

PETITION FOR SPECIAL HEARING 84-118-SPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the Special Exception granted in Case #68-106X to delete the restrictions... for dentist office of Francis A. Sauer, D.D.S. When Dr. Sauer ceases to operate at 808 Stevenson Lane, special exception is as of that date rescinded.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound 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: Legal Owner(s):
(Type or Print Name) Stevenson Lane Realty, Co.
Signature (Type or Print Name) Wallace H. Campbell & Co., Inc.
Address (Type or Print Name) 1701 Meridene Drive
City and State Baltimore, MD 21239
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
S. Eric DiNenna, Esquire
406 W. Pennsylvania Avenue 825-1630
Address Towson, MD 21204
Phone No.
City and State
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of November, 1983, at 10:45 o'clock A.M.

Carl J. J...
Zoning Commissioner of Baltimore County.

2.C.O.-No.1 (over)

S. Eric DiNenna, Esquire
406 W. Pennsylvania Ave
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 30th day of August, 1983.

Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner Stevenson Lane Realty, Co.
Petitioner's Attorney S. Eric DiNenna, Esq.
Received by Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NW/Corner Stevenson Lane & St. Joseph Rd., 9th District
OF BALTIMORE COUNTY
STEVENSON LANE REALTY CO., et al Case No. 84-118-SPH
Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524, 1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 10th day of October, 1983, a copy of the foregoing Order was mailed to S. Eric DiNenna, P.A., and S. Eric DiNenna, Esquire, 406 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner Date: October 17, 1983
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Stevenson Lane Realty Company
84-118-SPH

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:cav

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 30, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #58 (1983-1984)
Property Owner: Stevenson Lane Realty, Co., et al
N/W cor. Stevenson Lane and St. Joseph Road
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

This office has no further comment in regard to the Zoning Advisory Committee review in connection with this Item 58 (1983-1984).

Very truly yours,

Robert A. Norton
ROBERT A. NORTON, P.E., Chief
Bureau of Public Services

RAM:EM:FOR:iss

N-W Key Sheet
32 NB 1 Pos. Sheet
NB 8 A Topo
70 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 24, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

S. Eric DiNenna, Esquire
406 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 58 - Case No. 84-118-SPH
Petitioner - Stevenson Lane Realty, Co., et al
Special Hearing Petition

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

September 1, 1983

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 58 -ZAC- Meeting of August 30, 1983
Property Owner: Stevenson Lane Realty, Co., et al
Location: NW/Cor. Stevenson Lane and St. Joseph Road
Existing Zoning: D.R. 16
Proposed Zoning: See ZAC Summary of August 30, 1983 meeting

Acres: 2.829
District: 8th

Dear Mr. Hammond:

NO PLANS RECEIVED.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/ccm

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner

TO: Office of Planning and Zoning

Date: October 19, 1983

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning items and has not anticipate any health hazards at this time regarding these items.

- Item #51 - Angelo Anabile
- Item #55 - Leon Kuryk
- Item #57 - Edward C. & Glenna L. Doty
- Item #58 - Stevenson Lane Realty Co., et al
- Item #59 - Thomas C. & Angela M. Wilbon

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/eth

11/2
64-118 SPH

September 21, 1983

BALTIMORE COUNTY
DEPARTMENT OF PLANNING & LICENSING
TOWSON, MARYLAND 21204
410-3300

TO: Mr. William E. Hammond

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 58 Zoning Advisory Committee Meeting are as follows:

Property Owner: Stevenson Lane Realty, Co., et al
Location: NW COR. STEVENSON LANE and St. Joseph Road
Existing Zoning: D.R. 16
Proposed Zoning: Special Hearing to approve an amendment to the Special Exception granted in Case #68-106-X to delete the restriction for dentist office of Francis A. Sauer, D.D.S.. When Dr. Sauer ceases to operate at 308 Stevenson Lane, Special Exception is as of that date rescinded.

Acres: 9th

District: 9th

The items checked below are applicable: (No comment)

- A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- B. A building and/or other miscellaneous permits shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fire wall is required if construction is on the lot line. See Table 1601, line 2, Section 1607 and Table 1602.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 1601.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 205 and the required construction classification of Table 1601.

I. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

[Signature]
Charles E. Burman, Chief
Plans Review

CEB:rrj
PURN 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Duvel, Superintendent

Towson, Maryland - 21204

Date: August 29, 1983

Z.A.C. Meeting of: August 30, 1983

RE: Item No: 55, 56, 57, 58, 59, 60, 61, 62 & 63

Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above mentioned items have no adverse effect on student population.

