IN RE: PETITION FOR ADMIN. VARIANCE

S side of Hillstead Drive, 2600 feet W of

c/l Falls Road

3rd Election District

2nd Councilmanic District

(801-A Hillstead Drive)

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 06-626-A

Demetrios and Antonia Stavrakis Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Demetrios and Antonia Stavrakis. The variance request is for property located at 801-A Hillstead Drive. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 2 accessory structures (in-ground pool and pool house) to be located in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Administrative Variance, the subject property was posted on June 14, 2006 after which a formal demand for public hearing was made by Dr. and Mrs. Seipp, adjacent property owners, by Herbert Burgunder, Esquire.

Formal Demand for Public Hearing

The administrative variance was set for a formal public hearing by the agreement of the attorney for the Petitioners and the attorney for the Protestants.

After several postponements to allow the Parties to discuss settlement, the case was set for hearing on May 22, 2007. The property was posted with this hearing date and time by posting on May 4, 2007 and notice given to the general population of the County by publication in the "Jeffersonian" on May 8, 2007 of the May 22, 2007 hearing dated and time.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights. A ZAC comment letter was received from the Office of Planning dated June 27, 2006 which contains restrictions. A copy of this comment is incorporated herein and made a part hereof the file. That Office states the property is located within the Greenspring Valley National Register District and is improved with an existing single family dwelling. The lot is shown on a Health master plan as a Resubdivision of a lot in the Hillstead subdivision approved prior to the effective date of the RC 5 zoning Bill 55-04; therefore, a finding of compatibility with the RC 5 performance standards is not required. The proposed pool and pool house are in the side yard and is the front of the adjacent panhandle lot at 801 Hillstead Drive owned by the Seipps.

Interested Persons

Appearing in support of the Petition was John R. Wise, Esquire, representing the Petitioners. By letter dated May 18, 2007 Mr. Burgunder, the attorney for the Seipps, indicated that his clients and the Petitioner entered into a settlement agreement and therefore withdrew their opposition to the request.

Testimony and Evidence

The subject property contains 1.123 acres in size zoned RC 5 and is improved by the Petitioners' single family dwelling. The Petitioners would like to build a pool and pool house in the side yard as shown by exhibit 1.

Mr. Wise indicated that the Petitioners and the Seipps entered into settlement discussions which resulted in a signed agreement. Among the changes to exhibit 1 are that there will be additional plantings on the property to buffer the Seipps' driveway and home according to the landscape plan, exhibit 2. Also the pool house was moved farther away from the property line

and the Seipps' driveway shown on exhibit 1 so that the pool house will now be 20+ feet from the property line and 32 feet from the Seipps' driveway. In addition the 4 foot high masonry fence will be extended across the rear of the pool and pool house with a 2 foot high wooden extension resulting in an opaque barrier of 6 feet high. He presented photographs of the house and yard which were accepted as exhibit 3.

In regard to the request for variance, Mr. Wise indicated that the septic system for the house is located in the rear of the house and it would be impractical to move it to build the pool and pool house. He indicated that the pool house with the new landscaping and fencing will be compatible with the neighborhood, and the pool safely operated by the Petitioners. He indicated that his client did not object to the requests by the Planning Office to review elevations and landscape plan.

Findings of Fact and Conclusions of Law

While this case was often postponed, the Parties eventually resolved their differences entering into a written agreement. Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The existing home and rear yard occupied by the septic system are the kind of structures which make the impact of the RC 5 zoning different on this property compared to others in the district. Therefore I find the property unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. It would be unreasonable to move the septic system in the rear year.

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. The proposed pool and pool house are in keeping with the Petitioners'



WILLIAM J. WISEMAN III

Zoning Commissioner

June 19, 2007

JOHN WISE, ESQUIRE 100 LIGHT STREET, SUITE 1100 BALTIMORE MD 21202

> Re: Petition for Administrative Variance Case No. 06-626-A Property: 801-A Hillstead Drive

Dear Mr. Wise:

Enclosed please find the decision rendered in the above-captioned case.

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,

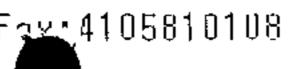
John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Herbert Burgunder, III, Esquire, Mt. Washington Center, 1501 Sulgrave Ave., Suite 207, Baltimore MD 21209 Demetrios And Antonia Stavrakis, 801-A Hillstead Drive, Lutherville MD 21093 James Martin, Levin/Brown & Associates, Inc., 15 Greenspring Valley Road, Owings Mills MD 21117





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	801-A	HILLSTEAD	DRIVE
		tly zoned <u>RC</u> -	

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)

4001 to permit two accessory structures (inground swimming pool and pool house) bu located in the side yard in live of the required that gard,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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:

Legal Owner(s):

			Demetrios Stavrakis
Namo - Type or Print		Name	- Tube of Driet //
Signature			Signature Signature
Address	Tele	hone No.	Antonia Stavrakis Name-Type or Pant, Manual Stavrakis
City	State	Zip Code	Signature
Attorney For	<u>Petitioner:</u>		801-A Hillstead Dr. (410) 832-0085 Address Lutherville, MD. 21093
Name - Type or Print		City	State Zip Code
			Representative to be Contacted:
Signature			James C. Martin Levin/Brown & Associates, Inc.
Company			Name 15 Greenspring Valley Rd. (410)581-010
Address	Telep	hone No.	Address Owings Mills, MD. 21117
City	State	Zip Code	City State Zip Code
of Baltimore County a	ind that the property be reposted.	atter of this petition	quired, it is ordered by the Zoning Commissioner of Baltimore County, this in be set for a public hearing, advertised, as required by the zoning regulations Zoning Commissioner of Baltimore County Bute 6/7/06
CASE NO	06-626-A	Reviewed By	
REV 9/15/98		Estimo	ated Posting Date 6/18/06

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	801-A HILLSTEA	D DRIVE	
	Address		
	Lutherville,	MD.	21093
	City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

Existing septic reserve area in rear of lot prevents proposed new pool and pool house from being located in rear of home.

New pool and pool house will need to be placed in side yard instead due to septic reserve.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Demetrios Stavrakis
Name-Type or Print

Signature

Antonia Stavrakis
Name-Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

Demetrios Stavrakis and Antonia Stavrakis
the Affiant(s) herein, personally known of satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

My Commission Expires

Notary Public

CREV 09/15/98

Date

ZONING DESCRIPTION AS FOUND IN DEED: BOOK 11459 PAGE 204

801 A. Hillstead Dr.

EXHIBIT "A"

LOT 2 - 1.123 ACTES A5 SHOWN ON ATTACHED PLAT

All that piece or parcel of land situate, lying and being_inthe Third Election District of Baltimore County, State of Maryland and described as follows to wit:

BEGINNING FOR THE SAME at a point in the fifth or South 82 degrees 29 minutes East 60 foot line of a parcel of land which by a deed dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr, No. 5738, folio 601, was conveyed by Richard A. Brooks and wife to Joseph H. Seipp, Jr. and wife, said point of beginning also being in the center of an existing macadam road leading in an easterly direction from the former residence of Daniel B. Brooks and wife to the County Road which Road leads in an easterly direction to Falls Road and running thence and leaving said macadam road and outline and running for a line of division now made parallel with and distant 50 feet westerly measured at right angles from the last line of the aforesaid parcel of land, as the courses are now referred to the Baltimore County Grid Meridian as referred to on the Plat of Rockland, South 2 degrees 51 minutes 52 seconds East 209.04 feet to a pipe now set on the northeast side of a spruce tree, thence continuing to run for lines of division, the four following courses and distances, viz: South 88 degrees 51 minutes 30 seconds West 133.00 feet to a pipe now set, South 84 degrees 55 minutes 07 seconds West 103.36 feet to a pipe now set, North 8 degrees 54 minutes 53 seconds East 65.24 feet to a pipe now set and North 2 degrees 23 minutes 00 seconds West 154.10 feet to a pipe now set in the North 85 degrees 46 minutes 21 seconds West 39.64 foot south right of way line of Hillstead Drive, 40 feet wide, all as shown and laid out on Baltimore County Right of Way Plat No. RW 88-365-1 which right of way plat is attached to a deed dated June 5, 1989 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8210, folio 330 from Joseph H. Seipp, Jr. and wife to Baltimore County, Maryland, thence binding on said south right of way line of Hillstead Drive, 40 feet wide and binding reversely on part of the aforesaid right of way line and reversely on all of the right of way line designated (A) on the aforesaid right of way plat, the two following lines viz: South 85 degrees 48 minutes 27 seconds East 19.51 feet and Easterly by a line curving to the left having a radius of 400 feet for an arc distance of 124.37 feet (the chord of said arc bearing North 85 degrees 17 minutes 06 seconds East 123.87 feet) to the westernmost corner of Parcel A which corner is designated RW 51 as shown on a Plat entitled, Amended Subdivision Plat Lot 15 Hillstead which Plat is recorded among the Plat Records of Baltimore County in Plat Book S.M. No. 60, folio 19, said Parcel A being the second mentioned Parcel A in a deed dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8176, folio 624 which was conveyed by Lawrence J. Thanner, Inc. to Joseph H. Seipp, Jr. and wife, thence binding on a part of the northwesternmost outline of said Parcel A and continuing to bind on the southeast right of way line of

Hillstead Drive, 40 feet wide, Northeasterly by a line curving toward the left having a radius of 400.00 feet for an arc distance of 82.02 feet (the chord of said arc bearing North 70 degrees 30 minutes 12 seconds East 81.87 feet, thence leaving said Hillstead Drive and running for a line of division now made through the aforesaid Parcel A South 2 degrees 51 minutes 52 seconds East 33.96 feet to the place of beginning.

Containing 1.123 Acres of land more or less.

TOGETHER WITH the right to cross and recross the 20' strip of land, part of the remaining land of the grantors herein, lying adjacent to and west of the North 2 degrees 23 minutes 00 seconds West 154.10 foot line of the above described 1.123 Acres parcel of land.

ALSO together with the right to the use of the existing panhandle driveway, which driveway lies adjacent to and west of the above referred to 20 foot strip of land which driveway is set forth in a Declaration of Private Driveway Easements with Use in Common, dated May 5, 1989 by and between Lawrence J. Thanner, Inc., Joseph H. Seipp, Jr., and wife, Mukund S. Didolkar and wife and Gordon DeGeorge and Thomas M. Scott, III Trustees, which Declaration is recorded among the Land Records of Baltimore County in Liber S.M. No. 8167, folio 008; and also subject to the terms as set forth in said Declaration of Private Driveway Easements with Use in Common.

SUBJECT to the rights of others entitled thereto to the use of that portion of the existing macadam road crossing over the northeasternmost part of the above described 1.123 Acres parcel of land as referred to in the aforesaid deed from Richard A. Brooks and wife to Joseph H. Seipp, Jr., and wife.

It is the intention of the grantors herein that the grantees shall not have the right to the use of the above mentioned existing macadam drive from the herein described easternmost lot lines to Falls Road.

BEING part of each of two parcels of land which were conveyed to Joseph H. Seipp, Jr. and DeChanile P. Seipp, his wife by the two following deeds viz:

- 1) from Richard A. Brooks and wife dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr., No. 5738, folio 601.
- 2) Second Parcel A in the deed from Lawrence J. Thanner, Inc. dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M. No. 8176, folio 623.

Subject to an 80 foot side yard setback on the east side of the herein described parcel of land.

lot-2-Hill/cj

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NOTICE OF ZONING HEARING

The Zoning Commissioner of Baitimore County, by authority of the Zoning Act and Regulations of Baitimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows: Case: # 06-826-A 801-A Hillstead Drive, 2,600 feet west of centerline of Falls Road 3rd Election District 2nd Councilmanic District Legal Owner(s): Demetrios & Antonia Stavrakis Variance: to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard. Hearing: Tuesday, May 22, 2007 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

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

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 5/661 May 8 134759

CERTIFICATE OF PUBLICATION

5 10, 20 <u>67</u>
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 $_{58}$,20 $_{07}$
The Jeffersonian
☐ Arbutus Times
Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilking

LEGAL ADVERTISING

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-B26-A

801-A Hillstead Drive
S/side of Hillstead Drive,
2,600 feet west of conterline of Falls Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): Demetrics
& Antonia Stavrakis

Variance: to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Monday, April 30, 2007 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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 4/721 Apr. 17 132152

CERTIFICATE OF PUBLICATION

4 19 , 2007
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on
The Jeffersonian Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings
LEGAL ADVERTISING

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: #06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

of Falls Road
3rd Election District-2nd Councilmanic District
Legal Owner(s): Demetrics & Antonia Stavrakis
Variance: to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.
Hearing: Wednesday, March 14, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake 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 2/741 Feb. 27

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CERTIFICATE OF PUBLICATION

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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 227 , 2007 .
The Jeffersonian
🗖 Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkingan

LEGAL ADVERTISING

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: #06-626-A

801-A Hillstead Drive
S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District - 2nd Councilmanic District
Legal Owner(s): Demetrios & Antonia Stavrakis

Variance: to permit two accessory structures (in ground pool and pool house) to be located in the side yard in ileu of the required rear yard.

Hearing: Tuesday, February 20, 2007 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 2/810 Feb. 6

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CERTIFICATE OF PUBLICATION

2/8,2007
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 26 , 2057 .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
Towson Times
☐ Owings Mills Times
NE Booster/Reporter
☐ North County News
S. Wilkinger
LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

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

CERTIFICATE OF POSTING

RE: CASE# 06-626-A
PETITIONER/DEVELOPER:
Demetrios & Antonia Stavrakis
DATE OF HEARING: May 22, 2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION: 801-A Hillstead Drive

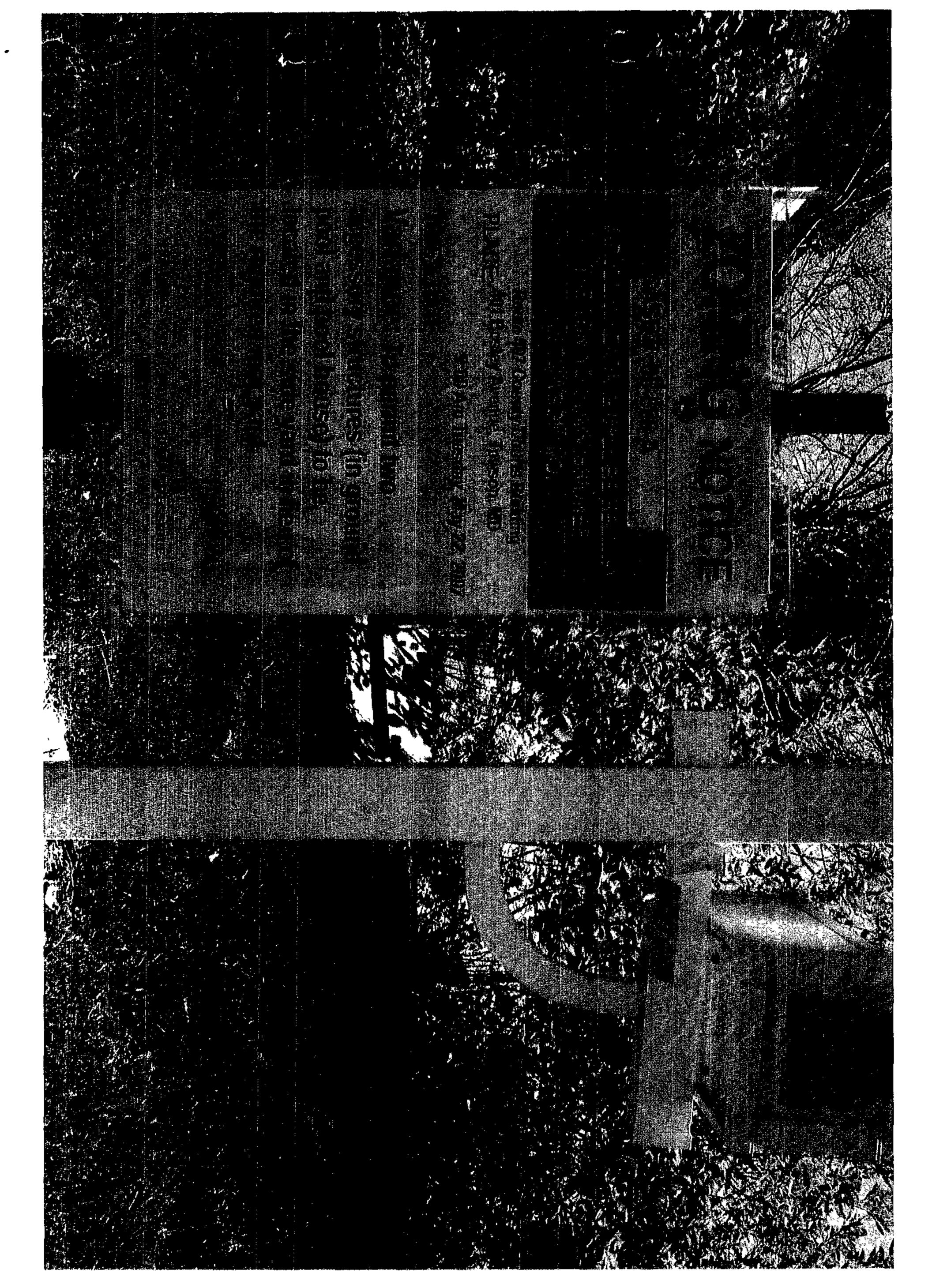
(see page 2 for full size photo)

