

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

5/4/05
BJS

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:

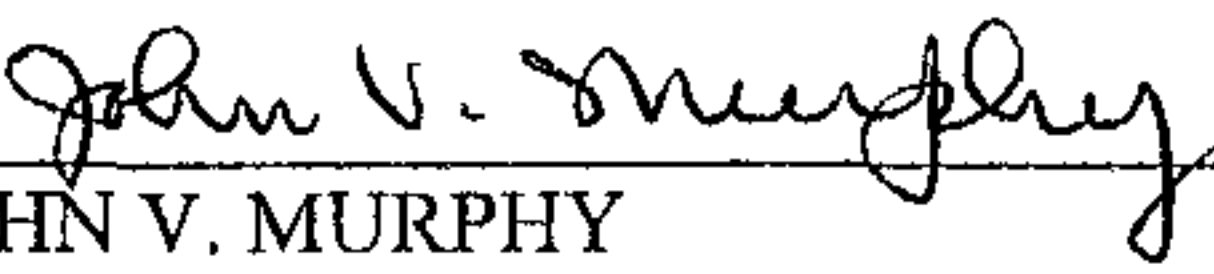
Case No. 05-471-A: Property located at 9878-A Bird River Road in the eastern area of Baltimore County. Variance relief requested from Sections 304 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an undersized lot (50 ft. width) with a side yard setback of 9 ft. in lieu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

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 cursive script 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





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) 1B02.C.1; B.C.22 TO

PERMIT AN ~~EXISTING~~ EXISTING SIDE YARD SETBACK OF 5ft. IN LIEU OF THE REQUIRED 12ft. AND A SUM OF SIDE YARDS OF 18ft. IN LIEU OF THE REQUIRED 25ft.

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:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Steve Smith

9878 Bird River Road

(443) 463-3444

Address

Telephone No.

Baltimore

MD

21220

State

Zip Code

Attorney For Petitioner:

Representative to be Contacted:

Name - Type or Print

City

Signature

Site Rite Surveying, Inc.

Name

200 E. Joppa Rd., Rm 101

(410) 828-9060

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

Company

Address

Telephone No.

City

State

Zip Code

Case No.

05-472 A

REV 9/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

3-21-05

#9878 BIRD RIVER ROAD

1. The existing dwelling was built in 1957 and has been a lot of record since April 1956 with an individual tax account no.
2. The property contains more than adequate area; however, the lot configuration restricts compliance with the lot width.
3. Granting relief for this petition will not have any adverse effect on adjacent property or the community as a whole.

ZONING DESCRIPTION
#9878 BIRD RIVER ROAD

BEGINNING at a point on the north side of Bird River Road which is 30 feet wide at the distance of 145 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°25'00"W, 375.77 feet; thence N79°57'00"E, 50.00 feet; thence S00°30'00"E, 379.64 feet to the Place of Beginning, containing 18,850 S.F., more or less. Also known as #9878 Bird River Road and located in the 15th Election District, 6th Councilmanic District.



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

471,472

No. 443411

DATE 3-21-05 ACCOUNT Root-006-6150

AMOUNT \$ 180.00

RECEIVED
FROM

JES VENTURES 9878A

FOR

UAR (K2) EUNDELSIDE LOT. 9878A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS

ACTUAL

TIME

DATE

3/21/2005

3/21/2005 10:25:02

REG NO04 WALKIN ROAD MD

RECEIPT # 35053 3/21/2005

Dept 5 528 ZIRING IDENTIFICATION

TR NO. 443411

Receipt Tot 180.00

180.00 OK 1.00

Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

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

Case: #05-472-A

9878 Bird River Road

N/side of Bird River Road, 145 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 existing side yard setback of 5 feet in lieu of the required 12 feet and a sum of side yards of 18 feet in lieu of the required 25 feet.

Hearing: Friday, April 29, 2005 at 10:00 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.
4/120 Apr. 14 46542

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

J. Wilkins

LEGAL ADVERTISING

ZONING NOTICE

CASE # 05-472-A

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

ROOM 407, COUNTY COURTS BLDG.
PLACE: 401 BOSLEY AVENUE
TOWSON, MD 21204

DATE AND TIME: FRIDAY, APRIL 29, 2005
AT 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN EXISTING
SIDE YARD SETBACK OF 5 FEET IN LIEU OF
THE REQUIRED 12 FEET AND A SUM OF
SIDE YARDS OF 18 FEET IN LIEU OF THE
REQUIRED 25 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 867 3391

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

ONING NOTICE

SE # 05-472-A

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

ROOM 407, COUNTY COURTS BLDG.
401 BOSLEY AVENUE
TOWSON, MD 21204

DATE AND TIME: FRIDAY, APRIL 29, 2005
AT 10:00 A.M.

EST: VARIANCE TO PERMIT AN EXISTING
YARD SETBACK OF 5 FEET IN LIEU OF
REQUIRED 12 FEET AND A SUM OF
YARDS OF 18 FEET IN LIEU OF THE
REQUIRED 25 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 867 3391

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

CERTIFICATE OF POSTING

RE: Case No.: 05-472-A

Petitioner/Developer: STEVE SMITH / CANNILL

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 #9878 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)

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: 472

Petitioner: Steve Smith

Address or Location: 9878 Bird River Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steve Smith

Address: 8008 Solley Road

Glen Burnie, MD 21060

Telephone Number: 443-324-3444

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

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

443-463-3444

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: 05-472-A

9878 Bird River Road

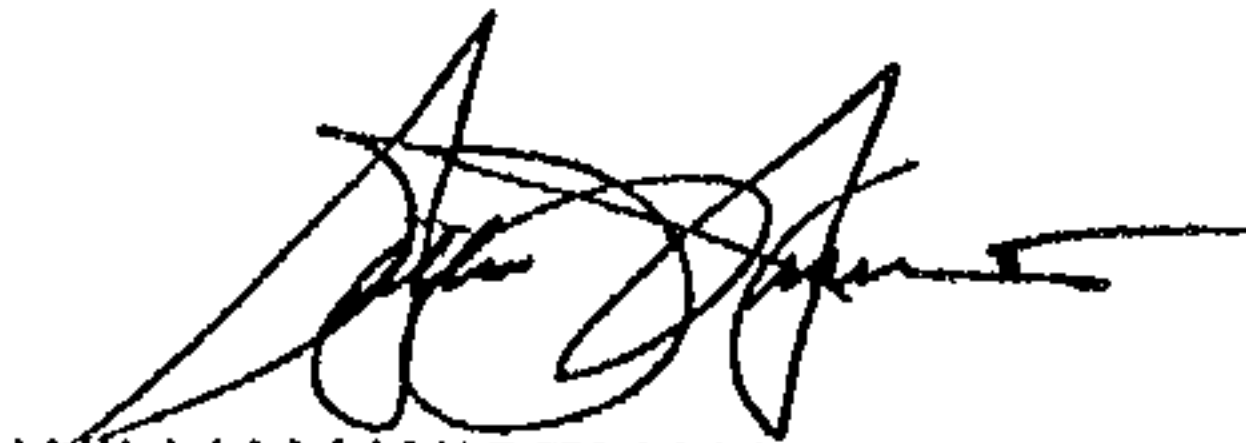
N/side of Bird River Road, 145 feet +/- west of centerline of Wampler Road

15th Election District – 6th Councilmanic District

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

Variance to permit an existing side yard setback of 5 feet in lieu of the required 12 feet and a sum of side yards of 18 feet in lieu of the required 25 feet.

Hearing: Friday, April 29, 2005 at 10:00 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**

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



Baltimore County

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

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: 05-472-A

9878 Bird River Road

N/side of Bird River Road, 145 feet +/- west of centerline of Wampler Road

15th Election District – 6th Councilmanic District

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

Variance to permit an existing side yard setback of 5 feet in lieu of the required 12 feet and a sum of side yards of 18 feet in lieu of the required 25 feet.

Hearing: Friday, April 29, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Billy J. 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.

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

RE: PETITION FOR VARIANCE	*	BEFORE THE
9878 Bird River Road; N/side Bird River	*	
Road, 145' W c/line Wampler Road	*	ZONING COMMISSIONER
15 th Election & 6 th Councilmanic Districts	*	
Legal Owner(s): Alda Caudill (deceased)	*	FOR
& Billy Caudill		
Petitioner(s)	*	BALTIMORE COUNTY
	*	05-472-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 31st 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 *[Signature]*

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

**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: 05-472-A, 9878 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.", written 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



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 19, 2005
Department of Permits & Development
Management

FROM: Dennis A. Kennedy, ^{DAK} Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 4, 2002
Item No. 459, 463, 464, 465, 467,
469, 470, 472

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

DAK:CEN
cc: file
ZAC-NO COMMENTS-04192005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. ^{Jr.}
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

PM
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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-472**

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:

Mark H. Cunningham

Division Chief:

[Signature]

MAC/LL



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

Robert L. Flanagan, *Secretary*
Neel 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. 472 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

**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 Address Election District Councilmanic District Square Feet

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

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

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

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)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
4. Building Elevation Drawings	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
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.](#)

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
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STR

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

Owner Information

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

Location & Structure Information

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	Town Ad Valorem Tax Class		
--------------------------	----------------------------------	--	--

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

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

Value Information

	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

Transfer Information

Seller: CAUDILL ALDA Type: MULT ACCTS ARMS-LENGTH	Date: 03/15/2001 Deed1: /15045/ 236	Price: \$0 Deed2:
Seller: CAUDILL ALDA Type: NOT ARMS-LENGTH	Date: 06/14/1999 Deed1: /13817/ 601	Price: \$0 Deed2:
Seller: Type:	Date: Deed1:	Price: 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:
 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.](#)

 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back
	View Map
	New Search
	Ground Rent

Account Identifier: District - 15 Account Number - 1503002221

Owner Information

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

Location & Structure Information

Premises Address	Legal Description
BIRD RIVER RD	LT NS BIRD RIVER RD BIRD RIVER RD 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 01/01/2003	Phase-in Assessments As Of 07/01/2004	As Of 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: CAUDILL ALDA	Date: 03/15/2001	Price: \$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
Exempt Class:

Special Tax Recapture:

* 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

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 thesaid 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:—

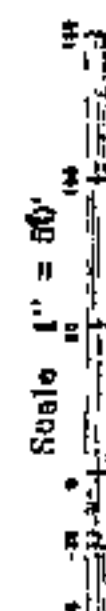
Beginning for the same at the beginning of the second line of that parcel of land heretofore conveyed by Michael to Sims and running thence with and binding on said line south no degrees, 35 minutes, east 357.70 feet to the North side of Bird River Road, thence running and binding on the north side of 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. 28 # 27



5. 7-10-92

72570 9

4.

GENERAL NOTES

- [illegible]

NOTE: THE AREA DESIGNATED AS FLOODPLAIN INCLUDES THE AREAS SUBJECT TO THE 100 YEAR FLOODWAVE STORM AND A MINIMUM 1' FOOT NORMAL "SEASONED" ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR DESIGN FREQUENCY SURFACE ELEVATIONS.

NOTE: I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE ABOVE FINAL DEVELOPMENT PLAN DATED 2-24-08 AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT PURSUANT TO THAT APPROVED FINAL DEVELOPMENT PLAN.

ENGINEER'S SEAL
(FOR FLOODPLAIN)

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN HAS BEEN LAIN OUT AND THE PLAT THEREON WAS BEING PREPARED IN COMPLIANCE WITH SECTION 467 OF SECT. 5-101 OF THE PROPERTY ARTICLE OF THE UNANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THIS PLAN AND THE SETTING OF MARKERS

