	TITION FOR VARIANCE	*	BEFORE THE
N/V	W Side Longview Drive, 730' W c/line of		
Dev	vere Avenue	*	ZONING COMMISSIONER
(14)	2 Longview Drive) Election District		
1 <sup>st</sup> I	Election District	*	OF
1 <sup>st</sup> (	Council District		
		*	<b>BALTIMORE COUNTY</b>
Fere	dinand D. Maisel, et ux		
Peti	itioners	*	Case No. 2010-0261-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Ferdinand D. Maisel and his wife, Tanya Y. Hege-Maisel. The Petitioners request a variance from Sections 1B02.3A.5 and 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing dwelling on a lot with a minimum width of 123 feet at the front building line in lieu of the required 150 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 2.

Appearing at the requisite public hearing in support of the requests were Ferdinand Maisel, property owner, Lee Giroux, a land use consultant with Permits Management, LLC, and Victoria Meyer, President of Maryland Building Permits, Inc., who are assisting the Petitioners through the permitting process. Also appearing was Karen A. Tamalavicz, a family friend, and Mitchell Horning, observing the proceedings to further his mission with the Boy Scouts of America. There were no Protestants or other interested persons present, however, it is to be noted that three (3) letters of support were received from adjacent and surrounding property owners namely; Linda K. Lemmerman, (140 Longview Drive), Alisa Lewis (138 Longview Drive), and John Orndorff (107 Taunton Avenue). See Petitioners' Exhibit 6.

Testimony and evidence offered revealed that the subject property is irregularly shaped and contains approximately 46,609 square feet or 1.07 acres of land zoned D.R.1, located in the

S - 28-co

Stonewall Park subdivision of Catonsville. The property is on the north side of Longview Drive and while one of the largest lots in Stonewall (Lot 64 - Maryland Tax Map No. 100 - Parcel 648 - Account No. 0104500780) is only 91 feet wide at its frontage on Longview Drive, is 325 feet deep and widens to 200 feet at the rear property line. See the Plat of Stonewall and the aerial photograph for the pattern of development - submitted as Petitioners' Exhibit 1. The property, improved with a one-story, single-family dwelling built in 1925, was purchased by Ferdinand Maisel in 1993. He provided a history of the property, its use, Deed history and zoning changes. Pertinent to the petition before me is the fact that Lot 64 meets the minimum lot area requirements but is deficient in lot width at the building line. This deficiency has existed since 1992. During the Comprehensive Zoning Map Process (CZMP), at that time, the community had requested Baltimore County to downzone the D.R.2 classification on a large tract of land located between the originally established "Stonewall Park Subdivision" and Old Frederick Road. The purpose of the rezoning request was not to prohibit in-fill lot development in this subdivision but to prohibit a developer from building multi-family townhouses on a large parcel located near Old Frederick Road. The County Council approved the community's request and the zoning map was changed to D.R.1. The zoning map overlay, however, affected a large area of the existing properties in the subdivision – from the north side of Longview Drive to the east side of Old Frederick Road. It is notable that all County-provided utilities, water and sewer, were available and served the subject property. This zoning reclassification in 1992 may have operated to stop the townhouse development but also conferred the unintended consequence of rendering many of, if not all, the subdivision lots of record described in the Baltimore County Land Records in Plat Book 7, Folio 19, north of Longview Drive as undersized for building purposes due to either minimum lot area or lot width deficiencies.

<sup>&</sup>lt;sup>1</sup> The zoning classification on the south side of Longview Drive is D.R.2. B.C.Z.R. Section 1B02.3C.1 (Chart) requires a lot area of 40,000 square feet and a lot width of 150 feet in the D.R.1 zone. The minimum lot area and width requirements in the D.R.2 zone are significantly decreased requiring a 20,000 square foot area and a 100 foot wide lot.

I find special circumstances or conditions exist that are peculiar to the land which is the subject of the variance request. These lots in this subdivision were created in 1921, many years before the D.R.2 and subsequent D.R.1 Zoning Regulations were imposed. The improvements placed on these lots are impacted differently from lots in the area created after the 1992 CZMP rezoning. As such, I find strict compliance with the County's Zoning Regulations would result in practical difficulty or unreasonable hardship. I find this variance can be granted in strict harmony with the spirit and intent of the regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare. This will not adversely affect the pattern of development in this neighborhood. The variance relief is necessary to approve and legitimize the 27 foot deficient lot width and the existing dwelling known as 142 Longview Drive in which the Petitioners have resided since 1993.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this

day of May 2010 that the Petition for Variance seeking relief from Sections

1B02.3A.5 and 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an
existing dwelling on a lot with a minimum width of 123 feet at the front building line in lieu of
the required 150 feet, in accordance with Petitioners' Exhibit 2, be and is hereby GRANTED,
subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

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

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

4



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

May 28, 2010

Ferdinand D. Maisel Tanya Y. Hege-Maisel 142 Longview Drive Catonsville, Maryland 21228

RE:

PETITION FOR VARIANCE

N/W Side Longview Drive, 730' W c/line of Devere Avenue

(142 Longview Drive)

1<sup>st</sup> Election District - 1<sup>st</sup> Council District Ferdinand D. Maisel, et ux – Petitioners

Case No. 2010-0261-A

Dear Mr. and Mrs. Maisel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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

Very touly yours

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:dlw Enclosure

c: Lee Giroux, Permits Management, LLC, 733 Camberley Court, #3, Towson, MD 21204 Victoria Meyer, President, Maryland Building Permits, Inc., 1602 Pinnacle Road, Towson, MD 21286

Karen A. Tamalavicz, 5191 Talbots Landing, Ellicott City, MD 21043 Mitchell Horning, 13005 Shaneybrook Circle, Reisterstown, MD 21136 People's Counsel; Office of Planning; File



# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 142 Longview Drive which is presently zoned DRIVE

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) 1002.30. (602R)

TO PERMIT AN EXISTING DWELLING WITH A MINIMUM LOT WIDTH OF 123-FEET IN LIEU OF THE REQUIRED 150-FEET.

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

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.

	is t	he subject of this Petiti	on.	orty Willon	
Contract P	urchaser/Lessee:		Legal Owner(s):		
			Perdinand Dean	Marsel	
Name - Type or	Print		Name - Type of Print	1	
Signature			Signature	1,	
			Tunya Hege Mai	tel	
Address		Telephone No.	Name - Type of Print Here Mars	ol	
City	State	Zip Code	Signature		
Attorney Fo	or Petitioner:		142 Longview Drin	411	7-455-09-23 Telephone No.
			Codensulle	am	21228
Name - Type or	Print	- Agent - Agen	City	State	Zip Code
	11		Representative to be Cor	ntacted:	
Signature	1 1		Lee Coie	av	
Company	1111		Name Do	000	, ,
Add	ORDER RECEIVED FO	R FILING	733 Amber	ley a.	Tolonbono No
Address	Data 5-28-10	Telephone No.	Address Jowson Jes	DID al	Telephone No.
City	Date State	Zip Code	City )	State	Zip Code \$875
	By (Qu)		OFFICE USE	ONLY	8 ,0
	A 0 10 0 0 1 1 0		ESTIMATED LENGTH OF H	EARING	
Case No.	2010-0261-A		UNAVAILABLE FOR HEARI	NG	,
		Reviewed By	D.T. Date 4		App. Addition and a second second
REV 9/15/98			11		

#### Zoning Description for

#### **142 LONGVIEW DRIVE**

Beginning at a point on the northwest side of Longview Drive being 40-feet wide at a distance of 730 feet west of the centerline of Devere Avenue also having a 40-foot right-of-way.

Being part of the same property and recorded among land records of Baltimore

County in Plat Book 7, Folio 18 and known as Lot 64 in the subdivision

known as "Stonewall Park" totaling 1.07 acres or 46,609 square feet. Also being

known as 142 Longview Drive and located in the 1st Election District and 1st

Councilmanic District.

# 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	er or Case Number: 2010 - 0261 - A	V
	MAISEL	
Address or	Location: 142 LONGVIEW DRIVE	
	DRWARD ADVERTISING BILL TO:	
	MR. FERDINAND MAISEL	
Address: _	CATONSVILLE, MD 21228	

Fund Dept Unit Sub Unit Obj Sub Obj Dept Obj BS Acct Amount  OO   206   0000   650   100	02/2018 0F1 FRIFTCATTON 885.00 +,00 CA
001 806 0000 (a150) (a5.00 (a5.00 ft) (a5.00 ft) (a5.00 ft) (a5.00 ft) (a5.00 ft)	1,00 CA
Aftimore Compily	
Rec From: FERDINAND MAISEL	
For: 2010-0261-A	
HQ LONGVIEW DR	
D. THOMPSON	

#### NOTICE OF ZONING HEARING

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

Case: # 2010-0261-A

Case: # 2010-0261-A
142 Longview Drive
N/west side of Longview Drive, 630 feet west of
centerline of Devere Avenue
1st Election District — 1st Councilmanic District
Legal Owner(s): Ferdinand & Tanya Malsel
Variance: to permit a an existing dwelling with a minimum
lot width of 123 feet in lieu of the required 150 feet.
Hearing: Tuesday, May 25, 2010 at 9:00 a.m. In Room
104, Jefferson Building, 105 West Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for speclal 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.

T 5/726 Mey 11

JT 5/726 May 11

### **CERTIFICATE OF PUBLICATION**

5/14/, 20/0
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 <u>5/11</u> ,20 <u>10</u> .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING



RE: Case No 2010-0261-A GIROUX Date Of Hearing/Closing: 5/25/10 **Baltimore County Department of** Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Ladies and Gentlemen This letter is to certify under penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property 142 LONGUIEW DRIVE This sign(s) were posted on May 9, 2010 Month, Day, Year Sincerely, Signature of Sign Poster and Date Martin Ogle 60 Chelmsford Court Baltimore, Md, 21220 443-629-3411

05/09/2010

Attention:



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

April 20, 2010

#### 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: 2010-0261-A

142 Longview Drive

N/west side of Longview Drive, 630 feet west of the centerline of Devere Avenue 1<sup>st</sup> Election District — 1<sup>st</sup> Councilmanic District

Legal Owners: Ferdinand & Tanya Maisel

<u>Variance</u> to permit an existing dwelling with a minimum lot width of 123 feet in lieu of the required 150 feet.

Hearing: Tuesday, May 25, 2010 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:kll

C: Mr. & Mrs. Maisel, 142 Longview Drive, Catonsville 21228 Lee Giroux, 733 Camberley Ct., A-3, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 10, 2010.

(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 11, 2010 Issue - Jeffersonian

Please forward billing to: Ferdinand Maisel 142 Longview Drive Catonsville, MD 21228

410-455-0923

#### 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: 2010-0261-A

142 Longview Drive

N/west side of Longview Drive, 630 feet west of the centerline of Devere Avenue

1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District Legal Owners: Ferdinand & Tanya Maisel

Variance to permit an existing dwelling with a minimum lot width of 123 feet in lieu of the required 150 feet.

Hearing: Tuesday, May 25, 2010 at 9:00 a.m. in Room 104, Jefferson Building,

105/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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO. Director

Department of Permits and

Development Management

May 20, 2010

Mr. & Mrs. Maisel 142 Longview Dr. Catonsville, MD 21228

Dear: Mr. & Mrs. Maisel

RE: Case Number 2010-0261-A, 142 Longview Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 01, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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. Cul Ribal )

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel Lee Giroux; 1550 Cottage Ln.; Towson, MD 21286

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

**DATE:** April 14, 2010

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For April 26, 2010

Item Nos. 2010-254, 259, <mark>261</mark>, 262, 263, 264, 265, 266, 267, 268 and 272

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04262010 -NO COMMENTS.doc



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 April 19,2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 12, 2010

Item Numbers: 0254,0259,0261,0262,0263,0264,0265,0266,0267,0268and 0272

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

BW 5/25 9AM

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

142 and 144 Longview Drive

RECEIVED

**DATE:** April 14, 2010

**INFORMATION:** 

Item Number:

10-261 and 10-262

Ferdinand D. Maisel

APR 1 6 2010

ZONING COMMISSIONER

Zoning:

Petitioner:

DR 1

Requested Action:

Variance

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning has reviewed the petitioner's request and accompanying site plan. This office offers the following comments:

According to the Maryland Department of Assessments and Taxation, the two parcels have the same deed reference but different tax account numbers.

On the petitioner's plat that accompanies the variance petition, house #142 is depicted as being located much closer to Longview Drive than house #146 while the attached 2008 orthophoto shows the opposite. The petitioner's plat shall be corrected to accurately show the location and front setbacks of both dwellings.

The actual front setbacks of house numbers 142 and 146 are greater than the 50' minimum front setback shown on the petitioner's plat for the proposed dwelling. The Office of Planning does not oppose the construction of a single-family detached dwelling on the vacant lot located at 144 Longview Drive provided that, the front setback equals or exceeds the front setback of the dwelling located at 146 Longview Drive. As measured on the orthophoto, the front of house #146 is located approximately 85 feet from the centerline of Longview Drive.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-

3480.

Prepared by:

**Division Chief:** 

AFK/LL: CM



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: APRIL 22, 2010

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

RE: Baltimore County

Item No. 2010-0261-A 142 LONGVIEW DRIVE MAISEL PRODERTY

VAILLANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief Engineering Access Permits

Division

SDF/mb

BW 5-25-10

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**



JUN 0 9 7010

ZONING COMP STOTES

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

June 8, 2010

SUBJECT:

Zoning Item # 10-261-A

Address

142 Longview Drive

(Maisel Property)

Zoning Advisory Committee Meeting of April 12, 2010.

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer:

JWL

Date: 6/8/10

RE: PETITION FOR VARIANCE

142 Longview Drive; NW/S Longview Drive;
730' W c/line of Devere Avenue

1st Election & 1st Councilmanic Districts
Legal Owner(s): Ferdinand & Tanya Maisel \*
Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

**FOR** 

**BALTIMORE COUNTY** 

10-261-A

#### **ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

APR 2 1 2010

Peter Max Zummerman

PETER MAX ZIMMERMAN

Cook S Vemlio

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204

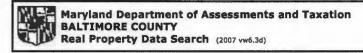
(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of April, 2010, a copy of the foregoing Entry of Appearance was mailed to Lee Giroux, 733 Camberley Court, A-3, Towson, MD 21204, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Go Back View Map New Search

		Ow	ner Inform	ation					
Owner Name:	MAISEL FERDINAND DEAN HEGE-MAISEL TANYA Y			Use: Principal Residence:			RESIDENTIAL YES		
Mailing Address:	142 LONGV BALTIMORE	IEW DR MD 21228-54	11	Deed Reference:		1 2	) /28808/ 30 )	06	
		Location 8	Structure	Inforn	nation	1			
Premises Address						Legal	Description		
142 LONGVIEW DR						1.072			
							ONGVIEW DR WALL PARK	NW	
Map Grid Parcel	Sub District	Subdivision	Section	Block	Lot 64	Assess	ment Area	Plat No: Plat Ref:	
	Tr	own							
Special Tax Areas	A	d Valorem							
	T	ax Class	1						
Primary Struct 1925			<b>ed Area</b> 30 SF		Prope	rty Lan		County 04	Use
Stories	Basem	ent			уре			Exterio	r
1	NO			STAND	ARD U	NIT		SIDING	
		Va	lue Informa	tion					
	Base Value	Value	Phase-in A						
		As Of 01/01/2010	As O 07/01/2009		As (				
Land	191,330	171,100	07/01/2003	01/	01/20.	.0			
Improvements:	•	108,200							
Total:		279,300		284,790 279,300					
Preferential Land:	0	0	(			0			
		Trar	nsfer Inforn	nation					
Seller: MAISEL FERD					-	9/2009	Price:		
Type: NOT ARMS-LE						08/ 306	Deed2		
Seller: DONNELLY ED						7/1993	Price: Deed2	\$119,500	
Type: IMPROVED AR	MS-LENGIA				: / 902	29/ 631		1	
Seller: Type:				Date: Deed 1			Price: Deed2		
iype.		Even	ption Infor				Deeuz	•	
Partial Exempt Asse	cemente	EXCII	Cla			1/2009	07	/01/2010	
Partial Exempt Asse County	33111611172		000	3	0//0	1/2009	07,	01/2010	
State			000		0		0		
Municipal			000		0		0		
Tax Exempt: No	0					-	cial Tax Rec		

# Case No. 2010-0261-A

### **CHECKLIST**

Comment Received	<u>Department</u>	Support/ Oppose
4-14	DEVELOPMENT PLANS REVIEW	Done
AAA	DEPRM	
4-19	FIRE DEPARTMENT	None
4/14	PLANNING	Commento
4-22	STATE HIGHWAY ADMINISTRATION	No objection
***************************************	TRAFFIC ENGINEERING	
	ZONING VIOLATION	
<u>/</u>	NEWSPAPER ADVERTISEMENT	
14-21	PEOPLE'S COUNSEL APPEARANCE	· · · · · · · · · · · · · · · · · · ·
	PRIOR ZONING	
15-9	SIGN POSTING	
Comments, if an	y: Dees, 9-15-09-142 Lo	nguis Dr.

