



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 13, 2013

Erika Luedtke
558 B. Luedtke Lane
Severn, Maryland 21144

RE: Petition for Special Hearing and Variance
Case No.: 2013-0154-SPHA
Property: 4433 Foerster Road

Dear Mrs Luedtke:

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a large, stylized flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c:

Deborah & Kenneth L. Wolf, Jr

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0154-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Deborah and Kenneth L. Wolf, Jr., legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an accessory structure to be larger than the principal dwelling. The variance relief sought to permit an accessory structure to be placed in the front yard in lieu of the required rear yard and to allow the height of the accessory structure to be 26 ft. in lieu of the maximum allowed 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Erika Luedtke, a builder who is assisting the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

A Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP), which expressed concern regarding the proposed size of the pole barn.

The subject property is 37,597 square feet in size and is zoned DR 5.5. The property is improved with a single family dwelling, and is located at the terminus of Foerster Road. The

ORDER RECEIVED FOR FILING

Date _____

By

Petitioners would like to construct a pole barn on site, to accommodate Mr. Wolf's antique car collection.

The Petition for Special Hearing seeks approval of an accessory building large in size than the single family dwelling on site. The existing dwelling is modest in size (approximately 1,300 square feet) and the pole barn would be about 50% larger (no larger than 2,000 square feet). The Petitioners home is the last dwelling on a dead end street, and is bordered by I-895 and the Baltimore-Washington Parkway. The proposed barn will be situated next to a 50' wide easement area that contains mature trees and vegetation. In these circumstances, I do not believe the grant of relief would be injurious to the neighborhood.

Based upon the testimony and evidence presented, I will also grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. people's Counsel, 407 Md. 53, 80 (2008).

The Petitioners have met this test. The subject property is nearly an acre in size, which is a large lot in a DR 5.5 zone. In addition, the property has irregular dimensions and an approximate 6' grade change from the front to the rear of the lot. These factors make the property unique. If relief were denied, the Petitioners would experience a practical difficulty, given they would have only a limited area in the rear yard in which to locate a rather small accessory building.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of opposition from the community. To ensure

ORDER RECEIVED FOR FILING

Date 3-13-13

2

By sln

the building is compatible with the neighborhood, I will impose a limitation on the size of the garage, as recommended by the DOP.

Pursuant to the advertisement, posting of the property, and the public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 13th day of March 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing allow an accessory structure to be larger than the principal dwelling filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' Variance request from §§ 400.1 & 400.3 of the B.C.Z.R., to permit an accessory structure to be placed in the front yard in lieu of the required rear yard and to allow the height of the accessory structure to be 26 ft. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. No commercial activities of any kind shall be permitted in the proposed accessory building.
4. The proposed building shall be no larger than 2,000 SF.

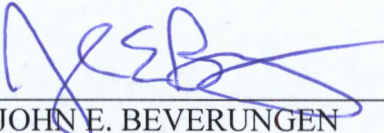
ORDER RECEIVED FOR FILING

Date 3-13-13

3 By ASD

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 3-13-13

By Sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 4433 FOERSTER RD which is presently zoned DR 5-5
Deed References: 31390100382 10 Digit Tax Account # 1308002470
Property Owner(s) Printed Name(s) DEBORAH + KENNETH WOLF

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To allow an accessory structure to be larger than the principal dwelling.

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance fr BCZR 400.1 & 400.3 → To permit an accessory structure to be placed in the front yard, in lieu of the required rear yard, and to allow the height of the accessory structure to be 26 feet in lieu of the maximum allowed 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Deborah L Wolf
Name #1 - Type or Print

Deborah L Wolf
Signature #1

130 Park Edwina Pasadena MD
Mailing Address

21122 1410-437-4739
Zip Code Telephone #

KENNETH L WOLF JR
Name #2 - Type or Print

Kenneth L Wolf Jr
Signature #2

130 Park Edwina Pasadena MD
Mailing Address

21122 1410-437-4739
Zip Code Telephone #

Representative to be contacted:

ERIKA LUEDTKE
Name - Type or Print

Erika Luedtke
Signature

558 B LUEDTKE LANE SEVERN, MD
Mailing Address

21144 1443-250-8175
Zip Code Telephone #

558 B LUEDTKE LANE SEVERN, MD
Mailing Address

21144 1443-250-8175
Zip Code Telephone #

CASE NUMBER 2013-0154-SPHA Filing Date 1/4/13

Do Not Schedule Dates: _____ Reviewer JS



Charles P. Johnson & Associates, Inc.

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

1751 Elton Rd., Suite 300 • Silver Spring, MD 20903 • 301-434-7000 • Fax: 301-434-9394 • www.cpja.com

ZONING PROPERTY DESCRIPTION FOR 4433 FOERSTER AVENUE

Tax Map 109 Grid 10 Parcel 284

District 13 Tax Id No. 1308002470

Liber 31930 Folio 382

Part of lot 35

English Consul Estate

Plat Book WPC 3 Page 23

Beginning at a point on the east side of Foerster Avenue, thirty feet wide, at a point where the east side of said Avenue is intersected by the east side of the Baltimore Washington Parkway, as shown on Maryland State Roads Plat 6713, said point being 164.81 feet northerly along the said east side of Foerster Avenue from its intersection with the north side of Beech Avenue as shown on a Plat of Section E, English Consul Estates, dated July 26, 1909 and recorded among the Land Records of Baltimore County, Maryland in Plat Book WPC 3 Page 23, said property now situated northerly of and adjacent to the Harbor Tunnel Throughway, I-895, as shown on SHA plat number 12773, and the aforementioned point of beginning being distant 121.82 feet northerly along the said easterly right of way line of the Baltimore Washington Parkway from its intersection with the Harbor Tunnel Throughway thence running in, through, over and across lot 35 the following five courses and distances

1. South 86°10'42" East, 93.51 feet to a point, thence
2. North 80°48'18" East, 212.79 feet to a point, thence
3. South 07°12'18" West, 142.45 feet to a point on the northerly right of way line for the harbor Tunnel Throughway, thence with said right of way line
4. South 88°30'18" West, 268.02 feet to a concrete monument found on the easterly right of way line for the Baltimore Washington Parkway, thence with said easterly right of way line
5. North 08°17'26" West, 121.82 feet to the point of beginning, containing 35,158 square feet or 0.8071 of an acre of land.

2013-0154-SP44

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, 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: #2013-0154-SPHA

4433 Foerster Road

E/s Foerster Road, 165 ft. s/of centerline of intersection with Beech Avenue

13th Election District - 1st Councilmanic District

Legal Owner(s): Deborah & Kenneth Wolf

Special Hearing to allow an accessory structure to be larger than the principle dwelling.

Variance to permit an accessory structure to be placed in the front yard in lieu of the required rear yard, and to allow the height of the accessory structure to be 26 feet in lieu of the maximum allowed 15 feet.

Hearing: Monday, March 11, 2013 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 02/673 February 19 905158



501 N. Calvert Street, Baltimore, MD 21278

February 21, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on February 19, 2013.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

2013-0154-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Deborah & Kenneth Wolf

March 11, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

4433 Foerster Rd

February 19, 2013

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

February 19, 2013

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No.

94019

Date:

1/4/13

PAID RECEIPT

BUSINESS ACTION TIME DAY

1/7/2013 1/04/2013 14:31:04 8

REG 1504 WALKIN SHIL SHH

RECEIPT # 335496 1/04/2013 0FLH

5 528 ZORING VERIFICATION

094019

Recpt Tot 1150.00

1150.00 CR 4.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 150.00

Total:

\$ 150.00

Rec
From:

WOLF

For:

2013-0154-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0154-SP4A

Petitioner: WOLF

Address or Location: 4433 FOERSTER RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ERIKA LUEDTKE

Address: 558 B. LUEDTKE LANE

SEVERN, MD 21144

Telephone Number: 443-250-8175



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 11, 2013

NOTICE OF ZONING HEARING

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4433 Foerster Road

E/s Foerster Road, 165 ft. s/of centerline of intersection with Beech Avenue

13th Election District – 1st Councilmanic District

Legal Owners: Deborah & Kenneth Wolf

Special Hearing to allow an accessory structure to be larger than the principle dwelling.

Variance to permit an accessory structure to be placed in the front yard in lieu of the required rear yard, and to allow the height of the accessory structure to be 26 feet in lieu of the maximum allowed 15 feet.

