IN RE: PETITION FOR VARIANCE

E/S Lee Drive, 475' N of the c/l

Old Frederick Road
(513 Lee Drive)

1<sup>st</sup> Election District

1<sup>st</sup> Council District

Russell Lee Sterner Petitioner

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* Case No. 04-436-A

\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Russell Lee Sterner. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family dwelling with a side yard setback of 7.5' and a lot width at the front building line of 47.5' in lieu of the required 10' and 55', respectively, and from Section 304.1 of the B.C.Z.R. to approve the subject property as an undersized lot. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Russell Sterner, property owner, and Brian R. Dietz, the Professional Land Surveyor who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a roughly rectangular shaped parcel located on the east side of Lee Drive, between Geipe Road and Old Frederick Road in Catonsville. The property is approximately 44.27 feet wide along the front property line, is 170 feet deep, and widens to approximately 54.27 feet across the rear, for a total area of 8,363 sq.ft. zoned D.R.5.5. The property is presently improved with a one-story building known as 513 Lee Drive, which was previously used for business purposes and is now vacant. The Petitioner also owns the adjacent property, which is improved with a single family dwelling known as 511 Lee Drive and a detached garage. That property is 55 feet wide and 170 feet deep, and is also zoned D.R.5.5. Testimony

ORIDER RECEIVED FOR FILING

By

By

indicated that these two adjacent lots were at one time under separate ownership; however, were acquired jointly by the prior owner who subsequently conveyed both lots to Mr. Sterner. The prior owner apparently used the building on the subject property for business purposes.

Mr. Sterner proposes to raze all three structures and construct new single family dwellings on both the subject and adjacent lots. No variance relief is necessary for the proposed dwelling on the adjacent lot in that all area and setback requirements will be met. However, relief is necessary as set forth above in order to develop the subject property as proposed. It is to be noted that the north side of the property where setback relief is requested abuts an apartment complex, which is zoned D.R.16. The closest apartment building on that property is approximately 60 feet from the side property line of the subject lot. It is also to be noted that the Petitioner obtained a lot line adjustment through the D.R.C. In this regard, the adjacent lot, known as 511 Lee Drive, was previously 60 feet wide and the subject lot was less than 40 feet wide. The Petitioner obtained approval through the D.R.C. to adjust the lot line between the two properties to increase the width of the subject lot and decrease the width of the adjacent lot by 5 feet. Testimony indicated that lots in the area are of various sizes and there appears to be no consistent theme in the neighborhood insofar as lot widths. The lot adjacent to 511 Lee Drive (509 Lee Drive) is but 40 feet wide and is improved with a single-family dwelling.

After due consideration of the testimony and evidence presented, it appears appropriate to permit development of the subject property with a single-family dwelling; however, both lots should be developed in a manner consistent with one another. In this regard, both houses should be setback a consistent distance from the street, and both homes should be architecturally compatible with the neighborhood. In order to achieve these goals, I will grant variance relief to allow the proposed dwelling on the subject lot to be located closer to the street than shown on the site plan. The Petitioner originally proposed to locate the dwelling in approximately the center of the subject lot in order to take advantage of the lot's increased width as it widens towards the rear. However, allowing the house to be located in the center of the lot results in it being located further from Lee Drive than the proposed dwelling next door. Thus, I will require that the new dwelling be situated closer to Lee Drive so as to provide no less than a 5-foot side yard setback on the north side and a minimum lot width along the

front building line of 45 feet. Additionally, I will require that the Petitioner resubmit his plans for both lots, along with building elevation drawings of the proposed dwellings, to the Office of Planning for review and approval. Those plans shall show that both houses will be setback a consistent distance from Lee Drive and will be architecturally compatible with each other and the surrounding neighborhood.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested, as modified above, shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of May 2004 that the Petition for Variance seeking relief as modified herein from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family dwelling on the subject property with a minimum side yard setback of 5 feet on the north side, and a minimum lot width at the front building line of 45 feet in lieu of the required 10 feet and 55 feet, respectively, and to approve the subject property as an undersized lot, pursuant to Section 304.1 of the B.C.Z.R., be and is hereby GRANTED, subject to the following restrictions:

- 1) Prior to the issuance of any permits, the Petitioner shall resubmit his plans for both lots, along with building elevation drawings of the proposed dwellings, to the Office of Planning for review and approval to insure consistency and compatibility with the surrounding neighborhood.
- 2) Prior to the issuance of any permits, the Petitioner shall submit a revised site plan depicting the modified relief granted herein to the Department of Permits and Development Management for inclusion in the case file.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

AWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

# 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

May 13, 2004

Mr. Russell Lee Sterner 322 Concert Way Baltimore, Maryland 21228

RE: PETITION FOR VARIANCE

E/S Lee Drive, 475' N of the c/l Old Frederick Road, S of Geipe Road

(513 Lee Drive)

1<sup>st</sup> Election District – 1<sup>st</sup> Council District

Russell Lee Sterner - Petitioner

Case No. 04-436-A

Dear Mr. Sterner:

LES:bjs

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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

cc: Mr. Brian Dietz, 7867 Oakdale Avenue, Baltimore, Md. 21237 Office of Planning; People's Counsel; Case File



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



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 513 LEE DRIVE

which is presently zoned  $\boxed{25.5}$ 

of the property elitrate in Raltimore County and which is	ermits and Development Management. The undersigned, legal owner (sisted to be a second to the description and plat attached hereto and made a page 1981).
(a)   (a)   (a)   (a)   (b)   (b)   (b)   (c)   (c)	BOZ $3$ $C$ $1$ $B$ $C$ $Z$ $R$ $)$ $4$ $304.1 (807)$
TO PERMIT A PROPOSED	SINGLE FAMILY DINECLING
TO HAVE A SIDE YARD	OF 7.5 AHO A LOT WIDTH AT
	7.5' IN LIEU OR THE REQUIRED
	JELY AND TO APPROUF ANUNDERSIZED
of the Zoning Regulations of Baltimore County, to the zon	ning law of Baltimore County, for the following reasons: (indicate hardsh
or practical difficulty)	
	ı
Droporty is to be pested and advertised so preservised by:	the mening requires
Property is to be posted and advertised as prescribed by , or we, agree to pay expenses of above Variance, advertis	lising, posting, etc. and further agree to and are to be bounded by the zonir
regulations and restrictions of Baltimore County adopted pursu	uant to the zoning law for Baltimore County.
	I/We do solemnly declare and affirm, under the penalties of that I/we are the legal owner(s) of the property which
is the subject of the	his Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type or Print / / / / / / / / / / / / / / / / / / /
	( -tour )
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code	
<u> Attorney For Petitioner:</u>	372 CONERT WAY
	Address Telephone No.  Paltonous WD 21228
Name - Type or Print	City State Zip Code
9	Representative to be Contacted:
Signature  L	BRIAN DIETZ
	SANO
<b>O</b> mpan/	Name 7867 OAKDALE AVE. 410-686-1198
Telephone No.	
	13ALTO. ABOUG 21237
State Zip Code	City State Zip Code
	OFFICE USE ONLY
Tasa NA (NA-436-D	ESTIMATED LENGTH OF HEARING
は「************************************	

UNAVAILABLE FOR HEARING
Reviewed By DIHOMPSON Date 3/19/04

# Brian Dietz

# Professional Land Surveyor #21080

7867 Oakdale Avenue, Baltimore, MD 21237 Phone 410-686-1198 Fax 410-682-6021

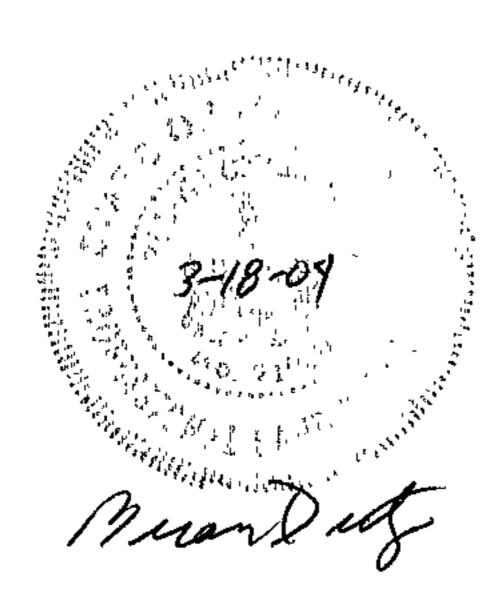
# Zoning Description Sterner Property

## 513 Lee Drive 1st Election District, 1st Councilmanic District

Beginning for the same at a point on the East side Lee Drive at a distance of 475 feet more or less from the intersection of the North side of Old Frederick Road and the East side of Lee Drive, and running thence 1) North 10 degrees 16 minutes 08 seconds East, 44.27 feet; thence leaving said East side of Lee Drive and running the three following lines viz; 2) South 83 degrees 05 minutes 52 seconds East, 170.29 feet; 3) South 10 degrees 16 minutes 08 seconds West, 54.27 feet; and 4) North 79 degrees 43 minutes 52 seconds West, 170.00 feet, to the point of beginning.

Containing 0.192 Ac. or 8,363 sq. ft. of land more or less

This description is for zoning purposes only.



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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: # 04-436-A
513 Lee Drive
513 Lee Drive
6 475 feet n/east from n/side of Seast side of Lee Drive, 475 feet n/east from n/side of Letal Owner(s): Russell Steiner
1 Letal Owner(s): Russell Steiner
2 Russell Russell Steiner
2 Russell Ru

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

Zoning Commissioner for Baltimore County

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

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

Contact the Zoning Review Office at (410) 887-3391.

# E OF PUBLICATION

# 300 T

that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY £0000 once in each of

X The Jeffersonian ☐ Arbutus Times Times Catonsville

Towson Times

Owings Mills Times

☐ NE Booster/Reporter North County News Maringer

LEGAL ADVERTISING





RE: Case No.: 04-436-A

Petitioner/Developer: RUSSELC

STERNER

Date of Hearing/Closing: MAY 10, 2004

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

۹.

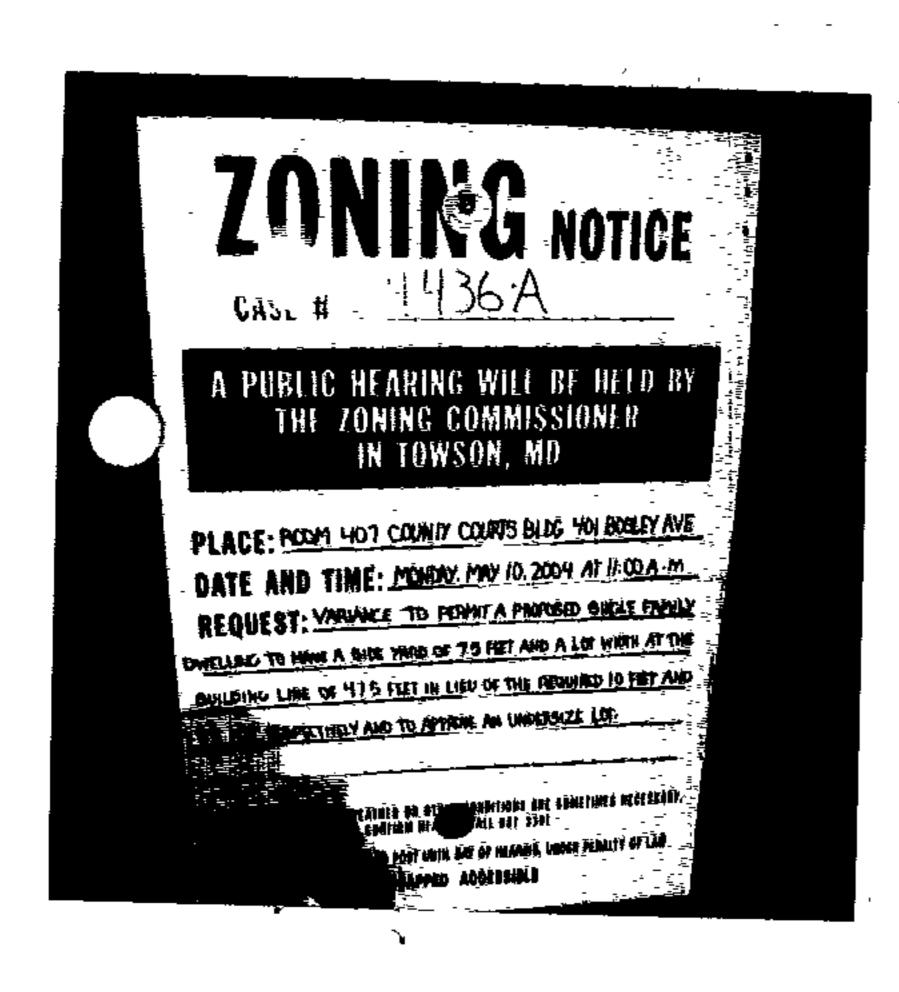
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

5/3 LEE DRIVE

The sign(s) were posted on

(Month, Day, Year)

Sincerely,



Robert Black 4/24/04
(Signature of Sign Poster) (Date)
SSG Robert Black
(Print Name)
1508 Leslie Road
(Address)
Dundaik, Maryland 21222
(City, State, Zip Code)
(410) 282-7940
(Telephone Number)





RE: PETITION FOR VARIANCE

513 Lee Drive; SE/side Lee Drive,

475' NE from N/side Old Frederick Road

1<sup>st</sup> Election & 1<sup>st</sup> Councilmanic Districts

Legal Owner(s): Russell Leer Sterner

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

\* FOR

101

\*

BALTIMORE COUNTY

\* 04-436-A

\* \* \* \* \* \* \* \* \*

# 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 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 8<sup>th</sup> day of April, 2004, a copy of the foregoing Entry of Appearance was mailed to, Brian Dietz, 7867 Oakdale Avenue, Baltimore, MD 21237, Petitioner(s).

RECEIVED

APR 0 8 2004

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per.....

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 22, 2004 Issue - Jeffersonian

Please forward billing to:

Russell Sterner 322 Concert Way Baltimore, MD 21228

Contact: Brian Dietz

410-686-1198

# **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: 04-436-A

513 Lee Drive

S/east side of Lee Drive, 475 feet n/east from n/side of Old Frederick Road 1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District Legal Owner: Russell Sterner

<u>Variance</u> to permit a proposed single family dwelling to have a side yard of 7.5 feet and a lot width at the building line of 47.5 feet in lieu of the required 10 feet and 55 feet respectively and to approve an undersize lot.

Hearing: Monday, May 10, 2004, at 11:00 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

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



# **Baltimore County**

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

March 31, 2004

# **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: 04-436-A

513 Lee Drive

S/east side of Lee Drive, 475 feet n/east from n/side of Old Frederick Road

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Russell Sterner

Variance to permit a proposed single family dwelling to have a side yard of 7.5 feet and a lot width at the building line of 47.5 feet in lieu of the required 10 feet and 55 feet respectively and to approve an undersize lot.

Hearing: Monday, May 10, 2004, at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Russell Sterner, 322 Concert Way, Baltimore 21228 Brian Dietz, 7867 Oakdale Avenue, Baltimore 21237

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 24, 2004.

- (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.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

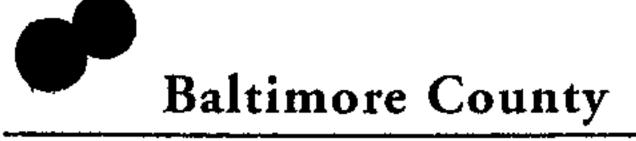
For Newspaper Advertising:
Item Number or Case Number: 04-436-A
Petitioner: STERNER
Address or Location: 513 LEE DRIVE
·
PLEASE FORWARD ADVERTISING BILL TO:
Name: MR. RUGSELL L. STERNER
Address: 322 CONCERT WAY
DALTO MD 21228
Telephone Number: BRIAN DIETZ 410-686-1198

Revised 2/20/98 - SCJ

# Department of Permits Development Management

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





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

May 3, 2004

Russell Lee Sterner 322 Concert Way Baltimore, Maryland 21228

Dear Mr. Sterner:

RE: Case Number: 04-436-A, 513 Lee Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 19, 2004.

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,

u. Callibal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Brian Dietz 7867 Oakdale Avenue Baltimore 21237

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

# Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

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

March 31, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 31, 2004

Item No.:

436-449

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.

6. 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



# BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** May 18, 2004

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting For April 12, 2004

Item Nos. 436, 437, 438, 439, 440, 441,

445, 446, 447, 448, and 449

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

RWB:CEN:jrb

cc: File



TO:

Tim Kotroco

FROM:

R. Bruce Seeley (25/jp)

DATE:

April 5, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-436

04-437

04-438

04-439

04-440

04-441

04-445

04-446

04-447 04-448

04-449

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

f10

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

**DATE:** April 13, 2004

APR 1 4 2004

ZONING COMMISSIONER

SUBJECT:

513 Lee Drive

INFORMATION:

Item Number:

4-436

**Petitioner:** 

Russell Lee Sterner

Zoning:

DR 5.5

Requested Action:

Variance

### SUMMARY OF RECOMMENDATIONS:

It appears that the petitioner owns sufficient adjoining land (511 Lee Drive) to conform to the width and area requirements contained in the BCZR. As such, the petitioner does not meet the requirements stated in Section 304.1.C of the BCZR.

As determined by a site visit, there is a mixture of lot sizes in the neighborhood. The Office of Planning can not determine the compatibility of the proposed house with the existing character of the neighborhood as the applicant did not submit the required building elevations or photographs with the undersized lot submittal.

If the petitioner's request is approved, the established building setback should be maintained along Lee Drive. In addition, the applicant should submit building elevations to the Office of Planning for review and approval. The materials and design should be compatible with the neighborhood. Photographs of the existing homes in the neighborhood must accompany that submittal.

Prepared by:

Division Chief;

AFK/LL:MAC:



Director, Office of Planning & Community Conservation

Attention: Jeffrey Long

TO:

Permit or Case No. 04-436 -A

	County Courts Building, Room 406		
	401 Bosley Avenue Towson, MD 21204		Residential Processing Fee Paid (\$50.00)
FROM:	Arnold Jablon, Director Department of Permits & Development Management		Accepted by D.THompson
RE:	Undersized Lots		Date <u>3/18/0</u> 4
Pursuant the Offic	to Section 304.2 (Baltimore County Zoning Regulations) effe e of Planning and Community Conservation prior to this office	ctive June 25, 1992, this office is requ 's approval of a dwelling permit.	lesting recommendations and comments from
MINIMU	M APPLICANT SUPPLIED INFORMATION:	-	
	Print Name of Applicant	322 CONCERT U	Telephone Number
	Lot Address 5/3 LEE Drive	Election DistrictCouncilmani	ic District Square Feet 8363
Lot Loca	ation: NES W/side/corner of LEE DRIVE (street)		S W corner of OND FREDERICK RD. (street)
Land O	wher: Russell Lee Stringer	Tax Account	Number 0123750140
Address	: 322 Concra Way	Telephone N	Jumber 410, 977-4000
CHECKL	IST OF MATERIALS (to be submitted for design review by t	the Office of Planning and Community	Conservation)
TO BE	FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERI		
1. This R	Recommendation Form (3 copies)	YES	'IDED? <b>NO</b>
2. Permi	t Application		
3. Site Pi Prop	lan erty (3 copies)		<del></del>
4. Buildi	ng Elevation Drawings		
	graphs (please label all photos clearly) ing Buildings	<del></del>	
Surrou	nding Neighborhood		
6. Currer	nt Zoning Classification:	<del></del>	
id victoria de la composicio della compo	TO BE FILLED IN BY	Y THE OFFICE OF PLANNING ONLY	1
nrcouu.	TAIDATIONO ( COMMENTO.		
KECOMINI Terret	ENDATIONS / COMMENTS:		
	Approval Disapproval Approval conditione	d on required modifications of the applicatio	n to conform with the following recommendations:
Signed by			Date:
r	for the Director. Office of Planning and Community Conservation		

Revised 2/05/02

The application for your proposed Building Permit application filing by on on	nas been reviewed and	is accepted for
(name of planner)	Date	(A)
A sign indicating the proposed building must be posted on the decision can be rendered. The cost of filing is \$50.00. The current fees prior to filing the application.	ne property for fifteen (18 is fee is subject to chan	5) days before a ge. Confirm all
In the absence of a request for public hearing during the 1 expected within approximately four weeks. However, if a valid then the decision shall only be rendered after the required public.	d demand is received by	decision can be the closing date,
*OUOOFOTED DOOTING DATE	D /45 Dava B	oforo C)
*SUGGESTED POSTING DATE	D (15 Days B	elote C)
DATE POSTED	<del></del>	
HEARING REQUESTED? YES NO DATE /		<del></del>
CLOSING DAY (LAST DAY FOR HEARING DEMAND)	C (B-3	3 Work Days)
TENTATIVE DECISION DATE	B (A	+ 30 Days)
*Usually within 15 days of filing		
CERTIFICATE OF POSTING		I
District:		
Location of Property:		······································
Posted by: Date of Signature	of Posting:	
Number of Signs:		

De Variance Date



10:	Attention: Jeffrey Long County Courts Building, Room 406 401 Bosley Avenue Towson, MD 21204	unity Conservation	repinit o	Residential Processing Fee Paid
FROM:	Arnold Jabion, Director Department of Permits & Developme	nt Management		(\$50.00)  Accepted by D.THOMPSON  Date 3/18/04
RE:	Undersized Lots		· · · · · · · · · · · · · · · · · · ·	
Pursuant the Office	to Section 304.2 (Baltimore County Zoning e of Planning and Community Conservation	g Regulations) effective June 25, prior to this office's approval of a	1992, this office is reques dwelling permit.	ting recommendations and comments from
	M APPLICANT SUPPLIED INFORMA	!	<i>a</i>	
	Print Name of Applicant Lot Address 5/3 LEE Driv	Ruuless	etrict / 25 Councilmanic I	Telephone Number  District Square Feet 8363
	ation: NES W/side corner of LEE			W corner of OND FREDERICK RD.
Land O	wner: Russell Lee St	(street)	Tax Account Nu	(street) Imber 0123750140
Address	5: 322 Concar 1	<u> </u>	Telephone Nun	nber 410, 977-4000
CHECKL	IST OF MATERIALS (to be submitted for	design review by the Office of Pla		
TO BI	FILLED IN BY ZONING REVIEW, DEPA	RTMENT OF PERMITS AND DE	ELOPMENT MANAGEN	MENT ONLY!
1. This F	Recommendation Form (3 copies)		PROVIDI YES	NO
2. Permi	it Application	 	*******	
3. Site P	lan serty (3 copies)			
4. Buildi	ing Elevation Drawings		Fram's	
	graphs (please label all photos clearly) ring Buildings		<del></del>	
Surrou	unding Neighborhood		4	
6. Curre	nt Zoning Classification:	<u> </u>		
	TO	BE FILLED IN BY THE OFFICE	OF PLANNING ONLYI	<del>, 11</del>
RECOMM	MENDATIONS / COMMENTS:			
	Approval Disapproval	Approval conditioned on required mo	difications of the application to	o conform with the following recommendations
Signed by	r for the Director, Office of Planning and Commu	nity Conservation		Date:
	• • • • • • • • • • • • • • • • • • • •	<del>-</del>		

Revised 2/05/02

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





Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

### MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

4.5.004

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

RE:

Baltimore County

Item No.

434

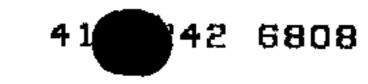
Dear. Ms. Matthews:

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



Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Avenue Towson, MD 21204

410-887-3335

April 1, 2004

Russell Sterner 322 Concret Way Catonsville, MD 21228

RE: Sterner Property
513 Lee Drive
DRC Number 030104B; Dist. 1C1

Dear Mr. Sterner:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the <u>Baltimore County Code</u> and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on March 1, 2004, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (A) (9). This project is subject to an undersized lot bearing, or the removal of the accessory building on an undersized lot. Please provide copies of the newly recorded deeds to the Land Acquisition Office so our Geographical Information System (CIS) database files can be brought up-to-date.

p.2

Russell Sterner Sterner Property April 1, 2004 Page 2

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 1st day of April 2004, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

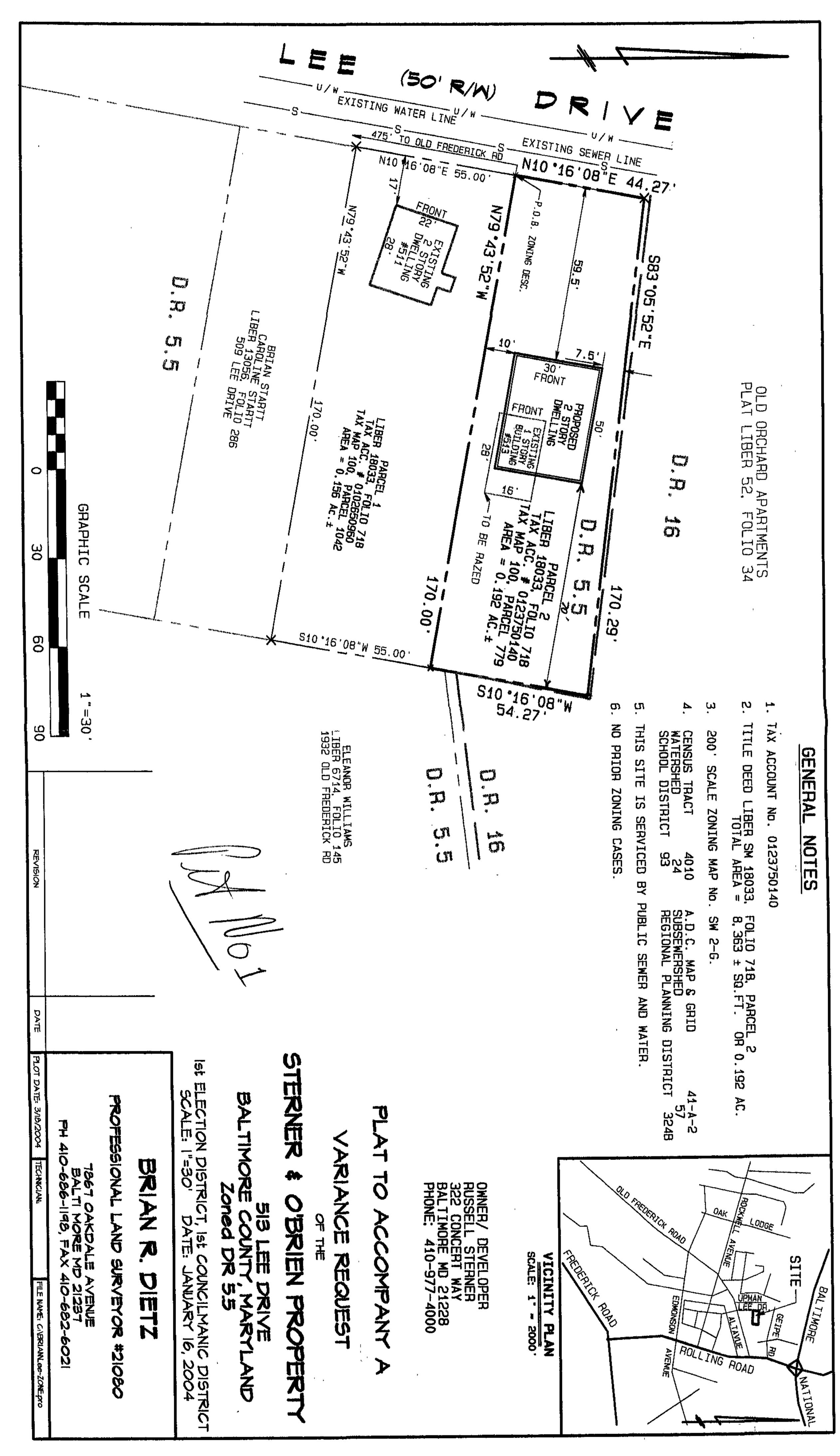
Timothy Kotroco

Walle Jamet M. For

Director

TK:DTR:dak

c: File



04-436-A DI

and a married book model of their is districted by their in-

payment to them of Ten Dollars as renewal fine, execute and deliver or cause to be executed and delivered, to the said lessee, her executors, administrators or assigns, at her or their request and cost, a new lease of the above described property for another term of ninety-nine years, to commence on the expiration of this, subject to the same rent, and with the same covenants, so that the demise hereby created may be renewable and renewed, from time to time, forever.

Witness the hands and seals of the parties hereto

TEST: Eugene M. Carozza

Lee W Wolf

Lee W. Wolf

(SEAL)

Eugene M. Carozza

Ida Wolf

(SEAL)

Ida Wolf

Evelyn M Longest

(SEAL)

Evelyn M. Longest

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I Hereby Certify, that on this fifteenth day of November in the year one thousand nine hundred and fifty before me, the subscriber, a Notary Public of Baltimore County of the State of Maryland, in and for Baltimore County aforesaid, personally appeared Lee W. Wolf and Ida Wolf, his wife, lessors, and Evelyn M. Longest, Lessee, and severally acknowledged the foregoing Lease to be their act.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal)

Eugene M. Carozza

Eugene M. Carozza, Notary Public

Rec Nov 27 1950 at 2:30 P M & exd per T Braden Silcott Clerk rec by bla Exd by WB&G

Asgt to Raymond Brown et al : one thousand nine hundred and fifty by and between Evelyn

M. Longest, unmarried, Grantor of Baltimore County in the

State of Maryland, of the first part, and Raymond Brown and Vivian Lee Brown, his wife, Grantees of the second part

Witnesseth, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, receipt of which is hereby acknowledged the said Grantor doth grant and convey unto the said Grantees, as tenants by the entireties, their heirs, personal representatives and assigns all that lot of ground situate in the First Election District of Baltimore County aforesaid, and described as follows, that is to say:

Beginning for the same at a point distant 240 feet from the beginning of the third or north 10 degree 30 minutes 30 seconds east line in a Deed dated November 15th, 1949 and recorded among the Land Records of Baltimore County in Liber T B S No. 1799 folio 218 was granted and conveyed by EvelynM. Longest to Lee W. Wolf and Ida Wolf, his wife said srd line beginning roint being 125 feet northerly and along the aforementioned line from the north side of Old Frederick Road; thence continuing northerly along said line 60 feet to a point thence north 79 degrees 29 minutes 30 seconds west 170 feet to the east side of Lee Drive thence south 10 degrees 30 minutes 30 seconds west and along the side line of the aforesaid Lee Drive southerly 60 feet to a point thence south 79 degrees 29 minutes 30 seconds east and leaving said drive: 170 feet to the place of beginning.

BEING a part of the whole tract of land which by Deed dated November 15th, 1949 and recorded among the Land Records aforesaid in Liber T B S No. 1799 folio 218 was granted and conveyed

Ned 2A

ESDI 23 (23)

THIS DEED, Made this 10th day of January, 1970, by and between HAZEL W. MERBLER, Committee of the Person and Estate of IDELLA R. WOLF, an incompetent, of Baltimore County, State of Maryland, party of the first part, and RAYMOND M. BROWN and VIVIAN W. BROWN, his wife, of Baltimore County, State of Maryland, parties of the second part.

WHEREAS, by a Decree of the Circuit Court of Baltimore County, Equity Docket 85, folio 18, Case No. 62297, on the 8th day of March, 1968, Idella R. Wolf was declared an imcompetent and Hazel W. Merbler, her daughter, was duly appointed Committee for the said Idella R. Wolf.

AND WHEREAS by a Decree of the same Court dated September 11, 1969 in the same proceedings, Hazel W. Merbler, Committee of Person and Estate of Idella R. Wolf, was authorized to sell the fee simple property being a vacant lot on Lee Drive in Baltimore County (hereinafter more fully described).

AND WHEREAS the said Hazel W. Merbler in accordance with the Order of the Court did sell the said property to Raymond M. Brown and Vivian W. Brown, his wife, for the sum of Two Thousand Dollars (\$2,000.00) which sale being the agreed market value of the property.

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of the sum of Two Thousand Dollars (\$2,000.00) the receipt of which is hereby acknowledged, the said Hazel W. Merbler, Committee, does grant and convey unto the said Raymond M. Brown and Vivian W. Brown, his wife, as Tenants by the Entireties their assigns, the survivor of them, and survivor's heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in the First Election District of Baltimore County, State of Maryland, and described as follows, that is to say:-

BEGINNING for the same at a point distant 519.93 feet from the corner formed by the northerly side of Old Frederick Road and the easterly line of Lee Drive (as now laid out 50 feet wide) said beginning point being the same point of beginning and the first line in a Deed dated October 4, 1958 and recorded among the Land Records of Baltimore County in Liber 3428, Page 299, was granted and conveyed by Lee W. Wolf et al. to Lighthouse Enterprises, Inc., thence running and leaving the east side of Lee Drive and binding on the first line of the aforesaid conveyance south 89 degrees, 09 minutes east 170.29 feet to an iron pipe, thence binding on the second line in the aforesaid Deed and running south 04 degrees 13 minutes west 47.30 feet to an iron pipe heretofore set at the beginning of the fourth line of the whole tract of land which by Deed dated November 15, 1949 and recorded among the Land Records of Baltimore County in Liber TBS No. 1799 folio 218, was granted and conveyed by Evelyn M. Longest to Lee W. Wolf et al., thence running with and binding on the second line in a Deed dated November 15, 1950 and recorded among the Land Records aforesaid in Liber TBS No. 1913 folio 167 was granted and conveyed by Evelyn M. Longest to Raymond Brown and wife, north 79 degrees 29 minutes 30 seconds west 170 feet to the east side of Lee Drive; thence running with and binding reversely on a part of the south 10 degrees 30 minutes 30 seconds west 554.23 foot line in the aforesaid Deed from Longest to Wolf and 84.10 feet from the beginning of the eighth line in the Longest to

TAN S O REC. # JAN 27 70

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Action Street

30.00 Mac





Don

hundred and forty-nine, before, the subscriber, a Notary Public the State of Maryland, in and for Baltimore County aforesaid, personally appeared Lloyd Godman, Laura G. Godman, Lee W. Wolf and Ida Wolf the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

(Notarial Seal)

Eugene M. Carozza

Eugene M. Carozza

Notary Public.

Rec Nov 28 1949 at 2:30 P M & exd per T Braden Silcott Clerk (Rec by BLA) Exd by G&H

118302 Evelyn M Longest

: THIS DEED, Made this Fifteenth day of November in the year

Deed to Lee W Wolf et al

: one thousand nine hundred and forty-nine, by and between

Evelyn M. Longest, unmarried, Grantor of Baltimore County

in the State of Maryland, of the first part, and Lee W. Wolf and Ida Wolf, his wife, of the second part, and Willard W. Wolf, of the third part, Grantees

Witnesseth, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations the receipt of which is hereby acknowledged, the said Grantor doth grant and convey unto the said Grantees, reserving, however, unto the said parties of the second part and each of them the absolute right during the terms of their natural lives to sell, mortgage, encumber, lease, assign, convey, or in any other manner dispose of the hereinafter described property, and on and after their death then to Willard W. Wolf, his heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say:--

Beginning for the same at a point on the north side of Old Frederick Road distant south 83 degrees, 38 minutes west 63.1 feet and south 81 degrees, 58 minutes west 5.10 feet from a stone monument set in the north side of Old Frederick Road at the beginning point of the land described in the deed from Joseph Upman to Lloyd Godman dated October 31, 1946 and recorded among the Land Records of Baltimore County in Liber RJS No. 1519, Folio 302, etc. and running thence north 10 degrees, 30 minutes 30 seconds east andalong the second line in a deed dated April 10th, 1948 and recorded among the Land Records aforesaid in Liber TBS No. 1655, Folio 415 from Lloyd Godman, et al. to Jennings H.Mitchell and wife to the end thereof, 146.39 feet; thence along the third line in the aforesaid Mitchell deed to the end thereof south 79 degrees 29 minutes, 30 seconds east 70 feet to intersect the last line in the Upman-Godman deed aforesaid and at a point distant 125 feet from the end thereoff;  $\checkmark$ thence north 10 degrees, 30 minutes 30 seconds east reversely along said last line of the Upman-Godman deed 302 feet to the end of the sixth line in the Upman-Godman deed; thence reversing the said sixth line in said deed north 83 degrees, 38 minutes 30 seconds east 427 feet to a stone monument set at the end of the fifth line in said deed; thence reversing the fifth line in said deed north 10 degrees, 55 minutes east 289 feet to a concrete monument set at the end of the fourth line in said deed; thence reversing said fourth line north 64 degrees 20 minutes 30 seconds west 702.29 feet to the end of the prolongation of the southeast side of Lee Drive produced northeasterly from the end of Lee Drive and at the beginning point of the last line in a deed dated December 19th, 1947 and recorded among the Land Records aforesaid in Liber JWB No. 1629, Folio569 from Godman, et al. to Ritter, et al. and binding along said line and reversely to the prolongation northeasterly at said southeast side of Lee Drive south 10 degrees 30 minutes 30 seconds west 476.97 feet to the south east side of Lee Drive as now laid out 50 feet wide at the distance of 574.23 feet northeasterly

02/20

Click here for a plain text ADA compliant screen.



Go Back View Map **New Search Ground Rent** 

**Account Identifier:** 

District - 01 Account Number - 0102650960

**Owner Information** 

**Owner Name:** 

STERNER RUSSELL

**OBRIEN LOUIS** 

Use:

RESIDENTIAL

Principal Residence:

Mailing Address:

C/O RUSSELL STERNER

322 CONCERT WAY

**Deed Reference:** 

1) /18033/ 718

NO

**BALTIMORE MD 21228-5567** 

**Sub District** 

**Location & Structure Information** 

**Subdivision** 

**Premises Address** 

Grid

511 LEE DR

Map

**Legal Description** 

**511 LEE DR** 

WOLF GODMAN TRACT

9

Plat No: Lot Group

80

100 1042 5 Town Special Tax Areas

Parcel

1951

**Ad Valorem** 

Tax Class **Primary Structure Built** 

**Enclosed Area** 817 SF

**Property Land Area** 11,220.00 SF

**Block** 

**County Use** 04

Plat Ref:

**Stories** 

Basement YES

Type STANDARD UNIT

Section

ASBESTOS SHINGLE

Exterior

**Value Information** 

Value Phase-in Assessments Base Value As Of As Of As Of 01/01/2004 07/01/2003 07/01/2004 74,800 Land: 44,800 53,140 Improvements: 49,470 94,270 105,493 Total: 94,270 127,940 Preferential Land: 0

**Transfer Information** 

HARRIS MARGARET A

12/29/2003

**Deed1:** /18033/ 718

\$115,000 Price:

MULT ACCTS ARMS-LENGTH Type: **BROWN RAYMOND** Seller:

Seller:

Type:

Type:

Seller:

NOT ARMS-LENGTH

05/21/2003 Date: Deed1: /18033/ 718

\$0 Price: Deed2:

Deed2:

Date: Deed1:

Date:

Price: Deed2:

**Exemption Information** 

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

Tax Exempt: **Exempt Class:**  NO

Special Tax Recapture:

\* NONE \*

Click here for a plain text ADA compliant screen.



Go Back View Map **New Search Ground Rent** 

**Account Identifier:** 

District - 01 Account Number - 0123750140

**Owner Information** 

**Owner Name:** 

STERNER RUSSELL

**OBRIEN LOUIS** 

Use:

RESIDENTIAL

Principal Residence:

NO

Mailing Address:

C/O RUSSELL STERNER

322 CONCERT WAY

**Deed Reference:** 

1) /18033/ 718

**BALTIMORE MD 21228-5567** 

**Location & Structure Information** 

**Premises Address** 

513 LEE DR

**Legal Description** 

513 LEE DR ES

519 NE OLD FREDERICK RD

Subdivision **Sub District** Section Block Group Plat No: Grld Lot Мар Parcel 100 779 80 Plat Ref: 5 Town

**Ad Valorem Special Tax Areas Tax Class** 

**Property Land Area County Use Primary Structure Bullt Enclosed Area** 7,310.00 SF 04 0000 Exterior **Stories** Basement Type

**Value Information** 

Phase-in Assessments Value Base **Value** As Of As Of As Of 07/01/2003 01/01/2004 07/01/2004

19,310 11,810 Land: Improvements: 1,480 1,640 Total: 13,290 20,950 Preferential Land:

13,290 15,843

**Transfer Information** 

\$115,000 HARRIS MARGARET A Date: 12/29/2003 Price: Seller: **Deed1:** /18033/ 718 Deed2: MULT ACCTS ARMS-LENGTH Type:

**BROWN RAYMOND M** \$0 Seller: Date: 05/21/2003 Price: Deed2: NOT ARMS-LENGTH **Deed1:** /18033/ 718 Type: \$2,000

WOLF LEE W 01/27/1970 Seller: Price: Date:

**Deed1:** / 5068/ 197 Deed2: IMPROVED ARMS-LENGTH Type:

**Exemption Information** 

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

Tax Exempt: **Exempt Class:**  NO

Special Tax Recapture:

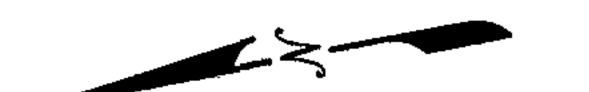
\* NONE \*

PLEASE PRINT CLEARLY

CASE NAME 04-436-4 CASE NUMBER STERMER PROPOSE DATE 5-10-2007

# PETITIONER'S SIGN-IN SHEET

E- MAIL		Russe Mastercan Hoors. Com											
CITY, STATE, ZIP	134170 MID 21237	73/th. MD 21228											
ADDRESS	7827 ORKVALE AVE	322 CONCERT WAY			•								
NAME	BRIAN DIETZ	FUSS STERNER	. ;						•				



OWNER/ DEVELOPER RUSSELL STERNER 322 CONCERT WAY BALTIMORE MD 21228 PHONE; 410-977-4000

S10 °16 '08 "W 55.00' S10 °16 '08 "W 54.27 PARCEL 1 PARCEL 2 LIBER 18033, FOLIO 718 LIBER 18033, FOLIO 718 TAX ACC. # 0102650960 TAX ACC. # 0123750140 TAX MAP 100, PARCEL 1042 TAX MAP 100, PARCEL 779  $AREA = 0.215 Ac. \pm$  $AREA = 0.192 AC.\pm$ or 9350 Sq.Ft.± or 8375 Sq.Ft.± 30' B.R.L. 30' B.A.L. 170.00 ZONED DR 5.5 ZONED DR 5.5 **S83** င္ပို 170.00' 55 E EXISTING STORY BUILDING #513 RAZED B.R.L . 8 បា 品 9 10, 2 'n TO BE RAZED 16 æ m Š 留 EXISTING 1 STORY 6ARAGE 10 ZONING 30.00 18.29 00. .B.L 11.71  $\alpha$ œ VARIANCE 00. PROPOSED DWELLING . 52 ™ PROPOSED DWELLING 170 2 42 . 52 36.00 .00 83 N79°43 04-45 (17) 12.61 TO BE RAZED EXISTING STORY DWELLING #511 436 4 79 > 18.00' S S 8 ដ .00 11 18,00 12 .00' B.R.L. 25' B.R.L PROPOSED DRIVEWAY PROPOSED DRIVEWAY N10 °16 '08 "E 55.00 ' N10 °16 '08 E 44.27' EXISTING SEWER LINE DRIVE (50' R/W)

# BRIAN R. DIETZ

PROFESSIONAL LAND SURVEYOR #21080

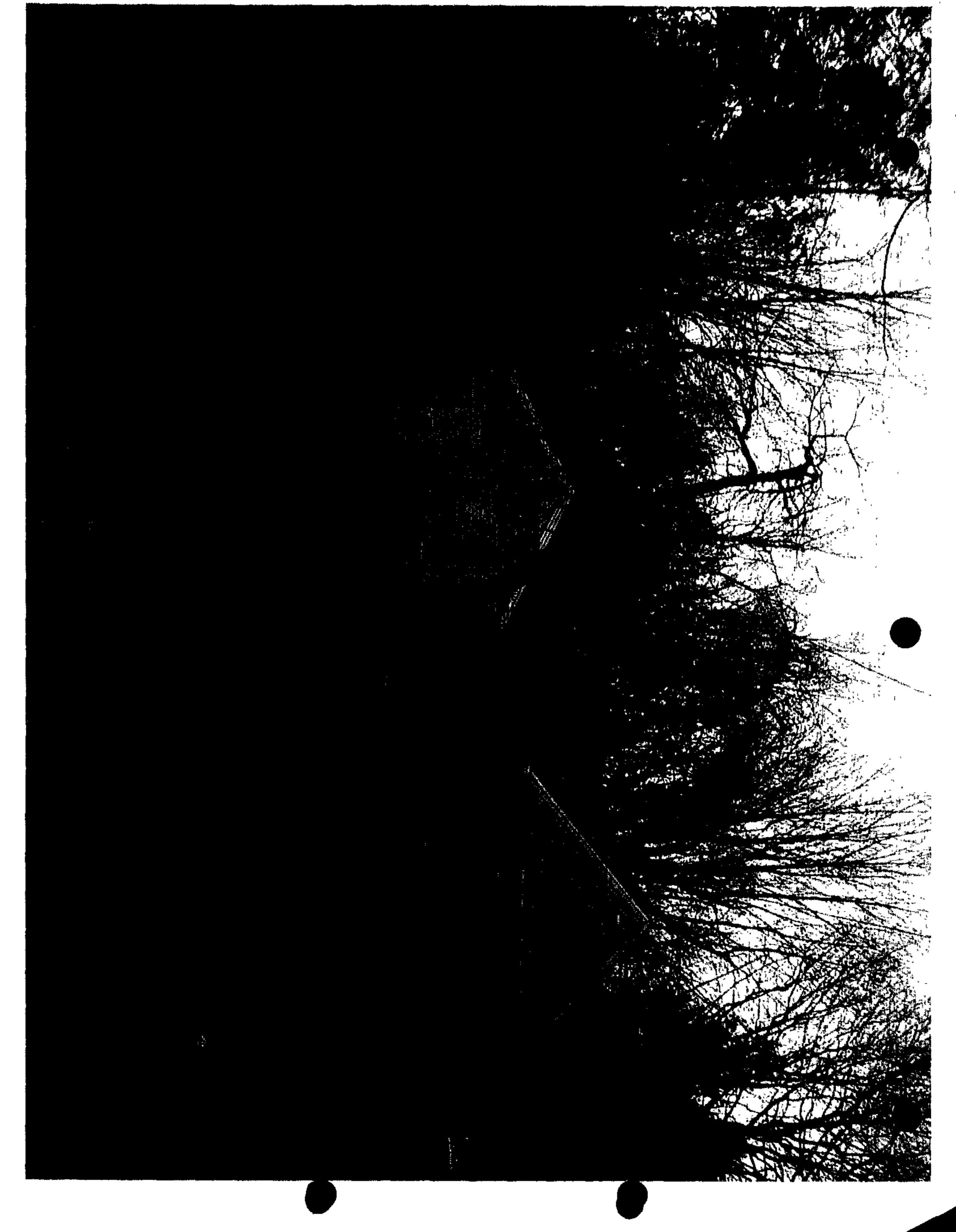
7867 OAKDALE AVENUE BALTIMORE MD. 21237 Ph 410-686-198 Fax 410-682-6021

# MODIFIED SITE PLAN

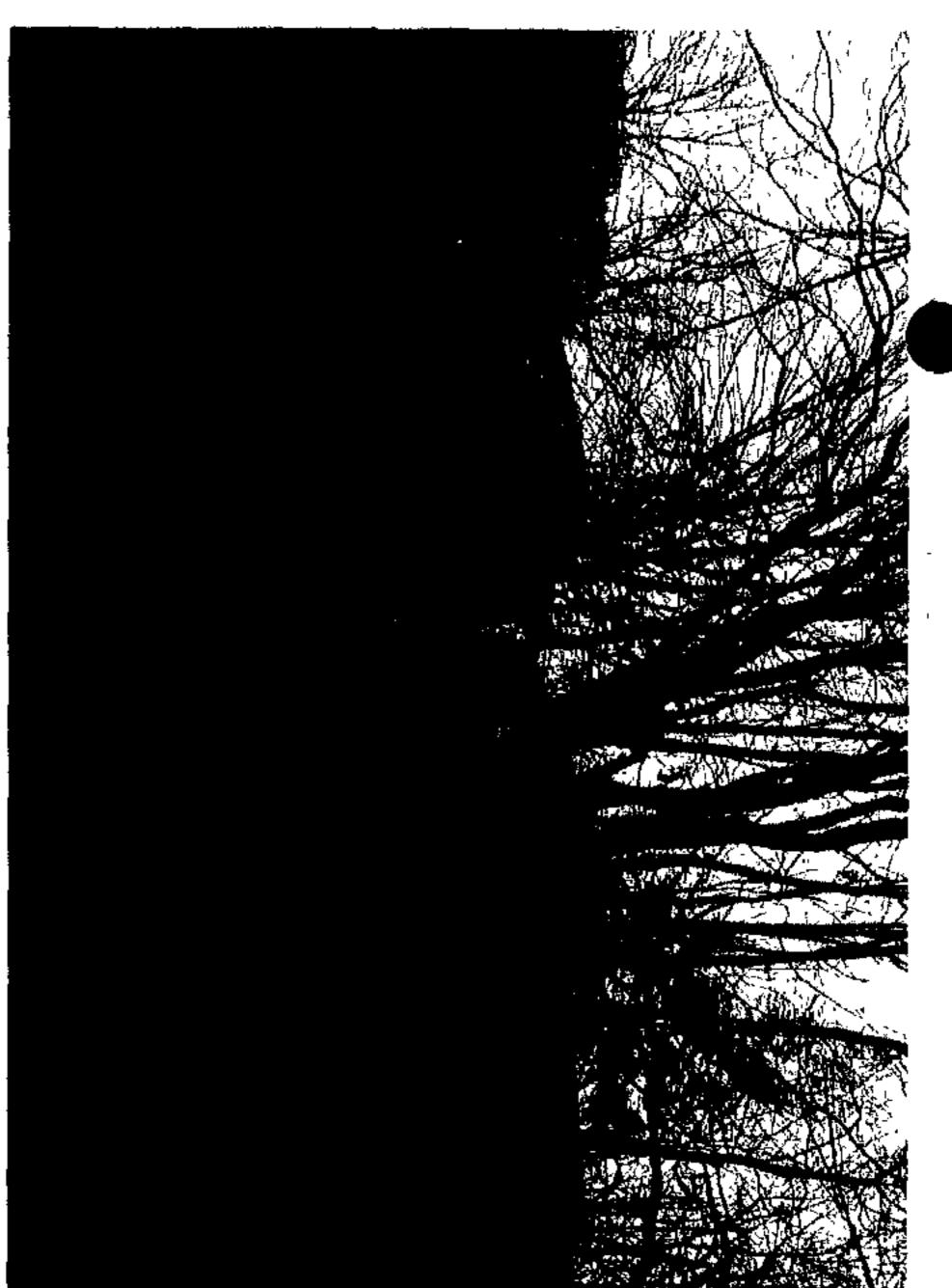
of

511 AND 513 LEE DRIVE BALTIMORE COUNTY, MD 21228

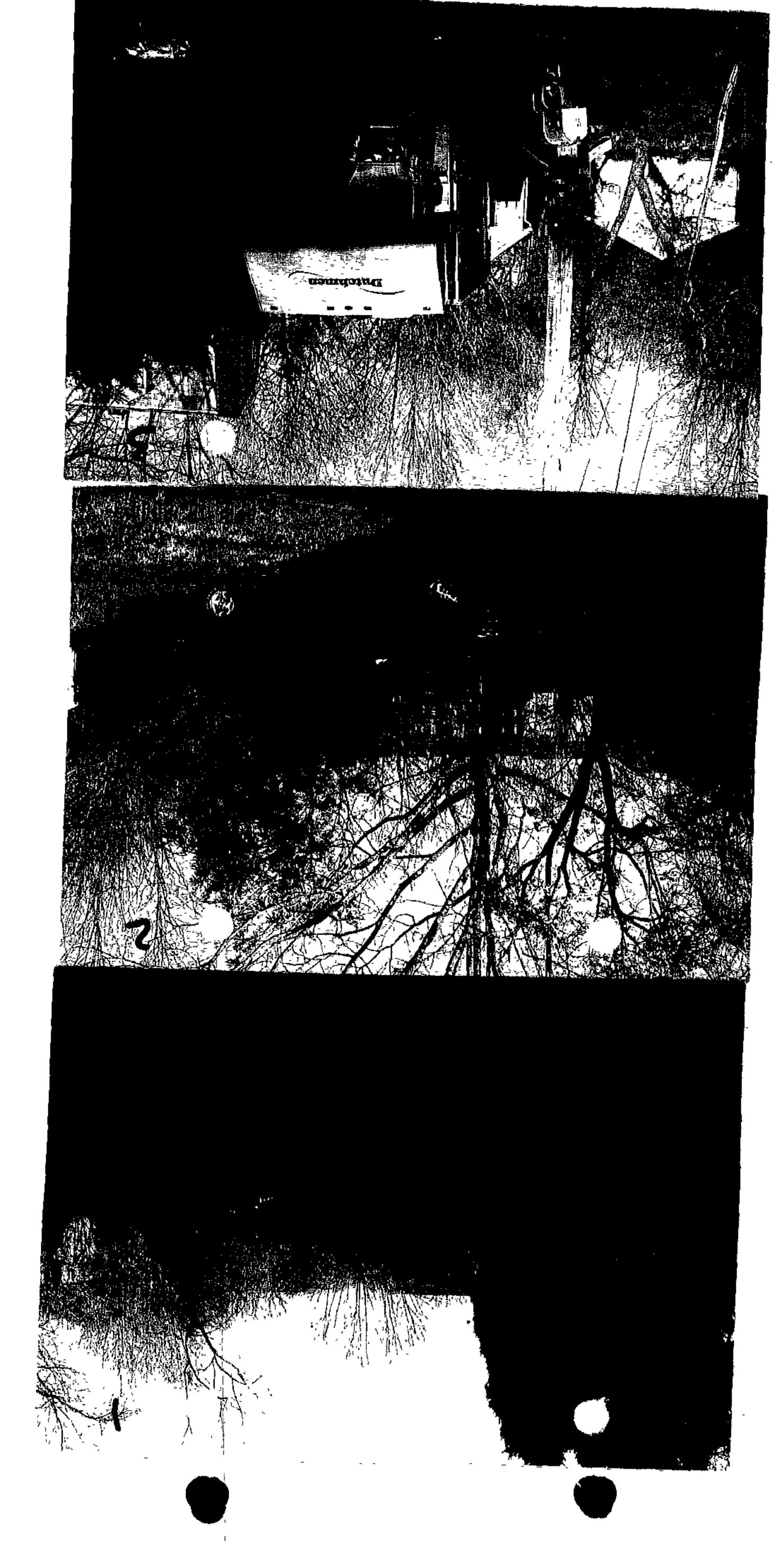
DRAWN: BRD | FIELD; BRD | DATE; 01-25-04 | JOB NO. 04020 | SCALE; 1"=20"

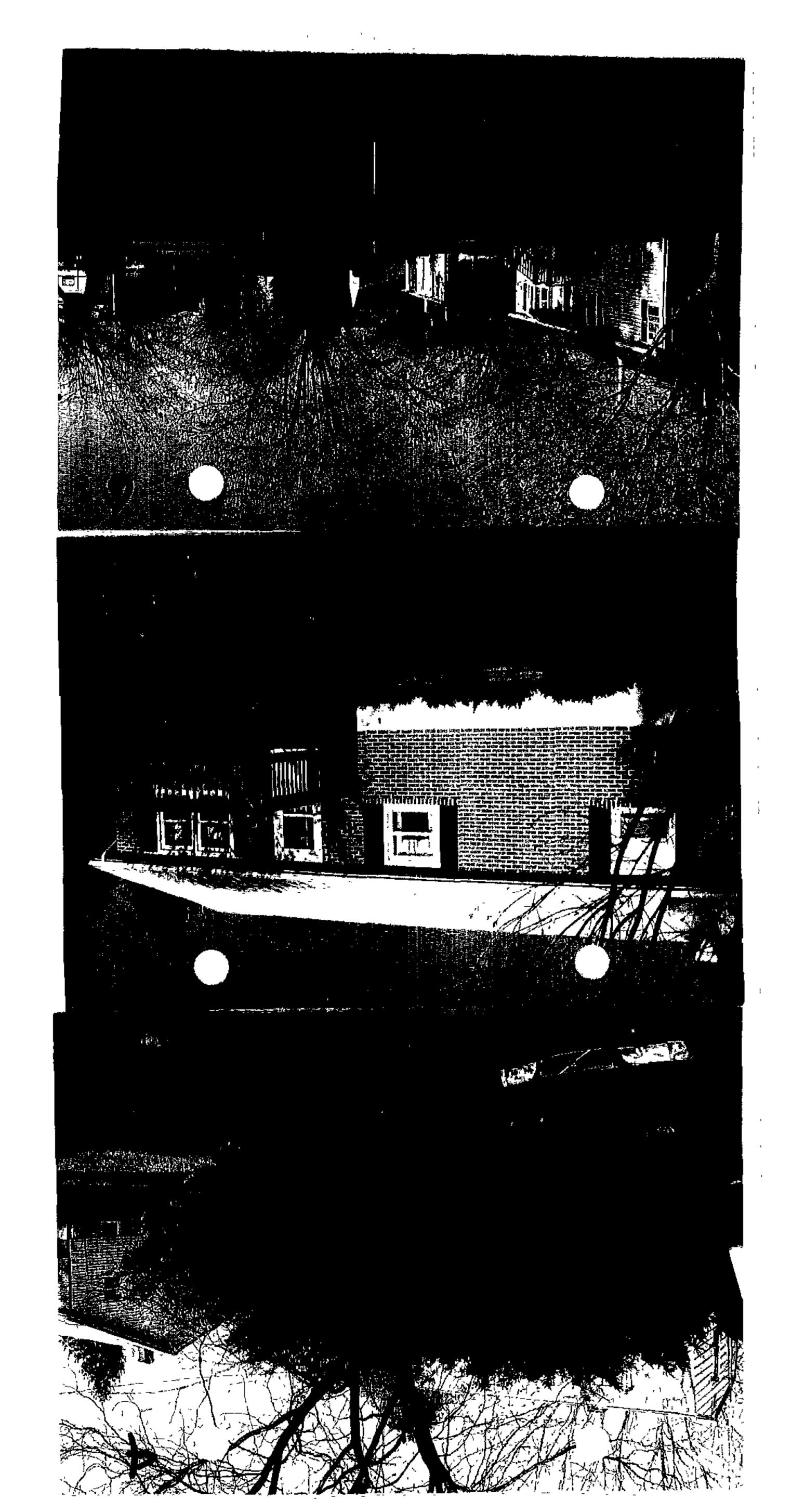


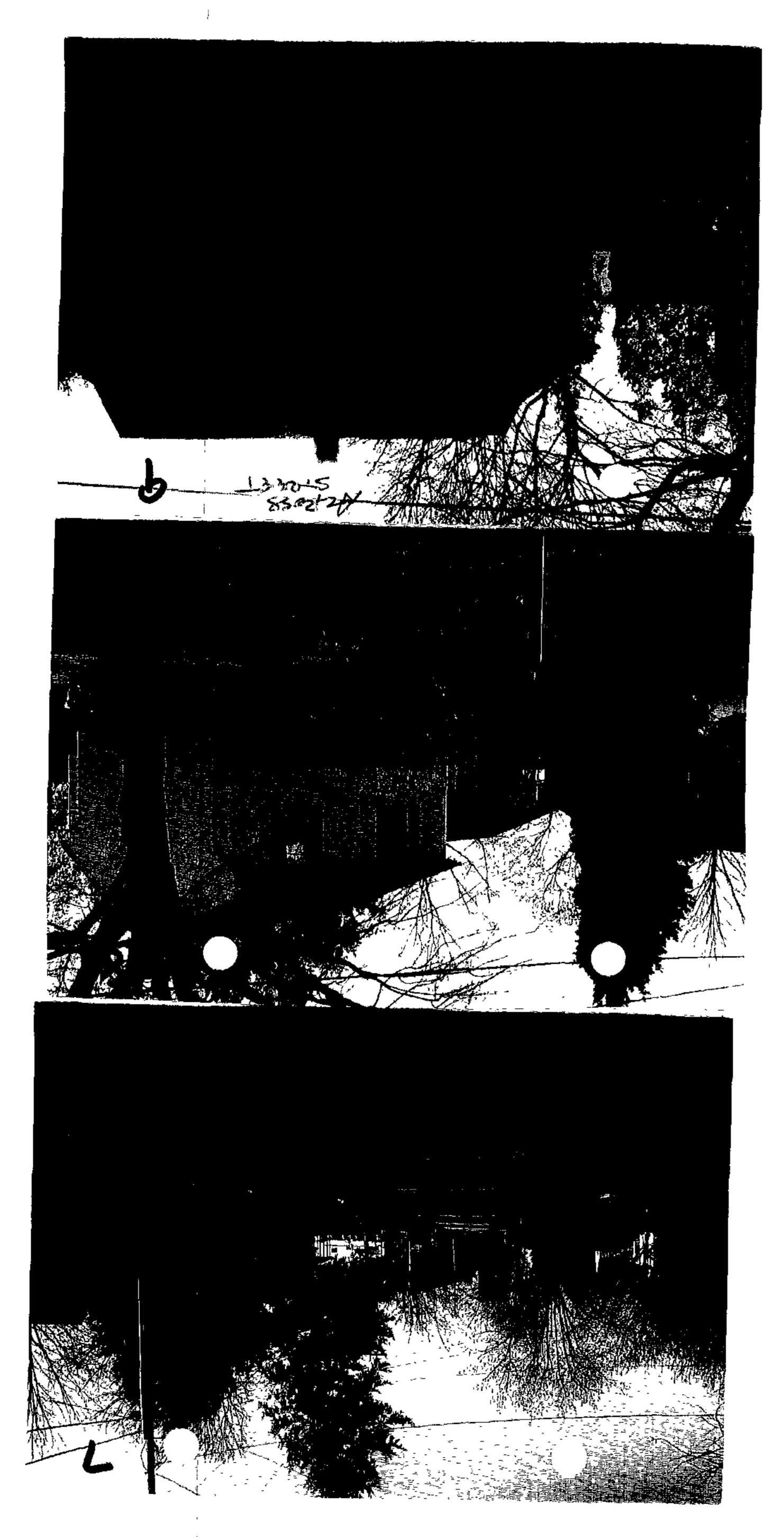


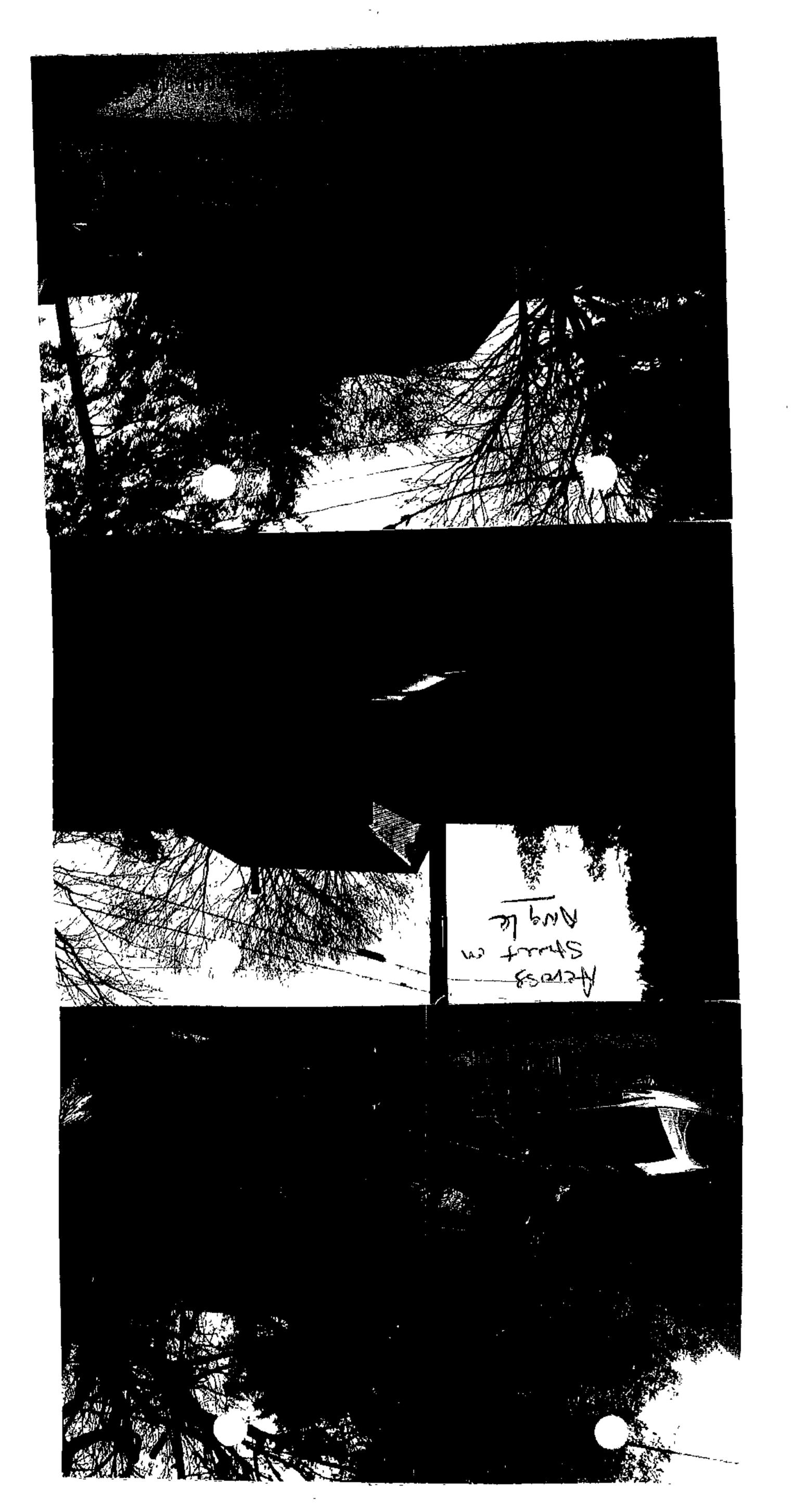


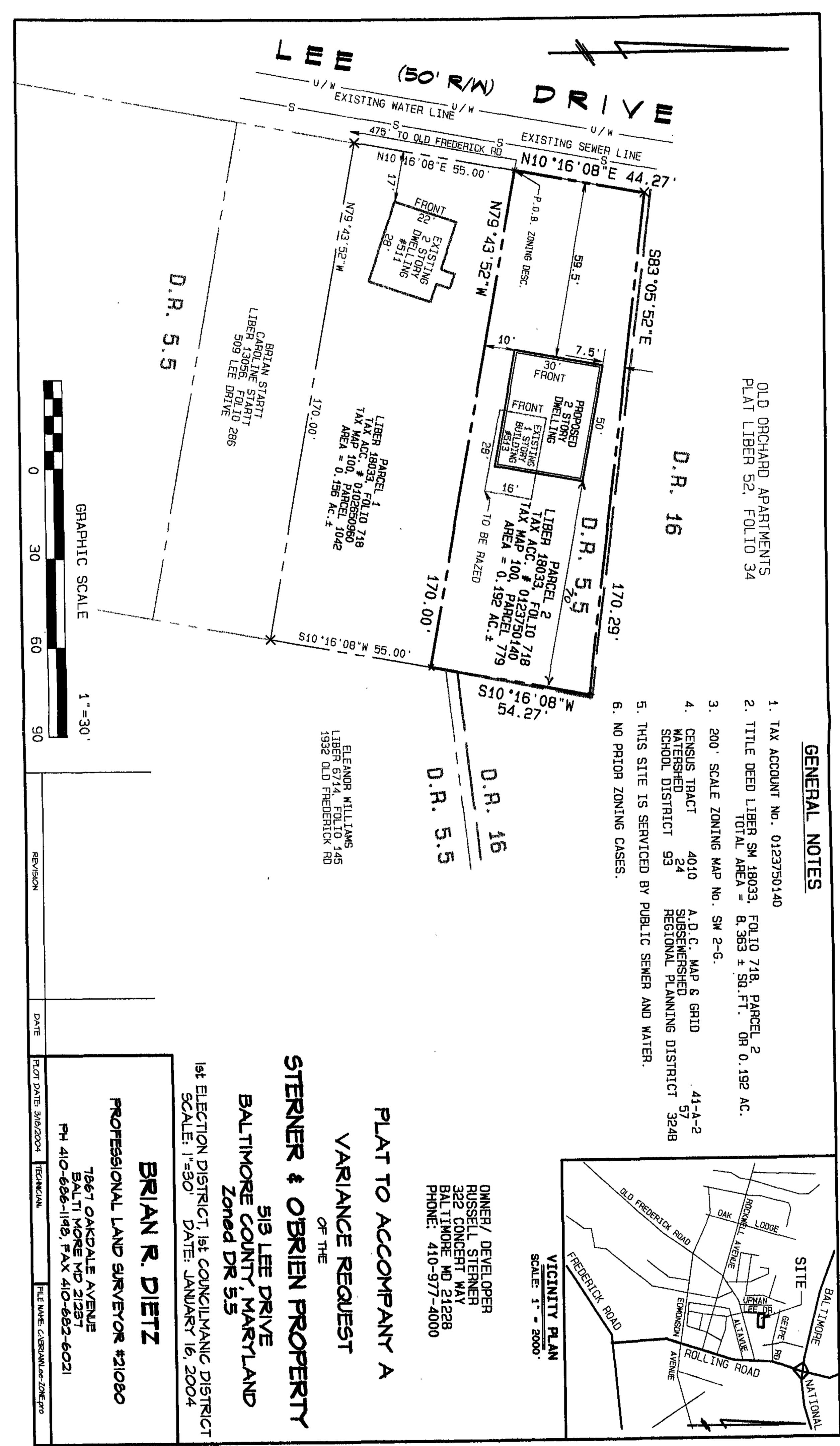












04-186-A DIT

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