IN RE: PETITION FOR SPECIAL HEARING SE/S Keithley Road, 700' W Vincent Road 15th Election District 5th Councilmanic District (5706 Keithley Road)

> Bessie E. Keithley Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-033-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Bessie E. Keithley, by and through her court appointed guardian, her daughter, Mary E. Lawn. The special hearing request involves property located at 5706 Keithley Road, located in the Bird River area of Baltimore County. The Petitioner is requesting approval for three residences on one parcel of property.

Appearing at the hearing on behalf of the special hearing request were Mary E. Lawn, Volney H. Ford, and Rajiv Goel, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 3.6167 acres, more or less, zoned R.C.3. The subject property is located at the terminus of Keithley Road, just west of Vincent Road in Bird River. The property is improved with three existing single-family dwellings and other out buildings. The uncontradicted testimony and evidence offered demonstrated that two of the three dwellings were constructed in the 1930's and 1940's. The third house was constructed in the mid-1960's. All three residential dwellings have been utilized openly and continuously as residential dwellings since the time of their construction up until the present date. In this particular application, the Petitioner needed to demonstrate that each of these residential houses were

Superior Contraction of the State of the Sta

constructed prior to 1971, which is the effective year that the zoning change on the property required this approval.

Based on the testimony and evidence offered at the hearing, I find that the use of the subject property for three separate residential dwellings, all on one lot, is truly non-conforming and shall be approved.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of September, 2002, that the Petitioner's Special Hearing request to approve three separate dwellings on one parcel of land, be and is hereby APPROVED.

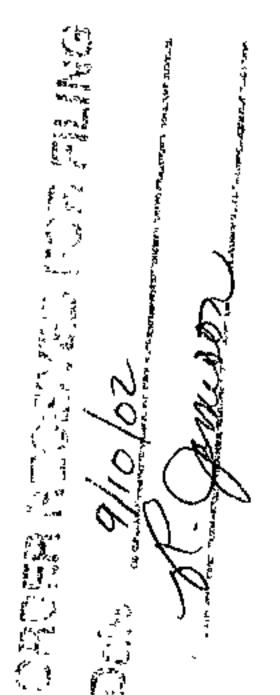
IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

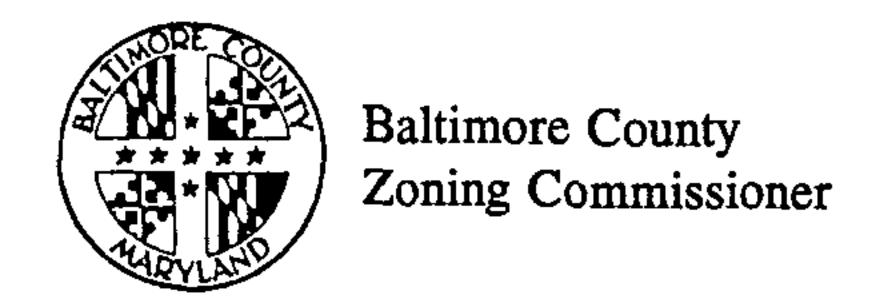
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

September 10, 2002

Rajiv K. Goel, Esquire Law Offices of Nomiki B. Weitzel 210 N. Main Street, #102 Bel Air, Maryland 21014

> Re: Petition for Special Hearing Case No. 03-033-SPH Property: 5706 Keithley Road

Dear Mr. Goel:

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 M. Kotroco

Deputy Zoning Commissioner

Muthy llotroco

TMK:raj Enclosure

c: Voleny H. Ford 1512 Lynn Street Havre DeGrace, MD 21078 Mary E. Lawn 218 Foxmanor Lane Glen Burnie, MD 21061



