IN THE MATTER OF THE APPLICATION OF TRACY MORROW /MARK STORCK /, RICHARD HALL /PETITIONERS FOR A SPECIAL HEARING ON PROPERTY LOCATED ON THE W/S SMITH AVENUE, 1085' N OF SATYR HILL ROAD (9216 SMITH AVENUE) 9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT	* * * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 02-517-SPHA **(Reference CASE NO. 01-270-A)**

* * * * * * *

O P I N I O N

This matter comes before the Baltimore County Board of Appeals on a timely appeal brought by the Appellants/Protestants Marjorie Shipley, Tom Chenowith and Josh Gilman, resulting from a decision by the Deputy Zoning Commissioner dated September 10, 2002, to approve a Petition for building application/undersized lot (per §304, *Baltimore County Zoning Regulations*) at the subject site, 9216 Smith Avenue, 9th Election District, 6th Councilmanic District.

The Appellants /Protestants were represented before the Board by J. Carroll Holzer, Esquire. John B. Gontrum, Esquire, appeared on behalf of Petitioners/Legal Owners HNS Development- Mark Storck and Petitioner /Applicant Tracy Morrow.

On behalf of the Petitioners, Mr. Gontrum explained to the Board that he and his clients had had discussions with Mr. Holzer and Mr. Gilman in which the parties agreed that the site plan could be amended to satisfy everyone. In addition, Mr. Gilman's concerns would be expressly addressed on the record. In return the Protestants would not oppose the approvals granted by the Deputy Zoning Commissioner as indicated in his opinion of September 10, 2002.

The amended site plan would show that the house to be built would not encroach on the setbacks, which would therefore negate the request for side yard setback variances (Note #10). In addition a dry well would be constructed to control runoff onto the Shipley property (Note #11). Mr. Gontrum noted for the record that such a dry well must be

approved by Baltimore County before it can be constructed. Mr. Gontrum also noted that Case No. 01-270-A, already heard by this Board and set for deliberation on November 21, 2002, would be resolved by the settlement of this case. To wit, the request for lot width and side variances would be withdrawn and the same building size would be used as amended in the instant case currently before the Board.

Mr. Holzer concurred on behalf of his clients that Mrs. Shipley agreed that the dry well would be sufficient in addressing her concerns about drainage onto her property. As for Case No. 01-270-A, already heard, Mr. Holzer indicated that the withdrawal of the variance request would render that case moot. Mr. Holzer also noted that Mrs. Shipley has no objection to building on the undersized lot so long as the requirements of § 304 of the *Baltimore County Zoning Regulations* (BCZR) are met without variance.

Mr. Gilman was in the hearing room to hear his concerns addressed, and Mr. Chenowith was not present, having indicated to Mrs. Shipley that he wished to withdraw his appearance.

Michael Ertel testified for the Petitioners as a professional engineer with offices in Ellicott City. He prepared the site plan and examined deeds prior to 1950 which were in tact, showing no changes and no subdivisions to the subject lot. He certified that the subject property meets all area requirements under § 304 of the BCZR, and is even larger, 26,000 square feet, than required. He stated that the proposed dwelling will meet the required setbacks, that the proposal was supported by the Office of Planning, and that all approvals for well, septic reserve, etc. have been received from DEPRM.

The amended site plan was offered into evidence as Petitioners' Exhibit #1. As Petitioners' Exhibit #2, Mr. Ertel submitted a packet of documents from the hearing below to include the deed history on the

subject property; a letter from DEPRM, signed by Robert Powell; the original site plan; the house elevations; and photos of the subject property.

Mr. Ertel also testified that the owner did not own any adjacent land and that the building proposed was appropriate for the neighborhood and approved by the Office of Planning.

The Petitioners' second witness was William Monk who was accepted by the Board as an expert land planner and permits and zoning consultant. Mr. Monk is a partner in Morris, Ritchie Associates and evaluated the subject property. It was his opinion that the proposal before the Board was compatible as depicted with the zoning and adjacent land use, and further that the property conforms with § 304, undersized lots, in that it was created prior to present regulations and meets the minimum lot size. Mr. Monk also testified that the proposed house fits within the building envelope and is compatible to others in the neighborhood in architecture and size. He opined that the proposal is not injurious to the health, safety and welfare of the neighbors.

In conclusion, Mr. Gilman, a Protestant in the appeal, asked that his letter of November 6, 2002, and his letter to DEPRM expressing his concerns, be accepted into evidence as Protestant's Exhibits 1A & B. The Board did so accept.

Upon review the Board accepts unanimously the testimony and evidence presented and hereby finds that the subject property meets the requirements for an undersized lot as indicated in Section 304.1, BCZR. That Section stipulates that:

> A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the are regulations contained in these regulations if:
>
> A. Such lot shall have been duly recorded either by

deed or in a validly approved subdivision prior to March 30, 1955;

B. All other requirements of the height and area regulations are complied with; and

C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Further, since the resolution of this case also resolves the issues in Case No. 01-270-A, the matters in that case are moot, and we shall hereby dismiss that appeal.

ORDER

THEREFORE, IT IS THIS 13th day of December, 2002 by the County Board of Appeals of Baltimore County

ORDERED that the Petitioner's special hearing request be and is hereby **GRANTED**; and it is further

ORDERED that the subject property meets the requirements for an undersized lot as indicated in Section 304.1, *Baltimore County Zoning Regulations*; and it is further

ORDERED that, with the withdrawal of the Petition for Variance in Case No. 01-270-A, the appeal filed in that matter is hereby **DISMISSED as moot.**

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the*Maryland Rules*.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Panel Chair

Margaret Worrall

Melissa Moyer Adams

IN RE: PETITION FOR VARIANCE W/S corner Smith Avenue, 1085' from E corner of Satyr Hill Road 9th Election District 2nd Councilmanic District (9216 Smith Avenue) HNS Development, By: Mark L. Storck *Petitioner*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 02-517-SPH

* * * * * * * * * * * * *

NOTICE OF APPEAL

Marjorie Shipley, Josh Gilman and Tom Chenowith, Appellants in the above captioned case, by and through their her attorney, J. Carroll Holzer and Holzer and Lee, feeling aggrieved by the decision of the Deputy Zoning Commissioner in the above captioned case hereby note an appeal to the County Board of Appeals from the Decision of the Deputy Zoning Commissioner of Baltimore County, dated September 10, 2002, attached hereto, and incorporated herein as **Exhibit #1.**

Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover the costs of the appeal.

Respectfully submitted,

J. Carroll Holzer
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Appellants

LAW OFFICE
HOLZER AND LEE
THE 508 BUILDING
508 FAIRMOUNT AVENUE
TOWSON, MARYLAND
21286

(410) 825-6961
FAX· (410) 825-4923

C:\My Documents\Notices\Marjorie Shipley CBA.doc

RECEIVED
OCT 02 2002
By bh

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of October, 2002, a copy of the foregoing Notice of Appeal was mailed first class, postage pre-paid to Michael Moran Esq., 1400 Front Avenue, Suite 202, Lutherville, MD 21093; County Board of Appeals, Basement Old Court House, 400 Washington Avenue, Towson, MD 21204; and People's Counsel for Baltimore County, Basement Old Courthouse, 400 Washington Avenue, Towson, MD 21204.

J. Carroll Holzer

IN RE: PETITION FOR VARIANCE W/S corner Smith Avenue, 1085' from E corner of Satyr Hill Road 9th Election District 6th ~~2nd~~ Councilmanic District (9216 Smith Avenue) HNS Development, By: Mark L. Storck *Petitioner*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 02-517-SPH

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as an undersized lot approval request field by the legal owner of the subject property, HNS Development, by and through their representative, Mark Storck. The property owner is requesting permission to construct a single-family, residential dwelling on an undersized lot located at 9216 Smith Avenue in Parkville. The subject property is unimproved at this time.

Appearing at the hearing on behalf of the undersized lot approval request were Mark Storck, representing the owner of the property, Bill Monk and Michael Ertel, and John B. Gontrum, attorney at law, representing the property owner. Appearing in opposition to the Petitioner's request were several residents of the surrounding community, all of whom signed in on the protestant's sign-in sheet, and all of whom were represented by J. Carroll Holzer, attorney at law.

Testimony and evidence indicated that the property, which is the subject of this undersized lot approval request, consists of 0.648 acres, more or less. zoned D.R.2. There also exists a very small portion of D.R.1 zoned property to the rear of the lot. The Petitioner is desirous of constructing a single-family dwelling on the subject lot in accordance with that depicted on the site plan submitted into evidence. The unimproved lot itself is of sufficient size to meet the lot size regulations applicable in the D.R.2 zone. However, the width of the lot itself is insufficient to meet D.R.2 standards. As can be seen from reviewing the site plan, the lot itself is 75 ft. wide

ORDER RECEIVED FOR FILING
Date 9/10/02
By R. Jamison

and approximately 395 ft. in depth. Lots in the D.R.2 must be a minimum of 100 ft. in width in order for a dwelling to be constructed thereon. Therefore, the Petitioner has requested to proceed under Section 304 of the Baltimore County Zoning Regulations, that section applying to undersized lot approvals.

It should be noted that the property owner previously petitioned this Deputy Zoning Commissioner for variance relief in order to construct a single-family dwelling on this property That request was filed in Case No. 01-270-A. The variance request in that case was denied for the reasons stated in the body of that Order. The property owner has now modified their request and has decided to construct a smaller single-family dwelling on the subject property which needs no variances in order to be constructed. Furthermore, in this development proposal, the Petitioner has increased their septic reserve area to 10,000 sq. ft., which exceeds the standards in effect for this lot. The required septic reserve area for this lot is 5,000 sq. ft. However, the property owner is proposing to provide a 10,000 sq. ft. area for septic reserve to ensure that there is ample room for the proper disposal of waste from the home to be constructed on this lot. In order to proceed with the construction of a house on the property, this approval is necessary.

As stated previously, many residents from the surrounding neighborhood appeared in opposition to the Petitioner's request. Those residents who appeared are very much concerned that the septic reserve area set aside for the home to be constructed on this lot would not be sufficient to accommodate the daily discharge of waste from the occupants of the dwelling. These neighbors also are concerned over the adequacy of the soils for handling the discharge of waste. These residents believe that in the event a home is constructed and a failing septic system develops, that it could cause contamination to their wells. Most of the residents who reside along Smith Avenue rely on private well and septic for their homes. These residents also believe that allowing a home to be constructed on this undersized lot will open the potential for further undersized lot situations in their neighborhood.

Date 9/10/02
By: R. Jackson

It should be noted that the standard of review to be applied in this particular undersized lot approval request is contained within Section 304.4 of the Baltimore County Zoning Regulations. As stated therein, the only standard of review as to whether this dwelling may be permitted to be constructed on this lot is whether or not, in my opinion, the dwelling is appropriate. After considering the testimony and evidence offered at the hearing, the size of the new house to be constructed on this lot, and the increase in the septic reserve area set aside for this house, I find that it is in fact appropriate to allow this particular type of home to be constructed on this property. The Petitioner shall be required to construct a home the size of which is represented on the site plan submitted into evidence. Also, the Petitioner submitted into evidence as Petitioner's Exhibit No. 5, building plans of the home to be constructed on this lot. The Petitioner shall be required to construct a home consistent with those house plans.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 10th day of September 2002, that the home to be constructed on the unimproved lot located at 9216 Smith Avenue is in fact appropriate and the undersized lot approval request, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 9/12/02
By R. Jamison

Baltimore County
Zoning Commissioner

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

September 10, 2002

Mark L. Storck
9300 Thornewood Road
Baltimore, Maryland 21234

Re: Petition for Special Hearing
Case No. 02-517-SPH
Property: 9216 Smith Avenue

Dear Mr. Storck:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 5/8/02

Residential Processing Fee Paid ($50.00)
Accepted by BK
Date 4/22/02

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Tracy Morrow — Print Name of Applicant
57 Stone Park Pl 21236 — Address
5298168 — Telephone Number

Lot Address 9216 Smith Ave Election District 9 Councilmanic District 6 Square Feet 29,704

Lot Location: N E S (W/side) corner of SMITH AVE (street) 1085 feet from N (E) S W corner of SATYR HILL RD (street)

Land Owner: HNS Development - Mark Storck Tax Account Number 0920550850

Address: 3107 Parktowne Rd 21234 Telephone Number (410) 917-3900

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	O/G	
Permit Application — PENDING APPROVAL OF RECOMMENDATION		
Site Plan		
Property (3 copies)		
Topo Map (2 copies) available in Room 206, County Office Building - *(please label site clearly)*		✓
Building Elevation Drawings	✓	
Photographs (please label all photos clearly)		
Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

Current Zoning Classification: DR 2

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 fo

The house construction must be in accordance with elevation drawings submitted & prepared by Weinmaster House Design
Dated 5/10/02

Signed by Lynn Lanham for the Director, Office of Planning and Community Conservation

Date 5/14/02

RECEIVED APR 23 2002 OFFICE OF PLANNING

Revised 2/25/99

Post-it® Fax Note 7671 Date 5/14 # of pages ▶ 3
To Kathy From Lynn Lanham
Co./Dept. Zoning Co.
Phone # Phone # 7480
Fax # 887-3824 Fax #

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: #02-517-A
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District
2nd Councilmanic District
Legal Owner(s): HNS Development, Mark Storck
Contract Purchaser: Tracey Morrow
Special Hearing: to approve a building permit for an undersized lot.
Hearing: Wednesday, August 28, 2002 at 9:00 a.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.
JT 8/645 Aug. 13 C556337

CERTIFICATE OF PUBLICATION

8/15/, 2002

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 8/13/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

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

Case: #02-517-A
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District
2nd Councilmanic District
Legal Owner(s): HNS Development, Mark Storck
Contract Purchaser: Tracey Morrow
Special Hearing: to approve a building permit for an undersized lot.
Hearing: Friday, July 12, 2002 at 10:00 a.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.
1/245 June 27 C547188

CERTIFICATE OF PUBLICATION

6/28/, 2002

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 6/27/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 17869

DATE 10/4/02 ACCOUNT 001 006 6150

AMOUNT $ 210.00

RECEIVED FROM: J CARROLL HOLZER HOLZER + LEE

FOR: APPEAL
02-517-SPH
9216 SMITH AVENUE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
10/07/2002 10/04/2002 15:30:08
REG W602 MAIL JEVA JEE DRAWER 2
>>RECEIPT # 228357 10/04/2002 OFLH
Dep 5 528 ZONING VERIFICATION
CR NO. 017869
Recpt Tot $210.00
210.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13207

DATE 5-20-02 ACCOUNT 001-06-6150

AMOUNT $ 40.00

RECEIVED FROM CAROLE HOLZER ON BEHALF OF MARJORIE SHIPLEY

FOR REQUEST HEARING UNDERSIZE LOT 9216 SOUTH AVENUE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS DATE	ACTUAL DATE	TIME
5/20/2002	5/20/2002	10:54:52

REG WS06 WALKIN KMON KAN DRAWER
>>RECEIPT # 079103 5/20/2002 [illegible]
Dep 5 528 ZONING VERIFICATION
CR NO. 013207
Recpt Tot $40.00
40.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 13309

DATE 4/22/02 ACCOUNT 1010 6150

AMOUNT $ 50.00

RECEIVED FROM: Hill Partners LLC

FOR: Undersized Lot Approval

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME
4/22/2002 4/22/2002 10:09:41
REG WB06 WALKIN KACHKOR DRAWER 4
>>RECEIPT # 077676 4/22/2002 VEIN
Dept 5 520 ZONING VERIFICATION
CR NO. 013309
Recpt Tot 50.00
50.00 CK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-517-A

Petitioner/Developer: TRACEY MORROW

Date of Hearing/Closing: 8/28/02

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 9216 SMITH AVE

The sign(s) were posted on 8/13/02
(Month, Day, Year)

Sincerely,

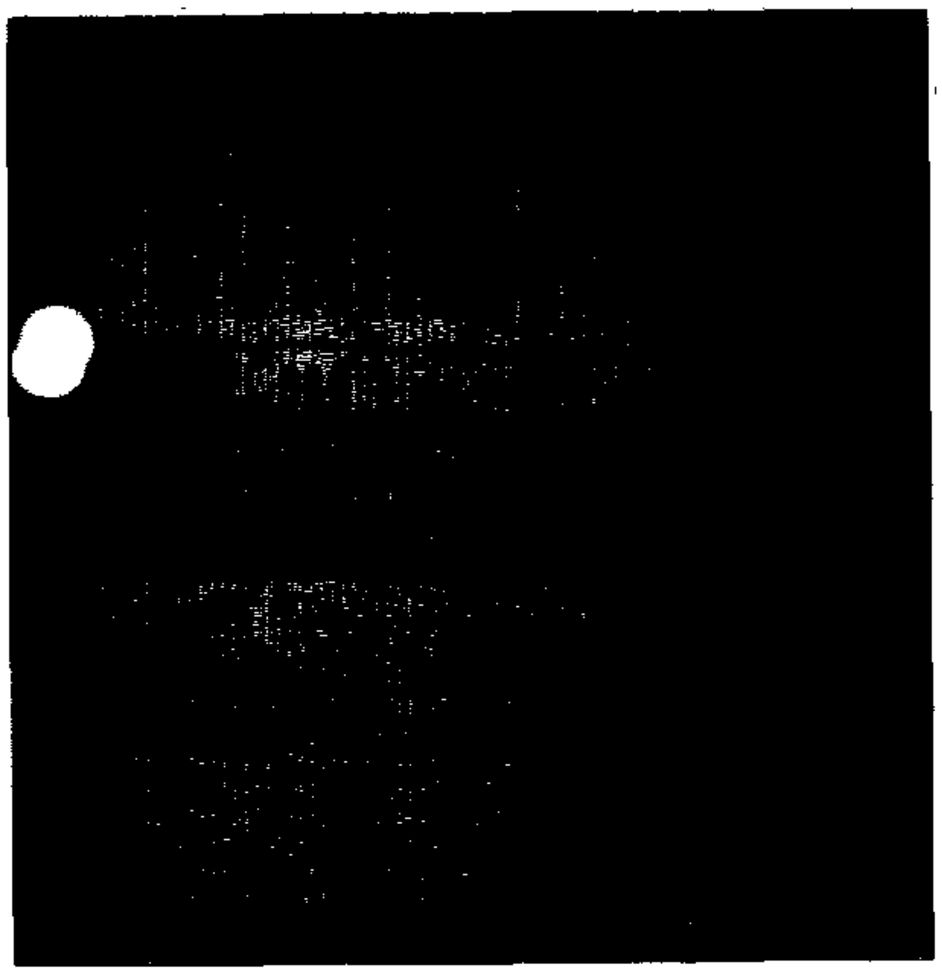
8/13/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK
(Printed Name)

1508 Leslie Rd
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)



APPEAL SIGN POSTING REQUEST

CASE NO.: 02-517-SPH

Tracy Morrow - LEGAL OWNERS

9216 Smith Avenue, Baltimore 21234

9th ELECTION DISTRICT APPEALED: 10/2/02

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

**********COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

RE: Case No.: 02-517-SPH

Petitioner/Developer:

MORROW

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

_____

The sign was posted on 10/24, 2002

By: _____
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

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

August 6, 2002

NOTICE OF ZONING HEARING

Due to an error this Case Number 02-517-A should not have been postpone and it is still scheduled for the following date, sorry for the inconvenience.

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: 02-517-A
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District – 2nd Councilmanic District
Legal Owner: HNS Development, Mark Storck
Contract Purchaser: Tracey Morrow

Special Hearing to approve a building permit for an undersized lot.

HEARING: Wednesday, August 28, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: HNS Development, Mark Storch, 3107 Parktowne Road, Baltimore 21234
Tracey Morrow, 57 Stone Park Place, Baltimore 21236
J. Carroll Holzer, Holzer & Lee, 508 Fairmount Avenue, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 13, 2002.**
(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.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 6, 2002

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: 02-517-A
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District – 2nd Councilmanic District
Legal Owner: HNS Development, Mark Storck
Contract Purchaser: Tracey Morrow

Special Hearing to approve a building permit for an undersized lot.

HEARING: Friday, July 12, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: HNS Development, Mark Storch, 3107 Parktowne Road, Baltimore 21234
Tracey Morrow, 57 Stone Park Place, Baltimore 21236

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 27, 2002.**
(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.

Printed with Soybean Ink
on Recycled Paper

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avevnue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by Bruno Rudaitis (name of planner) on 4/22/02 (Date) (A).

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is $50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 5/4/02 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES_____ NO_____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 5/19/02 C (B-3 Work Days)

TENTATIVE DECISION DATE 5/22/02 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

_____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

Revised 2/25/99

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 27, 2002 Issue – Jeffersonian

Please forward billing to:
HNS Development
3107 Parktowne Road
Baltimore, MD 21234

410-917-3900

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: 02-517-A
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District – 2nd Councilmanic District
Legal Owner: HNS Development, Mark Storck
Contract Purchaser: Tracey Morrow

Special Hearing to approve a building permit for an undersized lot.

HEARING: Friday, July 12, 2002 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
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.

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

October 18, 2002

NOTICE OF ASSIGNMENT

CASE #: 02-517-SPH

IN THE MATTER OF: ***Tracy Morrow*** **–Applicant;**
HNS Development –Mark Storck – Legal Owner
9216 Smith Avenue
9th Election District; 6th Councilmanic District

9/10/02 – D.Z.C.'s Order in which Petition for Building Application /Undersized Lot was APPROVED (Per § 304, BCZR)

ASSIGNED FOR: **WEDNESDAY, NOVEMBER 6, 2002 at 11:00 a.m.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney. This matter is scheduled for hearing pursuant to § 304.6,** ***Baltimore County Zoning Regulations.***

Please refer to the Board's Rules of Practice & Procedure, Appendix C, ***Baltimore County Code.***

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Counsel for Appellants /Protestants : J. Carroll Holzer, Esquire
Appellants /Protestants : Marjorie Shipley
Tom Chenowith
Josh Gilman

Counsel for Petitioners : John B. Gontrum, Esquire
Petitioner /Legal Owner : HNS Development – Mark Storck
Petitioner /Applicant : Tracy Morrow

Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 23, 2002

Tracey Morrow
57 Stone Park Place
Baltimore MD 21236

Dear Ms. Morrow:

RE: Case Number: 02-517-A, 9216 Smith Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 14, 2002.

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.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: HNS Development, Mark Storch, 3107 Parktowne Road, Baltimore 21234
J Carroll Holzer, Holzer & Lee, 508 Fairmount Avenue, Towson 21286
People's Counsel

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 10, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2002
Item Nos. 511, 512, 513, 514, 516, 517, 518, 519, 520, 521, 522, and 523

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: August 7,2002

TO: Kevin Koepenick

FROM: Susan S. Farinetti, R.S.,

SUBJECT: 9216/ 9920 Smith Ave. D-9

On August 6, 2002, I conducted a field inspection on the above properties, in response to your request to confirm the location of the wells. The well, BA-94-5229, is located per the plan. It is exactly 100 ft (from center of each well) from the drilled well at 9220 Smith Ave.

According to the perc test application, the lot was created in 1957, therefore only a 5,000 square foot septic area was required. In order to maintain the100 ft well to well setback, a variance was granted to drill 5 ft from the property line. Since the owner of the property at 9220 was the developer, it was agreed if this well site was dry, then a new well would be drilled at 9220 to give additional area to drill at 9916. The first attempt was successful and 100 ft from the well at 9220, therefore no additional action was necessary.

J:\Inspection Memos\smith ave 9216.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS ITEM

DATE: July 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of June 3, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

511-514, 516, 517, 519-525, 527, 529-531, 533

Baltimore County
Fire Department

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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 3, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

517

511-519, 521-523

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Bruno Rudaitis **DATE:** May 14, 2002

FROM: Lynn Lanham

SUBJECT: Undersized Lot - 9216 Smith Avenue

This site was previously reviewed as Case No. 01-270A and was also an undersized lot request. The builder, Mark Storck, has selected a different size and style house, which no longer requires a variance. If the undersized lot is approved with the new building elevations prepared by Weinmaster Home Design, he will dismiss the appeal of Case No. 01-270A before the Board of Appeals.

LL:kma

W:\DEV\REV\undersized lot\9216 Smith Avenue.doc

RE: PETITION FOR SPECIAL HEARING 9216 Smith Avenue, W/S cor Smith Ave, 1085' from E cor Satyr Hill Rd 9th Election District, 4th Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
Legal Owner: HNS Development Applicant: Tracy Morrow Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 02-517-SPH

* * * * * * * * * * * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 3rd day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Tracy Morrow, 57 Stone Park Place, Baltimore, MD 21236, representative for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 20, 2002

Tracey Morrow
57 Stone Park Place
Baltimore MD 21236

Dear Ms. Morrow:

RE: Demand for Public Hearing, Undersized Lot Approval, 9612 Smith Avenue

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on 9612 Smith Avenue for a public hearing concerning your proposed undersized lot. I regret to inform you that we are withholding approval of your use permit because it has been superseded by a demand for a public hearing, pursuant to Section 304.4. of the Baltimore County Zoning Regulations (BCZR).

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor
Zoning Review

C: J. Carroll Holzer, Holzer & Lee, The 508 Building, 508 Fairmount Avenue, Towson 21286

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: February 6, 2003

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton trs
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	*PDM FILE NUMBER*	NAME	LOCATION
02-517-SPH	***02-517-SPH***	Tracy Morrow Mark Stork Richard Hall	9216 Smith Avenue
01-270-A	***01-270-A***	Mark Stork Richard Hall	9216 Smith Avenue

Attachment: SUBJECT FILE(S) ATTACHED

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

October 7, 2002

John Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case No. 02-517-SPH, 9216 Smith Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on October 2, 2002 by J. Carroll Holzer on behalf of Marjorie Shipley, Josh Gilman, and Tom Chenowith. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon
Director

AJ:rlh

c: J. Carroll Holzer, Esquire
People's Counsel

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APPEAL

Petition for Special Hearing
9216 Smith Avenue
W/side corner of Smith Avenue, 1,085 feet from east corner of Satyr Hill Road
9th Election District – 6th Councilmanic District
Tracy Morrow - Legal Owner
Case No.: 02-517-SPH

✓ Petition for Special Hearing (April 22, 2002)

✓ Zoning Description of Property

✓ Notice of Zoning Hearing (August 6, 2002)

✓ Certification of Publication (The Jeffersonian issue August 13, 2002)

✓ Certificate of Posting (August 13, 2002 posted by Ssg. Robert Black)

✓ Entry of Appearance by People's Counsel (June 3, 2002)

✓ Petitioner(s) Sign-In Sheet (One sheet)

✓ Protestant(s) Sign-In Sheet (One sheet)

✓ Citizen(s) Sign-In Sheet (None)

✓ Zoning Advisory Committee Comments

RECEIVED
OCT 09 2002
BALTIMORE COUNTY
BOARD OF APPEALS

✓ Petitioners' Exhibits:
- ✓ 1. Plat to accompany Petition for Variance (March 4, 2002)
- ✓ 2.a.Deed (24th day of January)
- ✓ 2.b.Fee Simple Deed (November 3, 2000)
- ✓ 2.c.Deed (January 22, 1957)
- ✓ 2.dDeed (November 26, 1956
- ✓ 2.eDeed (December 7, 1950
- ✓ 3. Letter to Mr. Richard Hall from J. Robert Powell, R.S. (dated August 27, 2002)
- ✓ 4. Site Plan
- ✓ 5. Foundation Plan
- ✓ 6. Undersized Lot application (dated April 22, 2002)
- ✓ 7.a. – 7.e. Photographs (five pictures)
- ✓ 8. Letter to Mr. William Grammer from William M. Greenwalt, R.S., Chief (dated September 14, 1977

✓ Protestants' Exhibits:
None

✓ Miscellaneous (Not Marked as Exhibits):
None

✓ Deputy Zoning Commissioner's Order (September 10, 2002 – GRANTED)

✓ Notice of Appeal received on October 2, 2002 from J. Carroll Holzer on behalf Marjorie Shipley, Josh Gilman, and Tom Chenowith

c: J. Carroll Holzer, Holzer & Lee, 508 Fairmount Ave., Towson 21286
John Gontrum, Esquire, 814 Eastern Boulevard, Baltimore 21221
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM
HNS Development
Mark Storck
3107 Parktowne Road
Baltimore, MD 21234
PETITIONER

J. Carroll Holzer, Esquire
HOLZER AND LEE
508 Fairmount Avenue
Towson, MD 21286
ATTORNEY FOR APPELLANTS

John Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221
ATTORNEY FOR PETITIONER

Tracy Morrow
57 Stone Park Place
Baltimore, MD 21236
PETITIONER

MARJORIE SHIPLEY
9214 SMITH AVENUE
BALTIMORE MD 21234

THOMAS CHENOWITH
9221 SMITH AVENUE
BALTIMORE MD 21234

JOSHUA B GILMAN
9220 SMITH AVENUE
BALTIMORE MD 21234

Case No. 02-517-SPH

RE: Application for Building Permit /Undersized Lot /per § 304 BCZR

9/10/02 – D.Z.C.'s Order in which Petition for Building Permit Application for Undersized Lot was APPROVED

10/18/02 – Notice of Assignment sent to following; assigned for hearing on Wednesday, November 6, 2002 at 11 a.m.:

J. Carroll Holzer, Esquire
Marjorie Shipley
Tom Chenowith
Josh Gilman
John B. Gontrum, Esquire
HNS Development – Mark Storck
Tracy Morrow
Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Arnold Jablon, Director /PDM

Perc Data

07/17/2002

Subdivision: **a.k.a.:** **Type:** R **No. of Lots:** 1

Street: 9216 Smith Avenue **District:** 9

Location: **Tax Acct.** 09-20-550850

Lot #	Perc Hole	Sanitarian	Draw Down	Depth	Test Date	Soil Profile	Remarks
00							
	A	Brunner			10/23/00	Clay 0-5' BGn 5-14' Rock	
	C	Brunner	2 min.	3 ft.	10/23/00	Clay 0-3' BGn 3-13' rock	

Lot was subdivided in 1957 according to the owner. Tax number indicates a lot that is thirty or more years old. A 5,000 sq ft SRA is used. Can get gravity from the first floor on the south side of the property. Owner notified that the basement will need a pump.

Total Number of Perc Holes = 2

Baltimore County
Department of Environmental Protection
and Resource Management
Ground Water Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204
410-887-2762
Fax: 410-887-4804

August 14, 2002

Mr. Joshua B. Gilman
9220 Smith Avenue
Parkville, MD 21234

RE: 9216 Smith Avenue, Election District 9

Dear Mr. Gilman,

The Department has investigated the concerns you expressed in your letter of July 22, 2002 regarding the development at the above referenced property. We performed a review of our files and visited the property on August 6, 2002 to verify our information.

In response to your concerns about the proposed septic system, the soils on the property have been evaluated by a representative of this Department and determined to be suitable for sewage disposal. We anticipate that there will be no adverse health risks or environmental damage to your property if the system is installed in accordance with our requirements.

In response to your concern about the proximity of the well to your water supply, a field measurement on August 6, 2002 indicated that the well on 9216 Smith Avenue is exactly 100 feet from the well on your property at a location approved by this Department. It has been our experience that this setback distance is sufficient to minimize influences between wells and we do not anticipate any negative impacts to your water supply. If you notice a sudden change in your water quality that corresponds to work being conducted on a neighboring well, please notify this office immediately.

Your last concern referenced the further development of property on Smith Avenue. I can assure you that any new development must meet the minimum standards set forth in the State and County regulations as well as policies of this Department.

If you have any questions regarding this matter, please contact this office.

Sincerely,

Kevin W. Koepenick, R.S.
Supervisor
Ground Water Management

J:\Individual Folders\Kevin Koepenick\Smith Ave, 9216, 8-14-02.doc

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

August 1, 2002

Mr. Bruce E Doak
320 E Towsontown Blvd
Suite 100
Towson MD 21286

Dear Mr. Doak:

RE: Case Number 02-517-A

The above matter, previously scheduled for Friday, July 12, 2002 at 10:00 a.m. in Room 407, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon
Director

AJ: gdz

C: HNS Development, Mark Strock, 3107 Parktowne Road, Baltimore 21234
Tracey Morrow, 57 Stone Park Place, Baltimore 21236
J Carroll Holzer, Holzer & Lee, 508 Fairmount Avenue, Towson 21286
Michael J Moran, 401 Allegheny Avenue, Towson 21204

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LAW OFFICES
HOLZER AND LEE
508 FAIRMOUNT AVENUE
TOWSON, MARYLAND 21286
(410) 825-6961
FAX (410) 825-4923 / E-MAIL: JCHOLZER@BCPL.NET

Facsimile Cover Sheet

To: Lawrence Schmidt

From: J. Carroll Holzer

Date: July 9, 2002 Time: 4:15 a.m./(p.m.)

Total Number of Pages Including this Cover: 2

Original Will _____ / Will Not X Follow.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

For Sending Office Purposes:

Fax Number: _____ Main Number:

Client & Matter: _____ File Number:

CONFIDENTIALITY NOTICE

The information in this transmittal is intended only for the individual or entity named above. The attached letter or documents may be legally privileged and confidential. If you have received this information in error, please notify the sender immediately and return the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited and a breach of confidentiality.

C:FORMS/Faxcover

Jk
7/17/02

Robin and Diane Roulson
9243 Smith Ave
Baltimore, MD 21234

July 10,2002

RE: Case #02-517-A SPH

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

JUL 8 2002

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

June 26, 2002

Mr. Michael J Moran
401 Allegheny Avenue
Towson MD 21204

Dear Mr. Moran:

RE: Case Number 02-517-A

The above matter, previously scheduled for Friday, July 12, 2002 at 10:00 a.m. in Room 407, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon GDZ
Director

AJ: gdz

C: HNS Development, Mark Strock, 3107 Parktowne Road, Baltimore 21234
Tracey Morrow, 57 Stone Park Place, Baltimore 21236

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JJS
Intake Planner

5/15/02
Date Assigned

DROP-OFF ~~PETITIONS~~ Undesize Lot
PROCESSING CHECK-OFF

☐ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office?
Any current building or zoning violations on site?

☐ **Petition Form Matches Plat in these areas:**
Address
Zoning
Legal Owner(s)
Contract Purchaser(s)
Request (if listed on plat)

☐ **Petition Form (must be current PDM form) is Complete:**
Request:
Section Numbers
Correct Wording (must relate to the code, especially floodplain and historical standard wording. Variances must include the request in lieu of the required code quantities.
Hardship/Practical Difficulty Reasons
Legal Owner/Contract Purchaser:
Signatures (originals)
Printed/Typed Name and Title (if company)
Attorney (if incorporated)
Signature/Address/Telephone Number of Attorney

☐ **Correct Number of Petition Forms, Descriptions and Plats**

☐ **200 Scale Zoning Map**

☐ **Check:** Amount Correct? Signed?

☐ **ZAC Plat Information:**
Location (by Carl) _____

_____

Zoning: _____ Acreage: _____ Previous Hearing Listed With Decision
Election District ___ Councilmanic District ____ Case # _____
Check to See if the Subject Site or Request is:
CBCA
Floodplain
Elderly
Historical
Pawn Shop
Helicopter
*If Yes, Print Special Handling Category Here
*If No, Print No

_____
Item Number Assigned

_____
Date Accepted for Filing

Law Offices of
Michael J. Moran
A Professional Corporation

6/25/02
cg
psoge

June 18, 2002

George Zahner
Office of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: In the Matter of Smith Avenue
Case #: 02-517-A

Dear Mr. Zahner:

I represent the applicant, HNS Development, LLC in connection with the Petition for Special Hearing that the applicant has filed for the referenced property.

You have assigned a hearing date of July 12, 2002. Unfortunately, the applicant's experts are unavailable at that time. I would appreciate it if you would reschedule the matter.

You were also good enough to provide me with certain dates in August that are now open. After I have had the opportunity to confer with my client and the consultant regarding their availability on these dates I will provide you with further information.

Very truly yours,

Michael J. Moran

MJM/jmgs
cc: Arnold Jablon, Director
Office of the Zoning Commissioner
Mark Storck

RECEIVED
02-1928
JUN 25 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Baltimore Office
401 Allegheny Avenue
Towson, Maryland 21204
(410) 828-4800
FAX (410) 337-0916

Eastern Shore Office
8615 Commerce Drive, No. 3
Easton, MD 21601
(410) 770-3277
FAX (410) 770-3870

HOLZER & LEE

7/12/02
George

LAW OFFICES
J. CARROLL HOLZER, PA
J. HOWARD HOLZER
1907-1989
THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING
508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@BCPL.NET

July 9, 2002
#7258

HAND DELIVERED
George Zahner
County Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

RECEIVED
02-2215
JUL 12 2002
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

Re: Demand for Public Hearing, Undersized Lot Approval
9612 Smith Ave.

Dear Mr. Zahner:

As a result of our conversation this morning with Robin in the Zoning Commissioner's Office, I became aware that a public hearing in the above referenced matter was scheduled, apparently, for Friday, July 12, 2002, but, unfortunately, my office was never informed of the date, time and location of the hearing in order to post the property. But for whatever reason, Robin told Sterling Leese of my office that the case was postponed and has not, to my knowledge, been rescheduled.

The purpose of this letter is to request that before scheduling this case before the Zoning Commissioner, call me to let me know what dates would be mutually convenient to counsel and the Zoning Commissioner that would provide us with sufficient time to post the property.

I appreciate your assistance and cooperation as always. If you have any questions, please call me at 410-825-6961.

Very truly yours,

J. Carroll Holzer

JCH:clh
cc: Lawrence Schmidt, Zoning Commissioner
Michael Moran, Esq.
Marjorie Shipley

H:\Letters\Zahner-Public Hearing M. Shipley.doc

JK
7/12
PP

HOLZER
&
LEE

LAW OFFICES
J. CARROLL HOLZER, PA
J. HOWARD HOLZER
1927-1989
THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING
508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@CPCI.NET

July 9, 2002
#7258

VIA FAX 410-887-3468
Lawrence E. Schmidt, Esq.,
Zoning Commissioner
401 Bosley Ave., Suite 405
Towson, MD 21204

Re: Demand for Public Hearing
Undersized Lot Approval, 9612 Smith Ave.
#02-517-SPH

Dear Mr. Schmidt:

I received a telephone call from my client on July 8, 2002 that she heard from a neighbor that there was a public hearing scheduled for Friday, July 12, 2002, apparently, on my client's request for a public hearing for an undersized lot approval at 9612 Smith Avenue. This morning Sterling Leese called your office regarding this hearing and Robin said that this hearing was postponed and that the file was in PDM. Sterling informed Robin that our office was never informed through notice of the date, time, location of the hearing, and, therefore we never posted the property.

By way of a separate letter to the docket clerk, I will request that PDM inform counsel of available dates for the hearing in order that a mutually convenient date be selected and that we are given sufficient time to post the property. Had we been informed of the hearing date in a timely manner, the property would have been posted.

As always, I appreciate the assistance of your office.

Very truly yours,

J. Carroll Holzer

JCH: clh

cc: Arnold Jablon
Michael Moran, Esq.
Marjorie Shipley

H:\Letters\Lawrence Schmidt-Undersized Lot-Shipley.doc

HOLZER

& LEE

LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923
E-MAIL: JCHOLZER@BCPL.NET

May 13, 2002
 # 7258

5/14/02
WLC

Arnold Jablon, Director
Department of Permits &
Development Management
County Office Building
Towson, MD 21204

Re: Permit Application for Under Sized Lot
Property Address: 9216 Smith Ave.

Dear Mr. Jablon:

A building permit application for an undersized lot has been requested for the above referenced property on April 22, 2002. (I have attached a copy of the application) My client, Marjorie Shipley lives within 1,000 feet of the subject site, and, as a result, requests a public hearing in connection with the application. Enclosed is a check to cover the cost for requesting the public hearing.

Very truly yours,

J. Carroll Holzer

Attachment

JCH:clh

cc: Marjorie Shipley

H:\Letters\A. Jablon-Marjorie Shipley.doc

RECEIVED
MAY 14 2002
By GDZ

02-1725
MAY 14 2002

RE: Case # 02-517-A

9200 Smith Avenue
Baltimore, MD 21234
09 July 2002

Mr. Lawrence Schmidt
Zoning Commissioner
Room 407
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Dear Mr. Schmidt:

This letter is to express my opposition to the granting of a zoning variance allowing for the issuance of a building permit to construct a dwelling at 9216 Smith Avenue in Baltimore County. It is my understanding that the developers (HNS Development) requested a building permit in 2001 and were denied based on the lot being undersized and lacking in public water and sewer. The special hearing scheduled for this Friday, 12 July 2002, will give HNS a second chance to convince Baltimore County that they should be allowed to construct a house and provide well and septic on this undersized lot.

The watersheds and receiving water bodies of Baltimore County have been negatively impacted for decades for many reasons, most of which are related to development. One of the major contributing factors to the watersheds' degradation can be directly attributed to individual homes having septic systems. The collective input of nutrients, bacteria, and other pollutants from these individual systems contributes to an overall decline in water quality in surface and subsurface water bodies. Most of the homes on Smith Avenue, including mine, were constructed before any of us realized the cumulative impact consequences of such activities. Now that we know better, I believe it is wholly inappropriate for us to look away when faced with the opportunity to halt the decline of the quality of our water.

Before you determine whether a variance of the County Zoning Code is warranted in this case, it is important for you to know that allowing HNS Development to complete their "fill-in" development concept in this location (as they have in several other nearby communities) will set an important precedent on Smith Avenue and in the surrounding community. On Smith Avenue alone there are eight other properties, including mine, for which variances to construct dwellings on undersized lots and to provide substandard well and septic could be requested. By granting a variance to HNS, you will send a clear message to property owners that this sort of request is acceptable to the County and is congruent with current County thinking. In the past, the county has done the right thing and denied such variances (e.g. 9211 Smith Avenue was denied a building permit in 1976 for septic reasons) for sound zoning and environmental reasons.

I offer the following in order to provide you some background information on the community of Smith Avenue. Smith Avenue is a small, dead-end street near the intersection of Satyr Hill Road and Cromwell Bridge Road. The street is rather rural in nature and nearly all of the resident families have lived on the street for decades, some for generations. While the neighborhood welcomes newcomers, we all feel strongly that the small community size be maintained both for social and environmental reasons. So far, the County has agreed. I urge you to continue to hold firm and refuse to grant a variance and subsequent building permit for construction of a dwelling on the lot at 9216 Smith Avenue.

Thank you for your consideration of my comments.

Sincerely,

Jennifer Moyer

Jennifer Moyer

8-b

TO

MIKE MORAN

410 321 5637

FROM

GEORGE

I made a mistake this case should not have been postpone case is still on

Sorry

George

July 10,2002

RE: Case #02-517-A SPH

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Margaret Lehkam
Barbara Lehkam Gray
William R. Gray

9208 SMITH AVE
BALTIMORE, MD
21234

JUL 8 2002

7/12
#02-517

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

I'AM Concerned about Septic overflow - The Lots ARE to SMALL for CURRENT CONDITIONS
My NEIGHBOR HAS LIVED IN HER HOUSE FOR 50 YRS & BELIEVE THERE WOULD EVENTUALLY BE A SEPTIC PROBLEM FLOWING ON HER PROPERTY & POSSIBLY MINE

ROBERT WAGNER
9212 SMITH AVE
BALTO MD
21234

Please mail this to
Zoning Commissioner
Room 407
County Courts Building
401 Bosley Avenue
Towson MD 21204

Hearing date is July 12, 2002 at 10:00 am in room 407 at the above address. Case #02-517-A

If you agree, please mail this letter so it will arrive before the hearing. Please be sure to sign your name and put your address on the letter.

7/12
PP

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Harry W Fagg
Ruth L Fagg
9244 Smith Ave
Balto. Md. 21234

7/12

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Merle L. Heath
9203 Smith Ave.
Balt. Md. 21234

7/12

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Tom + Karen Chenowith
9221 Smith Ave
Balto. Mo 21234

1/12

Eunice P. Eavias
9230 Smith Ave. 21234

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

PS. I live at 9230 Smith Ave and am familiar with the sepic system at 9216 Smith Ave. I get any overflow or drainage on my property. The drainfield isn't or hasn't ever been efficient. causing any excess to go to my old spring, then under Robin Ridge, under Gatys Hill and Somwell Bridge to Mine Bank Run. Another septic system placed on this property would just hasten sewage right into the Run pouder. Where are the people who care? God help America as we rush to develop every inch of our land.

Sincerely,

Eunice P. Eavias
9230 Smith Ave.

7/12
#02-517

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Dorothy Grammer

Dorothy Grammer
Gregory S. Churchill
Danielle K. Churchill
9211 Smith Ave
Baltimore MD 21234

Impl
7/12
8/28

July 10,2002

RE: Case #02-517-A

To Whom It May Concern:

This is to express opposition to issuance of a building permit on an undersized lot at 9216 Smith Avenue. A precedent will be set allowing a substandard septic to be used. There are 8 other properties on Smith Avenue that could request such variances.

In 1976 the Grammer's at 9211 Smith Avenue were denied a building permit for septic reasons when they attempted to build a house for their daughter who was in deteriorating health.

Thank you for your consideration in this matter.

Andrew Chenowith
9204 Smith Ave
Baltimore MD 21234

Case Number #02-517-SPH
7/12/02

PLEASE *PRINT* LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
MARK L STORCK	9300 THORNEWOOD RD	BALTIMORE, MD	21234
BILL MONIK	110 WEST ROAD SUITE 245	TOWSON, MD	21204
MICHAEL J. ERTEL	5317 EAST GLEN RD	ELLICOTT CITY MD	21043

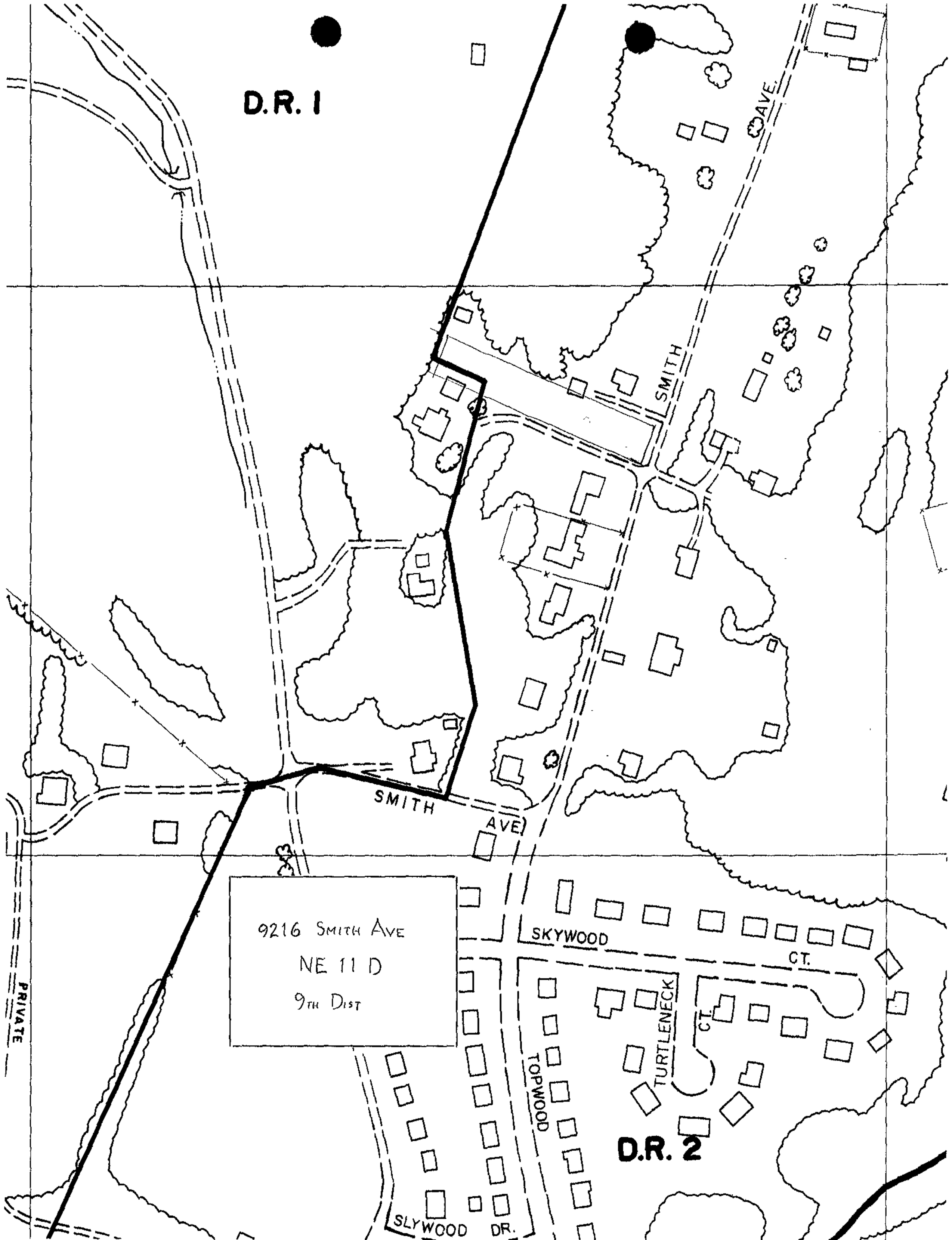
Revised 4/17/00

Case Number #02-517-SPH
7/12/02

PLEASE *PRINT* LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
MARJORIE O. SHIPLEY	9214 SMITH AVE	BALTO MD	21234
THOMAS CHENOWITH	9221 SMITH AVE	BALTO. MD	21234
Robert Wagner	9212 SMITH AVE	Balto MD	21234
CANDACE GILMAN	9220 Smith Ave	BALT MD	21234
JOSHUA B. GILMAN	9220 SMITH AVE	BALTO, MD	21234


D.R. 1
SMITH AVE.
SMITH AVE
9216 SMITH AVE
NE 11 D
9TH DIST
SKYWOOD CT.
TURTLENECK CT.
TOPWOOD
D.R. 2
SLYWOOD DR.
PRIVATE

CBA Case #: 02-517-SPH

OPINION

This matter comes before the Baltimore County Board of Appeals on a timely appeal brought by the Appellants/Protestants Marjorie Shipley, Tom Chenowith and Josh Gilman, resulting from a decision by the Deputy Zoning Commissioner dated September 10, 2002, to approve a Petition for building application/undersized lot (per Section 304 BCZR) at the subject site 9216 Smith Avenue, 9th Election District, 6th Councilmanic District.

The Appellant/Protestants were represented before the Board by J. Carroll Holzer, Esquire. John B. Gontrum, Esquire, appeared on behalf of Petitioner/Legal Owner HNS Development-Mark Storck and Petitioner/Applicant Tracy Morrow.

On behalf of the Petitioners, Mr. Gontrum explained to the Board that he and his clients had had discussions with Mr. Holzer and Mr. Gilman in which the parties agreed that the site plan could be amended to satisfy everyone. In addition, Mr. Gilman's concerns would be expressly addressed on the record. In return the Protestants will not oppose the approvals granted by the Deputy Zoning Commissioner as indicated in his opinion of September 10.

The amended site plan would show that the house to be built would not encroach on the setbacks, which would therefore negate the request for sideyard setback variances (Note #10). In addition a dry well would be constructed to control runoff onto the Shipley property (Note #11). Mr. Gontrum noted for the record that such a dry well must be approved by Baltimore County before it can be constructed.

Mr. Gontrum also noted that CBA #01-270-A, already heard by the board and set for deliberation on November 21, 2002, would be resolved by the settlement of this case. To wit, the request for lot width and side variances would be withdrawn and the same building size would be used as amended in the case currently before the Board.

Mr. Holzer concurred on behalf of his clients that Mrs. Shipley agreed that the dry well would be sufficient in addressing her concerns about drainage onto her property. As for CBA #01-270-A, already heard, Mr. Holzer indicated that the withdrawal of the variance request would render that case moot. Mr. Holzer also noted that Mrs. Shipley has no objection to

building on the undersized lot so long as the requirements of Section 304 are met without variance. Mr. Gilman was in the hearing room to hear his concerns addressed, and Mr. Chenowith was not present, having indicated to Mrs. Shipley that he wished to withdraw his appearance.

Michael Ertel testified for the Petitioners as a professional engineer with offices in Ellicott City. He prepared the site plan and examined deeds prior to 1950 which were in tact, showing no changes and no subdivisions to the subject lot. He certified that the subject property meets all area requirements under Section 304, and is even larger, 26,000 square feet, than required. He stated that the proposed dwelling will meet the required setbacks, that the proposal was supported by the Office of Planning, and that all approvals for well, septic reserve, etc. have been received from DEPRM.

The amended site plan was offered into evidence as Petitioners' Exhibit #1. As Petitioners' Exhibit #2 Mr. Ertel submitted a packet of documents from the hearing below to include the deed history on the subject property; a letter from DEPRM, signed by Robert Powell; the original site plan; the house elevations; and photos of the subject property.

Mr. Ertel also testified that the owner did not own any adjacent land and that the building proposed was appropriate for the neighborhood and approved by the Office of Planning.

The Petitioners' second witness was William Monk who was accepted by the Board as an expert land planner and permits and zoning consultant. Mr. Monk is a partner in Morris, Ritchie Associates and evaluated the subject property. It was his opinion that the proposal before the Board was compatible as depicted with the zoning and adjacent land use. Further the property conforms with Section 304, undersized lots, in that it was created prior to present regulations and meets the minimum lot size. Mr. Monk also testified that the proposed house fits within the building envelope and is compatible to others in the neighborhood in architecture and size. He opined that the proposal is not injurious to the health, safety and welfare of the neighbors.

In conclusion, Mr. Gilman, a Protestant in the appeal, asked that his letter of November 6, 2002, and his letter to DEPRM expressing his concerns be accepted into evidence as Protestant's Exhibits 1A & B. The Board did so accept.

Upon review the Board accepts unanimously the testimony and evidence presented and hereby finds that the subject property meets the

requirements for an undersized lot as indicated in Section 304.1, BCZR:

> Section 304.1 (BCZR, 1955; Bill No. 47, 1992). Section 304.1 stipulates that:
>
> "A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the are regulations contained in these regulations if:
>
> A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
>
> B. All other requirements of the height and area regulations are complied with; and
>
> C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

Further, since the resolution of this case also resolves the issues in Case #01-270-A, the Board finds that the matters in that case are moot and we hereby dismiss that case.

0014968 392

Mark — Your guess!

J — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 24th day of JANUARY

in the year ~~XXXX

AS TO LOT NO. 2:

BEGINNING FOR THE SAME AT THE BEGINNING OF THAT PARCEL OF LAND WHICH BY DEED DATED NOVEMBER 5, 1915, and recorded among the land records of Baltimore County in Liber WPC No. 456 folio 64, was conveyed by Samuel A. Smith and wife to Samuel Tag et. al for a road or right of way, said place of beginning being also the beginning of that parcel of land which by deed dated September 14, 1920 and recorded among the land records of Baltimore County in Liber WPC No. 532 folio 192 was granted and conveyed by James F. Thrift, widower to Helen P. Grammer, thence running and binding on the west side of the aforesaid road North 25 degrees 5 minutes East 75 feet thence leaving said road and running for a line division parallel with the fourth line in the aforesaid deed from Thrift to Grammer North 60 degrees 41 minutes West 395.38 feet to intersect the third line or South 27 degrees 51 West 668 feet 2 inches line of said deed from Thrift to Grammer, thence running along said line and along the east side of a road or right of way 30 feet wide, which by a deed dated May 8, 1886 and recorded among the land records of Baltimore County in Liber JWS No. 152 folio 97, was conveyed by Samuel A. Smith to Mary A. Cowley, with the use thereof in common with others, South 27 degrees 51 minutes West 74.81 feet to stone heretofore planted at the beginning of the fourth or South 60 degrees 41 minutes East 399 feet line in the aforementioned deed from Thrift to Grammer, thence running along said line South 60 degrees 41 minutes East 399 feet to the place of beginning.

CONTAINING 0.69 ACRES OF LAND MORE OR LESS.

Tax ID Number:

STEWART TITLE®
GUARANTY COMPANY

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

TO HAVE AND TO HOLD the said described lot of ground and premises to the said HNS Development, LLC, its personal representatives/successors and assigns, in fee simple.

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

WITNESS the hand and seal of said grantor

Test:

HNS Development, LLC

(SEAL)

by: Mark Storck, Managing Member

(SEAL)

STATE OF MARYLAND, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 24th day of January, in the year two thousand one, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Mark Storck for HNS Development, LLC known to me (or satisfactorily proven) to be the person whose name is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

MICHELLE LYNN COLE NOTARY PUBLIC BALTIMORE COUNTY, MD.

Notary Public

My Commission expires:

5/1/02

This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.

(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)

MICHAEL E. ROCHE, ATTY

0014832 179

File No: 11133 TAX ID #

FEE SIMPLE DEED

THIS DEED, Made this 3rd day of November, 2000, by and between **RANSOM E. DAVIS, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPHINE TOULA WEBER,** party of the first part, and **DNS DEVELOPMENT LLC,** party of the second part, at 9220 SMITH Avenue, BALTIMORE, MD.

WITNESSETH, That in consideration of the sum of **One Hundred Eighty Thousand dollars and Zero cents $180,000.00,** the said party of the first part do(es) grant and convey to the said party of the second part, its successors and assigns, in fee simple, all that property situate in Baltimore County, State of Maryland, that is to say:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

AS TO LOT NO. 1:

BEING THE SAME PROPERTY WHICH BY DEED DATED MARCH 7, 1952 AND recorded among the land records of Baltimore County in Liber GLB 2081 folio 576, was granted and conveyed by Helen P. Grammer unto Wilson R. Toula and Josephine H. Toula, his wife.

AS TO LOT NO. 2:

BEING THE SAME PROPERTY WHICH BY DEED DATED JULY 22, 1957 and recorded among the land records of Baltimore County in Liber GLB 3200 folio 103, was granted and conveyed by Stephen J. Bruno and Margaret A. Bruno, his wife unto Wilson R. Toula and Josephine H. Toula.

THE SAID Wilson R. Toula having since departed this life on or about the 6th day of April, 1975 thereby vesting title in the said Josephine H. Toula.

THE SAID Josephine H. Toula, aka Josephine Toula Weber aka Josephine Hubbard Toula having since departed this life on or about the 2nd day of December, 1999 and through proceedings in her estate duly filed in the Office of the Register of Wills for Baltimore County, Estate No. 110618 the said Ransom E. Davis was appointed Personal Representative of her Estate.

REVIEWED SDAT
BY 11-15-2000
DATE

28

Return to: Equity Title Co., Inc.
1404 E. Joppa Road
Towson, Maryland 21286

98-Q-1

STEWART TITLE®
GUARANTY COMPANY

0014832 180

File No. 11133

EXHIBIT "A" - LEGAL DESCRIPTION

AS TO LOT NO. 1:

BEGINNING FOR THE SAME AT THE END OF THE FIRST LINE OF THAT PARCEL OF LAND AS SET FORTH IN a Deed dated December 7, 1950 from Helen P. Grammer widow, to Burt G. McFarlane and wife recorded among the land records of Baltimore County in Liber OLB 1918 folio 66, and continuing said line and in the course running and binding on the west side of the road as mentioned in said deed with the use thereof in common with others North 25 degrees 05 minutes East 75 feet thence leaving said road and running for a line of division and parallel with the fourth line in the Deed dated September 14, 1920 from James F. Thrift, widower to Helen P. Grammer, recorded among the aforesaid land records in Liber WPC 532 folio 192, North 60 degrees 41 minutes West 395.38 feet more or less to intersect the third or South 27 degrees 51 minutes West 668 feet 2 inches line of said deed from Thrift to Grammer as mentioned, thence running along said line and along the East side of a road or right of way 30 feet wide, which by deed dated May 8, 1886 and recorded among the aforesaid land records in Liber JWS 152 folio 97, was granted and conveyed by Samuel A. Smith to Mary A. Cowley with the use thereof in common with others, South 27 degrees, 51 minutes West 74.81 feet more or less, to intersect the end of the second line in the deed from Grammer to McFarlane above mentioned, thence reversing said line and running and binding thereon South 60 degrees 41 minutes East 395.38 feet more or less, to the place of beginning.

CONTAINING 0.686 ACRES OF LAND MORE OR LESS.

AS TO LOT NO. 2:

BEGINNING FOR THE SAME AT THE BEGINNING OF THAT PARCEL OF LAND WHICH BY DEED DATED NOVEMBER 5, 1915 and recorded among the land records of Baltimore County in Liber WPC No. 456 folio 64, was conveyed by Samuel A. Smith and wife to Samuel Tag et. al for a road or right of way, said place of beginning being also the beginning of that parcel of land which by deed dated September 14, 1920 and recorded among the land records of Baltimore County in Liber WPC No. 532 folio 192 was granted and conveyed by James F. Thrift, widower to Helen P. Grammer, thence running and binding on the west side of the aforesaid road North 25 degrees 5 minutes East 75 feet thence leaving said road and running for a line division parallel with the fourth line in the aforesaid deed from Thrift to Grammer North 60 degrees 41 minutes West 395.38 feet to intersect the third line or South 27 degrees 51 West 668 feet 2 inches line of said deed from Thrift to Grammer, thence running along said line and along the east side of a road or right of way 30 feet wide, which by a deed dated May 8, 1886 and recorded among the land records of Baltimore County in Liber JWS No. 152 folio 97, was conveyed by Samuel A. Smith to Mary A. Cowley, with the use thereof in common with others, South 27 degrees 51 minutes West 74.81 feet to stone heretofore planted at the beginning of the fourth or South 60 degrees 41 minutes East 399 feet line in the aforementioned deed from Thrift to Grammer, thence running along said line South 60 degrees 41 minutes East 399 feet to the place of beginning.

CONTAINING 0.69 ACRES OF LAND MORE OR LESS.

THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 9220 SMITH AVENUE.

Tax ID Number:

STEWART TITLE®
GUARANTY COMPANY

0014832 181

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

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said party of the second part, its successors and assigns, in fee simple.

AND [redacted]

[redacted]

[redacted] R.D.

Return to: Equity Title Co., Inc.
1404 E. Joppa Road
Towson, Maryland 21286

STEWART TITLE®
GUARANTY COMPANY

0014832 182

File No: 11133

TAX ID #

WITNESS the hand and seal of the said party of the first part.

WITNESS:

(SEAL)
RANSOM E. DAVIS, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPHINE TOULA WEBER

(SEAL)

(SEAL)

(SEAL)

STATE OF MARYLAND

(To Wit:

CITY/COUNTY OF BALTIMORE COUNTY

I HEREBY CERTIFY, that on this 11/3/2000, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared RANSOM E. DAVIS, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPHINE TOULA WEBER, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

MICHELE LYNN BOLE NOTARY PUBLIC BALTIMORE COUNTY, MD

Notary Public

My Commission Expires: May 1, 20

This is to certify that the within instrument has been prepared by, or under the supervision, of the undersigned Maryland Attorney, or by a party to this instrument.

Michael E. Roche, Esq.

Return to: Equity Title Co., Inc.
1404 E. Joppa Road
Towson, Maryland 21286

99-C-1

STEWART TITLE®
GUARANTY COMPANY

10 **Contact/Mail Information**

Instrument Submitted By or Contact Person

Name: [illegible]

Firm: [illegible]

Address: [illegible]

[illegible] MD 21286 Phone: (410) 296-0223

☐ Return to Contact Person

☐ Hold for Pickup

☐ Return Address Provided

11 **IMPORTANT: *BOTH* THE ORIGINAL DEED *AND* A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER**

Assessment Information

☐ Yes ☒ No Will the property being conveyed be the grantee's principal residence?

☐ Yes ☒ No Does transfer include personal property? If yes, identify: _____

☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line

☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Prepaid Verification

Distribution/Number	Date Received:	Deed Reference:	Assessed Property No.:
Total	20 20	Geo. / Map / Sub / Block	
Land		Zoning / Grid / Plat / Lot	
Buildings		Use / Parcel / Section / Occ. Cd.	
Operation Indicator		Town Cd. / Ex. Cd. / Ex. Cd.	
Remarks/Reason			

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
MVA 100-208 (8/95)

1133

RECEIPT
ACTUAL TIME
8/22/2000 11:44:11
PER JRIG JMR DRAWER 1
MAIN DOCT 0123
PAID 2,700.00
TITLE TRANSFER TAX
DELN
RECORDING 20
TOTAL 2,700.00
CHECK 2,700.00 CA
COUNTY: MARYLAND

043563 NOV 22 8 0014832 183

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only — All Copies Must Be Legible)

(☐ Check Box If Addendum Intake Form is Attached.)

1 Type(s) of Instruments: ☒ Deed ☒ Deed of Trust ☐ Mortgage ☐ Lease ☒ Other DESIGNATION ☐ Other

2 Conveyance Type Check Box: ☒ Improved Sale Arms-Length /1/ ☐ Unimproved Sale Arms-Length /2/ ☐ Multiple Accounts Arms-Length /3/ ☐ Not an Arms-Length Sale /9/

3 Tax Exemptions (If Applicable) Cite or Explain Authority: Recordation; State Transfer; County Transfer

TRANSFER TAX SURE $ 5.00
RECORDATION FEE 5.00
TR TAX STATE 900.00
TOTAL 1,805.00
Rec'd BAGI Rcpt # 172209
SH Ck Blk # 6.00
Nov 22, 2000 09:30 am

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only	
Purchase Price/Consideration	$ 180,000.—	Transfer and Recordation Tax Consideration	
Any New Mortgage	$ 175,000.—	Transfer Tax Consideration	$ 180,000.00
Balance of Existing Mortgage	$	X ( ) % =	$ 2,700.00
Other:	$	Less Exemption Amount —	$
		Total Transfer Tax =	$ 2,700.00
Other:	$	Recordation Tax Consideration	$
		X ( ) per $500 =	$
Full Cash Value	$	TOTAL DUE	$

5 Fees

Amount of Fees	Doc. 1	Doc. 2	
Recording Charge	$ 20.—	$ 20.—	Agent:
Surcharge	$ 5.—	$ 5.—	Tax Bill:
State Recordation Tax	$ 900.—	$	2550.29
State Transfer Tax	$ 900.—	$	C.B. Credit:
County Transfer Tax	$ 2700.—	$	
Other	$	$	Ag. Tax/Other:
Other	$	$	

Recd SDAT.

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

(09) 2408296 320 Ga → District | Property Tax ID No. (1) | Grantor Liber/Folio → 8081/576 | Map | Parcel No. | Var. LOG ☐ (5)

Subdivision Name → 200/03 | Lot (3a) | Block (3b) | Sect/AR (3c) | Plat Ref. | SqFt/Acreage (4)

Location / Address of Property Being Conveyed (2): 9220 Smith Avenue Baltimore MD 21234

Other Property Identifiers (if applicable): 09-20-550180 09-20-550850 | Water Meter Account No.: 25

Residential ☒ or Non-Residential ☐ | Fee Simple ☒ or Ground Rent ☐ | Amount:

Partial Conveyance? ☐ Yes ☒ No | Description/Amt. of SqFt/Acreage Transferred: 90,000 90,000

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s): Ransome E. Davis, Pr. of the Estate of Josephine Davis Weber

Doc. 2 - Grantor(s) Name(s): HNS Development LLC

Doc. 1 Owner(s) of Record, if Different from Grantor(s)

Doc. 2 Owner(s) of Record, if Different from Grantor(s)

8 Transferred To

Doc. 1 - Grantee(s) Name(s): HNS Development LLC

Doc. 2 - Grantee(s) Name(s): G. Bradley Sonner, Michael Brown

New Owner's (Grantee) Mailing Address: 3107 Parkhurst Rd Baltimore MD 21229

9 Other Names to be Indexed

Doc. 1 - Additional Names to Be Indexed (Optional)

Doc. 2 - Additional Names to be Indexed (Optional): Peter O. Dunn Jr. and Ann T.

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer

11123

00148821 84

Addendum
State of Maryland Land Instrument Intake Sheet
☐ Baltimore City ☐ County: [illegible]

The addendum form should be used when one transaction involves more than two instruments. Each instrument should be itemized in accordance with Section No. 1 of the Intake Sheet.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Fees (Continued)

Amount in Fees	Doc. 3	Doc. 4	Doc. 5	Doc. 6
Recording Charge	$ 20	$	$	$
Surcharge	$ 5	$	$	$
State Recordation Tax	$	$	$	$
State Transfer Tax	$	$	$	$
County Transfer Tax	$	$	$	$
Other	$	$	$	$
Other	$	$	$	$

Transferred From (Continued)

Doc. 3 - Grantor(s) Name(s)	Doc. 4 - Grantor(s) Name(s)
UNS Development LLC	
Doc. 5 - Grantor(s) Name(s)	**Doc. 6 - Grantor(s) Name(s)**
Doc. 3 - Owner(s) of Record, if Different from Grantor(s)	**Doc. 4 - Owner(s) of Record, if Different from Grantor(s)**
Doc. 5 - Owner(s) of Record, if Different from Grantor(s)	**Doc. 6 - Owner(s) of Record, if Different from Grantor(s)**

Transferred To (Continued)

Doc. 3 - Grantee(s) Name(s)	Doc. 4 - Grantee(s) Name(s)
Regal Bank and Trust	
Doc. 5 - Grantee(s) Name(s)	**Doc. 6 - Grantee(s) Name(s)**

Other Names to be Indexed (Continued)

Doc. 3 - Additional Names to be Indexed (Optional)	Doc. 4 - Additional Names to be Indexed (Optional)
Doc. 5 - Additional Names to be Indexed (Optional)	**Doc. 6 - Additional Names to be Indexed (Optional)**

Special Instructions

Special Recording Instructions (if any)

2C

FEE-SIMPLE DEED—CODE—City or County—40 LIBER 3200 PAGE 103

This Deed, Made this 22ND day of JULY

in the year one thousand nine hundred and fifty-seven, by and between

STEPHEN J. BRUNO and MARGARET A. BRUNO, his wife,

of Baltimore City, State of Maryland ~~in the State of Maryland~~, of the first part, and

WILSON R. TOULA and JOSEPHINE H. TOULA, his wife, of the same place, of the second part.

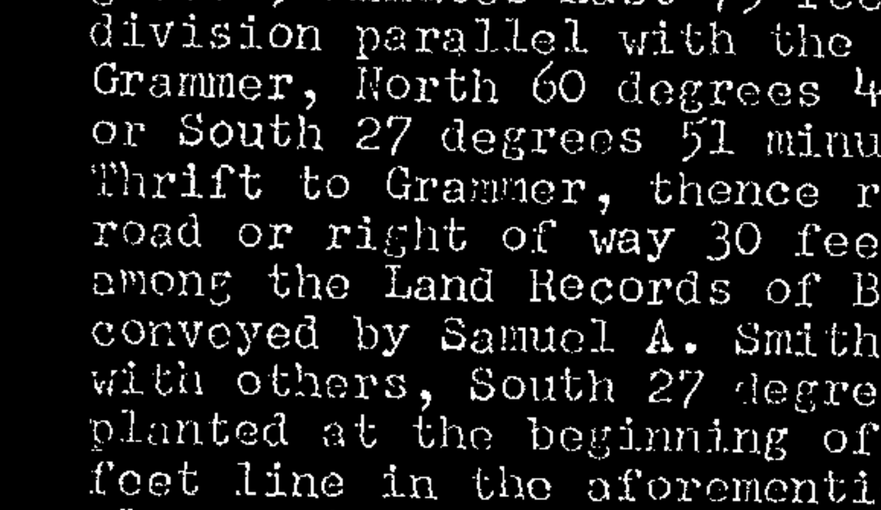
Witnesseth, that in consideration of the sum of FIVE DOLLARS and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said STEPHEN J. BRUNO and MARGARET A. BRUNO, his wife,

do grant and convey unto the said WILSON R. TOULA and JOSEPHINE H. TOULA, his wife, as tenants by the entireties, their - - - - - - -

heirs and assigns, in fee simple, all that parcel of ground, situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say:—

Beginning for the same at the beginning of that parcel of land which by deed dated November 5,1915 and recorded among the Land Records of Baltimore County in Liber W.P.C. No.456 folio 64 was conveyed by Samuel A. Smith and wife to Samuel Tag et al for a road or right of way, said place of beginning being also the beginning of that parcel of land which by deed dated September 14,1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No.532 folio 192, was granted and conveyed by James F. Thrift, widower, to Helen P. Grammer, thence running and binding on the west side of the aforesaid road North 25 degrees 5 minutes East 75 feet, thence leaving said road, and running for a line of division parallel with the fourth line in the aforesaid deed from Thrift to Grammer, North 60 degrees 41 minutes West 395.38 feet to intersect the third line or South 27 degrees 51 minutes West 668 feet 2 inches line of said deed from Thrift to Grammer, thence running along said line and along the east side of a road or right of way 30 feet wide, which by a deed dated May 8,1886 and recorded among the Land Records of Baltimore County in Liber J.W.S. No.152 folio 97, was conveyed by Samuel A. Smith to Mary A. Cowley, with the use thereof in common with others, South 27 degrees 51 minutes West 74.81 feet to a stone heretofore planted at the beginning of the fourth or South 60 degrees 41 minutes East 399 feet line in the aforementioned deed from Thrift to Grammer, thence running along said line South 60 degrees 41 minutes East 399 feet to the place of beginning.

Being the same parcel of land described in a deed dated November 26,1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No.3174 folio 357 from Burr C. McFarlane and Evelyn M. McFarlane, his wife, to the said Grantors herein in fee simple.



Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

WILSON R. TOULA and JOSEPHINE H. TOULA, his wife, as tenants by the entireties, - - - - - - - - - their heirs and assigns, in fee simple.

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

Witness the hands and seals of said grantors:

TEST:

Stanley Roll

Stephen J. Bruno (SEAL)
STEPHEN J. BRUNO

Margaret A. Bruno (SEAL)
MARGARET A. BRUNO

STATE OF MARYLAND, Baltimore City, **, to wit:**

I HEREBY CERTIFY, That on this 22nd. day of July in the year one thousand nine hundred and fifty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared STEPHEN J. BRUNO and MARGARET A. BRUNO, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Stanley Roll
Notary Public.

STANLEY ROLL NOTARY PUBLIC BALTIMORE, MD.

Rec'd for Record JUL 24 1957 at 2 52 PM
Per George L. Byerly, Clerk.
Mailed to Wilson R. Toula

2D

FEE-SIMPLE DEED—CODE—City or County—40

LIBER 3174 PAGE 357

This Deed, Made this 26th day of November

in the year one thousand nine hundred and Fifty six, by and between

BURR C. McFARLANE and EVELYN M. McFARLANE, his wife

of in the State of Maryland, of the first part, and

STEPHEN J. BRUNO and MARGARET A. BRUNO, his wife

of the second part.

Witnesseth, that in consideration of the sum of five dollars and other valuable consideration, the receipt of which is hereby acknowledged,

the said BURR C. McFARLANE and EVELYN M. McFARLANE, his wife

do grant and convey unto the said STEPHEN J. BRUNO and MARGARET A. BRUNO,

his wife, as tenants by the entireties, their

heirs and assigns, in fee simple, all that parcel of ground, situate, lying and being in the Ninth District of Baltimore County, aforesaid, and described as follows, that is to say:—

Beginning for the same at the beginning of that parcel of land which by deed dated November 5, 1915, and recorded among the Land Records of Baltimore County in Liber W.P.C. No.456, folio 64, was conveyed by Samuel A. Smith and wife to Samuel Tag et al for a road or right of way, said place of beginning being also the beginning of that parcel of land which by deed dated September 14, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No.532, folio 192, was granted and conveyed bt James F. Thrift to Helen Grammer, thence running and binding on the west side of the aforesaid road North 25 degrees 5 minutes East 75 feet, thence leaving said road, and running for a line of divisionand parallel with the fourth line in the aforesaid deed from Thrift to Grammer, North 60 degrees 41 minutes West395.38 feet to intersect the third or South 27 degrees 51 minutes West 668 feet 2 inches line od said deed from Thrift to Grammer, thence running along said line and along the east side of a road or right of way 30 feet wide which by a deeddated May 8, 1886 and recorded among the Land Records of Baltimore County in Liber J.W.S. No.152 folio 97, was conveyey by Samuel A. Smithto Mary A. Cowley, with the use thereof in common with others, South 27degrees 51 minutes West 74.81 feet to a stone heretofore planted at the beginning of the fourth or South 60 degrees 41 minutes East 399 Feet line in the aforementioned deed from Thrift to Grammer, thence running along said line South 60 degrees 41 minutes East 399 feet to the place of beginning.
BEING the same lot of ground which by deed dated November 7, 1950 and recorded among the Land record L.R. of Baltimore County in Liber G.L.B.No. 1918 Folio 66 was granted and conveyed byHelen P. Grammer unto the Grantors herein.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

STEPHEN J. BRUNO and MARGARET A. BRUNO, his wife, as tenants by the entireties, their heirs and assigns, in fee simple.

And the said part of the first part hereby covenant s that s they he ha ve not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that t he y will warrant specially the property granted and that t he y will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor

TEST:

John E. Wayfield

Burr C. McFarlane (SEAL)
BURR C. McFARLANE

Evelyn M. McFarlane (SEAL)
EVELYN M. McFARLANE

STATE OF MARYLAND, Baltimore, to wit:

I HEREBY CERTIFY, That on this 28th day of November in the year one thousand nine hundred and fifty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore aforesaid, personally appeared Burr C. McFarlane and Evelyn M. McFarlane

the above named grantor, and did acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

John E. Wayfield
Notary Public.

My Comm Exp - May 4, 1957

Rec'd for Record JUN 14 1957 at 9:25 AM
Per George L. Byers, Clerk.
Stephen J. Bruno

66

232 Helen P. Grammer
Deed to Burr C. McFarlane & wf.
USS $1.65 SS $1.65

DEL. PER TICKET MAR 20 1951

THIS DEED, Made this 7th day of December in the year one thousand Nine hundred and fifty, by and between HELEN P. GRAMMER, Widow, of Baltimore County, in the State of Maryland, of the first part, and BURR C. MCFARLANE and EVELYN M. MCFARLANE, his wife, of the second part.

WITNESSETH, that in consideration of the sum of five dollars and other valuable consideration, the receipt of which is hereby acknowledged, the said HELEN P. GRAMMER does grant and convey unto the said BURR C. MCFARLANE and EVELYN M. MCFARLANE, his wife, as tenants by the entireties, their heirs and assigns, in fee simple, all that parcel of ground, situate, lying and being in the Ninth District of Baltimore County, aforesaid, and described as follows, that is to say:-

BEGINNING for the same at the beginning of that parcel of land which by deed dated November 5, 1915, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 456, folio 64, was conveyed by Samuel A. Smith and wife to Samuel Tag et al for a road or right of way, said place of beginning being also the beginning of that parcel of land which by deed dated September 14, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 532, folio 192, was granted and conveyed by James F. Thrift to Helen P. Grammer, thence running and binding on the west side of the aforesaid road North 25 degrees 5 minutes East 75 feet, thence leaving said road, and running for a line of division and parallel with the fourth line in the aforesaid deed from Thrift to Grammer, North 60 degrees 41 minutes West 395.38 ft. to intersect the third or South 27 degrees 51 minutes West 668 feet 2 inches line of said deed from Thrift to Grammer, thence running along saidline and along the east side of a road or right of way 30 feet wide which by a deed dated May 8, 1886 and recorded among the Land Records of Baltimore County in Liber J.W.S. No. 152 folio 97, was conveyed by Samual A. Smith to Mary A. Cowley, with the use thereof in common with others, South 27 degrees 51 minutes West 74.81 feet to a stone heretofore planted at the beginning of the fourth or South 60 degrees 41 minutes East 399 foot line in the aforementioned deed from Thrift to Grammer, thence running along said line South 60 degrees 41 minutes East 399 feet to the place of beginning.

BEING a part of the land which by deed dated September 14, 1920 and recorded among the land records of Baltimore County in Liber W.P.C. No. 532 Folio 192 was granted and conveyed by James F. Thrift to Helen P. Grammer, the grantor herein.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said BURR C. MCFARLANE and EVELYN M. MCFARLANE, his wife, as tenants by the entireties, their heirs and assigns, in fee simple.

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

WITNESS the hand and seal of said grantor

TEST: Louis E. Petrick — Helen P. Grammer (Seal)

Louis E. Petrick — Helen P. Grammer

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of December in the year one thousand nine hundred and fifty, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared Helen P. Grammer the above named grantor, and she acknowledged the foregoing Deed to be her act.

AS WITNESS my hand and Notarial Seal.

(Notarial Seal) Louis E. Petrick, Notary Public

Louis E. Petrick

Rec. Dec. 12, 1950, at 2:00 p.m. & Exd. per George L. Byerly, Clerk, Rec. GCW
Exd By C D & V

---

234 Clarence R. Anthony & wf.) THIS DEED, Made this 30th day of November in the year
Deed to Edyth Patterson Farlow, widow) one thousand nine hundred and fifty, by and between
USS $8.80 SS $8.80) CLARENCE R. ANTHONY and BEULAH H. ANTHONY, his wife,
----------) the Grantors herein, of Baltimore County in the State

of Maryland, of the first part, and EDYTH PATTERSON FARLOW, widow, the Grantee herein, of the aforesaid County andState of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged the said CLARENCE R. ANTHONY and BEULAH H. ANTHONY, his wife, do grant and convey unto the said EDYTH PATTERSON FARLOW, her heirs and assigns, in fee simple, all that lot or parcel of ground situate, lying and being in the Eleventh Election District of Baltimore County in the State of Maryland, aforesaid, and described as follows, that is to say:-

BEGINNING for the same at an iron pipe which marks the end of the fifth or south 84 degrees 15 minutes east 1132.9 foot line of the land described in a Deed from Goldie Carter, et al to Herman W. Carter and wife, dated November 27, 1936, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 987, folio 389, said pipe also marking the beginning of the third or south 84 degrees 15 minutes east 13.26 foot line of the land described in a Deed from J. Clarence Mast, et al. to the said Herman W. Carter and wife, dated November 27, 1936, and recorded among the aforesaid Land Records in Liber C.W.B. Jr. No. 987, folio 390, and running thence binding on the aforesaid south 84 degrees 15 minutes east 13.26 foot line south 84 degrees 15 minutes east 13.26 feet to a point in Stony Batter Road marking the end of said line, thence binding on said Stony Batter Road north 33 degrees 01 minutes east 73.13 feet, thence leaving said road and making for a new line of division through and across the property of the said Herman W. Carter and wife north 84 degrees 15 minutes west 1173.51 feet to intersect the south 11 degrees 09 minutes west 335.7 foot line of the aforesaid Deed from Goldie Carter, et al to Herman W. Carter and wife, at the distance of 65.3 feet from the end of said line, thence binding on said line south 11 degrees 09 minutes west 65.3 feet to a stone heretofore planted marking the end of said line thence binding on the south 84 degrees 15 minutes east 1132.9 foot line of the aforesaid land from Goldie Carter et al to Herman W. Carter and wife south 84 degrees 15 minutes east 1132.9 feet to the place of beginning.

CONTAINING 1.73 acres of land, more or less.

BEING the same lot or parcel of ground which by Deed dated August 11, 1949 and recorded among the Land Records of BaltimoreCounty in Liber T.B.S. No. 1774 folio 64 was granted and conveyed by Leslie W. Fernley and wife unto the said Clarence R. Anthony and wife in fee simple.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises, above described and mentioned

REC'D FOR TRANSF FEB 28 1957

Baltimore County
Department of Environmental Protection
and Resource Management
Ground Water Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204
410-887-2762
Fax: 410-887-4804

August 27, 2002

Mr. Richard Hall
2829 North Wind Road
Baltimore, MD 21234

RE: 9216 Smith Avenue, D-9

Dear Mr. Hall,

A representative of this office, Clare M. Brunner, R.S., conducted soil evaluations on October 23, 2000 regarding the above-referenced lot.

Based on the evaluations and the master plan dated March 4, 2002, **APPROVAL** will be granted for the installation of a private sewage disposal system. Soil percolation tests will be ***valid for a period of five (5) years from the date of tests, approval letter or record plat, whichever is most recent***. At the expiration of this period of time, the results will become **VOID** without notice to that effect having been given by the Approving Authority.

It should be noted, there is a 10,000 square foot area designated on the site plan for the sewage disposal system and expansion thereof. Under no circumstances shall any permanent structures above or below ground, be permitted within this area. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the septic reserve area.

The following are comments that concern persons developing property:

- Where water wells are to be used as a source of water supply, the Baltimore County Code, (Title 35, Article 2, Sec. 35-41), requires that a well meeting the minimum recovery rate of one gallon per minute be drilled prior to issuance of a building permit.

- Water well yield test reports shall be valid for a period of three years from the date of the yield test. At the expiration of that period of time, a retest must be performed and the report submitted to this office prior to issuance of a building permit.

Pet Ex #3

- In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. **PLEASE NOTE**: For subdivisions of 11 or more lots a Water Appropriation Permit application must be submitted for review. This permit must then be issued by the Maryland Department of the Environment, Water Management Administration before final approval of the subdivision. Questions regarding the subdivision process should be directed to Mr. R. Bruce Seeley, R.S., in the Development Coordination Section at 410-887-5859.

Attached is a copy of the original soil evaluation data for the above-referenced lots.

If you have any questions regarding this matter, please contact this office between 8:30 - 9:30 a.m.

Sincerely,

JRP

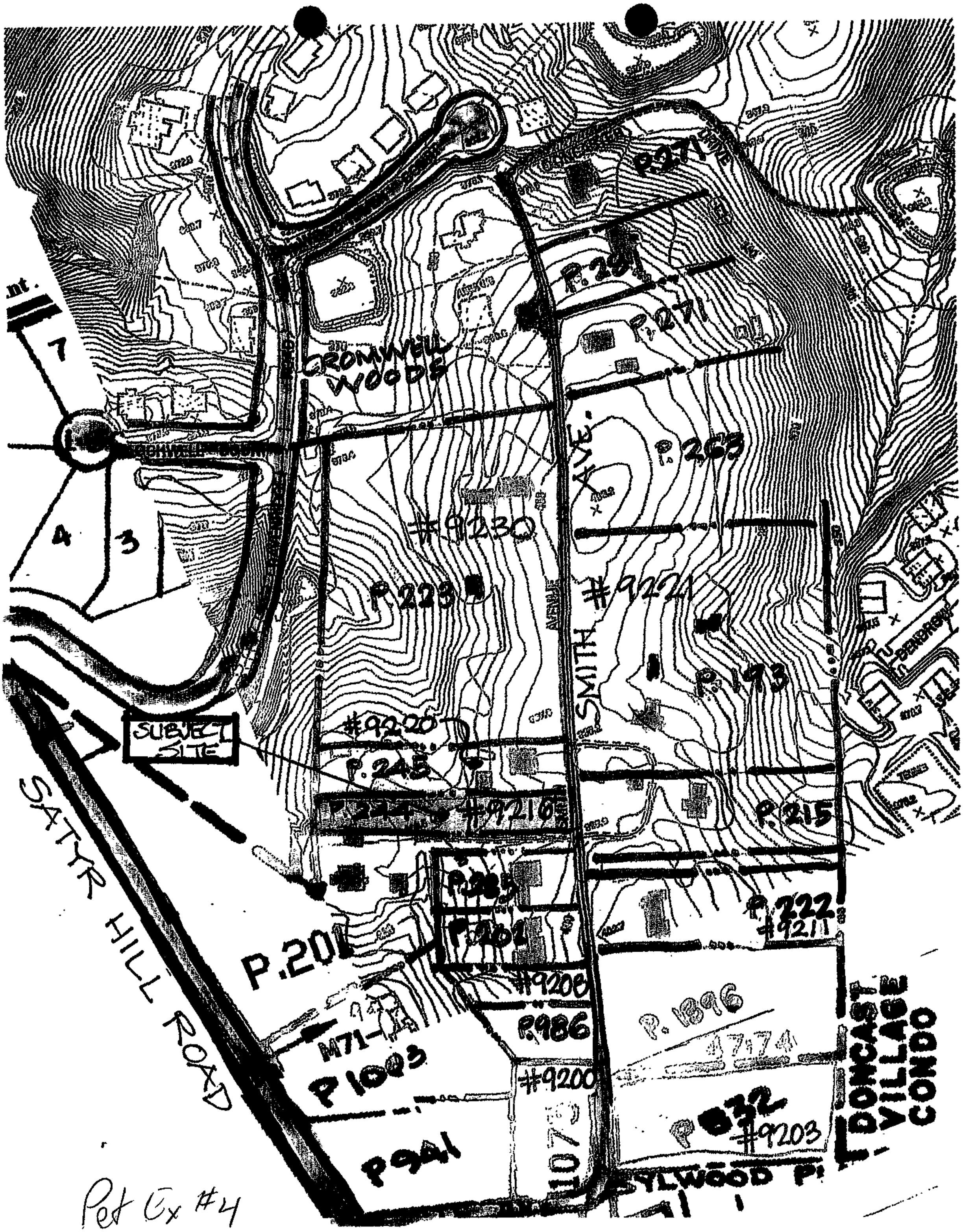
J. Robert Powell, R.S. CB
Soil Evaluation Program

CHESAPEAKE
BAY PARTNER COMMUNITY

1997 Gold Award Recipient

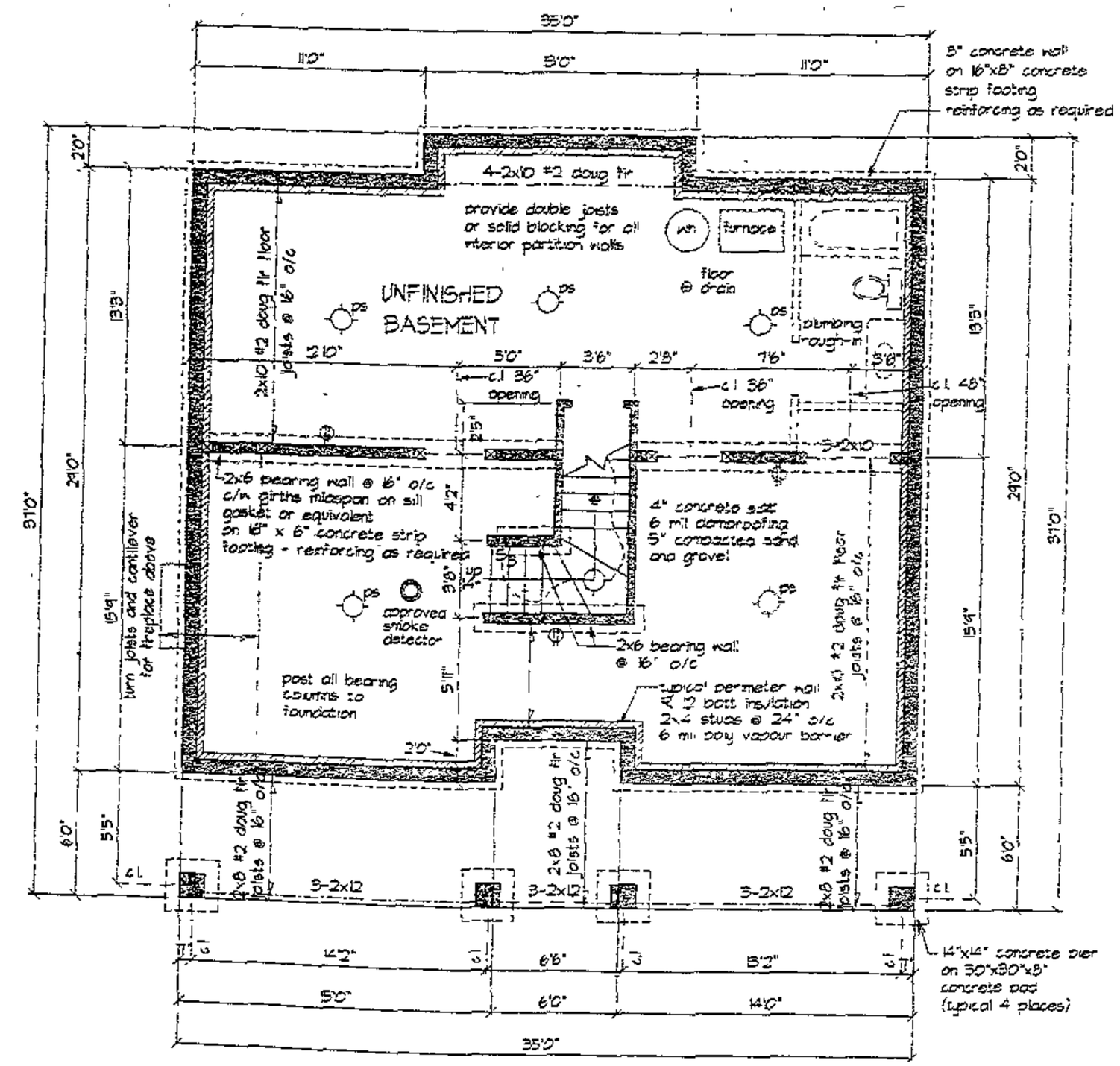
attachments

Snith Ave.,9216


BROMWELL WOODS
SMITH AVENUE
SUBJECT SITE
SATYR HILL ROAD
LONGAST VILLAGE CONDO
BENGREW
#9230
#9224
#9220
#9210
#9211
#9208
#9200
#9203
P.271
P.265
P.223
P.193
P.245
P.215
P.201
P.196
P.986
P.1003
P.941
M71-74
7
4
3

Pet Ex #4

Ref G+S



FOUNDATION PLAN scale = 1/4 = 1' 0"

NOTE

All lintels in exterior and bearing walls to be 2x10s unless otherwise specified
All bedroom windows to have a minimum vent size of 24" x 36" for egress
Ground snow load of 40 PSF (1.9 KN per M 2)
All bearing columns or girder trusses and support beams are to be posted to foundation

H N S DEVELOPMENT
3107 PARKTOWNE ROAD
BALTIMORE, MARYLAND 21234

PERMIT #

REVISIONS

DATE	REMARKS

PROJECT #

DRAWING TITLE

DATE:

DRAWING NUMBER

SHEET OF

ELECTRICAL LEGEND

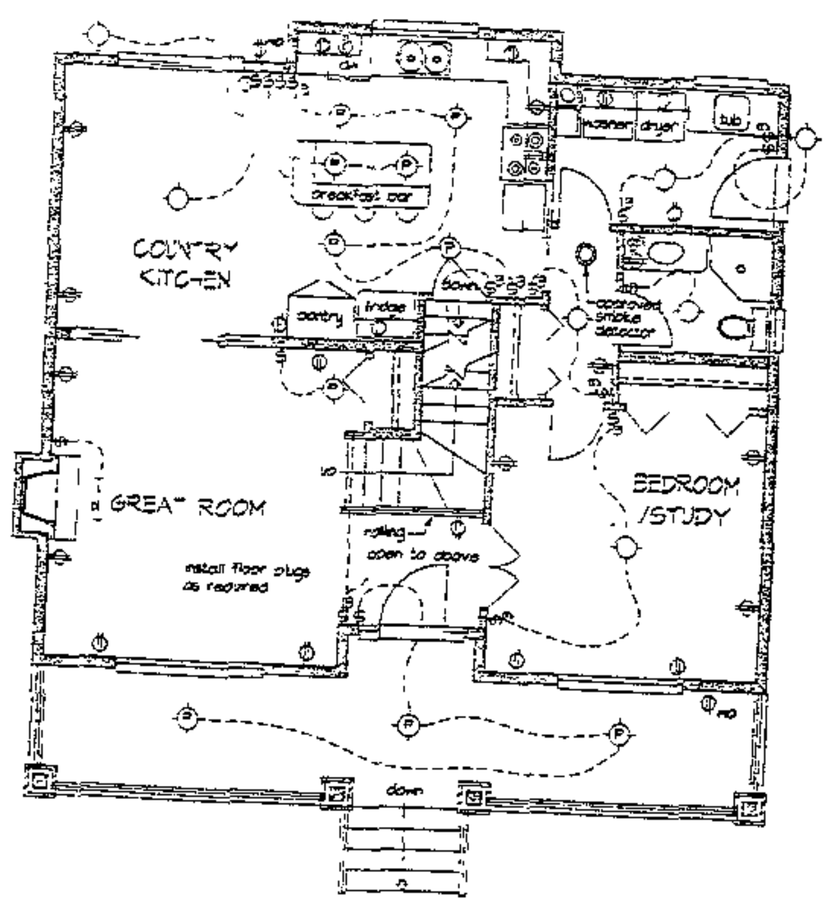
SYMBOL	DESCRIPTION
	Ceiling Incandescent
	Vapour Proof Light Fixture
	Flood Light
	Recess Incandescent A/C Heater
	Recess Incandescent
	Track Light
	Fluorescent Fixture
	1 Pole Switch
	Ceiling Exhaust Fan
	Heat Lamp Fan Combination
	Wall Incandescent
	20 Amp Duplex Outlet
	240 Volt Outlet
	Weather Proof Outlet
	Duplex Outlet - Split Circuit
	Duplex Outlet - Switched One Side
S	Switch
S_3	3 Way Switch
S_4	4 Way Switch

NOTE

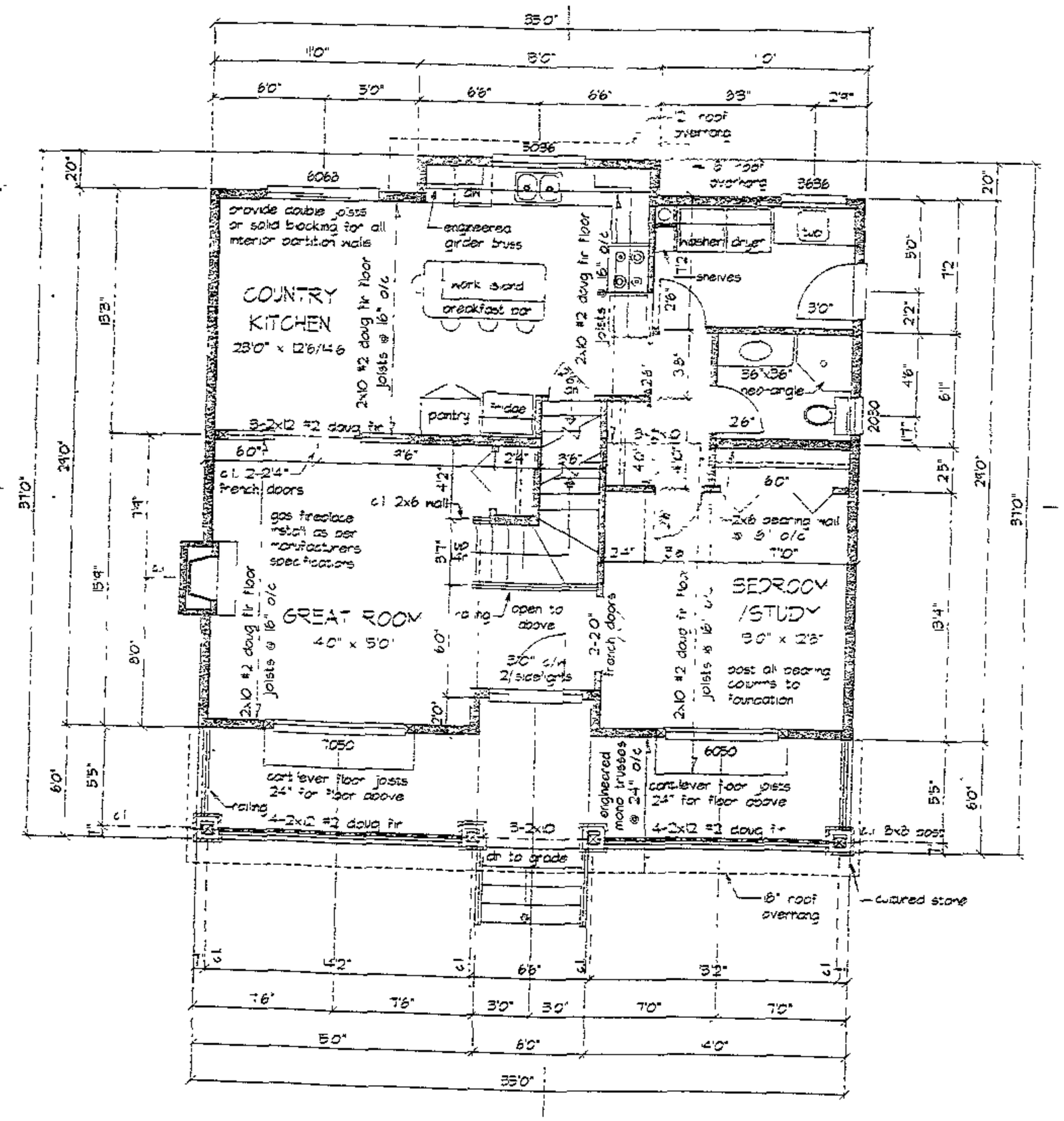
Outlet and Fixture locations shown on this plan are in compliance with the National Building Code and are to be used only as a guide. Local, Provincial or State codes take precedence and installations shall conform accordingly

DIMENSION FORMAT
(interior)

inside of wall — inside of wall
centre of wall — centre of wall
outside of wall — outside of wall



ELECTRICAL PLAN scale = 3/16" = 0



MAIN FLOOR PLAN scale = 1/4" = 1'0

029 Sq. Ft.

H N S DEVELOPMENT

3107 PARKTOWNE ROAD
BALTIMORE, MARYLAND 21234

PERMIT #

REVISIONS	
DATE	REMARKS

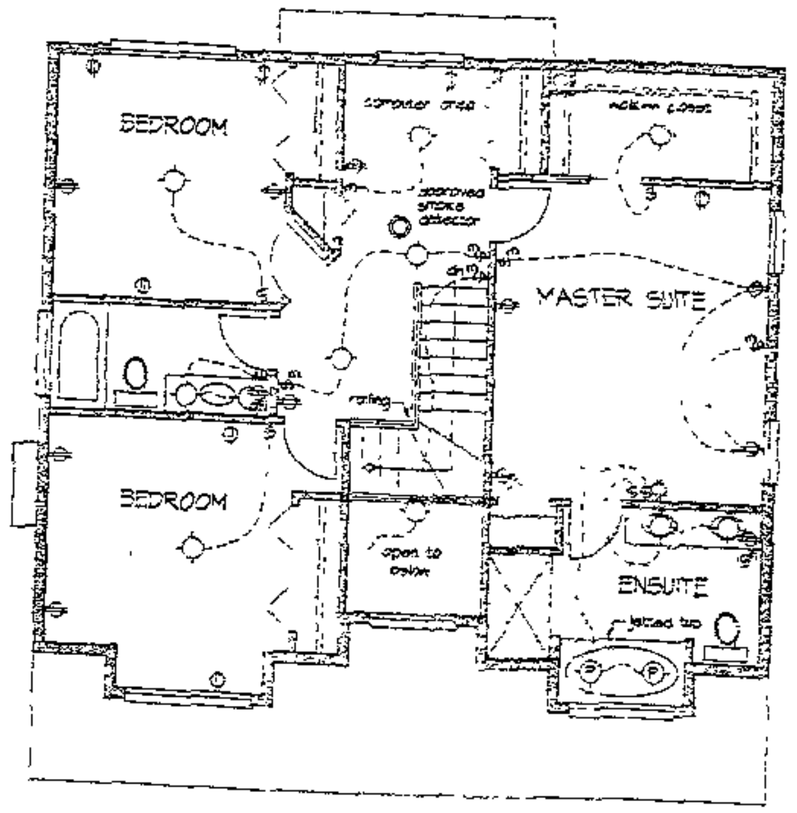
PROJECT #

DRAWING TITLE

DATE

DRAWING NUMBER

ELECTRICAL PLAN scale = 3/16" = 1'-0"

