

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W side of Tapu Court, 665 feet S of		
c/l intersection of Dunfield Road	*	DEPUTY ZONING
11 th Election District		
6 th Councilmanic District	*	COMMISSIONER
(8324 Tapu Court)		
	*	FOR BALTIMORE COUNTY
Galen Beck		
<i>Petitioner</i>	*	Case No. 08-507-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, Galen Beck for property located at 8324 Tapu Court. The variance request is from Section 1B01.2.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed one story addition with a rear setback of 15 feet in lieu of the required 30 feet, and to amend the last revision of the Final Development Plan of "Beldale Courts" for Lot 51 only. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The existing dwelling is a three bedroom townhouse with limited storage and closet space. Petitioner states that upstairs is one small bedroom which is almost unusable as a bedroom. He wishes to enclose the rear deck and make it an office. This would allow him to move a child into the larger bedroom and use the smallest bedroom as a walk-in closet. The subject dwelling is an end unit townhome. Approximately 38.5 feet will remain between the proposed addition and the side property line. None of the neighbors voiced any objection to the one story addition.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

COPIES RESERVED FOR FILE
 5.28.08
 [Signature]

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 4, 2008 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 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 28th day of May, 2008 that a variance from Section 1B01.2.c.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed one story addition with a rear setback of 15 feet in lieu of the required 30 feet, and to amend the last revision of the Final Development Plan of "Beldale Courts" for Lot 51 only is hereby GRANTED, subject to the following:

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.

ORDER RECEIVED FOR FILING
5.28.08
[Signature]

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

FILED

5.28.08

BY

VB



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 28, 2008

GALEN BECK
8324 TAPU COURT
BALTIMORE MD 21236

Re: Petition for Administrative Variance
Case No. 08-507-A
Property: 8324 Tapu Court

Dear Mr. Beck:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted 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,


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Bernadette Moskunas, Site Rite Surveying, Inc., 200 East Joppa Road #101, Towson
MD 21286



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8324 Tapu Court
which is presently zoned D121b

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) 1B01.2.C.1.b

To permit a proposed one story addition with a rear setback of 15-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of "Beldale Courts" for Lot 51 only.

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.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Galen Beck
Name - Type or Print

Galen Beck
Signature

Name - Type or Print

Signature

8324 Tapu Court 443 655 7666
Address Telephone No.

Baltimore, MD 21236
City State Zip Code

Representative to be Contacted:

Site Rite Surveying Inc.
Name

200 E. Joppa Road Rm 101 410 828 9060
Address Telephone No.

TOWSON, MD 21286
City 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, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2008-0507-A

REV 10/25/01 5.28.08

Reviewed By TH Date 4/25/08

Estimated Posting Date 5/04/08

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

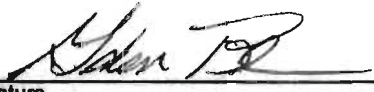
8324 Tapu Court
Address
Baltimore, MD 21236
City State Zip Code

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):

This is a 3-bedroom townhouse with limited storage and closet space. Upstairs there is one very small bedroom which is almost unusable as a bedroom, even for a 7 year old child. We would like to enclose the rear deck and make it an office. This would allow us to move our child into the larger (2nd) bedroom and use the smallest room as a walk-in closet.

This would solve most of our space issues.

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.


Signature

Galen Beck
Name - Type or Print

Signature

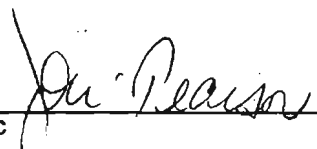
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Galen Beck
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 1/1/2011

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

8324 Tapu Court
Address
Baltimore, MD 21236
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):

This is a 3-bedroom townhouse with limited storage and closet space. Upstairs there is one very small bedroom which is almost unusable as a bedroom, even for a 7 year old child. We would like to enclose the rear deck and make it an office. This would allow us to move our child into the larger (2nd) bedroom and use the smallest room as a walk-in closet.

This would solve most of our space issues.

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.

