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IN THE MATTER OF

THE APPLICATION OF

WILLIMAE RICHBURG MAYS - LEGAL

OWNER/PETITIONER FOR SPECIAL

HEARING ON PROPERTY LOCATED ON THE *
N/S SUMMIT AVE, 50' N OF C/L OF GILMORE

STREET (1930 SUMMIT AVE) AND S/S

WOODLAWN DRIVE, 226' SW OF C/L

KRIEL STREET (1931 WOODLAWN DRIVE) *

2ND ELECTION DISTRICT

4TH COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

CASE NO. 05-255-SPH

and

CASE NO. 05-256-SPH

ORDER OF DISMISSAL

This matter comes to the Board of Appeals on appeals filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from a decision of the Zoning Commissioner dated February 9, 2005 in which the requested special hearing relief was granted with restrictions for the subject properties in Case No. 05-255-SPH and Case No. 05-256-SPH.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeals filed on March 17, 2005 by the People's Counsel for Baltimore County, Appellant, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeals taken in Case No. 05-255-SPH and Case No. 05-256-SPH be withdrawn and dismissed as of March 17, 2005;

IT IS THEREFORE ORDERED this 3/5t day of _______, 2005 by the County Board of Appeals of Baltimore County that the appeals taken in Case No. 05-255-SPH and Case No. 05-256-SPH be and the same are hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

awrence M. Stahl, Chairman

Michael O. Ramsey

Edward W. Crizer, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

March 31, 2005

Peter Max Zimmerman
People's Counsel for
Baltimore County
Carole S. Demilio, Deputy People's Counsel
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: In the Matter of: Willimae Richburg Mays -Petitioner Case No. 05-255-SPH and Case No. 05-256-SPH /Order of Dismissal

Dear Counsel:

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

Very truly yours,

Kahleen C. Bianco Administrator

Enclosure

c: Willimae Richburg Mays
Site Rite Surveying
Pat Keller, Director /Planning
William J. Wiseman III /Z.C.
Timothy M. Kotroco, Director /PDM

ORDER RECEIVED FOR FILING

IN RE: PETITIONS FOR SPECIAL HEARING
S/S Woodlawn Drive, 226' SW of the c/l
Kriel Street; S/S Summit Avenue,
50' N of Gilmore Street
(1930 Summit Avenue and

1931 Woodlawn Drive) 2nd Election District – 4th Council District

Willimae Richburg Mays Petitioner

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Cases Nos. 05-255-SPH & 05-256-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing filed by the owner of the subject abutting properties, Willimae Richburg Mays. Since the properties are owned by the same person and abut one another, the two cases were heard contemporaneously. In Case No. 05-255-SPH, special hearing relief is requested to approve an existing single-family dwelling, known as 1930 Summit Avenue, to be located on a lot having less area than the required 6,000 sq.ft. and a determination that density will not be affected. In Case No. 05-256-SPH, special hearing relief is requested to approve a proposed single family dwelling on the adjacent unimproved property, known as 1931 Woodlawn Drive, which contains less than the required 6,000 sq.ft. In addition, the Petitioner requests approval of the subject property as an undersized lot and a determination that density will not be affected by the proposed development. 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 Exhibits 1.

Appearing at the requisite public hearing on behalf of the Petitioner were Vincent Moskunas with Site Rite Surveying, Inc., the consultants who prepared the site plan(s) for these properties, and Adam Skolnik, a representative of Charter Homes of Maryland, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject abutting parcels are located in an older subdivision known as Broadacres, which is situated between Windsor Mill Road and Security Boulevard in Woodlawn. The Broadacres subdivision was laid out and recorded in the

Land Records of Baltimore County in 1919, well prior to the adoption of the first set of zoning regulations in 1945. Thus, many of the lots are undersized and do not meet current area and width requirements. The subject parcels abut one another to the rear and lie adjacent to Summit Avenue and Woodlawn Drive (formerly Clarke Avenue), which run parallel to each other. As shown on the site plan, each lot is approximately 50 feet wide and 110 feet deep and contains a gross area of 5,500 sq.ft., more or less, zoned D.R.5.5. The property known as 1930 Summit Avenue is improved with a single-family dwelling, which was built in approximately 1956. The abutting property known as 1931 Woodlawn Drive is unimproved. Both lots are served by public water and sewer and have been assessed as separate lots with separate account numbers since the 1950s.

The Petitioner has owned both properties and resided in the dwelling on Summit Avenue since December 2003. The Petitioner now comes before me seeking relief as set forth above to allow development of the rear property with a single-family dwelling. Given the narrow width and small size of the lots, relief is requested to legitimize existing conditions for the improved lot and allow development of the unimproved parcel known as 1931 Woodlawn Drive. Moreover, a determination is requested that density will not be affected by this proposal. In this regard, testimony revealed that the property known as 1930 Summit Avenue, also known as Lot 177 of Broadacres, underwent a minor subdivision in 1958 creating the second lot to the rear, now known as 1931 Woodlawn Drive. The original owner of the property (Mabel Zimmerman) apparently sold the front portion of the property to Pat Holding Company on September 22, 1962, as recorded in Deed 4057 at 1761; however, retained title to the rear lot. At that time, the rear lot contained 5,4776 sq.ft.; however was further reduced in 1961 for improvements to Woodlawn Drive (Clarke Avenue). Pat Holding Company apparently subsequently acquired the rear lot and eventually sold the improvements known as 1930 Summit Avenue and the rear undeveloped lot as one parcel in 1981. Following a series of owners, the parcel ultimately came under the ownership of Ms. Mays in 2003. The Petitioner argues that without the requested relief, the rear lot cannot be developed for its intended purpose and that a practical difficulty and unreasonable hardship will

result. As shown on the site plan, the proposed dwelling will meet all setback requirements and will be situated a consistent distance from the road as other homes on Woodlawn Drive.

On behalf of the Petitioner, Mr. Moskunas submitted into evidence as Petitioner's Exhibit 6, a copy of the GIS Services Map prepared by Robin Hurley, an employee of Baltimore County's Department of Public Works, dated October 1, 2004. This map shows that 21 density units were originally allowed for Lots 168 through 182. As indicated thereon, Baltimore County acquired a portion of each of those lots totaling 0.73 acres for the extension of Clarke Avenue, now known as Woodlawn Drive, thereby reducing the density in that area by 4 lots. There are currently 15 density units or houses existing in this area. Thus, there remain 2 density units, one of which is proposed to be utilized by the Petitioner for the new dwelling. The Petitioner argued that the remaining lots in the area were not subdivided as was Lot 177, and that if the owners of the other lots were to subdivide their property, they would have to extend water and sewer to connect any lot that would front on Woodlawn Drive.

After due consideration of all of the testimony and evidence presented, I am persuaded to grant the requested relief in both cases. It is clear that each property has existed as a separate lot of record since the 1950s and that strict compliance with the zoning regulations would adversely impact the Petitioner. As noted above, most of the houses in this subdivision were built on 50-foot wide lots and many of the lots are similar in area and width as the subject properties. Thus, the existing and proposed improvements are consistent with the neighborhood. Moreover, the proposed dwelling will meet all setback requirements and will be located a consistent distance from Woodlawn Drive as other homes along this street. Additionally, it is clear that there will be no increase in density as a result of the proposed development. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the request. Thus, it appears that relief can be granted without detriment to the health, safety and general welfare of the surrounding locale. However, as a condition of approval, the Petitioner shall be required to submit building elevation drawings of the proposed dwelling to the Office of Planning

prior to the issuance of any building permits to assure compatibility with the surrounding neighborhood.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County day of February 2005 that the Petition for Special Hearing filed in Case No. 05-255-SPH Case No. 05-255-SPH, seeking approval of an existing single-family dwelling, known as 1930 Summit Avenue, on a lot having less area than the required 6,000 sq.ft. and a determination that density will not be affected, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in Case No. 05-256-SPH, seeking approval of a proposed single family dwelling on the abutting property, known as 1931 Woodlawn Drive, which contains less than the required 6,000 sq.ft., approval of the subject property as an undersized lot, and a determination that density will not be affected by the proposed development, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED. subject to the following restrictions:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioner shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to insure compatibility with the surrounding neighborhood. The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

Zoning Commissioner

for Baltimore County

WJW:bis

Zoning Commissioner

Suite 405, Co unty Courts Building 40. Fosley Avenue Towson, Maryland 21204 Tel: 410-887-3858 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 9, 2004

Ms. Wi limae Richburg Mays 1930 Summit Avenue Baltimere, Maryland 21207-4207

RE: PETITIONS FOR SPECIAL HEARING

S/S Woodlawn Drive, 226' SW of the c/l Kriel Street; S/S Summit Avenue

(.930 Summit Avenue and 1931 Woodlawn Drive)

2^{1d} Election District – 4th Council District

V/illimae Richburg Mays - Petitioner

Cases Nos. 05-255-SPH & 05-256-SPH

Dear Ms. Mays:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Pe itions for Special Hearing have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

ery truk yours

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:bjs

c: 14r. Vincent Moskunas, Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286
14r. Adam Skolnik, Charter Homes, Inc.
3230 Bethany Lane, Suite 8, Ellicott City, Md. 21042
()ffice of Planning; People's Counsel; Case File



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

fo	r the property	located at # 1931 Woodlawn Drive
		which is presently zoned D. R. 5.5
owner(s) of the property situate in Baltimore C made a part hereof, hereby petition for a Sp County, to determine whether or not the Zoning	ounty and which ecial Hearing ur c Commissioner	s and Development Management. The undersigned, lead is described in the description and plat attached hereto ander Section 500.7 of the Zoning Regulations of Baltime should approve
A PROPOSED SINGL	E FAM	MAN THE REQUIRED GOODS
LOT HAVING CESS A	FREY TILAT	TOPACITY WILL BOOKE
The same of the sa		T DENSITY WILL HOT
BE AFFECTED A	n	THE REPLICATE AN
- Carrest Co	Ų	
Property is to be posted and advertised as pre- l, or we, agree to pay expenses of above Special H zoning regulations and restrictions of Baltimore Cou	learing, advertisin	g, posting, etc. and further agree to and are to be bounded by
The objects on the second security and the objects of deposits of developments maps in the proper on it.	A CONTRACTOR OF THE CONTRACTOR	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:	The state of the s	Legal Owner(s):
<u> </u>	- 正統。	Willimae Richburg Mays Name - Type or Print
Name - Type or Print		Name - Type or Print Mulleaman Ruthy - Mary
Signature	. х	Signature
Address Te	lephone No.	Name - Type or Print
City State	Zip Code	Signature
Attorney For Petitioner:		1930 Summit Avenue 410-944-5 Address Telephone
·		Baltimore MD 21207-421
Name - Type or Print		City State Zip Cod
Signature		Representative to be Contacted:
Combany		Sife Rute Sywaning Inc.
* ` '		200 E. Joppa Pond Pen 101 410 828 901
Address Tele	ephone No.	Address Telephone No. 7128
City State	Zip Code	City State Zip Cod
		OFFICE USE ONLY
P		ESTIMATED LENGTH OF HEARING
Se No. 05 - 256 - SPU		UNAVAILABLE FOR HEARING
	Revie	wed By CTM Date 11/17/04
R20 9115198		



REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at # 1931	Wood	lawn Drive
which is presently	zoned	D.R. 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 PROPOSED SINGLE FAMILY DWELLING ON A LOT HAVING LESS AREA THAN THE REQUIRED GOOD AND TO DETERMINE THAT DENSITY WILL NOT BE AFFECTED, AND TO APPROVE AN UNDERSIZED LOT.

