



JOHN A. OLSZEWSKI, JR.  
*County Executive*

PAUL M. MAYHEW  
*Managing Administrative Law Judge*  
LAWRENCE M. STAHL  
*Administrative Law Judge*

January 13, 2020

Brian Kopp  
Christy Kopp  
1239 Bayside Road  
Baltimore, Maryland 21221

RE: Petition for Special Hearing and Variance  
**(MOTION FOR RECONSIDERATION)**  
Case No. 2019-0461-SPHA  
Property: 1222 Bayside Road

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

We note that your filing of the Motion for Reconsideration was one (1) day after your deadline to appeal this matter before the County Board of Appeals.

Should you have any further questions, please, contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul M. Mayhew", is written over a light blue horizontal line.

PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM:sln  
Enclosure

C: Bob Brendel, 1919 York Road, Timonium, Maryland 21093  
David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040  
Matt and Amy Alsante, 1224 Bayside Road, Essex, Maryland 21221  
Patricia Sligh, 1229 Bayside Road, Essex, Maryland 21221  
Michelle Kolb, 1296 Bayside Road, Essex, Maryland 21221  
Joan Cummings, 208 Kerria Lane, Baltimore, Maryland 21220

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

(1222 Bayside Road)  
15<sup>th</sup> Election District  
7<sup>th</sup> Council District  
Wealthcare, LLC,  
*Legal Owner*

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

**Case No. 2019-0461-SPHA**

\* \* \* \* \*

**ORDER ON MOTION FOR RECONSIDERATION**

Now pending is a Motion for Reconsideration of the December 3, 2019 Order issued in the above case. That Order granted the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to determine that a lot merger did not take place with adjacent lots 94 and 95, but denied the Petition for multiple variances.

On January 3, 2020, an untimely Motion for Reconsideration was filed by Robert Brendel, Esq. Rule 4K of the Zoning Commissioner's Rules of Practice and Procedure, states in pertinent part:

"Motion for reconsideration. A party may file a motion for reconsideration of an order issued by the Zoning Commissioner. Such a motion must be made in writing, **within 30 days** of the date of the original order ..." (emphasis added).

The motion was therefore due on January 2, 2020. Further, counsel failed to copy the opposing parties on the motion so as to give them notice of the requested relief. Finally, the relief requested in the motion, i.e., to grant a second hearing for petitioners "to present an alternate plan significantly reducing or eliminating the variances requested from the height and area regulations," would not address all of the reasons the initial Petition was denied.

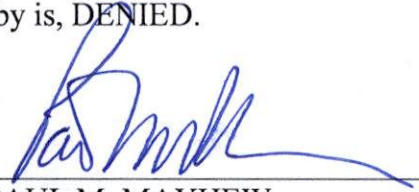
ORDER RECEIVED FOR FILING

Date 1/13/2020

By Sen



THEREFORE, IT IS ORDERED this 13<sup>TH</sup> day of **January, 2020**, by this Administrative Law Judge, that the Motion for Reconsideration, be and hereby is, DENIED.



PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM/sln

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Date 1/13/2020

By Sen



JOHN A. OLSZEWSKI, JR.  
*County Executive*

PAUL M. MAYHEW  
*Managing Administrative Law Judge*  
LAWRENCE M. STAHL  
*Administrative Law Judge*

December 2, 2019

Brian Kopp  
Christy Kopp  
1239 Bayside Road  
Baltimore, Maryland 21221

RE: Petition for Special Hearing and Variance  
Case No. 2019-0461-SPHA  
Property: 1222 Bayside Road

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul M. Mayhew", is written over a horizontal line.

PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM:sln  
Enclosure

C: Bob Brendel, 1919 York Road, Timonium, Maryland 21093  
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Michelle Kolb, 1296 Bayside Road, Essex, Maryland 21221  
Joan Cummings, 208 Kerria Lane, Baltimore, Maryland 21220

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

(1222 Bayside Road)  
15<sup>th</sup> Election District  
7<sup>th</sup> Council District  
Wealthcare, LLC,  
*Legal Owner*

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

**Case No. 2019-0461-SPHA**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Wealthcare, LLC, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to determine that a lot merger did not take place with adjacent lot at 1220 Bayside Road and to confirm that the lot of record with an area of 0.231 acre is buildable. A Petition for Variance was filed pursuant to Section 1A04.3 as follows: (1) to permit a proposed dwelling with a building height of 43 ft. in lieu of the required 35 ft.; (2) a lot area of 0.231 acre in lieu of the required 1.5 acres; (3) a front yard building setback of 68 ft. from the centerline of the right-of-way in lieu of the required 75 ft. (4) side yard setback of 14 ft. and 10 ft. in lieu of the required 50 ft.; and (5) an open porch with side yard setbacks of 10 ft. in lieu of 37.5 ft. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 1, a redlined version of the site plan was admitted as Petitioner’s Exhibit 10.

Christy Kopp and Bob Brendel, Esq. with Wealthcare, LLC, the property owner, appeared in support of the requests. They were assisted by consultant David Billingsley who had prepared the site plan. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning

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Date 12/3/19

By Sen

("DOP"). There were several neighbors who attended to voice their opposition to the requested relief.

### SPECIAL HEARING

The Petitioner submitted several exhibits in support of their contention that Lot 93 has not merged with Lots 94 and 95, including the SDAT records showing separate tax accounts and the Deed of Record showing that Lot 93 was conveyed to Petitioner as a separate parcel. A copy of the Evergreen Park subdivision was also submitted, showing the separate lots. Further, a "Devolution of Title" was submitted showing the chain of title since 1938 by which Lot 93 has always been conveyed separately. These exhibits were admitted as Petitioner's Exhibits 2, 3, and 9, respectively. One of the Protestants, Michelle Kolb, owns the adjoining property at 1246 Bayside Road. She testified that she grew up in the home and has lived there for 27 years. She testified that the former owners of the three parcels used them all as one property and that abandoned vehicles were stored on Lot 93 over the years. The neighbors on the other side, Amy and Matt Alsante also stated that the previous owners had used Lot 93 in connection with the residence on Lots 94 and 95. The Alsantes submitted a packet of documents and photos that were admitted collectively as Protestants' Exhibit 2. Included in this Exhibit is a photo of a ramshackle carport structure. The Protestants contended that this structure was at least partially on Lot 93. Mr. Billingsley stated that this was incorrect and asked for leave to have a property line surveyor go to the site and stake out the property lines so as to establish whether any portion of the carport structure is on Lot 93. I granted this request and left the record open in order to resolve this issue. Mr. Billingsley had the property surveyed and has submitted a boundary survey that was performed by a professional land surveyor on November 22, 2019. According to the survey the

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Date 12/31/19

By Sen



carport in question is located 12 feet inside Lot 94. The survey is admitted as Petitioner's Exhibit 11.

### SPECIAL HEARING

Based on the testimony and evidence submitted I find that no merger has occurred between Lot 93 and Lots 94 and 95. In order for merger to occur between adjoining parcels the parcel that is allegedly merged must have been used by the adjoining parcel – one that is normally occupied by a residence or business – in a very substantial way. To wit, normally there must be a substantial and permanent physical structure built on the land in question, such as a swimming pool, a garage, or other such structure. *See, e.g., Mueller v. People's Counsel for Baltimore County*, 934 A.2d 974, 1006-1008 (Md. App. 2007) (holding that the construction of a boat launch and movable storage shed and the use of the lot for recreational purposes did not result in merger). In the instant case the boundary survey establishes that the carport in question is not on Lot 93. Even if it was it is questionable whether this one rickety structure would be sufficient to result in the merger of Lot 93. Therefore, the lot is theoretically buildable if the Petitioner satisfies either BCZR § 304, or, failing that, BCZR § 307.

### BCZR § 304

This section of the BCZR allows a property owner to construct a single family residence on an undersized lot if three conditions are met:

- A. The lot in question was lawfully recorded either by deed or valid subdivision prior to 1955.
- B. All other requirements of the height and area regulations are complied with; and,
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements.

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By sen

In the instant case the Petitioner can satisfy the first prong of the analysis because Lot 93 was recorded as part of the Evergreen Park subdivision in the 1930s at Liber 7 Folio 174. However, Petitioner's proposal does not meet the second prong because it does not meet either the height or setback restrictions. Therefore, BCZR § 304 is of no avail to Petitioner and they must find relief, if any, under BCZR § 307.

VARIANCE UNDER BCZR § 307

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

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

*Cromwell v. Ward*, 102 Md. App. 691 (1995). Further, under BCZR § 307, even if these two factors are present the requested variance relief must still be within the spirit and intent of the BCZR and not be harmful to the public health, safety and welfare. Finally, as a general matter, a variance should be granted only "sparingly," because it is "an authorization for that . . . which is prohibited by a zoning ordinance." *Id.* at 699.

According to the testimony and evidence I cannot find that Lot 93 is unique within the legal meaning of that term. The lot is virtually identical to all the other lots in the Evergreen Park subdivision in its dimensions and topography. Further, even if I were to find that the property is unique, and that denial of the requested variance would result in practical difficulty or hardship, I would still not grant the requested relief because I do not believe the proposed structure on this small parcel would be within the spirit and intent of the BCZR. First, the lot in question is less than a quarter acre and the RC5 zone requires a minimum lot size of 1.5 acres – in other words roughly six times as large. Second, as testified to by several of the Protestants, the vast majority

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Date 12/3/19

By sen



of the homes on this side of Bayside Road are built on "double" lots that are 100 feet wide, and this proposed structure on a single lot would not be compatible. Third, the setback variances requested are substantial, as is the height variance. Indeed, Petitioner wants to build a 43 foot high structure virtually on top of and in front of the Alsantes' home next door. Protestants also testified that there is a commercial airstrip nearby and that there are often very low-flying planes overhead. They stated that they are, therefore, particularly concerned about the height of this proposed structure.

Finally, the Protestants described several recent storm events that caused substantial flooding in the neighborhood and this lot is, if not entirely, at least partially, within the Chesapeake Bay Critical Area (CBCA). Amy Alsante testified that prior to purchasing their lot they conferred with County officials in the Department of Environmental Protection and Sustainability about whether Lot 93 was a buildable lot. She stated that she and her husband were told that Lot 93 was subject to a CBCA easement and could therefore not be built on. Ms. Alsante produced photos showing CBCA signs posted around the property, which she said were removed by someone during the cleanup of the property. These photos are contained within a packet of materials submitted by the Alsantes, which was admitted as Protestants' Exhibit 1. Ms. Kolb also testified about the CBCA signage that had been on the property and she also submitted aerial and street level photos of the site and the signs that were a part of the packets of materials that were admitted as Protestants' Exhibits 2 and 3. Finally, both the original and the redlined site plans submitted by Petitioner acknowledge that the "site is located in the CBCA." I note that the Redlined site plan (Petitioner's Exhibit 10) depicts a "*Proposed Critical Area Easement*" over the rear third of the lot, but the meaning of this was never explained by Petitioner. Based on

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Date 12/31/19  
By Sen

this evidence I believe the proposed residential structure, which would add significant impervious area to the site, would be likely to harm the public health, safety and general welfare.

THEREFORE, IT IS ORDERED this 3<sup>rd</sup> day of **December, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing to determine that a lot merger did not take place with adjacent lots 94 and 95 be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance as follows: (1) to permit a proposed dwelling with a building height of 43 ft. in lieu of the required 35 ft.; (2) a lot area of 0.231 acre in lieu of the required 1.5 acres; (3) a front yard building setback of 68 ft. from the centerline of the right-of-way in lieu of the required 75 ft. (4) side yard setback of 14 ft. and 10 ft. in lieu of the required 50 ft.; and (5) an open porch with side yard setbacks of 10 ft. in lieu of 37.5 ft., be and is hereby DENIED.



PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM:sln

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Date 12/31/19  
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 1777 BAYSIDE ROAD which is presently zoned RC5  
Deed References: L41483 F31 10 Digit Tax Account # 1518350580  
Property Owner(s) Printed Name(s) WEALTH CARE, LLC

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

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

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

SEE ATTACHED

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

3. X a Variance from Section(s)

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

## Legal Owners (Petitioners): WEALTH CARE LLC

CHRISTY KOPP

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1919 YORK ROAD TIMONILUM MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address christykopp@gmail.com

## Representative to be contacted:

DAVID BILLINGSLEY

Name - Type or Print

Signature

601 CHARWOOD CT. EDGEWOOD MD.

Mailing Address

City

State

Zip Code

Telephone #

Email Address dwb0209@yahoo.com

CASE NUMBER 2019-0461-SPHA Filing Date 9/12/19

Do Not Schedule Dates:     

Reviewer RT

Owner: Wealthcare, LLC

Zoning Case No.: 2019-0461-SPHA

**Petition for Special Hearing at 1220 Bayside Road**

1. To determine that a lot merger did not take place with adjacent lot at 1220 Bayside Road, and
2. To confirm that the lot or record with an area of 0.231 acre is buildable.

**Petition for Variance at 1220 Bayside Road**

Section 1A04.3: to permit a proposed dwelling with:

1. A building height of 43' in lieu of the required 35';
2. A lot area of 0.231 acre in lieu of the required 1.5 acres;
3. A front yard building setback of 68' from the centerline of the ROW in lieu of the required 75';
4. Side yard setbacks of 14' and 10' in lieu of the required 50'; and
5. An open porch with side yard setbacks of 10' in lieu of 37.5' and a front yard setback of 60' in lieu of 51.86'. *OK*

*OK: DAVID BILLINGSLEY*



## **ZONING DESCRIPTION**

### **1222 BAYSIDE ROAD**

Beginning for the same at a point on the north side of Bayside Road (30 feet wide) distant 750 feet easterly from its intersection with the center line of Beechwood Avenue, thence being all of Lot 93 as shown on the plat entitled Evergreen Park recorded among the Baltimore County plat records in Plat Book 7 Folio 174.

Containing 10,050 square feet or 0.231 acre of land, more or less.

Being known as 1222 Bayside Road. Located in the 15<sup>TH</sup> Election District, 7<sup>TH</sup> Councilmanic District of Baltimore County, MD.

