

IN RE: PETITION FOR ADMIN. VARIANCE

S side of Sparks Farm Road, 3500 feet +/-
S of c/l of Sparks Station Road
10th Election District
3rd Councilmanic District
(34 Sparks Farm Road)

Leonard J. and Virginia H. Miller
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-464-A**

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by Daniel J. Hanley, Esquire on behalf of Petitioners Leonard J. and Virginia H. Miller. The Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County are provided. Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request.

In the instant matter, Petitioners filed a Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17 feet in lieu of the required 15 feet. Petitioners proposed to build a one-story wood frame pool house measuring 20 feet by 24 feet in size. In their Affidavit, Petitioners also proposed a wet bar and powder room in the pool house. In an Order dated May 5, 2008, the undersigned granted the instant Petition, but also imposed the customary conditions from the Office of Planning that Petitioners or subsequent owners shall not convert the subject

accessory structure into a dwelling unit or apartment, and that the structure shall not contain any sleeping quarters, living area or kitchen facilities, or be used for commercial purposes.

Thereafter, in a letter dated June 2, 2008, Petitioners filed the instant Motion for Reconsideration. Following receipt of the decision in this matter and the attendant conditions, Petitioners realized that they also desire to have a small kitchen in the pool house in order to entertain by the pool without the necessity of going to and from the kitchen in the main dwelling of the property; they also realize they did not specifically request this relief in their Petition or Affidavit. They now ask that I reconsider my earlier decision and the conditions imposed and allow a kitchen to be incorporated into the pool house. Petitioners are aware of the concerns of the County that such a structure might be potentially used for dwelling purposes. In order to alleviate this concern, Petitioners are willing to execute a restrictive covenant recorded in the land records of Baltimore County that would formalize their acknowledgment and understanding that the pool house would not be a separate structure for habitation in any fashion, nor contain any sleeping quarters.

In considering the Motion for Reconsideration, the undersigned reviewed the file and the Findings of Fact and Conclusions of Law dated May 5, 2008, as well as the June 2, 2008 letter from Petitioners' attorney, Mr. Hanley. After reviewing the evidence and the motion. I am persuaded to grant the minor modification and allow a kitchen in the pool house on a limited basis. Although I am mindful of the Office of Planning's concerns and the potential for abuse; i.e. – for these accessory structures to be used as dwellings, in this case, I believe the concerns can be alleviated by the execution of a restrictive covenant and its recording in the land records, specifying that the accessory structure cannot be used as a dwelling, cannot contain any sleeping quarters, and cannot be used for commercial purposes. Furthermore, this prohibition shall run

with the property and shall also apply to any subsequent owners and/or purchasers of the property.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of June, 2008 that the aforementioned Motion for Reconsideration be and is hereby GRANTED.

IT IS FURTHER ORDERED THAT Petitioners shall be permitted a kitchen in the accessory structure, along with the previously granted wet bar and powder room. The granting of this relief is specifically conditioned on the following:

1. Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters or living area.
2. The accessory structure shall not be used for commercial purposes.
3. Within sixty (60) days of the date hereof, Petitioners shall record in the Land Records of Baltimore County a restrictive covenant to the deed for their property in which they agree and acknowledge that the pool house accessory structure shall not be utilized as a separate structure for habitation in any fashion, nor contain any sleeping quarters or living area, nor be used for commercial purposes, with said restrictive covenant running with the land and applying to any subsequent owners of the property as well.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 23, 2008

LEONARD J. AND VIRGINIA H. MILLER
34 SPARKS FARM ROAD
SPARKS MD 21152

Re: Petition for Administrative Variance
Order on Motion for Reconsideration
Case No. 08-464-A
Property: 34 Sparks Farm Road

Dear Mr. and Mrs. Miller:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Daniel J. Hanley, Hanley and Hanley, LLC, 117 Lake Front Drive, Hunt Valley MD
21030
Alan Frushon, 4539 Norrisville Road, White Hall MD 21161

IN RE: PETITION FOR ADMIN. VARIANCE
S side of Sparks Farm Road, 3500 feet +/-
S of c/l of Sparks Station Road
10th Election District
3rd Councilmanic District
(34 Sparks Farm Road)

Leonard J. and Virginia H. Miller
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-464-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 owners of the subject property, Leonard J. and Virginia H. Miller for property located at 34 Sparks Farm Road. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17 feet in lieu of the required 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners desire to construct a one-story wood frame pool house measuring 20 feet x 24 feet in size. Said structure cannot be placed in the rear yard due to the steep topography. The pool house will contain a wet bar and powder room. The subject property contains 11.88 acres of land zoned RC 6.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated April 21, 2008, which recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area or kitchen facilities, and not be used for commercial purposes.

ORDER RESERVED FOR FILE
5.5.08
[Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 9, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have 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 Petitioners.

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 5th day of May, 2008 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17 feet in lieu of the required 15 feet is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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 would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.

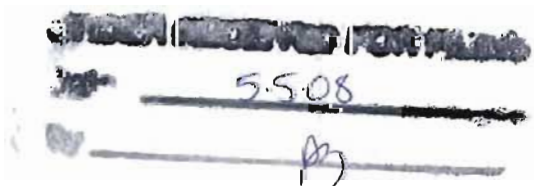
~~STRICTLY CONFIDENTIAL~~
5.5.08
[Signature]

3. The accessory structure shall not be used for commercial purposes.

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





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 5, 2008

LEONARD J. AND VIRGINIA H. MILLER
34 SPARKS FARM ROAD
SPARKS MD 21152

Re: Petition for Administrative Variance
Case No. 08-464-A
Property: 34 Sparks Farm Road

Dear Mr. and Mrs. Miller:

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: Alan Frushon, 4539 Norrisville Road, White Hall MD 21161



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 34 SPARKS FARM RD Sparks Md 21152
which is presently zoned PLB RLC (RC4)

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) 400.1 + 400.3 BC22

To permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17' in lieu of the required 15'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

34 SPARKS FARM RD 410 472 3595

Address

Telephone No.

