

IN RE: PETITION FOR SPECIAL HEARING
S/S Sidewell Court, 1,000' NE of the c/l
Cove Road
(23 Sidewell Court)
15th Election District
6th Council District

Vincent S. Serio
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 04-220-SPH

*

* * * * *

NOTICE OF DISMISSAL

WHEREAS, this matter came before the undersigned Zoning Commissioner for consideration of a Petition for Special Hearing filed by Vincent S. Serio, Property Owner, seeking approval that a 40-foot strip of land adjacent to the subject property not be considered as a street for zoning purposes so as to permit development of same with a new single-family dwelling; and,

WHEREAS, at the public hearing held on December 29, 2003, the testimony and evidence presented was inconsistent with the documents offered as to the precise size, configuration and boundaries of the subject property and existing improvements thereon; and,

WHEREAS, the Petitioner was required to have a survey of the property performed by a licensed surveyor depicting the accurate dimensions and boundaries for same, including the proposed location of any improvements thereon and if the survey confirmed the property's compliance with the zoning regulations, a written Order would be issued accordingly; and,

WHEREAS, the requisite survey submitted on or about March 9, 2004 failed to show the existing foundation and whether same was appropriately located within the proposed building envelope, and the Petitioner was advised that if the foundation was found to be located outside the building envelope, variance relief to legitimize same must be requested.

WHEREAS, it has been determined that variances are necessary and as such, the Petition for Special Hearing must be amended to seek the requested variance relief and a new public hearing held, accordingly.

ORDER RECEIVED FOR FILING

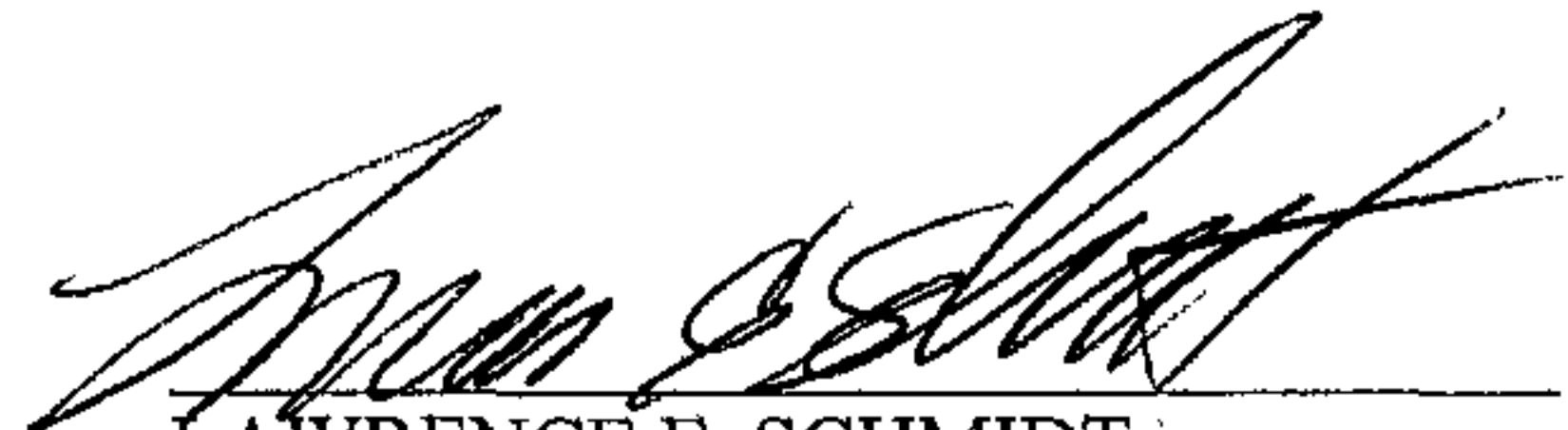
Date

By

9/27/04
[Signature]

NOW THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of September 2004 that the Petition for Special Hearing seeking approval that a 40-foot strip of land adjacent to the subject property not be considered as a street for zoning purposes so as to permit development of same with a new single-family dwelling, be and is hereby DISMISSED WITHOUT PREJUDICE.

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



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: C. William Clark, Esquire, Nolan, Plumhoff & Williams
502 Washington Avenue, Towson, Md. 21204
Mr. Vincent Serio, 2965 Brookwood Road, Ellicott City, Md. 21042
Mr. Timothy Lust, 3121 Birch Brook Lane, Abingdon, Md. 21009
Mr. James S. Patton, 305 W. Chesapeake Avenue, Towson, Md. 21204
Mr. John F. Dufour, 14 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Friskey, 24 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Matthai, 19 Sidewell Court, Baltimore, Md. 21221
People's Counsel; Case File

ORDER RECEIVED FOR FILING

Date

By



CBA

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 23 Sidewell Court
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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

*a 40' strip of Land, Not To be determined as a
Street For Zoning Purposes.*

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

I, or we, agree to pay expenses of above Special Hearing, 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Vincent S. Serio

Name - Type or Print

Vincent S. Serio

Signature

Name - Type or Print

Signature

2965 Brookwood Road *410-465-2512*

Address

Telephone No.

ELlicott City

MD.

21042

City

State

Zip Code

Representative to be Contacted:

TIMOTHY M WST

Name

P.O. Box 672

(443) 829-3544

Address

Telephone No.

ABINGDON

MARYLAND

21009

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 11/3/03

ORDER RECEIVED FOR FILING

Date 11/15/98
By [Signature]

Case No. 04-220-SPH

MIDSIZE CONSTRUCTION, INC.

P.O. Box 672
Abingdon, MD 21009
phone: (410) 238-7600
fax: (410) 515-4117
MHIC 38193

October 28, 2003

ZONING DESCRIPTION FOR: 23 SIDEWELL COURT.

Beginning at a point on the South side of Sidewell Court which is 40 feet wide at the distance of 1000 feet northeast of the centerline of the nearest improved intersecting street Cove Road which is 40 feet wide. Being Lot #23 which is not part of a subdivision or development as as recorded in Deed Liber 12263, Folio #99, containing 6,216 square feet. Also known as 23 Sidewell Court and located in the 15 Election District, 18 Councilmanic District.

Submitted by:

Legal Owner(s): Vincent Serio
2965 Brookwood Road
Ellicott City, MD 21042

Representative to be Contacted: Timothy Lust

3121 Birch Brook Lane
Abingdon, MD 21009
Phone: (443) 829-3544

04-220-SPH

LAND SURVEYORS
S. J. MARTENET & CO., INC.

ESTABLISHED 1849

1114 ST. PAUL STREET
BALTIMORE, MARYLAND 21202

(410) 539-4263

JOEL M. LEININGER
DAVID S. PAPLAUCKAS
THOMAS L. WILHELM
JEFFREY A. HOWARD

SIMON J. MARTENET	1849-1892
HARRY G. JAVINS	1871-1894
SEPTIMUS P. TUSTIN	1870-1921
J. HOWARD SUTTON	1884-1940
WILLIAM O. ATWOOD	1887-1931
SAMUEL A. THOMPSON	1898-1944
GEORGE E. WIMMER	1907-1943
HOWARD D. TUSTIN	1907-1980
HOWARD C. SUTTON	1944-1989
HOWARD D. TUSTIN, JR.	1945-1988
RICHARD P. TUSTIN	1945-1988

DESCRIPTION
LOT No. 23 PRICES COVE
15th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same on the southwest side of Sidewell Court (formerly known as Hopewell Road), forty feet wide, where it is intersected by the division line between Lots 22 and 23 as shown on an unrecorded plat of Prices Cove prepared by Albert E. Pohmer dated March 11, 1946, said point also being at the end of the fourth or North 29° 26' East 123.44 feet line of the secondly described parcel of land which by deed dated December 10, 1992 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 9503, Folio 629 was granted and conveyed by Robert F. Vavrina and Janice MacDonald, Trustees, to David T. Matthai and Janet P. Matthai, his wife, thence running and binding on the southwest side of Sidewell Court, with all courses of this description referred to the meridian established within said deed of conveyance to David T. and Janet P. Matthai (lines of which were found to be monumented on the ground), the two following courses and distances, viz:

(1) South 39° 45' 30" East 45.04 feet, and

(2) 24.15 feet along the arc of a curve to the right having a radius of 20.00 feet and subtended by a long chord bearing South 05° 09' 45" East 22.71 feet to intersect the northwest side of Line Road, forty feet wide, as shown on said Plat, thence running and binding on the northwest side of Line Road,

(3) South 29° 26' 00" West 88.75 feet to the division line between Lots 23 and 24 as shown on said Plat, said point also being at the end of the third or South 60° 34' East 55 feet line of the secondly described parcel of land which by deed dated April 2, 1959 and recorded among the Land Records aforesaid in Liber W.J.R. 3507, Folio 142 was granted and conveyed by William M. Sayler and Rita M. Sayler, his wife, to Glen H.

wife, to Glen H. Henderlite and Margaret V. Henderlite, his wife, thence leaving the northwest side of Line Road and running and binding on said division line, and also binding reversely on said third line,

(4) North 60° 34' 00" West 55.00 feet to a 3/4-inch iron pin found at the corner shared by Lots 12, 22, 23 and 24 on said Plat, said point also being at the beginning of the abovementioned fourth line in the conveyance to Matthai, thence running and binding on the division line between Lots 22 and 23 as shown thereon, and also binding on the aforesaid fourth line,

(5) North 29° 26' 00" East 123.44 feet to the point of beginning;
containing 6,180 square feet or 0.1419 of an acre of land, more or less, as surveyed in February, 2004 by S.J. Martenet and Co.

