IN RE: PETITION FOR ADMIN. VARIANCE

(5026 Shirleybrook Avenue)

14th Election District 6th Council District

Timothy M. & Patricia H. Mann

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

* BALTIMORE COUNTY

CASE NO. 2018-0263-A

* * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Timothy M. and Patricia H. Mann ("Petitioners"). The Petitioners are requesting Variance relief from Sections 1B02.3, 504 and 301 of the Baltimore County Zoning Regulations ("BCZR"), as follows: (1) To permit an open projection (deck and screened porch) with a rear setback of 14 ft. in lieu of the required 22.5 ft., and (2) To amend the latest Final Development Plan ("FDP") of "Shirley Ridge" for Lot No. 4 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 14, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (BCC). Based upon the information available, there is no evidence in the

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file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 4th day of May, 2018, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from Sections 1B02.3, 504 and 301 of the Baltimore County Zoning Regulations ("BCZR"), as follows: (1) To permit an open projection (deck and screened porch) with a rear setback of 14 ft. in lieu of the required 22.5 ft., and (2) To amend the latest Final Development Plan ("FDP") of "Shirley Ridge" for Lot No. 4 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

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ADMISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits. Approvals and Inspection

Owner(s) Printed Name(s)	10 Digit Tax Account # 2500012703
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE AF	PPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on t	the reverse of this Petition form must be completed and notarized.
he undersigned, who own and occupy the property situ ttached hereto and made a part hereof, hereby petition	late in Baltimore County and which is described in the plan/plat for an:
X ADMINISTRATIVE VARIANCE from Section(s)	
Section: 1B02.3; 504; & 301 BCZR	
To permit an open projection (deck and se	greened north) with a room on thoult of 14
feet in lieu of the required 22.5 feet, and to amene "Shirley Ridge" for lot number 4 only.	d the latest final development plan of
the Baltimore County Code, to the development law of operty is to be posted and advertised as prescribed by the zoning requested to pay expenses of above petition(s), advertising, posting, elitimore County adopted pursuant to the zoning law for Baltimore County	gulations.
	Owner(s)/Petitioner(s):
	Timothy Mann / Patricia Mann Name #1 - Type or Print Name #2 - Type or Print Signature #1 Signature #2 Signature #2
	5026 Shirleybrook Ave Rosedale Md Mailing Address City State
	2/237 / 302-383-6350 / Turx @ Comcast. we Zip Code Telephone # Email Address
	Democratelli, d. I.
torney for Owner(s)/Petitioner(s):	Representative to be contacted:
	Name - Type or Print
	William Zinnert
ne-Type or Print nature ing Address City State	Name-Type or Print Won Zound Signature 8004 Brandi Way Severn Md Mailing Address City State
nature ling Address Code Telephone # Email Address	Name-Type or Print Won Zunuf Signature 8004 Brandi Way Severn Ma

CASE NUMBER 2018 - 0263-A Filing Date 4,2,2018 Estimated Posting Date 4,5,16

Affidavit in Support deministrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 5026 Shirleybrook Ave Rosedale Md. 21237 Print or Type Address of property City State Zin Code
25 0000
Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state <u>practical difficulty or hardship</u> here)
This is a New home, The New homeowners were not informed by The builded that There were any restrictions to the property that would limit Their ability to have a deck and screened porch installed on the rear of their new home. According to the plat their is a BRL which runs across the back of the Muse which limits their ability to add the proposed struct
The House is occupied by 3 seriors The oldest of whom is 99. The oldest occupant has limited Mability and would greatly benefit from the opportunity to spend time outdoors especially on fin a screened enclosure.
The projection of the proposed enclosure and deck is of average depth, and not exceptive. If needed the steps can be relocated to the side of the deckfor yard.
(If additional space for the petition request or the above statement is needed, label and attach it to this Form)
Signature of Owner (Affiant) Signature of Owner (Affiant)
Name- Print or Type Patricia Mann Name- Print or Type
The following information is to be completed by a Notary Public of the State of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
HEREBY CERTIFY, this 13th day of March 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:
rint name(s) here: Timothy M Maun and Patricia H Mann
he Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notaries Seal
Notary Public S. Zo. 19
My Commission Expires PUBLIC PUBLIC
ARUNDEL COUNTREV. 5/5/2016

6263-A



Submitted on behalf of: Timothy & Patricia Mann 5026 Shirleybrook Ave, Rosedale, Md. 21237

Part B

Property Description for: 5026 Shirleybrook Ave, Rosedale Md. 21237 Tax account # 2500012703

Beginning at a point on the North side of Shirleybrook ave, which is 44 wide, and at a distance of 110' SW of the centerline of the nearest improved intersecting street which is Shirley Ridge Ct. which is 44' wide.

Being <u>lot # 4</u>, Plat 1, in the subdivision know as <u>Shirley Ridge</u> as recorded in Baltimore County <u>plat book # 79</u>, <u>Folio # 522</u>, containing of <u>.2206 acres</u> of lot. Located in the <u>14th election district</u>, and <u>6th council district</u>.

William Zinnert / President
Diamond Decks
MHIC#: 44344
Better Business Bureau Rating: A+
NADRA Certified Master Deck Builder

MEMORANDUM

DATE:

June 5, 2018

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2018-0263-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 4, 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

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/14/2018

Case Number: 2018-0263-A

Petitioner / Developer: WILLIAM ZINNERT of DIAMOND DECKS ~

TIMOTHY & PATRICIA MANN

Date of Closing: APRIL 30, 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: 5026 SHIRLEYBROOK AVENUE

The sign(s) were posted on: APRIL 14, 2018



Linda O'Kufe
(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



SIGN #2 CASE # 2018-0263-A



BACKGROUND PHOTO CASE # 2018-0263-A 5026 SHIRLEYBROOK AVENUE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case I	Number 2018	8- 0263	-A	Address	5026	Shirtey brook Avewae
Contac	ct Person: _	LEONDRI)	lease Print Your N	lewski		Phone Number: 410-887-3391
Filing	Date: 4		Post		4/15/1	β Closing Date: $\frac{4/30/8}{8}$
Any c	ontact made h the contac	with this offic t person (plann	e regarding er) using the	the statu case num	s of the a ber.	administrative variance should be
1.	petitioner is of the sign associated	responsible for posters on the	all printing/ ne approved ning notice	posting cos d list and sign must	sts. Any re the petition be visible	osters on the approved list and the eposting must be done only by one oner is again responsible for all on the property on or before the eclosing date.
2.	feet to file a	formal reques	t for a publ	ic hearing.	Please u	r (occupant or owner) within 1,000 nderstand that even if there is no ete on the closing date.
3.	judge may: matter be se will receive proceed to	(a) grant the ret in for a public written notifica	equested re hearing. If tion as to v This deci	elief; (b) de all County, whether the sion is usu	ny the req /State ager e petition l ally made	he Administrative Law Judge. The juested relief; or (c) order that the ncies' comments are received, you has been granted, denied, or will within 10 days of the closing date.
4.	(whether du notification v of the heari	ie to a neighbo will be forwarde ng date, time a	or's formal indicated to you. The location.	request or The sign on As when t	by order of the prope the sign wa	es that must go to a public hearing of the Administrative Law Judge), erty must be changed giving notice as originally posted, certification of warded to this office.
			(Deta	ch Along Dotted	Line)	
Petitic	oner: This F	Part of the Forn	n is for the	Sign Post	er Only	
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Case I	Number 201	8-0263	Addr	ess_ <i>502</i>	6 Shin	eley brook Avenue
Petitio	ner's Name	Timothy +1	ATRICIA	MANN	<u>, </u>	Telephone 302-383-63-50
Postir	ng Date:	4/15/018		_ cı	osing Dat	e: <u>4/30/18</u>
Wordii 	ng for Sign:	To perm feet in lieu of the "Shirley Ridge"	ne required 2	2.5 feet, an	leck and sci d to amend	reened porch) with a rear setback of 14 the latest final development plan of

Revised 6/30/2018





DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 - 0263 - A
Property Address: 5026 Shirleybrook Ave, Baltimore 21237
Property Description:
Legal Owners (Petitioners): Tim & Patricia Mann
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Diamond Decks. / William Zinnert
Company/Firm (if applicable):
Address: 8004 Brandi Way
severn md 21144
Telephone Number: 410-952-9034

Revised 7/9/2015

BALTIMORE COUNTY: MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS CASH RECEIPT Date: 4/3/6 1 4/03 2018 4/03 2018 07:48813
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KEVIN KAMENETZ County Executive

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

May 1, 2018

Timothy & Patricia Mann 5026 Shirleybrook Avenue Rosedale MD 21237

RE: Case Number: 2018-0263 A, Address: 5026 Shirleybrook Avenue

Dear Mr. & Ms. Mann:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 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 William Zinnert, 8004 Brandi Way, Severn MD 21144

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: May 3, 2018

Department of Permits, Approvals

And Inspections

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For April 16, 2018 Item No. 2018-0263-A

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

Existing 20' Drainage & Utility Easement is located at the rear of the property. Permanent structures are not permitted within the Drainage & Utility Easement.

VKD: cen

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:

April 11, 2018

SUBJECT:

DEPS Comment for Zoning Item

2018-0263-A

Address

5026 Shirleybrook Avenue

(Mann Property)

Zoning Advisory Committee Meeting of April 16, 2018

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

Reviewer:

Steve Ford







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

Administrator

STATE HIGHWAY ADMINISTRATION

Date: 4/11/18

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. 2018-0263-A

Administrative Variance Timothy & Patricia Mann 5026 Shinley Drook Avenue

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

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:

April 11, 2018

SUBJECT:

DEPS Comment for Zoning Item

2018-0263-A

Address

5026 Shirleybrook Avenue

(Mann Property)

Zoning Advisory Committee Meeting of April 16, 2018

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

Reviewer:

Steve Ford

ZAC AGENDA

Case Number: 2018-0263-A / Reviewer: Leonard Wasilewski

Existng Use: RESIDENTIAL Proposed Use:

Type: ADMINISTRATIVE VARIANCE Legal Owner: Timothy & Patricia Mann

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No Historic: No Election Dist: 14 Council Dist: 6

Property Address: 5026 SHIRLEYBROOK AVE

Location: NW/S of Shirleybrook Avenue, 115 +/- ft. NE of the centerline of Shirley Ridge Court

Existing Zoning: DR 3.5

Area: .2206 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1. To permit an open projection (deck and screened porch) with a rear setback of 14 ft. in lieu of the required 22.5 ft.;

and

2. To amend the latest Final Development Plan of "Shirley Ridge" for lot #4 only.

Attorney: Not Available Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None Closing Date: 04/30/2018

Miscellaneous Notes:

Case Number: 2018-0264-A Reviewer: Jun Fernando

Existing Use: RESIDENTIAL Proposed Use:

Type: VARIANCE

Legal Owner: David Schafer and Douglas E Schafer

Contract Purchaser: Eric L Bers, P & Box 841, Ellicott City MD 21041

Critical Area: No Flood Plain: No Historic: No Election Dist: 13 Council Dist: 1

Property Address: 2925 ILLINOIS AVE

Location: S/S of Illinois Avenue, 75 ft. W of the centerline of Washington Avenue

Existing Zoning: DR 5.5

Area: 6,250 SQ. FT.

Proposed Zoning:

VARIANCE:

To permit a dwelling with a lot width of 50 ft. in lieu of the required 55 ft.

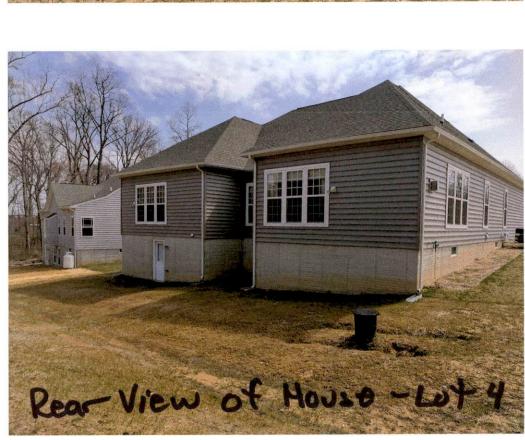
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None

Closing Date:

Miscellaneous Notes;

This case must be heard at the same time with Case #2018-0265-A

behind house
Looking across the rear Lot- Lot 4





view of Lot 3 from rear corner



SIDE VIEW of House (Lot 4)
No House built on Lot 3 yet.



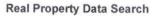


View of New House on Lot 5 Taken from rear corner of Lot 4



CHECKLIST

Comment Received	Depa	rtment		Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT (if not received, da			
4-11	DEPS (if not received, da	ite e-mail sent		N
	FIRE DEPARTMI	ENT		
	PLANNING (if not received, da	ite e-mail sent)	
4-11	STATE HIGHWA	Y ADMINISTR	ATION	No objection
	TRAFFIC ENGIN	EERING		
	COMMUNITY AS	SSOCIATION	- J	
	ADJACENT PRO	PERTY OWNE	RS	
ZONING VIOLAT	ΓΙΟΝ (Ca	se No		
PRIOR ZONING	(Ca	se No)
NEWSPAPER AD	VERTISEMENT	Date:		
SIGN POSTING (1 st)	Date:	4-14-18	by O'Keege
SIGN POSTING (2 nd)	Date:	4-14-18	by
	SEL APPEARANCE	Yes ITER Yes	No No	
Comments, if any:				



Search Result for BALTIMORE COUNTY

Account	Identifie	r:	District -	14 Acco	unt Num	ber - 25000	012703				
						Information					
Owner N	ame:		MANN TI		And the second second	Use		idoneo	RESIDENTI	AL	
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Seller:	GEMCRA	AFT HOM	ES INC		Date: 09	/06/2017			Price: \$560	0,550	
Type: A	ARMS LE	NGTH IM	PROVED		Deed1:	/39359/ 003	369		Deed2:		
Seller:	SHIRLEY	BROOK	ILLC		Date: 05	/16/2017			Price: \$175	5.000	
Type: A	ARMS LEI	NGTH VA	CANT		Deed1:	/38969/ 001	144		Deed2:		
Seller:	SHIRLEY	BROOK	BUSINESS TR	UST	Date: 12	/06/2010	W-W W.S		Price: \$0		
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Homeste	ad Appli	cation St	atus: No Appli	cation		1 9	,				
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Homeowners' Tax Credit Application Status: No Application

Date:

5026 Shirleybrook Avenue 2018-0263- A

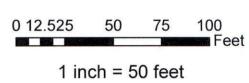


Publication Date: 4/3/2018

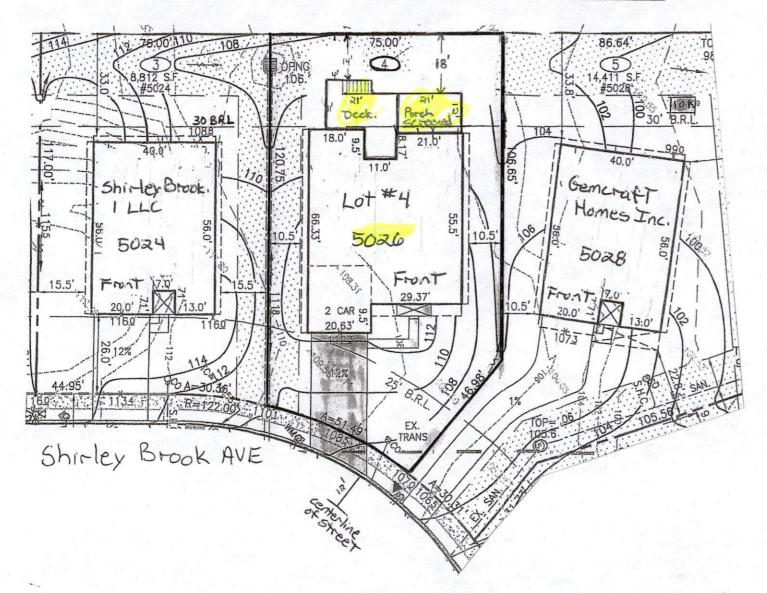


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





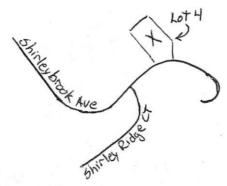
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) ADDRESS 5026 SHIRLEYBROOK AVE ROSEDALE, MD. 21237 OWNERS NAME(S) TIMOTHY & PATRICIA MANN SUBDIVISION NAME SHIRLEY RIDGE LOT# 4 BLOCK # N/A SECTION # NA PLAT BOOK #79 FOLIO # 522 10 DIGIT TAX # 2500012703 DEED REF # /39359/00369



PLAT	DRAWN	BY:	William	Zinnert

SCALE: 1:30

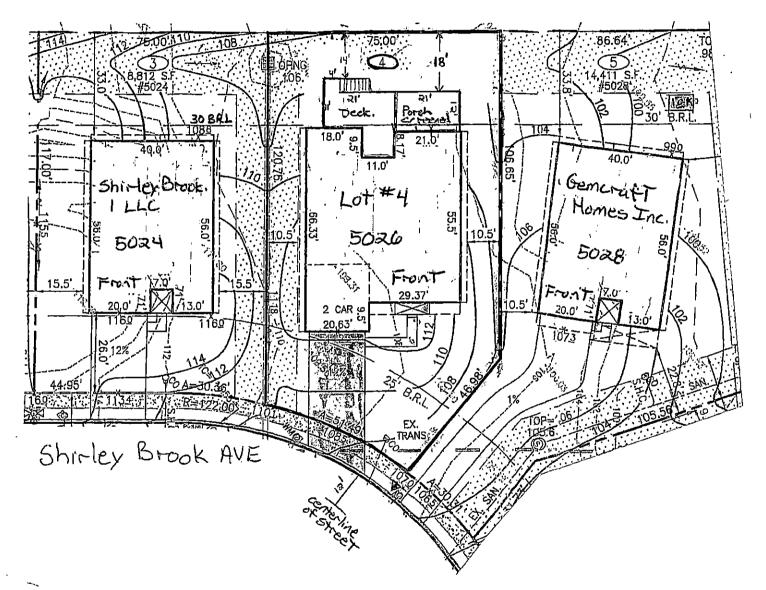
SITE VICINITY MAP



N
MAP IS NOT TO SCALE
· MAP IS NOT TO SCALE
ZUNING MAP# 082AC
SITE ZONED DR 5.5
ELECTION DISTRICT 14
COUNCIL DISTRICT 6
LAT AREA ACREAGE, 2206
OR SQUARE FEET
HISTORIC? NO
N CBCA No
N FLOOD PLAIN No
JTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE
SEWER IS:
PUBLIC X PRIVATE
PRIOR HEARING ?
F SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

2018-0263-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 5026 SHIRLEYBROOK AVE ROSEDALE, MD. 21237 OWNERS NAME(S) TIMOTHY & PATRICIA MANN
SUBDIVISION NAME SHIRLEY RIDGE LOT# 4 BLOCK # N/A SECTION # NA Pla+ 1
PLAT BOOK #79 FOLIO # 522 10 DIGIT TAX # 2500012703 DEED REF # /39359/00369

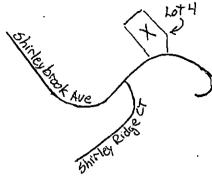


PLAT DRAW	'n	BY:	William	Zinnert

DATE:	3-20	-2018
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SCALE: 1:30

SITE VICINITY MAP



Ø'
N .
MAP IS:NOT TO SCALE
ZONING MAP# 082 AZ SITE ZONED DR 5.5
SITE ZONED
ELECTION DISTRICT 14
COUNCIL DISTRICT 6
AT AREA ACREAGE, 2206
OR SQUARE FEET
HISTORIC? No
N CBCA No
N FLOOD PLAIN NO MARK WITH X
WATER IS:
PUBLIC X PRIVATE
EWER IS:
PUBLIC X PRIVATE
PRIOR HEARING?NO
F SO GIVE CASE NUMBER
ND ORDER RESULT BELOW

SITE DATA

SHIRLEYBROOK1, LLC 9654A BEL AIR ROAD BALTIMORE, MD 21236

28.18 Ac.±

3. SITE AREA: 4. ELECTION DISTRICT:

5. COUNCILMANIC DISTRICT: 6TH 6. PRESENT ZONING: DR 3.5 & DR 5.5

7. TAX MAP #82, GRID 8 & 14, PARCELS # 435 & 444

8. TAX ACCOUNT #'S: 1413058230 & 1414065900.

9. UTILITIES:

PROPOSED: WATER - PUBLIC SEWER - PUBLIC

10. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA

11. CENSUS TRACT: 440600 12. WATERSHED: BIRD RIVER. 13. REGIONAL PLANNING DISTRICT: 0321

14. ZONING MAP :

15. PARKING AREA DATA: SEE TABLE BELOW 16. EXISTING USE: 1 SINGLE FAMILY DWELLING AND VACANT WOODS

17 SINGLE FAMILY DETACHED DWELLINGS. 17. PROPOSED USE: 18. NO PREVIOUS BUILDING PERMITS ON FILE IN COUNTY

19. PROPERTY ADDRESS: 5020 SHIRLEYBROOK AVENUE & EAST END OF SHIRLEYBROOK AVENUE.

20. ADT's 17 UNITS • 10 TRIPS/UNIT = 170 TRIPS TOTAL 170 TRIPS

LAND ACQUISITION

1. NO OFF-SITE RIGHTS-OF-WAY ARE REQUIRED FOR THIS DEVELOPMENT.

2. ALL STORMWATER MANAGEMENT FACILITIES SHALL BE ACCESSED FROM PUBLIC RIGHTS OF WAY.

3. ALL STORMWATER MANAGEMENT EASEMENTS SHALL BE DEDICATED TO BALTIMORE COUNTY.

OPEN SPACE

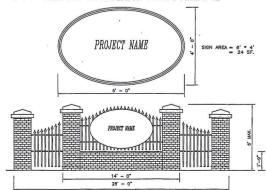
OPEN SPACE REQUIRED: 11,050 SF ACTIVE AND 5,950 SF PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.J., OPEN SPACE PROVIDED: 0 SF (WAIVER REQUESTED AND FEE IN LIEU TO BE PAID)

DEVELOPMENT PLAN REVIEW

- 1. THIS PROJECT LIES WITHIN THE URBAN RURAL DEMARCATION LINE.
- THE SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.
- WHERE APPLICABLE RAMPS SHALL BE PROVIDED FOR PHYSICALLY HANDICAPPED PERSONS AT ALL STREET INTERSECTIONS WITH DETECTABLE WARNING AREAS, PER STANDARD DETAILS R-36A AND R-36B AND SHA STD. DETAIL 655.12 AND 855.40.
- 4. EXISTING UTILITIES SHOWN ON THIS PLAN ARE FROM BALTIMORE COUNTY ENGINEERING DRAWINGS AS SHOWN ON THE
- A FINAL LANDSCAPE PLAN SHALL BE PREPARED IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL AND SHALL BE APPROVED BY BALTIMORE COUNTY PRIOR TO BUILDING PERMIT APPLICATION.
- FIRE HYDRANT SPACING SHALL BE IN ACCORDNACE WITH THE BALTIMORE COUNTY DESIGN MANUAL, SEE SECTION II.F.4
 FIRE HYDRANTS.
- PROPOSED RETAINING WALLS SHALL BE CONSTRUCTED OUTSIDE OF THE PUBLIC RIGHT OF WAY AT A DISTANCE AT LEAST EQUAL TO THE HEIGHT OF THE WALL EXCEPT AS PERMITTED BY BALTIMORE COUNTY, ALL PROPOSED RETAINING WALLS SHALL BE PRANTELY OWNED AND MAINTAINED BY THE HOA.
- PRESSURE REDUCING VALVES (PRV) SHALL BE PROVIDED WHEN THE STATIC PRESSURE EXCEEDS 80 PSI. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE DOES NOT LIE WITHIN A TRAFFIC DEFICIENT AREA.
- 10. THE AREAS BETWEEN THE SIGHT LINE AND THE CURB/EDGE OF PAVING MUST BE CLEARED, GRADED, AND KEPT FREE OF OBSTRUCTIONS.
- 11. IF REQUIRED A FIRE FLOW TEST WILL BE CONDUCTED PRIOR TO THE ISSUANCE OF BUILDING PERMITS. 12. ALL ROADS ARE INTENDED TO BE PUBLIC AND WILL BE DEDICATED TO BALTIMORE COUNTY AT NO COST TO THE COUNTY.
- 13. COMMUNITY STREET LIGHTS WILL BE PROVIDED PER BALTIMORE COUNTY CODE SECTION 32-4-408.
- 14. THE 100YR FLOOD STUDY FOR THE SUBJECT PROPERTY WAS ACCEPTED FOR FILING ON MARCH 22, 2013.
- 15. PRIOR TO RAZING PERMIT APPROVAL THE EXISTING SEPTIC SYSTEM(S) MUST BE PUMPED AND BACKFILLED OR REMOVED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR WHO MUST SUBMIT DOCUMENTATION TO DEPS.

FIRE MARSHALL NOTES

- WHERE FIRE PROTECTION WATER SUPPLES ARE REQUIRED TO BE PROVIDED THEY SHALL BE INSTALLED AND MADE AVAILABLE FOR USE NOT LATER THAN THE THEE WHEN CONSTRUCTION OF ANY MONOMULA BUILDING IS UNDER ROOF, A GRUSHER RUN ROAD FOR ACCESS TO BUILDINGS AND REQUIRED WATER SUPPLES SHALL BE MADE AVAILABLE FOR THE USE OF EXPERIENCY PROPERTY AND AVAILABLE FOR THE USE OF EXPERIENCY PROPERTY AND THE SULTIME RECEIVED TO JOINT STREET OF ANY STREET AND AVAILABLE FOR THE ONLY THE PROTECTION CODE, CONTINUENT BLUE AS ALL SHALL BE AL
- THE ACCESS ROADWAY SHALL NOT BE OBSTRUCTED FOR EMERGENCY APPARATUS IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES, ALSO ANY TREES PLANTED SHALL NOT BE THE TYPE THAT WOULD INTERFERE WITH EMERGENCY APPARATUS ACCESS, WHEN THEY MATURE, 2009 NFPA | FIRE CODE SECTION 18.2.4.1
- A SEPARATE BUILDING PERMIT IS REQUIRED FOR THE INSTALLATION OF A RESIDENTIAL SPRINKLER SYSTEM FOR EACH INDIVIDUAL DWELLING UNIT. THE RESIDENTIAL SPRINKLER SYSTEM SHALL BE INSPECTED AND APPROVED BY THE BUILDINGS COUNTY FIRE MARSHAL'S OFFICE PRIOR TO GCOUPANOY.
- REFER TO THE PROVISIONS OF THE BALTIMORE COUNTY FIRE PREVENTION CODE BILL# 48-10 SECTION 1:10.12.1.5, REGARDING THE ADDRESS NUMBERS FOR RESIDENTIAL PROPERTIES BEING A MINNUM OF 3 INCHES IN SIZE.



OPTIONAL PROJECT IDENTIFICATION SIGN
NOT TO SCALE

ENVIRONMENTAL

- THE WETLAND DELINEATION AND STEEP SLOPES AND ERODIBLE SOILS ANALYSES WERE APPROVED BY BALTIMORE COUNTY DEPS ON JULY 28, 2012
- AN AMENDED FOREST STAND DELINEATION INCORPORATING AN ADDITIONAL 1.5 AC.+/- INTO THE PROJECT SITE WAS APPROVED BY BALTIMORE COUNTY DEPS ON FEBRUARY 7, 2013.
- A THERE ARE STREAMS WATER SOURCES WET ANDS AND ELOCOPEI AIMS LOCATED ON THIS SITE
- 5. THERE ARE NO EXISTING PONDS OR BODIES OF WATER LOCATED ON THIS SITE
- THERE ARE NO KNOWN ARCHAEOLOGICAL SITES, HISTORICAL STRUCTURES, SIGNIFICANT VIEWS OR HAZARDOUS MATERIALS ON THIS PROPERTY.

PROTECTIVE COVENANTS NOTE:

ZONING:

1. ZONING MAP NO.

VACANT WOODS AND ONE SINGLE FAMILY DETACHED DWELLING.
17 SINGLE FAMILY DETACHED DWELLINGS, EXISTING USE: PROPOSED USE:

3. CURRENT ZONING AND ACREAGE: D.R. 3.5 & D.R. 5.5

NET 28.18 AC.+/GROSS 28.19 AC.+/-

DENSITY PERMITTED:

28.18 AC.± © D.R. 3.5 = 93 UNITS 1.45 AC.± © D.R. 5.5 = 7 UNITS TOTAL = 100 UNITS

5 DENSITY UNITS IN THE DRS.5 ZONE 14 DENSITY UNITS IN THE DR 3.5 ZONE. (2 LOTS SPLIT ZONED) 17 SINGLE FAMILY DETACHED UNITS

THIS PROPERTY AS SHOWN ON THE PLAN HAS NOT BEEN HELD INTACT SINCE 1971 ACCORDING TO DEEDS. THE DEVELOPER'S DIGNEER HAS CONFIRMED, TO THE BEST OF HIS KNOWLEDGE AND BELLET, THAT NO KNOWN PART OF THE GROSS AREA OF THIS PARCELY LOT AS SHOWN ON THE PLAN HAS BEEN UTILIZED RECORDED OR REPRESENTED AS DEDISTRY OR AREA TO SUPPORT ANY OFF-STE DWELLING.

- ALL ACCESSORY BUILDINGS/STRUCTURES MUST BE LOCATED AT LEAST 15 FEET FROM A STREET RIGHT-OF-WAY LINE, AND IF SAID ACCESSORY BUILDINGS/STRUCTURES ARE LOCATED ON CORNER LOTS, THEY MUST BE LOCATED IN THE THIRD OF THE REAR YARD PURITHEST REMOVED FROM ANY STREET.
- B. A LANDSCAPE PLAN WILL BE APPROVED PRIOR TO BUILDING PERMIT APPLICATAION.
- 9. ALL DRIVEWAYS WILL COMPLY WITH SECTION 409.4 (BCZR). ALL PARKING AND MANEUVERING AREAS WILL BE PAVED WITH BITUMINOUS PAVING BY THE DEVELOPER.
- ALL PROPOSED SIGNAGE SHALL BE IN COMPLIANCE WITH SECTION 450 OF THE BALTIMORE COUNTY ZONING REGULATIONS OR A VARIANCE WILL BE REQUESTED.
- 12. ALL LOTS WILL BE FOR SALE.
- THE PROPOSED DEVELOPMENT IS NOT LOCATED IN ANY DEFICIENT AREAS ON THE BASIC SERVICES MAPS PURSUANT TO SECTION 4402, BCZR.
- 15. ALL EXISTING BUILDINGS SHALL BE RAZED BY THE DEVELOPER PRIOR TO THE FIRST BUILDING PERMIT APPLICATION.
- FENCES MAY BE ERECTED IN DRAINAGE AND UTILITY EASEMENTS AT THE PROPERTY OWNER'S RISK, NO FENCES SHALL BE ERECTED IN A WALKWAY, PEDESTRIAN OR VEHICULAR ACCESS EASEMENT.
- A MINIMUM AREA (CONTIGUOUS) OF 500 SQUARE FEET IS REQUIRED IN SIDE OR REAR YARDS, THE MINIMUM DEPTH OF THIS AREA IS 15 FEET. DECKS AND PATIOS ARE PERMITTED IN THIS AREA, BUT NOT STRUCTURES THAT MIGHT BE

- WAIVER OF STANDARDS TO PERMIT A REDUCED SIZE OF CUL-DE-SAC.
- B. WAIVER OF STANDARDS TO CONSTRUCT SIDEWALKS ON ONLY ONE SIDE OF THE PROPOSED ROADS.

D.R. 3.5 AND DR 5.5 SETBACKS SINGLE-FAMILY DETACHED

FROM	FRONT BUILDING FACE TO:		
	PUBLIC STREET RIGHT-OF-WAY OR PROPERTY LINE	25'	
FROM	SIDE BUILDING FACE TO:		
	SIDE BUILDING FACE	20'	
1	PUBLIC STREET RIGHT-OF-WAY	15"	
	TRACT BOUNDARY	15'	
FROM	REAR BUILDING FACE TO:		
	REAR PROPERTY LINE	30'	

ENVELOPES OR TYPICAL DWELLINGS AS SHOWN DICTATE A SPECIFIC LOCATION AND ORIENTATION WHICH IS INTENDED TO ALLOW COMPLIANCE WITH BALTIMORE COUNTY ZONING REGULATIONS AND POLICIES,

PLANNING NOTES:

- THIS SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY OR SITES REGISTERED ON THE HISTORICAL INVENTORIES LIST. THE SIDE ELEVATIONS OF ALL DWELLINGS THAT FACE THE ROAD ON ALL CORNER LOTS SHALL INCLUDE WINDOWS, DOORS, PORCHES, ETC. AND SHALL NOT BE LEFT AS BLANK WALLS.
- 4. LOTS 1, 10 AND 15 ARE HIGH VISIBILITY LOTS.
- A DEVATION OF STANDARDS IS REQUESTED FROM B.C.Z.R SECTION 260 RESIDENTIAL PERFORMANCE STANDARDS SECTION 260.4.B TO ALLOW FOR CUL—DE—SACS WITHOUT DESIGN ELEMENTS SUCH AS CENTER LANDSCAPING AND TRAFFIC CIPCLES.

CERTIFICATE AS TO DELINQUENT ACCOUNTS

THIS CERTIFICATION IS SUBMITTED IN CONNECTION WITH THE DEVELOPMENT KNOWN AS SHIRLEY RIDGE LOCATED AT THE ESAT END OF SHIRLERSHOOK AVENUE, BALTIMORE AND IS GIVEN IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-55(C) OF THE BALTIMORE COUNTY CODE, 1978 AND AS AMENICAD. I CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FRANCH INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WAN WILL PERSON MONTRACTIONAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.





EXISTING BUILT CONDITIONS

x		Locations of existing buildings within 200 ft. of site boundaries
x		Location of existing roads within 200 ft. of site boundaries
	x	Designated historic altes as per Landmarks Preservation Commission or the MD Historic Trust Inventory
	×	Designated sites as per the Maryland Archeological Survey
	×	Significant views
	×	Significant features (specimen trees, buildings, streetscopes, etc.
x		Land uses on and within 200 ft. of site
x		Roads right-of-way and easements

ENVIRONMENTAL INFORMATION

Calading	Existing	Delineated	Verified	
x			×	Topography and street grades (min. 5 ft. contour appropriately labeled)
×			×	Slopes greater than 25%
x				100 year flood plain
×				Solle mapped according to Soll Survey,Baltimore County,
×				Streams, seeps, ponds or other water badies shown on site and within 200 feet of the site
x		×	×	Wetlands
x		141	х	Forest buffer limits including adjustments for steep slopes and/or eradible soils
x			×	Land cover on ar within 200 ft. of site.
	x			Significant regulated plant or wildlife communities
	x			Walls on site or within 100 ft. of site
×				Septic on site or within 100 ft. of site
	х			Underground fuel tanks on site or within 100 ft. of site
				Soil evaluation tests (perc tests) YES NO X DATE: NA
				Site within 500 feet of major highway. YES _ NO X

STORMWATER MANAGEMENT:

1. STORMWATER MANAGEMENT IS BEING ADDRESSED BY THE CONSTRUCTION OF BIO-SWALES AND MICRO

3. STORM WATER MANAGEMENT FACILITIES WITHIN EASEMENTS WILL BE MAINTAINED BY THE HOMEOWNER

SUITABLE OUTFALL STATEMENT

RICHARDSON ENGINEERING, LLC HAS EVALUATED THE PROPOSED STORMMATER MANAGEMENT OUTFALLS FOR THIS SITE AND FINDS THEM TO BE SUITABLE FOR THE DESIGN FLOWS, OUTFALL EVALUATIONS INCLUDED A FIELD INSPECTION AND PHOTO DOCUMENTATION OF THE AREA. THE OUTFALL

WITH THE PROVISION DESCRIBED ABOVE AND AS A RESULT OF OUR PRELIMINARY SWIM H COMPUTATIONS, WE CONCLUDE THAT THE PROPOSED OUTFALLS OF THE FACILITIES CONSTITUTE VERIFIED SUITABLE OUTFALL AS REQUIRED BY SECTION 32—4—224(A)(10) OF THE BALTIMORE COUNTY DOW AND TO CODE (2004 EDRION), BASED ON CRITERIA ESTRIBUSHED BY BALTIMORE COUNTY DOW AND TO





NO TOTAL AREA* (AC.±)

DEED DEVOLUTION

HOH ORDER

DATE	DEED	CONVEYED BY	CONVEYED TO	COMMENT
06/27/1939	1069/127	ALAN & CAROLINE CARTER	NOTTINGHAM INC.	
01/02/1943	1320/325	NOTTINGHAM INC	NOTTINGHAM FARMS INC	
01/02/1943	1320/326	NOTTINGHAM INC	NOTTINGHAM VILLAGE INC	1
12/09/1988	4711/436	NOTTINGHAM VILLAGE INC	SHA	1-95 RIGHT OF WAY
04/04/1968	4862/594	NOTTINGHAM FARMS INC	NOTTINGHAM VILLAGE INC	
12/29/2008	25018/262	NOTTINGHAM VILLAGE INC	SHIRLEYBROOK BUSINESS TRUST	l .
06/12/2008	27133/150	SHIRLEYEROOK BUSINESS TRUST	SHA	I-95 WIDENING
08/12/2010	30217/165	SHIRLEYBROOK BUSINESS TRUST	SHIRLEYBROOK1 LLC	

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 2rd day of July, 2013, that the "SHIRLEY RIDGE" Development Plan, marked and accepted into evidence as Developer's Exhibit IA - IC, be and is hereby APPROVED, subject to the following:

1. The local open space waiver fee in the amount of \$58,777.50 shall be allocated and used b Baltimore County solely to benefit and provide recreational amenities to the South Perry Hall area of the 6th Council District.

The proposed roadway into the development, which will result from an extension of the existing paving of Shirleybrook Avenue, shall be situated entirely within Baltimore County owned right-of-way, and no part of that roadway or associated findilities (e.g., ourb, gutter, sidewalks, etc.) shall encroach upon the parcels owned by Casper Voithofer and Roland Winchester, known as 3016 and 3012 Shirleybrook Avenue.

Any appeal of this Order shall be taken in. accordance with Baltimore County Code, § 32-4-281.

PART OF PLAT

DIRECTOR OF PAI NOTE:

COUNTY ADOPTED PLANS

Existing Not In Existing Con

THIS FINAL DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PAI BASED ON HIS INTERPRETATION OF THE ZONNE REGULACIONS THAT IT COMPLES WITH PRESENT POLLOY, DENSITY, AND BULK CONTINUES AS THEY ARE DELINEATED IN THE REGULACIONS, ANY PART OF PROPEL OF THIS TINGET THAT MAS BEEN UTILIZED FOR DENSITY TO SUPPORT DIRELLINGS SHOWN THEREON SHALL NOT BE TURNER OWNED, SUDMINDED, OR DEPLAYED FOR ACCITACIAL DIRELLINGS OF PREPOSES OTHER THAN THAT INCIDENT PRESENTLY ON SAUL PLAY UTILIZATION HILL HAVE COURSED WHEN A BUILDING IS CONSTRUCTED AND TOWNSTERRED FOR THE PURPOSE OF

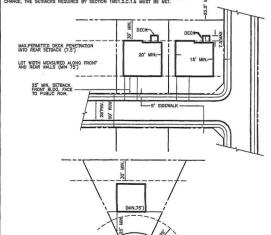
Community or Revitalization Plans Recreation and Parks Plan Streetscape Plan Greenways Plan

DATA SOURCES:

TOPOGRAHIC INFORMATION OBTAINED FROM A FIELD SURVEY PREPARED BY DIETZ SURVEYING CO. IN JUNE OF 2011 AND SUPPLEMENTED WITH BALTIMORE COUNTY GIS TOPOGRAPHY.

2. BOUNDARY INFORMATION OBTAINED FROM A BOUNDARY SURVEY PREPARED BY MORRIS & RITCHIE ASSOCIATES INC. IN

TYPICAL LOT LAYOUT NOT TO SCALE TYPICAL BUILDINGS SHOWN ON THESE SINGLE FAMILY LOTS DICTATE A SPECIFIC ORIENTATION WHICH ALLOWS COMPUANCE WITH THE BCZR. SHOULD THE ORIENTATION CHANGE. THE SETEACKS REDUIRED BY SECTION 1801.2.0.1.b MUST BE MET.



DEDICATION TABLE

HIGHMAY RIGHT OF WAY

STORMWATE MANAGEMENT EASEMENTS

STORMWATE MANAGEMENT RESERVATIONS

DRIVAGE AND UTILITY EASEMENT

FOREST BUFFER AND FOREST CONSERVATION EASEMENT

FOREST BUFFER ASSEMENT

TYPE OF CONVEYANCE

HIS FINAL DEVELOPMENT PLAN CONSISTS OF TWO SHEETS. TOGETHER THESE TWO SHEETS FORM THE FINAL DEVELOPMENT

REASON FOR 1ST AMENDMENT

PDM # 14-488

TOHN E BEVERUNGEN

FINAL DEVELOPMENT PLAN APPROVED

DESIGN AND DRAWINGS ARE BASED ON MARYLAND COORDINATE SYSTEM (MCS) HORIZONTAL - NAD 83/(2007), VERTICAL - NAVD 88.

SITE

LOCATION MAP

Richardson Engineering, LLC

SHIRLEY RIDGE

6TH COUNCILMANIC DISTRICT
MARYLAND 14TH ELECTION DISTRICT

02/17/16 11017

2018-0263-4

PROFESSIONAL CERTIFICATION I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, DESCRIPTION OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE LAWS OF THE STATE OF MARYLAND, DATE, AS OF THE STATE OF THE MARYLAND, DATE, AS OF THE STATE OF THE DATE.

0 East Padonia Road, Suite 500 Imonium, Maryland 21093 hone: 410–560–1502 Fax: 443–901–1208 RECEIVED APR 1 3 2019 1ST AMENDED FINAL DEVELOPMENT PLAN COVER SHEET

BALTIMORE COUNTY,