Very truly yours,

[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

BNP/bp

S. Eric Dr. Xenna, P.A.
Attorney at Law

406 W. Pennsylvania Avenue
Towson, Maryland 21204

301-423-1630
301-296-6820

October 25, 1983

Michael P. Kanczyn, Esquire
104 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Zoning Request - Stevenson Lane Realty Co.

Dear Mike:

This is to confirm our understanding of an agreement with reference to our meeting with Mr. Anderson, Mr. Burtischer, yourself and myself on Monday, October 24, 1983.

At the time of the hearing, Petitioner is willing to enter into the record, restrictions to be imposed upon any Order granting our Special Hearing as follows:

1. That there will be no expansion of offices from the existing 399 square feet;
2. That there will not take place on the subject property any retail sales or retail sale uses.
3. That the use of the subject property would be limited to offices or studios of doctors, dentists, lawyers, architects, engineers, artists, musicians, or other professional persons.

In return, the Rogers Fordge Association will not oppose the request of the Petitioner relative to this matter. Of course, it is understood by everyone that individuals might protest that you have no control over.

If you have any questions, do not hesitate to call upon me.

Very truly yours,

S. ERIC DINENNA

SED/neb

cc: Mrs. Jean Duval
cc: Mr. Travis Anderson
cc: Mr. James A. Burtischer

PETITIONER'S
EXHIBIT 1

IN RE: PETITION SPECIAL HEARING
NW corner of Stevenson Lane
and St. Joseph Road - 9th
Election District
Stevenson Lane Realty Company,
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-118-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, Stevenson Lane Realty Company, requests an amendment to a special exception previously granted by Case No. 68-106-X that would delete the restriction contained therein, to wit, "...for dentist office of Francis A. Sauer, D.D.S...When Dr. Sauer ceases to operate at 308 Stevenson Lane, special exception is as of that date rescinded." The purpose of this request is to allow the Petitioner to make use of the space used by Dr. Sauer until his death as an office for a professional in the residential zone in which it is located.

The Petitioner, by its agent, James A. Burtischer, appeared and testified, and was represented by Counsel. Also appearing was Travis Anderson, President of the Rogers Forge Community Association, as a witness to insure that the agreement reached by and between the Petitioner and the community association would be produced and accepted into evidence. See Petitioner's Exhibit 1.

The Petitioner testified, and the testimony was uncontradicted, that the space permitted by the special exception to be an office is 399 square feet. If a special exception is not allowed to continue, the Petitioner maintains that the space would not be usable. The property is zoned D.R.16. The Petitioner argued that the space is too small to be used as an apartment.

Mr. Anderson and the community association he represents do not object to the request made by the Petitioner as long as the space is limited to the present 399 square feet; that no retail sales or retail sale uses be allowed; and that

the space be limited to doctors, dentists, lawyers, architects, engineers, artists, or other professional persons' offices or studios. No one appeared to contradict any of the testimony.

The Petitioner requests the Zoning Commissioner to amend the special exception granted in Case No. 68-106-X pursuant to the authority vested in him by Section 500.7 of the Baltimore County Zoning Regulations (BCZR).

After due consideration of the evidence and testimony presented, it is found that the amendment requested would not adversely affect the health, safety, and general welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the request to amend should be granted.

The Petition for Special Hearing amends Case No. 68-106-X by deleting the language "...for dentist office of Francis A. Sauer, D.D.S...When Dr. Sauer ceases to operate at 308 Stevenson Lane, special exception is as of that date rescinded." This amendment affects only the language cited, and a continuation of the special exception granted by Case No. 68-106-X shall be approved for office use only as described above and limited to doctors, dentists, lawyers, architects, engineers, artists, or other professional persons' offices or studios and shall be further limited to the specific and particular space formerly occupied by Dr. Sauer and described as being 399 square feet. No retail sales or retail sale uses shall be allowed.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24 day of November, 1983, that the Petition for Special Hearing to amend Case No. 68-106-X as aforescribed be and is hereby GRANTED, from and after the date of this Order.

