

IN THE MATTER OF
THE APPLICATION OF
DOUGLAS A. STROUSE
FOR A SPECIAL HEARING,
AND VARIANCE ON PROPERTY
LOCATED ON THE NORTHWEST SIDE
ST. AGNES LANE, 194.50'
SOUTHWEST OF CENTERLINE OF
MASEFIELD ROAD
(958 ST. AGNES LANE)
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 94-289-SPHA

* * * * *

ORDER OF DISMISSAL

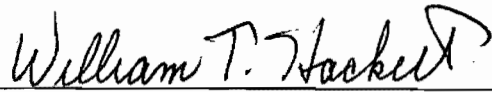
This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner dated April 27, 1994 in which the Petitions for Special Hearing and Variances were denied.

WHEREAS, the Board is in receipt of Appellant's Dismissal of Appeal filed by Thomas J. Schetelich, Esquire, Counsel for Appellant /Petitioner, dated August 31, 1994 (a copy of which is attached hereto and made a part hereof); and

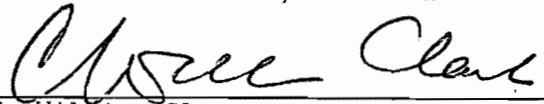
WHEREAS, Counsel for said Appellant requests that the appeal filed in this matter be dismissed and withdrawn as of August 31 1994;

IT IS HEREBY ORDERED this 7th day of September, 1994 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

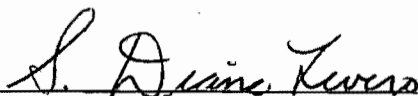
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



William T. Hackett, Chairman



C. William Clark



S. Diane Levero

IN RE: PETITIONS FOR SPECIAL * BEFORE THE
HEARING AND VARIANCE - *
NW/S St. Agnes Lane, * COUNTY BOARD
193.50' SW of the c/l of * OF APPEALS
Masfield Road *
(958 St. Agnes Lane) * OF BALTIMORE COUNTY
1st Election District *
1st Councilmanic District * Case No. 94-289-SPHA
*
Douglas A. Strouse
Petitioner *

* * * * *

APPELLANT'S DISMISSAL OF APPEAL

Petitioner Douglas A. Strouse, by his attorneys, Thieblot, Ryan, Martin & Ferguson and Thomas J. Schetelich hereby dismisses his appeal from the Order of the Deputy Zoning Commissioner dated April 27, 1994 denying his Request for Relief.

THIEBLOT, RYAN, MARTIN & FERGUSON

By:

Thomas J. Schetelich /HST
Thomas J. Schetelich
4th Floor
The World Trade Center
Baltimore, Maryland 21202-3091
(410) 837-1140
Attorney for Petitioner
Douglas A. Strouse

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of AUGUST, 1994, a copy of the foregoing Dismissal of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich /HST
Thomas J. Schetelich

IN RE:	PETITIONS FOR SPECIAL	*	BEFORE THE
	HEARING AND VARIANCE -		
	NW/S St. Agnes Lane,	*	COUNTY BOARD
	193.50' SW of the c/l of		OF APPEALS
	Masefield Road	*	
	(958 St. Agnes Lane)		OF BALTIMORE COUNTY
	1st Election District	*	
	1st Councilmanic District		Case No. 94-289-SPHA
		*	
	Douglas A. Strouse		
	Petitioner	*	

* * * * *

APPELLANT'S DISMISSAL OF APPEAL

Petitioner Douglas A. Strouse, by his attorneys, Thieblot, Ryan, Martin & Ferguson and Thomas J. Schetelich hereby dismisses his appeal from the Order of the Deputy Zoning Commissioner dated April 27, 1994 denying his Request for Relief.

THIEBLOT, RYAN, MARTIN & FERGUSON

By: Thomas J. Schetelich /s/
 Thomas J. Schetelich
 4th Floor
 The World Trade Center
 Baltimore, Maryland 21202-3091
 (410) 837-1140
 Attorney for Petitioner
 Douglas A. Strouse

RECEIVED
 COUNTY BOARD OF APPEALS
 94 SEP -1 PM 2:06

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of AUGUST, 1994, a copy of the foregoing Dismissal of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich /s/
 Thomas J. Schetelich

IN RE:	PETITIONS FOR SPECIAL	*	BEFORE THE
	HEARING AND VARIANCE -		
	NW/S St. Agnes Lane,	*	DEPUTY ZONING
	193.50' SW of the c/l of		COMMISSIONER
	Masefield Road	*	
	(958 St. Agnes Lane)		OF BALTIMORE COUNTY
	1st Election District	*	
	1st Councilmanic District	*	Case No. 94-289-SPHA
		*	
	Douglas A. Strouse		
	Petitioner	*	

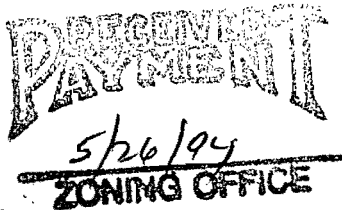
* * * * *

NOTICE OF APPEAL

Petitioner Douglas A. Strouse, by his attorneys, Thieblot, Ryan, Martin & Ferguson and Thomas J. Schetelich hereby files this Notice of Appeal from the Order of the Deputy Zoning Commissioner dated April 27, 1994 denying his Request for Relief.

1. As grounds for the Appeal, Petitioner states that the decision of the Zoning Commissioner was premised on both mistakes of fact, mistakes of law and was against the weight of the evidence. A copy of the Petition for Special Hearing being appealed from is attached hereto. Petitioner also appeals the denial of the Petitioner's request for legal nonconforming use status.

THIEBLOT, RYAN, MARTIN & FERGUSON



By: Thomas J. Schetelich
 Thomas J. Schetelich
 4th Floor
 The World Trade Center
 Baltimore, Maryland 21202-3091
 (410) 837-1140
 Attorney for Petitioner
 Douglas A. Strouse

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of MAY, 1994, a copy of the foregoing Notice of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich
Thomas J. Schetelich

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE - NW/S St. Agnes * DEPUTY ZONING COMMISSIONER
 Lane, 193.50' SW of the c/l of * OF BALTIMORE COUNTY
 Masefield Road * Case No. 94-289-SPHA
 (958 St. Agnes Lane)
 1st Election District
 1st Councilmanic District
 Douglas A. Strouse *
 Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 958 St. Agnes Lane, located in the West Edmondale area of Catonsville. The Petitions were filed by the owner of the property, Dr. Douglas A. Strouse. The Petitioner has requested a special hearing to approve a two-family dwelling on a lot area of 1800 sq.ft. in lieu of the required 8,050 sq.ft. and to determine that the overall density will not be affected by the use of the property. The Petitioner also seeks variance relief from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 18 feet in lieu of the required 70 feet, side yard setbacks of 0 feet each in lieu of the required 15 feet, and a sum of the side yard setbacks of 0 feet in lieu of the required 30 feet for an existing dwelling. The subject property and relief requested are more particularly described on the plat submitted into evidence as Petitioner's Exhibit 2.

Appearing on behalf of the Petitions were Dr. Douglas Strouse, property owner, Joseph Larson, Professional Engineer, Rosalie Veluona, Real Estate representative, and Thomas J. Schetelich, Esquire, attorney for the Petitioner. Appearing as Protestants in the matter were Margret Larson, adjoining property owner, and Matt and Debra Stewart, Henry and

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 Date 4/27/94
 By [Signature]

Victoria Matelis, Evelyn J. Roberts, and Timothy S. Graham, all residents of the area.

Testimony presented revealed that the subject property consists of 0.04 acres, more or less, zoned D.R. 10.5, and is improved with an inside group townhouse dwelling containing two apartments. The Petitioner filed the instant Petitions to legalize the use of the property as two apartments and to bring the property into compliance with current zoning regulations. Testimony indicated that the subject dwelling was built as two apartments in approximately 1953. Dr. Strouse testified that he purchased the subject property in 1976 and that it has been rented out as two separate apartments since that time. He testified that to his knowledge, the property enjoyed a legal nonconforming use as two apartments at the time of his purchase.

On behalf of the Petitioner, Mr. Joseph Larson testified concerning the existing improvements on the site. Mr. Larson prepared the site plan submitted into evidence as Petitioner's Exhibit 2.

Ms. Rosalie Veluona testified that she has been a Realtor for the past 18 years and is currently employed with ERA Caton Realty Company. She testified that in 1976 she was involved in the sale of the house and that she worked with Dr. Strouse when he purchased the subject site. She testified that at that time, the house was being used as two apartments. She further testified that the seller possessed an affidavit stating that the house was a legal nonconforming two-apartment dwelling unit. It should be noted that neither Ms. Veluona nor the Petitioner were able to produce the affidavit to which she referred.

The Petitioner then submitted into evidence an affidavit from a Eugene Iampieri, dated January 6, 1993 which stated that the subject prop-

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Date

By

erty has been occupied as a two-apartment dwelling since January 1954. The affidavit further states that the property has been used continuously and without interruption since that time as two apartments.

It should be noted that the Petitioner only requested a special hearing to determine that overall density will not be affected by the use proposed and variances due to insufficient lot size and setback distances. However, much of the testimony offered by the Petitioner and his witnesses was as to whether this property exists as a legal nonconforming use. The Petitioner did not request a special hearing seeking approval of the use of the property as a legal nonconforming two apartment dwelling unit. In addition to the variances requested from current setback standards, the Petitioner specifically requested approval of the lot area of the two-apartment dwelling and a determination that density would not be affected by virtue of the property's use as a two apartment dwelling. No where in the Petitions filed have I been asked to declare this property as a nonconforming use.

Appearing and testifying in opposition to the Petitioner's request was Henry Matelis, who resides at 966 St. Agnes Lane, just a few doors away from the subject property. Mr. Matelis testified that he recalled that all of the townhouses in this community were built as single family dwellings. He testified that the conversion of this property into two apartments occurred some time after its construction in 1953. Mr. Matelis further testified as to parking problems and noise emanating from the site as a result of the two apartments existing within this townhouse.

Ms. Margret Larson, who resides immediately adjacent to the property, testified in opposition. Ms. Larson is opposed to the requested variances and testified concerning the noise and parking problems associat-

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Date

By

ed with the use of the property by tenants. Testimony revealed that parking is at a premium on St. Agnes Lane and by virtue of the use of the property as two apartments, more cars are located at this site than there are parking spaces.

Mr. Matthew Stewart, who resides at 970 St. Agnes Lane, testified in opposition to the relief requested. Mr. Stewart testified that the tenants who have occupied this townhouse have not been quality residents. He testified that this community is a nice suburban neighborhood and to permit two apartments in the subject property would be an overcrowding of the site and a nuisance to the other homeowners in the neighborhood.

Ms. Evelyn Roberts, who resides at 972 St. Agnes Lane, also testified in opposition. Ms. Roberts testified that she has resided at her property since 1954. She testified that most of the houses were built in 1953 or 1954 and that she recalled a Mr. Gaither as being the original owner of the property back in 1954. She testified that this particular home was built as a single family dwelling and that it was converted to two apartments some two or three years after Mr. Gaither purchased the property. This would establish that the two apartments were constructed sometime in 1956 or 1957.

Mr. Bill Huey, a representative of the Office of Planning and Zoning and the Area Planner for this area of Baltimore County, appeared and testified in opposition to the Petitioner's request. Mr. Huey testified that the subject property is located within a community conservation area and an enhancement area and that its use as a two apartment dwelling unit is not an appropriate use of the property. He testified that his Office is not aware of any other houses in this community containing two

ORDER RECEIVED FOR FILING

Date

By

apartments and believes that the conversion took place sometime after the original owner purchased the property.

The Petitioner has specifically requested a special hearing and variances from current setback and area requirements applicable to this property. As stated previously, the Petitioner has not requested a special hearing to approve a nonconforming use of the property. By virtue of the requests made in the Petitions filed, the Petitioner apparently assumed that the property was not nonconforming and was subject to current regulations. Some time after filing the Petitions, the property owner attempted to have the property declared a nonconforming use as two apartments. That would explain much of the testimony offered by the Petitioner in support of a nonconforming status. The key piece of evidence necessary to establish a nonconforming use was the affidavit of Mr. Iampieri. However, that affidavit was directly contradicted by Ms. Evelyn Roberts who offered live testimony at the hearing and has resided at 972 St. Agnes Lane since 1954. Ms. Roberts' testified that the subject property was constructed as a single family dwelling and was converted to two apartments some two or three years later. This testimony was given based upon her direct observation of the property. Based upon the testimony presented, if I were requested to approve the use of the property as a legal nonconforming use, pursuant to a Petition for Special Hearing seeking same, I would find that this property does not enjoy nonconforming status.

What the Petitioner has requested is a special hearing and variances from the current setback and area requirements imposed upon a multi-family dwelling. I believe the Petitioner has failed in his burden to establish the necessary elements to prove the special hearing and variance

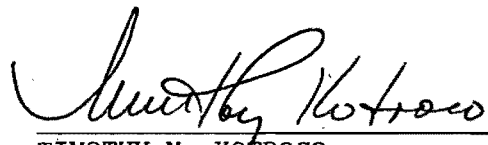
relief sought. Therefore, the relief requested in the Petitions for Special Hearing and Variance shall be denied.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons given above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of April, 1994 that the Petition for Special Hearing to approve a two-family dwelling on a lot area of 1800 sq.ft. in lieu of the required 8,050 sq.ft. and to determine that the overall density will not be affected, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 18 feet in lieu of the required 70 feet, side yard setbacks of 0 feet each in lieu of the required 15 feet, and a sum of the side yard setbacks of 0 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 2, be and is hereby DENIED.

IT IS FURTHER ORDERED that inasmuch as the Petitioner has failed to establish a legal nonconforming use of the subject property as two apartments, the Petitioner shall be required to reconvert the property back to a single family dwelling within sixty (60) days of the date of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/27/94
By [Signature]

AFFIDAVIT

FOR TWO AFFIDAVITS OR MORE

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 and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Eugene L. Lampieri
AFFIANT (Handwritten Signature)

EUGENE L. LAMPIERI
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 958 ST. AGNES LANE, BALTIMORE, MARYLAND-21207 has been occupied as a two apartment dwelling since JANUARY, 1954 ? YES
(month) (year) (answer)
2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JANUARY, 1954 ? YES
(month) (year) (answer)
3. Will you realize any gain from the sale of this Property? NO
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

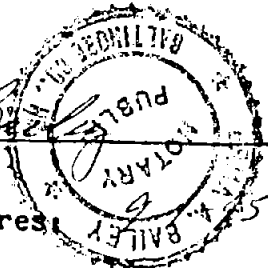
I HEREBY CERTIFY, this 11th day of JANUARY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared EUGENE L. LAMPIERI, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

PETITIONER'S
EXHIBIT 1

Eugene L. Lampieri
NOTARY PUBLIC

My Commission Expires





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

September 7, 1994

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
Douglas A. Strouse -Petitioner

Dear Mr. Schetelich:

Enclosed please find a copy of the Order of Dismissal issued
this date by the County Board of Appeals of Baltimore County
in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer

Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Hamilton F. Tyler, Esquire
Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

April 27, 1994

(410) 887-4386

Thomas J. Schetelich, Esquire
Thieblot, Ryan, Martin & Ferguson
The World Trade Center, 4th Floor
Baltimore, Maryland 21202-3091

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NW/S St. Agnes Lane, 193.50' SW of the c/l of Masefield Road
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse - Petitioner
Case No. 94-289-SPHA

Dear Mr. Schetelich:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Dr. Douglas Strouse
10709 Pot Spring Road, Cockeysville, Md. 21030

Mr. & Mrs. Matthew Stewart
970 St. Agnes Lane, Baltimore, Md. 21207

Ms. Margret Larson
956 St. Agnes Lane, Baltimore, Md. 21207

Mr. & Mrs. Henry J. Matelis
966 St. Agnes Lane, Baltimore, Md. 21207

People's Counsel; ☒ File

PETITION FOR SPECIAL HEARING
AND FOR VARIANCE
958 St. Agnes Lane

2/28
P

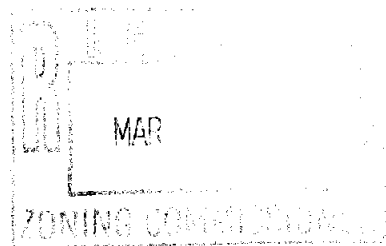
: BEFORE THE
:
: ZONING COMMISSIONER
:
: OF BALTIMORE COUNTY
:
: CASE NO: 94-289-SPHA

PETITIONER :
DOUGLAS A. STROUSE

:
:
:
:
:
:

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY THAT on this 28th day of February, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas J. Schetelich, Esq., Thieblot, Ryan, Martin & Ferguson, 4th Floor, World Trade Center, Baltimore, MD 21202-3091.

Peter Max Zimmerman
Peter Max Zimmerman



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

958 St. Agnes Lane

which is presently zoned

DR 10.5

This Petition shall be filed with the Office of Zoning Administration & 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To permit a two family dwelling on a lot area of 1800 Sq. ft. in lieu of 8,050 Sq. ft. and to determine that the overall density will not be affected

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

I, or we, agree to pay expenses of 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/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

THOMAS J SCHETELICH

(Type or Print Name)

Signature Thieblot, Ryan, Martin & Ferguson
4th Floor

Address The World Trade Center

City Baltimore MD 21202-3091
State (410) 837-1140 Zipcode

Legal Owner(s):

DOUGLAS A STROUSE

(Type or Print Name)

Signature

(Type or Print Name)

Signature

10709 POT SPRING ROAD 752-1733

Address

Phone No.

COCKEYSVILLE MD 21030

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

THOMAS J SCHETELICH

Name 4th Floor, The World Trade Center

Address Baltimore MD 21202-3091 (410) 837-1140

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *msic*

DATE

1/25/94



ORDER RECEIVED FOR FILING
Date 1/27/94
By *[Signature]*



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

958 St. Agnes Lane

which is presently zoned

DR 10-5

This Petition shall be filed with the Office of Zoning Administration & 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) 402

To permit a lot width of 18' in lieu of 70', sideyard setbacks of 0' in lieu of 15', and a sideyard setback sum of 0' in lieu of 30'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Due to the recognized change in use from single family to multifamily and the pre-existing conditions related to lot and building size a clear and undeniable practical difficulty exists.

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

I, or we, agree to pay expenses of above Variance 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/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

THOMAS J SCHETELICH

(Type or Print Name)

Signature Thieblot, Ryan, Martin & Ferguson
4th Floor

The World Trade Center

Address Baltimore MD 21202-3091 Phone No.

City

State

Zipcode

(410) 837-1140

Legal Owner(s):

DOUGLAS A. STROUSE

(Type or Print Name)

Signature

(Type or Print Name)

Signature

10709 POT SPRING ROAD

752-1733

Address

Phone No.

COCKEYSVILLE MD 21030

City

State

Zipcode

Name, Address and phone number or representative to be contacted.

THOMAS J SCHETELICH

Name 4th Floor, The World Trade Center

Baltimore MD 21202-3091 (410) 837-1140

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

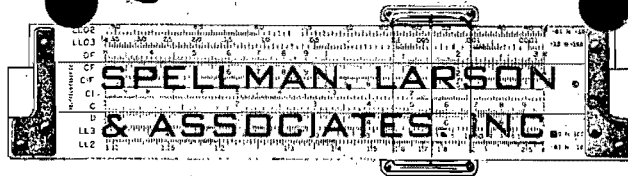
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DATE



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#289

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 — JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 823-5215

94-289SPHA

DESCRIPTION FOR ZONING NO. 958 ST. AGNES LANE, 1ST DISTRICT,
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the northwest side of St. Agnes Lane, 80 feet wide, at the distance of 193.50 feet measured southwesterly along the northwest side of St. Agnes Lane from the southwest side of Masefield Road, 60 feet wide, said point being in line with the center line of a partition wall there situate and running thence and binding on the southwest side of St. Agnes Lane south 38 Degrees 13 Minutes west 18.00 feet to a point in line with the center line of another partition wall there situate thence leaving the northwest side of St. Agnes Lane and running to and along the center line of said partition wall and continuing the same course north 51 Degrees 47 Minutes west 100.00 feet to the southeast side of a 16 foot alley there situate and running thence and binding on the southeast side of said 16 foot alley north 38 Degrees 13 Minutes east 18.00 feet to a point in line with the center line of the partition wall first herein referred to thence leaving the southeast side of

94-289
SPHA

DESCRIPTION FOR ZONING NO. 958 ST. AGNES LANE, 1ST DISTRICT,
BALTIMORE COUNTY, MARYLAND

PAGE: 2

said 16 foot alley and running to and along the center line
of said partition wall and continuing the same course south
51 Degrees 47 Minutes east 100.00 feet to the place of
beginning.

Containing 0.04 acres of land more or less.

12/29/93



NOTICE OF MEETING

Cover
(Item 269)
958 St. Agnes Lane
NW/S St. Agnes Lane
193.50 NW corner
Floor
1st Floor
1st Corner
Petitioner:
Douglas A. Swanson
Housing

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected. That vote to permit a 70' front setback in lieu of 10' front setback, 10' side setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 15 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearing is being capped Accessible for wheelchair accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.
2/125 February 10.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb 10, 1994.

THE JEFFERSONIAN,

A. Henikson
LEGAL AD. - TOWSON

~~SECRET~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

94-289
SPHA

Date

1/25/94

Received By: [Signature]

Item Number: 289

Strouse, Douglas - 958 St. Agnes Lane

958 St. Agnes Lane

010 - Res. Variance - \$ 50.00

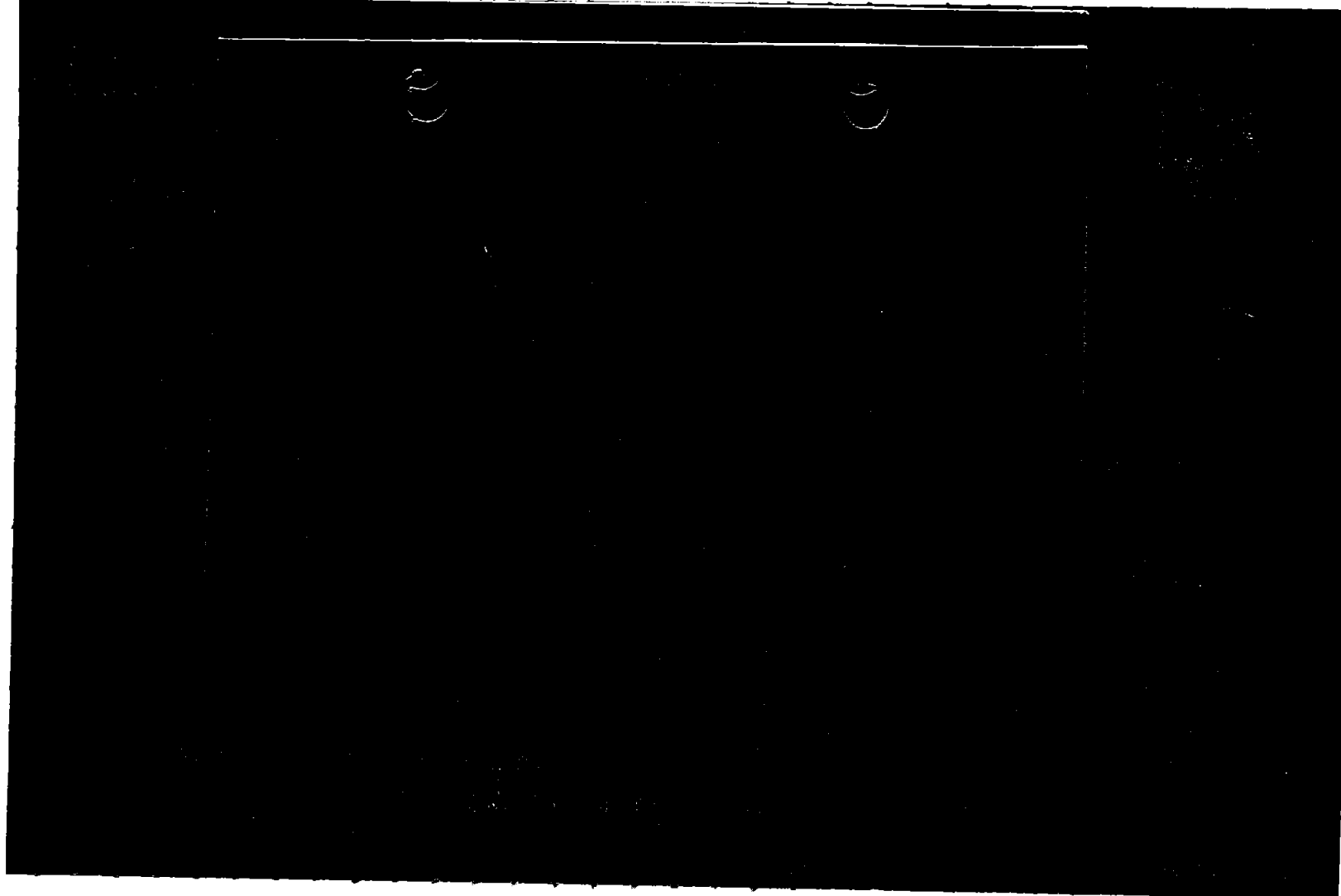
020 - Res. Sp. Hearing - \$ 50.00

080 - 2 signs (\$35.00 each) - \$ 70.00

\$170.00

Please Make Checks Payable To: Baltimore County

Cashier Validation





111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.


ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 289

Petitioner: Strouse, Douglas

Location: 958 St. Agnes Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Thomas J. Schetelich

ADDRESS: 4th Floor, The World Trade Center
Ba 140. MD 21202-3091

PHONE NUMBER: (410) 837-1140

AJ:ggs

(Revised 04/09/93)

Item Number: 289
Planner: MJK
Date Filed: 1-25-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓ The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCZR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or
- printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original
- signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or
- printed name and/or title of person signing for legal
- owner/contract purchaser
- Power of attorney or authorization for person signing for
- legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature)
- ~~and/or printed name and/or address and/or telephone number~~
- Notary Public's section is incomplete and/or incorrect
- and/or commission has expired

TO: PUTUKENT PUBLISHING COMPANY
February 10, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas J. Schtelich, Esq.
4th Floor, World Trade Center
Baltimore, Maryland 21202-3091
837-1140

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-289-SPHA (Item 289)

958 St. Agnes Lane

NW/S St. Agnes Lane, 193.50' SW of c/l Masfield Road

1st Election District -1st Councilmanic

Petitioner(s): Douglas A. Strouse

HEARING: MONDAY, FEBRUARY 28, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.

Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1994

NOTICE OF HEARING

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Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-289-SPHA (Item 289)
958 St. Agnes Lane
NW/S St. Agnes Lane, 193.50' SW of c/l Masfield Road
1st Election District -1st Councilmanic
Petitioner(s): Douglas A. Strouse
HEARING: MONDAY, FEBRUARY 28, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.
Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Douglas A. Strouse
Thomas J. Schetelich, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 7, 1994

NOTICE OF REASSIGNMENT

RESCHEDULED FROM 2/28/94
CASE NUMBER: 94-289-SPHA (Item 289)
958 St. Agnes Lane
NW/S St. Agnes Lane, 193.50' SW of c/l Masfield Road
1st Election District -1st Councilmanic
Petitioner(s): Douglas A. Strouse

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.

Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

HEARING: MONDAY, APRIL 11, 1994 at 9:00 a.m., Rm. 118 Old Courthouse
400 Washington Avenue, Towson, Maryland.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

ARNOLD JABLON
DIRECTOR

cc: Herny and Victoria Matelis
Hamilton Tyler
Matthew Stewart
Evelyn S. Roberts
Margaret P. Carson
Resident/952 St. Agnes Lane



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on Recycled Paper



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 27, 1994

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-289-SPHA

DOUGLAS A. STROUSE -Petitioner
NW/s St. Agnes Lane, 194.50' SW of c/l of
Masfield Road (958 St. Agnes Lane)
1st Election District
1st Councilmanic District

SPH -Two-family dwelling on 1800 sq. ft. in
lieu of required 8050 sq. ft.;
VAR -to permit lot width of 18' in lieu of 70'
and side yard setbacks. APPEALED FROM SPECIAL
HEARING PORTION ONLY.

4/27/94 -D.Z.C.'s Order in which Petitions for
Special Hearing and Variances were DENIED.

ASSIGNED FOR: THURSDAY, SEPTEMBER 1, 1994 at 10:00 a.m.

cc: Thomas J. Schetelich, Esquire Counsel for Appellant /Petitioner
Mr. Douglas A. Strouse Appellant /Petitioner

Mr. & Mrs Matthew Stewart Protestants
Ms. Margret Carson Protestant
Mr. & Mrs. Henry J. Matelis Protestants

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.



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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 16, 1994

Thomas J. Schetelich, Esquire
Thieblot, Ryan, Martin & Ferguson
Fourth Floor
The World Trade Center
Baltimore, Maryland 21202-3091

RE: Case No. 94-289-SPHA, Item No. 289
Petitioner: Douglas A. Strouse
Petitions for Special Hearing and Variance

Dear Mr. Schetelich:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 January 25, 1994, and a hearing was scheduled accordingly.

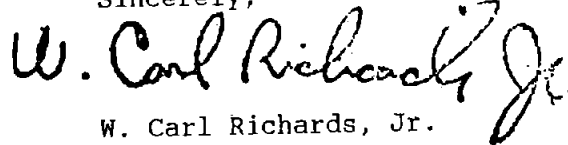
The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:cmn



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoif
Administrator

2-7-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *Q 289 (MJK)*

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for *DAVID N. RAMSEY, ACTING CHIEF*
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

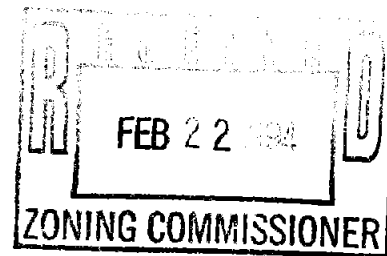
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning



DATE: February 10, 1994

SUBJECT: 958 St. Agnes Lane

INFORMATION:

Item Number: 289 *94-289-SPHA*
Petitioner: Douglas A. Strouse
Property Size: _____
Zoning: D.R. 10.5
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff recommends denial of the variance and Special Hearing request for subject property.

The property is a townhome which was built in 1953 and has been owned by the petitioner since 1978. Clearly designed as a single family residence, it was, at some point converted to a multi-family unit. The conversion was a clear violation of the Baltimore County Zoning Regulations, Section 402. Any stated practical difficulty relating to pre-existing lot and building size must be considered a self-imposed condition.

It is the concern of this office that should the variance and Special Hearing be approved, precedent would be set thereby encouraging the illegal conversion of existing townhomes into apartments.

Prepared by: *Jeffrey W. Lay*
Division Chief: *Pat Keller*
PK/JL:lw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/03/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time, FOR THE FOLLOWING "ITEM NUMBERS": 285, 289, 291, 292, 293, 294 AND 298.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File

RECEIVED
FEB 3 1994
ZADM



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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 31, 1994

Mr. & Mrs. Matthew Stewart
970 St. Agnes Lane
Baltimore, MD 21207

Ms. Margret Larson
956 St. Agnes Lane
Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis
966 St. Agnes Lane
Baltimore, MD 21207

RE: Petition for Special Hearing and Variance
(Special Hearing portion only)
NW/S St. Agnes lane, 193.50 ft. SW of the
c/l of Masefield Road
(958 St. Agnes Lane)
1st Election District
1st Councilmanic District
Douglas A. Strouse-Petitioner
Case No. 94-289-SPHA

Dear Mr. & Mrs. Stewart, Ms. Larson, and Mr. & Mrs. Matelis:

Please be advised that an appeal of the above-referenced case was filed in this office on May 26, 1994 for the Special Hearing portion only by Thomas J. Schetelich, Esquire on behalf of Douglas A. Strouse. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:jaw
c: People's Counsel



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on Recycled Paper

APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

Petition(s) for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Two-Apartment Affidavit

2 - Plan to Accompany Zoning Petition

Deputy Zoning Commissioner's Order dated April 27, 1994 (Denied)

Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091

Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

Ms. Margret Larson, 956 St. Agnes Lane, Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
othy M. Kotroco, Deputy Zoning Commissioner
Carl Richards, Jr., Zoning Coordinator
ket Clerk
old Jablon, Director of ZADM

94-289 SPHA
Douglas A. Strouse
St. Agnes Lane
10709
Pot SPHA
C. Jablon

APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

✓ Petition(s) for Special Hearing and Variance (SPH appealed only)

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

✓ Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1 - Two-Apartment Affidavit

✓ 2 - Plan to Accompany Zoning Petition

✓ Deputy Zoning Commissioner's Order dated April 27, 1994 (Denied)

Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

* c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091
Douglas A. Strouse, 10709 Pot Spring Road, Cockeysville, MD 21030
Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

Ms. Margret ~~Larson~~ ^{CARSON}, 956 St. Agnes Lane, Baltimore, MD 21207
(PER MS. CARSON 6-6-94)

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

✓E

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

RECEIVED
COUNTY BOARD OF APPEALS

RECEIVED
COUNTY BOARD OF APPEALS
94 JUN - 1 AM 10:44

6/27/94 -Notice of Assignment for hearing scheduled for Thursday,
September 1, 1994 at 10:00 a.m. sent to following:

Thomas J. Schetelich, Esquire
Mr. Douglas A. Strouse
Mr. & Mrs Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

8/29/94 -T/C from Hamilton Tyler, Esquire, THIEBLOT, RYAN, MARTIN & FERGUSON,
Counsel for Appellant /Petitioner, indicating that appeal is being
withdrawn by his client; letter to be sent confirming withdrawal of
this appeal. No one to appear on Thursday, 9/01/94 at 10:00 a.m.
to pursue said appeal.

-Advised People's Counsel of telephone call.

8/31/94 -Received FAX copy of letter of dismissal from Hamilton Tyler with
accompanying dismissal from appellant.

9/01/94 -Original request for dismissal filed by counsel for appellant. Order
of Dismissal to be issued by the Board.

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWYCK, JR.*
THOMAS J. SCHEDELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
KAREN R. WILKOWSKY*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-2081

(410) 837-1140

FAX LINE (410) 837-8282

WASHINGTON LINE
(202) 626-8223

DELAWARE LINE
(302) 737-9034

* ADMITTED IN D.C. AND MARYLAND

February 22, 1994

Mr. Lawrence Schmidt
Baltimore County Government
Office of Zoning Administration
& Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

VIA FACSIMILE: 887-5700 AND
FIRST CLASS MAIL

Re: 958 St. Agnes Lane
First Election District
Case Number : C-94-289-SPHA
Petitioner: Douglas A. Strouse
Our File No.: 93-3269

Dear Mr. Schmidt:

The above-referenced zoning hearing is currently scheduled for Monday, February 28, 1994 at 11:00 a.m. in Room 118 in the Old Courthouse. A copy of the Notice of Hearing is attached for your convenience. We have just received word from our client, Mr. Douglas Strouse, that he will be unavailable for the hearing on February 28, 1994. Mr. Strouse must be out of town on the date of the hearing. Indeed, Mr. Strouse will be on the west coast attending to matters which make it impossible to attend the hearing on February 28, 1994.

While we recognize that this request comes six days before the hearing, the prejudice to Mr. Strouse would be irreparable if he were not able to attend the hearing. Mr. Strouse is willing to cooperate in whatever way necessary to facilitate the rescheduling of the hearing at the earliest date possible. Additionally, Mr. Strouse will be glad to post any postponement notice on the sign which is currently posted on the property.

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWICK, JR.*
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
KAREN R. WILKOWSKY*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

* ADMITTED IN D.C. AND MARYLAND

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 628-8223

DELAWARE LINE
(302) 737-9034

February 22, 1994

Mr. Lawrence Schmidt
Baltimore County Government
Office of Zoning Administration
& Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
FEB 23 1994
ZADM

VIA FACSIMILE: 887-5708 AND
FIRST CLASS MAIL

Re: 958 St. Agnes Lane
First Election District
Case Number : C-94-289-SPHA
Petitioner: Douglas A. Strouse
Our File No.: 93-3269

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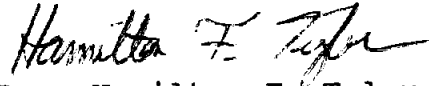
THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.
ATTORNEYS AT LAW

Mr. Lawrenc Schmidt
February 22, 1994
Page 2

When you have had a chance to consider this matter, would you please contact us by phone with your decision. Thank you for your consideration of this important matter.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON



By: Hamilton F. Tyler

HFT/re
Enclosure

cc: Mr. Douglas Strouse - via first class mail, w/ enclosure

946-94

[illegible]

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From: Office of Zoning Administration & Development Management

Hamilton F. Tyler, Esquire

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 DAVID EBERHOLT*
 HAMILTON F. TYLER*
 PAUL J. PASKE*

ATTORNEYS AT LAW
 10TH FLOOR, THE WORLD TRADING CENTER
 BALTIMORE, MARYLAND 21202-4298
 TEL: 410.535.1160
 FAX LINE: 410.535.0088

STANLEY, LEO JAMES
(202) 626-8220
JANUARY 1952
JANUARY 1952
JANUARY 1952

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

February 22, 1964

Mr. Lawrence Schmidt
Baltimore County Government
Office of Zoning Administration
& Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

VIA FACSIMILE: 937-7422 AND
FIRST CLASS MAIL
Re: 958 St. Agnes Lane
First Election District
Case Number : C-64-789-SPH
Petitioner: Douglas A. Strosch
Our File No.: 93-3262

Dear Mr. Schmidt:

The above-referenced zoning hearing is currently scheduled for Monday, February 28, 1994 at 11:00 a.m. in Room 115 on the Old Courthouse. A copy of the Notice of Hearing is attached for your convenience. We have just received word from our client, Mr. Douglas Strouse, that he will be unavailable for the hearing on February 28, 1994. Mr. Strouse must be out of town on the date of the hearing. Indeed, Mr. Strouse will be on the west coast attending to matters which make it impossible to attend the hearing on February 28, 1994.

While we recognize that this request comes six days before the hearing, the prejudice to Mr. Strouse would be irreparable if he were not able to attend the hearing. Mr. Strouse is willing to cooperate in whatever way necessary to facilitate the rescheduling of the hearing at the earliest date possible. Additionally, Mr. Strouse will be glad to post any postponement notice on the sign which is currently posted on the property.

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
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PETER J. BASILE*

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 628-8223

May 25, 1994

* ADMITTED IN D.C. AND MARYLAND

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

HAND DELIVERY

Re: Case No.: 94-289-SPHA
Petitioner: Douglas A. Strouse

Dear Sir/Madam:

Enclosed please find a check in the amount of \$210 and
Petitioner Douglas A. Strouse's Notice of Appeal in the above-
referenced matter. We understand that the fee for the appeal is
\$175 in addition to a \$35 posting notice. *FOR SPECIAL HEARING PARTIES ONLY.*

If there are any problems at all with this filing, please do
not hesitate to contact the undersigned.

Very truly yours,

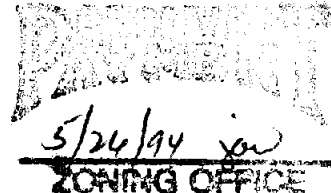
THIEBLOT, RYAN, MARTIN & FERGUSON

Thomas J. Schetelich

By: Thomas J. Schetelich

TJS/co

cc: Baltimore County Board of Appeals
Mr. Douglas A. Strouse



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4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

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(202) 628-8223

August 31, 1994

* ADMITTED IN D.C. AND MARYLAND

County Board of Appeals of
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

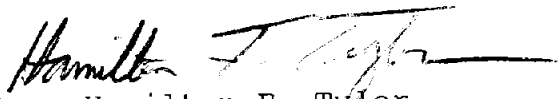
Re: Case No.: 94-289-SPHA
Hearing Date: 9/1/94-10:00 a.m.
Our File No.: 93-3269

Dear Sir/Madam:

Enclosed for filing please find Appellant Douglas A. Strouse's Dismissal of Appeal in the above-referenced matter. If you have any questions at all concerning this filing, please do not hesitate to contact the undersigned.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON


By: Hamilton F. Tyler

HFT/co
enclosure
cc: Mr. Douglas A. Strouse w/ enclosure
Peter Max Zimmerman, Esquire w/ enclosure



THUEBLOT, RYAN,
MARTIN & FERROUSON, P. A.

JOHN J. BERTHOUD
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 DONNA M. RAFFAELE
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 HAMILTON E. TYLER
 PETER J. BASILE

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21201-2941

(416) 637-1140

FAX: (410) 837-4889

Author's address: Department of Mathematics,
University of Illinois at Chicago, Chicago, IL 60607-7143
E-mail: {miller, muller}@uic.edu

* 1994-1995 - 1996-1997 - 1998-1999

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ANTHONY W. RYAN
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PETER J. BASILE*

*ADMITTED IN D.C. AND MARYLAND

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-8091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(802) 628-8223

August 31, 1994

County Board of Appeals of
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case No.: 94-289-SPHA
Hearing Date: 9/1/94-10:00 a.m.
Our File No.: 93-3269

Dear Sir/Madam:

Enclosed for filing please find Appellant Douglas A. Strouse's Dismissal of Appeal in the above-referenced matter. If you have any questions at all concerning this filing, please do not hesitate to contact the undersigned.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON


By: Hamilton F. Tyler

HFT/co
enclosure
cc: Mr. Douglas A. Strouse w/ enclosure
Peter Max Zimmerman, Esquire w/ enclosure

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COUNTY BOARD OF APPEALS

94 SEP -1 AM 10:01

21 August 1994
2011 St. Agnes Lane
Baltimore, MD 21207
Tel: 410-206-8966

Federal Appeals
 Room 445 - Old Courthouse Bldg
 1000 Washington Ave.
 Kansas City, Mo.

Case No. 2 Family Dwelling, 954-289

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As the new owner who lives about 14 miles from the property, I would like to be a member of the Edmondson Heights Community Association. I have been a member of the Edmondson Heights Community Association for many years and I believe starting this neighborhood will be a good idea.

the immediate negative impact of allowing to enter only an empty alley and not a group of people, and already high parking in the area. The second effect is an increased number of people parking in the alleys. A second and more critical effect is a reduced number of people who are re-occupied to a new neighborhood, which can be observed in the long-term in the alleys.

Therefore, it means I would ask that you withhold the press release until I am ready.

• **Prevalence** = the proportion of people in a population who have a disease at a particular point in time

James W. Allen
James W. Allen

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 8, 1994

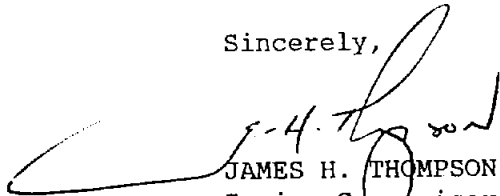
Mr. Douglas A. Strouse
10709 Pot Spring Road
Cockeysville, Maryland 21030

Re: Case No. 94-289SPHA
958 St. Agnes Lane
1st Election District

Dear Mr. Strouse:

Per our conversation of July 7, 1994, enclosed is a copy of Section 402 of the Baltimore County Zoning Regulations that relates to the conversion of dwellings. If you go to the extent to remove one of the stoves from this dwelling and cap-off the gas line for this appliance, the zoning enforcement section would not view this dwelling as two apartments. Upon completion of this activity, if a call is made to this office at 887-3351, we would be more than willing to make an interior inspection to hopefully verify compliance with the zoning law.

Sincerely,


JAMES H. THOMPSON
Zoning Supervisor

JHT/hek

Enclosure



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on Recycled Paper

Douglas A. Strouse
10709 Pot Spring Road
Baltimore, Maryland 21030

August 5, 1994

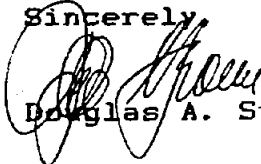
James H. Thompson, Zoning Supervisor
Baltimore County Government
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 94-289SPHA
958 St. Agnes Lane
1st Election District

Dear Mr. Thompson,

Pursuant to your letter dated July 8, 1994 regarding the above case, I want to inform you that the upstairs stove has been removed and the gas line has been capped-off. At your convenience the property can be inspected. The tenant at the property is Jason Carver (410) 747-4429.

Sincerely,


Douglas A. Strouse,

cc: Thomas Schetelich, Esquire
cc: Jason Carver



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 1, 1995

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
DOUGLAS A. STROUSE
1st District

Dear Mr. Schetelich:

As no further appeals have been taken regarding the subject matter, we have closed the file and returned same to the Office of Zoning Administration and Development Management, along with any exhibits entered in this matter. The Zoning Office maintains the permanent file.

Anyone interested in either the file or the exhibits is advised to contact Gwen Stephens in Zoning Administration at 887-3391 immediately upon receipt of this letter. By copy of this letter, all parties of record that may have an interest in this file have been notified.

Sincerely,

Charlotte E. Radcliffe
Legal Secretary

cc: Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County



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Arnold Jablon
Director, Office of Zoning Administration
and Development Management
Baltimore County Government
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

I am writing in reference to Case No. 94-289-SPHA, Douglas A. Strouse, 1st District. The property involved is at 958 St. Agnes Lane in West Edmondale. On April 27, 1994, Deputy Zoning Commissioner for Baltimore County Timothy Kotroco issued a decision denying Mr. Strouse's petition for Special Hearing and Variance. A subsequent appeal of that decision was withdrawn as of August 31, 1994 and an Order of Dismissal was issued on September 7, 1994.

In his decision, Deputy Commissioner Kotroco stated that "inasmuch as the Petitioner has failed to establish a legal nonconforming use of the subject property as two apartments, the Petitioner shall be required to reconvert the property back to a single family dwelling within sixty (60) days of the date of this Order." In February, 1995, the tenant in the upstairs apartment moved out, and in March, 1995, new tenants moved into the upstairs apartment. The downstairs tenant has remained throughout the period from the time of the Order until now. The only action to occur was the removal of the stove from the upstairs apartment. There are still two separate apartments, with individual entrances inside the exterior door, at this address.

The downstairs tenant informed me that Mr. Strause indicated he was in compliance with the Order because he removed the stove from upstairs. The Deputy Commissioner's Decision, denying the Petition for Special Hearing to approve a two-family dwelling on the lot, focused on testimony from neighbors regarding noise, parking, and other density concerns. Article 66B, Section 4.03 of the Annotated Code of Maryland, Zoning and Planning, says the purpose of zoning regulations shall be to "control congestion in the streets; to secure the public safety; to promote health, and the general welfare; ... to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, recreation, parks and other public requirements." At the hearing on the Petition, a representative of the Office of Planning and Zoning who is Area Planner for this area testified that the use of the property as a two apartment dwelling unit is not an appropriate use of the property. The removal of a stove from the dwelling does not address any of these issues.

The current use of the property appears to be in direct violation of the Baltimore County Zoning regulations and the Deputy Commissioner's Order. Several neighborhood residents gave up time from work and other activities to testify or appear at the hearing in this case (twice, since we were not informed of a postponement of the first scheduled date). We would like to see the Deputy Commissioner's Order enforced, and the property returned to its proper use as a single family dwelling. If it is necessary to refile a complaint with the Office of Zoning, I will do so. However, this seems to be a waste not only of my time but of the County's resources, since there has been no substantial change since the last complaint and Decision. I appreciate any assistance you can provide in this matter.

Sincerely,


Margaret P. Carson
956 St. Agnes Lane

cc: Timothy M. Kotroco, Deputy Zoning Commissioner
County Councilman Moxley
Bill Hughey, Office of Planning and Zoning
People's Counsel

RECEIVED

MAR 18 1995

ZADM

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

HENRY T. MATELIS

966 ST. AGNES LA. BALTO. MD. 21207

VICTORIA A. MATELIS

966 ST. AGNES LA. BALTO. MD. 21207

Debra J. Stewart

970 St Agnes Ln

MATTHEW STEWART

970 ST. AGNES LN.

EVELYN S. ROBERTS

972 ST. AGNES LANE 21207

MARGARET P CARSON

956 ST AGNES LANE

~~David L. Carson~~

952 ST. AGNES LANE



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

Mail
copies to:

NAME

ADDRESS

Debra Stewart

970 St Agnes Ln 2120

MAST STEWART

970 ST. AGNES LN.

MARGRET CARSON

952 ST AGNES W

Henry J. Matlock

966 ST AGNES LANE

Evelyn J. Roberts

972 St. Agnes Lane

TIMOTHY S GRAHAM

908 ST AGNES LN.

Victoria A. Matlock

966 St Agnes Lane

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Douglas Strouse

JOSEPH LARSON

THOMAS J SCHETELICH

10709 Pot Spring Ln Cockeysville, MD 21031

105 W. CHESAPEAKE AVE TOWSON

4th Floor World Trade Center Bldg
21202



AFFIDAVIT

FOR TWO AFFIDAVITS OR MORE

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 and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Eugene L. Lampieri
AFFIANT (Handwritten Signature)

EUGENE L. LAMPIERI
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 958 ST. AGNES LANE, BALTIMORE, MARYLAND-21207 has been occupied as a two apartment dwelling since JANUARY, 1954 ? YES
(month) (year) (answer)
2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JANUARY, 1954 ? YES
(month) (year) (answer)
3. Will you realize any gain from the sale of this Property? NO
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of JANUARY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared EUGENE L. LAMPIERI, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

PETITIONER'S
EXHIBIT 1

Eugene L. Lampieri
NOTARY PUBLIC
My Commission Expires 9

relief sought. Therefore, the relief requested in the Petitions for Special Hearing and Variance shall be denied.

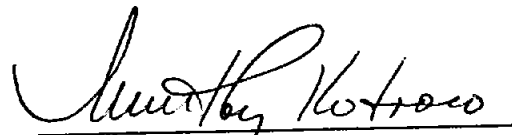
Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons given above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of April, 1994 that the Petition for Special Hearing to approve a two-family dwelling on a lot area of 1800 sq.ft. in lieu of the required 8,050 sq.ft. and to determine that the overall density will not be affected, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 402 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 18 feet in lieu of the required 70 feet, side yard setbacks of 0 feet each in lieu of the required 15 feet, and a sum of the side yard setbacks of 0 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 2, be and is hereby DENIED.

IT IS FURTHER ORDERED that inasmuch as the Petitioner has failed to establish a legal nonconforming use of the subject property as two apartments, the Petitioner shall be required to reconvert the property back to a single family dwelling within sixty (60) days of the date of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

September 7, 1994

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
Douglas A. Strouse -Petitioner

Dear Mr. Schetelich:

Enclosed please find a copy of the Order of Dismissal issued
this date by the County Board of Appeals of Baltimore County
in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer

Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Hamilton F. Tyler, Esquire
Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 31, 1994

Mr. & Mrs. Matthew Stewart
970 St. Agnes Lane
Baltimore, MD 21207

Ms. Margret Larson
956 St. Agnes Lane
Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis
966 St. Agnes Lane
Baltimore, MD 21207

RE: Petition for Special Hearing and Variance
(Special Hearing portion only)
NW/S St. Agnes lane, 193.50 ft. SW of the
c/l of Masefield Road
(958 St. Agnes Lane)
1st Election District
1st Councilmanic District
Douglas A. Strouse-Petitioner
Case No. 94-289-SPHA

Dear Mr. & Mrs. Stewart, Ms. Larson, and Mr. & Mrs. Matelis:

Please be advised that an appeal of the above-referenced case was filed in this office on May 26, 1994 for the Special Hearing portion only by Thomas J. Schetelich, Esquire on behalf of Douglas A. Strouse. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:jaw
c: People's Counsel



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on Recycled Paper

APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

Petition(s) for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Two-Apartment Affidavit

2 - Plan to Accompany Zoning Petition

Deputy Zoning Commissioner's Order dated April 27, 1994 (Denied)

Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091

Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

Ms. Margret Larson, 956 St. Agnes Lane, Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
othy M. Kotroco, Deputy Zoning Commissioner
Carl Richards, Jr., Zoning Coordinator
ket Clerk
old Jablon, Director of ZADM

94-289 SPHA
Douglas A. Strouse
St. Agnes Lane
10709
Pot SPHA
C. Jablon

APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

✓ Petition(s) for Special Hearing and Variance (SPH appealed only)

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

✓ Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1 - Two-Apartment Affidavit

✓ 2 - Plan to Accompany Zoning Petition

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Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

* c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091
Douglas A. Strouse, 10709 Pot Spring Road, Cockeysville, MD 21030
Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

Ms. Margret ~~Larson~~ ^{CARSON}, 956 St. Agnes Lane, Baltimore, MD 21207
(PER MS. CARSON 6-6-94)

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

✓E

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

RECEIVED
COUNTY BOARD OF APPEALS

RECEIVED
COUNTY BOARD OF APPEALS
94 JUN - 1 AM 10:44



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 1, 1995

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
DOUGLAS A. STROUSE
1st District

Dear Mr. Schetelich:

As no further appeals have been taken regarding the subject matter, we have closed the file and returned same to the Office of Zoning Administration and Development Management, along with any exhibits entered in this matter. The Zoning Office maintains the permanent file.

Anyone interested in either the file or the exhibits is advised to contact Gwen Stephens in Zoning Administration at 887-3391 immediately upon receipt of this letter. By copy of this letter, all parties of record that may have an interest in this file have been notified.

Sincerely,

Charlotte E. Radcliffe
Legal Secretary

cc: Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County



Printed with Soybean Ink
on Recycled Paper

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of MAY, 1994, a copy of the foregoing Notice of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich
Thomas J. Schetelich

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 16, 1994

Thomas J. Schetelich, Esquire
Thieblot, Ryan, Martin & Ferguson
Fourth Floor
The World Trade Center
Baltimore, Maryland 21202-3091

RE: Case No. 94-289-SPHA, Item No. 289
Petitioner: Douglas A. Strouse
Petitions for Special Hearing and Variance

Dear Mr. Schetelich:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 January 25, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Zoning Plans Advisory Committee Comments
Thomas J. Schetelich, Esquire (Item 289)
Date: February 16, 1994
Page 2

2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton in the zoning office at 887-3391 or the commenting agency.

Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Coordinator

WCR:cmn



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

2-7-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *¢ 289 (MJK)*

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for **DAVID N. RANNEY, ACTING CHIEF**
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

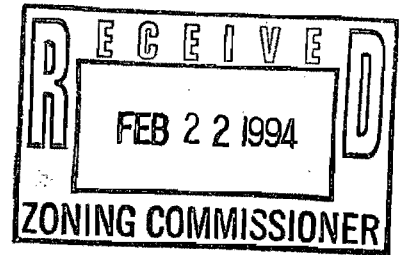
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: February 10, 1994

SUBJECT: 958 St. Agnes Lane



INFORMATION:

Item Number: 289 *94-289-SPHA*
Petitioner: Douglas A. Strouse
Property Size: _____
Zoning: D.R. 10.5
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff recommends denial of the variance and Special Hearing request for subject property.

The property is a townhome which was built in 1953 and has been owned by the petitioner since 1978. Clearly designed as a single family residence, it was, at some point converted to a multi-family unit. The conversion was a clear violation of the Baltimore County Zoning Regulations, Section 402. Any stated practical difficulty relating to pre-existing lot and building size must be considered a self-imposed condition.

It is the concern of this office that should the variance and Special Hearing be approved, precedent would be set thereby encouraging the illegal conversion of existing townhomes into apartments.

Prepared by: *Jeffrey W. Lay*
Division Chief: *Carol L. Keller*
PK/JL:lw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 02/03/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time, FOR THE FOLLOWING "ITEM NUMBERS": 285, 289, 291, 292, 293, 294 AND 298.

RECEIVED
FEB 3 1994

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File

ZADM



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 31, 1994

Mr. & Mrs. Matthew Stewart
970 St. Agnes Lane
Baltimore, MD 21207

Ms. Margret Larson
956 St. Agnes Lane
Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis
966 St. Agnes Lane
Baltimore, MD 21207

RE: Petition for Special Hearing and Variance
(Special Hearing portion only)
NW/S St. Agnes lane, 193.50 ft. SW of the
c/l of Masefield Road
(958 St. Agnes Lane)
1st Election District
1st Councilmanic District
Douglas A. Strouse-Petitioner
Case No. 94-289-SPHA

Dear Mr. & Mrs. Stewart, Ms. Larson, and Mr. & Mrs. Matelis:

Please be advised that an appeal of the above-referenced case was filed in this office on May 26, 1994 for the Special Hearing portion only by Thomas J. Schetelich, Esquire on behalf of Douglas A. Strouse. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a circular embossed seal.

ARNOLD JABLON
Director

AJ:jaw
c: People's Counsel



APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

Petition(s) for Special Hearing and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Two-Apartment Affidavit

2 - Plan to Accompany Zoning Petition

Deputy Zoning Commissioner's Order dated April 27, 1994 (Denied)

Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091

Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

Ms. Margret Larson, 956 St. Agnes Lane, Baltimore, MD 21207

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

94-289 SPHA
Douglas A. Strouse
Townhouse
2 Apartments
10709
9 - Pct Spring
Calkins 21030
Fax 783-7340

APPEAL

Petition for Special Hearing and Variance
NW/S St. Agnes Lane, 193.50 ft SW of the c/l of Masefield Rd
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse-PETITIONER
Case No. 94-289-SPHA

✓ Petition(s) for Special Hearing and Variance (SBH appealed only)

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

✓ Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1 - Two-Apartment Affidavit

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Notice of Appeal received on May 26, 1994 from Thomas J. Schtelich,
Esquire on behalf of Douglas A. Strouse

* c: Thomas J. Schtelich, Thieblot, Ryan, Martin and Ferguson, 4th
Floor, The World Trade Center, Baltimore, MD 21202-3091
Douglas A. Strouse, 10709 Pot Spring Road, Cockeysville, MD 21030
Mr. & Mrs. Matthew Stewart, 970 St. Agnes Lane, Baltimore, MD
21207

CARSON
Ms. Margret ~~Larson~~, 956 St. Agnes Lane, Baltimore, MD 21207
(PER MS. CARSON 6-6-94)

Mr. & Mrs. Henry J. Matelis, 966 St. Agnes Lane, Baltimore, MD
21207

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

✓E

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

RECEIVED
COUNTY BOARD OF APPEALS

RECEIVED
COUNTY BOARD OF APPEALS
94 JUN -1 AM 10:44

6/27/94 -Notice of Assignment for hearing scheduled for Thursday,
September 1, 1994 at 10:00 a.m. sent to following:

Thomas J. Schetelich, Esquire
Mr. Douglas A. Strouse
Mr. & Mrs Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

8/29/94 -T/C from Hamilton Tyler, Esquire, THIEBLOT, RYAN, MARTIN & FERGUSON,
Counsel for Appellant /Petitioner, indicating that appeal is being
withdrawn by his client; letter to be sent confirming withdrawal of
this appeal. No one to appear on Thursday, 9/01/94 at 10:00 a.m.
to pursue said appeal.

-Advised People's Counsel of telephone call.

8/31/94 -Received FAX copy of letter of dismissal from Hamilton Tyler with
accompanying dismissal from appellant.

9/01/94 -Original Request for dismissal filed by counsel for appellant.. Order
of Dismissal to be issued by the Board.

987-94
2/24/94
TO LES - immediate

**THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.**

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWICK, JR.*
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
KAREN R. WILKOWSKY*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 626-8223

DELAWARE LINE
(302) 737-9034

* ADMITTED IN D.C. AND MARYLAND

February 22, 1994

Mr. Lawrence Schmidt
Baltimore County Government
Office of Zoning Administration
& Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
FEB 23 1994
ZADM

**VIA FACSIMILE: 887-5708 AND
FIRST CLASS MAIL**

Re: 958 St. Agnes Lane
First Election District
Case Number : C-94-289-SPHA
Petitioner: Douglas A. Strouse
Our File No.: 93-3269

Dear Mr. Schmidt:

The above-referenced zoning hearing is currently scheduled for Monday, February 28, 1994 at 11:00 a.m. in Room 118 in the Old Courthouse. A copy of the Notice of Hearing is attached for your convenience. We have just received word from our client, Mr. Douglas Strouse, that he will be unavailable for the hearing on February 28, 1994. Mr. Strouse must be out of town on the date of the hearing. Indeed, Mr. Strouse will be on the west coast attending to matters which make it impossible to attend the hearing on February 28, 1994.

While we recognize that this request comes six days before the hearing, the prejudice to Mr. Strouse would be irreparable if he were not able to attend the hearing. Mr. Strouse is willing to cooperate in whatever way necessary to facilitate the rescheduling of the hearing at the earliest date possible. Additionally, Mr. Strouse will be glad to post any postponement notice on the sign which is currently posted on the property.

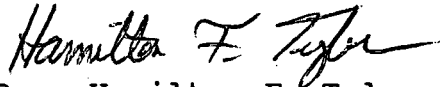
THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.
ATTORNEYS AT LAW

Mr. Lawrence Schmidt
February 22, 1994
Page 2

When you have had a chance to consider this matter, would you please contact us by phone with your decision. Thank you for your consideration of this important matter.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON

A handwritten signature in cursive script, appearing to read "Hamilton F. Tyler".

By: Hamilton F. Tyler

HFT/re
Enclosure

cc: Mr. Douglas Strouse - via first class mail, w/ enclosure

2/22/94
To CBS
8

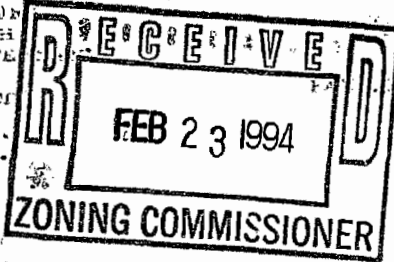
946-94

THIEBLLOT, RYAN.
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.
BRUCE P. MILLER
ROBERT D. HARWICK, JR.
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFF
M. BROOKE MUNDGEE
ANNE M. BREKHOROVICH
DONNA M. RAFFAELLE
KAREN R. WILKOWSKY
MICHAEL N. RUGGEO, JR.
JODIE EBERSOLE
HAMILTON F. TYLER
PETER J. BASILE

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

WASHINGTON LINE
(202) 628-6223
DELAWARE LINE
(302) 737-0034



(410) 837-1140
(410) 837-3282

ADMITTED IN D.C. AND MARYLAND

FAX MACHINE COVER LETTER

Time: 3:05 pm

Date: February 22, 1994

Sending Machine Number: (410) 837-3282

Receiving Machine Number: 887-5708

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Mr. Lawrence Schmidt

Firm: Office of Zoning Administration & Development Management

Sender: Hamilton F. Tyler, Esquire

We are transmitting 4 pages (including this cover letter) from
a Model F-75 Multifax Machine.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS
POSSIBLE to (410) 837-1140; ASK FOR ROSE ANN. THANK YOU.

FAXING LETTER OF FEBRUARY 22, 1994 AND NOTICE OF HEARING.

OK to postpone,
I called
attny. + advised
KBS
Re-set in
normal
course

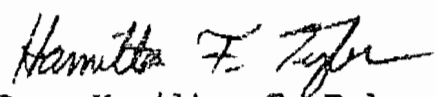
THIEBLLOT, RYAN,
MARTIN & FERGUSON, P.A.
ATTORNEYS AT LAW

Mr. Lawrence Schmidt
February 22, 1994
Page 2

When you have had a chance to consider this matter, would you please contact us by phone with your decision. Thank you for your consideration of this important matter.

Very truly yours,

THIEBLLOT, RYAN, MARTIN & FERGUSON



By: Hamilton F. Tyler

HFT/re
Enclosure

cc: Mr. Douglas Strouse - via first class mail, w/ enclosure

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West of Chesapeake Avenue
Towson, Maryland 21204

(410) 887-3353

FEBRUARY 2, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-289-SPHA (Item 289)

958 St. Agnes Lane

NW/2 St. Agnes Lane, 193.50' SW of c/l Masfield Road

1st Election District - 1st Councilmanic

Petitioner(s): Douglas A. Strouse

HEARING: MONDAY, FEBRUARY 28, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,200 square feet and to determine that the overall density will not be affected.

Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 10 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Douglas A. Strouse
Thomas J. Schetelich, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWICK, JR.*
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 628-8223

* ADMITTED IN D.C. AND MARYLAND

May 25, 1994

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

HAND DELIVERY

Re: Case No.: 94-289-SPHA
Petitioner: Douglas A. Strouse

Dear Sir/Madam:

Enclosed please find a check in the amount of \$210 and
Petitioner Douglas A. Strouse's Notice of Appeal in the above-
referenced matter. We understand that the fee for the appeal is
\$175 in addition to a \$35 posting notice. *FOR SPECIAL HEARING PORTION ONLY.*

If there are any problems at all with this filing, please do
not hesitate to contact the undersigned.

Very truly yours,

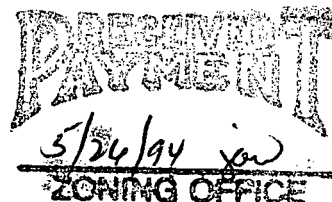
THIEBLOT, RYAN, MARTIN & FERGUSON

Thomas J. Schetelich

By: Thomas J. Schetelich

TJS/co

cc: Baltimore County Board of Appeals
Mr. Douglas A. Strouse



RECEIVED
COUNTY BOARD OF APPEALS

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

94 SEP -1 AM 11:15

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWICK, JR.*
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-3091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 828-8223

* ADMITTED IN D.C. AND MARYLAND

August 31, 1994

County Board of Appeals of
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

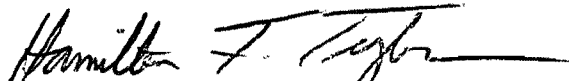
Re: Case No.: 94-289-SPHA
Hearing Date: 9/1/94-10:00 a.m.
Our File No.: 93-3269

Dear Sir/Madam:

Enclosed for filing please find Appellant Douglas A. Strouse's Dismissal of Appeal in the above-referenced matter. If you have any questions at all concerning this filing, please do not hesitate to contact the undersigned.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON



By: Hamilton F. Tyler

HFT/co

enclosure

cc: Mr. Douglas A. Strouse w/ enclosure
Peter Max Zimmerman, Esquire w/ enclosure

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.
BRUCE R. MILLER
ROBERT D. HARWICK, JR.
THOMAS J. SCHETTLICH
CHRISTOPHER J. HETTERMAN
M. BROOKE MURDOCK
ANNE M. HREHOROVICH
DONNA M. RAFFAELLE
MICHAEL N. RUSSO, JR.
JODI K. EBERSOLE
HAMILTON F. TYLER
PETER J. BASILE

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-2091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(800) 626-2221

FAX TEL. AND MAILING

FAX MACHINE COVER LETTER

Time: 1:41 pm

Date: August 31, 1994

Sending Machine Number: (410) 837-3282

Receiving Machine Number: 296-0931

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: Kathy Weidenhammer

Firm: Office of Law

Sender: Hamilton F. Tyler, Esquire

We are transmitting 3 pages (including this cover letter)
from a Murata F-75 Multifax Machine.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS
POSSIBLE TO (410) 837-1140; ASK FOR CYNTHIA. THANK YOU.

THIEBLOT, RYAN,
MARTIN & FERGUSON, P.A.

ROBERT J. THIEBLOT
ANTHONY W. RYAN
J. EDWARD MARTIN
ROBERT L. FERGUSON, JR.*
BRUCE R. MILLER*
ROBERT D. HARWICK, JR.*
THOMAS J. SCHETELICH
CHRISTOPHER J. HEFFERNAN*
M. BROOKE MURDOCK
ANNE M. HREHOROVICH*
DONNA M. RAFFAELE*
MICHAEL N. RUSSO, JR.*
JODI K. EBERSOLE*
HAMILTON F. TYLER*
PETER J. BASILE*

* ADMITTED IN D.C. AND MARYLAND

ATTORNEYS AT LAW
4TH FLOOR, THE WORLD TRADE CENTER
BALTIMORE, MARYLAND 21202-5091

(410) 837-1140

FAX LINE (410) 837-3282

WASHINGTON LINE
(202) 628-8223

August 31, 1994

County Board of Appeals of
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

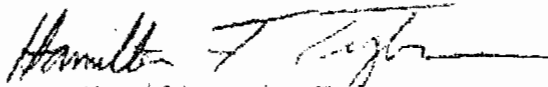
Re: Case No.: 94-289-SPHA
Hearing Date: 9/1/94-10:00 a.m.
Our File No.: 93-3269

Dear Sir/Madam:

Enclosed for filing please find Appellant Douglas A. Strouse's Dismissal of Appeal in the above-referenced matter. If you have any questions at all concerning this filing, please do not hesitate to contact the undersigned.

Very truly yours,

THIEBLOT, RYAN, MARTIN & FERGUSON


By: Hamilton F. Tyler

HFT/co

enclosure

cc: Mr. Douglas A. Strouse w/ enclosure
Peter Max Zimmerman, Esquire w/ enclosure

94 SEP -1 AM 10: 01

Barry W. Huhn

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 8, 1994

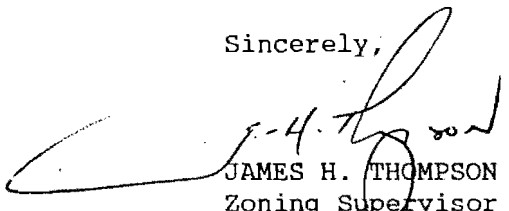
Mr. Douglas A. Strouse
10709 Pot Spring Road
Cockeysville, Maryland 21030

Re: Case No. 94-289SPHA
958 St. Agnes Lane
1st Election District

Dear Mr. Strouse:

Per our conversation of July 7, 1994, enclosed is a copy of Section 402 of the Baltimore County Zoning Regulations that relates to the conversion of dwellings. If you go to the extent to remove one of the stoves from this dwelling and cap-off the gas line for this appliance, the zoning enforcement section would not view this dwelling as two apartments. Upon completion of this activity, if a call is made to this office at 887-3351, we would be more than willing to make an interior inspection to hopefully verify compliance with the zoning law.

Sincerely,



JAMES H. THOMPSON
Zoning Supervisor

JHT/hek

Enclosure



Douglas A. Strouse
10709 Pot Spring Road
Baltimore, Maryland 21030

August 5, 1994

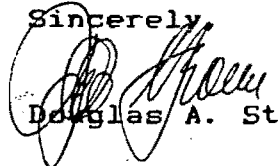
James H. Thompson, Zoning Supervisor
Baltimore County Government
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 94-289SPHA
958 St. Agnes Lane
1st Election District

Dear Mr. Thompson,

Pursuant to your letter dated July 8, 1994 regarding the above case, I want to inform you that the upstairs stove has been removed and the gas line has been capped-off. At your convenience the property can be inspected. The tenant at the property is Jason Carver (410) 747-4429.

Sincerely,



Douglas A. Strouse,

cc: Thomas Schetelich, Esquire
cc: Jason Carver



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 1, 1995

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
DOUGLAS A. STROUSE
1st District

Dear Mr. Schetelich:

As no further appeals have been taken regarding the subject matter, we have closed the file and returned same to the Office of Zoning Administration and Development Management, along with any exhibits entered in this matter. The Zoning Office maintains the permanent file.

Anyone interested in either the file or the exhibits is advised to contact Gwen Stephens in Zoning Administration at 887-3391 immediately upon receipt of this letter. By copy of this letter, all parties of record that may have an interest in this file have been notified.

Sincerely,

A handwritten signature in cursive script, reading "Charlotte E. Radcliffe".

Charlotte E. Radcliffe
Legal Secretary

cc: Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County



AFFIDAVIT

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 and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Eugene L. Lampieri
AFFIANT (Handwritten Signature)

EUGENE L. LAMPIERI
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 958 ST. AGNES LANE, BALTIMORE, MARYLAND-21207

has been occupied as a two apartment dwelling since
(two, three, etc.)

JANUARY, 1954 ? YES
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JANUARY,

1954 ? YES
(year) (answer)

3. Will you realize any gain from the sale of this Property? NO
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

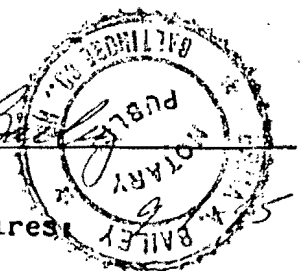
I HEREBY CERTIFY, this 11th day of JANUARY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared EUGENE L. LAMPIERI, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

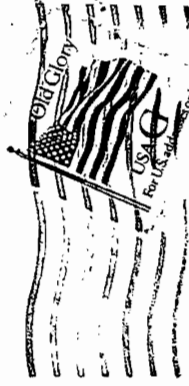
**PETITIONER'S
EXHIBIT 1**

Eugene L. Lampieri
NOTARY PUBLIC

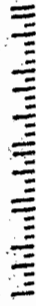
My Commission Expires



CARSON
456 ST AGNES LANE
WEST BOMONDALE, MD
21207



ARNOLD JABLON
DIRECTOR, OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVE.
TOWSON, MD 21204



IN RE: PETITIONS FOR SPECIAL * BEFORE THE
 HEARING AND VARIANCE -
 NW/S St. Agnes Lane, * COUNTY BOARD
 193.50' SW of the c/l of * OF APPEALS
 Masefield Road *
 (958 St. Agnes Lane) * OF BALTIMORE COUNTY
 1st Election District *
 1st Councilmanic District * Case No. 94-289-SPHA
 *
 Douglas A. Strouse
 Petitioner *

* * * * *

APPELLANT'S DISMISSAL OF APPEAL

Petitioner Douglas A. Strouse, by his attorneys, Thieblot, Ryan, Martin & Ferguson and Thomas J. Schetelich hereby dismisses his appeal from the Order of the Deputy Zoning Commissioner dated April 27, 1994 denying his Request for Relief.

THIEBLOT, RYAN, MARTIN & FERGUSON

By: Thomas J. Schetelich /TS
 Thomas J. Schetelich
 4th Floor
 The World Trade Center
 Baltimore, Maryland 21202-3091
 (410) 837-1140
 Attorney for Petitioner
 Douglas A. Strouse

RECEIVED
 COUNTY BOARD OF APPEALS

94 SEP -1 PM 2:06

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of AUGUST, 1994, a copy of the foregoing Dismissal of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich /TS
 Thomas J. Schetelich



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

September 7, 1994

Thomas J. Schetelich, Esquire
THIEBLOT, RYAN, MARTIN AND FERGUSON
4th Floor, World Trade Center
Baltimore, MD 21202-3091

RE: Case No. 94-289-SPHA
Douglas A. Strouse -Petitioner

Dear Mr. Schetelich:

Enclosed please find a copy of the Order of Dismissal issued
this date by the County Board of Appeals of Baltimore County
in the subject matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathleen C. Weidenhammer".

Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Hamilton F. Tyler, Esquire
Mr. Douglas A. Strouse
Mr. & Mrs. Matthew Stewart
Ms. Margret Carson
Mr. & Mrs. Henry J. Matelis
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of MAY, 1994, a copy of the foregoing Notice of Appeal was mailed to Peter Max Zimmerman, Esquire, Peoples Counsel for Baltimore County, Room 47, Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Thomas J. Schetelich
Thomas J. Schetelich

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

April 27, 1994

(410) 887-4386

Thomas J. Schetelich, Esquire
Thieblot, Ryan, Martin & Ferguson
The World Trade Center, 4th Floor
Baltimore, Maryland 21202-3091

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NW/S St. Agnes Lane, 193.50' SW of the c/l of Masefield Road
(958 St. Agnes Lane)
1st Election District - 1st Councilmanic District
Douglas A. Strouse - Petitioner
Case No. 94-289-SPHA

Dear Mr. Schetelich:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Dr. Douglas Strouse
10709 Pot Spring Road, Cockeysville, Md. 21030

Mr. & Mrs. Matthew Stewart
970 St. Agnes Lane, Baltimore, Md. 21207

Ms. Margret Larson
956 St. Agnes Lane, Baltimore, Md. 21207

Mr. & Mrs. Henry J. Matelis
966 St. Agnes Lane, Baltimore, Md. 21207

People's Counsel; File

PETITION FOR SPECIAL HEARING
AND FOR VARIANCE
958 St. Agnes Lane

2/28
P.P.

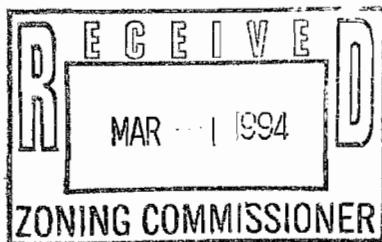
: BEFORE THE
:
: ZONING COMMISSIONER
:
: OF BALTIMORE COUNTY

PETITIONER :
DOUGLAS A. STROUSE

: CASE NO: 94-289-SPHA
:
:
:
:
:

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY THAT on this 28th day of February, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas J. Schetelich, Esq., Thieblot, Ryan, Martin & Ferguson, 4th Floor, World Trade Center, Baltimore, MD 21202-3091.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

94-289-SP11A

District 15T

Date of Posting 2/14/94

Posted for: Special Hearing & Variances

Petitioner: Douglas A. Stroup

Location of property: 958 St. Marks Lane, NMLS

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. Webb

Signature

Date of return: 2/18/94

Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

94-289-SPHA

District 1st

Date of Posting 6/3/94

Posted for: Appeal

Petitioner: Douglas S. Troup

Location of property: 958 St. Agnes Lane, NW/5

Location of Signs: Facing roadway, on property being appealed

Remarks: _____

Posted by M. Stealy Date of return: 6/3/94
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #94-289-SPHA
(Item 289)
958 St. Agnes Lane
NW/S St. Agnes Lane,
193.50' SW of c/1 Masfield
Road
1st Election District
1st Councilmanic
Petitioner(s):
Douglas A. Strouse
Hearing: Monday,
February 28, 1994 at
11:00 a.m. in Rm. 116, Old
Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected. **Varlance** to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

2/125 February 10.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Feb. 14, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb 10, 1994.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

~~W. H. H. H. H.~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

94-289
SP HA

Date

1/25/94

Taken In By: MFK

Item Number: 289

Strouse, Douglas - 958 St. Agnes Lane

958 St. Agnes Lane

010 - Res Variance - \$ 50.00

030 - Res Sp Hearing - \$ 50.00

080 - 2 signs (\$35.00 each) - \$ 70.00

\$170.00

01A01#0185MICHRC

\$170.00

BA 0001-35PM01-25-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 6534

DATE 5/31/94 ACCOUNT R-001-6150

AMOUNT \$ 35.00

RECEIVED FROM: Thieblat, Ryan, Martin + FERGUSON

FOR: 94-289-SPHA - DOUGLAS STROUSE
SPECIAL HEARING ONLY - APPEAL SIGN

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

\$35.00

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 6566

DATE 5/31/94 ACCOUNT R-001-6150

AMOUNT \$ 175.00

RECEIVED
FROM:

Thieblott, Ryan, Martin + Ferguson

FOR:

94-289-SPHA DOUGLAS STROUSE - APPEAL

SPECIAL HEARING ONLY

03A03#0189MICHRC

\$175.00

DA 5000-44M06 01 74

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 289

Petitioner: Strouse, Douglas

Location: 958 St. Agnes Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Thomas J. Schotelich

ADDRESS: 4th Floor, The World Trade Center

Balto. MD 21202-3091

PHONE NUMBER: (410) 837-1140

AJ:ggs

(Revised 04/09/93)

Item Number: 289
Planner: MJK
Date Filed: 1-25-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

✓

The following information is missing:

Descriptions, including accurate beginning point

Actual address of property

Zoning

Acreage

Plats (need 12, only ____ submitted)

200 scale zoning map with property outlined

Election district

Councilmanic district

BCZR section information and/or wording

Hardship/practical difficulty information

Owner's signature (need minimum 1 original signature) and/or
printed name and/or address and/or telephone number

Contract purchaser's signature (need minimum 1 original
signature) and/or printed name and/or address

Signature (need minimum 1 original signature) and/or
printed name and/or title of person signing for legal
owner/contract purchaser

Power of attorney or authorization for person signing for
legal owner and/or contract purchaser

✓ Attorney's signature (need minimum 1 original signature)
~~and/or printed name and/or address and/or telephone number~~

Notary Public's section is incomplete and/or incorrect
and/or commission has expired

TO: PUTUXENT PUBLISHING COMPANY
February 10, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas J. Schtelich, Esq.
4th Floor, World Trade Center
Baltimore, Maryland 21202-3091
837-1140

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-289-SPHA (Item 289)
958 St. Agnes Lane
NW/S St. Agnes Lane, 193.50' SW of c/l Masfield Road
1st Election District -1st Councilmanic
Petitioner(s): Douglas A. Strouse
HEARING: MONDAY, FEBRUARY 28, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.
Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 2, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-289-SPHA (Item 289)

958 St. Agnes Lane

NW/S St. Agnes Lane, 193.50' SW of c/l Masefield Road

1st Election District -1st Councilmanic

Petitioner(s): Douglas A. Strouse

HEARING: MONDAY, FEBRUARY 28, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.

Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Douglas A. Strouse
Thomas J. Schetelich, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 7, 1994

NOTICE OF REASSIGNMENT

RESCHEDULED FROM 2/28/94
CASE NUMBER: 94-289-SPHA (Item 289)
958 St. Agnes Lane
NW/S St. Agnes Lane, 193.50' SW of c/l Masefield Road
1st Election District -1st Councilmanic
Petitioner(s): Douglas A. Strouse

Special Hearing to permit a two family dwelling on a lot area of 1,800 square feet and to determine that the overall density will not be affected.

Variance to permit a lot width of 18 feet in lieu of 70 feet, side yard setbacks of zero feet in lieu of 15 feet, and a side yard setback sum of zero feet in lieu of 30 feet.

HEARING: MONDAY, APRIL 11, 1994 at 9:00 a.m., Rm. 118 Old Courthouse
400 Washington Avenue, Towson, Maryland.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Herny and Victoria Matelis
Hamilton Tyler
Matthew Stewart
Evelyn S. Roberts
Margaret P. Carson
Resident/952 St. Agnes Lane





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 27, 1994

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-289-SPHA

DOUGLAS A. STROUSE -Petitioner
NW/s St. Agnes Lane, 194.50' SW of c/l of
Masefield Road (958 St. Agnes Lane)
1st Election District
1st Councilmanic District

SPH -Two-family dwelling on 1800 sq. ft. in lieu of required 8050 sq. ft.;
VAR -to permit lot width of 18' in lieu of 70' and side yard setbacks. APPEALED FROM SPECIAL HEARING PORTION ONLY.

4/27/94 -D.Z.C.'s Order in which Petitions for Special Hearing and Variances were DENIED.

ASSIGNED FOR: THURSDAY, SEPTEMBER 1, 1994 at 10:00 a.m.

cc: Thomas J. Schetelich, Esquire Counsel for Appellant /Petitioner
Mr. Douglas A. Strouse Appellant /Petitioner

Mr. & Mrs Matthew Stewart	Protestants
Ms. Margret Carson	Protestant
Mr. & Mrs. Henry J. Matelis	Protestants

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.



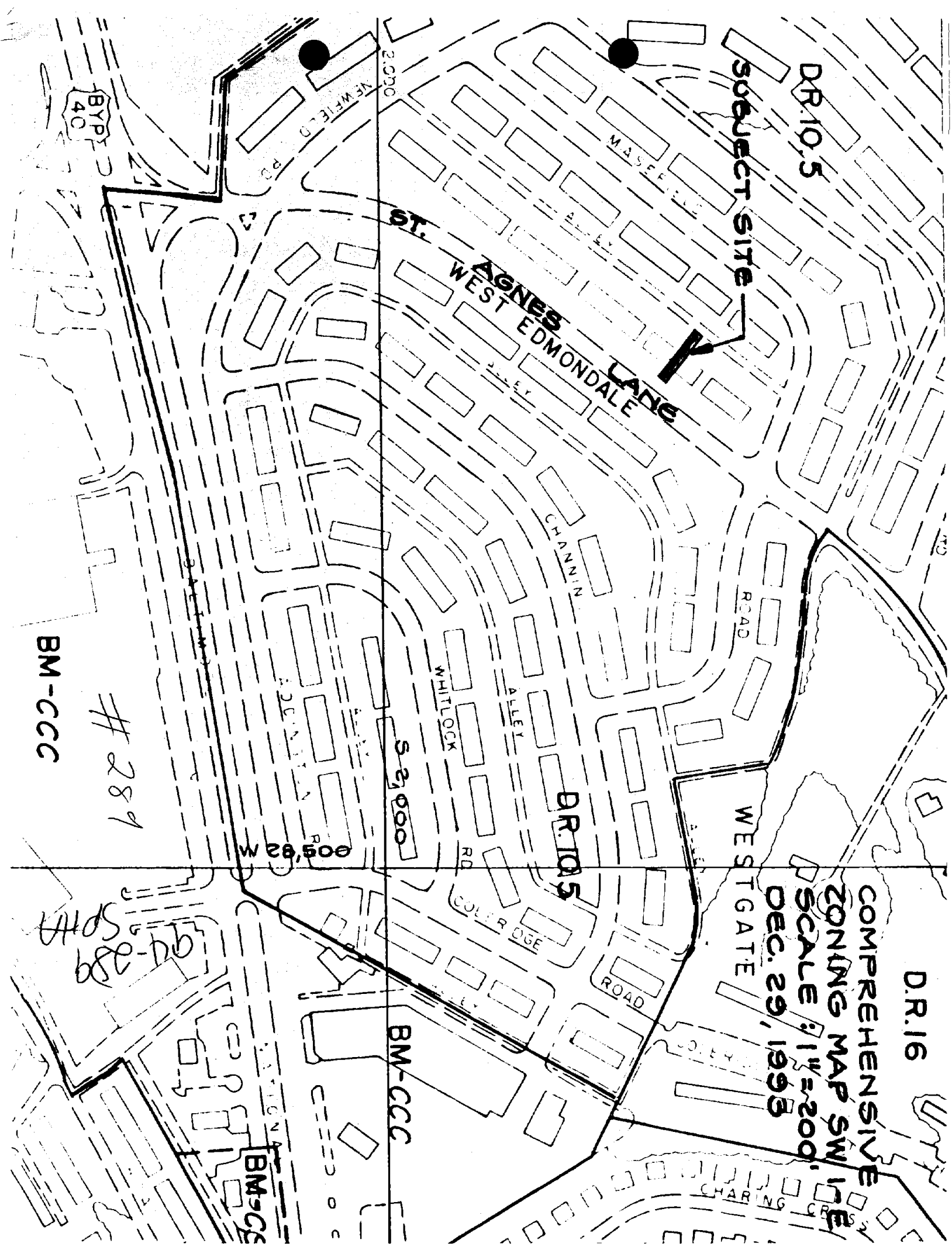
CASE NO. 94-289-SPHA

Douglas A. Strouse - Petitioner

NW/s St. Agnes Lane, 193.5' SW of the c/l
of Masefield Road (958 St. Agnes Lane)

1st District

Appealed: 5/26/94



DR.10.5

SUBJECT SITE

ST. AGNES LANE
WEST EDMONDALE

CHANNIN

ROAD

BM-CCC

#289

28,500

5,200

DR.10.5

WESTGATE

DR.16

COMPREHENSIVE
ZONING MAP SW 1/4
SCALE: 1"=200'
DEC. 29, 1993

BM-CCC

BM-CCC

CHANNIN

D.R.16

COMPREHENSIVE
ZONING MAP SW 1/4 E

SCALE: 1"=200'

DEC. 29, 1993

DR.10.5

SUBJECT SITE

WESTGATE

DR.10.5

BM-CCC

BM-CCC

BM-CCC

#289

4405 G to
688-70
S 2,000

W 28,500

S 2,000

CHANNIN

WHITLOCK

ALLEY

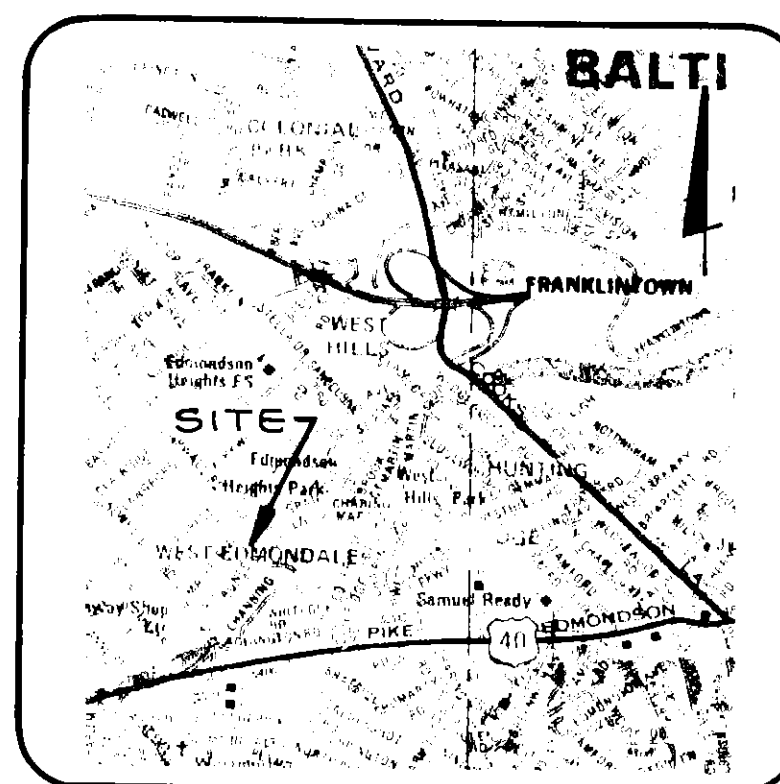
ST. AGNES
WEST EDMONDALE

BYP
40

PETITIONS REQUESTED

SPECIAL HEARING
TO PERMIT A TWO FAMILY DWELLING ON A LOT AREA
OF 1800 S.F. IN LIEU OF 8050 S.F. AND TO DETERMIN
THAT THE OVERALL DENSITY WILL NOT BE AFFECTED.

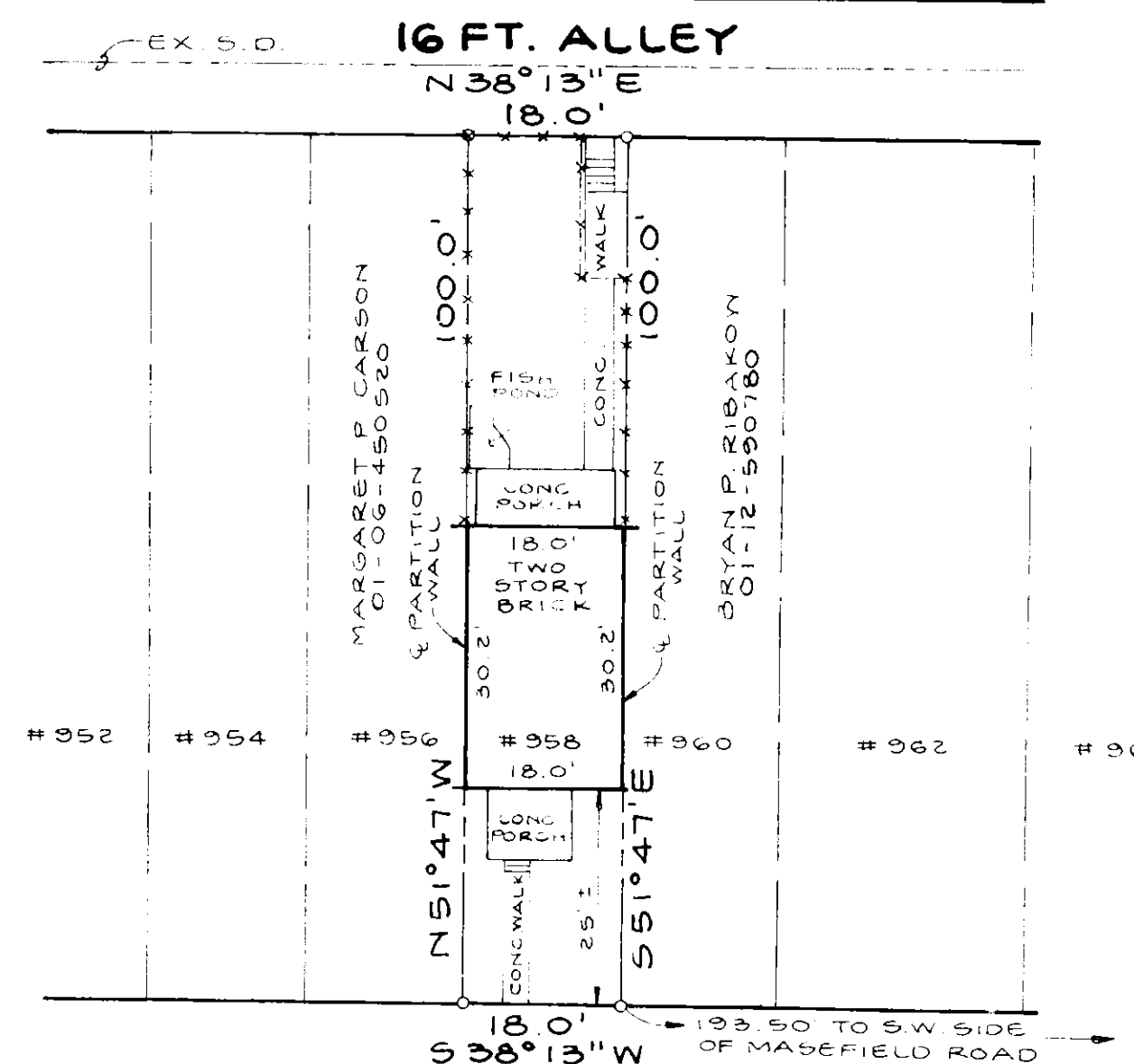
VARIANCE
TO PERMIT A LOT WIDTH OF 18 FT. IN LIEU OF 70 FT.,
SIDEYARD SETBACKS OF 0 FT. IN LIEU OF 15 FT.,
AND A SIDEYARD SETBACK SUM OF 0 FT. IN LIEU OF 30 FT.



VICINITY MAP
SCALE: 1" = 2000'

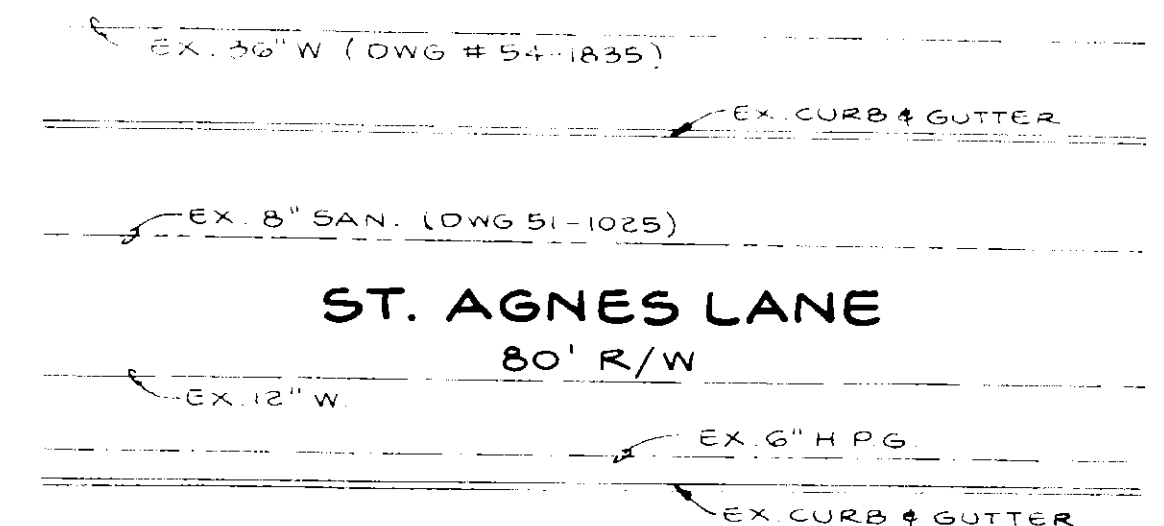
RESUBDIVISION OF PART OF PLAT FOUR WEST EDMONDALE 18/102

947 # 949 # 951 # 953 # 955 # 957



SITE DATA

LOT AREA: 1800 S.F. / 0.04± AC.
EXISTING ZONING: D.R. 10.5
EXISTING USE: SINGLE FAMILY
RESIDENTIAL
PROPOSED USE: MULTI-FAMILY
RESIDENTIAL
UTILITIES: EXISTING BALTIMORE CO.
METROPOLITAN WATER
AND SEWER
COUNCILMANIC DISTRICT: 1
TAX MAP: 95 - GRID: 15 - PARCEL: 230



949 # 951 # 953 # 955 # 957 # 959 # 961

PLAT THREE WEST EDMONDALE G.L.B. 18/31

94-289-SPHA

Robert E. Spellman

#289

GENERAL NOTE

THE IMPROVEMENTS FOR 958 ST. AGNES LANE WERE
TAKEN FROM A SURVEY PREPARED BY N.T.T. ASSOCIATES
INC. DATED MAY 12, 1993 AND UPDATED BY SPELLMAN,
LARSON & ASSOCIATES ON DEC. 29, 1993.

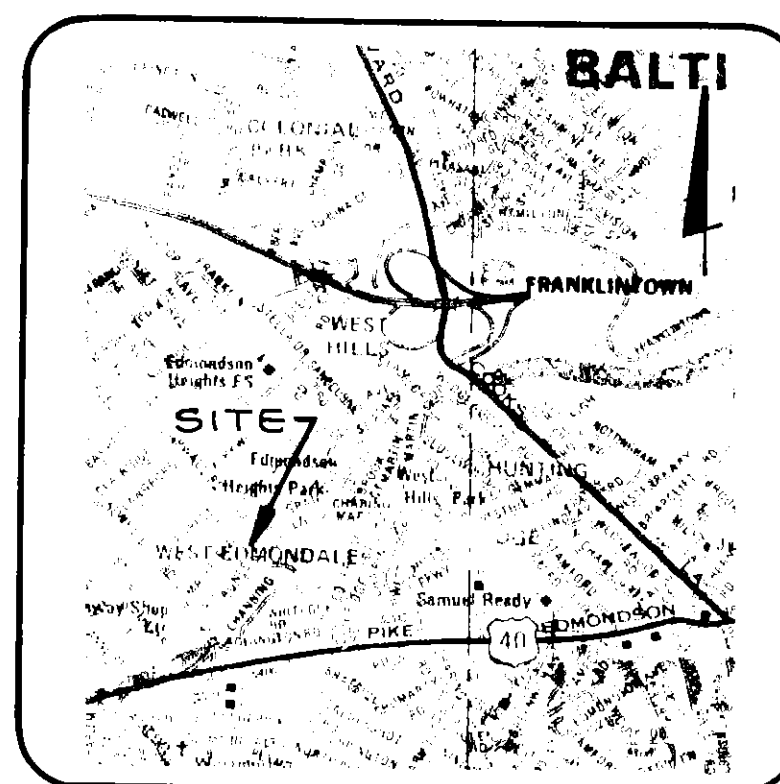
REVISIONS	
NO.	DESCRIPTION
1	21.94 REV PER ZONING COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC. CIVIL ENGINEERS AND LAND SURVEYORS SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204 PHONE 823-3535	
OWNER DOUGLAS A. STROUSE 10709 POT SPRINGS ROAD COCKEYSVILLE, MD 21030	
PLAT TO ACCOMPANY ZONING PETITION 958 ST. AGNES LANE PLAT THREE - WEST EDMONDALE 1 ST ELECTION DISTRICT BALTO CO., MD	
SCALE 1" = 20' DATE: 12-28-1993	DES. BY: N/A DRN BY: W D G

PETITIONS REQUESTED

SPECIAL HEARING
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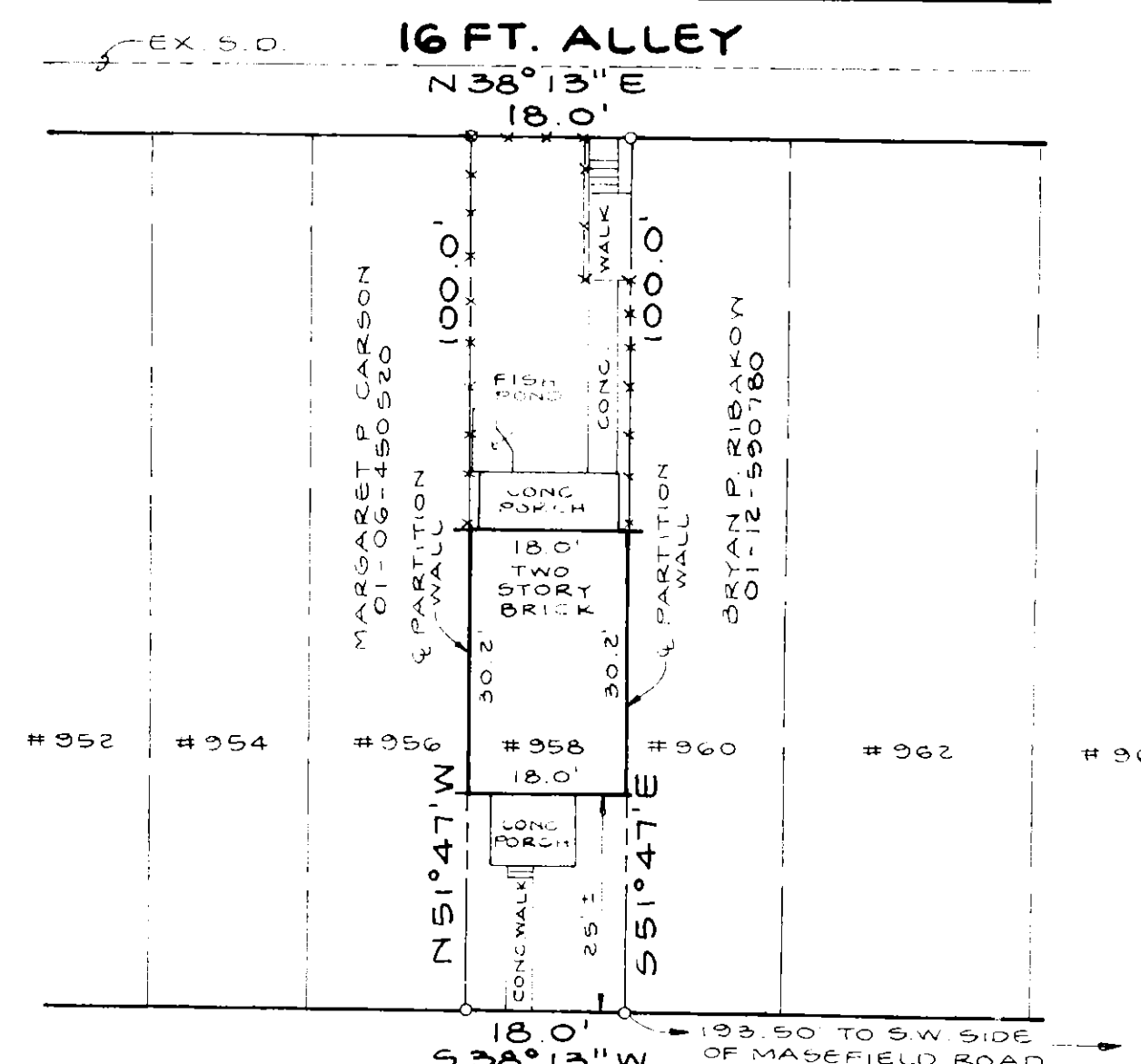
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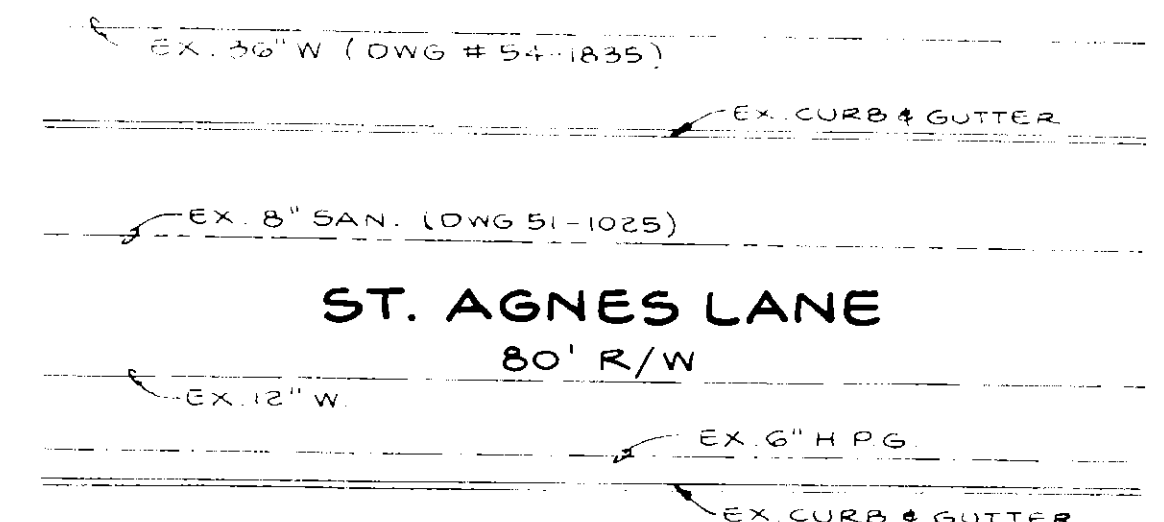
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947 # 949 # 951 # 953 # 955 # 957



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EXISTING USE: SINGLE FAMILY
RESIDENTIAL
PROPOSED USE: MULTI-FAMILY
RESIDENTIAL
UTILITIES: EXISTING BALTIMORE CO.
METROPOLITAN WATER
AND SEWER
COUNCILMANIC DISTRICT: 1
TAX MAP: 95 - GRID: 15 - PARCEL: 230



949 # 951 # 953 # 955 # 957 # 959 # 961

PLAT THREE WEST EDMONDALE G.L.B. 18/31

94-289-SPHA

Robert E. Spellman

289

NO.	DATE	REVISIONS	DESCRIPTION
1	12-28-1993	REV PER ZONING COMMENTS	

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 109, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE 823-3535

OWNER

DOUGLAS A. STROUSE
10709 POT SPRINGS ROAD
COCKEYSVILLE, MD 21030

PLAT TO ACCOMPANY ZONING PETITION

958 ST. AGNES LANE

PLAT THREE - WEST EDMONDALE

1ST ELECTION DISTRICT BALTO CO., MD

SCALE: 1" = 20' DES. BY: N/A
DATE: 12-28-1993 DRN BY: W D G SHT 1 OF 1

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LARSON & ASSOCIATES ON DEC. 29, 1993.

PETITIONS REQUESTED

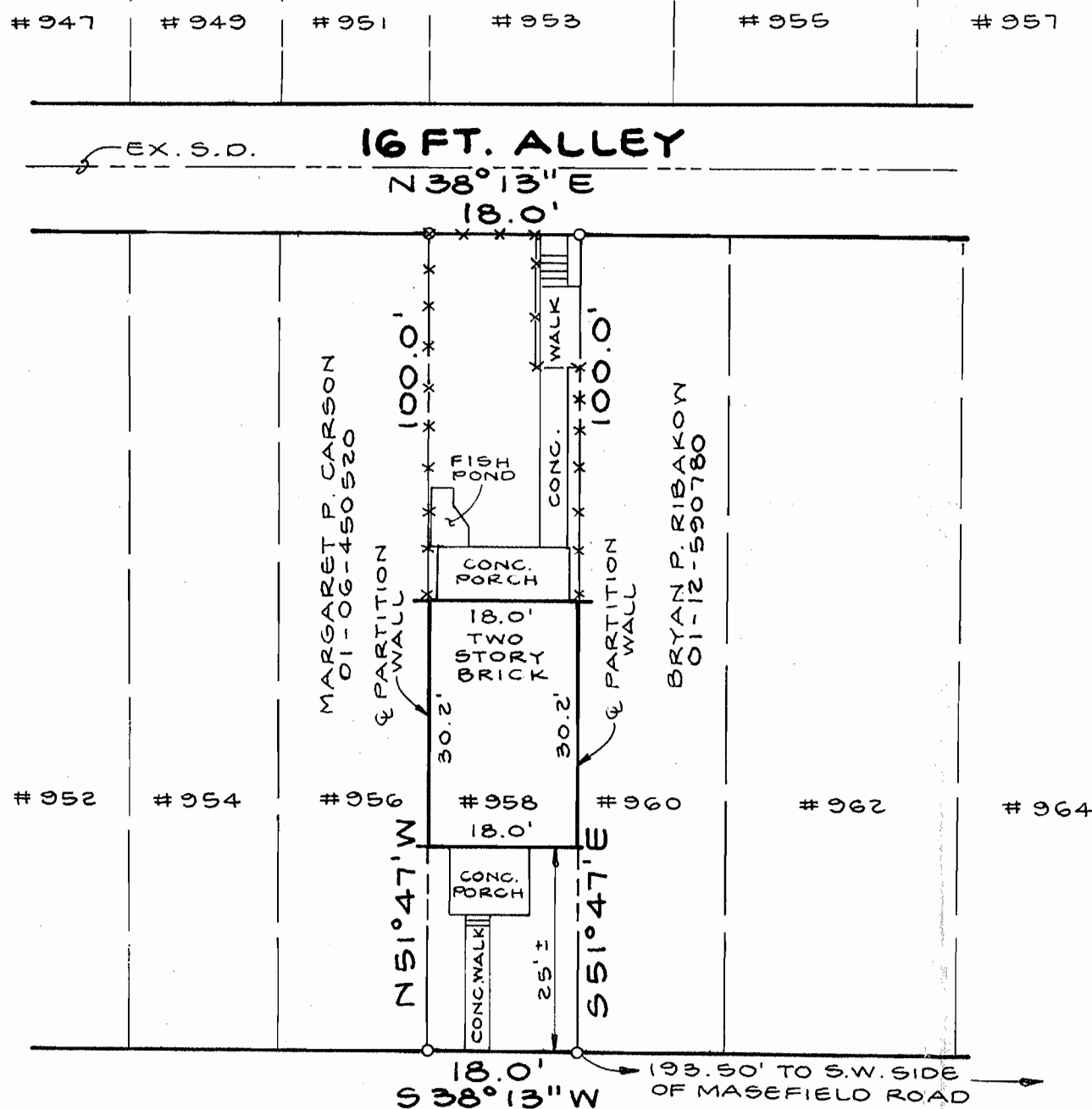
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VICINITY MAP
SCALE: 1" = 2000'

RESUBDIVISION OF PART OF PLAT FOUR WEST EDMONDALE 18/102



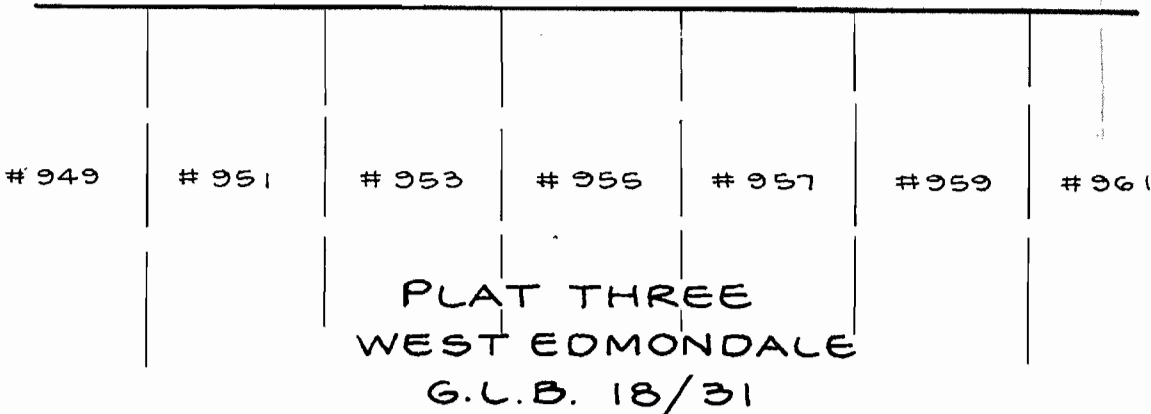
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94-289-SPHA



#289



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REVISIONS		
NO.	DATE	DESCRIPTION
1	1-21-94	REV. PER ZONING COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 109, JEFFERSON BLDG, TOWSON, MD., 21204
PHONE: 823-3535

OWNER
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COCKEYSVILLE, MD 21030

PLAT TO ACCOMPANY ZONING PETITION
958 ST. AGNES LANE
PLAT THREE - WEST EDMONDALE
1ST ELECTION DISTRICT BALTO.CO, MD

SCALE: 1" = 20'	DES. BY: N/A	SHT. 1 OF 1
DATE: 12-28, 1993	DRN. BY: W.D.G.	