

IN RE: PETITION FOR VARIANCE
S/S Lyons Mill Road, 800' E of the c/l
Liberty Road
(10405 Lyons Mill Road)
2nd Election District
4th Council District

Marcus A. Beasley, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-442-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Marcus A. Beasley, and his wife, Denise F. Beasley. The Petitioners request a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 33.5 feet each in lieu of the required 50 feet each for a proposed replacement dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Marcus A. Beasley. Appearing on behalf of Liberty Lyons LLC, adjacent property owners, were Randy Shelley, Principle, and Geoffrey Schultz, with McKee and Associates. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is an irregularly shaped parcel located on the south side of Lyons Mill Road, just east of Liberty Road in Randallstown. The property contains a gross area of 1.222 acres, more or less, zoned R.C.5, and is presently vacant. The property was previously improved with a small, one-story dwelling that was built in approximately 1919; however, that dwelling was destroyed by fire in February 2004. The Petitioners have owned the property since August 2003 and are desirous of constructing a new single family dwelling in essentially the same footprint as the previously existing home;

ORDER RECEIVED FOR FILING

Date

By

4/17/05
[Signature]

however, the new home will be slightly larger. Testimony indicated that Mr. Beasley suffers from degenerative lumbar spine disease (herniated discs) and has difficulty maneuvering stairs. Thus, the Petitioners propose a one-story structure, 2,322 sq.ft. in area, which would contain all living quarters and amenities on one level. Building elevation drawings of the proposed structure submitted into evidence as Petitioner's Exhibit 2 show that the new house will be 62' wide by 61' deep in dimension, and feature an attached two-car garage. As shown on the site plan, the house will be centered on the lot and setback a similar distance from the road as the previously existing home; however, will provide side setbacks of 33.5 feet on each side.

Variance relief is necessary given the narrow width of the lot. In this regard, the lot is approximately 162.20 feet wide along Lyons Mill Road; however, tapers to a width of 129.19 feet along the rear. In that the R.C.5 zoning classification requires minimum setbacks of 50 feet from any property line, the requested relief is necessary in order to proceed.

As noted above, Messrs. Shelley and Schultz appeared as interested citizens. They are developing the adjacent Hunsinger property (east) with 11 single-family dwellings, as more particularly described on Protestant's Exhibit 1. They are not opposed to the Petitioners' request to develop the subject property; however, requested that certain conditions be imposed upon the grant of any relief. Specifically, Messrs. Shelley and Schultz requested that any well on the Petitioners property be located a minimum 90 feet west of their common property line. Second, Mr. Schultz requested that the garage door of the proposed home open on the west side of the Petitioners' property. Third, they requested that the proposed dwelling be constructed substantially in accordance with the building elevation drawings submitted into evidence as Petitioner's Exhibit 2, and that such plans be submitted to the Office of Planning for final review and approval prior to the issuance of any permits. Finally, they requested that landscaping be provided on both the east and west side property lines.

Mr. Beasley had no objection to the imposition of those conditions. It was indicated that the existing well had been abandoned and back-filled, and that the house had been designed so that the garage door would open on the west side of the property. However, building elevation

drawings of the proposed dwelling will be submitted to the Office of Planning for final review and approval. Mr. Beasley also offered to plant a row of evergreen trees (Leyland Cypress) a distance of 100 feet along the east side property line and 80 feet on the west side property line.

Based upon the testimony and evidence offered, I am persuaded to grant the variance. In my judgment, the Petitioners have complied with the requirements of Section 307 of the B.C.Z.R. for relief to be granted, and that strict compliance with the zoning regulations would result in a practical difficulty and unreasonable hardship for the Petitioners. The relief sought is minimal and will not adversely impact adjacent properties. No one appeared in opposition to the request and no adverse Zoning Advisory Committee (ZAC) comments were submitted by any County reviewing agency. Thus, it is clear that relief can be granted and that there will be no detrimental impact to the surrounding locale.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of April 2005 that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 33.5 feet each in lieu of the required 50 feet each for a proposed replacement dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any building permits. The proposed dwelling shall be constructed substantially in accordance with the final approved plans.

ORDER RECEIVED FOR FILING

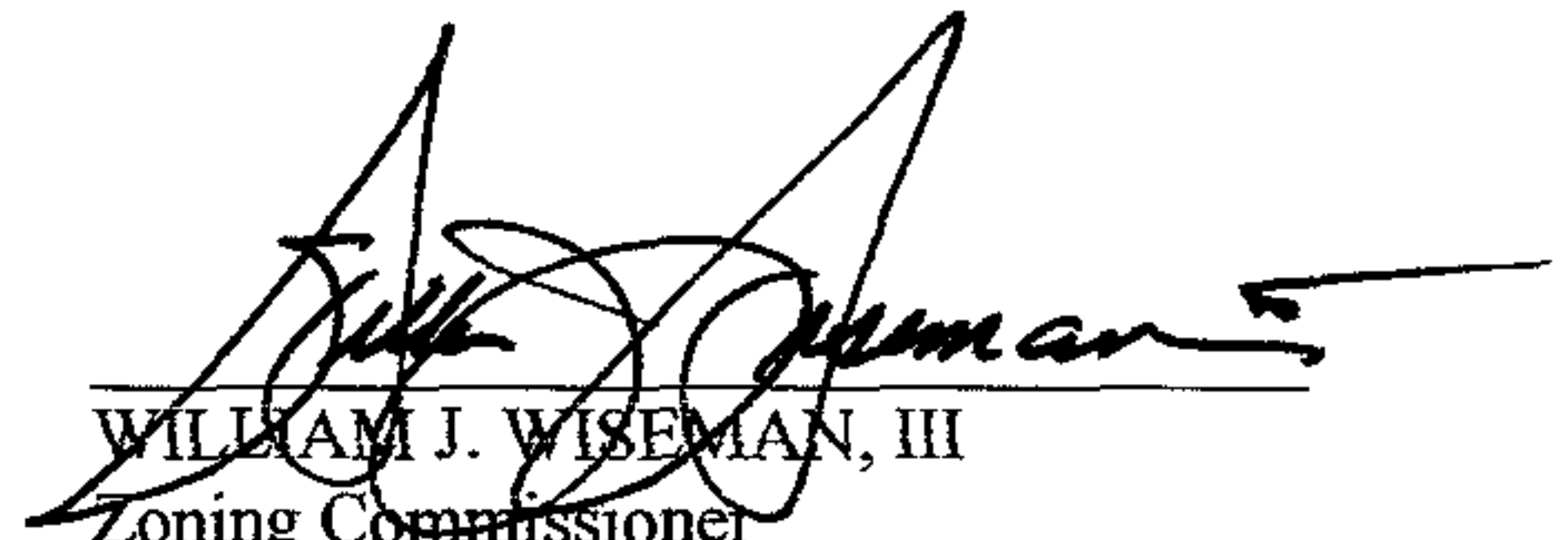
Date

By

- 3) Petitioners shall install 15 Leyland Cypress trees, a minimum 5 feet in height, along both the east and west property lines, the more precise location of which will be determined by the Office of Planning. Said landscaping shall be accomplished prior to the issuance of a use and occupancy permit.
- 4) The proposed well on the subject property shall be located a minimum 90 feet west of the common property line adjoining the Hunsington Property to the east.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 7/7/05
By [Signature]

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

April 7, 2005

Mr. & Mrs. Marcus A. Beasley
P.O. Box 32333
Baltimore, Maryland 21282

RE: PETITION FOR VARIANCE
S/S Lyons Mill Road, 800' E of the c/l Liberty Road
(10405 Lyons Mill Road)
2nd Election District – 4th Council District
Marcus A. Beasley, et ux - Petitioners
Case No. 05-442-A

Dear Mr. & Mrs. Beasley:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Randy Shelley, Liberty Lyons, LLC
2601 Cotter Road, Millers, Md. 21102
Mr. Geoffrey Schultz, McKee & Assoc., Inc.
5 Shawan Road, Hunt Valley, Md. 21030
Office of Planning; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10905 Lyons Mill Rd
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A04.3B2b - to permit ~~the~~ side yard

Setbacks of 33.5 ft ^{each} in lieu of required 50 ft, each

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

Due to medical conditions going up steps are difficult because of herniated disk in lower back. Therefore, a larger house with 1st floor bedroom and bathroom will suffice.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1.5 hr

UNAVAILABLE FOR HEARING

Reviewed By

Date 3-7-05

ORDER RECEIVED FOR FILING
Date 4/27/05
By [Signature]
File No. 05-442A
REV 15/98

Zoning Description

ZONING DESCRIPTION FOR 10405 Lyons Mill Road

Beginning at a point on the South side of Lyons Mill Road which has 50ft right of way of the distance of 800 ft east of centerline of the nearest improved intersecting street Liberty Road which is 100 feet wide. Beginning for the same in the centre of the Lyons Mill road at the end of the North 39 degrees 7 minutes East 280 feet and 11 inches line of the whole tract of Land described in a deed dated July 10, 1923 and recorded among land records of said County in Liber W.P.C. No. 577, folio 86 ect... Running thence in the centre of said road and with the outlines of said whole tract the two following courses and distances, North 87 degrees 55 minutes West 153 feet and North 82 degrees West 9 feet 2 inches; thence reversing the fifth line of the land conveyed by deed dated July 10, 1923, South 39 degrees 7 minutes West 362 feet and 9 inches to intersect the second line of the land conveyed by deed dated July 10, 1923; thence in part with said second line and continuing the same course in all, as a division line, South 50 degrees, 53 minutes East 129 feet and 4 inches; thence as an additional division line and being parallel with the third line of lot now being described, North 39 degrees 7 minutes East 178 feet and 6 inches; and thence continuing the same course and binding on the said

442

whole tract, North 39 degrees 7 minutes East 280 feet and 11 inches to the place of beginning. Containing 1-22/100 Acres of land, more or less. The improvements thereon being known as No. 10405 Lyons Mill Road.

442

Case No. 40311

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THE UNIVERSITY OF CHICAGO

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CASHIER'S VALIDATION

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: # 05-442-A
 10405 Lyons Mill Road
 800 feet +/- east of centerline of Liberty Road
 2nd Election District
 4th Councilmanic District
 Legal Owner(s): Marcus A. & Denise F. Beasley
 Variance: to permit side yard setbacks of 33.5 feet each in lieu of the required 50 feet each.
 Hearing: Wednesday, March 30, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Basley 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 3/7/05 Mar 15 43219

CERTIFICATE OF PUBLICATION

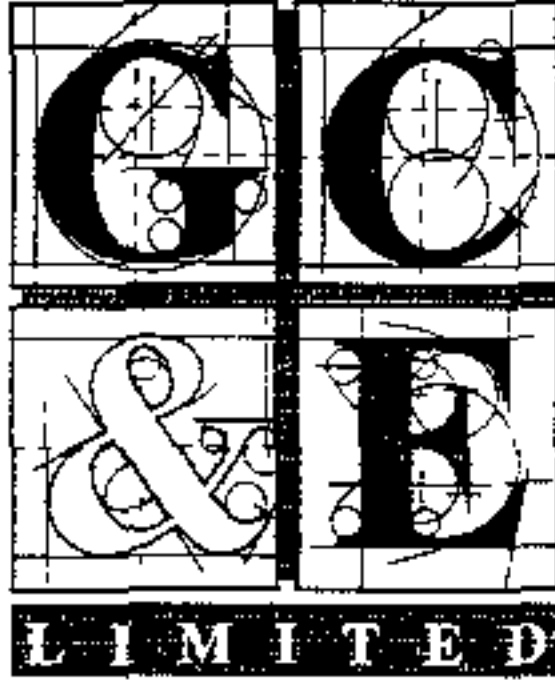
3/17/ 2005

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 3/15/ 2005.

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

S. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE NO. 05-442-A
PETITIONER/DEVELOPER:
Marcus A. & Denise F. Beasley
DATE OF HEARING:
March 30, 2005

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

ATTENTION: KRISTEN MATTHEWS

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

LOCATION:



SIGNATURE OF SIGN POSTER

BRUCE DOAK

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

(see page 2 for full size print)

POSTED ON: March 14, 2005

ZONING NOTICE

CASE # 05-442-A

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

PLACE: Room 407 County Courts Building
401 Bosley Avenue, Towson, MD

TIME & DATE : 9:00 am Wednesday, March 30, 2005

Variance: to permit side
yard setbacks of 33.5 feet
each in lieu of the required
50 feet each.

03/14/2005

Mr. Lister
Realty



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

March 11, 2005

NOTICE OF ZONING HEARING

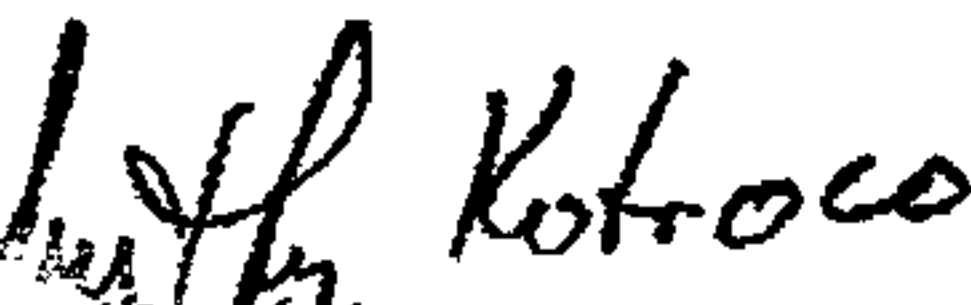
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CASE NUMBER: 05-442-A

10405 Lyons Mill Road
800 feet +/- east of centerline of Liberty Road
2nd Election District – 4th Councilmanic District
Legal Owners: Marcus A. & Denise F. Beasley

Variance to permit side yard setbacks of 33.5 feet each in lieu of the required 50 feet each.

Hearing: Wednesday, March 30, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Marcus Beasley, P.O. Box 32333, Baltimore 21282

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 15, 2005.**
- (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
Tuesday, March 15, 2005 Issue - Jeffersonian

Please forward billing to:
Marcus Beasley
P.O. Box 32333
Baltimore, MD 21282

410-922-4906

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: 05-442-A

10405 Lyons Mill Road
800 feet +/- east of centerline of Liberty Road
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Variance to permit side yard setbacks of 33.5 feet each in lieu of the required 50 feet each.

Hearing: Wednesday, March 30, 2005 at 9:00 a.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 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: DS-442-A
Petitioner: site Marcus Beasley
Address or Location: 10405 Lyons Mill Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. Marcus Beasley
Address: ~~10405~~ 10405 Lyons Mill Rd.
P.O. Box 32333
BALTO, Md. 21282
Telephone Number: 410-922-4806

**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*

March 22, 2005

Marcus A. Beasley
Denise F. Beasley
P.O. Box 32333
Baltimore, Maryland 21282

Dear Mr. and Mrs. Beasley:

RE: Case Number: 05-442-A, 10405 Lyons Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 7, 2005.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



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

March 23, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 14, 2005

Item No.: 434, 435, 436, 437, 438, 439, 441, 442, 443.

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.

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

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 3.11.05

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

RE: Baltimore County
Item No. 442 JJ5

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 Grédlein 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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. JDO
DEPRM

DATE: April 13, 2005

SUBJECT: Zoning Item # 05-442
Address 10405 Lyons Mill Road

Zoning Advisory Committee Meeting of March 14, 2005

_____ 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:

_____ 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:

1.) Soil evaluations must be conducted prior to building permit approval. In addition, a well will also need to be drilled prior to permit approval. Contact the Groundwater Management section of this Department for additional information.

Reviewer: Sue Farrinetti

Date: April 13, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

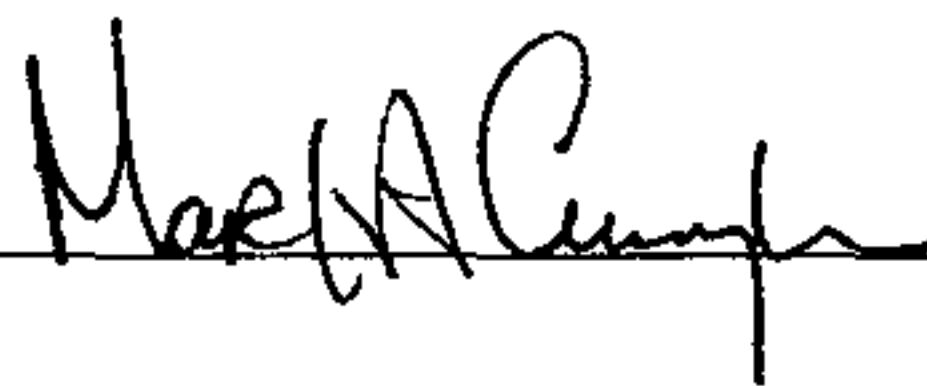
DATE: March 28, 2005

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

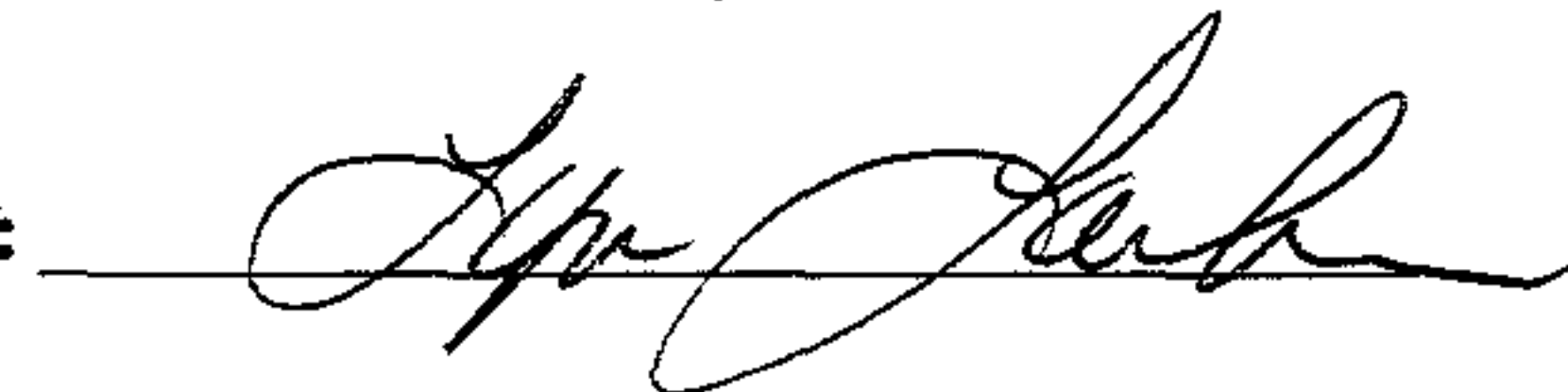
SUBJECT: Zoning Advisory Petition(s): Case(s) 5-442 - Variance

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



MAC/LL

RECEIVED

MAR 29 2005

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For March 21, 2005
Item Nos. 436, 437, 441, 442, 443,

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

RWB:CEN:cp

cc: File

RE: PETITION FOR VARIANCE * BEFORE THE
10405 Lyons Mills Road; S/side Lyons Mill *
Road, 800' E c/line Liberty Road * ZONING COMMISSIONER
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Marcus & Denise Beasley * FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 05-442-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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to, Marcus Beasley, P.O. Box 32333, Baltimore, MD 21282, Petitioner(s).

RECEIVED

MAR 23 2005

Per... *LM*

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DATE: 02/15/2005

STANDARD ASSESSMENT INQUIRY (1)

TIME: 15:26:12

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
02 13 550060	02	1-0	04-00	N	NO		01/06/05

BEASLEY MARCUS A DESC-1.. 1.22 AC SS

BEASLEY DENISE DESC-2.. 1320 E LIBERTY RD

PO BOX 32333 PREMISE. 10405 LYONS MILL RD

00000-0000

BALTIMORE MD 21282-2333 FORMER OWNER: BEASLEY MARCUS A

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	46,710	76,650		FCV	ASSESS	ASSESS
IMPV:	0	0	TOTAL..	66,670	66,670	56,690
TOTL:	46,710	76,650	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0

DATE: 03/04 06/03

---- TAXABLE BASIS ---- FM DATE

ASSESS: 66,670 06/15/04

ASSESS: 56,690

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

442

DATE: 02/15/2005

STANDARD ASSESSMENT INQUIRY (2)

TIME: 15:26:21

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
02 13 550060	02	1-0	04-00	N	NO		01/06/05
LOT....	BOOK....	0000	MAP.....	0066	LOT WIDTH.....		162.20
BLOCK..	FOLIO...	0000	GRID....	0015	LOT DEPTH.....		.00
SECTION..			PARCEL..	0435	LAND AREA..		1.220 A
PLAT..					YEAR BUILT.....		19

-----TRANSFER DATA-----

NUMBER..... 265982
 DATE..... 09/03/03
 PURCHASE PRICE..... 0
 GROUND RENT..... 0
 DEED REF LIBER..... 18825
 DEED REF FOLIO..... 0116
 CONVEYED IND..... 9
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 02-13-550060

CRITICAL NEW CONST CARD
 AREAS CODE YEAR NO

05889

-----EXEMPT DATA-----

STATUS.....
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

-----STRUCTURE-----

CODE SQ. FEET

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

DATE: 02/15/2005

STANDARD ASSESSMENT INQUIRY (3)

TIME: 15:26:30

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
02 13 550060	02	1-0	04-00	N	NO		01/06/05

-----STATE-----

GEO CODE N/A LAND-USE

REC CREATE DATE.. 10/23/92

80

NO

R

DELETE CODE..... M

DATE DELETED.....

LAST FM DATE..... 06/15/04

LAST FM TYPE..... C

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 01/06/05

PRIOR LOAD DATE.. 10/07/04

STATE TAXABLE ASSESS

ASSESS: 66,670

ASSESS: 56,690

ASSESS: 0

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

From: Jeff Long
To: Wiseman, Bill
Date: 3/29/2005 1:17:51 PM
Subject: Case No. 05-442 Lyons Mills Road

Bill,

Dave Green will appear before in your honorable court tomorrow and offer his testimony. Jeff

Bill Wiseman - Case No. 05-442-A

From: Bette Schuhmann
To: Wiseman, Bill
Date: 4/6/2005 11:05:35 AM
Subject: Case No. 05-442-A

Bill - I finished drafting the Order you dictated in this case and it's on your desk; however, I couldn't follow you on the issue regarding which side the garage door should open. Although the building elevation drawings aren't clear as to which side the garage door faces, the site plan indicates the garage will be "front-loading." Anyway, as a second-thought, maybe we should require a revised site plan be submitted to DPDM prior to the issuance of any permits which clearly depicts the location of the garage entrance. I'll leave this up to you. Otherwise, I think we covered all the bases.

Bette Schuhmann

410-887-3868



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Account Identifier: District - 02 Account Number - 0213550060

Owner Information

Owner Name: BEASLEY MARCUS A
 BEASLEY DENISE
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: PO BOX 32333
 BALTIMORE MD 21282-2333
Deed Reference: 1) /18825/ 116
 2)

Location & Structure Information

Premises Address
 10405 LYONS MILL RD

Legal Description
 1.22 AC SS
 10405 LYONS MILLS RD
 1320 E LIBERTY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
66	15	435						1	Plat Ref:

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1919		1.22 AC	04

Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	46,710	76,650		
Improvements:	0	0		
Total:	46,710	76,650	56,690	66,670
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
BEASLEY MARCUS A	09/03/2003	\$0
Type: NOT ARMS-LENGTH	Deed1: /18825/ 116	Deed2:
TINKLER WILLIAM E	08/08/2003	\$5,579
Type: NOT ARMS-LENGTH	Deed1: /18542/ 375	Deed2:
MIELKE ANNIE M	05/07/1986	\$0
Type: NOT ARMS-LENGTH	Deed1: / 7150/ 679	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

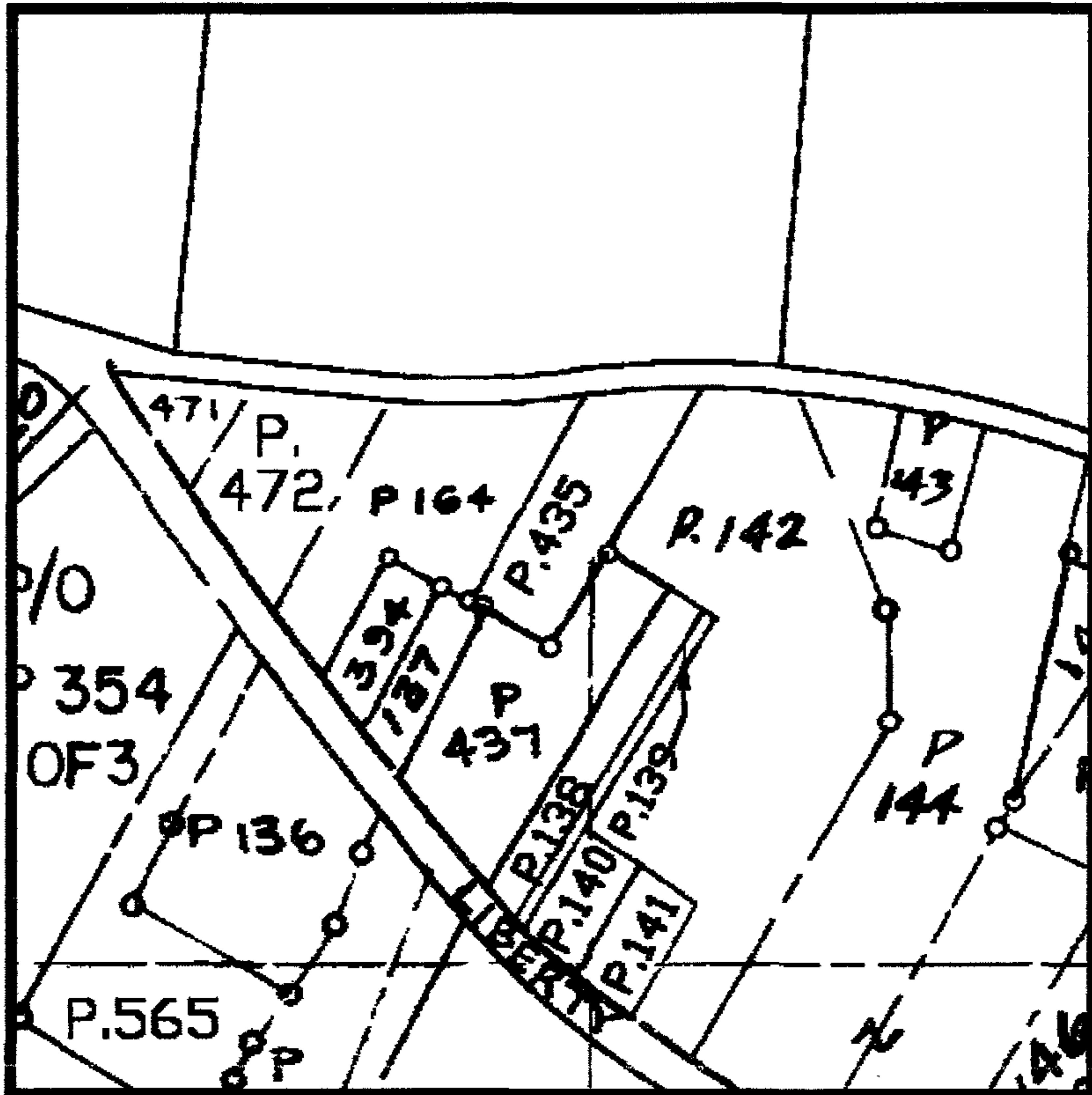
* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[View Map](#)

District - 02 Account Number - 0213550060



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at

DATE _____

E-MAIL

Randall Stawie no 21133

[illegible]

DATE _____

E-MAIL

JEFFREY SCHULTZ McKee & Assoc., INC Randy Shelley Liberty/Lyons LLC.	5 SHAWAN RD 2601 Cottar Rd.	HUNT VALLEY, MD. 21030 millers Md. 21102
---	--------------------------------	---

Case No.:

05-442-A

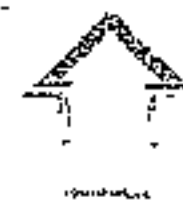
10405 Lyons Mill Road

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN - Amended during hearing to reflect SCREENING LOCATIONS ON EITHER SIDE	SITE DEVELOPMENT PLAN HUNSINGER PROPERTY
No. 2	PROPOSED DWELLING ELEVATION & FLOOR PLAN	
No. 3	TOPOGRAPHICAL MAP OF LOCALE	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



dream home source

Front Rendering

Plan #5930



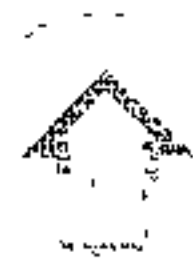
442

Order online or call now to purchase your dream home plan! 1-800-447-0027

3275 West Ina Road, Suite 260, Tucson, AZ 85741

PETITIONER'S
PROTESTANT'S

EXHIBIT NO. 2



dream home source

Plan Specifications

Plan #5930

3 bedrooms

main:

2322

2.5 baths

2 car attached garage

garage:

453

62'0" wide x 61'0" deep

Roof height: 28'6"

Main roof pitch: 12/12

Exterior wall framing: 2x4

Foundation(s): Crawlspace,
slab, walk-out basement

442

24'0" deep x 61'0" wide x 28'6" high

Framing plan is included in price. COVERED ENTRY AND SITTING ROOM

20'0" deep x 61'0" wide x 28'6" high

24'0" deep x 61'0" wide x 28'6" high

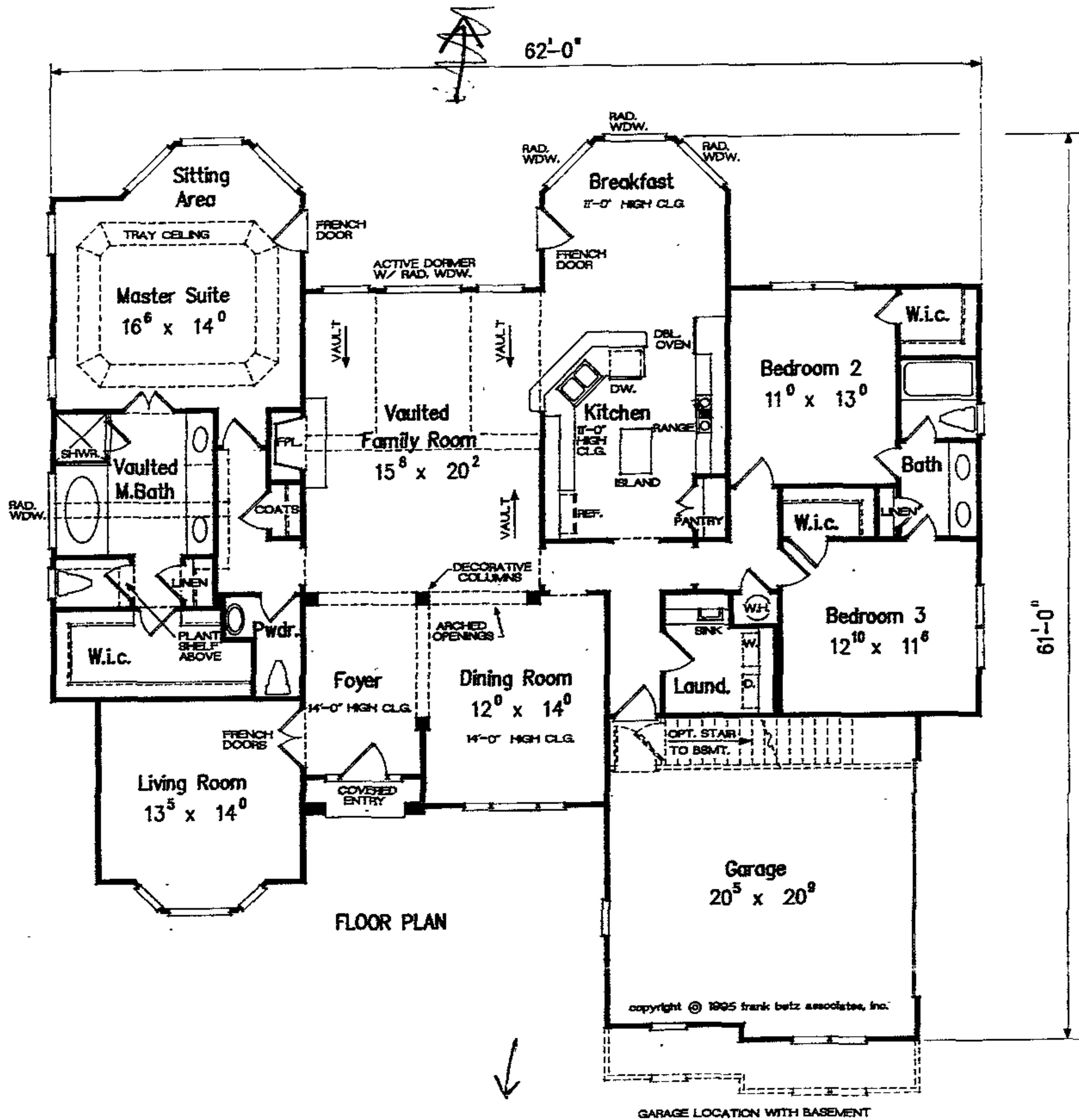
Order online or call now to purchase your dream home plan! 1-800-447-0027

24'0" deep x 61'0" wide x 28'6" high

dream home source

Main Floor

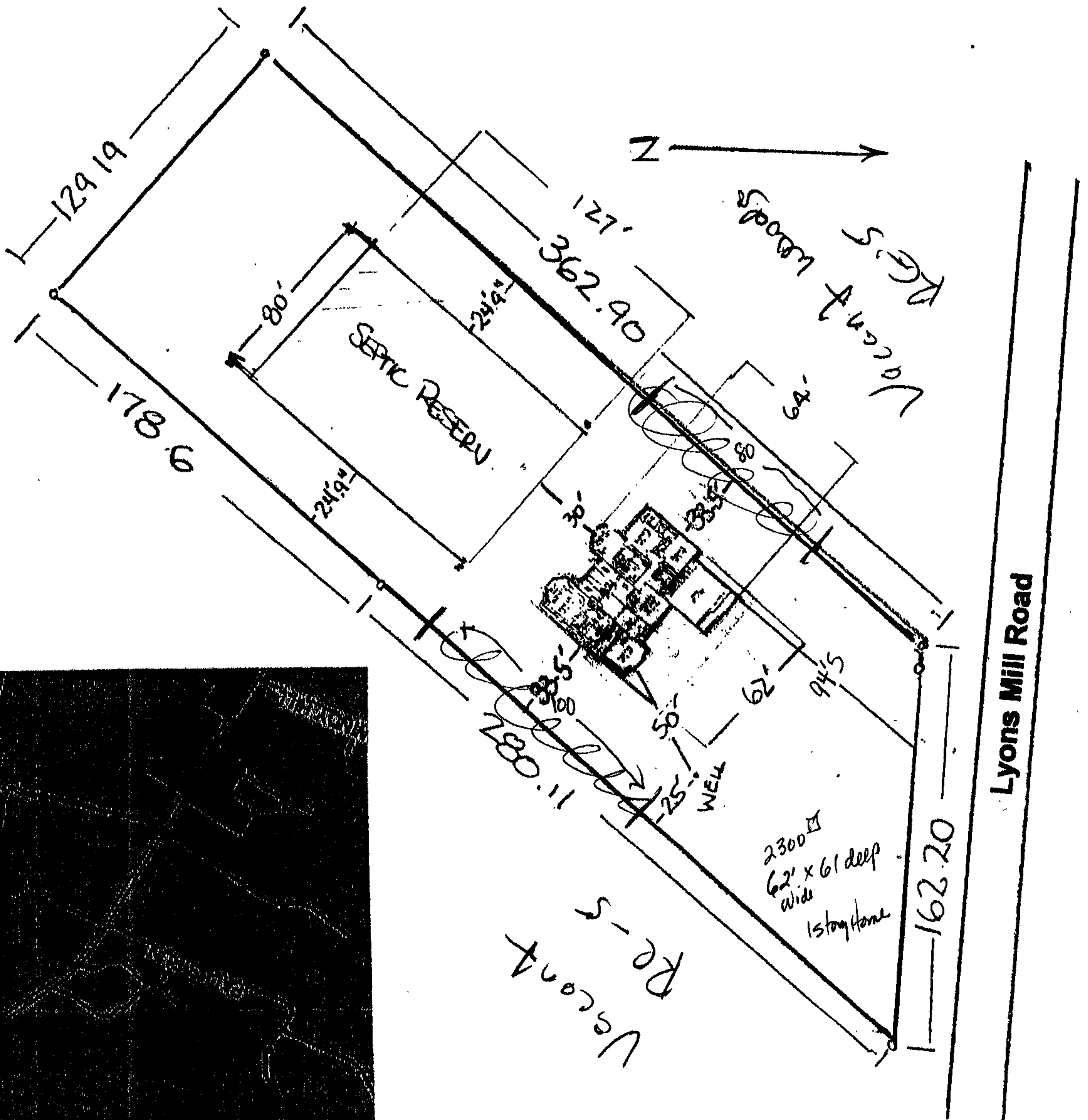
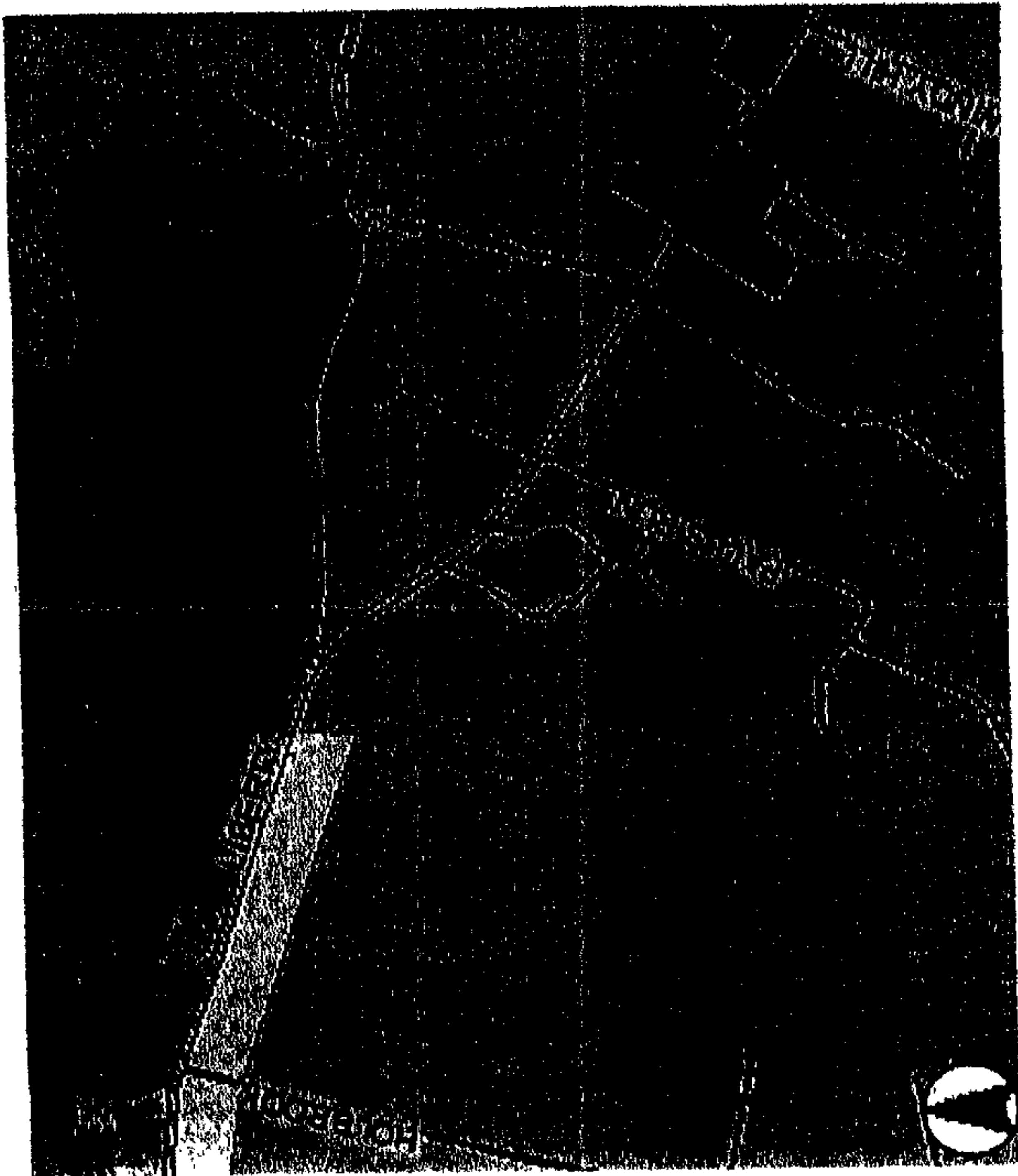
Plan #5930



442

Order online or call now to purchase your dream home plan! 1-800-447-0027

Date: 01-24-05

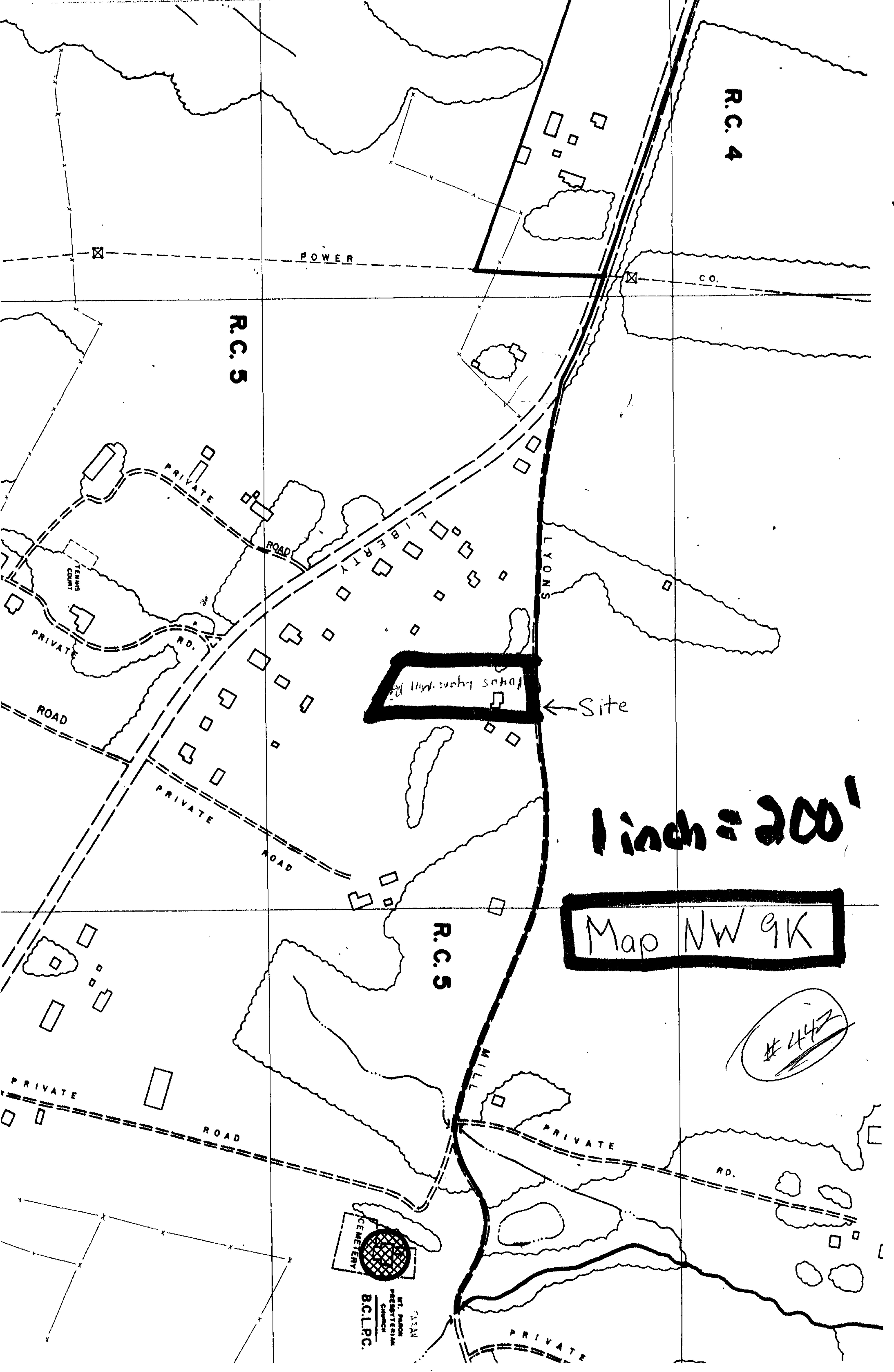


SFD is a replacement of one destroyed by fire within the past 2 yrs; the front setback is not less than the prior house.

442

Tax Map 66 : Parcel 435 : Grid 15

Property Address 10405 Lyons Mill Rd. Owingsmills Md 21117			
Owners Marcus and Denise Beasley			
Scale: 1 inch = 50'			
Tract 1: 1.222 Acres 53213 Sq. Ft. Closure=N68.2606E 1.25 Feet; Percision=1/888 Perimeter= 113			
001 = N87.55W153		004 = S50.53E 129.4	
002 = N82W 9.2		005 = N39.07E 178.6	
003 = S39.07W 362.9		006 = N39.07E 280.11	
Election District 2		Councilmanic District 4	
Zoning RC5		Sewer: Private	Water: Private
Chesapeake bay Critical Area: No		100 Yr. Flood Plain: No	
Historical Property/ Building: None			



R.C. 4

POWER

CO.

R.C. 5

PRIVATE

ROAD

LIBERTY

LYONS

Site

1 inch = 200'

Map NW 9K

#442

R.C. 5

PRIVATE

ROAD

ROAD

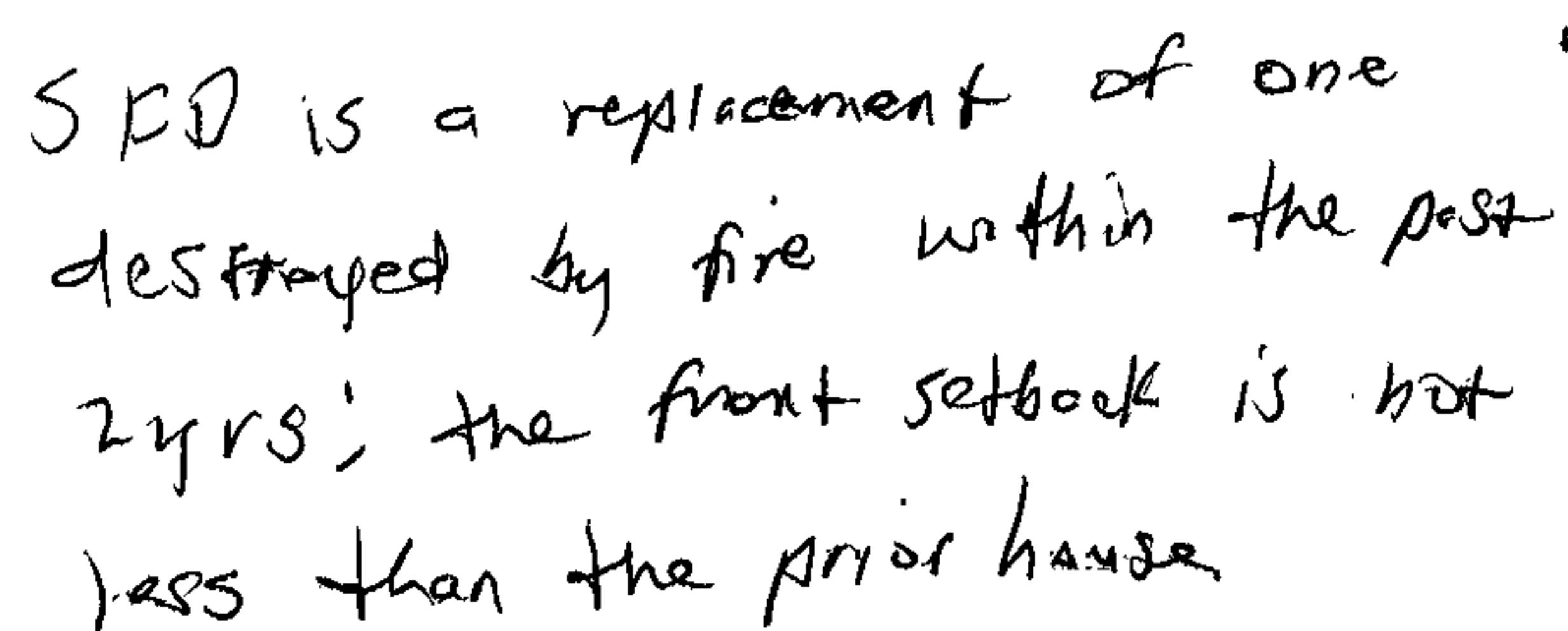
MILL

PRIVATE

RD.



CEMETERY
B.C.L.P.C.
MT. PIONEER
PRESBYTERIAN
CHURCH



442

Property Address 10405 Lyons Mill Rd. Owingsmills Md 21117			
Owners Marcus and Denise Beasley			
Scale: 1 inch = 50'			
Tract 1: 1.222 Acres 53213 Sq. Ft. Closure=N68.2606E 1.25 Feet; Percision=1/888 Perimeter= 113			
001 = N87.55W153		004 = S50.53E 129.4	
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Election District 2		Councilmanic District 4	
Zoning RC5	Sewer: Private	Water: Private	
Chesapeake bay Critical Area: No		100 Yr. Flood Plain: No	
Historical Property/ Building: None			

Property Address 10405 Lyons Mill Rd. Owingsmills Md 21117			
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002 = N82W 9.2		005 = N39.07E 178.6	
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Election District 2		Councilmanic District 4	
Zoning RC5	Sewer: Private	Water: Private	
Chesapeake bay Critical Area: No		100 Yr. Flood Plain: No	
Historical Property/ Building: None			

Baltimore County
Maryland

Title Id: 066B3

Legend

- Radio Towers

Transmission Towers

Microwave Transmitters

Residential

Commercial

Institutional

Garages and Other Structures

Buildings Under Construction

Toll Booths and Rail Stations

Water towers and Storage Tanks

C_line

Index Contour

Intermediate Contour

Index Depression Contour

Intermediate Depression Contour

Obscured Index Contour

Obscured Intermediate Contour

Obscured Index Depression Contour

Obscured Intermediate Depression Contour

Hidden Contour

Spot Elevation

Water Elevation

Bridge Elevation

Roof-top Elevation

Junkyard

Quarries

Gravel/Sand Pit

Landfill

Cemetery

Area Under Construction

Power Stations

Race Tracks

Commercial Pool

Golf Courses

Baseball/Athletic Fields

Tennis Court
- Park

Bike and Hike Areas

Playground

Paved Roads

Curbs

Hidden Roads

Unpaved Roads

Road Under Construction

Unnamed Roads

Paved Alleys

Paved Parking Lots, Driveways, Runways, Taxiways

Bridges and Overpasses

Tunnel Portal

Rail Line

Hidden Rail Line

Abandoned Line

Metro Line

Light Rail

Light Rail Under Construction

Transmission Line

Pipeline

Natural Hydrography, Reservoirs, and SW Retention Ponds

Bay Area

Boat Ramps, Piers, Dams, and Bulkheads

Single Line Streams

Culvert

Hidden Hydrography

Wetlands and Swamps

2775 - 6999

Bulkheads

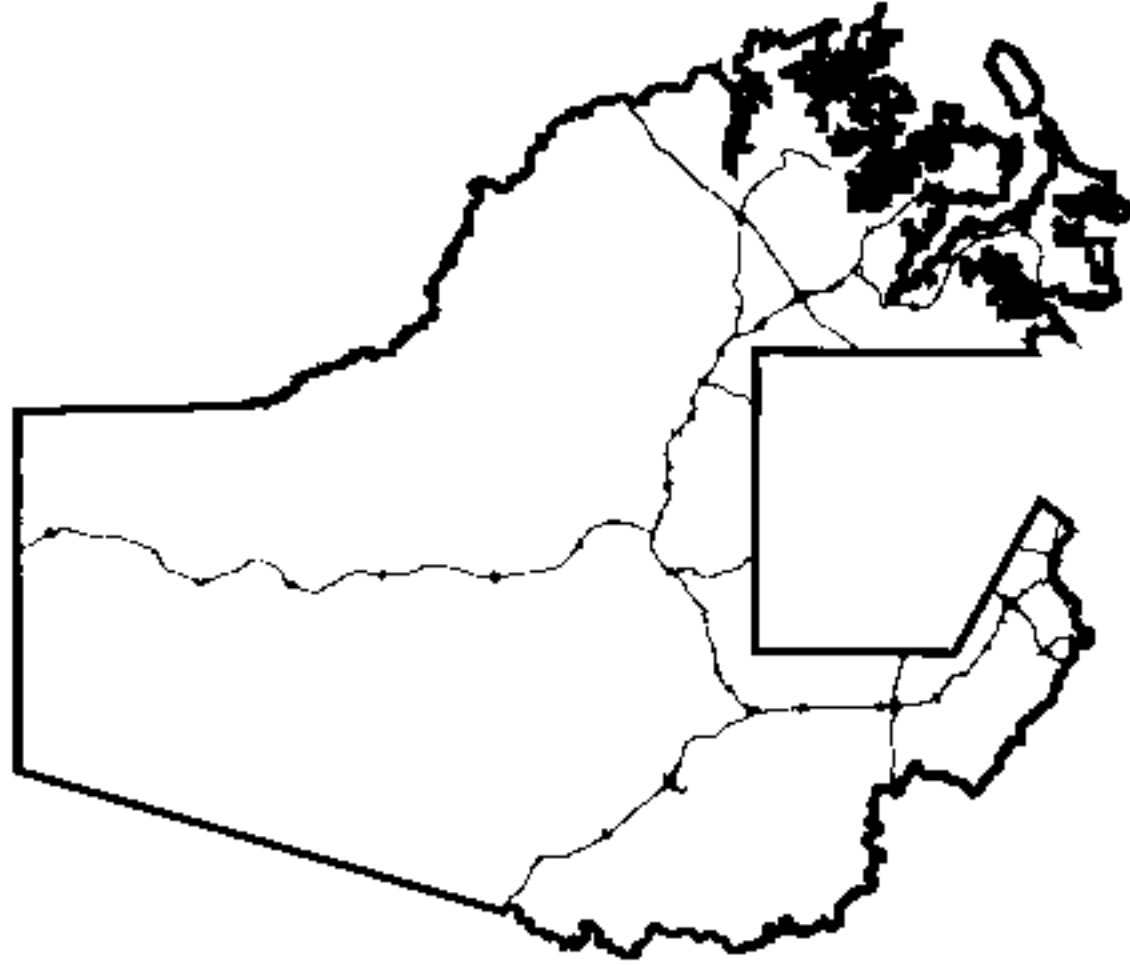
Floodwall

Wooded Areas, Orchards and Nurseries

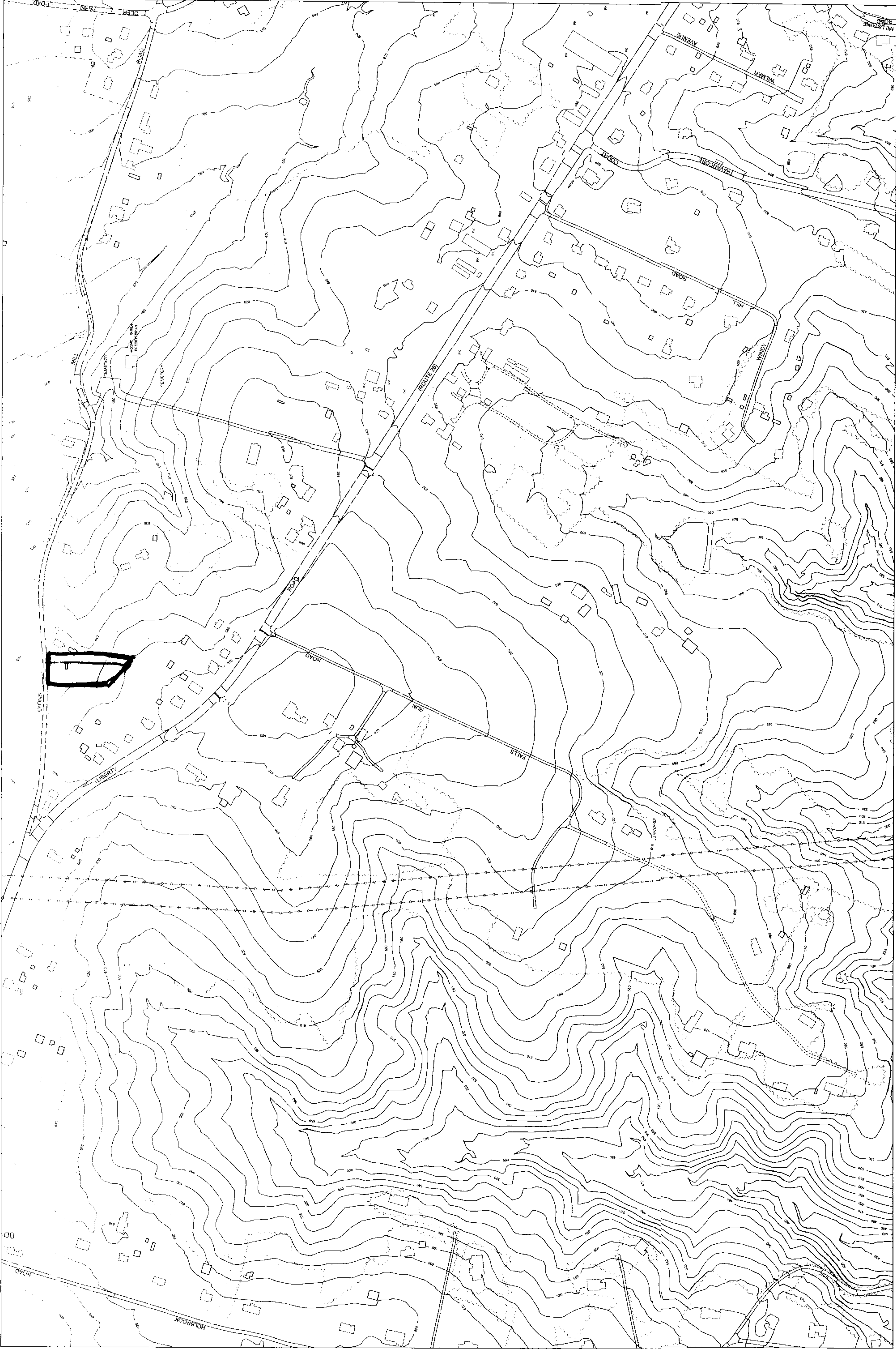
Tree Rows

Wetlands, Swamps

1 inch equals 200 feet
Contour Interval: 2'



Map Notes:
Map Production date: Jan 14, 2005
Map Production method: Photogrammetric
from 1" = 200' aerial photography dated 4/2000
Projection:
Maryland State Plane
NAD 83 US SURVEY FEET



[illegible]

RESERVATIONS WILL BE DEDICATED TO BALTIMORE COUNTY AT NO COST. ALL EASEMENTS WILL BE DEDICATED TO BALTIMORE COUNTY TO BE PUBLIC.

THERE ARE NO WELLS OR CREEKS ARE WITHIN 100 FEET OF THE PROPERTY EXCEPT AS SHOWN.

THE PROPERTY WILL BE USED FOR RESIDING, GRADING, OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, WHICH MAY BE USED IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESIST DISTURBANCE AND LOSS OF BUFFER, AREAS, AND FOREST CONSERVATION EASEMENT IS DIRECTLY TO LYONS ROAD.

FOR FURTHER INFORMATION, PLEASE CONTACT THE MINIMUM BALTIMORE COUNTY STANDARDS FOR PAVEMENTS, SIDEWALKS, AND BEARING CAPACITY.

THE PAVEMENT DRIVEWAYS WILL CONFORM WITH STANDARD PLATE R-0 OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LOT 10 TO BE PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LOT 10 TO BE SERVED, WHICHEVER COMES FIRST.

THE LOT 10 WILL BE USED FOR ACCESS TO THE PAVEMENT DRIVEWAY, ESTABLISHING A CROSS EASEMENT OVER THE PAVEMENT DRIVEWAY.

THE COMMON PAVEMENT DRIVEWAY ESTABLISHING REGULATIONS WERE SATISFIED BY RETAINING THE EXISTING FOREST ON SITE AND PURCHASING 0.3 ACRES OF FOREST IN AN ADJACENT FOREST RETENTION BANK VIA A FOREST CONSERVATION VARIANCE APPROVED ON FEBRUARY 3, 2009 BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT BY A LICENSED MASTER WILD DRILLER WHO MUST SUBMIT A WILD ABANDONMENT PERMIT TO OBTAIN APPROVAL.

THE EXISTING SEPTIC SYSTEM ON LOT 6, MUST BE PUMPED AND BACK-FILLED OR REMOVED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR.

ON LOT 10, MUST BE INSPECTED AND CERTIFIED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR, DOCUMENTATION VERIFYING THE INSPECTION AND CONDITION MUST BE SUBMITTED TO DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT FOR REVIEW AND APPROVAL.

THE LOT 10 MUST BE CONSTRUCTED ON NATURAL OR HISTORIC FEATURES AS DESIGNATED BY THE LANDMARKS HISTORIC DISTRICT COMMISSION.

1. EXISTING ZONING	RC-5
2. GROSS AREA	17,382 AC±
3. GROSS AREA ALLOWED (17,382 x .667)	11,612 AC±
4. NO. OF LOTS PROPOSED	9 LOTS
5. HIGHWAY WIDENING AREA:	1,507' AC±
6. ROAD DEDICATION	1,507' AC±
7. PARKING REQUIRED (21+ SPACES PER LOT)	0.889 AC±
8. SMOKESTACKS	0.015 AC±
9. SMOKESTACKS ASSOCIATION AREA	0.015 AC±
10. NET AREA OF LOTS	14,220 AC±
11. PARKING REQUIRED (2+ SPACES PER LOT)	18 SPACES
12. ELECTION DISTRICT	2ND
13. CENSUS TRACT	4025 01
14. LAND MANAGEMENT AREA	4025 01
15. ELEMENTARY SCHOOL DISTRICT	DEER PARK
16. HIGH SCHOOL DISTRICT	RANDALLSTOWN
17. REGIONAL PLANNING DISTRICT	337
18. WATER SERVICES AREA	LIBERTY RESERVOIR
19. TRANSPORTATION ZONE	NON-SERVICE AREA
20. ZIP CODE	81
21. ZIP CODE	21133

MAP SYMBOL	SOIL SERIES	HOMESTES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC X ^a VALUE	CAPABILITY UNIT
GnB	GLENVILLE	SEVERE: WATER	SEVERE: WATER	0.32	Ile-16
NbB2	MANOR	SLIGHT	SLIGHT	0.37	Ile-25
NbC2	MANOR	MODERATE: SLOPE	MODERATE: SLOPE	0.37	Ile-25
Nb32	MANOR	SEVERE: SLOPE	SEVERE: SLOPE	0.37	Ile-25

MAP SYMBOL	SOIL SERIES	CONSTRAINTS LIMITATIONS	SECTIC LIMITATIONS	HYDRO K' VALUE	CAPABILITY UNIT
G1B	GLENVILLE	SEVERE: WATER	SEVERE: WATER	0.32	IIe-16
MB2	MAJOR	SLIGHT	SLIGHT	0.37	IIe-25
MB22	MAJOR	MODERATE SLOPE	MODERATE SLOPE	NO	IIIe-25
MB2	MAJOR	SEVERE SLOPE	SEVERE SLOPE	0.37	IIIe-25
MB22	MAJOR	SEVERE SLOPE	SEVERE SLOPE	NO	IIIe-25

Engineering – Land Planning – Land Surveying
Natural Resource Planning – Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

[illegible]

3. THERE ARE NO PROPOSED SIGNS FOR THIS SITE AT THIS TIME. ANY FUTURE PROPOSED SIGN WILL COMPLY WITH BCCR SECTION 450 AND WILL COMPLY WITH ALL ZONING POLICIES.

4. THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THIS SITE.

5. ALL PROPOSED HOUSES WILL BE A MAXIMUM 2 STORIES TALL, MAXIMUM HEIGHT 35 FEET IN ALL RC ZONES.

6. NO MORE THAN 15% OF ANY LOT IN AN RC-5 ZONE MAY BE COVERED BY IMPERMEABLE SURFACES.

THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PDM BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLES WITH PRESENT POLICY DENSITY AND BUILD CONTROLS AS THEY ARE DETERMINED BY THE ZONING REGULATIONS. THE DEVELOPMENT PLAN IS NOT TO BE USED TO SUPPORT DENSITY TO SUPPORT DWELLINGS SHOWN THEREIN SHALL NOT BE FURTHER PURPOSE, SUBMITTED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY FURTHER OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION OF THE DEVELOPMENT PLAN FOR ANY OTHER PURPOSE OR FOR ANY OTHER TYPE OF DWELLING IS CONSIDERED TO BE A VIOLATION OF THE PURPOSE OF THE OCCUPANCY. A DWELLING IS CONSIDERED TO BE TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

ACCESSORY STRUCTURES NOTES:

A. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS AND ARE NOT TO BE CONSIDERED A GUARANTEE THAT THE YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPES, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS. B. SUBSEQUENT CONSTRUCTION, FINISHES AND PROJECTIONS INTO YARDS CANNOT BE CONSIDERED IN FLOOD PLAIN AREAS OR HYDRIC SOILS. C. ENVELOPES OF CRYPHAL DWELLINGS ARE SHOWN BY DATE. E. COORDINATION OF THE PROPOSED PUBLIC ROAD RIGHT-OF-WAY AND THE STORMWATER MANAGEMENT RESERVATIONS WILL BE DELEGATED TO BALTIMORE COUNTY AT NO COST. ALL EASEMENTS AND ENCUMBRANCES WILL BE SHOWN ON THE PLAT. F. STORMWATER MANAGEMENT FACILITIES ARE TO BE PUBLIC. THERE ARE NO WELLS OR SEPTIC AREAS WITHIN 100 FEET OF THE PROPERTY EXCEPT

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF THE LAND OR FOREST IN ANY MANNER THAT COULD CAUSE EROSION OR DAMAGE TO THE FOREST MANAGEMENT PLAN AND RESOURCES. ALL FOREST BUFFER AREAS SHOWN HEREIN IS SUBJECT TO PROTECTIVE COVENANTS, DISTURBANCE AND USE OF THESE AREAS.

ACCESS TO THE FOREST BUFFER, LAKE BEDDENT AND FOREST CONSERVATION EASEMENT STANDARDS

THE PROPOSED PANHANDLE DRIVEWAY MUST MEET THE MINIMUM BALTIMORE COUNTY STANDARD R-0.

THE PANHANDLES SHALL BE PAID WITHIN ONE YEAR OF THE ISSUANCE OF THIS FIRST OCCUPANCY PERMIT. IF THE DRIVEWAY IS NOT COMPLETED BY THE END OF THE YEAR, A CROSS SEWER SHALL BE SERVED, WHICHEVER COMES FIRST.

IF THE DRIVEWAY IS NOT COMPLETED BY THE END OF THE YEAR, A CROSS SEWER SHALL BE SERVED, OVER AND MAINTENANCE OF THE DRIVEWAY SHALL BE THE RESPONSIBILITY OF THE OWNER.

COMMON PANHANDLE DRIVEWAY. ZONING REGULATIONS WERE SET BY RETAINING 200' OF EXISTING FOREST ON SITE AND PURCHASING 3.0 ACRES OF FOREST CREDIT IN AN ADJACENT FOREST RETENTION BANK VIA A FOREST CONSERVATION VARIANCE APPROVED ON FEBRUARY 3, 2009. THE VARIANCE WAS GRANTED TO THE DEVELOPER, MR. JAMES W. HARRIS, JR., IN CONSIDERATION OF THE BENTONITE BY A LICENSED MASTER WELL DRILLER WHO MUST SUBMIT A WELL ABANDONMENT PERMIT TO GEORGE PATT, APPROVAL. THE EXISTING SEPTIC SYSTEM ON LOT 6, MUST BE PUMPED AND BACK-FILLED OR REMOVED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR. THE EXISTING ONE LINE ON LOT 10, MUST BE INSPECTED AND CERTIFIED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR. DOCUMENTATION VERIFYING THE INSPECTION AND CONDITION MUST BE SUBMITTED TO TIERRA. THE EXISTING 10' WIDE DRIVEWAY ON LOT 10, MUST BE RECONSTRUCTED TO MATCH THE EXISTING LANDMARKS HISTORIC STRUCTURE. CONSTRUCTION OF NEW HISTORIC FEATURE AS DESIGNATED BY THE LANDMARKS HISTORIC STRUCTURE COMMISSION.

THE TWO-STORY FRAME DWELLING AT 10330 LIBERTY ROAD, ITS IMMEDIATE SITE, AND ITS SURROUNDINGS ARE SHOWN IN THE ATTACHED PHOTOGRAPH. THE PROPOSED REPAIRS TO THE EXISTING BUILDING WILL BE IN ACCORDANCE WITH THE DEVELOPMENT PLAN, FOR THE PURPOSE OF COMPLIANCE WITH THE REQUIREMENT IN SECTION 26-78 OF BALTIMORE COUNTY CODE, 1989, (MCA 21-101), WHICH PROVIDES THAT THE EXISTING BUILDING SHALL BE REPAIRED TO BE IN CONFORMANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT PLAN. THE REPAIRS TO THESE TWO BUILDINGS, OR TO CONSTRUCT ANY NEW BUILDING ON LOT 7, ARE SUBJECT TO OBTAINING APPROVAL FROM THE BALTIMORE COUNTY BOARD OF ZONING ADJUSTMENTS. ANY APPROVAL PERTAINING TO CHANGES FROM THE EXISTING MATERIALS AND/OR DESIGN, INCLUDING, BY WAY OF EXAMPLE, BUT NOT LIMITED TO, WINDOW OR DOOR REPLACEMENTS, EXTERIOR WALL FINISHES, OR ROOFING, WILL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE BALTIMORE COUNTY BOARD OF ZONING ADJUSTMENTS. IN REVIEWING PROPOSALS, THE DIRECTOR SHALL BE GUIDED BY THE SECRETARY OF THE NETHERS'S STANDARDS.

HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE HEARING OFFICER'S ORDER DATED _____, AND HAVE PREPARED WITH DUE DILIGENCE THIS DEVELOPMENT PLAN PURSUANT TO THAT ORDER.

GEOFFREY C. SCHULTZ
MARYLAND REG. NO. 21154

I, RANDOLPH SHELLEY certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

RANDOLPH SHELLEY

DATE	REASON FOR REVISION

4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: MARCH 15, 2005
SCALE: 1" = 50'

DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL -- NAD 83/91
VERTICAL -- NAVD 88

PROTESTANT, S