Hearing: Monday, March 11, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Wolf, 130 Park Road, 2nd Fl., Pasadena 21122
Erika Luedtke, 558 B Luedtke Lane, Severn 21144

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 19, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 19, 2013 Issue - Jeffersonian

Please forward billing to:
Erika Luedtke
558 B Luedtke Lane
Severn, MD 21144

443-250-8175

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CASE NUMBER: 2013-0154-SPHA

4433 Foerster Road

E/s Foerster Road, 165 ft. s/of centerline of intersection with Beech Avenue

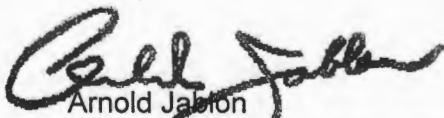
13th Election District – 1st Councilmanic District

Legal Owners: Deborah & Kenneth Wolf

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
4433 Foerster Road; E/S Foerster Road, 165'	*	OF ADMINISTRATIVE
S c/line @ intersection Beech Avenue		
1 st Election & 1 st Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Deborah & Kenneth Wolf, Jr		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-154-SPHA

* * * * *

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.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 24th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Erika Luedtke, 558 B Leudtke Lane, Severn, Maryland 21144, Representative for Petitioner(s).

RECEIVED

JAN 24 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

.....

Case No.: 2013-0154 SPHA

Exhibit Sheet

4-15-13
DW

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

MEMORANDUM

DATE: April 15, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0154-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on April 12, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME Wolf
CASE NUMBER 2013-0154 - SPHA
DATE 3-11-13

[illegible]

CASE NO. 2013-

0154-SPHA

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
1/30/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO/C
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
1/30/13	PLANNING (if not received, date e-mail sent _____)	C
1/24/13	STATE HIGHWAY ADMINISTRATION	NO Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/19/13	
SIGN POSTING	Date: 2/19/13 by Black	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 13 Account Number - 1308002470

Owner Information

Owner Name:	WOLF DEBORAH LYNN WOLF KENNETH L JR	Use:	RESIDENTIAL
Mailing Address:	FL 2 130 PARK RD PASADENA MD 21122-	Principal Residence:	NO
		Deed Reference:	1) /31930/ 00382 2)

Location & Structure Information

Premises Address	Legal Description
4433 FOERSTER RD 0-0000	4433 FOERSTER RD ENGLISH CONSUL ESTATES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0109	0010	0284		0000	E		35	1	
									Plat Ref: 0003/0022

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1949	1,296 SF	37,597 SF	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT STUCCO	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	79,600	72,200		
Improvements:	111,500	87,300		
Total:	191,100	159,500	191,100	159,500
Preferential Land:	0			0

Transfer Information

Seller:	HAROLD DOROTHY V	Date:	04/12/2012	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/31930/ 00382	Deed2:	
Seller:	HAROLD HERMAN G	Date:	05/15/2008	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/26999/ 00031	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

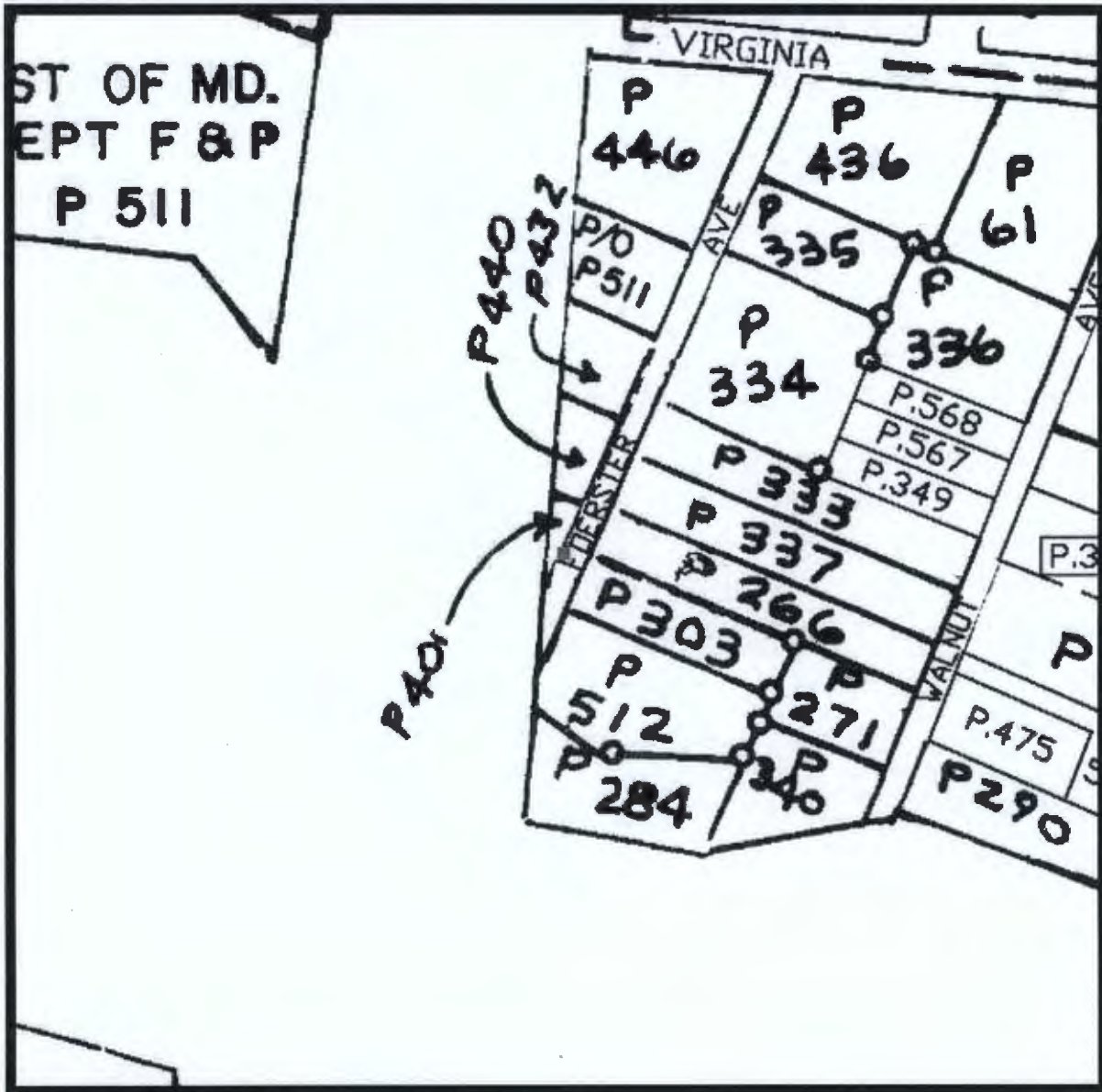
Homestead Application Status: Application received



**Maryland Department of Assessments and
Taxation
BALTIMORE COUNTY
Real Property Data Search**

[Go Back](#)
[View Map](#)
[New Search](#)

District - 13 Account Number - 1308002470



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 30, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4433 Forester Avenue

INFORMATION:

Item Number: 13-154

Petitioner: Deborah and Kenneth Wolf Jr.

Zoning: DR 5.5

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a special hearing to allow an accessory structure to be larger than the principal dwelling and a variance to permit a structure to be placed in the front yard in lieu of the rear yard. The petitioner is also seeking a structure to be 26 feet in lieu of the maximum allowed 15 feet.

The Department of Planning opines that a proposed pole barn of 64' by 50' as shown on the plan would be too large for the subject site. Many of the pole barns approved by this department are usually 30' by 40' in size or less. Planning recommends that the petitioner reduce the size of the pole barn to more of a standard size and one that's suitable for the site.

Planning has no objection to the height of the pole barn provided a second story is not added. Planning also has no objection to the pole barn being located in the front yard of the site.

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

Prepared by:

Division Chief:
AVA/LL: CM

RECEIVED

FEB 06 2013

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 6, 2013

Deborah L. & Kenneth L. Wolf Jr.
130 Park Road 2nd floor
Pasadena MD 21122

RE: Case Number: 2013-0154 SPHA, Address: 4433 Foerster Road

Dear Mr. & Ms. Wolf:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 4, 2013. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Erika Luedtke, 558 B. Luedtke Lane, Severn MD 21144



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-24-13

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

RE: Baltimore County
Item No 2013-0154-SPHA
Special Hearing Variance
Deborah L. & Kenneth L. Wolf Jr.
433 Foerster Road.

