IN RE: PETITION FOR ADMIN. VARIANCE (7527 L'Hirondelle Club Road)

 9th Election District
 2nd Council District
 Wendy Ann Quitasol and Anita Boulton Quitasol

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0085-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Wendy Ann Quitasol and Anita Boulton Quitasol. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit two additions (sunroom and covered porch) onto the front and side and rear of the existing dwelling with a side yard setback of 3 ft. and a rear yard setback of 16 ft. in lieu of the required 20 ft. and 50 ft., respectively. 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. A ZAC comment was received from the Department of Planning (DOP) dated October 18, 2013, indicating that the property is within the Ruxton Riderwood Lake Roland Design Review Panel area, all residential development in the area is to be reviewed by the Design Review Panel, and that additions to existing dwellings are also to be reviewed if they are greater than 50% of the existing square footage. In addition, DOP will need to see the existing and proposed square footage calculations to determine if the property will have to go through the Design Review Panel for review.

OUDER	HECEIVED FOR FILING
Date	10-31-13
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The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 9, 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 welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this 31st day of October, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit two additions (sunroom and covered porch) onto the front and side and rear of the existing dwelling with a side yard setback of 3 ft. and a rear yard setback of 16 ft. in lieu of the required 20 ft. and 50 ft., respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FI	ILIN	IG
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Date 10 - 31 - 13

The relief granted herein shall be subject to the following:

- 1. Petitioners may apply for any 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.
- 2. The Petitioners must comply with the ZAC comment submitted by the DOP dated October 18, 2013; a copy of which is attached hereto and made a part hereof.

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

LAWRENCE M. STAHL

Managing Administrative Law Judge for

Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 16-3:1-13



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

October 31, 2013

Wendy Ann Quitasol Anita Boulton Quitasol 7527 L'Hirondelle Club Road Baltimore, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE

(7527 L'Hirondelle Club Road) Case No. 2014-0085-A

Dear Applicants:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Very truly yours,

LAWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:dlw Enclosure

c: Bev True, 3920 London Bridge Road, Sykesville, MD 21784

ADMINISTRATIVE ZONING PETITION TIVE VARIANCE - OR - ADMINISTRAT

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 7527 L'Hirondelle Club Rd. which is presently zoned DR/ 10 Digit Tax Account # 0902574950 Deed Reference 33098 / 00407 Property Owner(s) Printed Name(s) Wendy BUITASOL (SELECT THE HEARING(S) BY MARKING X 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. X ADMINISTRATIVE VARIANCE from section(s) | BOZ.3.C. | F BCZRTO PERMIT TWO ADDITIOS ONTO THE FRONT AND SIDE, AND REAR OF THE EXISTING DWELLING WITH A SIDE YARD SETBACK OF 3 FEET AND A REAR YARD IN LIEU & THE REQUIRED 20 TWD 50 to the zoning law of Baltimore County. of the zoning regulations of Baltimore County 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: Legal Owners: - Type or Pript State City wendwage as um 21204 Zip Code Representative to be contacted:

Name- Type or Print Signature Mailing Address Attorney for Petitioner: FOR FIRM Address

Name Terral Park RECEIVED FOR FIRM Address Signature Dali Mailing Address City State **Email Address** 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,

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0083-A

regulations of Baltimore County and that the property be reposted.

Estimated Posting Date

that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

ZONING DESCRIPTION FOR 7527 L'Hirondelle Club Road Towson, MD 21204

Beginning at a point on the South West side of LHirondelle Club Road which property fronts is 16' wide at the distance of 1780' South West of the centerline of the nearest improved intersecting street Ruxton Road. which is 55' wide.

Exhibit A

BEGINNING FOR THE SAME at a stone planted in the ground on the easterly side of a 20 foot road at the end of the 4th line of the whole tract of land, of which the lot now being described is a part and which said whole tract of land is described in a deed dated October 11, 1943 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1311, folio 257 from the Safe Deposit and Trust Company et al., Executors. to Gladys H. Greiner and running thence from said place of beginning binding on the said easterly side of said 20 foot road, with the use thereof in common with others thereto, and binding on said 4th line of said deed, reversely south 08 degrees, 25 minutes west 44.25 feet to the end of the 3rd line of said deed; thence binding on part of said 3rd line reversely and running north 89 degrees 00 minutes west 204.57 feet to intersect the center of the road leading to Bellona Avenue and to the southeast corner of the lot described in a deed dated July 16, 1937 and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 1010, folio 11, from John B. Greiner to Colin S. Thomas and Eleanor A. Thomas, his wife; thence binding on the easterly outline of said last mentioned deed and binding on the said center of said road leading to said Bellona Avenue, with the use thereof in common with others thereto and running north 12 degrees, 47 minutes west to the northeast corner of said last mentioned deed and continuing the same course in all 131 feet; thence still binding on the said center of said road leading to said Bellona Avenue, with the use thereof in common with others thereto, and running the eight following courses, viz: north 05 degrees 3 minutes west 33.30 feet, north 12 degrees, 59 minutes east 31.35 feet; north 49 degrees, 47 minutes east 24.10 feet; south 80 degrees, 43 minutes east 32.71 feet south 44 degrees, 28 minutes east 129.22 feet; south 45 degrees, 15 minutes east 49.45 feet; south 56 degrees 02 minutes east 32.63 feet; north 76 degrees 08 minutes east 24.05 feet; thence leaving the said center of said road leading to said Bellona Avenue and binding on the said easterly side of said 20 foot road with the use thereof in common with others thereto and running south 23 degrees 20 minutes east 24 feet, more or less, to the place of beginning; containing 0.698 acres, more or less.

Back to beginning as recorded in Deed Liber 33098/Folio 407 containing .651ac Located in the 9th Election District, 2nd Council District.

2014-0085 -A

OFFICE	E OF BUD	GET AN	IARYLAN D FINANC RECEIPT	E		No.	108 707	498	PAID RELEIPT RECORNS SETUN THE 10704/2013 TO FOR SOLE BOATTACK
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CERTIFICATE OF POSTING

Date: 10 -9-13

RF: Case Number: 2014 -00 85-A

Petitioner/Developer: Wanly Quitasol RECEIVED OCT 3 1 2013 OFFICE OF ADMINISTRATIVE HEARINGS Date of Hearing/Closing: 10-23-13 This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7527 K'Rerendelle Cheleta The signs(s) were posted on 10-9-13 (Month, Day, Year) J. LAWRENCE PILSON (Printed Name of Sign Poster) TTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster) 410-343-1443 (Telephone Number of Sign Poster)



ADMINISTRATIVE

VARIANCE

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PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC MEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
6:00 P.W. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 1ST WEST CHESAPEAKE AVE., TOWSON, MD 21204, 1410) 887-3391 OO NOT REMOVE THIS ENGLY OF LAW



MEMORANDUM

DATE:

December 3, 2013

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2014-0085-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 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

CASE NO. 2014- 0085-A

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
10-22	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
	DEPS (if not received, date e-mail sent)	-
	FIRE DEPARTMENT	
10-18	PLANNING (if not received, date e-mail sent)	
10-17	STATE HIGHWAY ADMINISTRATION	No Ozean
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Many distributions and the second	COMMUNITY ASSOCIATION	-
	ADJACENT PROPERTY OWNERS	
ZONING VIOLAT	TON (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AD	VERTISEMENT Date:	
SIGN POSTING	Date: 10-9-13	
PEOPLE'S COUN	SEL APPEARANCE Yes No	
PEOPLE'S COUN	SEL COMMENT LETTER Yes No	
Comments, if any:	· · · · · · · · · · · · · · · · · · ·	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Case	Number 2014-	0085	-A	Ado	dress	7527 L'hiro	ndelle Club Road
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3.	commissioner. order that the n within 10 days	He may: natter be se of the clo- tition has be	(a) grant the t in for a publi sing date if a een granted, o	requested ic hearing. all County	relief; (You wi agenci	(b) deny the Il receive writ es' comment	ning or deputy zoning requested relief; or (c) ten notification, usually s are received, as to ring. The order will be
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Case	Number 2014-	0085	-A Addres	ss752	7 L'hiro	ndelle Club R	oad
Petitio	oner's Name	Wendy	Quitasol			Telephone	410-823-3379
Posti	ng Date:	10/13/	13		Clos	ing Date: _	10/28/13
Word	ing for Sign:	Permit two	additions on	to the fron	t and si	de, and rear	of the existing dwelling
	with a side yard	setback of	3 feet and a	rear yard	setback	of 16 feet in	lieu of the required 20
	and 50 feet res	pectively					



KEVIN KAMENETZ County Executive

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

October 29, 2013

Wendy Ann Quitasol Anita Boulton Quitasol 7527 L'Hirondelle Club Road Baltimore MD 21204

RE: Case Number: 2014-0085 A, Address: 7527 L'Hirondelle Club Road

Dear Ms. Wendy & Anita Quitasol:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 4, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel Bev True, 3920 London Bridge Road, Sykesville MD 21784 Maryland Department of Transportation

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

James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 10-17-13

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

RE: **Baltimore County**

Item No 2014-0085-A
Administrative Variance
Wendy Arm Quitasol &
Anito Boulton Quitasol
7527 L'Hirondeile Club 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. 2014-0085-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/ Development Manager

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: October 22, 2013

TO:

Arnold Jablon, Director

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 21, 2013

Item No. 2014-0082, 0085, 0086, 0089 and 0090

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

DAK:CEN Cc: file

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 18, 2013

Department of Permits and Development Management

FROM:

Andrea Van Arsdale

Director, Office of Planning

RECEIVED

SUBJECT:

7527 L'Hirondelle Club Road

OCT 18 2013

INFORMATION:

14-085

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number:
Petitioner:

Wendy & Anita Quitasol

Zoning:

DR 1

Requested Action:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request for administrative variance. It should be noted that this property is within the Ruxton Riderwood Lake Roland Design Review Panel area.

All residential development in the area is to be reviewed by the Design Review Panel. Additions to existing dwellings are also to be reviewed if they are greater than 50% of the existing square footage.

The Department of Planning will need to see the existing and proposed square footage calculations to determine if the property will have to go through the Design Review Panel for review.

If you have any additional questions please contact Krystle Patchak at the Department of Planning at 410-887-3480.

Prepared by: KRYSTLE PATCHAY

Division Chief:

AVA:kp

INTER-OFFICE CORRESPONDENCE

DESIGN REVIEW COMMENTS

TO:

Arnold Jablon, Deputy Administrative Officer

And Director Department of Permits, Approvals

and Inspections

FROM:

Andrea Van Arsdale

Department of Planzi

SUBJECT: Design Review Panel - Approval

PROJECT NAME: 7527 L'Hirondelle Club Road, Addition

PROJECT: DRP # 549, ZAC # 2014-085

PROJECT TYPE: Residential, Ruxton/Riderwood/Lake Roland

DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:

John DiMenna, Ed Hord, Richard Jones, Shannon Comer Dodge, Mitch Kellman, Fran Anderson (RRLR)

PROJECT DESCRIPTION:

Cindy Quitasol presented the project to the Panel. The residents at 7527 L'Hirondelle Club Road intend to improve the existing house by constructing three additions to the front, rear, and side of the existing house. The additions will double the size of the existing house and allow more living space and make the home more accessible. Materials for the addition include Hardi Plank as well as shake siding accents and standing seam metal roof accenting. The existing landscaping on the site is intended to remain with the addition of an additional retaining wall proposed at the side of the home where one of the additions is proposed.

The property was the subject of an Administrative Variance (ZAC# 14-085) which requested side and rear yard setback relief. This request has been granted pending DRP review.

DISPOSITION:

Mr. Hord made a motion to approve the project subject to the following conditions:

1. Revise all plans - show grading, location of retaining walls

All revised plans are to be submitted to the Department of Planning for final review and approval. The motion was seconded by Mr. Kellman and approved by acclamation at 6:23 p.m.

As of November 21, 2013 all revised plans have been submitted to the Department of Planning and DRP approval has been granted.

RECEIVED

DATE: November 21, 2013

NOV 33 413

OFFICE OF ADMINISTRATIVE HEARINGS

Real Floperty Data Search (WI)

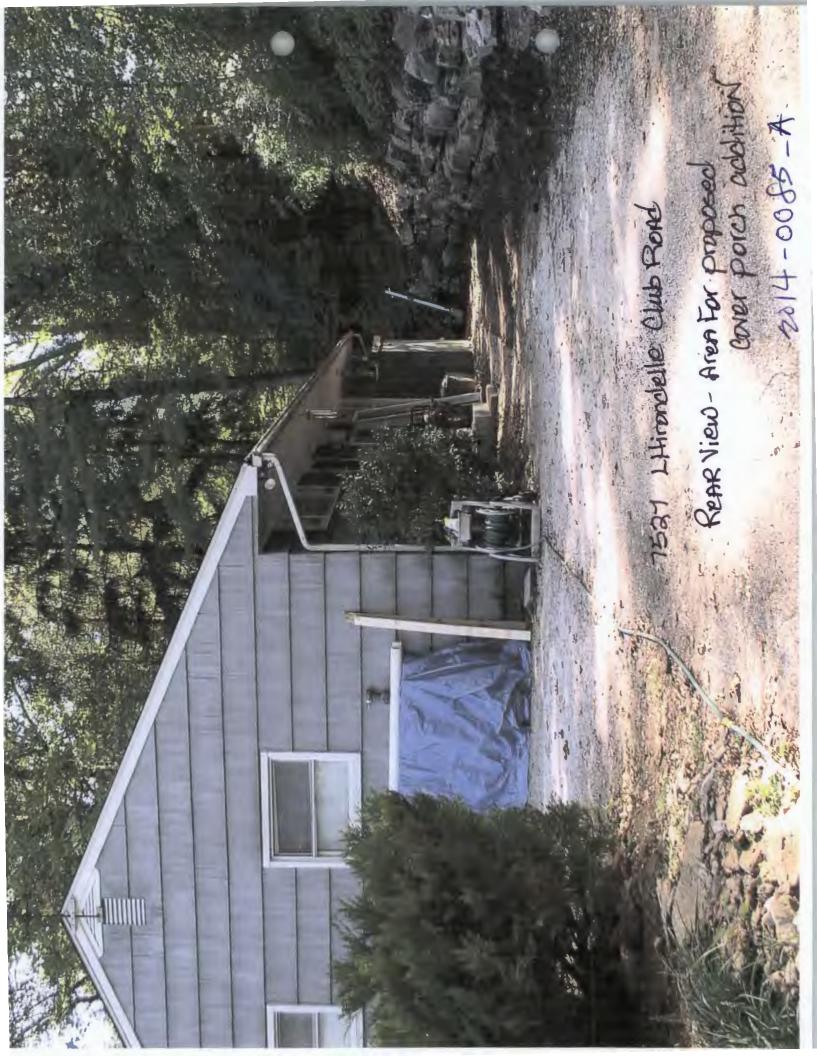
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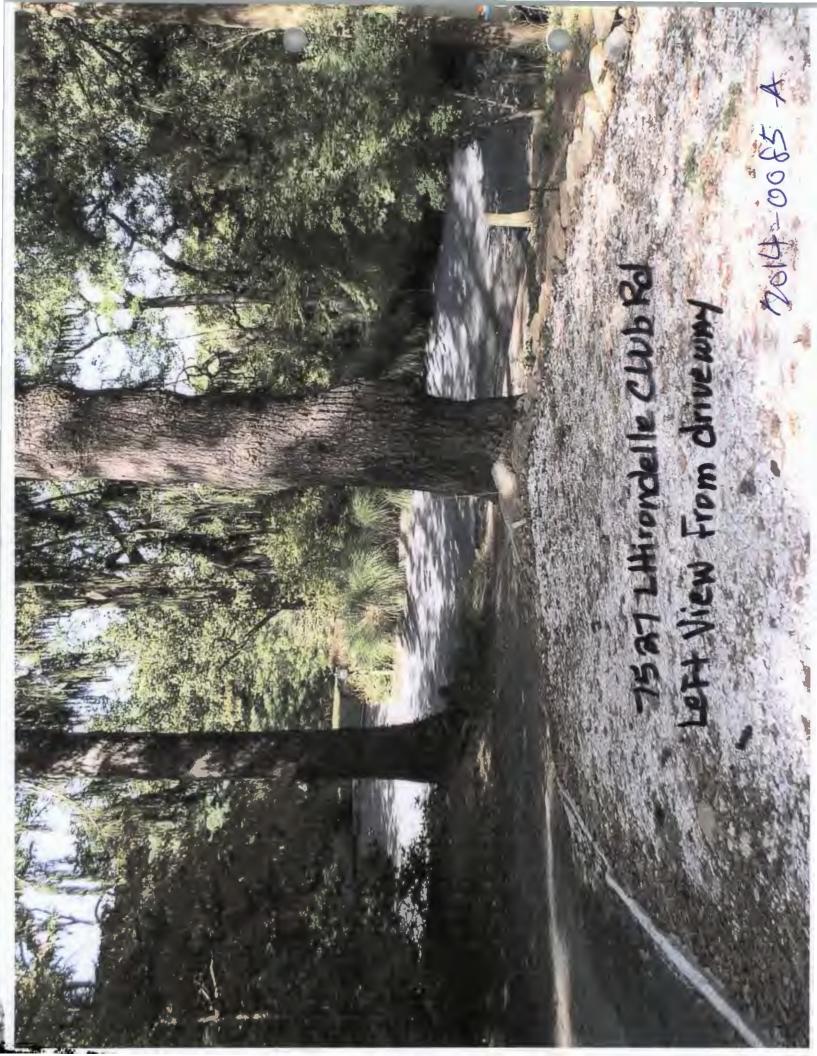
Homestead Application Status: Application received

- 1. This screen allows you to search the Real Property database and display property records.
- 2. Click here for a glossary of terms.
- 3. Deleted accounts can only be selected by Property Account Identifier.
- 4. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2014-0085-A









ZONING HEARING PLAN FOR VARIANCE ✓ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) ADDRESS 7527 L' thirondelle Club Rowner(S) NAME(S) Wendy 2014ASO + Anita Bouton 2014 ND. SUBDIVISION NAME BLOCK # SECTION # 10 DIGIT TAX # 0903574950 DEED REF. #33098100407 PLAT BOOK # FOLIO# IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

SITE VICINITY MAP

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	ZONING MAP# DUABA
	SITE ZONED DRI
	ELECTION DISTRICT 9
	COUNCIL DISTRICT
	LOT AREA ACREAGE, 451 AC
	OR SQUARE FEET
	HISTORIC? NO
	IN CBCA? no
	IN FLOOD PLAIN ? ND
4	UTILITIES? MARK WITH X
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	SEWER IS:
	PUBLICPRIVATE
	PRIOR HEARING ? NO
	IE CO CINE CARE MUNADED

VIOLATION CASE INFO:

PLAN DRAWN BY BENTYME

DATE 10/1/13 SCALE: 1 INCH = 80 FEET

SITE VICINITY MAP ZONING HEARING PLAN FOR VARIANCE V FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) ADDRESS 7527 L'Hirondelle Club Rowner(S) NAME(S) Wender QuitASO + Anita Bouton Quit NO . SUBDIVISION NAME BLOCK # SECTION # 10 DIGIT TAX # 0903574950 DEED REF. #33098100407 FOLIO# PLAT BOOK # MAP IS NOT TO SCALE ZONING MAP# DLAPO SITE ZONED DR **ELECTION DISTRICT** COUNCIL DISTRICT OR SQUARE FEET HISTORIC? NO IN CBCA? no IN FLOOD PLAIN? ND WATER IS: PUBLIC PRIVATE SEWER IS: PUBLIC PRIVATE / PRIOR HEARING? NO IF SO GIVE CASE NUMBER

DATE 10/1/3 SCALE: 1 INCH = 80 FEET PLAN DRAWN BY BENTYME

2014-0085-A

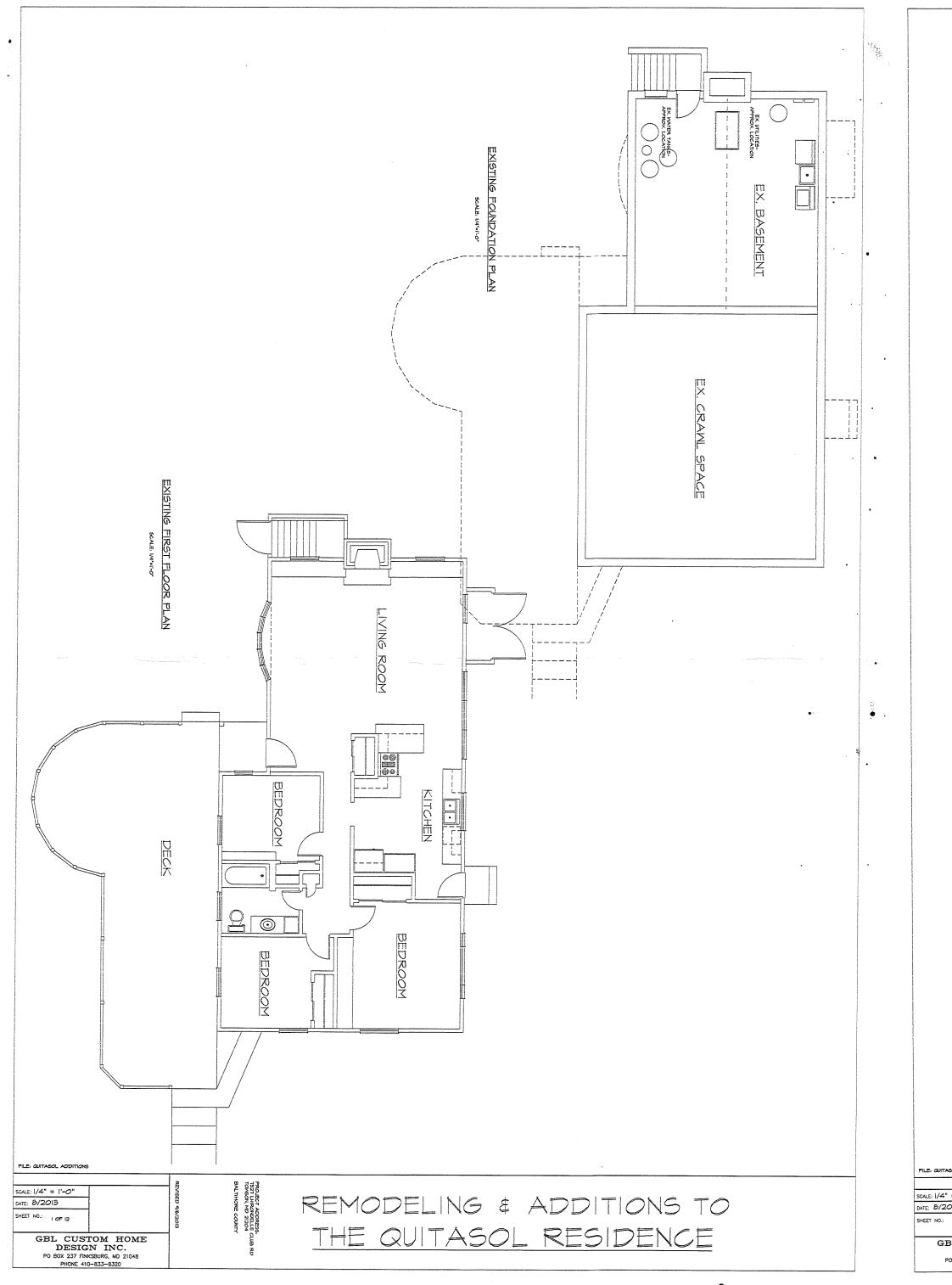
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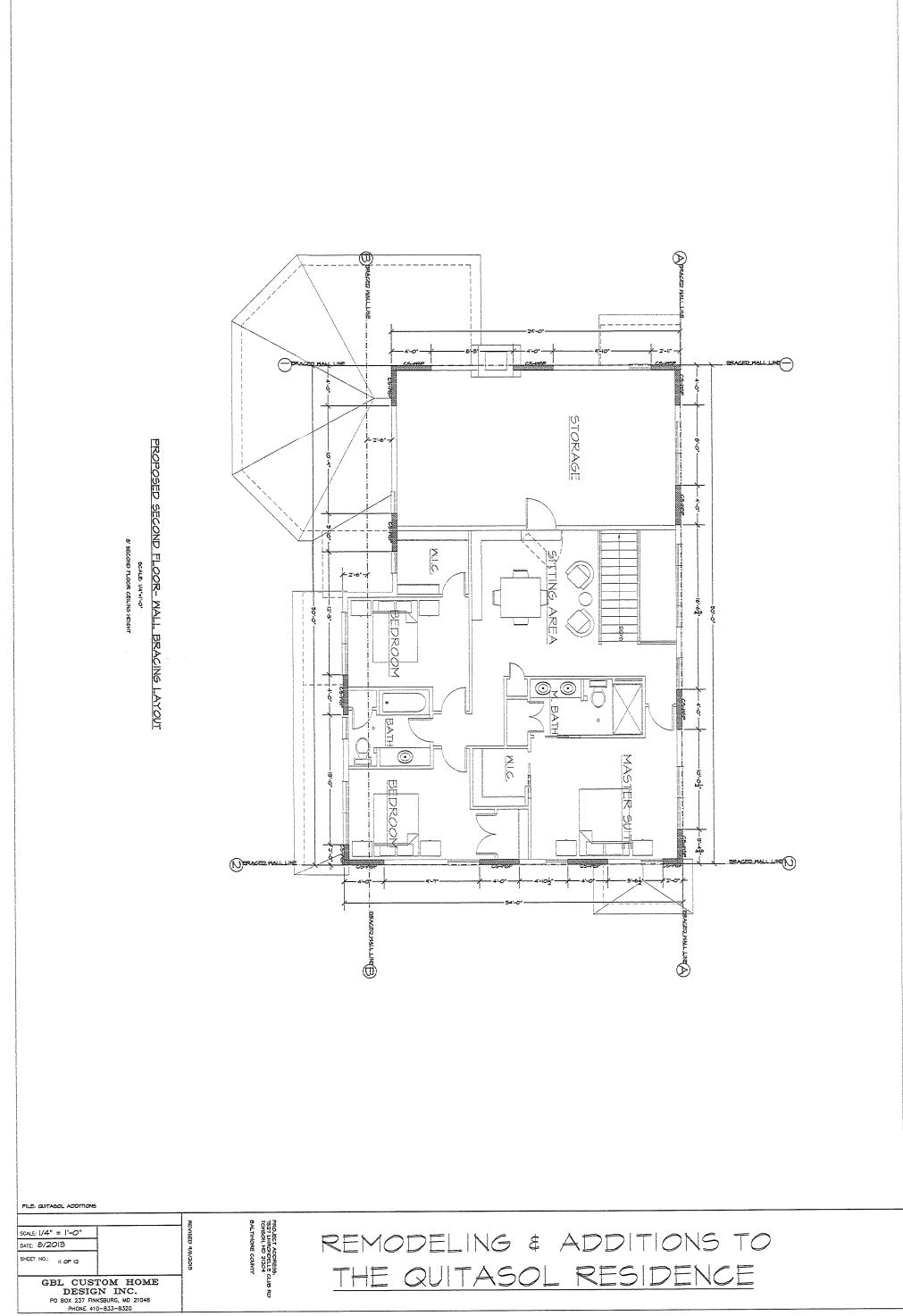
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

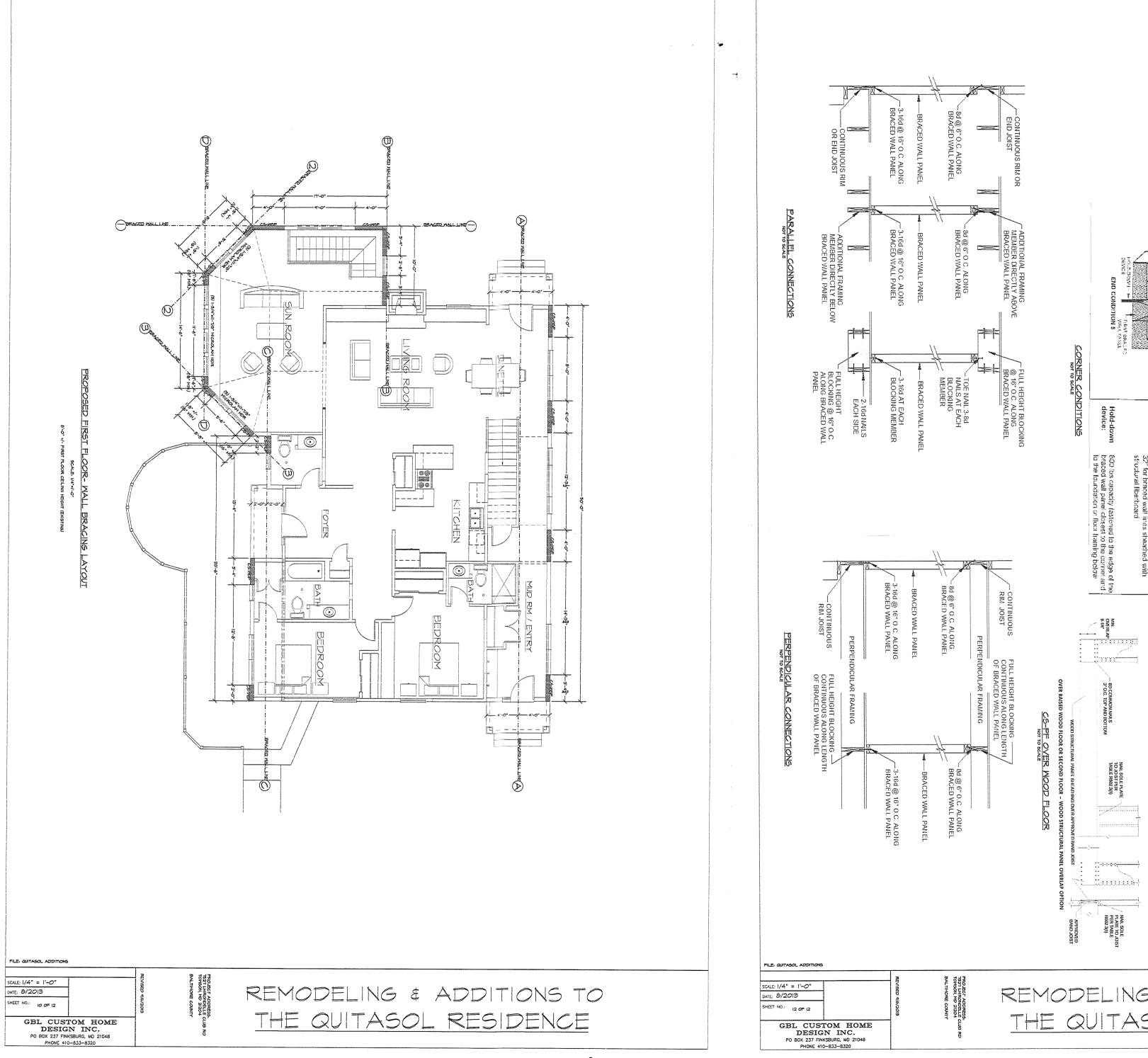


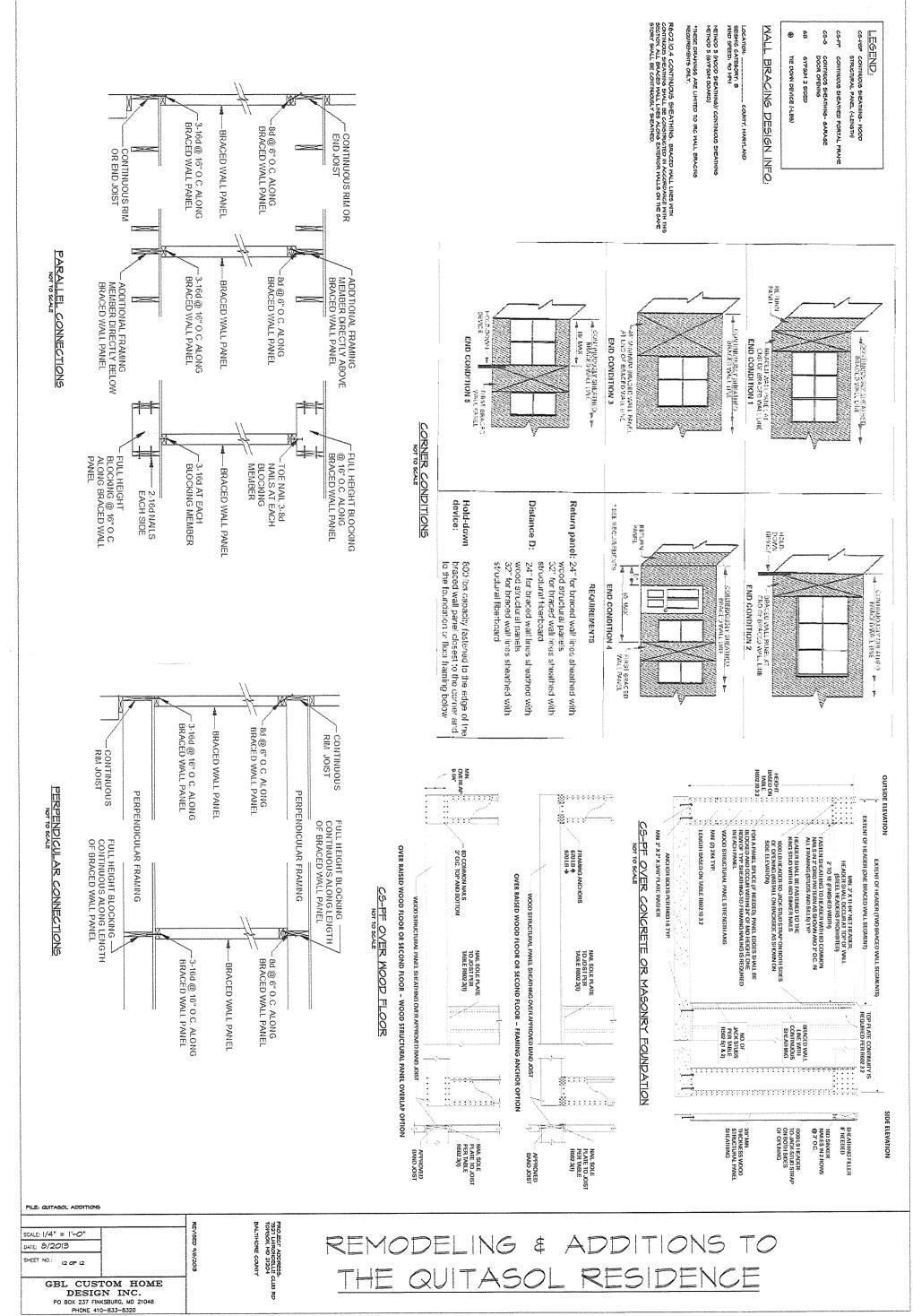






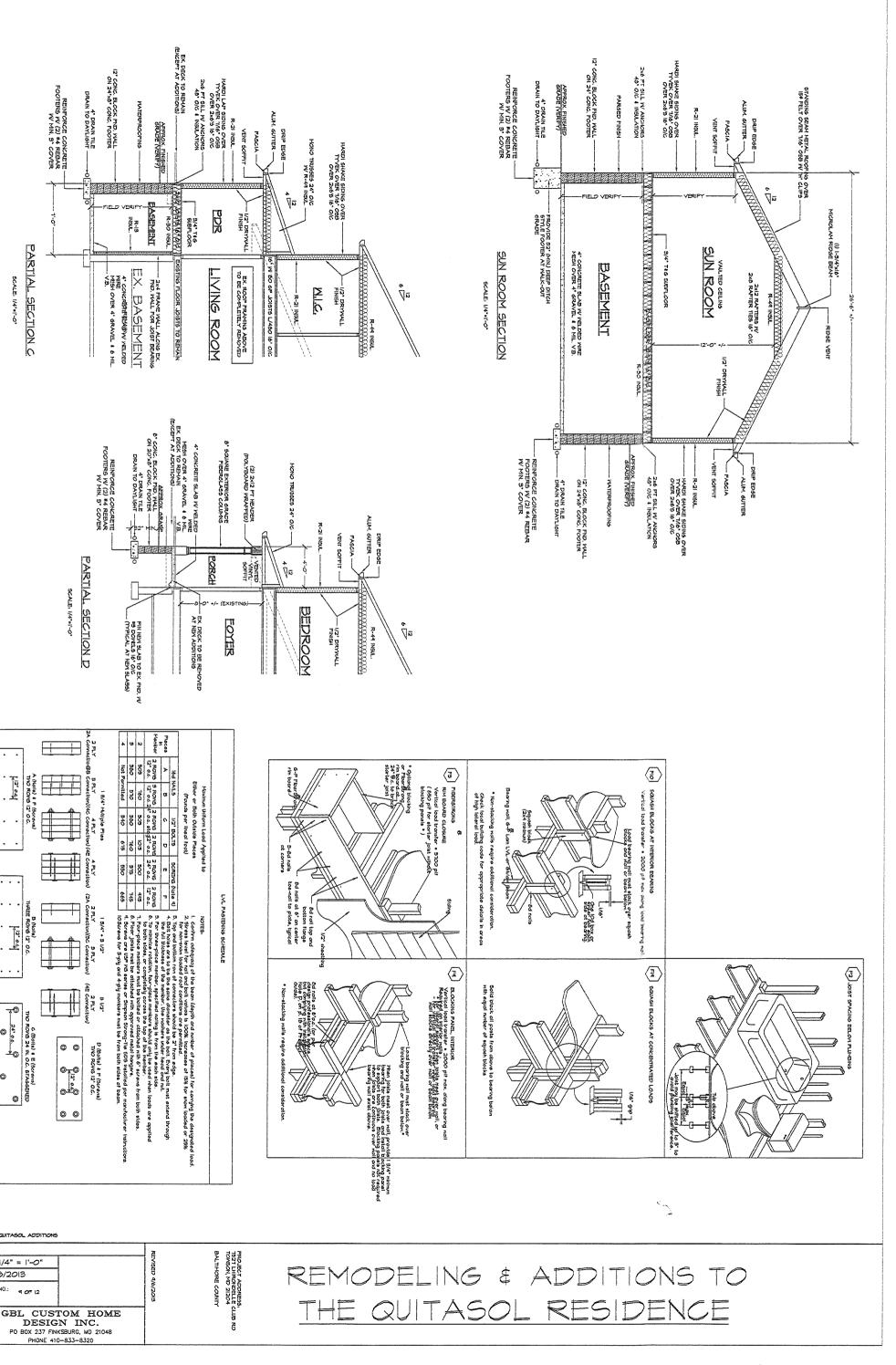
2014-0085-A





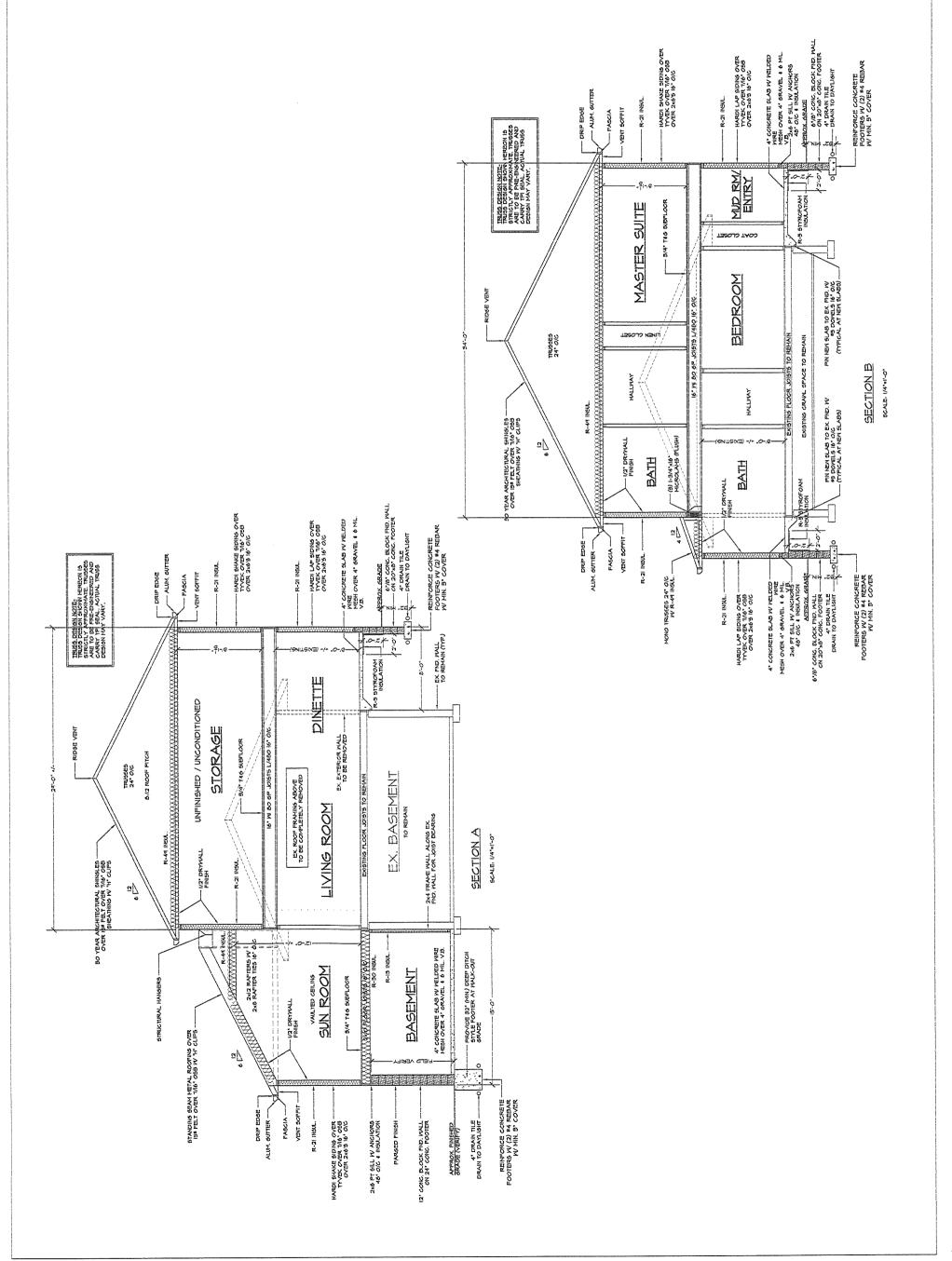
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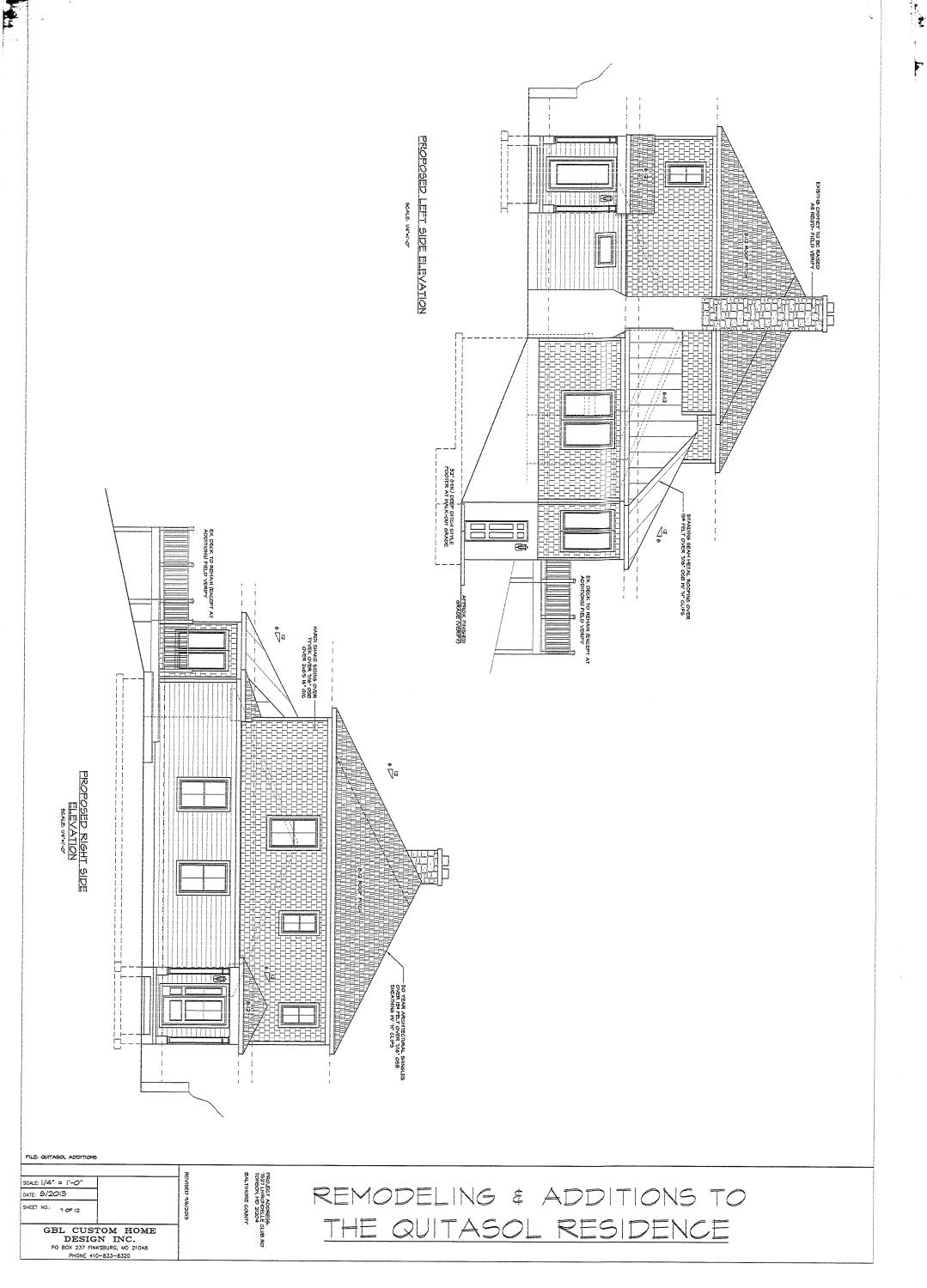
2014-0085-A



4-5700-1106

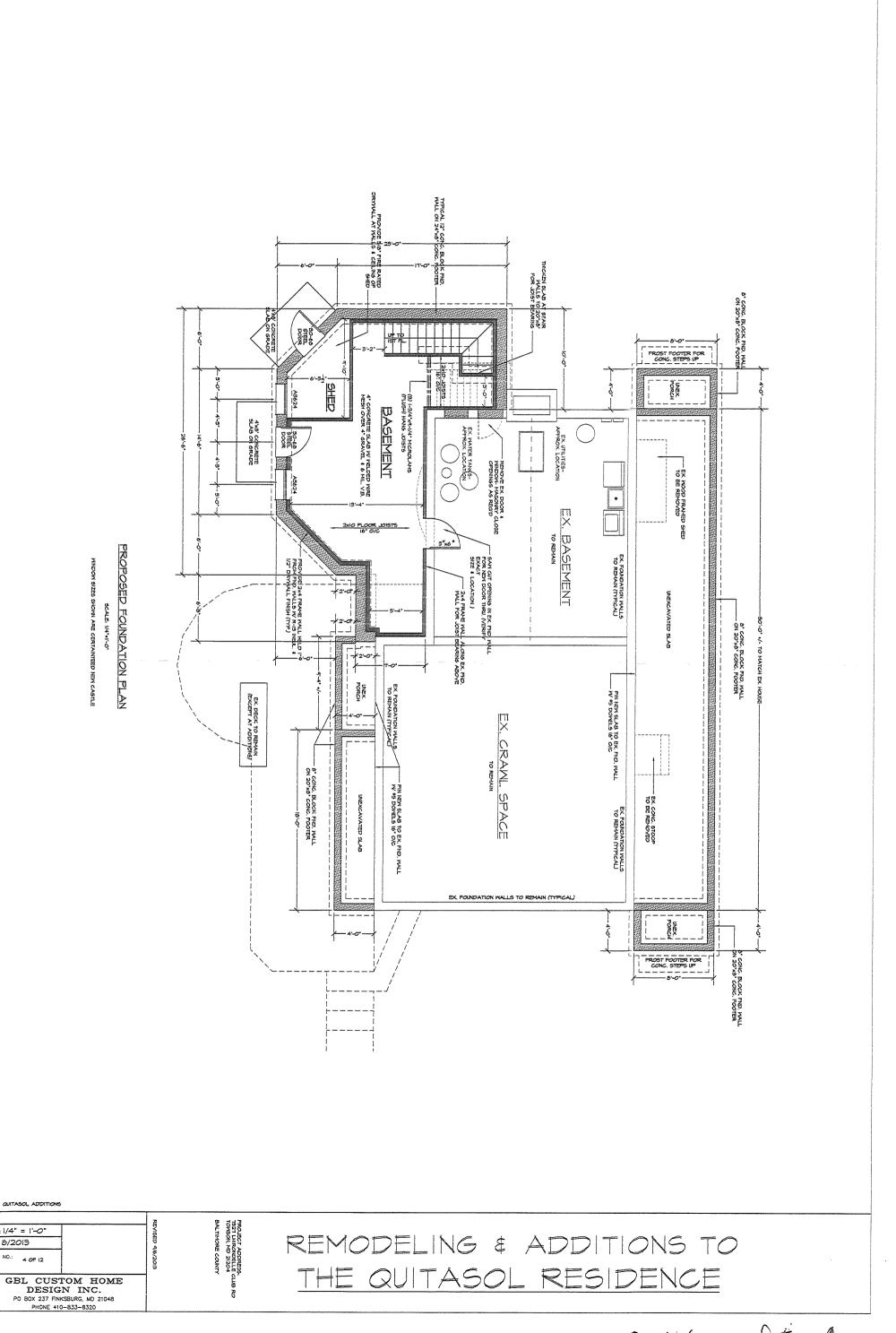


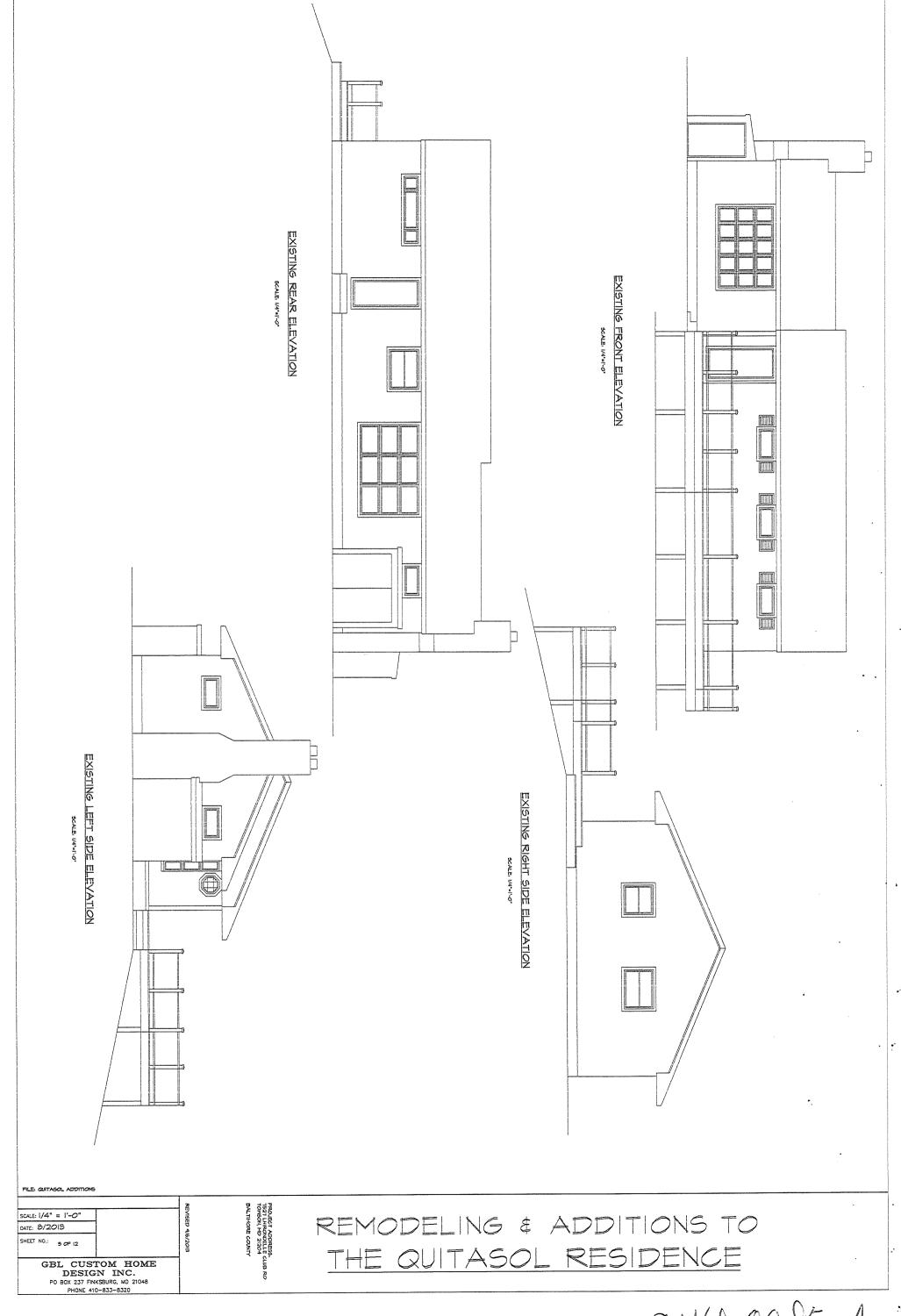




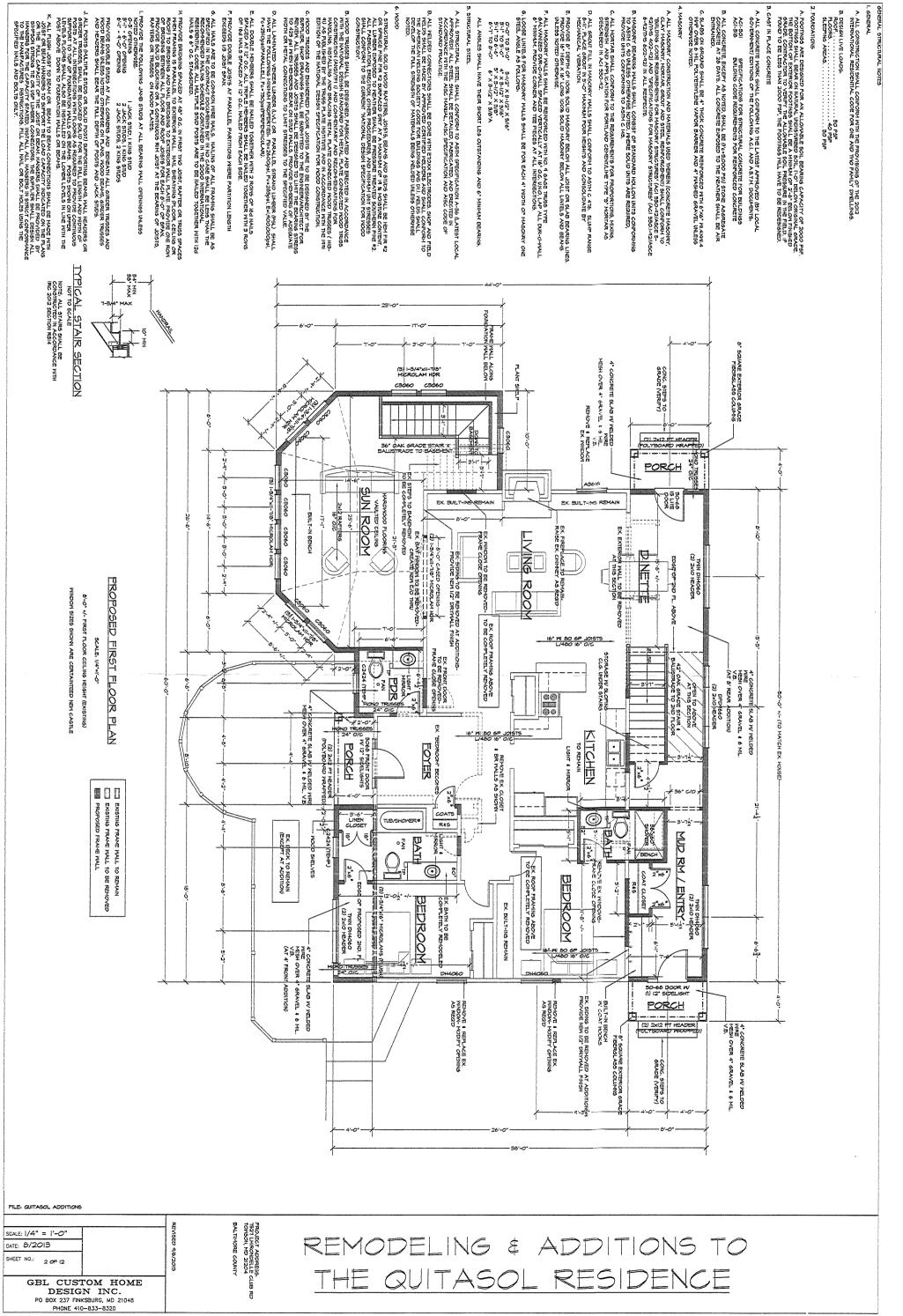
PROPOSED REAR ELEVATION SCALE 1/4" = 1'-0" DATE: 8/2013 REMODELING & ADDITIONS TO SHEET NO.: 6 OF 12 THE QUITASOL RESIDENCE GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

2014-0085-A





2014-0085-A"



SCALE: 1/4" = 1'-0" DATE: 8/2013 THE QUITASOL RESIDENCE GBL CUSTOM HOME DESIGN INC. PO BOX 237 FINKSBURG, MD 21048 PHONE 410-833-8320 2014-0083-4