



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

October 31, 2023

Robert Lawson – hampsteadeng@gmail.com
4501 Beckleysville Road
Hampstead, MD 21074

RE: Petitions for Special Hearing & Variance
Case No. 2023-0164-SPHA
Property: 4501 Beckleysville Road

Dear Petitioner:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(4501 Beckleysville Road)	*	OFFICE OF
5 th Election District		
3rd Council District	*	ADMINISTRATIVE HEARINGS
Robert Lawson		
Legal Owner	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2023-0164-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Hearing and Variance filed by legal owner, Robert Lawson (the “Petitioner”) for the property located at 4501 Beckleysville Road, Hampstead (the “Property”). A Special Hearing was filed pursuant to the Baltimore County Zoning Regulations (“BCZR”), §500.7, to permit a proposed pole barn (accessory building) with a larger footprint than the principal dwelling. Variance relief from BCZR, §400.3 to permit the proposed pole barn to have a height of 23 feet in lieu of the maximum allowed 15 feet.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioner, Robert Lawson appeared, *pro se* at the hearing in support of the Petition. There were no protestants or interested citizens that appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the relief.

The property is approximately 4.849 acres and is zoned RC 8. Mr. Lawson explained that the lot has sloping topography and that the home and proposed pole barn are sited on the highest

elevations. He further explained that he has several trailers that he intends to store in the pole barn and that he plans to acquire a recreational vehicle, which is why he is requesting the modest height variance. He also noted that he has spoken with all the surrounding neighbors and none of them have any objection to the proposed pole barn.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

I find that the proposed pole barn, with a footprint slightly larger than the dwelling, is within the spirit and intent of the RC 8 zone and the BCZR in general. It is common in the rural areas for barns to be larger than the dwelling. Further, the proposed barn will be relatively distant from any adjoining dwellings.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As noted above, the lot in question has sloping topography and is larger than the adjoining lots. It is therefore unique in a zoning sense. If the variance relief was denied the Petitioner would suffer practical difficulty because he would be unable to build the structure, he needs to store his vehicles and trailers.

THEREFORE, IT IS ORDERED this 31st day of **October, 2023** by this Administrative Law Judge, that the Petition for Special Hearing from the BCZR §500.7 for a proposed pole barn (accessory building) with a larger footprint than the principal dwelling is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Variance relief from BCZR, §400.3 to permit the proposed pole barn to have a height of 23 feet in lieu of the maximum allowed 15 feet is also hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The proposed accessory building shall not be used for residential, commercial or industrial purposes.

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

A handwritten signature in cursive script, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 4501 Beckleysville Rd Currently Zoned RC8
Deed Reference 12415, 10457 10 Digit Tax Account # 1600012323
Owner(s) Printed Name(s) Robert Lawson

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

... a proposed pole barn with a larger footprint than the home.

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

BCZR: 400.3 → To permit the proposed pole barn to have a height of 23 feet in lieu of the maximum allowed 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Case Number 2023-0164-SP4A Filing Date 8, 7, 23 Do Not Schedule Dates Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 4501 BECKLEYSVILLE RD

Beginning at a point on the south side of Beckleysville road which is 20' wide at the distance 20' west of the centerline of the nearest improved intersecting street Falls road which is 20' wide.

Property is a corner lot at the intersection of Falls rd and Beckleysville rd on the south west quadrant, property is mostly flat containing a house, pool house, shed, and barn.

Being Lot #1, in the subdivision of Windsor Acres as recorded in Baltimore county plat book # EHK, JR Folio # 37, Containing 4.845 acres. Located in the 5th district

2023-0164-SP4A



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

<https://www.baltimorecountymd.gov>

Cashier: Jason S.

03-Aug-2023 2:01:12P

Transaction **101881**

1 Revised Petition Documents \$75.00

Total \$75.00

CREDIT CARD SALE \$75.00
DISCOVER 4850

Retain this copy for statement
validation

Station: Permit Processing - Mini

03-Aug-2023 2:01:23P

\$75.00 | Method: EMV

Discover XXXXXXXXXXXX4850

ROBERT D LAWSON

Reference ID: 321500546866

Auth ID: 00346R

MID: *****2995

AID: A0000001523010

AthNtwkNm: DISCOVER

SIGNATURE

Clover ID: DYE7BN4YXDRJJ

Payment D956GYRE343MP

Clover Privacy Policy
<https://clover.com/privacy>



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

<https://www.baltimorecountymd.gov>

Cashier: Mitchell K.

Transaction 101855

Total \$75.00

DEBIT CARD SALE \$75.00

VISA 1472

Retain this copy for statement
validation

Station: Permit Processing - Mini

18-Jul-2023 4:04:41P

\$75.00 | Method: EMV

US DEBIT XXXXXXXXXXXX1472

JONATHAN D LAWSON

Reference ID: 319900545540

Auth ID: 005181

MID: *****2995

AID: A0000000980840

AthNtwkNm: VISA

RtInd: CREDIT

SIGNATURE

Payment Y0JYFDQP8T6TJ

Clover Privacy Policy

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**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2023-0164-SPHA
Property Address: 4501 BECKLEYSVILLE ROAD
Legal Owners (Petitioners): ROBERT LAWSON
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): ROBERT LAWSON
Address: 4501 BECKLEYSVILLE ROAD
FARMSTEAD, MD 21074

Telephone Number: 443-271-1080

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

CERTIFICATION OF POSTING

RE: Case No. 2023-0164-SPHA

Petitioner: Robert Lawson

Hearing Date: October 11, 2023

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

4501 Beckleystown Road - north side of property (1 of 3)

4501 Beckleystown Road – Falls Road side of property (2 of 3)

4501 Beckleystown Road – close-up of sign wording (3 of 3)

on 11/21/23

Sincerely,

Richard E. Hoffman (signed) 9/21/23

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0164-SPHA
Address: 4501 BECKLEYSVILLE RD
Legal Owner: Robert Lawson

Zoning Advisory Committee Meeting of August 28, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

Reviewer: Jannifer Anderson

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 8/30/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0164-SPHA

INFORMATION:

Property Address: 4501 Beckleysville Road
Petitioner: Robert Lawson
Zoning: RC 8
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing - Under Section 500.7 BCZR of the Zoning Regulation of Baltimore County, to determine whether or not the Zoning Commissioner should approve a proposed pole barn with a larger footprint than the home.

Variance - From Section 400.3 BCZR to permit the proposed pole barn to have a height of 23 feet in lieu of the maximum allowed 15 feet.

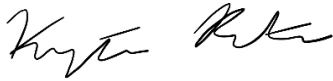
The subject property is located near the intersection of Upper Beckleysville Road and Falls Road in the Hampstead area of Baltimore County. The property consists of an approximately 4.84 acre parcel zoned RC 8 and is improved with a two story residential dwelling, a front load two car garage and a barn. Rural residential dwellings, farms and forest conservation surround the property.

The legislative goals for the R.C.8 Zone seek to protect and preserve the area's natural resources and character. The intent of the R.C.8 Zone is that the unique characteristics are maintained, and its natural, historic, cultural, and recreational resources must be conserved. Compliance with state and federal mandates for protecting natural resources and rural legacy must be prioritized, and building locations should be harmonized with site conditions. Development should be restricted in scale and intensity to preserve the traditional character of communities, and traffic growth should be limited to maintain the scale and character of area roads.

The Department of Planning has no objections to the requests.

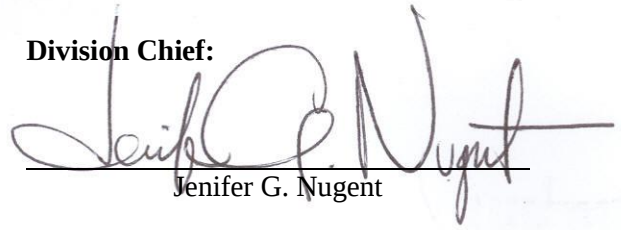
For further information, concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Robert Lawson
Joseph Wiley and Abigail Rogers, Community Planners
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()

Search Result for BALTIMORE COUNTY

[View Map](#)[View GroundRent Redemption](#)[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 05 Account Number - 1600012323

Owner Information

Owner Name: LAWSON ROBERT DAVID Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 4501 BECKLEYSVILLE RD Deed Reference: /12415/ 00457
HAMPSTEAD MD 21074-2841

Location & Structure Information

Premises Address: 4501 BECKLEYSVILLE RD Legal Description: 4.849 AC
HAMPSTEAD 21074-2841 4501 BECKLEYSVILLE RD
WINDSOR ACRES

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0015 0001 0191 5030002.04 0000 1 2023 Plat Ref: 0037/ 0035

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1979 1,819 SF 918 SF 4.8400 AC 04

Stories BasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements
Split FoyerYES SPLIT FOYERBRICK/ 4 2 full/ 1 half 1Att/1Det

Value Information

	Base Value	Value As of 01/01/2023	Phase-in Assessments As of 07/01/2023 As of 07/01/2024	
Land:	118,300	137,000		
Improvements	396,200	480,800		
Total:	514,500	617,800	548,933	583,367
Preferential Land:	0	0		

Transfer Information

Seller: LAWSON ROBERT DAVID	Date: 10/02/1997	Price: \$95,250
Type: NON-ARMS LENGTH OTHER	Deed1: /12415/ 00457	Deed2:
Seller: DINGUS JOSEPH WAYNE,JR	Date: 09/03/1985	Price: \$175,000
Type: ARMS LENGTH IMPROVED	Deed1: /06985/ 00307	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2023	07/01/2024
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 07/15/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

NW 32-J

RC 8

19019

19020

1700008621

0513001025

RC 8

19012

0513000902

PAI # 058021
Pt. Bk./Folio # 001489
0520000078

PAI # 058021

010A3

2200018660

PAI # 050321

PAI # 050321

PAI # 050321

2200018661

2200013272

2200013273

0506045620

RC 2

19003

4522

PAI # 050268

PAI # 050268

Pt. Bk./Folio # MP00069

PAI # 050268

18925

2300011686

PAI # 050268

Lot # 2

3 CD

0506045425

19000

2100002613

4512

2000001165

NW 32-I

4501

Lot # 1
Pt. Bk. 0000037, Folio 0035
1600012323

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

015A1

4515

Pt. Bk./Folio # MP04162

2400013284

PAI # 050215
2400013285

Lot # 1

PAI # 050035 1600012324

Lot # 2
Pt. Bk./Folio # 007035

PAI # 050035

18912

Lot # 1
2200029164

PAI # 050120

Pt. Bk./Folio # 006448
PAI # 050120

Lot # 1
1900001068

PAI # 050120

PAI # 050120

Lot # 3 Pt. Bk. 0000046, Folio 0148

1600012325

18910

Lot # 4
1600012326

Lot # 5
1600012327

Lot # 6

1600012328

18818

Lot # 6

1600012328

Pt. Bk. 0000040, Folio 0096

2004-0475-A

PAI # 050215

PAI # 050215

Pt. Bk./Folio # MPXX026

0519058110

4605

2200013287

Lot # 2

2400013286

Lot # 3

0501074425

4525

Lot # 4
1600012326

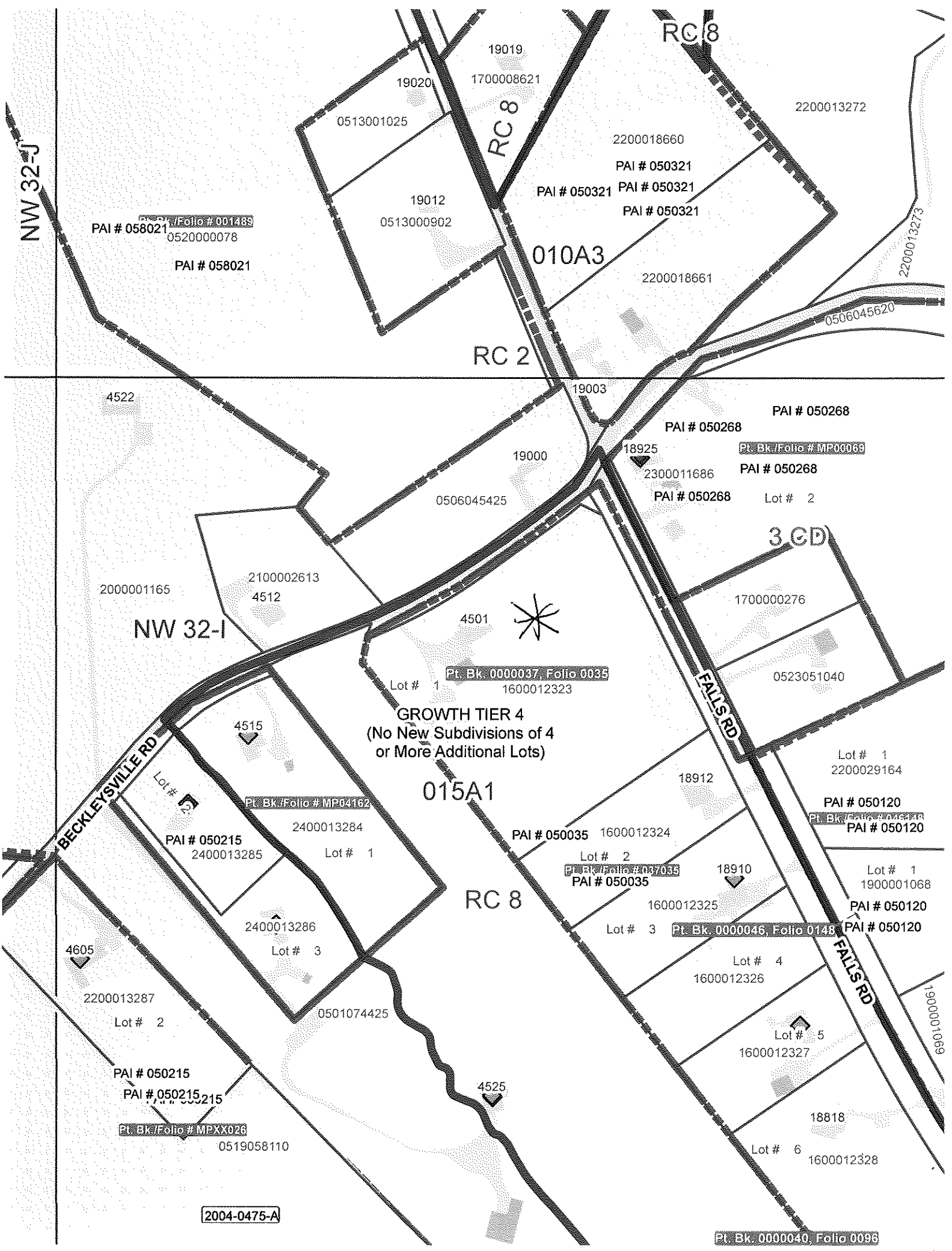
Lot # 5
1600012327

Lot # 6
1600012328

BECKLEYSVILLE RD

FALLS RD

FALLS RD



PAI # 058021
Pt. Bk. / Folio # 001489
0520000078

PAI # 058021

PAI # 050321
PAI # 050321
PAI # 050321

010A3

2200018661

2200013272

RC 2

4522

19003

PAI # 050268

PAI # 050268

Pt. Bk. / Folio # MP00069

PAI # 050268

PAI # 050268

Lot # 2

3 CD

2000001165

2100002613
4512

NW 32-I

4501



Pt. Bk. 0000037, Folio 0035
Lot # 1
1600012323

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

015A1

18912

Lot # 1
2200029164

PAI # 050120
Pt. Bk. / Folio # 0000040
PAI # 050120

Lot # 1
1900001068

PAI # 050120
PAI # 050120

18910

Lot # 2
Pt. Bk. / Folio # 0037035
PAI # 050035

Lot # 3
Pt. Bk. 0000046, Folio 0148

Lot # 4
1600012326

Lot # 5
1600012327

18818

Lot # 6
1600012328

1900001069

PAI # 050215

PAI # 050215

Pt. Bk. / Folio # MPXX026

0519058110

2004-0475-A

Pt. Bk. 0000040, Folio 0096

Location: South east corner
of property along Falls road

Approximate location
of structure



2023-0164-SPHA

Location: South west corner of
Property

Approximate Location
of Structure

2023-0164-SPHA

Location: intersection of
Falls and Beckleysville

Falls
Road

2023-0164-SPH4

Location: intersection of
Falls and Beckleysville
(north east corner)

Approximate Location of structure

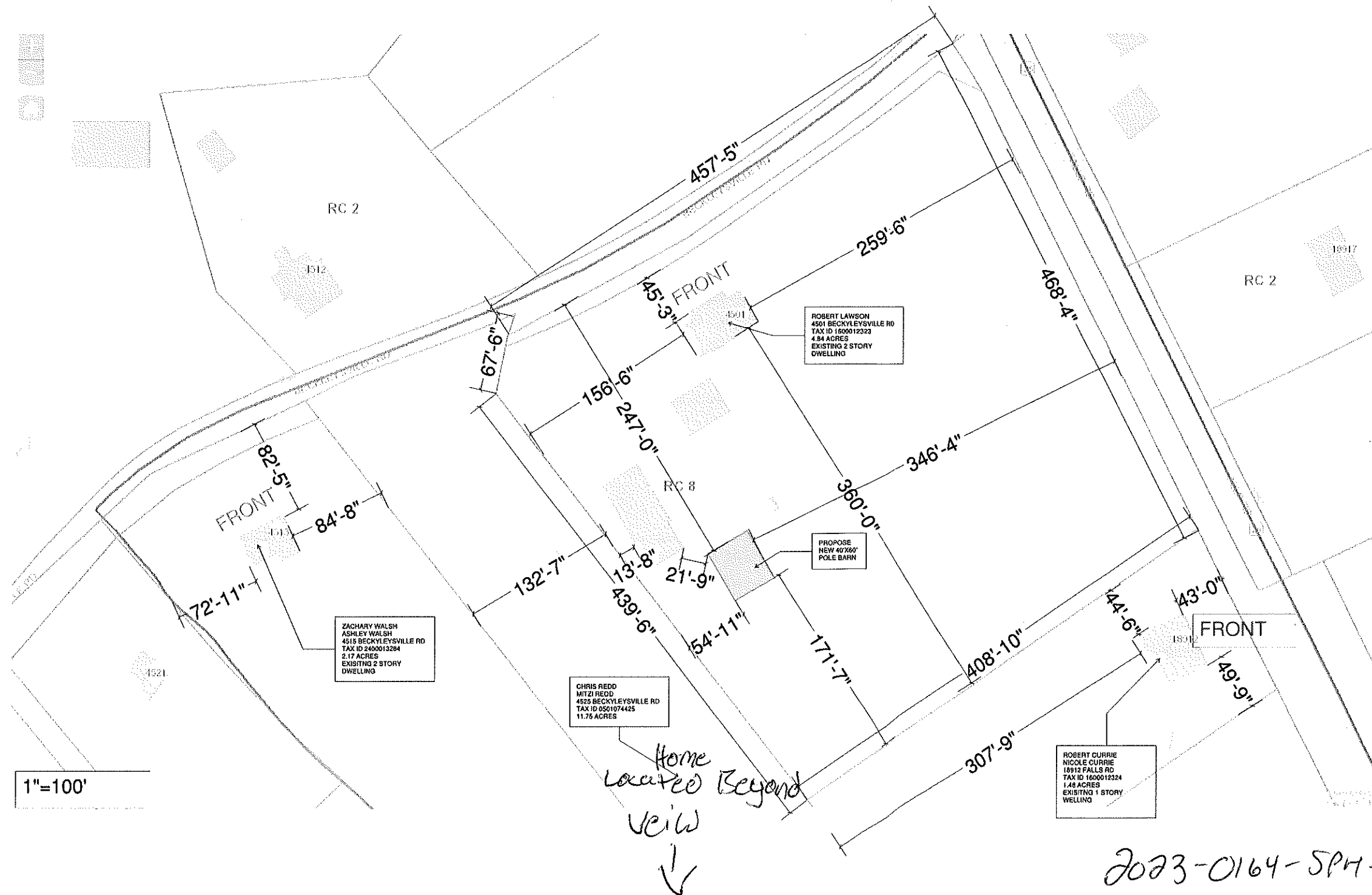
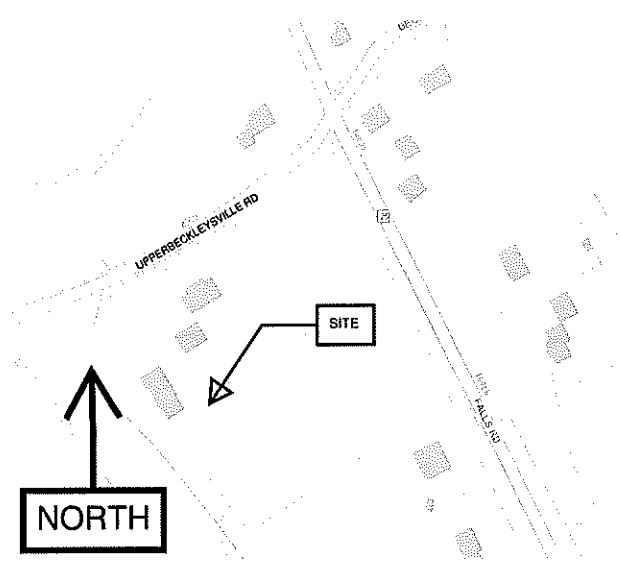


Location: Northwest Corner
of property, (Beckleysville
and adjacent property)



2023-0164-SP4A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
Address 4501 Beckleysville Rd Owners(s) Name(s) Robert Lawson
Subdivision Name Windsor Acres Lot # 1 Block # _____ Section # _____
Plat Book # EKK, Jr Folio # 37 10 Digit Tax # 1600012323 Deed Reference# 1245100457



Zoning Map # _____
Zoning RC 8
Election District 5th
Council District 3rd
Lot Area Acreage 4.845
Lot Square Footage 211048.2
Historic (Yes or No) NO
CBCA (Yes or No) _____
Flood Plain (Yes or No) _____
Utilities – Mark with (X)
Water is:
Public _____ Private X
Sewer is:
Public _____ Private X
Prior Hearing (Yes or No) NO
If (Yes) list Case Number(s)
and order result(s) below:

Violation Case Number(s)

2023-0164-SPH4