[Signature]
Zoning Commissioner of
Baltimore County

PETITION FOR SPECIAL HEARING

9th Election District

ZONING: Petition for Special Hearing

LOCATION: Northwest corner Stevenson Lane and St. Joseph Road

DATE & TIME: Wednesday, November 2, 1983 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

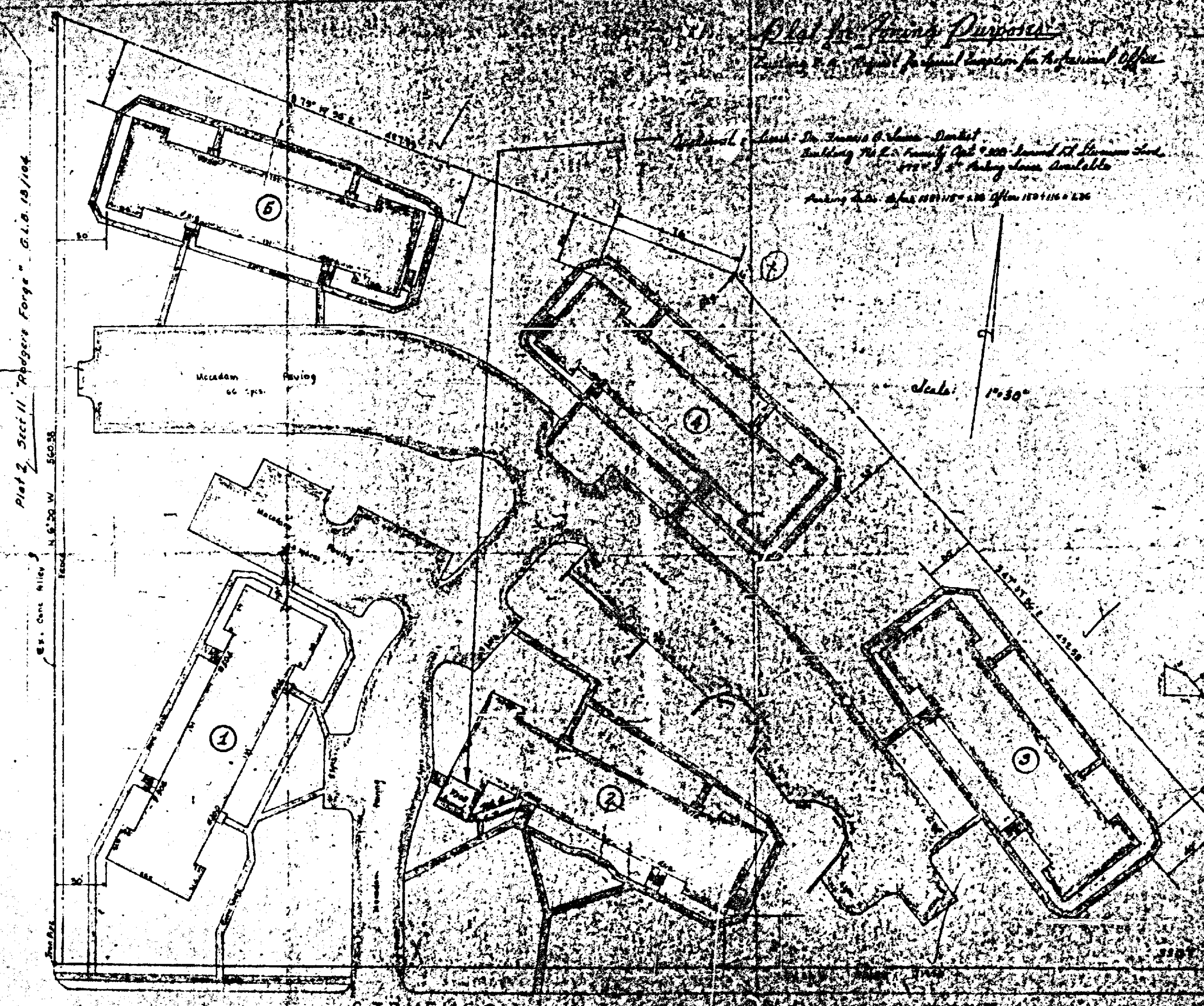
Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the Special Exception granted in Case No. 68-106-X, to delete the restrictions "...for dentist office of Francis A. Sauer, D.D.S...When Dr. Sauer ceases to operate at 308 Stevenson Lane, special exception is as of that date rescinded."

All that parcel of land in the Ninth District of Baltimore County

Being the property of Stevenson Lane Realty Company, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



**EXISTING
CARDIFF HALL APARTMENTS**

RELOCATION DIST.
SCALE 1"=50'
Sept. 7, 1967
Owner: Stevenson Lane Realty Co. 6811 Bellona Ave. 21212

Plot Approved Sept 1964 - A-1 Green 7.4 AF Net 67
See ZONING FILE: 4889-RA
No. of Bldgs 5 No. of Units 115 No. of Parking Spaces 150

This is to certify that we have surveyed the property herein for the purpose of locating the improvements thereon and that the improvements are located as shown.

Wm. C. Smith, Jr. Surveyor



Plot 2, Sect 11 "Rogers Forge" G.L.O. 18/104
E. 1st Ave. N.Y.C. 10014

