



KEVIN KAMENETZ
County Executive

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

March 27, 2013

Rick Richardson
Richardson Engineering, LLC
30 East Padonia Road
Timonium, Maryland 21093

RE: Petition for Special Hearing
Case No.: 2013-0173-SPH
Property: 608 Stoney Lane

Dear Mr. Richardson:

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 long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Jerry Naylor, Managing Member, Cascarsan, LLC, 602 Hosta Court, Elkridge, MD 21075
James and Lauren Frazier, 620 Stoney Lane, Catonsville, MD 21228
Josephine Frazier, 317 Harlem Lane, Catonsville, MD 21228

IN RE: PETITION FOR SPECIAL HEARING *
(608 Stoney Lane)
1st Election District *
1st Councilmanic District *
Cascarsan, LLC *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0173-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Hearing filed by Jerry Naylor, Managing Member on behalf of Cascarsan, LLC, legal owner. The Petitioner is requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an undersize lot for construction of a single family dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing held for this case was Jerry Naylor, Managing Member of Cascarsan LLC, Timothy Battaglia, and Rick Richardson, from Richardson Engineering, LLC, the firm that prepared the site plan. Several area residents attended the hearing and expressed concern regarding the potential for flooding due to a nearby stream. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. The only substantive comment was from the Department of Planning (DOP), which recommended approval of the petition. Exhibit 2.

ORDER RECEIVED FOR FILING

Date 3-27-13

By BW

Testimony and evidence revealed that the subject property is approximately 0.25 acres and is zoned DR 5.5. The lot was created pursuant to a deed recorded in 1936, and has remained vacant since that time. The Petitioner proposes to construct a single family dwelling on site, but to do so requires zoning relief.

Under Section 304 of the B.C.Z.R., a single family dwelling may be erected on a lot of insufficient width (here, the B.C.Z.R. requires a 55' lot width, and the Petitioner's lot is 50' wide) if: (1) the lot was recorded by deed prior to 1955; (2) all other height and area regulations are satisfied; and (3) the owner does not own sufficient adjoining property to satisfy the width requirements. The Petitioner satisfies these requirements, and the special hearing relief will therefore be granted.

As noted earlier, several neighbors raised concerns regarding the potential for flooding in the area, due to a nearby stream as shown on the plan. The Department of Environmental Protection and Sustainability (DEPS), as discussed at the hearing, has already commented on the proximity of the stream, and has indicated Petitioner may be required to establish a forest buffer easement on site prior to building permit issuance. As such, those issues will be addressed by that agency when Petitioner makes application for a building permit.

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

THEREFORE, IT IS ORDERED, this 27th day of March, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an undersize lot (with a lot width of 50' in lieu of 55' as required in the DR 5.5 zone) for construction of a single family dwelling, be

ORDER RECEIVED FOR FILING

Date 3-27-13

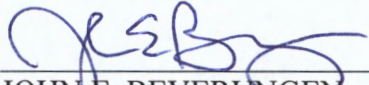
By bw

and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner must comply with the ZAC comments of the DEPS, as set forth in the memorandum dated March 12, 2013.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-27-13

By dlw



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 608 STONEY LANE which is presently zoned DR 5.5
 Deed References: 31962/384 10 Digit Tax Account # 0106000132
 Property Owner(s) Printed Name(s) CASCARSAN, LLC

(SELECT THE HEARING(S) BY MARKING X 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. X a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN UNDERSIZE LOT FOR CONSTRUCTION OF A SINGLE FAMILY DWELLING
2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. _____ a Variance from Section(s)

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)

TO BE PRESENTED AT THE HEARING

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 _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____

Signature _____

Mailing Address _____ City _____ State _____

Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

JERRY NAYLOR, MANAGING MEMBER CASCARSAN, LLC
 Name #1 - Type or Print _____ Name #2 - Type or Print _____

Jerry Naylor
 Signature #1 _____ Signature #2 _____

602 HOSTA CT ELK RIDGE MD
 Mailing Address _____ City _____ State _____

21075 443-831-7863 COMPASS6@GMAIL.COM
 Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

RICHARDSON ENGINEERING, LLC
 Name - Type or Print _____

Richardson
 Signature _____

30 E PADONA RD TIMONIUM MD
 Mailing Address _____ City _____ State _____

21093 410-560-1502 RICK@RICHARDSONENGINEERING.NET
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2013-0173-SPL Filing Date 1/22/13

Do Not Schedule Dates: _____ Reviewer G. J

**ZONING DESCRIPTION
608 STONEY LANE
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the North side of Stoney Lane (30' wide) at a point 280'± southwest of the centerline of the intersection with Harlem Avenue, thence leaving the north side of Stoney Lane right-of-way (1) North 04 degrees 13 minutes 20 seconds West 210.00 feet, (2) South 67 degrees 56 minutes 46 seconds West 50.00 feet, (3) South 04 degrees 13 minutes 20 seconds East 210.00 feet to a point on the north side of Stoney Lane, thence binding on the north side of the right of way of Stoney Lane, (4) North 67 degrees 56 minutes 46 seconds East 50.00 to the point of beginning;

Containing a net area of 9,996 square feet, or 0.23 acres of land, more or less.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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: 2013-0173-SPH

Petitioner: JERRY NAYLOR

Address or Location: 608 STONEY LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: JERRY NAYLOR

Address: 602 HOSTA CT
ELKRIDGE MD 21075

Telephone Number: 443-831-7863

Revised 2/20/98 - SCJ

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

No: 99999

Date: 0722/13

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	20	000		615				75

Total 75

Rec From: Jerry Naylor

For: Undersized lot

2013 0773 PH

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CERTIFICATE OF POSTING

2013-0173-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Cascarsan, LLC, Jerry Naylor

March 22, 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: _____

608 Stoney Lane

March 2, 2013

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

Sincerely,

March 2, 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)





KEVIN KAMENETZ
County Executive

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

February 20, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0173-SPH

608 Stoney Lane

N/s of Stoney Lane, 280 ft. (+/-) from centerline of Harlem Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Cascarsan, LLC, Jerry Naylor

Special Hearing to approve an undersize lot for construction of a single family dwelling.

Hearing: Friday, March 23, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Richardson Engineering, 30 E. Padonia Road, Timonium 21093
Jerry Naylor, 602 Hosta Court, Elkridge 21075

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 2, 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
Thursday, February 28, 2013 Issue - Jeffersonian

Please forward billing to:
Jerry Naylor
602 Hosta Court
Elkridge, MD 21075

443-831-7863

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

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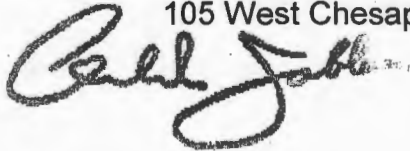
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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608 Stoney Lane

N/s of Stoney Lane, 280 ft. (+/-) from centerline of Harlem Avenue

1st Election District - 1st Councilmanic District
Legal Owner(s): Cascarsan, LLC, Jerry Naylor

Special Hearing: to approve an undersize lot for construction of a single family dwelling.

Hearing: Friday, March 22, 2013 at 10:00 a.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.
2/347 Feb. 28 907190



501 N. Calvert Street, Baltimore, MD 21278

February 28, 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 28, 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

M E M O R A N D U M

DATE: May 7, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0173-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 26, 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

RE: PETITION FOR SPECIAL HEARING
608 Stoney Lane; N/S Stoney Lane,
280' c/line Harlem Avenue
1st Election & 1st Councilmanic Districts
Legal Owner(s): Cascarsan, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-173-SPH

* * * * *

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

RECEIVED

FEB 06 2013

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 2013, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013-0173-SPH

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 _____)	N/C
3/12/13	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
1/30/13	STATE HIGHWAY ADMINISTRATION	NO Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: 2/28/13	
SIGN POSTING	Date: 3/2/13	by Black
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 12, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0173-SPH
Address 608 Stoney Lane
(Cascarsan, LLC Property)

Zoning Advisory Committee Meeting of January 28, 2012.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Additional Comments:

A stream and non-tidal wetlands exist in close proximity to this site that may require establishment and recordation of a Forest Buffer Easement prior to building permit approval.

Reviewer: J. Russo – Environmental Impact Review (EIR)

RECEIVED
RECEIVED

MAR 21 2013
MAR 12 2013

OFFICE OF ADMINISTRATIVE HEARINGS
OFFICE OF ADMINISTRATIVE HEARINGS

ORDER RECEIVED FOR FILING

Date 3-27-13

By [Signature]



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: 1-30-13

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

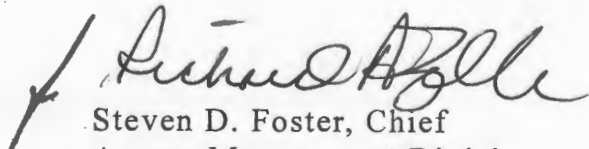
RE: Baltimore County
Item No 2013-0173-SPH
Special Hearing
Terry Naylor, Managing
Member, Cascarson LLC
608 Stony Lane

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. 2013-0173-SPH.

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

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 12, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0173-SPH
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Additional Comments:

A stream and non-tidal wetlands exist in close proximity to this site that may require establishment and recordation of a Forest Buffer Easement prior to building permit approval.

Reviewer: J. Russo – *Environmental Impact Review (EIR)*

RECEIVED
RECEIVED
MAR 21 2013
MAR 12 2013
OFFICE OF ADMINISTRATIVE HEARINGS
OFFICE OF ADMINISTRATIVE HEARINGS

12/20/12

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning
Attention: Lynn Lanham
Jefferson Building
105 West Chesapeake Avenue, Room 101
Towson, MD 21204
Mail Stop 3402

FROM: Arnold Jablon, Director
Department of Permits, Approvals and Inspections

RE: Undersized Lots

Permit or Case No. _____

Residential Processing Fee Paid

(\$60.00)

Accepted by JCM

Date _____

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, the Zoning Review Office of PAI is requesting recommendations and comments from the Office of Planning prior to Zoning Review Office approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Tim Bataglia 5512 Ebenezer Rd Whitmarsh, MD. 21162 443-506-6050 compass6@gmail.com

Print Name of Applicant Address Telephone Number Email Address

Lot Address 608 Stoney Lane Election District 1st Councilmanic District 1st Square Feet 9,996

Lot Location: N E S W/side/corner of Stoney Lane 280 feet from N E S W corner of Harlern Lane

(street) (street)

Land Owner(s): Cascarsan, LLC (Tim Bataglia Managing Member) 10 Digit Tax Account Number 0106000132

Address: 6022 Hosta Court Elkridge, MD. 21075 Telephone Number (443) 506-6050

Email Address compass6@gmail.com

CHECKLIST OF MATERIALS (to be submitted at the filing appointment for design review by the Office of Planning)

APPLICANT MUST PROVIDE 1 THROUGH 6

Planner Acceptance Check Off

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood		
6. Current Zoning Classification: DR 5.5		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by [Signature]
For the Director, Office of Planning

Date: 12/21/12

RECEIVED
DEC - 4 2012
OFFICE OF PLANNING

Revised 7/07/11

Petitioner's 2

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For February 04, 2013
Item Nos. 2013-0173, 0175, and 0177.

DATE: January 30, 2013

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

DAK:CEN
Cc: file



KEVIN KAMENETZ
County Executive

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

March 13, 2013

Jerry Naylor
602 Hosta Court
Elkridge MD 21075

RE: Case Number: 2013-0173 SPH, Address: 608 Stoney Lane

Dear Mr. Naylor:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 22, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

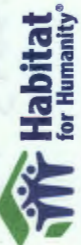
c: People's Counsel
Richardson Engineering LLC, 30 E. Padonia Road, Timonium MD 21093

Mike Collin
443-500-2512

1230
Abacus Ave

No objection to Building on
606 adjacent lot on Stoney La.
mike w. all

March 2013



To: Jerry Naylor

I have no objection

to your building on

the lot adjacent to

your house at 606

Stoney

Sincerely

John H. Boen

628 Stoney Lane

21228

PLEASE PRINT CLEARLY

CASE NAME

608 Stoney

CASE NUMBER

2013-0173 SH

DATE

3/22/13

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

Lauren Frazier

620 Stoney Lane

Baltimore, MD 21228

laurenfrazier83@gmail.com

JAMES FRAZIER

620 STONEY LANE

CATONSVILLE, MD 21228

CAFEINATED79@VERIZON.NET

Josephine Frazier

317 Harlem Lane

Baltimore MD 21228

jody317@verizon.net

CASE NAME 2013-0173SPH
CASE NUMBER 608 STONEY LANE
DATE 3/22/13

[illegible]

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 01 Account Number - 0106000132

Owner Information

Owner Name: CASCARSAN LLC **Use:** RESIDENTIAL
Mailing Address: 6022 HOSTA CT **Principal Residence:** NO
ELKRIDGE MD 21075- **Deed Reference:** 1) /31962/ 00384
2)

Location & Structure Information

Premises Address **Legal Description**
STONE LN NS STONEY LA
0-0000 W LONGVIEW AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0101	0002	0074		0000				1	Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		10,500 SF	04

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	77,800	59,000		
Improvements:	0	0		
Total:	77,800	59,000	77,800	59,000
Preferential Land:	0			0

Transfer Information

Seller:	Date: 04/19/2012	Price: \$132,500
Type: ARMS LENGTH MULTIPLE	Deed1: /31962/ 00384	Deed2:
Seller:	Date: 12/30/1899	Price: \$0
Type:	Deed1: /03466/ 00200	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: No Application

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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.

Case No.: 2013-0173-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

P3-1-13
P3-21-13

No. 1	Site Plan	
No. 2	DOP Memo 12/21/12	
No. 3	Deed	
No. 4	My Neighborhood Map	
No. 5	Letters from Neighbors	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

8302750

03003960

112740610

113007480

Bk./Folio # 019073

00220

010009

095A3

112002210

123502250

00019, Folio 0073

19271470

07830310

LUCKY LEAF CIR

Pt. Bk./Folio # 064101

2200021381

Pt. Bk. 0000064, Folio 0101

MAPLE WOODS (PDM File/Project # 1-364)

PDM # 010364

2200015631

Pt. Bk. 0000064, Folio 0106

2200015632

Pt. Bk./Folio # 064106

0107000442

0104501170

598

600

0111150491

317

0113401360

602

0106000050

0106000132

606

604

2100010031

0104200920

STONEY LN

0106000570

0103770400

316

0101740250

314

0108001720

312

1900014775

Lot # 1

310

1900014776

Lot # 2

Pt. Bk. PDM # 010231

Pt. Bk./Folio # MP92255

Pt. Bk. 0000052, Folio 0092

1900014777

Lot PDM # 010426

0120549800

1999-0216-X

1990-0166-S

1990-0233-X

R BL 3647-X

6132

00550

101A1

611

607

605

311
0108800290

0116450160

307

0114000400

305

0104200480

303

0119070950

0106000131

0107410000

2100001065

0104350930

0103001550

0107150650

0104751421

618

SW 2-F

5.5

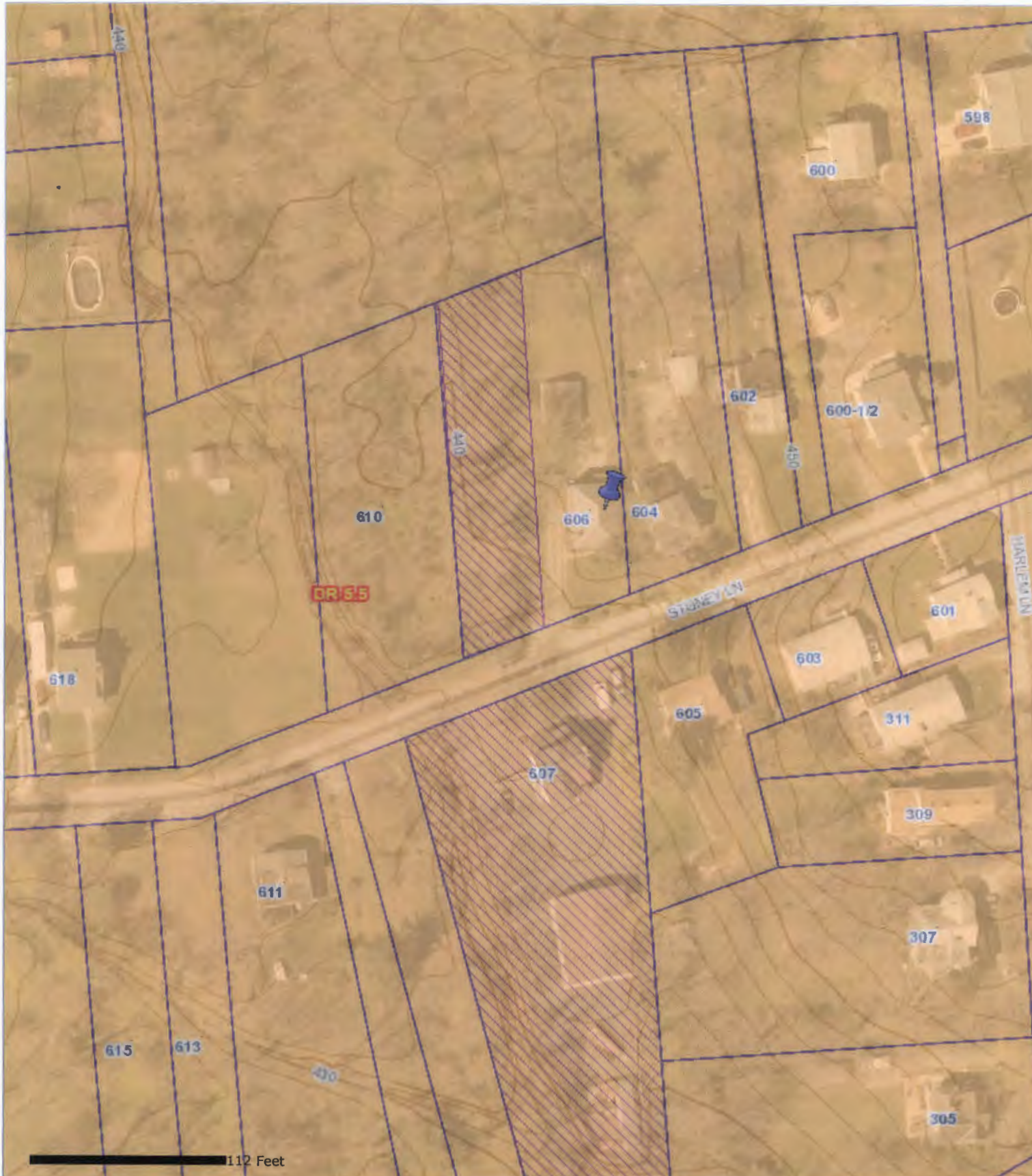
190

CD

620

LOCATED

2003-A172-500



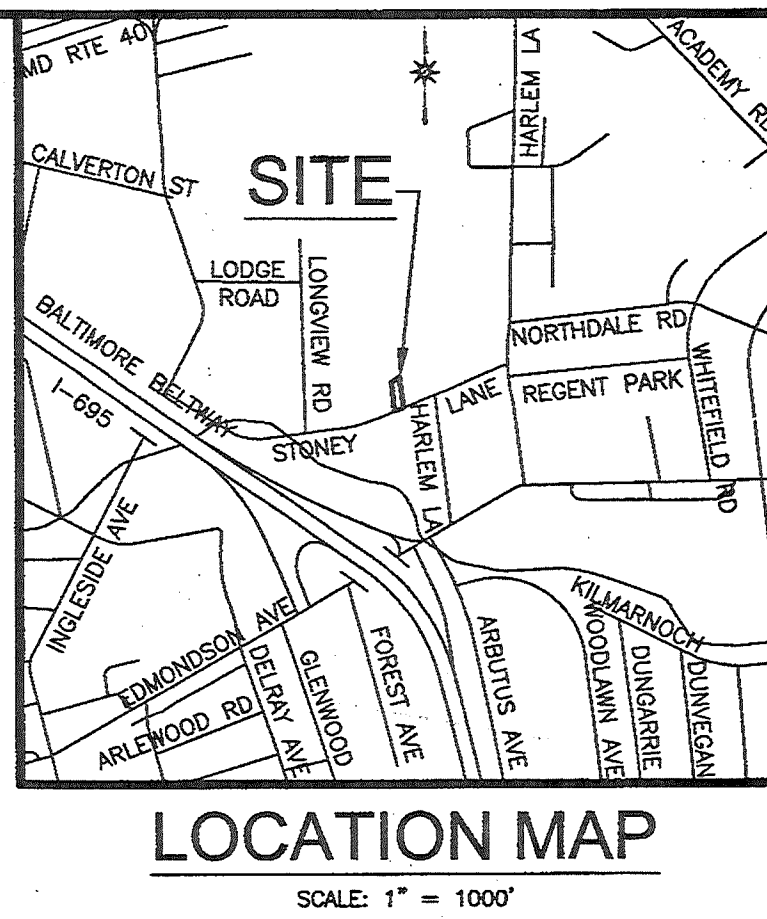
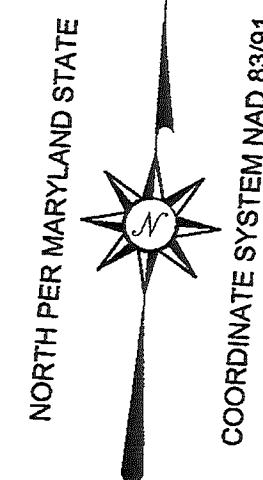
My Neighborhood Map

PS #4

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.



LANDS OF
MAPLE WOODS LIMITED PARTNERSHIP
TAX MAP #185, GRID #20,
PARCEL #495, "LOCAL OPEN SPACE"
TAX ACCOUNT #2200015631
DEED REF. N/A
ZONING: DR 5.5
USE: RESIDENTIAL

LANDS OF
CASCARSAN, LLC
TAX MAP #101, GRID #2,
PARCEL #74
TAX ACCOUNT #0106000130
DEED REF. 31962/384
ZONING: DR 5.5
USE: RESIDENTIAL

LANDS OF
BALTIMORE COUNTY MARYLAND
TAX MAP #101, GRID #2,
PARCEL #73
TAX ACCOUNT #0104200520
DEED REF. 6918/944
ZONING: DR 5.5
USE: RESIDENTIAL

GENERAL NOTES:

1. OWNER: CASCARSAN, LLC
2. TOTAL SITE AREA:
NET: 9,996 Sq.Ft. or 0.23 Ac.±
GROSS: 10,746 Sq.Ft. or 0.25 Ac.±
3. USES:
EXISTING: VACANT RESIDENTIAL LOT.
PROPOSED: 2 STORY RESIDENTIAL DWELLING.
4. UTILITIES:
PUBLIC WATER & SEWER
5. DEED REF: 31962/384
6. TAX ACCOUNT: #0106000132
7. ZONING: DR 5.5
(PER 1"-200' ZONING MAP 101A1)
8. TAX MAP #101, GRID #2, PARCEL #74.
9. SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP
(FIRM) PANEL #240010 0386 F PANEL 386 OF 580 DATED
SEPT. 25, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2%
ANNUAL CHANCE FLOODPLAIN.
10. UNDERSIZED LOT REQUEST MADE 11/30/12.
11. NO PREVIOUS PERMITS ON FILE
12. SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
13. THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
14. 1ST COUNCILMANIC DISTRICT
15. SETBACKS FOR DR 5.5

	REQUIRED	PROVIDED
FRONT:	39.75'	39.75'
SIDE:	10'	10'
REAR:	30'	124.8'

** DENOTES AVERAGE FRONT SETBACK
(41+35+23+60)/4= 39.75

RECEIVED

JAN 28 2013

OFFICE OF PLANNING

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY SPECIAL HEARING
FOR AN UNDERSIZED LOT
APPLICATION FOR

608 STONEY LANE

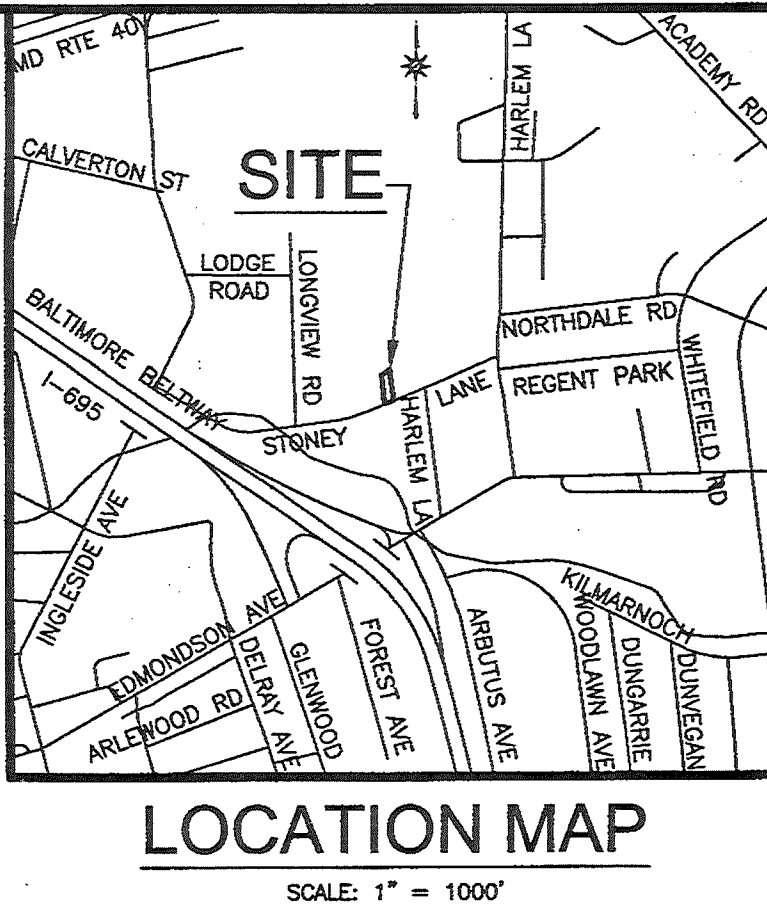
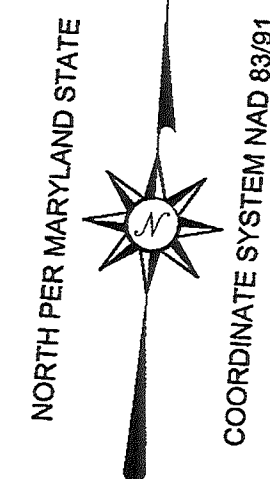
BALTIMORE, MARYLAND 21228

1ST ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	01-09-13	12107	1 OF 1

2013-0173-SAL



LANDS OF
MAPLE WOODS LIMITED PARTNERSHIP
TAX MAP #101, GRID #20
PARCEL #1495, "LOCAL OPEN SPACE"
TAX ACCOUNT #2200015631
DEED REF: N/A
ZONING: DR 5.5
USE: RESIDENTIAL

LANDS OF
CASCARSAN, LLC
TAX MAP #101, GRID #2
PARCEL #74
TAX ACCOUNT #0106000130
DEED REF: 31962/384
ZONING: DR 5.5
USE: RESIDENTIAL

LANDS OF
BALTIMORE COUNTY MARYLAND
TAX MAP #101, GRID #2
PARCEL #23
TAX ACCOUNT #0104200920
DEED REF: 6918/844
ZONING: DR 5.5
USE: RESIDENTIAL

GENERAL NOTES:

1. OWNER: CASCARSAN, LLC
#6022 HOSTA COURT
ELK RIDGE, MARYLAND 21075
2. TOTAL SITE AREA:
NET: 9,996 Sq.Ft. or 0.23 Ac.±
GROSS: 10,746 Sq.Ft. or 0.25 Ac.±
3. USES:
EXISTING: VACANT RESIDENTIAL LOT.
PROPOSED: 2 STORY RESIDENTIAL DWELLING.
4. UTILITIES:
PUBLIC WATER & SEWER
5. DEED REF: 31962/384
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13. THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC.
14. 1ST COUNCILMANIC DISTRICT
15. SETBACKS FOR DR 5.5
FRONT: 39.75' REQUIRED 39.75' PROVIDED
SIDE: 10' 10'
REAR: 30' 124.8'
** DENOTES AVERAGE FRONT SETBACK
(41+35+23+60)/4= 39.75

Richardson Engineering, LLC

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Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

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FOR AN UNDERSIZED LOT
APPLICATION FOR

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1ST ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

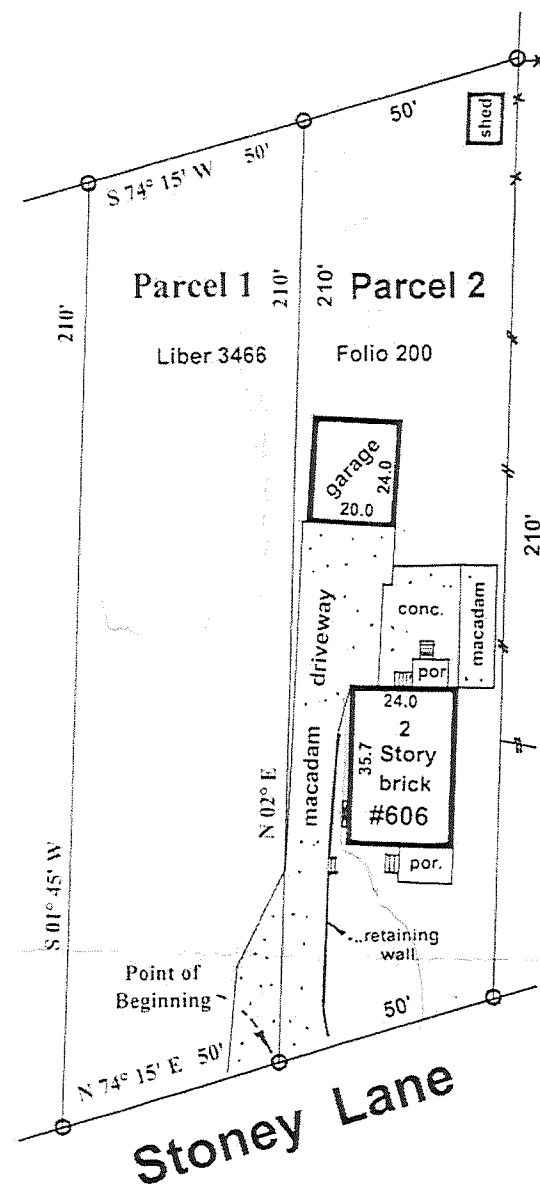
REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	01-09-13	12107	1 OF 1

D.H. #1
ethier's

2013-0173-SPH

Landtech Associates Inc.

10260 Old Columbia Road Rivers Center-Suite J
Columbia, MD 21046
Phone: 410-290-8099 Fax: 410-290-8299
NOTE: NOT TO BE USED FOR ISSUANCE OF PERMITS



Location Survey of:	LOT: see drwg.	BLOCK: none
#606 Stoney Lane	PLAT BK: N/A	PLAT#: N/A
Liber 3466 Folio 200	DATE: 2-20-12	SCALE: 1" = 40'
Baltimore County, MD	CASE NUMBER: 15683-12-00155	
	FILE NUMBER: LT-2120490	

- NOTES:
1. This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
 2. This plat is not to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements.
 3. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
 4. Property line survey recommended to determine the exact location of improvements and/or encroachments, if any.
 5. Property subject to any/all rights-of-way, easements, and/or covenants of record and/or imposed by law.
 6. This plat is not to be used for the issuance of permits.
 7. No title report furnished.

CERTIFICATION: I hereby certify that the position of the significant visible improvements on the above described property has been carefully established in compliance with the "Minimum Standards of Practice" for the State of Maryland.

License Expires: 3 / 28 / 2014

GRADEN A. ROGERS - M.D. PROP. L.S. LIC. NO. 119

Liber No 969

273

15 minutes west 50 feet thence south 1 degree 45 minutes west and parallel or nearly so to the first line in this description 210 feet more or less to the northwest side of the said Harlem Lane thence binding thereon north 74 degrees and 15 minutes east 50 feet to the place of beginning

Being and intended to be a 50 foot lot adjoining on the west the 50 foot lot retained by the said Benjamin F Sapp from the land possessed by him before the conveyance to the said grantor in April 1935 the said 50 foot lot herein described being part of the 211.3 foot frontage reconveyed to the said grantor in April 1935

Together with the improvements thereon the rights and appurtenances thereto belonging or in anywise appertaining

To have and to hold the said parcel of ground above described and intended to be conveyed hereby with the rights and appurtenances aforesaid to the said Elizabeth Kidd her heirs and assigns in fee simple absolutely and forever