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/Less	<u>ee:</u>		Legal Owner(s):
			Willimae Richburg Mays Name - Type or Print
Name - Type or Print			Name - Type or Print Ruchy - May
Signature		<u>, , </u>	Signature
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Name - Type or Print
City	State	Zip Code	Signature
Attorney For Petitioner:			1930 Summit Ave 410-944-5665 Address Telephone No.
			Address Baltimore MD 21207-4207
Name - Type or Print		*	City State Zip Code
	· · · · · · · · · · · · · · · · · · ·		Representative to be Contacted:
Signature			Site Rite Surveying Inc.
Company			200 E. Junoa Road Rulul 4108289060
Address		Telephone No.	Address Telephone No. 21286
City	State	Zip Code	City State Zip Code
,			OFFICE USE ONLY
			ESTIMATED LENGTH OF HEARING
Case No. 05-256-	SPH		UNAVAILABLE FOR HEARING
		Rev	iewed By CTM Date 11/17/04





ZONING DESCRIPTION FOR #1931 WOODLAWN DRIVE

BEGINNING at a part on the south side of Woodlawn Drive which is 66 feet wide at a distance of 226 feet southwest of the centerline of Kriel Street which is 50 feet wide. Being part of Lot No. 177 in the subdivision of "Broadacres" as recorded in Baltimore County Plat Book No. 5, folio No. 44, containing 5200 square feet. Also known as #1931 Woodlawn Drive and located in the 2nd Election District, 2nd Councilmanic District.



Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 East Joppa Road, Suite 101 Towson MD 21286 (410) 828-9060

A256

NOTICE OF ZONING HEARING

The Zoning Commissione 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: #05-256-SPH 1931 Woodlawn Drive S/side of Woodlawn Drive; 226 feet s/west of centerline · of Kriel Street 2nd Election District 4th Councilmanic District Legal Owner(s): Willimae Richburg Mays Special Hearing: to permit a proposed single family dwelling on a lot having less area than the required 6,000 sq. ft. and to determine that density will not be affected and to approve an undersized lot. Hearing: Tuesday, January 18, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN Zoning Commissioner for Baltimore County

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

(2) For information concerning the The Tand/or Hearing, Contact the Zoning Review Office at (410) 887-3391. JT/1/607 Jan 4 34533 CERTIFICATE OF PUBLICATION

16,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 14,2005.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News
•

J. WUKINST

CERTIFICATE OF POSTING

		reunoner/Deve	ioper. Contill GIE Vy	01903
		Date of Hearing	Closing: <u>JAN. 18</u>	1,2005
Baltimore County Department of Permits and Development Managen County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	ient			
Attention: Becky Hart				
Ladies and Gentlemen: This letter is	s to certify under	the penalties of peri	ury that the necessary sign(s) required by
law were posted conspicuously on t			· •	
			· · · · · · · · · · · · · · · · · · ·	
The sign(s) were posted on	JAN. 3	, 2005		
	()	Month, Day, Year)		
		Sincerely,		
		Signatu (Signatu	re of Sign Poster and Date)	ne
			OND E. MOO! (Printed Name)	25
		3225	RYERSON (Address)	CIRCLE
			INDRE, MD. City, State, Zip Code)	21227
		C410)	242-4263 (Telephone Number)	
	,		1	

RE: Case No.: 05-256-SPH





APPEAL SIGN POSTING REQUEST

CASE NO.: 05-256SPH

WILLIMAE RICHBURG MAYS – LEGAL OWNER

1931 WOODLAWN DRIVE

2ND ELECTION DISTRICT RECEIVED AT BOARD ON 3/112005 APPEALED: 2/17/2005

26 MOVED

ATTACHMENT – (Plan to accompany Petition – Petition's Exhibit No.1)

******COMPLETE AND RETURN BELOW INFORMATION******

CERTIFICATE OF POSTING

Baltimore County Board of Appeals TO: 400 Washington Avenue – Room 49 Towson, MD 21204

Attention:

Kathleen Bianco

Administrator

CASE NO.: 05-256-SPH

Petitioner/Developer

WILLIMAE RICHBURG MAYS

This is to certify that the necessary appeal sign was posted conspicuously on the property location at:

1931 WOODLAWN DRIVE

The sign was posted on $3/24$, 2005
By: Juny Meel	
(Signature of Sign Poster)	
(Printed Name)	

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





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

December 2, 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: 05-256-SPH

1931 Woodlawn Drive

S/side of Woodlawn Drive, 226 feet s/west of centerline of Kriel Street

2nd Election District – 4th Councilmanic District

Legal Owner: Willimae Richburg Mays

Special Hearing to permit a proposed single family dwelling on a lot having less area thanthe required 6,000 sq. ft. and to determine that density will not be affected and to approve an undersized lot.

Hearing: Tuesday, January 18, 2005, at 10:00 a.m. in Room 407, County Courts Building 401 Bosley Avenue, Towson 21204

Timothy Kotrocc

Director

TK:klm

C: Willimae Richburg Mays, 1930 Summit Avenue, Baltimore 21207 Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 3, 2015 -

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OF ICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

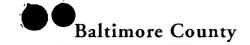


Visit the County's Website at www.baltimorecountyonline.info

Department of Permits Development Management

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





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

January 12, 2005

Willimae Richburg Mays 1930 Summit Avenue Baltimore, Maryland 21207-4207

Dear Ms. Richburg Mays:

RE: Case Number: 05-256-SPH, 1931 Woodlawn Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 17, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson 21286



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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr Jos

DEPRM

DATE:

December 10, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 29, 2004.

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

05-251

05-253

05-255

05-256

05-259

05-261

05-263

05-264

05-265

Reviewers:

Sue Farinetti, Dave Lykens

Fire Department

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



Baltimore County

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 November 24, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 29, 2004

Item No.:

251, 253, 255-266

Pursuant to your request, the referenced plan(s) have been reviewed 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

DATE: December 9, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits &

Development Management

FROM: \

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 6, 2004

Item Nos. 251, 253, 255, 256, 257, 258, 259, 260, 261, 263, 264, 265,

and 266

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

RWB:CEN:jrb

cc: File







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

Maryland Department of Transportation

Date:

11.26.04

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

RE:

Baltimore County

Item No. 256

LTM

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,

Steven D. Foster, Chief

1 1. God

Engineering Access Permits Division

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

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-255

& 5-256

DATE: January 27, 2005

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there are existing lots in the immediate area similar in width and area as the petitioner's request. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

- 1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
- 2. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

MAC/LL

RE: PETITION FOR SPECIAL HEARING
1931 Woodlawn Drive; S/side Woodlawn
Drive, 226' SW c/line of Kriel Street
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Williemae Richburg Mays
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

* 05-256-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.

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 1st day of December, 2004, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

DEC 0 1 2004

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Per....

Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel CAROLE S. DEMILIO
Deputy People's Counsel

February 17, 2005

Timothy Kotroco, Director Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, MD 21204

Hand-delivered

Re:

PETITION FOR SPECIAL HEARING

S/S Woodlawn Drive, 226' SW of the c/l Kriel Street; S/S Summit Avenue

(1930 Summitt Avenue and 1931 Woodlaw Drive)

2nd Election District; 4th Council District Willimae Richburg Mays- Petitioners Case No.: 05-255-SPH and 05-256-SPH

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated February 9, 2005 by the Baltimore County Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

RECEIVED

Peter Max Zimmerman

People's Counsel for Baltimore County

Demilie Kun

FEB 17 2005

Carole S. Demilio

Formingen

Deputy People's Counsel

PMZ/CSD/rmw

cc: Willimae Richburg Mays, 1930 Summit Avenue, Baltimore, MD 21207 Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286

Department of Permits an 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 9, 2005

Ms. Willimae Richburg Mays 1930 Summit Avenue Baltimore. MD 21207-4207

Dear Ms. Mays:

RE: Case: 05-256-SPH, 1931 Woodlawn Avenue

RECEIVED

MAR 1 1 2005

BALTIMORE COUNTY BOARD OF APPEALS

Please be advised that an appeal of the above-referenced case was filed in this office on February 17, 2005 from People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely

Timothy Kotroco Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner Timothy Kotroco, Director of PDM People's Counsel Site Rite Surveying, Inc., 200 E. Joppa Rd., Ste. 101, Towson 21286 Adam Skolnik, 3230 Bethany Lane, Ste. 8, Ellicott City 21042



APPEAL

Petition for Special Hearing
1931 Woodlawn Avenue
S/S Woodlawn Drive, 226 SW of the c/l Kriel Street
2nd Election District — 4th Councilmanic District
Legal Owners: Willimae Richburg Mays

Case No.: 05-256-SPH

Set w/05-255-SPH

Petition for Special Hearing (November 17, 2004)

✓Zoning Description of Property

Notice of Zoning Hearing (December 2, 2004)

Certification of Publication (January 4, 2005 – The Jeffersonian)

Certificate of Posting (January 3, 2005) by Garland E. Moore

Entry of Appearance by People's Counsel (December 1, 2004)

Petitioner(s) Sign-In Sheet - None in file

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Plan to accompany petition for Special Hearing

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit) - None

Zoning Commissioner's Order (GRANTED – February 9, 2005)

Notice of Appeal received on February 17, 2005 from People's Counsel of Baltimore County

People's Counsel of Baltimore County, MS #2010
 Zoning Commissioner/Deputy Zoning Commissioner
 Timothy Kotroco, Director of PDM
 Willimae Richburg Mays, 1930 Summit Ave., Baltimore 21207
 Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

date sent March 10, 2005, klm

05-255-SPH

In the Matter of: Willimae Richburg Mays 1930 Summit Avenue

and 05-256-SPH

1931 Woodlawn Avenue

3/17/05 – Letter of withdrawal of appeal filed by People's Counsel for each of the above-referenced appeals. Order of Dismissal to be issued.

Baltimore County, Marylan



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel

March 17, 2005

CAROLE S. DEMILIO
Deputy People's Counsel

Lawrence M. Stahl, Chairman County Board of Appeals 400 Washington Avenue, Room 49 Towson, MD 21204

Hand-delivered

Re:

PETITION FOR SPECIAL HEARING

S/S Woodlawn Drive, 226' SW of the c/l Kriel Street; S/S Summit Avenue

(1930 Summitt Avenue and 1931 Woodlawn Drive)

2nd Election District; 4th Council District Willimae Richburg Mays- Petitioners Case No.: 05-255-SPH and 05-256-SPH

Dear Mr. Stahl:

On or about February 17, 2005, our office filed an appeal of the Zoning Commissioner's Findings of Facts and Conclusions of Law dated February 9, 2005. Upon further review of the record and careful evaluation, it does not appear that pursuing the appeal is in the public interest. We therefore withdraw our appeal in this matter.

Thank you for your consideration.

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Demilio

Deputy People's Counsel

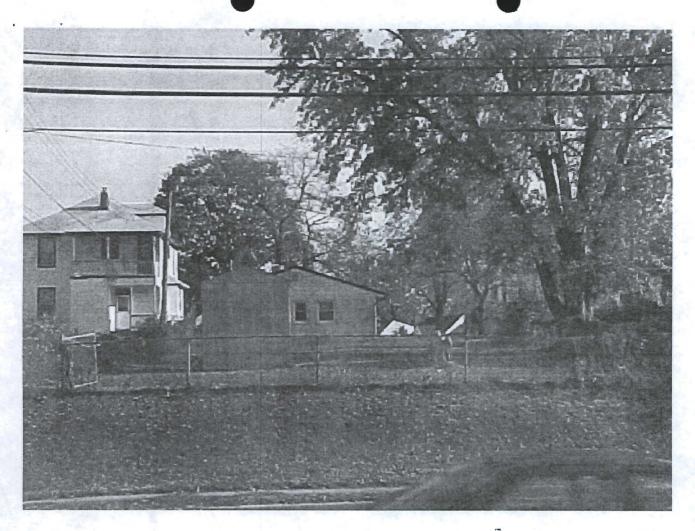
PMZ/CSD/rmw

cc: Ms. Willimae Richburg Mays

Mr. Adam Skolnik

Mr. David Green, Planning

BALTIMORE COUNTY BOARD OF APPEALS



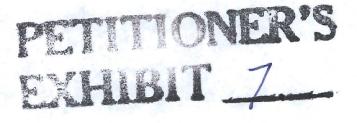
#1931 Wood lawn Drive Rear pornin of lot 177

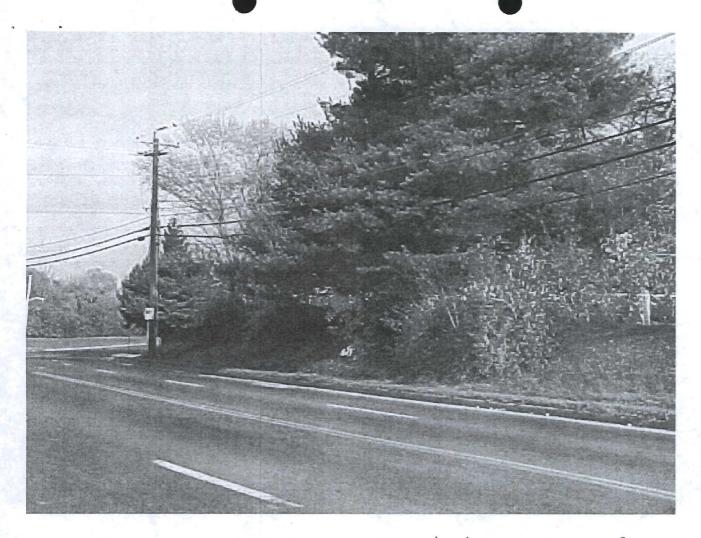


H 1932 Summit Avenue View from Wordlawn Drive

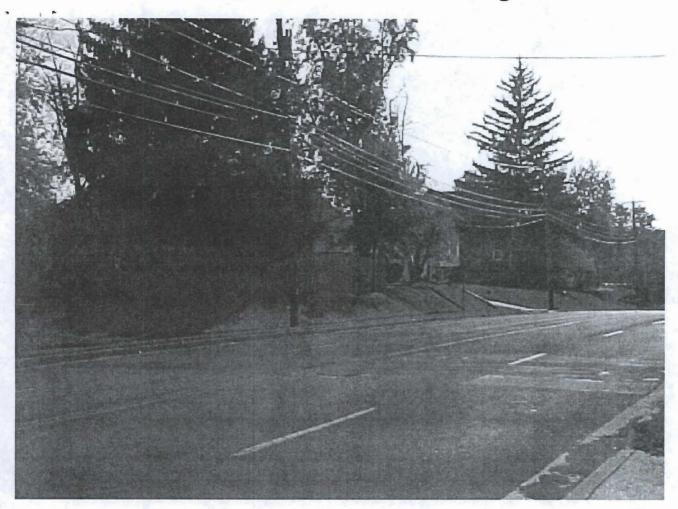


1929 Woodlawn Drive lot 178B Min Sub 93165M. to the right of Woodlam Drive property





Woodlawn Brive to the NE of
Property
(to Kried Strat)



Woodlawn Drive to the SW of property
(to Dogwood Road)

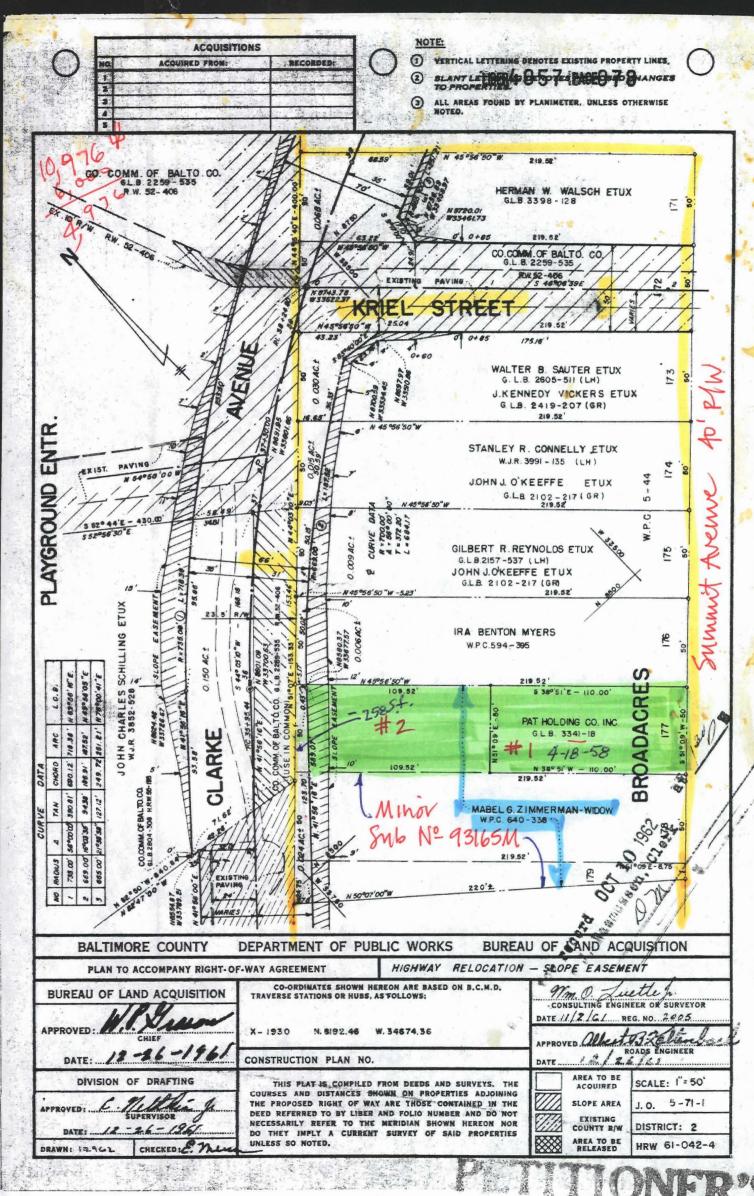
Case No.: 05-255 SPH = 256 SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		
,	SITE PLAN	
No. 2	BROAD ACRES SUB-DIVISION PLAT	
	1919 - SUBSECT PROPERTY, N RED	
No. 3	RICHT OF WAY PLAT	
	501 Old Recorded Plat 5 Hows NEIGHBORING PROPERTIES	
TAT		
No. 4	MD DEAT ASSESSMENT & TAYATION	/ .
	1930 SUMMIT AVE	
No. 5	MIS BEPT ASSESSMENT FLAYA	
110. 3	l	71.10
	1931 WOODLAWN DRIVE	
No. 6	DENSITY CALCULATION	
	1	
	(2 Units LEFT to DATE)	·
No. 7	PHOTOGRAPHS OF	
	COMPRABLE HOWES IN AR	• Δ
•.	Copyrian 102 130 100 1 110 / The	(/)
No. 8	PROPOSED DWELLING	
	FOR 1931 WOODLAWN DRI	./.
	FOR [151 WOODENSON DAT	<u> </u>
No. 9		
`NT 10	· · · · · · · · · · · · · · · · · · ·	
No. 10		
No. 11		
No. 11		
No. 12		-
110. 1#		
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GAUBIT 3

