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IN RE: PETITION FOR ADMIN. VARIANCE

Northeast Corner of Holden and

Stevenson Lane

9th Election District

5th Councilmanic District

(1401 Stevenson Lane)

Lucinda Rezek

Petitioner

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 06-322-A

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Lucinda Rezek. The variance request is for property located at 1401 Stevenson Lane in the Towson area of Baltimore County. The variance request is from Section 1B02.3B and Section III – "A" Residence C.4. (1/2/45 – 3/20/55) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an addition with a 7 ft. rear setback in lieu of the minimum required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated January 17, 2006, a copy attached hereto and made a part hereof.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on January 7, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 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 Deputy 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 B.C.Z.R. would result in practical difficulty and/or unreasonable hardship 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 Deputy Zoning Commissioner for Baltimore County, this _______ day of January, 2006, that a variance from Section 1B02.3B and Section III ______ Residence C.4. (1/2/45 - 3/20/55) of the Baltimore County Zoning Regulations (B.C.Z.R), to permit an addition with a 7 ft. rear setback in lieu of the minimum required 15 feet, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated January 17, 2006, a copy of which is attached hereto and made a part hereof.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

January 26, 2006

Lucinda Razek 1401 Stevenson Lane Towson, Maryland 21286

Re: Petition for Administrative Variance Case No. 06-322-A

Property: 1401 Stevenson Lane

Dear Ms. Razek:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with restrictions in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

Jen V sruger

for Baltimore County

JVM:dlw Enclosure

c: Walter Daniels, 1426 Broadway Road, Timonium, MD 21093 People's Counsel; Case/File

IWe do solemnly declare and affirm, under the penalties of







Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1401 Stevenson Lane which is presently zoned PK 5.5

This Petition shall be filed with the Department of Permits and 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)

| BODD | BB | BECTION III - "A" RESIDENCE |
| C.4. (1945-3190)55)

TO PERMIT AN ADDITION WITH A 7-FOOT REAR SETBACK IN LIEU OF THE MINIMUM REQUIRED 15-FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			ponury, that live are is the subject of this i	the legal owner(s) of the Petition.	e property which
Contract Purchaser/Le	ssee:		Legal Owner(s):		
Name - Type or Print	, 		Name - Type or Print	0 0 1	
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ttorney For Petitioner	r:		1401 Stere	nson Lane	
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REV 10/25/01

That the Affiant(s) does/do presently reside at

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.

1401 Stevenson Lane

	City	MD	21286
That based upon personal knowledge, the	•	State	Zip Cod
That based upon personal knowledge, the Variance at the above address (indicate ha	rdship or practical difficulty)	: ui ainei nas noce file tedi	est for an Administrativ
Practical Difficulties – 1401 Steven	nson Lane		
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advertising fee and may be required to provide	oe additional information.		~ has a rehosmid aud
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Signature	Signatu	ne	——————————————————————————————————————
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STATE OF MARYLAND, COUNTY OF BALT	TIMORE, to wit		
HEREBY CERTIFY, this day of day of Maryland, in and for the County aforesald,	Dersonally appeared	2005, before me, a No	tary Public of the State
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he Alfiant(s) herein, personally known or sati	stactorily identified to me as	such Affiant(s).	
LS WITNESS my hand and Notarial Seal			
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Charlene Jaison	Notary Public	rlue faison	
Metery Tuble	• • •	Expires 2.209	
EV 10/2864 Commission Expires & Baltimore City, Maryland	4.09 my commission	Expires	
Baltimore City, Maryland			

1401 Stevenson Lane – legal description

Beginning on the northeast corner of Holden and Stevenson Lane then proceeding 120.72' N 01 23' 00" W along Stevenson Lane. Then 65.13' s 89 17' 00" E along the side property line. Then 139.91' s 00 43' 00" W to Holden Road. Then 40.72' n 89 17' 00" W along Holden Road. Then 30.68' along a radius of 20' to the point of beginning.

Lot 90, Portion of section 3, Greenbrier, Plat Book G.L.B. No. 18, Folio 36

CONTAINING 8, 220 SQUARE FEET. LOCATED IN THE

9th ELECTION DISTRICT, 5th COUNCILMAN DISTRICT.

