MEMORANDUM

DATE: May 15, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2018-0228-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 14, 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: PETITION FOR VARIANCE (923 Bowleys Quarters Road) 15th Election District 6th Council District John & Colby Celmer *Legal Owners* Petitioners	*	BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS FOR BALTIMORE COUNTY **CASE NO. 2018-0228-A**

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by John & Colby Celmer, the legal owners of the subject property ("Petitioners"). The Petition seeks variance relief from Sections 1A04.3.A and 301.1 A of the Baltimore County Zoning Regulations ("BCZR") to permit a structure (dwelling) with a height of 43 ft. and an open porch/stair with a side yard of 6 ft. in lieu of the maximum permitted 35 ft., respectively. A site plan was marked as Petitioners' Exhibit 1.

David Billingsley and John Celmer appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS"), Bureau of Development Plans Review ("DPR") and the Department of Planning ("DOP"). None of the reviewing agencies opposed the requests.

The site is approximately 16,017 sq. ft. in size and zoned RC-5. The waterfront lot is unimproved, and is shown as Lot 71 on the 1921 Plat of Bowleys Quarters. Petitioners propose to construct a single-family dwelling on the lot but require variance relief to do so given the significant setbacks imposed by the RC 5 regulations.

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

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Date 4/13/18
By

(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).

This lot is narrow (50') and deep (approximately 320') and is therefore unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling. 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 absence of community and/or Baltimore County opposition.

THEREFORE, IT IS ORDERED, this **13th** day of **April, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a structure (dwelling) with a height of 43 ft. and an open porch/stair with a side yard of 6 ft. in lieu of the maximum permitted 35 ft., respectively, 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. Prior to issuance of permits Petitioners must comply with Critical Area and flood protection regulations.

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:sln

ORDER RECEIVED FOR FILING
Date 4/13/18
By

CBCA [redacted] [redacted] flood

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 923 BOWLEYS QUARTERS ROAD **which is presently zoned** RC5

Deed References: L.39932 F. 493 10 Digit Tax Account # 2400017808

Property Owner(s) Printed Name(s) JOHN AND COLBY CELMER

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

1. ____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

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

SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 4/13/18
By AEM

Legal Owners (Petitioners):

JOHN CELMER, COLBY CELMER
Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

1333 CANBERRA DR. BALTO. MD
Mailing Address City State

21221 (443) 739-1900 jjcelmer@gmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name – Type or Print

David Billingsley
Signature

601 CHARWOOD CT. EDGEWOOD, MD
Mailing Address City State

21040 (410) 679-8719 dwb0209@yahoo.com
Zip Code Telephone # Email Address

CASE NUMBER 2018-0228-A **Filing Date** 3/2/18 **Do Not Schedule Dates:** _____ **Reviewer** AT

REV. 10/4/11

SECTIONS 1A04.3.A AND 301.1.A (BCZR) TO PERMIT A STRUCTURE (DWELLING) WITH A HEIGHT OF 43 FEET AND AN OPEN PORCH / STAIR WITH A SIDE YARD OF 6 FEET IN LIEU OF THE MAXIMUM PERMITTED 35 FEET AND ~~10~~ 37.5 FEET RESPECTIVELY

2018-0228-A

ZONING DESCRIPTION

923 BOWLEYS QUARTERS ROAD

Beginning for the same at a point on the east side of Bowleys Quarters Road (30 feet wide), distant 885 feet northerly from its intersection with the center of Galloway Road (30 feet wide) thence being all of Lot 71 as shown on Plat 2 Bowleys Quarters recorded in plat book 7 folio 13.

Containing 16,017 square feet or 0.368 acre of land, more or less.

Being known as 923 Bowleys Quarters Road. Located in the 15th Election District, 6th Councilmanic District of Baltimore County, Md.

2018-0228-A

CERTIFICATE OF POSTING

RE-CERTIFIED 4/6/18

Date: MARCH 23, 2018

RE: Project Name: 923 BOWLEYS QUARTERS RD

Case Number /PAI Number: 2018-0228-A

Petitioner/Developer: JOHN AND COLBY CELMER

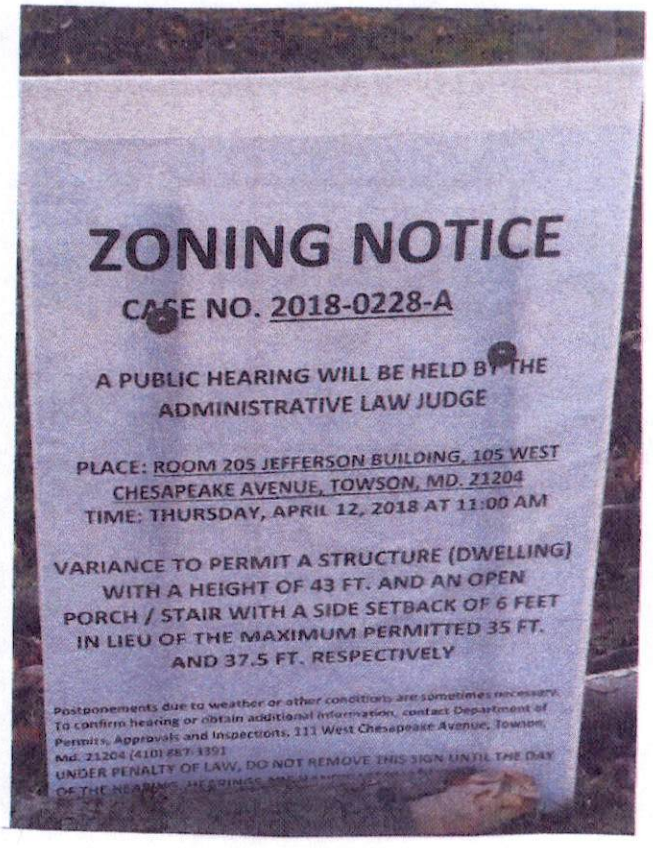
Date of Hearing/Closing: APRIL 12, 2018

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 923 BOWLEYS QUARTERS RD

RE CERTIFIED 4/6/18

The sign(s) were posted on MARCH 23 2018
(Month, Day, Year)

#1



David Billingsley 4/6/18

David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

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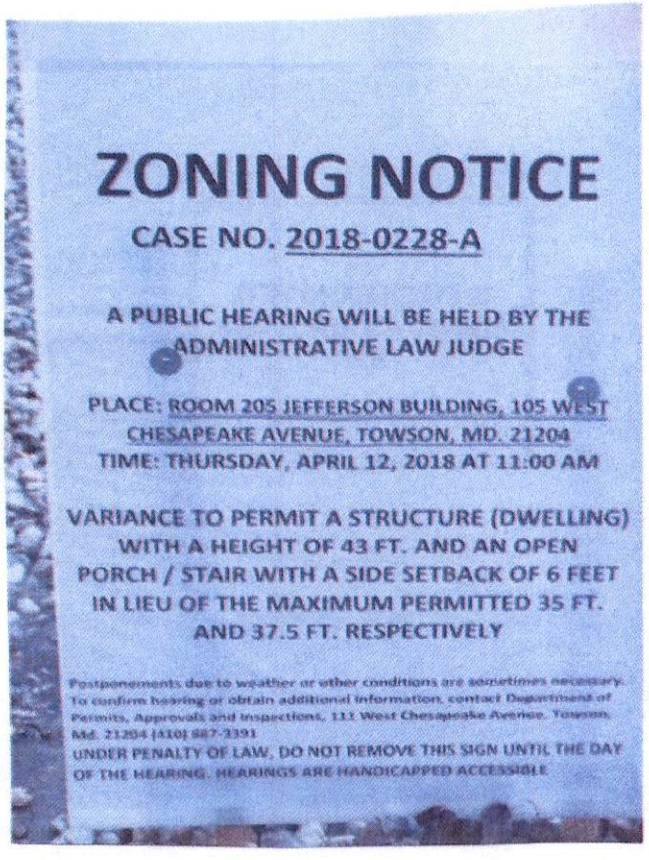
(Month, Day, Year)

#2



David Billingsley 4/6/18

David Billingsley

(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

THE BALTIMORE SUN MEDIA GROUP

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 5517714

Sold To:
John Celmer - CU00644705
1333 Canberra Dr
Essex,MD 21221-2603

Bill To:
John Celmer - CU00644705
1333 Canberra Dr
Essex,MD 21221-2603

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

Mar 22, 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: 2018-0228-A
923 Bowleys Quarters Road
E/s Bowleys Quarters Road, north of Gallway Road 15th Election District – 6th Councilmanic District Legal Owners: John & Colby Celmer
Variance to permit a structure (dwelling) with a height of 43 ft. and an open porch/stair with a side yard of 6 ft. in lieu of the maximum permitted 35 ft. and 37.5 ft., respectively.
Hearing: Thursday, April 12, 2018 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204
/s/ 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.
3/22/2018 5517714

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

4/12
11 AM

RECEIVED
APR 09 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

RE-CERTIFIED 4/6/18

Date: MARCH 23, 2018

RE: Project Name: 923 BOWLEYS QUARTERS RD

Case Number /PAI Number: 2018-0228-A

Petitioner/Developer: JOHN AND COLBY CELMER

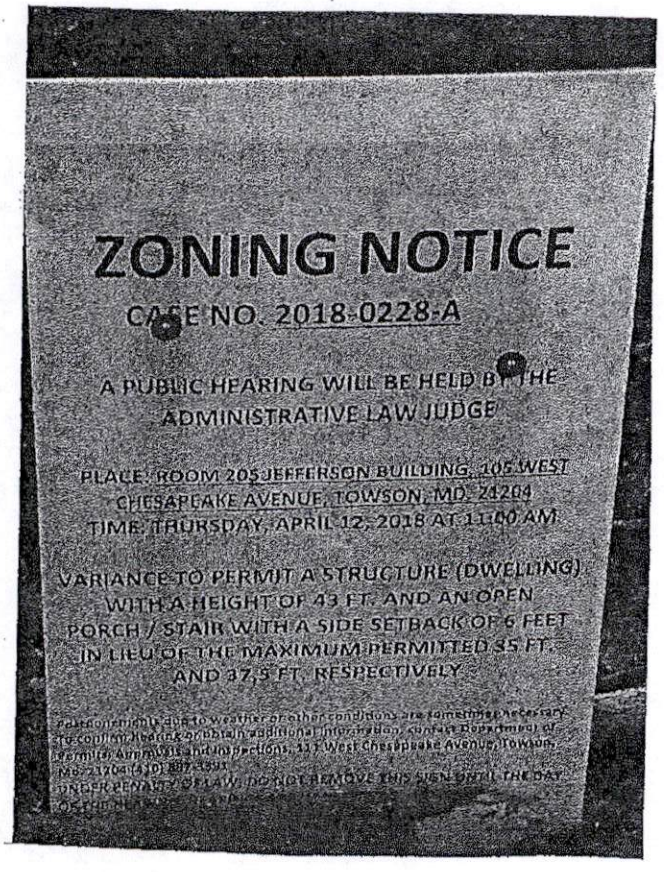
Date of Hearing/Closing: APRIL 12, 2018

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 923 BOWLEYS QUARTERS RD

RE CERTIFIED 4/6/18

The sign(s) were posted on MARCH 23 2018
(Month, Day, Year)

#1



David Billingsley 4/6/18
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

11/11

4/12
11 AM

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APR 09 2018
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ADMINISTRATIVE HEARINGS

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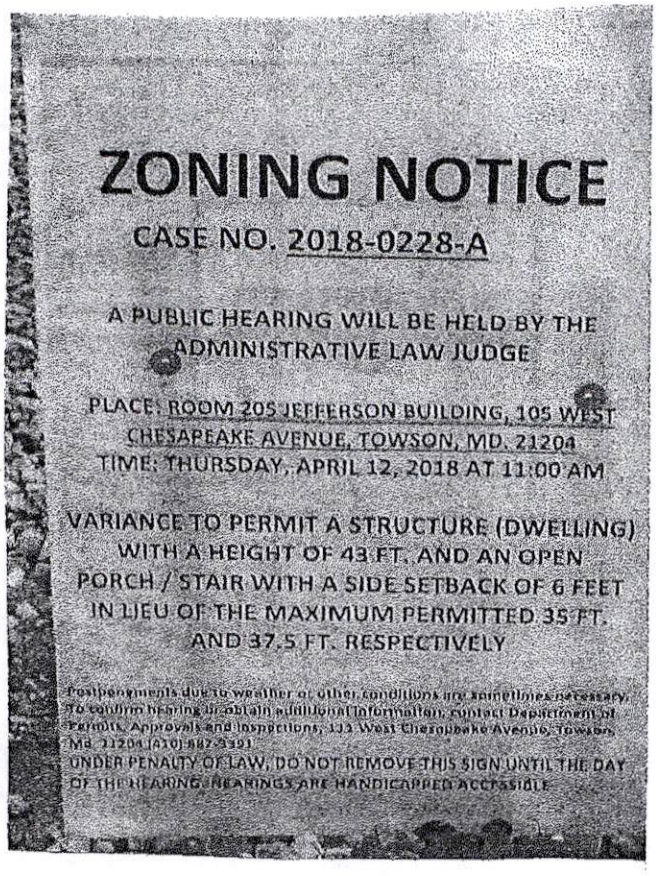
#2



David Billingsley 4/6/18
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
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11/11

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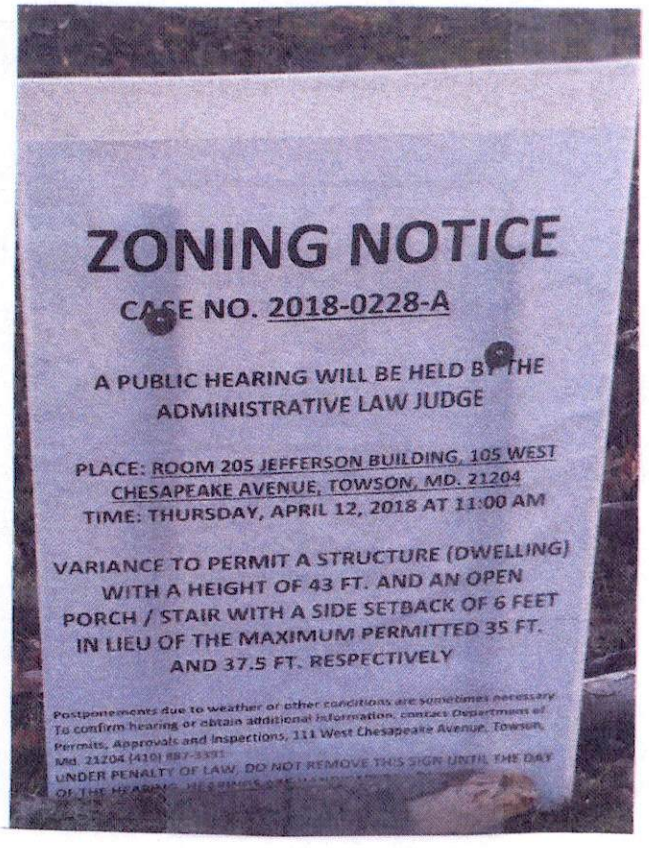

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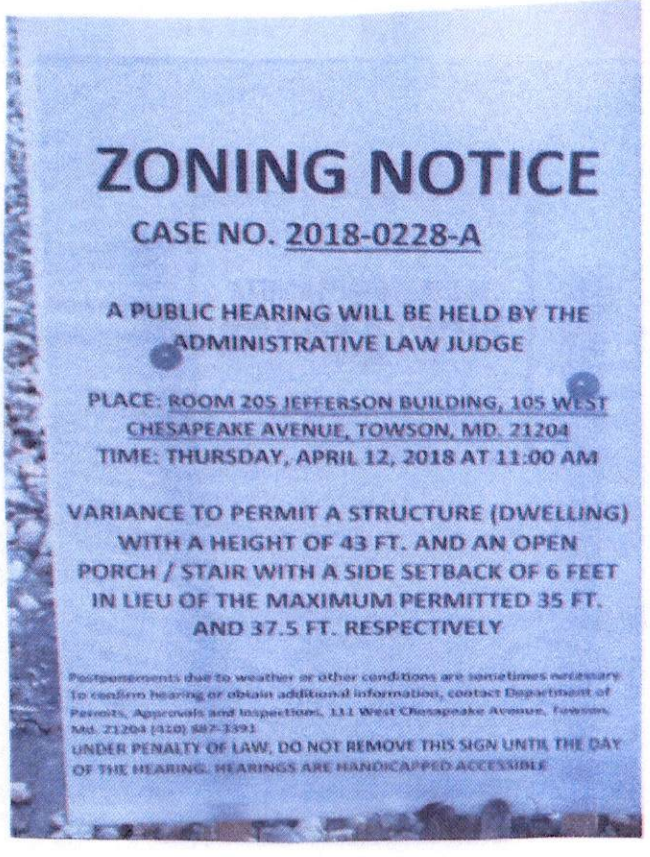

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DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 22, 2018 Issue - Jeffersonian

Please forward billing to:
John Celmer 443-739-1000
1333 Canberra Drive
Baltimore, MD 21221

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: 2018-0228-A
923 Bowleys Quarters Road
E/s Bowleys Quarters Road, north of Gallway Road
15th Election District – 6th Councilmanic District
Legal Owners: John & Colby Celmer

Variance to permit a structure (dwelling) with a height of 43 ft. and an open porch/stair with a side yard of 6 ft. in lieu of the maximum permitted 35 ft. and 37.5 ft., respectively.

Hearing: Thursday, April 12, 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.

KEVIN KAMENETZ
County Executive

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

March 19, 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: 2018-0228-A
923 Bowleys Quarters Road
E/s Bowleys Quarters Road, north of Gallway Road
15th Election District – 6th Councilmanic District
Legal Owners: John & Colby Celmer

Variance to permit a structure (dwelling) with a height of 43 ft. and an open porch/stair with a side yard of 6 ft. in lieu of the maximum permitted 35 ft. and 37.5 ft., respectively.

Hearing: Thursday, April 12, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: John & Colby Celmer, 1333 Canberra Drive, Baltimore 21221
David Billingsley, 601 Charwood Court, Edgewood 21040

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 23, 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.

RE: PETITION FOR VARIANCE 923 Bowleys Quarters Road; E/S Bowleys Quarters Road, 885' N of Galloway Road 15th Election & 6th Councilmanic Districts Legal Owner(s): John & Colby Celmer Petitioner(s)	*	BEFORE THE OFFICE
	*	OF ADMINSTRATIVE
	*	HEARINGS FOR
	*	BALTIMORE COUNTY
	*	2018-228-A

* * * * * * * * * * * * *

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

RECEIVED
MAR 09 2018

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March, 2018, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court Edgewood, Maryland 21040, 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: 2018-0228-A

Property Address: 923 BOWLEYS QUARTERS RD

Property Description: _____

_____

Legal Owners (Petitioners): JOHN & COLBY CELMER

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN CELMER

Company/Firm (if applicable): _____

Address: 1333 CANBERRA DR.

BALTO CO, MD

_____

Telephone Number: (443) 739-1000

Revised 7/9/2015

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

No 166111

Date: 3/2/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	SEC	0000		6152				$75

Total: $75

Rec From:

For: 923 RAILEYE QUARTERS RD
2018-0278-A

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

PAID RECEIPT
BUSINESS ACTUAL TIME
3-02-2018 3/02/2018 10:38:08
RECEIPT # 166111 3-02-2018
Dept: ZONING VERIFICATION
DP NO: 166111
Rcpt Tot $75.00
$250.00 CK 1.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

KEVIN KAMENETZ
County Executive

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

April 4, 2018

John & Colby Celmer
1333 Canberra Drive
Baltimore MD 21221

RE: Case Number: 2018-0228 A, Address: 923 Bowleys Quarters Road

Dear Mr. & Ms. Celmer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 2, 2018. This letter is not an approval, but only a **NOTIFICATION.**

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David Billingsley, 601 Charwood Road, Edgewood MD 21040

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

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

Date: 3/8/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2018-0228-A
Variance
John & Colby Celmer
923 Bowleys Quarters 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,

Richard A Zeller

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

WW/RAZ

RECEIVED
MAR 28 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 3/26/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-228

INFORMATION:
Property Address: 923 Bowleys Quarters Road
Petitioner: John Celmer, Colby Celmer
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a single family dwelling with a height of 43 feet and an open projection (porch/stair) with a property line setback of 6 feet in lieu of the maximum permitted 35 foot height and 37.5 foot setback respectively.

A site visit was conducted on March 12, 2018. The site was the subject of prior zoning case 2005-0662-SPHA.

The Department has no objection to granting the petitioned zoning relief. Please be advised the site is subject to the R.C. 5 performance standards pursuant to BCZR §1A04.4. Architectural elevations must be submitted to the Department for review at building permit application.

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

Prepared by:

Lloyd T. Moxley

Deputy Director:

Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
David Billingsley
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-12

RECEIVED
MAR 19 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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: March 19, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0228-A
Address 923 Bowleys Quarters Road
(Celmer Property)

Zoning Advisory Committee Meeting of **March 12, 2018**.

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

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

   The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) and is subject to Critical Area requirements. The applicant is proposing to construct a dwelling with greater height than permitted and reduced side yard setbacks. The lot is waterfront, and the proposed dwelling must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. The plan states the property is 16,017 square feet but the tax records indicate the lot size is 13,504 square feet. Once the correct acreage is determined, lot coverage is limited to a maximum of 31.25%, with mitigation required for any lot coverage between 25% and 31.25%. 15% afforestation is required; the total amount of trees will depend on the correct acreage. Based on the site plan provided, it does not appear that the proposed dwelling location meets the MBA requirements. If the lot coverage, afforestation, and MBA requirements can be met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

   This property is waterfront and must meet all lot coverage, MBA, and afforestation requirements. At this time this office cannot determine these requirements can be met. If these requirements are met this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

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

   This is a grandfathered lot. There was not enough information provided to determine if all Critical Area requirements can be met. Provided that the applicants can meet their lot coverage, MBA, and afforestation requirements, then the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 23, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2018
Item No. 2018-0228-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comment

Prior to submitting the building permit application the petitioner shall contact the office of the Director of Public Works to determine the flood protection elevations, so that the first floor elevation can be established.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 3/26/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 18-228

INFORMATION:
Property Address: 923 Bowleys Quarters Road
Petitioner: John Celmer, Colby Celmer
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a single family dwelling with a height of 43 feet and an open projection (porch/stair) with a property line setback of 6 feet in lieu of the maximum permitted 35 foot height and 37.5 foot setback respectively.

A site visit was conducted on March 12, 2018. The site was the subject of prior zoning case 2005-0662-SPHA.

The Department has no objection to granting the petitioned zoning relief. Please be advised the site is subject to the R.C. 5 performance standards pursuant to BCZR §1A04.4. Architectural elevations must be submitted to the Department for review at building permit application.

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

Prepared by:
Lloyd T. Moxley

Deputy Director:
Jeff Mayhew

AVA/KS/LTM/

c: Krystle Patchak
David Billingsley
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: March 19, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0228-A
Address 923 Bowleys Quarters Road
(Celmer Property)

Zoning Advisory Committee Meeting of **March 12, 2018**.

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   Reviewer: Regina Esslinger

PLEASE PRINT CLEARLY

CASE NAME 923 BOWLEYS QUARTERS RD
CASE NUMBER 2018-0228-A
DATE 4/12/18

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
DAVID BILLINGSLEY	601 CHARWOOD CT.	EDGEWOOD MD 21040	dwb0209@yahoo.com
JOHN CELMER	1333 CANBERRA DRIVE	BALTO. MD. 21221	

CASE NO. 2018-0228-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
3/23/18	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	Comment
3/19/18	DEPS (if not received, date e-mail sent _____)	Comment
_____	FIRE DEPARTMENT	_____
3/26/18	PLANNING (if not received, date e-mail sent _____)	NO Objection w/Comment
3/8/18	STATE HIGHWAY ADMINISTRATION	NO Objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2005-0062-SPHA)

NEWSPAPER ADVERTISEMENT Date: 3/22/18

SIGN POSTING Date: 1st 3/23/18, 2nd 4/6/18 by Billingsley Billingsley

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 - 15 Account Number - 2400012808

Owner Information

Owner Name:	CELMER JOHN J CELMER COLBY A	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	1333 CANBERRA DR ESSEX MD 21221-	**Deed Reference:**	/39932/ 00493

Location & Structure Information

Premises Address:	923 BOWLEYS QUARTERS RD MIDDLE RIVER 21220-	**Legal Description:**	.31AC ES BOWLEYS QUARTERS RD 2 BOWLEYS QUARTERS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0091	0022	0150		0000			71	2018	Plat Ref:	0007/ 0013

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

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			13,504 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2018	As of 07/01/2017	As of 07/01/2018
Land:	262,300	161,300		
Improvements	8,600	8,600		
Total:	270,900	169,900	270,900	169,900
Preferential Land:	0			0

Transfer Information

Seller: 923 BQ LLC	**Date:** 02/12/2018	**Price:** $220,000
Type: ARMS LENGTH VACANT	**Deed1:** /39932/ 00493	**Deed2:**
Seller: ROESNER HENRY	**Date:** 12/07/2005	**Price:** $300,000
Type: ARMS LENGTH VACANT	**Deed1:** /23023/ 00390	**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:**

IN RE: **PETITIONS FOR SPECIAL HEARING & VARIANCE** – NE/S Bowleys Quarters Road, 1,380' S of the c/l Susquehanna Avenue **(923 Bowleys Quarters Road)** 15th Election District 6th Council District

Henry Roesner, Legal Owner;
Patrick C. Kerr, et ux, Contract Purchasers

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-662-SPHA

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Henry Roesner, owner of the subject property, and Patrick C. Kerr and Linda T. Kerr, as Contract Purchasers. The Petitioners request special hearing relief and a series of variances from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit development of the subject property with a single-family dwelling. Specifically, relief is requested from Section 1A04.3.B.1.a of the B.C.Z.R. to approve the subject property as an undersized lot and to determine that density will not be affected by the proposed development. In addition, variance relief is requested from Section 1A04.3.B.2.b to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and from Section 1A04.3.A to allow a building height of 36'11-1/8" in lieu of the maximum allowed 35 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Henry Roesner, owner of the property, Patrick C. Kerr, who has contracted to purchase the property, Doug DuVal, Architect, and Anthony J. DiPaula, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped waterfront parcel located with frontage on Seneca Creek and the northeast side of

Bowleys Quarters Road in Middle River. The property is an unimproved parcel, also known as Lot 71 of Bowleys Quarters Plat No. 2, which was recorded in the Land Records on May 26, 1921, well prior to the adoption of the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots in this community are undersized and do not meet current width and/or area requirements for development. Mr. & Mrs. Kerr have contracted to purchase the property and are desirous of developing the lot with a single-family dwelling. However, given the narrow width and small area of the lot, the requested zoning relief is necessary. In addition, a variance from height limitations is requested given the proposed construction in a designated flood hazard area. Finally, special hearing relief is requested to approve the subject lot as undersized and a determination that density will not be affected by the proposed development.

In this regard, testimony disclosed that Henry Roesner at one time owned three adjacent lots, namely Lots 71, 72 and 73 of Bowleys Quarters. Mr. Roesner resided on the middle lot (Lot 72) in the dwelling known as 923 Bowleys Quarters Road, until that home was destroyed by Hurricane Isabel in 2003. Mr. Roesner recently sold Lot 73 to another party and has contracted to sell Lot 71 to the Petitioners.

As shown on the site plan, the subject property is 51.16 feet wide and approximately 320 feet deep, and contains a gross area of 0.3677 acres, (16,017 sq.ft.) more or less, zoned R.C.5. The R.C.5 regulations require a minimum lot area of 1.5 acres, and setbacks of no less than 50 feet to any property line. Thus, it is clear that the property could not be developed without the requested zoning relief. In support of the request, Counsel for the Petitioners noted that the property has been a duly recorded lot of record since 1921. Moreover, the proposed development will be compatible with the pattern of development in the neighborhood and will provide setbacks consistent with other houses in the community.

After due consideration of the testimony and evidence presented, I am persuaded that relief should be granted. To deny relief would result in a practical difficulty for the Petitioners and prohibit reasonable use of the property for a permitted purpose. As noted above, many of the

lots are similar in area and width as the subject property. Moreover, the proposed dwelling will be consistent with the pattern of development in the neighborhood and meets the spirit and intent of Section 307 of the B.C.Z.R. and Cromwell v. Ward, 102 Md. App. 691 (1995). In this regard, the Office of Planning had requested that certain conditions be imposed to the grant of any relief to insure compliance with the R.C.5 zoning regulations and development standards. However, just prior to the start of the hearing, building elevation drawings of the proposed dwelling were submitted to the Office of Planning who provided an amended comment. That comment indicates they support the Petitioners' proposal and find same to be in accordance with the spirit and intent of the R.C.5 regulations and performance standards.

I further find that the subject property meets the requirements of Section 304 of the B.C.Z.R. and that the proposed development will not result in any increase in density. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the request. To the contrary, the community supports the proposal as evidenced by the letter received from the Bowleys Quarters Improvement Association. Thus, it appears that relief can be granted without detrimental impact to the surrounding locale. However, as conditions to this approval, the proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. Moreover, due to the property's waterfront location, the proposed construction must comply with Federal Flood Insurance regulations and Chesapeake Bay Critical Areas requirements as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management and the Development Plans Review Division of the Department of Permits and Development Management, copies of which are attached hereto and made a part hereof.

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 by the Zoning Commissioner for Baltimore County this 8th day of September 2005 that the Petition for Special Hearing seeking approval of the

subject property as an undersized lot and a determination that density will not be affected by the proposed development, pursuant to Section 1A04.3.B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2.b to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and from Section 1A04.3.A to allow a building height of 36'11-1/8" in lieu of the maximum allowed 35 feet for a proposed single-family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.

3) Compliance with the ZAC comments submitted by DEPRM and the Bureau of Development Plans Review relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations for the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

BW 9/7

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED
AUG - 3 2005
ZONING COMMISSIONER

TO: Tim Kotroco

FROM: Bruce Seeley

DATE: August 3, 2005

SUBJECT: Zoning Item # 662
Address 923 Bowleys Quarters Rd
Roesner Prop

Zoning Advisory Committee Meeting of 6-20-05

___ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

___ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

___ Development of this property must comply with the Forest Conservation Regulations (Section 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Patricia Farr Date: August 3, 2005

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: July 5, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 30, 2005
Item No. 662

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

The flood protection elevation for this site is 10.4.

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

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

The building engineer shall require a permit for this project.

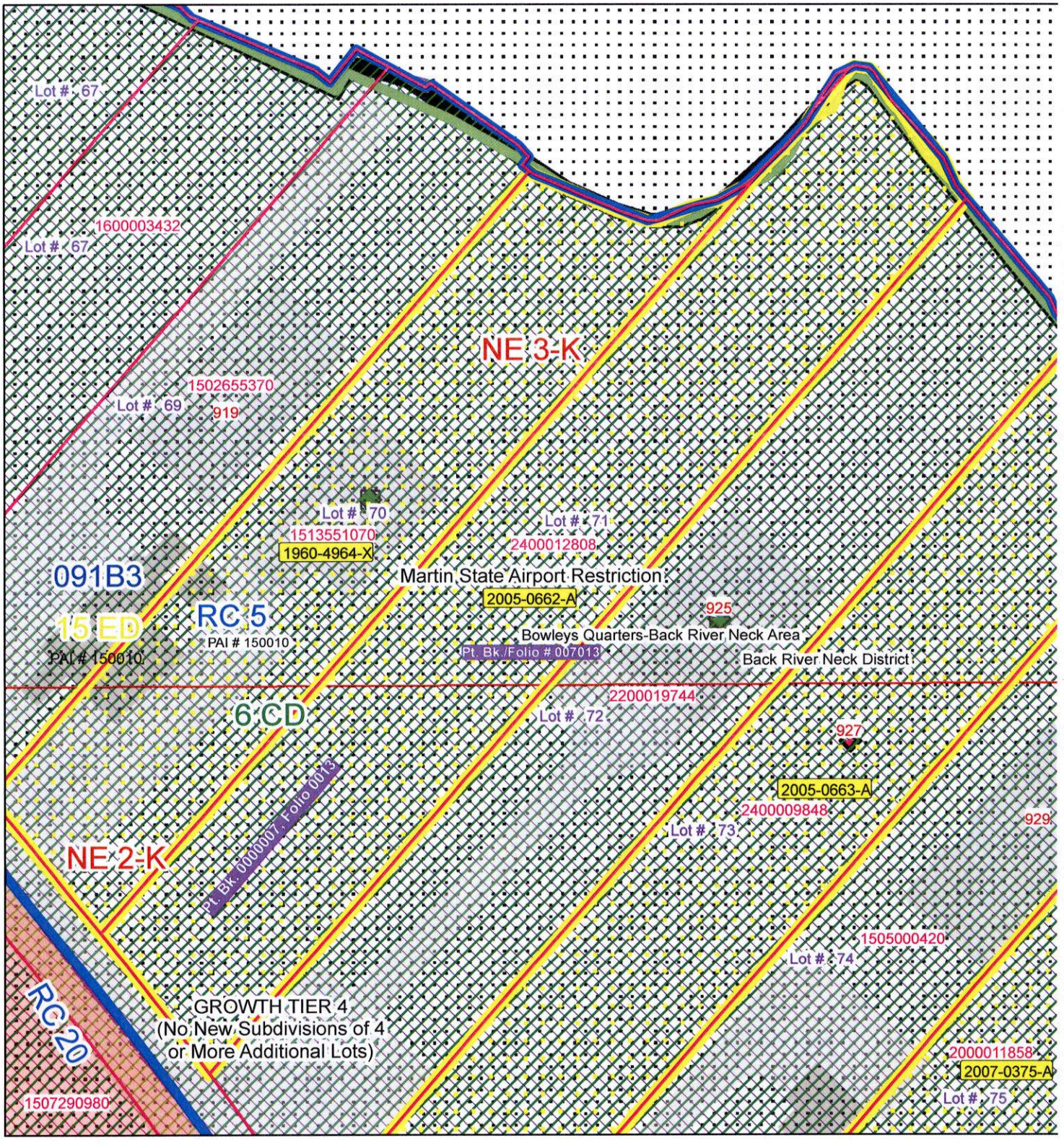
The building shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by the county.

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

DAK:CEN:clw
cc: File
ZAC-ITEM NO 662-07052005.doc

923 Bowleys Quarters Road



Publication Date: 3/2/2018

Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

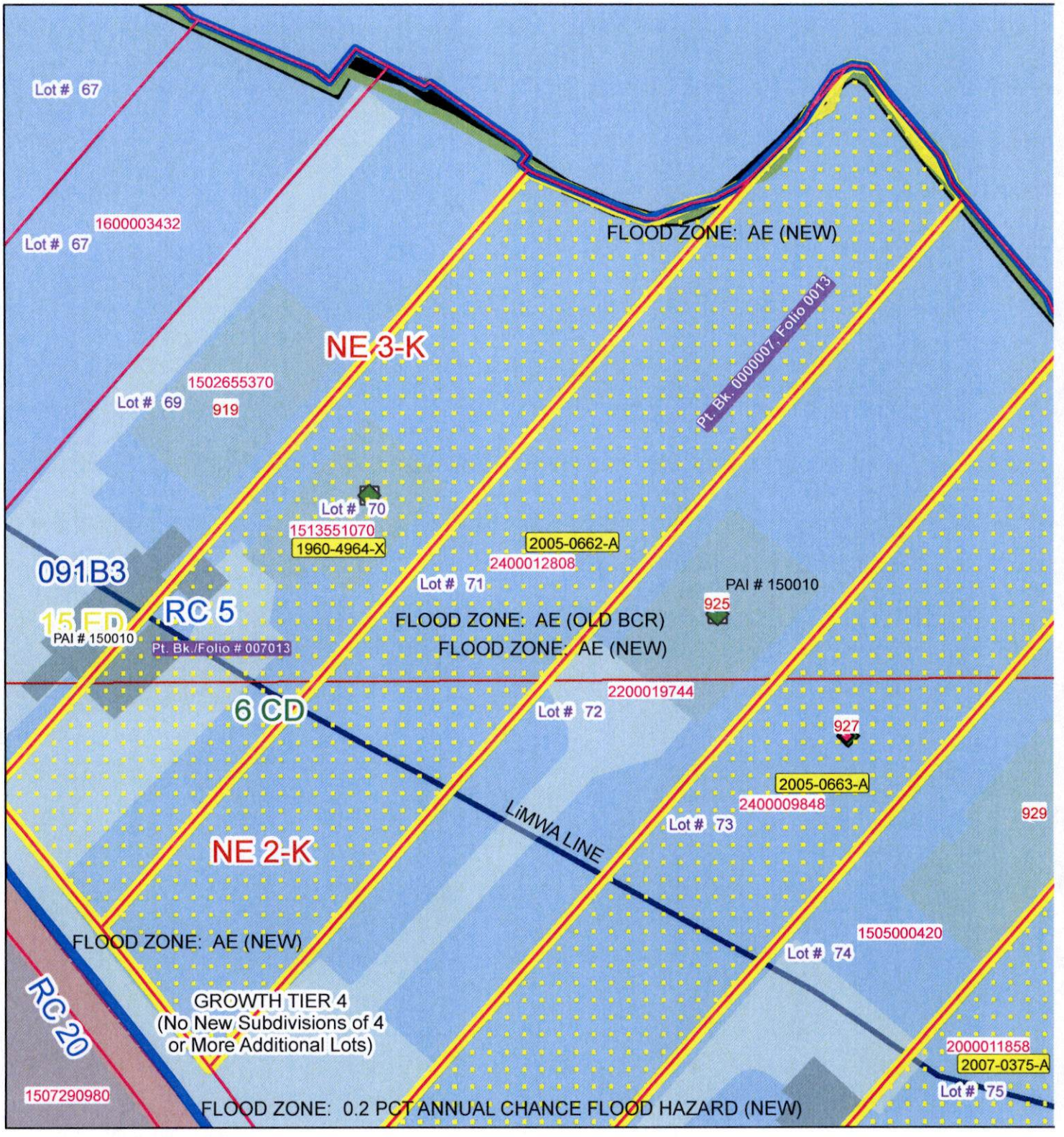
N
W E
S

0 10 20 40 60 80 Feet

1 inch = 40 feet

2018-0228-A

Flood Hazard Areas



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FIPS 1900, NAD 1983/91 HARN, US Foot

N
W E
S

0 10 20 40 60 80
Feet

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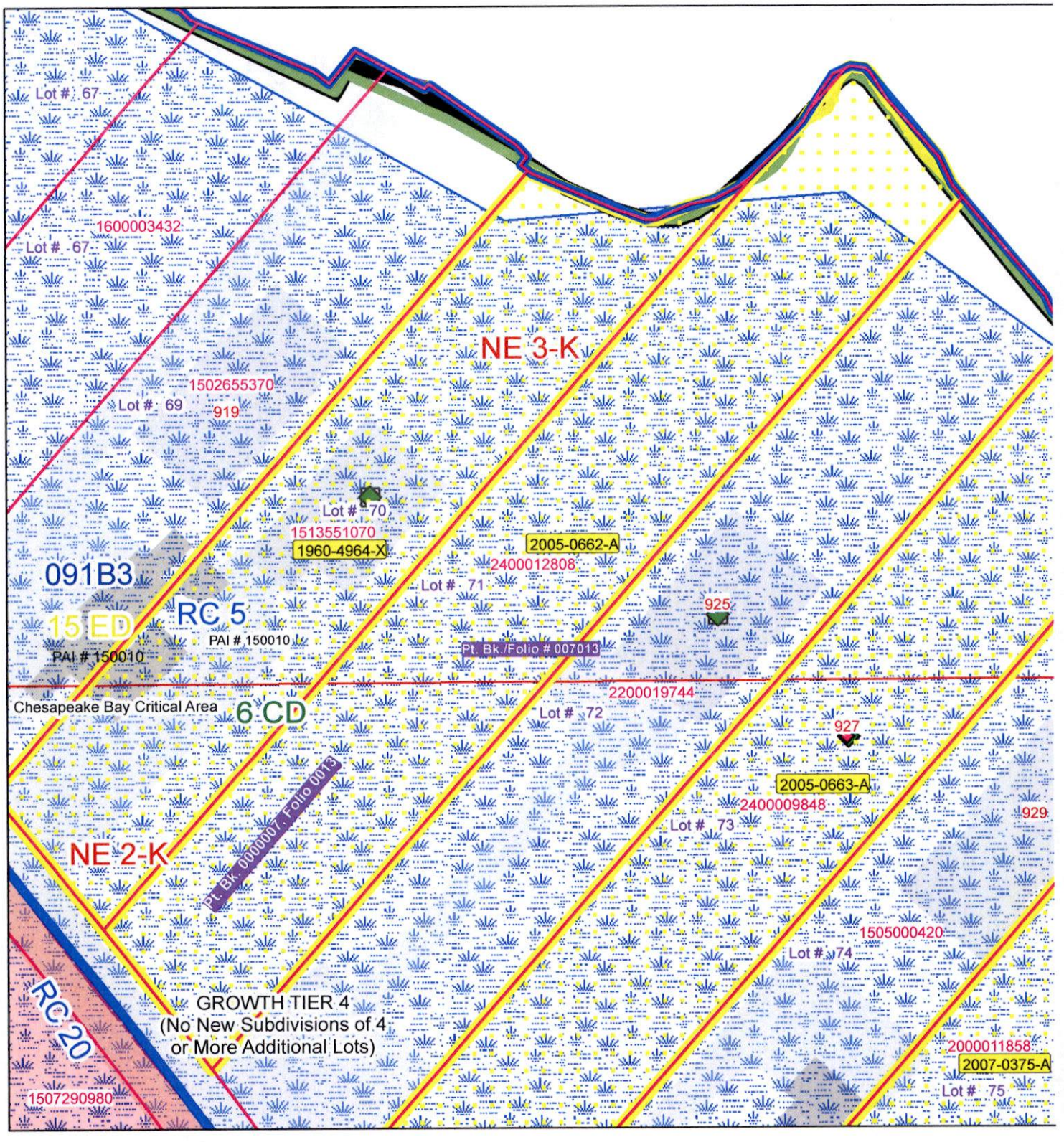
2018-0228-A

Chesapeake Bay Critical Area



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2018-0228-A

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Henry Roesner, Legal Owner; Patrick C. Kerr, et ux, Contract Purchasers

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 05-662-SPHA

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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Date 9/8/05
By

2018-0228-A

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Date
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I further find that the subject property meets the requirements of Section 304 of the B.C.Z.R. and that the proposed development will not result in any increase in density. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the request. To the contrary, the community supports the proposal as evidenced by the letter received from the Bowleys Quarters Improvement Association. Thus, it appears that relief can be granted without detrimental impact to the surrounding locale. However, as conditions to this approval, the proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. Moreover, due to the property's waterfront location, the proposed construction must comply with Federal Flood Insurance regulations and Chesapeake Bay Critical Areas requirements as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management and the Development Plans Review Division of the Department of Permits and Development Management, copies of which are attached hereto and made a part hereof.

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 by the Zoning Commissioner for Baltimore County this 8th day of September 2005 that the Petition for Special Hearing seeking approval of the

ORDER RECEIVED FOR FILING
Date 9/8/05
By

subject property as an undersized lot and a determination that density will not be affected by the proposed development, pursuant to Section 1A04.3.B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2.b to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and from Section 1A04.3.A to allow a building height of 36'11-1/8" in lieu of the maximum allowed 35 feet for a proposed single-family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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By

PETITIONER'S EXHIBITS

DW 5-15-18

Sln 4/13/18

923 BOWLEYS QUARTERS ROAD
CASE NO. 2018-0228-A

1. PLAT TO ACCOMPANY PETITION DATED 2-12-2018 (NO CHANGES)
2. SDAT REAL PROPERTY DATA SEARCH
3. DEED OF RECORD L.39932 F.493
4. PLAT 2 BOWLEYS QUARTERS PB 7 F 13 RECORDED 5/26/1921
5. AERIAL PHOTO
6. PHOTOS a-c
7. BUILDING ELEVATIONS

4/12
11 AM

Case No.: 2018-0228-A - 923 Bowleys Qtrs. Rd.

