

IN RE: PETITIONS FOR VARIANCE
E/S Maryland Avenue, 220' and 270' N
of the c/l Woodsdale Road
(510 and 512 Maryland Avenue)
1st Election District
1st Council District

Arthur A. Satti, Jr., Owner;
Wess Haven, LLC, Contract Purchasers

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Cases Nos. 01-042-A & 01-043-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The above-captioned matters came before this Zoning Commissioner at a combined public hearing for consideration of Petitions for Variance filed by the owner of the subject adjacent properties, Arthur A. Satti, Jr., and the Contract Purchasers, Wess Haven, LLC. The Petitioners seek relief from Sections 1B02.3.C and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, and a front yard setback of 25 feet in lieu of the required average setback of 35 feet for the properties known as 510 and 512 Maryland Avenue. Moreover, both Petitions seek approval of the subject lots as undersized lots to permit development with a single family dwelling. It is to be noted that the variance relief from the front yard setback requirement was amended during the course of proceedings so that a 30-foot front yard setback for each lot is now proposed.

Both cases were independently advertised and the respective properties were posted with notice of the hearing. Irrespective of this public notice, the only individuals who appeared at the hearing were the property owner, Arthur A. Satti, Jr., and Bruce D. Burton and Kristyn B. Wagner, on behalf of Wess Haven, LLC, the Contract Purchaser. There were no Protestants or other interested persons present.

As noted above, the subject lots are adjacent properties located in the residential community known as Catonsville Heights. This is an older community which was originally platted in the 1930s, prior to the adoption of the first zoning regulations in Baltimore County. As

ORDER RECEIVED FOR FILING

Date

By

originally platted, the community featured 20-foot wide by 120-foot deep lots. The subject properties consist of five combined lots from the original subdivision, numbered Lots 17 thru 21. Collectively, the parcel is 100 feet wide by 120 feet deep and contains a total area of 12,000 sq.ft.

Original Lots 17 and 18 are presently improved with a single family dwelling, known as 512 Maryland Avenue, which features an attached garage. The Petitioners propose to raze the dwelling and garage and re-subdivide the entire parcel into two lots. Each lot will be 50 feet wide by 120 feet deep and contain 6,000 sq.ft. in area, which is the minimum amount required under the D.R.5.5 zoning regulations. The Contract Purchasers then propose to develop each lot with a new single family dwelling. The new dwelling, to be known as 510 Maryland Avenue, will be located on that portion of the original tract consisting of Lots 21, 20 and half of original Lot 19. The new dwelling, to be known as 512 Maryland Avenue, will be located on that portion of the original tract consisting of Lots 17, 18 and the other half of Lot 19.

Building elevation drawings for the proposed dwellings have been submitted to the Office of Planning and reviewed. It was indicated at the hearing that the proposed dwellings will be compatible with the area and that the lot sizes are consistent with lots in this subdivision. In this regard, Mr. Burton indicated that lots in this community range from 4800 sq.ft. to 9600 sq.ft. in area. As noted above, there were no Protestants or other interested persons from the community who appeared in opposition.

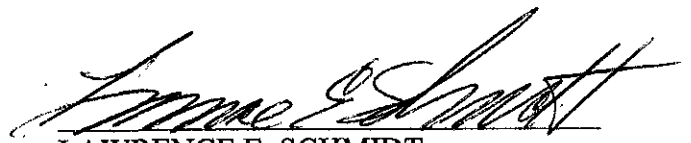
A Zoning Advisory Committee (ZAC) comment was received from the Office of Planning, dated August 11, 2000, which indicated that a minimum 30-foot front yard setback should be maintained. It was indicated that this setback would be consistent with other homes in the area. A similar comment was received from the Developer's Plans Review division of the Department of Permits and Development Management, which indicated that a 30-foot front yard setback was more appropriate in view of the existing right-of-way for Maryland Avenue. Thus, in open hearing the Petitioners amended their Petition so as to provide a full 30-foot front yard setback for each proposed dwelling. All other area (side and rear) setbacks will be maintained in accordance with County regulations.

Based upon the testimony and evidence offered, I am persuaded to grant the relief requested. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. in order for variance relief to be granted. The proposed subdivision and utilization of these five original lots is consistent with the scheme of housing in this community. Indeed, the new dwellings proposed will be an improvement over the existing structure.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of September, 2000 that the Petitions for Variance seeking relief from Sections 1B02.3.C and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, and a front yard setback of 30 feet in lieu of the required average setback of 35 feet for the properties known as 510 and 512 Maryland Avenue, in accordance with Petitioner's Exhibits 1, be and are hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed dwellings shall be constructed consistent with the architectural style and building materials shown on the building elevation drawings submitted to and approved by the Office of Planning.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 9/18/00

By LES

LES:bjs



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at #510 MARYLAND AVENUE

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 304,

1802.3.C AND 303.1; BC2R, TO PERMIT A LOT WIDTH OF 50 FT. IN LIEU OF THE REQUIRED 55 FT. AND A FRONT YARD SETBACK OF 25 FT. IN LIEU OF THE FRONT YARD AVERAGE SETBACK OF 35 FT. AND TO APPROVE THE SUBJECT LOT FOR BUILDING PERMIT AS AN UNDERSIZED LOT.

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

SEE ATTACHED ADDENDUM

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

WESS HAVEN LLC BRUCE D. BURTON (MANAGING MEMBER)

Name - Type or Print

Bruce D. Burton

Signature

9313 KNOLLSTONE COURT AID 461-8545

Address

Telephone No.

ELLICOTT CITY MD. 21042

City

State

Zip Code

Attorney For Petitioner:

N/A ATTORNEY TO ENTER APPEARANCE AT HEARING

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 01-042A

RECEIVED 9/15/98

Legal Owner(s):

ARTHUR A. SATTER JR

Name - Type or Print

Arthur A. Satter Jr.

Signature

Name - Type or Print

Signature

720 FRANKLIN AVE 410-876-8423

Address

Telephone No.

WILMINGTON MD 21157

City

State

Zip Code

Representative to be Contacted:

KRISTYN B. WAGNER, WESS HAVEN LLC

Name

20418 OLD YORK ROAD AID 357-4975

Address

Telephone No.

WHITE HALL MD. 21161

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 7-26-00

ORDER RECEIVED FOR FILING
Date 9/15/98
By [Signature]

ADDENDUM TO PETITION FOR VARIANCE
No. 510 AND No. 512 MARYLAND AVENUE

The petitioner, Wess Haven, LLC, requests relief from Section 1B02.3.c. to reduce the minimum lot width of fifty five (55) to fifty (50) feet and Section 303.1 to reduce the required average front yard depth to the minimum front setback of twenty five (25) feet.

The site is located on the east side of Maryland Avenue two hundred (200) feet north of Woodsdale Road. The property is comprised of five (5) twenty (20) foot wide by one hundred twenty (120) foot deep lots. The lots 17, 18, 19, 20 and 21, are platted as part of Block 11 "Catonsville Heights". The total land area of the 100 foot by 120 foot property equals 12,000 square feet. The property is improved by a one story frame dwelling and attached one car garage.

The local neighborhood is developed with a mixed housing stock constructed from the 1930's to the present. Housing types include well maintained bungalows, cape cods, ranchers, split foyers, traditionals using frame, brick or brick/frame construction. Due to the incremental development of the neighborhood, existing improvements of the east side of Maryland Avenue have been constructed with front setbacks varying from twenty five (25) feet to thirty five (35) feet from the right of way. Lot widths in the immediate neighborhood are as narrow as forty (40) foot. All property within the residential area is zoned DR 5.5. The local neighborhood has access to all public utilities including water, sewer, natural gas, telephone and electric. There are no storm drains within 50 foot of the property.

The petitioner proposes reconfiguring the five existing twenty foot wide lots into two (2), 50 foot by 120 foot deep lots with land area of 6,000 square foot each. The first lot closest to Woodsdale Road has an address reserved by Baltimore County and will be known as No. 510 Maryland Avenue. As proposed, the new lot will comprise all of lots 20 and 21 and the northernmost 10 foot of lot 19. The proposed configuration is vacant and unimproved. The immediately adjoining properties to the south of No. 510 are Nos. 506 and 508. No. 506 is a vacant forty (40) foot wide lot. No. 508 is a forty (40) foot wide lot improved by a one and a half story frame dwelling. The existing improvements are located approximately thirty (30) feet from the public right of way and eight (8) feet from No. 510's southerly side lot line. No. 510 is adjoined by No. 512 which is the second lot required by this petition. As stated earlier, No. 512 is improved by an existing one story frame dwelling and garage. The existing improvements are located approximately thirty five (35) feet from the front right of way line and four (4) feet from No. 512's northerly side lot line. The architectural style of the improvements and the current assessed value are not in character with the immediate neighborhood. The condition of the existing improvements and location preclude rehabilitation or renovation. The petitioner proposes removal of the No. 512 improvements. The immediately adjoining properties to the north of No. 512 are Nos. 514, 516, 518 and 520. No. 514 is a seventy (70) foot wide lot improved by a one and a half story cape cod and detached one car frame garage. The existing improvements are located approximately thirty five (35) feet from the right-of-way line and twenty five (25) feet from No. 512's northerly side lot line. The existing frame garage in No. 514's rear yard is located approximately three (3) feet from No. 512's northerly side lot line. Additional improvements to

the north of No. 512 include No. 516, a one story brick and frame dwelling set back approximately thirty five (35) feet from the right-of-way line and more recent construction of one story brick and frame dwellings at No. 518 and No. 520 set back twenty five (25) feet from the public right-of-way. The proposed new lot for No. 512 will comprise all of lots 17 and 18 and the southernmost ten (10) foot of lot 19.

Specific Responses To Variance Criteria:

A. The petitioner's request to reduce the lot width and front setback is due to the property being unique, unusual and different from surrounding properties. The property's uniqueness causes the zoning regulations to be applied to the subject property more stringently than surrounding properties.

The subject property is 100 feet wide by 120 feet deep, containing 12,000 square feet. The property, as platted, was created prior to the implementation of current zoning regulations in 1945. At the time of enactment of the zoning regulations, the property complied with both the lot width (50 feet) and lot area (5,000 square feet), and all other provisions of the 'A' Residence Zone (Cottage). The intention of purpose of the regulations provided the owners with the ability to create two lots by matter of right. Subsequent amendments to the regulations increased the lot width requirements to fifty five (55) feet. This increase in lot width caused the property to become too narrow to comply with the bulk regulations of the DR 5.5 zone. In addition, the provisions of 'Section X- General Exceptions to Use and Area Requirements', permitted reduction of lot widths below fifty (50) feet and side yards to five (5) feet if the lot was platted or recorded prior to the zoning regulations. This provision allowed construction of adjoining properties with a forty (40) foot width. This provision is no longer permitted by current regulation.

The requested reduction in front setback permits the petitioner to construct detached residential units both compatible with the narrow building envelope and the surrounding neighborhood. The narrow building construction necessitates construction of a thirty (30) foot wide maximum unit. The petitioner's tentative architecture anticipates utilization of a unit with approximately 1,200 square feet of floor area. Using a twenty eight (28) foot unit width, the units would be approximately forty eight (48) feet deep, with the unit set back one (1) foot from the twenty five (25) foot front setback. A rear yard depth of approximately forty six (46) feet is provided or 2,300 square feet of useable outside living space. Reduction of the front setback provides a better outside living area for potential residents and maintains the staggered unit frontage previously established along the street scape. Therefore, the property's uniqueness (narrowness) provides compliance with the variance criteria.

B. 1. The petitioner cannot make reasonable use of the subject property. Strict compliance with the regulations could provide one lot with adequate frontage of fifty five (55) feet and the remaining lot with forty five (45) feet of frontage. However, a frontage variance would still be

necessary for the forty five (45) foot wide lot. Also, the architectural units with a twenty five (25) foot width are not available or practical. Therefore, the petitioner's reasonable use of the property is secured by granting the fifty (50) foot lot width and setback reduction for both lots.

2. As stated earlier, the practical difficulty and hardship encountered by the petitioner is a result of the enactment of recent zoning regulations that are more restrictive than previous regulations in effect when the property could be compliant. Also, existing improvements located on adjacent properties preclude acquisition of land necessary to provide compliance. Therefore, the difficulties and hardship are peculiar to the subject property.

B. 3. The hardship is not due to the petitioner's actions. The petitioner desires to purchase land corresponding to lot lines recorded by plat prior to implementation of the current zoning regulations.

C. No increase in density than allowed by current zoning regulations is proposed. The gross property area of 12,000 square feet provides compliance with the minimum lot area per Section 1B02.3.c.1.

D. The relief requested is in strict harmony with the spirit and intent of the regulations. The petitioner's request conforms to the stated purpose of the zoning regulations by providing orderly development of the property and providing greater certainty about dwelling types and density within the existing community. Therefore, the goal of conserving and maintaining the local neighborhood is secure.

E. Granting relief to the petitioner's request will not incur injury to the public health, safety and general welfare. All public utilities are existing within the public right-of-way and will be utilized. The property fronts on public right-of-way with paved access roads. The proposed lots can be provided with off-street parking. The general welfare within the local community will be maintained.

Please grant the petitioner's request.

ZONING DESCRIPTION FOR No. 510 MARYLAND AVENUE

Beginning at a point on the east side of Maryland Avenue which is forty (40) feet wide at the distance of two hundred twenty (220) feet north of the centerline of the nearest improved intersecting street Woodsdale Road which is forty (40) feet wide. Being Lot Nos. 20, 21 and the northernmost ten (10) foot portion of Lot 19, Block 11, in the subdivision of "Catonsville Heights," as recorded in Baltimore County Plat Book No. 6, Folio 178 containing six thousand (6,000) square feet, also known as No. 510 Maryland Avenue and located in the 1st Election District, 1st Councilmanic District.

043

01-042-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083506

DATE 7-26-00 ACCOUNT Pool-6150
AMOUNT \$ 50.00

RECEIVED FROM: WES HARTEN
FOR: (SUN) LAB.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT DATE TIME
7/29/2000 7/27/2000 14:58:19
REG NAME C-SHOP MART INC BALTIMORE
Dept 5 028 BIDDING VERIFICATION
Receipt # 17197
CD NO 06746
Receipt for
100.00 OF
Baltimore County, Maryland

01-042-A

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-042-A

510 Maryland Avenue

E/S Maryland Avenue, 220' N of centerline Woodside Road

1st Election District -- 1st Councilmanic District

Legal Owner(s): Arthur A. Satti, Jr.

Contract Purchaser: Wess Haven LLC

Variance: to permit a lot width of 50 feet in lieu of the required 55 feet and a front yard setback of 25 feet in lieu of the front yard average setback of 35 feet and to approve the subject lot for building permit as an undersized lot.

Hearing: Tuesday, September 12, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bostey Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

8/25/00 August 24

C414305

CERTIFICATE OF PUBLICATION

TOWSON, MD, 8/25/, 2000

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 8/24/, 2000.

THE JEFFERSONIAN,
J. Wilkins

LEGAL ADVERTISING

ZONING NOTICE

Case # 10-042-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: 510 Maryland Ave. Midway City
TIME & DATE: 9:00 AM, Sept. 12, 1966

VARIANCE TO PERMIT A LOT WIDTH OF 30 FEET IN lieu of
THE REQUIRED 55 FEET AND A FRONT YARD SETBACK
OF 25 FEET IN lieu of THE FRONT YARD SETBACK
OF 35 FEET AND TO ABANDON THE SUBJECT LOT
FOR DOWNTOWN PERMIT AS AN OVERSIZED LOT

510 Maryland Ave.

POSTPONEMENT DUE TO WEATHER OR OTHER CONDITIONS ARE POSSIBLE
NECESSARY TO CONSIDER HEARING
CALL 561-4341 THE DAY BEFORE THE HEARING HEARINGS ONLY
IF YOU ARE NOT HERE YOU WILL BE CONSIDERED AS NOT
HEARING AND THEREFORE NO RECORD

510 Maryland Ave.

CERTIFICATE OF POSTING

**RE: CASE # 01-042-A
PETITIONER/DEVELOPER
(Wess Haven LLC)
DATE OF Hearing
(9-12-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

510 Maryland Ave. Baltimore, Maryland 21228_____

THE SIGN(S) WERE POSTED ON_____ 8-28-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

RE: PETITION FOR VARIANCE
510 Maryland Avenue, E/S Maryland Ave,
220' N of c/I Woodsdale Rd
1st Election District, 1st Councilmanic

Legal Owner: Arthur A. Satter, Jr.
Contract Purchaser: Wess Haven LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-42-A

* * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Arthur A. Satter, Jr., 720 Franklin Avenue, Westminster, MD 21157, and to Contract Purchaser Wess Haven LLC, c/o Kristyn B. Wagner, 20418 Old York Road, White Hall, MD 21161, Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 8, 2000

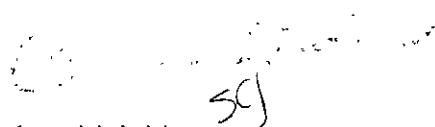
NOTICE OF ZONING HEARING

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CASE NUMBER: 01-042-A
510 Maryland Avenue
E/S Maryland Avenue, 220' N of centerline Woodsdale Road
1st Election District – 1st Councilmanic District
Legal Owner: Arthur A. Satti, Jr.
Contract Purchaser: Wess Haven LLC

Variance to permit a lot width of 50 feet in lieu of the required 55 feet and a front yard setback of 25 feet in lieu of the front yard average setback of 35 feet and to approve the subject lot for building permit as an undersized lot.

HEARING: Tuesday, September 12, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a faint circular stamp.

