

IN RE: PETITION FOR VARIANCE
S/S Philadelphia Road, 830' W of
Bradshaw Road
(12303-A Philadelphia Road)
11th Election District
5th Council District

John Barnes
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-453-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 owner of the subject property, John Barnes. The Petitioner seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 15 feet and 17 feet, respectively, in lieu of the required 50 feet each, for a proposed dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were John W. Barnes, property owner, and Vincent Moskunus, a representative of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. Appearing as Protestants in the matter were Mr. & Mrs. Michael W. Shipley, adjacent property owners.

Testimony and evidence offered revealed that the subject property is a narrow, rectangular shaped lot, approximately 86 feet wide by 542 feet deep, located on the south side of Philadelphia Road (Maryland Route 7), not far from Bradshaw Road and the Harford County line in Kingsville. The subject property is one of two parcels purchased by the Petitioner in 1984. Both parcels were recorded as separate lots of record in 1973. Parcel 1 contains a gross area of 2.271 acres, more or less, zoned R.C.5 and is improved with a single family dwelling known as 12303 Philadelphia Road in which the Petitioner resides. Parcel 2 contains a gross area of 1.00 acre, zoned R.C.5, and is the subject of the instant request. The Petitioner is desirous of developing

ORDER RECEIVED FOR FILING

Date

By

Parcel 2 with a two-story, single family dwelling, approximately 50' x 51' in dimension, as shown on Petitioner's Exhibit 1. Although the property meets the minimum area requirements for development in the R.C.5 zone, it lacks sufficient width to meet setback requirements. Thus, the requested variance relief is necessary in order to proceed. Mr. Barnes indicated that most of the lots in the area are approximately 100 feet wide. Thus, it would be virtually impossible to find a lot that would meet current setback requirements.

Appearing and testifying in opposition to the request were Mr. & Mrs. Michael Shipley, adjacent property owners. They generally objected to the Petitioner's use of the subject property, indicating that the Petitioner is using the property as a junk yard and that cars and miscellaneous equipment are stored thereon. In addition, they expressed concern over the impact of the proposed development on existing wells and septic systems in the area. They also object to the proposed location of the new dwelling in close proximity to their home. The Protestants also testified that the dwelling on Parcel 1 contains two apartments and they are concerned about the potential use of the proposed dwelling on Parcel 2.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. It is clear that strict compliance with the zoning regulations would be impossible and prevent use of the subject property for a permitted purpose. In sum, I find that the requirements for variance relief as set out in Section 307 of the B.C.Z.R. are satisfied. However, as a condition to the relief granted, I shall impose certain restrictions to address the concerns raised by the Protestants. First, I shall require that the proposed dwelling be moved closer toward Philadelphia Road, so that the front yard setback for the new dwelling will be substantially the same as the existing dwelling on Parcel 1 (i.e., 111 feet). Moreover, the Petitioner shall be required to remove all cars, junk and debris from the subject property and cease utilizing same as a junk yard. In addition, pursuant to the Zoning Advisory Committee comment submitted by the Office of Planning, dated May 29, 2001, the Petitioner shall submit a revised plan showing the location of the proposed well and septic system for the subject lot. The locations of same must be approved by the Department of Environmental Protection and Resource Management (DEPRM).

