IN RE: PETITION FOR VARIANCE Northwest Corner of Gladway Road And Sterling Avenue 15th Election District 6th Councilmanic District **(1005 Gladway Road)**	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
	*	CASE NO. 06-331-A
Madeline Copeca and Frank A. Lotman *Petitioners*	*	
Timothy W. Thompson *Contract Purchaser*	*	

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by Madeline Copeca and Frank A. Lotman, Petitioners. The variance request is for property located at 1005 Gladway Road in the Middle River area of Baltimore County. The variance request is from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a dwelling with a front yard setback of 25 feet and a rear yard setback of 19 feet in lieu of the required 40 feet, respectively.

The property was posted with a notice of the public hearing date and time on January 21, 2006 and notice was given to the general public by publication in the Jeffersonian Newspaper on January 24, 2006.

Interested Persons

Appearing at the hearing on behalf of the variance request were Ruth Tipton, Tommy Thompson and Ellwood Sinsky. There were no protestants or citizens attending the hearing. Peter Max Zimmerman, People's Counsel, entered his appearance in this case.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

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."

Testimony and Evidence

Mr. Sinsky proffered that the subject property is a vacant lot containing 20,125 square feet zoned DR 2. The lot is 70 x 287 feet and located at the corner of Gladway Road and Sterling Avenue. The lot was created by deed in 1946 as shown by the deed for the property, Exhibit 4. He noted that the original deed created a number of 70-foot wide lots along the northeast side of Gladway Road, all of which have been developed with single family dwellings. The pattern of development is shown on Exhibit 3, the County sewer map, which shows one (1) house on each 70-foot wide lot. The lot is served by public water and sewer.

The request for variance arises because the Petitioner would like to build a 26 x 75 foot house on the subject lot. As shown in Exhibit 3, the homes along this portion of Gladway Road

ORDER RECEIVED FOR FILING
Date 2-22-19
By [illegible]

range from 34 to 26 feet in depth. Mr. Sinsky argued that any new house should be compatible in size. The Petitioner asks to build a home with 26 feet of depth. Again from Exhibit 3, the front setback for homes along this portion of Gladway Road average 25 feet while ranging from 21 to 30 feet. Mr. Sinsky indicated that the Petitioner is asking for a 25-foot front yard setback. The DR 2 regulations require 40 feet. Finally, if the new home is 26 feet deep and front yard setback 25 feet, this leaves 19 feet for the rear yard while again the regulations require 40 feet.

Mr. Sinsky noted that the new home met all other DR 2 regulations including lot area.

Findings of Fact and Conclusions of Law

I find it interesting to note that the subject lot is located on the corner of Sterling Avenue and Gladway Road. If instead of orienting the new home to front on Gladway, the new home fronted on Sterling, there would be no need for variance. The new home would meet all regulations including lot area even though the DR 2 zoning was imposed many years after the lot was created. However to keep the home consistent with the neighborhood, the Petitioner proposes to have the front of the building toward Gladway. This means he must ask for front and rear yard variances, as the lot is only 70 feet deep in this direction.

I find that the variances can be granted without adversely affecting the neighborhood and within the spirit and intent of the DR regulations. Clearly, this new home will not change the pattern of development of the neighborhood which is one single family dwelling on each 70-foot lot along the northern side of Gladway Road.

Granting these variances will not increase the density beyond that otherwise allowed since the lot size exceeds the DR 2 area regulations.

I also find that the Petitioner would suffer hardship or practical difficulty if the regulations were strictly enforced. The Petitioner could not build the new home.

Ordinarily I would easily find that the fact that the DR 2 regulations were imposed after the lot was created indicates the lot is unique from a zoning standpoint. However, I am aware that the Circuit Court disagreed with this reasoning in the Memorandum Opinion in Circuit Court Case No. 03-C-05-7736. This case resulted from an appeal by Peoples Counsel of the decision by the Board of Appeals on the request for variance for the Mueller property in Case No. 04-487-A. The Mueller's request for variance was to allow a narrower lot than the DR regulations require. The lot was created in the 1940's, many years before the DR regulations were imposed. This variance request was approved by this Deputy Zoning Commissioner and the Board of Appeals based upon the legal proposition that after imposed zoning regulations impact the subject lot disproportionately making the property unique from a zoning standpoint. This satisfied the first test in *Cromwell v Ward*, 102 Md App 691, 651 A 2d 424 (1995).

However, the Honorable Kathleen Cox, Circuit Court Judge, held in the Mueller appeal "that this analysis ignores the requirements in *Cromwell* that the impact on the property at issue be somehow different from that of surrounding properties. In fact the impact here is the same as to every undeveloped lot in the subdivision. Construction of that fact alone as rendering the property "unique" would effectively gut the impact of the rezoning. Every undersized lot throughout the community would then be able to claim it was unique on the basis of the re-zoning alone, and the increased lot size restrictions would be meaningless."

It is clear to me that the Court's perspective of the problem is centered on the subdivision. The Court looked to see if the impact of zoning on the Mueller lot was any different from the impact on others in the subdivision. If this were the proper perspective, then certainly I would agree that the Mueller lot was not unique, as there would be no disproportionate impact.

However, I have a different perspective of the problem. This perspective is based on the comprehensive zoning that ordinarily is done in this County. This is in contrast to spot or area

zoning which other jurisdictions regularly employ. In Baltimore County, the Council regularly zones large sections of the County a particular zone, which is appropriate for the overall area. For example, the County tries to zone farmland as RC 2, which is specifically designed, for this use. The Council has designated large swaths of land around Loch Raven Reservoir as RC 4, which is specifically designed to protect the metropolitan water supply. Then there was the infamous "I don't know what to do" zone, better known as deferred planning zone, RC 3, imposed on the western side of the County because this area might or might not be a future growth area. Literally, thousands of acres of land received these zones in one swoop.

However almost by definition, there will be anomalies, small pockets of land inside these great swaths of this or that zone that everyone would agree do not fit nicely into the zone. When painting with such a large brush, these anomalies are rarely seen much less taken into account. For the sake of illustration I will use the imposition of the RC 5 zone on old subdivisions as perhaps the clearest example of this problem.

According to County Planning Office calculations attached, there are approximately 37,000 acres of land in the County zoned RC 5. See attachment A. A few hundred acres of this great hunk of the County are located on the northeastern side where subdivisions created in the 1920's are located. Lots in these old subdivisions are all undersized 50 foot wide lots, on the water and have been bought, sold and developed for generations. The RC 5 regulations were first imposed three decades ago on these old subdivisions. Since then the County has not taken any steps to prohibit or limit the selling of or building on these lots. In contrast, Anne Arundel County passed its Antiquated Lots Law, Md. Code Article 28 Section 2-101, in which non conforming lots could be combined to form conforming lots. So, building and rebuilding on these undersized lots has continued uninterruptedly in Baltimore County for the past 30 years basically through the variance process

The RC 5 regulations are primarily concerned with controlling development around the rural commercial centers in the northern section of the County. Lots were originally required to contain one acre, as this was the minimum size for homes using private well and septic systems. Having one acre, the regulations could reasonably require 50-foot setbacks from lot lines for new homes. These regulations made great sense in the rural areas of the County around rural commercial centers, which were not developed but could be. There are thousands of acres of such zoned property in this section of the County around rural commercial centers.

One other peg is important to any perspective. The Council has been told emphatically that every property in the County must be zoned something. There is no such thing as "no" zone. This extended even to publicly owned property all of which has some zoning designation.

Returning to the application of RC 5 zoning on these old narrow lot subdivisions, no public water and sewer were planned for these waterfront properties in the far northeastern side of the County. The Council therefore could not impose any DR zone on these old subdivisions, as DR zoning is restricted to areas served by public water and sewer. When first imposed in 1976, there were only four rural zones to choose from. Clearly, these shore front subdivisions were not farms and so could not be zoned RC 2. Similarly, they had nothing to do with protecting the metropolitan water supply and so RC 4 was not appropriate. Finally, these old subdivisions were never going to be a new growth area so RC 3 could not be applied. This left RC 5 to be applied virtually by default Again, every property had to be zoned something.

So the Council imposed RC 5 zoning on these old subdivisions which require one acre minimum, and 50 foot side yard setbacks. However, lots in these waterfront subdivisions were laid out in the 1920's into 50-foot lots perhaps with 1/8 acre of ground in each lot. The pattern of development was often one (1) house on each lot as these were often used as summer homes. Clearly, no lot could meet the RC 5 regulations of 50-foot side yard setback on a 50-foot wide

lot. In fact, someone would have to acquire three (3) adjoining lots just to put up a home to meet the side yard setback requirements, an impractical task. Worse yet, someone would have to acquire eight (8) lots to meet the RC 5 acreage requirement of one (1) acre, an impossible task. Recently, the RC 5 minimum acreage was increased to 1.5 acres to address continuing development concerns around the rural commercial centers in the north part of the County. If the present RC 5 regulations strictly applied to the 50-foot lots along the waterfront, someone would need 12 lots to build. No homes could practically ever be built.

Clearly, it was not and is not the Council's intention to prevent any further building on the County's waterfront. Without relief, imposition of RC 5 would leave no reasonable use of a great many of the lots in these old subdivisions, which would have quickly become a massive taking be the County. Rather, the Council addressed the issues it saw around the rural commercial centers by means of the RC 5 regulations and left the application of the RC 5 regulations on the old 50 foot lots to the discretion of this Commission and Board of Appeals via the variance procedures. We have found these few lots in these old subdivisions are unique in a zoning sense because they are impacted disproportionately as compared to the impact on the vast majority of land in the RC 5 zoned portion of the County.

That said, the waterfront community is protected from harmful development by the remaining requirements of Section 307 such as the need to show hardship or practical difficulty, no greater density, spirit and intent and adverse impact. The latter often amounts to analyzing the pattern of development of the neighborhood street by street or creek by creek to see if the new home will change the pattern of development. Privacy and use of property is substantially different for homes 20 feet apart built on single lots compared to perhaps 70 or 80 feet apart for homes built on double lots. This Commission and the Board of Appeals have denied many

variance requests where the Petitioner tries to shoe horn new homes into communities built on two (2) or more lots.

My perspective on this matter of uniqueness is the broader County where 37,000 acres of land is very rightly zoned RC 5. Controlling development around rural commercial centers is important especially when no public water and sewer are available. Serious health issues can quickly arise if this is not regulated. However, compared to the impact on lots in this broad portion of the County, RC 5 regulations impact lots in these old subdivisions on the east side disproportionately.