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ATTENTION: KRISTEN MATTHEWS

DATE: 1/09/06

Case Number: 06-322-A

Petitioner/Developer: LUCINDA REZEK

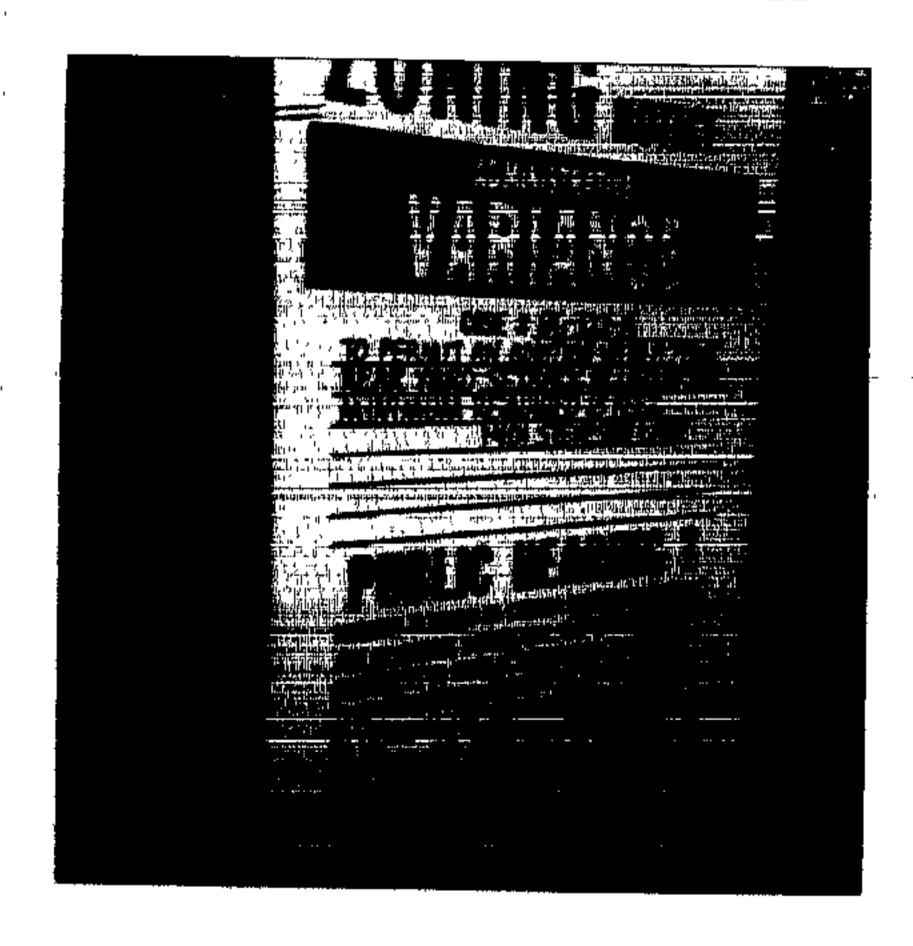
Date of Hearing (Closing): 01/23/06

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: 1401 STEVENSON LANE

The sign(s) were posted on:

1/07/06



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster).

410-666-5366

(Telephone Number of Sign Poster)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

<u>ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS</u>

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:
Item Number or Case Number: 06-322-A
Petitioner: REZEK
Address or Location: 1401 STEVENSON LANE
PLEASE FORWARD ADVERTISING BILL TO:
Name: MG. LUCINDA REZEK
Address: 1401 STEVENSON LANE
Towson, mo 21286
Telephone Number: 410-396-7323

Department of Permits an Development Management

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





James T Smith, Jr., County Executive Timothy M Kotroco, Director

January 23, 2006

Lucinda Rezek 1401 Stevenson Lane Towson, Maryland 21286

Dear Ms. Rezek:

RE: Case Number: 06-322-A, 1401 Stevenson Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 27, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

U. Call Rihall

Delander

M. Call Rihall

Delander

M. Call Rihall

M. Call W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel Walter Daniels 1426 Bradway Road Timonium 21093



Visit the County's Website at www.baltimorecountyonline.info

Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



Baltimore County

James T Smith, Jr., County Executive John J Hohman, Chief

County Office Building, Room 111 Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

January 10,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: January 9,2006

Item No.: 321, (322) 323, 324, 325, 327.

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 17, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 16, 2005

Item Nos. 321, 322, 323, 324, 325 and 326

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

DAK:CEN:clw cc: File ZAC-NO COMMENTS-01172006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 17, 2006

JAN 2

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 1401 Stevenson Lane

INFORMATION:

Item Number: 6-322

Petitioner: Lucinda Rezek

Zoning: DR 5.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

- 1. Site plan must be revised to show limits of disturbance relative to existing vegetation along the edge of the property fronting Holden Lane and Stevenson Lane.
- 2. Existing vegetation should be preserved to the greatest extent possible so as to maintain visual screening between the subject property and the public streets.
- 3. Building elevation drawings must be submitted and reviewed by the Office of Planning prior to the issuance of any building permits. Petitioners shall use materials that are consistent with the existing dwelling.
 - a. Petitioner should consider using brick and/or Hardiplank for all facades of proposed addition.
 - b. Architectural elements such as roof pitch and window shutters must match that of the existing dwelling.

For further information concerning the matters stated here in, please contact Kevin Gambrill at 410-887-3480.

r refrance mit.

Division Chief: AFK/LL: CM



Robert L Ehrlich, Jr., Governor Michael S. Steele, Lt Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 1.9.076

Baltimore County

Item No. 322

RE:

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

Dear. Ms. Matthews:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

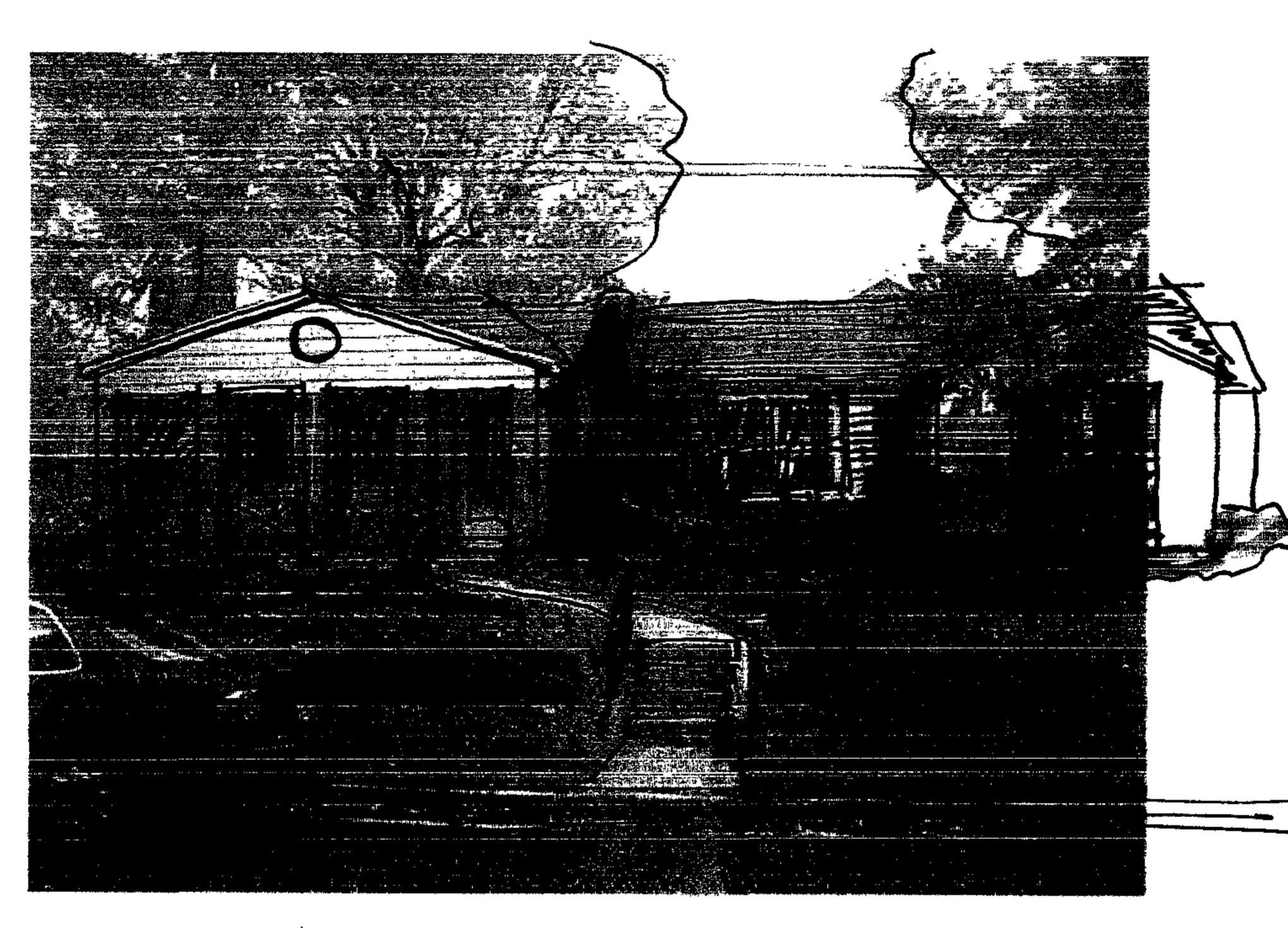
Steven D. Foster, Chief

4. 1. Holl

Engineering Access Permits Division

Practical Difficulties – 1401 Stevenson Lane

When this house was built if the front door had been directed toward Holden Road not Stevenson Lane the lot setbacks would comply. But the house was built with the front door facing Stevenson Lane resulting in an insufficient "back yard".

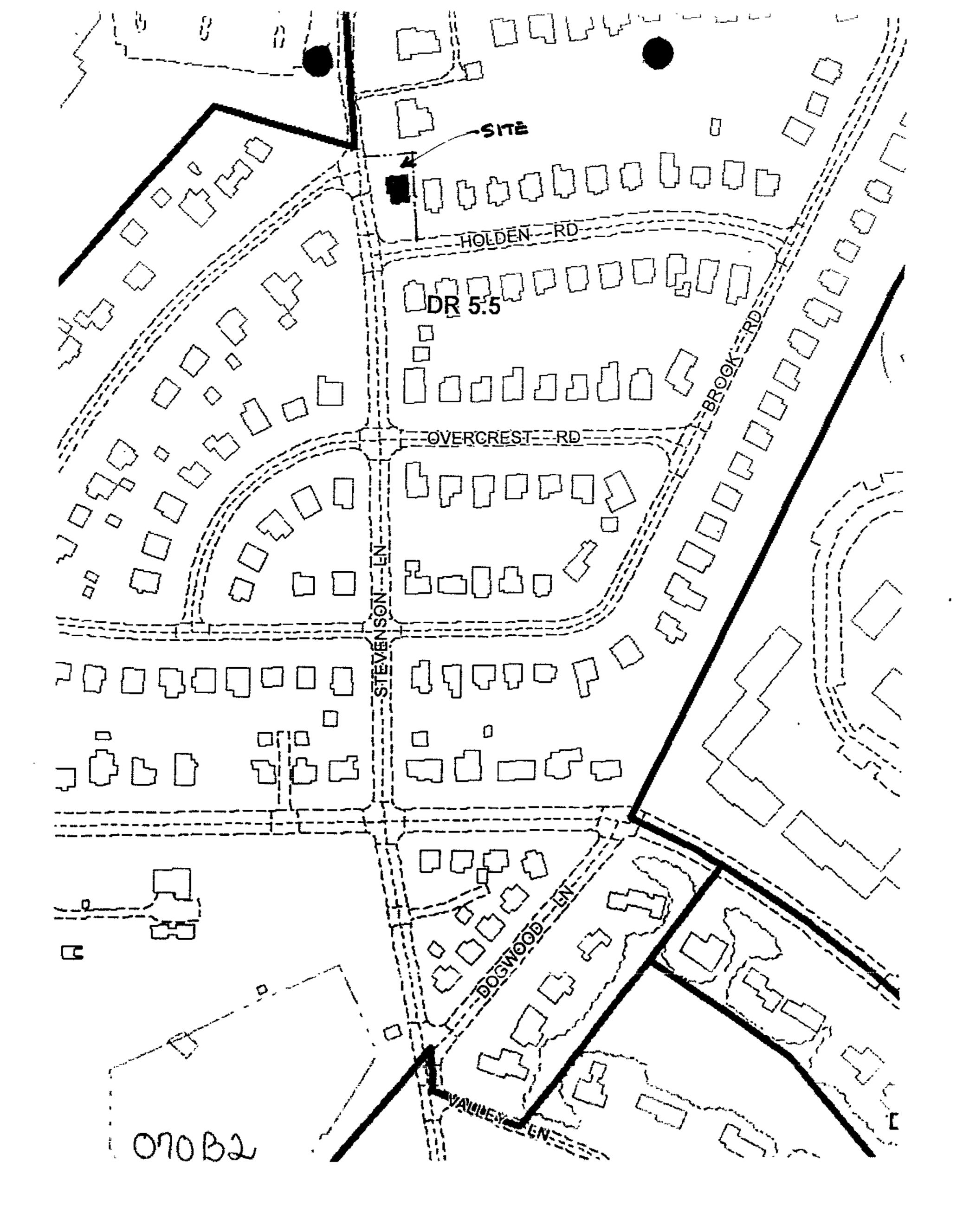


1401 STEMENSON LN. - VIEW FROM STEVENSON LN.



1401 STEVENSON LN. - YIEW FROM CORNER OF STEVENSON HOLDEN

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PROPERTY ANDRESSH 1401 STEVENSON LANE TOWSON NARYLAND 2,286