2019-0461-JPHA



PM 11-14-19  
1:30 PM

**Debra Wiley**

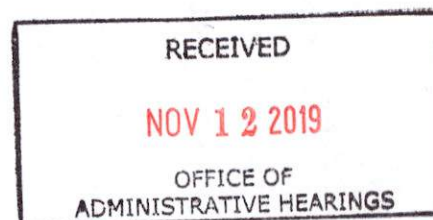
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**From:** David Billingsley <dwb0209@yahoo.com>  
**Sent:** Monday, November 11, 2019 10:52 AM  
**To:** Administrative Hearings  
**Cc:** Christy Kopp; Bob Brendel  
**Subject:** 1126 (formerly 1222) Bayside Road CASE NO. 2019-0461-SPHA  
**Attachments:** Scan\_0508.pdf

**CAUTION:** This message from dwb0209@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Posting recertification attached  
Thanks

Dave Billingsley  
Central Drafting and Design  
410-679-8719 OFFICE  
410-458-1401 CELL



# CERTIFICATE OF POSTING

RECERTIFY 11/11/19

Date: OCTOBER 25, 2019

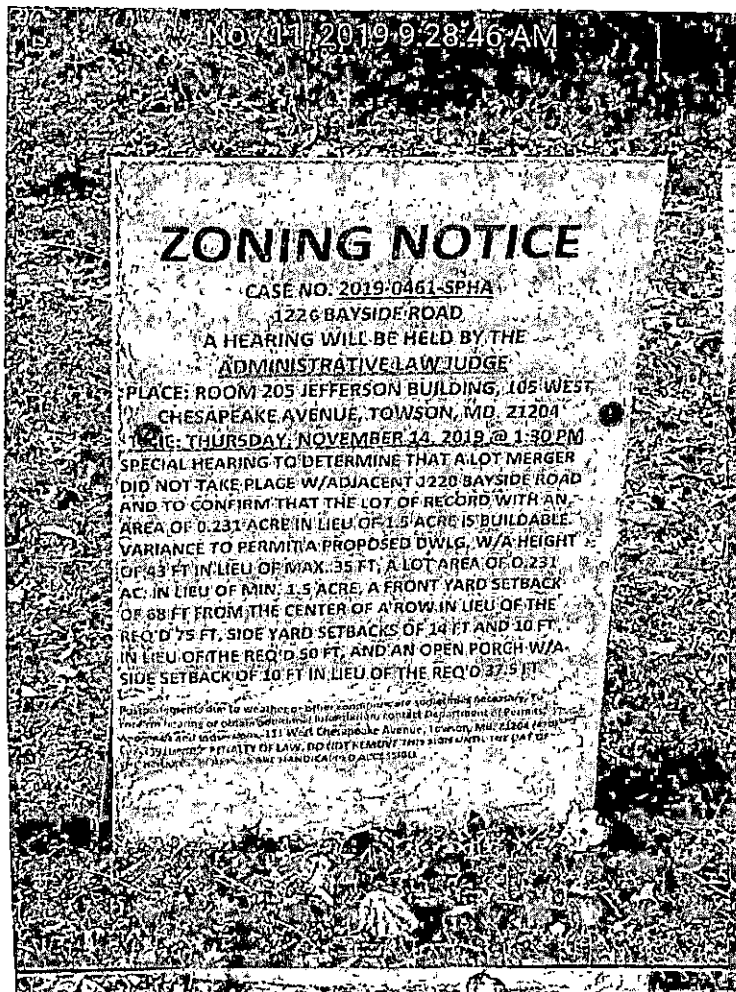
RE: Project Name: 1226 BAYSIDE ROAD #1  
Case Number /PAI Number: 2019-0461-SPHA  
Petitioner/Developer: WEALTHCARE LLC  
Date of Hearing/Closing: NOV. 14, 2019

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 1226 BAYSIDE ROAD

The sign(s) were posted on

RECERTIFY 11/11/19  
OCTOBER 25, 2019

(Month, Day, Year)



*David Billingsley*  
*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

# CERTIFICATE OF POSTING

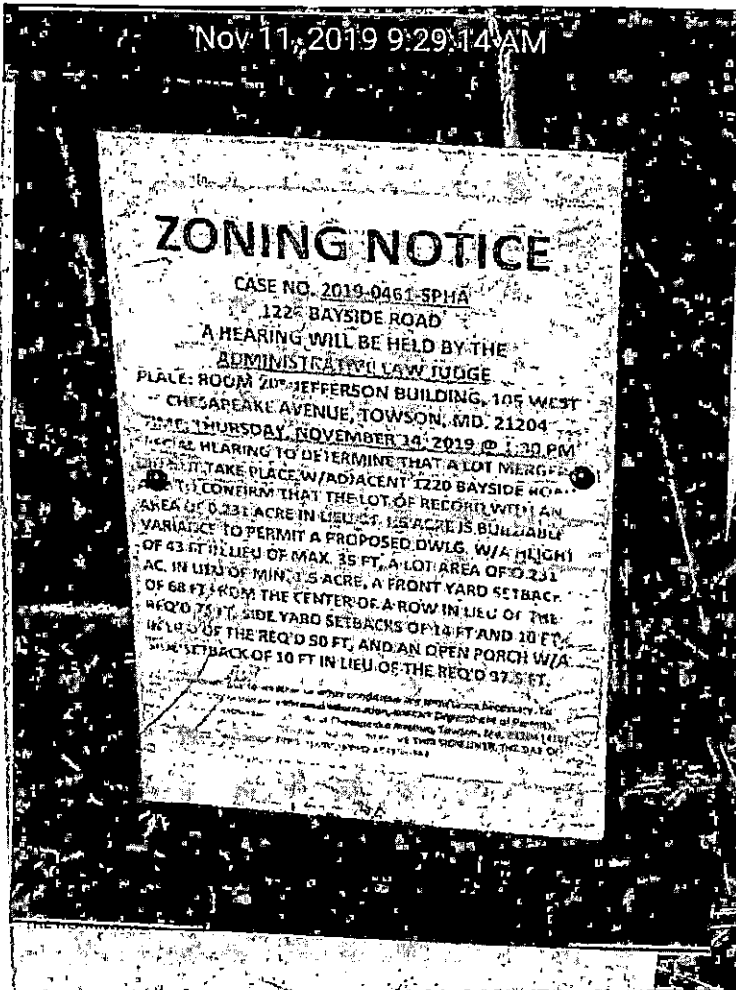
RECEIPT 11/11/19  
Date: OCTOBER 25, 2019

RE: Project Name: 1226 BAYSIDE ROAD #2  
Case Number /PAI Number: 2019-0461-SPHA  
Petitioner/Developer: WEALTHCARE LLC  
Date of Hearing/Closing: NOV. 14, 2019

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 1226 BAYSIDE ROAD

The sign(s) were posted on

RECEIPT 11/11/19  
OCTOBER 25, 2019  
(Month, Day, Year)



*David Billingsley*  
*David Billingsley*  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

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

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



|                                                                    |   |                   |
|--------------------------------------------------------------------|---|-------------------|
| RE: PETITION FOR SPECIAL HEARING                                   | * | BEFORE THE OFFICE |
| AND VARIANCE                                                       |   |                   |
| 1222 Bayside Road; SW of Cedar Avenue                              | * | OF ADMINISTRATIVE |
| & Bayside Road on the N/S of Bayside Road                          |   |                   |
| 15 <sup>th</sup> Election & 7 <sup>th</sup> Councilmanic Districts | * | HEARINGS FOR      |
| Legal Owner(s): Wealthcare LLC                                     |   |                   |
| Petitioner(s)                                                      | * | BALTIMORE COUNTY  |
|                                                                    | * | 2019-461-SPHA     |

\* \* \* \* \*

**ENTRY OF APPEARANCE**

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

**RECEIVED**

**SEP 25 2019**

*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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of September, 2019, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.  
County Executive

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

October 8, 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: 2019-0461-SPHA**

1222 Bayside Road

S/west side of Cedar Avenue, north side of Bayside Road

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: Wealthcare, LLC

Special Hearing to determine that a lot merger did not take place with adjacent lot at 1220 Bayside Road, and to confirm that the lot or record with an area of 0.231 acre is buildable. Variance to permit a proposed dwelling with a building height of 43 ft. in lieu of the required 35 ft. A lot area of 0.231 acre in lieu of the required 1.5 acres. A front yard building setback of 68 ft. from the centerline of the ROW in lieu of the required 75 ft. Side yard setback of 14 ft. and 10 ft. in lieu of the required 50 ft.; and an open porch with side yard setbacks of 10 ft. in lieu of the 37.5 ft.

Hearing: Thursday, November 14, 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".

Michael Mallinoff  
Director

MM:kl

C: Wealthcare, LLC, Christy Kopp, 1919 York Road, Timonium 21093  
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 25, 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, October 25, 2019 – Issue

Please forward billing to:  
David Billingsley  
601 Charwood Court  
Edgewood, MD 21040

410-679-8719

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## NOTICE OF ZONING HEARING

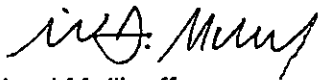
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

**CASE NUMBER: 2019-0461-SPHA**

1222 Bayside Road  
S/west side of Cedar Avenue, north side of Bayside Road  
15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owners: Wealthcare, LLC

Special Hearing to determine that a lot merger did not take place with adjacent lot at 1220 Bayside Road, and to confirm that the lot or record with an area of 0.231 acre is buildable. Variance to permit a proposed dwelling with a building height of 43 ft. in lieu of the required 35 ft. A lot area of 0.231 acre in lieu of the required 1.5 acres. A front yard building setback of 68 ft. from the centerline of the ROW in lieu of the required 75 ft. Side yard setback of 14 ft. and 10 ft. in lieu of the required 50 ft.; and an open porch with side yard setbacks of 10 ft. in lieu of the 37.5 ft.

Hearing: Thursday, November 14, 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.



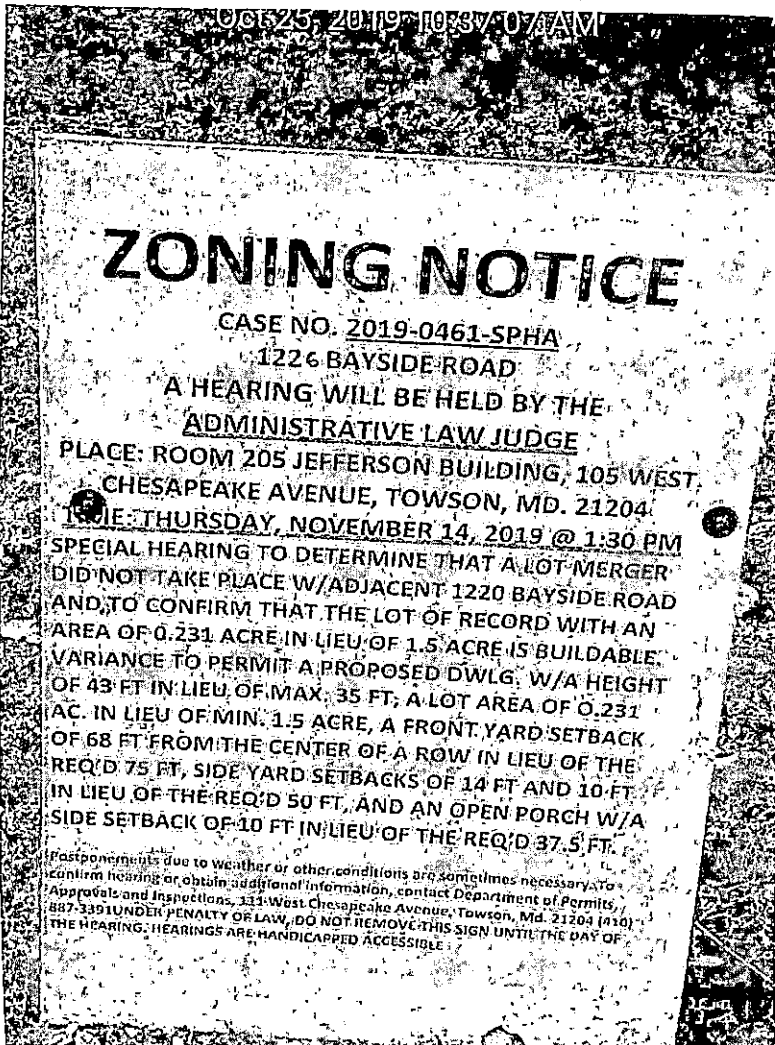
# CERTIFICATE OF POSTING

Date: OCTOBER 25, 2019

RE: Project Name: 1226 BAYSIDE ROAD #1  
Case Number /PAI Number: 2019-0461-SPHA  
Petitioner/Developer: WEALTHCARE LLC  
Date of Hearing/Closing: NOV. 14, 2019

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 1226 BAYSIDE ROAD

The sign(s) were posted on OCTOBER 25, 2019  
(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

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

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

# CERTIFICATE OF POSTING

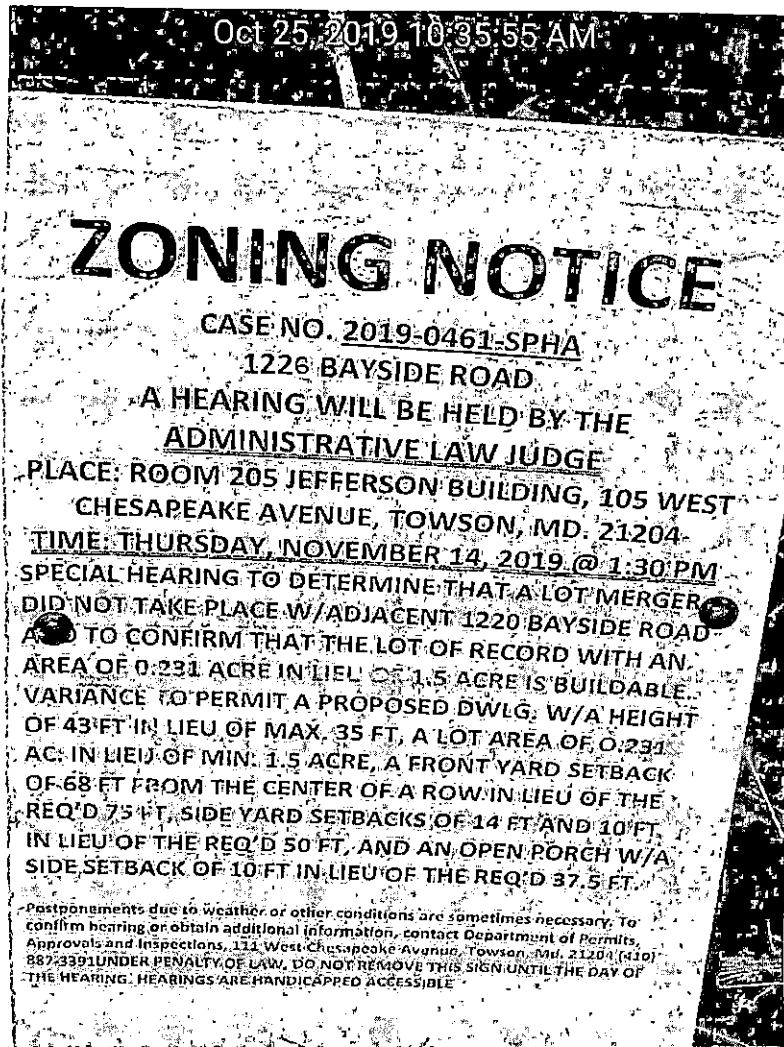
Date: OCTOBER 25, 2019

RE: Project Name: 1226 BAYSIDE ROAD #2  
Case Number /PAI Number: 2019-0461-SPHA  
Petitioner/Developer: WEALTHCARE LLC  
Date of Hearing/Closing: NOV. 14, 2019

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 1226 BAYSIDE ROAD

The sign(s) were posted on OCTOBER 25, 2019

(Month, Day, Year)



David Billingsley  
(Signature of Sign Poster)

DAVID W. BILLINGSLEY  
(Printed Name of Sign Poster)

601 CHARWOOD COURT  
(Street Address of Sign Poster)

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

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

# The Daily Record

200 St. Paul Place Suite 2480  
Baltimore, Maryland 21202  
1 (443) 524-8100  
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:

10/25/2019

Order #: 11802651  
Case #: 2019-0461-SPHA  
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:  
2019-0461-SPHA



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: 2019-0461-SPHA**

1222 Bayside Road

S/westside of Cedar Avenue, north side of Bayside Road

16th Election District - 7th Councilmanic District

Legal Owners: Wealthcare, LLC

Special Hearing to determine that a lot merger did not take place with adjacent lot at 1220 Bayside Road, and to confirm that the lot or record with an area of 0.231 acre is buildable. Variance to permit a proposed dwelling with a building height of 43 ft. in lieu of the required 35 ft. A lot area of 0.231 acre in lieu of the required 1.5 acres. A front yard building setback of 68 ft. from the centerline of the ROW in lieu of the required 75 ft. Side yard setback of 14 ft. and 10 ft. in lieu of the required 50 ft.; and an open porch with side yard setbacks of 10 ft. in lieu of the 37.5 ft.

