

IN RE: **PETITION FOR VARIANCE**
W/S Island View Road, 1,000' W of
Barrison Point Road
(2500 Island View Road)

15th Election District
6th Council District

James L. Grace, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2008-0596-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Jeanette F. Grace, and her husband, James L. Grace. The Petitioners request variance relief from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side lot line setbacks of 20.4 feet (west side) and 35 feet (east side) and a rear yard setback of 36 feet in lieu of the required 50 feet¹ for a proposed one-story replacement dwelling. The subject property and requested relief are more particularly described on the site plans submitted which were accepted into evidence and marked as Petitioners' Exhibits 1 and 2.

Appearing at the requisite public hearing in support of the request was the property owner, James Grace. Appearing as concerned adjacent property owners and neighbors were James S. Brown and David M. Donovan with their consultant, David W. Billingsley.

Testimony and evidence offered disclosed that the property under consideration consists of three (3) lots of record (Lots 24, 25 and 26) as shown on Tax Map 105 and when combined

¹ The subject property is irregularly shaped with 275 feet of frontage on Browns Creek aka Browns Cove with a pier extending 85 feet out into the water. The Zoning Commissioner's Policy Manual (ZCPM), Sections 400.1A and 400.2A, provides a determination of what constitutes the front yard on waterfront lots based on the orientation of the houses and accessory buildings. In most cases, as is the situation here, waterfront lots refer to the front of the structure facing the water. Accordingly, the Petition was amended, without objection, to provide for a "front yard" setback of 36 feet as opposed to a *rear yard setback* as originally filed.

RECEIVED FOR FILING
Date 9-3-08
By [Signature]

form an irregular, rectangularly shaped waterfront parcel located at the end of Island View Road with frontage on the south and west sides of Browns Cove in the Barrison Point area of eastern Baltimore County. The properties contain a gross area of 24,088 square feet (0.553 acres), more or less, zoned R.C.5 and improved with a modest one-story residential structure built in 1955, which was damaged and rendered structurally unsound by Hurricane Isabel in September 2003. As is often the case with older subdivisions, the Amended Plat of Barrison Point was laid out many years ago, well prior to the adoption of the zoning regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and width requirements. As shown on the site plan, the subject property has 117 feet of road frontage (Paper Road – Island View Road) and is 340 feet deep. The property has been in the Petitioners' possession since 2004 but they have resided in the area since 1985. As shown on the plan, they are now desirous of redeveloping the property with a one-story retirement home (35' wide x 54' deep) removing the existing dwelling and placing the new home on portions of the existing foundation. They will also improve the properties overall appearance by removing existing sheds and a trailer currently located on Lot 26. In that the R.C.5 development regulations require a minimum 50-foot setback to any property line, the requested variance relief is necessary. In support of the request, testimony indicated that the proposed dwelling would be consistent with other homes in the community and feature similar setbacks as those on Island View Road. Mr. Grace points out that the R.C.5 zoning classification was placed on the property when utility services were non-existent and now that they have been provided, the zoning classification should rightly be changed to D.R.5.5. Further, he indicates that this is to be considered a larger lot in the community where many of the existing homes were built on 50-foot wide lots. Thus, he submits that the relief requested is appropriate and is consistent with the neighborhood.

ORDER RECEIVED FOR FILING
Date 9-3-08
By [Signature]

The adjacent neighbors in attendance, Messrs. Brown and Donovan, were on one hand not opposed to the Petitioners proposed home and improvements to the property making it compatible and in scale and rhythm with the Barrison Point community. They did, however, oppose the substantial variances being requested. Mr. Donovan presented as Protestants' Exhibit 1, a site plan showing an alternate home location that evidences the property can be developed without the need for a front yard setback of 36 feet or a side yard setback of 28 feet on the northeast side of the property. They point out that these two variances could be eliminated and thus more in keeping with the spirit and intent of the regulations which require a Petitioner to request the minimum relief necessary to permit a replacement dwelling to be located on the lot. Mr. Brown states that they have resided at their property (2502 Island View Road) since 1993 and aptly points out that the Petitioners' Lots 24, 25 and 26 have one tax account number and that the driveway and utility services for the existing and proposed dwelling run through Lots 24 and 25.

This is not a simple case. From the facts before me, I must first conclude from a zoning standpoint that the prior owner(s) intended to merge the subject Lots 24 and 25 with the principal dwelling Lot 26. Erecting an access driveway and running water and sewer utilities through these lots for purposes accessory to the improved lot is the kind of overt action that demonstrates an intent to merge the undersized lots. There is no physical evidence that the lots were ever treated separately. *See Friends of the Ridge v. Baltimore Gas & Electric Company*, 352 Md. 645 (1999) and *Remes v. Montgomery County*, 387 Md. 52 (2005) for Maryland cases on the doctrine of zoning merger. As noted by the Court in the Remes case, the doctrine of merger prohibits the undoing of the process once merger occurs. I find that the lots have merged into one larger parcel as Lots 24 and 25 have been employed in the service of Lot 26 for zoning purposes, and

By _____
Date 9-3-08
RECEIVED FOR FILING

there are no internal divisions between lots recognized by zoning against which variances can in the future be granted.

After due consideration of the testimony and evidence presented, I find that the proposed home in the location depicted on Petitioners' Exhibit 2 is in keeping with the homes in the area and meets the spirit and intent of Section 307 and *Cromwell v. Ward*, 102 Md. App. 691 (1995) for variance relief to be granted. As noted above, the subject property has been a lot of record since 1929, well prior to the adoption of the R.C.5 zoning regulations in 1979. It is clear that strict compliance with the regulations would result in practical difficulty for the Petitioners and prevent the further improvements of the property for a permitted purpose. As to the alternate location favored by adjacent neighbors, the ground elevation in this area is two feet lower than the location favored by the Petitioners. Additionally, and as corroborated by the Real Property Data Sheet (Petitioners' Exhibit 5), a residential structure has been located on the property since 1955. Moreover, there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. Thus, I find that relief can be granted without detrimental impact to the health, safety, or general welfare of the surrounding locale. However, due to the property's close proximity to Browns Creek, the proposed improvements must comply with Chesapeake Bay Critical Area (CBCA) regulations as set forth in the attached ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) and the Bureau of Development Plans Review.

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

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of September 2008, that the Petition for Variance seeking relief from Section

RECEIVED FOR FILING
Date 9-3-08
By 1903

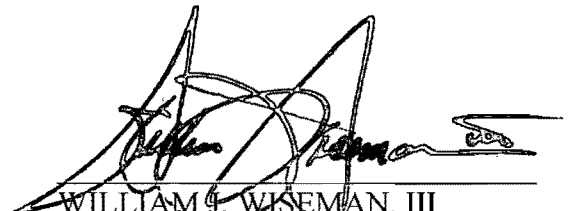
1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit side yard lot line

setbacks of ^{20.4}~~24.4~~ feet and 35 feet and a front yard setback of 36 feet for a proposed one-story replacement dwelling in lieu of the required 50 feet respectively, in accordance with Petitioners'

Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

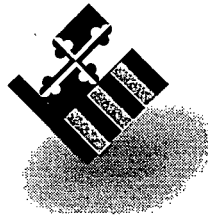
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Chesapeake Bay Critical Area (CBCA) regulations and the Limited Development Area (LDA) requirements and all other appropriate environmental, floodplain and B.O.C.A regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of these comments, dated August 22, 2008 and July 18, 2008 are attached hereto and made a part hereof.
- 3) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings (a copy of the proposed dwelling is contained in the file as Petitioners' Exhibit 3) to the Office of Planning for review and approval to ensure that the proposed house is compatible with existing homes in the area.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM S. WISEMAN, III
Zoning Commissioner
for Baltimore County

See
petition
form +
beginning
of order
D.T.

ORDER RECEIVED FOR FILING
Date 9-3-08
By [signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

September 3, 2008

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. James L. Grace
Mrs. Jeanette F. Grace
2527 Barrison Point Road
Baltimore, Maryland 21221

RE: **PETITION FOR VARIANCE**
W/S Island View Road, 1,000' W of Barrison Point Road
(2500 Island View Road)
15th Election District - 6th Council District
James L. Grace, et ux - Petitioners
Case No. 2008-0596-A

Dear Mr. And Mrs. Grace:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: James S. Brown and David M. Donovan, 2502 Island View Road, Baltimore, MD 21221
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; DEPRM; Office of Planning; Development Plans Review; File



TAX. ACCT # 2400008999

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 2500 ISLAND VIEW RD
which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2.b TO ALLOW SIDE SETBACKS OF

20.4 FEET AND 35 FEET AND REAR SETBACK OF 30 FEET IN LIEU OF THE
REQUIRED 50 FEET

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) MY WIFE AND I WOULD LIKE TO BUILD A SMALLER HOME

ON ONE FLOOR FOR OUR FUTURE YEARS. USING THE FOUNDATION OF THE EXISTING
STRUCTURE WOULD HELP FINANCIALLY. THE SETBACK REQUIREMENTS CANNOT BE
MET ANY WHERE ON THE PROPERTY, WHICH IS TYPICAL OF OUR 1926 SUBDIVISION.

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):

JAMES L GRACE

Name - Type or Print

Signature

Name - Type or Print

Signature

2527 BARRISON POINT RD 410-258-4019 (w)

Address Telephone No.

BALTIMORE MD 21221

City State Zip Code

Representative to be Contacted:

JAMES L GRACE

Name

2527 BARRISON POINT ROAD 410-258-4019 (w)

Address Telephone No.

BALTIMORE MD 21221

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 2008-0596-A

REV 9/15/98

Date 9-3-08

By [Signature]

Reviewed By

Date 7/1/09

ZONING DESCRIPTION FOR 2500 ISLAND VIEW ROAD

Beginning at a point on the West side of Island View Road which is 40 feet wide at the distance of 1000 feet West of the centerline of the nearest improved intersecting street, Barrison Point Road which is 40 feet wide. Being Lot #26 Section B in the subdivision of Barrison Point as recorded in Baltimore County Plat Book # 8, Folio # 82 containing .553 acres. Also known as 2500 Island View road and located in the 15th Election District, 6 Councilmanic District.

0596

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: 2008-0596-A
Petitioner: JAMES GRACE
Address or Location: 2500 ISLAND VIEW RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES GRACE
Address: 2527 BARLISON POINT RD
BALTIMORE MD 21221
Telephone Number: 410-574-2094

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **17597**

Date: **7-1-08**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001		0010		6150				65.00

Total: **65.00**

Rec From: **JAMES GRACE**

For: **2500 Island View Rd**

ZIZZI

VARIANCE

2008-0596-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BUSINESS ACTUAL TIME DMV
 7/01/2008 7/01/2008 09:16:31 2
 REG 4505 WALKIN DODL DMV
 RECEIPT # 449952 7/01/2008 01:10
 528 ZONING VERIFICATION
 017597

Receipt Tot: \$65.00
 \$65.00 CK \$0.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2008-0596-A

2500 Island View Road
W/side of Island View Road;
1000 feet west of Barrison
Point Road
15th Election District
6th Councilmanic District
Legal Owner(s): James L. &
Jeannette F. Grace

Variance: to allow side setback
of 20.4 feet and 35 feet and
rear setback of 36 feet in lieu of
the required 50 feet.

**Hearing: Thursday, August
28, 2008 at 10:00 a.m. in
Hearing Room 1, Jefferson
Building, 105 West Chesapeake
Avenue, Towson
21204.**

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

JT/8/643 Aug 12 180680

CERTIFICATE OF PUBLICATION

8/14, 2008

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 8/12, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/12/08

Case Number: 2008-0596-A

Petitioner / Developer: MR. & MRS. GRACE

Date of Hearing (Closing): AUGUST 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:
2500 ISLAND VIEW ROAD

The sign(s) were posted on: 8/10/08

ZONING NOTICE
CASE # 2008-0596-A
**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**
HEARING ROOM 1 JEFFERSON BLDG.
PLACE: 105 W. CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: THURSDAY, AUGUST 28, 2008
AT 10:00 A.M.
REQUEST: VARIANCE TO ALLOW SIDE
SETBACK OF 20.4 FEET AND 35 FEET AND REAR
SETBACK OF 36 FEET IN LIEU OF THE REQUIRED
50 FEET.
2500 ISLAND VIEW ROAD
POSTPONEMENTS, DUE TO WEATHER OR OTHER CONDITIONS, ARE SOMETIMES NECESSARY
TO CONSIDER HEARING CASE. 847-3297
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW.
HANDICAPPED ACCESSIBLE

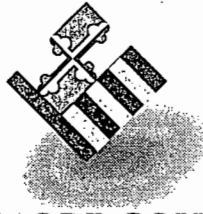
Linda O'Keefe
(Signature of Sign Poster)

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)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

July 16, 2008
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2008-0596-A

2500 Island View Road

W/side of Island View Road, 1000 feet west of Barrison Point Road

15th Election District – 6th Councilmanic District

Legal Owners: James L. & Jeannette F. Grace

Variance to allow side setback of 20.4 feet and 35 feet and rear setback of 36 feet in lieu of the required 50 feet.

Hearing: Thursday, August 28, 2008 at 10:00 a.m. in Hearing Room 1, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Grace, 2527 Barrison Point Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 13, 2008**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 12, 2008 Issue - Jeffersonian

Please forward billing to:

James Grace
2527 Barrison Point Road
Baltimore, MD 21221

410-574-2094

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2008-0596-A

2500 Island View Road

W/side of Island View Road, 1000 feet west of Barrison Point Road

15th Election District – 6th Councilmanic District

Legal Owners: James L. & Jeannette F. Grace

Variance to allow side setback of 20.4 feet and 35 feet and rear setback of 36 feet in lieu of the required 50 feet.

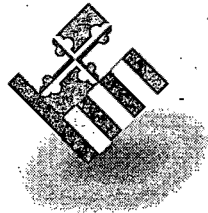
Hearing: Thursday, August 28, 2008 at 10:00 a.m. in Hearing Room 1, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



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

August 20, 2008

James L. & Jeanette F. Grace
2527 Barrison Point Road
Baltimore, MD 21221

Dear: James L. & Jeanette F. Grace

RE: Case Number 2008-0596-A, 2527 Barrison Point Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 1, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BW 8/28
10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 12, 2008

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

SUBJECT: 2500 Island View Road

INFORMATION:

Item Number: 8-596

Petitioner: James L. Grace

Zoning: RC 5

Requested Action: Variance

RECEIVED
AUG 18 2008

BY: _____

SUMMARY OF RECOMMENDATIONS:

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

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

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

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

Prepared By:

Seeds Murray

Division Chief:

Lynn Sanborn

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For July 21, 2008
Item No. 08-0596

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

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:lrk

cc: File

ZAC-ITEM NO 08-0596-07182008

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
AUG 22 2008

BY: *via email*
from Jeff Livingston

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: August 22, 2008

SUBJECT: Zoning Item # 08-596-A
Address 2500 Island View Road
(Grace Property)

Zoning Advisory Committee Meeting of July 14, 2008

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

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

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

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

 X 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:

This property is in the Limited Development Area of the Chesapeake Bay Critical Area and will require a Critical Area Variance to build the larger dwelling.

Reviewer: TAK

Date: 7/17/08



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: JULY 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 2008-0596-A
2600 ISLAND VIEW RD
GRACE PROPERTY
VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2008-0596-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,

Fo¹ 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

Inter-Office Correspondence



RECEIVED
AUG 22 2008

BY: *via email*
from Jeff Livingston

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: August 22, 2008

SUBJECT: Zoning Item # 08-596-A
Address 2500 Island View Road
(Grace Property)

Zoning Advisory Committee Meeting of July 14, 2008

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

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

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

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

X 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:

This property is in the Limited Development Area of the Chesapeake Bay Critical Area and will require a Critical Area Variance to build the larger dwelling.

Reviewer: TAK

Date: 7/17/08

C:\DOCUME~1\dwiley\LOCALS~1\Temp\ZAC 08-596-A.doc

By _____
Date 9-3-08
COPIES RECEIVED FOR FILING

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For July 21, 2008
Item No. 08-0596

DATE: July 18, 2008

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

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

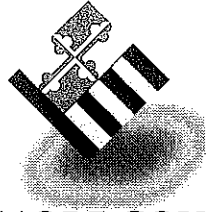
The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:lrk
cc: File
ZAC-ITEM NO 08-0596-07182008

By _____
Date 9-3-08
CEN RECEIVED FOR FILING



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

July 14, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 14, 2008

Item Number: 0582, 0594, 0595, ~~0596~~, 0597, 0598, 0599, 0601, 0602, 0605, 0607

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

RE: PETITION FOR VARIANCE * BEFORE THE
2500 Island View Road; W/S Island View * ZONING COMMISSIONER
Road, 1000' W Barrison Point Road * FOR
15th Election & 6th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): James & Jeanette Grace *
Petitioner(s) *
08-596-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JUL 15 2008

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 2008, a copy of the foregoing Entry of Appearance was mailed to James & Jeanette Grace, 2527 Barrison Point Road, Baltimore, MD 21221, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 08/22/08 12:17:57 PM
Subject: DEPRM Comment Needed

Missing DEPRM 8/22
Reva

Hi Jeff,

Bill has a hearing scheduled next week for Thursday, August 28th and needs a DEPRM comment (CBCA, flood & R.C.5 area). I have attached the case description for your convenience as follows:

CASE NUMBER: 2008-0596-A

Property Address: 2500 Island View Road

Location: W side of Island View Road, 1000 feet W of Barrison Point Road

15th Election District, 6th Council District

Legal Owner(s): James L. and Jeanette Grace

VARIANCE To allow side setback of 20.4 feet and 35 feet and rear setback of 36 feet in lieu of the required 50 feet.

Hearing: Thursday, 8/28/2008 at 10:00:00 AM, Hearing Room 1, Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

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

Account Identifier: District - 15 Account Number - 1516600142

Owner Information

Owner Name:	DONOVAN DAVID M BROWN JAMES S	Use:	RESIDENTIAL
Mailing Address:	2502 ISLAND VIEW RD BALTIMORE MD 21221-6411	Principal Residence:	NO
		Deed Reference:	1) /27071/ 330 2)

Location & Structure Information

Premises Address	Legal Description
2500 ISLAND VIEW RD	.447 AC LTS21-23 2500 ISLAND VIEW RD BARRISON POINT
WATERFRONT	

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
105	9	80			B		21	3	Plat Ref: 8/ 82

Special Tax Areas

Town

Ad Valorem

Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		19,471.00 SF	34

Stories	Basement	Type	Exterior
----------------	-----------------	-------------	-----------------

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2007	07/01/2008
Land	4,860	19,470		
Improvements:	0	0		
Total:	4,860	19,470	14,600	19,470
Preferential Land:	0	0	0	0

Transfer Information

Seller: PORTER WILLIAM R	Date: 06/09/2008	Price: \$25,800
Type: UNIMPROVED ARMS-LENGTH	Deed1: /27071/ 330	Deed2:
Seller: PORTER WILLIAM R	Date: 05/12/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12853/ 220	Deed2:
Seller: PORTER JEFFERSON D	Date: 03/02/1989	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8115/ 760	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:

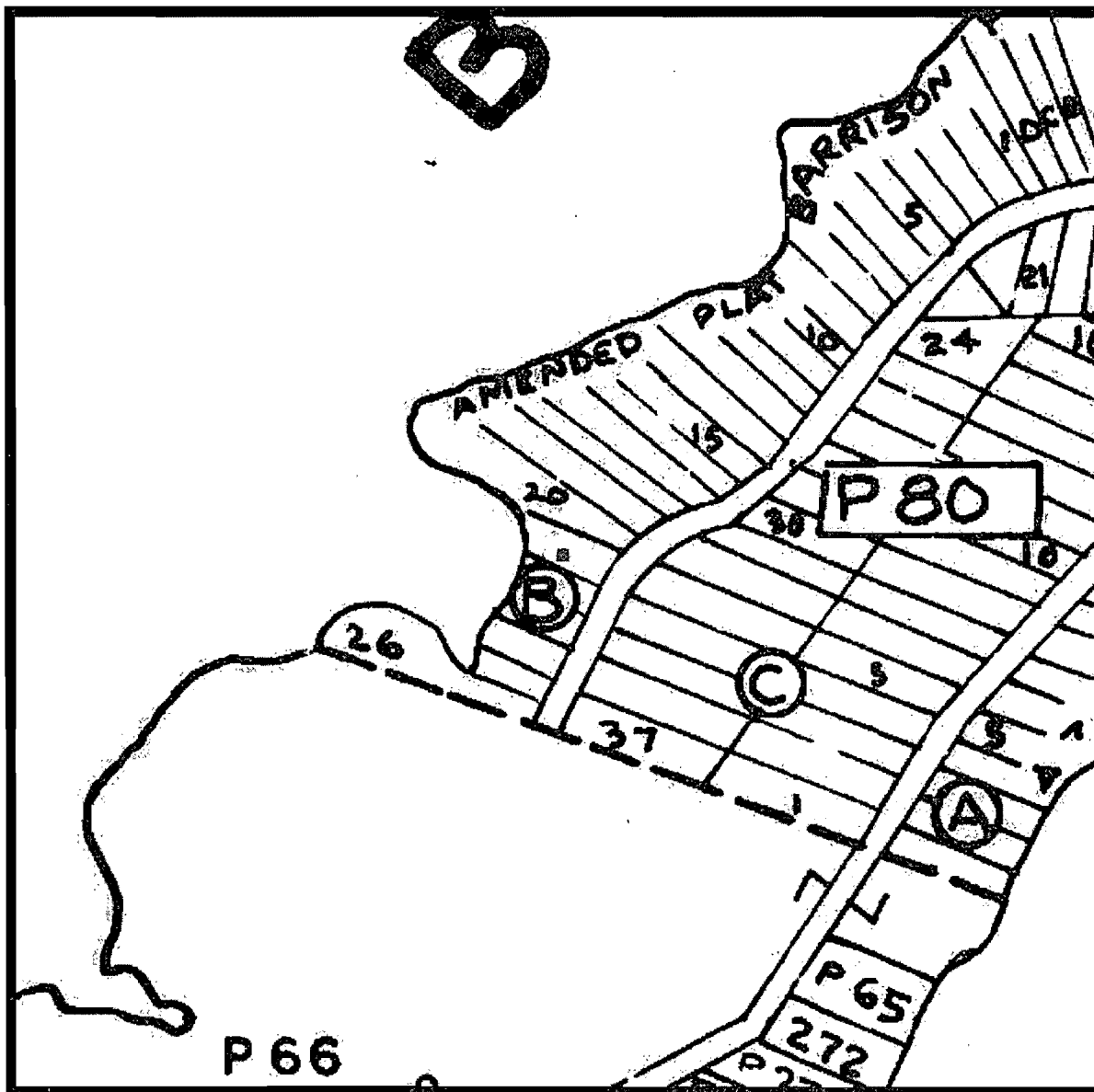
Special Tax Recapture:
 * NONE *



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

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

District - 15 Account Number - 1516600142



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web
site at www.mdp.state.md.us/webcom/index.html



CASE NAME Grace
CASE NUMBER 2008-0596-A
DATE 8-28-08

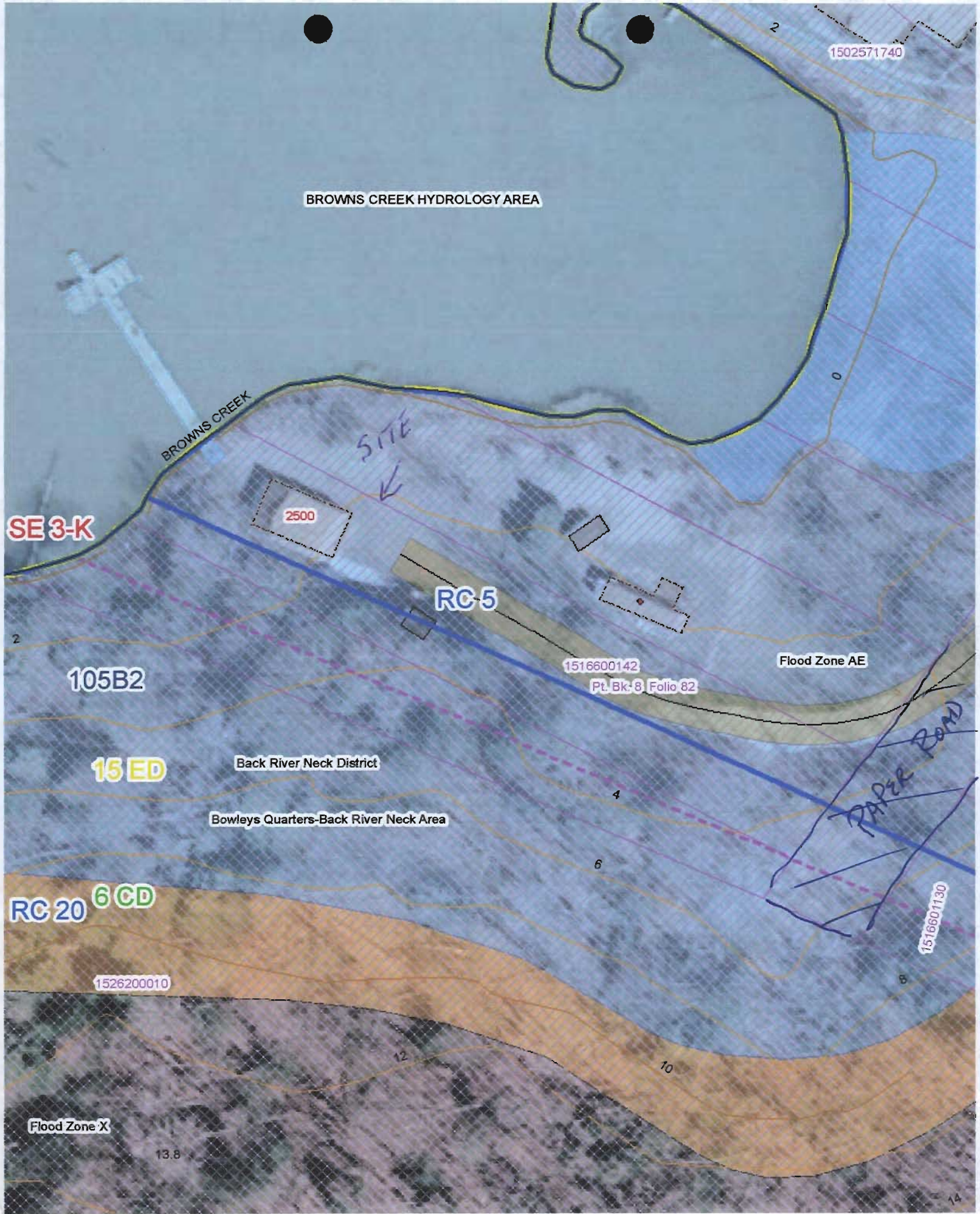
[illegible]

CASE NAME Trace
CASE NUMBER 2008-05967A
DATE 8-28-08

[illegible]

Baltimore County - My Neighborhood





0596

Case No.: 2008-0596-A 2500 ISLAND VIEW RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN EXISTING CONDITIONS	8-19-2008 LETTER WITH attached alternative site plan positioning proposed home centrally on lot
No. 2	SITE PLAN PROPOSED CONDITIONS	
No. 3	BUILDING ELEVATIONS	
No. 4	Photo's - Existing Conditions	
No. 5	Real Property Data Sheet	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Petitfleurs 9



Lot 22/20 ✓



14/22



Proterobute





Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

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

Account Identifier: District - 15 Account Number - 2400008999

Owner Information

Owner Name: GRACE JAMES
 GRACE JEANETTE
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 2527 BARRISON POINT RD
 BALTIMORE MD 21221-6410
Deed Reference: 1) /21199/ 26
 2)

Location & Structure Information

Premises Address ISLAND VIEW RD
Legal Description .553 AC LT24-26
 WS ISLAND VIEW RD
 BARRISON POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
105	9	80			B		24	3	Plat Ref: 8/ 82

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1955	400 SF	24,088.00 SF	34

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2006	07/01/2007	07/01/2008	
Land	82,320	133,520			
Improvements:	10,340	28,430			
Total:	92,660	161,950	138,852	161,950	
Preferential Land:	0	0	0	0	

Transfer Information

Seller:	Date: 12/29/2004	Price: \$150,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /21199/ 26	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

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

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Petitioners Exhibit 5

Case No.: 2008-0596-A 2500 ISLAND VIEW RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN EXISTING CONDITIONS	8-19-2008 LETTER WITH attached alternative site plan positioning proposed home centrally on lot
No. 2	SITE PLAN PROPOSED CONDITIONS	
No. 3	BUILDING ELEVATIONS	
No. 4	Photo's - Existing Conditions	
No. 5	Real Property Data Sheet	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

James S. Brown
David M. Donovan
2502 Island View Road
Baltimore, Md. 21221
(410) 574-8476

August 19, 2008

William J. Wiseman, III, Zoning Commissioner
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204

RE: 2500 Island View Road
Election District 15
Case No. 2008-0596-A

RECEIVED
AUG 22 2008

BY:

Dear Mr. Wiseman:

As a matter of record, we own and reside at 2502 Island View Road which is located on Lot 20, Section B of Barrison Point. Additionally, we are the owners of Lots 21, 22 and 23, Section B (erroneously shown as being owned by William Porter) and Lots 34, 35, 36 and 37, section C of Barrison Point. Therefore, we feel we have a vested interest in the request being made by Mr. and Mrs. Grace.

Please understand that we are not objecting to Mr. and Mrs. Grace improving their property with a new residence. Our concern is the location of the proposed dwelling. The new dwelling proposes to expand the footprint of what is shown as an existing frame dwelling. We have lived in our residence since 1993 and can not recall the structure ever being occupied. It has an unfinished interior (beams and planking) and has been used for storage of construction materials and miscellaneous items. The rear portion of the structure (closest to the water on the Plat to Accompany Petition) is clearly a lean-to shed.

The setbacks shown on the Plat to Accompany the Petition appear to be in error. It is our understanding that setbacks in R.C. zones are to be measured from the closest point of the structure perpendicular to the property line. To demonstrate the actual setbacks, we have placed the proposed dwelling on a copy of a recent survey of the property. It appears that the requested side yards should be 20.4 and 28 feet and the requested rear yard should be 28 feet. We believe that the relief being requested can be reduced significantly by moving the proposed dwelling closer to Island View Road as shown in red on the mentioned plat. This will eliminate the need for the rear yard variance, increase the side yard provided and increase the buffer area between the proposed dwelling and the waters of Browns Cove. Additionally, the width of the proposed dwelling could be reduced to provide a larger side yard. Since Mr. and Mrs. Grace will likely need a Chesapeake Bay Critical Area Variance to construct the proposed dwelling, they may wish to consider reducing the side yard provided along the southwest property line to 10 feet which will decrease the impact on the critical area. Many of the houses in this neighborhood have side yards of 10 feet or less.

PROTESTANT' S

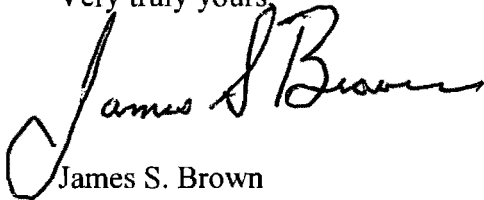
EXHIBIT NO. 1

PAGE TWO

A stronger concern of ours is the disposition of Lots 24 and 25, Section C which area also owned by Mr. and Mrs. Grace. As shown on the Plat to Accompany the Petition, it is clear that the driveway and utilities servicing the proposed dwelling run through Lots 24 and 25. Additionally, Lots 24, 25 and 26 have one tax account number. Although the inclusion of these lots as part of the request will have no effect on the request being made, we feel that Lots 24 and 25 should be merged with Lot 26 and the plat revised accordingly. We would also ask that any order relating to this Petition clearly state the same to prevent the Petitioner from requesting additional variances, etc. to develop Lots 24 and 25.

Thank you for your consideration in this matter and request that this correspondence be made part of the file. We do anticipate attending the hearing.

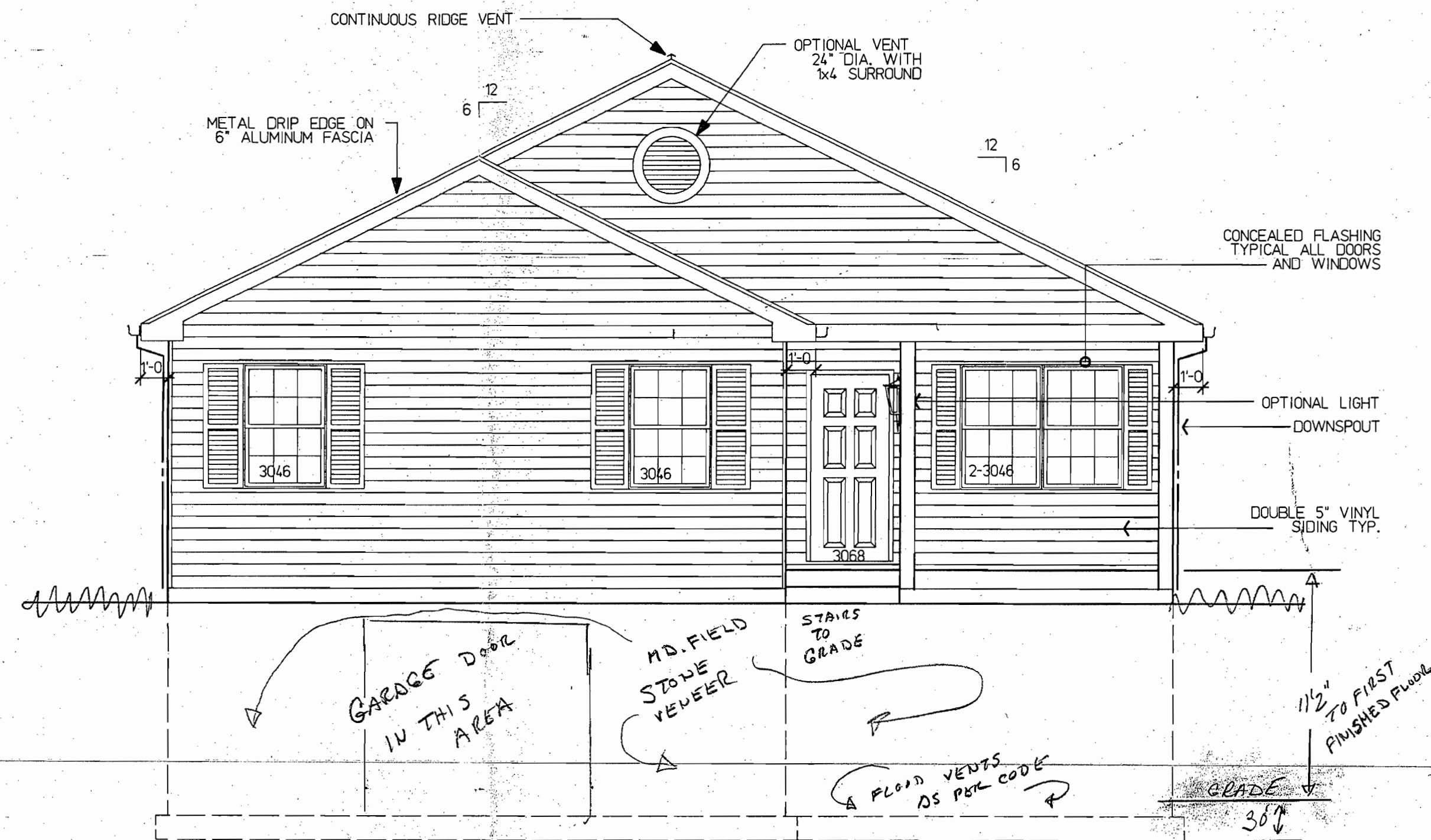
Very truly yours,


James S. Brown



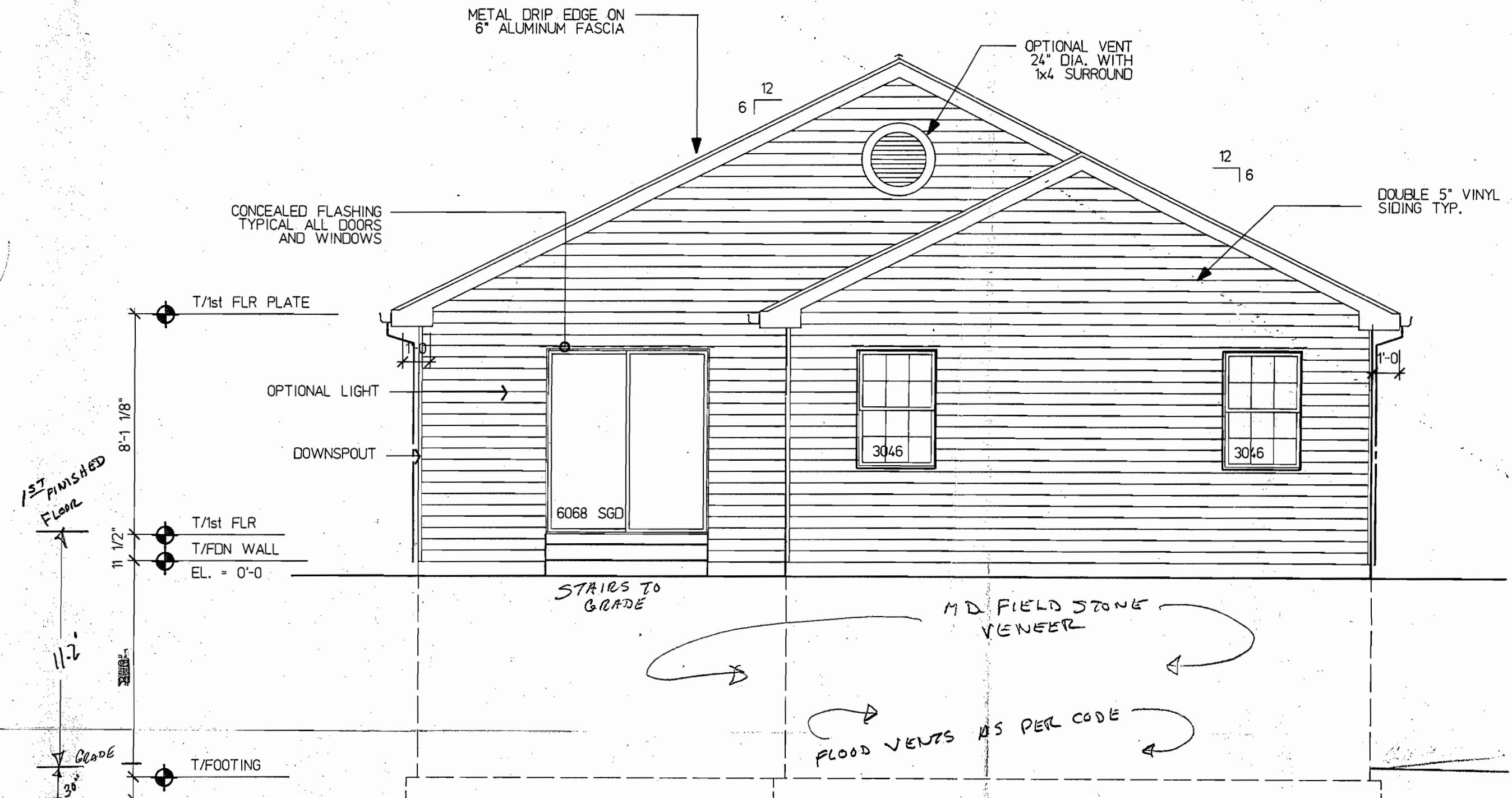
David M. Donovan

Enclosures
cc: Peoples Council



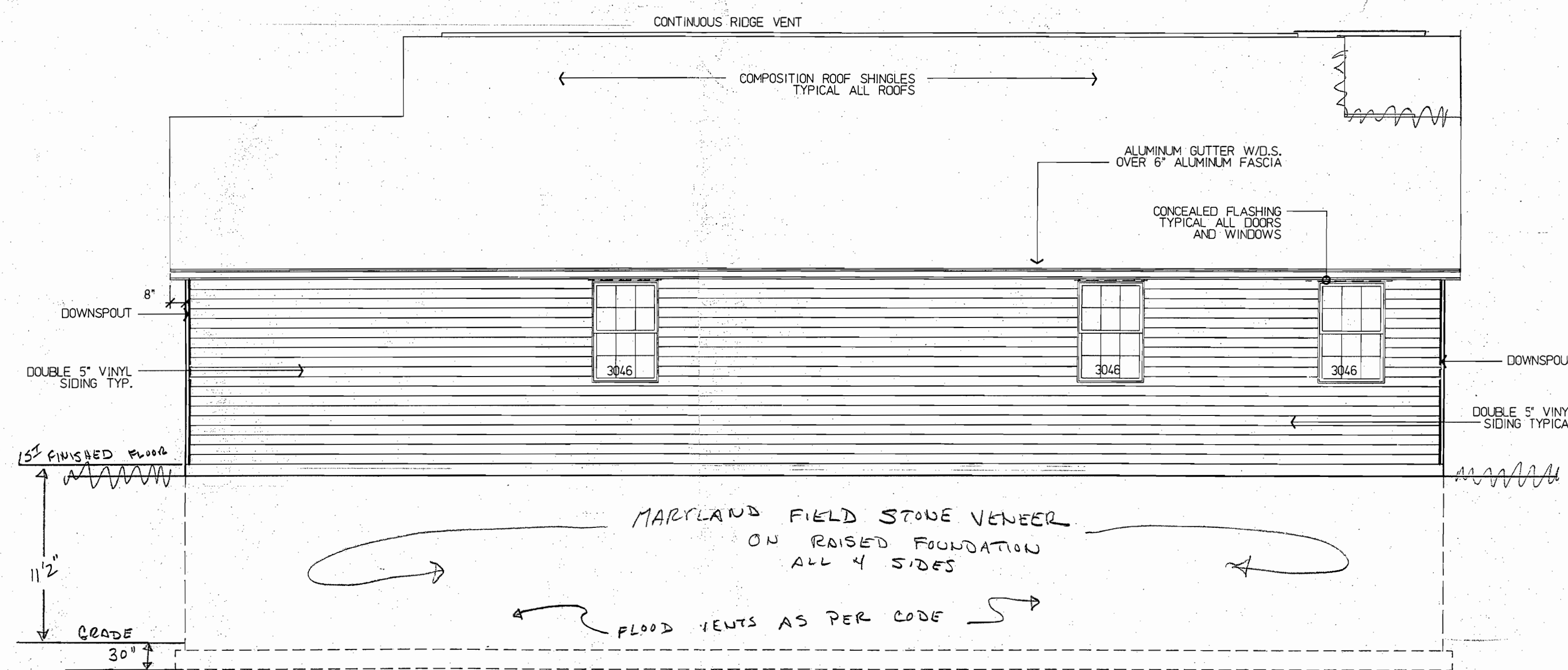
BASEMENT CONDITION
FRONT ELEVATION

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



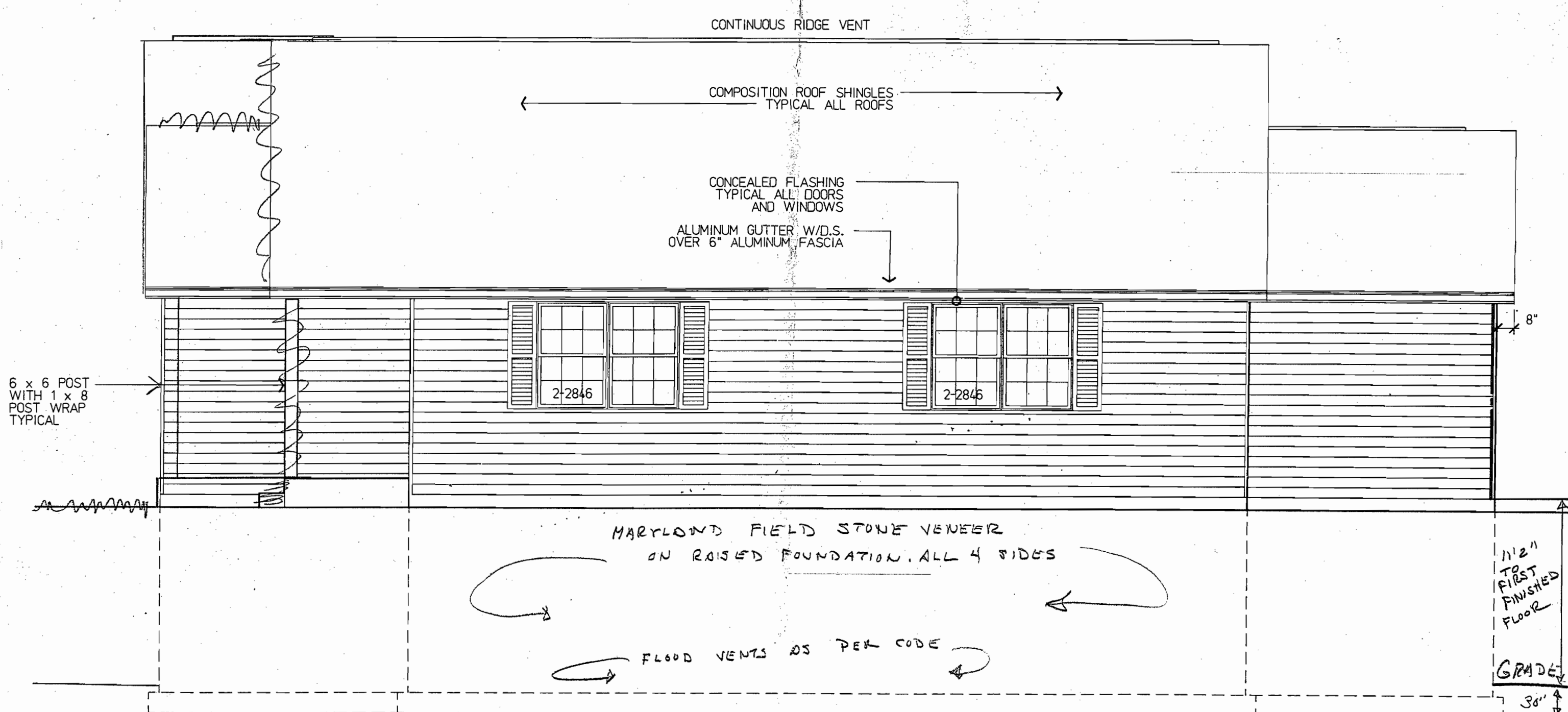
BASEMENT CONDITION
BACK ELEVATION

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



BASEMENT CONDITION
LEFT ELEVATION

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



BASEMENT CONDITION
RIGHT ELEVATION

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

PETITIONER'S

EXHIBIT NO. 3

DESIGN LOADS	WOOD OR ASPHALT SHINGLES	MISSION TILE	BUILT-UP	WOOD, CARPET OR R.F.T.	CERAMIC TILE, SLATE OR STONE	SPACED DECK
DEAD LOAD (PSF)	15	25	15	15	25	7
LIVE LOAD (PSF)	30	30	30	30	30	30
TOTAL (PSF)	45	55	45	45	55	37

NOTE: GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THE DESIGN AND ENGINEERING OF THESE PLANS AND BLUEPRINTS. HOWEVER, BECAUSE OF THE IMPOSSIBILITY OF PROVIDING ANY PERSONAL AND/OR "ON-THE-SITE" CONSULTATION, SUPERVISION, AND CONTROL OVER THE ACTUAL CONSTRUCTION, AND BECAUSE OF THE GREAT VARIANCE IN LOCAL BUILDING CODE REQUIREMENTS, AND OTHER LOCAL BUILDING AND WEATHER CONDITIONS, HOME PLANNERS, INC. ASSUMES NO RESPONSIBILITY FOR ANY DAMAGES, INCLUDING STRUCTURAL FAILURES DUE TO ANY DEFICIENCIES, OMISSIONS, OR ERRORS IN THE DESIGN OR BLUEPRINTS. IT IS RECOMMENDED THAT YOU CONSULT A LOCAL ARCHITECT OR ENGINEER OF YOUR CHOICE, AND CHECK WITH YOUR LOCAL BUILDING OFFICIAL, PRIOR TO START OF ACTUAL CONSTRUCTION.

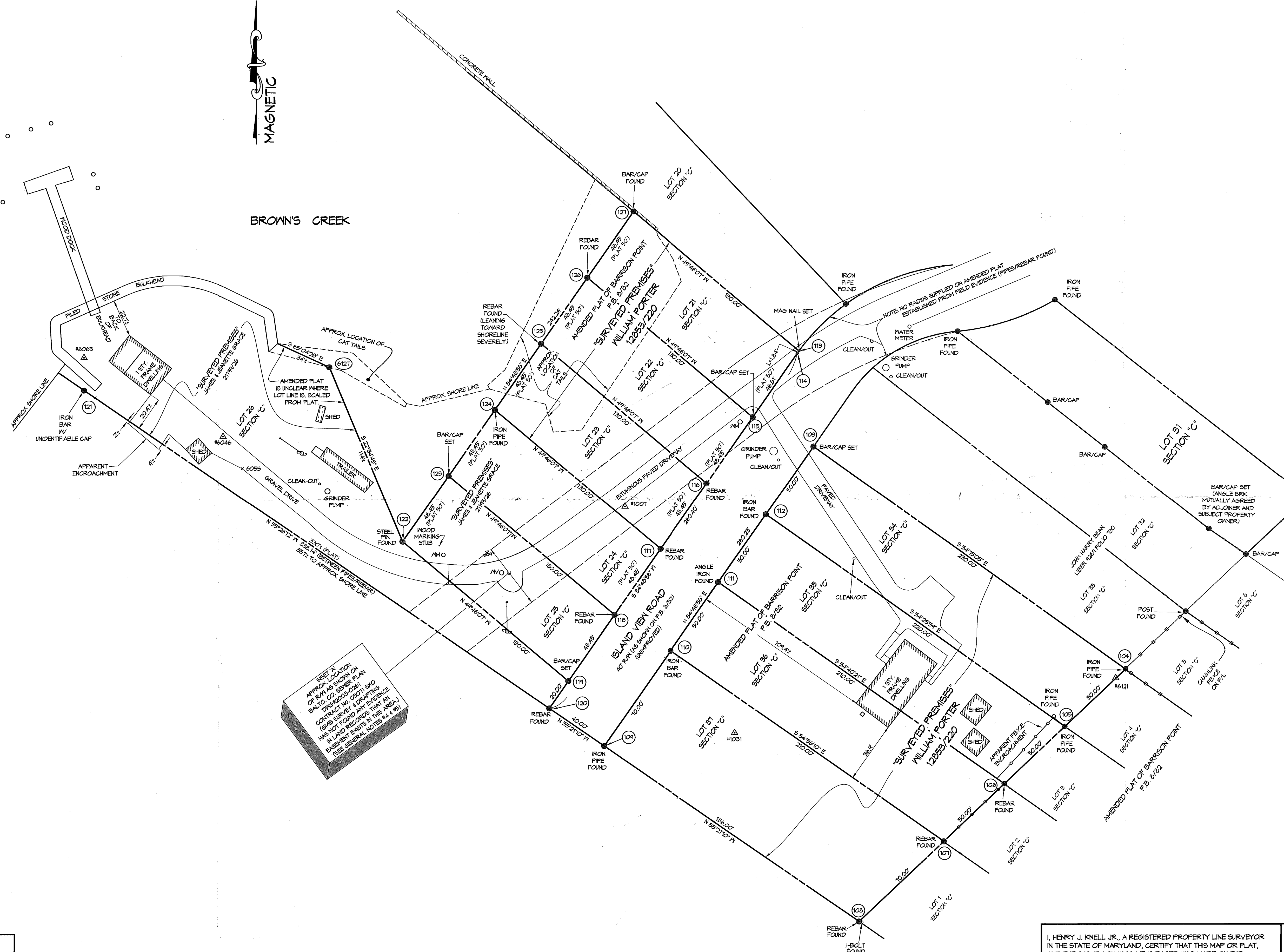
84 LUMBER COMPANY
4121 WASHINGTON RD.
MILWAUKEE, WISCONSIN 53211

84

DESIGN NO. 8421B
SHEET NO. 3 OF 3



BROWN'S CREEK



GENERAL NOTES

1) THE BEARINGS SHOWN HEREON REFER TO MAGNETIC NORTH.

2) COORDINATES SHOWN HEREON REFER TO AN ASSUMED SYSTEM ESTABLISHED BY GMB SURVEY & DRAFTING CONSULTANTS, LLC.

3) THE PROPERTY LINES SHOWN HEREON WERE DERIVED FROM "AMENDED PLAT OF BARRISON POINT" RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN P.B. 8/82.

4) THE ORIGINAL PURPOSE OF THE SURVEY SHOWN HEREON WAS TO STAKE LOTS 21-26 & 34-37, WHILE PERFORMING THIS TASK, IT WAS DISCOVERED THAT THERE ARE POSSIBLE DISCREPANCIES BETWEEN THE LOTS AS RECREATED FROM FIELD EVIDENCE, AND THE LOTS AS SHOWN ON BALTO. CO. SEWER PLAN DWS NO. 22003-0251, CONTRACT NO. 0371-SKD. IT IS APPARENT, IN THE FIELD THAT THE UTILITIES WERE CONSTRUCTED AS SHOWN ON SAID SEWER PLAN, INSET "A", SHOWN HEREON REFERS TO THE AFORESAID BALTO. CO. SEWER PLAN WHICH APPEARS TO SHOW A 40" R/W, WHICH IS ROTATED IN COMPARISON TO THE FIELD EVIDENCE AND THE AMENDED PLAT OF BARRISON POINT, BUT THE LENGTHS OF THE LOT LINES ON THE SEWER PLAN MATCH THE LENGTHS OF THE LOT LINES ON THE AMENDED PLAT. THE CORRESPONDING INTERIOR LOT LINES SHOWN ON THE BALTO. CO. SEWER PLAN ARE NOT SHOWN HEREON. PLEASE REFER TO SAID SEWER PLAN.

5) THE FOLLOWING SUMMARY OF A CONVERSATION WITH WILLIAM PORTER, OWNER OF LOTS 21-23 AND 34-37, AND FORMER OWNER OF LOTS 24-26, IS SHOWN HEREON SOLELY TO EXPOSE ANY POTENTIAL VERBAL EVIDENCE THAT MAY JUSTIFY THE EVIDENCE FOUND IN THE FIELD:
A REPRESENTATIVE FROM THE COUNTY MET WITH MR. PORTER PRIOR TO CONSTRUCTION OF THE UTILITIES. MR. PORTER STATED THAT HE INFORMED THE COUNTY REPRESENTATIVE THAT THE DRIVEWAY (WHERE THE UTILITIES EVENTUALLY WERE BUILT) WAS NOT THE ROAD RIGHT-OF-WAY, AND THAT IT WAS LOCATED FURTHER INTO THE WOODS AWAY FROM THE WATER, AND THAT THE DRIVEWAY WAS PUT IN FOR ACCESS TO THE HOUSE THAT IS ON LOT 26. ACCORDING TO MR. PORTER, THE COUNTY REPRESENTATIVE NEVER GOT BACK TO HIM.

6) THIS PLAN OR PLAT AND THE SURVEY ON WHICH IT IS BASED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH BY AN EXPERT TITLE ABSTRACTOR. THE TITLE INFORMATION SHOWN HEREON WAS DERIVED FROM A PLAT ENTITLED, "AMENDED PLAT OF BARRISON POINT" RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN P.B. 8/82, AND THE FOLLOWING DEEDS: 12853/220, AND 2119/26. GMB DID NOT FIND EVIDENCE OF ANY EASEMENTS OVER AND ACCROSS THE SURVEYED PREMISES, BUT A TITLE SEARCH BY OTHERS COULD REVEAL ADDITIONAL EASEMENTS, RIGHTS-OF-WAY, RESERVATIONS, DEDICATIONS, COVENANTS, RESTRICTIONS AND/OR ENCUMBRANCES NOT SHOWN HEREON.

BOUNDARY COORDINATE TABLE		
PNT	NORTH	EAST
103	14,916.7141	10,221.6184
104	14,842.2150	10,418.2034
105	14,807.1005	10,382.0264
106	14,775.1846	10,345.9500
107	14,738.6724	10,304.6751
108	14,640.5826	10,254.0254
109	14,746.0752	10,106.0126
110	14,893.5648	10,145.9781
111	14,894.6146	10,114.5244
112	14,855.6643	10,203.0716
113	15,034.1245	10,222.8371
114	15,032.6241	10,221.7183
115	14,944.3581	10,155.1610
116	14,854.5504	10,167.5052
117	14,914.8231	10,194.9434
118	14,875.0265	10,112.1815
119	14,895.2560	10,084.5245
120	14,918.8361	10,073.1057
121	15,006.1536	9,801.2024

BOUNDARY COORDINATE TABLE		
PNT	NORTH	EAST
1007	14,940.3618	10,118.4785
1031	14,903.9120	10,184.4400
6121	14,836.8251	10,412.3455
6046	14,932.8805	9,877.9761
6065	15,030.2407	9,744.6325

BOUNDARY SURVEY

LOTS 21-26 & 36-37
AMENDED PLAT OF
BARRISON POINT
P.B. 8/82
BALTIMORE COUNTY, MD.



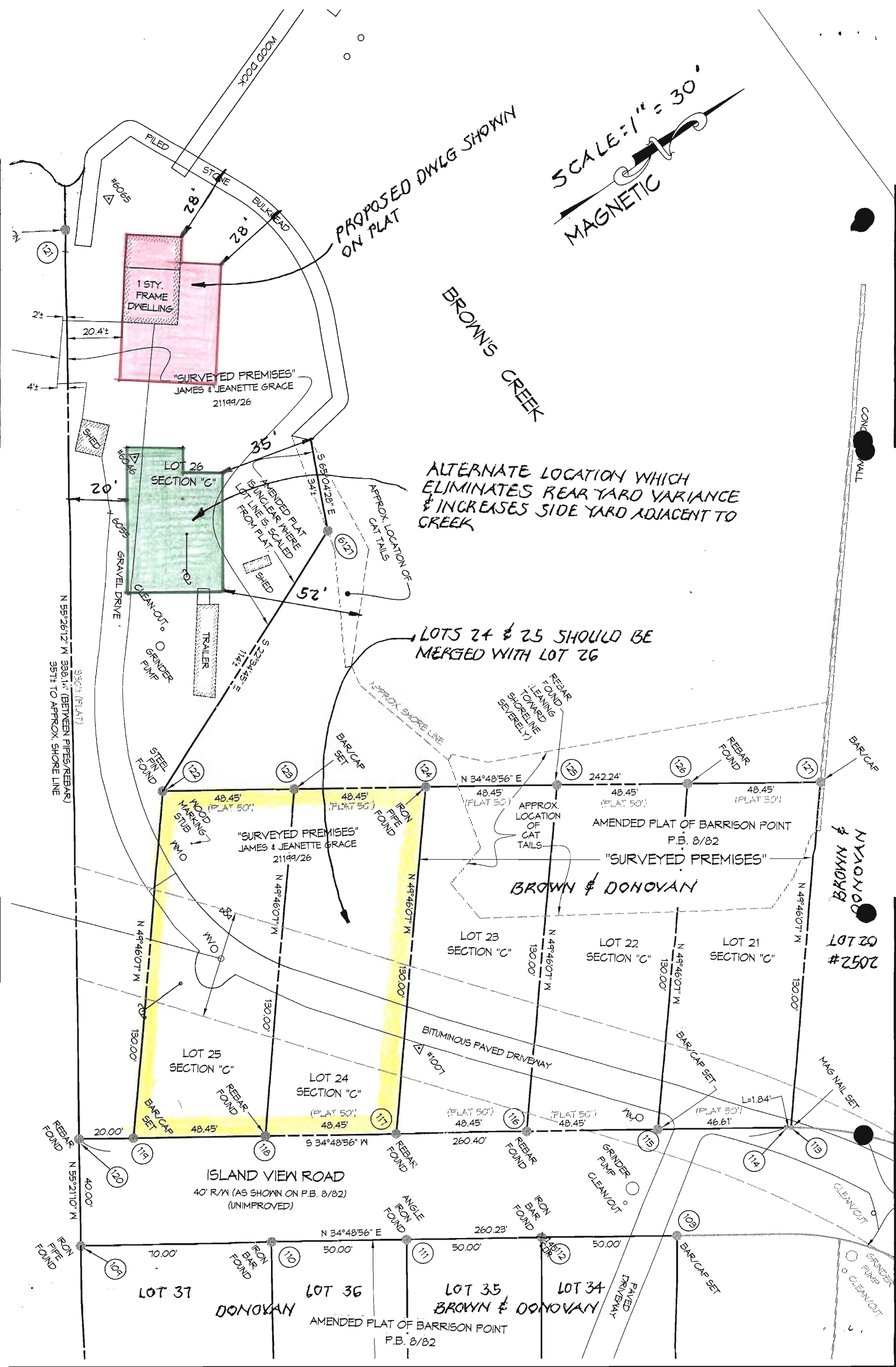
I, HENRY J. KNELL, JR., A REGISTERED PROPERTY LINE SURVEYOR IN THE STATE OF MARYLAND, CERTIFY THAT THIS MAP OR PLAT, AND THE SURVEY ON WHICH IT IS BASED WAS MADE ON THE GROUND AND WAS MADE IN ACCORDANCE WITH THE "MARYLAND MINIMUM STANDARDS OF PRACTICE FOR BOUNDARY SURVEYS".

Henry J. Knell, Jr. 8-2-07
HENRY JAMES KNELL, JR.
PROPERTY LINE SURVEYOR
MD. REGISTRATION NO. 484

GMB SURVEY & DRAFTING CONSULTANTS, LLC
6150 Taneytown Pike
Taneytown, Md 21157
Phone: 410-840-3385
Fax: 410-756-5391
Email: gino@plancia.com

DRAWING: PLAT.dwg
SCALE: 1"=30'
DATE: 7/20/07

PROTESTANT'S
EXHIBIT NO. 1



PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

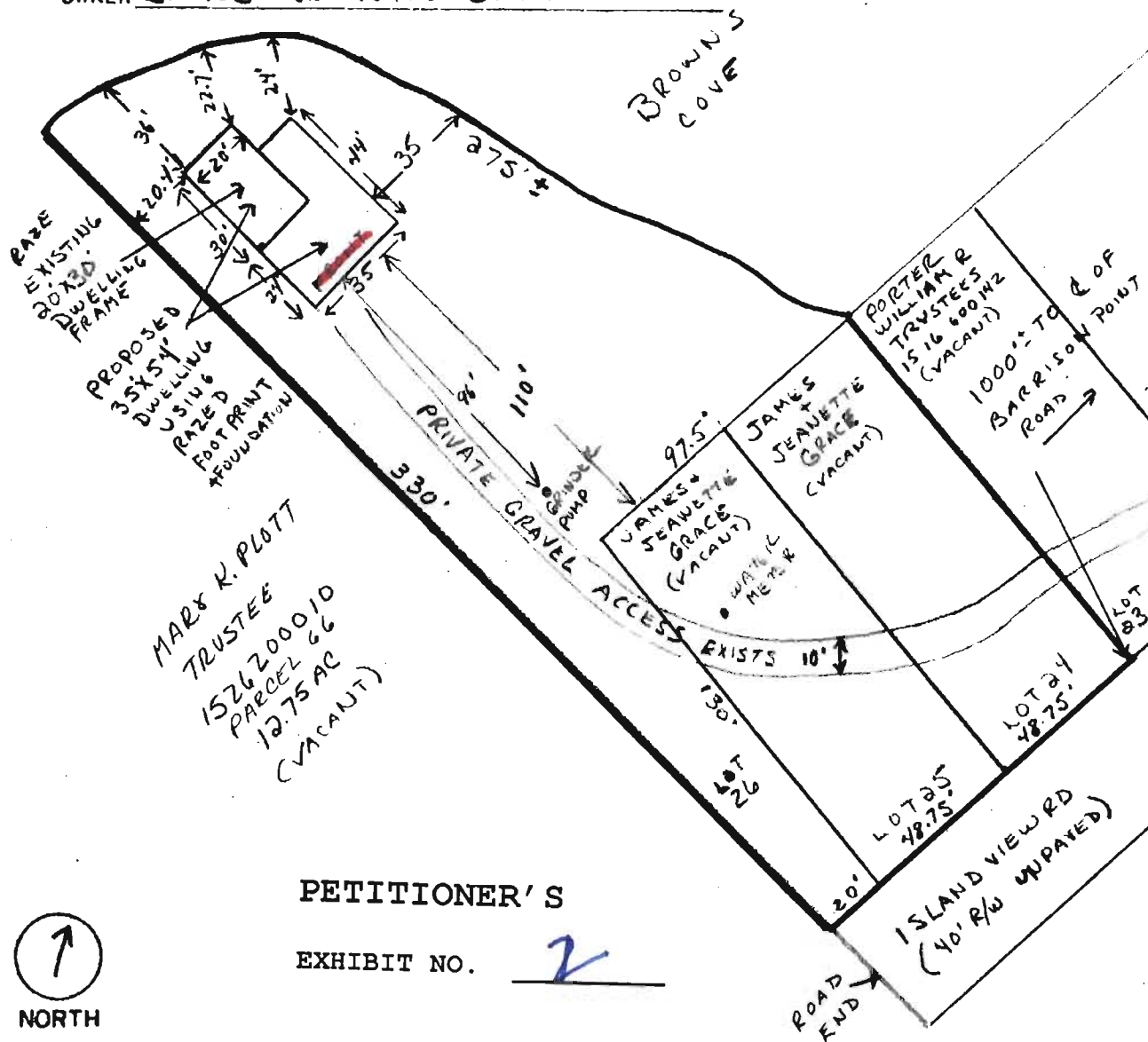
PROPERTY ADDRESS 2500 Island View Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME BARRISON POINT

PLAT BOOK # 8 FOLIO # 82 LOT # 26 SECTION # B

OWNER JAMES + JEANETTE GRACE



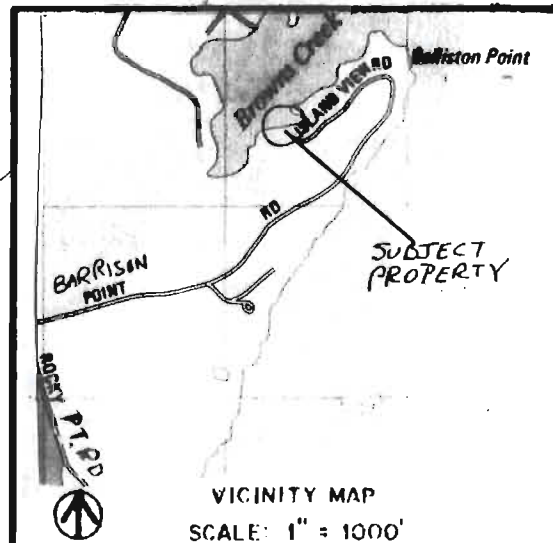
NORTH

PETITIONER' S

EXHIBIT NO.

PREPARED BY JLG

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 105132

ZONING RC5

LOT SIZE .553 24088
ACREAGE SQUARE FEET

SEWER PUBLIC PRIVATE
☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING *NOVE*

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

CM

05/6

CASE #

2008
0596