SIGNATURE OF SIGN POSTER

Bruce E. Doak

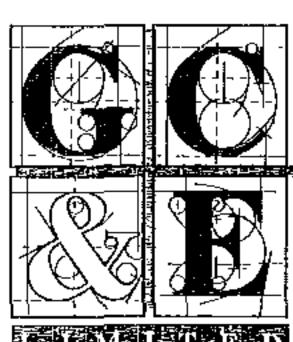
GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

STED ON: May 4, 2007









Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE# 06-626-A PETITIONER/DEVELOPER: **Demetrios & Antonia Stavrakis** DATE OF HEARING: Wednesday, March 14, 2007

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **COUNTY OFFICE BUILDING, ROOM 111** 111 WEST CHESAPEAKE AVE. **TOWSON, MARYLAND 21204**

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:

801-A Hillstead Drive

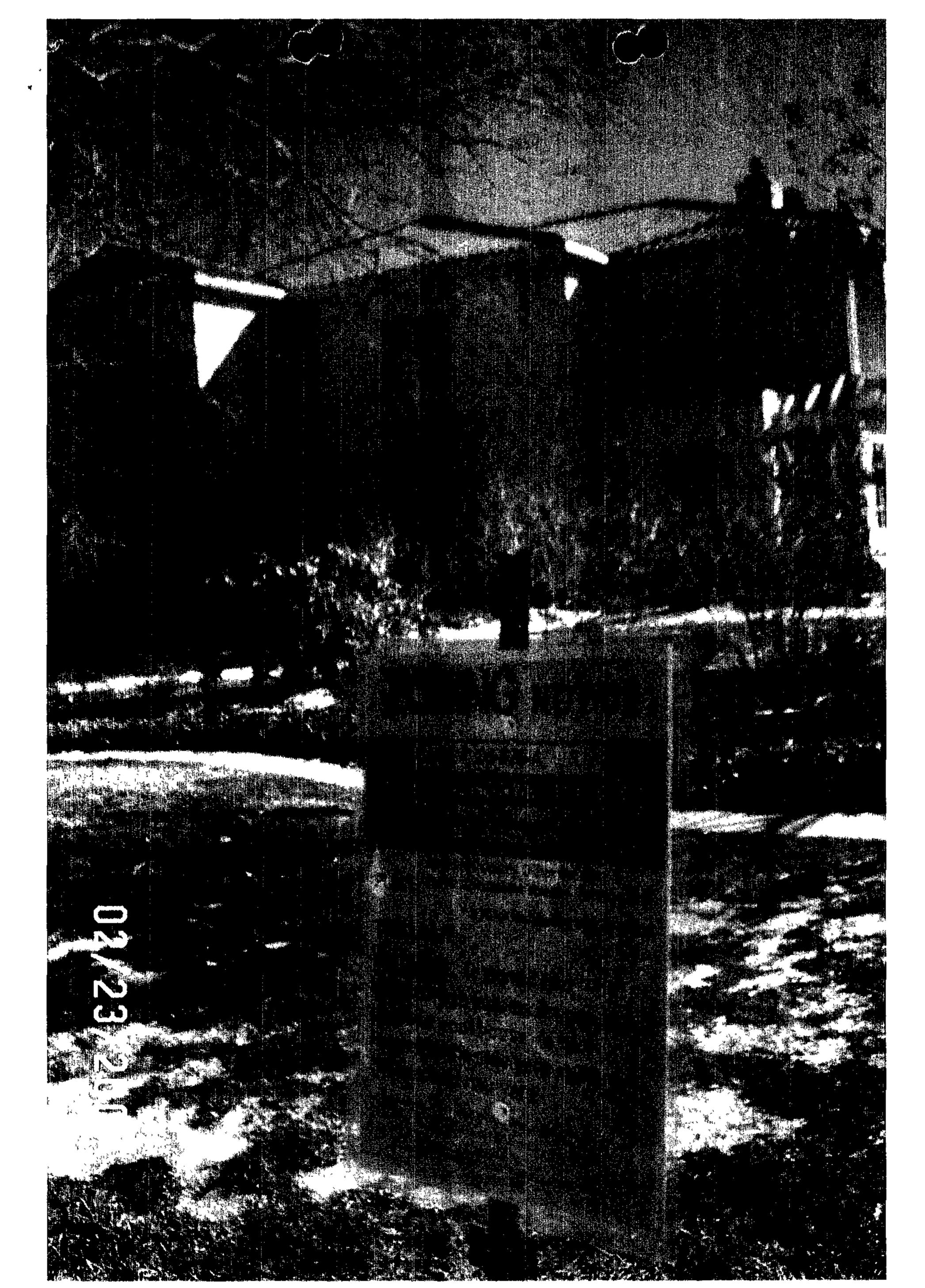
(see page 2 for full size photo)

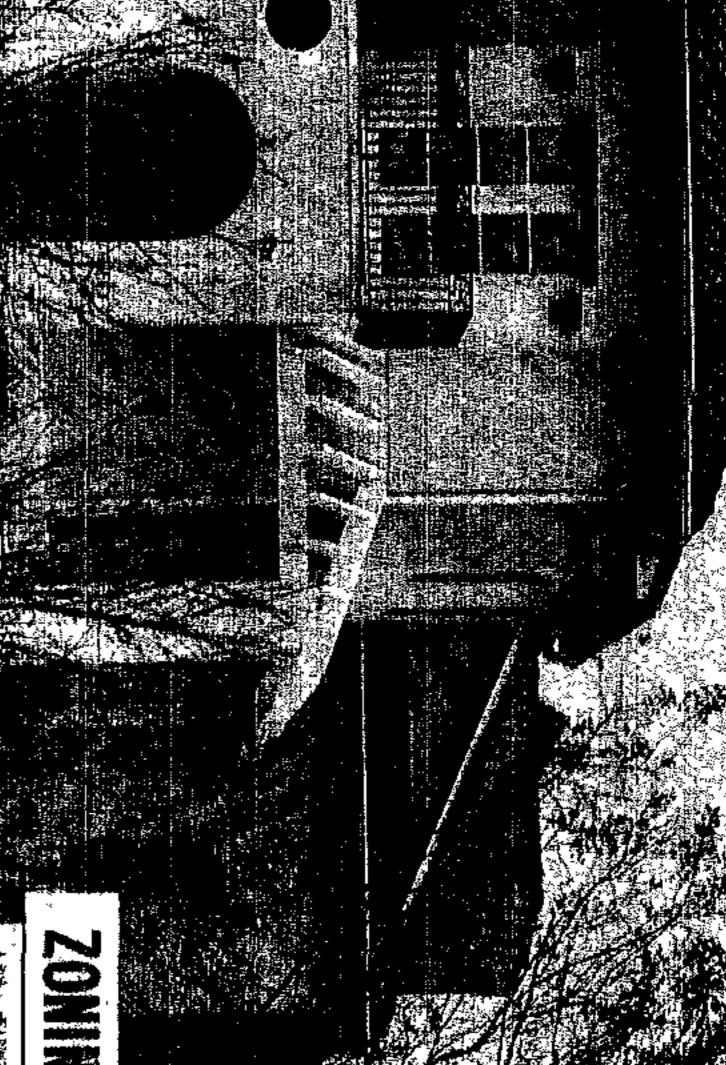
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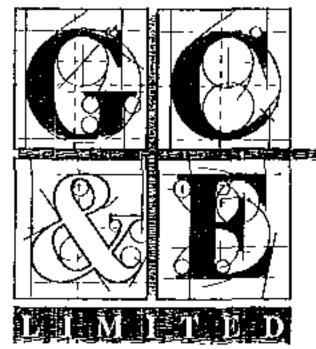
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2007 23, February S. POSTED





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Gerhold, Cross & Etzel, Ltd.

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

CERTIFICATE OF POSTING

RE: CASE# 06-626-A PETITIONER/DEVELOPER: **Demetrios & Antonia Aturakis** DATE OF POSTING: June 14, 2005

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. **TOWSON, MARYLAND 21204**

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

2006

14,

N: June

LOCATION:

801 A Hillstead Drive

(see page 2 for full size photo)

John Dill GERHOLD, CROSS & ETZEL, LTD

> **SUITE 100** 320EAST TOWSONTOWN BLVD **TOWSON, MARYLAND 21286** 410-823-4470 PHONE

SIGNATURE OF SIGN POSTER

410-823-4473 FAX

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ADMINIONATIVE

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CARLE CARACTER CONTRACTOR





January 22, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

Posted 2-1-07 Bus (Pour Spanne)

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: 06-626-A

Korroco

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Tuesday, February 20, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Wise, Thomas & Libowitz, P.A., 100 Light Street, Ste. 1100, Baltimore 21202 Demetrios & Antonia Stavrakis, 801-A Hillstead Drive, Lutherville 21093 James Martin, 15 Greenspring Valley Road, Owings Mills 21117 Herbert Burgunder, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 5, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPÉCIAL 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.



T**May By 2000** TROCO, Director

Department of Permits and

Development Management

NEW 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: 06-626-A

801-A Hillstead Drive S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road 3rd Election District – 2nd Councilmanic District Legal Owners: Demetrios & Antonia Stavrakis

Variance to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Tuesday, May 22, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: John Wise, Thomas & Libowitz, P.A., 100 Light Street, Ste. 1100, Baltimore 21202 Demetrios & Antonia Stavrakis, 801-A Hillstead Drive, Lutherville 21093 James Martin, 15 Greenspring Valley Road, Owings Mills 21117 Herbert Burgunder, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 7, 2007.

- (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, May 8, 2007 Issue - Jeffersonian

Please forward billing to:

John Wise Thomas & Libowitz 100 Light Street, Ste. 1100 Baltimore, MD 21202

410-752-2468

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: 06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Tuesday, May 22, 2007 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 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.



TAMPITHOM2807ROCO, Director Department of Permits and Development Management

NEW 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: 06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Monday, April 30, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Multy Kotroco
Timothy Kotroco

Director

TK:klm

C: John Wise, Thomas & Libowitz, P.A., 100 Light Street, Ste. 1100, Baltimore 21202 Demetrios & Antonia Stavrakis, 801-A Hillstead Drive, Lutherville 21093 James Martin, 15 Greenspring Valley Road, Owings Mills 21117 Herbert Burgunder, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 16, 2007.
 - (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, April 17, 2007 Issue - Jeffersonian

Please forward billing to:

John Wise Thomas & Libowitz 100 Light Street, Ste. 1100 Baltimore, MD 21202 410-158-2468

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: 06-626-A

801-A Hillstead Drive S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road 3rd Election District – 2nd Councilmanic District Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Monday, April 30, 2007 at 2:00 p.m. in Room 407, County Courts Building,

401 Boslæy 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.



Tuesday, February 27, 2007 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple Permits & Development Management 111 West Chesapeake Avenue Towson, MD 21204

410-887-3353

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: 06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Wednesday, March 14, 2007 at 9:00 a.m. in Room 106, County Office Building,

H11 West Chesapeake 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.



February 20, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
ARING
Development Management

NEW 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: 06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

<u>Variance</u> to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Wednesday, March 14, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Wise, Thomas & Libowitz, P.A., 100 Light Street, Ste. 1100, Baltimore 21202 Demetrios & Antonia Stavrakis, 801-A Hillstead Drive, Lutherville 21093 James Martin, 15 Greenspring Valley Road, Owings Mills 21117 Herbert Burgunder, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 27, 2007.
 - (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.



January 22, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
NG
Development Management

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: 06-626-A

Kotroco

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

Variance to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Tuesday, February 20, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: John Wise, Thomas & Libowitz, P.A., 100 Light Street, Ste. 1100, Baltimore 21202 Demetrios & Antonia Stavrakis, 801-A Hillstead Drive, Lutherville 21093 James Martin, 15 Greenspring Valley Road, Owings Mills 21117 Herbert Burgunder, 1501 Sulgrave Avenue, Ste. 207, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 5, 2007.

- (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, February 6, 2007 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple Permits & Development Management 111 West Chesapeake Avenue Towson, MD 21204

410-887-3353

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: 06-626-A

801-A Hillstead Drive

S/side of Hillstead Drive, 2,600 feet west of centerline of Falls Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Demetrios & Antonia Stavrakis

Variance to permit two accessory structures (in ground pool and pool house) to be located in the side yard in lieu of the required rear yard.

Hearing: Tuesday, February 20, 2007 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

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.

<u>ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES</u>

Case	Number	06-	6.	26	-A		Addres	ss	801/	7	Hillst	ead	Dr,	***
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

item Number of Case Number:	06-626-A
Petitioner: <u>DEMETRIOS</u>	4 ANTONIA STAYKAKIS
Address or Location: BOIA HIL	LSTEAD DRIVE
PLEASE FORWARD ADVERTISIN	
Name:JAMES C MAZ	TIN LEYINGROWN PASSOC.
Name: JAMES CMAZ Address: IS GREENEPEIN	TIN LEYINGROWN & ASSOC.