Hearing: Thursday, November 14, 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 410-887-3368.

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

o25

**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: 2019-0461-SPTA  
Property Address: 1722 BAYSIDE ROAD  
Property Description: N/S BAYSIDE RD, 750' E. OF  
BEECHWOOD AVE.  
Legal Owners (Petitioners): WEALTHCARE LLC.  
Contract Purchaser/Lessee: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID BILLINGSLEY  
Company/Firm (if applicable): \_\_\_\_\_  
Address: 601- SHAWWOOD CT  
EDGEWOOD, MD 21040  
Telephone Number: (410) 679-8719

Revised 7/9/2015



Response to Zoning Notice  
Case Number 2019-0461-SPHA  
1226 Bayside Road 21221

To Whom it may concern,

In regards to the variance request for 1226 Bayside, Baltimore County does not even have that listed at a viable address. For over 30 years the three lots in question have been identified as 1220 Bayside Road with a total area of 0.678 acres.

It has been an understanding in the community that the previous owner utilized the lots as one property building dwellings across the property lines of the three lots, see photograph #1 and drawing #1. He used the property to run a salvage business and as his personal living space. Even if the previous owner did not file the proper paper work to merge the 3 lots, it was utilized as one parcel for over 30 years. The lots are also only serviced by one sewage ejector pump that was installed by Baltimore County.

With the respect to the requested variances, we think some of the requests are extreme. The county's zoning laws for this area require 1.5 acres to build a house, the property in question is 0.231 acres, which is only 15% of the required size. The setbacks requested are also extreme. They are also requesting a height increase of 8 feet. The community neighbors Essex Sky Park which recently got a 100 year lease from Baltimore County to continue their operation. We do have a considerable amount of air traffic in the community.

With respect to the area, we are in a **critical bay** community and an **URL area** and there are no current plans to change the dynamics and infrastructure to the neighborhood.

In summary, we think the request to build a house on 0.231 acres when the requirement is 1.5 acres, the proposed setbacks and the increase in height is not what is best for the environment, the wildlife, or the infrastructure of the community.

Respectfully,

William and Karen Kolb  
1246 Bayside Road 21221

410-206-1974

... ..

... ..









## Baltimore County - My Neighborhood

## My Neighborhood

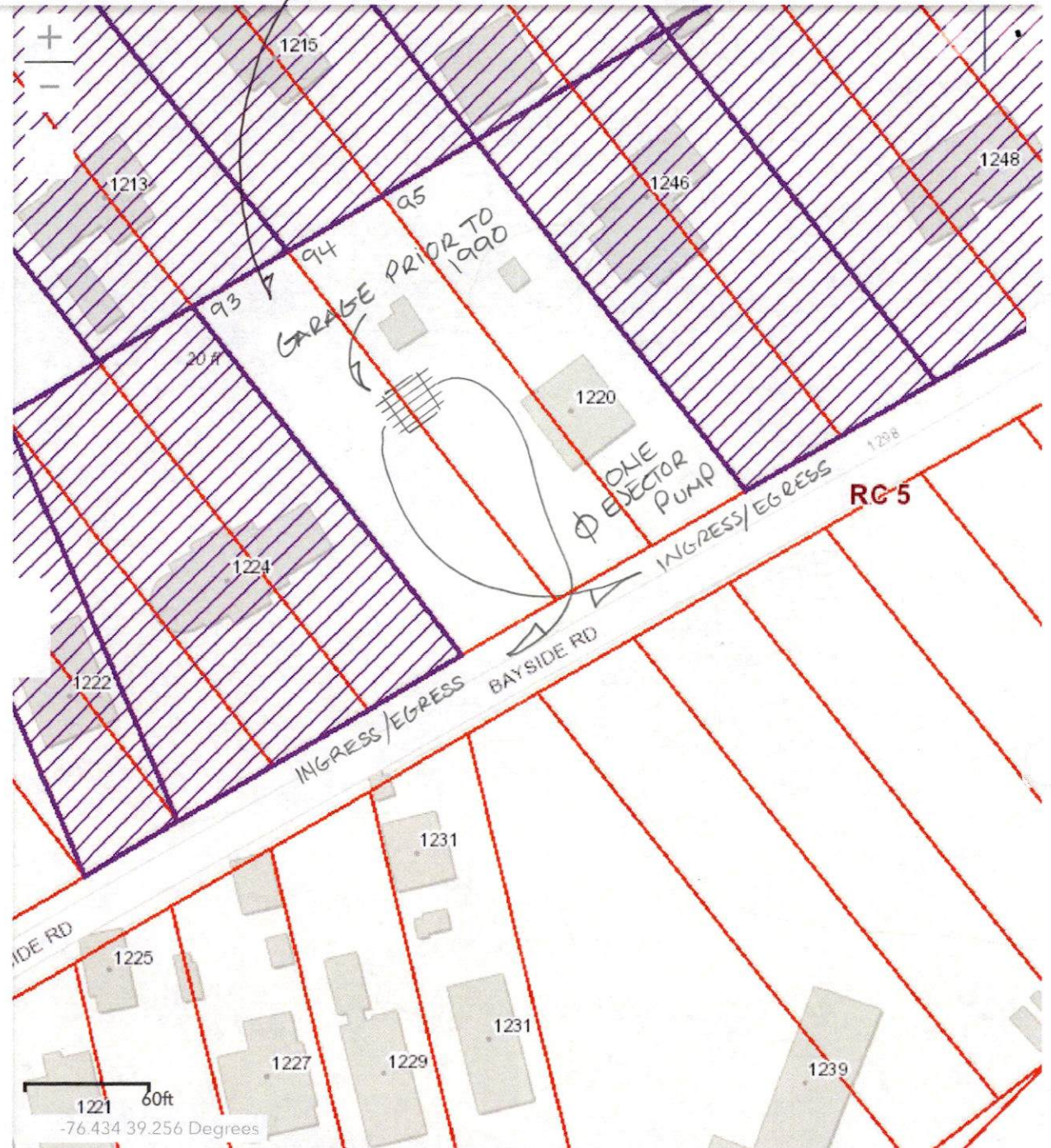
Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated

NOTICE POSTED  
1226 NOT VIABLE ADDRESS





JOHN A. OLSZEWSKI, JR.  
County Executive

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

November 04, 2019

David Billingsley  
601 Charwood Ct  
Edgewood MD 21040

RE: Case Number: 2019-0461-SPHA, 1222 Bayside 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 September 17, 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  
Wealth Care LLC 1919 York Road Timonium MD 21093

Date: 9/24/19

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

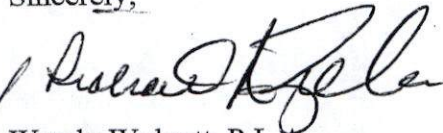
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0461-SPHA

*Special Hearing, Variance  
Weathercare, LLC  
1222 Bayside Road.*

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

Sincerely,



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

WW/RAZ

11-14-19

# 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: 19-461



**INFORMATION:**

**Property Address:** 1222 Bayside Road  
**Petitioner:** Kristy Kopp, Wealthcare, LLC  
**Zoning:** RC 5  
**Requested Action:** Special Hearing, Variance

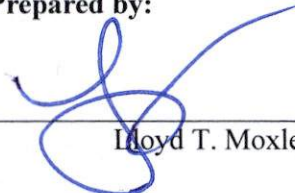
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) should determine that a lot merger did not take place with the adjacent lot at 1220 Bayside Road and to confirm the lot of record with an area of 0.231 Acres is buildable.

- The Department has no objection to granting the petitioned zoning variance relief. Subsequent to the hearing, the Department will concur with the decision of the ALJ as to whether or not the properties have been merged.

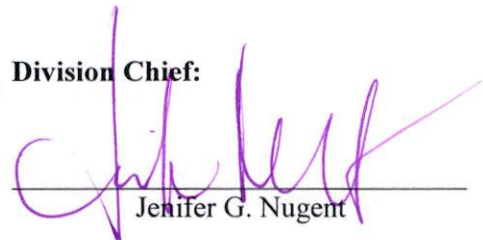
Please be advised that any proposed dwelling must meet all the R.C. 5 performance standards pursuant to BCZR § 1A04.4. Building elevations must be presented to the Department for review at the time of building permit application.

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

**Prepared by:**

  
Lloyd T. Moxley

**Division Chief:**

  
Jennifer G. Nugent

CPG/JGN/LTM/

c: Wally Lippincott  
David Billingsley, Central Drafting & Design  
Office of the Administrative Hearings  
People's Counsel for Baltimore County







Response to Zoning Notice  
Case Number 2019-0461-SPHA  
1226 Bayside Road 21221

To Whom it may concern,

In regards to the variance request for 1226 Bayside, Baltimore County does not even have that listed as a viable address. For over 30 years the three lots in question have been identified as 1220 Bayside Road with a total area of 0.678 acres.

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Respectfully,  
William and Karen Kolb  
1246 Bayside Road 21221  
With the respect to the requested variances, we think some of the

requests are extreme. The county's zoning laws for this area require 1.5 acres to build a house, the property in question is 0.231 acres, which is only 15% of the required size. The setbacks requested are also extreme. They are also requesting a height increase of 8 feet. The community neighbors Essex Sky Park which recently got a 100 year lease from Baltimore County to continue their operation. We do have a considerable amount of air traffic in the community.





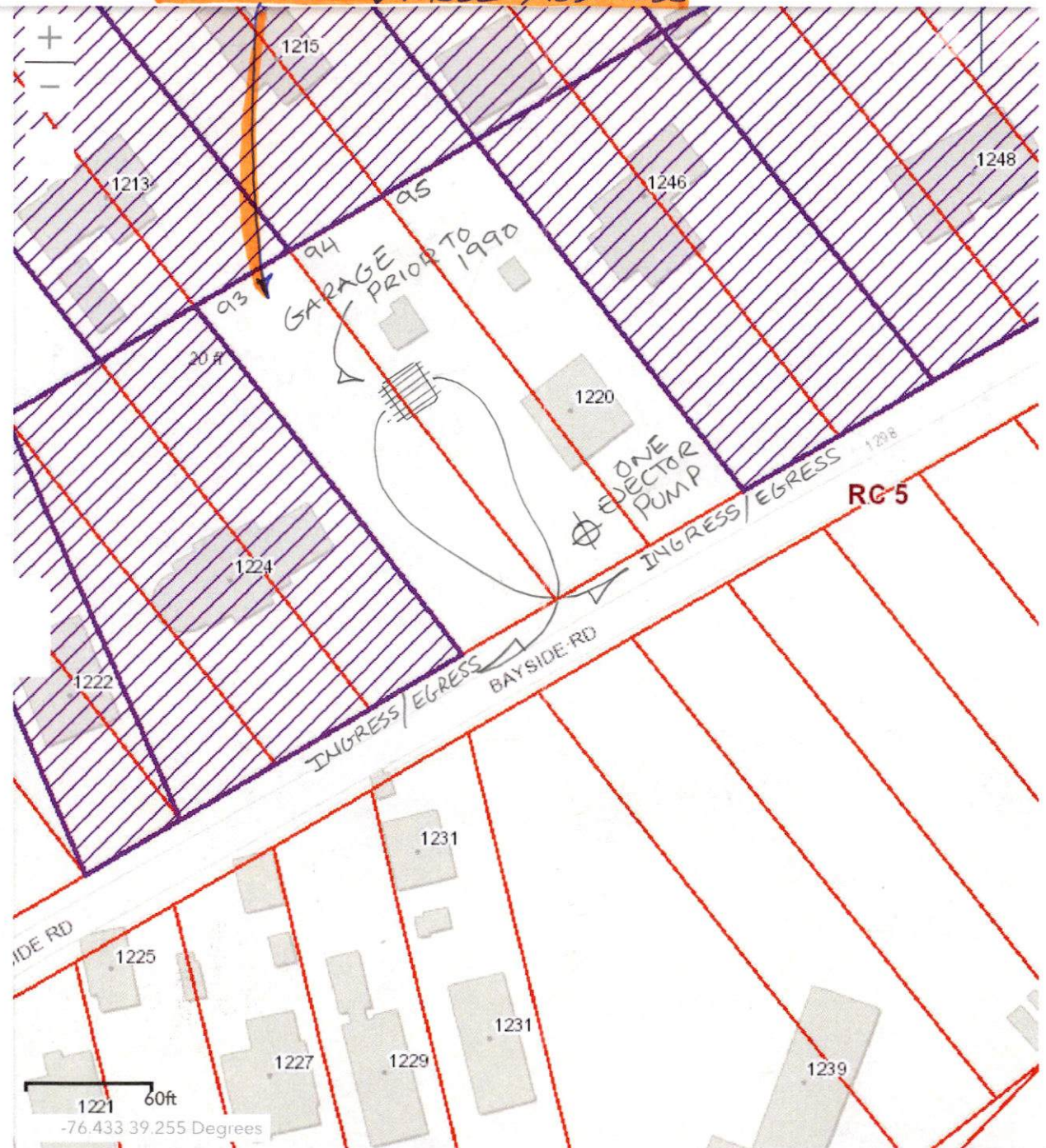
POSTED NOTICE  
1226 NOT VIABLE ADDRESS

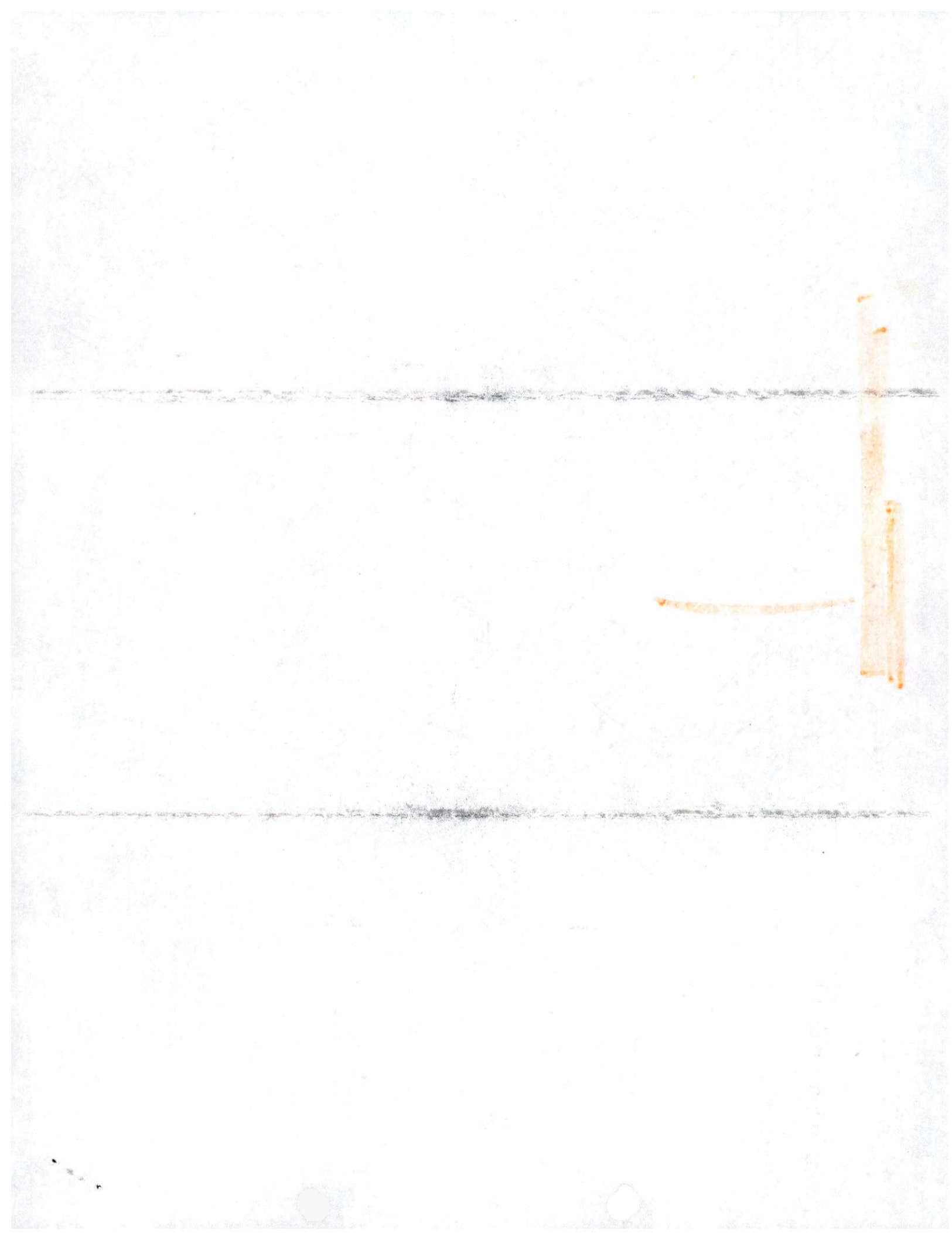
Select a Property  
from the Map

lot 93

Search

No Report Generated





Zoning Case 2019-0461-SPHA

Note to file:

The Petitioner was advised of the option to file a Special Hearing for Lots number 94-95 since the adjacent ownership is the same. The Petitioner will present the case at the hearing to clarify any question of the existence of a lot merger.

RVJ/WCR



## Real Property Data Search ( w4)

Search Result for BALTIMORE COUNTY

**SUBJECT PARCEL**

| View Map                                                  |                                    | View GroundRent Redemption                |                        | View GroundRent Registration |                       |
|-----------------------------------------------------------|------------------------------------|-------------------------------------------|------------------------|------------------------------|-----------------------|
| Tax Exempt:                                               |                                    | Special Tax Recapture:                    |                        |                              |                       |
| Exempt Class:                                             |                                    | NONE                                      |                        |                              |                       |
| Account Identifier:                                       |                                    | District - 15 Account Number - 1518350580 |                        |                              |                       |
| Owner Information                                         |                                    |                                           |                        |                              |                       |
| Owner Name:                                               | WEALTHCARE LLC                     |                                           | Use:                   | RESIDENTIAL                  |                       |
| Mailing Address:                                          | 1919 YORK RD<br>TIMONIUM MD 21093- |                                           | Principal Residence:   | NO                           |                       |
|                                                           |                                    |                                           | Deed Reference:        | /41483/ 00031                |                       |
| Location & Structure Information                          |                                    |                                           |                        |                              |                       |
| Premises Address:                                         | 1220 BAYSIDE RD<br>ESSEX 21221-    |                                           | Legal Description:     | EVERGREEN PARK               |                       |
| Map:                                                      | Grid:                              | Parcel:                                   | Sub District:          | Subdivision:                 | Section:              |
| 0104                                                      | 0024                               | 0268                                      |                        | 0000                         |                       |
|                                                           |                                    |                                           |                        |                              | Block:                |
|                                                           |                                    |                                           |                        |                              | 93                    |
|                                                           |                                    |                                           |                        |                              | Lot:                  |
|                                                           |                                    |                                           |                        |                              | 2018                  |
|                                                           |                                    |                                           |                        |                              | Assessment Year:      |
|                                                           |                                    |                                           |                        |                              | Plat No:              |
|                                                           |                                    |                                           |                        |                              | Plat Ref:             |
|                                                           |                                    |                                           |                        |                              | 0007/ 0174            |
| Special Tax Areas:                                        |                                    | Town:                                     |                        | NONE                         |                       |
|                                                           |                                    | Ad Valorem:                               |                        |                              |                       |
|                                                           |                                    | Tax Class:                                |                        |                              |                       |
| Primary Structure Built                                   | Above Grade Living Area            |                                           | Finished Basement Area |                              | Property Land Area    |
|                                                           |                                    |                                           |                        |                              | 10,050 SF             |
|                                                           |                                    |                                           |                        |                              | County Use            |
|                                                           |                                    |                                           |                        |                              | 04                    |
| Stories                                                   | Basement                           | Type                                      | Exterior               | Full/Half Bath               | Garage                |
|                                                           |                                    |                                           |                        |                              | Last Major Renovation |
| Value Information                                         |                                    |                                           |                        |                              |                       |
|                                                           |                                    | Base Value                                | Value                  |                              | Phase-in Assessments  |
|                                                           |                                    |                                           | As of                  |                              | As of                 |
|                                                           |                                    |                                           | 01/01/2018             |                              | 07/01/2019            |
| Land:                                                     |                                    | 40,200                                    | 40,200                 |                              |                       |
| Improvements                                              |                                    | 0                                         | 0                      |                              |                       |
| Total:                                                    |                                    | 40,200                                    | 40,200                 |                              | 40,200                |
| Preferential Land:                                        |                                    | 0                                         |                        |                              | 0                     |
| Transfer Information                                      |                                    |                                           |                        |                              |                       |
| Seller: ADAMS JOHN L                                      |                                    | Date: 06/04/2019                          |                        | Price: \$70,000              |                       |
| Type: ARMS LENGTH MULTIPLE                                |                                    | Deed1: /41483/ 00031                      |                        | Deed2:                       |                       |
| Seller: RICHMAN MICHAEL S/MYRON                           |                                    | Date: 10/06/2000                          |                        | Price: \$18,000              |                       |
| Type: NON-ARMS LENGTH OTHER                               |                                    | Deed1: /14738/ 00017                      |                        | Deed2:                       |                       |
| Seller: RICHMAN BESSIE                                    |                                    | Date: 10/23/1996                          |                        | Price: \$0                   |                       |
| Type: NON-ARMS LENGTH OTHER                               |                                    | Deed1: /11861/ 00504                      |                        | Deed2:                       |                       |
| Exemption Information                                     |                                    |                                           |                        |                              |                       |
| Partial Exempt Assessments:                               | Class                              | 07/01/2019                                |                        | 07/01/2020                   |                       |
| County:                                                   | 000                                | 0.00                                      |                        |                              |                       |
| State:                                                    | 000                                | 0.00                                      |                        |                              |                       |
| Municipal:                                                | 000                                | 0.00 0.00                                 |                        | 0.00 0.00                    |                       |
| Tax Exempt:                                               |                                    | Special Tax Recapture:                    |                        |                              |                       |
| Exempt Class:                                             |                                    | NONE                                      |                        |                              |                       |
| Homestead Application Information                         |                                    |                                           |                        |                              |                       |
| Homestead Application Status: No Application              |                                    |                                           |                        |                              |                       |
| Homeowners' Tax Credit Application Information            |                                    |                                           |                        |                              |                       |
| Homeowners' Tax Credit Application Status: No Application |                                    |                                           |                        | Date:                        |                       |

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Real Property Data Search ( w4)

Search Result for BALTIMORE COUNTY

**ADJACENT PARCEL**

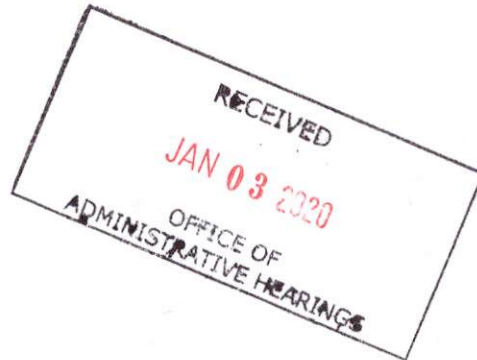
| View Map                                                  |          | View GroundRent Redemption                |               | View GroundRent Registration                  |                       |
|-----------------------------------------------------------|----------|-------------------------------------------|---------------|-----------------------------------------------|-----------------------|
| Tax Exempt:                                               |          | Special Tax Recapture:                    |               |                                               |                       |
| Exempt Class:                                             |          | NONE                                      |               |                                               |                       |
| Account Identifier:                                       |          | District - 15 Account Number - 1501131210 |               |                                               |                       |
| Owner Information                                         |          |                                           |               |                                               |                       |
| Owner Name:                                               |          | WEALTHCARE LLC                            |               | Use: RESIDENTIAL                              |                       |
| Mailing Address:                                          |          | 1919 YORK RD<br>TIMONIUM MD 21093-        |               | Principal Residence: NO                       |                       |
|                                                           |          |                                           |               | Deed Reference: /41483/ 00031                 |                       |
| Location & Structure Information                          |          |                                           |               |                                               |                       |
| Premises Address:                                         |          | 1220 BAYSIDE RD<br>ESSEX 21221-           |               | Legal Description: LT 94,95<br>EVERGREEN PARK |                       |
| Map:                                                      | Grid:    | Parcel:                                   | Sub District: | Subdivision:                                  | Section:              |
| 0104                                                      | 0024     | 0268                                      |               | 0000                                          |                       |
|                                                           |          |                                           |               |                                               | Block:                |
|                                                           |          |                                           |               |                                               | 94                    |
|                                                           |          |                                           |               |                                               | Assessment Year:      |
|                                                           |          |                                           |               |                                               | 2018                  |
|                                                           |          |                                           |               |                                               | Plat No:              |
|                                                           |          |                                           |               |                                               | Plat Ref: 0007/ 0174  |
| Special Tax Areas:                                        |          | Town: NONE                                |               |                                               |                       |
|                                                           |          | Ad Valorem:                               |               |                                               |                       |
|                                                           |          | Tax Class:                                |               |                                               |                       |
| Primary Structure Built                                   |          | Above Grade Living Area                   |               | Finished Basement Area                        |                       |
| 1900                                                      |          | 832 SF                                    |               | 20,100 SF                                     |                       |
| County Use                                                |          | 04                                        |               |                                               |                       |
| Stories                                                   | Basement | Type                                      | Exterior      | Full/Half Bath                                | Garage                |
| 1                                                         | NO       | STANDARD UNIT                             | BLOCK         | 1 full                                        | Last Major Renovation |
| Value Information                                         |          |                                           |               |                                               |                       |
| Base Value                                                |          | Value                                     |               | Phase-in Assessments                          |                       |
|                                                           |          | As of                                     |               | As of                                         |                       |
|                                                           |          | 01/01/2018                                |               | 07/01/2019                                    |                       |
|                                                           |          |                                           |               | As of                                         |                       |
|                                                           |          |                                           |               | 07/01/2020                                    |                       |
| Land:                                                     | 80,200   | 80,200                                    |               |                                               |                       |
| Improvements                                              | 20,500   | 21,900                                    |               |                                               |                       |
| Total:                                                    | 100,700  | 102,100                                   |               | 101,633                                       |                       |
| Preferential Land:                                        | 0        |                                           |               | 102,100                                       |                       |
| Transfer Information                                      |          |                                           |               |                                               |                       |
| Seller: ADAMS JOHN L JR                                   |          | Date: 06/04/2019                          |               | Price: \$70,000                               |                       |
| Type: ARMS LENGTH MULTIPLE                                |          | Deed1: /41483/ 00031                      |               | Deed2:                                        |                       |
| Seller: ADAMS JOHN L                                      |          | Date: 08/08/1985                          |               | Price: \$32,000                               |                       |
| Type: ARMS LENGTH IMPROVED                                |          | Deed1: /06974/ 00115                      |               | Deed2:                                        |                       |
| Seller:                                                   |          | Date:                                     |               | Price:                                        |                       |
| Type:                                                     |          | Deed1:                                    |               | Deed2:                                        |                       |
| Exemption Information                                     |          |                                           |               |                                               |                       |
| Partial Exempt Assessments:                               | Class    | 07/01/2019                                |               | 07/01/2020                                    |                       |
| County:                                                   | 000      | 0.00                                      |               |                                               |                       |
| State:                                                    | 000      | 0.00                                      |               |                                               |                       |
| Municipal:                                                | 000      | 0.00 0.00                                 |               | 0.00 0.00                                     |                       |
| Tax Exempt:                                               |          | Special Tax Recapture:                    |               |                                               |                       |
| Exempt Class:                                             |          | NONE                                      |               |                                               |                       |
| Homestead Application Information                         |          |                                           |               |                                               |                       |
| Homestead Application Status: No Application              |          |                                           |               |                                               |                       |
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| Date:                                                     |          |                                           |               |                                               |                       |

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**WEALTHCARE, LLC**  
**1919 YORK ROAD**  
**TIMONIUM, MD. 21093**

January 3, 2020

Paul M. Mayhew  
Managing Administrative Law Judge  
Jefferson Building, Suite 103  
105 West Chesapeake Avenue  
Towson, MD. 21204



**RE: MOTION FOR RECONSIDERATION**  
1226 BAYSIDE AVENUE  
CASE NO. 2019-0461-SPHA

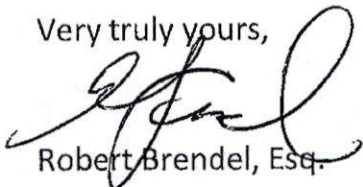
Dear Judge Mayhew:

We have reviewed your order and opinion dated December 3, 2019. Relative to the variances requested pursuant to Section 1A04.3, we feel that we are able to present an alternative plan significantly reducing or eliminating the variances requested from the height and area regulations, as well as satisfying most concerns raised by the neighbors and you.

Based on the above, we are requesting your granting of a Motion for Reconsideration to permit an additional hearing to present the mentioned alternative plan.

Thank you for your consideration in this matter.

Very truly yours,



Robert Brendel, Esq.

cc: Christy Kopp  
David Billingsley



## Sherry Nuffer

---

**From:** Cindi Brendel <CBrendel@mid-atlantictitle.com>  
**Sent:** Friday, January 3, 2020 1:18 PM  
**To:** 'dwb0209@yahoo.com'; Paul Mayhew; Administrative Hearings  
**Cc:** 'RobertCBrendel@gmail.com'; 'Christy Kopp'  
**Subject:** 1226 Bayside Road  
**Attachments:** 1226 Bayside.pdf

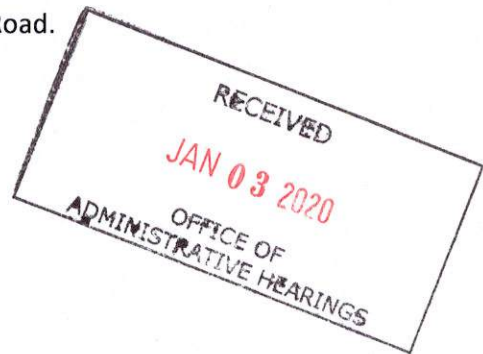
**CAUTION:** This message from prvs=0271d65e49=cbrendel@mid-atlantictitle.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

All:

Please see attached Motion for Reconsideration regarding 1226 Bayside Road.