Exhibit Sheet

	Petitioner/Developer	Protestants
No. 1		
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District -** 15 **Account Number -** 2400012808

Owner Information

Owner Name:	CELMER JOHN J CELMER COLBY A	**Use:** **Principal Residence:**	RESIDENTIAL NO
Mailing Address:	1333 CANBERRA DR ESSEX MD 21221-	**Deed Reference:**	/39932/ 00493

Location & Structure Information

Premises Address:	923 BOWLEYS QUARTERS RD MIDDLE RIVER 21220-	**Legal Description:**	.31AC ES BOWLEYS QUARTERS RD 2 BOWLEYS QUARTERS

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0091	0022	0150		0000			71	2018	Plat Ref:	0007/ 0013

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

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			13,504 SF	34

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2018	As of 07/01/2017	As of 07/01/2018
Land:	262,300	161,300		
Improvements	8,600	8,600		
Total:	270,900	169,900	270,900	169,900
Preferential Land:	0			0

Transfer Information

Seller: 923 BQ LLC	**Date:** 02/12/2018	**Price:** $220,000
Type: ARMS LENGTH VACANT	**Deed1:** /39932/ 00493	**Deed2:**
Seller: ROESNER HENRY	**Date:** 12/07/2005	**Price:** $300,000
Type: ARMS LENGTH VACANT	**Deed1:** /23023/ 00390	**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

PETITIONER'S EXHIBIT NO. 2

Lawyers Trust Title Company
File No. **17-1088MSH**
Tax ID # **(15) 24-00-012808**

This Deed, made this **29th** day of **December, 2017**, by and between **923 BQ, LLC**, a Maryland limited liability company, GRANTOR, and **John J. Celmer** and **Colby A. Celmer**, GRANTEES.

- Witnesseth -

That in consideration of the sum of Two Hundred Twenty Thousand and 00/100 Dollars ($220,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said John J. Celmer and Colby A. Celmer, as joint tenants unto the survivor of them, their heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland, and described as follows, that is to say:

Being known and designated as Lot No. 71, Plat 2, as shown on a plat entitled "Plat of Bowley's Quarter Company of Baltimore County" which plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7 at folio 13. The improvements thereon being known as 923 Bowleys Quarters Road.

Being the same property, which by deed dated October 27, 2005 and recorded among the Land Records of Baltimore County in Liber SM 23023 at Folio 390, was granted and conveyed by Henry Roesner unto 923 BQ, LLC, a Maryland limited liability company.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract 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 John J. Celmer and Colby A. Celmer, as joint tenants unto the survivor of them, their heirs and assigns, in fee simple.

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

LR - Deed (w Taxes)	
Recording only ST20.00	
Name: 923 BQ/Celmer	
Ref:	
LR - Deed (with Taxes)	
Surcharge	40.00
LR - Deed State	
Transfer Tax	1,100.00
LR - NR Tax - Ukd	0.00
SubTotal:	1,160.00
Total:	1,275.00
02/12/2018 11:39	
	CC02-AN
#9828841 CC0301 -	
Baltimore	
County/CC03.01.01 -	

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 39932, p. 0493, MSA_CE62_39789. Date available 02/13/2018. Printed 04/11/2018.

PETITIONER'S EXHIBIT NO. 3

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

923 BQ, LLC

By: _____
Patrick C. Kerr, Authorized Person

STATE OF MARYLAND
COUNTY OF Baltimore } ss

I hereby certify that on this 29th day of December, 2017 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Patrick C. Kerr, who acknowledged himself to be the Authorized Person of the Grantor limited liability company, and that as such Authorized Person, being authorized to do so, executed the aforegoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself as such Authorized Person and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer or all, or substantially all, of the property and assets of the limited liability company, giving oath under penalties of perjury that the consideration recited herein is correct.

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

MICHAEL S HARRISON
Notary Public
Baltimore County
Maryland
My Commission Expires June 23, 2018

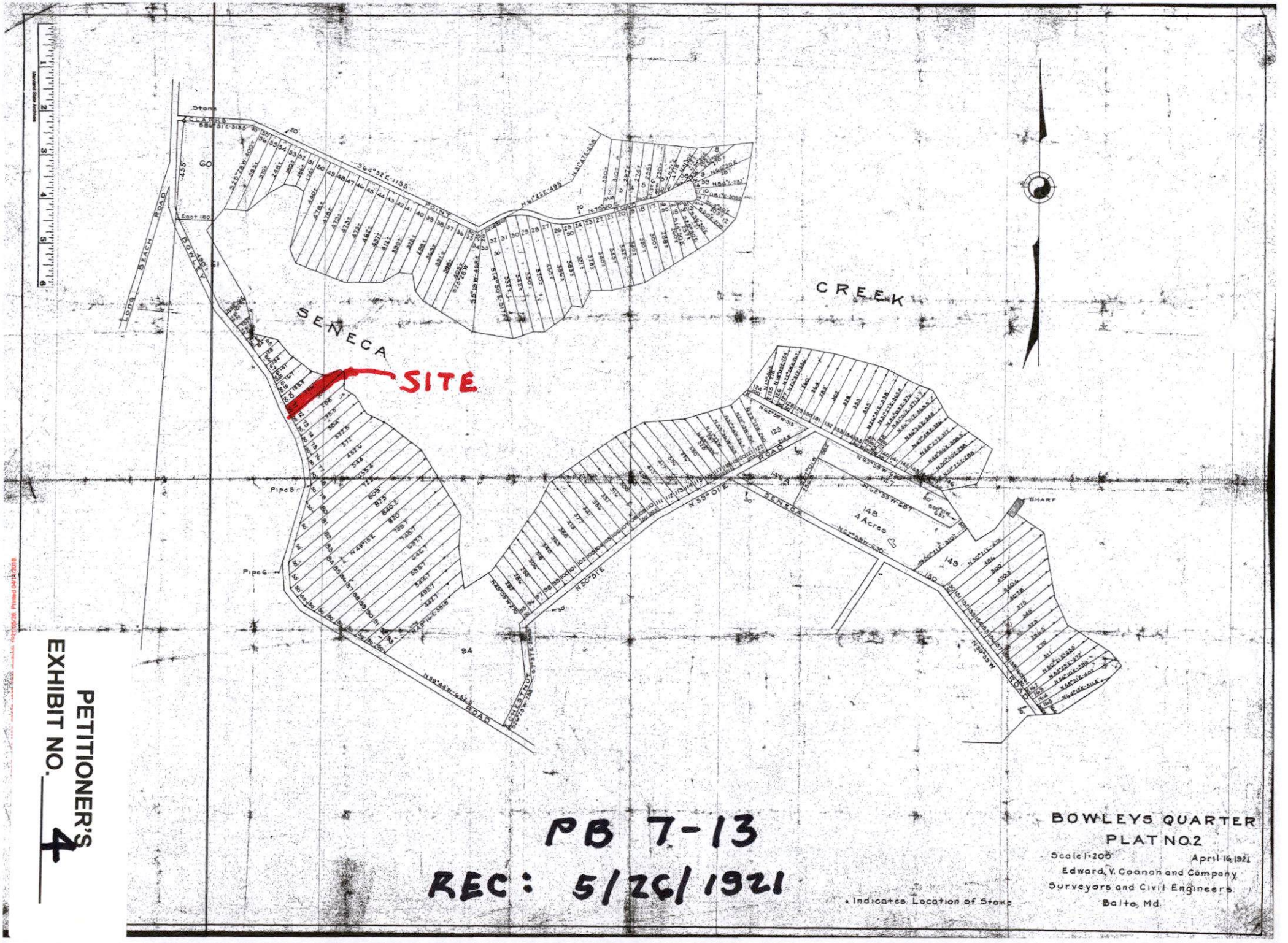
_____
Notary Public
My commission expires: 6-23-2018

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

_____
Attorney
Russell M. Barnes

AFTER RECORDING, PLEASE RETURN TO:
John J. Celmer and
Colby A. Celmer
1333 Canberra Drive
Essex, MD 21221

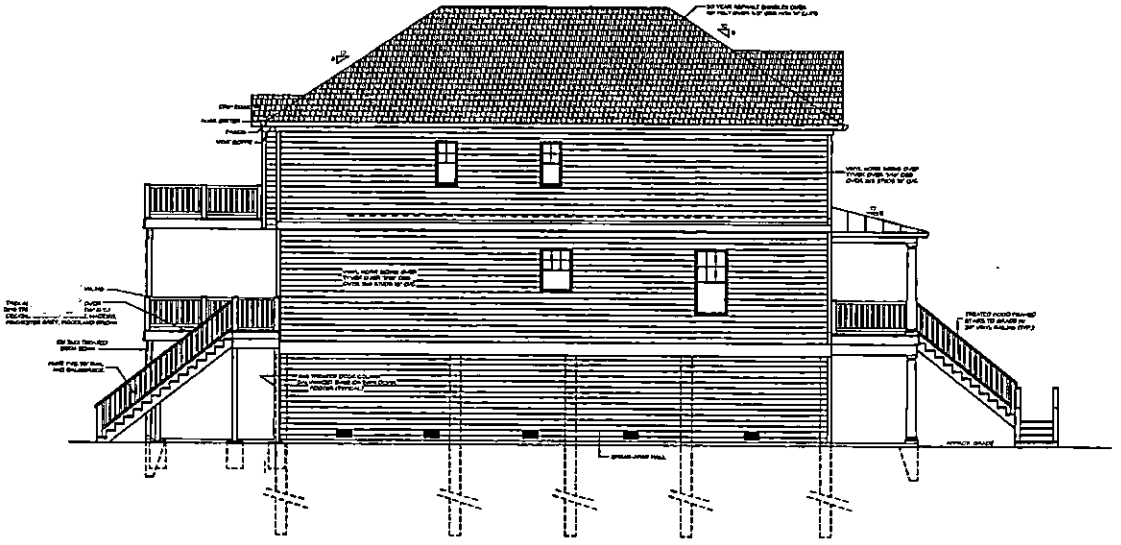
BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 39932, p. 0494, MSA_CE62_39789. Date available 02/13/2018. Printed 04/11/2018.



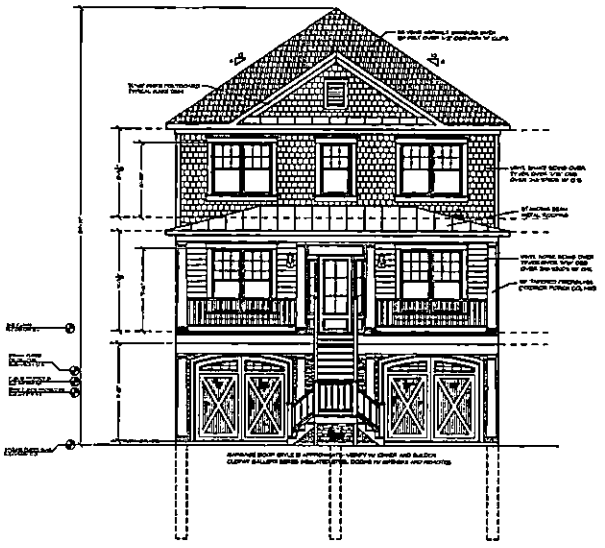
PETITIONER'S
EXHIBIT NO. 4

Untitled Map
Write a description for your map.
Legend
923 Bowleys Quarters Rd
SITE
923 Bowleys Quarters Rd
Google Earth
PETITIONER'S
EXHIBIT NO. 5

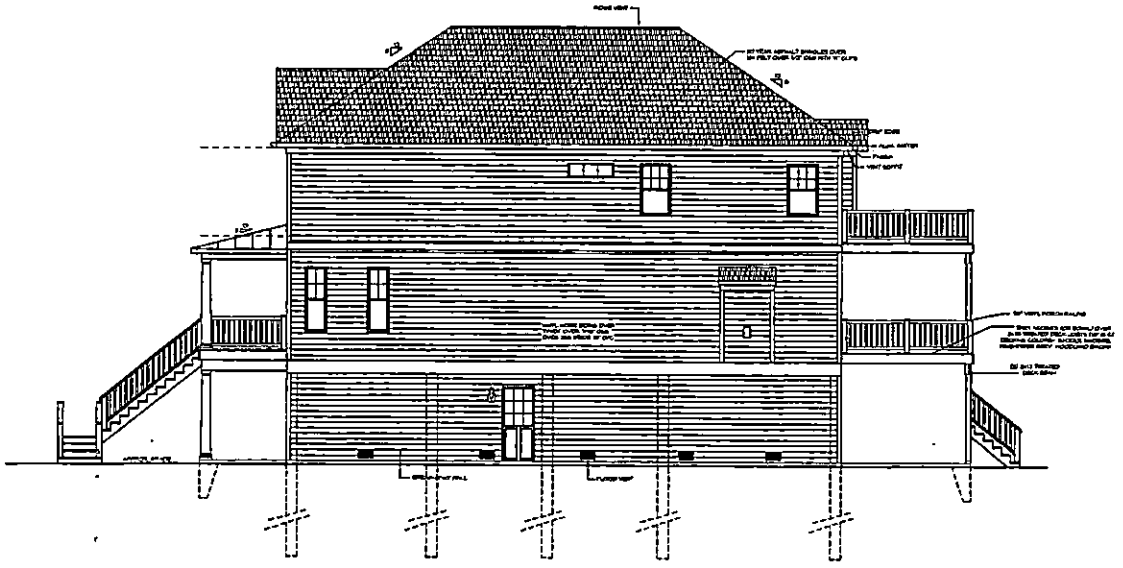
SITE



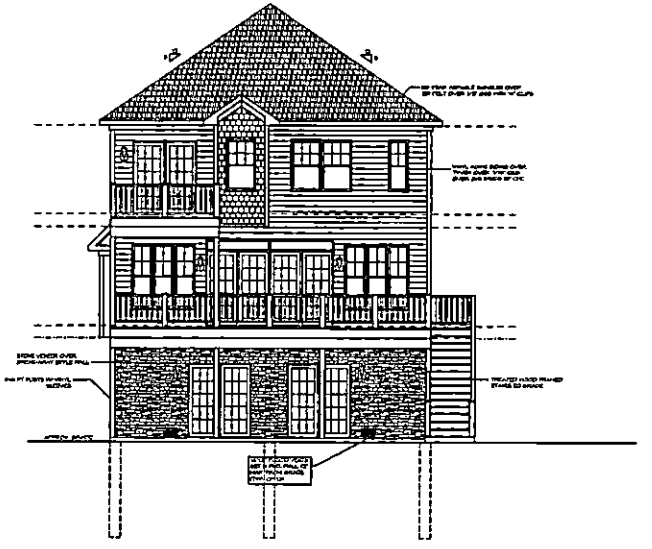
LEFT SIDE ELEVATION



FRONT ELEVATION (STREET VIEW)



RIGHT SIDE ELEVATION



REAR- FRONT ELEVATION

THE CELMER RESIDENCE

GBL CUSTOM HOMES DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8310

SCALE: NOTED
DATE: 1/2013
SHEET NO.:

PETITIONER'S EXHIBIT NO. 7