PROPERTY ADDRESS 801A HILLSTEAD DRIVE ラムスく WATER S ZONIN

SUBDIVISION NAME BOOK DEMETRIOUS & AN HILLSTEAD FOLIO TONIA STAVRAKIS * LOT # SECTION #

OWNER

SEE ATTACHED DRAWINGS:

- HILLSTEAD PLAT "A"
- SEIPP PROPERTY MASTER
- <u>ων</u> _ STAVRAKIS RESIDENCE SITE PLAN



PREPARED

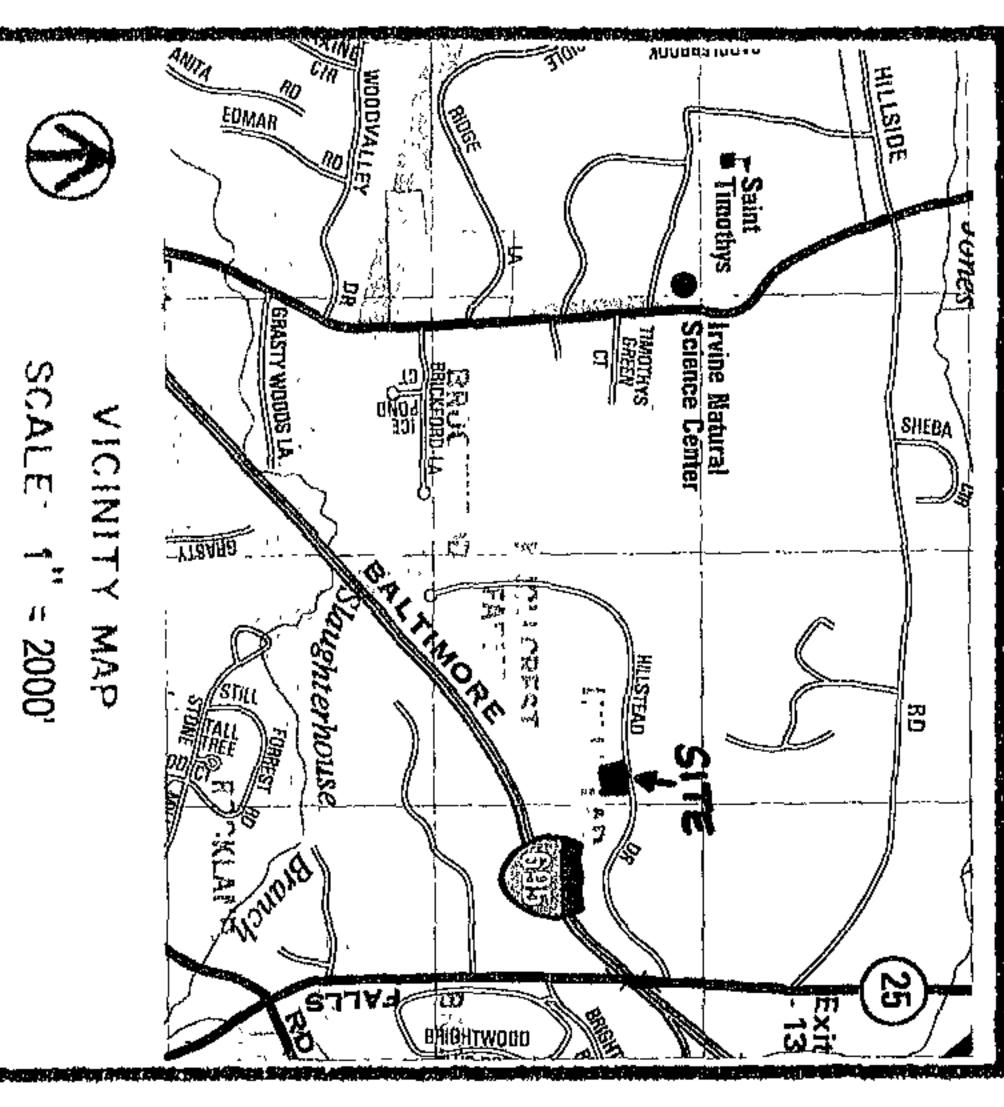
JAMES C MARTIN/LEVIN BROWN & ASSOC.

SCALE

OF

DRAW

NORTH



REVIEWED BY ITEM # CASE #	AR FLOOD PLAIN IC PROPERTY/ DING ZONING HEARING NONE	EWER PUBLIC PRIVATE WATER	ELECTION DISTRICT 3 COUNCIL MANIC DISTRICT 2	VICIN SCALE-	EMARTY WIDDES LA. ESTANTIV WIDES
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TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

July 3, 2006

Demetrios Stavrakis Antonia Stavrakis 801-A Hillstead Dr. Lutherville, MD 21093

Dear: Mr. & Mrs. Stavrakis,

RE: Case Number: 06-626-A, 801-A Hillstead Dr.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 7, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,
U. Call Rillal S

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:sma

Enclosures

c: People's Counsel
 James Martin Levin/Brown & Associates, Inc. 15 Greenspring Valley Rd. Owings Mills,
 MD 21117

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 27, 2006

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

801 A Hillstead Drive

INFORMATION:

Item Number:

6-676

Petitioner:

Demetrios and Antonia Stavrakis

Zoning:

RC 5

Requested Action:

Variance

The property in question is located within the Greenspring Valley National Register District and is improved with an existing single-family dwelling. The lot is shown on a Health master plan as a resubdivision of a lot in the Hillstead subdivision approved prior to the effective date of RC 5 zoning Bill 55-04; therefore a finding of compatibility with the RC5 performance standards is not required.

SUMMARY OF RECOMMENDATIONS:

The proposed pool and pool house is in the side yard and is the front of the adjacent panhandle lot at 801 Hillstead Drive owned by the Seipps. Provide architectural elevation drawings and a landscape plan to the Office of Planning for review prior to application of any building permit

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

Prepared by

Division Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 27, 2006

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 21, 2006

Item Nos. 611, 621, 622, 623, 624, 626, 627, 628, 632, 633, 635, 636, 637, 640,

641, 642, and 643

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

DAK:CEN:clw cc: File

ZAC-NO COMMENTS- 06272006.doc



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

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

BPR

Maryland Department of Transportation

Date: 6.20.06

Baltimore County

Item No. 426

RE:

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

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. Soulh

Engineering Access Permits Division •



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 June 20,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 19, 2006

(3)19

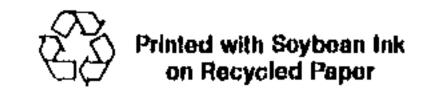
Item Numbers: Item Number 611,621,624-637, 639-643

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.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE:

May 1, 2007

TO:

Kristen Matthews

Dept. of Permits & Development Mgmt.

FROM:

Patricia Zook, Secretary to

John V. Murphy, Deputy Zoning Commissioner

RE:

Petition for Variance

Case No. 06-626-A – scheduled for hearing on April 30, 2007

801A Hillside Drive Site Not Posted

The Petitioner failed to post the site as required by the County Code. Per Jack, this case needs to be rescheduled, reposted and re-advertised. Attached is a copy of Jack's March 9, 2007 memorandum.

The file is being returned to Permits & Development Management for safekeeping.

Thank you for your attention and cooperation in this matter.

Attachment

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE:

March 9, 2007

TO:

Kristen Matthews

Dept. of Permits & Development Mgmt.

FROM:

Patricia Zook, Secretary to

John V. Murphy, Deputy Zoning Commissioner

RE:

Petition for Variance

Case No. 06-626-A – scheduled for hearing on March 14, 2007

801A Hillside Drive

REQUEST FOR POSTPONEMENT

The Petitioner's attorney, John R. Wise, requested a postponement of this case. John Murphy granted the postponement. He advised that the hearing can be rescheduled at the convenience of Herbert Burgunder, the attorney for the respondents. Mr. Murphy cautioned both parties that this is the last postponement.

The file is being returned to Permits & Development Management for safekeeping.

Thank you for your attention and cooperation in this matter.

Patricia Zook - Case 06-626-A, 801-A Hillsead Drive (admin variance - closed 7-3-06) Public Hearing Needed

From:

Patricia Zook

To:

Matthews, Kristen

Date:

1/9/2007 2:39:18 PM

Subject: Case 06-626-A, 801-A Hillsead Drive (admin variance - closed 7-3-06) Public Hearing Needed

tel. Case 00-020-A, 00 1-A miliseau Drive (aumin variance - closeu 7-5-00) i ubilc meaning needel

Hi Kristen -

After correspondence between Jack and the Petitioner's attorney (Mr. Libowitz), it was decided to set this in for a public hearing.

Please notify the two attorneys - Thomas Libowitz and Herbert Burgunder. Per Jack, there is no need to repost or readvertise.

The file is being returned to you for safe keeping.

Thanks for your help, Kristen!

Patti Zook
Legal Secretary
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov
(new email address eff. 1-15-07)



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

July 13, 2006

DEMETRIOS AND ANTONIA STAVRAKIS 801-A HILLSTEAD DRIVE LUTHERVILLE MD 21093

Re: Petition for Administrative Variance 801-A Hillstead Drive Case No. 06-626-A

Dear Mr. and Mrs. Stavrakis:

Your petition for administrative variance has been given to me for review. I received the attached letter from Dr. and Mrs. Joseph Seipp's attorney requesting a hearing on the matter for the reasons given. I have also received the attached comments from the County agencies who have reviewed this request. As you can see, the Planning Office indicates your property is within the Greenspring Valley National Register District. This usually means that a landscape plan is required at a minimum which I would not order without a hearing or your agreement. Such landscape plans are usually subject to the review and approval of the Baltimore County Landscape Architect, Avery Hardin. He can be reached at 410-887-3751.

I will keep the record on this case open until I hear from you in writing regarding the Seipp's request for hearing. In the meantime, you might contact Mr. Burgunder regarding his clients' concerns about your request. Again these matters are often resolved by proper landscaping as directed by the County's Landscape Architect.

Please let me hear from you in writing with a copy to Mr. Burgunder.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

cc. Burgunder

Prafulchandra J. Patel Trupti P. Patel 801-B Hillstead Drive Lutherville-Timonium, Maryland 21093-4760

October 24, 2006

Mr. Demetrios Stavrakis Ms. Antonia Stavrakis 801-A Hillstead Drive Lutherville-Timonium, Maryland 21093-4760

Dear Mr. and Mrs. Stavrakis:

We acknowledge receipt of copies of the plans and specifications prepared by Levin, Brown, Inc. showing the pool and cabana house that you wish to erect on your property. We hereby give our approval and consent to the pool and cabana house that you wish to construct.

It is our intention that this letter shall constitute the approval and consent needed under Paragraph 2 of the Declaration of Covenants, Conditions and Restrictions dated May 8, 1992, and recorded among the Land Records of Baltimore County in Liber 9183, Folio 400, affecting the property known as Lots 2 and 3 as shown on the Plat attached to the aforesaid Declaration as "Exhibit A".

Very truly yours,

Profulchandra I Patel

NOV 1 4 2006

pti P. Patel 70MMGC0MMSSIONER

DS/jrh

LAW OFFICES

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ANASTASIA E. THOMAS

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ALSO MEMBER OF WVA BAR ALSO MEMBER OF PA BAR "
ALSO MEMBER OF DE BAR ^
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JOHN R PALIGA** ~

STEVEN ANARGYROS HIOMAS+*

MICHAEL'S LIBOWITZ

ROBERT A. SNYDER, JR

CLINTON R BLACK, IV

MICHAEL J. COLLINS+

ROBERT J. LYNOTT+

JOHN R. WISE

C WAYNE DAVIS

FRANCIS R. LAWS

CHARLES B JONES

LOUIS J EBERT4 * ^

COUNSEL

BASIL A THOMAS

BARRY D. BERMAN

WILLIAM E HALLAM+ " -

March 8, 2007

VIA FACSIMILE NO. (410) 887-3468 AND REGULAR MAIL

Mr. John V. Murphy, Deputy Zoning Commissioner Baltimore County, Maryland County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

VIA FACSIMILE NO. (410) 887-5708 AND REGULAR MAIL

Mr. Timothy Kotroco Director, Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

Re: Petition for Administrative Variance

801-A Hillstead Drive Case No: 06-626-A

Hearing Date: March 14, 2007, at 9:00 a.m.

REQUEST FOR POSTPONEMENT

Dear Commissioner Murphy and Mr. Kotroco:

I represent Mr. and Mrs. Demetrios Stavrakis, the Petitioners in the above-referenced matter. I respectfully request a postponement of the hearing date. Mr. Jay Brown, the Petitioners' architect and an essential witness, and Mr. Robert Jackson, the Petitioners' landscape architect and also an essential witness, are both unavailable to attend a hearing on March 14, 2007.

Mr. John V. Murphy, Mr. Timothy Kotroco March 8, 2007 Page 2 of 2

I have attempted to contact Herbert Burgunder, Esquire, the attorney for Dr. and Mrs. Joseph Seipp, Jr., who are interested parties in this matter, to request his consent to a postponement of the hearing date. However, I have been unable to reach Mr. Burgunder.

The parties are currently involved in settlement discussions, and I hope to report shortly that the matter has been resolved. However, in the event that the matter cannot be settled, I am compelled to request a postponement of the hearing date for the aforesaid reasons.

Thank you for your consideration of this request.

Very truly yours,

THOMAS & LIBOWITZ, P.A.

John R. Wise

JRW/dmg

cc: Herbert Burgunder, Esquire (via Facsimile No. 410-664-6501 and regular mail)

Mr. & Mrs. Demetrios Stavrakis

Mr. James Martin

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COUNSEL BASIL A. THOMAS BARRY D. BERMAN DONNA K. SHOPULSKI

*ALSO MEMBER OF DC BAR

*ALSO MEMBER OF VA BAR

CHARLES B JONES

**ALSO MEMBER OF OHIO BAR ~ALSO MEMBER OF TEXAS BAR

February 2, 2007

VIA FACSIMILE NO. (410) 887-5708 AND REGULAR MAIL

Mr. Timothy Kotroco Director, Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

Re: Petition for Administrative Variance

801-A Hillstead Drive Case No: 06-626-A

Hearing Date: February 20, 2007, at 9:00 a.m.

Dear Mr. Kotroco:

As you know, I have requested a postponement of the hearing date on behalf of my clients, Mr. and Mrs. Demetrios Stavrakis, the Petitioners in the above-referenced matter. I have now heard from Herbert Burgunder, Esquire, the attorney for Dr. and Mrs. Joseph Seipp, Jr. Mr. Burgunder has informed me that he has no opposition to a postponement.

Once again, thank you for your consideration of this request.

/prv truly yours,

THOMAS & LIBOWITZ, P.A.

John R.\Wise

JRW/dmg

cc: Herbert Burgunder, Esquire (via Facsimile No. 410-664-6501 and regular mail)

Mr. & Mrs. Demetrios Stavrakis

Mr. James Martin

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COUNSEL BASIL A. THOMAS BARRY D. BERMAN DONNA K. SHOPULSKI

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*ALSO MEMBER OF VA BAR

**ALSO MEMBER OF OHIO BAR

- ALSO MEMBER OF TEXAS BAR

FRANCIS R LAWS

CHARLES B JONES

STEVEN ANARGYROS THOMAS+*

February 1, 2007

VIA FACSIMILE NO. (410) 887-5708 AND REGULAR MAIL

Mr. Timothy Kotroco Director, Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

Re:

Petition for Administrative Variance

801-A Hillstead Drive Case No: 06-626-A

Hearing Date: February 20, 2007, at 9:00 a.m.

Dear Mr. Kotroco:

Please be advised that I represent Mr. and Mrs. Demetrios Stavrakis, the Petitioners in the above-referenced matter. I respectfully request a postponement of the hearing date. Mr. Jay Brown, the Petitioners' architect and an essential witness, will be out of town and will be unable to attend a hearing on February 20, 2007.

I have attempted to contact Herbert Burgunder, Esquire, the attorney for Dr. and Mrs. Joseph Seipp, Jr., who are interested parties in this matter, to request his consent to a postponement of the hearing date. However, Mr. Burgunder has been unable to return my telephone calls or respond to my letter.

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Mr. Timothy Kotroco February 1, 2007 Page 2 of 2

Thank you for your consideration of this request.

Very truly yours,

THOMAS & LIBOWITZ, P.A.

dohn∖R. Wise

JRW/dmg

cc: Herbert Burgunder, Esquire (via Facsimile No. 410-664-6501 and regular mail)

Mr. & Mrs. Demetrios Stavrakis

Mr. James Martin

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C. WAYNE DAVIS
MICHAEL J. COLLINS+
FRANCIS R LAWS
CHARLES B JONES

+ALSO MEMBER OF DC BAR *ALSO MEMBER OF VA BAR **ALSO MEMBER OF OHIO BAR -ALSO MEMBER OF TEXAS BAR

December 21, 2006

Mr. John V. Murphy, Deputy Zoning Commissioner Baltimore County, Maryland County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

Re: Petition for Administrative Variance

801-A Hillstead Drive Case No: 06-626-A

Dear Mr. Murphy:

Please enter my appearance as the attorney for Demetrios and Antonia Stavrakis, the Petitioners in this matter.

In response to your letter dated July 13, 2006, enclosed herewith are three copies of the landscape plan for the Stavrakis Residence prepared by Bob Jackson Landscapes, Inc. I respectfully submit that this landscape plan provides appropriate screening for neighboring properties.