### ***Cindi Brendel***

Mid-Atlantic Title LLC  
1919 York Road  
Timonium, Maryland 21093  
Office 410-561-1177  
Cell 410-258-6688  
Or  
Main Office  
100 West Road, Ste 215  
Towson, Maryland 21204  
Office 410-321-6075



--  
This email was Anti Virus checked by Astaro Security Gateway. <http://www.sophos.com>

# Date Calculator: Add to or Subtract From a Date

Enter a start date and add or subtract any number of days, months, or years.

Count Days   **Add Days**   Workdays   Add Workdays   Weekday   Week No

Advertising

From **Monday, December 2, 2019**

Added 30 days

**Result: Wednesday, January 1, 2020**

Calendar showing period from December 2, 2019 to January 1, 2020

| December 2019 |     |     |     |     |     |     | January 2020 |     |     |     |     |     |     |
|---------------|-----|-----|-----|-----|-----|-----|--------------|-----|-----|-----|-----|-----|-----|
| 29 days added |     |     |     |     |     |     | 1 day added  |     |     |     |     |     |     |
| Sun           | Mon | Tue | Wed | Thu | Fri | Sat | Sun          | Mon | Tue | Wed | Thu | Fri | Sat |
| 1             | 2   | 3   | 4   | 5   | 6   | 7   |              |     |     | 1   | 2   | 3   | 4   |
| 8             | 9   | 10  | 11  | 12  | 13  | 14  | 5            | 6   | 7   | 8   | 9   | 10  | 11  |
| 15            | 16  | 17  | 18  | 19  | 20  | 21  | 12           | 13  | 14  | 15  | 16  | 17  | 18  |
| 22            | 23  | 24  | 25  | 26  | 27  | 28  | 19           | 20  | 21  | 22  | 23  | 24  | 25  |
| 29            | 30  | 31  |     |     |     |     | 26           | 27  | 28  | 29  | 30  | 31  |     |

= Start date (Dec 2, 2019)    = Final result date (Jan 1, 2020)



**Time & Date Calculator  
– iOS**

See how long remains before a deadline or exactly when those 30 days are up. [More >](#)

CASE NAME 1776 BAYSIDE RD  
CASE NUMBER 2019-0461-SFHA  
DATE 11/14/19

[illegible]



CASE NAME \_\_\_\_\_  
CASE NUMBER \_\_\_\_\_  
DATE \_\_\_\_\_

[illegible]

FM 11-14-19  
1:30 PM

**Debra Wiley**

---

**From:** David Billingsley <dwb0209@yahoo.com>  
**Sent:** Saturday, November 23, 2019 7:28 AM  
**To:** Paul Mayhew; Administrative Hearings  
**Cc:** Christy Kopp; Bob Brendel  
**Subject:** 1226 BAYSIDE ROAD CASE NO. 2019-0461-SPHA  
**Attachments:** Boundary Survey - 1226 Bayside Road (1).pdf

**CAUTION:** This message from dwb0209@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Judge Mayhew

Attached, please find a copy of the survey of the subject property. The survey was performed on November 21 in order to verify the location of the existing carport / shed. As shown on the survey, the structure is located entirely on adjacent Lot 94, known as 1228 Bayside Road. Hopefully, this will resolve the merger issue

Thank you for your consideration in this matter Should you need any additional information, please do not hesitate to contact me.

Dave Billingsley  
Central Drafting and Design  
410-679-8719 OFFICE  
410-458-1401 CELL



**C H E C K L I S T**

| <u>Comment<br/>Received</u>     | <u>Department</u>                                                         | <u>Support/Oppose/<br/>Conditions/<br/>Comments/<br/>No Comment</u> |
|---------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------|
| _____                           | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____)     | _____                                                               |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                         | _____                                                               |
| _____                           | FIRE DEPARTMENT                                                           | _____                                                               |
| <u>10-22</u>                    | PLANNING<br>(if not received, date e-mail sent _____)                     | <u>No object. w/ Comments</u>                                       |
| <u>9-24</u>                     | STATE HIGHWAY ADMINISTRATION                                              | <u>No object.</u>                                                   |
| _____                           | TRAFFIC ENGINEERING                                                       | _____                                                               |
| _____                           | COMMUNITY ASSOCIATION                                                     | _____                                                               |
| _____                           | ADJACENT PROPERTY OWNERS<br><u>William + Karen Koeb, 1246 Bayside Rd.</u> | <u>Oppose</u>                                                       |
| ZONING VIOLATION                | (Case No. _____)                                                          |                                                                     |
| PRIOR ZONING                    | (Case No. _____)                                                          |                                                                     |
| NEWSPAPER ADVERTISEMENT         | Date: <u>10/25/19</u>                                                     |                                                                     |
| SIGN POSTING (1 <sup>st</sup> ) | Date: <u>10-25-19</u> by <u>Billingale</u>                                |                                                                     |
| SIGN POSTING (2 <sup>nd</sup> ) | Date: <u>11-11-19</u> by <u>"</u>                                         |                                                                     |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>       |                                                                     |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>                  |                                                                     |

Comments, if any: \* Note to File from Zoning Re: Lot merger



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director  
Department of Permits, Approvals

DATE: 10/25/19

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

SUBJECT: Zoning Advisory Committee Meeting  
For September 20, 2019  
Item No. 2019-0461-SPHA, 0464-SPHA, 0465-A, 0467-SPH, 0468-A,  
0469-A & 0473-A

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

\* \* \* \* \*

VKD: cen  
cc: file

BALTIMORE COUNTY, MARYLAND

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VKD: cen  
cc: file

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VKD: cen  
cc: file

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VKD: cen  
cc: file

BALTIMORE COUNTY, MARYLAND

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0469-A & 0473-A

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

\*

\*

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VKD: cen  
cc: file



# Objection to Requested Variance for 1220 Bayside Road, Essex, MD 21221

Amy & Matthew Alsante

1224 Bayside Road

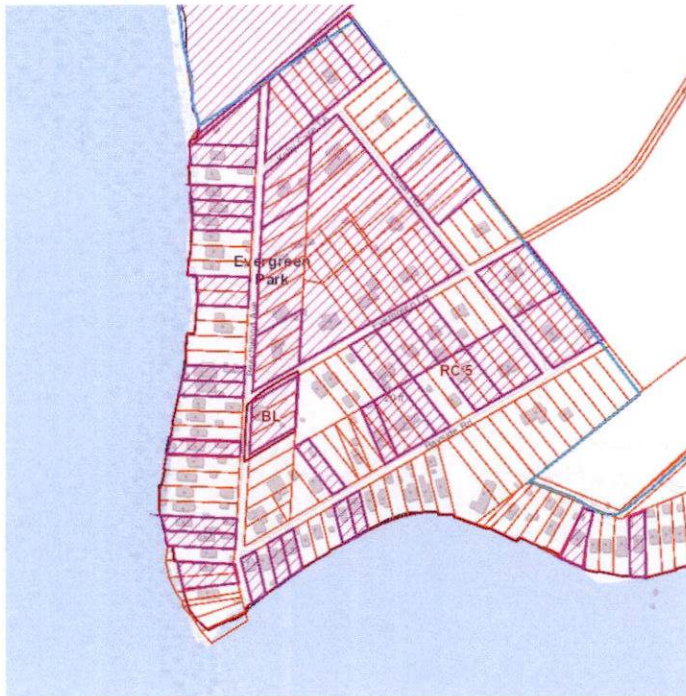
Essex, MD 21221



PROTESTANT' S

EXHIBIT NO. 1

Baltimore County Zoning  
Classification RC 5 – Rural Residential



# ZONING NOTICE

CASE NO. 2019-0461-SPHA

1226 BAYSIDE ROAD

A HEARING WILL BE HELD BY THE  
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST  
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: THURSDAY, NOVEMBER 14, 2019 @ 1:30 PM

SPECIAL HEARING TO DETERMINE THAT A LOT MERGER  
DID NOT TAKE PLACE W/ADJACENT 1220 BAYSIDE ROAD

AND TO CONFIRM THAT THE LOT OF RECORD WITH AN  
AREA OF 0.231 ACRE IN LIEU OF 1.5 ACRE IS BUILDABLE.

VARIANCE TO PERMIT A PROPOSED DWLG. W/A HEIGHT  
OF 43 FT IN LIEU OF MAX. 35 FT, A LOT AREA OF 0.231

AC. IN LIEU OF MIN. 1.5 ACRE, A FRONT YARD SETBACK  
OF 68 FT FROM THE CENTER OF A ROW IN LIEU OF THE

REQ'D 75 FT, SIDE YARD SETBACKS OF 14 FT AND 10 FT  
IN LIEU OF THE REQ'D 50 FT, AND AN OPEN PORCH W/A

SIDE SETBACK OF 10 FT IN LIEU OF THE REQ'D 37.5 FT.

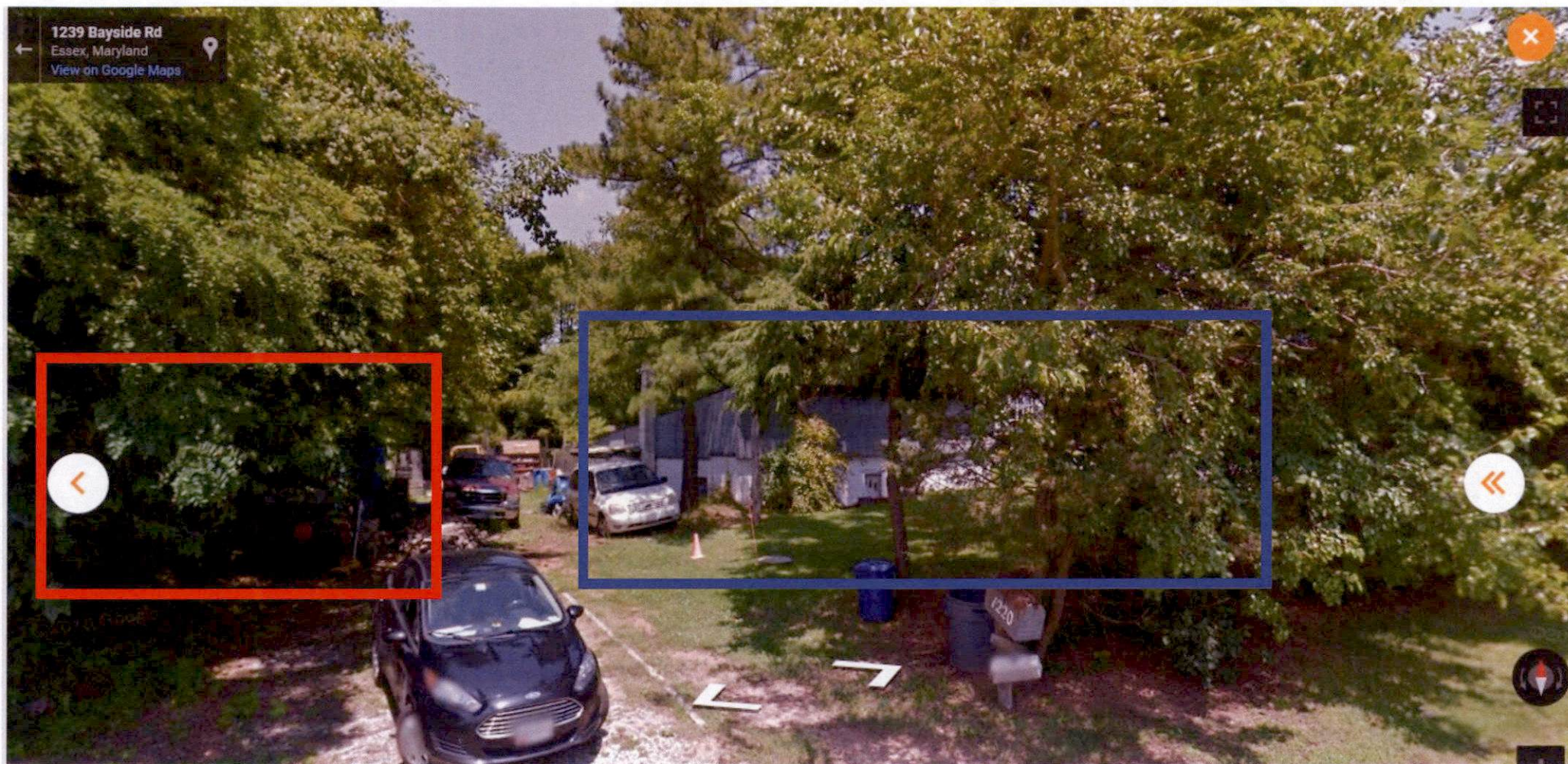
Postponements due to weather or other conditions are sometimes necessary. To  
confirm hearing or obtain additional information, contact Department of Permits,  
Approvals and Inspections, 111 West Chesapeake Avenue, Towson, Md. 21204 (410)  
887-3391 UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY OF  
THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE

# Rationale for Opposition to Variance

## Concerns

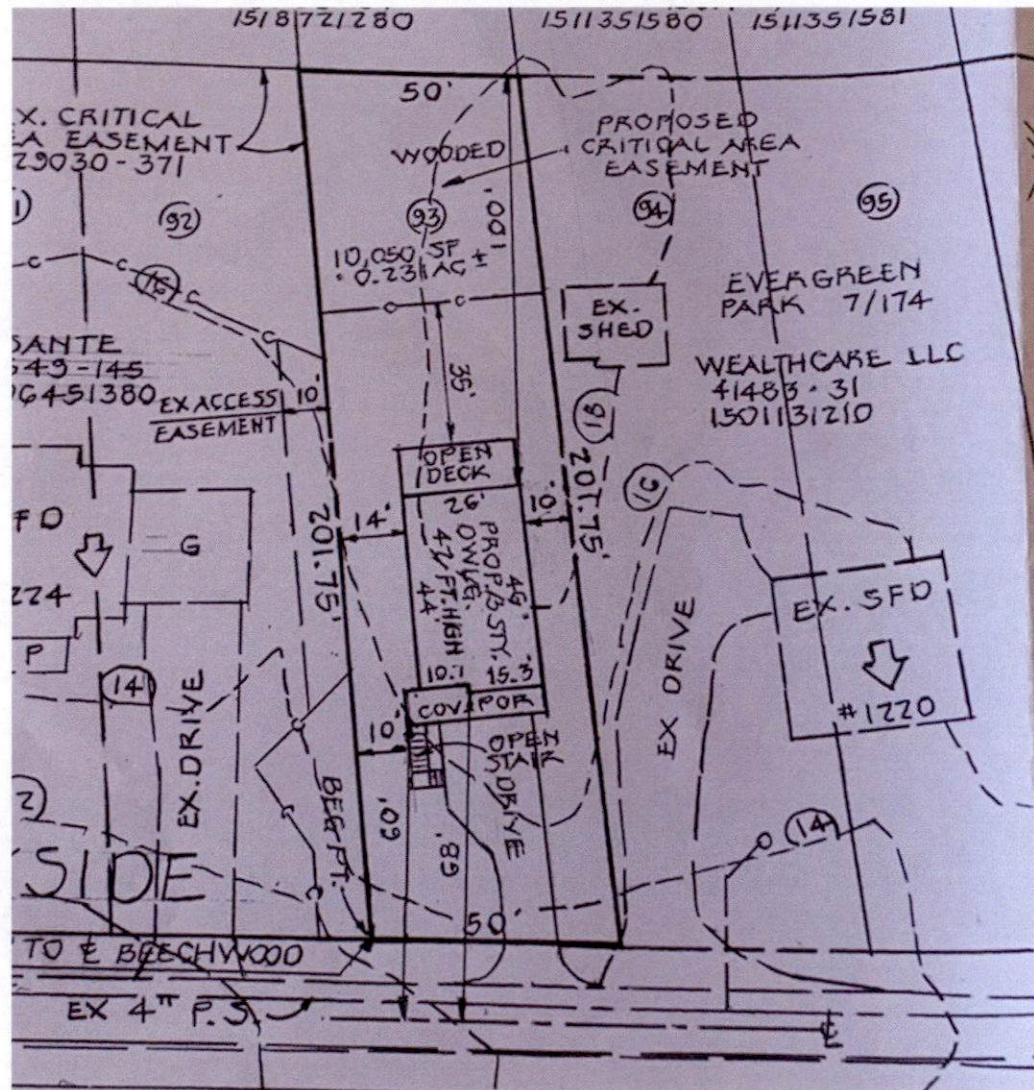
- Proposal is out of character with the neighborhood.
  - Larger houses are set in the middle of multiple lots
- Interferes with the use of adjacent property on 1224 Bayside
- Will adversely impact the economic resale value of 1224 Bayside Road
- Proposal is not commensurate to the size of the lot
- Lots were merged and the house, shed and parking structure spread over 3 lots
- Majority of lot 93 was identified as Critical Chesapeake Bay Easement area.
- Size height of structure is excessive at 43 feet tall
- Proposal does not allow for tree buffer
- Violation of Privacy
- Proximity is too close to existing structures and infringes on privacy of 1224 Bayside Road
- Concern over sewage and grinder pumps
- Not in accordance with RC5 Zoning





