IN RE: PETITION FOR VARIANCE
SE corner of Cold Bottom Road
and Yeoho Road
8th Election District
3rd Councilmanic District
(1641 Cold Bottom Road)

Martha Lamb - Power of Attorney for Bruce and Winifred Lamb Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 07-242-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

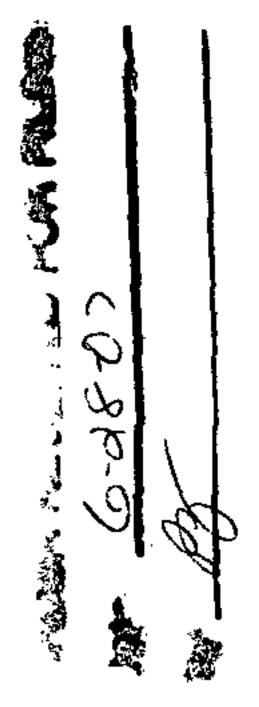
This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Martha Lamb - Power of Attorney for Bruce and Winifred Lamb. The Petitioners are requesting variance relief for the property located at 1641 Cold Bottom Road. The variance request is from Section 400.1 to permit an existing garage to be in the front yard, and to permit that garage to have a 0 foot setback from the front property line in lieu of the required 2.5 feet.

The property was posted with Notice of Hearing on January 15, 2007 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 18, 2007 to notify any interested persons of the scheduled hearing date and relief requested.

Applicable Law

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or



unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comment was received from DEPRM dated January 22, 2007 regarding relocation of the well and inspection of the septic system, and a copy of which is included in the file of this case.

Interested Persons

Appearing at the hearing on behalf of the variance request were Martha Lamb, Power of Attorney for Bruce and Winifred Lamb, and Thomas J. Hoff, with Thomas J. Hoff, Inc., who prepared the site plan. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

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The subject property contains 4.0 acres zoned RC 2 and is improved by the Petitioner's single family dwelling. Mr. Hoff indicated that approximately one year ago the Petitioner applied for a minor subdivision to allow the property to be divided into two lots for the purpose of erecting another single family dwelling. As the minor subdivision progressed, the engineering firm representing the Petitioner negotiated a widening of Cold Bottom and Yeoho Roads as shown by the right of way plat, exhibit 2 which has been

recorded in the County Land Records. Unfortunately the Cold Bottom widening failed to recognize there was an existing garage and existing well which the Petitioner would like to keep essentially on the new Cold Bottom boundary. The well was inside the widening and the boundary went through the garage as shown by the light line in detail exhibit 4.

The Petitioner then retained Mr. Hoff who negotiated with the County to revise both the Cold Bottom and Yeoho Road right of way boundaries given the existing garage and well. Mr. Hoff indicated the result was to move both boundaries as shown on the heavy line of exhibit 3 and detail 4. This change has been approved by Land Acquisition in their review of the minor subdivision and brings the existing garage back within the Petitioner's property albeit nearly on the widening boundary as shown. See the garage detail on exhibit 1, the Plat to Accompany. The Petitioner's plan was simply for the County to convey the small strip of land along Cold Bottom Road back to the Petitioner which would place the garage once again in the Petitioner's property.

However while the boundary revisions were being negotiated, the County Council substantially revised the procedures for the County to convey property to citizens. This generated new procedures for Land Acquisition which are in the process of being developed. In addition DEPRM requested the existing well which is now in the County right of way be abandoned. Consequently Mr. Hoff requested that the record of this case be held open so that the process of reconveying the Cold Bottom strip to the Petitioner could be completed as the new procedures may affect the Petition.

The request for variance arises because the existing garage is presently located in the front yard of the home and on the property line. The garage was built prior to imposition of zoning on this property.

MACE -P. CARRE

Findings of Fact and Conclusions of Law

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Unfortunately I am not able to leave the record open any longer due to my immediate retirement. It may occur that there will be changes to the plan depending on negotiations with the County regarding acquiring property along the roadways. Minor changes may be incorporated by spirit and intent letter.

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This garage was constructed prior to imposition of zoning on this property and consequently the zoning regulations impact this property disproportionately. Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. It would be impractical to move the garage

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The garage has been at that location for many years without difficulty

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this _______ day of June, 2007 by this Deputy Zoning Commissioner, that the variance from Section 400.1 to permit an existing garage to

be in the front yard, and to permit an existing garage to have a 0 foot setback from the front property line in lieu of the required 2.5 feet is hereby GRANTED, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz

THE PRINT



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

June 28, 2007

MARTHA LAMB
POWER OF ATTORNEY FOR
BRUCE AND WINIFRED LAMB
4307 MARIGOLD LANE
BELCAMP MD 21017

Re: Petition for Variance
Case No. 07-242-A
Property: 1641 Cold Bottom Road

Dear Ms. Lamb:

Enclosed please find the decision rendered in the above-captioned case.

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 Deputy Zoning Commissioner

JVM:pz

Enclosure

c: Thomas J. Hoff, Thomas J. Hoff, Inc., 406 West Pennsylvania Avenue, Towson MD 21204



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1641 COLD BOTTOM RD.

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 ATTACHMENT

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

SEE ATTACHMENT

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 periury, that I/we are the legal owner(s) of the property which

			is the subject of this Petition.
Contract Purc	haser/Lessee:		Legal Owner(s): POWER OF ATTORNEY
NA	••		MARTHA LAMB- FOR BRUCE & WINIFRED
Name - Type or Print			Jame - Type or Print Matha Lamb
Signature			Signature
		· · · · · · · · · · · · · · · · · · ·	BRUCE & WINIFIZED LAMPS
Address		Telephone No.	Name - Type or Print
City	State	Zip Code	Signature C/O MARTHA LAMB
Attorney For I	Petitioner:		4307 MARIGOLD LANE 410-575-762
/^			Address Telephone No.
N/A			BELCAMP, MD 21017
Name - Type or Print			State Zip Code
Signature			Representative to be Contacted:
Oignature			THOMAS J. HOFF
Company			Name
Address		Tolorbano Na	406 WEST PENNSYLVANIA AVE
Magicas		Telephone No.	Address Telephone No. 410-296-3669
City	State	Zip Code	Towson MD 21204 A10-296-3669 City State Zip Code
			OFFICE USE ONLY
Case No.	07-242-6]	ESTIMATED LENGTH OF HEARING
,		<u> </u>	UNAVAILABLE FOR HEARING
D <i>CV 0/15/00</i>		Reviewed By	Date 11-25.06
REV 9/15/98			
	6-28-07		
		•	

ATTACHMENT TO PETITION FOR VARIANCE 1641 COLD BOTTOM ROAD

ZONING RELIEF REQUESTED:

The state of the s

- VARIANCE FROM SECTION 400.1 TO ALLOW AN EXISTING GARAGE TO BE IN THE FRONT YARD.
- 2) VARIANCE FROM SECTION 400.1 TO ALLOW AN EXISTING GARAGE TO HAVE A ZERO FOOT SETBACK FROM THE FRONT PROPERTY LINE IN LIEU OF THE REQUIRED 2.5 FEET.
- 3) FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER.

The garage has existed for many years. At the time it was constructed, it was a common practice to build the garage in the front yard. At the time it was constructed, the County had not established or formally taken a Right of Way for Cold Bottom Road. At this time the property is being subdivided into two lots as a minor subdivision. As is normal procedure, the County is requiring that the Right of Way for Cold Bottom Road along our frontage be dedicated to the County. This new Right of Way line for Cold Bottom Road will now be less than one foot from the garage.

07-ZUZ-D

THOMAS J. HOFF, INC.

Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

November 27, 2006

Description of 1641 Cold Bottom Road, to Accompany Petition for Variances

BEGINNING FOR THE SAME at a point in the intersection of Cold Bottom Road and Yeoho Road.

Thence running in or near the paving of Cold Bottom Road,

- 1) North 67 degrees 19 minutes 58 seconds East 300.75 feet, thence leaving the paving of Cold Bottom Road,
- 2) South 12 degrees 49 minutes 17 seconds East 573.81 feet, thence,
- 3) South 53 degrees 38 minutes 47 seconds West 30.70 feet, thence,
- 4) South 78 degrees 01 minutes 36 seconds West 273.23 feet, thence,
- 5) North 79 degrees 58 minutes 28 seconds West 15.52 feet, thence running in or near the paving of Yeoho Road,
- 6) North 16 degrees 20 minutes 22 seconds West 196.06 feet, thence,
- 7) North 05 degrees 40 minutes 02 seconds West 297.00 feet, thence,
- 8) North 22 degrees 10 minutes 02 seconds West 34.65 feet to the place of beginning.

Containing 4.00 acres of land more or less.

The bearings and distances for this description are based on the Maryland Coordinate System.

Note:

This Description has been prepared for zoning purposes only.



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CE OF ZONING HEARING

Maryland on franissioner of Baltimore, and Act and Regulational Appublic hearing in Townsited herein as follows:

The Zoning Garanissioner of Baltimore, by authority of the Charic Act and Regulating of Baltimore thority of the Charic Act and Regulating of Baltimore County will hold appublic hearing in Tow. Maryland on the property identified herein as follows and Yeoho Road Southeast corner of Cold Bottom Road But Blection District - 3rd County or Of Attorney for Legal Owner(s): Martha Lamb Southeast corner of Cold Bottom and Southeast corner of Cold Bottom bistrict - 3rd County or Attorney for Legal Owner(s): Martha Lamb Southeast corner of Cold Bottom be set front an existing in the front setback from the front property lieu of the required setback from the front property.

2.5 feet.
Hearing: Thursday, Febraing, 401 Bosley AveRoom 407, County Coy
nue, Towson 21204.

EMb more County sion fandicapped Accessible; for earlase Contact the Zoning Com-10,887-3868. Perning the File and/or Hearing, Office at (410) 887-3391. SEMA ssion Heai WILLIAM J. WI

Zoning Commissio NOTES: (1) Hea special accommo missioner's Offic (2) For infort (2) For infort (2) For infort (1) 184 Jan. 18

OF PUBLICATION

18 3007

t the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY

successive weeks, the first publication appearing once in each of 6

Xi The Jeffersonian

Arbutus Times

Catonsville Times

Towson Times

Times Owings Mills 1

NE Booster/Reporter News North County > Williams

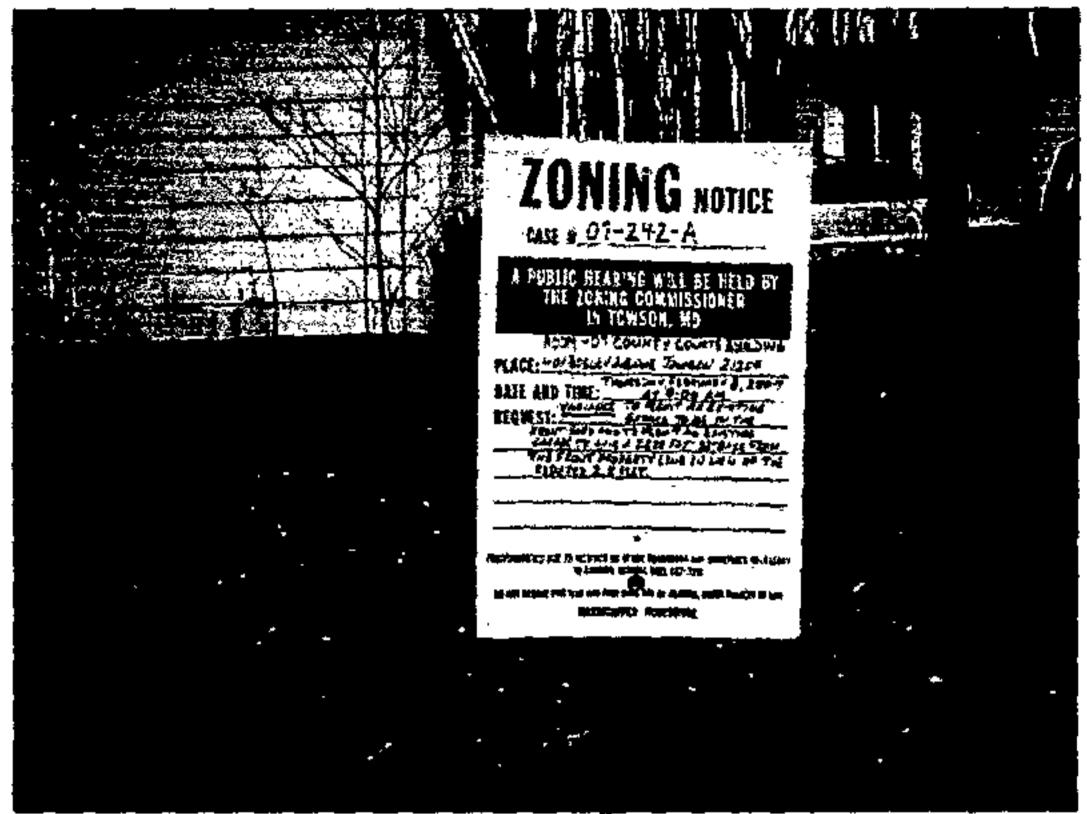
LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 07-242-1

	Petitioner/Developer:
	MARTHA LAMB THOMIS J. HIFT
	Date Of Hearing/Closing: 2/8/07
Baltimore County Departme Permits and Development M County Office Building, Roc 111 West Chesapeake Avenu	lanagement om 111
Attention:	
Ladies and Gentlemen:	
sign(s) required by law were	the penalties of perjury that the necessary posted conspicuously on the property
at	41 COW BOTTOM ROAD
	
This sign(s) were posted on_	(Month, Day, Year) Sincerely, (Signature of sign Poster and Date) Martin Ogle Sign Poster 16 Salix Court Address
	Address <u>Balto. Md 21220</u> (443-629 3411)

im000972 (576x432x24b jpeg)



Martin Ogle 1/15/01



JAMES T. SMITH, JR. County Executive

December 193, N2006 TROCO, Director

Department of Permits and

Development Management

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: 07-242-A

1641 Cold Bottom Road

Southeast corner of Cold Bottom Road and Yeoho Road

8th Election District – 3rd Councilmanic District

Legal Owner(s): Martha Lamb – Power of Attorney for Bruce & Winifred Lamb

<u>Variance</u> To permit an existing garage to be in the front yard and to permit an existing garage to have a zero foot setback from the front property line in lieu of the required 2.5 feet.

Hearing: Thursday, February 8, 2007 at 9:00 a.m. in Room 407 in the County Courts Building, 401 Bosley Avenue, Towson 21204.

Timothy Kotroco

Director

TK:amf

C: Bruce and Winifred Lamb c/o Martha Lamb 4307 Marigold Lane Belcamp 21017 Thomas J. Hoff 406 West Pennsylvania Avenue Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 18, 2007.

- (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, January 18, 2007 Issue - Jeffersonian

Please forward billing to:

Martha Lamb 5407 Marigold Lane Belcamp, MD 21017 410-575-7625

NOTICE OF ZONING HEARING

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WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Number or Case Number: 07-242-9	
Petitioner: MARTHA LAMB FOR. BRUCE & WINIFRED LAMB.	
Address or Location: 1641 COLD BOTTOM RO.	
PLEASE FORWARD ADVERTISING BILL TO: Name: MARTHA LAMB	
Address: 4307 MARIGOLO LANE	
BELIAMP, MO. 21017	
Telephone Number: 410 - 575 - 1625	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

January 31, 2007

Bruce and Winifred Lamb C/o Martha Lamb 4307 Marigold Land Belcamp, MD 21017

Dear Ms. Lamb:

RE: Case Number: 07-242-A, 1641 Cold Bottom Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 28, 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

U. Callabal)

WCR:amf

Enclosures

c: People's Counsel
Thomas J. Hoff 406 West Pennsylvania Avenue Towson 21204



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 12-6-2006

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

RE: Baltimore County

Item No. 7-24 Z-A

1641 COLD BOTTOM RD

MARTHA LAMB PROPERTY

VARIANCE - PERMIT EXISTING

GARAGE IN LIEU OF SETBACK

MEQUIREMENT

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. 7-242A.

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,

Engineering Access Permits

Division

SDF/MB

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 December 7,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 4, 2006

Item Number(s): 240 through 251

247

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



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



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 20, 2007

THOMAS J. HOFF THOMAS J. HOFF, INC. 406 WEST PENNSYLVANIA AVENUE TOWSON MD 21204

Re: Petition for Administrative Variance Case No. 07-242-A

Property: 1641 Cold Bottom Road

Dear Mr. Hoff:

Just a note to remind me that I am keeping the record open in the above-referenced case for additional evidence of the County re-conveyance to your client of certain property along Cold Bottom Road and Yeoho Road. I understand that there has been recent legislation which affects this process.

Please let me know the status of your efforts at your convenience.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

RE: PETITION FOR VARIANCE
1641 Cold Bottom Road; SE corner of
Cold Bottom Road & Yeoho Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Martha Lamb, Power of
Attorney for Bruce & Winifred Lamb
Petitioner(s)

* BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-242-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/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 11th day of December, 2006, a copy of the foregoing Entry of Appearance was mailed to, Thomas Hoff, 406 West Pennsylvania Avenue, Towson, MD 21204, Representative for Petitioner(s).

RECEIVED

DEC 1 1 2006

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

DURABLE POWER OF ATTORNEY of WINIFRED EDITH LAMB

I, Winifred Edith Lamb, of the State of Maryland do hereby execute this General Power of Attorney with the intention that the attorney-in-fact hereinafter named shall be able to act in my place in all matters.

SECTION 1. Designation of Attorney

1.01. I appoint my daughter, Martha C. Lamb, to be my attorney-in-fact to act for me, in my name, and in my place.

SECTION 2. Effective Date of Power of Attorney

- 2.01. This General Power of Attorney shall be effective as of the date of execution by me. Under the provisions of Section 13-601, Estates Trusts Article, Annotated Code of Maryland, I hereby provide that this Power of Attorney shall not be affected by my disability and shall be governed by said statute. It is my specific intention that my attorney-in-fact shall continue to act as such even though I may not be competent to ratify the actions of my attorney-in-fact.
- 2.02. All persons dealing with my attorney-in-fact may fully rely on the Power of Attorney and the authority of my attorney-in-fact to act for me hereunder, unless they have actual knowledge of its revocation.

SECTION 3. Powers

- 3.01. My attorney-in-fact shall have all of the powers, elections, and authority granted to guardians in Maryland by statute, common law or rule of court. In addition (but without limitation), my attorneys-in-fact shall also have the powers to:
- 3.02. Collect and receive, with or without the institution of suit or other legal process, all debts, monies, benefits, gifts, objects, interest, dividends, annuities and demands that now are due or may hereafter become due or otherwise payable to me and exercise options with respect to the same. My attorney-in-fact may use and take all lawful actions (in my name or otherwise) to recover or compromise those items.

07-242-A

- 3.03. Sell, convey, lease, exchange, mortgage, pledge, release, hypothecate, or otherwise deal with, dispose of, exchange, or encumber any of my property, either real or personal, including 1641 Cold Bottom Road, Sparks, Maryland 21152. This shall include the power to borrow money, upon such terms as my attorney-in-fact considers to be appropriate. This power and authority shall extend specifically, but not exclusively, to the residence located at 1641 Cold Bottom Road, Sparks, Maryland 21152. My attorney-in-fact have the specific power and authority to execute any listing agreement, contract of sale, deed, and any other document necessary to effectuate the sale and transfer of this residence.
- 3.04. Appear on my behalf in any litigation in which I am or may become a party during the duration of this General Power of Attorney.
- 3.05. Waive any or all dower or curtesy rights which I may have in real or personal property in any jurisdiction.
- 3.06. Give discharges, releases, consents and receipts on my behalf.
- 3.07. Deposit funds in my name in any banking or savings institution or in any "money market" account, whether or not insured.
- 3.08. Pay any and all bills, accounts, claims, and demands now due by me or becoming due by me after the execution of this General Power of Attorney. My attorneys-in-fact may withdraw funds from and draw and sign checks in my name upon any bank or trust company, savings institution, or money-market fund in which I may have any funds on deposit.
- 3.09. Endorse all checks drawn to my order for deposit in any account in which I have funds on deposit or in any new account opened in my name.
- 3.10. Hold, invest, reinvest and otherwise deal with and manage all property in which I have any interest. This shall include the power to exercise any option or right under any insurance policy that I may own except that my attorneys-in-fact may not act with respect to any policy on his/her life and may not change any beneficiaries under any policy.
- 3.11. Transfer or surrender any securities which I may own, and to execute in my name or on my behalf any stock power or other instrument in order to effect any such transfer or surrender.
- 3.12. Enter into or renew any agency or custodian agreement with any bank or trust company at my expense for the investment or safekeeping of any property. This shall include the power to revoke any agency or custodian agreement, whether the agreement is entered into by me, by my attorneys-in-fact, or by any other person.

- 3.13. Have unrestricted access to, and the right to enter into, any safe deposit box, vault, storage warehouse or other depository which I may own, which may be registered in my name, or in which any property may be held for me.
- 3.14. Bargain for, contract for, purchase, receive, lease, or otherwise acquire in my name, for my account or on my behalf, property of any kind, real or personal, tangible or intangible, including but not limited to, United States Treasury Bills, Notes, Bonds and other obligations of the United States Government or any of its agencies which may be used to the extent of their face value to satisfy the tax imposed by Sec. 2001 of said Code as it may be in effect from time to time.
- 3.15. Prepare, and execute, any and all federal, state, local or other tax returns, claims for refunds, or declarations of estimated tax. This power shall include the power to represent me (directly or through attorneys, accountants, or other agents) in any matter before the Internal Revenue Service or any other federal, state, or local agency. In connection with such representation, my attorney-in-fact may execute consents extending the statutory period for the assessment or collection of taxes, may pay all taxes and interest thereon which I may properly owe or which may be assessed against me, and may contest the validity of any proposed assessment. My attorneys-in-fact shall also have power to exercise any election available to me under the tax laws of any jurisdiction.
- 3.16. Execute, seal, acknowledge, and deliver any instruments, documents or papers deemed necessary, advisable or expedient with respect to any property, and to act in all matters relating to the powers herein referred to as fully and effectively as I, if present and of sound and disposing mind, could or might do personally.
- 3.17 To make gifts of real or personal property, including but not limited to any property then constituting or included in any revocable trust established by me, to my attorneys-in-fact, either outright or in trust, in such amounts and upon such terms and conditions as my attorneys-in-fact in their sole judgment may deem reasonable. In determining the reasonableness of any proposed gift, my attorneys-in-fact shall take into consideration the extent and nature of my assets, the Federal estate and/or gift taxes that may be generated by virtue of a gift and/or my death, the natural objects of my bounty and the Federal estate and/or income taxes to which they may be subjected. The fact that I may have not instituted a gift giving program prior to the exercise of this power of my said attorneys-in-fact shall not be considered in any fashion as a manifestation of a purported desire by me not to undertake such a program at a subsequent time.

- 3.18 To renounce, convey, release or disclaim any interest in property, real or personal, including marital property rights, life estates and any rights of survivorship incident to joint tenancy or tenancy by the entirety.
- 3.19 To act for me and on my behalf with respect to any right or interest I may have with respect to any fiduciary estate or trust or any other property interests, whether vested or contingent, including the right to receive any bequest, payment or other distribution payable or distributable to me and the power to execute on my behalf releases, renunciations, disclaimers, elections or any other such documents with respect to such fiduciary estate or trust or other property.
- 3.20. To engage, employ and dismiss any servants, agents, clerks or other persons in or about the performance of my affairs as my said attorney shall deem fit and proper.
- 3.21 To employ attorneys, investment counsel, accountants, physicians, dentists, professional property managers, real estate brokers or agents, and other persons to render services for and to me or my estate, to delegate full authority to any such individual to deal with my property or person, and to pay the reasonable fees and compensation of such persons for their services.
- 3.22 To place, effect and carry insurance of such kind and in such amounts as my said attorney-in-fact shall deem advisable to protect my assets against any hazard, to claim any benefits or proceeds on my behalf, and to purchase medical insurance for me or any dependent of mine.
- 3.23 To exercise any right to elect benefits or payment options, to terminate, to change beneficiaries or ownership, to assign rights, to borrow or receive cash value in return for the surrender of any or all rights under any of the following:
 - (i) Life insurance policies or benefits;
 - (ii) Annuity policies, plans or benefits;
 - (iii) Mutual fund and other dividend investment plans;
 - (iv) Retirement, and employee welfare plans and benefits, including any individual retirement accounts.
- 3.24. To vote at any and all meetings of stockholders or members of any corporation or otherwise to act as my attorney or proxy in respect to any shares of stocks now or hereafter held by me and to execute any proxies or do any other acts therein as may to my attorney seem fit and proper.

- 3.25. To substitute and appoint in her place and stead, at such compensation as she shall deem fit and proper, one or more agents or attorneys to perform any or all of the matters and things herein provided and to discharge or remove the said agents or attorneys whenever she, my said attorney, may see fit and proper.
- 3.26. To make application to any governmental agency for any benefit or government obligation to which I am entitled; to endorse any checks or drafts made payable to me from any government agency for my benefit, including any Social Security checks.
- 3.27. My attorney-in-fact shall in no way be limited to the exercise of any power because the exercise of the power will benefit, or otherwise affect, an interest of the attorney-in-fact.
- 3.28. My attorney-in-fact may act in all matters with respect to all powers described herein as freely, fully, and effectively as I could or might do personally if present and of sound and disposing mind.
- 3.29 My said attorney-in-fact shall not be liable to me or any of my successors in interest for any action taken or not taken in good faith, but shall be liable for any willful misconduct or gross negligence.
- 3.30 If any of the provisions of this Durable Power of Attorney are invalid for any reason, such invalidity shall not affect any of the other provisions of this Durable Power of Attorney, and all invalid provisions shall be wholly disregarded.

SECTION 4. Care of my Person

- 4.01. Should I become unable to care for myself, my attorney-in-fact shall have the primary duty and discretion of making all arrangements for my care, comfort, maintenance in my customary standard of living, medical treatment, nursing care (if the latter is necessary or advisable) and generally for all decisions having to do with my personal well-being, health and happiness.
- **4.02.** If any important or crucial decision is required regarding my living arrangements, health, medical care, and well-being, I give full authority to my attorney-in-fact. My attorney-in-fact shall have no liability or responsibility whatsoever for any action affecting my personal care, well-being and related matters described in this section which is taken in good faith.

- 4.03. My attorney-in-fact may make each and every judgment necessary for the proper and adequate care and custody of me to fire, employ, pay for and discharge such domestic help, nursing services, and practical and/or registered nurses as my Agent may determine to be in the best interests of my health, and the power to give an informed consent or an informed refusal on my behalf with respect to my physical or mental health care and comfort, including specifically, by way of illustration only and not by way of limitation:
 - a. Any medical care, diagnosis, surgical procedure, therapeutic procedure and/or other treatment of any type or nature;
 - b. Any physical rehabilitation program;
 - c. Any dental procedure;
 - d. Any psychiatric or psychological care or treatment;
 - e. The admission to any hospital, medical center, nursing home, or mental institution;
 - f. The use of drugs, medication, therapeutic devices, or other medicines or items related to my health;
 - g. The execution of waivers, medical authorizations and such other approval as may be required to permit or authorize care which I may need;
 - h. The waiver of any doctor-patient privilege; and the power in general to take and authorize all acts with respect to my health and well being, and to expend all amounts in connection therewith, to the same extent as I could, if mentally competent to do so. The prices, costs, expenses and compensation incurred in furtherance of the foregoing are all to be within the sole and absolute discretion of my Attorney.

SECTION 5. Ratification; Revocation of Prior Powers

5.01. I ratify all acts taken (up to now or hereafter) by my attorneys-in-fact by authority of this General Power of Attorney; and this Power of Attorney shall not be affected by my disability as the principal, as provided by the laws of this or any other State.

- 5.02. I hereby revoke and cancel any and all general powers of attorney previously executed by me, if any, and such documents shall be of no further force or effect. However, I do not intend in any way in this instrument to affect, modify, or terminate any special, restricted or limited power of attorney I previously may have granted in connection with any banking, borrowing or commercial transaction.
- 5.03 All photocopies, facsimiles and other reasonable reproductions or duplications of this Durable Power of Attorney after valid execution thereof, shall be as effective as the original.

SECTION 6. Designation of Guardian

- 6.01. I request that no guardianship proceeding for my property be instituted in the event of my disability, it being my intention that this durable power of attorney shall permit my attorney in-fact to act on my behalf.
- 6.02. In the event that it becomes necessary for any court to appoint a guardian or conservator for my property, I direct that Martha C. Lamb, shall serve as such guardian.
- 6.03. Any guardian or conservator who at any time shall be appointed by any court shall be excused from the necessity of giving bond.

(SEAL)

STATE OF	Mary	land	_	
CITY/COUN	TY OF	Har-ford		_ TO WIT:
				4

I HEREBY CERTIFY, that on this 19th day of Hori , 2002 before me, the subscriber, a Notary Public in and for the above State and City/County, personally appeared Winifred Edith Lamb and she made oath in due form of law that the facts and matters contained herein are true and correct as therein stated to the best of her information, knowledge, and belief and are in deed her voluntary act.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

12/1/05



RECORDING FEE 20.00

TOTAL 20.00

Rep# BAS4 Rcpt # 88466
SM JLF Blk # 3521
Sep 21, 2005 11:31 am

Keturnto. Martha C. Lamb 4307 Marigold Lame Belcamp, MD 21017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 11, 2006

Department of Permits & Development

Management

ON

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 11, 2006

Item Nos. 07-240, 242) 244, 245, 246,

247, 249 and 251

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-12112006.doc

Jm 2/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 11, 2006

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-242- 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

RECEIVED

DEC 1 3 2006

ZONING COMMISSIONER

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9/8

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination Juc

DATE: January 22, 2007

SUBJECT: Zoning Item # 07-242-A

Address 1641 Cold Bottom Road

(Lamb Property)

Zoning Advisory Committee Meeting of December 4, 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).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

Additional Comments:

Please refer to the comments (attached) concerning the minor subdivision (06-106M) review from DEPRM's Ground Water Management section.

other Sections, of the Baltimore County Code).

Reviewer: S. Farinetti

Date: 12/13/06

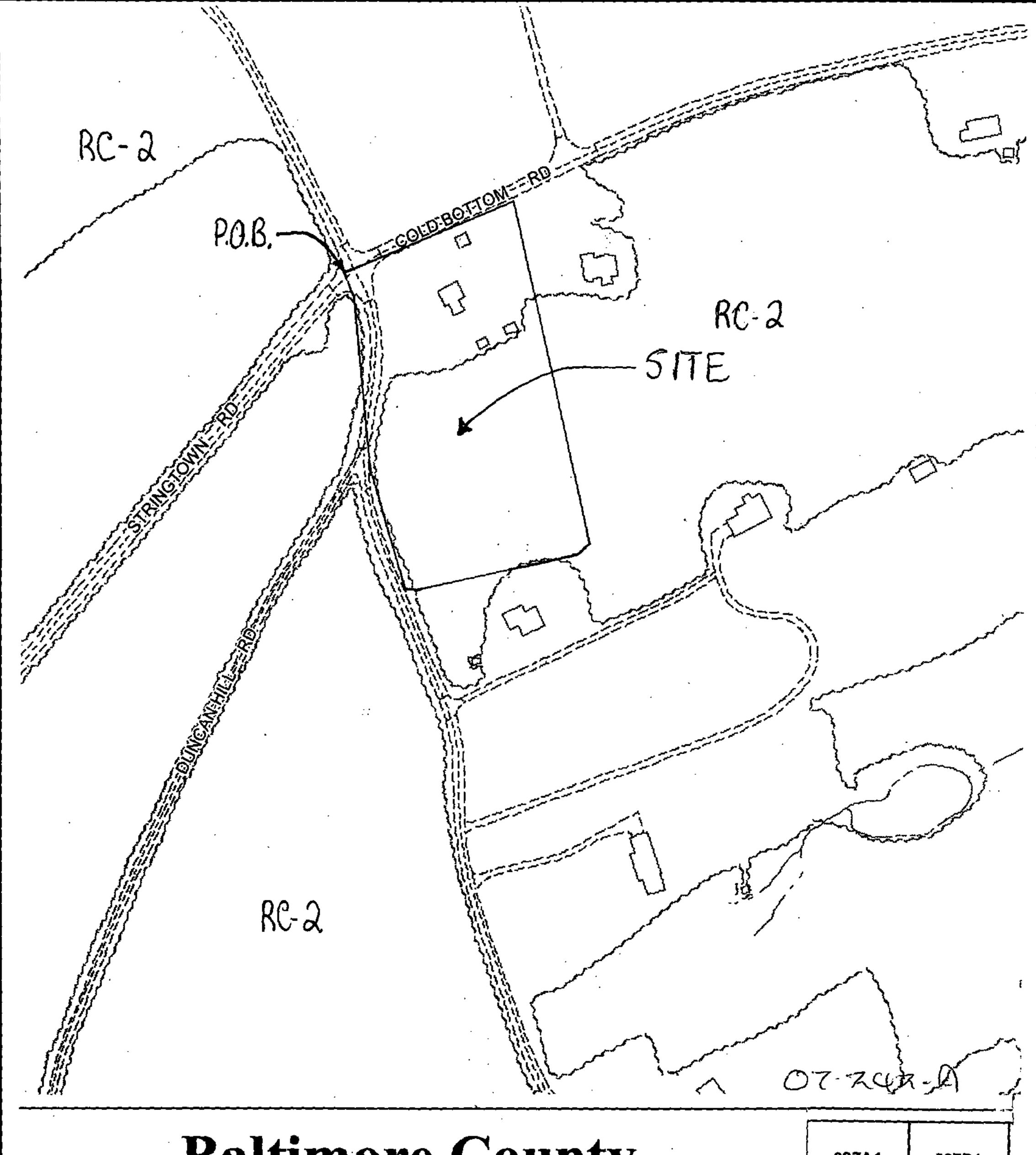
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PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

bunnett 76250 comcast. E- MAIL 21004 210 STATE, ZIP 20.2 BELCAM CITY, 406 W. PEWNYUNAUR 416 4307 MARIGOLD LA ADDRESS 4 M B NAME THOUAS



Baltimore County Office of Planning and Zoning Official Zoning Map

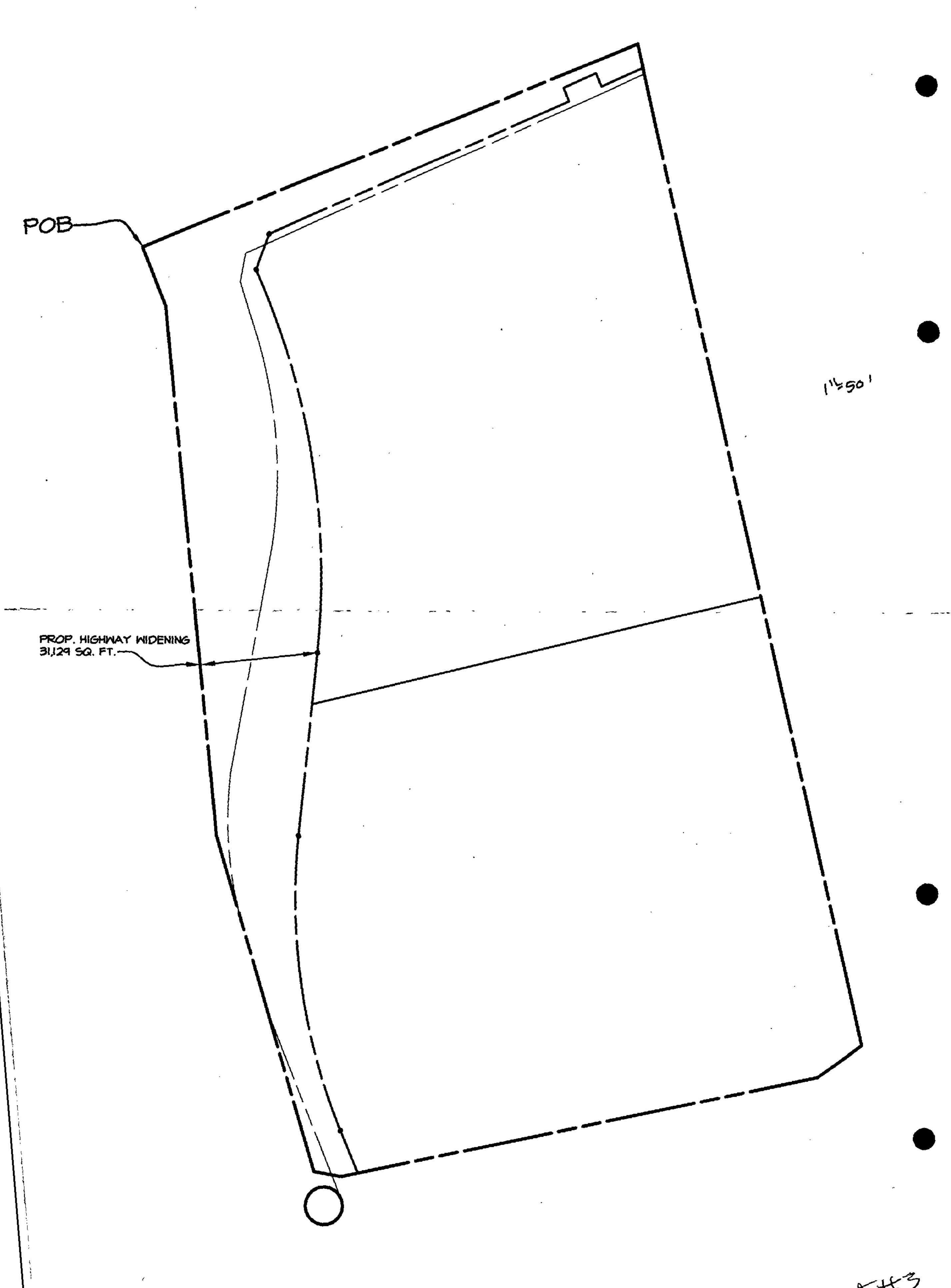
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COLD BOTTOM ROAD HIGHWAY-WIDENING AREA 0.426 ACS.± \$ 71°00'00"W 300.75 5 14*50'07** 224.29 \$ 70'18'10' 17.344 13°55'40" E 33.76' BRUCE L. LAMB & WINIFRED E. LAMB
ACCT.NO. 0812001701
0812001701
L. 3816. F. 28
ZONED: RC 2
USE: RESIDENTIAL P. 225.00 114.93 05.00,E PETER T. JANIK
DEBORAH C. JANIK
2200010710
14811/261
#1635 COLD BOTTOM ROAD
ZONED: RC2
USE: RESIDENTIAL LOT 1 1.64 ACRES +/-&OKD. 578.54 215.89 DAVID MAYNES
RAQUEL FOGUA MAYNES
2200010711
9028/93
#1637 COLD BOTTOM ROAD
ZONED: RC2
USE: RESIDENTIAL LOT 2 1.91 ACRES +/-12.40'20'E 254.70 09°06'32'E -REVERTIBLE SLOPE EASEMENT ACS.±.1791 SF-7801.3111 YEOHO 10.44 WIDENING 0.013 ACS.+/-GERALD J. KOSCIELSKI JOELLE L. KOSCIELSKI 23000 12378 15527/209 #15825 YEOHO ROAD TOMAY D. BURKE BARBARA A. BURKE 160000 9844 5359/442 #15827 YEOHO ROAD ZONED: RC2 USE: RESIDENTIAL

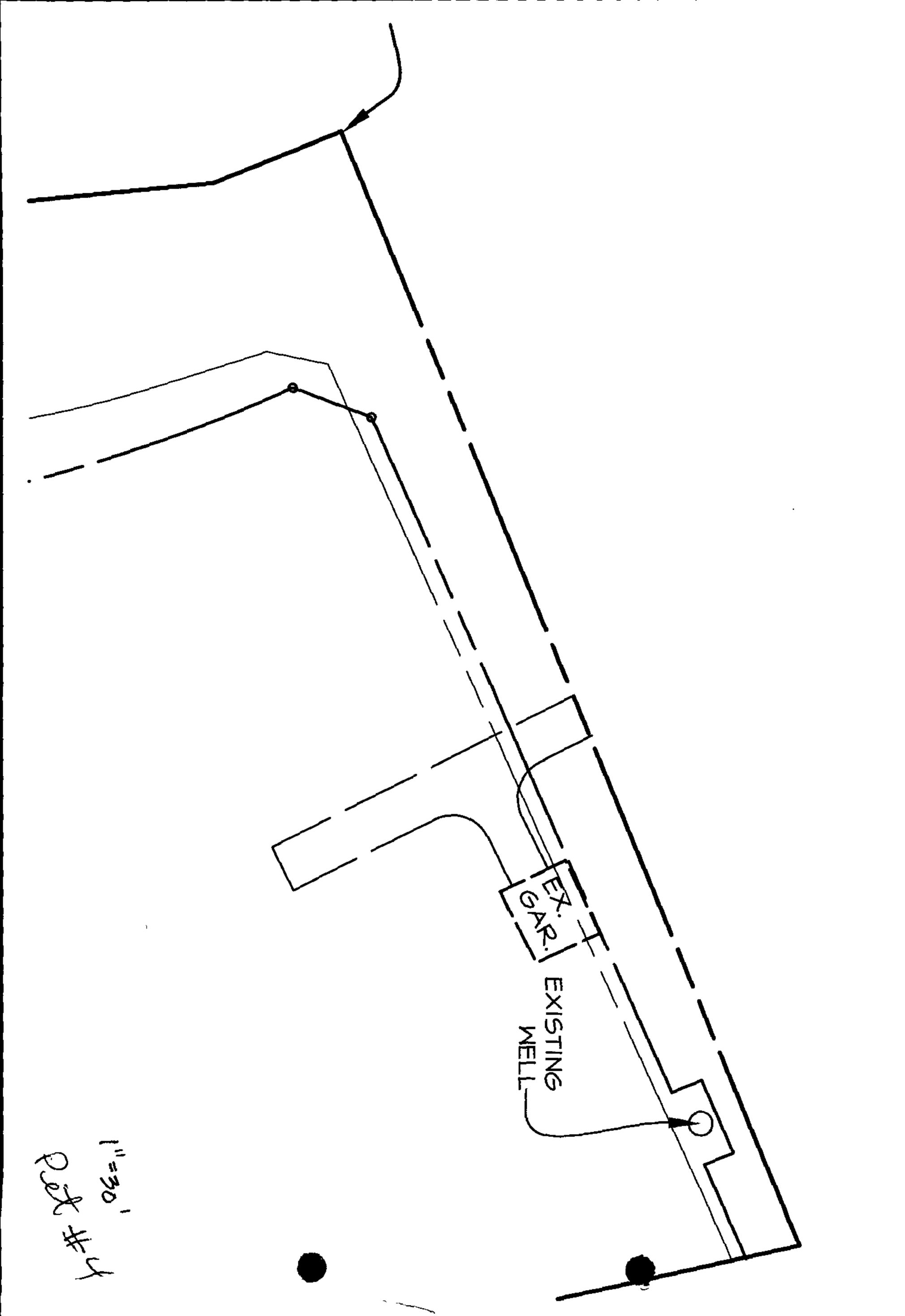
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STRICT NO.	8		PLAN NO	<u> </u>	·	FEDERAL PROJECT	NO	<u> </u>
		100011001100	PLAN NU. —			MARYLAND PROJEC	T NO	
PROVED	DIRECTOR OF	PUBLIC WORKS		EA TO BE ACCOUIRED	EXIS	TING COUNTY R/W	STEVEN R. WIEHE	<u>-</u> -
TE			RE	VERTIBLE SLOPE EAEMENT	AREA	TO BE RELEASED	}	
PROVED			TEI	MPORARY CONSTRUCTION AREA		RARY SLOPE	DATE REG. NO.	
		TEE .		AREA	E	ASEMENT	SHEET 1 OF 1	REVISIONS
TE	BUREAU OF LA	IEF. ND ACQUISITION	ITEM NO.	RECORDE) DI	HAWN KEB	SCALE: 1" = 100'	
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ZONED: RC2 USE: RESIDENTIAL




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BALTIMORE COUNTY, MARYLAND

BOHOM Rd

Inter-Office Memorandum

DATE:

September 15, 2006

TO:

Joe Chmura

Department of Permits and Development Management

FROM:

Daniel J. Esser, R.S., Ground Water Management

Department of Environmental Protection & Resource Management

SUBJECT:

Minor Subdivision Review

Project Name:

Lamb Property

Minor Sub No:

06-106M

District:

8C3

Engineer:

Thomas J. Hoff, Inc.

Phone:

410-296-3668

The following comments must be addressed prior to plan approval:

Comments	Date Resolved	Reviewer
 The existing drilled well which is right within the proposed highway widening (right-of-way) area must be abandoned and replaced - in the approved well area for Lot #1, by a licensed well driller. 		
 The existing septic system must be inspected and certified by a licensed sewage disposal contractor. Documentation verifying the inspection and condition must be submitted to DEPRM. 		

Note: Please include a revision date on all revised plans submitted.

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Detailor