Finally, it is important to note that in applying the uniqueness standard, the *Cromwell* Court cites many appellate decisions as authority, which give a wide variety of standards against which the subject property is to be compared. Sometimes the Court cites properties in the "same district", in others it refers to "same area" and still in others "same neighborhood". I will simply list the Cromwell court's cites in what follows. Emphasis supplied in all.

In *Marino v Mayor and City Council of Baltimore*, 215 Md. 206,218 (1957) as follows: " It was incumbent upon the Marinos to have shown ...(ii) that the difficulties or hardships were peculiar to the property in question in contrast with those of other property owners in the same district, and that the hardship was not the result of the applicant's own actions." In *Frankel v Mayor and City Council of Baltimore*, 223 Md. 97, 104 (1960) as follows "It was incumbent to show that the hardship ...affected his particular premises and was not ...common to other properties in the neighborhood." In discussing *McLean v Soley*, 270 Md. 208, 210 (1973) Cromwell Court opines; " the opinion (*Soley v McLean)* does not make mention that the practical difficulty resulted from the fact that the uniqueness of the property caused the ordinance to have a different impact on it than on adjoining property. Also, there was no evidence that the neighboring properties were in anyway different than the subject property." In *AD Soil, Inc v*

County Commissioners, 307 Md. 307 (1986), as follows: "there are exceptional or extraordinary circumstances or special condition applying to the property in question …that do not apply generally to other properties in the …..district". In *North v St. Mary's County*, 99 Md. App. 502, at 512 as follows: " Uniqueness of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area". In *Shafer v Zoning Board of Appeals,* 511 N.E. 2d. 635 (Mass App. Ct. 1987), "There was no evidence …regarding soil condition, shape or topography of the property ...especially affecting the property but not affecting generally the zoning district in which it is located." In *St. Clair v Skagit County,* 715 P. 2d 165 (Wash App. 1986) as follows: "The Court added that the 75-foot width and aggregation requirements do not put a burden on appellant's property which does not apply to other properties in the vicinity." In *Baker v Connell*, 488 A 2d 1303 (Del. Supp 1985) as follows: "As to the unique character of the land, the mere fact that it sits entirely within the O-1 zone does not make it unique. There is no evidence that this lot is the only one of its type in Rehobeth." In *Chambers v Smithfield City,* 714 P. 2d 1133, 1135 (Utah 1986) as follows: There is no evidence of special conditions attached to the property itself which do not also attach to other property in the vicinity." In *Prince William County Bd. of Zoning Appeals v Bond*, 300 S.E. 2d 781 (VA 1983) as follows: "It opined that in order to grant a variance, the hardship allegedly created by the ordinance must not be shared generally by other properties in the same zoning district and same vicinity. The limitation imposed by the zoning ordinance is one shared by all property owners in the A-1 district'. In *Sibley v Inhabitants of the Town of Wells*, 462 A 2d 27, 30-31 (Me 1983) as follows: However the mere fact that the lot is substandard is not a unique circumstance: all the undeveloped lots in that neighborhood are of substandard size." In *Immordino v Zoning Hearing Bd.*, 441 A 2d 818, 821 (PA Commonwealth 1982) as follows: "A prerequisite to the granting of a hardship zoning variance is the presence of an exceptional and

unique hardship to the individual landowner, unique to that parcel and not shared by other property owners' in the area". In *Russell v District of Columbia Bd. Of Zoning Adjustment*, 402 A 2d. 1231, (DC App. 1979) as follows: It was determined that the lot was the only lot in the area that had been subdivided into smaller lots prior to the adoption of the zoning ordinance". In *Taxpayers Association v Board of Zoning Appeals*, 93 N. E. 2d 645 647 (NY 1950) as follows: "The record does not show the property suffers a unique or singular disadvantage, not common to other properties in the district..."

Finally the *Cromwell* Court concludes that " There was no evidence submitted to the Board that the subject site was in any way peculiar, unusual or unique when compared to other properties in the neighborhood". The *Cromwell* Court did not attempt to define "neighborhood" nor to my knowledge in any subsequent case which followed. The Baltimore County Zoning Regulations do not define "neighborhood". The Development regulations Section 32-4-402 (a) define neighborhood for compatibility purposes as follows:

(a) "Neighborhood" defined. In this section neighborhood "means the existing buildings and land uses adjacent to and extending from the proposed development to:

(1) A definable boundary such as a primary collector or arterial street;

(2) An area with a significant change in character or land use; or

(3) A major natural feature. (Emphasis supplied)

The *Cromwell* Court cites with approval examples of features that make land unique in the previously cited case of *North v St. Mary's County, supra.* In that case the Court opined that the term "unique" has a customized meaning:

"In the zoning context the 'unique' aspect of a variance requirement does not refer to the extent of improvements upon the property or upon the neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area; i.e. its shape, topography, subsurface condition, environmental factors, historical significance, access or non access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions."

At first glance this seems to require some physical anomaly, which makes the subject property different from the other properties in the area. However, the Court recognized the property could have historical significance. Perhaps it is located in an historic district with many square miles of area. In that case, comparing the impact on the subject property to those immediately around, it would never find the property unique because they would all be subject to the same regulations. However, the Court specifically noted that historical significance would make the property unique. So it seems to me that the examples given in North were never intended to be all-inclusive but rather just that - examples. That said, the North Court specifically recognized larger settings for this comparison in its listing of historical significance.

The authorities cited with approval in *Cromwell* specify that the impact on the subject property to be compared to the impact of properties in the zoning district, area, vicinity and neighborhood. None of these descriptions limit the comparison to lots immediately adjacent to the subject property. In my view, we should chose among zoning district, area, vicinity and neighborhood by looking at the specific facts of each case. In a jurisdiction that does comprehensive zoning such as Baltimore County, I suggest the best choice would be comparison be made to the other lots in the zoning district. This recognizes that the zoning authority paints with a very broad brush. By definition, then there will be pockets of property, which will be disproportionately impacted by the later imposed regulations as compared to other lots in the district.

Returning to the subject case, the zoning on the property is DR 2. Again, referring to Attachment A, there are 13,760 acres of DR 2 in the County DR 2 is a low-density zone with public water and sewer available to the property. The deed presented as Exhibit 4 indicates that three (3) lots were created by deed along Gladway Road in 1946 obviously much before the DR zoning was imposed These few lots were laid out with very long road frontage along Gladway

Road but only 70 feet deep. Then DR 2 was imposed over top of the lots. When a home fronts on Gladway, front and rear yard variances are required as the combined depth of front and rear yards in DR 2 zones are a total of 80 feet. Clearly, no one could build on a 70-foot deep lot in this zone.

Again, the Council was quite correct in imposing DR 2 zoning on a great swath of the County inside the URDL line. However, the Council could not have anticipated every old lot layout done by deed in the 1940's. The Council deals with these odd situations by the variance process. This keeps the comprehensive approach to zoning in the County in tact but allows for relief in odd little pockets over which the larger zone has been imposed.

However, if we compare the impact of the DR 2 zoning to only the immediately adjacent lots, there clearly is no difference in impact. None meet the regulations. It would then follow that this lot is not unique and no relief can be granted. However, I would argue that the perspective of a broader view is more in keeping with Baltimore County comprehensive approach to zoning. Such an approach is clearly sanctioned by many of the appellate decisions cited in *Cromwell*.

Finally, I accept that the Circuit Court's decision in the Mueller case is clearly binding in that particular case. I respect the wisdom of this decision in other cases such as the one before me. However, this decision is not a published opinion of the appellate courts which is binding statewide. I recognize this opinion as wise and important but until an appellate Court has spoken. I do not consider the Mueller case binding precedent.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 22 day of February, 2006, that a variance request from Section 1B02.3C.1 of the Baltimore County Zoning Regulations (B.C.Z.R), to permit a dwelling with a front yard setback of 25 feet and a rear yard setback of 19 feet in lieu of the required 40 feet, respectively, be and is hereby GRANTED.

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

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 22, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Madeline Copeca Lotman
Frank A. Lotman
7853 Charlesmont Road
Baltimore, Maryland 21222

Re: Petition for Variance
Case No. 06-331-A
Property: 1005 Gladway Road

Dear Mr. and Mrs. Lotman:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Timothy W. Thompson, 13214 Dulaney Valley Road, Glen Arm, MD 21057
Ellwood A. Sinsky, 2416 Velvet Valley Way, Owings Mills, MD 21117
Ruth Tipton, 620 S. Main Street, Bel Air, MD 21014
People's Counsel; Case File

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1005 Gladway Road

which is presently zoned DR2

his Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) f the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part ereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

TO PERMIT A DWELLING WITH A FRONT YARD SETBACK OF 25' AND A REAR YARD SETBACK OF 19' IN LIEU OF THE REQUIRED 40', RESPECTIVELY.

f the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship r practical difficulty) TO BE DISCUSSED AT HEARING

roperty is to be posted and advertised as prescribed by the zoning regulations.
or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning egulations 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:

TIMOTHY W. THOMPSON
Name - Type or Print

Signature

13214 DELANEY VALLEY RD 4105928210
Address Telephone No.

GLEN ARM MD. 21057
City State Zip Code

Legal Owner(s):

Madeline Cipeca Lotman
Name - Type or Print

Madeline Cipeca Lotman
Signature

Frank A. Lotman - p.o.a. for Helen Flores
Name - Type or Print

Frank A. Lotman
Signature

7853 CHARLESMOUNT Rd.
Address Telephone No.

BALTIMORE MD 21222
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JE **Date** 1/7/05

RECEIVED FOR FILING
Date 1-22-05
By [illegible]

Case No. 06-331-A

Zoning Description for 1005 Gladway Road

As recorded in Deed Liber 5636 Folio 196:

BEGINNING for the third thereof on the northeast side of Gladway Road, a 40 foot road, at a po nt distant 1329.37 feet southeasterly along said Gladway Road from the intersection of said Road with the third or North 52 degrees 38 minutes East 100 foot line of the tract of land which by deed dated March 16, 1946 and recorded among the land records of Baltimore County in Liber R. J. S. No. 1443, folio 189, was granted and conveyed by CHRISTINE HOMBERG to the said ANTHONY J. PEROUTKA and JOSEPHINE P. PEROUTKA, his wife, and running thence along the northeast side of said Gladway Road with the use thereof in common with others, south 37 degrees 22 minutes east 287.5 feet to the intersection of said northeast side of said Gladway Road and the northwest side of a proposed fifty foot road thence along the northwest side of said proposed fift foot road with the use thereof in common north 52 degrees 38 minutes east 70 feet to the fourth line of the aforesaid tract of land from CHRISTINE HOMBERG to ANTHONY J. PEROUTKA and JOSEPHINE P. PEROUTKA, his wife, thence binding on said fourth line and running north 37 degrees 22 minutes west 287.5 feet, thence south 52 degrees 38 minutes west 70 feet to the place of beginning.

