

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

S/S Ivy Hill Road, 3,300' NE c/line of *
Falls Road *
(1320 Ivy Hill Road) *
8th Election District *
3rd Council District *

David D. Smith *
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2010-0092-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the property, David Smith, through his attorney Arnold Jablon, Esquire. The Petitioner requests a special hearing to confirm that a single family home can be built on an existing lot pursuant to Section 1A03.4B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), subject to the standards as prescribed and in force at the time of the subject lot's recordation. In addition, variance relief is requested¹ to permit an existing lot with an area of 2.687 acres of R.C.4 land in lieu of the required three (3) acres, pursuant to B.C.Z.R. Section 1A03.4B.1a. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests on behalf of the Petitioner were Arnold Jablon, Esquire, Venable, LLP, and Geoffrey Schultz, a professional land surveyor with McKee & Associates, Inc., the consultant who prepared the site plan. Mr. Schultz has been recognized and accepted as an expert witness in land use, zoning and development

¹ At the suggestion of the Zoning Review Office and out of an abundance of caution, Petitioner requested variance relief from the requirements of the Zoning Regulations in the event this relief is determined to be *necessary* by this Commission during the course of the hearing.

FILED
Date 12-7-09
By [signature]

management before this Commission and was accepted by the undersigned as an expert in the instant matter. There were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies, however, it should be noted that while the Office of Planning (OP) did not oppose the requested relief, the comment indicated the subject property's zoning classification as R.C.5 and requested that there should be compliance with the performance standards delineated for the R.C. 5 zone, specifically, Section 1A04.4 of the B.C.Z.R. See OP comment, dated November 12, 2009. However, clearly, this was a mistake as the subject relief is requested for property zoned R.C.4 and, therefore, not subject to performance standards.² Appearing as an interested adjacent property owner who would be in opposition to the removal of mature trees from this totally forested site was Ann Yellott, residing at 1332 Ivy Hill Road. There were no other Protestants or interested persons in attendance.

Testimony and evidence offered revealed that the relief requested involves an existing lot of record, comprised of 3.199 acres in area, 2.687 acres of which is zoned R.C.4 and 0.512 acres zoned R.C.5. The subject property is a rectangular shaped parcel and as illustrated on the site plan is landlocked with no access onto Ivy Hill Road. Access to the property would be by a 30-foot wide private use-in-common ingress, egress, maintenance and utility easement driveway from Ivy Hill Road through the Petitioner's adjacent property, as described on the site plan.

Surrounding the subject property, to the southeast, is a separately described lot of record, owned by the Petitioner, of approximately 3.7 acres, identified on the site plan as 1318 Ivy Hill Road; to the south is property owned by Kinloch N. Yellott, Jr. and Ann L.B. Yellott, who

² There is shown on Petitioner's Exhibit 1 a building envelope for a "future house" on adjacent property also owned by the Petitioner, identified on the site plan as 1318 Ivy Hill Road. This separate and distinct lot of record is also split zoned, R.C.4 and R.C.5. The future house referred to on the site plan for 1318 is within the R.C.5 portion of this property. It is easy to understand how the Office of Planning, when it reviewed the subject site plan in preparation of its comment, could mistake the "future house" on the adjacent property for the proposed home on the subject property. Both properties are immediately adjacent to each other and located on the north side of Ivy Hill Road, east of Falls Road.

appeared and participated at the hearing; to the west is property owned by Cresap, LLC; to the north is property owned by Robert Shaine Gahan and Arleen H. Gahan; and to the northeast is property owned by Baltimore County – in an area that has justifiably earned a reputation as being one of the finest residential sections in the metropolitan area.

The site plan (Petitioner's Exhibit 1) describes the subject property and demonstrates the zoning line bisecting the lot. A proposed house is to be located entirely within the R.C.4 zoning classification. The property is not proposed for subdivision and is not part of any subdivision. It was created by deed, dated September 26, 1955, and recorded among the Land Records of Baltimore County in Liber 2814, Folio 504. *See* Petitioner's Exhibit 2. The metes and bounds of this lot have not changed. The issues before the Commission for determination are whether there is a minimum lot size in the R.C.4 zone, or is the property exempt through a regulation exception from current standards and, therefore, subject to the standards *prescribed and in force at the time of the lot's recordation*. Concomitant with these issues is - if there is a minimum lot size - does the Petitioner need a variance?

The petition for variance is to permit the 2.687 acres of the instant property zoned R.C.4 in lieu of the three (3) acres, if applicable. This petition was filed at the direction of the Zoning Office, which believes a three (3)-acre minimum lot size within the R.C.4 is required by Section 1A03.4B.1a of the B.C.Z.R. As an alternative, the Petitioner filed a petition for special hearing to request confirmation that, pursuant to Section 1A03.4B.4 of the B.C.Z.R, the property is subject to the zoning standards in place at the time the property was created and the deed recorded.³ A brief historical review of the zoning history is instructive and was presented by

³ The subject lot as earlier noted is 3.199 acres in size. The Zoning Review Office is apprehensive in construing the intent of the Baltimore County Council when it enacted Section 1A03.4B of the B.C.Z.R. and adopted the language therein. *See* Zoning Case 07-359-SPHA where the Zoning Review Office required a public hearing on the same issues as presented here. Hence, I will try harder to bring clarity to the issues.

Messrs. Jablon and Schultz. Their testimony confirmed that in 1955, when this lot was recorded, the property was not zoned. The Zoning Office assigned the zoning classification of R-40 to all property that was not zoned. R-40 required a minimum lot size of 40,000 square feet, or approximately one acre. In 1971, the property was zoned RDP, which had a one (1)-acre minimum lot size. In 1976, the lot was rezoned to R.C.5 and at that time a minimum lot size of one (1) acre was also required. In 2000, the property was rezoned and split between the R.C.5 and R.C.4 zoning, which is the current zoning. See Devolution of Title – Petitioner's Exhibit 3.

The Petitioner was told by the Zoning Office that the zoning regulations require a three (3)-acre minimum lot size in the R.C.4 zone, and, inasmuch as the subject property has only 2.7 acres of area in the R.C.4, a variance is necessary. Therefore, instant petitions followed.

Mr. Jablon presented the relevant regulations and argued that if there were a minimum lot size required, it would be one (1) acre, not three (3). Section 1A03.4B.1 of the B.C.Z.R., provides as follows:

1. Lot Density.

- a. "A tract to be *developed* in an R.C.4 Zone with a gross area of less than six acres may not be *subdivided*, and a tract to be developed with a gross area of at least six acres but not more than 10 acres may not be subdivided into more than two lots (total), each of which must be at least three acres, except as otherwise provided in Section 103.3 or in Paragraph 4 below.
- b. (2) All of the remaining permitted density shall be located in the building area on lots with a minimum lot size of one acre."

In support of the requested relief, Mr. Jablon proffered, and Mr. Schultz confirmed, that the property is not six (6) acres and is not being subdivided. The three (3)-acre minimum lot size required by Section 1A03.4B.1.a is only to a tract with a gross area of six (6) acres to (ten) 10 acres that if subdivided must have no more than two (2) lots, each at least three (3) acres. Lots

less than six (6) acres can't be subdivided but there is no minimum lot size required, thus no variance is needed here. B.C.Z.R. Section 1A03.4B.2, however, as noted above, is the catch-all provision: *all of the remaining permitted density* requires a minimum lot size of one (1) acre. The instant property is not subject to Section 1A03.4B.1a, but more appropriately to Section 1A03.4B.1.b(2).

Mr. Jablon, in the alternative, presented in the petition for special hearing that the instant property is subject to Section 1A03.4B.4, which provides as follows:

"Exceptions for certain record lots. Any existing lot or parcel of land with boundaries duly recorded among the land records of Baltimore County with the approval of the Baltimore County Office of Planning on or before December 22, 1975, and not part of an approved subdivision that cannot meet the minimum standards as provided within the zone, may be approved for residential development in accordance with the standards prescribed and in force at the time of the lot recordation."

Mr. Jablon next made a brief overview of the development provisions in place in 1955 when the subject property was recorded in the land records. He argued that by its recordation, the recordation itself constituted approval by the County's Office of Planning. As this lot was not part of an approved subdivision, it is subject to the standards then in place. As is more particularly set forth below, I find it not necessary to determine the applicability of Section 1A03.4B.4.

Mr. Jablon proceeded to provide testimony to meet the provisions of B.C.Z.R. Section 307.1 in the event this Commissioner should conclude that a three (3)-acre minimum lot size is required. To this end, he proffered and Mr. Schultz agreed, giving reasons that the subject property is unique in nature and there would be a practical difficulty if the variance were not granted.

Ms. Yellott testified that she and her husband have lived at 1332 Ivy Hill Road since 1973 and own five (5) acres adjacent to the proposed building lot. Her principal concern is the cutting down of trees that exist on the property. It is a beautiful area and the removal of the trees to develop this property even for a single family home will be detrimental to her property and view shed as well as the area. Mr. Shultz aptly pointed out that of the 2.7 acres, more or less, within the R.C.4 zone, two (2) acres are protected and in a forest buffer easement. Additionally, Mr. Jablon indicated that his client, David Smith, is an ardent environmentalist and will not disturb environmental resources indiscriminately.

There is no doubt that there exists a practical difficulty not created by the Petitioner. The lot is landlocked, was created in 1955 prior to the adoption of current zoning regulations, is not the subject of a subdivision, and would be undevelopable unless the variance were to be granted. Mr. Schultz testified that it was his opinion that there would be no adverse impact on the community if the variance were to be granted and there would be no detriment to the health, safety or general welfare of the locale. Mr. Schultz stated that it was his opinion that the strictures of Section 307.1 were satisfied and that a practical difficulty would exist if the variance was to be denied. As set forth below, I shall find it is also not necessary to decide this issue.

Considering all the testimony and the evidence presented, I find that the request for a variance of 2.67 acres, more or less, in lieu of three (3) acres is not necessary. The instant lot of record was created in 1955, is not six (6) acres, has not been subdivided and is not the subject of a subdivision. Therefore, Section 1A03.4B.1.a is not applicable. Section 1A03.4B.1.b(2) is. This lot is thus in conformity. Based on the particular facts presented, I conclude that the lot size of 2.687 acres in the R.C.4 zone satisfies the zoning regulations and conforms to all standards prescribed therein.

ORIGINAL RECEIVED FOR FILING

Date 12-7-09

By 193

Therefore, I find that the petition for special hearing shall be dismissed as moot; and, further, I likewise find that the petition for variance shall be in part dismissed as moot and in part granted.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, I find that the petition for special hearing shall be dismissed as moot; and further that the petition for variance shall be dismissed as moot in part and granted in part in that I find that the subject property is not required to have a three (3)-acre minimum in the R.C.4 zone and Section 1A03.4.B.1.a of the B.C.Z.R., is not applicable, and the lot as described on the site plan submitted and identified as 1320 Ivy Hill Road, satisfies and conforms to the Baltimore County Zoning Regulations.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of December 2009, that the Petition for Special Hearing requesting confirmation that a single family home can be built on the existing lot pursuant to Section 1A03.4B.4 shall be DISMISSED AS MOOT; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A03.4B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing lot of record with an area of 3.199 acres [2.687 acres of which are zoned R.C.4], is in part DISMISSED AS MOOT and in part GRANTED; and

IT IS FURTHER ORDERED that the Petitioner's request that a single family home can be built on the existing lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following:

1. Petitioner may apply for a building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal

ORDER RECEIVED FOR FILING

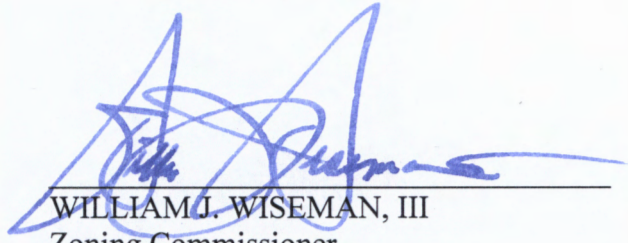
Date

12-7-09

By

period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this Order shall be taken in accordance with Baltimore County Code Section 32-3-401.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

NOTED RECEIVED FOR FILING

Date 12-7-09

BY DN



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 7, 2009

Arnold E. Jablon, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

RE: **PETITIONS FOR SPECIAL HEARING AND VARIANCE**
S/S Ivy Hill Road, 3,300' NE c/line of Falls Road
(1320 Ivy Hill Road)
8th Election District - 3rd Council District
David D. Smith – Petitioner
Case No. 2010-0092-SPHA

Dear Mr. Jablon:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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

Very truly yours,

WILLIAM J. WISEMAN
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Geoffrey Schultz, McKee & Associates, Inc., 5 Shawan Road, Ste. 1, Hunt Valley, MD 21030
David D. Smith, 10706 Beaver Dam Road, Cockeysville, MD 21030
Ann Yellott, 1332 Ivy Hill Road, Cockeysville, MD 21030
People's Counsel; Office of Planning; DEPRM; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1320 Ivy Hill Road

which is presently zoned RC 4, RC 5

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

To confirm that a single family home can be built on the existing lot pursuant to section 1A03.4B4, BCZR, subject to the standards as prescribed and in force at the time of the subject lot's recordation

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:

Arnold Jablon

Name - Type or Print _____

Signature _____

Venable, LLP

Company _____

210 West Pennsylvania Ave 410 494 6298

Address _____

Telephone No. _____

Towson, Maryland 21204

City _____

State _____

Zip Code _____

Legal Owner(s):

David D. Smith

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

10706 Beaver Dam Road

Address _____

Telephone No. _____

Cockeysville, Maryland 21030

City _____

State _____

Zip Code _____

Representative to be Contacted:

Arnold Jablon

Name _____

210 West Pennsylvania Ave, 410 494 6298

Address _____

Telephone No. _____

Towson, Maryland 21204

City _____

State _____

Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2010-0092-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING _____

Reviewed By _____

Date _____

9-11-09

ORDER RECEIVED FOR FILING

Date _____

12-7-09

By _____

WSW

DROP - OFF



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 1320 Ivy Hill Road
which is presently zoned RC4, RC 5

Deed Reference: 13168 / 675 Tax Account # 00-001117

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)

To permit an existing lot with an area of 2.687 acres of RC 4 in lieu of the required 3 Acres, pursuant to section 1A03.4B1a, BCZR, should the Zoning Commissioner determine is applicable

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

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:

Arnold Jablon

Name - Type or Print

Signature

Venable, LLP

Company

210 West Pennsylvania Ave 410 494 6298

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Legal Owner(s):

David D. Smith

Name - Type or Print

Signature

Name - Type or Print

Signature

10706 Beaver Dam Road

Address Telephone No.

Cockeysville, Maryland 21030

City State Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 West Pennsylvania Ave. 410 494 6298

Address Telephone No.

Towson, Maryland 21204

City State Zip Code

Case No. 2010-0092-SPHA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

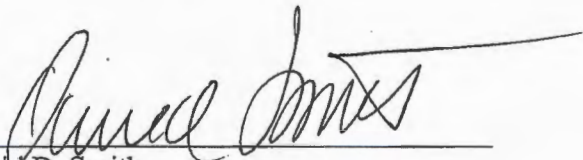
REV 8/20/07

ORDER RECEIVED FOR FILING
Date 12-7-09
By [Signature]
DROP-OFF
Date 9-11-09
By JF

Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that I, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 West Pennsylvania Ave., Towson, Maryland 21204, to be my attorney-in-fact and attorney-at-law and on my behalf file the attached petition for zoning relief and for the applicable use permit. We hereby understand that the relief requested is for property I own and I hereby and herewith acknowledge my express permission for said petition to be filed on my behalf. The petition(s) filed is/are for property located at 1320 Ivy Hill Road _____, property I own.



David D. Smith

9-8-09 (Date)

10706 Beaver Dam Road, Cockeysville, Maryland 21030
Address

2010-0092-SPHA

MCKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

Zoning Description of
1320 Ivy Hill Road
8th Election District
3rd Councilmanic District
Baltimore County, MD



Beginning at a point on the south side of Ivy Hill Road, said point lying approximately 3300 feet northeast of the center line of Ivy Hill Road, thence running N 33-31-52 W 660.00 feet to the true point of beginning, thence running S 56-37-50 W 330.06 feet, N 33-32-10 W 380.00 feet, N 42-09-05-E 340.68 feet and S 33-31-52 E 464.22 feet to the place of beginning.

Containing 3.199 Acres of land more or less as recorded in deed Liber 13168 Folio 675.

**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/neighbor 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: 2010-0092-SPHA

Petitioner: DAVID D SMITH

Address or Location: 1320 IVY HILL RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARNOLD JABLON

Address: 210 W PENNSYLVANIA AVE
TOWSON, MD 21204

Telephone Number: 410 494 6298

Revised 2/20/98 - SCJ

VENABLE LLP

005893

OUR REF. NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
		09/11/09 - \$130.00	KNW			
		29757:270361 - David D. Smith/Curran Property				
		Baltimore County, MD				
		Filing fee - petitions for variance and special hearing				

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

No. 67742

Date: 09-11-09

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	015			015				130.00

Total: \$130.00

Rec
From: VENABLE LLPFor: 1-6-09, E. Venable & Curran Property
130.00 Filing Fee

Hearing Case # 2010 - 0002-0002

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: # 2010-0092-SPHA

1320 Ivy Hill Road

S/side of Ivy Hill Road at a distance of 3300 feet n/east of centerline of Ivy Hill Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): David Smith

Special Hearing to confirm that a single family home can be built on the existing lot pursuant to section 1A03.4B4, BCZR, subject to the standards as prescribed and in force at the time of the subject lots recordation. **Variance:** to permit an existing lot with an area of 2.687 acres of RC-4 in lieu of the required 3 acres, should the Zoning Commissioner determine is applicable.

Hearing: Tuesday, November 24, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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

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

JT 11/731 November 10

220820

CERTIFICATE OF PUBLICATION

11/12/2009

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 11/10/2009.

- ☒ 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: 2010-0092-SPHA

Petitioner/Developer: __

David Smith

Date of Hearing/closing: November 24 , 2009

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn; Kristin Matthews;

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 located at, _____
1320 Ivy Hill Road

The sign(s) were posted on November 9 2009
(Month, Day, Year)

Sincerely,

Robert Black Nov 11 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)

ZONING NOTICE

CASE #2010-0092-SPHA

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

PLACE: ROOM 104, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: TUESDAY, NOVEMBER 29, 2009 AT 9:00 AM

REQUEST: SPECIAL HEARING TO CONFIRM THAT A SINGLE FAMILY HOME CAN BE BUILT ON THE EXISTING LOT PURSUANT TO SECTION 1803.4B4, DCZR SUBJECT TO THE STANDARDS AS PRESCRIBED AND IN FORCE AT THE TIME OF THE SUBJECT LOT'S RECORDATION. VARIANCE TO PERMIT AN EXISTING LOT WITH AN AREA OF 2.687 ACRES OF RC-4 IN LIEU OF THE REQUIRED 3 ACRES, SHOULD THE ZONING COMMISSIONER DETERMINE IS APPLICABLE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 857-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



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
October 15, 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: 2010-0092-SPHA

1320 Ivy Hill Road

S/side of Ivy Hill Road at a distance of 3300 feet n/east of centerline of Ivy Hill Road

8th Election District – 3rd Councilmanic District

Legal Owners: David Smith

Special Hearing to confirm that a single family home can be built on the existing lot pursuant to section 1A03.4B4, BCZR, subject to the standards as prescribed and in force at the time of the subject lots recordation. Variance to permit an existing lot with an area of 2.687 acres of RC-4 in lieu of the required 3 acres, should the Zoning Commissioner determine is applicable.