**The lots on 1220 Bayside Road were merged  
Parking structure/shed on left in Red Box, House dwelling on Right  
in Blue Box. Sold at Auction as one parcel**





**RED** – Proposed Housing Structure #1 (see attached proposal)

A hand-drawn site plan on a grid background. The plan shows several structures and areas:

- Top Left:** "X. CRITICAL AREA EASEMENT 29030-371".
- Top Center:** "50'" and "WOODED" area.
- Top Right:** "PROPOSED CRITICAL AREA EASEMENT".
- Center Left:** "SANTÉ 49-145 6451380". Below it, "EX ACCESS 10' EASEMENT".
- Center:** A rectangular structure labeled "PROPOSED ST. 42' HIGH 44'". Above it, "10,050 SF 0.23 AG ±". To its left, "35'". To its right, "EX. SHED".
- Right:** "EVERGREEN PARK 7/174" and "WEALTHCARE LLC 41483-31 1501131210".
- Bottom Left:** "SIDE" and "EX. DRIVE".
- Bottom Center:** "EX DRIVE" and "EX. DRIVE".
- Bottom Right:** "EX. SFD #1220" with a downward arrow.
- Other Labels:** "OPEN DECK", "PROPOSED ST.", "COVERED POR", "OPEN STAIR", "GL. 10.2", "201.75", "10.1", "15.3", "10.09", "50'", "1518721280", "1511351580", "1511351581", "92", "93", "94", "95", "16", "15", "14", "13", "12", "11", "10", "9", "8", "7", "6", "5", "4", "3", "2", "1".



## Proposed Housing Structure # 1



**\$150,000**  **Est. \$847/mo**  
1222 Bayside Rd, Baltimore, MD 21221

 Save  Share  Map

Get Pre-Approved



**Veterans: \$0 Down VA Loans (Check Eligibility!)**

### Lot In Evergreen Park

-- Bed | -- Bath | -- Sqft

Listed by Christy Kopp

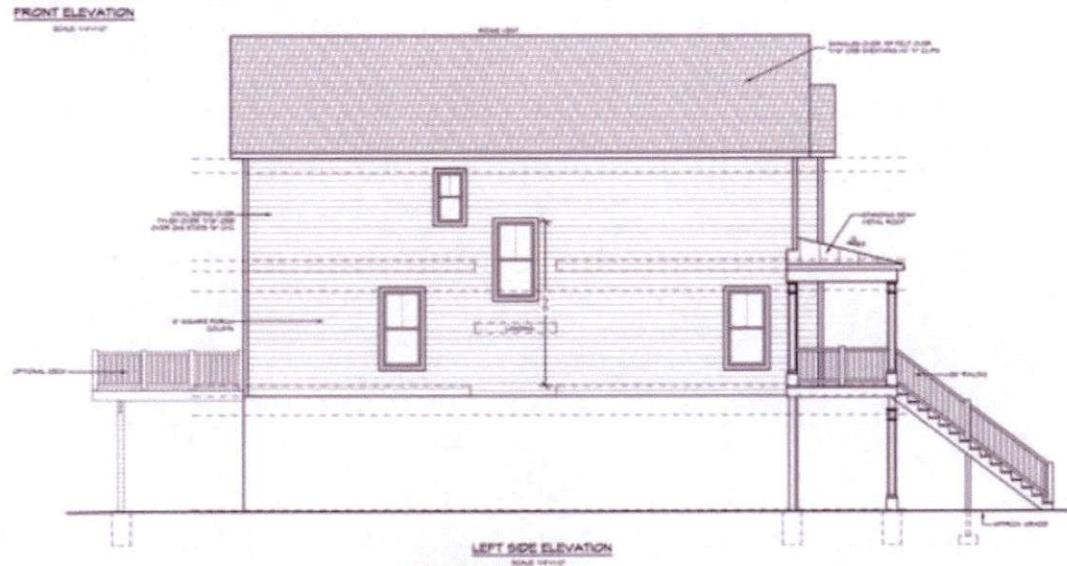
Seldom available Bayview lot with located in water oriented, fully established, single family home community. Enjoy your water views from your deck. Plans and renderings are available for proposed new construction to include a 4 bedroom home with elevator option.

[Visit Site Source](#)





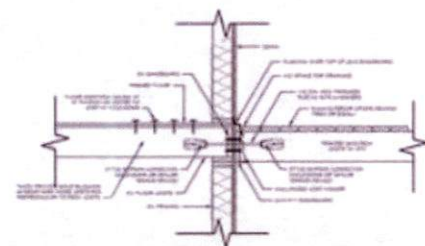
Proposed Housing Structure # 1



BAYSIDE ROAD SPEC

|                                                                                      |  |
|--------------------------------------------------------------------------------------|--|
| SCALE: 1/4" = 1'-0"<br>DATE: 7/2/2018<br>DRAWN BY: 1/2P &                            |  |
| <b>GRI CUSTOM HOME<br/>DESIGN INC.</b><br>410 8th St. Suite 100<br>Bayside, NY 11503 |  |

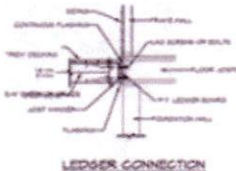




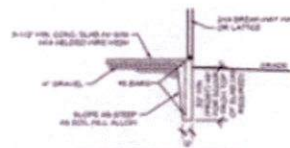
DECK ATTACHMENT FOR LATERAL LOADS  
FIGURE S012.3(1)

NOTE: PROVIDE A METALLIC SURFACE COATING TO PROTECT AGAINST CORROSION.

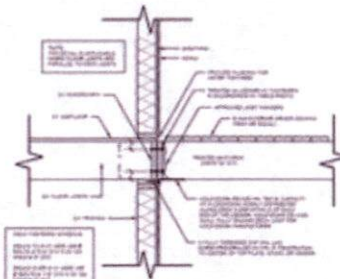
WELD SHALL BE DONE IN ACCORDANCE WITH THE WELDING CODE. WELD SHALL BE DONE IN ACCORDANCE WITH THE WELDING CODE. WELD SHALL BE DONE IN ACCORDANCE WITH THE WELDING CODE.



LEDGER CONNECTION  
FIGURE S012.3(2)

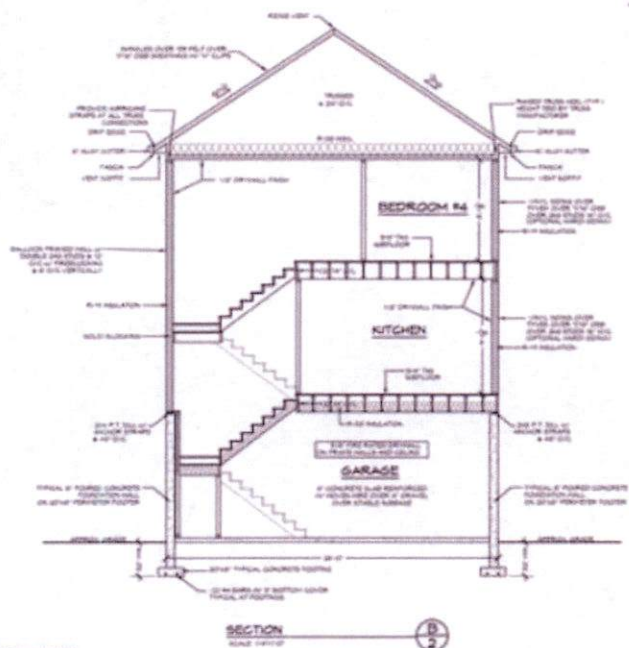


SLAB ON GRADE FOOTING DETAIL  
TYPICAL @ ALL BUILDING SLAB EDGES  
NOT TO SCALE

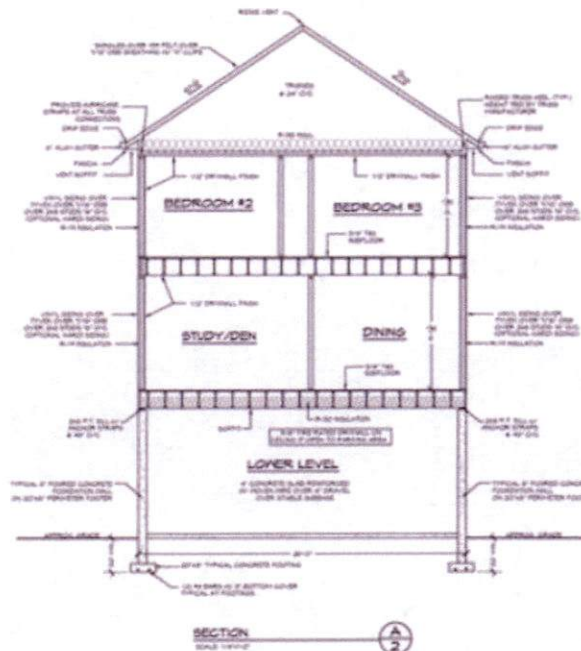


DECK ATTACHMENT FOR LATERAL LOADS  
FIGURE S012.3(4)

## Proposed Housing Structure # 1



REVISIONS  
1. REVISIONS  
2. REVISIONS  
3. REVISIONS  
4. REVISIONS  
5. REVISIONS  
6. REVISIONS  
7. REVISIONS  
8. REVISIONS  
9. REVISIONS  
10. REVISIONS



## BAYSIDE ROAD SPEC

ORL CUSTOM HOME  
DESIGN INC.  
400 BAYSIDE ROAD  
BAYSIDE, MD 21032



## Lot In Evergreen Park

-- Bed | -- Bath | -- Sqft

Listed by Christy Kopp

Seldom available Bayview lot with located in water oriented, fully established, single family home community. Enjoy your water views from your deck. Plans and renderings are available for proposed new construction to include a 4 bedroom home with elevator option.

### Home Details

- Days on Homes.com: 98
- Beds: —
- Baths: —
- Property type: Lots/land
- Exterior finish: —
- Year built: 2006
- Lot size: 0.23
- Fireplace: no
- New Construction: No
- View: Water
- Water Source: Public Hook Up Available
- Soil: Mixed
- Waterfront: No
- Electric: 200+ Amp Service
- Sewer: Public Hook/up Avail,



← 1229 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)

1224 Bayside Road Essex, MD 21221

Google

© 2019 Google | [Terms of Use](#) | [Report a problem](#)



1229 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)

Area in BLUE is Chesapeake Bay Critical Area Easement. Confirmed with Baltimore County Upon Purchase of Home. Baltimore County Environmental Resources Protection Management confirmed that trees on adjacent lot could NOT be removed due to critical bay easement area.







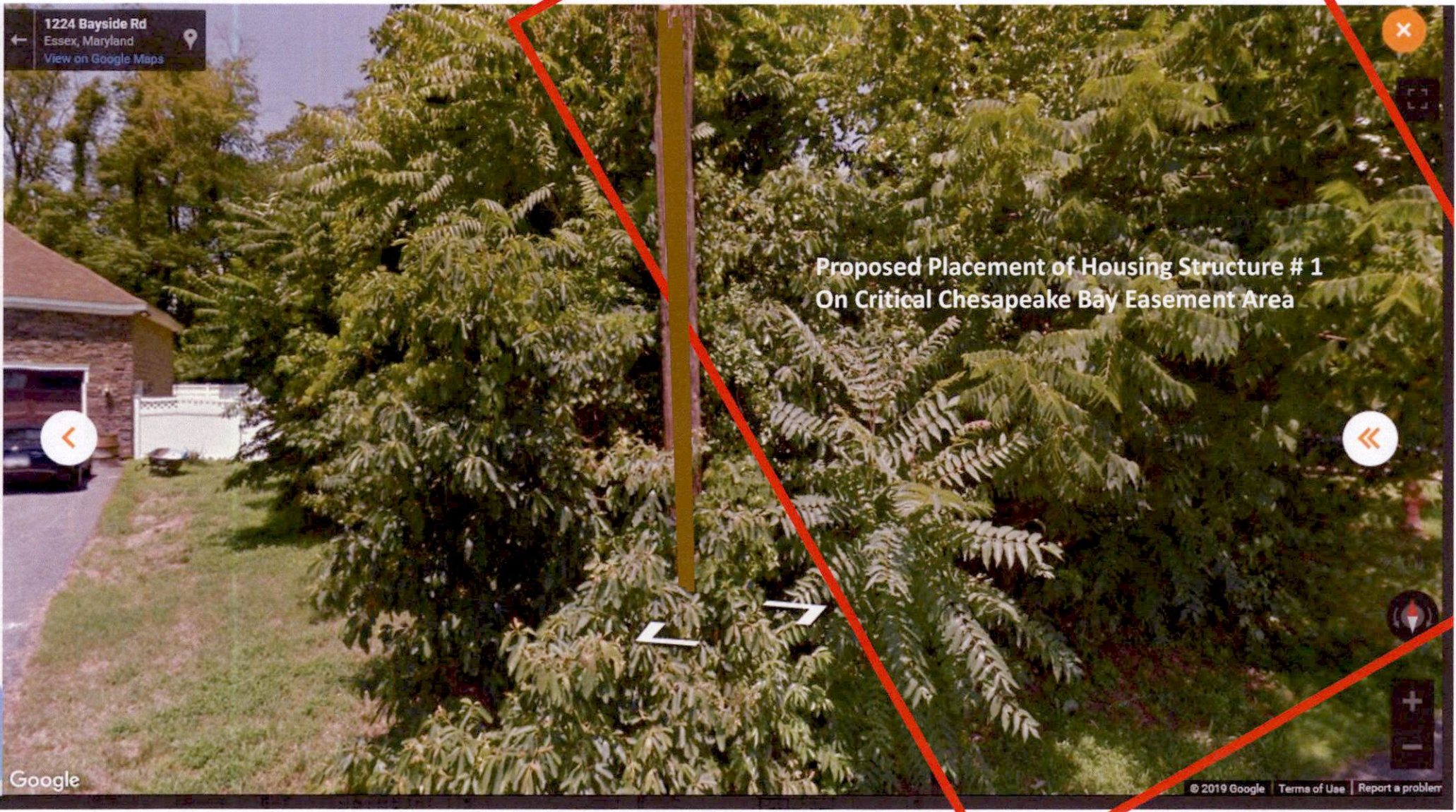
← 1229 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)

Placement of proposed New Home  
Tree buffer to be removed  
in lieu of variance request

Google

© 2019 Google | [Terms of Use](#) | [Report a problem](#)





1224 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)

Proposed Placement of Housing Structure # 1  
On Critical Chesapeake Bay Easement Area

Google

© 2019 Google Terms of Use Report a problem





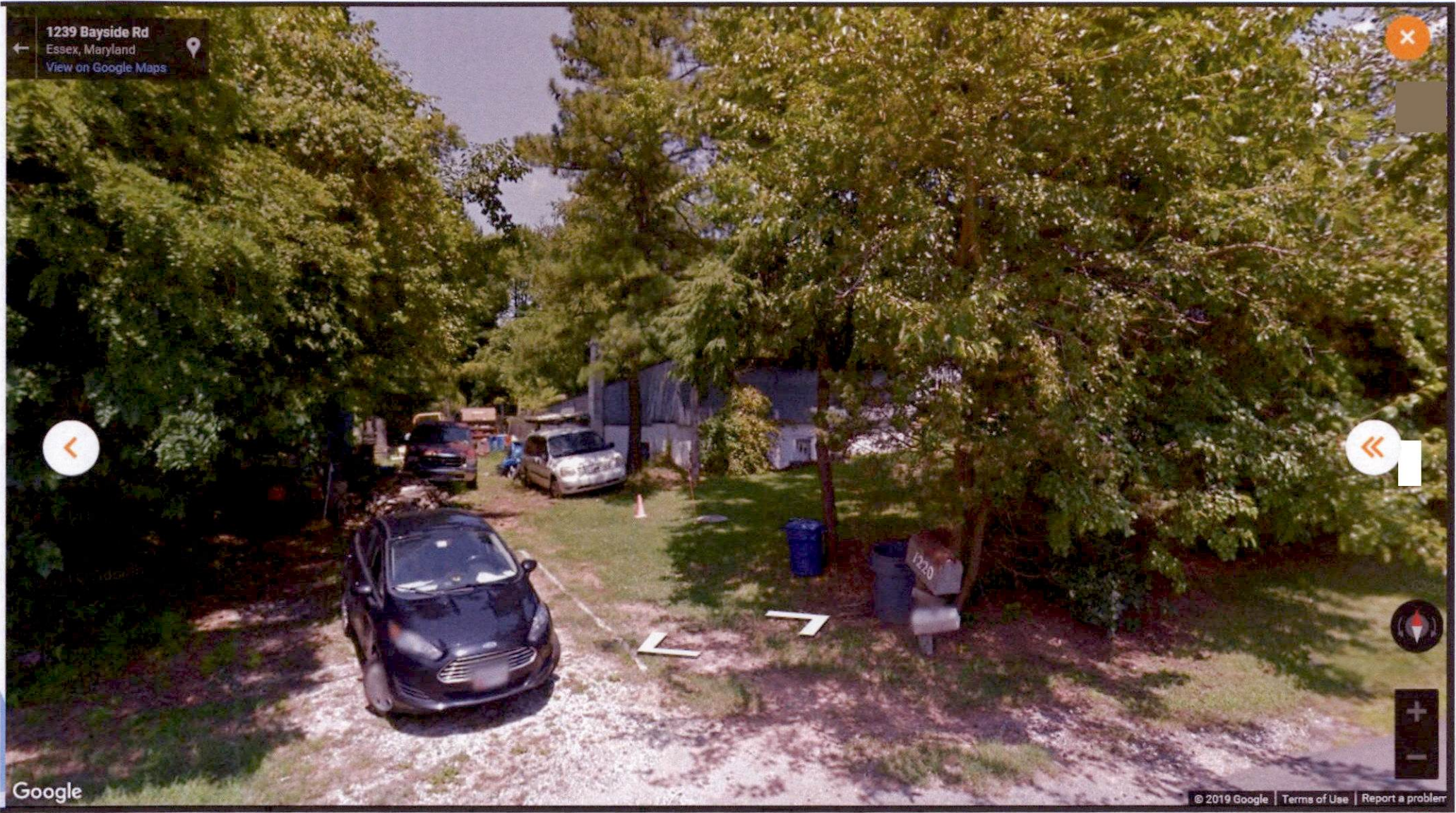


1239 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)



Google





1239 Bayside Rd  
Essex, Maryland  
[View on Google Maps](#)

Google

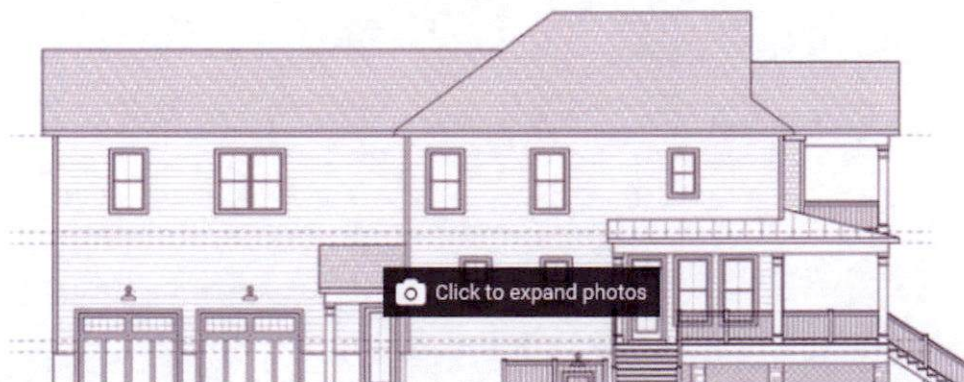
© 2019 Google | [Terms of Use](#) | [Report a problem](#)



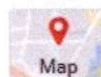
Presented by: Christy Kopp with Re/Max Components



PROPOSED FRONT ELEVATION  
BANK 1/1/10



For Sale - Active



Commute Time 1220 Bayside Rd, Baltimore, MD 21221

4 2.5 832 0.46  
beds baths sq ft acres lot

Prequalify with Chase - Find Your Loan | Veterans: Check Eligibility for a \$0 Down VA Loan

**\$549,000**

Estimate Payment

PRELIMINARY REVIEW DESIGN

THE KOPP RESIDENCE

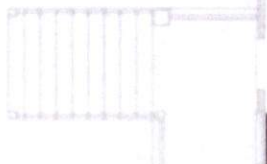
1 / 76



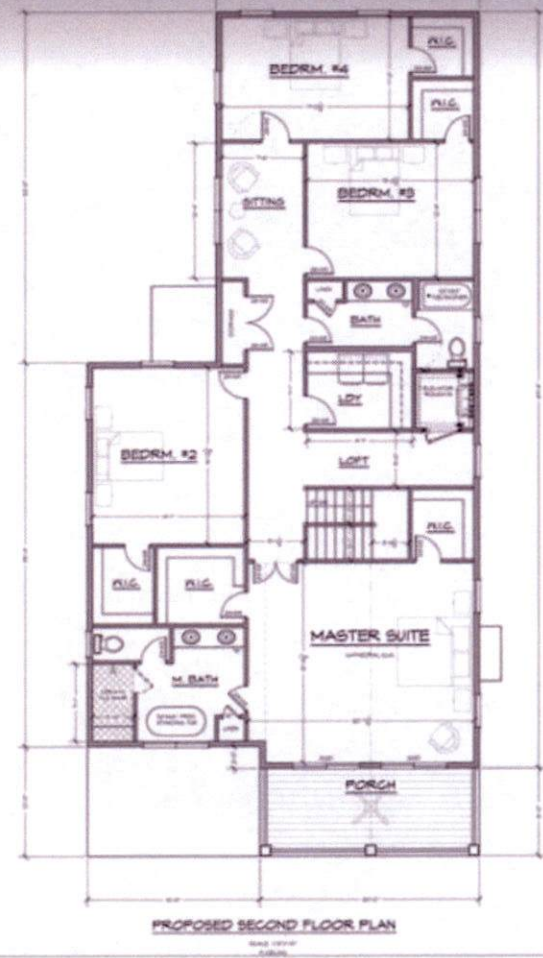
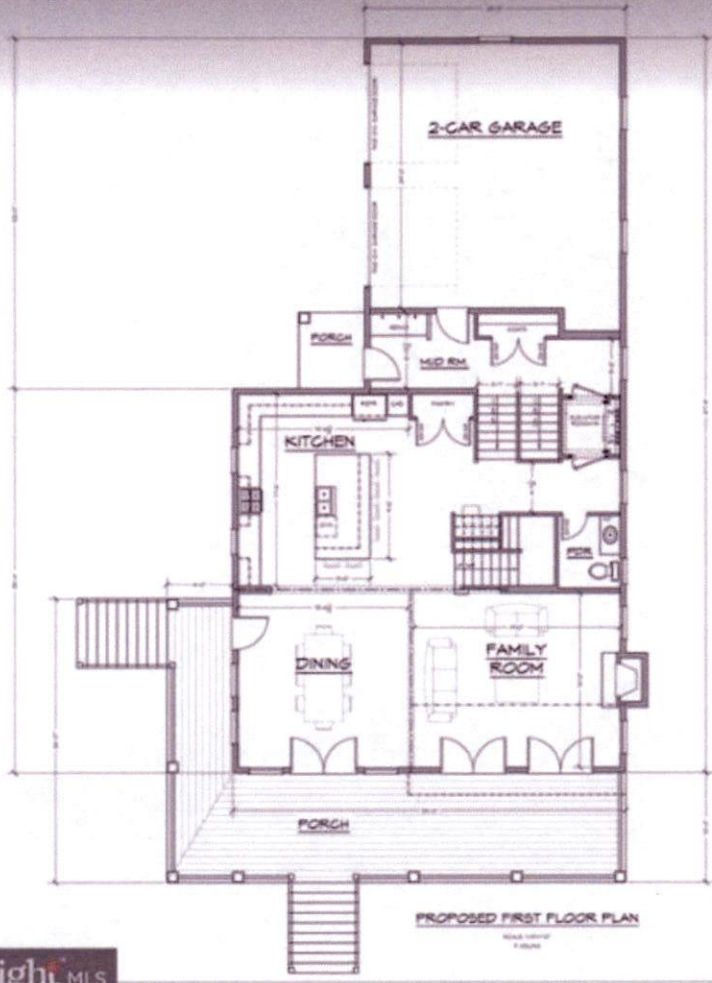
# 1220 BAYSIDE RD

BALTIMORE, MD 21221

Details



brigh MLS



PRELIMINARY REVIEW DESIGN

THE KOPP RESIDENCE

GRIFFIN CUSTOM HOME  
DESIGN, INC.  
10000 W. 100TH AVE. #100  
DENVER, CO 80231

## Property Features

### Bathrooms

- Total Bathrooms: 3
- Full Bathrooms: 2
- 1/2 Bathrooms: 1
- Master Bathroom Level: Upper 1
- Bathroom 2 Level: Upper 1

### Bedrooms

- Bedrooms: 4
- Master Bedroom Level: Upper 1
- Bedroom 2 Level: Upper 1
- Bedroom 3 Level: Upper 1
- Bedroom 4 Level: Upper 1

### Kitchen and Dining

- Dining Room Level: Main
- Kitchen Level: Main

### Exterior and Lot Features

- Lot Size Square Feet: 20100

**DEVOLUTION OF TITLE  
1226 BAYSIDE ROAD  
CASE NO. 2019-0461-SPHA  
LOT 93 EVERGREEN PARK PLAT 7/174**

**PRESENT OWNERSHIP – WEALTHCARE LLC JUNE 4, 2019 LIBER 41483 FOLIO 31**

**JOHN L. ADAMS OCTOBER 6, 2000 LIBER 14738 FOLIO 17 (SEE BELOW)**

**MICHAEL & MYRON RICHMAN OCTOBER 23, 1996 LIBER 11861 FOLIO 504**

**BESSIE RICHMAN FEBRUARY 24, 1985 LIBER 6878 FOLIO 248**

**JACK & BESSIE RICHMAN MAY 2, 1938 LIBER 1059 FOLIO 174**

**AT THE TIME JOHN ADAMS PURCHASED LOT 93, HE WAS THE OWNER OF LOTS 94 AND 95 WHICH HE PURCHASED JUNE 24, 1985 BY LIBER 6974 FOLIO 115. LOT 93 HAS BEEN HELD SEPARATELY FROM LOTS 94 AND 95 WITH SEPARATE TAX ACCOUNT NUMBERS SINCE THAT TIME WITHOUT A MERGER OF THE PROPERTIES.**

**PETITIONER'S  
EXHIBIT NO. 9**



0014738 017

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

**This Deed,** MADE THIS 25<sup>th</sup> day of September

in the year two ~~one~~ thousand ~~nine~~ hundred ~~and~~ ~~eighty~~ ~~eight~~ by and between

Michael S. Richman, Myron Richman and Marcia Pulverente

~~of~~ parties of the first part, and

John L. Adams, Jr. party

of the second part.

WITNESSETH, That in consideration of the sum of EIGHTEEN THOUSAND (\$18,000.00) Dollars, and other good and valuable consideration, the receipt whereof is hereby acknowledged

the said parties of the first part

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

personal representatives/~~successors~~ and assigns, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland

and described as follows, that is to say:

BEING KNOWN as Lot No. 93 as shown on the Plat of Evergreen Park, which said Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 7, folio 174.

BEING the same lot of ground described in a Deed dated September 5, 1996 and recorded among the Land Records of Baltimore County in Liber SM 11861 folio 504 was granted and conveyed by Bessie Richman, by Michael S. Richman, her Attorney in Fact, unto Michael S. Richman, Myron Richman and Marcia Pulverente.

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

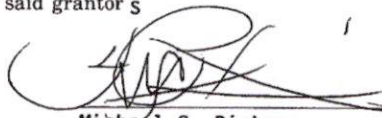
To HAVE AND To HOLD the said described lot of ground and premises to the said party of the second part, his

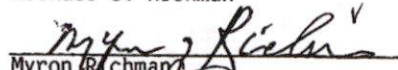
personal representatives/successors  
and assigns, in fee simple.

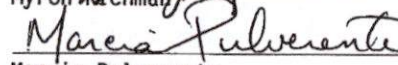
AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the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

WITNESS the hands and seals of said grantors

Test:

  
Michael S. Richman (SEAL)

  
Myron Richman (Seal)

  
Marcia Pulverente (SEAL)

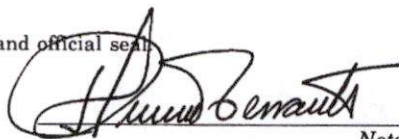
Florida  
STATE OF ~~MISSISSIPPI~~

, to wit:

I HEREBY CERTIFY, That on this THIRTEEN day of September, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Myron Richman

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

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



Notary Public

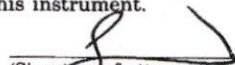
My Commission expires:

OCT. 5, 2000



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.