SPARKS

MD

21152

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

ALAN FRUSHON

4539 NORRNVILLE RD 410 552 9010

White Hall Md

21161

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 day of 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. 2008-0464-A Reviewed By JF Date 4-14-08

REV 10/25/01

Estimated Posting Date 4-13-08

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

34 SPARKS FARM RD
Address
SPARKS MD 21152
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):

1. THE GRADE ELEVATION CHANGE IN THE BACK YARD DROPS OFF DRASTICALLY AND WOULD MAKE ACCESS TO THE LOWER LEVEL STORAGE UNNECESSARILY BURDENSOME AND IMPRACTICAL FOR CONSTRUCTION.
2. THE LOCATION OF AN EXISTING MATURE 18" DIAMETER POPLAR TREE PROHIBITS THE PLACEMENT OF THE STRUCTURE DIRECTLY IN THE BACK YARD.
3. THE POOLHOUSE WILL INCLUDE A WET BAR & POWDER ROOM FOR CONVENIENCE AND WOULD NOT BE USED AS TENANT HOUSE OR LIVING SPACE

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.

Signature

LEONARD J. MILLER
Name - Type or Print

Signature

VIRGINIA H. MILLER (ALSRUHE)
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires 3/17/12

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

34 SPARKS FARM RD
Address
SPARKS MD 21152
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):

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2. THE LOCATION OF AN EXISTING MATURE 18" DIAMETER POPLAR TREE PROHIBITS THE PLACEMENT OF THE STRUCTURE DIRECTLY IN THE BACK YARD
- 3 THE POOLHOUSE WILL INCLUDE A WET BAR AND POWDER ROOM FOR CONVENIENCE AND WOULD NOT BE USED AS TENANT HOUSE OR LIVING SPACE

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.

Leonard J. Miller
Signature
LEONARD J. MILLER
Name - Type or Print

Virginia H. Miller
Signature
VIRGINIA H. MILLER (ALSBUHE)
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of April, 2012, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Paullette Torian
Notary Public

My Commission Expires

3/17/12



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 34 SPARKS FARM RD, SPARKS MD 21152
which is presently zoned R-66 RLG (RC-4)

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) 400.1 & 400.3 BC2R

To permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17' in lieu of the required 15'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

LEONARD J. MILLER

Name - Type or Print

Signature

VIRGINIA H. MILLER (ALSTUTHE)

Name - Type or Print

Signature

34 SPARKS FARM RD 4104723595

Address

Telephone No.

SPARKS

MD

21152

City

State

Zip Code

Representative to be Contacted:

ALAN FRUSHAN

Name

4539 NORRISVILLE RD 410 552 9010

Address

Telephone No.

WHITE HALL MD

21161

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 5.5.08 day of May 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. 2008-0464-A

Reviewed By JF Date 4-4-08

REV 10/25/01

Estimated Posting Date 4-13-08

**ZONING DESCRIPTION
FOR
34 SPARKS FARM ROAD, SPARKS, MD 21152**

Beginning at a point on the South side of Sparks Farm Road, which is 50 feet wide, at the distance of 3,500+/- feet South of the centerline of the nearest improved intersecting street, Sparks Station Road, which is 50 feet wide.

Being Lot # 14A, in the Subdivision of Mission Ridge, as recorded in Baltimore County Plat Book#58, Folio #88, containing 11.88 acres. It is also known as 34 Sparks Farm Road and located in the 10th Election District, 3rd Councilman District.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **12132**

PAID RECEIPT

Date: **4-4-08**

BUSINESS ACTUAL TIME DM
 4/04/2008 4/04/2008 11:48:37 2
 REG # 605 WALKIN DOOL DMD
 >>RECEIPT # 439537 4/04/2008 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR # 012132

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	002			6150				65.00

Total: **65.00**

Rec

From: **DEADVIEW MANOR, Inc.**

For: **Potion For Admin. Yr.**

34 Sparks Farm Rd.

Case # 2008-0464-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Recpt Tot: \$65.00
 \$65.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 04/14/08

Case Number: 08-0464-A

Petitioner / Developer: LEONARD & VIRGINIA MILLER~~
AMY PATTERSON OF BROADVIEW MANOR, INC.

Date of Hearing (Closing): APRIL 28, 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:
34 SPARKS FARM ROAD

The sign(s) were posted on: 04/09/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 08- 0464 -AAddress 34 SPARKS FARM RDContact Person: JUN FERNANDO
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4-4-08Posting Date: 4-13-08Closing Date: 4-28-08

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- 0464 -AAddress 34 SPARKS FARM RDPetitioner's Name LEONARD & VIRGINIA MILLERTelephone 410-472-3595Posting Date: 4-13-08Closing Date: 4-28-08

Wording for Sign: To Permit an accessory structure (pool house) to be located in the side yard in lieu of the required rear yard and to permit a height of 17' in lieu of the required 15'.

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: 2008-0464-A

Petitioner: LEONARD & VIRGINIA MILLER

Address or Location: 34 SPARKS FARM ROAD SPARKS, MD 21152

PLEASE FORWARD ADVERTISING BILL TO:

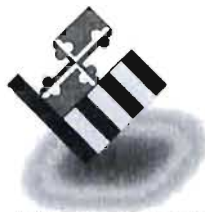
Name: BROADVIEW MANOR INC

Address: 4539 NORRISVILLE RD

WHITE HALL, MD 21161

Telephone Number: 410-557-9010

Revised 2/20/98 - SCJ



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

April 28, 2008

Leonard J. Miller
Virginia J. Miller
34 Sparks Farm Road
Sparks, MD 21152

Dear Mr. and Mrs. Miller:

RE: Case Number: 2008-0464-A, 34 Sparks Farm Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 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
Alan Frushon 4539 Norrisville Road White Hall 21161

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 21, 2008

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

RECEIVED
APR 23 2008

BY:.....

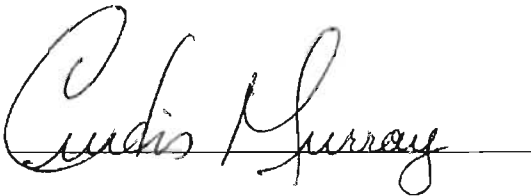
SUBJECT: 8-464 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 17 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Jessie Bialek at 410-887-3480.

Prepared by:



AFK/LL: CM

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



Maryland Department of Transportation

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

Date: April 14, 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. 8-464-A
34 SPARKS ROAD
MILLER PROJECT
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. 8-464-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,

A handwritten signature in blue ink that reads "Steven D. Foster". The signature is written in a cursive style with a large, stylized "S" and "F".

FDF Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

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

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 16, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For April 21, 2008
Item Nos. 08-450, 451, 452, 453, 454,
456, 457, 458, 459, 460, 462, 463, 464,
465, 466, 468, 469.

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

DAK:CEN:lrk

cc: File

ZAC- 04162008-NO COMMENTS



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

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 10 Account Number - 2100005844

Owner Information

Owner Name:	MILLER LEONARD ALSRUHE VIRGINIA	Use:	RESIDENTIAL
Mailing Address:	34 SPARKS FARM RD SPARKS MD 21152-9300	Principal Residence:	YES
		Deed Reference:	1) /13349/ 451 2)

Location & Structure Information

Premises Address	Legal Description
34 SPARKS FARM RD	11.881 AC PT LT 14A MISSION RIDGE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
34	12	366					14A	2	Plat Ref:	58/ 88

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2003	4,212 SF	11.88 AC	04
Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2007	07/01/2008
Land	261,600	383,680		
Improvements:	562,900	710,010		
Total:	824,500	1,093,690	824,500	914,230
Preferential Land:	0	0	0	0

Transfer Information

Seller:	FEIN ADAM R	Date:	12/07/1998	Price:	\$185,000
Type:	UNIMPROVED ARMS-LENGTH	Deed1:	/13349/ 451	Deed2:	
Seller:	PHILPOT INVESTME NT CO	Date:	09/05/1989	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/ 8266/ 180	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 *

LAW OFFICES
HANLEY AND HANLEY, LLC
117 LAKE FRONT DRIVE
HUNT VALLEY, MARYLAND 21030

(410) 329-9775
(410) 329-1922 FACSIMILE

DANIEL J. HANLEY
email: dan@hanleylawllc.com

PATRICK D. HANLEY
email: pat@hanleylawllc.com

CLAUDE A. HANLEY
(1800-1070)

June 2, 2008

RECEIVED
JUN 10 2008

BY:.....

Thomas H. Bostwick, Deputy
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Suite 405
Towson, Maryland 21204

Re: Petition for Administrative Variance

Case #08-464-A

**Property: 34 Sparks Farm Road
Sparks, Maryland 21152**

Dear Commissioner Bostwick:

In follow-up to our telephone conversation, I am the neighbor of Leonard J. and Virginia H. Miller. Their builder applied for an administrative variance in order to construct a pool house on their property. It is my understanding there was a side yard setback issue.

The Millers desire to incorporate a kitchen into the pool house structure being erected. They have been made aware of Baltimore County's concern that such a structure might potentially be used for dwelling purposes. They are willing to incorporate into a restrictive covenant recorded in the land records their agreement that the pool house structure would not be a structure for separate habitation or contain sleeping quarters.

As per our discussions, I will discuss with Carl Richards of the Zoning Review Office the implementation of the deed restriction. Please construe this letter as request for modification of your order.

Very truly yours,



Daniel J. Hanley

DJH/dib

cc: Leonard J. & Virginia H. Miller

LAW OFFICES
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117 LAKE FRONT DRIVE
HUNT VALLEY, MARYLAND 21030

(410) 329-9775
(410) 329-1922 FACSIMILE

DANIEL J. HANLEY
email: dan@hanleylawllc.com

June 2, 2008

CLAUDE A. HANLEY
(1898-1978)

PATRICK D. HANLEY
email: pat@hanleylawllc.com

Timothy M. Kotroco, Director
Baltimore County Department of Permits
And Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: My Clients: Leonard J. Miller and Virginia A. Miller
Property: 34 Sparks Farm Road
Sparks, Maryland 21152
Building Permit #B693934

Dear Mr. Kotroco:

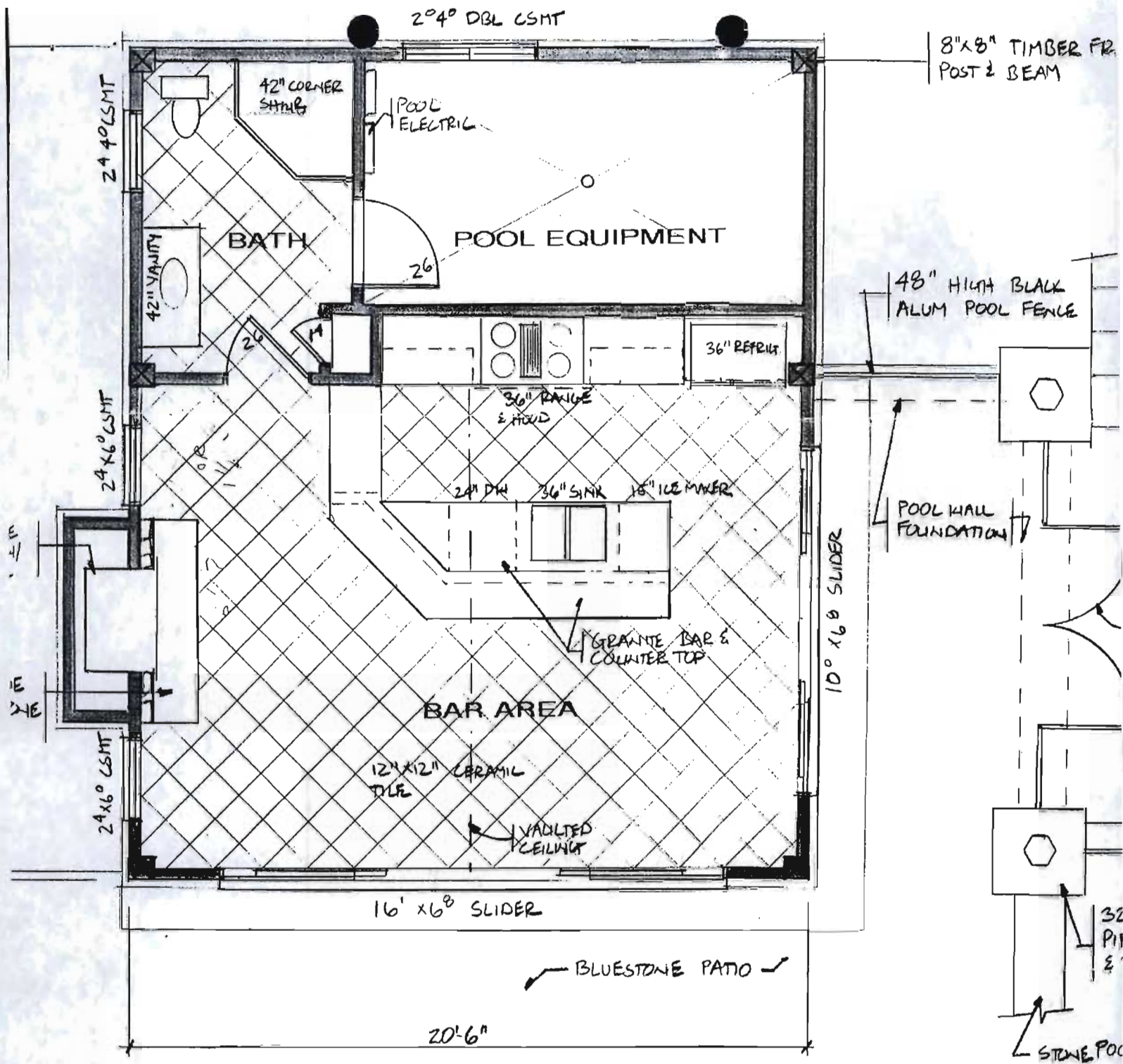
My client and neighbors, Leonard J. and Virginia H. Miller obtained an Administrative Variance in order to build a pool house adjacent to the swimming pool behind their home. An Administrative Variance was necessitated because of an intrusion of the pool house into the said yard.

Tom Bostwick issued the Administrative Variance by Order dated May 5, 2008, Case No. 08-464-A. The Millers desire to install a kitchen / wet bar in the pool house. When I spoke to Commissioner Bostwick regarding this he indicated that I should speak with Carl Richards concerning what needed to be done to accommodate the kitchen within the pool house. On Friday, June 13, 2008, I spoke with a technician in the Zoning Office who in turn spoke with Carl Richards. I was told that I should put the request in writing to yourself that it didn't seem to be a problem. It was also requested that I attach a copy of the floor plan of the pool house. Enclosed with this letter is a copy of the floor plan. Also enclosed is my firm check in the amount of \$10.00 made payable to Baltimore County, Maryland which is the cost I understand that is associated with processing the request.

Very truly yours,

Daniel J. Hanley

DJH/dib
Enclosure(s)
cc: Leonard J. & Virginia H. Miller



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

LAW OFFICES
HANLEY AND HANLEY, LLC
117 LAKE FRONT DRIVE
HUNT VALLEY, MARYLAND 21030

(410) 320-9775
(410) 320-1922 FACSIMILE

DANIEL J. HANLEY
email: dan@hanleylawllc.com

July 25, 2008

CLAUDE A. HANLEY
(1800-1076)

PATRICK D. HANLEY
email: pat@hanleylawllc.com

HAND - DELIVERY

Thomas H. Bostwick, Deputy
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Suite 405
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case #08-464-A
Property: 34 Sparks Farm Road
Sparks, Maryland 21152

RECEIVED
JUL 25 2008

BY:.....

Dear Commissioner Bostwick:

In follow-up to the above matter, it is my clients' understanding that their plumber applied for a permit today and was turned down for a shower fixture. While the plan I submitted to Timothy M. Kotroco, showed the floor plan containing the shower, evidently whatever was initially presented simply showed a powder room. I am preparing the deed containing the covenant as per the requirement set forth in your Order of June 23, 2008. Can you advise as to what needs to be done in order to allow them to obtain the plumbing permit of the shower? For your information, enclosed is a copy of the letter dated June 2, 2008 I sent to Tim Kotroco along with the first floor plan which clearly shows the shower stall.

Very truly yours,



Daniel J. Hanley

DJH/dib
Enclosure(s)
cc: Leonard J. & Virginia H. Miller

LAW OFFICES
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117 LAKE FRONT DRIVE
HUNT VALLEY, MARYLAND 21030

(410) 329-9775
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DANIEL J. HANLEY
email: dan@hanleylawllc.com

PATRICK D. HANLEY
email: pat@hanleylawllc.com

CLAUDE A. HANLEY
(1800-1070)

July 31, 2008

RECEIVED
AUG 01 2008

BY:.....

HAND - DELIVERY

Thomas H. Bostwick, Deputy
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Suite 405
Towson, Maryland 21204

Re: *Petition for Administrative Variance*

Case #08-464-A

Property:

***34 Sparks Farm Road
Sparks, Maryland 21152***

Dear Commissioner Bostwick:

Enclosed herein is the proposed Restrictive Covenant my clients would place on their property to fulfill the requirements set forth in your Order on Motion for Reconsideration dated June 23, 2008. Kindly advise if this is acceptable. I will then proceed to have it executed and recorded.

I would also appreciate your advice with regard to the issues set forth in my letter of July 25, 2008.

Very truly yours,



Daniel J. Hanley

DJH/dib
Enclosure(s)
cc: Leonard J. & Virginia H. Miller

COVENANT

THIS COVENANT made this ____ day of August 2008, by Leonard Miller and Virginia Miller, husband and wife, jointly and severally hereinafter referred to as "Covenantors"), for the benefit of Baltimore County (hereinafter referred to as "Beneficiary").

WITNESSETH:

For and in consideration of the issuance of a building permit to construct a pool house and in accordance with the requirements set forth in an Order dated June 23, 2008, in case #08-464-A before the Deputy Zoning Commissioner for Baltimore County, the Covenantors do hereby covenant and warrant unto Beneficiary, its successors and assigns, as follows:

FIRST: The Covenantors are the owners, in fee simple, of the subject property (as hereinafter defined).

SECOND: The Covenantors will not utilize the pool house accessory structure (hereinafter "structure") as a separate structure for habitation other than its use as a pool house. The structure will not contain any sleeping quarters. The structure shall not be used for commercial purposes.

THIRD: As used herein the term and expression "subject property" means all that lot and parcel of land situate and lying in Baltimore County, Maryland, being known and designated as:

BEING KNOWN AND DESIGNATED as Lot No. 14A as shown on the Plat entitled, "Amended Plat No. 2, Mission Ridge", Revision of Lots, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 24 of Plat 2 "Mission Ridge", which Plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 58, folio 88.

Saving and excepting therefrom all that tract of land containing 0.0196 acres of land more or less, and described as follows:

Beginning for the same at a point on the division line between Lot 14-A and Lot 11-A at the beginning of the S 54 degrees 27 minutes 44 seconds E 86.02 fee line as shown on the Amended Plat #2 of "Mission Ridge" and recorded among the

Land Records of Baltimore in Plat Book SM No. 58, folio 88, running thence and binding on the aforesaid division line S 54 degrees 27 minutes 44 seconds E 86.02 feet thence leaving the division line between Lot 14-A and Lot 11-A, and running for a line of division now made, through Lot 14-A, the two following courses and distances, 1) N 41 degrees 25 minutes 54 seconds W 88.29 feet and 2) S 35 degrees 32 minutes 16 seconds W 19.91 feet to the place of beginning.

FOURTH: The covenants and warranties herein made by the Covenantors shall run with the land and be binding upon them and each of them and upon their respective heirs and personal representatives, successors and assigns and shall inure to the benefit of Beneficiary, its successors and assigns. As used herein the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

AS WITNESS the hands and seals of the Covenantors the day and year first above written.

(SEAL)

Leonard Miller, Covenantor

(SEAL)

Virginia Miller, Covenantor

STATE OF MARYLAND

)

)

to wit:

COUNTY OF BALTIMORE

)

I HEREBY CERTIFY that on this ____ day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Leonard Miller, one of the Covenantors named in the above Covenant, and he acknowledged the foregoing Covenant to be his act.

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

NOTARY SEAL

My Commission Expires: _____ (SEAL)

STATE OF MARYLAND)
) TO WIT:
COUNTY OF CARROLL)

I HEREBY CERTIFY that on this ____ day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia Miller one of the Covenantors named in the above Covenant, and she acknowledged the foregoing Covenant to be her act.

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

NOTARY PUBLIC

My Commission Expires: _____ (SEAL)

CERTIFICATION

I HEREBY CERTIFY that I am an attorney licensed to practice law in the State of Maryland and that I have prepared the foregoing Covenant at the direction of Leonard Miller and Virginia Miller, and am making this certification in compliance with the Annotated Code of Maryland, Real Property Article, Section 3-104(f)(1).

Daniel J. Hanley

Madam Clerk:

After recording, please return to:

Daniel J. Hanley, Esquire
Hanley and Hanley, LLC
117 Lake Front Drive
Hunt Valley, Maryland 21030

DEED

THIS DEED, dated this ____ day of August 2008, from Leonard Miller and Virginia Alsrue, now known as Virginia Miller, Grantor, to Leonard Miller and Virginia Miller (formerly known as Virginia Alsrue), Husband and Wife, Grantees.

Recitals

1. By deed dated December 1, 1998, Leonard Miller and Virginia Alsrue acquired title to the herein described property by deed from Adam R. Fein and Linda Keithan-Fein which deed is recorded among the Land Records of Baltimore County at Liber 13349 folio 451. The aforementioned deed purported to convey the property to Leonard Miller and Virginia Alsrue as Tenants by the Entireties. However, at the time of the conveyance, Leonard Miller and Virginia Alsrue were unmarried.

2. On November 8, 2002, Leonard Miller and Virginia Alsrue, now known as Virginia Miller, were married in Baltimore County, Maryland.

3. Leonard Miller and Virginia Miller wish to convey the property unto themselves as Tenants by the Entireties.

WITNESSETH, the Grantors, for consideration of Five Dollars (\$5.00) grant, convey and assign unto the Grantees, as Tenants by the Entireties, their assigns, and to the survivor of them, and the personal representatives, heirs and assigns of the survivor, in fee simple, the property located in Baltimore County, Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as Lot No. 14A as shown on the Plat entitled, "Amended Plat No. 2, Mission Ridge", Revision of Lots, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 24 of Plat 2 "Mission Ridge", which Plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 58, folio 88.

Saving and excepting therefrom all that tract of land containing 0.0196 acres of land more or less, and described as follows:

Beginning for the same at a point on the division line between Lot 14-A and Lot 11-A at the beginning of the S 54 degrees 27 minutes 44 seconds E 86.02 fee line as shown on the Amended Plat #2 of "Mission Ridge" and recorded among the Land Records of Baltimore in Plat Book SM No. 58, folio 88, running thence and binding on the aforesaid division line S 54 degrees 27 minutes 44 seconds E 86.02 feet thence leaving the division line between Lot 14-A and Lot 11-A, and running for a line of division now made, through Lot 14-A, the two following courses and distances, 1) N 41 degrees 25 minutes 54 seconds W 88.29 feet and 2) S 35 degrees 32 minutes 16 seconds W 19.91 feet to the place of beginning.

Being the same property described in a Deed dated December 1, 1998, and recorded among the Land Records of Baltimore County, Maryland, in Liber 13349, folio 451, was granted and conveyed by Adam R. Fein and Linda Keithan-Fein unto Leonard Miller and Virginia Alsrue, the Grantors herein.

Together with all improvements thereupon and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property unto the Grantees, as Tenants by the Entireties, their assigns, and to the survivor of them, and the personal representatives, heirs and assigns of the survivor, in fee simple, forever.

The Grantors covenant to warrant specially the property hereby conveyed and to execute such further assurances of the property as may be requisite.

WITNESS the hand and seal of the Grantor.

(SEAL)

Leonard Miller, Grantor

(SEAL)

Virginia Miller, formerly known as
Virginia Alsrue, Grantor

OWNER'S OCCUPANCY AFFIDAVIT

We do hereby certify under the penalties of perjury that the residential improved property at 34 Sparks Farm Road, Sparks, Maryland 21152, is the undersigned owner's residence.

Leonard Miller

Virginia Miller

NO TITLE SEARCH ACKNOWLEDGMENT

At the request of Leonard Miller and Virginia Miller no title search was made and this Deed was prepared solely on the basis of the information furnished by Leonard Miller.

Leonard Miller

Virginia Miller

STATE OF MARYLAND

)

)

COUNTY OF BALTIMORE

)

to wit:

I HEREBY CERTIFY that on this ____ day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Leonard Miller, one of the Grantors named in the above Deed, and he acknowledged

the foregoing Deed to be his act.

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

NOTARY SEAL

My Commission Expires: _____ (SEAL)

STATE OF MARYLAND)
) TO WIT:
COUNTY OF BALTIMORE)

I HEREBY CERTIFY that on this ____ day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia Miller one of the Grantors named in the above Deed, and she acknowledged the foregoing Deed to be her act.

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

NOTARY PUBLIC

My Commission Expires: _____ (SEAL)

CERTIFICATION

I HEREBY CERTIFY that I am an attorney licensed to practice law in the State of

Maryland and that I have prepared the foregoing Deed at the direction of Leonard Miller, one of the Grantors, and am making this certification in compliance with the Annotated Code of Maryland, Real Property Article, Section 3-104(f)(1).

Daniel J. Hanley

Madam Clerk:

After recording, please return to:

Daniel J. Hanley, Esquire
Hanley and Hanley, LLC
117 Lake Front Drive
Hunt Valley, Maryland 21030

LAW OFFICES
HANLEY AND HANLEY, LLC
117 LAKE FRONT DRIVE
HUNT VALLEY, MARYLAND 21030

(410) 329-9775
(410) 329-1022 FACSIMILE

DANIEL J. HANLEY
email: dan@hanleylawllc.com

PATRICK D. HANLEY
email: pat@hanleylawllc.com

CLAUDE A. HANLEY
(1008-1976)

September 5, 2008

Bruno Rudaitis, Zoning Review
County Office Building
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

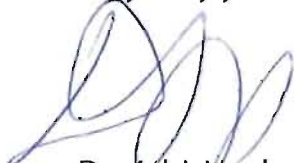
Re: Building Permit #B693934
Case #08-464-A
Property: 34 Sparks Farm Road
Sparks, Maryland 21152
Zoning Case #: 08-464-A; 10th Election District

Dear Mr. Rudaitis:

In follow-up to your correspondence of August 19, 2008, enclosed herein is a copy of the fully executed Covenant signed by Leonard J. Miller and Virginia Miller. I recorded the Covenant on September 4, 2008. Enclosed herein is a copy of the recording receipt along with the Property Intake Sheet. Accordingly, the land owner has complied with the requirements of Thomas H. Bostwick's Order.

If you require any further information, please feel free to contact me.

Very truly yours,



Daniel J. Hanley

DJH/dib
Enclosure(s)
cc: Leonard J. & Virginia H. Miller

Circuit Court for
BALTIMORE COUNTY
Clerk of the Court,
SUZANNE MENSH
COUNTY COURTS BUILDING
401 BOSLEY AVE. P.O. BOX 6754
TOWSON, MD 21285-6754
(410) 887-2601

Transaction Block: 293
Ref: MILLER
DEED R/FEE \$20 AMOUNT
IMP FD SURE \$20.00 20.00
RECORDING FEE 20 20.00
SUBTOTAL: 40.00

Transaction Block: 294
Ref: MILLER
MISCELLANEOUS AMOUNT
IMP FD SURE \$20.00 20.00
RECORDING FEE 20 20.00
SUBTOTAL: 40.00

TOTAL CHARGES: 80.00

PAYMENTS
CHECK 80.00

TOTAL TENDERED: 80.00

Cashier: LL Reg # BA05
Rcpt # 30459
Date: Sep 04, 2008 Time: 12:52 pm

State of Maryland Land Instrument Intake Sheet
☐ Baltimore City ☒ County: Baltimore

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

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

1	Type(s) of Instruments	(☐ Check Box if addendum Intake Form is Attached.)			
		Deed	Mortgage	Other	Other
2	Conveyance Type Check Box	Improved Sale	Unimproved Sale	Multiple Accounts	Not an Arms- Length Sale [9]
		Arms-Length [1]	Arms-Length [2]	Arms-Length [3]	
3	Tax Exemptions (if Applicable)	Recordation			
		State Transfer			
Cite or Explain Authority		County Transfer			

4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
		Purchase Price/Consideration	\$	Transfer Tax Consideration	\$
5	Fees	Any New Mortgage	\$	X () % =	\$
		Balance of Existing Mortgage	\$	Less Exemption Amount	\$
		Other:	\$	Total Transfer Tax	\$
		Other:	\$	Recordation Tax Consideration	\$
		Other:	\$	X () per \$500 =	\$
		Full Cash Value:	\$	TOTAL DUE	\$
		Amount of Fees	Doc. 1	Doc. 2	Agent:
		Recording Charge	\$	\$	Tax Bill:
		Surcharge	\$	\$	C.B. Credit:
		State Recordation Tax	\$	\$	Ag. Tax/Other:
State Transfer Tax	\$	\$			
County Transfer Tax	\$	\$			
Other	\$	\$			
Other	\$	\$			

6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
		10	210000584	1344 45	34	100-266	100-266	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)		34 Sp. 100 1st Rd. 5th Fl. Apt 210				
		Other Property Identifiers (if applicable)		Water Meter Account No.				
		Residential ☒ or Non-Residential ☐		Fee Simple ☐ or Ground Rent ☐		Amount:		
		Partial Conveyance? ☐ Yes ☐ No		Description/Amt. of SqFt/Acreage Transferred:				
		If Partial Conveyance, List Improvements Conveyed:						
		Doc. 1 - Grantor(s) Name(s)		Doc. 2 - Grantor(s) Name(s)				
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)				

7	Transferred From	Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)
8	Transferred To	Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
		New Owner's (Grantee) Mailing Address	

9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10	Contact/Mail Information	Instrument Submitted By or Contact Person		☐ Return to Contact Person
		Name: <u>Daniel J. Harker</u>		☒ Hold for Pickup
		Firm: <u>Harker & Harker LLC</u>		☐ Return Address Provided
		Address: <u>117 Lake Forest Drive</u>	Phone: (410) 229-9775	

11	Assessment Information	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	
		Yes ☐ No ☐ Will the property being conveyed be the grantee's principal residence?	
		Yes ☐ No ☐ Does transfer include personal property? If yes, identify:	
		Yes ☐ No ☐ Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	

Assessment Use Only - Do Not Write Below This Line							
☐ Terminal Verification	☐ Agricultural Verification	☐ Whole	☐ Part	☐ Tran. Process Verification			
Transfer Number:	Date Received:	Deed Reference:	Assigned Property No.:				
Year	20	20	Geo.	Map	Sub	Block	
Land			Zoning	Grid	Plat	Lot	
Buildings			Use	Parcel	Section	Occ. Cd.	
Total			Town Cd.	Ex. St.	Ex. Cd.		
REMARKS:							

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (5/2007)

09-04-08

COVENANT

THIS COVENANT made this 28~~th~~ day of August 2008, by Leonard Miller and Virginia Miller, husband and wife, jointly and severally hereinafter referred to as "Covenantors"), for the benefit of Baltimore County (hereinafter referred to as "Beneficiary").

WITNESSETH:

For and in consideration of the issuance of a building permit to construct a pool house and in accordance with the requirements set forth in an Order dated June 23, 2008, in case #08-464-A before the Deputy Zoning Commissioner for Baltimore County, the Covenantors do hereby covenant and warrant unto Beneficiary, its successors and assigns, as follows:

~~FIRST:~~ The Covenantors are the owners, in fee simple, of the subject property (as hereinafter defined).

SECOND: The Covenantors will not utilize the pool house accessory structure (hereinafter "structure") as a separate structure for habitation other than its use as a pool house. The structure will not contain any sleeping quarters. The structure shall not be used for commercial purposes.

THIRD: As used herein the term and expression "subject property" means all that lot and parcel of land situate and lying in Baltimore County, Maryland, being known and designated as:

BEING KNOWN AND DESIGNATED as Lot No. 14A as shown on the Plat entitled, "Amended Plat No. 2, Mission Ridge", Revision of Lots, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 24 of Plat 2 "Mission Ridge", which Plat is recorded among the Land Records of Baltimore County in Plat Book SM No. 58, folio 88.

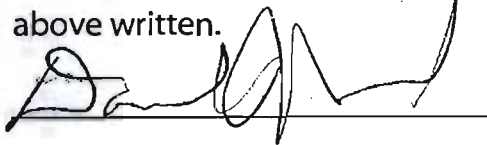
Saving and excepting therefrom all that tract of land containing 0.0196 acres of land more or less, and described as follows:

Beginning for the same at a point on the division line between Lot 14-A and Lot 11-A at the beginning of the S 54 degrees 27 minutes 44 seconds E 86.02 fee line as shown on the Amended Plat #2 of "Mission Ridge" and recorded among the

Land Records of Baltimore in Plat Book SM No. 58, folio 88, running thence and binding on the aforesaid division line S 54 degrees 27 minutes 44 seconds E 86.02 feet thence leaving the division line between Lot 14-A and Lot 11-A, and running for a line of division now made, through Lot 14-A, the two following courses and distances, 1) N 41 degrees 25 minutes 54 seconds W 88.29 feet and 2) S 35 degrees 32 minutes 16 seconds W 19.91 feet to the place of beginning.

FOURTH: The covenants and warranties herein made by the Covenantors shall run with the land and be binding upon them and each of them and upon their respective heirs and personal representatives, successors and assigns and shall inure to the benefit of Beneficiary, its successors and assigns. As used herein the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

AS WITNESS the hands and seals of the Covenantors the day and year first above written.



 (SEAL)
Leonard Miller, Covenantor



 (SEAL)
Virginia Miller, Covenantor

STATE OF MARYLAND)

)

to wit:

COUNTY OF BALTIMORE)

)

I HEREBY CERTIFY that on this 28th day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Leonard Miller, one of the Covenantors named in the above Covenant, and he acknowledged the foregoing Covenant to be his act.

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

Diana Irene Buschmann
NOTARY SEAL

My Commission Expires:

June 1, 2010



STATE OF MARYLAND

)

TO WIT:

COUNTY OF CARROLL

)

I HEREBY CERTIFY that on this 28th day of August 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia Miller one of the Covenantors named in the above Covenant, and she acknowledged the foregoing Covenant to be her act.

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

Diana Irene Buschmann
NOTARY PUBLIC

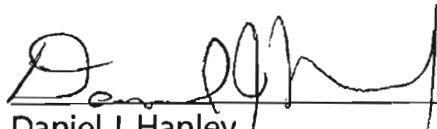
My Commission Expires:

June 1, 2010



CERTIFICATION

I HEREBY CERTIFY that I am an attorney licensed to practice law in the State of Maryland and that I have prepared the foregoing Covenant at the direction of Leonard Miller and Virginia Miller, and am making this certification in compliance with the Annotated Code of Maryland, Real Property Article, Section 3-104(f)(1).


Daniel J. Hanley

Madam Clerk:

After recording, please return to:

Daniel J. Hanley, Esquire
Hanley and Hanley, LLC
117 Lake Front Drive
Hunt Valley, Maryland 21030

2100005835

2000013201

Pt. Bk. 55 Folio 139 2000013202

034C1

2100005838

SPARKS FARM RD

24

CARROLL BRANCH

26

30

Flood Zone X

2300003864

Pt. Bk. 70 Folio 126

2100005843

32

10 ED

NW 22-A

RC 6

3 CD

SITE

WOODS AT CARROLL RUN (PDM File/Project #)

034C2

7'

2100005844

Pt. Bk. 58 Folio 88

2300003866

2300003867

2100005841

36

2100005842

Loch Raven Hydrology 100 Foot Stream Buffer

2300003868

Pt. Bk. 52 Folio 136 2000004023

CROSS CREEK (PLAT 2) (PDM File/Project #)

2000004024

Pt. Bk. 54 Folio 105

2000007978

CARROLL BRANCH

Flood Zone A

CARROLL BRANCH

2000007977

6

2000004022

EXISTING RESIDENCE



NEIGHBO @ DRIVE ENTRANCE



NEIGHBOR ADDRESS DRIVEWAY



NEIGH BAR IN FRONT OF HOUSE



BACK YARD OF RESIDENCE



BALU YARD LOOKING ~~WEST~~ EAST

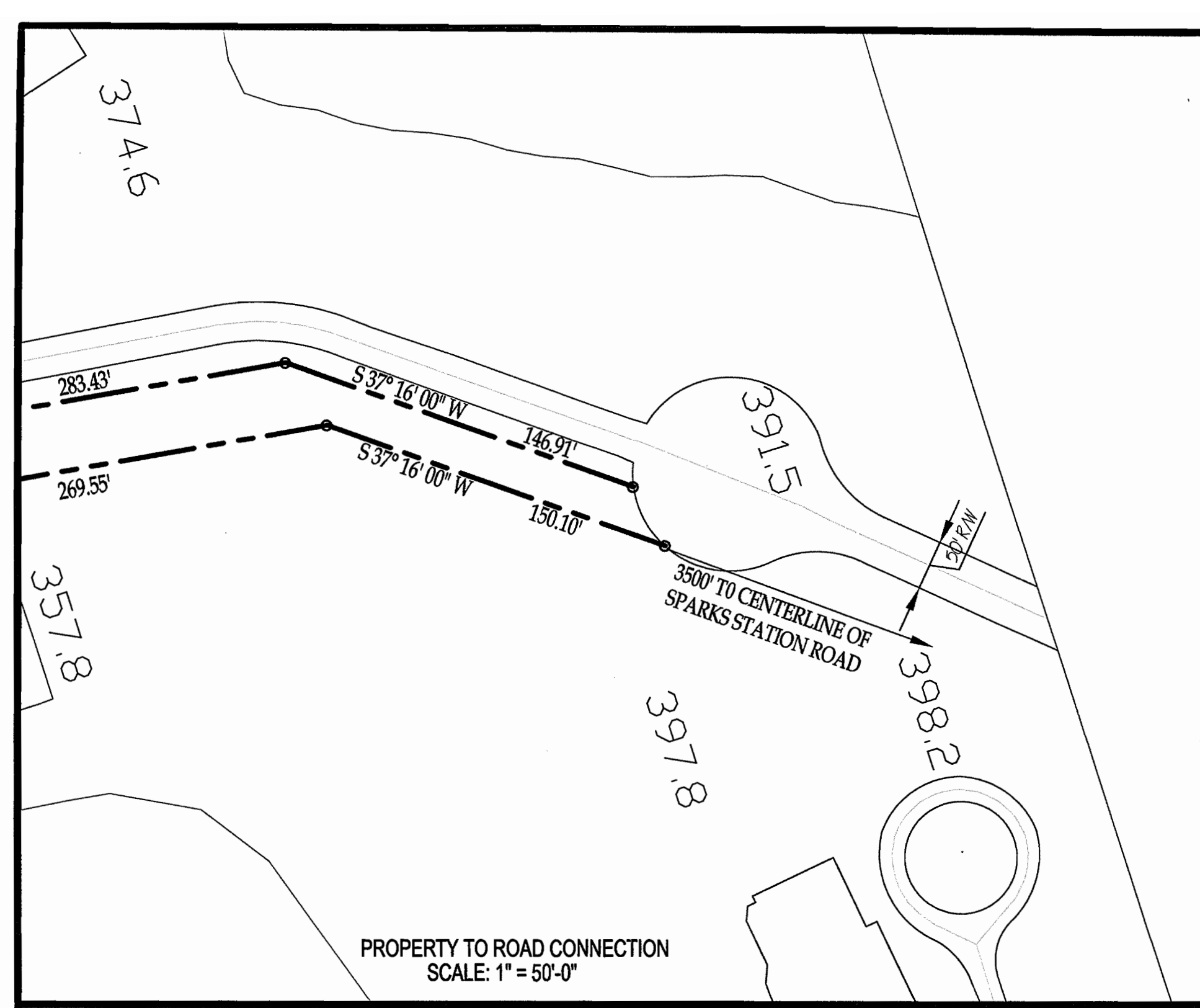
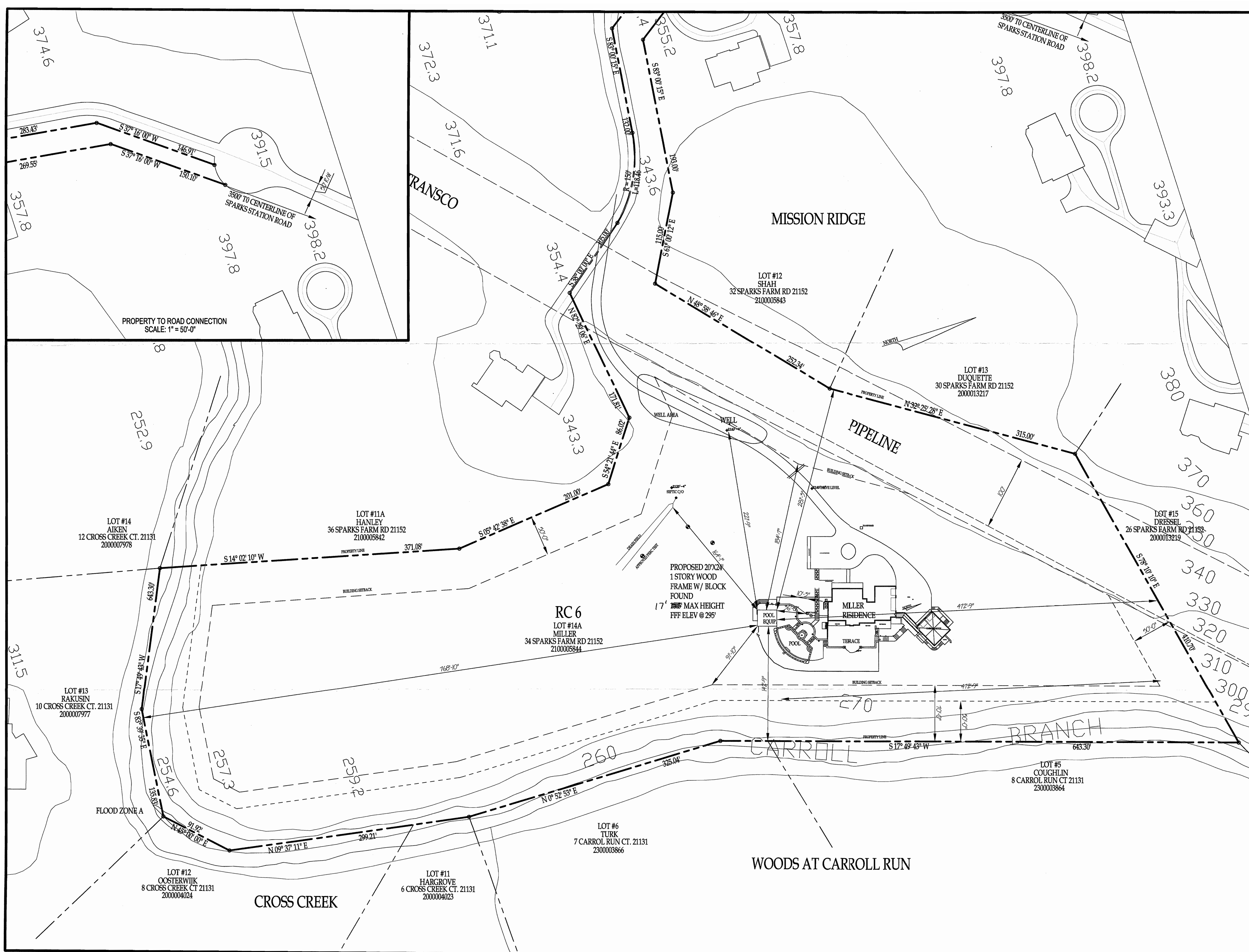


PROP. POOL HOUSE LOCATION
RIGHT (WEST) SIDE YARD



PROP. POOL HOUSE LOCATION
RIGHT SIDE YARD LOOKING SOUTH





PLAT TO ACCOMPANY
PETITION FOR ZONING

☒ VARIANCE
☐ SPECIAL HEARING

PROPERTY ADDRESS:
34 SPARKS FARM RD SPARKS MD 21152

SUBDIVISION NAME: MISSION RIDGE

PLAT BOOK # 58 FOLIO # 88 LOT # 14A SECTION # N/A

OWNERS: LEONARD & VIRGINIA MILLER

SCALE: 1" = 50'-0"

LOCATION INFORMATION

ELECTION DISTRICT 10
COUNCIL MANIC DISTRICT 3
1" = 200' SCALE MAP # 034C2
ZONING RC 6 (RC4)
LOT SIZE 11.88 AC 517,493 SQFT

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☒

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #