

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
W of Cedar Lane; 1412 feet from the	*	DEPUTY ZONING
c/l of Towood Road		
11 th Election District	*	COMMISSIONER
3 rd Councilmanic District		
(11100 Cedar Lane)	*	FOR BALTIMORE COUNTY
 Henry C. Smith III and Tanja M. Smith	*	
<i>Legal Owners</i>		CASE NO. 2010-0344-SPHA
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Henry C. Smith, III and Tanja M. Smith. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for an accessory building (garage, shop and storage building) with a footprint area (5,040 square feet) larger than the footprint area (3,115 square feet) of the principal building. The Variance request is from Section 400.3 of the B.C.Z.R. to permit an accessory building (garage, shop and storage building) with a height of 38 feet in lieu of the permitted 15 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested Special Hearing and Variance petitions was Petitioner Henry C. Smith, III and David Billingsley with Central Drafting & Design, Inc., the land use professional who prepared the site plan and is assisting Petitioners. There were no Protestants or interested citizens in attendance at the hearing.

ORDER RECEIVED FOR FILING

Date 8-12-10

By [Signature]

Testimony and evidence presented revealed that the subject property is a large, irregularly shaped parcel consisting of approximately 4.97 acres, more or less, zoned R.C.5. The property is located at the terminus of Cedar Lane with ingress/egress from same, south of Mt. Vista Road, in the Kingsville area of Baltimore County. The area surrounding the subject property is primarily residential, characterized by large parcels with agricultural uses prevalent and even with an R.C.7 zoning district in close proximity to the subject property. The subject property is improved with a single-family dwelling built in 2003 according to the Real Property Data Search marked and accepted into evidence as Petitioner's Exhibit 2, consisting of a total square footage of 5,492 square feet. As shown on the site plan, the property is also improved with an in-ground swimming pool and an existing pool house containing 1,151 square feet located in the rear of the property. Adjacent to the property is a large area of farmland used for harvesting corn and other crops. The improvements and the surrounding area can be seen more clearly from the aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 6.

At this juncture, Petitioner proposes to construct an accessory building in the rear of the subject property for use as storage for Petitioner's collection of antique and classic cars, as well as other "muscle" cars, and as an area for the renovation, rehabilitation and maintenance of the collection. The proposed building would have a footprint consisting of 5,040 square feet with a height of 38 feet. Additional testimony and evidence offered revealed that Petitioner has been collecting and renovating cars since the age of 12, with a proclivity for Ford cars from the 1960's to 70's "muscle" car era. He explained that he desires to construct a building to house this collection and to provide a working space for the maintenance, renovation and display for these automobiles that would mesh with the surrounding area. The proposed structure would have two-floors with the first floor in tongue and groove, completely open and used as the main space

ORDER RECEIVED FOR FILING

Date 8-12-10

2

By pm

to maintain, display and store the car collection. The second floor is intended for the storage of automobile parts and accessories, display of memorabilia, and a play area for Petitioner's family. Petitioner acknowledged and agreed that the building, if approved, would not be used as a residence or for any part of his commercial refrigeration company, which has its office several miles away. Further testimony indicated that the building is carefully designed to resemble a barn-like structure cohesive with the agricultural characteristics of the Kingsville area. Petitioner explained that this desire to mesh with the surroundings necessitated creating an extremely pitched roof in order to achieve a barn effect. Moreover, the structure is designed to minimize the visual effects, if any, that it may cause by creating a building that is narrow. Elevation drawings of the proposed structure were marked and accepted into evidence as Petitioner's Exhibit 5. Testimony also revealed that Petitioner does not plan on adding any paving or other impervious surface to provide access to the accessory structure. The surrounding neighbors have approved of the proposed structure and a document containing the signatures of these neighbors indicating such approval was marked and accepted into evidence as Petitioner's Exhibit 8.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. Comments received from the Office of Planning dated June 29, 2010, recommend that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes. Additionally, it was indicated that the architecture should be compatible with the architecture and materials of the existing dwelling and that building elevations should be submitted for review and approval prior to the application for building permit. Comments were also received from the Department of Environmental Protection and Resource Management

ORDER RECEIVED FOR FILING

Date 8-12-10

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By PM

dated June 28, 2010, which indicates that any proposed buildings (permits) would be reviewed by Groundwater Management.

Considering all the testimony and evidence presented, I am persuaded to grant the variance and special hearing relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Specifically, the agricultural character of the subject and adjacent properties and the irregular shape of the parcel, combine to render the property unique in a zoning sense. With the property surrounded by open fields, creating a structure that meshes with the rural atmosphere is necessary and drives the need for the height variance. Further, I find that strict compliance with the Zoning Regulations would result in a denial of a reasonable and sufficient use of the property and would create an unreasonable hardship and practical difficulty. The design of the proposed accessory structure supplements the rural character of the neighborhood and would have minimal impact on the surrounding community. Thus, I find this variance request can be granted in strict harmony with the spirit and intent of Section 307.1 of the B.C.Z.R., as interpreted in *Cromwell v. Ward* 102 Md. App. 691 (1995), and in such a manner as to grant relief without injury to the public health, safety and general welfare. In addition I find that the request for special hearing both appropriate and reasonable and therefore grant the requested relief. In my judgment, although the footprint of the accessory structure will be larger than the footprint of the principal dwelling, it will certainly not overwhelm the property or the dwelling, and will be subordinate in use to the principal dwelling. Moreover, the accessory structure will be located far enough away from surrounding properties on this large tract of land so as not to crowd the land, nor cause a detriment to the surrounding community. However, the Petitioner is prohibited from implementing the infrastructure necessary to maintain a full bathroom (shower or tub facilities)

ORDER RECEIVED FOR FILING

Date 8-12-10

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By pm

within the proposed accessory structure, but I will permit a half-bathroom with a utility sink for Petitioner's convenience, since the structure will be located almost 200 feet from the principal dwelling.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 12th day of August, 2010 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an accessory building (garage, shop and storage building) with a footprint area (5,040 square feet) larger than the footprint area (3,115 square feet) of the principal building be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioners' request for Variance from Section 400.3 of the B.C.Z.R. to permit an accessory building (garage, shop and storage building) with a height of 38 feet in lieu of the permitted 15 feet be and is hereby **GRANTED**.

The relief granted herein is subject to the following:

1. Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners or subsequent owners shall not convert the accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, or kitchen facilities, nor have the infrastructure necessary to accommodate a full bathroom; only a half-bath with a utility sink and toilet may exist.
3. The accessory structure shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

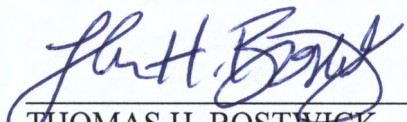
Date 8-12-10

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By PM

4. Building elevations shall be submitted to the Office of Planning for review and approval prior to the application for building permit.
5. It is expressly agreed and understood by Petitioners that the subject two-story garage accessory structure shall indeed be utilized as an accessory building or structure as that term is defined in Section 101 of the B.C.Z.R. The accessory structure shown on Petitioners' Exhibit 1 site plan shall be limited to uses incident and subordinate to the residential use of the property and the existing single-family dwelling thereon. When applying for a building permit, the site plan filed must reference this case and set forth and address the conditions and restrictions of this Order.
6. To assure the current and future use of the subject property, Petitioners will, within sixty (60) days of the date hereof, record in the Land Records of Baltimore County a Covenant to the Deed for their property (in the form attached) expressly conditioning the use of the property.
7. Said Covenant shall contain the proviso that the subject two-story garage accessory structure shown on Petitioners' Exhibit 1 site plan shall be limited to uses incident and subordinate to the residential use of the property and the existing single-family dwelling thereon, and shall not be converted to a dwelling unit or apartment, shall not contain any sleeping quarters, living area, kitchen or full bathroom (shower or tub) facilities, and shall not be used for any commercial purposes.
8. The decision in this case is not a legal precedent that may be cited as such in any other zoning case involving a residential garage accessory structure.
9. Upon request and reasonable notice, the Petitioners shall permit a representative of the Baltimore County Division of Code Inspections and Enforcement to make periodic inspections of the subject property to ensure compliance with this Order.

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

ORDER RECEIVED FOR FILING

Date 8-12-10

By PJ 6

COVENANT TO THE DEED

Whereas, in a Petition for Special Hearing and Variance before the Deputy Zoning Commissioner for Baltimore County, Case No. 2010-0344-SPHA, Henry C. Smith III and Tanja M. Smith, the Petitioners, requested a Special Hearing to permit an accessory building (garage, shop and storage building) with a footprint area (5,040 square feet) larger than the footprint area (3,115 square feet) of the principal building, and a Variance to permit an accessory building (garage, shop and storage building) with a height of 38 feet in lieu of the permitted 15 feet. The Deputy Zoning Commissioner, by Order dated the 12th day of August, 2010, granted the Variance, providing the following Covenant be added to their Deed, which Deed was recorded in the Land Records of Baltimore County, at Liber _____, Folio _____.

Henry and Tanja Smith, and subsequent owners, hereby covenant that the accessory structure shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or full bathroom (shower or tub), and not be used for commercial purposes. It is expressly agreed and understood by Petitioners that the subject two-story garage accessory structure shall indeed be built and utilized as an accessory building or structure as that term is defined in Section 101 of the Baltimore County Zoning Regulations. The accessory structure shown on Petitioners' Exhibit 1 site plan shall be limited to uses incident and subordinate to the residential use of the property and the existing single-family dwelling thereon. Said property is subject to all terms and conditions contained in the Order issued in Case No. 2010-0344-SPHA.

ORDER RECEIVED FOR FILING

Date 8-12-10

By pm

As witness our hands and seals this _____ day of _____, 2010.

_____(SEAL)
Henry C. Smith III

_____(SEAL)
Tanja M. Smith

State of Maryland)
County of Baltimore)

To wit:

I HEREBY CERTIFY THAT ON THIS _____ day of _____, 2010, before me a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Henry C. Smith III and Tanja M. Smith, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument, and acknowledge that they executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal:

NOTARY PUBLIC

My Commission Expires: _____

ORDER RECEIVED FOR FILING

Date _____ 8-12-10

By _____ PM



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 11, 2010

HENRY C. SMITH, III AND TANJA M. SMITH
11100 CEDAR LANE
KINGSVILLE MD 21087

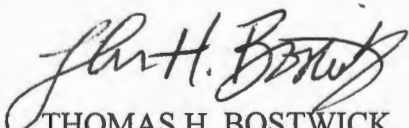
Re: Petition for Special Hearing and Variance
Case No. 2010-0344-SPHA
Property: 11100 Cedar Lane

Dear Mr. and Mrs. Smith:

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

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

Very truly yours,


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11100 CEDAR LANE
which is presently zoned RC5

(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

SEE ATTACHED

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Date 8-12-10
City _____ BY [Signature] State _____ Zip Code _____

Legal Owner(s):

HENRY C. SMITH, 3RD
Name - Type or Print _____
Signature [Signature] _____
TANJA M. SMITH
Name - Type or Print _____
Signature [Signature] _____
11100 CEDAR LANE (443) 324-4798
Address _____ Telephone No. _____
KINGSVILLE MD. 21087
City _____ State _____ Zip Code _____

Representative to be Contacted:

DAVID BILLINGSLEY
Name _____
CENTRAL DRAFTING & DESIGN, INC.
Address _____ Telephone No. _____
601 CHARWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD. 21040
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2010-0344 SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 6-9-10

AN ACCESSORY BUILDING (GARAGE, SHOP AND STORAGE
BUILDING) WITH A FOOTPRINT AREA (5040 SQUARE FEET)
LARGER THAN THE FOOTPRINT AREA (3115 SQUARE FEET)
OF THE PRINCIPAL BUILDING



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 11100 CEDAR LANE
which is presently zoned RC 5

Deed Reference: 20097 1 611 Tax Account # 2309009582

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

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

HENRY C. SMITH, 3 RD
Name - Type or Print _____
Signature Henry C Smith III _____
TANJA M. SMITH
Name - Type or Print _____
Signature Tanja M Smith _____

11100 CEDAR LANE (443) 324-4798
Address _____ Telephone No. _____
KINGSVILLE MD 21087
City _____ State _____ Zip Code _____

Representative to be Contacted:

DAVID BILLINGSLEY
Name CENTRAL DRAFTING & DESIGN, INC.
601 CHARYWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD. 21040
City _____ State _____ Zip Code _____

Case No. 2010-0344-SAMA

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____
Reviewed by [Signature] Date 6.9.10

SECTION 400.3 (BCZR) TO PERMIT AN ACCESSORY BUILDING
(GARAGE, SHOP & STORAGE BUILDING) WITH A HEIGHT OF 38
FEET IN LIEU OF THE PERMITTED 15 FEET.

ZONING DESCRIPTION

11100 CEDAR LANE

Beginning at a point on the west side of Cedar Lane (50 feet wide) distant southerly 1412 feet from it's intersection with the center of Towood Road (50 feet wide), thence being all of Lot 5 as shown on the plat entitled Nanjemoy Lea recorded among the Baltimore County plat records in Plat Book 72 Folio 124.

Containing 4.9703 acres, more or less.

Being known as 11100 Cedar Lane. Located in the 11TH Election District, 3RD Councilmanic District of Baltimore County, Md.

**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: 2010-0344-SPHA
Petitioner: HENRY C SMITH, 3RD
Address or Location: 11100 CEDAR LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: HENRY C. SMITH 3RD
Address: 11100 CEDAR LANE
KINGSVILLE, MD. 21087

Telephone Number: (443) 324-4798

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

No. **55938**

Date: **6.9.10**

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS	Acct	Amount
				Source/	Rev/					
001	806	0000		0150						130.00

Total: **130.00**

Rec From: **2010-0344-SPHA**

For: **H. SMITH**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

WEDNESDAY JUN 9 2010
 10:00 AM
 BALTIMORE COUNTY, MD
 RECEIVED
 \$130.00
 H. SMITH
 2010-0344-SPHA

**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: # 2010-0344-SPHA

11100 Cedar Lane

W/of Cedar Lane, 1412 feet +/- from the centerline of Towood Road

11th Election District — 3rd Councilmanic District

Legal Owner(s): Henry & Tanja Smith

Special Hearing: for an accessory building (garage, shop & storage building) with a footprint area (5040 square feet) larger than the footprint area (3115 square feet) of the principal building. **Variance:** to permit an accessory building (garage, shop & storage building) with a height of 38 feet in lieu of the permitted 15 feet.

Hearing: Monday, August 9, 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 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.

7/5/13 July 22

248048

CERTIFICATE OF PUBLICATION

7/22/, 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 7/22/, 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 2010-0344 SPHA

Petitioner/Developer DAVE
BILLINGSLEY

Date Of Hearing/Closing: 8/9/10

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 11100 CEDAR LANE

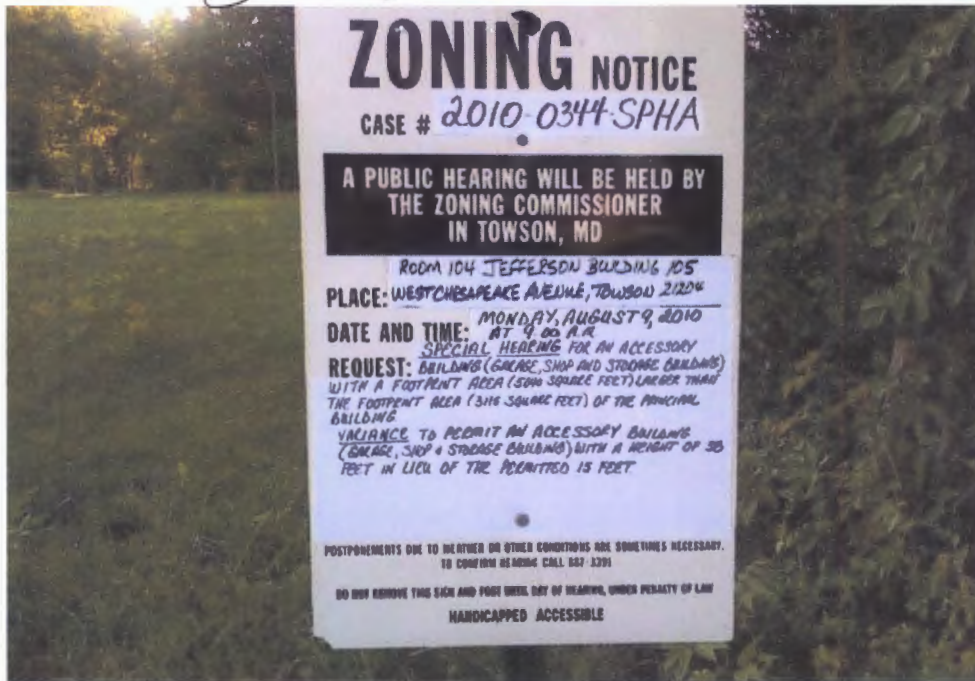
This sign(s) were posted on July 24, 2010
Month, Day, Year

Sincerely,

Martin Ogle 7/24/10
Signature of Sign Poster and Date

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

myalulife 4/10



ZONING NOTICE

CASE # 2010-0344-SPHA

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

ROOM 104 JEFFERSON BUILDING 105

PLACE: WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: MONDAY, AUGUST 9, 2010
AT 4:00 P.M.

SPECIAL HEARING FOR AN ACCESSORY
BUILDING (GARAGE, SHOP AND STORAGE BUILDING)
WITH A FOOTPRINT AREA (SQ. FEET) LARGER THAN
THE FOOTPRINT AREA (316 SQ. FEET) OF THE MAIN
BUILDING

VARIANCE TO PERMIT AN ACCESSORY BUILDING
(GARAGE, SHOP & STORAGE BUILDING) WITH A HEIGHT OF 35
FEET IN LIEU OF THE PERMITTED 15 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 410-327-3291

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 22, 2010 Issue - Jeffersonian

Please forward billing to:
Henry Smith
11100 Cedar Lane
Kingsville, MD 21087

443-324-4798

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: 2010-0344-SPHA

11100 Cedar Lane

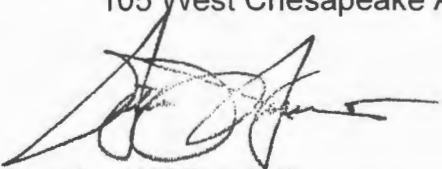
W/of Cedar lane, 1412 feet +/- from the centerline of Towood Road

11th Election District – 3rd Councilmanic District

Legal Owners: Henry & Tanja Smith

Special Hearing for an accessory building (garage, shop and storage building) with a footprint area (5040 square feet) larger than the footprint area (3115 square feet) of the principal building. Variance to permit an accessory building (garage, shop & storage building) with a height of 38 feet in lieu of the permitted 15 feet.

Hearing: Monday, August 9, 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

June 16, 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: 2010-0344-SPHA

11100 Cedar Lane

W/of Cedar lane, 1412 feet +/- from the centerline of Towood Road

11th Election District – 3rd Councilmanic District

Legal Owners: Henry & Tanja Smith

Special Hearing for an accessory building (garage, shop and storage building) with a footprint area (5040 square feet) larger than the footprint area (3115 square feet) of the principal building. Variance to permit an accessory building (garage, shop & storage building) with a height of 38 feet in lieu of the permitted 15 feet.

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

Timothy Kotroco
Director

TK:kl

C: Mr. & Mrs. Smith, 11100 Cedar Lane, Kingsville 21087
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 24, 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 4, 2010

Henry & Tanja Smith
11100 Cedar Ln.
Kingsville, MD 21087

Dear: Henry & Tanja Smith

RE: Case Number 2010-0344-SPHA, 11100 Cedar Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 9, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
David Billingsley: Central Drafting & Design, Inc.; 601 Charwood Ct.; Edgewood, MD 21040

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 28, 2010
Item Nos. 2010- 310, 338, 339, 340,
342, 343, and 344

DATE: June 17, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06282010 -NO COMMENTS.doc

TB 8/9 am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 29 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 28, 2010

SUBJECT: Zoning Item # 10-344-SPHA
Address 11100 Cedar Lane
(Smith Property)

Zoning Advisory Committee Meeting of June 14, 2010.

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

Any proposed buildings (permits) will be reviewed by Groundwater Mgmt.

Reviewer: Dan Esser

Date: 6/15/10

TB 8/9 9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 29, 2010

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

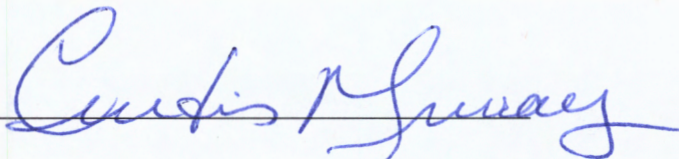
SUBJECT: 10-344 -Variance and Special Hearing

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a footprint area of 5,040 square feet, which is larger than the footprint area of the principal building at 3,115 square feet. The petitioner also requests a variance from Section 400.3 of the BCZR to permit an accessory building (garage, shop, and storage building) with a height of 38 feet in lieu of the permitted 15 feet provided the following conditions are met:

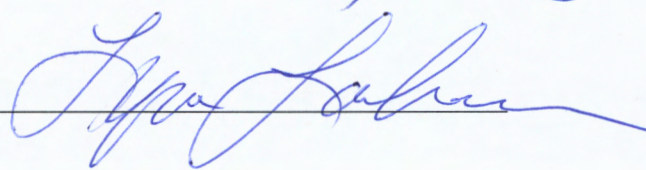
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.
3. The architecture shall be compatible with the architecture and materials of the existing dwelling.
4. The Office of Planning also requests that building elevations be submitted for review and approval prior to the application for building permit.

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

Prepared by:



Division Chief:
AFK/LL: CM



RECEIVED

JUL 01 2010

ZONING COMMISSIONER



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-18-2010

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

RE: Baltimore County
Item No. 2010-0344-SPHA
11100 CEDAR LANE
SMITH PROPERTY
SPECIAL HEARING -
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. 2010-0344-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,

A handwritten signature in dark ink, appearing to read "Michael P. Bailey".

Fo² 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
11100 Cedar Lane; W of Cedar Lane, 1412'	*	ZONING COMMISSIONER
c/line Towood Road		
11 th Election & 3 rd Councilmanic Districts	*	FOR
Legal Owner(s): Henry & Tanja Smith		
Petitioner(s)	*	BALTIMORE COUNTY
	*	10-344-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.

RECEIVED

JUN 23 2010

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 2010, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>6-17-10</u>	DEVELOPMENT PLANS REVIEW	<u>nc</u>
<u>6-28-10</u>	DEPRM (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>6-29-10</u>	PLANNING (if not received, date e-mail sent _____)	<u>Conditions</u>
<u>6-18-10</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	<u>-</u>
_____	ADJACENT PROPERTY OWNERS	<u>.</u>
ZONING VIOLATION	(Case No. <u> </u>)	
PRIOR ZONING	(Case No. <u> </u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>7-22-10</u>	
SIGN POSTING	Date: <u>7-24-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



CASE NAME 11100 CEDAR LANE
CASE NUMBER 2010-0344 SPHA
DATE 8/9/10

CASE NUMBER 2010-0344 SPHA

DATE 8/9/10

[illegible]

PETITIONER'S EXHIBITS

**CASE NO. 2010-0344-SPHA
11100 CEDAR LANE**

- 1. PLAT TO ACCOMPANY PETITION DATED MAY 27, 2010 (NO CHANGES)**
- 2. SDAT REAL PROPERTY DATA SEARCH**
- 3. DEED OF RECORD**
- 4. PLAT OF NANJEMOY P.B. 72 F. 124 RECORDED MAY 2, 2000**
- 5. BUILDING ELEVATIONS**
- 6. AERIAL PHOTO**
- 7. SITE PHOTOS**
- 8. NEIGHBORS SIGNATURES OF APPROVAL**



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

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

Account Identifier: District - 11 Account Number - 2300009582

Owner Information

Owner Name:	SMITH HENRY C,3RD SMITH TANYA M	Use:	RESIDENTIAL
Mailing Address:	11100 CEDAR LN KINGSVILLE MD 21087-1730	Principal Residence:	YES
		Deed Reference:	1) /20097/ 611 2)

Location & Structure Information

Premises Address	Legal Description
11100 CEDAR LN	4.9703 AC 11100 CEDAR LN SWS NANJEMOY LEA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
64	13	128					5	3	Plat Ref: 72/ 124

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2003	5,492 SF	4.97 AC	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	209,550	209,550		
Improvements:	715,880	641,120		
Total:	925,430	850,670	850,670	850,670
Preferential Land:	0	0	0	0

Transfer Information

Seller: SMITH HENRY C,3RD/SMITH TANJA M	Date: 05/21/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /20097/ 611	Deed2:
Seller: GOEDEKE LOIS A/L EDWARD TRUSTEES	Date: 02/25/2003	Price: \$250,000
Type: NOT ARMS-LENGTH	Deed1: /17585/ 105	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 *

PETITIONER'S

EXHIBIT NO.

2

DEED

File No. 024915A

Tax Account No. 11/2300009582

THIS DEED, Made this 13 day of April, 2004, by and between Henry C. Smith, III and Tanja M. Smith; and Henry C. Smith, Jr., parties of the first part, and Henry C. Smith, III and Tanja M. Smith, parties of the second part.

WITNESSETH, that in consideration of the sum of (\$0.00) DOLLARS; and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part, do grant and convey unto the parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that property situate in Baltimore County, State of Maryland, described as follows, that is to say:

BEING KNOWN AND DESIGNATED AS lot No. 5 as shown on a Plat entitled, "Final Subdivision, Nanjemoy Lea", which Plat is recorded among the Land Records of Baltimore County in Plat Book SM 72 folio 124.

Being all that lot of ground in a Deed dated 1/3/04 and recorded among the Land Records of Baltimore County in Liber 17585 folio 105, was granted and conveyed by Lois A. Goedeke and L. Edward Goedeke, Trustee of the Lois A. Goedeke Revocable Living Trust and L. Edward Goedeke and Lois A. Goedeke, trustee of the L. Edward Goedeke Revocable Living Trust unto Henry C. Smith, III, Tanja M. Smith and Henry C. Smith, Jr., the herein Grantors.

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

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

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

Pursuant to the Annotated Code of Maryland, tax property Article, Sections 12-108(c)(1) and 13-207(a)(3), the transfer of the above mentioned property is exempt from recordation

PETITIONER'S

EXHIBIT NO. 3

Baltimore County - My Neighborhood



PETITIONER'S

EXHIBIT NO.

6



7a



7b



7c



7d

TO: WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PROPOSED GARAGE ACCESSORY STRUCTURE
PROPERTY OF HENRY AND TANJA SMITH
11100 CEDAR LANE
KINGSVILLE, MD

WE, THE UNDERSIGNED, HAVE REVIEWED THE PETITIONER'S REQUEST TO
CONSTRUCT A 90 FOOT BY 56 FOOT TWO STORY GARAGE STRUCTURE WITH A
HEIGHT OF 38 FEET AND HAVE NO OBJECTION TO THE CONSTRUCTION OF SAME.

James J. Fisher 11101 Cedar Lane
NAME Kingsville, MD 21087 ADDRESS

Karl Schaner 11106 Cedar Lane
NAME Kingville Md 21087 ADDRESS

Richard J. ... 11200 CEDAR LANE
NAME KINGSVILLE MD. 21087 ADDRESS

Joseph A. ... & Janice 11202 Cedar Lane
NAME Joseph A. MARTIN ADDRESS
Janice A. MARTIN

Joseph E. Staszewski 11203 Cedar Lane
NAME ADDRESS

PETITIONER'S

EXHIBIT NO. 8

TO: WILLIAM J. WISEMAN, III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PROPOSED GARAGE ACCESSORY STRUCTURE
PROPERTY OF HENRY AND TANJA SMITH
11100 CEDAR LANE
KINGSVILLE, MD

WE, THE UNDERSIGNED, HAVE REVIEWED THE PETITIONER'S REQUEST TO
CONSTRUCT A 90 FOOT BY 56 FOOT TWO STORY GARAGE STRUCTURE WITH A
HEIGHT OF 38 FEET AND HAVE NO OBJECTION TO THE CONSTRUCTION OF SAME.

Thomas Armstrong 7309 Mt. Vista Rd Kingsville 210

NAME

ADDRESS

Tanara Dawson 11213 Cedar Lane Kingsville, MD 21087

NAME

ADDRESS

Scott A. Smith 11210 CEDAR LANE Kingsville MD 21087

NAME

ADDRESS

Eurice Joseph 11101 Towood Rd Kingsville, MD 21087

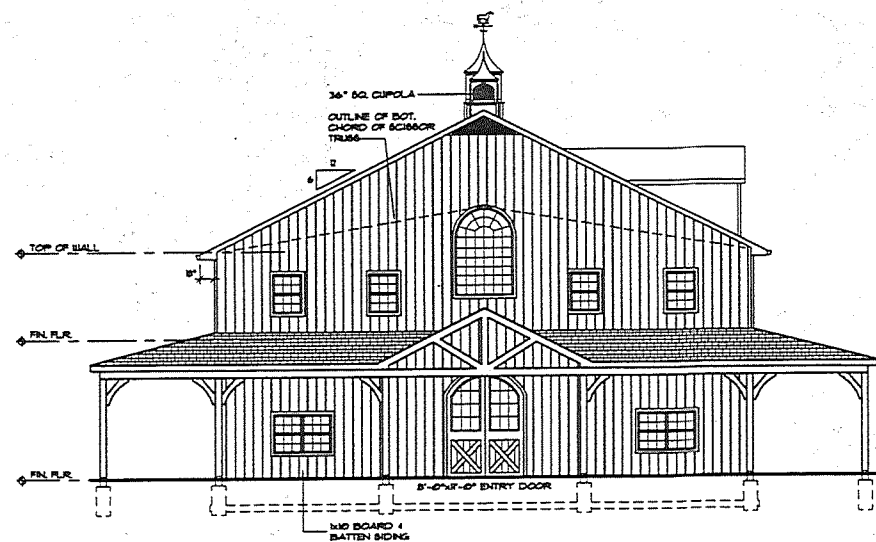
NAME

ADDRESS

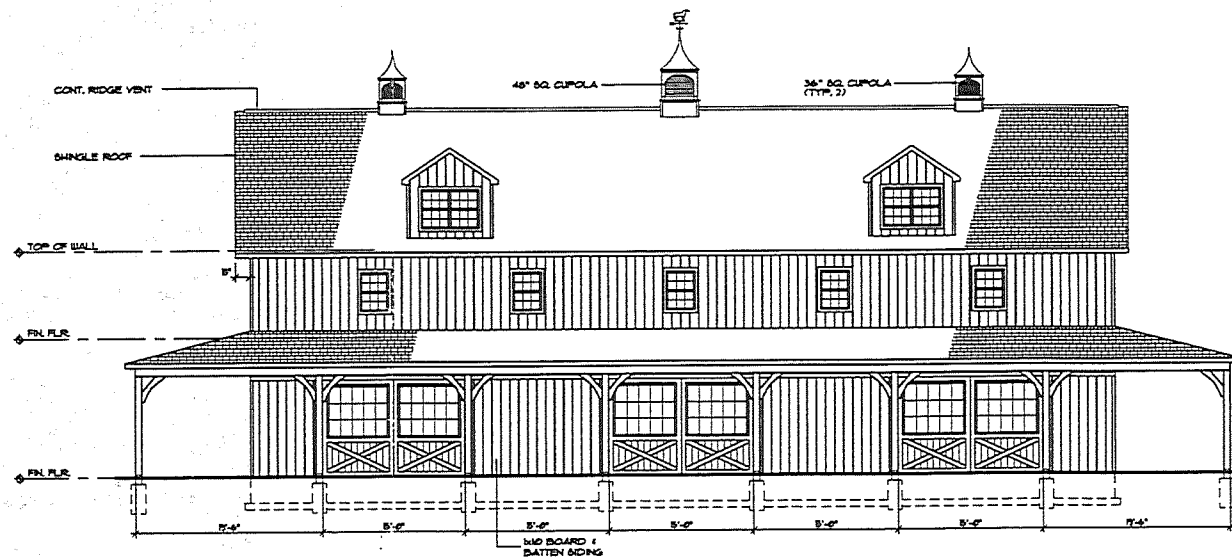
[Signature] 11401 Towood Rd Kingsville MD 21087

NAME

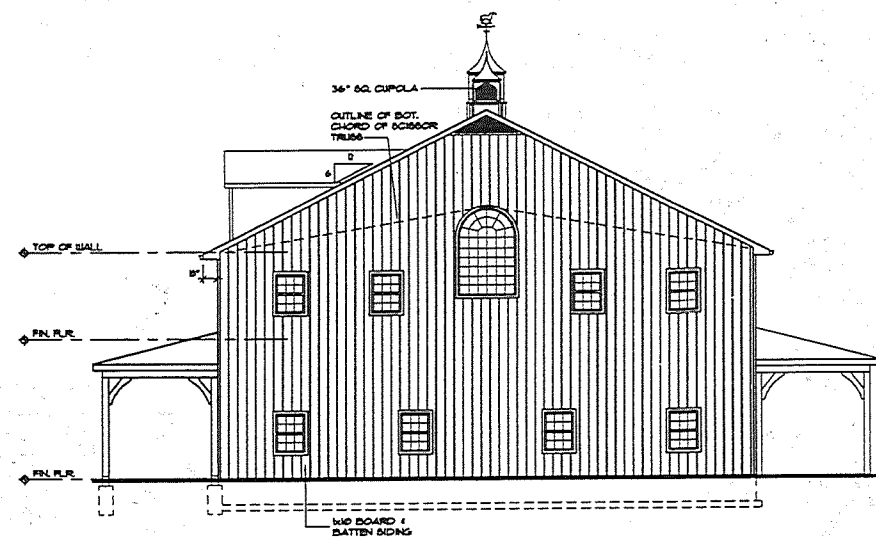
ADDRESS



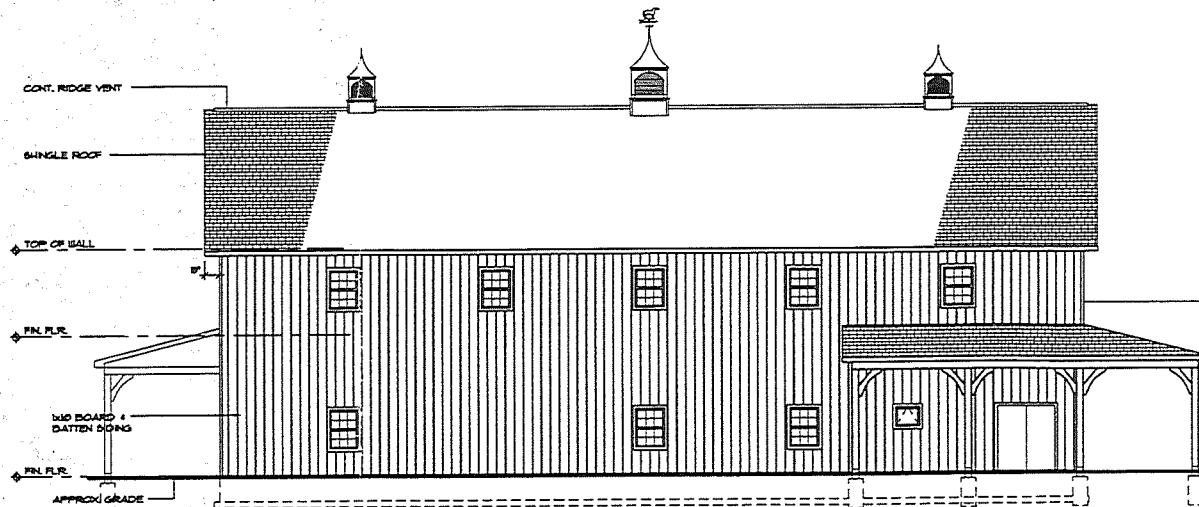
1 FRONT ELEVATION
A2 SCALE: 1/8" = 1'-0"



2 RIGHT SIDE ELEV.
A2 SCALE: 1/8" = 1'-0"



3 REAR ELEVATION
A2 SCALE: 1/8" = 1'-0"



4 LEFT SIDE ELEV.
A2 SCALE: 1/8" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION

FILE INFO.	
CONTRACTOR	B&D BUILDERS 14 N. Ronks Road Ronks, Pa. 17572 DAN- (610) 637-0971 / BEN - (717) 278-4127
Architects	Engel 1854 Lincoln Highway East Lancaster, PA 17602 (717) 392-0021, fax 392-7140
RES. GARAGE FOR	HENRY SMITH 11100 Cedar Lane Kingsville, MD 21087
MD. PROFESSIONAL CERTIFICATION: I, HENRY SMITH, CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR SUPERVISED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE 19741, EXP. DATE 11/16/2011 SEAL	
THIS DRAWING IS THE PROPERTY OF ENGEL ARCHITECTS. IT MAY NOT BE REPRODUCED IN ANY FORM WITHOUT THEIR PERMISSION. DO NOT SCALE DRAWING. CONTRACTOR SHALL VERIFY ALL CONDITIONS IN DIMENSIONS ON SITE PRIOR TO PROCEEDING WITH THE WORK.	
PROJECT NO. 020358	
MANAGED BY D. KULLINA	
DRAWN BY R. BIEDY	
REVISIONS	
DATE JANUARY 4, 2010	
DRAWING TITLE EXTER. ELEVATIONS	
SHEET NO. A.2	

PETITIONER'S
EXHIBIT NO. 5

10/20/99 10:00 AM 10/20/99 10:00 AM

- NOTES
1. HIGHWAYS AND HIGHWAY WIDTHS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, DRIVEWAY AREAS IN FEE OR EASEMENT, AND STORM WATER MANAGEMENT AREAS, NO WATER NOW EXISTING, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, BY SIGNING THIS RECORD PLAT, AGREES TO CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST, UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY. THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, THE RIGHT TO ENTER UPON THE PROPERTY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORM WATER MANAGEMENT POND AND FACILITIES.
 2. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 26-216.
 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 OFFICE OF PERMITS & DEVELOPMENT MANAGEMENT AND THE DEPARTMENT OF PUBLIC WORKS.
 6. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, POND, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
 7. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
 8. THE PLAT FOR THE PROPERTY ON THIS PLAT WAS APPROVED ON JULY 27, 1998.
 9. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULTS OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTING TO THESE RESTRICTIONS MAY APPLY, BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING.
 10. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
 11. ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
 12. SOIL PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE THE RECORD PLAT IS FILED BY THE DIRECTOR OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. AT THE EXPIRATION OF THIS PERIOD NEW TESTS MAY BE REQUIRED.
 13. THIS SITE IS LOCATED IN THE WHITE MARSH SUBWATERSHED. THIS SITE IS LOCATED IN THE BIG GAP/POWDER FALLS/LOWER POWDER INTERSECTOR.
 14. ACCESS TO THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHALL BE FROM MOUNT VISTA ROAD.
 15. THE ROADS AND STORM DRAINS AS LAID OUT ON THIS PLAT HAVE BEEN DESIGNED BY A PROFESSIONAL ENGINEER, TORRENCE W. PIERCE, NO. PE NO. 17299.

FLOOD PLAIN
6.0369 Acres ±

COURSE	BEARING	DISTANCE
CD1	N 87°12'15"W	93.11'
CD2	N 55°11'31"W	236.49'
CD3	N 20°20'25"W	75.68'
CD4	N 11°09'27"E	26.29'
CD5	N 25°04'02"E	54.08'
CD6	N 59°01'45"W	60.10'
CD7	N 82°52'32"W	164.32'
CD8	N 86°34'43"W	142.70'
CD9	S 72°21'32"W	114.15'
CD10	S 12°44'28"W	133.21'
CD11	N 88°22'30"W	153.27'
CD12	N 64°17'49"W	58.10'
CD13	N 30°35'19"W	18.42'
CD14	N 64°12'19"W	61.31'
CD15	N 24°38'51"E	142.35'
CD16	N 52°21'25"E	81.03'
CD17	N 61°14'43"E	143.66'
CD18	S 80°19'24"E	106.26'
CD19	S 58°17'43"E	295.09'
CD20	S 78°24'14"E	63.64'
CD21	N 58°20'44"E	38.53'
CD22	N 13°39'55"W	71.35'
CD23	N 33°20'17"E	22.78'
CD24	S 58°16'35"E	241.35'
CD25	S 47°23'11"E	110.45'
CD26	S 24°23'37"E	84.00'
CD27	S 42°06'44"E	64.26'
CD28	S 74°08'27"E	57.67'
CD29	N 78°58'22"E	56.88'
CD30	S 59°20'47"E	66.15'
CD31	S 25°57'48"W	175.95'

AS TO 100 YEAR FLOOD PLAIN EASEMENT ONLY

STATE OF MARYLAND
TO THE USE OF
THE DEPARTMENT OF
FORESTS AND PARKS
4701-261

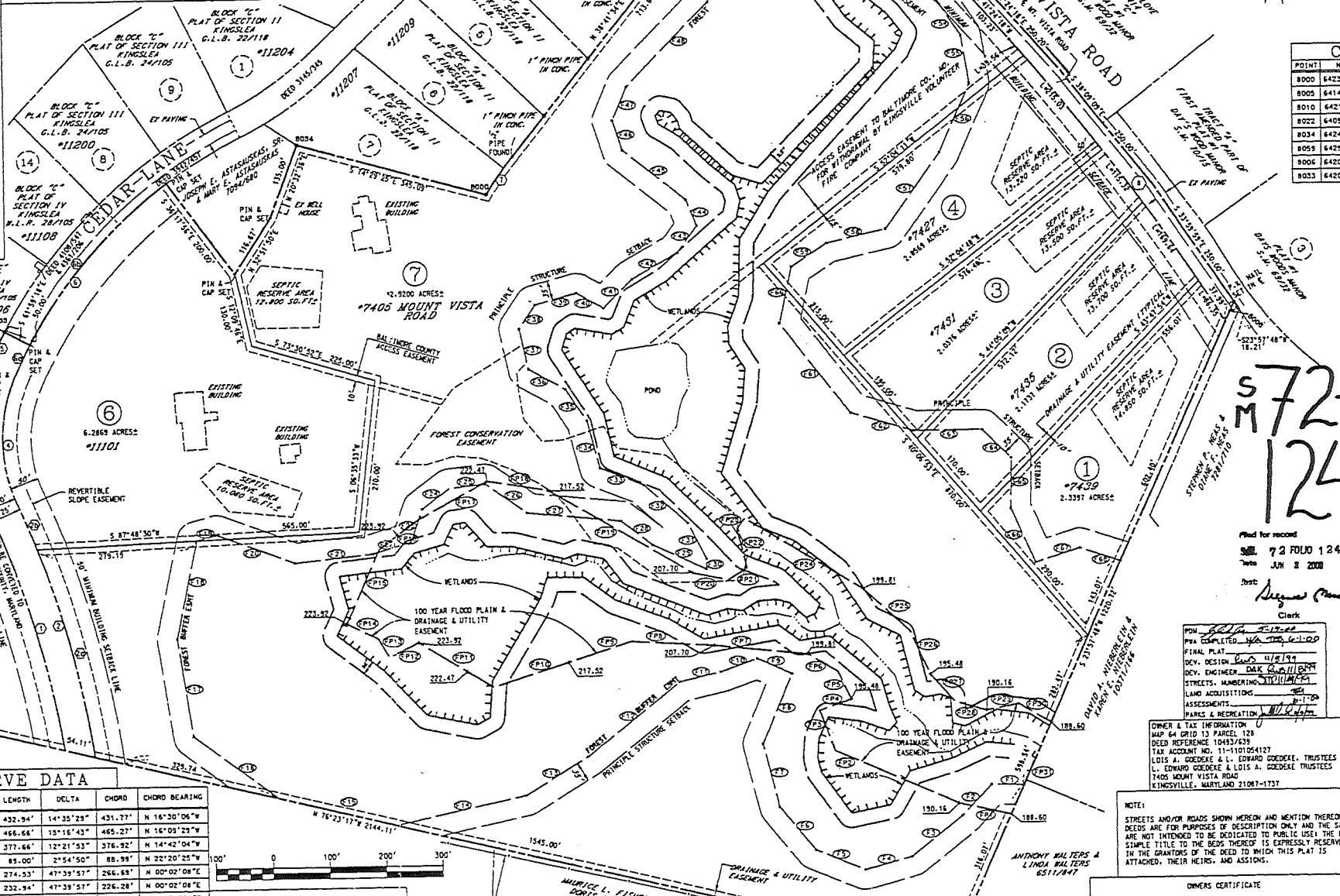
GILBERT J. BOESCHERT &
ALTA M. BOESCHERT
ATTORNEYS

APPROVED: *[Signature]* 5-12-00
DIR. DEPT. OF ENVIRONMENTAL PROTECTION AND
RESOURCE MANAGEMENT
DATE

[Signature] 6-1-00
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT
DATE

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE
THE APPROVED FINAL DEVELOPMENT PLAN, DATE 1/4/93, AND PREPARED
WITH DUE DILIGENCE THIS RECORD PLAT, PURSUANT TO THAT APPROVED
FINAL DEVELOPMENT PLAN.
VINCENT X. MOORE
REGISTERED PROPERTY LINE SURVEYOR #008
DATE 10/22/99

ALL REQUIREMENTS OF THE MARYLAND
STATE DEPARTMENT OF THE ENVIRONMENT
AND BALTIMORE COUNTY DEPARTMENT
OF ENVIRONMENTAL PROTECTION AND
RESOURCE MANAGEMENT PERTAINING
TO PRIVATE WATER AND/OR SEWERAGE
SYSTEMS MUST BE COMPLIED WITH PRIOR
TO APPROVAL OF BUILDING APPLICATIONS.



CURVE DATA

COURSE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CHORD BEARING
1	1700.00'	217.65'	432.94'	14°35'25"	431.77'	N 16°20'06"W
2	1750.00'	234.72'	466.66'	15°16'43"	465.27'	N 16°09'23"W
3	1750.00'	189.56'	377.66'	12°21'53"	376.92'	N 14°42'04"W
4	1750.00'	44.51'	85.00'	2°54'50"	88.99'	N 22°20'25"W
5	330.00'	145.77'	274.53'	47°39'57"	266.69'	N 00°02'08"E
6	280.00'	123.69'	232.94'	47°39'57"	226.28'	N 00°02'08"E
7	881.31'	31.88'	63.73'	4°08'36"	62.72'	N 25°56'24"E
8	831.31'	221.22'	432.41'	25°48'10"	427.55'	N 38°46'11"E
9	831.31'	30.07'	60.11'	4°08'36"	60.10'	N 25°56'24"E
10	831.31'	189.32'	372.30'	25°39'35"	369.19'	N 40°50'28"E
11	650.00'	40.07'	80.03'	7°02'17"	79.98'	N 35°04'38"E

AREA TABULATION

1. TOTAL ENCLOSED AREA: 65.2956 ACRES ±
2. TOTAL NET LOT AREA: 63.5851 ACRES ±
3. TOTAL ROAD R/W AREA: 1.7105 ACRES ±

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF
MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED
THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND
THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION 1C1
OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF
MARYLAND, PARTICULARLY INsofar AS SAME CONCERN THE MAKING OF THE PLAT
AND THE SETTING OF MARKINGS.
[Signature] 10/22/99
VINCENT X. MOORE, REGISTERED PROPERTY LINE SURVEYOR #008
DATE



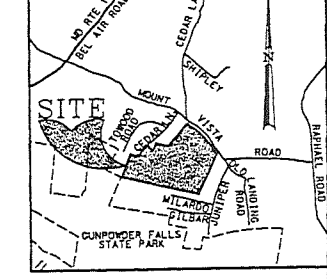
FREDERICK WARD ASSOCIATES, INC.
ENGINEERS • ARCHITECTS • SURVEYORS
P.O. BOX 727, 5 SOUTH MAIN STREET, BEL AIR, MARYLAND 21014
PHONE: (410) 879-2050 (410) 838-1900 FAX: (410) 833-1243
SCALE: 1" = 100'
DATE: 02/01/99
DRAWN BY: JMS/KS
CHECKED BY: RRJ
PROJECT NO.: 97068

FINAL SUBDIVISION
NANJEMOY LEA
COUNCILMANIC DISTRICT 5
ELEVENTH ELECTION DISTRICT
CENSUS TRACT 411102
BALTIMORE COUNTY, MARYLAND

CURVE DATA

NO.	RADIUS	ARC LENGTH	DELTA	TANGENT	LONG CHORD
1	3037.11'	625.90'	09°10'45"	313.65'	306°43'55"W
2	706.94'	195.35'	15°49'56"	38.30'	349°18'16"W
3	280.45'	113.94'	23°16'58"	51.78'	345°25'45"W

GRAD NORTH
MOUNT VISTA ROAD
CUNNINGHAM ROAD
MOUNT VISTA ROAD
CUNNINGHAM ROAD
MOUNT VISTA ROAD
CUNNINGHAM ROAD



VICINITY MAP
1"=2000'

COORDINATE LIST

POINT	NORTH	EAST	DESCRIPTION
8000	642309.6689	1475462.9635	1" PIPE IN CONC.
8005	641473.1943	1474462.9930	ROUND FENCE POST
8010	642110.5581	1474705.9488	3" PVC FILLED W/ CONC.
8022	640968.5909	1476546.8716	PIPE W/ BASE OF STUMP
8034	642401.9477	1475412.7379	PIPE IN CONC. MON.
8059	642932.0964	1476237.3289	-
8066	642084.0880	1477042.6664	1" PIPE 1" TALL
8033	642082.9006	1474892.0709	1/2" PIPE

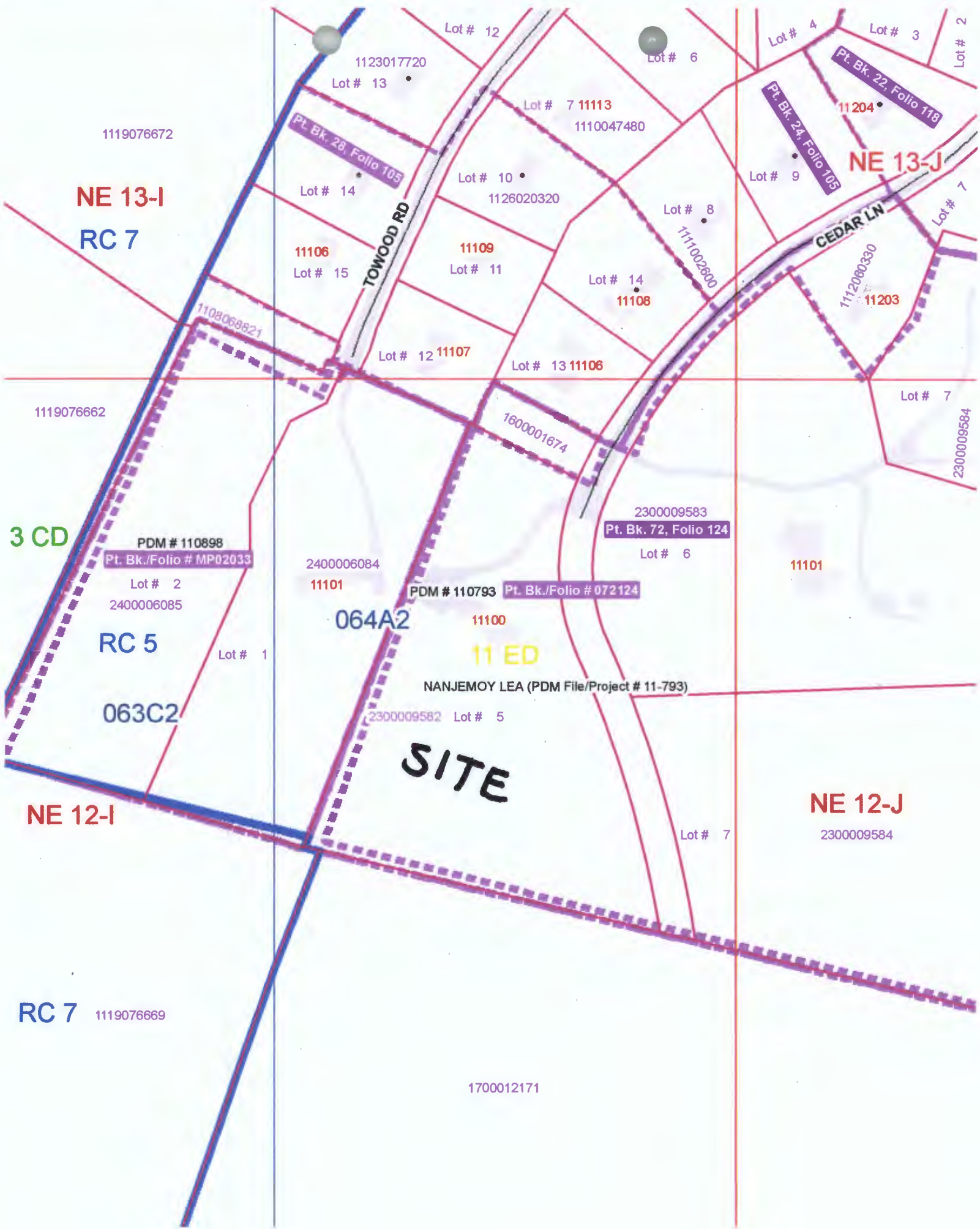
SUBDIVISION DATA

1. TOTAL NUMBER OF LOTS: 7
2. ③ - INDICATES LOT NUMBER
3. 00000 - INDICATES ADDRESS NUMBER
4. DEED REFERENCE: 10493/639
5. PRESENT ZONING: R-1

FOREST BUFFER EASEMENT
27.5307 Acres ±

COURSE	BEARING	DISTANCE
CD32	N 43°32'18"W	74.95'
CD33	S 51°47'33"E	112.90'
CD34	S 15°28'11"E	81.45'
CD35	N 67°00'13"W	93.73'
CD36	N 35°31'05"W	91.87'
CD37	N 14°02'32"E	114.03'
CD38	N 22°54'33"E	132.74'
CD39	N 65°29'07"W	65.94'
CD40	S 70°30'00"E	81.74'
CD41	S 79°14'56"W	74.22'
CD42	S 51°45'26"W	206.80'
CD43	S 58°55'16"W	129.08'
CD44	S 78°12'28"W	235.95'
CD45	N 76°23'17"W	211.74'
CD46	N 50°01'53"W	183.75'
CD47	N 08°55'44"W	173.15'
CD48	N 12°05'02"E	175.46'
CD49	N 74°46'26"E	35.88'
CD50	S 69°12'11"E	144.22'
CD51	N 84°11'36"E	138.54'
CD52	N 73°39'51"E	71.17'
CD53	N 19°41'53"E	61.34'
CD54	N 53°21'03"E	59.21'
CD55	N 63°32'57"E	62.71'
CD56	S 35°53'53"E	90.11'
CD57	S 63°59'19"E	164.72'
CD58	S 51°58'22"E	70.19'
CD59	S 65°02'32"E	104.20'
CD60	N 09°41'02"E	18.41'
CD61	N 26°43'24"E	70.44'
CD62	N 48°13'42"E	103.40'
CD63	N 67°48'49"W	85.10'
CD64	N 14°53'36"E	87.08'
CD65	N 32°59'48"W	61.42'
CD66	N 60°11'15"W	72.60'
CD67	N 13°21'04"W	72.67'
CD68	N 33°46'00"E	49.76'
CD69	N 74°56'07"E	75.38'
CD70	S 18°44'48"E	54.18'
CD71	N 45°02'15"E	71.24'
CD72	N 60°28'36"E	92.31'
CD73	N 36°13'12"E	58.34'
CD74	N 22°13'55"W	49.41'
CD75	N 51°31'15"W	141.89'
CD76	N 19°05'52"W	54.44'
CD77	N 23°53'18"E	62.11'
CD78	N 44°34'34"E	206.44'
CD79	S 25°22'17"E	232.02'
CD80	N 15°03'05"E	65.88'
CD81	N 40°45'14"E	23.13'
CD82	S 54°52'26"E	97.04'
CD83	S 36°00'33"E	66.83'
CD84	S 44°22'43"E	120.03'
CD85	S 33°53'02"E	119.95'
CD86	S 09°47'32"E	86.09'
CD87	S 24°14'56"W	131.13'
CD88	S 16°52'17"E	162.62'
CD89	S 77°14'20"W	106.02'
CD90	S 36°19'31"W	14.01'
CD91	S 37°23'13"E	101.80'
CD92	S 37°35'10"E	201.81'
CD93	S 73°02'44"E	113.67'
CD94	N 08°19'56"E	119.95'
CD95	S 45°07'58"E	111.04'
CD96	S 00°45'13"W	80.25'
CD97	S 24°06'37"E	125.19'
CD98	N 72°48'36"E	91.48'
CD99	S 31°35'55"E	74.71'

PETITIONER'S
EXHIBIT NO. 4



NE 13-I
RC 7

NE 13-J

3 CD

RC 5

063C2

064A2

11 ED

SITE

NE 12-J

NE 12-I

RC 7

NANJEMOY LEA (PDM File/Project # 11-793)

1119076672

1119076662

1119076669

1700012171

1123017720

Lot # 13

Lot # 6

Lot # 4

Lot # 3

Lot # 2

Lot # 7 11113

1110047480

11204

Pt. Bk. 22, Folio 118

Pt. Bk. 24, Folio 105

Pt. Bk. 28, Folio 105

Lot # 14

Lot # 10

1126020320

Lot # 8

Lot # 9

Lot # 7

11106

Lot # 15

11109

Lot # 11

Lot # 14

11108

CEDAR LN

1112060330

11203

Lot # 12 11107

Lot # 13 11106

Lot # 7

2300009584

1600001674

2300009583

Pt. Bk. 72, Folio 124

Lot # 6

11101

PDM # 110898

Pt. Bk./Folio # MP02033

Lot # 2

2400006085

2400006084

11101

PDM # 110793

Pt. Bk./Folio # 072124

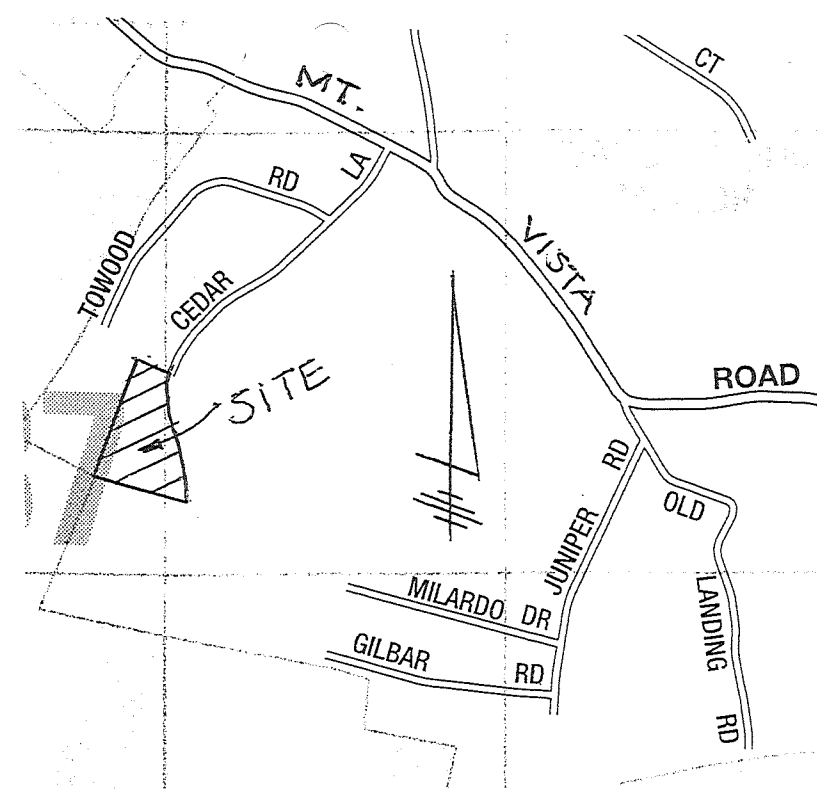
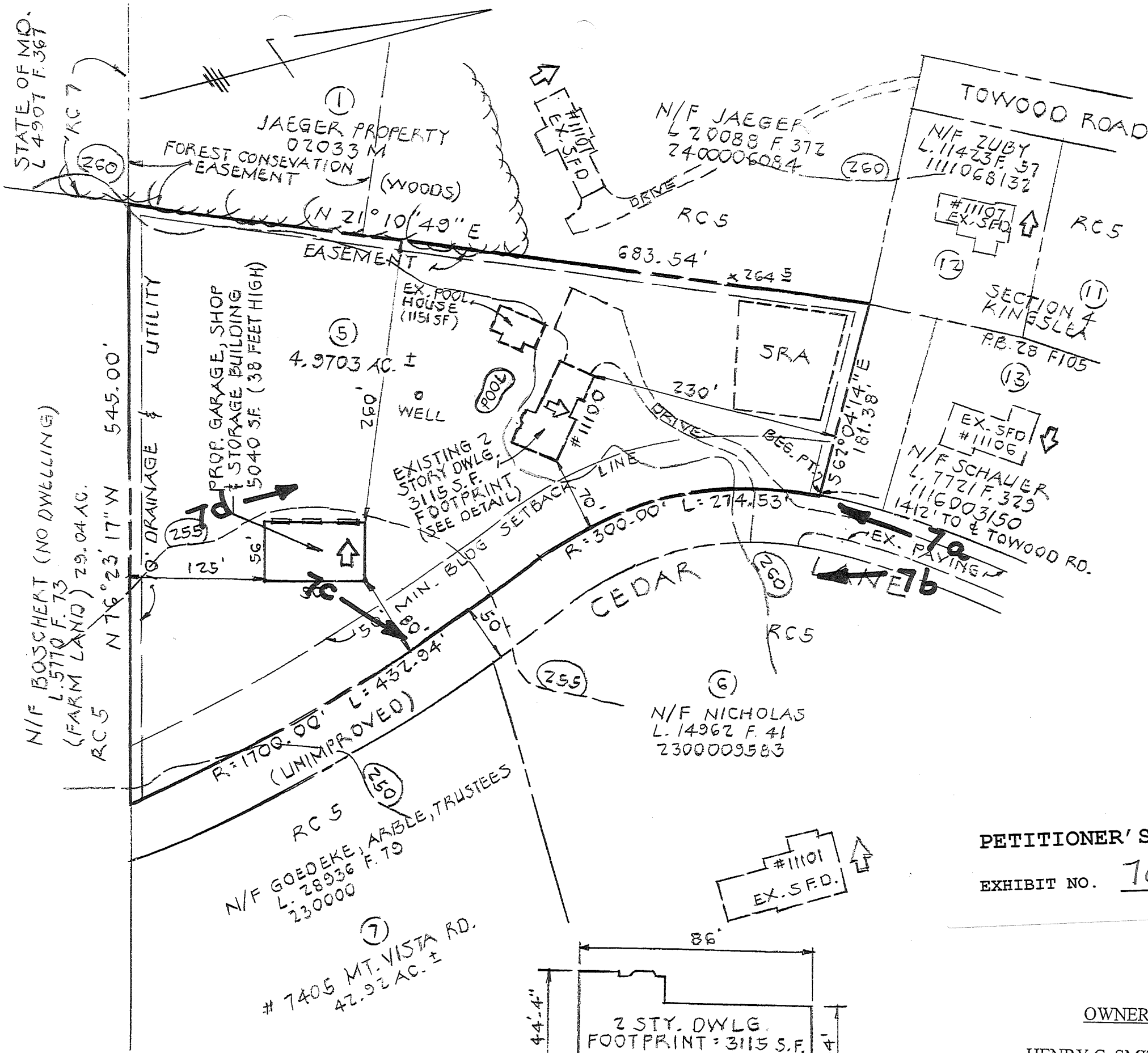
11100

Lot # 1

2300009582 Lot # 5

Lot # 7

2300009584



VICINITY MAP
SCALE 1" = 1000'

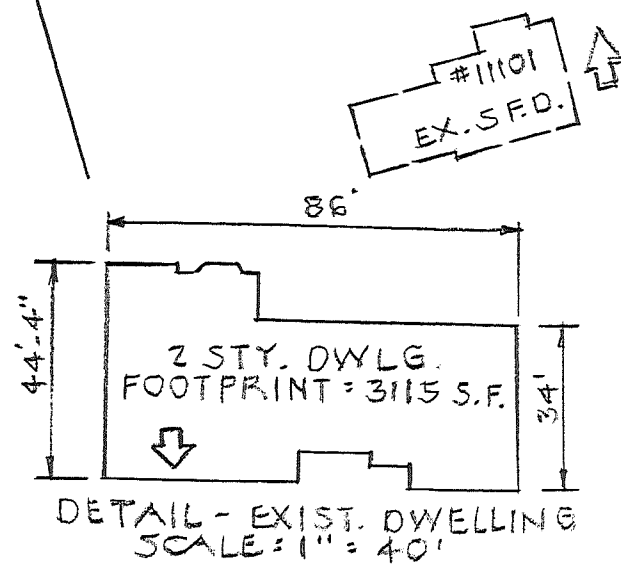
NOTES

1. ZONING.....RC 5 (MAP NO. 064A2)
2. AREA.....4.97 ACRES +/-
3. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN
4. PRIVATE WATER AND SEWER
5. SITE IS NOT LOCATED IN THE CBCA OR 100 YEAR FLOODPLAIN
6. TO THE PREPARER'S KNOWLEDGE, NO WETLANDS, CRITICAL AREAS, HISTORIC STRUCTURES OR UNDERGROUND FUEL STORAGE TANKS EXIST
7. TOTAL AREA OF BUILDINGS....9,306 S.F. = 0.214 ACRE
BUILDING COVERAGE.....0.214 / 4.9703 = 4.3 %

PETITIONER'S

EXHIBIT NO. 7a-7d

NOTE: THE PROPOSED ACCESSORY BUILDING WILL NOT BE USED AS A RESIDENTIAL UNIT OR FOR COMMERCIAL PURPOSES



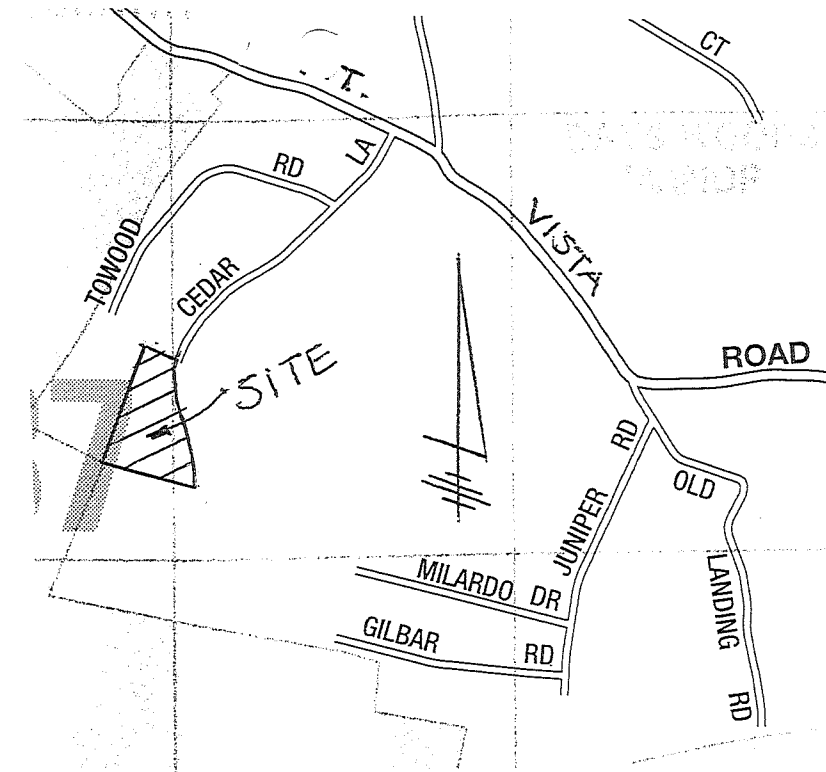
OWNER

HENRY C. SMITH, 3RD
TANYA M. SMITH
11100 CEDAR LANE
KINGSVILLE, MD. 21087
DEED REF : L 20097 F. 611
PROP. NO. 2300009582

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE**

**11100 CEDAR LANE
LOT 5 NANJEMOY LEA PB 72 F 124
ELECTION DISTRICT 11C3
BALTIMORE COUNTY, MD.**

SCALE: 1 INCH = 100 FEET MAY 27, 2010



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