Hearing: Tuesday, November 24, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Arnold Jablon, Venable, 210 W. Pennsylvania Ave., Towson 21204
David Smith, 10706 Beaver Dam Road, Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 9, 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, November 10, 2009 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6298

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: 2010-0092-SPHA

1320 Ivy Hill Road

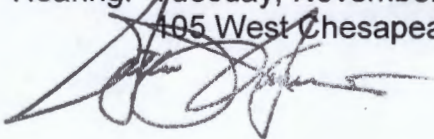
S/side of Ivy Hill Road at a distance of 3300 feet n/east of centerline of Ivy Hill Road

8th Election District – 3rd Councilmanic District

Legal Owners: David Smith

Special Hearing to confirm that a single family home can be built on the existing lot pursuant to section 1A03.4B4, BCZR, subject to the standards as prescribed and in force at the time of the subject lots recordation. Variance to permit an existing lot with an area of 2.687 acres of RC-4 in lieu of the required 3 acres, should the Zoning Commissioner determine is applicable.

Hearing: Tuesday, November 24, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 18, 2009

Arnold Jablon
Venable, LLP
210 W. Pennsylvania Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 2010-0092-SPHA, 1320 Ivy Hill Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 11, 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,

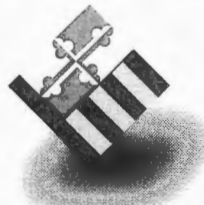
A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David D. Smith; 10706 Beaver Dam Rd.; Cockeysville, MD 21030



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

October 2, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 21. 2009

Item Numbers 0087, 0088, 0090, 0091, 0092, 0093, 0094, 0095 and 0096

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



MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Date: SEPT. 29, 2009

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

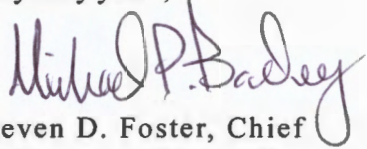
RE: Baltimore County
Item No. 2010-0092-A
1320 IVY HILL RD
SMITH PROPERTY
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0092-A.

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

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-30-2009

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

RE: Baltimore County
Item No. 2010-0092-SPHA
1320 IVY HILL RD
SMITH PROPERTY
SPECIAL HEARING -

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. 2010-0092-SPHA.

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

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 25, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For October 5, 2009
Item Nos. 10-087, 088, 089, 090,
091, 092, 093, 095 and 096

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-10052009 -NO COMMENTS.doc

BW
11-24-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 03 2009

ZONING COMMISSION

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: November 3, 2009

SUBJECT: Zoning Item # 10-092-A
Address 1320 Ivy Hill Road
(Smith Property)

Zoning Advisory Committee Meeting of September 21, 2009

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

X 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).

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

Additional Comments:

Reviewer: Charles Batchelder

BW 11/24
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 12, 2009

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

SUBJECT: 1320 Ivy Hill Road

RECEIVED

INFORMATION:

NOV 13 2009

Item Number: 10-092

ZONING COMMISSIONER

Petitioner: David D. Smith

Zoning: RC 5

Requested Action: Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:

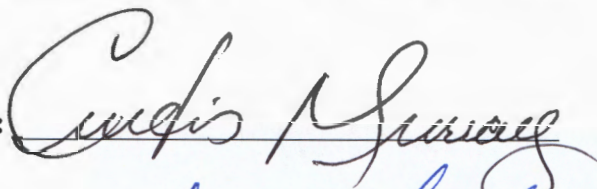
The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner for 1318 Ivy Hill Road, indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

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

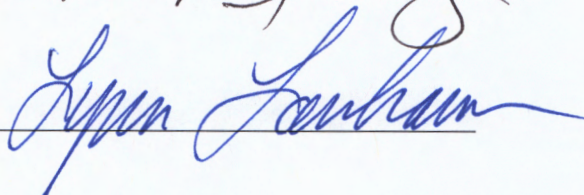
4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.
6. Clearing and grading of the lot and the proposed driveway should be kept to a minimum as the maximum amount of existing vegetation and tree cover should be retained.

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

Prepared By:



Division Chief:



CM/LL

RE: PETITION FOR SPEICIAL HEARING
AND VARIANCE
1320 Ivy Hill Road; S/S Ivy Hill Road,
3,300' NE c/line of Ivy Hill Road
8th Election & 3rd Councilmanic Districts
Legal Owner(s): David Smith
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 10-092-SPHA

* * * * *

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.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

SEP 30 2009

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of September, 2009, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME Smith
CASE NUMBER 2010-0092-SPHA
DATE 11-24-09

[illegible]

CASE NAME Smith
CASE NUMBER 2010-0092-SMIA
DATE 11-24-09

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Ann Yellott	1332 Ivy Hill Rd	Cockeysville, MD 21030	annio5@aol.com
Mrs Ann L. B. Yellott			



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search (2007 vw6.3d)

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Account Identifier: District - 08 Account Number - 1700001117

Owner Information

Owner Name: SMITH DAVID D Use: RESIDENTIAL
 Principal Residence: NO
 Mailing Address: 10706 BEAVER DAM RD Deed Reference: 1) /13168/ 675
 COCKEYSVILLE MD 21030-2207 2)

Location & Structure Information

Premises Address Legal Description
 IVY HILL RD 2.5 AC NS IVY HILL R
 3300 NE FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
50	5	379						2	

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		2.50 AC	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	162,500	220,000		
Improvements:	0	0		
Total:	162,500	220,000	200,832	220,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: WUERMSER EDWARD	Date: 09/23/1998	Price: \$250,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /13168/ 675	Deed2:
Seller: WUERMSER LOUIS LUDWIG	Date: 12/30/1974	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5500/ 255	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
 Exempt Class:

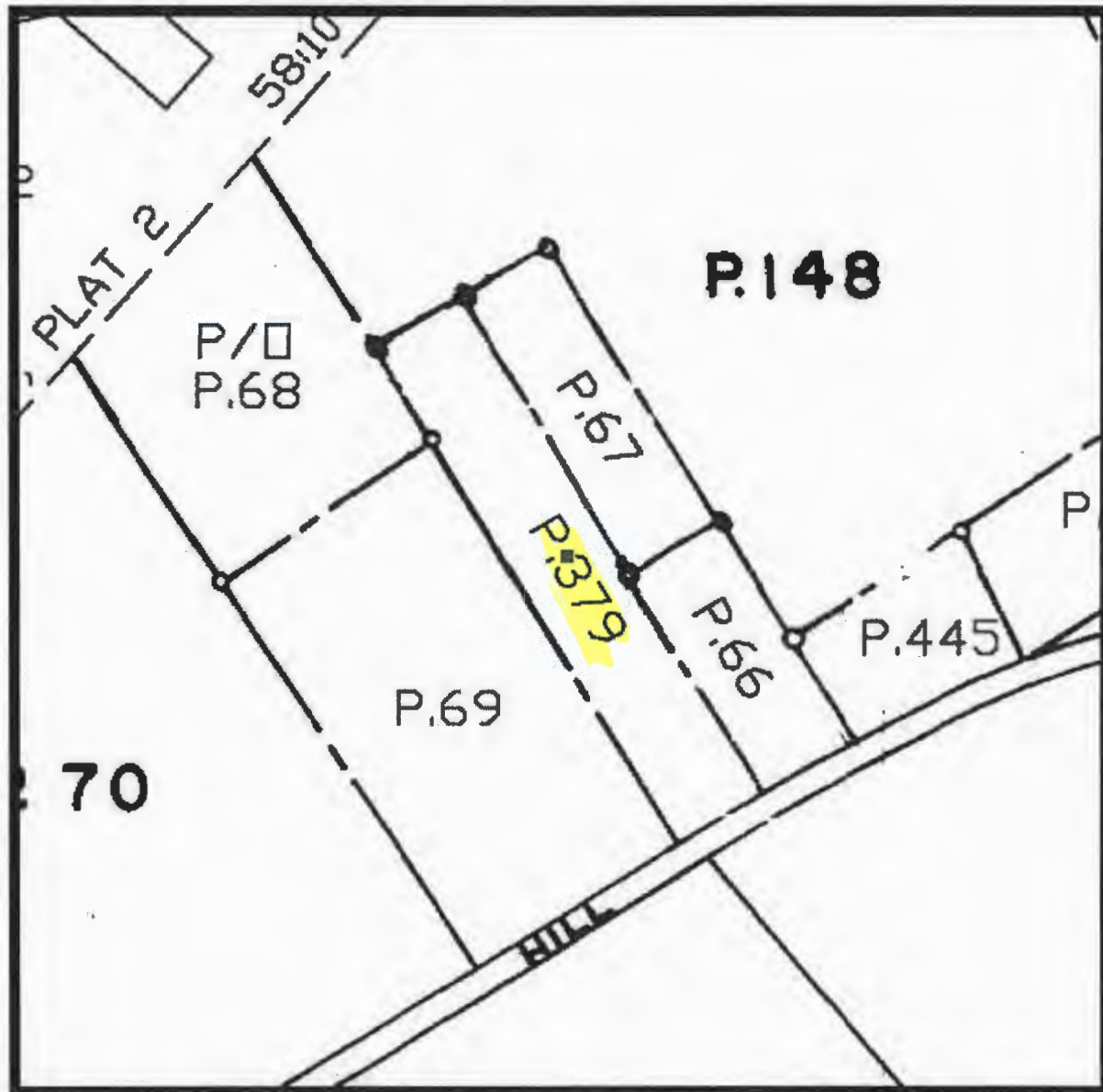
Special Tax Recapture:
 * NONE *



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Account Identifier: District - 08 Account Number - 1700001118

Owner Information

Owner Name: SMITH DAVID D **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 10706 BEAVER DAM RD **Deed Reference:** 1) /13168/ 675
 COCKEYSVILLE MD 21030-2207 2)

Location & Structure Information

Premises Address **Legal Description**
 IVY HILL RD 1.25 AC NS IVY HILL
 3400 NE FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	5	67						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		1.25 AC	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	143,750	195,000		
Improvements:	0	0		
Total:	143,750	195,000	177,916	195,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: WUERMSER LOUIS HENRY	Date: 09/23/1998	Price: \$250,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /13168/ 675	Deed2:
Seller: WUERMSER LOUIS	Date: 12/30/1974	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5500/ 253	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

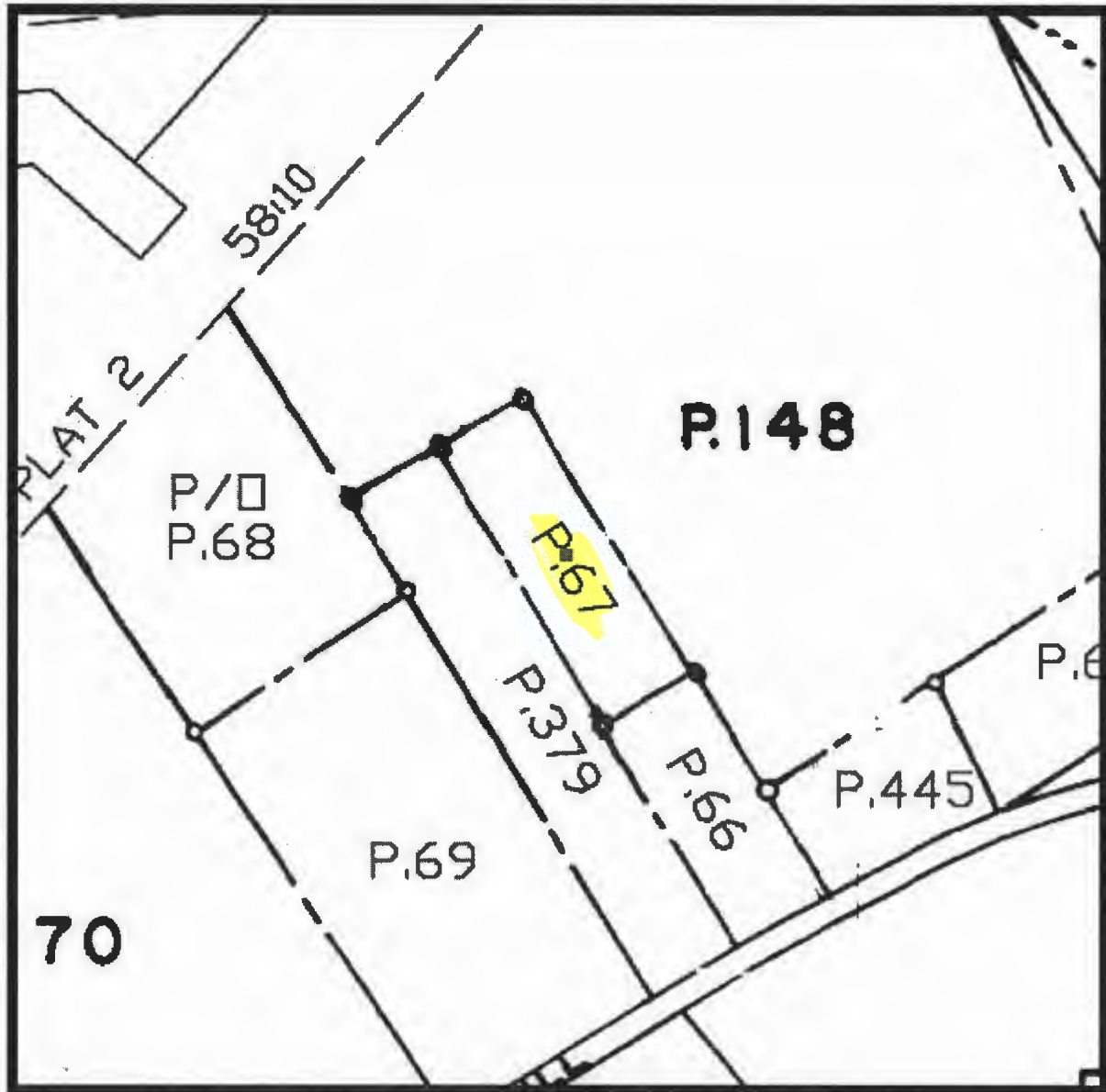
Special Tax Recapture:
 * NONE *



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District - 08 Account Number - 1700001118



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Account Identifier: District - 08 Account Number - 0823092075

Owner Information

Owner Name: SMITH DAVID D **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 10706 BEAVER DAM RD **Deed Reference:** 1) /13168/ 675
 COCKEYSVILLE MD 21030-2207 2)

Location & Structure Information

Premises Address **Legal Description**
 IVY HILL RD 3.22 AC REAR NWS
 IVY HILL RD
 3240 NE FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	5	68						2	Plat Ref:

Special Tax Areas **Town**
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		3.22 AC	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	173,300	234,400		
Improvements:	0	0		
Total:	173,300	234,400	214,032	234,400
Preferential Land:	0	0	0	0

Transfer Information

Seller: STANSBERRY HELEN F,TRUSTEE	Date: 09/23/1998	Price: \$250,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /13168/ 675	Deed2:
Seller: TAYLOR ELIZABETH M	Date: 11/03/1997	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12472/ 360	Deed2:
Seller: WUERMSER LOUIS	Date: 01/26/1983	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6482/ 320	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

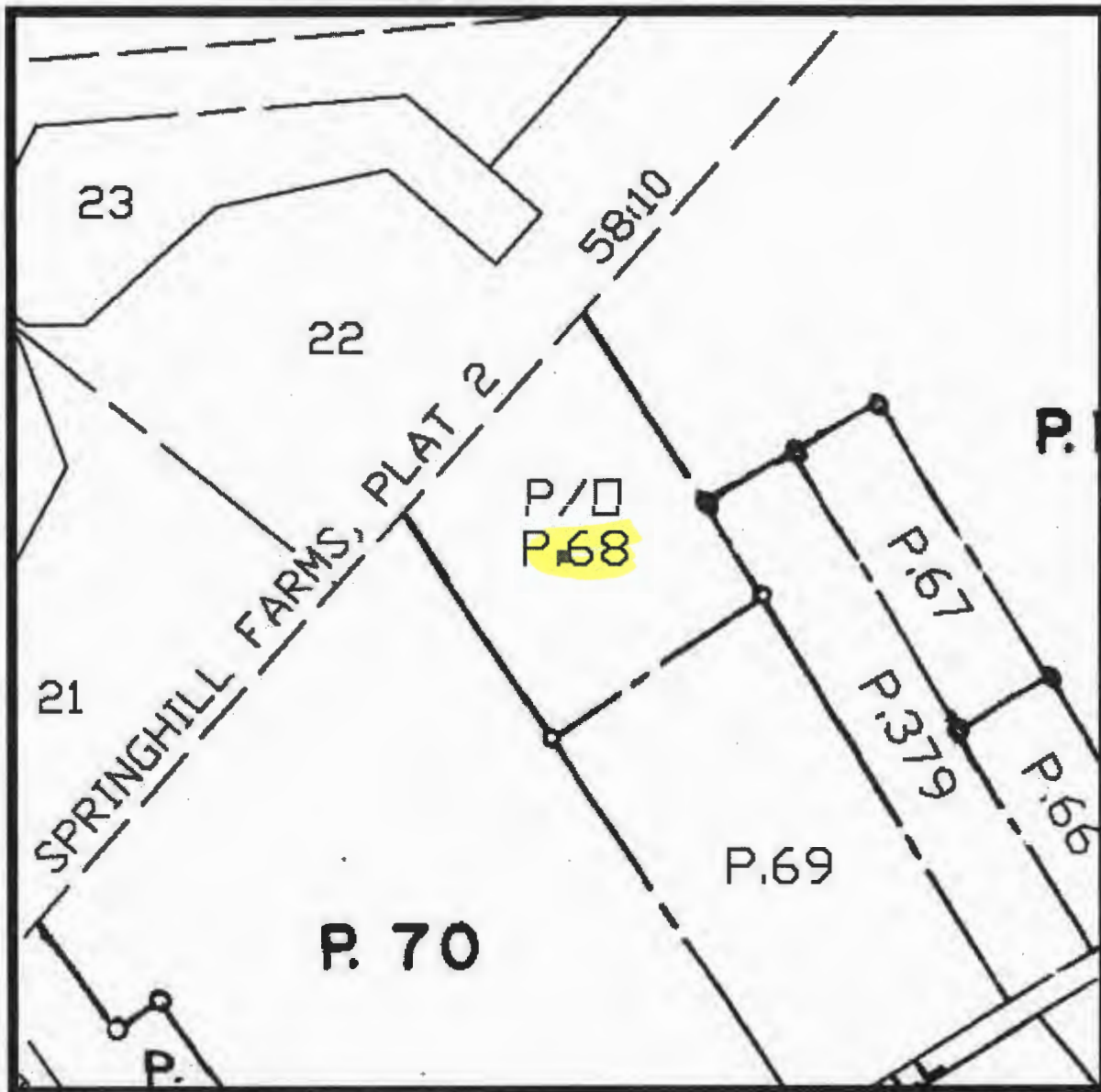
Special Tax Recapture:
 * NONE *



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Account Identifier: District - 08 Account Number - 2200012233

Owner Information

Owner Name: SMITH DAVID D **Use:** AGRICULTURAL
Principal Residence: NO
Mailing Address: 10706 BEAVER DAM RD **Deed Reference:** 1) /12392/ 138
 COCKEYSVILLE MD 21030-2207 2)

Location & Structure Information

Premises Address **Legal Description**
 IVY HILL RD 15.392 AC SES
 IVY HILL RD PARCEL 2
 2775 NE FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	6	466				5		2	Plat Ref:

Special Tax Areas **Town**
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		15.39 AC	05

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	1,920	1,920			
Improvements:	0	0			
Total:	1,920	1,920	1,920	1,920	
Preferential Land:	1,920	1,920	1,920	1,920	

Transfer Information

Seller: SMITH DAVID D	Date: 09/18/1997	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12392/ 138	Deed2:
Seller: GARTLING HILDA M	Date: 06/30/1992	Price: \$1
Type: IMPROVED ARMS-LENGTH	Deed1: / 9257/ 269	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX



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District - 08 Account Number - 2200012233



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Account Identifier: District - 08 Account Number - 2400000030

Owner Information

Owner Name: SMITH JANE ALICE PRICE Use: RESIDENTIAL
 Principal Residence: NO
 Mailing Address: 1511 IVY HILL RD Deed Reference: 1) /24393/ 648
 COCKEYSVILLE MD 21030-1417 2)

Location & Structure Information

Premises Address Legal Description
 1126 IVY HILL RD 1.479 AC
 1126 IVY HILL RD
 5000 FT E FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	6	504						2	Plat Ref:

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1958	1,587 SF	1.48 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	STONE

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010
Land	186,000	236,000		
Improvements:	327,130	399,300		
Total:	513,130	635,300	594,576	635,300
Preferential Land:	0	0	0	0

Transfer Information

Seller: SMITH DAVID D	Date: 08/30/2006	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /24393/ 648	Deed2:
Seller: BALTIMORE CO MD	Date: 12/12/2001	Price: \$428,000
Type: IMPROVED ARMS-LENGTH	Deed1: /15848/ 655	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
 Exempt Class:

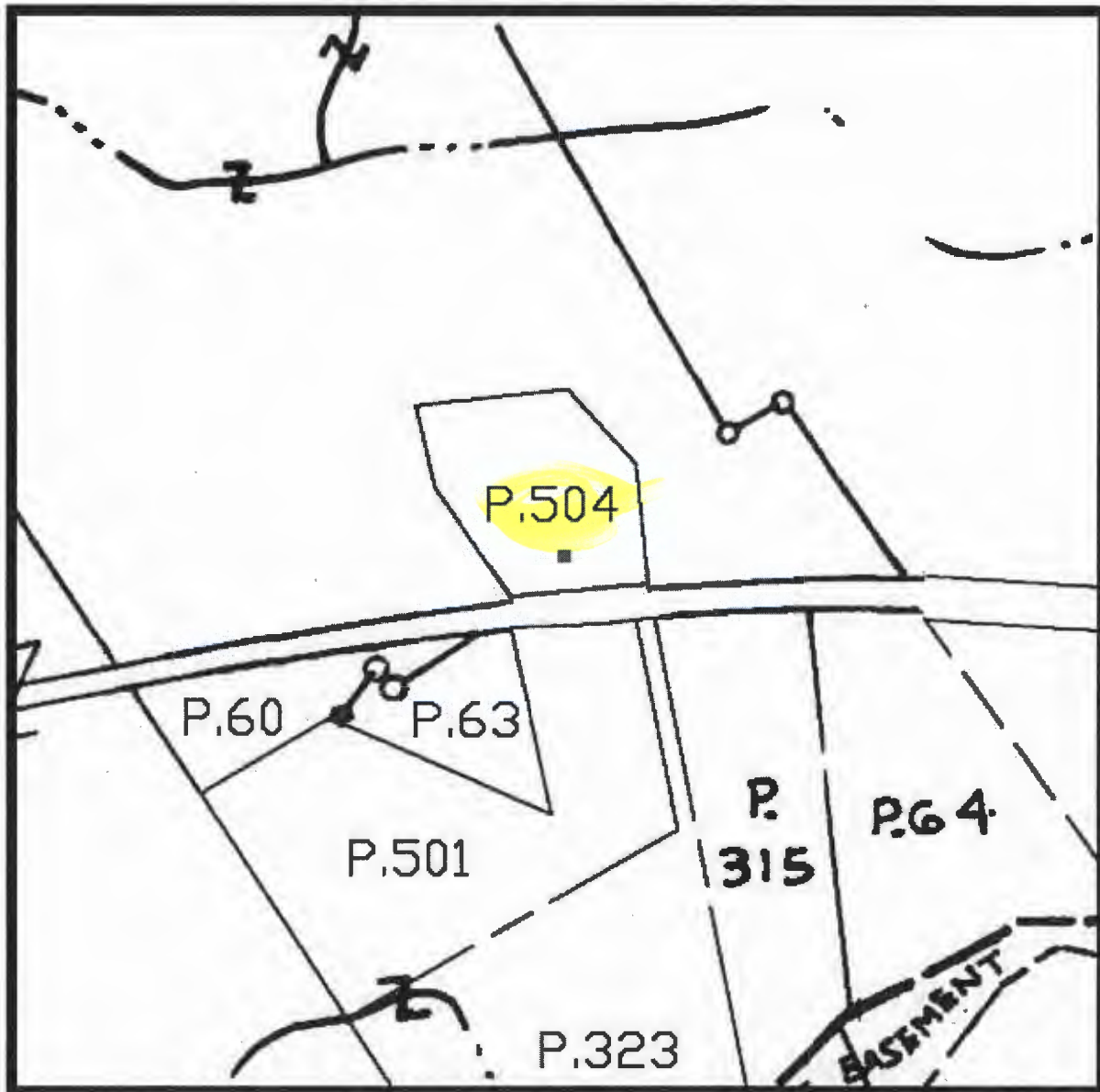
Special Tax Recapture:
 * NONE *



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

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District - 08 Account Number - 2400000030



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Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

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Account Identifier: District - 08 Account Number - 2200012232

Owner Information

Owner Name: SMITH DAVID D **Use:** AGRICULTURAL
Principal Residence: NO
Mailing Address: 10706 BEAVER DAM RD **Deed Reference:** 1) /12392/ 138
 COCKEYSVILLE MD 21030-2207 2)

Location & Structure Information

Premises Address: 1311 IVY HILL RD **Legal Description:**
 42.333 AC SES
 1311 IVY HILL RD
 3525 NE FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	6	465						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1913	1,672 SF	42.33 AC	05

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2009	As Of 07/01/2010	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land	160,070	210,070			
Improvements:	181,560	226,440			
Total:	341,630	436,510	404,882	436,510	
Preferential Land:	10,070	10,070	10,070	10,070	

Transfer Information

Seller: SMITH DAVID D	Date: 09/18/1997	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12392/ 138	Deed2:
Seller: GARTLING HILDA M	Date: 06/30/1992	Price: \$1
Type: IMPROVED ARMS-LENGTH	Deed1: / 9257/ 269	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

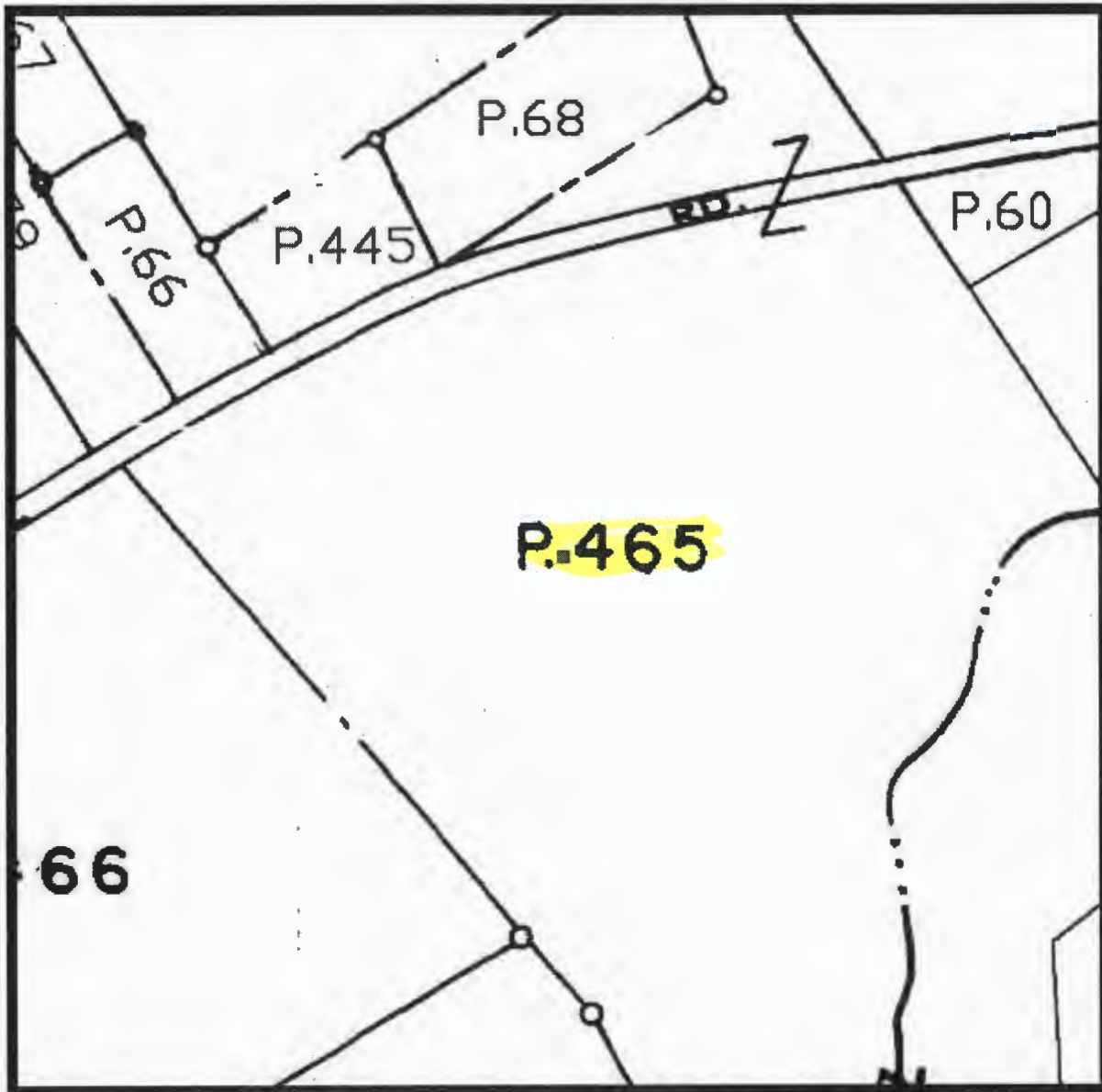
Special Tax Recapture:
 AGRICULTURAL TRANSFER TAX



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

**Go Back
View Map
New
Search**

District - 08 Account Number - 2200012232



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3d)

Go Back
View Map
New Search

Account Identifier: District - 08 Account Number - 1900003623

Owner Information

Owner Name: SMITH DAVID D **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 1511 IVY HILL RD **Deed Reference:** 1) /16514/ 239
 COCKEYSVILLE MD 21030-1417 2)

Location & Structure Information

Premises Address **Legal Description**
 1511 IVY HILL RD 32.745 AC
 1550 SE IVY HILL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
50	11	89						2	

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2006	17,526 SF	32.75 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	STONE

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2008	07/01/2009	07/01/2010	
Land	1,400,000	2,012,500			
Improvements:	3,228,020	5,971,380			
Total:	4,628,020	7,983,880	6,865,260	7,983,880	
Preferential Land:	0	0	0	0	

Transfer Information

Seller:	Date:	Price:
IVY MANOR LLC	06/19/2002	\$1,400,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /16514/ 239	Deed2:
Seller: MCCOMAS ARTHUR D, JR	Date: 01/05/1999	Price: \$700,000
Type: IMPROVED ARMS-LENGTH	Deed1: /13422/ 745	Deed2:
Seller: MCCOMAS JUNE RIGHTOR	Date: 11/15/1993	Price: \$1
Type: NOT ARMS-LENGTH	Deed1: /10139/ 442	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

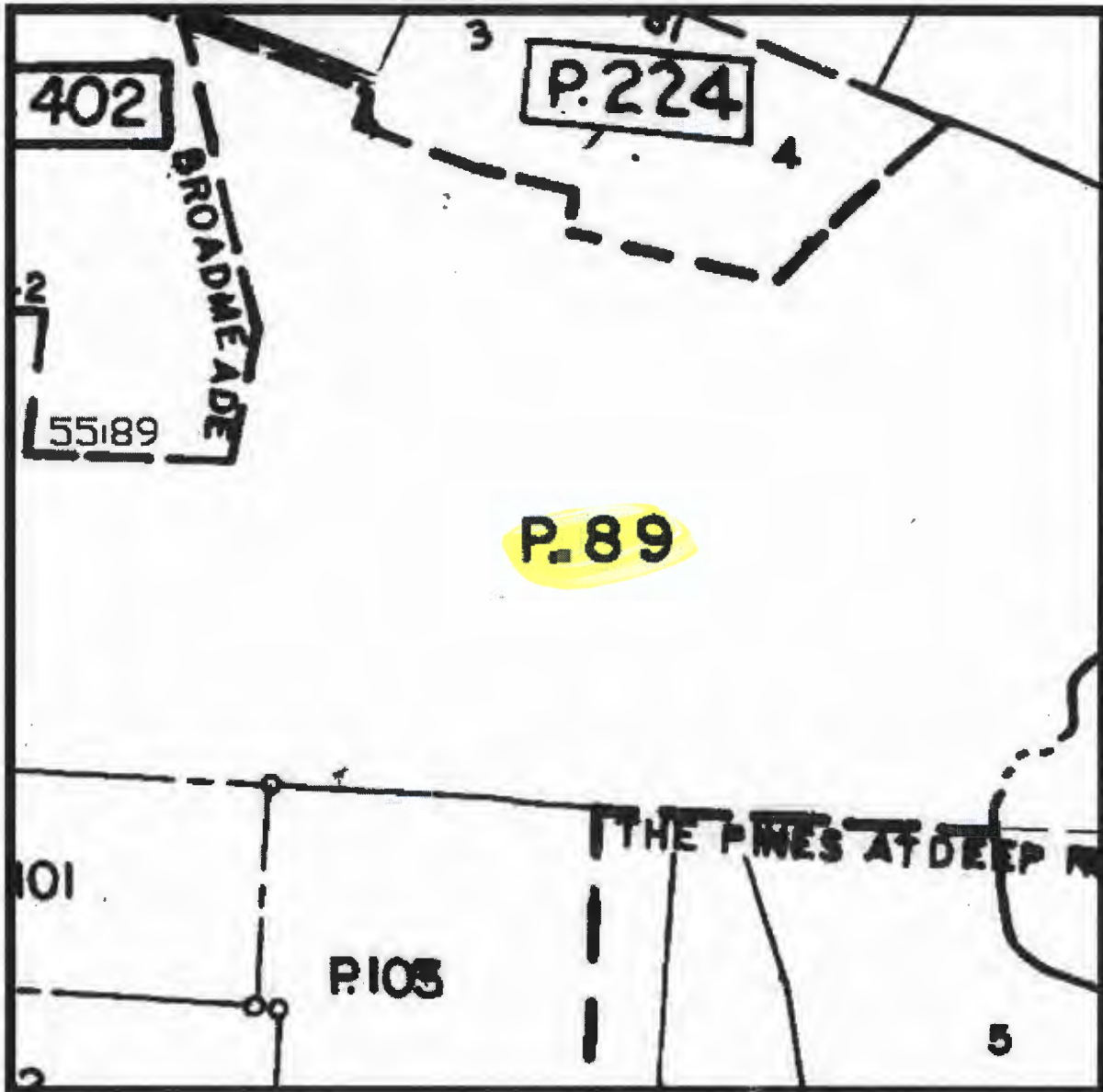
Special Tax Recapture:
 * NONE *



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

**Go Back
View Map
New
Search**

District - 08 Account Number - 1900003623



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html

13. Public utility uses not permitted as of right, including underground interstate and intercontinental pipelines.
14. Rail passenger station, subject to Section 434. [Bill No. 91-1990]
15. Riding stables.
16. Shooting preserves, including hunting and fishing preserves.
17. Shooting ranges, including, but not limited to, archery, pistol, skeet, trap, target (small-bore rifle only) except that any such use existing at the time of date of enactment of this subsection may continue at the same level, provided that, within 365 days of the enactment date of this legislation, they shall file for a use permit as prescribed under the now existing zoning regulation Section 500.4, and turkey shoots.
18. Trailers, subject to the provisions of Section 415.1.D.
19. Volunteer fire company or ambulance-rescue facilities.
20. Wireless telecommunications towers, subject to Section 426. [Bill No. 30-1998]
21. Farm market, subject to the provisions of Section 404.4. [Bill No. 41-1992]
22. Winery as an agricultural support use, including accessory retail and wholesale distribution of wine produced on-premises. Temporary promotional events, such as wine tasting or public gatherings associated with the winery, are permitted, within any limits set by the special exception. [Bill No. 51-1993]

§ 1A03.4. Height and area regulations.

- A. Height. No structure hereafter erected in an R.C.4 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.
- B. Area regulations. [Bill Nos. 178-1979; 113-1992]
 1. Lot density.
 - a. A tract to be developed in an R.C.4 Zone with a gross area of less than six acres may not be subdivided, and a tract to be developed with a gross area of at least six acres but not more than 10 acres may not be subdivided into more than two lots (total), each of which must be at least three acres, except as otherwise provided in Section 103.3 or in Paragraph 4 below.
 - b. The maximum gross density of a tract to be developed with a gross area of more than 10 acres is 0.2 lot per acre. Any lots created hereafter, except as provided in Paragraph 4 below, shall be in accordance with the following standards for rural cluster development:
 - (1) A minimum of 70% of the gross area of the tract to be developed shall be designated as the conservancy area. Only one of the permitted dwelling units, including any existing dwellings, may be located in the

*applies to
subdivision
Not creating*

conservancy area. The conservancy area is subject to the standards contained in Section 1A03.5.

- (2) All of the remaining permitted density shall be located in the building area on lots with a minimum lot size of one acre.
 - (3) Subject to the conditions of the performance standards of Section 1A03.5.G, any building or structure officially included on the preliminary or final list of the Landmarks Preservation Commission or the National Register of Historic Areas, and included in the conservancy area, need not be included in the calculation of the total permitted density, subject to the following requirements:
 - (a) There is an area of sufficient size surrounding the building, structure or landmark to preserve the integrity of its historic setting;
 - (b) An overall photographic and written description of the building, structure or landmark identified for preservation has been submitted; and
 - (c) Documentation of the preservation, restoration and protection for the building, structure or landmark has been submitted and approved by the Director of Planning prior to issuance of any building permit for the development.
2. Building setbacks. Except for agricultural buildings, any nonresidential principal building hereafter constructed in an R.C.4 Zone shall be situated at least 100 feet from the center line of any street and at least 50 feet from any lot line other than a street line, except as otherwise provided in Paragraph 4, below. Any residential principal building shall be set back according to the following minimum setback requirements:
- a. Twenty-five feet from any building face to a public street right-of-way or property line.
 - b. Thirty-five feet from a front building face to the edge of paving of a private road.
 - c. Setbacks for buildings located adjacent to arterial roadways shall be increased by 20 feet.
 - d. One hundred feet between a building face and an adjacent R.C.2 Zone line.
 - e. One hundred feet between a building face and a reservoir property line.
 - f. Fifty feet between a building face and an adjacent conservancy area which will be used for agricultural purposes.
3. Coverage. Except for a rural cluster development, which is subject to the performance standards contained in Section 1A03.5, no more than 10% of any lot in an R.C.4 Zone may be covered by impermeable surfaces (such as structures or

pavement). No more than 25% of the natural vegetation may be removed from any lot in an R.C.4 Zone.

4. Exceptions for certain record lots. Any existing lot or parcel of land with boundaries duly recorded among the land records of Baltimore County with the approval of the Baltimore County Office of Planning on or before December 22, 1975, and not part of an approved subdivision that cannot meet the minimum standards as provided within the zone, may be approved for residential development in accordance with the standards prescribed and in force at the time of the lot recordation.
5. Dwelling units per lot. No more than one dwelling unit shall be located on any lot in an R.C.4 Zone, except that tenant dwellings may be approved if the Land Preservation Advisory Board certifies that:
 - a. Any such proposed dwelling is required for the operation of the farm for the use of bona fide tenant farmers; and
 - b. That any such dwelling, in the location proposed, will not interfere with the operation of the farm.

§ 1A03.5. Performance standards for rural cluster development. [Bill Nos. 113-1992; 107-1994]

In an R.C.4 Zone, only a rural cluster development, or a development authorized under Section 1A03.6, is permitted on a tract to be developed with a gross area of more than 10 acres. A minimum of 70% of the tract acreage shall be designated a conservancy area. The balance of the tract is the building area.

A. Conservancy area standards.

1. It is the intention of these regulations that the acreage of the conservancy area, whenever possible, be contiguous and that it include the following features of the tract to be developed as determined by the standards contained in the Comprehensive Manual of Development Policies:
 - a. Prime and productive soils.
 - b. Steep slopes, as defined in Article 32 of the Baltimore County Code. [Bill No. 137-2004]
 - c. Wetlands.
 - d. Stream buffers, as defined in Article 33 of the Baltimore County Code. [Bill No. 137-2004]
 - e. Forests, as defined in Article 33 of the Baltimore County Code. [Bill No. 137-2004]
 - f. Open space.

IN RE: PETITION FOR VARIANCE
S/S Ivy Hill Road, 600' E of the c/l
Falls Road

8th Election District
3rd Council District

David D. Smith
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-521-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, David D. Smith, through his attorney, Robert A. Hoffman, Esquire. The Petitioner seeks relief from Section 1A03.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building height of 46 feet in lieu of the maximum allowed 35 feet for a proposed dwelling. It is to be noted that the Petition described the subject property as being located at 12405 Falls Road; however, that address is assigned to the adjacent property owned by Arthur and Jane McComas. The subject parcel was apparently at one time under common ownership; however, was sold to a Developer. At this time, no address has been assigned to the subject property. In any event, the subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were David D. Smith, property owner, Chris Chukura, Architect, Kevin Wight, W. Duvall & Associates, Inc., the consultants who prepared the site plan for this property; A. D. McComas, adjacent property owner (12405 Falls Road); and Robert A. Hoffman, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located with narrow frontage on Ivy Mill Road, just east of its intersection with Falls

Road in Reisterstown. The property contains a gross area of 32.745 acres, more or less, split zoned R.C.4 (28 acres) and R.C.5 (4.7 acres), and is presently vacant. Prior to the Petitioner's acquisition of the site, the property was owned by another entity, which proposed an 8-lot subdivision. Ultimately, Mr. Smith acquired the site and those plans were abandoned. The Petitioner is desirous of developing the property with one single-family dwelling. The proposed structure will be a large, estate home, in an English country style. As more particularly shown on elevation drawings submitted at the hearing as Petitioner's Exhibit 3, the proposed dwelling will be two-stories in height, yet the roof line is higher than might be expected of a typical two-story dwelling due to the architectural features of its design. Due to this unique style, the maximum height of the proposed dwelling will reach 46 feet, which is in excess of the permitted 35 feet by Section 1A03.4A of the B.C.Z.R. Thus, the requested variance relief is requested.

Testimony and evidence was offered at the hearing regarding the subject property and the proposed building. As noted above, a site plan and building elevation drawings were submitted. Additionally, a series of photographs were submitted which were taken at various locations within the property. These photographs (Petitioner's Exhibits 4A through 4D) show that the building will have minimal visibility from other houses in the area, due to the mature trees which abut the perimeter of the site and the nature of the topography of the land.

Based upon the testimony and evidence offered, I am easily persuaded that the Petition for Variance should be granted. It is clear that the construction of the house will be a benefit to the neighborhood and is low intensity development. The house will have minimal impacts and the building is an attractive structure, consistent with other homes in the area. I find that the Petitioners have met the requirements set forth in Section 307 of the B.C.Z.R. and that variance relief should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ____ day of July 2003, that the Petition for Variance seeking relief from Section 1A03.4A of

the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building height of 46 feet in lieu of the maximum allowed 35 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings submitted into evidence as Petitioner's Exhibit 3.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Case No.: 2010-0092-SPHA 1320 IVY Hill RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	ORIGINAL DEED OF CREATION	
No. 3	DEVELOPMENT OF TITLE .	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ORIGINAL DEED
OF CREATION

Deed, fee simple

RECORDED - CITY OF BALTIMORE - MD

This Deed, Made this 26th day of September

in the year one thousand nine hundred and fifty five by and between

HARRY McMAHON and BESSIE CONLING McMAHON, his wife,

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

LOUIS WUERMSER and ELIZABETH M. WUERMSER, his wife,

of the second part.



Witnesseth. That in consideration of the sum of Ten dollars and other good and valuable considerations, receipt whereof is hereby acknowledged,

the said HARRY McMAHON and BESSIE CONLING McMAHON, his wife,

do grant and convey unto the said LOUIS WUERMSER and ELIZABETH M. WUERMSER, his wife, as tenants by the entireties, their assigns, the survivor of them and the heirs and assigns

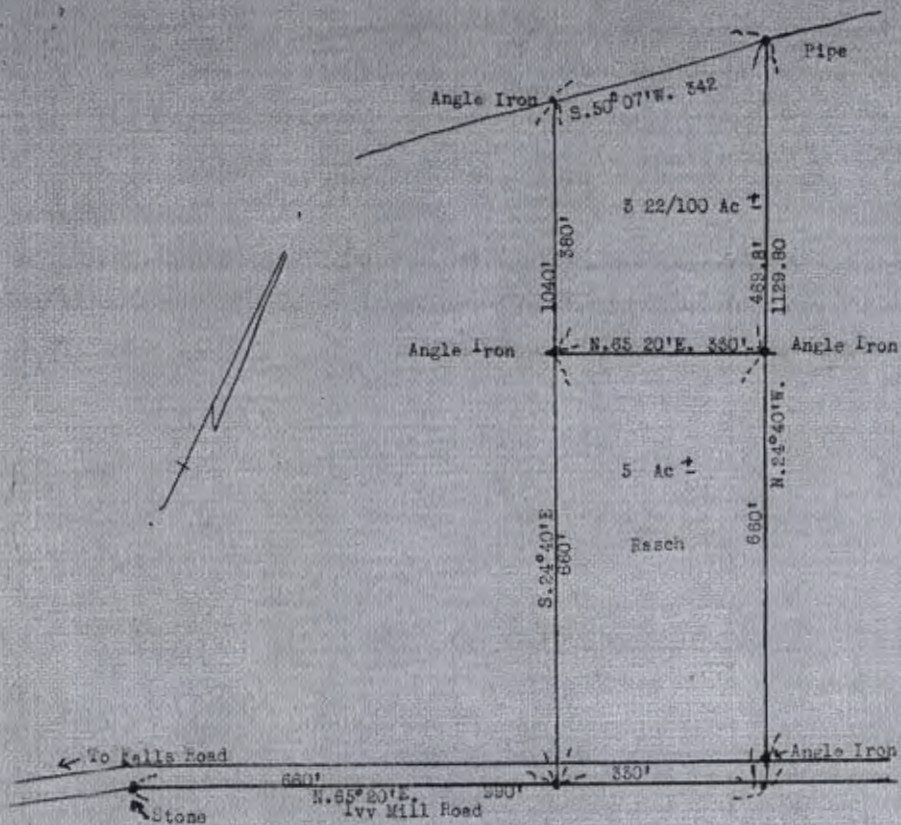
of such survivor, in fee simple,

all that piece or parcel of ground situate in the 8th district of Baltimore County aforesaid, and described as follows, that is to say: Beginning for the same at an angle iron in the Northeast corner of the five acre parcel of land conveyed by the grantors herein to Edward Rasch by deed dated , 1941 and recorded among the Land Records of Baltimore County in Liber C. W. B. Jr. 1178, folio 825 and running thence with and binding on said lot South 85 degrees 20 minutes West three hundred thirty (330) feet to James Oliss' lot, thence binding thereon North 24 degrees 40 minutes West three hundred eighty feet to an angle iron in the Northeast corner of said lot, thence North 50 degrees 07 minutes East three hundred forty two feet (342) to an iron pipe and thence South 24 degrees 40 minutes East four hundred sixty nine and eight tenths (469.8) feet to the place of beginning. Containing three and twenty two hundredths

(3.22) acres of land more or less, all as shown on plat made a part hereof.