And the said Thomas O Morris hereby covenants that he has not done or suffered to be done any act not to encumber the said property that he will warrant also the property hereby conveyed and that he will execute such further assurances of the same as may be requisite

As witness the hand and seal of said grantor

Test
David L Elliott
Benjamin F Sapp

His
Thomas O Morris
Mark (SEAL)

State of Maryland City of Baltimore to wit
I Hereby certify that on this 13th day of January 1936 before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore but acting for the County of Baltimore aforesaid personally appeared Thomas O Morris the herein named grantor and he acknowledged the foregoing deed to be his act

As witness my hand and Notarial Seal
(Notarial Seal) Helen E Welden
Notary Public

Recorded Jan 29 1936 at 10.30 A M and Exd per C Willing Browne Jr Clerk

54315 : This Partial Release of mortgage made this 7th day of January
Canton National Bank : 1936 by Canton National Bank of Canton Maryland
Par Rel to : Whereas by mortgage dated the 25th day of November 1929 recorded
Occident Fed S & L A : among the Land Records of Baltimore County in Liber L McL M No
845 folio 315 etc the land and premises therein described were
Granted and conveyed by Francis J McLane to Personal Loan Service Inc of Delaware and which mortgage is duly short assigned to Canton National Bank Canton Maryland to secure the payment of the sums of money therein mentioned

Witnesseth that in consideration of the sum of Thirty-Five Dollars (\$35.00) paid on account of said mortgage debt the said Canton National Bank does hereby grant and release unto Occident Federal Savings and Loan Association of Baltimore City its successors and assigns all that lot of ground situate in Baltimore County State of Maryland and described as follows

Beginning for the same on the south side of Second Avenue at the distance of Two Hundred and seventy-five feet easterly from the corner formed by the intersection of the south side of Second Avenue and the east side of Baltimore Avenue as shown on the Plat hereinafter referred to and running thence easterly binding on the south side of Second Avenue fifty-

272

Fillmore Cook

Elizabeth X Smith (SEAL)
Mark
Ruth E Smith (SEAL)

State of Maryland Baltimore County to wit

I Hereby certify that on this 5th day of February 1936 before me a Notary Public of the State of Maryland in and for Baltimore County personally appeared Elizabeth Smith widow and Ruth E Smith unmarried the mortgagors and they acknowledged the foregoing mortgage to be their act At the same time also appeared James D C Downes Agent of said mortgagee and made oath that the consideration set forth in said mortgage is true and bona fide as therein set forth and also made oath that he is the agent of said mortgagee and authorized to make this affidavit

Witness my hand and Notarial Seal
(Notarial Seal)

Margaret M Weis
Notary Public

(My Commission expired the 3rd day of May 1937)

Recorded Feb 7 1936 at 2.20 P M and Exd per C Willing Browne Jr Clerk

For value received and without recourse HOME OWNERS' LOAN CORPORATION
a corporate instrumentality of the UNITED STATES OF AMERICA hereby assigns
the within mortgage unto Brinkwood Corporation Baltimore Maryland
signed sealed and delivered Nov 21 1930
attest
Nelson C Simensen assistant treasurer HOME OWNERS' LOAN CORPORATION
(Corporate Seal) BY NELSON SPURRIER ASSISTANT TREASURER
Dec 8 1930 at 9:30 AM & exd per George L Byerly clerk rec map

DEL PER TICKET FEB 13 1936

969/272.

54309 : This Deed made this 13th day of January 1936 between Thomas O Morris
Thomas O Morris : a bachelor of the County of Baltimore State of Maryland of the first
Deed to : part and Elizabeth Kidd single of the said County and State of the
Elizabeth Kidd : second part

Witnesseth that for and in consideration of the sum of \$5.00 and other good and valuable considerations the receipt of which is hereby acknowledged the said Thomas O Morris doth grant and convey unto said Elizabeth Kidd her heirs and assigns all that lot or parcel of ground situate lying or being in the First District of Baltimore County in the State of Maryland aforesaid which is described as follows viz

Beginning for the same on the northwesterly line of Harlem Lane at the distance of north 74 degrees 15 minutes east 211.3 feet from the beginning of the land described in a deed dated April 1935 and recorded among the Land Records of Baltimore County from Benjamin F Sapp widower to the said Thomas O Morris and from the beginning of the first line in a deed dated February 5 1926 and recorded among the Land Records of Baltimore County W P C #551 folio 97 etc from Ernest S Romoser to John F Morris et al thence northeasterly binding on the third line of the said land conveyed by Benjamin F Sapp to Thomas O Morris in April 1935 north 2 degrees east 210 feet more or less to the northwesternmost outline of the same thence southeasterly and on a line known as the new division line (1934) south 74 degrees

DEL PER TICKET JAN 13 1936