

IN RE: PETITION FOR VARIANCE  
N/S of Bird River Road, 95 ft. +/- ft. W  
centerline of Wampler Road  
15th Election District  
6th Councilmanic District  
**(9878-A Bird River Road)**

Alda Caudill (Deceased)  
By: Billy J. Caudill  
*Petitioner*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 05-471-A

\* \* \* \* \*

IN RE: PETITION FOR VARIANCE  
N/S of Bird River Road, 145 ft. +/- W  
centerline of Wampler Road  
15th Election District  
6th Councilmanic District  
**(9878 Bird River Road)**

Alda Caudill (Deceased)  
By: Billy J. Caudill  
*Petitioner*

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\* CASE NO. 05-472-A

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner as Petitions for Variance filed by the legal owner of the subject property, Alda Caudill (Deceased), by Billy J. Caudill. The Petitioner is requesting variance relief for properties set forth as follows:

Case No. 05-471-A: Property located at 9878-A Bird River Road in the eastern area of Baltimore County. Variance relief is requested from Sections 304 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an undersized lot (50 ft. width) with a side yard setback of 9 ft. in lieu of the required 15 ft. and a sum of side yards of 19 ft. in lieu of the required 25 ft.

Case No. 05-472-A: Property located at 9878 Bird River Road in the eastern area of Baltimore County. Variance relief is requested from Section 1B02.C.1 of the Baltimore County

RECEIVED FOR PLANS  
5/4/05  
Raj

Zoning Regulations (B.C.Z.R.), to permit an existing side yard setback of 5 ft. in lieu of the required 12 ft. and a sum of side yards of 18 ft. in lieu of the required 25 ft.

These properties were posted with Notice of Hearing on April 13, 2005, 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 April 14, 2005 to notify any interested persons of the scheduled hearing date.

### **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 received from the Fire Department dated March 29, 2005, a copy of which is attached hereto and made a part hereof. A ZAC comment was also received from the Office of Planning dated April 12, 2005 requesting the new home be shown to be compatible with the neighborhood. a copy of which is attached hereto and made a part hereof.

### Interested Persons

Appearing at the hearing on behalf of the variance requests was Billy Caudill, the Petitioner and Vince Moskunas of Site Rite Surveying, Inc., the firm that prepared the site plans of the properties. No Protestants or citizens attended the hearings. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in these cases.

### Testimony and Evidence

By agreement, all testimony and evidence given in Case No. 05-471-A is applicable to Case No. 05-472-A. Mr. Moskunas proffered that the properties, which are the subject of this variance request, are two 50 foot wide lots in the Bird River area of the County zoned DR 3.5. Neither are in the CBCA nor subject to flooding. The Petitioner proposes to build a new single-family dwelling on the lot next to an existing home at 9878 Bird River Road previously owned by his deceased parents. The lot next to the existing home is improved by a garage that will be raised. See Petitioner's Exhibit 1.

Mr. Moskunas proffered that the lot on which the existing home is located was purchased by the Petitioner's parents in 1957 who built the home shown on Exhibit 7. They purchased the lot next door on which the new home will be built in 1958. Both lots are approximately 0.4 acres in size, which Mr. Moskunas indicated are nearly twice the size of residential lots in the nearby development of Alma Smith. See Petitioner's Exhibit 6 on which lots vary from 0.1 to 0.2 acres in size. Both lots are served by existing public water and sewer.

The variance for the existing home arises first because the home was built 5 feet from the property line on the east side. Consequently, the existing home does not meet the minimum 10 foot side yard setback. Note that the lots are actually 49 feet wide at the existing and proposed building locations. Because the existing home is 32 feet wide the sum of the side yard setbacks is 18 feet in lieu of the required sum of 25 feet. The Petitioner proposes a slightly narrower new home on the

other lot of 30 feet. Mr. Moskunas indicated that this is in keeping with the Petitioner's home next door and the surrounding area. For example, the three lot subdivision to the east has homes with similar widths. Said another way, if the regulations on the new home were strictly enforced, the new home could only be 24 feet wide. This would result in a long narrow home, which he opined would not be in keeping with the residential development in the neighborhood. As a result, the Petitioner is asking for a variance to permit a side yard setback of 9 feet on the east side of the new home. This means the new home would have a sum of the side yard setbacks of 19 feet in lieu of the required 25 feet.

As noted, the residential development to the east is the three-lot panhandle subdivision. The new home would be next to this subdivision's common driveway. To the west, the lot next to the existing home is improved by another existing home and next to that a commercial plumbing company is located. As mentioned, the Alma Smith subdivision is located to the north and east of the properties.

#### **Findings of Fact and Conclusions of Law**

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were recorded in the Land Records of Baltimore County at least in 1957 and 1958 before the DR 3.5 zoning regulations were imposed. As such, I find that the imposition of the zoning regulations impact these lots differently than lots in the area laid out in accord with the DR regulations. Consequently, I find the lots are unique in a zoning sense. As an aside, I assume that the existing home was built pursuant to the 1955 zoning regulations which interestingly have side yard requirements of 8 feet and sum of the side yards of 20 feet in the smallest residential zone, R-6. How the side yard of the existing home got to be 5 feet and sum of the side yards of 18 feet I do not know or need to know.

I also find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship on the Petitioner, as he would not be able to build a new home on the vacant lot. I further find that no increase in residential density beyond that otherwise allowable by the Zoning Regulations will occur as a result of granting these variances. Both lots exceed the area requirement of the regulations.

I further find that these variances can be granted in strict harmony with the spirit and intent of the regulations, and in a manner as to grant relief without injury to the public health, safety, and general welfare. Apparently, these two lots are nearly twice the size of nearby existing residential subdivision lots such as Alma Smith. Building a new home 30 feet wide seems very much in keeping with homes in the neighborhood.

Pursuant to the advertisement, posting of the properties, and public hearing on these petitions held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance requests should be granted.

THEREFORE, IT IS ORDERED, this 4 day of May 2005, by this Deputy Zoning Commissioner, that the Petitioner's requests for variance relief as follows:

Case No. 05-471-A: Property located at 9878-A Bird River Road in the eastern area of Baltimore County. Variance relief requested from Sections 304 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an undersized lot (50 ft. width) with a side yard setback of 9 ft. in lieu of the required 15 ft. and a sum of side yards of 19 ft. in lieu of the required 25 ft.

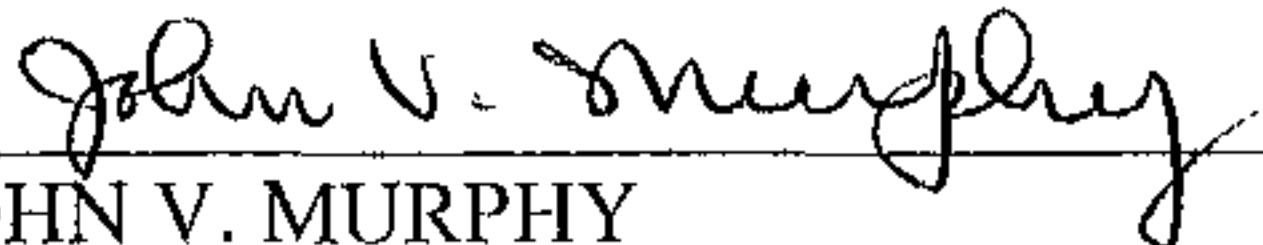
Case No. 05-472-A: Property located at 9878 Bird River Road in the eastern area of Baltimore County. Variance relief requested from Section 1B02.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing side yard setback of 5 ft. in lieu of the required 12 ft. and a sum of side yards of 18 ft. in lieu of the required 25 ft.

5/4/05  
Ray

be and they are hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition;
2. Compliance with the ZAC comments submitted by the Fire Department dated March 29, 2005, a copy of which is attached hereto and made a part hereof;
3. Compliance with the ZAC comments submitted by the Office of Planning dated April 12, 2005 for 9878-A Bird River Road, a copy of which is attached hereto and made a part hereof;
4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

  
\_\_\_\_\_  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

JVM: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*

May 3, 2005

Mr. Vince Moskunas  
Site Rite Surveying, Inc.  
200 E. Joppa Road, Room 101  
Towson, Maryland 21286

Re: Petition for Variance  
Case No. 05-471-A  
Property: 9878 Bird River Road

Dear Mr. Moskunas:

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

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

Very truly yours,

A handwritten signature in black ink that reads "John V. Murphy".

John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Billy Caudill, 9878 Bird River Road, Baltimore, MD 21220

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9878 Bird River Road

which is presently zoned D.R. 3.5

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) 304 & 1B02.3.C.1-BCZP To permit An undersized lot (50 ft. width) with a sideyard setback of 9 ft. in lieu of the required 15 ft. and a sum of sideyard of 19 ft. in lieu of the required 25 ft.

