

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 14, 2012

Billy Pennington 708 Grantwood Road Baltimore, Maryland 21220

RE: Petition for Special Hearing and Variance

Case No.: 2013-0095-SPHA Property: 708 Grantwood Road

Dear Mr. Pennington:

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 410-887-3868.

Sincerely,

JOHNE. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln Enclosure RE: PETITION FOR SPECIAL HEARING AND VARIANCE

708 Grantwood Road; W/S Grantwood Road, *

SW corner of Coltwood Road

15th Election & 6th Councilmanic Districts

Legal Owner(s): Billy Pennington

Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2013-095-SPHA

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

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 7th day of November, 2012, a copy of the foregoing Entry of Appearance was mailed to Billy Pennington, 708 Grantwood Road, Baltimore, MD 21220, Petitioner(s).

RECEIVED

NOV 07 2012

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

-IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

15th Election District * OFFICE OF

6th Councilman District
(708 Grantwood Road) * ADMINISTRATIVE HEARINGS

Billy B. Pennington * FOR BALTIMORE COUNTY
Petitioner * Case No. 2013-0095-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Billy Pennington, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an accessory structure larger than the principle structure. In addition, a Petition for Variance was filed pursuant to B.C.Z.R. §§400.1 and 400.3 to permit an addition to an existing detached accessory structure to be located on the third of the lot closest to the street in lieu of the required farthest removed and a height of 23 ft. in lieu of the maximum allowed 15 ft. 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 requests was Billy Pennington. The file reveals that the Petition was properly posted and advertised as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The only substantive comment was received from the Department of Planning (DOP), which wanted to verify –prior to the issuance of any permits – that the design of

Date 12/14/12

the proposed garage will be compatible with the existing dwelling. Mr. Pennington submitted elevation drawings of the structure (Exhibit 2), and indicated the exterior color of the building would be the same as/or similar to the color of the house. He also noted that several of his neighbors have similar garages, and he felt the structure and design was therefore compatible with his house and the immediate neighborhood.

The subject property is 26,250 square feet and is zoned DR 2. The site plan shows that the single family dwelling and existing garage (which will be expanded by the proposed garage addition) are situated on a rather large lot (approximately ¾ acre). Both of these structures are also set back from the adjoining roadways, and the site would not be overcrowded by the proposed garage addition.

Based on the evidence presented, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Indeed, the Petitioner must contend with existing site conditions and positioning of structures on that site. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship, given that Petitioner would be unable to construct the garage as planned. 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 demonstrated by the absence of opposition from the community and County reviewing agencies.

I also believe the request for Special Hearing should be granted. The Petitioner's home is a modest one story structure, with just over 1,200 square feet of livable space. As such, it is logical that the garage (which Petitioner wants to use for storage of an RV and antique cars)

ORDER RECEIVED FOR FILING

would be larger than the home, and as noted earlier the site is fairly large and will accommodate the enlarged structure.

Although the Office of Planning did not make any recommendations related to the garage height and usage, I will impose conditions 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.

Pursuant to the posting of the property, public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this <u>14th</u> day of December, 2012, by the Administrative Law Judge, that the Petition for Special Hearing seeking relief from § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to allow an accessory structure larger than the principle structure, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance filed pursuant to B.C.Z.R. §§400.1 and 400.3 to permit an addition to an existing detached accessory structure to be located on the third of the lot closest to the street in lieu of the required farthest removed and a height of 23 ft. in lieu of the maximum allowed 15 ft, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

By

The relief granted herein shall be subject to the following:

- 1. Petitioner may apply for its appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners 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.
- 3. The accessory structure shall not be used for commercial purposes.
- 4. Prior to the issuance of building permits for the garage addition, the Petitioner shall submit for approval to the DOP elevation drawings of the structure.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 12/14/12

4



PETITION FOR ZONING HEAR...(S) To be filed with the Department of Permits, Approvals and Inspections

Address 708 GRANTWOOD RY	aw of Baltimore County for the property located at: which is presently zoned RESIDER RESIDER
Deed References: 12986/00469 Property Owner(s) Printed Name(s)	10 Digit Tax Account # 15 18000 77 2
	PROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	ate in Baltimore County and which is described in the description d made a part hereof, hereby petition for:
a Special Hearing under Section 500.7 of the or not the Zoning Commissioner should approve larges than the	Zoning Regulations of Baltimore County, to determine whether To allow an accessory structure e principle structure.
2a Special Exception under the Zoning Regula	tions of Baltimore County to use the herein described property for .
of the zoning regulations of Baltimore County, to (Indicate below your hardship or practical diffic	400.3 To permit an addition to an involve to be located on the third of lieu of the required furthest removed, an of the maximum allowed 15 Leet. The zoning law of Baltimore County, for the following reasons: ulty or indicate below "TO BE PRESENTED AT HEARING". If the petition of this petition.
Property is to be posted and advertised as prescribed by the zoning, or we, agree to pay expenses of above petition(s), advertising, po	FOR THE 12 DOORS FOR THE ACCESS OF THE R NEEDED TO STORE MY HISTORIC CARS, regulations. sting, etc. and further agree to and are to be bounded by the zoning regulations
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ZONING PROPERTY DESCRIPTION FOR 708 GRANTWOODED

PARTA

BEGINING AT A POINT ON THE WEST SIDE OF GRANTWOOD WHICH IS 40 FEET OF RIGHT-OF-WAY WINTH ATTHE DISTANCE OF 20 FEET SOUTHWEST OF INTERSECTION OF COLTWOOD WHICH IS 40 FEET OF RIGHT-OF-WAY WINTH WINE.

PARTO

BEING LOTS # 21-23 IN THE SUBDIVISION OF

GRANTLEIGH AS RECORDED IN BALTIMORE COUNTY

PLAT BOOK # 12 FOLIO # 84 CONTAINING

26,250 SQUARE FEET OF TOTAL LOT, LOCATED

IN THE 15TH BLECTION DISTRICT AND 6TH

COUNCIL DISTRICT.

2013-00915-50HA

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. <u>For those petitions which require a public hearing</u>, 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.

Item Number or Case Number: 2013-0095-SPHA	
Petitioner: BILLY PENNINGTON	
Address or Location: 708 GRANTWOOD RD	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: BILLY PENNINGTON	
Address: 708 GRANTWOOD RD	
BALTO MD 21220	

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CERTIFICATE OF POSTING

	2013-0095-SPHA RE: Case No.:
	Petitioner/Developer:
	Tetilonei/Developei.
	Billy Pennington
	December 13, 2012
	Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue	
Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
08 Grantwood Rd	cated at:
	November 23, 2012
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, November 23, 2012
ZONING NOTICE	(Signature of Sign Poster) (Date)
CASE*2013:0095SPHA	SSG Robert Black
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD	(Print Name)
PLACE: NO TIME NAMED DECEMBER IS ADDRESS OF THE NAMED THE NAMED OF THE	1508 Leslie Road
PERSONAL PROPERTY TO REPORT OF PROPERTY STREET	(Address)
Account Two Vite Prince/M. Statistics, Measures in National Research Two Vite Prince/M. Statistics, Measures in National Research Conference on the Conference of the Conferen	Dundalk, Maryland 21222
Vacinimentary due to disciplina ou dum's Management and generatives discribiney. To deman application dated, and—2006 TO their special ratio state and point commands, applicat desirately of Law.	(City, State, Zip Code)
MANGACAPPED ACCESSING	(410) 282-7940
	(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 20, 2012 Issue - Jeffersonian

Please forward billing to:

Billy Pennington 708 Grantwood Road Baltimore, MD 21220 410-391-5616

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2013-0095-SPHA

708 Grantwood Road W/s Grantwood Road, S/w corner of Coltwood Road 15th Election District – 6th Councilmanic District Legal Owners: Billy Pennington

<u>Special Hearing</u> to allow an accessory structure larger than the principle structure. <u>Variance</u> to permit an addition to an existing detached accessory structure to be located on the third of the lot closest to the street in lieu of the required farthest removed, and a height of 23 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, December 13, 2012 at 10:00 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.



KEVIN KAMENETZ County Executive

November 8, 2012

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

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Hearing: Thursday, December 13, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:kl

C: Billy Pennington, 708 Grantwood Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 23, 2012.

(2) HEARINGS ARE HANDICAPIPED 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.

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708 Grantwood Road W/s Grantwood Road, S/w corner of Coltwood Road 15th Election District - 6th Councilmanic District

Legal Owner(s): Billy Pennington

Special Hearing to allow an accessory structure larger than the principle structure. Variance to permit an addition to an existing detached accessory structure to be located on the third of the lot closest to the street in lieu of the required farthest removed, and a height of 23 feet in lieu of the maximum allowed 15 feet.

Hearing: Thursday, December 13, 2012 at 10:00 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.

JT 11/719 November 20
888884



501 N. Calvert Street, Baltimore, MD 21278

November 22, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on November 20, 2012.

×	The Jeffersonian
	Arbutus Times
	Catonsville Times
	Towson Times
	Owings Mills Times
	NE Booster/Reporter
	North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson



KEVIN KAMENETZ County Executive

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

December 6, 2012

Billy Pennington 708 Grantwood Road Baltimore MD 21220

RE: Case Number: 2013-0095 SPHA, Address: 708 Grantwood Road

Dear Mr. Pennington:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 22, 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,

U. Cal Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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

Darrell B. Mobley, Acting Secretary Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: //-/-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 2013 -0095-SPHA Special Hearing Variance Billy Pennington 708 Grantwood Road

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. 2013-2095-5PHA

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,

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 01, 2012

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 12, 2012

Item Nos. 2013-0094, 0095, 0097, 0098,0099, and 0101

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

DAK. CEN cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

DATE: December 6, 2012

RECEIVED

DEC 1 1 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT:

708 Grantwood Road

INFORMATION:

13-095

Item Number: Petitioner:

Billy Pennington

Zoning:

DR 2

Requested Action:

Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The proposed accessory structure (garage) is much larger than the principal structure (single family dwelling). The footprint of the proposed garage is 2,640 square feet. According to the Maryland Department of Assessments and Taxation, the enclosed treat of the existing dwelling is 1,264 square feet.

Pursuant to the definition of ACCESSORY USE OR STRUCTURE contained in Section 101.1 of the BCZR the proposed garage must be subordinate in area, extent or purpose to the existing dwelling, and it must contribute to the comfort, convenience or necessity of the occupants in the dwelling. The petitioner shall demonstrate to the Administrative Law Judge that the proposed garage complies with this definition.

The proposed garage will front on a residential street. Provided the petitioner's request is granted, the petitioner shall submit elevation drawings for review and approval to the Department of Planning prior to the issuance of any building permits. The design of the garage and its exterior materials shall be aesthetically compatible with the existing dwelling.

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

Division Chief:

AVA/LL: CM

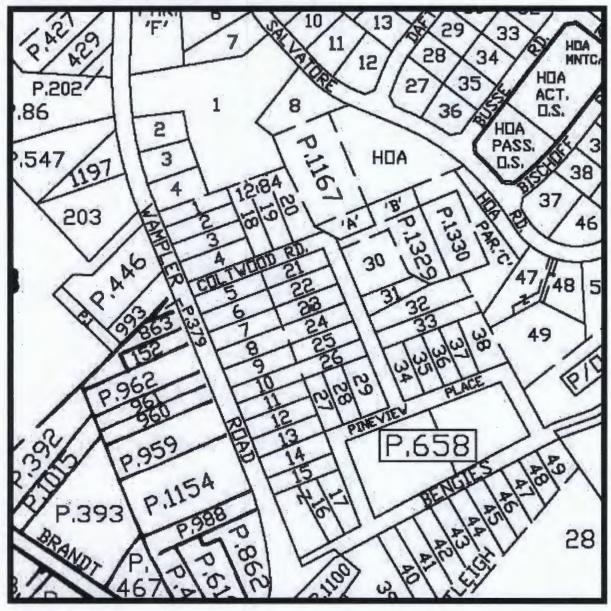
Maryland Department of Assessments and Taxation Real Property Data Search (vw3.1A) BALTIMORE COUNTY Go Back
View Map
New Search
GroundRent
Redemption
GroundRent
Registration

		District - 15 Acco							
2 2	DED D.	NOTON BULLY B	Owner Inform				,	RESIDENTIA	A I
Owner Name:	PENN	INGTON BILLY B		Use:	al Resid	ence:		KESIDEN I II YES	nL.
Mailing Address:	708 GF	RANTWOOD RD			eference			1)/12986/00	469
Vianting Fraueress.		MORE MD 21220-18	804					2)	
		Locat	ion & Structure	Information	n				
Premises Address			Leg	al Descript	ion				
708 GRANTWOOD RD			708	GRANTWO	ט חם חר	VS			
0-0000				NTLEIGH	OD KD V	*5			
Map Grid Pa	rcel Sub	Subdivision	Section	Block	Lot	Assessment		Plat No:	
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0090 0006 065	8	0000			23	3		<u>Plat</u> Ref:	0012
		Town	NONI	E					
Special Tax Areas		Ad Valorem							
		Tax Class							
Primary Structure Bu	iilt	Enclosed Area	a	Property	Land A	rea	C	ounty Use	
1961		1,264 SF		8,750 SF			04		
Stories Basement	Type	Exterior							
1.000000 YES	STANDARD U	NIT SIDING							
			Value Inform	ation					
	Base Value	Value	Phase-in Asse	essments					
		As Of	As Of	As Of	12				
	00.100	01/01/2012 80,100	07/01/2012	07/01/20	13				
Land									
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Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

Go Back View Map New Search

District - 15 Account Number - 1518000771



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

MEMORANDUM

DATE:

January 15, 2013

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2013-0095-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on January 14, 2013. 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 NO. 2013-0095-5PHA

CHECKLIST

Comment Received	Depart	ment		Support/Oppose/ Conditions/ Comments/ No Comment
111	DEVELOPMENT P			No Comment
	DEPS (if not received, date	e e-mail sent _)	
	FIRE DEPARTMEN	NT		
12-11	PLANNING (if not received, date	e-mail sent _)	Comment 5
1111	STATE HIGHWAY	ADMINISTR	ATION	NO Obj
	TRAFFIC ENGINE	ERING		
	COMMUNITY ASS		RS	
ZONING VIOLA	TION (Case	No		
PRIOR ZONING	(Case	No		
NEWSPAPER AD	VERTISEMENT	Date:	11/20	by Black
	SEL APPEARANCE SEL COMMENT LETT	Yes ER Yes	No D	
Comments, if any:	(
			•	

2013 - 95 - 5PH ?

COMMITMENT FOR TITLE INSURANCE

Commitment No.#417

SCHEDULE A

1. Effective Date: 21 day of March 1993, at	M.
2. Policy or Policies to be issued:	Amount
(a) ALTA Owner Policy, Form B - 1970 (Rev. 10-17-70 and 10-17-84)	\$
Proposed Insured:	
(b) X ALTA Loan Policy - 1970 (Rev. 10-17-70 and 10-17-84)	\$ 128,250.00
Proposed Insured: Paine Webber Mortgage Finance, Inc., thei as their interests may appear.	r successors and assigns,
3. The estate or interest in the land described or referred to in this Commitment and is at the effective date hereof vested in William J. Ramsey and	
4. The land referred to in this Commitment is situated in the County of Bal State of Maryland, and described as follows:	
BEING KNOWN AND DESIGNATED as Lots Nos. 21 and 22 and show Plat is duly recorded among the Land Records of Baltimore 12, Folio 84.	wn on Plat of Grantleigh, which County in Plat Book C.W.B.Jr.

BEING KNOWN AND DESIGNATED as Lot No. 23 of "Grantleigh" as shown on a Plat filed among the Land Records of Baltimore County, State of Maryland, in Plat Book C.W.B.Jr. 12, Folio 84. The improvements thereon being known as No. 708 Grantwood Road.

Authorized Officer or Agent

Commitment No. #417

File No.

Schedule B-Section 1

The following are the requirements to be complied with:

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to-wit:

Deed in proper form from present owner unto Billy B. Pennington and Lisa R. McArthur, as Joint Tenants, and not as Tenants in common.

Deed of Trust in proper form from Billy B. Pennington and Lisa R. McArthur, unto the Trustees for PaineWebber Mortgage Finance, Inc., conveying the within stated real estate as security for your loan in the amount of \$128,240.00.

- 2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
- 3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
- 4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor or material.

Real Estate Taxes for the fiscal year 1992/1993 which are now due will be paid at settlement.

Satisfaction and release of a Mortgage from William J. Ramsey and wife unto Fairmount Federal Savings Bank, dated June 22, 1987 and recorded in Liber SM 7600 Folio 453, in the amount of \$68,000.00.

Schedule B-Section 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

 Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment. (NOTE: WILL NOT APPEAR IN THE FINAL TITLE INSURANCE TO BE ISSUED HEREUNDER).

"FOR EXCEPTIONS, SEE SCHEDULE B (EXCEPTIONS) ATTACHED HERETO AND MADE A PART HEREOF."

NOTE: AN OWNER'S POLICY ISSUED IN CONNECTION WITH THIS COMMITMENT WILL CONTAIN THE FOLLOW-ING PRE-PRINTED EXCEPTIONS:

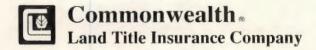
- 1. Rights or claims of parties other than Insured in actual possession of any or all of the property.
- Unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area and encroachments which an accurate and complete survey would disclose.
- 3. Unfiled mechanics' or materialmen's liens.

ALTA Commitment Schedule B Form 1004-7 EXCEPTIONS
CONTINUATION OF SCHEDULE B

Taxes payable on an annual basis have paid through the fiscal year ending June 30,1993, and other public charges (inculding assessments by any County, Municipality, Metropolitan District or Commission) payable on an annual basis have been paid through the year ending June 30, 1993. This policy does not insure against the balance of any public charges (including assessments by any County, Municipality, Metropolitan District or Commission) payable on an annual basissubsequent to the year ending June 30, 1993, Nor does this policy insure against possible Future tax levies, nor against possible public charges as defined above that have not been levied or assessed, which future taxes, aharges and assessments are not now due and payable.

- (6) Subject to Setbacks, easements and rights of way as shown on a Plat entitled, Grantleigh, which Plat is recorded in Plat Book CWB, Jr. 12 Folio 84.
- (7) Subject to Right of Wat Agreement dated October 17, 1927 and recorded in Liber CWC 650 Folio 394, between David Volz and wife and Salvatore Crisafulli and wife.
- (8) Subject to Restrictions as contained in a deed dated September 18, 1940 and recorded in Liber CWB, Jr. 1126 Folio 185, between Joseph W. Grant and wife and William B. Painter and wife.
- (9) Subject to Right of Way Agreement dated December 16, 1948 and recorded in Liber TBS 1723 Folio 191 between Joseph W. Grant and wife and Consolidated gas Electric Light and Power Company, re: poles and wires.

This policy specifically insures that any past, present or future violations of the restrictions, building setback lines, easement area, widening strips, partition walls or other limitations and restrictions referred to herein will not work a forfeiture or reversion of the title or result in a lien or charge superior to the interests of the mortgagee to be insured herein, and that the same have not been violated as of the date of this policy. As used in this paragraph (or Endorsement) the words "Covenants, Conditions and restrictions' shall not refer to or include any Covenant, condition or restriction relating to environmental protection or regulating or prohibiting the use, storage or release of hazardous or toxic waste or substances on the Land. "LOAN POLICY ONLY"



ALTA ENDORSEMENT - FORM 8.1 ENVIRONMENTAL PROTECTION LIEN

Attached to and made a part of Policy Number #417

The insurance afforded by this endorsement is only effective if the land is used or is to be used primarily for residential purposes.

The Company insures the insured against loss or damage sustained by reason of lack of priority of the lien of the insured mortgage over:

- (a) any environmental protection lien which, at Date of Policy, is recorded in those records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge, or filed in the records of the clerk of the United States district court for the district in which the land is located, except as set forth in Schedule B, or
- (b) any environmental protection lien provided for by any state statute in effect at Date of Policy, except environmental protection liens provided for by the following state statutes: None

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

IN WITNESS WHEREOF COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the March 19 93.

Countersigned

. ..

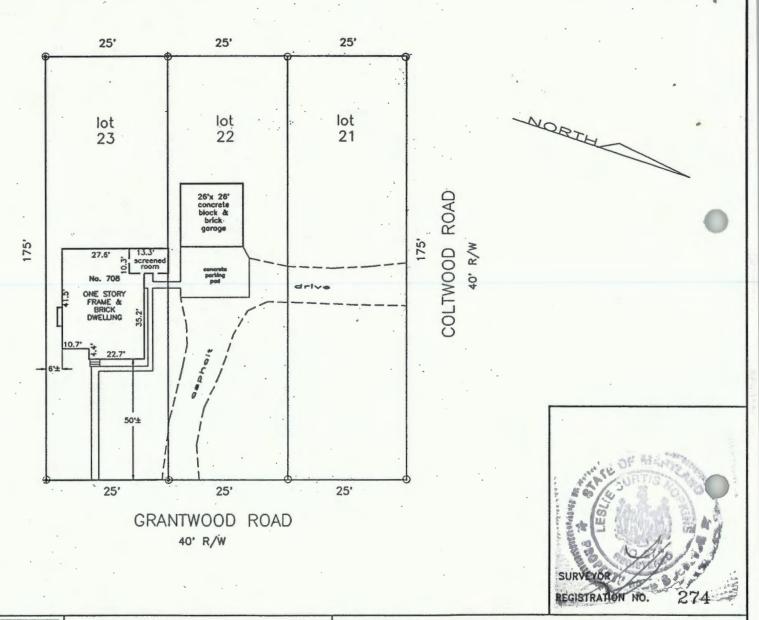
Timothy P. Kile

Authorized Officer or Agent

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Fresident Bull President

Secretary



HOPKINS ENGINEERING

18 BRIGHT STAR COURT BALTIMORE, MARYLAND 21206 PHONE: 410 866 8226

LOCATION SURVEY

708 GRANTWOOD ROAD BALTIMORE COUNTY

BEING KNOWN AND DESIGNATED AS LOTS No. 21, 22, 23 " Grantleigh ". As recorded among the land records of Baltimore county in Platbook CHB Jr 12, Folio 84.

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THIS LOT FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS THEREON AND THAT THEY ARE LOCATED AS SHOWN.

THIS PLAT IS NOT INTENDED FOR USE IN ESTABLISHING PROPERTY LINES.

FLOOD ZONE: CHESAPEAKE	SCALE: 1'=40.0'
DEED	DATE: 4/1/93.
PLATBOOK: CWB Jr 12 FOLIO: 84	FILE NAME: 708GRANT
COUNTY BALTIMORE COUNTY	FILE AREA: B15

President and Esther Hammerman Treasurer of the Lutual Co Operative Realty Company Inc
the Grantor hereinbefore named and they acknowledged the foregoing Deed to be the act of
the said body corporate

Witness my hand and Notarial seal

(Notarial)

Frances Schlessinger

Notary Public

Recorded November 8 2727 at 4 P M & Exd

per C Walter Cole Clerk

866

: This Deed made this 17th day of October 1927 between David

DAVID VOLZ & WF

: Vols and Lena Vols his wife of Raltimore County and State of

DEED TO

: Karyland parties of the one part and Salvatore Crisafulli and

SALVATORE CRISAFULII & WF : Elizabeth Crisafulli his wife of the County and Stats afore-

: said parties of the second part

Whereas the said David Vols and Lena Vols his wife are now seized of a parcel of ground situated and lying in the 15th Election District of Baltimore County more particularly described in a deed dated the 2nd day of June 1884 and recorded in the Land Records of Baltimore County in Liber W M I No 139 fol 28640 was conveyed by James F Milling & wife to David Volz and wife

And whereas the said Salvatore Crisafulli and Elizabeth Crisafulli his wife are Low seized of a parcel of ground situated and lying in the 15th Election District of Baltimore County more particularly described in a deed from David Volz and wife to 'Sebastiane Crisafulli andSalvatore Crieafulli dated December 7th 1914 and recorded in the Land Recorde of Baltimore County in Liber W P C No 438 fol 38560 (and see also deed from Sebastiano Crisfulli and wife to Salvatore Crisafulli and wife in the Dand Records of Baltimore County in Liber W P C No 540 fol 32760) which said described parcel of ground was formerly a part of the afore described land of David Vols and wife

Now this Deed Witnesseth that in consideration of the sum of one dollar the receipt of which is hereby acknowledged the said David Vols and Lena Vols his wife doth grant and convey unto Salvatore Crisafulli and Elizabeth Crisafulli his wife their heirs and assigns together with right of the grantors their heirs and assigns in common with the grantees of ingress egress and regress to and from the above described land of the grantees lying in the 15th Elsotion District of Baltimore County over a strip of land fifteen feet ide more or less wide extending through the adjoining land of the grantors above described from the public road adjoining the said grantors parcel of ground aforesaid said right of way being described as follows

Beginning for the northeast side of said right of way at the distance of 47 feet reversed on the second line of a parcel of ground which by deed dated Dec 7th 1914 and recorded in the Land Records of Baltimore County in Liber W P C No 438 folio 385&c was

And the said David Vols and Lena Vols his wife hereby warrant specially the property hereinabove conveyed and that they or either of them will execute such further assurances of same as may be requisite

Witness our hands and seals this 17th day of October 1927

Test

David Vols

(See 1)

Jacob Dallman

her I Lena Volz

(Seal)

mark

State of Maryland

Baltimore County to wit

I Hereby Certify that on this 7 day of November 1927 before me the subscriber a Justice of the Peace of the State of Maryland in and for Baltimore County personally appeared David Volz and Lena Volz his wife and they acknowledged the above deed to be their act

As witness my hand and seal.

Jacob Dallman J P

Justice of the Peace

Recorded November 8 1927 at 4 P M & Exd

per C Walter Cole Clerk

867

: This Deed made this 5th day of November in the year nineteen

JOHN A STREE & NF

: hundred and twenty seven between John & Streb and Elizabeth C

DEED TO

: Streb his wife of Baltimore City in the State of Maryland of the

WILLIAM F WALTER & WF: iirst part and William F Walter and Laura A Walter his wife of

. 10100 110 1110 01 2011111111 01111 01 11111 01 1111

: the said City and State of the second part

Witnesseth that in consideration of the sum of five dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said John A Streb and Elizabeth C Streb his wife do grant and convey unto the said William F Walter and Laura A Walter his wife as tenants by the entireties their assigns the survivor of them and the heira and assigns of such survivor allthat lot of ground situate and lying in Baltimore County State of Enryland and known and designated as lot No 6 as laid out on the Flat of Seneca Gardens recorded among the Land Records of Baltimore County in Plat Book V P.C No 7 follo 54

Being part of the lot of ground described in a deed dated October 27 1906 and recorded among the Land Records of Baltimore County in Liber W P C No 305 folio 502 from Mary C Rollins et al to the maid John A Streb

Together with the buildings and improvements thereupon and all and every the rights easements alleys ways waters privileges and advantages to the same belonging or in any-wise appertaining and especially the easement of a right of way through and over the lot

1126-185

Liber C W B Jr No 1126

Test:

THE BACK AND MIDDLE RIVER BUILDING

AND LOAN ASSOCIATION INCORPORATED

By Daniel Weber

President

ANTON Wm. Hubers

(Corporat Seal)

STATE OF MARYLAND BALTIMORE COUNT SCT

I HEREBY CERTIFY That on this 18th day of September in the year nineteen hundred and forty before me the subscriber a Notary Public of the State of Maryland in and for the County aforesaid personally appeared Daniel Weber President of the Back and Middle River Building and Loan Association Incorporated the within named releasor and he acknowledged the aforegoing partial release of mortgage to be the act and deed of said body corporate

W ITNESS my hand and notarial seal

(Notarial Seal)

Anton Wm. Hubers

Notary Public

Recordedon October 14 1940 at 10.30 A. M. and exd. per 6. Willing Browne; Jr. Clerk

Jos. W. Grant & wife
Deed to
William B. Painter & Wf.
USS \$.25 S.S. \$.30

THIS DEED made this 18th day of September in the year

nineteen hundred and forty by and between Joseph W. Grant and

Nina E. Grant his wife of Baltimore County State of Maryland

parties of the first part and William B. Painter and Catherine

L Painter his wife of the same place parties of the second part

WITTNESSETH That in consideration of the sum of five dollars and other valuable considerations this day paid the receipt whereof is hereby acknowledged the said parties of the first part do hereby grant and convey unto the said parties of the second part as tenants by the entireties the survivor of them their assigns and the heirs and assigns of the survivor in fee simple subject to the conditions and restrictions hereinafter recited all that lot of ground situate lying and being in Baltimore County State of Maryland being known and designated as lot No Fifteen of "Grantleigh as shown on a plat dated August 14 1940 and recorded among the Land records of Baltimore County with this deed.

BEING PART OF THE TRACT OF LAND WHICH BY DEED DATES June 19 1940 and recorded emong the Land Records of Baltimore Jounty in Liber C.W.B Jr No 1107 folio 304 was granted and conveyed by Lena Volz to the said parties of the first part in fee simple

TOGETHER with the buildings and improvements thereupon and all and every the rights alleys roads ways waters privileges appurtenances and advantages to the same belonging or

LIVERED EED OO

nearer than seven feet to either side line of said lot and the reasonable cost thereof shall not be less than two thousand dollars.

2 - That no garage or outbuilding shall be erected on said lot nearer than one hundred feet to the road on which said lot fronts unless it is made a part of the main dwelling on said lot and shall not be nearer than seven feet to either side line of said lot or nearer than twenty five feet to any side street

5- That no live chickens or fowl of any kind no cattle swine or animals of offensive or dangerous nature shall be kept on said lot and no nuisance of any kind shall be maintained or allowed thereon nor shall any use thereof be made or permitted which shall be noxious or dangerous to health

- 4 That at no time shall said lot or any part thereof be used or accupied for any business or commercial purposes except as an office for lawyer doctor or dentist
- 5 That neither said lot nor any part thereof shall be sold leased transferred to or permitted to be occupied by any negro Chinese or Japanese or any person of negro Chinese or Japanese descent which restriction however is not to apply to servants or employees of the owner or occupant of said lot
 - 6 That no outside toilet or toilets shall be erected or maintained on said lot.
- 7- That at no time shall said lot or any part thereof be used for storage of automobiles automobile parts or materials of any kind except such as are actually used by the
 occupants of said lot in the use thereof as a place of residence

AND the said parties of the first part do hereby covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite

WITNESS the hands and seals of the said grantors

TEST

Anton Wm. Hubers

Joseph W. Grant

(Seal)

Nina E. Grant

(Seal)

STATE OF MARYDAND Baltimore County SOT

I HEREBY CERTIFY That on this 18th day of September in the year nineteen hundred (and forty before me the subscriber a Notary Public of the State of Maryland in and for the County aforesaid personally appeared Joseph W. Grant and Nina E Grant his wife the grant-ors herein named and severally acknowledged the aforegoing deed to be their respective act

WITNESS my hand and notarial seal

(Notarial Seal)

Anton Wm. Hubers .

Notary Public

Recorded on October 14 1940 at 10.30 a m and exd per C. Willing Browne Jr. Clerk

61674	The Undersigned hereby grant to CONSOLIDATED GAS
harles Henry Lauenstein & wi	fe) ELECTRIC LIGHT AND POWER COMPANY OF BALTIMORE 1 ts succeed
Agr. with) sors licensees and assigns for value received the right
cons. G. E. L. & P. Co	to construct operate and maintain a pole line including
tric and other wires over th	e property of the undersigned situated on the northwest side
Oak Road northeast of Middle	borough Road in Baltimore County and acquired from Middle-
howaugh Land Cornoration of	Reltimore County by deed deted Sephember 8th 1922 and recorded

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hereafter located; also, beginning at a point on the west side of Severn Road approximately 250 feet north of Chester Road, and extending in a westerly direction approximately 180 feet; and wires may be strung to any building from the nearest pole thereto, all as the proper extension of the service of said Company may require.

Together with the right of access at all times to said pole line; the right to make extensions of said line to adjacent properties; and the right to trim, top or cut down trees adjacent to the wires to provide ample clearance.

WITNESS my hand and seal this 6th day of Jan. 1949.

WITNESS: A. M. Feathers Emma Herman

(SEAL)

A. M. Feathers .

Emma Herman

STATE OF MARYLAND BALTO. COUNTY TO WIT:

I HEREBY CERTIFY, that on this 6th day of Jan. 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for City of Balto., personally appeared Emma Herman widow and acknowledged the foregoing agreement to be her act and deed.

WITNESS my hand and Notarial Seal.

(Notarial Seal)

" Alfred M. Feathers

Recorded Jan 17 1949 at 10:45 AM & exd per T Braden Silcott Clerk (rcd by MEM)

EXD BY WNF&AJ _ _ _ _

: The undersigned hereby grant to Consolidated Gas 82810 Joseph W Grant et al Agrt to Cons Gas Elec L&P Co of Balto: Electric Light and Power Company of Baltimore, its

-----: successors, licensees, and assigns, for value received the right to construct, operate and maintain a pole line, including the necessary poles, cross-arms, guys, street lights, appurtenances, electric and other wires over the property of the undersigned situated on the east side of Wampler Road south of Pine Hill Road and on the south side of Pine Hill Road east of Wampler Road in 15th Dist., Baltimore County and acquired from Lena Volz by deed dated June 19, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1107, folio 304.

Said pole line to be located along and adjacent to the east side of Wampler Road and the south side of Pine Hill Road, as said roads, are now or hereafter located; and wires may be strung to any building from the nearest pole thereto, all as the proper extension of the service of said Company may require.

Together with the right of access at all times to said pole line; the right to make extensions of said line to adjacent properties; and the right to trim, top or cut down trees adjacent to the wires to provide ample clearance.

WITNESS our hands and seals this. 16th day of December 1948.

WITNESS:

Joseph W. Grant

(SEAL)

John R. Keach John R. Keach Joseph W. Grant

Nina E. Grant

(SEAL)

Nina E. Grant

STATE OF KANSAS JOHNSON COUNTY TO WIT:

I HEREBY CERTIFY, that on this 16th day of December 1948, before me, the subscriber, a Notary Public of the State of Kansas, in and for Johnson County aforesaid, personally appeared Joseph W. Grant and Nina E. Grant and acknowledged the foregoing Agreement to be their act and deed.

WITNESS my hand and Notarial seal.

(Notarial Seal)

John R Keach.

John R. Keach Notary Public H 17 Case No.: 2013 - 0095 - 5PHA

Sen

Exhibit Sheet

1-15-13

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Elevation drawings	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		•
No. 12		

SITE VICINITY MAP PUBLIC X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X) 00722DEED REF. #129861004 SECTION # OWNER(S) NAME(S) BILLY PANNINGTON 9 101 # 21-23 BLOCK # DATE 10/22/12 SCALE: 1 INCH = 2013 DOGS SPHA ←,8b 01 $|\omega|$ DIGITAK#15 5x51+124 5xx45 36x26 39, ~ ZONING HEARING PLAN FOR VARIANCE F0110# SUBDIVISION NAME PLAN DRAIMN BY ADDRESS, 70 3 PLAT BOOK #_

MARK WITH X AND ORDER RESULT BELOW IF SO GIVE CASE NUMBER MAP IS NOT TO SCALE PRIVATE PUBLIC X PRIVATE ZONING MAP# 09 IN FLOOD PLAIN? ELECTION DISTRICT COUNCIL DISTRICT LOT AREA ACREAGE PRIOR HEARING ? SITE ZONED $\square \overline{\mathbb{R}}$ OR SQUARE FEET HISTORIC ? SEWER 1S. IN CECA ? WATER

VIOLATION CASE INFO:

29 GA. PAINTED
29 GA. PAINTED
31 FEL. 13"X6"
HEMMED FASCIA SCALE: 1/8" = 1'0" SCALE: 1/8" = 1'0" 29 GA. PAINTED
STEEL
WALL PANELS SCREWDOWN ROOF OVERHEAD DOOR 12'0" x 12'0" OVERHEAD DOOR 12'0" x 12'0" 29 GA. PAINTED STEEL 12", RIDGECAP (VENTED) 29 GA. PAINTED STEEL 6" CORNER TRIM 12 RIGHT ENDWALL
SCALE: 1/8" = 1'0" SCALE: 1/8" - 1'0" LEFT ENDWALL 29 GA 6" PAINTED STEEL RAKE TRIM BASE

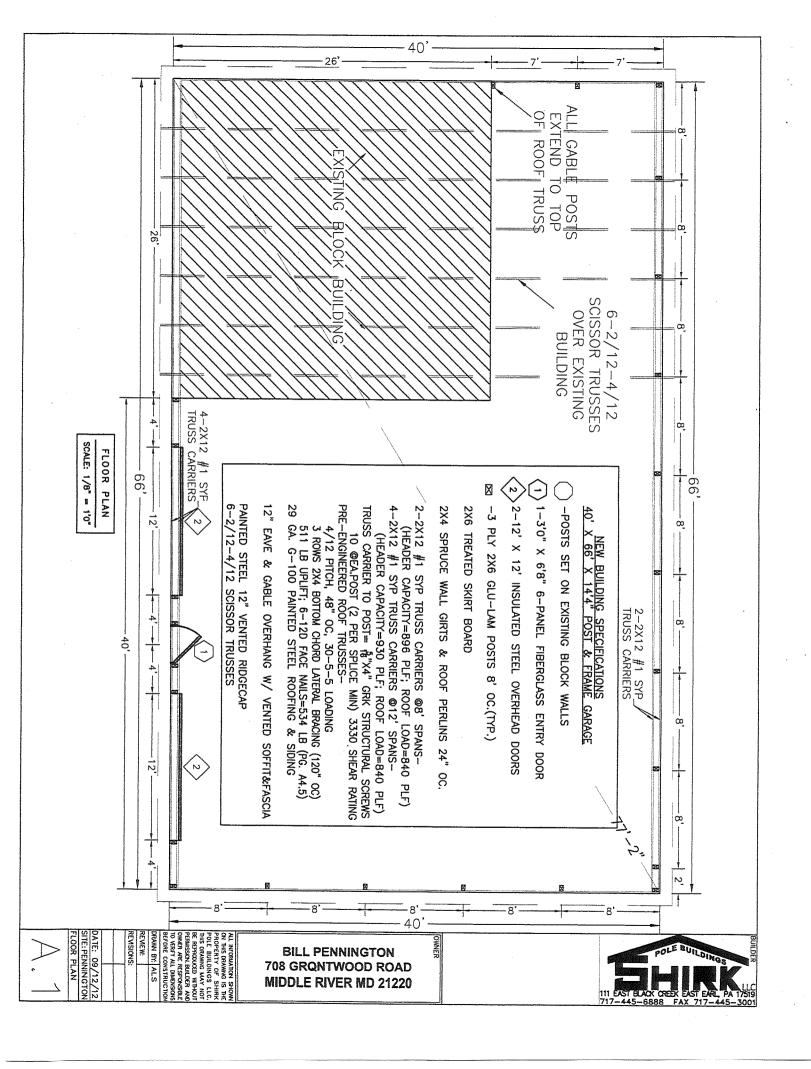
DATE: 09/12/12 SITE: PENNINGTON ELEVATIONS

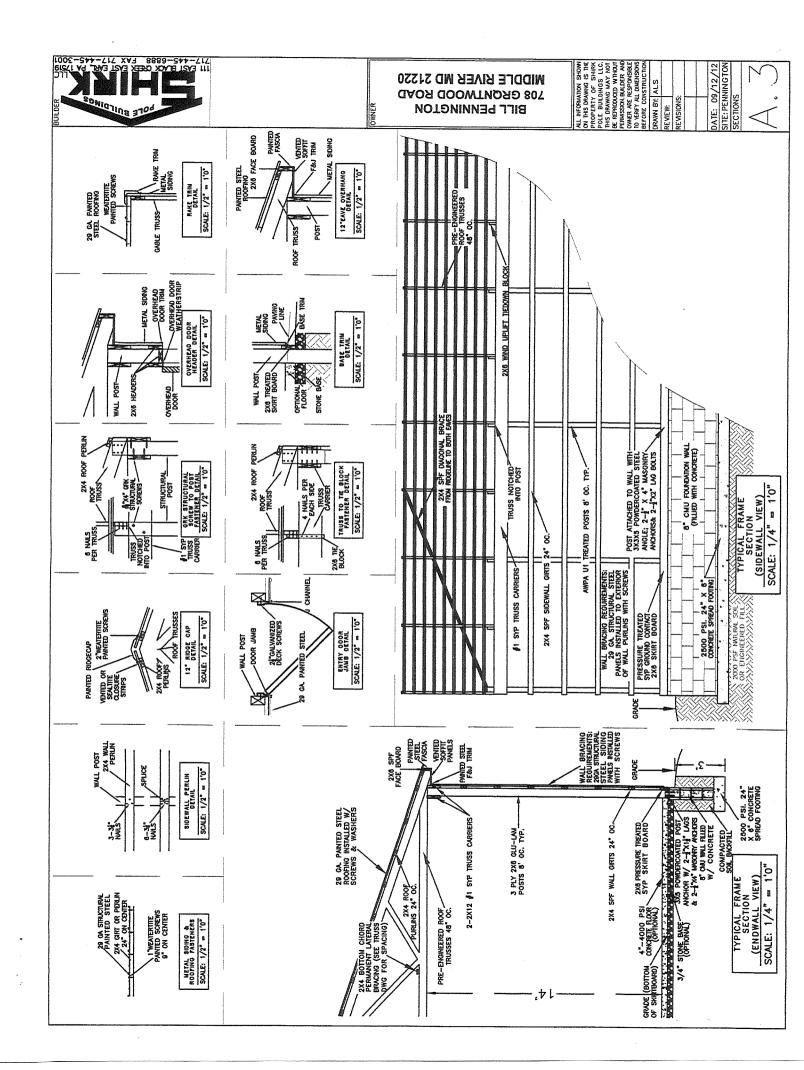
AL REGRANTON SHOWN
ON THIS DRAWNO IS THE
PROPERTY OF SHIRK
POLE BUILDINGS LLC.
THIS DRAWNG MAY NOT
BE REPRODUCED WITHOUT
PERMISSION BRUDER AND
OWNER ARE RESPONSIBLE
TO MERFY ALL DREMISSION
BEFORE CONSTRUCTION

DRAWN BY: ALS
REVISIONS:



BILL PENNINGTON 708 GRQNTWOOD ROAD **MIDDLE RIVER MD 21220**





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SITE VICINITY MAP MAP IS NOT TO SCALE ONING MAP# 090CL ITE ZONED DR 2 LECTION DISTRICT 15+h COUNCIL DISTRICT 6 +h OT AREA ACREAGE DR SQUARE FEET 26, 250 HISTORIC? No IN CBCA ? IN FLOOD PLAIN? No UTILITIES? MARK WITH X WATER IS: Public $\overline{ imes}$ Private_ SEWER IS: , PUBLIC X PRIVATE_ PRIOR HEARING? IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:

