IN RE: PETITION FOR VARIANCE Southwest side Winters Lane, 615' South- East of Edmondson Avenue 1st Election District 1st Councilmanic District **(63 ½ Winters Lane)** Kevan Vanek *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-236-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by Kevan Vanek, Legal Owner of the subject property. The variance request is for property located at 63 ½ Winters Lane in the Catonsville area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a lot width of 49.30 feet in lieu of the required 55 feet.

The property was posted with a notice of the public hearing date and time on November 26, 2005 and notice given to the general public by publication in the Jeffersonian Newspaper on November 22, 2005.

Interested Persons

Appearing at the hearing on behalf of the variance request was Kevan Vanek, Petitioner. Donald Hicks of Hicks Engineering Associates, Inc., who prepared the site plan, attended the hearing. The Petitioner was represented by Deborah C. Dopkin, Esq. Karin Brown from the Planning Office attended the hearing. There were no protestants or interested citizens at the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

ORDER RECEIVED FOR FILING
Date 12-19-05
By

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received by the Office of Planning dated November 21, 2005, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Testimony and Evidence

Ms. Dopkin indicated that the subject property contains 0.284 acres, is vacant and zoned DR 5.5. The lot width is 49.3 feet while the DR 5.5 regulations require 55 feet minimum. Ordinarily a building permit would be processed for this lot using the administrative process outlined in Section 304 of the BCZR. However, the Petitioner owns the adjacent property at 65 Winters Lane which is again a 49.3 foot wide lot improved by a single family home built in 1899 according to State Department of Assessments and Taxation (SDAT) records. See Petitioner's Exhibit 6. Ms. Dopkin proffered that the subject lot and 65 Winters Lane have been separate lots

ORDER RECEIVED FOR FILING
Date 12-12-05
By

conveyed in separate deeds as shown in Exhibit 5 and have separate tax assessments. Again, see Exhibits 5 and 6.

Ms. Dopkin explained that by creating a "z" lot by lot line adjustment with the property at 65 Winters Lane, the Petitioner could have built a home on the subject property without a variance as shown on Petitioner's Exhibit 4. However, the subject lot is in the Winters Lane Historic District (MHT # 3067 also known as an African American Survey District) and the new home on the z lot would be pushed far back from Winters Lane. Consequently, the Zoning Office requested the Petitioner apply for a variance so that the new home could be built in line with the adjoining homes.

Karen Brown from the Planning Office indicated her Office's strong support for granting the variance again to avoid a new home not in line with others adjacent to it. As important, the Planning Office is requesting that the Petitioner comply with building standards which will make the new home compatible with the homes in this historic community. The Petitioner agreed to these recommendations. In addition, he noted that homes in this community are generally built on 50-foot lots so that the proposed home would not change the character of the neighborhood.

Ms. Dopkin proffered that the Petitioner contacted the local community associations to explain what he proposed. She noted that no protestants or citizens appeared at the hearing. Finally, she opined that the property was unique from a zoning standpoint given its location in the historic district.

Findings of Fact and Conclusions of Law

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The property is in the historic district and the new home should be built in line with the adjacent homes to compliment the district. This means that the subject lot is impacted differently by the DR lot width regulations as compared to others in

Date 12-19-05

the area. In addition, the lot was a lot of record at least back to 1940 as shown by Exhibit 5. As such, those lot width regulations were imposed many years after the lot was created and again impact this lot differently from others created in compliance with the regulations.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No new home could be built in line with the adjacent homes if the variance was not granted.

There will be no increase in residential density beyond that otherwise allowable by the Zoning Regulations as a result of any such granting of a variance from the regulations. The lot contains more than double the area required by DR 5.5 zoning.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. I will grant the Planning Office request that the structure of the new home be compatible with the historic community and will be subject to the Planning Office review and approval.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 16 day of December, 2005, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a lot width of 49.30 feet in lieu of the required 55 feet, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for

Date 12-16-05
By

whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition and

2. The Petitioner's shall comply with the ZAC comments from the Office of Planning dated November 21, 2005.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 12-12-05
By

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
William J. Wiseman III, Zoning Commissioner

December 16, 2005

Deborah C. Dopkin, P.A.
409 Washington Avenue, #1000
Towson, Maryland 21204

Re: Petition for Variance
Case No. 06-236-A
Property: 63 ½ Winters Lane

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above-captioned case. The petition for Variance has been granted with restrictions in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Kevan Vanek, 13 Melvin Avenue, Catonsville, MD 21228
Donald E. Hicks, Hicks Engineering Associates, Inc., 200 E. Joppa Rd., Suite 402, Towson, MD 21286
People's Counsel; Karin Brown, OP; Case File

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 63½ Winters Lane

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 Variance from Section(s)

See attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Kevan Vanek

Name - Type or Print

Kevan Vanek

Signature

Name - Type or Print

Signature

13 Melvin Avenue 410-788-8584

Address Telephone No.

Catonsville, Maryland 21228

City State Zip Code

Attorney For Petitioner:

Deborah C. Dopkin, Esquire

Name - Type or Print

Deborah C. Dopkin

Signature

Deborah C. Dopkin, P.A.

Company

409 Washington Avenue, #1000 (410-821-0200)

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Representative to be Contacted:

Hicks Engineering Associates, Inc.

Name

200 East Joppa Road, Suite 402 (410-494-0001)

Address Telephone No.

Towson, Maryland 21286-3160

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1HR

UNAVAILABLE FOR HEARING

Reviewed By NA Date 11/01/05

DROP OFF
FILED BY JL

Case No. 06-236-A

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 11-1-05
By

Petition for Variance
63½ Winters Lane

A variance from BCZR Section 1B02.3.C.1 to permit a lot width of 49.30 feet in lieu of the required 55 feet.

Hicks Engineering Associates, Inc.

DESCRIPTION FOR ZONING
OF
VANEK PROPERTY

NO 63½ WINTERS LANE
FIRST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the southwest right of way line, existing 40 feet wide, of Winters Lane, said point being 615 feet, more or less, southeasterly from the centerline of Edmondson Avenue, thence running with the existing right of way;

1.) South 28 degrees 12 minutes 30 seconds East 49.30 feet to a point, thence leaving the right of way line and running,

2.) South 60 degrees 34 minutes West 251.08 feet, thence;

3.) North 28 degrees 12 minutes 30 seconds West 49 30 feet, thence;

4.) North 60 degrees 34 minutes East 251.08 feet to the point of beginning.

CONTAINING 12,378.24 square feet or 0.284 acres of land more or less.

Donald E. Hicks, P.E.

STATE OF MARYLAND
DONALD EDWIN HICKS
No. 8676
REGISTERED
PROFESSIONAL ENGINEER

06 236 A

HICKS ENGINEERING ASSOCIATES, INC.
200 EAST JOPPA ROAD, SUITE 402
TOWSON, MARYLAND 21286

OCTOBER 7, 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: #06-236-A
63 1/2 Winters Lane
Southwest side Winters Lane, 615 feet southeast of Edmondson Avenue
1st Election District
1st Councilmanic District
Legal Owner(s): Kevan Vanek
Variance: to permit a lot width of 49.30 feet in lieu of the required 55 feet.
Hearing: Wednesday, December 14, 2005 at 9:00 a.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) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT/11/714 No22 75950

CERTIFICATE OF PUBLICATION

11/23/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/22/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Drop off JL 236

No. 1129

DATE 11/01/05 ACCOUNT 001 006 6150

AMOUNT $ 65.00

RECEIVED FROM: Hacks Eng

FOR: RV 63 1/2 Winters La

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
11/01/2005 11/01/2005 16:12:42
ACCOUNT NAME
6150 ZONING VARIANCE
AMOUNT
65.00

