

M E M O R A N D U M

DATE: July 15, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0288-XA - Appeal Period Expired

The appeal period for the above-referenced case expired on July 12, 2019. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(10730 York Road)
8th Election District
3rd Council District
David P. Miller
Legal Owner
Bartban, LLC
Contract Purchaser
Petitioners**

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2019-0288-XA**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Exception and Variance filed for property located at 10730 York Road. The Petitions were filed on behalf of David P. Miller, legal owner of the subject property, and Bartban, LLC, contract purchaser (“Petitioners”). The Special Exception petition seeks to allow a service garage pursuant to BCZR §230.3. The Petition for Variance seeks to permit a partial interior drive to be 12 ft. in width in lieu of the 20 ft. required. A site plan was marked as Petitioners’ Exhibit 1.

Professional surveyor Geoffrey Schultz appeared in support of the Petition. Howard L. Alderman, Esq. represented Petitioners. Stephen Miller, represented by Neil Lanzi, Esq., opposed the request. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Bureau of Development Plans Review (“DPR”). Neither agency opposed the request.

The subject property is approximately 13,068 square feet in size and split-zoned BL-AS & ML-IM. The property is located along a commercial stretch of York Road in the Cockeysville area. The property was formerly used by an electrical contracting business. Petitioners propose to operate a 3-bay service garage at the site, a use permitted by special exception. The proposed

ORDER RECEIVED FOR FILING

Date 6/12/19

By Sen

service garage would be somewhat specialized and would service approximately five vehicles per day. Stephen Miller, an adjoining neighbor, opposed the request and was primarily concerned with the increase in traffic along the private driveway by which Petitioner proposes to gain access to the subject property.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Mr. Schultz, who was accepted as an expert, described the property and conceded it was a "difficult site" due to the significant change in grade (approximately 18') from York Road to the rear of the lot. He explained Petitioners explored whether access from York Road was possible, and in the end determined it would require significant grading which would be cost-prohibitive. He also expressed concern with whether the SHA would approve access to the site via York Road given the constraints and engineering difficulties noted above.

Bruce Doak, a surveyor accepted as an expert, opined that accessing the site via the private drive shown on the plan would be problematic. He testified the drive is 12' wide which would only allow for one-way traffic. He also testified McCann Avenue--off of which the private driveway is located--is narrow and that the increased commercial activity would create dangerous conditions for residents and customers attempting to navigate the area.

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Date

6/12/19

By

sen

Stephen Miller lives at 5 McCann Avenue, which adjoins the subject property to the west. He operates an electrical contracting business at the site. Although he stores work vehicles at the site for several employees, he explained that customers do not visit his property. He purchased the property in 1995, at which time he paved what was until that point a dirt driveway. The driveway accesses his property and Petitioners submitted a deed (Pet. Ex. 2) showing they have a right to use in common with others the driveway in question. Though the road is described in the deed as being 20' wide, only a 12' wide section is paved. Mr. Miller testified the road was too small and narrow to support a service garage business.

Based on the testimony and evidence presented I believe operating a service garage at the subject property would have a greater adverse impact upon vicinal properties than it would at other BL-AS zoned sites. Though located on York Road, the business could only be accessed by way of a narrow private driveway. While all special exception uses generate traffic, the impact here would in my opinion be greatly magnified given the substandard means of access. As Mr. Doak noted, there are numerous service garages along this stretch of York Road and none are accessed in the means proposed by Petitioners which would require customers, employees, and suppliers to traverse a narrow residential street and private drive to access the business. The site is indeed unique and the 18' grade change presents a significant obstacle to development. But it is this uniqueness which (though it might be favorable in a case seeking only a variance) requires Petitioners to design the project as proposed, which in my opinion is convoluted and causes enhanced adverse impacts upon neighboring properties.

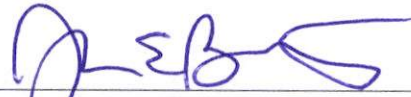
THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 12th day of **June, 2019**, that the Petition for Special Exception to allow a service garage pursuant to BCZR §230.3, be and is hereby DENIED; and

ORDER RECEIVED FOR FILING

Date 6/12/19
By den

IT IS FURTHER ORDERED that the Petition for Variance to permit a partial interior drive to be 12 ft. in width in lieu of the 20 ft. required, be and is hereby DISMISSED WITHOUT PREJUDICE.

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 6/12/19

4

By sln



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 10730 YORK ROAD which is presently zoned BL-AS & ML-IM
Deed References: 26679/332 10 Digit Tax Account # 08-05-019411
Property Owner(s) Printed Name(s) DAVID P. MILLER

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

SEE ATTACHED

3. XXXXX 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~~:

BARTBAN, LLC

Name- Type or Print

Signature

13717 Killarney Court Phoenix MD
Mailing Address City State
21131 (410) 960-3148 bartholowb@aol.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Howard L. Alderman, Jr., Esq. / Levin & Gann, PA

Name- Type or Print

Signature

502 Washington Avenue, STE 800 Towson MD
Mailing Address City State
21204 4103210600 halderman@levingann.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

DAVID P. MILLER

Name #1 - Type or Print

Name #2 - Type or Print

*

By: Matthew R. Alsip, as Guardian of David P. Miller

20014 Hunt Pass Court Parkton MD
Mailing Address City State
21120 443-527-6447 malsip1980@gmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

Geoffrey C. Schultz, RPLS Polaris Land Consultants, LLC

Name - Type or Print

By: *

Signature

10 Gerard Avenue, STE 101 Lutherville MD
Mailing Address City State
21093 410-252-4444 gschultz@polarislcl.com
Zip Code Telephone # Email Address

CASE NUMBER 2019-0288-XA Filing Date 4/4/2019

Do Not Schedule Dates:

Reviewer JNP

Date 6/12/19 REV. 10/4/11

By Sen

Attachment 1
CASE NO: 2019- -XA

Address: 10730 York Road Deed [26679/332]

Legal Owner: David P. Miller

Contract Purchaser: Bartban, LLC

Present Zoning: BL-AS & ML-IM

**PETITION FOR SPECIAL EXCEPTION
REQUESTED RELIEF:**

A Special Exception:

- i) Pursuant to BCZR § 230.3 for a Service Garage; and
 - ii) for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this Petition.
-

**PETITION FOR VARIANCE
REQUESTED RELIEF:**

A Variance from:

- (i) BCZR § 409.4.A. to permit a partial interior drive to be 12 feet in width in lieu of the 20 feet required; and
- (ii) for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this Petition.

For Additional Information Contact:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Centre
8th Floor
Towson, Maryland 21204

(410) 321-0600
halderman@LevinGann.com

2019-0288-XA

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

5/17/2019

Order #: 11746186
Case #: 2019-0288-XA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0288-XA



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0288-XA

10730 York Road

W/s York Road, 137 ft. south of McCann Avenue

8th Election District - 3rd Councilmanic District

Legal Owners: David Miller

Contract Purchaser: Bartban, LLC

Special Exception for a service garage and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition. Variance to permit a partial interior drive to be 12 feet in width in lieu of the 20 feet required and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition.

Hearing: Friday, June 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

my17

... ..

Approved: 2102 1984 15 3 4 2 31A 450000 0 0 0

Journal of Management Studies, 19(6), 701-718.

[illegible]

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 200 million to 400 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

Debra Wiley

JB 6-7-19
1:30 PM

From: Larry Pilson <lpilson@hotmail.com>
Sent: Monday, June 3, 2019 10:00 AM
To: Administrative Hearings; Kristen L Lewis; Geoffrey Schultz
Subject: 2019-0288-XA 10730 York Road Recertification
Attachments: 10730 York Road Recert.pdf; DSC_0829.JPG; DSC_0830.JPG; DSC_0830.JPG

CAUTION: This message from lpilson@hotmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

CERTIFICATE OF POSTING

Date: 6-3-19

RE: Case Number: 2019-0288-XA RECERT

Petitioner/Developer: Bartban LLC

Date of Hearing/Closing: 6-7-19 1:30PM

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 10730 York Rd

The signs(s) were posted on RECERT 6-3-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

NOTICE

ZONING

CASE # 2019-0288-XA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE

IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 203
105 W. GRESHAM AVE. TOWSON, 21204

DATE AND TIME: FRIDAY JUNE 7, 2019 1:30 PM
REQUEST: SPECIAL EXCEPTION FOR A SERVICE GARAGE AND
FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY REQUIRE

FOR APPROVAL OF THE TOWSON BUILDING DEPARTMENT, MINIMUM TO BE 12 FEET IN WIDTH OF THE 10 FEET 800-2000
WHICH ACCOMPANIED THIS PETITION, MINIMUM TO BE 12 FEET IN WIDTH OF THE 10 FEET 800-2000
INTERIOR DRIVE TO BE 12 FEET IN WIDTH OF THE 10 FEET 800-2000
RECORD FOR APPROVAL OF THE TOWSON BUILDING DEPARTMENT, MINIMUM TO BE 12 FEET IN WIDTH OF THE 10 FEET 800-2000
ON THE DATE WHICH ACCOMPANIED THIS PETITION

WEATHER OR A
DAY OF THE MONTH
NOT ALL 2019
COORDINATING
SUNDAY'S MEETING
ADVISORY

ZONING NOTICE

#2

CASE # 2019-0288--XA

A PUBLIC HEARING WILL BE HELD BY

ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHEESAPEAKE AVE. TOWSON 21204

DATE AND TIME: FRIDAY JUNE 7, 2019, 11:30 PM
REQUEST: SPECIAL EXCEPTION FOR A SERVICE GARAGE AND

FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY
REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING AND USES SHOWN
ON THE PLAT WHICH ACCOMPANIED THIS PETITION. VARIANCE TO PERMIT
20 FEET REAR YARD DRIVE TO BE 12 FEET IN WIDTH IN LIEU OF THE
OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING
AND USES SHOWN ON THE PLAT WHICH ACCOMPANIED THIS PETITION.

NOTIFICATIONS MUST BE MADE TO ALL PERSONS WHOSE INTERESTS MAY BE AFFECTED BY THE PROPOSED BUILDING AND USES SHOWN ON THE PLAT WHICH ACCOMPANIED THIS PETITION. TO CONTINUE THE HEARING, YOU MUST REMOVE THIS SIGN AND POST IT UNTIL THE DAY OF HEARING UNDER PENALTY OF LAW. CALL 887-3391. CONDITIONS ARE SOMETIMES NECESSARY.
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date: 5-16-19

RE: Case Number: 2019-0288-XA

Petitioner/Developer: Bartban LLC

Date of Hearing/Closing: 6-7-19 1:30 PM

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 10730 York Rd

The signs(s) were posted on 5-16-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

10 #2
ZONING NOTICE

CASE # 2019-0288-XA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
1105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: FRIDAY JUNE 7, 2019 1:30 PM

REQUEST: SPECIAL EXCEPTION FOR A SERVICE GARAGE AND
FOR SUCH ADDITIONAL RELIEF AS THE NATURE OF THIS CASE MAY
REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING AND USES SHOWN
ON THE PLAT WHICH ACCOMPANIED THIS PETITION. VARIANCE TO PERMIT
A PARTIAL INTERIOR DRIVE TO BE 12 FEET IN WIDTH IN LIEU OF THE
20 FEET REQUIRED AND FOR SUCH ADDITIONAL RELIEF AS THE NATURE
OF THIS CASE MAY REQUIRE FOR APPROVAL OF THE PROPOSED BUILDING
AND USES SHOWN ON THE PLAT WHICH ACCOMPANIED THIS PETITION.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING, CALL 887-3391

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

HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0288-XA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: FRIDAY JUNE 7, 2019 1:30 PM

REQUEST: SPECIAL EXCEPTION FOR A SERVICE GARAGE AND
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WHICH ACCOMPANIED THIS PETITION. VARIANCE TO PERMIT A PARTIAL
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ON THE PLAT WHICH ACCOMPANIED THIS PETITION.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM:  CALL 887-3391

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

HANDICAPPED ACCESSIBLE



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

May 15, 2019

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: 2019-0288-XA

10730 York Road

W/s York Road, 137 ft. south of McCann Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: David Miller

Contract Purchaser: Bartban, LLC

Special Exception for a service garage and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition. Variance to permit a partial interior drive to be 12 feet in width in lieu of the 20 feet required and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition.

Hearing: Friday, June 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff", followed by a small mark that looks like "per kcl".

Michael Mallinoff
Director

MM:kl

C: Howard Alderman, Jr., 502 Washington Avenue, Ste. 800, Towson 21204
Bartban, LLC, 13717 Killarney Court, Phoenix 21131
David Miller, 20014 Hunt Pass Court, Parkton 21120
Geoffrey Schultz, 10 Gerard Avenue, Ste. 101, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 18, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, May 17, 2019 - Issue

Please forward billing to:
Barry Bartholow
Bartban, LLC
13717 Killarney Court
Phoenix, MD 21131

410-960-3148

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: 2019-0288-XA

10730 York Road
W/s York Road, 137 ft. south of McCann Avenue
8th Election District – 3rd Councilmanic District
Legal Owners: David Miller
Contract Purchaser: Bartban, LLC

Special Exception for a service garage and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition. Variance to permit a partial interior drive to be 12 feet in width in lieu of the 20 feet required and for such additional relief as the nature of this case may require for approval of the proposed building and uses shown on the plat which accompanied this petition.

