IN RE: PETITION FOR VARIANCE NW/S of Traceys Road, 1,277 ft. +/- SW centerline of Yeoho Road 5th Election District 3rd Councilmanic District (2218 Traceys Road) Hampton Construction By: Gary Barnes, President Petitioner	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-184-A

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

AMENDED ORDER

WHEREAS, this matter came before this Deputy Zoning Commissioner as a request for variance. An Order was issued the 1st day of December, 2004 denying the Petitioner's relief.

WHEREAS, this office received a letter dated December 6, 2004 from Ms. Cheryl H. Schweizer, an adjacent property owner and participant at the hearing held before me. Ms. Schweizer asked for clarification concerning a contradiction relating to setback requirements on pages 3 and 6 of the Order. Therefore, given this contradiction, the Order should be amended to reflect the correct setback requirement as being "**50 ft.**" instead of "35 ft." as stated on page 6 of the Order.

THEREFORE, IT IS ORDERED this 9 day of December, 2004, by this Deputy Zoning Commissioner, that my previous decision dated the 1st day of August, 2004 shall be amended to read as follows:

"THEREFORE, IT IS ORDERED, this 1st day of December, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 29 ft. and a rear yard setback of 32 ft. for a proposed dwelling in lieu of the required **50 ft.**, for both, be and it is hereby DENIED."

IT IS FURTHER ORDERED that all other terms and conditions of my previous decision shall

PLEASE RECEIVED FOR FILING
Date 12/9/04
By

remain in full force and effect.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 12/19/01
By

2212 Traceys Road
Sparks, MD 21152

December 6, 2004

RECEIVED

DEC 7 2004

ZONING COMMISSIONER

Comm'r. John V. Murphy
Baltimore County Zoning Div.
405 County Courts Bldg.
401 Bosley Avenue
Towson, MD 21204

RE: Property: 2218 Traceys Road
Case No. 05-184-A

Dear Sir:

I am writing to request a clarification in your decision dated December 1, 2004, in the matter of a Petition for Variance on the above property. On page 3 of your decision, you cite the applicable regulations regarding set-back requirements for this lot to be 50-foot minimum under RDP, Section 103.3 (1973). However, the concluding paragraph on page 6 refers to a "required 35 ft." for both rear and side yard. Please review your written decision and clarify this discrepancy. Thank you.

Yours truly,

Cheryl H. Schweizer

Cheryl H. Schweizer

cc: Mr. Gary Barnes, President, Hampton Const., Inc.
Mr. Bruce Brown
Mr. Vincent J. Moskunas
Mr. and Mrs. Timothy Bowden
Mr. and Mrs. Joseph Evans

ORDER RECEIVED FOR FILING
Date 12/9/04
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

December 9, 2004

Gary Barnes, President
Hampton Construction, Inc.
300 E. Joppa Road, Level E
Towson, Maryland 21286

Re: Petition for Variance
Case No. 05-184-A
Property: 2218 Traceys Road
Amended Order

Dear Mr. Barnes:

Enclosed please find an Amended Order concerning the above-captioned case. My decision dated December 1, 2004 had a typographical error on page 6 and has been corrected to reflect the correct rear yard set back requirement of "50 ft."

This office apologizes for any inconvenience this may have caused. If you have any questions or require any additional information, please feel free to contact this office at the above phone number.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Bruce Brown, 16657 Miller Lane, Parkton, Md 21120
Vincent J. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Rd., Towson, MD 21286
Monica & Timothy Bowden, 2210 Traceys Road, Sparks, MD 21152
Nedda Evans, 2224 Traceys Road, Sparks, Md 21152
Cheryl Schweizer, 2212 Traceys Road, Sparks, MD 21152

IN RE: PETITION FOR VARIANCE NW/S of Traceys Road, 1,277 ft. +/- SW centerline of Yeoho Road 5th Election District 3rd Councilmanic District (2218 Traceys Road) Hampton Construction By: Gary Barnes, President Petitioner	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-184-A

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property Hampton Construction, by Gary Barnes, President. The variance request is for property located at 2218 Traceys Road in the northern area of Baltimore County. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 29 ft. and a rear yard setback of 32 ft. for a proposed dwelling in lieu of the required 35 ft. for both.

The property was posted with Notice of Hearing on October 30, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on November 2, 2004 to notify any interested persons of the scheduled hearing date.

Amended Petition

At the start of the hearing the Petitioner amended its Petition as follows:

The variance request is from Section 1A00.3.B.3 of the 1955 Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 40 ft. and a rear yard setback of 42 ft. for a proposed dwelling in lieu of the required 50 ft. for both.

He explained that the underlying lot was Lot 11 of the "Highmeadow" subdivision which was recorded in the Land Records of Baltimore County in 1973. This lot was further subdivided in

ORDER RECEIVED FOR FILING
Date 12/1/04
By

2003 as shown on the resubdivision plat of Lot 11 which is Petitioner's Exhibit 3. In addition, he presented a redline change to the footprint of the home shown on the Plat to Accompany. This smaller home is such that the side yard setback would now be 40 feet in lieu of 50 feet required and the rear yard setback would be 42 feet in lieu of the 50 foot required. The Petition showed a side yard setback of 29 feet and rear yard setback of 32 feet.

Applicable Law

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was also received from the Department of Environmental Protection & Resource Management (DEPRM) dated November 26, 2004, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request was Bruce Brown, from Petitioner Hampton Construction Inc. and Vince Moskunas for Site Rite Surveying, Inc., the firm that prepared

ORDER RECEIVED FOR FILING
Date 12/1/04
By

the site plan of the property. Appearing in opposition to the request were Monica and Timothy Bowden, Nedda Evans, and Cheryl Schwizer who are adjacent property owners. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.13 acres, more or less and is zoned RC 2. Mr. Moskunas explained that the underlying lot was Lot 11 of the "Highmeadow" subdivision which was recorded in the Land Records of Baltimore County in 1973. This lot was further subdivided in 2003 as shown on the resubdivision plat of lot 11 which is Petitioner's exhibit 3. As the result of his research, Mr. Moskunas indicated that the intake zoning technician who drafted the request for variance mistakenly believed that the applicable regulations were the RC 2 regulations. However, because the subdivision which created Lot 11 was approved by the Planning Board in 1973, Section 103.3 of the B.C.Z.R. specifies that the regulations in effect when the subdivision was approved (1973) apply to this property and not the RC 2 regulations which were imposed in 1975. As a result, any home built on Lot 11B must comply with the 50 foot setback requirement of the RDP regulations rather than the 35 foot setback of RC 2.

In addition, he presented a redline change to the footprint of the home shown on the Plat to Accompany, Petitioner's Exhibit 1. This smaller home is such that the side yard setback would now be 40 feet in lieu of 50 feet required and the rear yard setback would be 42 feet in lieu of the 50 foot required. The Petition showed a house with a side yard setback of 29 feet and rear yard setback of 32 feet. He indicated that his client felt the more modest home was more in keeping with the nearby homes. The home chosen was the model known as the "Bunker Hill", which elevations are shown of Petitioner's Exhibit 4. Mr. Brown noted that private covenants applied to the lots

ONLY ENTERED FOR FILING
Date 12/11/04
By Ray

limiting further subdivision unless a majority of owners agree otherwise and that he obtained the necessary signature of subdivision owners to subdivide Lot 11.

Mr. Moskunas opined that the lot was unique from a zoning standpoint due to its long narrow shape and the location of the septic reserve area in the center of the lot rather than the rear as one might expect. In regard to hardship and practical difficulty, he noted that the smaller house allowed under the regulations while it could be built would not be in keeping with the style or size of area homes. Mr. Brown noted that if forced to stay within the building envelop shown on the resubdivision plat of lot 11, the home would be too small for the neighborhood perhaps resulting in a rancher home. Mr. Moskunas noted that the " Meadow Heights" subdivision would have been allowed 44 dwelling units under the RDP regulations but wound up with only 11 lots. This indicated that there would be no density increase over that allowed by the regulations. Finally, he opined that the variance met the spirit and intent of the regulations and would not be detrimental to the community.

The Plat to Accompany indicated that the driveway to Tracey Road would be that owned by the adjacent neighbors, the Bowden's and Schweizer's. Apparently, the Petitioner offered to join these neighbors with the cost of maintaining the road but no agreement had been signed. Mr. Moskunas noted, however, that there was room on the subject lot to build a road to the proposed house.

The protestants noted that this same variance had been applied for and denied by the Deputy Zoning Commissioner in Case No. 02-484-A. Mr. Brown said that he was not aware of this case. Ms. Evans indicated that she was concerned with more storm water and perhaps sewerage coming onto her property which is below the proposed home. She indicated that nothing had changed since the Deputy Zoning Commissioner denied the first variance and the decision should be upheld. In addition, she noted that the Board of Appeals recognized Tracey Road as narrow and dangerous in

ORDER RECEIVED FOR FILING
Date 12/1/04
By Ray

Case No. 01-530-X. The protestants also expressed concern that the new home would adversely affect their wells, would overcrowd the land, and that placing a new home on this RC 2 zoned property would not be consistent with the agricultural zoning.

Findings of Fact and Conclusions of Law

This request has many problems. The most obvious is the fact that Deputy Zoning Commissioner Kotroco denied virtually an identical request in Case No.02-484-A. As I mentioned at the hearing, the Board of Appeals has ruled in Case No. 91-129-A that unless an error of law is shown, a prior decision of this Commission on the same issues is binding in subsequent litigation. I left the record open to hear any reason that this case would not apply in this matter and have not received any information or argument to the contrary.