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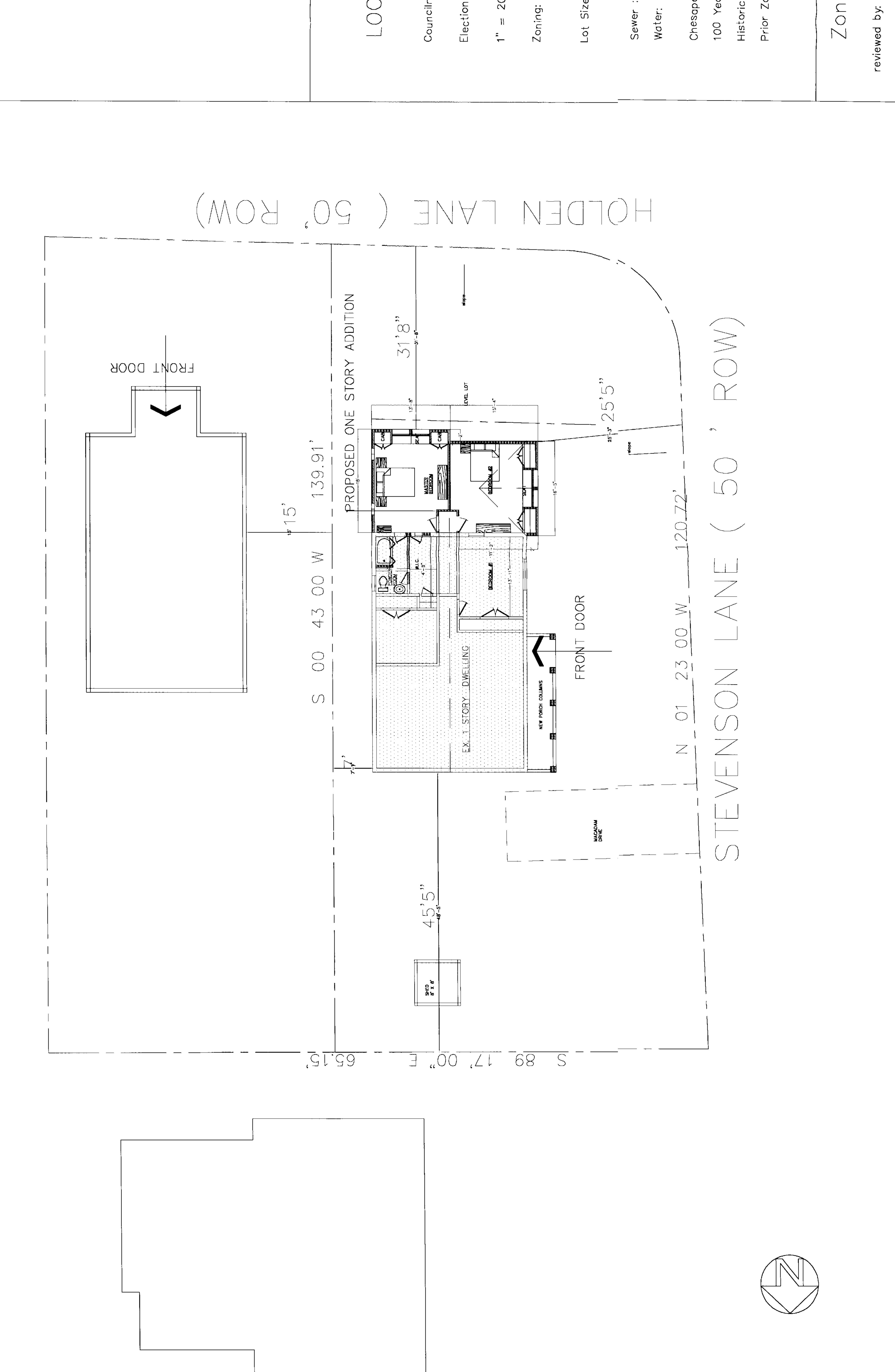
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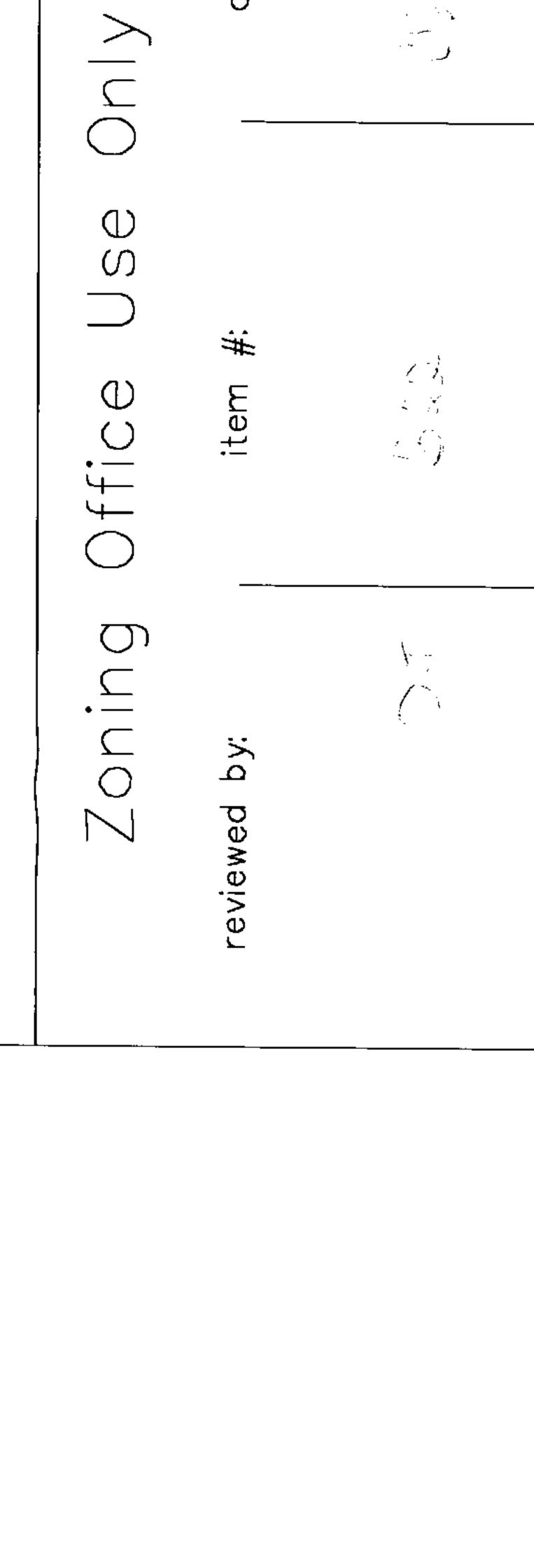
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ARCHITECTS, Ltd.

DANIELS & ASSOCIATES

1426 Broadway Road





1401 STEVENSON LANE BALTIMORE COUNTY MARYLAND 21286

| BESIDENCE OF: SANDS RESIDENCE

PREPARED BY: DANIELS ARCHITECTS SCALE OF DRAWINGS 1"= 10'-0"