Hearing: Friday, June 7, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
10730 York Road; W/S of York Road,	*	OF ADMINISTRATIVE
137' S of McCann Avenue		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): David P. Miller		
Contract Purchaser(s): Bartban, LLC	*	BALTIMORE COUNTY
Petitioner(s)	*	2019-288-XA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

RECEIVED

APR 09 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Geoffrey Schultz, RPLS Polaris Land Consultants, LLC, 10 Gerard Avenue, Suite 101, Lutherville, Maryland 21093 and Howard Alderman, Esquire, Levin & Gann, P.A., 502 Washington Avenue, Suite 800, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0288-XA
Property Address: 10730 YORK ROAD
Property Description: WEST SIDE YORK ROAD - 137' SOUTH
OF McCANN AVE.
Legal Owners (Petitioners): DAVID P. MILLER
Contract Purchaser/Lessee: BARTBAN, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARRY BARTHLOW
Company/Firm (if applicable): BARTBAN, LLC
Address: 13717 KILLARNEY CT.
PHOENIX, MD 21131
Telephone Number: 410-960-3148

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

May 30, 2019

Howard L Alderman
502 Washington Ave Suite 800
Towson MD 21204

RE: Case Number: 2019-0288-XA, 10730 York Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 04, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Bartban LLC 13717 Killarney Court Phoenix MD 21131
Geoffrey C. Schultz, RPLS Polaris Land Consultants, LLC 10 Gerard Ave Suite 101 Lutherville
MD 21093
David P. Miller 20014 Hunt Pass Court Parkton MD 21220

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-288

DATE: 5/31/2019



INFORMATION:

Property Address: 10730 York Road
Petitioner: David P. Miller
Zoning: BL-AS, ML-IM
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the herein described property as a service garage and a variance to permit a partial interior drive to be 12 feet in width in lieu of the required 20 feet.

A site visit was conducted on April 24, 2019. The site is improved with a vacant building proposed to be razed and lies within the Hunt Valley/Timonium Master Plan (HV/T) as adopted by the Baltimore County Council on October 19, 1998. A stated goal of the HV/T Plan area is "to protect and enhance the HV/T area as an important employment and retail area of Baltimore County, without producing adverse impacts on neighboring residential communities, and improving the area's quality of life and environment."

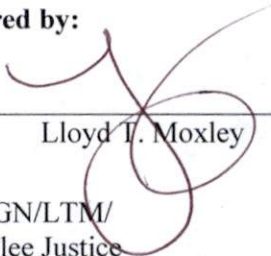
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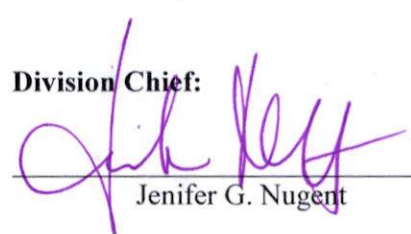
For further information concerning the matters stated herein, please contact Kaylee Justice at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Kaylee Justice
Geoffrey C. Schultz, RPLS
Howard L. Alderman, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: April 22, 2019

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 2019
Item No. 2019-0288-XA

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

We noticed that there is an existing watercourse that is located on the property. The watercourse located on the site may be a Baltimore County regulated flood plain associated with a drainage area equal to or greater than 30 acres. The plan proposes development near this watercourse. A flood study is required to establish the flood plain delineation and the site must adhere to the Baltimore County DPR Policy Manual, the Building Code and the Design Manual.

* * * * *

VKD: cen
cc: file

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, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0288-XA
Address 10730 York Road
(Miller Property)

Zoning Advisory Committee Meeting of **April 15, 2019**.

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

Reviewer: Steve Ford

Date: 4/10/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 4/10/19. A field inspection and internal review reveals that an entrance onto MD 45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception, Variance Case Number 2019-0288-XA

David P. Miller
10730 York Road
MD 45

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

CASE NAME 10730 York Road
CASE NUMBER 2019-288-XA
DATE 07 June 2019

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

CASE NAME Miller / BARTBAN
CASE NUMBER 2019-0288-XA
DATE 6/07/19

~~CITIZEN'S~~ SIGN - IN SHEET

E - MAIL

BRUCE E. DOAK	3801 BAKER SCHOOLHOUSE ROAD	FREELAND MD 21053	
BRUCE E. DOAK CONSULTANT		BDOAK@BRUCEEDOAKCONSULTING.COM	
KOMAS, Mitchell Rock	10738 York Rd.	Cockeysville MD 21030	
Stephen A. Miller	#5 McCann Ave	Cockeysville MD 21030	stephenamillerinc@gmail.com
NEL LENZI	102 W. PENNSYLVANIA AVE #406	Towson MD 21204	NLENZI@WCSLAW.COM
Stephen D. Rhine Sr	12 McCann Ave	Cockeysville MD 21030	NONE

1905

1905

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1905

1905

Debra Wiley

From: Debra Wiley
Sent: Friday, June 7, 2019 7:42 AM
To: 'Howard Alderman'
Subject: RE: 10730 York Road/Case No. 2019-0288-XA
Attachments: Message from "RNP002673F6C9D3"

Good Morning Mr. Alderman,

I apologize for not getting back to you sooner, however, I was not in the office yesterday.

In the event you still need the information requested below, I am attaching it for your convenience.

Hope you have a great weekend !

From: Howard Alderman <halderman@levingann.com>
Sent: Wednesday, June 5, 2019 3:18 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: 10730 York Road/Case No. 2019-0288-XA

CAUTION: This message from halderman@levingann.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Wiley, good afternoon. We have a hearing Friday afternoon regarding 10730 York Road/ Case No. 2019-0288-XA. We have met with representatives from Planning on two separate occasions and understood that they would send their comments last Friday. We received the ZAC comments from Carl Richards, but nothing from Planning. As shown below, I sent Kaylee Justice, in Planning, a request for a copy of whatever Planning produced.

As you can see from my yellow highlighting below, Ms. Justice responded that I can get a copy from your office. Odd indeed. Would you be kind enough to scan their comments and send them to me?

As always, many thanks,

Howard

Download V-Card

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-339-5761 or 833-801-1118 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com

Debra Wiley

From: Howard Alderman <halderman@levingann.com>
Sent: Wednesday, June 5, 2019 3:18 PM
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Subject: FW: 10730 York Road/Case No. 2019-0288-XA

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As always, many thanks,

Howard

Download V-Card

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-339-5761 or 833-801-1118 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com

From: Kaylee Justice <kjustice@baltimorecountymd.gov>
Sent: Wednesday, June 5, 2019 3:11 PM
To: Howard Alderman <halderman@levingann.com>
Subject: RE: 10730 York Road

Hi Howard-

A paper copy should have gone out in the mail to both you and Geoff at the beginning of the week so you should be receiving it soon. The Secretary for Development Review is out today so I can't confirm with her at the moment of the date it was mailed but it is my understanding that you should be able to receive a copy from the ALJ's office

Kaylee

From: Howard Alderman [<mailto:halderman@levingann.com>]
Sent: Wednesday, June 05, 2019 2:59 PM
To: Kaylee Justice <kjustice@baltimorecountymd.gov>
Subject: 10730 York Road
Importance: High

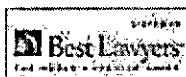
CAUTION: This message from halderman@levingann.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Kaylee, good afternoon. Has your department prepared and submitted its comments on 10730 York Road/Case No. 2019-0288-XA? You had indicated they were due last Friday. We've received other ZAC comments but nothing from Planning. Thanks, Howard

Download V-Card

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-339-5761 or 833-801-1118 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com

Recognized as one of Maryland's



LEVIN & GANN, P.A.



This email is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error or are not the named recipient(s), please notify immediately the sender at 410-321-0600 and delete this email message from your computer as any and all unauthorized distribution or use of this message is strictly prohibited. Thank you. This message is covered by the Electronic Communications Privacy Act, Title 18, United States Code, §§ 2510-2521. This e-mail and any attached files are deemed privileged and confidential, and are intended solely for the use of the individual(s) or entity to whom this e-mail is addressed.

Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.



CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

CASE NO. 2019-0288-XA

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

4/22

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

4/11

DEPS
(if not received, date e-mail sent _____)

N/C

5/31

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

NO OBJ
w/ Condition

4/10

STATE HIGHWAY ADMINISTRATION

NO
Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5/17/19

SIGN POSTING (1st) Date: 5/16/19 by Pulson

SIGN POSTING (2nd) Date: 6/3/19 by Pulson

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Search Result for BALTIMORE COUNTY

1/2

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application**Date:**

NO CONSIDERATION

10730 York Road

NO TITLE SEARCH

NO STAMPS OR TRANSFER TAX REQUIRED

THIS DEED, is made this 29th day of January, 2008, by and between DOROTHY JANE MILLER, Grantor, and DAVID P. MILLER, Grantee.

WITNESSETH, that for no monetary consideration, the said Grantor does grant and convey to the said DAVID P. MILLER, his personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland, and described as follows:

BEGINNING For the same at a pipe set on the west side of the York Road and at the beginning of the parcel of land firstly described in a deed dated March 30, 1931 and recorded among the Land Records of Baltimore County in Libber L. McL.M. No. 870, folio 406, which was conveyed by Joseph C. Moore and wife to John A. McCann and wife and running thence with and binding on a part of the first line of said parcel of land and binding on the west side of York Road North 10 degrees 10 minutes West 85 feet to a pipe, thence leaving said road and outline and running for lines of division the two following courses and distances viz: North 88 degrees 15 minutes West 146.06 feet to a pipe and South 2 degrees 22 minutes West 83.17 feet to a pipe set in the last line of the aforesaid firstly described parcel of land in the deed from Moore to McCann and thence running with and binding on a part of said last line South 88 degrees 15 minutes East 164.50 feet to the place of beginning.

Box
added to
recorded
instrument

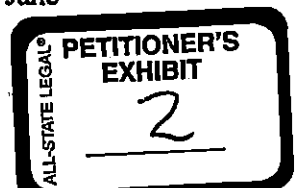
Containing 0.30 acres of land, more or less.

TOGETHER with the right and use thereof in common with others entitled thereto of a 20 foot road leading from the northwest corner of the herein described parcel of land in a northerly direction to McCann Avenue, the west side of said 20 foot road being described as follows to wit:

BEGINNING for the same at the end of the second line of the herein described parcel of land and running thence for the west side of said 20 foot road North 2 degrees 22 minutes East 120 feet, more or less, to the south side of McCann Avenue.

BEING the same lot of ground which by Deed dated November 3, 1983 and recorded among the Land Records Baltimore County, in Liber No. 6620, folio 158, was granted and conveyed by Gerard H. Edwards, Amelia W. Edwards, John H. Dauplaise and Florence M. Dauplaise to the Edwin F. Miller referred to herein.

BEING ALSO the same lot of ground which by Deed dated and recorded contemporaneously herewith was granted and conveyed by Dorothy Jane Miller, Personal Representative of the Estate of Edwin F. Miller, deceased, to the Dorothy Jane Miller referred to herein.



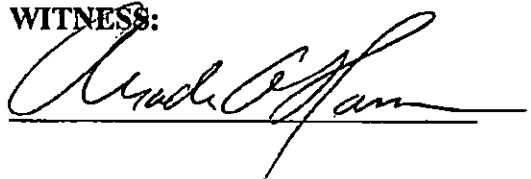
TOGETHER with the buildings and improvements thereupon, and all rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

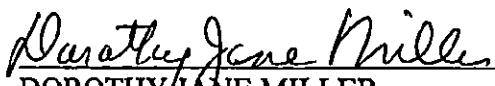
TO HAVE AND TO HOLD the said described lot of ground and premises to the said Grantee, his heirs, personal representatives, and assigns, in fee simple forever.

Whenever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS the hand and seal of said Grantor.

WITNESS:

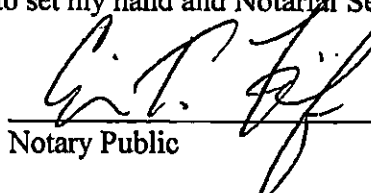


 (SEAL)
DOROTHY JANE MILLER

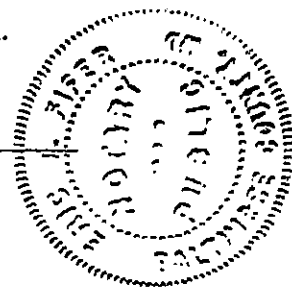
STATE OF MARYLAND) ss:

I HEREBY CERTIFY that on this 29th day of January, 2008, before me, a Notary Public of the State of Maryland, personally appeared DOROTHY JANE MILLER, known to me (or satisfactorily proven to me) to be the Grantor whose name is subscribed to the foregoing Deed, and she acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same, and she certified under the penalty of perjury that no consideration was paid or is to be paid for the foregoing conveyance and that no mortgage or deed of trust has been assumed by the Grantee.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.


Notary Public

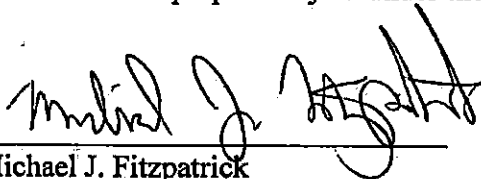
My commission expires: 9/14/2009



0026679 334

ATTORNEY CERTIFICATION

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



Michael J. Fitzpatrick

Please Return Original
After Recording To:

Michael J. Fitzpatrick, Esquire
Jensen, Hassani & Focas, P.A.
22 West Pennsylvania Avenue, Suite 606
Towson, Maryland 21204
(410) 339-7313

0026619

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only - All Copies Must Be Legible)

1. Type(s) of Instruments	☒ Deed ☐ Mortgage ☐ Other ☐ Other ☐ Deed of Trust ☐ Lease ☐ Other ☐ Improved Sale ☐ Unimproved Sale ☐ Multiple Accounts ☐ Not an Arms-Length Sale [9] Arms-Length [1] Arms-Length [2] Arms-Length [3]		FD SURE \$ 20.00 RECORDING FEE 20.00 TOTAL 40.00 Key # B481 Rcpt # 5360 TD Blk # 1588 Feb 15, 2008 02:46 PM
2. Conveyance Type Check Box	☐ Tax Exemptions (If Applicable) Cite or Explain Authority:		
3. Consideration and Tax Calculations	Consideration Amount: Purchase Price/Consideration \$ Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Other: \$ Full Cash Value \$		Finance Office Use Only: Transfer and Recording Tax/Consideration Transfer Tax Consideration Exemption Amount Total Transfer Tax Recording Tax/Consideration X () TOTAL DUTY \$
4. Fees	Amount of Fees: Recording Charge \$ Surcharge \$ State Recording Tax \$ State Transfer Tax \$ County Transfer Tax \$ Other \$ Other \$		
5. Description of Property	District: <u>08</u> Property ID No. (1) <u>08-05-014411</u> Map: <u>5</u> Parcel No. <u>191</u> Subdivision Name: <u>Lot (3a) Block (3b) Setback (3c) Subdiv. Reg. SqFt/Acreage</u> Location/Address of Property Being Conveyed: <u>10130 York Road</u> Other Property Identifiers (if applicable): Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: Partial Conveyance? ☒ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred: If Partial Conveyance, List Improvements Conveyed:		
6. Transferred From	Doc. 1 - Grantor(s) Name(s): <u>Dorothy Jane Miller</u> Doc. 2 - Grantor(s) Name(s):		
7. Transferred To	Doc. 1 - Owner(s) of Record, if Different from Grantor(s): Doc. 2 - Owner(s) of Record, if Different from Grantor(s): New Owner's (Grantee) Mailing Address: <u>14208 Cooper Road, Phoenix, Maryland 21131</u>		
8. Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional): Doc. 2 - Additional Names to be Indexed (Optional):		
9. Contact/Mail Information	Instrument Submitted By or Contact Person: Name: <u>Michael J. Fitzpatrick</u> Firm: <u>Jensen, Hasson & Fodor P.A.</u> Address: <u>22 W. Pennsylvania Avenue, Ste. 600</u> <u>Tolson, MD 21201</u> Phone: <u>(410) 339-7313</u> ☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided		
10. Assessment Information	IMPORTANT: WITH THE ORIGINAL DEED, AN PHOTOCOPY MUST ACCOMPANY EACH TRANSFER. Will the property being conveyed be the grantee's principal residence? Does transfer include personal property? If yes, identify: Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).		
Assessment Use Only - Do Not Write Below This Line Transfer Number: _____ Date Received: _____ Year: _____ 19 _____ Land _____ Buildings _____ Total _____ Map _____ Grid _____ Plat _____ Parcel _____ Section _____ Ex. St. _____ Ex. Cd. _____ REMARKS: <u>13 COMM. TRANSFER TAX</u> <u>ART. 4 FILES</u> <u>SUBTITLE 2, 11-3-2002</u> Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Goldrod ADC CC 300 (6/95)			

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 26679, p.40335, MSA-CE62, 26534, Date available 02/22/2008, Printed 06/06/2018

Source Reserved for County Vocation

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 5/31/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-288

INFORMATION:

Property Address: 10730 York Road
Petitioner: David P. Miller
Zoning: BL-AS, ML-IM
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for a special exception to use the herein described property as a service garage and a variance to permit a partial interior drive to be 12 feet in width in lieu of the required 20 feet.

A site visit was conducted on April 24, 2019. The site is improved with a vacant building proposed to be razed and lies within the Hunt Valley/Timonium Master Plan (HV/T) as adopted by the Baltimore County Council on October 19, 1998. A stated goal of the HV/T Plan area is "to protect and enhance the HV/T area as an important employment and retail area of Baltimore County, without producing adverse impacts on neighboring residential communities, and improving the area's quality of life and environment."

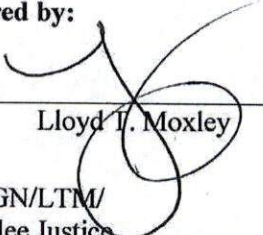
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The Department of Planning has no objection to granting the petitioned zoning relief conditioned upon the following:

- There shall be no temporary signage, banners or advertising flags displayed on the property. All signage shall conform with Section 450 of the BCZR.

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

Prepared by:

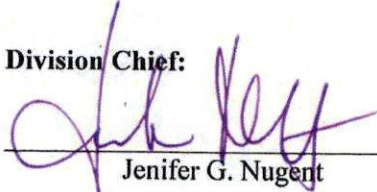


Lloyd T. Moxley

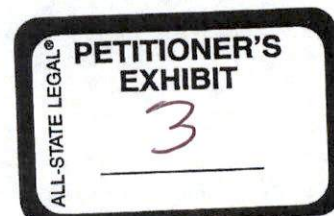
CPG/JGN/LTM/
c: Kaylee Justice

Geoffrey C. Schultz, RPLS
Howard L. Alderman, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

Division Chief:



Jenifer G. Nugent





6/6/2019

PETITIONER'S
EXHIBIT
4A
ALL-STATE LEGAL®



ALL-STATE LEGAL®
PETITIONER'S
EXHIBIT
4B

6/6/2019



ALL-STATE LEGAL®
PETITIONER'S
EXHIBIT
4C

6/6/2019



6/6/2019



Edwin F. Miller Electric Co., Inc.

LICENSED ELECTRICIAN

14208 COOPER ROAD, PHOENIX, MARYLAND 21131

December 16, 1994

To whom it may concern,

My name is David P. Miller and I am the president of Edwin F. Miller Electric Company. Our business address is 10730 York Road Cockeysville, Md. 21030.

Mr. Stephen Miller of Stephen Miller Inc., a small local electrical contractor has expressed interest in purchasing the property at 5 McCann Avenue, directly adjoining our business. He is interested in running his business out of this new location. Mr. Miller has explained to us that he would like to build a parking lot and a garage on the rear of the property. His business would be similar in operation to our own.

I have no objections to Mr. Miller's plans and welcome him into the community.

Thank You,



David P. Miller

dpm

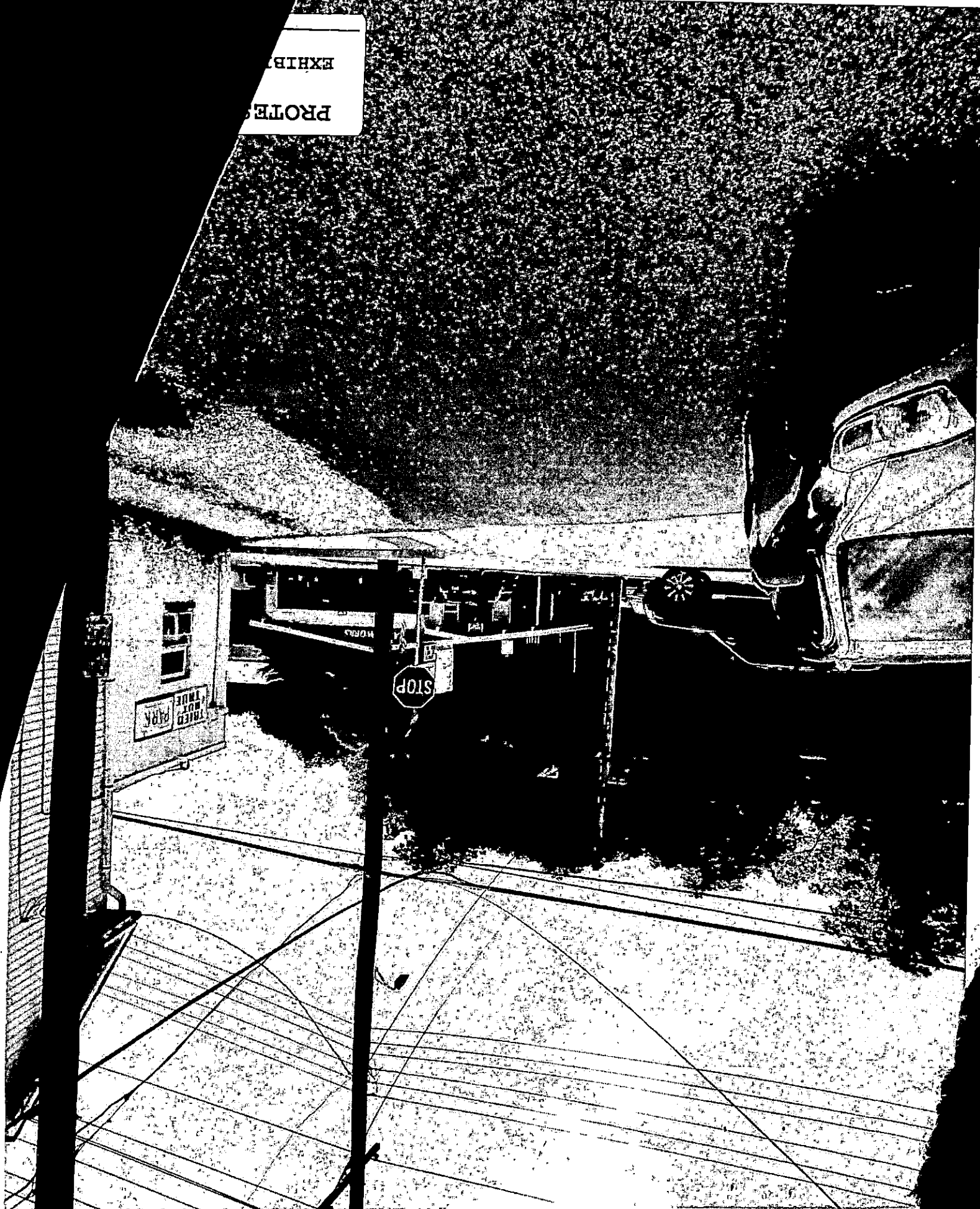
CC Edwin F. Miller

PROTESTANT' S

EXHIBIT NO. 1

TOP OF McCANN AVE AT JACK RD

PROTE
EXHIB



STANT

T NO.

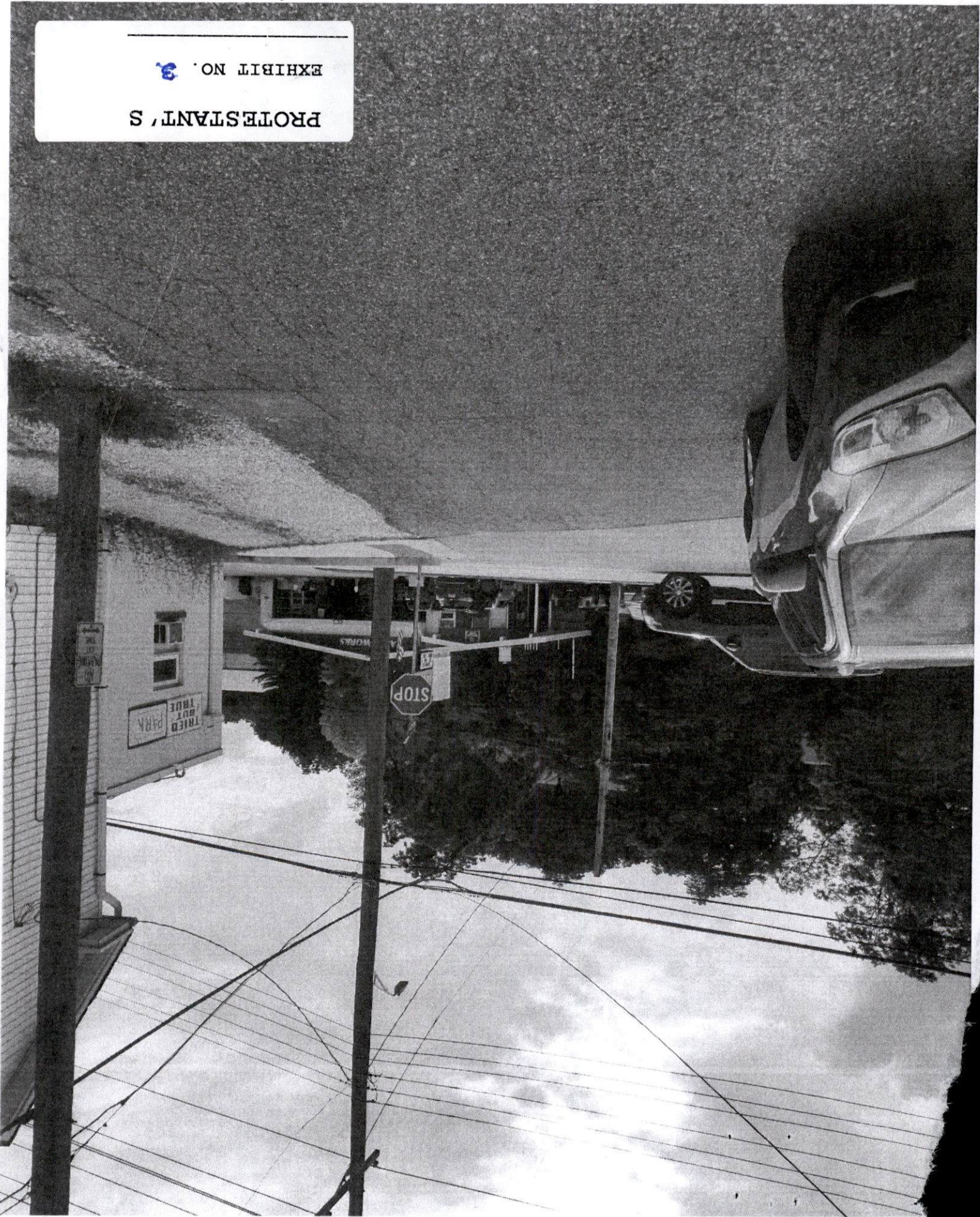




McCANN AVE

TOP OF McCANN AVE AT YORK RD

PROTESTANT'S
EXHIBIT NO. 3



Google Maps auto service

EXHIBIT NO.

3

Map data ©2019

1000 ft

Sort by relevance ▼

Hunt Valley Import Auto Service

5.0 ★★★★★ (8)

Auto repair shop

**Mr. Tire Auto Service Centers**

4.7 ★★★★★ (770)

Tire shop · 10501 York Rd

Open until 8:00 PM

410 656 6113



Average of 25 cars per day

Hunt Valley EuroCar

4.4 ★★★★★ (43)

Auto repair shop · 10801 York Rd

Closing soon: 5:00 PM

443 330 5575

About 20 cars a day
Plus deliveries and employees**Precision Tune Auto Care**

4.4 ★★★★★ (154)

Auto repair shop · 11015 York Rd

Open until 6:00 PM

410 628 0060

25 to 30 cars per day
Plus deliveries and employees

Babcock's Service Center

4.3 ★★★★★ (35)

Auto repair shop · 237 Cockeysville Rd

Open until 6:00 PM

410 785 2770



An average of 20 cars a day
Plus deliveries and employees

Ed Murphy Auto Services

5.0 ★★★★★ (5)

Auto repair shop · 11000 York Rd

Closing soon: 5:30 PM

**Hunt Valley Autoworks**

4.6 ★★★★★ (20)

Auto repair shop · 10737 York Rd

Closing soon: 5:30 PM

410 668 7077



20 To 40 cars per day
Plus deliveries and employees

Linhard's Auto Repair

4.3 ★★★★★ (35)

Auto repair shop · 11013 York Rd

Closing soon: 5:00 PM

410 771 1040



8 to 15 cars per day
Plus deliveries and employees

Caliber Collision

3.6 ★★★★★ (33)

Auto body shop · 10525 York Rd

Open until 6:00 PM

**Hunt Valley Auto Body Inc**

4.9 ★★★★★ (55)

Auto body shop · 10720 Roberts Private Rd

Opens at 7:30 AM

410 666 9100



10 to 15 cars per day
Plus deliveries and employees

Daniel Quinn Automotive

5.0 ★★★★★ (13)

Auto repair shop · 10825 Beaver Dam Rd

Open until 6:00 PM

**Automotive Concepts Inc**

Auto repair shop



Timonium Auto Specialists

4.7 ★★★★★ (9)

Auto repair shop · 227 Cockeysville Rd

Open until 6:00 PM

410 252 2277



3 To 15 cars per day
Plus deliveries and employees

AMG Auto & Truck Repair LLC | Auto Engine, Auto Transmission Repair in Cockeysville MD

5.0 ★★★★★ (11)

Auto repair shop · 21 Stenerson Ln

Closing soon: 5:00 PM

**T & T Automotive**

4.8 ★★★★★ (22)

Auto repair shop · 10823 Veneer Ln # C

410 771 1185



20-25 cars per day
Plus deliveries and employees

Wetdog Auto and Repair

5.0 ★★★★★ (12)

Auto repair shop · 10823 Veneer Ln

Open until 6:00 PM

**Diamond Detail**

4.7 ★★★★★ (166)

Car detailing service · 10606 Beaver Dam Rd

Open until 6:00 PM

**Jake's Diesel**

5.0 ★★★★★ (4)

Auto repair shop · 21 Stenersen Ln B

Closing soon: 5:00 PM

**Phoenix Auto**

4.9 ★★★★★ (21)

Auto repair shop · 10926 York Rd

Closing soon: 5:00 PM

**Beste Automotive Inc**

4.8 ★★★★★ (13)

Auto repair shop · 10823 Veneer Ln

Closing soon: 5:00 PM



Showing results 1 - 20

Jitty Lube

2071 York Road, Timonium MD 21093

410 561 8868

About 60 cars per day

HUNT VALLEY AUTOWORKS
10737 York Road
Hunt Valley, Maryland 21030

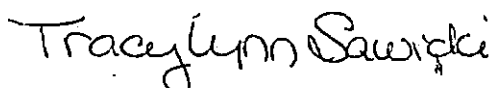
410-666-7077

June 6, 2019

To Whom it May Concern,

My name is Tracy Lynn Sawicki, owner of Hunt Valley Autoworks. I have owned my shop for over 19 years. My shop is located directly across the street from the proposed new service garage. My average car count that is in and out of my location is approximately 20 cars per day. Those 20 cars are customer cars and I probably have another 15-20 parts deliveries per day. Anything less than 10 cars per day, I probably would not be able to stay in business.

Sincerely,



Tracy Lynn Sawicki

President/Owner Hunt Valley Autoworks

PROTESTANT'S

EXHIBIT NO.

#4

010929.533

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 17TH day of January

in the year one thousand nine hundred and ninety-five

by and between

Alger Zapf, Jr. by Maurice D. Dashiell, Sr. his attorney-in-fact and Maurice D. Dashiell

of Sarasota, Florida and Baltimore County, Maryland

of the first part, and

Stephen A. Miller, Inc.

of the second part.

WITNESSETH, That in consideration of the sum of eight
Seventy/ thousand and NO/100ths Dollars

(\$78,000.00)

the said parties of the first part,

do grant and convey to the said party of the second part, its

personal representatives/successors and assigns

, in fee simple, all

that lot of ground situate in Baltimore County, Maryland

and described as follows, that is to say:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

BEING THE SAME PROPERTY WHICH BY DEED Dated July 28, 1981 and recorded among the land records of Baltimore County in Liber ENKJR 6314 folio 449, was granted and conveyed by John M. McCann and Dorothy V. McCann, his wife, unto Alger Zapf and Maurice D. Dashiell, grantors herein.

The said Maurice D. Dashiell is also known as Maurice D. Dashiell, Sr.

SEE ALSO POWER OF ATTORNEY dated January 11TH, 1995 and intended to be recorded among the land records of Baltimore County immediately prior hereto, wherein Alger Zapf, Jr. appointed Maurice D. Dashiell, Sr., to be his attorney-in-fact

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE LD DATE 2-1-95

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

LD 2-1-95
Signature Date

PROTESTANT'S

EXHIBIT NO. 5

MAIL TO:
EQUITY TITLE CO., INC.
1404 E. JOPPA RD.
TOWSON, MD 21286

#5577

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10929, p. 0533, MSA_CE62_10784. Date available 03/03/2005. Printed 05/31/2019.

0020010011 TR1X
003134001/26/95

\$1.2

010929.544

FILE NUMBER: 5517

EXHIBIT A

BEGINNING FOR THE SAME on the south side of a 20 foot road now known as McCann Avenue at a point North 87 degrees 42 minutes West 169.50 feet from the intersection of the south side of said road with the west side of the York Road; thence South 3 degrees West 204.23 feet to intersect the last line of the second lot in deed dated March 30, 1931 from Joseph C. Moore and wife to John A. McCann and wife; thence binding thereon South 87 degrees 42 minutes East 50 feet; thence North 3 degrees East 204.23 feet to the south side of McCann Avenue and binding on the south side thereof, North 87 degrees 42 minutes West 50 feet to the place of beginning.

BEING LOTS 5 & 5A as shown on the plat of land of John A. McCann and Emma V. McCann which lots were devised by Emma V. McCann, the survivor to William A. McCann by Will dated November 10, 1965 and recorded among the Will Records of the Orphans Court of Harford County in Liber TLA 28, folio 509, and among the said records of the Orphans Court of Baltimore County.

THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 5 McCann Avenue.

TOGETHER WITH THE RIGHT TO USE IN COMMON WITH OTHERS, entitled thereto, a Road twenty (20) feet wide, the western boundary of which abuts the South 3 degrees West 204.23 foot line hereinabove mentioned in this description and extending along said boundary line in a southerly direction approximately one hundred twenty (120) feet.

STEWART TITLE
GUARANTY COMPANY

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

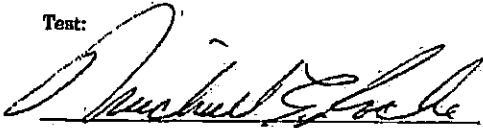
To HAVE AND TO HOLD the said described lot of ground and premises to the said Stephen A. Miller, Inc., its

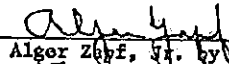
personal representatives/successors and assigns, in fee simple.

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

WITNESS the hand and seal of said grantor

Test:

  (SEAL)
Maurice D. Dashiell

 (SEAL)
Alger Zapf, Jr. by Maurice D. Dashiell, Sr., his
Attorney-in-fact

STATE OF MARYLAND, County of Baltimore, wit:

I HEREBY CERTIFY, That on this 17th day of January, in the year one thousand nine hundred and ninety-five, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Maurice D. Dashiell, and Alger Zapf, Jr. by Maurice D. Dashiell, Sr. his attorney-in-fact

known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

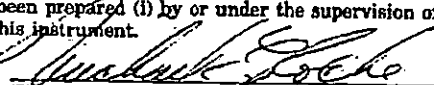
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

7-18-98

 (SEAL)
Notary Public
MICHAEL E. ROCHE
NOTARY PUBLIC
Baltimore Co., Md.

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

 (SEAL)
(Signature of attorney admitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument)

010929.536

State of Maryland Land Instrument Intake Sheet

County: Baltimore

Information provided is for the use of the Clerk's Office and State Department of Assessments and Taxation only.
(Type or Print in Black Ink Only—All Copies Must Be Legible)

1. Type(s) of Instruments: Multiple Instruments of the same transaction should be numbered to correspond with Sections 2, 6, 7, and 8. Number documents in the order to be recorded.
☒ Check Box if Addendum Intake Form is Attached.

2. Consideration and Fees: ☒ Deed ☐ Lease ☒ Other Power of Attorney
☐ Deed of Trust ☐ Contract ☐ Land Installment Cont.

3. Exemptions (if Applicable): Consideration Amount/Recording Fees
Consideration, Including Assumed Indebtedness: \$ 70,000 Doc. 1
Recording Charge: \$ 20 Doc. 2
Surcharge: \$ 5
State Recording Tax: \$ 290
State Transfer Tax: \$ 390
County Transfer Tax (if Applicable): \$ 0
Other: \$ 0
Total Fees: \$ 705 Doc. 1 \$ 25.00 Doc. 2

4. Contact/Mail Information: Name: Nichelle Nisbet
Firm: Equity Team
Address: 2910 23rd St
Phone: 2910 0323

5. Description of Property: District: CO Property Tax ID No. (1): 06-13-0002-054 Map: Parcel No.: Var. LOG: 5
Subdivision Name: Lot (3a) Block (3b) Sect/AR(3c) Plat Ref. Sq. Ft./Acreage (4):
Location/Address of Property Being Conveyed (2): 5 McCann Ave, Cockeysville, MD 21030
Partial Conveyance? ☐ Yes ☒ No Description/Amount of Sq. Ft./Acreage Transferred:
If Partial Conveyance, List Improvements Conveyed:
Doc. 1 - Grantor(s) Name(s): Algot Sept by Nawyce Doc. 2 - Grantor(s) Name(s): Stephen A. Nisbet, Jr.
Doc. 1 - Owner(s) of Record, if Different from Grantor(s): Doc. 2 - Owner(s) of Record, if Different from Grantor(s):
Doc. 1 - Grantee(s) Name(s): Stephen A. Nisbet, Jr. Doc. 2 - Grantee(s) Name(s): M. Eugene Prok
Doc. 1 - Additional Names to be Indexed (Optional): Prasanta A. Wajnski Doc. 2 - Additional Names to be Indexed (Optional): Nations Bank N.A.

6. Transferred From: Algot Sept by Nawyce
7. Transferred To: Stephen A. Nisbet, Jr.
8. Other Names to Be Indexed: Prasanta A. Wajnski
9. Special Instructions: 290
340
5

10. Conveyance Type: ☒ Private Sale with Improvements (1) ☐ Private Sale Unimproved (2) ☐ Multiple Accounts/Property (3) ☐ All Other (9)
11. Assessment Information: **IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER**
Yes ☒ No Will the property being conveyed be the grantee's principal residence?
Yes ☒ No Does transfer include personal property? If yes, identify:
Yes ☒ No Was property surveyed? If yes, attach copy of Survey (if recorded, no copy required)
New Owner's (Grantee) Mailing Address: 4203 Rich Ave, Baltimore, MD 21220

Assessment Use Only - Do Not Write Below This Line
Transfer Number: 19 Date Received: 19
Year: 19
Land: 19
Buildings: 19
Total: 19
GEO. Map: Sub: Block:
Zoning: Grid: Plat: Lot:
Use: Parcel: Section: Cdn. Cd:
Term Cd. Ex. St. Ex. Cd.

REMARKS:
1. Terminal Verification
2. Agricultural Verification
3. Whole
4. Part
5. Trans. Process Verification
Assigned Property No.:
Block:
Lot:
Cdn. Cd:

6. Distribution: White - Clerk's Office | Canary - SDAT | Pink - Preparer
AOC-CC-200 (7/94)

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10929, p. 0536, MSA CE62-10784, Date available 03/03/2005. Printed 05/31/2019.

Space Reserved for Circuit Court Clerk Recording Validation

IFP PD SURE \$ 5.00
RECORDING FEE 20.00
RECORDATION T 390.00
TR TAX STATE 390.00
TOTAL 805.00
Resd BAL RCP \$ 2345
SM SR BLK \$ 176
Feb 02, 1995 12:55 PM

010929.537

Addendum
State of Maryland Land Instrument Intake Sheet
 County: Baltimore

*The addendum form should be used when one transaction involves more than two instruments.
 Each instrument should be itemized in accordance with Section No. 1 of the Intake Sheet.*

	Doc. 3	Doc. 4	Doc. 5	Doc. 6
(Continued) Consideration and Fees				
Consideration, Including Assumed Indebtedness	\$ 10,000.00	\$	\$	\$
Recording Charge	\$ 25	\$	\$	\$
Surcharge	\$ 2	\$	\$	\$
State Recordation Tax	\$	\$	\$	\$
State Transfer Tax	\$	\$	\$	\$
County Transfer Tax (if Applicable)	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total Fees	\$ 27	\$	\$	\$
(Continued) Transferred From	Doc. 3 - Grantor(s) Name(s) <u>ALGER, EPT, JR.</u>	Doc. 4 - Grantor(s) Name(s)		
	Doc. 5 - Grantor(s) Name(s)	Doc. 6 - Grantor(s) Name(s)		
	Doc. 3 - Owner(s) of Record, if Different from Grantor(s) <u>MANUELO D. DASHI, JR.</u>	Doc. 4 - Owner(s) of Record, if Different from Grantor(s)		
	Doc. 5 - Owner(s) of Record, if Different from Grantor(s)	Doc. 6 - Owner(s) of Record, if Different from Grantor(s)		
(Continued) Transferred To	Doc. 3 - Grantee(s) Name(s) <u>MANUELO D. DASHI, JR.</u>	Doc. 4 - Grantee(s) Name(s)		
	Doc. 5 - Grantee(s) Name(s)	Doc. 6 - Grantee(s) Name(s)		
(Continued) Other Names to Be Indexed	Doc. 3 - Additional Names to be Indexed (Optional)	Doc. 4 - Additional Names to be Indexed (Optional)		
	Doc. 5 - Additional Names to be Indexed (Optional)	Doc. 6 - Additional Names to be Indexed (Optional)		
(Continued) Special Instructions	Special Recording Instructions (if any)			

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10929, p. 0537, MSA CE62_10784, Date available 03/03/2005. Printed 05/31/2019.

