

JAMES T. SMITH, JR. County Executive

October 5, 2006

TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

Mr. & Mrs. Abraham Hershkovitz 4 Cliffdweller Court Owings Mills, Maryland 21117

RE:

Zoning Case 07-135-A

Petition for Administrative Zoning Variance

4 Cliffdweller Court

Dear Mr. & Mrs. Hershkovitz:

It has come to the attention of this office that the above referenced petition for zoning variance was filed and accepted in error. This particular lot is part of the subdivision known as "Caves Valley" formerly "Caves Park", Plat 5, Section 3. Research shows that this lot, although on an approved record plat (36/34) dated in 1972 showing a zoning classification of R.D.P.; the actual plan that prevails would be the JSPC tentative plat dated 6/1/70. The zoning at that time was R-40 that requires an interior lot with a side yard setback of 20-feet wide for one side yard and not less than 50-feet for the sum of both. Therefore, the plan as presented for this variance is not necessary and meets the requirements for the R-40 zone. The site plan submitted with your petition can be used for your building permit application.

A request to refund your filing fee has been submitted to the Director of Permits and Development Management. Should you have any questions whatsoever, please do not hesitate calling me at 410-887-3391. Again, that you for your understanding in this matter.

Sincerely,

Donna Thompson Planner II, Zoning Review

DT/Enclosure

Colbert Matz Rosenfelt, Inc. Cc:



CASE NO. _ O 7-135- L)

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | 4 | Cliffdweller | Court | |
|-----------------------------|---|--------------|-------|--|
| which is presently zoned _ | | | RC-5 | |

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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)

1A04.3.B.2.b, BCZR, to permit a 23-foot set-back to a lot line other than a street line, in lieu of 50 feet required.

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): <u>Abraham Hershkovitz</u> Name - Type or Print Name Type or Print Signature <u>Berly Hershkovitz</u> Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: 4 Cliffdweller Ct. 410-363-6237 Address Telephone No. 21117 Owings Mills MDName - Type or Print City State Zip Code Representative to be Contacted: Signature Richard E. Matz, P.E. Colbert Matz Rosenfelt, Inc. Company 2835 G Smith Avenue <u>410-653</u>-3838 Address Telephone No. Address Telephone No. <u>Baltimore</u> <u>21</u>209 City State Zip Code State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning day of this regulations of Baltimore County and that the property be reposted.

Reviewed By

Estimated Posting Date

Affidavith 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

4 Cliffdweller Court

Address
Owings Mills MD 21117
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 (indicate hardship or practical difficulty):

The proposed addition is an expansion of the kitchen and dining room, which are located on the north side of the house. In addition, expansion to the rear of the house entails practical difficulty because the area between the house and the steep slope behind is required for a septic reserve area. (Present requirements for a septic reserve area are 10,000 square feet and prior to 1972 were 5,000 square feet.)

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

Abraham Hershkovitz

Berly Hershkovitz Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

HEREBY CERTIFY, this with day of the county aforesaid, personally appeared

<u>, 200 6</u>, before me, a Notary Public of the State

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

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

REV 10/25/01

Affidavit in Support of Administrative Variance

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| That the | Affiant(s) | does/do | presently | / reside a |
|----------|---|---------|-----------|--|
| | , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | , | , , , |

REV 10/25/01

4 Cliffdweller Court

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City State Zip Code

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Abraham Hershkovitz

Abraham Hershkovitz

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

1 HEREBY CERTIFY, this day of Lemanum, and 6, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

My Commission Expires



CASE NO. _ ()

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | 4 | Cliffdweller | Court |
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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.

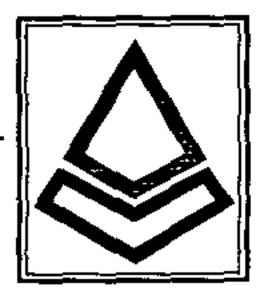
perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): <u> Abraham Hershkovitz</u> Name - Type or Print Names Type or Print Signature Berly Hershkovi Address Telephone No. Name / Type or Print City Zip Code State Signature Cliffdweller Ct. 410~363~6237 Attorney For Petitioner: Address Telephone No. 21117 Owings Mills MDName - Type or Print City Zip Code State Representative to be Contacted: Signature Richard E. Matz, P.E. Colbert Matz Rosenfelt, Inc. Company Name <u>410-653-3838</u> <u> 2835 G Smith Avenue</u> Address Telephone No. Address Telephone No. <u> 21209</u> <u>Baltimore</u> City State Zip Code State Zip Code A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning this _ day of regulations of Baltimore County and that the property be reposted.

Reviewed By

Estimated Posting Date

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

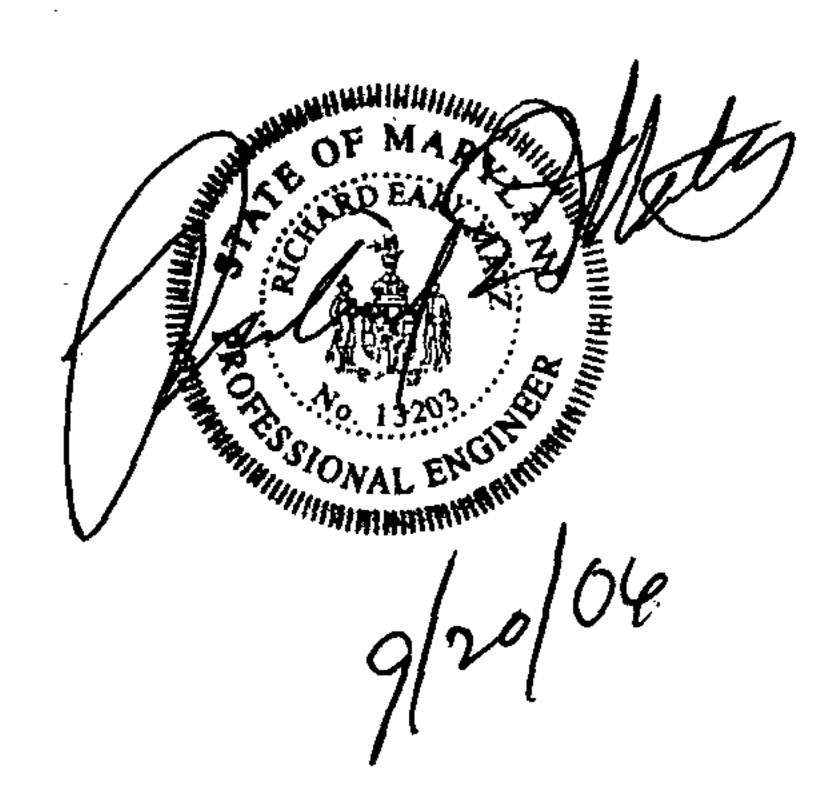


ZONING DESCRIPTION 4 CLIFFDWELLER COURT

Beginning at a point on the west side of Cliffdweller Court, which is 50 feet wide, at a point 267+ feet north of Cavesdale Road, which is 50 feet wide.

Being Lot 2 in Block G of Section 3 in the subdivision of Caves Valley, as recorded in the Baltimore County Land Records, Plat Book 36, folio 145.

Containing 1.29 acres, more or less. Also known as 4 Cliffdweller Court and located in the 3rd Election District, 2nd Councilmanic District.

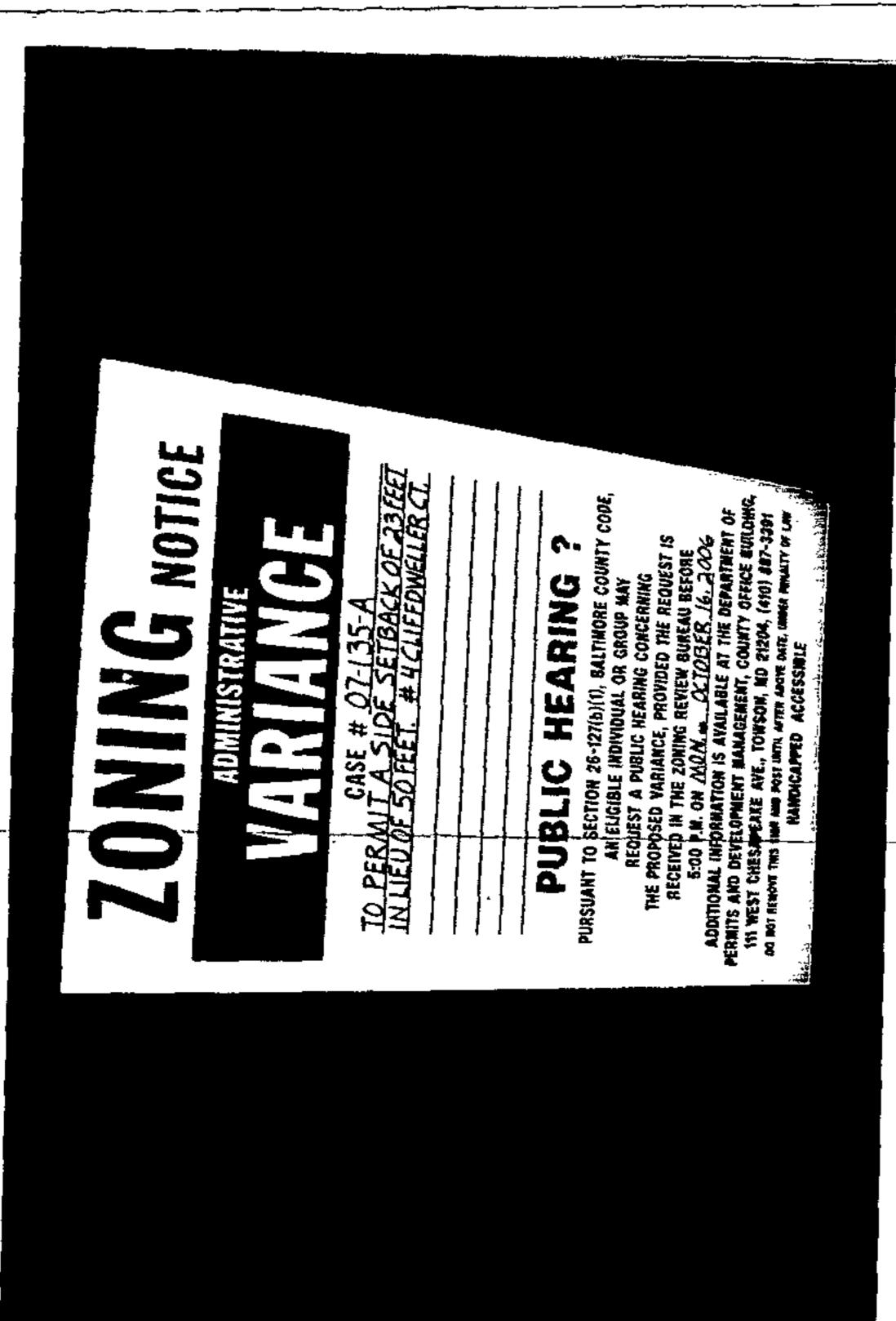


BUDGET 8/25/2008 MAT THE VALIDATION WILWILLIAM ONNE. WW/2/4 ALIEN. WE2/22/4 80.5% 80.5%

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS DATE: 9/30/06 Case Number: 07-135-A Petitioner/Developer: HERSHOVITZ Date of Hearing (Closing): ______ 10/16/06 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: #4 CLIFFDWELLER COURT

The sign(s) were posted on: 09/29/06



(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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

| F | | | | | |
|--|--|--|--|--|--|
| Case Number 07- 135 -A Address #44 CC (FFD WECGE CT | | | | | |
| Contact Person: Source Planner, Please Print Your Name Phone Number: 410-887-3391 | | | | | |
| Filing Date: 09.22.06. Posting Date: 10-1-06 Closing Date: 10-16-06 | | | | | |
| Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number. | | | | | |
| POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) 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. <u>DEADLINE</u> : The closing date is the deadline for an 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. | | | | | |
| ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He 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 of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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. | | | | | |
| (Detach Along Dotted Line) | | | | | |
| Petitioner: This Part of the Form is for the Sign Poster Only | | | | | |
| USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT | | | | | |
| Case Number 07- 135 -A Address #4 CLLFF DWELLER CT. | | | | | |
| Petitioner's Name HERSHKOUITC Telephone 140-363-6737 | | | | | |
| Posting Date: 10-0-06 Closing Date: (6-66-66 | | | | | |
| Nording for Sign: To Permit A Sux Se-Troper OF 23 FT. Lie Could | | | | | |
| 50 FT. | | | | | |
| | | | | | |
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| | | | | | |

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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 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 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: 07-135. |
| Petitioner: Berly a Abraham Hershkovitz |
| Address or Location: 4 Oliffaweller Court |
| |
| PLEASE FORWARD ADVERTISING BILL TO: |
| Name: Mrs. Berly Hershkovitz |
| Address: 4 Oliffdweller Ot. |
| Address: 4 Chiffdweller Ot. - Davings Mills, Md. 21117. |
| |
| Telephone Number: 410-623-6237 |

Revised 7/11/05 - SCJ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco Dave Lykens, DEPRM - Development Coordination JWL FROM: DATE: November 2, 2006 Zoning Item # 07-135-A SUBJECT: Address 4 Cliffdweller Court (Hershkovitz Property) Zoning Advisory Committee Meeting of October 2, 2006 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Additional Comments:

Per Dick Matz (10/18/06), This petition has been withdrawn because it was determined that a hearing was not needed. The proposal is within zoning regulations. – Tom Panzarella; Environmental Impact Review

33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest

Development of the property must comply with the Regulations for the

Conservation Regulations (Sections 33-6-101 through 33-6-122 of the

Protection of Water Quality, Streams, Wetlands and Floodplains (Sections

Prior to building permit approval, an evaluation of the septic system will be required. The septic system may need to be relocated. -S. Farinetti; Ground Water Management

Baltimore County Code).



