

MEMORANDUM

DATE: November 25, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0049-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on November 23, 2016. 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

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(2015-2021 Rocky Point Road)		
15 th Election District	*	OFFICE OF
7 th Council District		
Wayne & Diane Totaro,	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
	*	FOR BALTIMORE COUNTY
Petitioners		
	*	Case No. 2017-0049-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Wayne & Diane Totaro, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences constructed prior to 1945. J. Wayne Totaro, Diane Totaro and professional engineer Rick Richardson appeared in support of the petition. John B. Gontrum, Esq. represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (DEPS). That agency did not oppose the request, but noted Petitioners would need to comply with Critical Area regulations.

The subject property is 13.30 acres in size and zoned RC 5 & RC 20. The site is at this point comprised of two lots and improved with six single family dwellings. This is an unusual case given the number and positioning of the dwellings on this waterfront property. Though the special hearing request references a "resubdivision," this order will not approve or disapprove a

ORDER RECEIVED FOR FILING

Date 10-24-16

By 150

subdivision as such. Counsel noted Petitioners will proceed in the next phase to seek subdivision approval from the DRC. Petitioners seek in this case to establish, as a matter of zoning, the legality of the existing residences as lawful nonconforming uses. No development is proposed at this time.

Mr. Totaro testified this property has been held in tact by his family for over 100 years. He grew up on this property and can testify on personal knowledge the dwellings shown on the plan have been in place since at least 1950. Mr. Totaro stated family members told him the dwellings were constructed in the late 1930s. Counsel presented an aerial photo from 1949 (Exhibit 7), a USGS survey from 1947 (Exhibit 6) and a 1971 zoning map based on a "1955 photogrammetric" (Exhibit 5), all of which depict the dwellings in question.

In terms of the applicable law, counsel presented a portion of the 1949 Baltimore County subdivision regulations, which indicate that every lot on a proposed plat must have an area of at least 20,000 sq. ft. Exhibit 3. Counsel also presented a portion of the 1945 zoning regulations (Exhibit 4). In 1945, the property was zoned "A" residential, and the regulations required each lot to have an area of "not less than five thousand square feet."

Petitioners propose to resubdivide Lot 1 as shown on the plan. If approved, Lot 1 would have one single family dwelling (2021 Rocky Point Road) and would be 8.57 acres in size. Lot 2 (which is not really at issue in this case) would have one single family dwelling (2011 Rocky Point Road) and newly-created Lot 3 would have four single family dwellings (2101, 2101A, 2103 and 2105 Rocky Point Road) and be approximately 1.85 acres in size. The plan contains a density chart (note 3) which indicates the RC-5 zoned portion of the property would yield 3 lots, which is in fact what Petitioners propose.

So the only remaining issue concerns the four single family dwellings which would be situated on Lot 3. I believe, based on the testimony and evidence discussed above, these qualify

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Date 10-24-16

By 100

as lawful nonconforming structures pursuant to B.C.Z.R. §§ 101.1 and 104. At the time the dwellings were constructed (prior to 1950) the subdivision regulations were more stringent than the zoning regulations and required a minimum lot size of 20,000 sq. ft. when the property is not served by public sanitary sewer. As Petitioners note, proposed Lot 3 would be 80,009 sq. ft., which would provide (at least theoretically) each of the four dwellings with a 20,000 sq. ft. "lot".

If Petitioners obtain County approval for the resubdivision of Lot 1, the end result would be that Lots 1 and 2 would each contain one single family dwelling and would conform to current RC-5 zone requirements as to density and minimum lot size. Lot 3 would be nonconforming, since the 1.84 acre lot would be improved with four existing single family dwellings, while the current RC-5 regulations would permit only one dwelling on this lot.

THEREFORE, IT IS ORDERED this 24th day of **October, 2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to permit (as concerns the B.C.Z.R.) a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences constructed prior to 1945, be and is hereby GRANTED.

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

1. Petitioners must obtain development approval from Baltimore County to resubdivide Lot 1 shown on the site plan.
2. Petitioners must comply with the ZAC comments from DEPS, dated September 1, 2016; a copy of which is attached hereto and made a part hereof.

Any appeal of this decision must be filed 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 10-24-16

3

By dlw

2. Conserve fish, wildlife, and plant habitat; and

The proposed subdivision can meet the requirement to conserve fish, wildlife, and plant habitat provided that all Critical Area requirements can be met.

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;

A subdivision on this property can be permitted under the State-mandated Critical Area regulations provided that the proposed subdivision is in compliance with all Critical Area requirements including COMAR 27.01.02.08 Lot Consolidation and Reconfiguration. Lot coverage, forest/tree, and Critical Area buffer requirements must be met. Compliance with all Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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.

EIR Reviewer: Paul Dennis Date: 09-01-2016

1. Ground Water Management will need to review any future (re)subdivision of the property, especially since there are wells on site.

GWM Reviewer: Dan Esser Date: 8/24/16

ORDER RECEIVED FOR FILING

Date 10-24-16



CBCA

1000

PETITION FOR ZONING HEARING(S)

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

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

Address 2015-2021 Rocky Point Road which is presently zoned RC5 & RC20

Deed References: 27155/728; 7801/498 10 Digit Tax Account # 1900013992, 1900013993

Property Owner(s) Printed Name(s) Wayne & Diane Totaro

(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

PLEASE SEE ATTACHED

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

3. a **Variance** from Section(s)

PLEASE 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:

John B. Gontrum, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston LLP

1 W. Pennsylvania Ave., Suite 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2055 / jgontrum@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Wayne & Diane Totaro /

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2015 Rocky Point Road / 2021 Rocky Point Road

Baltimore, MD

Baltimore

MD

Mailing Address

City

State

21221

410-800-7317 / RACER1117@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

John B. Gontrum, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston LLP

1 W. Pennsylvania Ave., Suite 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2055 / jgontrum@wtplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2017-0049-SPH Filing Date 8/16/16

Do Not Schedule Dates: Reviewer AT

Tony memo 410-339-4016 save

Special Hearing pursuant to BCZR §§ 103.5 and 104.1 to permit a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945 and such other and further relief as may be required.

2017-0049-SPH

**ZONING DESCRIPTION
2015-2021 ROCKY POINT ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the east side of Rocky Point Road (60' right-of-way), being lots 1 and 2 in the subdivision of the "Lands of Cora Porter", recorded in the land records of Baltimore County in Plat Book 52 Folio 31;

Containing a net area of 559,152 square feet, or 12.83 acres of land, more or less.

2017-0049-SPH



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4486249

Sold To:

Wayne Totaro - CU00563774
2015 Rocky Point Rd
Essex, MD 21221-6414

Bill To:

Wayne Totaro - CU00563774
2015 Rocky Point Rd
Essex, MD 21221-6414

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 29, 2016

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

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: # 2017-0049-SPH
2015-2021 Rocky Point Road
E/s Rocky Point Road, 1720 ft. s/of centerline of Barrison Point Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Wayne & Diane Totaro

Special Hearing: to permit a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945 and such other and further relief as may be required.

Hearing: Thursday, October 20, 2016 at 1:30 p.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.

9/28/16 September 29/ 4486249

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2017-0049-SPH

PETITIONER/DEVELOPER

JOHN GONTHAM

DATE OF HEARING/CLOSING:

10/20/16

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 _____

2015-2021 ROCKY POINT ROAD

THIS SIGN(S) WERE POSTED ON September 29, 2016
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/29/16
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2017-0049-SPH

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

PLACE: ROOM 205, JEFFERSON BUILDING 105
WEST CHESAPEAKE AVENUE TOWSON 21204
DATE AND TIME: THURSDAY, OCTOBER 29 2016 AT 1:30 P.M.
REQUEST: SPECIAL HEARING TO PERMIT A RESUBDIVISION OF
LOT 1 OF LANDS OF CORA PORTER WITH AN ADDITIONAL
DEVELOPMENT BASED ON EXISTING NON-CONFORMING
RESIDENCES PRIOR TO 1946 AND SUCH OTHER AND
FURTHER RELIEF AS MAY BE REQUIRED.

CONFIDENTIAL: THIS NOTICE IS FOR THE PUBLIC
TO AVOID ANY ATTEMPT TO INFLUENCE THE HEARING

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING DATE CALL 410-339-3391

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

HANDICAPPED ACCESSIBLE

madm sl 9/29/16



KEVIN KAMENETZ
County Executive

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

September 15, 2016

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: 2017-0049-SPH

2015-2021 Rocky Point Road

E/s Rocky Point Road, 1720 ft. s/of centerline of Barrison Point Road

15th Election District – 7th Councilmanic District

Legal Owners: Wayne & Diane Totaro

Special Hearing to permit a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945 and such other and further relief as may be required.

Hearing: Thursday, October 20, 2016 at 1:30 p.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: John Gontrum, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Wayne & Diane Totaro, 2015 Rocky Point Road, Baltimore 21221

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 30, 2016.**
- (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, September 29, 2016 Issue - Jeffersonian

Please forward billing to:
Wayne Totaro
2015 Rocky Point Road
Baltimore, MD 21221

410-800-7317

NOTICE OF ZONING HEARING

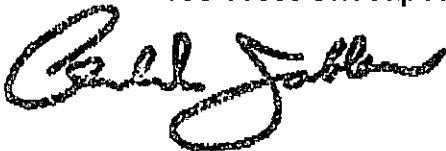
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0049-SPH

2015-2021 Rocky Point Road
E/s Rocky Point Road, 1720 ft. s/of centerline of Barrison Point Road
15th Election District – 7th Councilmanic District
Legal Owners: Wayne & Diane Totaro

Special Hearing to permit a resubdivision of Lot 1 of Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945 and such other and further relief as may be required.

Hearing: Thursday, October 20, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
2015-2021 Rocky Point Rd; E/S Rocky Point Rd,	*	OF ADMINSTRATIVE
1720' S of c/line of Barrison Point Road	*	HEARINGS FOR
15 th Election & 7 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Wayne & Diane Totaro	*	2017-049-SPH
Petitioner(s)		

* * * * *

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

AUG 29 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2016, a copy of the foregoing Entry of Appearance was mailed to John Gontrum, Esquire, One West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0049-SPH
Property Address: 2015-2021 Rocky Point Rd.
Property Description: _____

Legal Owners (Petitioners): J. Wayne & Diane Totaro
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: J. Wayne Totaro
Company/Firm (if applicable): _____
Address: 2018 Rocky Point Rd.
Baltimore, md 21221

Telephone Number: 410-800-7317

Revised 7/9/2015

No.

Date:

8/16/16

BUSINESS	ACTUAL	TIME	IRW
8/17/2016	8/16/2016	10:23:07	-4

ENG WSO4. WALKIN KHS
 >>RECEIPT # 696160 8/16/2016 OFLN
 Dept 5 528 ZONING VERIFICATION
 10. 142823

Recpt Tot \$75.00
 \$75.00 OK \$.00 CA
 Baltimore County, Maryland

[illegible]

Total:

JK 75

Rec
From:

For:

2015-2021 Rocky Point RA

2017-0049-SPT

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

October 12, 2016

Wayne & Diane Totaro
2015-2021 Rocky Point Road
Baltimore MD 21221

RE: Case Number: 2017-0049 SPH, Address: 2015-2021 Rocky Point Road

Dear Mr. & Ms. Totaro:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 16, 2016. 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: jaw

Enclosures

c: People's Counsel
John B Gontrum, Esquire, 1 W Pennsylvania Avenue, Suite 300, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/22/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0049-SPH.

Special Hearing
Wayne & Diane Totaro
2015-2021 Rocky Point Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Zeller".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 23, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-049

SEP 27 2016

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Property Address: 2015 – 2021 Rocky Point Road
Petitioner: Wayne and Diane Totaro
Zoning: RC 5, RC 20
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the re-subdivision of Lot 1 of the Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945.

A site visit was conducted on August 29, 2016. Based upon a meeting with the petitioner's attorney, the Department understands that there is no additional development being proposed.

The Department of Planning has no objections to granting the petitioned zoning relief.

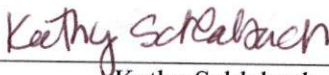
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:

Division Chief:



Lloyd T. Moxley



Kathy Schlabach

AVA/KS/LTM/ka

c: Krystle Patchak
John B. Gontrum, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

10-20

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 01 2016

OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0049-SPH
Address 2015-2021 Rocky Point Road
(Totaro Property)

Zoning Advisory Committee Meeting of AUGUST 29, 2016

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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;

This waterfront property is located in a Limited Development Area (LDA) and a portion of the property is located within a Resource Conservation Area (RCA) in the Chesapeake Bay Critical Area. The RCA area extends outside the RC20 area into portions of the RC5 on the property. A small part of the LDA is also within a Modified Buffer Area (MBA). Any subdivision/development of this property must comply with maximum lot coverage limits, must meet restrictions on development within the required Critical Area buffer, and must meet minimum forest/tree cover requirements. In addition, the proposal must meet the requirements of Code of Maryland Regulations 27.01.02.08 Lot Consolidation and Reconfiguration. Based on this, EPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed subdivision can be minimized with compliance and mitigation pursuant to Critical Area requirements.

2. Conserve fish, wildlife, and plant habitat; and

The proposed subdivision can meet the requirement to conserve fish, wildlife, and plant habitat provided that all Critical Area requirements can be met.

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;

A subdivision on this property can be permitted under the State-mandated Critical Area regulations provided that the proposed subdivision is in compliance with all Critical Area requirements including COMAR 27.01.02.08 Lot Consolidation and Reconfiguration. Lot coverage, forest/tree, and Critical Area buffer requirements must be met. Compliance with all Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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.

EIR Reviewer: Paul Dennis Date: 09-01-2016

1. Ground Water Management will need to review any future (re)subdivision of the property, especially since there are wells on site.

GWM Reviewer: Dan Esser Date: 8/24/16

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 6, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 29, 2016
Item No. 2017-0043, 0044, 0046, 0049, 0052, 0053 and 0054

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC201708292016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: September 23, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-049

INFORMATION:

Property Address: 2015 – 2021 Rocky Point Road
Petitioner: Wayne and Diane Totaro
Zoning: RC 5, RC 20
Requested Action: Special Hearing

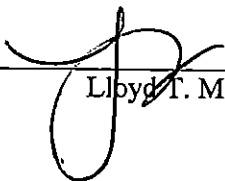
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the re-subdivision of Lot 1 of the Lands of Cora Porter with no additional development based on existing non-conforming residences prior to 1945.

A site visit was conducted on August 29, 2016. Based upon a meeting with the petitioner's attorney, the Department understands that there is no additional development being proposed.

The Department of Planning has no objections to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

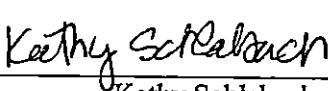
Prepared by:



Lloyd T. Moxley

AVA/KS/LTM/ka

Division Chief:



Kathy Schlabach

c: Krystle Patchak
John B. Gontrum, Esquire
Office of the Administrative Hearings
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: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0049-SPH
Address 2015-2021 Rocky Point Road
(Totaro Property)

Zoning Advisory Committee Meeting of AUGUST 29, 2016

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

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;

This waterfront property is located in a Limited Development Area (LDA) and a portion of the property is located within a Resource Conservation Area (RCA) in the Chesapeake Bay Critical Area. The RCA area extends outside the RC20 area into portions of the RC5 on the property. A small part of the LDA is also within a Modified Buffer Area (MBA). Any subdivision/development of this property must comply with maximum lot coverage limits, must meet restrictions on development within the required Critical Area buffer, and must meet minimum forest/tree cover requirements. In addition, the proposal must meet the requirements of Code of Maryland Regulations 27.01.02.08 Lot Consolidation and Reconfiguration. Based on this, EPS has determined that adverse impacts on water quality from the pollutants discharged from the proposed subdivision can be minimized with compliance and mitigation pursuant to Critical Area requirements.

2. Conserve fish, wildlife, and plant habitat; and

The proposed subdivision can meet the requirement to conserve fish, wildlife, and plant habitat provided that all Critical Area requirements can be met.

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;

A subdivision on this property can be permitted under the State-mandated Critical Area regulations provided that the proposed subdivision is in compliance with all Critical Area requirements including COMAR 27.01.02.08 Lot Consolidation and Reconfiguration. Lot coverage, forest/tree, and Critical Area buffer requirements must be met. Compliance with all Critical Area requirements, and mitigation can allow the subject development to be consistent with established land use policy 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.

EIR Reviewer:

Paul Dennis

Date: 09-01-2016

1. Ground Water Management will need to review any future (re)subdivision of the property, especially since there are wells on site.

GWM Reviewer:

Dan Esser

Date: 8/24/16

CASE NAME _____
CASE NUMBER 2017-0049-SPH
DATE 10/20/16

[illegible]

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C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9/16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NIC</u>
<u>9/11</u>	DEPS (if not received, date e-mail sent _____)	<u>G</u>
_____	FIRE DEPARTMENT	_____
<u>9/23</u>	PLANNING (if not received, date e-mail sent _____)	<u>no Obj</u>
<u>8/22</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2000-0045-A)

NEWSPAPER ADVERTISEMENT

Date:

9/29/16

SIGN POSTING

Date:

9/29/16

by

Agile

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

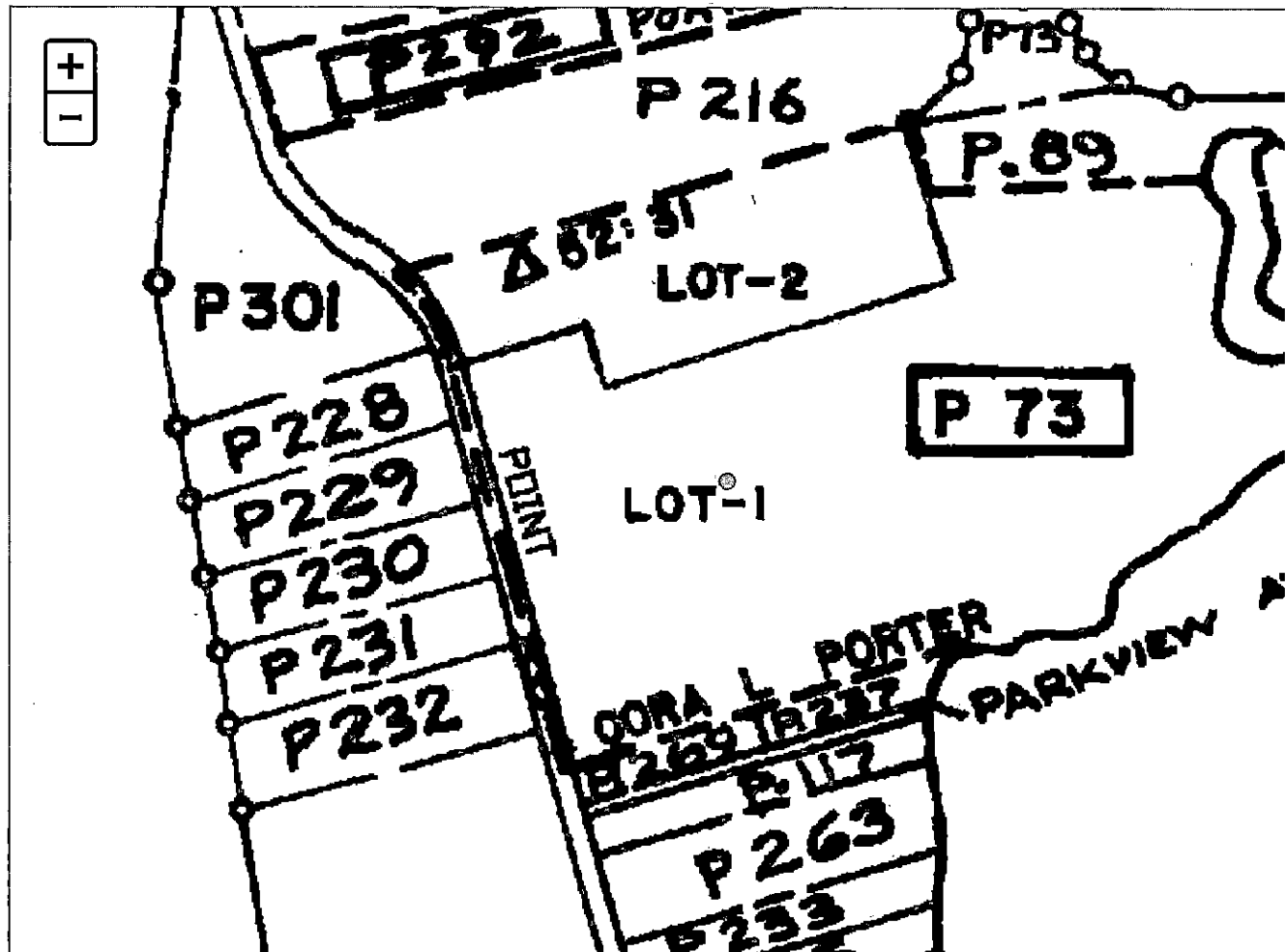
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1900013992			
Owner Information					
Owner Name:		TOTARO FRANCES P		Use:	RESIDENTIAL
Mailing Address:		2021 ROCKY POINT RD BALTIMORE MD 21221-6414		Principal Residence:	YES
				Deed Reference:	/27155/ 00728
Location & Structure Information					
Premises Address:		2021 ROCKY POINT RD 0-0000 Waterfront		Legal Description:	12.618 AC 2021 ROCKY POINT RD CORA L PORTER
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0105	0021	0073		0000	1 2015 0052/0031
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1938	4,598 SF		12.6100 AC	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	BRICK	6 full	
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	481,300	419,200			
Improvements	413,900	406,200			
Total:	895,200	825,400	825,400	825,400	
Preferential Land:	0			0	
Transfer Information					
Seller: TOTARO FRANCES T		Date: 07/07/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27155/ 00728		Deed2:	
Seller: PORTER CORA L		Date: 09/09/1993		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06913/ 00225		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 04/14/2012					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1900013992**

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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 15 Account Number - 1900013993			
Owner Information					
Owner Name:		TOTARO J WAYNE TOTARO DIANE P		Use:	RESIDENTIAL
Mailing Address:		2015 ROCKY POINT RD BALTIMORE MD 21221-6414		Principal Residence:	YES
				Deed Reference:	/07801/ 00498
Location & Structure Information					
Premises Address:		2015 ROCKY POINT RD 0-0000 Waterfront		Legal Description:	2.4151 AC CORA L PORTER
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0105	0021	0073		0000	2 2015 0052/0031
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1986	2,135 SF		2.4100 AC	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	SPLIT LEVEL	SIDING	2 full/ 1 half	1 Attached
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	336,500	292,200			
Improvements	247,100	243,300			
Total:	583,600	535,500	535,500	535,500	
Preferential Land:	0			0	
Transfer Information					
Seller: TOTARO J WAYNE		Date: 02/26/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07801/ 00498		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 04/23/2014					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

This is a detailed plat map of a portion of the City of Portland, Oregon. The map shows several lots and parcels, each labeled with a unique identifier. The lots are arranged in a grid-like fashion, with some labeled as 'LOT-1' and 'LOT-2'. The map also shows streets, including Porter Park, Cora L. Porter, and Parkview Avenue. A north arrow is located in the top left corner of the map.

Key features and labels on the map include:

- Lot Identifiers:** P255, P292, P216, P213, P301, P228, P229, P230, P231, P232, P73, P15.
- Street Names:** PORTER PARK, CORA L. PORTER, PARKVIEW AV.
- Other Labels:** LOT-1, LOT-2, P/O P, P15, P73, P213, P255, P292, P301, P228, P229, P230, P231, P232.
- North Arrow:** Located in the top left corner, pointing towards the top of the page.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Jmk
8/30/99AV

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S of Rocky Point Road, 1720' *
S of centerline of Barrison Point Road * DEPUTY ZONING COMMISSIONER
15th Election District *
5th Councilmanic District * OF BALTIMORE COUNTY
(2015 Rocky Point Road) *
J. Wayne Totaro & Diane P. Totaro * CASE NO. 00-045-A
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owners of the subject property, Wayne & Diane Totaro. The Petitioners are requesting a variance for property they own at 2015 Rocky Point Road. The property is zoned R.C.5 and is located in the Back River Neck Cedar Point area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a residential garage 21 ft. high in lieu of the permitted 15 ft. required. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

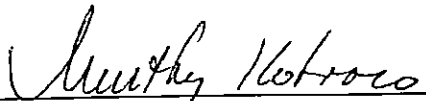
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested administrative variance would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, 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.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). As of the date of this Order, DEPRM has not completed its review of this project. Therefore, the relief granted herein is subject to the Petitioners' compliance with any recommendations made by DEPRM upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the requested administrative variance should be granted.

THEREFORE, IT IS ORDERED this 2nd day of September, 1999, by this Deputy Zoning Commissioner, that the Petitioners' request for Administrative Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a residential garage 21 ft. high in lieu of the permitted 15 ft. required, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Compliance with any recommendations made by DEPRM to minimize any effect the proposed development might have on the Bay and its tributaries.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

Case No.: 2017-0049-SPH

Exhibit Sheet

PW 10-24-16

PW 11-25-16

Petitioner/Developer

Protestant

No. 1	plan	
No. 2	title deeds	
No. 3	subdivision regs.	
No. 4	1948 zoning regs.	
No. 5	1971 zoning map	
No. 6	USGS survey	
No. 7	1949 aerial photo	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

said T Bayard Williams and William G Lynch admit and acknowledge wherefor this instrument is executed

Now therefore this Release Witnesseth that in consideration of the premises and of the sum of one dollar (\$ 1.00) the said T Bayard Williams and William G Lynch do hereby grant and release unto the said Samuel Majors and Fannie Majors his wife all that lot of ground and premises mentioned limited and mortgaged by the mortgage aforesaid to have and to hold the same unto the said Samuel Majors and Fannie Majors his wife their heirs and assigns in the same manner as if the aforesaid mortgage had never been executed

As Witness the hands and seals of the said Releasors

Test

Margaret T Durkin

T Bayard Williams (SEAL)

William G Lynch (SEAL)

Trustees

State of Maryland

Baltimore City to wit

I Hereby Certify that on this 19th day of February in the year Nineteen hundred and forty seven before me the subscriber a Notary Public of the State of Maryland and for Baltimore City aforesaid personally appeared T Bayard Williams and William G Lynch Trustees of the Estate of John T Grace and they acknowledged the foregoing Release of Mortgage to be their act

As Witness my hand and Notarial seal

(Notarial seal)

Margaret T Durkin

Recorded Feb 20 1947 at 11.30 A M & EXD

Per John W Bishop

Clerk

(Rec By R D B)

(Exd W & T)

3737

Bertha E Sauerwald unmarried

Deed to

Cora L Porter widow

this Deed Made this 10th day of February
in the year one thousand nine hundred and forty
seven by Bertha E Sauerwald unmarried of Baltimore County State of Maryland

Witnesseth that in consideration of the sum of five (\$ 5.00) dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Bertha E Sauerwald unmarried does hereby grant and convey unto Cora L Porter widow of the County and State aforesaid for and during the term of her natural life with full power and authority unto the said Cora L Porter widow at any time or times during her lifetime to sell mortgage lease convey or otherwise dispose of the same (said power to extend to a sale mortgage lease conveyance or other disposition of the remainder or remainders as well as her life estate therein) and from and immediately after the death of Cora L Porter widow as to so much thereof as shall not have been disposed in the execution of the aforesaid power unto and to the use of Louis Joseph Porter and Frances Mildred

EXHIBIT

tabbies

2

DEL PER TICKET NOV 21 1947

Porter her son and daughter respectively as joint tenants and not as tenants in common and to the survivor of them their heirs and assigns forever in fee simple all that parcel of land situate lying and being in the 15th Election District of Baltimore County State of Maryland and which according to a survey made by Howard C Sutton Surveyor and Civil Engineer dated May 4 1938 is described as follows

Beginning for the same at a point in Rocky Point Road in the third or south 59 degrees and 41 minutes east 109 feet line (should have been stated as 139 feet) of the land firstly described in a deed from Josephine Porter to Anna Porter widow of George H Porter and her children dated December 29 1916 and recorded among the Land Records of Baltimore County in Liber W P C No 479 folio 264 distant 129 feet southeasterly from the beginning of said line and running thence binding on the outlines of said land and in Rocky Point Road the eight following courses and distances as now surveyed to wit south 59 degrees and 34 minutes east 10 feet to an iron pipe set in the gutter on the east side of said road south 19 degrees and 47 minutes east 91 feet and 3 inches south 9 degrees and 00 minutes east 105 feet south 3 degrees and 41 minutes west 88 feet south 12 degrees and 27 minutes east 142 feet and 6 inches south 18 degrees and 27 minutes east 91 feet and 9 inches (this course and distance was omitted in the description of said first parcel in said deed) south 6 degrees and 36 minutes east 144 feet and 6 inches and south 11 degrees and 21 minutes east 139 feet and 1 inch thence running for a line of division now made and marked north 80 degrees and 48 minutes 441 feet and 10 inches to the shore line of Hawk Cove thence running with and binding on the shore line of Hawk Cove in a northeasterly direction following the meanders thereof 717 feet to the mouth of Tilley's Gut at the west side thereof thence in a general northerly direction binding on the westernmost side of Tilley's Gut and following the meanders thereof 1035 feet to a point south 39 degrees and 42 minutes east 63 feet from a large stone heretofore planted in the northeasternmost outline of the land firstly described in said deed thence running with and binding on said outline north 39 degrees and 42 minutes west 63 feet to said stone thence still binding on said outline north 39 degrees and 42 minutes west 31 feet and 10 inches thence running for lines of division now made and marked the two following courses and distances to wit south 81 degrees and 02 minutes west 366 feet and 3 inches and south 86 degrees and 23 minutes west 125 feet and 9 inches to the center of a road now laid out 20 feet wide for use in common by the owner or occupants of the land now being described and the land adjoining to the northward and thence binding on the center of said road as now laid out and marked the four following courses and distances to wit south 8 degrees and 21 minutes west 71 feet and 9 inches south 22 degrees and 30 minutes west 64 feet south 59 degrees and 30 minutes west 88 feet and south 81 degrees and 05 minutes west 634 feet and 6 inches to the place of beginning

Containing 18.90 acres of land more or less

Being part of the land firstly described in the deed from Josephine Porter to Anna Porter and her children hereinabove referred to

Also being the same parcel of land and premises which by deed dated evenly herewith and recorded among the Land Records of Baltimore County immediately prior hereto was granted and conveyed by the said Cora L Porter widow unto the said Bertha E Sauerwald unmarried

Together with the buildings and improvements thereon and all and every the rights

alleys ways waters privileges appurtenances and advantages thereunto belonging or in anywise appertaining

To have and to hold the said parcel of land and premises above described and hereby intended to be conveyed unto and to the use of the said Cora L Porter widow for and during the term of her natural life with full power and authority unto the said Cora L Porter widow at anytime or times during her lifetime to sell mortgage lease convey or otherwise dispose of the same (the said power to extend to a sale mortgage lease conveyance or other disposition of the remainder or remainders as well as her life estate therein) and from and immediately after the death of the said Cora L Porter widow as to so much thereof as shall not have been disposed of in execution of the aforesaid power unto and to the use of Louis Joseph Porter and Frances Mildred Porter her son and daughter respectively as joint tenants and not as tenants in common and to the survivor of them their heirs and assigns forever in fee simple

And the said Bertha E Sauerwald unmarried hereby covenants that she has not done or suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed and that she will warrant specially the property hereby granted and that she will execute such other and further assurances of the same as may be requisite

As Witness the hand and seal of the said Grantor

Test

Edward Paul Swiss

Bertha E Sauerwald (SEAL)

State of Maryland

Baltimore County to wit

I Hereby Certify that on this 10th day of February 1947 before me the subscriber a Notary Public of the State of Maryland in and for Baltimore County aforesaid personally appeared Bertha E Sauerwald unmarried the above named Grantor and she acknowledged the foregoing deed to be her act

Witness my hand and Notarial seal

(Notarial seal)

Edward Paul Swiss

Notary Public

Deed only Prepared Title search not ordered or requested by all parties concerned herein

Recorded Feby 12 1947 at 1 P M & EXD

Per John W Bishop

Clerk

(Rec By R D B)

(Exd W & T)

4530

Harold H Bryant and wife

Deed to

James C Murphy et al Tre

U S S \$3.30 S R T \$3.00

DEED OF TRUST

This Deed Made this 18th day of February 1947 by and between Harold H Bryant and Fannie M Bryant his wife party of the first part and James Clarke Murphy and Richard D Biggs Trustees as hereinafter set forth parties of the second

part

FOR RELEASE SEE
LIBER 1538 Vol. 1

NOTE: THE STREETS AND/OR ROADS SHOWN HEREON AND THE MOTIONS THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE REMOVED TO PUBLIC USES. THE REAL SIMPLE TITLE TO THE REALTIES THEREOF IS EXPRESSLY RESERVED IN THE GRANTING OF THE DEED TO WHICH THE PLAT IS ASSIGNED, THEIR BRIDS AND ASSESSMENTS.

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COORDINATES	
NO.	EAST
1	14761.543
2	14811.383
3	14784.218
4	14833.044
5	14841.748
6	14786.021
7	14771.180
8	14775.205
9	14854.219
10	14954.921
11	15043.205
12	15177.250
13	15259.750
14	15359.766
15	15551.406
16	15655.027
17	14702.430
18	14673.338
19	14549.742
20	15025.215
21	15148.544
22	15249.407
23	15323.058
24	15096.151
25	15112.144
26	15161.650
27	15201.727
28	15236.809
29	15281.651
30	15704.935
31	15794.702
32	15748.191
33	15712.315
34	15742.137
35	15759.522
36	15730.073
37	15710.312

NOTE: THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

2. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

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25. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

26. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

27. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

28. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

29. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

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31. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

32. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

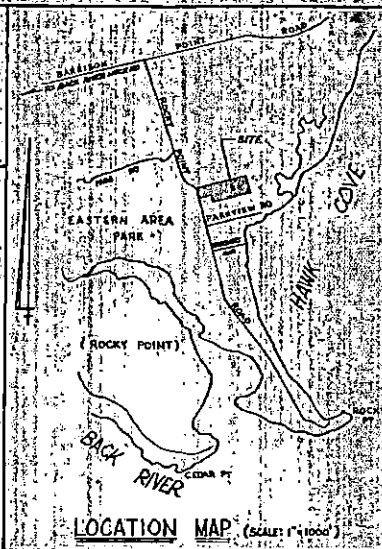
33. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

34. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

35. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

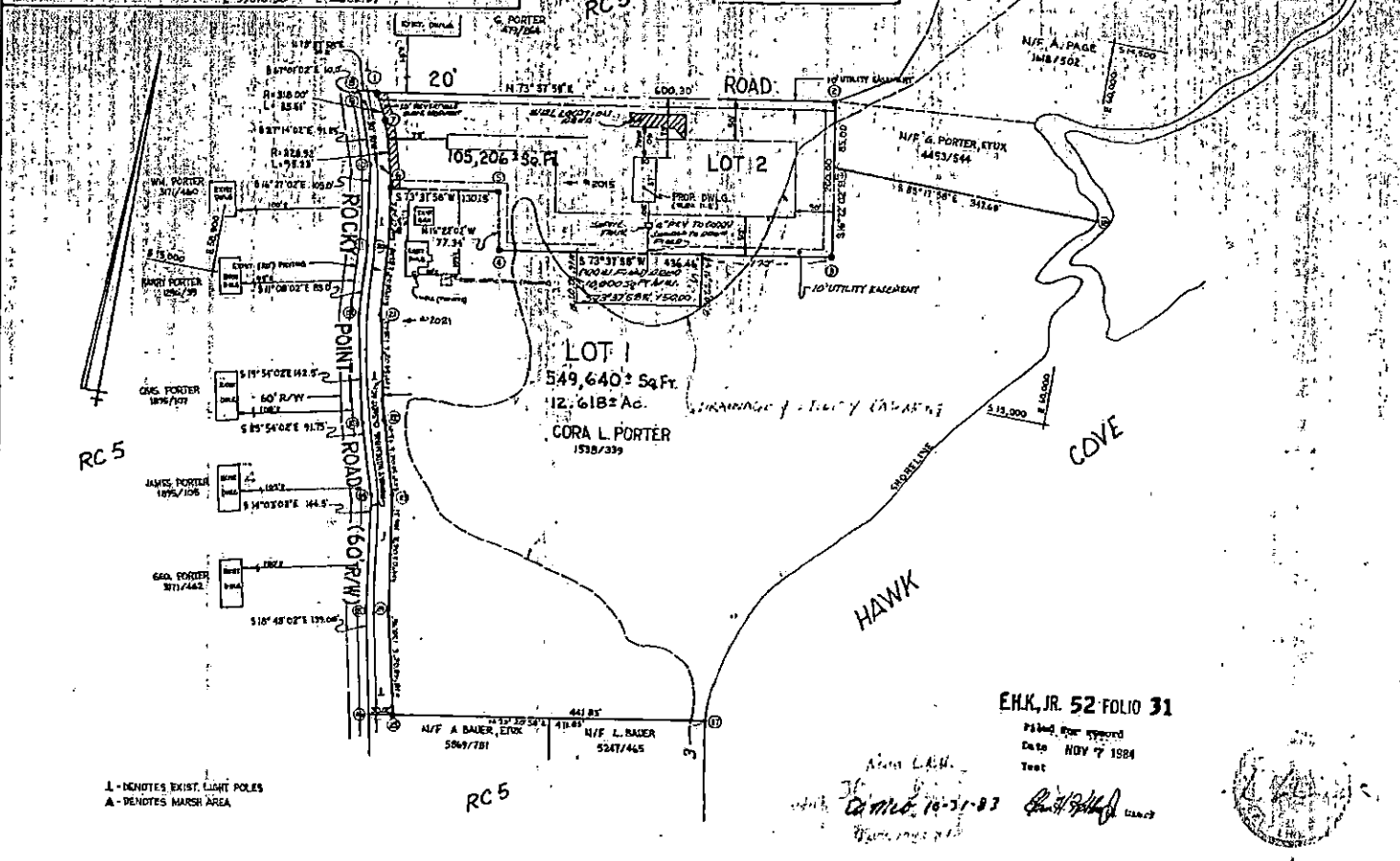
36. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.

37. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.



GENERAL NOTES

1. OWNER: CORA L. PORTER
2021 ROCKY POINT ROAD
BALTIMORE, MD. 21221
2. DEED REFERENCE: LIBER 1538 FOLIO 339
3. EXISTING ZONING: R.C. 5
4. ADJACENT ZONING: R.C. 5
5. ACREAGE: TOTAL - 19.5010 AC. NET - 15.9332 AC.
6. SETBACK REQUIREMENTS: FRONTYARD - 75.0' MIN.
SIDEYARD - 50.0' MIN.
REARYARD - 50.0' MIN.
7. DENSITY CALCULATIONS: NO. OF LOTS ALLOWED: 15.9332 AC. / 1.0 AC. = 15.9332
NO. OF LOTS PROPOSED: 2
8. PROPERTY NO.: 15-16-402210
9. CENSUS TRACT: 4510
10. COUNCILMANIC DISTRICT: 5
11. WATERSHED: #10
12. SURVEYOR'S NOTES: DETACHED SUB BASIN #21 NO PLANNED SERVICE
13. SOIL TYPES: M15 - MATIAPA SILT LOAM, 2 TO 5% SLOPES
M16 - TIDAL MARSH
M17 - WOODSTOCK LOAM, 2 TO 5% SLOPES



APPROVED: OFFICE OF PLANNING AND ZONING

DATE: 10/15/84 DIRECTOR: [Signature]

BALTO. CO. HEALTH DEPT.

DATE: 10/15/84 DIRECTOR: [Signature]

DIRECTOR DEPT. OF PUBLIC WORKS

DATE: 10/15/84 DIRECTOR: [Signature]

OWNER'S CERTIFICATE

THE REQUIREMENTS OF SECTIONS 72A TO 72D OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1939 EDITION, CHAPTER 1014 OF THE ACTS OF 1945, AS AMENDED BY CHAPTERS 84 AND 785 OF THE ACTS OF 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO, SO FAR AS THEY CONCERN THE WORKS OF THIS PLAT AND SETTING OF MARKERS HAVE BEEN COMPLIED WITH. OWNER OF THE LAND SHOWN HEREON:

DATE: 10/15/84

SURVEYOR'S CERTIFICATE

I, E.H.K. JR., A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH SECTIONS 72A TO 72E, INCLUSIVE, OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1939 EDITION, AS ENACTED OR AMENDED BY THE ACTS OF 1945 AND 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO:

DATE: NOV 7 1984

P.L.S. NO. 7

HEAD

ENGINEERING AND SURVEYS OF MARYLAND, INC.
6902 NORTH POINT ROAD BALTO., MD. 21219

SCALE: 1"=100' JOB NUMBER: 180180

DATE: SEP. 30, 1980 DRAWING BY: J.C. RUSS, JR.

10/15/84 1207-6595 52-31

BALTIMORE COUNTY CIRCUIT COURT (Land Records) EHK Jr. 6896, p. 0359, MSA_CEG2_6751, Date available 12/27/2005. Printed 10/20/2016.

DEED -- FEE SIMPLE -- INDIVIDUAL GRANTOR -- LONG FORM

6896 PAGE 359

NO TITLE SEARCH - NO CONSIDERATION

This Deed, MADE THIS 5/5th day of January

in the year one thousand nine hundred and eighty five ----- by and between
CORA L. PORTER,

of Baltimore County, State of Maryland, party of the first part, and
J. WAYNE TOTARO, of Baltimore County, State of Maryland, party
of the second part.

WITNESSETH, That in consideration of the sum of love and affection

the said CORA L. PORTER

11 RC/F 12.00
DEED 0 H
CHK JR T 12.00
155062 C002 R02 T13:27
04/12/85

does grant and convey to the said J. WAYNE TOTARO, his

personal representatives/~~heirs~~ and assigns, in fee simple, all
lot of ground situate in Baltimore County, State of Maryland
and described as follows, that is to say:

BEING all of that lot of ground known as Lot No. 2 as shown on the
plat of the lands of Cora L. Porter and recorded among the Plat Records
of Baltimore County in Plat Book E.H.K., Jr., No. 52, Folio 31, dated
November 7, 1984, and to be further known as 2015 Rocky Point Road.

BEING a portion of that tract of land that was granted and conveyed
by Bertha E. Sauerwald to Cora L. Porter, Widow, the Grantor herein, of
which Deed was dated February 10, 1947 and recorded among the Land
Records of Baltimore County in Liber J.W.B. No. 1538, Folio 339.

RESERVING to the Grantor herein those easements contained in
the above-referenced parcel conveyed for placement of utilities
and revertible slope as shown on the above-referenced plat. It
being the intent of the Grantor herein to convey said easements
to Baltimore County, Maryland.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *[Signature]* 4/3/85

STATE DEPARTMENT OF
ASSESSMENT & TAXATION
4/3/85

TRANSFER TAX RECEIVED
BALTIMORE COUNTY
Per *[Signature]*
Authorized Signature
Date 4/3/85 Sec. 11-85

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said

J. WAYNE TOTARO,

his personal representatives heirs

and assigns in fee simple.

AND the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantor

Test:

Cora L. Porter (SEAL)
CORA L. PORTER

STATE OF MARYLAND, Baltimore Co., to wit:

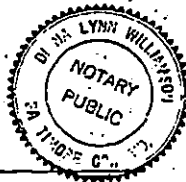
I HEREBY CERTIFY, That on this 31st day of January, in the year one thousand nine hundred and eighty five, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared CORA L. PORTER,

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

July 1, 1986



[Signature]
Notary Public

Rec'd for record APR 12 1985 at 1:47 PM

Per Elmer H. Kahline, Jr., Clerk

Mail to Robert J. Romanaka

Receipt No. 1200

NO TRANSFER TAX, NO CONSIDERATION, NO TITLE.

This Deed, MADE THIS 26th day of April

in the year one thousand nine hundred and eighty-five

by and between

CORA L. PORTER, widow

of Baltimore County, Maryland

of the first part, and

CORA L. PORTER, widow

of the second part and FRANCES T. TOTARO of the third part.

WITNESSETH, That in consideration of the sum of love and affection

the said CORA L. PORTER, widow, party of the first part

DEED 13.00
CHK-JR T 13.00
NSP482 C001 R02-109:26
05/10/85

does grant and convey to the said CORA L. PORTER, widow, party of the second

part for and during the term of her natural life and no longer the
hereinafter described property, and immediately upon the death of the
said CORA L. PORTER, widow, life tenant, then the remainder herein unto
FRANCES T. TOTARO, party of the third part, her
personal representative and assigns in fee simple, all

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

BEING all of that lot of ground known as Lot No. 1 as
shown on the Plat of the Lands of CORA L. PORTER, widow, and recorded
among the Plat Records of Baltimore County in Plat Book E.H.K. Jr.
No. 52, Folio 31, dated November 7, 1984. The improvements
thereon being known as 2021 Rocky Point Road.

BEING a portion of that tract of land which was granted
and conveyed by Bertha E. Sauerwald to CORA L. PORTER, widow, the
Grantor herein, said Deed being dated February 10, 1947 and
recorded among the Land Records of Baltimore County in Liber
J.W.B. No. 1538, Folio 339.

TRANSFER TAX NOT REQUIRED

Per Flora J. Bell
Authorized Signature
Date 4-19-85 Sec. 11-85 H

DEPARTMENT OF
ASSESSMENTS & TAXATION

DATE 4/30/85

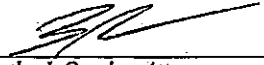
AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

DATE 4/30/85

PLEASE RETURN TO:
 Timothy J. Oursler
 Royston, Mueller, McLean & Reid, LLP
 102 West Pennsylvania Avenue
 Towson, Maryland 21204
 File No. 25028

TAX ID NUMBER: 19-00-013992

I HEREBY CERTIFY that this instrument was prepared by an attorney admitted to practice before the Court of Appeals for the State of Maryland.


 Timothy J. Oursler, Attorney

THIS DEED is made this 1st day of July, 2008, by and between FRANCES P. TOTARO (know of record as Frances T. Totaro) ("Grantor"), and Frances P. Totaro ("Grantee").

WITNESSETH that in consideration of the sum of ZERO DOLLARS (\$0.00) and no other consideration, Grantor hereby grants and conveys to the Grantee, for and during the term of her natural life, with the powers hereinafter fully set out, and with the remainder over as hereinafter provided, in fee simple, all that lot of ground situate in BALTIMORE COUNTY, MARYLAND, and described as follows, that is to say (hereinafter the "Property"):

BEING all that lot of ground known as Lot No. 1 as shown on the Plat of the Lands of Cora L. Porter, widow, and recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 52, folio 31, dated November 7, 1984.

The improvements thereon being known as No. 2021 Rocky Point Road.

BEING the same property, which by Deed dated April 26, 1985, and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6913, folio 225, was granted and conveyed by Cora L. Porter to Cora L. Porter for life, with remainder to Frances T. Totaro (a/k/a Frances P. Totaro); the said Cora L. Porter having departed this life on the 18th day of June, 1992, thereby vesting fee simple title in Frances T. Totaro (a/k/a Frances P. Totaro).

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

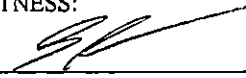
TO HAVE AND TO HOLD the said described lot of ground and premises unto and to the use and benefit of the said Grantee, for and during the term of her natural life with full powers to sell, mortgage, lease or otherwise dispose of said lot of ground (but without the power to devise) and any and all interest therein both life estate and remainder, and to use and consume the proceeds of sale, mortgage, lease or other disposition for her own use, without obligation on the part of the

purchasers, mortgagors or lessees to see proper application of the purchase money, and from and immediately after the death of said Grantee, then as to so much of said property as may not have been disposed of by the said Grantee, in her lifetime, under the aforesaid powers, unto her son, J. WAYNE TOTARO, his personal representatives and assigns, in fee simple, forever.

AND the Grantor hereby covenants that she has not done, or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she warrants specially the property hereby granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor the day and year first above-written.

WITNESS:



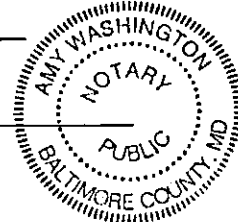
Frances P. Totaro (SEAL)
FRANCES P. TOTARO

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 1st day of July, 2008, before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared FRANCES P. TOTARO, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained as her act and deed.

WITNESS my hand and Notarial Seal.

Notary Public



My commission expires: 6/4/10

**Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate
Affidavit of Residence or Principal Residence**

Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of § 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information	
Name of Transferor	
Frances P. Totaro (known of record as Frances T. Totaro)	

2. Reason for Exemption	
Resident Status	☒ I, Transferor, am a resident of the State of Maryland. ☐ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR) 03.04.12.02B(11), 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 certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors	
Witness	Frances P. Totaro Name <i>Frances P. Totaro</i> Signature
3b. Entity Transferors	
Witness/Attest	Name of Entity By: Name Title

State of Maryland Land and Instrument Intake Sheet County: Baltimore County Information provided is for use of the Clerk's Office, State Department of Assessments and Taxation and County Finance Office only. (Type or Print in Black Ink Only—All Copies Must Be Legible)									
1 Type(s) of Instruments 2 Conveyance Type Check box		☒ Check Box ☐ Addendum ☐ Release ☐ Other						3 Tax Exemptions (If Applicable) Cite Or Explain Authority	
		☒ Deed ☒ Deed of Trust ☐ Improved Sale ☐ Arms-Length[1]		☐ Mortgage ☐ Lease ☐ Unimproved Sale ☐ Arms-Length[2]		☐ Other ☐ Multiple Accounts ☐ Arms-Length[3]		☐ Other ☐ Not an Arms Length Sale[9]	
		4 Consideration Purchase Price/Consideration \$ Any New Mortgage \$275,000.00 Balance of Existing Mortgage \$127,261.30 Other: \$ Other: \$ Full Cash Value \$						5 Fees Amount of Fees Doc. 1 Doc. 2 Recording Charge \$ 20.00 \$ 20.00 Surcharge \$ 20.00 \$ 20.00 State Recording Tax \$ \$740.00 State Transfer Tax \$ \$ County Transfer Tax \$ \$ Other \$ \$ Other \$ \$	
6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i)		7 Transferred From Doc. 1 – Grantor(s) Name(s) Frances T. Totaro a/k/a Frances P. Totaro Doc. 2 – Grantor(s) Name(s) Frances P. Totaro							
		8 Transferred To Doc. 1 – Grantee(s) Name(s) Frances P. Totaro Doc. 2 – Grantee(s) Name(s) George W. Barrett, Jr., Paul J. Cashour and Thomas S. Wintz, Sr., Trustees							
		9 Other Names To Be Indexed Doc. 1 – Additional Names to be Indexed (Optional) Doc. 2 – Additional Names to be Indexed (Optional) Rosedale Federal Savings and Loan Association							
		10 Contact/Mail Information Instrument Submitted By or Contact Person Name: Mary E. Schlehr Firm: Royston, Mueller, McLean & Reid, LLP Address: 102 W. Pennsylvania Avenue, Ste. 600, Towson, Maryland 21204 Phone: 410-823-1800							
11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER. Assessment [x] Yes [] No Will the property being conveyed be the grantee's principal residence? Information [] Yes [x] No Does transfer include personal property? If yes, identify: [] Yes [x] No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).		12 Remarks BALTIMORE COUNTY, MARYLAND COUNTY TRANSFER TAXES RECORDATION TAXES IN 1918-1919 17/07/2008 15:37:22							
		13 Signature Signature of Grantor(s) _____ Signature of Grantee(s) _____ Signature of Notary Public _____							
		14 Notary Public Notary Public for Maryland Commission Expires _____ Notary Seal Number _____							
		15 Other Other Information Other Information Other Information							

REVALIDATION
DUPLICATE PAID RECEIPT

Date 7-15

SUBDIVISION REGULATIONS

for

BALTIMORE COUNTY, MARYLAND

A Maryland State enabling act of 1933 authorized the political subdivisions of the State to set up planning commissions. Where such a commission has been established, it is required to draw up regulations for the control of subdivision developments. (see page 18) After official adoption of such regulations, all new subdivision plats must be submitted for approval by the Planning Commission.

In accordance with this procedure, the Subdivision Regulations which follow were prepared by the Baltimore County Planning Commission, and approved thereby on April 22, 1949. On July 11, 1949, they were adopted by the Board of County Commissioners.

Baltimore County Planning Commission
Towson, Maryland

EXHIBIT

tabbles

3

other type of use which does not require a sidewalk and where continuity is not essential, the Commission may waive requirements of a walk for that side of the street. In a subdivision having no lots with less than 100-foot frontage (excepting pie-shaped lots fronting on the end of a culdesac or on a sharp curve) and where conditions are such as to eliminate or discourage non-local traffic and street parking, the Commission may waive the requirement of sidewalks on one or both sides.

- b. Crosswalks: Where a crosswalkway is included in the subdivision plan the developer shall construct a paved walk.
3. Water Lines: No subdivision containing any lot comprising less than 20,000 square feet will be approved unless connection with a public water main is assured for each lot.
 4. Storm Drainage: Such grading shall be done and such drainage structures be provided by the developer as may be required by the Chief Engineer of the Department of Public Works, in accordance with the County's general plan for drainage.
 5. Sanitary Sewerage: In any subdivision the proposed type of sewage disposal shall be subject to the approval of the County Health Officer and the Chief Engineer of the County Department of Public Works.
 - a. If located outside the Metropolitan District sewage service area and facing the prospect of remaining permanently unsewered, a proposed plat will be disapproved unless every lot therein has an area of at least 20,000 square feet and an average width of at least 100 feet. Regardless of size, however, a plat so located will be disapproved by the Planning Commission if in the opinion of the County Health Officer or the State Department of Health there are factors inherent in drainage, soil character, or other conditions that would tend to produce public health problems in connection with permanently unsewered occupancy.
 - b. If located inside the Metropolitan District sewage service area, a proposed plat will be disapproved unless each lot is to be provided with access to a public sanitary sewer, except as follows:
 - (1). If a public water supply is available, the developer may choose either of the following alternatives:
 - (a). Make application and satisfactory arrangement with the Metropolitan District for installation of a permanent sewer system, connected with a group disposal plant, for which the maintenance cost would be assessed by the Chief Engineer of the Metropolitan District against each property benefited or
 - (b). Install individual disposal systems, provided every lot to be thus served has an area of at least 10,000 square feet, and a width of at least 60 feet at the building line.

ADOPTED BY THE COUNTY COMMISSIONERS
OF BALTIMORE COUNTY,
Enabling Acts of the General Assembly of Maryland:

Session of 1941, Chapter 247

Session of 1943, Chapter 877

Session of 1945, Chapter 502

Session of 1947, Chapter 915

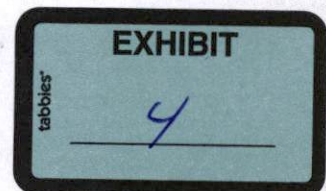
CHRISTIAN H. KAHL,
President

JOHN R. HAUT

BREMEN A. TRAIL
County Commissioners
of Baltimore County

Codified Sept. 1, 1948 by

CHAS. H. DOING
Zoning Commissioner of Baltimore County.



32. Trailer: A vehicle used, or intended for use as a conveyance upon the public street or highways, so designed, constructed, reconstructed, or added to by means of portable accessories in such manner as will permit the occupancy thereof as a movable dwelling or sleeping place.

33. Trailer Camp: Any land upon which, habitually or infrequently, one or more trailer or house cars, when detached from its automobile, or means of locomotion, or a combined car and house trailer, are placed or located, and whether or not used for occupancy as dwelling or otherwise, and shall include any structure or building used as a service building for such camp or intended for use as a part of the equipment of such camp.

34. Wayside Stand: A temporary structure including tables, or other method for display and sale of farm products or commodities.

35. Yard: An open space on the same lot as the building and unoccupied and unobstructed from the ground up (except such accessory buildings, or projections as are expressly permitted in these regulations) and not including a court.

36. Yard, Front: A yard extending across the full width of the lot and measured between the front lot line and the foundation wall of the building.

37. Yard, Rear: A yard extending across the full width of the lot measured between the rear lot line and the main building.

38. Yard, Side: A yard extending from the front yard to the rear yard and measured from the side lot line to the building.

39. Zone: An area for which the regulations governing the use of buildings and land are identical.

SECTION II—ZONES

For the purposes of these regulations, the County is hereby divided into Seven (7) Zones as follows:

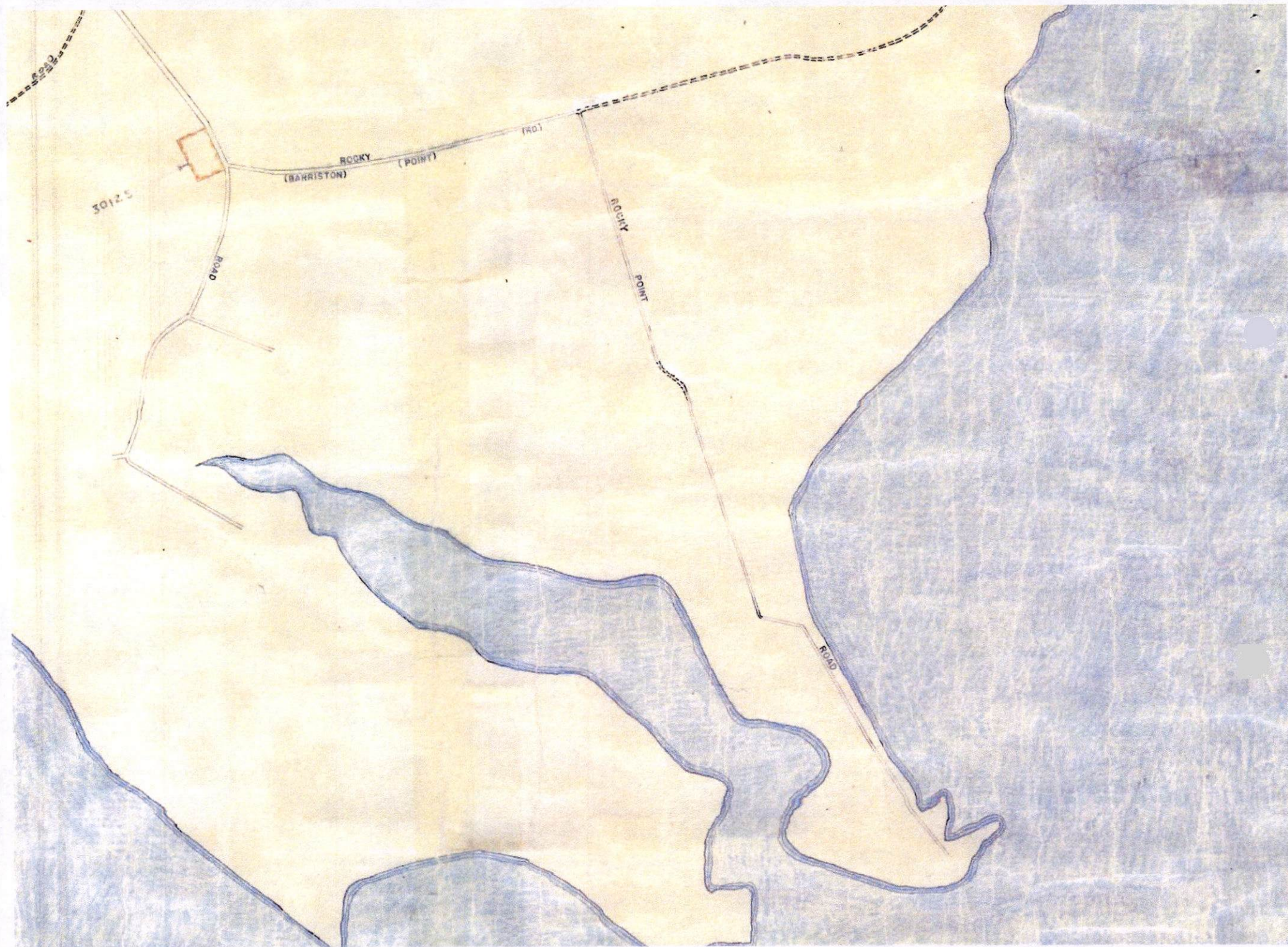
- "A" Residence Zone - - - (Cottage)
- "B" Residence Zone - (Semi-detached)
- "C" Residence Zone - - (Apartment)
- "D" Residence Zone - - - (Group)
- "E" Commercial Zone.
- "F" Light Industrial Zone.
- "G" Heavy Industrial Zone.

SECTION III—"A" RESIDENCE ZONE

A. Use Regulations: In any "A" Residence Zone, except as hereinafter expressly provided, no building or land shall be used and no building or structure shall be hereafter erected, altered, repaired or used except for one or more of the following uses:

1. Church, parochial school, convent or monastery.
2. Dwelling, single family.
3. Dwelling, two-family.
4. Farming and buildings incidental thereto.
5. Home Occupations, provided that no sign or signs shall be displayed on the lot so used exceeding a total of two square feet in area, not projecting more than one foot beyond the building, and not illuminated.

6. Professional office when situated in the building used by practitioner as his or her private dwelling, provided that no name plate shall be displayed exceeding two square feet in area.
7. Public park or playground.
8. Public building.
9. Public water works or reservoir.
10. Trailer, one unoccupied, for storage only.
11. Tourist home.
12. Truck garden.
13. Accessory building and uses incident to any of the above uses when located on the same lot and in the rear yard and not involving the conduct of a retail business, and which may include:
 - (a) Any accessory building when located not less than 60 feet from front lot line and in case of a corner lot where rear line of lot abuts on side line of lot adjoining on rear, no accessory building shall be less than 25 feet from the side street line except when built as a part of the main building, provided, however, that any accessory building which is erected within 60 feet of any side street line shall not be less than 10 feet from the rear lot line. In case of a corner lot where rear line of lot abuts on rear line of lot adjoining on rear, no accessory building shall be less than 15 feet from the side street line and in no case shall an accessory building be located within two feet of any lot line.
 - (b) Poultry house, provided use is of a private nature only and no poultry or eggs are sold, provided, however, that any poultry yard, run or enclosure, shall be, in its entirety, within the rear yard of such lot.
14. Telephone and telegraph lines, electric light and power lines on public highways or carrying less than 5,000 volts on poles, underground conduits, cables and gas, sewer and water mains and pipes, provided that no building or structure except such poles shall be erected, altered, repaired or used in connection therewith without the issuance of a special permit as provided in Section XIII—Sub-section I.
- B. Height Regulations: No building shall exceed a height of forty feet or three stories.
- C. Area Regulations: The minimum dimensions of yards, and the minimum lot area, except as provided in Section IX, shall be as follows:
 1. Lot Area: Each dwelling hereafter erected shall be located on a lot having an area of not less than five thousand square feet and a width of not less than fifty feet at the front building line. No yard space or minimum area required for a building or use by these regulations shall be considered as any part of the yard space or minimum area for another building or use.
 2. Front Yard: The building line shall set back from the front lot line to provide for a front yard not less than twenty-five feet in depth, provided that when the majority of residential buildings on one side of a street between two intersecting streets, have been lawfully built with different front yard depths than the aforesaid twenty-five feet, then no building hereafter erected or altered shall have a less front yard than the average depth of said actual front yards of buildings immediately to either side of said building; and, provided, further that no building shall be required by the regulations to set back more than fifty feet in any case, and provided further that these regulations shall not be construed as to reduce to less than 22 feet the buildable width of a corner lot.
 3. Side Yard: There shall be a side yard not less than seven feet in width along each side lot line, except in case of a corner lot the side yard along the side street shall not be less than fifteen feet.
 4. Rear Yard: There shall be a rear yard, having a minimum average depth of twenty feet but in no case less than fifteen feet in depth at any one point.

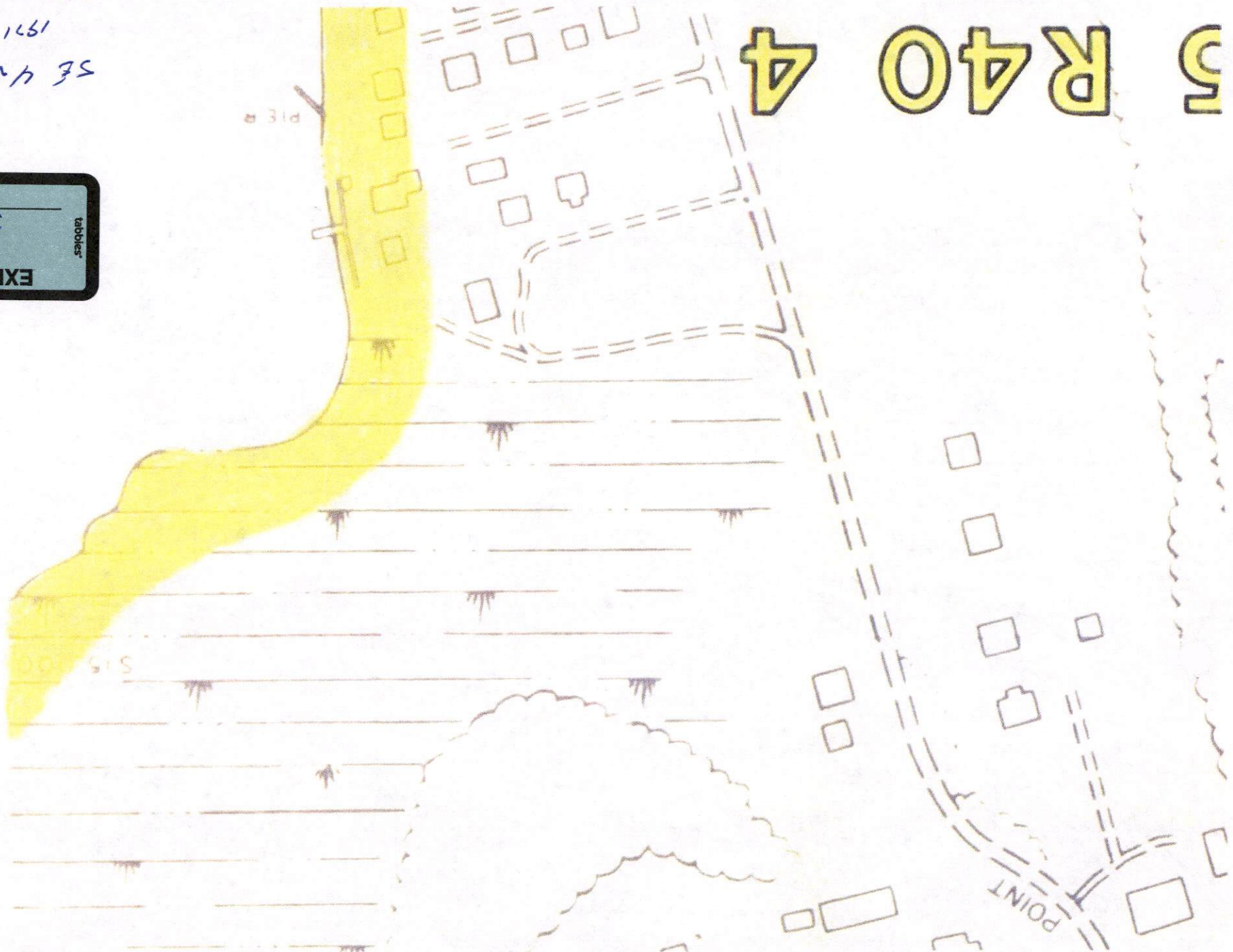


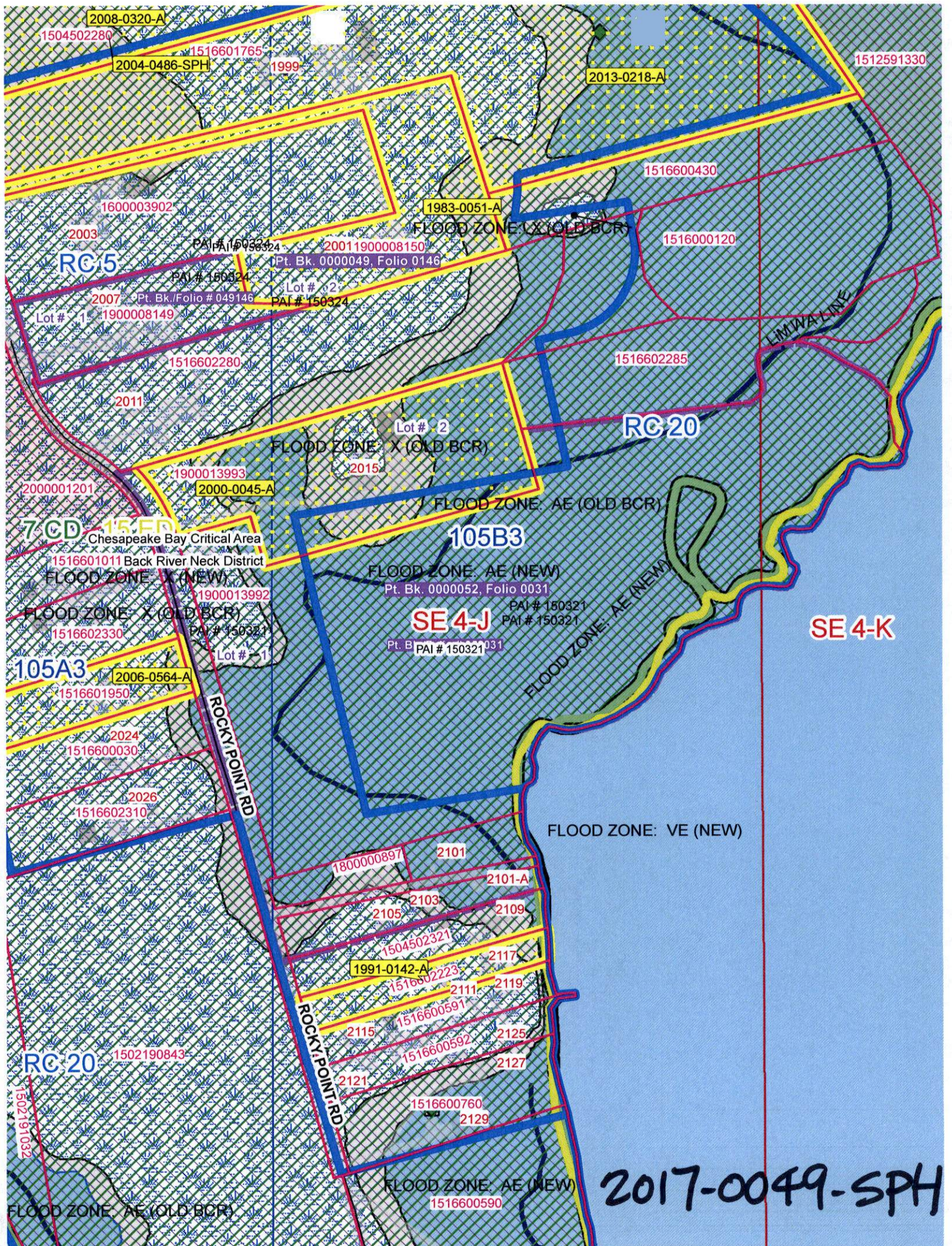
1945 - "A" Residents

1955 photograph

1971

SE 41



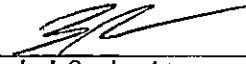


HQ2-P400-T102

PLEASE RETURN TO:
 Timothy J. Oursler
 Royston, Mueller, McLean & Reid, LLP
 102 West Pennsylvania Avenue
 Towson, Maryland 21204
 File No. 25028

TAX ID NUMBER: 19-00-013992

I HEREBY CERTIFY that this instrument was prepared by an attorney admitted to practice before the Court of Appeals for the State of Maryland.


 Timothy J. Oursler, Attorney

THIS DEED is made this 1st day of July, 2008, by and between FRANCES P. TOTARO (know of record as Frances T. Totaro) ("Grantor"), and Frances P. Totaro ("Grantee").

WITNESSETH that in consideration of the sum of ZERO DOLLARS (\$0.00) and no other consideration, Grantor hereby grants and conveys to the Grantee, for and during the term of her natural life, with the powers hereinafter fully set out, and with the remainder over as hereinafter provided, in fee simple, all that lot of ground situate in BALTIMORE COUNTY, MARYLAND, and described as follows, that is to say (hereinafter the "Property"):

BEING all that lot of ground known as Lot No. 1 as shown on the Plat of the Lands of Cora L. Porter, widow, and recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. No. 52, folio 31, dated November 7, 1984.

The improvements thereon being known as No. 2021 Rocky Point Road.

BEING the same property, which by Deed dated April 26, 1985, and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6913, folio 225, was granted and conveyed by Cora L. Porter to Cora L. Porter for life, with remainder to Frances T. Totaro (a/k/a Frances P. Totaro); the said Cora L. Porter having departed this life on the 18th day of June, 1992, thereby vesting fee simple title in Frances T. Totaro (a/k/a Frances P. Totaro).

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

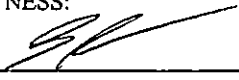
TO HAVE AND TO HOLD the said described lot of ground and premises unto and to the use and benefit of the said Grantee, for and during the term of her natural life with full powers to sell, mortgage, lease or otherwise dispose of said lot of ground (but without the power to devise) and any and all interest therein both life estate and remainder, and to use and consume the proceeds of sale, mortgage, lease or other disposition for her own use, without obligation on the part of the

purchasers, mortgagors or lessees to see proper application of the purchase money, and from and immediately after the death of said Grantee, then as to so much of said property as may not have been disposed of by the said Grantee, in her lifetime, under the aforesaid powers, unto her son, J. WAYNE TOTARO, his personal representatives and assigns, in fee simple, forever.

AND the Grantor hereby covenants that she has not done, or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she warrants specially the property hereby granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor the day and year first above-written.

WITNESS:

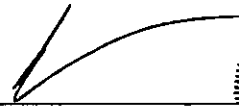


Frances P. Totaro (SEAL)
FRANCES P. TOTARO

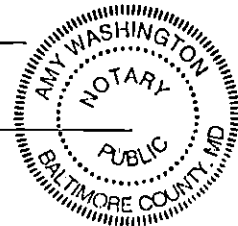
STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 1st day of July, 2008, before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared FRANCES P. TOTARO, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained as her act and deed.

WITNESS my hand and Notarial Seal.



Notary Public



My commission expires: 6/4/10

**Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate
Affidavit of Residence or Principal Residence**

Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of § 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information	
Name of Transferor	
Frances P. Totaro (known of record as Frances T. Totaro)	

2. Reason for Exemption	
Resident Status	☒ I, Transferor, am a resident of the State of Maryland.
	☐ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR) 03.04.12.02B(11), 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 certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

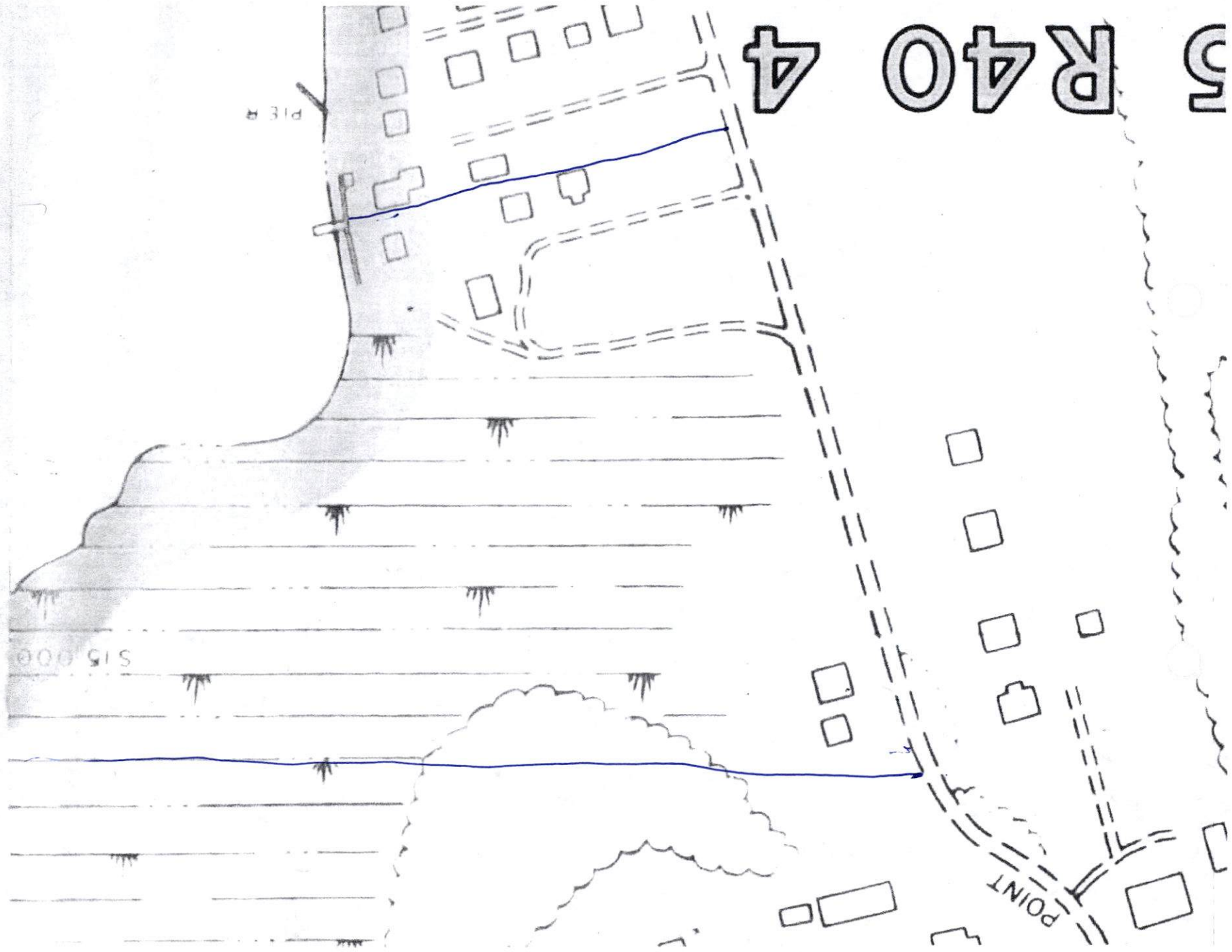
3a. Individual Transferors	
Witness	Frances P. Totaro
	Signature
3b. Entity Transferors	
Witness/Attest	Name of Entity
	By:
	Name
	Title

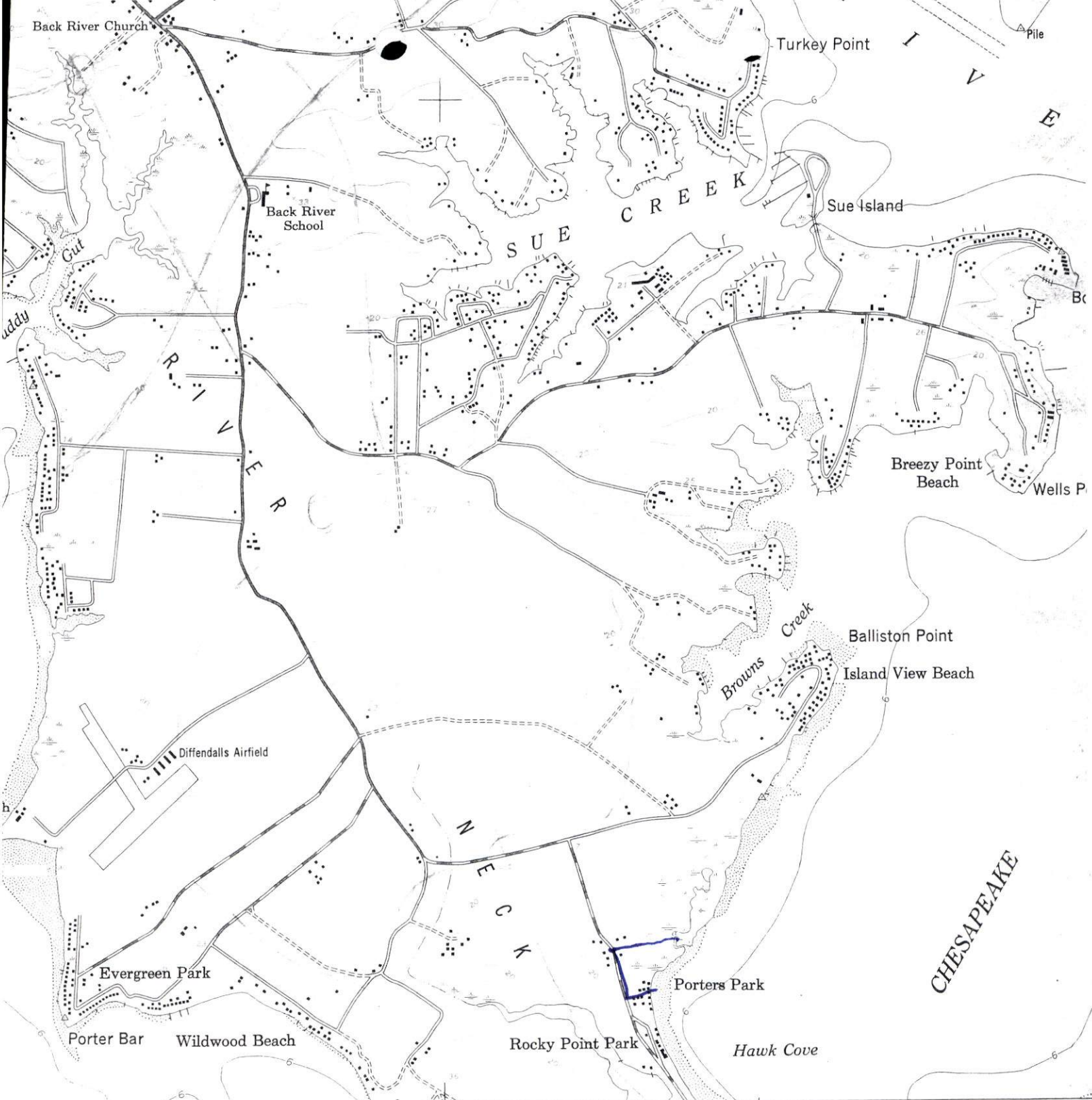
2017-0049-SPH

REVALIDATION
DUPLICATE PAID RECEIPT

2017-0049-SPH

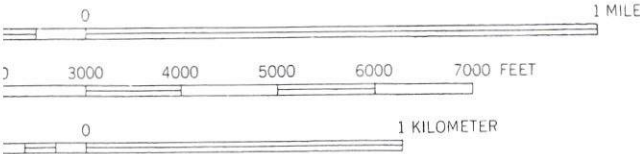
2017-0049-SPH





ROWS POINT (1:31680)

SCALE 1:24000



VERTICAL INTERVAL 20 FEET
ELEVATION IS MEAN SEA LEVEL
1 FOOT-DATUM IS MEAN LOW WATER
DOTTED LINE INDICATES THE APPROXIMATE LINE OF MEAN HIGH WATER
RANGE OF TIDE IS APPROXIMATELY 2 FEET

CONFORMS WITH NATIONAL MAP ACCURACY STANDARDS
INTERIOR GEOLOGICAL SURVEY, WASHINGTON 25, D. C.
PHOTOCOPY MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

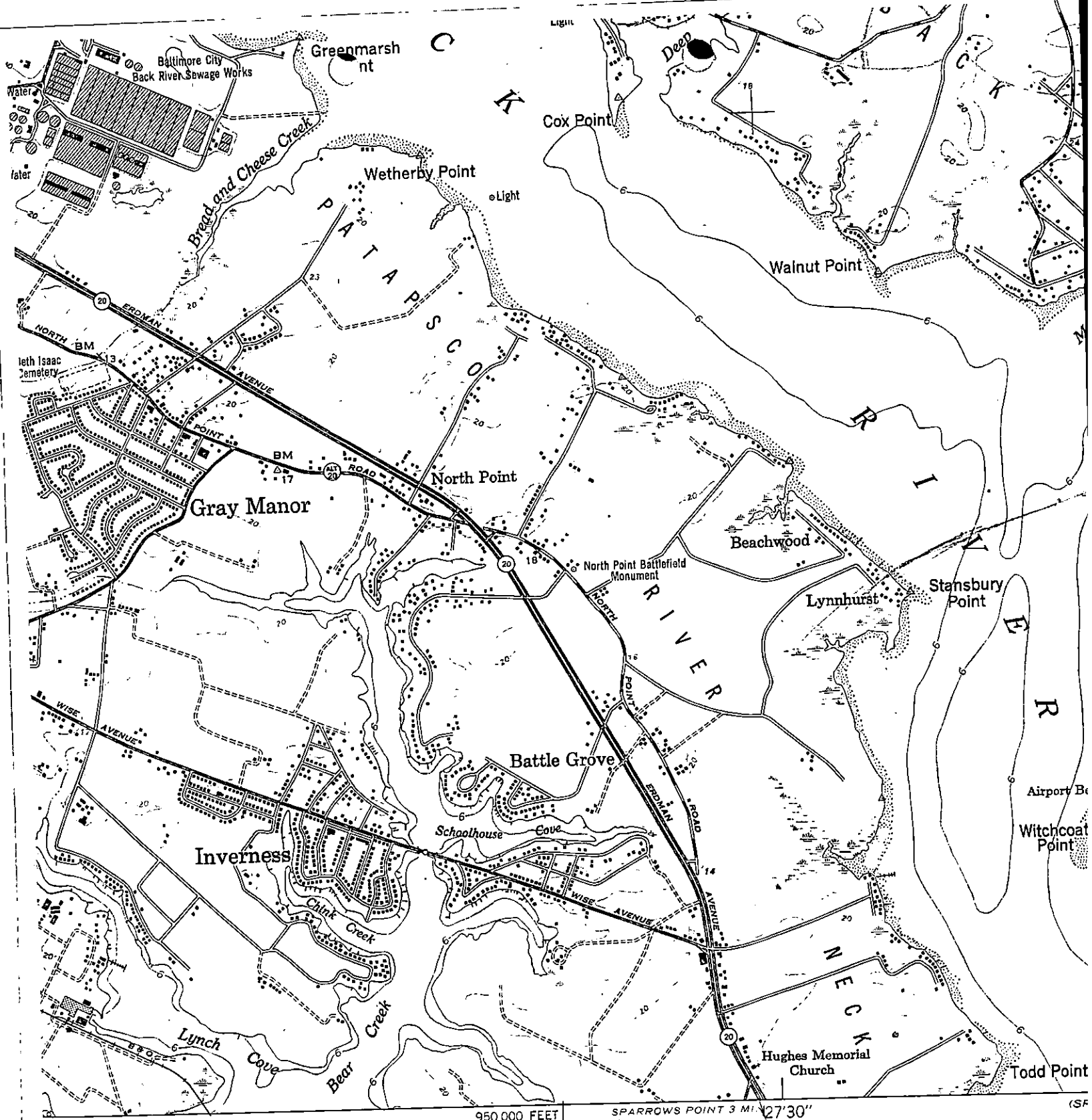
ROAD CLASSIFICATION

HARD-SURFACE ALL WEATHER ROADS	DRY
Heavy-duty	4 LANE 6 LANE Improve
Medium-duty	4 LANE 6 LANE Unimpr
Loose-surface, graded, or narrow hard-surf	
U. S. Route	State I

2017-0049-SPH "MR. & MRS. J. MIDDLE RIVER SW/4 GUNPOWDER N3915-W7

BALTIMORE COUNTY
OFFICE OF PLANNING

EDITION C



apped by the Army Map Service
 rography from USC&GS surveys
 blished for civil use by the Geological Survey

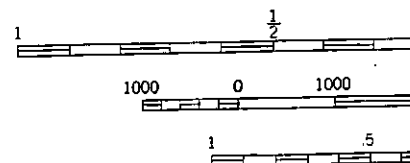
ntrol by USC&GS and USGS

ography from aerial photographs by multiplex methods
 rial photographs taken 1947. Field check 1949

ylonic projection. 1927 North American datum
 ,000-foot grid based on Maryland coordinate system

checked elevations are shown in brown

APPROXIMATE MEAN
 DECLINATION, 1949



CON
 [
 DEPTH CURVES
 SHORELINE SHOWN RFP
 THE AVERAGE

THIS MAP COMPLE
 FOR SALE BY U. S. GI
 A FOLDER DESCRIBING TOPOGI

NOTE:
THE STREETS AND/OR ROADS SHOWN HEREON AND THE INTENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USES. THE FEE SIMPLE TITLE TO THE RIGHTS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THE PLOT IS ASSIGNED, THEIR HEIRS AND ASSIGNS.

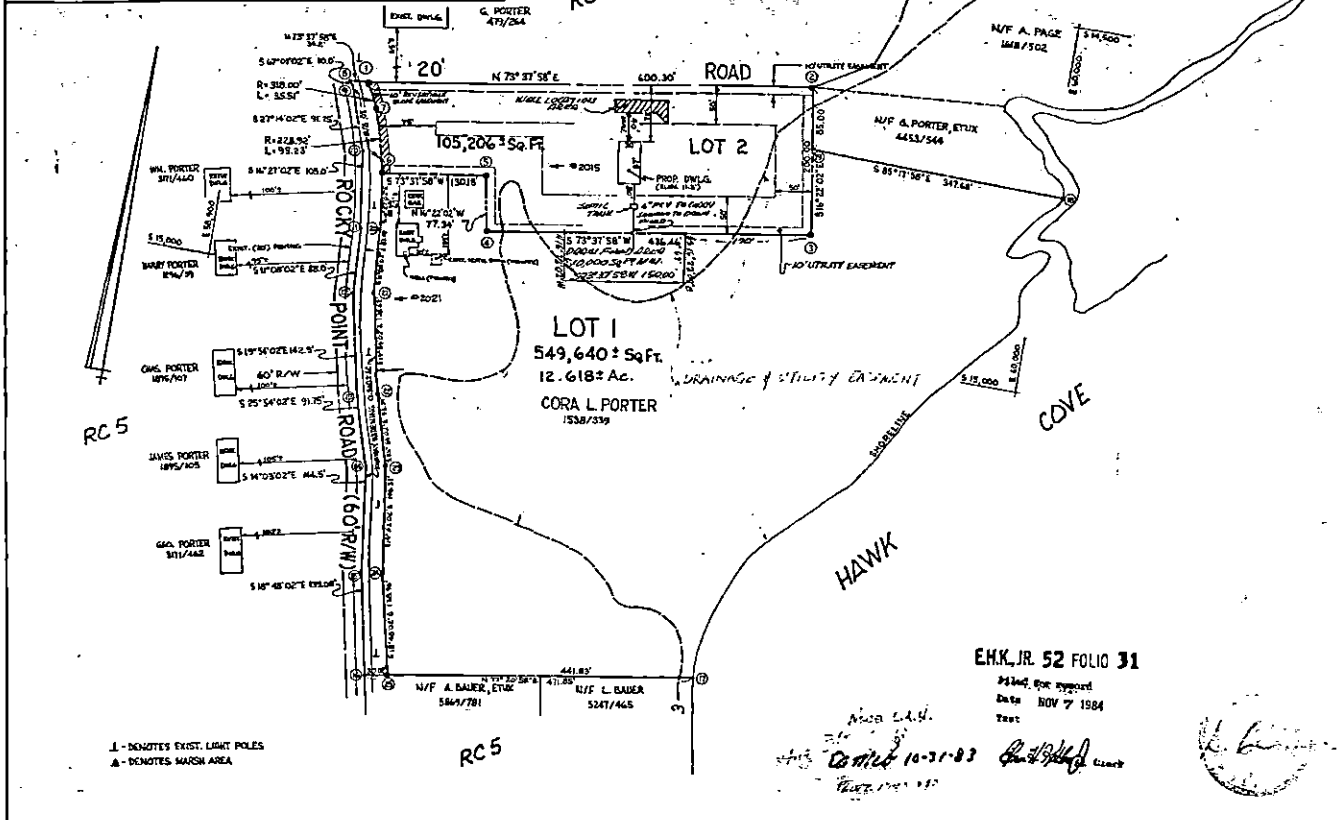
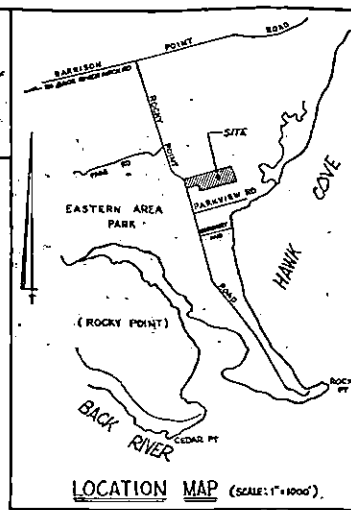
NOTE:
HIGHWAYS & HIGHWAY RIGHT-OF-WAY, SLOPE EASEMENTS AND DRAINAGE & UTILITY EASEMENTS SHOWN HEREON ARE SUBMITTED INTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS SHALL CONVEY SAID AREAS, BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

NOTE:
THE COURSES AND DISTANCES SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED BY BALTIMORE COUNTY AND ARE REFERRED TO THE FOLLOWING TRANSVERSE STATIONS:
X-9289
S 14837.20 S 14456.33
E 59070.50 E 58882.89

COORDINATES

NO.	SOUTH	EAST	NO.	SOUTH	EAST
1	14761.543	59045.286	11	14754.921	59079.151
2	14692.383	59044.299	12	15043.265	59111.444
3	14704.218	59040.595	13	15171.258	59161.450
4	14607.270	59261.825	14	15259.790	59201.727
5	14833.044	59240.031	15	15359.766	59234.809
6	14849.744	59118.127	16	15531.406	59281.431
7	14786.087	59049.752	17	15405.027	59704.935
8	14771.180	59015.452	18	14702.430	59994.702
9	14775.065	59024.659	19	14275.938	59648.191
10	14854.219	59046.417	20	14949.742	59185.306
			21	15295.215	59142.737
			22	16168.566	59109.332
			23	15249.447	59290.278
			24	15597.874	59245.418
			25	15533.034	59710.332

NOTE:
1. THAT THE FORMAL RECORDABLE OFFERS OF DEDICATION HAVE BEEN MADE.
2. THAT RECORDS OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PAVE, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
3. THAT THE PLAT MAY EXPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-18 OF THE CHARTER OF THE CITY OF BALTIMORE.
4. THAT THE RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF SEWERS OR UTILITIES BY BALTIMORE COUNTY.
5. THAT THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
6. THAT ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.



GENERAL NOTES

- OWNER: CORA L. PORTER
2021 ROCKY POINT ROAD
BALTIMORE, MD. 21211
- DEED REFERENCE: LIBER 1634 FOLIO 339
- EXISTING ZONING: R.C. 5
- ADJACENT ZONING: R.C. 5
- ACREAGE: TOTAL: 15.6010 ± NET: 15.0352 ±
- SETBACK REQUIREMENTS: FRONTYARD - 75.0' MIN.
SIDEYARD - 50.0' MIN.
REARYARD - 50.0' MIN.
- DENSITY CALCULATIONS: NO. OF LOTS ALLOWED: 15.0352 ±
NO. OF LOTS PROPOSED: 2
- PROPERTY NO.: 15-16-602010
- CENSUS TRACT: 4510
- CONGRESSIONAL DISTRICT: 5
- WATERSHED: 18
- SUBSEWER SIZES: PROPOSED S18 DASH #11 TWO PLANNED SERVICE
- SOIL TYPES: M1S - HATTAPPOE SILT CLAY, 2 TO 5% SLOPES
TM - TOTAL WASH
WB - WOODSTOWN LOAM, 2 TO 5% SLOPES

FINAL SUBDIVISION PLAN
OF THE LANDS OF
CORA L. PORTER
2021 ROCKY POINT ROAD
15TH ELECT. DIST. BALTO. CO., MD.

APPROVED: OFFICE OF PLANNING AND ZONING	OWNER'S CERTIFICATE THE REQUIREMENTS OF SECTIONS 72A TO 72D OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1991 EDITION, CHAPTER 206 OF THE ACTS OF 1945, AS AMENDED BY CHAPTERS 84 AND 224 OF THE ACTS OF 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO DO NOT APPLY TO THE MAKING OF THIS PLAT AND SETTING OF MARKERS HAVE BEEN COMPLIED WITH. OWNER OF THE LAND SHOWN HEREON:	SURVEYOR'S CERTIFICATE I, <u>E.H.K., JR.</u>, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH SECTIONS 72A TO 72E, INCLUSIVE OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1991 EDITION, AS ENACTED OR AMENDED BY THE ACTS OF 1945 AND 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO:	HEAD ENGINEERING AND SURVEYS OF MARYLAND, INC. 6902 NORTH POINT ROAD BALTO., MD. 21219
DATE: 10/1/84 DIRECTOR: BALTO. CO. HEALTH DEPT.	DATE: 10/1/84 DIRECTOR: DEPT. OF PUBLIC WORKS	DATE: 10/1/84 PLS. NO. 9	SCALE: 1"=100' JOH. NUMBER: 180180
DATE: 10/2/84 DIRECTOR: DEPT. OF PUBLIC WORKS	DATE: 10/2/84 DIRECTOR: DEPT. OF PUBLIC WORKS	DATE: 10/2/84 PLS. NO. 9	DATE: SEP. 30, 1980 DRAWING BY: J.C. RUSS, JR.

MDA STA 120p-695 52-31

NOTE: THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THE PLOT IS ASSIGNED, THEIR ISSUES AND ASSIGNS.

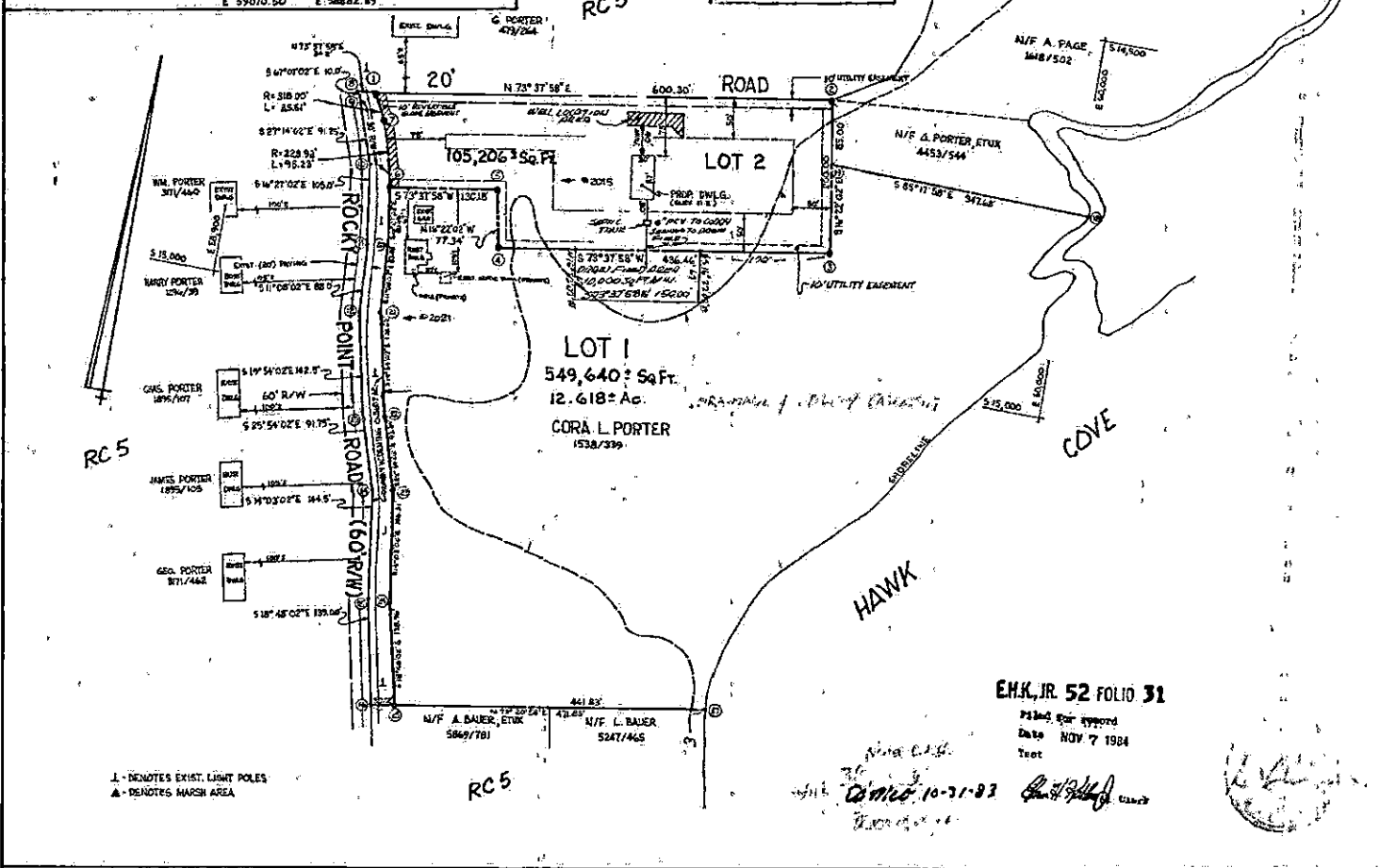
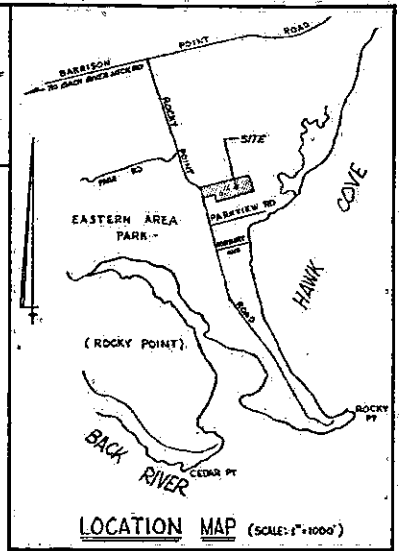
NOTE: HIGHWAY WIDENING, SLOPE EASEMENTS AND DRAINAGE / UTILITY EASEMENTS SHOWN HEREON ARE RESERVED INTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS SHALL CONVEY SAID AREAS, BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.

NOTE: THE COURSES AND DISTANCES SHOWN ON THIS PLAN ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED BY BALTIMORE COUNTY AND ARE REFERRED TO THE FOLLOWING TOWNSHIP STATIONS:

X-9289 X-9290
 S 14837.20 S 14856.33
 E 59070.50 E 58882.89

COORDINATES					
NO.	SOUTH	EAST	NO.	SOUTH	EAST
1	14761.543	59648.266	11	14956.921	59096.151
2	14892.323	59624.299	12	15043.265	59113.144
3	14784.218	59680.536	13	15177.256	59161.650
4	14907.270	59261.825	14	15259.790	59201.727
5	14833.044	59340.031	15	15399.766	59286.059
6	14843.144	59116.121	16	15531.626	59281.631
7	14788.027	59049.152	17	15405.027	59104.935
8	14771.180	59015.452	18	14702.430	59994.702
9	14775.085	59024.659	19	14673.958	59148.191
10	14856.219	59066.417	20	14549.742	59115.316
			21	15039.215	59142.137
			22	15148.544	59189.322
			23	15249.487	59230.078
			24	15311.476	59249.615
			25	15320.054	59210.342

NOTE: 1. THAT THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
 2. THAT REDUPLICATION OF THE PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COMMISSION OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAN.
 3. THAT THIS PLAN MAY BE OPENED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 21-60 OF THE CHARTER OF BALTIMORE COUNTY.
 4. THAT THE RECORDING OF THE PLAN DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
 5. THAT THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR REVISED PLAN.
 6. THAT ADDITIONAL INFORMATION CONCERNING THE PLAN MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.



- GENERAL NOTES**
1. OWNER: CORA L. PORTER
2021 ROCKY POINT ROAD
BALTIMORE, MD. 21221
 2. DEED REFERENCE: LIBER 1538 FOLIO 359
 3. EXISTING ZONING: R.C.S
 4. ADJACENT ZONING: R.C.S
 5. ACREAGE: TOTAL 15.6010± AC. - 15.6332±
 6. SETBACK REQUIREMENTS: FRONTYARD - 75.0' MIN.
SIDEYARD - 50.0' MIN.
REARYARD - 50.0' MIN.
 7. DENSITY CALCULATIONS: NO. OF LOTS ALLOWED (5.501± AC. / 10.0± AC. PROPOSED) = 2
 8. PROPERTY NO.: 15-16-602010
 9. CENSUS TRACT: 4510
 10. COUNCILMANS DISTRICT: 5
 11. WATERSHED: 918
 12. SURVEYOR SIZED: MATAPSCO SUB BASIN #81 NO PLANNED SERVICE
 13. SOIL TYPES: M18 - MATTAPEX SALT LOAM, 2 TO 5% SLOPES
TM - TIDAL MARSH
W5 - WOODSTOWN LOAM, 2 TO 5% SLOPES

APPROVED: OFFICE OF PLANNING AND ZONING

DATE: 10/1/89 DIRECTOR: [Signature]
 BALTO. CO. HEALTH DEPT.
 DATE: 10/1/89 DEPUTY COM. & COUNTY HEALTH OFFICER: [Signature]
 DIRECTOR DEPT. OF PUBLIC WORKS: [Signature]

OWNER'S CERTIFICATE

THE REQUIREMENTS OF SECTIONS 72A TO 72D OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1939 EDITION, CHAPTER 1016 OF THE ACTS OF 1945, AS AMENDED BY CHAPTERS 84 AND 708 OF THE ACTS OF 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO SO FAR AS THEY CONCERN THE MAKING OF THIS PLAN AND SETTING OF MARKERS HAVE BEEN COMPLIED WITH. OWNER OF THE LAND SHOWN HEREON:

DATE: 10/1/89

SURVEYOR'S CERTIFICATE

I, [Signature], A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAN THEREOF PREPARED IN ACCORDANCE WITH SECTIONS 72A TO 72E, INCLUSIVE, OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND, 1939 EDITION, AS ENACTED OR AMENDED BY THE ACTS OF 1945 AND 1947, AND SUBSEQUENT ACTS, IF ANY, AMENDATORY THERETO.

PLS. NO. 9 DATE: 10/1/89

HEAD

ENGINEERING AND SURVEYS OF MARYLAND, INC.
 6902 NORTH POINT ROAD BALTO., MD. 21219

SCALE: 1"=100' JOB NUMBER: 180180
 REV: 04-83
 DATE: SEP. 30, 1980 DRAWING BY: J.C. RUSS, JR.
 REV: 02-84, 03-84, 04-84, 05-84, 06-84, 07-84, 08-84, 09-84, 10-84, 11-84, 12-84

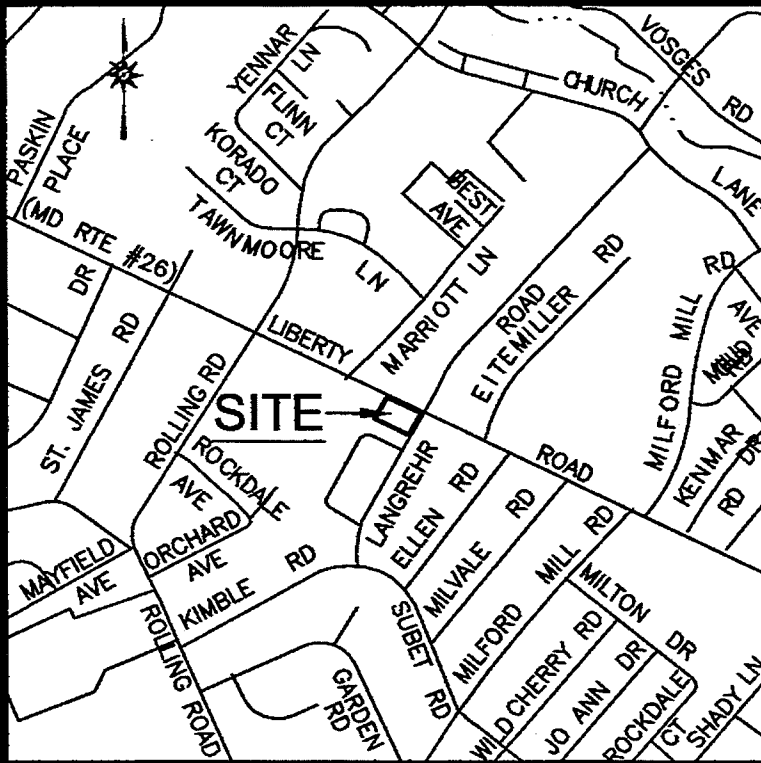
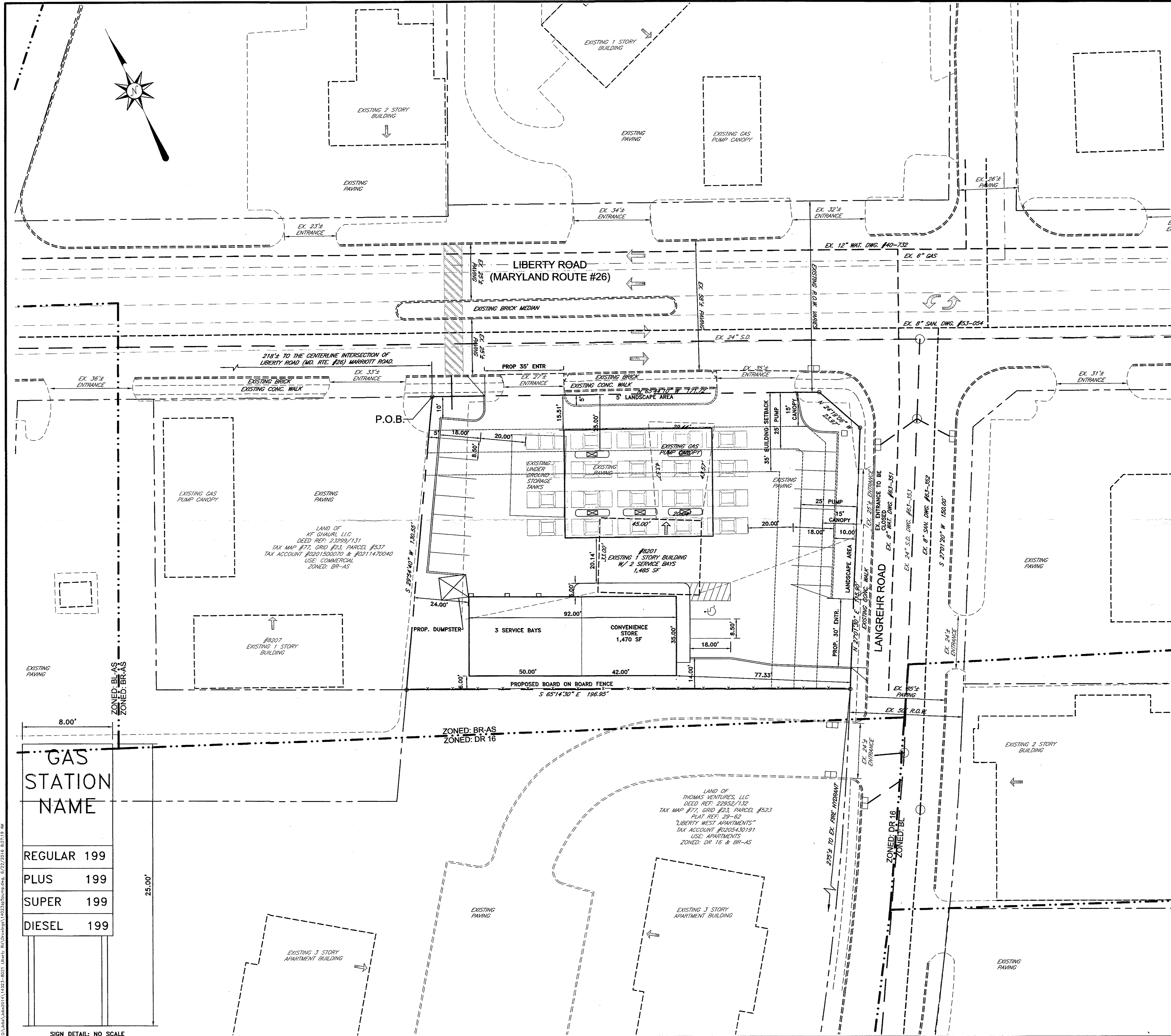
EHK, JR. 52 FOLIO 31

Filed for record
 Date NOV 7 1984
 Test

**FINAL SUBDIVISION PLAN
 OF THE LANDS OF
 CORA L. PORTER**
 2021 ROCKY POINT ROAD
 15TH ELECT. DIST. BALTO. CO., MD.

2017-0049-SPH

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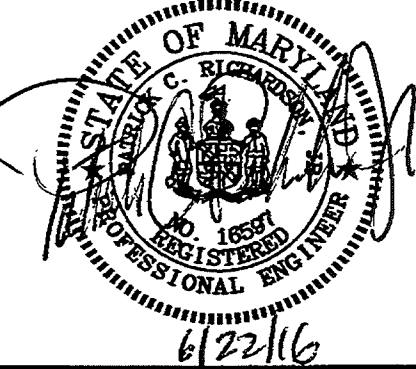


LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: ADELA AHMAD
7003 LARRYLYN DRIVE
SPRINGFIELD, VA 22151
- SITE AREA:
GROSS: 45,894 SF or 1.05 Ac.±
NET: 33,340 SF or 0.76 Ac.±
- DEED REF: 34842/180
- TAX ACCOUNT: #0220450210
- COUNCILMANIC DISTRICT: 4th
- TAX MAP #77, GRID #23, PARCEL #531
- ZONING: BR-AS
(PER 1"-200' ZONING MAP 077C3)
- NO PRIOR ZONING HISTORY ON FILE.
- NO KNOWN PERMITS ON FILE.
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES:
EXISTING: SERVICE GARAGE (FORMER GAS STATION)
PROPOSED: 3,220 SF ONE (1) STORY BUILDING WITH 3 SERVICE BAYS AND A CONVENIENCE STORE.
- SITE SERVICED BY PUBLIC WATER AND SEWER.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100380 F PANEL 360 OF 580 DATED SEPTEMBER 26, 2008. ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- BUILDING AREA:
EXISTING: 1485 SF (1485 SF TO BE REMOVED)
PROPOSED: 3,220 SF
TOTAL: 3,220 SF
- LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF
C-STORY: 4 X 1470 SF = 5,880 SF
SERVICE BAY: 3 X 1300 SF = 3,900 SF
ATM = 1,000 SF
TOTAL REQUIRED: 25,780 SF < 33,340 SF
MAX PERMITTED = 2.0
PROVIDED: 3,220/33,340 = 0.10
- FLOOR AREA RATIO (F.A.R.):
MAX PERMITTED = 2.0
PROVIDED: 3,220/33,340 = 0.10
- PARKING:
REQUIRED:
C-STORY: 1470 SF @ 3/1000SF = 5 SPACES
SERVICE BAYS: 3 PER BAY = 9 SPACES
EMPLOYEE: 1/EMPLOYEE = 4 SPACES
ATM: 1 SPACE
TOTAL REQUIRED: 19 SPACES
PROVIDED: 19 SPACES (1 HANDICAPPED, 18 STANDARD)
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- BUILDING HEIGHT (SUBJECT TO HEIGHT TENT REQUIREMENTS)
PROPOSED: 20'
- BASIC SERVICE MAPS:
TYPE DEFICIENT (Y/N) NOTE
SEWER N
WATER N
TRANSPORTATION N
- ALL EXISTING FEATURES BOTH ABOVE AND BELOW GROUND ARE TO BE PROPERLY REMOVED WITH EXCEPTION TO UTILITY CONNECTIONS.
- SETBACKS FOR BR:
TYPE REQUIRED PROVIDED
FRONT 35'± 77'±
SIDE 30' 24'±
REAR 30' 8'±
*SECTION 405 SETBACK FOR FRONT

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2017



Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR THE
GETTY GAS STATION
8201 LIBERTY ROAD
(MARYLAND U.S. ROUTE #26)
BALTIMORE, MARYLAND 21224

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	05-12-16	14023	1 OF 1

2017-0048-XA