

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
VARIANCE		
N side of New Section Road, 360 feet E of	*	DEPUTY ZONING
the c/l of South Seneca Road		
15 th Election District	*	COMMISSIONER
5 th Councilmanic District		
(3912 New Section Road)	*	FOR BALTIMORE COUNTY
 Kenneth and Lois Watkins		
<i>Petitioners</i>	*	Case No. 2009-0178-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Kenneth and Lois Watkins. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a buildable lot with an area of 0.260 acre for a new dwelling. The Variance requests are from Sections 1A04.3.A, 1A04.3.B.1 and 1A04.3.B.2.b of the B.C.Z.R. to permit a proposed dwelling with a height of 40 feet in lieu of the required 35 feet, and side yards of 10 feet each in lieu of the required 50 feet on each side, respectively. 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 requested Special Hearing and Variance petitions were Petitioners Kenneth and Lois Watkins. Also appearing in support of the requested relief was Robert Infussi with Expedite LLC, the consultant who assisted Petitioners with filing the petitions, and David Billingsley with Central Drafting & Design, Inc., the firm that prepared the site plan. There were no Protestants or other interested citizens in attendance at the hearing.

3-27-09



Testimony and evidence presented revealed that the subject waterfront property is rectangular in shape and contains approximately 0.260 acre, more or less, zoned R.C.5. The property is located on the north side of New Section Road, east of Bowley's Quarters Road and with water frontage on Seneca Creek, in the Bowley's Quarters area of Baltimore County. The property is also known as Lot 307 and is currently unimproved. Like many waterfront lots in this area, the property is 50 feet wide. The property has a depth of approximately 225 feet.

Petitioners currently reside at 3910 New Cut Road, which is adjacent to the subject property and also known as Lot 306. A copy of the real property data search printout describing that property was marked and accepted into evidence as Petitioners' Exhibit 2. The Deeds that were marked and accepted into evidence as Petitioners' Exhibits 3A through 3D also illustrate the chain of title and indicate that Petitioner Kenneth Watkins, Jr. acquired Lot 306 in 1976, and that title to the property was transferred to Mr. Watkins and his wife, Petitioner Lois Watkins, in 1991. As to the subject property, this property -- again known as Lot 307 -- is also owned by Petitioners as indicated by the real property data search printout that was marked and accepted into evidence as Petitioners' Exhibit 4. Additional Deeds that were marked and accepted into evidence as Petitioners' Exhibits 5A through 5D illustrate the chain of title and also indicate that Petitioner Kenneth Watkins, Jr. acquired this property in 1976, and that title to the property was transferred to Mr. Watkins and his wife, Petitioner Lois Watkins, in 2005.

Petitioners desire to develop the subject property with the proposed construction of a three-story dwelling with a height of 40 feet and an approximate size of 30 feet wide by 55 feet deep, which would result in side yard setbacks of 10 feet. In order to do so, Petitioners are in need of zoning relief from the side yard setback requirements of 50 feet and the maximum height allowance of 35 feet for the R.C.5 Zone. Petitioners are also in need of special hearing relief in

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order to gain approval of a lot size of 0.260 acre in the R.C.5 Zone where a minimum 1.5 acres is required.

In support of the requested relief, Mr. Billingsley proffered the testimony and indicated that the subject property was laid out as part of the "Second Addition to Plat No. 2, Bowleys Quarters" that was recorded on January 25, 1933. A copy of the record plat was marked and accepted into evidence as Petitioners' Exhibit 6. As shown in the aerial photograph marked and accepted into evidence as Petitioners' Exhibit 7, most of the surrounding lots in the subdivision are improved with a dwelling. Some still have the original homes built in the 1930's or 40's; others have had those homes razed in favor of newer, larger waterfront homes. Conspicuous is the subject property because it is the only lot shown in the aerial photograph depicting approximately 20 lots that is not presently improved. Mr. Billingsley also submitted several photographs that were marked and accepted into evidence as Petitioners' Exhibits 8A through 8D depicting the subject property and the neighboring properties on each side. These neighboring properties are improved with modest sized dwellings that were built in 1944 (3910 New Section Road) and 1933 (3914 New Section Road), respectively.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. Comments were received from the Bureau of Development Plans Review dated January 13, 2009. The comments indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code. Comments were received from the Department of Environmental Protection and Resource Management ("DEPRM") dated March

2, 2009 indicating that development of the property must comply with the Chesapeake Bay Critical Area Regulations. The property is also within a Limited Development Area ("LDA") and Buffer Management Area ("BMA") of the Chesapeake Bay Critical Area. All LDA and BMA requirements apply, including lot coverage requirements and 15% afforestation. Lot coverage is limited to 31.25% with mitigation for lot coverage over 25%.

This case presents an increasingly common set of circumstances before this Commission; namely, waterfront communities in eastern Baltimore County that are zoned R.C.5, but were platted and recorded decades ago -- certainly prior to the adoption of Zoning Regulations in these areas -- and thus do not meet the current zoning requirements for setbacks, lot widths, and minimum area. In addition, because these areas are within the floodplain, the base flood and flood protection elevations also make it increasingly difficult for property owners to replace aged, often dilapidated original structures that were relatively small and intended as summer cottages with new homes of sufficient size that are often used as a primary residences, yet still not exceed the maximum allowable height of 35 feet.

Thus, the task for this Commission is to review the purpose of the R.C.5 Zone and interpret that in the context of these waterfront properties. Section 1A04.1.B states that the R.C.5 zoning classification is established in order to: (1) provide for rural-residential development in suitable areas in which basic services are not anticipated, (2) eliminate scattered and generally disorderly patterns of future rural-residential development, (3) assure that encroachments onto productive or critical natural resource areas will be minimized, and (4) provide a minimum lot size which is sufficient to provide adequate area for the proper functioning of on-lot sewer and water systems.

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Turning now to the instant matter, as to the Special Hearing and Variance requests, I am persuaded to grant the requested relief. Although the subject property does not meet the minimum area requirement, nor the height and side yard setback limitations, in my view, this lot -- and others like it -- is clearly consistent with the purpose of the R.C.5 zoning classification, and therefore meets the spirit and intent of the Zoning Regulations. As to the concern over the provision of basic services and adequate area for on-site sewer and water systems, in this case the property does have access to existing public water and sewer services. As to the issue of scattered and generally disorderly patterns of future rural-residential development, that is also not impacted here. This property is a lot of record and has been in existence for over 75 years. As depicted in the record plat accepted into evidence as Petitioners' Exhibit 6, it was platted and recorded as part of a planned layout of waterfront properties in Bowleys Quarters. Regarding the encroachments onto productive or critical natural resource areas, this property is situated in the Chesapeake Bay Critical Area and is subject to stringent regulations at the State and local level, including lot coverage requirements, afforestation, and mitigation in environmentally sensitive areas. DEPRM's careful watch over these issues will minimize the potential impact of this development in those areas. For these reasons, I shall approve the property as a buildable lot for the proposed new dwelling.

I also find the property unique in a zoning sense in that the setback and height constraints cause the subject property to be disproportionately impacted by the Zoning Regulations as compared with other surrounding properties, making it virtually impossible for Petitioners to have any dwelling erected on their property. The property is only 50 feet wide and the setback for each side is 50 feet. Moreover, the base flood and flood protection elevation requirements almost automatically dictate that a proposed dwelling will begin with a 10 or 11 foot height

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above ground level, leaving perhaps only 25 feet for the enclosed living areas of the dwelling height, including an adequate roof pitch.

Finally, I find that the setback and height variance requests can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 27th day of March, 2009 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a buildable lot with an area of 0.260 acre for a new dwelling be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' request for Variance from Sections 1A04.3.A, 1A04.3.B.1 and 1A04.3.B.2.b of the B.C.Z.R. to permit a proposed dwelling with a height of 40 feet in lieu of the required 35 feet, and side yards of 10 feet each in lieu of the required 50 feet on each side, respectively, be and are hereby GRANTED.

The granting of the relief herein shall be subject to the following:

1. Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to obtaining a building permit, Petitioner shall submit the following information to the Office of Planning for their determination that the proposed structure meets the R.C.5 Performance Standards:

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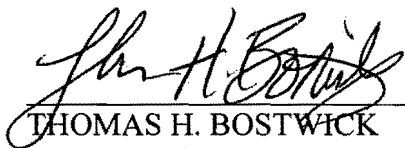
- a. Submit photographs of existing adjacent dwellings to the Office of Planning.
 - b. Submit building elevations (all sides) of the proposed dwelling to the Office of Planning for review and approval. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) use 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.
 - c. 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.
 - d. 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.
 - e. Provide landscaping along the public road, if it is consistent with the existing streetscape.
3. The base flood elevation for this site is 10.2 feet Baltimore County Datum. The flood protection elevation for this site is 11.2 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.
 4. 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.
 5. 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.
 6. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.
 7. Development of the 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).
 8. The property is within a Limited Development Area ("LDA") and Buffer Management Area ("BMA") of the Chesapeake Bay Critical Area. All LDA and BMA requirements apply, including lot coverage requirements and 15% afforestation. Lot coverage is limited to 31.25% with mitigation for lot coverage over 25%.

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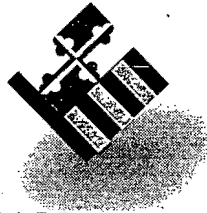
pm

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

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3-27-09

BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 27, 2009

KENNETH AND LOIS WATKINS
3910 NEW SECTION ROAD
BOWLEYS QUARTERS MD 21220

Re: Petition for Special Hearing and Variance
Case No. 2009-0178-SPHA
Property: 3912 New Section Road

Dear Mr. and Mrs. Watkins:

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 dark ink, appearing to read "Th. H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Robert Infussi, Expedite LLC, PO Box 1043, Belair MD 21014
David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3912 NEW SECTION ROAD

which is presently zoned RC 5

DEED REF. 22070/448 TAX ACCT. # 1519391550

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A BUILDABLE LOT WITH AN AREA OF 0.260 ACRE FOR
A NEW DWELLING

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

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

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

Contract Purchaser/Lessee:

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):

KENNETH W. WATKINS, JR.

Name - Type or Print

Signature

LOIS R. WATKINS

Name - Type or Print

Signature

3910 NEW SECTION RD (410) 491-3978

Address

Telephone No.

BALTO

MD.

21220

City

State

Zip Code

Representative to be Contacted:

ROBERT INFUSSI (EXPEDITE, LLC)

Name

P.O. BOX 1043

(410) 812-2236

Address

Telephone No.

BALTO

MD.

21014

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By A. TSUI

Date 12/22/08

Case No. 2009-0178-SPHA

REV 9/15/98

~~COPIES DESTROYED FOR PLANS~~

3.27.09

PM



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 3912 NEW SECTION ROAD
which is presently zoned RC5

Deed Reference: 22070 1448 Tax Account # 1519391650

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

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

TO BE PRESENTED AT HEARING

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):

Kenneth W. Watkins, Jr.
Name - Type or Print _____
Kenneth W. Watkins, Jr.
Signature _____
Lois R. Watkins
Name - Type or Print _____
Lois R. Watkins
Signature _____
3910 New Section Rd 410 491-3978
Address Telephone No. _____
Baltimore md 21220
City State Zip Code

Representative to be Contacted:

Robert Infussi (Expedite, LLC)
Name _____
P.O. Box 1043 410 812 2236
Address Telephone No. _____
Bel Air md 21014
City State Zip Code

Case No. 2009-0178-SPHA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by A-TSU-I Date 12/32/08

SECTIONS 1A04.3.A, 1A04.3.B.1 AND 1A04.3.B.2.b (BCZR) TO PERMIT A PROPOSED
DWELLING WITH A HEIGHT OF 40 FEET AND
SIDE YARDS OF 10 FEET AND 10 FEET IN LIEU OF THE REQUIRED 35 FEET, HEIGHT,
50 FEET AND 50 FEET RESPECTIVELY

2009-0178-SPHX

ZONING DESCRIPTION

3912 NEW SECTION ROAD

Beginning at a point on the north side of New Section Road (30 feet wide) distant 360 feet easterly from it's intersection with the center of S. Seneca Road, thence being all of Lot 307 as shown on the plat entitled Second Addition To Plat Two, Bowleys Quarters, recorded among the Baltimore County plat records in Plat Book 10 Folio 64.

Containing 11,313 square feet or 0.260 acre of land, more or less.

Being known as 3912 New Section Road. Located in the 15TH Election District, 5TH Councilmanic District of Baltimore County, Md.

2009-0178-SPHA

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

No. **33077**

Date: **12/23/08**

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6157					130--

Total: **\$130--**

Rec
From:

CENTRAL DRAFTING & DESIGN, INC

For:

3915 NEW SECTION RD

2009-0118-SFHIA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: # 2009-0178-SPHA

3912 New Section Road

N/Side of New Section Road, 360 feet east of centerline, of South Seneca Road

15th Election District — 5th Councilmanic District

Legal Owner(s): Kenneth & Lois Watkins, Jr.

Special Hearing: to permit a buildable lot with an area of 0.260 acre for a new dwelling. **Variance:** to permit a proposed dwelling with a height of 40 feet and side yard of 10 feet in lieu of the required 35 feet, height, 50 feet and 50 feet respectively.

Hearing: Thursday, February 26, 2009 at 11:00 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 2/709 Feb. 10.

193952

CERTIFICATE OF PUBLICATION

2/12/2009

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 2/10/2009.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2009-0178-SPHA

Petitioner/Developer: KENNETH
LOIS WATKINS, JR

Date Of Hearing/Closing: 2/26/09

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 3912 NEW SECTION RD

This sign(s) were posted on February 10, 2009
(Month, Day, Year)

Sincerely,

Martin Ogle 2/10/09
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

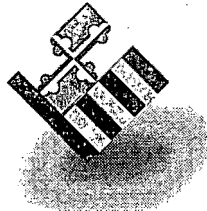
Address

Balto. Md 21220

(443-629 3411)



02/10/2009



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 27, 2009
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: 2009-0178-SPHA

3912 New Section Road

N/side of New Section Road, 360 feet east of centerline of South Seneca Road

15th Election District – 5th Councilmanic District

Legal Owners: Kenneth & Lois Watkins, Jr.

Special Hearing to permit a buildable lot with an area of 0.260 acre for a new dwelling. Variance to permit a proposed dwelling with a height of 40 feet and side yard of 10 feet in lieu of the required 35 feet, height, 50 feet and 50 feet respectively.

Hearing: Thursday, February 26, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Watkins, 3910 New Section Road, Baltimore 21220
Robert Infussi, P.O. Box 1043, Bel Air 21014

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 11, 2009.**
- (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, February 10, 2009 Issue - Jeffersonian

Please forward billing to:
Expedite, LLC
P.O. Box 1043
Bel Air, MD 21014

410-812-2236

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: 2009-0178-SPHA

3912 New Section Road

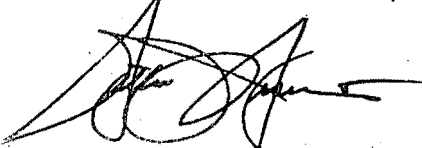
N/side of New Section Road, 360 feet east of centerline of South Seneca Road

15th Election District – 5th Councilmanic District

Legal Owners: Kenneth & Lois Watkins, Jr.

Special Hearing to permit a buildable lot with an area of 0.260 acre for a new dwelling.
Variance to permit a proposed dwelling with a height of 40 feet and side yard of 10 feet in lieu of the required 35 feet, height, 50 feet and 50 feet respectively.

Hearing: Thursday, February 26, 2009 at 11:00 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 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:

2009-0178-SPHA

Petitioner:

KENNETH W & LOIS R. WATKINS

Address or Location:

3912 NEW SECTION ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name:

EXPEDITE LLC

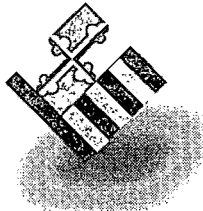
Address:

P.O. BOX 1043

BELAIR, MO. 21014

Telephone Number:

(410) 812-2236



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

February 18, 2009

Kenneth W. & Lois R Watkins
3910 New Section Rd.
Baltimore, MD 21220

Dear: Kenneth W. & Lois R Watkins

RE: Case Number 2009-0178-SPHA, 3912 New Section Rd

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 22, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Robert Infussi: Expedite, LLC; P.O. Box 1043; Baltimore, MD 21014

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 13, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For January 19, 2009
Item No. 2009-0178 SPHA

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 10.2 feet Baltimore County Datum.

The flood protection elevation for this site is 11.2 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.

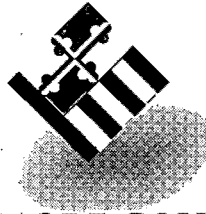
The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

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 2009-0178-SPHA-011309



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

January 19, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 12, 2009

Item Numbers 0175, 0176, 0177, 0178, 0179, 0180, 0181, 0182

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

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

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

cc: File



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Jan. 15, 2009

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

RE: Baltimore County
Item No 2009-0178-SP4A
3912 NEW SECTION ROAD
WATKINS PROPERTY
VARIANCE
SPECIAL EXCEPTION

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. 2009-0178-SP4A.

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,

Foster
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

3912 New Section Road; N/S New Section
Road, 360' E of S. Seneca Road
15th Election & 5th Councilmanic Districts
Legal Owner(s): Kenneth & Lois Watkins
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 09-178-SPHA

* * * * *

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/ documentation filed in the case.

RECEIVED

JAN 20 2009

.....

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 20th day of January, 2009, a copy of the foregoing Entry of Appearance was mailed to Robert Infussi, Expedite LLC, P.O. Box 1043-7043, Bel Air, MD 21014, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 24 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: March 2, 2009

SUBJECT: Zoning Item # 09-178-SPHA
Address 3912 New Section Road
(Watkins Property)

Zoning Advisory Committee Meeting of January 12, 2009

_____ 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:

The property is within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. All LDA and BMA requirements apply, including lot coverage requirements and 15% afforestation. Lot coverage is limited to 31.25% with mitigation for lot coverage over 25%.

Reviewer: Regina Esslinger

Date: 1/29/2009

CASE NAME 3912 NEW SECTION RD
CASE NUMBER 2009-0178-SP1A
DATE 2/26/09

CASE NAME 3912 NEW SECTION RD
CASE NUMBER 2009-0178-SP1A
DATE 2/26/09

[illegible]

091C3



**PETITIONER'S EXHIBITS
3912 NEW SECTION ROAD
CASE NO. 2009-0178-SPHA**

- 1. SITE PLAN DATED DECEMBER 15, 2008**
- 2. SDAT PROPERTY DATA SEARCH FOR 3910 NEW SECTION ROAD
LOT 306**
- 3. CHAIN OF TITLE FOR 3910 NEW SECTION ROAD**
- 4. SDAT PROPERTY DATA SEARCH FOR 3912 NEW SECTION ROAD
LOT 307**
- 5. CHAIN OF TITLE FOR 3912 NEW SECTION ROAD**
- 6. COPY OF PLAT OF BOWLEYS QUARTERS PLAT 2
P.B. 10 F. 64 RECORDED JANUARY 25, 1933**
- 7. AERIAL PHOTO**
- 8.a THRU 8.d PHOTOS**



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw5.1)

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

Account Identifier: District - 15 Account Number - 1511152010

Owner Information

Owner Name: WATKINS KENNETH W, JR
 WATKINS LOIS R
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3910 NEW SECTION RD
 BALTIMORE MD 21220-4030
Deed Reference: 1) / 8985/ 31
 2)

Location & Structure Information

Premises Address
 3910 NEW SECTION RD

Legal Description

WATERFRONT

BOWLEYS QUARTERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
91	24	99					306	3	2	
									Plat Ref:	10/ 64

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1944	1,952 SF	10,700.00 SF	34
Stories 1	Basement NO	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2006	Phase-In Assessments As Of 07/01/2008	As Of 07/01/2009
Land	320,700	320,700		
Improvements:	106,330	106,330		
Total:	427,030	427,030	427,030	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: WATKINS KENNETH W, JR	Date: 11/29/1991	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8985/ 31	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER'S

EXHIBIT NO.

2

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 30TH day of OCTOBERin the year one thousand nine hundred and ninety-one
Kenneth W. Watkins, Jr.

by and between

of Baltimore County, State of Maryland, party
Kenneth W. Watkins, Jr. and Lois R. Watkins his wife, parties

of the first part, and

of the second part.

WITNESSETH, That in consideration of the sum of Zero Dollars (\$0.00)

A RC/F	13.00
AC IMP	5.00
DEED	0.00
SM CLERK	15.00
#03085 C003 R01 T08:57	
11/29/91	

the said Kenneth W. Watkins, Jr.

does grant and convey to the said Kenneth W. Watkins, Jr. and Lois R. Watkins his wife, as tenants by the entireties, their assigns, the survivor of them and the

personal representatives/successors and assigns of said survivor, in fee simple, all that

lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

Being known and designated as Lot No.306, second addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company, which Plat is recorded among the Land Records of Baltimore County in Plat Book LMCLM No.10 Folio 64.

Being the same property described in a Deed dated October 4, 1990, and recorded among the Land Records of Baltimore County in Liber SM 8763 Folio 361 was granted and conveyed by Kenneth W. Watkins, Jr. and Patricia A. Watkins unto Kenneth W. Watkins, Jr.

RECEIVED FOR TRA
State Department
Assessments & Tax
for Baltimore Co
JR 11-20

PETITIONER'S

EXHIBIT NO. 3a-3d

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

DATE

JR 11-20-91

TRANSFER TAX NOT REQUIRED

Patricia A. Watkins

Date 11-19-91 Sec. 33-130 A

This Deed, MADE THIS 4th day of October

in the year one thousand nine hundred and NINETY by and between
✓ KENNETH W. WATKINS, JR. and PATRICIA A. WATKINS, parties

xxx of the first part, and
✓ KENNETH W. WATKINS, JR. party

of the second part.

WITNESSETH, That in consideration of the ~~sum of~~ transfer between husband and wife

the said PATRICIA A. WATKINS

do es grant and convey to the said
KENNETH W. WATKINS, JR. his

personal representatives/successors and assigns, in fee simple, all

the lot of ground situate in Baltimore County, State of Maryland
and described as follows, that is to say:

BEING KNOWN and DESIGNATED as lot No. 306, Second addition to
Plat 2, as shown on Plat of Property of Bowley's Quarters Company,
recorded among the Plat Records of Baltimore County, in Plat Book 1, Md.L.R.
No. 10, folio 64. The improvements thereon being known as 652 New Section No.

BEING the same lot of ground described in a Deed dated May 25, 1976
and recorded among the Land Records of Baltimore County in Liber EHX, Jr.
5638, folio 158, which was granted and conveyed by Ralph Edward Keckner
and Mary M. Keckner, his wife to the Grantors herein.

BEING the same lot of ground described in a Deed dated September 14,
1984 and recorded among the Land Records of Baltimore County in Liber R.R.G.
No. 4304, folio 88 which was granted and conveyed by Stanley James
Silberman, Horton L. Silberman and Harry Merowitz to Ralph Edward Keckner
and Mary M. Keckner, his wife, the Grantors herein.

TRANSFER TAX NOT REQUIRED

BY MARYLAND

Signature
Date 4-18-91 Sec. 11-88A

ACCEPTED FOR RECORD
BY

RECORDED AND INDEXED

THIS DEED, Made this ~~25th~~ day of May, in the year one thousand nine hundred and seventy-six, by and between RALPH EDWARD KECKNER and MARY M. KECKNER, his wife, of Baltimore County, State of Maryland, parties of the first part, and KENNETH W. WATKINS, JR. and PATRICIA A. WATKINS, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said Kenneth W. Watkins, Jr. and Patricia A. Watkins, his wife, as tenants by the entireties, their assigns, the survivor of them, the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate and lying in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 306, Second Addition to Plot 2, as shown on Plat of Property of Bowley's Quarters Company, recorded among the Plat Records of Baltimore County, in Plat Book L.M.C.L.M. No. 10, folio 64. The improvements thereon being known as 652 New Section Road.

BEING the same lot of ground described in a Deed dated September 14, 1964 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4304, Folio 65 which was granted and conveyed by Stanley James Silberman, Morton L. Silberman and Harry Merowitz to Ralph Edward Keckner and Mary M. Keckner, his wife, the Grantors herein.

SUBJECT, however, to all covenants, agreements, easements and restrictions of record.

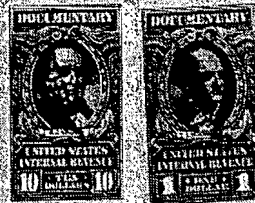
TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Kenneth W. Watkins, Jr. and Patricia A. Watkins, his wife, as tenants by the entireties, their assigns, the survivor of them, the survivor's personal representatives and assigns, forever, in fee simple.

1976 JUN 1

855.00 MSC

3c



This Deed, Made this 14TH day of September,

in the year one thousand nine hundred and , sixty-four , by and between

STANLEY JAMES SILBERMAN, MORTON L. SILBERMAN and HARRY MEROWITZ,

of the City of Baltimore, in the State of Maryland , of the first part, and

RALPH EDWARD KECKNER and MARY M. KECKNER, his wife,

of Baltimore County, in the State of Maryland,
of the second part.

Witnesseth, that in consideration of the sum of \$5.00, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Stanley James Silberman, Morton L. Silberman and Harry Merowitz do hereby grant and convey unto the said Ralph Edward Keckner and Mary M. Keckner, his wife, as tenants by the entireties, the survivor of them, and

his/ or her heirs and assigns,

in fee simple, all that lot(s) of ground, situate, lying and being in

Baltimore County , State of Maryland, and described as follows, that is to say:—

Beginning for the same, being known as Lot No. 306, Second Addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company, recorded among the Plat Records of Baltimore County, in Plat Book L.M.C.M. No. 10, folio 64.

BEING THE same lot of ground which, by Deed dated August 10, 1955 and recorded among the Land Records of Baltimore County, in Liber G.L.B. No. 2756, folio 519, etc., was granted and conveyed by The Land Record Holding Company to Edwin H. White.

BEING ALSO the same lot of ground which, by Trustee's Deed of even date herewith and recorded, or intended to be recorded, among the Land Records of Baltimore County immediately prior hereto, was granted and conveyed, by Herbert H. Rosenbaum, Trustee, unto the said Stanley James Silberman, et al.

PAID—Baltimore County, Md.—Office of Finance



9-24-64 9584 • 52542 PPJ+ 50.00
9-24-64 9584 • 52542 PPJ+ 50.00



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vvw5.1)

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

Account Identifier: District - 15 Account Number - 1519391550

Owner Information

Owner Name:	WATKINS KENNETH W, JR WATKINS LOIS R	Use:	RESIDENTIAL
Mailing Address:	3910 NEW SECTION RD BALTIMORE MD 21220-4030	Principal Residence:	NO
		Deed Reference:	1) /22070/ 448 2)

Location & Structure Information

Premises Address
 3910 NEW SECTION RD

Legal Description

3910 NEW SECTION RD
 BOWLEYS QUARTERS

WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
91	24	99					307	3	Plat Ref:	10/ 64

Special Tax Areas

	Town
	Ad Valorem
	Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		11,250.00 SF	34
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-In Assessments As Of 07/01/2008 07/01/2009	
Land	126,310	126,310		
Improvements:	0	0		
Total:	126,310	126,310	126,310	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: WATKINS KENNETH W, JR DEETS LOIS	Date: 06/21/2005	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /22070/ 448	Deed2:
Seller: WATKINS KENNETH W, SR	Date: 04/18/1991	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8763/ 364	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER'S

EXHIBIT NO.

4

NO CONSIDERATION DEED

File No. 055305

Tax Account No. 15-19391550

THIS DEED, Made this 29th day of April, 2005, by and between Kenneth W. Watkins, Jr., Lois R. Watkins (f/k/a Lois Deets) and Grace M. Watkins, Personal Representative of the Estate of Kenneth W. Watkins (a/k/a Kenneth W. Watkins, Sr.), deceased and Grace M. Watkins, Individually, parties of the first part, and Kenneth W. Watkins, Jr. and Lois R. Watkins, (f/k/a Lois Deets), parties of the second part.

WHEREAS, the said Kenneth W. Watkins departed this life on or about January 23, 2002, testate, said Last Will and Testament duly admitted to probate and recorded with the Register of Wills for Baltimore County in Estate No. 120019, wherein the said Grace M. Watkins was appointed Personal Representative of said Estate and conferred upon her was full power and authority to convey interest in the fee simple property hereinafter described; and

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of the sum of NO DOLLARS AND NO CENTS; the said parties of the first part do grant and convey unto the parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that property situate in BALTIMORE COUNTY, State of Maryland, described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 307, Second Addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company, which Plat is recorded among the Land Records of Baltimore County in Plat Book LMCLM No. 10, folio 64.

THE improvements thereon being known as No. 3910 New Section Road.

BEING the same property which by Deed dated April 4, 1991 and recorded among the Land Records of Baltimore County in Liber 8763, folio 364 was granted and conveyed by Kenneth W. Watkins, Jr., Patricia A. Watkins, Kenneth W. Watkins, Sr. and Grace M. Watkins, to Kenneth W. Watkins, Jr., Lois Deets, Kenneth W. Watkins, Sr. and Grace M. Watkins; the said Lois Deets having since intermarried and is now known as Lois R. Watkins.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said described lot of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple.

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

PETITIONER'S

EXHIBIT NO. 5a-5d

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 4TH day of April
 in the year one thousand nine hundred and ninety-one by and between
 ✓ Kenneth W. Watkins, Jr. Patricia A. Watkins, Kenneth W. Watkins, Sr., and Grace M.
 Watkins,
 of Baltimore County, Maryland of the first part, and
 ✓ Kenneth W. Watkins, Jr., Lois Deets, Kenneth W. Watkins, Sr. and Grace M. Watkins,
 of the second part.

WITNESSETH, That in consideration of the sum of Zero Dollars (\$0.00)

the said parties of the first part,

do grant and convey to the said parties of the second part as

personal representatives/successors and assigns, in fee simple, all

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED AS Lot No. 307, Second Addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company", which plat is recorded among the land records of Baltimore County in Plat Book LMcLM No. 10 folio 64. The improvements thereon being formerly known as 625 New Section Road, now known as 3910 New Section Road.

BEING THE SAME PROPERTY WHICH BY DEED dated June 12, 1981 and recorded among the land records of Baltimore County in Liber EHKJR 6297 folio 262, was granted and conveyed by Kenneth W. Watkins, Sr. and Grace M. Watkins, his wife, unto Kenneth W. Watkins, Sr., Grace M. Watkins, Kenneth W. Watkins, Jr., and Patricia A. Watkins, grantors herein.

I hereby certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of the State of Maryland or by or on behalf of one of the parties named in the instrument.

Michael E. Roche, Esq.

Transfer Tax and Documentary Stamps for the transfer from Patricia A. Watkins to Lois Deets are based on one fourth (1/4) of the outstanding Mortgage balance which is \$45,345.15.

AGRICULTURAL TRANSFER TAX
 NOT APPLICABLE
 SIGNATURE [Signature] DATE 4/19/91

RECEIVED FOR TRANSFER

02A02H0009TLRTX \$181.38
 BA C009:50AH04/18/91

INDIVIDUAL DEED

6297 262

THIS DEED, Made this 12th day of June, in the year one thousand nine-hundred and eighty-one, by KENNETH W. WATKINS, SR. and GRACE M. WATKINS, his wife,

Baltimore County of the State of Maryland, WITNESSETH, that in and for the actual consideration of the sum of NONE and 00/100 DOLLARS, (\$ -0-), including any cash payment plus the proceeds from any purchase money mortgage or deed of trust used to finance this purchase, in assumed by Grantee, the receipt whereof is hereby acknowledged, the said Grantor does grant unto KENNETH W. WATKINS, SR., GRACE M. WATKINS, KENNETH W. WATKINS, JR. and PATRICIA A. WATKINS, as Joint Tenants and not as Tenants in Common,

of Baltimore County of the State of Maryland, their successors, heirs, personal representatives and assigns, to have and to hold, together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining, in fee simple, unto the said Grantee, to have and to hold unto the said Grantee, his heirs, assigns and assigns forever.

ALL that lot of ground and premises situate in Baltimore County, State of Maryland, and particularly described as follows:

BEING known and designated as Lot No. 307, Second Addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company, recorded among the Plat Records of Baltimore County in Plat Book L.M.C.L. No. 10, folio 64.

BEING the same lot of ground which by Deed dated May 25, 1976 and recorded among the Land Records of Baltimore County in Liber EHK JR. NO. 5638, folio 318, was granted and conveyed Ralph Edward Keckner and Wife unto the Grantors herein.

STATE OF MARYLAND
CLERK
6/15/81
6-15-81

TRANSFER TAX NOT REQUIRED
RANDOLPH B. ROSENCRANTZ
DIRECTOR OF FINANCE
BALTIMORE COUNTY, MARYLAND

Per: *Elmer H. Kahline, Jr.*
6-15-81
Rev 11-85-C

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

Witness the hands and seal S of said grantor S.

TEST:

Rosemary G. Hall
Rosemary G. Hall

Kenneth W. Watkins, Sr. (SEAL)
KENNETH W. WATKINS, SR.
Grace M. Watkins (SEAL)
GRACE M. WATKINS

STATE OF MARYLAND, City of Baltimore, to wit:
I hereby certify, that on this 12th day of June, in the year 19 81, before the subscriber, a Notary Public of the State of Maryland in and for Anne Arundel County, aforesaid, personally appeared Kenneth W. Watkins, Sr. and Grace M. Watkins, his wife,

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

As Witness my hand and official seal:

Rec'd for record JUN 16 1981 at 9:01
Per Elmer H. Kahline, Jr., Clerk
Mail to *John D. Balder*
Receipt No. *600*

Rosemary G. Hall
Rosemary G. Hall



THIS DEED, Made this 15th day of May, In the year one thousand nine hundred and seventy-six, by and between RALPH EDWARD KECKNER and MARY M. KECKNER, his wife, of Baltimore County, State of Maryland, parties of the first part, and KENNETH W. WATKINS, SR. and GRACE M. WATKINS, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said Kenneth W. Watkins, Sr. and Grace M. Watkins, his wife, as tenants by the entireties, their assigns, the survivor of them, the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate and lying in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 307, Second Addition to Plat 2, as shown on Plat of Property of Bowley's Quarters Company, recorded among the Plat Records of Baltimore County, in Plat Book L.M.C.L.M. No. 10, folio 64.

BEING the firstly described lot of ground in a Deed dated July 7, 1970 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5109, Folio 655 which was granted and conveyed by Stanley James Silberman, Morton L. Silberman and Harry Merowitz to Ralph Edward Keckner and Mary M. Keckner, his wife, the Grantors herein.

SUBJECT, however, to all covenants, agreements, easements and restrictions of record.

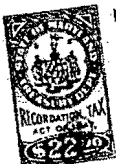
TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Kenneth W. Watkins, Sr. and Grace M. Watkins, his wife, as tenants by the entireties, their assigns, the survivor of them, the survivor's personal representatives and assigns, forever, in fee simple.

JUN 8 2 02 PM '76

120.00 MS.

5c



THIS DEED, Made this 7th day of July, in the year one thousand nine hundred and seventy, by and between STANLEY JAMES SILBERMAN and ROSE SILBERMAN, his wife; MORTON L. SILBERMAN and EVELYN J. SILBERMAN, his wife; and HARRY MEROWITZ and MILDRED R. MEROWITZ, his wife, parties of the first part, of Baltimore City, State of Maryland, and RALPH EDWARD KECKNER and MARY M. KECKNER, his wife, parties of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entireties, the survivor of them, the survivor's heirs and assigns, in fee simple, all those lots of ground situate, lying and being in Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say: -

BEGINNING for the first thereof, being all that lot of ground known as Lot Numbered 307, Second Addition to Plat No. 2, Bowley's Quarters of Baltimore County, which Plat is duly filed among the Land Records of Baltimore County, in Plat Book L.McL.M. No. 10, folio 64.

BEGINNING for the second thereof, on the southeast side of a road 30 feet wide, as shown on the Plat of the Second Addition to Plat No. 2, of Bowley's Quarters, which Plat is duly filed among the Land Records of Baltimore County, in Plat Book L.McL.M. No. 10, folio 64, at a distance of 155.33 feet southwesterly from the northwest corner of Lot No. 335, as shown on said Plat; thence south 64 degrees 08 minutes, binding on said road 50 feet; thence south 25 degrees 52 minutes east parallel with the southwest side of Lot No. 335, 325 feet to the southernmost outline of Lot No. 336, as shown on said Plat; thence binding thereon north 84 degrees 30 minutes east 53.33 feet; and thence north 25 degrees 52 minutes west 343.56 feet to the place of beginning; being part of Lot No. 336.

BEGINNING for the third thereof, on the southeast side of a road 30 feet wide, as shown on the Plat of Second Addition to Plat No. 2, of Bowley's Quarters, recorded among the Land Records of Baltimore County, in Liber L.McL.M. No. 10, folio 64, at a distance of 105.35 feet southwesterly from the northwest corner of Lot No. 335, as shown on said Plat; thence south 64 degrees 08 minutes west binding on said road 50 feet; thence south 25 degrees 52 minutes east parallel with the southwest side of Lot No. 335, 343.56 feet to the southernmost outline

- 1 -

TAX \$ 6.50
STATE TREASURY

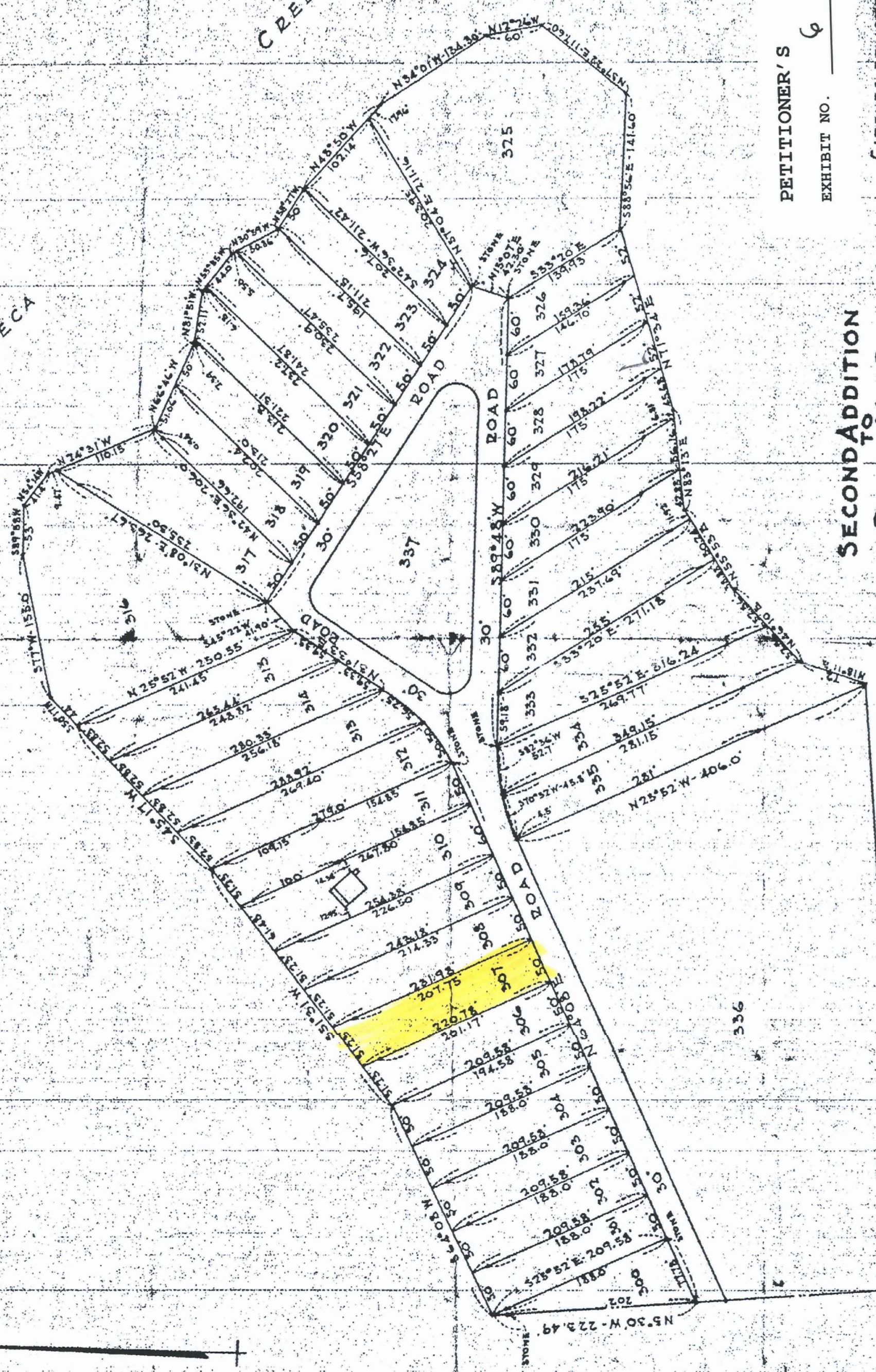
PAID 819 JUL 17

187.50 ASC



CREEK

SENECA



PETITIONER'S
EXHIBIT NO. 6

SECOND ADDITION
TO
PLAT NO. 2
BOWLEY'S QUARTERS

CIRCLES DENOTE STAKES
SCALE 1"=100' JUNE 6, 1931.
E. V. COONAN & CO.
SURVEYORS & CIVIL ENGINEERS
231 ST. PAUL PLACE

P.B. 10 F 64-
1/25/33

AERIAL MAP FOR 3910 NEW SECTION ROAD



Horizontal Datum
Vertical Datum

395
10'

12005

The utility (sanitary sewer and/or storm
information shown is not guaranteed correct
be used as a reference. Locations of app
be verified using construction drawings, v
in room 206 of the Baltimore County Of
through actual field investiga

PETITIONER'S

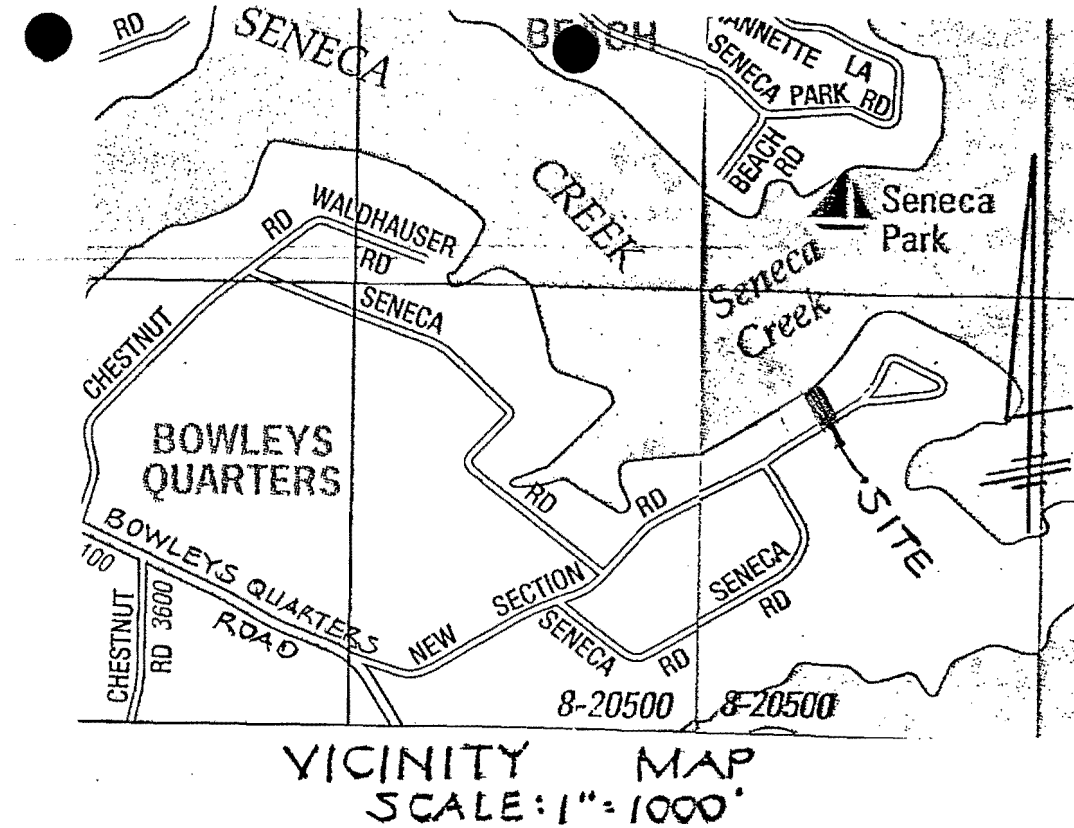
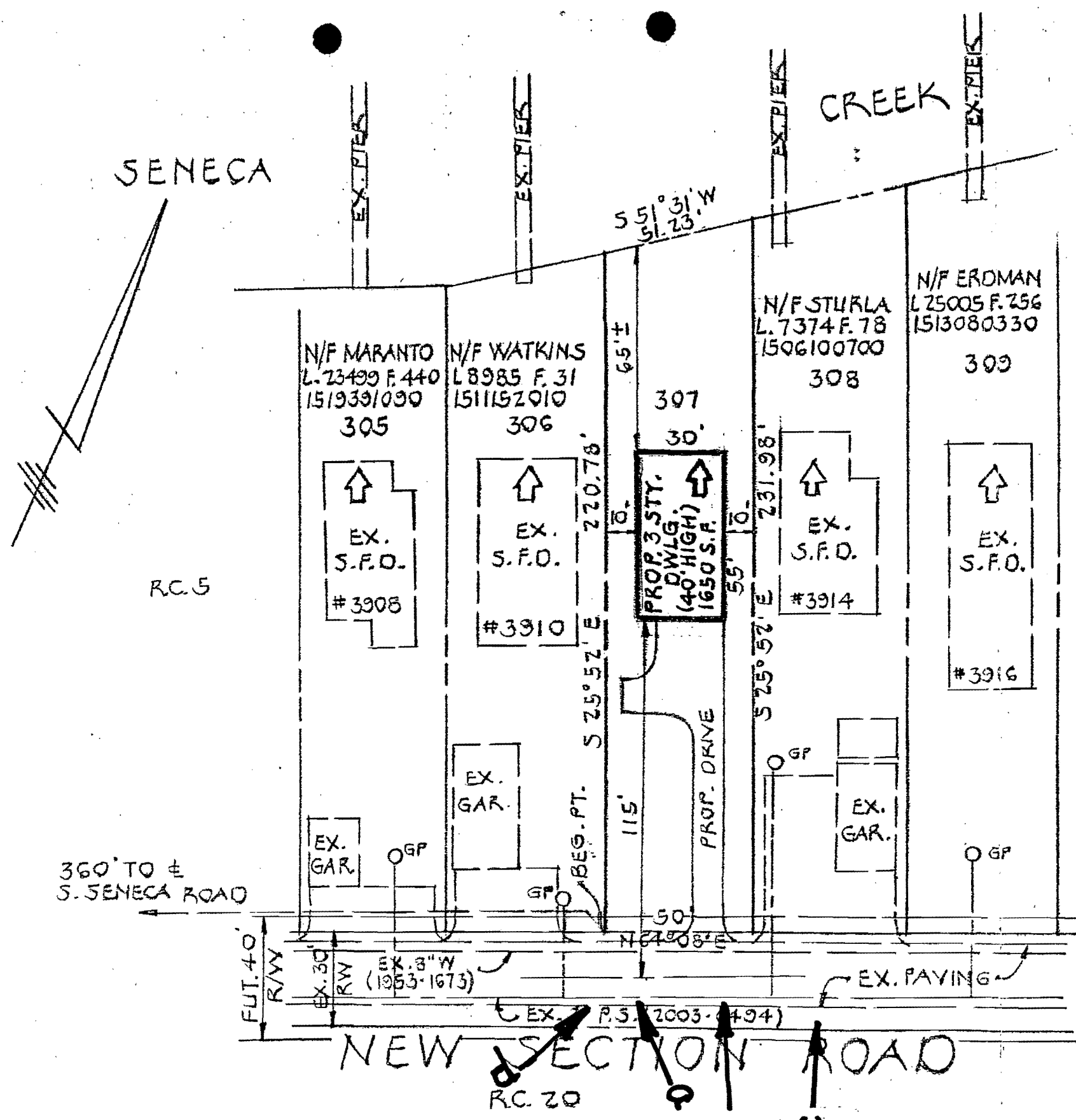
EXHIBIT NO.

7



BALTIMORE COUNTY
MARYLAND

Baltimore County, MD
Department of Public Works
GIS Services



NOTES

1. ZONING.....RC 5 (MAP NO. 091C3)
2. AREA.....11,313 S.F. = 0.260 ACRE +/-
3. SITE IS LOCATED IN CBCA AND 100 YEAR FLOOD ZONE AE
4. PUBLIC WATER AND SEWER IS EXISTING
5. NO HISTORIC STRUCTURES OR SITES, ARCHEOLOGICAL SITES OR UNDERGROUND STORAGE TANKS ARE KNOWN TO EXIST
6. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN
7. SITE IS LOCATED IN A BUFFER MANAGEMENT AREA AND A LIMITED DEVELOPMENT AREA. IMPERVIOUS SURFACES ARE LIMITED TO 25 % (31.25 % WITH MITIGATION). IMPERVIOUS SURFACES WITHIN THE 100 FOOT BUFFER WILL REQUIRE MITIGATION OR A FEE-IN-LIEU. A 15 % (MIN.) TREE COVER MUST BE PROVIDED
8. BLDG. COVERAGE = 14.6%

PETITIONER'S

EXHIBIT NO. 8a-8d

**PLAT TO ACCOMPANY PETITION
FOR VARIANCE AND SPECIAL HEARING
3912 NEW SECTION ROAD
LOT 307 SECOND ADDITION TO
PLAT TWO BOWLEYS QUARTERS PB 10 F 64
ELECTION DISTRICT 15C5
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET DECEMBER 15, 2008**

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER
KENNETH W. WATKINS, JR
LOIS R. WATKINS
3910 NEW SECTION ROAD
BALTIMORE, MD. 21220
DEED REF: L. 22070 F. 448
PROP. NO. 1519391550

8 a



8 b