ORDER RECEIVED FOR FILING

Date

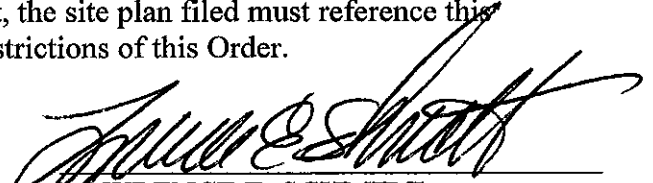
By

It should also be noted that testimony at the hearing indicated that the dwelling at 12303 Philadelphia Road contains two apartments. Multi-family dwellings are not permitted in the R.C.5 zone, unless otherwise determined that such use is nonconforming and existed prior the enactment of the R.C.5 zoning regulations. Thus, if that is the case, the Petitioner shall be required to file a Petition for Special Hearing to legitimize the use of the existing dwelling; however, the proposed dwelling shall be limited to single family use.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of July, 2001 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 15 feet and 17 feet, respectively, in lieu of the required 50 feet each, for a proposed dwelling, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that a 30-day appeal period runs from the date of this Order. If an appeal is filed and the Board of Appeals reverses this Order, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioner shall submit a revised plan to this Zoning Commissioner showing the new location of the proposed dwelling, as set forth herein. In addition, said plan shall show the proposed location of the private well and septic system for the subject lot. A copy of the revised plan shall be forwarded to the Office of Planning and DEPRM prior to the issuance of any permits.
- 3) Prior to the issuance of any permits, the Petitioner shall remove all cars, junk and debris from the subject property, and generally, bring both parcels into compliance with all zoning laws. Petitioner shall allow access to both properties by a Code Enforcement Inspector to insure compliance with this restriction.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 7/26/01
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 26, 2001

Mr. John W. Barnes
12303 Philadelphia Road
Kingsville, Maryland 21087

RE: PETITION FOR VARIANCE
S/S Philadelphia Road, 830' W of Bradshaw Road
(12303-A Philadelphia Road)
11th Election District – 5th Council District
John W. Barnes - Petitioner
Case No. 01-453-A

Dear Mr. Barnes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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 truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Michael Shipley
12305 Philadelphia Road, Kingsville, Md. 21087
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12303 A Philadelphia Road

which is presently zoned PCS

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)

1A04.3.B.3 to permit side yard setbacks of 15 ft. and 17 ft. in lieu of the required 50 ft. respectively.

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

1. Although the lot meets the minimum lot size for B.C.Z.R.; the configuration of the lot restricts meeting the sideyard setbacks.
2. Lot of record since August 8, 1973.
3. Strict compliance with regulations would unreasonably prevent the use of the property for residential purposes.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No. 01-453-A

REV 9/15/98

Legal Owner(s):

John Barnes

Name - Type or Print

Signature

Name - Type or Print

Signature

12303 Philadelphia Road (410) 538-7241

Address

Telephone No

Kingsville, MD 21087

City

State

Zip Code

Representative to be Contacted:

Sate Rite Surveying, Inc.

Bernadette L. Moskunas

Name

200 E. Joppa Road Suite 101

410 828-9060

Address

Telephone No

TOWSON, MD 21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BH

Date 4/25/01

ORDER RECEIVED FOR FILING
Date 7/26/01
By [Signature]

ZONING DESCRIPTION FOR #12303 A PHILADELPHIA ROAD (PARCEL TWO)

BEGINNING at a point on the south side of Philadelphia Road which is 60' wide at the distance of 830' west of Bradshaw Road which is 70' wide. As recorded in deed Liber 8774, folio 808; thence running S 13 degrees 24 minutes 28 seconds E, 515.68 feet; thence S 58 degrees 15 minutes 58 seconds W, 86.72 feet; thence N 13 degrees 24 minutes 28 seconds W, 542.94 feet; thence N 76 degrees 35 minutes 31 seconds E, 82.32 feet to the Place of Beginning. Containing 1.00 Acres of land, more or less. Also known as #12303 A Philadelphia Road and located in the 11th. Election District, 5th. Councilmanic District.



J. Tilghman Downey, Jr.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92840

DATE 4/25/01 ACCOUNT RP001-006-5160

AMOUNT \$ 50.00

RECEIVED FROM: Blues Brothers Contracting

FOR: Zoning Variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item #453

PAID RECEIPT

PAYMENT ACTUAL TIME
4/26/2001 4/25/2001 14:19:33
REL MS05 CASHIER NOTE NLS DRAWER 5
REF CREDIT # 210215 OFLN
PMT \$ 550 MISCELLANEOUS IN
CR ID. 002040

Recpt Tot 50.00
50.00 CF .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: # 01-453-A
12303 A Philadelphia Road
SE/S Philadelphia Road
830' SW Bradshaw Road
11th Election District
5th Councilmanic District
Legal Owner(s): John W. Barnes

Variance: To permit a side yard setback of 15 feet and 17 feet in lieu of the required 50 feet respectively.