Arnold Jablon
Director

C: Arthur Satti, Jr., 720 Franklin Avenue, Westminster 21152
Wess Haven LLC, c/o Bruce Burton, 9313 Knollstone Court, Ellicott City 21042
West Haven LLC, c/o Kristyn Wagner, 20418 Old York Road, White Hall 21161

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 28, 2000.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-042-A

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 24, 2000 Issue – Jeffersonian

Please forward billing to:
Wess Haven, LLC
9313 Knoll Stone Court
Ellicott City, MD 21042

410-461-8545

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-042-A

510 Maryland Avenue

E/S Maryland Avenue, 220' N of centerline Woodsdale Road

1st Election District – 1st Councilmanic District

Legal Owner: Arthur A. Satti, Jr.

Contract Purchaser: Wess Haven LLC

Variance to permit a lot width of 50 feet in lieu of the required 55 feet and a front yard setback of 25 feet in lieu of the front yard average setback of 35 feet and to approve the subject lot for building permit as an undersized lot.

HEARING: Tuesday, September 12, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

501
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

01-042-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 042

Petitioner: WESS HAVEN, LLC

Address or Location: 510 MARYLAND AVENUE
CATONSVILLE, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: WESS HAVEN, LLC

Address: 9313 KNOLL STONE COURT
ELLCOTT CITY, MD 21042

Telephone Number: (410) 461-8545

Revised 2/20/98 - SCJ

01-042-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

September 6, 2000

Arthur Satti, Jr.
720 Franklin Avenue
Westminster, MD 21152

Dear Mr. Satti:

RE: Case Number: 01-042-A, 510 Maryland Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 26, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Wess Haven LLC, c/o Bruce Burton, 9313 Knollstone Court, Ellicott City 21042
Wess Haven LLC, c/o Kristyn Wagner, 20418 Old York Road, White Hall 21161
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 29, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 17, 2000
Item No. 042

The Bureau of Development Plans Review has reviewed the subject zoning item. Maryland Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

August 23, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 7, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

037, 038, 039, 041, 042, 043, 044,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *m/RBS*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of August 7, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
037	8617 Oakleigh Road
038	6771 Real Princess Lane
039	9001 Marcella Avenue
042	510 Maryland Avenue
043	512 Maryland Avenue
045	6605 Dogwood Road
005 Revised	7424 Longfield Drive

As per
9/1/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 11, 2000

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

SUBJECT: 510 Maryland Avenue

INFORMATION:

Item Number: 01-042

Petitioner: Arthur A. Satti

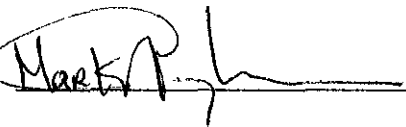
Zoning: DR 5.5

Requested Action: Variance

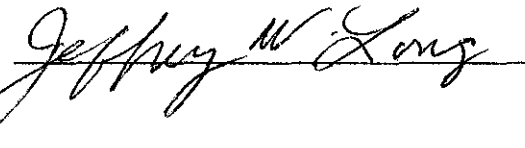
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a lot width of 50 feet in lieu of the required 55 feet. However, this office has determined that the proposed dwelling should have a front yard setback that is consistent with the development pattern in the area. The front yard average setback of 30 feet should be maintained.

Prepared by:



Section Chief:



AFK:MAC

AUG 11

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

8/14/00

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

FROM: Arnold Jablon, Director
Department of Permits & Development Management

RE: Undersized Lots

Residential Processing Fee Paid
(\$50.00)

Accepted by _____
Date _____

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

WESS HAVEN LLC 9313 KNOLLSTONE COURT ELLICOTT CITY, MD. 21042 410 461-8545
Print Name of Applicant Address Telephone Number
Lot Address 1510 MARYLAND AVENUE Election District 1st Councilmanic District 1st Square Feet 6000
Lot Location: NE S W side/corner of MARYLAND AVE. 200 feet from NE S W corner of WOODSDALE ROAD
(street) (street)
Land Owner: ARTHUR A. SATTI, JR. ET AL. Tax Account Number 0119000980
Address: 720 FRANKLIN AVE. WESTMINSTER, MD. 21157 Telephone Number (410) 876 8423

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan	☒	☐
Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly)	☒	☐
Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: DR5.5		

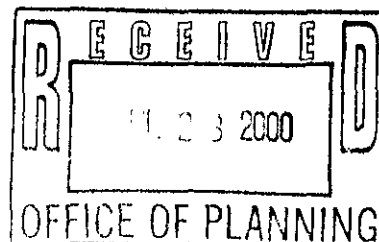
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

CASE # 01-042A

Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation



Date: 8/14/00

Revised 2/25/99

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES
WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED
Reference - Section 303.1 Baltimore County Zoning Regulations**

303.1 --In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the front side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

#518	25	
#516A	35	FT.
#514B	35	FT.
#512C	35	FT.
#508D	30	FT.
#506E	50	FT.
F		FT.

$$\text{TOTAL (210) } \div (6) = \boxed{35}$$

* of dwellings REQUIRED FRONT SETBACK (averaged)

WESS HAVEN LLC

applicant's name

#510 MARYLAND AVE.

building address

7/24/00

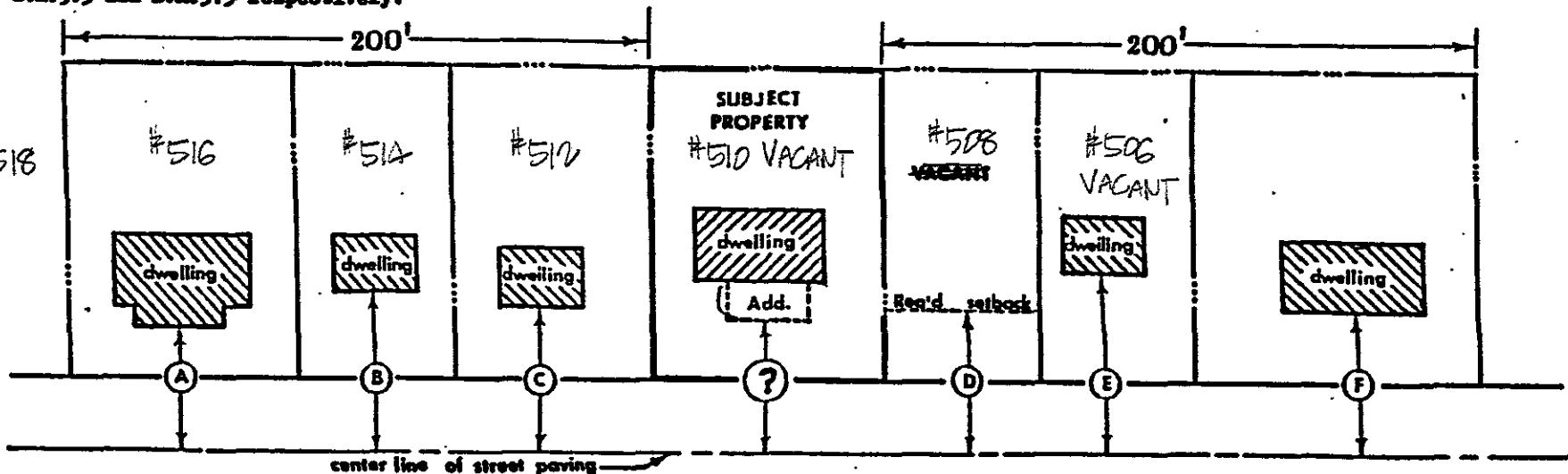
date

THE REQUIRED SETBACK REPRESENTS
THE DISTANCE FROM R/W LINE
NORMAL REQUIRED SETBACKS

D.R.2 - 65 ft.

D.R.3.5- 55 ft.

D.R.5.5- 50 ft.



04.2

01-042-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BRUCE D. BURTON, WESS HAVEN LLC

9313 KNOLLSTONE CT

ELLICOTT CITY, MD 21042

KRISTYN B. WAGNER
WESS HAVEN, LLC

20418 OLD YORK ROAD

WHITE HALL, MD 21161

ARTHUR A. SATTE JR

720 FRANKLIN AVE

NEWMINSTER, MD 21157





SIDEVIEW #512 MARYLAND AVE.



FRONT & SIDEVIEW #512 MARYLAND AVE.

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLICOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL. DIST. BALTO. CO. MD.

Date:
7/25/00

Drawn:
WH

Scale:
NONE

Job No.:

Sheet:
1 OF 9



#514
FRAME
GARAGE

SIDE VIEW #512 MARYLAND AVE./#514 GARAGE BEYOND



#514 →

SIDE YARD #512/ #514 MARYLAND AVENUE

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLICOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL. DIST. BALTD. CO. MD.

Date:
7/25/00

Drawn:
WH

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NONE

Job No.:

Sheet:
2 OF 9



#514 MARYLAND AVE FROM SIDE OF #512 MARYLAND AVE.



SIDE VIEW #508 MARYLAND AVE. LOOKING ACROSS #510 (VACANT LOT)

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLICOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL. DIST. BALTO. CO. MD.

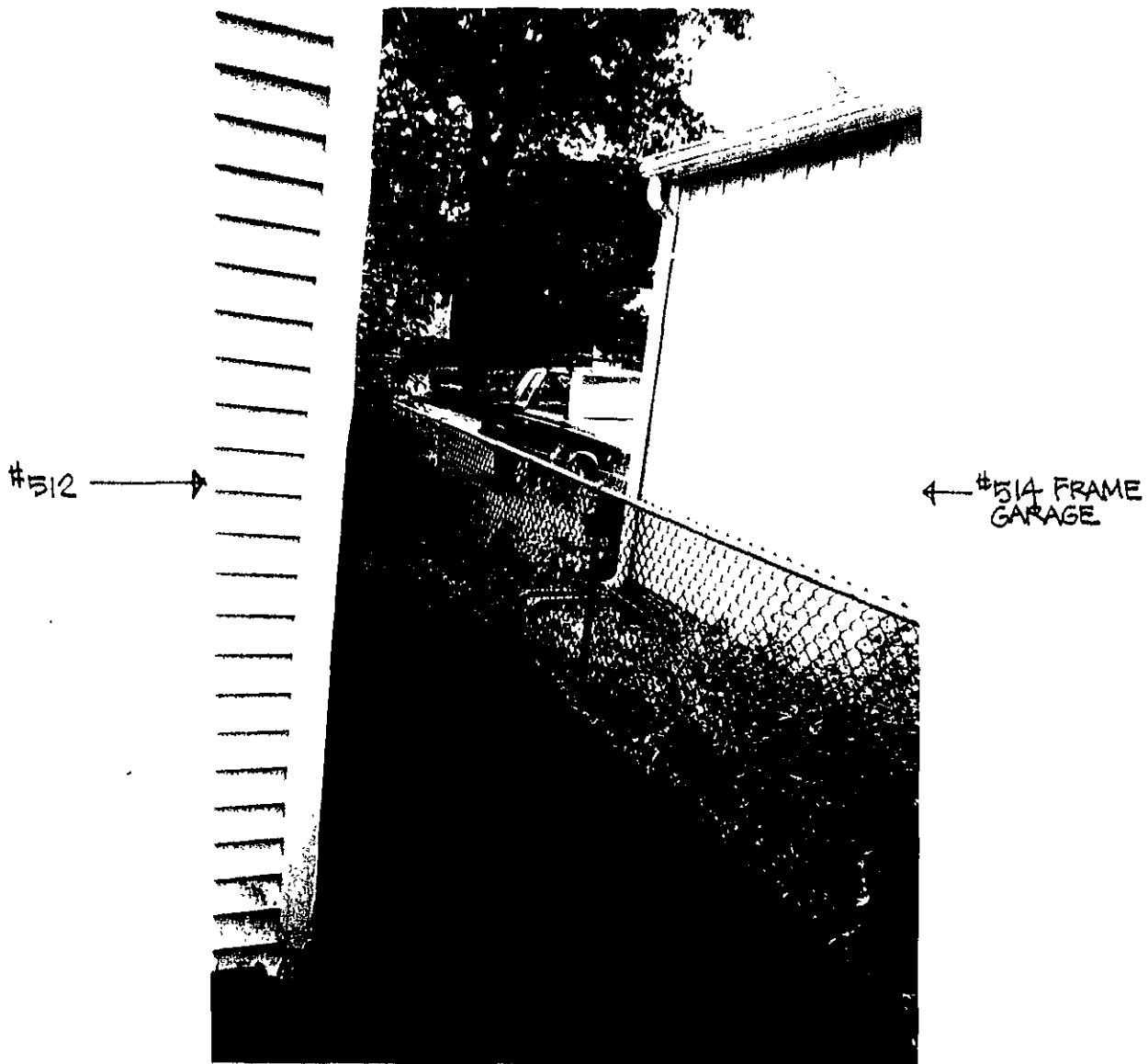
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7/25/00

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3 OF 9



SIDE YARD #512/#514 MARYLAND AVE.

WESS HAVEN LLC
 9313 KNOLLSTONE COURT
 ELLICOTT CITY, MD. 21042
 410 461-8545

Title: PHOTOGRAPHIC EXHIBIT #510 & #512 MARYLAND AVENUE 1 st EL. DIST. 1 st COUNCIL. DIST. BALTO. CO. MD.		
Date: 7/25/00	Drawn: WH	
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FRONT VIEW #508 MARYLAND AVE.

WESS HAVEN LLC
 9313 KNOLLSTONE COURT
 ELLICOTT CITY, MD. 21042
 410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
 #510 & #512 MARYLAND AVENUE
 1st EL. DIST. 1st COUNCIL. DIST. BALTO. CO. MD.

Date:
 7/25/00

Drawn:
 WH

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 NONE

Job No.:

Sheet:
 5 OF 9



LOOKING NORTH ALONG MARYLAND AVE. #510/#512 @ FOR SALE SIGN



LOOKING SOUTH ALONG MARYLAND AVE. #510/#512 @ FOR SALE SIGN

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLICOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL. DIST. BALTO. CO. MD.

Date:

7/25/00

Drawn:

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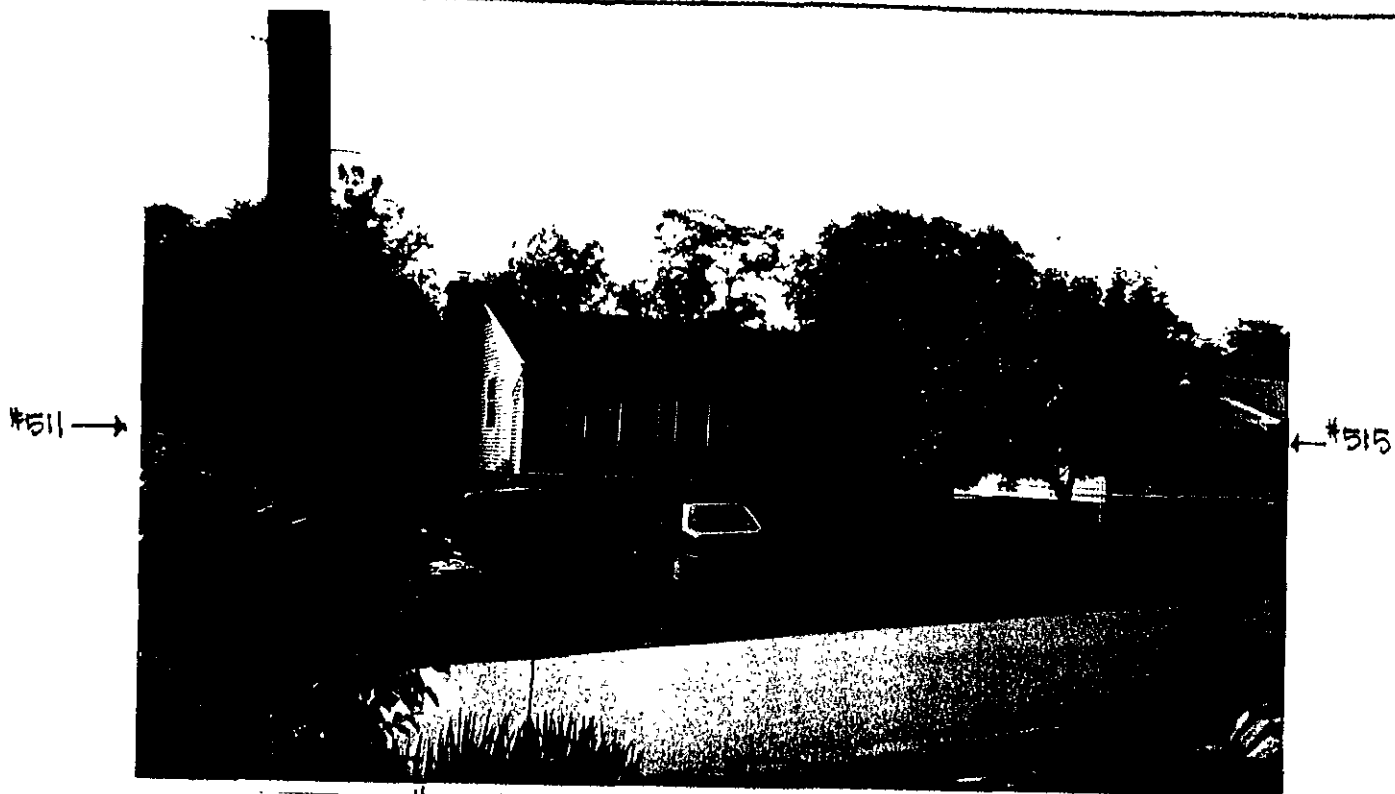
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6 of 9



#513 MARYLAND AVENUE



#511 MARYLAND AVENUE

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLICOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL DIST. BALTO. CO. MD.

Date:
7/25/00

Drawn:
WH

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NONE

Job No.:

Sheet:
7 of 9



#516 MARYLAND AVE.



#518 MARYLAND AVE.

WESS HAVEN LLC
9313 KNOLLSTONE COURT
ELLCOTT CITY, MD. 21042
410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
#510 & #512 MARYLAND AVENUE
1st EL. DIST. 1st COUNCIL. DIST. BALTO. CO. MD.

Date:
7/25/00

Drawn:
WH

Scale:
NONE

Job No.:

Sheet:
8 OF 9



#520 MARYLAND AVE.

WESS HAVEN LLC
 9313 KNOLLSTONE COURT
 ELLICOTT CITY, MD. 21042
 410 461-8545

Title: PHOTOGRAPHIC EXHIBIT
 #510 & #512 MARYLAND AVENUE
 1st EL. DIST. 1st COUNCIL DIST. BALTO. CO. MD.

Date:
 7/25/00

Drawn:
 WH

Scale:
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Job No.:

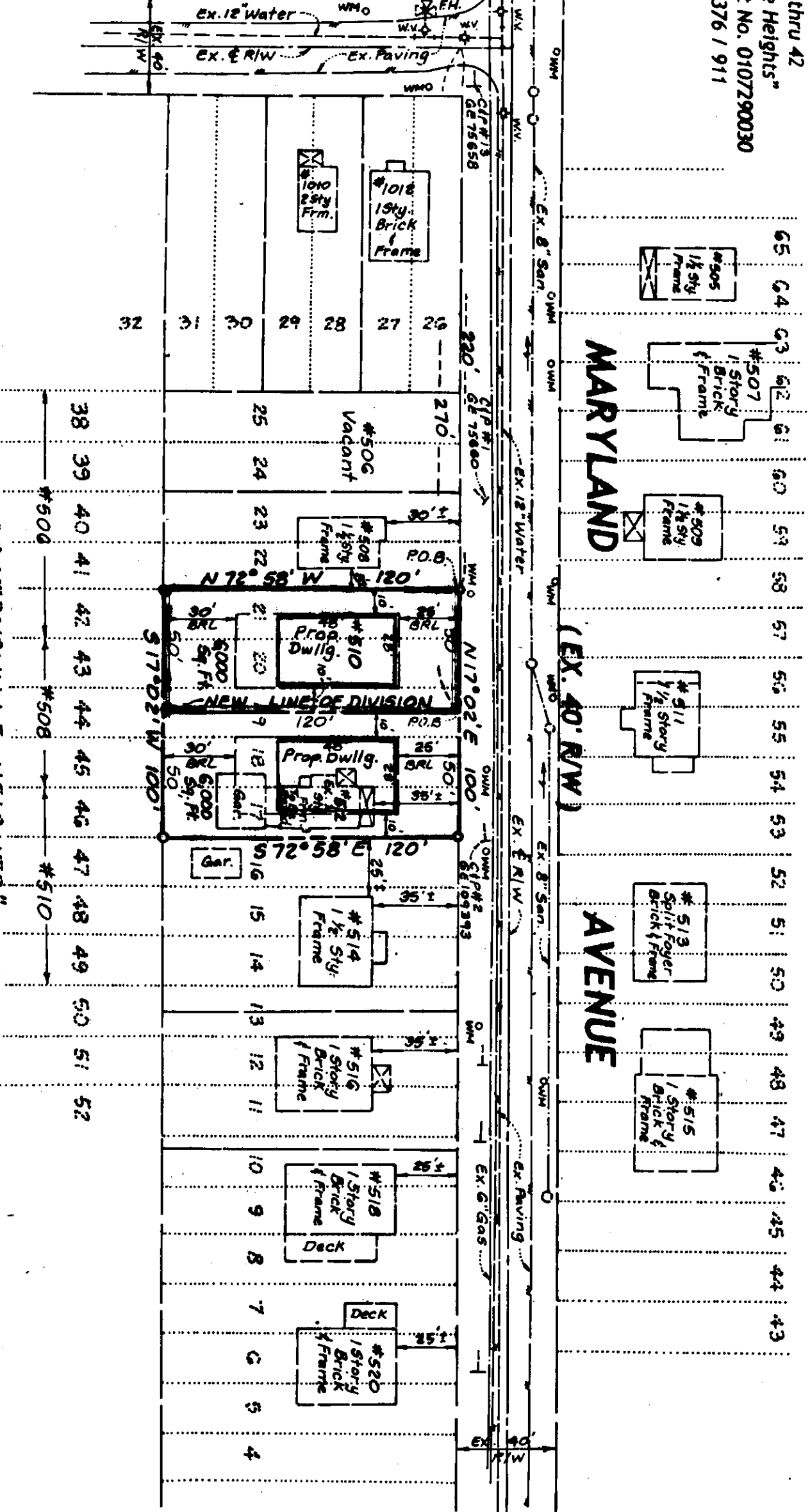
Sheet:
 9 OF 9

ADJACENT OWNERS:

1. 508 MARYLAND AVENUE
Owner: Guy M. Gottschall
Lot Nos. 22 thru 25
"Catonsville Heights"
Tax Account Nos. 0107470180
0107470181
Deed Ref: 10965 / 1
2. 514 MARYLAND AVENUE
Owners: Jean I. And Sheila R. Randlett
Lot Nos. 14, 15, 16 and P/O 13
"Catonsville Heights"
Tax Account No. 0113400320
Deed Ref: 14295 / 745
3. 506 LAFAYETTE AVENUE
Owners: John E. and Linda J. Miegel
Lot Nos. 38 thru 42
"Catonsville Heights"
Tax Account No. 0107290030
Deed Ref: 5376 / 911
4. 508 LAFAYETTE AVENUE
Owners: Ronald P. and Donna J. Matocastio
Lot Nos. 43, 44 and 45
"Catonsville Heights"
Tax Account No. 0113206720
Deed Ref: 4532 / 625
5. 510 LAFAYETTE AVENUE
Owner: Alice Poddisky
Lot Nos. 46 thru 49
"Catonsville Heights"
Tax Account No. 0116600001
Deed Ref: 14466 / 672

"CATONSVILLE HEIGHTS"
BLOCK 5
WPC P.B. 6 F. 178
ZONED: DR 5.5

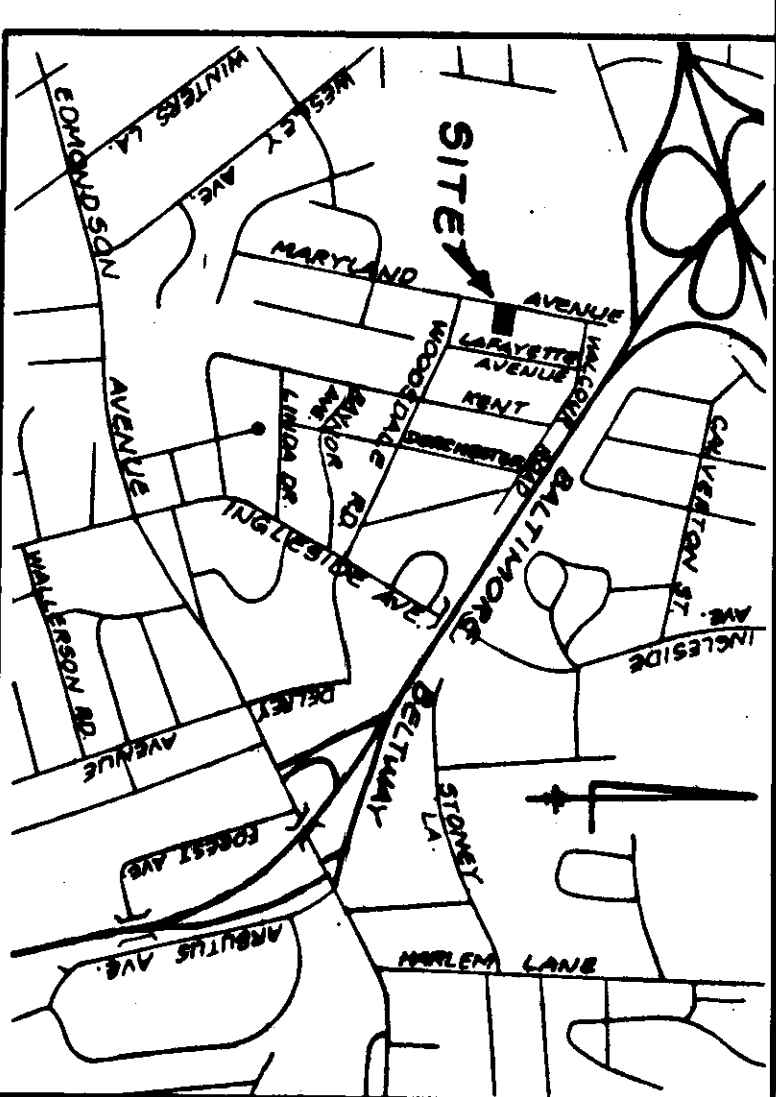
WOODSDALE ROAD (EX. 40' R/W)



LAFAYETTE AVENUE (EX. 40' R/W)

OWNER:
Arthur A. Satti, Jr., et al
720 Franklin Avenue
Westminster, MD 21157
(410) 876 - 8423

APPLICANT / DEVELOPER:
Wess Haven, LLC
9313 Knoll Stone Court
Ellicott City, MD 21042
(410) 461 - 8545



VICINITY MAP
Scale: 1" = 1000'

NOTES:

1. Current title reference: Catherine G. Satti 10/10/91 Liber 8945 Folio 252, Platbook WPC 6 F. 178
2. Tax Account No. 0119000980
3. Councilmanic District: 01
4. Current Zoning: DR 5.5
5. Gross and Net Area: 6,000 Sq. Ft. or 0.13774 Ac. +/-
6. Topography shown hereon is taken from Baltimore County 200 scale topo map S.W. 2-F.
7. Proposed lot created will utilize public water and public sewer systems.
8. There is no zoning history. All property within 200 feet of the subject property is zoned DR 5.5.
9. There are no streams, storm water management drainage or pipe systems within 50 feet of the property. No 100 year flood plain affects this property.

No. 510 and No. 512 Maryland Avenue
Plan To Accompany Petition For Zoning Variance
"CATONSVILLE HEIGHTS"

Block 11
Lots 17 thru 21
1st Election District Baltimore Co., MD
Scale: 1" = 50' Date: July 27, 2000

01-042-A

SW 2-F

ZONING MAP
FED. MARYLAND AVE

01-042-A



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

DATE OF PHOTOGRAPHY
JANUARY 1988

SCALE
1" = 200'

LOCATION
CATONSVILLE

SHEET
2-1

THE BALTIMORE COUNTY COUNCIL
ADOPTED
OCTOBER 1, 1984
RECEIVED
JANUARY 1, 1988

Karin Kanawitz
Planning and Zoning Officer

THIS MAP WAS MADE AVAILABLE TO THE PUBLIC FOR REVIEW AND COMMENT BY THE BALTIMORE COUNTY COUNCIL ON OCTOBER 1, 1984.



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 15, 2000

Mr. Arthur A. Satti, Jr.
720 Franklin Avenue
Westminster, Maryland 21042

RE: PETITIONS FOR VARIANCE
E/S Maryland Avenue, 220' and 270' N of the c/l Woodsdale Road
(510 and 512 Maryland Avenue)
1st Election District – 1st Council District
Arthur A. Satti, Jr., Owner; Wess Haven, LLC, Contract Purchasers - Petitioners
Cases Nos. 01-042-A and 01-043-A

Dear Mr. Satti:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have been granted, 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Kristyn B. Wagner and Mr. Bruce D. Burton
Wess Haven, LLC, 9313 Knollstone Court, Ellicott City, Md. 21042

People's Counsel; Office of Planning; Case File

