IN RE: PETITION FOR VARIANCE

W side of Red Lion Road; 1,500 feet from the c/l of Stevens Road Election District Councilmanic District (11252 Red Lion Road)

William C. and Barbara A. Brown Petitioners

* BEFORE THE

* DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

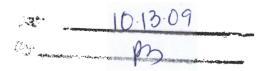
* CASE NO. 2010-0035-A

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, William C. and Barbara A. Brown. Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 17 feet from the northwest corner of a proposed dwelling in lieu of the required 30 feet. The subject property and requested relief are more fully described on the site plan as filed that was marked and accepted into evidence as Petitioners' Exhibit 1, and the revised redlined/bluelined site plan that was marked and accepted into evidence as Petitioner's Exhibit 5.

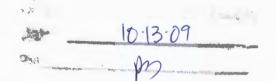
Appearing at the requisite public hearing in support of the variance requests were Petitioners William and Barbara Brown, and Paul Lee, with Century Engineering, Inc., the professional engineer who prepared the site plans. Appearing as interested citizens were nearby neighbors Esther and Deborah Scott of 11248 Red Lion Road. There were no Protestants or other interested citizens in attendance.

Testimony and evidence offered revealed that the subject property is primarily squareshaped and contains approximately 1.15 acres, more or less, zoned D.R.3.5. The property is located approximately 300 feet west of Red Lion Road and north of U.S. Route 40 in the White



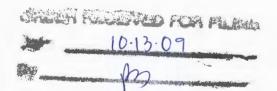
Marsh area of Baltimore County. The property also lies approximately one mile north of the terminus of Bird River. The subject property is known as Lot 2A of the "Couplin Tract" subdivision. A copy of the record plat was marked and accepted into evidence as Petitioners' Exhibit 2 and indicates the plat was recorded on December 20, 1952.

As indicated on the SDAT Real Property Data Search printout that was marked and accepted into evidence as Petitioners' Exhibit 3, an 816 square foot dwelling was constructed on the property in 1953. Access to the property is by way of a driveway leading from Red Lion Road. Petitioners purchased the property in 1998. At some point prior to Petitioners' ownership, the dwelling deteriorated into a state of disrepair. Petitioners razed the dwelling after their acquisition of the property, leaving only the foundation from the previous house. In 2003, Petitioners sought to construct a replacement dwelling and, being aware of the environmental constraints on the property, contacted the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) in order to request an environmental assessment of the property to determine the feasibility of a replacement dwelling. In a letter dated April 3, 2003, which was marked and accepted into evidence as Petitioners' Exhibit 4, DEPRM indicated that "[i]t appears that due to the time elapsed from the demolition of the previous house plus the proposed construction of a larger house and addition of a sewer connection, the lot will no longer be grand-fathered and the property must comply with all of Baltimore County's current regulations." As a result, it was indicated that the property would have to comply with Baltimore County Code provisions concerning the protection of water quality, streams, wetlands, and floodplains, including forest buffer and building setback requirements.



Thereafter, Petitioners engaged Mr. Lee, their consulting engineer, to review and evaluate the property in terms of the environmental and potential zoning issues. Mr. Lee prepared the redlined/bluelined site plan that was accepted into evidence as Petitioners' Exhibit 5. This plan shows the comprehensive steps Mr. Lee has taken to identify and delineate the environmental constraints present on the property, and the analyses that have taken place regarding compliance with DEPRM's issues. Approval was granted in a letter from DEPRM to Mr. Lee dated July 17, 2009, which was marked and accepted into evidence as Petitioners' Exhibit 6A.

Following resolution of DEPRM issues, Petitioner is now in need of the instant zoning relief. As Mr. Lee explained, the proposed dwelling on the subject property is shown on the redlined/bluelined site plan at the northwest corner of the property, sufficiently away from the forest buffer area and floodplain. The variance is necessary because the proposed location of the home is 17 feet from the property line that is adjacent to an existing Baltimore Gas & Electric (BGE) right-of-way. A copy of this recorded right-of-way was marked and accepted into evidence as Petitioners' Exhibit 7. As depicted on the redlined/bluelined site plan, the right-of-way is approximately 150 feet wide and contains existing overhead power lines. A small portion of this right-of-way encroaches into the subject property as shown and cuts off a corner of the subject property. As Mr. Lee indicated, it is this situation, combined with the requirements of the forest buffer, slopes and erodible soils analysis, and alternatives analysis that drives the need for the variance. In short, in order to meet current environmental regulations, there is no other feasible location to place a dwelling on the property; and even with the proposed placement, a variance is still necessary, otherwise the property is rendered unbuildable.



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

Considering all the testimony and evidence presented, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. It is evident that Petitioners were put in a difficult situation because they were unable to build a replacement dwelling on the existing foundation due to the passage of time and the existing environmental constraints on the property. After determining the extent of the environmental impacts and working with DEPRM to resolve those issues, Petitioners are still in need of variance relief from the Zoning Regulations. This is due in part to the environmental requirements that cause the proposed dwelling to be placed in a corner of the property. The variance is also needed as a result of the BGE right-of-way that pinches the corner of the property where the dwelling is proposed. These unusual circumstances cause the subject property to be disproportionately impacted by the rear yard setback regulations as compared with other properties in the District. Hence, I find the property to be unique in a zoning sense. I also find that undue hardship would befall Petitioners if the requested relief were not granted; that is, an existing lot of record since 1952 would be rendered unbuildable for a single-family dwelling that is specifically permitted by the Zoning Regulations.

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

10.13.09

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 granted.

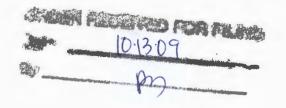
 Petitioners are advised that they may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for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

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

Deputy Zoning Commissioner

for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

October 13, 2009

WILLIAM C. AND BARBARA A. BROWN 1206 WEST NORTH AVENUE BALTIMORE MD 21217

> Re: Petition for Variance Case No. 2010-0035-A

Property: 11252 Red Lion Road

Dear Mr. and Mrs. Brown:

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

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

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Paul Lee, Century Engineering, Inc., 10710 Gilroy Road, Hunt Valley MD 21031 Esther and Deborah Scott, 11248 Red Lion Road, White Marsh MD 21162

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 11252 Red Lion Road

which is presently zoned DR3.5

Deed Reference: 12842 / 25 Tax Account # 1103050050

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)

1B02.3.C.1 of the BC2R to permit a rear yard setback of 1.7' from the northwest corner of a proposed dwelling in lieu of the required 30' (a variance of 13').

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 addressed 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 periury, that I/we are the legal owner(s) of the property which

			is the subject of this Petition		
Contract Purchaser/L	essee: ENGIN	EER:	Legal Owner(s):		
Paul Lee - Century Eng			William C. Brown		
Name / Type or Print			Name - Type or Print	ue	
Signature			Signature		
10710 Gilroy Road	44	3-589-2400	Barbara A. Brown		
Address		Telephone No.	Name - Type or Print		
Hunt Valley	Maryland	21031	182 5		
City	State	Zip Code	Signature		
Attorney For Petition	ier:		1206 W. North Avenue		410-728-8422
			Address		Telephone No.
			Baltimore	Maryland	21217
Name - Type or Print			City	State	Zip Code
			Representative to be	Contacted:	
Signature			Paul Lee - Century	Engineering,	Inc.
Company			Name 10710 Gilroy Road		443-589-2400
Address	4	Telephone No.	Address Hunt Valley	Maryland	Telephone No. 21031
City	State	Zip Code	City	State	Zip Code
City	State	Zip Code	Oity	Otate	210 0000
Case No. 2010- C	1035-A		Office Use Only		
		Estir Unav	nated Length of Hearing vailable For Hearing		
REV 8/20/07		Rev		Date 7/29 /	09
A SAME OF	12.07				
	10.13.07	and the same of th			



Description 11252 Red Lion Road Elect. Dist. 11C5 Balto, Co. MD

2010-0035-A

Beginning for the same at a point at the intersection of the eastern outline of said property with the southern outline and south side of a 16' road easement (private easement use in common) leading to Red Lion Road, said point also being located 1) Running northeasterly 1500'± along Red Lion Road from the center of Stevens Road to the south side of the 16' road then running reversely along the south side of said 16' road 2) South 88° 42' 31" West 330'± to the intersection of the eastern and southern outlines (southeast corner) and place of beginning of subject property; thence running with and binding on said southern outline and south side of 16' road easement,

- 1) South 88° 24' 37" West 198.10'± to the western outline and centerline of 16' road easement thence running with said western outline of said property
- 2) North 01° 35' 23" West 187.08' to the intersection with the east side of a 150' BG&E right-of-way easement, thence running with and binding with said east side of BG&E right-of-way easement
- 3) North 33° 57' 15" East 86.42 to the point of intersection with the northern outline of said property with the south side of an existing 20' drainage and utility easement (Balto. Co. R/W #96-005-1), thence running with and binding on said northern outline,
- 4) North 88° 24' 37" East 204.76' to the intersection with the beginning of the eastern outline and northeast corner of subject property, thence running with said eastern outline and the existing "Jennies Branch Stream" the 8 following courses and distances:
- 5) South 26° 04' 36" West 41.62 feet
- 6) South 34° 41' 37" West 25.50 feet
- 7) South 01° 36' 37" West 27.00 feet
- 8) South 17° 42' 37" West 50.25 feet
- 9) South 13° 33' 37" West 77.33 feet
- 10) South 27° 48' 23" East 24.00 feet
- 11) South 83° 01' 24" East 19.97 feet and
- 12) South 08° 10' 37" West 26.83 feet to the southeast corner of said property and the place of beginning.

Containing 49,882 s.f. (1.15 acres) of land more or less and known as 11252 Red Lion Road.



			ID FINANC I RECEIPT		Cub	No.		
und	Dept	Unit	Sub Unit	Rev Source/ Obj		Dept Obj	BS Acct	Amount
r 1	Let 12			21.7				
Rec rom:				- 4 /4	d'	Total:		
For:	E = 1,	(**				
	113	50	L = 1	-15 11	<i>i</i>			
	- X							

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

	RE: 2010-0055-A
	Petitioner/Developer:
	Wi;;iam and Barbara Brown
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	Date of Hearing/closing: September 21, 2009
Attn; Kristin Matthews;	
Ladies and Gentlemen:	
	s of perjury that the necessary sign(s) required by law were sted at,
The sign(s) were posted on	Sept.5,2009 (Month, Day, Year)
	Sincerely,
	Robert Bluck Sept. 9, 2009
	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

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: # 2010-0035-A
11252 Red Lion Road
W/side of Red Lion Road, at a distance of 1,500 feet from the centerline of Stevens Road
11th Election District — 5th Councilmanic District
Legal Owner(s): William & Barbara Brown
Variance: to permit a rear yard setback of 17 feet from the northwest corner of a proposed dwelling in lieu of the required 30 feet (a variance of 13 feet).
Hearing: Monday, September 21, 2009 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zonling Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zonling Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zonling Review Office at (410) 887-3391.

9/047 September 3

210605

CERTIFICATE OF PUBLICATION

9	3	2009
THIS IS TO CERTIFY, that the anne	exed adv	ertisement was published
in the following weekly newspaper pub	lished in	Baltimore County, Md.,
once in each ofsuccessive wee	ks, the fi	rst publication appearing
on 9/3,20 <u>09</u> .		
The Jeffersonian		
☐ Arbutus Times		
Catonsville Times		
□ Towson Times		
Owings Mills Times		
☐ NE Booster/Reporter		
☐ North County News		

LEGAL ADVERTISING

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 benefit as follows:

Case: # 2011-0035-A Case: # 2011-0035-A
610 Cameron Ridge Court
N/east side of Cameron
Ridge Court, 45 feet east of
the centerline of Quiet Valley Court
7th Election District
3rd Councilmanic District
Legal Owner(s):
Variance: to permit a pro-

Variance: to permit a pro-posed detached accessory structure (garage) to be lo-cated in the side yard of the dwelling in ileu of the re-

dwelling in lieu of the required rear; and to amend the Final Development Plan of Cameron Mill, Section 2, lot 52 only.
Hearing: Thursday, September 2, 2010 at 2:00 p.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

3391. JT/8/887-Aug. 24 251855

CERTIFICATE OF PUBLICATION

8 26 , 2010
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 8/24,2010.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

J. Wilkingon





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 19, 2009

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: 2010-0035-A

11252 Red Lion Road

W/side of Red Lion Road, at a distance of 1,500 feet from the centerline of Stevens Road 11th Election District – 5th Councilmanic District

Legal Owners: William & Barbara Brown

<u>Variance</u> to permit a rear yard setback of 17 feet from the northwest corner of a proposed dwelling in lieu of the required 30 feet (a variance of 13 feet).

Hearing: Monday, September 21, 2009 at 11:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Paul Lee, Century Engineering, 10710 Gilroy Road, Hunt Valley 21031 Mr. & Mrs. Brown, 1206 W. North Avenue, Baltimore 21217

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 5,2009

- (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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

or Newspaper Advertising:
tem Number or Case Number 2010 - 0035 - A
Petitioner WILLIAM C. BROWN
Address or Location: 11252 Red Lind ROAD
PLEASE FORWARD ADVERTISING BILL TO
lame: WILLIAM C. BROWN
Address 1206 N- NORTH AVE
BACTIMORE, MD. 21217
elephone Number: 410-728-8422



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 18, 2009

William C. Barbara A. Brown 1206 W. North Ave Baltimore, MD 21217

Dear: William C. Barbara A. Brown

RE: Case Number 2010-0035-A, 11252 Red Lion Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 29, 2009. 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,

u. Cal Ribilg

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

People's Counsel
 Paul Lee: Cenntury Engineering, Inc.; 10710 Gilroy Rd.; Hunt Valley, MD 21031

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 13, 2009

Department of Permits &

Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

SIGNED: Dennis A. Kennedy

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 3, 2009

Item Nos. 2009-0326, 2010-002, 012, 027, 028,

029, 030, 031, 033 and 035

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

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08132009-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 7, 2009

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 10-035- Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Acting Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: AUGUST 4, 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 2010 - 0035-A.
11252 REWD LION RD
BROWN POLOPERTY

VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0035-A

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief Engineering Access Permits

SDF/MB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 9, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 11-035- Administrative Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

CM/LL

RE: PETITION FOR VARIANCE

11252 Red Lion Road; W/S Red Lion Road,

1,500' c/line of Stevens Road

11th Election & 5th Councimanic Districts

Legal Owner(s): William & Barbara Brown *

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

10-035-A

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

AUG 07 2009

Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Carle S Ventio

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 7th day of August, 2009, a copy of the foregoing Entry of Appearance was mailed to Paul Lee, Century Engineering, Inc, 10710 Gilroy Road, Hunt Valley, MD 21031, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

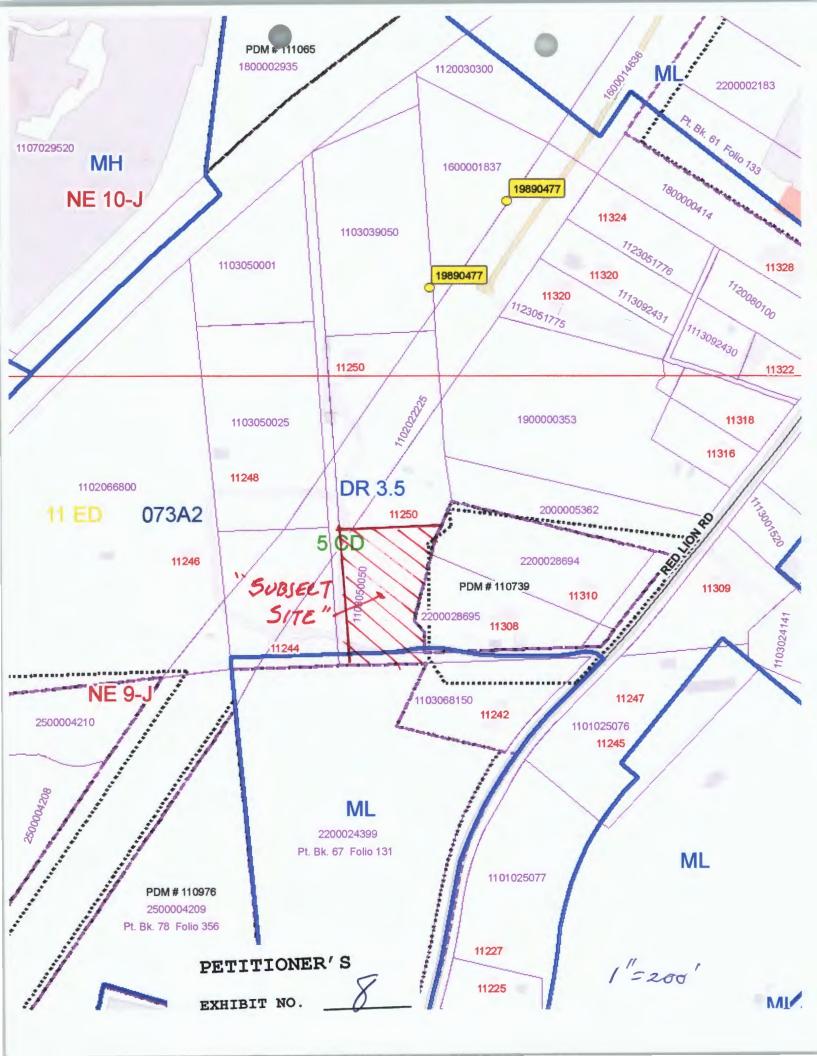
Peter Max Zimmerman

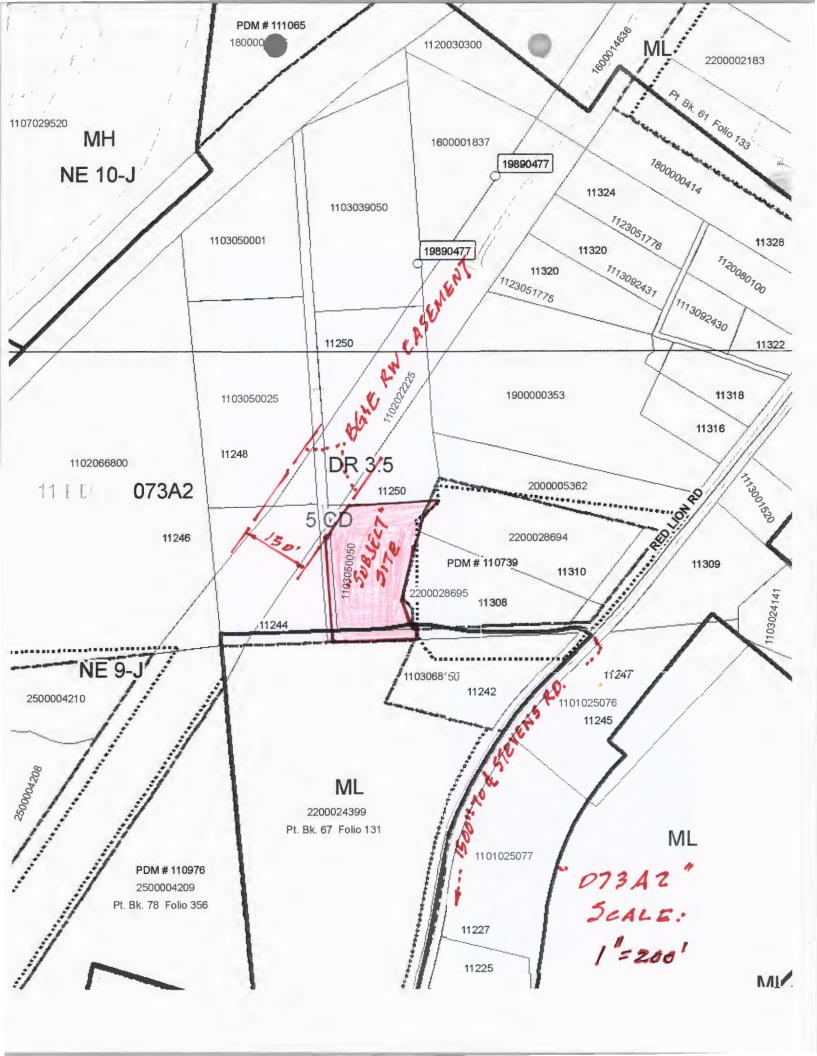
People's Counsel for Baltimore County

CASE NAME 11252 RED LION RO CASE NUMBER ZOID-0035-A DATE 9-21-09

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
PAULLEE	10710GILROY RD	HUNT VALGEY MD. 21031	PLEE GENTLENGE . Com
BANDAVA A. Brown	1206 W. North Ave.	Batto, Md. 21217 Baldo Md. 21217	
Esther + Deporal Scott	11248 Red Lun Rd.	White Marsh, Md. 21162	0
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			. 3
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Case No.: 2010-0035-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan
	The poor
No. 2	Record Reat
No. 3	fortes Stollho
No. 4	letter 4/3/03
No. 5	Revised Site Pan a) Offer varies apparel
No. 6	7/17/09 lette and
A-C	related documents
No. 7	Con plessing BGG
	corresping of smal trumps - works need for warrang
No. 8	Zoven Hup - also shows BGE's right of way - property
No. 9	(SC) regression
No. 10	
No. 11	
No. 12	

MAP BLOCK 73 13-To Philadelphia 77722 FRANK CLARK 1/3/6 timore LOT 1B LOT'2B 1.53A 1.65 Ac 2354-11 PETITIONER'S CoupLIN, Edward EXHIBIT NO. LOT'3 2.22 Ac 2.22 Act P/0 305 N/C 50050 COUPLIN, GENEVIEVE LOT 2A 1.16 Ac BEHJAMIN (SAN) rvey, of Couplin Tract ar Cowenton Md. ale: 1" · 100' ité: Dec. 2011 1952

死 11





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

Go Back View Map **New Search**

Account Identifier: District - 11 Account Number - 1103050050

Owner Information

Owner Name: BROWN WILLIAM C

BROWN BARBARA A

1206 W NORTH AVE

BALTIMORE MD 21217-3533

Principal Residence:

Deed Reference:

NO

1) /12842/ 25

RESIDENTIAL

Location & Structure Information

Premises Address

Mailing Address:

RED LION RD

Legal Description

1.16 AC NWR

250 FT RED LION RD

1400FT NE OF STEVENS RD

Plat No: Map Grid **Parcel Sub District** Subdivision Section Block Lot **Assessment Area** 73 2A Plat Ref: 13 222

Town

Special Tax Areas

Ad Valorem Tax Class

Primary Structure Built 1953		Enclosed Area Property Land Ar		ea County Use
		816 SF	1.11 AC	04
Stories	Basement		Туре	Exterior
1	NO	STANDARD UNIT		FRAME

Value Phase-in Assessments **Base Value** As Of As Of As Of 01/01/2006 07/01/2008 07/01/2009

96,040 96,040 Land

15,100 15,100 Improvements: Total: 111,140 111,140

NOT AVAIL 111,140 **Preferential Land:** NOT AVAIL 0

Transfer Information Seller: JACKSON EVELYN A Date: 05/07/1998 Type: IMPROVED ARMS-LENGTH Deed1: /12842/ 25

Date: 05/06/1997 Price: \$0 Seller: JACKSON EVELYN A Deed1: /12160/ 375 Deed2: Type: NOT ARMS-LENGTH

Date: 08/01/1975 Price: \$0 Seller: COUPLIN GENEVIEVE Deed1: / 5553/ 578 Deed2: Type: NOT ARMS-LENGTH

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

Tax Exempt: **Exempt Class:** NO

Special Tax Recapture:

* NONE *

Price: \$40,000

Deed2:

PETITIONER'S

EXHIBIT NO.

ment of Environmental Prescrion

J1 Bosley Avenue, Suite 416 Towner Maryland 21204

Saved A. Mart. County Execute Stayle of Co. Carrott, Director



Natural R ce Specialist Environm Impact Review

Baltimore County
Department of Environmental Protection
& Resource Management
401 Bosley Avenue, Suite 416
Towson, Maryland 21204

410 5 - 308 Fax 410-887-4804



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April 3, 2003

Mr. William Brown 1206 West North Avenue Baltimore, Maryland 21217



RE:

11252 Red Lion Road

Preliminary Environmental

Assessment

Dear Mr. Brown:

A preliminary environmental assessment of the above referenced property was performed by Environmental Impact Review (EIR) at your request to determine the general environmental constraints of the lot. Inspection of the property on March 28, 2003 revealed the following:

Currently the lot has an existing concrete foundation from a previous house. Most of the property is forested. Jennies Branch, a Use I stream is located along the whole eastern portion of the property. It appears that due to the time elapsed from the demolition of the previous house, plus the proposed construction of a larger house and addition of a sewer connection, the lot will no longer be grand-fathered and the property must comply with all of Baltimore County's current regulations.

This lot would have to comply with Baltimore County Code Article IX Protection of Water Quality, Streams, Wetlands and Floodplains and Section 26-276 Floodplain and wetland protection. As per the regulations the stream would require a 75 foot Forest Buffer and a 35-foot building setback. Department of Public Works (DPW) will need to be contacted to see if a 100-year floodplain exists on the site that could further limit building on the lot.

Based on the results of this assessment it appears that the above environmental constraints are such that they could preclude some of the proposed development of the site. However you can apply for a variance under Section 14-334(a)(1) of Article IX. You should hire a qualified environmental consultant to delineate any possible wetlands

PETITIONER'S

EXHIBIT NO.



Visit the County's Website at www.baltimorecountyon

Mr. William Brown April 3, 2003 Page 2

and accurately show the forest buffer that would need to be completed in order to pursue your proposed development.

As it appears after this assessment, most of the lot would need to be protected as per the above mentioned regulations and therefore only a variance approval from the director of this department could allow the proposed lot development. Please be aware that this letter only refers to the environmental constraints of the property. Other issues regarding building setbacks and sewer connections need to be discussed with ground water management and the zoning department. I have enclosed a listing of environental consultants in the area for your use should you wish to continue with the proposed development.

If there are any questions regarding this correspondence, please contact me at (410) 887-3980.

Sincerely,

Brian Lindley

Bitilly

Natural Resource Specialist Environmental Impact Review

Enclosure



JAMES T. SMITH, JR. County Executive

JONAS A. JACOBSON, Director Department of Environmental Protection and Resource Management

July17, 2009

Mr. Paul Lee Century Engineering, Inc. 10710 Gilroy Road Hunt Valley, MD 21031

BECEIVE

Re: William Brown Property 11252 Red Lion Road CENTURY ENGINEERING MC.
10710 GILROY ROME
HUNT VALLEY, MD 21031

Dear Mr. Lee:

I have reviewed your easement plat and site plan for the above referenced property. The easement is shown correctly. However, the following note from the July 29, 2008 variance approval must be provided on all plans:

"A variance and an alternatives analysis were granted by the Baltimore County Department of Environmental Protection and Resource Management from Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains for a reduced forest buffer for a dwelling and 35-foot primary structure setback and continued use of an existing driveway. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that the variance and alternatives analysis were granted. Conditions were placed on this variance to reduce water quality impacts."

Once this note is added, the plans will be complete. Please contact me at (410) 887-3980 if you have any questions. .

Sincerely,

Regina A. Esslinger, Supervisor Environmental Impact Review

PETITIONER'S

11252 Red Lion Rd 7.17.09.doc/sheir/Regina

EXHIBIT NO



10710 Gilroy Road Hunt Valley, MD 21031

11252 RED LION ROAD FOREST BUFFER EASEMENT

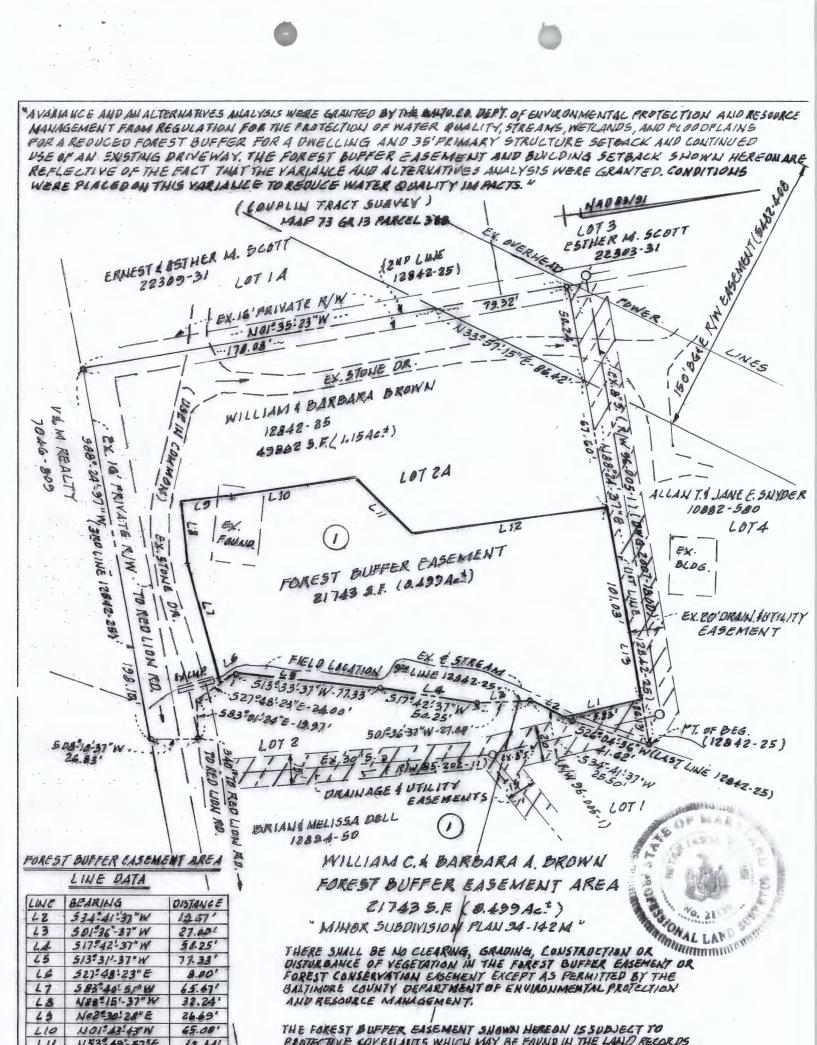
Beginning for the same at a point located 26.13 feet from the point of beginning of that parcel of land described in a deed dated February 18, 1998 and recorded among the Land Records of Baltimore County in Liber 12842 Folio 25. Thence leaving said point and running through said parcel as now surveyed and referenced to the Maryland Coordinate System (NAD 83/91);

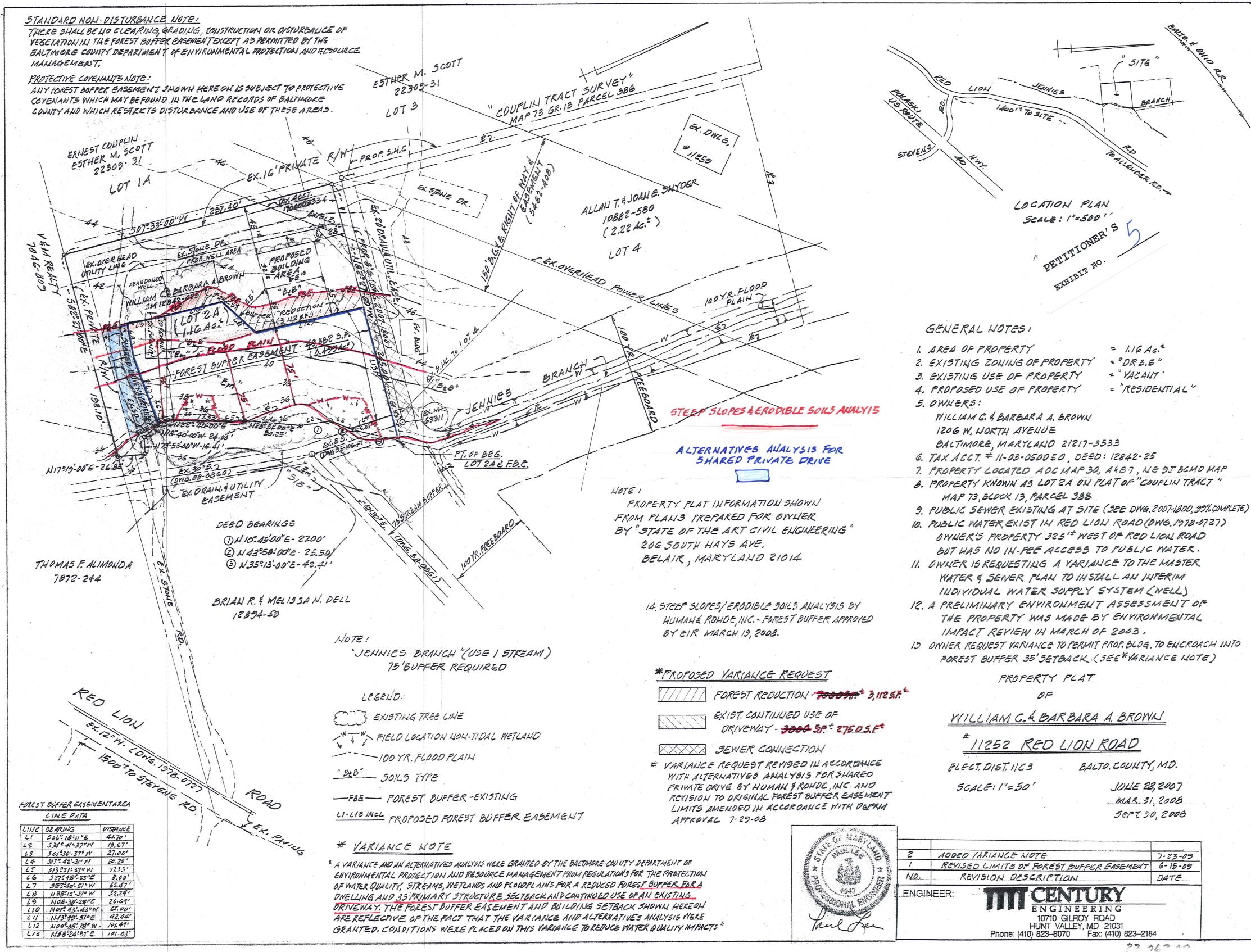
- 1) South 06° 12' 11" East 41.70 feet to a point in the center of an existing stream known as Jennies Branch, thence running with and binding on the center of Jennies Branch the following five courses, viz;
- 2) South 34° 41' 37" West 19.67 feet to a point, thence
- 3) South 01° 36' 37" West 27.00 feet to a point, thence
- 4) South 17° 42' 37" West 50.25 feet to a point, thence
- 5) South 13° 31' 37" West 77.33 feet to a point, thence
- 6) South 27° 48' 23" East 8.00 feet to a point, thence leaving the centerline of said stream and running through the aforementioned parcel of land recorded in Liber 12842 Folio 25 the following six courses and distances;
- 7) South 83° 40' 51" West 65.47 feet to a point, thence
- 8) North 88° 15' 37" West 32.24 feet to a point, thence
- 9) North 02° 30' 28" East 26.69 feet to a point, thence
- 10) North 01° 43' 43" West 65.00 feet to a point, thence
- 11) North 53° 49' 57" East 42.44 feet to a point, thence
- 12) North 00° 02' 38" West 101.49 feet to a point on the first or North 82° 27' West 245 foot line of that parcel of land described in the aforementioned deed, thence running reversely on a portion of said line
- 13) North 88° 24' 37" East 101.03 feet to the place of beginning.

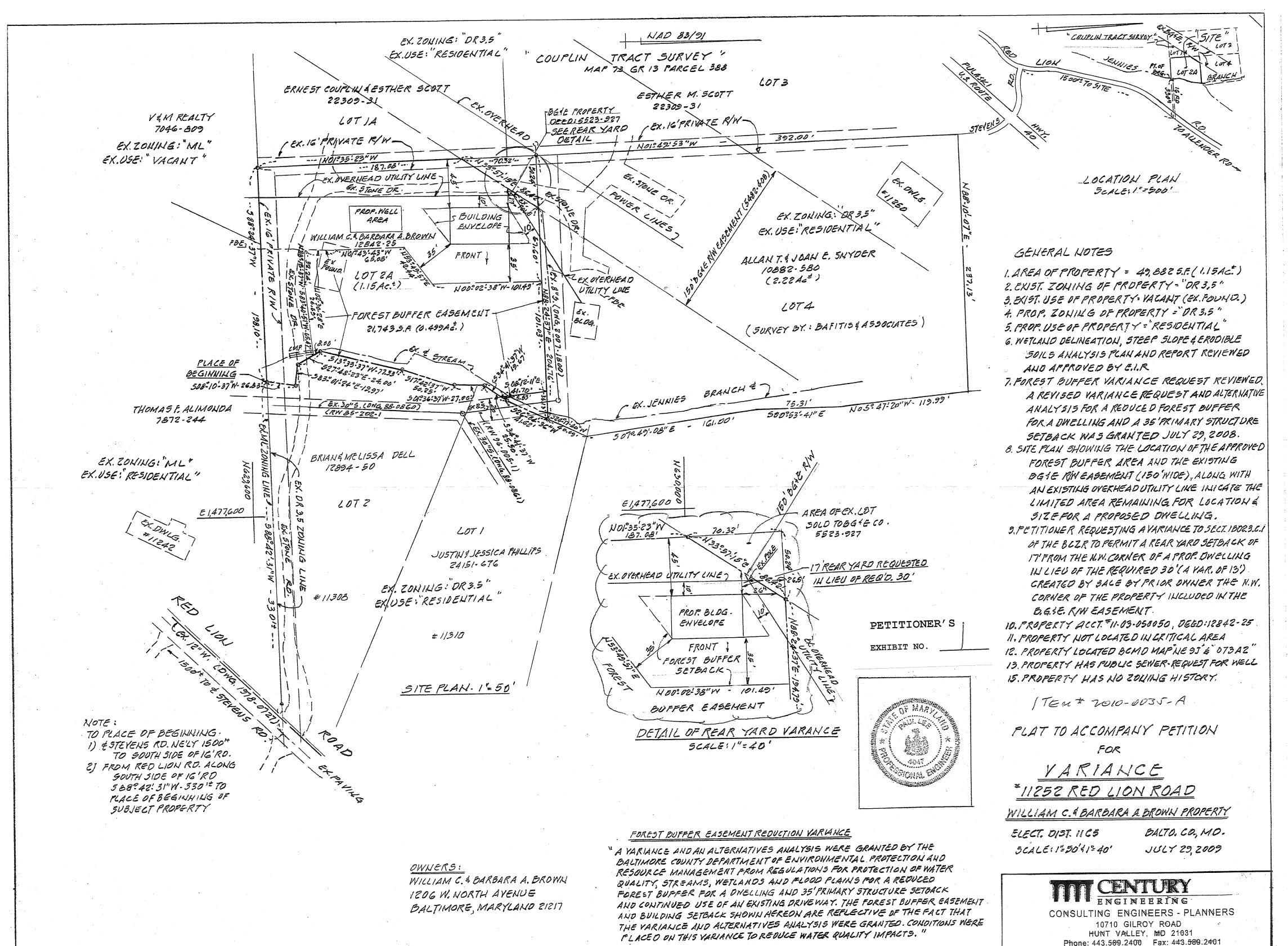
Containing 21,743 square feet or 0.499 acres of land, more or less.

Being a portion of that parcel of land described in a deed to William C. Brown and Barbara A. Brown, dated February 18, 1998 and recorded among the Land Records of Baltimore County in Liber 12842 Folio 25.









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