

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE
(603-605 Oakdean Road) *
15th Election District *
6th Councilmanic District *
Classic LLC *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0174-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 Wm. Oliver Hardy, Member, Classic LLC, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit an accessory structure (garage) on a lot without a principal use. The variance relief from B.C.Z.R. §§ 417.3, 417.4 and 400.3 sought to permit: (1) an encroachment of 15' beyond the divisional property line for a pier and mooring piles, and; (2) to permit an accessory structure (garage) with a height of 22' in lieu of the permitted 15'. 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 1A and 1B.

Appearing at the public hearing in support of the requests was Oliver Hardy and David Billingsley, with Central Drafting and Design, Inc., who is assisting the Petitioner and prepared the site plans. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

Zoning Advisory Committee (ZAC) comments were received and are included in the file. The Bureau of Development Plans Review (DPR) indicated Petitioner must comply with floodplain regulations, and the Department of Environmental Protection and Sustainability

ORDER RECEIVED FOR FILING

Date 3-27-13

By DW

(DEPS) noted that Petitioner was obliged to comply with Chesapeake Bay Critical Area (CBCA) regulations.

The subject property is 59,900 square feet in size (approximately 1.38 acres) and is zoned DR 3.5. The property is vacant, and the Petitioner proposes to construct a garage and pier on the site. To do so requires zoning relief.

With regard to the petition for special hearing, the relief requested is both reasonable and modest. Mr. Hardy's son owns a home adjoining the subject property, and the garage will be used to store jet-skis and other "toys" he has accumulated. The proposal in no way will negatively impact the community, and the petition for special hearing will therefore be granted.

Based upon the testimony and evidence presented, I will also grant the request for variance relief. 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).

The Petitioner has met this test. As seen on the site plan and aerial photos, this waterfront property has a very irregular shape and is therefore unique. See Exhibits 1 and 5. The Petitioner would experience a practical difficulty, if the regulations were strictly enforced, given that this large and valuable waterfront property would be unable to have a pier, an amenity enjoyed by nearly all of the adjoining properties, many of which are much smaller than the subject property.

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 lack of County and community opposition.

ORDER RECEIVED FOR FILING

Date 3-27-13

By [Signature]

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

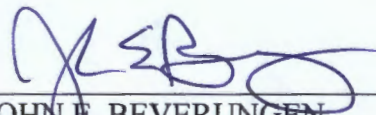
THEREFORE, IT IS ORDERED this 27th day of March 2013, by this Administrative Law Judge, that Petitioner's request for Special Hearing to permit an accessory structure (garage) on a lot without a principal use, filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioner's Variance request from B.C.Z.R. §§ 417.3, 417.4 and 400.3 to permit: (1) an encroachment of 15' beyond the divisional property line for a pier and mooring piles, and; (2) to permit an accessory structure (garage) with a height of 22' in lieu of the permitted 15', be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for 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.

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/dlw

ORDER RECEIVED FOR FILING

Date 3-27-13

3

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 27, 2013

David Billingsley
Central Drafting and Design, Inc.
601 Charwood Court
Edgewood, Maryland 21040

RE: Petitions for Special Hearing and Variance
Case No.: 2013-0174-SPHA
Property: 603-605 Oakdean Road

Dear Mr. Billingsley:

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,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal stroke extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



CBCA

PETITION FOR ZONING HEARING(S)

FLOOD PLAIN

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 603 - 605 OAKDEAN ROAD

which is presently zoned DR 3.5

Deed References:

10 Digit Tax Account # 2500002524-25

Property Owner(s) Printed Name(s) CLASSIC LLC

(SELECT THE HEARING(S) BY MARKING **X** 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. **X** a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve SEE ATTACHED

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

3. **X** a **Variance** from Section(s) SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate 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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

WM. OLIVER HARDY, MEMBER

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

622 WATERSIDE CT. BALTIMORE, MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD, MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2013-0174 SPHA

Filing Date

1/23/13

Do Not Schedule Dates:

Reviewer

JCM

**SPECIAL HEARING TO PERMIT AN ACCESSORY STRUCTURE (GARAGE)
ON A LOT WITHOUT A PRINCIPAL USE**

SECTIONS 417.3, 417.4 AND 400.3 (BCZR) TO PERMIT AN
ENCROACHMENT OF 15 FEET BEYOND THE DIVISIONAL PROPERTY
LINE FOR A PIER AND MOORING PILES AND TO PERMIT AN
ACCESSORY STUCTION (GARAGE) WITH A HEIGHT OF 22 FEET IN LIEU
OF THE PERMITTED 15 FEET

ZONING DESCRIPTION
603 AND 605 OAKDEAN ROAD

Beginning at a point on the east side of Oakdean Road distant (1) N 33° 10' W 314 feet and (2) N 56° 40' 17" E 19.69 feet from its intersection with the center of Glenwood Road, thence being all of Lots 2 and 3 as shown on the Minor Subdivision Plan of the Humphreys Property (03076M).

Containing 59,900 square feet or 1.38 acres of land, more or less.

Being known as 603 and 605 Oakdean Road. Located in the 15TH Election District, 6TH Councilmanic District of Baltimore County, Maryland.

2013-0174-SPHA

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0174 SPHA

Petitioner: CLASSIC LLC

Address or Location: 603-605 OAKDEAN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID BILLINGSLEY

Address: 601 CHARYWOOD CT

EDGEWOOD, MD. 21040

Telephone Number: (410) 679-8719

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

No. **94034**

Date: **1/23/13**

PAID RECEIPT

ADDRESS: 7/4/2013 1/23/2013 09:20:13 2

RECEIPT # 01130 01/23/2013 01/23

5. 2000 ANNUAL CERTIFICATE

01/23/13

Receipt for \$150.00

\$157.00 01

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: **150.00**

Rec From: **D. BILLINGSLEY**

For: **2013-0174-SAHA**

CERTIFICATE OF POSTING
CERTIFICATE OF POSTING

RE: CASE NO: 2013-0174-SPHA

PETITIONER/DEVELOPER _____

DAVE BILLINGSLEY

DATE OF HEARING/CLOSING: _____

MARCH 22, 2013

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 603-605 OAKDEAN RD

THIS SIGN(S) WERE POSTED ON _____

MARCH 1, 2013
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 3/1/13
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411



Walden 3/1/13



KEVIN KAMENETZ
County Executive

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

February 21, 2013

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: 2013-0174-SPHA

603-605 Oakdean Road

E/s Oakdean Road, 19.7 feet n/w from its intersection with Glenwood Road

15th Election District – 6th Councilmanic District

Legal Owners: Classic LLC, Wm. Oliver Haroy

Special Hearing to permit an accessory structure (garage) on a lot without a principal use.

Variance to permit an encroachment of 15 feet beyond the divisional property line for a pier and mooring piles and to permit an accessory structure (garage) with a height of 22 feet in lieu of the permitted 15 feet.

Hearing: Friday, March 22, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Wm. Oliver Haroy, 622 Waterside Court, Baltimore 21220
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 2, 2013.**
- (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, February 28, 2013 Issue - Jeffersonian

Please forward billing to:

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

410-679-8719

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: 2013-0174-SPHA

603-605 Oakdean Road

E/s Oakdean Road, 19.7 feet n/w from its intersection with Glenwood Road

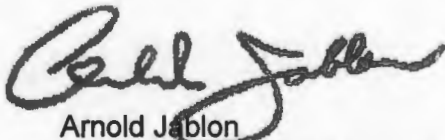
15th Election District – 6th Councilmanic District

Legal Owners: Classic LLC, Wm. Oliver Haroy

Special Hearing to permit an accessory structure (garage) on a lot without a principal use.

Variance to permit an encroachment of 15 feet beyond the divisional property line for a pier and mooring piles and to permit an accessory structure (garage) with a height of 22 feet in lieu of the permitted 15 feet.

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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.

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 # 2013-0174-SPHA

603-605 Oakdean Road
E/s Oakdean Road, 19.7 feet n/w from its intersection
with Glenwood Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Classic LLC, Wm. Oliver Haroy

Special Hearing: to permit an accessory structure (garage) on a lot without a principal use. **Variance:** to permit an encroachment of 15 feet beyond the divisional property line for a pier and mooring piles and to permit an accessory structure (garage) with a height of 22 feet in lieu of the permitted 15 feet.

Hearing: Friday, March 22, 2013 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.
2/371 Feb. 28 907313



501 N. Calvert Street, Baltimore, MD 21278

February 28, 2013

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 February 28, 2013.

- ☒ 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

M E M O R A N D U M

DATE: May 7, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0174-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on April 26, 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
603-605 Oakdean Road; E/S Oakdean Road,	*	OF ADMINISTRATIVE
19.7' N/W of Glenwood Road		
15 th Election & 6 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Member Classic LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-174-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

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

RECEIVED

FEB 06 2013

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 2013, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, Maryland 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 12, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0174-SPHA
Address 603-605 Oakdean Road
(Member Classic, LLC Property)

Zoning Advisory Committee Meeting of January 28, 2012.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements specified in the 2008 subdivision approval. The applicant is proposing to permit a garage on Lot 3 without a principal use, to allow the garage to exceed the height limits, and to encroach on the divisional property lines for a pier. Lot 3 is currently undeveloped. The garage is not proposed in the Critical Area buffer or Critical Area Easement and will not exceed the lot coverage limits for the lot. The location of the pier

but based on the plan it appears the proposal is below the lot coverage maximum. the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

RECEIVED

MAR 12 2013

OFFICE OF ADMINISTRATIVE HEARINGS

The garage will be slightly larger than the existing garage. If lot coverage and afforestation requirements are met, that will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Afforestation and lot coverage information was not included. Provided that the applicants meet the requirements stated above, the relief requested will be consistent with established land-use policies.

Reviewer: *Regina Esslinger – Environmental Impact Review (EIR)*

RECEIVED

MAR 12 2013

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

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

March 13, 2013

William Oliver Hardy
622 Waterside Court
Baltimore MD 21220

RE: Case Number: 2013-0174 SPHA, Address: 603-605 Oakdean Road

Dear Mr. Hardy:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 23, 2013. 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: jaf

Enclosures

c: People's Counsel
David Billingsley, Central Drafting and Design, Inc., 601 Charwood Court, Edgewood MD 21040

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-30-13

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

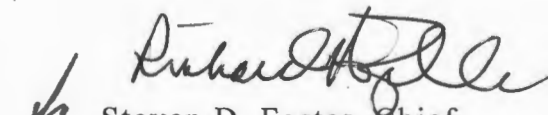
RE: Baltimore County
Item No 2013-0174-SPHA
Special Hearing Variance
Wm. Oliver Harvey,
Member Classic LLC
603-605 Oakdean Road

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. 2013-0174-SPHA.

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For February 4, 2013
Item No. 2013-0174

DATE: January 31, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 8.5 feet [NAVD 88].

The flood protection elevation is 9.5 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN
cc: file
ZAC-ITEM NO 13-0174-02042013.doc

2

File # 121137

DEED

This Deed, made this 19th day of October, 2012 by and between **Baltd Investments, LLC on behalf of Repid, LLC, both Maryland Limited Liability Companies**, parties of the first part, and **Classic, LLC, a Maryland Limited Liability Company**, party of the second part;

Witnesseth, that in consideration of **\$200,000.00**, the receipt whereby is hereby acknowledged, the said parties of the first part do(es) grant and convey unto **Classic, LLC**, party of the second part, **as sole owner** and all it's sucessors and assigns, in **fee simple** all that piece or parcel of land situate, lying and being in **Baltimore County, Maryland** and described as follows, that is to say:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING the same property which by Deed dated October 16, 2012 and recorded immediately prior hereto or intended so to be among the Land Records of Baltimore County, Maryland which was granted and conveyed by Edward S. Cohn, Stephen N. Goldberg, Richard E. Solomon, and Richard J. Rogers, Substitute Trustees, unto the Grantor(s) herein.

AFFIDAVIT AS TO TOTAL PAYMENT

THE transferor(s) certify under penalties of perjury, that the following is true to the best of my/our knowledge, information and belief, in accordance with 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, (the "Withholding Law").

1. That I am/we are the transferor(s), [or agent of the transferor(s) if so indicated)], of the real property described herein.
2. The amount of total payment for the purposes of the Withholding Law is \$Zero.

CERTIFICATE OF EXEMPTION FROM WITHHOLDING UPON DISPOSITION
OF MARYLAND REAL ESTATE
AFFIDAVIT OF RESIDENCE OR PRINCIPAL RESIDENCE

Transferor(s) claims the exemption from the tax withholding requirements of 10-912 of Maryland's Tax General Article.

TRANSFEROR INFORMATION

Names of Transferor: **Baltd Investments, LLC on behalf of Repid, LLC**

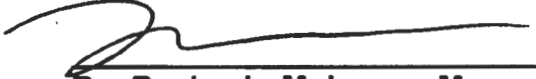
REASON FOR EXEMPTION

- | | |
|---------------------|--|
| Resident Status | ☐ I, Transferor, am a resident of the State of Maryland.

☒ Transferor is a resident entity under 10-912(A)(4) of Maryland's Tax General Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf. |
| Principal Residence | ☐ Although I am no longer a resident of the State of Maryland, the property is my principal residence as defined in IRC 121. |

Under penalty of perjury, I/we certify that I/we have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

I, being an authorized officer/representative/member of **Baltd Investments, LLC and Repid, LLC**, hereby affirm under the penalties of perjury that this grant of title is not part of a transaction in which there is a sale, lease, exchange, or other transfer of all or substantially all of the property and assets of the **Limited Liability Companies**.

 (SEAL)
 By: **Benjamin M. Lyons, Managing Member,**
Baltd Investments, LLC

 (SEAL)
 By: **Benjamin M. Lyons, General Member,**
Repid, LLC

And the said parties of the first covenant(s) that **they** will warrant specially the property conveyed; and that **they** will execute such further assurances of said land as may be requisite. Furthermore, the transferor(s) hereby certify that they are registered entities of the State of Maryland.

Witness the hands and seals

TEST:

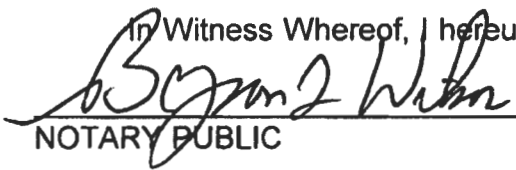
 (SEAL)
 By: **Benjamin M. Lyons, Managing Member,**
Baltd Investments, LLC

 (SEAL)
 By: **Benjamin M. Lyons, General Member,**
Repid, LLC

STATE OF Maryland
 COUNTY OF Baltimore

On this 19~~th~~ day of October, 2012, before me, the undersigned officer, personally appeared **Benjamin M. Lyons, Managing Member, Baltd Investments, LLC and General Manager, Repid, LLC**, known to me (or satisfactorily proven) to be the person(s) whose name(s) subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

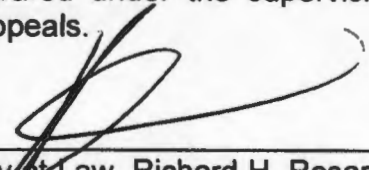

 NOTARY PUBLIC

My commission expires:

Byron L. Wilson
 NOTARY PUBLIC

Baltimore County, Maryland

I certify that this instrument has been prepared under the supervision of an attorney approved to practice before the court of appeals.


MD Attorney at Law, Richard H. Rosario

Return to: Omni Land Settlement Corporation
9603 Deereco Road, Ste. 300
Timonium, Maryland 21093

File No. 121137
LEGAL DESCRIPTION - SCHEDULE/EXHIBIT A

For informational purposes only, the Property Address is 603 & 605 Oakdean Road, Baltimore, MD 21220.

BEGINNING FOR THE SAME AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF OAKDEAN ROAD, VARIABLE WIDTH, AS SHOWN ON A BALTIMORE COUNTY RIGHT OF WAY PLAT AND INTENDED TO BE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND, SAID POINT ALSO BEING AT THE SOUTHERLY END OF THE DIVISION LINE BETWEEN LOT 1 AND LOT 2 AS SHOWN ON THE "HUMPHREYS PROPERTY" MINOR SUBDIVISION NO. 03-076-M AND INTENDED TO BE RECORDED AMONG THE AFORESAID LAND RECORDS; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING WITH AND BINDING ON SAID LOT LINE THE FOLLOWING TWO COURSES, AS NOW SURVEYED, WITH BEARINGS OF THIS DESCRIPTION BEING BASED ON THE MARYLAND COORDINATE SYSTEM, NAD 83/91 DATUM (1) NORTH 13 DEGREES 40 MINUTES 04 SECONDS EAST 68.83 FEET; THENCE (2) NORTH 77 DEGREES 42 MINUTES 38 SECONDS WEST 164.86 FEET TO ARMSTRONG CREEK; THENCE LEAVING SAID LOT LINE AND RUNNING WITH AND BINDING ON SAID ARMSTRONG CREEK (3) NORTH 44 DEGREES 17 MINUTES 17 SECONDS EAST 57.73 FEET TO THE DIVISION LINE OF LOT 2 AND LOT 3 AS SHOWN ON SAID MINOR SUBDIVISION; THENCE RUNNING WITH AND BINDING ON SAID LOT LINE THE FOLLOWING THREE COURSES (4) NORTH 83 DEGREES 38 MINUTES 17 SECONDS EAST 223.45 FEET; THENCE (5) SOUTH 06 DEGREES 21 MINUTES 43 SECONDS EAST 145.64 FEET; THENCE (6) SOUTH 56 DEGREES 40 MINUTES 17 SECONDS WEST 90.40 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID OAKDEAN ROAD; THENCE LEAVING SAID LOT LINE AND RUNNING REVERSELY AND BINDING ON PART OF SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES (7) NORTH 13 DEGREES 40 MINUTES 04 SECONDS EAST 11.87 FEET; THENCE (8) NORTH 76 DEGREES 19 MINUTES 56 SECONDS WEST 62.75 FEET TO THE POINT OF BEGINNING. CONTAINING 0.6546 OF AN ACRE OF LAND MORE OR LESS OR 28513 SQUARE FEET OF LAND MORE OR LESS, THE IMPROVEMENTS THEREON BEING KNOWN AS OR TO BE KNOWN AS NO. 603 OAKDEAN ROAD AND BEING MORE PARTICULARLY KNOWN AS LOT NO. 2 ON THE AFOREMENTIONED MINOR SUBDIVISION OF HUMPHREYS PROPERTY.

BEGINNING FOR THE SAME AT A POINT ON THE EASTERLY RIGHT-OF-WAY OF OAKDEAN ROAD, VARIABLE WIDTH, AS SHOWN ON A BALTIMORE COUNTY RIGHT-OF-WAY PLAT AND INTENDED TO BE RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND, SAID POINT ALSO BEING AT THE SOUTHERLY END OF THE DIVISION LINE BETWEEN LOT 2 AND LOT 3 AS SHOWN ON THE "HUMPHREYS PROPERTY" MINOR SUBDIVISION NO. 03-076-M AND INTENDED TO BE RECORDED AMONG THE AFORESAID LAND RECORDS;

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING REVERSELY AND BINDING ON SAID LOT LINE THE FOLLOWING THREE COURSES, AS NOW SURVEYED, WITH BEARINGS OF THIS DESCRIPTION BEING BASED ON THE MARYLAND COORDINATE SYSTEM, NAD 83/91 DATUM (1) NORTH 56 DEGREES 40 MINUTES 17 SECONDS EAST 90.40 FEET; THENCE (2) NORTH 06 DEGREES 21 MINUTES 43 SECONDS WEST 145.64 FEET THENCE (3) SOUTH 83 DEGREES 38 MINUTES 17 SECONDS WEST 223.64 FEET TO ARMSTRONG CREEK; THENCE LEAVING SAID LOT LINE AND RUNNING WITH AND BINDING ON SAID ARMSTRONG CREEK THE FOLLOWING TWO COURSES (4) NORTH 44 DEGREES 17 MINUTES 17 SECONDS EAST 16.66 FEET; THENCE (5) NORTH 38 DEGREES 52 MINUTES 17 SECONDS EAST 34.70 FEET TO A POINT ON THE SOUTHERLY OR NORTH 89-3/4 DEGREES EAST 510 FOOT LINE OF A PARCEL OF LAND AS DESCRIBED IN A DEED DATED AUGUST 25, 2004 THAT WAS GRANTED AND CONVEYED BY FRANK P. CARLOTTA TO BRIGADOON MANOR PROPERTIES, LLC AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 20596 AT FOLIO 331, SAID POINT ALSO BEING THE WESTERLY END OF THE NORTHERLY OR NORTH 88 DEGREES 23 MINUTES WEST 257.80 FOOT LINE OF LOT 17 AS SHOWN ON A PLAT ENTITLED "GLENWOOD" AND RECORDED AMONG THE AFORESAID LAND RECORDS IN PLAT BOOK C.W.B. JR. 12 AT FOLIO 111; THENCE RUNNING WITH AND BINDING ON A PART OF SAID DEED LINE AND LOT LINE (6) NORTH 83 DEGREES 38 MINUTES 17 SECONDS EAST 257.80 FEET TO THE BEGINNING OF THE SOUTHERLY OR SOUTH 42 DEGREES 43 MINUTES EAST 197.10 FOOT LINE OF A PARCEL OF LAND AS DESCRIBED IN A DEED DATED AUGUST 28, 1986 THAT WAS GRANTED AND CONVEYED BY WALTER G. ALT AND JANIE M. ALT TO HARRY M. FOOTE, III AND LINDA C. FOOTE AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 7252 AT FOLIO 612; THENCE RUNNING WITH AND BINDING ON A PART OF SAID SOUTHERLY DEED LINE (7) SOUTH 50 DEGREES 41 MINUTES 43 SECONDS EAST 155.50 FEET TO A PIPE WITH CAP (KLS) FOUND AT THE END OF THE WESTERLY OR NORTH 56 DEGREES 40 MINUTES 00 SECONDS EAST 330.90 FOOT PLAT LINE AS SHOWN ON A PLAT ENTITLED "BIDDISON PROPERTY" AND RECORDED AMONG THE AFORESAID LAND RECORDS IN PLAT BOOK S.M. 73 AT FOLIO 005; THENCE RUNNING REVERSELY AND BINDING ON A PART OF SAID WESTERLY PLAT LINE (8) SOUTH 56 DEGREES 40 MINUTES 17 SECONDS WEST 304.23 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF SAID OAKDEAN ROAD; THENCE LEAVING SAID PLAT LINE AND RUNNING WITH AND BINDING ON A PART OF SAID RIGHT-OF-WAY (9) NORTH 13 DEGREES 40 MINUTES 04 SECONDS EAST 29.32 FEET TO THE POINT OF BEGINNING. CONTAINING 0.7205 OF AN ACRE OF LAND MORE OR LESS OR 31387 SQUARE FEET OF LAND MORE OR LESS, THE IMPROVEMENTS THEREON BEING KNOWN AS OR TO BE KNOWN AS NO. 605 OAKDEAN ROAD AND BEING MORE PARTICULARLY KNOWN AS LOT NO. 3 ON THE AFOREMENTIONED MINOR SUBDIVISION OF HUMPHREYS PROPERTY.

032778 450

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Source Reviewed for Circuit Court Clerk Recorction Validation

Office Use Only BIR # 1434
 Coordination Tax Consideration
 NOV 13 2012 12:38 PM

Goldenrod - Preparation

DUPLICATE PAID RECEIPT

CASE NO. 2013-0174-SPHA

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
1/31/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
3/12/13	DEPS (if not received, date e-mail sent _____)	C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
1/30/13	STATE HIGHWAY ADMINISTRATION	NO Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 2/28/13	
SIGN POSTING	Date: 3/11/13 by Ogle	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

CASE NAME 603-605 OAKDEAN RD
CASE NUMBER 2013-0174 SPHA
DATE 3/22/13

[illegible]

PETITIONER'S EXHIBITS

**603 AND 605 OAKDEAN ROAD
CASE NO. 2013 -0174-SPHA**

PS-7-13

1a - b. PLAT TO ACCOMPANY PETITION DATED JANUARY 8, 2013 (NO CHANGES)

2a - b. SDAT REAL PROPERTY DATA SEARCH FOR 603 AND 605 OAKDEAN ROAD

3. DEED OF RECORD L.32778 F.454 DATED OCTOBER 19, 2012

4. MINOR SUBDIVISION OF HUMPHREYS PROPERTY 03-076-M

5. AERIAL PHOTO OF NEIGHBORHOOD

6a - k. PHOTOS

**7. AERIAL PHOTO SHOWING LOCATION OF PROPOSED PIER AND MOORING PILES
RELATIVE TO DIVISIONAL PROPERTY LINES.**

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

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[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 2500002524

Owner Information

Owner Name: CLASSIC LLC **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 622 WATERSIDE CT **Deed Reference:** 1)/32778/ 00453
BALTIMORE MD 21220- 2)

Location & Structure Information

Premises Address **Legal Description**
603 OAKDEAN RD .6546AC PT LT 17
0-0000 603 OAKDEAN RD
Waterfront LEE GLENWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
0091	0015	0142		0000			2	3	Plat Ref:	0012/ 0111

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
28,513 SF 34

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	326,100	266,100		
Improvements:	0	0		
Total:	326,100	266,100	266,100	266,100
Preferential Land:	0			0

Transfer Information

Seller: REPID LLC	Date: 11/13/2012	Price: \$200,000
Type: ARMS LENGTH IMPROVED	Deed1: /32778/ 00453	Deed2:
Seller: CLAIRE'S LANE LLC	Date: 11/13/2012	Price: \$170,000
Type: ARMS LENGTH IMPROVED	Deed1: /32778/ 00444	Deed2:
Seller: HUMPHREYS DANE T	Date: 11/09/2010	Price: \$250,000
Type: ARMS LENGTH MULTIPLE	Deed1: /30107/ 00019	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

PETITIONER'S
EXHIBIT NO. 2a

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

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[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 2500002525

Owner Information

Owner Name: CLASSIC LLC **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 622 WATERSIDE CT **Deed Reference:** 1)/32778/ 00453
BALTIMORE MD 21220- 2)

Location & Structure Information

Premises Address **Legal Description**
605 OAKDEAN RD .7205AC PT LT 17
0-0000 605 OAKDEAN RD
Waterfront LEE GLENWOOD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
0091	0015	0142		0000			3	3	Plat Ref:	0012/ 0111

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built **Enclosed Area** **Property Land Area** **County Use**
31,387 SF 34

Stories **Basement** **Type** **Exterior**

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	326,800	266,800		
Improvements:	0	0		
Total:	326,800	266,800	266,800	266,800
Preferential Land:	0			0

Transfer Information

Seller: REPID LLC	Date: 11/13/2012	Price: \$200,000
Type: ARMS LENGTH IMPROVED	Deed1: /32778/ 00453	Deed2:
Seller: CLAIRE'S LANE LLC	Date: 11/13/2012	Price: \$170,000
Type: ARMS LENGTH IMPROVED	Deed1: /32778/ 00444	Deed2:
Seller: HUMPHREYS DANE T	Date: 11/09/2010	Price: \$250,000
Type: ARMS LENGTH MULTIPLE	Deed1: /30107/ 00019	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

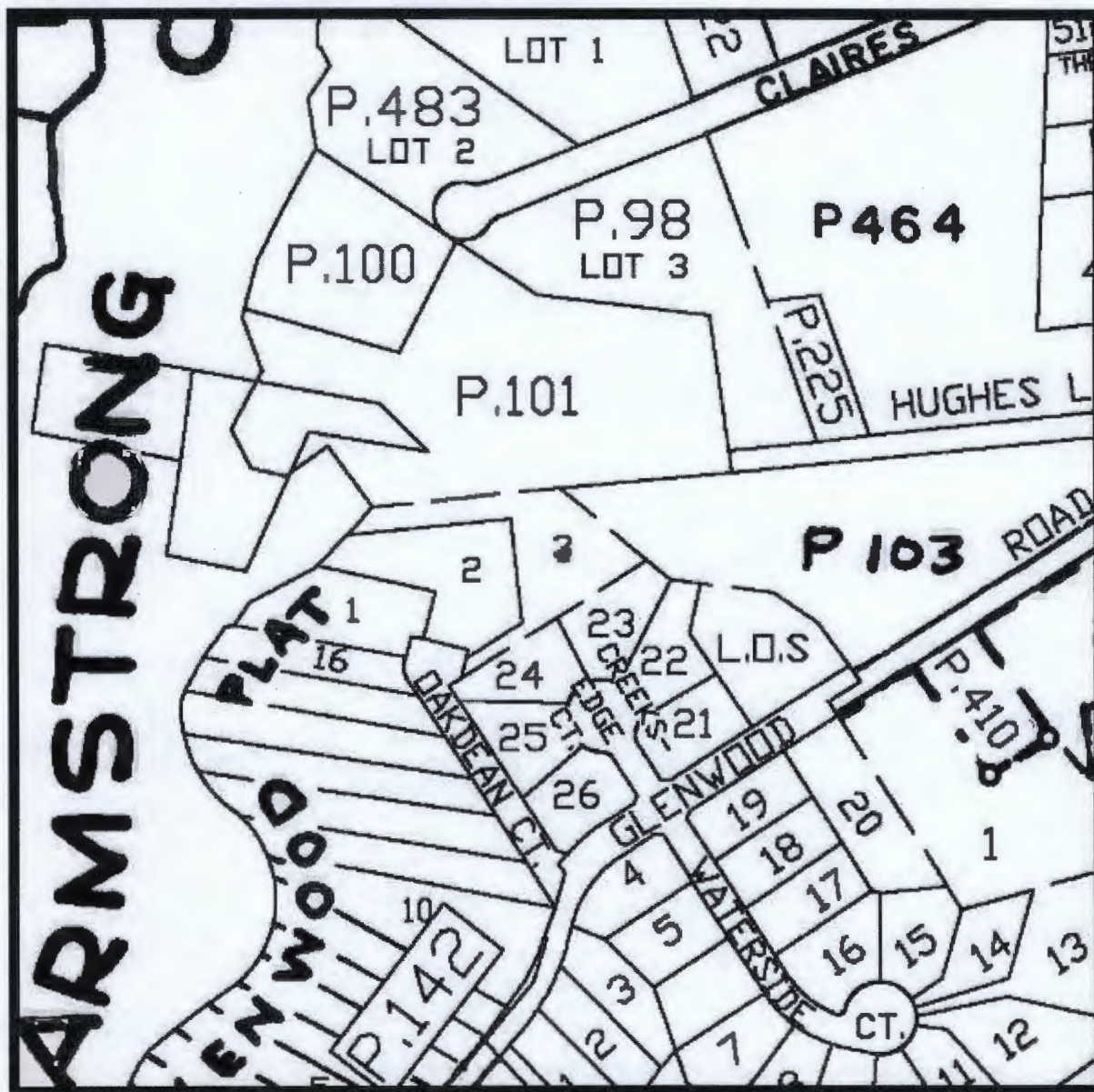
PETITIONER'S
EXHIBIT NO. **26**



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

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District - 15 Account Number - 2500002525



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.

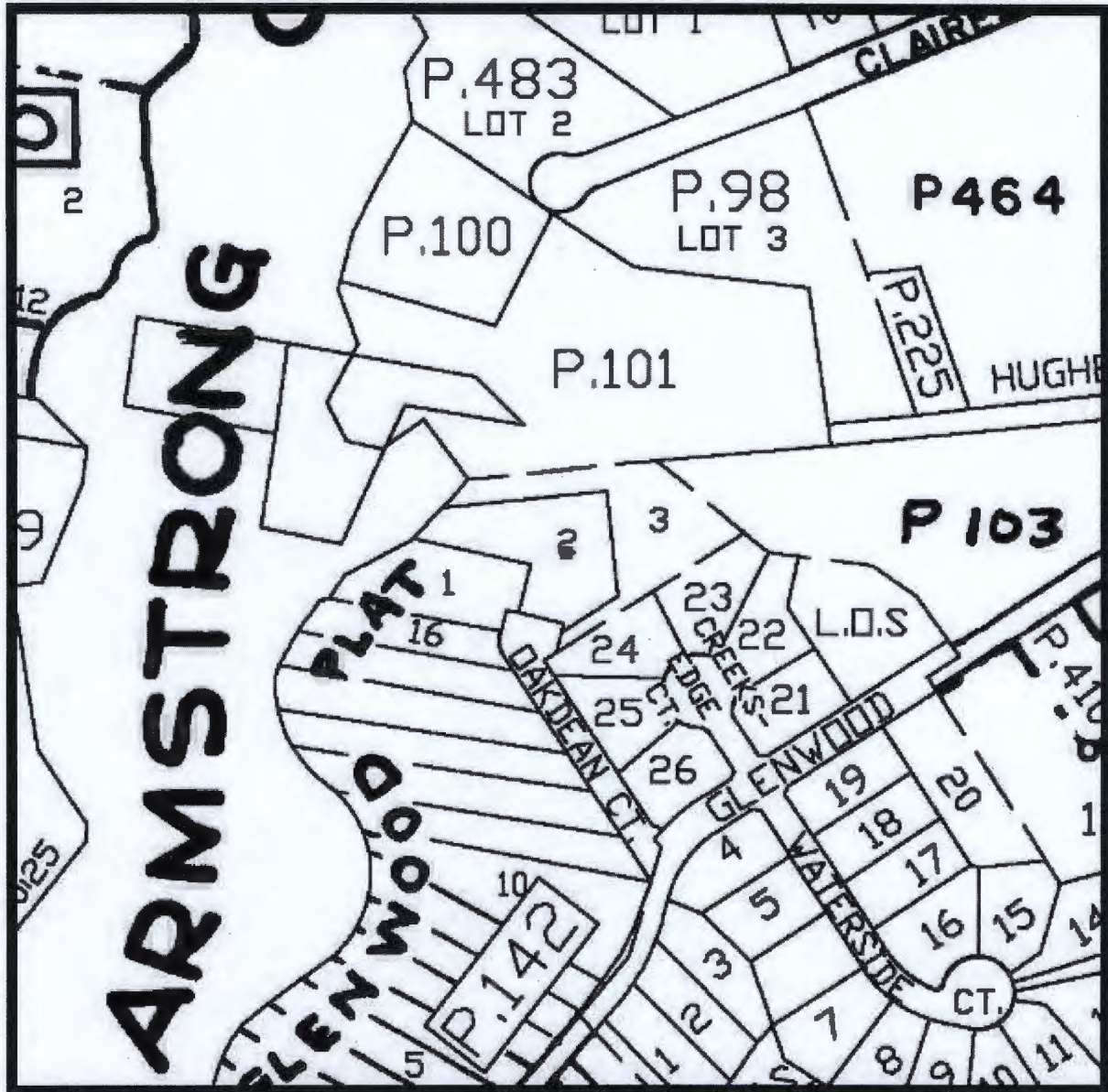
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.



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

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District - 15 Account Number - 2500002524



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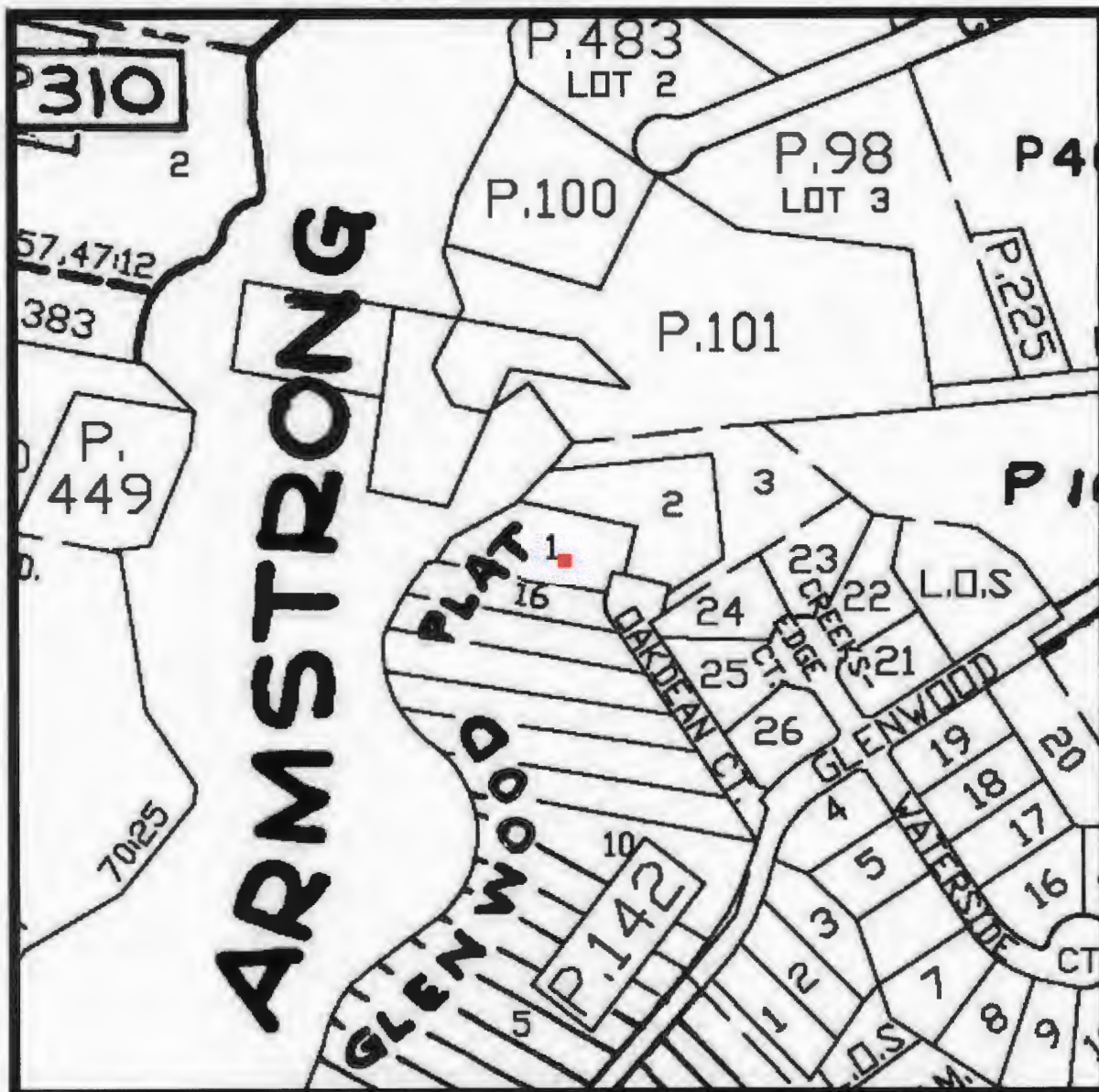
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BALTIMORE COUNTY
Real Property Data Search

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District - 15 Account Number - 2500002523



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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

DR 3.5

1506452450

3646

3646

Lot # 3

2300011026

PDM # 150964

3644

1502200270

BMB

HUGHES LN

PDM # 150808

601

Lot # 3

2500002525

Pt. Bk. 0000012, Folio 0111

Pt. Bk./Folio # MP03076

Lot # 2 2500002524

HUMPHREYS PROPERTY (PDM File/Project # MS 03076)

NE 3-K

Martin State Airport Restriction

091B2

6 CD

15 ED

Lot # 1

2500002523

600

Lot # 16

602

1504001300

2001-0342 608

1999-0263-A

Lot # 15

1513203040

Bowleys Quarters-Back River Neck Area

OAKDEAN RD

DR 3.5

Lot # 24

2300009882

600

2300009881

Lot # 23

601

Pt. Bk. 0000013, Folio 0005

CREEKSEDGE CT

Pt. Bk./Folio # 073005

2300009883

Lot # 25

PDM # 150725

Lot # 26

2300009884

GLENWOOD RD

Pt. Bk./Folio # 012111B

610

Lot # 13

1514651290

612

Lot # 12

1512740950

614

Lot # 11

1503470320

1511671470

Lot # 10

1512400090

608

2300009882

Lot # 4



603 & 605 OAKDEAN
ROAD

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Baltimore County
My Neighborhood



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Printed 1/19/2013

a



b



C



D



ø



F



g



h



i



j







603 & 605 OAKDEAN
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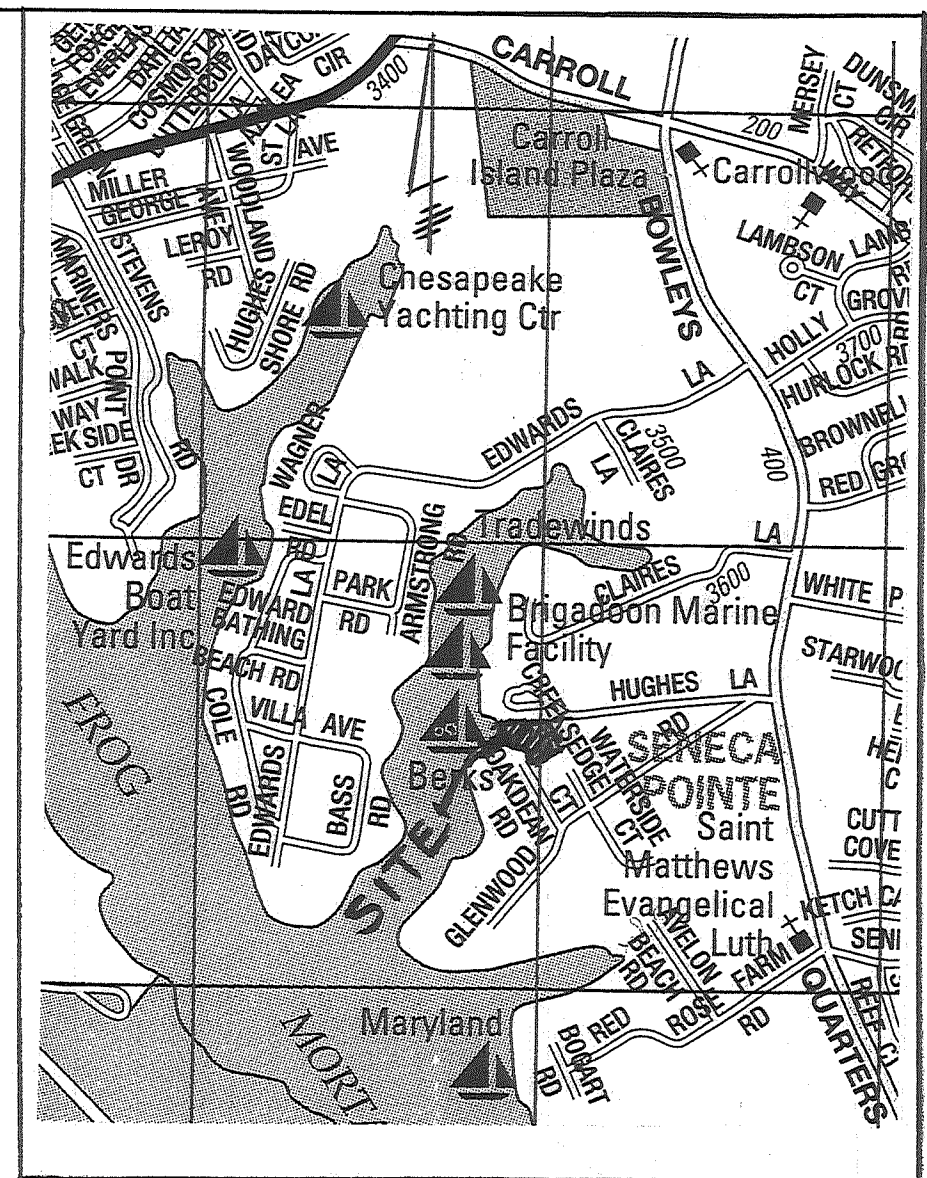
603 & 605 OAKDEAN
ROAD

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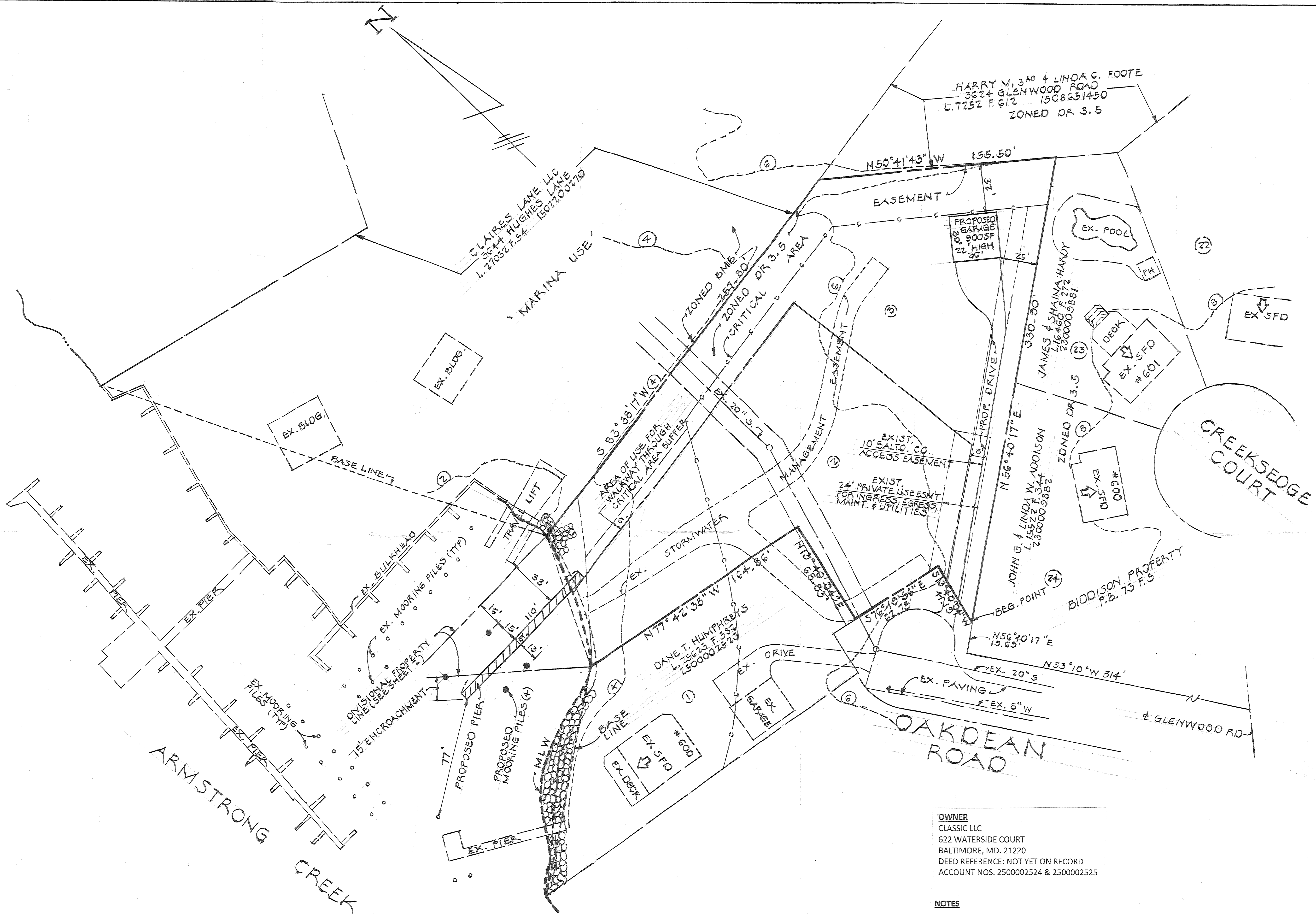


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Printed 1/19/2013



VICINITY MAP
SCALE: 1"=1000'



OWNER
CLASSIC LLC
622 WATERSIDE COURT
BALTIMORE, MD. 21220
DEED REFERENCE: NOT YET ON RECORD
ACCOUNT NOS. 2500002524 & 2500002525

NOTES

1. ZONING.....DR 3.5 (MAP NO. 091B2)
2. AREA.....59,900 S.F. = 1.38 ACRES
3. SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA AND 100 YEAR FLOOD ZONE
4. PUBLIC WATER AND SEWER IS AVAILABLE
5. NO PREVIOUS ZONING HISTORY
6. NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST ON THIS SITE
7. THE PROPOSED GARAGE SHALL NOT BE USED FOR COMMERCIAL PURPOSES OR LIVING QUARTERS
8. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE GARAGE, BUILDING PLANS SHALL BE SUBMITTED TO THE OFFICE OF PLANNING FOR APPROVAL.

PETITIONER'S
EXHIBIT NO. 1a

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE
603 AND 605 OAKDEAN ROAD
LOTS 2 AND 3
HUMPHREYS PROPERTY (03076M)
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET JANUARY 8, 2013
SHEET 1 OF 2**

SOILS DATA

KEY	SOIL NAME	SLOPE	HSG	LIMITATIONS	STREETS + PARKING LOTS
MIB	MATTAPEX SILT LOAM	2-5%	C	MODERATE; MODERATELY HIGH WATER TABLE	MODERATE; MODERATELY HIGH WATER TABLE
WdA	WOODSTOWN SANDY LOAM	0-2%	C	MODERATE; MODERATELY HIGH WATER TABLE	MODERATE; MODERATELY HIGH WATER TABLE

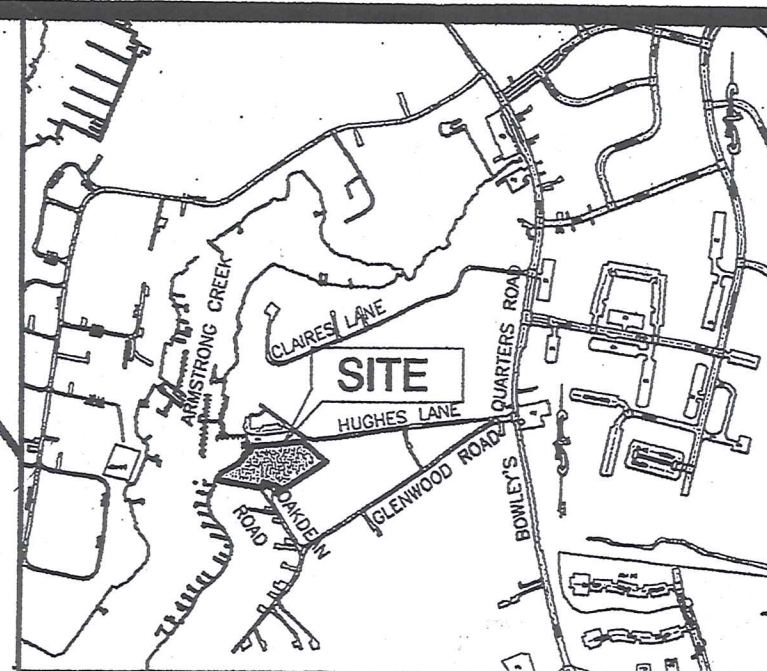
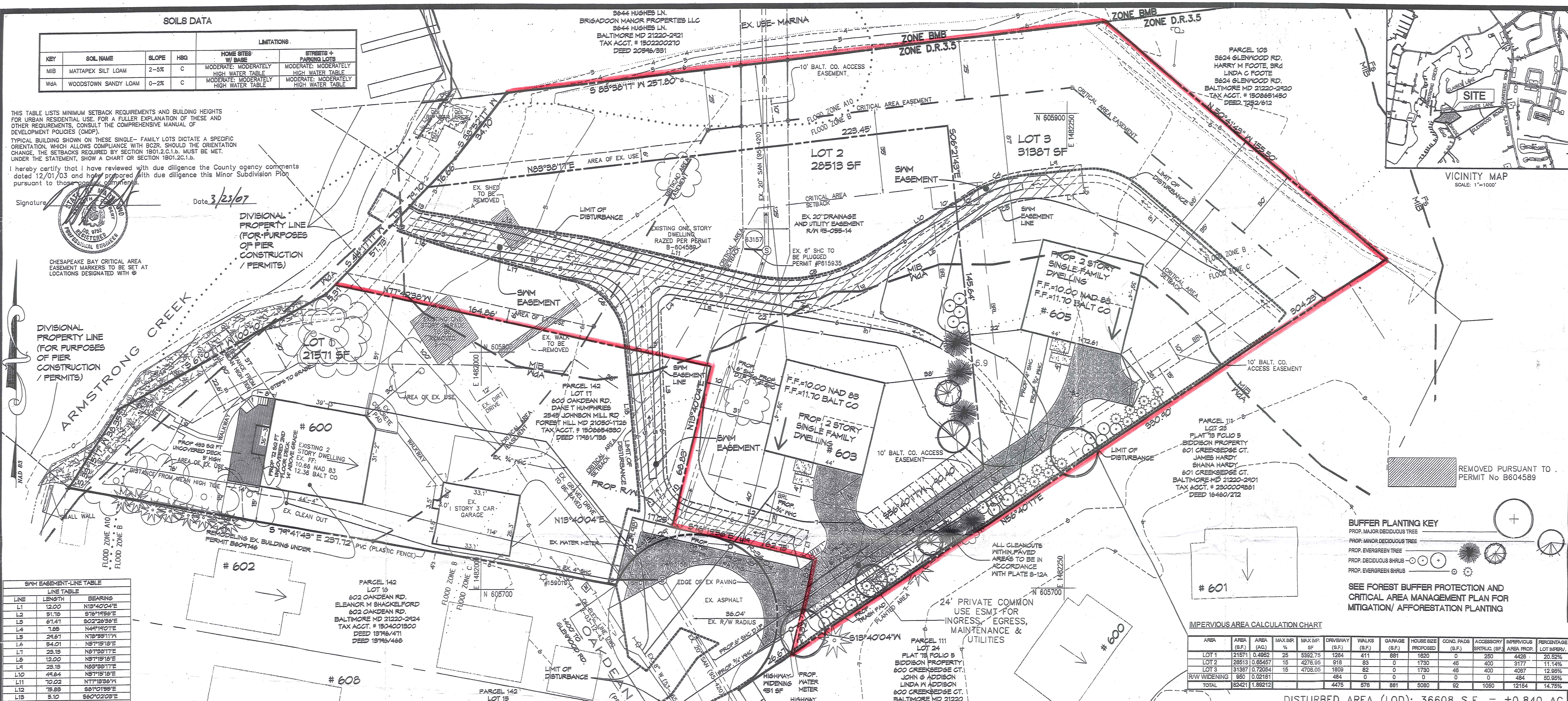
THIS TABLE LISTS MINIMUM SETBACK REQUIREMENTS AND BUILDING HEIGHTS FOR URBAN RESIDENTIAL USE. FOR A FULLER EXPLANATION OF THESE AND OTHER REQUIREMENTS, CONSULT THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES (CMOP).
TYPICAL BUILDING SHOWN ON THESE SINGLE-FAMILY LOTS DICTIONATE A SPECIFIC ORIENTATION, WHICH ALLOWS COMPLIANCE WITH B02R. SHOULD THE ORIENTATION CHANGE, THE SETBACKS REQUIRED BY SECTION 1801.2.C.1.5, MUST BE MET.
UNDER THE STATEMENT, SHOW A CHART OR SECTION 1801.2.C.1.5.

I hereby certify that I have reviewed with due diligence the County agency comments dated 12/01/03 and have prepared with due diligence this Minor Subdivision Plan pursuant to those agency comments.

Signature:  Date: 3/23/07
CHESAPEAKE BAY CRITICAL AREA EASEMENT MARKERS TO BE SET AT LOCATIONS DESIGNATED WITH @

DIVISIONAL PROPERTY LINE (FOR PURPOSES OF PIER CONSTRUCTION / PERMITS)

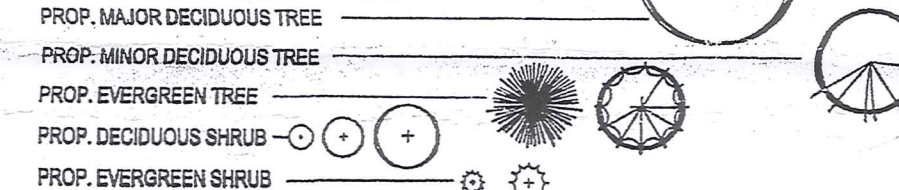
DIVISIONAL PROPERTY LINE (FOR PURPOSES OF PIER CONSTRUCTION / PERMITS)



SCALE: 1"=1000'

REMOVED PURSUANT TO PERMIT NO. B604589

BUFFER PLANTING KEY



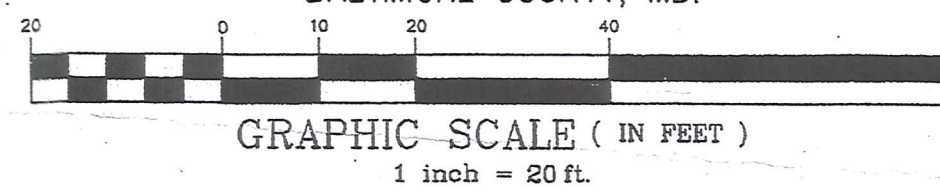
SEE FOREST BUFFER PROTECTION AND CRITICAL AREA MANAGEMENT PLAN FOR MITIGATION/ AFFORESTATION PLANTING

IMPERVIOUS AREA CALCULATION CHART

AREA	AREA (S.F.)	AREA (AC)	MAX.IMP. %	MAX.IMP. SF	DRIVEWAY (S.F.)	WALKS (S.F.)	GARAGE (S.F.)	HOUSE SIZE PROPOSED (S.F.)	COND. PADS (S.F.)	ACCESSORY STRULC. (S.F.)	IMPERVIOUS AREA PROP.	PERCENT LOT IMPERV.
LOT 1	21571	0.4925	25	5392.75	1264	411	881	1620	0	250	4426	20.52
LOT 2	28513	0.65457	15	4276.95	918	83	0	1730	46	400	3177	11.14
LOT 3	31387	0.72054	15	4708.05	1809	82	0	1730	46	400	4087	12.98
R/W WIDENING	950	0.02181			484	0	0	0	0	0	484	50.95
TOTAL	82421	1.89212			4475	578	881	5080	92	1050	12154	14.75

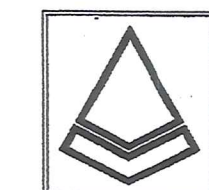
DISTURBED AREA (LOD): 36608 S.F. = ±0.840 AC.

MINOR SUBDIVISION OF
HUMPHREYS PROPERTY
600 OAKDEAN ROAD
LOT 17 GLENWOOD
PLAT BOOK 12, PAGE 111
MINOR SUBDIVISION NO. 03-076 - M
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



SCALE: 1"= 20'
DATE: March 23, 2007
JOB NO.: 2005078
DESIGNED: SR
DRAWN: SR
CHECKED: KJC
FILE: 2005078 MINOR-SUB
DRAWING NUMBER:

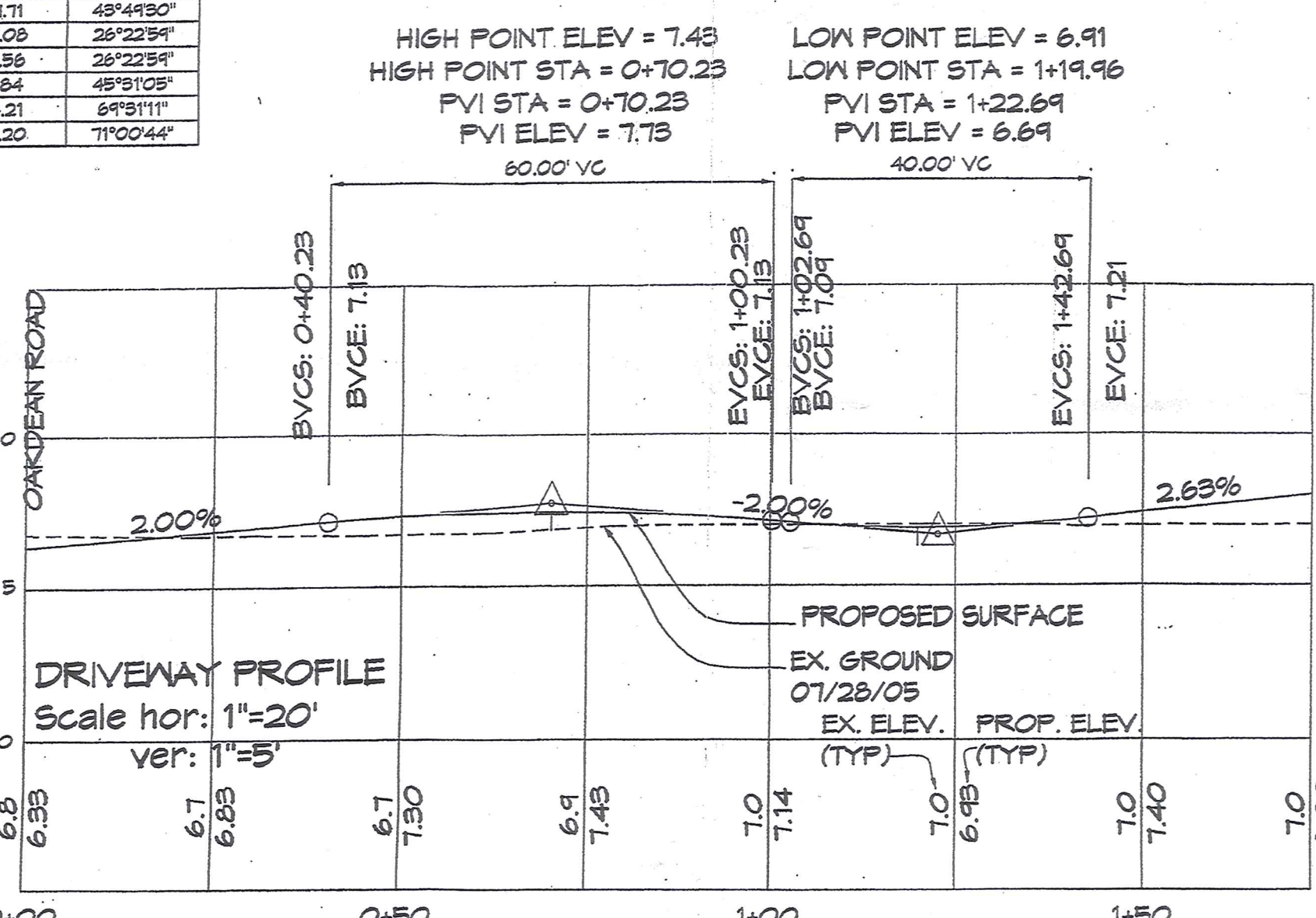
NO. DATE REVISIONS: BY SHEET 1 OF 1

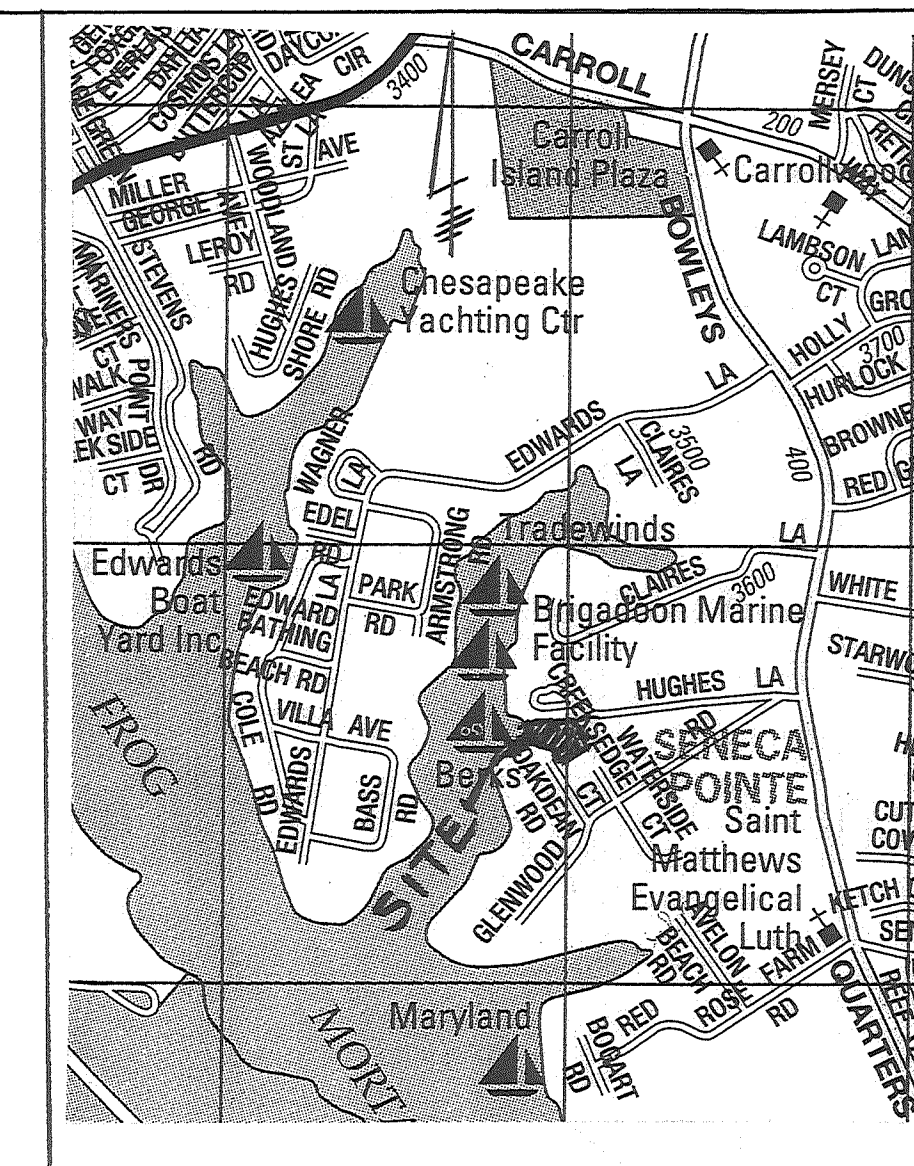
GENERAL NOTES

- OWNER: DANE T. HUMPHREYS, 2309 BELAIR ROAD, FALSTON, MD 21047. PHONE NO.: 410-879-3100. TAX ACCT. NO.: 1508854330. DEED REFERENCE: 17981/738.
- PROPERTY INFORMATION: 600 OAKDEAN ROAD. TAX MAP: 91, GRID: 15, PARCEL: 142 LOT 17.
- ADDITIONAL PROPERTY INFORMATION: 1990 CENSUS TRACT: 451802. 2000 CENSUS TRACT: 451803. 1990 CENSUS BLOCK GROUP: 4518023. 2000 CENSUS BLOCK GROUP: 4518032. COUNCIL DISTRICT: ELEMENTARY SCHOOL DISTRICT: SENECA ES. MIDDLE SCHOOL DISTRICT: MIDDLE RIVER MS. HIGH SCHOOL DISTRICT: KENWOOD HS. REGIONAL PLANNING DISTRICT: 322. LAND MANAGEMENT AREA: COMMUNITY CONSERVATION AREA. WATERSHED: MIDDLE RIVER. WATER SERVICE AREA: FIRST ZONE. SEWER SHED: 10. TRANSPORTATION ZONE: 0665. ZIP CODE: 21220.
- AREA OF TRACT: NET=82,421 SQ.FT.± (1.89 AC.±). GROSS=82,421 SQ.FT.± (1.89 AC.±). PROP. LOT 1: 21871 SQ.FT.± (0.499 AC.±). PROP. LOT 2: 28513 SQ.FT.± (0.654 AC.±). PROP. LOT 3: 31387 SQ.FT.± (0.721 AC.±). HIGHWAY WIDENING: 951 SQ.FT.± (0.022 AC.±).
- ZONING CLASSIFICATION: ZONED: D.R. 3.5. 200 SCALE ZONING MAP: TILE 091B2. ALL AREAS SHOWN ON THIS PLAN ARE ZONED AS SHOWN ON PLAN.
- DENSITY CALCULATIONS: LOTS PERMITTED: 3.5 X 1.89 AC. = 6 DU. PROPOSED LOTS: 3.
- BOUNDARY AND TOPOGRAPHY SHOWN HEREON IS FROM A FIELD SURVEY CONDUCTED BY COLBERT MATZ ROSENFELT, INC.
- THE PROPERTY SHOWN HEREON LIES WITHIN ZONES 'A10', 'B', AND 'C' ON F.I.R.M. MAP #240010 0435 B DATED: MARCH 2, 1981.
- THERE ARE NO KNOWN WELLS, SEPTIC SYSTEMS OR UNDERGROUND STORAGE TANKS KNOWN ON THE PROPERTY EXCEPT AS SHOWN.
- THERE ARE NO OTHER WELLS OR SEPTICS WITHIN 100' OF PROPERTY LINES EXCEPT AS SHOWN.
- THERE ARE NO KNOWN RARE, THREATENED OR ENDANGERED SPECIES HABITATS ON THE PROPERTY.
- ALL HOUSES WILL BE CONNECTED TO PUBLIC WATER AND SEWER.
- THERE ARE NO PRIOR ZONING HEARINGS ON THIS PROPERTY.
- THERE SHALL BE NO CLEARING, GRADING OR DISTURBANCE OF VEGETATION IN THE CRITICAL AREA EASEMENT EXCEPT AS BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- THE SITE IS WITHIN THE CHESAPEAKE BAY CRITICAL AREA. ANY CRITICAL AREA EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY, AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- THE SUBJECT SITE IS NOT LOCATED IN ANY HISTORIC DISTRICT.
- THE SITE IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BASIC SERVICES MAP PURSUANT TO SECTION 4402, B02R.
- THIS SITE LIES WITHIN THE LIMITED DEVELOPMENT AREA OF THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE OCT. 26, 1935. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFFSITE DWELLINGS.
- WATER QUALITY FOR 1.30 ACRES, INCLUDING 0.24 ACRES OF IMPERVIOUS AREA IS PROVIDED BY A GRASSED SWALE. RECHARGE REQUIREMENTS ARE MET BY GRASSED SWALE CREDITS.
- TO THE BEST OF OUR KNOWLEDGE THERE ARE NO HAZARDOUS MATERIALS ON SITE.
- THERE ARE NO UNDERGROUND (FUEL) STORAGE TANKS ON OR WITHIN 100 FEET OF THE SITE.
- EXISTING USE: TWO SINGLE FAMILY DWELLINGS.
- PROPOSED USE: THREE SINGLE FAMILY DWELLINGS.
- ANY SURFACE DRAINAGE PROBLEMS RESULTING FROM IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.
- BEARINGS AND ELEVATIONS SHOWN HEREON ARE BASED ON THE BALTIMORE COUNTY PRIMARY CONTROL NETWORK UTILIZING THE FOLLOWING MONUMENTS: GTS# 73 - N 604807.438 - E 148367.200 - ELEV = 11.6 AND AZIMUTH MARK GTS#73.
- FINAL FIRST FLOOR ELEVATIONS MUST BE ABOVE ELEVATION 11.2' BOMD OR 9.5' MGS.
- THE PAVEMENT SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED, WHICHEVER COMES FIRST.
- A COVENANT FOR USE IN COMMON AND MAINTENANCE OF THE DRIVEWAY FOR LOTS 1 & 2 IS TO BE RECORDED WITH THE PLAN.

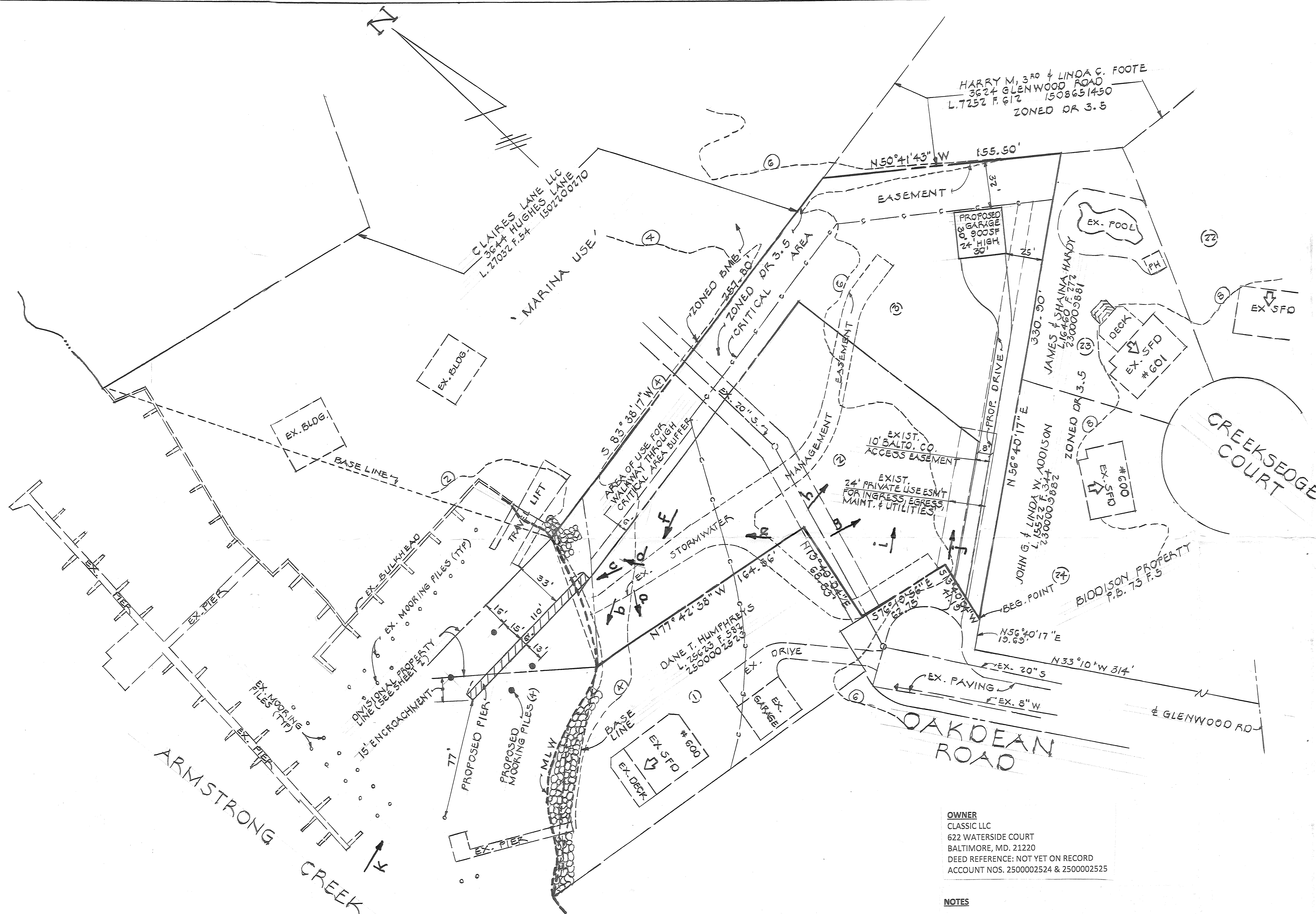
BUILDING SETBACK REQUIREMENTS

FROM FRONT BUILDING FACE TO: PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25
ARTERIAL OR COLLECTOR	
FROM SIDE BUILDING FACE TO: SIDE BUILDING FACE	16'-20" HIGH
PUBLIC STREET RIGHT-OF-WAY PAVING OF A PRIVATE ROAD	25
TRACT BOUNDARY	15
FROM REAR BUILDING FACE TO: REAR PROPERTY LINE	30
PUBLIC STREETRIGHT-OF-WAY	30
ADDITIONAL SETBACKS: SETBACKS FOR BUILDINGS LOCATED ADJACENT TO ARTERIAL ROADWAYS SHALL BE INCREASED BY AN ADDITIONAL 20 FEET.	





VICINITY MAP
SCALE: 1" = 1000'



OWNER
CLASSIC LLC
622 WATERSIDE COURT
BALTIMORE, MD. 21220
DEED REFERENCE: NOT YET ON RECORD
ACCOUNT NOS. 2500002524 & 2500002525

NOTES

1. ZONING.....DR 3.5 (MAP NO. 091B2)
2. AREA.....59,900 S.F. = 1.38 ACRES
3. SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA AND 100 YEAR FLOOD ZONE
4. PUBLIC WATER AND SEWER IS AVAILABLE
5. NO PREVIOUS ZONING HISTORY
6. NO HISTORIC STRUCTURES OR UNDERGROUND STORAGE TANKS EXIST ON THIS SITE
7. THE PROPOSED GARAGE SHALL NOT BE USED FOR COMMERCIAL PURPOSES OR LIVING QUARTERS
8. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE GARAGE, BUILDING PLANS SHALL BE SUBMITTED TO THE OFFICE OF PLANNING FOR APPROVAL.

PETITIONER'S
EXHIBIT NO. 6a-k

PHOTOS

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE

603 AND 605 OAKDEAN ROAD
LOTS 2 AND 3

HUMPHREYS PROPERTY (03076M)

ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 30 FEET JANUARY 8, 2013

SHEET 1 OF 2