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date November 28, 2005

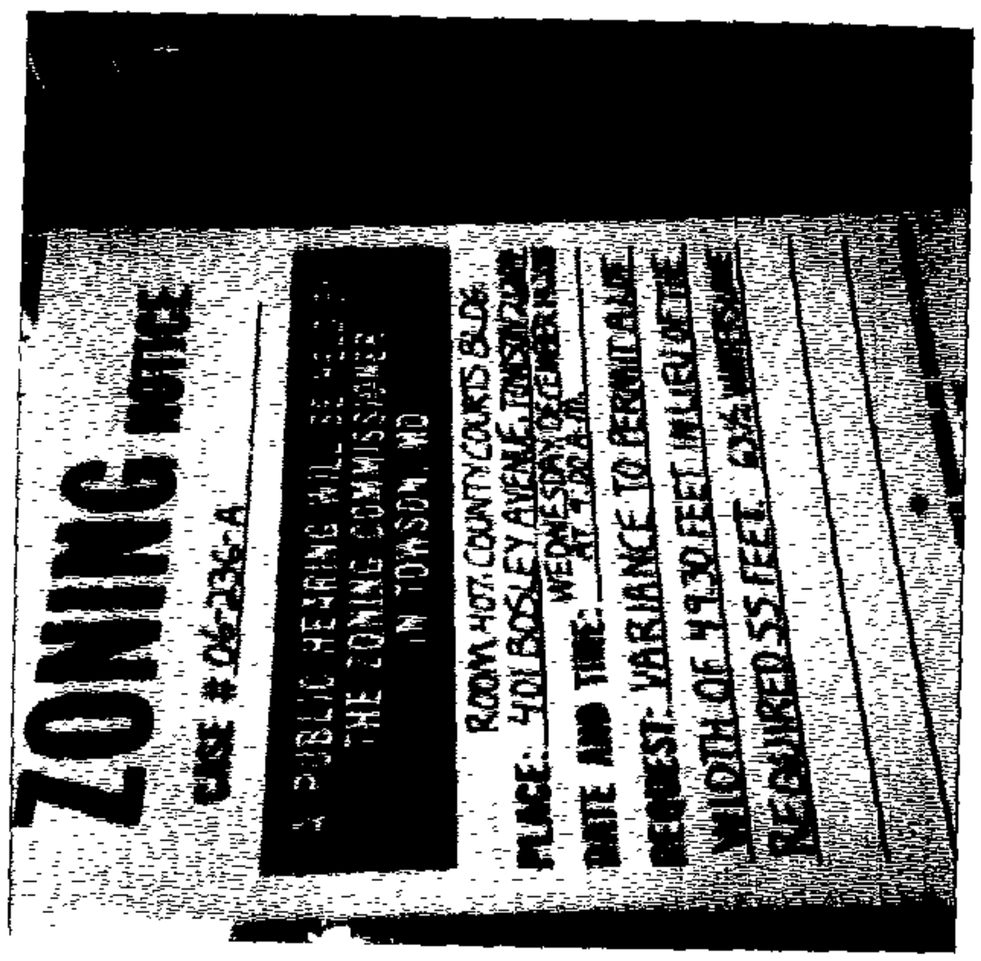
RE Case Number 06-236-A

Petitioner/Developer: DEBORAH DOPKIN/KEVAN VANEK/HICKS ENGINEERING

Date of (Hearing)/Closing DECEMBER 14, 2005

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 63 1/2 WINTERS LANE

The sign(s) were posted on NOVEMBER 26, 2005
(Month, Day, Year)



Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06-236-A

Petitioner: VANEK

Address or Location: 63½ WINTERS CA.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Deborah Dopkin, Esq.

Address: 409 Washington Ave #1000
Towson Md. 21204

Telephone Number: 410 821 0200

Revised 7/11/05 - SCJ

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

November 8, 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: 06-236-A
63 1/2 Winters Lane
Southwest side Winters Lane, 615 feet southeast of Edmondson Avenue.
1st Election District, 1st Councilmanic District
Legal Owner: Kevan Vanek

Variance to permit a lot width of 49.30 feet in lieu of the required 55 feet.

Hearing: Wednesday, December 14, 2005 at 9:00 a.m., in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK: clb
C: Deborah Dopkin, 409 Washington Avenue, Ste. 1000 Towson, 21204
Kevan Vanek 13 Melvin Avenue Catonsville 21228
Hicks Engineering 200 E. Joppa Road Ste. 402 Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 30, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 22, 2005 Issue - Jeffersonian

Please forward billing to:
Deborah Dopkin 410-821-0200
409 Washington Avenue, Ste. 1000
Towson, Maryland 21204

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: 06-236-A
63 1/2 Winters Lane
Southwest side Winters Lane, 615 feet southeast of Edmondson Avenue.
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Hearing: Wednesday, December 14, 2005 at 9:00 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.

Department of Permits and Development Management

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

Baltimore County

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

December 12, 2005

Deborah C. Dopkin
409 Washington Avenue # 1000
Towson, Maryland 21204

Dear Ms. Dopkin:

RE: Case Number: 06-236-A, 63 ½ Winters Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 1, 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.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Kevan Vanek 13 Melvin Avenue Catonsville 21228
Hicks Engineering 200 East Joppa Road, Ste. 402 Towson 21286

RECEIVED

NOV 29 2005

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 21, 2005

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

SUBJECT: 63 ½ Winters Lane

INFORMATION:

Item Number: 6-236

Petitioner: Kevan Vanek

Zoning: DR 5.5

Requested Action: Variance

Historic Review:
Historic Preservation staff supports the petitioner's request for variance to permit a lot width of 49.30 feet in lieu of the required 55 feet. The property is located in the Winters Lane African American Survey District. Staff met with the applicant and project engineer advising the property owner to develop the lot in a manner that is consistent with the community's existing development pattern.

The applicant agreed to construct a dwelling that in style, massing and height is compatible with the structures in the community, thus requiring the requested variance. The Zoning Commissioner's approval should be conditioned on the Office of Planning's approval of building elevations and design.

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

1. Provide building elevations (to Karin Brown and Dennis Wertz) that show the exterior design, colors, and building materials of the proposed dwelling.
2. Provide a plan that shows the location and exterior design, colors, and materials of any accessory structures that will be visible from Winters Lane.

SUPERVISED PLANS
Date 12-14-05
By

W:\DEVREV\ZAC\6-236 doc

3. Provide a plan that shows the location of all off-street parking spaces, parking spaces should be in the side or rear yard of the dwelling; parking shall not be in the front.

For further information concerning the matters stated here in, please contact Dennis Wertz or Karin Brown at 410-887-3480.

Prepared by: _____

Division Chief: _____

AFK/LL: CM

W:\DEVREV\ZAC\6-236.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 16, 2005

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 7, 2005
Item Nos. 223, 224, 225, 227, 228, 233, 234, 235, 236, 238, 239,

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11162005.doc

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 9, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of: October 31, 2005

Item No.: 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 233, 234, 235, 236, 237, 238, 239, 241 and 242

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.

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

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 11.15.05

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

RE: Baltimore County
Item No. 236 JLL

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR VARIANCE 63 ½ Winters Lane; SW/side Winters Lane, 615' SE Edmondson Avenue 1st Election & 1st Councilmanic Districts Legal Owner(s): Kevan Vanek	*	BEFORE THE
		*	ZONING COMMISSIONER
		*	FOR
	Petitioner(s)	*	BALTIMORE COUNTY
		*	06-236-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 and all documentation filed in the case.

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

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November, 2005, a copy of the foregoing Entry of Appearance was mailed to, Hicks Engineering Associates, 200 East Joppa Road, Suite 402, Towson, MD 21286 and Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED
NOV 07 2005
CLB

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

KEEP IN ZONING FILE #06-236-A

FREQUENT FLYER ATTORNEYS
DROP OFF ZONING PETITIONS
POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with **all** technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.

2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.

3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

SOME ISSUES WITH DROP OFF PETITION FILING INFORMATION:
1. THE VICINITY MAP IS USELESS DUE TO SMALL SIZE.
2. THE P.O.B WITH STREET INTERSECT DISTANCE ISN'T ON PLAN
3. THE PLAN IS SILENT AS TO ADJACENT OWNERSHIP ISSUES FOR PAST 6 YEARS PER ZONING POLICY
4. ALSO BE AWARE OF QUESTION OF MERGER.
5. THE PLAN NOTE 5 INDICATES HISTORIC. NO INDICATION IS GIVEN FOR HISTORIC REQUIREMENTS (SPH? ETC.) RESOLUTION.
6. IS THERE ANY REASON THIS ISN'T BEING DONE AS A SECT. 304 (UNDERSIZED LOT APPVL) FILING/POSTING? (IN LIGHT OF RESOLUTION WITH #'S 3+4 ABOVE).
7. NO COMPLETED ADVERTISING FORM WITH PACKET

THIS FILER WAS NOT PRESENT AT [redacted] PRE DROP OFF MEETING AS REFERENCED ON ATTACHMENT PAPER.

3/22/05
JLL/rjc

KEEP IN ZONING FILE
06-236-A

DROP OFF
ATTACHMENT.

O.K. TO FILE PER
10/25/05 MEETING
WITH MR. CARL
RICHARDS

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** - 01 **Account Number** - 0113750800

Owner Information

Owner Name:	VANEK KEVAN	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	65 WINTERS LN BALTIMORE MD 21228-4436	**Deed Reference:**	1) /20277/ 365 2)

Location & Structure Information

Premises Address
WINTERS LN (63 1/2)

Legal Description
.2819 AC
63 H WINTERS LN
S OF EDMONDSON AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
101	1	571						1	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		12,279.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	20,060	20,060		
Improvements:	0	0		
Total:	20,060	20,060	20,060	20,060
Preferential Land:	0	0	0	0

Transfer Information

Seller:	LEE BEATRICE E	**Date:**	06/22/2004	**Price:**	$20,060
Type:	UNIMPROVED ARMS-LENGTH	**Deed1:**	/20277/ 365	**Deed2:**	
Seller:	MOORE ALBERT	**Date:**	07/28/1987	**Price:**	$5,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/ 7621/ 807	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Pet #5

20277/365

J. Adams, LLC dba Adams Title Company
File No. **0402-0022A**
Tax ID #

This Deed, made this 7th day of April, 2004, by and between June M. Walker and Beatrice E. Lee, who departed this life, parties of the first part, Grantors; and Kevin Vanek, party of the second part, Grantee.

- Witnesseth -

That for and in consideration of the sum of Twenty Thousand Sixty And 00/100 Dollars ($20,060.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Kevin Vanek, as sole owner, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEGINNING for the same at an iron pipe set in the westerly line of Winters Lane and being at the northeasterly corner of that parcel of land by assignment from M. Edna Rawlings to Reuben Frederick, recorded among the Land Records of Baltimore County in liber R.J.S. 1400, Folio 508, thence binding on the Westerly line of Winters Lane and the first line in a sub-lease from Charles C. Herbert to James T. Lee, recorded among the Land Records of Baltimore County in Liber W.P.C. 332, Folio 172, N 28 degrees 12' 30"W 49.30 feet to an iron pipe, thence binding on the second, third and fourth lines of the aforesaid sub-lease Herbert to Lee, S 60 degrees 34' W 256.08 feet to an iron pipe, thence S 28 degrees 12' 30" E 49.30 ft. to a stone heretofore set, thence N. 20 degrees 30' E 256.08 feet to the place of beginning, being known as 63 ½ Winters Lane.

Tax ID No. 01-0113750800

Saving and Excepting all that five (5) foot of land more particularly described in Deed dated July 29, 1998 recorded among the Land Records of Baltimore County in Liber 13104, folio 608.

BEING the fee simple property which, by Deed dated July 15, 1987, and recorded among the Land Records of the County of Baltimore, State of Maryland, in Liber No. 7621, folio 307, was granted and conveyed by Albert M. Moore and Peulah M. Moore unto Beatrice E. Lee and June M. Walker as Personal Representative.

Wrong #7621/807

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Kevin Vanek, as sole owner, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

7621-807 1621 807

NO TITLE SEARCH REQUESTED

THIS DEED, Made this 15th day of July, 1987, by and between ALBERT M. MOORE and PEULAH M. MOORE, his wife, of Baltimore County, State of Maryland, parties of the first part, and BEATRICE E. LEE, of Baltimore County, State of Maryland, party of the second part, and JUNE M. WALKER, party of the third part.

WITNESSETH, That in actual consideration of Five Thousand Dollars ($5,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said ALBERT M. MOORE and PEULAH M. MOORE, parties of the first part, do hereby grant and convey unto the said BEATRICE E. LEE, party of the second part, her personal representatives and assigns, in fee simple, for and during the term of her natural life, with the powers hereinafter expressed and set forth, and from and immediately upon the death of the said BEATRICE E. LEE, in the event of the failure of the said BEATRICE E. LEE to exercise the powers in her as hereinafter provided, or as to so much of said property as has not been disposed of in the exercise of said powers, then unto the said JUNE M. WALKER, party of the third part, her heirs and assigns, in fee simple, all that lot of ground situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE
DATE 7/23/87

STATE DEPARTMENT OF ASSESSMENTS & TAXATION
CLERK
DATE 7/23/87

BEGINNING for the same at an iron pipe set in the [illegible] line of Winters Lane and being at the northeasterly corner of that parcel of land by assignment from M. Edna Rawlings to Reuben Frederick, recorded among the Land Records of Baltimore County in Liber R.J.S. 1400, Folio 508, thence binding on the Westerly line of Winters Lane and the first line in a sub-lease from Charles E. Herbert to James T. Lee, recorded among the Land Records of Baltimore County in Liber W.P.C. 332 Folio 172, N 28°12'30" W 49.30 feet to an iron pipe, thence binding on the second, third and fourth lines of the aforesaid sub-lease Herbert to Lee, S 60° 34' W 256.08 feet to an iron pipe, thence S 28° 12' 30" E 49.30ft. to a stone heretofore set, thence N 60° 30' E 256.08 feet to the place of beginning, being known as 63½ Winters Lane.

BEING the same parcel of land which was by deed dated July 11, 1960, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3738 page 444 granted and conveyed by George Martin Theodore Lee and Beatrice Earl Lee to Albert M. Moore and Peulah M. Moore, his wife.

TOGETHER with all and every the rights, alleys, ways, waters,

RECD 15.00
TX 25.00
RECS 25.00
UFED 55.00
CIR CLERK
07/23/87

FEE-SIMPLE DEED—CODE—City or County—40

This Deed, Made this 11th day of July

in the year one thousand nine hundred and Sixty, by and between GEORGE MARTIN THEODORE LEE, and BEATRICE EARL LEE, his wife

of Baltimore County in the State of Maryland, of the first part, and ALBERT MOORE and PEULAH MOORE, his wife, of the City of Baltimore in the State of Maryland,

of the second part.

Witnesseth, that in consideration of the sum of five ($5.00) dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said George Martin Theodore Lee

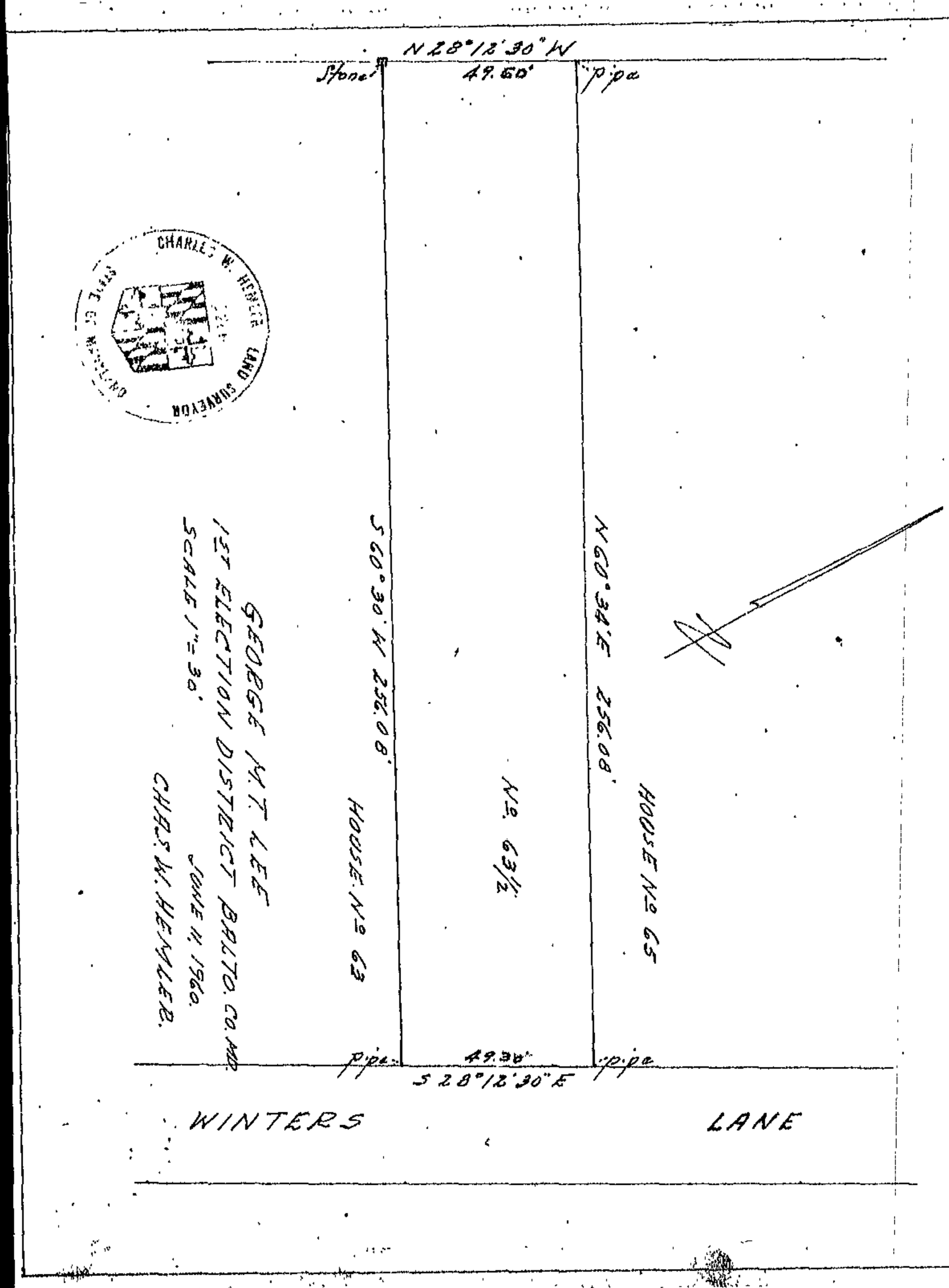
doth grant and convey unto the said Albert Moore and Peulah Moore, his wife, as tenants by the entireties, their assigns, and to the survivor of them, his or her

heirs and assigns, in fee simple, all that lot of the ground, situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say:—

Beginning for the same at an iron pipe set in the westerly line of Winters Lane and being at the northeasterly corner of that parcel of land by assignment from M. Edna Rawlings to Reuben Frederick, recorded among the Land Records of Baltimore County in Liber R.J.S. 1409 Folio 508, thence binding on the Westerly line of Winters Lane and the first line in a sub-lease from Charles E. Herbert to James T. Lee, recorded among the Land Records of Baltimore County in Liber W.P.C. 332 Folio 172, N 28°12' 30" W 49.30 feet to an iron pipe, thence binding on the second, third and fourth lines of the aforesaid sub-lease Herbert to Lee, S 60° 34' W 256.08 feet to an iron pipe, thence S 28° 12' 30" E 49.60 feet to a stone heretofore set, thence N 60° 30' E 256.08 feet to the place of beginning.

BEING a portion of the property described in a deed dated February 28, 1958, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3326, Folio 44, which was granted and conveyed in fee simple by John B. Harmon, Jr., J. Monroe Gerwig, Executor of the Last Will and Testament of Margaret Justine Gerwig, and Eugene M. Corozza to George Martin Theodore Lee, the grantor herein.

LIBER 3738 PAGE 445



THIS DEED, Made this 28 day of February, 1958, by John B. Harmon, Jr., Widower, J. Monroe Gerwig, Executor of the estate of Margaret Justine Gerwig, parties of the first part, Eugene M. Carozza, party of the second part, Grantors, and George Martin Theodore Lee, Grantee, party of the third part, Grantees.

WITNESSETH, That for and 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 Grantors, John B. Harmon, Jr., J. Monroe Gerwig, Executor of the estate of Margaret Justine Gerwig as aforesaid (in execution of the power and authority in him vested by an Order of the Orphans' Court for Baltimore County, as hereinafter set forth) and Eugene M. Carozza do hereby grant, convey and assign unto the said Grantee, his heirs, personal representatives and assigns, all that lot and parcel of ground situate, lying and being in the First Election District of Baltimore County, and being more particularly described as follows, that is to say:-

BEING all of the property described in a deed dated August 27, 1940, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1123 folio 184 which was granted and assigned by George Martin Theodore Lee, Administrator of the Estate of Mary R. Lee to George Martin Theodore Lee. Being known as numbers 63 and 65 Winters Avenue.

For Sub-Leasehold title see the following deeds: Parts of same lot subleased by Samuel W. Owens to John T. Kitto, May 11, 1880, Liber W.M:I. No. 117 folio 220; also November 28, 1882, Liber W.M.I. No. 132 folio 77. Same lots subleased by Charles E. Herbert to John H. Lloyd and Mamie J. Lloyd, 1899, Liber N.B.M. No. 239 folio 579 and Charles E. Herbert to James T. Lee and Mary R. Lee, 1908, W.P.C. No. 332 folio 172 and George Martin Theodore Lee, Administrator of Estate of Mary R. Lee to George Martin Theodore Lee, August 8, 1940, Liber R. J.S. No. 1123 folio 184.

For Leasehold title of which the herein described lots are a part thereof, by assignment dated July 1, 1956, and recorded as aforesaid in Liber G.L.B. No. 2986 folio 106, from Evelyn M. Croghan to the said Eugene M. Carozza.

For Fee Simple reversionary interest of which the herein described lot is a part thereof having been acquired by the parties of the first part by deed dated September 15, 1943, and recorded as aforesaid in Liber R.J.S. No. 1313 folio 173, from the Safe Deposit & Trust Company of Baltimore to John B. Harmon, Jr. and Margaret J. Gerwig as tenants in common, the said Margaret J. Gerwig having departed this life on the 23rd day of January, 1952, and leaving J. Monroe Gerwig the Executor of her last Will and Testament, and who by virtue of an Order of the Orphans' Court for Baltimore County under date of 7th day of November, 1957 in the matter of the Estate Recorded in Wills Docket J.P.C. No. 45, folio 399, was authorized and empowered to execute the within deed.

LAW OFFICES OF
EUGENE M. CAROZZA
LAW BUILDING
823 FREDERICK ROAD
CATONSVILLE 28, MD.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters privileges, appurtenances and advantages thereto belonging, or in any wise appertaining.

TO HAVE AND TO HOLD, the above described property and particularly the rents payable out of the aforesaid lot and the reversions thereto, (not meaning to acquit the remainder of the tracts of land which are included in the above references, or the rights of said Grantors in and to the same), unto the said Grantee, his heirs, personal representatives and assigns, in fee simple; to the end and intent that the annual ground rent and sub-ground rents issuing out of the hereinabove described property only shall be forever merged and extinguished.

And the said parties of the first and second parts hereby convenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said Grantors.

ATTEST:

John R. Blume

John B. Harmon (SEAL)
John B. Harmon, Jr.

Warren N. Arnold
WARREN N. ARNOLD

J. Monroe Gerwig (SEAL)
J. Monroe Gerwig, Executor of the Estate of Margaret Justine Gerwig

John R. Blume

Eugene M. Carozza (SEAL)
Eugene M. Carozza

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:-

I HEREBY CERTIFY, That on this 28 day of February, 1958, before me, the Subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared John B. Harmon, Jr. and Eugene M. Carozza, two of the Grantors named in the within Deed who acknowledged the aforegoing to be their act and deed.

Witness my hand and Notarial Seal.

John R. Blume
Notary Public

LAW OFFICES OF
EUGENE M. CAROZZA
LAW BUILDING
823 FREDERICK ROAD
CATONSVILLE 28, MD.

body corporate doth grant and release unto James T Lee and Mary R Lee his wife their heirs and assigns all that lot of ground and premises described in five (5) mortgages from them to said body corporate one dated April 8th 1918 and recorded among the mortgage records of Baltimore County in liber WPC No 534 folio 407 another dated December 19th 1921 and recorded among the mortgage records aforesaid in liber WPC No 607 folio 601 another dated July 30th 1925 and recorded among the mortgage records aforesaid in liber WPC No 747 folio 436 another dated October 21st 1926 and recorded among the land records aforesaid in liber WPC No 756 folio 214 and another dated June 4th 1929 and recorded among the mortgage records aforesaid in liber LWOLM No 826 folio 18 free and clear from the operation of said mortgages

As witness the corporate seal of the said body corporate and the signature of Charles A Reich the president thereof

Signed sealed and delivered in the presence of — Chas A Reich — President

B Compton Graham

Secretary — (Corporate Seal)

State of Maryland City of Baltimore to wit

I hereby certify that on this 27th day of August 1940 before me the subscriber a notary public of said State in and for the City aforesaid personally appeared Charles A Reich president of said body corporate releasor and acknowledged the said deed of release to be the act and deed of said body corporate

Witness my hand and notarial seal

(Notarial Seal) — Edna V Chaney — Notary Public

Rec Sept 3 1940 at 8:30 A M & exd — per C Willing Browne Jr — Clerk

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158244

Geo M T Lee Adm — Deed to — Geo M T Lee

Case Smith 2/7/42

This deed made this 27th day of August in the year one thousand nine hundred and forty between George Martin Theodore Lee Administrator of the estate of Mary R Lee deceased of Baltimore City in the State of Maryland of the first part and George Martin Theodore Lee of the second part

Whereas by an order of the Orphans' Court of Baltimore County passed on the 27th day of August in the year one thousand nine hundred and forty in the matter of the estate of Mary R Lee deceased the said George Martin Theodore Lee Administrator was authorized and directed to convey unto George Martin Theodore Lee the hereinafter described lot of ground in accordance with article 93 section 138 Code of Public General Laws of Maryland

Now therefore this deed witnesseth that for and in consideration of the sum of five dollars and in pursuance of the above recited order the said George Martin Theodore Lee Administrator as aforesaid doth grant and convey unto the said George Martin Theodore Lee his personal representatives and assigns all those lots of ground situate in Baltimore County aforesaid and described as follows that is to say

Being the same lot of ground composed of two parts one part thereof being the same as in sub-lease from Charles E Herbert to James T Lee and Mary R Lee his wife dated August 3rd 19[illegible] and recorded among the land records of Baltimore County in liber WPC No 338 folio 172 and the other part being the same as in deed from Ella C Dean and husband to James T Lee and Mary R Lee his wife dated March 12th 1912 and recorded among the land records of Baltimore County in liber WPC No 444 folio 8 The improvements thereon being known as No 65 Winters avenue

Together with the buildings thereupon and the rights alleys ways waters privileges appurtenances and advantages thereto belonging or in any wise appertaining

To have and to hold the said described lot of ground and premises unto and to the use of the said George Martin Theodore Lee his personal representatives and assigns for all the residue of the term of years yet to come and unexpired therein with the benefit of renewal forever subject to the payment of the annual rent of one and 50/100 dollars ($1.50) as to such of the above two lots of ground

Witness the hand and seal of the said grantor

Test George Martin Theodore Lee (Seal)

Edna V Chaney Administrator

State of Maryland Baltimore City to wit

I hereby certify that on this 27th day of August in the year one thousand nine hundred and forty before me the subscriber a notary public of the State of Maryland in and for Baltimore City aforesaid personally appeared George Martin Theodore Lee Administrator and he acknowledged the foregoing deed to be his act as administrator aforesaid

(Notarial Seal) Edna V Chaney Notary Public

Rec Sept 3 1940 at 9:30 A M & exd per C Willing Browne Jr Clerk

---

158245)
Geo M T Lee) This mortgage made this 27th day of August in the year nineteen
Mtg to) hundred and forty between George Martin Theodore Lee of
Catonsville Perm B & L Assn) in the State of Maryland mortgagor and The Catonsville Permanent Building & Loan Association of Baltimore County of the
$1.50) second part a body corporate duly incorporated mortgagee
----------) second part a body corporate duly incorporated mortgagee

Whereas the said mortgagor being a member of said body corporate has received therefrom an advance of eighteen hundred (1800) dollars on eighteen (18) shares of its stock the execution of this mortgage having been a condition precedent to the granting of said advance

Now therefore this mortgage witnesseth that in consideration of the premises and of the sum of one dollar the said mortgagor doth grant assign and convey unto the said mortgagee its successors and assigns all those lots of ground situate and lying in Baltimore County State of Maryland and described as follows

Being the same lot of ground composed of two parts one part thereof being the same as in sub-lease from Charles E Herbert to James T Lee and Mary R Lee his wife dated August 3rd 1908 and recorded among the land records of Baltimore County in liber WPC No 338 folio 172 and the other part being the same as in deed from Ella C Dean and husband to James T Lee and Mary R Lee his wife dated March 18th 1915 and recorded among the land records of Baltimore County in liber WPC No 444 folio 5

Being the same lot of ground which by deed of even date herewith and intended to be recorded among the land records of Baltimore County immediately prior hereto was conveyed by George Martin Theodore Lee Administrator to George Martin Theodore Lee

Together with the improvements thereon and all the privileges and appurtenances thereto belonging

To have and to hold the said lots of ground with the improvements and appurtenances aforesaid unto the said The Catonsville Permanent Building & Loan Association of Baltimore County its successors and assigns subject to the annual rent of one and 50/100 dollars ($1.50) as

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** - 01 **Account Number** - 0112200200

Owner Information

Owner Name: VANEK KEVAN J

Mailing Address: 65 WINTERS LN
BALTIMORE MD 21228-4516

Use: RESIDENTIAL
Principal Residence: YES
Deed Reference: 1) /20277/ 334
2)

Location & Structure Information

Premises Address
65 WINTERS LN

Legal Description
.2842 AC
65 WINTERS LN WS
546 FT S EDMONDSON AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
101	1	664						1	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1899	3,349 SF	12,379.00 SF	04

Stories	Basement	Type	Exterior
2 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	25,590	25,590		
Improvements:	93,350	104,240		
Total:	118,940	129,830	126,200	129,830
Preferential Land:	0	0	0	0

Transfer Information

Seller:	LEE BEATRICE E	**Date:**	06/22/2004	**Price:**	$125,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/20277/ 334	**Deed2:**	
Seller:	LEE GEORGE M T	**Date:**	11/17/1980	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 6343/ 82	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

REVIEWED SDAT
BY 10/22/04 DATE

NO TITLE SEARCH REQUESTED - NO CONSIDERATION

THIS DEED, made this 3rd day of November, 1981, by and between BEATRICE E. LEE, of Baltimore County, in the State of Maryland, party of the first part, and JUNE M. WALKER, party of the second part.

WITNESSETH that for no actual consideration, the said BEATRICE E. LEE does hereby grant and convey unto the said JUNE M. WALKER, her personal representatives and assigns, in fee simple, reserving, however, unto the said BEATRICE E. LEE a life estate with power of disposition as hereinafter recited, all that lot of ground and premises situate, lying and being in the First Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEING known and designated as 65 and 65½ Winters Lane. Being more particularly described in a deed dated August 27, 1940 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1123, folio 184, which was granted and conveyed by George Martin Theodore Lee, Administrator of the Estate of Mary R. Lee, to George Martin Theodore Lee.

BEING the same lot of ground and premises which was, by deed dated November 13, 1980 and recorded among the Land Records of Baltimore County in Liber 6230, folio 618, granted and conveyed from Beatrice E. Lee, Personal Representative of the Estate of George Martin Theodore Lee to Beatrice E. Lee, the grantor herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the above granted property unto the said JUNE M. WALKER, her personal representatives and assigns, in fee simple, reserving, however, unto the said BEATRICE E. LEE, for and during the term of her natural life, with full power unto her, the said BEATRICE E. LEE, without the consent of any person or persons whatsoever, to sell, lease, convey, mortgage or otherwise dispose of, (except by Last Will and Testament) or encumber the whole or entire fee simple estate in and to the property herein above described, or any part thereof, and to apply the proceeds of any such sale, conveyance, lease, mortgage

STATE DEPARTMENT OF ASSESSMENTS & TAXATION
11-5-81
DATE
CLERK

TRANSFER TAX NOT REQUIRED
AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
AGRICULTURAL
DATE 11/5/81
BALTIMORE COUNTY, MARYLAND
OFFICER

NO CONSIDERATION-NO TITLE SEARCH REQUESTED

THIS DEED, Made this day of November, 1980, by and between BEATRICE E. LEE, Personal Representative of the Estate of GEORGE MARTIN THEODORE LEE, deceased, party of the first part, and BEATRICE E. LEE, widow, of Baltimore County, Maryland, party of the second part:

WITNESSETH:

WHEREAS, GEORGE MARTIN THEODORE LEE departed this life on or about February 24, 1964, vested with the fee simple title to the hereinafter described property known as 65 and 65½ Winters Lane, Baltimore County, Maryland 21228; and

WHEREAS, the said GEORGE MARTIN THEODORE LEE died intestate and left as his only surviving heir-at-law his surviving widow, BEATRICE E. LEE, because he had no children or surviving parents; and

WHEREAS, the former law vested title in heirs-at-law of the deceased, whereas the present law vests title in the Personal Representative, this deed has been executed to confirm title to the grantee herein; and

WHEREAS, this deed is made for the distribution of the property, pursuant to the Estates and Trust Article 7-401(2) of the Annotated Code of Maryland, to the heir-at-law of the deceased.

NOW, THEREFORE, THIS DEED WITNESSETH: That for no actual consideration, and pursuant to the authority vested in her as hereinabove set forth, the party of the first part does grant and convey unto the said party of the second part, her Personal Representatives and assigns, in fee simple, all that parcel of ground situate and lying in the First Election District of Baltimore County, State of Maryland, and described as follows:

BEING known and designated as 65 and 65½ Winters Lane. Being more particularly described in a deed dated August 27, 1940 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1123, folio 184, which was granted and conveyed by George Martin Theodore Lee, Administrator of the Estate of Mary R. Lee, to George Martin Theodore Lee.

BEING part of the parcel of land which was granted and con-

TRANSFER TAX NOT REQUIRED
BY ORDER OF
Mary Ellen Phelan
For 11/14/80 Mary E. H

veyed by the following deeds: (1) Leasehold deed dated August 27, 1940, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1123, folio 184, from George Martin Theodore Lee, Administrator, to George Martin Theodore Lee, and (2) Merger deed dated February 28, 1958, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3326, folio 44, from John B. Harmon, Jr., et al. to George Martin Theodore Lee.

The said George Martin Theodore Lee departed this life on or about February 24, 1964, intestate, thereby vesting title in his only heir-at-law, his widow, the grantee herein. This deed is executed because the law subsequently changed vesting fee simple title in the Personal Representative. This deed has been executed to confirm title to the grantee herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Beatrice F. Lee, her Personal Representatives and assigns, in fee simple.

WITNESS the hand and seal of said Grantor as Personal Representative the day and year first above written.

TEST:

Lillian F. Duncan

Beatrice E. Lee (SEAL)
BEATRICE E. LEE, PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE MARTIN THEODORE LEE

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 13th day of November, 1980, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared BEATRICE E. LEE, Personal Representative of the Estate of George Martin Theodore Lee, deceased, the above grantor, and that she acknowledged the aforegoing Deed to be her act.

AS WITNESS my hand and Notarial Seal.

Lillian F. Duncan
Notary Public

My Commission Expires: 7/1/1982

LILLIAN F. DUNCAN NOTARY PUBLIC Baltimore Co., Md.

body corporate doth grant and release unto James T Lee and Mary R Lee his wife their heirs and assigns all that lot of ground and premises described in five (5) mortgages from them to said body corporate one dated April 8th 1916 and recorded among the mortgage records of Baltimore County in liber WPC No 634 folio 467 another dated December 19th 1921 and recorded among the mortgage records aforesaid in liber WPC No 607 folio 601 another dated July 30th 1926 and recorded among the mortgage records aforesaid in liber WPC No 747 folio 436 another dated October 21st 1926 and recorded among the land records aforesaid in liber WPC No 750 folio 214 and another dated June 4th 1929 and recorded among the mortgage records aforesaid in liber LMcLM No 826 folio 18 free and clear from the operation of said mortgages

As witness the corporate seal of the said body corporate and the signature of Charles A Reich the president thereof

Signed sealed and delivered in the presence of — Chas A Reich President

B Compton Graham

Secretary — (Corporate Seal)

State of Maryland City of Baltimore to wit

I hereby certify that on this 27th day of August 1940 before me the subscriber a notary public of said State in and for the City aforesaid personally appeared Charles A Reich president of said body corporate releasor and acknowledged the said deed of release to be the act and deed of said body corporate

Witness my hand and notarial seal

(Notarial Seal) — Edna V Chaney Notary Public

Rec Sept 3 1940 at 8:30 A M & exd — per C Willing Browne Jr Clerk

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156244

Geo M T Lee Adm — Deed to — Geo M T Lee

This deed made this 27th day of August in the year one thousand nine hundred and forty between George Martin Theodore Lee Administrator of the estate of Mary R Lee deceased of Baltimore City in the State of Maryland of the first part and George Martin Theodore Lee of the second part

Clerk to Circuit Ct 7/24/44

Whereas by an order of the Orphans' Court of Baltimore County passed on the 27th day of August in the year one thousand nine hundred and forty in the matter of the estate of Mary R Lee deceased the said George Martin Theodore Lee Administrator was authorized and directed to convey unto George Martin Theodore Lee the hereinafter described lot of ground in accordance with article 93 Section 138 Code of Public General Laws of Maryland

Now therefore this deed witnesseth that for and in consideration of the sum of five dollars and in pursuance of the above recited order the said George Martin Theodore Lee Administrator as aforesaid doth grant and convey unto the said George Martin Theodore Lee his personal representatives and assigns all those lots of ground situate in Baltimore County aforesaid and described as follows that is to say

Being the same lot of ground composed of two parts one part thereof being the same as in sub-lease from Charles E Herbert to James T Lee and Mary R Lee his wife dated August 3rd 1908 and recorded among the land records of Baltimore County in liber WPC No 332 folio 172 and the other part being the same as in deed from Ella C Dean and husband to James T Lee and Mary R Lee his wife dated March 12th 1915 and recorded among the land records of Baltimore County in liber WPC No 444 folio 8 The improvements thereon being known as No 85 Winters Avenue

Together with the buildings thereupon and the rights alleys ways waters privileges appurtenances and advantages thereto belonging or in any wise appertaining

To have and to hold the said described lot of ground and premises unto and to the use of the said George Martin Theodore Lee his personal representatives and assigns for all the residue of the term of years yet to come and unexpired therein with the benefit of renewal forever subject to the payment of the annual rent of one and 50/100 dollars ($1.50) as to each of the above two lots of ground

Witness the hand and seal of the said grantor

Test George Martin Theodore Lee (Seal)

Edna V Chaney Administrator

State of Maryland Baltimore City to wit

I hereby certify that on this 27th day of August in the year one thousand nine hundred and forty before me the subscriber a notary public of the State of Maryland in and for Baltimore City aforesaid personally appeared George Martin Theodore Lee Administrator and he acknowledged the foregoing deed to be his act as administrator aforesaid

(Notarial Seal) Edna V Chaney Notary Public

Rec Sept 3 1940 at 8:50 A M & exd per C Willing Browne Jr Clerk

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158245)
Geo M T Lee) This mortgage made this 27th day of August in the year nineteen
Mtg to) hundred and forty between George Martin Theodore Lee of
Catonsville Perm B & L Asen) in the State of Maryland mortgagor and The Catonsville Perma-
St $1.80) nent Building & Loan Association of Baltimore County of the
----------) second part a body corporate duly incorporated mortgagee

DELIVERED FEB 23 1942

Whereas the said mortgagor being a member of said body corporate has received therefrom an advance of eighteen hundred (1800) dollars on eighteen (18) shares of its stock the execution of this mortgage having been a condition precedent to the granting of said advance

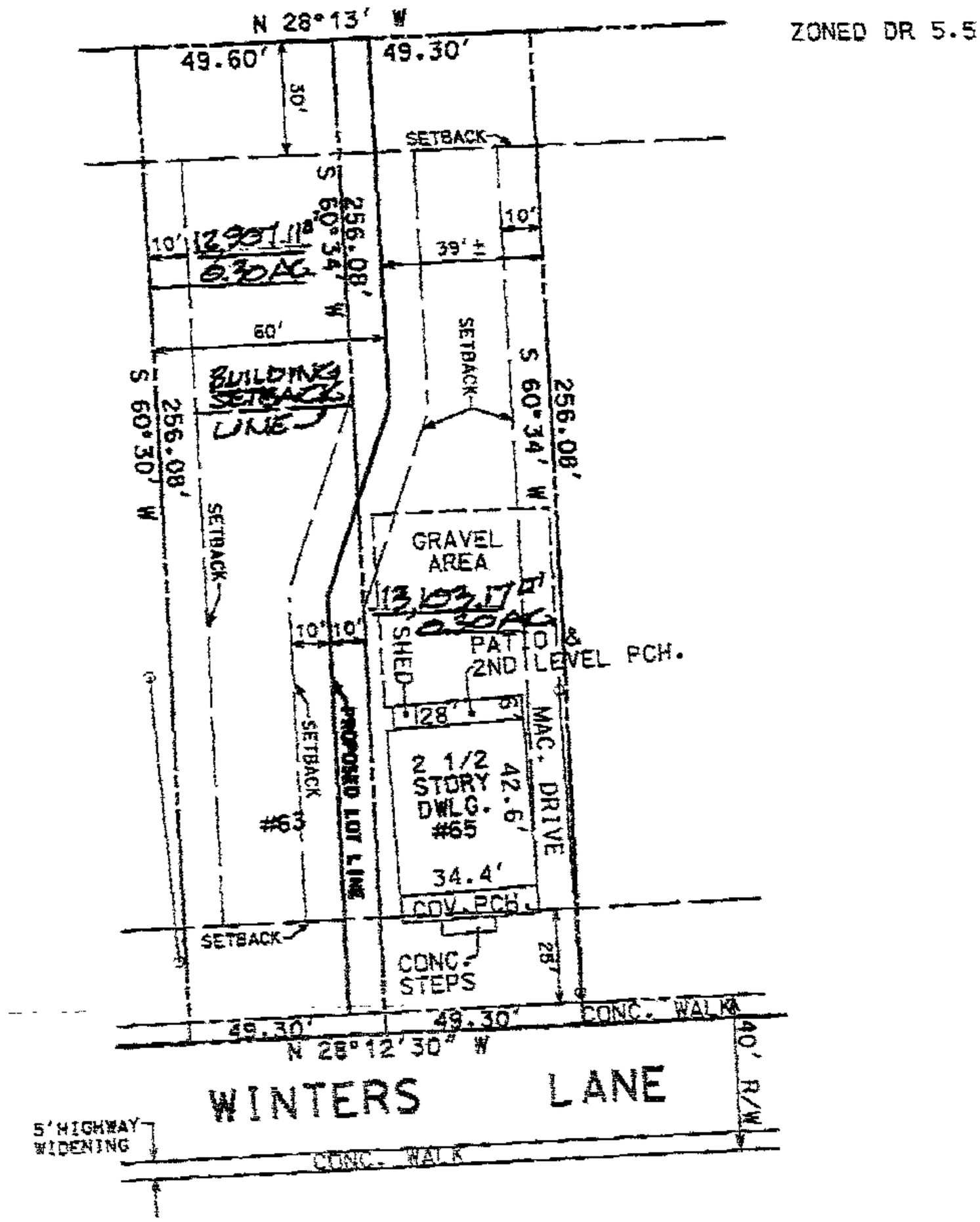
Now therefore this mortgage witnesseth that in consideration of the premises and of the sum of one dollar the said mortgagor doth grant assign and convey unto the said mortgagee its successors and assigns all those lots of ground situate and lying in Baltimore County State of Maryland and described as follows

Being the same lot of ground composed of two parts one part thereof being the same as in sub-lease from Charles E Herbert to James T Lee and Mary R Lee his wife dated August 3rd 1908 and recorded among the land records of Baltimore County in liber WPC No 332 folio 172 and the other part being the same as in deed from Ella C Dean and husband to James T Lee and Mary R Lee his wife dated March 12th 1915 and recorded among the land records of Baltimore County in liber WPC No 444 folio 8

Being the same lot of ground which by deed of even date herewith and intended to be recorded among the land records of Baltimore County immediately prior hereto was conveyed by George Martin Theodore Lee Administrator to George Martin Theodore Lee

Together with the improvements thereon and all the privileges and appurtenances thereto belonging

To have and to hold the said lots of ground with the improvements and appurtenances aforesaid unto the said The Catonsville Permanent Building & Loan Association of Baltimore County its successors and assigns subject to the annual rent of one and 50/100 dollars ($1.50) as to each of the above two lots of ground



THE LOT SHOWN HEREON IS IN FLOOD ZONE_____PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL #_____

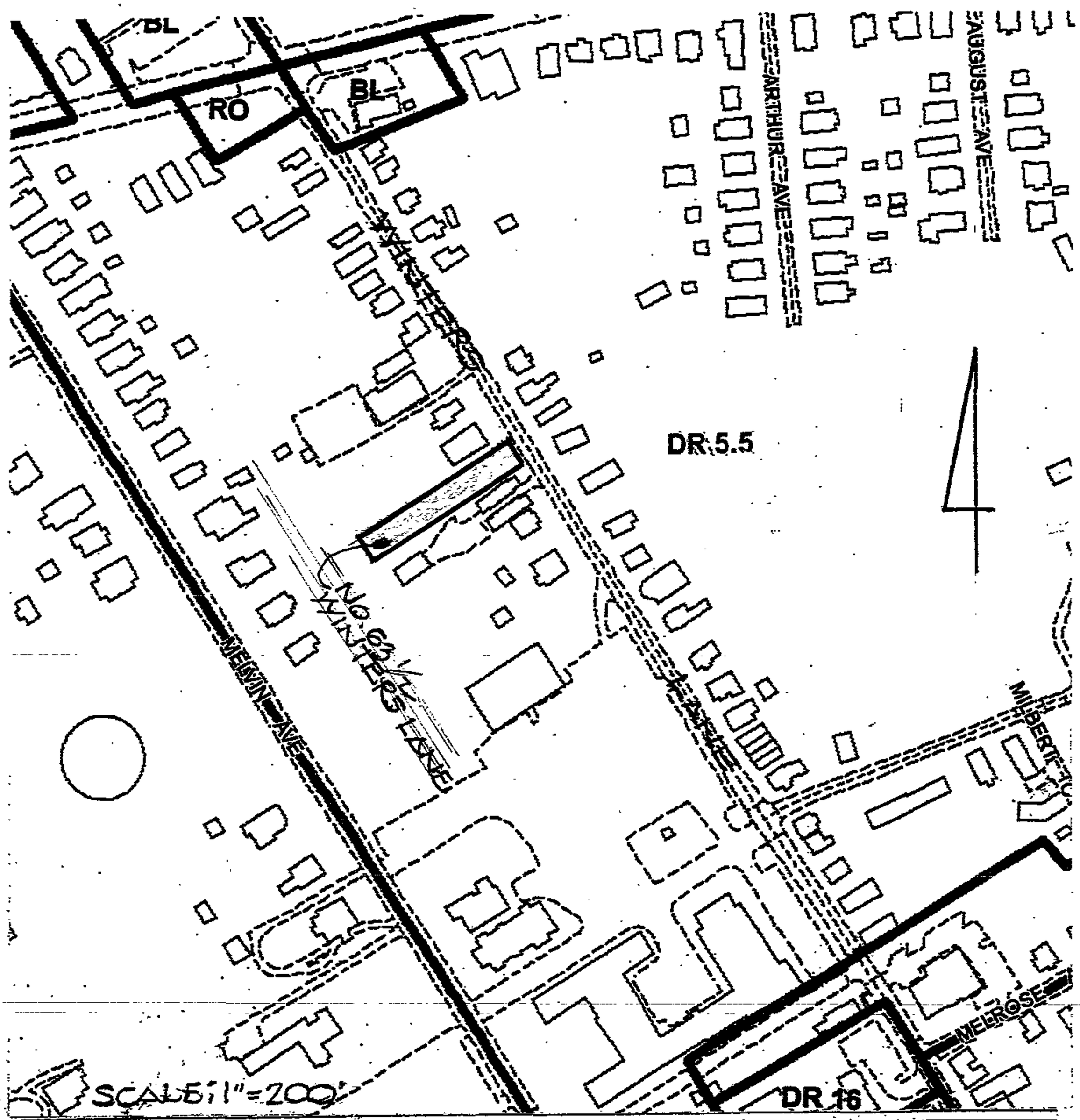
The plot is of benefit to a customer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing. The plot is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. The plot does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing. The plot contains a tolerance of accuracy of two feet, more or less.

Hicks Engineering Associates, Inc.
ENGINEERS, SURVEYORS & PLANNERS
[illegible]
LOCATION DRAWING

NOS. 63 & 65 WINTERS LANE
CATONSVILLE, MD.

Pet #4

230



Baltimore County
Office of Planning and Zoning
Official Zoning Map

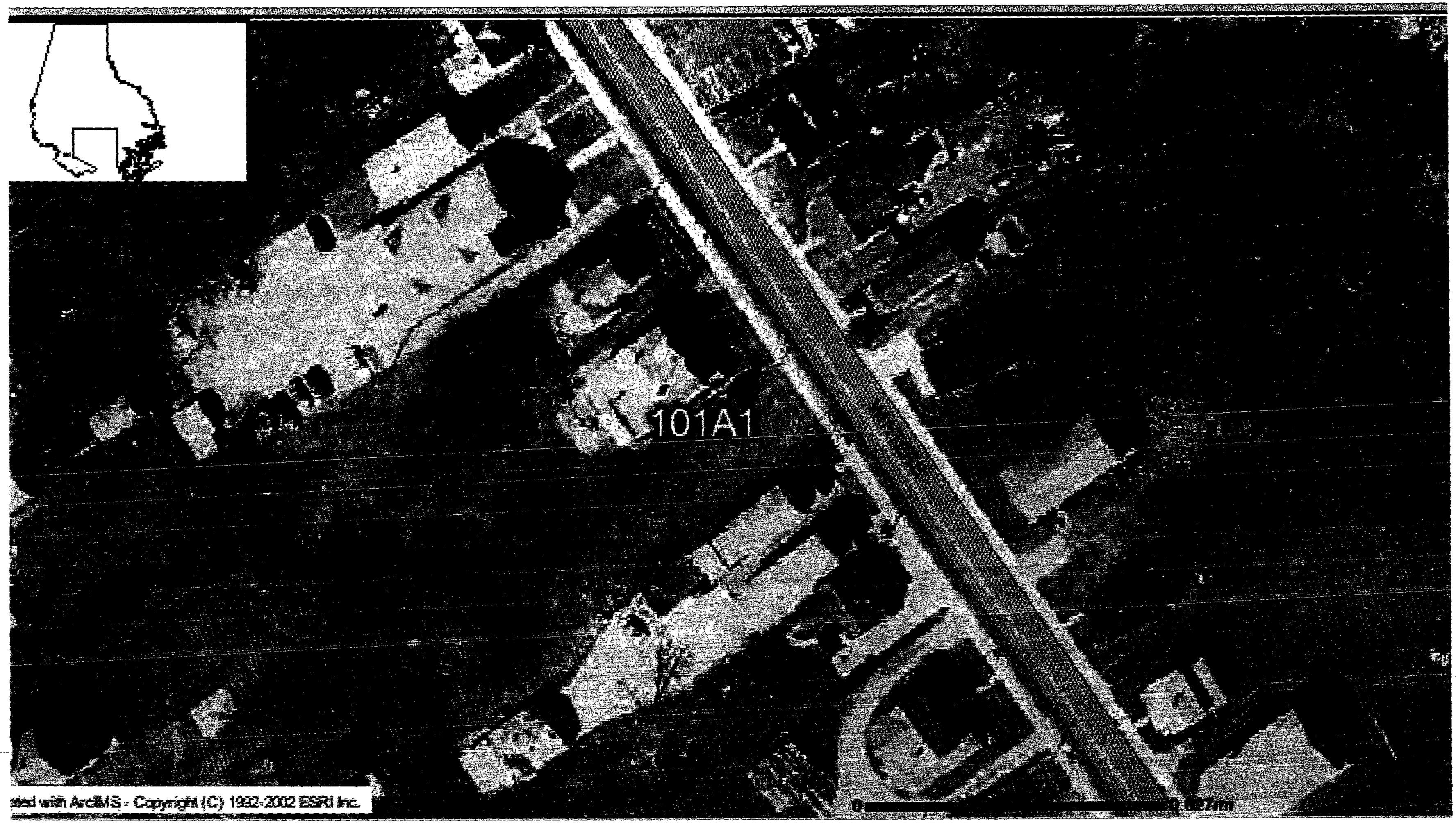
094B3	094C3	095A3	095B3
100B1	100C1	101A1	101B1
100B2	100C2	101A2	101B2

PLEASE PRINT CLEARLY

CASE NAME K. VANEK
CASE NUMBER 06-236A
DATE 12-14-05

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
D. Dopkin	409 Washington Ave	Towson 21204	ddopkin@dopkinlaw.com
K. Vanek	13 Melvin Ave	Catonsville, 21228	Kevan3@earthlink.net
K. Brown		OP	
Dennis E. Hicks	200 E. Joppa Rd	Towson, MD 21286	dhicks@hicksapp.com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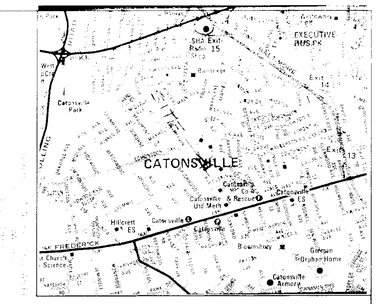

VICINITY MAP
SCALE: 1" = 2,000'

SITE DATA

AREA TRACT:	10,478.44 S.F. OR 0.2404 ACRE
DEED REFERENCE:	10,000/131, 0.1988
TAX MAP NO.:	0707000600
ZONING:	DR 5.5
ZONING MAP:	10A11
LOCATION/MANIC DISTRICT:	1
ELECTION DISTRICT:	01
MAXIMUM DWELLING HEIGHT:	50 FEET
EXISTING USE:	UNIMPROVED
PROPOSED USE:	ONE SINGLE FAMILY DWELLING

GENERAL NOTES

1. THE SUBJECT PROPERTY HAS NO PREVIOUS ZONING CASE HISTORY.
2. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER FACILITIES.
3. THE PROPERTY DOES NOT WITHIN THE 100-YEAR FLOOD PLAIN. PER FEMA FIRM PANEL 240010 425 B.
4. THIS LOT IS NOT IN A SUBDIVISION.
5. THE SUBJECT PROPERTY LIES WITHIN A HISTORICAL DISTRICT- UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE WINTERS LANE HISTORIC DISTRICT BALTIMORE COUNTY, MD (MHT #3067).

VARIANCE REQUEST

A VARIANCE IS REQUESTED TO SECTION 1B02.3.C.1 BCZR TO PERMIT A LOT WIDTH OF 49.30 FEET IN LIEU OF THE REQUIRED 55 FEET.

236

OWNER:
KEVAN J. VANEK
13 MELVIN AVANUE
CATONSVILLE, MD 21228
TELEPHONE: 410-788-8584

Hicks Engineering Associates, Inc.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001 FAX: (410)821-8890

PROJECT TITLE:
VANEK PROPERTY
NO. 63½ WINTERS LANE
CATONSVILLE, MD 21228

DRAWING TITLE:
PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCE

JOB NO.: 21686	DRAWING NO.: ZONING PLAT
DRAWN BY: MEH	
CHECKED BY: DEH	
DATE: OCTOBER 7, 2005	
SCALE: 1"=20'	SHEETS PER SET: 1 OF 1

STATE OF MARYLAND
DONALD LOWIN HICKS
No. 6675
REGISTERED
PROFESSIONAL ENGINEER