

IN RE: PETITION FOR VARIANCE

W side of Arry Place, 126 feet +/- N
of Tommy True Court
9th Election District
6th Councilmanic District
(8516 Arry Place)

Joseph and Marietta Kirk
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0130-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Joseph and Marietta Kirk. Petitioners are requesting variance relief from Section 415.A.1.D of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the storage of recreational vehicle on the street in front of 8516 Arry Place. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request was Petitioner Joseph Kirk and a neighbor, Bill Hesson, of 8505 Arry Place, who is supportive of the variance request. There were no Protestants or other interested persons in attendance at the hearing.

This matter is currently the subject of an active violation case (Case No. 52165) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact Petitioners are storing a recreational vehicle year-round on a residential street.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. For example, this means that the Petitioner cannot use the fact that a structure has been built to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration of the zoning case. The

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reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and evidence offered revealed that the subject property is rectangular in shape and is part of a 56-unit townhome development called The Village of Old Harford. Petitioner has lived in the current townhouse residence since September, 1987. The property is located on the west side of Arry Place, west of Old Harford Road, in the Parkville area of Baltimore County. Just to the east of Arry Place, facing Old Harford Road, are single-family dwellings with mixed uses zoned R.O. Petitioners' property is part of a cluster of townhomes (approximately eight townhomes) on Arry Place. Also located behind and west of Petitioners' townhome is an end-of-group unit. This is also where Arry Place terminates and where Petitioner currently stores his recreational vehicle (trailer).

Petitioner first purchased a recreational vehicle (RV) from a neighbor in the same townhouse complex at 8504 Arry Way in 1990. At that time, the RV was parked in the same location where Petitioner currently stores his RV. In 1992, Petitioners purchased a new RV and parked it at the subject location on Arry Place. In 1999, Petitioners purchased another new RV and again parked and stored it at the subject location. In 2005, Petitioners purchased a third new RV (their current RV) and have parked and stored it at the subject location. In all, an RV has been parked at the subject location continuously for almost 20 years.

Petitioner was recently informed by Baltimore County's Division of Code Inspection that the RV cannot be stored and parked on the public street in excess of 24 hours and only for the

purpose of loading and unloading. Hence, Petitioners filed the instant Petition seeking variance relief from Section 415.A.1.D. In support of the Petition, Petitioner described the RV as a well kept vehicle, approximately 29 feet long and weighing 6,200 pounds. The RV is for his family's personal use only. Petitioner also notes that Arry Place is a one-block long dead-end road providing access only to eight townhomes along the road. The end of the street also abuts property that is zoned B.R. and used commercially (Sunbelt Rentals) and R.O. zoned property lines Old Harford Road.

Petitioners also stressed that the unusual characteristics of Arry Place make it unique and warrant granting the instant Petition. They also point out that this small townhouse community at Arry Place does not have the typical parking problems of larger townhouse neighborhoods – here, there is an abundance of street parking on and around Arry Place.

Also testifying in support of the relief was a neighbor, Bill Hesson, of 8508 Arry Place. Mr. Hesson lives in the same townhouse community as the Petitioners and has resided there since 1995 and has known Petitioners over that time period. The Petitioners' RV has been known to be stored at the subject location for a long time and is never in the way of other vehicles or areas used to turn around. Arry Place will never become a bigger townhouse community or be connected to any larger neighborhood. It will never become a through street, and there are no problems with parking while the RV is stored on Arry Place. Hence, Mr. Hesson is supportive of Petitioners' request.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated January 14, 2009 and it is the opinion of that Office that the proper storage of recreational vehicles is the responsibility of the owner. The storage of these vehicles in communities, especially those that are fairly dense with narrow streets can cause circulation problems as well as act as an eyesore if

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not maintained properly. This issue has been continually identified as a problem in older suburban communities who have recently participated planning efforts. For these reasons the Office of Planning recommends denial of the request. In addition to the comment submitted by the Planning Office, the Office of People's Counsel also sent a letter dated December 30, 2008 to the zoning file, opposing the variance relief. The letter attached an e-mail from Stephen Weber with the Department of Public Works Traffic Engineering, both of which express concerns over storing a recreational vehicle on a public street, as well as questioning whether variance relief is even permitted from Section 431.A of the B.C.Z.R.

After careful review of all the testimony and evidence presented, I am persuaded to deny the variance request. In considering a variance request, I am required under Section 307.1 of the B.C.Z.R. to determine, under a two prong test, first whether there are special circumstances or conditions that exist that are peculiar to the land or structure which is the subject of the variance request; that is, whether there are unique features or characteristics of the property that drive the need for the variance. If that threshold requirement is met, I am then to determine whether strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship to Petitioners. Based on the test and evidence presented, I am not inclined to grant the requested relief. Although it is certainly understandable that the Petitioners would desire to store their RV close by, for reasons of both anti-theft and convenience, such cannot be the basis for permitting storage of a large recreational vehicle on a public street. In short, the property is not unique and is nearly identical to the eight adjacent townhome properties on Arry Place.

In this instance, I agree with the Office of Planning that proper storage of recreational vehicles is the responsibility of the owner. Allowing such a precedent to be set could cause future traffic circulation problems and could negatively impact a neighborhood's aesthetic appeal. I am

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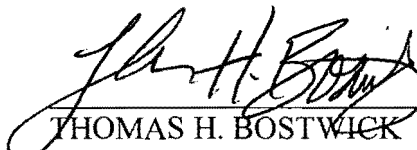
also persuaded by the evidence that granting the variance would not be in strict harmony with the spirit and intent of the Zoning Regulations, and that it would negatively affect the appearance and residential character of the neighborhood.

I also find that Petitioners have not proven the uniqueness standard, as required by *Cromwell v. Ward* 102 Md.App. 691, 651 A.2d 424 (1995). Hence, the variance request shall be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be denied.

THEREFORE, IT IS ORDERED this 10th day of February, 2009 by this Deputy Zoning Commissioner, that Petitioners' variance request from Section 415.A.1.D of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the storage of recreational vehicle on the street in front of 8516 Arroyo Place be and is hereby DENIED.

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

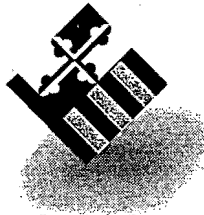

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

COPIES REMOVED FOR FILE

2-10-09





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

February 10, 2009

JOSEPH AND MARIETTA KIRK
8516 ARRY PLACE
BALTIMORE MD 21234

Re: Petition for Variance
Case No. 2009-0130-A
Property: 8516 Arry Place

Dear Mr. and Mrs. Kirk:

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,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Bill Hesson, 8505 Arry Place, Baltimore MD 21234
Lisa Henson, Baltimore County Division of Code Inspections and Enforcement
Peter Max Zimmerman, People's Counsel for Baltimore County
Stephen Weber, Division of Traffic Engineering for Baltimore County
Laurie Hay, Office of Planning for Baltimore County



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8516 ARRY PLACE
which is presently zoned RO

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)

415 A.1 subsection "D", BC2R, TO
PERMIT THE STORAGE OF A RECREATIONAL VEHICLE ON THE
STREET IN FRONT OF 8516 ARRY PLACE.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) HARDSHIP - The cost of storage in a paid storage facility would amount to over \$1,000 per year. CONCERN OF SECURITY AND POSSIBILITY OF VANDALISM. CURRENT LOCATION MAKES IT SAFE FROM THEFT AND VANDALISM BECAUSE IT IS IN FRONT OF OUR PROPERTY.

PRACTICAL DIFFICULTY - There is NO curb cut-out, driveway, OR parking pad to get the vehicle onto our property. Would need to remove fence and the size of the side yard is not big enough.

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

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Date 10/30/08

Case No. 2009-01725-A

REV 9/15/98

Reviewed By

2-10-09

ZONING DESCRIPTION

8516 ARRY PLACE

BEGINNING AT A POINT THE WEST
SIDE OF ARRY PLACE, WHICH IS 40 ft
WIDE AT A DISTANCE OF 126 ft ±
NORTH OF TOMMY TRUE COURT. BEING LOT
46, IN THE SUBDIVISION OF, "THE VILLAGE
OF OLD HARFORD," ~~READ~~ AS RECORDED
IN PLAT BOOK # 39, folio 19.

E.D.: 9TH

C.D.: 6TH

ACREAGE: 4,500 ±

TAX ID: 1700009150

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **2283**

Date: **11-30-48**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
000	000	000		6150					65.00

Total: **65.00**

Rec From: **J. KIER**

For: **2007-0130-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASH RECEIPT

DATE: 11-30-48
 AMOUNT: 65.00
 BY: J. KIER
 FOR: 2007-0130-A

**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: # 2009-0130-A

8516 Arry Place

W/side of Arry Place, 126 feet

+/- north of Tommy True Court

9th Election District

6th Councilmanic District

Legal Owner(s): Joseph &

Marletta Kirk

Variance: to permit the storage of recreational vehicle on the street in front of 8516 Arry Place.

Hearing: Thursday, January

15, 2009 at 9:00 a.m. in

Room 106, County Office

Building, 111 West Chesapeake

Avenue, Towson

21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Contact the Zoning

Commissioner's Office at

(410) 887-4386.

(2) For information concerning

the File and/or Hearing,

Contact the Zoning Review Office

at (410) 887-3391.

JT 12/827 Dec. 30 191417

CERTIFICATE OF PUBLICATION

1/2/2009

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 12/30/2008.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 12-28-08

RE: Case Number: 2009-0130-A

Petitioner/Developer: Joseph Kirk

Date of Hearing/Closing: 1/15/09

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 8516 Army Place

The signs(s) were posted on 12/27/08
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2009-0130-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

COUNTY OFFICE BUILDING-RM106
PLACE: 111 W. CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: JAN. 19, 2009 9AM

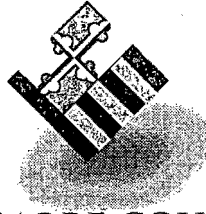
REQUEST: VARIANCE TO PERMIT THE STORAGE

OF A RECREATIONAL VEHICLE ON THE

STREET IN FRONT OF 2516 APPY PLACE

OTHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
CALL 887-3391

CITY OF LAN



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 11, 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: 2009-0130-A

8516 Arry Place

W/side of Arry Place, 126 feet +/- north of Tommy True Court

9th Election District – 6th Councilmanic District

Legal Owners: Joseph & Marietta Kirk

Variance to permit the storage of recreational vehicle on the street in front of 8516 Arry Place.

Hearing: Thursday, January 15, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Kirk, 8516 Arry Place, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 31, 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, December 30, 2008 Issue - Jeffersonian

Please forward billing to:
Joseph Kirk
8516 Arry Place
Baltimore, MD 21234

410-661-5261

NOTICE OF ZONING HEARING

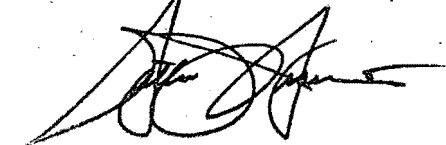
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111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 0130

Petitioner: Joseph Kirk

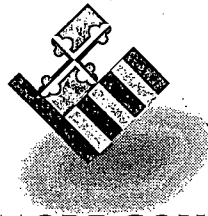
Address or Location: 8516 ARRY PLACE, BALTIMORE, Md-21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

Telephone Number: 410-661-5261



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
January 08, 2009

Joseph & Marietta Kirk
8516 Arry Place
Baltimore, MD 21234

Dear: Joseph & Marietta Kirk

RE: Case Number 2009-0130-A, 8516 Arry Place

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 30, 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, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 14, 2009

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

SUBJECT: 8616 Arroyo Place

INFORMATION:

Item Number: 9-130

Petitioner: Joseph Kirk

Zoning: RO

Requested Action: Variance

RECEIVED

JAN 22 2009

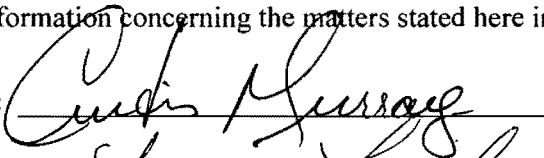
ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

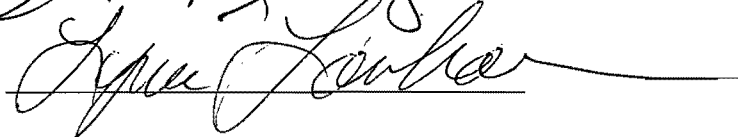
The Office of Planning has reviewed the petitioner's request and accompanying site plan and has the following comments:

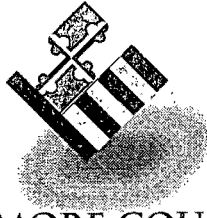
It is the opinion of this Office that the proper storage of recreational vehicles is the responsibility of the owner. The storage of these vehicles in communities, especially those that are fairly dense with narrow streets, can cause circulation problems, as well as act as an eyesore if not maintained properly. This issue has been continually identified as a problem in older suburban communities who have recently participated in community planning efforts. For the reasons stated above, the Office of Planning recommends that this request be denied.

For further information concerning the matters stated here in, please contact Laurie Hay at 410-887-3480.

Prepared by: 

Division Chief:
AFK/LL: CM





BALTIMORE COUNTY
MARYLAND

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

November 20, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 17, 2008

ItemNumbers 0111,0126,0127,0128,0129,0130,0131,0132,0133,0135,0137,0138,0140

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 24, 2008.

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

SUBJECT: Zoning Advisory Committee Meeting
For November 24, 2008
Item No.: 2009-111, 121, 126, 127,
128, 130, 131, 132, 133, 137, 138 & 140

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

DAK:CEN:cab
cc: File

ZAC-11242008-NO COMMENTS

RE: PETITION FOR VARIANCE
8516 Arry Place; W/S Arry Place, 126' N
Tommy True Court
9th Election & 6th Councilmanic Districts
Legal Owner(s): Joseph & Marietta Kirk
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 09-130-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.

RECEIVED

NOV 24 2008

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 2008, a copy of the foregoing Entry of Appearance was mailed to Joseph & Marietta Kirk, 8516 Arry Place, Baltimore, MD 21234, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 30, 2008

HAND DELIVERED

William J. Wiseman, III, Zoning Commissioner
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED
DEC 30 2008

BY:.....

Re: PETITION FOR VARIANCE
Joseph & Marietta Kirk – Legal Owners
8516 Arry Place
Case No: 09-130-A

Dear Mr. Wiseman,

We asked Stephen E. Weber, Chief of Traffic Engineering, to review the petition and site plan in this case because they present traffic/parking issues. As a result, he sent the enclosed e-mail dated December 16, 2008. As is our custom, we forward it to you for consideration. The hearing is currently scheduled for January 14, 2009.

Mr. Weber notes that, this involves a relatively new regulation, which limits parking of recreational vehicles on any street in a residential zone to a 24-hour period for loading and unloading. The County Council added BCZR § 415.A.1.D in Bill 84-2006. Mr. Weber provides some helpful history and a description of problems which led to enactment of the bill. He writes,

“It came about after discussions about problems presented in residential communities when residents would park their recreational vehicles and motor homes in front of their homes, particularly in townhouse and rowhome neighborhoods.”

He also discusses the real concerns associated with the proposed location in the townhouse development at the terminus of Arry Place. In addition to the problem of the RV taking up a space usually needed for normal parking demands, he writes,

“From a traffic engineering safety point of view, our issue would be more with the size of the vehicle. The length of the parking bay is only 18 feet and many recreational vehicles are going to be longer than the parking space, thus leaving the back end of the vehicle sticking out into the roadway. Given that #8516 is located at the end

of the street where there is no designed turnaround area for the street, any vehicle which significantly extends into the actual travelway of Arry Place by being longer than 18 feet would create an unnecessary hazard. Without knowing the length of the vehicle, we obviously do not know to what degree this may be a problem, however it is an issue that the Zoning Commissioner needs to consider. If it is too long, its length could effectively eliminate any potential benefit for even having Arry Place exist north of the end of the parking bay."

So far as we can recall, this appears to be the first variance case filed with respect to the new law. It also appears that the law was designed to control and restrict situations of this nature. If a variance is granted here, it will be an invitation for others. The net result will be to undermine the law and discourage enforcement.

Whether or not protestants appear at the hearing, there is a public interest in preventing access and parking circulation problems on such residential streets. Often, in cases such as this, neighboring citizens may be reluctant to appear at hearings in opposition, may be unfamiliar with the process, or may not have time. That should not cause the Zoning Commissioner to waive legal requirements. As Judge Glen Harrell repeated in Trinity Assembly of God v. People's Counsel for Baltimore County ____ Md. ____ (2008), variances should rarely be granted.

We are also concerned that the regulation may not permit any type of variance. In 2005, the CBA ruled that § 431A of the zoning regulations, which prohibits parking commercial vehicles in excess of 10,000 pounds on a residential lot "do not allow any exception." The CBA denied the special hearing and did not consider the relief type of a parking variance. (See attached Case No. 04-470-SPH).

The purpose and intent of the new recreational vehicle law is comparable to BCZR § 431A for large commercial vehicles. A deviation from either statute is tantamount to a "use" variance, which is prohibited in Baltimore County.

As always, we ask for your careful consideration of this matter.

Sincerely,



Peter Max Zimmerman

People's Counsel for Baltimore County



Carole S. Demilio

Deputy People's Counsel

PMZ/rmw

cc: Joseph & Marietta Kirk
Stephen E. Weber, Division of Traffic Engineering

Patricia Zook - CASE NUMBER: 2009-0130--A -- Hearing is Thursday, January 15 -- OP comments needed

From: Patricia Zook
To: Murray, Curtis
Date: 1/12/2009 10:00 AM
Subject: CASE NUMBER: 2009-0130--A -- Hearing is Thursday, January 15 -- OP comments needed
CC: Bostwick, Thomas

Good morning Curtis -

We need Planning comments for this case which is scheduled for a hearing on Thursday, January 15.

CASE NUMBER: 2009-0130--A

8516 Arry Place

Location: W side of Arry Place, 126 feet +/- N of Tommy True Court.

9th Election District, 6th Councilmanic District

Legal Owner: Joseph and Marietta Kirk

VARIANCE To permit the storage of recreational vehicle on the street in front of 8516 Arry Place.

Hearing: Thursday, 1/15/2009 at 9:00:00 AM County Office Building, 111 West Chesapeake Avenue, Room 106, Towson

Patti Zook
Baltimore County
Office of the Zoning Commissioner
Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

From: Stephen Weber
To: People's Counsel
CC: Dennis Kennedy
Date: 12/16/2008 9:18 PM
Subject: Case No. 09-130-A, 8516 Arry Place
Attachments: ArryPI2.bmp; ArryPI1.bmp; ArryPI3.bmp

Mr. Zimmerman -

I've never seen a petition for variance from this section of the BCZR before. This zoning regulation was only implemented by the County Council in June 2006 so it is relatively new. It came about after numerous discussions about problems presented in residential communities when residents would park their recreational vehicles and motor homes in front of their homes, particularly in townhouse and rowhome neighborhoods. Such vehicles are usually larger than most other vehicles parked in such neighborhoods, which narrow travelways more so than standard vehicles thus causing access issues, and such vehicles also generally sit unmoved on public streets for extended periods of time, therefore taking up valuable parking spaces for all other residents who have daily or routine need to access their vehicles for travel to and from their homes.

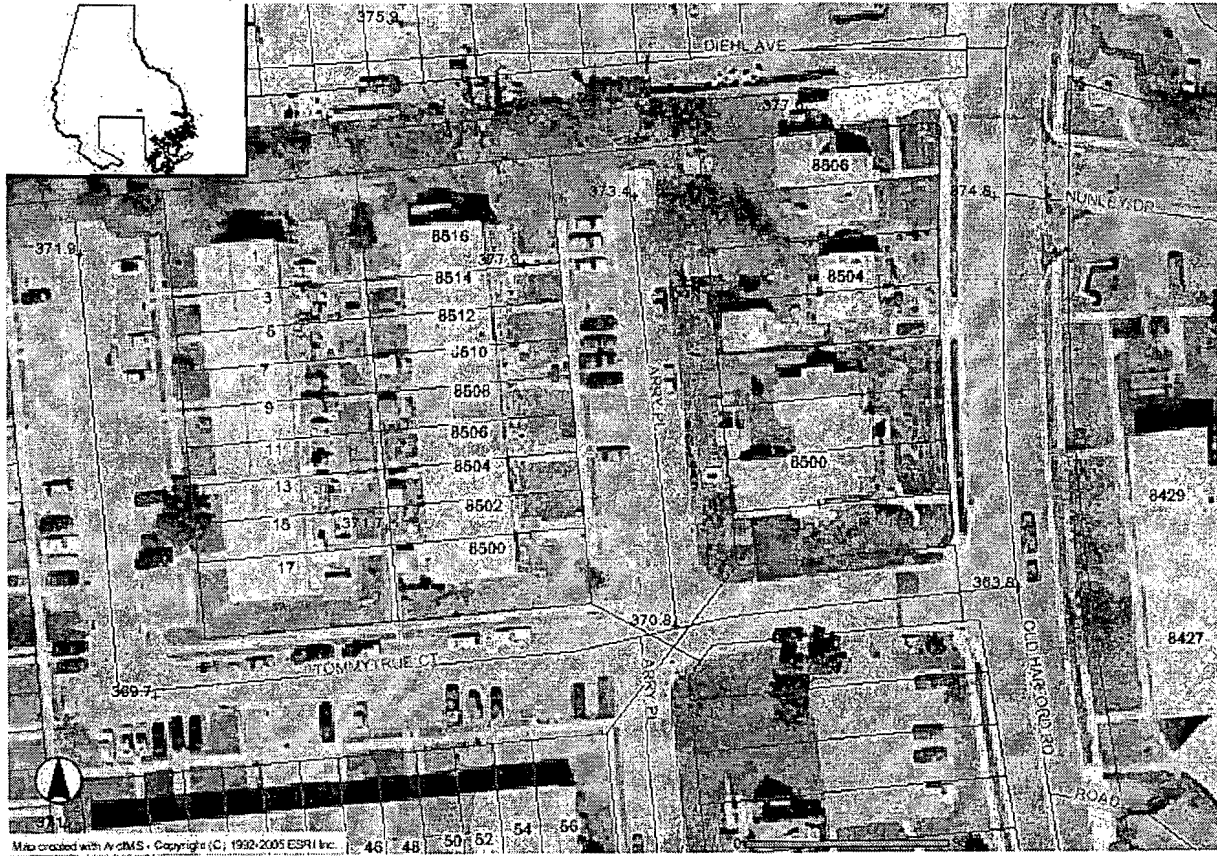
Attached are 3 different files, one containing an aerial photo with the property lines, one containing an aerial photo with the zoning lines, and one containing a portion of the road construction drawing for the subject portion of Arry Place. It can be noted that the subject property is located in a townhouse development, being located at the end of group at the very northern terminus of Arry Place. Arry Place itself is 24 feet wide with an 18-foot deep perpendicular parking bay on the west side of the street only. It should be noted from the aerial photo that three vehicles were parallel parking on the east side of the street. The road is not designed to accommodate parallel parking on the east side because such parking does make it more difficult to get into and out of the perpendicular parking spaces. However, we do not usually prohibit such parking because the shortage of parking in certain neighborhoods is so severe the residents are willing to endure certain access hardships to gain some additional parking near their homes. (You can also note the same situation on the north side of Tommy True Court just west of Arry Place.) In this case, there are 9 homes on the west side of Arry Place and there are 18 perpendicular parking spaces, or 2 spaces per house. Two parking spaces per house is oftentimes inadequate to provide for the parking demands placed on the County road system due to the average number of vehicles registered to each home. Obviously in such situations, if something like a recreational vehicle is parked in such a space, it tends to generally remove that parking space from use by everyone in the neighborhood and thus forces one additional residents' car to be have to be parked somewhere else.

With respect to the specifics in this case, obviously the residents of Arry Place have far more ability of knowing what hardships would be created by allowing a recreational vehicle to generally take up one of their parking spaces on a long-term basis. That is more a convenience and aesthetic issue to the residents. From a traffic engineering safety point of view, our issue would be more with the size of the vehicle. The length of the parking bay is only 18 feet and many recreational vehicles are going to be longer than the parking space, thus leaving the back end of the vehicle sticking out into the roadway. Given that #8516 is located at the end of the street where there is no designed turnaround area for the street, any vehicle which significantly extends into the actual travelway of Arry Place by being longer than 18 feet would create an unnecessary hazard. Without knowing the length of the vehicle, we obviously do not know to what degree this may be a problem, however it is an issue that the Zoning Commissioner needs to consider. If it is too long, its length could effectively eliminate any potential benefit for even having Arry Place exist north of the end of the parking bay.

The only other issue I would raise is that the filed variance notes the property being zoned RO. From the zoning map is clearly appears that the entire parking bay and the house are located on property zoned DR 16. The travelway of Arry Place itself may be zoned RO. I would also agree with the petitioner that the County would not allow them to construct a driveway on their property, even though it is an end of group. We do not allow this to be done in townhouse developments.

Should you have any questions regarding this information, please feel free to give me a call at ext. 3554.

Stephen E. Weber, Chief
Div. of Traffic Engineering
Baltimore County, Maryland
111 W. Chesapeake Avenue, Rm. 326
Towson, MD 21204
(410) 887-3554





§ 415A.1 Recreational vehicles on residential lots.

Contrary provisions of these regulations notwithstanding, one recreational vehicle may be stored on a residential lot as set forth below. Such vehicle, except a truck camper, shall have a current license, may not be lived in, or otherwise occupied, when stored on a lot and shall be mechanically ready to be moved at any time. A recreational boat, whether mounted on a trailer or stored on land with or without the use of supports, is subject to these provisions. A boat less than 16 feet in length is not subject to these provisions, except when such boat is mounted on a trailer. The space occupied by such a recreational vehicle or boat may be counted as a required parking space.

A.

On a lot occupied by a single-family detached or semi-detached dwelling, one such vehicle may be stored 2 1/2 feet from any rear or side lot line; however, when in a side yard it must be situated at least eight feet to the rear of a lateral projection of the front foundation line of the dwelling. Such vehicle may be stored in any garage.

B.

On the lot of any individually owned row or group house, one such vehicle may be stored, provided that it is situated entirely in the rear yard, 2 1/2 feet from the side or rear lot lines.

C.

Such vehicles may be stored on a specially designed parking area of any multifamily rental or condominium unit. Such areas must be screened from adjacent off-site residential uses, as required by the Director of Permits and Development Management.

D.

Except during a twenty-four-hour period for the purpose of loading or unloading, a person may not park or store a recreational vehicle on any street in a residential zone.

[Bill No. 84-2006]

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

VIOLATION CASE DOCUMENTS

VIOLATION CASE: 52165

8516 Arry Place

ZONING CASE: 09-0130-A
8516 ARRY PLACE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: November 25, 2008

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Hearing Officer
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 130
Legal Owner/Petitioner: Joseph and Marietta Kirk
Contract Purchaser:
Property Address: 8516 Arry Place
Location Description: West side of Arry Place, 126 +/- North of Tommy True Court

VIOLATION INFORMATION: **Case No.: 52165**
Defendants: 8516 Arry Place

Please be advised that the aforementioned petition is the subject of an active violation case.
When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

hackerzc@gmail.com

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint Intake Form
State Tax Assessment printout
Correction Notice/Code Violation Notice
Photographs
Other: MVA Report

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/
c: Latoshia Rumsey-Scott



Permits & Development Management Daily Worksheet Report

Report Criteria:

Employee(s): EE0000093 to EE0000093
Scheduled Date(s): 10/8/2008 to 10/14/2008
PE Range: en01 to en04

<u>Record ID</u>	<u>AS/400 Case</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received By</u>	<u>Received Date</u>	<u>Status</u>	<u>Hearing Date</u>	<u>ADC Grid</u>
CO0052165		Latoshia Rumsey-Scott	10/10/2008	Constance Palmer	10/10/2008	Open - Normal		28B9

Complaint Description: REC VEH TRAILER PARKING

Facility:

FA0039157
PDM 1700009150
8516 ARRY PL
PARKVILLE, MD, 21234

Owner :

KIRK JOSEPH HENRY,JR KIRK MARIETTA
8516 ARRY PL
BALTIMORE MD 21234

Complainant:

ANONYMOUS

HACKERZC@GMAIL.COM/FOLDER MADE

Daily Activity Details - No Data

Violation Details - No Data

Comment Details - No Data

Mileage:

SA back to what

MD Enforce - Web-Code Enforcement Complaint

From: <hackerzc@gmail.com>
To: <pdmenforce@baltimorecountymd.gov>
Date: 10/09/08 7:39 PM
Subject: Web-Code Enforcement Complaint

Complaint Location: 8516 Arry Place
Parkville MD 21234

Complaint Location Zip Code: 21234

Description of Problem: Baltimore County Zoning Regulation, Article 4, Section 415A.1
A recreational vehicle trailer is being kept on the street year round.

Email: hackerzc@gmail.com

Name:

Address:

Zip Code:

Home Phone Number:

Work Phone Number:

Additional Information:



CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 52165	PROPERTY TAX ID 1700009150	DATE ISSUED 10/16/08
NAME(S): Joseph Henry Kirk Marietta Kirk, JR.		
MAILING ADDRESS		
CITY	STATE	ZIP CODE
VIOLATION ADDRESS 8516 ARRY PL		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE 21234

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER: _____

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☐ ML (253) ☐ MH (256)
☐ OTHER: _____

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- | | |
|--|--|
| ☒ 101; 102.1: Definitions; general use | ☐ 415A: License/ remove untaxed recreation vehicle |
| ☒ 1B01.1: DR Zones-use regulations | ☒ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untaxed/ inoperative or damaged/ disabled motor vehicle(s) | ☐ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 410: Illegal Class II trucking facility |
| ☐ 431: Remove commercial vehicle(s) | ☐ 400: Illegal accessory structure placement |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☐ 1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs |
| ☐ 101; 102.1; ZCPM: Cease service garage activities | ☐ 102.5: Residential site line violation/ obstruction |
| ☐ 402: Illegal conversion of dwelling | ☐ 408B: Illegal rooming/ boarding house |
| ☐ 101; 102.1; ZCPM: Illegal home occupation | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|--|--|
| ☐ 13-7-112: Cease all nuisance activity | ☐ 35-2-301: Obtain building/ fence/ sign permit |
| ☐ 13-7-115: County to abate nuisance & lien costs | ☐ 18-2-601: Remove all obstruction(s) at street, alley, road |
| ☐ 13-7-310: Remove all trash & debris from property | ☐ 13-7-310(2): Remove bird seed / other food for rats |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 32-3-102: Violation of development plan/ site plan |
| ☐ 13-7-201(2): Cease stagnant pool water | ☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 12-3-106: Remove animal feces daily | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests | |
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | |

OWNER OCCUPIED HOUSING (B.C.C.)

- | | |
|---|--|
| ☐ 35-5-302(a)(1): Unsanitary conditions. | ☐ 35-5-302(a)(2): Store all garbage in trash cans |
| ☐ 35-5-302(a)(3): Cease _____ infestation from prop. | ☐ 35-5-302(b)(1): Repair exterior structure |
| ☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc | ☐ 35-5-302(b)(1)(3): Repair exterior extentions |
| ☐ 35-5-302(b)(1)(4): Repair chimney & similar extentions | ☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces |
| ☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s) | ☐ 35-5-302(b)(1)(7): Repair defective fence |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|--|---|
| ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition | ☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members | ☐ 35-2-404(a)(1)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry | ☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations |
| ☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below) | ☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s) | ☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure |

OTHER VIOLATIONS OR REMARKS:

*Violation of Baltimore County
Zoning Regulations 415A(1)(C)*

☐ NOTICE POSTED AND MAILED

POTENTIAL FINE: \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

COMPLIANCE DATE: **11.02.08** INSPECTOR NAME: **LE MOFF**
PRINT NAME (Rev 9/05)

AGENCY

DATE: 11/25/2008

STANDARD ASSESSMENT INQUIRY (1)

TIME: 12:19:28

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
17 00 009150	09	2-2	04-00	H	NO		10/22/08

KIRK JOSEPH HENRY, JR

DESC-1.. IMPS

KIRK MARIETTA

DESC-2.. VILLAGE OF OLD HARFORD

8516 ARRY PL

PREMISE. 08516 ARRY

PL

00000-0000

BALTIMORE

MD 21234-0000 FORMER OWNER: ROHLFING DAVID M

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	36,000	62,000		FCV	ASSESS	ASSESS
IMPV:	122,370	156,790	TOTAL..	198,650	198,650	178,510
TOTL:	158,370	218,790	PREF...	0	0	0
PREF:	0	0	CURT...	198,650	198,650	178,510
CURT:	158,370	218,790	EXEMPT.		0	0
DATE:	01/04	10/07				

----	TAXABLE BASIS	----	FM DATE
00/01	ASSESS:	198,650	10/21/08
	ASSESS:	178,510	
	ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



415A.1.C

714694G 0929372 04/09 G 35786328 1UJBJ02P851JY050 05 JAYC CT
N/A 10000 00N/A \$80.00 N/A 5 STL:NO SUB:NO FR:
FLAG:NO SDX FLAG:NO CAL LEV: N
00000 V-ST: E V-INSP-ST: V-INSP-DT: V-EXP-DT: V-ACC-DT: 052305
INS.CO: POLICY#:
REG-VAL-DT: 040607

RFND:N ODOMETER: 000000 CODE:A

>>>> CORRECTED TITLE ISSUED - COPY *01* <<<<

K-620-441-303-113 SUS.REV: NO PRIVACY: YES
JOSEPH HENRY CHARLES KIRK JR 6-00 200 2 M 02/12/56
8516 ARRY PL BALTIMORE BA MD 21234

>>>> LIEN HOLDER INFORMATION <<<<

LIEN HOLDER: BALTIMORE CO SAVING BANK
ADDR: POB 397 DATE: 2005-04-26
CITY: PERRY HALL STATE: MD ZIP: 21128

-END OF RECORD-

PAGING MODE: PAGE 1 OF 1 || PF1-FWD PF2-BWD PF3-EX PF4-1ST PF5-LST

CASE NAME _____
CASE NUMBER 2009-0130-A
DATE ~~00~~ 1-15-09

[illegible]

IN THE MATTER OF
THE APPLICATION OF
GABRIEL & MELISSA CROY - PETITIONERS
FOR SPECIAL HEARING ON PROPERTY LOCATED
ON THE E/S SPARROWS POINT ROAD, 30' S OF C/L
McCOMAS AVE (2931 SPARROWS POINT ROAD)

15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 04-470-SPH

* * * * *

OPINION

This case comes to the County Board of Appeals as an appeal filed by the Office of People's Counsel from a decision of the Deputy Zoning Commissioner issued on June 18 2004, granting the special hearing request in Case No. 04-470-SPHA to permit the parking of a vehicle in excess of 10,000 pounds of gross weight (tractor /trailer) on a residential lot.

The Petitioners, Gabriel and Melissa Croy, appeared *pro se*, and Peter M. Zimmerman, People's Counsel for Baltimore County, appeared on behalf of that office. The Board conducted a public hearing on February 8, 2005, and a public deliberation on February 8, 2005.

Testimony

The Petitioner, Gabriel Croy, was the only witness for the Petitioners. Mr. Croy introduced Petitioner's Exhibit #1, Site Plan, and Petitioner's Exhibit #2, 18 photos of the area. Mr. Croy testified that he worked for Atlas Van Lines. He stated that he owned a tractor and trailer and needed to park his equipment at his home because the Atlas parking lot was constantly being vandalized. He also stated that none of his neighbors had protested the use of the area for parking. Mr. Croy also indicated that much of the area is mixed use and many other individuals in the area park commercial vehicles in their yards. Mr. Croy testified that the combined weight of his vehicle and trailer is in excess of 80,000 lbs. Mr. Croy further indicated the time he was

Case No.:

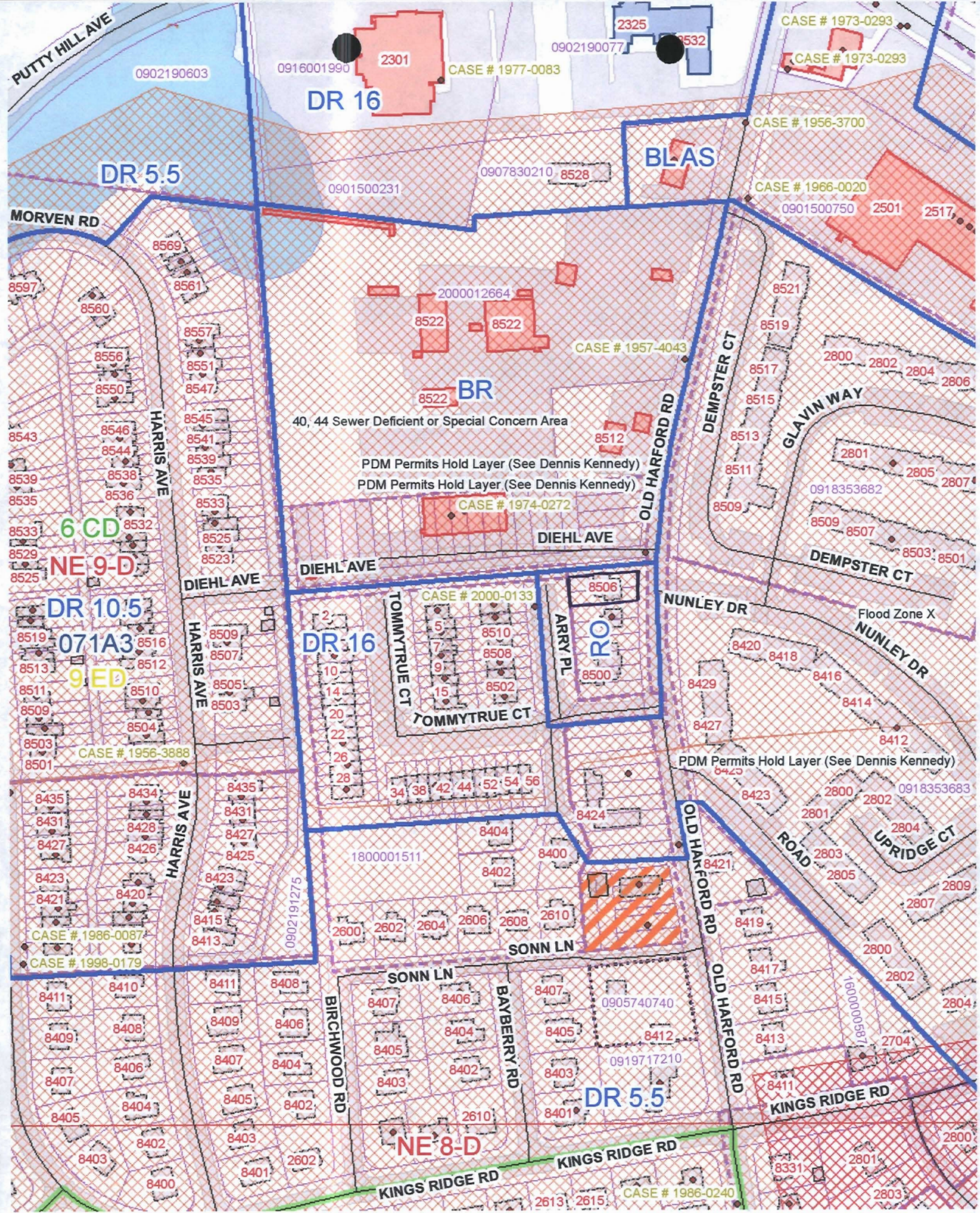
2009-0130-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Reveal Plot showing subject property + area where RV parked	
No. 2 A-C	photos	
No. 3 A-D	photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





PETITIONER' S

EXHIBIT NO.

2A-C





Google™ Address
Maps



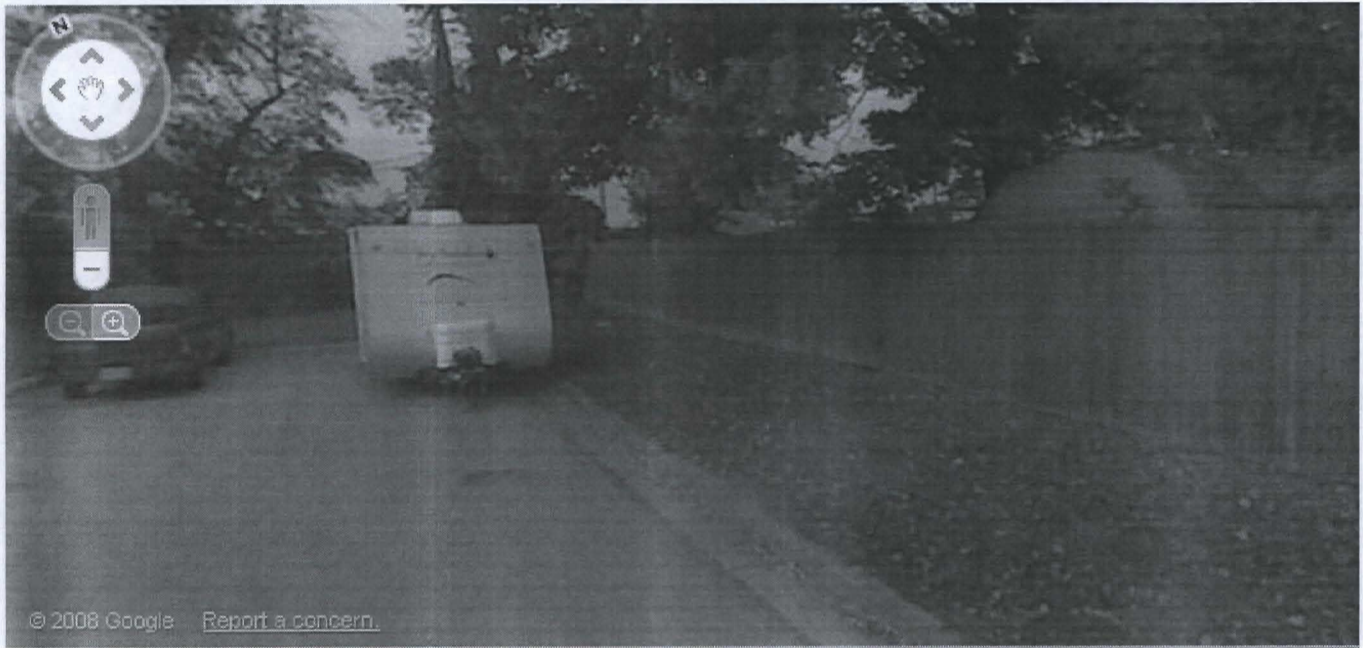
PETITIONER' S

EXHIBIT NO. 3A-D

GoogleTM Address
Maps



GoogleTM Address
Maps



Google™ Address
Maps



Joe Kirk

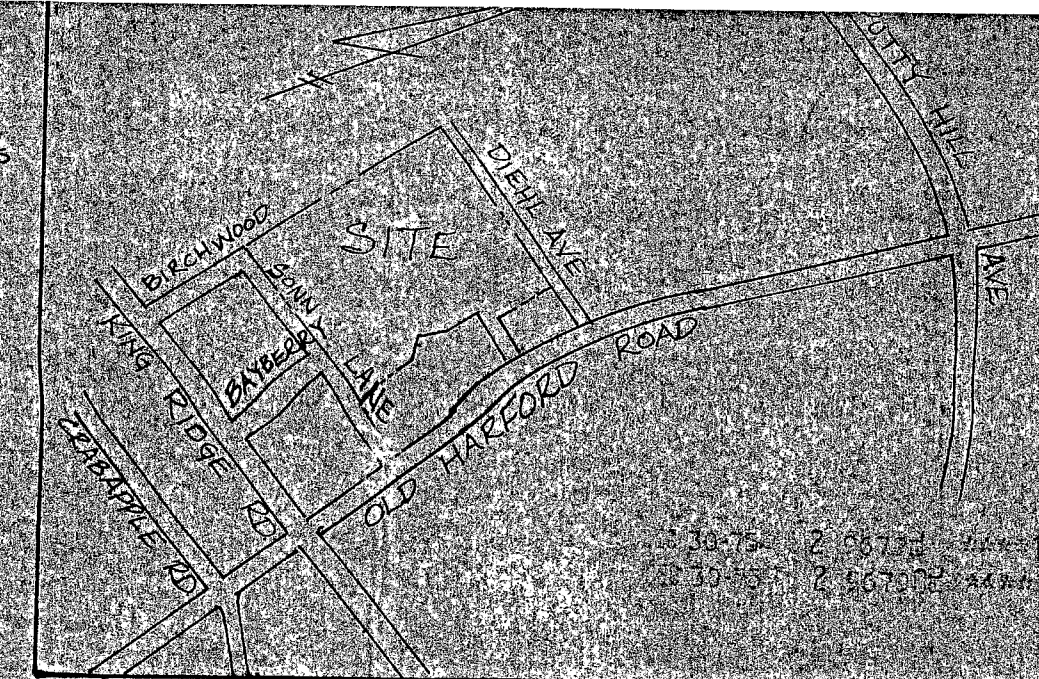
3rd Bed M
Land Records

PETITIONER'S

EXHIBIT NO. 1

OLD HARTFORD RD

GROSS ACREAGE: 5.80 AC.
DR 5/3 = 2.23 AC X 55 = 12 DWELLING UNITS ALLOWED
DR 1/6 = 3.57 AC X 16 = 57 DENSITY UNITS ALLOWED
PROPOSED:
55 = TWO B.R. TOWNHOUSES X 10 = 20 DENSITY UNITS
50 DENSITY UNITS
5 = THREE B.R. TOWNHOUSES X 15 = 45 DENSITY UNITS
9 = LOTS (DR 5/5) INDIVIDUAL DWELLING UNITS
LOCAL OPEN SPACE:
A) 3.57 (15%) = 0.536 AC.
B) 2.23 (6%) = 0.134 AC.
OPEN SPACE REQ'D = 0.67 AC.
OPEN SPACE SHOWN = 0.71 AC.



VICINITY MAP

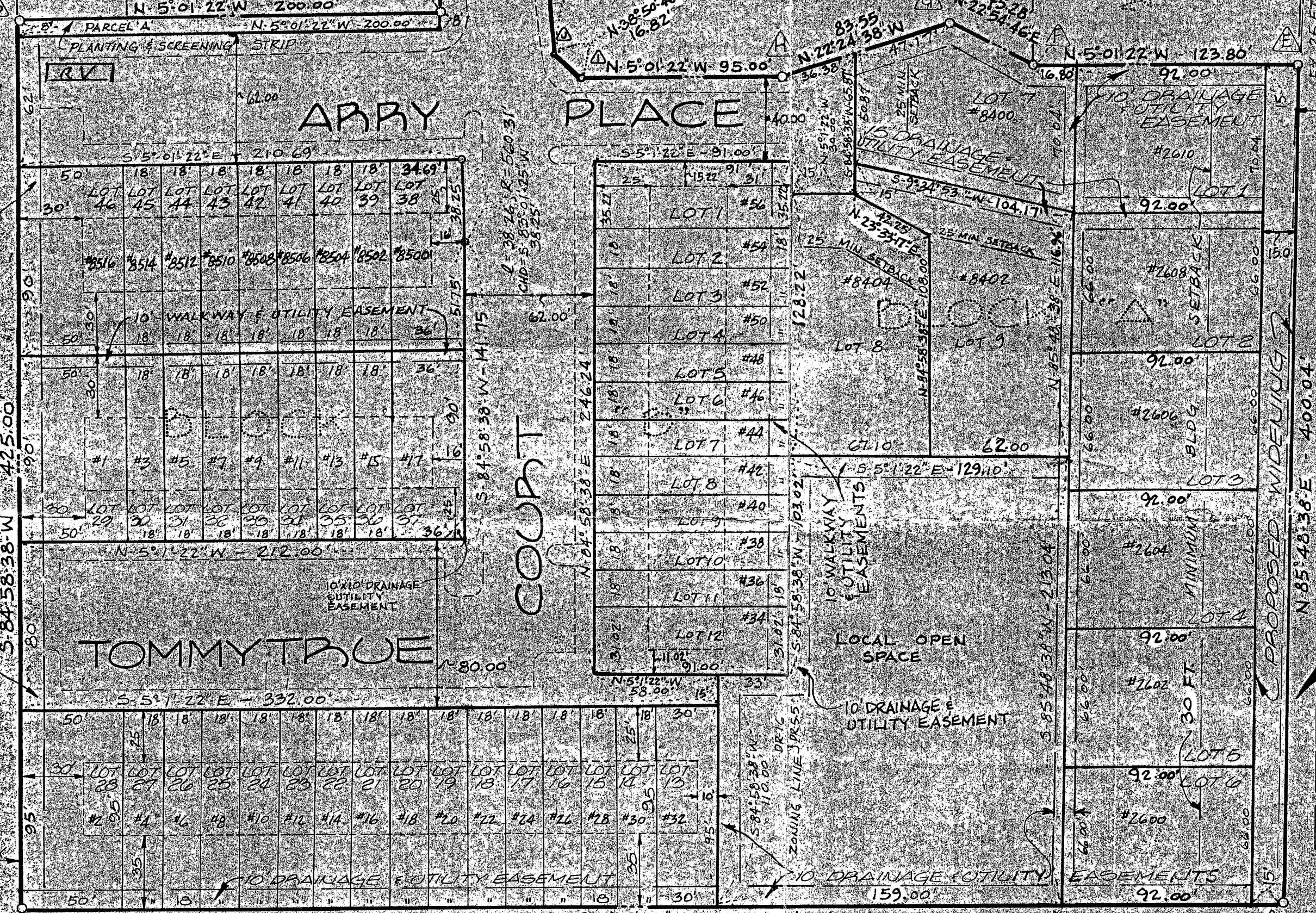
PARKING REQUIRED:
A) 50 DENSITY UNITS X 1.53 = 76.50
B) 1 LOT (DR 5/5) X 1.15 = 1.15
TOTAL = 77.65
PARKING PROPOSED: 78
A) ON STREET FOR TOWNHOUSES = 103
B) OFF STREET FOR LOTS = 18
TOTAL = 121

COORDINATES - B.C.M.D.

LINE	NORTH	EAST
1	32,594.46	19,988.82
2	32,792.69	19,971.31
3	32,756.48	19,541.94
4	32,160.78	19,600.30
5	32,190.00	19,599.27
6	32,313.33	19,088.43
7	32,355.03	20,006.06
8	32,432.23	19,974.21
9	32,526.91	19,945.89
10	32,540.01	19,976.41
11	32,547.84	20,022.60
12	32,551.93	20,079.17
13	32,601.93	20,074.21
14	32,638.92	20,045.36
15	32,640.49	20,046.77
16	32,634.09	20,091.14

PAVE OF
RV

DIEHL AVENUE (IMPROVED)



E.H.K. JR. 39 FOLIO 19

Filed for record
Date DEC 30 1975
Test:

Chas. H. [Signature] Clerk

AMENDED PLAT
*the Village of
Old Hartford*

9th ELECTION DISTRICT
SCALE 1"=50'
BALTIMORE COUNTY, MD
DEC. 1, 1975

HECKING RUN SANITARY DRAINAGE AREA

APPROVED: BALTIMORE COUNTY PLANNING BOARD

P.W.A. COMPLETED 4/15/74 D.H.L.

FINAL PLAT CHECKED

PLANNING

ENGINEERING

DIRECTOR DATE

APPROVED: HEALTH DEPARTMENT

DEPUTY STATE & COUNTY HEALTH OFFICER DATE

APPROVED FOR ALIGNMENT & LOCATION OF STREETS

Thomson [Signature] 12/29/75

COUNTY ROADS ENGINEER DATE

NOTE: Coordinates and Bearings shown on this plat are referred to a system of coordinates established by the Baltimore County Metropolitan District, and are based on the following traverse stations:

NO. 1 32,551.03 20,018.15

X 3022 32,551.03 20,018.15

X 3073 32,615.15 20,018.15

NOTE: Streets and/or Roads shown herein and mentioned in deeds are for purposes of description only and the same are not intended to be dedicated to public use, the fee simple title to the lands therein is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

The Requirements of Section 72.B Article 17 of the Annotated Code of Md. (Black Belt Supplement) as far as they relate to the preparation of this plat have been complied with.

David E. Wilder, a Registered Professional Surveyor of the State of Maryland, hereby certifies that the land shown herein has been laid out and the plat hereon prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill 420, Chapter 106 of the acts of 1945 and subsequent amendments.

OWNER: E.L.S. ENTERPRISES, INC. DATE

REGISTERED P.L. SURVEYOR # 48