IN RE: PETITION FOR SPECIAL HEARING

S/S Redstone Road, 220' of the C/line Chapman Road

(7903 Redstone Road)

11th Election District 3rd Council District

Lawrence J. Zito Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF
- * BALTIMORE COUNTY

* Case No. 07-445-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Lawrence J. Zito. The Petitioner requests a Special Hearing to approve a lot area of 1.39 acres in lieu of the required 1.5 acres in an R.C. 5 zone pursuant to Section 1A04.3.B.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) for a proposed dwelling. The subject property and the requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Lawrence J. Zito, property owner, and Bernadette Moskunas, with Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is an L-shaped parcel located on the south side of Redstone Road, east of Chapman Road in Kingsville. The property contains a gross area of 60,548 square feet, or 1.39 acres, more or less, zoned R.C. 5 and is presently unimproved. The property is also known as parcel 376 on the Maryland Department of Assessments and Taxation Map and has approximately 210 feet of frontage along Redstone Road

and an average depth of 376 feet, however tapers to a width of 139 feet across the rear property line. It is noted that Mr. Zito also owns and resides on an abutting lot known as 11823 Chapman Road (parcel 83) improved with a single family dwelling and garage which he purchased in 2002. He acquired the Redstone Road property in April, 2004 with the intent of building a home for his daughter so that she can live near him. As shown on the site plan, the house will be 75 feet wide x 40 feet deep and will have adequate setbacks from side property lines and adjoining street center line. However, due to the recent passage of Council Bill 55-04, the minimum required acreage for a buildable lot in the R.C. 5 zone is 1.5 acres. Thus, the requested special hearing relief is necessary.

Ms. Moskunas testified that she examined the title's history and presented a Deed dated September 28, 1971 (Petitioner's Exhibit 2) from the Overmont Development Company, Inc., to Francis and Joyce Grimm recorded among the Land Records of Baltimore County in Liber 5221 Folio 378 evidencing that the subject property has been a single lot of record since at least September, 1971. She further produced a letter from John Lewis, a Planner II, in the Department of Permits and Development Management (Petitioner's Exhibit 5) providing uncontradicted evidence that the subject property is not in any recorded subdivision. I am in agreement with Mr. Lewis' opinion having reviewed the Walnut Hill Estates subdivision plat received into evidence as Petitioner's Exhibit 4A and 4B. Therefore, I find that the subject property, a single lot of record in existence prior to September 2, 2003, meets the statutory requirements of the B.C.Z.R. Section 1A04.3.B.1.(b)(1) for consideration of alteration of the minimum acreage requirement by way of this Petition for Special Hearing. Moreover, neither lot has been used in the past as accessory or in support of the other and Mr. Zito never had an intent to treat the two lots as one to create a merger. Strict compliance with the zoning regulations would result in a practical difficulty upon the Petitioner in that a reasonable use of the land would not be

permitted. There were no adverse Zoning Advisory Committee comments submitted by any County reviewing agency and the neighbors have no objection. I find that relief can be granted and that there will be no detrimental impact to adjacent properties or the surrounding locale nor will the overall density of this neighborhood be affected by the proposed development.

The more difficult issue which is evident on the site plan is the use of a septic system located on an adjacent property as an accessory use for the proposed single family dwelling. The Petitioner has been unable to obtain the requisite perk tests to locate a conventional on-site sewage disposal system on the subject property. After working with the Department of Environmental Protection and Resource Management (DEPRM), a suitable location was successfully located on Mr. Zito's adjacent parcel and a cross easement agreement was executed and recorded to locate the septic system on a 0.234-acre portion of parcel 83 (118283 Chapman Road). The easement area, which is shown the site plan, was conveyed by agreement dated June 23, 2006 and recorded among the Land Records of Baltimore County (see Petitioner's Exhibits 6 and 7). In view of this unusual circumstance the Petitioner must seek approval of the septic system as an "accessory use" to the subject property.

An accessory use is defined in Section 101 of the B.C.Z.R. as being customarily incidental and subordinate to and serving a principal use and which contributes to the comfort, convenience, or necessity of the occupant. However, it requires that such use be "located on the same lot". Weber's Third New International Dictionary defines "use" as "a benefit arising from lands".

I find DEPRM's allowance of the septic system for the subject property to be located on the adjacent parcel, pursuant to the recorded easement agreement, appropriate for so long as this adjacent parcel remains under the unified ownership of Lawrence J. Zito. In the event that this parcel is sold (parcel 83) to any person or entity outside of the Zito family, the Petitioner shall

apply for a lot line adjustment to incorporate the 0.234-acre septic system into the subject 1.39-acre parcel (parcel 376) under one metes and bounds description.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of June, 2007 that the Petition for Special Hearing to approve a lot area of 1.39 acres in lieu of the required 1.5 acres in an R.C. 5 zone pursuant to Section 1A04.3.B.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1. Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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 relief granted herein shall be rescinded.
- At such time as the Petitioner, his heirs, successors or assigns, sells or otherwise transfers the property (parcel 83) to any person or entity outside of the Zito family, the 0.234-acre easement area, if functioning as an accessory use septic system at the time, must be conveyed to the subject 1.39-acre property (parcel 376) by applying for a lot line adjustment and/or minor subdivision approval so as to place the property and sewage disposal system under one metes and bounds description.
- Prior to the issuance of any permits, the Petitioner shall submit building elevation drawings of the proposed dwelling to say in accordance with the comment dated April 9, 2007, a copy of which is attached hereto and made a part hereof.
- 4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WILLIAM J. WISEMAN, III Zoning Commissioner of

Baltimore County

WJW/pz



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

June 18, 2007

Lawrence J. Zito 11823 Chapman Road Kingsville MD 21087

RE: Petition For Special Hearing (7903 Redstone Road)
Case No. 07-445-SPH

Dear Mr. Zito:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, 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.

VILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz

c: Bernadette Moskunas, Site Rite Surveying, Inc., 200 East Joppa Road, Room 101, Towson MD 21286



REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7903 Resistone Poad
which is presently zoned
Willett is presently London

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

J. 39 acres in lier of the required 1.5 acres in a RC-5 zone.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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 F	Purchaser/Lessee:	• • •	<u>Legal Owner(s):</u>
	•	† †	me - Type or Print
Name - Type or	Print	Na	me - Type or Print Xauruna 9575 Signature
Signature	· · · · · · · · · · · · · · · · · · ·	E +	Signature
Address	<u></u>	Telephone No.	Name - Type or Print
City	r State	Zip Code	Signature
<u>Attorney l</u>	or Petitioner:	± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ±	1/823 Chapman Rd 4/0592-7733 Address Telephone No.
Name - Type o	Print	Cit	Representative to be Contacted:
Signature			Site Rite Surveying, Inc.
Company		•	Name 200 E Joppa Road (#101) (410) 828-9060
Address	·	Telephone No.	Address Towson Towson MD 21286
City	State	, Zip Code	City State Zip Code
	•		OFFICE USE ONLY
	٠,		ESTIMATED LENGTH OF HEARING
Case No.	07-445-5PH		UNAVAILABLE FOR HEARING
**		•	13x note 4/1/07



REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7903 Redstone Road	
which is presently zoned	_

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Legal Owner(s):

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Contract Purchaser/Lessee:

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Signature		1	Signature		
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City	State	Zip Code	Signature		<u> </u>
Attorney For Petitlo		† •	11823 Chap1 Address		
Name - Type or Print		City	Kinsswill.		ip Code
			Representative to	be Contacted:	
Signature		· · · · · · · · · · · · · · · · · · ·	Site Rite Surv	veving, Inc.	
Company			Name 200 E. Joppa F		410) 828-906
Addeson		Telephone No.	Address	10024 (11 14 17	Telephone No.
Address		;	Towson _	MD	21286
City	State	Zip Code	City	State	Zip Code
			OFF1	CE USE ONLY	
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Case No. 07-4	45-SPH	_	UNAVAILABLE FOR HEA	RING	
		Da.d	BR	Date 4/2/0	07



REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	7903	Redstone	Poad
which i	s presentl	y zoned RC	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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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Contract Purchaser/Lessee) 	<u>Legal Owner(s):</u>
	<u></u>	Name - Type or Print
Name - Type or Print	· · · · · · · · · · · · · · · · · · ·	Name - Type or Print Signature Name - Type or Print
Signature		Signature
Address	Telephone No.	Name - Type or Print
City	State Zip Code	e Signature
Attorney For Petitioner:	•	1/823 Chapman Rd 4/0-592773. Address Telephone No.
:	<u> </u>	City Kingsville MD. 21087 Zip Code
Name - Type or Print	<u>. </u>	•
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:
Signature	f :	Site Rite Surveying, Inc.
Company	<u> </u>	Name
	: -	200 E. Joppa Road (#101) (410) 828-9060
Address	Telephone No.	Address Telephone No.
City	State Zip Cod	Towson MD 21286
		OFFICE USE ONLY
		ESTIMATED LENGTH OF HEARING
Case No. <u>67-445-</u>	SPH	UNAVAILABLE FOR HEARING
	•	Reviewed By 5/2 Date 4/2/07

ZONING DESCRIPTION FOR #7903 REDSTONE ROAD

BEGINNING AT A POINT ON THE SOUTH SIDE OF REDSTONE ROAD WHICH IS 60 FEET WIDE AT THE DISTANCE OF 220 FEET SOUTHEAST OF THE CENTERLINE OF CHAPMAN ROAD WHICH IS 70 FEET WIDE. AS RECORDED IN DEED LIBER 19923, FOLIO 271 AND RUNNING AND BINDING ON REDSTONE ROAD HAVING A CURVE RADIUS OF 600.00 FEET AND A LENGTH OF 105.77 FEET AND CONTINUING ALONG SAID ROAD NORTH 65 DEGREES 43 MINUTES 50 SECONDS EAST, 104.19 FEET; THENCE LEAVING SAID ROAD AND RUNNING THENCE SOUTH 24 DEGREES 16 MINUTES 10 SECONDS EAST, 358.22 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 40 SECONDS WEST, 138.82 FEET ALONG THE SOUTHERNMOST SIDE OF AN EXISTING 20 FOOT RIGHT OF WAY; THENCE NORTH 23 DEGREES 19 MINUTES 20 SECONDS WEST, 206.50 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 40 SECONDS WEST, 76.66 FEET AND THENCE NORTH 23 DEGREES 19 MINUTES 20 SECONDS WEST, 157.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.39 ACRES, MORE OR LESS. ALSO KNOWN AS #7903 REDSTONE ROAD AND LOCATED IN THE 11TH ELECTION DISTRICT, 3RD COUNCILMANIC DISTRICT.

MICHAEL V. MOSKUNAS REG. NO. 21175 PROFESSIONAL LAND SURVEYOR

SITE RITE SURVEYING, INC 200 E. JOPPA ROAD ROOM 101 TOWSON, MD 21286 (410)828-9060

YELLOW. PINK - AGENCY ANEOUS BUDGET OFFICE OF MISCELI WHITE - CASHIER

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: #07-445-SPH
7903 Redstone Road
S/side of Redstone Road,
220 feet s/east of centerline

of Chapman Road

11th Election District
3rd Councilmanic District
Legal Owner(s):
Lawrence J. Zito

Special Hearing: to approve a non-subdivision lot containing 1.39 acres in fieu of the required 1.5 acres in hearing: Tuesday, June 12, 2007 at 11:00 a.m. in Roam 407, County Courts Bullding, 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 Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410).

TE OF PUBLICATION

531,2007

THIS IS TO CERTIFY, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., once in each of 5

M The Jeffersonian

Arbutus Times

Catonsville Times

Towson Times

Owings Mills Times

NE Booster/Reporter

North County News

Mulus

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-445-5PH

Petitioner/Developer: Lawrence J. 2170

Date of Hearing/Closing: JUNE 12, 7007

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

Attention: Christen Matthews

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 propery located at # 7903 REDSTONE ROAD

The sign(s) were posted on MAY

(Month, Day, Year)

CASE # 07-445- SPH THE ZONING COMMISSIONER IN TOWSON, MD ROOM 407 COUNTY COURTS BUILDING TOESDAY, JUNE 12, 2007 MA GOIL TA REQUEST: SPECIAL HEARING TO APPROVE - ANON-SUBDIVISION LOT CONTAINING 1.39 ACRES IN LIEU OF THE REQUIRED 1.5 ACRES IN AN RC-5 ZONE. POSTPONEMENTS DUE TO MEATHER OF STHER CONSITIONS ARE SOMETIMES NECESSARY. TO CONFIRM MEARING CALL 887-3391 BOUND! REMOVE THES SECRIFICE POST WHILL DAY OF REARING DEDER PENALTY OF LAW MANOCAPPE MACCESSILE

Sincerely, (Signature of Sign Poster and Date)

CJAPLARED E. MOORE (Printed Name)

3225 RYERSON/CIRCLE (Address)

BALTIMORE, MD, 21227 (City, State, Zip Code)

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 29, 2007 Issue - Jeffersonian

Please forward billing to:

Lawrence Zito 11823 Chapman Road Kingsville, MD 21087 410-905-2701

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: 07-445-SPH

7903 Redstone Road

S/side of Redstone Road, 220 feet s/east of centerline of Chapman Road

11th Election District – 3rd Councilmanic District

Legal Owners: Lawrence J. Zito

<u>Special Hearing</u> to approve a non-subdivision lot containing 1.39 acres in lieu of the required 1.5 acres in an RC-5 zone.

Hearing: Tuesday, June 12, 2007 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 <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.

For Newspaper Advertising:
Item Number or Case Number:07-445-5PH
Petitioner: Lawruna Zito:
Address or Location: 7903 Recistone Road
PLEASE FORWARD ADVERTISING BILL TO:
Name:Mwrung Zito
Address: 11823 Chapman Road
Kingsville, MD 21087-1519
Telephone Number: 410 905 - 2701

Department of Permits and Development Management

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



Baltimore County

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

May 7, 2007

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: 07-445-SPH

7903 Redstone Road

S/side of Redstone Road, 220 feet s/east of centerline of Chapman Road 11th Election District – 3rd Councilmanic District

Legal Owners: Lawrence J. Zito

Special Hearing to approve a non-subdivision lot containing 1.39 acres in lieu of the required 1.5 acres in an RC-5 zone.

Hearing: Tuesday, June 12, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Lawrence Zito, 11823 Chapman Road, Kingsville 21087 Site Rite Surveying, Inc., 200 E. Joppa Road, Ste. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 28, 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.



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



JAMES T. SMITH, JR. County Executive

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

June 7, 2007

Lawrence J. Zito 11823 Chapman Road Kingsville, MD 21087

Dear Mr. Zito:

RE: Case Number: 07-445-SPH, 7903 Redstone Road

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 2, 2007. This letter is not an approval, but only a NOTIFICATION.

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,

u. Callibal) W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

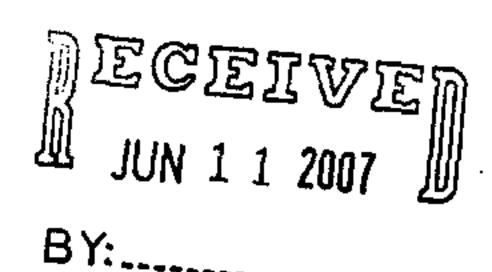
Enclosures

People's Counsel C: Site Rite Surveying, Inc. 200 E. Joppa Road, Room 101 Towson 21286

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





Date: May 18, 2007

TO:	Timothy M. Kotroco
FROM:	Dave Lykens, DEPRM - Development Coordination
DATE:	May 31, 2007
SUBJECT:	Zoning Item # 07-445-SPH Address 7903 Redstone Road (Zito Property)
Zoning	g Advisory Committee Meeting of March 19, 2007
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
<u>X</u>	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Section 33-3-101 through 33-3-120 of the Baltimore County Code).
<u>X</u>	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 other Sections, of the Baltimore County Code).
<u>Additi</u>	onal Comments:

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-445-SPH.doc

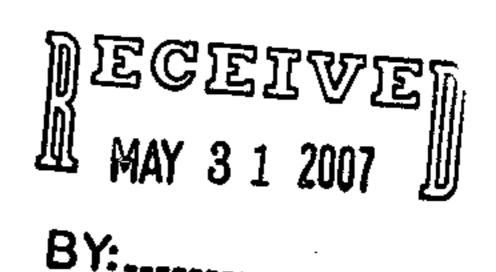
Paul A. Dennis

Reviewer:

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





			į					
TO:	•	Timothy M. K	otroco					
FROM:		Dave Lykens, DEPRM - Development Coordination						
DATE:		May 31, 2007	;					
SUBJEC	CT:	Zoning Item Address	7903	445-SPH Redstone Road Property)				
Z	Zoning	Advisory Com	nmittee	Meeting of March 19, 2007				
- · · · ·		•		nental Protection and Resource Management has no renced zoning item.				
		•		nental Protection and Resource Management offers the above-referenced zoning item:				
	X	Protection of V	Water (property must comply with the Regulations for the Quality, Streams, Wetlands and Floodplains (Sections 3-120 of the Baltimore County Code).				
•	X	-	Regula	property must comply with the Forest tions (Sections 33-6-101 through 33-6-122 of the ode).				
• -	• •	Critical Area R	Regulat	property must comply with the Chesapeake Bay tions (Sections 33-2-101 through 33-2-1004, and Baltimore County Code).				
A	Additio	onal Comments	•	•				

Paul A. Dennis Reviewer:

Date: May 18, 2007

BWID

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 9, 2007

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

7903 Redstone Road

INFORMATION:

Item Number:

7-445

Petitioner:

Lawrence J. Zitu

Zoning:

RC 5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. 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 Bill Hughey with the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

From:

Curtis Murray

To:

Livingston, Jeffrey; Zook, Patricia

Date:

6/11/2007 9:50:45 AM

Subject:

Re: 07-445 - hearing is Tuesday June 12 @ 11:00 am

Hi Patti,

You should have this one! See attached

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
410-887-3480
Fax: 410-887-5862
cjmurray@co.ba.md.us

>>> Patricia Zook 06/11/07 9:31 AM >>> Good morning -

Bill is reviewing the case file for this matter which is scheduled for a hearing on Tuesday, June 12 at 11:00 am. The file is missing comments from Planning and DEPRM.

Comments are needed from the Office of Planning as the property is in the RC 5 zone and must meet performance standards.

Comments are needed from DEPRM as the septic reserve area is on an adjacent lot.

Please provide the necessary comments to Bill prior to the hearing on Tuesday at 11:00 am.

CASE NUMBER: 7-445-SPH7903 Redstone RoadLocation: S side Redstone Road, 220 feet SE c/l
Chapman Road.11th Election District, 3rd Councilmanic DistrictLegal Owner: Lawrence J. Zito SPECIAL
HEARING To approve a non-subdivision lot containing 1.39 acres in lieu of the required 1.5 acres in an
RC - 5 zone. Hearing: Tuesday, 6/12/2007 at 11:00:00 AM, County Courts Building, 401 Bosley Avenue,
Room 407, Towson Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

CC:

Wiley, Debra

13W 6/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 9, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

7903 Redstone Road

INFORMATION:

Item Number:

7-445

Lawrence J. Zitu

Zoning:

Petitioner:

RC 5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

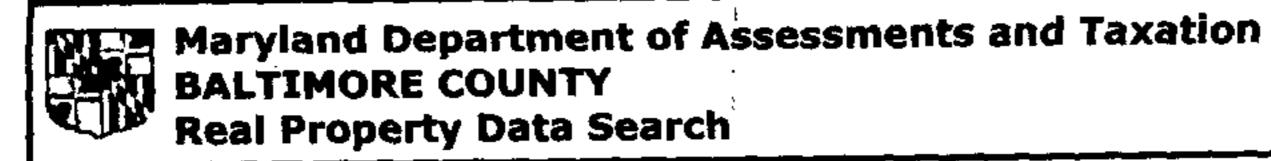
- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared By:

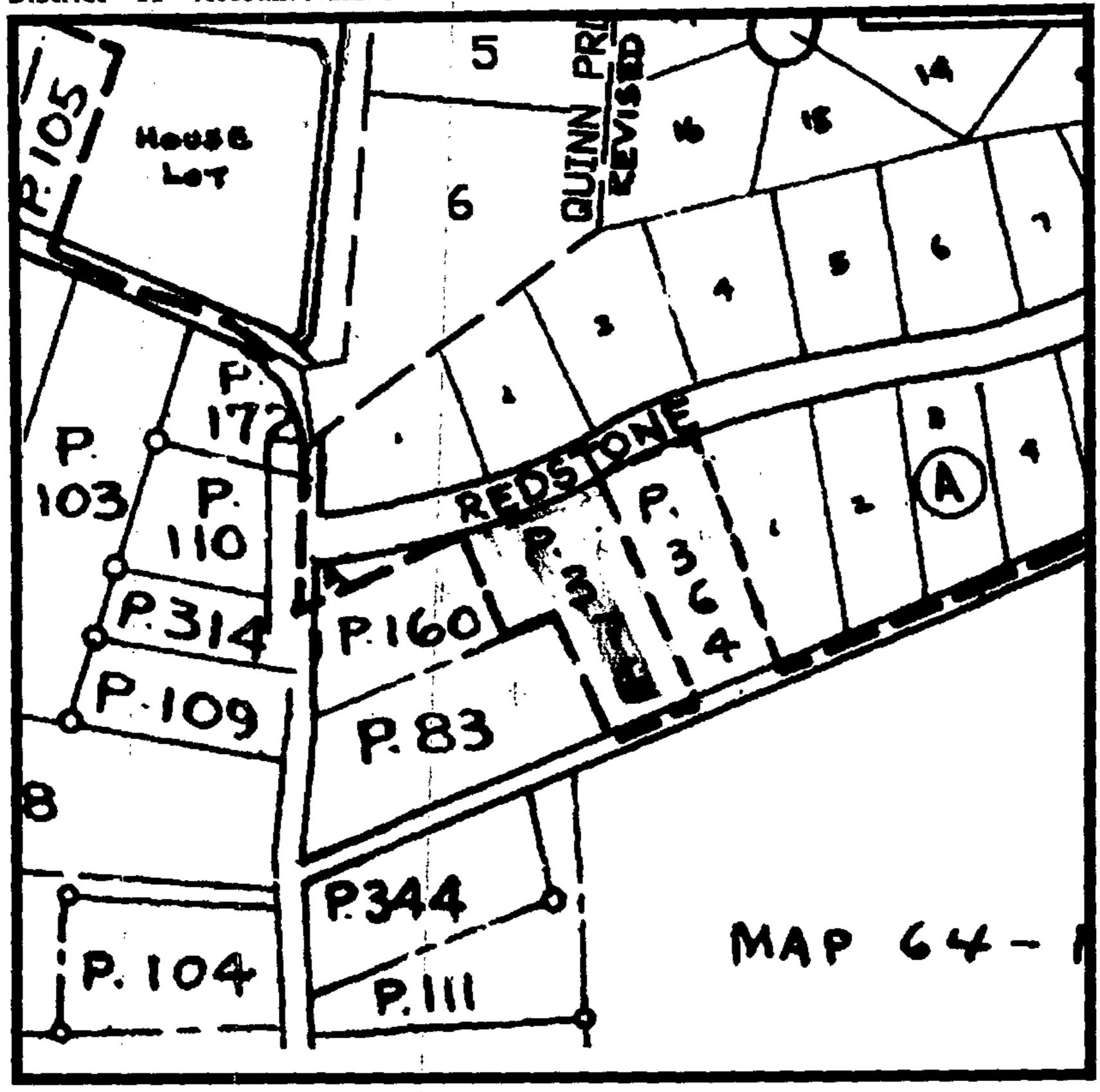
Division Chief:

CM/LL



Go Back View Map New Search

District - 11 Account Number - 1115079141



Property maps provided courtesy of the Maryland Department of Planning ©2004.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

Patricia Zook - Case 07-445-SPH - Tuesday June 12 @ 11 am

From:

Patricia Zook

To:

Wiseman, Bill

Date:

6/11/2007 4:01 PM

Subject: Case 07-445-SPH--Tuesday June 12 @ 11-am-

CC:

Wiley, Debra

Hi Bill -

Have an update for you on the above-referenced case:

-received comment from DEPRM: "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)." and "Development of this property must comply with the Forest Conservation Regulations (Sectios 33-6-101 through 33-6-122 of the Baltimore County Code).

-received comment from Planning: "The Office of Planning does not oppose the Petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare a statement of finding, the following information must be submitted to this office:

- Prior to building permit the Petitioner shall submit the following information to the Office of Planning for their determination that the proposed structure meets the RC 5 Performance Standards.
- Submit photographs of existing adjacent dwellings to the Office of Planning.
- Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) use the same finish materials and architectural details on the front, side and rear elevations. Use of quality material such as brick, stone or cedar is encouraged.
- Design all decks, balconies, windows, dormers, chimneys and porches as a component of the building following dominant building lines. Decks shall be screened to 4. minimize visibility from a public street.
- Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building, on the site, 5. providing consistency in materials, colors, roof pitch and style.
- Provide landscaping along the public road, if it is consistent with the existing streetscape. 6.

So it looks like you have everthing you need for the hearing.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov

Patricia Zook - 07-445 - hearing is Tuesday June 12 @ 11:00 am

From:

Patricia Zook

To:

Livingston, Jeffrey; Murray, Curtis

Date:

6/11/2007 9:31 AM

Subject: \[\(\text{07-445} - \text{hearing is Tuesday June_12 @_11:00 am} \)

CC:

Wiley, Debra

Good morning -

Bill is reviewing the case file for this matter which is scheduled for a hearing on Tuesday, June 12 at 11:00 am. The file is missing comments from Planning and DEPRM.

V Comments are needed from the Office of Planning as the property is in the RC 5 zone and must meet performance standards.

Comments are needed from DEPRM as the septic reserve area is on an adjacent lot.

Please provide the necessary comments to Bill prior to the hearing on Tuesday at 11:00 am.

CASE NUMBER: 7-445-SPH

7903 Redstone Road

Location: S side Redstone Road, 220 feet SE c/l Chapman Road.

11th Election District, 3rd Councilmanic District

Legal Owner: Lawrence J. Zito-

SPECIAL HEARING To approve a non-subdivision lot containing 1.39 acres in lieu of the required 1.5 acres in an RC - 5 zone.

Hearing: Tuesday, 6/12/2007 at 11:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

pel attached comments yrom Plng & DEPRM



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: April 9, 2007

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

RE: Baltimore County

Item No. 7-445 SPH

7903 REDGTONE DOND

ZITO PROPERTY SAECIAL HEADING

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.7-4455P4

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,

Fig.

Steven D. Foster, Chief

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 April 10, 2007

ATTENTION: Zoning Review planners

Distribution Meeting of: April 9, 2007

Item No.: 439, 440, 441, 442, 443, 445, 446, 447, 448, 449, 450, 451, 452, and 453.

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.

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office (0)410-887-4880 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 16, 2007

Item Nos. 07-440, 442, 444, 445, 446, 447, 448, 451, and 452

DATE: April 16, 2007

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-04132007.doc

RE: PETITION FOR SPECIAL HEARING
7903 Redstone Road; S/S Redstone Road,
220' SE c/line Chapman Road
11th Election & 3rd Councilmanic Districts
Legal Owner(s): Lawrence J. Zito
Petitioner(s);

BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-445-SPH

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

People's Counsel for Baltimore County

RECEIVED

APR 1 6 2007

Per

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 16th day of April, 2007, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 7903 Redstone Per CASE NUMBER 07-445-SPH DATE June 12, 2007

ETITIONER'S SIGN-IN SHEET

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JAMES T. SMITH, JR.
County Executive

January 9, 2007

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

Site Rite Surveying, Inc. 200 East Joppa Rd, Suite 101 Towson MD 21286

Re: Zoning Verification

Tax Map 55 Parcel: 376, (Redstone Rd.)

11th ED

Dear Ms. Moskunas,

This is a zoning verification response to your December 28, 2006 letter to Mr. Timothy Kotroco, Director of Permits and Development Management, who has authorized me to give you his reply.

Pursuant to your provided information and plats, the following has been determined:

The parcel in question is not shown in the tax records as being part of a subdivision, nor do the provided record plats show this parcel included within the tract boundary. The plat (33/128) which does show the parcel boundaries has a revision note that states: "Revisions and additions to drainage and utility easements only"

These facts give the staff clear indication that this parcel is not in or part of a recorded subdivision. The RC 5 Zoning Regulations in Section 1A04.3.B.1.b, Area regulations apparently requires a special hearing to approve a proposed dwelling on this parcel which does not meet the minimum one and one-half acre lot size. Section 1A04.3.B.2, Building setbacks: regulates the setbacks. Be aware of possible merger concerns.

Please be aware that this answer is for zoning issues only and it is not intended to be legal advice. I hope that this response is adequate for your needs. Please feel free to contact me should you have further questions.

Very Truly Yours,

John Lewis, Planner II, PDM

JLL/07-0014

PETITIONER'S

EXHIBIT NO

5

ffice Building 21204 | Phone 410-887-3391 | Fax 410-887-3048 /md.gov

. 111 West (

528 ZONING VERIFICATION \$50.00 1/02/2007 10:41:31 1/03/2007 CONTRACTOR ACTUAL SHIER'S VALIDATION [# 329723 **表** 人型 Recot Tot Baltinore \$30.00 022937 PAIL 1/03/2007 RUS INESS >NECE IPT REG MODE ე გ No.22937 YELLOW - CUSTOMER ₩| MARYLAND ACCOUNT **AMOUNT** OFFICE OF BUDGET & FINANCE ANEOUS RECEIPT PINK - AGENCY BALTIMORE COUNT ન્ત WHITE - CASHIER MISCELL RECEIVED FROM: DATE

NO CONSIDERATION NO STAMPS - NO TRANSFER TAX REQUIRED NO TITLE EXAMINATION

THIS CROSS EASEMENT AGREEMENT, made this 23rd day of June 2006, by and between LAWRENCE J. ZITO, of Baltimore County, State of Maryland, party of the first part, and LAWRENCE J. ZITO, of Baltimore County, State of Maryland, party of the second part, Witnesseth:

WHEREAS, the party of the first part is the fee simple owner of certain property known as No. 7903 Redstone Road, situate in Baltimore County, State of Maryland, as described in the hereinafter mentioned Deed; and

WHEREAS, the party of the second part is the fee simple owner of certain property known as No. 11823 Chapman Road, situate in Baltimore County, State of Maryland, as described in the hereinafter mentioned Deed; and

WHEREAS, the said parties of the first and second parts desire to enter into this Cross Easement Agreement by and between them in order to acknowledge and permit a Cross Easement for a Septic Reserve Area as hereinafter set forth as described by Raphel and Associates, Inc., Land Surveyors, and to create a Cross Easement upon the respective properties subject to the terms and consideration hereinafter set forth.

NOW, THERFORE, THIS CROSS EASEMENT AGREEMENT WITNESSETH, that for no monetary consideration, the said parties of the first and second parts, for themselves, their respective personal representatives, successors and assigns, do hereby covenant and agree as follows:

1. The legally constituted owners from time to time of the property known as No. 7903 Redstone Road, situate in Baltimore County, State of Maryland and presently owned by LAWRENCE J. ZITO, shall be entitled to a Cross Easement from the adjoining property known as 11823 Chapman Road owned by LAWRENCE J. ZITO. Said Cross Easement is described as follows:

Beginning for the same at the beginning of the S 60° 40′ 40″ W 76.66′ line of the Area Reserved for Future Development as shown on the Plat entitled "Revised Plat of Walnut Hill Estates", and recorded among the Land Records of Baltimore County in Plat Book No. 33, folio 128, said point being at the beginning of the 6th or S 66° 40′ 40″ W 76.66′ line of the land which by Deed dated February 19, 2004 and recorded among the Land Records of Baltimore County in Liber S.M. No. 19923, folio 271, was conveyed by Lorraine Zaras and Christine Annette Bryson, by Olga E. Zaras, her Attorney in Fact, to Lawrence J. Zito, said point being also at the beginning of the 3rd or S 74° 30′ W 378.86′ line of the land which by Deed dated December 12, 2002, and recorded among the Land Records of Baltimore County in Liber S.M. No. 17459, folio 459, was conveyed by Valerie L. Dietrich, to Lawrence J. Zito, running thence on the

PETITIONER'S

EXHIBIT NO.

outline of the said Revised Plat of Walnut Hill Estates, and binding on the said 6th line of the 1st mentioned Deed and binding on part of the 3rd line of the last mentioned Deed, Dietrich to Zito, as now surveyed, S 66° 40′ 40″ W 76.66′, thence leaving the outline of the said Plat and leaving the said 3rd line, of the last mentioned Deed and running for lines of division now made, through the land of the Grantor herein, the 4 following courses and distances as now surveyed, 1) S 12° 06′ 58″ E 93.79′, 2) By a curve to the right with a radius of 105′, for a distance of 44.68′, (The chord of said arc being S 52° 03′ 30″ E 44.35′) 3) N 41° 20′ 33″ E 37.13′, and 4) N 66° 40′ 40″ E 40.00′ to intersect the outline of the aforesaid "Revised Plat of Walnut Hill Estates" and to intersect the 5th line of the 1st mentioned Deed and to intersect the 2nd line of the last mentioned Deed, Dietrich to Zito, running thence on the outline of the "Revised Plat of Walnut Hill Estates", and binding on the 5th line of the 1st mentioned Deed, and binding also on the 2nd line of the last mentioned Deed, Dietrich to Zito, as now surveyed N 23° 19′ 20″ W 115.00′ to the place of beginning. Containing 0.234 Acres of land, more or less.

Being part of the property which by Deed, dated, December 12, 2002 and recorded among the Land Records of Baltimore County in Liber S. M. No. 17459, folio 459, was granted and conveyed by Valerie L. Dietrich to Lawrence J. Zito.

Together with an Easement, for the Septic Reserve Area, containing 0.234 Acres of Land, more or less, for the purpose of placing and installation and the future repair of the septic system for the above described parcel of land.

2. The legally constituted owners from time to time of the property known as No. 11823 Chapman Road, situate in Baltimore County, State of Maryland and presently owned by LAWRENCE J. ZITO, shall grant a Cross Easement to the adjoining property known as No.7903 Redstone Road presently owned by LAWRENCE J. ZITO. Said Cross Easement is described as follows

Beginning for the same at the beginning of the S 66° 40' 40" W 76.66' line of the Area Reserved for Future Development as shown on the Plat entitled "Revised" Plat of Walnut Hill Estates", and recorded among the Land Records of Baltimore County in Plat Book No. 33, folio 128, said point being at the beginning of the 6th or S 66° 40' 40" W 76.66' line of the land which by Deed dated February 19, 2004 and recorded among the Land Records of Baltimore County in Liber S.M. No. 19923, folio 271, was conveyed by Lorraine Zaras and Christine Annette Bryson, by Olga E. Zaras, her Attorney in Fact, to Lawrence J. Zito, said point being also at the beginning of the 3rd or S 74° 30' W 378.86' line of the land which by Deed dated December 12, 2002, and recorded among the Land Records of Baltimore County in Liber S.M. No. 17459, folio 459, was conveyed by Valerie L. Dietrich, to Lawrence J. Zito, running thence on the outline of the said Revised Plat of Walnut Hill Estates, and binding on the said 6th line of the 1st mentioned Deed and binding on part of the 3rd line of the last mentioned Deed, Dietrich to Zito, as now surveyed, S 66° 40′ 40″ W 76.66′, thence leaving the outline of the said Plat and leaving the said 3rd line, of the last mentioned Deed and running for lines of division now made, through the land of the Grantor herein, the 4 following

courses and distances as now surveyed, 1) S 12° 06' 58" E 93.79', 2) By a curve to the right with a radius of 105', for a distance of 44.68', (The chord of said arc being S 52° 03' 30" E 44.35') 3) N 41° 20' 33" E 37.13', and 4) N 66° 40' 40" E 40.00' to intersect the outline of the aforesaid "Revised Plat of Walnut Hill Estates" and to intersect the 5th line of the 1st mentioned Deed and to intersect the 2nd line of the last mentioned Deed. Dietrich to Zito, running thence on the outline of the "Revised Plat of Walnut Hill Estates", and binding on the 5th line of the 1st mentioned Deed, and binding also on the 2nd line of the last mentioned Deed Dietrich to Zito, as now surveyed N 23° 19' 20" W 115.00' to the place of beginning. Containing 0.234 Acres of land, more or less.

Being part of the property which by Deed dated, December 12, 2002 and recorded among the Land Records of Baltimore County in Liber S. M. No. 17459, folio 459, was granted and conveyed by Valerie L. Dietrich to Lawrence J. Zito.

Subject to a part of the above described parcel containing 0.234 Ares of land, more or less, for the purpose of an Easement for the Septic Reserve Area, for the placing and installation and future repair of the initial Septic System for the property at No. 7903 Redstone Road and described as above.

No structures, barriers, or obstructions of any kind other than those presently 3. in existence shall be erected or allowed to remain in the CROSS EASEMENT areas.

AS WITNESS the hands and seals of the parties of the first and second parts for the purposes herein contained.

Witness:

LAWRENCE J. ZV

PARTY OF THE FIRST PART

PÁRTY OF THE SECOND PART

0024092 616

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 23rd day of June 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared LAWRENCE J. ZITO, party of the first and second parts, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

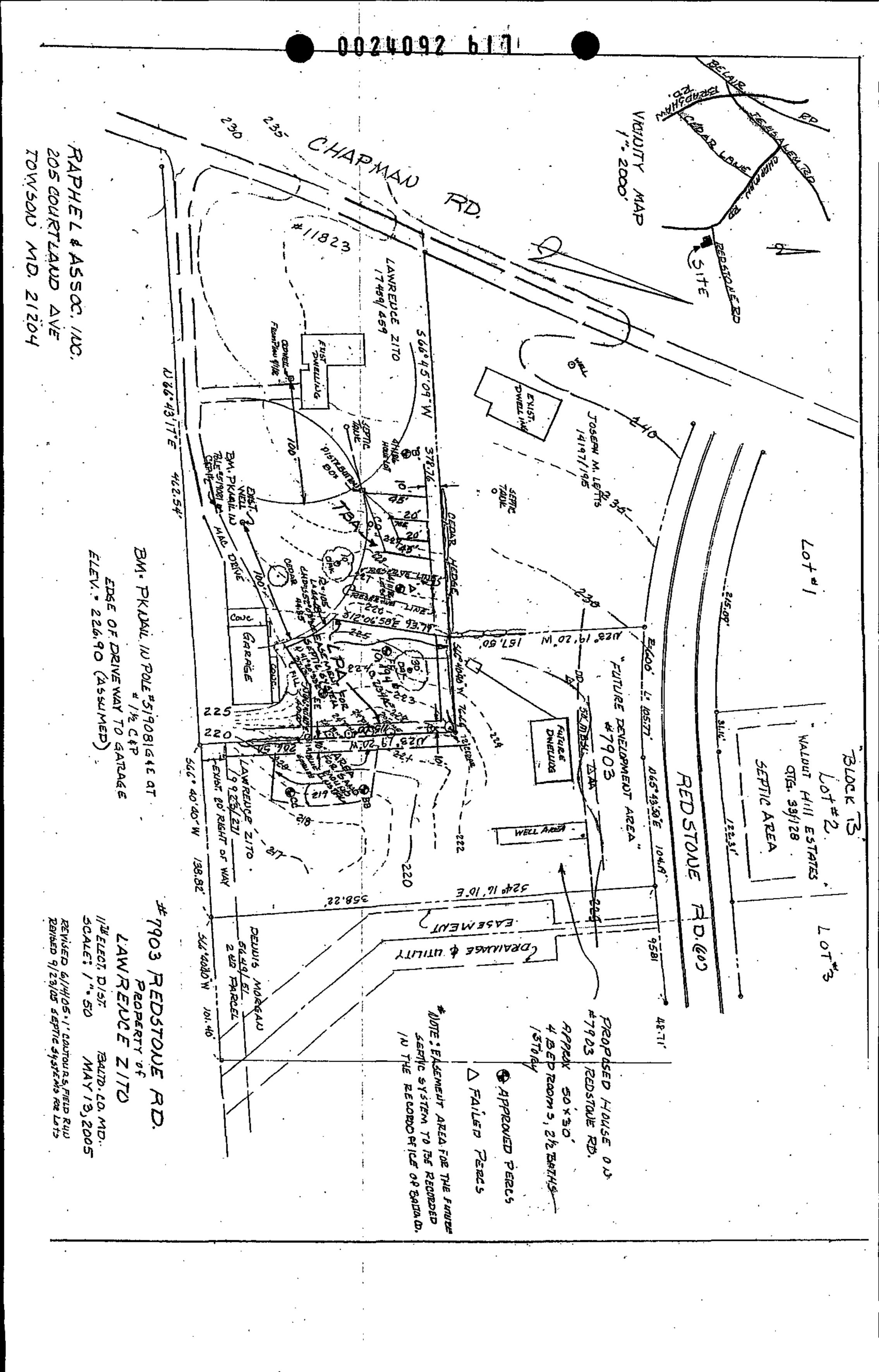
IN WITNESS WHEREOF, I hereunto set my hand and official

seal.

Kenneth D. Pezzulla, Notary Public

My Commission Expires: April 1, 2010

THIS IS TO CERTIFY that, in accordance with the provision of Section 3-104(f) of the Real Property Article of the Annotated Code of Maryland, the foregoing instrument was prepared under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.



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Goldenrod - Preparer

AOC-CC-300 (6/95)

OF AN ALTERNATIVE ON-SITE SEVEN GE DISPOSAL SYSTEM

THIS AGREEMENT is made this 15 day of Nov/2006, among the	
hereinafter referred to as "Owner" and the Battimore County	• .
Department of Environmental Protection and Resource Management hereinafter collectively referr	ed to
as the "County".	
WHEREAS, Owner owns a tract of land located on 7903 Redstone Rd.	Land
III the II - District of Dathmore County, and	i, and
the deed to same is recorded among the Land Records of Baltimore County, Maryland in	
0019973 771	
WHEREAS, Owner's land is unsuitable for the installation of a conventional on-site	item c

NOW, THEREFORE, the parties hereto agree as follows:

sewage disposal.

- A. Owner must install and maintain a water meter on the incoming side of the water system or an event counter on the sewage pumping system.
- B. Owner hereby grants to the County the right to enter upon the property at any reasonable time for access to the system to make periodic inspections and the Owner agrees to provide any information and data requested and needed by the County to develop accurate and thorough test results.
- C. Owner acknowledges and agrees that the proposed alternative system is not conventional technology and that his or her participation is voluntary. Owner agrees that there shall be no liability on the part of the County to Owner if this alternative systems fails.
- D. Owner acknowledges and agrees that neither the County nor any of its agents or employees, either officially or individually, underwrites the operation of any system approved by them.
- E. The Owner will devote such care and effort to the maintenance of the system so that a system malfunction is not the result of poor maintenance, faulty operation, or neglect.
- F. The Owner acknowledges that approval of this waste disposal system does not guarantee the County's approval to construct future expansions of or additions to the dwelling structure.
- G. The Owner agrees, that, should the system be determined by the County to pose a threat to the public health, safety or comfort, the County may order any necessary changes or corrections and the Owner agrees to pay for all such changes or corrections. System modifications may include requirements for pretreatment of wastes by installing a re-circulating sand filter; aeration system, etc
- H. The Owner agrees to contact the County at least forty-eight (48) hours prior to system installation, so that the County may lay out the system in the field with the contractor. The Owner must install this system according to the plans and specifications approved by the County and any changes required by the County as a result of the field layout. If installation deviates substantially from the approved plans or changes such that experimental data will be comprised or reduced, the Owner agrees to pay for all necessary corrections.
- I. This agreement shall run with the land and binds the Owner, his heirs, successors, assigns except that the provisions of paragraph A & B shall be binding for a period of 5 years only after installation of the system and occupation of the home. Owner further agrees that he shall inform in

PETITIO	NER'S
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EXHIBIT NO.

7

writing any purchaser or lessee of the property that the system may require maintenance or other attention. The Owner agrees to record this agreement in the land records of Baltimore County.

- J. This agreement shall not be construed to limit any authority of the County to protect the public health, safety or comfort or to issue any other orders to take any other action which is now or may hereafter be within is authority.
- K. This agreement may be voided at the discretion of the County if the system construction is not completed within six (6) months of the effective date of this agreement.
- L. This agreement contains the entire agreement and understanding between the County and the Owner. There are not additional terms other than as contained in this agreement. This agreement may not be modified except in writing signed by each of the parties or by their authorized representatives.
- M. The laws of the State of Maryland govern the provisions of all transactions pursuant to this agreement.

IN WITNESS WHEREOF, the parties have signed and sealed this agreement on the date indicated above.

Baltimore County Department of

Environmental Protection and

DANIEL J. ESSER, RS.

Resource Managément

Case No.:

07-445 SPH

7903 Redstone RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Jitz PLAN	
No. 2	D88D - Lot of Ruco Since 9/28/71	nd
No. 3	Md. Dept. of Assessme AND GRAPHION	7 Mc
No. 4	MALNUT HILL ESTATES SUBDIVISION PLAT	
No. 5	John Lawis - Zogny	
No. 6	EASEMENT-Like 2409.	2
No. 7	afternat 12 on - site. servage Desposal agreeming	
No. 8	pervoye surposer of purmy	
No. 9		
No. 10		
No. 11		
No. 12	1	

LIBER5221 PAGE378

PER-BIMPLE DEED — INDIVIDUAL GRANTOR AND GRANTER -- 40

DEED PREPARED WITHOUT TITLE EXAMINATION

This Deed, Made this

28#

day of September

in the year one thousand nine hundred and seventy-one , by and between OVERMONT DEVELOPMENT CO., INC.

a body corporate of the State of Maryland, ... , of the first part, and FRANCIS O. GRIMM, JR. and JOYCE G. GRIMM, his wife,

of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged,

the said party of the first part

does hereby grant and convey unto the said parties of the second part, as tenants by the entireties, their

heirs and assigns,

in fee simple, all

that

lot(s) of ground, situate, lying and being in

Baltimore County

, State of Maryland, and described as follows, that is to say:--

Beginning for the same on the south side of Redstone Road at the western outline of Lot No. 1, Block "A", as laid out and shown on the Revised Plat of Walnut Hill Estates, said Plat being recorded among the Land Records of Baltimore County in Plat Book O.T.G. No. 33, folio 128, and thence leaving Redstone Road and binding on the western outline of said Lot No. 1 south 19 degrees 40 minutes 50 seconds west 359.33 feet to the southern outline of Walnut Hill Estates above referred to, thence running and binding on part of said southern outline south 66 degrees 40 minutes 40 seconds west 115.18 feet, thence running for a new line of division now made north 24 degrees 16 minutes 10 seconds west 358.22 feet to the south side of Redstone Road and thence running and binding on the south side of Redstone Road as follows: north 65 degrees 43 minutes 50 seconds east 95.81 feet and thence by a line durving to the right with a radius of 600 feet for a distance of 48.17 feet to the place of beginning.

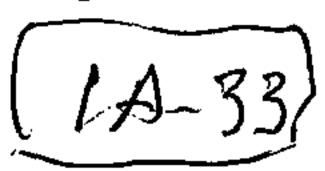
BEING part of that tract of land which by Deed, dated August 14, 1968, and recorded among the Land Records of Baltimore County in Liber 0.T.G. No. 4911, folio 1, was granted and conveyed by Vernon T. Fitzell, Widower, et al., unto the said party of the first part.

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Click here for a plain text ADA compliant screen.



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

Go Back <u>View Map</u> New Search **Ground Rent**

Account Identifier:

District - 11 Account Number - 1115079141

Owner Information

Owner Name:

Mailing Address:

ZITO LAWRENCE J

Use: Principal Residence: RESIDENTIAL

11823 CHAPMAN RD

KINGSVILLE MD 21087-1519

NO

Deed Reference:

1) /19923/ 271

2) /19923/ 264

Location & Structure Information

Premises Address

REDSTONE RD

Legal Description

1.398 AC

SS REDSTONE RD 250 E CHAPMAN ROAD

Map Grid 55 21

Parcel 376

Sub District

Subdivision

Section Block Lot **Assessment Area**

Plat No: Plat Ref:

Special Tax Areas

Stories

Ad Valorem

Tax Class

Primary Structure Built 0000

Enclosed Area

Property Land Area 1.39 AC

County Use 04

Basement

Town

Type

Exterior

Value Information

Base Value

As Of 01/01/2006 Phase-in Assessments As Of 07/01/2006

As Of 07/01/2007

Improvements:

Land: Total: 13,900 13,900 13,900 13,900

Value

13,900

13,900

Transfer Information

ZARAS EDWARD J Seller:

Preferential Land:

UNIMPROVED ARMS-LENGTH Type:

> ZARAS EDWARD J **NOT ARMS-LENGTH**

Date:

04/20/2004 Deed1: /19923/ 271

\$15,000 Price: Deed2: /19923/ 264

Date:

03/24/1980

\$0 Price:

Deed1: / 6147/ 708

Deed2:

Date:

Deed1: .

Price: Deed2:

Exemption Information

Partial Exempt Assessments County State Municipal

07/01/2006

07/01/2007

Tax Exempt: **Exempt Class:**

Seller:

Type:

Seller:

Type:

NO

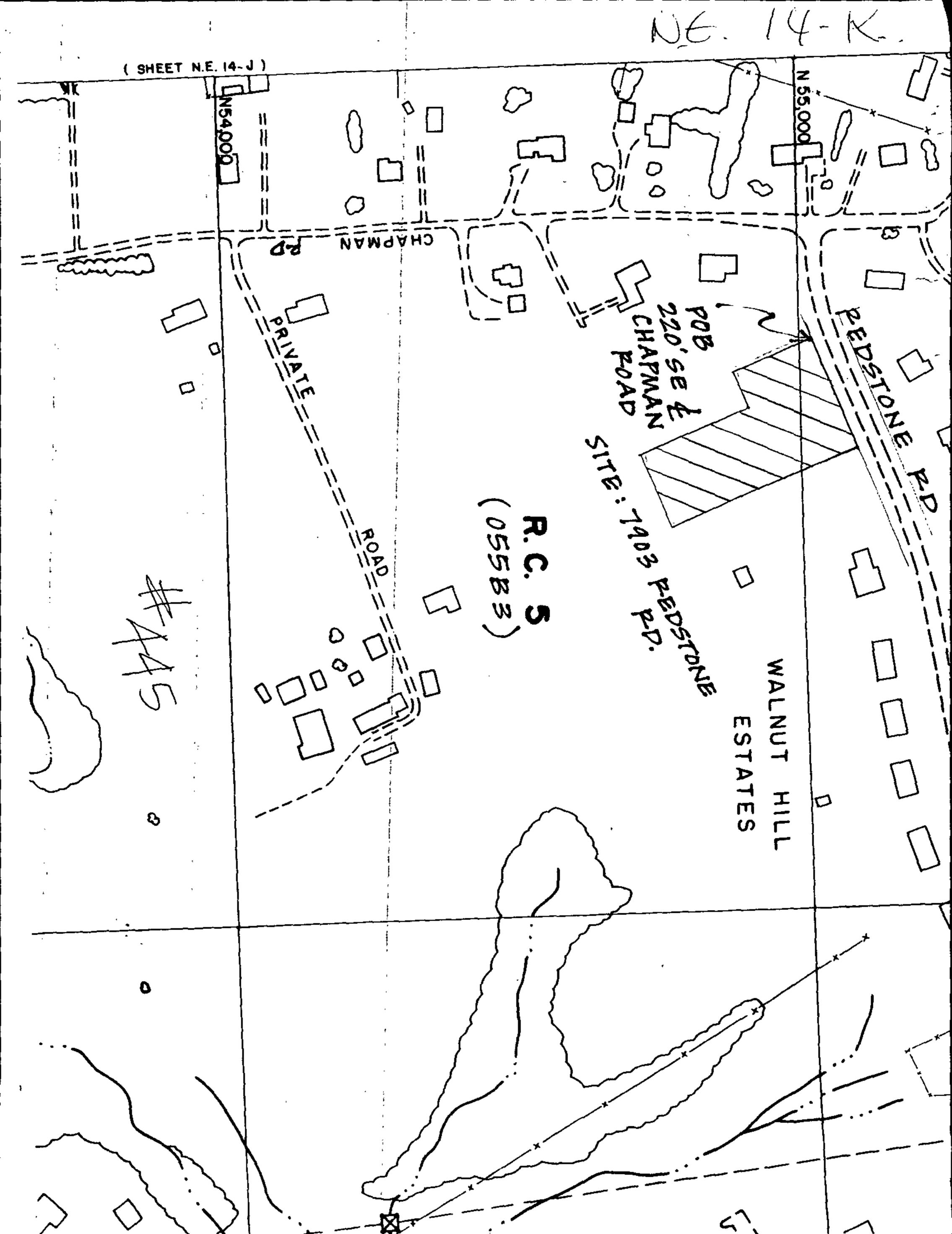
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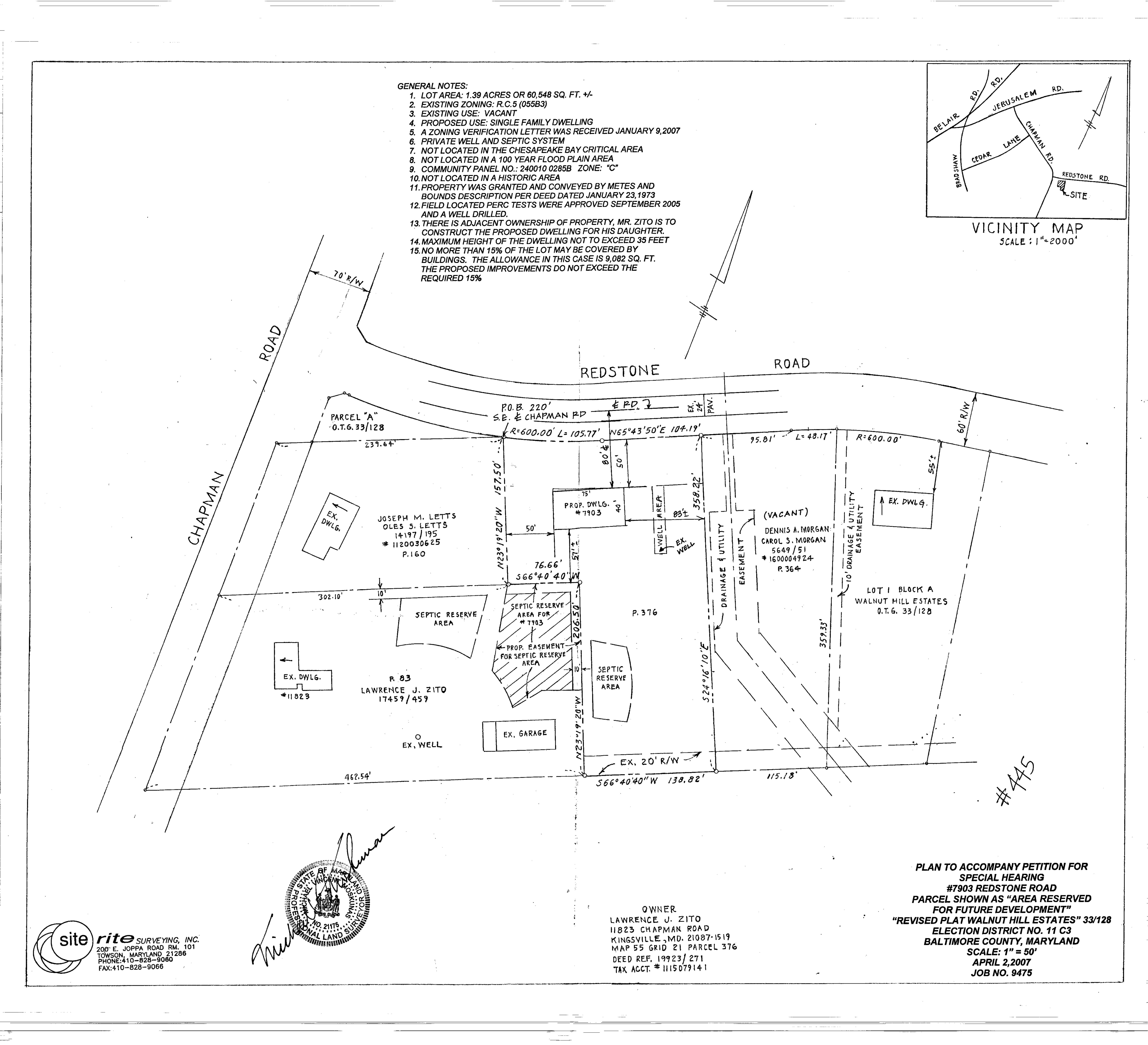
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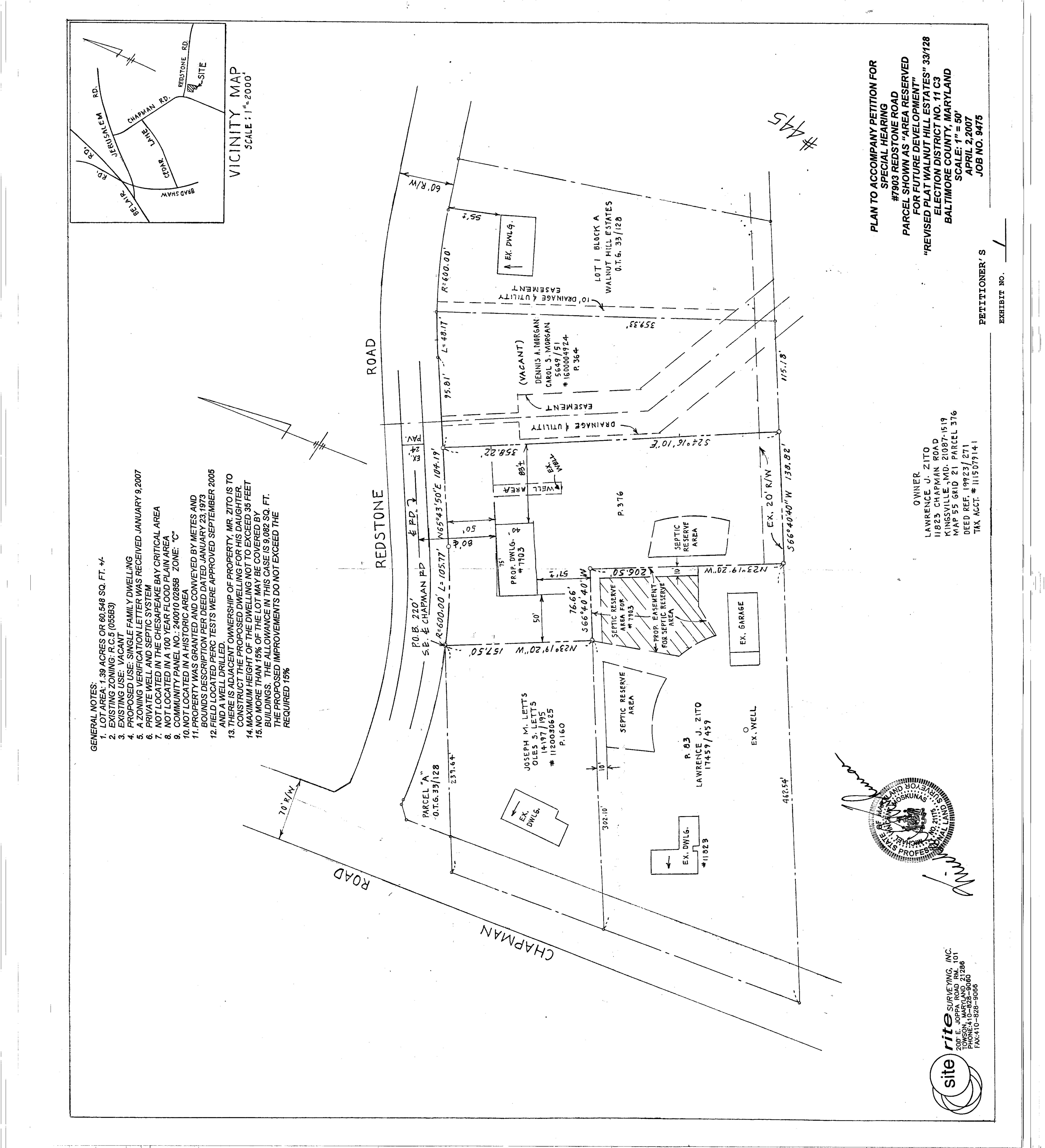
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
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