The second problem is that testimony from the Petitioner indicated that they could build a smaller house on the lot without a variance. Essentially, the variance is then needed only to allow a larger more valuable home which the Petitioner contends is more in keeping with the neighborhood. This may be true as I would hope the protestants realize. According to the Petitioner, it is purely a matter of size. However, this in itself presents problems in zoning as economic return on investment is not a criteria for approval even if this may be the better choice in the long run for the neighborhood.

The third problem is that in creating Lot 11A, the Petitioner's predecessor created the uniqueness of the lot from a zoning standpoint making it long and narrow. The question then becomes is this uniqueness self-created.

Finally, the Petitioner shows access to the new home via the Bowden/Schweizer driveway to which it has no legal access. While it might be logical for these neighbors to allow access to their driveway to spread the cost of maintenance, without the neighbors specific written agreement allowing access the Plat to Accompany is simply incomplete. There was testimony that a parallel

ORDER RECEIVED FOR FILING
Date 12/1/04
By

driveway could be constructed on Lot 11A, but the County would need to review the driveway for any request for variance because I must consider the impact of the variance on the community.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be DENIED.

THEREFORE, IT IS ORDERED, this 1st day of December, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 29 ft. and a rear yard setback of 32 ft. for a proposed dwelling in lieu of the required 35 ft. for both, be and it is hereby DENIED

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 12/1/04
By RAJ

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

December 1, 2004

Gary Barnes, President
Hampton Construction, Inc.
300 E. Joppa Road, Level E
Towson, Maryland 21286

Re: Petition for Variance
Case No. 05-184-A
Property: 2218 Traceys Road

Dear Mr. Barnes:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been denied 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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Bruce Brown, 16657 Miller Lane, Parkton, Md 21120
Vincent J. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Rd., Towson, MD 21286
Monica & Timothy Bowden, 2210 Traceys Road, Sparks, MD 21152
Nedda Evans, 2224 Traceys Road, Sparks, Md 21152
Cheryl Schweizer, 2212 Traceys Road, Sparks, MD 21152

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2218 Traceys Road

which is presently zoned RC 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A01.3.B.3. To permit a sideyard setback of 29 ft. and a rear yard setback of 32 ft. for proposed dwelling in lieu of the required 35 ft. for BOTH.

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

See attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s): Hampton Construction Inc

Gary Barnes, President

Name - Type or Print

X Gary Barnes

Signature

Name - Type or Print

Signature

300 E. Joppa Road Level E 410 825-4424

Address Telephone No.

Towson, MD 21286

State Zip Code

Attorney For Petitioner:

Name - Type or Print City

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E. Joppa Road Rm 101 410 828-9060

Address Telephone No.

Towson, MD 21286

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 05-184A

Reviewed By _____ **Date** 10.8.04

REV 9/15/98

10/10/04

REASONS FOR VARIANCE PETITION FOR #2218 TRACEYS ROAD

1. THIS IS A LOT OF RECORD WITH A CURRENT BUILDING ENVELOPE OF 40 FEET X 50 FEET. THE OWNER DOES NOT OWN ANY ADJACENT PROPERTY IN ORDER TO ENLARGE THE ENVELOPE. THE OWNER IS LOOKING TO BUILD A DWELLING THAT IS COMPATIBLE WITH THE CURRENT DEVELOPMENT OF THE AREA.
2. THIS REQUEST IS MADE IS STRICT HARMONY WITH THE SPIRIT AND INTENT OF THE BALTIMORE COUNTY ZONING REGULATIONS AND IN COMPLIANCE WITH THE PERMITTED USE OF THE PROPERTY.
3. THIS REQUEST, IF GRANTED, WILL NOT CAUSE INJURY TO THE WELFARE OR SAFETY OF THE COMMUNITY. IT IS AN ATTEMPT TO REMAIN CONSISTENT WITH THE GROWING TREND IN MARKETABILITY OF THE AREA.

ZONING DESCRIPTION

#2218 TRACEYS ROAD

Beginning at a point on the northwest side of Traceys Road which is 60 feet wide at the distance of 1,277 feet southwest of the centerline of Yeoho Road which is 70 feet wide. Being Lot #11A, in the subdivision of "Highmeadow/Resubdivision Plat of Lot 11" as recorded in Baltimore County Plat Book #75, folio #116 containing 1.13 acres. Also known as #2218 Traceys Road and located in the 5th Election District, 3rd Councilmanic District.

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

154
No. 40927

DATE 10·8·04 ACCOUNT 001-001-6150

AMOUNT $ 65.00

RECEIVED FROM: BARNES 2218 Towsons Rd

FOR: VAR.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
10/12/2004	10/08/2004	10:15:32	4

REG NUM WALKIN CASH KOM
>>RECEIPT # 300593 10/18/2004 OFLN
Dept. 5 528 ZONING VERIFICATION
CR NO. 040927
Rcpt Tot $65.00
$65.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: # 05-184-A
2218 Traceys Road
Northwest side of Traceys Road, 1,277 feet +/- southwest of the centerline of Yeoho Road.
5th Election District — 3rd Councilmanic District
Legal Owner(s): Hampton Construction, Gary Barnes, President

Variance: to permit a side yard setback of 29 feet and a rear yard setback of 32 feet for a proposed dwelling in lieu of the required 35 feet for both.

Hearing: Tuesday, November 16, 2004 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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 11/642 Nov. 2 28443

CERTIFICATE OF PUBLICATION

11/3/, 2004

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 11/2/, 2004.

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

S. Wilkinson

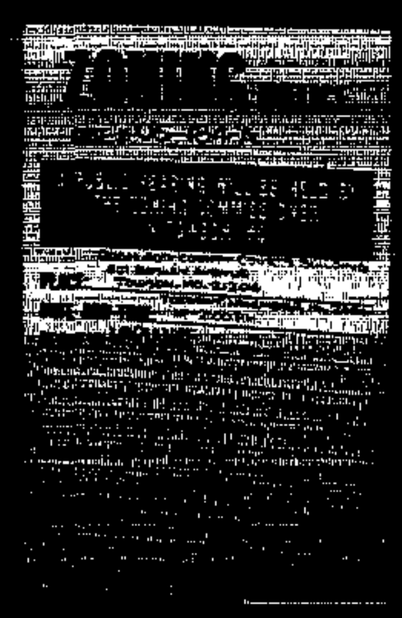
LEGAL ADVERTISING

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

BALTIMORE COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD 21204

DATE AND TIME: [illegible]

VARIANCE REQUESTED



CERTIFICATE OF POSTING

RE: Case No.: 05-184-A

Petitioner/Developer: HAMPTON CONSTRUCTION

Date of Hearing/ Closing: NOV. 16, 2004

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

Attention: Becky Hart

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 # 2218 TRACEYS ROAD

The sign(s) were posted on OCT. 30, 2004
(Month, Day, Year)

Sincerely,

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

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

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

(410) 242-4263
(Telephone Number)

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr, County Executive
Timothy M Kotroco, Director

October 25, 2004

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: 05-184-A
2218 Traceys Road
Northwest side of Traceys Road, 1,277 feet +/- southwest of the centerline of Yeoho Road.
5th Election District—3rd Councilmanic District
Legal Owners: Hampton Construction, Gary Barnes, President

Variance to permit a side yard setback of 29 feet and a rear yard setback of 32 feet for a proposed dwelling in lieu of the required 35 feet for both..

Hearing: Tuesday, November 16, 2004 at 2:00 pm, in Room 407, County Courts Building
401 Bosley Avenue

Timothy Kotroco

Timothy Kotroco
Director

TK: clb

C: Gary Barnes 300 E. Joppa Road Level E Towson 21286
Site Rite Surveying, Inc. 200 E. Joppa Road, Rm 101 Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BYMONDAY, NOVEMBER 1, 2004.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 28, 2004 Issue - Jeffersonian

Please forward billing to:
Gary Barnes
300 E. Joppa Road
Towson, Maryland 21286

410-825-4424

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: 05-184-A
2218 Traceys Road
Northwest side of Traceys Road, 1,277 feet +/- southwest of the centerline of Yeoho Road.
5th Election District—3rd Councilmanic District
Legal Owners: Hampton Construction, Gary Barnes, President

Variance to permit a side yard setback of 29 feet and a rear yard setback of 32 feet for a proposed dwelling in lieu of the required 35 feet for both..

Hearing: Tuesday, November 16, 2004 at 2:00 pm, in Room 407, County Courts Building
401 Bosley Avenue

WILLIAM WISEMAN
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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 184

Petitioner: Gary Barnes c/o Hampton Construction Inc

Address or Location: 2218 Tracys Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gary Barnes c/o Hampton Construction Inc

Address: 300 E. Joppa Road
Level E
Towson, MD 21286

Telephone Number:

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 10, 2004

Gary Barnes
Hampton Construction, Inc.
300 E. Joppa Road, Level E
Towson, Maryland 21286

Dear Mr. Barnes:

RE: Case Number:05-184-A, 2218 Traceys Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 8, 2004.

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: clb

Enclosures

c: People's Counsel
Site Rite Surveying, Inc. 200 E. Joppa Road Towson 21286

Printed on Recycled Paper

Fire Department

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

Baltimore County

James T. Smith, Jr, County Executive
John J Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 27, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: October 25, 2004

Item No.: 172, 174, 177, ~~183~~-195 (164)

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: November 4, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For November 1, 2004
Item Nos. 172, 174, 183, 184, 186,
187, 188, 189, 190, 191, 192, and
193

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

RWB:CEN:jrb

cc: File

gm
1/19

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

OCT 27 2004

ZONING COMMISSIONER

TO: Tim Kotroco

FROM: John D. Oltman, Jr

DATE: October 27, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 20, 2004.

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-125
05-133
05-135
05-136
05-137

Reviewers: Sue Farinetti, Dave Lykens

9T 11/16

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED
NOV 30 2004
ZONING COMMISSIONER

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: November 26, 2004

SUBJECT: Zoning Item # 05-184
Address 2218 Tracey's Store Road

Zoning Advisory Committee Meeting of October 25, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

__X__ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The well must be a minimum of 20-feet from all structures. This property is located in an Agricultural Preservation Area and is in close proximity to agricultural operations and properties that have been protected through easement with the Maryland Agricultural Land Preservation Foundation. As a condition of approval, if so granted, the Agricultural Nuisance Note (attached) is required to be placed on all associated plans.

Reviewer: Sue Farinetti, Wallace Lippincott Date: November 26, 2004

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 16, 2004

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-184 – Administrative Variance**

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.

Prepared By: Mark A Cunningham

Division Chief: Lynn Lanham

MAC/LL

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 11·9·04

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

RE: Baltimore County
Item No. 184 JCM

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR VARIANCE	*	BEFORE THE
	2218 Traceys Road; NW/side Traceys Road,		
	1,277' SW c/line of Yeoho Road	*	ZONING COMMISSIONER
	5th Election & 3rd Councilmanic Districts		
	Legal Owner(s): Hampton Construction,	*	FOR
	Gary Barnes, President		
	Petitioner(s)	*	BALTIMORE COUNTY
		*	05-184-A

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

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

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

RECEIVED
OCT - 29 '04
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 2210 TRACEYS Rd
CASE NUMBER 05-184-A
DATE 11-16-04

CITIZEN'S SIGN-IN SHEET

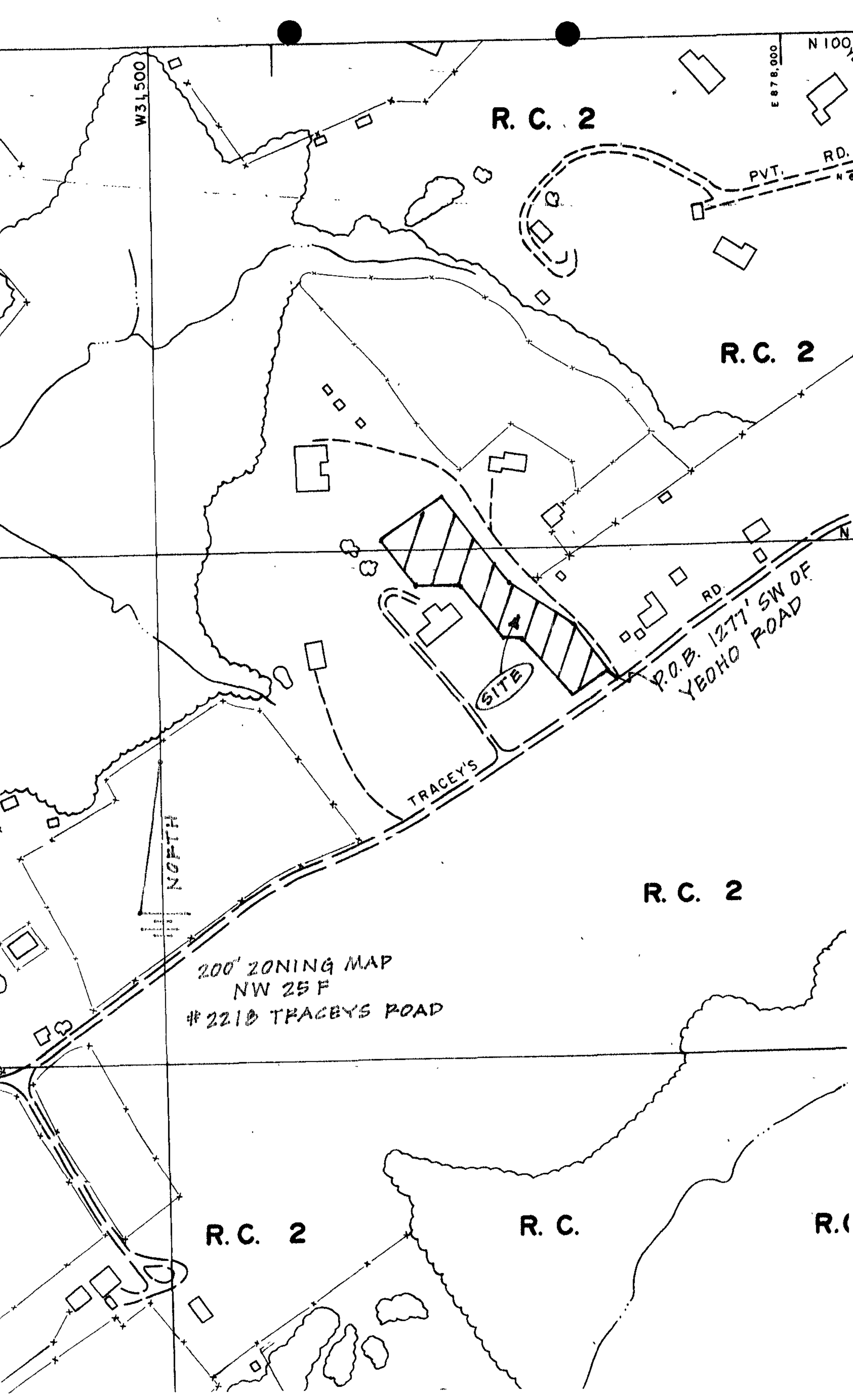
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Monica Bowden	2210 Traceys Rd	Sparks MD 21152	
✓ Timothy Bowden	2210 TRACEYS RD	SPARKS, MD 21152	
Nedda R Evans	2224 Tracey's RD	SPARKS MD 21152	NEDDAEVANS@AOL.COM
Cheryl Schwenger	2212 Tracys Rd	Sparks (MD) 21152	
✓ Nedda Evans			
✓ Cheryl Schwenger			

PLEASE PRINT CLEARLY

CASE NAME 2218 TRACEYS Rd.
CASE NUMBER 05-184-A
DATE 11/16/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
BRUCE BROWN	16657 Miller Lane	Parkton Md.	brucebrown@mrds.com
SITE SURVEYING INC. INC. VINCENT J. MOSKUNAS	200 E. TOPPA RD.	TOWSON, MD. 21286	VJMMVM@AOL.COM


W 34,500
E 878,000
N 100
R. C. 2
PVT. RD.
R. C. 2
RD.
P.O.B. 1277' SW OF
YEOHO ROAD
SITE
TRACEY'S
NORTH
R. C. 2
200' ZONING MAP
NW 25 F
#2210 TRACEYS ROAD
R. C. 2
R. C.

Baltimore County
Zoning Commissioner

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

July 1, 2002

Mr. & Mrs. Gregory Daily
2220 Traceys Road
Sparks, Maryland 21152

Re: Petition for Variance
Case No. 02-484-A
Property: 2218 Traceys Road

Dear Mr. & Mrs. Daily:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance has been denied 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,

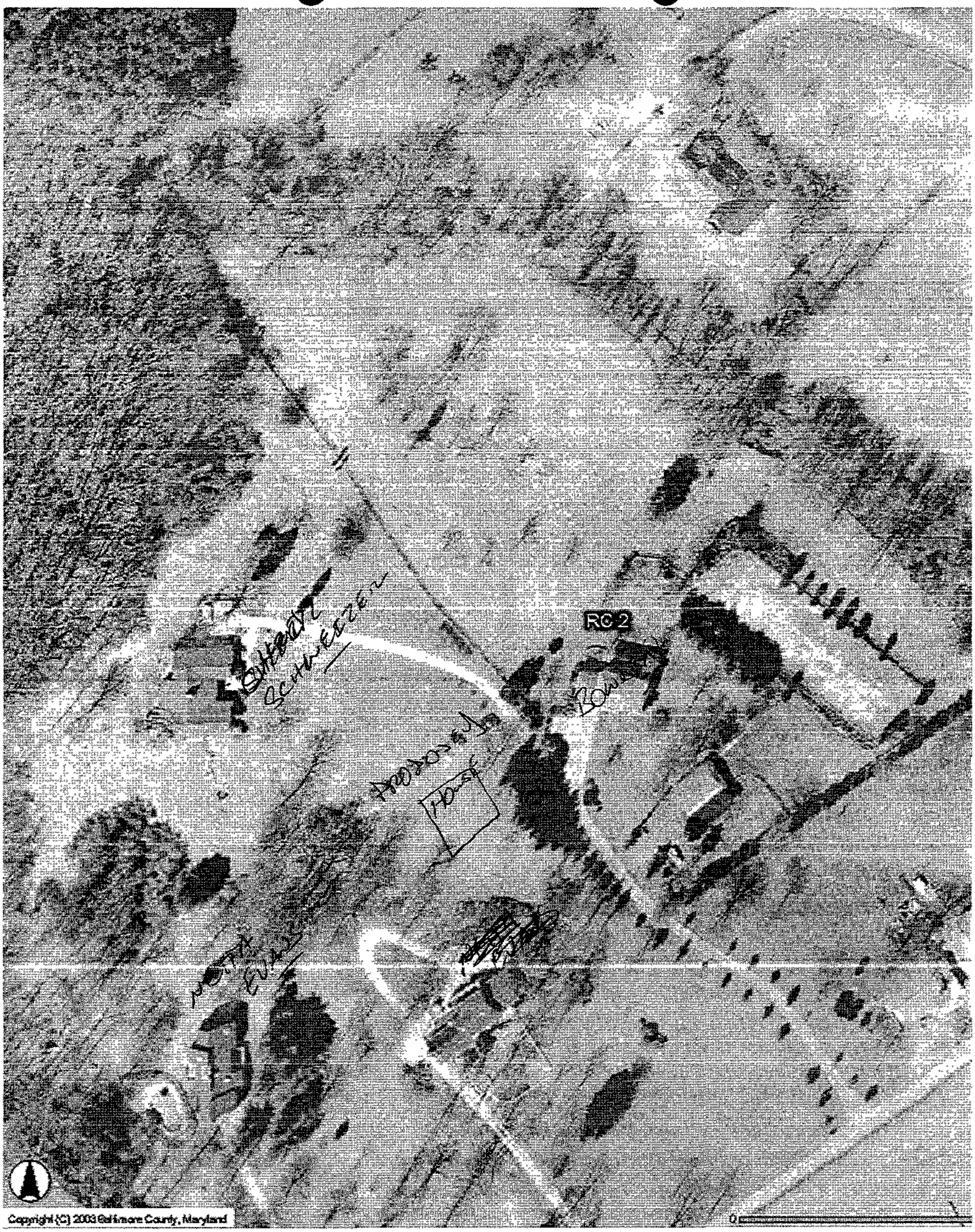
Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Pro #1

Printed with Soybean Ink on Recycled Paper


RC 2
Photo #2
Photo #1
Photo #3
Copyright (C) 2003 Baltimore County, Maryland

Pro #2

11. Golf driving ranges, miniature-golf ranges, or baseball-batting ranges.
12. Helistops.
13. Marinas.
14. Public-utility uses not permitted as of right.
15. Residential art salons (see Section 402C).
16. Riding stables (commercial or noncommercial).
17. Sanitary landfills (see Section 412).
18. Shooting ranges.
19. Volunteer-fire-company facilities.
20. Wireless transmitting and receiving structures, except that a radio antenna in conjunction with transmitting and receiving facilities used by a resident amateur radio operator possessing an amateur radio operator's license issued by the Federal Communications Commission shall be considered an accessory structure or, if attached to another structure, an accessory use, and, as such, is permitted without a special exception, provided: (a) that if it is an accessory structure, it shall be subject to the provisions of Section 400; (b) that if it is a rigid-structure antenna, it shall be no higher than 100 feet or the horizontal distance to the nearest property line, whichever is less, above grade level, and no supporting structure thereof shall be closer than 50 feet to any property line; and, further, (c) that it does not extend closer to the street on which the lot fronts than the front building line
21. Large-scale unit developments, as provided in Section 430

1A00.3—Height and Area Regulations. [Bill No. 100, 1970.]

A. Height. No structure in an R.D.P. zone shall exceed a height of 35 feet, except as otherwise specifically provided in these Zoning Regulations (see Section 300). [Bill No. 100, 1970.]

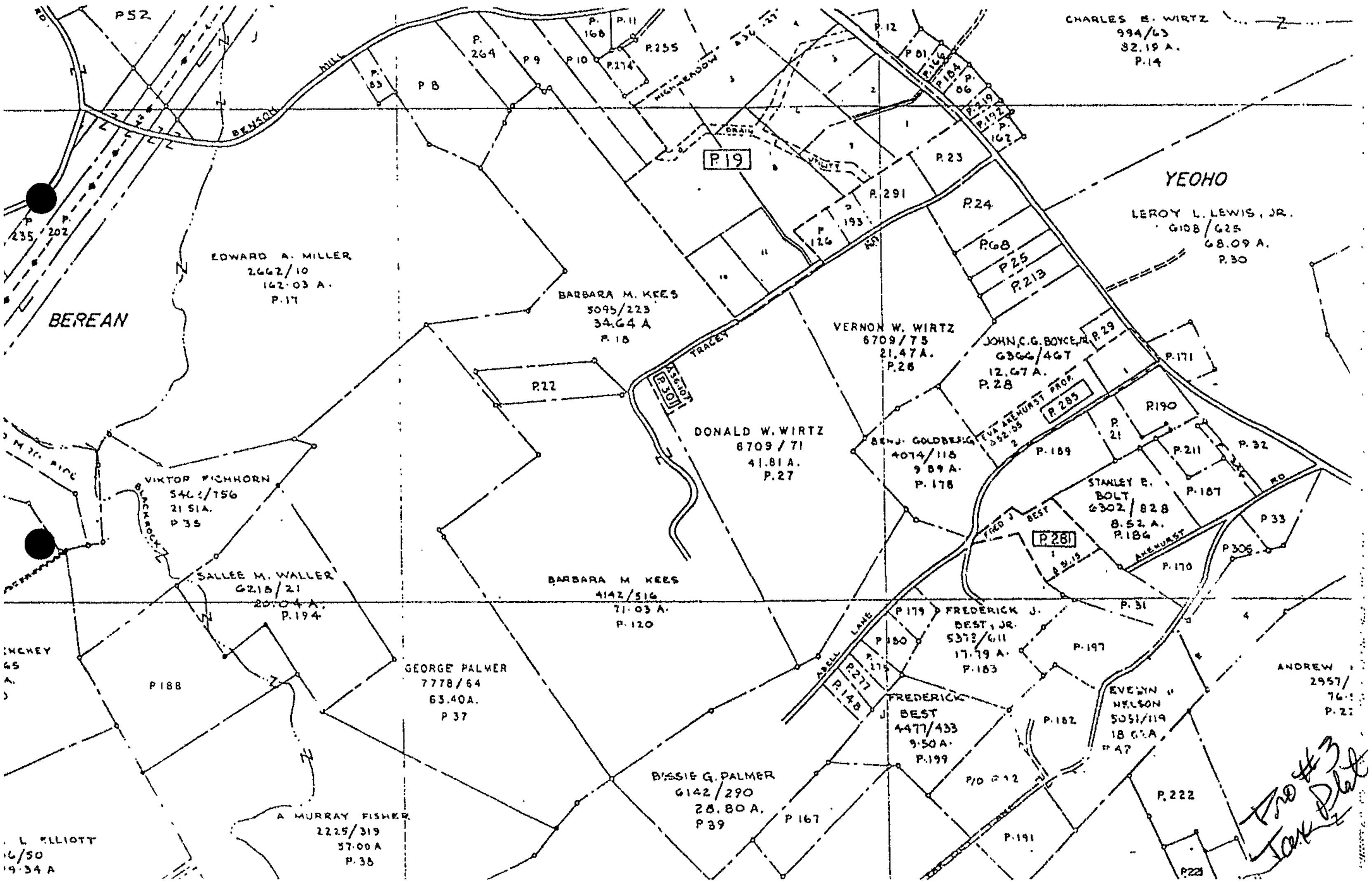
B. Area Regulations. [Bill No. 100, 1970.]

1. Lot Area. No lot less than 1 acre in net area shall be hereafter created in an R.D.P. zone, subject to attaining percolation tests satisfactory to the Baltimore County Department of Health and conforming to the applicable health requirements. [Bill No. 100, 1970.]

2. Minimum Linear Dimension. Except as otherwise provided in Subparagraph 3, below, the minimum linear dimension of any lot hereafter created in an R.D.P. zone shall be 150 feet. For the purposes of these regulations, the minimum linear dimension of any lot shall be the diameter of the largest circle in a horizontal plane which may be inscribed within the lot boundaries. [Bill No. 100, 1970.]

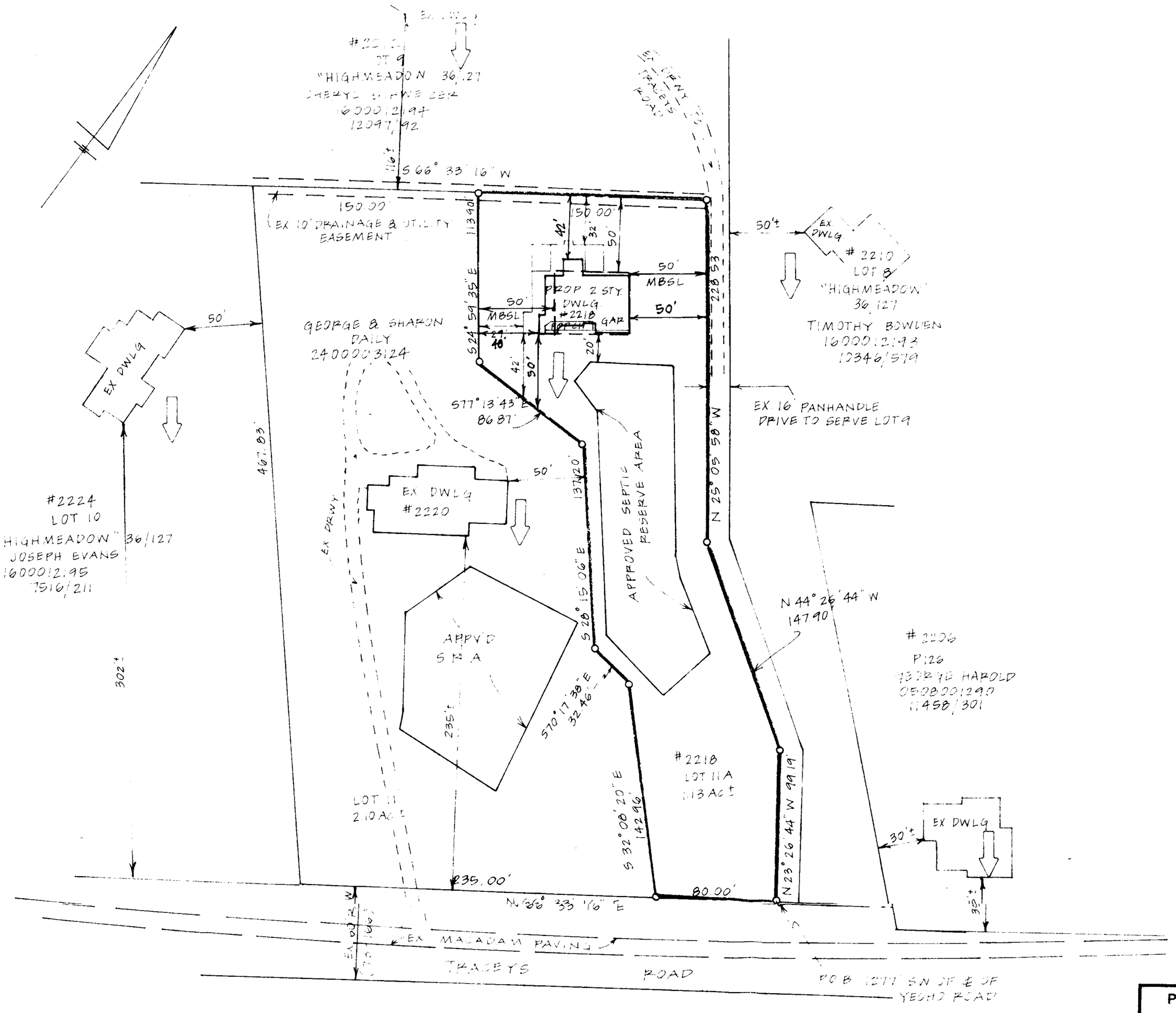
3. The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet; the minimum distance between the building and the center line of any street shall be 75 feet. [Bill No. 100, 1970.]

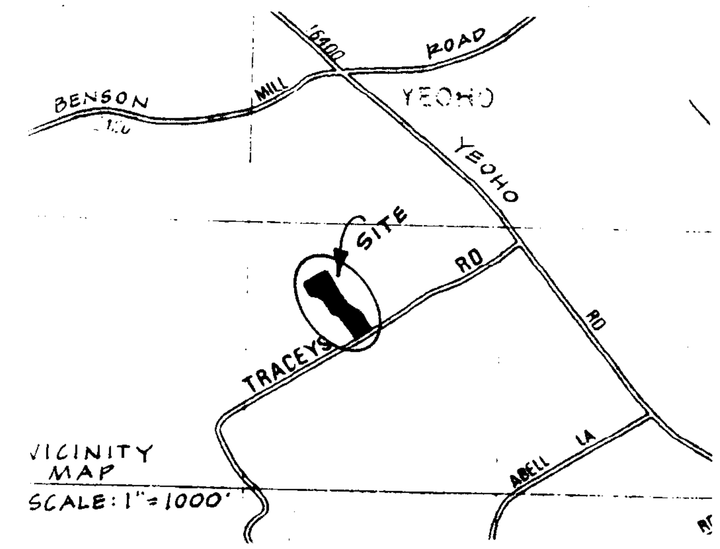
SITE LOCATION



Pro # 4A

Pro 4B





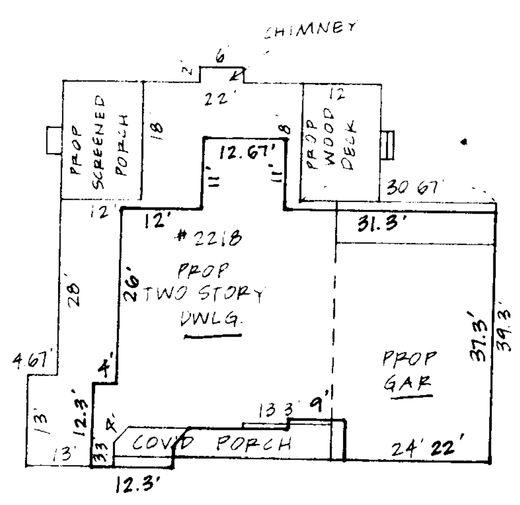
GENERAL NOTES

1. Existing Zoning: R.C.2
2. 200' Scale Zoning Map: NW25F
3. Lot Area: 1.13 Ac± or 49,222 S.F.±
4. No prior zoning hearing
5. Not located in 100 Year Flood Plain Area
6. Not located in The Chesapeake Bay Critical Area
7. Not located in Historic Area
8. Existing Use: Vacant
   Proposed Use: Single Family Dwelling
9. Approved Septic Reserve Area on site
   Public / Private Water

05-184-A

Bunker Hill House Plans in lieu of Saratoga Plans Shown.

Exhibit "A"
November 15, 2004

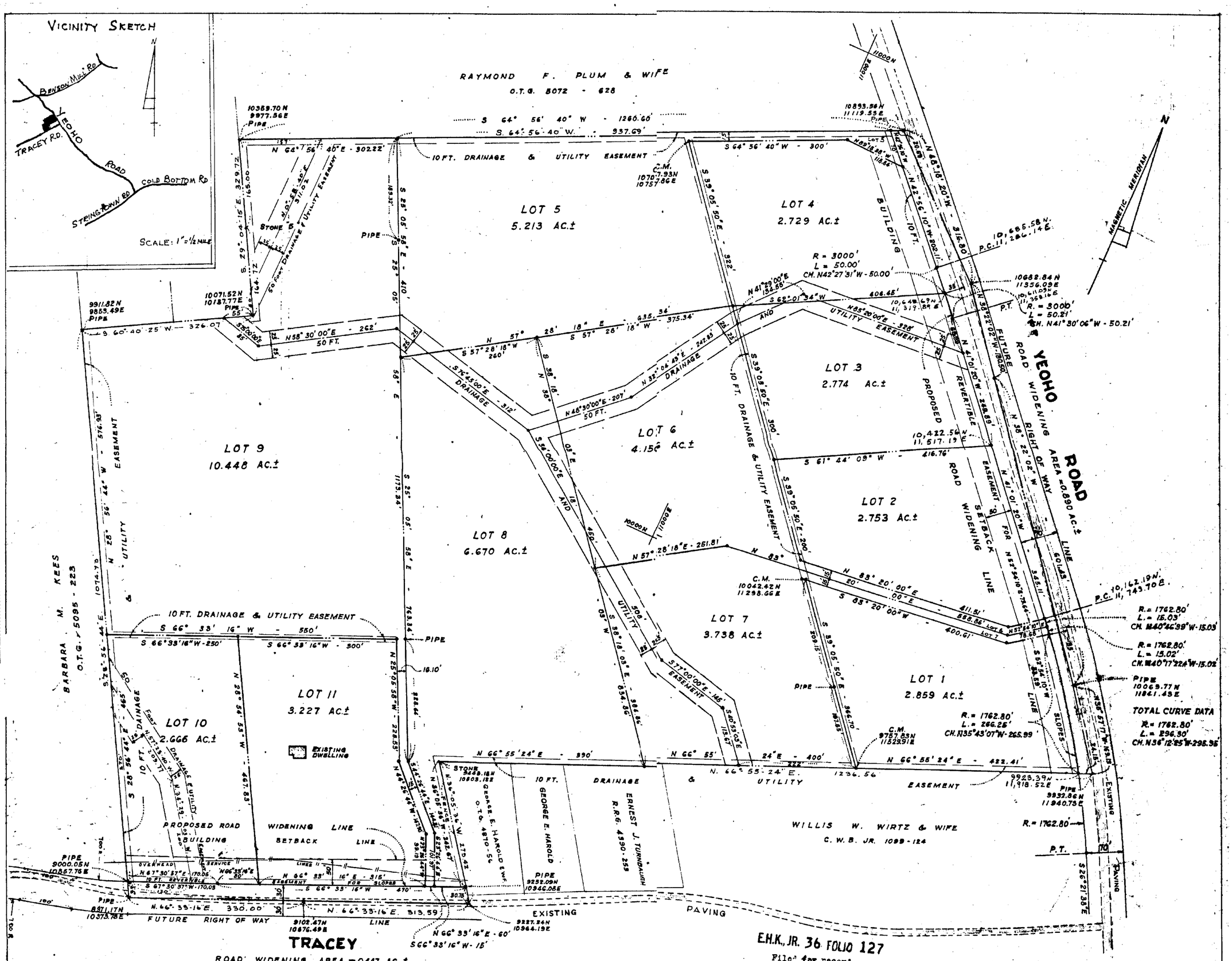


PLAN TO ACCOMPANY PETITION FOR VARIANCE
#2218 TRACEYS ROAD
LOT 11A
"HIGHMEADOW/RESUBDIVISION PLAT OF LOT 11"
75/116
BALTIMORE COUNTY, MD
ELECTION DISTRICT NO. 5
COUNCILMANIC DISTRICT NO. 3
SCALE: 1" = 50'
OCTOBER 8, 2004
8981

OWNER: HAMPTON CONSTRUCTION, INC.
Gary Barnes
300 E. Joppa Road
Level E
Towson, MD 21286
Tax Map: 27 Grid: 8 Parcel: 19
Tax Acct. No. 2400003125
Deed Ref.
(410) 825-4424

Site Rite Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410)828-9060

Pet #1



E.H.K., JR. 36 FOLIO 127

Filed for record
Date JUN 26 1973
Test:
Clerk

ROAD

P. W. A. Completed
Final Plat Checked
Planning
Engineering
Street Names
House Nos.

THE STREETS AND / OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEED ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

THE COORDINATES SHOWN HEREON ARE BASED ON AN ASSUMED SYSTEM.

I CERTIFY THAT THE REQUIREMENTS OF SECTIONS 59 TO 62 OF ARTICLE 17, 1957 EDITION OF THE ANNOTATED CODE OF MARYLAND (TITLE CLERKS OF COURTS, SUBTITLE CLERKS OF CIRCUIT COURT) AS FAR AS THEY CONCERN THE MAKING OF THIS PLAT, HAVE BEEN COMPLIED WITH.

SIGNED: William H. Rugg General Partner
GUNPOWDER LAND ASSOCIATES — OWNERS

ADDRESS: PAPER MILL ROAD
PHOENIX — MD. — 21131
CITY OR TOWN — STATE — ZIP CODE

DATE: 4-12-73

FOR PANHANDLE LOTS: REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO JUNCTION OF PANHANDLE AND ROAD RIGHT OF WAY LINE ONLY AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.

No. OF LOTS - 11
DENSITY - .22
ZONED - R.D.P.

DEED RECORDED IN LIBER 5331 FOLIO 181

ALL LOT CORNERS MARKED WITH PIPE OR CONCRETE MONUMENT

HIGHMEADOW

LOCATED IN

5TH DISTRICT BALTIMORE CO. MARYLAND

AREA = 48.570 AC.±

John F. Etzel 2882 April 11, 1973
JOHN F. ETZEL REGISTERED LAND SURVEYOR DATE

HIGHWAY DEPARTMENT OF BALTIMORE COUNTY	BALTIMORE COUNTY PLANNING BOARD	BALTIMORE COUNTY HEALTH DEPARTMENT
APPROVED: Thurston H. Manning 6/5/73	APPROVED: William D. Proom 6/1/73	APPROVED: Donald J. Roop, M.D. 5/29/00
ROAD ENGINEER — DATE	DIRECTOR — DATE	DEPUTY STATE & COUNTY HEALTH OFFICER (Sanitary Engr) — DATE

SCALE: 1" = 100' MAY 8, 1973
DOLLENBERG BROTHERS
SURVEYORS AND CIVIL ENGINEERS
709 WASHINGTON AVENUE
TOWSON MARYLAND

P51476 MSA S34,1236-9051

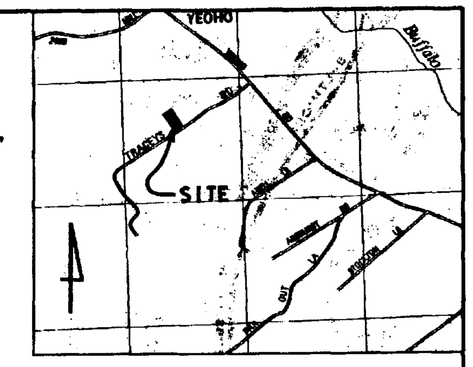
Rit #2
F2

GENERAL NOTES

1. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
3. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
4. THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.
5. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS.
6. HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENT, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, FOREST CONSERVATION AREAS IN FEE OR EASEMENT, GREENWAY AREAS IN FEE OR EASEMENT, AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST, UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, THE RIGHT TO ENTER UPON THE PROPERTY FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT PONDS AND FACILITIES.
7. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
8. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS A RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
9. THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BY DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF, ARE EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
10. THE PLAN FOR THE PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON JUNE 7, 2002. REFER TO DRC No. 031102G

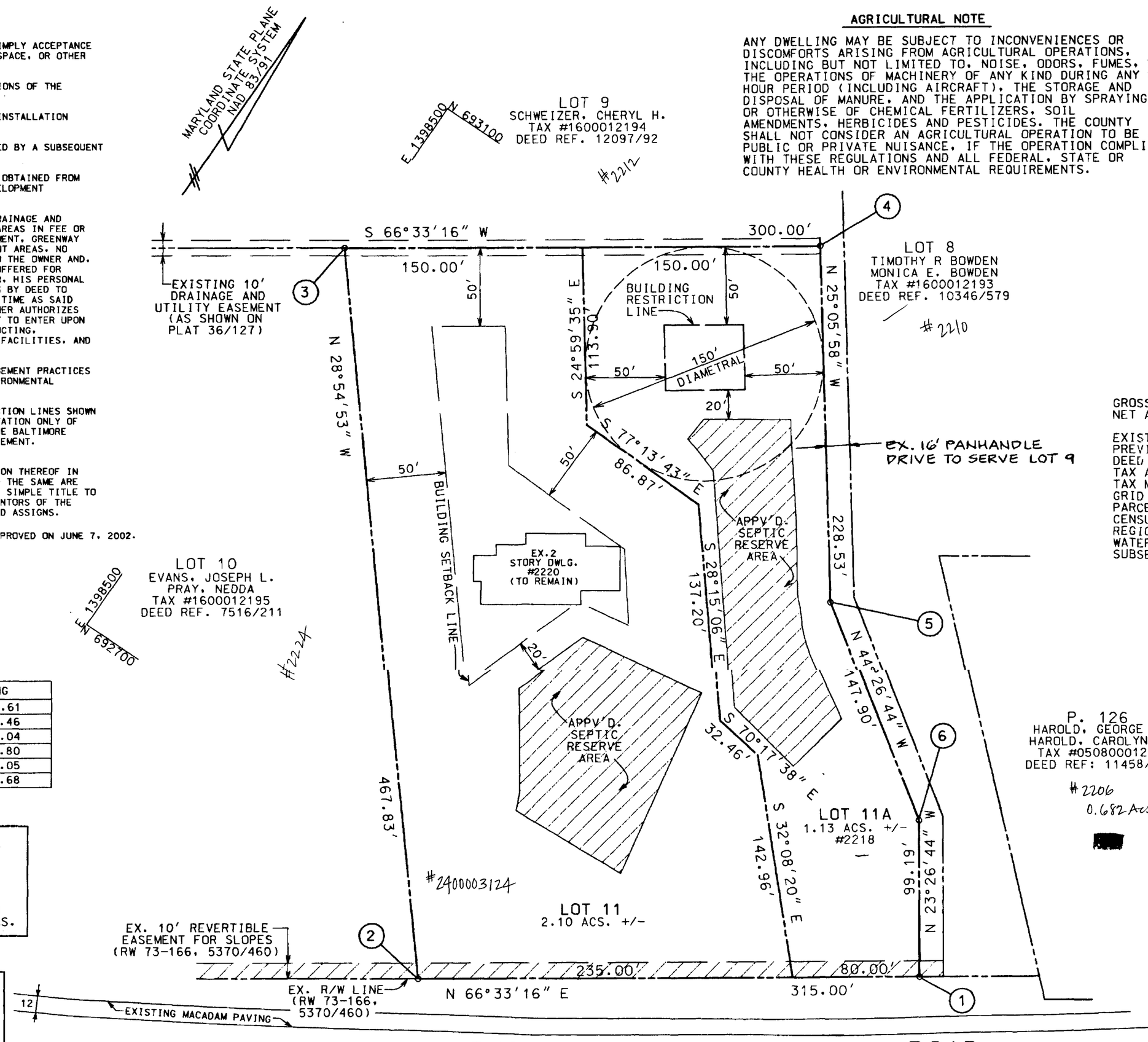
AGRICULTURAL NOTE

ANY DWELLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING BUT NOT LIMITED TO, NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.



VICINITY MAP
SCALE: 1"=2000'

COPYRIGHT ADC THE MAP PEOPLE PERMITTED USE NO. 20797515



SITE DATA

GROSS AREA OF SITE = 3.23 ACRES+/-
NET AREA OF SITE = 3.23 ACRES+/-

EXISTING ZONING : RC-2 (MAP NW-25F)
PREVIOUS ZONING: RDP
DEED REFERENCES: 16072/134
TAX ACCOUNT NO: 1600012196
TAX MAP : 27
GRID : 8
PARCEL NO : 19
CENSUS TRACT: 4050
REGIONAL PLANNING DISTRICT: 302
WATERSHED: 12 - BLACK ROCK RUN
SUBSEWERSHED: 81

COORDINATE TABLE

POINT	NORTHING	EASTING
1	692808.42	1390056.61
2	692630.80	1389796.46
3	692990.26	1389497.04
4	693159.42	1389744.80
5	692974.48	1389879.05
6	692890.34	1390000.68

ALL REQUIREMENTS OF THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT AND BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT PERTAINING TO PRIVATE WATER AND/OR SEWERAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO APPROVAL OF BUILDING APPLICATIONS.

NOTE: SOIL PERCOLATION TESTS WILL BE VAILD FOR A PERIOD OF FIVE YEARS FROM THE DATE THE RECORD PLAT IS SIGNED BY THE DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. AT THE EXPIRATION OF THIS PERIOD NEW TESTS MAY BE REQUIRED.

Filed for record
Date JUN 11 2003
Test: Suzanne Mensh
Clerk
75 116
PLAT RECORDIN 15.00
TOTAL 15.00
Receipt 2482 Rcpt # 27373
BK 19 Bll. # 3895
Jun 11, 2003 09:17 am

SM 75-116

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE DEVELOPMENT REVIEW COMMITTEE APPROVAL LETTER (DRC No. 031102 G) DATED JUNE 7, 2002 AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT PURSUANT TO SAID APPROVAL.

REASON FOR RESUBDIVISION

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE EXISTING LOT 11 INTO TWO BUILDABLE LOTS. (LOT 11 AND LOT 11A)

DESIGN AND DRAWING BASED ON MARYLAND STATE PLANE COORDINATE SYSTEM HORIZONTAL - NAD83/91

PROPERTY OWNERS

GREGORY DAILY
SHARON DAILY
2220 TRACEYS ROAD
SPARKS, MD 21152-9546

HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001

H.E.C. JOB #20222

SURVEYOR'S CERTIFICATION

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUB-SECTION (C) SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INSOFAR AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

STATE OF MARYLAND — STEVEN R. WIEHE — No. 10973 — REGISTERED PROFESSIONAL LAND SURVEYOR

STEVEN R. WIEHE P.L.S. #10973 — 1/2/03 DATE

OWNER'S CERTIFICATION

THE UNDERSIGNED, OWNER OF LAND SHOWN HEREON, HEREBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Gregory J. Daily — 1-3-03
GREGORY DAILY — DATE

Sharon E. Daily — 1-3-03
SHARON DAILY — DATE

APPROVED

BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215(C), BALTIMORE COUNTY CODE.

6-10-03 Donald T. Rascoe
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT — DATE

APPROVED

James E. Vohar, Deputy 6/3/03
DIRECTOR — DATE
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

P.W.A. COMPLETED: N/A
FINAL PLAT CHECKED: PDM: 6-6-03
ENGINEERING: 2/25/03
HOUSE NUMBERS: 2-20-03
LAND ACQUISITION: 6-10-03
RECREATION AND PARKS: 2.21.03

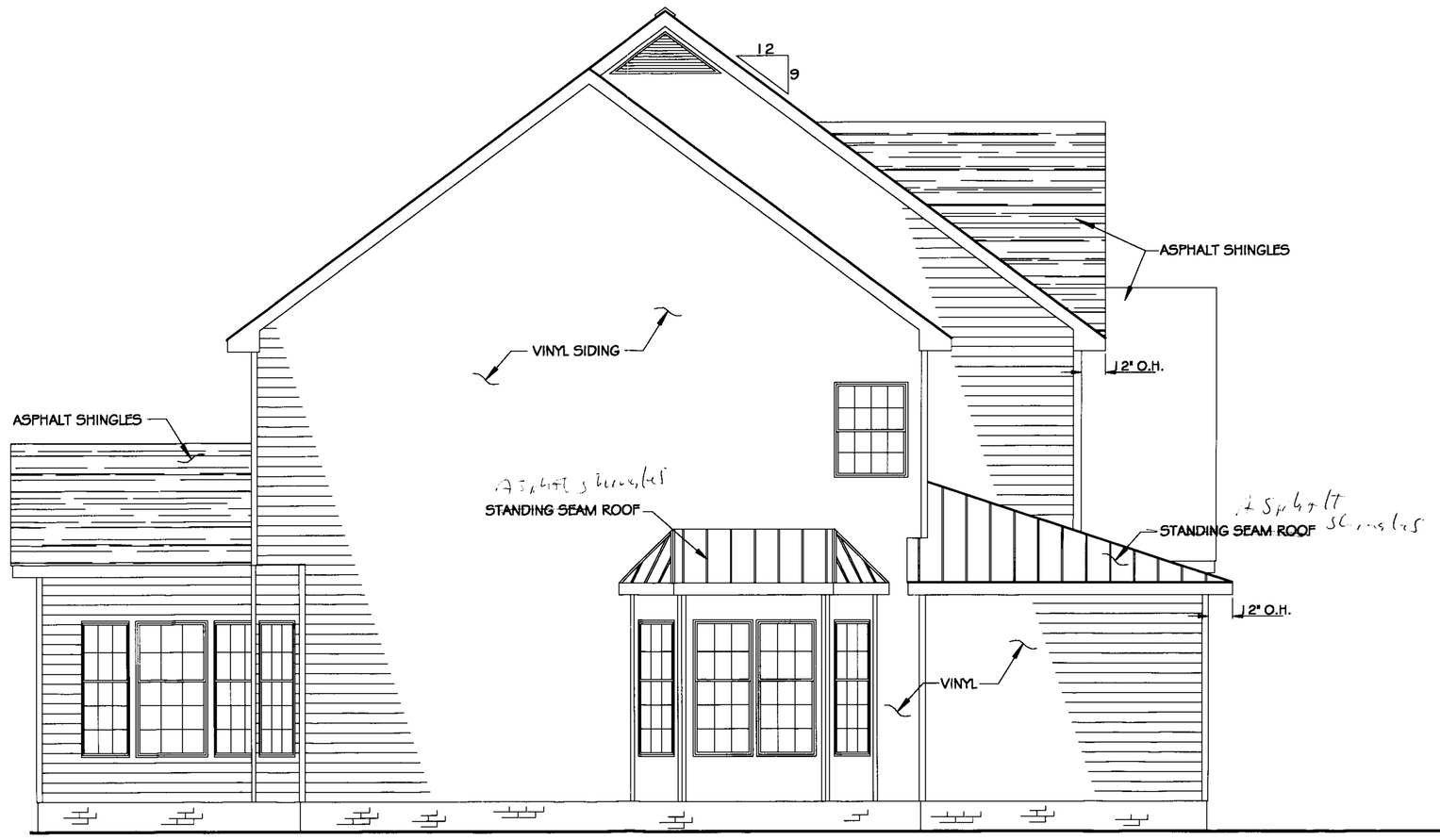
RESUBDIVISION PLAT OF LOT 11
"HIGHMEADOW"

(PREVIOUSLY RECORDED IN EHK JR.36 / 127)

3RD COUNCILMANIC DISTRICT
5TH ELECTION DISTRICT BALTIMORE CO., MD
SCALE: 1"= 50' DATE: JANUARY 2, 2003

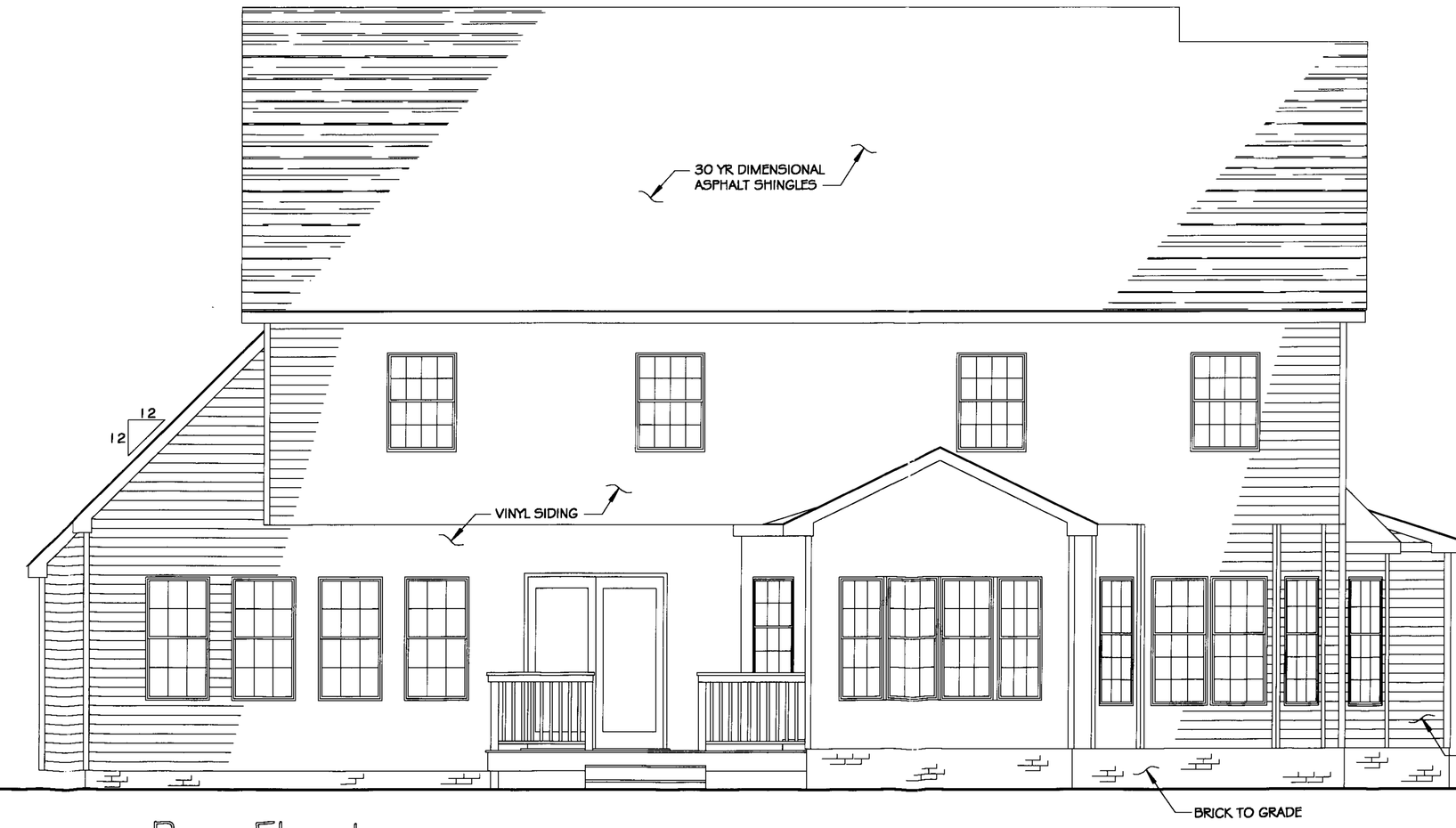
85519 MSA SSU 1236-1116

Pit #3



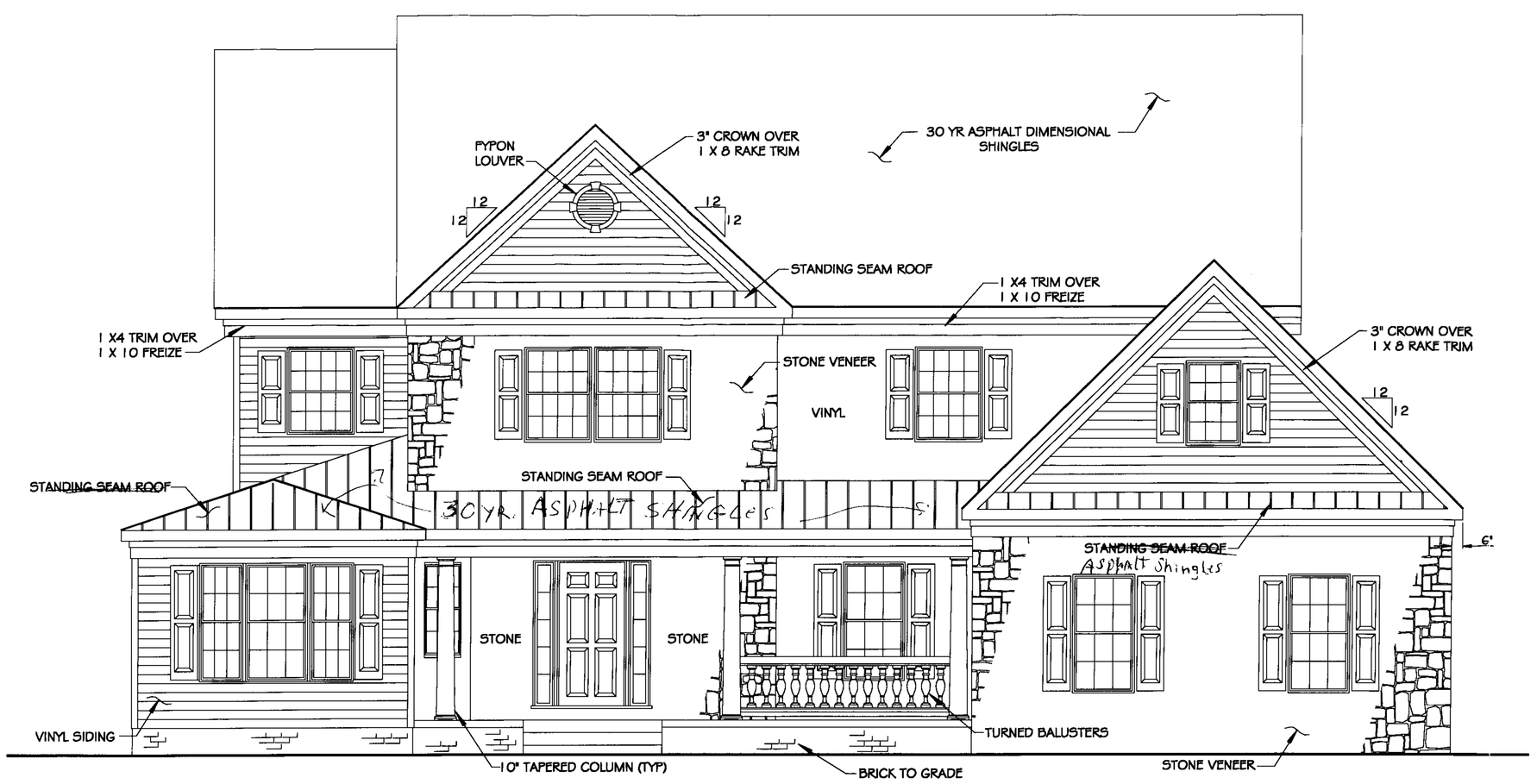
Left Side Elevation

Scale: 1/4" = 1'-0"



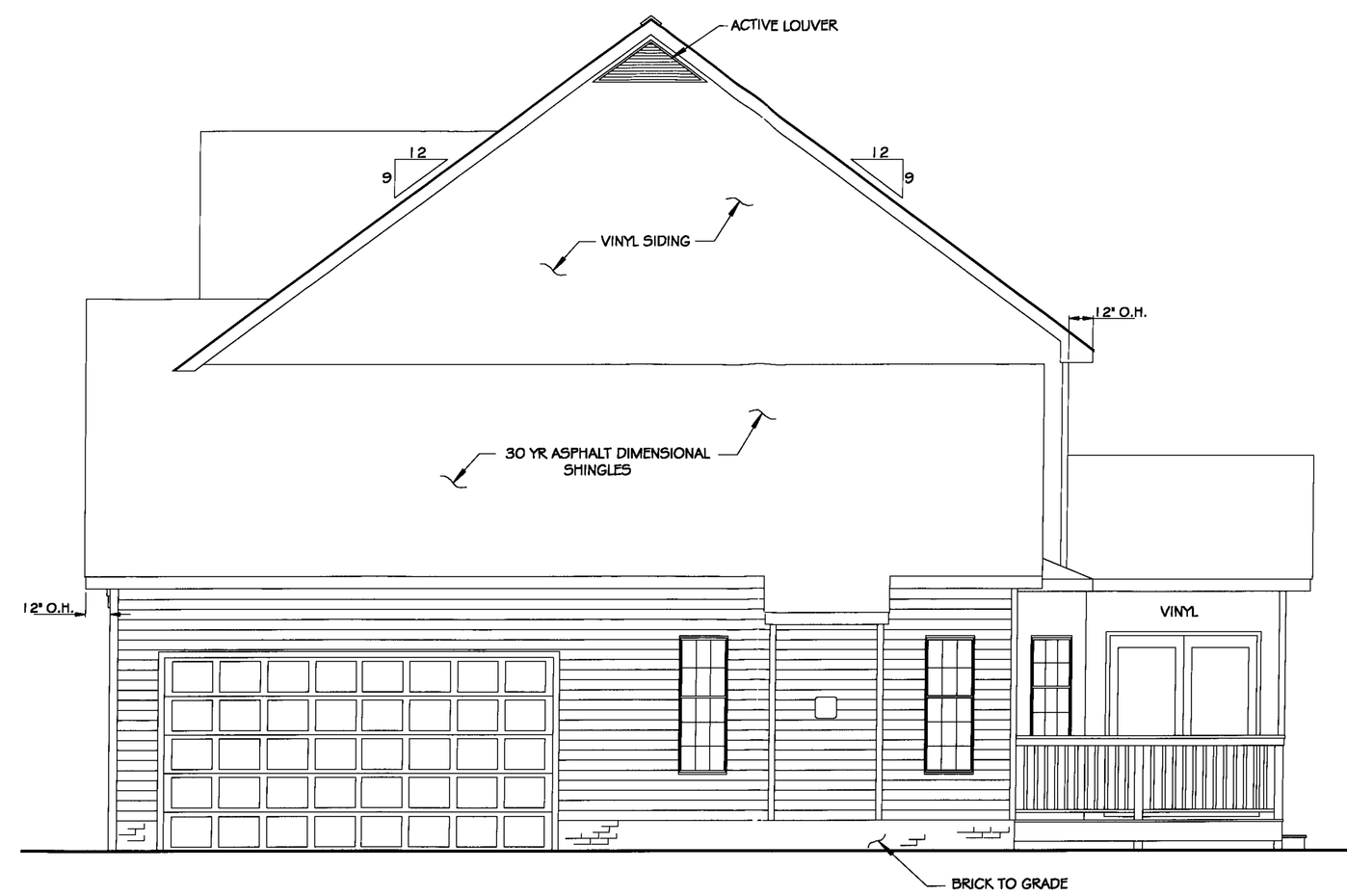
Rear Elevation

Scale: 1/4" = 1'-0"



Front Elevation

Scale: 1/4" = 1'-0"



Right Side Elevation

Scale: 1/4" = 1'-0"

The Bunker Hill	
SCALE: Noted DATE: 31AUG04	APPROVED BY:
Elevations	