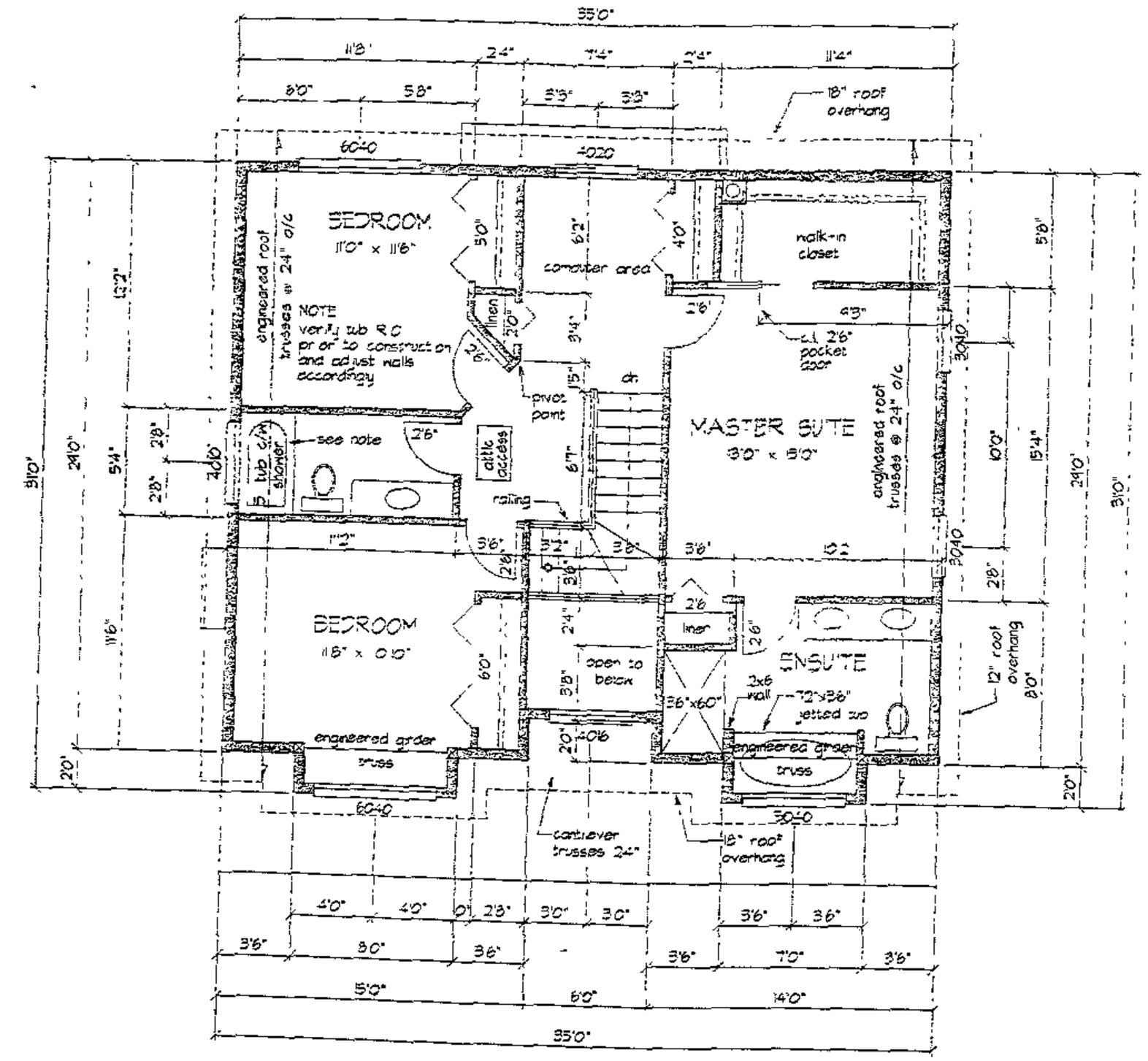


ELECTRICAL LEGEND

SYMBOL	DESCRIPTION
	Ceiling recessed
VP	Vapor Proof light fixture
	Flood light
	Indirect recessed Wall Washer
	Indirect recessed
	Track light
	Fluorescent fixture
3	3 way Switch
	Ceiling Exhaust fan
	Heat Lamp Fan Combination
	Wall recessed
	120 Volt Duplex Outlet
	240 Volt Outlet
WP	Weather Proof Outlet
	Duplex Outlet - Split Circuit
	Duplex Outlet - Switched One Side
$	Switch
$3	3 Way Switch
$4	4 Way Switch

NOTE

Outlet and fixture locations shown on this plan are in compliance with the National Building Code, and are to be used only as a guide. Local, Provincial or State codes take precedence and installations shall conform accordingly.



UPPER FLOOR PLAN scale = 1/4" = 1'-0"

956 Sq. Ft.

NOTE

All lintels in exterior and bearing walls to be 2x10s unless otherwise specified as.
All bedroom windows to have a minimum vent size of 24" x 36" for egress.
Ground snow load of 40 PSF (1.9 KN per M 2)
All bearing columns or girder trusses and support beams are to be bolted to foundation.

H N S DEVELOPMENT
3107 PARKTOWNE ROAD
BALTIMORE, MARYLAND 21234

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DATE

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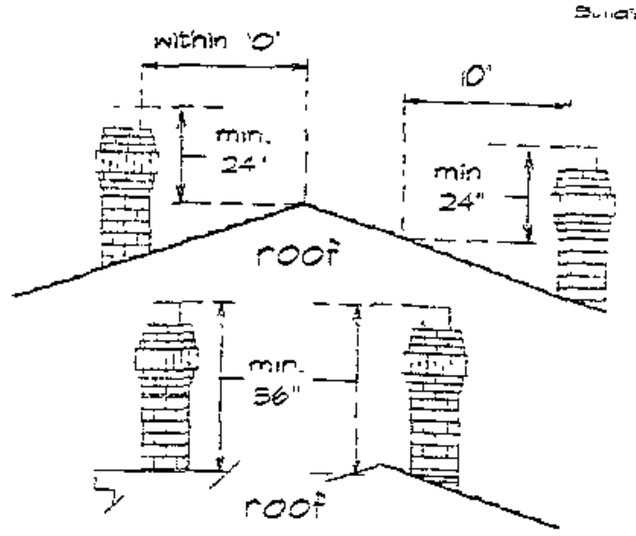
NOTE: DEPTH OF FOUNDATIONS

Due to the large variety of soils and the variance in frost penetration in different geographical locations please refer to table R 403.1 of the National Building Code, and consult local authorities for accepted standards



Height of Chimneys

Scale: 1/4" = 10"

All joints in vapour barrier to be lapped 4" and occur over framing members or sealed with caulking

All holes through vapour barrier for wires electrical boxes, plumb. outlets, etc shall be sealed

Sill plates to be pressure treated or separated by dampproofing material

Moisture resistant backing is required around bathtubs or shower where ceramics and plastic tile is installed

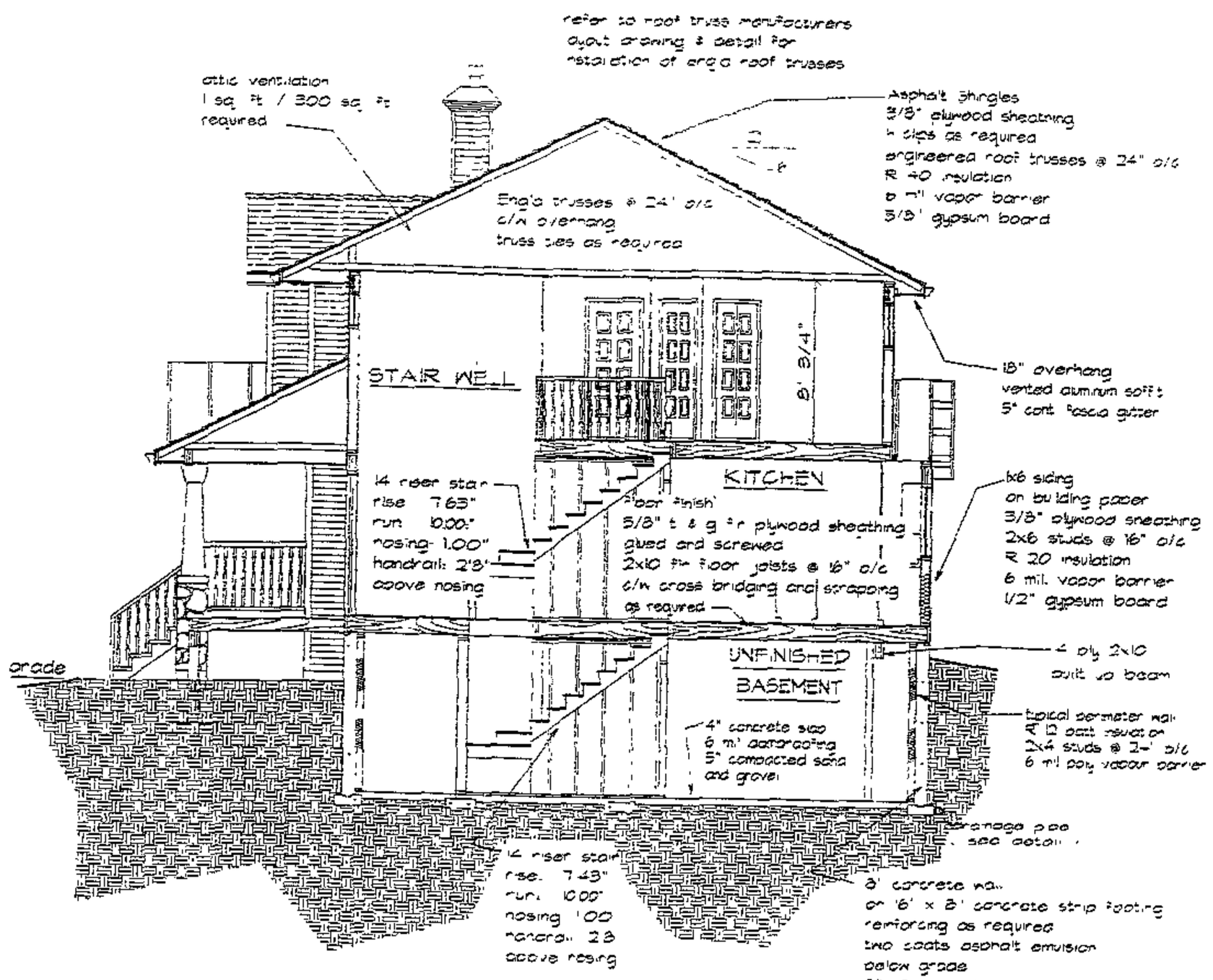
NOTE

All lintels in exterior and bearing walls to be 2x10s unless otherwise specified

All bedroom windows to have a minimum vent size of 24" x 36" for egress

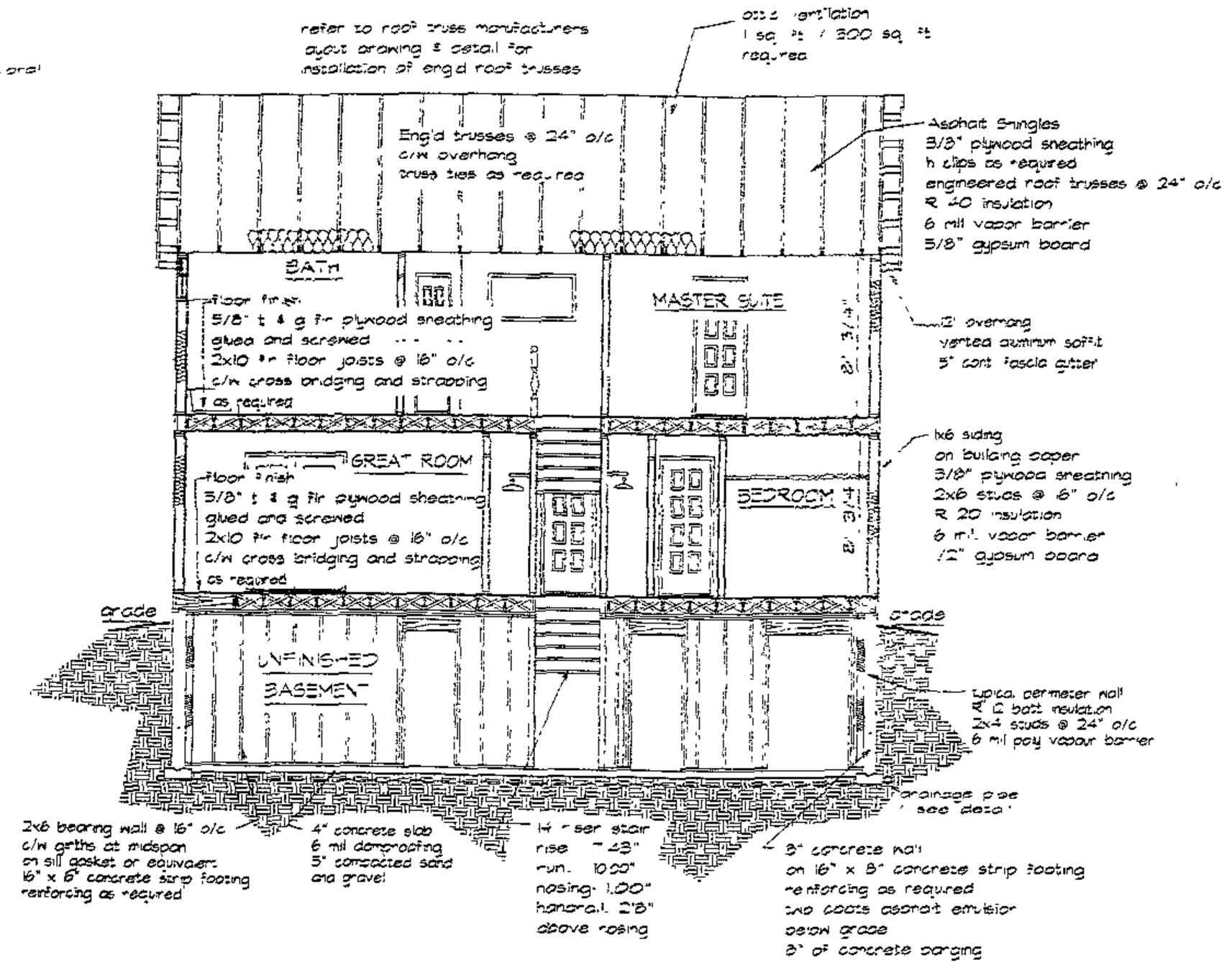
Ground snow load of 40 PSF (1.9 KN per M 2)

All bearing columns & girder trusses and support beams are to be posted to foundation



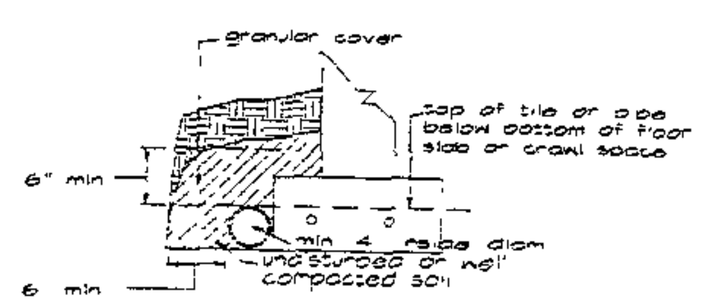
CROSS SECTION

scale = 1/4" = 1' 0"



CROSS SECTION B/2

scale = 1/4" = 1' 0"



Drainage Tile and Pipe

Scale 1" = 0'

Main entrance door to have a door viewer window or sidelight

Sidelights or windows within 36" of a locking door must be safety glass or wired glass

All exterior or entrance doors require solid blocking at lock height on both sides of door for two stud spaces (except where sidelights occur)

Dead bolt locks with 1" throw

Hinges secured to door with 1" screws and to frame with 3" screws into solid blocking

Striker plates to be fastened with 3" screws into solid blocking

Sliding doors must have an type locking mechanism with a 3/8" throw

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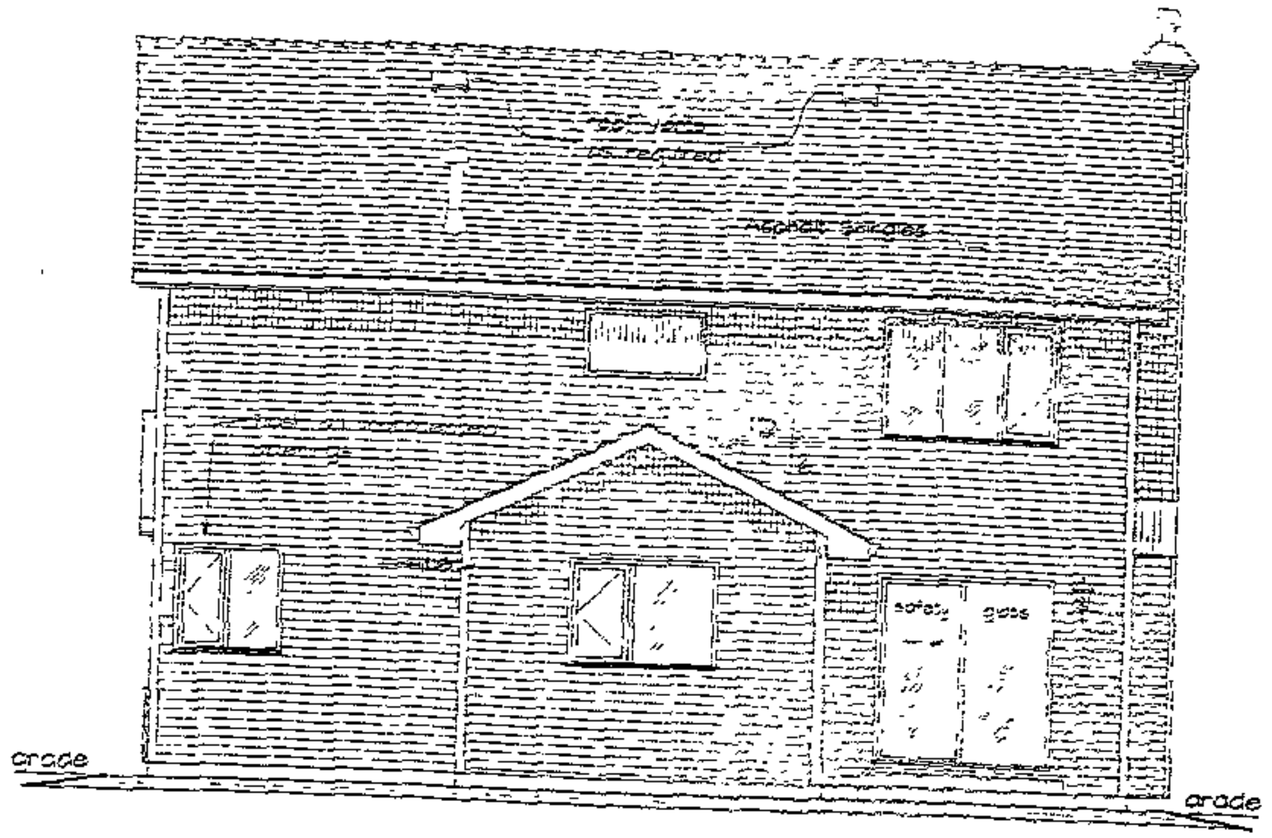
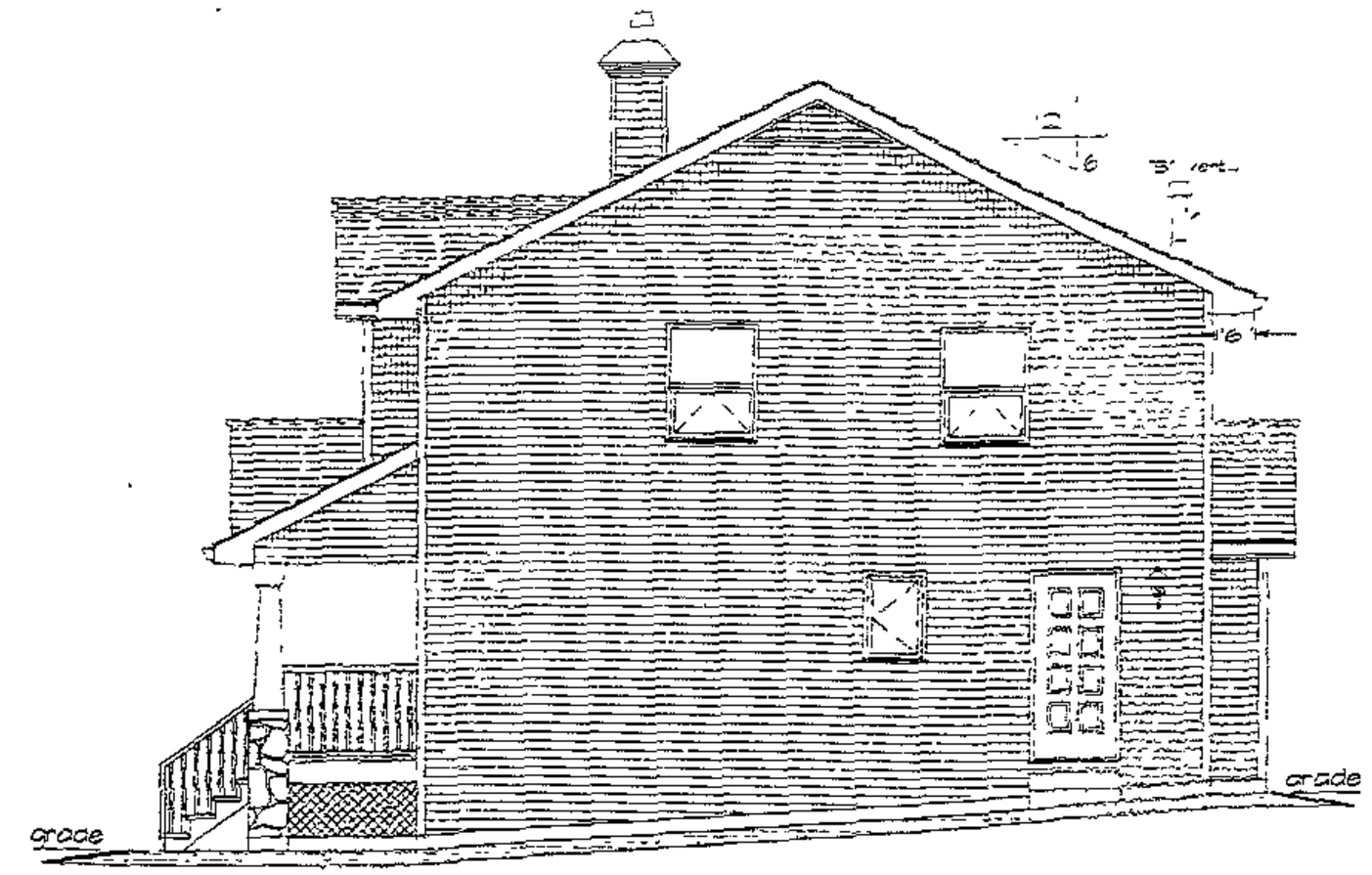
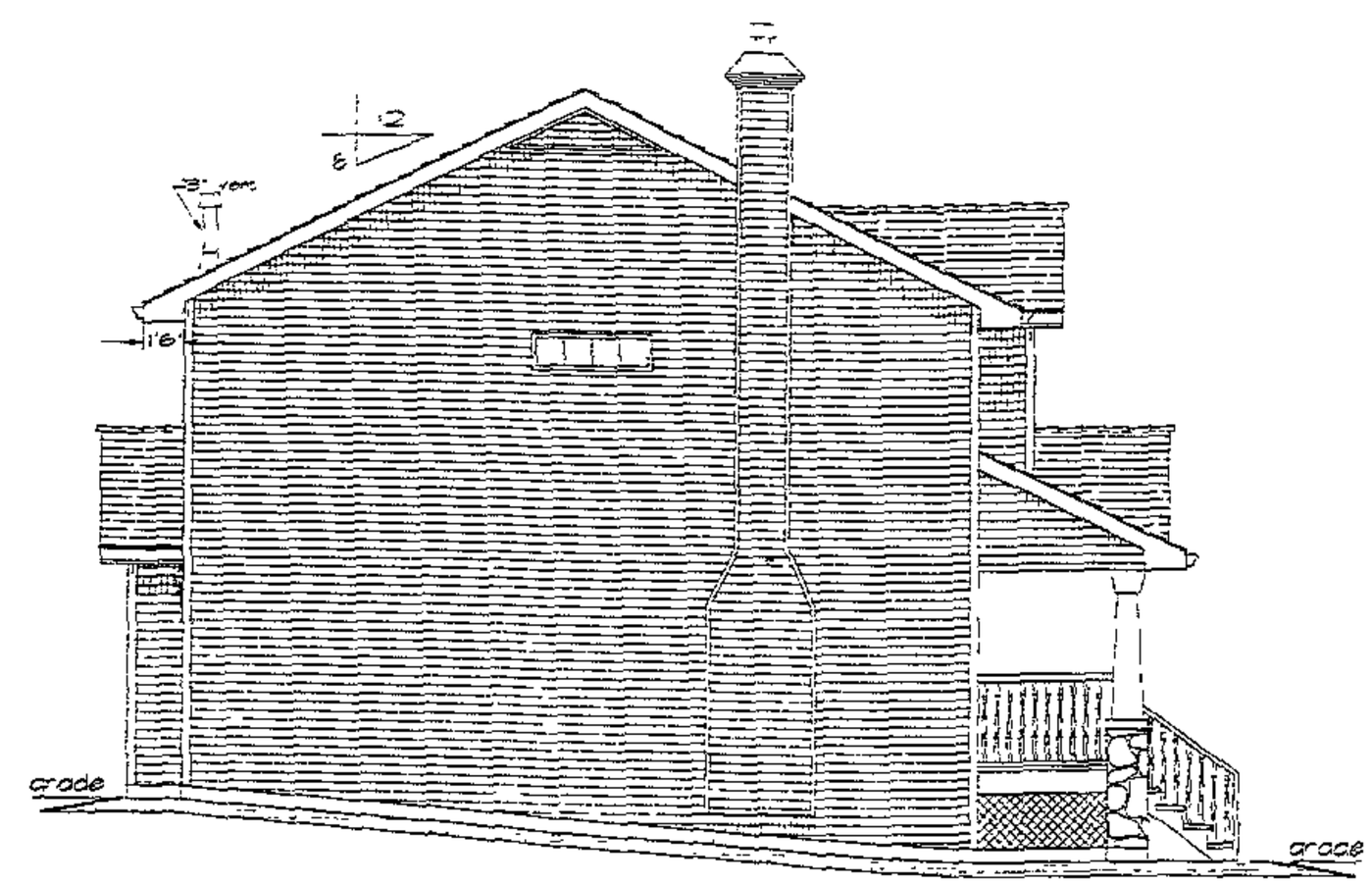


REAR ELEVATION scale = 1/4" = 1'-0"



RIGHT ELEVATION scale = 1/4" = 1'-0"

FRONT ELEVATION scale = 1/4" = 1'-0"



LEFT ELEVATION scale = 1/4" = 1'-0"

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CODES AND STANDARDS

- All workmanship is to be of a standard equal in all respects to good building practice.
- It is the responsibility of the owner/builder to insure that changes to the Code are complied with and all amendments are incorporated in the construction of this plan. All work shall conform to local building codes and bylaws which may take precedence.
- Prior to proceeding with construction, the builder must verify all information, dimensions and specifications of this plan. Written dimensions always take precedence over scale measurements.
- Any variance from structural drawings and specifications or from conditions encountered at the job site, shall be resolved by the owner/builder and such solutions shall be their sole responsibility.
- All work shall conform to the current Building Codes adopted by authorities having jurisdiction or local Building Codes and Bylaws which may take precedence.
- Construction loads on the structure caused by interim storage of materials or use of equipment, shall not be allowed to exceed the design loadings.
- In the event of a conflict between applicable codes and regulations and referenced standards of these plans and specifications, the more stringent provisions shall govern.

