

IN RE: PETITION FOR VARIANCE *
SE Corner Miles Road and Corsica Road
(322 Miles Road) *
15th Election District
6th Council District *

Frances A. Maher, et ux *
Petitioners *

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 07-119-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Frances A. Maher, and his wife, Barbara J. Maher. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet, a side yard setback of 10 feet, and a sum of side yards of 20 feet in lieu of the required 70 feet, 15 feet, and 25 feet, respectively. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Frances Maher, property owner, and David Billingsley, with Central Drafting and Design, Inc., the consultant retained by the property owners to obtain the variance and requisite building permit. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is essentially a rectangular shaped waterfront parcel, located with frontage on Norman Creek, and the west side of Miles Road, at its intersection with Corsica Road in Essex. The property contains a gross area of 11,225 square feet (0.258 acres), more or less, zoned D.R.3.5 and is presently

ORDER RECEIVED FOR FILING

Date 12-13-06

By D. W. [Signature]

unimproved.¹ The property is also known as Lot 187 of Middleborough (See Plat 4, Folio 191), an older subdivision which was recorded in the Land Records of Baltimore County in June 1916, well prior to the adoption of the zoning regulations. As such, the property is undersized and cannot meet current lot width and side yard setback requirements, however, is served by public water and sewer. Testimony indicated that the Petitioners have resided in the area for many years on the adjacent property (Lot 186). In 1997, they purchased the subject property from Herbert Brown and now come before me seeking relief as set forth above to permit development of the property with a new single-family dwelling.

Mr. Maher testified that he has home building experience and knows the Middleborough area intimately. He described the proposed house and indicated that its design would be in keeping with the character of other newer homes in the community. As shown on the site plan, the proposed house will be a two-story structure, 30 feet wide by 50 feet deep with front and rear decks. In addition, a gravel driveway will provide off-street parking for four vehicles. Side yard setbacks of 10 feet to the north and south, adjacent to the Sniadach property will be provided, and the house will be situated 60 feet from the edge of Miles Road. A review of the site plan shows that these setbacks are consistent with other development in the neighborhood. In sum, the petition shall be granted to permit the proposed development. The property has been a lot of record and previously improved with a dwelling with its own separate utility connections. The subject property was purchased by the Petitioners in a different year and subsequent to that, of their primary residence. The now vacant lot has never been utilized as yard space for any other lot on Miles Road or in any way been improved to

¹ While neither the site plan submitted, deed of record, nor Maryland Department of Assessments and Taxation Real Property Data sheet reveal a primary structure on this property, the Baltimore County Sewer Construction Plan No. 61-525 (Petitioner's Exhibit 4) clearly shows that this lot was improved with a driveway and modest shore home in the past with water meter connection as far back as 1971.

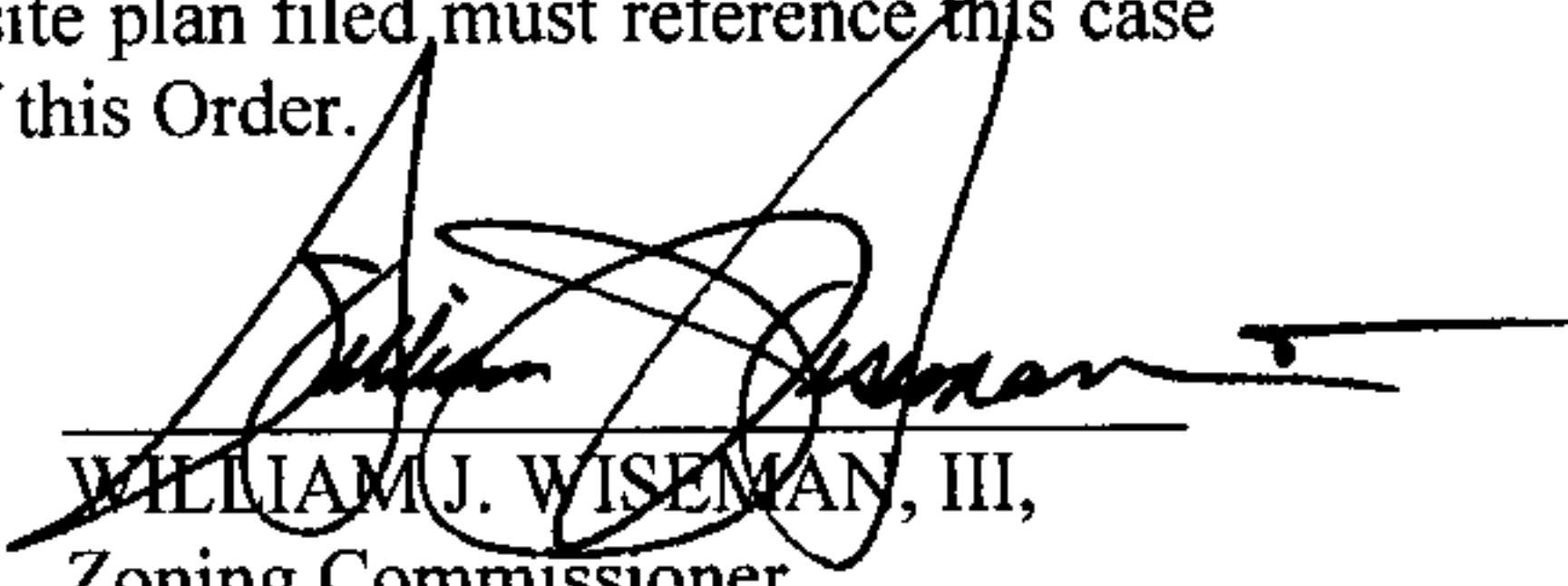
give the appearance of having been incorporated into the lots known as either 188 or 186 Miles Road. The proposed dwelling will be compatible with the neighborhood and subject to further architectural review by the Office of Planning. As the Office of Planning is one of the signatory departments for building permit approval, the Petitioners must comply with the Office of Planning's recommendations regarding the architectural styling of the proposed dwelling to compatibility with the surrounding neighborhood. Moreover, due to the property's waterfront location and its location within a floodplain, the proposed construction shall comply with Chesapeake Bay Critical Area regulations and federal flood insurance requirements as set forth in the attached comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Development Plans Review Division. In my view, the relief requested will not result in any detriment to the health, safety, and general welfare of the surrounding locale and shall therefore be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, on this 13th day of December, 2006, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet, a side yard setback of 10 feet, and a sum of side yards of 20 feet in lieu of the required 70 feet, 15 feet, and 25 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. Petitioner may apply for building permits and be granted the same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2. Compliance with the ZAC comments submitted by DEPRM and the Bureau of Development Plans Review relative to the Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain, and B.O.C.A. regulations for the protection of water quality, streams, wetlands, and floodplains. Copies of those comments have been attached hereto and are made a part hereof.
3. The Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval prior to the issuance of any permit.
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.


WILLIAM J. WISEMAN, III,
Zoning Commissioner
for Baltimore County

CASE RECEIVED FOR FILING

Date 12-13-06

By D. J. [signature]

CB4A Flood



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 322 MILES ROAD
which is presently zoned DR 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)

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

FRANCES A. MAHER
Name - Type or Print _____
Signature _____
BARBARA J. MAHER
Name - Type or Print _____
Signature _____
320 MILES ROAD (410) 780-3161
Address _____ Telephone No. _____
BALTO. MD. 21221
City State Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
Name _____
CENTRAL DRAFTING AND DESIGN, INC
Address _____ Telephone No. _____
601 CHARWOOD CT. (410) 679-8719
EDGEWOOD MD. 21040
City State Zip Code

OFFICE USE ONLY

Case No. 07-119-A

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

SFW: 0260 9

Reviewed By BK Date 9/15/06

ORDER RECEIVED FOR FILING

Date 12-13-06

By D. W. Day

1B02.3.C.1 to permit a lot width of 50 feet, a side yard setback of 10 feet, and a sum of side yards of 20 feet in lieu of the required 70 feet, 15 feet, and 25 feet, respectively.

ZONING DESCRIPTION

322 MILES ROAD

Beginning at a point on the west side of Miles Road (30 feet wide) at it's intersection with the extension of the center of Corsica Road (30 feet wide), thence being all of lot 187 as shown the plat entitled *Middleborough* recorded among the Baltimore County Plat Records in Plat Book 4 Folio 191.

Containing 11,225 square feet or 0.258 acre of land, more or less.