Petition for Special Hearing

for the property located at

to the Zoning Commissioner of Baltimore County

which is presently zoned

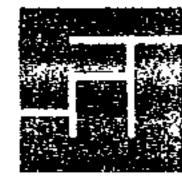
5706 Keithley Road, 21162

RC-3

	This Petition shall be filed owner(s) of the property situmade a part hereof, hereby County, to determine whether	iate in Baltii petition fo	more County and or a Special Hear	which i	s described in the descri der Section 500.7 of the	ption and plat	attached hereto and
		SEE A	ATTACHED	SH	EET		
							•
ı							
ı	Property is to be posted and I, or we, agree to pay expense zoning regulations and restricti	s of above S	pecial Hearing, adv	ertising/	, posting, etc. and further a	gree to and are litimore County	to be bounded by the
					I/We do solemnly declare perjury, that I/we are the is the subject of this Petit	legal owner(s)	
	Contract Purchaser/Les	see:			Legal Owner(s):		
					Bessie E. Kei	thley	
	Name - Type or Print			_	Name - Type or Print	ン` 1 n	
	Signature	<u> </u>		_	Signature Signature	Jeelhly	har believe
	Address		Telephone No.		Name/ Type or Print C/O Mary E.		hay E Lum erdian)
	City	State	Zip Code	_	Signature		
	Attorney For Petitioner	<u> </u>			218 Foxmanor Address	Lane	410-768-4395 Telephone No.
Š	Rajiv K. Goel				Glen Burnie	MI	21061
₩ , <u>~</u> , ,					City	State	·
	Sionaturer		r 1	_	Representative to k	e Contacte	<u>a:</u>
	Law Offices of No	miki B.	weitzei	_	Name		
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	Case No. 03-23-	2011					_, , ,
,	Case No. <u>03-23-</u>	OPH	•	_	UNAVAILABLE FOR	_	
	REV 9/15/98			Revie	ved by <u>D.THOMPSO</u>	N Date	7 18 02

Bessie E. Keithley 5706 Keithley Road Petition for Special Hearing

[a] non-conforming use for three (3) residential structures on said property, which is currently zoned RC-3.



FREDERICK WARD ASSOCIATES, INC.

ENGINEERS
ARCHITECTS
SURVEYORS

April 17, 2002

Zoning Description

3.6167 acre parcel of land located at 5706 Keithley Road in the Fifteenth Election District, Baltimore County, Maryland.

BEGINNING for the same at a pipe heretofore set. Said pipe being the following three courses and distances from the intersection of the center of the Keithley Road right-of-way (50 feet wide) and the center of the Vincent Road right-of-way (40 feet wide) as shown on the plat "Plat No. 2 Gambrill's Vincent Farm" which is recorded among the Land Records of Baltimore County in Plat Book GLB 20, plat 165 with courses being referenced to the Maryland State Grid System (NAD 83), along the centerline of the Keithley Road right-of-way, North 79°36′07" West, 545.53 feet, North 62°14′07" West, 172.93 feet, thence leaving the said centerline of the Keithley Road right-of-way and binding on the westernmost line of Lot 6 of the abovementioned plat, as now surveyed, North 05°01′07" West 186.04 feet to the point of beginning. Thence binding on the outlines of the Keithley Property:

- 1) South 05°01'07" East, 215.77 feet, thence
- 2) North 62°14'07" West, 31.99 feet, thence
- 3) South 10°03'53" West, 187.43 feet, thence
- 4) North 47°31'07" West, 569.78 feet, thence
- 5) North 51°35'39" East, 440.58 feet to a stone heretofore set, thence
- 6) South 23°09'21" East, 297.91 feet to the place of beginning

CONTAINING 3.6167 acres (157544 square feet) of land more or less.

BEING a part of the parcel which was conveyed by Benjamin F. Daniels to Charles S. Keithley and Bessie E. Keithley by a deed dated April 4, 1950 and recorded among the Land Records of Baltimore County, Maryland in Liber TBS 1828, folio 366.

MARYLAND

BEL AIR

COLUMBIA

VIRGINIA

WARRENTON



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 Towsoft Maryland on the property identified herein as follows:

Case: #03-033-SPH
5706 Keithley Road
SE/side Vincent Road; 700
feet west of Vincent Road
15th Election District
5th Councilmanic District
Legal Owner(s): Bessie E.
Keithley
Special Hearing: to ap-

prove [a] non-conforming use for three (3) residential dwellings on 3.6 acres on rently zoned RC 3.

Hearing: Wednesday, August 28, 2002 at 10:00 a.m. in Room 106, County Office Bullding, 111 W. Chesa-peake 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
Hearing, Contact the Zoning
Hearing, Contact the Zoning
Hearing, Contact the Zoning
3391.

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing once in each of

The Jeffersonian

Arbutus Times

Catonsville Times

Times Towson

Owings Mills Times

NE Booster/Reporter North County News 1) Ullus

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone. (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-033-SPH PETITIONER/DEVELOPER: Bessie E. Keithley DATE OF HEARING: August 28, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT **COUNTY OFFICE BUILDING, ROOM 111** 111 WEST CHESAPEAKE AVE. **TOWSON, MARYLAND 21204**

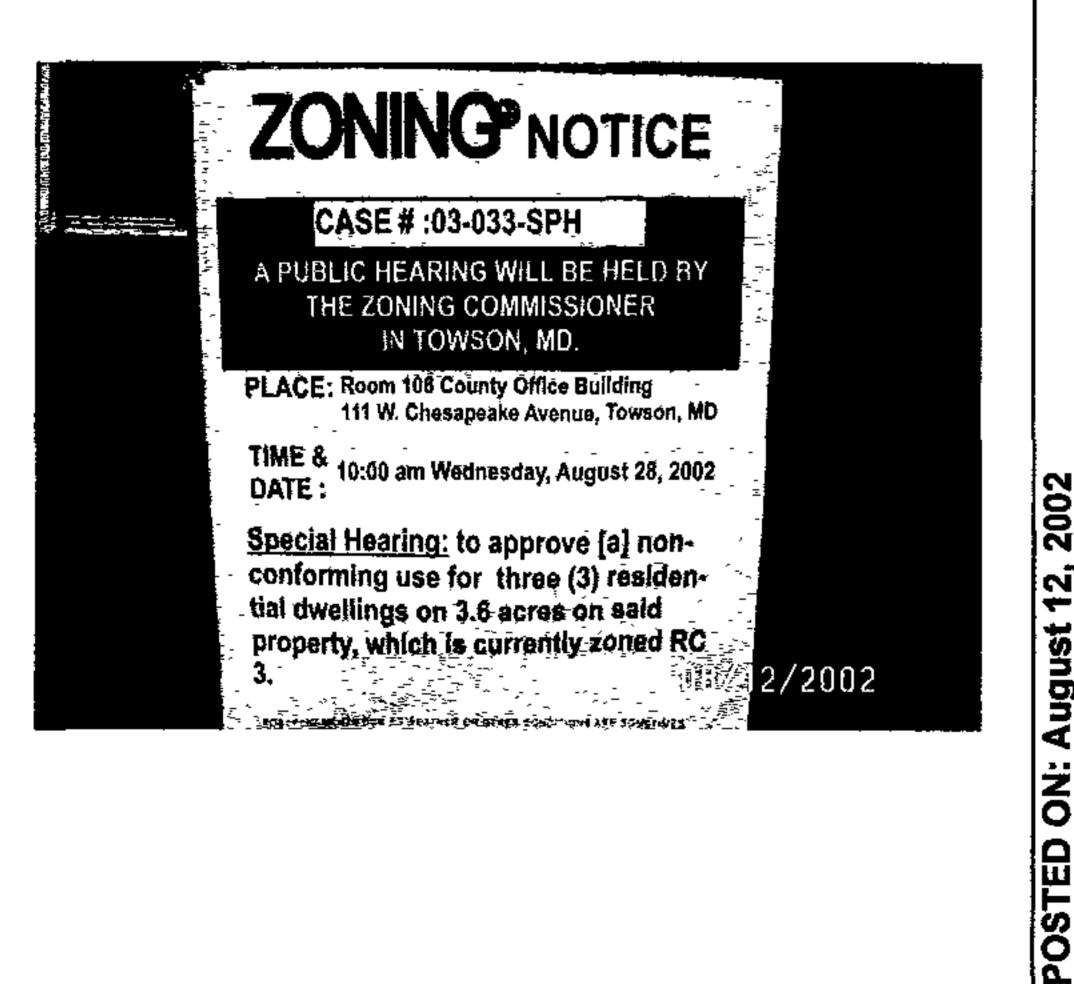
ATTENTION: GEORGE ZAHNER

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

2002

August,



LOCATION:

5706 Keithley Avenue

DATE:

August 13, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286 410-823-4470 PHONE 410-823-4473 FAX

RE:	PETITION FOR SPECIAL HEARING	*	BEFORE THE
	5706 Keithley Road		
	SE/side Vincent Rd. 7001 west	*	ZONING COMMISSIONER
	Vincent Rd.		
	15 th Election District 5 th Councilmanic	*	FOR
	District		
	Legal Owner: Bessie E. Keithley	*	BALTIMORE COUNTY
	Mary E. Lawn (Guardian)		
	Petitioner	*	03-033-SPH
_		_	

