



KEVIN KAMENETZ
County Executive

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

April 2, 2013

John Edward Myers, Jr.
Beth Sara Myers
10608 Bird River Road
Baltimore, Maryland 21220

Re: Petition for Administrative Variance
Case No. 2013-0202-A
Property: 10608 Bird River Road

Dear Mr. and Mrs. Myers:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Baltimore County Board of Appeals an appeal within thirty (30) days from 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", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



KEVIN KAMENETZ
County Executive

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

April 12, 2013

John Edward Myers, Jr.
Beth Sara Myers
10608 Bird River Road
Baltimore, Maryland 21220

Re: **CORRECTIVE ORDER** - Petition for Administrative Variance
Case No. 2013-0202-A
Property: 10608 Bird River Road

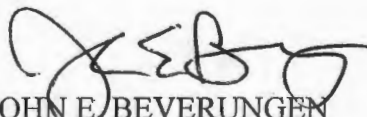
Dear Mr. and Mrs. Myers:

It has been brought to my attention that there was a typographical error on the Order for the above-captioned case. Therefore, this letter will serve as a **CORRECTIVE ORDER** regarding the decision rendered in the above-captioned case.

Specifically, on Page 2, Line 13, the Order date of "March" was referenced, when, in fact, it should have read, "April". Please change Page 2 of your copy of the Order accordingly. This correction merely resolves a typographical error, and does not materially alter the effect of the Order.

We apologize for any inconvenience this may have caused.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 4-12-13

By dlw

IN RE: PETITION FOR ADMIN. VARIANCE *
(10608 Bird River Road)
15th Election District *
6th Council District *
John Edward and Beth Sara Myers *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0202-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, John Edward and Beth Sara Myers. The Petitioners are requesting Variance relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (detached garage) on rear of existing dwelling with a height of 20', in lieu of the maximum allowed 15'. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 10, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 4-2-13

By 102

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory building 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 and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 2nd day of March, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (detached garage) on rear of existing dwelling with a height of 20', in lieu of the maximum allowed 15', be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date 4-2-13

By [Signature]

2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

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 4-2-13

By dlw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 10608 Bird River Rd. which is presently zoned BC3/PC2

Deed Reference 13210/0739 10 Digit Tax Account # 1508651300

Property Owner(s) Printed Name(s) John + Beth Myers

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 400.3 of BC22
To permit a proposed accessory building (detached Garage) on rear of existing dwelling with a height of 20 feet in lieu of of Maximum allowed 15 feet
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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

I, or we, agree to pay expenses of above 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:

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 4-2-13 day of April, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER

2013-0202-A

Filing Date

2-28-13

Estimated Posting Date

3-10-13

Reviewer

GU

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 10608 Bird River Rd. Middle River MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

" See Attached "

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

John E. Myers
Signature of Affiant
John E. Myers Jr
Name- Print or Type

Beth S. Myers
Signature of Affiant
Beth S. Myers
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of February 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

John Myers Jr Beth S. Myers
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Greg M. Tsakiris
Notary Public
12-16-13

My Commission Expires

BILL M. TSAKIRIS

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE

IAL HEARING)

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

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John E. Myers
Signature of Affiant
John E Myers Jr
Name- Print or Type

Beth S. Myers
Signature of Affiant
Beth S. Myers
Name- Print or Type

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John Myers Jr Beth S. Myers
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Greg M. Tschakur
Notary Public
12-16-13
My Commission Expires

Greg M. Tschakur

Existing garage needs to be razed due to structurally deficient condition. Replacing as same a new garage at same height 20' due to existing personal property stored in garage. Boat, camper, tractor, etc. plus ~~are~~ vehicles. The proposed garage will be smaller than existing, but we need the same height.

Zoning Property Description for 10608 Bird River Rd.

Beginning at The north side of Bird River Rd. which is 21' wide and 855' west of the nearest intersecting street Ebenezer Rd which is 30' wide, Thence the following courses and distances:

1st POC North 4 degrees east 436.80 To a stake now set in said lines Thence leaving said outline and running for lines of division the two following courses and distances viz north 86 degrees west 209.18 feet To a stake and south 4 degrees west passing over a stake set near the north side of the aforesaid Bird River Rd 435.40' feet To the centre of said road Thence binding in the centre of said Bird River Rd the two following courses and distances viz south 81 degrees 08 minutes east 116.39 feet and north 88 degrees 41 minutes east 93.61 feet To the place of beginning. Containing 2.15 acres of land more or less

2013-0202A

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

No. **94130**

Date: **2/28/13**

PAID RECEIPT

BUSINESS ACTUAL TIME ORN
2/28/2013 2/28/2013 15:52:47 6

RED WASH WALKIN SHIL SAN
RECEIPT # 558394 2/28/2013 OFLN

5 528 20100 VERIFICATION
CR NO 074130

Recpt Tot 475.00
1.00 OR 480.00 OR
45.00-00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	000	0000		0130				75.00

Total: **75.00**

Rec From: **John Myers**

For: **Administrative Variance**
2013-0202-A

CASHIER'S

CERTIFICATE OF POSTING

RE: Case No 2013-0202-A

Petitioner/Developer _____
JOHN MYERS

Date Of Hearing/Closing: 3/25/13

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 10608 BIRD RIVER ROAD

This sign(s) were posted on March 10, 2013

Month, Day, Year

Sincerely,

Martin Ogle 3/10/13
Signature of Sign Poster and Date

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE# 2013-0202-A

TO PERMIT AN ACCESSORY BUILDING HEIGHT
OF 20 FEET IN LIEU OF THE MAXIMUM 15
FEET, FOR A PROPOSED DETACHED GARAGE

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON
MONDAY, MARCH 25, 2013
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNDER AFTER THE DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

Yacht Ofc 3/10/13

M E M O R A N D U M

DATE: May 9, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0202-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 2, 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

CHECKLIST**Comment
Received****Department****Support/Oppose/
Conditions/
Comments/
No Comment**3-13

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

NC3-26

DEPS

(if not received, date e-mail sent _____)

C

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

3-5

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 3-10-13by Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013 0202 -A Address 10608 Bird River RD
Contact Person: Gary Thuit Planner, Please Print Your Name Phone Number: 410-887-3391

Filing Date: 2/28/13 Posting Date: 3/10/13 Closing Date: 3/25/13

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013 0202 -A Address 10608 Bird River RD
Petitioner's Name John Myer Telephone 410-335-6376
Posting Date: 3/10/13 Closing Date: 3/25/13
Wording for Sign: To Permit an accessory building height of
20 feet in lieu of the maximum 15 feet.
for a proposed detached garage

Revised 7/06/11

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 13, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For March 11, 2013
Item Nos. 2013-0196,0198, 0200,0201 and 0202.

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: 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 26, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0202-A
Address 10608 Bird River Road
(Myers Property)

Zoning Advisory Committee Meeting of March 4, 2013.

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

A future building permit for a garage must be reviewed by Groundwater Mgmt., since the house is served by private septic.

Reviewer: Dan Esser – Groundwater Management

RECEIVED

MAR 26 2013

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

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

March 26, 2013

John E & Beth S. Myers
10608 Bird River Road
Middle River MD 21220

RE: Case Number: 2013-0202 A, Address: 10608 Bird River Road

Dear Mr. & Ms. Myers:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 28, 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



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3-5-13

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

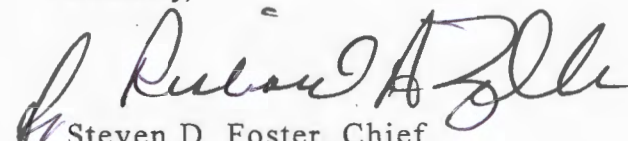
RE: Baltimore County
Item No 2013-0202-A
Administrative Variance
John E. & Beth S. Myers
10608 Bird River Road.

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. 2013-0202-A

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

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

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

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

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1508651300

Owner Information

Owner Name: MYERS JOHN EDWARD JR
MYERS BETH SARA
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 10608 BIRD RIVER RD
BALTIMORE MD 21220-1512
Deed Reference: 1)/13210/ 00739
2)

Location & Structure Information

Premises Address: 10608 BIRD RIVER RD
0-0000
Legal Description: 2.115 AC
10608 BIRD RIVER RD NS
850FT W OF EBENEZER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0083	0008	0415		0000				3	

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1939	2,040 SF	2.1100 AC	04

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2012	Phase-in Assessments As Of 07/01/2012	As Of 07/01/2013
Land	99,900	99,900		
Improvements:	237,200	159,200		
Total:	337,100	259,100	259,100	259,100
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
EVANS OSCAR R,3RD	10/14/1998	\$169,900
Type: ARMS LENGTH IMPROVED	Deed1: /13210/ 00739	Deed2:
Seller: EVANS OSCAR R,3RD	Date: 09/28/1990	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /08607/ 00585	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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

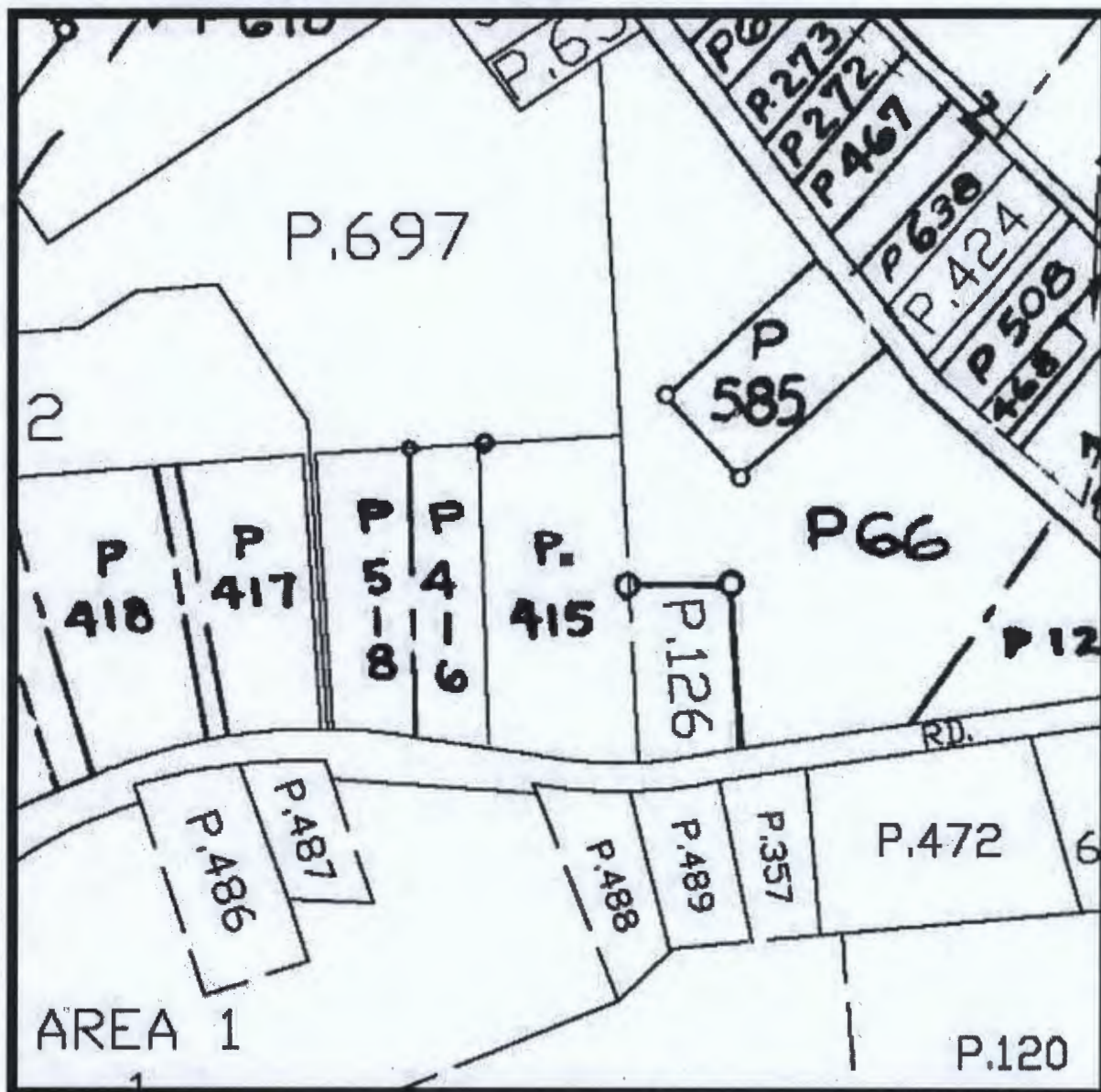
Homestead Application Status: Approved 03/24/2009



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

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

District - 15 Account Number - 1508651300



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

0013210 740

EXHIBIT "A" - LEGAL DESCRIPTION

BEGINNING for the same in the centre of the Bird River Road at the beginning of the north 3 degrees east 64.2 perches line of a parcel of land which by a Deed dated December 19, 1928 and recorded among the Land Records of Baltimore County in Liber W.H.M. No. 661, folio 279, was conveyed by Nathan C. Robertson, unmarried, to Thomas A. Vincent and wife, and running thence with and binding on a part of said line as now surveyed north 4 degrees east 436.60 to a stake now set in said line thence leaving said outline and running for lines of division the two following courses and distances viz north 86 degrees west 209.18 feet to a stake and south 4 degrees west passing over a stake set near the north side of the aforesaid Bird River Road 435.40 feet to the centre of said road thence binding in the centre of said Bird River Road the two following courses and distances viz south 81 degrees 08 minutes east 116.39 feet and north 88 degrees 41 minutes east 93.61 feet to the place of beginning. Containing 2.115 acres of land more or less.

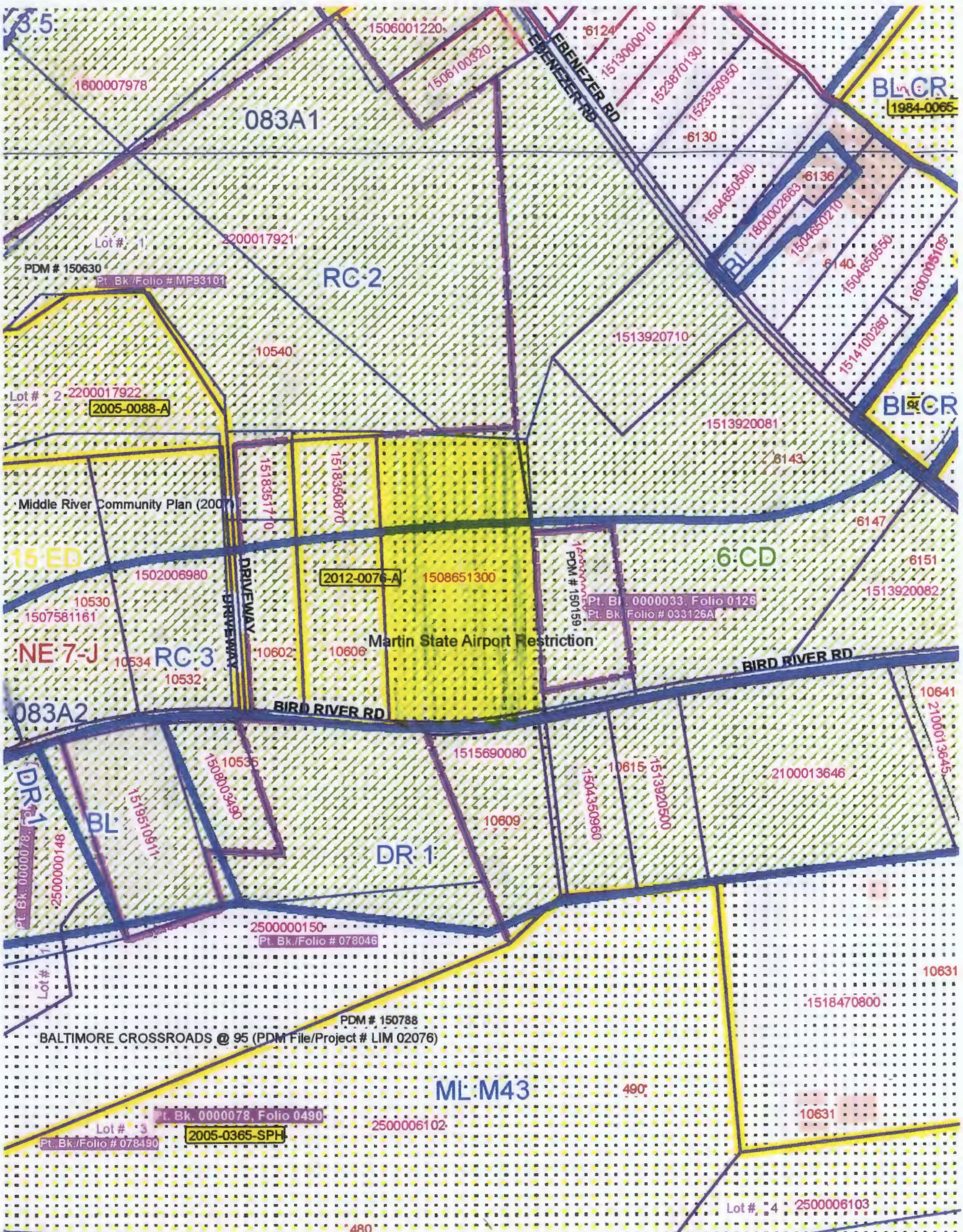
The improvements thereon being known as No. 10608 Bird River Road.

2013-0202-A









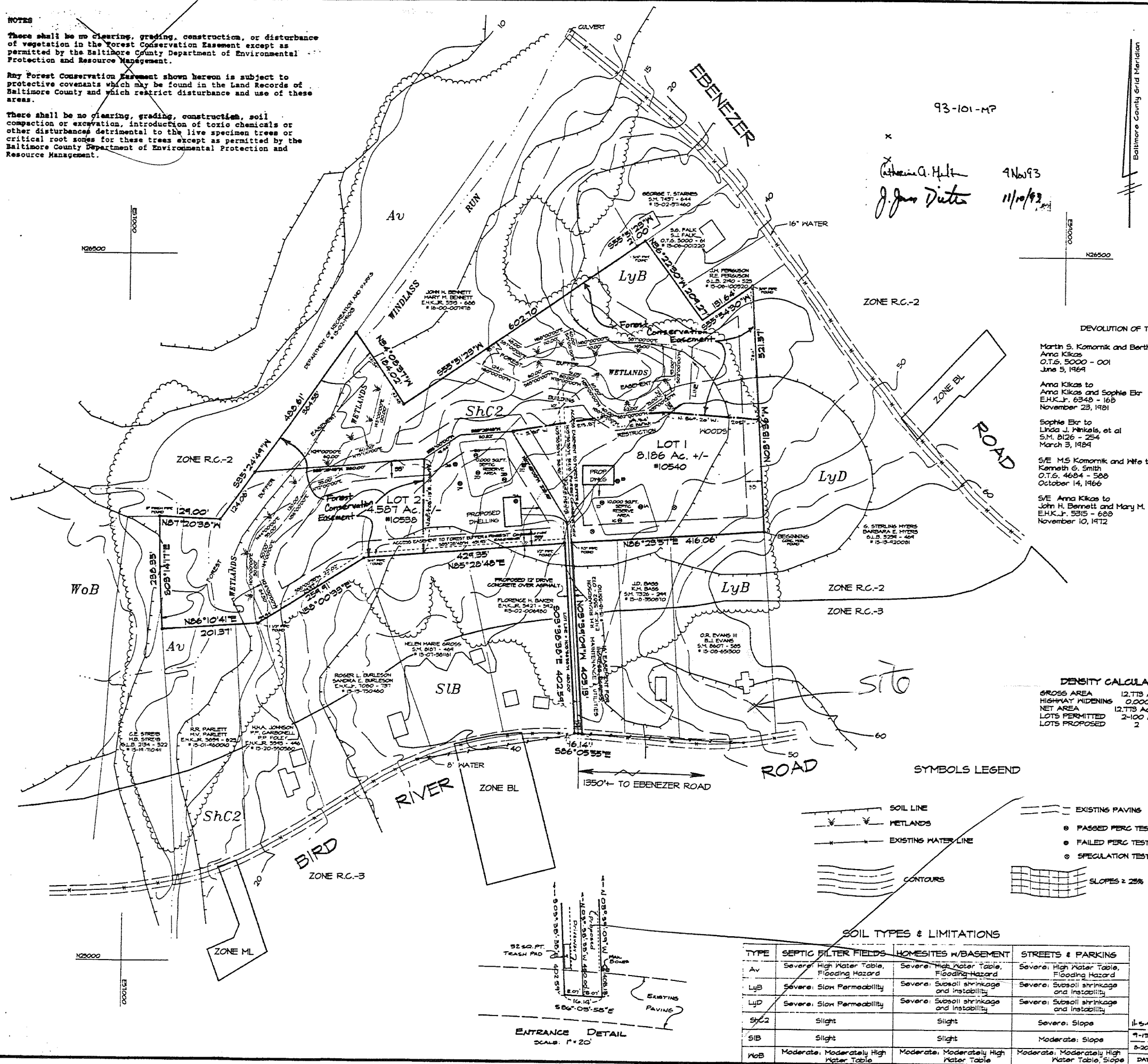
2013-0202-A

NOTES

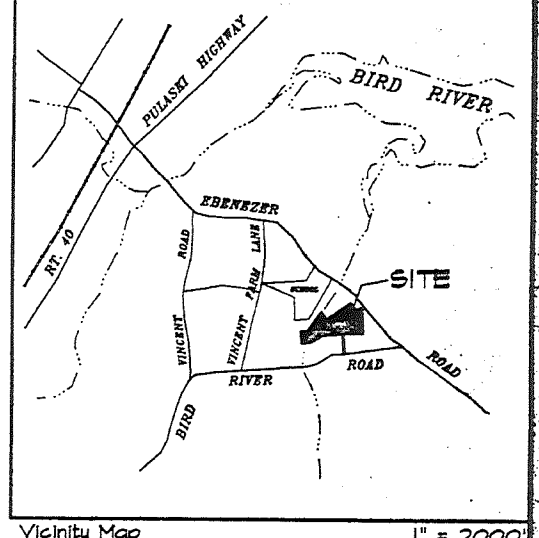
There shall be no clearing, grading, construction, or disturbance of vegetation in the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.

Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.

There shall be no clearing, grading, construction, soil compaction or excavation, introduction of toxic chemicals or other disturbances detrimental to the live specimen trees or critical root zones for these trees except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.



93-101-MP
 Catherine A. Helt
 J. John Dieter
 9 Nov 93
 11/10/93



DEVOLUTION OF TITLE

Martin S. Komorik and Bertha A. Komorik to Anna Kilas
 O.T.S. 5000 - 001
 June 5, 1964

Anna Kilas to Anna Kilas and Sophie Ebr
 E.H.K.J. 6348 - 168
 November 23, 1981

Sophie Ebr to Linda J. Minkels, et al
 S.M. 8126 - 254
 March 3, 1984

S/E M.S. Komorik and wife to Kenneth G. Smith
 O.T.S. 4684 - 588
 October 14, 1966

S/E Anna Kilas to John H. Bennett and Mary M. Bennett
 E.H.K.J. 5315 - 688
 November 10, 1972

GENERAL NOTES

- BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL.
- TOPOGRAPHY SHOWN IS FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAPHIC MAP NO. 1-1.
- ALL LOTS SHOWN HEREON TO BE SERVED BY PUBLIC WATER AND PRIVATE SEPTIC.
- SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 31.
- HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS, AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
- THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE 1972. THE DEVELOPERS ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS, OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
- DESIGNATES 200' SIGHT LINE. THE AREA BETWEEN THE SIGHT LINE AND THE EDGE OF THE ROAD MUST BE CLEARED, GRADED, AND KEPT FREE OF ALL OBSTRUCTIONS.
- ALL EXISTING SEPTIC SYSTEMS AND PERCOLATION TESTS HERE FIELD LOCATED.
- SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREA.
- ACCESS TO EXISTING DWELLINGS MUST BE MAINTAINED AT ALL TIMES.
- THIS PROPOSED DEVELOPMENT IS IN CLOSE PROXIMITY TO ACTIVE AGRICULTURAL OPERATIONS. IT IS THE DEVELOPERS RESPONSIBILITY TO ADVISE FUTURE HOMEOWNERS THAT AGRICULTURE HAS A PREFERRED USE STATUS AND THAT ODORS, NOISE, DUST, FARM EQUIPMENT, LIVESTOCK, AND THE USE OF AGRICULTURAL CHEMICALS (PESTICIDES, FERTILIZERS, HERBICIDES, AND OTHER CONTROL AGENTS) ARE IN ACTIVE USE.
- CENSUS TRACT 48101 COUNCILMANIC DISTRICT 3 SCHOOLS DISTRICT 5220 REGIONAL PLANNING DISTRICT 5220 MATERSHED 5 SUGGESTED
- THERE ARE NO UNDERGROUND TANKS APPARENT ON SITE.
- LOT 1 WILL UTILIZE A TRADITIONAL DEEP ABSORPTION TRENCH SEPTIC SYSTEM. LOT 2 WILL UTILIZE A SAND MOUND SYSTEM.
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- ANY FOREST BUFFER 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.

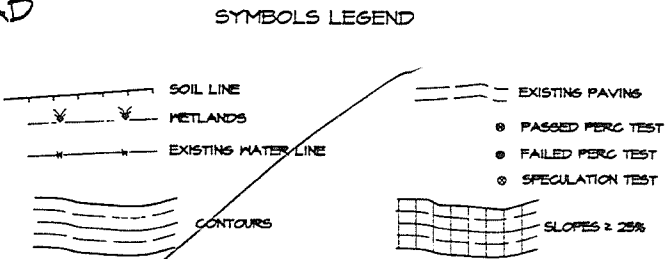
DENSITY CALCULATIONS

GROSS AREA 12.773 Acres +/-
 HIGHWAY WIDENING 0.000 Acres +/-
 NET AREA 12.773 Acres +/-
 LOTS PERMITTED 2-100 ACRES = 2 LOTS
 LOTS PROPOSED 2

OWNER/DEVELOPER

LINDA J. MINKELS, et al
 c/o WAYNE R. TANNER
 12528 GRACEDOD DRIVE
 BALTIMORE, MARYLAND 21220
 (410) 335-4540

93-101 MP
**MINOR SUBDIVISION OF
 TANNER PROPERTY**
 BIRD RIVER ROAD
 Deed Ref. S.M. No. 8126 folio 254
 S/E Deed Ref. O.T.S. No. 4684 folio 588
 Tax Account No. 15-11-352180
 Zoned R.C.-2
 Tax Map 83 Grid 08 Parcel 102
 15th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND



SOIL TYPES & LIMITATIONS

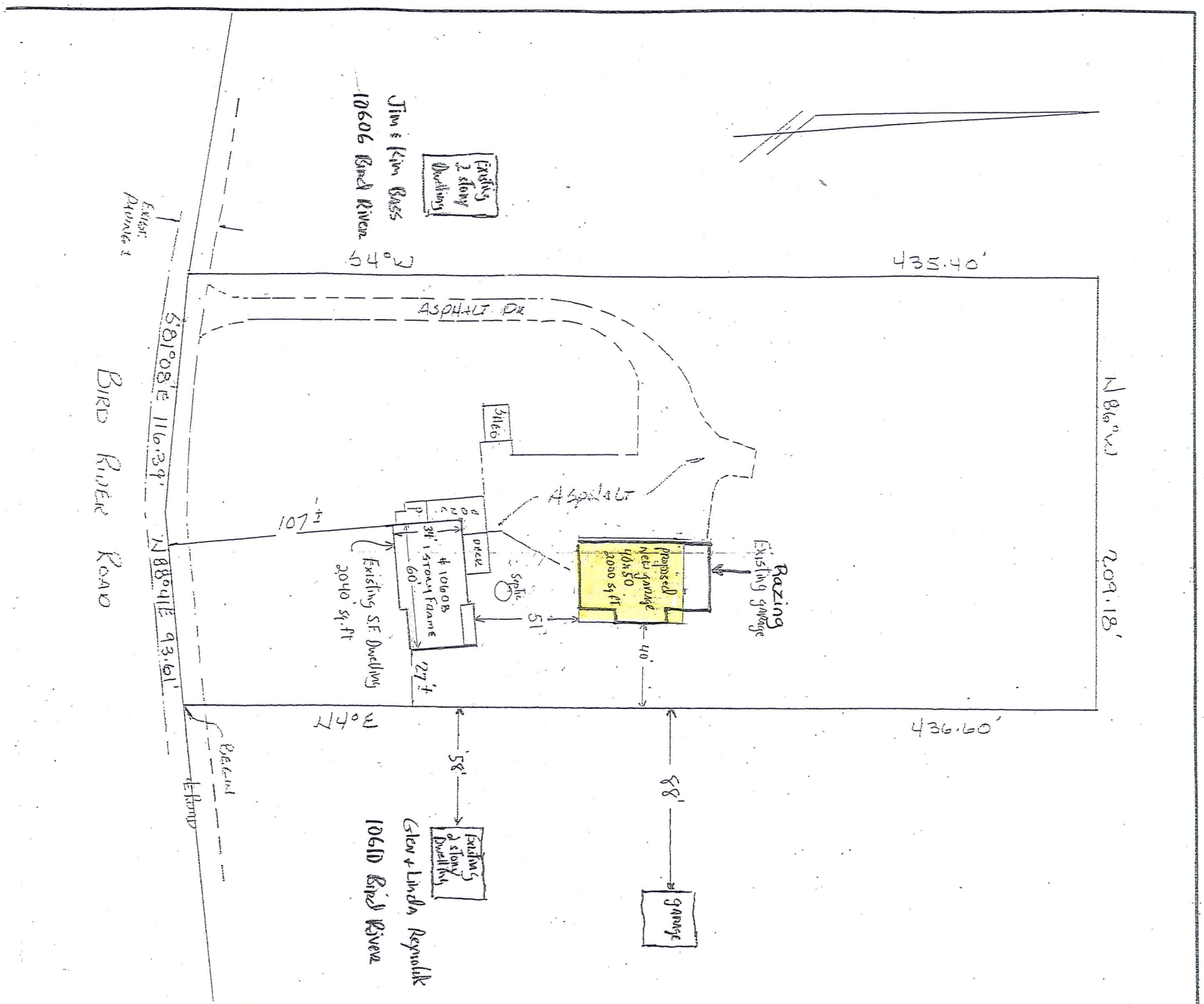
TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
Av	Severe: High Water Table, Flooding Hazard	Severe: High Water Table, Flooding Hazard	Severe: High Water Table, Flooding Hazard
LyB	Severe: Slow Permeability	Severe: Subsoil shrinkage and instability	Severe: Subsoil shrinkage and instability
LyD	Severe: Slow Permeability	Severe: Subsoil shrinkage and instability	Severe: Subsoil shrinkage and instability
ShC2	Slight	Slight	Severe: Slope
SiB	Slight	Slight	Moderate: Slope
WoB	Moderate: Moderately High Water Table	Moderate: Moderately High Water Table	Moderate: Moderately High Water Table, Slope



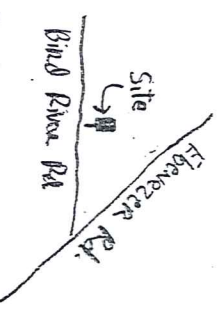
Scale: 1" = 100'
 July 9, 1993
GERHOLD, CROSS & ETZEL
 REGISTERED PROFESSIONAL LAND SURVEYORS
 Suite 100
 520 East Townsend Boulevard
 Towson, Maryland 21206
 (410) 825-4470

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 10608 Bird River Rd. OWNER(S) NAME(S) John & Beth Myers

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1508651300 DEED REF. # 1321010239



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 083A2
SITE ZONED RC-3/A
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA, ACREAGE 2.115 Acres
OR SQUARE FEET _____
HISTORIC? No
IN CBQA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS: _____
PUBLIC ☒ PRIVATE _____
SEWER IS: _____
PUBLIC _____ PRIVATE ☒
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY John Myers DATE 2/25/13 SCALE: 1 INCH = 60 FEET

CASE # 2013-0202-A

Per: Carla