

IN RE: PETITION FOR VARIANCE

N side of North Avenue; 146.5 feet W of
the c/l of Francke Avenue
8th Election District
3rd Councilmanic District
(302 North Avenue)

Ashley Elizabeth Hach
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0239-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 owner of the subject property, Ashley Elizabeth Hach. Petitioner is requesting Variance relief from Sections 1B02.3.A.5 and 1B02.3.C of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed single-family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum permitted 30 feet. The subject property and requested relief are more fully depicted on the site plan and minor subdivision plan, which were marked and accepted into evidence as Petitioner's Exhibits 1A and 1B, respectively.

Appearing at the requisite public hearing in support of the variance request was Petitioner Ashley Elizabeth Hach and builder Robert Gentry. Also appearing from the Baltimore County Office of Planning was Karin Brown, and appearing as an interested citizen was Eric Rockel, who is also President of the Greater Timonium Community Council ("GTCC"). The GTCC is an umbrella organization with memberships of over 50 area community associations which collectively represents some 60,000 residents throughout a 25 mile perimeter of the Greater Lutherville/Timonium/Cockeysville area. There were no Protestants or other interested persons in attendance.

ORDER RECEIVED FOR FILING

Date 4.27.10

By [Signature]

Testimony and evidence offered revealed that the subject property is rectangular in shape and consists of approximately 1 acre of land, more or less, zoned D.R.3.5. The property is located on the north side of North Avenue, situated between Francke Avenue to the east and Kurtz Avenue to the west, in the Historic Lutherville area of Baltimore County. The property is improved with an existing two-story single-family dwelling. Access to the property is by way of an existing driveway from North Avenue. The dwelling was built in 1892 and consists of approximately 1,368 square feet.

Petitioner acquired the property on February 23, 2010, as shown on the Deed that was marked and accepted into evidence as Petitioner's Exhibit 2. At this juncture, Petitioner and the builder, Robert Gentry, desire to subdivide this historic property in order to build a new home on the proposed new lot. As planned, Mr. Gentry would purchase the new lot from Petitioner Ms. Hach and construct the new home for sale. This would enable Petitioner to utilize the proceeds from the sale of the new lot to restore the existing home on the property, which was described as being in a state of disrepair. In order to follow through with their plans, Petitioner and Mr. Gentry have been before the Baltimore County Landmarks Preservation Commission ("the Commission"), and in particular the Lutherville Historic Advisory Committee ("the Committee") to the Commission. These entities have reviewed the minor subdivision proposal and have recommended approval; however, they also require that the proposed new home be built with a side loading garage as opposed to a front loading garage. According to the Committee, there has not been a new home with an integral garage with a front entry built in Lutherville since it became a Baltimore County Historic District in 1984.

However, in order to construct a new home with a side loading garage, as well as a sufficient driveway and turnaround area, additional space is needed. As shown on the minor

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Date 4.27.10 2

By jm

subdivision plan, this results in the proposed home being shifted toward Kurtz Avenue, thus requiring the variance request.

In support of the variance request, Mr. Gentry pointed out that the need for the variance is driven by the desire of the Commission and the Committee, as well as by the Office of Planning, for the new home to have a side loading garage. Letters from the Commission (dated March 2, 2010) and the Committee (dated February 3, 2010) were marked and accepted into evidence as Petitioner's Exhibits 3 and 4, respectively, and state that they are supportive of Petitioner's proposal, and in particular the variance request. In addition, a letter dated February 10, 2010 from the adjacent neighbors at 1712 Kurtz Avenue, Ted Houk and Pamela Jenkins, which was marked and accepted into evidence as Petitioner's Exhibit 5, expresses their support as well. Mr. Gentry also submitted elevation drawings that were marked and accepted into evidence as Petitioner's Exhibit 6. The drawings depict an attractive home that appears to fit within the setting of Historic Lutherville. As shown on a revised minor subdivision plan that was marked and accepted into evidence as Petitioner's Exhibit 1C, access to the new lot would be via the existing driveway from North Avenue. The existing driveway would lead to a parking pad and the side loading garage. Access to the existing home would be via a new driveway cut-out, also on North Avenue, adjacent to the existing driveway.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated April 5, 2010 which support Petitioner's variance request. Both the Lutherville Advisory Commission and the Office of Planning Preservation Services staff prefer this site design of a side-entry garage as opposed to a front-loaded garage.

Considering of 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

ORDER RECEIVED FOR FILING

Date 4.27.10 3

By pm

structure which is the subject of the variance request. The most obvious unusual circumstance is the fact that this property is located in a Historic District. This places limitations and restrictions on the ability to make certain improvements to the property and to subdivide. It is also noteworthy that the need for variance relief in this case is largely driven by the desires of the Landmarks Preservation Commission and the Lutherville Historic Advisory Committee for the proposed dwelling on the new lot to be constructed with a side loading garage. This necessitates additional space and results in an encroachment into the side yard to street right-of-way setback.

Another feature of the property that renders it unique in a zoning sense is the fact that it is bounded on three sides by public streets. In particular, the frontage on Kurtz Avenue to the west directly impacts the setback requirement. Also, as shown on the site plan, the subject property is the only property situated on the north side of North Avenue, between Kurtz Avenue and Francke Avenue. It is literally the only property on that side of the block -- a very odd placement and configuration -- with another property similarly situated on the south side of North Avenue.

I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner. Petitioner would be denied a beneficial use of the subject property that is permitted by the Regulations and supported by the Landmarks Preservation Commission and the Lutherville Historic Advisory Committee, as well as the Office of Planning and nearby neighbors. In addition, the variance would allow the proposed new home to be built and the new lot sold so the proceeds can be reinvested back into the property to restore the existing historic home.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. Thus, I find that the variance request can be granted as to meet the requirements of Section 307 of the B.C.Z.R. as interpreted in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

ORDER RECEIVED FOR FILING

Date 4.27.10

4

By pm

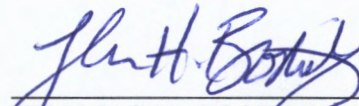
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 27th day of April, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance request from Sections 1B02.3.A.5 and 1B02.3.C of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a proposed single-family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum permitted 30 feet be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall submit building elevation drawings to the Office of Planning for approval prior to the issuance of any building permits.
3. Notwithstanding the relief granted herein, Petitioner shall comply with any and all applicable requirements and provisions of the Baltimore County Code and the B.C.Z.R., and the Landmarks Preservation Commission and any other applicable agencies, as related to the historic nature of the subject property.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz
ORDER RECEIVED FOR FILING

Date 4.27.10

By pr



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 27, 2010

ASHLEY ELIZABETH HACH
103 MIDHURST ROAD
BALTIMORE MD 21212

ASHLEY ELIZABETH HACH
248 RODGERS FORGE RD APT. D
BALTIMORE MD 21212

Re: Petition for Variance
Case No. 2010-0239-A
Property: 302 North Avenue

Dear Ms. Hach:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Robert Gentry, 412 Hollen Road, Baltimore MD 21212
Eric Rockel, 1610 Riderwood Drive, Lutherville MD 21093
Karin Brown, Baltimore County Office of Planning



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 302 North Avenue (PROPOSED - 304 NORTH AVENUE)

which is presently zoned DR 3.5

Deed Reference: 29237 / 4-8 Tax Account # 0803000095

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) 1802.3A.5., 1802.3C. (BCZR)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING WITH A SIDE YARD SETBACK OF 15-FEET TO THE STREET RIGHT-OF-WAY IN LIEU OF THE MINIMUM PERMITTED 30-FEET.

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

Spoke to Ashley Hach 3/20/10 and was told that address listed would not work for her and was given new address: 248 Rodgers Forge Rd Apt. D Balt 21212

Legal Owner(s):

Ashley Elizabeth Hach

Name - Type or Print

Signature

Name - Type or Print

Signature

103 Midhurst Road

Address

Baltimore

City

Maryland

State

443-465-516

Telephone No.

21212

Zip Code

Representative to be Contacted:

Robert Gentry

Name

412 Hollen Road

Address

Baltimore

City

Maryland

State

410-925-5992

Telephone No.

21212

Zip Code

Office Use Only

Case No. 2010-0239-A

ORDER RECEIVED FOR FILING

Estimated Length of Hearing
Unavailable For Hearing

REV 8/20/07

Date 4.27.10

Reviewed by D.T.

Date 3/11/10

By p

Zoning Description for
Proposed
304 NORTH AVENUE

Beginning at a point on the north side of North Avenue with a 50-foot wide right-of-way at a distance of 146.5-feet west of the centerline of Francke Avenue also having a 50-foot right-of-way.

Being part of the same property and recorded among land records of Baltimore County in Plat Book 8, Folio 57 and known as Lot 32 in the subdivision known as "Lutherville" totaling 12,934 square feet. Also being **proposed** Lot 32B of the **proposed** Minor Subdivision known as 10-021-M and located in the 8th Election District and 3rd Councilmanic District.

2010-0239-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2010-0239-A

Petitioner: HACH

Address or Location: 302 NORTH AVE. (PROPOSED - 304 NORTH AVE.)

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. ROBERT GENTRY

Address: 412 HOLLEN RD.

BALTO. MD 21212

Telephone Number: 410-925-5992

March 2, 2010

Baltimore County
Department of Zoning

RE: Variance for Minor Subdivision for 302 and 304 North Avenue Property

To Whom It May Concern:

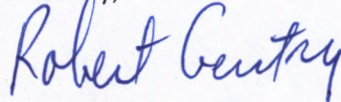
Attached is our petition for variance for the proposed property 304 North Avenue. The plan details the split of the current one-acre lot, on which lies the historic Weisbrod-Carroll house. This property was purchased by Ashley Elizabeth Hach on February 26, 2009 from John A. Cronin, III and Candace Mae Elder.

On February 24, 2009, Ms. Hach and I presented our plan to the Landmarks Preservation Commission for the (1) minor subdivision, (2) design and construction of a new home on the future lot, and (3) renovation of the existing historical home. All three plans were unanimously approved by the Commission. At the meeting, we also noted that we would separately request setback variance for the new home. The LPC agreed with these variances as well. In addition, chairman of the Lutherville Historic Advisory Committee Pen Jones attended the meeting to lend his support as well (see letters attached).

As you can see from the attached letters/memos from LPC and LAC, our request for the variances is in respect to their wishes. Namely, they request that we construct the new home with a side-load garage, instead of a front-load garage. In that a side-load garage home will not fit on the proposed lot, we are requesting the variance.

If you have any questions, please contact Bob Gentry at 410-925-5992.

Sincerely,



Robert Gentry

On behalf of Ashley Hach

2010-0239-A

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

No. **52026-A**

Date: **3/11/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DEM
 3/12/2010 3/12/2010 09:49:15
 REC# 0506 WALKIN RBOS LWB
 RECEIPT # 52026 3/12/2010 INFL
 5 529 70NINE (VERIFICATION)
 052026
 Recpt Tot \$45.00
 \$45.00 CK \$4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				45.00

Total: **45.00**

Rec From: **ROBERT GENTRY**

For: **2010-0239-A**
304 NORTH AVE

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS CARD!!!!

**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: 2010-0239-A

(Proposed) 304 North Avenue

N/side of North Avenue, 146.5 feet west of the centerline of Francke Avenue

8th Election District — 3rd Councilmanic District

Legal Owner(s): Ashley Elizabeth Hach

Variance: to permit a proposed single family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum permitted 30 feet.

Hearing: Monday, April 19, 2010 at 9 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.

04/042 April 1

234999

CERTIFICATE OF PUBLICATION

4/11, 2010

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 4/11, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE. Case No 2010-0239-A

Petitioner/Developer ROBERT
GENTRY

Date Of Hearing/Closing 4/19/10

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at PROPOSED 304 NORTH AVENUE

This sign(s) were posted on March 26, 2010
Month, Day, Year

Sincerely,

Martin Ogle 3/28/10
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

CASE # 2010-0239-A

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

ROOM 104, JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: MONDAY APRIL 19, 2010
AT 9:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED SINGLE
FAMILY DWELLING WITH A SIDE YARD SETBACK
OF 15 FEET TO THE STREET RIGHT-OF-WAY IN LIEU OF
THE MINIMUM PERMITTED 30 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 637-3391

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
March 22, 2010

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: 2010-0239-A

(Proposed) 304 North Avenue

N/side of North Avenue, 146.5 feet west of the centerline of Francke Avenue

8th Election District – 3rd Councilmanic District

Legal Owner: Ashley Elizabeth Hach

Variance to permit a proposed single family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum permitted 30 feet.

Hearing: Monday, April 19, 2010 at 9:00 a.m. in room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Ashley Elizabeth Hach, 103 Midhurst Road, Baltimore 21212
Robert Gentry, 412 Hollen Road, Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 3, 2010.**
- (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
Thursday, April 1, 2010 Issue - Jeffersonian

Please forward billing to:
Robert Gentry
412 Hollen Road
Baltimore, MD 21212

410-925-5992

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: 2010-0239-A

(Proposed) 304 North Avenue
N/side of North Avenue, 146.5 feet west of the centerline of Francke Avenue
8th Election District – 3rd Councilmanic District
Legal Owner: Ashley Elizabeth Hach

Variance to permit a proposed single family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum permitted 30 feet.

Hearing: Monday, April 19, 2010 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
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

April 14, 2010

Ashley Hach
248 Rodgers Forge Rd. Apt. D
Baltimore, MD 21212

Dear: Ashley Hach

RE: Case Number 2010-0239-A, 302 North Ave. (Proposed- 304 North Ave.)

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 11, 2010. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Robert Gentry; 412 Hollen Rd.; Baltimore, MD 21212

TB 4/19
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 5, 2010

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

RECEIVED

SUBJECT: 302 North Avenue

INFORMATION:

APR 07 2010

Item Number: 10-239

ZONING COMMISSIONER

Petitioner: Ashley Elizabeth Hach

Zoning: DR 3.5

Requested Action: Variance

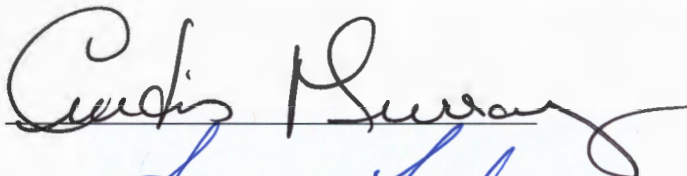
The petitioner requests a variance from Section 1B02.3A.5 and 1B02.3C of the BCZR to permit a proposed single family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum required 30 feet.

SUMMARY OF RECOMMENDATIONS:

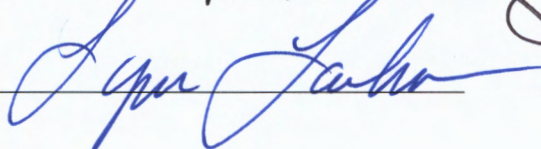
The Office of Planning supports the petitioner's request for a variance from Section 1B02.3A.5 and 1B02.3C of the BCZR to permit a proposed single family dwelling with a side yard setback of 15 feet to the street right-of-way in lieu of the minimum required 30 feet. Both the Lutherville Advisory Commission and the Office of Planning Preservation Services staff prefer this site design of a side-entry garage as opposed to a front-loaded garage.

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

Prepared by:



Division Chief:
AFK/LL: CM



Attachments:



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 8, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 22, 2010

Item Numbers: 0237, 0238, 0239, 0240, 0241, 0242, 0243, 0244 and 0245

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

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

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

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 24, 2010

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

SUBJECT: Zoning Advisory Committee Meeting
For April 5, 2010
Item Nos. 2010-238, 239, 240, 241,
242 and 245

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-04052010 -NO COMMENTS.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: MARCH 21, 2010

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

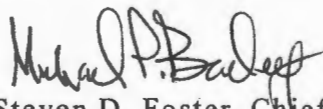
RE: Baltimore County
Item No. 2010-0239-A
302 NORTH AVE
HACH PROPERTY
VARIANCE -

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. 2010-0239-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,


For¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

RE: PETITION FOR VARIANCE
302 North Avenue; N/S North Avenue,
146.5' W of c/line of Francke Avenue
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Ashley Elizabeth Hach
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 10-239-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.

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

MAR 26 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Robert Gentry, 412 Hollen Road, Baltimore, MD 21212, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

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

Account Identifier: District - 08 **Account Number -** 0803000950

Owner Information

Owner Name:	CRONIN JOHN A,3RD ELDER CANDACE MAE	Use:	RESIDENTIAL
Mailing Address:	32372 WOODSON LN COTTAGE GROVE OR 97424-9231	Principal Residence:	NO
		Deed Reference:	1) /27692/ 217 2)

Location & Structure Information

Premises Address	Legal Description
302 NORTH AVE	1.02 AC
LUTHERVILLE 21093-5328	NE COR NORTH AV LUTHERVILLE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
60	18	369					32	2	Plat Ref: 8/ 57

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1892	1,368 SF	1.02 AC	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	165,600	250,500		
Improvements:	0	0		
Total:	165,600	250,500	222,200	250,500
Preferential Land:	0	0	0	0

Transfer Information

Seller: CRONIN JOHN A,3RD	Date: 02/24/2009	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /27692/ 217	Deed2:
Seller: CRONIN JOHN A,3RD	Date: 10/21/1985	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 7025/ 275	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 *

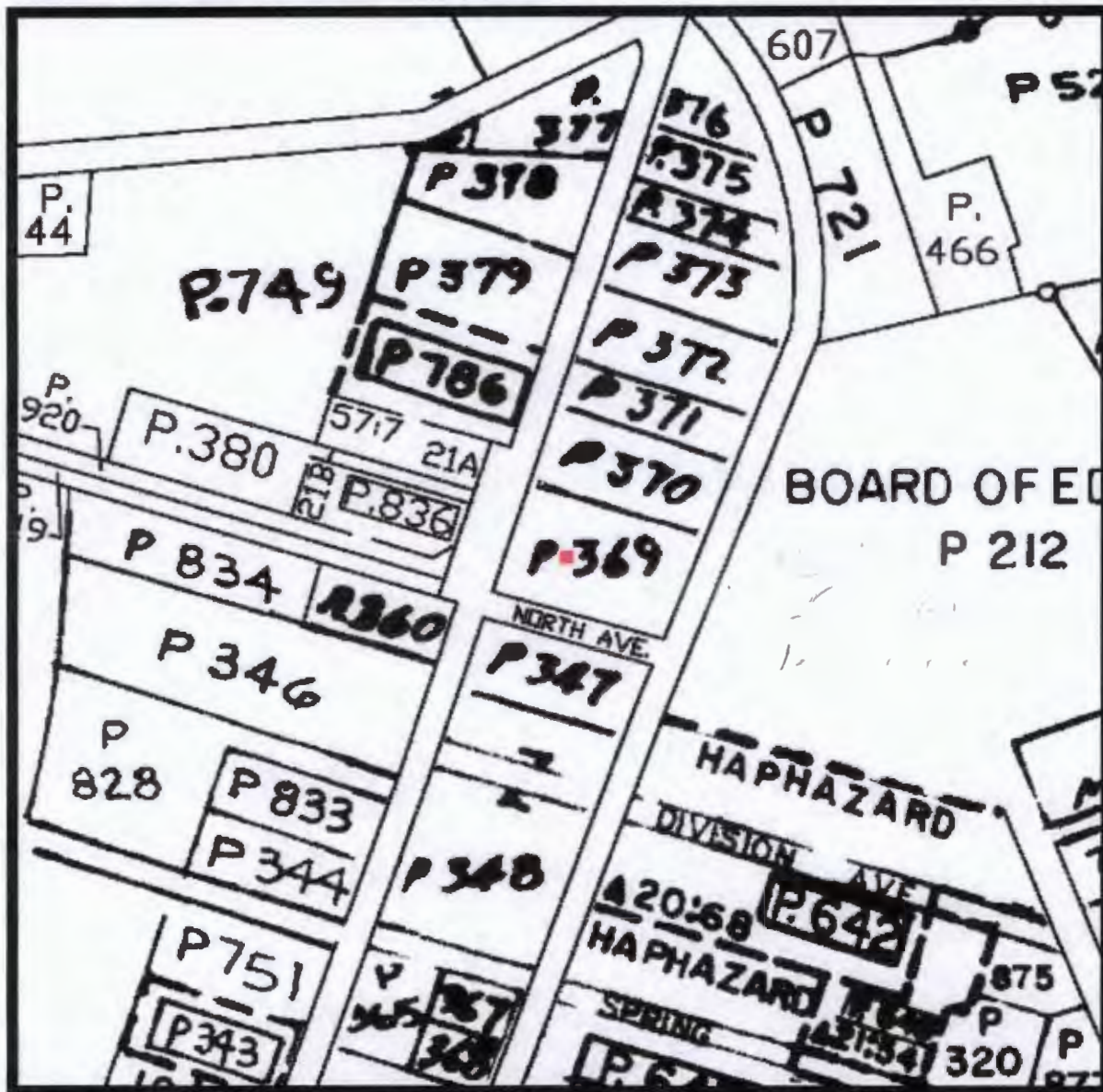
2010-0239-A



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

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District - 08 Account Number - 0803000950



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

Google maps

Address **302 North Ave**
Lutherville-Timonium, MD 21093

Get Google Maps on your phone

Text the word "GMAPS" to 466453





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

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

Account Identifier: District - 08 Account Number - 0803000950

Owner Information

Owner Name: HACH ASHLEY ELIZABETH **Use:** RESIDENTIAL
Mailing Address: 103 MIDHURST RD **Principal Residence:** NO
 BALTIMORE MD 21212-2216 **Deed Reference:** 1) /29237/ 4
 2)

Location & Structure Information

Premises Address **Legal Description**
 302 NORTH AVE 1.02 AC
 LUTHERVILLE 21093-5328 NE COR NORTH AV
 LUTHERVILLE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
60	18	369					32	2	Plat Ref: 8/ 57

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1892	1,368 SF	1.02 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2008	07/01/2009	07/01/2010	
Land	165,600	250,500			
Improvements:	0	0			
Total:	165,600	250,500	222,200	250,500	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: CRONIN JOHN A,3RD	Date: 03/03/2010	Price: \$238,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /29237/ 4	Deed2:
Seller: CRONIN JOHN A,3RD	Date: 02/24/2009	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /27692/ 217	Deed2:
Seller: CRONIN JOHN A,3RD	Date: 10/21/1985	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 7025/ 275	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 *

CASE NAME _____
CASE NUMBER 2010-0739-A
DATE 4-19-10

[illegible]

CASE NAME _____
CASE NUMBER 2010-0239-A
DATE 4-19-10

[illegible]

CASE NAME _____
CASE NUMBER 2010-0239-A
DATE 4-19-10

[illegible]

Case No.: 2010-0739-A

Exhibit Sheet

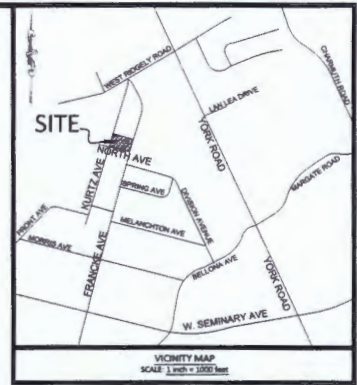
Petitioner/Developer

Protestant

No. 1	A - site plan A+B B - minor subdivision plan	C - minor subdivision plan showing new driveway detail
No. 2	Deed	
No. 3	3-2-10 Memo of support from Landmarks Preservation Commission	
No. 4	2-3-10 Letter of Support from Lutheran Historic Advisory Committee	
No. 5	2-10-10 letter of support from neighbors at 1712 Korte Ave.	
No. 6	Building Elevation Drawings	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

GENERAL NOTES

1. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE SECTION 32-4-273.
3. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
4. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
5. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS.
6. THE OWNER HEREBY RESERVES AND OFFERS FOR DEDICATION TO BALTIMORE COUNTY ALL SUCH RIGHTS OF WAY AND PROPERTY INTERESTS OF ANY KIND DESIGNATED HEREIN OR OTHERWISE REASONABLY DETERMINABLE TO BE INTENDED FOR DEDICATION TO BALTIMORE COUNTY (THE "PROPERTY INTERESTS"). THE PROPERTY INTERESTS MAY INCLUDE, BUT ARE NOT LIMITED TO, HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, SIGHT LINE EASEMENTS, FIRE SUPPRESSION EASEMENTS, FOREST CONSERVATION AREAS, CONSERVANCY AREAS, AND ANY OTHER SIMILAR RIGHTS OF WAY OR PROPERTY INTERESTS, NO MATTER HOW ENTITLED, EXCEPT FOR THOSE INDICATED AS PRIVATE. THE OWNER SHALL CONVEY SAID PROPERTY INTERESTS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST TO BALTIMORE COUNTY. THE OBLIGATION TO CONVEY SAID PROPERTY INTERESTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, THE OWNER'S PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS. UPON FINAL APPROVAL OF THIS PLAT BY THE REQUIRED GOVERNMENTAL AUTHORITIES, AND UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, TO ENTER UPON THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT PONDS AND FACILITIES, AND FOR OTHER PUBLIC PURPOSES AS REASONABLY NECESSARY. THE PROPERTY SHOWN HEREON SHALL BE SUBJECT TO THE RIGHTS OF BALTIMORE COUNTY IN AND TO THE PROPERTY INTERESTS.
7. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
8. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS A RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT.
9. THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. DEED TO WHICH THIS PLAT IS ATTACHED, THERE HEIRS AND ASSIGNS.
10. THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
11. EXISTING UTILITY CONNECTIONS SHOWN ON THE PROPERTY ARE APPROXIMATE LOCATIONS AND TO BE FIELD LOCATED PRIOR TO CONSTRUCTION.
12. UTILITY SERVICE CONNECTIONS ARE FOR SCHEMATIC LOCATIONS ONLY. FINAL LOCATIONS WILL BE DETERMINED IN THE FIELD AFTER A CONFERENCE WITH THE PROPERTY OWNER.
13. THE EXACT LOCATION OF THE 2" GAS LINE MUST BE OBTAINED PRIOR TO INSTALLATION OF SERVICE CONNECTIONS TO THE NEW BUILDING. SERVICE CONNECTIONS TO THE EXISTING BUILDING ARE TO BE REPLACED/RELOCATED AT THE DIRECTION OF BGE.
14. PROPOSED HOUSE SHALL HAVE A FRONT SETBACK OF 40' ALONG NORTH AVENUE, BASED ON AN AVERAGE OF THE 50' SETBACK OF THE EXISTING HOME ON LOT 32 AND THE 30' SIDE SETBACK ALONG KURTZ AVENUE. MEASUREMENT OF FRONT SETBACK IS BASED ON THE HOUSE FOUNDATION, AND NOT THE COVERED PORCH.
15. THE EXISTING BUILDING ON 302 NORTH AVE (LOT 32-A), IS A REGISTERED HISTORIC PROPERTY LOCATED WITHIN A NATIONAL REGISTER DISTRICT.
16. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF TITLE REPORT FILE NO. 144CV/SCR, THAT WAS PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY EFFECTIVE DATE JANUARY 25, 2010.
17. THE BOUNDARY LINE AND TOPOGRAPHIC SURVEY FOR THIS PLAT WAS COMPLETED ON JANUARY 13, 2010 BY AXIOM ENGINEERING DESIGN, LLC.
18. THE VERTICAL DATUM IS BALTIMORE COUNTY DATUM AND IS BASED ON HUB NO. 13770 "A".
19. THE HORIZONTAL DATUM IS BALTIMORE COUNTY DATUM AND IS BASED ON HUB NO. 17017 AND 13769.
20. THE COMBINED SCALE FACTOR IS 0.99998305 AS DETERMINED BY NGS, AND RECORDED ON NGS DATA SHEET FOR JVG453, DESIGNATION GPS LR 23.
21. THE EXISTING USE OF THE PROPERTY IS ONE SINGLE FAMILY DWELLING. THE PROPOSED USE OF THE PROPERTY IS TWO SINGLE FAMILY DWELLINGS.
22. THE TOTAL AREA OF LAND DISTURBED IS 6,000 SF.



DENSITY NOTES

A. AREA OF TRACT	GROSS	WIDENING	NET
LOT 32-A:	24,913.61 SF	7,401.86 SF	17,511.75 SF
LOT 32-B:	19,546.60 SF	6,612.43 SF	12,934.17 SF
TOTAL	44,460.21 SF / 1.0207 Ac.	14,014.29 SF / 0.3217 Ac.	30,445.92 SF / 0.6989 Ac.
B. ZONING CLASSIFICATION: DR 3.5			
C. DENSITY CALCULATIONS:			
C.1. LOTS ALLOWED = 3.5			
C.2. LOTS PROPOSED = 2			
D. OWNER'S NAME:			
Ashley Elizabeth Hach			
302 North Ave.			
Lutherville, MD 21093			
E. FORMER OWNER'S NAME:			
John A. Cronin, 3rd			
Candace Mae Elder			
302 North Ave.			
Lutherville, MD 21093			
F. TAX ACCOUNT NUMBER: 0803000950			
G. PLAT REFERENCE: WPC 8/57			
H. DEED REFERENCE: N/F LIBER 27692, FOLIO 217			
I. TAX MAP 60, PARCEL 369, LOT 32			

DENSITY NOTE

- A. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1985. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.

ENVIRONMENTAL NOTES

1. THE ENTIRE SITE AREA IS ENCOMPASSED BY SOIL TYPE: CoB (CROOM-URBAN LAND COMPLEX), 0-5% SLOPES.
2. EXISTING TOPOGRAPHY IS SHOWN AS 2' CONTOURS AND IS FIELD RUN BY AXIOM ENGINEERING DESIGN, JANUARY 2010.
3. THERE ARE NO FORESTS ON THE SITE, AS DETERMINED BY THE DEFINITION OF A FOREST; THEREFORE IT QUALIFIES FOR A SIMPLIFIED FOREST STAND DELINEATION WILL BE REQUIRED.
4. THERE ARE NO WETLANDS, WETLANDS, PERENNIAL OR INTERMITTENT STREAMS, BODIES OF WATER, SPRINGS OR SEEPS WITHIN 200' OF THE PROPERTY.
5. THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES HABITAT ON THIS SITE.

FOREST CONSERVATION PLAN AND WORKSHEET INFORMATION HAVE BEEN PREPARED BY:

FOREST CONSERVATION CALCULATIONS

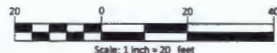
NET TRACT AREA:	1.02 ACRES
CURRENT FOREST COVER:	0 ACRES
LAND USE CATEGORY:	DR3.5 (HIGH DENSITY RESIDENTIAL)
AFFORESTATION THRESHOLD:	15%

CALCULATIONS

$$1.02 \text{ ACRES} \times 15\% = 0.15 \text{ ACRES OF AFFORESTATION REQUIRED}$$



Adam J. Morman, R.L.A.
REGISTERED LANDSCAPE ARCHITECT MD No. 3180



PREPARED FOR:

Ashley Elizabeth Hach
302 North Ave.
Lutherville, MD 21093

MINOR SUBDIVISION OF

~~LOTS 32A & 32B LUTHERVILLE~~
~~302 to 304 North Avenue~~
Minor Subdivision No. 10021M
Previously Recorded W.P.C. 8/57
Property Account No.: 08-03-000950

8th Election District
8th Councilmanic District

Baltimore County, Maryland
Date: March 1, 2010

OWNER'S CERTIFICATION

THE UNDERSIGNED, OWNER OF THE LAND SHOWN HEREON, HEREBY CERTIFIES THAT, TO THE BEST OF HER KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Ashley Elizabeth Hach _____ Date _____

P.W.A. Completed: _____

Final Plat Checked: _____

P.D.M.: _____

Planning: _____

Engineering: _____

House Numbers: _____

Land Acquisition: _____

Recreation and Parks: _____

Axiom

Engineering Design

Civil Engineering • Land Surveying • Landscape Architecture • Land Planning
6990 Columbia Gateway Dr, Ste 150 Office: 443.276.6220
Columbia, Maryland 21046 Fax: 443.276.6221
www.axiom-ed.com info@axiom-ed.com

Drawn: AJM

Checked: AVB/JES

Date: 03.01.2010

Project No.: 10-0002.00

Scale: 1 INCH = 20 FEET

Sheet: 1 of 1

This Deed, made this 23 day of February, 2010, by and between **JOHN A. CRONIN III and CANDACE MAE ELDER**, husband and wife, Grantors; and **ASHLEY ELIZABETH HACH**, party of the second part, Grantee.

- **Witnesseth** -

That for and in consideration of the sum of **TWO HUNDRED THIRTY-EIGHT THOUSAND AND 00/100THS DOLLARS (\$238,000.00)**, the receipt and sufficiency of which is hereby acknowledged, **JOHN A. CRONIN III and CANDACE MAE ELDER**, husband and wife, hereby grant and convey to **ASHLEY ELIZABETH HACH**, her personal representatives and assigns, in fee simple, all that lot or parcel of ground situate in the Eighth Election District of Baltimore County, Maryland, being more particularly described as follows, that is to say:

BEGINNING FOR THE SAME at the intersection of the center of Kurtz Avenue with the center of North Avenue and running thence, binding on the center of North Avenue, South 65 degrees East 261.7 feet to the center of Francke Avenue, running thence, binding on the center of Francke Avenue, North 26 degrees 9 minutes East 170 feet, thence leaving Francke Avenue and running North 65 degrees West 261 feet 7 inches to the center of Kurtz Avenue, and running thence, binding on the center of Kurtz Avenue, South 26 degrees 9 minutes West 170 feet to the place of beginning, containing one and two one hundredths acres of land, more or less, being Lot No. 32 as shown on the Plat entitled "**Plat Of Lutherville**", which plat is recorded among the Land records of Baltimore County, Maryland in Plat Book WPC No. 8, folio 57, the improvements thereon being known as 302 North Avenue, Lutherville, Maryland 21093.

BEING the same lot or parcel of ground which by deed dated February 4, 2009 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 27692, folio 217 was granted and conveyed by John A. Cronin III unto John A. Cronin III and Candace Mae Elder, husband and wife, the Grantors herein.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

0029237-004

Deed from John A. Cronin III & Candace Mae Elder
Tax ID No. 08-03-000950
302 North Avenue

0029237 005

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ashley Elizabeth Hach, her personal representatives and assigns, in fee simple.

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

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

.....



JOHN A. CRONIN III {Seal}

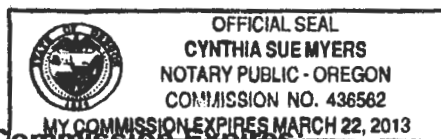
© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

 {Seal}
CANDACE MAE ELDER

STATE OF OREGON, COUNTY OF Lane, to wit:

I HEREBY CERTIFY, that on this 23 day of February, 2010, before me, the subscriber, a Notary Public of the State of Oregon, County of LANE, personally appeared John A. Cronin III and Candace Mae Elder, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



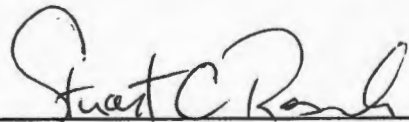
Cynthia Sue Myers
Notary Public

My Commission Expires

0029237 006

Deed from John A. Cronin III & Candace Mae Elder
Tax ID No. 08-03-000950
302 North Avenue

THIS IS TO CERTIFY that the within instrument was prepared by the undersigned, an Attorney duly admitted to practice and in good standing before the Court of Appeals of the State of Maryland.



Stuart C. Resnick, Attorney

\\hg-strata-fs01\Home\uresnick\302 North Avenue\Deed.doc

0029237 001

2009

MARYLAND
FORM

MW506E

Certificate of
Full or Partial ExemptionFor Calendar Year 2009 or other tax year
Beginning _____, 2009 and Ending _____

DO NOT WRITE OR STAPLE IN THIS SPACE

NR100053

NOTE: Copy B of this form must accompany the deed or other instrument of transfer when the documents are presented to the Clerk of the Circuit Court for recordation. Failure to provide this certificate may result in the deed or other instrument of transfer being rejected by the Clerk of the Circuit Court when presented for recordation. If Certificate grants a partial exemption, payment in the amount on line 3 and a Form MW506NRS must also be presented to the Clerk of the Circuit Court.

The Comptroller's decision to issue or deny a Certificate of Full or Partial Exemption and the determination of the amount of tax to be withheld if a partial exemption is granted are final and not subject to appeal.

Transferor/Seller's Information

Name (If joint, enter first names and initials of both) John A. & Candace M.		Last Name Cronin, Elder	
Name (Corporation, Partnership, Trust, Estate, etc.)			
T/A or C/O or Fiduciary		Federal Employer I.D. No.	
Address (Number and street) 32372 Woodson Lane			
City, State and Zip Code (province, postal code, and country) Cottage Grove, OR 97424			
Transferor/Seller's Entity Type			Ownership Percentage
☒ Individual	☐ Limited Liability Company	☐ Trust	100 %
☐ C Corporation	☐ Limited Liability Partnership	☐ Other:	
☐ S Corporation	☐ Business Trust		
☐ Partnership	☐ Estate		

Property Information

Description of Property (Include address, or district, subdistrict and lot numbers if no address is available) 302 North Avenue Lutherville, MD 21093	Date of Closing 02/26/2010
	Property Account ID Number 08-0803000950

Comptroller's Certification

Pursuant to §10-912 of the Tax-General Article, Annotated Code of Maryland, I hereby certify that, with respect to the sale or transfer of the property described above, as such sale or transfer is described in the Form MW506AE filed by the Transferor/Seller, the sale or transfer of the property is:

- ☒ Fully exempt from the withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland.
- ☐ NOT exempt from the withholding requirements and tax is required to be withheld on the total payment amount, or
- ☐ Partially exempt from the withholding requirements.

The following amount of tax is required to be withheld:

1. Enter the amount subject to tax
2. Enter tax rate, whichever applies
- a. If transferor/seller is a business entity, enter 8.25%
- b. If transferor/seller is an individual, enter 7.50%
3. Amount of tax to be withheld at closing. (Line 1 multiplied by line 2)

1	
2	
3	

Cyrtel Beyers
Signature

Revenue Examiner
Title

02/18/2010
Date

COM/RAD-310 (Rev. 06/08)

Copy B - File with the Clerk of the Circuit Court when the deed or other instrument of transfer is presented for recordation

* VOID AFTER 60 DAYS FROM DATE OF ISSUE

A CE 62-290921 SM 29237 p 0008 Printed 03/11/2010 Online 03/05/2010

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING

Memorandum

TO: Donald Brand
Buildings Engineer

DATE: March 2, 2010

FROM: Vicki Nevy, Administrator/Secretary
Landmarks Preservation Commission

SUBJECT: 302 North Avenue, Lutherville
Lutherville County Historic District

At its February 24, 2010 meeting, the Baltimore County Landmarks Preservation Commission approved a proposal for a minor subdivision and construction of a new structure as follows:

1. Approve minor subdivision, along with the setback variances of a 15-foot side yard variance and a 10-foot front yard variance, as shown on the proposed site plan Exhibit A 1. This subdivision would allow for a side entry garage, which is the preferred scenario.
2. Approve all four elevations (entry garage scenario) as shown as Exhibit A 2, 3, 4 & 5.

If the above-mentioned variances ARE NOT approved, the LPC recommends the following:

1. Approve minor subdivision, showing a side yard setback of 30 feet and a front yard setback of (37.5) feet, Exhibit B 1.
2. Approve all four elevations (front entry garage scenario) showing the garage being setback seven (7) feet from the front porch and two (2) feet from the front façade, Exhibit B, 3, 4.
3. Approve the design elements listed separately on Exhibit C.

PETITIONER' S

EXHIBIT NO.

3

302 North Avenue
Page 2
March 2, 2010

This memo constitutes a certificate of appropriateness in accordance with *Baltimore County Code* Section 32-7-405.

VKN:vkn

Attachments

- c. ✓ Robert Gentry
Envision Builders, LLC
412 Hollen Road
Baltimore, MD 21212

Doug Swam
Permits Office

The Lutherville Historic Advisory Committee
to the Baltimore County Landmarks Preservation Commission

February 3, 2010

To: Robert Gentry
Envision Builders, LLC
412 Hollen Road
Baltimore, MD 21212

Reference: New Construction by Robert Gentry, 302 North Ave, Lutherville

Dear Mr. Gentry:

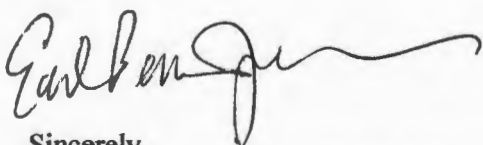
Upon reviewing your plan for construction of a new house at the above location, the LAC wholeheartedly supports your proposed setback variances so that a house with a side entry garage can be built. It does not appear to us that a house with a side entry garage can be built without such variances.

Specifically, we concur with a West side (Kurtz Ave) setback of 15 feet vs. 30 feet, and a South side (North Ave) setback of 34 feet vs. 44 feet.

There has not been a new house with an integral garage with a front entry built in Lutherville since it became a Baltimore County Historic District in 1984, and there have been quite a few infill houses built since that time. LCA would strongly support the proposed variances in order to allow the side entry garage.

If there is anything further we can do to support your effort to obtain such variances, please let us know.

Thank you.



Sincerely,
LUTHERVILLE ADVISORY COMMITTEE
Earl Pen Jones
Chairman
443-756-1600

Cc: Karen Brown, Baltimore County, Chief of Preservation Services

202 W. Seminary Avenue Lutherville, Maryland 21093 (410) 321-6687

PETITIONER'S

EXHIBIT NO. 4

February 10, 2010

To: Robert Gentry
Envision Builders, LLC
412 Hollen Road
Baltimore, MD 21212

Reference: New Construction by Robert Gentry, 302 North Ave, Lutherville

Dear Mr. Gentry:

We would like to thank you for making your plan for construction of a new house at the above location available to the surrounding neighbors. We are in support of your proposed setback variances so that a house with a side entry garage can be built. From the information which Pen Jones of the Lutherville Advisory Committee shared with us, it does not appear to us that a house with a side entry garage can be built without such variances.

Specifically, we concur with a West side (Kurtz Ave) setback of 15 feet vs. 30 feet, and a South side (North Ave) setback of 34 feet vs. 44 feet.

That having been said, we are concerned that the current width of North Avenue will make transit on that street difficult once the new house and the existing house are inhabited. The former owner, Mr. Cronin, made the drivable portion of North Ave significantly narrower when he installed railroad ties and fill dirt, expanding his yard at the expense of the road. We ask you to strongly consider incorporating the removal of these obstacles as part of your development of the 302 North Avenue property, thereby restoring North Avenue to a navigable width.

We appreciate you considering our suggestion, and we support your proposed variances to facilitate the side entry garage.

If there is anything further we can do to support your effort to obtain such variances, please let us know.

Thank you.

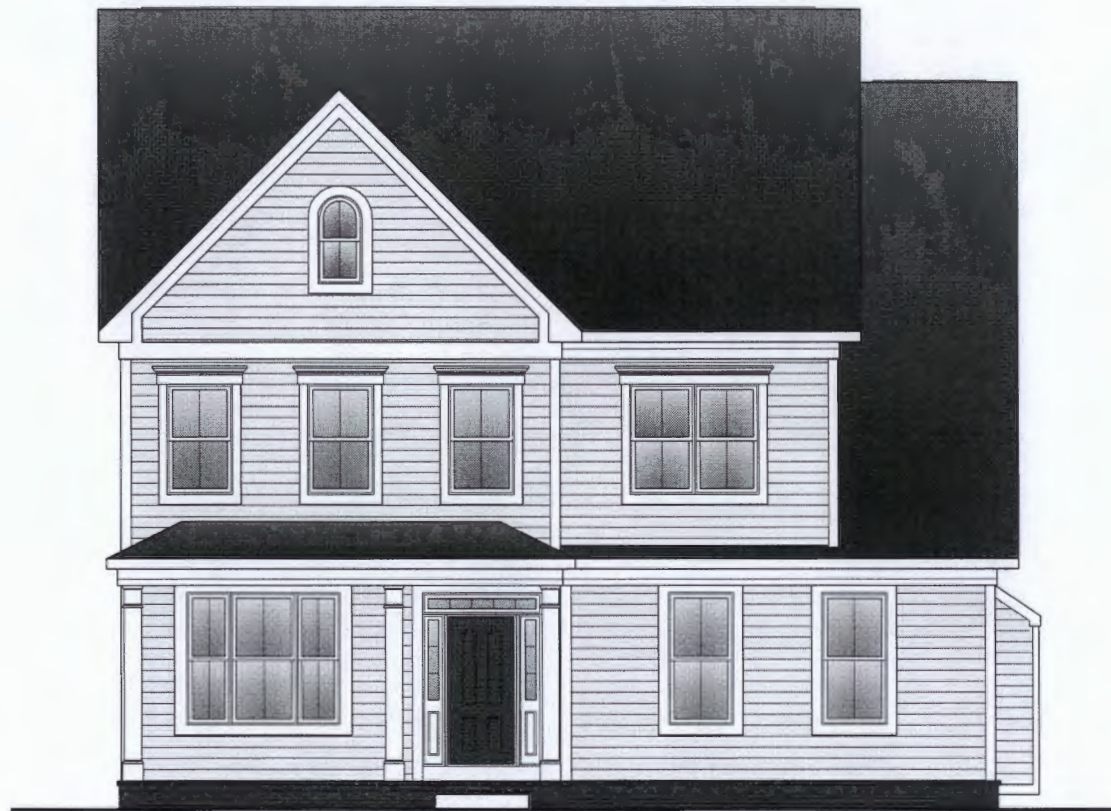
Sincerely,
Pamela Jenkins and Ted Houk
1712 Kurtz Ave
Lutherville, MD 21093
(410) 561-9981

Cc: Karen Brown, Baltimore County, Chief of Preservation Services

PETITIONER' S

EXHIBIT NO.

5



Front Elevation
(w/ Side Load Garage)



North Avenue Residence

dw taylor
associates inc
ARCHITECT

PETITIONER' S

EXHIBIT NO.

6



Left Side Elevation



North Avenue Residence

dw taylor
associates inc
ARCHITECT



Rear Elevation



North Avenue Residence

dw taylor
associates inc
ARCHITECT



Right Side Elevation



North Avenue Residence

dw taylor
associates inc
ARCHITECT



Pt. Bk. 36, Folio 107

PDM # 080479

DR 2

Pt. Bk. 57, Folio 7

Pt. Bk./Folio # 057007

KURTZ AVE

1719

0803050220

1717

0818050760

FRANCKE AVE

DR 3.5

0803000950 Lot # 32

Pt. Bk. 8, Folio 57

CRONIN, JOHN A. PROPERTY (PDM File/Project #)

302

Pt. Bk./Folio # 008057

PDM # 080078

8 ED

NW 12-A

060C2

3 CD

1600013409

NORTH AVE

305

DR 2

0823035550

0802059240

1711

FRANCKE AVE

PDM # 080005

Pt. Bk. 20, Folio 68

0811000510

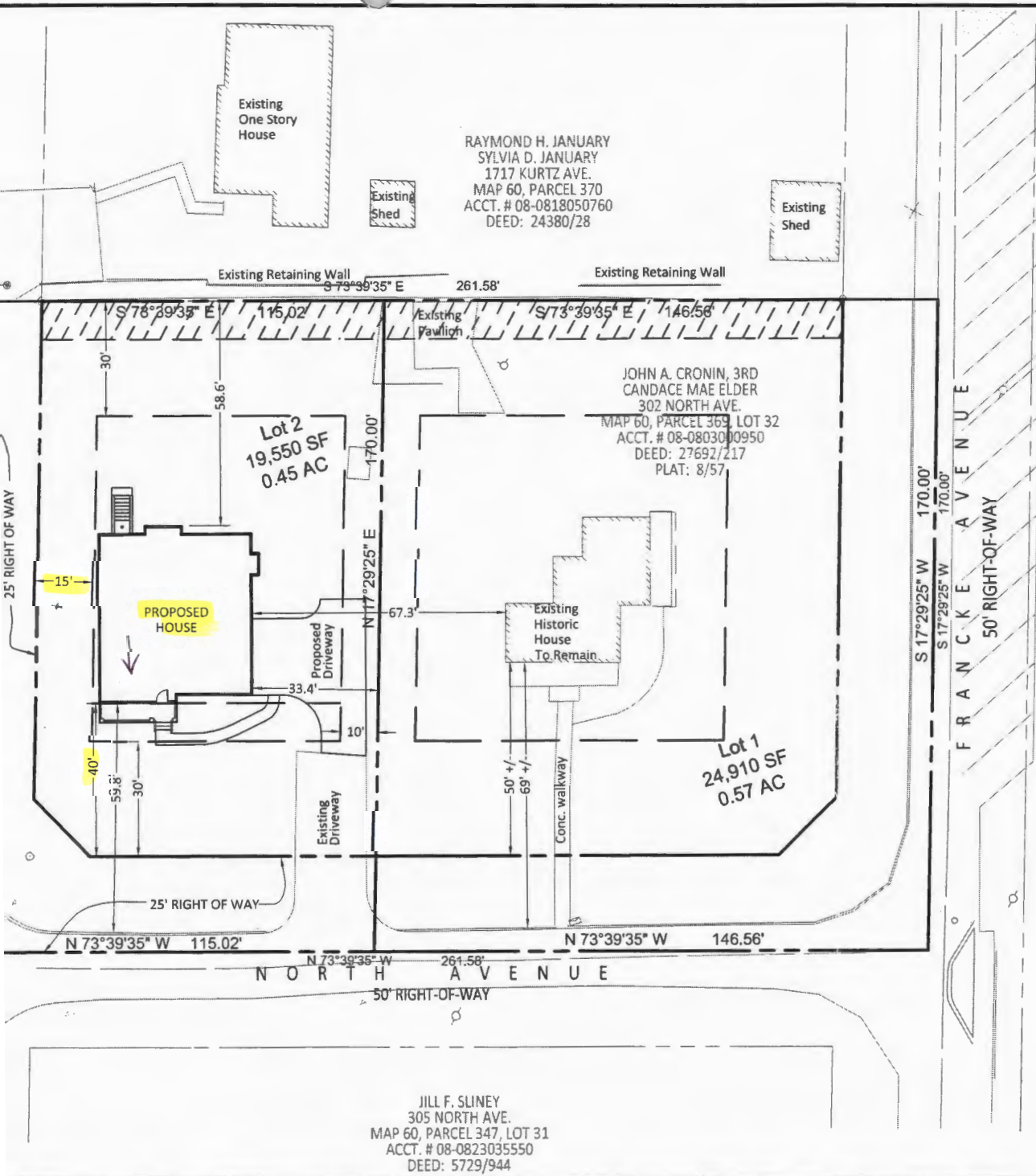
Pt. Bk./Folio # 020068B

Lot # 2
0819035380

230

228

2010-0239-A



NOTES:

This plan is conceptual in nature and not meant for construction purposes.



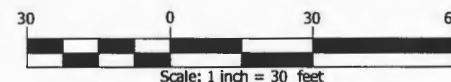
PETITIONER'S

EXHIBIT NO.

1A+1B

BOARD OF
BALTIMORE
YOI
MAP 60
ACCT. # 0
DEED

PLAT TO ACCOMPANY
ZONING VARIANCE



CONCEPT LOT LAYOUT PLAN
Side Load

302 NORTH AVENUE
LUTHERVILLE, MARYLAND

February 22, 2010

Axiom
Engineering Design

Civil Engineering • Land Surveying • Landscape Architecture • Land Planning
6990 Columbia Gateway Dr., Ste 150 Office: 443.276.6220
Columbia, Maryland 21046 Fax: 443.276.6221
www.axiom-ed.com info@axiom-ed.com

1A

PH R. WELSH
E.N. WELSH
KURTZ AVE.
PARCEL 786, LOT 20A
08-1600010113
D: 5416/467
AT: 36/107

TAMADA
MI TAMADA
KURTZ AVE.
PARCEL 836, 21A
8-2100000177
22250/725
T: 57/7

E.C. HOUK
A. JENKINS
KURTZ AVE.
EL 836, LOT 21B
2100000177
2298/400
57/7

LOT 22
2700
0

Existing
One Story
House

Existing
Shed

RAYMOND H. JANUARY
SYLVIA D. JANUARY
1717 KURTZ AVE.
MAP 60, PARCEL 370
ACCT. # 08-0818050760
DEED: 24380/38

Existing
Shed

Existing Retaining Wall

Existing Retaining Wall

Existing
Pavilion

JOHN A. CRONIN, 3RD
CANDACE MAE ELDER
302 NORTH AVE.
MAP 60, PARCEL 363, LOT 32
ACCT. # 08-0803000950
DEED: 27692/217
PLAT: 8/57

Lot 2
19,550 SF
0.45 AC

Lot 1
24,910 SF
0.57 AC

PROPOSED
HOUSE

Existing
Historic
House
To Remain

25' RIGHT OF WAY

25' RIGHT OF WAY

N 73°39'35" W 115.02'

N 73°39'35" W 146.56'

N 73°39'35" W 261.58'

JILL F. SLUNEY
305 NORTH AVE.
MAP 60, PARCEL 347, LOT 31
ACCT. # 08-0823035550
DEED: 5729/944

NOTES:

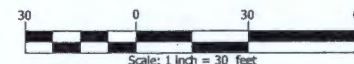
This plan is conceptual in nature and not meant for construction purposes.

PETITIONER'S

EXHIBIT NO. 1A+1B

BOARD OF
BALTIMORE
YOI
MAP 60
ACCT. # 0
DEED

PLAT TO ACCOMPANY
ZONING VARIANCE



CONCEPT LOT LAYOUT PLAN
Side Load

302 NORTH AVENUE
LUTHERVILLE, MARYLAND

February 22, 2010

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1A

SURVEY LEGEND

- EDGE OF PAVEMENT
- SIDEWALK
- BOUNDARY
- ADJOINING BOUNDARY
- MINOR CORRECTIONS
- MAJOR CORRECTIONS
- OVERHEAD ELECTRIC LINE
- WATER LINE
- SANITARY SEWER LINE
- AS-MARKED PROP. EXCAVATION
- EXISTING BUILDING
- LIGHT POLE
- WATER VALVE
- SANITARY MANHOLE
- STORM DRAIN MANHOLE
- GAS VALVE
- GUYWIRE
- UTILITY POLE
- FIRE HYDRANT

AREA RESERVED FOR ZONING CASE # 2010-0239 COMMENTS

PETITIONER'S

EXHIBIT NO. 1C

RALPH R. WELSH
EMILE N. WELSH
1713 KURTZ AVE.
MAP 60, PARCEL 736, LOT 20A
ACCT. # 08-1600010113
DEED: 5416/467
PLAT: 35/107

KOJI TAMADA
MUTSUMI TAMADA
1714 KURTZ AVE.
MAP 60, PARCEL 836, 21A
ACCT. # 08-1100000177
DEED: 22250/725
PLAT: 57/7

THEODORE C. HOUR
PAMELA A. JENKINS
1712 KURTZ AVE.
MAP 60, PARCEL 836, LOT 21B
ACCT. # 08-1100000177
DEED: 13298/400
PLAT: 57/7

LISA S. BYRNES
710 KURTZ AVE.
MAP 60, PARCEL 340, LOT 22
ACCT. # 08-0619001700
DEED: 26552/330
PLAT: 2/57

JILL SUINY
305 NORTH AVE.
MAP 60, PARCEL 347, LOT 31
ACCT. # 08-0823035550
DEED: 5729/944

**MARYLAND COORDINATE DATUM
COORDINATE TABLE**

NO.	NORTHING	EASTING
①	641408.235	1418623.868
②	641466.889	1418420.593
③	641342.732	1418382.052
④	641284.078	1418585.337



ALAN VINCENT BURKE, JR.
PROFESSIONAL LAND SURVEYOR, MD No. 10948

SURVEYORS CERTIFICATION

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH THE SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE...

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE COMMENTS DATED MARCH 26, 2010 AND HAVE RECORDED PLAT PURSUANT TO SAID...

OWNER'S CERTIFICATION

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

Date	Revisions
4.5.2010	Revisions per Baltimore County

BALTIMORE COUNTY MINOR SUBDIVISION

PROJECT NO: **10021M**

DEVELOPMENT REGULATIONS

- Exempt from Article 32, Title 4, Subtitle 2, BOC
- Penhandle exempt from Section 32-4-211 through 32-4-217 AND Sections 32-4-226 and 32-4-227, BOC

1 CLEARANCE

Int: _____ Date: _____

CERTIFICATION

Approved _____ Disapproved _____
Date: _____

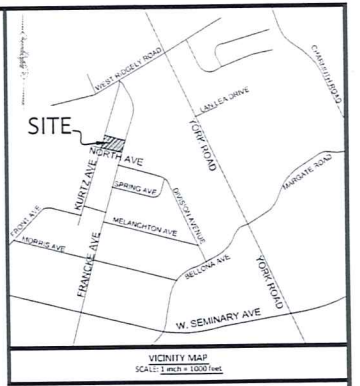
DEPRM

Date: _____

- SURVEY LEGEND**
- EDGE OF PAVEMENT
 - SIDEWALK
 - BOUNDARY
 - ADJOINING BOUNDARY
 - MINOR CONTROLS
 - MAJOR CONTROLS
 - OVERHEAD ELECTRIC LINE
 - WATER LINE
 - SANITARY SEWER LINE
 - AS-PAVED PROP. DEDICATION
 - EXISTING BUILDING
 - LIGHT POLE
 - WATER VALVE
 - SANITARY MANHOLE
 - STORM DRAIN MANHOLE
 - GAS VALVE
 - UTILITY POLE
 - FIRE HYDRANT

AREA RESERVED FOR ZONING CASE # 2010-0239 COMMENTS

**PETITIONER'S
EXHIBIT NO. 1C**



DENSITY NOTES

- A. AREA OF TRACT
- | LOT | GROSS |
|------------------|-------------------------------|
| LOT 32-A | 17,511.75 SF |
| LOT 32-B | 12,934.17 SF |
| Highway Widening | 14,014.29 SF |
| TOTAL | 44,460.21 SF (1.02 AC) |
- B. ZONING CLASSIFICATION: DR 3.5
- C. DENSITY CALCULATIONS:
- C.1. LOTS ALLOWED = 3.5
- C.2. LOTS PROPOSED = 2
- D. OWNER'S NAME:
Ashley Elizabeth Hach
302 North Ave.
Lutherville, MD 21093
- E. TAX ACCOUNT NUMBER: 0803000950
- F. PLAT REFERENCE: WPC 8/57
- G. DEED REFERENCE: 29237 / 004
- H. TAX MAP 50, PARCEL 369, LOT 32
- I. 2000 CENSUS TRACT: 40800, BLOCK GROUP 24005408001
- J. LAND MANAGEMENT AREA: COMMUNITY CONSERVATION AREA
- K. SCHOOL DISTRICTS
LUTHERVILLE ELEMENTARY SCHOOL
RIDGELY MIDDLE SCHOOL
TOWSON HIGH SCHOOL
- L. REGIONAL PLANNING DISTRICT: 308
- M. 200-SCALE ZONING MAP REFERENCE: 060C2
- N. WATERSHED: JONES FALLS
- O. WATER SERVICES AREA: TOWSON 4TH ZONE
- P. SEWER SHED: 57 N
- Q. TRANSPORTATION ZONE: 0486

ENVIRONMENTAL NOTES

- THE ENTIRE SITE AREA IS ENCOMPASSED BY SOIL TYPE: CoB (CROOM-URBAN LAND COMPLEX), 0-5% SLOPES.
- EXISTING TOPOGRAPHY IS SHOWN AS 2' CONTOURS AND IS FIELD RUN BY AXIOM ENGINEERING DESIGN, JANUARY 2010.
- THERE ARE NO FORESTS ON THE SITE, AS DETERMINED BY THE DEFINITION OF A FOREST; THEREFORE IT QUALIFIES FOR A SIMPLIFIED FOREST STAND DELINEATION WILL BE REQUIRED.
- THERE ARE NO WETLANDS, WETLANDS, PERENNIAL OR INTERMITTENT STREAMS, BODIES OF WATER, SPRINGS OR SEEPS WITHIN 200' OF THE PROPERTY.
- THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES HABITAT ON THIS SITE.

FOREST CONSERVATION CALCULATIONS

NET TRACT AREA:	1.02 ACRES
CURRENT FOREST COVER:	0 ACRES
LAND USE CATEGORY:	DR3.5 (HIGH DENSITY RESIDENTIAL)
AFFORESTATION THRESHOLD:	15%

CALCULATIONS

1.02 ACRES * 15% = 0.15 ACRES OF AFFORESTATION REQUIRED

FOREST CONSERVATION PLAN AND WORKSHEET INFORMATION HAVE BEEN PREPARED BY:



Adam J. Morman, RLA
REGISTERED LANDSCAPE ARCHITECT MD NO. 3169

GENERAL NOTES

- THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS.
- THE OWNER HEREBY RESERVES AND OFFERS FOR DEDICATION TO BALTIMORE COUNTY ALL SUCH RIGHTS OF WAY AND PROPERTY INTERESTS OF ANY KIND DESIGNATED HEREIN OR OTHERWISE REASONABLY DETERMINABLE TO BE INTENDED FOR DEDICATION TO BALTIMORE COUNTY (THE "PROPERTY INTERESTS"). THE PROPERTY INTERESTS MAY INCLUDE, BUT ARE NOT LIMITED TO, HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, SIGHT LINE EASEMENTS, FIRE SUPPRESSION EASEMENTS, FOREST CONSERVATION AREAS IN FEE OR EASEMENT, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, CRITICAL AREA EASEMENTS, LOCAL OPEN SPACE, GREENWAY AREAS IN FEE OR EASEMENT, STORM WATER MANAGEMENT AREAS, CONSERVANCY AREAS, AND ANY OTHER SIMILAR RIGHTS OF WAY OR PROPERTY INTERESTS, NO MATTER HOW ENTITLED, EXCEPT FOR THOSE INDICATED AS PRIVATE. THE OWNER SHALL CONVEY SAID PROPERTY INTERESTS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST TO BALTIMORE COUNTY. THE OBLIGATION TO CONVEY SAID PROPERTY INTERESTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, THE OWNER'S PERSONAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS. UPON FINAL APPROVAL OF THIS PLAT BY THE REQUIRED GOVERNMENTAL AUTHORITIES, AND UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY, THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS TO ENTER UPON THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT PONDS AND FACILITIES, AND FOR OTHER PUBLIC PURPOSES AS REASONABLY NECESSARY. THE PROPERTY SHOWN HEREON SHALL BE SUBJECT TO THE RIGHTS OF BALTIMORE COUNTY IN AND TO THE PROPERTY INTERESTS.
- THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS A RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT.
- THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. DEED TO WHICH THIS PLAT IS ATTACHED, THERE HEIRS AND ASSIGNS.
- THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
- EXISTING UTILITY CONNECTIONS SHOWN ON THE PROPERTY ARE APPROXIMATE LOCATIONS AND TO BE FIELD LOCATED PRIOR TO CONSTRUCTION.
- UTILITY SERVICE CONNECTIONS ARE FOR SCHEMATIC LOCATIONS ONLY. FINAL LOCATIONS WILL BE DETERMINED IN THE FIELD AFTER A CONFERENCE WITH THE PROPERTY OWNER.
- THE EXACT LOCATION OF THE 2" GAS LINE MUST BE OBTAINED PRIOR TO INSTALLATION OF SERVICE CONNECTIONS TO THE NEW BUILDING. SERVICE CONNECTIONS TO THE EXISTING BUILDING ARE TO BE REPLACED/RELOCATED AT THE DIRECTION OF BGE.
- PROPOSED HOUSE SHALL HAVE A FRONT SETBACK OF 40' ALONG NORTH AVENUE, BASED ON AN AVERAGE OF THE 50' SETBACK OF THE EXISTING HOME ON LOT 32 AND THE 30' SIDE SETBACK ALONG KURTZ AVENUE. MEASUREMENT OF FRONT SETBACK IS BASED ON THE HOUSE FOUNDATION, AND NOT THE COVERED PORCH.
- THE EXISTING BUILDING ON 302 NORTH AVE (LOT 32-A), IS A REGISTERED HISTORIC PROPERTY LOCATED WITHIN A NATIONAL REGISTER DISTRICT AND IS ON THE BALTIMORE COUNTY HISTORIC LANDMARKS LIST (WEISBROD-CARROLL HOUSE #357) AND THE SITE IS DEEMED A HISTORIC ENVIRONMENTAL SETTING.
- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF TITLE REPORT FILE NO. 144CVSCR, THAT WAS PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY EFFECTIVE DATE JANUARY 25, 2010.
- THE BOUNDARY LINE AND TOPOGRAPHIC SURVEY FOR THIS PLAT WAS COMPLETED ON JANUARY 13, 2010 BY AXIOM ENGINEERING DESIGN, LLC.
- THE VERTICAL DATUM IS BALTIMORE COUNTY DATUM AND IS BASED ON HUB NO. 13770 "A".
- THE HORIZONTAL DATUM IS BALTIMORE COUNTY DATUM AND IS BASED ON HUB NO. 17017 AND 13769.
- THE COMBINED SCALE FACTOR IS 0.99998305 AS DETERMINED BY NGS, AND RECORDED ON NGS DATA SHEET FOR JVB453, DESIGNATION GPS RZ 23.
- THE EXISTING USE OF THE PROPERTY IS ONE SINGLE FAMILY DWELLING. THE PROPOSED USE OF THE PROPERTY IS TWO SINGLE FAMILY DWELLINGS.
- THE TOTAL AREA OF LAND DISTURBED IS 6,000 SF.
- THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT, DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
- THE DEVELOPER IS RESPONSIBLE FOR THE PREPARATION OF THE RIGHT-OF-WAY PLAT FOR, AND THE DEDICATION OF, ANY WIDENING AND SLOPE EASEMENTS ALONG THE EXISTING ROAD FRONTAGE AT NO COST TO THE COUNTY.
- KURTZ AVE., FRANKIE AVE., & NORTH AVE. ARE EXISTING ROADS, WHICH SHALL ULTIMATELY BE IMPROVED AS A 30' STREET CROSS SECTION ON A 50' RIGHT-OF-WAY.
- WATER METERS DESIGNATED TO BE SPECIFIC LOCATION OR ADDRESS SHALL NOT BE RELOCATED WITHOUT PERMISSION FROM BALTIMORE CITY, BUREAU OF WATER AND WASTEWATER.
- THIS SITE HAS NO KNOWN PRIOR ZONING CASES.

DENSITY NOTE

- A. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1971. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS."

DEDICATION TABLE

THE FOLLOWING RIGHTS OF WAY ARE TO BE CONVEYED TO BALTIMORE COUNTY BY THE DEVELOPER/OWNER OF THIS PROPERTY AS A CONDITION OF APPROVAL OF THESE PLANS.		
TYPE OF CONVEYANCE	NO.	TOTAL AREA
HIGHWAY WIDENING	1	14,013.935F (0.322 AC.)



**MARYLAND COORDINATE DATUM
COORDINATE TABLE**

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④	641284.078	1418585.337



SURVEYORS CERTIFICATION

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH THE SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE DEVELOPMENT PLAN COMMENTS DATED MARCH 26, 2010 AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT PURSUANT TO SAID COMMENTS.

ALAN VINCENT BURKE, Jr.
PROFESSIONAL LAND SURVEYOR, MD NO. 10546

OWNER'S CERTIFICATION

THE UNDERSIGNED, OWNER OF THE LAND SHOWN HEREON, HEREBY CERTIFIES THAT, TO THE BEST OF HER KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAS BEEN COMPLIED WITH, AS THE SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

Ashley Elizabeth Hach
Date

- P.W.A. Completed: _____
Final Plat Checked: _____
P.D.M.: _____
Planning: _____
Engineering: _____
House Numbers: _____
Land Acquisition: _____
Recreation and Parks: _____



Civil Engineering • Land Surveying • Landscape Architecture • Land Planning
6990 Columbia Gateway Dr. Ste 150 Office: 443.276.6220
Columbia, Maryland 21046 Fax: 443.276.6221
www.axiom-ed.com info@axiom-ed.com

**MINOR SUBDIVISION OF
302 & 304 NORTH AVENUE PROPERTY**

Minor Subdivision No. 10021M
Previously Recorded W.P.C. 8/57
Property Account No.: 08-03-000950

8th Election District
3rd Councilmanic District
Baltimore County, Maryland
Date: March 1, 2010

Drawn: AJM
Checked: AVB/JES
Date: 03.01.2010
Project No.: 10-0002.00
Scale: 1 INCH = 20 FEET
Sheet: 1 of 1

PDM #08-356

FILE NAME: Y:\2010 Projects\10021M North Avenue & Kurtz Avenue & BGE Engineering\Sheet\10021M North Avenue & Kurtz Avenue.dwg LAYOUT NAME: Minor Subdivision Plat PLOTTED: Wednesday, April 07, 2010 - 10:00 AM USER: A.Morman