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

County Office Building, Room 111 4,20064, 2006, 2006 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 9, 2006

Item Number(s): 131 and 135 through 144

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



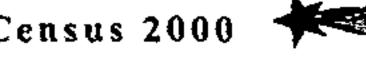
Printed with Soybean Ink

on Recycled Paper









BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 4, 2006

Department of Permits & Development Management

24

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 9, 2006

Item Nos. 07-131, 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144

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-10042006.doc



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 10, 2006

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

RE:

Baltimore County Item No. 7-135-A CLIFFDWELLER COURT HERSHKOVITZ PROPERTY VARIANCE - 23' SETBACK TO A LOT LINE IN LIEU OF

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-135-A

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Engineering Access Permits

Division

SDF/MB

BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE:

October 5, 2006

TO:

Zoning Commissioner & File

FROM:

Donna Thompson, Planner II

Zoning Review

SUBJECT:

Petition for Administrative Variance, Case No. 07-135-A

4 Cliffdweller Court 3rd Election District

The above referenced petition has been withdrawn by this office. This petition was accepted in error. The property owners do not need a zoning variance for this proposed addition.

DT

September 13, 2006

Zoning Commissioner, Baltimore County 401 Bosley Avenue Towson, Md. 21204

To the County Zoning Commissioner:

We reside at 6 Cliffdweller Court. We have seen the plans for the addition to Mr. and Mrs. Hershkovitz's house at 4 Cliffdweller Court, and we have no objections to the addition.

Yours truly,

Roy Deutschman

Marjone Deutschman

6 Cliffdweller Court Owings Mills, Md. 21117 September 13, 2006

Zoning Commissioner, Baltimore County 401 Bosley Avenue Towson, Md. 21204

To the County Zoning Commissioner:

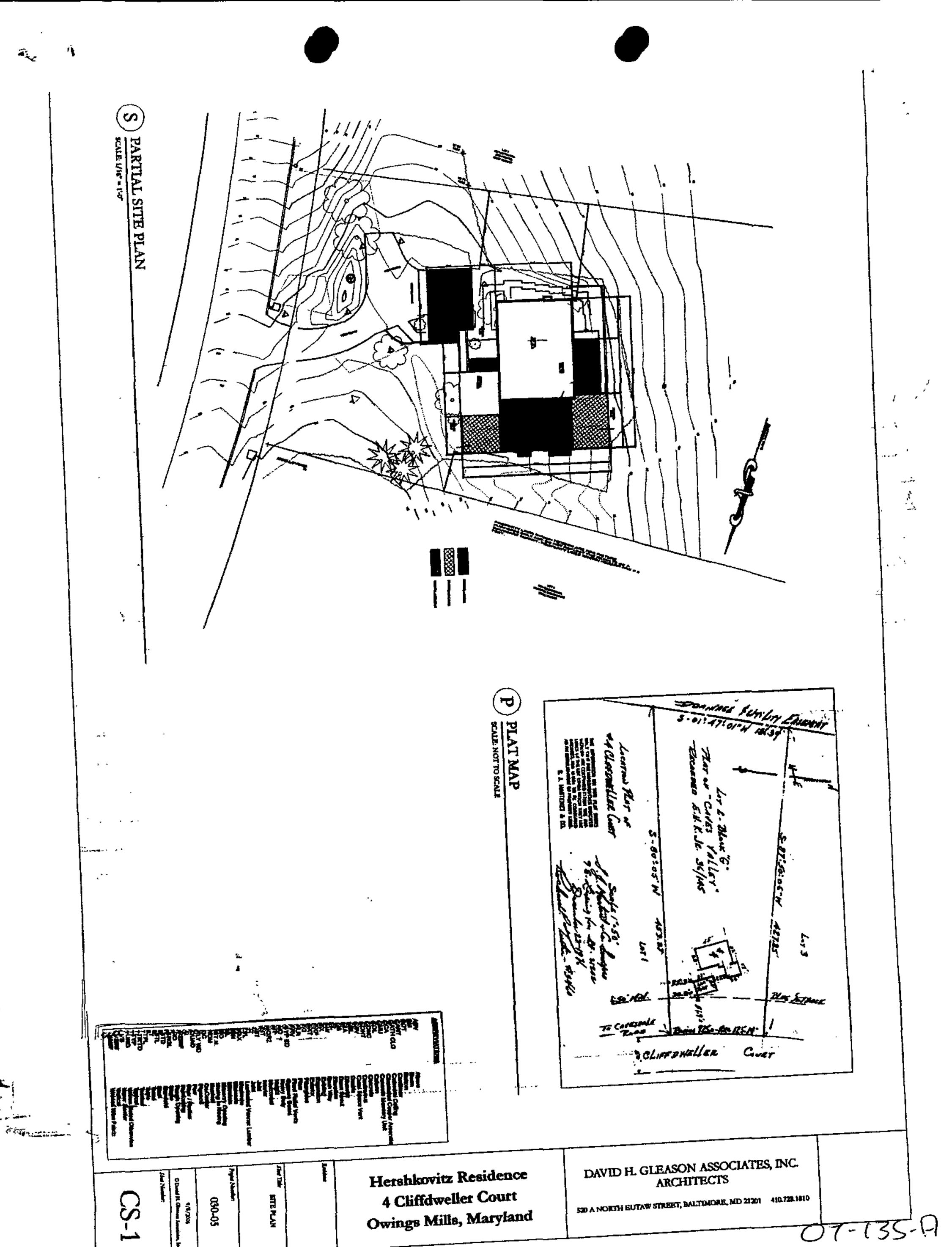
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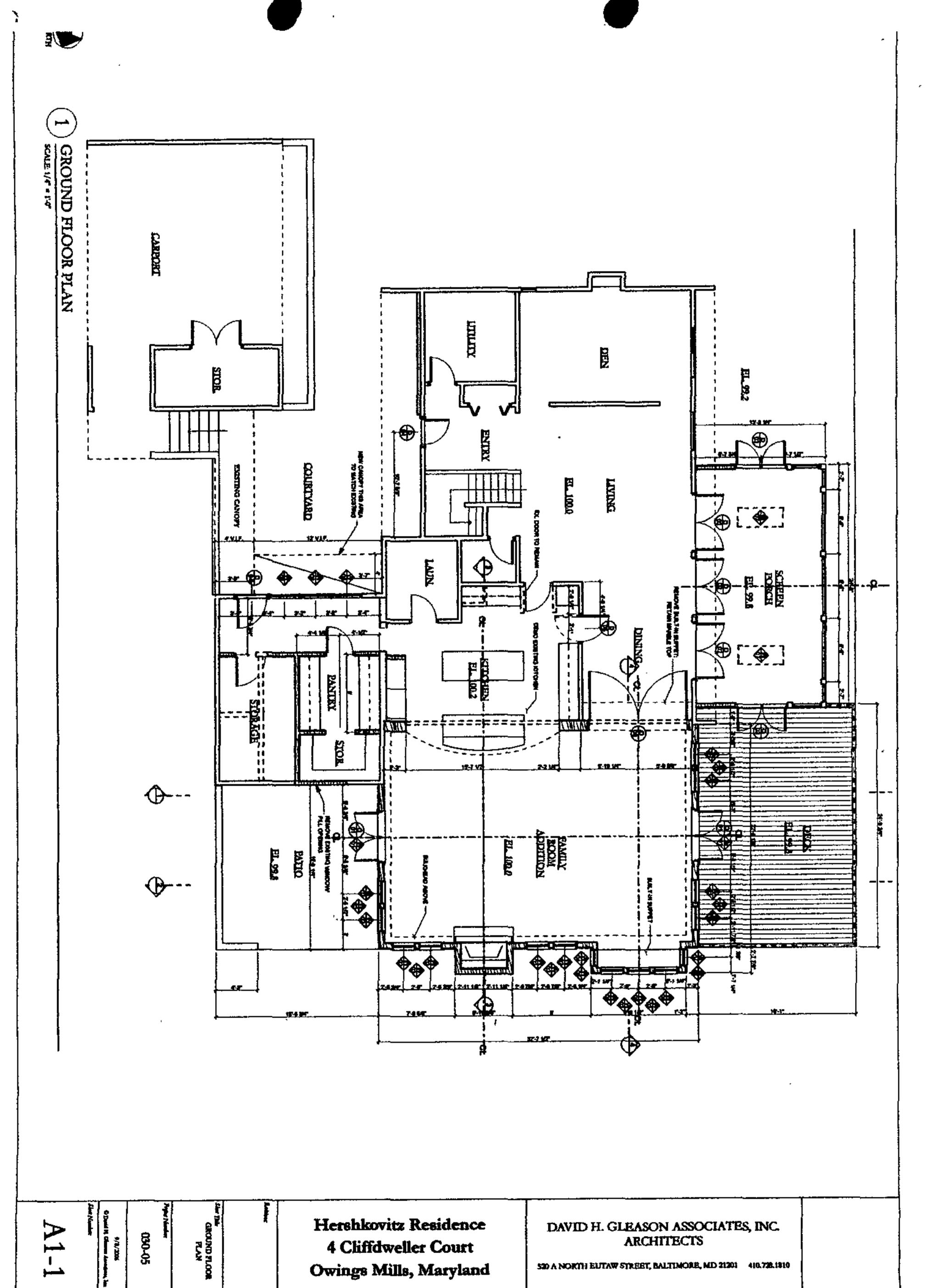
Yours truly,

Bryan Rolivka

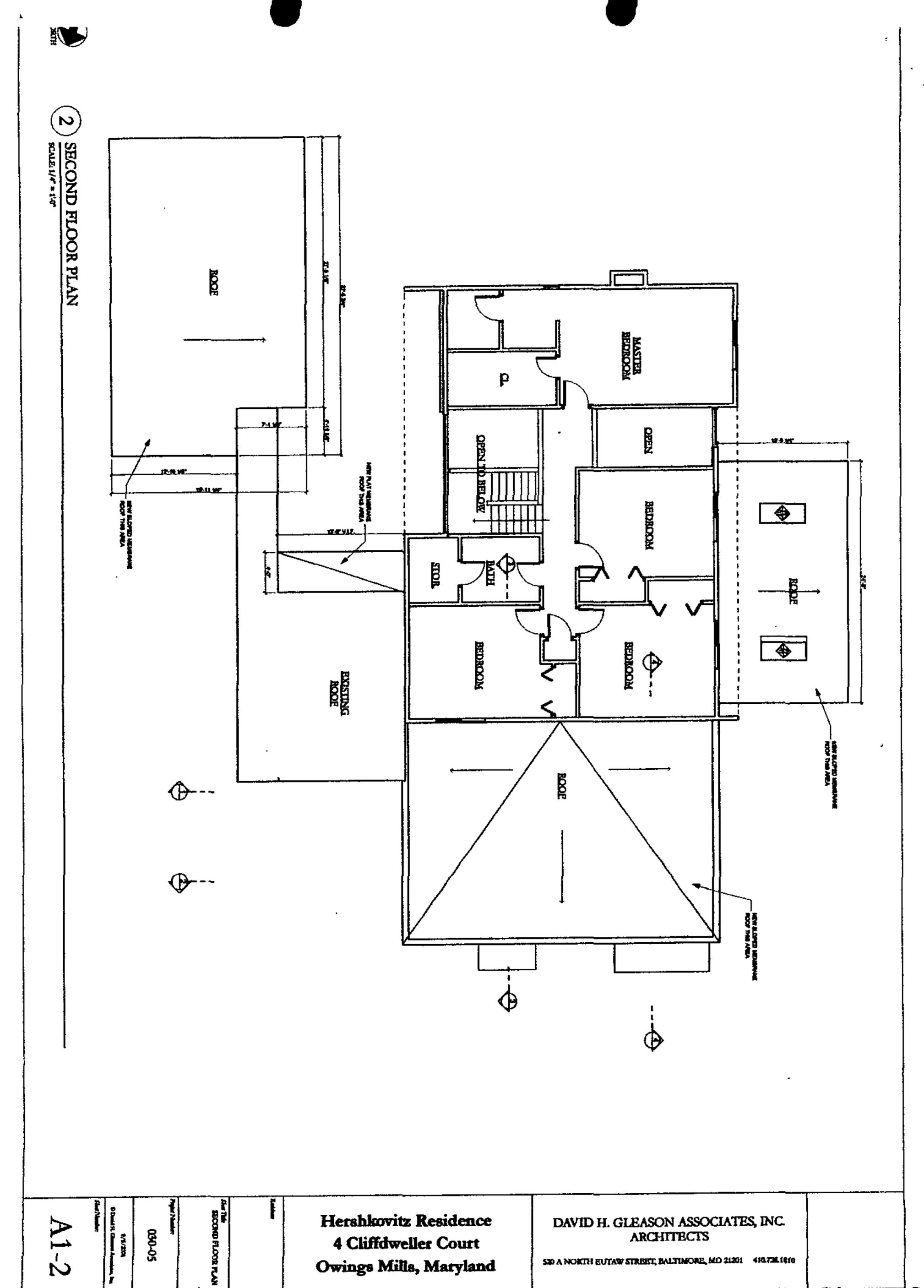
Jeri Polivka

2 Cliffdweller Court Owings Mills, Md. 21117

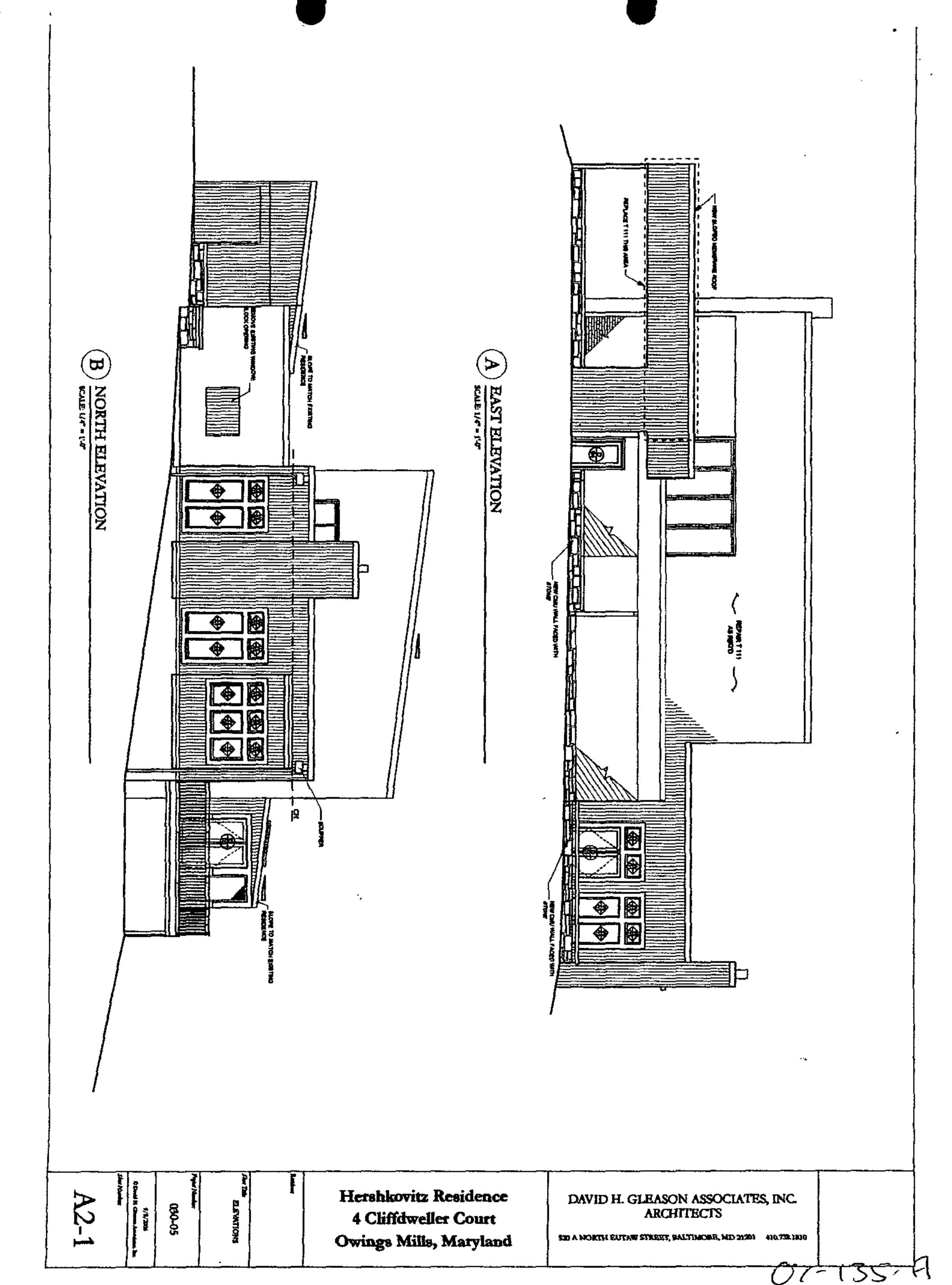


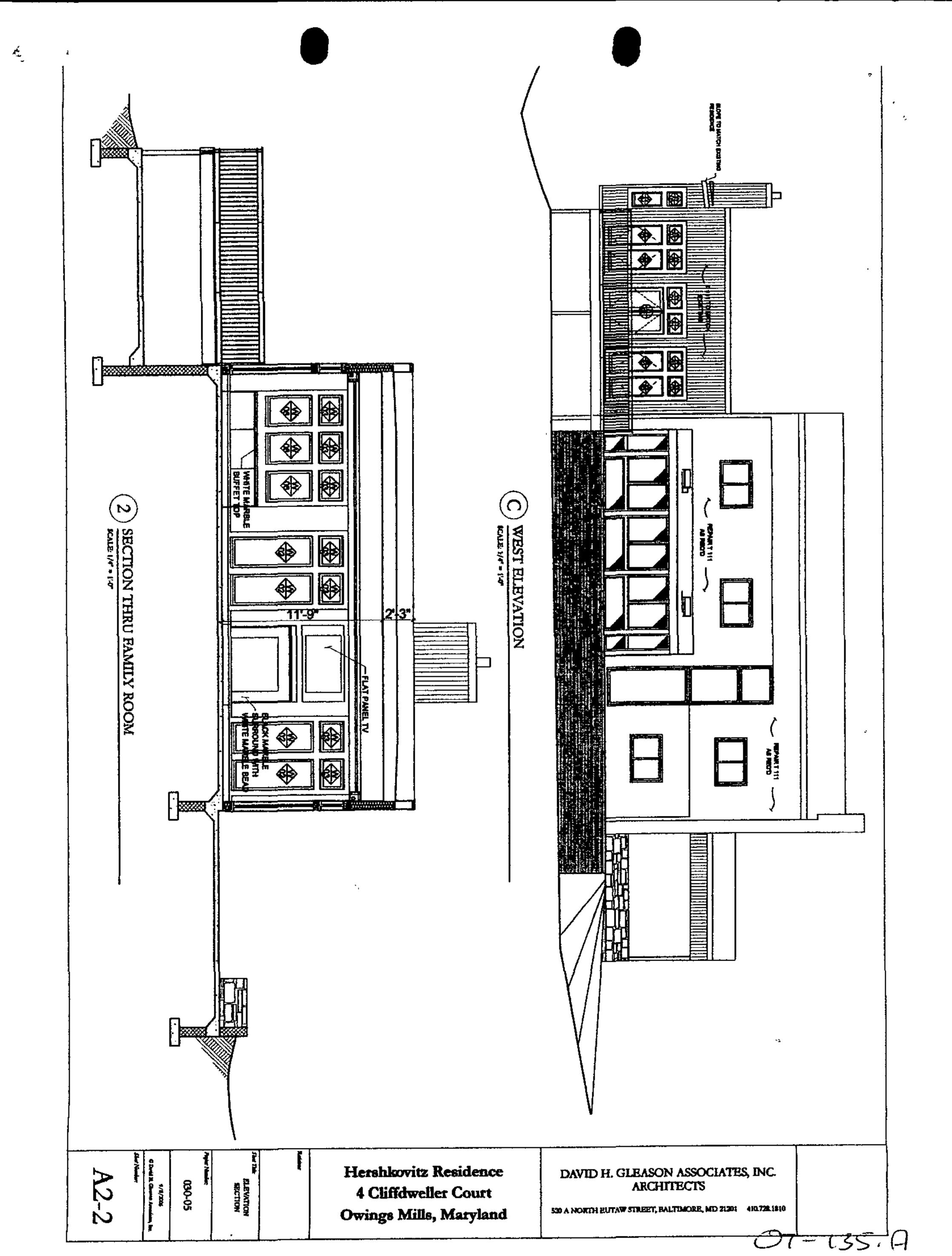


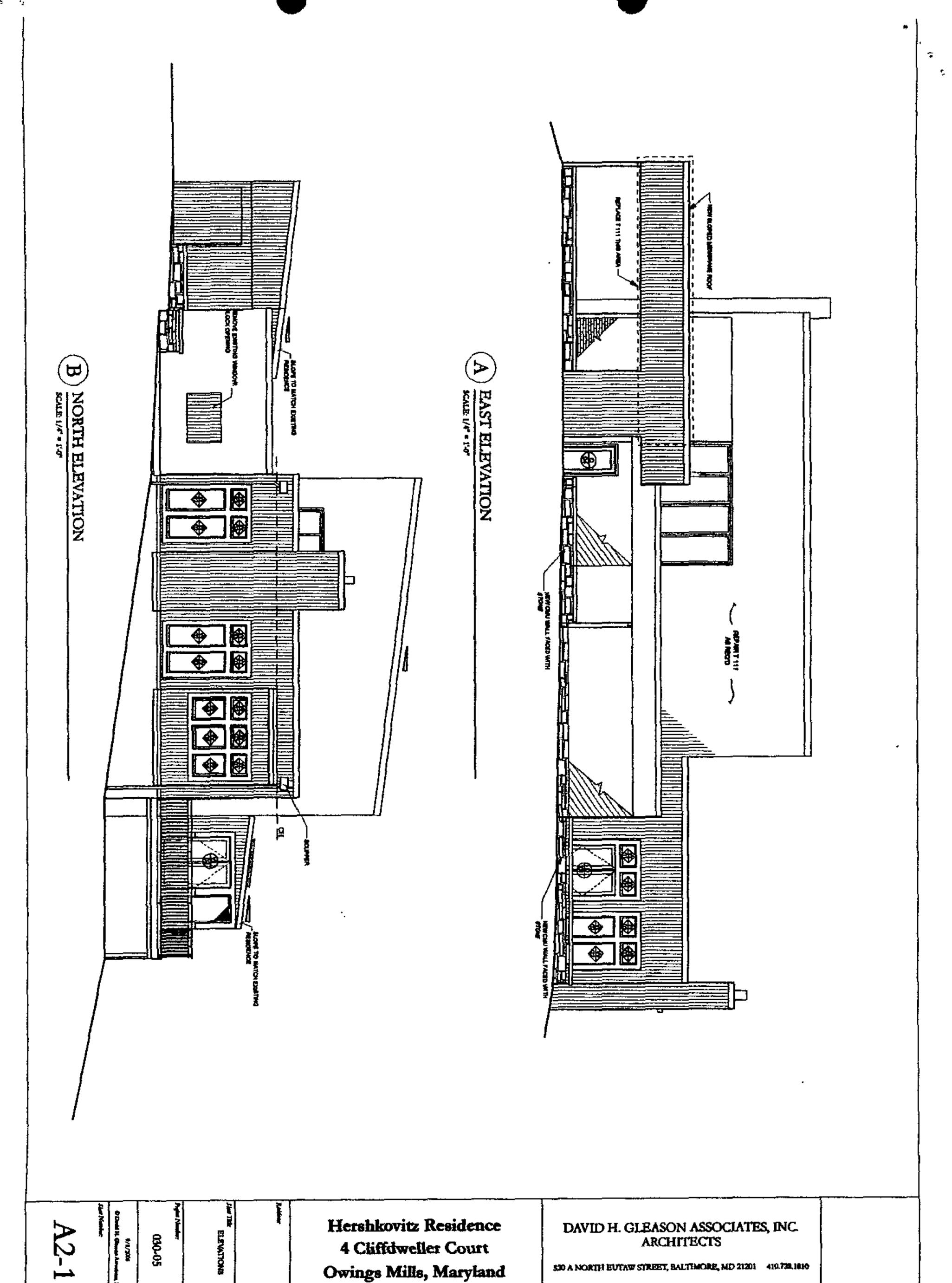
07-135-9



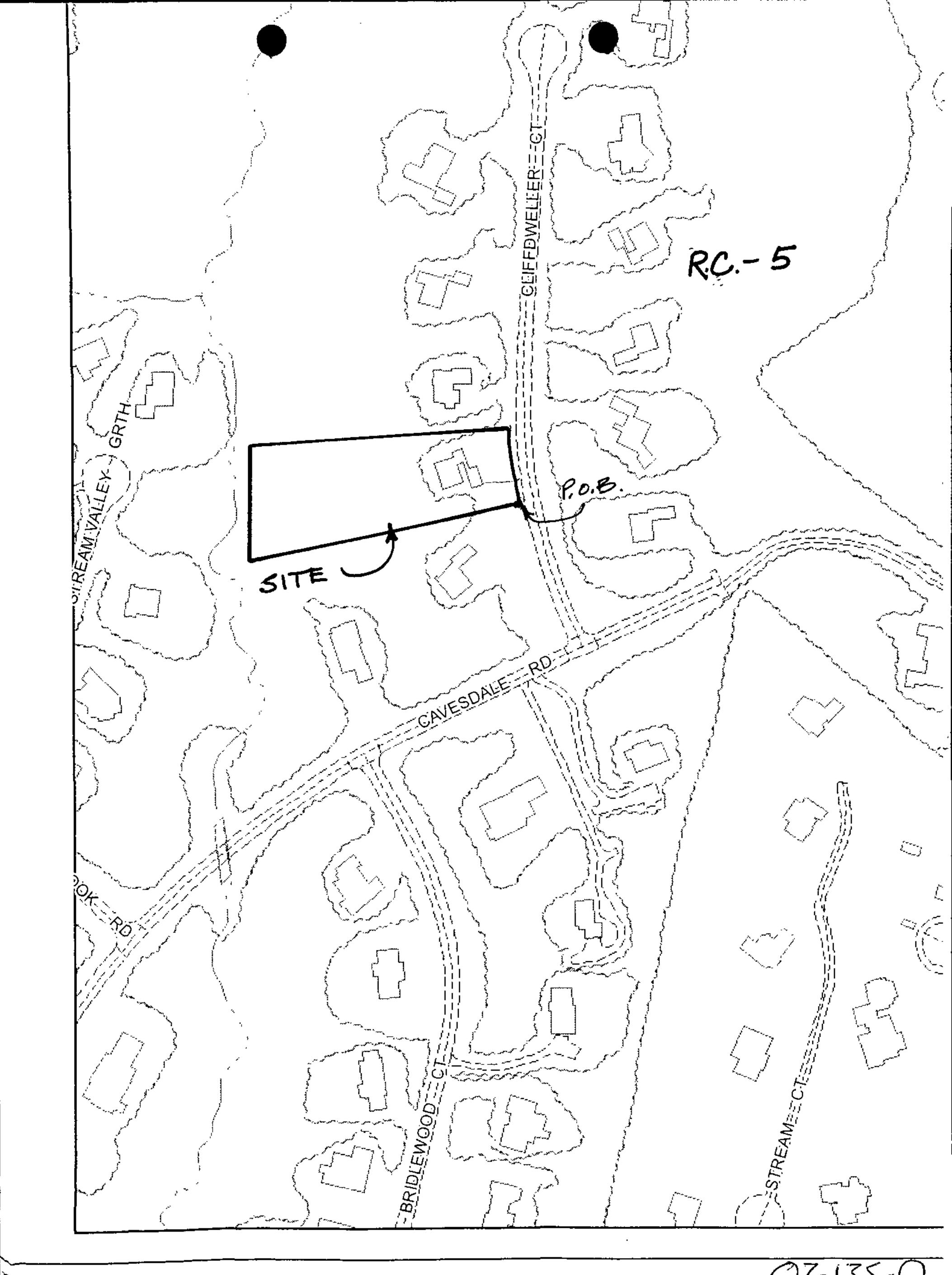
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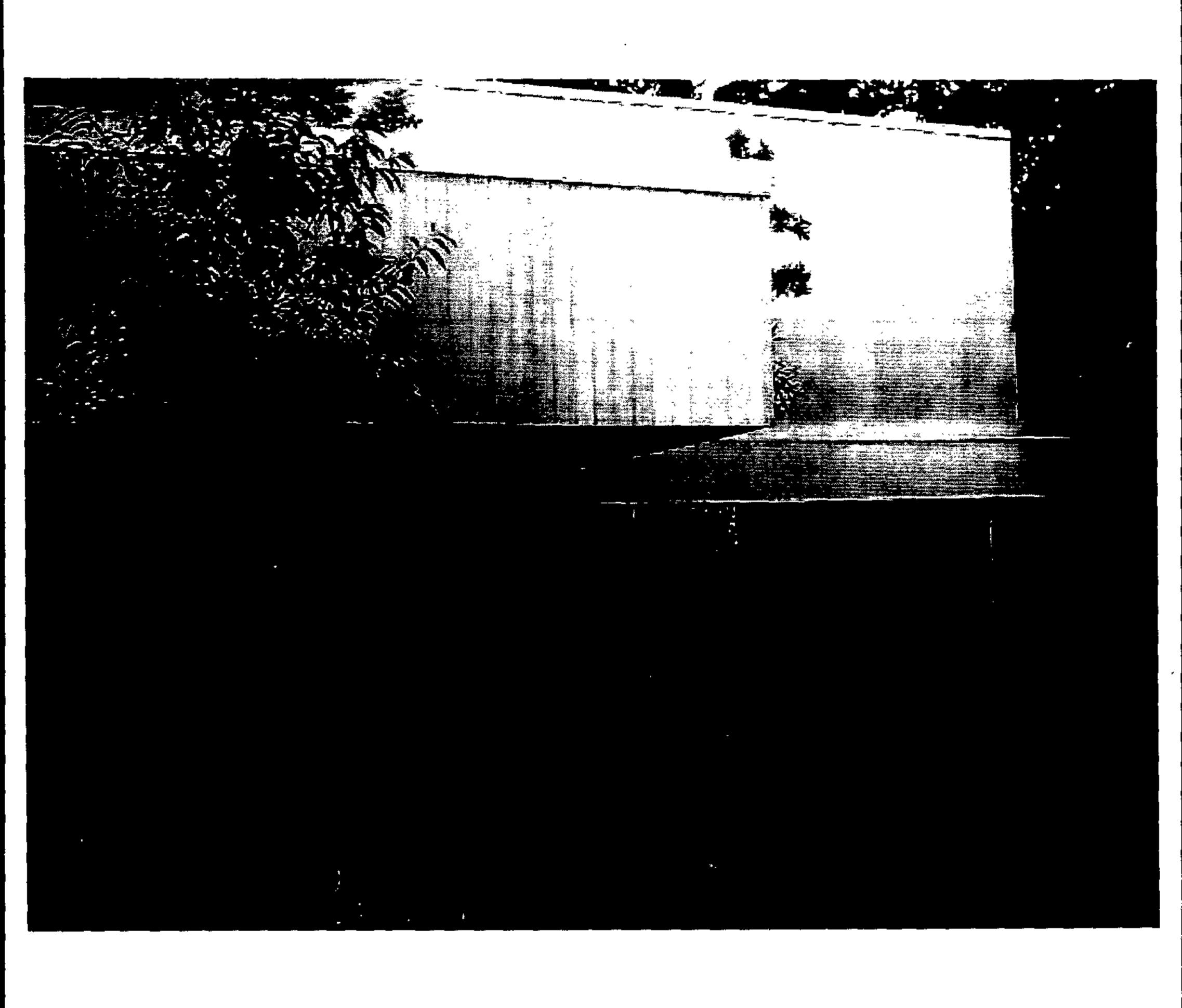
7-135-62



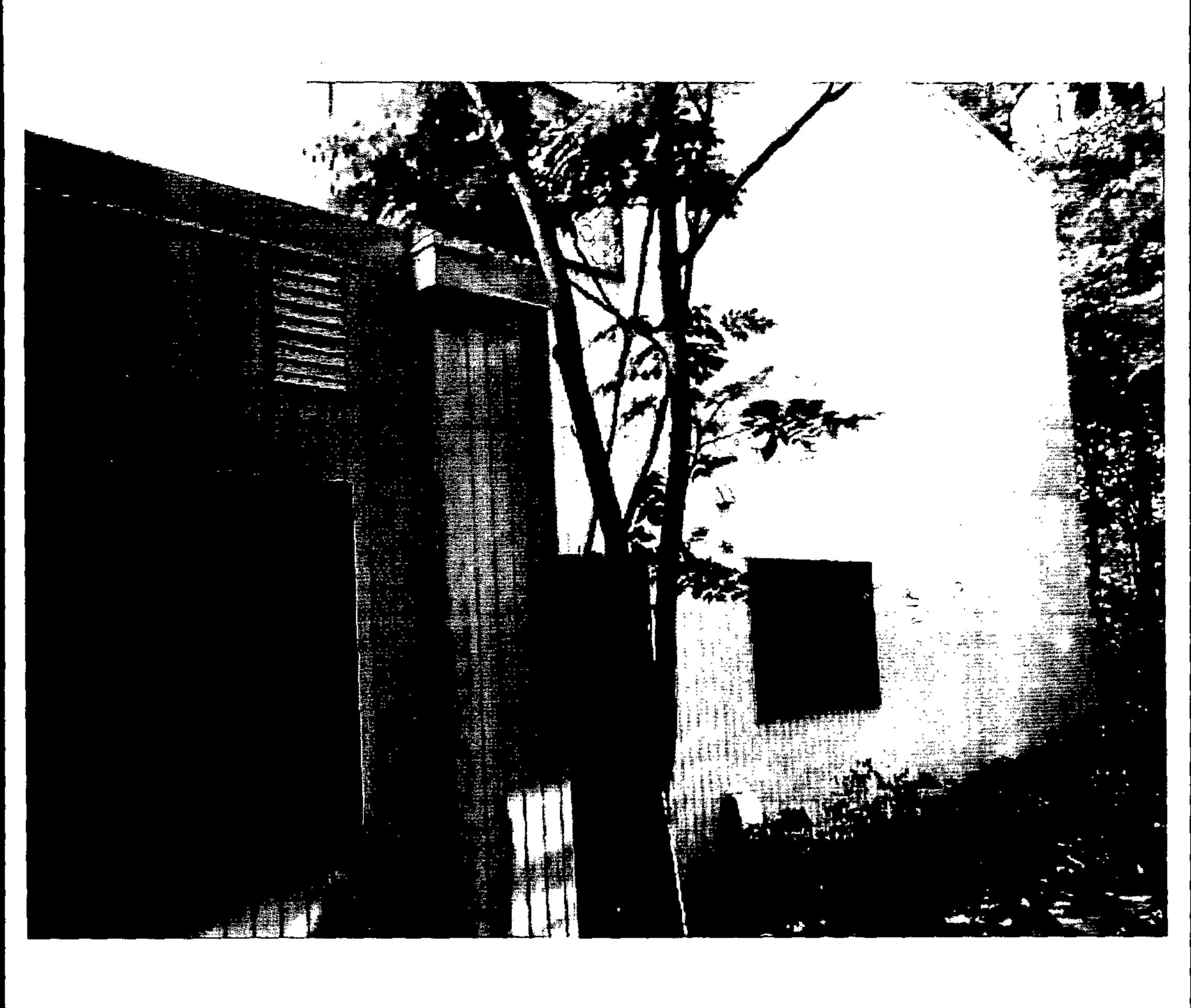
Plan Sheet: 059B1

Note:

07-135-(-) Leaend



4 Cliffchweller Ct. - Front



#4 Cliff-dweller Ct. - Right Side (from street)

Area of proposed addition on

right side of picture

07.135.11 #4



Looking from area of proposed addition toward # 6 Cliffdweller Gt. (woods in picture to remain)

07-135-A #5



Looking from back of house (#4 arfdweller Ct.) to sear of property.

07-135.11



1-ooking toward #2 Cliffdweller Ot.

07-135-17



Looking toward left side of house (from street) from south side of house.

07-135-1

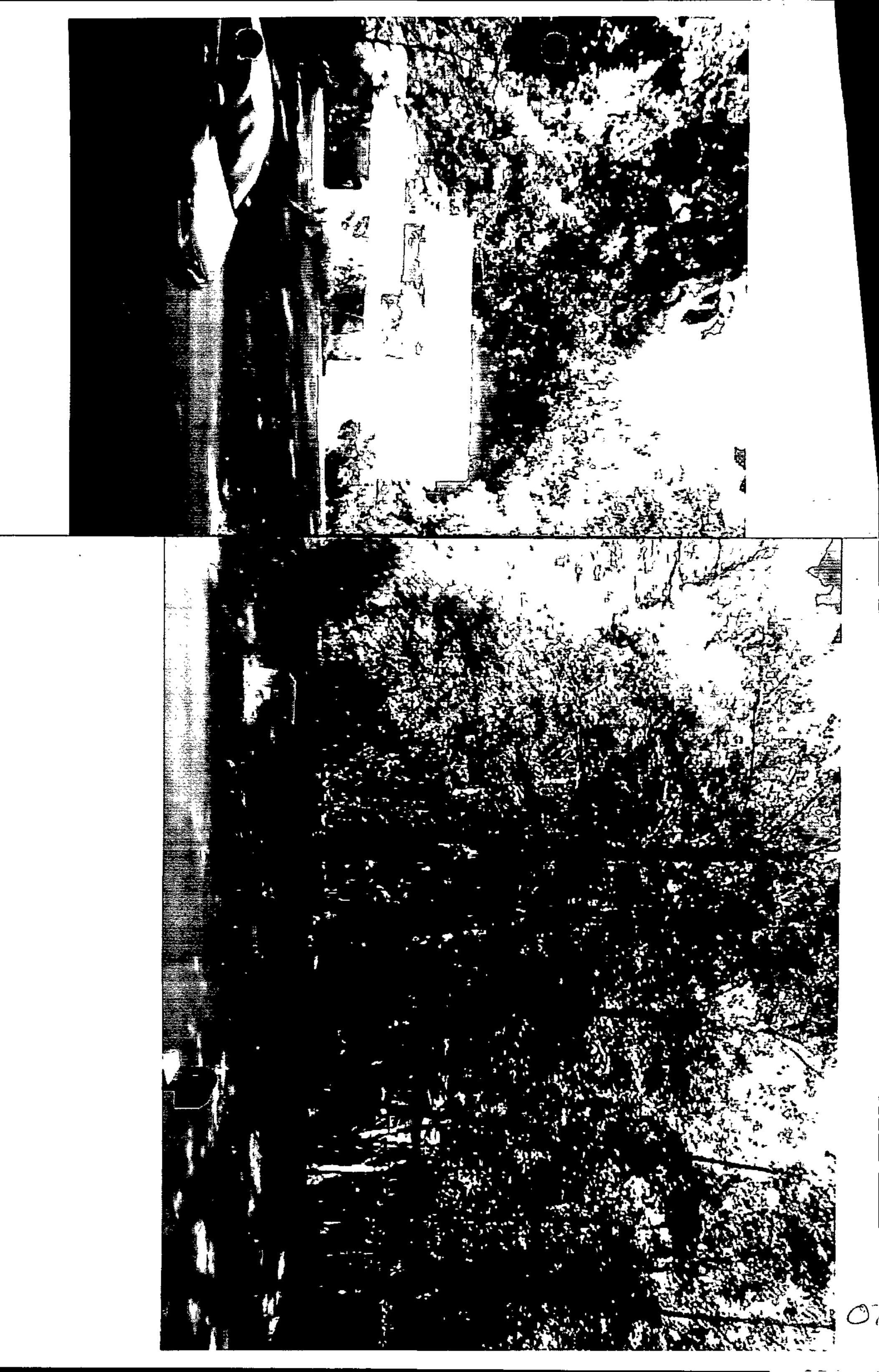


Rear of # 4 Cliff dweller Ot.

9



tront + driveway - # 4 Cliffdeveller Ct.



the the