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

## Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

State

Zip Code

## Legal Owner(s):

Alda Caudill (deceased)

Name - Type or Print

Signature

Name - Type or Print

Signature

9878 Bird River Road

Address

Baltimore

MD

State

Steve Smith  
(443) 463-3444

Telephone No.

21220

Zip Code

## Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E. Joppa Road, Rm 101

Address

Towson

MD

State

(410) 828-9060

Telephone No.

21286

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By [Signature]

Date 3.21.05

Case No 05-471A

REV 9/15/90

**REASONS FOR PETITION FOR VARIANCE  
#9878A BIRD RIVER ROAD**

- 1. THIS PROPERTY HAS BEEN A LOT OF RECORD SINCE APRIL 1952 AS DESCRIBED IN A DEED. IT HAS AN INDIVIDUAL TAX ACCOUNT NO.**
- 2. THE CONFIGURATION OF THIS LOT RESTRICTS COMPLIANCE WITH B.C.Z.R. LOT WIDTH; HOWEVER, THERE IS 17,750 SQUARE FEET OF LOT AREA WHICH IS MORE THAN ADEQUATE FOR THE REQUIRED LOT AREA.**
- 3. THE PROPOSED DEVELOPMENT OF THIS LOT IS COMPATIBLE WITH THE DEVELOPMENT OF THE SURROUNDING COMMUNITY AND IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R.**

**ZONING DESCRIPTION**  
**#9878A BIRD RIVER ROAD**

BEGINNING at a point on the north side of Bird River Road which is 30 feet wide at the distance of 95 feet west of the centerline of Wampler Road which is 30 feet wide as recorded in Deed Liber 15045, folio 236 thence running S84°03'00"W, 50.00 feet; thence N00°30'00"W, 353.90 feet; thence N79°11'00"E, 50.00 feet; thence S00°35'00"E, 357.70 feet to the Place of Beginning, containing 17,750 S.F., more or less. Also known as #9878A Bird River Road and located in the 15<sup>th</sup> Election District, 6<sup>th</sup> Councilmanic District.



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Michael V. Moskunas  
Reg. No. 21175

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

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

NO. 413111

DATE 3-21-05

ACCOUNT Folk 006-6150

AMOUNT \$ 180.00

RECEIVED FROM: JES VENTURES 4878A

FOR: UAR(x2) & COORDINATE LOT 4878A  
BIED E. VERZ  
Red

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS

ACTED

TIME

NO.

3/21/2005 3/21/2005 10:25:00

REC 4804 4878 100 100

RECEIPT # 30933 1/21/2005 014

REP 5 520 THREE VERIFICATION

X NO. 44311

Receipt for

\$180.00

\$180.00 OK

1.00

Baltimore County, Maryland

CASHER'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: #05-471-A

9878A Bird River Road

N/side of Bird River Road, 95 feet +/- west of centerline of Wampler Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Alda Caudill (Deceased) & Billy J. Caudill

**Variance:** to permit an undersized lot in lieu of the required 25 feet with a side yard setback of 9 feet in lieu of the required 15 feet and a sum of side yard setbacks of 19 feet

Hearing: Friday, April 29, 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 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.  
4/12/1 Apr. 14 46544

## CERTIFICATE OF PUBLICATION

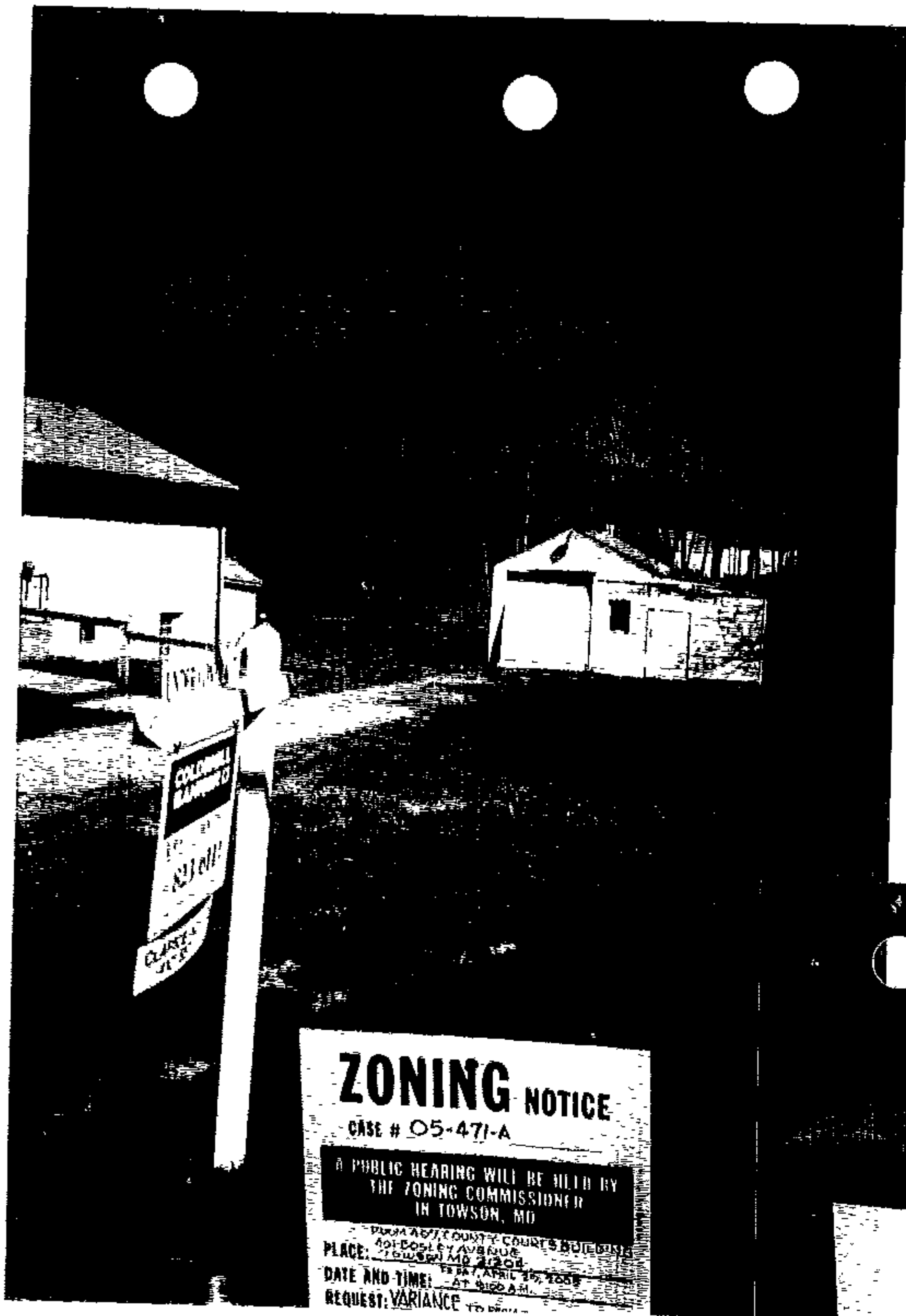
4/14/2005

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 4/14/2005.

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

*S. Williams*

LEGAL ADVERTISING



## ZONING NOTICE

CASE # 05-471-A

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

ROOM 407, COUNTY COURTS BUILDING  
401 BOSLEY AVENUE  
TOWSON MD 21204  
DATE AND TIME: FRIDAY, APRIL 29, 2005  
AT 9:00 A.M.  
REQUEST: VARIANCE TO PERMIT AN UNDERSIZED



## ZONING NOTICE

CASE # 05-471-A

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

ROOM 407, COUNTY COURTS BUILDING  
401 BOSLEY AVENUE  
TOWSON MD 21204  
DATE AND TIME: FRIDAY, APRIL 29, 2005  
AT 9:00 A.M.

REQUEST: VARIANCE TO PERMIT AN UNDERSIZED  
LOT IN LIEU OF THE REQUIRED 25 FEET WITH A SIDE  
YARD SETBACK OF 9 FEET IN LIEU OF THE REQUIRED  
15 FEET AND A SUM OF SIDE YARD SETBACKS OF  
19 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 05-471-A

Petitioner/Developer: STEVE SMITH/CAUDILL

Date of Hearing/ Closing: APRIL 29, 2005

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 #9878A BIRD RIVER ROAD

The sign(s) were posted on

APRIL 13, 2005  
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY  
Thursday, April 14, 2005 Issue - Jeffersonian

Please forward billing to:  
Steve Smith  
8008 Solley Road  
Glen Burnie, MD 21060

443-324-3444

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## 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: 05-471-A**

9878A Bird River Road  
N/side of Bird River Road, 95 feet +/- west of centerline of Wampler Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owners: Alda Caudill (Deceased) & Billy J. Caudill

Variance to permit an undersized lot in lieu of the required 25 feet with a side yard setback of 9 feet in lieu of the required 15 feet and a sum of side yard setbacks of 19 feet.

Hearing: Friday, April 29, 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**



**Baltimore County**

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

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

March 23, 2005

**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: 05-471-A**

9878A Bird River Road

N/side of Bird River Road, 95 feet +/- west of centerline of Wampler Road

15<sup>th</sup> Election District -- 6<sup>th</sup> Councilmanic District

Legal Owners: Alda Caudill (Deceased) & Billy J. Caudill

Variance to permit an undersized lot in lieu of the required 25 feet with a side yard setback of 9 feet in lieu of the required 15 feet and a sum of side yard setbacks of 19 feet.

Hearing: Friday, April 29, 2005 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Billy Caudill, 9878 Bird River Road, Baltimore 21220  
Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, APRIL 14, 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.

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 471

Petitioner: Steve Smith

Address or Location: 9878A Bird River Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steve Smith

Address: 8008 Solley Road  
Glen Burnie, MD 21060

Telephone Number: 443-324-3444

**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*

April 18, 2005

Billy J. Caudill  
9878 Bird River Road  
Baltimore, Maryland 21220

Dear Mr. Caudill:

RE: Case Number: 05-471-A, 9878-A Bird River Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 21, 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  
Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286

Visit the County's Website at [www.baltimorecountyonline.info](http://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 29, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of April 4, 2005

Item No. 458, 459, 460, 464, 465, 466, 467, 468, 469, 470(471), 472,

Pursuant to your request, the above 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 site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.**

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

Acting Lt. Warren T. Moffitt  
Fire Marshal's Office  
410-887-4880  
MS-1102F

Cc:file

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director                      DATE: April 8, 2005  
Department of Permits & Development  
Management

FROM: Dennis Kennedy, <sup>DM</sup> Acting Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
For March 28, 2005  
Item No. 471

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The right-of-way for Bird River Road is 70-feet. Set backs shall be modified accordingly.

DAK:CEN:clw  
Cc: file  
ZAC-ITEM NO 471-04192005.doc

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco  
FROM: John D. Oltman, Jr <sup>JDO</sup>  
DATE: April 13, 2005  
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 28, 2005

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

05-458

05-459

05-460

05-464

05-465

05-471

05-472

Reviewers: Sue Farinetti, Dave Lykens

4/29

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** April 12, 2005

RECEIVED

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

APR 15 2005

**SUBJECT:** 9878A

ZONING COMMISSIONER

### INFORMATION:

**Item Number:** 5-471

**Petitioner:** Alda Caudill

**Zoning:** DR 3.5

**Requested Action:** Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided building elevations (all sides) of the proposed dwelling are submitted to this office for review and approval prior to issuance of any building permits. The proposed dwelling shall be compatible in size, color and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations.

**Prepared by:** Mark A. Crenshaw

**Division Chief:** Lynn Sanborn

AFK/LL:MAC:



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

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

Maryland Department of Transportation

Date: 3-25-05

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

RE: Baltimore County  
Item No. 471 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

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](http://www.marylandroads.com)

RE: PETITION FOR VARIANCE \* BEFORE THE  
9878A Bird River Road; N/side Bird River \*  
Road, 95' W c/line Wampler Road \* ZONING COMMISSIONER  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \*  
Legal Owner(s): Alda Caudill (deceased) \* FOR  
& Billy Caudill \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 05-471-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 31<sup>st</sup> day of March, 2005, 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).

RECEIVED

Per *CH*

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

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

Permit or Case No. 05-9717

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

**RE:** Undersized Lots

Residential Processing Fee Paid  
(\$50.00)

Accepted by [Signature]  
Date 3.21.05

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

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

Room 101

Site Rite Surveying, Inc. 200 E. Joppa Road Towson, MD 21286 410 828 9060  
Print Name of Applicant Address Telephone Number

Lot Address 9878A Bird River Road Election District 15 Councilmanic District 6 Square Feet 17,750

Lot Location: NE S W side corner of Bird River Road (street) feet from NE S W corner of Wampler Road (street)

Land Owner: Alda Caudill (Billy Caudill) Tax Account Number 1503002221

Address: 9878 Bird River Road Baltimore, MD 21220 Telephone Number 443 463-3444

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

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

|                                                                         | YES                                 | NO                                  |
|-------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1. This Recommendation Form (3 copies)                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Permit Application                                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Site Plan<br>Property (3 copies)                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4. Building Elevation Drawings                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Photographs (please label all photos clearly)<br>Adjoining Buildings | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Surrounding Neighborhood                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6. Current Zoning Classification: <u>DR 3.5</u>                         |                                     |                                     |

**TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!**

**RECOMMENDATIONS / COMMENTS:**

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations.

Signed by: \_\_\_\_\_  
for the Director, Office of Planning and Community Conservation

Date \_\_\_\_\_

Revised 2/05/02

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

[Click here for a plain text ADA compliant screen.](#)

|                                                                                                                                                                                                         |                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
|  <b>Maryland Department of Assessments and Taxation</b><br><b>BALTIMORE COUNTY</b><br><b>Real Property Data Search</b> | <a href="#">Go Back</a><br><a href="#">View Map</a><br><a href="#">New Search</a><br><a href="#">Ground Rent</a> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|

STR

Account Identifier: District - 15 Account Number - 1503002220 - 7

|                          |
|--------------------------|
| <b>Owner Information</b> |
|--------------------------|

|                                                                                                              |                                                                                                               |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>Owner Name:</b> CAUDILL ALDA<br><br><b>Mailing Address:</b> 9878 BIRD RIVER RD<br>BALTIMORE MD 21220-1704 | <b>Use:</b> RESIDENTIAL<br><b>Principal Residence:</b> YES<br><br><b>Deed Reference:</b> 1) /15045/ 236<br>2) |
|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|

|                                             |
|---------------------------------------------|
| <b>Location &amp; Structure Information</b> |
|---------------------------------------------|

**Premises Address**  
 9878 BIRD RIVER RD

**Legal Description**

\*  
 9878 BIRD RIVER RD  
 W OF WAMPLER RD

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Group | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-------|-----------|
| 82  | 23   | 255    |              |             |         |       |     | 82    | Plat Ref: |

**Special Tax Areas**

|  |                                          |
|--|------------------------------------------|
|  | <b>Town<br/>Ad Valorem<br/>Tax Class</b> |
|--|------------------------------------------|

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1957                    | 912 SF        | 18,850.00 SF       | 04         |

| Stories | Basement | Type          | Exterior |
|---------|----------|---------------|----------|
| 1       | YES      | STANDARD UNIT | SIDING   |

|                          |
|--------------------------|
| <b>Value Information</b> |
|--------------------------|

|                    | Base Value | Value As Of 01/01/2003 | Phase-in Assessments |                  |
|--------------------|------------|------------------------|----------------------|------------------|
|                    |            |                        | As Of 07/01/2004     | As Of 07/01/2005 |
| Land:              | 34,710     | 34,710                 |                      |                  |
| Improvements:      | 43,600     | 48,080                 |                      |                  |
| Total:             | 78,310     | 82,790                 | 81,296               | 82,790           |
| Preferential Land: | 0          | 0                      | 0                    | 0                |

|                             |
|-----------------------------|
| <b>Transfer Information</b> |
|-----------------------------|

|                                                                    |                                                      |                                    |
|--------------------------------------------------------------------|------------------------------------------------------|------------------------------------|
| <b>Seller:</b> CAUDILL ALDA<br><b>Type:</b> MULT ACCTS ARMS-LENGTH | <b>Date:</b> 03/15/2001<br><b>Deed1:</b> /15045/ 236 | <b>Price:</b> \$0<br><b>Deed2:</b> |
| <b>Seller:</b> CAUDILL ALDA<br><b>Type:</b> NOT ARMS-LENGTH        | <b>Date:</b> 06/14/1999<br><b>Deed1:</b> /13817/ 601 | <b>Price:</b> \$0<br><b>Deed2:</b> |
| <b>Seller:</b><br><b>Type:</b>                                     | <b>Date:</b><br><b>Deed1:</b>                        | <b>Price:</b><br><b>Deed2:</b>     |

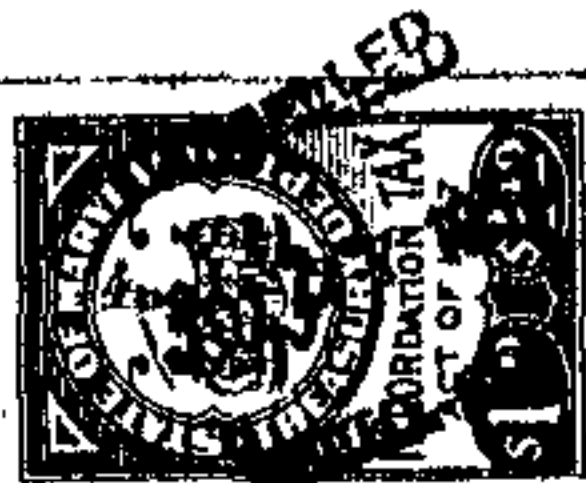
|                              |
|------------------------------|
| <b>Exemption Information</b> |
|------------------------------|

| 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:**  
 HOMEOWNERS TAX CREDIT

BLUE



This Deed, Made this 19th day of July

in the year one thousand nine hundred and fifty-seven - - , by and between PORTER BROS., INC., a body corporate, duly incorporated under the Laws - - - - - of - - - - - the State of Maryland, of the first part, and TALMADGE CAUDILL and ALDA CAUDILL, his wife, the Grantees herein, of Baltimore County, in the State of Maryland, - - - - - of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, - - - the said Porter Bros., Inc. - - - - -

does grant and convey unto the said Talmadge Caudill and Alda Caudill, his wife, as tenants by the entireties, their assigns and unto the survivor of them, his or her - - - - -

heirs and assigns, in fee simple, all that lot - - - - - of ground, situate, lying and being in Baltimore County, State of Maryland, the Fifteenth Election District of / , aforesaid, and described as follows, that is to say:—

Beginning for the same on the south side of Bird River Road at the distance of 344.40 feet south 84 degrees 3 minutes west from the beginning of the five and one-eighth acre tract of land which by Deed, dated June 7th, 1923, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 571, folio 473, was conveyed by Henry Gross and wife to Richard Michael and wife and thence running with and binding on part of the first line of said description south 84 degrees 3 minutes west 50 feet, thence leaving the outline of said tract of land for new division lines through the land of said grantors as follows: north no degrees 47 minutes west 375.77 feet to intersect the northern outline of the five and one-eighth acre tract of land above reverred to, thence running and binding on part of said outline north 79 degrees 35 minutes east 50 feet and thence running south no degrees 52 minutes east 379.64 feet to the place of beginning. Containing forty-two one-hundredths (0.42) acre of land. - - -



TO 2914/395  
4/20/56

Pet  
A-2

[Click here for a plain text ADA compliant screen.](#)

|                                                                                                                                                                                                         |                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
|  <b>Maryland Department of Assessments and Taxation</b><br><b>BALTIMORE COUNTY</b><br><b>Real Property Data Search</b> | <a href="#">Go Back</a><br><a href="#">View Map</a><br><a href="#">New Search</a><br><a href="#">Ground Rent</a> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|

Account Identifier: District - 15 Account Number - 1503002221

**Owner Information**

|                         |                                               |                             |                      |
|-------------------------|-----------------------------------------------|-----------------------------|----------------------|
| <b>Owner Name:</b>      | CAUDILL ALDA                                  | <b>Use:</b>                 | RESIDENTIAL          |
| <b>Mailing Address:</b> | 9878 BIRD RIVER RD<br>BALTIMORE MD 21220-1704 | <b>Principal Residence:</b> | NO                   |
|                         |                                               | <b>Deed Reference:</b>      | 1) /15045/ 236<br>2) |

**Location & Structure Information**

|                         |                                                         |
|-------------------------|---------------------------------------------------------|
| <b>Premises Address</b> | <b>Legal Description</b>                                |
| BIRD RIVER RD           | LT NS BIRD RIVER RD<br>BIRD RIVER RD<br>W OF WAMPLER RD |

| Map | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Group | Plat No:  |
|-----|------|--------|--------------|-------------|---------|-------|-----|-------|-----------|
| 82  | 24   | 60     |              |             |         |       |     | 82    | Plat Ref: |

| Special Tax Areas       | Town | Ad Valorem | Tax Class |
|-------------------------|------|------------|-----------|
| Primary Structure Built |      |            |           |
| 0000                    |      |            |           |

| Enclosed Area | Property Land Area | County Use |
|---------------|--------------------|------------|
|               | 17,750.00 SF       | 04         |

| Stories | Basement | Type | Exterior |
|---------|----------|------|----------|
|         |          |      |          |

**Value Information**

|                    | Base Value | Value As Of | Phase-in Assessments As Of | As Of      |
|--------------------|------------|-------------|----------------------------|------------|
|                    |            | 01/01/2003  | 07/01/2004                 | 07/01/2005 |
| Land:              | 26,930     | 26,930      |                            |            |
| Improvements:      | 2,030      | 2,270       |                            |            |
| Total:             | 28,960     | 29,200      | 29,120                     | 29,200     |
| Preferential Land: | 0          | 0           | 0                          | 0          |

**Transfer Information**

| Seller:                      | Date:              | Price: |
|------------------------------|--------------------|--------|
| CAUDILL ALDA                 | 03/15/2001         | \$0    |
| Type: MULT ACCTS ARMS-LENGTH | Deed1: /15045/ 236 | Deed2: |
| Seller:                      | Date:              | Price: |
| Type:                        | Deed1:             | Deed2: |
| Seller:                      | Date:              | Price: |
| Type:                        | Deed1:             | 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 Special Tax Recapture:

Exempt Class: \* NONE \*

2 lots only

will lose.

DR 3.5  
70' lot

PINK



20th



This Deed,

Made this

day of June

in the year one thousand nine hundred and fifty-eight

, by and between

George J. Dodd and June A. Dodd, his wife

BALTIMORE

of Baltimore County

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

Talmage Caudill and Alda Caudill, his wife

of the second part.

Witnesseth, That in consideration of the sum of five dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said George J. Dodd and June A. Dodd, his wife

do grant and convey unto the said Talmage Caudill and Alda Caudill, his wife as tenants by the entireties, the survivor of them and the survivor's

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

Beginning for the same at the beginning of the second line of that parcel of land heretofore conveyed by Michael to Sims and running thence with and binding on said line south no degrees, 35 minutes, east 357.70 feet to the North side of Bird River Road, thence running and binding on the north side of Bird River Road South 84 degrees, 03 minutes West 50 feet to intersect the eastern outline of that parcel of land heretofore conveyed by Michael to Carlson; thence running and binding on part of said outline as now surveyed North no degrees 30 minutes West 353.90 feet to intersect the northern outline of the whole tract of land which the lot now being described is a part; and thence running and binding on part of said outline as now surveyed North 79 degrees 44 minutes east 50 feet to the place of beginning.

BEING the same lot of ground which by Deed dated December 23, 1955 and recorded among the Land Records of Baltimore County in Liber G.L.B. 2851 folio 279 was conveyed by Richard E. Nailor and wife to the grantors herein.

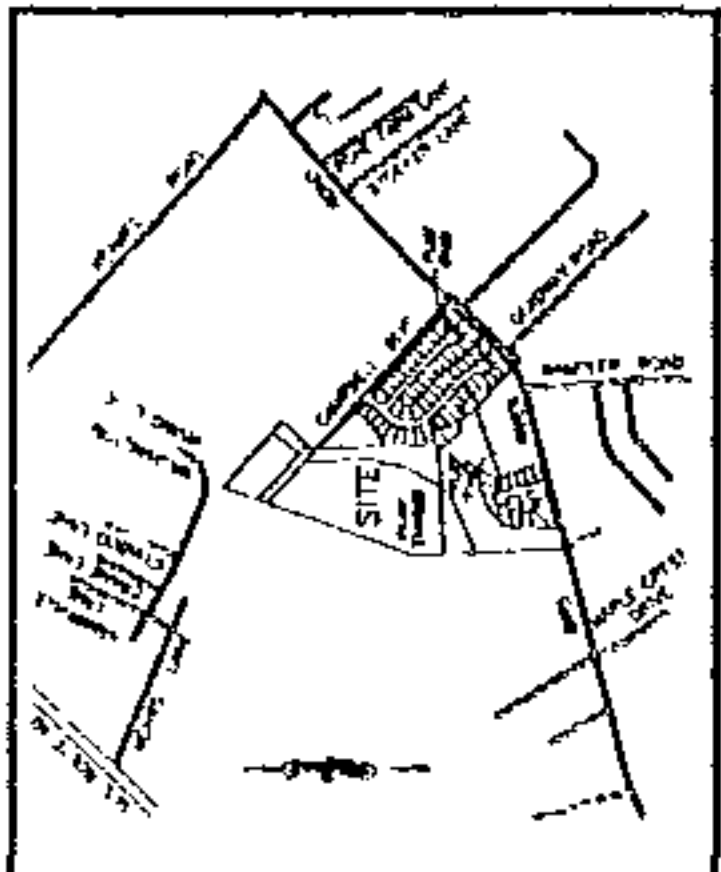


TO APRIL 14, 1952

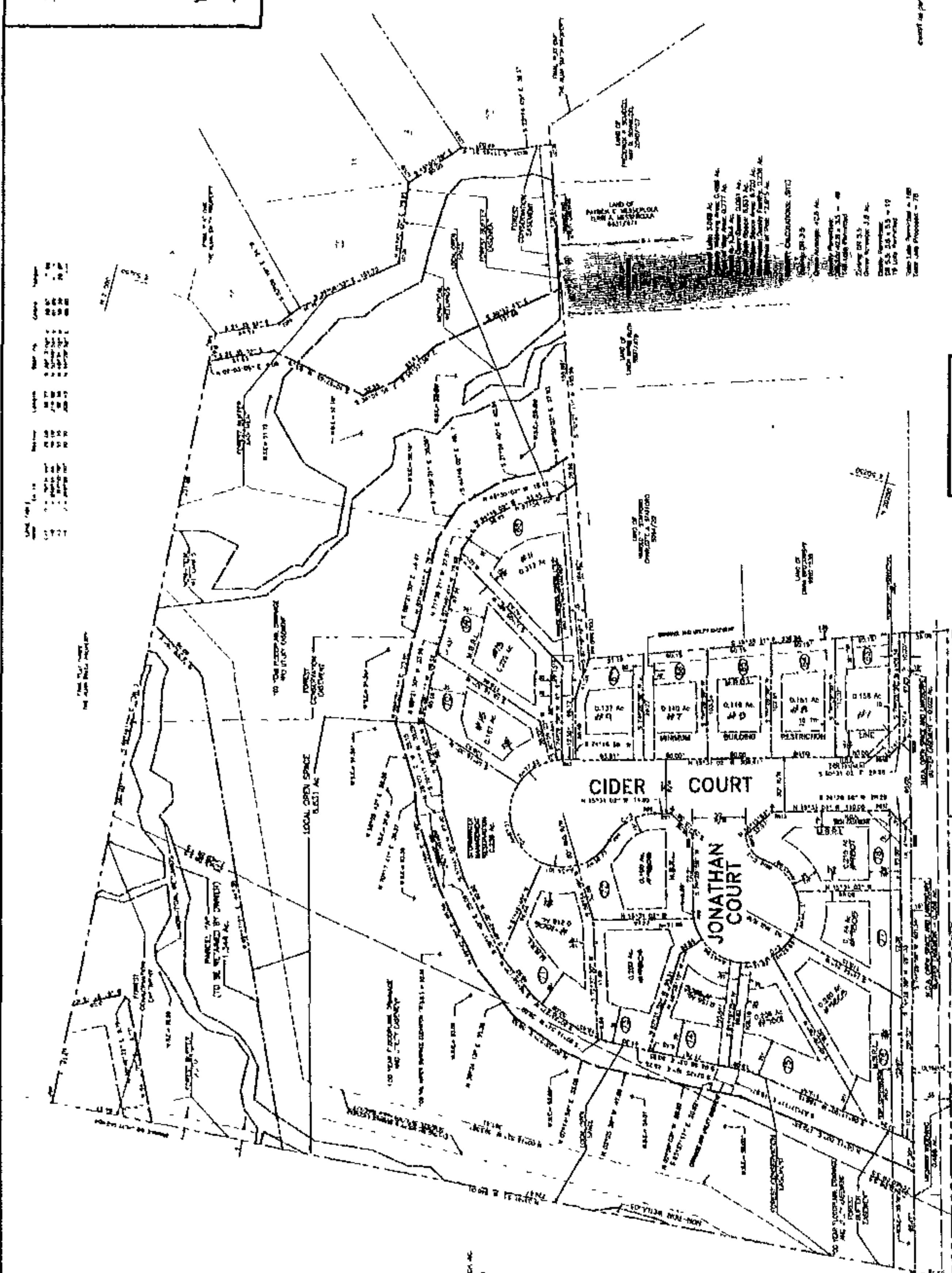
P. 11 # 7



Det #4

VICINITY MAP  
1" = 1000'

5M-70-92

[illegible]

NOTE: THE AREA DESIGNATED BY NUMBERS INDICATES THE AREA WHICH WILL BE OPENED TO THE PUBLIC. THE AREA DESIGNATED BY LETTERS WILL BE OPENED TO THE PUBLIC. THE AREA DESIGNATED BY NUMBERS WILL BE OPENED TO THE PUBLIC. THE AREA DESIGNATED BY LETTERS WILL BE OPENED TO THE PUBLIC.

**MORRIS & RITCHIE ASSOCIATES, INC.**  
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS  
1110 BEST ROAD - SUITE 102  
TOWSON, MARYLAND 21204  
(410) 827-1188  
Fax (410) 827-7546

|                                                                                     |                  |
|-------------------------------------------------------------------------------------|------------------|
|  | JOE TEL. 50344   |
|                                                                                     | SCALE 1" = 50'   |
|                                                                                     | DATE 2/11/88     |
|                                                                                     | DRAWN BY GSB/488 |

[illegible][illegible]

OWNER

ALMA A. SMITH, J. FRED VOLZ, J. HENRY VOLZ  
CHARLES J.A. VOLZ, AND GEORGE W. VOLZ  
1025 ROULEUR ROAD  
BALTIMORE, MD 21286

TAX ACCOUNT NO.  
15-22-450190 AND 15-22-450360

NOTE  
COORDINATES AND SQUARES GIVEN  
ON THIS PAGE ARE ENTERED IN THE  
SYSTEM OF COORDINATES ESTABLISHED  
IN THE BALTIMORE COUNTY METROPOL-  
ITAN DISTRICT AND ARE BASED ON THE  
FOLLOWING TRAVERSE STATIONS

|       |   |          |   |          |
|-------|---|----------|---|----------|
| 16254 | N | 20351.05 | E | 50082.35 |
| 16255 | N | 20350.05 | E | 49987.14 |

[illegible]

|                |               |          |       |       |
|----------------|---------------|----------|-------|-------|
| NAME           | ADDRESS       | CITY     | STATE | ZIP   |
| JOHN J. WILSON | 12345 67th St | NEW YORK | NY    | 10001 |

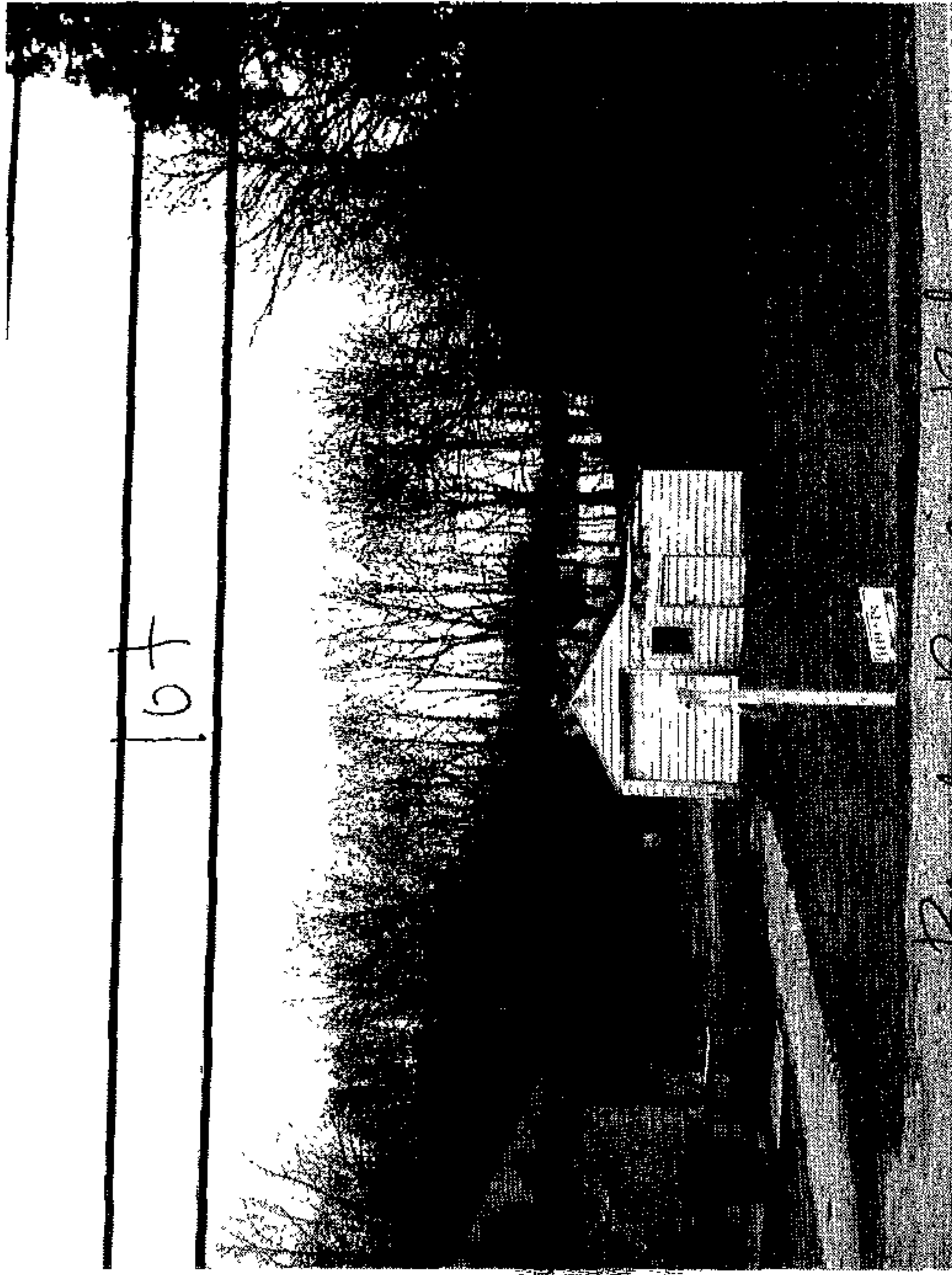
\_\_\_\_\_

11. *How much time do you spend on the following activities?*

\_\_\_\_\_

1000000





107

Bird River Rd.



to 12 H9884

Site



H9814 Site H9878

Bird River

LOOKING ACROSS ROAD.



Bird River Road

Site

LOOKING ACROSS ROAD

VALID ONLY  
WITH  
IMPRESSED  
SEAL

DATE ISSUED:

JAN 20 2005

I HEREBY CERTIFY THAT THE ATTACHED IS A TRUE COPY OF A  
RECORD ON FILE IN THE DIVISION OF VITAL RECORDS

*Senema S. Sparks*  
STATE REGISTRAR OF VITAL RECORDS

Please Type or Print in Black Indelible Ink. Ensure All Copies Are Legible.  
State of Maryland / Department of Health and Mental Hygiene

Certificate of Death

1- For  
State  
Registrar

Reg. No.

2. Date of Death  
Month Day Year  
01 17 2005

3. Time of Death  
5:50 A M

1. Decedent's Name (First, Middle, Last)  
ALDA VICTORIA CAUDILL

4a. Facility Name (If not institution, give street and number)  
MARINER HEALTH OF FOREST HILL

4b. City, Town, or Location of Death  
FOREST HILL

4c. County of Death  
HARFORD

5. Social Security Number  
220-30-5906

6. Sex  
1 ☐ M 2 ☒ F

7. Age (In yrs. last birthday)  
86 Yrs.

8. Date of Birth (Month, Day, Year)  
Sept. 12, 1918

9. Birthplace (State or Foreign Country)  
North Carolina

Usual Residence of Decedent

10a. State  
Maryland

10b. County  
Baltimore

10c. City, Town or Location  
Baltimore

10d. Inside City Limits  
1 ☐ Yes 2 ☒ No

10e. Street and Number  
9878 Bird River Road

10f. Zip Code  
21220

10g. Citizen of What Country?  
USA

11. Marital Status  
1 ☐ Never Married 2 ☐ Married  
3 ☒ Widowed 4 ☐ Divorced

12. Was Decedent Ever in U.S.  
Armed Forces?  
1 ☐ Yes 2 ☒ No  
If Yes, Give Year or Dates:

13. Was Decedent of Hispanic Origin? (Specify Yes or No.  
If Yes, specify Cuban, Mexican, Puerto Rican, etc.)  
1 ☐ Yes 2 ☒ No Specify:

14. Race - American Indian,  
Black, White, etc.  
Specify: White

15. Decedent's Education  
(Specify only highest grade completed)

Elementary/Secondary (0-12)  
6

College (1-4 or 5+)

16a. Decedent's Usual Occupation  
(Give kind of work done during most of working  
life. DO NOT use retired)

Cafeteria Worker

16b. Kind of Business/Industry

Defense Manufacturer

17. Father's Name (First, Middle, Last)  
Jesse Barnett Osborne

18. Mother's Name (First, Middle, Maiden Surname)  
Margie Mae Johnson

19a. Informant's Name/Relationship (Type, Print)  
Billy Caudill - Son

19b. Mailing Address (Street and Number or Rural Route Number, City or Town, State, Zip Code)  
4844 Norrisville Road, White Hall, Maryland 21161

20a. Method of Disposition  
1 ☒ Burial 2 ☐ Cremation 3 ☒ Removal from State  
4 ☐ Donation 5 ☐ Other (Specify)

20b. Place of Disposition (Name of  
cemetery, crematory or other place)  
Osborne Mem. Baptist

Date  
1/20/05

20c. Location - City or Town, State  
Sparta, North Carolina

21. Signature of Funeral Service Licensee

22. Name and Address of Facility  
McComas Funeral Home, P.A.  
1317 Cokesbury Road, Abingdon, Maryland 21009

23a. Part I. Enter the disease, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest,  
shock, or heart failure. List only one cause on each line.

Immediate Cause (Final  
disease or condition  
resulting in death)

a. Due to (or as a consequence of):

b. Due to (or as a consequence of):

c. Due to (or as a consequence of):

d. Due to (or as a consequence of):

Sequentially list conditions,  
if any, leading to immediate  
cause. Enter Underlying  
Cause (Disease or injury  
that initiated events  
resulting in death) Last

Approximate  
Interval Between  
Onset and Death

IF FEMALE:

23b. Was decedent pregnant  
in the past 12 months?  
1 ☐ Yes 2 ☐ No  
3 ☐ Unknown

23c. If yes, outcome of pregnancy  
1 ☐ Live birth 2 ☐ Fetal death  
3 ☐ Ectopic pregnancy  
4 ☐ Pregnant at time of death  
5 ☐ Other (specify)  
6 ☐ Unknown

23d. Date of delivery  
Month Day Year

Part II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.

23e. Did tobacco use contribute to the cause of death?  
1 ☐ Yes 2 ☐ No 3 ☐ Probably 4 ☒ Unknown

24a. Was an  
autopsy  
performed?  
1 ☐ Yes 2 ☒ No

24b. Were autopsy findings available  
prior to completion of cause of  
death?  
1 ☐ Yes 2 ☒ No

25. Was case referred to medical  
examiner?  
1 ☐ Yes 2 ☒ No

26. Place of Death (Check only one)  
Hospital: 1 ☐ Inpatient 2 ☐ ER/Outpatient 3 ☐ DOA Other: 4 ☒ Nursing Home 5 ☐ Residence 6 ☐ Other (Specify)

27. Manner of Death  
1 ☐ Natural 5 ☐ Pending  
Investigation  
2 ☐ Accident 6 ☐ Could not be  
determined  
3 ☐ Suicide 4 ☐ Homicide

28a. Date of Injury  
(Month, Day, Year)

28b. Time of  
Injury  
M

28c. Injury at  
Work?  
1 ☐ Yes 2 ☐ No

28d. Describe how injury occurred

28e. Place of Injury - At home, farm, street, factory, office  
building, etc. (Specify)

28f. Location (Street and Number or Rural Route Number,  
City or Town, State)

29a. Certifier (Check only one)  
1 ☒ Certifying Physician: To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner as stated.  
2 ☐ Medical Examiner: On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner as stated.

29b. Signature and title of certifier

29c. License number

29d. Date signed (Month, Day, Year)

DR. DAVID DUNN, 615 W. MACPHAIL ROAD, BEL AIR, MD 21014

31. Date filed (Month, Day, Year)

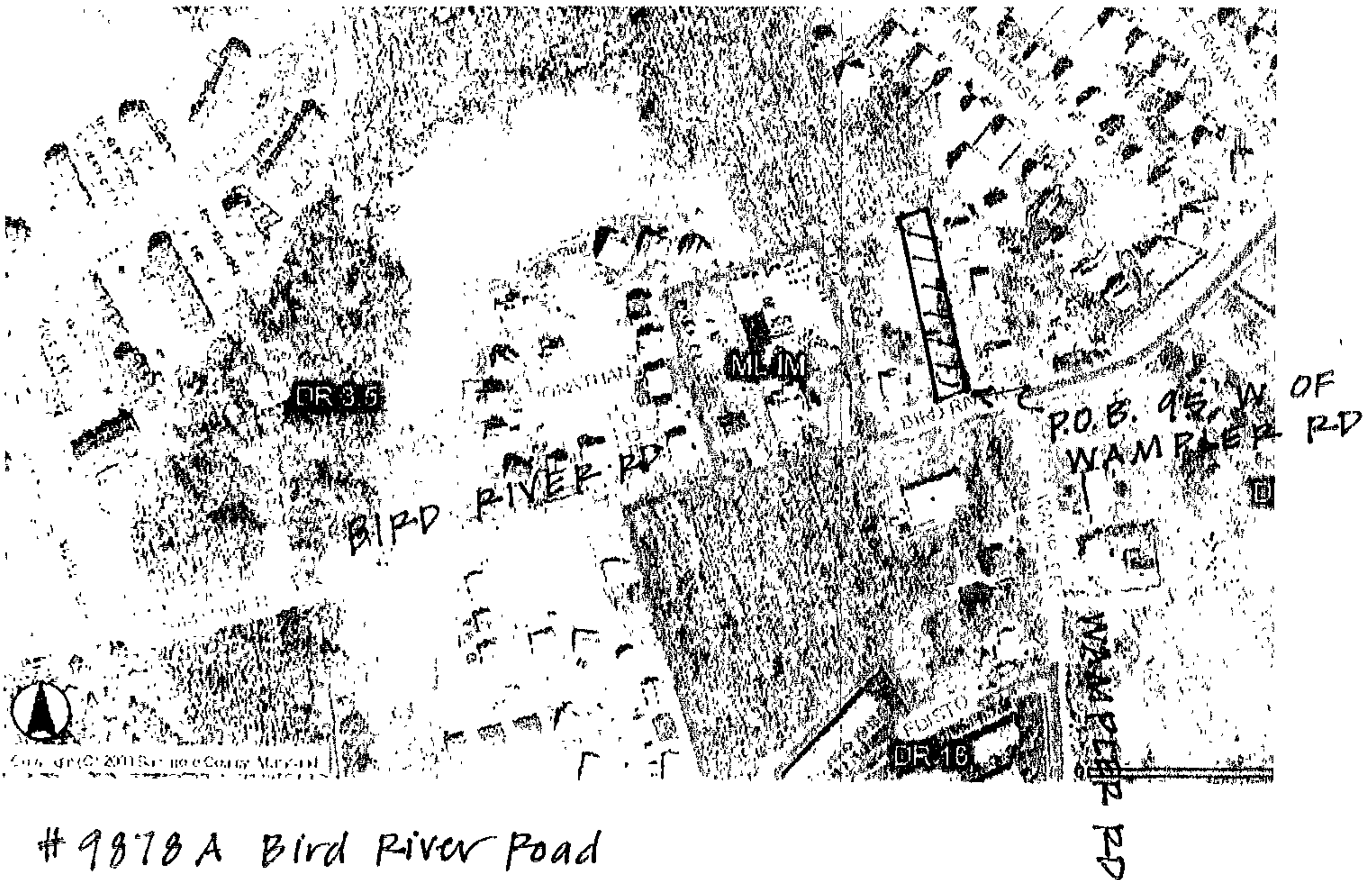
JAN 20 2005

32. Registrar's Signature

*Senema S. Sparks*

CASE NAME 9878 A BIRD RIVER Rd  
CASE NUMBER 5-471-A  
DATE 4/29/05

[illegible]



# 9878 A Bird River Road  
 Zoning Map: D.R. 3.5  
 Baltimore County, MD  
 March 21, 2005

# COORDINATES

| NO. | NORTH     | EAST      |
|-----|-----------|-----------|
| 1   | 20644.405 | 50492.571 |
| 2   | 20634.942 | 50462.947 |
| 3   | 20287.658 | 50526.151 |
| 4   | 20315.338 | 50622.244 |
| 5   | 20574.766 | 50581.696 |
| 6   | 20314.091 | 50545.730 |
| 7   | 20425.060 | 50525.537 |
| 8   | 20446.989 | 50601.667 |
| 9   | 20310.752 | 50534.141 |
| 10  | 20527.184 | 50494.755 |
| 11  | 20553.199 | 50585.067 |

NAZARENO AND SAVINA MESSERCOLA  
AND MARIO AND TERESA GIZZI  
5048/176 & 5414/692  
TAX MAP 082, BLK. 24, PARCELS 59 & 188  
.762 ACRES NET  
AS NOW SURVEYED OCTOBER 1983

ALDA CAUDILL  
3202/7  
TAX PARCELS 60 AND 255  
#9878

CHARLES J. VOLZ ET AL  
6143/15 AND 5823/906  
TAX PARCEL 260  
25.03 A.

FREDERICK P. SCHMEIZL  
2040-107  
ACC. No. 17325  
#9900

## NOTES:

SMALL LOTS NOT REQUIRED TO MEET DENSITY.

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

ZONING - DR-3.5  
NOISE ZONE - 65 DECIBELS

1. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
2. THAT RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
3. THAT THE PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-58-BILL No. 36-82.
4. THAT THE RECORDING OF THE PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
5. THAT THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
6. THAT ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

EMK, JR. 51 FOLIO 8

Filed for record  
Date FEB 10 1984  
EMK

*Emk, Jr.*

## NOTE:

HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS, SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST.

## NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

|           |           |           |
|-----------|-----------|-----------|
| No. 11377 | N20316.86 | E50638.40 |
| No. 11623 | N20418.07 | E50909.42 |

## NOTE:

THE STREETS AND/OR ROADS AS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS 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.

## OWNERS CERTIFICATE:

THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT TO THE BEST OF IT'S KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

## SURVEYORS CERTIFICATE:

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

## RECORD PLAT FOR

SUBDIVISION OF PROPERTY  
ELECTION DISTRICT 15, BALTO. CO., MD.  
FOR  
NAZARENO AND SAVINA MESSERCOLA  
AND  
MARIO AND TERESA GIZZI

2922 NORTHWIND ROAD, BALTIMORE, MD. 21234  
CHARLES A. LOGAN  
REG. PROF. ENG'R. & L.S. No. 808  
BALTIMORE, MD.  
OCTOBER 3, 1983  
SCALE: 1" = 50'  
SHEET No. 1 OF 1

MSA SSU 1230-7480 51-8

Ref # 6



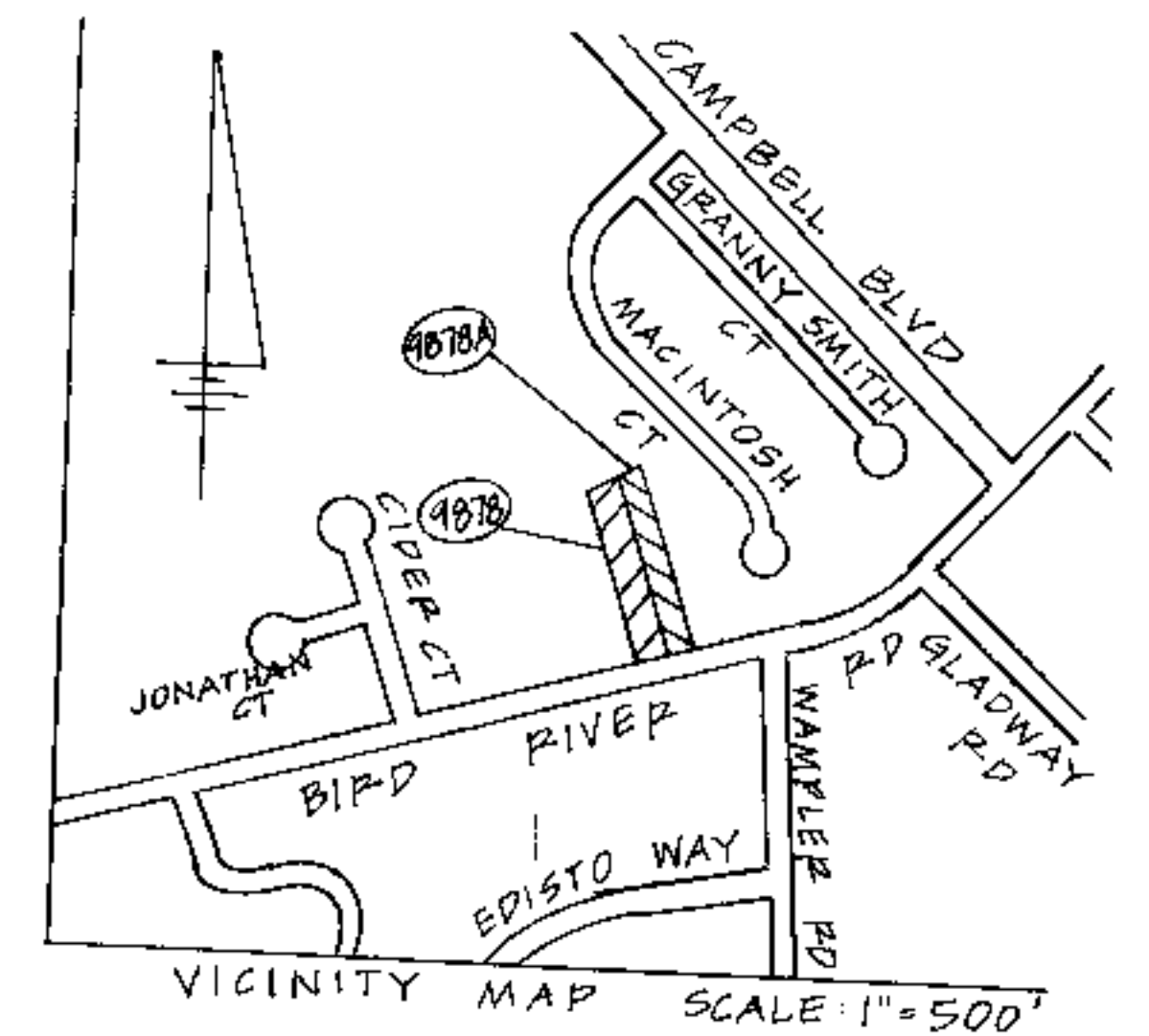
#9078 BIRD RIVER ROAD

**GENERAL NOTES:**

1. EXISTING ZONING: D.R.3.5.
2. LOT AREA: 18,850 S.F. ± OR 0.432 Ac ±
3. NOT LOCATED IN A 100 YEAR FLOOD PLAIN AREA  
COMMUNITY PANEL NO. 240010 0430B ZONE: "C"
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
5. NOT LOCATED IN A HISTORIC AREA
6. PUBLIC WATER AND SEWER ARE AVAILABLE TO THE SITE
7. NO PRIOR ZONING HISTORY
8. EXISTING USE: SINGLE FAMILY DWELLING BUILT IN 1957 TO REMAIN
10. VARIANCE APPLICATION DUE TO CONTIGUOUS OWNERSHIP OF PARCEL 60

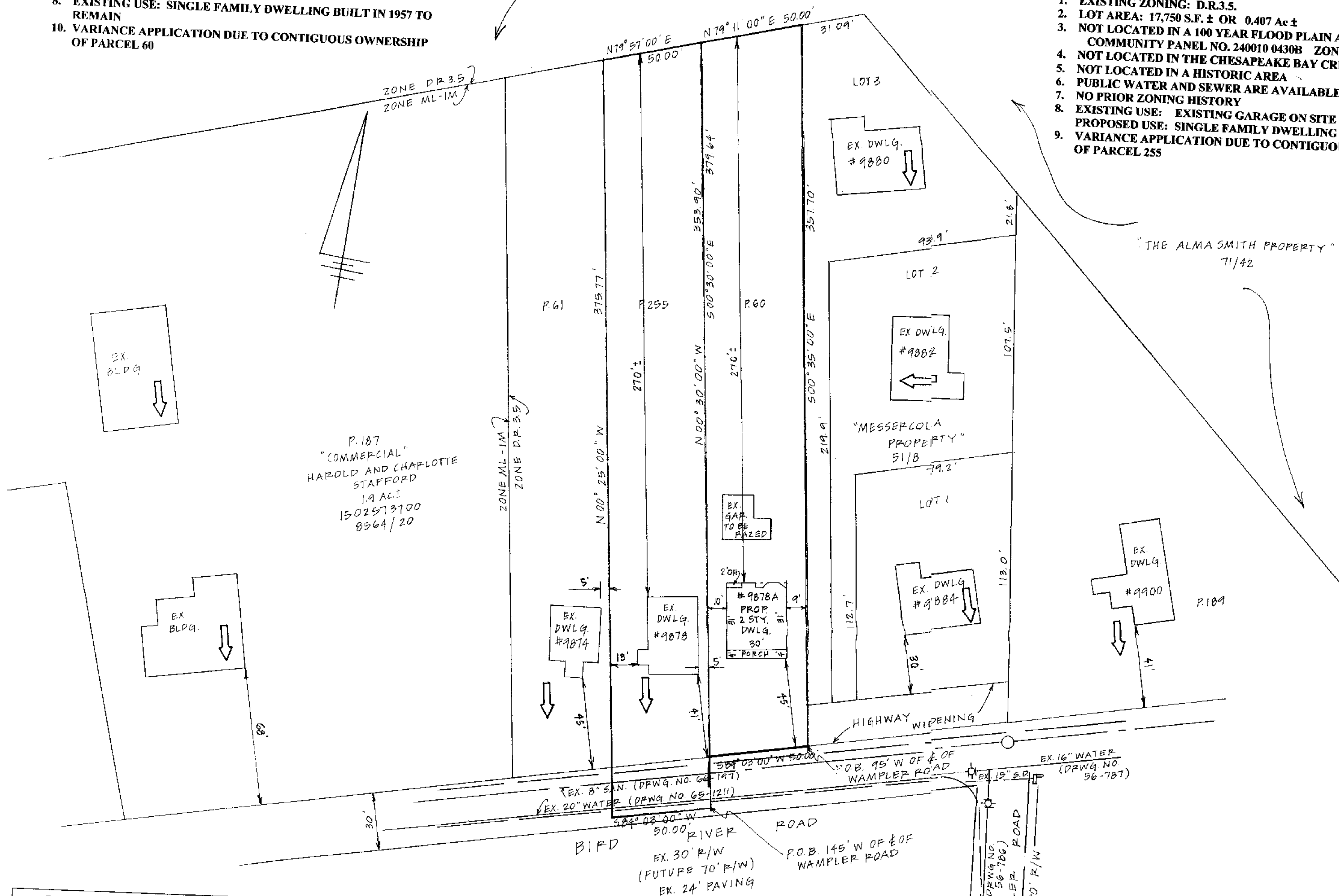
"THE ALMA SMITH PROPERTY"  
70/92

"100 YEAR FLOODPLAIN, DRAINAGE  
& UTILITY EASEMENT"



GENERAL NOTES: #9878A BIRD RIVER ROAD

1. EXISTING ZONING: D.R.3.5.
2. LOT AREA: 17,750 S.F. ± OR 0.407 Ac ±
3. NOT LOCATED IN A 100 YEAR FLOOD PLAIN AREA  
COMMUNITY PANEL NO. 240010 0430B ZONE: "C"
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
5. NOT LOCATED IN A HISTORIC AREA
6. PUBLIC WATER AND SEWER ARE AVAILABLE TO THE SITE
7. NO PRIOR ZONING HISTORY
8. EXISTING USE: EXISTING GARAGE ON SITE TO BE RAZED  
PROPOSED USE: SINGLE FAMILY DWELLING
9. VARIANCE APPLICATION DUE TO CONTIGUOUS OWNERSHIP OF PARCEL 255



PLAN TO ACCOMPANY PETITION FOR VARIANCE  
#9878 BIRD RIVER ROAD  
TAX MAP: 82 GRID: 23 PARCEL: 255  
TAX ACCT. NO.: 1503002220  
DEED REF.: 15045/236  
ELECTION DISTRICT NO. 15  
COUNCILMANIC DISTRICT NO. 6  
BALTIMORE COUNTY MD  
SCALE: 1" = 30'  
MARCH 21, 2005  
9053

OWNER: BOTH PARCELS  
ALDA CAUDILL  
9878 BIRD RIVER ROAD  
BALTIMORE MD 21220  
CONTACT PERSON: STEVE SMITH  
(443) 463-3444

PLAN TO ACCOMPANY PETITION FOR VARIANCE &  
UNDERSIZE LOT APPLICATION  
#9878A BIRD RIVER ROAD  
TAX MAP: 82 GRID: 24 PARCEL: 60  
TAX ACCT. NO.: 1503002221  
DEED REF.: 15045/236  
ELECTION DISTRICT NO. 15  
COUNCILMANIC DISTRICT NO. 6  
BALTIMORE COUNTY MD  
SCALE: 1" = 30'  
MARCH 21, 2005  
9053