PETITIONER'S

EXHIBIT NO. 8



Scale 1" = 200' April 1, 1948
 E. V. Noonan & Co.
 Surveyors & Civil Eng'rs.
 281 St. Paul Place
 Baltimore, Md.

Plat of Land in
 8th Dist., Balto. County, Md.

LIBER 2814 PAGE 506
BEING part of the land described in deed from H. Courtney Janifer, Trustee, et. al. to
within grantors dated January 5, 1940, recorded among Land Records of Baltimore County in
Lib. C. V. B. Jr. 1092, folio 157a.
Together with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurte-
nances and advantages thereto belonging, or in any wise appertaining.

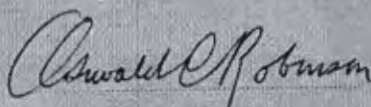
To Have and To Hold the said described lot of ground
and premises, unto and to the use of the said LOUIS WUERMSER and ELIZABETH M. WUERMSER, his
their assigns,
wife, as tenants by the entirety, the survivor of them and the heirs and assigns of
such survivor, in fee simple

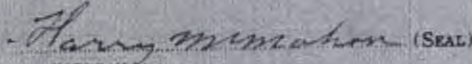
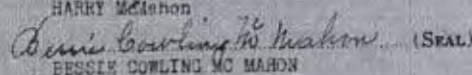
~~And the said parties of the first part hereby covenant that they not done or
suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed;
that they will warrant specially the property hereby granted; and that they will execute
such further assurances of the same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

And the said parties of the first part hereby covenant that they 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; and that they will execute
such further assurances of the same as may be requisite.

Witness the hands and seals of said grantor s.

Test:


OSWALD C. ROBINSON

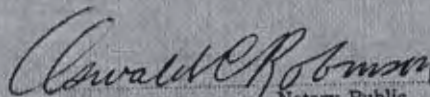
 (SEAL)
HARRY McMahon
 (SEAL)
BESSIE COWLING MC MAHON

State of Maryland, Baltimore City, to wit:
I HEREBY CERTIFY, That on this 26th day of September
in the year one thousand nine hundred and forty five
a Notary Public of the State of Maryland, in and for Baltimore City
aforesaid, personally appeared HARRY McMahon and BESSIE COWLING McMahon, his wife,

the grantor s named in the above Deed, and they acknowledged the foregoing Deed to be
their act.

AS WITNESS my hand and Notarial Seal.




OSWALD C. ROBINSON, Notary Public.

Rec'd for record 209-19 55, at 37
Per George L. Byerly, Clerk.

Filed to Superior Notary Public

1320 IVY HILL ROAD

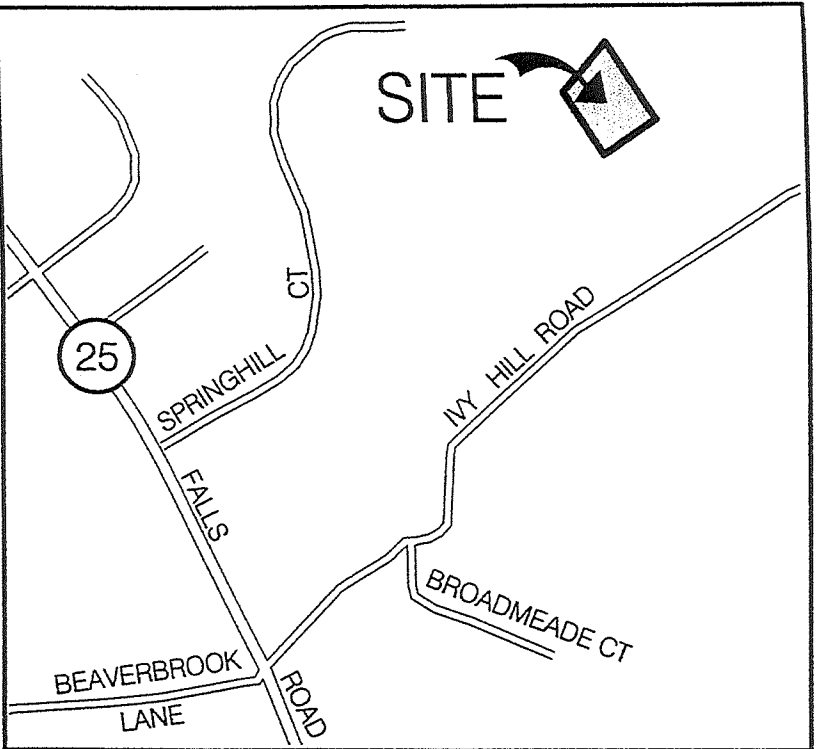
PROPERTY AND ZONING HISTORY

1955	3.2 Acre Parcel is created 9/26/1955 by Deed Liber 2814 Folio 504. The County Zoning Office has confirmed that no zoning existed on the site at that time. However, under the 1955 zoning regulations, the most stringent residential zoning designation (R-40) only required a 40,000 sf lot area, with which the parcel conformed.
1971	Parcel is rezoned to RDP on 3/24/1971. The minimum lot area required under the RDP zoning was 1 acre, with which the parcel conformed.
1976	Parcel is rezoned to RC-5. The minimum lot area required under RC-5 zoning was 1 acre, with which the parcel conformed.
2000	The property is rezoned to a split RC-5/RC-4 zoning with 2.7 acres of RC-4 and 0.5 acres of RC-5. The minimum lot area under RC-4 zoning is 3 acres and thus the 2.7 acres of RC-4 does not now meet the minimum lot area requirement
Today	The property remains the split RC-5/RC-4 zoning designation of 2000.

PETITIONER' S

EXHIBIT NO.

3



VICINITY MAP
SCALE: 1" = 1000'

FOREST BUFFER EASEMENT NOTE:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

**FOREST BUFFER EASEMENT
LINE TABLE**

LINE	BEARING	LENGTH
L1	S55°42'21"W	121.00'
L2	S18°57'13"W	80.00'
L3	S20°42'39"W	44.00'
L4	S47°25'35"W	21.50'
L5	S36°43'17"W	65.00'
L6	S43°36'08"W	30.00'

LEGEND

EX. CONTOURS 50'
WELL EXISTING PROPOSED
PERC TEST PASSED FAILED NOT DUG
PROP. SEPTIC AREA
SOIL TYPES Bx4
PROP. HOUSE SITE w/
DIRECTION ARROW

PARCEL AREAS

RC-4 2.687 AC.±
RC-5 0.512 AC.±
TOTAL 3.199 AC.±

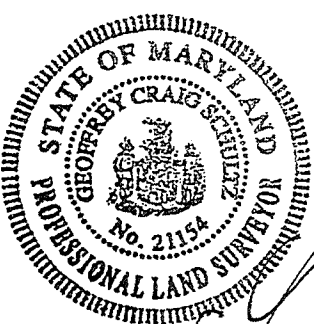
NOTE: THIS PARCEL WAS
CREATED ON 9/26/1955
BY DEED 2814/504

NOTES

- EXISTING ZONING OF SITE: RC-4 & RC-5
- THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THESE PROPERTIES.
- PROPERTIES OPERATE ON ON PRIVATE WELL AND SEPTIC SYSTEMS.
- THIS SITE DOES NOT LIE IN A 100 YEAR FLOOD PLAIN.
- THIS SITE IS NOT HISTORIC.
- THIS SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BALTIMORE COUNTY BASIC SERVICE MAPS.
- THIS SITE IS NOT IN THE CBCA

SOILS LIMITATION CHART

MAP SYMBOL	SOIL SERIES	HOMESITES LIMITATIONS	SEPTIC SYSTEMS LIMITATIONS	HYDRIC 'K' VALUE	CAPABILITY UNIT
Cu	CODORUS	SEVERE: SLOPE	SEVERE: SLOPE	NO	Ilw-7
MbC2	MANOR	MODERATE: SLOPE	MODERATE: SLOPE	NO	Ille-25
McD2	MANOR	SEVERE: SLOPE	SEVERE: SLOPE	NO	Ive-25
MdE	MANOR	SEVERE: SLOPE	SEVERE: SLOPE	NO	Ive-25



McKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying

Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1 COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555 FACSIMILE: (410) 527-1563

**PLAT TO ACCOMPANY
PETITION FOR SPECIAL
HEARING
#1320 IVY HILL ROAD**

3RD COUNCILMANIC DISTRICT
8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50' DATE: AUGUST 11, 2009

OWNER INFO

DAVID D. SMITH
10706 BEAVER DAM RD
COCKEYSVILLE MD 21030-2207
DEED: 13168/ 675
TA#17-00-001117
TAX MAP 50, PARCEL 68

PETITIONER'S

EXHIBIT NO. 1