BEING the same lot of ground which by Deed dated June 14, 1955 and recorded among the land records of Baltimore County in Liber GLB 2717 Folio 501 was granted and conveyed by CLARENCE W. O'HAVER et ux unto the Grantors herein.

ELECTION DISTRICT - 15

COUNCILMANIC DISTRICT - 6

TOTAL AREA - 20,125 SQ FT

#331

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2834

DATE 1-3-06 ACCOUNT 001-906-6150

AMOUNT $ 65.00

RECEIVED FROM: Timothy Thompson
1005 Galloway Rd.

FOR: Petition for Variance ITEM # 331

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

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: #06-331-A
1005 Gladway Road
Northwest corner of Gladway Road and Sterling Avenue
15th Election District — 6th Councilmanic District
Legal Owner(s): Madeline C. & Frank A. Lotman (for Helen Flores)

Variance: to permit a dwelling with a front yard setback of 25 feet and a rear yard setback of 19 feet in lieu of the required 40 feet respectively.

Hearing: Monday, February 6, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 1/777 Jan. 24 82205

CERTIFICATE OF PUBLICATION

1/27/, 2006

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 1/24/, 2006.

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

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-331-A

Petitioner/Developer: TIMOTHY W. THOMPSON

Date of Hearing/Closing: FEB 6, 2006

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

ATTN: Kristen Matthews {(410) 887-3394}

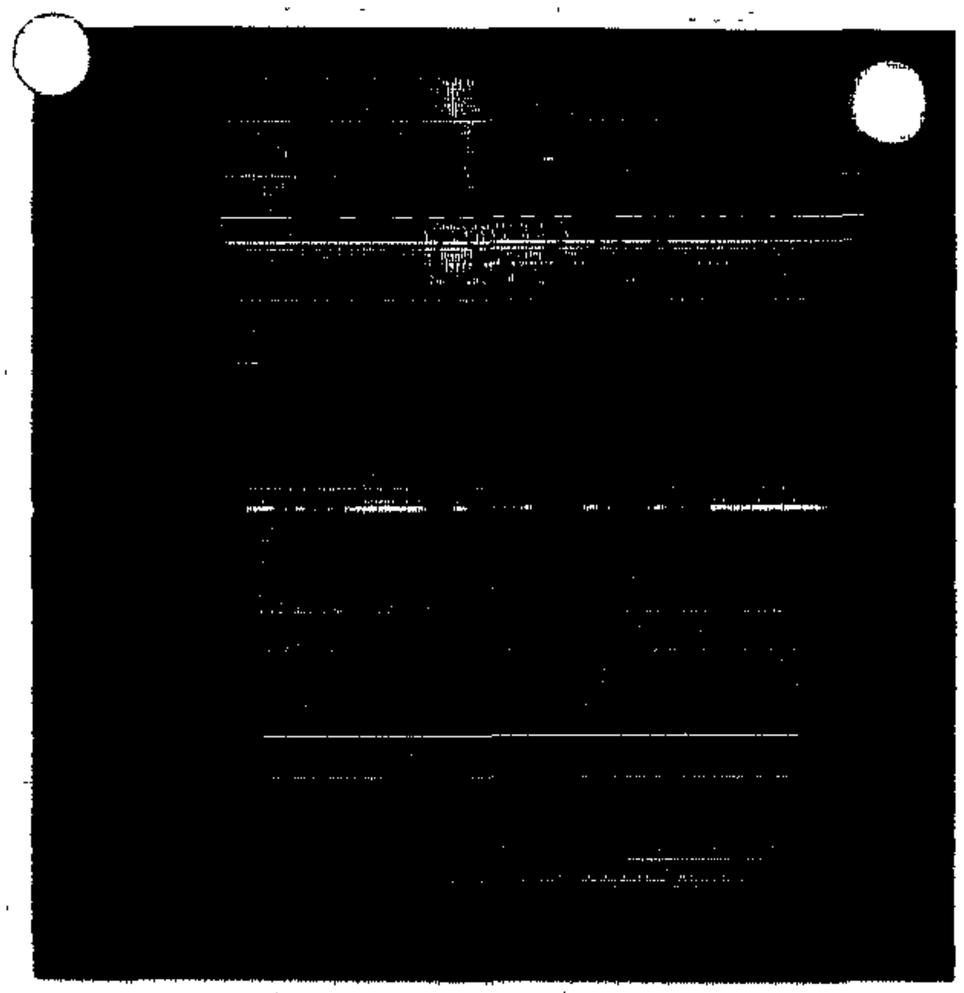
Ladies and Gentlemen:

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:

1005 GLADWAY ROAD

was posted on 1/21/06
(Month, Day, Year)

Sincerely,



Robert Black 1/23/06
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

1005 GLADWAY RD

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 19, 2006 Issue - Jeffersonian

Please forward billing to:
Timothy W. Thompson (410-592-8210)
13214 Dulaney Valley Road
Glen Arm, MD 21057

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WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

January 13, 2006

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: 06-331-A
1005 Gladway Road
Northwest corner of Gladway Road and Sterling Avenue
15th Election District, 6th Councilmanic District
Legal Owners: Madeline C. & Frank A. Lotman (for Helen Flores)
Contract Purchaser: Timothy W. Thompson

Variance to permit a dwelling with a front yard setback of 25 feet and a rear yard setback of 19 feet in lieu of the required 40 feet respectively.

Hearing: Monday, February 6, 2006 @ 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, MD 21204

Timothy Kotroco
Director

TK:raj

C: Madeline C. & Frank A. Lotman, 7853 Charlesmont Road, Baltimore, MD 21222
Timothy W. Thompson, 13214 Dulaney Valley Road, Glen Arm, MD 21057

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 21, 2006.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-3868.
(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.

For Newspaper Advertising:

Item Number or Case Number: 06-331-A

Petitioner: MADELINE LOTMAN & HELEN FLORES

Address or Location: 1005 GLADWAY ROAD MIDDLE RIVER, MD. 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: TIMOTHY W. THOMPSON

Address: 13214 DULANEY VALLEY ROAD
GLEN ARM, MARYLAND 21057

Telephone Number: 410 592 8210

Revised 7/11/05 - SCJ

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

February 6, 2006

Madeline Copeca Lotman
Frank A. Lotman
7853 Charlesmount Road
Baltimore, Maryland 21222

Dear Mr. and Mrs. Lotman:

RE: Case Number: 06-331-A, 1005 Gladway Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 9, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Timothy Thompson 13214 Dulaney Valley Road Glen Arm 21057

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

JANUARY 20,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: January 16,2006

Item No.: 328, 329, 330, 331, 333, 334, 335

1. The Fire Marshal's Office has no comments a: this time.

Acting Lt. David Heath
Fire Marshal's Office
(O)410-887-4381
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 31, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 23, 2006
Item Nos. 328, 329, 330, 331, 332, 333, and 335

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-01312006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 1, 2006

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-331 Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By: _____

Division Chief: _____

CM/LL

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 1.17.02

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

RE: Baltimore County
Item No. 331 JRF

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,

S. D. Foster

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

RE:	PETITION FOR VARIANCE 1005 Gladway Road; NW corner Gladway Road & Sterling Avenue 15th Election & 6th Councilmanic Districts Legal Owner(s): Madeline & Frank Lotman Contract Purchaser(s): Timothy Thompson Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-331-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 18th day of January, 2006, a copy of the foregoing Entry of Appearance was mailed to, Madeline & Frank Lotman, 7853 Charlesmount Road, Baltimore, MD 21222, Petitioner(s).

RECEIVED
JAN 18 2006
By CLK

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Kathy Schlabach
To: Murphy, John
Date: 02/09/06 8:56:23 AM
Subject: Re: Zoning Acreage

It is a calculation based on GIS data to quantify the change in zoning classification area after the 2004 Comprehensive Zoning Map Process, compiled by the Office of Planning. It does not reflect any cycle zoning or map correction changes that may have occurred since then. If you need the most current numbers, we can figure that out for you.

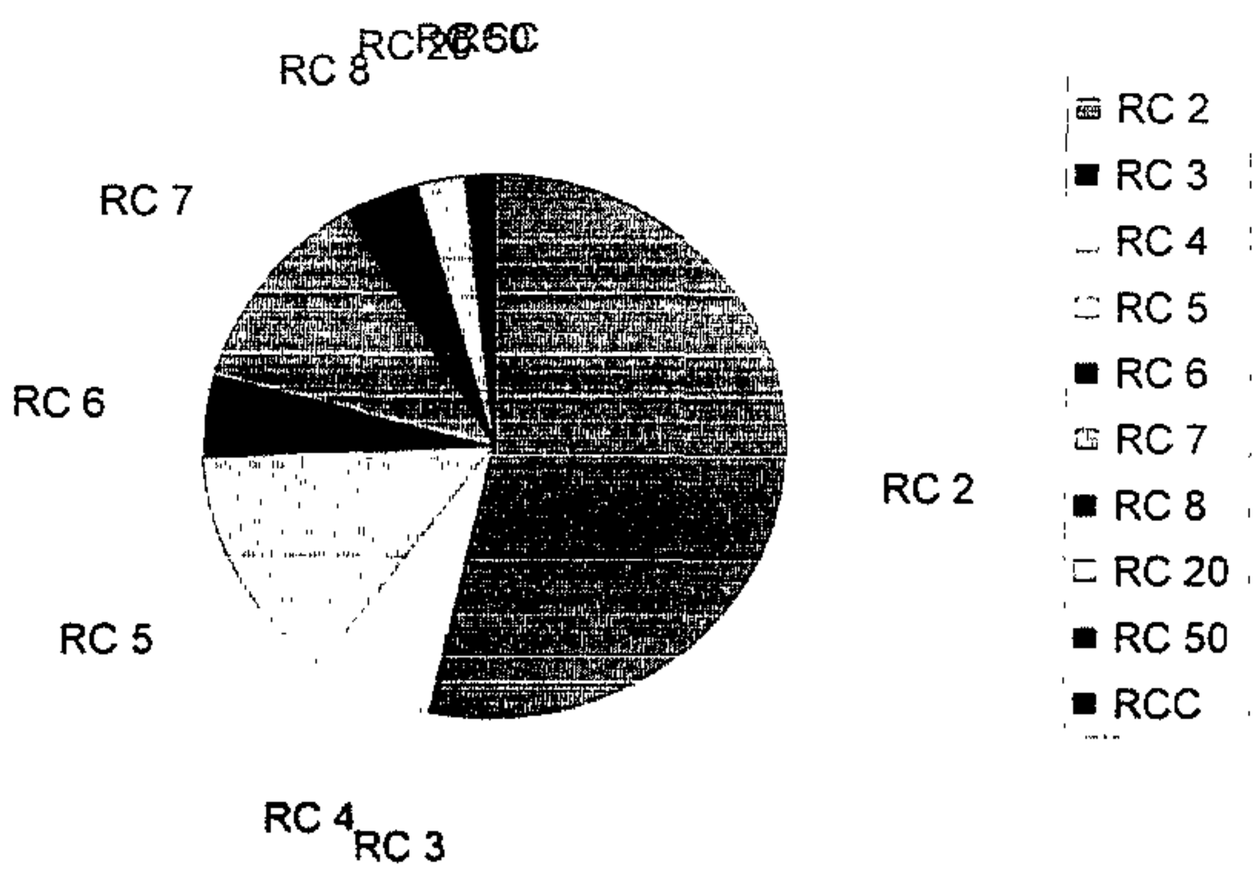
Kathy

>>> John Murphy 02/09/06 8:45 AM >>>
Thanks for the information. How do I refer to it? Is this a study done by PLanning? Some on going compilation? I want to attach the data to an opinion.

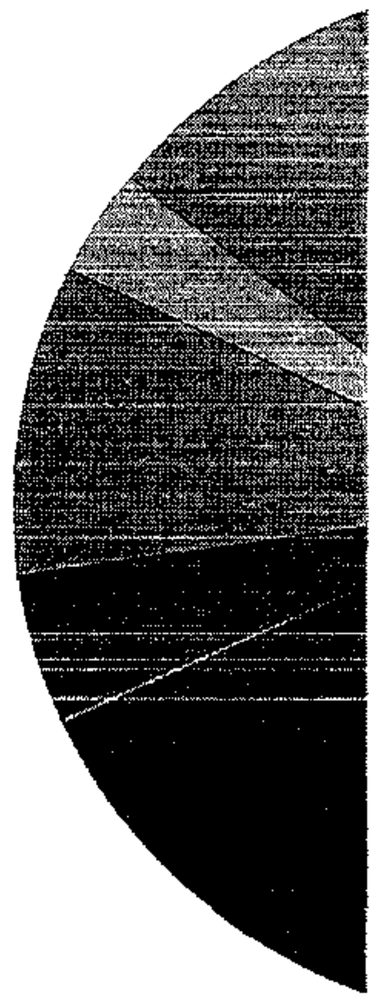
>>> Kathy Schlabach 02/08/06 2:38 PM >>>
See attached.

Zone	Acres	% of County
RC 2	139334 34	0.3578
RC 3	811.70	0.0021
RC 4	17441.90	0.0448
RC 5	37022.04	0.0951
RC 6	12818.87	0.0329
RC 7	32089.08	0.0824
RC 8	11006.63	0.0283
RC 20	7093.45	0.0182
RC 50	4091.37	0 0105
RCC	43.90	0.0001

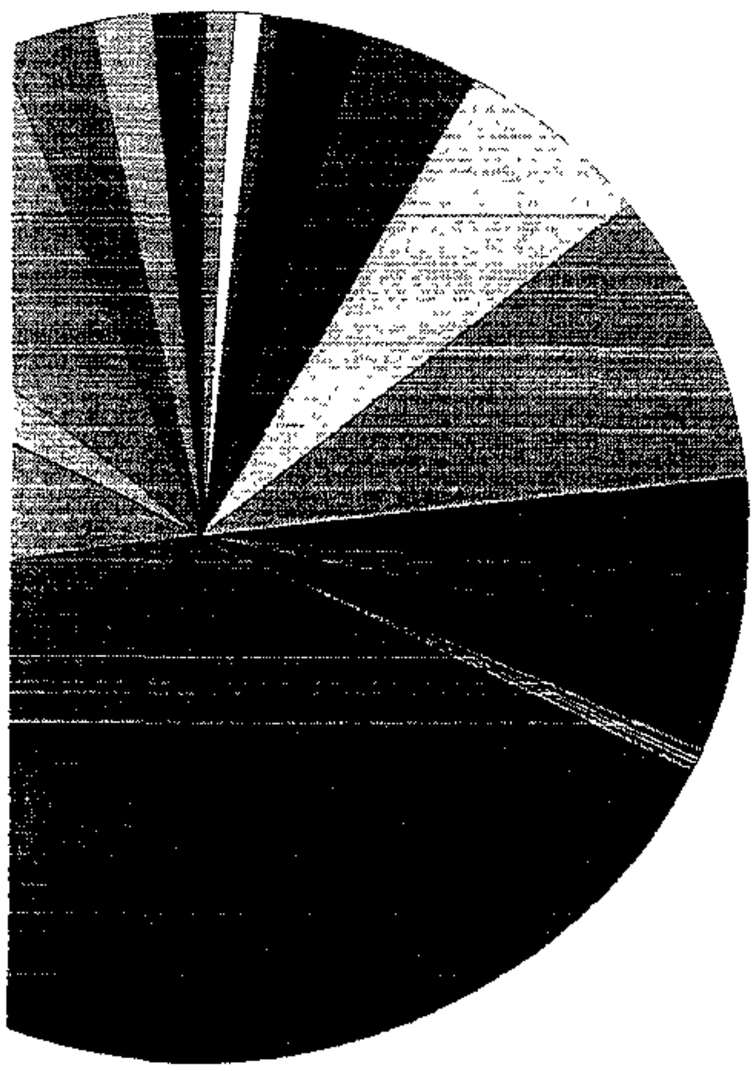
Total RC Acreage	261753.28
Total County Acreage	389420.97
Total RC % of County	0.67



Zone	Acres	% of County
BL	3245 62	0.0083
BLR	160.73	0.0004
BM	3117.32	0.0080
BMB	108.11	0.0003
BMM	10.56	0.0000
BMYC	10.82	0.0000
BR	1992.18	0.0051
CB	54.67	0.0001
DR 1	10099.03	0.0259
DR 2	13760.08	0.0353
DR 3 5	22907.38	0.0588
DR 5.5	35377.33	0.0908
DR 10.5	5158.77	0.0132
DR 16	6835.27	0.0176
MH	8546.08	0.0219
ML	12032.52	0.0309
MLR	922.47	0.0024
MR	121.95	0.0003
O 3	261.06	0.0007
OR 1	452.40	0.0012
OR 2	662.32	0.0017
OT	937.98	0.0024
RAE 1	87.62	0.0002
RAE 2	120.92	0.0003
RC 2	139334.34	0.3578
RC 3	811.70	0.0021
RC 4	17441.90	0.0448
RC 5	37022.04	0.0951
RC 6	12818.87	0.0329
RC 7	32089.08	0.0824
RC 8	11006.63	0.0283
RC 20	7093.45	0.0182
RC 50	4091.37	0.0105
RCC	43.90	0.0001
RO	541.30	0.0014
ROA	68.23	0.0002
SE	74.98	0.0002
Total County Acreage	389420.9700	



Zone Percentages



BL
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RC 7
RC 8
RC 20
RC 50
RCC
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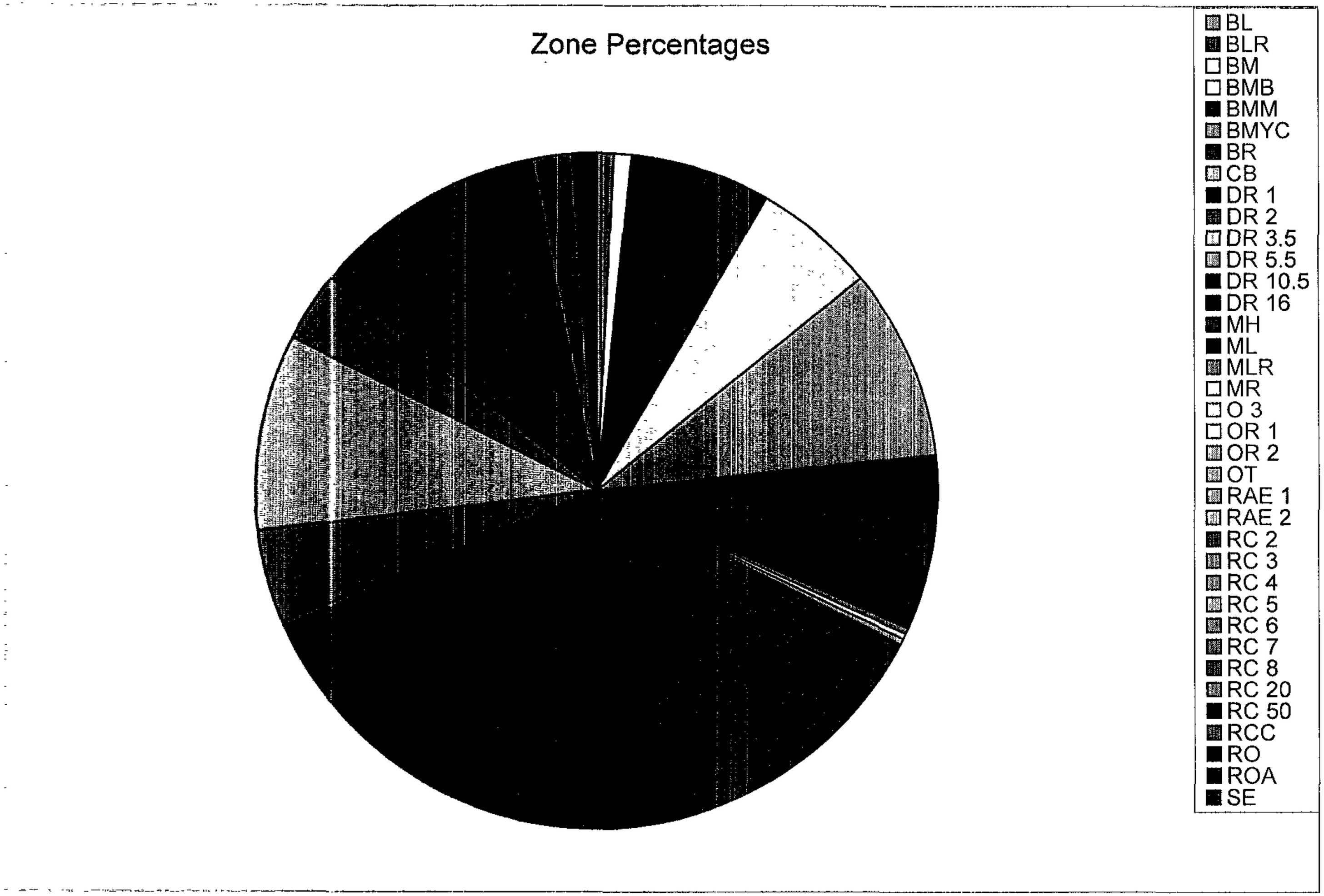
ROA
SE


Zone Percentages
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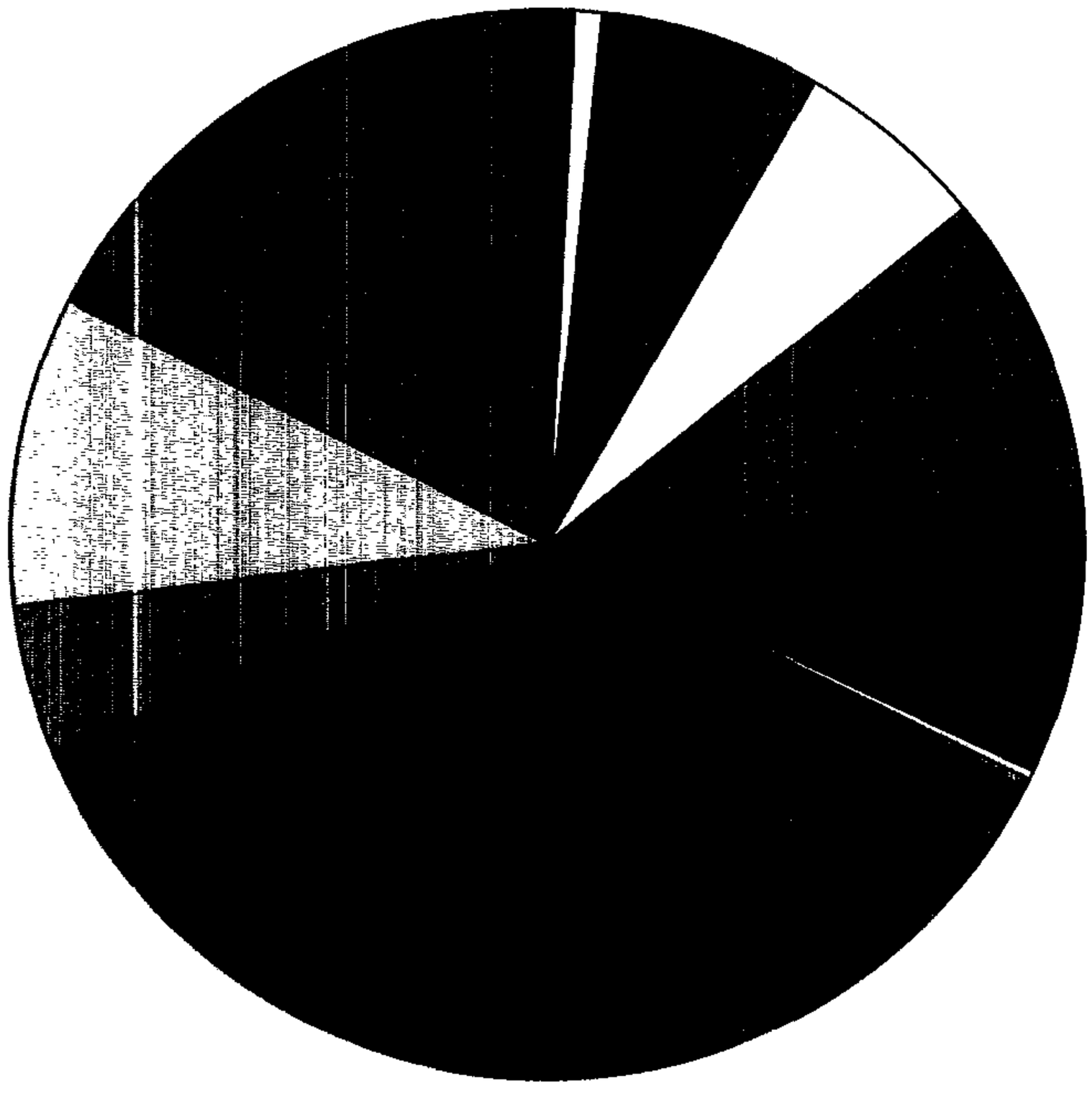
Zone Percentages



- BL
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- OR 2
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- RAE 1
- RAE 2
- RC 2
- RC 3
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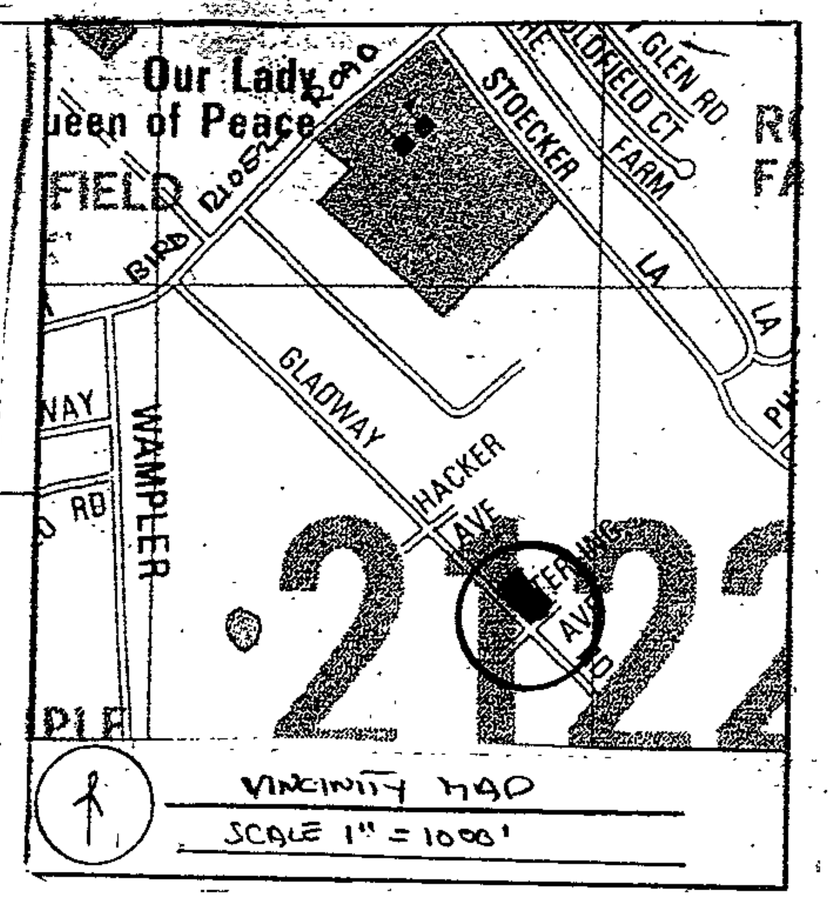
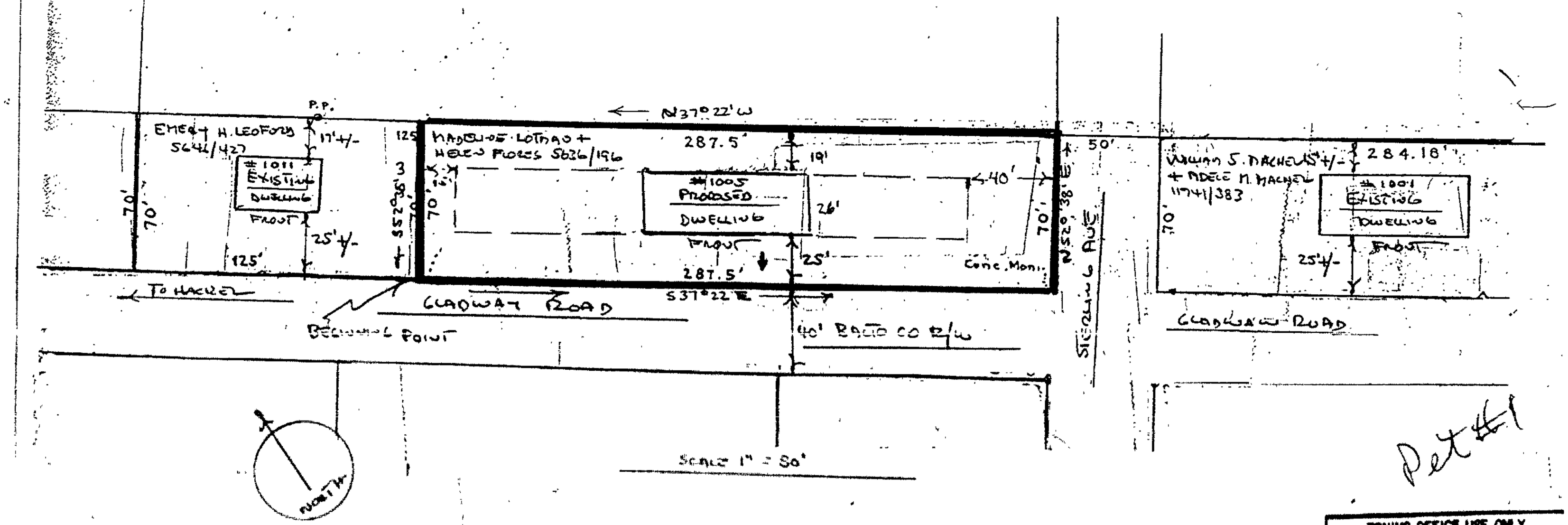
- RC 5
- RC 6
- RC 7
- RC 8
- RC 20
- RC 50
- RCC
- RO
- ROA
- SE

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

Property Address 1005 Gladway Road
Owners: Madeline Lotman & Helen Flores
Contract Purchaser:Timothy W. Thompson
Date:January 9,2006

Location Information
Election District-15
Concilmatic District-6
Lot Size-.462 Ac. / 20,125 Sq. Ft.
Sewer-Public
Water-Public
Chesapeake Bay Critical Area-No
100 Year Flood Plain-No
Historic Property/Building-No
Prior Zoning Hearing-No
Zoning Map # 082C3
2006-02-2





ZONING OFFICE USE ONLY
REVIEWED BY JF ITEM # 1331 CASE # 06-334-A

All Lots on N.E. Side Gladway Rd

Gladway Road Existing Setbacks

	Rear Setback	House	Front Setback
Latosh #1197	20'	28'	22'
Marchineck #1101	15'	34'	21'
Porter #1025	18'	26'	26'
[illegible]-Taylor #1019	10'	30'	30'
Ledford #1011	18'	26'	26'
Meehan #1001	17	28'	25'
Average	16.33	Asking for 26'	25'

Leaves 2.67 feet [illegible]

If you put the extra 2.67' in Rear you have the following scenario

Rear	House	Front
19'	2[illegible]'	25'

Pet #3

LIBER5636 PAGE196 LIBER3338 PAGE063

THIS DEED, Made this 6th day of April, 1976, by and between NICHOLAS CAPECCI and ANNA CAPECCI, his wife, of the City of Baltimore, State of Maryland, Grantors, and MADELINE LOTMAN and HELEN FLORES, of Baltimore County, State of Maryland, Grantees,

WITNESSETH that in consideration of the sum of Five Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged, the Grantors, reserving for themselves, for and during the term of their natural lives or for the life of the survivor of them, with full powers of disposition and subject to the limitations as hereinafter expressed, do grant and convey unto the said Grantees as tenants in comaon, their heirs and assigns in fee simple all those lots of ground, the first two of which are situate and located in Baltimore City and the third of which is located in Baltimore County, and described as follows, that is to say:

BEGINNING for the first thereof on the west side of Eaton Street, formerly Fifth Street, at the distance of one hundred and twenty-nine feet south from the south side of Claremount Street, thence westerly parallel with Claremount Street one hundred and thirty feet to the centre of an alley ten feet wide there situate, thence southerly binding on the said side of said alley with the use of the same in common and parallel with Eaton Street twelve feet and eight inches and thence easterly parallel with Claremount Street one hundred and thirty feet to the west side of Eaton Street and thence northerly binding on the west side of Eaton Street twelve feet and eight inches to the place of beginning. Known as No. 256 S. Eaton Street.

BEING the same lot of ground and premises the leasehold wherein was acquired by the Grantors from MICHAEL WAGOWICH, et ux, by Assignment dated May 6, 1940 and recorded among the land records of Baltimore City in Liber MLP 6031 Folio 449.

TRANSFER TAX NOT REQUIRED
CHARLES L. BENTON
DIRECTOR OF FINANCE
AUTHORIZED SIGNATURE

4308

TRANSFER TAX NOT REQUIRED
Walter R. Richardson
Director of Finance
Authorized Signature
Date 11-12-76

BEING the same lot of ground, the Reversion wherein was acquired by the said Grantors by Deed dated March 7, 1945, and recorded among the aforesaid land records in Liber HLP 6726 Folio 373 from GERARD TRUST COMPANY, Trustee, etc.

6287

BEGINNING for the second thereof on the west side of Dean Street, formerly Fourth Street, at the distance of ninety-two feet southerly from the southwest corner of Mount Pleasant Avenue and Dean Street and at the center of a partition wall; running thence southerly on the west side of Dean Street twelve feet to the center of another partition wall and having an even rectangular depth westerly of seventy-two feet to the east side of an alley eight feet wide. The improvements thereon being known as No. 104 S. Dean Street.

BEING the same lot of ground and improvements which by Deed dated December 1, 1966, and recorded among the land records of Baltimore City in Liber JFC 2165 Folio 207, was granted and conveyed by MARY W. ROYO, et vir, unto the Grantors herein.

Lot #3

COLLATED

BEGINNING for the third thereof on the northeast side of Gladway Road, a 40 foot road, at a po nt distant 1329.37 feet southeasterly along said Gladway Road from the intersection of said Road with the third or North 52 degrees 38 minutes East 100 foot line of the tract of land which by deed dated March 16, 1946 and recorded among the land records of Baltimore County in Liber R. J. S. No. 1443, folio 189, was granted and conveyed by CHRISTINE HOMBERG to the said ANTHONY J. PEROUTKA and JOSEPHINE P. PEROUTKA, his wife, and running thence along the northeast side of said Gladway Road with the use thereof in common with others, south 37 degrees 22 minutes east 287.5 feet to the intersection of said northeast side of said Gladway Road and the northwest side of a proposed fifty foot road thence along the northwest side of said proposed fift foot road with the use thereof in common north 52 degrees 38 minutes east 70 feet to the fourth line of the aforesaid tract of land from

Ref #4

CHRISTINE HOMBERG to ANTHONY J. PEROUTKA and JOSEPHINE P. PEROUTKA, his wife, thence binding on said fourth line and running north 37 degrees 22 minutes west 287.5 feet, thence south 52 degrees 38 minutes west 70 feet to the place of beginning.

BEING the same lot of ground which by Deed dated June 14, 1955 and recorded among the land records of Baltimore County in Liber GLB 2717 Folio 501 was granted and conveyed by CLARENCE W. O'HAVER et ux unto the Grantors herein.

TOGETHER with the buildings thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto and to the use of the aforesaid Grantees, as tenants in common and not as joint tenants, reserving unto the said Grantors an estate for life during their joint lives or for the life of the survivor of them, with full powers unto them, the said Grantors, or to the survivor to sell, lease, mortgage, or dispose of the whole or any part of the property in any manner whatsoever (except by Last Will and Testament), and without the consent of any person or persons whatsoever, applying unto the Grantors or unto the survivor of them for their own use or for the use of the survivor any and all proceeds of such sales, mortgage or mortgages, lease or leases, and without the necessity of the purchaser or purchasers, mortgagee or mortgagees, lessee or lessees, to see to the application of the purchase or mortgage money, it being the intention hereof that the exercise of the powers hereinbefore stated shall operate not only upon the life estates reserved by the Grantors, but also upon the estate of the Grantees.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may berequisite.

WITNESS the hands and seals of the said Grantors.

WITNESS:

ERNEST J. CHAPPON

NICHOLAS CAPECCI (SEAL)

ANNA CAPECCI (SEAL)

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY, that on this 12th day of April, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Anne Arundel County, personally appeared NICHOLAS CAPECCI and ANNA CAPECCI, his wife, the Grantors named in the foregoing Deed known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Ernest J. Chapron, Notary Public

My Commission expires July 1, 1978.

NO TITLE EXAMINATION

NO CONSIDERATION

NO STAMPS NECESSARY

Rec'd for record MAY 25 1976 at 11:43 A.M.
Per Elmer H. Kahline, Jr., Clerk
Mail to Ernest J. Chapron
Receipt No. 14180

REC'D FOR RECORD APR 19 1976 11:25 A.M. & RECORDED IN THE LAND RECORDS OF BALTIMORE CITY, Liber E.H.K.,Jr. 3336 PAGE 63 ROBERT H. BOUER, CLERK

PLEASE PRINT CLEARLY

CASE NAME________________
CASE NUMBER_____________
DATE 2-6-06

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
uth Tipton	6508 S. Main Street	Bel Air, Md. 21014	ruthtipton@mris.com

PLEASE PRINT CLEARLY

CASE NAME__________
CASE NUMBER__________
DATE__________

PETITIONER'S SIGN-IN SHEET

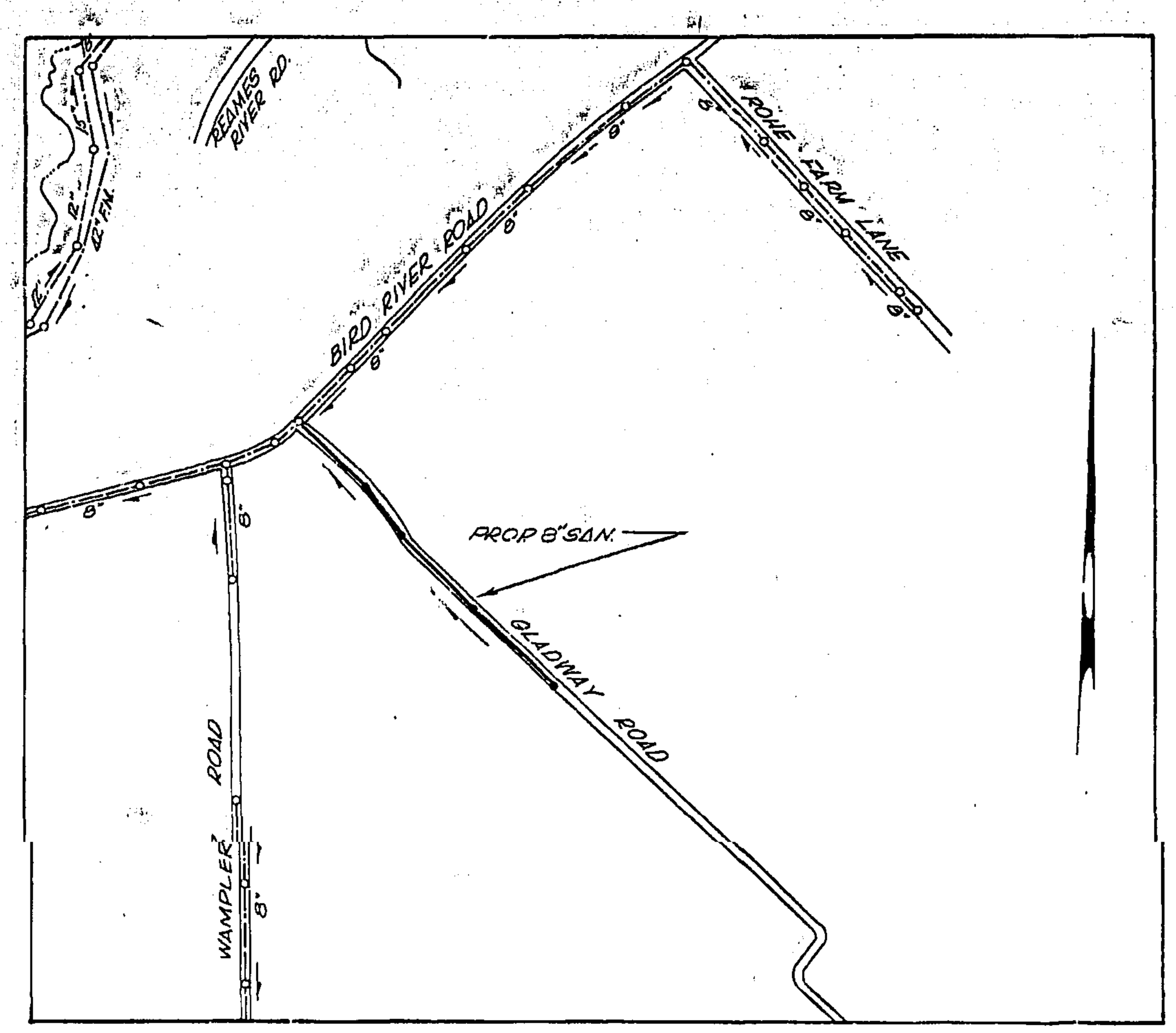
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Timothy Thompson	13214 Dulaney Valley Rd	Glen Arm, MD. 21057	TimwT@MAIL.Com
Ellwood A Sinsky	2411 Velvet Valley Way	Owings Mills, MD. 21117	ESinsky@comcast.net

1005 Gladway Road Middle River, Maryland 21220

#0823

#331

This data is only for general information purposes. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.



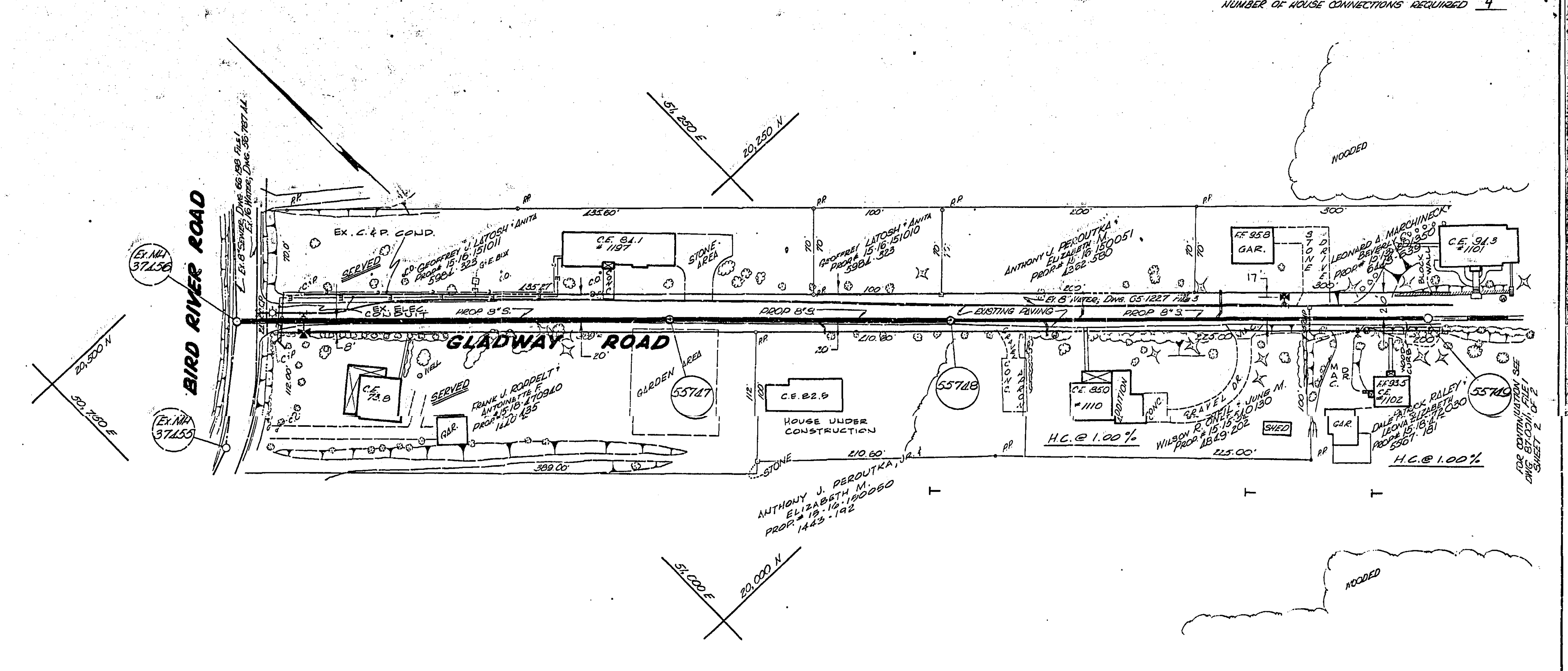
LOCATION PLAN

SCALE 1"=500'

BENCH MARK

HUB NO: 11623 ELEVATION: 74.793'
RAILROAD SPIKE IN MACADAM AT INTERSECTION OF BIRD RIVER ROAD AND GLADWAY ROAD

NUMBER OF HOUSE CONNECTIONS REQUIRED 4



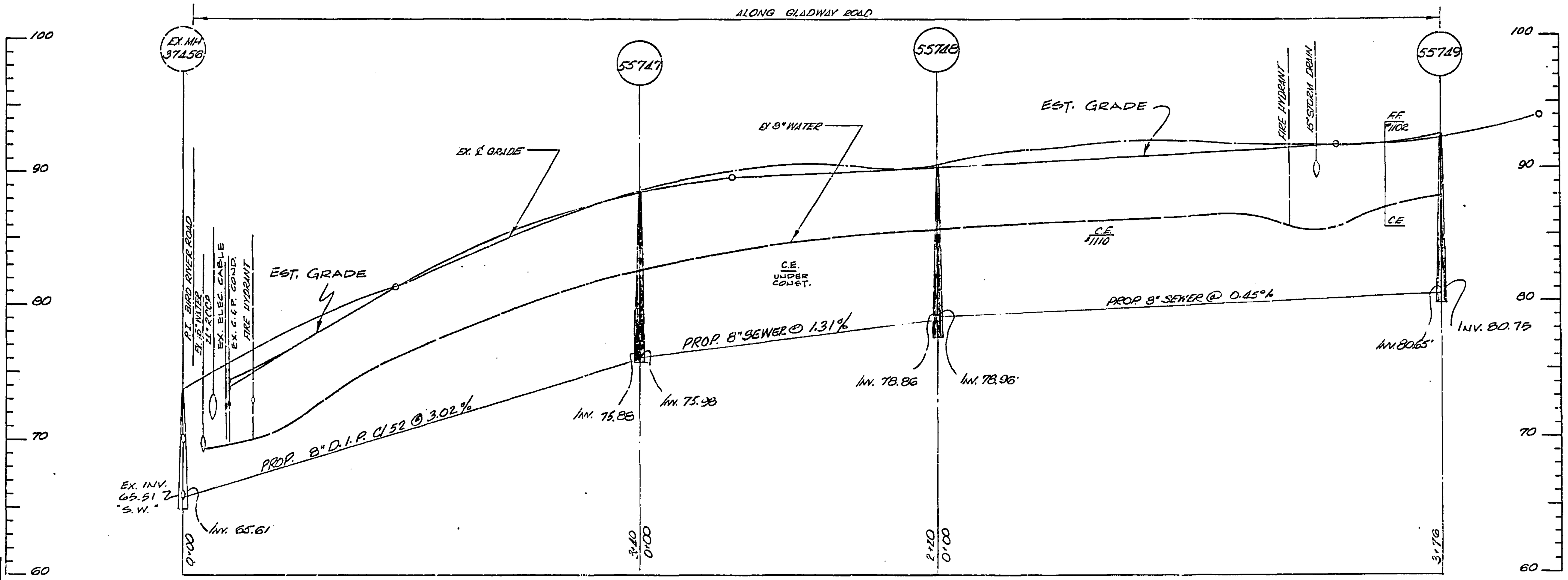
PLAN

DESIGN CRITERIA

INDIVIDUAL DWELLINGS	8
ESTIMATED POPULATION	28
ESTIMATED SEWAGE FLOW	90 G.P.C.D.
TOTAL ESTIMATED SEWAGE FLOW	0.0025 M.G.D.

NOTES:

1. FULL TRENCH COMPACTION TO BE USED THROUGHOUT THE ENTIRE LIMITS OF THIS PROJECT.
2. THE COST OF CONNECTION TO EXISTING SEWERS AND MANHOLES INCLUDING CONSTRUCTION OF A NEW CHANNEL OR MODIFICATION OF AN EXISTING CHANNEL IS CONSIDERED INCIDENTAL AND WILL BE INCLUDED IN THE UNIT PRICE BID FOR 8 INCH D.I.P. CL.52
3. THE COST FOR CONSTRUCTING UNDER OR OVER ANY EXISTING UTILITY OR CABLE SHOWN ON THIS PLAN AND ALL EXISTING SERVICE CONNECTIONS SHALL BE INCLUDED IN THE PRICE BID FOR FURNISHING AND LAYING 8" SEWER PIPE OR 8" D.I.P. CL.52.



PROFILE

ALL WORK ON THIS PROJECT SHALL BE DONE IN ACCORDANCE WITH BALTIMORE COUNTY SOIL CONSERVATION DISTRICT PERMIT # 1-86

SEAL	CITY OF BALTIMORE			
	DIRECTOR DEPT. OF PUBLIC WORKS	DATE	CHIEF, WATER ENG. DIVISION BUR. OF WATER AND WASTEWATER	DATE

DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. DIR. NO.	CONTRACT NO.
3.6.87	87-076	E/W	PERMIT REQUESTED 1 / PERMIT NUMBER / GRADE ESTABLISHED 1/28/87 / PROFILE NUMBER 87-0139	7930	

REVISED AS PER RECORD PRINT		
J.O.	DRAFTSMAN	DATE
1-2-929	KEVIN SCOTT	6-22-89

DESIGNED McLAUGHLIN		BUREAU OF ENGINEERING	HIGHWAYS	STRUCTURES	STORM DRAINS	WATER	SEWER	FIELD ENGINEER
DRAWN McLAUGHLIN	ENGINEER [signature]	REVIEWED	J.J.T		RAC	U.W.	JAB	LEP
CHECKED LAGNA	DATE 3/4/87 LIC. NO. 3774	DATE	3-5-87		3/5/87	3/6/87	2-4-87	3/17/87

BUREAU OF ENGINEERING — APPROVED [signature] CHIEF — DATE 3/17/87

DEPARTMENT OF PUBLIC WORKS — APPROVED [signature] DIRECTOR — DATE 3/18/87

LEVEL BK.	KEY SHEET	DATE	REVISION	BY
DETAIL BK.	I-NE : M-SE	6/22/87	ADD C&P. COND.	G.J.D.
	POSITION SHEET 20 NE 35, 21 NE 34-35			

SCALE: PLAN 1"=50' — PROFILE: HOR. 1"=50', VERT. 1"=5'

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING

8" SANITARY SEWER

GLADWAY ROAD

FROM BIRD RIVER ROAD TO A POINT 560 FEET SOUTHEASTERLY

SUBDIVISION MIDDLE RIVER — EL. DISTRICT NO. 15 C5

BALTIMORE COUNTY TYPE NUMBER 1

87132 SXO

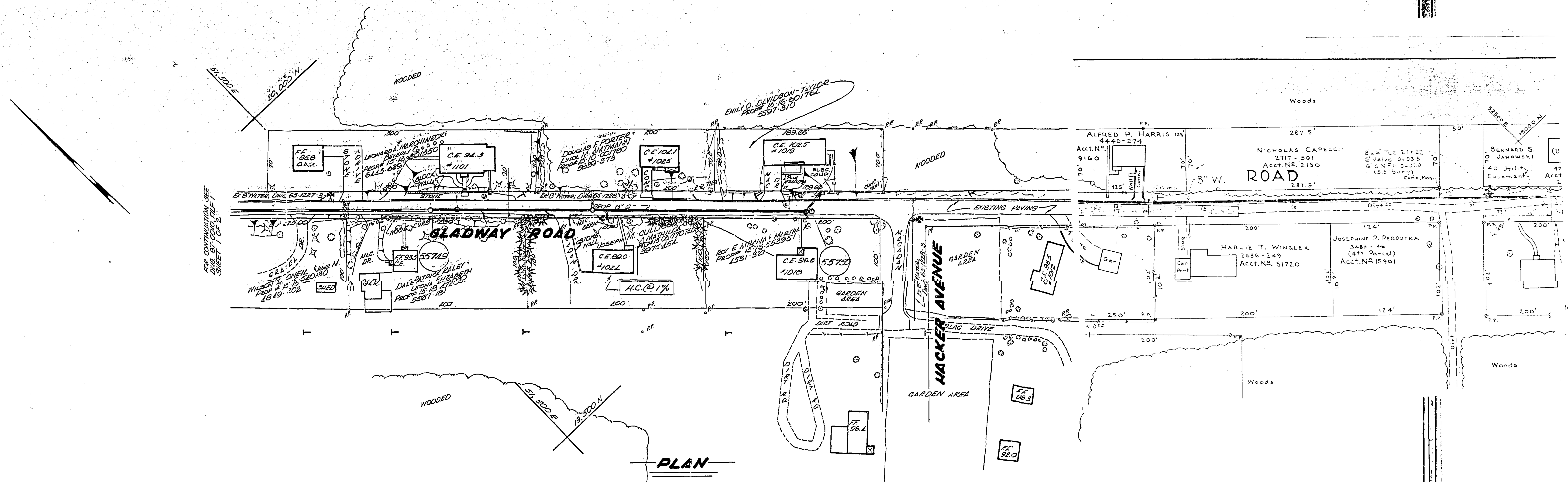
JOB ORDER NO. 1-2-929

SHEET 1 OF 2

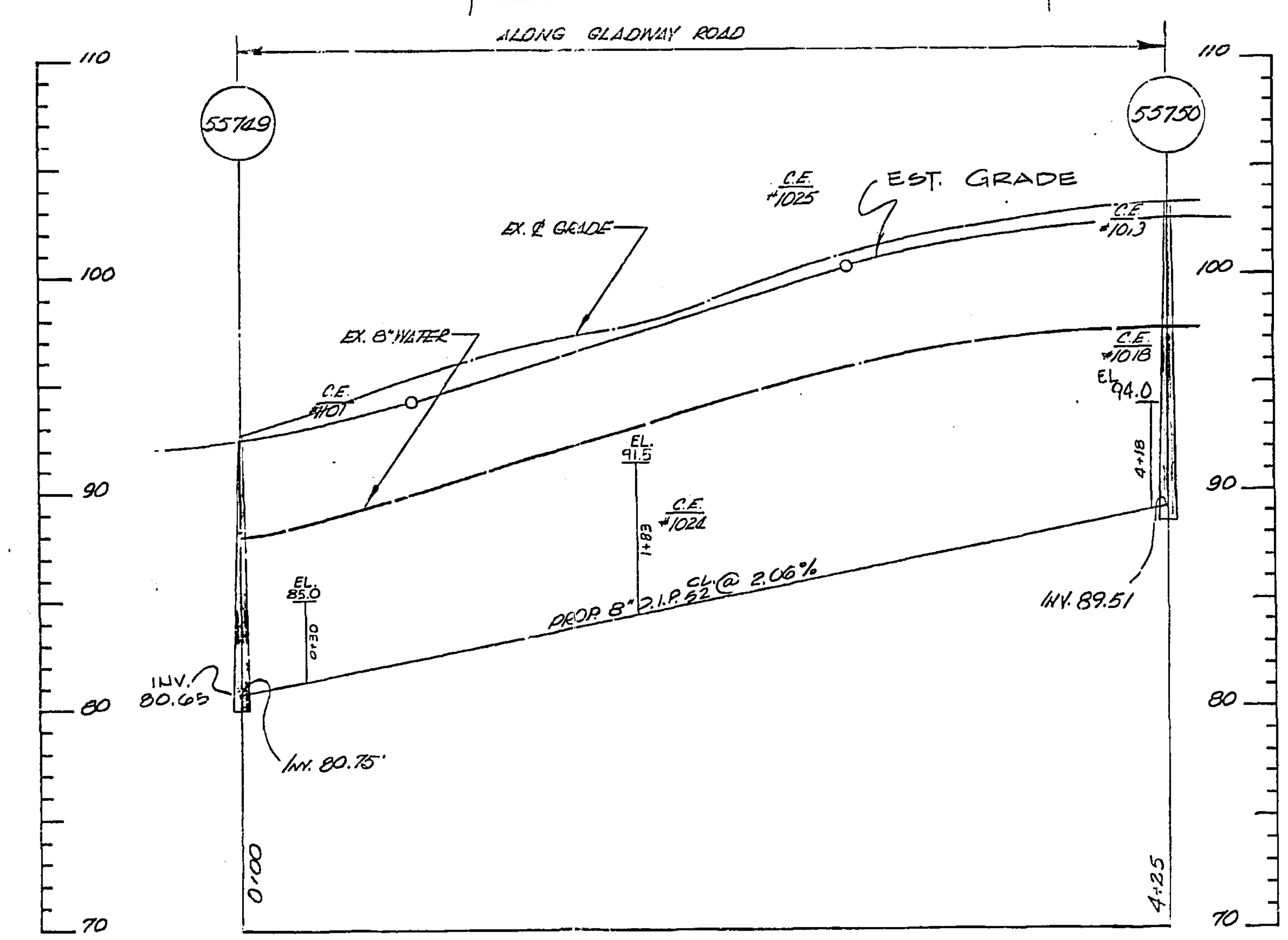
DWG. NO. 87-0010

FILE: 1

NUMBER OF HOUSE CONNECTIONS REQUIRED 6
STACK HOUSE CONNECTIONS 3



PLAN



PROFILE

NOTE:
THE ELEVATIONS SHOWN ON THE PROFILES AT THE PROPOSED SEWER STACK HOUSE CONNECTIONS ARE THE ELEVATIONS AT THE TOP OF THE RIZER EXCLUSIVE OF FITTINGS.

CITY OF BALTIMORE

DIRECTOR, DEPT. OF PUBLIC WORKS — DATE
CHIEF, WATER ENG. DIVISION, BUR. OF WATER AND WASTEWATER — DATE

DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. DR. NO.	CONTRACT NO.
3-6-87	87-076	R.W.	PERMIT REQUESTED ___ PERMIT NUMBER ___ GRADE ESTABLISHED 1/28/87 PROFILE NUMBER 87-0139	7980	

REVISED AS PER RECORD PRINT		
J.O.	DRAFTSMAN	DATE
1-2-929	KEVIN SCOTT	6-22-87

SEAL

DESIGNED McLAUGHLIN
DRAWN McLAUGHLIN

ENGINEER [signature] DATE 3/4/87 LIC. NO. 3774

BUREAU OF ENGINEERING	HIGHWAYS	STRUCTURES	STORM DRAINS	WATER	SEWER	FIELD ENGINEER
REVIEWED	J.J.T.		R.L.C.	U.A.	SAB	LEP
DATE	3-5-87		3/5/87	3/4/87	.4-87	3/17/87

BUREAU OF ENGINEERING
APPROVED [signature] CHIEF
DATE 3/17/87

DEPARTMENT OF PUBLIC WORKS
APPROVED [signature] DIRECTOR
DATE 3/18/87

LEVEL BK.	KEY SHEET	1-288	ADD 25' OF 8" D.I.P. AT MH 55750	WCZ
DETAIL BK.	1-NE			
	POSITION SHEET			
	20 NE 35	DATE	REVISION	BY

SCALE: PLAN: 1"=50'; PROFILE: HOR. 1"=50', VERT. 1"=5'

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING

8" SANITARY SEWER
GLADWAY ROAD
FROM A POINT 580 FEET SOUTHEAST OF BIRD RIVER ROAD, IN SOUTHEAST DIR. 776 FEET
SUBDIVISION MIDDLE RIVER
EL. DISTRICT NO. 15 C5
BALTIMORE COUNTY TYPE NUMBER 1

87132 SXO
JOB ORDER NO. 1-2-929
SHEET 2 OF 2
DWG. NO. 87-0011
FILE: 1