

M E M O R A N D U M

DATE: March 14, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0160-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on March 12, 2018. 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: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(413 Osage Road)	*	OFFICE OF
8 th Election District		
3 rd Council District	*	ADMINISTRATIVE HEARINGS
Salvatore & Karen Difatta	*	FOR BALTIMORE COUNTY
Legal Owners	*	Case No. 2018-0160-SPHA
Petitioners		
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Salvatore & Karen Difatta, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an amendment to the Final Development Plan (FDP) for "Osage Crest".

In addition, a petition for variance seeks to allow an accessory building (existing garage) to be located in the front yard of the lot in lieu of the required rear yard location. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Owners Salvatore and Karen Difatta and professional surveyor Geoffrey Schultz appeared in support of the requests. 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 Planning ("DOP"). That agency did not object to the requests.

SPECIAL HEARING

Petitioners submitted a copy of the Osage Crest Final Development Plan ("FDP"), approved in 1980. Petitioners' Exhibit 9. Parcel 2 shown on the zoning site plan (Exhibit 1) corresponds to Lot 5 as shown on the Osage Crest FDP. The proposed reconfiguration of Lot 5

ORDER RECEIVED FOR FILING

Date 2/9/18

By Sen

(which must be approved by the DRC as a lot line adjustment) requires the FDP be amended pursuant to B.C.Z.R. §1B01.3.A.7. The proposed reconfiguration is modest in scope and will not result in an increase in density. As Mr. Schultz noted, Petitioners are not proposing at this time to construct any improvements. Instead, all that is taking place is the relocation of a property boundary so an existing garage will be on the same lot as the dwelling at 413 Osage Road. As such I believe the amendment is consistent with the spirit and intent of the original plan, as required by the aforementioned regulation.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The property is irregularly shaped and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be required to raze or relocate the existing garage. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of Baltimore County and community opposition.

THEREFORE, IT IS ORDERED this 9th day of **February, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an amendment to the Final Development Plan (FDP) of "Osage Crest" (Lot 5 only), to reflect the relief granted herein, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to allow an accessory building

ORDER RECEIVED FOR FILING

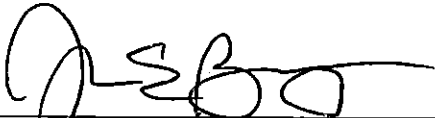
2 Date 2/9/18
By den

(existing garage) to be located in the front yard in lieu of the required rear yard location, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The accessory structure (garage) shall not be used for residential or commercial purposes.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slm

ORDER RECEIVED FOR FILING

Date

2/9/18

By

slm



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 413 OSAGE ROAD which is presently zoned DR-2 & RC-6
 Deed References: P.1-19945/146 P.2-29904/79 10 Digit Tax Account # P.1-2300013175 P.2-1900000540
 Property Owner(s) Printed Name(s) SALVATORE DI FATTA AND KAREN DIFATTA

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve FOR PARCEL 2 AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN OF "OSAGE CREST".

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

3. ☒ a Variance from Section(s) 400.1 (BCZR) FOR PARCEL 1 TO ALLOW AN ACCESSORY BUILDING (EXISTING GARAGE) TO BE LOCATED IN THE FRONT YARD OF THE LOT IN LIEU OF THE REQUIRED REAR YARD LOCATION.

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:

N/A
 Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

N/A
 Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SALVATORE DIFATTA, KAREN DIFATTA

Name #1 - Type or Print Name #2 - Type or Print

x Salvatore Di Fatta, x Karen Di Fatta
 Signature #1 Signature #2

413 OSAGE ROAD COCKEYSVILLE MD

Mailing Address City State

21030, 410-666-8080, RETWALL56@VERIZON.NET

Zip Code Telephone # Email Address

Representative to be contacted:

GEOFFREY SCHULTZ - POLARIS LC

Name - Type or Print

x GC
 Signature

10 GERARD AVE. SUITE 101 TIMONIUM, MD

Mailing Address City State

21093, 410-252-4444, GSCHULTZ@POLARISLC.COM

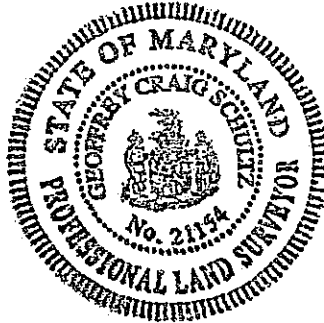
Zip Code Telephone # Email Address

CASE NUMBER 2018-0160-SPHA Filing Date 12/13/17

Do Not Schedule Dates: _____

Reviewer AT

Zoning Description of
Difatta Properties
Osage Road
8th Election District
3rd Councilmanic District
Baltimore County, MD



PARCEL ONE

Beginning at a point on the South side of Osage Road (50 foot wide right of way) at the distance of 696 feet southeast of the center of Powers Avenue, thence running:

1. S 14° 41' 19" W 141.93 feet,
2. S 30° 19' 30" E 42.42 feet,
3. S 14° 40' 30" W 269.99 feet,
4. N 67° 15' 55" E 411.28 feet,
5. N 21° 12' 37" W 120.28 feet
6. N 72° 33' 27" W 106.67 feet
7. S 06° 45' 16" W 56.91 feet
8. S 85° 56' 04" W 140.15 feet
9. N 14° 40' 30" E 35.99 feet
10. N 30° 19' 30" W 42.42 feet
11. N 14° 41' 19" E 134.77 feet, and
12. N 78° 28, 35" W 20.03 feet to the point of beginning.

Containing 1.376 Acres acres of land as described in deed Liber 19945 Folio 146.

PARCEL TWO

Beginning at a point on the South side of Osage Road (50 foot wide right of way) at the distance of 1080 feet southeast of the center of Powers Avenue and being known and designated as Lot 5 of a subdivision entitled "Osage Crest" and recorded in Plat Book 46 Page 139.

Containing 2.829 Acres of land

2018-0160-SPHA

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 12/18/17

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

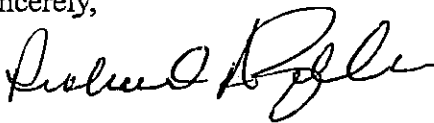
Dear Ms. Lewis:

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. 2018-0160-SPHA

*Special Hearing, Vervore
Salvatore & Kaven Dittlo
4130 Sege 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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CERTIFICATE OF POSTING

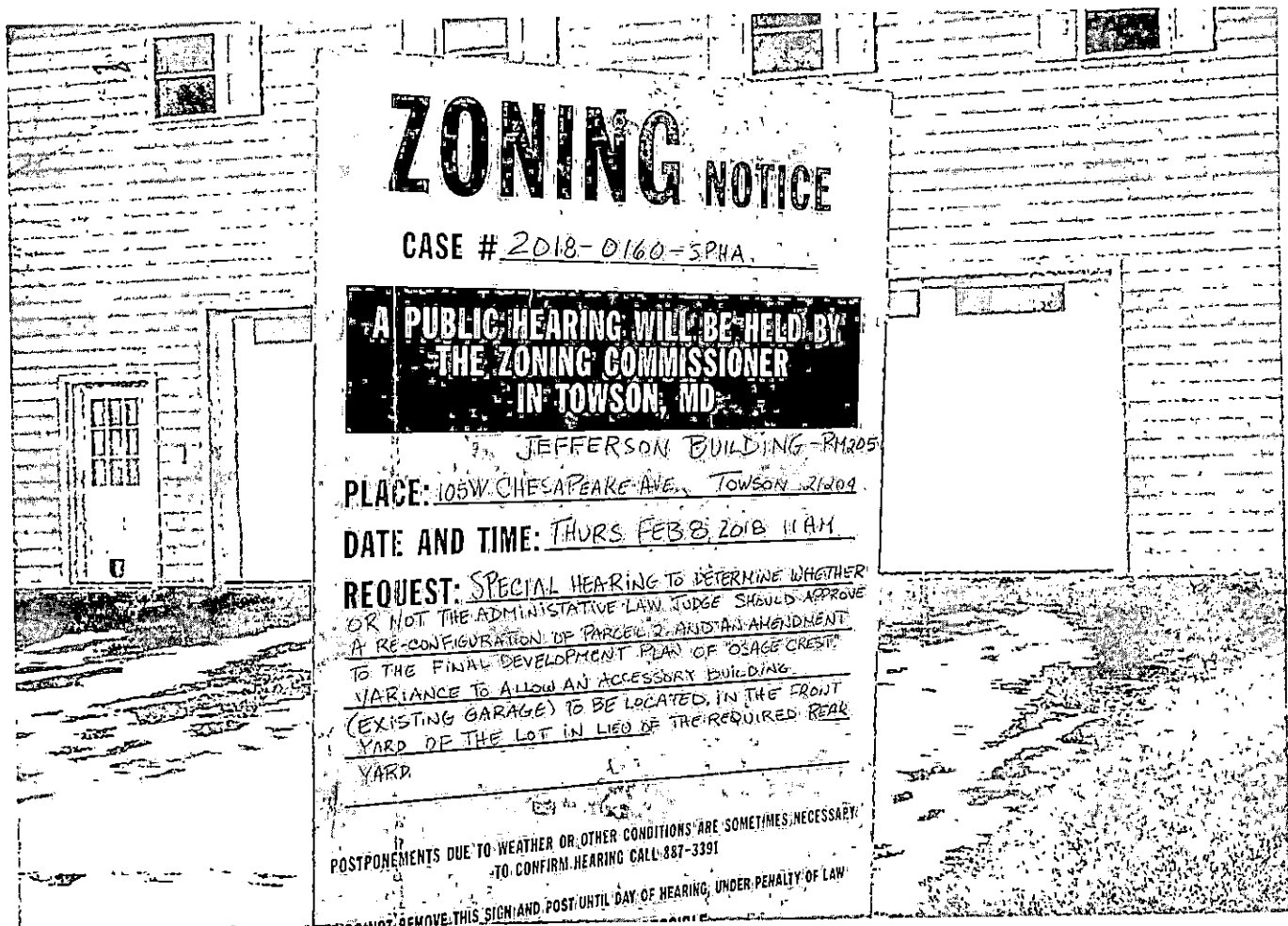
Date: 1-19-18

RE: Case Number: 2018-0160-SPHA

Petitioner/Developer: Difatta

Date of Hearing/Closing: Feb 8, 2018 11AM

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 413 Osage Rd





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 5396728

Sold To:

Salvatore Difatta - CU00635010
413 Osage Rd
Cockeysville, MD 21030-2647

Bill To:

Salvatore Difatta - CU00635010
413 Osage Rd
Cockeysville, MD 21030-2647

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

Jan 18, 2018

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: # 2018-0160-SPHA	
413 Osage Road	
S/s Osage Road, 696 ft. SE of centerline of Powers Avenue	
8th Election District - 3rd Councilmanic District	
Legal Owner(s) Salvatore & Karen Difatta	
Special Hearing to determine whether or not the Administrative Law Judge should approve a re-configuration of Parcel 2 and an amendment to the Final Development Plan of "Osage Crest."	
Variance to allow an accessory building (existing garage) to be located in the front yard of the lot in lieu of the required rear yard.	
Hearing: Thursday, February 8, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
1-056 January 18	5396728

The Baltimore Sun Media Group

By *S. Wilkinson*
Legal Advertising



KEVIN KAMENETZ
County Executive

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

January 3, 2018

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: 2018-0160-SPHA

413 Osage Road

S/s Osage Road, 696 ft. SE of centerline of Powers Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: Salvatore & Karen Difatta

Special Hearing to determine whether or not the Administrative Law Judge should approve a re-configuration of Parcel 2 and an amendment to the Final Development Plan of "Osage Crest."
Variance to allow an accessory building (existing garage) to be located in the front yard of the lot in lieu of the required rear yard.

Hearing: Thursday, February 8, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Difatta, 413 Osage Road, Cockeysville 21030
Geoffrey Schultz, 10 Gerard Avenue, Ste. 101, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JANUARY 19, 2018.**
- (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, January 18, 2018 Issue - Jeffersonian

Please forward billing to:

Salvatore Difatta
413 Osage Road
Cockeysville, MD 21030

410-666-8080

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: 2018-0160-SPHA

413 Osage Road

S/s Osage Road, 696 ft. SE of centerline of Powers Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: Salvatore & Karen Difatta

Special Hearing to determine whether or not the Administrative Law Judge should approve a re-configuration of Parcel 2 and an amendment to the Final Development Plan of "Osage Crest." **Variance** to allow an accessory building (existing garage) to be located in the front yard of the lot in lieu of the required rear yard.

Hearing: Thursday, February 8, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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
AND VARIANCE *
413 Osage Road; S/S Osage Road, 696' SE * OF ADMINISTRATIVE
of c/line of Powers Avenue *
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Salvatore & Karen Difatta *
Petitioner(s) * BALTIMORE COUNTY
* 2018-160-SPHA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

DEC 19 2017

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of December, 2017, a copy of the foregoing Entry of Appearance was mailed to Geoffrey Schultz, Polaris LC, 10 Gerald Avenue, Suite 101, Timonium, Maryland 21093, Representative 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: 2018-0160-SPHA
Property Address: 413 OSAGE ROAD
Property Description: SOUTH SIDE OF OSAGE ROAD 696 EAST
OF POWERS AVE
Legal Owners (Petitioners): SALVATORE AND KAREN DIFATTA
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: SALVATORE DIFATTA
Company/Firm (if applicable): N/A
Address: 413 OSAGE ROAD
COCKEYSVILLE, MD 21030
Telephone Number: 410-666-8080

161161

Date:

12/13/17

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
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Total:

For:

413 OSAGE RD

2018-0160-SP11A

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME (MM)
12/13/2017 12/13/2017 11:05:45 1
REG #501 WALKIN LJR
>>RECEIPT # 746350 12/13/2017 (CFL)
Dept 5 520 ZBUNG VERIFICATION
CR NO. 161161
Receipt Tot \$150.00
\$150.00 CR \$.00 CR
Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

February 1, 2018

Salvatore & Karen Difatta
413 Osage Road
Cockeysville MD 21030

RE: Case Number: 2018-0160 SPHA, Address: 413 Osage Road

Dear Mr. & Ms. Difatta:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 13, 2017. 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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Geoffrey Schultz, Polaris LC, 10 Gerard Avenue, Suite 101, Timonium MD 21093

JB 2/8 11 Am

BALTIMORE COUNTY, MARYLAND

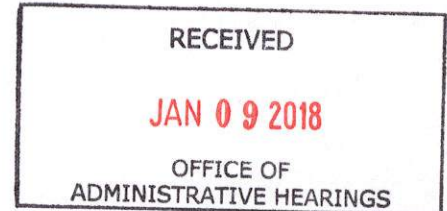
INTER-OFFICE MEMORANDUM

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

DATE: 1/5/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-160



INFORMATION:

Property Address: 413 Osage Drive
Petitioner: Salvatore DiFatta, Karen DiFatta
Zoning: DR 2, RC 6
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an amendment to the final development plan for "Osage Crest" and also the petition for variance to allow an accessory building (existing garage) to be located in the front yard in lieu of the required rear yard.

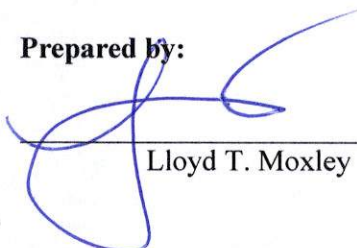
A site visit was conducted on December 21, 2017. The site was subject to a previous zoning case 2012-0049.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The accessory structure shall not be used for principle residential or commercial purposes.

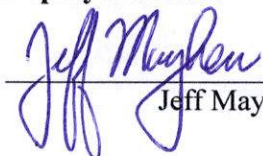
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Wally Lippincott
Geoffrey Schultz, Polaris Land Consultants
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: December 18, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0160-SPHA
Address 413 Osage Road
(Difatta Property)

Zoning Advisory Committee Meeting of **December 25, 2017**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
me
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: January 5, 2018

SUBJECT: Zoning Advisory Committee Meeting
For December 25, 2017
Item No. 2018-0160-SPHA, 0161-SPH, 0162-A and 0163-A

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

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/5/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-160

INFORMATION:

Property Address: 413 Osage Drive
Petitioner: Salvatore DiFatta, Karen DiFatta
Zoning: DR 2, RC 6
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve an amendment to the final development plan for "Osage Crest" and also the petition for variance to allow an accessory building (existing garage) to be located in the front yard in lieu of the required rear yard.

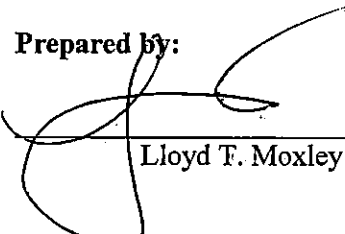
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The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The accessory structure shall not be used for principle residential or commercial purposes.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/ka

c: Wally Lippincott
Geoffrey Schultz, Polaris Land Consultants
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: December 18, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0160-SPHA
Address 413 Osage Road
(Difatta Property)

Zoning Advisory Committee Meeting of **December 25, 2017.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

CASE NAME 2018-160-SPHA
CASE NUMBER _____
DATE 2/8/2018

2/8/2018

[illegible]

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>1/5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>No Comment</u>
<u>12/18</u>	DEPS (if not received, date e-mail sent _____)	<u>No Comment</u>
_____	FIRE DEPARTMENT	_____
<u>1/5</u>	PLANNING (if not received, date e-mail sent _____)	<u>No Objection in condition</u>
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>2012-0049-SPHA</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>1/18/18</u>	
SIGN POSTING	Date: <u>1/19/18</u> by <u>Pilson</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 08 Account Number - 2300013175								
Owner Information										
Owner Name:		DIFATTA SALVATORE DIFATTA KAREN L				Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		413 OSAGE RD COCKEYSVILLE MD 21030-2647				Deed Reference:		/19945/ 00146		
Location & Structure Information										
Premises Address:		413 OSAGE RD 0-0000				Legal Description:		1.3759 AC 413 OSAGE RD SS 170FT E GATEVIEW RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS
0042	0024	0552		0000			1	2017	Plat Ref:	
Special Tax Areas:				Town:			NONE			
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
2003		3,596 SF				1.3800 AC		04		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	STANDARD UNIT		SIDING	2 full/ 1 half	1 Attached				
Value Information										
			Base Value	Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2017		07/01/2017		07/01/2018		
Land:			155,700	155,700						
Improvements			357,700	453,900						
Total:			513,400	609,600		545,467		577,533		
Preferential Land:			0					0		
Transfer Information										
Seller: DIFATTA SALVATORE				Date: 04/23/2004				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /19945/ 00146				Deed2:		
Seller: DIFATTA VINCENZA/ROSA				Date: 12/03/2001				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /17223/ 00154				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2017			07/01/2018			
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 04/30/2008										

✓ LS
11-8-1

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE * OFFICE OF
S/S of Osage Road, 353' E from its inter- *
section with the c/l of Gateview Road *
8th Election District * ADMINISTRATIVE HEARINGS
3rd Council District *
(424 Osage Road) * FOR BALTIMORE COUNTY
Salvatore and Karen DiFatta *
Petitioners * CASE NO. 2012-0049-SPHA

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petitions for Special Hearing and Variance filed by the legal owners of the property, Salvatore and Karen DiFatta. The Petitioners are requesting Special Hearing relief under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (replacement garage) to be located on a separate lot from the principal use or structure served. Petitioners are also requesting Variance relief pursuant to Sections 400.1 and 400.3 of the B.C.Z.R. to permit an accessory building (replacement garage) to be located in the front yard with a height of 26 feet in lieu of the required rear yard and 15 feet respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case were Petitioners Salvatore and Karen DiFatta and David Billingsley with Central Drafting & Design, Inc., land surveyor who prepared the site plan for the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons present.

The ZAC comments were received and made a part of the file. Comments were received from the Department of Environmental Protection and Sustainability dated September 13, 2011

which indicate that any further building permits for this site will require review by Groundwater Management.

David Billingsley testified on behalf of the Petitioners. He described the property as being 2.829 acres zoned DR 2. Petitioners own several contiguous lots and have built their home on the lot adjacent to the subject site. He described the old two story barn and garage that existed on the site since the 1950s. He stated that it was deteriorated by age and weather to such an extent that it was dangerous and unusable. Petitioners razed the old structure and placed the new garage on the footprint and foundation of the old structure. He noted that the new barn/garage is 26 feet high, compared to 29 feet height of the original and is two feet shorter.

Unfortunately, the witness related that the Petitioners had not obtained the required permits to either raze the old structure or replace it with the new one. Accordingly, although the new replacement building was almost completed, a stop work order was issued and all activity ceased.

The witness proffered on behalf of the Petitioners that the new structure would only be used to store his motor vehicles and to provide space for a woodshop for various personal projects. There is public water and sewer at the site; there is a bathroom in the new structure, but no kitchen facilities whatsoever. No one will live in the new building. The façade, however, will resemble a residential structure so as to retain the aesthetic qualities of the area, and in any event, the new garage will be well screened from any neighbors.

Mr. Billingsley addressed the variance requirement. He pointed to the shape and contour of the proposed site of the garage; taken with its location as being wedged between Osage Road (the access to the other lots in the area) and the adjacent lot on which Plaintiffs' house is located, as characteristics unique to the subject site. Without the requested variances, he stated, the various ladders, tools, and lumber for the shop work could not be stored along with the motor vehicles,

and there would not be sufficient height for tools and lumber.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. As to the variance request, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Thus, the variance requested meets the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held and for the reasons set forth above, the relief requested shall be granted.

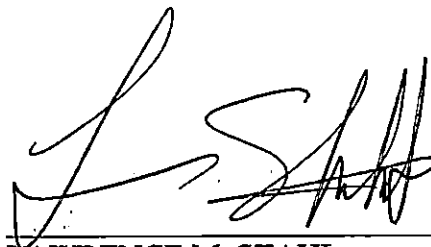
THEREFORE, IT IS ORDERED, this 17th day of November, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (replacement garage) to be located on a separate lot from the principal use or structure served, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the B.C.Z.R. permit an accessory building (replacement garage) to be located in the front yard with a height of 26 feet in lieu of the required rear yard and 15 feet respectively, be and is hereby GRANTED.

The relief granted herein shall be conditioned upon:

1. The Petitioners may apply for their building permit and may be granted same upon receipt of this Order, however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. Any further building permits for this site will require review by the Groundwater Management Section of the Department of Environmental Protection and Sustainability.
3. The accessory building (replacement garage) may not be used for residential purposes whatsoever.

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

A handwritten signature in black ink, appearing to read 'L. Stahl', is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:pz

Case No.: 2018-0160-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

2/9/18
Sen

No. 1	Site plan	
No. 2	" Parcel 1 " deeds	
No. 3	Minor Sub. Plan	
No. 4	SDAT record	
No. 5	1980 subdiv. plan	
No. 6	Site photos	
No. 7	Order # 2012-049-SPHA	
No. 8	Bldg. permit	
No. 9	FDP - Osage Crest	
No. 10		
No. 11		
No. 12		

PARCEL 1 DEEDS

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 08 Account Number - 2300013175								
Owner Information										
Owner Name:		DIFATTA SALVATORE DIFATTA KAREN L				Use:		RESIDENTIAL		
Mailing Address:		413 OSAGE RD COCKEYSVILLE MD 21030-2647				Principal Residence:		YES		
						Deed Reference:		/19945/ 00146		
Location & Structure Information										
Premises Address:		413 OSAGE RD 0-0000				Legal Description:		1.3759 AC 413 OSAGE RD SS 170FT E GATEVIEW RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS
0042	0024	0552		0000			1	2017		
Special Tax Areas:						Town:		NONE		
						Ad Valorem:				
						Tax Class:				
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
2003		3,596 SF				1.3800 AC		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
2	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached					
Value Information										
		Base Value	Value		Phase-in Assessments					
			As of		As of		As of			
			01/01/2017		07/01/2017		07/01/2018			
Land:		155,700	155,700							
Improvements		357,700	453,900							
Total:		513,400	609,600		545,467		577,533			
Preferential Land:		0					0			
Transfer Information										
Seller: DIFATTA SALVATORE			Date: 04/23/2004			Price: \$0				
Type: NON-ARMS LENGTH OTHER			Deed1: /19945/ 00146			Deed2:				
Seller: DIFATTA VINCENZA/ROSA			Date: 12/03/2001			Price: \$0				
Type: NON-ARMS LENGTH OTHER			Deed1: /17223/ 00154			Deed2:				
Seller:			Date:			Price:				
Type:			Deed1:			Deed2:				
Exemption Information										
Partial Exempt Assessments:		Class			07/01/2017		07/01/2018			
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 04/30/2008										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

PET Z

THIS DEED

Tax Account No./Parcel Identifier: 08-23-00-013175

Made this 1st day of March, 2004, by and between Salvatore DiFatta, Life Tenant with Full Powers of Disposition, party of the first part, and Salvatore DiFatta and Karen L. DiFatta, parties of the second part.

WITNESSETH, that in consideration of the sum of \$0.00, receipt of which is hereby acknowledged and which party of the first part certify under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party of the first part does grant and convey unto the parties of the second part in fee simple as Tenants by the Entireties, all that property situate in Baltimore County, State of Maryland, described as:

SEE ATTACHED SCHEDULE A FOR LEGAL DESCRIPTION

Which has an address of 413 Osage Road, Cockeysville, Maryland 21030.

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behalf forever of said parties of the second part in fee simple.

Being the same lot of ground which by confirmatory deed dated August 21, 2002 and recorded among the Land Records of Baltimore County in Liber 17223, Folio 154 was granted and conveyed by and between Vincenzo DiFatta and Rosa DiFatta unto Salvatore DiFatta as Life Tenant with Full Powers of Disposition and remainder unto Karen L. DiFatta.

Also being the same lot of ground which by deed dated December 1, 2001 and recorded among the Land Records of Baltimore County in Liber 15812, Folio 553 was granted and conveyed by and between Vincenzo DiFatta and Rosa DiFatta unto Salvatore DiFatta, Life Tenant with remainder unto Vincenzo DiFatta.

Being a portion of that lot of ground which by deed dated November 1, 1996 and recorded among the aforesaid Land Records was granted and conveyed by William C. Powder and Katherine F. Powder unto Vincenzo DiFatta and Rosa DiFatta as Tenants by the Entireties.

WHEREAS, the purpose of the within deed is to extinguish the Life Estate with Salvatore DiFatta, Life Tenant with Full Powers of Disposition and Karen L. DiFatta, remainderman, and convey the property described in schedule "A" unto Salvatore DiFatta and Karen L. DiFatta, husband and wife, as Tenants by the Entireties.

AND the said party of the first part covenants that he/she will warrant specially the property hereby conveyed and that he/she will execute such further assurances of said land as may be requisite or necessary.

IN TESTIMONY WHEREOF, the said party of the first part has set his/her hand and seal the day and year first above written.

Salvatore DiFatta (SEAL)
SALVATORE DIFATTA

(SEAL)

(SEAL)

(SEAL)

STATE OF MARYLAND
Baltimore County, TO WIT;

I Hereby Certify, That on this 1st day of March, 2004, before me, the subscriber, did personally appeared SALVATORE DIFATTA known to me or satisfactorily proven to be the person whose name is/are set forth in the within deed, and did further acknowledge that he/she executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires:

MARISA M. DIFATTA
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES JULY 1, 2007

Marisa M. DiFatta
NOTARY PUBLIC

The second part of the document provides a detailed breakdown of the company's revenue streams. It identifies the primary sources of income and analyzes their contribution to the overall financial performance. This section also includes a comparison of current revenue trends with historical data to identify patterns and growth opportunities.

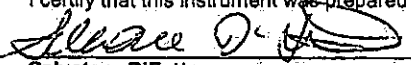
The third part of the document focuses on the company's expenses and costs. It details the various categories of expenditures, from operational costs to capital investments. The analysis highlights areas where costs can be optimized and suggests strategies for reducing unnecessary expenses while maintaining the quality of operations.

The fourth part of the document presents a comprehensive overview of the company's financial position. It includes a summary of the balance sheet, income statement, and cash flow statement. This section also provides key financial ratios and metrics that are used to assess the company's solvency, profitability, and overall financial health.

The fifth and final part of the document offers conclusions and recommendations based on the financial analysis. It identifies the strengths and weaknesses of the company's financial performance and provides actionable suggestions for improving future results. The recommendations are tailored to the specific needs and goals of the organization.

9945 147

I certify that this instrument was prepared by Salvatore DiFatta, a party to the instrument.


Salvatore DiFatta

GRANTOR'S ADDRESS: 413 Osage Road, Cockeysville, Maryland 21030

GRANTEE'S ADDRESS: 413 Osage Road, Cockeysville, Maryland 21030

TITLE INSURER: N/A

CASE #: MARISA01

REMIT TO: Salvatore DiFatta
413 Osage Road
Cockeysville, Maryland 21030

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 19945, p. 0147, MSA_CE62_19800. Date available 06/30/2004. Printed 10/16/2017.

SCHEDULE A

ALL THAT CERTAIN LOT OF GROUND SITUATE, LYING AND BEING IN BALTIMORE COUNTY, STATE OF MARYLAND, AND DESCRIBED AS FOLLOWS, THAT IS TO SAY:

BEGINNING FOR THE SAME AT AN IRON BAR HERETOFORE SET ON THE SOUTH SIDE OF OSAGE ROAD, 50 FEET WIDE, AS SHOWN ON THE PLAT OF "OSAGE CREST" SAID PLAT RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK E.H.K. JR. NO. 46, FOLIO 139, AT THE BEGINNING OF THE PARCEL OF LAND, WHICH BY DEED DATED November 1, 1996 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER S.M. NO. 11949, FOLIO 300 WAS CONVEYED BY WILLIAM C. POWDER AND KATHERINE F. POWDER TO VINCENZO DIFATTA AND ROSA DIFATTA, HUSBAND AND WIFE, THENCE LEAVING OSAGE ROAD AND RUNNING WITH AND BINDING ON THE FIRST THROUGH THE SIXTH LINES OF THE SAID PARCEL OF LAND, THE FOLLOWING SIX COURSES AND DISTANCES, VIZ: (1) SOUTH 20 DEGREES 22 MINUTES 04 SECONDS WEST 141.95 FEET TO AN IRON PIPE HERETOFORE SET, (2) SOUTH 24 DEGREES 38 MINUTES 45 SECONDS EAST 42.42 FEET, (3) SOUTH 20 DEGREES 21 MINUTES 15 SECONDS WEST 269.99 FEET TO AN IRON BAR AND CAP HERETOFORE SET, (4) NORTH 72 DEGREES 56 MINUTES 40 SECONDS EAST 411.28 FEET TO A DEAD TREE, (5) NORTH 18 DEGREES 18 MINUTES 00 SECONDS WEST PASSING OVER AN IRON BAR AND CAP NOW SET AT THE DISTANCE OF 30.00 FEET, IN ALL 120.28 FEET TO AN IRON BAR HERETOFORE SET, AND (6) NORTH 69 DEGREES 39 MINUTES 45 SECONDS WEST 106.71 FEET TO AN IRON BAR IN CONCRETE HERETOFORE SET AT THE BEGINNING OF THE SEVENTH LINE OF THE AFORESAID PARCEL OF LAND, THENCE RUNNING FOR LINES OF DIVISION NOW MADE AND RUNNING ON THE DIVISION LINES BETWEEN LOT 1 AND 2 AS SHOWN ON THE MINOR SUBDIVISION OF THE DIFATTA PROPERTY PDM #96-162M, THE FOLLOWING FIVE COURSE AND DISTANCES, VIZ: (7) SOUTH 12 DEGREES 26 MINUTES 01 SECONDS WEST 56.91 FEET TO AN IRON BAR AND CAP NOW SET, (8) NORTH 88 DEGREES 25 MINUTES 11 SECONDS WEST 140.15 FEET TO AN IRON BAR AND CAP NOW SET, (10) NORTH 24 DEGREES 38 MINUTES 45 SECONDS WEST 42.42 FEET TO AN IRON BAR AND CAP NOW SET, AND (11) NORTH 20 DEGREES 22 MINUTES 04 SECONDS EAST 134.77 FEET TO AN IRON BAR AND CAP NOW SET ON THE AFORESAID SOUTH SIDE OF OSAGE ROAD, RUNNING THENCE AND BINDING ON SOUTH SIDE OF OSAGE ROAD, (12) NORTH 72 DEGREES 47 MINUTES 50 SECONDS WEST 20.03 FEET TO THE PLACE IN THE BEGINNING. CONTAINING 1.3759 ACRES OF LAND, MORE OR LESS.

THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 413 OSAGE ROAD.

BEING KNOWN AND DESIGNATED AS LOT NO. 1 AS SHOWN ON THE MINOR SUBDIVISION OF THE DIFATTA PROPERTY PDM# 96-162M AND FILED AMONG THE RECORDS OF THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT.

SUBJECT TO A FOREST BUFFER EASEMENT, AND WITH THE RIGHT AND USE OF THE PROPOSED PRIVATE EASEMENTS FOR INGRESS AND EGRESS FOR LOT 1 THROUGH LOT 2 AS SHOWN ON THE AFORESAID MINOR SUBDIVISION.

0019... 1149

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the 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)

FD SURE \$ 28.00
RECORDING FEE 28.00
TOTAL 48.00
Rpt # 56227
Bk # 3882
Pg # 8343 PM

1	Type(s) of Instruments	☒ Deed ☐ Deed of Trust ☐ Mortgage ☐ Lease ☐ Other	
2	Conveyance Type Check Box	☐ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☒ Not an Arms-Length Sale	
3	Tax Exemptions (if Applicable)	☐ Recordation ☐ State Transfer ☐ County Transfer	
4	Consideration and Tax Calculations	Consideration Amount Purchase Price/Consideration \$ <u>0</u> Any New Mortgage \$ <u>0</u> Balance of Existing Mortgage \$ <u>0</u> Other: \$ <u>0</u> Other: \$ <u>0</u> Full Cash Value \$ <u>0</u>	
5	Fees	Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ <u>0</u> Less Exemption Amount \$ <u>0</u> Total Transfer Tax \$ <u>0</u> Recordation Tax Consideration \$ <u>0</u> X () per \$500 = \$ <u>0</u> TOTAL DUE \$ <u>0</u>	
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) <u>Salvatore Difatta, Life Tenant</u> Doc. 1 - Owner(s) of Record, if Different from Grantor(s) <u>same</u>	
8	Transferred To	Doc. 2 - Grantor(s) Name(s) <u>Salvatore Difatta</u> Doc. 2 - Owner(s) of Record, if Different from Grantor(s) <u>Karen L. Difatta</u> New Owner's (Grantee) Mailing Address <u>same</u>	
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)	
10	Contact/Mail Information	Instrument Submitted By or Contact Person Name: <u>Salvatore Difatta</u> Firm: <u>413 Osage Road</u> Address: <u>Cockeysville, MD 21030</u> Phone: <u>(410) 224-8080</u> ☐ Return to Contact Person ☐ Hold for Pickup ☒ Return Address Provided	
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Assessment Information ☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☒ Yes ☐ No Does transfer include personal property? If yes, identify: ☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	
Assessment Use Only - Do Not Write Below This Line ☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification Transfer Number: <u>20</u> Date Received: <u>20</u> Deed Reference: <u>Map</u> Assigned Property No.: <u>Block</u> Land <u>20</u> Zoning <u>Grid</u> Sub <u>Plat</u> Lot <u>Occ. Cd.</u> Buildings <u>Use</u> Town Cd. <u>Tax Map</u> <u>Block</u> Total <u>Town Cd.</u> <u>Block</u> <u>Occ. Cd.</u> REMARKS:			
Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (6/85)			

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 19945, p. 0149, MSA_CEE2_19800, Date available 06/30/2004, Printed 10/16/2017.

THIS CONFIRMATORY DEED IS BEING PREPARED WITHOUT THE BENEFIT OR REQUEST OF A TITLE EXAMINATION

THIS CONFIRMATORY DEED, Made this 21st day of August, in the year two thousand and two, by and between Vincenzo Difatta and Rosa Difatta, parties of the first part, Grantors; and Salvatore Difatta, party of the second part, Grantee.

WHEREAS, by Deed dated December 1, 2001 and recorded among the Land Records of Baltimore County in Liber S.M. No.0015812 folio 553. The parties of the first part conveyed the property hereinafter described into the party of the second part without describing the powers of disposition and by designate to remaindermen as Vincenzo Difatta; and

WHEREAS, the parties of the first part desire to confirm said Deed by defining the powers of disposition and by correcting the remainderman to Karen L. Difatta, the wife of Salvatore Difatta, in place and instead of Vincenzo Difatta.

WITNESSETH, That in consideration of the sum of no consideration and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said party of the second part, for and during the term of his natural life and with the benefit of the powers as hereinafter set forth, and upon failure of the said party of the second part to exercise the powers as hereinafter set forth, then unto Karen L. Difatta, her personal representatives and assigns, forever in fee simple, all that certain lot of ground situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE SAME at an iron bar heretofore set on the south side of Osage Road, 50 feet wide, as shown on the Plat of "Osage Crest" said Plat recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. No. 46 folio 139, at the beginning of the parcel of land, which by Deed dated November 1, 1996 and recorded among the Land Records of Baltimore County in Liber S.M. No. 11949 folio 300 was conveyed by William C. Powder and Katherine F. Powder to Vincenzo Difatta and Rosa Difatta, husband and wife, thence leaving Osage Road and running with and binding on the first through the sixth lines of the said parcel of land, the following six courses and distances, viz: (1) south 20 degrees 22 minutes 04 seconds west 141.95 feet to an iron pipe heretofore set, (2) south 24 degrees 38 minutes 45 seconds east 42.42 feet, (3) south 20 degrees 21 minutes 15 seconds west 269.99 feet to an iron bar and cap heretofore set, (4) north 72 degrees 56 minutes 40 seconds east 411.28 feet to a dead tree, (5) north 18 degrees 18 minutes 00 seconds west passing over an iron bar and cap now set at the distance of 30.00 feet, in all 120.28 feet to an iron bar heretofore set, and (6) north 69 degrees 39 minutes 45 seconds west 106.71 feet to an iron bar in concrete heretofore set at the beginning of the seventh line of the aforesaid parcel of land, thence running for lines of division now made and running on the division lines between Lot 1 and Lot 2 as shown on the minor subdivision of the Difatta property PDM #96-162M, the following five course and distances, viz: (7) south 12 degrees 26 minutes 01 seconds west 56.91 feet to an iron bar and cap now set, (8) north 88 degrees 25 minutes 11 seconds west 140.15 feet to an iron bar and cap now set, (9) north 24 degrees 38 minutes 45 seconds west 42.42 feet to an iron bar and cap now set, and (11) north 20 degrees 22 minutes 04 seconds east 134.77 feet to an iron bar and cap now set on the aforesaid south side of Osage Road, running thence and binding on south side of Osage Road, (12) north 72 degrees 47 minutes 50 seconds west 20.03 feet to the place in the beginning. Containing 1.3759 acres of land, more or less.

BEING KNOWN AND DESIGNATED AS Lot No. 1 as shown on the minor subdivision of the Difatta property PDM# 96-162M and intended to be filed among the records of the department of permits and development management.

SUBJECT TO a Forest Buffer Easement, and with the right and use of the proposed private easements for Ingress and Egress for Lot 1 through Lot 2 as shown on the aforesaid minor subdivision.

BEING the same lot of ground which by Deed dated December 1, 2001 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 0015812 folio 553, was granted and conveyed by Vincenzo Difatta and Rosa Difatta, husband and wife, unto Salvatore Difatta, life tenant with powers as therein set forth.

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 lot of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part, for and during the period of his natural life, with full power to the said party of the second part to sell, lease, mortgage and otherwise dispose of (without the power, however, to devise and bequeath by virtue of any Last Will and Testament) or encumber the whole and entire estate hereby granted in and to the property hereinbefore described, or any part thereof; it being the intention that the powers aforesaid, when exercised, shall operate not only upon the life estate hereby granted unto the said party of the second part, but also upon the remainder, as hereinafter set forth, to the end and intent that the grantee or mortgagee under the instrument executed in exercise of the powers herein granted unto the party of the second part, shall obtain the whole and entire estate free of all and any right, title and interest of any of the party to these present, or those claiming by, through, or under them; and from and immediately after the death of the said party of the second part, as to all of the property hereinbefore described or so much thereof as may be remaining and undisposed of in the exercise of the powers aforesaid, then unto the proper use and benefit of the said Karen L. Difatta, her personal representatives and assigns, forever in fee simple.

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

WITNESS the hands and seals of said Grantors.

WITNESS:

Elizabeth L. Dudley
J. S. Sopher

Vincenzo Difatta (SEAL)
 Vincenzo Difatta
Rosa D. Difatta (SEAL)
 Rosa Difatta

STATE OF MARYLAND, CITY/COUNTY of Baltimore, to wit:

I HEREBY CERTIFY, That on this 21st day of August, 2002, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Vincenzo Difatta and Rosa Difatta, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

Elizabeth L. Dudley (SEAL)
 , Notary Public

My commission expires: 10-1-2003

This is to certify that the within instrument has been prepared under the supervision of the undersigned Maryland attorney.

J. S. Sopher
 Jerry S. Sopher, Esquire

AFTER RECORDATION, PLEASE RETURN TO:

Jerry S. Sopher, P.A.
 913 South Charles Street
 Baltimore, Maryland 21230
 410-837-0022
 (File No. 413 Osage Road
 BV568702)
 Life Estate Deed

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the 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	☒ Deed ☐ Mortgage ☐ Other ☐ Other ☒ Deed of Trust ☐ Lease ☐ Other ☐ Other				FD SURE \$ 5.00 RECORDING FEE 20.00 TOTAL 25.00 Doc # B484 Rct # 13827 Sh BC Blk # 2042 Dec 12, 2002 10:34 am
2	Conveyance Type Check Box	☒ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-Length Sale [9] Arms-Length [1] Arms-Length [2] Arms-Length [3]				
3	Tax Exemptions (if Applicable)	Recordation ☐ State Transfer ☐ County Transfer ☐ Cite or Explain Authority: <u>Confirming deed correcting previous</u>				
4	Consideration and Tax Calculations	Consideration Amount Purchase Price/Consideration \$ <u>170,000.00</u> Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$		Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration \$ X () \$ Less: Exemption Amount \$ Total Transfer Tax \$ Recordation Tax Consideration \$ <u>350</u> X () \$ TOTAL DUE \$		
5	Fees	Amount of Fees Recording Charge \$ <u>20.00</u> Surcharge \$ <u>5.00</u> State Recordation Tax \$ <u>100.00</u> State Transfer Tax \$ County Transfer Tax \$ Other \$ Other \$		Doc. 1 Doc. 2 Recording Charge \$ <u>20.00</u> \$ <u>20.00</u> Surcharge \$ <u>5.00</u> \$ <u>5.00</u> State Recordation Tax \$ <u>100.00</u> \$ <u>100.00</u> 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). District <u>08</u> Property Tax ID No. (1) <u>83-00-01375</u> Grantor Liber/Eoll <u>15812/553</u> Map <u>42</u> Parcel No. <u>552</u> Var TOG <u>552</u> Subdivision Name <u>"Dixie Property"</u> Lot (3a) <u>42</u> Block (3b) <u>42</u> Sect/AR (3c) <u>552</u> Plat Ref. <u>552</u> SqFt/Acreage (4) Location/Address of Property Being Conveyed (2) <u>413 Osage Road, Baltimore, Maryland 21030</u> Other Property Identifiers (if applicable) <u>413 Osage Road, Baltimore, Maryland 21030</u> Water Meter Account No. <u>413 Osage Road, Baltimore, Maryland 21030</u> Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground-Rent ☐ Amount: <u>413 Osage Road, Baltimore, Maryland 21030</u> Partial Conveyance: ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred: <u>413 Osage Road, Baltimore, Maryland 21030</u> If Partial Conveyance, List Improvements Conveyed: <u>413 Osage Road, Baltimore, Maryland 21030</u>				
7	Transferred From	Doc. 1 - Grantor(s) Name(s) <u>Vincent D. Datta</u> <u>Rosa Datta</u> Doc. 2 - Grantor(s) Name(s) <u>Salvatore Datta</u> <u>Rachel L. Datta</u> Doc. 1 - Owner(s) of Record, if Different from Grantor(s) <u>Salvatore Datta</u> Doc. 2 - Owner(s) of Record, if Different from Grantor(s) <u>Rachel L. Datta</u>				
8	Transferred To	Doc. 1 - Grantee(s) Name(s) <u>Salvatore Datta</u> <u>Ray Vanguard Federal</u> <u>Bank</u> Doc. 2 - Grantee(s) Name(s) <u>Salvatore Datta</u> <u>Ray Vanguard Federal</u> <u>Bank</u> New Owner's (Grantee) Mailing Address: <u>413 Osage Road, Baltimore, Maryland 21030</u>				
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional) <u>Salvatore Datta</u> Doc. 2 - Additional Names to be Indexed (Optional) <u>Ray Vanguard Federal Bank</u>				
10	Contact/Mail Information	Instrument Submitted By or Contact Person Name: <u>Monica Siavers</u> Firm: <u>Jenny S. Siavers, P.A.</u> Address: <u>413 S. Charles Street</u> <u>BALTO., MD. 21201</u> Phone: <u>(410) 837-0022</u> ☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided				
11	Assessment Information	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER. Yes ☒ No ☐ Will the property being conveyed be the grantee's principal residence? Yes ☒ No ☐ Does transfer include personal property? If yes, identify: <u>413 Osage Road, Baltimore, Maryland 21030</u> Yes ☒ No ☐ Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).				
Assessment Use Only - Do Not Write Below This Line Original Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Train Process Verification ☐ Date Received: <u>12/09/2002</u> Deed Reference: <u>12/09/2002</u> Assigned Property No. <u>12/09/2002</u> Taxing Jurisdiction: <u>08</u> Zoning: <u>42</u> Map: <u>42</u> Sub: <u>552</u> Block: <u>552</u> Parcel: <u>552</u> Director of Assessment: <u>12/09/2002</u> BALTIMORE COUNTY, MARYLAND COUNTY TRANSFER TAX RECORDATION TAX Sec 33-139 T.P. ART 12-108						

NO TITLE EXAMINATION
 NO CONSIDERATION
 FEE SIMPLE, INDIVIDUAL GRANTOR

Tax Account No./Parcel Identifier

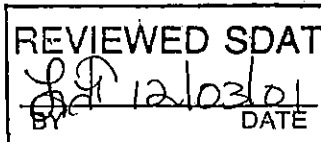
LIFE ESTATE DEED

THIS DEED, Made this 1st day of December, 2001, by and between
 VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE, parties of the first part,
 Grantors, and SALVATORE DIFATTA, LIFE TENANT WITH FULL POWERS, SON, parties of
 the second part, Grantees.

WITNESSETH, that in consideration of the sum of \$0, and other good and valuable
 considerations, the receipt of which is hereby acknowledged, the said Grantors do hereby
 grant, convey and assign unto SALVATORE DIFATTA, LIFE TENANT WITH FULL POWERS
 as SOLE OWNER, their assigns, the survivor thereof and the survivors personal
 representatives and assigns, Fee Simple, all that property situate in Baltimore County, State
 of Maryland, described as:

ALL THAT PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE
 EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY, STATE OF MARYLAND,
 AND DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT AN IRON BAR HERETOFORE SET ON THE
 SOUTH SIDE OF OSAGE ROAD, 50 FEET WIDE, AS SHOWN ON THE PLAT OF
 "OSAGE CREST" SAID PLAT RECORDED AMONG THE LAND RECORDS OF
 BALTIMORE COUNTY IN PLAT BOOK E.H.K. JR. NO. 46 FOLIO 139, AT THE
 BEGINNING OF THE PARCEL OF LAND, WHICH BY DEED DATED NOVEMBER
 1, 1996 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE
 COUNTY IN LIBER S.M. NO. 11949 FOLIO 300 WAS CONVEYED BY WILLIAM C.
 POWDER AND KATHERINE F. POWDER TO VINCENZO DIFATTA AND ROSA
 DIFATTA, HUSBAND AND WIFE, THENCE LEAVING OSAGE ROAD AND
 RUNNING WITH AND BINDING ON THE FIRST THROUGH THE SIXTH LINES OF
 THE SAID PARCEL OF LAND, THE FOLLOWING SIX COURSES AND
 DISTANCES, VIZ: (1) SOUTH 20 DEGREES 22 MINUTES 04 SECONDS WEST
 141.95 FEET TO AN IRON PIPE HERETOFORE SET, (2) SOUTH 24 DEGREES
 38 MINUTES 45 SECONDS EAST 42.42 FEET (3) SOUTH 20 DEGREES 21
 MINUTES 15 SECONDS WEST 269.99 FEET TO AN IRON BAR AND CAP
 HERETOFORE SET, (4) NORTH 72 DEGREES 56 MINUTES 40 SECONDS EAST
 411.28 FEET TO A DEAD TREE (5) NORTH 18 DEGREES 18 MINUTES 00
 SECONDS WEST PASSING OVER AN IRON BAR AND CAP NOW SET AT THE
 DISTANCE OF 30.00 FEET, IN ALL 120.28 FEET TO AN IRON BAR
 HERETOFORE SET, AND (6) NORTH 69 DEGREES 39 MINUTES 45 SECONDS
 WEST 106.71 FEET TO AN IRON BAR IN CONCRETE HERETOFORE SET AT
 THE BEGINNING OF THE SEVENTH LINE OF THE AFORESAID PARCEL OF
 LAND, THENCE RUNNING FOR LINES OF DIVISION NOW MADE AND RUNNING
 ON THE DIVISION LINES BETWEEN LOT 1 AND LOT 2 AS SHOWN ON THE
 MINOR SUBDIVISION OF THE DIFATTA PROPERTY PDM #96-162M, THE
 FOLLOWING FIVE COURSES AND DISTANCES, VIZ: (7) SOUTH 12 DEGREES 26
 MINUTES 01 SECONDS WEST 56.91 FEET TO AN IRON BAR AND CAP NOW
 SET, (8) NORTH 88 DEGREES 25 MINUTES 11 SECONDS WEST 140.15 FEET
 TO AN IRON BAR AND CAP NOW SET, (8) NORTH 88 DEGREES 25 MINUTES
 11 SECONDS WEST 140.15 FEET TO AN IRON BAR AND CAP NOW SET, (9)
 NORTH 20 DEGREES 21 MINUTES 15 SECONDS EAST 35.99 FEET TO AN
 IRON BAR AND CAP NOW SET, (10) NORTH 24 DEGREES 38 MINUTES 45
 SECONDS WEST 42.42 FEET TO AN IRON BAR AND CAP NOW SET, AND (11)
 NORTH 20 DEGREES 22 MINUTES 04 SECONDS EAST 134.77 FEET TO AN



IRON BAR AND CAP NOW SET ON THE AFORESAID SOUTH SIDE OF OSAGE ROAD, RUNNING THENCE AND BINDING ON SOUTH SIDE OF OSAGE ROAD (12) NORTH 72 DEGREES 47 MINUTES 50 SECONDS WEST 20.03 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1.3759 ACRES OF LAND, MORE OR LESS.

BEING LOT 1 AS SHOWN ON THE MINOR SUBDIVISION OF THE DIFATTA PROPERTY PDM #96-162M AND INTENDED TO BE FILED AMONG THE RECORDS OF THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT.

SUBJECT TO THE FOREST BUFFER EASEMENT, AND WITH THE RIGHT AND USE OF THE PROPOSED PRIVATE EASEMENT FOR INGRESS AND EGRESS FOR LOT 1 THROUGH LOT 2 AS SHOWN ON THE AFORESAID MINOR SUBDIVISION.

BEING A PART OF THE PARCEL OF LAND, WHICH BY DEED DATED NOVEMBER 1, 1996 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER S.M. NO. 11949 FOLIO 300 WAS GRANTED AND CONVEYED BY WILLIAM C. POWDER AND KATHERINE F. POWDER TO VINCENZO DIFATTA AND ROSA DIFATTA, HUSBAND AND WIFE.

THE WITHIN DEED IS EXEMPT FROM TRANSFER TAX, AS IT IS AN INTER-FAMILY TRANSFER FROM HUSBAND AND WIFE TO SON AS A LIFE TENANT WITH FULL POWERS OF DISPOSITION OF A LIFE ESTATE, WITH REMAINDER TO HIS FATHER, VINCENZO DIFATTA.

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

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises, unto and for the proper use only, benefit and behalf forever of said parties of the second part as SOLE OWNER in Fee Simple, as a life tenant with full powers of disposition with remainder to Vincenzo DiFatta, father.

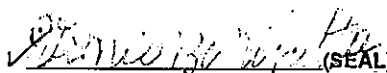
AND the said parties of the first part covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite or necessary.

WHENEVER used, the singular name shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN TESTIMONY WHEREOF, the said parties of the first part have set their hands and seals the day and year first above written.

 (SEAL)

WITNESS

 (SEAL)

VINCENZO DIFATTA, GRANTOR

[Signature] (SEAL)

WITNESS

Rosa Di Fatta (SEAL)

ROSA DIFATTA, GRANTOR

____ (SEAL)

WITNESS

____ (SEAL)

, GRANTOR

____ (SEAL)

WITNESS

____ (SEAL)

, GRANTOR

[Signature] (SEAL)

WITNESS

[Signature] (SEAL)

SALVATORE DIFATTA, GRANTEE

____ (SEAL)

WITNESS

____ (SEAL)

____ (SEAL)

WITNESS

____ (SEAL)

, GRANTEE

STATE OF MARYLAND
Baltimore County, TO WIT;

I Hereby Certify, That on this 1st day of December, 2001, before me, the subscriber, did personally appeared VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE, known to me or satisfactorily proven to be the persons whose names is/are set forth in the within deed, and did further acknowledge that they executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires:

Maria M. DiFatta
NOTARY PUBLIC

STATE OF MARYLAND
Baltimore County, TO WIT;



Maria M. DiFatta, Notary Public
Baltimore County
State of Maryland
My Commission Expires July 28, 2003

I Hereby Certify, That on this 1st day of December, 2001, before me, the subscriber, did personally appeared SALVATORE DIFATTA known to me or satisfactorily proven to be the persons whose names is/are set forth in the within deed, and did further acknowledge that they executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires:

Maria M. DiFatta
NOTARY PUBLIC



Maria M. DiFatta, Notary Public
Baltimore County
State of Maryland
My Commission Expires July 28, 2003

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Jennifer E. Alexion
JENNIFER E. ALEXION

GRANTOR'S ADDRESS:

GRANTEE'S ADDRESS: 411 Osage Road, Cockeysville, MD 21030

TITLE INSURER: n/a

REMIT TO: SALVATORE DIFATTA
411 Osage Road
Cockeysville, MD 21030

File No.: JOHNSON

0005842

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the 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)

☒ Check Box (Addendum Intake Form is Attached.)		FD SURE \$ 5.00	
Type(s) of Instruments		RECORDING FEE 20.00	
☒ Deed ☐ Deed of Trust ☐ Mortgage ☐ Lease ☐ Other _____ ☐ Other _____		TOTAL 25.00	
Conveyance Type Check Box		Arms-Length [1] _____ Arms-Length [2] _____ Arms-Length [3] _____ Not an Arms-Length Sale [9] _____	
Tax Exemptions (if Applicable)		Recordation _____ State Transfer _____ County Transfer _____	
Cite or Explain Authority		parents to son Cas Lk Tenn " " " " " "	
Consideration and Tax Calculations		Consideration Amount Purchase Price/Consideration \$ -0- Any New Mortgage \$ -0- Balance of Existing Mortgage \$ _____ Other: \$ _____ Other: \$ _____ Full Cash Value \$ _____	
Fees		Amount of Fees Recording Charge \$ 20.00 Surcharge \$ 5.00 State Recordation Tax \$ _____ State Transfer Tax \$ _____ County Transfer Tax \$ _____ Other \$ _____ Other \$ _____	
Description of Property		District 08 Property Tax ID No. (1) 16-00-01159 SM 11944/300 Subdivision Name _____ Lot (3a) _____ Block (3b) _____ Sect/AR (3c) _____ Plat Ref. _____ SqFt/Acreage (4) 1,3759 Location/Address of Property Being Conveyed (2) 413 Osage Road Cockeysville, MD 21030 Other Property Identifiers (if applicable) _____ Water Meter Account No. _____	
Transferred From		Doc. 1 - Grantor(s) Name(s) Vincenzo DiFatta Doc. 2 - Grantor(s) Name(s) Rosa DiFatta Doc. 1 - Owner(s) of Record, if Different from Grantor(s) _____ Doc. 2 - Owner(s) of Record, if Different from Grantor(s) _____	
Transferred To		Doc. 1 - Grantee(s) Name(s) Salvatore DiFatta Doc. 2 - Grantee(s) Name(s) _____ New Owner's (Grantee) Mailing Address 411 Osage Road, Cockeysville, MD 21030 Doc. 1 - Additional Names to be Indexed (Optional) _____ Doc. 2 - Additional Names to be Indexed (Optional) _____	
Other Names to Be Indexed		Doc. 1 - Additional Names to be Indexed (Optional) _____ Doc. 2 - Additional Names to be Indexed (Optional) _____	
Contact/Mail Information		Instrument Submitted By or Contact Person Name: Salvatore DiFatta Firm: _____ Address: 411 Osage Road Cockeysville, MD 21030 Phone: (410) 666-8080 ☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided	
Assessment Information		IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER. ☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☒ Yes ☐ No Does transfer include personal property? If yes, identify: _____ ☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	
Assessment Use Only - Do Not Write Below This Line		1 - Terminal Verification _____ 2 - Agricultural Verification _____ 3 - Whole _____ 4 - Part _____ 5 - Tran. Process Verification _____ Transfer Number _____ Date Received _____ Deed Reference _____ Assigned Property No. _____ Year _____ Map _____ Sub _____ Block _____ Land _____ Zoning _____ Grid _____ Plat _____ Lot _____ Buildings _____ Use _____ Parcel _____ Section _____ Total _____ Town Cd. _____ Ex. Sl. _____ Ex. Cd. _____ REMARKS: _____ Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-312 (6/95)	

RECORDATION TAX
 10.3-01
 TR ART 12-108
 Director of Budget and Finance
 BALTIMORE COUNTY, MARYLAND
 Sec 33-129

0011949 300

**DEED, FEE SIMPLE
INDIVIDUAL GRANTOR**RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County1
AGRIC CULTURAL TRANSFER TAX
NOT APPLICABLESIGNATURE HK DATE 12/26/96
(DEED/FEE)HK 12/26/96
By Date

TAX ID # 08-16-00-011159

THIS DEED made this 1st of November in the year one thousand nine hundred and Ninety-Six by and between WILLIAM C. POWDER and KATHERINE F. POWDER, parties of the first part, Grantor(s) and VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE, parties of the second part, Grantee(s).

WITNESSETH, that in consideration of the sum of One Hundred Fifty-One Thousand Five Hundred and 00/100 (\$151,500.00) DOLLARS, the actual consideration paid or to be paid, and other good and valuable considerations, receipt of which are hereby acknowledged, the said parties of the first part do grant and convey to the said VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE, tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in BALTIMORE COUNTY, State of Maryland, and described as follows, that is to say:

BEGINNING FOR THE SAME at a point in the seventh or South 20 degrees 22 minutes West 291.47 foot line of the parcel of land which by a deed dated October 11, 1988 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4683 folio 407 was conveyed by Lawrence H. Roberts and wife and Howard L. Gates, said point of beginning being distant South 20 degrees 22 minutes West 149.49 feet measured along said line from the beginning thereof and thence running with and binding on a part of said seventh line South 20 degrees 22 minutes West 141.85 feet to the end of said line, thence running with and binding on the eighth and ninth lines of said parcel of land the two following courses and distances, viz: South 24 degrees 38 minutes East 42.42 feet and South 20 degrees 22 minutes West 270 feet to intersect the second line of a parcel of land which by a Deed dated September 10, 1984 and recorded among the Land Records of Baltimore County in Liber R.R.G. No. 4358 folio 597 was conveyed by Lawrence H. Roberts and wife to Thomas Glen Shepherd and wife, thence running with and binding on a part of said second line North 72 degrees 58 minutes 50 seconds East 411.28 feet to a large maple tree at the end of said line; thence leaving said outline and running for lines of division the four following courses and distances, viz: North 18 degrees 17 minutes 50 seconds East 120.28 feet to a spike in the root of a tree, North 69 degrees 38 minutes 40 seconds West 106.67 feet to an iron bar in a concrete footing, North 12 degrees 25 minutes 40 seconds East 108.00 feet and North 72 degrees 47 minutes 19 seconds West, binding on the southernmost side of a 60 foot right of way now laid out, 160.15 feet to the place of beginning. CONTAINING 2.00 acres of land, more or less. THE improvements thereon being known as No. 411 Osage Road.

TOGETHER WITH the right and use thereof in common with others entitled thereto of the herein mentioned 50 foot right of way which leads in a westerly direction and connects with Osage Road as laid out on the Plat of Section 2 Sherwood Hills, which plat is recorded among the Plat Records of Baltimore County in Plat Book O.T.G. No. 32, folio 40.

SUBJECT TO AND TOGETHER WITH the right and use thereof in common with the Grantors herein, their heirs and assigns, of the water in the spring house located on the herein described parcel of land and all appurtenances pertaining thereto.

BEING THE SAME Lot of ground which by Deed dated September 9, 1991, and recorded among the land records of Baltimore County in liber 8937 folio 677, was granted and conveyed by Lyle D. Stearns and Ruth Stearns unto William C. Powder and Katherine F. Powder.

The Grantees hereby certify, under penalties of perjury, that the land conveyed in said Deed is residentially improved, owner-occupied real property and that the residence will be occupied by us.

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 VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE, tenants by the entireties, their

assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be required.

WITNESS the hands and seals of said Grantors and Grantees.

TEST:

[Handwritten signatures of William C. Powder and Katherine F. Powder]

WILLIAM C. POWDER, Grantor

(SEAL)

KATHERINE F. POWDER, Grantor

(SEAL)

VINCENZO DIFATTA, Grantee

(SEAL)

ROSA DIFATTA, Grantee

(SEAL)

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 1st day of November, in the year one thousand nine hundred and Ninety-Six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared WILLIAM C. POWDER and KATHERINE F. POWDER, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

Notary Public

My Commission expires: 8/1/98



STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 1st day of November, in the year one thousand nine hundred and Ninety-Six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared VINCENZO DIFATTA and ROSA DIFATTA, HUSBAND AND WIFE known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

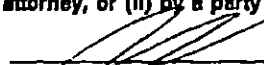
Notary Public

My Commission expires: 8/1/98



0011949 302

This is to certify that the within instrument has been prepared (i) by or under the supervision of the undersigned Maryland attorney, or (ii) by a party to this instrument.


MICHAEL E. FINE, ATTORNEY

RETURN TO:

VALLEY TITLE COMPANY
9189 REISTERSTOWN ROAD, SUITE 201B
OWINGS MILLS, MARYLAND 21117
(410)581-0028
VT-23888

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 11949, p. 0302, MSA_CE62_11804. Date available 03/04/2005. Printed 02/08/2018.

0011949 303

053698 DEC 20 1996

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Baltimore

Information provided is for the 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)

(Check Box if Addendum Intake Form is Attached.)

1	Type(s) of Instruments	☒ 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]																																																											
2	Conveyance Type Check Box																																																															
3	Tax Exemptions (if Applicable)	☐ Recordation ☐ State Transfer ☐ County Transfer																																																														
4	Consideration and Tax Calculations	<table border="1"> <thead> <tr> <th colspan="2">Consideration Amounts</th> <th colspan="2">Finance Office Use Only</th> </tr> <tr> <th colspan="2">Transfer and Recordation Tax Consideration</th> <th colspan="2"></th> </tr> </thead> <tbody> <tr> <td>Purchase Price/Consideration</td> <td>\$ 151,500.00</td> <td>Transfer Tax Consideration</td> <td>\$ 151,500.00</td> </tr> <tr> <td>Any New Mortgage</td> <td>\$ 77,000.00</td> <td>X (1.5) % =</td> <td>\$ 2,272.50</td> </tr> <tr> <td>Balance of Existing Mortgage</td> <td>\$</td> <td>Less Exemption Amount =</td> <td>\$</td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Total Transfer Tax =</td> <td>\$ 2,272.50</td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Recordation Tax Consideration</td> <td>\$</td> </tr> <tr> <td>Full Cash Value</td> <td>\$</td> <td>X () per \$500 =</td> <td>\$</td> </tr> <tr> <td></td> <td></td> <td>TOTAL DUE</td> <td>\$</td> </tr> </tbody> </table>				Consideration Amounts		Finance Office Use Only		Transfer and Recordation Tax Consideration				Purchase Price/Consideration	\$ 151,500.00	Transfer Tax Consideration	\$ 151,500.00	Any New Mortgage	\$ 77,000.00	X (1.5) % =	\$ 2,272.50	Balance of Existing Mortgage	\$	Less Exemption Amount =	\$	Other:	\$	Total Transfer Tax =	\$ 2,272.50	Other:	\$	Recordation Tax Consideration	\$	Full Cash Value	\$	X () per \$500 =	\$			TOTAL DUE	\$																							
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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	District: <u>06</u> Property Tax ID No. (1): <u>16-00-01159</u> Grantor Liber/Folio: <u>89371677</u> Subdivision Name: _____ Lot (3a): _____ Block (3b): _____ Sect/AR(3c): _____ Plat Ref.: _____ SqFt/Acreage (4): <u>2 AC</u> Location/Address of Property Being Conveyed (2): <u>411 OSAGE ROAD, ROCKYVILLE, MD 21030</u> Other Property Identifiers (if applicable): _____ Water Meter Account No.: <u>60</u> Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: _____ Partial Conveyance? ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred: <u>757.50</u> If Partial Conveyance, List Improvements Conveyed: <u>757.50</u>																																																														
8	Transferred To	Doc. 1 - Grantor(s) Name(s): <u>William C. Powder, Jr. & Katherine E. Powder</u> Doc. 2 - Grantor(s) Name(s): <u>Vincenzo DiFatta & Rosa DiFatta, H & W</u> Doc. 1 - Owner(s) of Record, if Different from Grantor(s): _____ Doc. 2 - Owner(s) of Record, if Different from Grantor(s): _____ Doc. 1 - Grantee(s) Name(s): <u>Vincenzo DiFatta & Rosa DiFatta, H & W</u> Doc. 2 - Grantee(s) Name(s): _____ New Owner's (Grantee) Mailing Address: <u>411 OSAGE ROAD, ROCKYVILLE, MD 21030</u> Doc. 1 - Additional Names to be Indexed (Optional): _____ Doc. 2 - Additional Names to be Indexed (Optional): <u>Priscilla Hale Mfg. (Beneficiary)</u>																																																														
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional): _____ Doc. 2 - Additional Names to be Indexed (Optional): _____																																																														
10	Contact/Mail Information	Instrument Submitted By or Contact Person Name: <u>Wilfred Cummins</u> Return to Contact Person ☐ Firm: <u>Wilkey Title Insurance Company</u> Hold for Pickup ☐ Address: <u>9199 Reisterstown Rd.</u> Return Address Provided ☐ Phone: <u>(410) 581-6026</u>																																																														
11	IMPORTANT: NOTE THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Assessment Information ☐ Yes ☒ No Will the property being conveyed be the grantee's principal residence? ☐ Yes ☒ No Does transfer include personal property? If yes, identify: _____ ☐ Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). Assessment Use Only - Do Not Write Below This Line <table border="1"> <thead> <tr> <th colspan="2">Transfer Number:</th> <th colspan="2">Date Received:</th> <th colspan="2">Deed Reference:</th> <th colspan="2">Assessed Property No.:</th> </tr> <tr> <th>Year</th> <th>Land</th> <th>Year</th> <th>Land</th> <th>Geo.</th> <th>Map</th> <th>Sub</th> <th>Block</th> </tr> </thead> <tbody> <tr> <td>19</td> <td></td> <td>19</td> <td></td> <td>Zone</td> <td>Area</td> <td>Plot</td> <td>Lot</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>Use</td> <td>Parcel</td> <td>Section</td> <td>Dist. Cd.</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>Town Cd.</td> <td>Ex. St.</td> <td>Ex. Cd.</td> <td></td> </tr> </tbody> </table> REMARKS:						Transfer Number:		Date Received:		Deed Reference:		Assessed Property No.:		Year	Land	Year	Land	Geo.	Map	Sub	Block	19		19		Zone	Area	Plot	Lot					Use	Parcel	Section	Dist. Cd.					Town Cd.	Ex. St.	Ex. Cd.																		
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Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (6/96)																																																																

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 11949, p. 0303, MSA-CE62-11804, Date available 03/04/2005. Printed 02/08/2018

96-02-21863-11-1-20-96 \$2,272.50

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 1900000540			
Owner Information					
Owner Name:	DIFATTA SALVATORE DIFATTA KAREN		Use:	RESIDENTIAL	
Mailing Address:	413 OSAGE RD COCKEYSVILLE MD 21030-2647		Principal Residence:	NO	
			Deed Reference:	/29904/ 00079	
Location & Structure Information					
Premises Address:		424 OSAGE RD 0-0000		Legal Description:	2.829 AC 424 OSAGE RD OSAGE CREST
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0042	0024	0110		0000	
					Block:
					5
					Lot:
					2017
					Assessment Year:
					Plat No:
					Plat Ref:
					0046/ 0139
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			2.8200 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2017	07/01/2017	07/01/2018
Land:		177,300	177,300		
Improvements		6,800	6,800		
Total:		184,100	184,100	184,100	184,100
Preferential Land:		0			0
Transfer Information					
Seller: BENZINGER JAMES F,JR		Date: 09/22/2010		Price: \$170,000	
Type: ARMS LENGTH IMPROVED		Deed1: /29904/ 00079		Deed2:	
Seller: HOULIARAS ELIAS S		Date: 05/09/1989		Price: \$75,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08169/ 00054		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class		07/01/2017	07/01/2018	
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: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

PET 4

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

S/S of Osage Road, 353' E from its inter- *
section with the c/l of Gateview Road *
8th Election District *
3rd Council District *
(424 Osage Road) *

Salvatore and Karen DiFatta
Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

CASE NO. 2012-0049-SPHA

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petitions for Special Hearing and Variance filed by the legal owners of the property, Salvatore and Karen DiFatta. The Petitioners are requesting Special Hearing relief under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (replacement garage) to be located on a separate lot from the principal use or structure served. Petitioners are also requesting Variance relief pursuant to Sections 400.1 and 400.3 of the B.C.Z.R. to permit an accessory building (replacement garage) to be located in the front yard with a height of 26 feet in lieu of the required rear yard and 15 feet respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case were Petitioners Salvatore and Karen DiFatta and David Billingsley with Central Drafting & Design, Inc., land surveyor who prepared the site plan for the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons present.

The ZAC comments were received and made a part of the file. Comments were received from the Department of Environmental Protection and Sustainability dated September 13, 2011

ORDER RECEIVED FOR FILING

Date 11-17-11
pr

Pet 7

which indicate that any further building permits for this site will require review by Groundwater Management.

David Billingsley testified on behalf of the Petitioners. He described the property as being 2.829 acres zoned DR 2. Petitioners own several contiguous lots and have built their home on the lot adjacent to the subject site. He described the old two story barn and garage that existed on the site since the 1950s. He stated that it was deteriorated by age and weather to such an extent that it was dangerous and unusable. Petitioners razed the old structure and placed the new garage on the footprint and foundation of the old structure. He noted that the new barn/garage is 26 feet high, compared to 29 feet height of the original and is two feet shorter.

Unfortunately, the witness related that the Petitioners had not obtained the required permits to either raze the old structure or replace it with the new one. Accordingly, although the new replacement building was almost completed, a stop work order was issued and all activity ceased.

The witness proffered on behalf of the Petitioners that the new structure would only be used to store his motor vehicles and to provide space for a woodshop for various personal projects. There is public water and sewer at the site; there is a bathroom in the new structure, but no kitchen facilities whatsoever. No one will live in the new building. The façade, however, will resemble a residential structure so as to retain the aesthetic qualities of the area, and in any event, the new garage will be well screened from any neighbors.

Mr. Billingsley addressed the variance requirement. He pointed to the shape and contour of the proposed site of the garage; taken with its location as being wedged between Osage Road (the access to the other lots in the area) and the adjacent lot on which Plaintiffs' house is located, as characteristics unique to the subject site. Without the requested variances, he stated, the various ladders, tools, and lumber for the shop work could not be stored along with the motor vehicles,

ORDER RECEIVED FOR FILING

Date 11-17-11 2

By 

and there would not be sufficient height for tools and lumber.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. As to the variance request, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Thus, the variance requested meets the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 17th day of November, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (replacement garage) to be located on a separate lot from the principal use or structure served, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the B.C.Z.R. permit an accessory building (replacement garage) to be located in the front yard with a height of 26 feet in lieu of the required rear yard and 15 feet respectively, be and is hereby GRANTED.

The relief granted herein shall be conditioned upon:

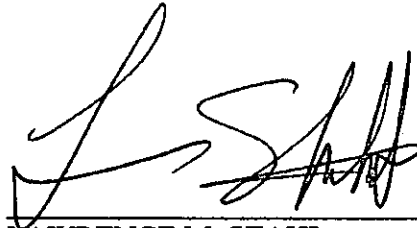
ORDER RECEIVED FOR FILING

Date 11-17-11

By [Signature]

1. The Petitioners may apply for their building permit and may be granted same upon receipt of this Order, however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. Any further building permits for this site will require review by the Groundwater Management Section of the Department of Environmental Protection and Sustainability.
3. The accessory building (replacement garage) may not be used for residential purposes whatsoever.

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



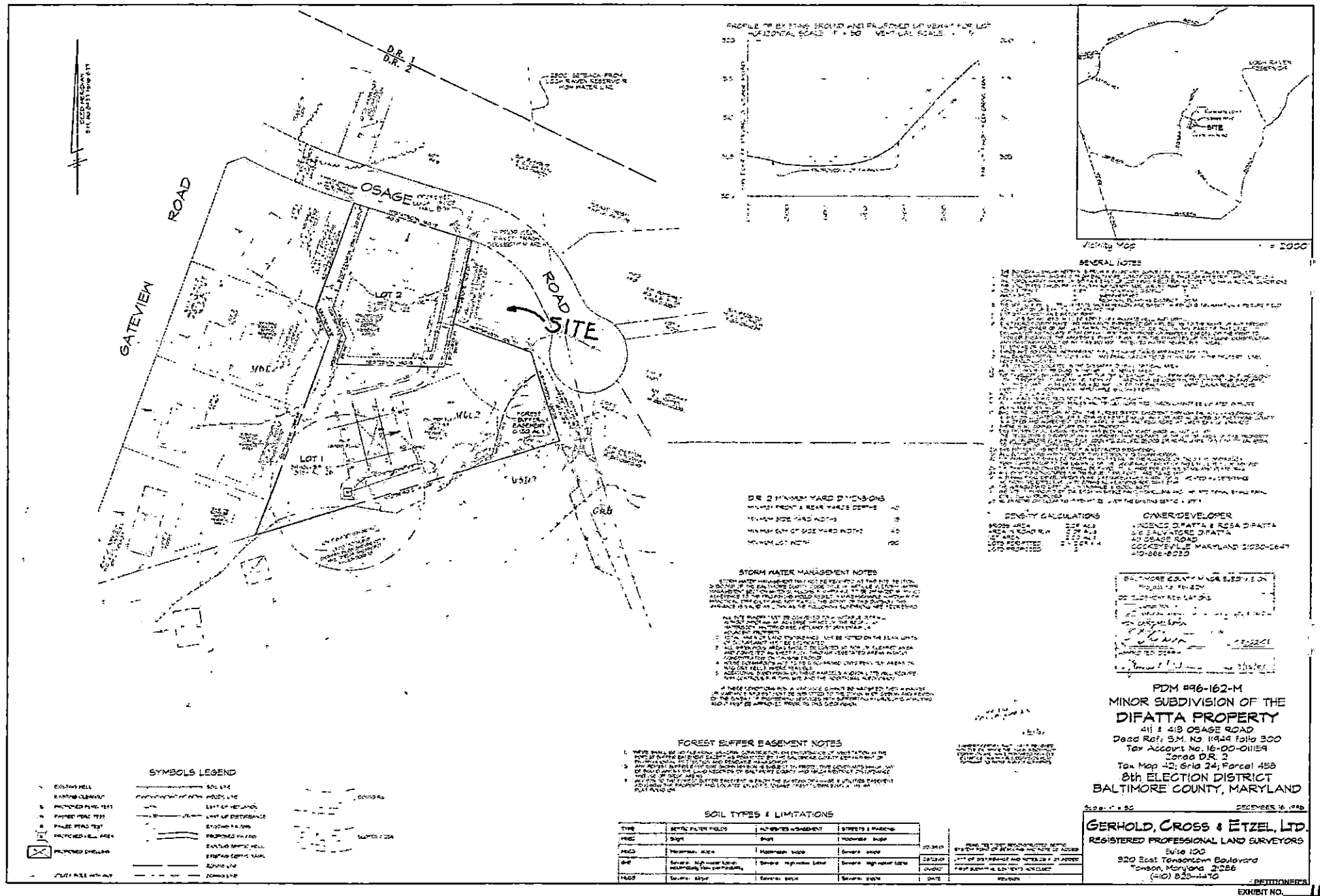
LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

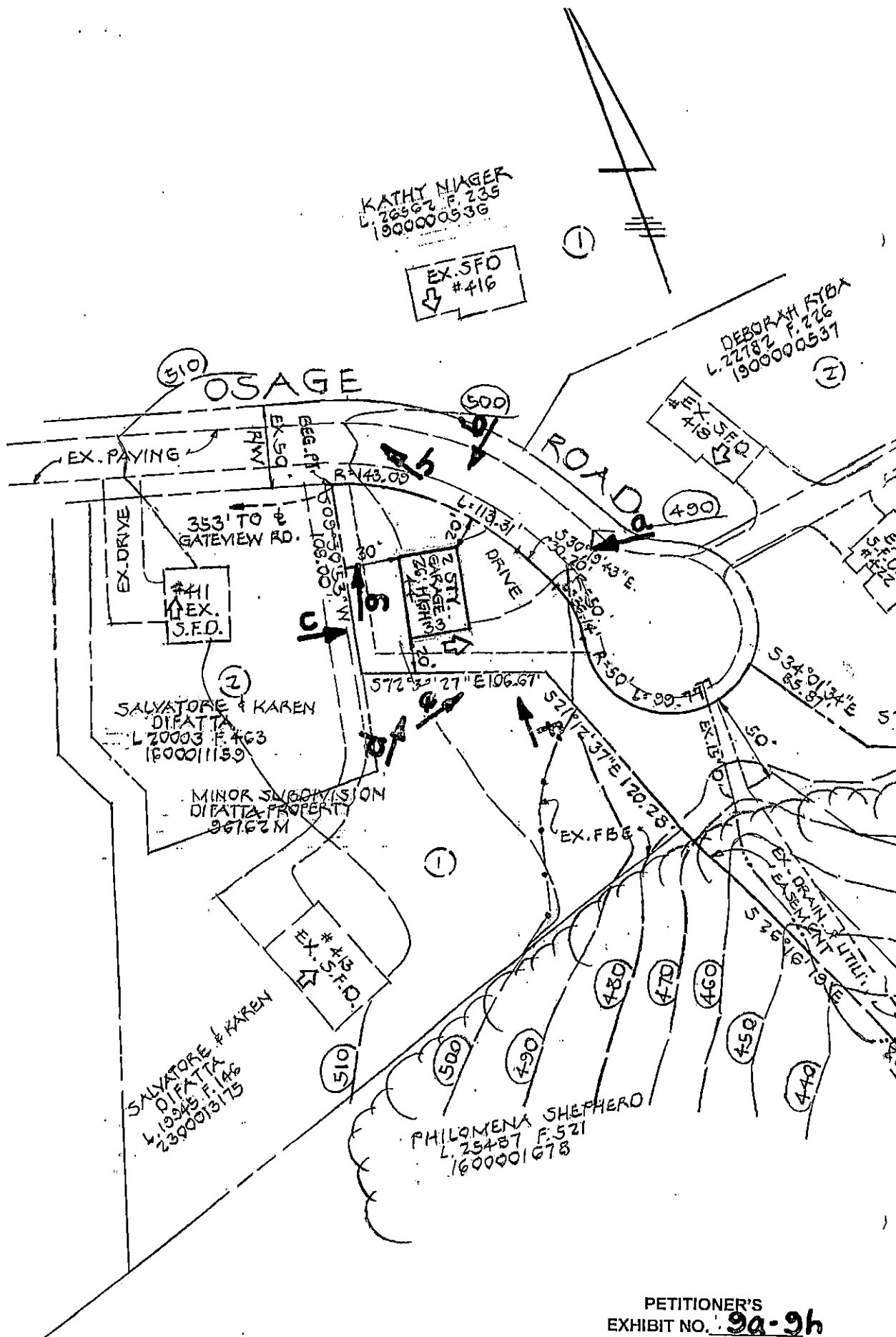
LMS:pz

ORDER RECEIVED FOR FILING

Date 11-17-11

By [Signature]





PETITIONER'S
EXHIBIT NO. **9a-9h**

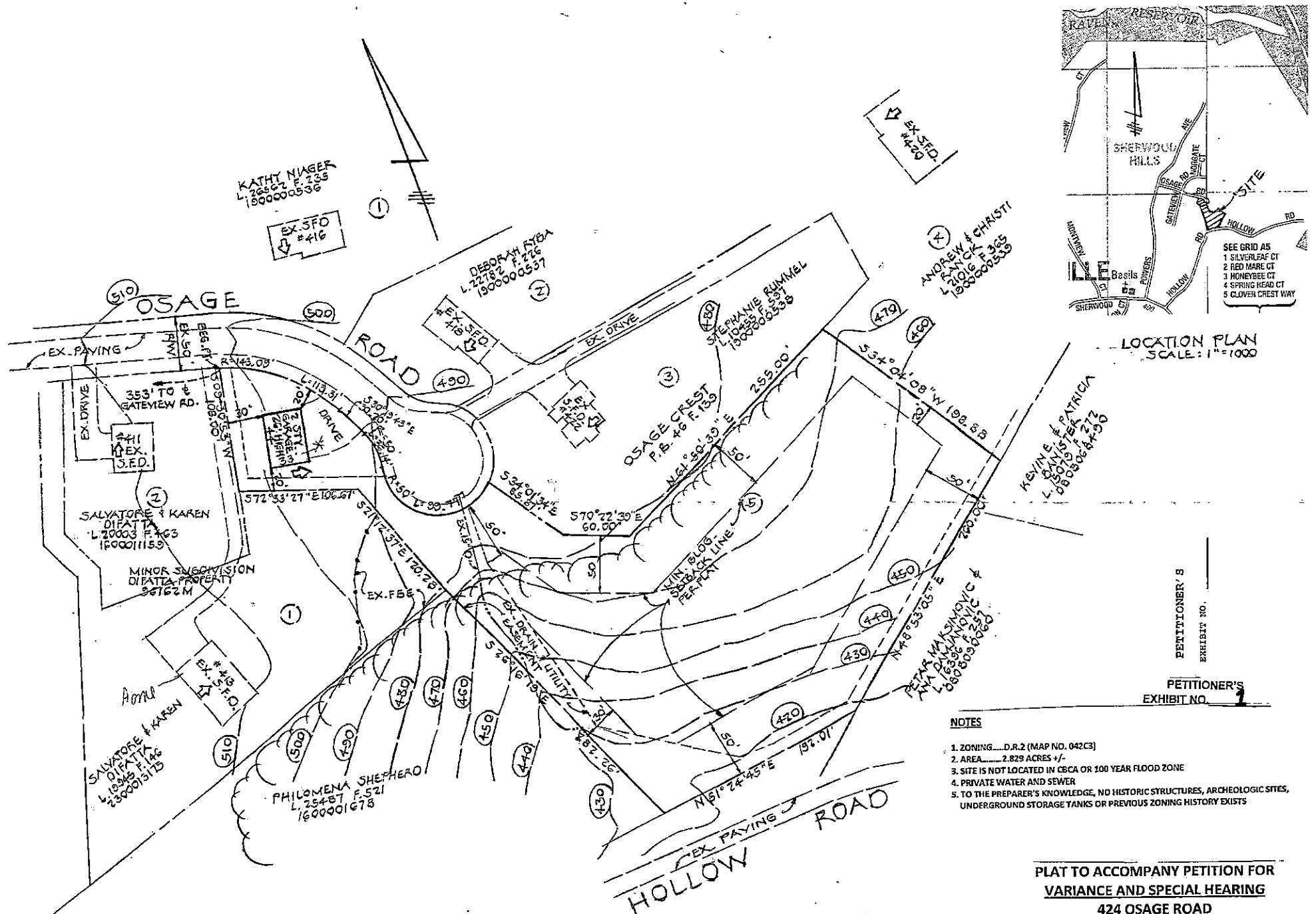
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

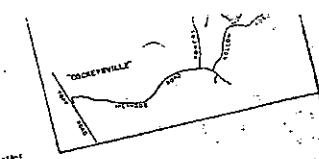
PHOTOS

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER
SALVATORE AND KAREN DIFATTA
413 OSAGE ROAD
COCKEYSVILLE, MD. 21030
DEED REF. L. 29904 F. 79
ACCT. NO. 180000540

PLAT TO ACCOMPANY PETITION FOR
VARIANCE AND SPECIAL HEARING
424 OSAGE ROAD
LOT 5 OSAGE CREST P.B. 46 F. 139
ELECTION DISTRICT 8C3
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 50 FEET JULY 18, 2011





3
 139
 "OSAGE"
 OWNED AND DEVELOPED
 BY
 ELIAS S. HOUCHARAS & WIFE
 422 OSAGE ROAD
 COCKEYSVILLE, MD 21030
 BALTO. CO. MD.
 BTH ELECT. DIST.
 JULY 24, 1980
 SCALE: 1"=50'
 12/24/80
 TITLED FOR RECORD
 Date NOV 30 1980
 Twp
 12/24/80

[illegible]

OWNER'S CERTIFICATE

THE REQUIREMENTS OF SECTION 7-A, ARTICLE
17 OF THE ANNOTATED CODE OF MARYLAND (LATER
1987 SUPPLEMENTS) AS FAR AS THEY RELATE TO THE
PREPARATION OF THIS DEED HAVE BEEN COMPLIED
WITH.

Sharon C. Hoshorn DATE 8-18-80
Sharon C. Hoshorn DATE 8-18-80
BY Sharon C. Hoshorn SPT

• SITE DATA

EXISTING ZONING _____ DR-1 & DR-2

GROSS ACREAGE _____ 9.261 AC.

NO. OF LOTS _____ 5

GROSS RESIDENTIAL DENSITY _____ 0.54 LOTS/AC.

[illegible]

PETITIONER'S
EXHIBIT NO. 5

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS


Arnold Jablon, Deputy Administrative Officer
& Director




Donald E. Brand, Building Engineer

BUILDING PERMIT

PERMIT #: B776660 CONTROL #: MR DIST: 08 PREC: 01
DATE ISSUED: 12/02/2011 TAX ACCOUNT #: 1900000540 CLASS: 04

PLANS: CONST 00 PLOT 2 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 424 OSAGE RD
SUBDIVISION: OSAGE CREST

OWNERS INFORMATION

NAME: DIFATTA, SALVATORE AND KAREN
ADDR: 424 OSAGE RD 21030

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: RESTORATION/NEW. TO COMPLY W/90972. CONST BARN
W/LOFT T/B USED FOR STORAGE ON VACANT LOT.
44'X33'X26'=1952SF. ACCESSORY STRUCTURE LETTER
ATTACHED. ZONING CASE 2012-0049-SPHA. NO RAZING
PERMIT REQ'D PER DAS. OK TO WAIVE PLANS-PH/GB.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: NEW BARN

EXISTING USE: DAMAGED BARN

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: OTHER - RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE:

WATER:

LOT SIZE AND SETBACKS

SIZE: 2.82AC

FRONT STREET:

SIDE STREET:

FRONT SETB: 25'

SIDE SETB: 20'/20'

SIDE STR SETB:

REAR SETB: 30'

THIS PERMIT EXPIRES ONE
YEAR FROM DATE OF ISSUE

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204

Rf 8

00299041 0791

After Recording Return to:
New World Title Company, LLC
1407 York Road, Suite 304
Lutherville, MD 21093
File No.: 1016252

DEED

THIS DEED, made this 7 day of September, 2010, by and between James F. Benzinger, Jr., party of the first part, and Salvatore Di Fatta and Karen Di Fatta, husband and wife, parties of the second part;

WITNESSETH, that in consideration of ONE HUNDRED SEVENTY THOUSAND AND 00/100 DOLLARS (\$170,000.00) the said party of the first part does grant and convey unto Salvatore Di Fatta and Karen Di Fatta, husband and wife, parties of the second part, as tenants by the entireties, their heirs, personal representatives and assigns, in fee simple, all that piece or parcel of land situate, lying and being in the county of Baltimore, State of Maryland, described as follows:

BEING KNOWN AND DESIGNATED AS LOT NO. 5 AS SHOWN ON THE PLAT ENTITLED, "OSAGE CREST", WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK E.H.K., JR. NO. 46, FOLIO 139.

The improvements thereon being known and designated as No. 424 Osage Road.

BEING the same lot of ground which by Deed dated May 5, 1989 and recorded among the Land Records of Baltimore County, Maryland in Liber 8169, folio 054 was granted and conveyed from Elias S. Houliaras and Ria Houliaras unto James F. Benzinger, Jr. the within named grantor(s).

Tax Account No: 08-19-00-000540

TOGETHER with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part, tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs, personal representatives and assigns, in fee simple forever.

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AND the said party of the first part covenant(s) that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby conveyed; and that he will execute such further assurances of said land as may be requisite.

Witness hand and seal of the said party of the first part.

WITNESS:

Witness

James F. Benzinger, Jr. {SEAL}

STATE OF MARYLAND, COUNTY OF Baltimore, to wit:

On this 7 day of September, 2010, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared **James F. Benzinger, Jr.** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

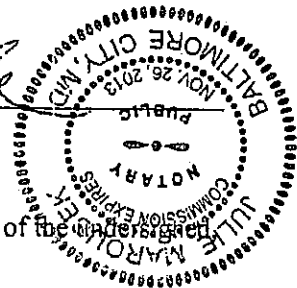
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

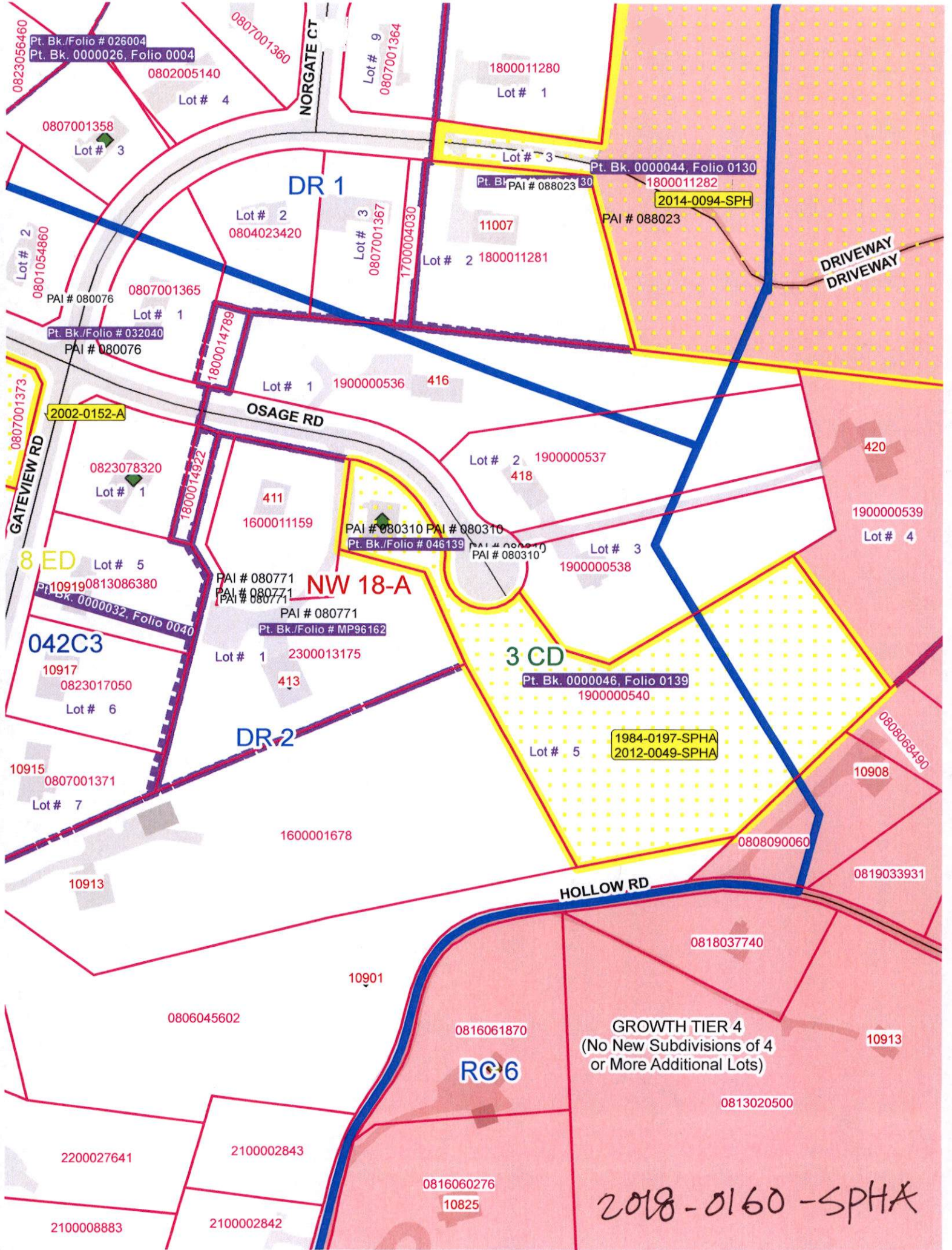
My commission Expires: 11/26/2013

Julie M. Wachs
Notary Public

This is to certify that the within instrument was prepared by or under the supervision of the undersigned an attorney duly admitted to practice before the Court of Appeals of Maryland.

Bryan R. Wachs, Esq.





Pt. Bk./Folio # 026004
Pt. Bk. 0000026, Folio 0004

0802005140

Lot # 4

1800011280

Lot # 1

0807001358

Lot # 3

DR 1

Lot # 2
0804023420

Lot # 3
0807001367

1700004030

11007

Lot # 2 1800011281

Pt. Bk. 0000044, Folio 0130

1800011282

2014-0094-SPH

PAI # 088023

DRIVEWAY
DRIVEWAY

Lot # 2
0801054860

PAI # 080076

Lot # 1

Pt. Bk./Folio # 032040
PAI # 080076

1800014789

Lot # 1 1900000536 416

OSAGE RD

0823078320

Lot # 1

Lot # 2 1900000537

418

411

1600011159

PAI # 080310 PAI # 080310
Pt. Bk./Folio # 046139 PAI # 080310

Lot # 3

1900000538

1900000539

Lot # 4

8 ED

Lot # 5

Pt. Bk. 0000032, Folio 0040

PAI # 080771
PAI # 080771

NW 18-A

PAI # 080771

Pt. Bk./Folio # MP96162

Lot # 1 2300013175

413

3 CD

Pt. Bk. 0000046, Folio 0139

1900000540

Lot # 5

1984-0197-SPHA
2012-0049-SPHA

042C3

10917

0823017050

Lot # 6

10915

0807001371

Lot # 7

1600001678

DR 2

HOLLOW RD

0808090060

0819033931

10908

10913

10901

0806045602

0816061870

RC-6

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

0813020500

10913

2200027641

2100002843

0816060276

10825

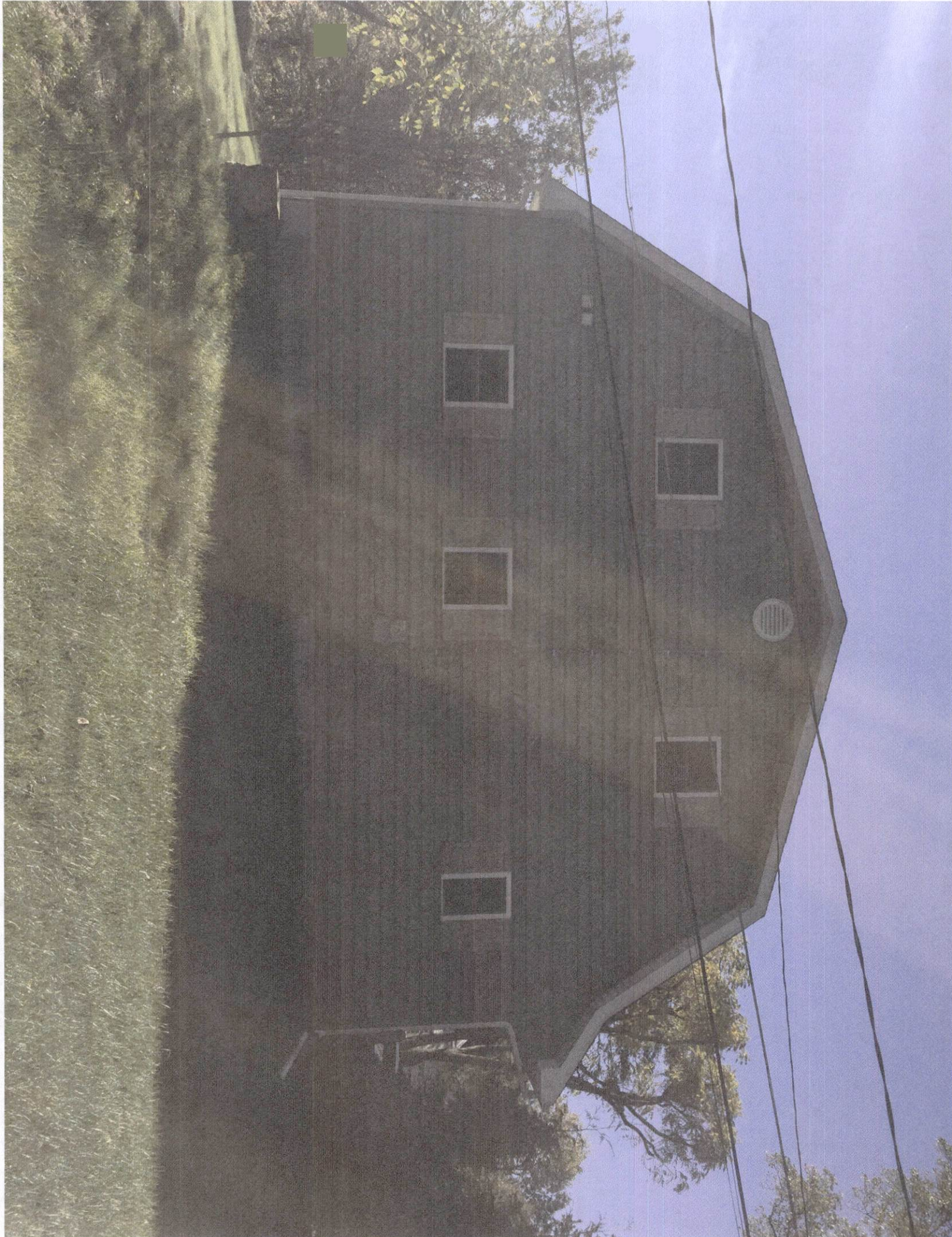
2018-0160-SPHA

2100008883

2100002842









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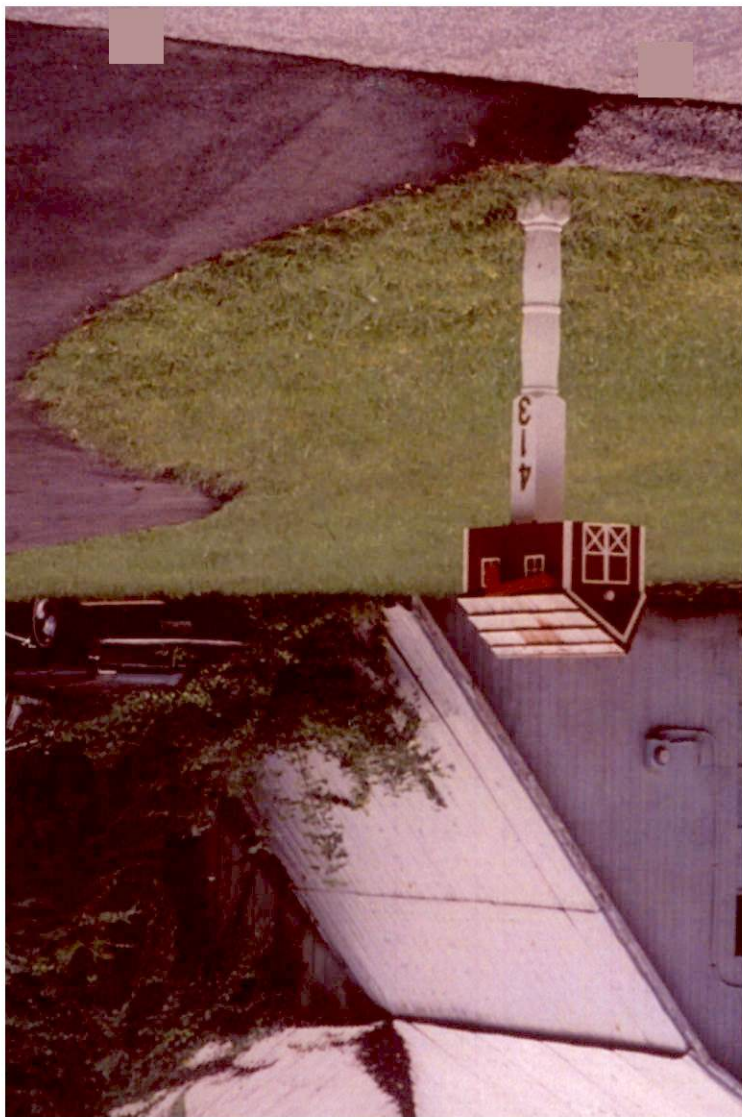
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0257702005100h 8/8 Scanned Image 5

11/01/17 Printed at Walmart



0257702005100h 7/8 Scanned Image 6

11/01/17 Printed at Wal-Mart



11/01/11 Printed at Walmart

0257702005100h 2/8 Scanned Image 1



0257702005100h 3/8 Scanned Image 2

11/01/17 Printed at Walmart



11/01/17 Printed at Walmart

0257702005100h 5/8 Scanned Image 4

NOTES:

1. EXISTING ZONING: RC-6 & DR-2
2. GIS MAP No.: 042C3
3. THIS PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS
4. THIS PROPERTY IS NOT HISTORIC
5. THIS PROPERTY IS NOT IN THE CBCA
6. THIS PROPERTY IS NOT IN A 100 YEAR FLOOD PLAIN
7. THERE ARE NO CURRENT ZONING VIOLATIONS ON THE PROPERTY
8. THERE ARE NO IMPENDING FAILURES OF THE BASIC SERVICES MAP FOR THIS PROPERTY
9. THERE ARE NO CHANGES IN RESIDENTIAL DENSITIES BY THIS PARCEL RECONFIGURATION (SEE DENSITY TABULATION CHART)

PREVIOUS ZONING HEARING:

CASE No. 2012-0049 SPHA
DATE OF ORDER: NOVEMBER 17, 2011
ORDER:

THEREFORE, IT IS ORDERED, this 17th day of November, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief under Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (replacement garage) to be located on a separate lot from the principal use or structure served, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the B.C.Z.R. permit an accessory building (replacement garage) to be located in the front yard with a height of 26 feet in lieu of the required rear yard and 15 feet respectively, be and is hereby GRANTED.

The relief granted herein shall be conditioned upon:

1. The Petitioners may apply for their building permit and may be granted same upon receipt of this Order, however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. Any further building permits for this site will require review by the Groundwater Management Section of the Department of Environmental Protection and Sustainability.
3. The accessory building (replacement garage) may not be used for residential purposes whatsoever.

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


LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

DENSITY TABULATION:

EXISTING CONFIGURATION			PROPOSED CONFIGURATION		
PARCEL 1	AREA	DENSITY	PARCEL 1	AREA	DENSITY
DR-2	1.376 AC	2 LOTS	DR-2	1.706 AC	3 LOTS
RC-6	0 AC	0 LOTS	RC-6	0 AC	0 LOTS
	1.376 AC	2 LOTS		1.706 AC	3 LOTS
PARCEL 2	AREA	DENSITY	PARCEL 2	AREA	DENSITY
DR-2	2.114 AC	4 LOTS	DR-2	1.784 AC	3 LOTS
RC-6	0.715 AC	0 LOTS	RC-6	0.715 AC	0 LOTS
	2.829 AC	4 LOTS		2.499 AC	3 LOTS

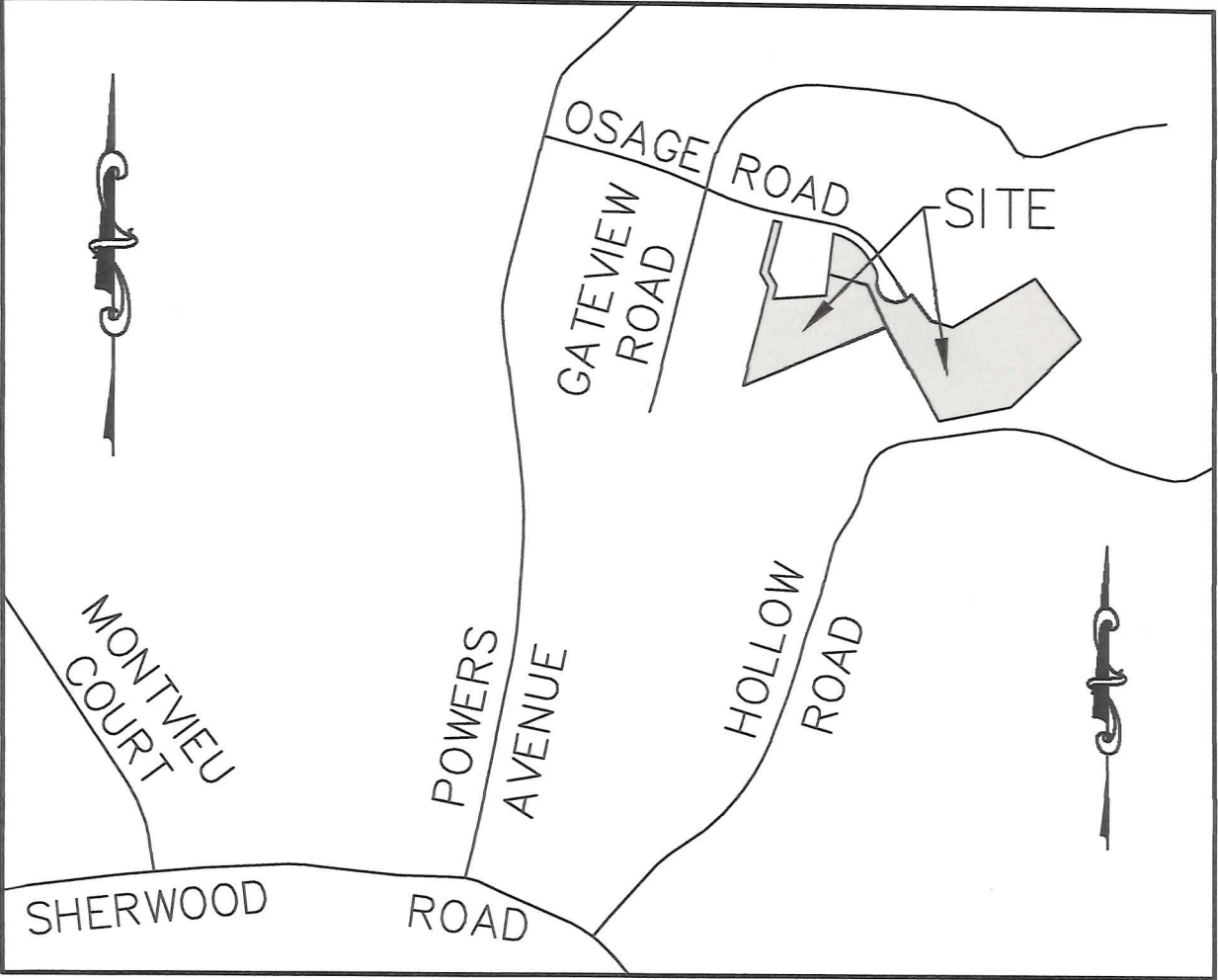
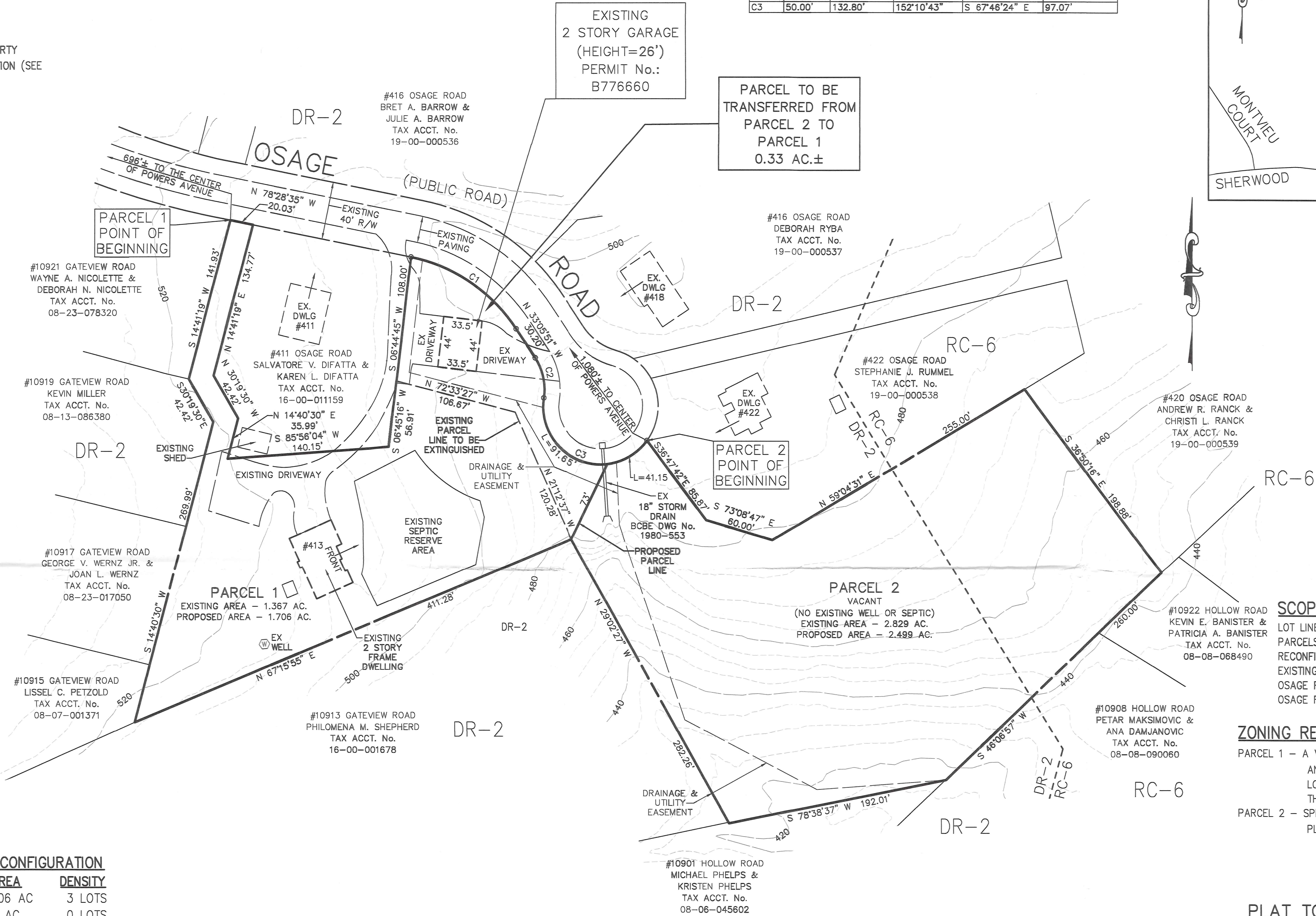
PROPERTY INFORMATION

PARCEL 1
MAP 42 - GRID 24 - PARCEL 552
TAX ACCT: 23-00-013175
DEED REF: 19945/146
LOT 1
"DIFATTA PROPERTY"
MINOR SUB No.: 96-162M

PARCEL 2
MAP 42 - GRID 24 - PARCEL 110
TAX ACCT: 19-00-000540
DEED REF: 29904/79
LOT 5
"OSAGE CREST"
PLAT REFERENCE: 46/139

CURVE DATA

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	143.09'	113.31'	45°22'13"	S 55°47'03" E	110.37'
C2	50.00'	36.14'	41°24'48"	S 12°23'27" E	35.36'
C3	50.00'	132.80'	152°10'43"	S 67°46'24" E	97.07'



VICINITY MAP

SCALE: 1"= 500'

SCOPE OF PROJECT:

LOT LINE ADJUSTMENT PROPOSED BETWEEN EXISTING PARCELS 1 AND 2 FOR THE PURPOSE OF RECONFIGURING THE PARCELS SO THAT THE EXISTING DETACHED GARAGE AND THE LAND ALONG OSAGE ROAD WOULD BE INCLUDED WITH #413 OSAGE ROAD AS PART OF PARCEL 1.

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PARCEL 2 - SPECIAL HEARING TO AMEND THE FINAL DEVELOPMENT PLAN OF "OSAGE CREST"

PLAT TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING
AND ZONING VARIANCE
DIFATTA PROPERTIES
OSAGE ROAD

8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 50'

DATE: OCTOBER 23, 2017

OWNER INFORMATION

SALVATORE DIFATTA & KAREN DIFATTA
413 OSAGE ROAD
COCKEYSVILLE, MD 21030
MAP 42 - GRID 24 - PARCEL 110
TAX ACCT: 19-00-000540
DEED REF: 29904/79

SHEET 1 OF 1

Pet. No. 1
2018-0160-SPHA

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD83 (1991), VERTICAL - NAVD88

JOB No. 17-051


LAND SURVEYING • SUBDIVISION DESIGN • COMMERCIAL SITE DESIGN • LAND USE & PLANNING
STORM WATER MANAGEMENT • CONSTRUCTION SURVEYING • PROJECT MANAGEMENT • ZONING MATTERS

10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21083
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM

NOTES:

1. EXISTING ZONING: RC-6 & DR-2
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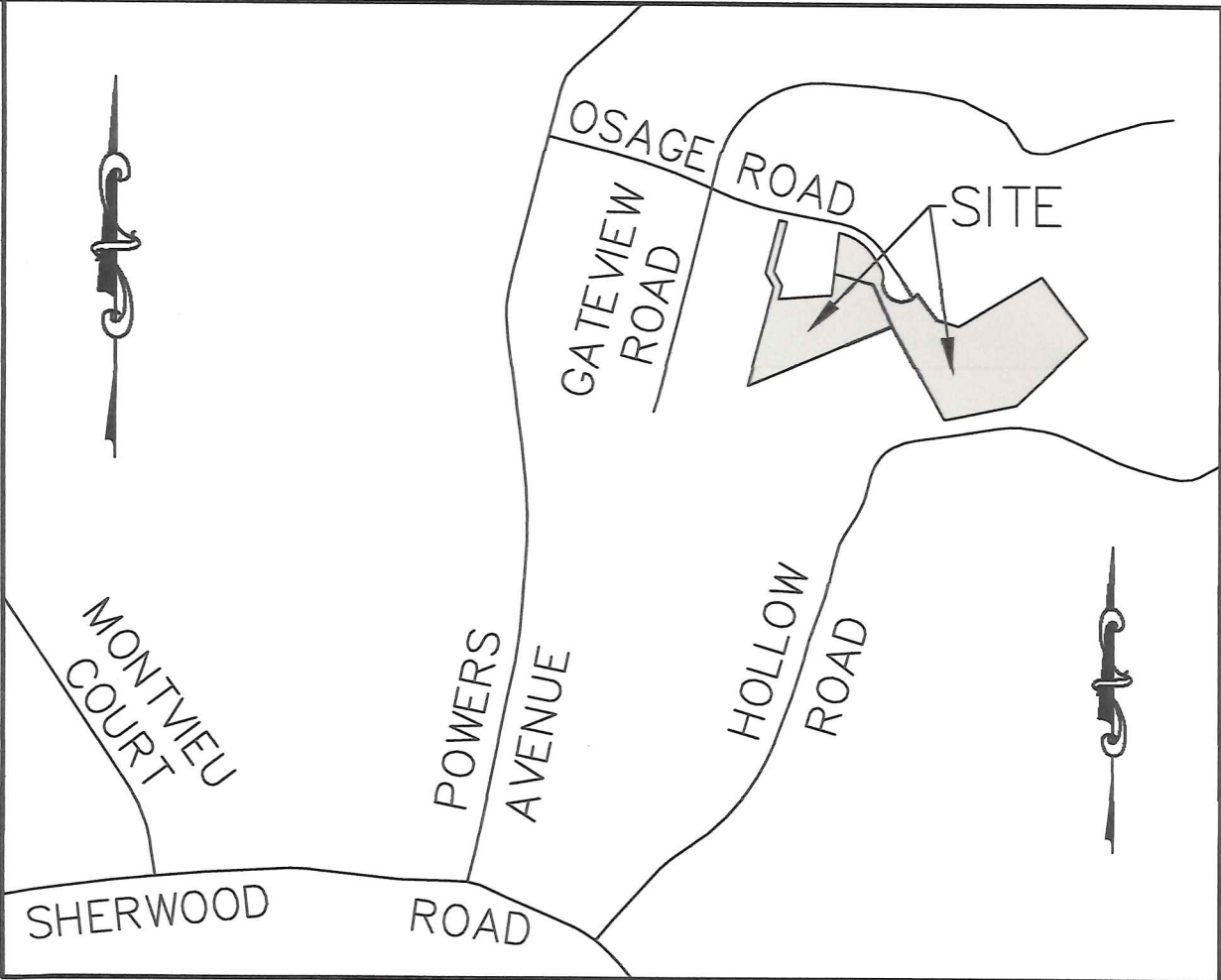
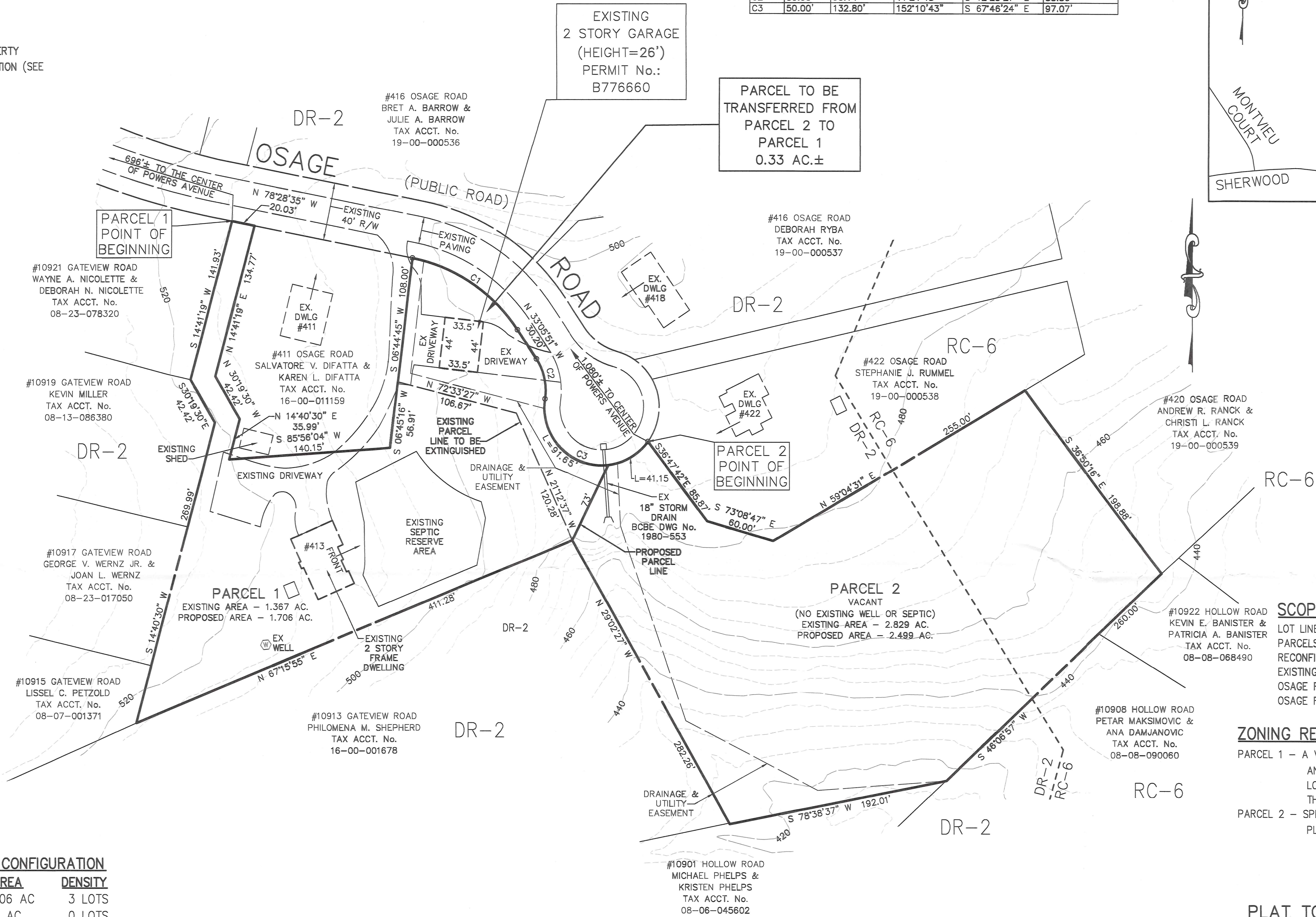
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MINOR SUB No.: 96-162M

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MAP 42 - GRID 24 - PARCEL 110
TAX ACCT: 19-00-000540
DEED REF: 29904/79
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PLAT REFERENCE: 46/139

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DIFATTA PROPERTIES
OSAGE ROAD

8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

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413 OSAGE ROAD
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MAP 42 - GRID 24 - PARCEL 110
TAX ACCT: 19-00-000540
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SHEET 1 OF 1



DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD83 (1991), VERTICAL - NAVD88

JOB No. 17-051

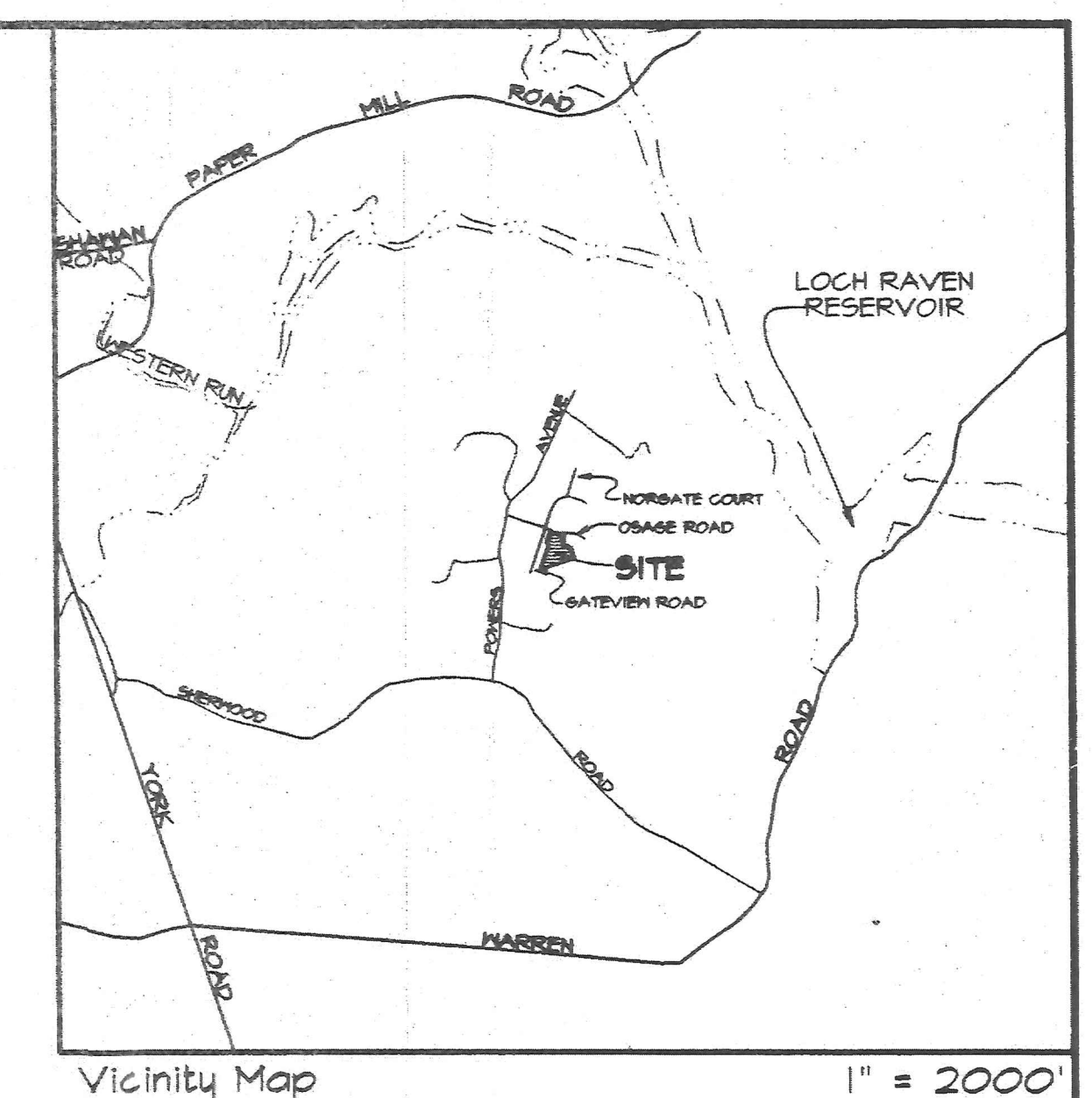
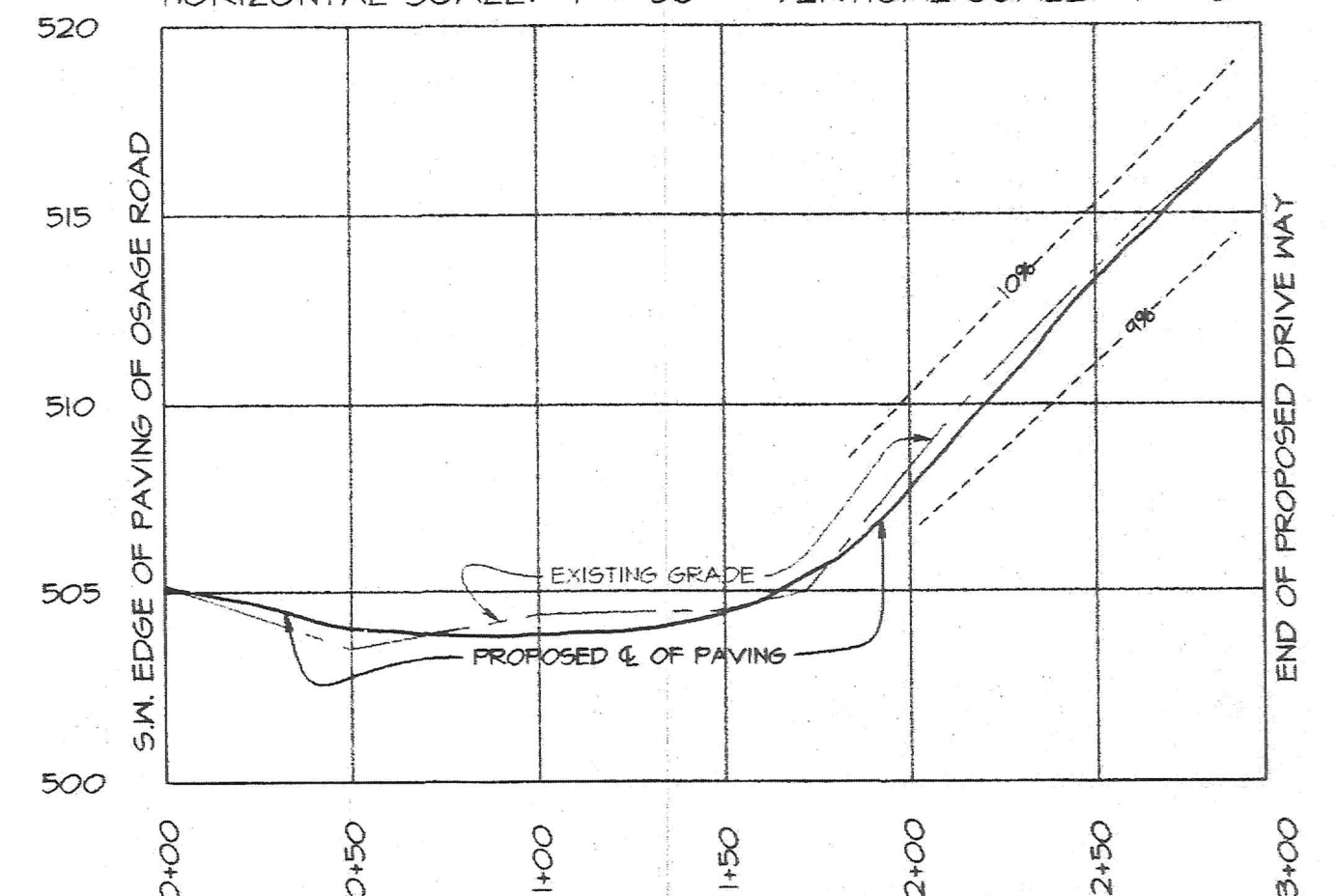


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STORM WATER MANAGEMENT • CONSTRUCTION SURVEYING • PROJECT MANAGEMENT • ZONING MATTERS

DEED MERIDIAN
S.M. No. 8437 folio 677

PROFILE OF EXISTING GROUND AND PROPOSED DRIVEWAY FOR LOT 1
HORIZONTAL SCALE: 1" = 50' VERTICAL SCALE: 1" = 5'



GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
2. THE TOPOGRAPHY SHOWN IS FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. NM 18-A.
3. THE TOPOGRAPHY SHOWN ON SOUTH & EAST OF LOT 1 HAS BEEN RUN & EDITED TO SHOW ACTUAL CONDITIONS.
4. THE SOIL TYPES TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 22.
5. CENSUS TRACT 4084 COUNCILMANIC DISTRICT 34 WATERSEWERED 11 REGIONAL PLANNING DISTRICT 304A
6. LOT 2 MAY NEED AN EJECTOR PUMP.
7. ALL LOTS SHOWN HEREON TO BE SERVED BY PRIVATE WELL AND SEPTIC.
8. BALTIMORE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED AS TO THE RIGHT OF ANY PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAN TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSE OF INGRESS, EGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TV.
9. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS APPARENT TO THE SITE.
10. ALL EXISTING SEPTIC SYSTEMS, WELLS, AND PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
11. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
12. NO GRADINGS IS TO BE DONE IN THE SEPTIC RESERVE AREA.
13. THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS. (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.)
14. A.C.T.S 2 x 12.4 = 24.8
15. OPEN SPACE IS NOT REQUIRED FOR MINOR SUBDIVISION.
16. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
17. BALTIMORE COUNTY CAN ACCESS THE FOREST BUFFER EASEMENT THROUGH THE ADJOINING DRAINAGE & UTILITIES LOCATED ON LOT 5, 'OSAGE CREST' ENCL. J. 46/1194 AND ACQUIRED BY BALTIMORE COUNTY IN A DEED AND AGREEMENT, DATED APRIL 8, 1983 AND RECORDED AT LIBER ENCL. J. 659/400.
18. THERE IS NO ZONING HISTORY ON THIS PROPERTY.
19. THIS PROPERTY AS SHOWN HEREON HAS BEEN HELD INTACT SINCE AUGUST 24, 1913.
20. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SERVE ANY OFF-SITE DWELLINGS.
21. THIS PROPERTY IS NOT PART OF A RECORDED SUBDIVISION.
22. ALL ZONING LINES WITHIN 200' OF THIS PROPERTY IS SHOWN HEREON.
23. THE PANHANDLE SHALL BE PAVED WITHIN 1 YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED.
24. THE PANHANDLE DRIVEWAY SHALL BE PAVED TO WIDE PER D.P.M.S STANDARD PLATE 'R-G'.
25. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY ARE TO REMAIN.
26. A ZONING FINAL DEVELOPMENT PLAN IS REQUIRED WHEN A 4TH LOT IS CREATED AS DETERMINED AS FROM THE EFFECTIVE DATE ZONING REGULATIONS FOR THAT ZONE.
27. THE APPROXIMATE LIMIT OF DISTURBANCE IS 15,000 SQ.FT.
28. THE SITE IS IMPROVED BY ONE EXISTING SINGLE FAMILY DWELLING AND ONE ADDITIONAL SINGLE FAMILY DWELLING IS PROPOSED.
29. NO GRADING OR CLEARING IS PERMITTED OVER THE EXISTING SEPTIC SYSTEM.

D.R. 2 MINIMUM YARD DIMENSIONS

MINIMUM FRONT & REAR YARDS DEPTHS	40'
MINIMUM SIDE YARD WIDTHS	15'
MINIMUM SUM OF SIDE YARD WIDTHS	40'
MINIMUM LOT WIDTH	100'

STORM WATER MANAGEMENT NOTES

STORM WATER MANAGEMENT MAY NOT BE REQUIRED AT THIS SITE, SECTION 2-150.5(d) OF THE BALTIMORE COUNTY CODE TITLE 14, ARTICLE V, STORM WATER MANAGEMENT SECTION 14-150(g), ALLOWS A VARIANCE TO BE GRANTED IF STRICT ADHERENCE TO THE PROVISIONS WOULD RESULT IN UNREASONABLE HARDSHIP OR PRACTICAL DIFFICULTY AND NOT FULFILL THE INTENT OF THIS DIVISION. THIS VARIANCE IS VALID AS LONG AS THE FOLLOWING CONDITIONS ARE ADDRESSED:

1. ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY, WATERCOURSE, WETLAND, STORM DRAIN OR ADJACENT PROPERTY.
2. TOTAL AREA OF LAND DISTURBANCE MUST BE NOTED ON THE PLAN. LIMITS OF DISTURBANCE MUST BE DELINEATED.
3. ALL IMPERVIOUS AREAS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVEYED AS SHEET FLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSION.
4. HOUSE DOWNSPUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR INTO DRY WELLS, WHERE FEASIBLE.
5. ADDITIONAL SUBDIVISION ON THESE PARCELS AND/OR LOTS WILL REQUIRE SWM CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.

IF THESE CONDITIONS FOR A VARIANCE CANNOT BE SATISFIED, THEN A WAIVER OR VARIANCE REQUEST MUST BE SUBMITTED TO THE DIVISION OF DESIGN AND REVIEW OF THE BUREAU OF ENGINEERING SERVICES WITH SUPPORTING HYDROLOGIC ANALYSIS AND IT MUST BE APPROVED PRIOR TO THIS SUBDIVISION.

FOREST BUFFER EASEMENT NOTES

1. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
2. ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
3. ACCESS TO THE FOREST BUFFER EASEMENT IS FROM THE EXISTING DRAINAGE & UTILITIES EASEMENT ADJOINING THE PROPERTY AND LOCATED ON LOT 5, 'OSAGE CREST', LIBER ENCL. J. No. 46 PLAT FOLIO 134.

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
MbB2	Slight	Slight	Moderate: slope
MbC2	Moderate: slope	Moderate: slope	Severe: slope
GnB	Severe: high water table, moderately slow permeability.	Severe: high water table	Severe: high water table
MbD3	Severe: slope	Severe: slope	Severe: slope

DATE	REVISION
09/24/01	PERC TEST 'D', RECONSTRUCTED SEPTIC SYSTEM, POINT OF BEGINNING AND NOTE 28 ADDED
08/28/01	LIMIT OF DISTURBANCE AND NOTES 26 & 27 ADDED
01/01/01	FIRST SUBMITTAL COMMENTS ADDRESSED.

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION COMMENTS AND HAVE PREPARED THIS DUE DILIGENCE THIS MINOR SUBDIVISION PLAN PURSUANT TO THOSE AGENCY COMMENTS



DENSITY CALCULATIONS		OWNER/DEVELOPER
GROSS AREA	2.04 Ac.±	VINCENZO DIFATTA & ROSA DIFATTA
AREA IN ROAD R/W	0.09 Ac.±	c/o SALVATORE DIFATTA
NET AREA	2.00 Ac.±	411 OSAGE ROAD
LOTS PERMITTED	2 x 2.04 = 4	COCKEYSVILLE, MARYLAND 21030-2647
LOTS PROPOSED	2	410-666-8080

BALTIMORE COUNTY MINOR SUBDIVISION
Project No. 96-162M

DEVELOPMENT REGULATIONS
☐ Exempt from Division 2
☒ Panhandle, exempt from Sections 26-202 & 26-206

FDM CERTIFICATION
☒ Approved ☐ Disapproved
By: *[Signature]* Date: 08-22-01

APPROVED, DEPRM
By: *[Signature]* Date: 9/21/01

PDM #96-162-M
MINOR SUBDIVISION OF THE
DIFATTA PROPERTY
411 & 413 OSAGE ROAD
Deed Ref: S.M. No. 11949 folio 300
Tax Account No. 16-00-011159
Zoned D.R. 2
Tax Map 42; Grid 24; Parcel 458
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

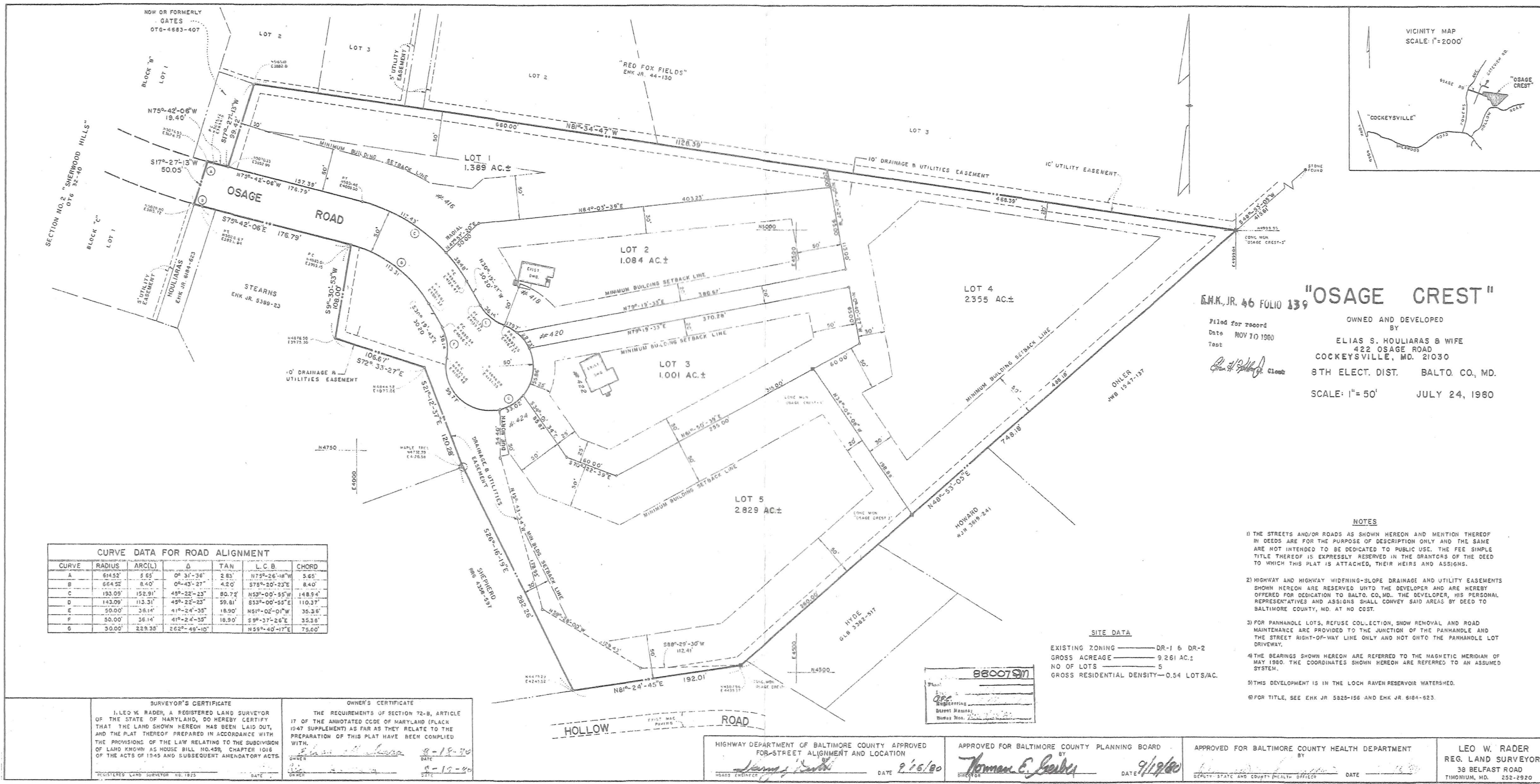
Scale: 1" = 50' DECEMBER 16, 1996

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

SYMBOLS LEGEND

- △ EXISTING WELL
- EXISTING CLEANOUT
- PROPOSED PERC TEST
- PASSED PERC TEST
- FAILED PERC TEST
- ⊞ PROPOSED WELL AREA
- ⊞ PROPOSED DWELLING
- UTILITY POLE WITH GUY
- SOIL LINE
- HOODS LINE
- LIMIT OF WETLANDS
- LIMIT OF DISTURBANCE
- EXISTING PAVING
- PROPOSED PAVING
- EXISTING SEPTIC WELL
- EXISTING SEPTIC TANK
- ZONING LINE
- ZONING LINE
- CONTOURS
- SLOPES ≥ 25%

BALTIMORE COUNTY CIRCUIT COURT (Plat) Plat Book EHK, Jr. 46, p. 139 MSA C2176 2039. Date available 10/1/1980



PAI # 8-310
PET EX 5

OWNED AND DEVELOPED BY
ELIAS E. HOULIARAS & WIFE
422 OSAGE ROAD
COCKEYSVILLE, MD. 21030

BALTO. CO., MD.

AMENDED: JULY 29, 1980
AMENDED: AUG. 20, 1980
AMENDED: AUG. 21, 1980

10' DRAINAGE & UTILITIES
EASEMENT

EXISTING 10' UTILITY
EASEMENT

SECTION NO. 2 "SHERWOOD HILLS"
OTG 32-40

GATEVIEW
ROAD

75 ADT -

SITE DATA

	ZONE DR 1	ZONE DR 2	TOTAL
GROSS AREA OF TRACT	3.829 AC ±	5.432 AC ±	9.261 AC ±
PERMITTED NO. OF DWELL. UNITS	1 x 3.829 = 3.8	2 x 5.432 = 10.86	14
PROPOSED NO. OF DWELLING UNITS			5
REQUIRED NO. OF PARKING SPACES (3x2)			10
PROPOSED NO. OF PARKING SPACES (2 PER DWELLING UNIT)			10

TO BE REMOVED _____
IF VARIANCE IS NOT OBTAINED

OFFICE OF PLANNING AND ZONING
APPROVED BY

E. Bolser agrees
Harry Grace 9/12/80

DIRECTOR OF PLANNING DATE

[Signature] 9/15
ZONING COMMISSIONER DATE

The seal of the State of Maryland is located in the upper right corner of the document. It features a circular design with the words "STATE OF MARYLAND" around the top and "1776" at the bottom. In the center is a shield with a ship (the Anne) and a figure holding a bow and arrow, with a star above.

L. W. Bader
REG. SURVEYOR NO. 1825

GENERAL NOTES

- 1) FOR PANHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND THE STREET RIGHT-OF-WAY LINE ONLY AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.
- 2) ♥ INDICATES PROPOSED STREET LIGHT. HEIGHT = 14'
- 3) TRASH TO BE PICKED UP BY BALTO. CO..
- 4) ALL EXISTING MAJOR VEGETATION OUTSIDE OF AREAS TO BE REGRADED WILL REMAIN. LANDSCAPING TO BE DONE BY INDIVIDUAL LOT OWNERS.
- 5) ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SEC. 400 AND 301 OF THE BALTO. CO. ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
- 6) MINIMUM SIZE OF PARKING SPACES = 8' X 18'
- 7) ALL PARKING SPACES AND DRIVEWAYS SHALL BE MACADAM PAVING.
- 8) ALL DWELLING UNITS WILL BE SOLD.
- 9) THIS PROJECT HAS BEEN EXEMPTED FROM STORM WATER MANAGEMENT REQUIREMENTS (ONLY 3 NEW DWELLING UNITS)
- 10) THE ELEVATIONS SHOWN HEREON ARE REFERRED TO AN ASSUMED DATUM. THE EXISTING CONTOURS (DASHED 2' INTERVAL) WERE OBTAINED PARTIALLY FROM FIELD RUN ELEVATIONS AND PARTIALLY FROM ADJUSTED AND INTERPOLATED CONTOURS OF BALTO. CO. PHOTOGRAMMETRY.
- 11) PROPOSED CONTOURS (SOLID - 1' INTERVAL)
- 12) WOODS LOCATION OBTAINED PARTIALLY FROM FIELD OBSERVATIONS AND PARTIALLY FROM BALTO. CO. PHOTOGRAMMETRY.
- 13) EXISTING DWELLINGS ON LOTS 2 AND 3 ARE TO BE RETAINED.
- 13)  INDICATES 10,000 SQ. FT. AREA FOR FUTURE SEPTIC SYSTEM.

TYPICAL PARKING LAYOUT
SEE NOTE 7

MICROFILMED

LEO W. RADER
REG. SURVEYOR
38 BELFAST RD.
TIMONIUM, MD CL 2-2920

Pet 9