Regarding the Seipps' request for a hearing, I respectfully submit that the Seipps have not established a sufficient basis to justify a hearing in this matter. In his letter dated July 12, 2006, Herbert Burgunder, the attorney for the Seipps, cites two reasons in requesting a hearing. First, Mr. Burgunder contends that the zoning sign was improperly placed. Even if true, the Seipps have obviously suffered no harm as a result of the alleged improper placement of the sign, because they are aware of and fully participating in this zoning matter. Second, Mr. Burgunder contends that the Petitioners' property is subject to a Declaration of Covenants, Conditions, and Restrictions (the "Declaration"), and that the Declaration requires advance approval from the Declarants. As a threshold matter, it should be noted that the Stavrakises have obtained all necessary consents under the Declaration. However, the Seipps' claim of an alleged violation of

Mr. John V. Murphy, Deputy Zoning Commissioner December 21, 2006 Page 2 of 2

the Declaration must be adjudicated, if at all, in the Circuit Court for Baltimore County, and not before the Zoning Commission. It is simply not an issue that the Zoning Commission can or should consider.

Please let me know if you need any further information or documents. I look forward to your favorable reply.

Very truly yours,

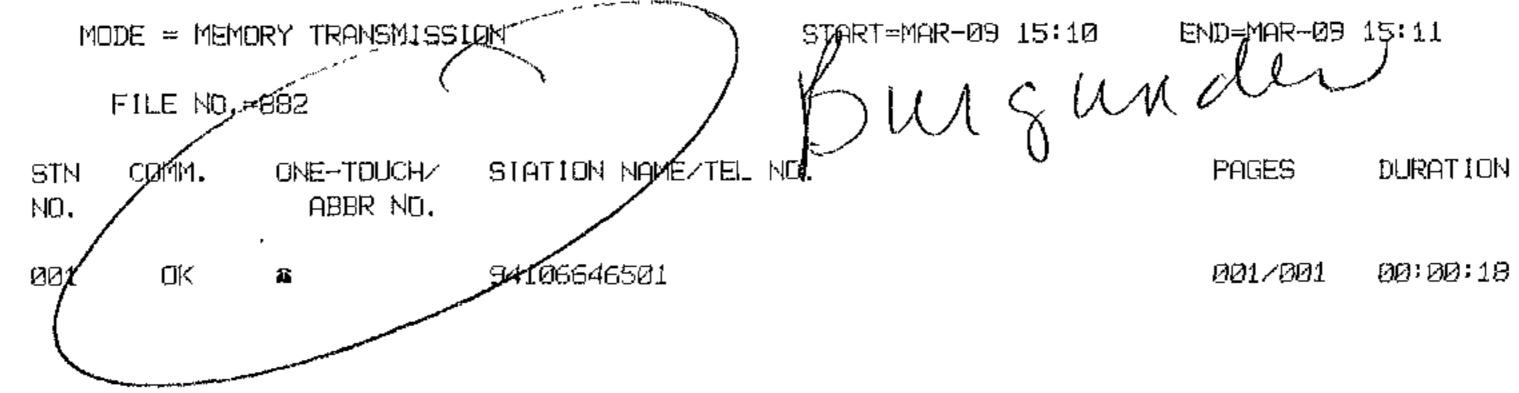
THOMAS & LIBOWITZ, P.A.

John R. Wise

JRW/jrh Enclosures

cc: Herbert l

Herbert Burgunder, Esquire Mr. & Mrs. Demetrios Stavrakis



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A PROFESSIONAL ASSOCIATION

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CHARLES B. JONES
LOUIS J. EBERTT **
WILLIAM J. HALLAM+ **-

COUNSEL BASIL A THOMAS BARRY D BERMAN JOHN R PALIGA** .

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ALSO MEMBER OF DC BAR ALSO MEMBER OF VA BAR ALSO MEMBER OF WVA BAR ALSO MEMBER OF PA BAR ALSO MEMBER OF DE BAR ALSO MEMBER OF OHIO BAR ALSO MEMBER OF TEXAS BAR ALSO MEMBER DE TEXAS BAR ALSO MEMBER

March 8, 2007

VIA FACSIMILE NO. (410) 887-3468 AND REGULAR MAIL

Mr. John V. Murphy, Deputy Zoning Commissioner Baltimore County, Maryland County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

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VIA FACSIMILE NO. (410) 887-5708 AND REGULAR MAIL

Mr. Timothy Kotroco Director, Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

Re: Petition for Administrative Variance

801-A Hillstead Drive Case No: 06-626-A

Hearing Date: March 14, 2007, at 9:00 a.m.

REQUEST FOR POSTPONEMENT

Dear Commissioner Murphy and Mr. Kotroco

I represent Mr. and Mrs. Demetrios Stavrakis, the Petitioners in the above-referenced matter. I respectfully request a postponement of the hearing date. Mr. Jay Brown, the Petitioners' architect and an essential witness, and Mr. Robert Jackson, the Petitioners' landscape architect and also an essential witness, are both unavailable to attend a hearing on March 14, 2007.

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> STEVEN ANARGYROS THOMAS-* MICHAEL S LIBOWITA ROBERT A. SNYDER, JR ROBERT J LYNO'I'I+ JOHN R WISE CLINTON R BLACK, IV C WAYNEDAVIS MICHAIN. J. COLLINS# FRANCISIC LAWS CHARLES B. JONES LOUIS) PBERT+ * ^ WILLIAM I, HAELAM+ " •

COMMSEL BASIL A THOMAS BARRY D. BERMAN JOHN'R PAUGA** :-

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MARGARET L. ARGENT* SARA A, LEVINSON <u> 118A_4_OLIVIERI</u> IJ, MADIGAN+ IW J GALLAGHER HI O. NSOFOR

SIA E THOMAS

EMBER OF DC BAR + EMBER OF VA BAR * EMBER OF WVA BAR + FMBER OF PA BAR " EMBER OF DE BAR ^ EMBER OF OHIO BAR ** EMBER OF TEXAS BAR -

410 887 3468- *******

March 8, 2007

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VIA FACSIMILE NO. (410) 887-3468 AND REGULAR MAIL

Mr. John V Murphy, Deputy Zoning Commissioner Baltimore County, Maryland County Courts Building 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

MAR - \$ 2007

ANNE COMISSIONER

VIA FACSIMILE NO. (410) 887-5708 AND REGULAR MAIL

Mr Timothy Kotroco Director, Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue, Room 105 Towson, MD 21204

> Petition for Administrative Variance Re:

801-A Hillstead Drive Case No: 06-626-A

Hearing Date: March 14, 2007, at 9:00 a.m.

REQUEST FOR POSTPONEMENT

Dear Commissioner Murphy and Mr. Kotroco:

I represent Mr. and Mrs. Demetrios Stavrakis, the Petitioners in the above-referenced matter. I respectfully request a postponement of the hearing date. Mr. Jay Brown, the Petitioners' architect and an essential witness, and Mr. Robert Jackson, the Petitioners' landscape architect and also an essential witness, are both unavailable to altend a hearing on March 14, 2007.

LAW OFFICES OF HERBERT BURGUNDER III

Mt. Washington Center

1501 Sulgrave Avenue, Suite 207 Baltimore, Maryland 21209

410-664-6500

CUNDER III

410-664-6501 (fax)

hb3@hb3law.com

FAX	COVER SHEET
то: Mr. John V. Murphy, Deputy Zoning Commissioner	FROM: Herbert Burgunder III
To: Mr. Timothy Kotroco, Director, Dept of Permits and Development Management	DATE: 3/9/2007
FAX NUMBER. 410-887-3468 410-887-5708	TOTAL NO. OF PAGES INCLUDING COVER.
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NOTES/COMMENTS:	

HERBERT BURGUNDER III

NB3@HB3LAW.COM

LAW OFFICES OF

HERBERT BURGUNDER III

L. SKYE MACLEOD
OF COUNSEL
LEM@HB3LAW.COM

MT. WASHINGTON CENTER

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BALTIMORE, MARYLAND 21209

410-664-6500 • FAX: 410-664-6501

March 9, 2007

BY FAX 410-887-3468

Mr. John V. Murphy
Deputy Zoning Commissioner
Baltimore County, Maryland
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

BY FAX 410-887-5708

Mr. Timothy Kotroco
Director, Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue, Room 105
Towson, Maryland 21204

Re: Board of Municipal and Zoning Appeals. Case No. 44-06

Dear Commissioner Murphy and Mr. Kotroco:

I represent Dr. and Mrs. Joseph Seipp, Jr., the respondents in the above-referenced matter. The Seipps oppose the postponement request made by John Wise, Esquire on behalf of Mr. and Mrs. Demetrios Stavrakis. My clients and their witnesses are prepared to proceed on March 14, 2007. This postponement request represents the second such request made by Petitioners. The basis for the first request was the absence of Mr. Brown. My clients would like the hearing to proceed as scheduled.

Sincerely,

MA

Herbert Burgunder III

HB3:lg

cc: Dr. and Mrs. Joseph Seipp, Jr.

John R. Wise, Esquire

LAW OFFICES OF

HERBERT BURGUNDER'III-HBB@HBBLAW.COM

HERBERT BURGUNDER III

L. Skye MacLeod
OF Counsel
LSM@He3LAW.COM

MT. WASHINGTON CENTER

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BALTIMORE, MARYLAND 21209

410-664-6500 • FAX: 410-664-6501

May 18, 2007

BY FAX 410-887-3468

John V. Murphy, Deputy Zoning Commissioner Office of the Zoning Commissioner 401 Bosley Avenue, Room 405 Towson, Maryland 21204

Re: Administrative Variance No. 06-626A - 801A Hillstead Drive

Dear Mr. Murphy:

I represent Dr. and Mrs. Joseph Seipp, Jr., the owners of 801 Hillstead Drive. Pursuant to a Settlement Agreement, the Seipps withdraw their objection to the Stavrakises' variance request.

If you have any questions, please do not hesitate to call me.

Sincerely,

#34

Herbert Burgunder III

HB3:lg

cc: Dr. and Mrs. Joseph Seipp, Jr. John R. Wise, Esquire

FAX No. 4106646<u>50</u>1

F. 001

7/3

(No-626-A)

LAW OFFICES OF HERBERT BURGUNDER III

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1501 Sulgrave Avenue, Suite 207 Baltimore, Maryland 21209

410-664-6500

410-664-6501 (fax)

hb3@hb3law.com

FAX CO	OVER SHEET								
TO:	FROM:								
William J. Wiseman, III, Zoning Commissioner and	Herbeit Burgunder III								
John V. Murphy,									
Deputy Zoning Commissioner									
Office of the Zoning Commissioner	DATE. 7/12/2006								
FAX NUMBER: 410-887-3468	TOTAL NO OF PAGES INCLUDING COVER:								
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LAW OFFICES OF
HERBERT BURGUNDER III

HERBERT BURGUNDER III
HBB@HBBLAW.COM

MT. WASHINGTON CENTER
1501 SULGRAVE AVENUE • SUITE 207
BALTIMORE, MARYLAND 21209
410-684-6500 • FAX: 410-664-6501
July 12, 2006

L. Brye MacLeod
Of Counsel
Lem@he3law.com

BY FAX 410-887-3468

William J. Wiseman, III, Zoning Commissioner John V. Murphy, Deputy Zoning Commissioner Office of the Zoning Commissioner 401 Bosley Avenue, Room 405 Towson, Maryland 21204

Re: Administrative Variance No. 06-626A - 801A Hillstead Drive

Dear Mr. Wiseman and Mr. Murphy:

I represent Dr. and Mrs. Joseph Seipp, Jr., the owners of 801 Hillstead Drive. The Seipps have not had a chance to review the plans proposed by the owners of 801A Hillstead Drive. They did not receive actual notice in advance due to the placement of the sign. More importantly, 801A Hillstead Drive is subject to a Declaration of Covenants, Conditions, and Restriction, which does not permit any construction without prior written approval of the Declarant.

Only on Monday, July 10, did the Seipps find out about the Administrative Variance requested for 801A Hillstead Drive. Mrs. Seipp learned about it from a neighbor. While the statute requires that the sign be conspicuously placed, it was actually placed past my clients' driveway (which abuts 801A Hillstead Drive). I have attached a sketch of the neighborhood and the location of the sign. Because Hillstead Drive is a "dead end" street, the Seipps have no reason to make a left turn from their driveway. They did not see the sign that was posted past their driveway on the far end of 801A Hillstead Drive. In addition, the Seipps were out of town on vacation from June 24 through July 1. The Seipps called me on Tuesday afternoon, and I met them at the property this morning. Because the sign was placed in such a way that they could not see it in their everyday travels, the Seipps did not know of the request, and they have not had a chance to review the plans. The Seipps respectfully request that you deny this Administrative Variance or at least require a hearing in this matter.

More significantly, 801A Hillstead Drive is subject to a Declaration of Covenants, Conditions, and Restrictions, a copy of which is attached. Section 2 requires advance approval from the Declarants, the Seipps, prior to any construction on a lot. The owners of 801A Hillstead Drive have not sought this permission. Section 5 prohibits "out buildings." Section 12 prohibits fences without prior approval. Again, the Seipps respectfully request that you dony this Administrative Variance or at least require a hearing in this matter.

FAX No. 4106646501

William J. Wiseman, III, Zoning Commissioner John V. Murphy, Deputy Zoning Commissioner July 12, 2006 Page 2

Your consideration of this request is appreciated.

Sincerely,

Herbert Burgunder III

HB3:bh Attachments

cc: Dr. and Mrs. Joseph Seipp, Jr. (w/out encls.)

square feet of living area, of which at 1500 square feet shall be on the first floor; in no event shall a one-story structure contain less than 3000 square feet of living area. Garage and basements shall not be construed as living area. In the event of the failure of the purchaser or purchasers of the said Lots 2 & 3, to obtain the required prior written approval of the plans, specifications and grading studies as established in this paragraph, said purchasers hereby agree (in addition to all legal and equitable remedies available to the Declarants), to reimburse the Declarants for all costs or expense incurred by the Declarants as a result of such failure, including but not limited to court costs and reasonable attorney's fees.

3. No approval under Paragraph 2 shall authorize construction on the property in violation of any of the restrictions set forth in this Declaration or in violation of any law, rule or regulation of Baltimore County, of the State of Maryland or of any zoning, building or health agencies.

The exterior of the structure shall be composed of eighty percent (80%) hard surface such as stone, brick or stucco. Any out-buildings shall be of the same composition unless prior written approval is obtained from the Declarants or their agent.

In no event and in no manner whatsoever shall any approval of any plans and/or specifications by the Declarants, or their personal representatives or assigns, be construed to make Declarants liable or responsible in any manner to anyone if said architectural and development plans, location and grading plans violate any building code, law or regulations of Baltimore County or State of Maryland or any of their agencies, and it shall be the exclusive responsibility of the owners of the Property to make certain that said plans and specifications do not violate any building codes, laws or regulations.

- Appropriate sedimentation control must be maintained during construction of the residential homes to protect adjoining properties.
- 5. Trailers, recreational vehicles, boats or other large equipment may not be maintained on any lot. No out-buildings of any sort will be permitted except by the written approval of the developer. No structures, basements or garages may be used as a residence, either temporarily or permanently, and all dwellings shall be completed in every exterior detail within twelve months from the date of beginning such construction.
- Declarants reserve unto themselves, their personal representatives and assigns, the right to grant an easement, right of way, license or licenses to any persons, individual, body corporate or municipality to install and maintain utility and power lines with appurtenances necessary thereto, for public utilities,

or quasi-public utilities, or to grant such other licenses or permits as may be deemed necessary for the improvement of said development in, over, through, upon and across and any and all of the streets, and in, over, through, upon and across each and every lot in the easement areas shown on the plat aforesaid, and further Declarants reserve the right unto themselves, their personal representatives and assigns, drainage easements as shown on the above-referenced plat.

- 7. No lot shall be conveyed by the Declarants until a water well has been drilled in compliance with the standards and specifications of Baltimore County and the State of Maryland. Said well shall be tested and meet the standards set forth by Baltimore County and the State of Maryland.
- 8. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. Before as well as after, construction of a dwelling, the owner shall maintain the lot in a reasonable manner, such as mowing, removing fallen branches, trees, and other debris of any kind or same may be accomplished by the Declarants at Owner's expense.
- 9. No live poultry, hogs, cattle, ponies or other live stock shall be kept on any lot, except a maximum of two dogs and two cats are permitted, provided they are properly housed on the property.
- No signs greater than seven (7) square feet shall be placed or displayed on any lots except signs of the Declarants or Declarants' agents.
- 11. The owner of Lot No. 3 shall be responsible for providing driveway access to their dwelling from the paved portion of the private driveway which extends from Hillstead Drive to their property. The owner of Lot No. 2 shall be responsible for providing driveway access to their dwelling only from either the panhandle to the west of Lot No. 2 or from Hillstead Drive. All driveways shall be paved with a hard surface such as macadam, tar and chip, concrete or other similar material and shall be completed within six months of the completion of the residence.
- 12. Ranch, picket split-rail type wooden fences not in excess of four feet in height will be permitted in the rear of the houses, with the prior written approval of the Declarants. Chain-link or other type metal fences are prohibited without the prior written approval of the Declarants, which approval will only be given in special cases and circumstances as the Declarants recognize certain recreational areas must be fenced for practical reasons, such as tennis courts or others because of County regulations such as swimming pools. Accordingly, Declarants will entertain requests for a variance of the above restriction as to the fencing, provided the request for approval is accompanied by all the required

information including but not limited to, the exact area to be enclosed, the contemplated special use thereof, the landscape screening to be provided, and a full description and specifications of the contemplated enclosure, together with such other information Declarants may request.

- 13. The Property shall not be used for commercial purposes.
- All outside laundry drying, refuse storage and lawn maintenance equipment storage areas shall be appropriately screened or landscaped so as to preserve the scenic beauty and integrity of the development and shall receive the approval of the Declarants.
- 15. Subject to the provisions of Paragraph 16 hereof, any and all of the rights and powers (including discretionary powers and rights) herein reserved by or conferred upon the Declarants may be assigned or transferred by Declarants to any one of more individuals, corporations or associations agreeing to accept same provided that such assignment or transfer be evidenced by an appropriate written instrument recorded among the Land Records of Baltimore County, and from the time of such recordation only, such assignee or assignees shall have the right and authority to exercise and perform all the powers and duties reserved by or conferred upon Declarants by this Declaration. Three years after the last lot is sold the owners of Lots 2 and 3 shall be responsible for the enforcement of these covenants.
- The expense for the road maintenance of the panhandle bordering the west side of Lots 2 and 3 including but not limited to snow removal, pot hole repairs and or paving shall be borne according to the following ratio;

Lot No. 3 = 70% of said expenses Lot No. 2 = 30% of said expenses

- Declarants further reserve unto Declarants, their personal representatives and assigns:
- a. The title in fee simple to the beds of all streets or public highways as shown on the aforementioned Plat, subject to the dedication to Baltimore County.
- b. Declarants reserve the right to adjust lot lines on property still owned by Declarant.
- c. The right to waive such portion of the protective covenants placed on the development as Declarants deem necessary and desirable in the best interests of the development, subject to prior approval of Baltimore County, if necessary.
- There shall be no satellite disks or dishes for the reception of a radio or T.V. signal.

- 19. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant, and it shall be lawful for any person or persons owning any part of this tract (Lots 2 or 3) to prosecute such proceeding. Invalidation of any one of these covenants by judgment or Court order shall in no way effect any other provisions which shall remain in full force and effect.
- 20. Any failure by any party entitled to enforce any of the covenants, restrictions, conditions, reservations and agreements herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior or subsequent thereto.
- 21. These covenants are to run with the land and shall be binding on the Declarants and all persons claiming by, through or under Declarants for a period of ten (10) years from the date of the recording, after which there shall be automatically extended for successive periods of five (5) years, unless an instrument, signed by more than fifty percent (50%) of the then owners of the lots (not including mortgages or ground rent owners) has been recorded agreeing to change said covenants in whole or in part, subject to the approval of Baltimore County.
- The restrictions shall not be taken as permitting any action or thing prohibited by the applicable zoning laws, rules or regulations of any government agency, or by specific restrictions imposed by any deed or lease. In the event of any conflict, the most restrictive provision of such laws, rules, regulations, deeds, leases, of the Restrictions shall be taken to govern control.

WITNESS the hands and seals of the parties to this Declaration above written.

withess: (SEAL)

Declarants

STATE OF MARYLAND, SOMETH BACTTORE, to wit:

I HEREBY CERTIFY, That on this Est day of MAT 1992, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JOSEPH H. SEIPP, JR. and DeCHANILE SEIPP, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the aforegoing to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand little ficial seal.

My Commission Expires:

a:\re9\seipp.cov

JAMES D. O'CONNOR ATTORNEY AT LAW 100 WEST ROAD, BUITE 211 - TOWSON, MARYLAND 21204 (#10) 321 0595

FAX No. 4106646<u>50</u>1

K CROSS

N.F. ETZEL

ILLIAM G. ULRICH

GORDON T. LANGOON

DAVIO B. RANSONK

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204

EMERITUA

PAUL D. DOLLANDERD

FRED H. DOLLENDERD

CARL L. GERHOLD

823-4470

September 13, 1989

Lot 2 - 1.123 Acres

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

Boginning for the same at a point in the fifth or South 82 degrees 29 minutes East 60 foot line of a parcel of land which by a deed dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5738 folio 601 was conveyed by Richard A. Brooks and wife to Joseph H. Seipp, Jr. and wife, said point of beginning also being in the center of an existing macadam road leading in an easterly direction from the former residence of Daniel B. Brooks and wife to the County Road which Road leads in an easterly direction to Falls Road and running thence and leaving said macadam road and outline and running for a line of division now made parallel with and distant 50 feet westerly measured at right angles from the last line of the aforesaid parcel of land, as the courses are now referred to the Baltimore County Grid Meridian as referred to on the plat of Rockland, South 2 degrees 51 minutes 52 seconds East 209.04 feet to a pipe now set on the northeast side of a spruce tree, thence continuing to run for lines of division, the four following courses and distances viz: South 88 degrees 51 minutes 30 seconds West 133.00 feet to a pipe now set, South 84 degrees 55 minutes 07 seconds West 103.36 feet to a pipe now set, North 8 degrees 54 minutes 53 seconds East 65.24 feet to a pipe now set and North 2 degrees 23 minutes 00 seconds West 154.10 feet to a pipe now set in the North 85 degrees 46 minutes 21 seconds West 39.64 foot south right of way line of Hillstead Drive, 40 feet wide, all as shown and laid out on Baltimore County Right of Way Plat No. RW 88-365-1 which right of way plat is attached to a deed dated June 5, 1989 and recorded among the Land Records of Beltimore County in Liber S.M.No. 8210 follo 330 from Joseph H. Seipp, Jr. and wife to Baltimore County, Maryland, thence binding on said south right of way line of Hillstead Drive, 40 feet wide and binding reversely on part of the aforesaid right of way line and reversely on all of the right of way line designated (A) on the aforesaid right of way plat, the two following lines viz: South 85 degrees 48 minutes 27 seconds East 19.51 feet and Easterly by a line curving to the left having a radius of 400 feet for an arc distance of 124.37 feet (the chord of said are bearing North 85 degrees 17 minutes 06 seconds East 123.87 feet) to the westernmost corner of Parcel A which corner is designated RW 51 as shown on a plat titled Amended Subdivision Plat Lot 15 Hillstead which plat is recorded among the Plat Records of Baltimore County in Plat Book S.M.No. 60 folio 19, said Parcel A being the second mentioned Parcel A in a deed dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M.No. 8176 folio 624 which was conveyed by Lawrence J. Thanner, Inc. to Joseph H. Seipp, Jr. and wife, thence binding on a part of the northwesternmost outline of said Parcol A and continuing to bind on the southeast right of way line of Hillstead Drive, 40 feet wide, Northeasterly by a line curving

FAX No. 4106646<u>50</u>1

AN M. EMOSS

N. M. ETZEL

MILLIAM G. ULMICH

BONDOM T. LANGUON

DAVID G. HANSONE

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204

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PAUL C. DOLLENGERG

FRED H. DOLLENGERG

CARL L. GERHOLD

823-4470

Lot 2 continued

toward the left having a radius of 400.00 feet for an arc distance of 82.02 feet (the chord of said arc bearing North 70 degrees 30 minutes 12 seconds East 81.87 feet, thence leaving said Hillstead Drive and running for a line of division now made through the aforesaid Parcel A South 2 degrees 51 minutes 52 seconds East 33.96 feet to the place of beginning.

Containing 1.123 Acres of land more or less.

Together with the right to cross and recross the 20'strip of land, part of the remaining land of the grantors herein, lying adjacent to and west of the North 2 degrees 23 minutes 00 seconds West 154.10 foot line of the above described 1.123 Acres parcel of land.

Also together with the right to the use of the existing panhandle driveway, which driveway lies adjacent to and west of the above referred to 20 foot strip of land which driveway is set forth in a Declaration of Private Driveway Easements With Use in Common, dated May 5; 1989 by and between Lawrence J. Thanner, Inc., Joseph H. Seipp, Jr. and wife, Mukund S. Didolkar and wife and Gordon DeGeorge and Thomas M. Scott, III Trustees, which Declaration is recorded among the Land Records of Baltimore County in Liber S.M.No. 8167 folio 008; and also subject to the terms as set forth in said Declaration of Private Driveway Easements with Use in Common.

Subject to the rights of others entitled thereto to the use of that portion of the existing macadam road crossing over the northeast-eromost part of the above described 1.123 Acres parcel of land as referred to in the aforesaid deed from Richard A. Brooks and wife to Joseph H. Seipp, Jr. and wife.

It is the intention of the grantors herein that the grantees shall not have the right to the use of the above mentioned existing macadam drive from the herein described easternmost lot lines to Falls Road.

Being part of each of two parcels of land which were conveyed to Joseph H. Seipp, Jr. and DeChanile P. Seipp, his wife by the two following deeds viz:

- 1) from Richard A. Brooks and wife dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5738 folio 601.
- 2) Second Parcel A in the deed from Lawrence J. Thanner, Inc. dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M.No. 8176 folio 624.

Subject to an 80 foot side yard setback on the east side of the herein described parcel of land.

CROPE ATTEL MAN V. ULRICH MOON T. LANGDON

PAVID & RAHSONE

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors

ALZ DELAWARE AVENUE

TOWSON, MARYLAND 21204

FAX No. 4106646<u>50</u>1

RMARITUA

PAUL O. BOLLENOCHO

PRED H. BOLLENSCHO

GARL L. GERHOLD

B23-4470

September 13, 1989

Lot 3 - 1.384 Acres

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

Beginning for the same at a concrete monument heretofore set at the beginning of the second line of a percel of land which by a deed dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5738 folio 601 was conveyed by Richard A. Brooks and wife to Joseph H. Seipp, Jr. and wife and running thence with and binding on said second line, as the courses are now referred to the Baltimore County Grid Meridian as referred to on the plat of Rockland, South 68 degrees 35 minutes 49 seconds West 313.84 feet to the southeast corner of a parcel of land designated Parcel A as shown and laid out on a plat entitled Resubdivision of Lots 16 & 17 Hillstead, which plat is recorded among the Plat Records of Baltimore County in Plat Book S.M.No. 60 folto 001, said Parcel A being the first mentioned Parcel A in a deed dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M.No. 8176 folio 624 which was conveyed by Lawrence J. Thenner, Inc. to Joseph H. Seipp, Jr. and wife, thence binding on the south and west sides of said Parcel A as shown on said plat, the three following courses and distances viz: South 68 degrees 35 minutes 49 seconds West, passing over a concrete monument at the distance of 31.32 feet in all, 31.73 feet to a pipe now set, North 2 degrees 23 minutes 00 seconds West 415.18 feat to a pipe now set and marked Property Marker Pu3 and North 8 degrees 54 minutes 53 seconds East 153.13 feet to a pipe heretofore set and marked D.S.T. and designated LC 21 on the aforesaid plat, said pipe being in the third line of the aforesaid parcel of land which was conveyed by Brooks to Seipp, thence running with and binding on a part of said third line and binding on the 154.43 foot line of the east side of the panhandle for Lot 19 as shown on the aforesaid plat of Resubdivision of Lots 16 & 17 Hillstead, North 2 degrees 23 minutes 00 seconds West 154.43 feet to a pipe now set on the south side of Hillstead Drive, 40 feet wide, at the end of the North 85 degrees 46 minutes 21 seconds West 39.64 foot line as shown and laid out on Baltimore County Right of Way Plat No. RW 88-365-1 which right of way plat is attached to a deed dated June 5, 1989 and recorded among the Land Records of Baltimore County in Liber S.M.No. 8210 folio 330 from Joseph H. Seipp, Jr. and wife to Baltimore County, Maryland, thence binding on the south side of Hillstead Drive, 40 feet wide and binding reversely on a part of the aforesaid last mentioned line, South 85 degrees 48 minutes 27 seconds East 20.13 feet to a pipe heretofore set, thence leaving said Hillstead Drive and running for lines of division now made, the five following courses and distances viz: South 2 degrees 23 minutes 00 seconds East 154.10 rest to a pipe now set, South 8 degrees 54 minutes 53 seconds West 153.13 feet to a pipe now set, South 2 degrees 23 minutes 00 seconds East 107.00 feet to a pipe now set, South 52 degrees 50 minutes 39. seconds East 213.46 feet to a pipe now set and North 82 degrees 49 minutes 30 seconds East 142.00 feet to a pipe now set in the first line of the aforesaid parcel of land which was conveyed by, Brooks to Seipp

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GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors A12 DELAWARE AVENUE TOWSON, MARYLAND 21204

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FRED M. DOLLENBERG

CARL L. GERHOLD

823-4470

Lot 3 continued

and thence running with and binding on a part of said first line, South 2 degrees 51 minutes 52 seconds East 69.56 feet to the place of beginning.

Containing 1.384 Acres of land more or less.

Together with the right to the use of the existing panhandle driveway set forth in a Declaration of Private Driveway Easements With Use in Common dated May 5, 1989 by and between Lawrence J. Thanner, Inc., Joseph H. Seipp and wife, Mukund S. Didolkar and wife and Gordon DeGeorge and Thomas M. Scott, III Trustees, which Declaration is recorded among the Land Records of Ealtimore County in Liber S.M.No. 8167 folio 008; and also subject to the terms as set forth in said Declaration of Frivate Driveway Easements.

The grantees herein, their heirs and assigns hereby covenent and agree to use the existing driveway lying within the panhandle D and agree to the terms as set forth in the said Declaration of Private Driveway Easements With Use in Common and not use the 20 foot panhandle portion of the herein described 1.384 Acres lot of land for vehicular ingress and egress.

Subject to and together with the right of others to cross the 20 foot strip of land lying between the fifth or North 2 degrees 23 minutes 00 seconds West 154.43 foot line and the seventh or South 2 degrees 23 minutes 00 seconds East 154.10 foot line of the above described percel of lend.

Subject to the existing overhead service utility pole line which crosses the berein described parcel of land.

Subject to the existing storm drain pipe along and crossing part of the North 2 degrees 23 minutes 00 seconds West 154.43 foot line of the herein described parcel of land which pipe carries storm water from the storm drain inlet located on the land of Hillstead Drive southerly to the wipe's outfall located on the panhandle driveway of Lot 19 on the plat titled Resubdivision of Lots 16 & 17 Hillstead.

Subject to the restrictions on the removal of the stand of pine trees located along the first line of the herein described lot of land as stated below.

Being part of each of two parcels of land which were conveyed to Joseph H. Seipp, Jr. and DeChanile P. Seipp, his wife by the two following deeds viz:

1) from Richard A. Brooks and wife dated March 31, 1977 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5738 folto 601.

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AT. LANGOOK

& KI HANDONK

FAX No. 4106646<u>50</u>1

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
Atz Delaware avenue
Towson, Maryland 21204

жикитов Рачь о. Восьяника Рако н. Восьяника Сань саконогр

823-4470

Lot 3 continued

2) First parcel A in the deed from Lawrence J. Thanner, Inc. dated May 4, 1989 and recorded among the Land Records of Baltimore County in Liber S.M.No. 8176 folio 624.

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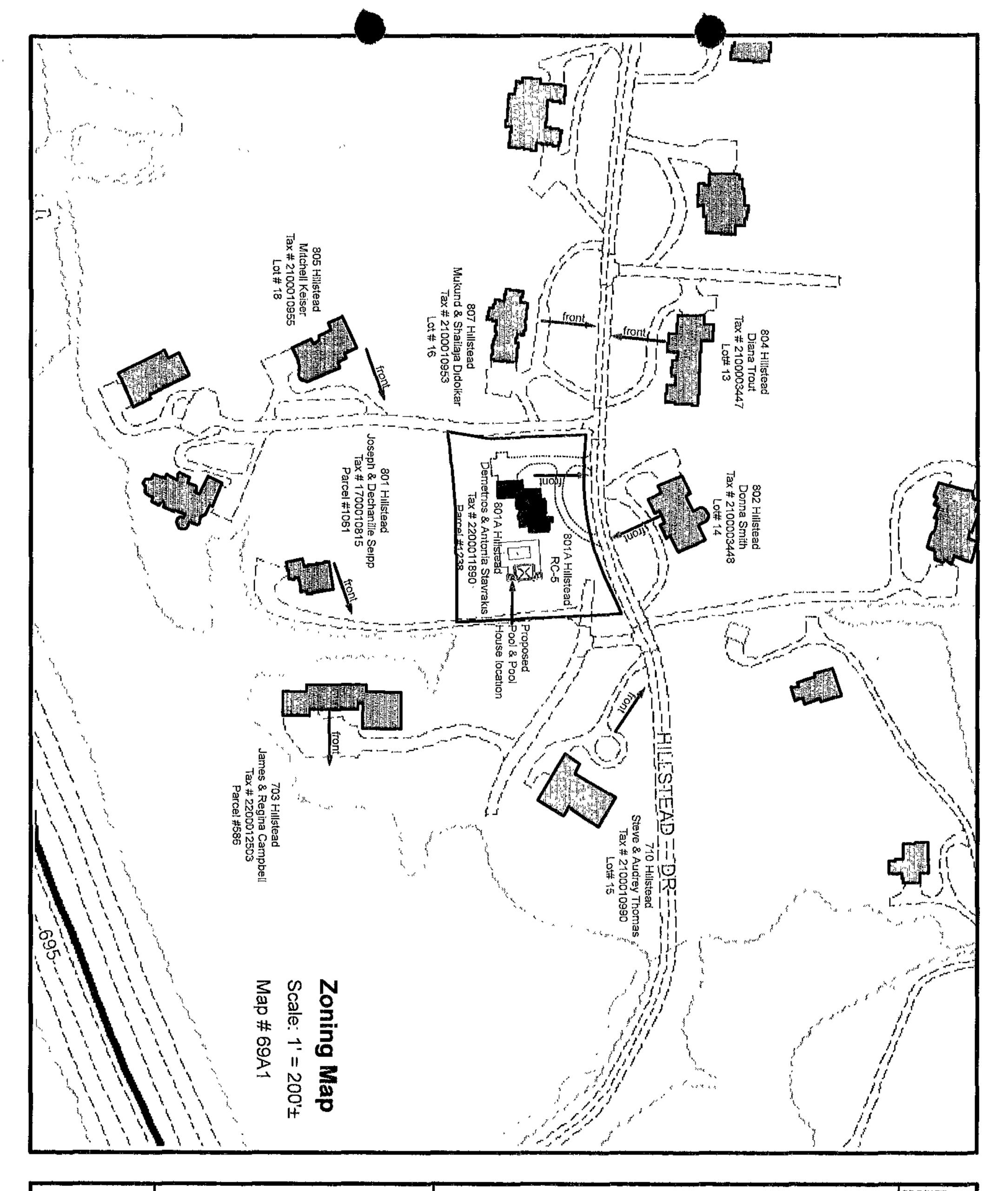
SELPY PROPERTY
Located in Third Election District
Baltimore County, Maryland

PLEASE PRINT CLEARL

CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

E- MAIL	Will to the Can											
CITY, STATE, ZIP		••••••••••••••••••••••••••••••••••••••										
ADDRESS	100 Light Street Str. 1100 1											
	John Wice											





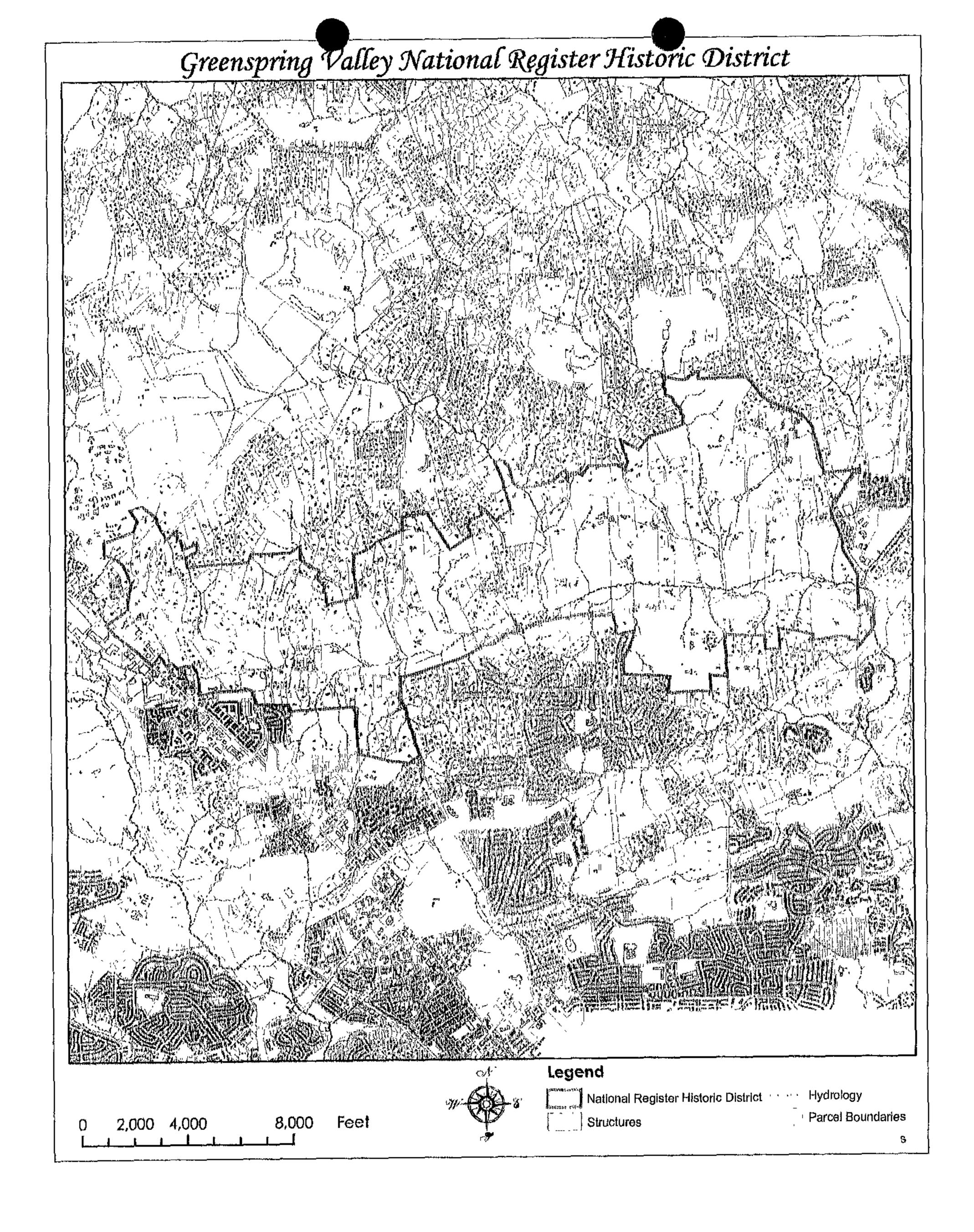


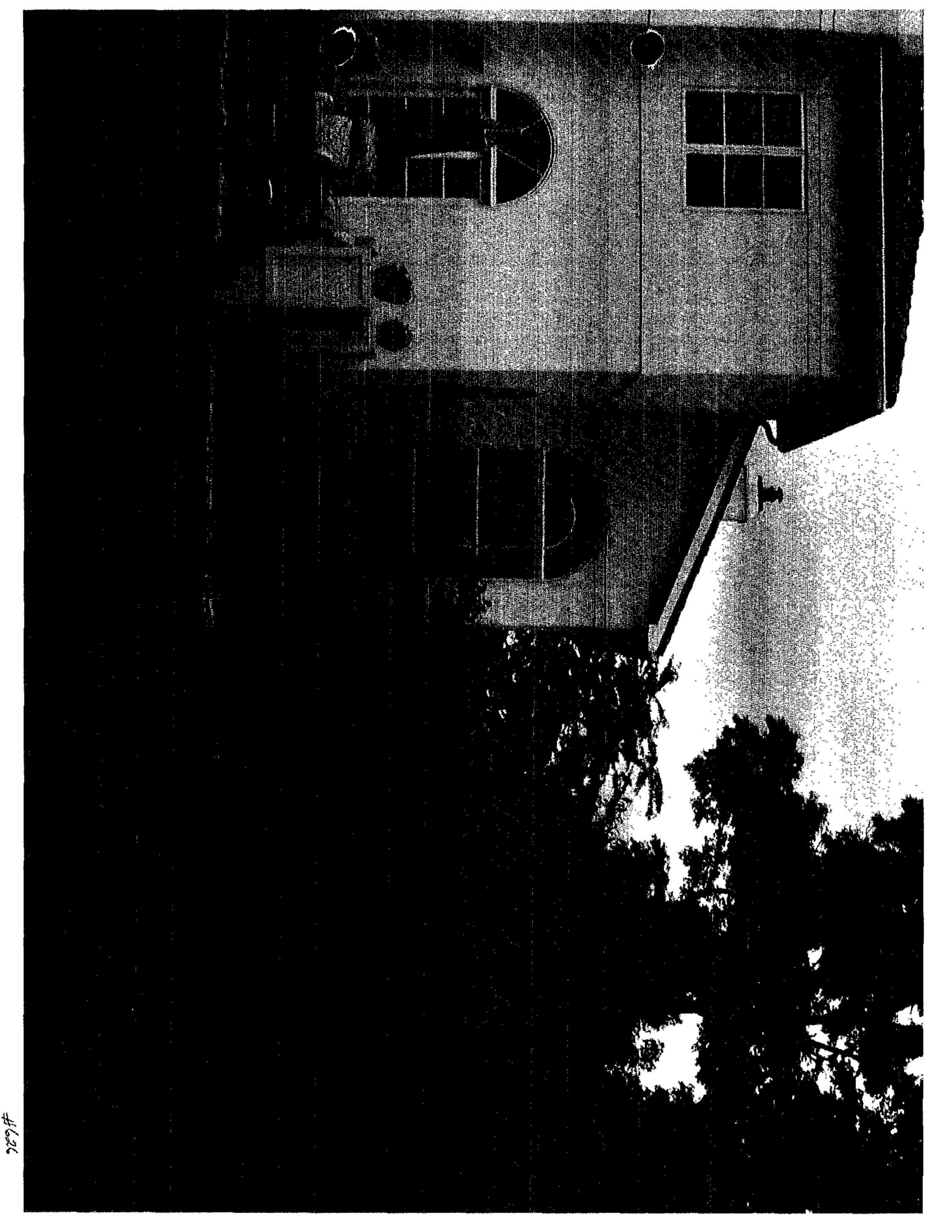
Stavrakis Adminastrative Variance

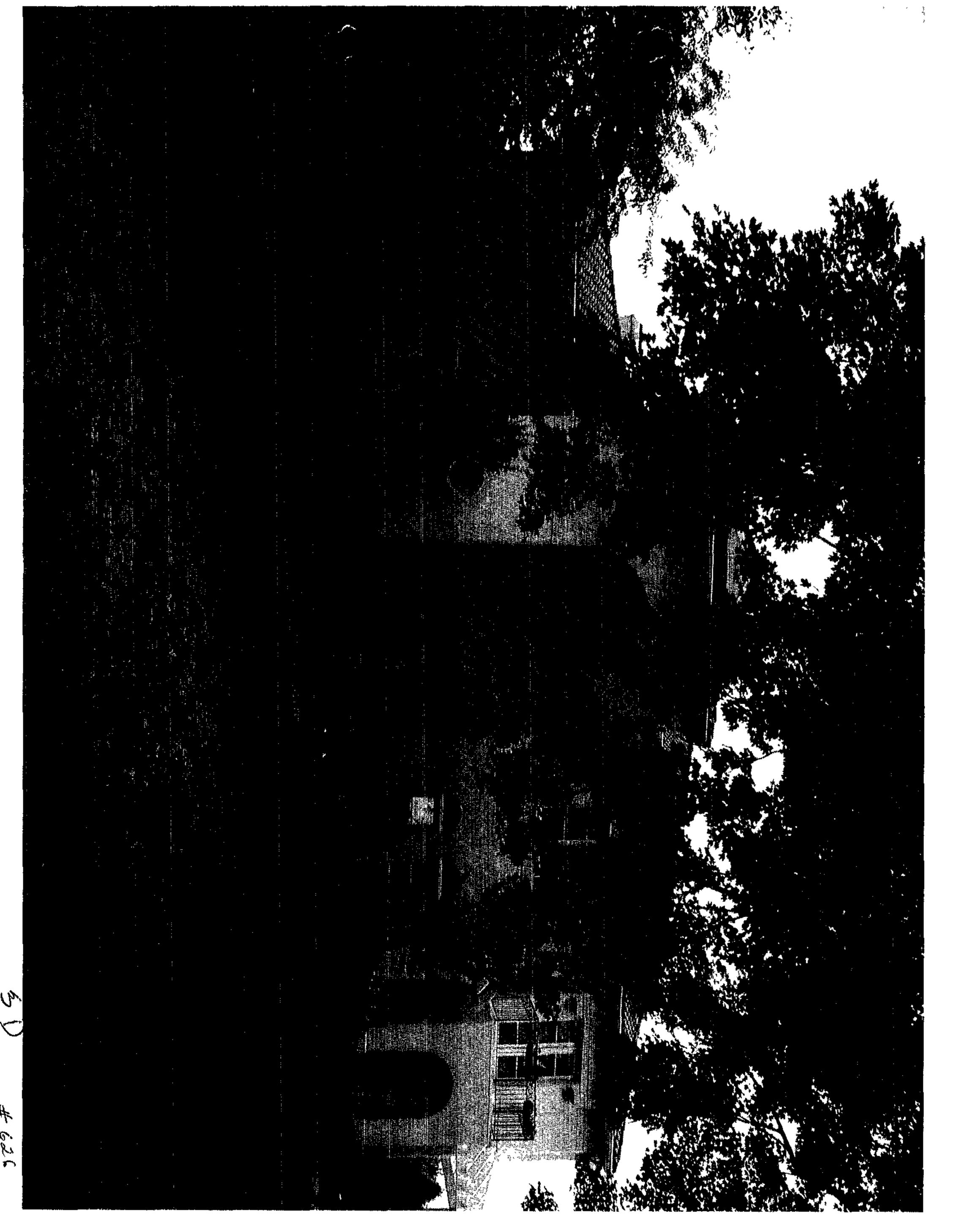
Zon Map

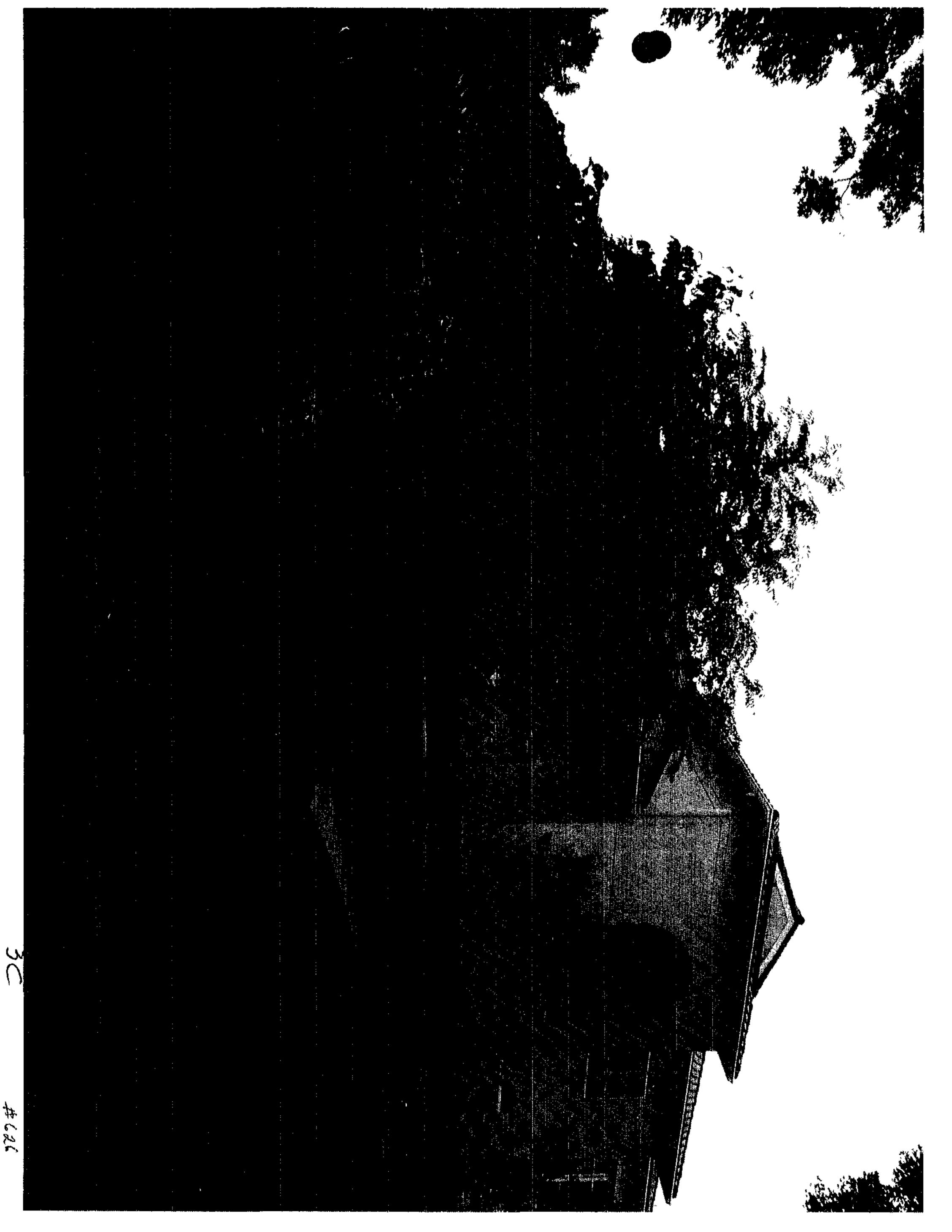
PROJECT NUMBER 0906

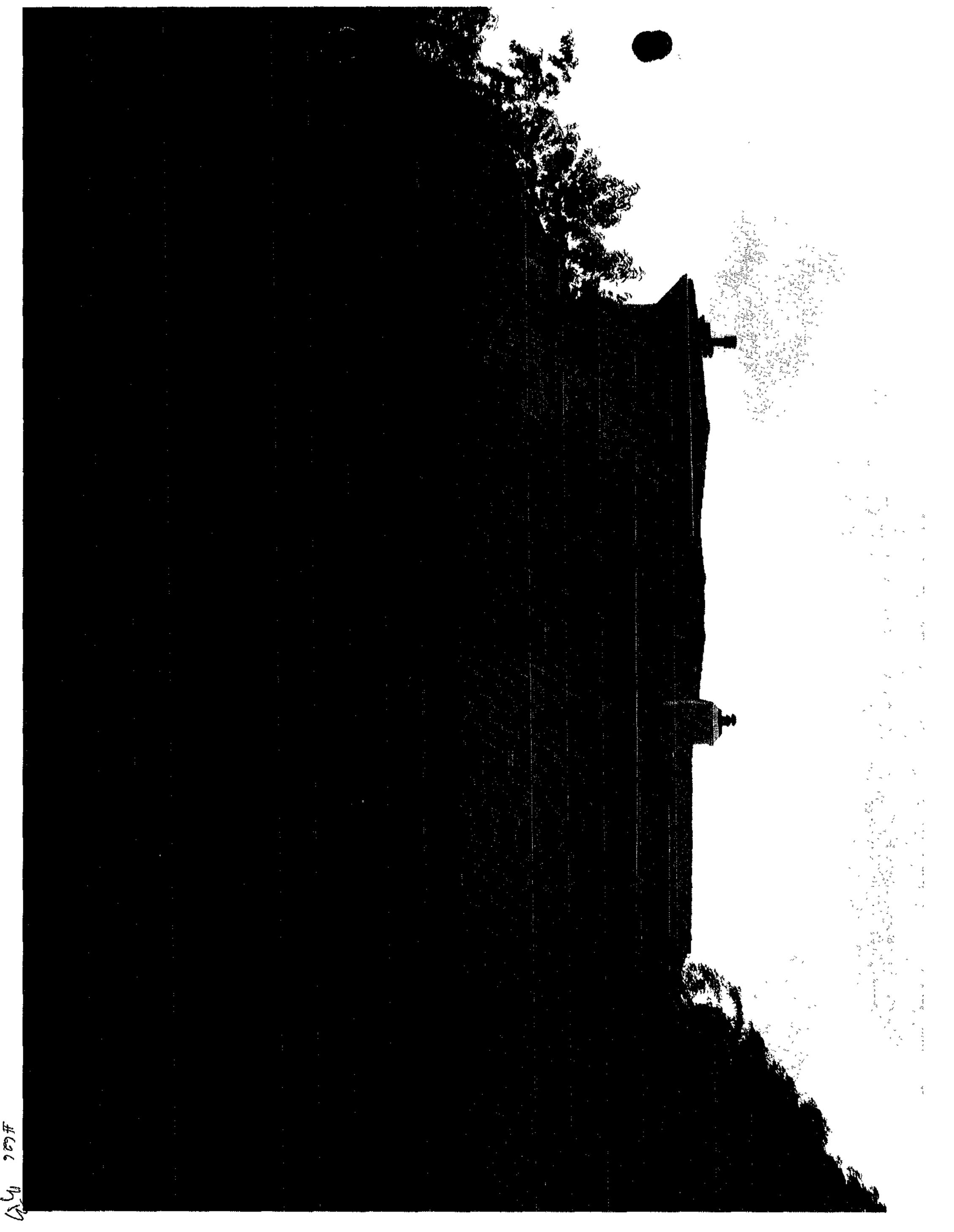
ISSUE DATE













11436 CRONRIDGE DR.

S U I T E H

OWINGS MILLS, MD

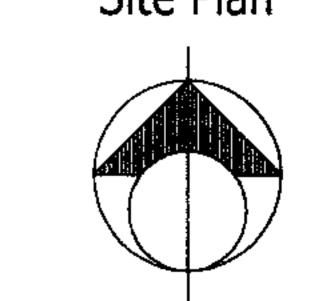
2 I I 7

410-356-1620

FAX:410-356-1535

Stavrakis Residence 801a Hillstead Drive Baltimore MD 21093

SHEET TITLE
Site Plan



D A T E May 2006

S C A L E 1 "= 20'

SHEET NO.

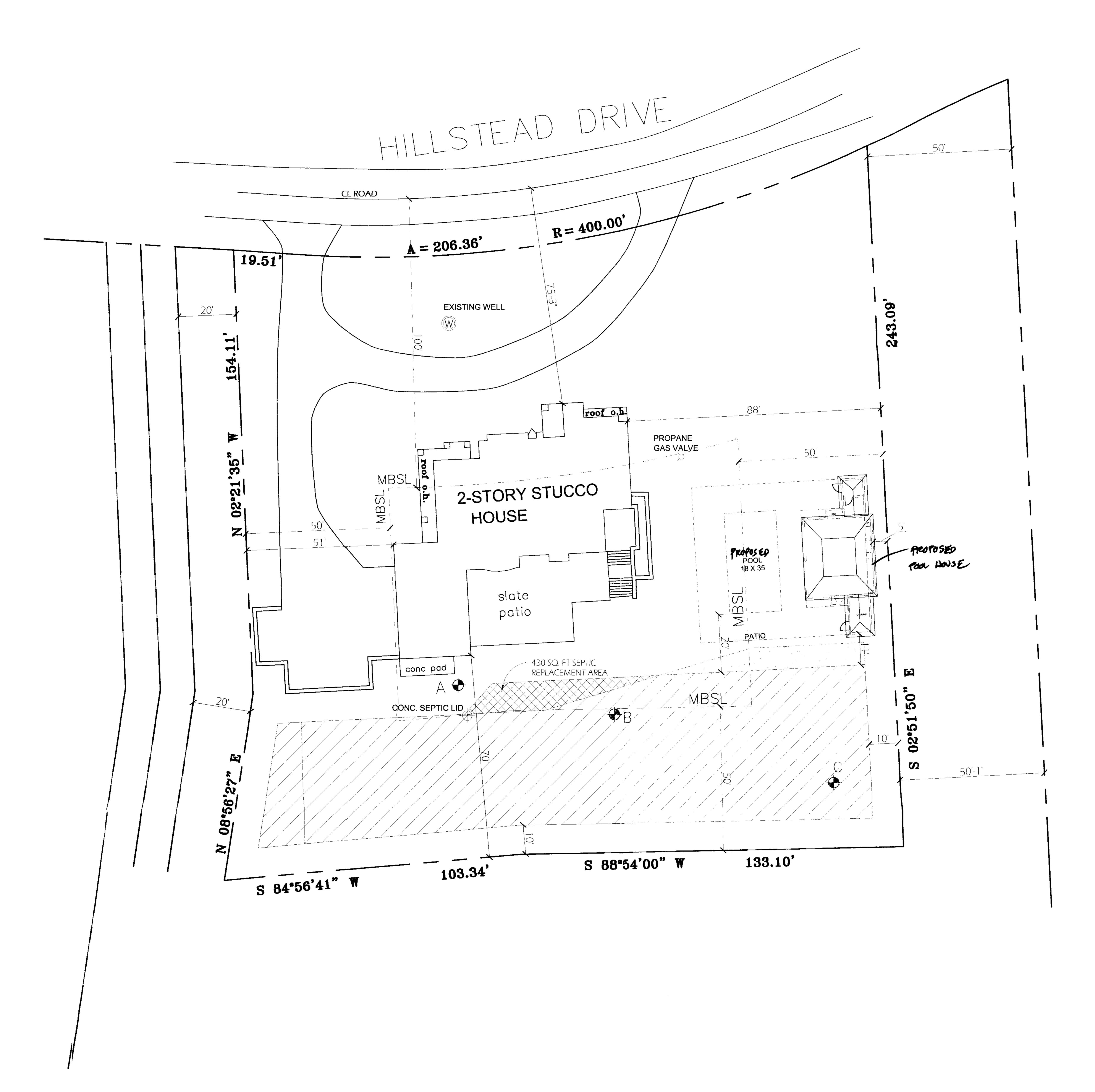
P R O J E C T N O. 54000 - 1

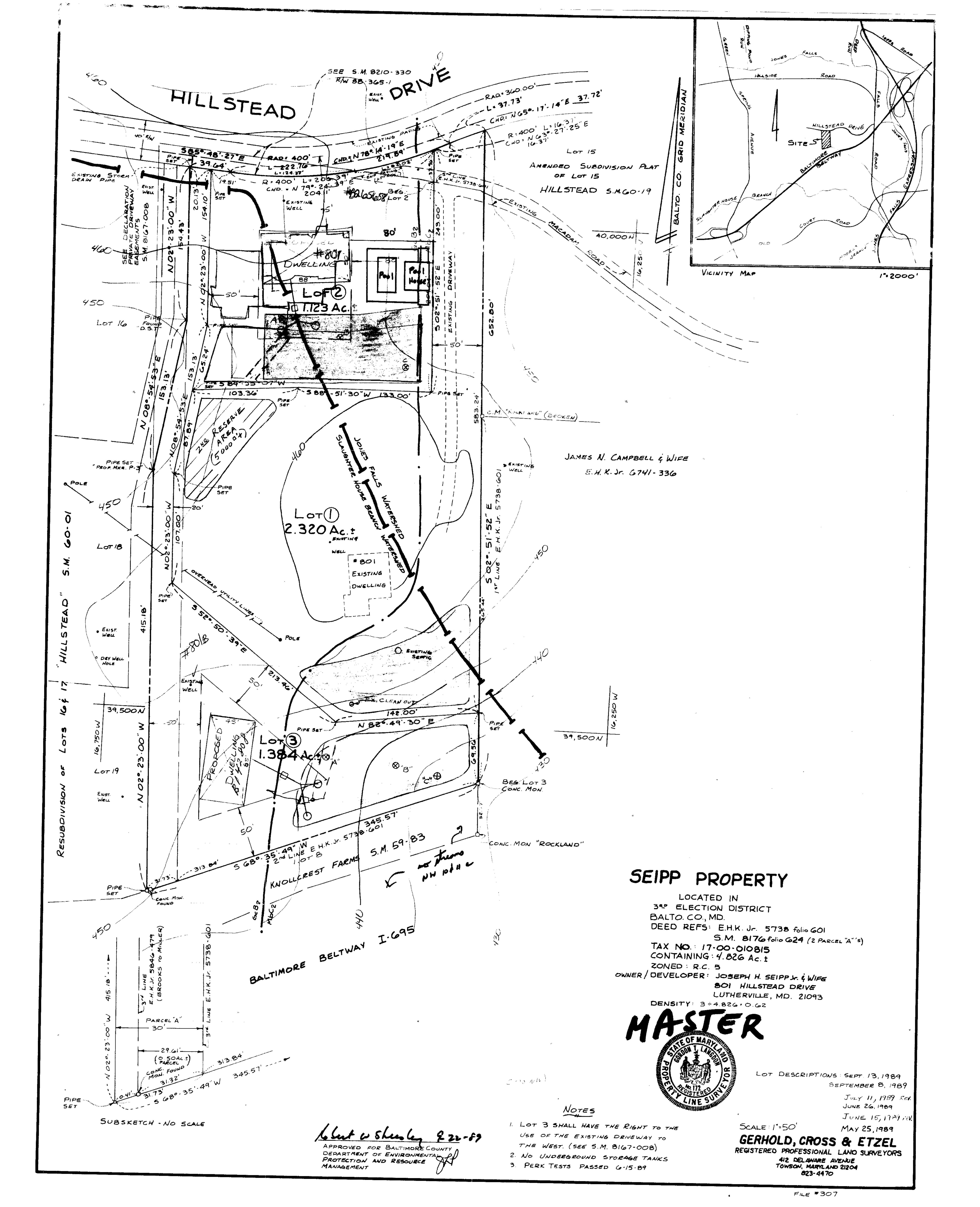
SEPTIC LAYOUT KEY

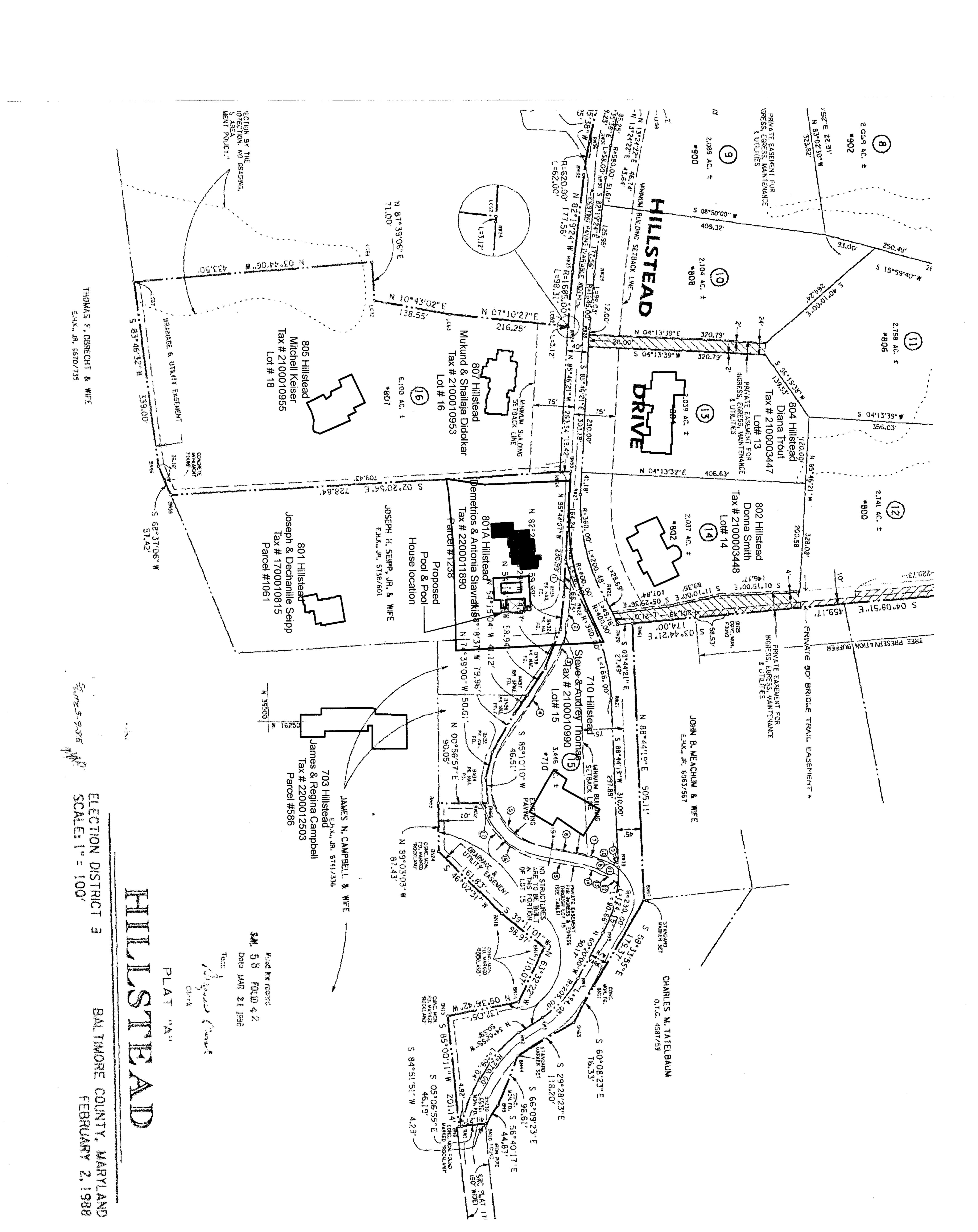
SEPTIC REPLACEMENT AREA

SEPTIC REMOVAL AREA

EXISTING SEPTIC AREA









11436 CROWRIDGE DR. SUITEH

OWINGS MILLS, MD 410.356.1620 FAX:410-356-1535

STUCCO WALL DETAIL (TYP.)
SCALE: 1/2' = 1'-0'

8' | 1'-2' | 30"

MATCH HOUSE

OF WALL TO MEET POOL CODE

PROVIDED BY BJELING

PLANT SCHEDULE

ALL RAILS TO BE FULLY WELDED

FINISH TO BE BLACK POWDER COAT

ALL WORK MADE TO ORDER

IN COMPLIANCE W/ ALL APPLICABLE BUILDING

& SAFETY CODES FOR POOL FENCING

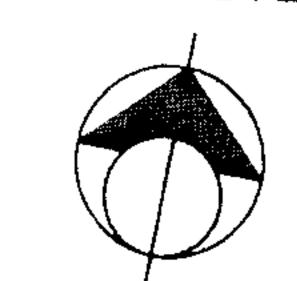
4'O.C. PICKETS. 3/4' SQ.

2 J. SO. ALMINUM BOST

13° X 3/4° CHANNEL (BOTTOM RAIL)

PRUNIUS SCHIPKAENSIS . . -----8-10 B&B ILEX 'DR. KASSAB' 6-8' B&B

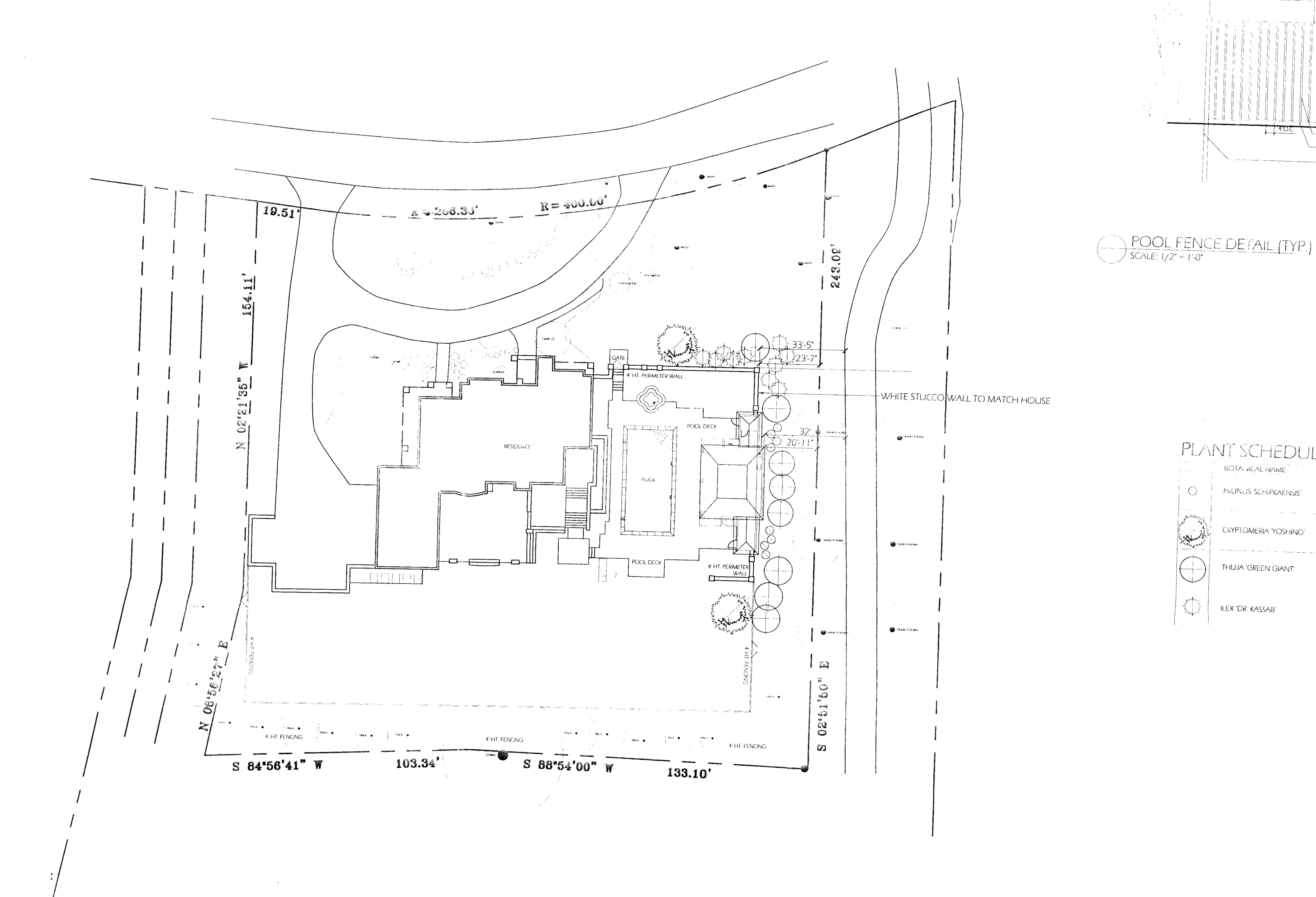
> REV: 03/20/07 REV: 12/15/06 SHEETTITLE LANDSCAPE PLAN



December 2006

1 "= 20'

SHEET NO.



striking house and community. The Parties' agreement reflects added buffering for the Seipps' home, but I will require the Petitioners submit elevations to the Planning Office and a landscape plan to the Baltimore County Landscape Architect to be sure the plan is compatible with the historic district.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this _____ day of June, 2007, that an administrative variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 2 accessory structures (inground pool and pool house) to be located in the side yard in lieu of the required rear yard be and is hereby GRANTED subject to the following:

- 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 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 shall provide architectural elevation drawings to the Office of Planning for review prior to application of any building permits; and
- 3. The Petitioner shall present a landscape plan for the review and approval to the Baltimore County Landscape Architect to be sure the plan is compatible with the historic district and community.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

SECTION #

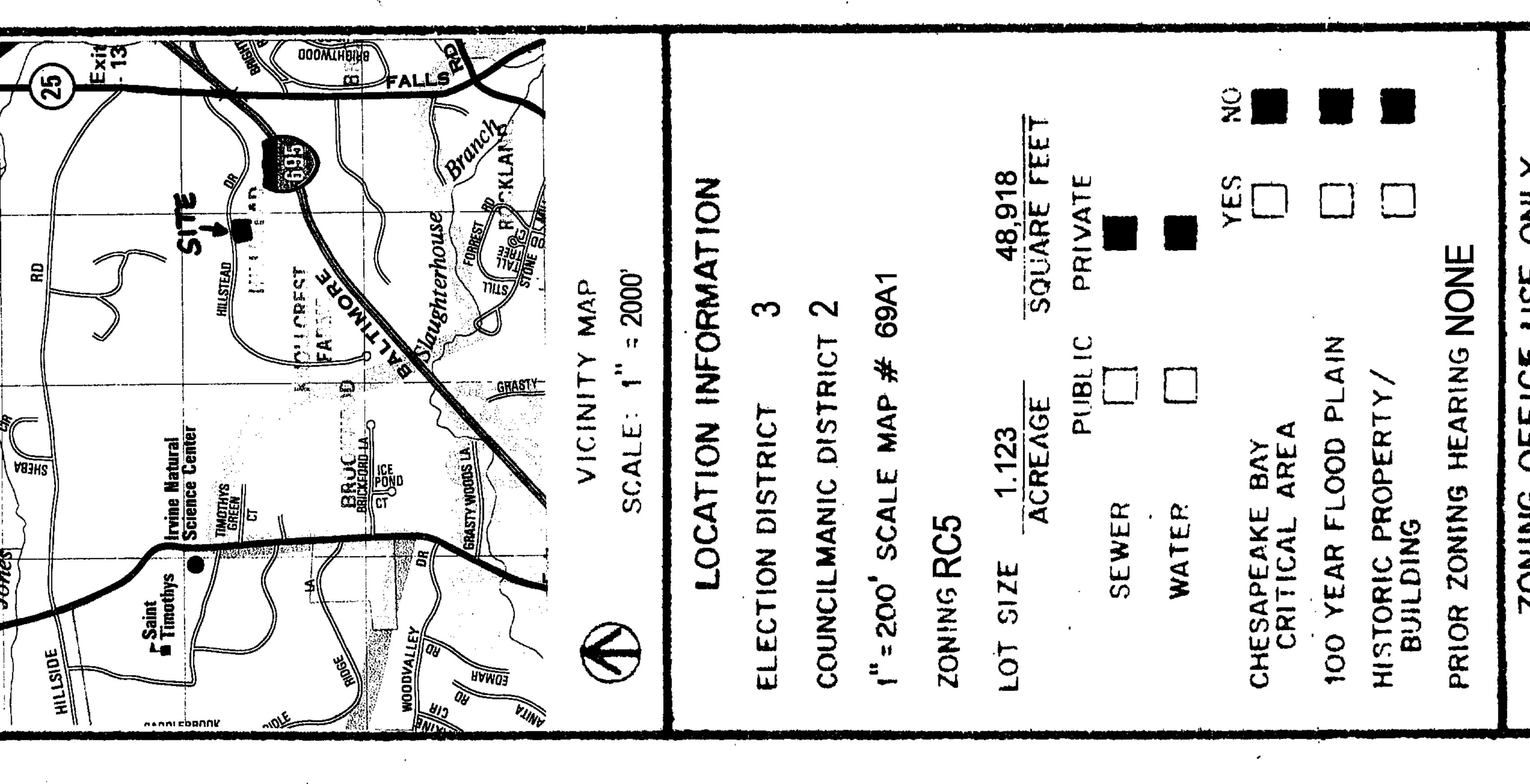
ED DRAWINGS:

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D PLAT "A"

SPERTY MASTER

S RESIDENCE SITE PLA



DECLARATION OF COVENANTS. CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS Made this At day of Made this At day of Made this and DeCHANTLE SEIPP, his wife (hereinafter referred to collectively together with their respective Personal Representatives, successor and assigns as "the Declarants").

WHEREAS, Declarants are the owners in fee simple of Lots 2 and 3 as shown on the Plat attached hereto as "Exhibit A" and more fully described in the metes and bounds descriptions of Lots 2 and 3 by Gerhold, Cross & Etzel dated September13, 1989 and attached hereto as "Exhibits B & C"; and

WHEREAS, Declarants desire to subject the aforesaid property to the covenants, conditions, restrictions and reservations hereinafter set forth for the purpose of creating and maintaining a general scheme of development and with the intent of establishing a uniform, general scheme of development.

NOW, THEREFORE, THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS WITNESSETH that the Declarants, for themselves, their personal representatives, successors and assigns, for and in consideration of the mutual benefits to be derived by the Declarants and the purchasers of the above-referenced lots, do for themselves, their personal representatives, successors and assigns hereby declare that the above-referenced property is subject to the following covenants, conditions, restrictions and reservations to wit:

PROTECTIVE COVENANTS:

- 1. The Property shall be used for private residential purposes only, and no dwelling shall be commenced, erected, altered, placed or permitted to remain on any lot other than one detached dwelling not to exceed two and one half stories in height, each dwelling being designed for occupancy by a single family, and a private garage or parking enclosure.
- 2. No building, fence, wall, hedge, or other structure shall be commenced, erected, placed or altered in structure or color on any lot until the plats and specifications, including color scheme and a grading plan showing the location of the structure, have been approved in writing by the Declarants. The Declarants, in their sole discretion, shall have the right to disapprove architectural and development plans, location and grading plans, which are not suitable or desirable, for aesthetic or other reasons, such as the suitability of the proposed building or structure, suitability of the construction materials to be used, the proposed location of the improvements and the harmony of the improvements with the surrounding properties. In no event shall a two story structure contain less than 3500 square feet of living space, of which at least 1500 square feet shall be on the first floor; in no event shall a one and one-half story structure contain less than 3000