IN RE: **PETITION FOR SPECIAL HEARING**	*	BEFORE THE
E/Side of Whitecliff Lane, 170' S of Joppa Road	*	ZONING COMMISSIONER
(8907 Whitecliff Lane) 11th Election District 6th Council District	*	OF
	*	BALTIMORE COUNTY
Charles E. Merritt, III, et ux Petitioners	*	**Case No. 08-070-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 owners of the subject property, Charles E. Merritt, III, and his wife, Julie L. Merritt, through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing[1] to approve access, pursuant to Baltimore County Code (B.C.C.) Section 32-4-409(c) and Baltimore County Zoning Regulations (B.C.Z.R.) Section 102.4, for the lots shown on the Plan accompanying the Petition, which exceed the minimum net lot area of B.C.Z.R. Section 1B02.3C.1, on a pre-existing, paved, non-publicly dedicated right-of-way. The site plan, Deed of Easement and Title Attorney Certification evidencing Petitioners right to use Whitecliff Lane for access and utilities were submitted and accepted into evidence and marked as Petitioners' Exhibit(s) 1 through 3, respectively.

Appearing at the requisite public hearing in support of the request were Charles E. Merritt, III, in his capacity as property owner/developer; David Billingsley of Central Drafting and Design, Inc., a consultant who reviewed the site plan and is familiar with the Carney/Perry Hall area of the County, and Howard L. Alderman, Jr., Esquire, Petitioners attorney. Appearing as interested citizens/Protestants were Norman L. Brandt and his wife, Shirley Brandt, who

ORDER RECEIVED FOR FILING
Date 2-29-08
By

[1] While this Petition was originally filed as a request for Variance, given the pre-existence of Whitecliff Lane and Petitioners' right of use thereof, the Office of Zoning Review required the relief to be pursued via a Petition for Special Hearing which Petitioners did. I find that adequate notice and posting of the relief needed, i.e. use of Whitecliff Lane for 3 new homes, was given.

reside immediately across from the subject property and on whose property the 40-foot wide (Whitecliff Lane) right-of-way easement is located.

Testimony and evidence revealed that the subject property is a rectangular shaped parcel located 170 feet south of Joppa Road just west of Walther Boulevard with 109 feet of frontage along the east side of Whitecliff Lane (f/k/a Brandt Avenue). The property contains a gross area of 0.602 acres, more or less, and zoned D.R.5.5. The Petitioners are desirous of subdividing their property to create three (3) building lots. As shown on the site plan, proposed Lots 2 and 3 will be located east of Lot 1 and have in-fee frontage access to a 30-foot right-of-way. All lots are in excess of the 6,000 square foot minimum lot area required in this zone and will meet all setback requirements imposed by the B.C.Z.R. At issue is the proposed access. The bed of Whitecliff Lane is titled to Norman and Shirley Brandt subject to "the right of use in common with others entitled thereto . . . ". The Petitioners as owners of 8907 Whitecliff Lane are *one of the parties entitled to right of use* for purposes of ingress and egress. Similarly, an easement granting the right to install and maintain utilities in the bed of Whitecliff Lane is specifically granted in a Deed recorded in the Land Records of Baltimore County in Liber SM No. 8010 Page 285 (Petitioners' Exhibit 2).

Relief is requested as set forth above to determine that the proposed access is not in conflict with Section 102.4 of the B.C.Z.R. and Section 32-4-409(c) of the B.C.C. Section 102.4 provides that "No dwelling shall be built on a lot containing less than 20,000 square feet, which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel, except as provided for panhandle lots" (*See* Section 32-4-409 of the Baltimore County Code). Section 32-4-409(c) thereof allows for the approval of access via a right-of-way, where same has been established before a development plan is submitted. Subsection (b) 2(ii) thereof specifies that a panhandle driveway must be 12 feet in width, per lot, where two lots (Lots 2 and 3) are involved. Thus, the panhandle driveway must be 24 feet wide for these two lots and as illustrated on the site plan has been provided.

ORDER RECEIVED FOR FILING
Date 2-29-08
By

As noted above, there is concern by the Brandt's who are burdened with paying the taxes and maintaining the non-publicly dedicated easement in good repair. They wish the County would provide for the maintenance of such public utilities such as sewer and storm drain. At the very least, they want a use-in-common agreement that would equitably govern the maintenance and repair costs associated with Whitecliff Lane. Additionally, Mr. Brandt wants a swale constructed along the easement that would convey storm water runoff to an existing storm drain at the southern terminus of the easement at the Oak Crest property.

The private roadway known as Whitecliff Lane (formerly Brandt Avenue) was, based on the evidence presented, established well before the development proposal for the subject property was submitted. Mr. Billingsley examined the proposed development and the relief requested with respect to its impact on the community served by Whitecliff Lane. None of the residents having a right of use of Whitecliff Lane, other than Mr. and Mrs. Brandt, appeared at the hearing or expressed in any manner any opposition to the relief requested. Mr. Billingsley opined that adding three, new dwellings to Whitecliff Lane would have no adverse impact on the community as it would not overcrowd the land, cause undue concentration of people or overburden the roadway. It was pointed out that the subject property directly adjoins the intense development known as Oakcrest Village, a continuing care community.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. In this regard, neither the Office of Planning or Bureau of Development Plans Review object to the requested relief, only that a title attorney certify the Petitioners' right to use Whitecliff Lane for both access and installation of utilities. (*See* Petitioners' Exhibit 3). Although the Petitioners have a right-of-way from Joppa Road across the Brandt's property and the legal right to construct and maintain the service of the driveways in any manner they chose, I can impose conditions upon its use and maintenance as a condition to any future development of the subject property.

After the conclusion of the hearing held, Mr. Alderman advised that despite the best efforts expended with Messrs. Dennis Kennedy and Edward C. Adams, Jr., Director of the

ORDER RECEIVED FOR FILING
Date 2-29-08
By

Department of Public Works, Baltimore County will not accept dedication of Whitecliff Lane as a public roadway as there are no approved construction drawings or certifications regarding the roadway upon which the County could rely. Therefore, its existing, use-in-common status will remain applicable. The Brandts and the Petitioner have agreed to attempt to have all owners having a right of use of Whitecliff Lane, including the three lots proposed by Petitioner, execute an agreement governing maintenance and repair obligations.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. I find that the proposed access is appropriate in this instance, given the fact that it has existed in its present scale and condition since 1988, and is proposed to serve only three additional lots. However, I agree with the position of the Brandt's as to the use and maintenance of the existing right-of-way. While I cannot order property owners who are not involved in this case to execute a common driveway agreement regarding future maintenance and repair obligations, I can require the Petitioner to make a good faith effort to obtain concurrence by such owners.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of February, 2008 that the Petition for Special Hearing to approve access, pursuant to Baltimore County Code (B.C.C.) Section 32-4-409(c) and Baltimore County Zoning Regulations (B.C.Z.R.) Section 102.4, for the lots shown on the Plan accompanying the Petition, which exceed the minimum net lot area of B.C.Z.R. Section 1B02.3C.1, on a pre-existing, paved, non-publicly dedicated right-of-way, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners may apply for their building permit(s) and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their 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 Petitioners shall be required to return, and be responsible for returning said property to its original condition.

ORDER RECEIVED FOR FILING
Date 2-29-08
By

2. Within ninety (90) days from the date of this Order, Petitioners, with the assistance of Norman and Shirley Brandt, shall contact residents who enjoy access to or property adjoining the common easement known as Whitecliff Lane and if practicable, offer to prepare (at Petitioners' expense) a covenant (Use-in-Common and Maintenance Agreement) for the said access road, which shall be executed and recorded with the recorded plat for each of the Petitioners' proposed dwellings.

3. Regardless of whether or not other owners agree to execute such a Use-in-Common and Maintenance Agreement, Petitioners and their successors and assigns shall be responsible for any damage done to Whitecliff Lane by construction traffic and/or construction vehicles during the construction of homes on Petitioners' three lots.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

WJW:dlw

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2-29-08
By

Revised

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8907 Whitecliff Lane
which is presently zoned DR 5.5

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

SEE ATTACHED

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 Purchaser/Lessee:

NONE
Name - Type or Print

Signature

Address | Telephone No.

City | State | Zip Code

Legal Owner(s):

JULIE L. MERRITT
Name - Type or Print

Signature

CHARLES E. MERRITT, III
Name - Type or Print

Signature

9831 MAGLEDT ROAD | 410-665-5562
Address | Telephone No.

Baltimore | MD | 21234
City | State | Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire
Name - Type or Print

Signature

Levin & Gann, PA
Company

502 Washington Avenue, Suite 800 | 410-321-0600
Address | Telephone No.

Towson | Maryland | 21204
City | State | Zip Code

Representative to be Contacted:

Central Drafting & Design, Inc., c/o David Billingsley
Name

601 Charwood Court | 410-458-1401
Address | Telephone No.

Edgewood | MD | 21040
City | State | Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

Case No. 08-070-SPH

REV 9/15/98

ADMIN REVIEWED FOR FILING
Date 2-29-08
By

ATTACHMENT
PETITION FOR SPECIAL HEARING

CASE NO: 08-070 -SPH

Address: 8907 Whitecliff Lane

Legal Owners: Julie and Charles Merritt

Present Zoning: DR 5.5

REQUESTED RELIEF:

"*why the Zoning Commissioner should,*" [1] approve, pursuant to *Baltimore County Code* § 32-4-409(c) and *Baltimore County Zoning Regulations* Section 102.4, the lots shown on the Plan to accompany this Petition, which exceed the minimum net lot area of BCZR § 1B02.3C.1, on a pre-existing, paved, non-publically dedicated right-of-way; **and** [2] grant such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR to permit the proposed uses.

For Additional Information Contact:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Avenue
8th Floor
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@LevinGann.com

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 8909 Whitecliff Lane

Beginning at a point on the East side of Whitecliff Lane which is 40 feet wide at the distance of 170 feet south of the centerline of the nearest improved intersecting street Joppa Road which is 80 feet wide. Being all the land associated with the minor subdivision of Whitecliff Lane proposed 3 lots containing 26,223 S.F. +/- or 0.602 AC. +/- and located in the 11th Election District, 6th Councilmanic District.

08-070

CERTIFICATE OF PUBLICATION

9/28, 2007

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/25, 2007

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

S. Wilkinson

LEGAL ADVERTISING

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: #08-070-A
8907 Whitecliff Lane
E/side of Whitecliff Lane, 170 feet south of Joppa Road
11th Election District - 6th Councilmanic District
Legal Owner(s): Julie & Charles Merritt, III

Variance: to permit the 3 lots shown on the Plan to accompany this Petition, which exceed the minimum net lot area of BCZR, Section 1B02.3C.1 to be created on an pre-existing, paved, non-publicly dedicated right-of-way.

Hearing: Wednesday, October 10, 2007 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake 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) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/9/766 Sept. 25 149930

Comments Rec'd :
OP
DPR (tabbed)
FD
SHA
~~Notice / Posting /~~
~~PC Approval /~~

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

010

No. 04193

Date: 8/07/07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				195.00
							Total:	195.00

Rec From: C. Merritt

For: 3 Res Variances (3 lots) @ 8907 Whitecliffe Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS DATE: 8/08/2007 ACTUAL DATE: 8/07/2007 TIME: 15:13:40 STATION: 2
RECEIPT # 92643 8/07/2007 07/R
5 EZ ZONING VERIFICATION
004193
Recpt Tot $195.00
$195.00 CR $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

Date: 9/25/07

RE: Case Number: 08-070-A

Petitioner/Developer: CHARLES MERRITT

Date of Hearing/Closing: 10-10-07 @ 2:00 PM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 8907 WHITECLIFF LANE

The sign(s) were posted on SEPTEMBER 26, 2007
(Month, Day, Year)

(Signature of Sign Poster)

Charles E. Merritt
9831 Maqledt Road
Baltimore, MD 21234
410-665-5562

POSTED 9-25

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 30, 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: 08-070-A
8907 Whitecliff Lane
E/side of Whitecliff Lane, 170 feet south of Joppa Road
11th Election District – 6th Councilmanic District
Legal Owners: Julie & Charles Merritt, III

Variance to permit the 3 lots shown on the Plan to accompany this Petition, which exceed the minimum net lot area of BCZR, Section 1B02.3C.1 to be created on an pre-existing, paved, non-publicly dedicated right-of-way.

Hearing: Wednesday, October 10, 2007 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

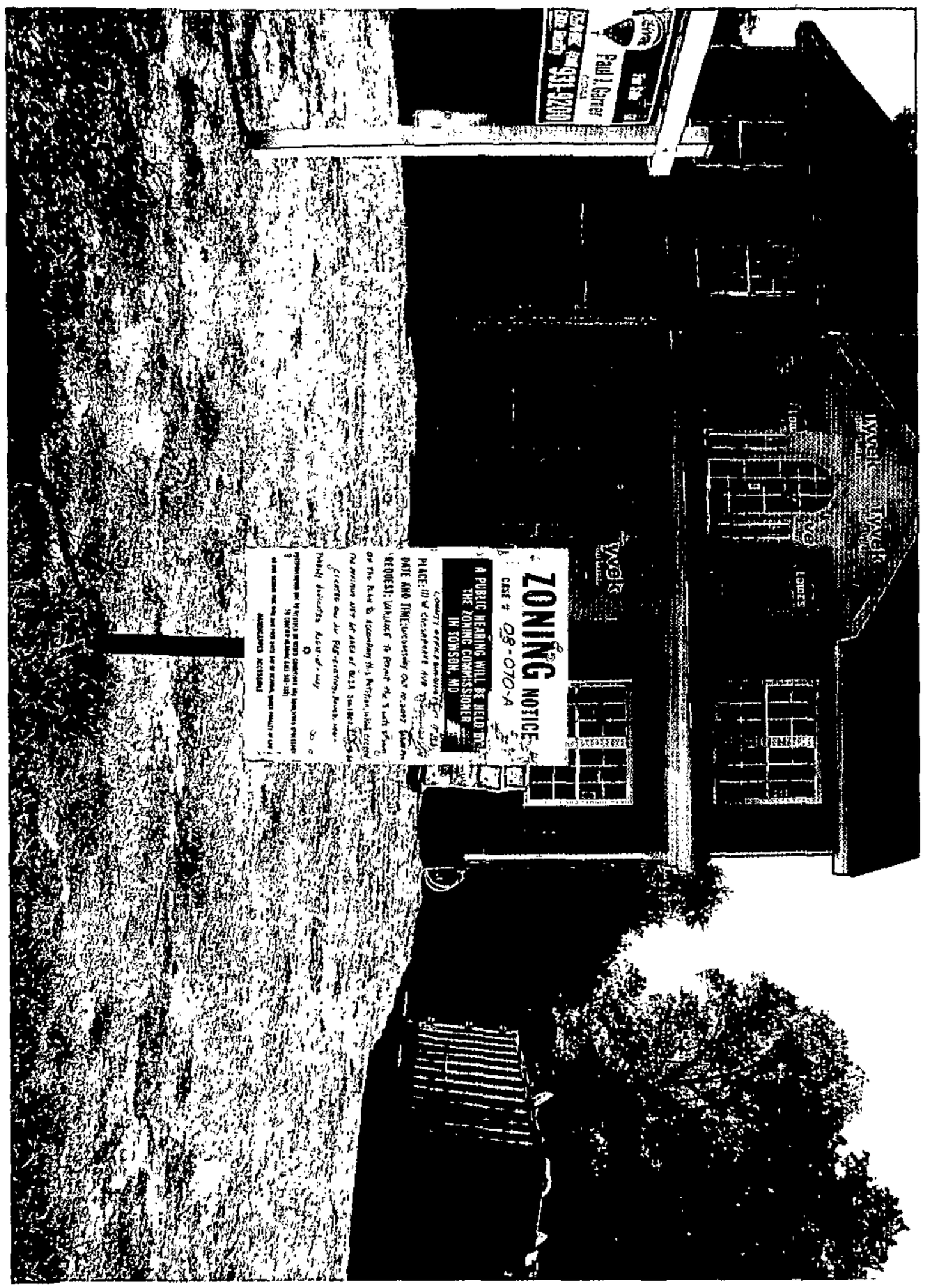
Timothy Kotroco

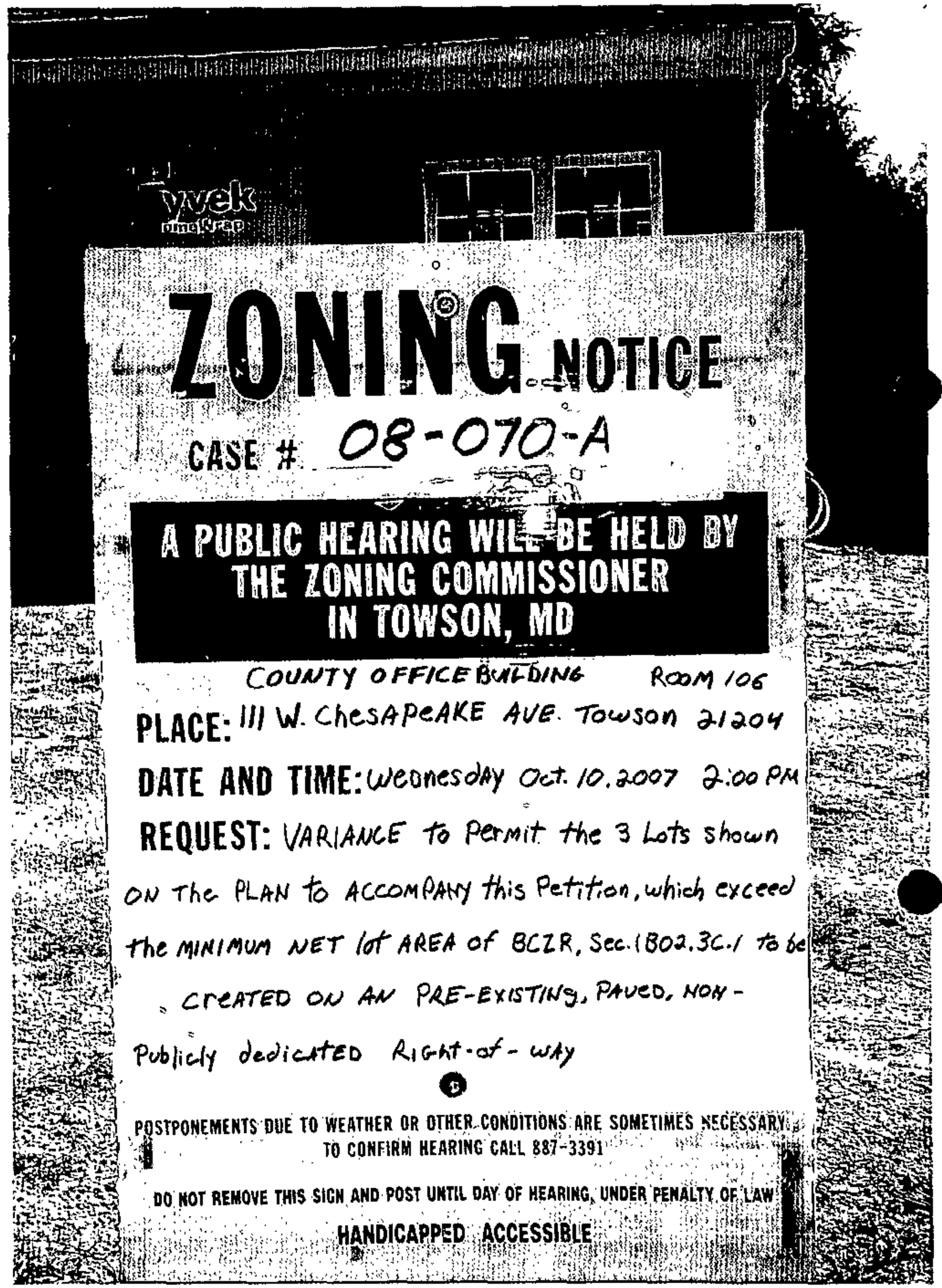
Timothy Kotroco
Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
Mr. & Mrs. Merritt, III, 9831 Magledt Road, Baltimore 21234
David Billingsley, Central Drafting & Design, 601 Charwood Ct. Edgewood 21040

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPT. 25, 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.


ZONING NOTICE
CASE # 08-070-A
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD


ZONING NOTICE
CASE # 08-070-A
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD
PLACE: COUNTY OFFICE BUILDING ROOM 106
111 W. CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: WEDNESDAY OCT. 10, 2007 2:00 PM
REQUEST: VARIANCE to Permit the 3 Lots shown ON The PLAN to ACCOMPANY this Petition, which exceed the MINIMUM NET lot AREA of BCZR, Sec. 1B02.3C.1 to be CREATED ON AN PRE-EXISTING, PAVED, NON-Publicly dedicated RIGHT-of-WAY
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 30, 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: 08-070-A
8907 Whitecliff Lane
E/side of Whitecliff Lane, 170 feet south of Joppa Road
11th Election District – 6th Councilmanic District
Legal Owners: Julie & Charles Merritt, III

Variance to permit the 3 lots shown on the Plan to accompany this Petition, which exceed the minimum net lot area of BCZR, Section 1B02.3C.1 to be created on an pre-existing, paved, non-publicly dedicated right-of-way.

Hearing: Wednesday, October 10, 2007 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
Mr. & Mrs. Merritt, III, 9831 Magledt Road, Baltimore 21234
David Billingsley, Central Drafting & Design, 601 Charwood Ct. Edgewood 21040

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPT. 25, 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
Tuesday, September 25, 2007 Issue - Jeffersonian

Please forward billing to:
Charles Merritt, III
9831 Magledt Road
Baltimore, MD 21234

410-925-4061

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: 08-070-A
8907 Whitecliff Lane
E/side of Whitecliff Lane, 170 feet south of Joppa Road
11th Election District – 6th Councilmanic District
Legal Owners: Julie & Charles Merritt, III

Variance to permit the 3 lots shown on the Plan to accompany this Petition, which exceed the minimum net lot area of BCZR, Section 1B02.3C.1 to be created on an pre-existing, paved, non-publicly dedicated right-of-way.

Hearing: Wednesday, October 10, 2007 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08 070 A

Petitioner: CHARLES MERRITT

Address or Location: 8907 WHITECLIFF LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES MERRITT

Address: 9831 MAGLEDT ROAD
BALTIMORE MD 21234

Telephone Number: 410 925-4061

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

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

October 3, 2007

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
502 Washington Avenue, Suite 800
Towson, Maryland 21204

Dear Mr. Alderman:

RE: Case Number: 08-070-SPH, 8907 Whitecliff Lane

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 7, 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,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures
c: People's Counsel
Julie L. Merritt Charles E. Merritt, III 9831 Magledt Road Baltimore 21234
Central Drafting & Design, Inc. David Billingsley 601 Charwood Ct Edgewood 21040

Baltimore County
Fire Department

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

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

August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 (70) and 052 through 075

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

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

State Highway Administration
Maryland Department of Transportation

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

Date: August 13, 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. 8-70-A
8907 Whitecliff Lane
Merritt Property
Variance

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. 8-70-A.

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,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 17, 2007

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-070- Variance**

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

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

Prepared By: Cindy Murray

Division Chief: Lynn Lanham

CM/LL

W:\DEVREV\ZAC\8-070.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: August 15, 2007

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

SUBJECT: Zoning Advisory Committee Meeting
For August 20, 2007
Item No. 070

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

A title attorney should certify that the petitioner has the right to use Whitecliff Lane for access and for installation of utilities for three lots.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 070-08152007.doc

BW 10/10
2 pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 17, 2007

RECEIVED
SEP 05 2007
BY:.....

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-070- Variance**

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

Prepared By: Cindy Murray

Division Chief: Lynn Lanham

CM/LL

W:\DEVREV\ZAC\8-070.doc

Bill Wiseman - Whitecliff Lane 08-870-SPH

From: "Howard Alderman" <halderman@levingann.com>
To: <merrittdc@comcast.net>, "Bill Wiseman" <wwiseman@baltimorecountymd.gov>
Date: 12/17/07 2:21 PM
Subject: Whitecliff Lane 08-870-SPH

Chuck:

I have just spoken with Ed Adams, Dir of Public Works for Balto County regarding Whitecliff Lane. As a result of my post-hearing inquiries, Ed indicated that the public acceptance of Whitecliff Road was discussed among County officials last week. Ed indicated that Mr. and Mrs. Brandt (who own the fee simple roadbed) will be receiving a letter from DPW indicating that before the County will assume ownership of the roadway: i) it will have to be demonstrated that the road was built to public standards (core samples needed to confirm the road base beneath the paved surface); and ii) there must be a minimum of 40 feet of right of way. Ed doubts that the road was built to public standards and that the Brandts will want to pay to have the analysis performed.

Therefore, it appears that the use in common right of way agreement is the way to go. You should contact the Brandts promptly and advise them of the forthcoming letter and that the County will accept the roadway if it meets County standards.

Please let me know which way they want to go so that I can advise Zoning Commissioner Wiseman who is copied on this message.

Thanks,
Howard

~~~
~~~

08-070-A

August 10, 2007

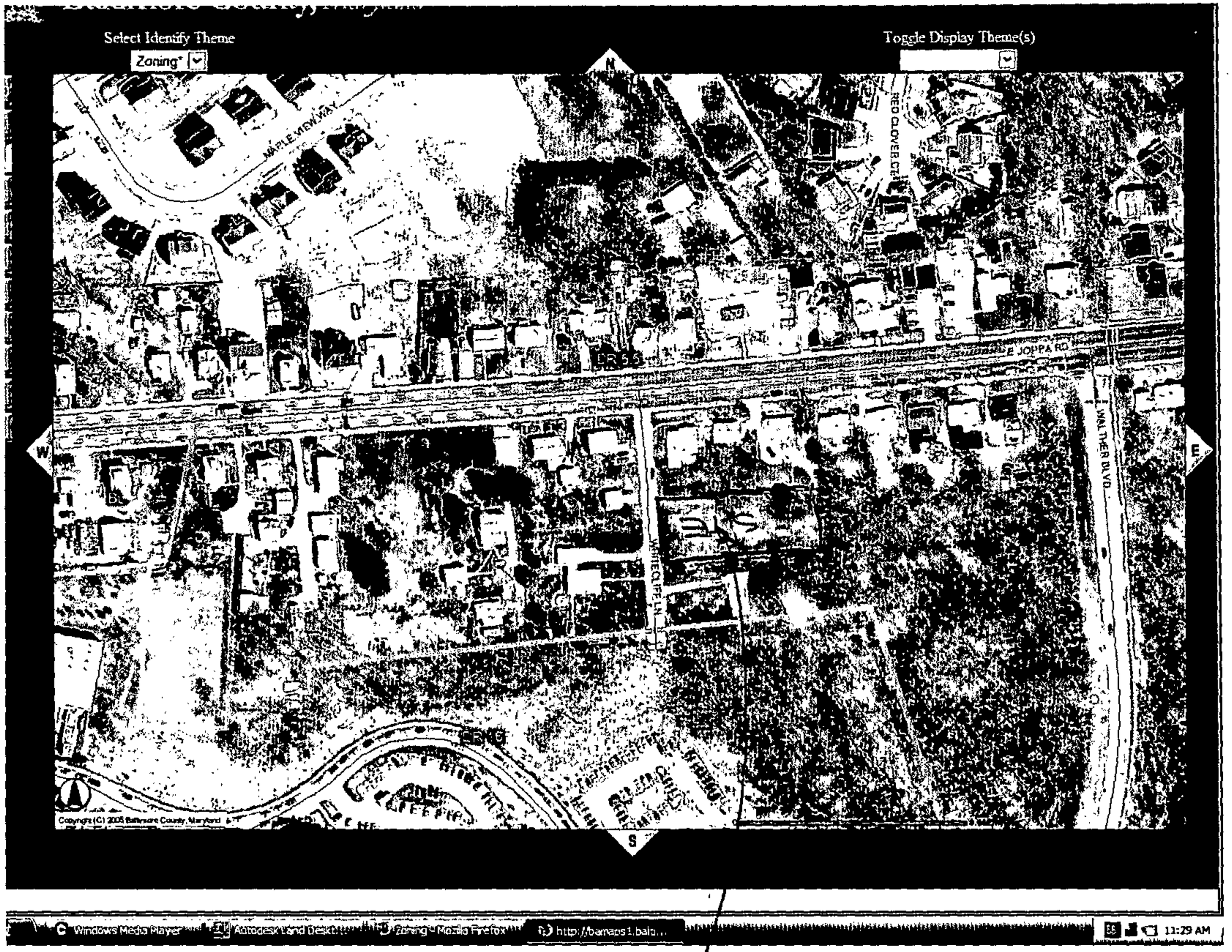
No descriptions provided as promised by engineer. The staff believes that a Special Hearing is more appropriate than a variance for the lot of less than 20,000 square feet on a less than 30 ft. street right-of-way. Engineer was advised of these deficiencies and timely corrections were promised and have not been received as of ZAC Agenda creation.

Keep this note in file until promised corrections are completed.

Rec'd Revised Petition
& Plans 8-15-07

08 070 A

8909 WHITECLIFF LANE



RE: PETITION FOR VARIANCE 8907 Whitecliff Lane, E/S Whitecliff Lane, 170' S Joppa Road 11th Election & 6th Councilmanic Districts Legal Owner(s): Julie & Charles Merritt Petitioner(s)	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
	*	BALTIMORE COUNTY
	*	08-070-A

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

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
AUG 16 2007
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 8907 WHITECLIFF LANE
CASE NUMBER 08-070A
DATE 10/10/07

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
DAVID BILLINGSLEY	601 CHARWOOD CT.	EDGEWOOD, MD 21040	dwb0209@yahoo.com
Charles Merritt	2416 E. Joppa Rd	Balto MD 21234	
Howard L Alderman JR	502 Washington Ave Suite 820	Towson MD 21204	

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 08-070-A
DATE 10/10/07

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Shirley Brandt	8910 Whiteclipp Lane	Balto. MD 21234	
Norman Brandt	" " "	" "	

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1)

Go Back
View Map
New Search

Account Identifier: **District** - 11 **Account Number** - 1102068180

Owner Information

Owner Name:	BRANDT NORMAN L BRANDT SHIRLEY	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	8910 WHITECLIFF LN BALTIMORE MD 21234-3322	**Deed Reference:**	1) / 3072/ 106 2)

Location & Structure Information

Premises Address
8910 WHITECLIFF LA

Legal Description
S OF JOPPA RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
71	17	102						3	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1957	1,042 SF	23,700.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2007	As Of 07/01/2008
Land	41,170	81,170		
Improvements:	81,390	114,250		
Total:	122,560	195,420	171,132	195,420
Preferential Land:	0	0	0	0

Transfer Information

Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

Case No.: 08-070-SPH 8907 WHITECLIFF LANE

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	
No. 2	Easement Agreement	
No. 3	Title Attorney Certification Right of Way / Access for Utilities	
No. 4	Drainage & Utility Easement Sewer Construction – Southerly	
No. 5	Drainage & Utility Easement Storm Drainage - Southerly	
No. 6	Widening of Joppa Rd Dedication of Portions of Road	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

No Consideration

This Deed of Easement made this 7th day of October, 1988 by and between Norman Lewis Brandt and Shirley Brandt his wife hereinafter called the party of the first part and Lawrence G. Buell party of the second part.

Witnesseth in consideration of the sum of $5.00 the receipt of which is hereby acknowledged the party of the first part does hereby grant unto the party of the second part his personal representatives and assigns, a non-exclusive right to lay, construct and maintain sewers, drains, water pipes and other underground utilities and services including but not limited to underground electric service and cable TV lines, through the land of the parties of the first part situate in Baltimore County, State of Maryland, said sewers, drains, water pipes and other utilities and services to be laid in the easement area which is described as follows:

Being an easement area Forty (40) Feet wide and consisting of the bed of Whitecliff Road extending Southerly from Joppa Road a distance of 353.62 feet all as shown on the Plat attached hereto and made a part hereof.

DEED REC 19.00
SH CLERK 19.00
#65485 C004 R01 T10:34 10/27/88

FOR TITLE: See Deed dated May 28, 1959 and recorded among the Land Records of Baltimore County in Liber WJR No. 3533 folio 613 from Lillie M. Brandt and husband to the Party of the First Part.

Included in this easement shall be the right to maintain Water Meters along the South side of Joppa Road within the easement area.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
Baltimore County
AF 10-27-88

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE AF DATE 10-27-88

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per
Authorized Signature
Date 10 27 88 Sec. 11-06
Assmt

ALL-STATE LEGAL PETITIONER'S EXHIBIT 2

This Easement shall be for the benefit of the following described properties:

1) The Property described in a Deed dated October 27, 1976 and recorded among the Land Records of Baltimore County in Liber EHK,Jr. No. 5694 folio 667 from Deanne Buell to the party of the second part.

2) The Property described in a Deed dated October 31, 1980 and recorded among the Land Records of Baltimore County in Liber EHK,Jr. No. 6224 folio 565 from Leona C. Fuqua to the party of the Third Part.

And the parties of the first part do hereby agree that the Parties of the second for himself , his personal representtatives and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said utilities and appurtenances, provided, however, that the ground shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on or over the said easement by the parties of the first part, their personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Bureau of Engineering.

As witness the hands and seals of the party of the First Part.

Witness

Norman Lewis Brandt (SEAL)
NORMAN LEWIS BRANDT

Shirley Brandt (SEAL)
SHIRLEY BRANDT

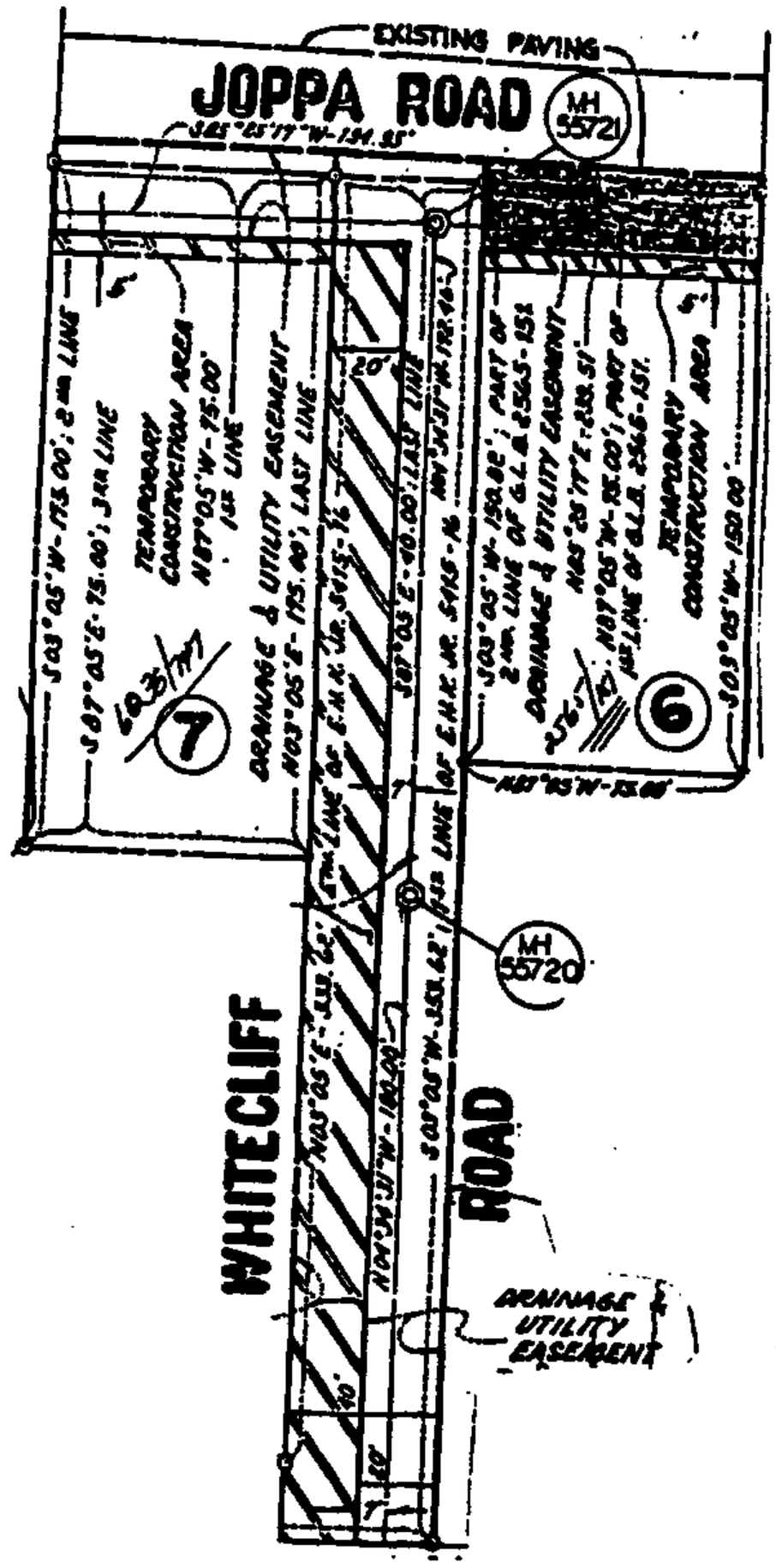
STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 17th day of October in the year 1988, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, parties to the within Deed of Easement and they acknowledged the same to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my hand and Notarial Seal.

Notary Public

NOTARY PUBLIC
BALTIMORE COUNTY, MD.



Rad 6.
Robert E. Cimy
4111 E Joppa Rd
Ft Thomas Ky 41236

O'CONNOR, HAMMEL & BUTLER, P.A.
ATTORNEYS AT LAW
100 WEST ROAD
SUITE 215
TOWSON, MARYLAND 21204

PHONE (410) 321-0595
FAX (410) 321-1436

JAMES D. O'CONNOR
MARY ANN HAMMEL
ELLYN S. BUTLER
MARY JEAN KRETSCHMER
BRYAN J. PELINO

OF COUNSEL:
PAMELA S. JONES

June 12, 2007

Baltimore County Bureau of Land Acquisition
County Office Building, Room 319
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Ms. Lois Ruhl

RE: 8907 Whitecliff Lane/Tax Account No. 11-06-082511

Dear Ms. Ruhl:

The undersigned examined title in connection with the acquisition of the above-referenced property by Charles E. Merritt, III and Julie L. Merritt, his wife. A copy of the Merritts' title Deed is enclosed for your convenience.

Access to the property is by way of Whitecliff Lane. Whitecliff Lane was formerly known as Brandt Avenue. As you can see from the legal description in the Merritts' Deed, this property binds for 100 feet on the East side of Whitecliff Lane (formerly Brandt Avenue). The bed of Whitecliff Lane is titled to Norman Lewis Brandt and Shirley Brandt, his wife, by virtue of the Deed dated May 28, 1959 and recorded in Liber WJR No. 3533, page 613, a copy of which is also enclosed. Mr. and Mrs. Brandt's ownership is subject to "the right of use in common with others entitled thereto in and to Brandt Avenue and hereinbefore described for purposes of ingress and egress". Mr. and Mrs. Merritt, as owners of 8907 Whitecliff Lane, are one of the parties entitled to the right of use in common of Brandt Avenue for purposes of ingress and egress.

An easement granting the right to install and maintain utilities in the bed of Whitecliff Lane is specifically granted in the Deed dated October 17, 1998, and recorded in Liber SM No. 8010, Page 285, a copy of which is enclosed. This Deed specifically provides on Page 286 that the easement is for the use and benefit of 8709 Whitecliff Lane (which is the same property described in the Deed dated October 31, 1980 and recorded in Liber EHK,Jr. No. 6224, page 565).

If you have any questions or require further information regarding the rights of access for

ingress and egress and for the maintenance and installation of utilities for 8907 Whitecliff Lane, please do not hesitate to contact the undersigned. Thank you for your cooperation in this regard.

Very truly yours,

_____(SEAL)

JAMES D. O'CONNOR
O'Connor, Hammel & Butler, P.A.
100 West Road, Suite 215
Towson, Maryland 21204
Phone: 410-321-0595

Professional Liability Insurance:
Medmarc Casualty Insurance Co.
Policy No: 06APMD00025
Policy Limits:$1,000,000/$1,000,000

JDO\kan

cc: Mr. and Mrs. Charles E. Merritt, III

F:ourfiles/settlements/07-E-0479A/county letter

No Consideration

This Deed of Easement made this 7th day of October, 1988 by and between Norman Lewis Brandt and Shirley Brandt his wife hereinafter called the party of the first part and Lawrence G. Buell party of the second part.

Witnesseth in consideration of the sum of $5.00 the receipt of which is hereby acknowledged the party of the first part does hereby grant unto the party of the second part his personal representatives and assigns, a non-exclusive right to lay, construct and maintain sewers, drains, water pipes and other underground utilities and services including but not limited to underground electric service and cable TV lines, through the land of the parties of the first part situate in Baltimore County, State of Maryland, said sewers, drains, water pipes and other utilities and services to be laid in the easement area which is described as follows:

Being an easement area Forty (40) Feet wide and consisting of the bed of Whitecliff Road extending Southerly from Joppa Road a distance of 353.62 feet all as shown on the Plat attached hereto and made a part hereof.

DEED 19.00
SM CLERK 19.00
#65485 C004 R01 T10:14
10/21/88

FOR TITLE: See Deed dated May 28, 1959 and recorded among the Land Records of Baltimore County in Liber WJR No. 3533 folio 613 from Lillie M. Brandt and husband to the Party of the First Part.

Included in this easement shall be the right to maintain Water Meters along the South side of Joppa Road within the easement area.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
Baltimore County
AF 10-27-88

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE AF DATE 10-27-88

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per Carlton Ray
Authorized Signature
Date 10 27 88 Sec. 11-06
Assmt

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-7865] Book SM 8010, p. 0285. Printed 03/26/2007. Online 03/09/2005.

This Easement shall be for the benefit of the following described properties:

1) The Property described in a Deed dated October 27, 1976 and recorded among the Land Records of Baltimore County in Liber EHK,Jr. No. 5694 folio 667 from Deanne Buell to the party of the second part.

2) The Property described in a Deed dated October 31, 1980 and recorded among the Land Records of Baltimore County in Liber EHK,Jr. No. 6224 folio 565 from Leona C. Fuqua to the party of the Third Part.

And the parties of the first part do hereby agree that the Parties of the second for himself , his personal representtatives and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said utilities and appurtenances, provided, however, that the ground shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on or over the said easement by the parties of the first part, their personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Bureau of Engineering.

As witness the hands and seals of the party of the First Part.

Witness

Norman L. Brandt (SEAL)
NORMAN LEWIS BRANDT

Shirley Brandt (SEAL)
SHIRLEY BRANDT

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-7865] Book SM 8010, p. 0286. Printed 03/26/2007. Online 03/09/2005.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

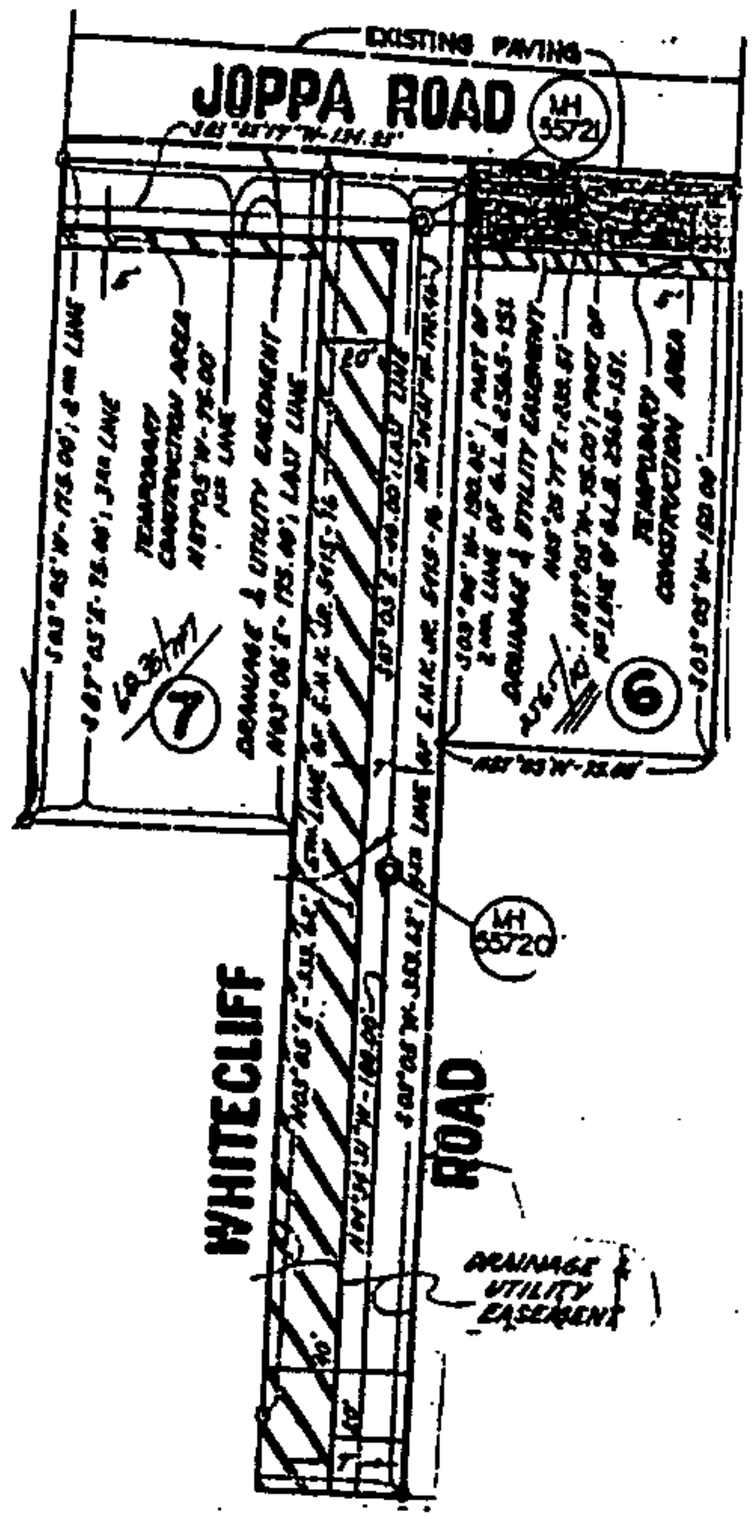
I HEREBY CERTIFY that on this 17th day of October in the year 1988, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, parties to the within Deed of Easement and they acknowledged the same to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my hand and Notarial Seal.

Notary Public

NOTARY PUBLIC
BALTIMORE COUNTY, MD.
MY COMMISSION EXPIRES

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-7866] Book SM 8010, p. 0287. Printed 03/26/2007. Online 03/09/2005.



Noted:
Robert E. Cimy
4116 Joppa Road
Ste Thomas Md 21236

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-7865] Book SM 8010, p. 0288. Printed 03/26/2007. Online 03/09/2005.

THIS DEED, made this 28 day of May, in the year one thousand nine hundred and fifty-nine, between LILLIE M. BRANDT and ERNEST P. BRANDT, her husband, of the County of Baltimore, in the State of Maryland, of the first part, Grantors, and NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, of the second part, Grantees.

WITNESSETH, that in consideration of the sum of Five Dollars ($5.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Lillie M. Brandt and Ernest P. Brandt, her husband, do hereby grant and convey unto the said Norman Lewis Brandt and Shirley Brandt, his wife, as tenants by the entireties, their assigns, the survivor of them and the survivor's heirs and assigns, in fee simple, all that lot or parcel of land situate and lying in the County of Baltimore, State of Maryland, aforesaid, and described as follows, that is to say:

BEGINNING for the same at the intersection of the South side of Joppa Road 40 feet wide with the intersection of the East side of Brandt Avenue, running thence with and binding on the East side of Brandt Avenue South 3 degrees 05 minutes West 353.62 feet to intersect the northern outline of the 2.79 acre tract of land heretofore conveyed by Lillie M. Brandt to L. H. Richter, running thence and binding on part of said outline North 87 degrees 05 minutes West 190 feet, thence North 3 degrees 05 minutes East 20 feet, thence South 87 degrees 05 minutes East 150 feet, thence North 3 degrees 05 minutes East 333.62 feet to the South side of Joppa Road, thence on the South side of Joppa Road South 87 degrees 05 minutes East 40 feet to the place of beginning.

BEING a portion of the property which by Deed dated the 12th day of April 1906, and recorded among the Land Records of Baltimore County in Liber 298, folio 156, was granted and conveyed by David Shanklin to William O. Shanklin, also known as William H. Shanklin.

BEING ALSO a portion of the property which by the Last Will and Testament of William H. Shanklin was devised to Lillie M. Brandt, which Will is dated the 29th day of March, 1934, and recorded among the Records of the Register of Wills of Baltimore County in Wills Liber 37, folio 240.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Norman Lewis Brandt and Shirley Brandt, his wife, as tenants by the entireties, their assigns, the survivor of them and the survivor's heirs and assigns, in fee simple; subject, however, to the right of use in common with others entitled thereto in and to Brandt Avenue as hereinbefore described for purposes of ingress and egress.

rds) [MSA CE 62-3388] WJR 3533, p. 0613. Printed 03/27/2007. Image available as of

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

WITNESS the hand and seals of the said Grantors.

TEST:

E. Scott Moore

Lillie M. Brandt (SEAL)
Lillie M. Brandt

Ernest P. Brandt (SEAL)
Ernest P. Brandt

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 28th day of May, 1959, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared LILLIE M. BRANDT and ERNEST P. BRANDT, the within named Grantors, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my Notarial Seal.

E. Scott Moore
Notary Public

(NO TITLE SEARCH)

Rec'd for record MAY 28 1959 at 12 P.M.
Per Walter J. Rasmussen, Clerk
Mail to E. Scott Moore
Receipt No. 40029 $ 6.00

ORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-3388] WJR 3533, p. 0614. Printed 03/27/2007. Image available as of 05.

This Deed, made this 24 day of April, 2007, by and between Laurie Buell Griffie, Personal Representative of the Estate of Lawrence G. Buell, Jr., Grantor; and Charles E. Merritt, III and Julie L. Merritt, husband and wife, parties of the second part, Grantee.

Whereas, Lawrence G. Buell, Jr. departed this life on or about November 4, 2006 sized and possessed of the hereinafter described lot of ground and premises; and

Whereas, an Estate for the said Lawrence G. Buell, Jr. was opened in the Office of the Register of Wills for Baltimore County, State of Maryland, as Estate No. 141675, and Laurie Buell Griffie was appointed personal representative of the said Estate; and

Whereas, Laurie Buell Griffie, in her capacity as personal of the Estate has complete and full power and authority by law to grant and convey the entire fee simple interest in the hereinafter described property.

- Witnesseth -

That in consideration of the sum of One Hundred Seventy Five Thousand And 00/100 Dollars ($175,000.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said GRANTOR, in her capacity as Personal Representative as the Estate of Lawrence G. Buell, Jr., does hereby grant and convey to Charles E. Merritt, III and Julie L. Merritt, as tenants by the entirety, the survivor of them, and the Personal Representatives, heirs and assigns of the survivor, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE SAME on the east side of Brandt Avenue at the distance of 150 feet southerly from the southeast corner of Brandt Avenue and Joppa Road and running thence binding on the east side of Brandt Avenue as now located 40 feet wide south 3 degrees 05 minutes west 100 feet thence leaving Brandt Avenue for a new division line parallel with Joppa Road south 87 degrees 05 minutes east 271.10 feet to intersect the eastern outline of the whole tract of land of which the land now being described is a part, thence running and binding on part of said outline north 7 degrees 23 minutes west 101.63 feet, and running parallel with Joppa Road north 87 degrees 05 minutes west 252.66 feet to the place of beginning. TAX I.D. 11/11-06-082511.

BEING the same property which, by Deed dated October 27, 1980, and recorded among the Land Records of Baltimore County, Maryland, in Liber 6224, Folio 565, was granted and conveyed by Leona C. Fuqua unto Lawrence G. Buell, Jr. The said Lawrence G. Buell, Jr. departed this life on or about November 4, 2006.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Charles Merritt and Julie Merritt, as tenants by the entirety, the survivor of them, and the Personal Representatives, heirs and assigns of the survivor, in fee simple.

also known as Charles E. Merritt, III and Julie L. Merritt

Grantor(s) hereby declare(s) and affirm(s) under the penalty of perjury that Grantor(s) is/are a Maryland resident(s)/entity and therefore exempt from the income tax withholding requirements of § 10-912 of the *Tax-General Article, Annotated Code of Maryland.*

Witness the hand and seal of Grantor the day and year first above written.

By: Laurie Buell Griffie
Personal Representative
of the Estate of Lawrence G. Buell, Jr.

STATE OF MARYLAND
COUNTY OF Baltimore, to wit:

I hereby certify that on this 3rd day of April, 2007 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared Laurie Buell Griffie, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged herself to be the Personal Representative of the Estate of Lawrence G. Buell, Jr. and who, in my presence, signed and sealed the foregoing Deed and acknowledged it to be her act and deed as Personal Representative of the foregoing Estate, giving oath under penalties of perjury that the consideration recited herein is correct.

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

Notary Public
My commission expires: 12/1/08

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court

LIBER 8 104 PAGE 392

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By 2/15/89 Date

RW 87-049-2
J.O. 1-2-876
Item 2 (U)

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
For Joy Burgess
Authorized Signature
Date 2-15-89

THIS DEED and AGREEMENT, Made this 23rd day of AUGUST, in the year 1988, between NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, of Baltimore County, State of Maryland, parties of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part.

WHEREAS, the party of the second part desires to construct and maintain sewers, drains, water pipes and other municipal utilities and services in, on, through and across the land hereinafter described, and the parties of the first part are willing to grant such right.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the receipt whereof is hereby acknowledged, the said parties of the first part hereby grant and convey unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in, on, through and across the land of the parties of the first part, situate in Baltimore County, State of Maryland, said sewers, drains, water pipes and other municipal utilities and services to be laid in the easement which is described as follows:

#99562 C001 R02 12:1
02/15/8

Situate in the Eleventh Election District of Baltimore County.

BEING an easement of irregular dimensions across the property of the parties of the first part, said easement containing 0.175 acre (7,620 sq. ft.), more or less, as shown shaded and indicated "DRAINAGE & UTILITY EASEMENT" on Baltimore County Bureau of Land Acquisition Drawing No. RW 87-049-2, which is attached hereto and made a part hereof.

TOGETHER with a temporary easement for construction purposes containing 0.153 acre (6,680 sq. ft.), more or less, as shown indicated "TEMPORARY CONSTRUCTION AREA" on the aforesaid Drawing No. RW 87-049-2, which is attached hereto and made a part hereof; said temporary easement shall become null and void upon the completion of the installation of utility facilities in the easement hereinabove described, and the parties of the first part herein shall hold the property over which the said temporary easement runs free and clear of said temporary easement.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE ___ DATE 2/15/89

ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
4

TOGETHER ALSO with the right of Baltimore County, Maryland, its successors or assigns, employees or agents, to remove any tree having a butt diameter of 3" or less which may be in the aforesaid temporary construction area.

FOR TITLE: See deed dated May 28, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3533, folio 613 from Lillie M. Brandt and Husband to Norman Lewis Brandt and Shirley Brandt, his wife.

AND the parties of the first part do hereby agree that Baltimore County, Maryland, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said municipal utilities and appurtenances, provided, however, that the ground shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on or over the said easement by the parties of the first part, their personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Bureau of Engineering.

AS WITNESS the due execution hereof by the aforenamed parties of the first part.

TEST:

Norman Lewis Brandt (SEAL)
Norman Lewis Brandt

Shirley Brandt (SEAL)
Shirley Brandt

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 23RD day of AUGUST, in the year 1988, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, parties to the within Deed and Agreement, and they acknowledged the same to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Notary Public

APPROVED as to legal form and sufficiency

this 8 day of February, 1989.

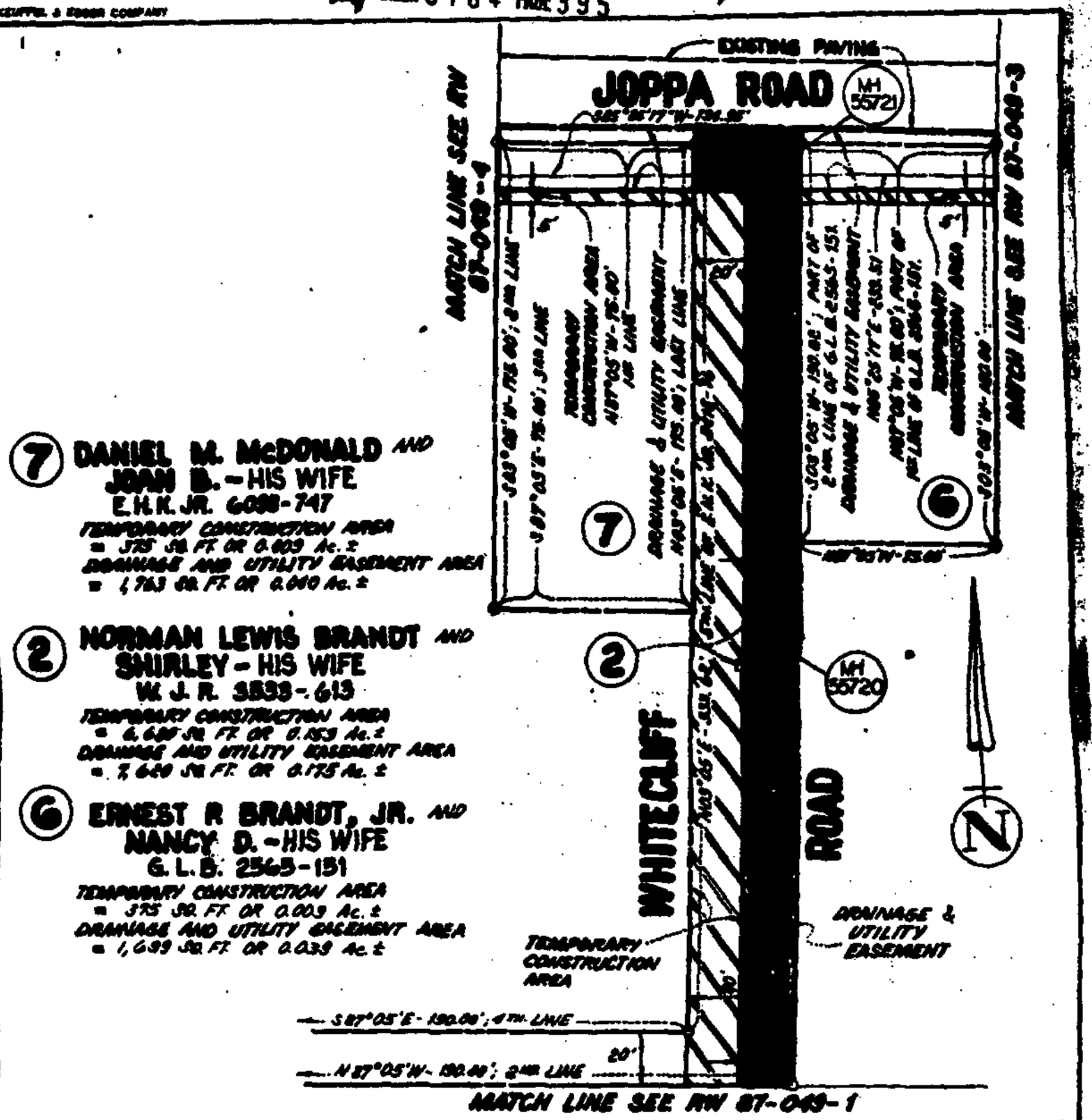
Wm. Bossenbery

Assistant County Attorney

7/15/87

WJB:KLJ:bt
Index: 4/30/87

KEUFFEL & ESSER COMPANY



BALTIMORE COUNTY	DEPARTMENT OF PUBLIC WORKS	BUREAU OF LAND ACQUISITION
DISTRICT NO. 11 C 6	POSITION SHEET NO. / CONSTRUCTION PLAN NO.	FEDERAL PROJECT NO. OR MARYLAND PROJECT NO.

APPROVED ..... ROADS ENGINEER
DATE .....

APPROVED Wesley M. Marsh, Actg. CHIEF, SUPERVISOR LAND ACQUISITION
DATE 7/14/87

APPROVED M. J. Zeuman SUPERVISOR, DIVISION OF DRAFTING
DATE 7-16-87

AREA TO BE ACQUIRED
REVERTIBLE SLOPE EASEMENT
TEMPORARY CONSTRUCTION AREA
EXISTING COUNTY R/W
AREA TO BE RELEASED
TEMPORARY SLOPE EASEMENT

ITEM NO	RECORDED

DRAWN BY JAV
PLAT CHECKED S.F.
AREA CHECKED
TITLE CHECKED S.O.

CONSULTING ENGINEER OR SURVEYOR
DATE ..... REG. NO. .....

SHEET OF

SCALE 1" = 50'

B.C. JOB ORDER NO. 1-2-876

RW 87-049-2

REVISIONS

RW 87-049
Item #2(V)

BALTIMORE COUNTY, MARYLAND

LIBER 8104 PAGE 396

Office of Finance - Revenue Division

REAL PROPERTY TRANSFER - CONSIDERATION AFFIDAVIT

Complete affidavit - original and 1 copy - for each instrument other than mortgage or deed of trust (with or without consideration). Sign and return both copies.

In compliance with Baltimore County Code Title 11, Article IX, Sections 11-69 through 11-85, as amended, it is certified that an instrument described below, representing a transfer of real property including, but not limited to, fee simple estate, leasehold estate, limited estate and legal or equitable interests in real property, is offered for record in Baltimore County. The subject property is identified as follows:

Property Account # Easement

Date of Instrument 8/23/88

Prior Deed Reference: Liber 3533 Folio 613

Amount of Mortgage $

Other (Cash, etc.) $

Total Consideration $2,355.00*

or

Assessed Factor $ *

Exempt Status Claimed per Baltimore County Code 11-85(A)

*Total Consideration is transfer tax base.

DOCUMENTS PRESENTED

- [ ] Deed
- [ ] Deed of Trust
- [ ] Contract
- [ ] Other
- [x] Deed + Agreement
- [ ] Mortgage
- [ ] Lease over 7 years
- [ ] Right-of-way or Easement Agreement

*Is Subject Property Financed by Bonds Issued Under Article 41, Section 266, Annotated Code of Maryland Yes _____ No _____

PERSON OFFERING INSTRUMENT FOR RECORDING:

Name Walter J. Ballesteros

Title Co. or Firm Bureau of Land Acquisition

Address C.O.B. MAIL TO:

Towson, Md 21204

Phone: 494-3294

GRANTOR: Norman Lewis Brandt and Shirley, h/w

I HEREBY CERTIFY under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signed Walter J. Ballesteros

Date 2/14/89

TRANSFERRED PROPERTY KNOWN AS: Esmt. cont. 0.175 acre (7,620 sq. ft.), more or less

- [ ] WHOLE TRANSFER
- [ ] PARTIAL TRANSFER - List Improvements on Partial Transfer
- [ ] Is Plat Availabe for Transfer Office?

GRANTEE Baltimore County, MD Court House

GRANTEE MAILING ADDRESS

OFFICE OF FINANCE USE ONLY:

Agent _____ Amount $ _____ Invoice # _____ Date _____

Tax Bill _____ C.B. Credit _____ Other Credit _____

Comments

LIBER 8720 PAGE 822

RW 88-136-18, -18A
J.O. 5-77-9
Item 43 (U)

THIS DEED and AGREEMENT, Made this 31st day of January, in the year 1991, between NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, parties of the first part; BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part; and LAWRENCE G. BUELL, party of the third part.

WHEREAS, the party of the second part desires to construct and maintain sewers, drains, water pipes and other municipal utilities and services in, on, through and across the land hereinafter described, and the parties of the first part are willing to grant such right.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the receipt whereof is hereby acknowledged, the said parties of the first part hereby grant and convey unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in, on, through and across the land of the parties of the first part, situate in Baltimore County, State of Maryland, said sewers, drains, water pipes and other municipal utilities and services to be laid in the easement which is described as follows:

Situate in the Eleventh Election District of Baltimore County.

BEING an easement of irregular dimensions across the property of the parties of the first part, said easement containing 0.080 acre (3,470 sq. ft.), more or less, as shown shaded and indicated "DRAINAGE & UTILITY EASEMENT" on Baltimore County Bureau of Land Acquisition Drawing No. RW 88-136-18 and RW 88-136-18A, which are attached hereto and made a part hereof.

FOR TITLE: See Deed dated May 28, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3533, folio 613 from Lillie M. Brandt and Ernest P. Brandt, her husband unto Norman Lewis Brandt and Shirley Brandt, his wife.

RECEIVED FOR TRANSFER

TRANSFER TAX

DATE

TRANSFER TAX PAID

BALTIMORE COUNTY, MARYLAND

Joy Bungon

DATE 2-25-91 SEC. 11-55A

PETITIONER'S EXHIBIT 5

ALL-STATE LEGAL®

SEE ALSO Deed of Easement dated October 9, 1988 and recorded among the aforesaid Land Records in Liber S.M. No. 8010, folio 285 by and between Norman Lewis Brandt and Shirley Brandt, his wife and Lawrence G. Buell.

The said Lawrence G. Buell joins in this conveyance solely for the purpose of consenting to and subordinating his easement to the hereinbefore described easements and for that purpose only, fully retaining his easement on the property described in the Deed of Easement dated October 9, 1988 and recorded among the aforesaid Land Records in Liber S.M. No. 8010, folio 285.

AND the parties of the first part do hereby agree that Baltimore County, Maryland, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said municipal utilities and appurtenances, provided, however, that the ground hereinabove described shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on or over the said easement by the parties of the first part, their personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Bureau of Engineering.

AS WITNESS the due execution hereof by the aforenamed parties of the first and third parts.

TEST:

Charles S Reed — Norman Lewis Brandt (SEAL)
Norman Lewis Brandt

Charles S Reed — Shirley Brandt (SEAL)
Shirley Brandt

Charles S Reed — Lawrence G. Buell (SEAL)
Lawrence G. Buell

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 31st day of JANUARY, in the year 1990, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, parties to the within Deed and Agreement, and they acknowledged the same to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Charles L. Reed
Notary Public

CHARLES L. REED NOTARY PUBLIC BALTIMORE COUNTY, MD.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 31st day of JANUARY, in the year 1990, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared LAWRENCE G. BUELL, Easement Owner, party to the within Deed and Agreement, and he acknowledged the same to be his act as said Easement Owner, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Charles L. Reed
Notary Public

CHARLES L. REED NOTARY PUBLIC BALTIMORE COUNTY, MD.

Reviewed for form and legal sufficiency and approved for execution this day this 14th day of February, 1990.

Paul Angelos
Assistant County Attorney

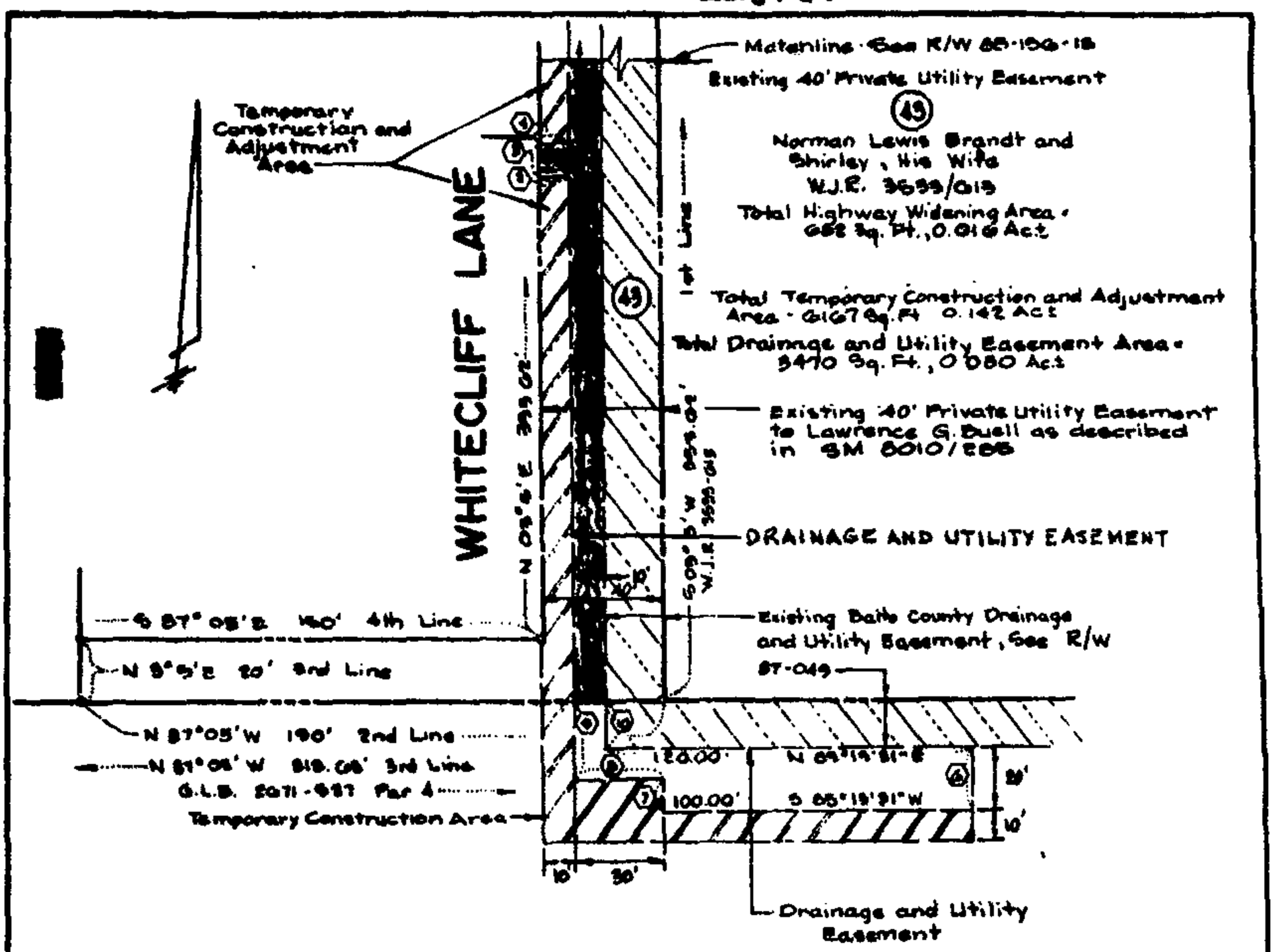
7/2/90

WJB:DB:bt
Index: 6/14/90

This is to certify that the within instrument was prepared under the supervision of the Assistant Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

Walter J. Ballestero
Asst. Title Examination Supervisor

LIBER 8720 PAGE 825



(53)

Nottingham Properties, Inc.
G.L.B. 2071/521 Par. 4
Drainage and Utility Easement Area - 2451 Sq. Ft., 0.056 Ac.±
Temporary Construction Area - 2051 Sq. Ft., 0.047 Ac.±

(1)	S 85° 19' 31" W	10.00'
(2)	S 85° 19' 31" W	10.00'
(3)	N 04° 50' 42" E	10.00'
(4)	N 85° 19' 31" E	10.00'
(5)	N 04° 50' 42" W	160.02'
(6)	S 04° 46' 50" E	20.00'
(7)	N 04° 50' 42" W	10.00'
(8)	S 85° 19' 31" W	30.00'
(9)	N 04° 50' 42" E	25.00'
(10)	S 04° 50' 42" E	15.00

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

DISTRICT NO. 11C6 | POSITION SHEET NO. | CONSTRUCTION PLAN NO. | FEDERAL PROJECT NO. OR MARYLAND PROJECT NO.

APPROVED [signature] CHIEF ENGINEER
DATE 5/3/79

AREA TO BE ACQUIRED
REVERTIBLE SLOPE EASEMENT
TEMPORARY CONSTRUCTION AREA
EXISTING COUNTY R/W
AREA TO BE RELEASED
TEMPORARY SLOPE EASEMENT

CONSULTING ENGINEER OR SURVEYOR
DATE ..... REG. NO. .....

APPROVED [signature] CHIEF, BUREAU OF LAND ACQUISITION
DATE 5-30-79

APPROVED [signature] SUPERVISOR, DIVISION OF DRAFTING
DATE 5-29-79

ITEM NO.	RECORDED

DRAWN BY EDWARD M. TRESS
PLAT CHECKED B.W.E.
AREA CHECKED
TITLE CHECKED

SHEET 18A OF
SCALE 1" = 50'
B.C. JOB ORDER NO. 6-77-9
RW 88-156-18A

REVISIONS

RW 88-136
Item #43 (U)

LIBER 8720 PAGE 826

BALTIMORE COUNTY, MARYLAND

Office of Finance - Revenue Division

REAL PROPERTY TRANSFER - CONSIDERATION AFFIDAVIT

Complete affidavit - original and 1 copy - for each instrument other than mortgage or deed of trust (with or without consideration). Sign and return both copies.

In compliance with Baltimore County Code Title 11, Article IX, Sections 11-73 through 11-87, as amended, it is certified that an instrument described below, representing a transfer of real property including, but not limited to, fee simple estate, leasehold estate, limited estate and legal or equitable interests in real property, is offered for record in Baltimore County. The subject property is identified as follows:

Property Account # Easement

Date of Instrument 1/31/91

DOCUMENTS PRESENTED

- [ ] Deed
- [ ] Deed of Trust
- [ ] Contract
- [ ] Other - Specify _____
- [x] Agreement (Deed)
- [ ] Mortgage
- [ ] Lease over 7 years
- [ ] Right-of-way or Easement Agreement

Prior Deed Reference:
Liber 3533 Folio 613

Balance of Existing Mortgage $ _____

Amount of New Mortgage $ _____

Other (cash, etc.) $ _____

Total Consideration $ 1,422.00 *

or

Assessed Factor $ _____ *

Exempt Status Claimed per Baltimore County Code 11-85(A)

*Total Consideration is transfer tax base.

*Is Subject Property Financed by Bonds Issued Under Article 41, Section 266, Annotated Code of Maryland Yes _____ No _____

PERSON OFFERING INSTRUMENT FOR RECORDING:

Name Walter J. Ballesteros

Title Co. or Firm Bureau of Land Acquisition

Address C.O.B.

Towson, Md 21204

Phone: 887-3294

GRANTOR:
Norman Lewis Brandt and Wife

I HEREBY CERTIFY under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signed Walter J. Ballesteros

Date 2/25/91

TRANSFERRED PROPERTY KNOWN AS:
Esmt. cont. 0.080 acre (3,470 sq. ft.), more or less

- [ ] WHOLE TRANSFER
- [ ] PARTIAL TRANSFER-List Improvements or Partial Transfer
- [ ] Is Plat Available for Transfer Office?

GRANTEE Baltimore County, MD
Court House

GRANTEE MAILING ADDRESS _____

OFFICE OF FINANCE USE ONLY.....

Agent _____ Amount $ _____ Invoice # _____ Date _____

Tax Bill _____ C.B. Credit _____ Ag. Tax or Other _____

Comments: _____

LIBER 8721 PAGE 12

Code: 05--RW-88-136-18, 18A
J.O. 5-77-9
Item 43 (H)

COUNTY HIGHWAY DEED

THIS DEED, Made this 31st day of JANUARY, in the year 1991, by NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife of Baltimore County, State of Maryland, Grantors; BALTIMORE COUNTY, MARYLAND, a body corporate and politic, Grantee; and LAWRENCE G. BUELL, Easement Owner.

WITNESSETH, that in consideration of the sum of Five ($5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey unto BALTIMORE COUNTY, MARYLAND, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes, all that lot of ground situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEING a parcel of land of irregular dimensions across the property of the Grantors, said parcel of land containing 0.016 acre (682 sq. ft.), more or less, to be used for the widening of JOPPA ROAD, as shown shaded and indicated "HIGHWAY WIDENING" on Baltimore County Bureau of Land Acquisition Drawing No. RW 88-136-18, which is attached hereto and made a part hereof.

TOGETHER with temporary easements for construction purposes over the property of the Grantors, containing 0.142 acre (6,167 sq. ft.), more or less, as shown indicated "TEMPORARY CONSTRUCTION AND ADJUSTMENT AREA" on Baltimore County Bureau of Land Acquisition Drawing No. RW 88-136-18 and RW 88-136-18A, which are attached hereto and made a part hereof; said temporary easements shall become null and void upon the completion of construction of the entire project, and the Grantors herein shall hold the property over which the said temporary easements run free and clear of said temporary easements.

TOGETHER ALSO with the right of Baltimore County, Maryland, its successors or assigns, employees or agents, to remove any tree having a butt diameter of 3" or less, which may be in the aforesaid temporary construction area.

02/27/91 R02 T10:55

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By 2-27-91
Date

TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY, MARYLAND
Per Joy Burgan
Date 2-26-91 Sec. 11.85A

TAX
DATE 2-27-91

ALL-STATE LEGAL®
PETITIONER'S EXHIBIT
6

TOGETHER ALSO with all right, title and interest of the Grantors in and to the bed of JOPPA ROAD and WHITECLIFF LANE, as shown on the aforesaid Drawings Nos. RW 88-136-18 and RW 88-136-18A, which are attached hereto and made a part hereof.

BEING a portion of the property which by Deed dated May 28, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3533, folio 613 was granted and conveyed from Lillie M. Brandt and Ernest P. Brandt, her husband unto Norman Lewis Brandt and Shirley Brandt, his wife.

SEE ALSO Deed of Easement dated October 9, 1988 and recorded among the aforesaid Land Records in Liber S.M. No. 8010, folio 285 by and between Norman Lewis Brandt and Shirley Brandt, his wife and Lawrence G. Buell.

The said Lawrence G. Buell joins in this conveyance solely for the purpose of consenting to and subordinating his easement to the hereinbefore described easements and for that purpose only, fully retaining his easement on the property described in the Deed of Easement dated October 9, 1988 and recorded among the aforesaid Land Records in Liber S.M. No. 8010, folio 285.

TOGETHER with the appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted property unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, in fee simple, for public highway purposes.

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

AS WITNESS the due execution hereof by the aforenamed Grantors, Grantee and Easement Owner.

TEST:

Charles L Reed — Norman Lewis Brandt (SEAL)
Norman Lewis Brandt

Charles L Reed — Shirley Brandt (SEAL)
Shirley Brandt

Charles S Reed

Lawrence G. Buell (SEAL)
Lawrence G. Buell

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 31st day of JANUARY, in the year 1991, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared NORMAN LEWIS BRANDT and SHIRLEY BRANDT, his wife, and they acknowledged the foregoing Deed to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Charles S Reed
Notary Public

CHARLES S. REED NOTARY PUBLIC BALTIMORE COUNTY, MD.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 31st day of JANUARY, in the year 1991, before me, the subscriber, a Notary Public of the State of Maryland, in and for the COUNTY aforesaid, personally appeared LAWRENCE G. BUELL, Easement Owner, and he acknowledged the foregoing Deed to be his act as said Easement Owner, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Charles S Reed
Notary Public

CHARLES S. REED NOTARY PUBLIC BALTIMORE COUNTY, MD.

Reviewed for form and legal sufficiency and approved for execution this 12th day of FEBRUARY, 1991.

L Paul Fundis
Assistant County Attorney

APPROVED and ACCEPTED this 19th day of February, ~~1990~~. 1991

BALTIMORE COUNTY, MARYLAND

BY: Roger B. Hayden
Roger B. Hayden
County Executive

ATTEST:

Executive Secretary

7/2/90

MJB:DB:bt
Index: 6/14/90
Acct. No. 11-02-068181

This is to certify that the within instrument was prepared under the supervision of the Assistant Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

Walter J. Ballesteros
Asst. Title Examination Supervisor

A 15' Strip reserved for the widening of Joppa Road as stated in EHK,Jr. 6038/747

JOPPA ROAD

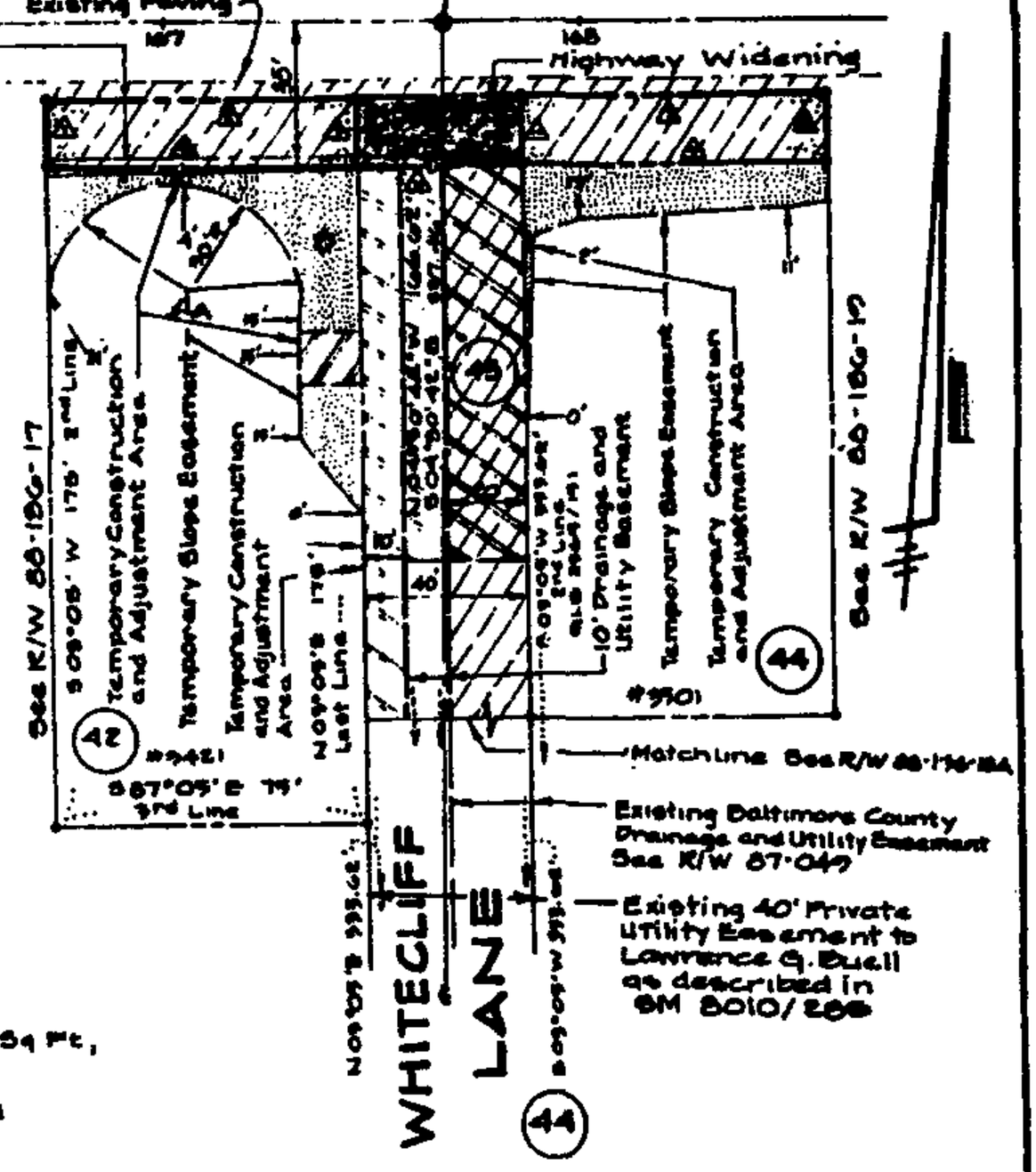
Existing Paving

Highway Widening

0+00 Whitecliff Ln.

℄ CURVE DATA
R= 11459.16
L= 257.29'
Δ= 01°17'47"

1. N 04°30'42" W 16.14.
2. N 87°05' W 75.00' 1ST LINE
   N 85°19'30" E 75.00'
3. S 04°30'42" E 16.95'
4. R= 11494.15 L= 75.00'
   CD= S 85°49'44" W 75.00'
5. S 87°05' E 40' Last Line
   S 85°19'30" W 40.00'
6. R= 11494.15' L= 40.00'
   CD= N 85°52'32" E 40.00'
7. P/O N 87°05' W 225' 1st Line
   N 85°19'30" E 75.00'
8. S 04°30'42" E 17.19'
9. R= 11494.15 L= 75.00'
   CD= S 85°15'21" W 75.00'
10. N 04°30'42" W 17.15'
11. R= 11494.15' L= 10.04'
    CHD= N 80°52'55" E 10.04'



(42) Daniel M. McDonald and Joan B., his wife
EHK, Jr. 6038/ 747

Highway Widening Area: 1243 Sq Ft, 0.029 Ac±

Temporary Construction and Adjustment Area:
211 Sq Ft, 0.005 Ac±

Temporary Slope Easement Area:
1152 Sq Ft · 0.026 Ac±

(45)

Norman Lewis Brandt and Shirley, His wife
WJR 5553/618

Total Highway Widening Area:
682 Sq. Ft. = 0.016 Ac±

Total Drainage and Utility Easement Area:
3470 Sq Ft, 0.080 Ac±

Total Temporary Construction And Adjustment Area:
6167 Sq Ft, 0.142 Ac±

(44) Ernest F. Brandt, Jr. and Nancy D. His Wife
GLB 2909/151

Highway Widening Area:
1291 Sq.Ft. = 0.030 Ac±

Temporary Construction and Adjustment Area:
6 Sq. Ft.±

Temporary Slope Easement Area:
967 Sq Ft · 0.022 Ac±

	Sta	Offset
* A	167+04.50	◆ 68.75 Rt
B	167+51.81	◆ 56.54 Rt

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

DISTRICT NO. 11 c 6

POSITION SHEET NO.
CONSTRUCTION PLAN NO.

FEDERAL PROJECT NO. OR MARYLAND PROJECT NO.

APPROVED ROADS ENGINEER
DATE 5/30/90

APPROVED CHIEF, BUREAU OF LAND ACQUISITION
DATE 5-30-90

APPROVED SUPERVISOR, DIVISION OF DRAFTING
DATE 5-25-90

AREA TO BE ACQUIRED
REVERTIBLE SLOPE EASEMENT
TEMPORARY CONSTRUCTION AREA
EXISTING COUNTY R/W
AREA TO BE RELEASED
TEMPORARY SLOPE EASEMENT

CONSULTING ENGINEER OR SURVEYOR
DATE ..... REG. NO. .....

ITEM NO	RECORDED

DRAWN BY JAA
PLAT CHECKED
AREA CHECKED
TITLE CHECKED

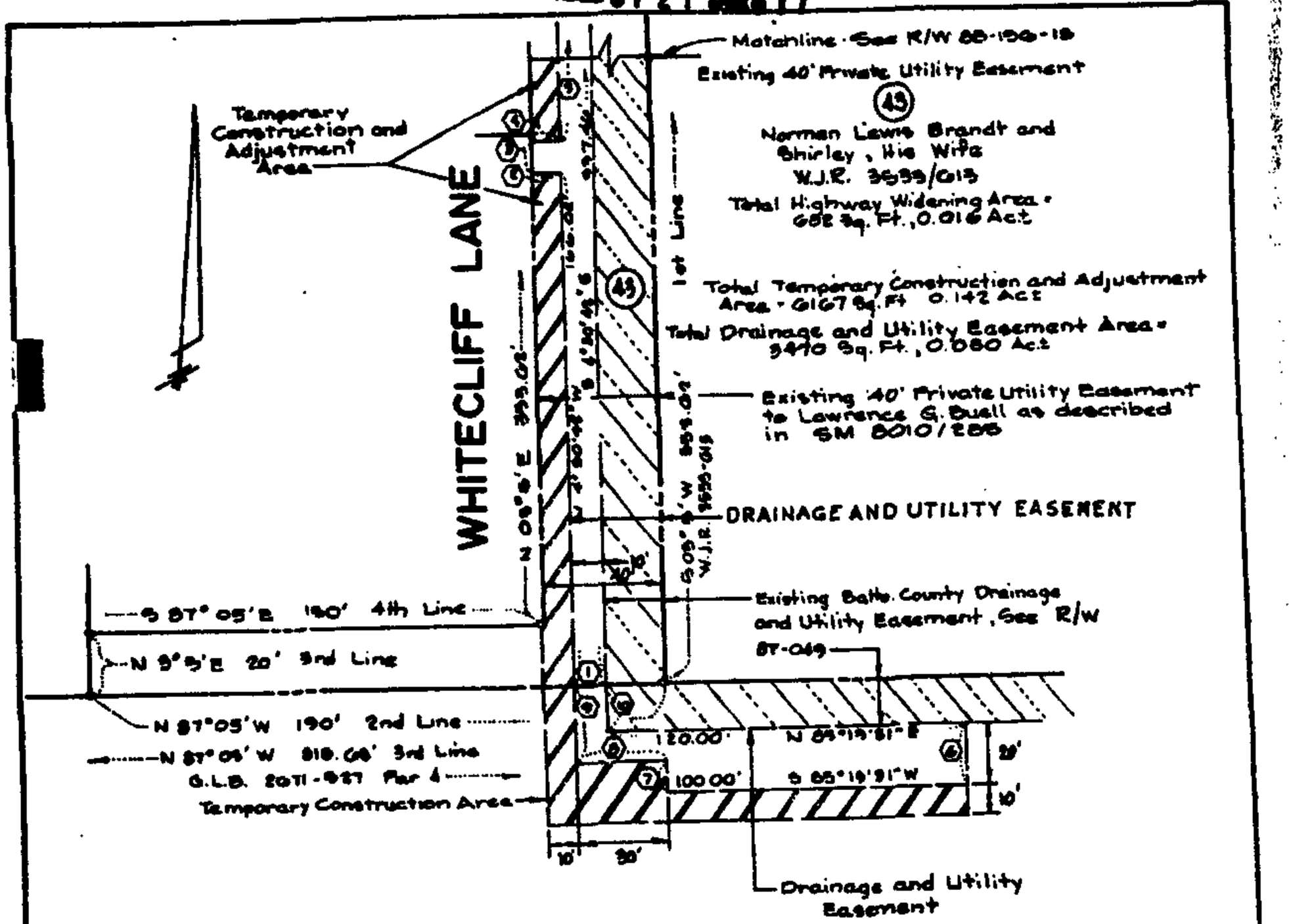
SHEET OF

SCALE 1"=50'

B.C. JOB ORDER NO. 5-77-9

RW 88-196-18

REVISIONS



(53)

Nottingham Properties, Inc.
G.L.B. 2671/527 Par.4
Drainage and Utility Easement Area = 2051 Sq. Ft., 0.050 Ac.±
Temporary Construction Area = 2051 Sq. Ft., 0.047 Ac.±

(1) S 89° 19' 51" W	10.00'
(2) S 89° 19' 51" W	10.00'
(3) N 04° 50' 42" E	10.00'
(4) N 89° 19' 51" E	10.00'
(5) N 04° 50' 42" W	160.02'
(6) S 04° 46' 50" E	20.00'
(7) N 04° 50' 42" W	10.00'
(8) S 89° 19' 51" W	50.00'
(9) N 04° 50' 42" E	25.00'
(10) S 04° 50' 42" E	15.00

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF LAND ACQUISITION

DISTRICT NO. 11C6

POSITION SHEET NO.
CONSTRUCTION PLAN NO.

FEDERAL PROJECT NO. OR MARYLAND PROJECT NO.

APPROVED ..... CHIEF ENGINEER
DATE 5/30/91

AREA TO BE ACQUIRED
REVERTIBLE SLOPE EASEMENT
TEMPORARY CONSTRUCTION AREA
EXISTING COUNTY R/W
AREA TO BE RELEASED
TEMPORARY SLOPE EASEMENT

CONSULTING ENGINEER OR SURVEYOR
DATE ..... REG. NO. .....

APPROVED ..... CHIEF, BUREAU OF LAND ACQUISITION
DATE 3-26-90

APPROVED ..... SUPERVISOR, DIVISION OF DRAFTING
DATE 3-29-90

ITEM NO	RECORDED

DRAWN BY EDWARD M. TRESS
PLAT CHECKED S.W.E.
AREA CHECKED
TITLE CHECKED

SHEET 18A OF

REVISIONS

SCALE 1" = 50'

B.C. JOB ORDER NO. 6-77-9

RW 88-156-18A

RW 88-136
Item #43 (H)

BALTIMORE COUNTY, MARYLAND

Office of Finance - Revenue Division

REAL PROPERTY TRANSFER - CONSIDERATION AFFIDAVIT

Complete affidavit - original and 1 copy - for each instrument other than mortgage or deed of trust (with or without consideration). Sign and return both copies.

In compliance with Baltimore County Code Title 11, Article IX, Sections 11-73 through 11-87, as amended, it is certified that an instrument described below, representing a transfer of real property including, but not limited to fee simple estate, leasehold estate, limited estate and legal or equitable interests in real property, is offered for record in Baltimore County. The subject property is identified as follows:

Property Account # 11-02-068181

Date of Instrument 1/31/91

DOCUMENTS PRESENTED

- [x] Deed
- [ ] Deed of Trust
- [ ] Contract
- [ ] Other - Specify _____
- [ ] Agreement
- [ ] Mortgage
- [ ] Lease over 7 years
- [ ] Right-of-way or Easement Agreement

Prior Deed Reference:
Liber 3533 Folio 613

Balance of Existing Mortgage $ _____

Amount of New Mortgage $ _____

Other (cash, etc.) $ _____

Total Consideration $ 4,215.00 *

or

Assessed Factor $ _____ *

Exempt Status Claimed per Baltimore County Code 11-85(A)

*Total Consideration is transfer tax base.

*Is Subject Property Financed by Bonds Issued Under Article 41, Section 266, Annotated Code of Maryland Yes _____ No _____

PERSON OFFERING INSTRUMENT FOR RECORDING:

Name Walter J. Ballesteros

Title Co. or Firm Bureau of Land Acquisition

Address C.O.B.

Towson, Md 21204

Phone: 887-3294

GRANTOR:

Norman Lewis Brandt and Wife

I HEREBY CERTIFY under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief.

Signed Walter J. Ballesteros

Date 2/25/91

TRANSFERRED PROPERTY KNOWN AS:

Parcel cont. 0.016 acre (682 sq. ft.), more or less

- [ ] WHOLE TRANSFER
- [ ] PARTIAL TRANSFER-List Improvements or Partial Transfer
- [ ] Is Plat Available for Transfer Office?

GRANTEE Baltimore County, MD
Court House

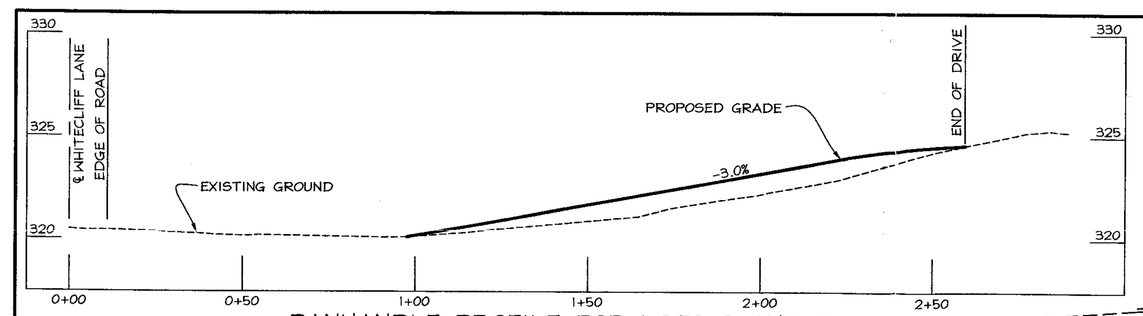
GRANTEE MAILING ADDRESS _____

OFFICE OF FINANCE USE ONLY.....

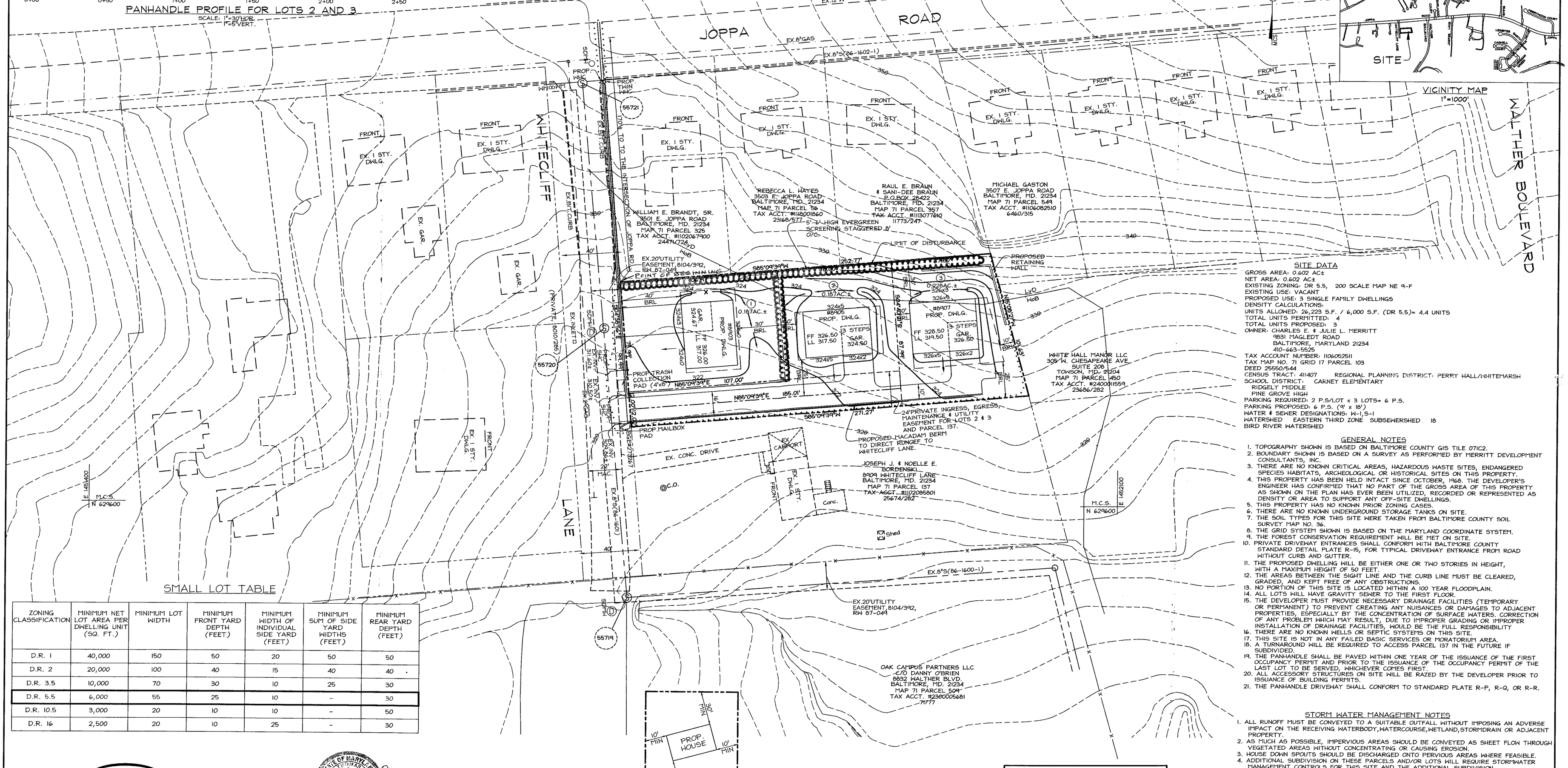
Agent _____ Amount $ _____ Invoice # _____ Date _____

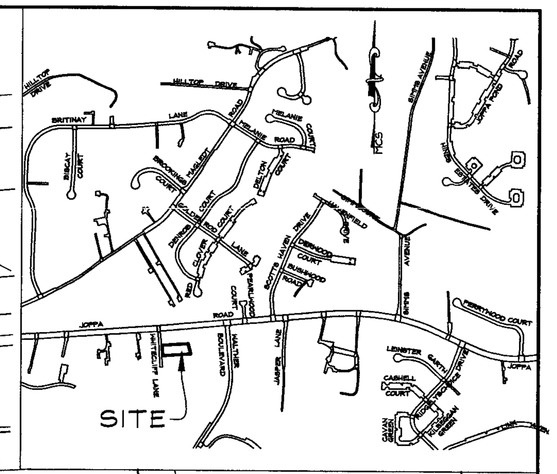
Tax Bill _____ C.B. Credit _____ Ag. Tax or Other _____

Comments: _____



PANHANDLE PROFILE FOR LOTS 2 AND 3
SCALE: 1"=30' HOR.
1"=5' VERT.





VICINITY MAP
1"=1000'

SITE DATA

GROSS AREA: 0.602 AC±
NET AREA: 0.602 AC±
EXISTING ZONING: DR 5.5, 200 SCALE MAP NE 9-F
EXISTING USE: VACANT
PROPOSED USE: 3 SINGLE FAMILY DWELLINGS
DENSITY CALCULATIONS:
UNITS ALLOWED: 26,223 S.F. / 6,000 S.F. (DR 5.5)= 4.4 UNITS
TOTAL UNITS PERMITTED: 4
TOTAL UNITS PROPOSED: 3
OWNER: CHARLES E. & JULIE L. MERRITT
9831 MAGLEDT ROAD
BALTIMORE, MARYLAND 21234
410-663-5525
TAX ACCOUNT NUMBER: 1106052511
TAX MAP NO. 71 GRID 17 PARCEL 103
DEED 25550/544
CENSUS TRACT: 411407 REGIONAL PLANNING DISTRICT: PERRY HALL/WHITEMARSH
SCHOOL DISTRICT: CARNEY ELEMENTARY
RIDGELY MIDDLE
PINE GROVE HIGH
PARKING REQUIRED: 2 P.S./LOT x 3 LOTS= 6 P.S.
PARKING PROPOSED: 6 P.S. (9' x 18')
WATER & SEWER DESIGNATIONS: W-1, S-1
WATERSHED EASTERN THIRD ZONE SUBSEWERSHED 18
BIRD RIVER WATERSHED

GENERAL NOTES

1. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILE 071C2.
2. BOUNDARY SHOWN IS BASED ON A SURVEY AS PERFORMED BY MERRITT DEVELOPMENT CONSULTANTS, INC.
3. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
4. THIS PROPERTY HAS BEEN HELD INTACT SINCE OCTOBER, 1968. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
5. THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
6. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
7. THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 36.
8. THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM.
9. THE FOREST CONSERVATION REQUIREMENT WILL BE MET ON SITE.
10. PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15, FOR TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITHOUT CURB AND GUTTER.
11. THE PROPOSED DWELLING WILL BE EITHER ONE OR TWO STORIES IN HEIGHT, WITH A MAXIMUM HEIGHT OF 50 FEET.
12. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
13. NO PORTION OF THIS SITE IS LOCATED WITHIN A 100 YEAR FLOODPLAIN.
14. ALL LOTS WILL HAVE GRAVITY SEWER TO THE FIRST FLOOR.
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STORM WATER MANAGEMENT NOTES

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3. HOUSE DOWN SPOUTS SHOULD BE DISCHARGED ONTO PERVIOUS AREAS WHERE FEASIBLE.
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SMALL LOT TABLE

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D.R. 1	40,000	150	50	20	50	50
D.R. 2	20,000	100	40	15	40	40
D.R. 3.5	10,000	70	30	10	25	30
D.R. 5.5	6,000	55	25	10	-	30
D.R. 10.5	3,000	20	10	10	-	50
D.R. 16	2,500	20	10	25	-	30

TYPICAL LOT LAYOUT
NOT TO SCALE

ZONING REGULATIONS (DR-5.5)
FRONT - 25'
REAR - 30'
SIDE YARD 10'

LIMIT OF DISTURBANCE
27,900 SF OR 0.64 AC±

REVISION BLOCK		
DATE	COMMENTS	BY
4/19/2007	1ST REVIEW COMMENTS	MDC

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 07048M
DEVELOPMENT REGULATIONS
☐ Exempt from Article 32, Title 4, Subtitle 2, BBC
☐ Panhandle exempt from Sections 32-4-211 through 32-4-217 and Sections 32-4-226 and 32-4-227, BBC
PDM CERTIFICATION
☐ Approved ☐ Disapproved
By: _____ Date: _____
APPROVED DEPRM
By: _____ Date: _____

MDC
MERRITT DEVELOPMENT CONSULTANTS INC.
2416 EAST JOPPA ROAD BALTIMORE, MARYLAND 21234
PHONE: 410-663-5525 FAX: 410-663-4315
MERRITTDC@COMCAST.NET

STATE OF MARYLAND
MICHAEL TODD HAYES
No. 22402
REGISTERED PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE AGENCY COMMENTS DATED APRIL 19, 2007 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCIES COMMENTS.

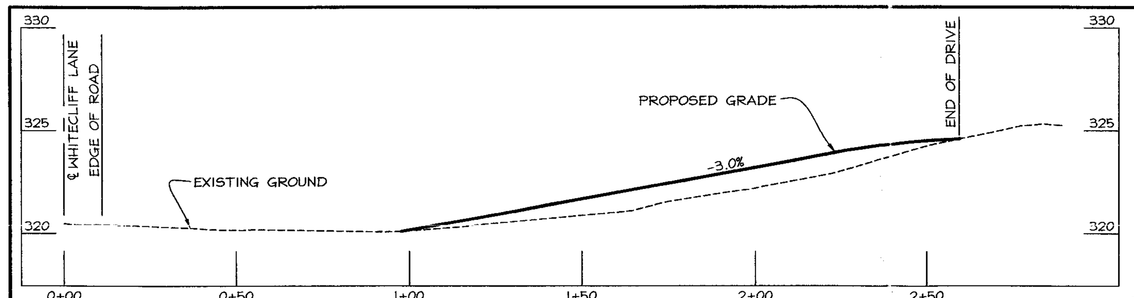
PLAN TO ACCOMPANY SPECIAL HEARING & MINOR SUBDIVISION PLAN
WHITECLIFF LANE

DISTRICT 11C6 BALTIMORE COUNTY, MD
SCALE: 1"=30' MARCH 2, 2007

07112

08-076

I:\8909 WHITECLIFF LANE\dwg\PLAN TO ACC SPEC HRG.dwg, 8/14/2007 11:44:48 AM, HP DesignJet 500 42 by HP.pc3, User1309, 1:30



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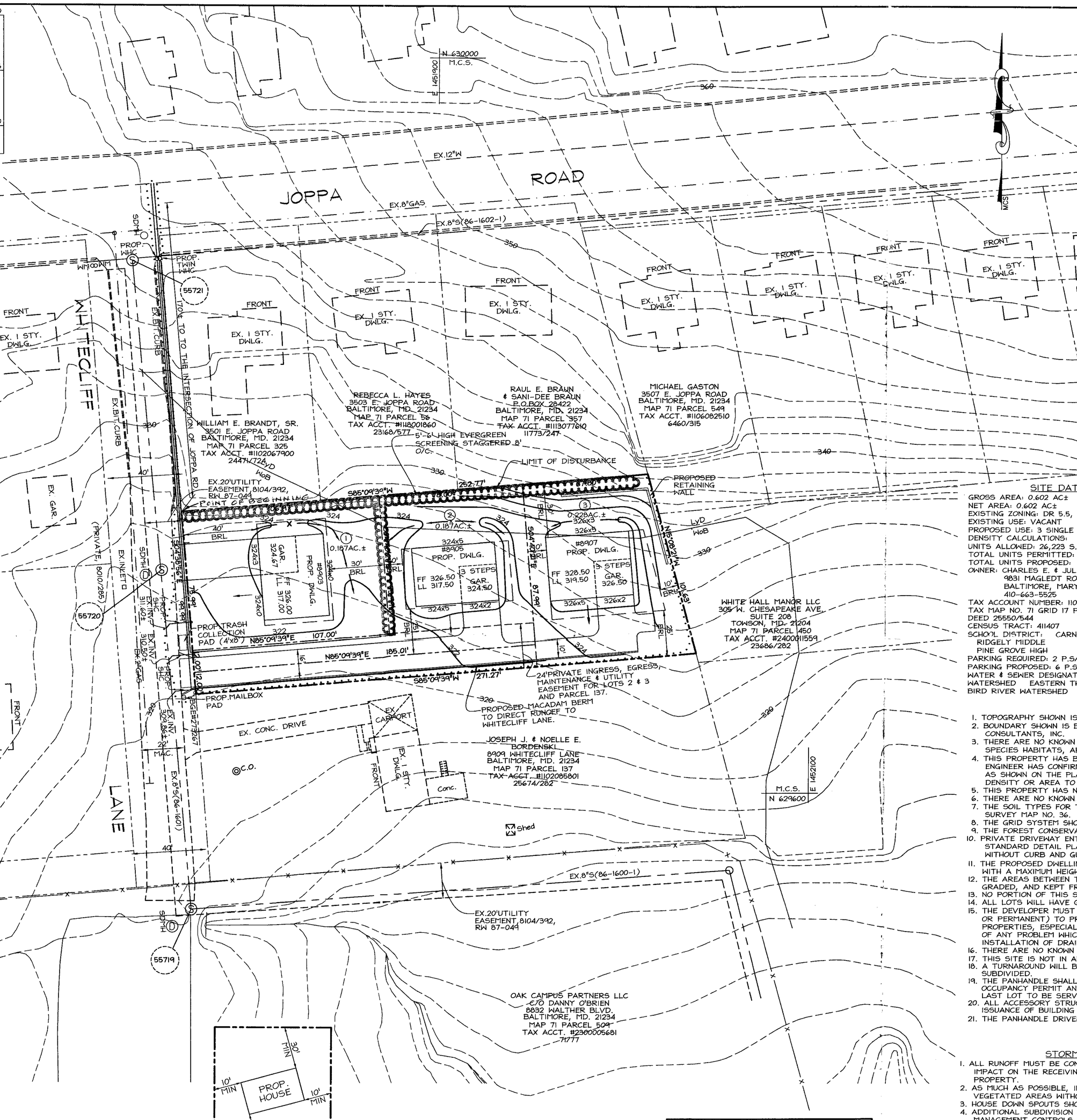

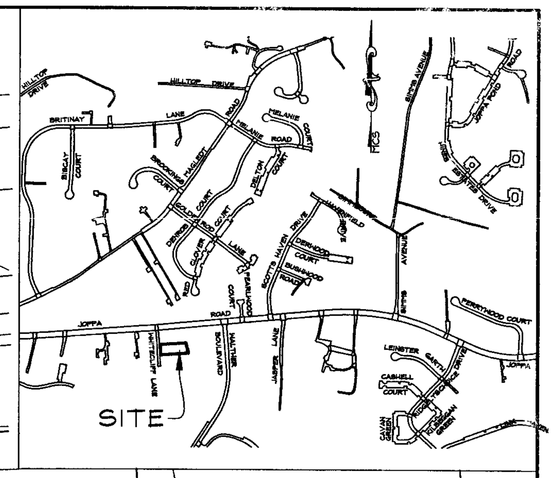

VICINITY MAP
1"=1000'

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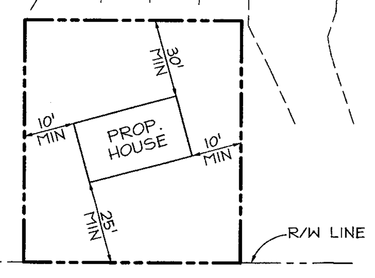

TYPICAL LOT LAYOUT
NOT TO SCALE

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LIMIT OF DISTURBANCE
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REVISION BLOCK		
DATE	COMMENTS	BY
4/19/2007	1ST REVIEW COMMENTS	MDC

BALTIMORE COUNTY MINOR SUBDIVISION	
Project No. 07048M	
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☐ Exempt from Article 32, Title 4, Subtitle 2, BBC	
☐ Panhandle exempt from Sections 32-4-211 through 32-4-217 and Sections 32-4-226 and 32-4-227, BBC	
POM CERTIFICATION	
☐ Approved	☐ Disapproved
By:	Date:
APPROVED DEPRM	
By:	Date:

MDC
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2416 EAST JOPPA ROAD BALTIMORE, MARYLAND 21234
PHONE: 410-663-5525 FAX: 410-663-4315
MERRITTDC@COMCAST.NET

STATE OF MARYLAND
LICENSED PROFESSIONAL ENGINEER
No. 10025
REGISTERED PROFESSIONAL LAND SURVEYOR

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PLAN TO ACCOMPANY SPECIAL HEARING & MINOR SUBDIVISION PLAN
WHITECLIFF LANE

DISTRICT 11C6 BALTIMORE COUNTY, MD
SCALE: 1"=30' MARCH 2, 2007

07112

08-070

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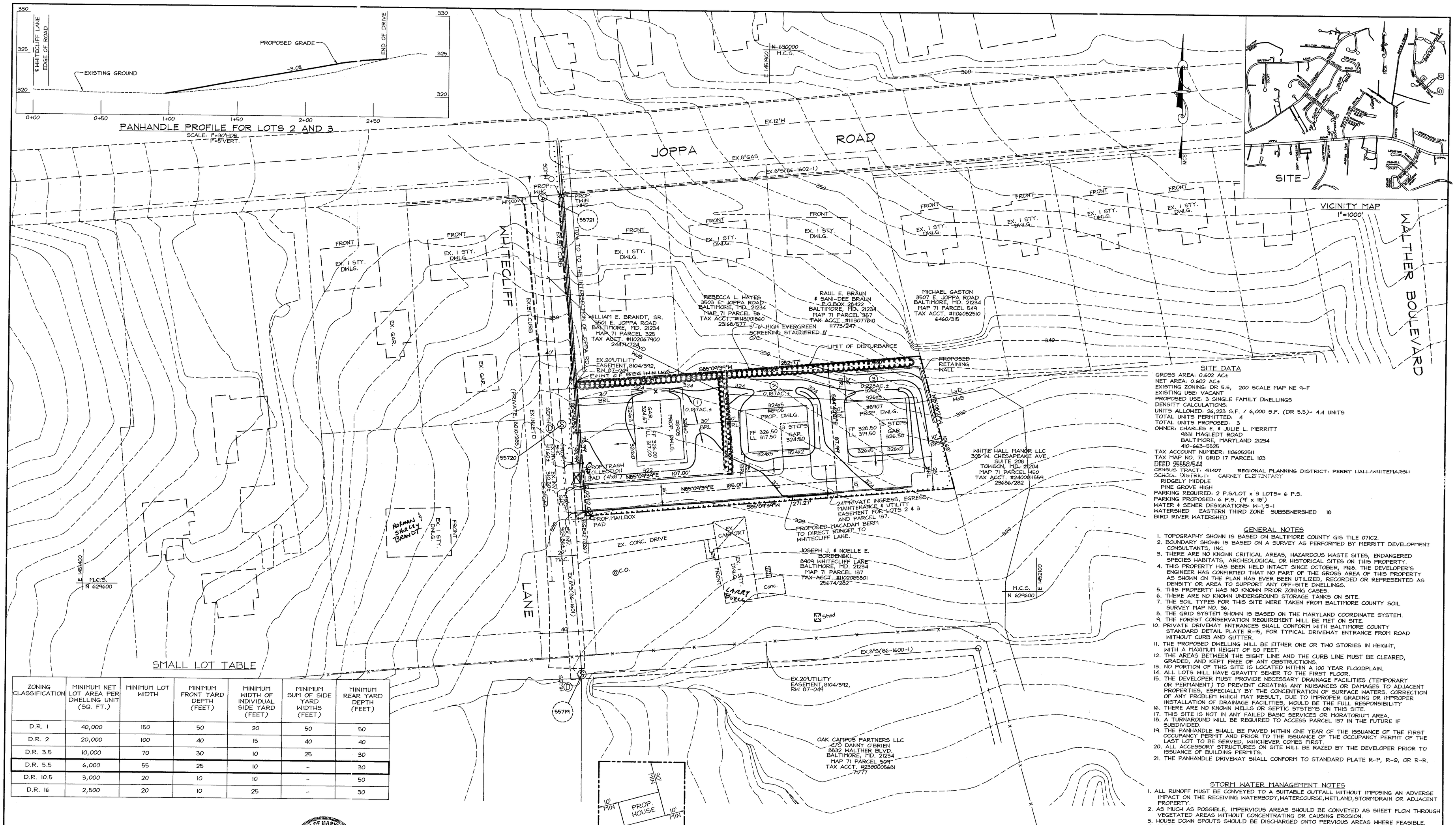

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D.R. 3.5	10,000	70	30	10	25	30
D.R. 5.5	6,000	55	25	10	-	30
D.R. 10.5	3,000	20	10	10	-	50
D.R. 16	2,500	20	10	25	-	30

TYPICAL LOT LAYOUT
NOT TO SCALE

ZONING REGULATIONS (DR-5.5)
FRONT - 25'
REAR - 30'
SIDE YARD 10'

LIMIT OF DISTURBANCE
27,900 SF OR 0.64 AC±

REVISION BLOCK		
DATE	COMMENTS	BY
4/19/2007	1ST REVIEW COMMENTS	MDC

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 07048M

DEVELOPMENT REGULATIONS
☐ Exempt from Article 32, Title 4, Subtitle 2, BBC
☐ Panhandle exempt from Sections 32-4-211 through 32-4-217 and Sections 32-4-226 and 32-4-227, BBC

PDM CERTIFICATION
☐ Approved ☐ Disapproved
By: _____ Date: _____

APPROVED DEPRM
By: _____ Date: _____

MDC
MERRITT DEVELOPMENT CONSULTANTS INC.
2416 EAST JOPPA ROAD BALTIMORE, MARYLAND 21234
PHONE: 410-663-5525 FAX: 410-663-4315
MERRITTDC@COMCAST.NET

STATE OF MARYLAND
RICHARD J. HOGAN
No. 10025
PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE AGENCY COMMENTS DATED APRIL 19, 2007 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCIES COMMENTS.

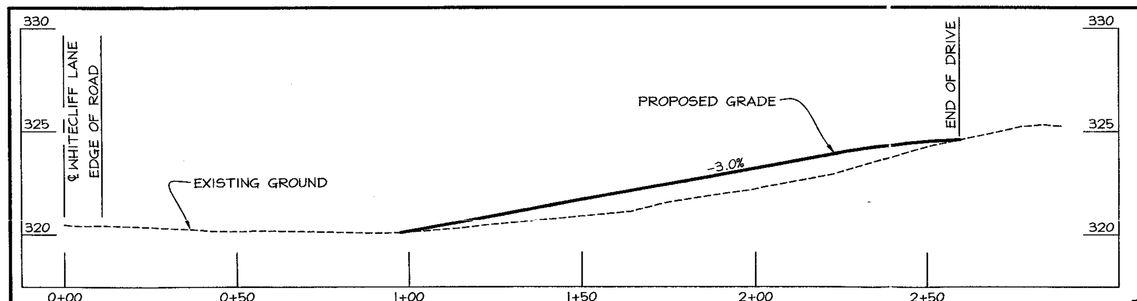
PLAN TO ACCOMPANY
SPECIAL HEARING &
MINOR SUBDIVISION PLAN
WHITECLIFF LANE
DISTRICT 11C6 BALTIMORE COUNTY, MD
SCALE: 1"=30' MARCH 2, 2007

07112

PETITIONER'S
EXHIBIT NO. 1

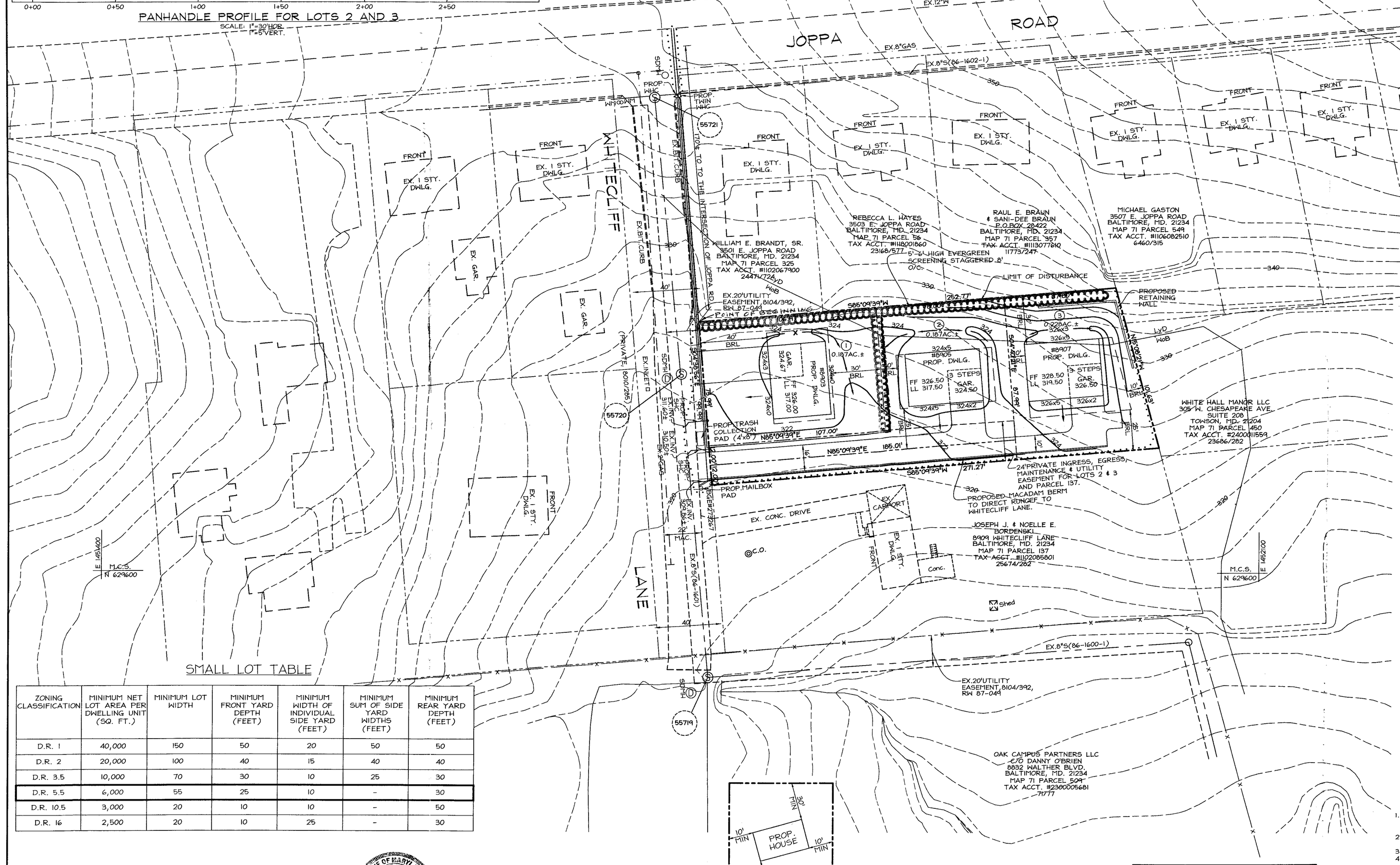
08-070

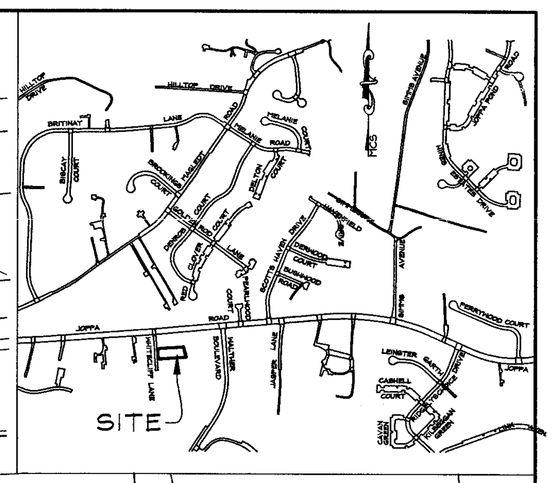
:\8909 WHITECLIFF LANE\dwg\PLAN TO ACC SPEC HRG.dwg, 8/14/2007 11:44:48 AM, HP DesignJet 500 42 by HP.pc3, User1309, 1:30



PANHANDLE PROFILE FOR LOTS 2 AND 3

SCALE: 1"=30' HOR.
1"=5' VERT.





VICINITY MAP
1"=1000'

SITE DATA

GROSS AREA: 0.602 AC±
NET AREA: 0.602 AC±
EXISTING ZONING: DR 5.5, 200 SCALE MAP NE 9-F
EXISTING USE: VACANT
PROPOSED USE: 3 SINGLE FAMILY DWELLINGS
DENSITY CALCULATIONS:
UNITS ALLOWED: 26,223 S.F. / 6,000 S.F. (DR 5.5)= 4.4 UNITS
TOTAL UNITS PERMITTED: 4
TOTAL UNITS PROPOSED: 3
OWNER: CHARLES E. & JULIE L. MERRITT
9831 MAGLEDT ROAD
BALTIMORE, MARYLAND 21234
410-663-5525
TAX ACCOUNT NUMBER: 1106052511
TAX MAP NO. 71 GRID 17 PARCEL 103
DEED 25550/544
CENSUS TRACT: 411407 REGIONAL PLANNING DISTRICT: PERRY HALL/WHITEMARSH
SCHOOL DISTRICT: CARNEY ELEMENTARY
RIDGELY MIDDLE
PINE GROVE HIGH
PARKING REQUIRED: 2 P.S./LOT x 3 LOTS= 6 P.S.
PARKING PROPOSED: 6 P.S. (9' x 18')
WATER & SEWER DESIGNATIONS: W-1, S-1
WATERSHED EASTERN THIRD ZONE SUBSEWERSHED 18
BIRD RIVER WATERSHED

GENERAL NOTES

1. TOPOGRAPHY SHOWN IS BASED ON BALTIMORE COUNTY GIS TILE 071C2.
2. BOUNDARY SHOWN IS BASED ON A SURVEY AS PERFORMED BY MERRITT DEVELOPMENT CONSULTANTS, INC.
3. THERE ARE NO KNOWN CRITICAL AREAS, HAZARDOUS WASTE SITES, ENDANGERED SPECIES HABITATS, ARCHEOLOGICAL OR HISTORICAL SITES ON THIS PROPERTY.
4. THIS PROPERTY HAS BEEN HELD INTACT SINCE OCTOBER, 1968. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
5. THIS PROPERTY HAS NO KNOWN PRIOR ZONING CASES.
6. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS ON SITE.
7. THE SOIL TYPES FOR THIS SITE WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 36.
8. THE GRID SYSTEM SHOWN IS BASED ON THE MARYLAND COORDINATE SYSTEM.
9. THE FOREST CONSERVATION REQUIREMENT WILL BE MET ON SITE.
10. PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15, FOR TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITHOUT CURB AND GUTTER.
11. THE PROPOSED DWELLING WILL BE EITHER ONE OR TWO STORIES IN HEIGHT, WITH A MAXIMUM HEIGHT OF 50 FEET.
12. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
13. NO PORTION OF THIS SITE IS LOCATED WITHIN A 100 YEAR FLOODPLAIN.
14. ALL LOTS WILL HAVE GRAVITY SEWER TO THE FIRST FLOOR.
15. THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT, DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WOULD BE THE FULL RESPONSIBILITY
16. THERE ARE NO KNOWN WELLS OR SEPTIC SYSTEMS ON THIS SITE.
17. THIS SITE IS NOT IN ANY FAILED BASIC SERVICES OR MORATORIUM AREA.
18. A TURNAROUND WILL BE REQUIRED TO ACCESS PARCEL 137 IN THE FUTURE IF SUBDIVIDED.
19. THE PANHANDLE SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
20. ALL ACCESSORY STRUCTURES ON SITE WILL BE RAZED BY THE DEVELOPER PRIOR TO ISSUANCE OF BUILDING PERMITS.
21. THE PANHANDLE DRIVEWAY SHALL CONFORM TO STANDARD PLATE R-P, R-Q, OR R-R.

STORM WATER MANAGEMENT NOTES

1. ALL RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORMDRAIN OR ADJACENT PROPERTY.
2. AS MUCH AS POSSIBLE, IMPERVIOUS AREAS SHOULD BE CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSION.
3. HOUSE DOWN SPOUTS SHOULD BE DISCHARGED ONTO PERVIOUS AREAS WHERE FEASIBLE.
4. ADDITIONAL SUBDIVISION ON THESE PARCELS AND/OR LOTS WILL REQUIRE STORMWATER MANAGEMENT CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.

SMALL LOT TABLE

ZONING CLASSIFICATION	MINIMUM NET LOT AREA PER DWELLING UNIT (SQ. FT.)	MINIMUM LOT WIDTH	MINIMUM FRONT YARD DEPTH (FEET)	MINIMUM WIDTH OF INDIVIDUAL SIDE YARD (FEET)	MINIMUM SUM OF SIDE YARD WIDTHS (FEET)	MINIMUM REAR YARD DEPTH (FEET)
D.R. 1	40,000	150	50	20	50	50
D.R. 2	20,000	100	40	15	40	40
D.R. 3.5	10,000	70	30	10	25	30
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