BEING known and designated as Lot 23 as shown on an unrecorded plat dated March 11, 1946 entitled "Prices Cove," prepared by Albert E. Pohmer.

February 20, 2004

Revised March 3, 2004

103037

TLW



A handwritten signature in black ink, appearing to read "Joel R. Leininger", written over the bottom portion of the surveyor's seal.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **00502**

DATE **11/3/02**

ACCOUNT **0010046150**

AMOUNT \$ **50.00**

RECEIVED FROM

VINCENT SERIO

FOR

ITEM # 220 ON-220-SM

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

83 SIDEWELL & DONNA THOMPSON

PAID RECEIPT

RECEIVED BY

DATE

11/3/02

11/3/02

11/3/02

11/3/02

11/3/02

11/3/02

11/3/02

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: #04-220-SPH
23 Sidewell Court
S/side Sidewell Court, 1,000
feet northeast of Centerline Cove
15th Election District
6th Councilmanic District
Legal Owner(s): Vincent S. Serio
Special Hearing: to permit
a 40 foot strip of land, not
to be determined a street
for zoning purposes.
Hearing: Monday, Decem-
ber 29, 2003 at 10:00 a.m.
In Room 407, County
Courthouse Building, 401 Bay-
ley 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) 887-4388.

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

12/079 Dec. 11 0640571

CERTIFICATE OF PUBLICATION

12/11/, 2003

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 12/11/, 2003.

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

J. Wilkinson

LEGAL ADVERTISING

Certificate Of Posting

RE: Case NO.: 04-220-SPH

Petitioner/Developer: _____
VINCENT SERIO

Date of Hearing/Closing: 12/29/03

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

Attention:

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
at 23 SIDEWELL COURT

This sign(s) were posted on 12 / 13 / 03
(Month, Day, Year)

Sincerely,

Martin Ogle 12/13/03
(Signature of Sign Poster and Date)

MARTIN OGLE

(Printed Name)

5016 CASTLESTONE DR.

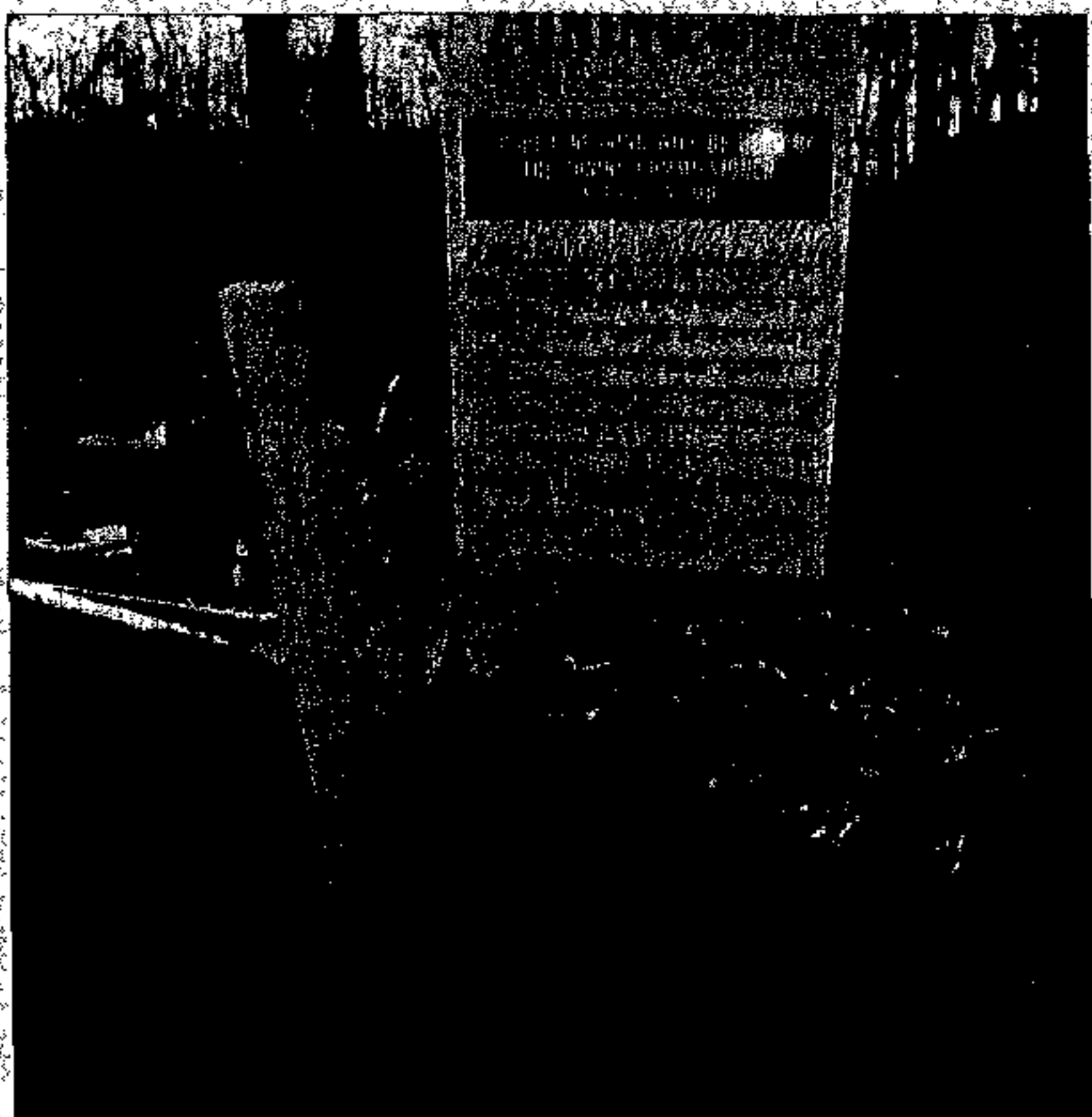
(Address)

BALTO, MD. 21237

(City, State, Zip Code)

410-933-9470

(Telephone Number)



12/13/03
Martin Ogle

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
23 Sidewell Court; S/side Sidewell Court, *
1,000' NE of c/line Cove Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Vincent S. Serio * FOR
Petitioner(s) * BALTIMORE COUNTY
* 04-220-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence and documentation filed in the case.

RECEIVED

NOV 20 2003

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
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 20th day of November, 2003, a copy of the foregoing Entry of Appearance was mailed to Timothy M. Lust, P.O. Box 672, Abingdon, Maryland 21007, Representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 11, 2003 Issue - Jeffersonian

Please forward billing to:
Vincent S. Sderio
2965 Brookwood Road
Ellicott City, MD 21042

410-465-2512

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: 04-220-SPH

23 Sidewell Court

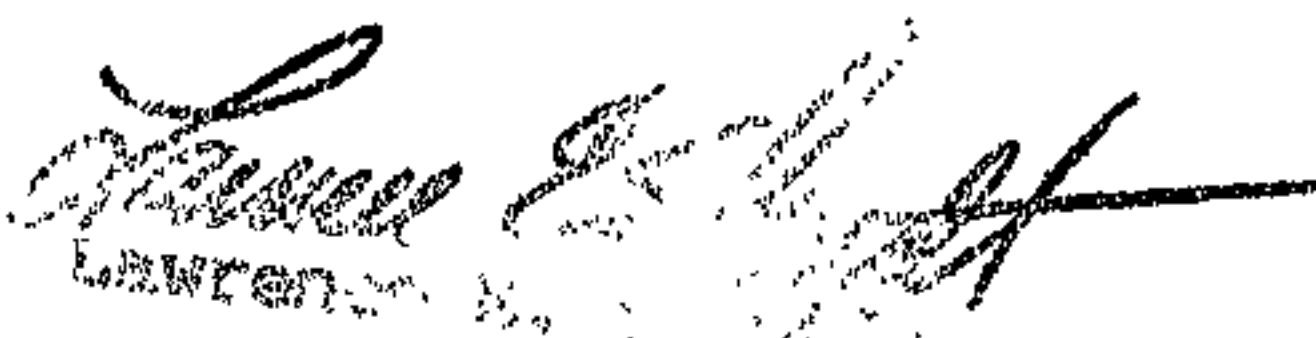
S/side Sidewell Court, 1,000 feet northeast of centerline Cove

15th Election District – 6th Councilmanic District

Legal Owner: Vincent S. Serio

Special Hearing to permit a 40 foot strip of land, not to be determined a street for zoning purposes.

Hearings: Monday, December 29, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



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.

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 18, 2003

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: 04-220-SPH

23 Sidewell Court

S/side Sidewell Court, 1,000 feet northeast of centerline Cove

15th Election District – 6th Councilmanic District

Legal Owner: Vincent S. Serio

Special Hearing to permit a 40 foot strip of land, not to be determined a street for zoning purposes.

Hearings: Monday, December 29, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:rlh

C: Vincent S. Serio, 2965 Brookwood Road, Ellicott City 21042
Timothy Lust, P.O. Box 672, Abingdon 21009

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 13, 2003.**
- (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.

Visit the County's Website at www.baltimorecountyonline.info

**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: 04-220-SPH
Petitioner: SERIO
Address or Location: 23 SIDEWELL CT.

PLEASE FORWARD ADVERTISING BILL TO:

Name: VINCENT S. SERIO
Address: 2965 BROOKWOOD RD.
ELLCOTT CITY, MD 21042

Telephone Number: 410-465-2512

Revised 2/20/98 - SCJ

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

December 26, 2003

Vincent Serio
2965 Brookwood Road
Ellicott City, MD 21042

Dear Mr. Serio:

RE: Case Number: 04-220-SPH, 23 Sidewell Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 3, 2003.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
... Timothy Lust, P.O. Box 672, Abingdon 21009

Visit the County's Website at www.baltimorecountyonline.info



**Baltimore County
Fire Department**

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

November 19, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 17, 2003

Item No.: 220, 221, 223-228, 230, 231

Dear Ms. Hart:

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 Marshal's Office has no comments at this time.

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 26, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For Item No. 220
November 24, 2003

The Bureau of Development Plans Review has reviewed the subject-zoning item.

This is acceptable as long as it does not "landlock" anyone.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall have a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with B.O.C.A. National Building Code adopted by the County.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: R. Bruce Seeley *PRS*
DATE: December 5, 2003
SUBJECT: Zoning Item # 04-220
Address 23 Sidewell Court
Serio Property

Zoning Advisory Committee Meeting of

- ☐ 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 offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must 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).
 - ☒ 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: Keith Kelley

Date: December 1, 2003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: December 12, 2003

RECEIVED

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

DEC 12 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 04-220**

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:

Lynne T. L. L.

AFK/LL



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway
Administration

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11.18.03

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

RE: Baltimore County
Item No. 220 DT

Dear Ms. Hart:

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,

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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.201.7165 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

April 12, 2004

C. William Clark, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
(23 Sidewell Court)
15th Election District – 6th Council District
Vincent S. Serio – Petitioner
Case No. 04-220-SPH

Dear Mr. Clark:

Reference is made to my letter of December 30, 2003 concerning the above-captioned matter and your response thereto, with attachments, dated March 9, 2004.

The surveys provided therein establish that the subject property is a buildable lot. Specifically, the drawings show that the property is larger in area than the minimum required 6,000 sq.ft., as set forth in Section 1B02.3.C.1 of the B.C.Z.R. The documents also depict a building envelope on the property within which a single-family dwelling could be constructed.

I recently received a call from Mr. David Friskey, an adjacent property owner who appeared at the hearing. Although conceding that the documents establish that the lot is buildable, he questioned whether the existing foundation is located within the building envelope. I note that the foundation is not shown on the documents provided. Please clarify whether the existing foundation is appropriately located within the building envelope. If so, I will issue a written Order consistent with the comments made in my December 30, 2003 letter to permit construction of a single-family dwelling. If the foundation is found to be located outside the building envelope, then variance relief to legitimize that location must be requested or the foundation relocated to within the building envelope area.

I shall await your advice in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent Serio, 2965 Brookwood Road, Ellicott City, Md. 21042
Mr. Timothy Lust, 3121 Birch Brook Lane, Abingdon, Md. 21009
Mr. James S. Patton, 305 W. Chesapeake Avenue, Towson, Md. 21204
Mr. John F. Dufour, 14 Sidewall Court, Baltimore, Md. 21221
Mr. & Mrs. David Friskey, 24 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Matthai, 19 Sidewall Court, Baltimore, Md. 21221
Case File

Visit the County's Website at www.baltimorecountyonline.info

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

December 30, 2003

C. William Clark, Esquire
Nolan, Plumbhoff & Williams
502 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
(23 Sidewell Court)
15th Election District – 6th Council District
Vincent S. Serio – Petitioner
Case No. 04-220-SPH

Dear Mr. Clark:

This letter is to reiterate the comments made at the conclusion of the hearing in the above-captioned matter on December 29, 2003. As I indicated by my remarks from the bench, the inconsistent documents and testimony offered make it impossible for me to determine the precise size, configuration and boundaries of the subject property. Therefore, I have requested that your client, as owner, have a survey of the property performed by a licensed surveyor registered in the State of Maryland. The survey shall depict the accurate dimensions and boundaries for the property and include the proposed location of any improvements thereon. A copy shall be submitted to my office for inclusion in the case file and to all of the Protestants who appeared at the hearing, specifically Messrs. DuFour, Friskey and Matthai.

As indicated at the hearing, I believe that a single family dwelling should be permitted on this property, if the lot complies with the applicable zoning regulations set out in Section 1B02.3.C.1 of the B.C.Z.R. Those regulations mandate a minimum area of 6,000 sq.ft. for a D.R.5.5 lot, and setbacks of 25 feet, 30 feet, and 10 feet, respectively, for the front, rear and side yards. I would grant relief necessary for a side yard setback less than 25 feet to the right-of-way for Line Road given that this is a paper street and it is unlikely that road improvements will ever be made. Finally, the proposed improvements must conform to County environmental and building codes, including those requirements for maintaining the property during construction. Moreover, the proposed construction is subject to compliance with Chesapeake Bay Critical Areas regulations, given the property's proximity to Hopkins Creek, a tributary of the Bay.

If a survey confirming the property's compliance with the zoning regulations is received, a written Order will be written consistent with the above and my remarks made in open hearing. However, if the survey discloses that the property is not in compliance, or if requested by the Protestants, this matter will be scheduled for further proceedings.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent Serio, 2965 Brookwood Road, Ellicott City, Md. 21042
Mr. Timothy Lust, 3121 Birch Brook Lane, Abingdon, Md. 21009
Mr. James S. Patton, 305 W. Chesapeake Avenue, Towson, Md. 21204
Mr. John F. Dufour, 14 Sidewall Court, Baltimore, Md. 21221
Mr. & Mrs. David Friskey, 24 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Matthai, 19 Sidewall Court, Baltimore, Md. 21221
Case File Visit the County's Website at www.baltimorecountyonline.info



Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Aug 27,
~~April 12, 2004~~

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

C. William Clark, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
(23 Sidewell Court)
15th Election District – 6th Council District
Vincent S. Serio – Petitioner
Case No. 04-220-SPH

Dear Mr. Clark:

In response to your letter of August 25, ²⁰⁰⁴~~2005~~, please be advised that the Petitioners can amend the Petition for Special Hearing filed in the above-captioned matter to seek the requested variance relief. As is customary, the property will have to be posted and advertised and a new public hearing held; however, following a hearing on the Petition for Variance, a decision will be rendered addressing both the special hearing and variance requests.

Should anyone have any questions in this regard, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent Serio, 2965 Brookwood Road, Ellicott City, Md. 21042
Mr. Timothy Lust, 3121 Birch Brook Lane, Abingdon, Md. 21009
Mr. James S. Patton, 305 W. Chesapeake Avenue, Towson, Md. 21204
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Mr. & Mrs. David Friskey, 24 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Matthai, 19 Sidewall Court, Baltimore, Md. 21221
✓ Case File



Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3858 • Fax: 410-887-3468

**Baltimore County**

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

April 12, 2004

C. William Clark, Esquire
Nolan, Plumbhoff & Williams
502 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
(23 Sidewell Court)
1st Election District – 6th Council District
Vincent S. Serio – Petitioner
Case No. 04-220-SPH

Dear Mr. Clark:

In response to your letter of August 25, 2005, please be advised that the Petitioners can amend the Petition for Special Hearing filed in the above-captioned matter to seek the requested variance relief. As is customary, the property will have to be posted and advertised and a new public hearing held; however, following a hearing on the Petition for Variance, a decision will be rendered addressing both the special hearing and variance requests.

Should anyone have any questions in this regard, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Vincent Serio, 2965 Brookwood Road, Ellicott City, Md. 21042
Mr. Timothy Lust, 3121 Birch Brook Lane, Abingdon, Md. 21009
Mr. James S. Patton, 305 W. Chesapeake Avenue, Towson, Md. 21204
Mr. John F. Dufour, 14 Sidewall Court, Baltimore, Md. 21221
Mr. & Mrs. David Friskey, 24 Sidewell Court, Baltimore, Md. 21221
Mr. & Mrs. David Matthai, 19 Sidewall Court, Baltimore, Md. 21221
Case File

Visit the County's Website at www.baltimorecountyonline.info

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 Account Number - 1508801897

Owner Information

Owner Name: SERIO VINCENT S Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 2965 BROOKWOOD RD Deed Reference: 1) /12263/ 99
ELLICOTT CITY MD 21042-2501 2)

Location & Structure Information

Premises Address			Zoning		Legal Description				
SIDEWELL CT					PRICES COVE				
Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No: Plat Ref:
97	5	513					23	82	
Special Tax Areas			Town Ad Valorem Tax Class						
Primary Structure Built			Enclosed Area		Property Land Area			County Use	
0000					6,216.00 SF			04	
Stories		Basement		Type			Exterior		

Value Information

	Base Value	Value As Of 01/01/2003	Phase-In Assessments	
			As Of 07/01/2003	As Of 07/01/2004
Land:	1,550	1,550		
Improvements:	0	0		
Total:	1,550	1,550	1,550	1,550
Preferential Land:	0	0	0	0

Transfer Information

Seller: PINE JAMES A PINE CHARLOTTE W	Date: 09/17/2003	Price: \$40,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /12263/ 99	Deed2:
Seller: HUBERS DANIEL W	Date: 06/30/1997	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12263/ 99	Deed2:
Seller: EASTWOOD ESTATES INC	Date: 02/16/1966	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 2309/ 31	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2003	07/01/2004
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



Baltimore County
Department of Permits and
Development Management

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

MEMO

To: John Reisinger
From: Bruno Rudaitis *BR*
Date: November 12, 2003
Re: B524299

Please reinstate permit #B524299 because the applicant has submitted a petition for a Special Hearing to request that the paper road not be considered as a road for zoning purposes per case 04-220-SPH. The applicant should be aware that the reinstatement of the permit is **PROVISIONAL** subject to the outcome of the subject case. *The applicant may proceed at his own risk.*

cc: Doug Swam
Jim Thompson
C. William Clark



C William Carl.

Devent S. S. Co. -

real estate development -

Essex area -

Buck River Neck

Vacant lot -

60 x 120 -

6216 sq. feet -

he bought property -

propose building envelope -

Lot # 25

Plot was not recorded.

Line road - no taxes

not dedicated,

County has no intention

permit issued -

Plot of Hopkins Creek apts -

Timothy Lust -

Builder. - No survey

Has testimony

~~W B B~~

Hopkins Creek -

Sedwell Creek is public road -

Gene Road ~~is~~ is not a
public road -

not a public road -

Mr Friskey
Pavle -

across the street -
lives across the street -
1 year -
existing house - 1940's

nuclear as to size -

Sub Ex No 1 -

back to water -

Dufour - owned property -
flooding problems

Matthei -

1992 -

flooding -

newly started
pub. in 45 days
w/ 1/2 m

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
C. WILLIAM CLARK
CATHERINE A. POTTHAST*
E. BRUCE JONES**
CORNELIA M. KOETTER*

* ALSO ADMITTED IN D.C.
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JERSEY

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TELEFAX: (410) 296-2765
EMAIL: NPW@NOLANPLUMHOFF.COM
WEB SITE: WWW.NOLANPLUMHOFF.COM

file
J. EARLE PLUMHOFF
(1940-1988)
NEWTON A. WILLIAMS
(RETIRED 2000)
RALPH E. DEITZ
(1918-1990)

November 4, 2003

VIA HAND DELIVERY

Mr. Timothy R. Kotrocco, Director
Department of Permits and
Development Management
for Baltimore County
111 W. Chesapeake Avenue
Towson, Md 21204

Re: 23 Sidewell Court, Permit B524299

Dear Mr. Kotrocco:

Please be advised that Vincent Serio and Timothy Lust of Midsize Construction Company have engaged this firm to write to you to request that you lift a stop work order that has been issued with respect to the above captioned permit and address. Circumstances have arisen which have imposed a great hardship on Mr. Serio and Mr. Lust which will be explained below.

On July 3, 2003, Mr. Lust applied for a building permit for a single family dwelling to be constructed upon 23 Sidewell Court, Baltimore, Maryland 21221 which was then owned by Daniel W. Hubers and James and Charlotte Pine. The application followed routine procedure and on July 3, 2003 zoning issued its signature approving the permit application for this lot which is described in the deed as lot 23 of an unrecorded subdivision. In due course, Baltimore County issued permit B524299 on August 12, 2003. In reliance upon the issuance of that building permit, Vincent Serio completed settlement and acquired title by a deed dated August 28, 2003. The deed reflects the purchase price of \$40,000.00.

On or about October 13, Midsize Construction, through its subcontractors began clearing the lot. On or about October 16, 2003, the lot was excavated. The total paid by Midsize to its subcontractors for lot clearing and excavation is \$8,500.00. On October 20, 2003, Midsize called for and received inspection for pouring the footers, which Baltimore County approved. Midsize paid its subcontractors a deposit of \$3,500.00 towards the total price of \$11,000.00 for pouring the footings, foundation and slab for the property.

On October 21, 2003, a stop work order was issued upon the complaint by a neighbor that the plat for his property shows a paper road, which according to him would not permit the house to be constructed at its present location without some form of zoning relief. As I understand it, the stop work order came through the zoning review section of PADM.

Prior to having received the stop work order, Midsize construction ordered a truss package and paid \$1,800.00 for the same. Additionally, it contracted with a plumbing contractor with regard to the water and sewage installation for the property and paid \$2,000.00 of the total \$6,000.00 contract. Furthermore, Midsize engaged the services of a utilities contractor to do the utility hookup and paid that contractor a deposit of \$4,000.00 on a total job of \$12,000.00. All of the subcontractors were ready willing and able to continue with the work which was interrupted on October 21, 2003.

After consultations with various departments in PADM, Mr. Serio and Mr. Lust have ascertained the following:

1. The property is a lot , not a part of a subdivision, although, it is shown on an unrecorded plat.
2. On a neighboring recorded plat, an area exists for "Line Road" which shows as a paper street. According to Eric Rockel in land acquisition "Line Road" has not been built, has not been dedicated to public use, and Baltimore County does not own it or intend to acquire it.
3. The area shown on the neighboring plat as "Line Road" is heavily wooded, is approximately 40 wide, contains a significant ravine which carries water as a tributary of Hopewell Creek. Jim Brendell of Sediment Control has told Mr. Lust and Mr. Serio that significant amounts of fill would be necessary in order to make that section of the property useable for a road, and it is extremely unlikely that DEPRM would approve filling in that area.
4. "Line Road" as shown on the plat of the neighboring property does not connect to any other public road, nor would it serve any other lot.

As a result of the various consultations with persons at PADM, Mr. Lust and Mr. Serio have filed for a Special Hearing, which has been accepted under Case No. 04-220SPH, to approve a 40 foot strip of land not being determined as a street for zoning purposes. The lot otherwise meets all Baltimore County requirements. The 40 foot strip would not be used for construction of the dwelling, and will serve as a buffer in the future. Obviously, the hearing will not occur until sometime in the next few months.

Mr. Timothy Kotrocco
November 4, 2003
Page Three:

Mr. Lust and Mr. Serio wish to have the stop work order lifted so that they can proceed to construct this dwelling at their own risk. They understand they may have to raze the building if they cannot obtain final approved relief through the Special Hearing process. It appears that they have a great likelihood of succeeding with their Special Hearing Request. Given that the date is November 4, 2003, it is extremely important to the construction of this dwelling that it be put under roof prior to the arrival of bad weather. Mr. Lust expects that it would take approximately four to five weeks to get the building under roof. Given the significant expenditures of money by Mr. Lust and Mr. Serio based upon an approved permit from Baltimore County including approval by the Zoning Review Department back in July of 2003, Mr. Lust and Mr. Serio believe that they have suffered a great hardship, and will continue to suffer hardships unless the stop work order is lifted. Thank you for consideration of this request. If you need additional information, please contact me. Until then, I remain.

Very truly yours,



C. William Clark

CWC/jkc

cc: Vincent Serio, Midsize Construction, Inc.
Tim Lust, Midsize Construction, Inc.
W. Carl Richard, Supervisor, Zoning Review

CCCS A- VON

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
C. WILLIAM CLARK
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J. EARLE PLUMHOFF
(1940-1988)

NEWTON A. WILLIAMS
(RETIRED 2000)

RALPH E. DEITZ
(1978-1990)

RECEIVED

MAR 9 2004

ZONING COMMISSIONER

March 9, 2004

VIA HAND DELIVERY

The Honorable Lawrence Schmidt
Zoning Commissioner
County Courts Building
Suite 405
401 Bosley Avenue
Towson, Maryland 21204

Re: 23 Sidewell Court Case No.: 04220 SPH

Dear Mr. Schmidt:

In reference to the above captioned case, on December 30, 2003, you wrote to me requesting that my client have a survey of the property performed by a licensed surveyor registered in the State of Maryland. Finally, we are able to submit two documents to you which I think should answer the questions that were raised during the course of the hearing. First, you will find a metes and bounds description performed by S.J. Martenet and Company, Inc. giving the description of the property and noting it as being known and designated as Lot 23 on an unrecorded plat dated March 11, 1946 entitled Prices Cove. Secondly, you'll see a plat to accompany description of Lot 23 Prices Cove which has the metes and bounds description and the distances of the courses indicated as the boundaries of that lot. You will also see that the lot lies adjacent to Sidewell Court and what is shown on the plat as Line Road. That survey was commissioned by and through Mr. Serio's title insurance company by reason of an issue concerning his title to the property. In the meantime, he commissioned E.F. Raphael & Sons to do a similar survey which actually shows the building envelope on the property and the setback. Enclosed please find a copy of that drawing. Taken together, these three documents demonstrate clearly that Lot 23 contains 6,180 square feet which is sufficient to allow the construction of the home proposed by my

The Honorable Lawrence Schmidt

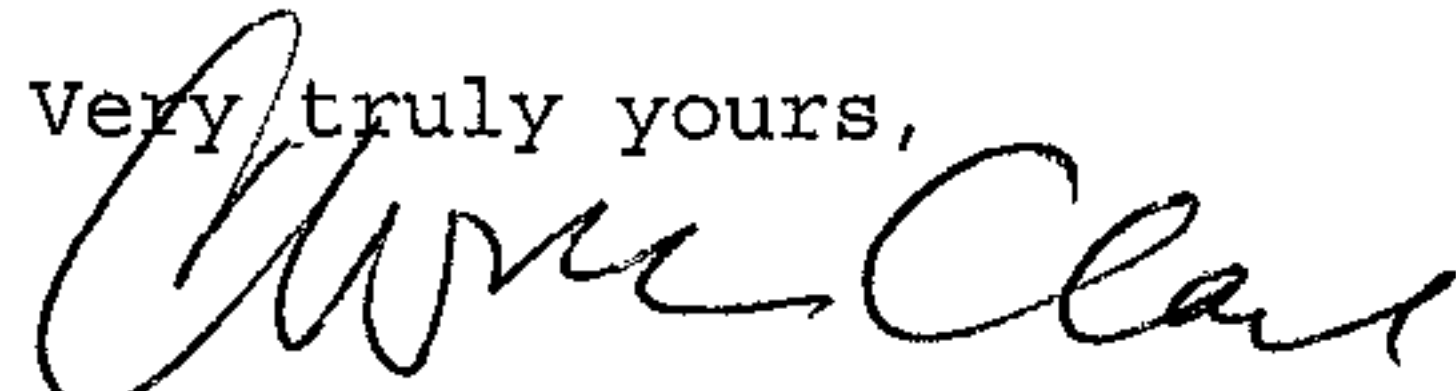
March 9, 2004

Page two:

clients. Additionally, it shows you the distances and setbacks which can be met on the set. All that is necessary is for your ruling on my clients' Petition for Special Hearing to have the forty foot paper street known as Line Road declared not to be a street for zoning purposes. Pursuant to your December 30, 2003 letter, I have sent a copy of this letter as well as a copy the survey documents to John F. Dufour, 14 Sidewell Court, Baltimore, Md 21221, Mr. and Mrs. David Frisky, 24 Sidewell Court, Baltimore, Md 21221, and Mr. and Mrs. David Matthai, 19 Sidewell Court, Baltimore, Md 21221.

If you have any questions concerning this matter, please contact me. Until then I remain.

Very truly yours,



C. William Clark

CWC/jkc

Enclosure

cc: Tim Lust
Vincent Serio
John F. Dufour
Mr. and Mrs. David Frisky
Mr. and Mrs. David Matthai

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
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J. EARLE PLUMHOFF
(1940-1988)

NEWTON A. WILLIAMS
(RETIRED 2000)

RALPH E. DEITZ
(1918-1990)

RECEIVED

AUG 25 2004

ZONING COMMISSIONER

August 25, 2004

VIA HAND DELIVERY

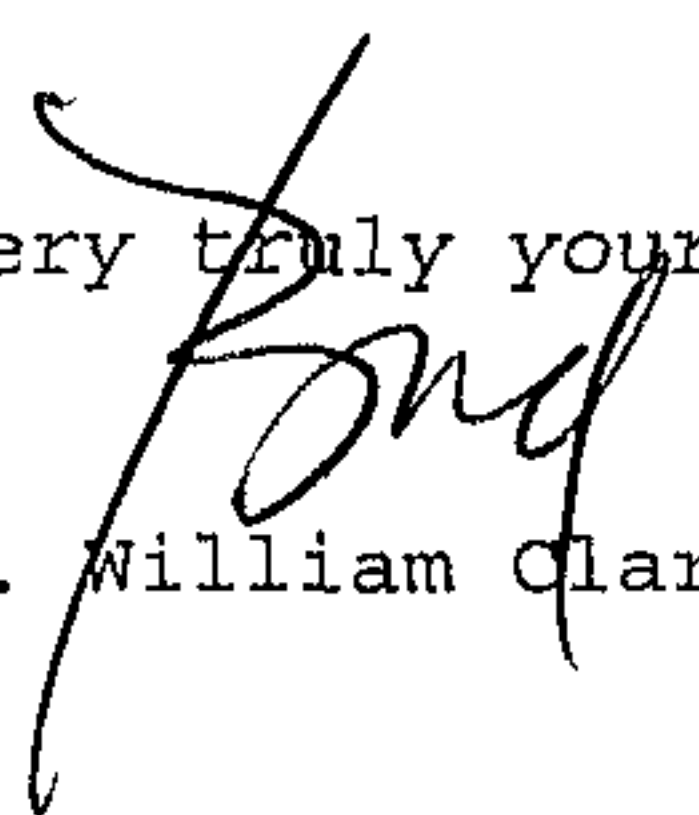
The Honorable Lawrence Schmidt
Zoning Commissioner
County Courts Building
Suite 405
401 Bosley Avenue
Towson, Maryland 21204

Re: 23 Sidewell Court Case No.: 04220 SPH

Dear Mr. Schmidt:

In reference to the above captioned case, enclosed herein please find a copy of a drawing which was prepared by Fred L. Skelton. It appears that the Petitioners do need variances for the foundation that has been laid. Would you permit the Petitioner's to amend the Petition to seek the requested relief and schedule another hearing to produce the testimony to support the request? Please let me know.

Very truly yours,


C. William Clark

CWC/jkc

Enclosure

cc: Tim Lust

Vincent Serio

John F. Dufour

Mr. and Mrs. David Frisky

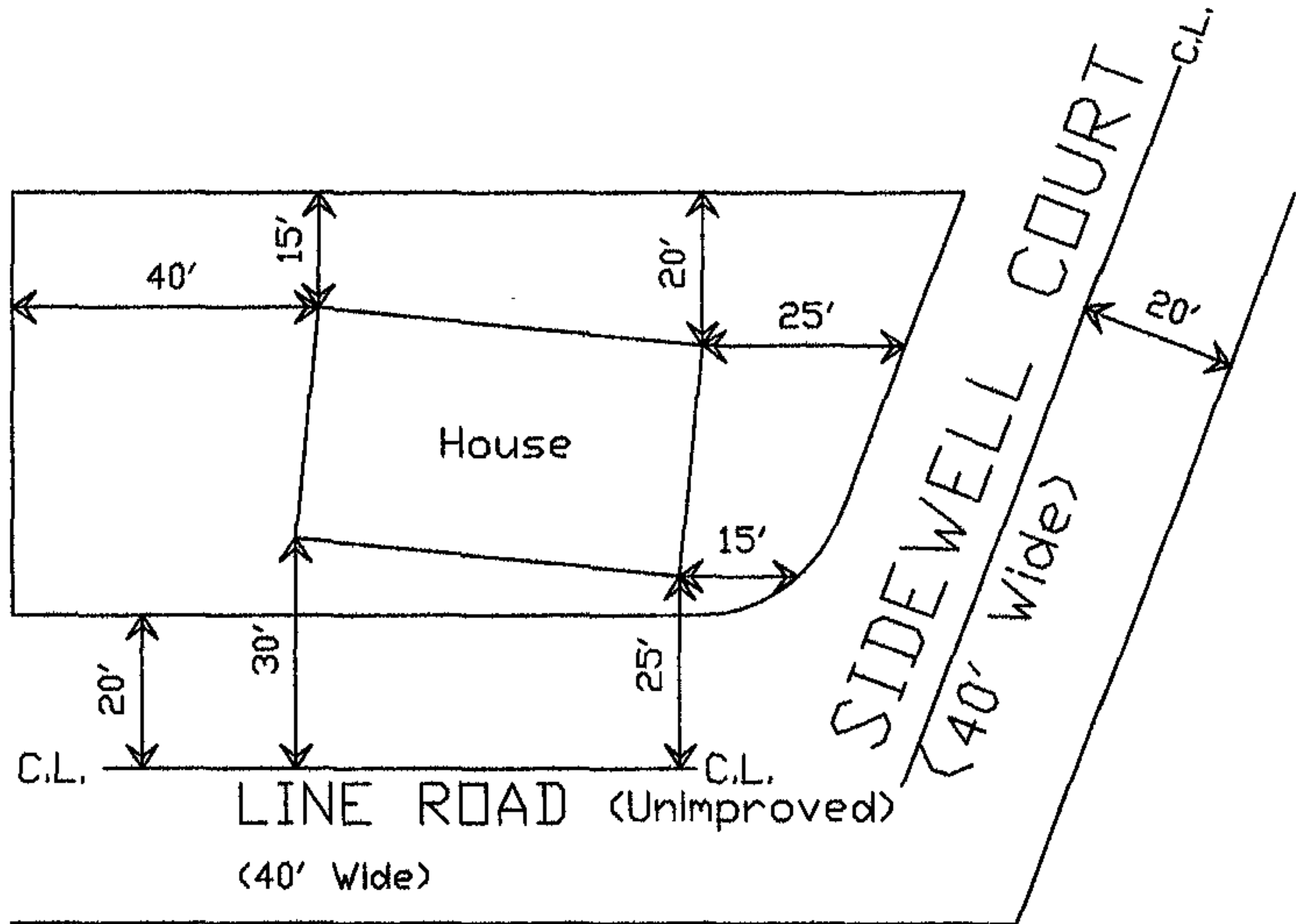
Mr. and Mrs. David Matthai

CASE NAME Z3SIDDEWELL CT.
CASE NUMBER 04-220-SPH
DATE DEC. 29, 2003

PETITIONER'S SIGN-IN SHEET

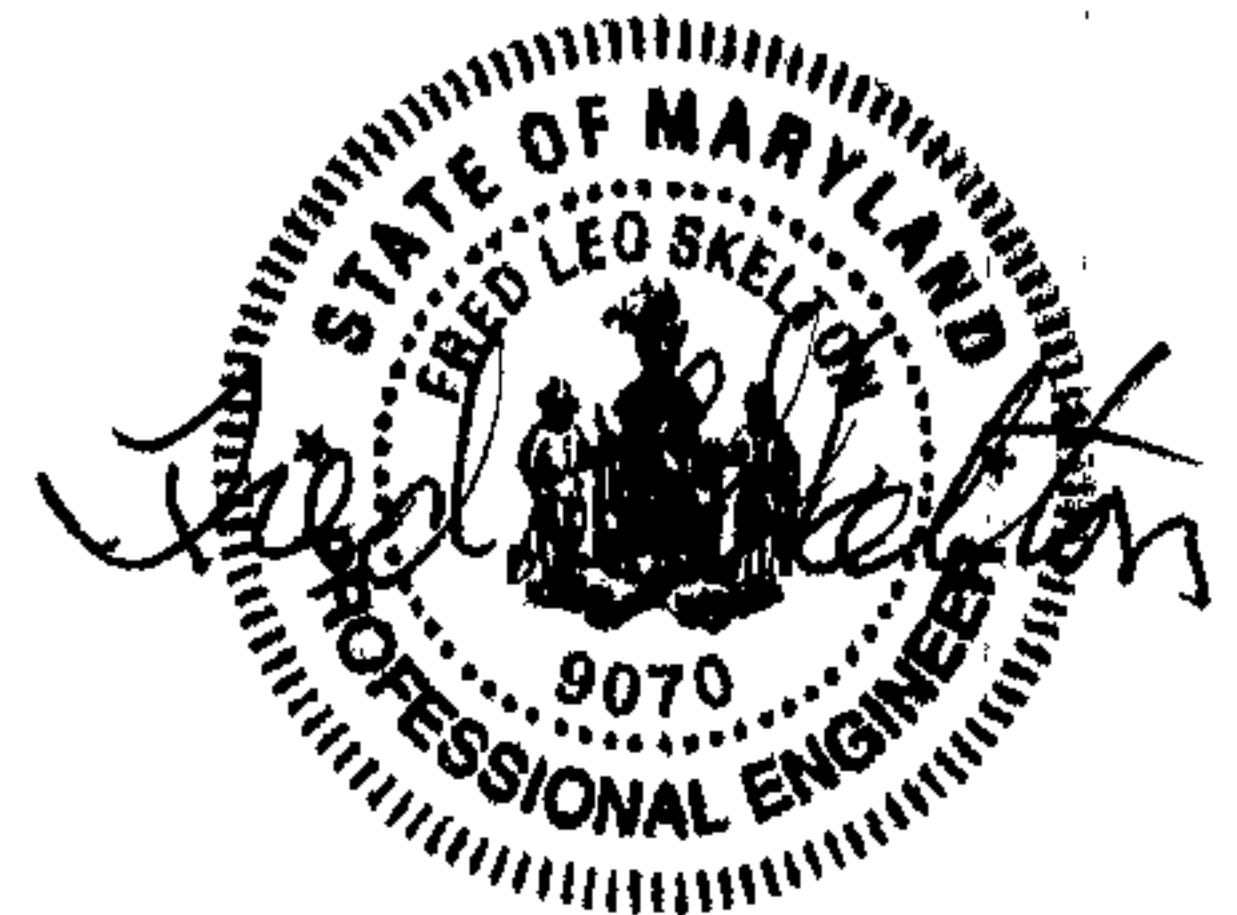
[illegible]

FRED SKELTON
Professional Engineer
HOUSE LOCATION



Vincent Serio, Lot 23
PRICES COVE

Scale: 1" = 30'



SIDEWELL CT

PRICES COVE
(Unrecorded Plot)

Vincant S. Sario
15-18-801897
SM 18803, Folio 093
Drainage & Utility Easement Area
263 Sq. Ft. or 0.006 Ac.±

E. F. RAPHEL & ASSOC.
REGISTERED PROFESSIONAL LAND SURVEYORS
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

BALTIMORE COUNTY		DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT		BUREAU OF LAND ACQUISITION	
DISTRICT NO. 15C5		POSITION SHEET NO. 5 NE 33 & 34		FEDERAL PROJECT NO.	
		CONSTRUCTION PLAN NO. 1998-0612		MARYLAND PROJECT NO.	
APPROVED DIRECTOR OF PUBLIC WORKS		☐ AREA TO BE ACQUIRED		☒ EXISTING COUNTY R/W	
DATE		☒ REVERTIBLE SLOPE EASEMENT		☒ AREA TO BE RELEASED	
		☒ TEMPORARY CONSTRUCTION AREA		☒ TEMPORARY SLOPE EASEMENT	
APPROVED CHIEF, BUREAU OF LAND ACQUISITION		ITEM NO.		RECORDED	
DATE				DRAWN BY	
				PLAT CHECKED	
APPROVED DIVISION OF DRAFTING				AREA CHECKED	
DATE				TITLE CHECKED	
				DATE 2.25.04 REG. NO. 2246	
				SHEET 1 of 1	
				SCALE: 1"=20'	
				B.C. JOB ORDER NO.	
				REVISIONS	

[illegible]

Just No!
OK

~~SECRET~~
~~500005~~

$$\begin{array}{r} 8.12 \\ 15.810x \\ \hline 6.20 \end{array}$$

CAST IR
Q-CLASS 21
B-CLASS 21
CAST IR
B-CLASS
Worlim
Test 1

NEW
House

C.W.O. 33367

21

PUBLIC WORKS

BUREAU OF ENGINEERING

APPROVED FOR C

CHIEF JURY MEMBER

DATE 11-11-61

10

24

19

1994

1990

9

26

REAL THINGS COME

DEPARTMENT OF ENERGY

THE NEW YORK PUBLIC LIBRARY

1

00000000

CONCLUSIONS

CHECKED 2-1-87

WILLIAMS

WILDSIDE AND SOUTHEASTELY 200' TO LINE LAND

67-12724

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 23 SIDEWELL COURT

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME PRICES COVE

PLAT BOOK # FOLIO # LOT # 23 SECTION #

OWNER NINECT SERIO

[Signature]

STREAM

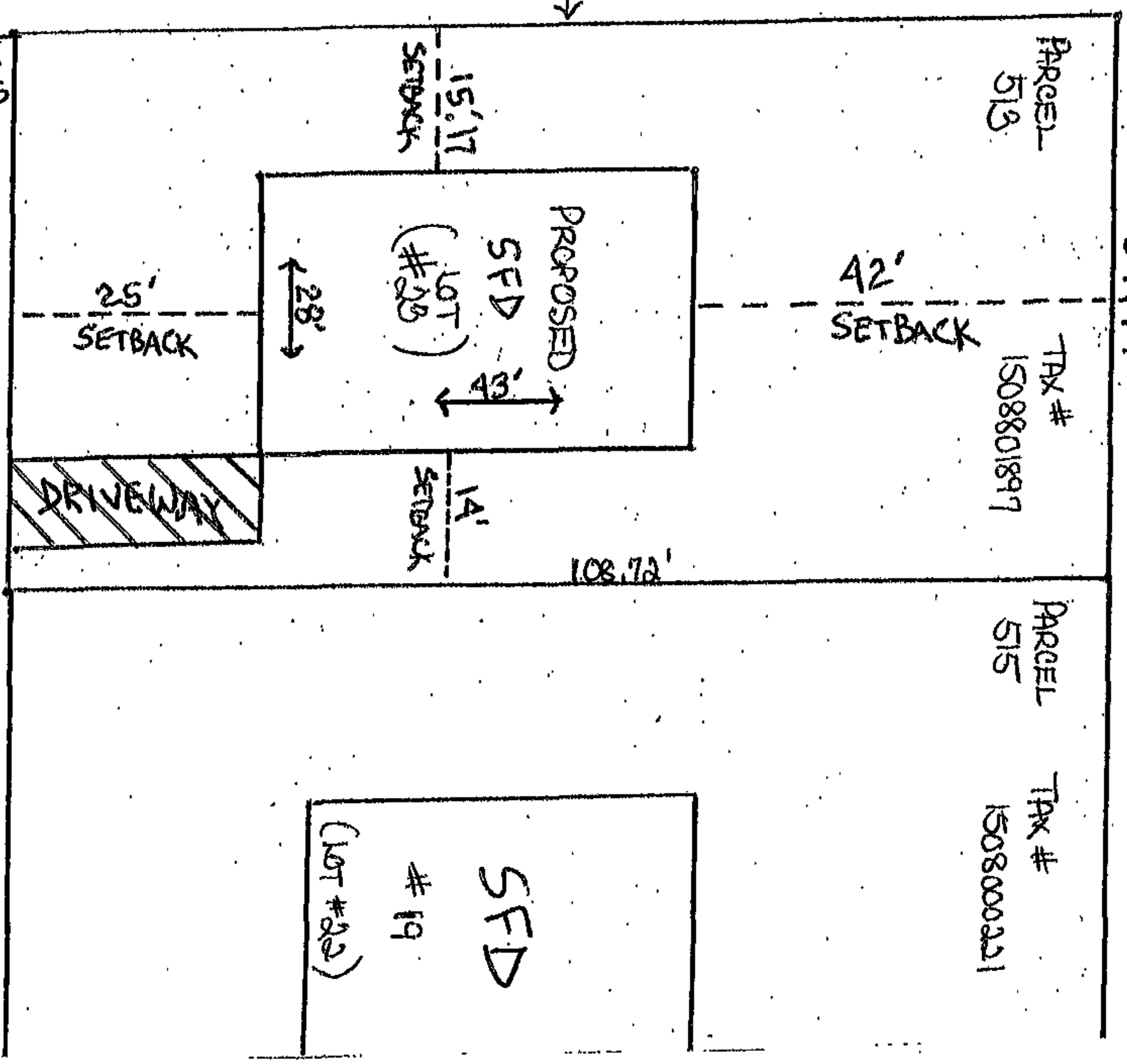
REVIEW TO STREAM

40'

LINE RD

OWNERSHIP
UNKNOWN

(HEAVILY
WOODED)



PREPARED BY TIMOTHY LUST

SCALE: 1" = 20 Feet

SIDEWELL COURT
40' R/W

COTE ROAD

POLES RD

BACK RIVER NECK ROAD

VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 15th

COUNCILMANIC DISTRICT 6th

1" = 200' SCALE MAP # NE 21

ZONING DR 5.5

LOT SIZE 6.216 ACRES

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY / BUILDING ☐ ☒

PRIOR ZONING HEARING ☐

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE # 04-220-SPH
D. THOMPSON 220

FEE SIMPLE DEED

Tax ID No. 15-08-801897
Lot 23, Prices Cove/Sidewell Court

THIS DEED, Made this 28TH day of August, 2003, by and between **CHARLOTTE W. PINE and DANIEL W. HUBERS**, parties of the first part, Grantors, and **VINCENT S. SERIO**, party of the second part, Grantee.

WITNESSETH, That in consideration of the sum of \$40,000.00, the said parties of the first part do grant and convey to the said **VINCENT S. SERIO**, his personal representatives and assigns, in fee simple, all that lot of ground in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 23, as shown on the unrecorded Plat of Prices Cove, prepared by Albert E. Pohmer, Surveyor and Civil Engineer, dated March 11, 1946, fronting 69.20 feet on Sidewell Court and having an even depth of 150 feet.

BEING THE SAME property which by Deed dated June 18, 1997 and recorded among the Land Records of Baltimore County in Liber SM No. 12263, folio 99 granted and conveyed by Daniel W. Hubers and James A. Pine, Co-Partners, Trading as Eastwood Estates, unto James A. Pine and Charlotte W. Pine, his wife, and Daniel W. Hubers.

THE SAID James A. Pine departed this life on January 22, 1998, thereby vesting fee simple title in Charlotte W. Pine, by right of survivorship.

Red No 2



Baltimore County
Department of Permits and
Development Management

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

May 12, 2003

Ms. Charlotte Pine
607 Baltimore Avenue
Towson, Maryland 21204.

Dear Ms. Pine:

Re: 23 Sidewell Court ED 15

The subject property is zoned DR 5.5. The minimum area requirements for that zone are 6000 square feet of area, a rear setback of 30 feet, an inside side yard setback of 10 feet, and a side street setback of 25 feet. The front setback is an average of existing structures 200 feet to either side. I have enclosed a form with which to make the calculations. This information is based on the site plan you have provided and your assurances to me that this lot is not part of a recorded plat or a Baltimore County Planning Board approved subdivision.

Using the requirements provided above, and the general lot line description shown on your site plan, the property appears to be buildable according to Section 1B02.3.C.1 of the Baltimore County Zoning Regulations. All is subject to a proper survey of the property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John R Alexander
Planner II
Zoning Review

Enclosures

c: Letter File

Ref No 3

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**Department of Environmental Protection
and Resource Management**

401 Bosley Avenue, Suite 416
Towson, Maryland 21204

**Baltimore County**

James T. Smith, Jr., County Executive
David A.C. Carroll, Director

ATTN:
BUD CLARK

December 11, 2003

Mr. Tim Lust
Midsize Construction, Inc.
P.O. Box 672
Abingdon, MD 21009

Re: Case # 04-220-SPH
23 Sidewell Court

Dear Mr. Lust:

The Department of Environmental Protection and Resource Management (DEPRM) has received and reviewed your preliminary assessment request regarding the adjacent land to the above-referenced property. You are requesting the zoning department to remove this paper road from their map. You wanted to know the environmental impact of Line Road (a paper road) to the natural resources if it was ever built.

This property is in the Chesapeake Bay Critical Area (CBCA). Building this road would obviously increase the impervious surface area and remove trees in a wooded area in the CBCA. There are regulations regarding impervious surface and forest clearing limits on lots and parcels of land in the CBCA. This Department would have concerns with more impervious area and less of a filtering system with the removal of trees within a few hundred feet to tidal waters.

If you have any questions regarding this matter, please contact me at 410-887-3980.

Sincerely,

Keith Kelley
Natural Resource Specialist
Environmental Impact Review

Kdk#21/lust

Red No 7

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RESUME

Ref No 9

JAMES S. PATTON, P.E.,
PRESIDENT, PATTON CONSULTANTS LTD.

Mr. Patton has over thirty five (35) years experience in site engineering, site development services, and land planning for a wide variety of public and private clients. His experience in the private sector has been in residential, commercial, and industrial site development. His public works experience is very broad, as he served as an officer in the U. S. Navy Civil Engineering Corps and as City Engineer for Washington, PA. In addition, he has provided site engineering and planning services to many local school boards, hospitals, colleges, and institutions in their development and construction programs.

He has been responsible for projects ranging in size and scope from a few thousand square feet to areas of more than a thousand acres. These projects have included storm water management, water distribution, sanitary sewer, streets, roads, parking areas, grading, wetlands and critical areas, and erosion control. His background includes new development, expansion, restoration, renewal and revitalization.

Site Plan approvals and obtaining permits for site development is a major focus. The ability to overview the various elements of site development such as zoning, environmental concerns, and utilities has been and is an important function performed by Mr. Patton in obtaining approvals and expediting the development of a site or project.

EDUCATION:

SWARTHMORE COLLEGE
UNIVERSITY OF PENNSYLVANIA

Bachelor of Science, Civil Engineering
Master of City Planning

LICENSES/CERTIFICATIONS:

PROFESSIONAL ENGINEER

**Pennsylvania, West Virginia (inactive)
and Maryland**

EXPERT WITNESS

**Baltimore County Circuit Court;
Baltimore County District Court;
Board of Appeals and Zoning
Commissioner; Anne Arundel County
Zoning Commission; City of Baltimore
Zoning Commissioner. Circuit Court
Washington County, PA.**

COMPREHENSIVE PLANNER

**New York, Pennsylvania, West Virginia,
and Delaware.**



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Baltimore County Zoning Commissioner
Office of Planning
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204



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CURVE DATA

STATION	CHORD BEARS	CHORD BEARS	CHORD BEARS
1	100.00	100.00	100.00
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3	100.00	100.00	100.00
4	100.00	100.00	100.00
5	100.00	100.00	100.00
6	100.00	100.00	100.00
7	100.00	100.00	100.00
8	100.00	100.00	100.00
9	100.00	100.00	100.00
10	100.00	100.00	100.00

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THIS PHOTO TAKEN FROM THE
RECORDS OF THE CIRCUIT
COURT FOR BALTIMORE
COUNTY IS FOR OFFICIAL
USE ONLY AND NOT TO BE
DUPLICATED FOR SALE OR
RENT

THE JAMES COOK APARTMENTS



NOTES

1. The subject property is located in the Hilltop Park area of Baltimore County, Maryland. It is bounded by Hilltop Avenue to the north, Oakfield Avenue to the west, and a 20-foot alley to the east. The property is currently vacant and is being offered for sale or lease. The owner is James Cook Apartments, Inc.

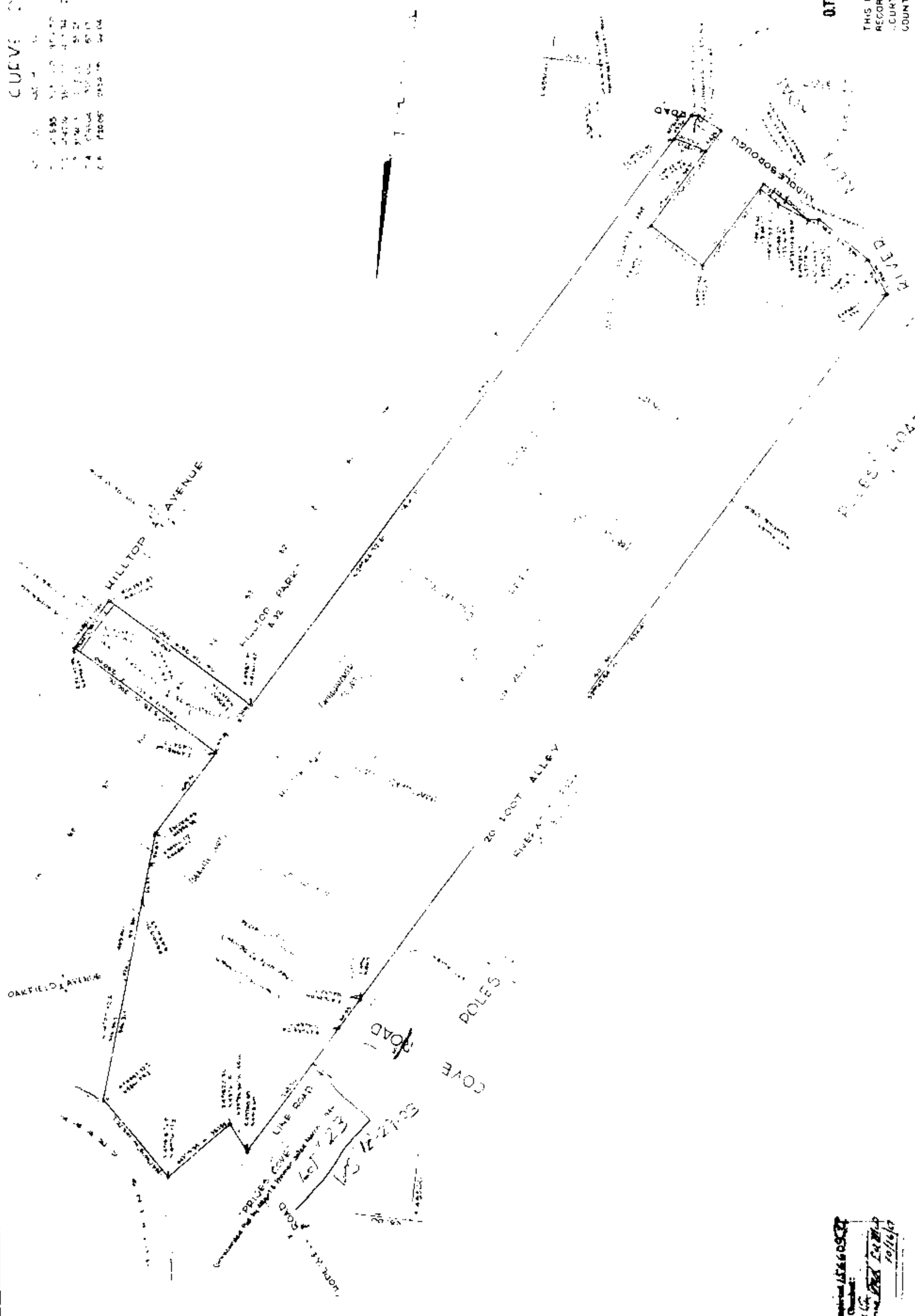
GENERAL NOTES

1. The subject property is located in the Hilltop Park area of Baltimore County, Maryland. It is bounded by Hilltop Avenue to the north, Oakfield Avenue to the west, and a 20-foot alley to the east. The property is currently vacant and is being offered for sale or lease. The owner is James Cook Apartments, Inc.

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