



KEVIN KAMENETZ  
*County Executive*

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

April 17, 2012

Ellwood Sinsky, Esquire  
2416 Velvet Valley Way  
Owings Mills, Maryland 21117

RE: Petition for Variance  
Case No.: 2012-0211-A  
Property: 19007 Sam Hopkins Court/605 Calder Castle Court

Dear Mr. Sinsky:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:dlw  
Enclosure

**IN RE: PETITION FOR VARIANCE**

SW side of Calder Castle Court @ the  
Southern Corner of Sam Hopkins Court \*  
7<sup>th</sup> Election District  
3<sup>rd</sup> Council District \*  
(19007 Sam Hopkins Court/  
605 Calder Castle Court) \*

Ellwood Building Corporation \*  
*Petitioner*

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2012-0211-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by Ellwood Sinsky, Esquire, on behalf of Ellwood Building Corporation (the "Petitioner"). The Petitioner is requesting Variance relief from Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a 70' side yard setback from the centerline of a road in lieu of the required 75', and for such other and further relief as may be determined by the Administrative Law Judge. 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.

Appearing at the public hearing in support of the variance request was Kenneth J. Wells with kj Wells, Inc., who prepared the site plan, and Ellwood Sinsky, Esquire, counsel for Petitioner. There were no Protestants or other interested parties in attendance. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R., and the file does not contain any letters of opposition or protest.

Testimony and evidence revealed that the property which is the subject of this variance request consists of 1.2399 acres, more or less, and is zoned RC 5. The subject property is identified as Lot 12 on a Final Development Plan (FDP) filed among the County land records (Liber 79, Folio

**ORDER RECEIVED FOR FILING**

Date 4-17-12

By [Signature]

203) which contains 15 single family dwelling lots for a subdivision known as "Calder Estates." The subject property is located in the Parkton area of Baltimore County.

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

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

*Trinity Assembly of God v. People's Counsel*, 407 Md 53, 80 (2008).

Petitioner has met this test.

As Mr. Wells indicated at the hearing, the setback issue involved in this case was apparently overlooked by everyone – including Baltimore County reviewing agencies – when the FDP was originally approved in 2005. The deficient setback exists only on Lot 12, and the Petitioner wanted to ensure that the error was corrected before lots in the subdivision are marketed and sold. The property is unique in that it is located within a larger subdivision, and the Developer explained that each of the 15 homes will be positioned on the lots in such a fashion to ensure a uniform look and feel throughout the development.

ORDER RECEIVED FOR FILING

Date 4-17-12

By DW

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty and/or hardship. Petitioner would be required to reconfigure the layout of Lot 12, and would also compromise the spacing and uniformity of the subdivision.

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. This is amply demonstrated by the lack of community opposition, as well as the absence of comments by County reviewing agencies. In addition, the relief requested is extremely modest (i.e., a 5' variation to a 75' setback requirement), and the owners of Lot 8 – the only lot to have been sold – have indicated on the Plan that they support the variance request.

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

THEREFORE, IT IS ORDERED, this 17<sup>th</sup> day of April, 2012, by this Administrative Law Judge that Petitioner's Variance request from Section 1A04.3.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a 70' side yard setback from the centerline of a road in lieu of the required 75', and for such other and further relief as may be determined by the Administrative Law Judge, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. The Petitioner may apply for its building permit and may be granted same upon receipt of this Order. However the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

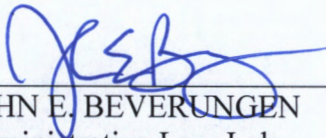
**ORDER RECEIVED FOR FILING**

Date 4-17-12

Bv. BSW

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

JEB:dlw

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

ORDER RECEIVED FOR FILING

Date 4-17-12

By DLW



## PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 19007 Sam Hopkins Court/605 Calder Castle Court which is presently zoned RC-5

Deed References: 17558/328

10 Digit Tax Account # 2400012311

Property Owner(s) Printed Name(s) Ellwood Building Corporation

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s)

To allow a 70 foot side yard sideback from the centerline of a road in lieu of the required 75 feet pursuant to Section 1A04.3.2.b of the BCZR; and for such other and further relief as may be determined necessary by the Administrative Law Judge.

+

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

### 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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

#### Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

#### Attorney for Petitioner:

Ellwood Sinksy

Name- Type or Print

Signature

2416 Velvet Valley Way Owings Mills, Md.

Mailing Address

City

State

21117 / 410-960-8846

Zip Code

Telephone #

Email Address

#### Legal Owners (Petitioners):

Ellwood Building Corp.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2416 Velvet Valley Way Owings Mills, Maryland

Mailing Address

City

State

21117 / 410-960-8846

Zip Code

Telephone #

Email Address

#### Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2012-0211-A

Filing Date

3/7/12

Do Not Schedule Dates:

Reviewer

*[Signature]*

**kjWellsInc**  
*Land Surveying and Site Planning*

Telephone: (410) 592-8800  
Email: [kwells@kjwellsinc.com](mailto:kwells@kjwellsinc.com)

7403 New Cut Road  
Kingsville, Md. 21087-1132

March 6, 2012

**Zoning Description**  
**Lot 12**  
**Calder Estates**  
Baltimore County  
Maryland  
7<sup>th</sup> Election District  
3<sup>rd</sup> Councilmanic District

**Zoning Petition No.: 2012-0211-A**

***Beginning at a point*** on the southwest side of Calder Castle Court (40 feet wide) at a distance of 38 feet southeast from the centerline of the nearest improved intersecting street known as Sam Hopkins Court (40 feet wide).

***Being*** Lot 12 in the subdivision entitled "1<sup>st</sup> Refined Subdivision Plat Calder Estates" recorded in Plat Book 79 folio 203 containing 1.2399 acres of land more or less.



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

No. 80011

Date: 3/7/12

| Fund | Dept | Unit | Sub Unit | Rev<br>Source/<br>Obj | Sub<br>Rev/<br>Sub Obj | Dept | Obj | BS Acct | Amount |
|------|------|------|----------|-----------------------|------------------------|------|-----|---------|--------|
| 001  | 806  | 0000 |          |                       |                        |      |     |         | 75.00  |
|      |      |      |          |                       |                        |      |     |         |        |
|      |      |      |          |                       |                        |      |     |         |        |
|      |      |      |          |                       |                        |      |     |         |        |
|      |      |      |          |                       |                        |      |     |         |        |

Total: 75.00

Rec From: Kj Wells Inc

For: 19007 Sam Hopkins Ct.  
605 Calder Castle Ct.

2012-0211-A

DISTRIBUTION

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
PLEASE PRESS HARD!!!!

CASHIER'S  
VALIDATION

# CERTIFICATE OF POSTING

Date: 3-31-12

RE: Case Number: 2012-0211-A

Petitioner/Developer: Ellwood Bldg Corp

Date of Hearing/Closing: 4-16-12

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 605 Calder Castle Ct.

The sign(s) were posted on

3-31-12

(Month, Day, Year)

J. Lawrence Pilson  
(Signature of Sign Poster)

J. LAWRENCE PILSON  
(Printed Name of Sign Poster)

1015 Old Barn Road  
(Street Address of Sign Poster)

Parkton, MD 21120  
(City, State, Zip Code of Sign Poster)

410-343-1443  
(Telephone Number of Sign Poster)

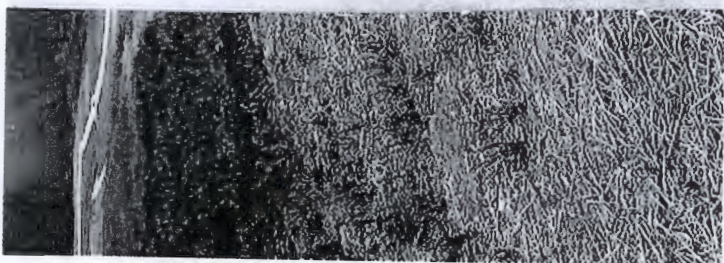


**ZONING NOTICE**

CASE # 2012-0211-A

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

JEFFERSON BUILDING ROOM 205  
105 W. CHESAPEAKE AVE. TOWSON, MD 21204  
PLACE: MONDAY, APRIL 16, 2012 11AM  
DATE AND TIME: 10:00 AM - 12:00 PM  
REQUEST: VARIANCE TO ALLOW A 20-FOOT  
SIDE YARD SETBACK FROM THE CENTER LINE  
OF A ROAD IN LIEU OF THE REQUIRED 25-FOOT  
SETBACK  
PURSUANT TO SECTION 19-04-01 OF THE  
TOWSON ZONING ORDINANCE  
THE BOARD  
POSTPONEMENTS DUE TO WEATHER OR OTHER CIRCUMSTANCES ARE SOLEMNLY REQUESTED  
TO CONTACT THE BOARD AT 410-343-1443  
BEFORE THIS SIGN AND POST UNTIL MAY 15, 2012  
UNOCCUPIED ACCESSIBLE



# CERTIFICATE OF POSTING

Date: 3-31-12

RE: Case Number: 2012-0211-A

Petitioner/Developer: Ellwood Bldg Corp

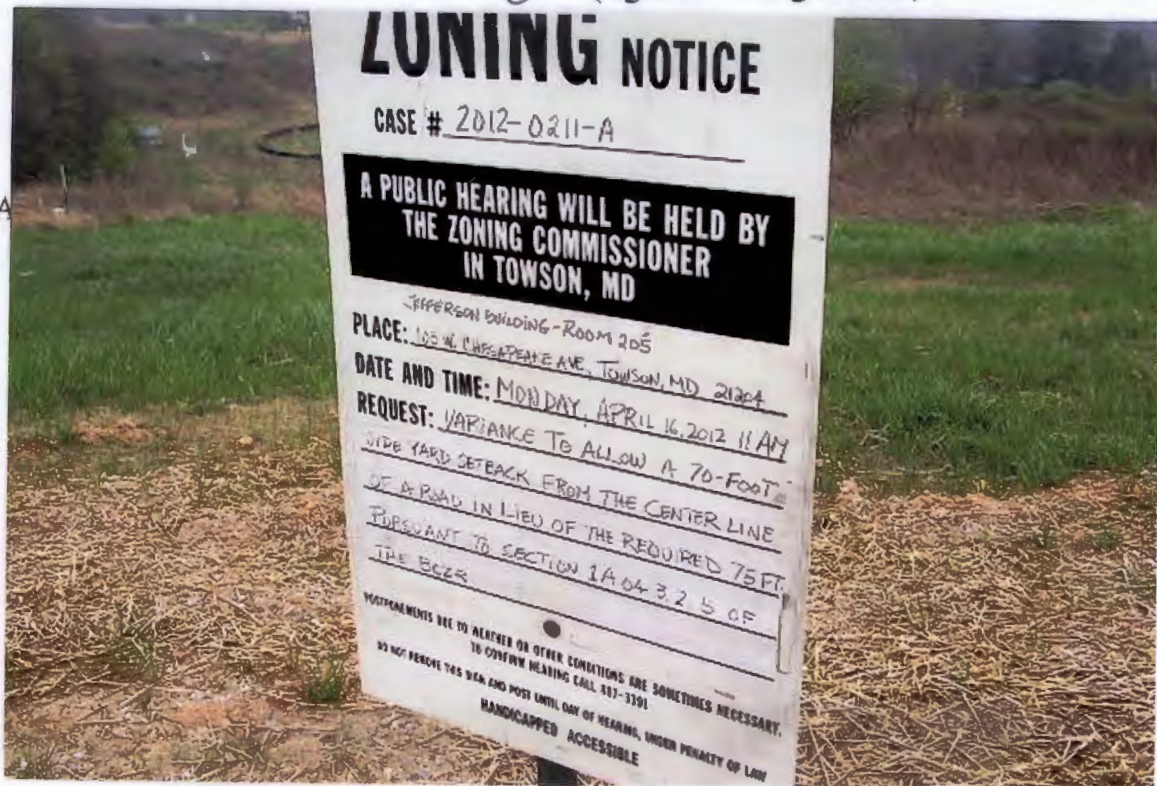
Date of Hearing/Closing: 4-16-12

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 605 Calder Castle Ct

The signs(s) were posted on 3-31-12  
(Month, Day, Year)

J. Lawrence Wilson  
(Signature of Sign Poster)

ATTN



**NOTICE OF ZONING HEARING**

The Administrative Law Judges 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: # 2012-0211-A**

19007 Sam Hopkins Court/605 Calder Castle Court  
S/w side of Calder Castle Court at the Southern  
Corner of Sam Hopkins Court  
7th Election District - 3rd Councilmanic District  
Petitioners: Ellwood Building Corporation

**Variance:** to allow a 70 foot side yard setback from the centerline of a road in lieu of the required 75 feet pursuant to Section 1A04.3.2.b and for such other and further relief as may be determined necessary by the Administrative Law Judge.

**Hearing:** Monday, April 16, 2012 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS  
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
3/477 Mar. 29 300704

**CERTIFICATE OF PUBLICATION**

3/29/, 2012

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 3/29/, 2012.

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

*S. Wilkinson*

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE \* BEFORE THE OFFICE  
1907 Sam Hopkins Ct/605 Calder Castle Ct;  
SW/S Calder Castle Ct SW cor Sam Hopkins Ct\* OF ADMINISTRATIVE  
7<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts  
Legal Owner(s): Ellwood Building Corp. \* HEARINGS FOR  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2012-211-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 09 2012

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9th day of March, 2012, a copy of the foregoing Entry of Appearance was mailed to Ellwood Sinksy, 2416 Velvet Valley Way, Owings Mills, MD 21117, Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



KEVIN KAMENETZ  
County Executive

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

March 21, 2012

## NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0211-A**

19007 Sam Hopkins Court/605 Calder Castle Court  
S/w side of Calder Castle Court at the Southern Corner of Sam Hopkins Court  
7<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Petitioners: Ellwood Building Corporation

Variance to allow a 70 foot side yard setback from the centerline of a road in lieu of the required 75 feet pursuant to Section 1A04.3.2.b and for such other and further relief as may be determined necessary by the Administrative Law Judge.

Hearing: Monday, April 16, 2012 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon  
Director

AJ:kl

C: Ellwood Sinksy, 2416 Velvet Valley Way, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 31, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, March 29, 2012 Issue - Jeffersonian

Please forward billing to:  
Ellwood Sinksy  
2416 Velvet Valley Way  
Owings Mills, MD 21117

410-960-8846

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## NOTICE OF ZONING HEARING

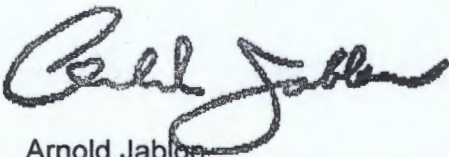
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19007 Sam Hopkins Court/605 Calder Castle Court  
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Petitioners: Ellwood Building Corporation

Variance to allow a 70 foot side yard setback from the centerline of a road in lieu of the required 75 feet pursuant to Section 1A04.3.2.b and for such other and further relief as may be determined necessary by the Administrative Law Judge.

Hearing: Monday, April 16, 2012 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Case No.: 2012-211-A

Exhibit Sheet

Petitioner/Developer

Protestant

5-18-12 SMA  
4-17-12 DW

|        |           |  |
|--------|-----------|--|
| No. 1  | Site Plan |  |
| No. 2  |           |  |
| No. 3  |           |  |
| No. 4  |           |  |
| No. 5  |           |  |
| No. 6  |           |  |
| No. 7  |           |  |
| No. 8  |           |  |
| No. 9  |           |  |
| No. 10 |           |  |
| No. 11 |           |  |
| No. 12 |           |  |

## MEMORANDUM

DATE: May 18, 2012  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2012-0211-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on May 17, 2012. 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

CASE NAME CALDER ESTATES  
CASE NUMBER 2012-0211-A  
DATE 4/16/2012

[illegible]

JB 4-16 @ 11 AM  
Rm. 205

CASE NO. 2012- 0211-A

*Located  
in Lake  
Pawnee  
Reservoir*

CHECKLIST

Support/Oppose/  
Conditions/  
Comments/  
No Comment

Comment  
Received

Department

3-13

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

NC

\_\_\_\_\_

DEPS  
(if not received, date e-mail sent \_\_\_\_\_)

\_\_\_\_\_

\_\_\_\_\_

FIRE DEPARTMENT

\_\_\_\_\_

\_\_\_\_\_

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

\_\_\_\_\_

3-13

STATE HIGHWAY ADMINISTRATION

No objection

\_\_\_\_\_

TRAFFIC ENGINEERING

\_\_\_\_\_

\_\_\_\_\_

COMMUNITY ASSOCIATION

\_\_\_\_\_

\_\_\_\_\_

ADJACENT PROPERTY OWNERS

\_\_\_\_\_

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 3-29-12

SIGN POSTING Date: 3-31-12 by Pilson

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

JB 4-16 11Am, 205

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**Debra Wiley - ZAC Comments - Distribution Mtg. of 3/12**

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**From:** Debra Wiley  
**To:** Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...  
**Date:** 3/9/2012 11:02 AM  
**Subject:** ZAC Comments - Distribution Mtg. of 3/12

---

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0178-SPHA - 2301 York Road  
No hearing date assigned as of today

2012-0207-SPHA - 18827 Spooks Hill Road  
No hearing date assigned as of today

2012-0208-A - 12519 Falls Road  
Administrative Variance - Closing Date: 3/26/12

2012-0209-SPH - 508 Warren Road  
No hearing date assigned as of today

2012-0210-A - 7731 North Cove Road - **CRITICAL AREA & FLOODPLAIN**  
No hearing date assigned as of today

2012-0211-A - 19007 Hopkins / 605 Calder Castle Court  
No hearing date assigned as of today

2012-0212-A - 702 Stevenson Lane  
Administrative Variance - Closing Date: 4/2/12

2012-0213-A - 7418 Eastern Avenue  
No hearing date assigned as of today

Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ  
County Executive

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

April 9, 2012

Ellwood Sinsky  
Ellwood Building Corporation  
2416 Velvet Valley Way  
Owings Mills, MD 21117

RE: Case Number: 2012-0211A, Address: 19007 Sam Hopkins Court

Dear Mr. Sinsky:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 7, 2012. 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.", is written over a circular stamp that partially obscures the signature.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



Beverley K. Swaim-Staley, Secretary  
Melinda B. Peters, Administrator

Date: 3-13-12

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

RE: Baltimore County  
Item No 2012-0211-A  
Variance  
Ellwood Building Corp.  
19007 Hopkins/605 Calder Castle  
Court

Dear Ms. Lewis:

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. 2012-0211-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).

Sincerely,

Steven D. Foster, Chief  
Access Management Division

SDF/raz

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](http://www.roads.maryland.gov)

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** March 13, 2012

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 26, 2012  
Item Nos. 2012-178,207,208,209,211  
And 213

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-03262012-NO COMMENTS.doc

# **kjWellsInc**

*Land Surveying and Site Planning*

7403 New Cut Road

Kingsville, Md. 21087-1132

Telephone: (410) 592-8800

Email: kwells@kjwellsinc.com

## *TRANSMITTAL LETTER*

ATTENTION: Kristen Matthews

DATE: April 6, 2012

TO: Baltimore County, Maryland

Permits, Approvals and Inspections Zoning Review Room 111

111 West Chesapeake Avenue

Towson, Maryland 21204

RE: Calder Estates

Project Number: 2011-010

WE ARE SENDING YOU   X   Attached      Under separate cover      via Hand Delivered

### DESCRIPTION

1 copy Certificate of Posting

THESE ARE TRANSMITTED as checked below

|   |                      |                          |          |                         |
|---|----------------------|--------------------------|----------|-------------------------|
|   | For approval         | Approved as submitted    | Resubmit | copies for approval     |
| X | For your use         | Approved as noted        | Submit   | copies for distribution |
|   | As requested         | Returned for corrections | Return   | corrected prints        |
|   | For review & comment |                          | Return   | prints to us            |
|   | For bids due         |                          |          |                         |
|   | Other explanation:   |                          |          |                         |

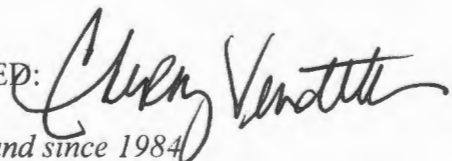
REMARKS:

COPY TO:

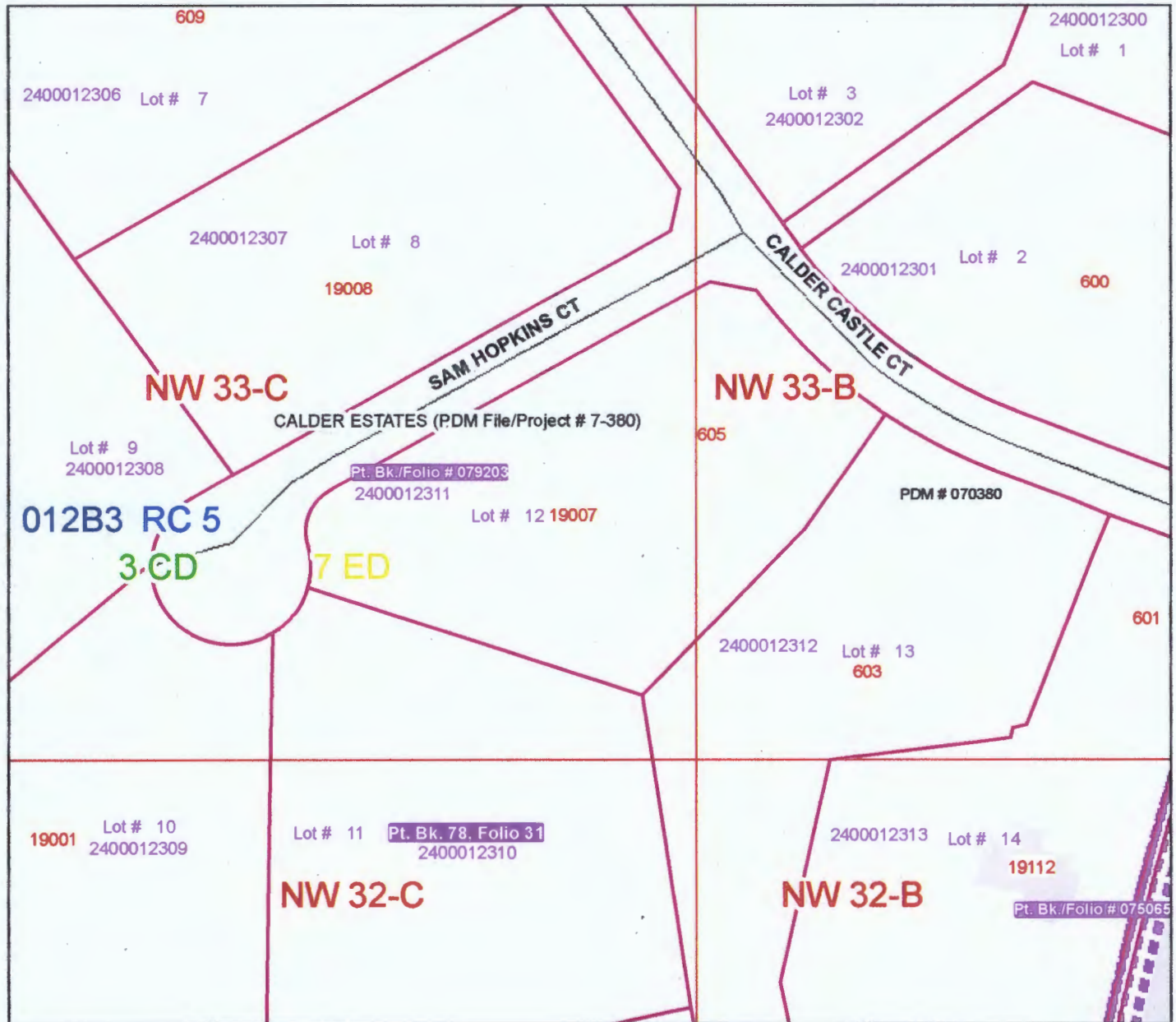
IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE.

*Providing Land Surveying and Site Planning Services in Maryland since 1984*

SIGNED:



# 19007 Sam Hopkins Ct./605 Calder Castle Ct. 2012-0211-A



Publication Date: March 06, 2012  
Publication Agency: Department of Permits & Development Management  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot

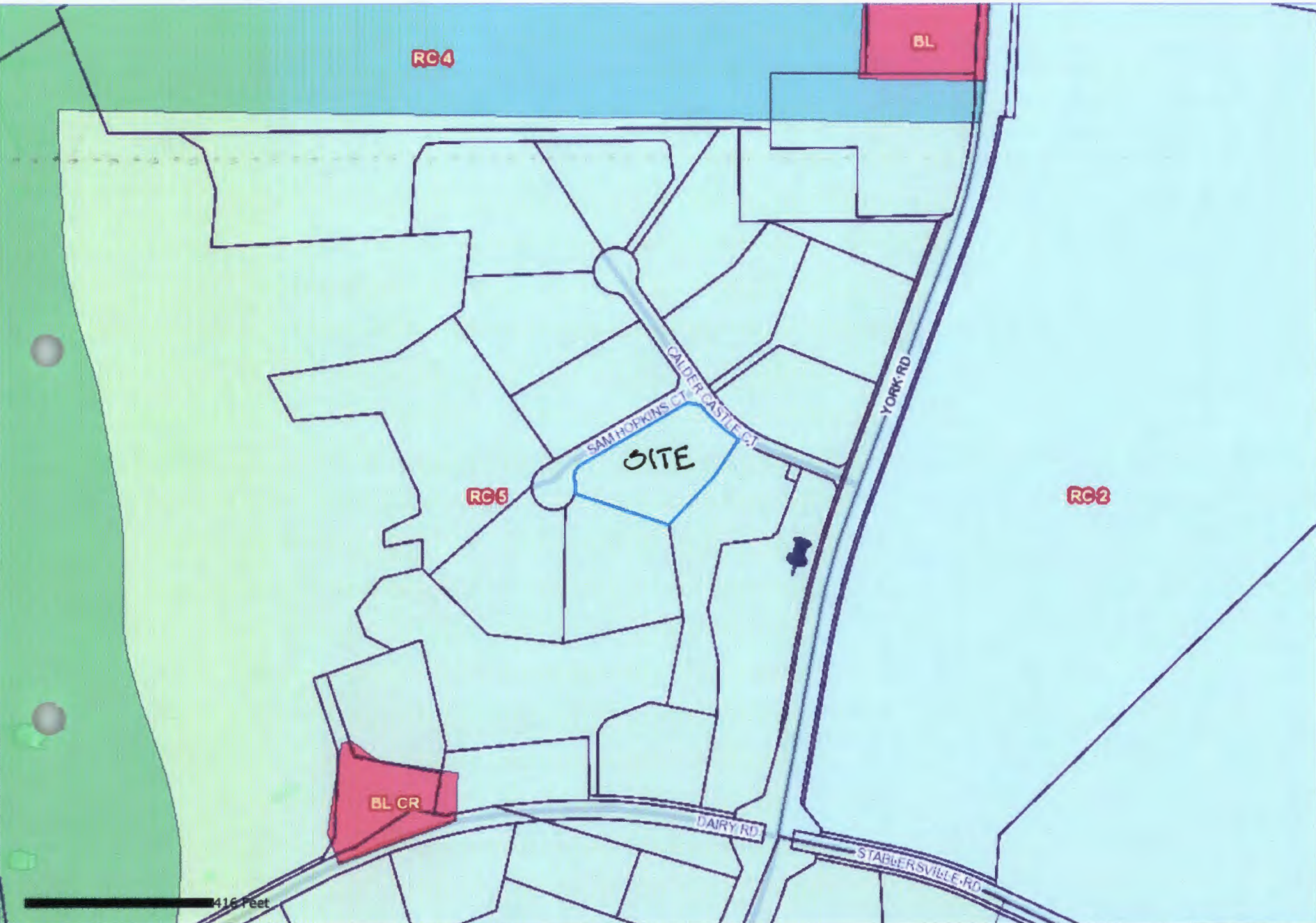
DQ Map Notes



0 100 200 Feet

1 inch = 100 feet

2012-0211-A



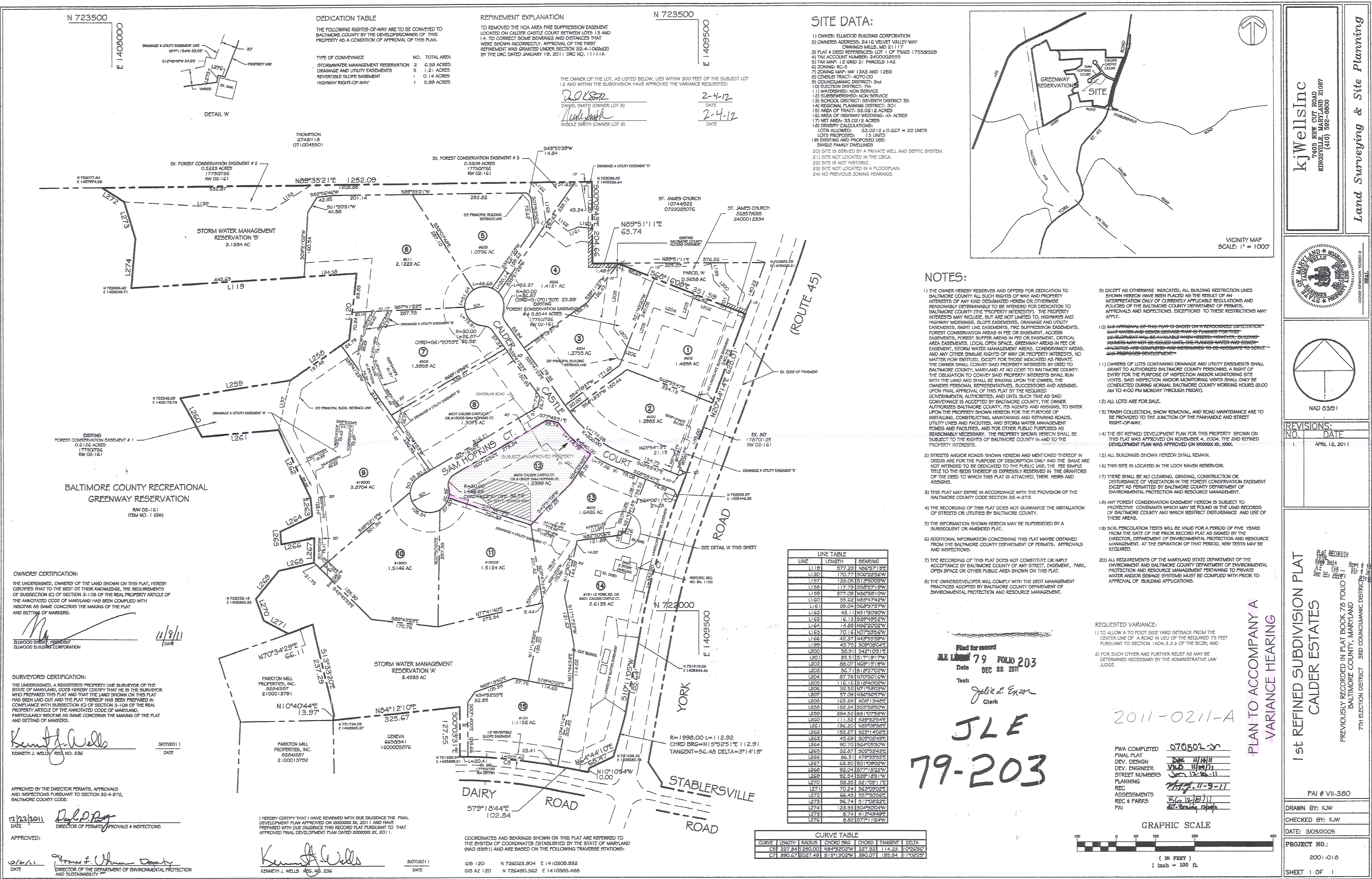
### Zoning Map

Created By  
Baltimore County  
My Neighborhood



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Printed 2/1/2012



DEDICATION TABLE

| TYPE OF CONVEYANCE                | NO. | TOTAL AREA |
|-----------------------------------|-----|------------|
| STORMWATER MANAGEMENT RESERVATION | 2   | 6.50 ACRES |
| DRAINAGE AND UTILITY EASEMENTS    | 5   | 1.21 ACRES |
| REVERTIBLE SLOPE EASEMENT         | 1   | 0.14 ACRES |
| HIGHWAY RIGHT-OF-WAY              | 1   | 0.99 ACRES |

REFINEMENT EXPLANATION

TO REMOVE THE HOA AREA FIRE SUPPRESSION EASEMENT LOCATED ON CALDER CASTLE COURT BETWEEN LOTS 13 AND 14, TO CORRECT SOME BEARINGS AND DISTANCES THAT WERE SHOWN INCORRECTLY. APPROVAL OF THE FIRST REFINEMENT WAS GRANTED UNDER SECTION 32-4-106(b)(2) BY THE DRC DATED JANUARY 19, 2011 DRC NO. 11111A

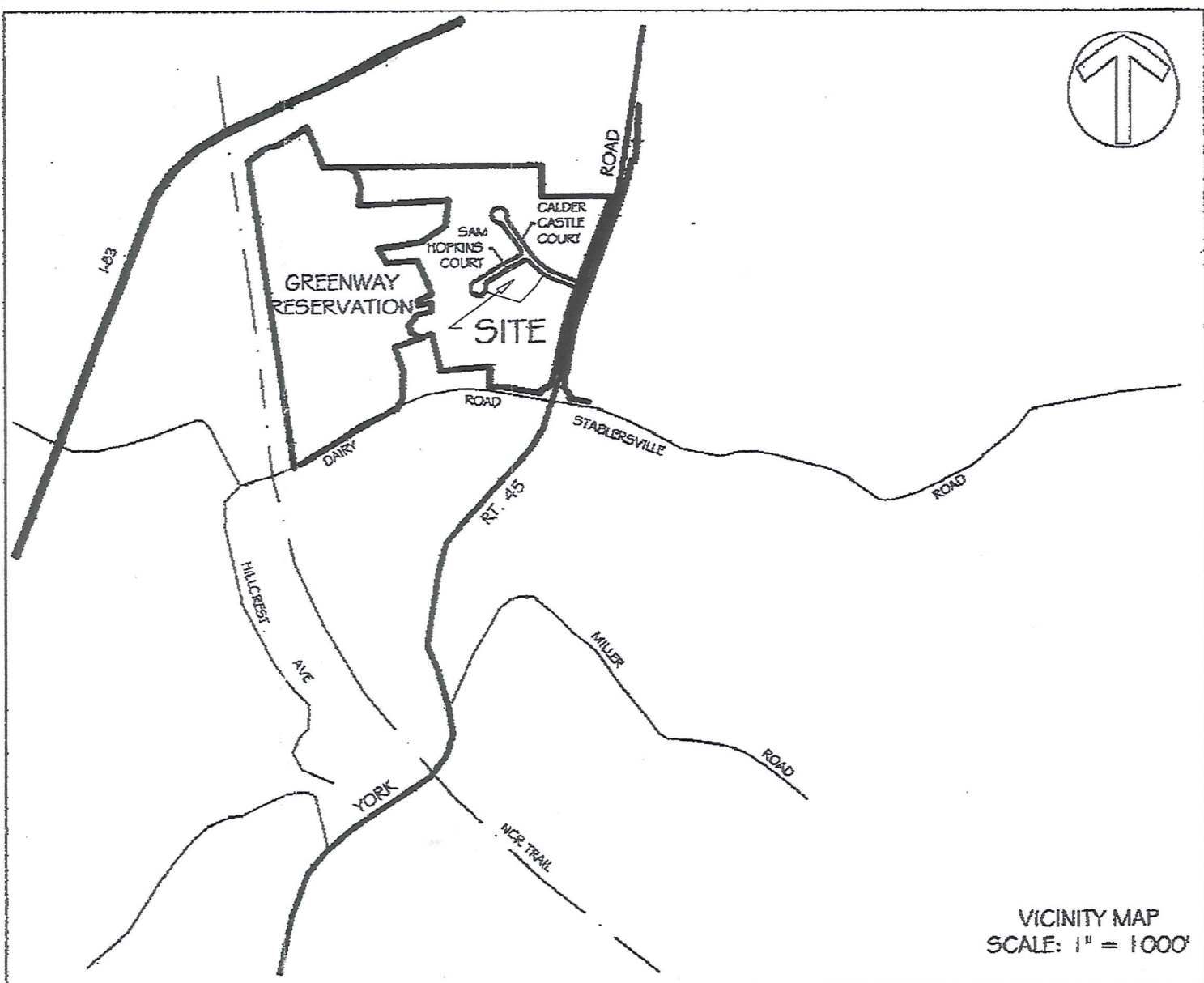
THE OWNER OF THE LOT, AS LISTED BELOW, USES WITHIN 300 FEET OF THE SUBJECT LOT 12 AND WITHIN THE SUBDIVISION HAVE APPROVED THE VARIANCE REQUESTED:

*Daniel Smith*  
DANIEL SMITH (OWNER LOT 8)  
*Nicole Smith*  
NICOLE SMITH (OWNER LOT 8)

2-4-12  
DATE  
2-4-12  
DATE

SITE DATA:

- 1) OWNER: ELLWOOD BUILDING CORPORATION
- 2) OWNERS ADDRESS: 2416 VELVET VALLEY WAY COWINGS MILLS, MD 21117
- 3) PLAT & DEED REFERENCES: LOT 1 OF 75/65 17559/328
- 4) TAX ACCOUNT NUMBER: 2400002555
- 5) TAX MAP: 12 GRID 21 PARCELS 142
- 6) ZONING: RC-5
- 7) ZONING MAP: NW 12AS AND 12B3
- 8) CENSUS TRACT: 4070.00
- 9) COUNCILMANIC DISTRICT: 3rd
- 10) ELECTION DISTRICT: 7th
- 11) WATERSHED: NON SERVICE
- 12) SUBDIVISION: NON SERVICE
- 13) SCHOOL DISTRICT: SEVENTH DISTRICT 15
- 14) REGIONAL PLANNING DISTRICT: 301
- 15) AREA OF TRACT: 33.0212 ACRES
- 16) AREA OF HIGHWAY WIDENING: 0 ACRES
- 17) NET AREA: 33.0212 ACRES
- 18) DENSITY CALCULATIONS:  
LOTS ALLOWED: 33.0212 x 0.647 = 22 UNITS  
LOTS PROPOSED: 15 UNITS
- 19) EXISTING AND PROPOSED USE: SINGLE FAMILY DWELLINGS
- 20) SITE IS SERVED BY A PRIVATE WELL AND SEPTIC SYSTEM.
- 21) SITE NOT LOCATED IN THE CBCA.
- 22) SITE IS NOT HISTORIC.
- 23) SITE NOT LOCATED IN A FLOODPLAIN.
- 24) NO PREVIOUS ZONING HEARINGS.



NOTES:

- 1) 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 OWNERS 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.
- 2) STREETS AND/OR ROADS SHOWN HEREON AND MENTIONED THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO THE PUBLIC USE; THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
- 3) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISION OF THE BALTIMORE COUNTY CODE SECTION 32-4-273.
- 4) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- 5) THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
- 6) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS.
- 7) THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY BALTIMORE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
- 8) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- 9) EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
- 10) THE APPROVAL OF THIS PLAT IS BASED ON A REASONABLE EXPECTATION THAT WATER AND SEWER SERVICE THAT IS PLANNED FOR THIS DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.
- 11) OWNERS OF LOTS CONTAINING DRAINAGE AND UTILITY EASEMENTS SHALL GRANT TO AUTHORIZED BALTIMORE COUNTY PERSONNEL A RIGHT OF ENTRY FOR THE PURPOSE OF INSPECTION AND/OR MONITORING SITE VISITS. SAID INSPECTION AND/OR MONITORING VISITS SHALL ONLY BE CONDUCTED DURING NORMAL BALTIMORE COUNTY WORKING HOURS (8:00 AM TO 4:00 PM MONDAY THROUGH FRIDAY).
- 12) ALL LOTS ARE FOR SALE.
- 13) TRASH COLLECTION, SNOW REMOVAL, AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE DRIVE AND STREET RIGHT-OF-WAY.
- 14) THE 1ST REFINED DEVELOPMENT PLAN FOR THIS PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON NOVEMBER 4, 2004. THE 2ND REFINED DEVELOPMENT PLAN WAS APPROVED ON XXXXXXXX XX, XXXX.
- 15) ALL BUILDINGS SHOWN HEREON SHALL REMAIN.
- 16) THIS SITE IS LOCATED IN THE LOCH RAVEN RESERVOR.
- 17) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- 18) ANY FOREST CONSERVATION EASEMENT 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.
- 19) SOIL PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE PRIOR RECORD PLAT AS SIGNED BY THE DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. AT THE EXPIRATION OF THAT PERIOD, NEW TESTS MAY BE REQUIRED.
- 20) 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 SEWAGE SYSTEMS MUST BE COMPLIED WITH PRIOR TO APPROVAL OF BUILDING APPLICATIONS.

REQUESTED VARIANCE:

- 1) TO ALLOW A 70 FOOT SIDE YARD SETBACK FROM THE CENTER LINE OF A ROAD IN LIEU OF THE REQUIRED 75 FEET PURSUANT TO SECTION 1A04.3.2.b OF THE BCZR; AND
- 2) FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DETERMINED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.

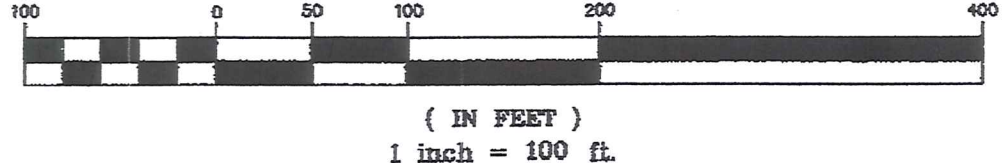
Find for record  
JLE 79 FOLIO 203  
Date DEC 22 2011

Test:  
*Jolie L. Enson*  
Clerk

JLE  
79-203

2011-0211-A  
PWA COMPLETED 070502-37  
FINAL PLAT  
DEV. ENGINEER  
STREET NUMBERS  
PLANNING  
REC  
ASSESSMENTS  
REC & PARKS  
PAI

GRAPHIC SCALE



| LINE | LENGTH | BEARING      |
|------|--------|--------------|
| L119 | 577.23 | N86°37'19"E  |
| L120 | 170.77 | S06°22'25"W  |
| L121 | 129.05 | S13°30'03"W  |
| L122 | 117.79 | S58°27'19"W  |
| L123 | 377.09 | N56°38'10"W  |
| L124 | 35.62  | N89°47'42"W  |
| L125 | 29.04  | S68°37'27"W  |
| L126 | 45.11  | N51°30'07"W  |
| L127 | 16.13  | S39°49'22"W  |
| L128 | 14.28  | N56°20'02"W  |
| L129 | 70.16  | N07°55'56"W  |
| L130 | 42.37  | N43°55'39"W  |
| L131 | 43.79  | S09°00'04"E  |
| L132 | 50.91  | S42°10'51"E  |
| L133 | 35.51  | S17°18'17"W  |
| L134 | 88.07  | N59°19'19"W  |
| L135 | 56.71  | S18°27'02"W  |
| L136 | 87.78  | N07°26'12"W  |
| L137 | 116.16 | S18°40'08"W  |
| L138 | 32.52  | N71°58'03"W  |
| L139 | 57.09  | N36°36'57"W  |
| L140 | 129.23 | N08°13'49"E  |
| L141 | 182.24 | S55°55'05"W  |
| L142 | 284.52 | S61°07'53"W  |
| L143 | 111.52 | S28°32'54"E  |
| L144 | 196.20 | N85°09'39"E  |
| L145 | 192.27 | S29°14'02"E  |
| L146 | 45.69  | S20°24'09"E  |
| L147 | 90.70  | S64°05'33"W  |
| L148 | 32.87  | S03°53'43"E  |
| L149 | 86.51  | N78°39'55"E  |
| L150 | 63.30  | S01°09'02"W  |
| L151 | 92.04  | S77°15'22"W  |
| L152 | 92.54  | S39°18'11"W  |
| L153 | 59.33  | S21°02'11"E  |
| L154 | 70.24  | S63°09'02"E  |
| L155 | 66.43  | S57°30'56"E  |
| L156 | 96.74  | S17°00'22"E  |
| L157 | 123.55 | S04°50'04"W  |
| L158 | 8.74   | N124°34'59"E |
| L159 | 8.52   | S77°11'24"W  |

| CURVE | LENGTH | RADIUS  | CHORD BEG   | CHORD END | TANGENT | DELTA     |
|-------|--------|---------|-------------|-----------|---------|-----------|
| C6    | 227.84 | 1250.00 | N84°32'02"W | 227.52    | 114.23  | 10°26'36" |
| C7    | 380.67 | 2027.49 | S15°13'02"W | 380.07    | 195.94  | 11°02'25" |

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED BY THE STATE OF MARYLAND (NAD 83) AND ARE BASED ON THE FOLLOWING TRVERSE STATIONS:

G15 120 N 726023.904 E 1410208.932  
G16 120 N 726480.562 E 1410365.485

OWNERS' CERTIFICATION:  
THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (C) OF SECTION 3-106 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAVE BEEN COMPLIED WITH IN SO FAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF MARKERS.

*Ellwood Building Corporation*  
11/8/11  
DATE

SURVEYORS CERTIFICATION:  
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 (C) OF SECTION 3-106 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY IN SO FAR AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF MARKERS.

*Kenneth J. Wells*  
KENNETH J. WELLS REG. NO. 236  
3/07/2011  
DATE

APPROVED BY THE DIRECTOR PERMITS, APPROVALS AND INSPECTIONS PURSUANT TO SECTION 32-4-272, BALTIMORE COUNTY CODE:  
*Dale P. Ray*  
DIRECTOR OF PERMITS, APPROVALS & INSPECTIONS  
12/22/2011  
DATE

APPROVED:  
*Thomas F. Whelan*  
DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY  
3/07/2011  
DATE

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE FINAL DEVELOPMENT PLAN APPROVED ON XXXXXXXX XX, 2011 AND HAVE PREPARED THIS RECORD PLAT PURSUANT TO THAT APPROVED FINAL DEVELOPMENT PLAN DATED XXXXXXXX XX, 2011.

*Kenneth J. Wells*  
KENNETH J. WELLS REG. NO. 236  
3/07/2011  
DATE

**kjwellsInc**  
7403 NEW CUT ROAD  
KINGSTOWN, MARYLAND 21087  
(410) 592-6800

**Land Surveying & Site Planning**

REVISIONS:  
NO. DATE  
1 APRIL 12, 2011

PLAN TO ACCOMPANY A  
VARIANCE HEARING

1st REFINED SUBDIVISION PLAT  
CALDER ESTATES

PREVIOUSLY RECORDED IN PLAT BOOK 78 FOLIO 31  
BALTIMORE COUNTY, MARYLAND  
3RD COUNCILMANIC DISTRICTS  
7TH ELECTION DISTRICT

PAI # VII-380

DRAWN BY: KJW  
CHECKED BY: KJW  
DATE: 3/05/2005

PROJECT NO.:  
2001-018  
SHEET 1 OF 1

|                          |
|--------------------------|
| PAI # VII-380            |
| DRAWN BY: KJW            |
| CHECKED BY: KJW          |
| DATE: 3/05/2005          |
| PROJECT NO.:<br>2001-018 |
| SHEET 1 OF 1             |