Being known as 322 Miles Road. Located in Election District 15, Councilmanic District 6 of Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21023

DATE 9/15/06

ACCOUNT E 601-206-6150

AMOUNT \$ 165.00

RECEIVED FROM: Paul B. Williams

FOR: 1st 2nd 3rd 4th

DISTRIBUTION
 WHITE - CASHIER
 PINK - AGENCY
 YELLOW - CUSTOMER

IT on 11/9

PAID RECEIPT

BUSINESS ACTUAL TIME DAY
 9/15/2006 9/15/2006 10:00:04 2

REG MSG: MAIL SEVN SEP

>>RECEIPT # 478622 9/15/2006 CR/LI

Dept 5 SER LEADERS VERIFICATION CR NO. 021023

Receipt Tot 643.00
 4.00 CR 100.00 CR
 639.00 CB

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: 87-119-A

322 Miles Road

Southeast corner of Miles Road and Corsica Road

15th Election District - 8th Councilmanic District

Legal Owner(s): Frances A. and Barbara J. Maher

Variance: to permit a lot width of 50 feet, a side yard set-

back of 10 feet, and a sum of side yards of 20 feet in lieu

of the required 70 feet, 15 feet, and 25 feet, respectively.

Hearing: Monday, November 27, 2006 at 11:00 a.m.

In Room 407, County Courts Building, 401 Bosley

Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for

special accommodations Please Contact the Zoning Com-

missioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing,

Contact the Zoning Review Office at (410) 887-3391.

11/104 Nov. 9

115449

CERTIFICATE OF PUBLICATION

11/9/2006

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 11/9/2006.

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

S. Williams

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 07-119-A

Petitioner/Developer: FRANKLES
A. : BARBARA J. MAHER

Date Of Hearing/Closing: 11/27/06

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

Attention:

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
at 322 MILES ROAD

This sign(s) were posted on November 9, 2006
(Month, Day, Year)

Sincerely,

Martin Ogle 11/9/06
(Signature of Sign Poster and Date)

Martin Ogle

Sign Poster

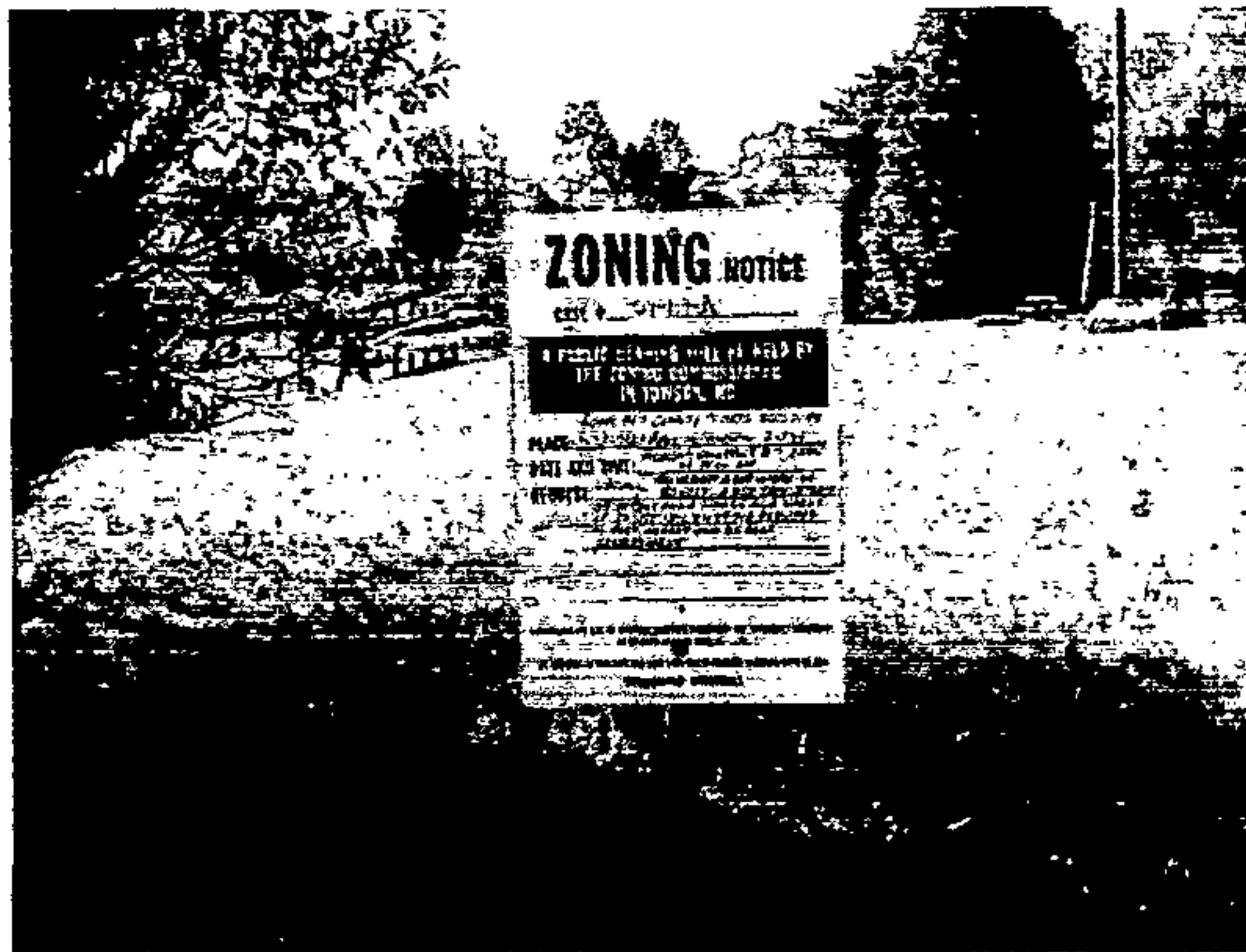
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000854 (576x432x24b jpeg)



Masterfile 11/9/06

RE: PETITION FOR VARIANCE
322 Miles Road, SE corner Miles Road
& Corsica Road
15th Election & 6th Councilmanic Districts
Legal Owner(s): Frances & Barbara Maher
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-119-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 28th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed to, David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

SEP 28 2006

Per...*[Signature]*...

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

September 28, 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: 07-119-A

322 Miles Road

Southeast corner of Miles Road and Corsica Road.

15th Election District – 6th Councilmanic District

Legal Owner(s): Frances A. and Barbara J. Maher

VARIANCE To permit a lot width of 50 feet, a side yard setback of 10 feet, and a sum of side yards of 20 feet in lieu of the required 70 feet, 15 feet, and 25 feet, respectively.

Hearing: Monday, November 27, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:amf

C: Frances A. and Barbara J. Maher 320 Miles Road Baltimore 21221
David Billingsley Central Drafting and Design, Inc 601 Charwood Court Edgewood 21040

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 10, 2006.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, November 9, 2006 Issue - Jeffersonian

Please forward billing to:
Frances Maher
320 Miles Road
Baltimore, MD 21221

410-780-3161

NOTICE OF ZONING HEARING

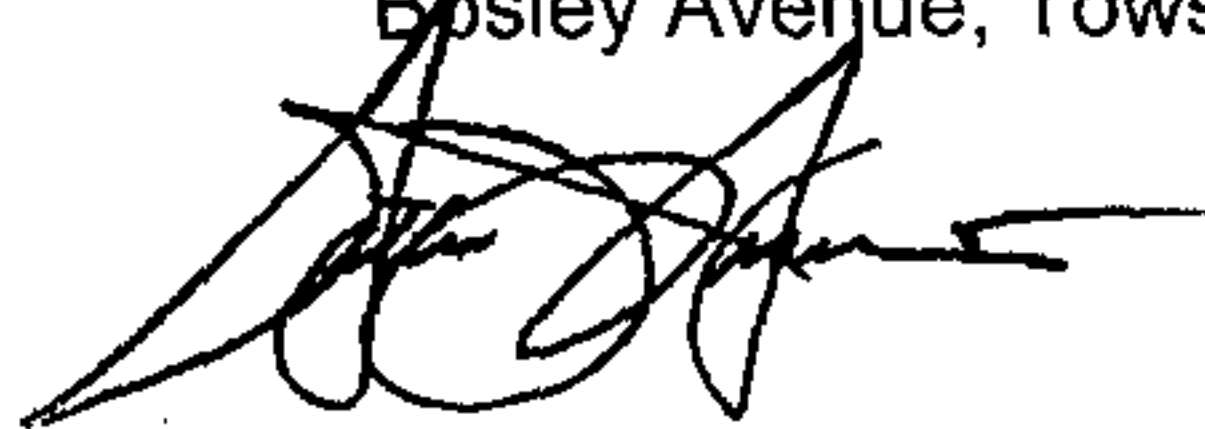
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 07-119-A

322 Miles Road
Southeast corner of Miles Road and Corsica Road.
15th Election District – 6th Councilmanic District
Legal Owner(s): Frances A. and Barbara J. Maher

VARIANCE To permit a lot width of 50 feet, a side yard setback of 10 feet, and a sum of side yards of 20 feet in lieu of the required 70 feet, 15 feet, and 25 feet, respectively.

Hearing: Monday, November 27, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204



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 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 07-119-A

Petitioner: FRANCES MAHER

Address or Location: 322 MILES RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: FRANCES MAHER

Address: 320 MILES RD

BALTO MD. 21221

Telephone Number: (410) 780-3161



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 20, 2006

Frances A. Maher
Barbara J. Maher
320 Miles Road
Baltimore, MD 21221

Dear Mr. and Mrs. Maher:

RE: Case Number: 07-119-A, 322 Miles Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 15, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
David Billingsley Central Drafting and Design, Inc. 601 Charwood Ct Edgewood 21040

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



NOV 21 2006

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *JWL*

DATE: November 22, 2006

SUBJECT: Zoning Item # 07-119-A
Address 322 Miles Road
(Maher Property)

Zoning Advisory Committee Meeting of September 25, 2006

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

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: B. Lindley

Date: 11/22/06

COPIES RECEIVED FOR FILING

Date 12-13-06

By B. Lindley

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For October 2, 2006
Item No. 07-119

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw

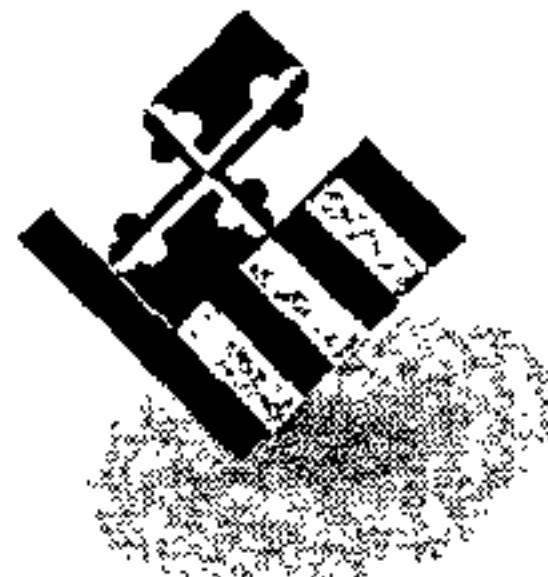
cc: File

ZAC-ITEM NO 119-10022006.doc

UNDER RECEIVED FOR FILING

Date 12-13-06

By D. King



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 13, 2006

Frances A. Maher
Barbara J. Maher
320 Miles Road
Baltimore, Maryland 21221

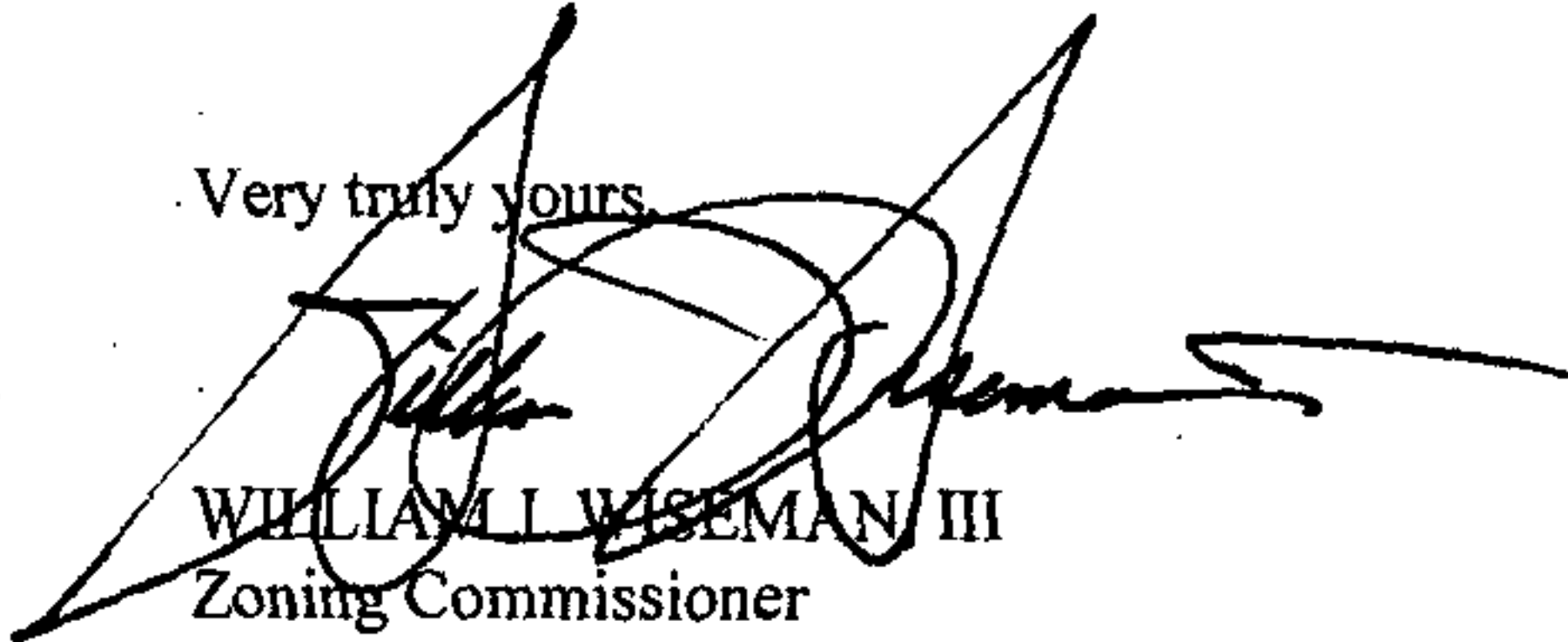
RE: PETITION FOR VARIANCE
SE Corner Miles Road and Corsica Road
(322 Miles Road)
15th Election District - 6th Council District
Frances A. Maher, et ux - Petitioners
Case No. 07-119-A

Dear Mr. and Mrs. Maher:

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

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

Very truly yours,


WILLIAM J. WISEMAN III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: David Billingsley, Central Drafting and Design, Inc.,
601 Charwood Ct., Edgewood, Md. 21040
Chesapeake Bay Critical Area Commission, 1804 W. Street,
Ste. 100, Annapolis, Md. 21401
DEPRM; Bureau of Development Plans Review; Office of Planning; People's Counsel; Case File

BW 11/27
11AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 16, 2006
RECEIVED

OCT 19 2006

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

ZONING COMMISSION

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-119- Variance

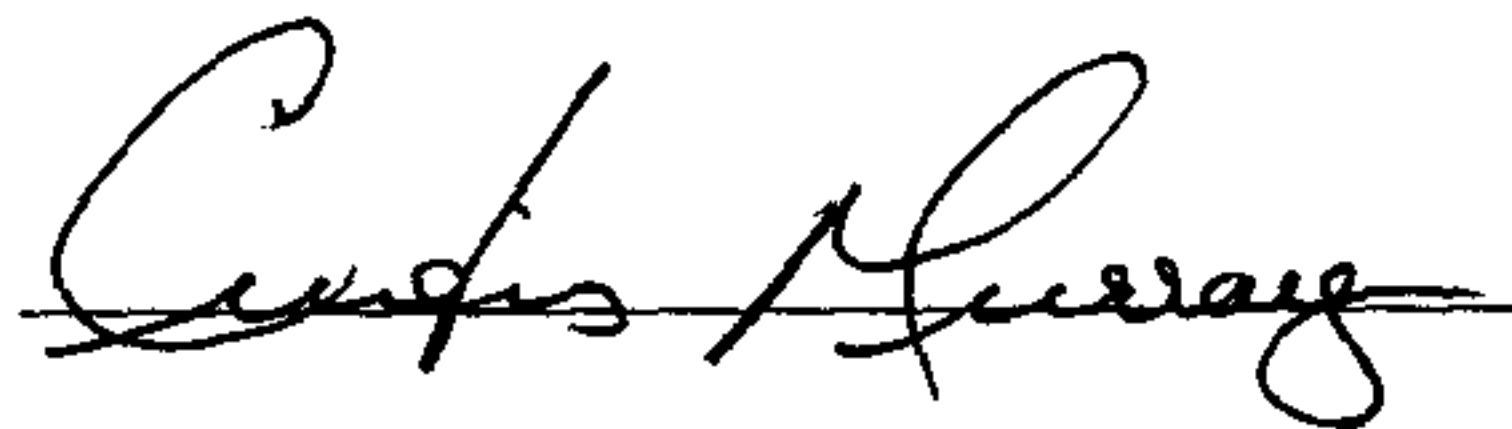
The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing undersized lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

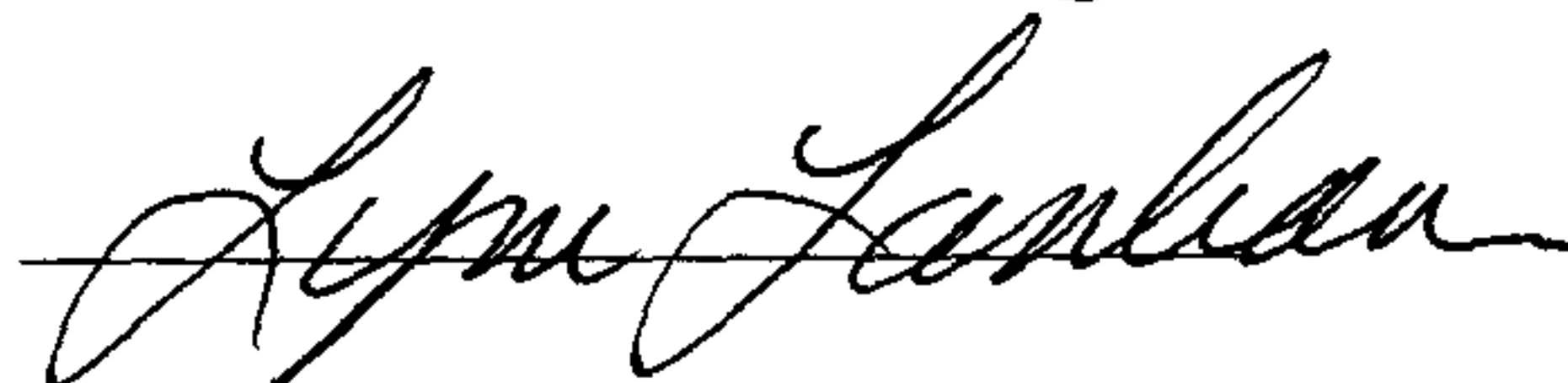
1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared By:



Division Chief:



CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 23 2006

ZONING COMMITTEE

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: November 22, 2006

SUBJECT: Zoning Item # 07-119-A
Address 322 Miles Road
(Maher Property)

Zoning Advisory Committee Meeting of September 25, 2006

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

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_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: B. Lindley

Date: 11/22/06

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 2, 2006

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

SUBJECT: Zoning Advisory Committee Meeting
For October 2, 2006
Item No. 07-119

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The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

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Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 119-10022006.doc



State Highway
Administration

Driven to Excel

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 25, 2006

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

RE: Baltimore County
Item No. 119
7-119-A
MAHER PROPERTY
MILES ROAD
VARIANCE - PERMIT ADJUSTMENT
TO LOT WIDTH, YARD SETBACK & SIDEYARD

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 119.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

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

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



Baltimore County
Fire Department

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

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

October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 2, 2006

Item Number(s): 113-130

119

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

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



CASE NAME 322 MILES RD,
CASE NUMBER 07-119A
DATE 11/27/06

PETITIONER'S SIGN-IN SHEET

[illegible]



#119

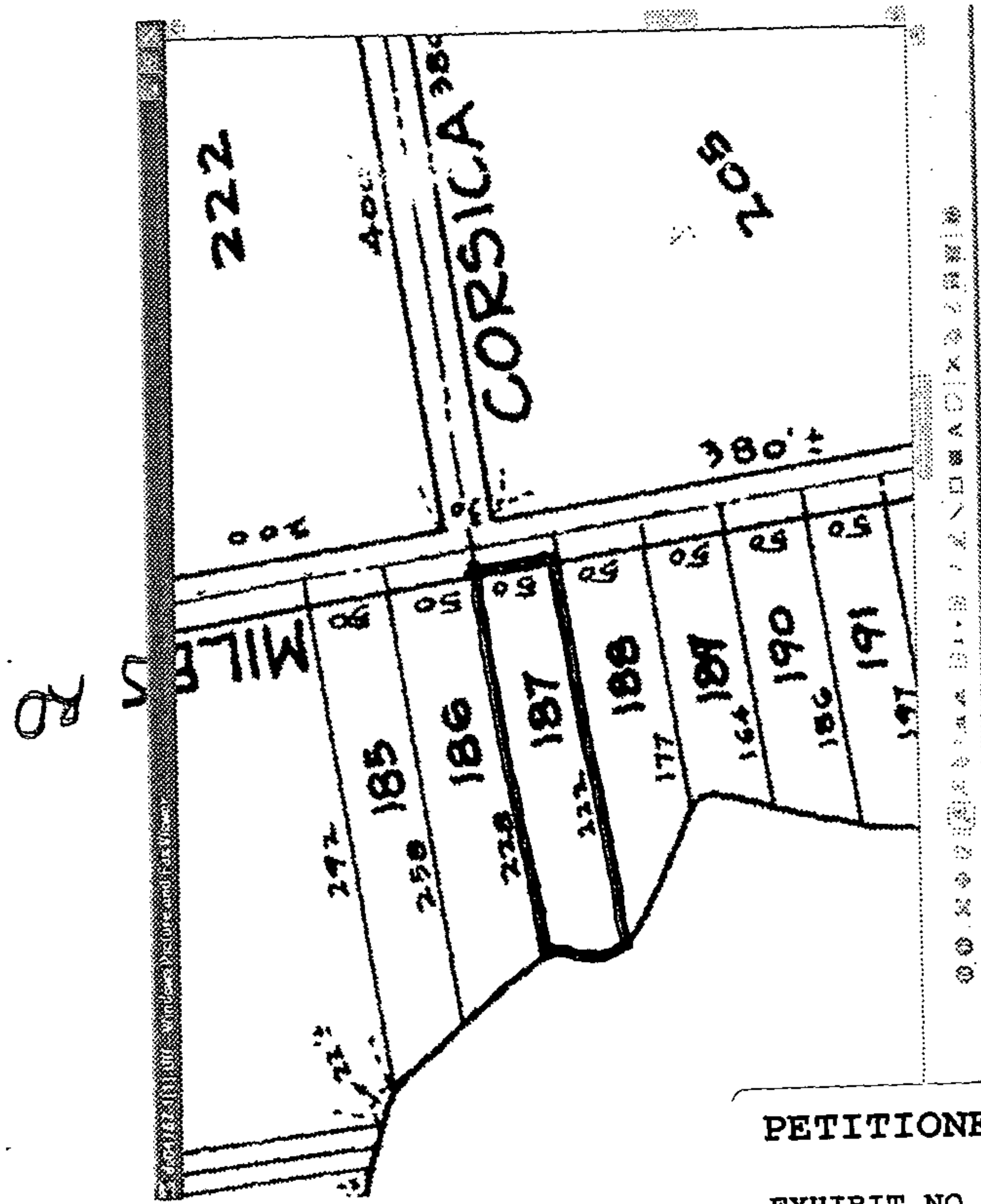
Case No.: 07-119 A 322 Miles Rd

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Subject Property 322 Miles Rd	
No. 3	Adjacent Resident Property	
No. 4	SEWER PLAN # 61-525	
No. 5	DEED History	
No. 6	Middleborough SUBDIVISION	
No. 7	Separate Water Meter BILLS	
No. 8	PHOTO - Existing CONDITIONS	
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO. 6

PORTION OF PLAT OF MIDDLEBOROUGH
P.B. 4 F. 191 RECORDED JUNE, 16, 1916



ACCOUNT NUMBER

06091694007

SERVICE ADDRESS
320 MILES RDMAHER FRANCIS A
MAHER BARBARA J
320 MILES RD
BALTIMORE MDCITY OF BALTIMORE
METERED WATER BILL
Department of Finance, Bureau of Treasury Management
200 Holliday Street, Baltimore, Maryland 21202
TIN: 52-6000769

#320

21221-1524

PROPERTY
IDENT. 1511771650

4,424

AMOUNT DUE NOW

96.90

AMOUNT DUE AFTER

03/28/2006
101.75

BILLING PERIOD

WATER CONSUMPTION

PREVIOUS READING DATE	PRESENT READING DATE	NUMBER OF DAYS	TOTAL (100 CUBIC FEET)	AVG. DAILY CONS. (CUBIC FEET)	TOTAL (THOU.GALS.)	AVG. DAILY CONS. (GALLONS)
11/16/2005	02/21/2006	97	95	97	71	733

TYPE OF BILL

PREVIOUS READING

PRESENT READING

CONSUMPTION

DAYS

RATE

AMOUNT CHARGED

Actual Regular Bill

Dial #1

2746

2841

Water Charges:

(consumption x rate)

95

1.020

96.90

Total Water Consumption Billed:

95

Amount Due Now:

96.90

Amount Due After 03/28/2006:

101.75

Emergency Service: (410) 396-5352 (24 hrs.)

Billing Inquiries: (410) 396-5398 (8:30 AM - 4:30 PM)

Payment Inquiries: (410) 396-3988 (8:30 AM - 4:30 PM)

Internet Inquiries: <http://www.baltimorecity.gov/water.html>Effective January 1, 2005, State law mandates the billing of the new Bay Restoration Fee.
County residents will be billed this new State tax in a manner determined by the County.

PETITIONER'S

EXHIBIT NO.

7



PETITIONER'S

EXHIBIT NO. 8

4,425



ACCOUNT NUMBER

06091695004

SERVICE ADDRESS
322 MILES RDCITY OF BALTIMORE
METERED WATER BILLDepartment of Finance, Bureau of Treasury Management
200 Holliday Street, Baltimore, Maryland 21202

TIN: 52-6000769

#322

AMOUNT DUE NOW

10.20

AMOUNT DUE AFTER

03/28/2006

10.71

MAHER FRANCIS A
MAHER BARBARA J
320 MILES RD
ESSEX MD

21221-1524

PROPERTY
IDENT.

1502003530

BILLING PERIOD

WATER CONSUMPTION

PREVIOUS READING DATE	PRESENT READING DATE	NUMBER OF DAYS	TOTAL (100 CUBIC FEET)	AVG. DAILY CONS. (CUBIC FEET)	TOTAL (THOU.GALS.)	AVG. DAILY CONS. (GALLONS)
11/16/2005	02/21/2006	97				

TYPE OF BILL

PREVIOUS READING

PRESENT READING

CONSUMPTION

DAYS

RATE

AMOUNT CHARGED

Actual Regular Bill

Dial #1

4

4

Minimum

Total Water Consumption Billed:

0

Amount Due Now:

10.20

Amount Due After 03/28/2006:

10.20

10.71

Emergency Service: (410) 396-5352 (24 hrs.)

Billing Inquiries: (410) 396-5398 (8:30 AM - 4:30 PM)

Payment Inquiries: (410) 396-3988 (8:30 AM - 4:30 PM)

Internet Inquiries: <http://www.baltimorecity.gov/water.html>

Effective January 1, 2005, State law mandates the billing of the new Bay Restoration Fee.
County residents will be billed this new State tax in a manner determined by the County.

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 - 1502003530

Owner Information

Owner Name: MAHER FRANCIS A
MAHER BARBARA J

Use: RESIDENTIAL

Principal Residence: NO

Mailing Address: 320 MILES RD
BALTIMORE MD 21221-1524

Deed Reference: 1) /12092/ 688
2)

Location & Structure Information

Premises Address

322 MILES RD

Legal Description

322 MILES RD
MIDDLEBOROUGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
97	12	373		WATERFRONT			187	3		4/ 191

Special Tax Areas

Town	Ad Valorem	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		11,250.00 SF	34

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	69,560	137,060		
Improvements:	0	0		
Total:	69,560	137,060	92,060	114,560
Preferential Land:	0	0	0	0

Transfer Information

Seller: BROWN LE ROY HERBERT	Date: 03/21/1997	Price: \$75,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /12092/ 688	Deed2:
Seller: BROWN MARY AGNES	Date: 05/02/1990	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8469/ 712	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.



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

[Go Back](#)
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[New Search](#)
[Ground Rent](#)

Account Identifier: District - 15 Account Number - 1511771650

Owner Information

Owner Name: MAHER FRANCIS A
 MAHER BARBARA J
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 320 MILES RD
 BALTIMORE MD 21221-1524
Deed Reference: 1) /11765/ 509
 2)

Location & Structure Information

Premises Address

320 MILES RD

Legal Description

320 MILES RD
 MIDDLEBOROUGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
97	12	373		WATERFRONT			186	3	Plat Ref: 4/ 191

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1965	1,928 SF	13,365.00 SF	34
Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	122,340	202,340		
Improvements:	135,390	211,810		
Total:	257,730	414,150	309,870	362,010
Preferential Land:	0	0	0	0

Transfer Information

Seller: KRAUSE GEORGE	Date: 08/27/1996	Price: \$148,000
Type: IMPROVED ARMS-LENGTH	Deed1: /11765/ 509	Deed2:
Seller: PROPF GORDON B ETAL	Date: 02/27/1967	Price: \$15,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 4727/ 370	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

7-2
THE TITLE GUARANTEE COMPANY
(Individual Form)

App. H- 74051

LIBER 5209 PAGE 224

This Deed, Made this 10th day of AUGUST, in the year one thousand nine hundred and seventy-one, by and between NORMAN L. BAKER and FRANCES BAKER, his wife, parties of the first part, Grantors; and MARY AGNES BROWN, party of the second part, Grantee.

AUG 12-71	218713d	****4950
AUG 12-71	218713C	****25.00
AUG 12-71	218712CB	****1650
AUG 12-71	218711CB	****8.00

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said Grantee, party of the second part, her heirs and assigns, in fee simple, all

-----that----- lot(s) of ground situate in The Fifteenth Election District of Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEING known and designated as Lot No. 187 as shown on the Plat of the Property of the Middleborough Land Corporation of Baltimore County, which Plat is recorded among the Land Records of Baltimore County in Plat Book No. 4, folio 191. The improvements thereon being known as No. 322 MILES ROAD.

BEING the same lot of ground described in a Deed dated June 11, 1958 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3364, folio 350, from Mary A. Wilhelm, widow to Norman L. Baker and Frances Baker, his wife, the within named Grantors.

PETITIONER'S

EXHIBIT NO. 5

AUG 5 7 15 AM '72

75.00 MS

Together with the buildings and improvements thereupon; and the rights, allays, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said Grantee, party of the second part, her heirs and assigns, in fee simple, forever.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said grantor(s):

WITNESS:

Doris M. Daniel
DORIS M. DANIEL

Norman L. Baker [Seal]
NORMAN L. BAKER

Doris M. Daniel
DORIS M. DANIEL

Frances Baker [Seal]
FRANCES BAKER

State of Maryland. CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 10th day of AUGUST, 1971, before me, a Notary Public of the State aforesaid, personally appeared

Norman L. Baker and Frances Baker, his wife, parties of the first part, Grantors known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, who signed the same in my presence, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal



Doris M. Daniel
DORIS M. DANIEL Notary Public

My commission expires: 7/1/74

for record AUG 12 1971 at 12:15 PM
Drville T. Donnell, Clerk
Mail to THE TITLE GUARANTEE COMPANY
Receipt No. 18

CORSICA ROAD

15" SAN. SEE DWG 61-52A A-10

SEWER AREA 2

CHARGE 200⁰⁰

EFFECTIVE DATE

ROBERT W. SHIPLEY

1246-97

Acct No 33876

54750E 3500N

MH
30769

ERNEST LYONS HOMES

3571-60 3571-535

Acct No 74201 & 74202

NORMAN L. BAKER

3364-350

Acct No 4060

KENNETH MOFFITT

1611-65

Acct No 76610

HENRY J. LESSNER

1034-255

Acct No 20930

JOHN T. PINDELL JR

635-587

Acct No 45750

DANIEL FISHER JR.

FF
16.1
4336

NORMAN

CREA

PORTION OF CONSTRUCTION PLAN (SEWER)

61-525

Petition Court
4

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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 - 1511771650

Owner Information

Owner Name: MAHER FRANCIS A
MAHER BARBARA J Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 320 MILES RD
BALTIMORE MD 21221-1524 Deed Reference: 1) /11765/ 509
2)

Location & Structure Information

Premises Address

320 MILES RD

Legal Description

320 MILES RD
MIDDLEBOROUGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
97	12	373		WATERFRONT			186	3		4/ 191

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1965	1,928 SF	13,365.00 SF	34
Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2005	Phase-in Assessments As Of 07/01/2006
Land:	122,340	202,340		
Improvements:	135,390	211,810		
Total:	257,730	414,150	257,730	309,870
Preferential Land:	0	0	0	0

Transfer Information

Seller: KRAUSE GEORGE	Date: 08/27/1996	Price: \$148,000
Type: IMPROVED ARMS-LENGTH	Deed1: /11765/ 509	Deed2:
Seller: PROPF GORDON B ETAL	Date: 02/27/1967	Price: \$15,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 4727/ 370	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

PETITIONER'S

EXHIBIT NO.

3

DEED OF RECORD FOR
ADJACENT

0011765 509

FEE SIMPLE-DEED-INDIVIDUAL GRANTOR-LONG FORM

Eastern Title Co., Inc.
100 West Street, Suite 400
Towson, Maryland 21204

FILE NO. 79-48-6362

TAX ID NO. 15/15-11-771650

THIS DEED, MADE THIS 6th day of AUGUST in the year one thousand nine hundred and ninety-six by and between GEORGE C. KRAUSE, PERSONAL REPRESENTATIVE OF THE ESTATE OF THELMA KRAUSE A/K/A THELMA V. KRAUSE, Grantor(s) and party of the first part, and FRANCIS A. MAHER and BARBARA J. MAHER, Grantee(s) and parties of the second part.

WITNESSETH, That in consideration of the sum of ONE HUNDRED FORTY-EIGHT THOUSAND DOLLARS, (\$148,000.00), the actual consideration paid, or to be paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said parties of the second part, as tenants by the entirety, their assigns the survivor of them and unto the survivor's personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 186, as shown on the Plat of Middleborough, which said plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 4, folio 191.

The improvements thereon being known as No. 320 Miles Road.

Subject to restrictions recorded in Liber WPC No. 540, folio 217 and Liber WPC No. 540, folio 219.

BEING that same lot of ground which by Deed dated February 24, 1967 and recorded among the Land Records of Baltimore County in Liber No. 4727, folio 370 was granted and conveyed by Gordon B. Propf and Jean R. Propf, his wife unto George Krause and Thelma V. Krause, his wife. The said George Krause departed this life on or about January 5, 1996 thereby vesting title unto the said Thelma V. Krause, his wife.

The said Thelma V. Krause a/k/a Thelma Krause departed this life on or about February 11, 1996. SEE Estate No. 86541 filed among the Register of Wills for Baltimore County, wherein the said George C. Krause was appointed Personal Representative of the Estate of Thelma Krause a/k/a Thelma V. Krause.

THIS CONVEYANCE is made subject to the restrictions, rights of way, and conditions, if any, contained in the Deeds forming the chain of title to this property.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-11620] Book SM 14265, Folio 0089 Printed 11/24/2006. Online
03/04/2005. **NOT APPLICABLE**
Signature SP 8/26/96 Date 8/26/96

0011765 510

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 described lot of ground and premises to the said parties of the second part, as tenants by the entirety, their assigns the survivor of them and unto the survivor's personal representatives and assigns, forever in fee simple.

WITNESS the hand(s) and seal(s) of said grantor(s)

Test:

George C. Krause Personal Representative of The Estate of Thelma Krause HAH
Thelma V. Krause (Seal)
GEORGE C. KRAUSE, PERSONAL REPRESENTATIVE OF THE ESTATE OF THELMA KRAUSE A/K/A THELMA V. KRAUSE

(I), (We), the undersigned Grantee(s) do hereby certify under penalty of perjury, that the above property is improved for residential purposes, and that (I), (We), the undersigned Grantee(s) will own and occupy the property as my/our principal residence.

Alice Krause
WITNESS:

Francis A. Maher
FRANCIS A. MAHER Grantee
Barbara J. Maher
BARBARA J. MAHER Grantee

STATE OF MARYLAND, CITY/COUNTY BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 6th day of AUGUST in the year one thousand nine hundred and ninety-six, the subscriber, a Notary Public of the State aforesaid, personally appeared GEORGE C. KRAUSE, PERSONAL REPRESENTATIVE OF THE ESTATE OF THELMA KRAUSE A/K/A THELMA V. KRAUSE and FRANCIS A. MAHER and BARBARA J. MAHER, known to me (or satisfactorily proven) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Alice Krause
NOTARY PUBLIC

My Commission Expires:

8-30-97

This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party of this instrument.

0011765 511

049038 AUG 22 08

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1. Type(s) of Instruments	☐ Deed ☐ Mortgage ☐ Other ☐ Other ☒ Deed of Trust ☐ Lease ☐ Other ☒ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-Length Sale (9) ☐ Arms-Length (1) ☐ Arms-Length (2) ☐ Arms-Length (3)				IMP FD SURE 5.00 RECORDING FEE 28.00 RECORDATION 740.00 TR TAX STATE 740.00 TOTAL 1,585.00 Rec'd BANK Rec'd 19285 SH ID Blk # 1958 AUG 27, 1996 18:32	
2. Conveyance Type Check Box	☐ State Transfer ☐ County Transfer					
3. Tax Exemptions (if Applicable) Cite or Explain Authority						
4. Consideration and Tax Calculations	Consideration Amount Purchase Price/Consideration \$ 148,000.00 Any New Mortgage \$ 140,600.00 Balance of Existing Mortgage \$ Other \$ Other \$ Full Cash Value \$				Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ 14800.00 X (1.5) % = \$ 2220.00 Less Exemption Amount \$ 330.00 Total Transfer Tax = \$ 1890.00 Recordation Tax Consideration \$ X () per \$500 = \$ TOTAL DUE \$	
5. Fees	Amount of Fees Recording Charge 20 \$ 20.00 Surcharge 5 \$ 5.00 State Recordation Tax 740 \$ 740.00 State Transfer Tax 740 \$ 740.00 County Transfer Tax 1 \$ 1890.00 Other \$ Other \$				Doc. 1 Doc. 2 \$ 20.00 \$ 20.00 \$ 5.00 \$ 5.00 \$ 740.00 \$ 740.00 \$ 740.00 \$ 740.00 \$ 1890.00 \$ 1890.00 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
6. Description of Property	District 15 Property Tax ID No. (1) 15-11-771650 Grantor Liber/Folio 427/370 Subdivision Name Middleborough Lot (3a) 186 Block (3b) 47191 Sect/AB(3c) 47191 Location/Address of Property Being Conveyed (2) 320 miles Road Other Property Identifiers (if applicable) Residential ☒ Non-Residential ☐ Fee Simple ☒ Ground Rent ☐ Amount: Partial Conveyance? ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred: If Partial Conveyance, List Improvements Conveyed:				Agent: MM Tax Bill: PD 1696.61 C.B. Credit: Ag. Tax/Other:	
7. Transferred From	Doc. 1 - Grantor(s) Name(s) George C. Krause, P.R. Estate of Thelma Krause g/k/g Thelma v. Krause Doc. 1 - Owner(s) of Record, if Different from Grantor(s)				Doc. 2 - Grantor(s) Name(s) Francis A. Maher, Barbara J. Maher Doc. 2 - Owner(s) of Record, if Different from Grantor(s)	
8. Transferred To	Doc. 1 - Grantee(s) Name(s) Francis A. Maher, Barbara J. Maher New Owner's (Grantee) Mailing Address 320 miles Road 21221				Doc. 2 - Grantee(s) Name(s) Bank of America FSB	
9. Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)					
10. Contact/Mail Information	Instrument Submitted By or Contact Person Name: Robin Aulten Firm: Bankers Title Co Address: 100 West Rd Ste 400 Towson MD 21204 Phone: (410) 838-5900				Return to Contact Person Hold for Pickup Return Address Provided	
11. IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Assessment Information Yes ☐ No ☒ Will the property being conveyed be the grantee's principal residence? Yes ☐ No ☒ Does transfer include personal property? If yes, identify: Yes ☐ No ☒ Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).					
Assessment Use Only - Do Not Write Below This Line Transfer Number: Year 19 Date Received: 19 Deed Reference: Map Grid Parcel Ex. St. Assigned Property No.: Sub Plot Lot Occ. Cd. Land Zoning Use Town Cd. Ex. St. Ex. Cd. Buildings Total REMARKS:						

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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 - 1502003530

Owner Information

Owner Name: MAHER FRANCIS A
MAHER BARBARA J
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 320 MILES RD
BALTIMORE MD 21221-1524
Deed Reference: 1) /12092/ 688
2)

Location & Structure Information

Premises Address

322 MILES RD

Legal Description

322 MILES RD
MIDDLEBOROUGH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
97	12	373		WATERFRONT			187	3	4/ 191

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		11,250.00 SF	34
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2005	Phase-in Assessments As Of 07/01/2006
Land:	69,560	137,060		
Improvements:	0	0		
Total:	69,560	137,060	69,560	92,060
Preferential Land:	0	0	0	0

Transfer Information

Seller: BROWN LE ROY HERBERT	Date: 03/21/1997	Price: \$75,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /12092/ 688	Deed2:
Seller: BROWN MARY AGNES	Date: 05/02/1990	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8469/ 712	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

PETITIONER'S

EXHIBIT NO.

2

DEED OF RECORD FOR
SUBJECT PROPERTY

0012092 688

(2)

BLT 97007

Tax Id. /15/ 15 -02 -003530

Address: 322 Miles Road

THIS DEED made this 8th day of March, in the year one thousand nine hundred and ninety-seven, by and between, **Le Roy Herbert Brown**, by Evelyn Dianne Mose, Attorney-In-Fact pursuant to Power of Attorney dated June 27, 1996 and recorded, or intended to be recorded immediately prior hereto, and Evelyn Dianne Brown Mose parties of the first part, and Francis A. Maher and Barbara J. Maher, his wife, parties of the second part;

Witnesseth: that in consideration of the sum of Seventy-Five Thousand and 00/100 (\$75,000.00) the parties of the first part hereby grant unto the parties of the second part, in fee simple, as Tenants by the Entirety, all that piece or parcel of land, together with improvements, rights, privileges and appurtenances to the same belonging, situate in the County of Baltimore, State of Maryland, described as follows to wit:

BEING KNOWN AND DESIGNATED as Lot 187 as shown on the Plat of the Property of the Maryland Land Corporation of Baltimore County, which Plat is recorded among the Land Records of Baltimore County in Plat Book No. 4, folio 191. The improvements thereon being known as No. 322 Miles Road.

BEING all in the same lot of ground which by Deed dated February 28, 1990 was granted and conveyed by Mary Agnes Brown unto the Grantors herein, and recorded in Liber 8469 at folio 712.

Subject to nevertheless easements, covenants and restrictions imposed by Deed dated September 17, 1923 and recorded in Liber 589 at folio 115.

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

AND the said parties of the first part covenant that they will warrant specially the property hereby conveyed, and that they will execute such further assurances of said land as may be requisite.

Witness their hands and seals the day and year first hereinbefore written.

Attest:

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

3/24/97
Date

[Signature]

Le Roy Herbert Brown
Le Roy Herbert Brown by *Evelyn Dianne Mose*
Evelyn Dianne Mose,
Attorney-In-Fact

Evelyn Dianne Brown Mose Seal
Evelyn Dianne Brown Mose

Francis A. Maher Seal
Francis A. Maher

Barbara J. Maher Seal
Barbara J. Maher

Stephen E. Marvick, Attorney At Law

28 W. Allegheny Ave. • Suite 1301
Towson, Maryland 21204-9919
Office: (410) 321-9300 Fax: (410) 321-0061

BALTIMORE COUNTY CIRCUIT COURT (APPLICABLE) (MSA CE 62-11947 Book SM 12092, p. 0688. Printed 11/24/2006. Online 03/04/2005.

AGRICULTURAL TRANSFER TAX

NOT APPLICABLE

SIGNATURE

DATE

3/24/97

0012092 689

State of Maryland
County of Baltimore

to wit:

I, Christina O. Marsalek, a Notary Public in and for the said State and County, do hereby certify that **Le Roy Herbert Brown**, by **Evelyn Dianne Mose**, Attorney-In-Fact pursuant to Power of Attorney dated June 27, 1996 and recorded, or intended to be recorded immediately prior hereto, and **Evelyn Dianne Brown Mose**, and **Francis A. Maher** and **Barbara J. Maher**, his wife, who are personally well known to me as parties to and who executed the annexed deed bearing date the 8th day of March, 1997, personally appeared before me in the said State and County, and acknowledged the same to be their free act and deed for the purposes contained therein.

Witness my hand and official seal this 8th day of March, 1997.

Christina O. Marsalek
Christina O. Marsalek-Notary Public
My Commission Expires: 11/1/97

This Is To Certify that the within instrument was prepared by **Stephen F. Marsalek**, an attorney duly admitted to practice before the Maryland State Court of Appeals.

Stephen F. Marsalek
Stephen F. Marsalek, Esq.

Stephen F. Marsalek, Attorney At Law

28 W. Allegheny Ave. • Suite 1301
Towson, Maryland 21204-3919
Office: (410) 321-9300 Fax: (410) 321-0061

0012092 690

056671 MAR 21 5

State of Maryland Land Instrument Intake Sheet

Baltimore City & County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

(X Check Box if Addendum Intake Form is Attached.)

1 **Type(s) of Instruments**

X Deed Mortgage Other

X Deed of Trust Lease

2 **Conveyance Type** X Improved Sale Unimproved Sale Multiple Accounts Not an Arms-Length Sale [1] Arms-Length [2] Arms-Length [3] Length Sale [9]

3 **Tax Exemptions (if Applicable)** Recordation State Transfer County Transfer

Cite or Explain Authority

NOTED SURE 5.00
RECORDING FEE 20.00
RECORDATION 375.00
TR. TAX STATE 375.00
TOTAL 1125.00
Rest 1125.00
Mar 21, 1957

4 **Consideration and Tax Calculations**

Consideration Amount

Purchase Price/Consideration \$ 75,000

Any New Mortgage \$ 67,500

Balance of Existing Mortgage \$

Other: \$

Other: \$

Full Cash Value \$

Finance Office Use Only

Transfer and Recordation Tax Consideration

Transfer Tax Consideration \$ 1125.00

X (1.5) % = \$ 1125.00

Less Exemption Amount \$

Total Transfer Tax \$ 1125.00

Recordation Tax Consideration \$

X () per \$500 = \$

TOTAL DUE \$

5 **Fees**

Amount of Fees

Recording Charge \$ 20.00

Surcharge \$ 5.00

State Recordation Tax \$ 375.00

State Transfer Tax \$ 375.00

County Transfer Tax \$ 1,125.00

Other \$

Other \$

Doc. 1 20.00

Doc. 2 5.00

Agent: [Signature]

Tax Bill [Signature]

C.B. Credit:

Ag. Tax/Other:

6 **Description of Property**

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District 15 Property Tax ID No. (1) 15-02003530 Grantor Liber/Folio 8469/712 Map Parcel No. Var. LOG (5)

Subdivision Name Lot (3a) Block (3b) Sect/AR(3c) Plat Ref. SqFt/Acreage (4)

187

Location/Address of Property Being Conveyed (2)

322 Miles Road Essex, 21221

Other Property Identifiers (if applicable)

Water Meter Account No.

Residential or Non-Residential X Fee Simple X or Ground Rent Amount:

Partial Conveyance? Yes X No Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 **Transferred From**

Doc. 1 - Grantor(s) Name(s)

LeRoy Herbert Brown

Evelyn Dianne Brown Mose

Doc. 1 - Owner(s) of Record, if Different from Grantor(s)

Doc. 2 - Grantor(s) Name(s)

Francis A. Maher

Barbara J. Maher

Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

8 **Transferred To**

Doc. 1 - Grantee(s) Name(s)

Francis A. Maher

Barbara J. Maher

Doc. 2 - Grantee(s) Name(s)

Michael T. Galeone

Robert W. Locke III

New Owner's (Grantee) Mailing Address

320 Miles Road Essex, MD 21221

9 **Other Names to Be Indexed**

Doc. 1 - Additional Names to be Indexed (Optional)

Doc. 2 - Additional Names to be Indexed (Optional)

The Columbia Bank

10 **Contact/Mail Information**

Instrument Submitted By or Contact Person

Name: Christina O. Marsalek

Firm: STEPHEN F. MARSALEK, P.C.

Address: 28 Allegheny Avenue, Suite 1301

Towson, MD 21204 Phone: (410) 321-9300

X Return to Contact Person

Hold for Pickup

X Return Address Provided

11 **IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER.**

Assessment Information

Yes X No Will the property being conveyed be the grantee's principal residence?

Yes No Does transfer include personal property? If yes, identify:

Yes No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line

Terminal Verification Agricultural Verification Whole Part Tran. Process Verification

Transfer Number: Date Received: Dead Reference: Assigned Property No:

Year 19 19 Geo. Map Sub Block

Land Zoning Grid Plat Lot

Buildings Use Parcel Section

Total Town Cd. Ex. St. Ex. Cd.

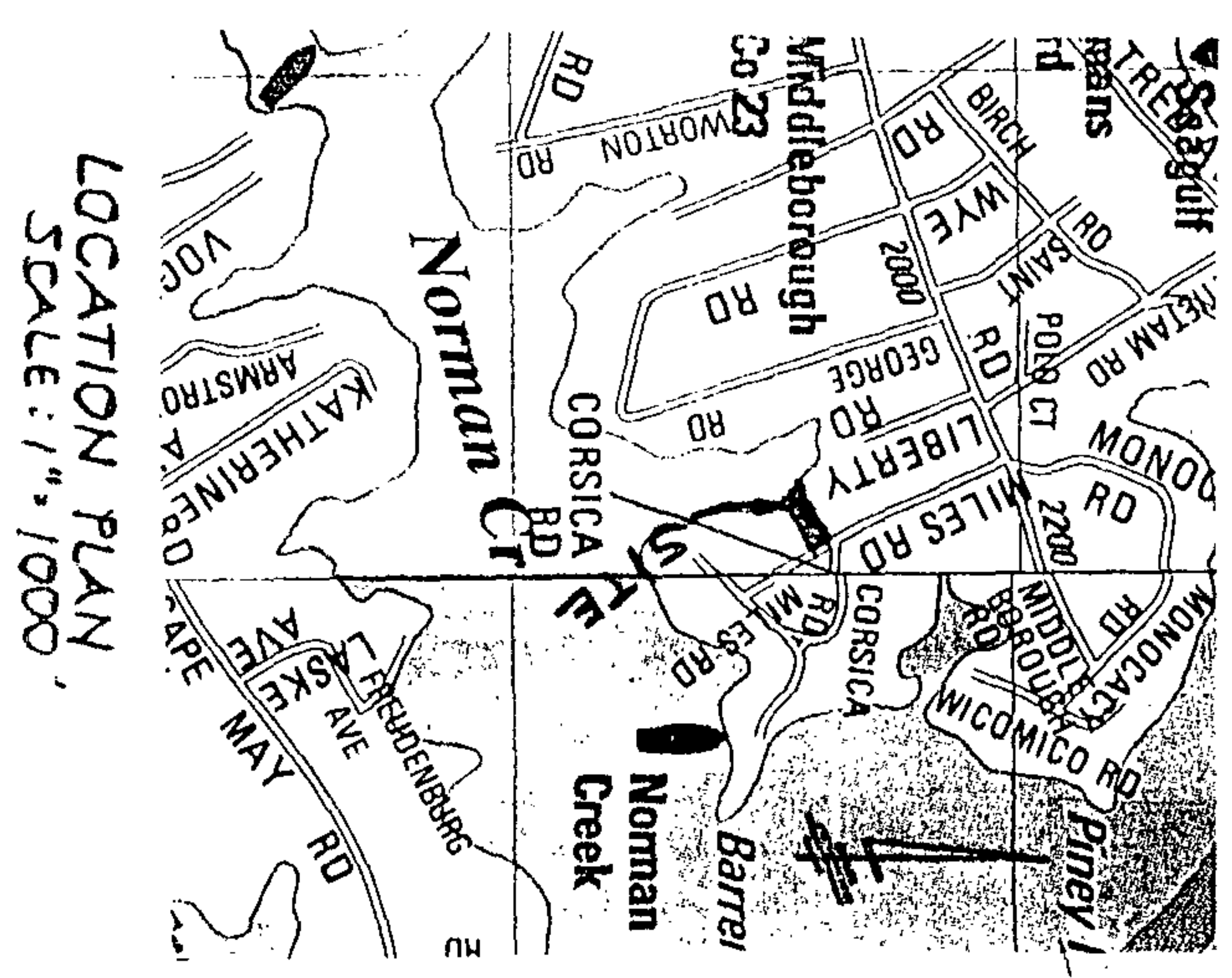
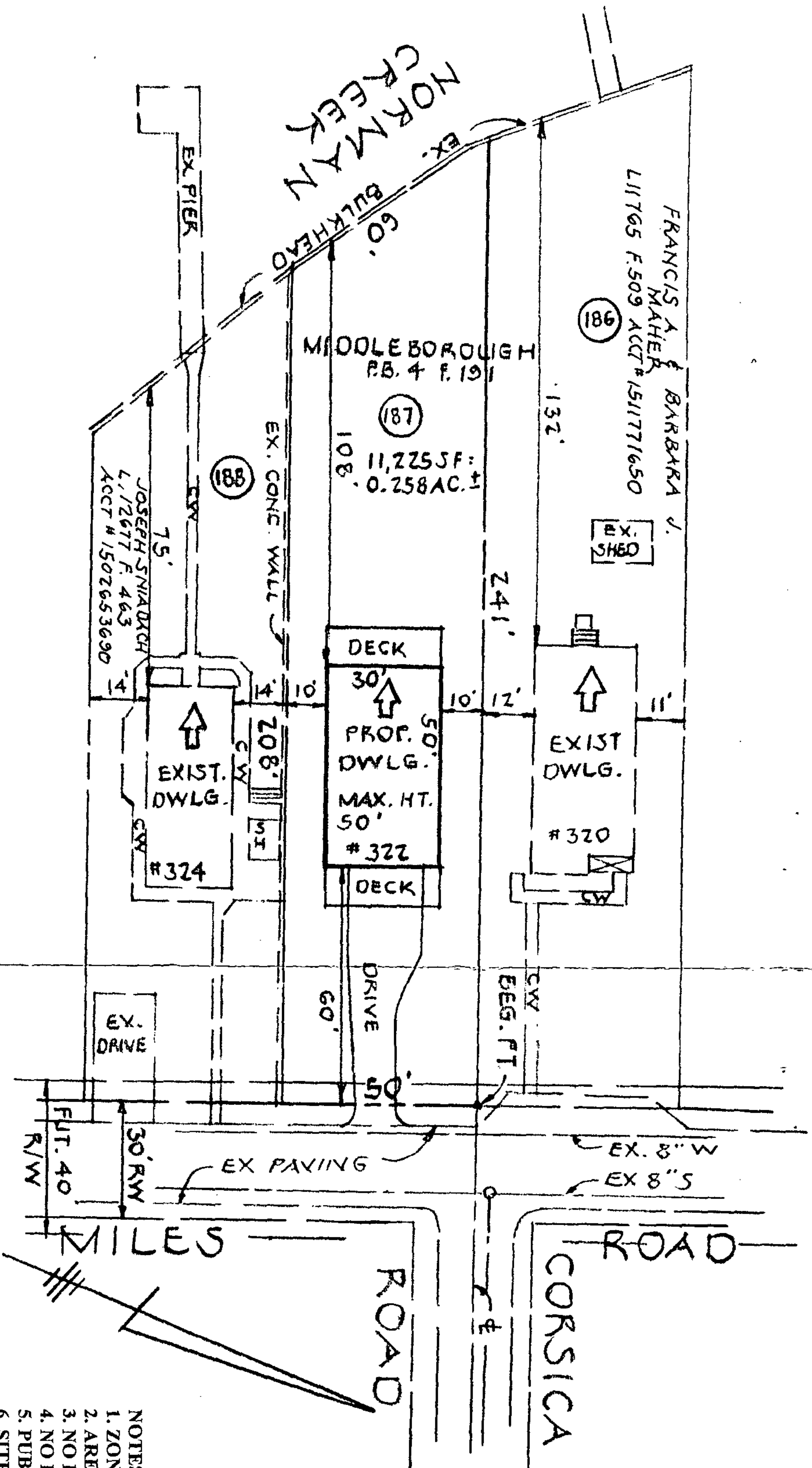
REMARKS:

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA-CE 62-41947] Book SM-12092, p. 0690. Printed 11/24/2006. Online 03/04/2005.

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (6/95)

03A91M03301L1R1X

\$1,125



- NOTES
1. ZONING.....DR 3.5 (MAP 098A1)
 2. AREA.....11,225 S.F. = 0.258 ACRE
 3. NO PRIOR ZONING HISTORY
 4. NO HISTORIC STRUCTURES EXIST
 5. PUBLIC WATER AND SEWER IS EXISTING
 6. SITE IS LOCATED IN CBCA. A PORTION OF THIS PROPERTY IS LOCATED IN FLOOD ZONE A. THE PROPOSED DWELLING IS NOT LOCATED IN FLOOD ZONE A.

PETITIONER'S
EXHIBIT NO. 1

ZONING PLAT
322 MILES ROAD
LOT 187 MIDDLEBOROUGH

OWNER
FRANCIS A. AND BARBARA J. MAHER
320 MILES ROAD
BALTIMORE, MD. 21221

CENTRAL DRAFTING & DESIGN, INC.
601 CHARMWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

DEED REF. L. 12092 F. 688
ACCT-NO. 1502003530
ELECTION DISTRICT 15C6
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET
AUGUST 20, 2006