### PLEASE PRINT CLEARLY

CASE NAME	Marsie
CASE NUMBER	2010-0261-19
DATE 5-2	5-10

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Lee GIROUX	ee Giroux 733 CAmberleya		PERMITMANTO VAHOS "COM
Victoria Meyer	lictoria Meyer 1602 Pinnacle Rdi		mdbldgpermits@comcast,
Ferdinand D. Maisel	142 Languier Dr.	Catonsville MD 21228	Ferdinand maisela an Net
Mitchell Horning	13005 Shaney brook circle	Revisterstown; MD 21136	mhorning 11 @ boyslatin md.com
Koren Janalavica	SIGI TALADTS LALL	ELLICOTI CITY M3 21043	Karen, tame comeastine
Permits Mana	Lee Giroux Consultant	Pre Pre	ctoria Meyer esident 02 Pinnacle Road
Phone (443)564-8875 Fax (443)901-0735  Permitmgmtllc@yahoo.com		To: (4)	wson, MD 21286 10) 296-6900 10) 296-7992 (fax) dbldgpermits@comcast.net
		MARYLAND BUIL	DING PERMITS, INC.
		Express Permitting	Services
Secretary Control of the Control of			
	<u> </u>		

# Case No.: 2010-026/-A (LOT 64-142 LONGVIEW DRIVE)

#### **Exhibit Sheet**

### Petitioner/Developer

#### **Protestant**

No. 1	AERIAL PHOTOGRAPH PATTERN OF DEVENDRATT
No. 2	PATIERN OF DEVELOPMENT
100. 2	SITE PLAN
No. 3	DRC APPLICATION 12/4/98
No. 4	Hony PLATS RUADWAY PROFILE
No. 5	DEED HISTORY
No. 6	LETTERS OF SUPPORT
No. 7	
No. 8	
No. 9	
No. 10	
No. 11	
No. 12	

## **DRC Application Letter of Request**

Land Owner(s):

Ferdinand D. Maisel Tanya Y. Hege-Maisel 142 Longview Drive Catonsville, MD 21228

To: Baltimore County Development Review Committee

We, the landowners of lot 65, (Plat No. 7, Folio 018), seek from the Baltimore County Department of Permits and Development Management, the required permits, clearances and permissions to build a single-family dwelling on this property.

This .688-acre parcel of land, designated and recorded originally as evidenced by a subdivision Plat recorded among the Land Records in 1921 at Plat Book WPC No. 7, Folio 18, known as 'Stonewall Park, conforms with the general dimensions and size of all existing and surrounding properties within this subdivision. It is in fact among the larger lot-sizes in this subdivision. (Also notable: all county-provided utilities i.e. water and sewer are available to this lot.)

The current zoning for this property is 'RT', which was established in this subdivision in approximately 1991, was petitioned for by an informal community association, and granted by Baltimore County, as we understand the history, due to the holder of a large adjacent-to-the-subdivision property who was seeking to build multi-family dwellings (townhouses) on his large tract of land (located between the originally-established 'Stonewall Park' subdivision, and Frederick Road). In seeking to prohibit such a high density of housing in this area, the current R1 zoning was overlaid across a large swatch of existing properties in this subdivision. In fact, the lots as near as across the street (east side of Longview Drive) are still zoned 'R2'.

While this current 'R1' zoning appears to impact our lot, we believe that our request to build on this lot conforms to the originally established subdivision plans as set forth by Baltimore County in 1921, and does not in any way adversely impact the current density of the neighborhood. We believe that allowing a conforming single-family dwelling/residence to be built on this currently vacant lot will in fact improve the neighborhood, as well as provide Baltimore County with increased tax revenue via a new dwelling existing thereon.

Attached you will find the required and supporting documents for this request. We sincerely hope that the Baltimore County DRC will agree with the evidence that our desire to build a conforming single-family dwelling on this lot a.) adheres to the original plan for this neighborhood, b.) is an improvement to the neighborhood, and c.) will be beneficial to Baltimore County, and thus grant our request.

Respectfully,

Ferdinand D. Maisel

Tanva V Hege-Maisel

PETITIONER'S

EXHIBIT NO.

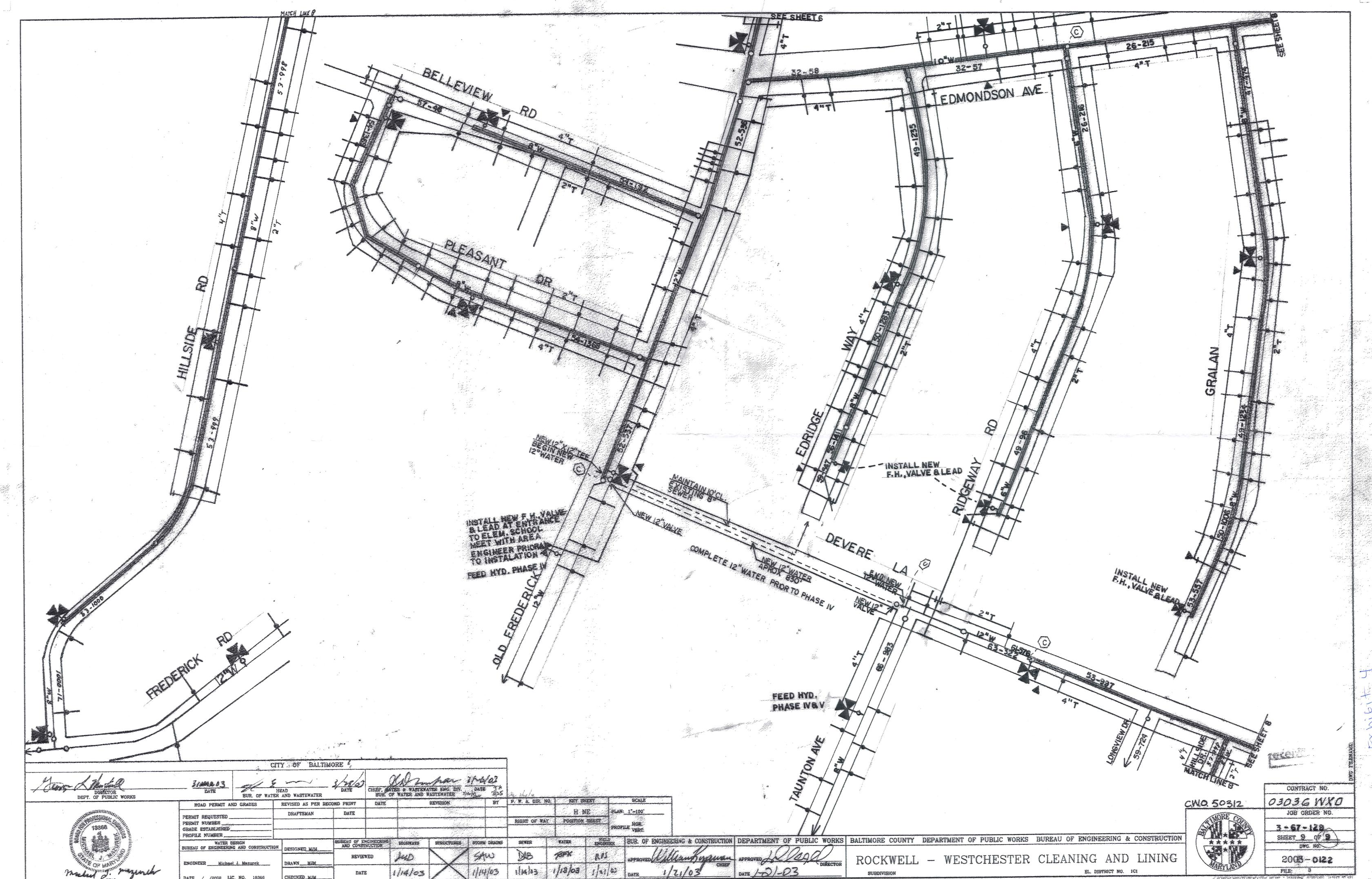
3

This information should not be considered legally authoritative data.

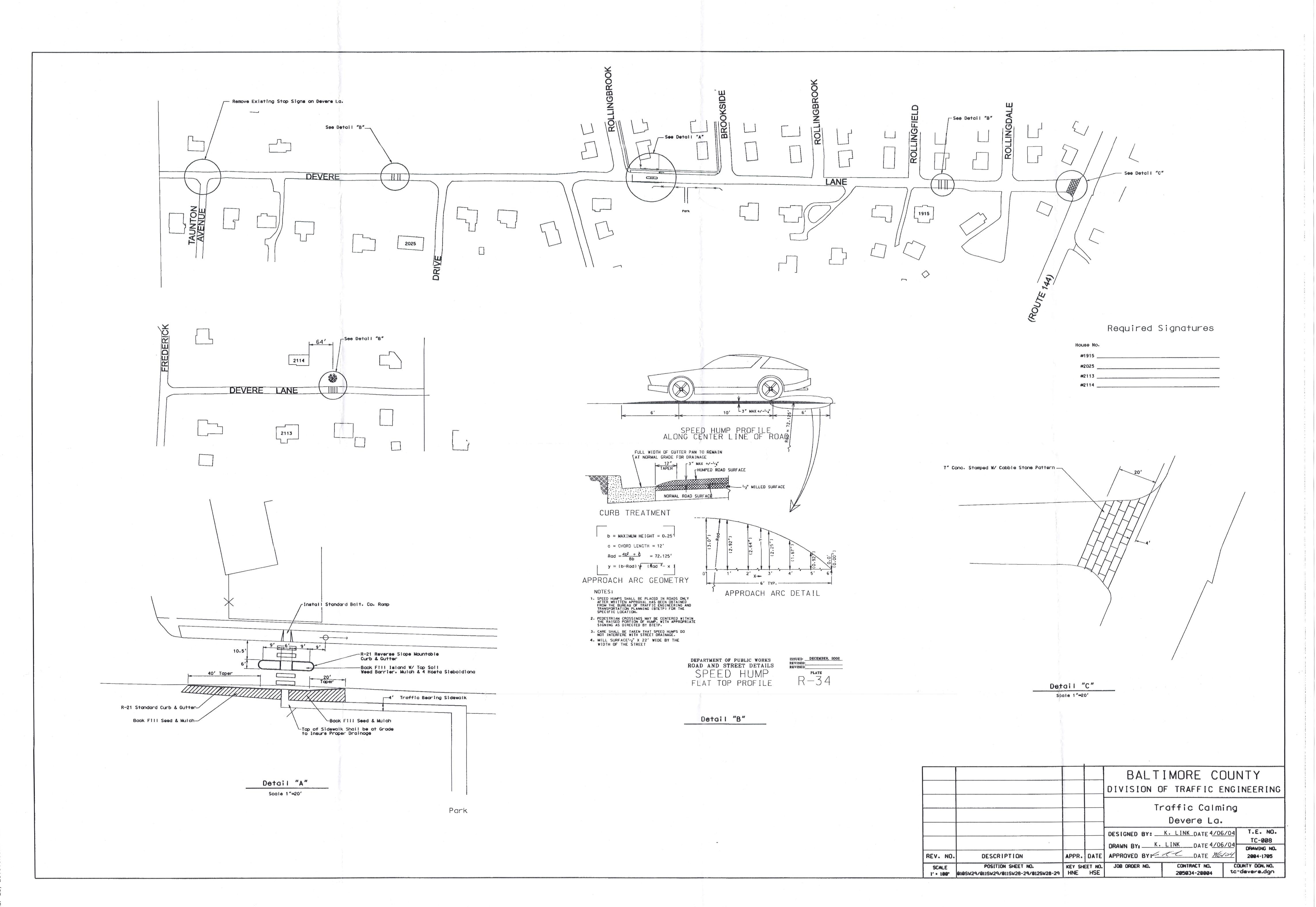
Date of Data Capture: March 1995

Scale of Data Capture: 1" = 100' Date of Aerial Photography: March 2005

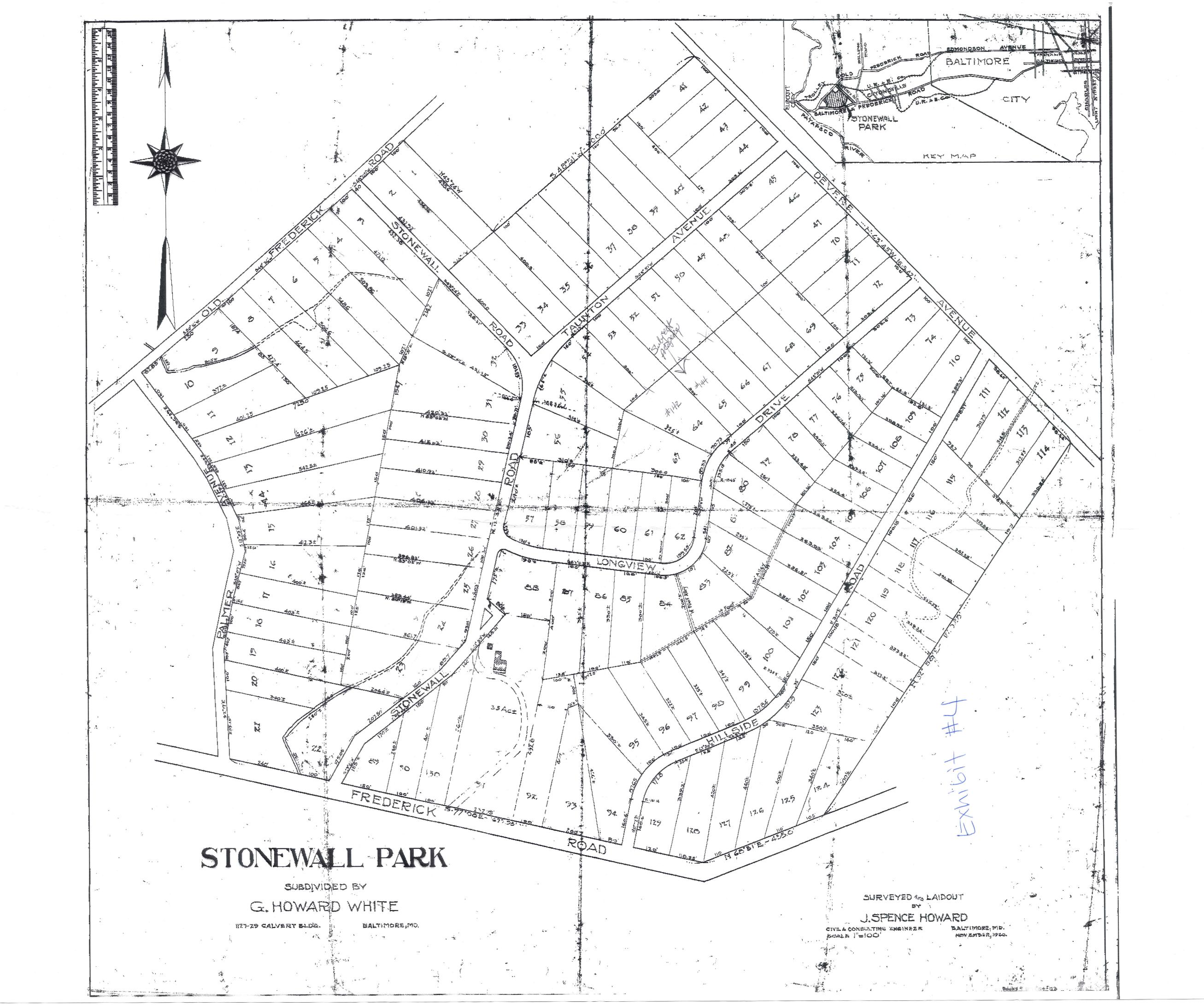
BALTIMORE COUNTY
MARYLAND

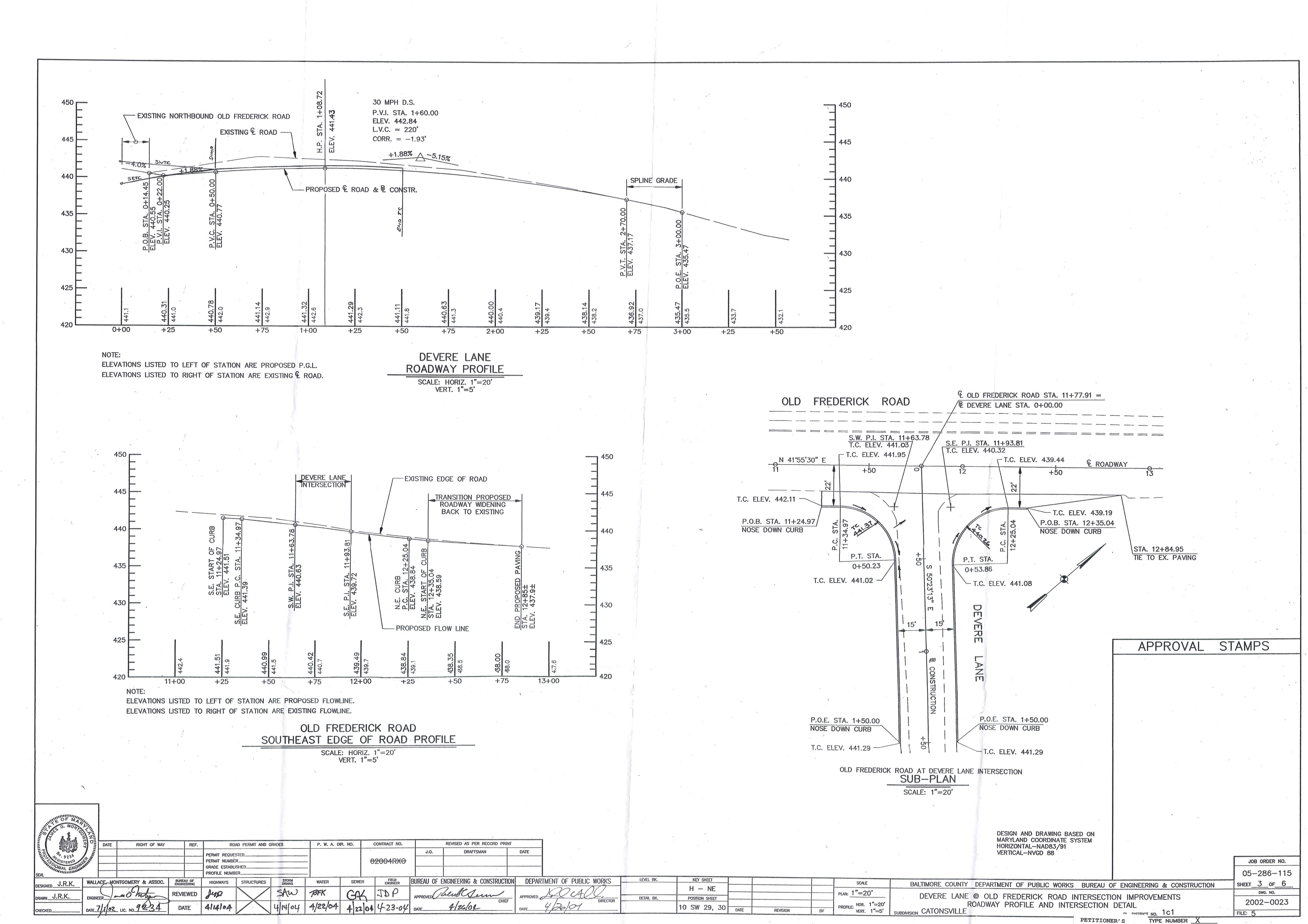


landeMar 25, 201010:23:38 AM



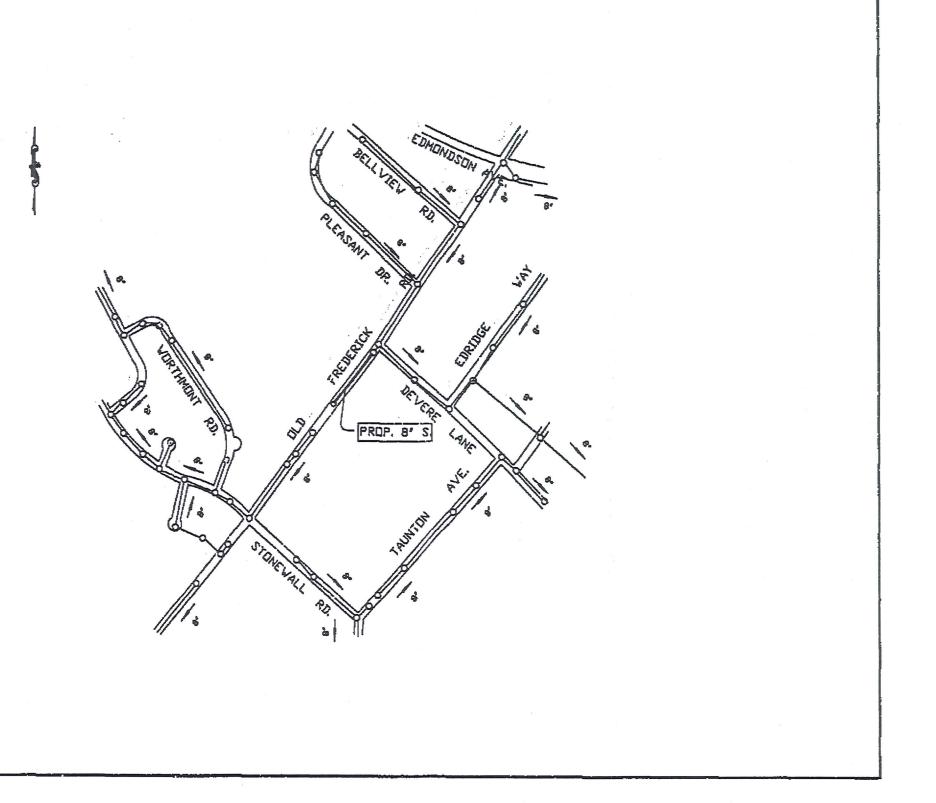
harkinsMar 25, 201010:08:34 AM





upsMar 25, 201010:08:34 AM

EXHIBIT NO.



BENCH MARK

X-7941 Elev. 442.69 Galvanized spike in paving west side of Old Frederick Road opposite Devere Lane.

DESIGN CRITERIA

Individual Dwellings.....2 Estimated Population.....7 Estimated Flow......90 GPCD Total Estimated Flow......0.00063 MGD

VICINITY MAP SCALE 1'=500'

The cost for constructing under or over any existing utility or cable shown on this plan and all existing service connections is considered incidental and will be included in the unit price bid for 8" sanitary sewer.

The cost of connection to existing sewers and manholes, including construction of existing channel, is considered incidental and will be included in the unit price bid for 8" sanitary

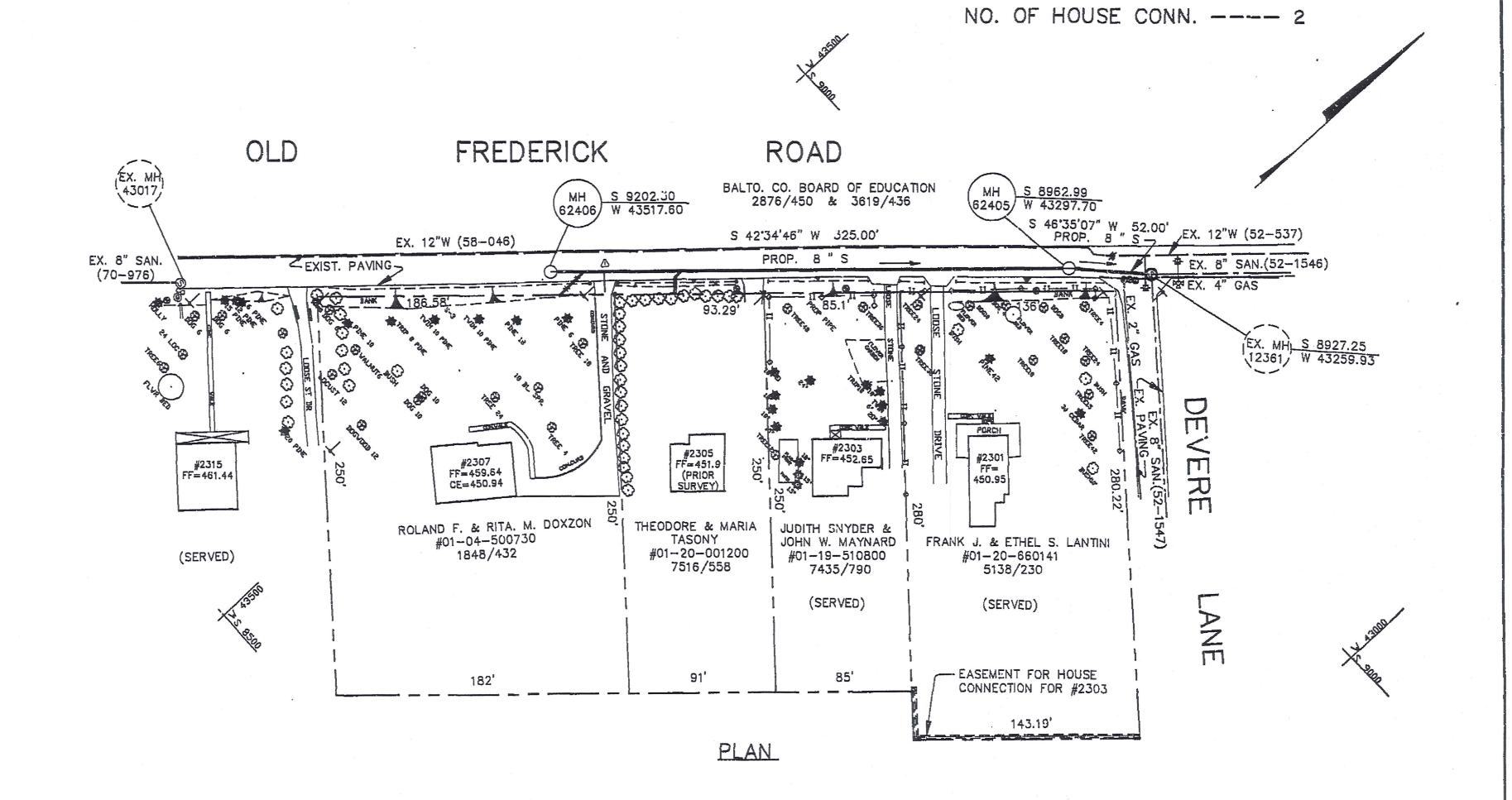
A work unit as stated in sediment control blanket permit #292-County-93 shall be defined as manhole to manhole for sanitary sewer construction.

