

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Homberg Avenue; 270 feet
SE of the c/l of North Avenue
15th Election District
7th Council District
(313 Homberg Avenue)

Terry Lee Herbert
Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

CASE NO. 2012-0119A

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owner of the property, Terry Lee Herbert. The Petitioner is requesting Variance relief as follows:

- From Section 303.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit the front yard depth of a building to be as little as 30 feet in lieu of the required 32 feet; and
- From Section 301.1 of the B.C.Z.R. to permit a one-story open porch attached to the main residence building to extend into the required front yard 32% of the minimum required depth (22 feet front setback) in lieu of the permitted 25% (24 feet front setback); and
- From Section 1B02.3.C.1 of the B.C.Z.R. to permit a side yard setback of 5 feet in lieu of the required 10 feet.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1. The existing dwelling was constructed in 1939 and lot measures 50 feet wide x 20 feet deep. Petitioners' dwelling is not of adequate size for the family and Petitioner desires to raze the existing dwelling and construct a new, larger home. The front of the proposed new home will match the footprint of the existing home and will

ORDER RECEIVED FOR FILING

Date 11-30-11

PJ

not be any nearer to the front property line than the existing home. The front porch has been redesigned and will extend into the front yard 32% of the minimum required depth. A side yard setback of 5 feet on the north side of the property will accommodate the increased width of the larger dwelling.

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 6, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

ORDER RECEIVED FOR FILING

Date 11-30-11

By [signature]

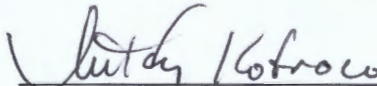
THEREFORE, IT IS ORDERED, this 30th day of November, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief as follows:

- From Section 303.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit the front yard depth of a building to be as little as 30 feet in lieu of the required 32 feet; and
- From Section 301.1 of the B.C.Z.R. to permit a one-story open porch attached to the main residence building to extend into the required front yard 32% of the minimum required depth (22 feet front setback) in lieu of the permitted 25% (24 feet front setback); and
- From Section 1B02.3.C.1 of the B.C.Z.R. to permit a side yard setback of 5 feet in lieu of the required 10 feet,

be and are hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.


TIMOTHY M. KOTROCO
Administrative Law Judge for
Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 11-30-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

November 30, 2011

KEDRICK N. WHITMORE, ESQUIRE
VENABLE LLP
210 WEST PENNSYLVANIA AVENUE
TOWSON MD 21204

Re: Petition for Administrative Variance
Case No. 2012-0119-A
Property: 313 Homberg Avenue

Dear Mr. Whitmore:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

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

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 313 Homberg Avenue

which is presently zoned DR 5.5

Deed Reference: 12921 / 253 Tax Account # 1518470380

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 SHEET 1

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Administrative 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:

Kedrick N. Whitmore

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Avenue 410-494-6204

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

SEE ATTACHED SHEET 2

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Kedrick N. Whitmore

Name

210 W. Pennsylvania Avenue 410-494-6204

Address Telephone No.

Towson MD 21204

City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 2012-0119-A

Reviewed By TA Date 10/27/11

Estimated Posting Date 11/6/11

FRM476_09

ORDER RECEIVED FOR FILING

Rev 3/09

Date 11-30-11

By J

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently own and reside at 313 Homberg Avenue
Address number Road or Street name
and that this address is the subject of this variance request as required by law.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate the hardship or practical difficulty; attach an additional sheet if needed) SEE ATTACHED SHEET

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Terry Lee Herbert
Signature

Terry Lee Herbert

Name- print or type

Signature

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 18th day of October, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

(Name Affiant(s) here): Terry Lee Herbert
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Christopher A. Davis
Name of Notary Public
Christopher A. Davis

07-15-2015
Commission expires

PLACE SEAL HERE:

ATTACHED SHEET 2
Petition for Administrative Variance

313 Homberg Avenue
Essex, MD 21221

LEGAL OWNER:

Signature: Terry Lee Herbert
Terry Lee Herbert
313 Homberg Avenue
Essex, MD 21221
Telephone: 410 682 9929

ATTACHED SHEET 1

Petition for Administrative Variance

313 Homberg Avenue
Essex, MD 21221

1. Variance from Section 303.1 of the Baltimore County Zoning Regulations ("BCZR") to permit the front yard depth of a building to be as little as 30 feet in lieu of the required 32 feet.
2. Variance from Section 301.1 of the BCZR to permit a one-story open porch attached to the main residence building to extend into the required front yard 32% of the minimum required depth (22 foot front setback), in lieu of the permitted 25% (24 foot front setback).
3. Variance from Section 1B02.3.C.1 of the BCZR to permit a side yard setback of 5 feet in lieu of the required 10 feet.

ATTACHED SHEET
Affidavit in Support of Administrative Variance

313 Homberg Avenue
Essex, MD 21221

I live at 313 Homberg Avenue, south of Eastern Avenue, in the Essex area of Baltimore County. The property was platted in 1929 and measures only 50 feet wide and 200 feet deep. The existing home is not of adequate size to house and care for my family, and I am requesting approval in order to raze my existing home and construct a new, larger home. I live with my wife, our two children, and my wife's invalid brother, who suffers from a variety of developmental and physical disabilities and requires daily care from the family. He is confined to a wheelchair, and the hallways of the existing house are too narrow for him to adequately maneuver. My wife also suffers from a serious back condition and fibromyalgia, both of which severely restrict her mobility. A larger, wider home is necessary to accommodate my family's needs.

I am requesting these variances in order to build this larger home. The existing home was built in 1939 and is located 30 feet from the front property line, which is 2 feet closer to the front property line than would be permitted currently. The front of the proposed new home will match the footprint of this existing home, and it will not be any nearer to the front property line than the existing home. I am, therefore, requesting relief to permit the new home to be located 30 feet from the front property line in lieu of the required 32 feet.

Additionally, the existing front porch has been re-designed. This design requires variance relief to permit the front porch of the new building to extend into the required front yard 32% of the minimum required depth (a 22 foot front setback) in lieu of the permitted 25% (a 24 foot front setback).

Finally, I am requesting a variance to permit a side yard setback of 5 feet on the north side of the property in lieu of the required 10 feet. As explained, my family requires a larger home than that currently existing on the property, with an increased width to more easily accommodate use of a wheelchair. A driveway is located south of the home, meaning that the additional width of the new home cannot be extended in this direction. Therefore, the only possible extension of the building to accommodate my family's needs is into the side yard on the north side of the property.

The property is unique by virtue of its small size, preventing construction of a larger home without the requested relief. Without this relief, I will be unable to build a home large enough to provide adequate care for my family. If the requested relief is granted, there will be no injury to the public health, safety or general welfare of the surrounding area.

2012-0119-A

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESIDENCE ZONES

WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED

Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 —In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

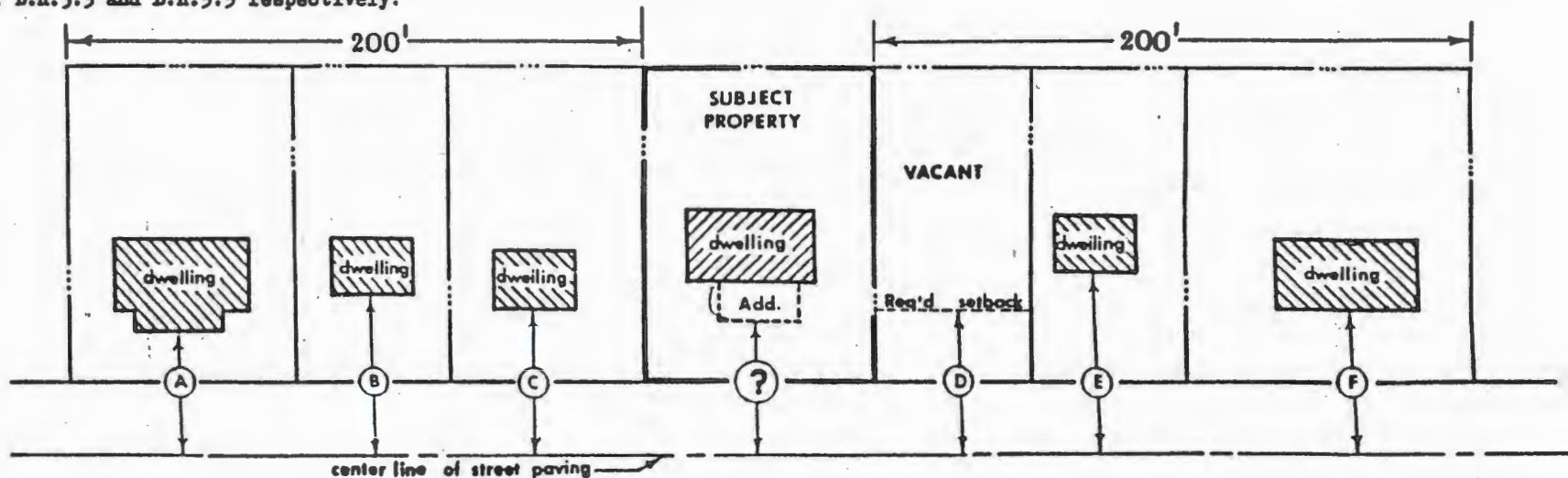
A 27 FT.
B 36 FT.
C _____ FT.
D _____ FT.
E _____ FT.
F _____ FT.

TOTAL (63) ÷ (2) = 31.5
of dwellings REQUIRED FRONT SETBACK (averaged)

Terry Lee Herbert
applicant's name
313 Homberg Ave.
building address
10/27/11
date

NORMAL REQUIRED SETBACKS

D.R.2 - 65 ft.
D.R.3.5- 55 ft.
D.R.5.5- 50 ft.



2012-0119-A

ZONING DESCRIPTION FOR # 313 HOMBERG AVENUE

Beginning at a point on the east side of Homberg Avenue which is 40 feet wide at the distance of 270 feet southeast of the centerline of the nearest improved intersecting street North Avenue which is 40 feet wide.

Being Lot # 6 in the subdivision of Plat of Land Belonging to HENRY HOMBERG as recorded in Baltimore County Plat Book # 5, Folio # 78, containing 10,000 square feet or 0.23 acres. Located in the 15th Election District and 7TH Council District.

2012-0119-A

M E M O R A N D U M

DATE: January 4, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0119-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 30, 2011. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

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

No. 74456

Date: 10/27/11

Fund	Dept	Unit	Sub Unit	Rev	Sub	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
				Source/	Rev/						
001	806	0000		6150							75.00

Total: 75.00

Rec From: Variable

For: Tony H. H. H.

2012-0119-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

2012-0119-A

RE: Case No.: _____

Petitioner/Developer: _____

Terry Herbert

November 21, 2011

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

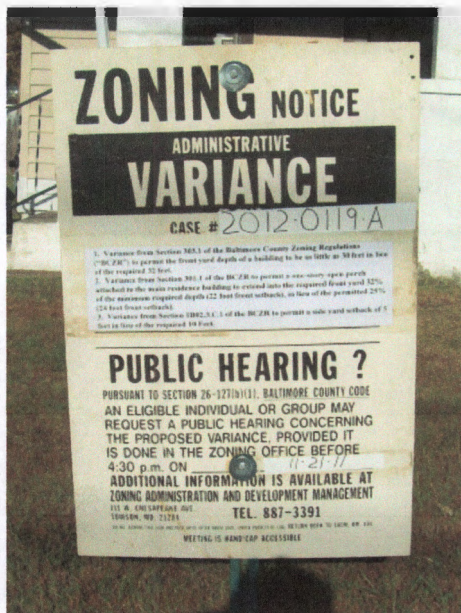
Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

313 Homberg Ave

November 6, 1011

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

November 6, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

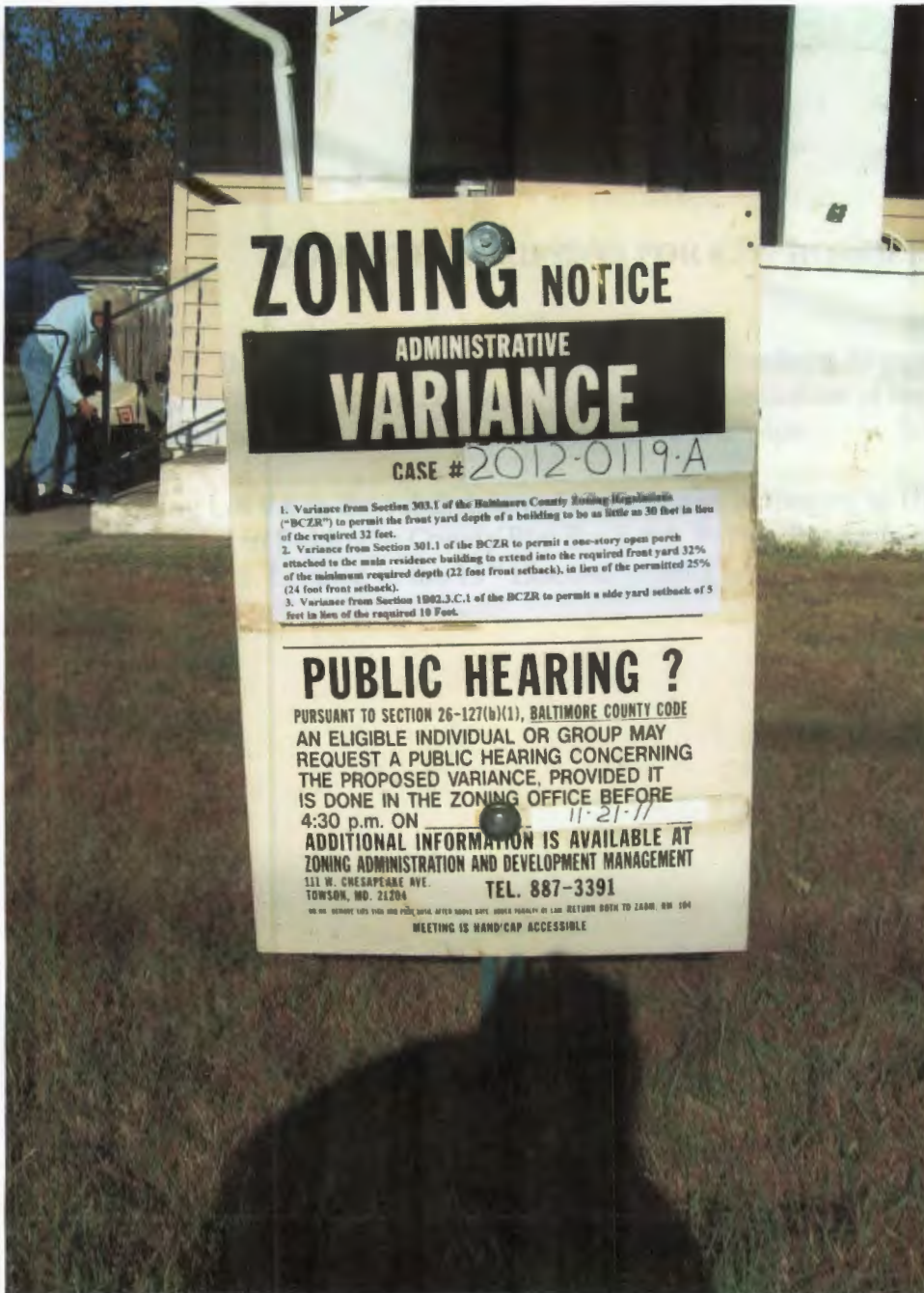
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2012-0119-A

1. Variance from Section 303.1 of the Baltimore County Zoning Regulations ("BCZR") to permit the front yard depth of a building to be as little as 30 feet in lieu of the required 32 feet.
2. Variance from Section 301.1 of the BCZR to permit a one-story open porch attached to the main residence building to extend into the required front yard 32% of the minimum required depth (22 foot front setback), in lieu of the permitted 25% (24 foot front setback).
3. Variance from Section 1002.3.C.1 of the BCZR to permit a side yard setback of 5 feet in lieu of the required 10 Foot.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
 AN ELIGIBLE INDIVIDUAL OR GROUP MAY
 REQUEST A PUBLIC HEARING CONCERNING
 THE PROPOSED VARIANCE, PROVIDED IT
 IS DONE IN THE ZONING OFFICE BEFORE
 4:30 p.m. ON 11-21-17

ADDITIONAL INFORMATION IS AVAILABLE AT
 ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
 111 W. CHESAPEAKE AVE.
 TOWSON, MD. 21204 TEL. 887-3391

NO. 00. RETURN TO YOU AND PLEASANTLY AFTER NOON DATE. UNDER PENALTY OF LAW. RETURN BOTH TO LADM. RM. 104
 MEETING IS HANDICAP ACCESSIBLE

AVENUE

which is 40 feet
street improved

RY HOMBERG as
10,000 square feet or
strict.

2012-0119-A

Patricia Zook - 2012-0114-A, 2012-0113-A & 2012-0119-A -- 30 day appeal period up

From: Patricia Zook
To: Adams, Sarah; Wiley, Debra; Zook, Patricia
Date: 12/30/2011
Due: 12/30/2011
Subject: 2012-0114-A, 2012-0113-A & 2012-0119-A -- 30 day appeal period up

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

November 16, 2011

Terry Lee Herbert
313 Homberg Avenue
Baltimore, MD 21221

RE: Case Number 2012-0119-A, 313 Homberg Avenue

Dear Terry Lee Herbert,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 27, 2011. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Kedrick Whitmore, Venable LLP, 210 W. Pennsylvania Avenue, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For November 21, 2011
Item Nos. 2012-115,116,117,118
And 119

DATE: November 16, 2011

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC-No Comments\ZAC-11212011-NO COMMENTS.doc

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-8-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

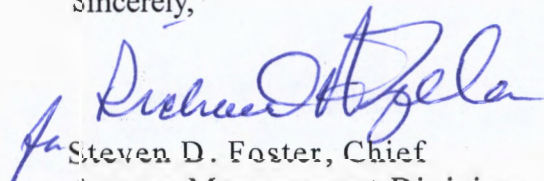
RE: Baltimore County
Item No. 2012-0119-A.
Administrative Variance
Terry Lee Herbert
313 Homberg Avenue.

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. 2012-0119-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/rz

My telephone number/toll-free number is _____

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

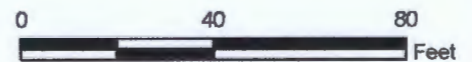
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

313 Homberg Avenue 2012-0119-A

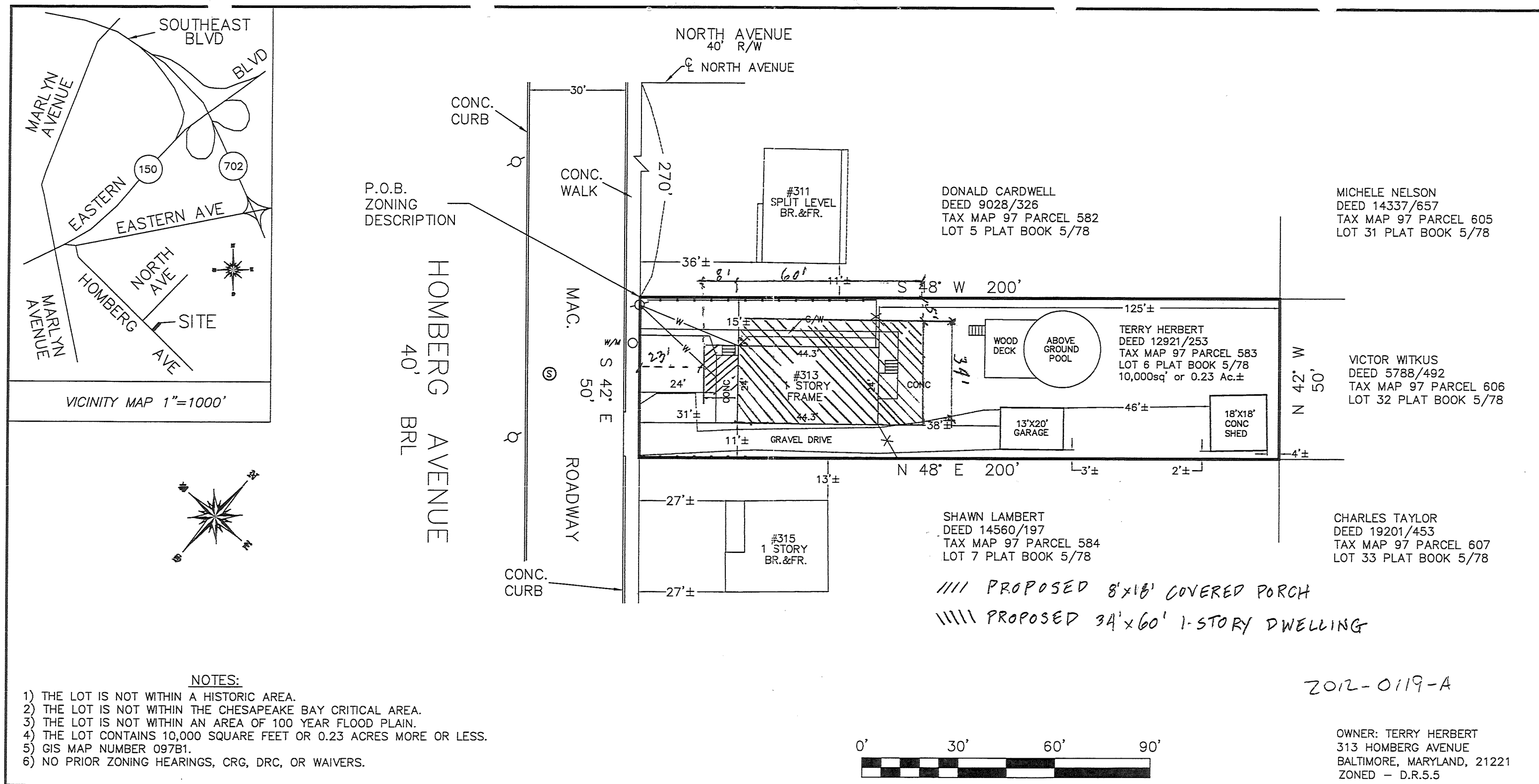


Publication Date: October 27, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 40 feet



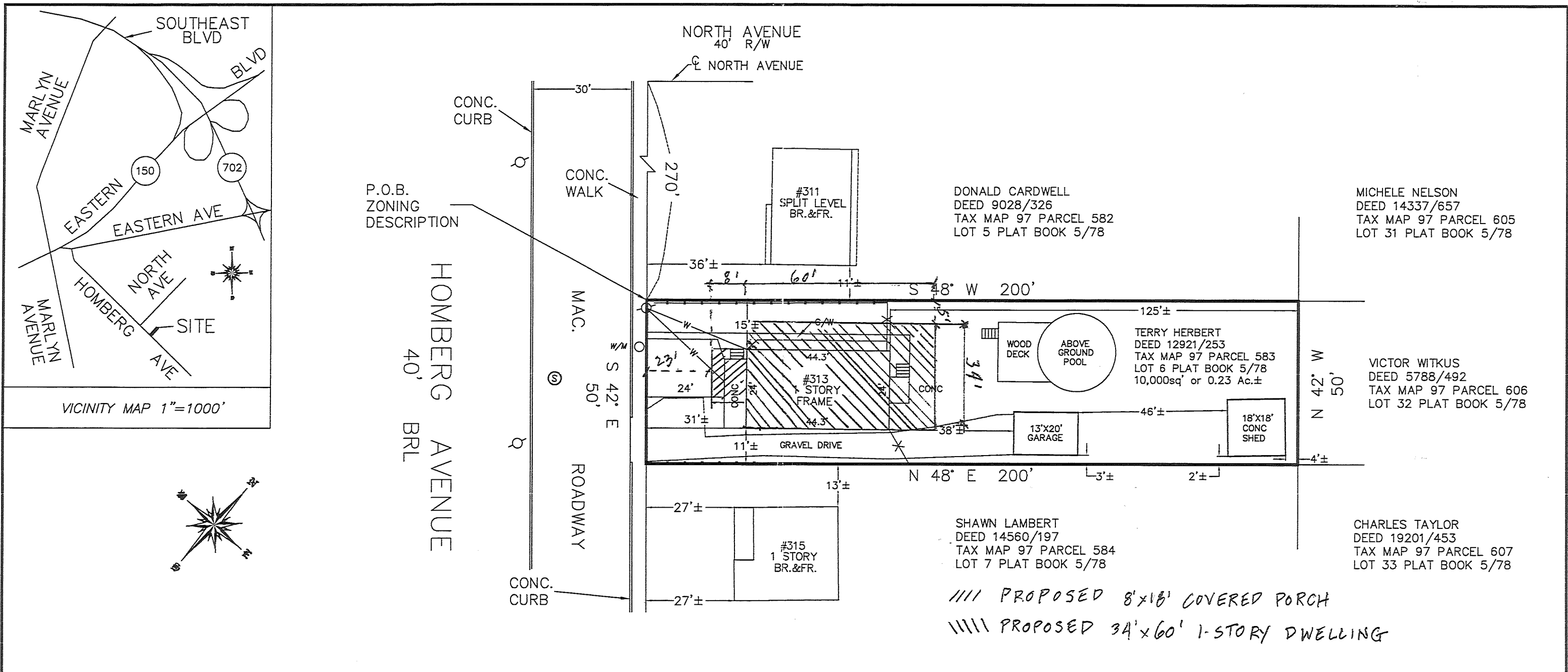
- NOTES:
- 1) THE LOT IS NOT WITHIN A HISTORIC AREA.
 - 2) THE LOT IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - 3) THE LOT IS NOT WITHIN AN AREA OF 100 YEAR FLOOD PLAIN.
 - 4) THE LOT CONTAINS 10,000 SQUARE FEET OR 0.23 ACRES MORE OR LESS.
 - 5) GIS MAP NUMBER 097B1.
 - 6) NO PRIOR ZONING HEARINGS, CRG, DRC, OR WAIVERS.

2012-0119-A

OWNER: TERRY HERBERT
313 HOMBERG AVENUE
BALTIMORE, MARYLAND, 21221
ZONED - D.R.5.5

LEGEND ELECTRIC POLE WATER METER SANITARY SEWER FIRE HYDRANT OVERHEAD WIRES WATER VALVE Subject property is shown in Zone X on the FIRM Map of Baltimore County, Maryland on Community Panel 240010 0440 F. Effective September 26, 2008		This is to certify that I have surveyed the property shown hereon, being known as Lot 6 Plat of Land Belonging To Henry Homberg and recorded among the land records of Baltimore County, Maryland in Plat Book W.P.C. 5, folio 78 for the purpose of locating the improvements thereon.	STATE OF MARYLAND JAMES C. HUDGINS REGISTERED PROPERTY LINE SURVEYOR No. 96 J. Carl Hudgins PLS #96 Expiration Date: 3/11/12	PLAN TO ACCOMPANY PETITION FOR VARIANCE 313 HOMBERG AVENUE 7th COUNCILMANIC DISTRICT 15th ELECTION DISTRICT BALTIMORE COUNTY, MD.	
NOTES: 1) B.R.L. information, if shown, was obtained from existing record plat or local agencies and is not guaranteed by NTT Associates, Inc. 2) Building line and/or Flood Zone information is subject to the interpretation of the originator. 3) NTT, Inc. does not certify to unshown or unrecorded encroachments or overlaps. 4) Property markers NOT found, or guaranteed by this location. 5) Setback distance accuracy: 1'±	* This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes. * This plat is not to be relied upon for the establishment of location of fences, garages, buildings, or other existing or future structures. * This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.	NTT Associates, Inc. 16205 Old Frederick Road Mt. Airy, Maryland 21771 Ph. (410)442-2031 Fax No. (410)442-1315		Scale: 1"= 30' Date: 8/19/11 Field By: DBM/SCK Drawn By: RIK Drawing # MISC 10100 (A)	

Petitioner's Exhibit #1



NOTES:

- 1) THE LOT IS NOT WITHIN A HISTORIC AREA.
- 2) THE LOT IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- 3) THE LOT IS NOT WITHIN AN AREA OF 100 YEAR FLOOD PLAIN.
- 4) THE LOT CONTAINS 10,000 SQUARE FEET OR 0.23 ACRES MORE OR LESS.
- 5) GIS MAP NUMBER 097B1.
- 6) NO PRIOR ZONING HEARINGS, CRG, DRC, OR WAIVERS.



2012-0119-A

OWNER: TERRY HERBERT
313 HOMBERG AVENUE
BALTIMORE, MARYLAND, 21221
ZONED - D.R.5.5

LEGEND ELECTRIC POLE WATER METER SANITARY SEWER FIRE HYDRANT OVERHEAD WIRES WATER VALVE	Subject property is shown in Zone X on the FIRM Map of Baltimore County, Maryland on Community Panel 240010 0440 F. Effective September 26, 2008	This is to certify that I have surveyed the property shown hereon, being known as Lot 6 Plat of Land Belonging To Henry Homberg and recorded among the land records of Baltimore County, Maryland in Plat Book W.P.C. 5, folio 78 for the purpose of locating the improvements thereon.	J. Carl Hudgins PLS #96 Expiration Date: 3/11/12	PLAN TO ACCOMPANY PETITION FOR VARIANCE 313 HOMBERG AVENUE 7th COUNCILMANIC DISTRICT 15th ELECTION DISTRICT BALTIMORE COUNTY, MD.	
NOTES: 1) B.R.L. information, if shown, was obtained from existing record plat or local agencies and is not guaranteed by NTT Associates, Inc. 2) Building line and/or Flood Zone information is subject to the interpretation of the originator. 3) NTT, Inc. does not certify to unshown or unrecorded encroachments or overlaps. 4) Property markers NOT found, or guaranteed by this location. 5) Setback distance accuracy: 1'±	* This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes. * This plat is not to be relied upon for the establishment of location of fences, garages, buildings, or other existing or future structures. * This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.	NTT Associates, Inc. 16205 Old Frederick Road Mt. Airy, Maryland 21771 Ph. (410)442-2031 Fax No. (410)442-1315		Scale: 1"= 30' Date: 8/19/11 Field By: DBM/SCK Drawn By: RIK Drawing # MISC 10100 (A)	