Hearing: Friday, June 29, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

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

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

6/085 June 14 C474621

CERTIFICATE OF PUBLICATION

6/14/ 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/14/ 2001.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-453-A

Petitioner/Developer: _____

MR. JOHN W. BARNES

Date of Hearing/Closing: JUNE 29, 2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

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 _____

12303 A PHILADELPHIA ROAD

The sign(s) were posted on JUNE 12, 2001

(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # 01-453-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407, COUNTY COURTS

PLACE: BLDG. 401 BOSLEY AVENUE

DATE AND TIME: FRIDAY, JUNE 29, 2001
AT 2:00 P.M.

REQUEST: VARIANCE TO PERMIT A
SIDE YARD SETBACK OF 15 FEET AND
17 FEET IN LIEU OF THE REQUIRED
50 FEET RESPECTIVELY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 867-3301

FOR MORE INFORMATION CONTACT THE ZONING COMMISSIONER OR THE PLANNING DEPARTMENT.
HANDICAPPED ACCESSIBLE

RECEIVED

3 2001

PERMITS AND
MANAGEMENT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 01-453-A
Petitioner: John Barnes
Address or Location: #12303 Philadelphia Road & 12303 A
Philadelphia Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Barnes
Address: 12303 Philadelphia Road
Bradshaw, MD 21021
Telephone Number: (410) 538-7241

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

May 23, 2001

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: 01-453-A
12303 A Philadelphia Road
SE/S Philadelphia Road, 830' SW Bradshaw Road
11th Election District – 5th Councilmanic District
Legal Owner: John W Barnes

Variance to permit a side yard setback of 15 feet and 17 feet in lieu of the required 50 feet respectively.

HEARING: Friday, June 29, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

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

Arnold Jablon GDZ
Director

C: John Barnes, 12303 Philadelphia Road, Kingsville 21087
Bernadette L Moskunus, Site Rite Surveying Inc, 200 E Joppa Rd, Suite 101,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 14, 2001**
(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
Thursday, June 14, 2001 Issue – Jeffersonian

Please forward billing to:

John Barnes
12303 Philadelphia Road
Bradshaw MD 21021

410 538 7241

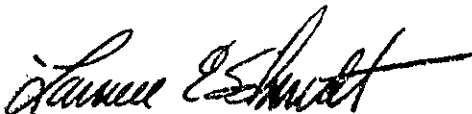
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HEARING: Friday, June 29, 2001 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
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.



Baltimore County
Department of Permits and
Development Management

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

June 22, 2001

John Barnes
12303 Philadelphia Road
Kingsville 21087

Dear Mr. Barnes:

RE: Case Number: 01-453-A, 12303 Philadelphia Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 25, 2001.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Bernadette Moskunus, Site Rite Surveying Inc, 200 E Joppa Road Suite 101,
Towson 21286
People's Counsel

for
9/6

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits &
Development Management

DATE: August 29, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 19, 2002
Item Nos. 055, 056, 057, 058, 059, 060,
061, 062, 063, 064, 065, and 066

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

RWB:CEN:jrb

cc: File

Jim
6/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: May 29, 2001

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

SUBJECT: 112303A Philadelphia Road

INFORMATION:

MAY 30

Item Number: 01-453

Petitioner: John W. Barnes

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow side yard setbacks of 15 feet and 17 feet in lieu of the required 50 feet providing that a revised plan showing the proposed well and septic location is submitted to this office prior to the issuance of a building permit.

Prepared by: Mark A. Cunniff

Section Chief: Jeffrey W. Long
AFK:MAC:

RE: PETITION FOR VARIANCE
12303-A Philadelphia Road, SE/S Philadelphia Rd,
830' SW of Bradshaw Rd
11th Election District, 5th Councilmanic

Legal Owner: John W. Barnes
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-453-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: James H. Thompson, Supervisor
Code Enforcement Division, DPDM

DATE: July 26, 2001

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: PETITION FOR VARIANCE
S/S Philadelphia Road, 830' W of Bradshaw Road
(12303-A Philadelphia Road)
11th Election District – 5th Council District
John Barnes – Petitioner
Case No. 01-453-A

Enclosed please find a copy of the Findings of Fact and Conclusions of Law recently issued by me in the above-captioned matter. The Petitioner owns the subject property, and an adjacent parcel, known as 12303 Philadelphia Road, which is improved with a single family dwelling that serves as his residence. The Petitioner filed the instant Petition seeking relief to permit development of 12303-A Philadelphia Road with a single family dwelling. I granted the relief requested, inasmuch as the property meets the requirements of Section 307 of the B.C.Z.R. for development of R.C.5 zoned land. However, at the hearing, the property owners who reside adjacent to the subject lot testified that the Petitioner has been using the property as a junk yard, storing cars and equipment thereon. In addition, the Protestants testified that Mr. Barnes' residence contains two apartments and indicated they are concerned about the potential use of the subject property as a multi-family dwelling.

As I explained in my Order, such use is illegal unless otherwise permitted as a nonconforming use. Moreover, I required that the Petitioner clean up the site and remove all junk and debris, prior to the issuance of any permits. Therefore, I would appreciate your sending out an inspector to follow-up on this matter to insure that Mr. Barnes complies with the restrictions imposed in my Order and to insure that both properties are being used in accordance with all zoning laws.

Thank you for your attention in this matter and should you have any questions, please do not hesitate to call me.

LES:bjs
cc: Case File

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

SITE-RITE SURVEYING, INC.
VINCENT MOSKUNAS

200 E. JOPPA. Rd.

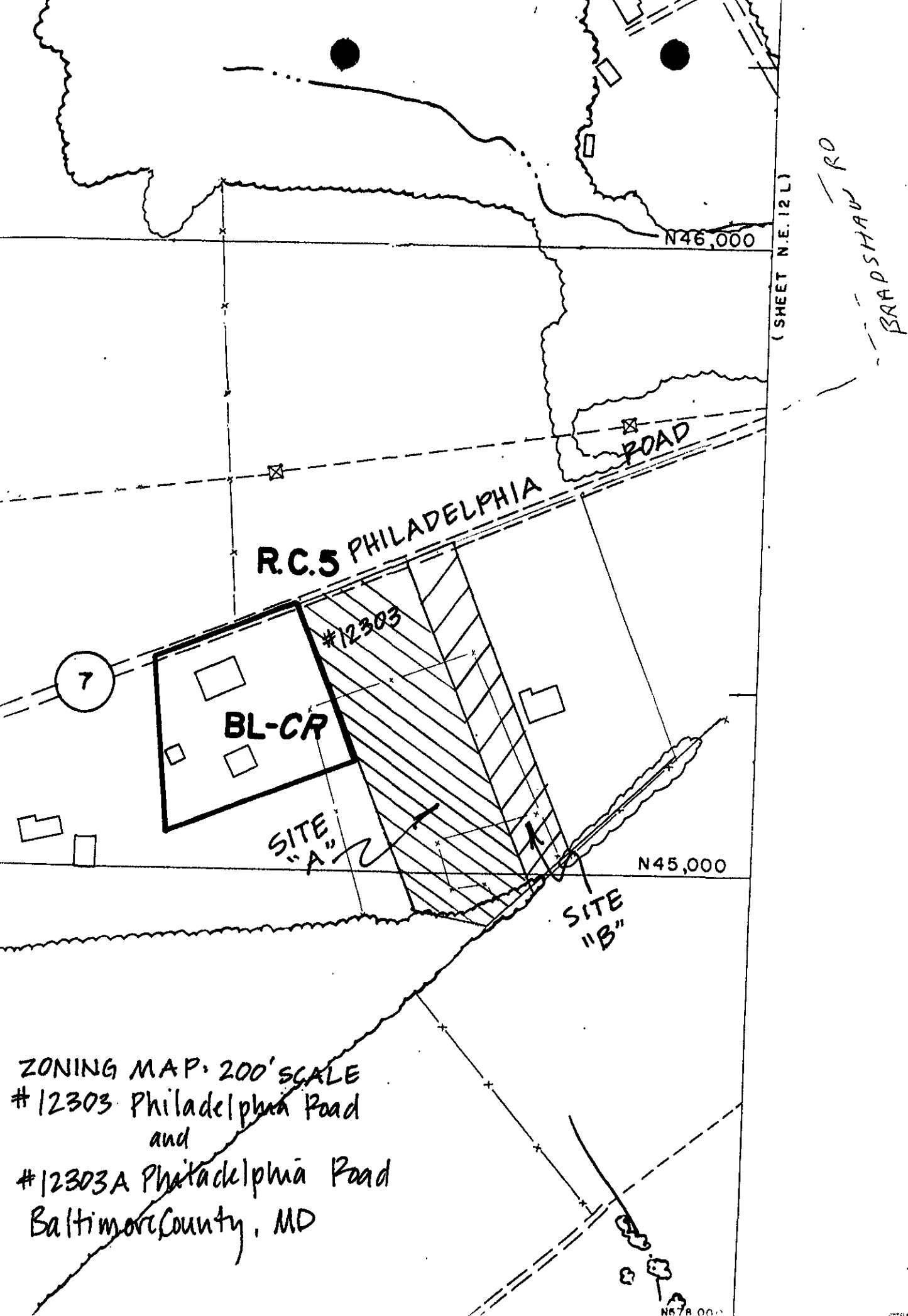


Case Number 01-453

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]



ZONING MAP, 200' SCALE
#12303 Philadelphia Road
and
#12303A Philadelphia Road
Baltimore County, MD

#453

April 4

LIBER 8774 PAGE 808

Case No. 91037

This Deed, Made this 2nd day of April, in the year one thousand nine hundred and ninety-one, by and between John W. Barnes and John W. Barnes Jr., parties of the first part, J. Barnes Inc., a Maryland Corporation, party of the second part, and John W. Barnes, Jr. party of the third part;

Witnesseth, That in consideration of One Dollar without any monetary consideration as between the parties, the parties of the first and second parts hereby grant unto the party of the third part, in fee simple all that piece or parcel of land together with improvements, rights, privileges and appurtenance to the same belonging, situate in Baltimore, Maryland, described as follows, to wit:

Tax I.D. No.: [11] 16-00-010382

Beginning for the first thereof at a point in the centerline of Philadelphia Road, said point lying north 76 degrees 38 minutes 02 seconds east 514.79 feet from the northeasterly corner of that tract or parcel of land conveyed by and described in a Deed from Oscar H. Frank, widower, to William M. Saylor and Rita M. Saylor, his wife, dated April 30, 1954 and recorded among the Land Records of Baltimore County, in Liber G.L.C. 2470, folio 329, running thence binding on the centerline of Philadelphia Road, Route 7, north 76 degrees 35 minutes 31 seconds east 178.28 feet to a point, running thence leaving Old Philadelphia Road, and running through and across the lands of Streett for a new line of division, south 13 degrees 24 minutes 28 seconds east 542.95, to a point on the outline of the lands of Harry U. Reipe, as recorded among the Land Records of Baltimore County in R.J.S. No. 1360 folio 547, running thence binding on the lands of Reipe, two courses, viz: south 58 degrees 15 minutes west 80.64 feet to a stone heretofore set and north 86 degrees 55 minutes 04 seconds west 106.51 to a point, thence leaving the lands of Reipe, north 13 degrees 21 minutes 57 seconds west 538.07 feet to the beginning hereof, containing 2.271 acres more or less.

