

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Light Foot Drive; 175 feet W.
of the c/l of Sylvale Road
3rd Election District
2nd Councilmanic District
(2417 Lightfoot Drive)

Meir and Michal Levinger-Shamay
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* Case No. 2010-0142-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 owners of the subject property, Meir and Michal Levinger-Shamay for property located at 2417 Lightfoot Drive. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an enclosed addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners have four children and need to enclose the existing screen porch to accommodate the growing family. Enclosing the porch will provide additional living space for the family. Petitioners have received the support of their neighbors residing at 2419 Lightfoot Drive, 2415 Lightfoot Drive and 2430 Sylvale Road. Photographs submitted with the Petition clearly depict that many homes in the neighborhood have enclosed their screen porches.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 7, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

12.1.09

pm

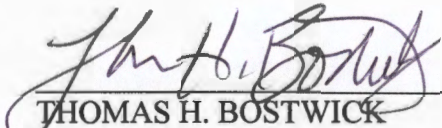
The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 Petitioners.

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 15th day of December, 2009 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 24 feet in lieu of the required 30 feet for an enclosed addition is hereby GRANTED, subject to the following:

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.

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

12-1-09



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 1, 2009

MEIR AND MICHAL LEVINGER-SHAMAY
2417 LIGHTFOOT DRIVE
BALTIMORE MD 21209

Re: Petition for Administrative Variance
Case No. 2010-0142-A
Property: 2417 Lightfoot Drive

Dear Mr. and Mrs. Shamay:

Enclosed please find the decision rendered in the above-captioned case.

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



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2417 Lightfoot Dr.
which is presently zoned FFI DR 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) 1B02.3.C.1.BCZR, To

PERMIT A REAR YARD SETBACK OF 24ft IN LIEU OF THE REQUIRED 30ft FOR AN ENCLOSED ADDITION.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

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. 2010-0142-A Reviewed By JCM Date 10.29.09

REV 10/25/01 12-1-09 Estimated Posting Date 11/8

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

Address 2417 Lightfoot Dr.
City Baltimore State MD Zip Code 21209

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):

We are living in a neighborhood where all the houses were built with porches, including our house. Most of them already enclosed their porches. With ~~four~~ children it will be better for us to have a bigger living room by enclosing the porch, since this is the only place we have to hang around. The shape of our lot is a little bit unusual and it gets larger in one point but specifically where the porch is, it is smaller. We are not looking to build away from the house line and it will not disturb the neighbors (attached the neighbor non-objection letter).

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

MEIR SHAMAY
Name - Type or Print

Signature

MICHAEL LEVINGER-SHAMAY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

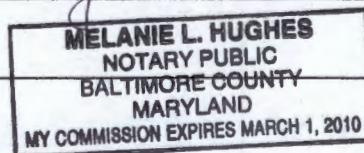
I HEREBY CERTIFY, this 28th day of OCTOBER, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MEIR SHAMAY, MICHAEL LEVINGER-SHAMAY
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Melanie L. Hughes
Notary Public

My Commission Expires



ZONING DESCRIPTION FOR 2417 Lightfoot Dr. Baltimore, MD 21209

Beginning at a point on the ~~North~~ south side of

Lightfoot Dr. which is 50 feet

Wide at the distance of 175 feet west of the

centerline of the nearest improved intersection street Sylvale Rd.

which is 50 feet wide *being Lot# 8

Block A, section # III in subdivision of Summit Park

As recorded in Baltimore County Plat Book # 22, Folio # 19,

containing 0.32 acres. Also known as 2417 Lightfoot Dr.

and located in the 3 election district 2 Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0142 -A Address 2417 LIGHTFOOT DR.

Contact Person: J. MORRIS Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10-29-09 Posting Date: 11/8 Closing Date: 11/23

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.
- 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.
- 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, usually within 10 days of the closing date if all County agencies' comments are received, 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.
- 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 2010- 0142 -A Address 2417 LIGHTFOOT DR.

Petitioner's Name _____ Telephone _____

Posting Date: MEIR SHAMAY Closing Date: _____

Wording for Sign: To Permit A REAR YARD SETBACK OF 24 ft.
IN LIEU OF THE REQUIRED 30 ft. for an
ENCLOSED ADDITION

Revised 8/20/09

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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

0142

Petitioner:

Michael Levinger - Chanay

Address or Location:

2417 Lightfoot dr Baltimore MD 21209

PLEASE FORWARD ADVERTISING BILL TO

Name:

Address:

Telephone Number:

Same.

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

No.

47585

Date:

10-27-9

PAID RECEIPT

RECEIVED ACTUAL TIME DAY
10-27-90 10:07:50
10-27-90 10:07:50
10-27-90 10:07:50

Rev Sub
Source/ Rev/

Fund Dept Unit Sub Unit Obj Sub Obj Dept Obj BS Acct Amount

Total:

Rec
From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 11/10/09

Case Number: 2010-0142-A

Petitioner / Developer: MEIR SHAMAY

Date of Hearing (Closing): NOVEMBER 23, 2009

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:
2417 LIGHTFOOT DRIVE

The sign(s) were posted on: NOVEMBER 7, 2009



Linda O'Keefe
(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 of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 24, 2009

Meir and Michal Shamay
2417 Lightfoot Dr.
Baltimore, MD 21209

Dear: Meir and Michal Shamay

RE: Case Number 2010-0142-A, 2417 Lightfoot Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 29, 2009. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 12, 2009

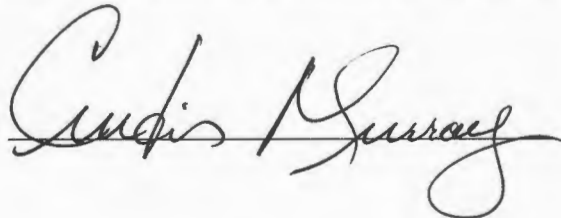
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-142- 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 Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



RECEIVED

NOV 13 2009

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 11 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 11, 2009
SUBJECT: Zoning Item # 10-142-A
Address 2417 Light Foot Drive
(Shamay Property)

Zoning Advisory Committee Meeting of November 9, 2009

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 12/11/09

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 23, 2009
Item Nos. 2010-116, 140, 141,
142, 143, 144, 146 and 147

DATE: November 17, 2009

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

DAK: CEN: cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11232009 -NO COMMENTS.doc



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

November 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 9, 2006

Item Numbers: 0139,0140,0141,0142,0143,0144,0145,0146,0147

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



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Nov. 12, 2009

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

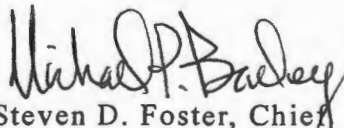
RE: Baltimore County
Item No. 2010-0142-A
2417 LIGHT FOOT DR
SHAMAY PROPERTY
ADMIN. VARIANCE -

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.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

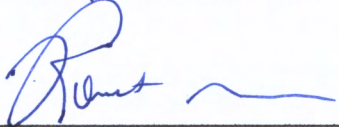
Non-objection letter:

I have no objection that the owners of the house at 2417 Lightfoot Dr. Baltimore MD 21209, are planning to convert the screens at their screen porch into walls and windows.

Name: Ronit Rubin RONIT RUBIN

Address: 2419 Lightfoot Dr Baltimore, MD 21209

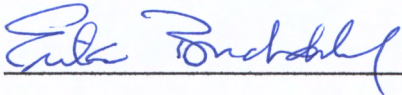
Lot number 7

Signature and date:  10/26/09

Name: Erika Buchdahl

Address: 2415 Lightfoot Dr Baltimore, MD 21209

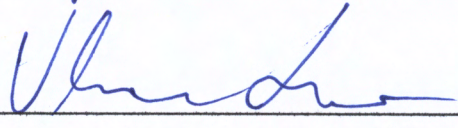
Lot number 9

Signature and date: 

Name: Vladimir Lorde

Address: 2430 Sylva Rd Baltimore MD 21209

Lot number 10

Signature and date:  10/25/09

From: LaShenda Williams
To: Wiley, Debra; Zook, Patricia
Date: 12/1/2009 8:42 AM

Zoning Commissioner's Admin Hearing Schedule

Updated 12/1/2009

CASE NUMBER: 2010 - 0144 - A

1409 Hallwood Rd

Location: North side of Hallwood Road; 135 feet +/- west of the centerline of Harberson Road.

1st Election District, 1st Councilmanic District

Legal Owner(s): LeRoy Maddox

Contract Purchaser:

Closing Date: 11/23/2009

ADMINISTRATIVE VARIANCE To permit a proposed addition to have a rear yard setback as close as 12 feet in lieu of the minimum required 30 feet.

.....

CASE NUMBER: 2010 - 0142 - A

2417 Light Foot Dr

Location: South side of Light Foot Drive; 175 feet west of the centerline of Sylvale Road.

3rd Election District, 2nd Councilmanic District

Legal Owner(s): Meir & Michal Shamay

Contract Purchaser:

Closing Date: 11/23/2009

ADMINISTRATIVE VARIANCE To permit a rear yard setback of 24 feet in lieu of the required 30 feet for an enclosed addition.

.....

Patricia Zook - 11-23-09 Administrative Variance cases - descriptions needed

From: Patricia Zook
To: Williams, LaShenda
Date: 11/30/2009 9:11 AM
Subject: 11-23-09 Administrative Variance cases - descriptions needed
CC: Bostwick, Thomas; Wiley, Debra

LaShenda -

I am waiting for the case descriptions for the administrative variances that closed on 11-23-09. I will process the cases when I receive the descriptions.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

2417 Lightfoot dr





LOT 7



LOT 9



LOT 10

2417 Lightfoot Drive



Publication Date: October 26, 2009
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



50 0 50
Feet
1 inch equals 50 feet

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

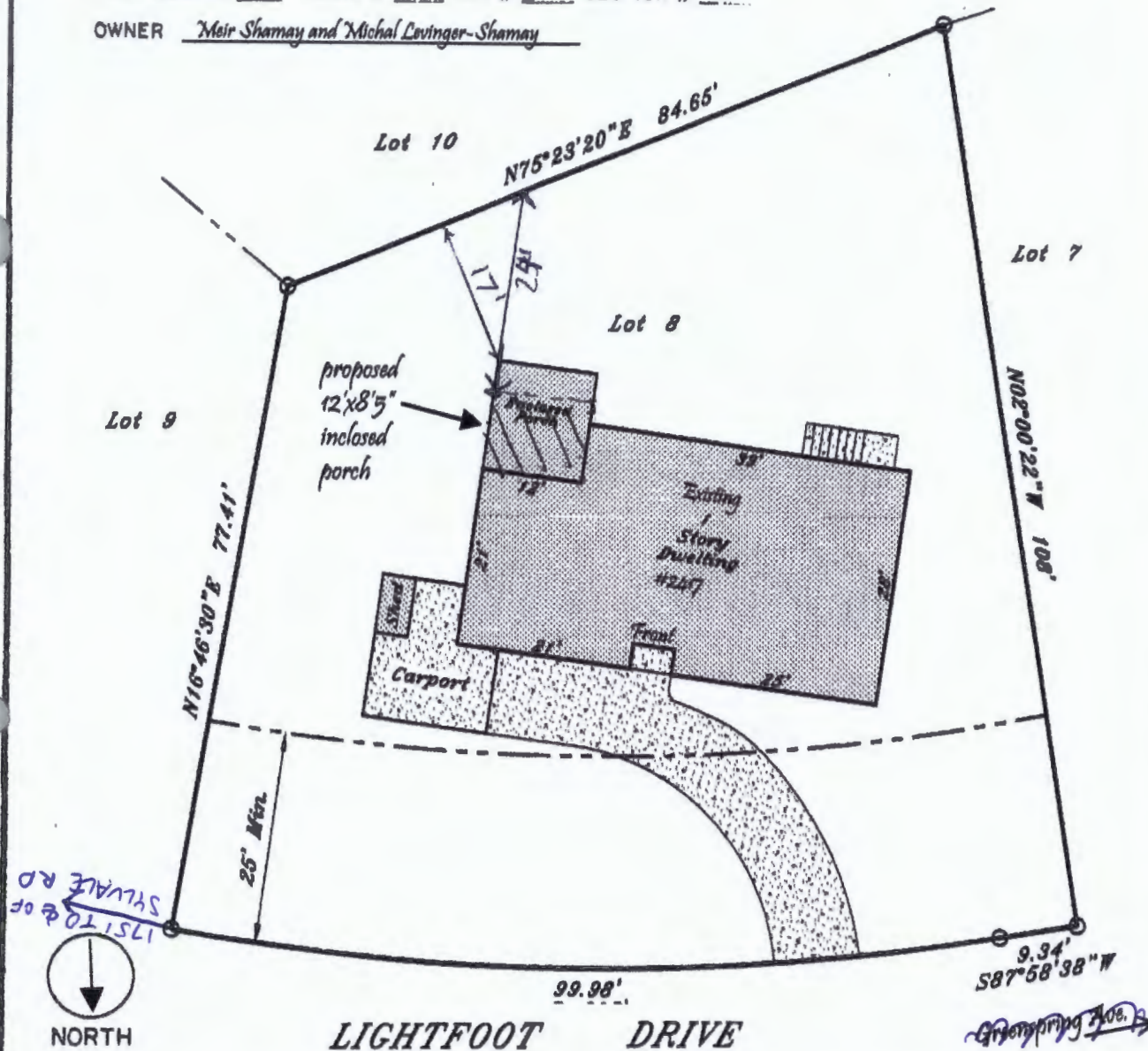
PROPERTY ADDRESS 2417 Lightfoot Dr. Baltimore, MD 21209

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Summit Park

PLAT BOOK # 22 FOLIO # 19 LOT # 8 SECTION # III

OWNER Meir Shamay and Michal Lovinger-Shamay



PREPARED BY Meir Shamay and Michal Lovinger-Shamay

SCALE OF DRAWING: 1" = 20'