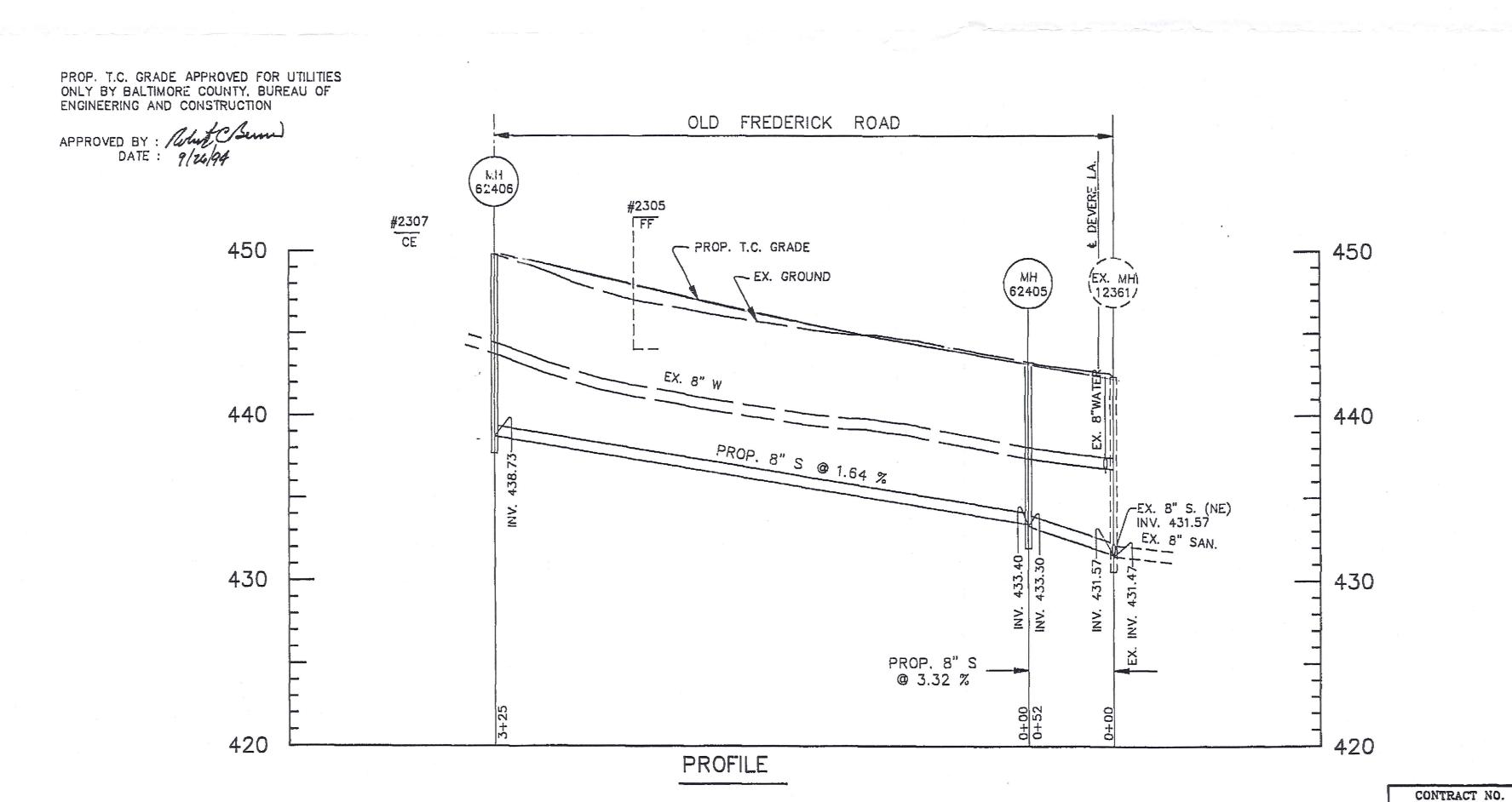
All work on this project shall be done in accordance with Baltimore County Soil Conservation District Permit #292—County—93.

Silt fence to be placed as directed by the Engineer in the field. The intent of this plan is that silt fence be used downgrade of all disturbed area outside of the paving.

Full trench compaction to be used over entire limits of contract.

WATER





DATE 9/19/94 LIC. NO. 14167

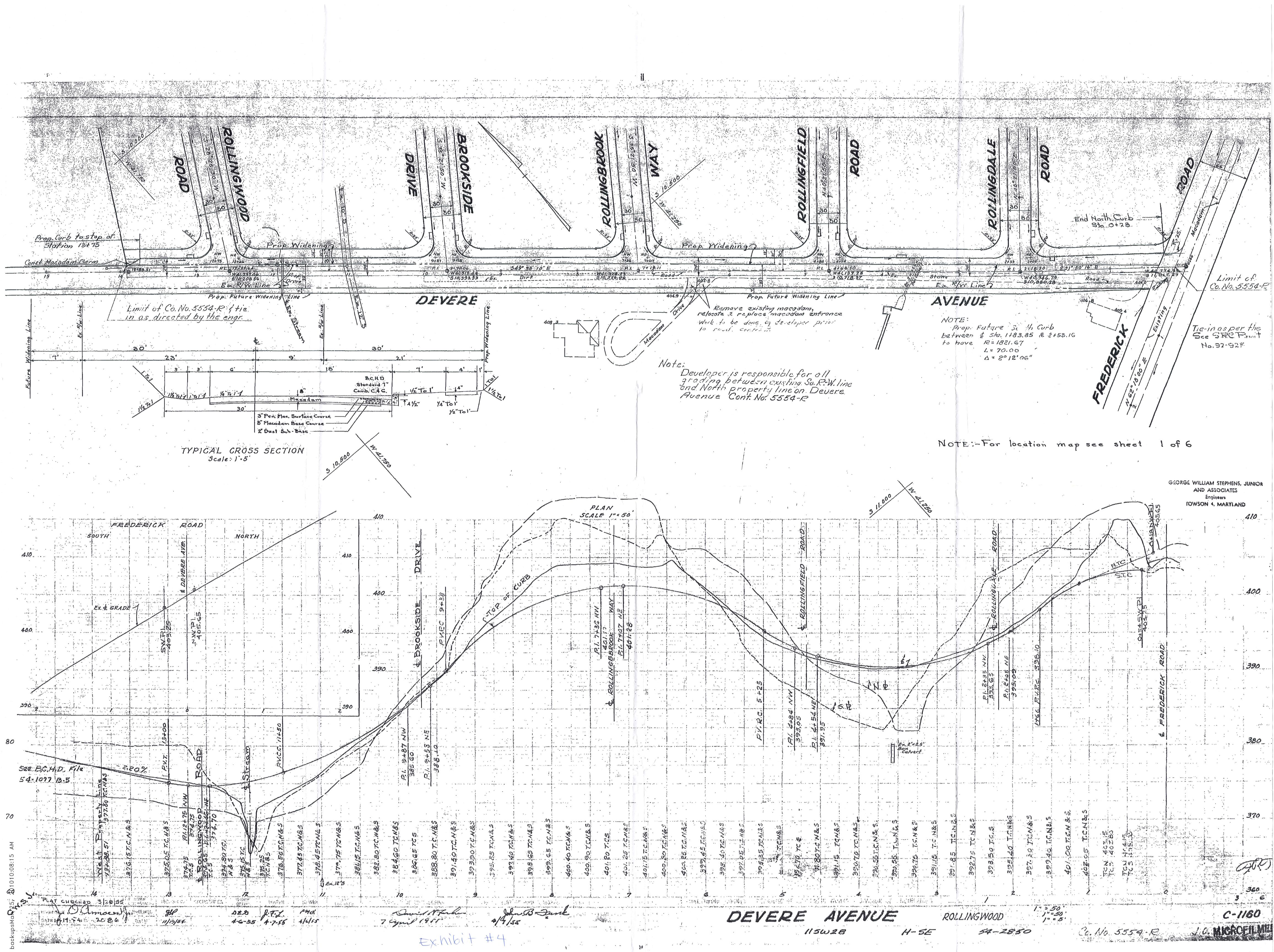
ROAD PERMIT AND GRADES REVISED AS PER RECORD PRINT DATE revision BY draftsman DATE PERMIT REQUESTED PERMIT NUMBER JOS A. VENTURINA 11-6-96 GRADE ESTABLISHED 11-6-96 A AS-BUILT PROFILE NUMBER\_ JAV HIGHWAYS STORM DRAINS STRUCTURES SEVER Designed Dow GAK RCB REVIEWED

DATE

DRAWN DOW

CHECKED TGB

94274 5X0 JOB ORDER NO. 1-2-998 P. W. A. DIR. NO. KEY SHRET BUR. OF ENGINEERING & CONSTRUCTION DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING & CONSTRUCTION SHEET 1 OF 1 SCALE DWG. NO. 8" SANITARY SEWER APPROVED MONEAS AND RIGHT OF WAY POSITION SHEET PLAN: 1"=50' MUROFILMED FREDERICK ROAD 93-0997 11/15/94 10SW29,30 PROFILE HOR. 1°=50' VERT. 1°=5' FROM DEVERE LANE 3751 SOUTHWESTERLY SUBDIVISION CATONSVILLE EL DISTRICT NO. 1C1 FILE 1



GAIBIT 1

00-28808 306 0028808

NO TITLE SEARCH NO CONSIDERATION ON TITLE INSURANCE

Deed

THIS Deed made this 15 day of September, 2009, by and between Ferdinand Dean Maisel and Tanya Y. Hege-Maisel, Grantors, and Ferdinand Dean Maisel and Tanya Y. Hege-Maisel, Trustees of the Maisel / Hege-Maisel Revocable Trust dated September 15, 2009, Grantee. The Grantors herein are the original beneficiaries of the said Trust and the said Trust is not a business trust:

Witnesseth, that the said Grantors, for no monetary consideration, but acknowledging other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant, convey, release and quit-claim unto Grantee and said Grantee's successors and assigns, reserving hereby a life estate to the Grantors herein, as Tenants by the Entirety, with the powers hereafter stated,

ALL the following described land situate in Baltimore County lying and being in the State of Maryland to wit:

ALL that property herein described in Exhibit A attached hereto. The improvements thereon known as 142 Longview Drive, Catonsville, Maryland 21228.

BY THE EXECUTION of this Deed, the Grantors hereby warrant under the penalties of perjury that the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust assumed by the Grantee, is in the sum total of Zero (\$0.00) Dollars. THE TOTAL PAYMENT ACTUALLY PAID TO THE GRANTORS, INCLUDING THE FAIR MARKET VALUE OF ANY PROPERTY RECEIVED BY THE GRANTORS AS PART OF THIS TRANSACTION, IS ZERO (\$0.00) DOLLARS.

TOGETHER WITH the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises, to the said Grantee and said Grantee's successors and assigns, reserving hereby a life estate to the Grantors herein, as Tenants by the Entirety, with the power to transfer, convey, appoint (except by Last Will and Testament), and mortgage reserved to the Grantors herein.

PETITIONER'	S
EXHIBIT NO	5

0021762 042

#### NO CONSIDERATION

#### <u>DEED</u>

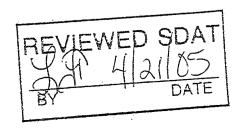
THIS DEED, made this \_\_\_\_\_ day of March, 2005 by and between FERDINAND D. MAISEL and TANYA HEGE-MAISEL, husband and wife, parties of the first part, Grantors, and FERDINAND D. MAISEL and TANYA HEGE-MAISEL, husband and wife, parties of the second part, Grantees.

WITNESSETH, that for no consideration, the said Grantors do hereby grant, convey, and assign unto the Grantees as tenants by the entireties, their assigns, the survivor of them, his or her heirs, personal representatives and assigns, in fee simple, that lot of ground situate in Baltimore County in the State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 65 as shown on the plat entitled "STONEWALL PARK", which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 18.

BEING one of the two lots of ground described in a deed dated June 8, 1993 and recorded among the Land Records of Baltimore County in Liber 9829, page 631, thereby granted and conveyed by Donald McLearn, Personal Representative of the Estate of Mary Donnelly, deceased, to the Grantors.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining. To have and to hold the said described lot of ground and premises, unto and to the use of the Grantees as tenants by the entireties, their assigns, the survivors of them, his or her heirs, personal representatives and assigns, in fee simple. And the said Grantors convenant to execute such further assurances of said land as may be requisite.



DEED\_FEE SIMPLE\_INDIVIDUAL GRANTOR-LONG FORM 0013776 560

WIBIX ?

560

Parcel ID No.: 01-26-400140

THIS DEED, MADE THIS Aday of May, in the year one thousand nine hundred and NINETY NINE, by and between EDWIN G. ZIMMERMAN and EDNA M. ZIMMERMAN, husband and wife, parties of the first part, GRANTOR; and STEPHEN W. SYBERT and SHARI L. SYBERT, husband and wife, parties of the second part, GRANTEE.

WITNESSETH, That in consideration of the sum of ONE HUNDRED THIRTY EIGHT THOUSAND DOLLARS AND 00 CENTS, (\$138,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said STEPHEN W. SYBERT and SHARI L. SYBERT, husband and wife, as Tenants by the Entireties, their assigns and unto the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

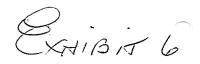
BEING known and designated as Lot No. 66 as shown on the Plat of Stonewall Park, which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 18. The improvements thereon being known as No. 146 Longview Drive.

BEING the same lot of ground which by Deed dated August 30, 1955 and recorded among the Land Records of Baltimore County in Liber 2773, folio 97, was granted and conveyed by CHARLES J. MCAVOY and MARY L. MCAVOY to EDWIN G. ZIMMERMAN and EDNA M. ZIMMERMAN, husband and wife, the within GRANTOR.

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

TO HAVE AND TO HOLD the said described lot of ground and premises to the said STEPHEN W. SYBERT and SHARI L. SYBERT husband and wife, as Tenants by the Entireties, their sasigns and unto the survivor of them, and the survivor's personal representatives and sesigns, in fee simple.

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



October 4th, 2009

Supporting Document for the Baltimore County Development Review Committee regarding the property located at 144 Longview Drive, Catonsville MD 21228.

I, Juna K. Jemmonau (printed name), support Ferdinand and Tanya Maisel in their efforts to build a house on the lot located in my neighborhood on Longview Drive.

(Signature) Findo France (Date) 10/4/09

Address: Ifology View Dig.
Catonsville, MD 21228

PETITIONER'S

EXHIBIT NO.

EXHIBIT 7

October 4th, 2009

Supporting Document for the Baltimore County Development Review Committee regarding the property located at 144 Longview Drive, Catonsville MD 21228.



October 4th, 2009

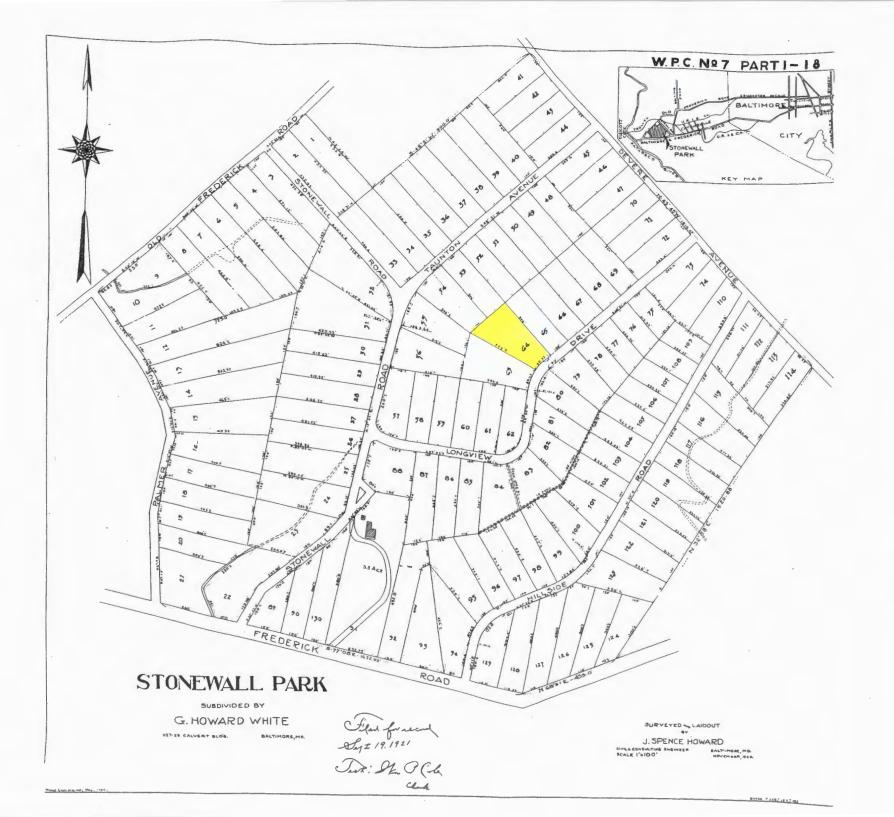
Supporting Document for the Baltimore County Development Review Committee regarding the property located at 144 Longview Drive, Catonsville MD 21228.

I, ORNOTE (printed name), support Ferdinand and Tanya Maisel in their efforts to build a house on the lot located in my neighborhood on Longview Drive.

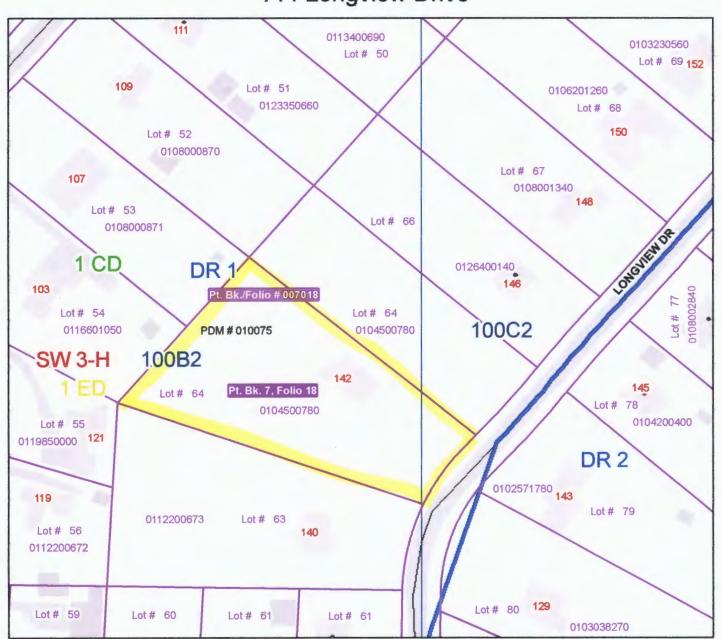
(Signature)

(Date) 10-5-09

Address: 107 / AUNTON AUF.
Catonsville, MD 21228



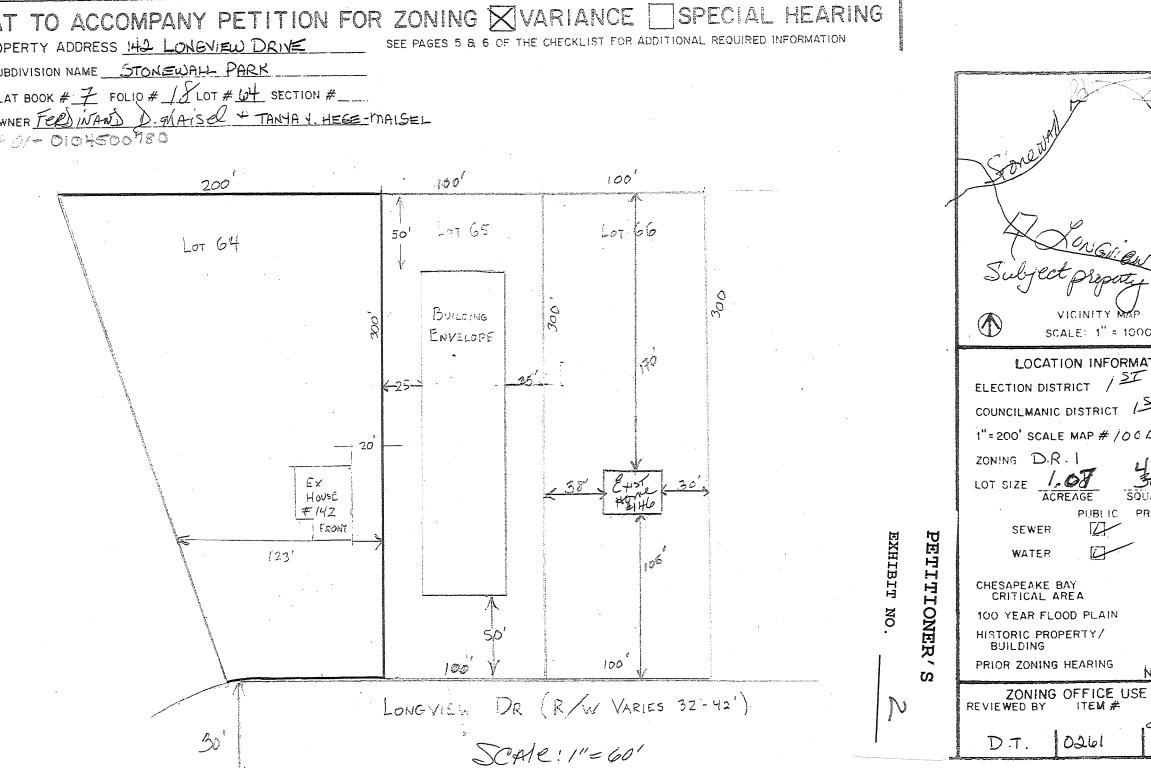
# 144 Longview Drive







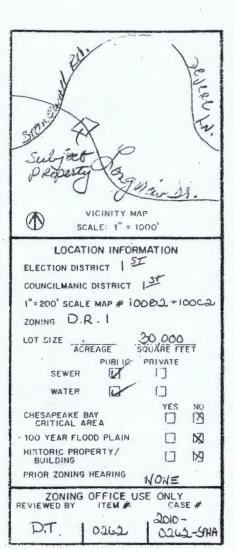




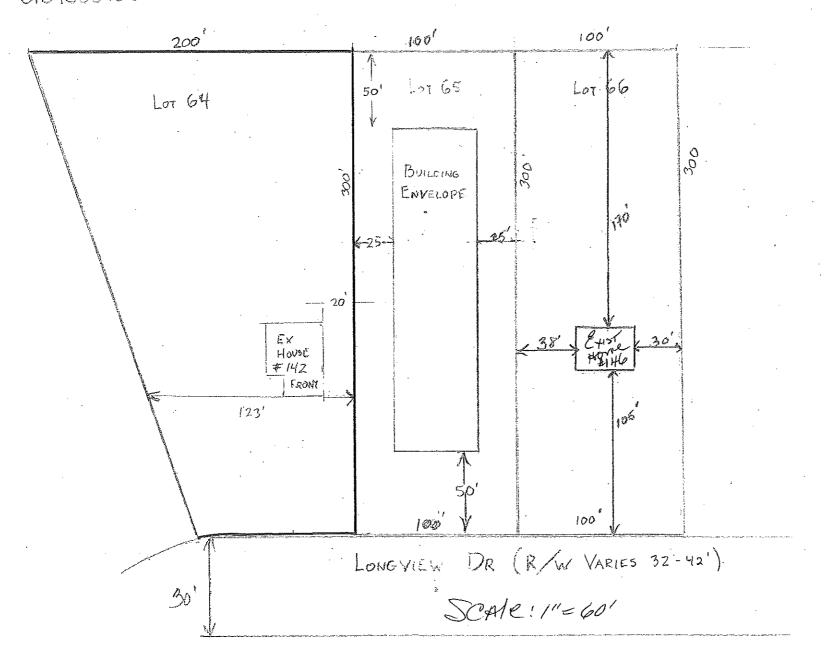
SCALE: 1" = 1000 LOCATION INFORMAT ELECTION DISTRICT COUNCILMANIC DISTRICT 1"= 200' SCALE MAP # /00 A ZONING D.R. 1 PUBLIC SEWER WATER CHESAPEAKE BAY
CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING

0261

# PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING PROPERTY ADDRESS 144 LONGVIEW DRIVE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION SUBDIVISION NAME STOKEWALL PARK PLAT BOOK # 7 FOLIO # 18 LOT # 6 SECTION # OWNER FERDINANS . MAISEL + TANYA Y. HEGE-MAISEL TAK# 01- 2400010012 1001 100 BULLDING ENVELOPE EX HOUSE E 142 # 144 1231 Scale1=60'



PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING
PROPERTY ADDRESS 142 LONGVIEW DRIVE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME STONEWALL PARK
PLAT BOOK # 7 FOLID # 18 LOT # WY SECTION #
OWNER FERD IN AND D. MAISEL & TANYA Y. HEGE-MAISEL
TAVE OF DIMESTONED



Sonowall	ige V.
Subject proporty  VICINITY MAP  SCALE: 1" = 100	\
LOCATION INFORMATION	
ELECTION DISTRICT / ST	
COUNCIL MANIC DISTRICT	
1"= 200' SCALE MAP # /00 B2/C2	
ZONING D.R. I	
LOT SIZE 168 30	SO,000 WARE FEET
PUBLIC P	RIVATE
SEWER D	
WATER Q	YES NO
CHESAPEAKE BAY CRITICAL AREA	
100 YEAR FLOOD PLAIN	
HISTORIC PROPERTY/ BUILDING	
PRIOR ZONING HEARING	HONE
ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #	
D.T. 0261	2010- 0261-A