CONCRETE & FOUNDATIONS

- All concrete to have a minimum compressive strength of 2500 psi at 28 days.
- Concrete footings must be placed on undisturbed or compacted soil to an elevation below frost penetration. Footings shown on these drawings have been designed for soil bearing capacity of 2,500 psf. If a lesser bearing capacity is encountered, it is the responsibility of the owner/builder to have the footings redesigned by qualified persons to suit existing conditions.
- Foundation walls should not be backfilled until concrete or masonry grout has reached its specified 28 day strength and structural floor framing (including plywood subfloor) required to stabilize the walls, is complete and fully nailed and anchored.
- All foundation walls 24" and higher should have one horizontal 1/2" reinforcing bar 3" from the top. Corner reinforcing to be lapped minimum 24".
- All footings are to have two 1/2" reinforcing bars. The reinforcing bars are to be situated such that one bar is 3" clear of the side and bottom of the footing on both sides of the footing.
- Grades shown on elevations are estimated. Adjust on site as required. Retaining walls other than the foundation walls of the residence, are beyond the scope of these drawings unless otherwise noted.
- All concrete slabs shall develop a minimum compressive strength of 3000 psi at 28 days.
- All concrete and masonry foundation walls exceeding heights limits specified by current Building Codes require engineering.
- Perimeter drainage shall be installed where required to the approval of local authorities.

STRUCTURAL DESIGN AND ENGINEERING

- To provide our clients with distinctive and attractive designs, it has been necessary in some instances to use beam sizes and framing details not specified by current Building Codes. Although these plans are designed using standard engineering and building practices, the City or Municipal Building Department may require confirmation by a certified Structural Engineer which is the responsibility of the owner or builder to provide.

DESIGN LOADS

DEAD LOADS		LIVE LOADS			
Roof, with shakes/shingles	15 psf	Floor	40 psf	Garage	50psf
Roof, with clay/concrete tiles	25 psf	Stairs	100 psi	Roof	40 psf
Floor	10 psf	Decks	60 psf		

INSULATION

- Roof: Vaulted Areas ..... As req'd (R-30 recommended)
  Flat Ceilings ..... As req'd (R-38 recommended)
- Exterior Walls
  2 x 4 studs R-11
  2 x 6 studs ..... R-19 or R-21
  Floors over unheated spaces ..... As req'd (R-19 recommended)
  Basement walls ..... As req'd (R-07 recommended)
  Slab floors - on grade ..... As req'd (R-10 rigid insulation at exposed perimeter recommended)
  Ducts in unheated spaces ..... As req'd (R-05 recommended)
  Cantilevered floors & floors over garages ..... As req'd (R-30 recommended)
- Insulation to be installed with vapor barrier on interior face.
- It may be necessary to increase the depth of framing members greater than shown on the drawings to accommodate thicker insulation materials as may be required by local codes and ordinances.
- Caulking is to be applied at all exterior sills and plates and all exterior envelope penetrations (between window or door frames and rough openings).

REINFORCING STEEL

- Reinforcement shall be bent cold and shall not be welded.
- Welded wire fabric shall conform to ASTM A185, in as long a length as is practicable. Welded wire fabric shall be lapped at least one grid width plus 2".
- Splices
  Reinforcement in concrete and masonry shall have lap lengths as follows unless otherwise specified or drawings.

Bar Size:	In Concrete	In Masonry
#3	16"	20"
#4	20"	26"
#5	26"	30"

- Placement:
  A. Reinforcement shall be accurately placed and supported by concrete, metal or other approved chairs, spacers or ties and secured against displacement during concrete or grout placement.
  B. Except where otherwise noted - reinforcement shall have concrete cover as follows:
     1. Concrete deposited against earth ..... 3"
     2. Formed concrete against earth ..... 2"
     3. Exterior faces of walls ..... 2"
     4. Interior faces of walls ..... 3/4"
     5. To top of slabs-on-grade ..... 3/4"

WOOD FRAMING

- Dimensions are from outside face of exterior studs to center of partition walls unless otherwise noted. Face of exterior stud wall and foundation wall to be flush.
- Joists shall be placed to accommodate heating & plumbing, etc.
- Owner/builder to obtain certificates from manufacturer of floor trusses, roof trusses and glulam beams.
- Floor and roof joist spans of more than 7 ft. shall be bridged at midspan or at 7 ft. o.c. maximum unless sheathed or strapped both sides with wood. Bridging shall be a 2x2 diagonal type wherever possible.
- Wood in contact with concrete shall be damproofed with 45 lb. felt, a sill plate gasket, pressure treated with a waterborne preservative or other approved method.
- All frame walls shall have stud framing placed at 16" o.c. except where otherwise noted.
- Top plates shall be doubled on all walls except where otherwise noted.
- Cripples under all headers shall be continuous to sole plate.
- Double joists under all walls parallel to joists except where otherwise noted.
- Block all stud walls as required for sheathing.
- Solid blocking between all joists and rafters at supporting walls and beams except at rim joists.
- Double rim joists at all walls parallel to joists.
- Beams, girders and joists supporting bearing walls or concentrated loads shall not be notched.
- All rafters shall be notched to provide full bearing at supports.
- All joists shall have a minimum of 2" bearing at supports.
- Lap all joists 6" minimum at all interior bearing supports.
- Mud sills and ledger boards at concrete walls shall have anchor bolts of the size and spacing shown on the drawings. Each board shall be secured with at least two bolts and each board shall have a bolt within 12" of each end.
- All solid sawn lumber shall be Douglas Fir/Larch installed as noted on the plans. Lumber shall be as graded in accordance with current Western Wood Products Association (WWPA) standard grading rules. Lumber grades for uses to be:
  A. Floor, Ceiling Joists & Rafters ..... #2 & better
  B. Sills, Plates & Blocking ..... #3
  C. Studs ..... Det "stud"
  D. 2" T & G Sub-Floor Decking ..... #3
  E. Wall & Roof Sheathing ..... 1/2" C-D Ext. Glue Plywood (32/16)
  F. Sub-Floor over Joists ..... 5/8" C-D Ext. Glue Plywood (32/16)
  G. Underlayment ..... 1/2" Underlayment Grade Particleboard
- Solid sawn lumber at visually exposed locations shall be "clear" grade, free of heart.

ELECTRICAL

- Installation of electrical items must comply with local electrical codes and regulations and with the local electric power supplier's regulations in all respects.
- Outlet locations shown on plans comply with or exceed current Building Code minimum requirements and are to be used as a guide only. Adjust according to owners and/or local authority's requirements.

HEATING

- Installation of entire heating system, whether electric, forced warm air or hot water, must comply with manufacturers directions (where applicable) and conform with local codes and regulations in all respects.
- Gas connection will require separate permit and inspections.
- Fuel burning appliances, including furnaces, fireplaces and stoves to be provided with combustion air supply from exterior.

FIREPLACES AND MASONRY

- All masonry applications shall be in accordance with the current Building Codes.
- All fireplace and chimney installations shall be governed, inspected and approved by municipal authorities (separate permit may be required).
- Fireplace(s) to be finished to owner's specifications including hearth and mantle if specified.
- Wood burning fireplace hearths to be minimum 16" deep and project minimum 8" each side of opening.
- Fireplace flue size is minimum 1/10 of fireplace opening size.
- Dampers shall be [illegible]
- Provide minimum of 8" of brick, including fire brick, on all sides of fire box - 12" for stone.
- Interior wood frame to be minimum 4" clear from back and sides of fire box and 2" clear from brick chimneys.
- Exterior wood frame to be minimum 1" clear from exterior fireplace and 1/2" clear from exterior chimneys.
- Fireplace to have ash dumps with cast iron clean outs below where possible.
- Provide cast iron clean outs below thimble for masonry flues.

MISCELLANEOUS

- Flash all changes of materials on exterior walls.
- Flash over all exterior openings.
- All siding or stucco to be a minimum of 8" above finished grade.
- All balcony railings to be 36" in height. Maximum spacing between vertical members is 4". Minimum distance between horizontal rails to be 32". Top rail to sustain outward load of 40 pounds per lineal foot.
- Coat and clothes closets shall have at least one rod and shelf with minimum depth of 24" unless otherwise stated. Linen closet shall have 5 adjustable shelves wherever possible. Broom closets shall have one shelf.
- Contractor shall provide adequate bracing or otherwise support all portions of the structure until all members have been permanently connected together.
- Plumbing diagrams or drawings shall be provided by the plumbing contractor.
- Heating/cooling duct diagrams or drawings shall be provided by the heating/cooling contractor.
- Heat loss or energy use calculations shall be provided by heating/cooling contractor or other professional as required by Building Official.
- Truss design, engineering and plans shall be provided by truss manufacturer.
- All fireplace openings shall be provided with tempered glass doors. Provide outside combustion air for fireplaces, wood stove and liquid fuel heating appliances (U.B.C. 3707(1)).
- Smoke detectors shall be connected to house power.
- Tub and tub/shower enclosures to have 1/2" water resistant gypsum board and a hard, moisture resistant surface up to 6'0" above floor (min.).
- All exhaust fans, range hoods and dryers shall vent to the outside through sheet metal ducts. Caulk around all penetrations through exterior envelope.
- All windows, patio doors and doors with glass shall be double glazed, insulating units with wood or thermally broken aluminum frames and sashes.
- All wood in permanent contact with concrete or soil shall be pressure treated with a waterborne preservative.
- All exterior walls & walls common to unheated spaces shall be 2x6 studs at 16" o.c. With R-19 insulation unless otherwise noted on the plans.
- Provide 1 hour fire wall between garage and living areas and under all stairs where storage space is available.
- All doors between garage and living areas shall be 1 hour fire rated assemblies with 1-3/4" solid core wood doors or code approved equivalents and self closing mechanisms.

H N S DEVELOPMENT
3107 PARKTOWNE ROAD
BALTIMORE, MARYLAND 21234

PERMIT #

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RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attent on: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

5/8/02

Residential Processing Fee Paid ($50.00)
Accepted by BK
Date 4/22/02

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Tracy Morrow (Print Name of Applicant) 59 Stone Park Pl 21236 (Address) 5298168 (Telephone Number)

Lot Address 9216 Smith Ave Election District 9 Councilmanic District 6 Square Feet 29,704

Lot Location: N E S W side/corner of SMITH AVE (street), 1085 feet from N E S W corner of SATYR HILL RD (street)

Land Owner: HNS Development - Mark Storck Tax Account Number 0920550850

Address: 3107 Parktowne Rd 21234 Telephone Number (410) 917-3900

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	OK	
2. Permit Application — Revoke Approval of Recommendation		
3. Site Plan — Property (3 copies)		
Topo Map (2 copies): *available* in Room 208, County Office Building - *(please label site clearly)*		✓
5. Building Elevation Drawings	✓	
6. Photographs (please label all photos clearly) — Adjoining Buildings	✓	
Surrounding Neighborhood	✓	
7. Current Zoning Classification: DR 2		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

Post-it® Fax Note 7671 Date 5/14 # of pages ▶ 2
To Kevin Kilgotts From Lynn Lanham
Co./Dept. Zoning Co. _____
Phone # _____ Phone # 3480
Fax # 887-3824 Fax # _____

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☑ Approval conditioned on required modifications of the application to conform with the fo

The house construction must be in accordance with elevation drawings submitted & prepared by Weinmaster House Design
Revised 5/10/02

Signed by Lynn Lanham for the Director, Office of Planning and Community Conservation Date 5/14/02

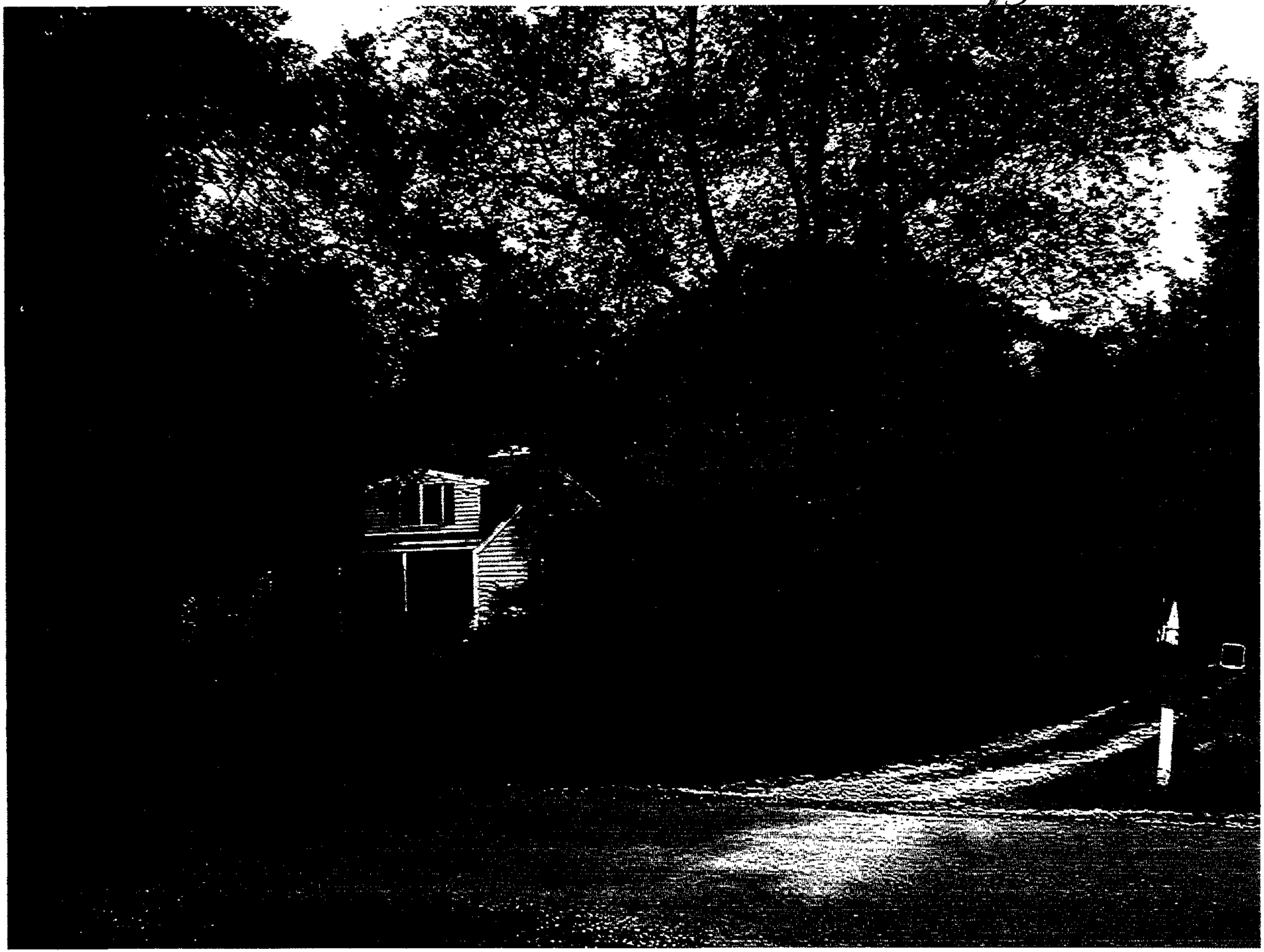
RECEIVED APR 23 2002 OFFICE OF PLANNING

Pet Ex #6

Revised 2/25/95

Pet Ex 9A

19B



9C

9D

9E

Pet Ex #8

WMN
8/27/02

90-[illegible]

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 14, 1977

Mr. William S. Grammer
9211 Smith Avenue
Parkville, Maryland 21234

Dear Mr. Grammer:

Reference is made to your Building Application 94354, for a **dwelling to be located at 9211 Smith Avenue, District 9. (Guest house.)**

Based on the soil evaluation study, approval is granted for a private sewage disposal system consisting of the following:

1500 gallon septic tank, distribution box and two 10 ft. by 10 ft. seepage pits (minimum 8 feet below inlet) as per plot plan. Top of septic tank shall not be deeper than 18 inches below grade.

The Division of Sanitary Engineering must be contacted if any alteration or relocation is made in the following:

(a) The above recommended sewage disposal system
(b) The plot plan submitted showing the dwelling, sewage disposal system, and water well.

Under Section 16.2, Baltimore County Plumbing Code, a plumbing permit is required for the installation.

Soil evaluation results will be valid for a period of three years from date of evaluation. At the expiration of this period of time, the results will become void without notice to that effect having been given by the approving authority.

Where water wells are involved, the well must comply with all requirements of the Baltimore County Department of Health.

Very truly yours,

William M. Greenwalt, R.S., Chief
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

WMG:MC:E

SEC 13A 377

Prot. #1A

Joshua B. Gilman
9220 Smith Avenue
Parkville, MD 21234

Board of Appeals
400 Washington Avenue, Rm 48
Towson, MD 21204
Re: Case #1-270A

November 6, 2002

To Whom It May Concern:

My name is Joshua B. Gilman, and I live at 9220 Smith Avenue (adjacent to the HNS Property). I am writing to express my outstanding concerns, regarding any proposed residential development on the vacant lot currently under possession of HNS Developers.

In addition to those concerns stated in a letter to Baltimore County Department of Environmental Protection and Management / Groundwater, I have the following outstanding concerns:

Plans – The site plan does not accurately locate well within the vicinity of the proposed work. I feel that before construction plans are approved, that this issue should be resolved. More in depth discussion is outlined in the aforementioned letter. Additionally, the geometry of proposed dwelling will violate the approved setbacks.

Surface water/ground water – Given the uniqueness of the existing conditions and the likelihood of interaction between septic/surface water/groundwater I feel that until a Licensed Wastewater Engineer stamps the Plans, the county remains accountable for any failure/adverse impacts resulting from the proposed development. Additionally, I would like to have water quality tests (standard testing on nitrates, turbidity, pH, sand and total coliforms and additional test for MCL of Arsenic and cadmium, and Trihalomethanes) made available at a cost to the Contractor. My primary concern is in regard to the potential failure of the proposed septic system. In the case of a septic failure, not only will my family and I be faced with a severe health risk, but my personal property will also sustain loss and damage. Placing a septic reserve area on this parcel may not fulfill the intent of the existing ordinances.

Until these issues are resolved, I firmly oppose the proposed development at 9216 Smith Avenue.

Sincerely,

Joshua B. Gilman

Plot. # 1B

Joshua B. Gilman
9220 Smith Avenue
Parkville, MD 21234

Baltimore County Department of Environmental
Protection and Management / Groundwater
Management
401 Bosley Avenue, Ste. 416
Towson, MD 21204
Re: 9216 Smith Avenue

Dear Mr. Koepenick,

Thank you for your prompt and courteous response to my letter dated July 22, 2002 in which I documented some of my concerns regarding the development of 9216 Smith Avenue. I would like to remind you that, as stated in Zoning hearing (case no. 02-517-SPH) on August 28, 2002, I have no conflict with any individual who wishes to develop a residential dwelling as their personal residence that conforms to existing permit and zoning regulations. Since your letter dated August 14, 2002, I have received new information and as a result have generated new questions. I was hoping that you could clarify or confirm my growing concerns.

Regarding my initial concerns, as you recommended, I have documented the water quality/quantity of my well prior to construction of the proposed dwelling and associated SRA, and I intend to note any change in water quality/quantity following the occupancy of the proposed dwelling. However, I have new concerns regarding potential impacts to my well and septic, as well as that of the future residents of 9216 Smith:

- It is my understanding that the well must conform to the following requirements:
  1) Thirty foot setback from any existing or proposed dwelling
  2) Ten foot setback from property lines
  3) Fifteen foot setback from roads/easements
  4) One hundred foot setback from Septic Reserve Area

  Although I haven't seen the permit (and any associated variances) or personally measured the setbacks, I believe that the approved well may be in violation of items 1-3.

- Additionally, I have discussed the location of SRA on 9220 (my house) with the septic maintenance company (Marsh Earp) that services my septic, and the site plan that HNS provided to me does not accurately depict the location of my SRA. For this reason, I believe that my existing SRA may be within ten feet of the proposed SRA. I don't know if there are any existing requirements that address the ability of a septic reserve area to percolate within close proximity to another. My impression is that if my SRA is at full capacity, what impact will this have on the ability of an adjacent SRA to perform at full capacity simultaneously. I am

not fully comfortable or convinced that septic failure of either SRA would not occur.

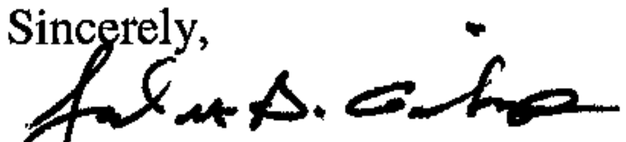
- Although the measured distance between the approved well and mine is one hundred feet (ninety-nine and seven-tenths rounded up), the location of all four wells in the area is not verifiable and therefore the validity of the proposed ten thousand square feet of SRA for 9216 cannot be confirmed using the proposed site plan.

- It is my understanding that since this parcel was subdivided prior to 1972('73?) that it is "grand fathered" under older ordinances, and therefore, may not require ten thousand square feet of SRA. If this is the case, does an SRA less than ten thousand square feet restrict the dwelling with respect to number of bathrooms/toilets or washer facilities?

- Finally, I am concerned that no consideration has been taken for the depths of SRA with respect to existing and approved wells. It is my understanding that wastewater discharged below ground at an elevation above the groundwater elevation has potential for contamination. I would like to see in greater detail what requirements are in place for well and septic so that I may be assured that no contamination will occur. This same concern exists with respect to interaction between the proposed SRA at 9216 and the existing SRA at 9220 and their ability to operate at capacity as stated above.

I realize that I am not an expert in this field (water and wastewater), however, I feel that my concerns are real and legitimate. I would very much like to discuss these matters in further detail with you in person on by telephone. Please telephone me [(410) 527-4415 (w), (410) 790-9545 (h) or (410) 790-9545 (c)] to just conference or to set up a time/place to meet. Again, I truly appreciate all of the cooperation I have received from all of the experts at the County (DEPRM, Planning and Zoning, Building Depts.) in addressing all of my concerns regarding the proposed development in my neighborhood.

Sincerely,



Joshua B. Gilman

8/27/02

DNR 214 9/71

C 1 0259 — SEQUENCE NO. (WRA USE ONLY)

1 2 3 (SEQ. NO.) 6

(THIS NUMBER IS TO BE PUNCHED IN COLS. 3-6 ON ALL CARDS)

STATE OF MARYLAND
WATER RESOURCES ADMINISTRATION
TAWES STATE OFFICE BLDG., ANNAPOLIS, MD. 21401
WELL COMPLETION REPORT

THIS REPORT MUST BE SUBMITTED WITHIN 30 DAYS AFTER WELL COMPLETION

FILL IN THIS FORM COMPLETELY

COUNTY NUMBER

DATE RECEIVED (WRA USE ONLY) 8-13

DATE WELL COMPLETED 7/28/77 (15–20)

DEPTH OF WELL 105 (22 (TO NEAREST FOOT) 26)

PERMIT NO. FROM "PERMIT TO DRILL WELL" PM-X3-4421 (28 29 30 31 32 33 34 35 36 37)

DRILLERS IDENTIFICATION NO. 154

OWNER GRAMMAR WM. (LAST NAME, FIRST NAME)

STREET OR RFD 9211 SMITH AVE. POST OFFICE BALTIMORE, MD. 21234

WELL DESCRIPTION

WELL LOG

STATE THE KIND OF FORMATIONS PENETRATED, THEIR COLOR, DEPTH, THICKNESS AND IF WATER BEARING

DESCRIPTION (USE ADDITIONAL SHEETS IF NECESSARY)	FEET FROM	FEET TO	CHECK IF WATER BEARING
Top Soil	0	2	
Tan Earth	2	8	
Light Grey Shale	8	20	
Granite Rock	20	100	X

GROUTING RECORD

WELL HAS BEEN GROUTED (CIRCLE APPROPRIATE BOX) YES (Y) NO (N) (44)

TYPE OF GROUTING MATERIAL (CIRCLE BOX): CEMENT (C M) (45–46) BENTONITE CLAY (B C) (45 46)

NO. OF BAGS 4 NO. OF POUNDS

GALLONS OF WATER 24

DEPTH OF GROUT SEAL (TO NEAREST FOOT) FROM 0 FT. TO 21 FT. (48 52 54 58) (ENTER 0 IF FROM SURFACE)

CASING RECORD

CASING TYPES (INSERT APPROPRIATE CODE BELOW): STEEL (S T) CONCRETE (C O) PLASTIC (P L) OTHER (O T)

MAIN CASING TYPE	NOMINAL DIAMETER TOP (MAIN) CASING (NEAREST INCH)	TOTAL DEPTH OF MAIN CASING (NEAREST FOOT)
ST (60 61)	6 (63 64)	23 (66 70)

OTHER CASING (IF USED)

EACH CASING	DIAMETER (INCH)	DEPTH (FEET) FROM	TO

SCREEN RECORD

SCREEN TYPE OR OPEN HOLE (INSERT APPROPRIATE CODE BELOW): STEEL (S T) BRASS OR BRONZE (B R) OPEN HOLE (H O) PLASTIC (P L) OTHER (O T)

C 2 (1 2 3 (SEQ. NO.) 6)

EACH SCREEN		DEPTH (NEAREST WHOLE FOOT) FROM	TO
1	H O (8 9)	57 (11 15)	100 (17 21)
2	(23 24)	(26 30)	(32 36)
3	(38 39)	(41 45)	(47 51)

SLOT SIZE 1. 2. 3.

DIAMETER OF SCREEN (56 60) (NEAREST INCH)

GRAVEL PACK FROM TO

IF WELL DRILLED WAS A FLOWING WELL CIRCLE BOX 68 F

WRA USE ONLY (NOT TO BE FILLED IN BY DRILLER) (E.R.O.S.)

70 T TELESCOPE CASING — 72 LOG INDICATOR — 74 75 76 W O OTHER DATA AVAILABLE

C 3 (1 2 3 (SEQ. NO.) 6)

PUMPING TEST

HOURS PUMPED (TO NEAREST HOUR) 6 (8 9)

PUMPING RATE (GALLONS PER MINUTE TO NEAREST GALLON) 3 (11 15)

METHOD USED TO MEASURE PUMPING RATE FLOW REGULATOR

WATER LEVEL: (DISTANCE FROM LAND SURFACE)

BEFORE PUMPING 53 (17 20) (NEAREST FOOT)

WHEN PUMPING 28 (22 25) (NEAREST FOOT)

TYPE OF PUMP USED (CIRCLE APPROPRIATE BOX) (FOR PUMPING TEST)

A AIR (27) P PISTON (27) T TURBINE (27)

C CENTRIFUGAL (27) R ROTARY (27) O OTHER (DESCRIBE BELOW) (27)

J JET (27) S SUBMERSIBLE (27)

PUMP INSTALLED

TYPE OF PUMP (WRITE APPROPRIATE LETTER IN BOX — SEE ABOVE): A, C, J, P, R, S, T, O (29)

DRILLER WILL INSTALL PUMP (CIRCLE APPROPRIATE BOX) YES (Y) NO (N)

CAPACITY: GALLONS PER MINUTE (TO NEAREST GALLON) (31 35)

PUMP HORSE POWER (37 41)

PUMP COLUMN LENGTH (NEAREST FOOT) (43 47)

CASING HEIGHT (CIRCLE APPROPRIATE BOX AND ENTER CASING HEIGHT)

(+) ABOVE (−) BELOW LAND SURFACE 2 (49 50 51) (NEAREST FOOT)

LOCATION OF WELL ON LOT

SHOW PERMANENT STRUCTURE SUCH AS BUILDINGS, SEPTIC TANKS, AND/OR OTHER LAND MARKS AND INDICATE NOT LESS THAN TWO DISTANCES (MEASUREMENTS TO WELL).

N

PITLESS ADAPTER

CIRCLE APPROPRIATE BOXES

A — A WELL WAS ABANDONED AND SEALED WHEN THIS WELL WAS COMPLETED

E — ELECTRIC LOG OBTAINED

P — TEST WELL CONVERTED TO PRODUCTION WELL

I HEREBY CERTIFY THAT I HAVE COMPLIED WITH ALL CONDITIONS STATED ON THE ABOVE-CAPTIONED "PERMIT TO DRILL WELL", AND THAT INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DRILLERS NAME (PLEASE PRINT) WATER, INCORPORATED

SIGNATURE John D. Wells

9211 Smith Avenue

RECEIVED AUG 1 1977 DIV. SANITARY ENGINEERING

HEALTH

8/27/02

DPL 72 - 7/13/71

NOTE: THIS IS NOT A PERMIT

RJWeber
Wednesday
July 6, 1977
10:30

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
GERARD J. DIETZ, DIRECTOR
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Date: 6-23-77

Building Application No._____ Percolation Test Application No._____ District 9

Application is hereby made for a Standard Percolation Test . installation of underground disposal of drainage, sewage and waste in accordance with Baltimore County Council Bill No. 54 effective July 1, 1964:

TYPE OF BUILDING: Commercial ( ) Residential (✓) New (✓) Existing ( )

If residential, state use: Single family (✓) Two family ( ) More than two ( )

Owner's name William S. Grammer Phone No. 823-2885

Location of property 9211 Smith Ave.
(House No. & Street: also nearest intersection)
Zone No._____ Town or Vicinity Parkville

Sub-Division_____ Lot_____ Block_____ Section_____

Size of Lot 1.78 acres

A fee of $10.00 for each separate visit to each lot by an Inspector. Make check payable to "Baltimore County, Maryland".

Three (3) plot plans must accompany this application.

Wm S. Grammer
Signature of owner or agent

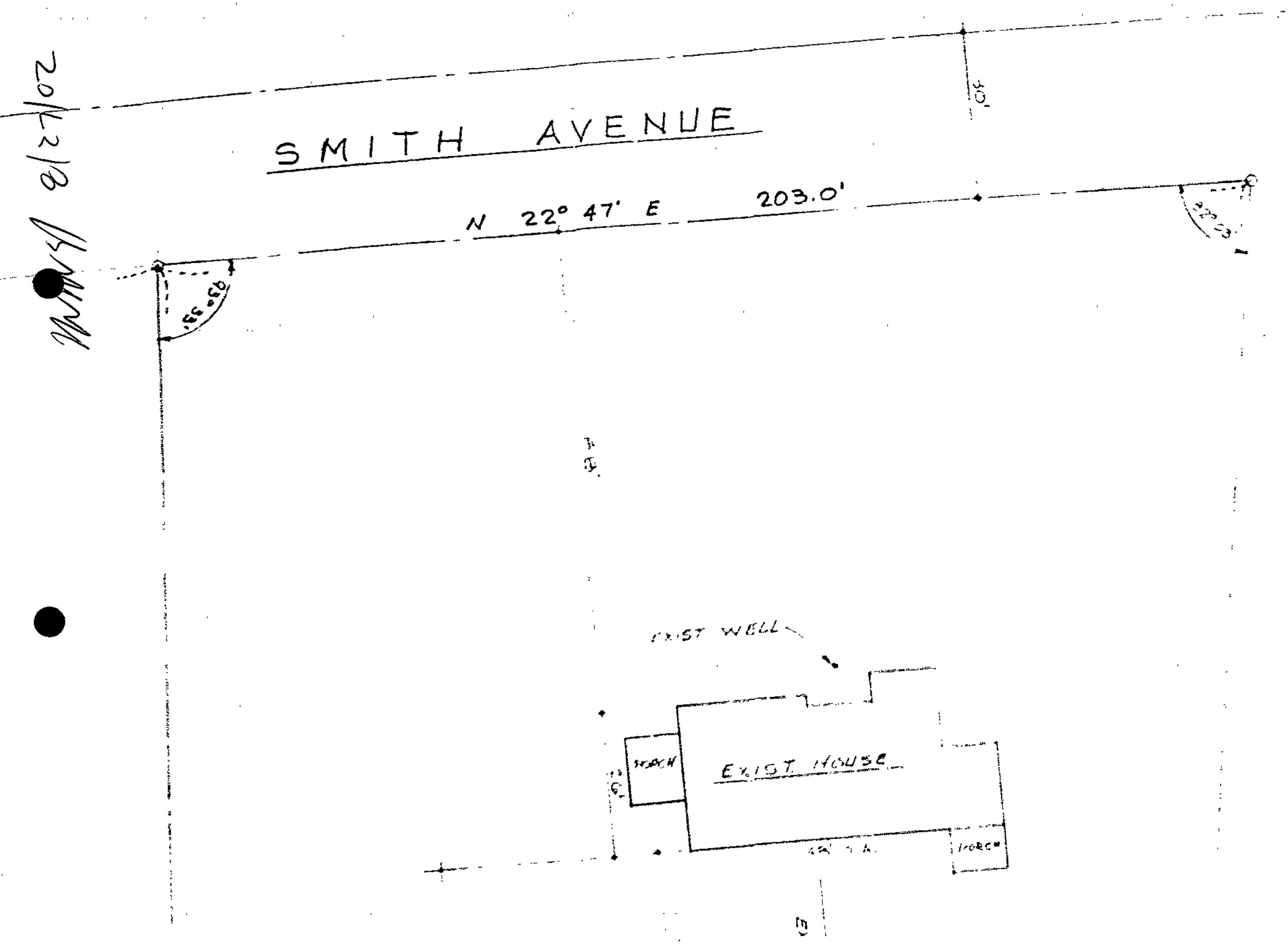
9211 Smith Ave. 21234
Address and Zone

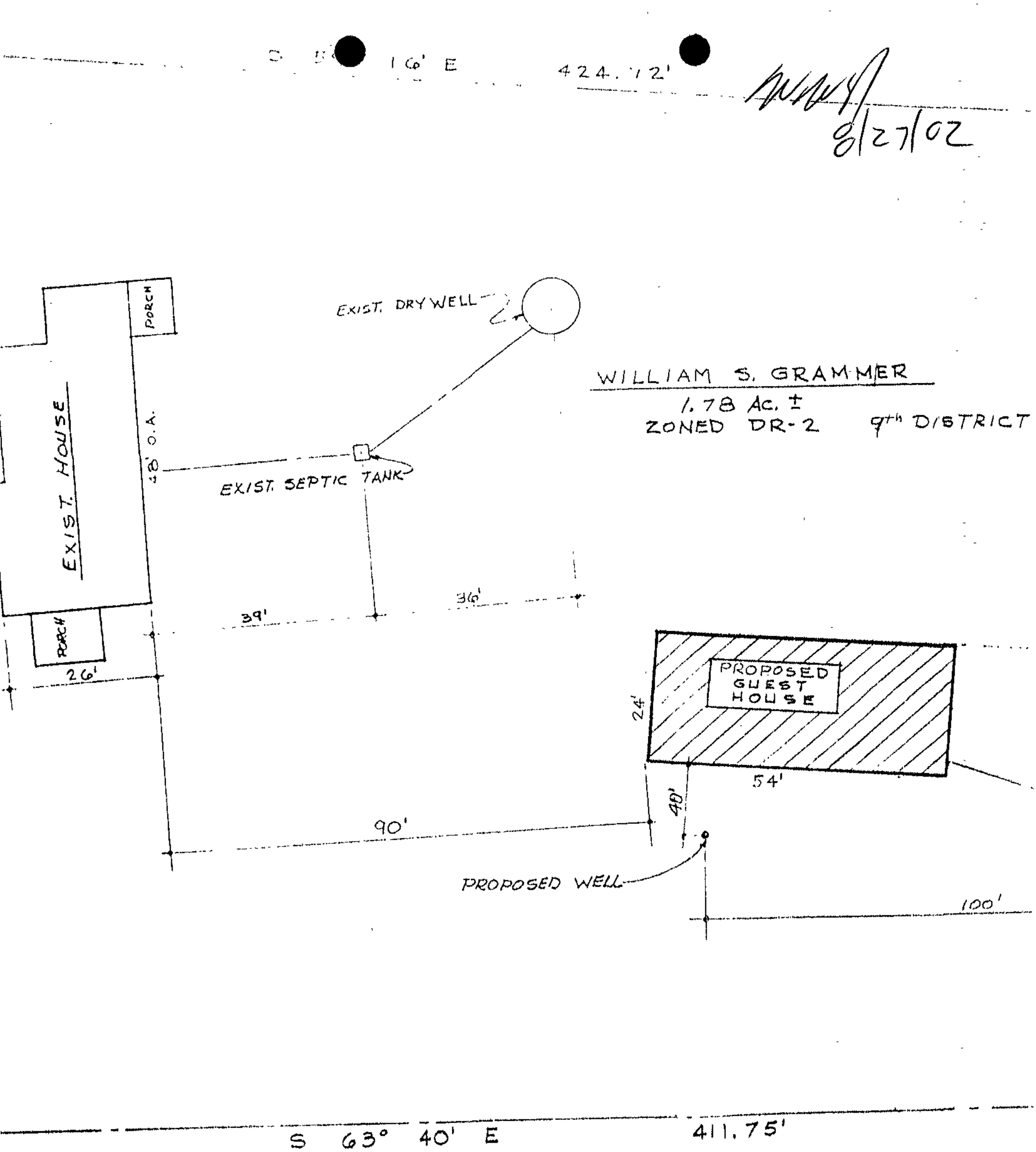
DO NOT WRITE BELOW THIS LINE

Fee paid: Date 6-23-77 Cash Slip No. 116 05 96 Amount $ 10.00

COMMENTS: OK to proceed RJW 6/23/77
Test A Clay 0-2 BGN 2-1' Rock @ 13
3 min @ 4' B Clay 0-2 BGN 2-16
Will submit plan showing location of septic system. RJW 7/6/77
Revised plan OK RJW 7/7/77

20/2/18 MWM

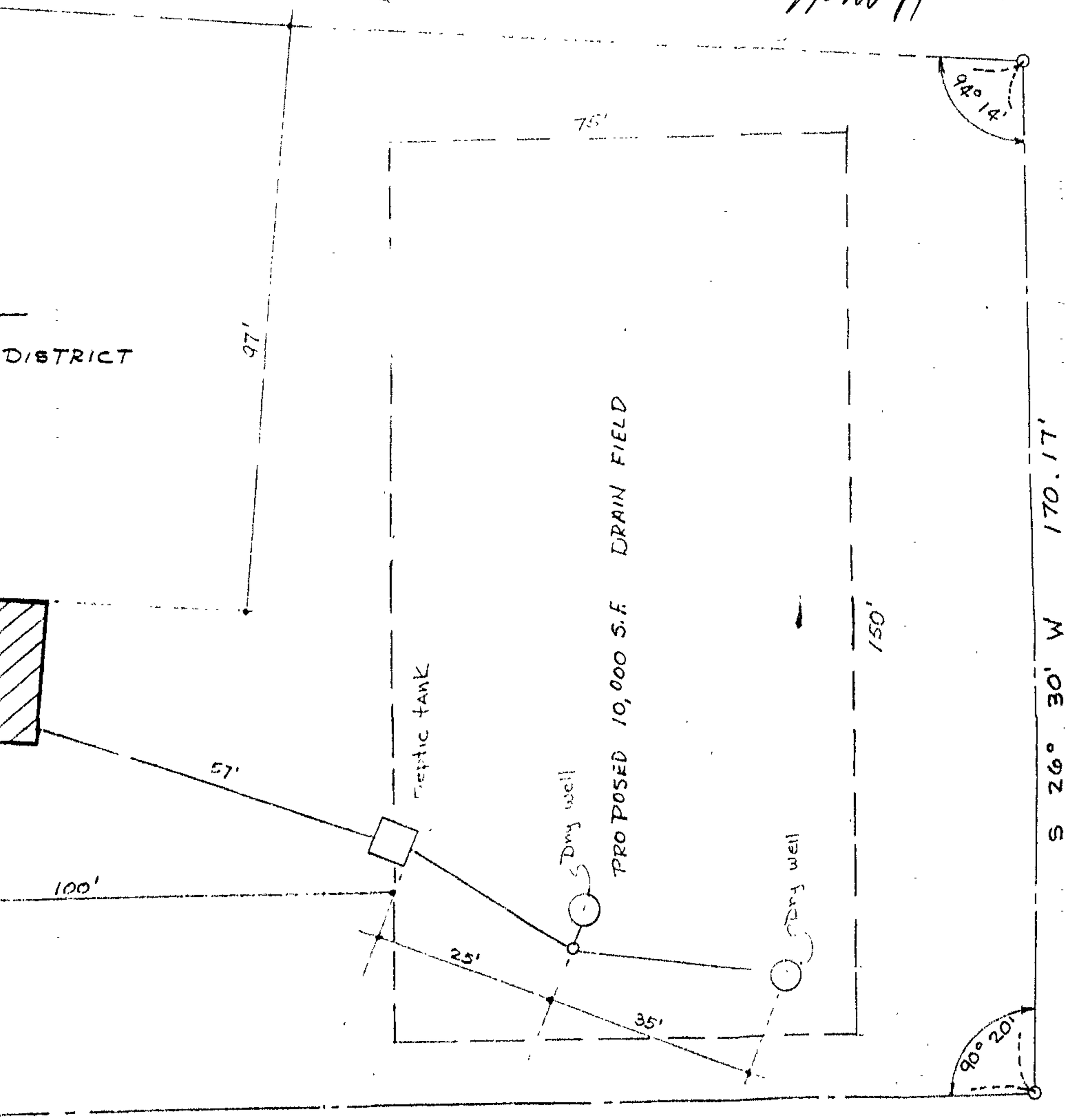

SMITH AVENUE
N 22° 47' E
203.0'
10'
22°23'
93°33'
EXIST WELL
PORCH
EXIST HOUSE
PORCH



SITE PLAN

SCALE: 1" = 20'

8/27/02



FINAL APPROVED PLAN
BALTO. CO. HEALTH DEPT.
SIGNATURE:
DATE: 9/9/77

THREE HOUSES IN A ROW ARE ALL CLOSE TOGETHER. AS YOU FACE MY PROPERTY THE RED ONE [redacted] 3 FROM ME. THE WHITE O[redacted] IS TWO FROM ME.

56 00-0 P1010056

56 00-00-00
P1010056.JPG

55 00-00-00
P1010055.JPG

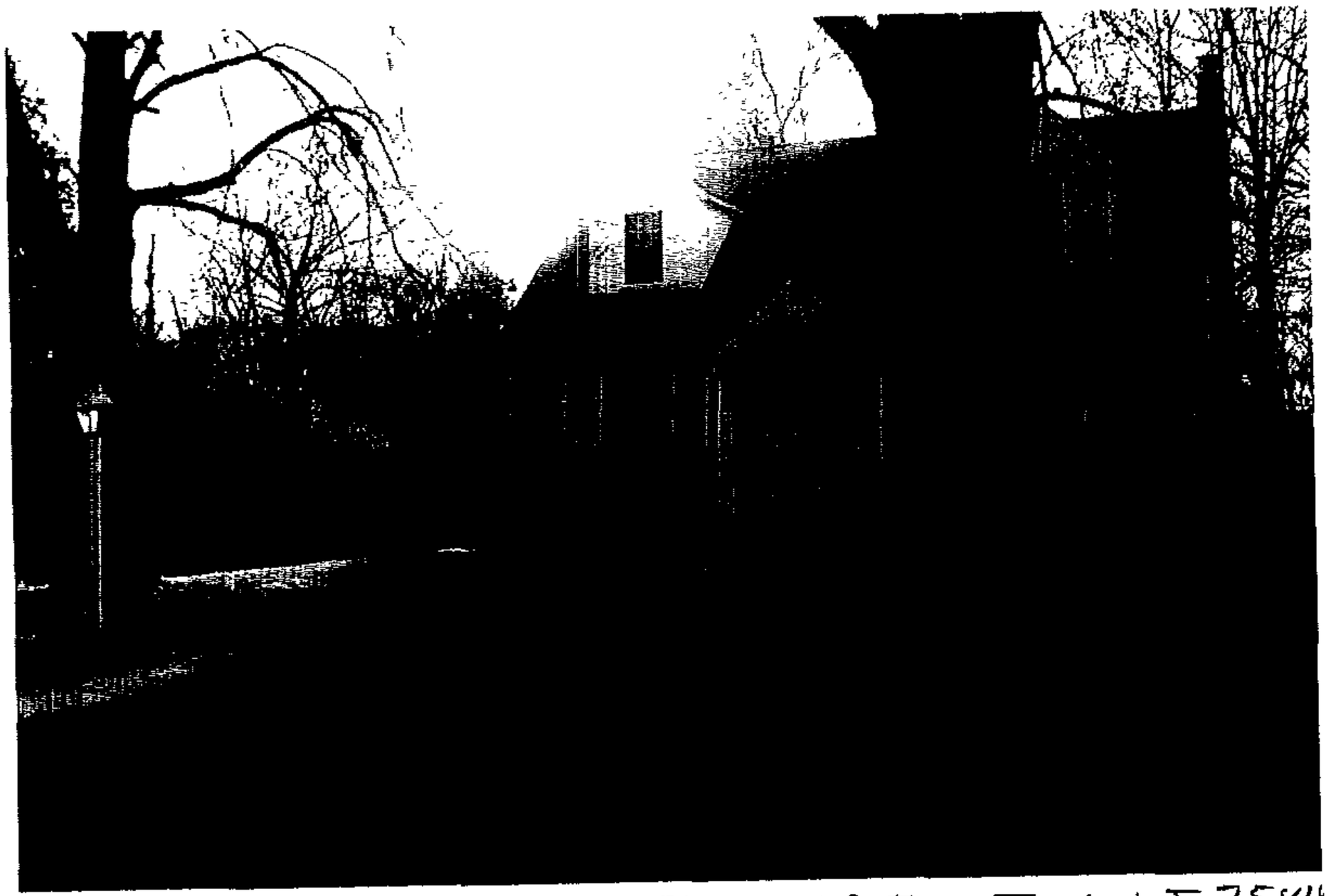
54 00-00-00
P1010054.JPG

53 00-00-00
P1010053.JPG

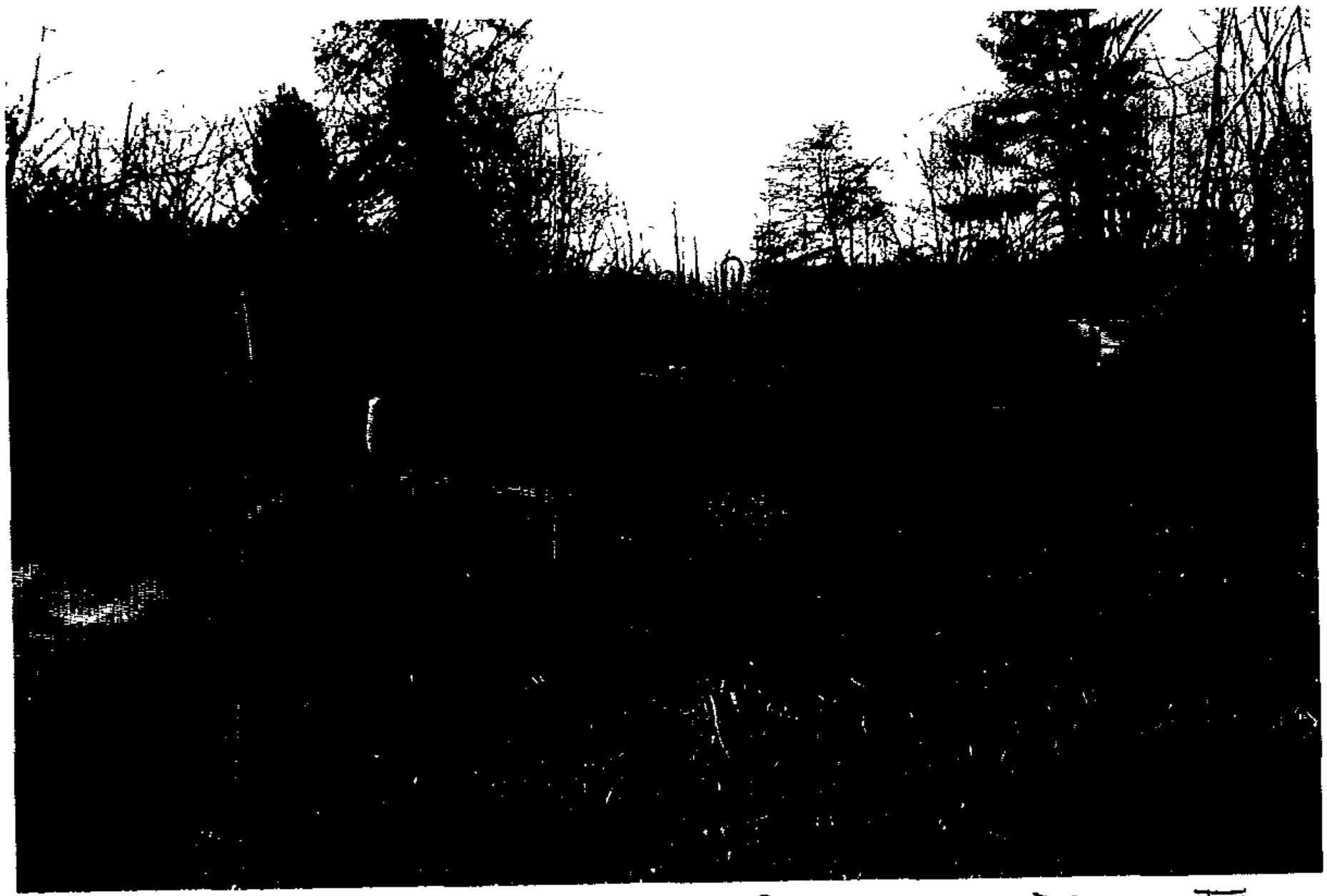
CLOSE TOGETHER.

THIS IS THE HOUSE TWO FROM ME

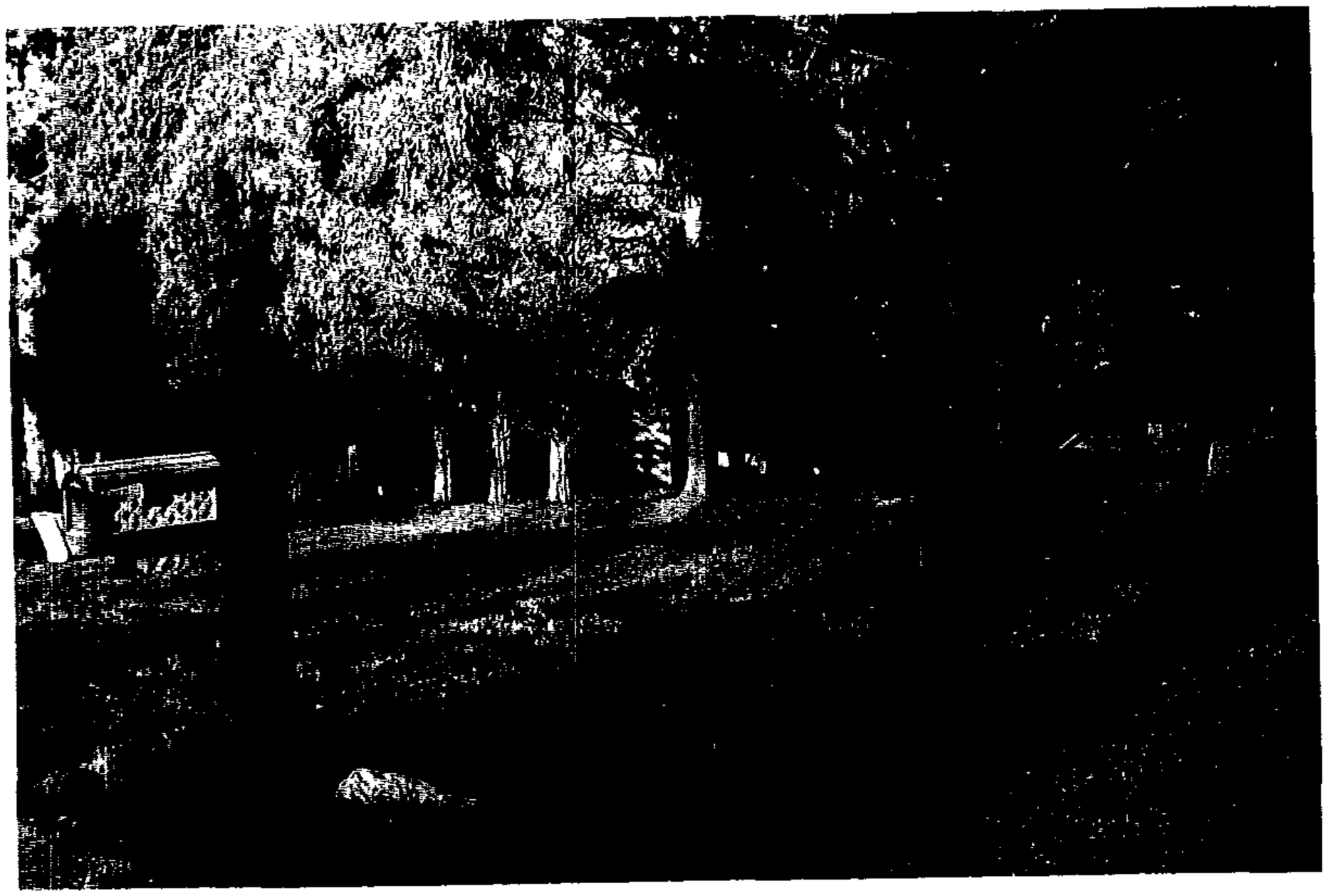
THIS IS THE HOUSE NEXT TO MY LOT AND ALSO HAS A PANHANDLE HOUSE BEHIND IT. 9212



THIS IS 9220 THE HOUSE NEXT STORE ON A IDENTICAL LOT 75X400
(TO THE RIGHT AS YOU FACE THE PROPERTY.

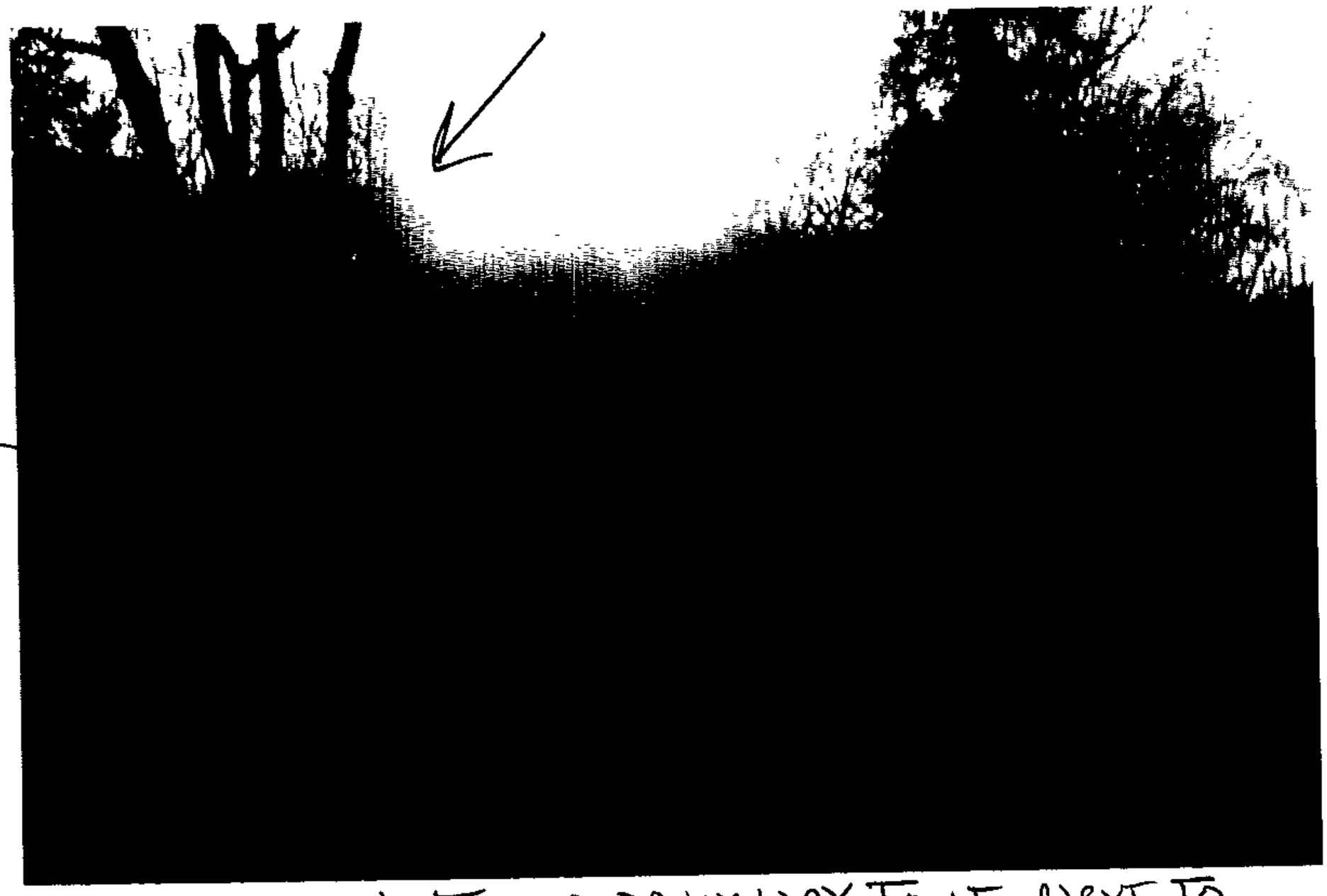


THIS IS MY LOT FROM THE PANHANDLE DRIVE TO
A FOOT OR TWO FROM THE GARAGE WHICH BELONGS TO THE
HOUSE NEXT STORE ON RIGHT. PICTURE ABOVE 9220
PROPERTY LINE AT FAR TREE'S 400 FEET



HOUSE ACROSS THE STREET

HOUSE ACROSS THE STREET ON LEFT

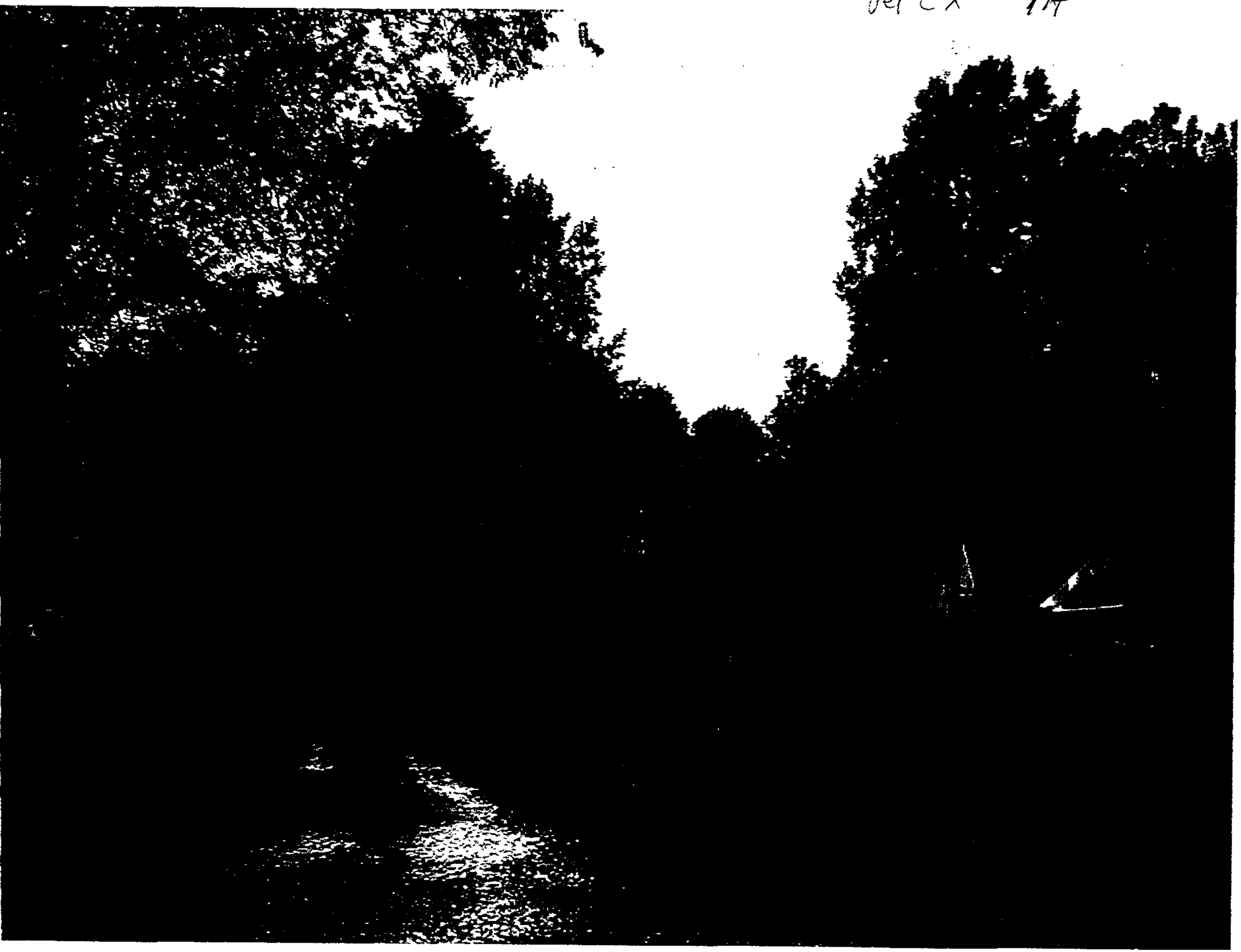


my well

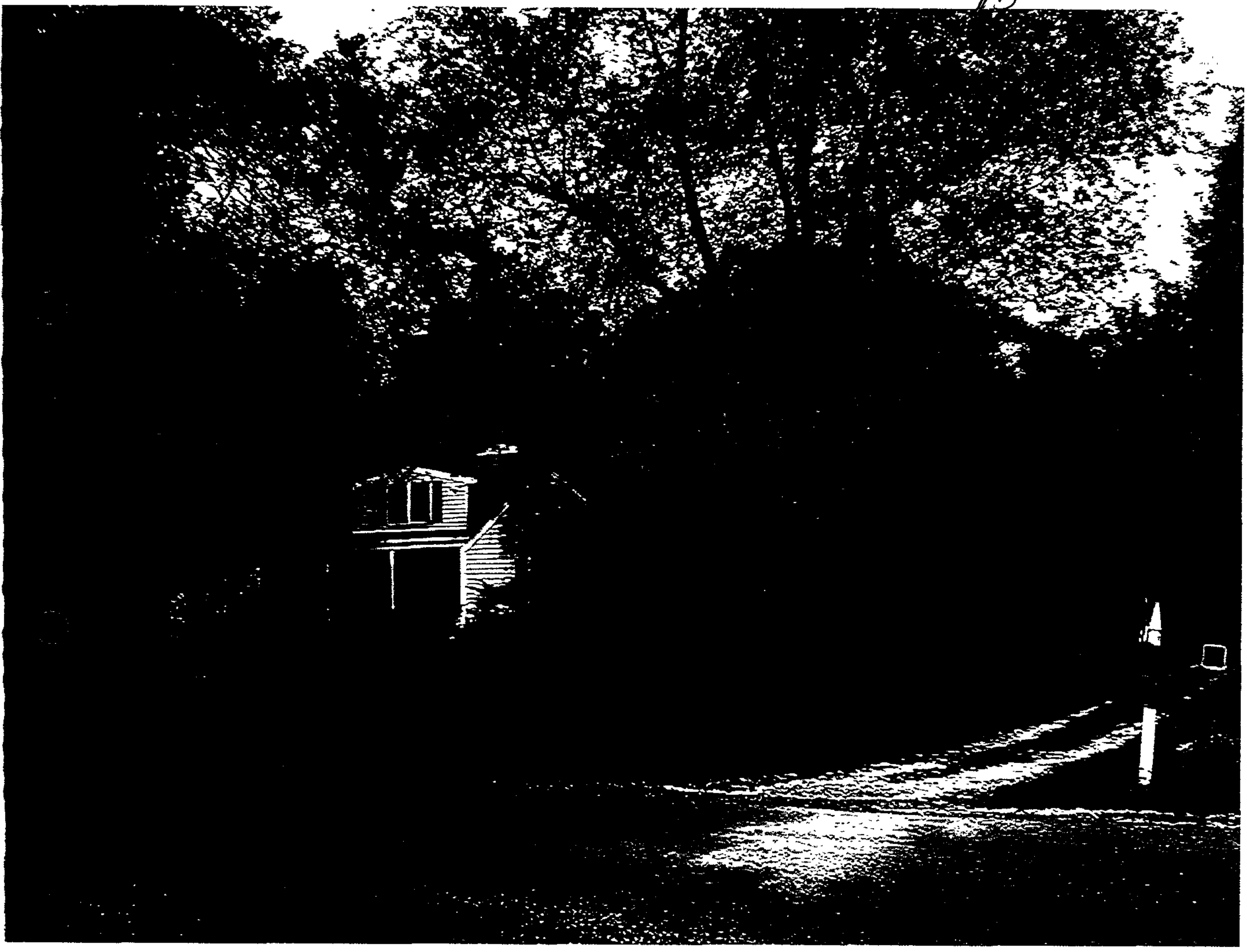
PANHANDLE LOT AND DRIVEWAY TO IT, NEXT TO MY PROPERTY. 9214

HOUSES FARTHER DOWN THE STREET

Pet Ex 914

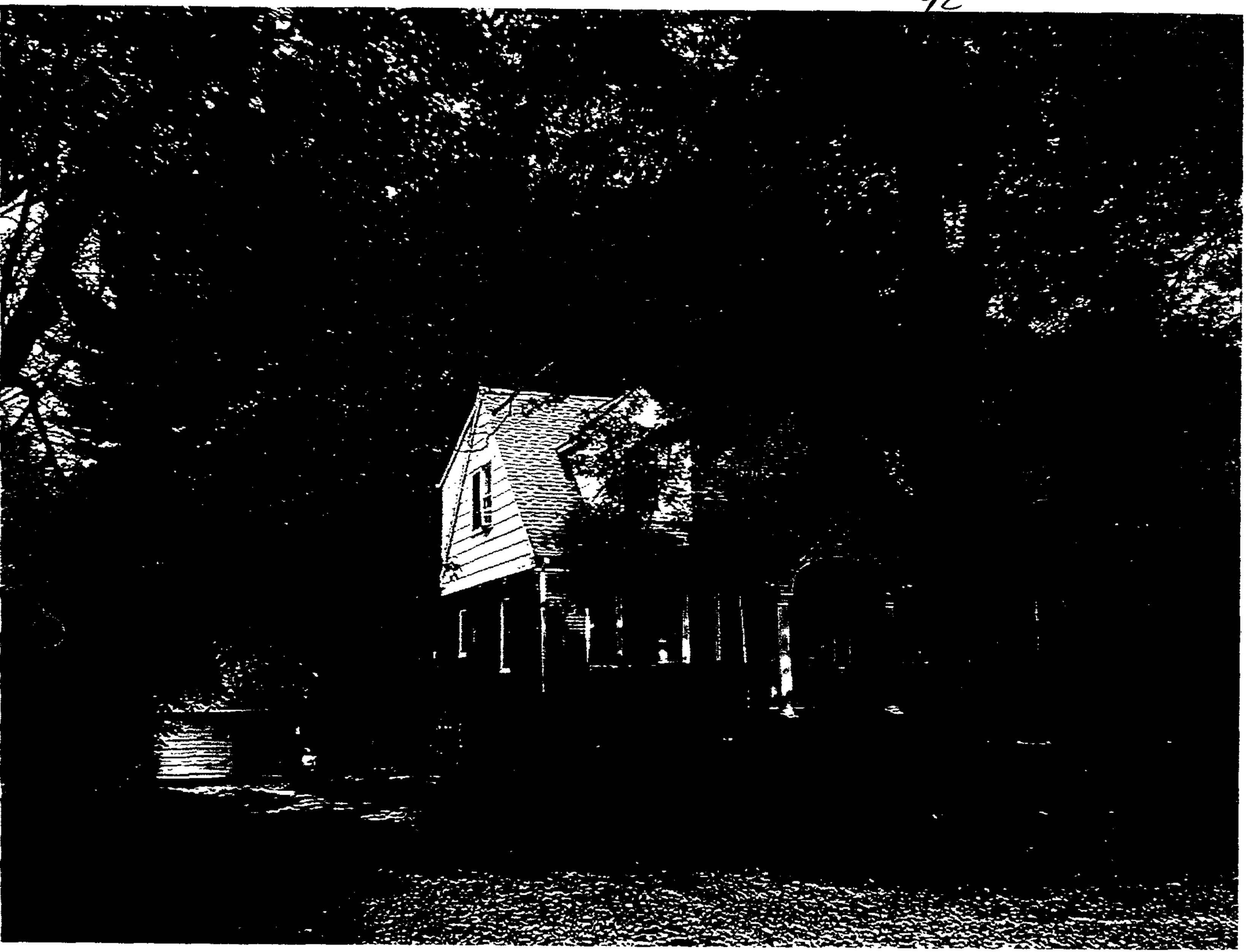


19B

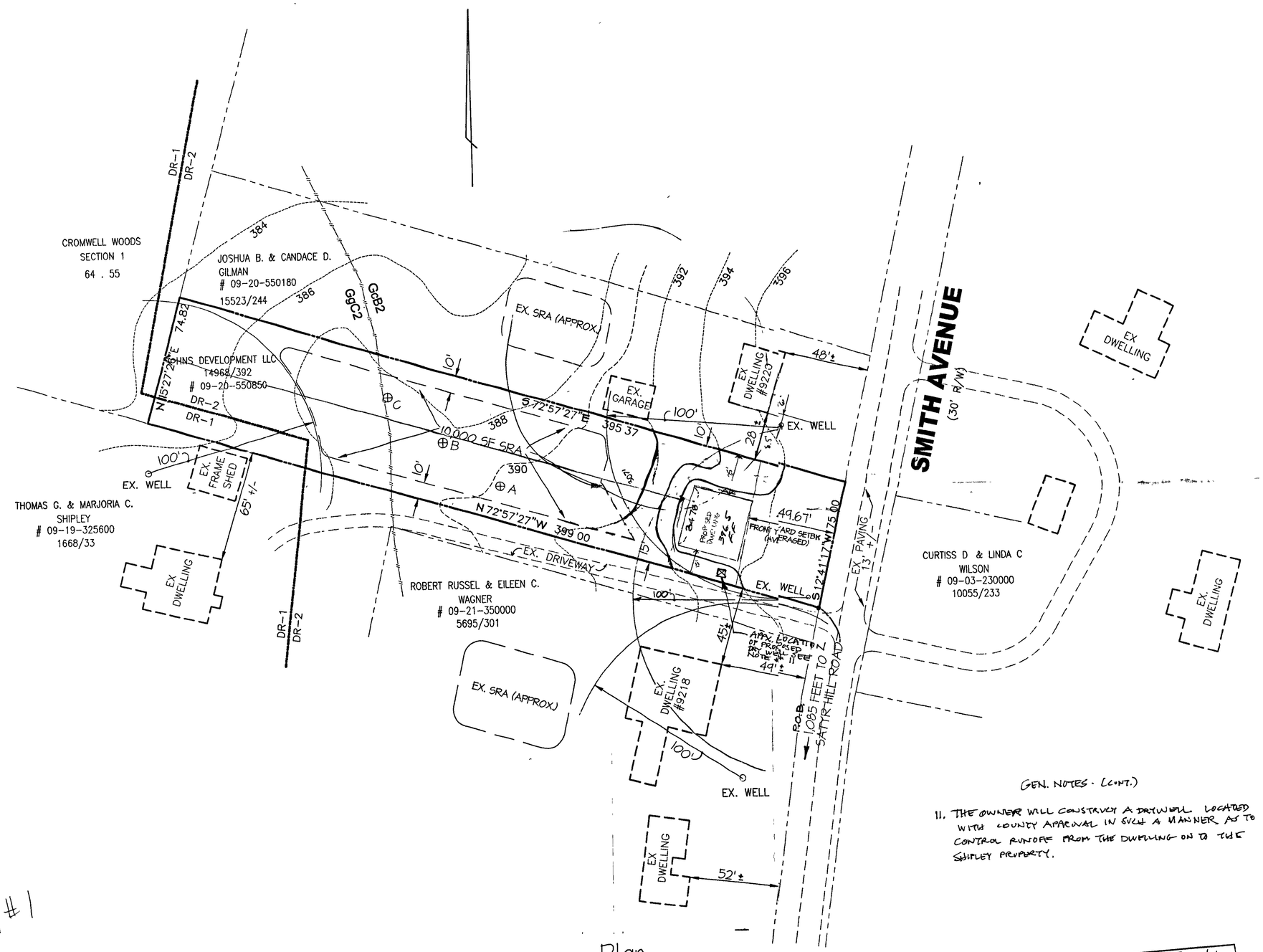


9C

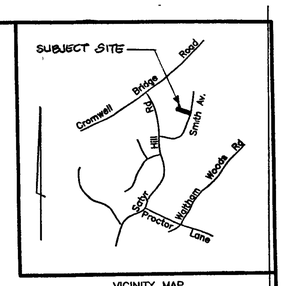
9D



Pet. #1



Plan



VICINITY MAP
SCALE 1"=2000'

Notes

1. Owners HNS Development LLC
   Att Richard Hall
   3107 Parktowne Road
   Baltimore, MD 21234
2. Engineer MJ Consulting, Inc.
   5317 East Glen Road
   Ellicott City, MD 21043
   Attn Michael Ertel, P.E
   Phone 410-465-9579
3. Property Information.

A	Existing Zoning	DR-2 0.648 Ac., DR-1 0.034 Ac
B	Gross Area of Site.	0.682 AC ± 29,704 SF ±
C.	Property Address:	9216 Smith Avenue
D	Election District	9
E	Councilmanic District:	6
F.	Baltimore County ADC Map:	Map 28, Grid C-3
G	Census Tract	4917 02
H	Watershed·	Loch Raven and Minebank Run
I	Baltimore Reference Tax Map	Map 62, Grid 20
J.	Parcel·	244
K	Tax Account No.	0920550850
L	Liber/Folio·	14968/392
M	Zoning Map Reference:	NE 11-C

4. Existing Land Use: Vacant Land
5. There are no 100-year flood plainson site.
6. There are no known non-tidal wetlands on this site.
7. There are no known forest buffers on this site.
8. There are no known regulated plant or wildlife communities associated with this site
9. PRIOR ZONING CASE: A Petition for Variance to Section 1B 02.3.C.1 of the BCZR to allow a sideyard of 10' and the sum of sideyards of 25' in lieu of 15' and 40' respectively Case No 01-270-A. The Variance Petition is the subject of the matter before the Board of Appeals.
10. THE PROPOSED DWELLING WILL BE LESS THAN 35' AND IN NO EVENT WILL ENCROACH INTO THE LEGAL SETBACKS AS SHOWN.

GEN. NOTES - (CONT.)

11. THE OWNER WILL CONSTRUCT A DRYWELL LOCATED WITH COUNTY APPROVAL IN SUCH A MANNER AS TO CONTROL RUNOFF FROM THE DWELLING ON TO THE SHIPLEY PROPERTY.

O.K. TO FILE: 4/3/02
Dept. of Environmental Protection and Resource Management
FINAL PLAN APPROVED 4/3/02
WELL AND SEPTIC ONLY

MJ Consulting, Inc.

5317 East Glen Road
Ellicott City, Maryland 21043
Tel-(410) 465-9579 Fax-(410) 465-9585
E-mail mjconsultinginc@comcast.net

STATE OF MARYLAND PROFESSIONAL ENGINEER
3/4/2002

PLAT TO ACCOMPANY PETITION FOR VARIANCE

9216 SMITH AVENUE

9TH ELECTION DISTRICT BALTIMORE COUNTY, MD.

DATE	REVISIONS		
		JOB NO..	02-005
		SCALE·	1" = 30'
		DATE:	3-4-2002
		DRAWN BY:	ABJ
		DESIGN BY·	MJE
		REVIEW BY	MJE
		SHEET·	1 OF 1

Pet. #1

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

Residential Processing Fee Paid
($50.00)

Accepted by BK
Date 4/22/02

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Tracy Morrow 57 Stone Park Pl 21236 5298168
Print Name of Applicant Address Telephone Number

Lot Address 9216 Smith Ave Election District 9 Councilmanic District 6 Square Feet 29,704 ±

Lot Location: N E S (W/side) corner of SMITH AVE (street), 1,085 feet from N (E) S W corner of SATYR HILL RD. (street)

Land Owner: HNS Development - Mark Storck Tax Account Number 0920550850

Address: 3107 Parktowne Rd 21234 Telephone Number (410) 917-3900

CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	OK	
2. Permit Application PENDING APPROVAL OF RECOMMENDATION		
3. Site Plan		
Property (3 copies)		
Topo Map (2 copies): *available* in Room 206, County Office Building - ***(please label site clearly)***		✓
4. Building Elevation Drawings	✓	
* **5. Photographs (please label all photos clearly)**		
Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

6. Current Zoning Classification: DR 2

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: _____
for the Director, Office of Planning and Community Conservation

Date: _____

Revised 2/25/99