Galen Beck
Signature
Galen Beck
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Don Pearson
Notary Public
My Commission Expires 1-1-2011



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8324 Tapu Court
which is presently zoned DR16

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) 1801.2.C.1.b

To permit a proposed one story addition with a rear setback of 15-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of "Beldale Courts" for Lot 51 only.

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.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Galen Beck
Name - Type or Print

Galen Beck
Signature

Name - Type or Print

Signature

8324 Tapu Court 4436557666
Address Telephone No.

Baltimore, MD 21236
City State Zip Code

Representative to be Contacted:

Site Rite Surveying Inc.
Name

200 E. Joppa Road Room 101 4108289060
Address Telephone No.

Towson, MD 21286
City 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, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO.

2008-0507-A

Reviewed By

Date

4/25/08

REV 10/25/01

Estimated Posting Date

5/04/08

ZONING DESCRIPTION
#8324 TAPU COURT

BEGINNING at a point on the west side of Tapu Court which is 120 feet wide at the distance of 665 feet south of the centerline of the nearest improved intersecting street Dunfield Road which is 70 feet wide. Being Lot #51, in the subdivision of "Beldale Courts" as recorded in Baltimore County Plat Book #68, Folio #57, containing 6141 S.F. Also known as 8324 Tapu Court and located in the 11th Election District, 6th Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

507-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **14046**

Date: 4/25/08

PAID RECEIPT

BUSINESS ACTUAL TIME IN

4/25/2008 4/25/2008 14:31:22

RECEIPT # 442030 4/25/2008

REPT 5 529 BOND VERIFICATION

014046

Receipt Tot \$115.00

\$115.00 CR \$50.00 CB

Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				115.00

Total: 115.00

Rec

From: Galen Beck

2008-0507-A

For: 8324 Tape Ct

Admin. Services Dept. 100

12036

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 2008-0507-A

Petitioner/Developer: GALEN
BECK

Date Of Hearing/Closing: 5/19/08

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

Attention:

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
at 8324 TAPI COURT

This sign(s) were posted on May 4 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 5/4/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

USE # 2008-0507-A
TO PERMIT A PROPOSED ONE STORY
ADDITION WITH A ONE SETBACK OF
15 FEET IN LIEU OF THE REQUIRED 10
FEET AND TO REWIND THE LAST TRIVIAL
OF THE FINAL AGREEMENT PLAN OF
ARTICLE 100.15 FOR LOT C1 ONLY

PUBLIC HEARING ?

PERMIT TO REWIND IS WITHIN THE POWER OF THE
AN ELECTRIC INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE. PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON ANY DAY.

ADDITIONAL INFORMATION IS AVAILABLE AT
THE ZONING OFFICE OR THE PLANNING DEPARTMENT

FOR MORE INFO

TEL 317-3311

PLANNING & ZONING DEPARTMENT

Martin Ogle
5/4/08

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 08- 0507 -A Address 8324 Tapu Ct.Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 4/25/08 Posting Date: 05/04/08 Closing Date: 05/19/08

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 (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. **DEADLINE:** 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.
3. **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.

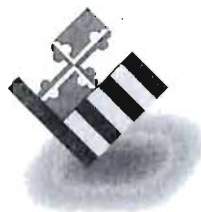
(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMATCase Number 08- 0507 -A Address 8324 Tapu Ct.
Petitioner's Name Galen Beck Telephone 443-655-7666
Posting Date: 05/04/08 Closing Date: 05/19/08
Wording for Sign: To Permit

To permit a proposed one story addition with a rear setback of 15-feet in lieu of the required 30-feet and to amend the last revision of the Final Development Plan of "Beldale Courts" for Lot 51 only.

WCR - Revised 6/25/04



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive
Galen Beck
8324 Tapu Court
Baltimore, MD 21236

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
May 19, 2008

Dear Galen Beck

RE: Case Number: 2008-0507-A, Address: 8324 Tapu Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 19, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Site Rite Surveying INC., 200 E. Joppa Rd. Suite 101, Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: May 6, 2008

RECEIVED
MAY 07 2008

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

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-507- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:

Cecilia Murray

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: May 9, 2008

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For May 12, 2008
Item Nos. 08-504, 506, 507, 508, 509,
511, 512, 513, 515, 516, 517, and 519

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

DAK:CEN:lrk
ZAC-04092008-NO COMMENTS
cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: **MAY 5, 2008**

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

RE: Baltimore County
Item No. **8-507-A**
8324 TAPU COURT
BECK PROPERTY
ADMINISTRATIVE VARIANCE

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. **8-507-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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

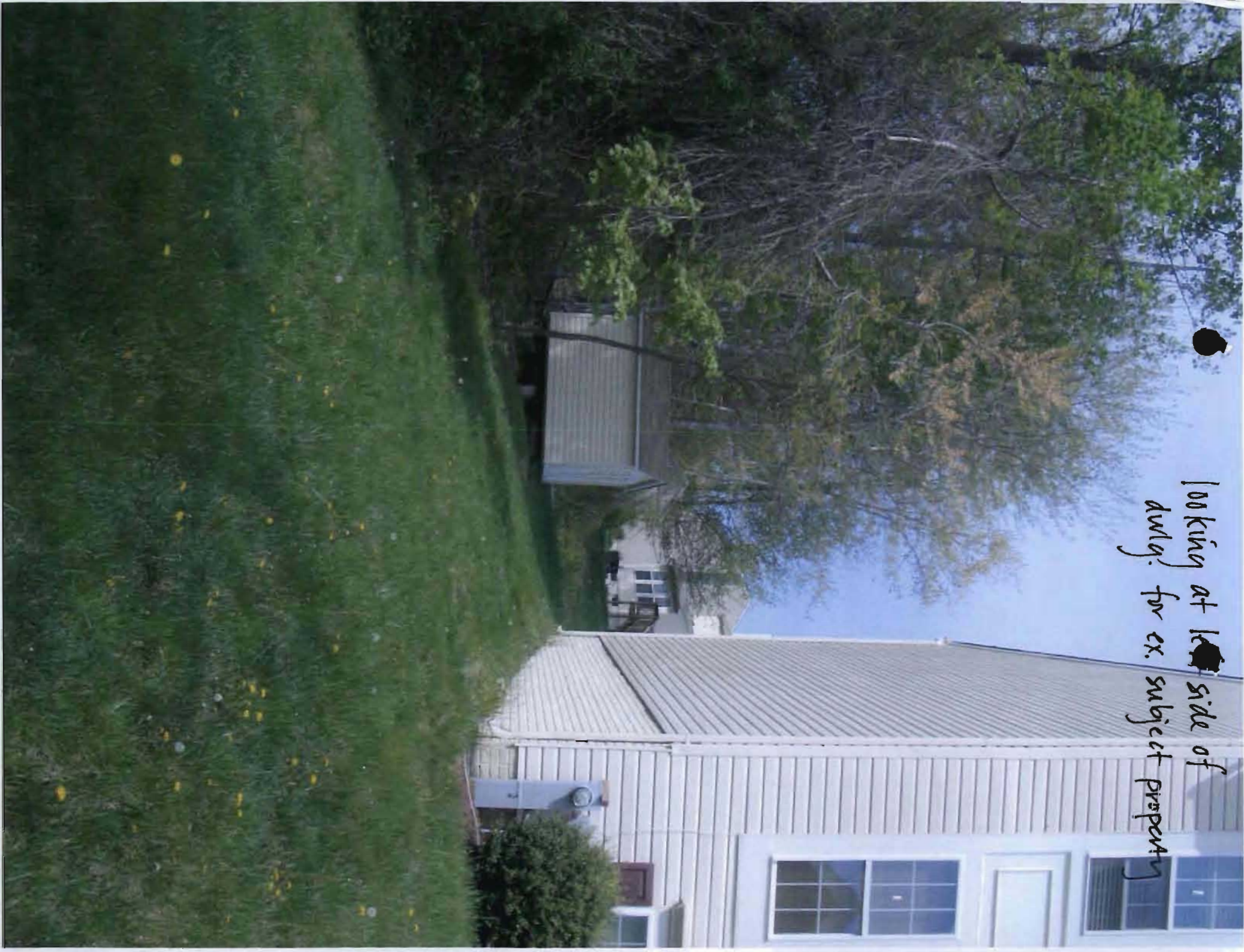
SDF/MB

Subject Property

#501-A



looking at back side of
dwlg. for ex. subject property



Left side of ex. dwg.
Subject Property



EX. Deck to be enclosed.
Subject Property





View from ex. deck into side yard
Subject property



Subject Property

Neighbor Property

EX. Deck to
be enclosed.



View into side yard.

Subject
Property



Neighbor Rear yards

Subject
Property

Neighboring dwellings

Subject
Property



● Subject Property ●
View from rear yard into
front yard.

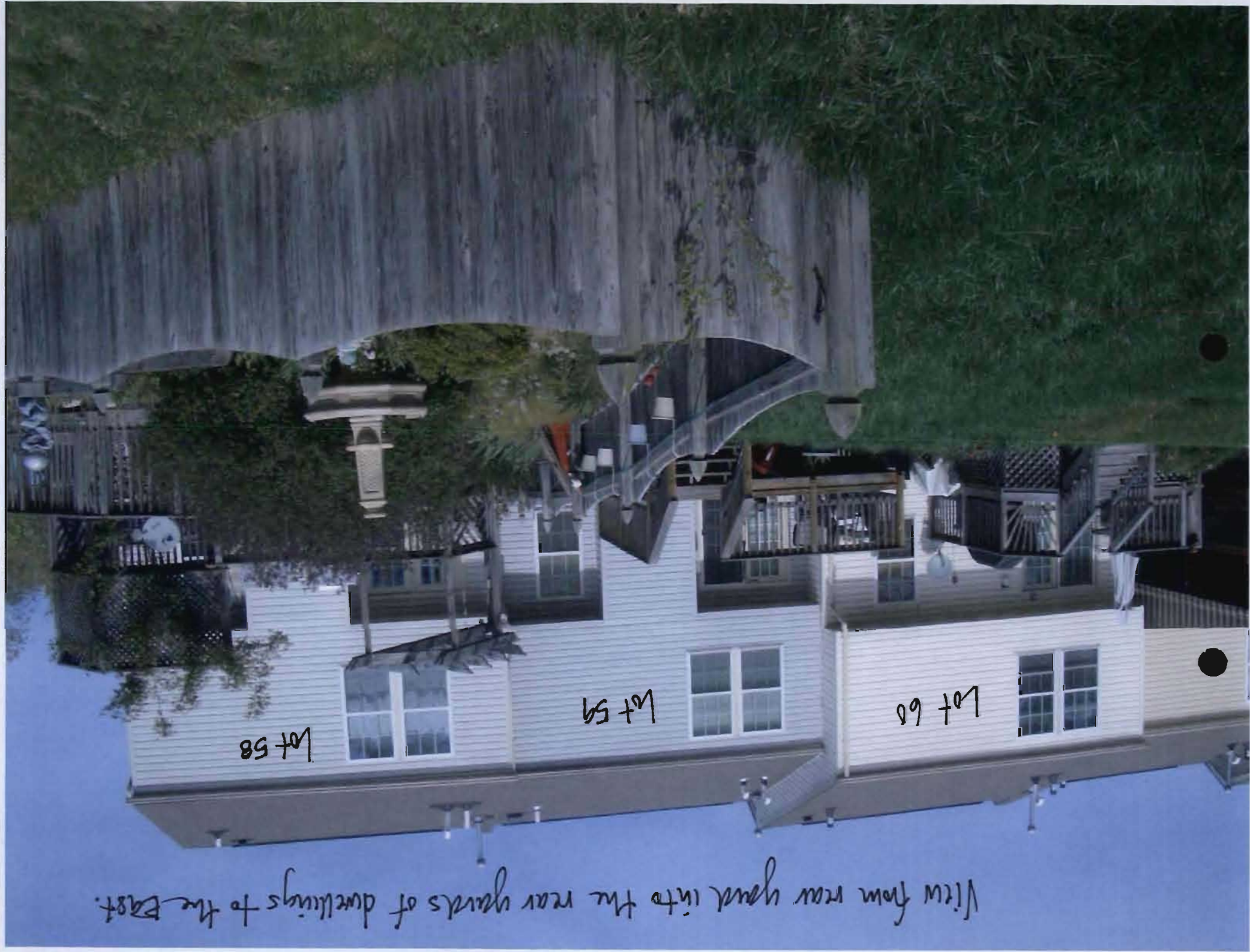


View from rear yard of subject property to the East.



Lot. 58

View from rear yard into the rear yards of dwellings to the East.

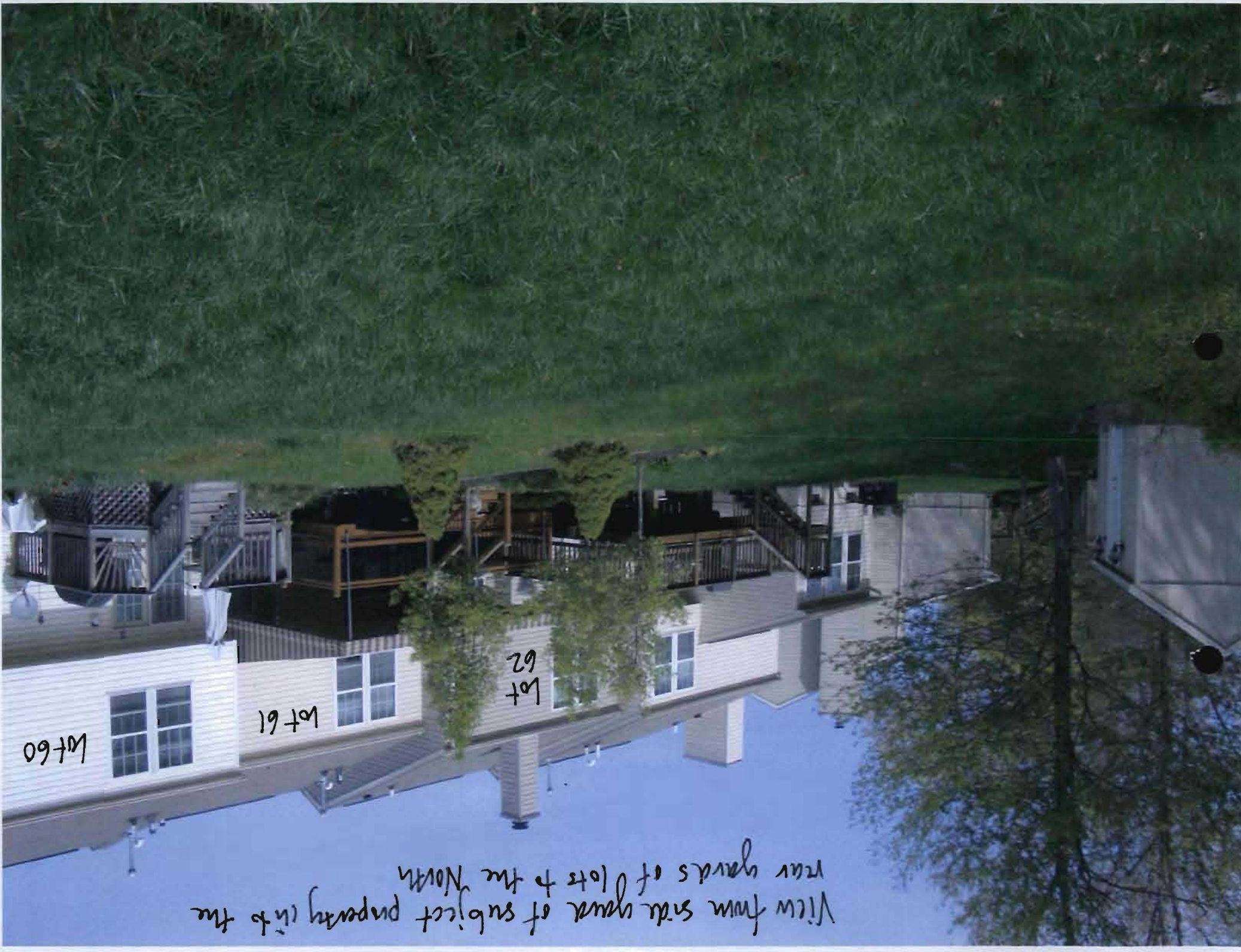


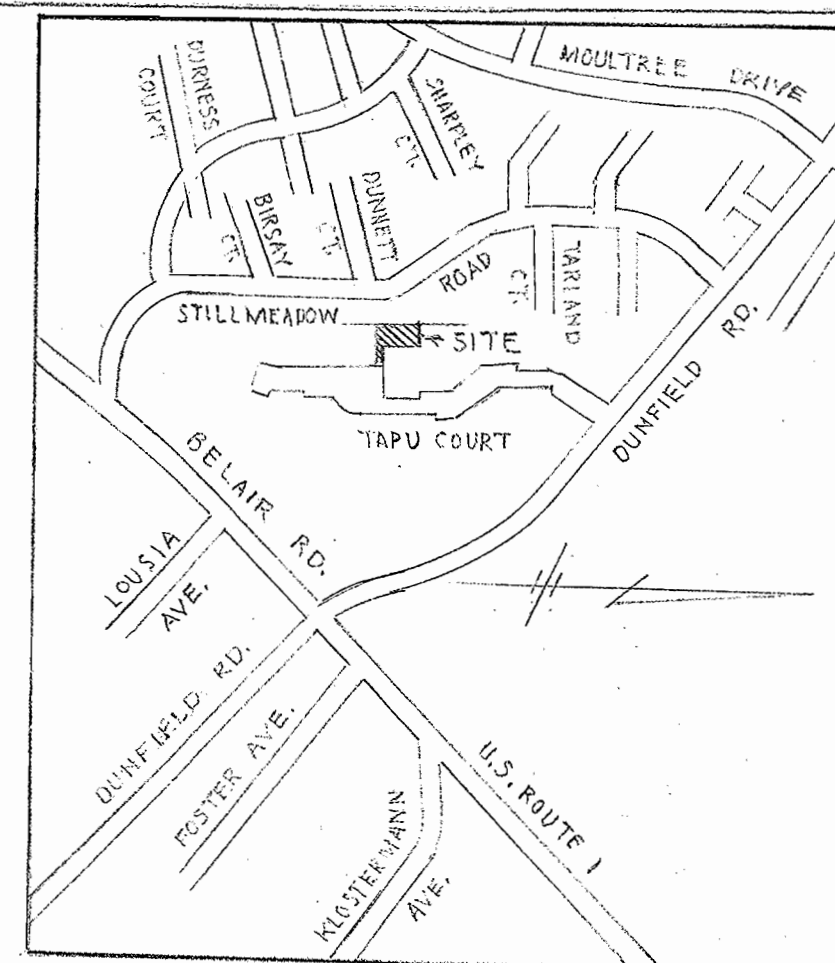
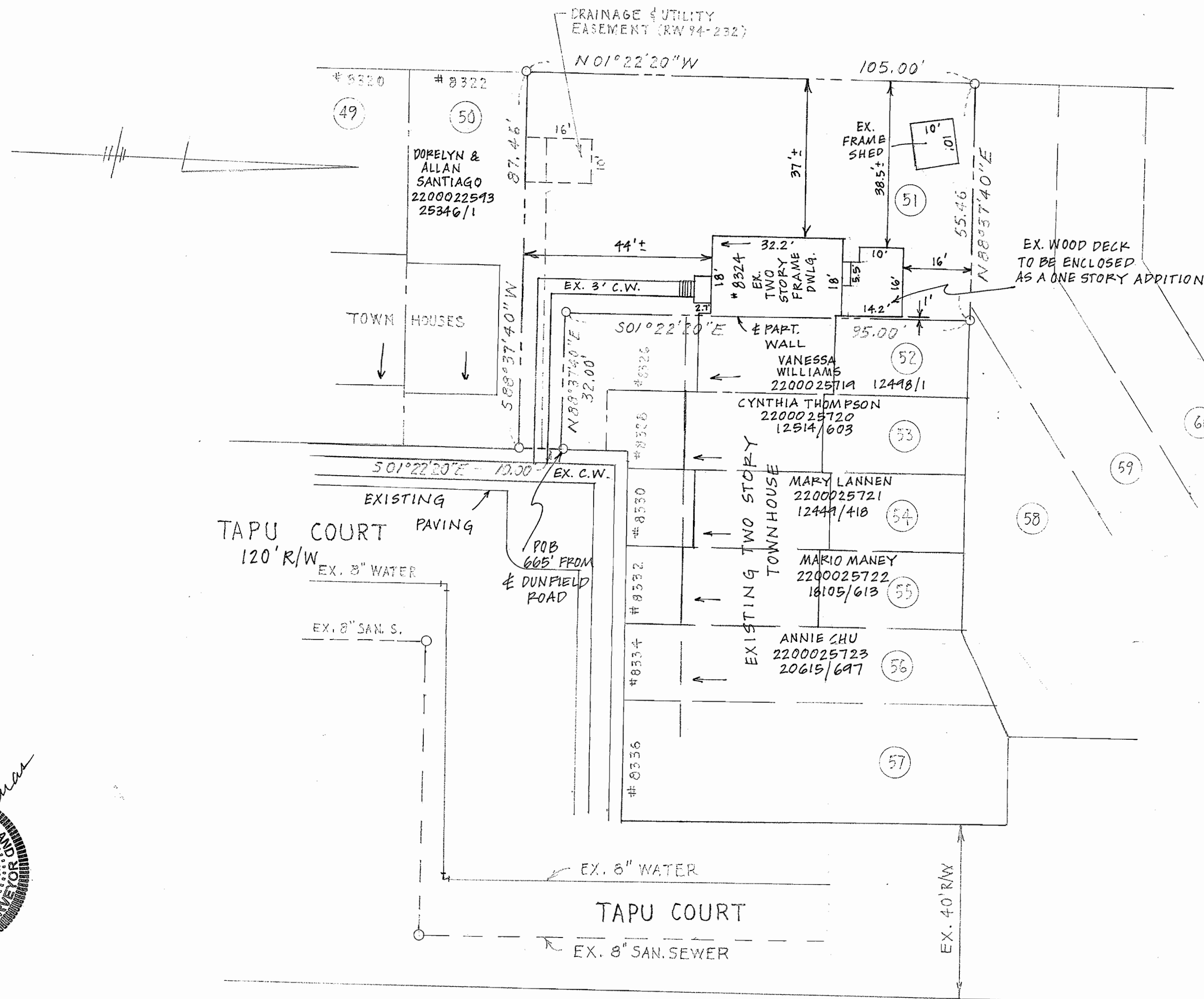
View from side yard of subject property into the rear yards of lots to the North

Lot 60

Lot 61

Lot 62





VICINITY MAP
SCALE: 1"=500'

1. EX. ZONING: DR 16 (071C3)
2. LOT AREA: 6,151 S.F. or 0.141 Ac +/-
3. EXISTING USE: SINGLE FAMILY DWELLING
PROPOSED USE: SINGLE FAMILY DWELLING
W/PROPOSED ENCLOSED DECK
4. PUBLIC WATER AND SEWER ARE AVAILABLE AT THIS SITE
5. NOT LOCATED IN AN HISTORIC AREA
6. NOT LOCATED IN A 100 YEAR FLOOD PLAIN AREA
COMMUNITY PANEL NO. 240010 0270B ZONE: "C"
7. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
8. NO PRIOR ZONING HEARING
9. LOTS ARE SHOWN ON A FIRST AMENDED PLAT DATED FEBRUARY 1996

PLAN TO ACCOMPANY ADMINISTRATIVE VARIANCE

#8324 TAPU COURT

LOT 51

"BELDALE COURTS" 68/57

TAX MAP: 71 GRID: 23 PARCEL: 8

TAX ACCT. NO. 2200025718

DEED REF.: 23213/670

ELECTION DISTRICT NO. 11 C-6

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=20'

APRIL 25, 2008

#9679

OWNER: GALEN BECK
8324 TAPU COURT
BALTIMORE MD 21236
(443) 655-7666



site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE: 410-828-9060
FAX: 410-828-9066

#507-A