Dear Ms. Lewis:

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. 2013-0154-SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: January 30, 2013

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 28, 2013
Item Nos. 2013-0151, 0153, 0154, 0156, 0157, 0158, 0159, 0160, 0161, 0162,
0163, 0164, 0165, 0166, 0167, 0168, 0169, and 0172.

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

DAK:CEN
Cc: file

2/12/12
wcr
file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 30, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 4433 Forester Avenue

INFORMATION:

Item Number: 13-154
Petitioner: Deborah and Kenneth Wolf Jr.
Zoning: DR 5.5
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

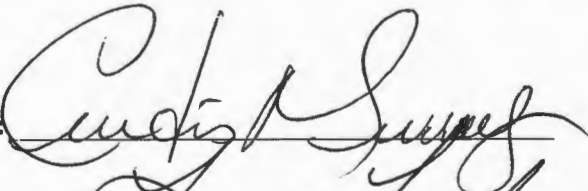
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a special hearing to allow an accessory structure to be larger than the principal dwelling and a variance to permit a structure to be placed in the front yard in lieu of the rear yard. The petitioner is also seeking a structure to be 26 feet in lieu of the maximum allowed 15 feet.

The Department of Planning opines that a proposed pole barn of 64' by 50' as shown on the plan would be too large for the subject site. Many of the pole barns approved by this department are usually 30' by 40' in size or less. Planning recommends that the petitioner reduce the size of the pole barn to more of a standard size and one that's suitable for the site.

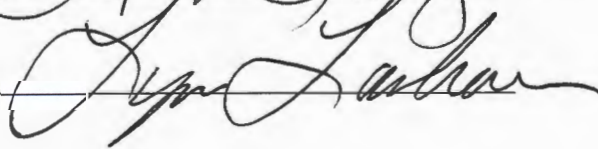
Planning has no objection to the height of the pole barn provided a second story is not added. Planning also has no objection to the pole barn being located in the front yard of the site.

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

Prepared by:



Division Chief:
AVA/LL: CM



DR 10.5

RAMP
BALTIMORE WASHINGTON PKWY

1 CD
13 ED
109B2
SW 6-B

BALTIMORE WASHINGTON PKWY

FOERSTER RD

DR 5.5

4425

4427

4429

4433

Pt. Bk. 0000003, Folio 0022

1303370440
Lot # 35

1303230090

1313201670

1320660430

Lot # 35

2009-0283-SPH

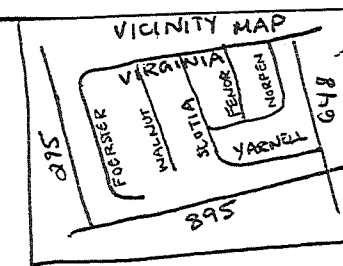
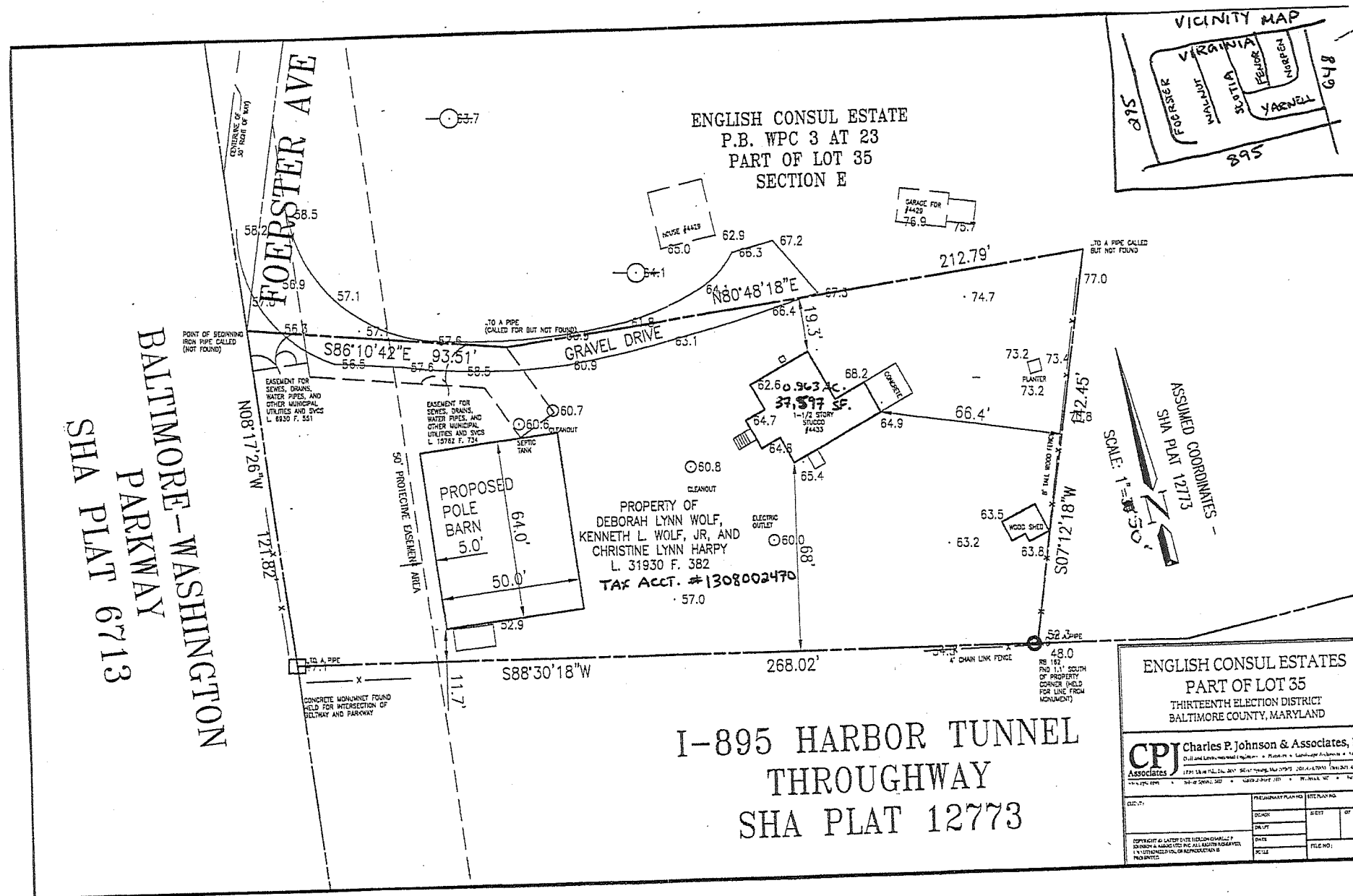
1895

RC 20

1895

2013-0154-SPH 4

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 4433 FOERSTER RD OWNER(S) NAME(S) WOLF, DEBORAH + KENNETH
 SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT# 35 BLOCK# N/A SECTION# E
 PLAT BOOK# 3 FOLIO# 22 10 DIGIT TAX# 1308002470 DEED REF.# 3L930/00382



SITE VICINITY MAP

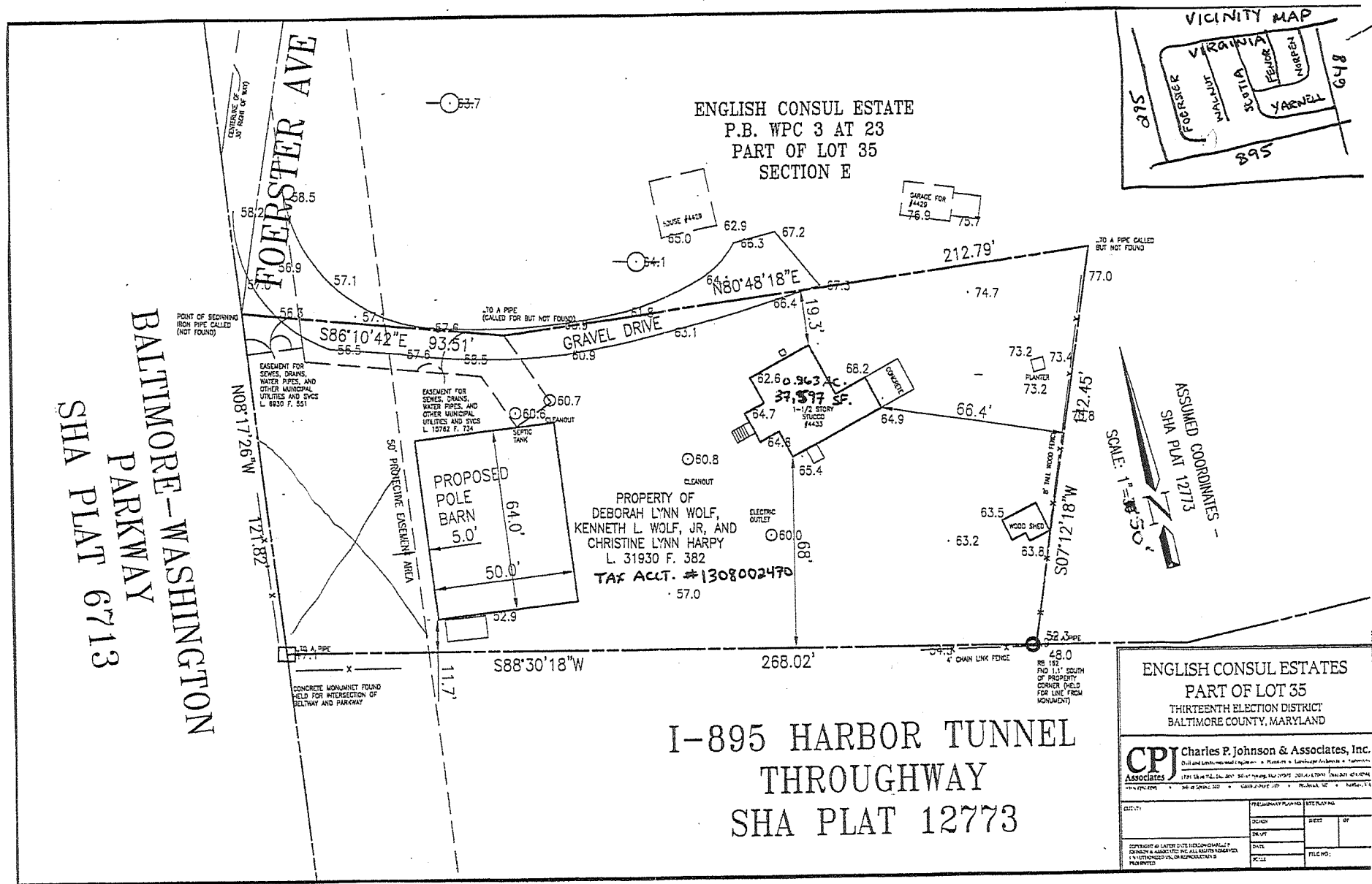
N
 MAP IS NOT TO SCALE
 ZONING MAP# 109B2
 SITE ZONED DR 5.5
 ELECTION DISTRICT 13
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE _____
 OR SQUARE FEET 37,597
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 50 FEET

PS' #1 2013-0154-SPMA

SITE VICINITY MAP

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
ADDRESS 4433 FOERSTER RD OWNER(S) NAME(S) WOLF, DEBORAH + KENNETH
SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT # 35 BLOCK # N/A SECTION # E
PLAT BOOK # 3 FOLIO # 22 10 DIGIT TAX # 1308002470 DEED REF. # 3L930100382



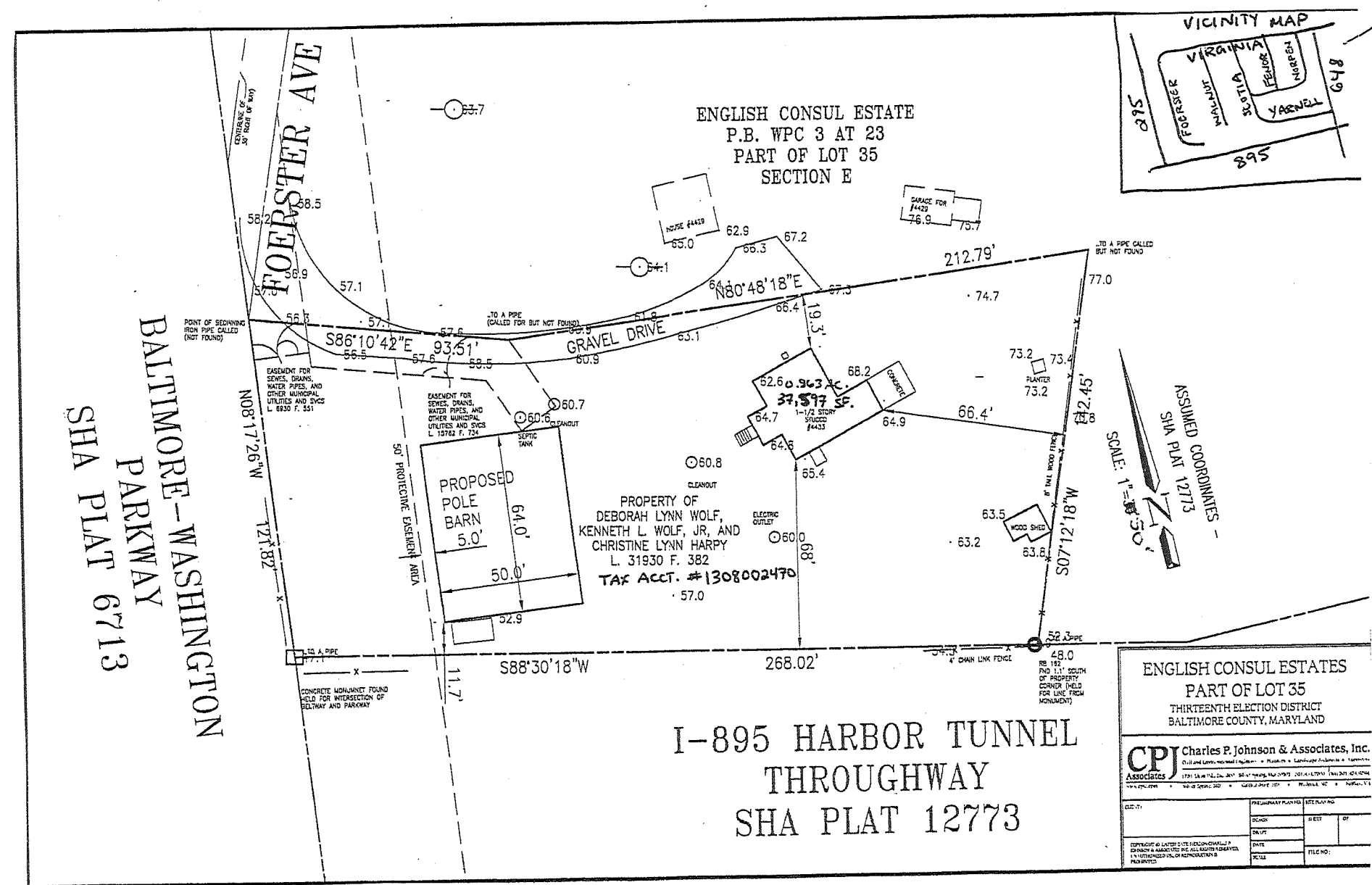
N
MAP IS NOT TO SCALE
ZONING MAP# 109B2
SITE ZONED DR 5.5
ELECTION DISTRICT 13
COUNCIL DISTRICT 1
LOT AREA ACREAGE _____
OR SQUARE FEET 37,597
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS: _____
PUBLIC X PRIVATE _____
SEWER IS: _____
PUBLIC X PRIVATE _____
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

P5' EX-1

2013-0154-SPHA

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 4433 FOERSTER RD OWNER(S) NAME(S) WOLF, DEBORAH + KENNETH
 SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT# 35 BLOCK# N/A SECTION# E
 PLAT BOOK# 3 FOLIO# 22 10 DIGIT TAX# 1308002470 DEED REF.# 3L930100382



SITE VICINITY MAP

N
 MAP IS NOT TO SCALE
 ZONING MAP# 109B2
 SITE ZONED DR 5.5
 ELECTION DISTRICT 13
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE _____
 OR SQUARE FEET 37,592
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 50 FEET

2013-0154-SP41A

VIOLATION CASE INFO: