

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NE side of Kirkwood Shop Road, 1270 feet		
SE from West Liberty Road	*	DEPUTY ZONING
7 th Election District		
3 rd Councilmanic District	*	COMMISSIONER
(6 Deer Haven Lane)		
	*	FOR BALTIMORE COUNTY
Karen B. Zerhusen		
<i>Petitioner</i>	*	Case No. 08-396-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Karen B. Zerhusen for property located at 6 Deer Haven Lane. The variance request is from Section 1A00.3.B.3 (1974 R.D.P.) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 43 foot setback from a property line in lieu of the minimum required 50 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. An addition was constructed on the right side of the existing dwelling in 2005 under permit B593356. That permit contained a site plan that indicated a proposed side setback of 65 feet. The addition was constructed to accommodate handicapped accessibility to a master bedroom. To construct the accessible addition on the opposite (left) side of the house would have required the widening of an existing hallway that contained a bearing wall and the renovation of several other rooms within the existing dwelling. The topography of the lot would have required that the proposed addition, if constructed on the left side of the dwelling, to be two stories. As constructed, the addition was built at grade with no basement. The 65 foot setback shown was based on a survey that indicated an erroneous dwelling location. The error was not discovered until a subsequent survey of the neighbor's property (Phillips) was performed. The deficient setback was a result of the error in locating the

COPIES RESERVED FOR FILE
 3-27-08
 [Signature]

dwelling as part of the original survey and not through actions of the Petitioner. The addition exists and to remove it or correct the deficient setback would be practically difficult. The subject property contains 9.021 acres.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 6, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 27th day of March, 2008 that a variance from Section 1A00.3.B.3 (1974 R.D.P.) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 43 foot setback from a property line in lieu of the minimum required 50 feet is hereby GRANTED, subject to the following:

3-27-08
pm

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

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

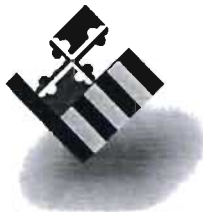


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

3-21-08



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 27, 2008

KAREN B. ZERHUSEN
6 DEER HAVEN LANE
WHITE HALL MD 21161

Re: Petition for Administrative Variance
Case No. 08-396-A
Property: 6 Deer Haven Lane

Dear Ms. Zerhusen:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: McKee and Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville MD 21030



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property
located at 6 DEER HAVEN LANE
which is presently zoned RC-2

Deed Reference: 8833 / 291 Tax Account # 1700000438

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

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

KAREN B. ZERHUSEN

Name - Type or Print

Signature

Name - Type or Print

Signature

6 DEER HAVEN LANE

(410) 343-0732

Address

Telephone No.

WHITE HALL

MD

21161

City

State

Zip Code

Representative to be Contacted:

McKEE AND ASSOCIATES, INC.

Name

5 SHAWAN ROAD, SUITE 1

(410) 527-1555

Address

Telephone No.

COCKEYSVILLE

MD

21030

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 08-396-A day of August, 2008 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No.

08-396-A

Reviewed By

D.T.

Date

2/26/08

REV 7/20/07

Estimated Posting Date

3/9/08

3-27-08

pm

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6 DEER HAVEN LANE
Address WHITE HALL MD 21161
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Karen B. Zerhusen
Signature

Signature

KAREN B. ZERHUSEN

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 8TH day of FEBRUARY, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

KAREN B. ZERHUSEN

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



William David Gillick, Jr.
Notary Public
My Commission Expires Nov. 1, 2010

**6 DEER HAVEN LANE
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MD**

REQUESTED ZONING VARIANCE RELIEF:

1. Requesting a variance from Section 1A00.3B.3 (1974, R.D.P.) to permit a 43-foot setback from a property line in-lieu of the minimum required 50-feet.

PRACTICAL DIFFICULTY AND HARDSHIP:

1. An addition was constructed on the right side of the existing dwelling in 2005 under permit B593356. That permit contained a site plan that indicated a proposed side setback of 65-feet.
2. The addition was constructed to accommodate handicapped accessibility to a master bedroom.
3. To construct the accessible addition on the opposite (left) side of the house would have required the widening of an existing hallway that contained a bearing wall, and the renovation of several other rooms within the existing dwelling.
4. The topography of the lot would have required that the proposed addition, if constructed on the left side of the dwelling, to be two stories. As constructed, the addition was built at grade, with no basement.
5. The 65-foot setback shown was based on a survey that indicated an erroneous dwelling location. The error was not discovered until a subsequent survey of the neighbor's property (Phillips) was performed.
6. The deficient setback was a result of the error in locating the dwelling as part of the original survey and not through actions of the Petitioner.
7. The addition exists and to remove it, or correct the deficient setback, would be practically difficult.

MCKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

**ZONING DESCRIPTION
6 DEER HAVEN LANE
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MD**

BEGINNING at a point on the northeast side of Kirkwood Shop Road, 60 feet wide, said point being situated 1,270' +/- southeasterly from the southwest side of West Liberty Road, 60 feet wide. Being Lot 14 as shown on plat

"A Resubdivision of Lots 6 Through 15, Charlemayne Estates (E.H.K. 37-42) and Lots 11 Through 15, Charlemayne Estates (E.H.K. 37-49)" recorded in Baltimore County Plat Book E.H.K., Jr. 37, page 87 and containing 392,955 sf or 9.021 acres of land, more or less.

Being known as 6 Deer Haven Lane and lying in the 7th Election District, 3rd Councilmanic District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **11107**

Date: **2/26/08**

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			4153				165.00

Total: **165.00**

Rec

From: **McKEE & ASSOC.**

For: **08-296-A 6 DEER HAVEN LANE**

D THOMPSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME DPM

2/7/2008 2/26/2008 15:17:45 1

01 WALSH JRIC HR

>>RECEIPT # 34472 2/26/2008 OFLA

5 528 ZONING VERIFICATION

011107

Receipt tot 165.00

165.00 CN 1.00 CA

Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: March 10, 2008
MAI Job No : 04-158

Attention: Ms. Donna Thompson , Ms. Kristen Matthews
RE:Case Number : No. 08-396-A

Petitioner/Developer: Karen B. Zerhusen
Date of Hearing/Closing: March 24, 2008

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 # 6 Deer Haven Lane

The sign(s) were posted on

March 06, 2008

(Month, Day, Year)



(Signature of Sign Poster)

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.
5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

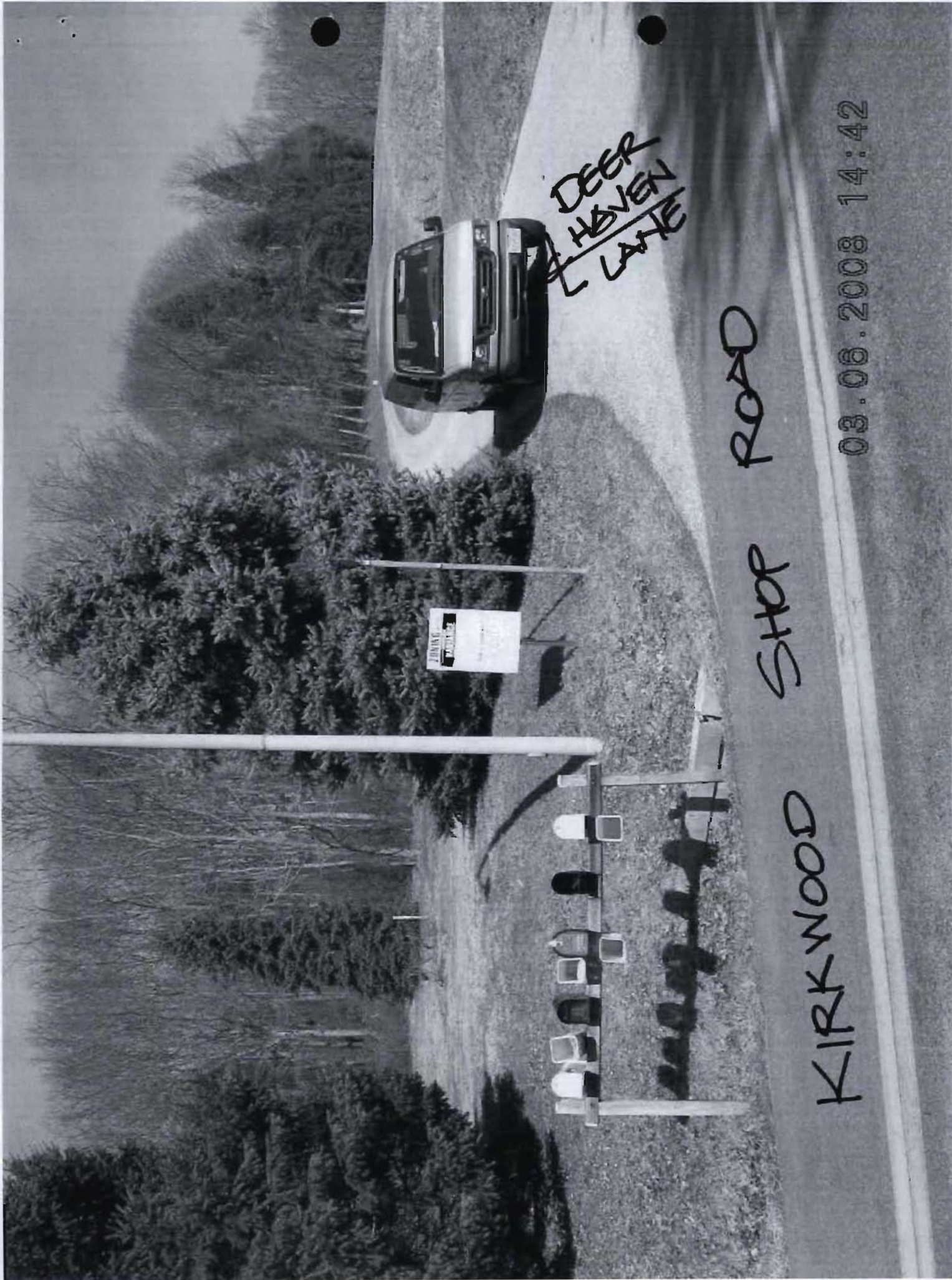
(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

SEE
**ATTACH PHOTOGRAPH
OF
SIGN POSTED ON
PROPERTY**

Revised 3/1/01 - SCJ



DEER
HAVEN
LANE

KIRKWOOD SHOP ROAD

03.08.2008 14:42

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 08-396-A

TO PERMIT AN EXISTING
DWELLING WITH A 43-FOOT SIDE
YARD SETBACK IN LIEU OF THE
REQUIRED 50- FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON MARCH 24, 2008

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

03.06.2008 14:42

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 396 -A Address 6 DEER HAVEN LANE

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/26/08 Posting Date: 3/9/08 Closing Date: 3/24/08

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 08- 396 -A Address 6 DEER HAVEN LANE

Petitioner's Name ZERHUSEN Telephone 410-343-0732

Posting Date: 3/9/08 Closing Date: 3/24/08

Wording for Sign: To Permit AN EXISTING DWELLING WITH A 43-FOOT SIDE YARD

SETBACK IN LIEU OF THE REQUIRED 50-FEET.

WCR - Revised 6/25/04

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: 08-396-A

Petitioner: KAREN B. ZERHUSEN

Address or Location: 6 DEER HAVEN LANE

PLEASE FORWARD ADVERTISING BILL TO:

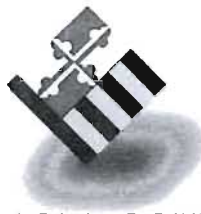
Name: JAMES GRAMMER

Address: McKEE & ASSOC., INC

5 SHAWAN ROAD, SUITE 1

COCKEYSVILLE, MD 21030

Telephone Number: 410 - 527 - 1555



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

March 24, 2008

Karen B. Zerhusen
6 Deer Haven Lane
White Hall, MD 21161

Dear Ms. Zerhusen:

RE: Case Number: 08-396-A, 6 Deer Haven Lane

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 26, 2008. 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.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
McKee and Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville 21030

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 12, 2008

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

RECEIVED
MAR 14 2008

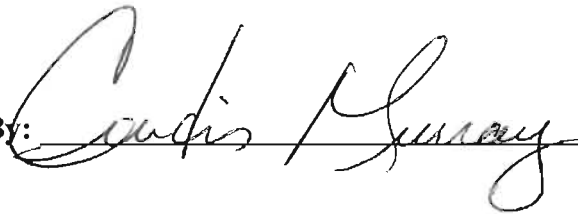
BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-396- Administrative 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 Jessie Bialek in the Office of Planning at 410-887-3480.

Prepared By:



CM/LL



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

State Highway
Administration

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

Maryland Department of Transportation

Date: March 4, 2008

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

RE: Baltimore County
Item No. B-396-A
6 DEER HAVEN LANE
ZERHUSEN PROPERTY
ADMINISTRATIVE 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. B-396-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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

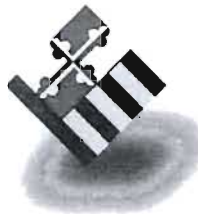
DATE: March 5, 2008

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 10, 2008
Item Nos. 08-377, 384, 387, 388,
389, 390, 391, 392, 393, 394, 395, 396,
397, and 398

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-03052008.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 3, 2008

Item Number: 377,384,385,386,387,388,389,390,391,392,393,395,396,397,398,399

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
APR 16 2008

BY: _____

TO: Timothy M. Kotroco

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

DATE: April 16, 2008

SUBJECT: Zoning Item # 08-396-A
Address 6 Deer Haven Lane
(Zerhusen Property)

Zoning Advisory Committee Meeting of March 3, 2008

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

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

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

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

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

Additional Comments:

Charlemayne Estates-Lot 14

Reviewer: Thomas Panzarella

Date: 3/26/2008

ARTICLE 1A—RURAL AND RURAL-SUBURBAN LOW-INTENSITY ZONES
[Bill No. 100, 1970.]

Section 1A00—R.D.P. ZONES (RURAL: DEFERRED-PLANNING). [Bill No. 100, 1970.]

1A00.1—General Provisions. [Bill No. 100, 1970.]

- 1.¹ Purpose. The R.D.P. zoning classification is established, pursuant to the legislative findings set forth above,² in order to:
 - a. Prevent untimely urban development of relatively open rural land; and
 - b. Foster conditions favorable to agriculture and other low-intensity uses appropriate in rural areas, considering both the magnitude of total land acreage needed for such uses and the current prospective needs for developable urban land.
[Bill No. 100, 1970.]
2. Intent as to application of R.D.P. zoning classification to property or removal therefrom. It is intended:
 - a. That rural land shall be classified within R.D.P. zones unless the Capital Budget and Five-Year Capital Program of Baltimore County and duly adopted official Baltimore County master plans, including the "county plan" required under Article 43, Section 387C of the Annotated Code of Maryland, 1957 (1965 Replacement Volume) as amended, all consistently indicate that such land is to be serviced by public sewerage and water-supply systems and, in the case of those said documents which determine the timing of construction, also consistently provide for the adequacy and availability of service to said land by such systems within a period of six years after the time of consideration with respect to zoning classification; provided further, however, that such nonserviced land as is specifically herein described (in this Subparagraph 3³ or other provisions in these regulations) as being appropriately otherwise classified shall also be excepted from the category of land which shall be classified as R.D.P.;
 - b. That land classified as R.D.P. shall not be reclassified (rezoned) until such time as the documents hereinabove noted have been officially changed or replaced in kind and thereby then indicate possible appropriateness of reclassification under the criteria hereinbefore stated;

1. The line designating this subparagraph and those immediately following as parts of a Paragraph "A" was deleted from Bill No. 100, 1970 by amendment after introduction.
2. Findings deleted from Bill No. 100, 1970 by amendment after introduction.
3. Now Subparagraph 2, as a result of amendment of Bill No. 100, 1970 after introduction.

- c. That reclassification of land as R. D. P. shall not represent a commitment by Baltimore County with respect to type of future development, but only that more particular planning for the use of such land shall be executed in the future; and
- d. That certain distinct existing areas of compact development, such as certain approved subdivisions or the immediate environs of typical rural business centers, are not normally to be classified as R. D. P.

[Bill No. 100, 1970.]

- 3. Special Policy for Certain Developments. In view of possible overriding public benefits to be derived from certain large-scale unit developments, the establishment of such developments is hereby excepted from application of the policy hereinbefore stated to the extent indicated under Section 430 ("Unit Developments"). [Bill No. 100, 1970.]

- B.⁴ Locational Requirement. No R. D. P. zone shall be established or re-established within the urban-rural demarcation line, but said line may be re-established to include an R. D. P. zone or part thereof existing at the time said line is re-established. [Bill No. 100, 1970.]

1A00.2—Use Regulations. [Bill No. 100, 1970.]

- A.⁵ Uses Permitted as of Right. The following uses, only, are permitted as of right in R. D. P. zones:

- 1. Farms, or, on existing undersized lots, limited-acreage wholesale flower farms.⁶
- 2. One-family detached dwellings.
- 3. Churches or other buildings for religious worship.
- 4. Trailers (see Section 415).
- 5. Research institutes, as defined in Section 101 and as permitted and regulated in D. R. 1 zones (see Section 418).
- 6. Hospitals.
- 7. Telephone, telegraph, electrical-power or other electrical lines, all underground with the exception of such lines as are permitted above ground in D. R. zones.
- 8. Other cables; conduits; gas, water, or sewer mains; or storm-drain systems: all underground.
- 9. Railroads or other transportation lines.

4. Line designating preceding provisions as Paragraph "A" deleted--see note 1 above.

5. All provisions of this paragraph from Bill No. 100, 1970.

6. Since a limited-acreage wholesale flower farm consists of less than three acres of land (see Section 101), and since the minimum lot size in R. D. P. zones is one acre (rather than ten acres, as set forth in Bill No. 100, 1970 before amendment), there is a question as to the effect of the phrase "on existing undersized lots".

10. Animal boarding places (regardless of class), kennels, veterinarians' offices or veterinarians, subject to the provisions of Section 421.
11. Excavations, uncontrolled.
12. Schools, except business or trade schools or such schools as are permitted as special exceptions (Paragraph B, below), but including schools for agricultural training.
13. Accessory uses or buildings (not subject to the provisions of Section 400), including, but not limited to:
 - a. An office or studio of a doctor, dentist, lawyer, architect, engineer, artist, musician, or other professional person, provided that such office or studio is established within the same building as that serving as his bona fide residence; does not occupy more than 25 per cent of the total floor area of such residence as existing on the effective date of this provision;⁷ and does not involve the employment of more than one nonresident professional associate nor two other nonresident employees; provided, further, that signs relative to such use shall be prohibited except as noted in Section 413.
 - b. Home occupations as defined in Section 101, also subject to the sign provisions of Section 413.
 - c. Parking space, including residential-garage space.

B.⁸ Uses Permitted by Special Exception. The following uses, only, are permitted as special exceptions:

1. Airports
2. Antique shops (see Section 402B).
3. Boat yards.
4. Cemeteries.
5. Commercial beaches
6. Community buildings, swimming pools, or other structural or land uses devoted to civic, social, recreational, or educational activities.
7. Conservatories for music or other arts.
8. Dwellings or other buildings converted to tea rooms or restaurants, as provided in Subsection 402.3, or tea rooms or restaurants expressly constructed for such purpose, but otherwise subject to the same such restrictions.
9. Excavations, controlled (see Section 403), provided renovation or appropriate adaptation of the land is assured within a reasonable time, as determined by the Zoning Commissioner.
10. Golf courses, country clubs, or other outdoor recreation clubs; also quasi-public camps, including day camps.

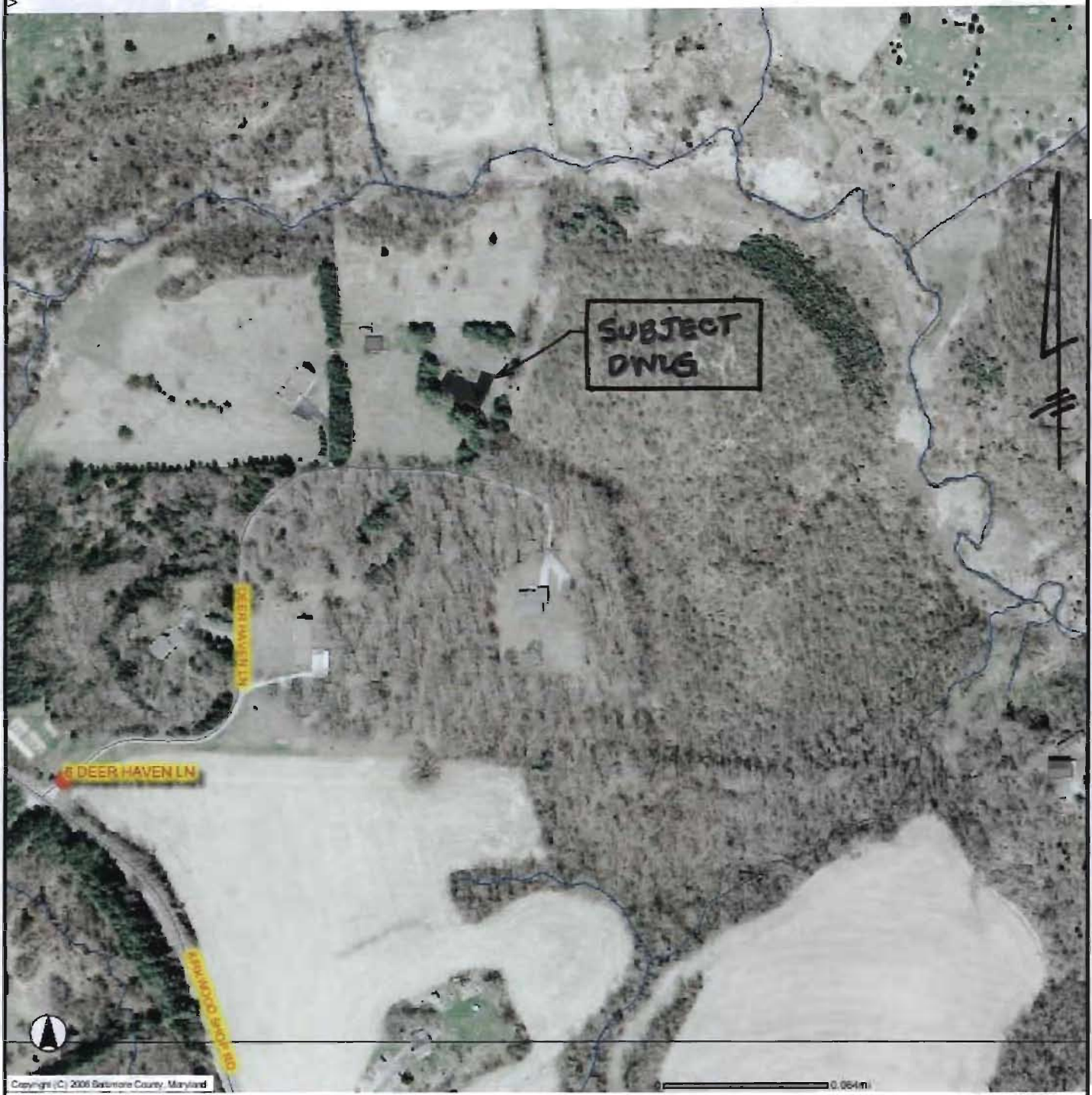
⁷ Regarding the effective date of the provisions of Bill No. 100, 1970, see note 3, Section 100.

⁸ All provisions of this paragraph from Bill No. 100, 1970.

11. Golf driving ranges, miniature-golf ranges, or baseball-batting ranges.
12. Helistops.
13. Marinas.
14. Public-utility uses not permitted as of right.
15. Residential art salons (see Section 402C).
16. Riding stables (commercial or noncommercial).
17. Sanitary landfills (see Section 412).
18. Shooting ranges.
19. Volunteer-fire-company facilities.
20. Wireless transmitting and receiving structures, except that a radio antenna in conjunction with transmitting and receiving facilities used by a resident amateur radio operator possessing an amateur radio operator's license issued by the Federal Communications Commission shall be considered an accessory structure or, if attached to another structure, an accessory use, and, as such, is permitted without a special exception, provided: (a) that if it is an accessory structure, it shall be subject to the provisions of Section 400; (b) that if it is a rigid-structure antenna, it shall be no higher than 100 feet or the horizontal distance to the nearest property line, whichever is less, above grade level, and no supporting structure thereof shall be closer than 50 feet to any property line; and, further, (c) that it does not extend closer to the street on which the lot fronts than the front building line
21. Large-scale unit developments, as provided in Section 430

1A00.3—Height and Area Regulations. [Bill No. 100, 1970.]

- A. Height. No structure in an R.D.P. zone shall exceed a height of 35 feet, except as otherwise specifically provided in these Zoning Regulations (see Section 300). [Bill No. 100, 1970.]
- B. Area Regulations. [Bill No. 100, 1970.]
 1. Lot Area. No lot less than 1 acre in net area shall be hereafter created in an R.D.P. zone, subject to attaining percolation tests satisfactory to the Baltimore County Department of Health and conforming to the applicable health requirements. [Bill No. 100, 1970.]
 2. Minimum Linear Dimension. Except as otherwise provided in Subparagraph 3, below, the minimum linear dimension of any lot hereafter created in an R.D.P. zone shall be 150 feet. For the purposes of these regulations, the minimum linear dimension of any lot shall be the diameter of the largest circle in a horizontal plane which may be inscribed within the lot boundaries. [Bill No. 100, 1970.]
 3. The minimum distance between any building in an R.D.P. zone and any lot line other than a street line shall be 50 feet; the minimum distance between the building and the center line of any street shall be 75 feet. [Bill No. 100, 1970.]



08-396-A

McKEE & ASSOCIATES, INC.
5 Shawan Road
Hunt Valley, Md 21030
Tel: 410-527-1555
Fax: 410-527-1563

6 DEER HAVEN LANE
7TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
CASE NO.

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*



FRONT (SOUTH) ELEVATION



LEFT (WEST) ELEVATION

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-A



LEFT (WEST) ELEVATION



REAR (NORTH) ELEVATION OF ORIGINAL DWELLING

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-A



REAR (NORTH) ELEVATION OF ADDITION



FRONT AND RIGHT SIDE (EAST) ELEVATION WITH ORIGINAL GARAGE

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-A



RIGHT (EAST) ELEVATION SHOWING ORIGINAL GARAGE AND NEW ADDITION



FROM FRONT YARD LOOKING SOUTHWESTERLY TOWARDS #1 DEER HAVEN LANE

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-A



FROM FRONT YARD LOOKING SOUTHEASTERLY TOWARDS #3 DEER HAVEN LANE



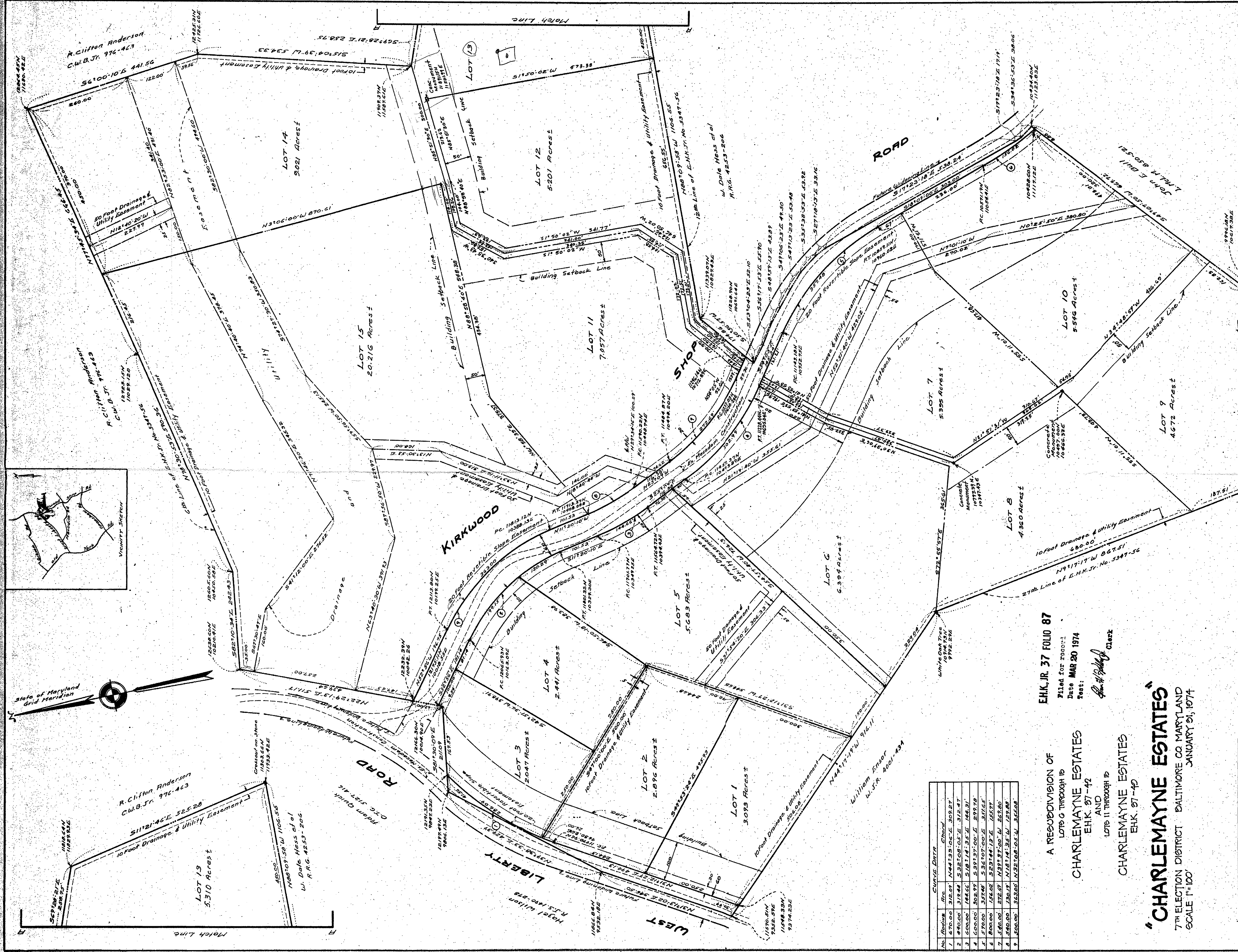
FROM SIDE YARD LOOKING WESTERLY TOWARDS #4 DEER HAVEN LANE

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-4



FROM REAR YARD LOOKING NORTHEASTERLY TOWARDS #11 SHANE VALLEY COURT

PICTURE EXHIBITS
6 DEER HAVEN LANE
CASE No. 08-396-A



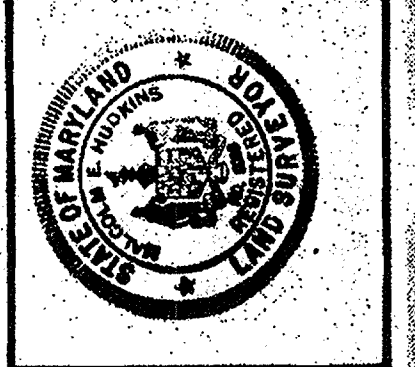
NOTES
The streets and/or roads as shown herein and main-
tained thereon are to be kept open and not to be de-
clared to public use, the fee simple title thereof is
expressly reserved in the grantors of the deed to which
this plat is attached, their heirs and assigns.
Bearings shown herein are based on the State
of Maryland Grid Meridian.
Coordinates shown herein are based on an
assumed system.
For title see E.H.K.Jr. No. 5347 folio 56.
Rear and side yard setbacks are to be 50'.
DEEDITY CALCULATION
Gross Acreage of Lots 9.1874 Acres
Gross Residential Density 0.16
Existing Zoning R-10
APPROVED - BALTIMORE COUNTY HEALTH DEPARTMENT
Deputy State & County Engineer [Signature] Date 3/14/74

P. W. A. Campbell, Owner
Plat Title Change
Planning [Signature]
Baltimore, MD 21201
Bldg. No. 2-13-19-24

For PAVEMENT LOTS
As for collection, snow removal and road
maintenances are provided to the junction of
this lot and the mainline at driveway.

APPROVED - BALTIMORE COUNTY PLANNING BOARD
[Signature] Date 3/14/74
Director

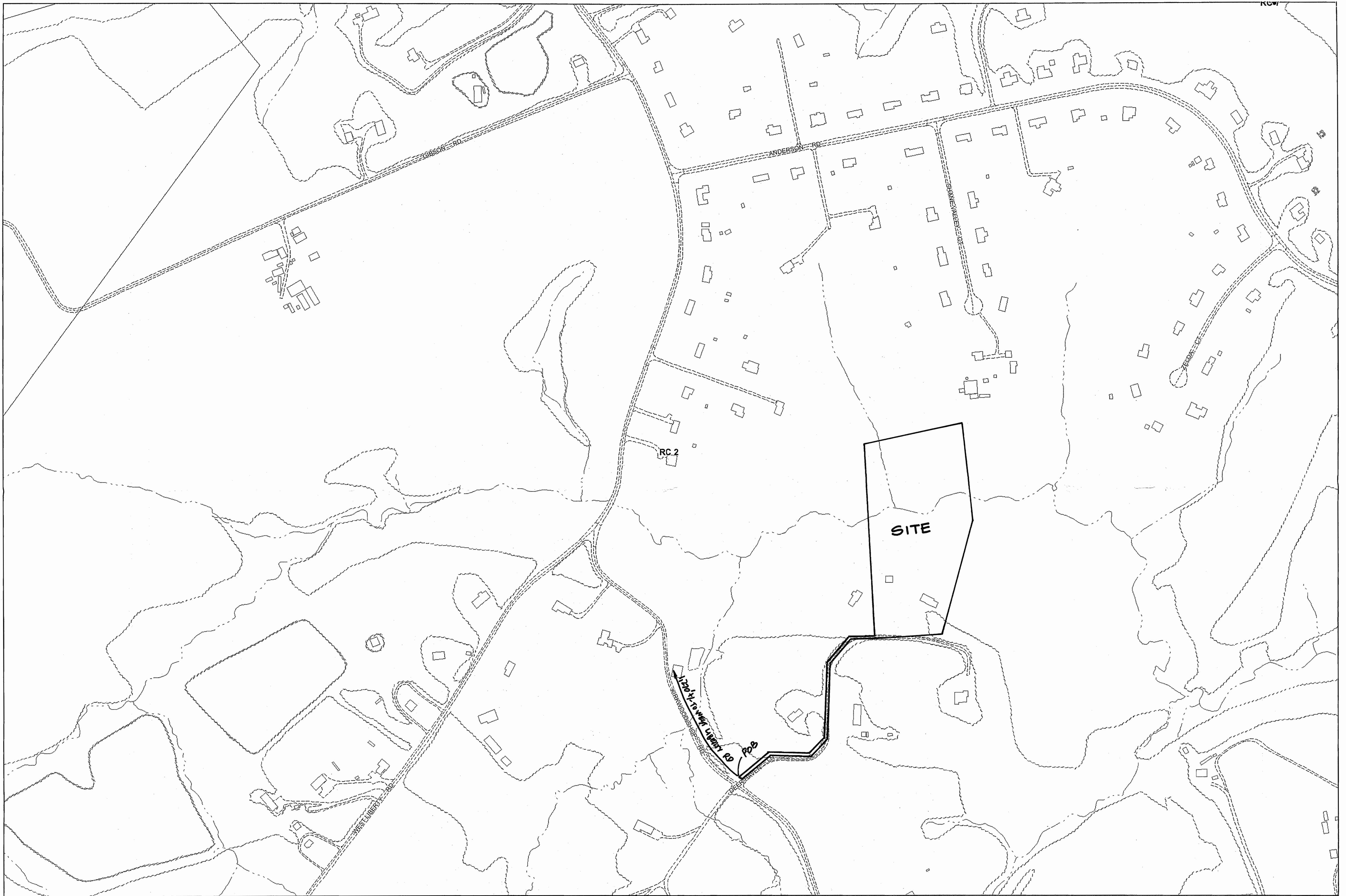
THE REQUIREMENTS OF SECTION 285, ARTICLE 17
OF THE ANNOTATED CODE OF MARYLAND (PLAT 1971
Supplement) as far as they may relate to the
completion of this plat have been
complied with.
J. William D. Freeman, Jr.
Baltimore, MD 21201
Date 1/29/74



Scale 1"=100' JAN 28, 1974
HUDKINS ASSOC., INC.
101 SHELL BLVD.
200 E. JORPPA RD.
TOWSON, MARYLAND 21204
878-2000

A RECONDIVISION OF
LOTS 6 THROUGH 15
CHARLEMAYNE ESTATES
E.H.K. 97-42
AND
LOTS 11 THROUGH 15
CHARLEMAYNE ESTATES
E.H.K. 97-40
"CHARLEMAYNE ESTATES"
7TH ELECTION DISTRICT BALTIMORE CO MARYLAND
JANUARY 31, 1974
SCALE 1"=100'

No.	Radius	Bearing	Chord
1	470.00'	S 12.00' E	470.00'
2	470.00'	S 12.00' E	470.00'
3	470.00'	S 12.00' E	470.00'
4	470.00'	S 12.00' E	470.00'
5	470.00'	S 12.00' E	470.00'
6	470.00'	S 12.00' E	470.00'
7	470.00'	S 12.00' E	470.00'
8	470.00'	S 12.00' E	470.00'
9	470.00'	S 12.00' E	470.00'



Plan Sheet: 008B2

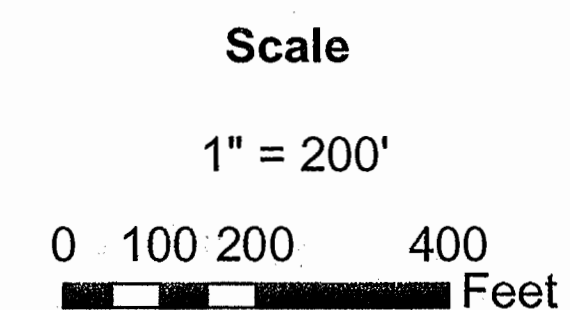
Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

- | | | | | | |
|--|-----------|--|---------|--|------------|
| | Zoning | | Streams | | Vegetation |
| | Buildings | | Roads | | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

007C1	008A1	008B1	008C1
007C2	008A2	008B2	008C2
007C3	008A3	008B3	008C3

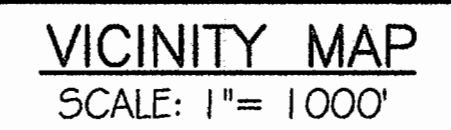
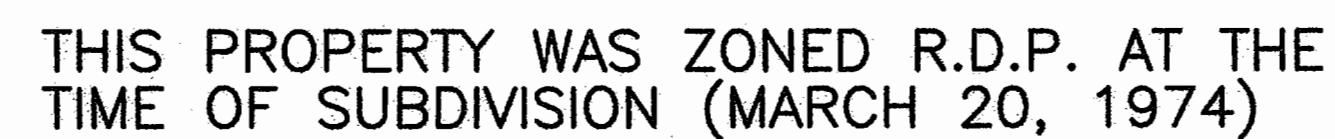


#G DEER HAVEN LANE

Data Sources:
Planimetric Data - Baltimore County
OT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

08-396-A

1. ALL LOTS SHOWN HEREON TO BE SERVED BY A PRIVATE WELL AND SEPTIC SYSTEM.
2. SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
3. EXISTING LAND COVER IS LAWN AND FOREST.
4. THERE ARE NO KNOWN PRIOR ZONING CASES FOR THE PROPERTY.
5. MAXIMUM BUILDING HEIGHT PERMITTED FOR PRINCIPAL STRUCTURES IN RC-2 ZONING IS 35 FEET.
6. THERE ARE NO ZONING LINES WITHIN 200 FEET OF THIS PROPERTY UNLESS OTHERWISE SHOWN.
7. THIS PROPERTY IS NOT HISTORIC AND NOT LOCATED WITHIN A HISTORIC DISTRICT.
8. THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BALTIMORE COUNTY BASIC SERVICE MAPS.



ELECTION DISTRICT: 7TH

COUNCILMANIC DISTRICT: 3RD

1" = 200' SCALE MAP No.: 008b2

PRESENT ZONING: RC-2

LOT SIZE: $\frac{9.021}{\text{ACREAGE}}$ $\frac{392,955}{\text{SQUARE FEET}}$

	PUBLIC	PRIVATE	YES	NO
WATER	☐	☒		☒
SEWER	☐	☒		☒
CHESAPEAKE BAY CRITICAL AREA:		☐		☒
100-YEAR FLOOD PLAIN:		☐		☒
HISTORIC PROPERTY BUILDING:		☐		☒
PRIOR ZONING HEARINGS:		☐		☒

OWNER INFORMATION: NAME: KAREN B. ZERHUSEN

ADDRESS: 6 DEER HAVEN LANE
WHITE HALL, MD 21161

PHONE No.: 410-343-0732

DEED REFERENCE: 8833/291

PROPERTY TAX ACCT. No.: 17-00-000438

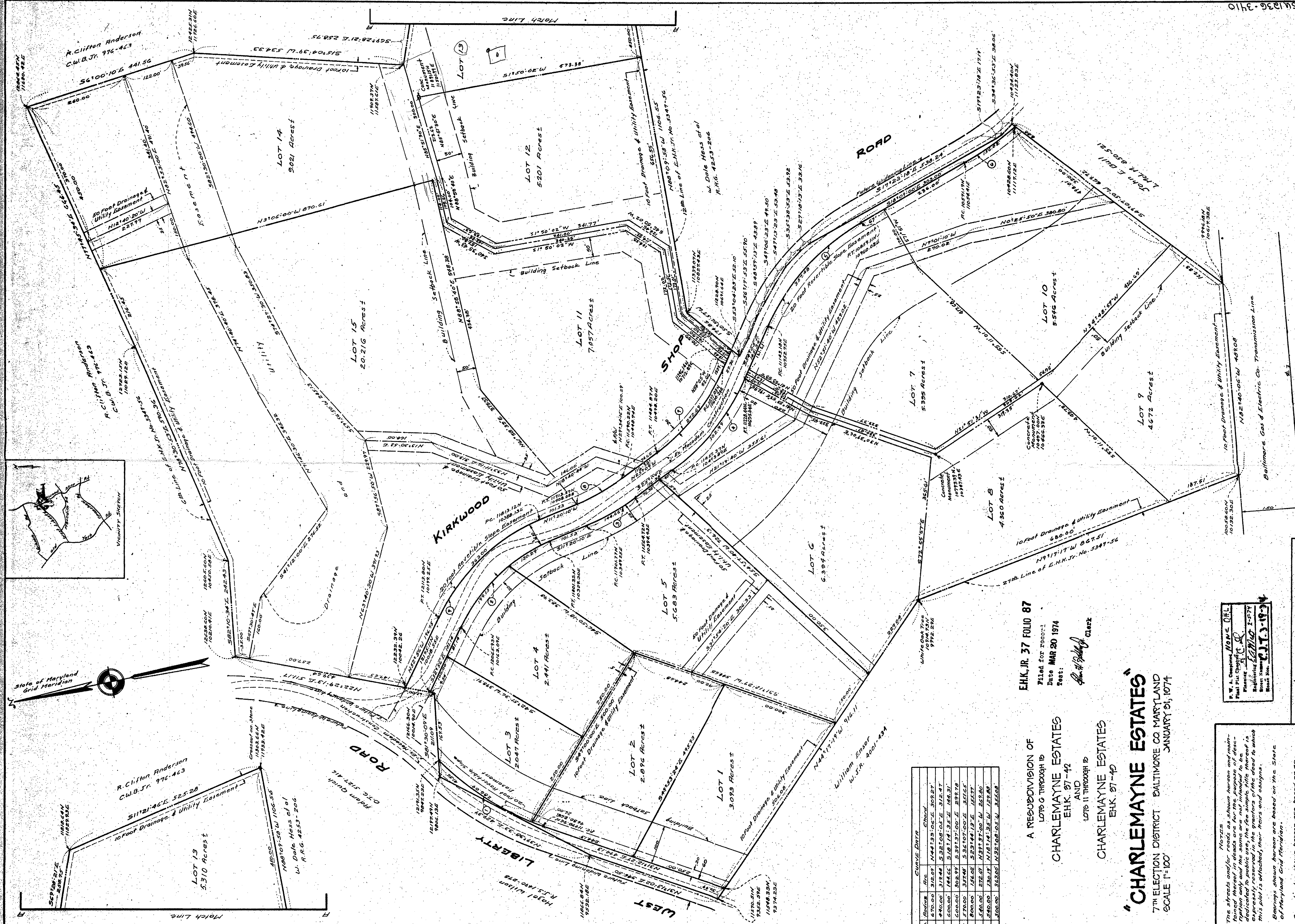
#6 DEER HAVEN LANE

 2/26/08
GEOFFREY C. SCHULTZ DATE

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

COMPUTED BY:	DRAWN BY: JDG	CHECKED BY: JDG	JOB No.: 04-158
--------------	---------------	-----------------	-----------------

08-396-A



Curve Data		Chord	
No.	Radius	Arc	
1	670.00	312.09'	N44°33'05"E 309.21'
2	440.00	319.44'	S32°08'05"E 312.47'
3	600.00	184.66'	S18°14'35"E 184.31'
4	600.00	302.99'	S39°37'00"E 299.78'
5	570.00	357.48'	S32°07'00"E 351.65'
6	800.00	156.08'	S23°44'19"E 155.77'
7	548.00	272.69'	N39°19'30"W 262.90'
8	540.00	130.19'	N18°41'34"W 129.68'

E.H.K., JR. 37 FOLIO 87
 Filed for record
 Date MAR 20 1974
 Test:
 [Signature] Clerk
 A RESUBDIVISION OF
 LOTS G THROUGH 19
 CHARLEMAYNE ESTATES
 E.H.K. 37-42
 AND
 LOTS 11 THROUGH 19

7TH ELECTION DISTRICT BALTIMORE CO. MARYLAND
SCALE 1"=100'
JANUARY 21, 1974

Notes:
The streets and/or roads as shown herein and mentioned therein in deeds are for the purpose of description only and the same are not intended to be dedicated to public use, the fee simple title thereof is expressly reserved in the grantors of the deed to which this plot is attached, their heirs and assigns.
Bearings shown herein are based on the State of Maryland and Meridian.
Coordinates shown herein are based on an

FOR PANHANDLE LOTS
Refuse collection, snow removal and road maintenance are provided to the junction of the panhandle and the road right of way line only and not onto the panhandle lot driveway.

DENSITY CALCULATION	
Gross Residential Area	91874 Acre-ft
Gross Residential Density	0.6
Existing Zoning	R.D.A.

APPROVED - BALTIMORE COUNTY HEALTH DEPARTMENT

[Signature]
 Deputy State & County Officer

[Signature] *[Date]*

APPROVED - HIGHWAY DEPARTMENT OF BALTIMORE CO.
FOR ROAD ALIGNMENT & LOCATION
John A. [Signature] 3/19/74
Road Engineer. DATE.

APPROVED - BALTIMORE COUNTY PLANNING BOARD
William O. [Signature] 3/19/74
Director DATE

QUINCY CERTIFICATE The requirements of section 122, Article 11, Constitution of the State of Illinois (Public Act 1907, Chapter 10, Section 1, Supplement) as far as they relate to the preparation of this plan have been complied with. <i>Jack & Graham</i> <i>Quincy</i> RECEIVED INSTRUCTIONS, INC. 9000 BAKER BLVD. BETHESDA, MD. 20814	SURVEYORS CERTIFICATE I, <u>MILAN E. HANCOCK</u>, registered Land Surveyor in the State of Illinois, hereby certify that the above shown section has been laid off and the plot thereof prepared in accordance with the provisions of the law of the State of Illinois, Chapter 10, Section 1, of the Public Acts of 1907, Chapter 10, of the Public Acts of 1915, and subsequent amendatory acts. <i>Milank Hancock</i> REG. LAND SURVEYOR No. 5095 2014
---	---

5246 1-100 JAN 28 1974
HUDKINS ASSOC. INC.
101 SHELL BLDG.
200 E. JOPPA RD.
TOWSON, Maryland 21204
818-0060