Tax I.D. No.: [11] 19-00-001914

Beginning for the second thereof at a point in the center line of Maryland Route 7 and Philadelphia Road said point lying the following two courses from the northeasterly most corner of that tract or parcel of land conveyed by and described in a Deed from Oscar H. Frank, widower, to William W. Saylor and Rita M. Saylor, his wife, dated April 30, 1954 and recorded among the Land Records of Baltimore County in Liber 2470 folio 329 (1) north 76 degrees 38 minutes 02 seconds east 514.79 feet and (2) north 76 degrees 35 minutes 31 seconds east 178.28 feet said point of beginning being also at the northeasterly most corner of the 2.271 acre parcel previously conveyed to Donald E. Wolfe, Sr. and Clara L. Wolfe, his wife, and running thence leaving the last mentioned conveyance binding on the centerline of Maryland Route 7 (1) north 76 degrees 35 minutes 31 seconds east 82.32 feet to a point thence leaving Route 7 running through and across the lands of Streett (2) south 13 degrees 24 minutes 28 seconds east 515.68 feet to a point in the outlines of the lands of Harry U. Reipe as recorded among the Land Records of Baltimore County in Liber R.J.S. 1360 folio 547 running thence binding on the lands of Reipe (3) south 58 degrees 15 minutes 58 seconds west 86.72 feet to the end of the second line of the conveyance to Wolfe aforesaid thence binding reversely on said line (4) north 13 degrees 24 minutes 28 seconds west 542.94 feet to the beginning hereof; containing 1.000 acres, more or less.

Being parcels two and three conveyed by Deed dated October 24, 1984 and recorded in Liber 6898 at folio 462

And the within Grantor, J. Barnes Inc., joins herein as party of the second part to quit claim all its right, title and interest, if any, which it may have acquired by virtue of Articles of Sale dated October 1, 1984 and recorded in Liber 6997 at folio 350.

And pursuant to the provisions of Ch. 197 of The Laws of Maryland, 1988, effective July 1, 1988 [Annotated Code of Maryland, Article-Tax-Property, Section 13-203(b)] the undersigned Grantees hereby make oath that the residence on the property described in the within Deed will be occupied by the Grantees

And the said parties of the first and second part covenant that they will warrant specially the property hereby conveyed and that they will execute

All ~~Property~~ Properties July 10, 1991

6309. 72-379-380

RECEIVED FOR TRANSFER
NOT APPLICABLE

SIGNATURE

RECEIVED FOR TRANSFER
State Department of
Assessment & Taxation
for Baltimore County

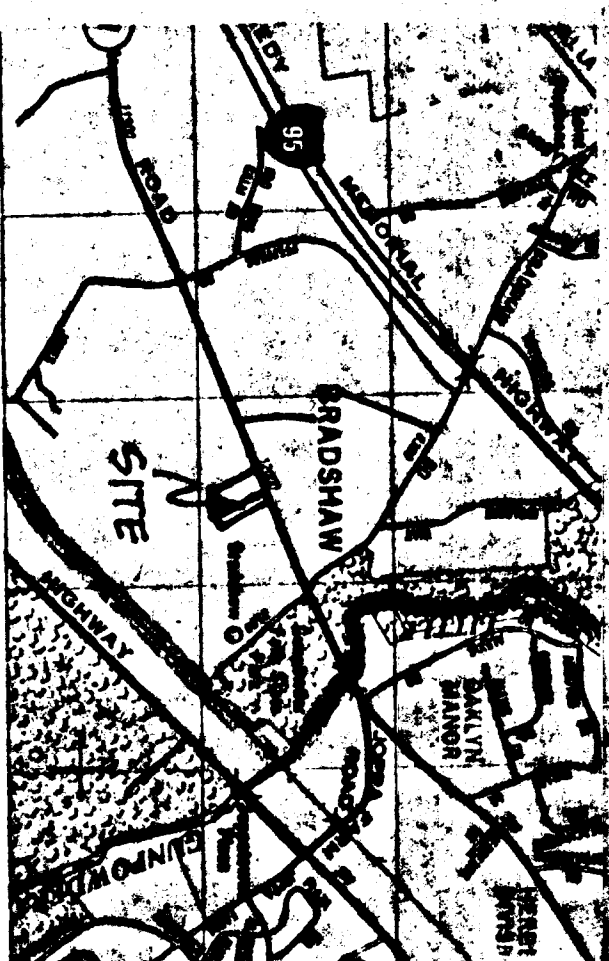
DATE

RECEIVED FOR TRANSFER
NOT APPLICABLE

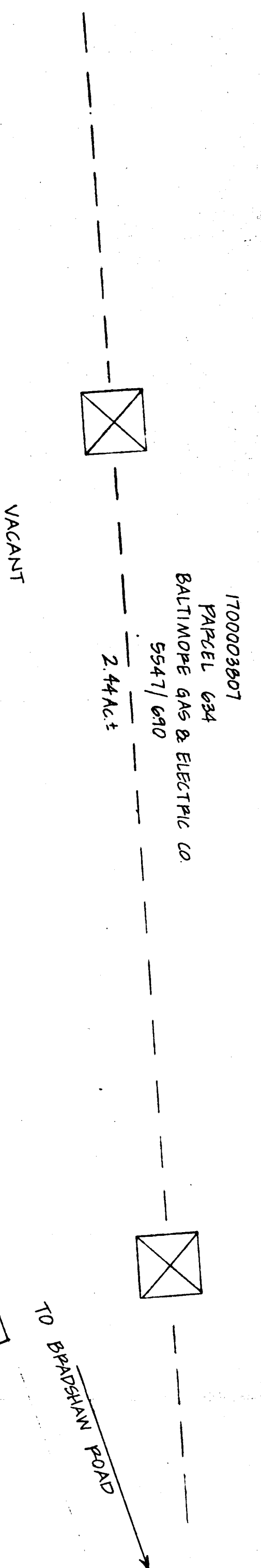
RECEIVED FOR TRANSFER
NOT APPLICABLE

Ms. 19779
Jeff 3/30
Land title and survey corporation
29 Alighting Ave. • Suite 1210 • Towson, MD 21204

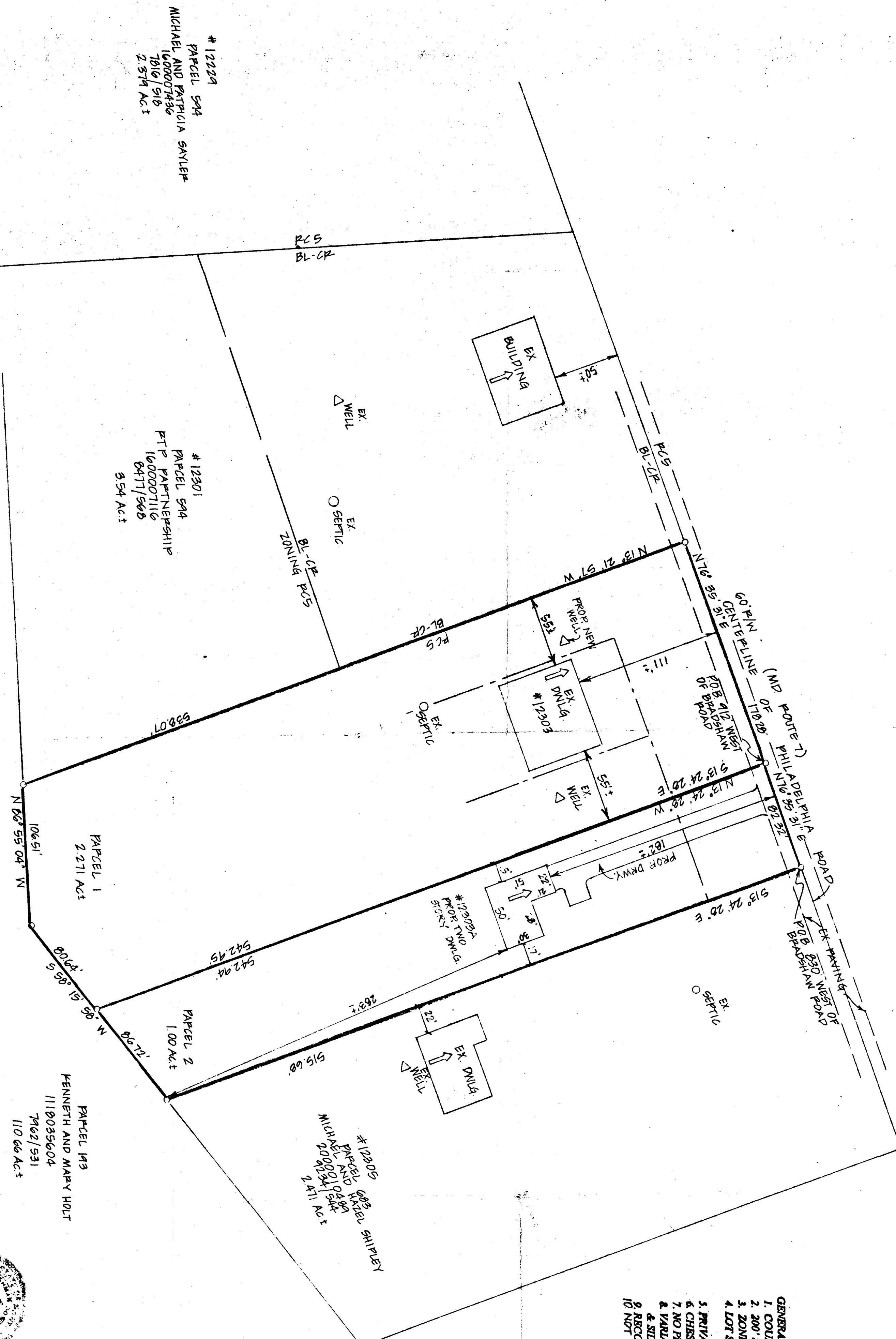
Benchmark



VICINITY MAP SCALE 1"=2000



- GENERAL NOTES
1. COUNCILMANIC DISTRICT NO. 5
 2. 80' SCALE ZONING MAP: NE 12 K
 3. ZONING: R.C.3
 4. LOT SIZE: PARCEL ONE: 2.771 ACRES+/- PARCEL TWO: 1.00 ACRES+/-
 5. PRIVATE WATER AND SEWER
 6. CHESAPEAKE BAY CRITICAL AREA: NO
 7. NO PRIOR ZONING HISTORY
 8. VARIANCE FOR CONTIGUOUS OWNERSHIP OF PARCEL ONE AND TWO
 9. & SIDEWALK SETBACKS FOR PARCEL TWO
 10. NOT LOCATED IN 100 YEAR FLOODPLAIN: 240010 02458 ZONE C



REPAIR OF PLAN

By File Surveying, Inc.
100 E. Airport Road
Baltimore, Maryland 21226
Phone 482-0000

OWNER PARCEL 1:
JOHN W. BARNES, JR.
12303 PHILADELPHIA ROAD
BETHESDA, MD 20814
TAX ACCT. NO. 160007341
TAX MAP: 64 GRID 16 PARCEL 614

OWNER PARCEL 2:
JOHN W. BARNES
TAX ACCT. NO. 160001114
TAX MAP: 64 GRID 16 PARCEL 614



[Signature]

PLAT TO ACCOMPANY PETITION FOR VARIANCE
OF THE PHILADELPHIA ROAD PARCEL ONE
112303 PHILADELPHIA ROAD (PARCEL TWO)
DEED REFERENCE: 87/484
ELECTION DISTRICT NO. 11
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50'
81-4376

ZONING OFFICE USE ONLY		
REVIEWED BY:	ITEM NO.	CASE NO.
SA	453	0-453-1