

IN RE: UNDERSIZED LOT
W/S Wagner Avenue, 2,210' N of
Eastern Boulevard
(100 Wagner Avenue)
15th Election District
5th Council District

Walter Fringer, et ux
Applicants

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-077
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a building permit application filed by the owners of the subject undersized lot, Walter and Catherine Fringer, pursuant to Section 304.2 of the Baltimore County Zoning Regulations (B.C.Z.R.). That Section allows the owner(s) of an undersized lot to obtain a building permit for the construction of a single family dwelling in certain circumstances. Specifically, notice of the proposal is posted on the property for a period of 15 days during which time, any property owner residing within 1,000 feet of the property in question can request a hearing on the matter. In this case, the adjacent property owner, Lisa Fedorka, requested that a hearing be held. Thus, the matter was scheduled for a public hearing on October 5, 2001.

Appearing at the hearing were Mr. & Mrs. Fringer, along with a number of neighbors who support their request, including Patricia Nevins. Also appearing on behalf of the applicants were Vincent J. Moskunus, a representative of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property, and Steven Smith. Appearing in opposition was Lisa Fedorka.

Testimony and evidence presented revealed that the subject property is an unimproved, waterfront lot, located with frontage on North East Creek near Back River, not far from Eastern Boulevard in Essex. The property is also identified as Lot 35 on the Puhl Plat, which was recorded in 1925, well prior to the adoption of the B.C.Z.R. As is generally the case with older

ORDER RECEIVED FOR FILING
Date 10/15/01
By [Signature]

subdivisions, the lot is 50' x 150' in dimension and does not meet current specifications for a buildable lot. Although the lot is large enough in terms of area (7500 sq.ft.), its width is 5 feet less than the 55-foot width required in the D.R.5.5 zone.

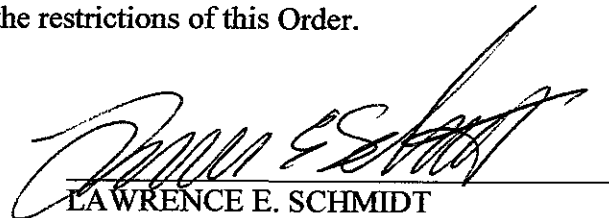
Testimony and evidence presented indicated that the applicants acquired the property in 1948 and do not own any adjacent land. The lot has been vacant for many years; however, many neighbors in the vicinity have used the property without permission to access North East Creek or to park or store motor vehicles. In any event, the applicants are under contract to sell the property to Steven Smith who wishes to develop same with a single family dwelling. Initially, the applicants proposed a dwelling 31' x 30' in dimension, with side yard setbacks of 10 feet on each side. However, at the suggestion of the Office of Planning, the applicants reduced the size of the proposed dwelling so that a 13-foot setback would be maintained on each side. Thus, a proposed building envelope of 24' x 28' is shown on the revised plan marked as Petitioner's Exhibit 1.

Based upon the testimony and evidence offered, I am persuaded to grant the relief. The proposal is entirely consistent with other houses in the subdivision. Indeed, the adjacent Fedorka lot is only 40 feet wide, and other lots in the subdivision are generally 50 feet wide. The revised building envelope will insure that an adequate side yard setback is maintained on both sides. Moreover, it is to be noted that no variances are being requested and there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency. However, in view of the property's waterfront location, the proposed development must be in compliance with Chesapeake Bay Critical Areas requirements.

Pursuant to the advertisement, posting of the property, and public hearing held, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore county this 15th day of October, 2001 that the Application for a building permit to develop the subject undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Applicants may apply for their building permit and be granted same upon receipt of this Order; however, Applicants 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) Compliance with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), dated October 3, 2001, a copy of which is attached hereto and made a part hereof, to mitigate any impacts the proposed development might have on the Chesapeake Bay.
- 3) The proposed dwelling shall be constructed within the revised building envelope shown on Petitioner's Exhibit 1.
- 4) 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

LES:bjs

ORDER RECEIVED FOR FILING
Date 10/2/01
By [Signature]



Baltimore County
Zoning Commissioner

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

October 12, 2001

Mr. & Mrs. Walter Fringer
16730 Tammany Manor Road
Williamsport, Md. 21795

RE: UNDERSIZED LOT HEARING
W/S Wagner Avenue, 2,210' N of Eastern Boulevard
(100 Wagner Avenue)
15th Election District – 5th Council District
Walter Fringer, et ux - Petitioners
Case No. 02-077

Dear Mr. & Mrs. Fringer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The building permit application for the subject undersized lot has 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: Mr. Vincent Moskunus, Site Rite Surveying, Inc.
200 E. Joppa Road, Towson, Md. 21286
Mr. Steven Smith, 8010 Solley Road, Glen Burnie, Md. 21060
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401/
Office of Planning; DEPRM; People's Counsel; Case File





FORMAL DEMAND FOR HEARING

CASE NUMBER: _____

Address: 100 Wagner Ave

Petitioner(s): _____

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

(We) Bruce & Lisa Fedorka
Name - Type or Print

☒ Legal Owner OR ☐ Resident of
166 Wagner Ave
Address

Essex MD 21221
City State Zip Code

410-391-2421
Telephone Number

which is located approximately 20 ft. feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.

[Signature] 9/6/01
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj

02-077-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

578

DATE 9/6/01 ACCOUNT 2004 006 6150
AMOUNT \$ 40.00

RECEIVED FROM: LISA FEDORKA
FOR: HEARING REQUEST

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAID BY ACTUAL TIME
9/6/01 9/6/2001 13:19:37
MSO CASHIER DOOL DND DRAWER 2
CEJ 155320 OFLN
5 128 ZONING VERIFICATION
ID. 005780

Receipt To: 40.00
00.00 CE .00 CA
Baltimore County - Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

405

DATE 8-14-01 ACCOUNT R-001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: J & S Ventures Inc

FOR: Undersize Lot Filing fee
1 Lot 35 Wagner Ave.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
8/14/2001 8/14/2001 9:17:01
RECEIVED CASHIER DR. DR. DRIVER 2
RECEIPT # 152441 OFLN

5.00 ZONING VERIFICATION
00.00

Receipt Tot 50.00
50.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE AND HEARING
READING**

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: #Undersized Lot #35
100 Wagner Avenue,
W/S Wagner Avenue, 2210
N of Eastern Boulevard
15th Election District
5th Councilmanic District
Legal Owner(s): Catherine
& Walter Fringer
Format Demand For Hear-
ing: to build a dwelling on
an undersized lot.
Hearing: Friday, October 5,
2001 at 9:00 a.m. in Room
407, County Courts Build-
ing, 401 Bosley 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 concern-
ing the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.

9/19/99 Sept. 20 6494677

CERTIFICATE OF PUBLICATION

9/20, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 9/20, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

ZONING NOTICE

BUILDING PERMIT APPLICATION

#100 WAGNER AVENUE

A REQUEST TO ALLOW A BUILDING PERMIT TO CONSTRUCT A SINGLE FAMILY DWELLING ON AN UNDERSIZED LOT

PUBLIC HEARING ?

PURSUANT TO SECTION 304.4, BALTIMORE COUNTY REGULATIONS,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED BUILDING PERMIT, PROVIDED THE REQUEST IS

RECEIVED BY THE ZONING BOARD BEFORE

5:00 P.M. ON SEPTEMBER 7, 2001

REQUEST FOR HEARING MUST REFER TO THE ADDRESS OF THIS SIGN

FOR MORE INFORMATION, CONTACT THE ZONING BOARD AT 410-386-7200

OR VISIT THE ZONING BOARD WEBSITE AT www.baltimorecountymd.gov/zoning

FOR A LIST OF ELIGIBLE INDIVIDUALS OR GROUPS, SEE THE ZONING BOARD WEBSITE

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ZONING NOTICE

BUILDING PERMIT APPLICATION

#100 WAGNER AVENUE

A REQUEST TO ALLOW A BUILDING PERMIT TO CONSTRUCT A SINGLE FAMILY DWELLING ON AN UNDERSIZED LOT

PUBLIC HEARING ?

PURSUANT TO SECTION 304.4, BALTIMORE COUNTY REGULATIONS,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED BUILDING PERMIT, PROVIDED THE REQUEST IS

RECEIVED BY THE ZONING BOARD BEFORE

5:00 P.M. ON SEPTEMBER 7, 2001

REQUEST FOR HEARING MUST REFER TO THE ADDRESS OF THIS SIGN

BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by John Sullivan on 8-14-01
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm a current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date then the decision shall only be rendered after the required public special hearing.

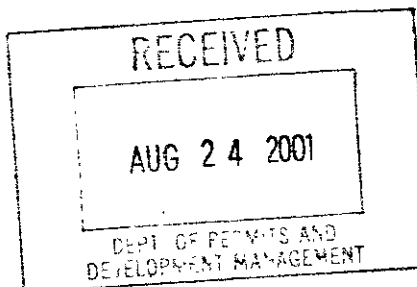
*SUGGESTED POSTING DATE 8-24-01 D (15 Days Before C)

DATE POSTED 8-23-01HEARING REQUESTED? YES ☐ NO ☐ - DATE _____CLOSING DAY (LAST DAY FOR HEARING DEMAND) 9-7-01 C (B-3 Work Days)TENTATIVE DECISION DATE 9-13-01 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: # 100 WAGNER AVENUEPosted by: Barbara E. Moore
SignatureDate of Posting: 8-23-01Number of Signs: 1

Revised 2/25/99

ZONING NOTICE

UNDERSIZED LOT # 35
CASE # 100 WAGNER AVENUE

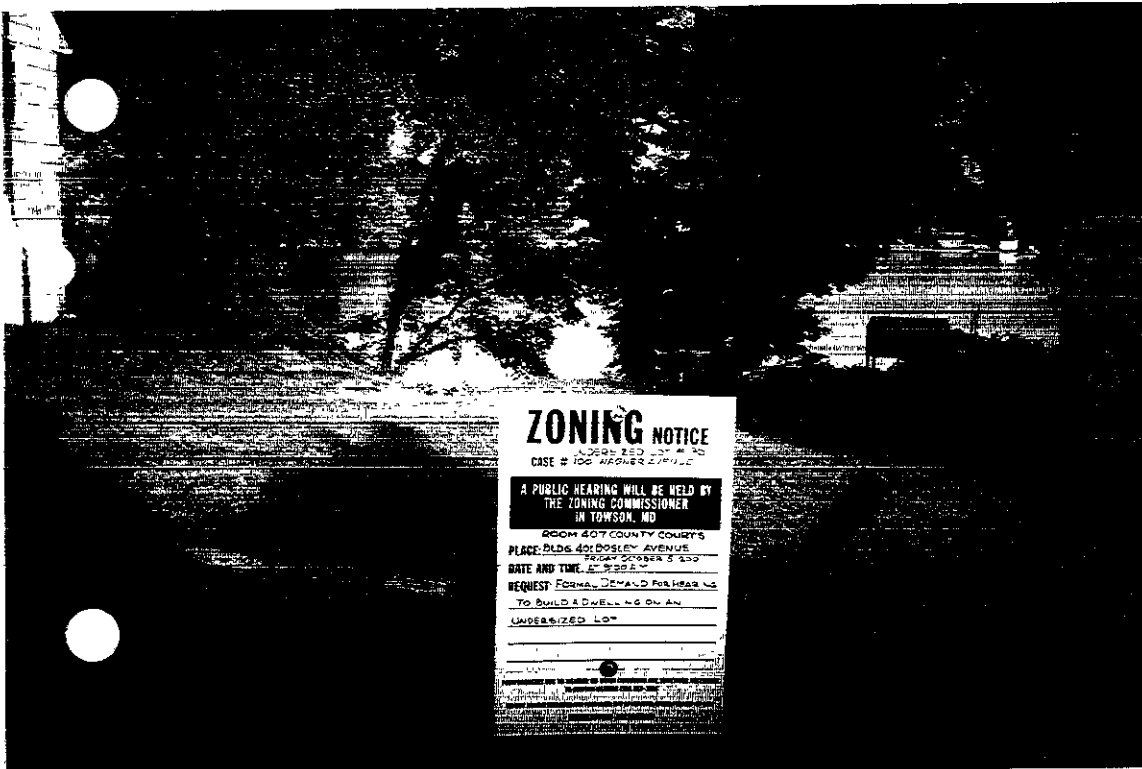
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407 COUNTY COURTS
PLACE BLDG 401 BOSLEY AVENUE

FRIDAY, OCTOBER 5, 2001
DATE AND TIME: AT 9:00 A.M.

REQUEST FORMAL DEMAND FOR HEARING

TO BUILD A DWELLING ON AN
UNDERSIZED LOT



CERTIFICATE OF POSTING

UNDERSIZED LOT # 35

RE: Case No.: 100 WAGNER AVE,

Petitioner/Developer: WALTER FRINGER
/o Mr. STEVE SMITH

Date of Hearing/Closing: OCT. 5, 2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #100 WAGNER AVENUE

The sign(s) were posted on SEPT. 19, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 20, 2001 Issue – Jeffersonian

Please forward billing to:

Bernadette L. Moskunas
200 E Joppa Road, Room 101
Towson MD 21286

410 828-9060

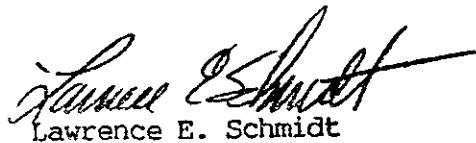
NOTICE OF ZONING HEARING

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: Undersized Lot # 35
100 Wagner Avenue
W/S Wagner Avenue, 2210 N of Eastern Boulevard
15th Election District – 5th Councilmanic District
Legal Owners: Catherine & Walter Fringer

Formal Demand For Hearing to build a dwelling on an undersized lot.

HEARING: Friday, October 5, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G)Z
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.



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

September 10, 2001

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: Undersized Lot # 35
100 Wagner Avenue
W/S Wagner Avenue, 2210 N of Eastern Boulevard
15th Election District – 5th Councilmanic District
Legal Owners: Catherine & Walter Fringer

Formal Demand For Hearing to build a dwelling on an undersized lot.

HEARING: Friday, October 5, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon G D Z
Director

C: Catherine & Walter Fringer, 16730 Tammany Manor Road, Williamsport 21795
Lisa & Bruce Fedorka, 66 Wagner Avenue, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, SEPTEMBER 20, 2001.**
(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.



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 28, 2001

Catherine & Walter Fringer
16730 Tammany Manor Road
Williamsport MD 21795

Dear Mr. & Mrs. Fringer:

RE: Case Number: 02-077 Undersized Lot #35, 100 Wagner Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 24, 2001.

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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Bernadette Moskunas, Site Rite Surveying Inc, 200 E Joppa Road, Room 101,
Towson 21286
Lisa & Bruce Fedorka, 66 Wagner Avenue, Baltimore 21221
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: October 16, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For September 24, 2001
Item Nos. 071, 072, 073, 074, 075, 076,
077, 078, 079, 081, 082, 083, 084, and
085

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

September 19, 2001

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 September 17, 2001

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:

071, 072, 075, 076, 077, 079, 080, 081, 082, 083, and 084

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

cc: File

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



LS.
Undersized Lot
10/5/01

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley
DATE: October 3, 2001
SUBJECT: Zoning Item 077
Address 100 Wagner Road

Zoning Advisory Committee Meeting of 9/17/01

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ If streams or wetlands occur on or within 200 feet of the property, the development of the property may need to comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Kieth Kelley

Date: 10/3/01

fig
10/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 26, 2001

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

SEP 28

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-077

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: [Signature]

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.19.01

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

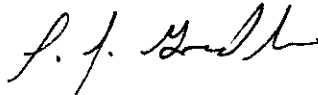
RE: Baltimore County
Item No. 0777 JJS

Dear Ms. Jackson:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


1- Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

RE: REQUEST FOR FORMAL HEARING TO
BUILD DWELLING ON UNDERSIZED LOT
100 Wagner Avenue, W/S Wagner Ave,
2210' N of Eastern Blvd
15th Election District, 5th Councilmanic

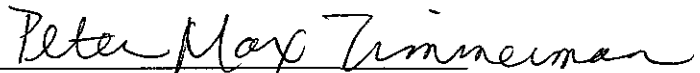
Legal Owner: Walter & Catherine Fringer
Petitioner(s)

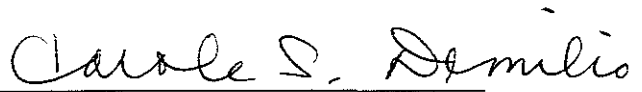
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-77-A

* * * * *

ENTRY OF APPEARANCE

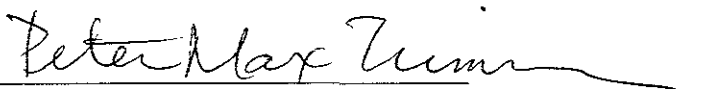
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation 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 2nd day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunus, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 10, 2001

Catherine & Walter Fringer
16730 Tammany Manor Road
Williamsport MD 21795

Dear Mr. & Mrs. Fringer:

RE: Demand for Public Hearing, Undersized Lot Approval, Lot #35 100 Wagner Avenue

The purpose of this letter is to officially notify you that a request for Formal Demand For Hearing filed by Bruce & Lisa Fedorka on September 6, 2001 has resulted in a timely demand on Lot #35, 100 Wagner for a public hearing concerning your proposed undersized lot. I regret to inform you that we are withholding approval of your use permit because it has been superseded by a demand for a public hearing, pursuant to Section 304.4. of the Baltimore County Zoning Regulations (BCZR).

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G.D.Z.
Supervisor
Zoning Review

C: Lisa & Bruce Fedorka, 66 Wagner Avenue, Baltimore 21221



INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FOR

ITEM 077

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. _____

Residential Processing Fee Paid
(\$50.00)

Accepted by _____
Date _____

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

RE: Undersized Lots

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:

Site Rite Surveying, Inc.
Bernadette L. Moskunas 200 E. Joppa Road Room 101 Towson MD 410 828-9060
Print Name of Applicant Address Telephone Number

Lot Address Lot 35 Wagner Avenue Election District 15 Councilmanic District 5 Square Feet 7500 SF

Lot Location: N E SW side/corner of Wagner Avenue 2210 feet from NE SW corner of Eastern Blvd.
(street) (street)

Land Owner: Walter & Catherine Fnniger Tax Account Number 1506571340

Address: 16730 Tammany Manor Road Williamsport, MD Telephone Number (410) 439-3183
21795 c/o Steve Smith

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: D.P. 5.5		

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:

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

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

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

The application for your proposed Building Permit application has been reviewed and is accepted for filing by John Sullivan on 8-14-01
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 8-24-01 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 9-7-01 C (B-3 Work Days)

TENTATIVE DECISION DATE 9-13-01 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
SITERITE SURVEYING, INC
VINCENT J. MOSKUNAS

Mari Singer

Patricia Reeves

Steve Smith

ADDRESS

200 E. Joppa Rd. Towson, MD 21286
16730 Trammery Manor Rd Wisp, MD
~~100 Wagner Lane Dalt MD 21231~~

54 Wagner Ave.

8010 Solley Rd Glen Burnie Md 21060



The residents of Wagner Lane would like it to be known that we feel a dwelling built on the property at 100 Wagner Lane would enhance the neighborhood and increase the value of our homes and property. We do not object to a dwelling built on the property and would welcome it.

1. Patricia Reeves
54 Wagner Ave.
2. James Jerry Griffin
48 Wagner Ave
3. Paul & Kathleen Schipke
50 Wagner Ave
21221
4. Helen V Nocar
52 Wagner Ave
5. Kathleen Maans
5 Redglen Rd.
6. Mrs Maans
37 Terrace Rd
7. Mr Mrs George Adams
39 Turner Road
8. Marie Ann Snijer
100 Wagner Lane
21221
- 9.
- 10.

1st
NOB

Lisa Fedorka

66 Wagner Ave
Essex, MD. 21221

I am requesting a hearing in
connection with the under-sized lot
approval for 100 Wagner Ave.