Real Estate Lease

This agreement is made this 19th day of February, 2005 by and between
Edwin Miller hereinafter called Lessor and

Mitch Rock
8 Old Forge Ct.
Sparks, MD 21152

hereinafter called Lessee.

1. Premises. The Lessor does hereby lease and demise to the Lessee 6 spaces for street level parking on York Rd. at the premises herein described as fronting York Rd. approximately 140 feet South of McCann Ave.

2. Term. The term of this lease shall be 5 years beginning on the 1st day of March, 2005 and ending on the 28th day of February, 2010 subject to the conditions of paragraph 8 hereof.

3. Rental. The total rental payable during the term shall be six thousand Dollars (\$6,000.00) Payments shall be made in five equal annual installments of twelve hundred Dollars (\$1200.00) payable at 10734 York Rd. Cockeysville, MD 21030.

4. Renewal Option. Lessee shall have the right to renew this lease for an additional five (5) year term upon the same terms and conditions. It is agreed that such right of renewal shall be considered as having been exercised by the Lessee by continued occupancy of said Premises and payment of rent in the manner herein provided for.

5. Use. The property is leased for the purpose of automotive parking along York Rd. Lessee is herewith granted the sole and exclusive right to the parking unless otherwise specified in this lease agreement. The lessee shall have the right to erect, place and maintain advertising sign structures and equipment therefor on the demised premises and post, paint or illuminate advertisements on such structures. All structures, material and equipment placed upon the said premises by the Lessee shall always remain the property of, and may be removed by the Lessee at any time prior to or within a reasonable time after the expiration of the term hereof or any extension thereof.

6. Termination. Lessee shall have the right to cancel this Lease upon thirty (30) days written notice to the Lessor if, at the Lessee's sole discretion any of the following occur: (a) The Premises are or become unsafe for parking purposes.

(b) The value of said location is or becomes diminished for parking purposes.

(c) Lessee is prevented by any present or future law, regulation or ordinance from parking upon the premises.

In the event of termination, Lessor agrees to return to the Lessee any rent paid in advance for the unexpired term. In the event that any occurrence cited as (a) through (e) above temporarily exists, Lessee shall at its option, in lieu of termination, be entitled to an abatement of rent for and during the period of the existence of the occurrence. Lessor agrees to return any rent paid in advance for the period of such abatements.

7. Purchase option. The Lessee shall, in the event of the sale of the property, be offered the right of first refusal for the purchase of the property at fair market value as determined by property appraisal. Any sale of the property to a third party must be made subject to this Lease and Lessor agrees to inform any purchaser of the existence of this Lease.

PROTESTANT' S

EXHIBIT NO. 6

8. Lessor's Covenants. Lessor covenants to Lessee that:

- (a) He has authority to make this Lease;
- (b) He will not permit any other vehicles to be parked on the specified area of the Premises;
- (c) He will not permit any shrubs, trees, vines or buildings to be planted or erected on the Premises which would obstruct or impair the usage of the parking area;
- (d) He will allow Lessee to trim, cut or remove from the Premises any tree, brush, bush or other vegetation which is necessary for an unobstructed use of the parking area.

9. Lessee's Covenants. Lessee covenants to Lessor that:

- (e) He will promptly pay rental as due pursuant to this lease;
- (f) He will use all reasonableness in cutting and trimming of trees, bushes, brush or other vegetation upon the Premises;
- (g) He will promptly attempt to procure all permits for construction and maintenance of parking sign structures on Lessor's property.

10. Miscellaneous. This Lease constitutes the entire understanding between the parties. This Lease shall inure to the benefit of and be binding upon the personal representatives, heirs, successors and assigns of the parties hereto. This Lease may be recorded by either party.

Signed this 19th day of February, 2004.

By Edwin Miller Lessor 4/16/05 Date

Witness Karl Schenk Date 4/16/05

By Thomas Mitchell Rock Lessee 4/16/05 Date

Witness Karl Schenk Date 4/16/05



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IMPORTED AUTO SERVICE**

 **MERCEDES BENZ
SPECIALIST**
410-666-3600

www.HUNTVALLEYAUTOBODY.com
410-666-9100

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PARKING
IN REAR





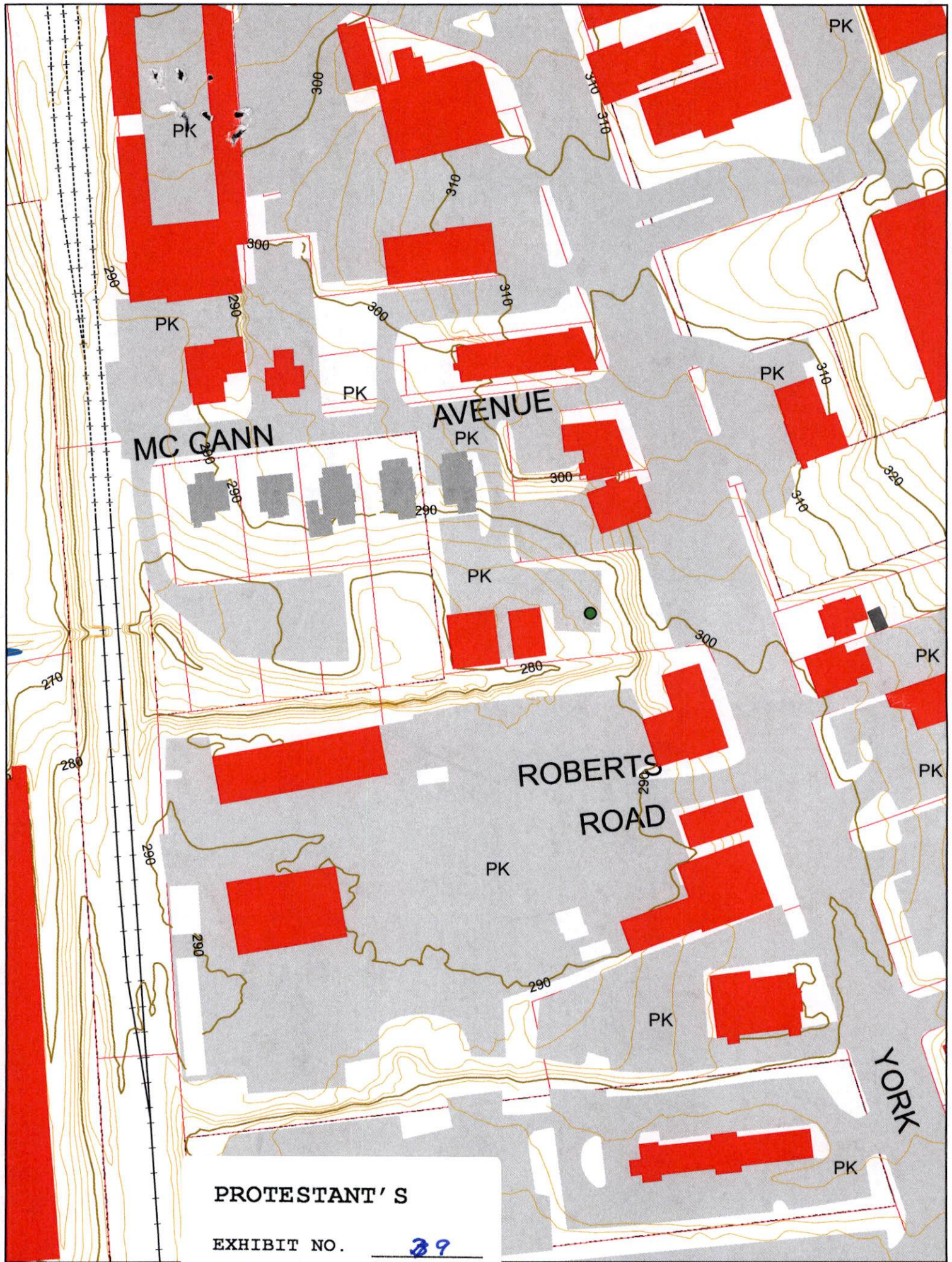










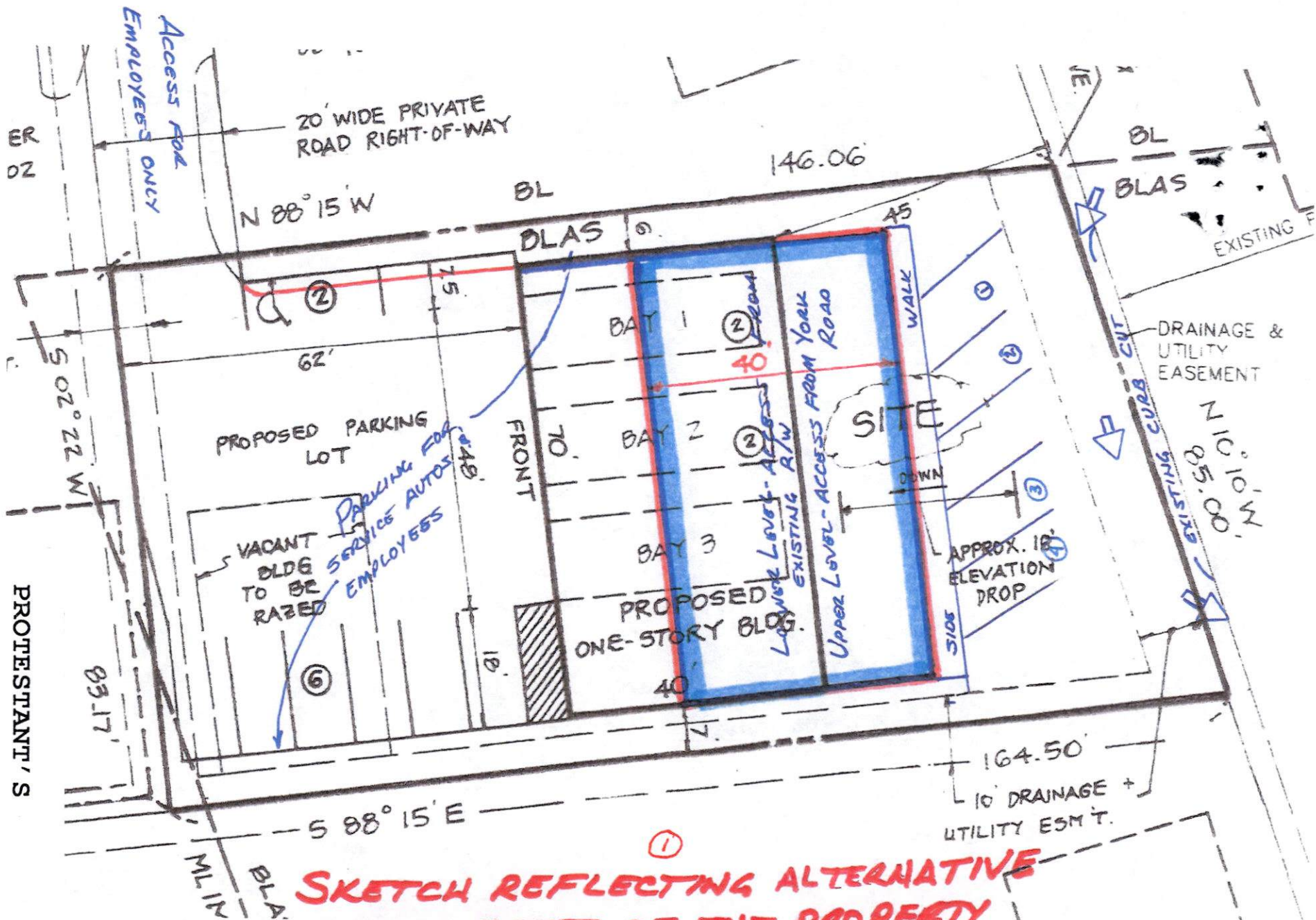



PROTESTANT' S

EXHIBIT NO. 39

2.2

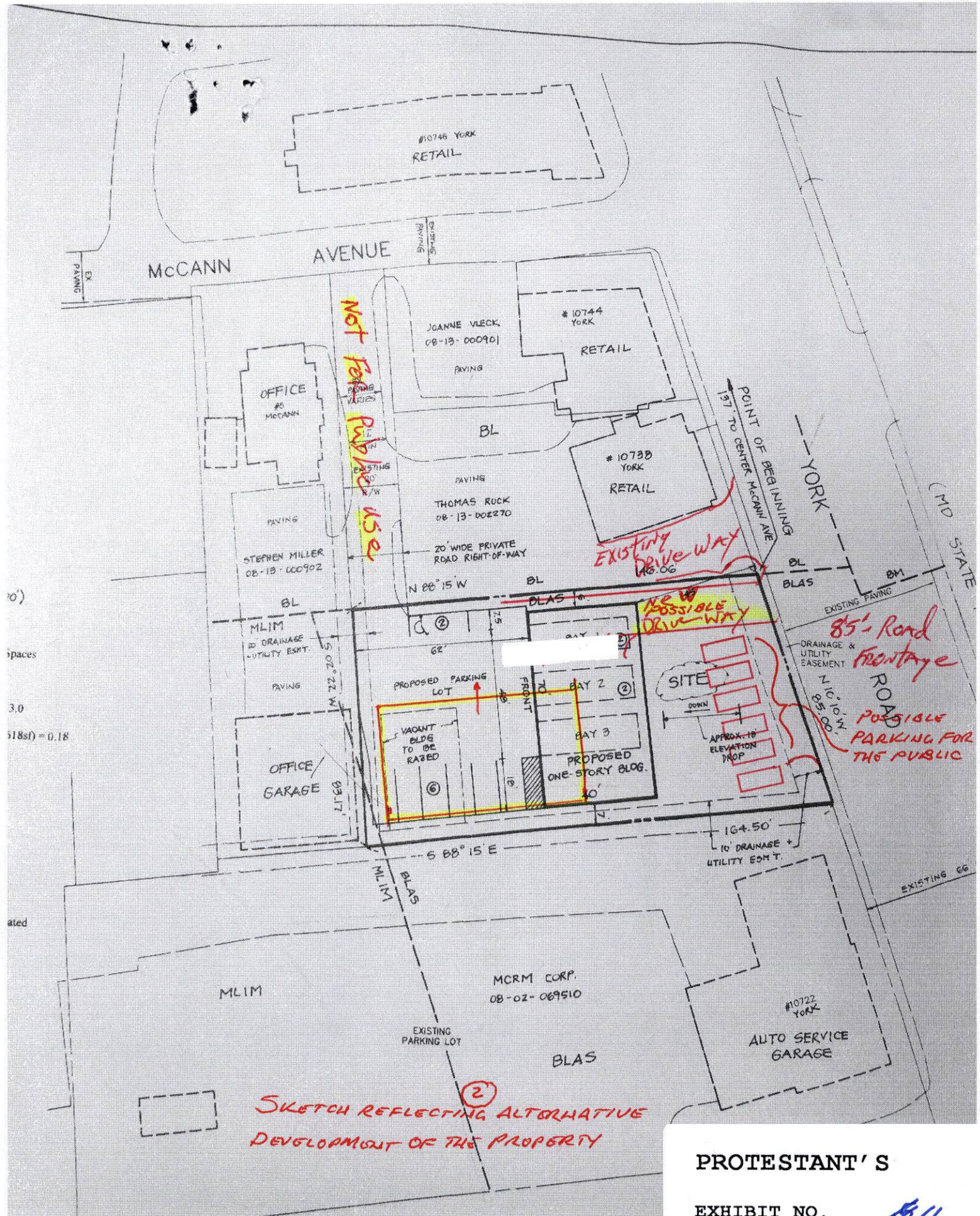
EXHIBIT NO. 40



①
SKETCH REFLECTING ALTERNATIVE DEVELOPMENT OF THE PROPERTY

B. DOAK 6/05/19

57



2
Sketch reflecting alternative development of the property

PROTESTANT'S

EXHIBIT NO. 11

77

11

The Law Offices of Michael J. Moran, P.C.

3407 Eastern Boulevard-Suite A

Middle River, MD 21220

410.687.8494

mikemoran@verizon.net

2 October 2017

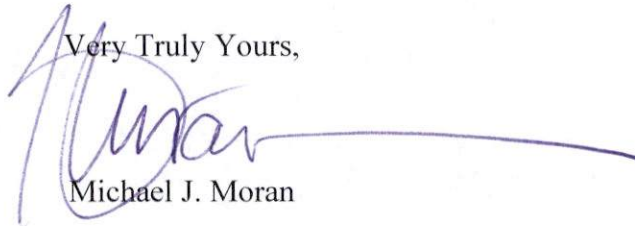
Zoning Review Office
County Office Building
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

Re: 2918 Willoughby Road, Case No.: 2018-0040

Dear Zoning Review:

Following up on your request, please find enclosed a copy of the Memorandum of Understanding and attachments. I understand that the submission of this paperwork is all that is now necessary to send the case to the Administrative Law Judge for a hearing. If, however, I am incorrect please contact me and advise.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read 'Moran', with a long horizontal flourish extending to the right.

Michael J. Moran

MJM:mm
Enclosures

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 30th day of August, 2017, by and between NICHOLAS MURRAY (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

Recitals

A. The Declarant(s) who is/are also the owner(s) of this property has/have filed an application for a use permit and special hearing to: approve or allow the use of an accessory structure as an in-law suite and to approve or allow a variance to the rear lot line setback to reduce the required setback from 2.5' to 2.0'.

The property being located at: No. 2918 Willoughby Road, Parkville, MD 21234 and is more particularly described by metes and bounds in **Exhibit A** (The Property) and **Exhibit B** (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned D.R. 5.5, which is the particular zone in which the property is located.

B. PAI (or) The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be the housing for: John Murray, who is the father of the property owner *The other residents of the property are: Nicholas Murray who resides in the principal structure (list all residents with full names, their dwelling location in the building(s) and their relationship to the immediate family, in detail as required in Bill No. 49-11)* The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.

C. As a condition of approval of the Declarant(s) request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PIA.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declarant(s) and PI A hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single-family residence. The Accessory Apartment shall house only the immediate family member(s) listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.

A. Upon use permit termination: In the Accessory Apartment in the accessory the kitchen and such other uses as required by the PAI will be removed.

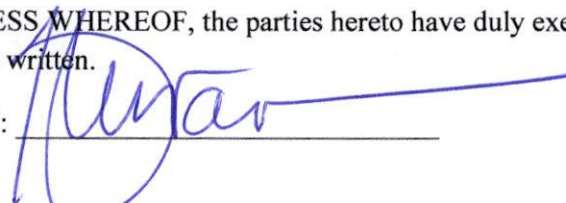
B. The Declarant(s) upon termination of the use permit will provide written notification to PAI for the closing of the Department file.

3. The covenants, conditions, and restrictions stated above shall run with and bind the Property and shall be enforceable by Baltimore County, MD and by the owners of all or any portion of the Property.

4. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS:


Michael Moran

✓ 
Nicholas Murray

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 30th ^{August} day of 20 17, before the Subscriber, a Notary Public of State of Maryland, personally appeared

Nicholas Murray

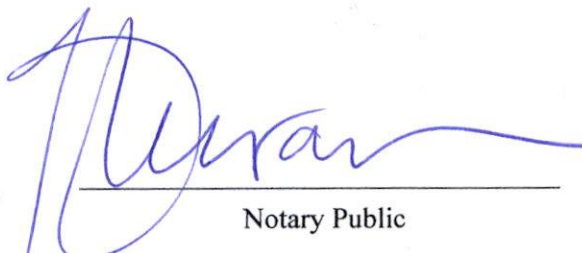
The declarant(s) herein, who is/are also the owner(s) of this property, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and who acknowledged that he/she/they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires:

2/1/19




Notary Public

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION
2918 WILLOUGHBY ROAD
9TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the northeast side of Willoughby Road which is 30 feet wide at a distance of 93 feet northwest of the centerline of the nearest improved intersecting street (School Road) which is 30 feet wide. Being lot 118 & 119 in the subdivision of the "Parkville Summit", recorded in the land records of Baltimore County in Plat Book 7 Folio 82;

Containing a net area of 6,250 square feet, or 0.14 acres of land, more or less.

ACCESSORY APARTMENT (In-law) APPLICATION / DECLARATION OF UNDERSTANDING GUIDE

BALTIMORE COUNTY, MD

FYI: If your relatives live in your dwelling and share your kitchen facilities with you, the use is often not considered to be an accessory apartment. Speak to a Planner for more information.

New legislation regarding new Accessory Apartments under Bill No. 49-11 became effective Oct. 23rd 2011. Also, existing in-law apartments lawfully approved prior to the effective date of this Act must obtain a use permit in accordance with the Bill on or before October 1, 2012. The purpose of this Guide is to assist in coordinating the various actions and procedures needed to obtain the necessary use permit and / or approval by the Administrative Law Judge after public hearing.

There are 2 possible procedures required for an Accessory Apartment approval:

- 1.) A use permit for the apartment within an existing single-family detached dwelling
OR
 - 2.) A special hearing / use permit for the apartment in an accessory building.
-

In either case, other zoning hearings may be required if determined to be necessary for approval. Please remember that all setback, use, height, area and permitting agencies regulations **MUST** be met for new construction and in all cases for section 400 BCZR compliance for apartments placed in existing or proposed accessory buildings.

The staff strongly suggests contacting all building permit review agencies well in advance of filing.

A list of these agencies is available in the Single Family Residential Lot Hearing Checklist. **

Remember! The use permit must be renewed every two years!

THE PROCESS:

An appointment is required for an application filing review. When you have the required information for filing prepared, please call Zoning Review at 410-887-3391 to make the appointment or for questions. Be aware that issues may arise at the review indicating that revisions to the application or related information will be necessary. Discuss the appropriate fees with staff before filing. Once an application has been formally accepted by this office, continue to use the same review intake planner as your contact person for this use permit process.

A special hearing filing requires a Declaration of Understanding be provided with the application for filing review. The Petitioner shall provide the Declaration of Understanding on a form approved by the Department, to include at least the information required by law, which is dependent on whether the request is for the accessory apartment to be within an existing single-family detached dwelling or located in an accessory building on the same owner-occupied property as the principal single-family detached dwelling. Prior to the application for a use permit, the Declaration of Understanding must be approved by the Director, and include all conditions and restrictions as determined by either the Director or the Administrative Law Judge after a public hearing. A copy of the executed Declaration of Understanding, with liber and folio noted, must be submitted to the Department prior to issuance of the use permit.

Be aware that this guide is for zoning review information only and it is not intended as legal advice. The applicant is responsible for the accuracy of all information filed with Baltimore County.

** Zoning Forms and Checklists are available from the Zoning Counter or Online at:
http://www.baltimorecountymd.gov/Agencies/permits/pdm_zoning/zonforms.html

Rev. 11/29/12

SECTION 101.1 DEFINITIONS

ACCESSORY APARTMENT – A SECOND LIVING QUARTER WITHIN A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR WITHIN AN ACCESSORY BUILDING SITUATED ON THE SAME LOT AS THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING AND IN COMPLIANCE WITH SECTION 400, WITH DEDICATED BATHING AND COOKING FACILITIES, AND LOCATED ON OWNER-OCCUPIED PROPERTY, SUBJECT TO THE FOLLOWING:

(A) THE OWNER MAY OCCUPY EITHER THE PRINCIPAL DWELLING OR THE ACCESSORY APARTMENT;

(B) THE OCCUPANT(S) OF THE ACCESSORY APARTMENT AND THE OCCUPANT(S) OF THE PRINCIPAL SINGLE FAMILY DETACHED DWELLING SHALL BE IMMEDIATE FAMILY, RELATED AS GRANDPARENTS, PARENTS, OR PARENTS' CHILDREN BY BLOOD, MARRIAGE OR ADOPTION;

(C) THE ACCESSORY APARTMENT IS PROVIDED WITHOUT COMPENSATION; AND

(D) THE ACCESSORY APARTMENT, WHETHER LOCATED WITHIN THE PRINCIPAL DWELLING OR IN THE ACCESSORY BUILDING, SHALL COMPLY WITH ALL LAWS, REGULATIONS, AND CODES AFFECTING RESIDENTIAL OCCUPANCY.

SECTION 400.4 ACCESSORY APARTMENT.

AN ACCESSORY APARTMENT IS PERMITTED AS A TEMPORARY USE WITHIN A PRINCIPAL SINGLE-FAMILY DETACHED DWELLING OR WITHIN AN ACCESSORY BUILDING SITUATED ON THE SAME OWNER-OCCUPIED LOT AS THE PRINCIPAL DWELLING IN ANY ZONE THAT PERMITS SINGLE-FAMILY DWELLINGS, SUBJECT TO THE FOLLOWING REQUIREMENTS:

A. IF LOCATED WITHIN AN EXISTING SINGLE-FAMILY DETACHED DWELLING:

1. AN APPLICANT SHALL FILE WITH THE DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS AN APPLICATION FOR A USE PERMIT FOR AN ACCESSORY APARTMENT, ON A FORM APPROVED BY THE DEPARTMENT. WITH THE APPLICATION, THE APPLICANT SHALL SUBMIT A DECLARATION OF UNDERSTANDING, ON A FORM APPROVED BY THE DEPARTMENT, INCLUDING BUT NOT NECESSARILY LIMITED TO THE FOLLOWING TERMS AND CONDITIONS:

A. THE SIZE OF THE ACCESSORY APARTMENT MAY NOT EXCEED ONE THIRD OF THE OVERALL FLOOR AREA OF THE DWELLING OR 2,000 SQUARE FEET, WHICHEVER IS LESS;

B. ANY AND ALL IMPROVEMENTS TO BE DEDICATED AS AN ACCESSORY APARTMENT SHALL BE USED SOLELY AS A SINGLE-FAMILY RESIDENCE; AND

C. THE ACCESSORY APARTMENT MAY NOT HAVE SEPARATE UTILITY METERS, SUCH AS GAS AND ELECTRIC SERVICE.

2. THE DIRECTOR MAY APPROVE THE APPLICATION UPON A FINDING THAT THE SIZE, LOCATION, AND PURPOSE OF THE ACCESSORY STRUCTURE WILL NOT NEGATIVELY AFFECT THE HEALTH, SAFETY, OR GENERAL WELFARE OF THE SURROUNDING COMMUNITY.

B. IF LOCATED WITHIN AN ACCESSORY BUILDING ON THE SAME OWNER-OCCUPIED PROPERTY AS THE PRINCIPAL SINGLE-FAMILY DETACHED DWELLING:

1. AN APPLICANT SHALL FILE A REQUEST FOR SPECIAL HEARING AND USE PERMIT WITH THE DEPARTMENT, TOGETHER WITH A DECLARATION OF UNDERSTANDING AS REQUIRED BY SUBSECTION A.1 OF THIS SECTION AND A PUBLIC HEARING BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS IS REQUIRED.

2. THE SIZE OF THE ACCESSORY APARTMENT MAY NOT EXCEED 1,200 SQUARE FEET, AND THE ACCESSORY BUILDING SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 400.

3. FOLLOWING A PUBLIC HEARING, THE OFFICE OF ADMINISTRATIVE HEARINGS MAY GRANT A REQUEST UPON A FINDING THAT THE SIZE, LOCATION, AND PURPOSE OF THE ACCESSORY APARTMENT CONFORMS WITH SECTION 502.1. AND MAY IMPOSE SUCH CONDITIONS, RESTRICTIONS OR REGULATIONS CONSISTENT WITH SECTION 502.2 AS MAY BE DEEMED NECESSARY OR ADVISABLE FOR THE PROTECTION OF SURROUNDING AND NEIGHBORING PROPERTIES, INCLUDING THE EXPRESS PROHIBITION THAT THE ACCESSORY APARTMENT NOT BE CONVERTED TO A SECOND DWELLING BEYOND THE SCOPE OF THIS SECTION.

4. THE ACCESSORY APARTMENT MAY NOT HAVE SEPARATE UTILITY METERS OR WATER AND SEWERAGE SERVICES UNLESS APPROVED BY THE OFFICE OF ADMINISTRATIVE HEARINGS BASED ON SPECIFIC FINDINGS OF NECESSITY FOR THE ACCESSORY BUILDING.

C. APPROVAL; RENEWAL.

1. APPROVAL. THE APPROVAL OF AN APPLICATION FOR USE PERMIT IN SUBSECTION A. OR REQUEST FOR SPECIAL HEARING AND USE PERMIT IN SUBSECTION B. SHALL BE SUBJECT TO THE FOLLOWING:

A. THE DECLARATION OF UNDERSTANDING AND PROPERTY DESCRIPTION, INCLUDING ANY CONDITIONS, RESTRICTIONS, OR REGULATIONS IMPOSED BY THE DEPARTMENT OR THE OFFICE OF ADMINISTRATIVE HEARINGS, SHALL BE RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY AND A COPY FILED WITH THE DEPARTMENT; AND

B. THE ACCESSORY APARTMENT SHALL ONLY BE UTILIZED BY IMMEDIATE FAMILY MEMBERS AS DEFINED IN SECTION 101 AND MAY NOT BE USED BY ANY PERSON OTHER THAN AN IMMEDIATE FAMILY MEMBER FOR ANY OTHER REASON.

C. IF THE ACCESSORY APARTMENT IS NO LONGER OCCUPIED BY ANY PERSON NAMED IN THE USE PERMIT OR IF THE PROPERTY IS SOLD, THE USE PERMIT SHALL TERMINATE, AND ANY PROPOSED CHANGES IN OCCUPANCY TO THE ACCESSORY APARTMENT BY THE PROPERTY OWNER OR SUBSEQUENT PURCHASER SHALL REQUIRE A NEW REQUEST FOR USE PERMIT AS APPLICABLE UNDER SUBSECTIONS A. OR B.

2. RENEWAL. THE APPLICANT SHALL RENEW THE USE PERMIT WITH THE DEPARTMENT EVERY TWO YEARS BY FILING A RENEWAL ON A FORM APPROVED BY THE DEPARTMENT, TO BE DATED FROM THE MONTH OF THE INITIAL APPROVAL, AND SHALL LIST THE NAME OF ANY PERSON OCCUPYING THE ACCESSORY APARTMENT.

ACCESSORY (In-law) APARTMENT FILING REQUIREMENTS

For an Accessory Apartment in an accessory building Special Hearing and temporary use permit:

1.) Provide the contents of the petition application as described on page 5 of the Single-Family Residential Hearing Checklist. ** Show Section 400 BCZR compliance regarding height, location, size and setbacks is of particular importance. The size of the accessory structure must clearly shown to be smaller than the footprint/area dimension of the principal dwelling. The accessory building size limit and or flood plain rules may restrict the Accessory Apartment building size to less than the allowed 1,200 square feet.

2.) Floor Plans: Areas, percentages, new as opposed to existing construction areas / dimensions, dedicated bathing and cooking facilities, etc., for the Apartment and accessory building are regulated. This information must be documented on engineer scale 1" = 10 ft. or 1" = 20 ft. use area/floor plans with all calculations and use area notes, and attached as a second plan sheet for the use permit or hearing plans. Separate utility meters or water and sewer service will require a specific request for findings of necessity, as part the special hearing.

3.) All plans and forms MUST be on 8 ½ x 11 inch paper. Plan notes must certify compliance with the definitions and Section 400 rules and limitations as stated in this guide. List the requirements that apply to your site verbatim on the plans and clearly address each to satisfy the regulations. Be certain to list all occupants and family relationships as limited and required in the regulations

4.) A completed Declaration of Understanding for ALJ review and Directors' signature upon order approval pursuant to Section 400.4.B.1. *Use the Sample with this form as a guide.*

ACCESSORY (In-law) APARTMENT FILING REQUIREMENTS (CONTINUED)

For an Accessory Apartment in an existing single family detached dwelling temporary use permit:

- 1.) A set of 6 site plans using the Single-Family Residential Lot Checklist** site plan sample and requirements as a guide.
- 2.) Floor Plans: Areas, percentages, new as opposed to existing construction areas / dimensions, dedicated bathing and cooking facilities, etc. This information must be documented on engineer scale 1" = 10 ft. or 1" = 20 ft. use area/floor plans with all calculations and use area notes, and attached as a second plan sheet for the use permit or hearing plans. Note that the apartment will not have separate utility meters.
- 3.) All plans and forms MUST be on 8 ½ x 11 inch paper. Plan notes must certify compliance with the definitions and Section 400 rules and limitations as stated in this guide. List the requirements that apply to your site verbatim on the plans and clearly address each to satisfy the regulations. Be certain to list all occupants and family relationships as limited and required in the regulations
- 4.) A completed and notarized Declaration of Understanding. *Use the Sample with this form as a guide.*

For both types of filing, the information on the plans and Declaration must agree. Other information or revisions may be needed as determined upon intake review.

DECLARATION OF UNDERSTANDING GUIDE FOR AN ACCESSORY ("In-law") APARTMENT USE PERMIT

The following Declaration of Understanding is only a sample. Please draft your Declaration based on the particular circumstances on your site as adjusted to comply with the legislation under Bill Number 49-11 and the "ACCESSORY APARTMENT APPLICATION GUIDE" that accompanies this sample form. Though an attorney or an engineer/surveyor is not usually required for preparation of the use permit, or Individual Residential Lots, zoning hearing applications, you may wish to seek professional help at your own discretion. Please be aware that this guide is for informational purposes only and it is not to be considered legal advice.

- 1.) Please read and understand the entire Guide prior to preparing your Declaration of Understanding.
- 2.) Once you have determined the correct process for your application, prepare your Declaration of Understanding and your filing application and plans, etc. in accordance with this Application Guide.

Rev.11/29/12

SAMPLE DECLARATION - DO NOT COPY!

*Notes in "italics" are instructions and are NOT part of the Declaration wording.
Revise as appropriate for your site*

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this _____ day of _____ 20____, by and between _____ (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

Recitals

A. The Declarant(s) who is/are also the owner(s) of this property has/have filed an application for a use permit and special hearing to: *(add the special hearing only if in an accessory building) (clearly describe the proposed accessory apartment location in the existing buildings on the site and any new construction using as many lines as needed)*

The property being located at: _____ and is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned _____, which is the particular zone in which the property is located.

B. PAI (or) The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be the housing for:

(Name the occupant(s) of the apartment and the relationship in the immediate family. The other residents of the property are:

(list all residents with full names, their dwelling location in the building(s) and their relationship to the immediate family, in detail as required in Bill No. 49-11) The use permit must be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.

C. As a condition of approval of the Declarant(s) request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PAI.

SAMPLE

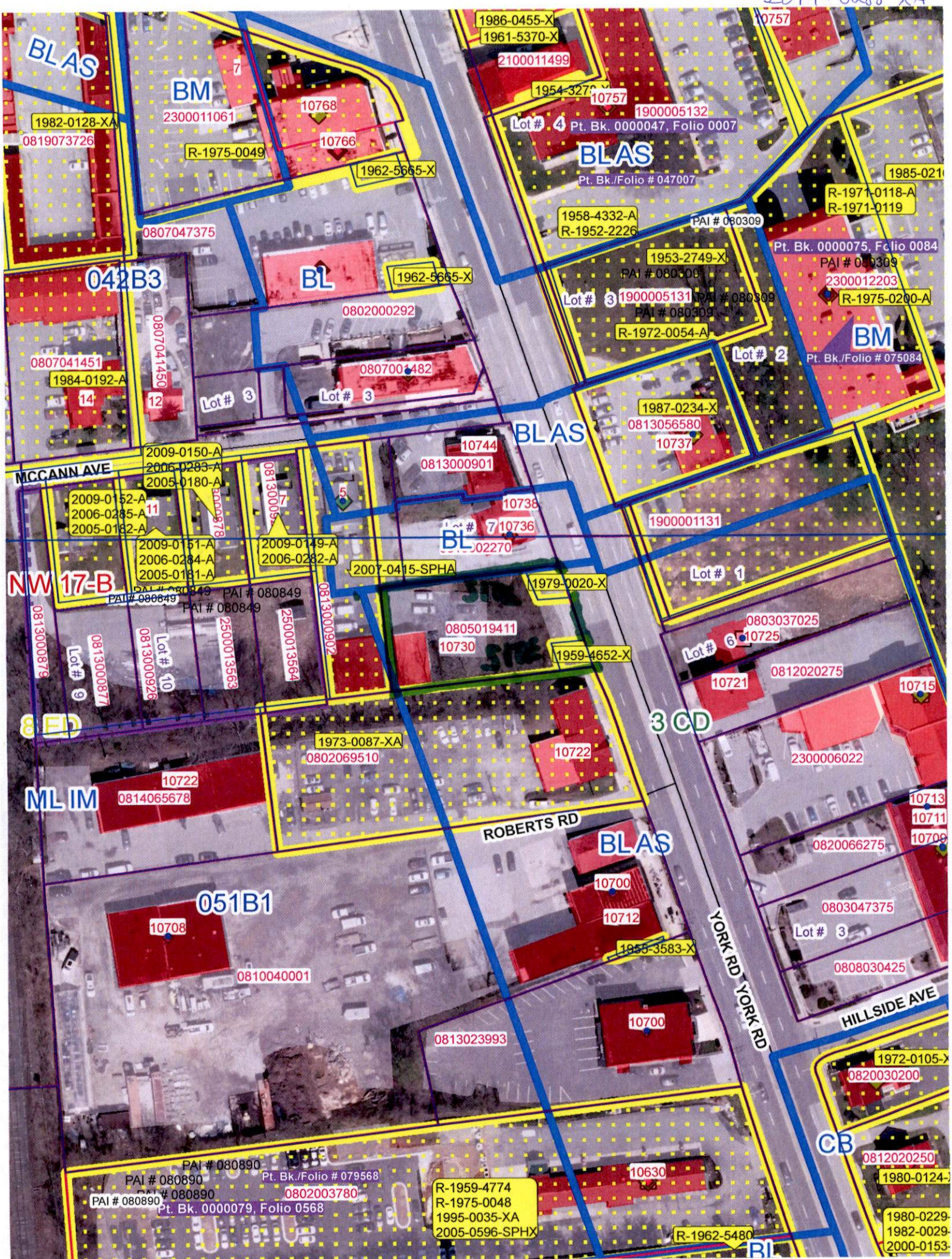


The Declaration of Understanding for the Accessory Apartment at:

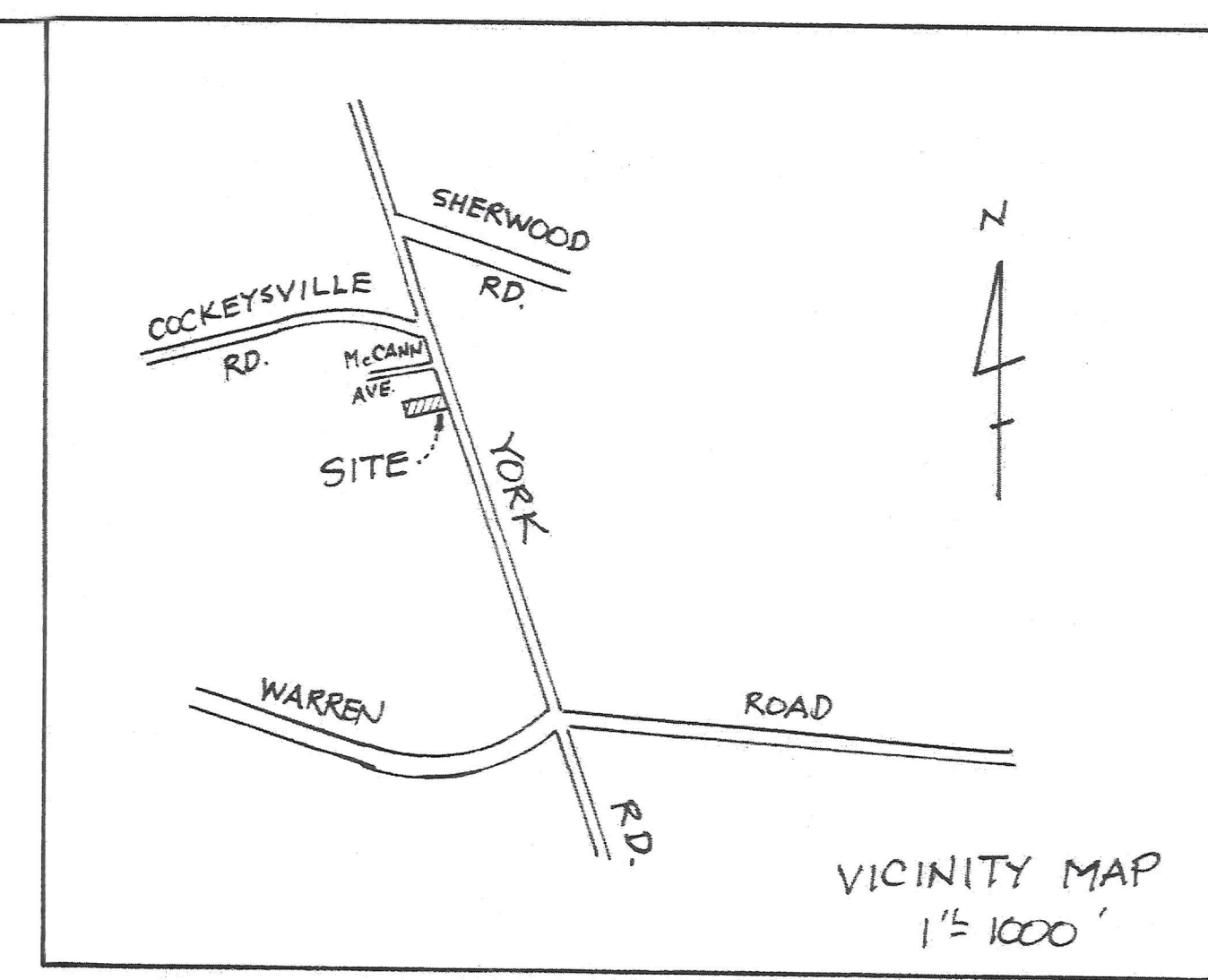
Address of property

is approved: _____
Arnold Jablon, Director-PAI

Date







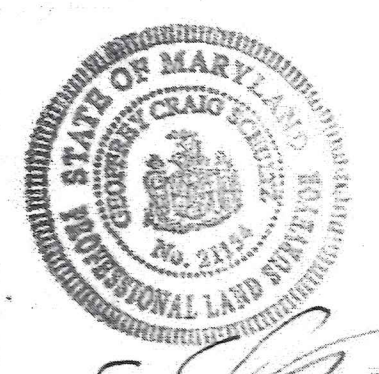
SITE TABULATION

1. EXISTING ZONING - BL-AS & ML-IM
2. GROSS AREA - 15,618 sf = 0.36 Ac
3. NET AREA - 13,068 sf = 0.30 Ac
4. PROPOSED USE - SERVICE GARAGE
5. PROPOSED BUILDING SIZE - 2800 sf (40' x 70')
6. PROPOSED FLOOR AREA - 2800 sf
7. PARKING REQUIRED - (2800/1000 x 3.3) = 10 Spaces
8. PARKING PROVIDED - 12 Spaces (4 in Bays)
9. MAXIMUM FLOOR AREA RATIO ALLOWED - 3.0
10. PROPOSED FLOOR AREA RATIO - (2800sf/15,618sf) = 0.18

PREVIOUS ZONING HEARINGS

CASE 1979-0020X - Special exception granted for an illuminated advertising sign.

CASE 1959-4652-X - Special exception granted for a sign.



10 GERARD AVENUE
SUITE 101
TIMONUM, MD 21093
PHONE: (410) 252-4444
FAX: (410) 252-4493
WWW.POLARISLC.COM

LAND SURVEYING - SUBDIVISION DESIGN - COMMERCIAL SITE DESIGN - LAND USE & PLANNING



GENERAL NOTES

1. TIER MAP DESIGNATION -
2. THIS PARCEL IS SERVED BY PUBLIC WATER AND SEWER.
3. THIS PARCEL WAS CREATED 4/21/1958
4. NO ON-SITE STREAM, WETLANDS, OR 100 YEAR FLOOD PLAIN ON THIS PROPERTY.
5. NOT IN CBCA.
6. THIS PROPERTY IS NOT HISTORIC.
7. THERE ARE NO FAILURES OF ANY BASIC SERVICES MAP FOR THIS PROPERTY.

Damaged or Disabled Vehicles Note
Any Damaged or Disabled Vehicle will be stored inside Bay 3 of the proposed garage and not outside. The 2 parking spaces available in the service bay have not been counted as on-site parking spaces provided.

PLAT TO ACCOMPANY PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES 10730 YORK ROAD

8TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20'

DATE: MARCH 12, 2019

SHEET 1 OF 1

OWNER
DAVID P. MILLER
DEED REFERENCE 26679/332
TAX MAP 51 - GRID - 4 - PARCEL 191
ACCT. NO. 08-05-019411

2019-0288-X4



SITE TABULATION

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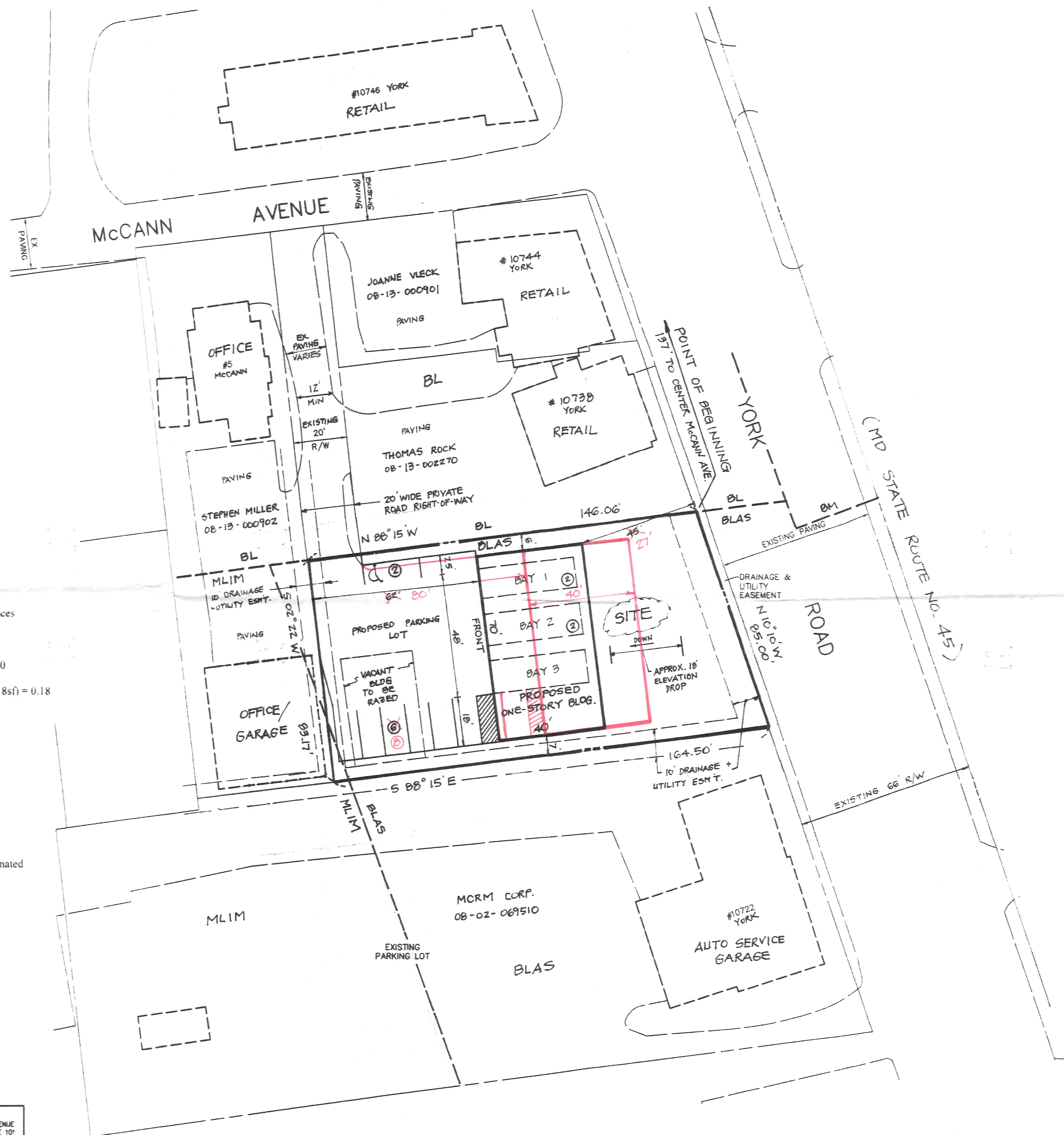


4/2/19

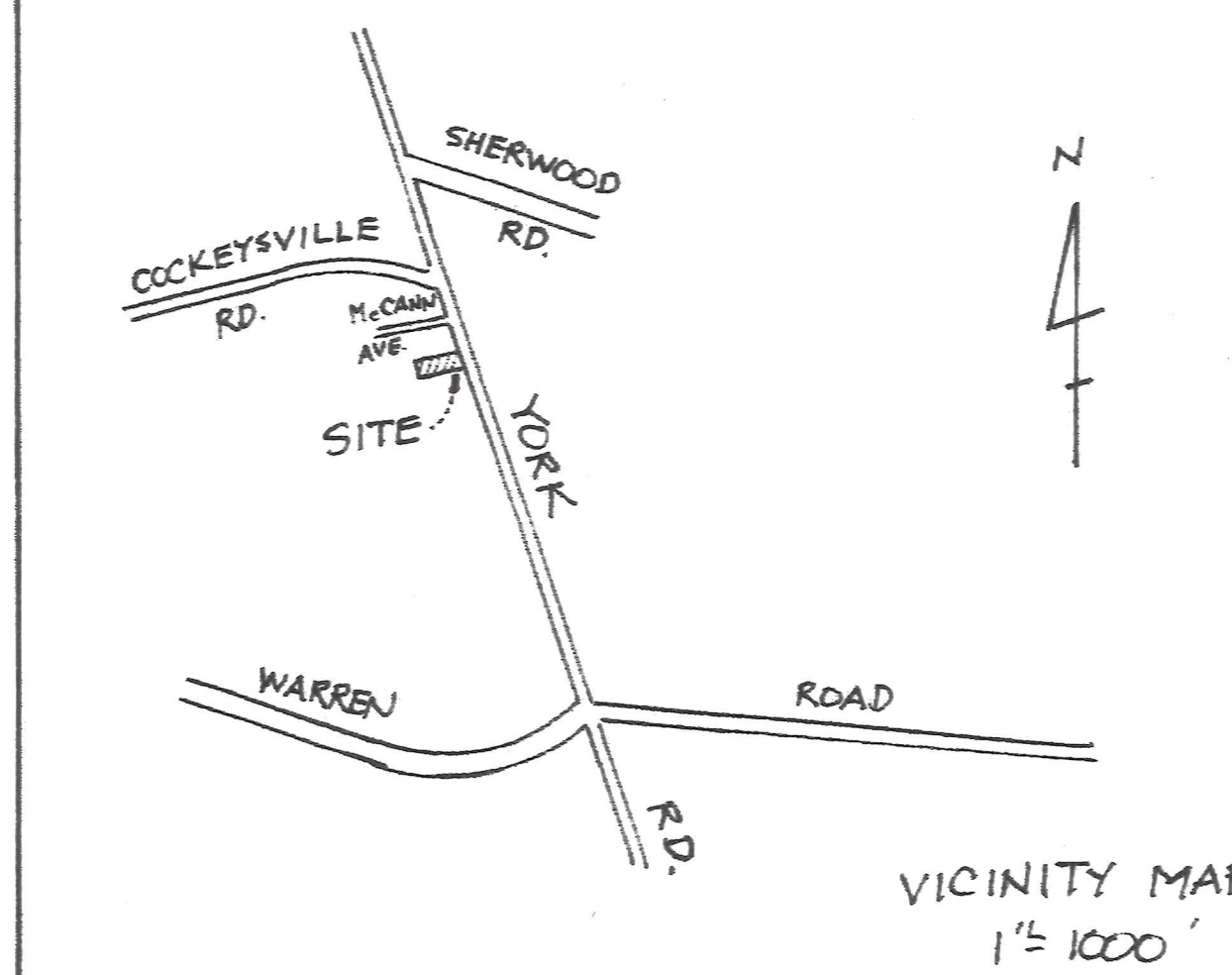
Polaris
LAND CONSULTANTS

10 GERARD AVENUE
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PET. No. 1



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REVISION - MOVED THE PROPOSED BUILDING 18 FEET TO THE EAST AND ADDED TWO PARKING SPACES.

REDLINED

PLAT TO ACCOMPANY PETITIONS
FOR SPECIAL EXCEPTION AND
ZONING VARIANCES
10730 YORK ROAD

8TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20'

DATE: MARCH 12, 2019

SHEET 1 OF 1

OWNER
DAVID P. MILLER
DEED REFERENCE 26679/332
TAX MAP 51 - GRID - 4 - PARCEL 191
ACCT. NO. 08-05-019411



DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91 VERTICAL - NAVD 88

JOB No.: 19 - 009





SITE TABULATION

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CASE 1959-4652-X - Special exception granted for a sign.



GCS 4/2/19

Polaris
LAND CONSULTANTS

10 GERARD AVENUE
SUITE 101
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PHONE: (410) 252-4444
FAX: (410) 252-4483
WWW.POLARISLC.COM

LAND SURVEYING - SUBDIVISION DESIGN - COMMERCIAL SITE DESIGN - LAND USE & PLANNING



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REDLINED

PLAT TO ACCOMPANY PETITIONS
FOR SPECIAL EXCEPTION AND
ZONING VARIANCES
10730 YORK ROAD

8TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 20'

DATE: MARCH 12, 2019

SHEET 1 OF 1

OWNER

DAVID P. MILLER

DEED REFERENCE 26679/332

TAX MAP 51 - GRID - 4 - PARCEL 191

ACCT. NO. 08-05-019411

PROTESTANT'S

PHOTOS A-M

EXHIBIT NO. **B**

**PLAN TO ACCOMPANY
PHOTOGRAPHS**

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91 VERTICAL - NAVD 88

JOB No.: 19 - 009