Mark G. Brown *2/1/78*

MARK A. GIBSON, Pres. LINE SURVEYOR 800

SURVEYOR'S
SEAL

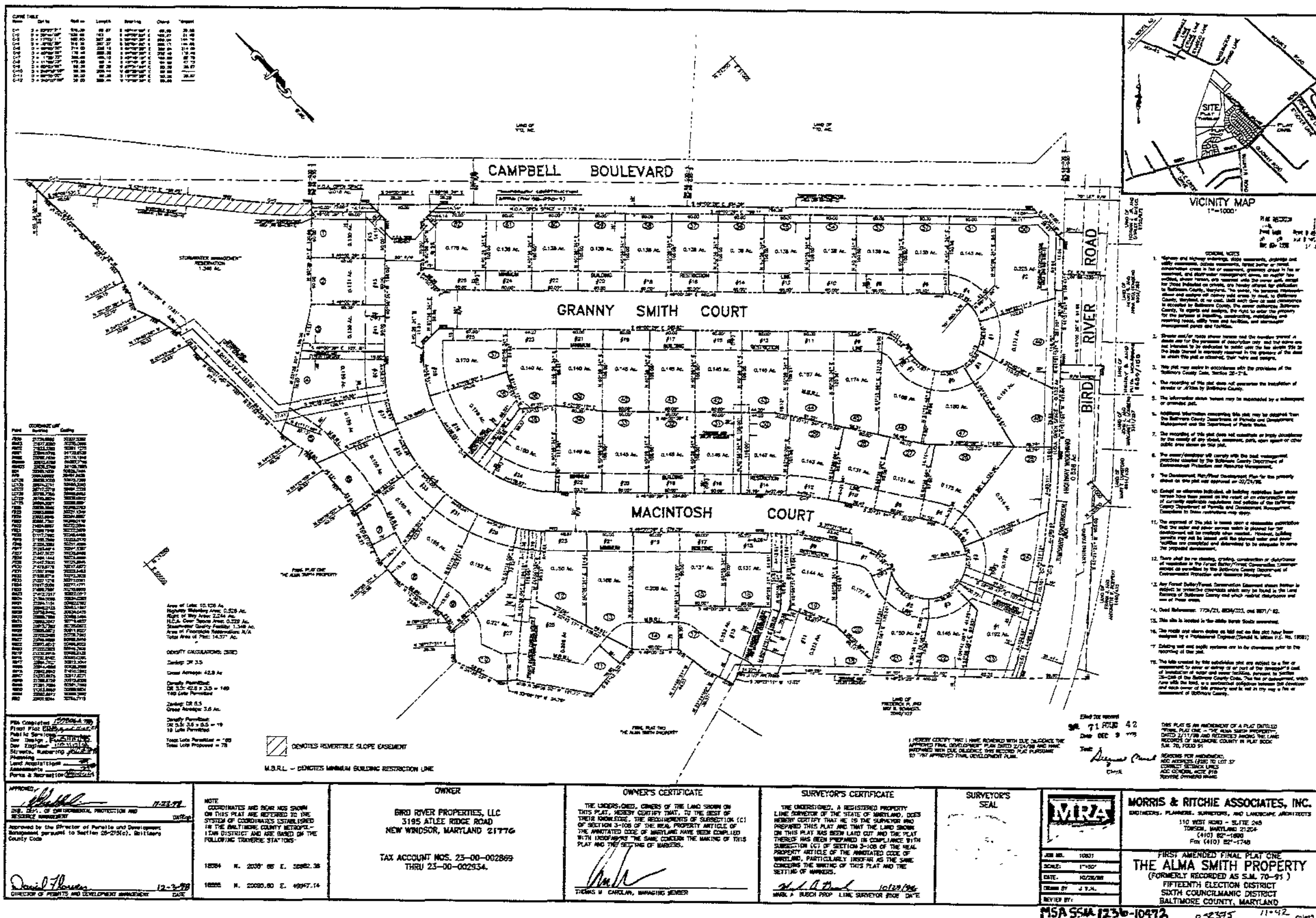
INTRA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 WEST ROAD - SUITE 103
TOWSON, MARYLAND 21204
(410) 527-1890
Fax (410) 521-1748

FINAL PLAT TWO
THE ALMA SMITH PROPERTY
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 15
COUNCILMANIC TRACT 8

REF ID: A66666 70-92

5A



MSA SSA 1236-10472

052375

11-42 plots



Bird River Rd.



DATE



LOOKING ACROSS ROAD.



SITE

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) College (1-4 or 5+)
6

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

20c. Location - City or Town, State
1/20/05 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.

Approximate
Interval Between
Onset and Death

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

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)

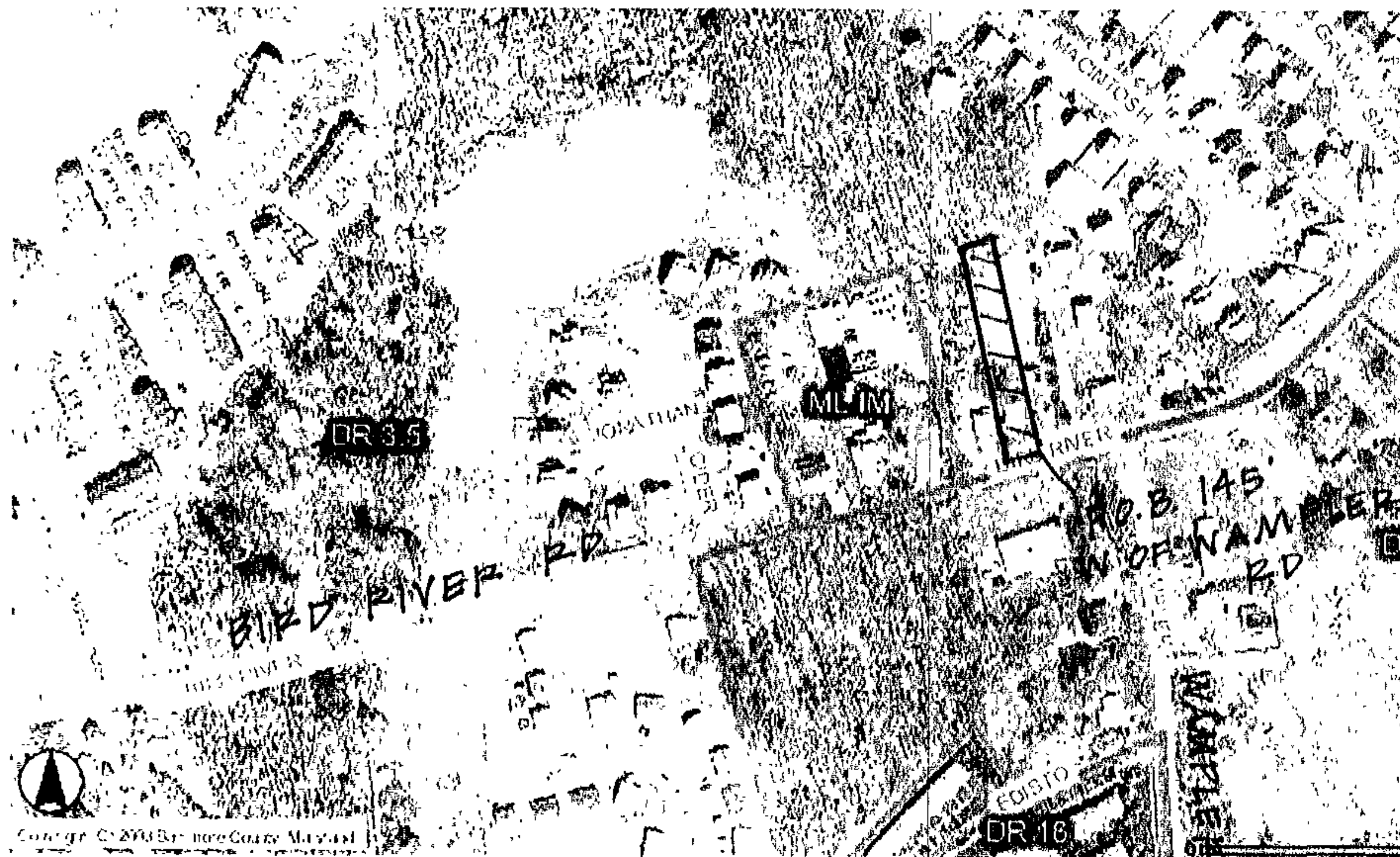
JAN 20 2005

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 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
Tent

[Signature]

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 5-108 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 5-108 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.

APPROVED BY BALTIMORE COUNTY HEALTH DEPARTMENT

[Signature] 12/1/83
DIRECTOR

APPROVED BY BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

[Signature] 12/1/83
DIRECTOR OF PLANNING AND ZONING

APPROVED BY BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS

[Signature] 12/1/83
DIRECTOR OF PUBLIC WORKS

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



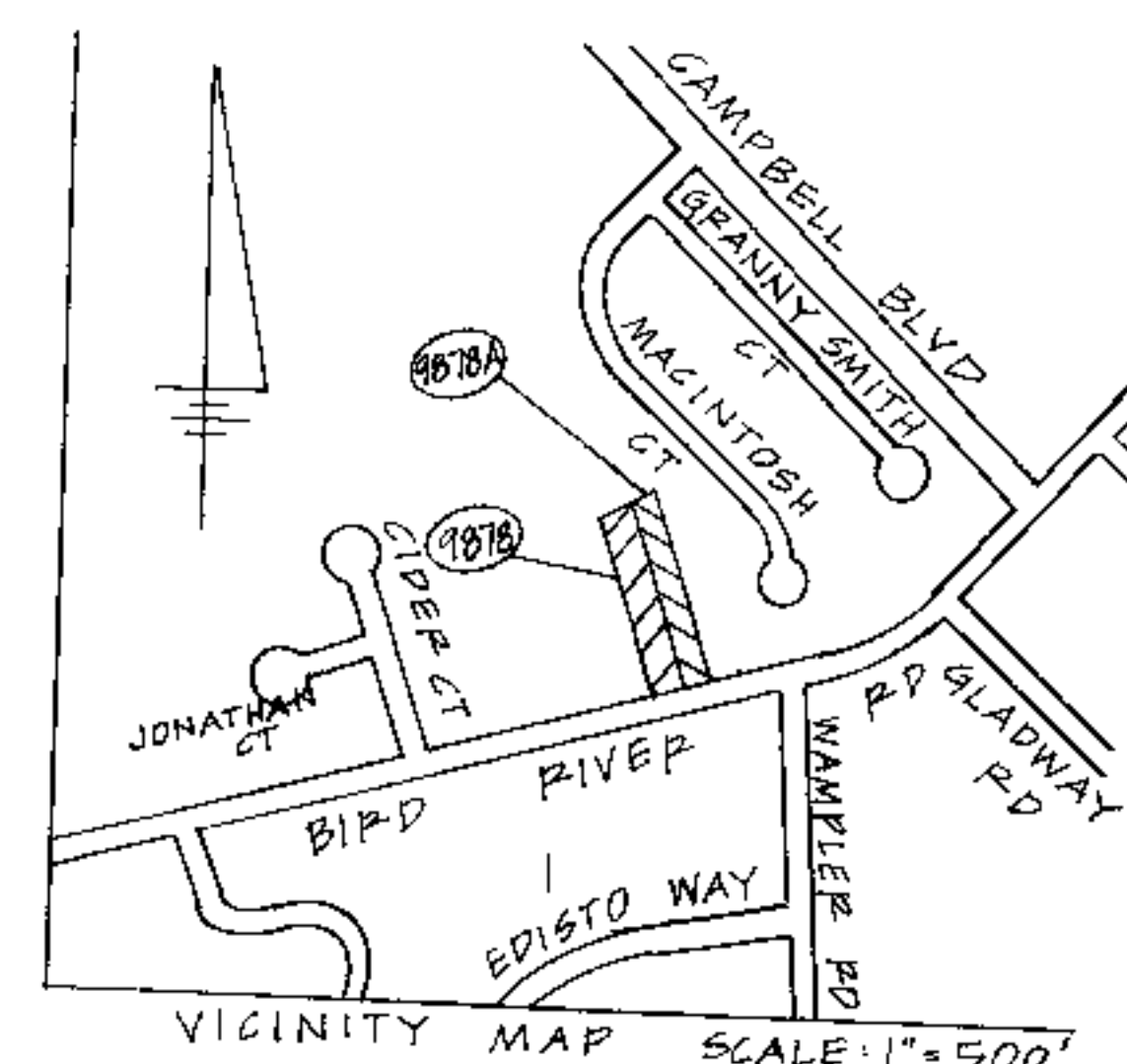
site rite SURVEYING, INC.
200 E. JOPPA ROAD RM. 101
TOWSON, MARYLAND 21286
PHONE: 410-828-9060
FAX: 410-828-9066

#9878 BIRD RIVER ROAD

GENERAL NOTES:

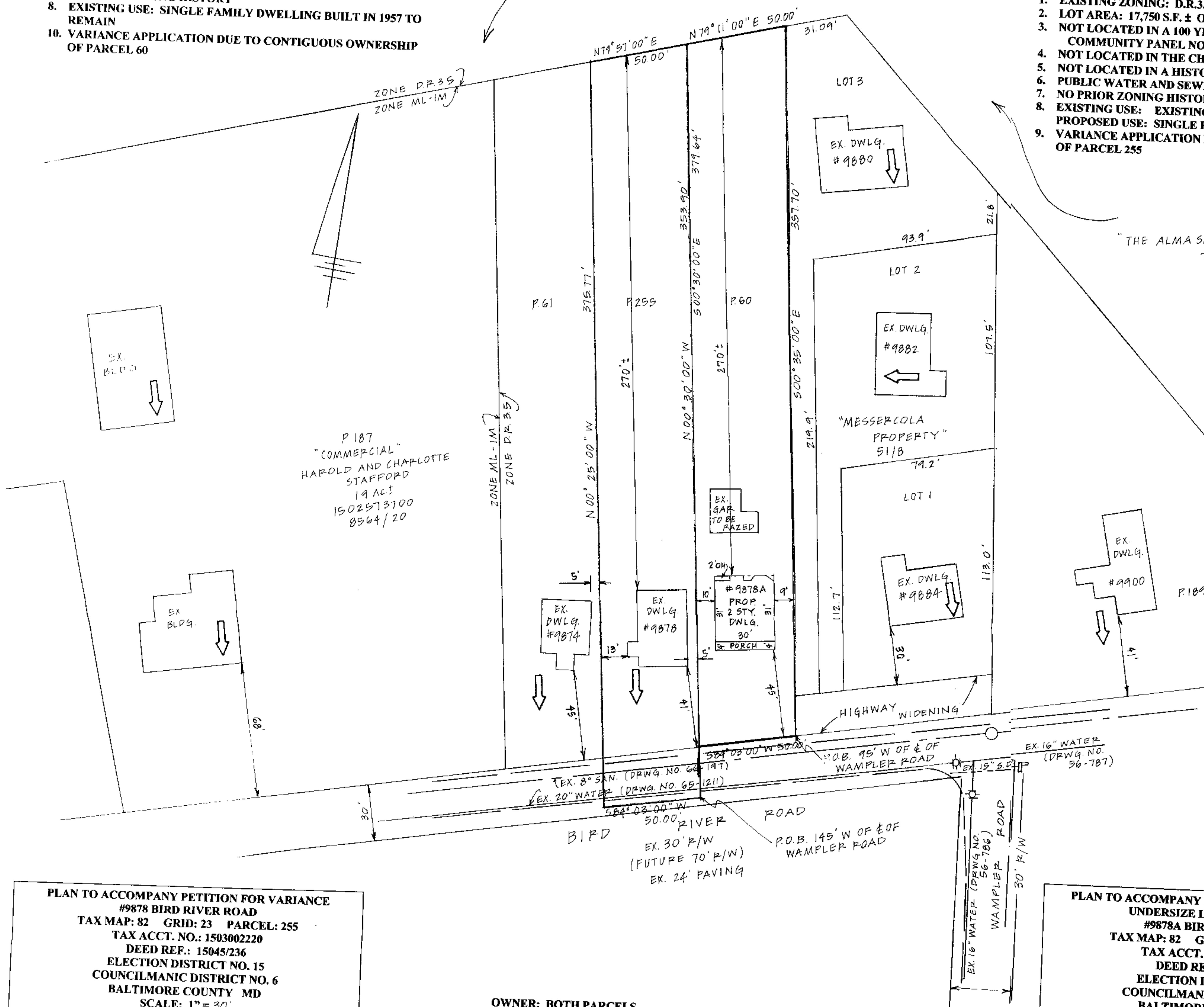
1. EXISTING ZONING: D.R.3.5.
2. LOT AREA: 18,850 S.F. ± OR 0.432 Ac ±
3. NOT LOCATED IN A 100 YEAR FLOOD PLAIN AREA
COMMUNITY PANEL NO. 240010 0430B ZONE: "C"
4. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
5. NOT LOCATED IN A HISTORIC AREA
6. PUBLIC WATER AND SEWER ARE AVAILABLE TO THE SITE
7. NO 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



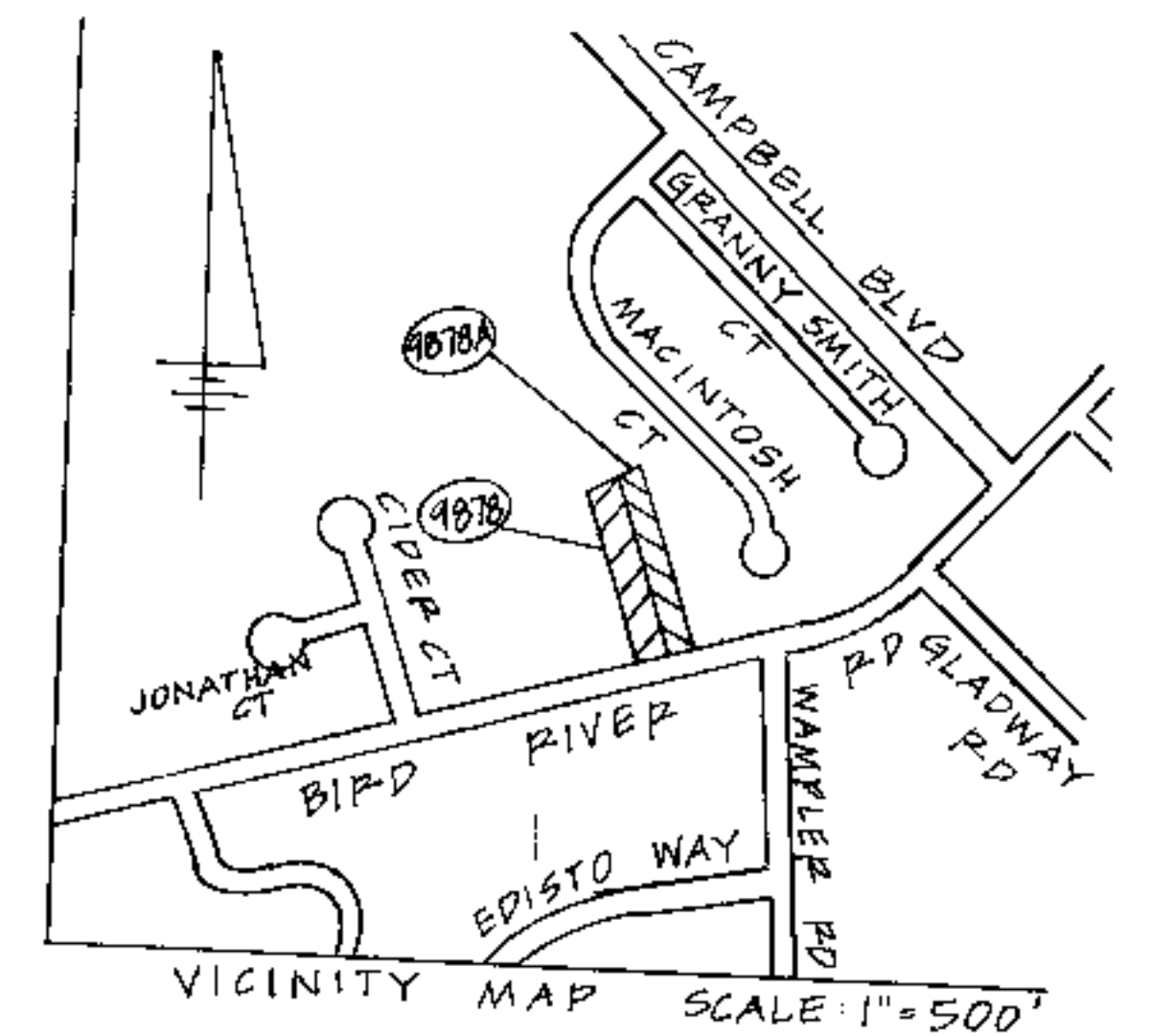
#9078 BIRD RIVER ROAD

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

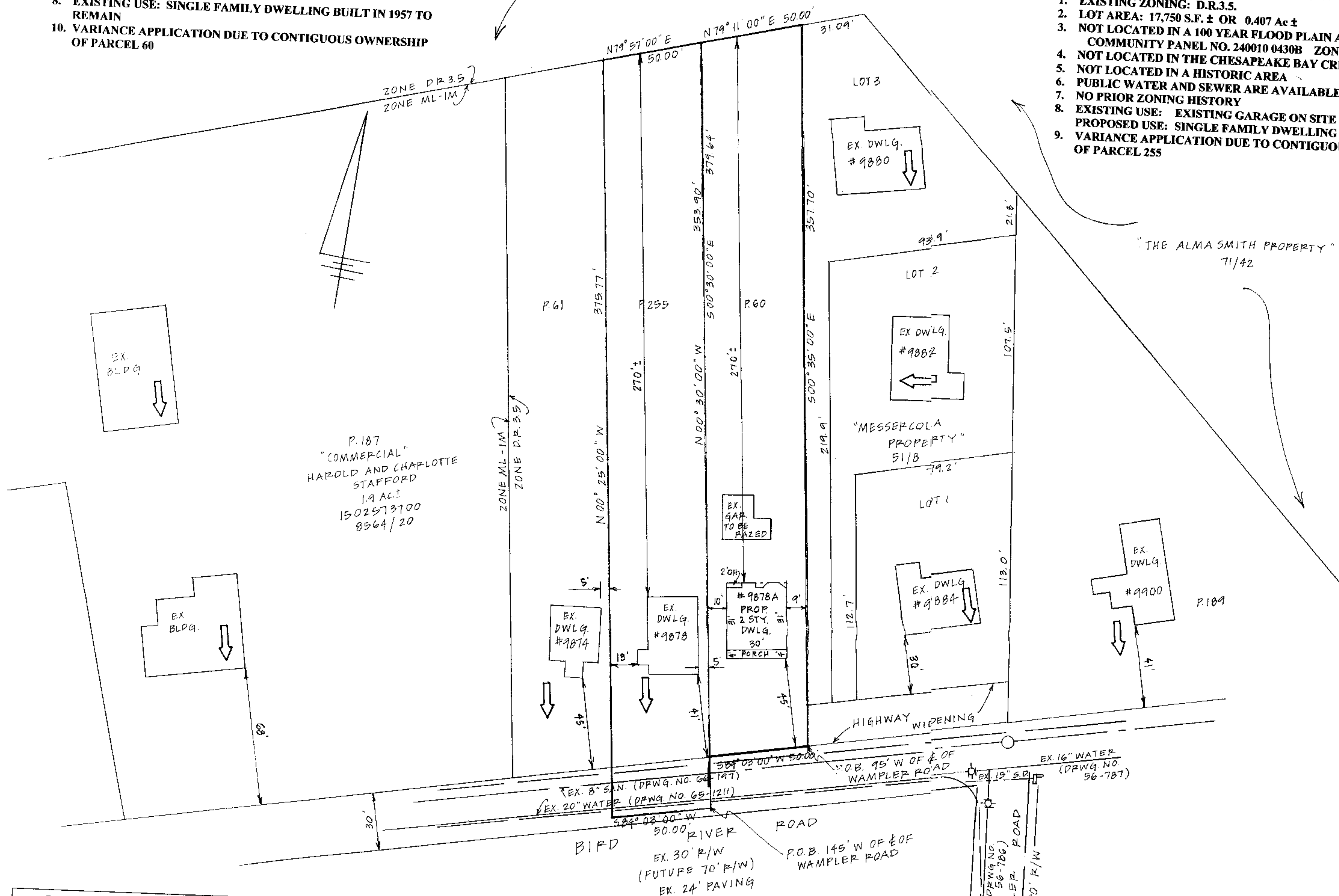
"THE ALMA SMITH PROPERTY"
70/92

"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