Lisa Fedorka



Lot 35



Front Lot 35 + House on Lot 36



Across Street from Lot 35 Looking South

1st No 2



Front Lot 35 + House on Lot 34



Across Street from Lot 35 Looking North

C 50

EAST

EEK

SITE

PIERS

D.R. 5.5

D.R. 5.5

D.R. 5.5

D.R. 5.5

BL

BR-4S

BL

100 WAGNER AVENUE
NE 1 F-G
15TH DIST

N 4,000

E 36,000

E 36,000

N 57,000

N 57,000

N 3,000

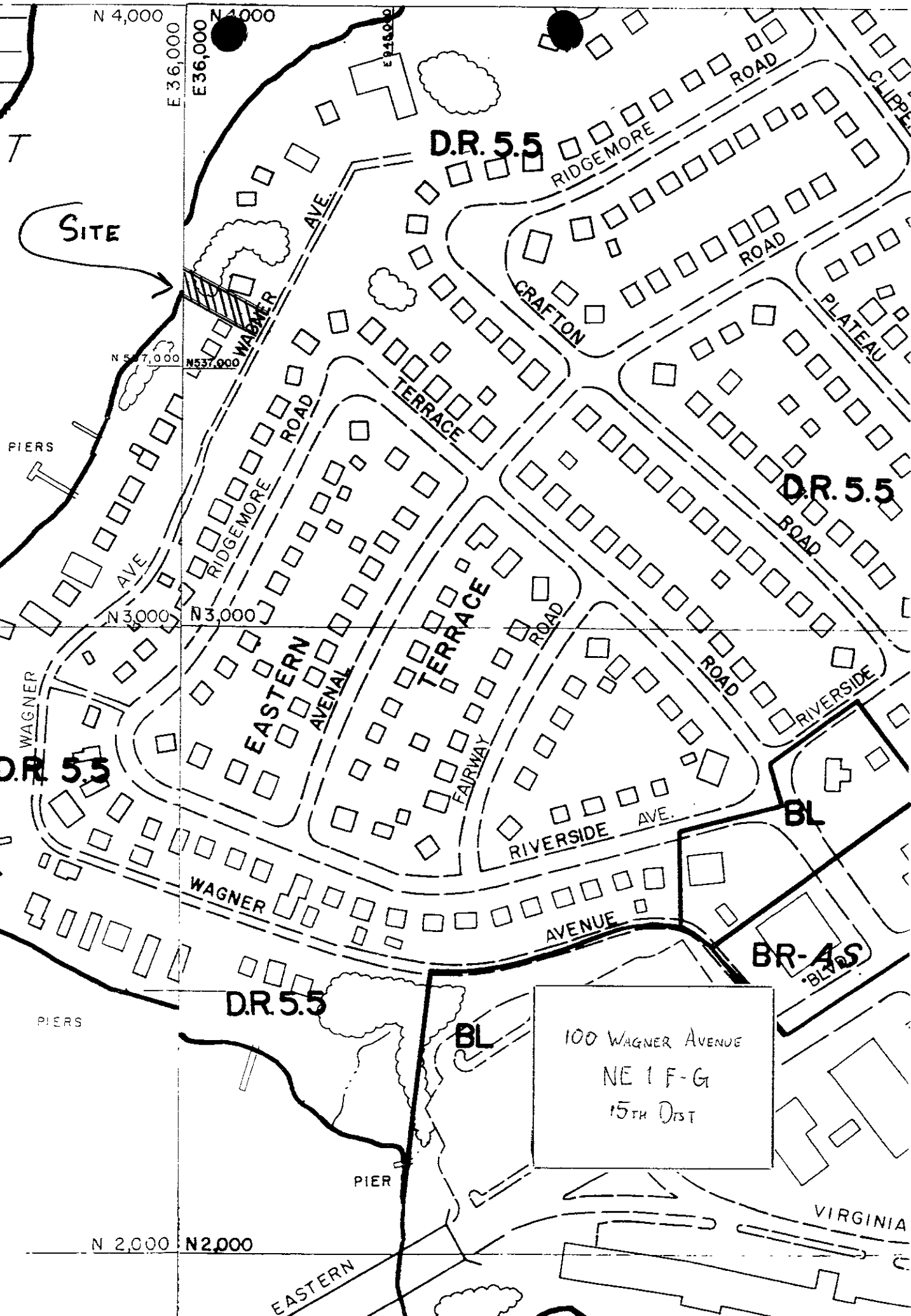
N 3,000

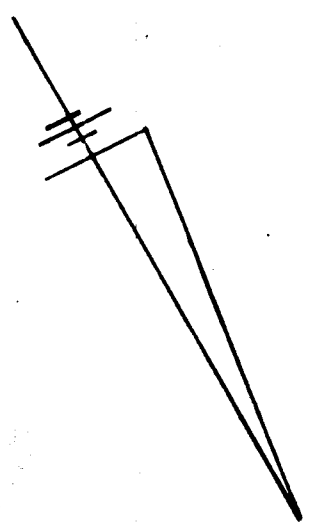
N 2,000

N 2,000

EASTERN

