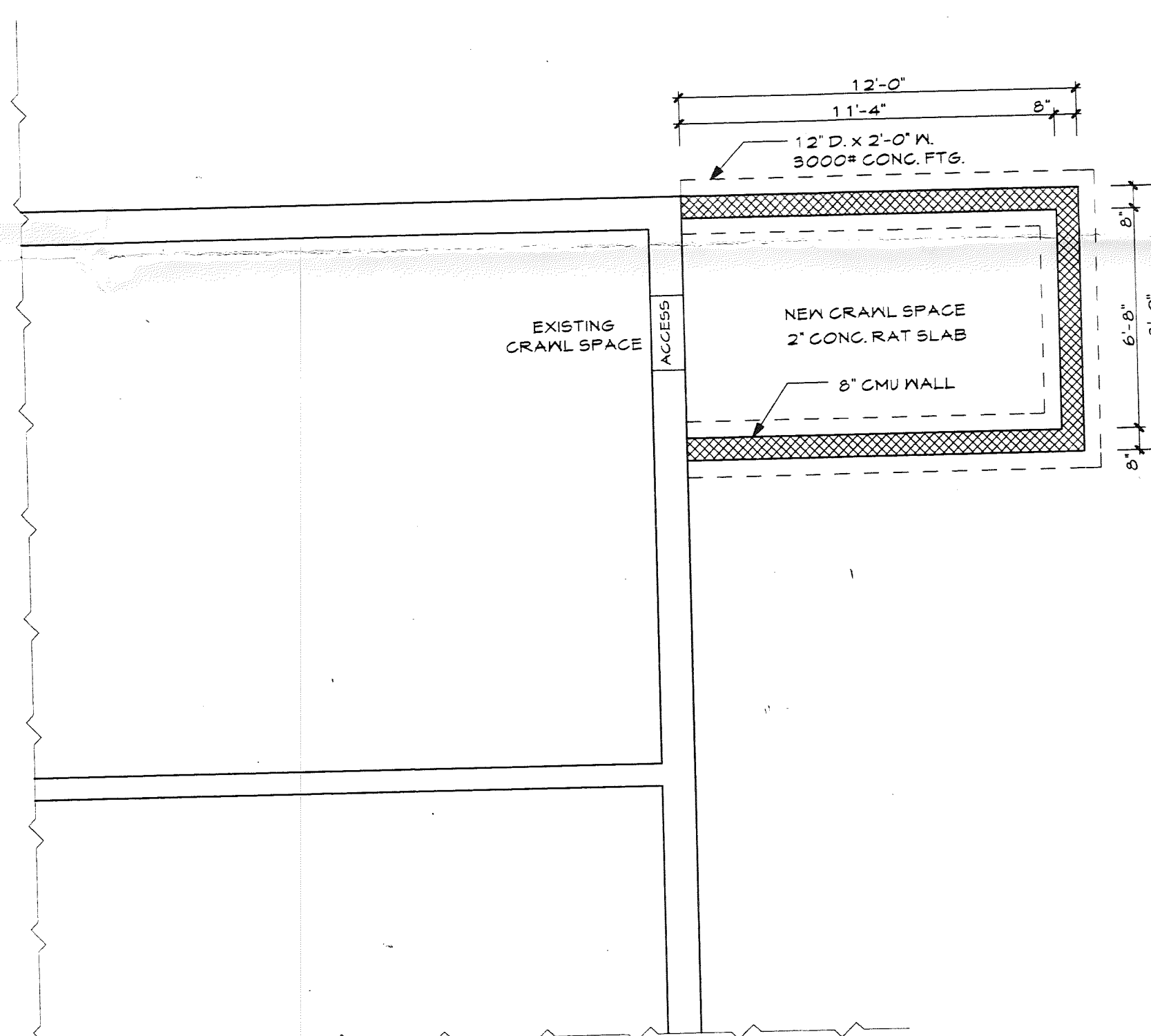
A-1



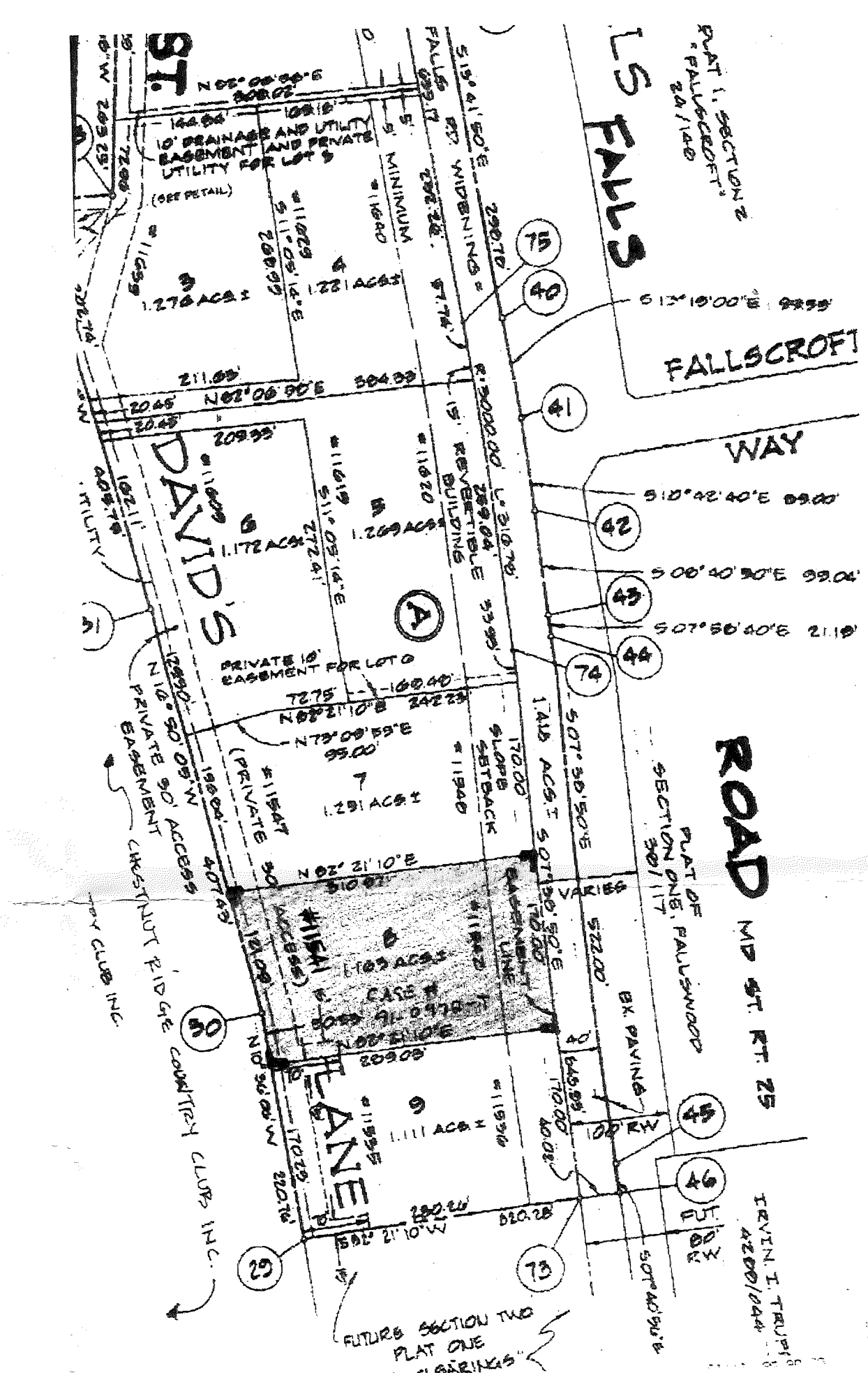
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ZONED RC-5
EHL JR 50, FOLIO 57
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ELECTION DISTRICT NO. 8
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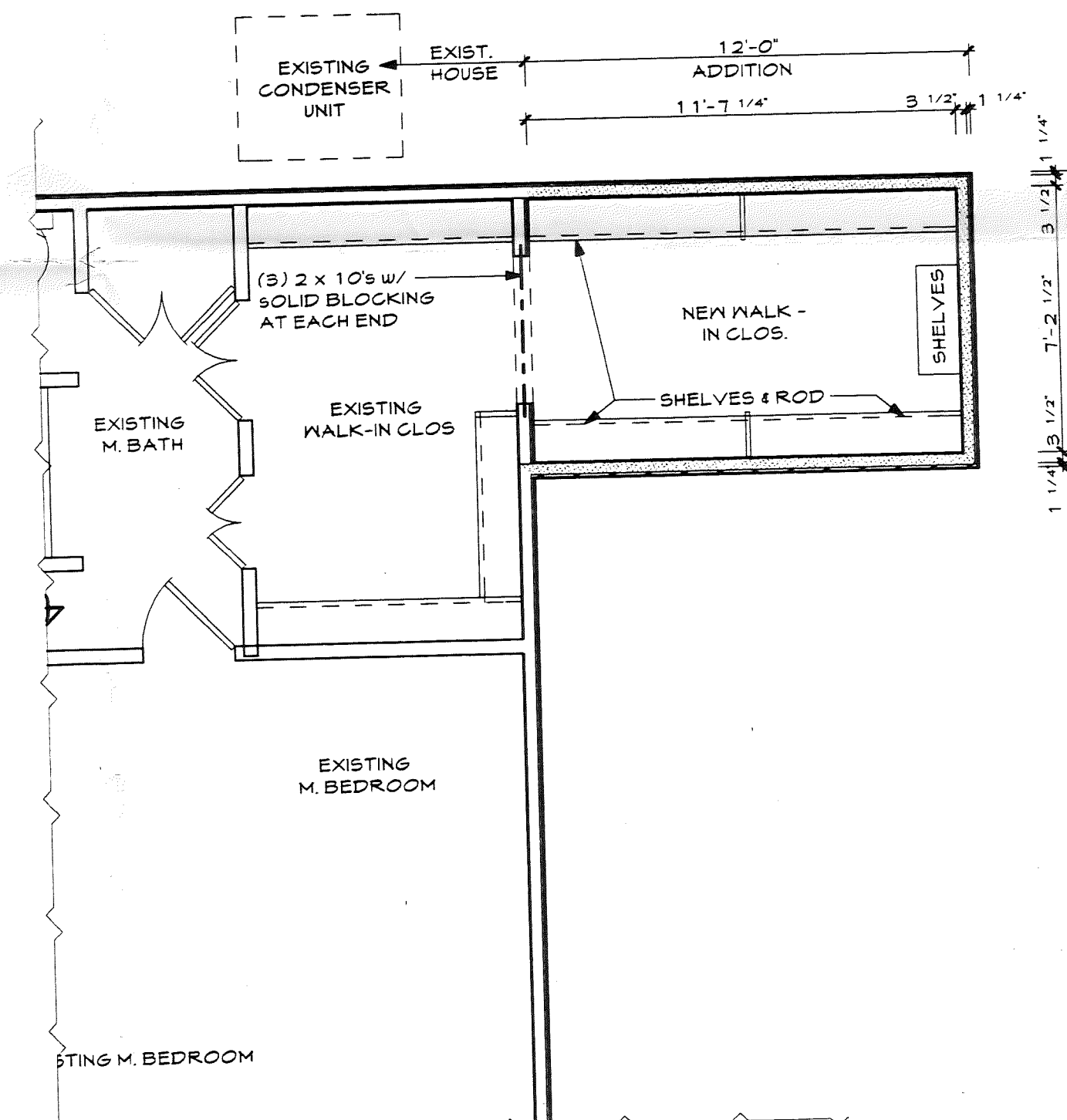
3 SITE PLAN
A-1 SCALE: 1" = 50'-0"



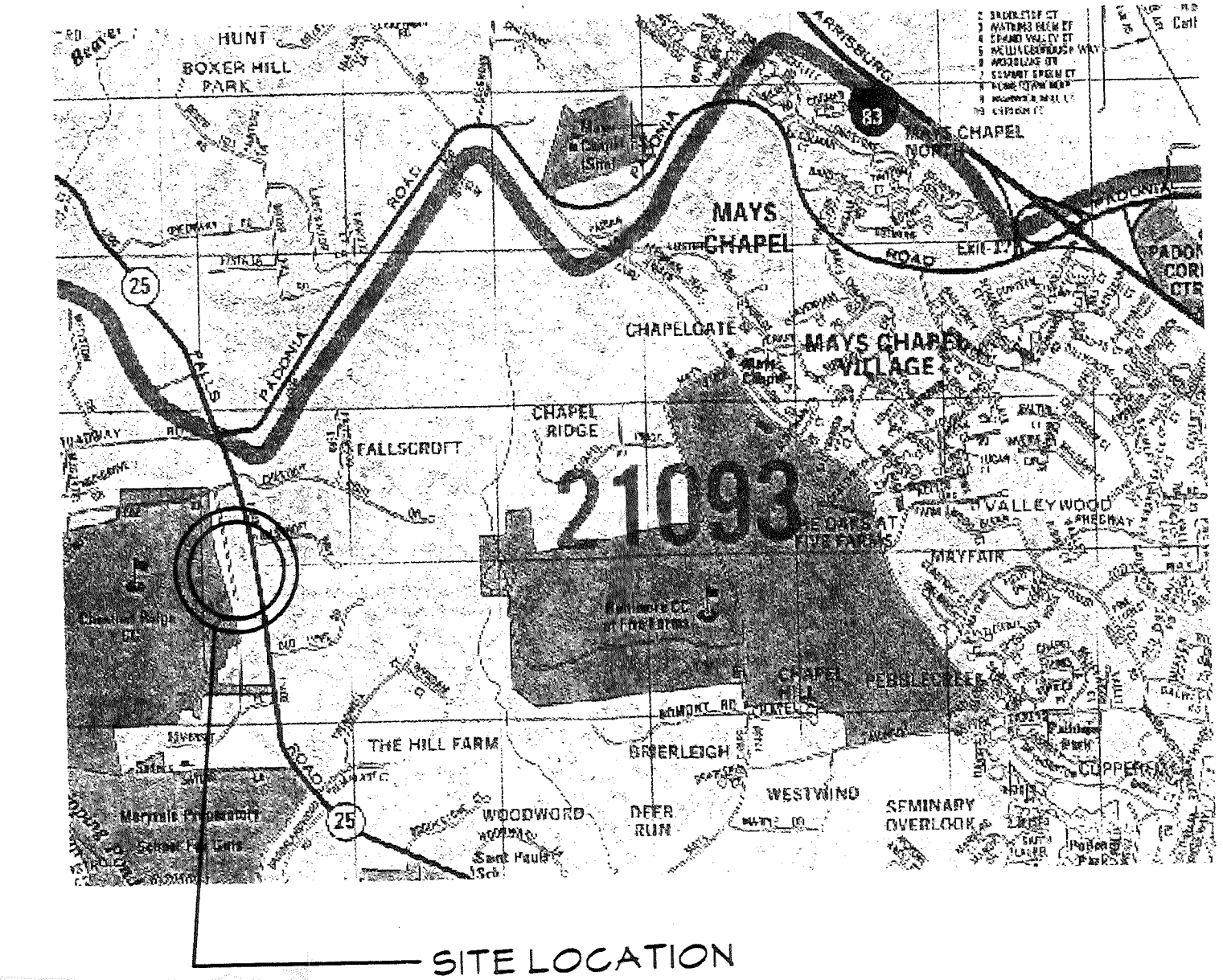
2 FOUNDATION FLOOR PLAN
A-2 SCALE: 1/4" = 1'-0"



4 PLAT PLAN
A-1 N.T.S.

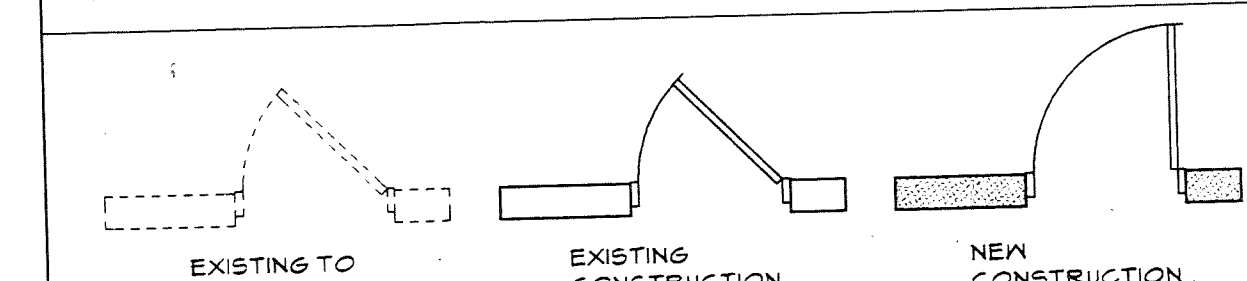


1 FIRST FLOOR PLAN
A-2 SCALE: 1/4" = 1'-0"



SITE LOCATION MAP
N.T.S.

NEW & EXISTING CONSTRUCTION LEGEND



PENZA ASSOCIATES
ARCHITECTS, INC.

ADDITIONS AND RENOVATIONS TO
BEKMAN RESIDENCE

FLOOR PLANS & SITE PLAN

9/23/97

PERMIT

11541 ST. DAVIDS LANE
LUTHERVILLE, MARYLAND 21093

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