PADER RECENEUROR FILMS

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE

SE/S Lindemann Lane, 6,625' SW of the c/l

Greenspring Avenue \* ZONING COMMISSIONER

(1911 Lindemann Lane)

3<sup>rd</sup> Election District \* OF BALTIMORE COUNTY 2<sup>nd</sup> Council District

\* Case No. 06-021-SPH

Pavel Solovyousky, et ux Petitioners

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

\*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Pavel Solovyousky, and his wife, Marianna Solovyousky. The Petitioners request a special hearing to approve the subject property that does not meet the minimum area requirements as a buildable lot, with side yard setbacks of 12 feet and 13 feet in lieu of the required 50 feet each, pursuant to Sections 1A04.3.B.1.b(1) and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), for a proposed dwelling. 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 Paul (Pavel) and Marianna Solovyousky, property owners, Mr. Solovyousky's mother, Nelly Solovyousky, who resides nearby, Bruce E. Doak, the Surveyor who prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Appearing as an interested citizen/Protestant was Donald Smith, an adjacent property owner, who was represented by Nathaniel Fick, Esquire.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped parcel located on the southeast side of Lindemann Lane, just south of its intersection with Greenspring Avenue (fka Dover Road) in Lutherville. The property has approximately 126 feet of frontage along Lindemann Lane and an average depth of 450 feet; however, tapers to a width of 150 feet across the rear property line. The property contains a gross area of 0.947 acres, more

or less, zoned, R.C.5 and is improved with a small, one-story dwelling in the front portion of the lot, and an accessory shed towards the rear of the property. The Petitioners purchased the property in June 2005 and are desirous of redeveloping the site with a new single family dwelling. It was indicated that the existing house was built in 1959 and is apparently uninhabitable; however, the shed will be retained for storage purposes. Given the R.C.5 zoning classification of the subject property, relief is requested as set forth above to allow the proposed improvements. As shown on the site plan, the new house will be centered on the lot, approximately 180 feet from the front property line, which is consistent with neighboring homes, and provide side yard setbacks of 12 feet and 13 feet, respectively. Building elevation drawings submitted into evidence as Petitioner's Exhibit 3 show that the proposed dwelling will be a two-story structure, featuring an attached two-car garage and unfinished basement.

In support of the request, the Petitioners noted that many other houses in the community are built on undersized lots (albeit most of which were built prior to Council Bill #55-04). Moreover, prior to the hearing the Petitioners submitted the elevation drawings of the proposed structure to the Office of Planning, which approved same as being consistent with the spirit and intent of the R.C.5 zoning regulations and performance standards set forth in County Council Bill No. 55-04. (See their ZAC comment dated September 6, 2005). Finally, the Petitioners testified that they discussed their proposal with their neighbors on both sides and that no one had any objections.

As noted above, Donald Smith, the adjacent property owner, appeared at the hearing along with his attorney. Mr. Smith had significant concerns regarding the Petitioner's plans for this property. He testified that this property had been the subject of numerous complaints filed with the Code Enforcement Division of the Department of Permits and Development Management (DPDM). Apparently, the prior owner of the property, Eaton Douglas, neglected to properly maintain the property and it has deteriorated to deplorable conditions. Photographs submitted show that the property contains a number of unlicensed or inoperable motor vehicles and a considerable amount of trash and debris, including car parts, tires, etc., despite the

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Petitioners' efforts to have Mr. Douglas remove this debris over the past three months. Another issue raised by Mr. Smith relates to the potential use of heavy equipment and trucks, and access to the property on the southwest side of the proposed dwelling, immediately adjacent to his property. Mr. Smith described this area as containing a steep slope and feared that a septic truck or other heavy equipment/vehicles would destabilize the existing bank much to his detriment. As a result of these and other concerns, Counsel for the parties met and worked out suitable conditions, which were noted on the plan and will be made part of this Order. In this regard, all access to the rear yard will be from the northeast side of the subject property. In addition, landscaping will be provided along the southwest property line in the vicinity of the proposed dwelling to further stabilize the bank.

After due consideration of the testimony and evidence presented, I find that relief is warranted given the narrow width and configuration of the property. There were no adverse ZAC comments submitted by any County reviewing agency, and no one voiced any opposition to the request. Indeed, the ZAC comment submitted by the Office of Planning indicates that the proposal is consistent with the spirit and intent of the R.C.5 zoning regulations and meets the performance standards set forth in Section 1A04.3.B.1.b of the B.C.Z.R. It is clear that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship upon the Petitioners and prohibit use of the property for a permitted purpose. Finally, I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that there will be no detrimental impact to adjacent properties or the surrounding locale.

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 shall be granted.

this \_\_\_\_\_\_\_ day of September 2005 that the Petition for Special Hearing to approve the subject property that does not meet the minimum area requirements as a buildable lot, and side yard setbacks of 12 feet and 13 feet, respectively, in lieu of the required 50 feet each, pursuant to Sections 1A04.3.B.1.b(1) and 304.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), for

a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, all untagged/unlicensed/inoperable motor vehicles, and all trash and debris shall be removed from the property.
- 3) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings dated August 16, 2005, which were reviewed and approved by the Office of Planning. However, pursuant to that agency's comment of September 6, 2005, the Petitioners shall submit revised elevation drawings, which include a note that building materials will be neutral in color, and details for the articulations of the recessed garage door, prior to the issuance of any permits.
- 4) All vehicular access to the rear of the property will be from the northeast side in the area shown on the site plan as "Access to Rear Yard." No heavy equipment or trucks shall be allowed access to the rear yard from the southwest side of the property, between the proposed dwelling and the property owned by Donald Smith.
- 5) In accordance with the agreement reached between the parties at the hearing, the Petitioners shall provide year-round landscaping and ground cover within an 8-foot wide strip along the southern property line to stabilize the bank adjacent to the proposed dwelling. As shown on the plan, this landscaping strip shall be centered along the property line, so as to be 4 feet wide on both the Petitioner's property and the Smith property.

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

WJW:bjs

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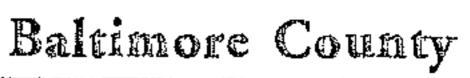
ZONING Commissioner for

**Baltimore County** 

#### Zoning Commissioner

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





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

September 26, 2005

Robert A. Hoffman, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/S Lindemann Lane, 6,625' SW of the c/l Greenspring Avenue
(1911 Lindemann Lane)
3<sup>rd</sup> Election District – 2<sup>nd</sup> Council District
Pavel Solovyousky, et ux - Petitioners

Case No. 06-021-SPH

Dear Mr. Hoffman:

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

WILLIAM J. WISEMAN, III
Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Pavel Solovyousky
2305 Ridge Road Reisterston

2305 Ridge Road, Reisterstown, Md. 21136

Mr. Bruce E. Doak, Gerhold, Cross & Etzel

320 E. Towsontown Blvd., Towson, Md. 21286 Mr. Donald Smith, 1913 Lindemann Lane, Lutherville, Md. 21093

Nathaniel Fick, Esquire, 1426 E. Joppa Road, Towson, Md. 21286-5982

Office of Planning; People's Counsel; Case File



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





to the Zoning Commissioner of Baltimore County

for the property located at	1911	Linden	ann	Lane	_
which is pr	esentl	y zoned _	R.C	, <i>5</i>	

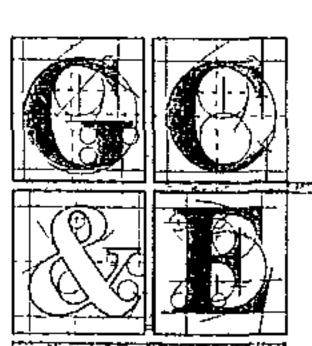
This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

MINUMENT LOT SIZE FOR LESS "LITTRE MUNICUL ACTIONS TO KEQUIRE FLENOT, AND SIDE PANLO SETBACKS OF 12, 13 FT, IN LIGHT SOFT SOFT FOR SECT 1A04, 3 B1 B1, 60) + 304,1

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

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

•		I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:		Legal Owner(s):
Name - Type or Print	<del></del>	Pavel Sotovyovsky Name - Type or Print
Signature	<del></del>	Signature Signature
Address	Telephone No.	Name - Typegor Print Joll
City State  Attorney For Petitioner:	Zip Code	2305 Ridge Rd 4/10560563 Address Address
Name - Type or Print	City	
Signature		Representative to be Contacted:
Сстрапу	<del></del>	Gerhold, Cross, & Etzel, LtdMike Alexander
Address	Telephone No.	320 E. Towsontown Blvd. Ste. 100 Address Telephone No.
··· } {	·	Telephone No. Towson, Maryland 21286 (410)-823-4470
State	Zip Code	City State Zip Code
		OFFICE USE ONLY
<b>32 3 7 7</b>		ESTIMATED LENGTH OF HEARING
Case No. 06 021 SP4		UNAVAILABLE FOR HEARING
FREV 15/98	Review	red By 500-) Date 07.06.05.





Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

June 10, 2005

#### Zoning Description 1911 Lindemann Lane

All that piece or parcel of land situate, lying and being in the Third Election District and Second Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point on the southeast side of Lindemann Lane (30 feet wide) and its end 662.5 feet more or less southwesterly along its centerline from its intersection with the centerline of Greenspring Avenue (formerly known as Dover Road) and 15 feet perpendicular from the centerline of Lindemann Lane, thence running along the southeast side of Lindemann Lane (1) North 33 degrees 56 minutes East 125.7 feet, thence leaving Lindemann Lane and running, (2) South 16 degrees 07 minutes East 51.8 feet, (3) South 53 degrees 05 minutes East 494 feet, (4) North 85 degrees 44 minutes West 150 feet, and (5) North 54 degrees 56 minutes West 402.17 feet to the place of beginning.

Containing 41,233 sq. ft. or 0.947 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

HA Man

- 1/5/os

FROM:

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YELLOW - CUSTOMER

ASHIER'S VALIDATION

#### NOTICE OF ZONING HEARING

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

Case: #06-021-8PH

1311 Lindemann Lane
S/west side of Lindemann Lane, 6,625 feet s/west of centerline of Greenspring Avenue

3rd Election District — 2nd Councilmanic District
Legal Cwhier(s): Pavel & Marianna Solovyovsky

Special Hearing: to allow exceptions to the minimum lot size for less than minimum acreage requirement of 1,5 does and side yard setbacks of 12 feet and 13 feet in lieu (150 feet.

Bearing: Toesday, September 13, 2005 at 2:00 p.m. in

Realing: Toesday, September 13, 2005 at 2:00 p.m. in Room: 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.

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

[T.8/762 August 30. 64833]

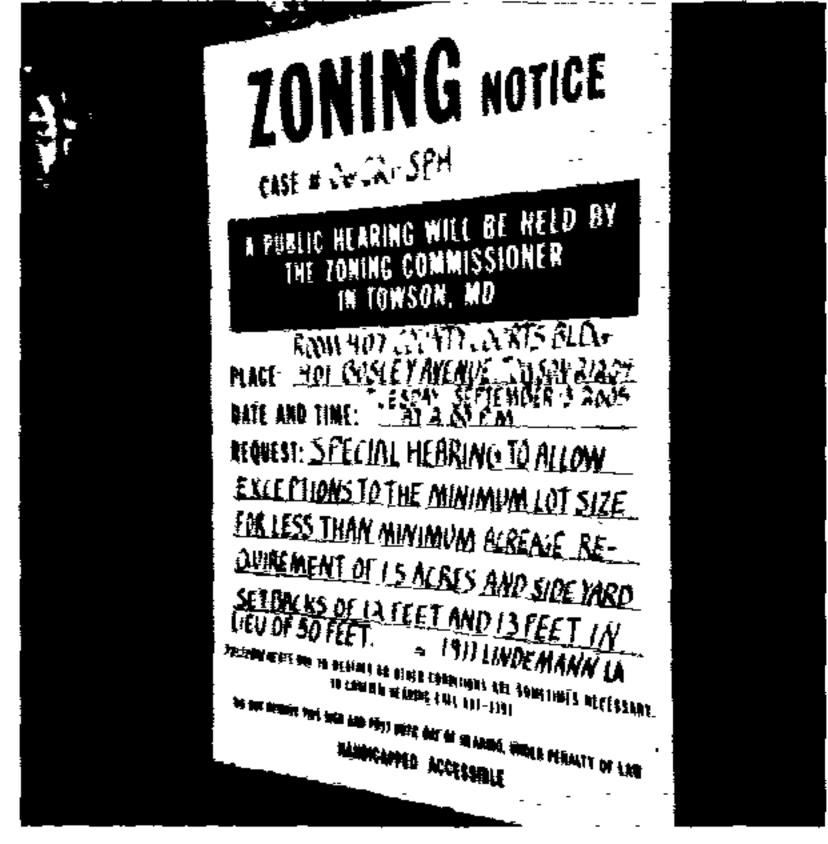
#### CERTIFICATE OF PUBLICATION

<del></del>
831,20_
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 8/30/,2005.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

#### CERTIFICATE OF POSTING

TTE	ENTION: KRISTEN MATTHE	ws Date August 29, 2005
RE:	Case Number 06-021-3 Petitioner/Developer: MR.+MRS, 3 Date of Hearing/Closing. SEPTEN	and the contract of the contra
were		perjury that the necessary sign(s) required by law located at 1911 LINDEMANN LANE
	The sign(s) were posted on(	August 25, 2005 (Month, Day, Year)
	ZONING NOTICE	- Lindu O Kufe (Signature of Sign Poster)



(Signature of Sign Poster)

LINDA O'KEFF

(Printed Name of Sign Poster)

523 PENNY LANE

(Street Address of Sign Poster)

HUNT VALLEY MP 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



Tuesday, August 30, 2005 Issue - Jeffersonian

Please forward billing to:

Marianna & Paul Solovyovsky 2305 Ridge Road Reisterstown, MD 21136-5626

410-560-5631

#### 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: 06-021-SPH

1911 Lindemann Lane

S/west side of Lindemann Lane, 6,625 feet s/west of centerline of Greenspring Avenue 3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District Legal Owners: Pavel & Marianna Solovyovsky

Special Hearing to allow exceptions to the minimum lot size for less than minimum acreage requirement of 1.5 acres and side yard setbacks of 12 feet and 13 feet in lieu of 50 feet.

Hearing: Tuesday, September 13, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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 (Ac) 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

July 15, 2005

#### **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: 06-021-SPH

1911 Lindemann Lane

S/west side of Lindemann Lane, 6,625 feet s/west of centerline of Greenspring Avenue 3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Pavel & Marianna Solovyovsky

Special Hearing to allow exceptions to the minimum lot size for less than minimum acreage requirement of 1.5 acres and side yard setbacks of 12 feet and 13 feet in lieu of 50 feet.

Hearing: Tuesday, September 13, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Director

TK:klm

C: Mr. & Mrs. Solovyovsky, 2305 Ridge Road, Baltimore 21136 Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 29, 2005.

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



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

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <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: 06 71-59H  Petitioner: Macianna Solongovsky and Pavel Solongovsky
Address or Location: 1911 Lindemann Lane
PLEASE FORWARD ADVERTISING BILL TO:  Name: Maciana Solovyovsky and Pavel Solovyovsky  Address: Z305 Ridge Road
Reisterstown, Maryland 21136-51.26
Telephone Number: <u>(410) -560 - 5631</u>

Revised 2/20/98 - SCJ

## Department of Permits and Development Management

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





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

September 5, 2005

Pavel Solovyovsky Mariana Solovyovsky 2305 Ridge Road Baltimore, Maryland 21136

Dear Mr. and Mrs. Solovyovsky:

RE: Case Number: 06-021-SPH, 1911 Lindemann Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 6, 2005.

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.

U. Call Rilla D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Gerhold, Cross & Etzel Mike Alexander 320 E. Towsontown Blvd., Ste. 100 Towson 21286



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

#### 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 123 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

July 18, 2005

ATTENTION:

Zoning Plan Reviewers

Dist. Meeting of: July 25,2005

Item No.:

020-031

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.

1. The Fire Marshal's Office has no comments at this time.

Insp. Pack Fire Marshal's Office 410-887-5178 MS-1102F

cc: File



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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** July 25, 2005

TO: Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM: Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For August 1, 2005

Item No. 021

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads is 40-foot. Setback shall be adjusted accordingly. Show a future 5-inch highway widening along the frontage.

DAK:CEN:clw

ce: File

ZAC-ITEM NO 021-07252005.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE: September 6, 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 1911 Lindemann Lane

6-021

INFORMATION:

Item Number:

Petitioner: Pavel & Marianna Solovyovsky

Zoning: RC 5

Requested Action: Special Hearing

#### SUMMARY OF RECOMMENDATIONS:

The property in question is an existing undersized .947-acre lot recorded by deed in a RC 5 zone. The applicant proposes to raze the existing single-family dwelling and construct a new dwelling with a side yard setback of 12' and 13' in lieu of the required 50'. The existing accessory structure noted on the plan to be razed will remain.

The Office of Planning has reviewed the site plan, photographs of the subject property and architectural elevation drawings dated 8/16/05. The office finds that the proposed new construction is consistent with the spirit and intent of the RC5 zoning regulations and performance standards pursuant to Bill 55-04, provided the following recommendations and revisions are made to the architectural elevation drawings prior to issuance of any building permits:

- 1. Note on the plan that building materials will be neutral in color.
- 2. Provide details for the articulations of the recessed garage door.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:

**Division Chief:** 

AFK/LL: CM

Prepared by:

Division Chief:

AFK/LL: CM

#### 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:** September 6, 2005

SEP 8 2005

ZONING COMMISSIONER

**SUBJECT:** 

1911 Lindemann Lane

**INFORMATION:** 

Item Number:

6-021

Petitioner:

Pavel & Marianna Solovyovsky

Zoning:

RC 5

Requested Action: Special Hearing

#### SUMMARY OF RECOMMENDATIONS:

The property in question is an existing undersized .947-acre lot recorded by deed in a RC 5 zone. The applicant proposes to raze the existing single-family dwelling and construct a new dwelling with a side yard setback of 12' and 13' in lieu of the required 50'. The existing accessory structure noted on the plan to be razed will remain.

The Office of Planning has reviewed the site plan, photographs of the subject property and architectural elevation drawings dated 8/16/05. The office finds that the proposed new construction is consistent with the spirit and intent of the RC5 zoning regulations and performance standards pursuant to Bill 55-04, provided the following recommendations and revisions are made to the architectural elevation drawings prior to issuance of any building permits:

- 1. Note on the plan that building materials will be neutral in color.
- 2. Provide details for the articulations of the recessed garage door.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.



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

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

#### Maryland Department of Transportation

Date: 7.15.05

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

RE:

Baltimore County

刀人

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

Engineering Access Permits Division

1. 1. Bredh

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE

1911 Lindemann Lane, SW/side Lindemann

Lane, 6,625' Swc/line Greenspring Avenue \* ZONING COMMISSIONER

3<sup>rd</sup> Election and 2<sup>nd</sup> Councilmanic Districts

Legal Owner(s): Pavel Solovyovsky \* FOR

Petitioner(s) \* BALTIMORE COUNTY

\* 06-21-SPH

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

#### ENTRY OF APPEARANCE

Please enter the appearance of Nathaniel Fick, Esquire, appearing on behalf of interested person, Donald Smith, 1913 Lindemann Lane, Lutherville-Timonium, MD 21093. 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 this office on all correspondence sent and documentation filed in this case.

Nathaniel Fick, P.C.

NATHANIEL FICK

Fick & Petty

1426 East Joppa Road Towson, MD 21286-5982

(410) 321-6000

Fax: (410) 321-5707

Attorney for Interested Person

**Donald Smith** 

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on this <u>13</u> day of September, 2005, a copy of the foregoing was mailed to:

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

Mike Alexander Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Boulevard #100 Towson, MD 21286

Pavel and Marianna Solovyovsky 2315 Ridge Road Reisterstown, MD 21136 RE: PETITION FOR SPECIAL HEARING
1911 Lindemann Lane; SW/side Lindemann
Lane, 6,625' SW c/line Greenspring Avenue
3<sup>rd</sup> Election & 2<sup>rd</sup> Councilmanic Districts
Legal Owner(s): Pavel Solovyovsky

BEFORE THE

ZONING COMMISSIONER

FOR

Petitioner(s)

\*

BALTIMORE COUNTY

\* 06-21-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 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 18<sup>th</sup> day of July, 2005, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 Towsontown Blvd, Ste. 100, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Almonuman

Per....

DATE:

TO:

W. Carl Richards, Jr.

Zoning Review Supervisor

FROM:

Rick Wisnom, Chief

Division of Code Inspections & Enforcement

SUBJECT:

Item No.: 021

Legal Owner/Petitioner: Pavel Solvyovsky

Contract Purchaser:

Property Address: 1911 Lindemann Ln

Location Description: Southwest side of Lindemann Lane 6,625 feet southwest of

centerline of Greenspring Avenue

**VIOLATION INFORMATION:** 

Case No.: 05-2777

Defendants: Pavel Solovyovsky

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

#### Donald Smith 1913 Lindemann Ln Luth-Timonium, MD 21093

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

#### **Correction Notice**

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/

c: Josip Peruzovic

Code Enforce Building Insp
V) A T 141ER

Baltimor "ounty of Permits and Departin Development Management Code Inspections and Enforcement County Office Buildie 111 West Chesapeake recuiue Towson, MD 21204

ement:

410.887 3953

Plumbing Inspection: Electrical Inspection:

410-887-3620 410-887-3960

Building Inspection: 410-887 3953
BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE
Property No.  1
Name(s): DOUGLAS BATON
Address: 1911 ZINDENMANN DE LN. DAT.MO
Violation
DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:
CEASE OPERATION OF OPE DUMP of JUNK
YARD REMUVEALL TRASH & DEBRIS
BC2R 101.100, 11801/10 / 13-4-104-13-7 112 113 123
BO B
TEMULE ALCONOCEUSEDOS
South the state of
INOPERATIVE MOTOR VEHICLE
BCZR 1016 BC Land Bernard Commence of the Comm
YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:
On or Refere:
FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL PINES OF \$200, \$500, OR \$1000 PER DAY, PER EACH VIOLATION SUBJECTS YOU TO POTENTIAL PINES OF \$200, \$500, OR \$1000 PER DAY, PER
VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTTL
Print Name
INSPECTOR: STOP WORK NOTICE
PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, MOU SHALL CLASE ALL WORK ON UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK ON PROPER VIOLATIONS AND ENFORCEMENT OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT
THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:  [Date Issued:
NOT Later Thins
INSPECTOR:

Chek 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 - 03 Account Number - 0303052910

**Owner Information** 

**Owner Name:** 

SOLOVYOVSKY PAVEL

SOLOVYOVSKY MARIANNA

Use:

RESIDENTIAL

Principal Residence: NO

**Deed Reference:** 

1) /22001/ 680

2)

Mailing Address:

2305 RIDGE RD

REISTERSTOWN MD 21136-5626

**Location & Structure Information** 

Section

**Premises Address** 

1911 LINDEMANN LA

Parcel

Map Grid

**Legal Description** 

.973 AC

1911 LINDEMANN LA SES 500FT SW GREENSPRING RD

**Assessment Area** 

Plat No: Plat Ref:

59 261 Town **Ad Valorem Special Tax Areas** 

**Primary Structure Built** 

1959

**Sub District** 

Tax Class

**Enclosed Area** 

**Subdivision** 

**Property Land Area** 

**County Use** 

42,253.00 SF 04

**Stories** 

**Basement** 

NO

837 SF

Type

Block Lot

**Exterior STUCCO** 

\$120,000

STANDARD UNIT

**Value Information** 

**Base Value** Value As Of

Phase-in Assessments As Of 07/01/2005

As Of 07/01/2006

01/01/2005 119,500 89,560

42,470 28,040 147,540 132,030

132,030

132,030

**Transfer Information** 

Seller: **EATON DOUGLAS** 

IMPROVED ARMS-LENGTH

Land:

Total:

Type: COCKEY JULIA W Seller: NOT ARMS-LENGTH Type:

**Improvements:** 

**Preferential Land:** 

COCKEY DOUGLAS S Seller: **NOT ARMS-LENGTH** Type:

06/08/2005 Date: **Deed1:** /22001/ 680 Date:

Price: Deed2: 05/25/1995

Price: \$0 Deed2: **Deed1:** /11058/ 343

06/20/1990 Date: **Deed1:** / 8514/ 829 Price: \$0 Deed2:

**Exemption Information** 

07/01/2006 07/01/2005 Class Partial Exempt Assessments 0 000 County 000 State 0 000 Municipal

Tax Exempt: **Exempt Class:**  NO

Special Tax Recapture:

\* NONE \*

Case No.:	06.	-021	SPH
CHOU I TOIL			, , ,

#### **Exhibit Sheet**

#### Petitioner/Developer

#### Protestant

No. 1	SITE PLAN	PHOTOSpaphen of Objectionales
No. 2	PHOTO ARRAY taken by BRUCE DOAK	
No. 3	House Elevations	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8	_ <u> </u>	
No. 9		
No. 10		
No. 11		
No. 12		

## DIVISION OF CODE INSPECTIONS AND ENFORCEMENT VIOLATION CASE DOCUMENTS

**VIOLATION CASE: 05-2777** 

1911 Lindemann Lane

ZONING CASE: 06-21-SPH 1911 LINDEMANN LANE

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# PETITIONER'S SIGN-IN SHEET

E- MAIL			50/00/00/00/00/1000 cm							
CITY, STATE, ZIP	10w504 Mo 21286	posis in the sea	Lecther 1/2 2 1093	Keisterstann Allza						
ADDRESS	320 E. Towson 70wn Buro.	210 Helpery Ave	1814 PUNG	2305 Kido e Red						
NAME	BRUCE E. DOAK GERHOLO CROSS F ETZER	Rep Hoteland	Holling Sound Soll	INCHANG SOMANG						

PLEASE PRINT CLEARLY

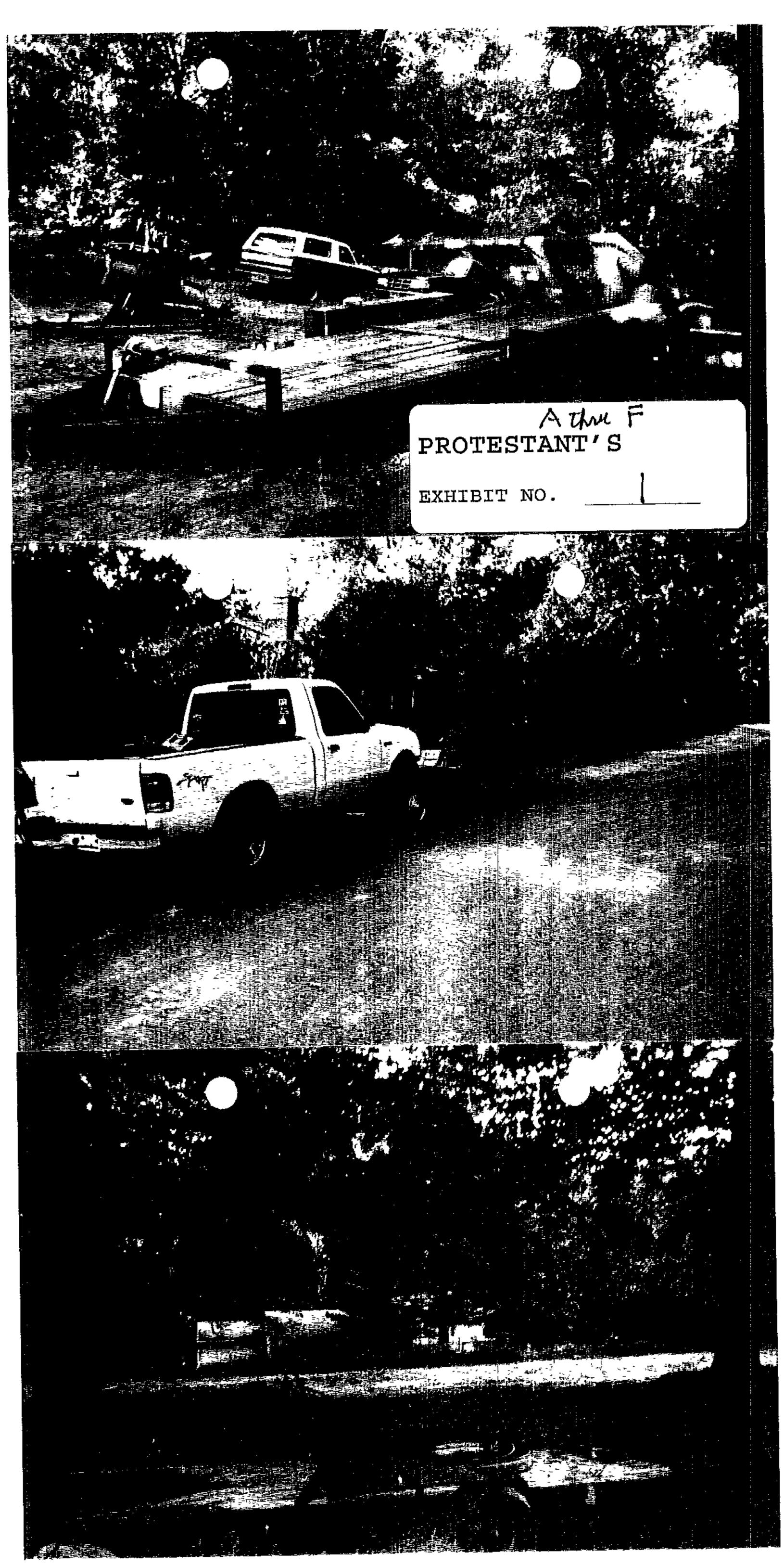
CASE NUMBER D6-21-SPH DATE Selat 13, 2005

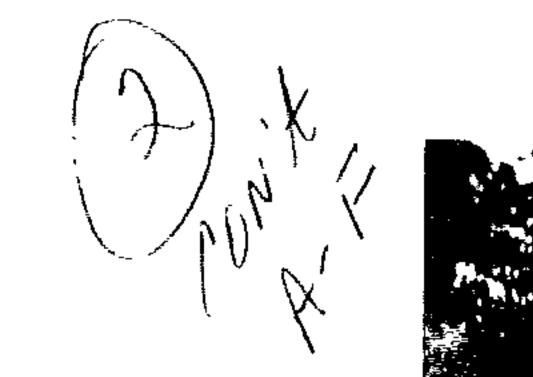
## CITIZEN'S SIGN-IN SHEET

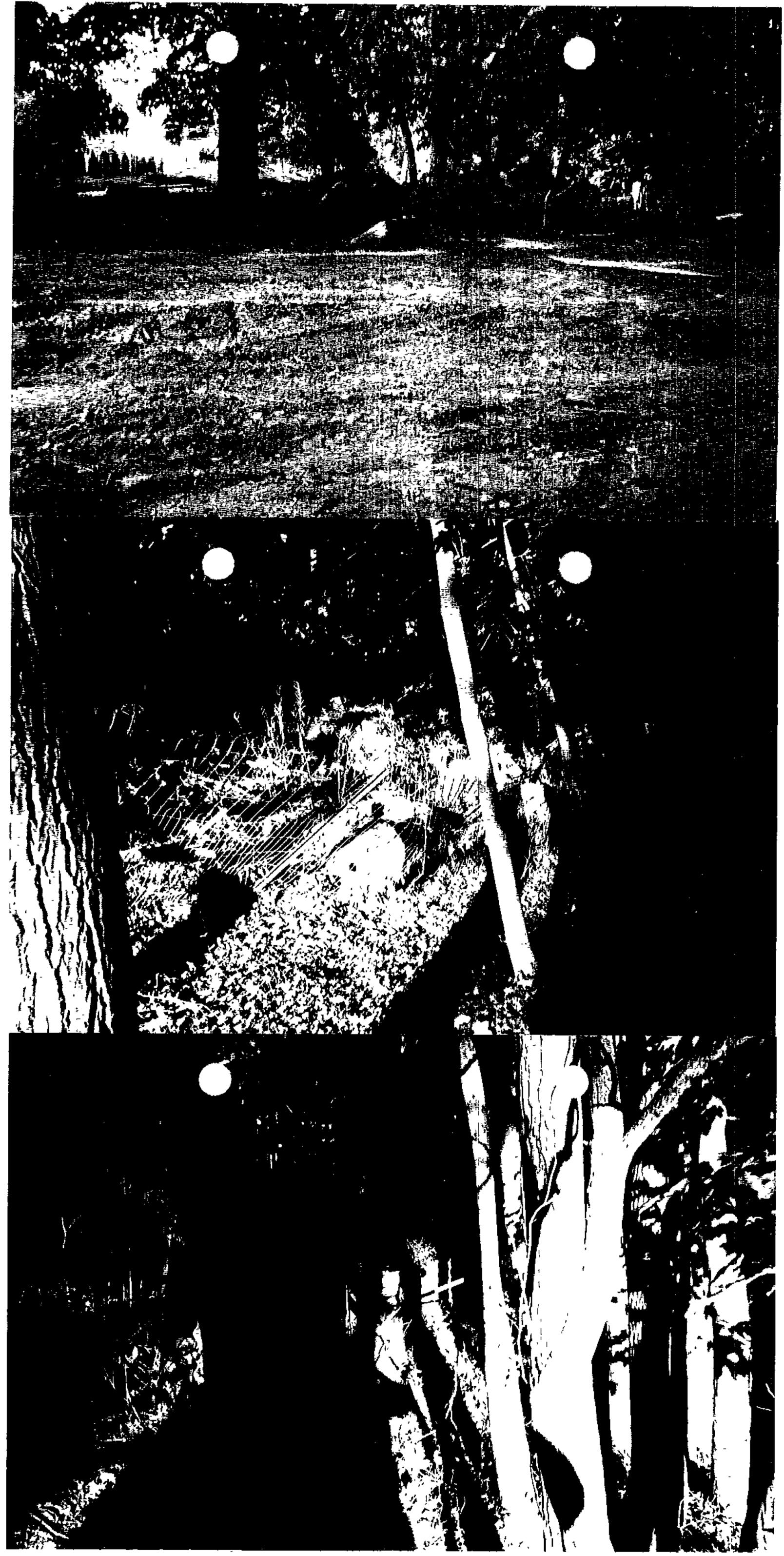
E- MAIL											
CITY, STATE, ZIP	Littlean of which	1 200 San M.D. 21280									
ADDRESS	<u> </u>	五									
NAME	20.	120 H									




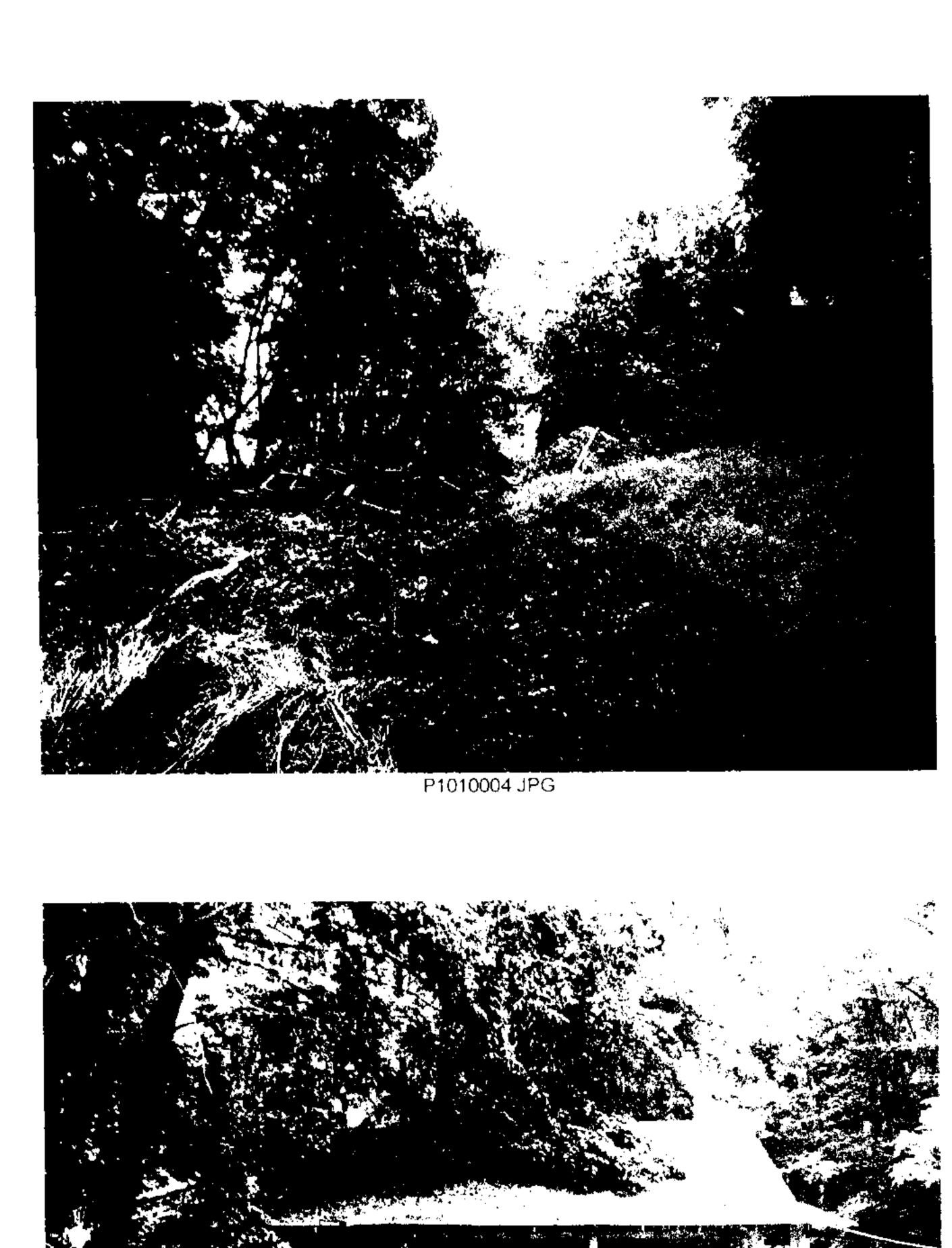
## 06-021-5Ph PROT. "AthruF"











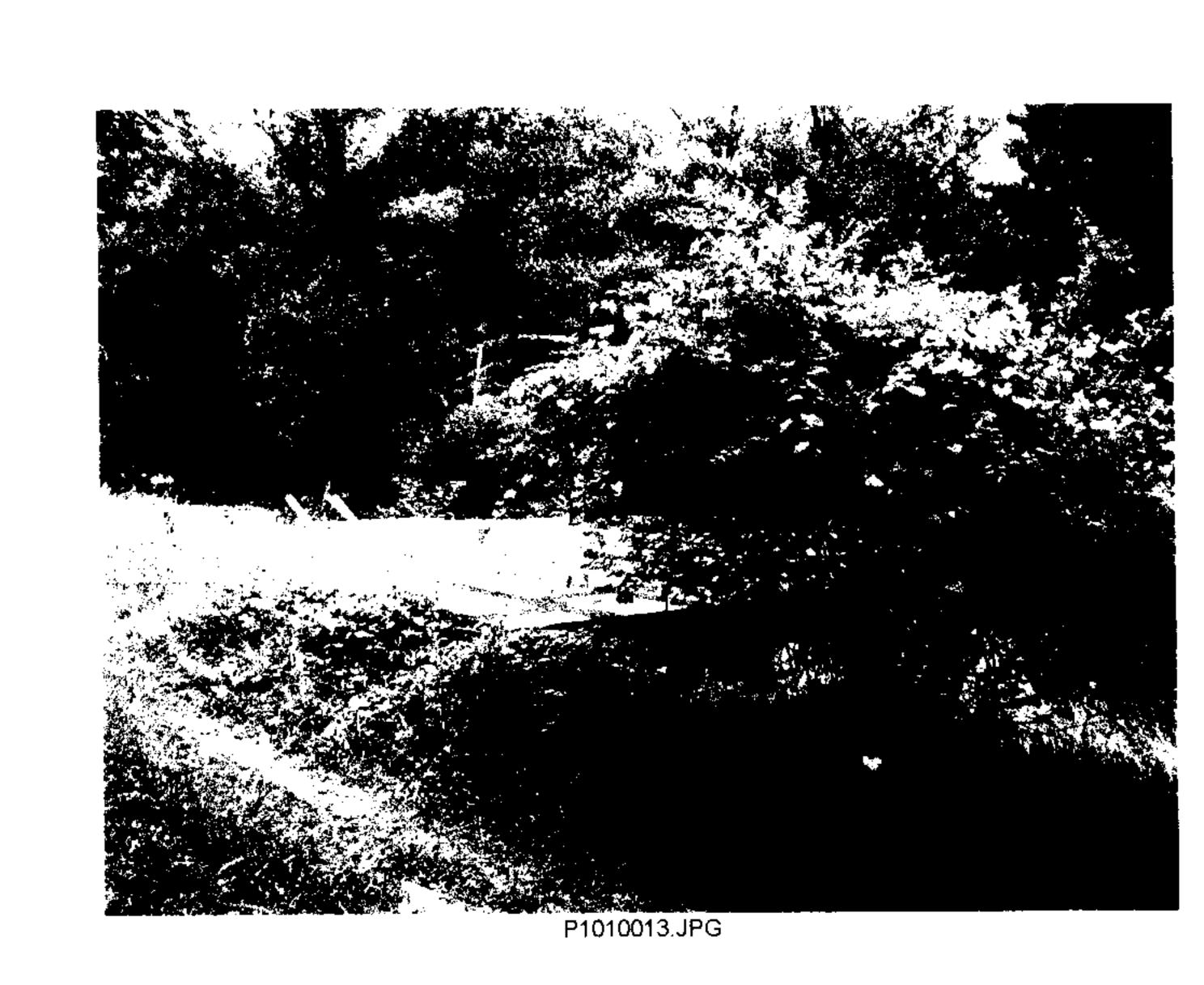


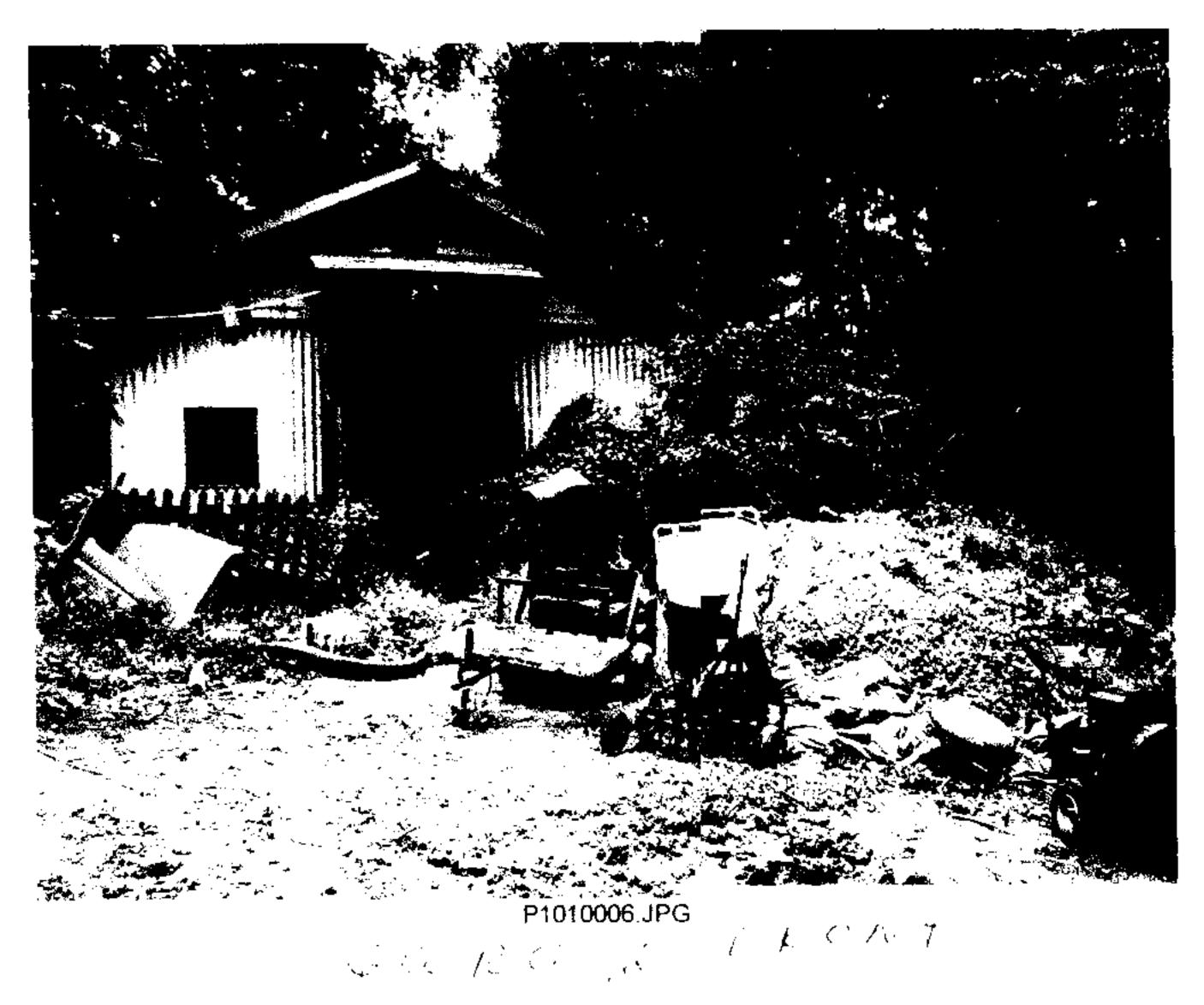


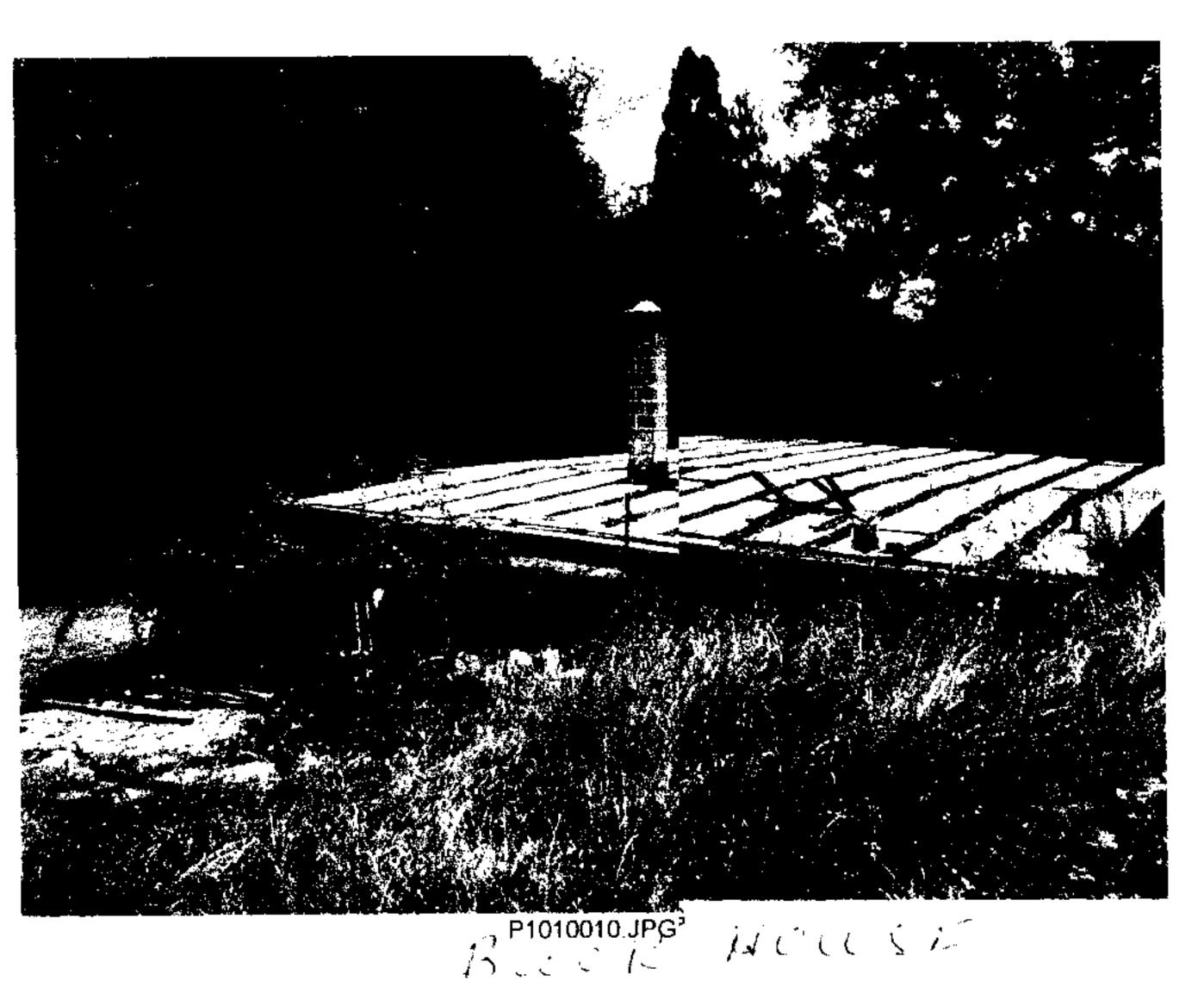




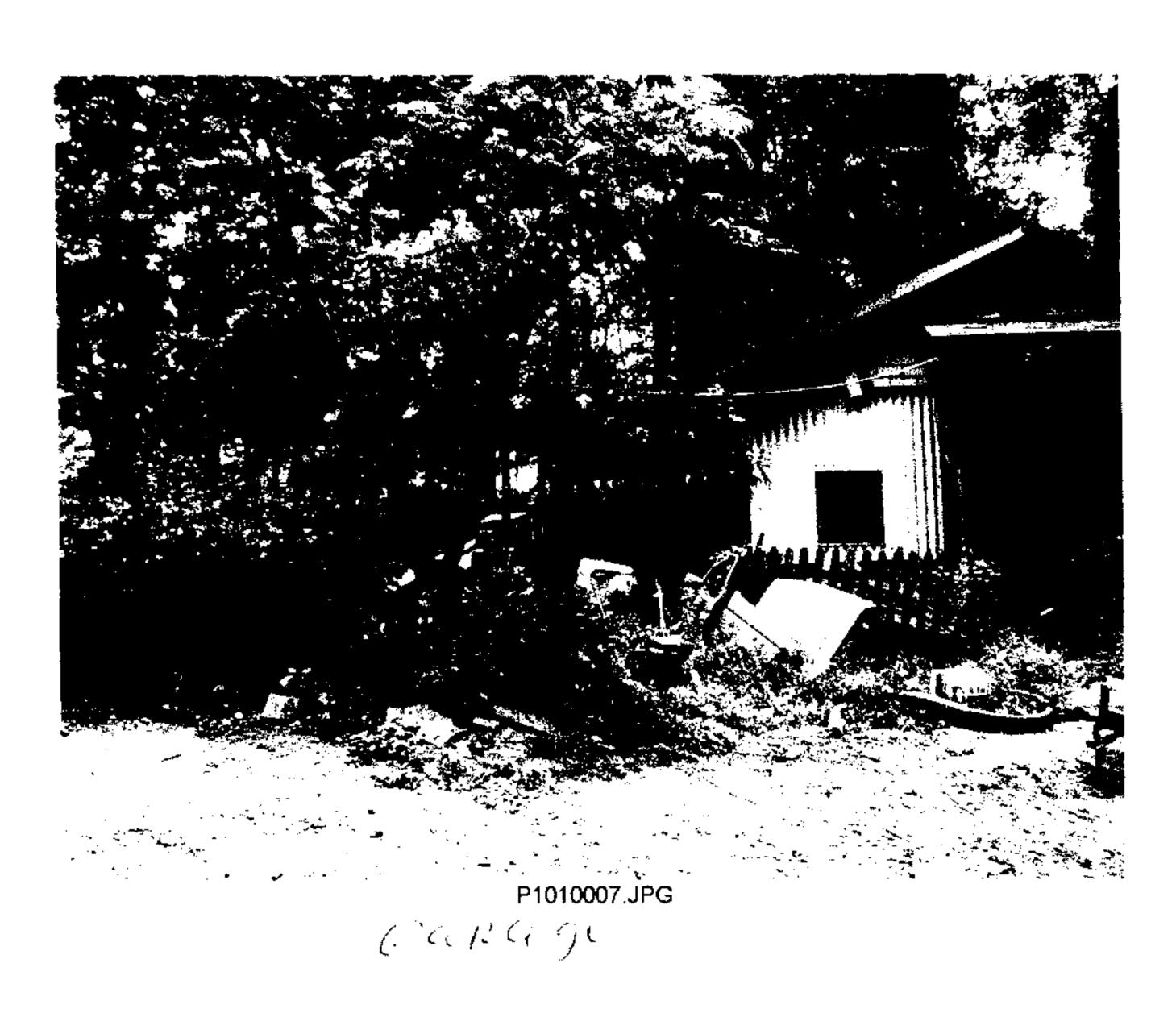















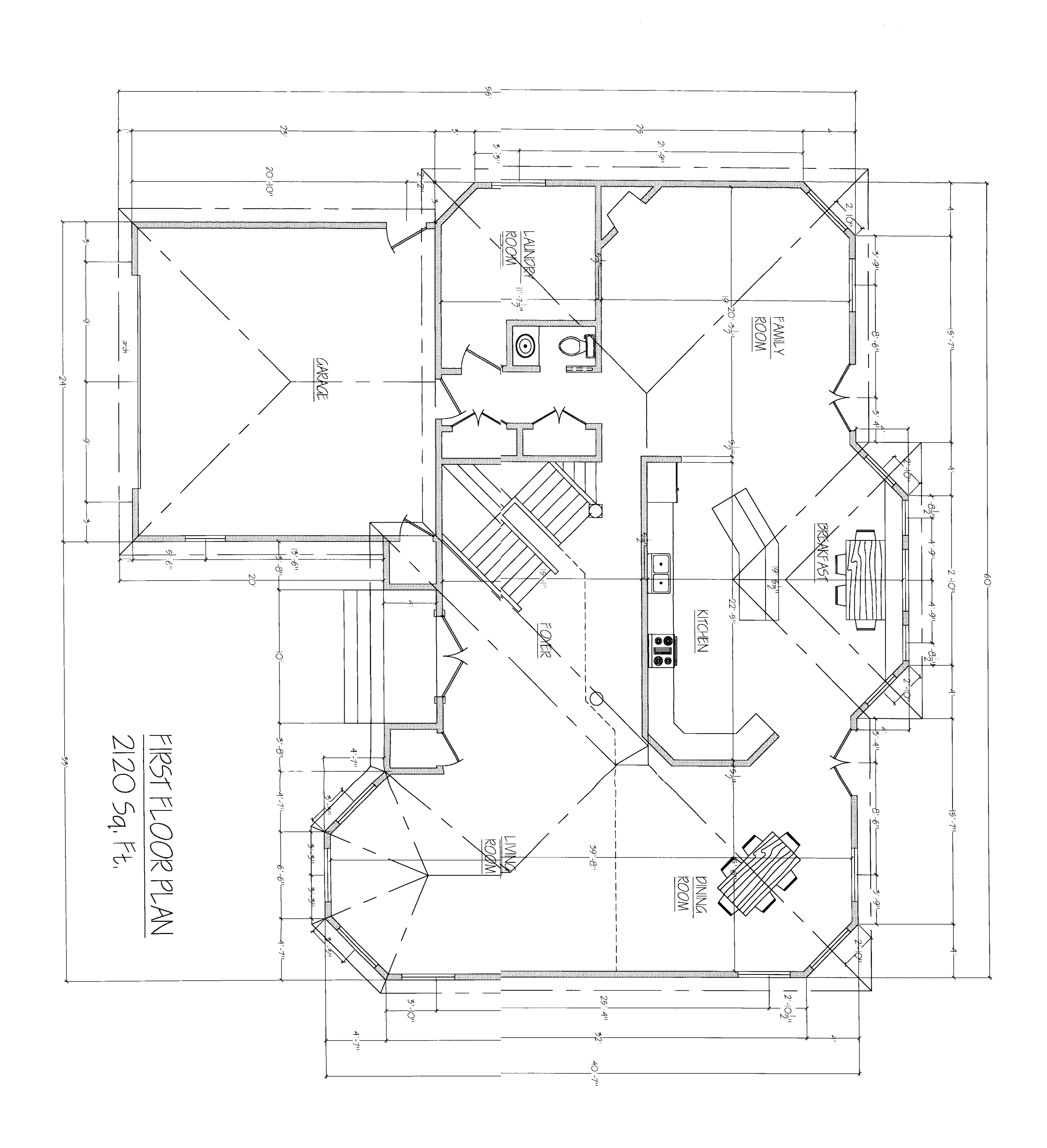












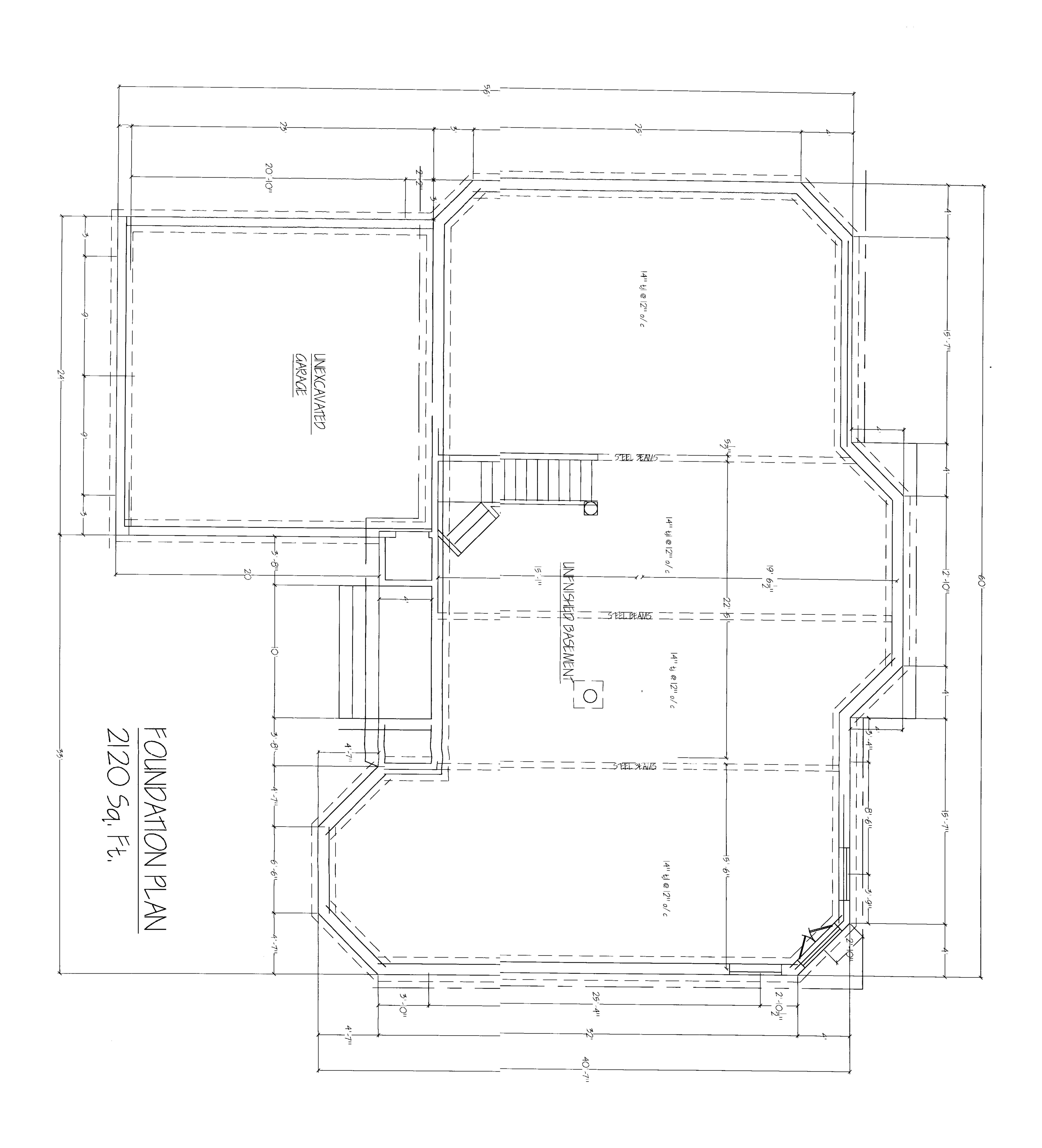
NEW HOUSE

XTON MARY\_AND

SOLOVYOVSKY RESIDENCE

DANIELS & ASSOCIATES ARCHITECTS, Ltd. Suite #100 (410) 560-3588 Timonium, Maryland

1426 Broadway Road



Date: 8/16/04

Revisions
No. Date Reference

Drawing Title
FLOOR
PLANS
PLANS
PLANS

Drawing Number

NEW HOUSE

XTON MARY\_AND

SOLOVYOVSKY RESIDENCE

DANIELS & ASSOCIATES ARCHITECTS, Ltd.

1426 Broadway Road Suite #100 Timonium, Maryland (410) 560-3588