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NW8-D

ZONING DR5.5

LOT SIZE 0.32 8832
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	Non	

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

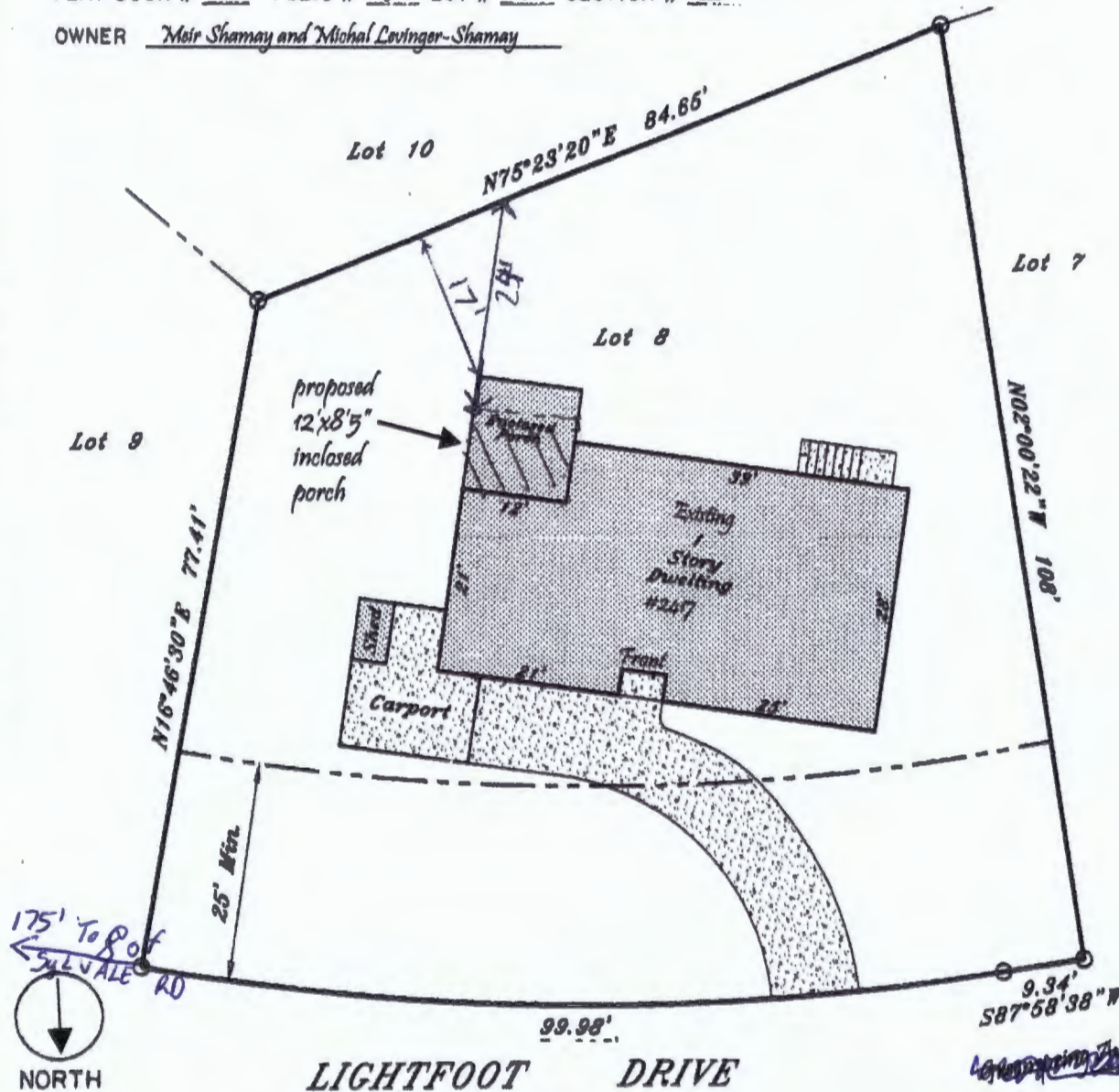
PROPERTY ADDRESS 2417 Lightfoot Dr. Baltimore, MD 21209

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Summit Park

PLAT BOOK # 22 FOLIO # 19 LOT # 8 SECTION # III

OWNER Meir Shamay and Michal Levinger-Shamay



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2

1" = 200' SCALE MAP # NTU8-D

ZONING DR5.5

LOT SIZE 0.32 8832
ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA YES NO ☐ ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING Non

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY Meir Shamay and Michal Levinger-Shamay

SCALE OF DRAWING: 1" = 20'