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 Ground Rent**

Account Identifier:

District - 02 Account Number - 0226400070

Owner Information

Owner Name:

MAYS WILLIMAE RICHBURG

BALTIMORE MD 21207-4207

Use:

RESIDENTIAL

Mailing Address:

1930 SUMMIT AVE

Deed Reference:

Principal Residence:

1) /19338/ 101 2)

Location & Structure Information

Premises Address

1930 SUMMIT AVE

Special Tax Areas

Legal Description

PT LT 177 /

Lot

177

1930 SUMMIT AVE **BROADACRES**

Map Grid **Parcel** 20

Primary Structure Built

1956

Sub District

Subdivision

Section

Block

Group Plat No: Plat Ref:

5/ 44

Town

Ad Valorem

Tax Class

Enclosed Area

Property Land Area 5,500.00 SF

County Use

04

Stories 1

Basement NO

1,008 SF

Туре STANDARD UNIT **Exterior**

STUCCO

Value Information

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

07/01/2004

As Of As Of 07/01/2005

Land: 25,500 30,500 59,850 Improvements: 53,680 Total:

79,180 90,350 Preferential Land: 0 0

Class

000

000

000

82,903

86,626

Transfer Information

Seller: MTM HOMES LLC

MULT ACCTS ARMS-LENGTH Type: Seller:

NOT ARMS-LENGTH

GILES JAMES A, JR MULT ACCTS ARMS-LENGTH Date: Deed1:

Date:

12/23/2003 Deed1: /19338/ 101 12/10/2001

/15838/ 370

Price: \$99,900 Deed 2: Price:

\$61,700

TYSSOWSKI JOHN EDWIN

Date: 05/15/1981 Deed1: / 6286/ 500 Deed2: Price:

Deed 2:

Exemption Information

0

Partial Exempt Assessments County

Municipal

07/01/2004 0

0

07/01/2005 0

0 0

Tax Exempt: **Exempt Class:**

Type:

Seller:

Type:

State

NO



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 Ground Rent**

Account Identifier:

District - 02 Account Number - 0226400242

Owner Information

Owner Name:

MAYS WILLIMAE RICHBURG

BALTIMORE MD 21207-4207

RESIDENTIAL

Principal Residence:

NO

Mailing Address:

1930 SUMMIT AVE

Deed Reference:

1) /15838/ 370

2)

Location & Structure Information

Premises Address

SUMMIT AVE

Map

Legal Description

PT LT 177

177

IN REAR LT 177 WH

BROADACRES Lot

Grid 88 20

Sub District Parcel 391

Subdivision

Enclosed Area

Section

Block

Group Plat No: 80 Plat Ref:

5/ 44

Special Tax Areas

Town **Ad Valorem**

Tax Class

Property Land Area 5,200.00 SF

County Use 04

Stories

Basement

Type

Exterior

Value Information

Base Value Phase-in Assessments Value As Of As Of As Of 01/01/2004 07/01/2004 07/01/2005 18,950 30,270 Land: Improvements: 0 26,496 Total: 18,950 30,270 22,723 **Preferential Land:** 0 0 0 0

Transfer Information

Seller: MTM HOMES LLC

MULT ACCTS ARMS-LENGTH

Primary Structure Built

0000

Date: Deed1:

Date:

12/23/2003

\$99,900 Price:

Type: Seller:

GILES JAMES A, JR

/15838/ 370 Date: 12/10/2001

Deed2:

Type: MULT ACCTS ARMS-LENGTH Deed1: /15838/ 370

Price:

\$61,700 Deed2:

Seller: Type:

TYSSOWSKI JOHN EDWIN NOT ARMS-LENGTH

05/15/1981 Deed1: / 6286/ 500 Price: \$0

Deed2:

Exemption Information

0

Class **Partial Exempt Assessments**

County State

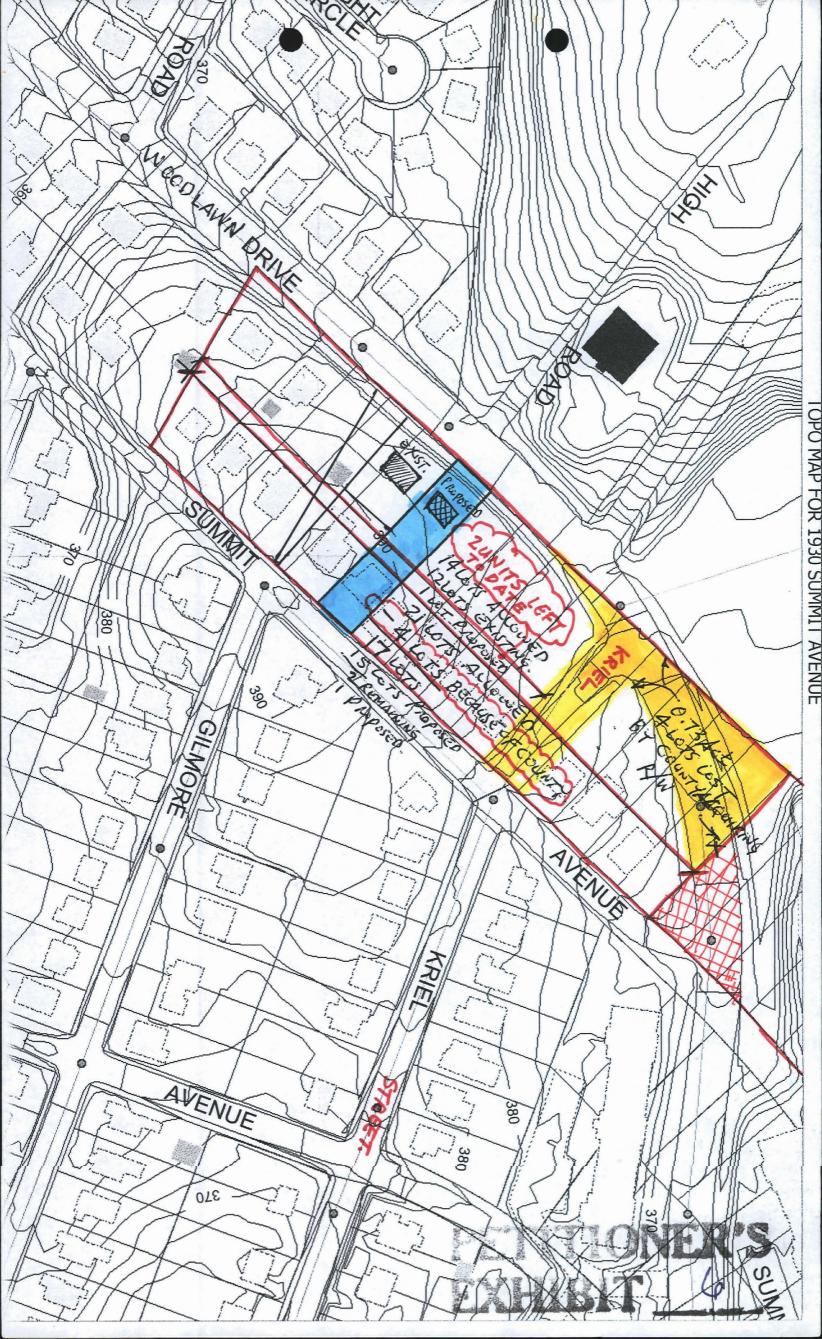
000 000 000 07/01/2004 0 0

07/01/2005 0 0 0

Tax Exempt: **Exempt Class:**

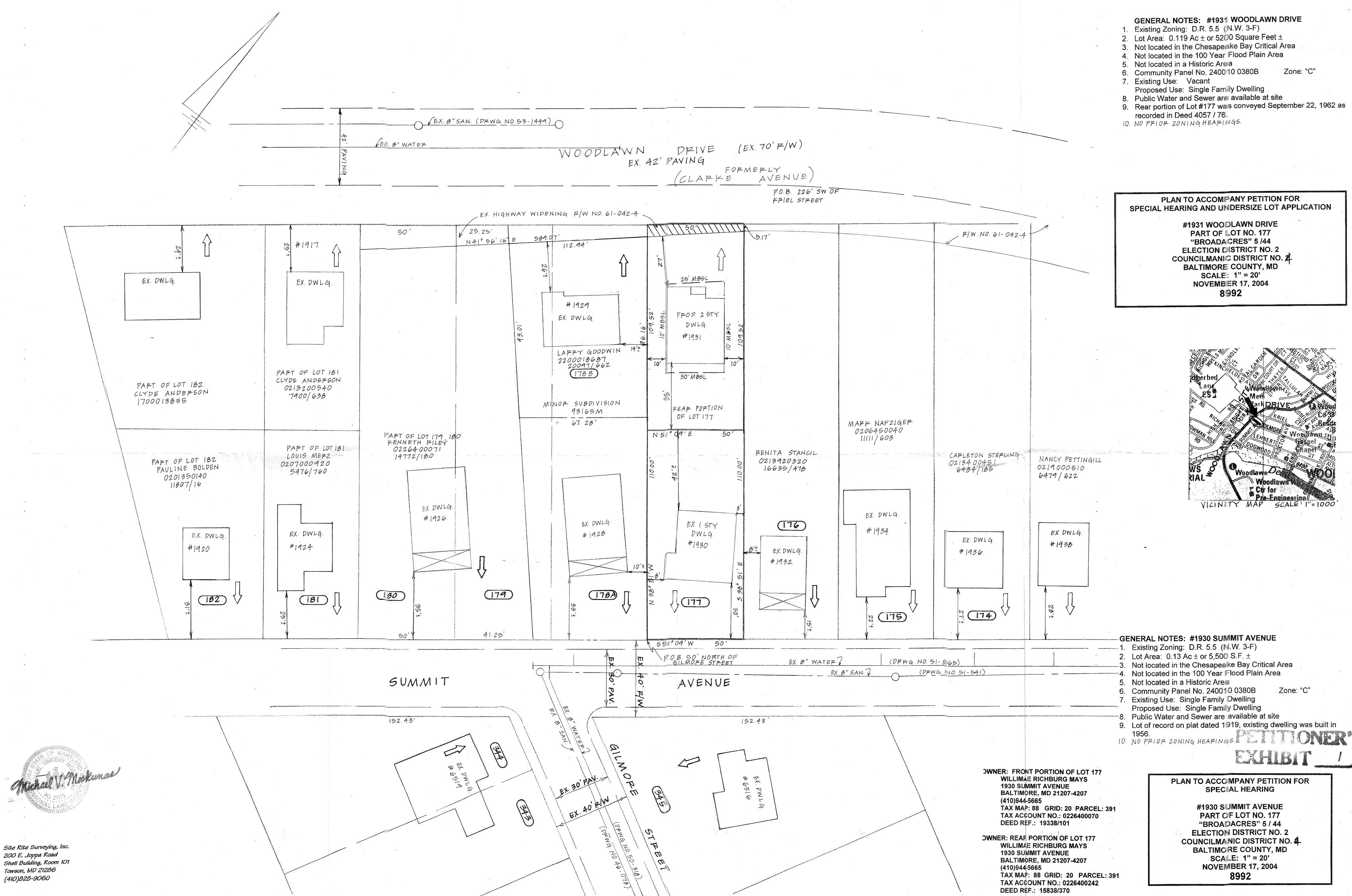
Municipal

NO





Proposed dwelly for 1931



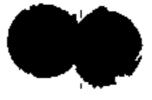
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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: OS - ZS6 - SPH
Petitioner: Willimac Richbum Maus
Address or Location: #1931 Woodtawn Dhive
PLEASE FORWARD ADVERTISING BILL TO:
Name: Charle Homes & Cartracting
Address: 3230 Bethany Lane
Swift 8
Dricott City MD 21042
Telephone Number: 410 480 - 3213

TO: PATUXENT PUBLISHING COMPANY January 4, 2005 Issue - Jeffersonian

Please forward billing to:

Charter Homes & Contracting 3230 Bethany Lane, Ste. 8 Ellicott City, MD 21042

410-480-3213

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: 05-256-SPH

1931 Woodlawn Drive S/side of Woodlawn Drive, 226 feet s/west of centerline of Kriel Street 2nd Election District – 4th Councilmanic District Legal Owner: Willimae Richburg Mays

Special Hearing to permit a proposed single family dwelling on a lot having less area than the required 6,000 sq. ft. and to determine that density will not be affected and to approve an undersized lot.

Hearing: Tuesday, January 18, 2005, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

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.

APPEAL

Petition for Special Hearing
1931 Woodlawn Avenue
S/S Woodlawn Drive, 226 SW of the c/l Kriel Street
2nd Election District – 4th Councilmanic District
Legal Owners: Willimae Richburg Mays

Case No.: 05-256-SPH

Petition for Special Hearing (November 17, 2004)

Zoning Description of Property

Notice of Zoning Hearing (December 2, 2004)

Certification of Publication (January 4, 2005 - The Jeffersonian)

Certificate of Posting (January 3, 2005) by Garland E. Moore

Entry of Appearance by People's Counsel (December 1, 2004)

Petitioner(s) Sign-In Sheet - None in file

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Plan to accompany petition for Special Hearing

Protestants' Exhibits - None

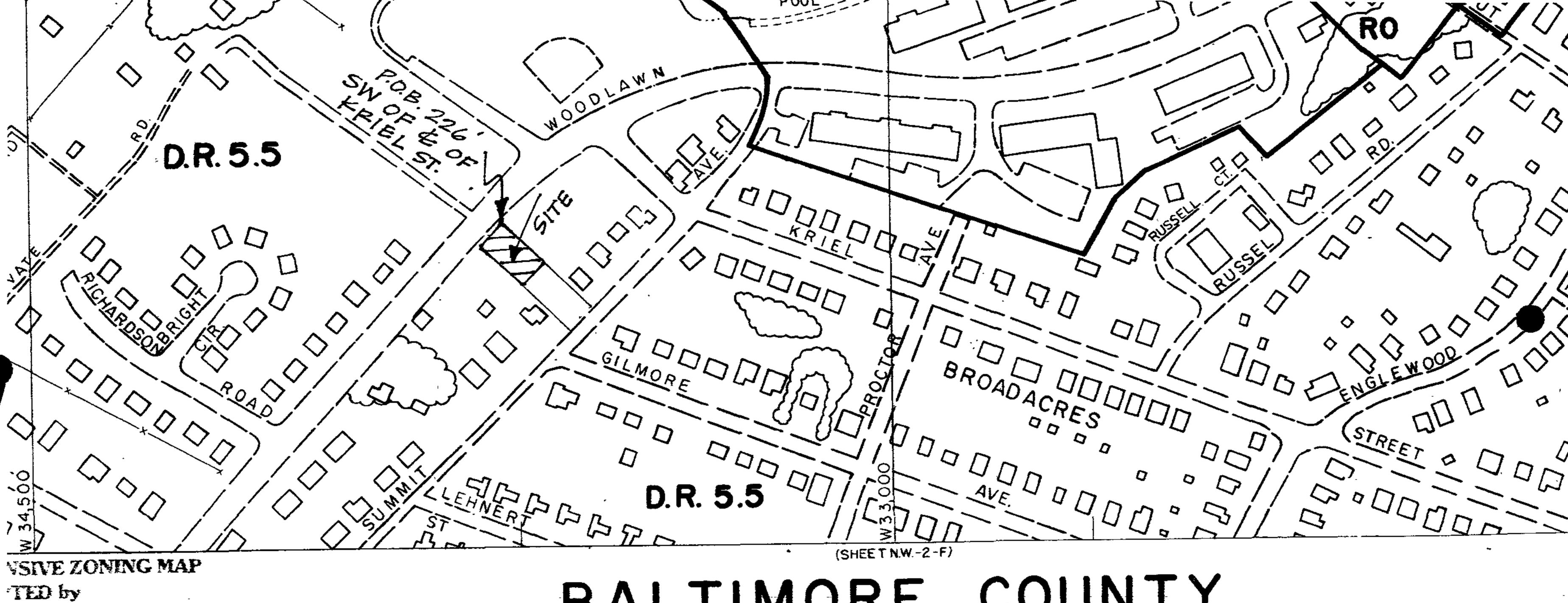
Miscellaneous (Not Marked as Exhibit) - None

Zoning Commissioner's Order (GRANTED - February 9, 2005)

Notice of Appeal received on February 17, 2005 from People's Counsel of Baltimore County

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Willimae Richburg Mays, 1930 Summit Ave., Baltimore 21207
Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

date sent March 10, 2005, klm



COUNTY COUNCIL

R 10, 2000

20, 90-00, 91-00, 92-00, 93-00,

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

Jounty Louncil

#1931 WOODLAWN DPIVE NW 3F