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 2002, a copy of the foregoing Entry of Appearance was mailed to Rajiv K. Goel, LAW OFFICES OF NOMIKI B. WEITZEL, 210 North Main Street, Suite 102, Bel Air, Maryland 21014 Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 13, 2002 Issue – Jeffersonian

Please forward billing to:

Mary E. Lawn 218 Foxmanor Lane Glen Burnie, MD 21061

410-768-4395

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: 03-033-SPH

5706 Keithley Road

SE/side Vincent Road, 700 feet west of Vincent Road

15th Election District – 5th Councilmanic District

Legal Owner: Bessie E. Keithley

Special Hearing to approve [a] non-conforming use for three (3) residential dwellings on 3.6 acres on said property, which is currently zoned RC 3.

HEARING: Wednesday, August 28, 2002 at 10:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

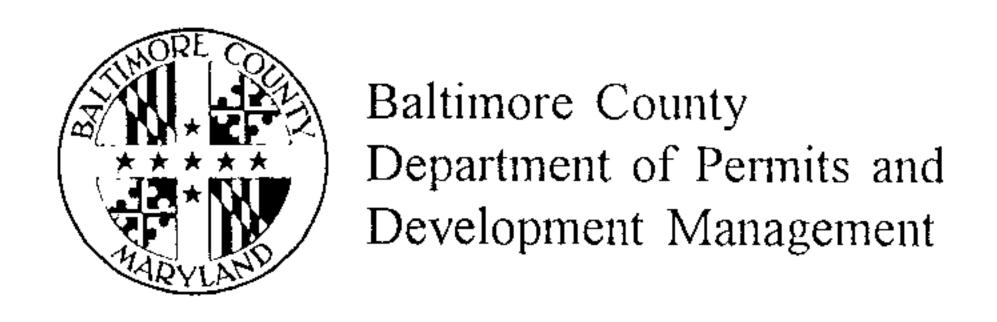
LAWRENCE E. SCHMIDT

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.



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

Fax: 410-887-5708

July 30, 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: 03-033-SPH

5706 Keithley Road

SE/side Vincent Road, 700 feet west of Vincent Road

15th Election District – 5th Councilmanic District

Legal Owner: Bessie E. Keithley

Special Hearing to approve [a] non-conforming use for three (3) residential dwellings on 3.6 acres on said property, which is currently zoned RC 3.

HEARING: Wednesday, August 28, 2002 at 10:00 a.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

Arnold Jablon Director

C: Bessie E. Keithley, C/O Mary E. Lawn, Guardian, 218 Foxmanor Lane, Glen Burnie 21061

Boily K. Gool, Foguiro, 210 N. Main St., #102, Bol Air 21014

Rajiv K. Goel, Esquire, 210 N. Main St., #102, Bel Air 21014

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

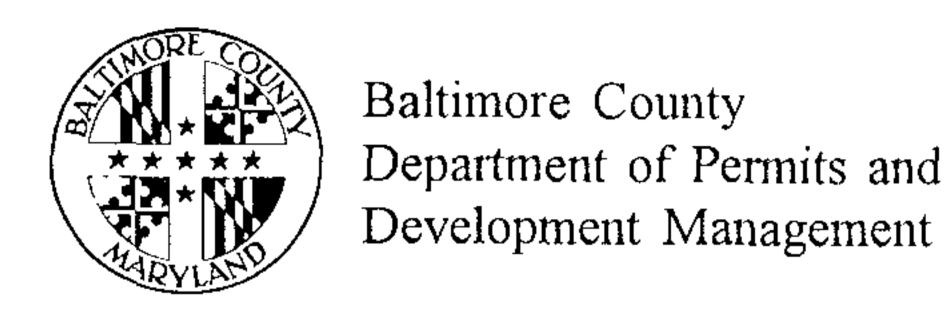
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

Item Number or Case Number: 03-33-SPH	
Petitioner: KEITHLEY	
Address or Location: 5706 KEITHLEY Rp. 21162	
DIEACE ENDIMADIDANI/EDTICINIO DILI TA:	
PLEASE FORWARD ADVERTISING BILL TO:	
PLEASE FORWARD ADVERTISING BILL TO: Name:MARY ≿. LAW√	
Name: MARY E. LAWY	
Name: MARY E. LAWY Address: 218 FOXMANOR LANE	



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

August 23, 2002

Bessie E Keithley C/o Mary E Lawn 218 Foxmanor Lane Glen Burnie MD 21061

Dear Ms. Keithley:

RE: Case Number: 03-033-SPH, 5706 Keithley Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 18, 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. (51)

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Rajiv K Goel, Law Offices of Nomiki B Weitzel, 210 N Main Street, #102, Bel Air 21014 People's Counsel



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 30, 2002

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

ATTENTION: George Zahner

RE:

Property Owner:

Location: 5706 Keithly Road

Item No.: 033

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.

- . 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 200 Edition prior to occupancy.
- 9. Access for fire department emergency apparatus is needed at the following portion(s) of the building ____ . The access road shall be a minimum of 18 feet in width.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 23, 2002

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 5, 2002 Item Nos. 031, 032, 033, 034, 036, 037, 039, 040, and 041

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 785 TET

DATE:

August 16, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 29, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(33) 31-37, 40,41

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 21, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-033

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Section Chief:

AFK/LL



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary

Parker F. Williams
Administrator

Date: 7.29.62

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 033

DI

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. J. Drelle

Case Number #03-033-SPH 8/28/02.

PLEASE <u>PRINT</u> LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
VULNEY H. FORD	1512 Lyan STREET	HAVRE DE GRACE M	
Mary E Lawn	218 Formaror Lane	1	
Rajiv Goe	210 N. MAINST \$102	BELAIR 2 MD	- 21014
<u> </u>			
			<u> </u>
			
, , , ,	 	Revised 4	/17/00



Parris N. Glendening Governor Kathleen Kernedy Townsend Lt. Governor Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

July 30, 2002

Baltimore County Department of Permits and Development Management County Office Building 111 West Chesapeake Avenue Room 111, Mail Stop #1105 Towson MD 21204

Re: Zoning Advisory Committee Agenda - case numbers 03-031-A, 03-032-A 03-033-SPH, 03-034-SPHA, 03-035-SPH, 03-036-A, 03-037-A, 03-038-A, 03-039-A, 03-040-SPH & 03-041-A

To whom it may concern:

The Maryland Department of Planning has received the above-referenced information on 7/29/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

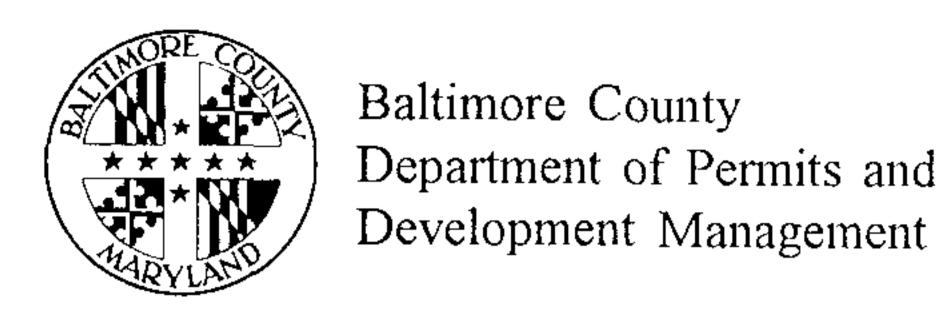
James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



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

July 17, 2002

Rajiv K. Goel, Esquire Law Offices of Nomiki B. Weitzel 210 North Main Street, #102 Bel Air, Maryland 21014

RE: Petition for Special Hearing for 5706 Keithley Rd., 21162

Dear Mr. Goel:

Recently I have made several attempts by telephone to contact you regarding the petition filed by you on July 1, 2002. At the time of filing I told you that the fee was \$50.00. The amount for filing for this petition is actually \$250.00. This is based on the fact that this is not a single -family residence but multiple residences on one lot.

Unfortunately, this office will not process this petition until the remainder of this fee is sent to our office. I have also explained to Ms. Christina Sigman from your office that we do not bill. If you have any questions I can be reached at 410-887-3391.

Sincerely,

Donna Thompson

Planner II

Zoning Review

DT

LAW OFFICES OF NOMIKI BOULOUBASSIS WEITZEL & ASSOCIATES

7/16/12 Acresting
Not To: Acresting
Name

BALTIMORE OFFICE
4318 FITCH AVENUE
BALTIMORE, MARYLAND 21236
TEL (410) 663-9400
FAX (410) 663-9404

Nomiki Bouloubassis Weitzel Robin Belville Chapman Rajiv K. Goel L. Mirna Hindoyan HARFORD COUNTY OFFICE
PROFESSIONAL CENTER
AT HARFORD MUTUAL
210 N. MAIN STREET, SUITE 102
BEL AIR, MARYLAND 21014
TEL (410) 638-7779

July 13, 2002

Permits and Development Management Zoning Review Attn: Donna Thompson 111 West Chesapeake Avenue Towson, Maryland 21204

RE: Bessie Keithley - Petition for Special Hearing

5706 Keithley Road, White Marsh

Dear Ms. Thompson:

Enclosed please find a check for two hundred dollars (\$200.00) as payment for the remainder of the filing fee due for the above referenced Petition.

If you have any questions or concerns regarding this matter, please let me know.

Sincerely,

Raiiv K. Goel

RKG/llp Enclosure

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

IN THE

IN THE MATTER OF

Bessie E Keithley

FOR THE APPOINTMENT OF

A GUARDIAN OF THE PERSON

AND PROPERTY

CIRCUIT COURT

FOR

BALTIMORE COUNTY

03-T-01-000067

ORDER APPOINTING GUARDIAN OF THE PERSON AND PROPERTY

This matter having come on for hearing, this // day of UNZ, DOI, before the Circuit Court for Baltimore County, and this Court having considered the verified Petition, medical certificates and testimony, and having found by clear and convincing

capacity to make or communicate responsible decisions concerning his/her person and property because of a disability as defined in the Annotated Code of Maryland, Estates and Trusts Article, Sections 13-201 and 13-705, the nature of the disability being <u>Dementia</u>

This Court further finds that the disabled person is unable to consent to the appointment of a guardian, that the disabled person needs a guardian and that no less restrictive form of intervention is available which is consistent with the person's welfare and safety.

(Court must select one of the following two paragraphs)

() The Court finds that the disabled person was present and waived a jury trial.

(or)

(X) The Court finds, after hearing, that the disabled person cannot be present because of physical or mental incapacity or that the disabled knowingly and voluntarily waived the right to be present. Counsel for the disabled waived a jury trial.

IT IS THEREUPON ORDERED AND DECREED, this it day of
THE THEREOPON ORDERED AND DECREED, CHIED THEREOPON ORDERED AND DECREED AND DECR
(Name) MANY LAWN
(Address) 218 Foxmanor Lane; Glen Burnie, Maryland 21061
(Telephone Number) 410.290.1439
be and is hereby appointed Guardian of the Person and
(Name) Many Lawn
(Address)same as above
(Telephone Number)
be and is hereby appointed Guardian of the Property of
Bessie E Keithley with the rights, powers and duties
enumerated in the Annotated Code of Maryland, Estates and Trusts Article,
s 13-206, 13-708, and 15-102 and Maryland Rules 10-206 and 10-305;
it is further
ORDERED, that the Guardian of the Property shall:
(Court will select one)
() give a corporate bond to the State of Maryland in the sum of
with a surety or sureties to be approved by the Clerk of the
Court for the faithful discharge of his duties; or
(X) is excused from giving bond; and it is further
ORDERED, that the Guardian of the Person is authorized to consent
to necessary protective services and to consent to the disabled person's
placement in a nursing home or other appropriate living arrangement; and

ORDERED, that the Guardian of the Person may consent to medical or other professional care, counsel, treatment, or service for the disabled; and it is further

it is further

(The Court will select option A or B)

ORDERED,

() OPTION A: That this Court must authorize the Guardian to consent to any medical procedure that involves a substantial risk to the life of the disabled; and the witholding or withdrawal of any medical procedure that involves a subsatantial risk to the life of the disabled;

(OR)

OPTION B: The Guardian of the Person is authorized to consent to any medical procedure that involves a substantial risk to the life of the disabled and the withholding or withdrawal of any medical procedure that involves a substantial risk to the life of the disabled;

(If Option B is selected, the Court will then select option 1 and/or 2)

() (1) the disabled person has executed an advance directive, naming the Guardian as agent,

(OR)

ons, in the spouse, an adult child, a parent, an adult and it is further

ORDERED, that the Guardian of the Person must obtain Court

Approval for changing the classification of abode of the disabled person;

and it is further

ORDERED, that pursuant to Maryland Rules 10-706 through 10-708, the Guardian of the Property shall file with the Trust Clerk an inventory of all assets of the disabled person of which the guardian has knowledge within sixty (60) days of the date of this Order, and thereafter, no later than sixty (60) days from the anniversary date of this Order shall file an Annual Accounting.

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1801.2—General Density, Bulk, Building-Separation, Open-Space, and other Height and Area Standards and Regulations. [Bill No. 100, 1970.]

A. Density Controls [Bill No. 100, 1970.]

Application of Maximum Density Standards to Tract in One Zone.
 The maximum gross residential density permitted in any one D.R.
 zone shall control only as applied to the total gross residential acreage within a subdivision tract, and shall not apply to or establish minimum areas of lots created by subdivision within such tract. [Bill No.

 Application to Tract Divided by Zone Boundary. Wherever a 100, 1970]

2. Application to Tract Divided by Zone Boundary. Wherever a single tract is divided by a zone boundary so that portions of such tract lie within D.R. zones of different classification, the total number of dwelling or density units permitted, as determined by multiplying the gross acreage of each portion by the maximum density permitted under Subsection 1802.2 in the zone within which that portion lies and totalling the results, shall be permitted without further regard to the zone boundary, and the units may be distributed over the tract as though it were in a single zone. [Bill No. 100, 1970.]

Bulk Regulations. [Bill No. 100, 1970.]

- 1. Detached and Attached Buildings. In the application of the provisions of this article, buildings shall be considered as detached if there are no above-grade structural connections between them. Where buildings are, in fact, structurally connected above grade, they shall be considered as mutually attached buildings if divided by lot lines, or as one building if situated on a single lot. [Bill No. 100, 1970]
- 2. Maximum Width of Building Elevation. The maximum width of any elevation of a detached building or group of attached buildings shall be 300 feet, except that a greater width may be authorized under special-exception procedures as provided in Section 502, if such width is in accordance with standards adopted under the authority of Section 504. [Bill No. 100, 1970.]
- 3. Maximum⁶ Passageway Width. The minimum width of any exterior passageway between attached buildings or between portions of a single building shall be 10 feet. [Bill No. 100, 1970.]
- C. Open-Space, Building-Separation, and Other Area Standards. [Bill No. 100, 1970]
 - 1. Distances Between Separate Buildings. Except as otherwise may be provided under standards adopted pursuant to Section 504, the minimum horizontal distance from any point on a building in a D.R. zone to the vertical projection of any point on another building not mutually attached shall be as set forth below:

<u>A</u> Ł	ove.	- <u>G</u> п	oda (Elev	<u>otio</u>	n of I	High	er Po	int	Minimum Horizontal Distance to Vertical Projection of Point on Building Not Mutually Attached
20 fe	et o	rles	<u> </u>							16 feet
Моге	thor	20	feet	but	not	more	thar	25	feet	25 *
	•	25		•			=	30	<u>.</u>	30 -
*	*	30	=	•	-	-	*	40	*	40 *
•	•	40		•	•	•	•	50	•	60 "

* 198

[Bill No. 100, 1970]

6. Thus in Bill No. 100, 1970.

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Ab	0 Y 8 ·	-Gra	do l	Elev	atio	n of h	<u>ligh</u> e	ır Po	int	Ver	nimum Horizontal Distance to tical Projection of Point on Iding Not Mutually Attached		
Above-Grada Elevation of Higher Point 20 feet or less											16 feet		
More	thar	20	feet	bu	not	more	tha	25	feet	25	•		
	•	25	•			•	•	30	" ·	30	•		
=		30	•	•	•			40	A	40	•		
•	•	40	•	•	•	*		<u>50</u>	•	60	•		

* 199

[Bill No. 100, 1970]

^{6.} Thus in Bill No. 100, 1970.

MultiTech Construction Management Corporation

224 North Washington Street Havre de Grace, Maryland 21078 (410) 939-5050 Fax (410) 939-6252

BECEINED

March 29,2002

Mss. Bessie Kiethley and Mary Lawn Court Appointed Guardians 218 Fox Manor Lane Glen Burnie, Maryland 21061

RE: 5706 Keithley Road, White Marsh, MD 21162

Dear Mss. Keithley and Lawn:

I performed an inspection of the above-referenced premises on January 26, 2002, at the request of your attorney, Mr. Raj Goel. The purpose of this inspection was to determine the year of original construction, as closely as possible with non-destructive techniques, of a small one-story cottage that is situated on the above-referenced property with an older two-story dwelling and a much newer dwelling.

In the course of this inspection, I investigated the visible and readily accessible construction components of the exterior, attic space, interior and, from very limited gaps in the foundation skirting, the underside of the floor structure. The floor assembly is very close to the ground and does not permit bodily entry under the dwelling.

The dwelling appears to have been built originally as a rectangular cottage with a low-pitched gable roofline, and expanded soon afterward with a full-width rear addition having a low-slope shed roof. The entire building was overlaid with new siding many years later. For purposes of dating this structure, I chose to focus on the original (front) rectangular portion.

The interior offered no reliable clues as to date of construction, as the plumbing, heating and electrical systems have been modernized, and all walls and trim have been replaced with modern drywall, doors and moldings.



The attic space, entered through a small exterior gable door, provided significant evidence of age. Framing lumber used for the rafters and ceiling joists was measured in several locations and was consistently found to be a full 1.75 inches in thickness and a full 3.75 inches (2x4) and 5.75 inches (2x6) in width. These thicknesses represent the sawmill standards that prevailed from about 1900 to the mid 1930s, and lasted until the onset of World War II in some scattered mills. Postwar mill standards were universally reduced to -5/8" (1.625 inches, etc.) and further reduced to -1/2" (1.5 inches, etc.) a decade or so later.

The rafters in this attic abut directly together at the peak of the roof, without benefit of a perpendicular ridge board. This framing technique died out in the 1920s. The roof sheathing board thicknesses range between 7/8 inch and a full inch, which was common in the early 1900s and not found in typical World War II era construction (planks were then universally milled to 3/4" thickness).

The dwelling currently rests on a masonry foundation consisting of concrete blocks that are of modern post-war casting. These blocks appear to have been manufactured in the 1970s or 1980s, obviously not original to the dwelling. The interior-facing mortar joints are not cut off flush with a trowel or "struck up" with a joint tool, which indicates they were laid from the outside with the dwelling already in place.

This evidence eliminates the likelihood that an old dwelling was moved to the site in later years. One would lay a normal foundation except for one end, then back the dwelling in place and close the end. One would have to elevate the dwelling considerably more to allow access to utility hookups after the dwelling is positioned.

This dwelling was originally constructed on an open pier foundation, a few inches above the soil to allow open breezes to keep the soil underneath a.y. The existing perimeter beam construction of the floor assembly is evidence that the perimeter loads were originally carried from pier to pier, before the "crawl space" was later enclosed with block to keep animals and cold wind out. Open pier construction was still common in rural settings in the early 1900s, but virtually disappeared following World War II because of the need to protect water pipes from freezing.

There is also strong evidence that this dwelling was originally built with no plumbing and likely had no electricity (there is no sign of fabric covered romex wiring of the 1920s-1950s or of knob-and-tube). The plumbing system was added sometime in the 1930s to 1950s, according to the materials used and the positions of waste and vent lines. Had this dwelling been built in this period, the plumbing would have been arranged in the normal interior fashion from the outset.

In conclusion, It is my opinion that the front half of this dwelling was originally constructed on this site at some time between 1900 and 1930, and very likely around 1920, with the rear half being added in the same era. Furthermore, there is no evidence to suggest that the dwelling was built at any time following the mid 1930s, and certainly not after World War II (postwar construction materials and methods were vastly different from that of prewar times).

Please contact me if you or other interested parties to this issue have questions or require further information.

Sincerelŷ,

Volney H. Ford

President

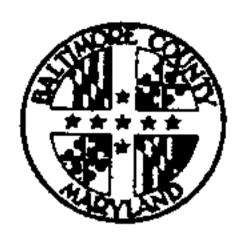
American Society of Home Inspectors

Certified Member #101320

VHF:jsm

cc: Raj Goel, Esq.

Attachments: 4 photographs



Baltimore County Zoning Commissioner Office of Planning Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204