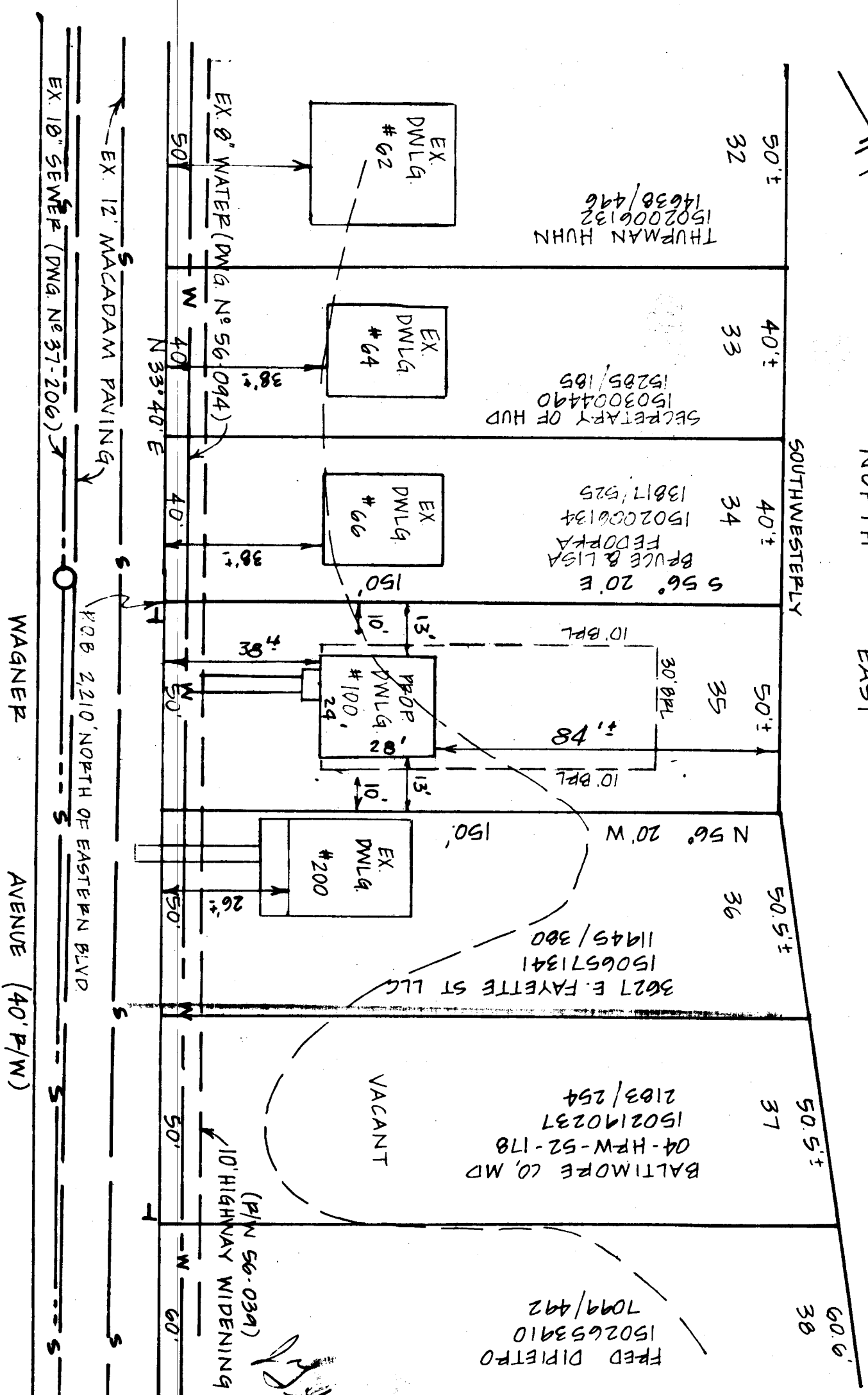
VIRGINIA



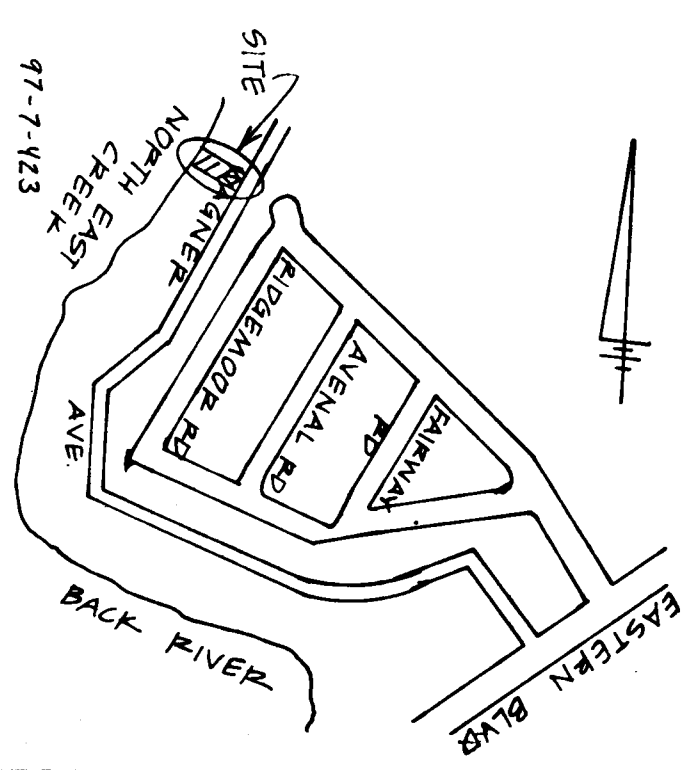


NORTH EAST

CREEK



Handwritten signature/initials



VICINITY MAP SCALE: 1"=500'

GENERAL NOTES

1. EX. ZONING: D.R. 55
2. LOT AREA: 7500 S.F. ± OR 0.172 AC. ±
3. 200' SCALE MAP: NE 1/4
4. PUBLIC WATER AND SEWER
5. EX. USE: VACANT
6. PROP. USE: SINGLE FAMILY DWLG.
7. LOCATED IN CHESAPEAKE BAY CRITICAL AREA
8. NO PRIOR ZONING HEARINGS
9. NO CONTIGUOUS LAND OWNERSHIP
10. COMMUNITY PANEL NO. 240010 0440C
11. LOCATED IN A FLOODPLAIN AREA
12. INTERVIEWS AREA FOR PROPOSED DWLG. DWLG. FOR PCH & CONC. WALK: 1044 SF ALLOWABLE AREA: 1875 SF (25%)

PLAT TO ACCOMPANY UNDERSIZED LOT APPLICATION
#100 WAGNER AVENUE
LOT 35

"FVHL PLAT" 8/42
ELECTION DISTRICT NO 15
BALTIMORE CO, MD

SCALE: 1"=30'
AUGUST 8, 2001
01-85600 REVISED 10-05-01
OWNER: WALTER & CATHERINE FRINGER
16730 TAMMANY MANOR ROAD
WILMINGTON, MD 21745
TAX MAP: 97 GRID: 7 PARCEL: 423
TAX ACCT. NO.: 1506571340
DEED REF.: 1693/231