TRUST TITLE COMPANY, INC.  
7222 HOLABIRD AVENUE  
BALTIMORE, MD 21222

  
(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)

Arnold L. Mazor, Attorney



0011861 504

## NO TITLE SEARCH

THIS DEED, Made this 5<sup>th</sup> day of September, in the year one thousand nine hundred and ninety-six, by and between BESSIE RICHMAN, by MICHAEL S. RICHMAN, her attorney-in-fact, of Baltimore County, State of Maryland, party of the first part, and MICHAEL S. RICHMAN, MYRON RICHMAN and MARCIA PULVERENTE, parties of the second part.

WITNESSETH, That in consideration of the sum of no monetary consideration and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said BESSIE RICHMAN, in exercise of the powers granted to her by Deed dated February 24, 1985, does grant and convey unto MICHAEL S. RICHMAN, MYRON RICHMAN and MARCIA PULVERENTE, as joint tenants and not as tenants in common, their assigns, the survivors of them and the survivor's personal representatives and assigns all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEING KNOWN as Lot No. 93 as shown on the Plat of Evergreen Park, which said Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 7, folio 174.

Being the same lot of ground described in a Deed dated May 2nd, 1938 and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 1059, folios 174 and 175, from J. J. Scoggins, Widower, unto JACK RICHMAN and BESSIE RICHMAN, his wife. The said JACK RICHMAN having since departed this life on or about the 22nd day of October, 1961, thereby vesting absolute fee simple title in the said BESSIE RICHMAN.

BEING also the same lot of ground which by Deed dated February 24, 1985 and recorded among the Land Records of Baltimore County in Liber EHK, Jr. No. 6878, folio 248 was granted and conveyed by BESSIE RICHMAN for life with full power of sale. The Power of Attorney from BESSIE RICHMAN to MICHAEL S. RICHMAN executed on August 11, 1994 is recorded immediately prior hereto in the Land Records of Baltimore County.

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 MICHAEL S. RICHMAN, MYRON RICHMAN and MARCIA PULVERENTE, as joint tenants and not as tenants in common, their assigns, the survivors of them and the survivor's personal representatives and assigns in fee simple.

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

DATE 10/21/96 HK

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

DATE 10/21/96 HK



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

Witness the hand and seal of the grantor.

WITNESS:

Jan Alford Bessie Richman by  
Michael S. Richman ATTY. IN FACT (SEAL)  
 BESSIE RICHMAN by  
 MICHAEL S. RICHMAN, her attorney-in-fact

STATE OF MARYLAND  
 BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this 5th day of Sept, in the year one thousand nine hundred and ninety-six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared MICHAEL S. RICHMAN as attorney-in-fact for BESSIE RICHMAN, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

In Witness Whereof, I hereunto set my hand and official seal.

Joan E. Watson (SEAL)  
 NOTARY PUBLIC

Joan E. Watson, Notary Public  
 Baltimore County  
 State of Maryland

My Commission expires:

My Commission Expires April 1, 1999

I HEREBY CERTIFY, under the penalty of perjury, that the above instrument has been prepared by the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

Phyllis J. Erlich  
 Phyllis J. Erlich



THIS DEED, Made this 24th day of FEBRUARY, in the year one thousand nine hundred and eighty-five, by and between BESSIE RICHMAN, of Baltimore County, State of Maryland, of the first part; BESSIE RICHMAN, of Baltimore County, State of Maryland, of the second part; and LOUIS HAROLD RICHMAN, of the State of Maryland, of the third part.

WITNESSETH, that the actual consideration paid or to be paid is ZERO; and

FURTHER WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, the said BESSIE RICHMAN does hereby grant and convey unto BESSIE RICHMAN, for and during the term of her natural life, with full power during her lifetime to sell, lease, mortgage, grant, convey or otherwise dispose of or encumber the lot of ground herein described or any part thereof without the joinder or consent of the remainderman named herein free of any and all right, title and interest of any of the parties or those claiming by, through, from or under them or any of them; and from and after the death of said BESSIE RICHMAN as to so much thereof as shall remain undisposed of under the powers aforesaid, unto and to the use of the said party of the third part, LOUIS HAROLD RICHMAN, his personal representatives and assigns, all that lot of ground situate in BALTIMORE COUNTY, STATE OF MARYLAND, and described as follows:

BEING KNOWN as LOT NO. 93 as shown on the Plat of Evergreen Park, which said Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 7 folio 174.

BEING the same lot of ground described in a Deed dated May 2nd, 1938 and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 1059 folios 174 and 175, from J. J. Scoggins, Widower, unto JACK RICHMAN and BESSIE RICHMAN, his wife. The said JACK RICHMAN having since departed this life on or about the 22nd day of OCTOBER, 1961, thereby vesting absolute fee simple title in the said BESSIE RICHMAN.

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

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION

CLERK DATE

TRANSFER TAX NOT REQUIRED

Director of Finance

BALTIMORE COUNTY, MARYLAND

Per *Joseph W. Cline*

Authorized Signature

Date *3-5-85* Sec. 11-85 H

C RC/F 13.00  
FEED 0 H  
FHK JR T 13.00  
H49917 C001 R02 T11:31  
03/04/85

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE *JP* DATE *3-4-85*



TO HAVE AND TO HOLD the said described lot of ground and premises, to the said BESSIE RICHMAN, for and during the term of her natural life, with full power during her lifetime to sell, lease, mortgage, grant, convey, or otherwise dispose of or encumber the lot of ground herein described or any part thereof without the joinder or consent of the remainderman named herein free of any and all right, title and interest of any of the parties or those claiming by, through, from or under them or any of them; and from and after the death of said BESSIE RICHMAN as to so much thereof as shall remain undisposed of under the powers aforesaid, unto and to the use of the said party of the third part, LOUIS HAROLD RICHMAN, his personal representatives and assigns, forever, IN FEE SIMPLE.

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

WITNESS the hand and seal of the said GRANTOR.

WITNESS:

Mitchell B. Reiner

BESSIE RICHMAN (SEAL)

STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE,

to wit:

I HEREBY CERTIFY, that on this 24th day of FEBRUARY, 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City/County aforesaid, personally appeared BESSIE RICHMAN, known to me (or satisfactorily proven) to be the person who signed the foregoing Deed and she acknowledged said Deed to be her act, deed and for the purpose therein set forth.

AS WITNESS my hand and Notarial Seal.

Ruth Ann Bragg

MY COMMISSION EXPIRES: 7/1/'86

Rec'd for record MAR 6 1985 at

Per Elmer H. Kahline, Jr., Clerk

Mail to Wargman's Records

Receipt No. 1300





See also powers of attorney dated respectively January 12 1937 and July 20 1937 and recorded respectively in Liber C W B Jr No 991 folio 415 and Liber C W B Jr No 1008 folio 123

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

To have and to hold the said lot of ground and premises unto and to the use of the said parties of the second part as tenants by the entirety their assigns the survivor of them and the survivors heirs and assigns forever in fee simple subject however to the conditions and restrictions contained in a deed from Irving Adams Attorney in Fact etc to John W Crouch and wife dated July 22 1937 and recorded among said Land Records in Liber C W B Jr No 1008 folio 126 and in declaration made by Jessie Hilles Greenway to Irving Adams Attorney in Fact dated July 20 1937 and recorded among said Land Records in Liber C W B Jr No 1008 folio 124

And the said party of the first part hereby covenants that he has not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby granted that he will warrant specially the property hereby granted and conveyed and that he will execute such further assurances of said land as may be requisite

Witness the hand and seal of party of first part

Witness

Regina Graham

Irving Adams (SEAL)

Attorney in Fact for Jessie Hilles Greenway

Jessie Hilles Greenway (Seal)

By Irving Adams (Seal)

Her Attorney in Fact

State of Maryland Baltimore City to wit

I Hereby Certify that on this 20th day of March in the year one thousand nine hundred and thirty nine before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared Irving Adams Attorney in Fact for Jessie Hilles Greenway and acknowledged the foregoing deed to be his act and also appeared Jessie Hilles Greenway by Irving Adams her Attorney in Fact and acknowledged said deed to be her act

In Testimony Whereof I hereunto set my hand and affix my Notarial seal  
( Notarial seal )

Regina Graham

Notary Public

Recorded Mar 23 1939 at 10.10 A M & EXD Per C Willing Browne Jr Clerk

119620

J J Scoggins

Deed to

Jack Richman and wife

U S S \$.50 S R T \$.40

This Deed Made this 2nd day of May in the year one thousand nine hundred and thirty eight by and between J J Scoggins Widower of City of Baltimore in the State of Maryland of the first part and Jack Richman and Bessie Richman his wife of the second part

Witnesseth that in consideration of the sum of three hundred and fifty (\$350.00) dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said J J Scoggins does grant and convey unto the said Jack Richman and Bessie Richman his wife their heirs and assigns in fee simple all that



lot of ground situate lying and being in Baltimore County State of Maryland aforesaid and described as follows that is to say

Being known as lot No 93 as shown on the Plat of Evergreen Park which said plat is recorded among the Plat Records of Baltimore County in Plat Book W P C No 7 folio 174

Being one of the lots of ground which by deed dated October 15 1937 and recorded among the Land Records of Baltimore County in Liber C W B Jr 1015 folio 280 was granted and conveyed by Paul R Hassencamp et al Receivers to the said grantor

Together with the buildings and improvements thereupon erected made or being and all and every the rights alleys ways waters privileges appurtenances and advantages to the same belonging or anywise appertaining

To have and to hold the said lot of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Jack Richman and Bessie Richman his wife their heirs and assigns in fee simple

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

Witness the hand and seal of said grantor

Test

Reuben H Steinberg

J J Scoggins

(SEAL)

State of Maryland City of Baltimore to wit

I Hereby Certify that on this 2nd day of May in the year one thousand nine hundred and thirty eight before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared J J Scoggins the above named grantor and he acknowledged the foregoing deed to be his act

As Witness my hand and Notarial seal

( Notarial seal )

Reuben H Steinberg

Notary Public

Recorded Mar 23 1939 at 11 A M & EXD Per C Willing Browne Jr Clerk

119621

George F Schnabel and wife

Lease to

Fielding Skipper Widower

This Lease Made this 22nd day of March in the year one thousand nine hundred and thirty nine between George F Schnabel and Anna S Schnabel his wife of the City of Baltimore in the State of Maryland parties of the first part Lessors and Fielding Skipper widower of the City

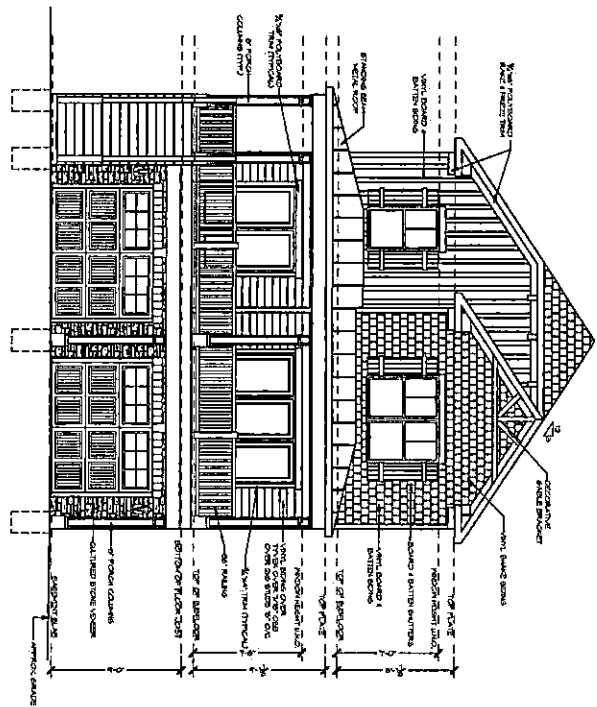
and State aforesaid party of the second part lessee

Witnesseth that the said lessors in consideration of the rent hereinafter expressed to be paid do lease unto the said lessee his executors administrators and assigns all that lot of ground and premises situate lying and being in the County of Baltimore and described as follows to wit

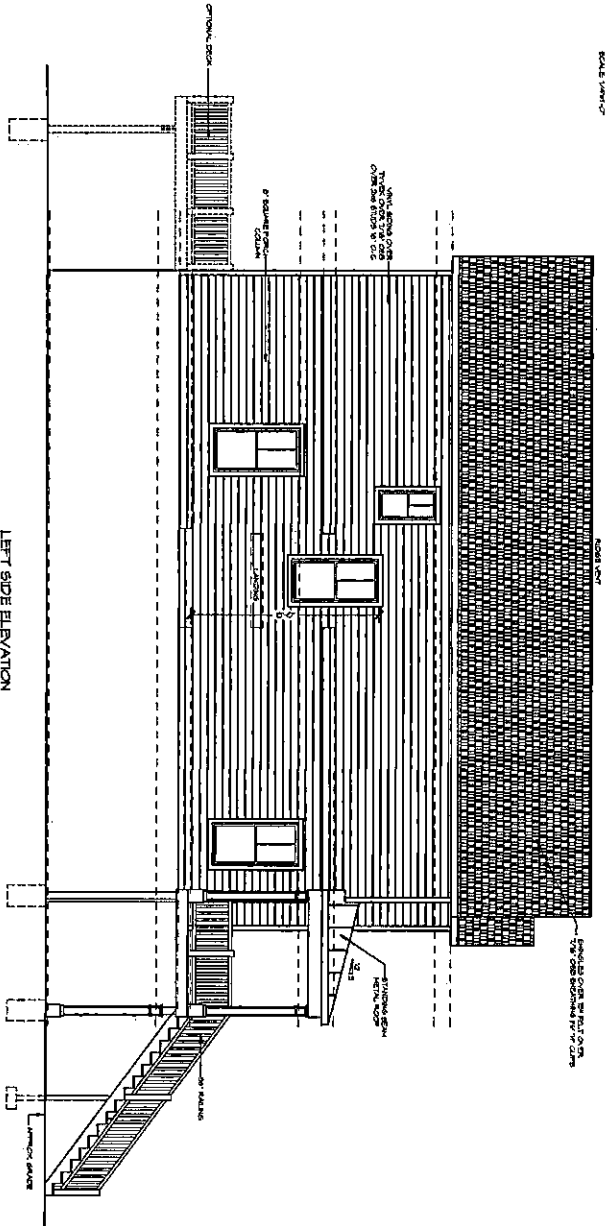
Being lots numbered seventy five (75) and seventy six (76) and the westernmost ten feet of lot numbered seventy seven (77) as shown on the Plat of Harford Park which Plat is duly recorded among the Land Records of Baltimore County in Plat Book W P C No 5 folio 62

For title see the following conveyances





FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"

PETITIONER'S  
EXHIBIT NO. 8

BAYSIDE ROAD SPEC

|                                                                                                   |  |
|---------------------------------------------------------------------------------------------------|--|
| SCALE: 1/4" = 1'-0"<br>DATE: 7/20/19<br>SHEET NO.: 1 OF 6                                         |  |
| <b>GBL CUSTOM HOME<br/>DESIGN INC.</b><br>PO BOX 237 FARMERSBURG, MD 21048<br>PHONE: 410-833-8720 |  |





Case No.: 2019-0461-SPHA

Sen

Exhibit Sheet

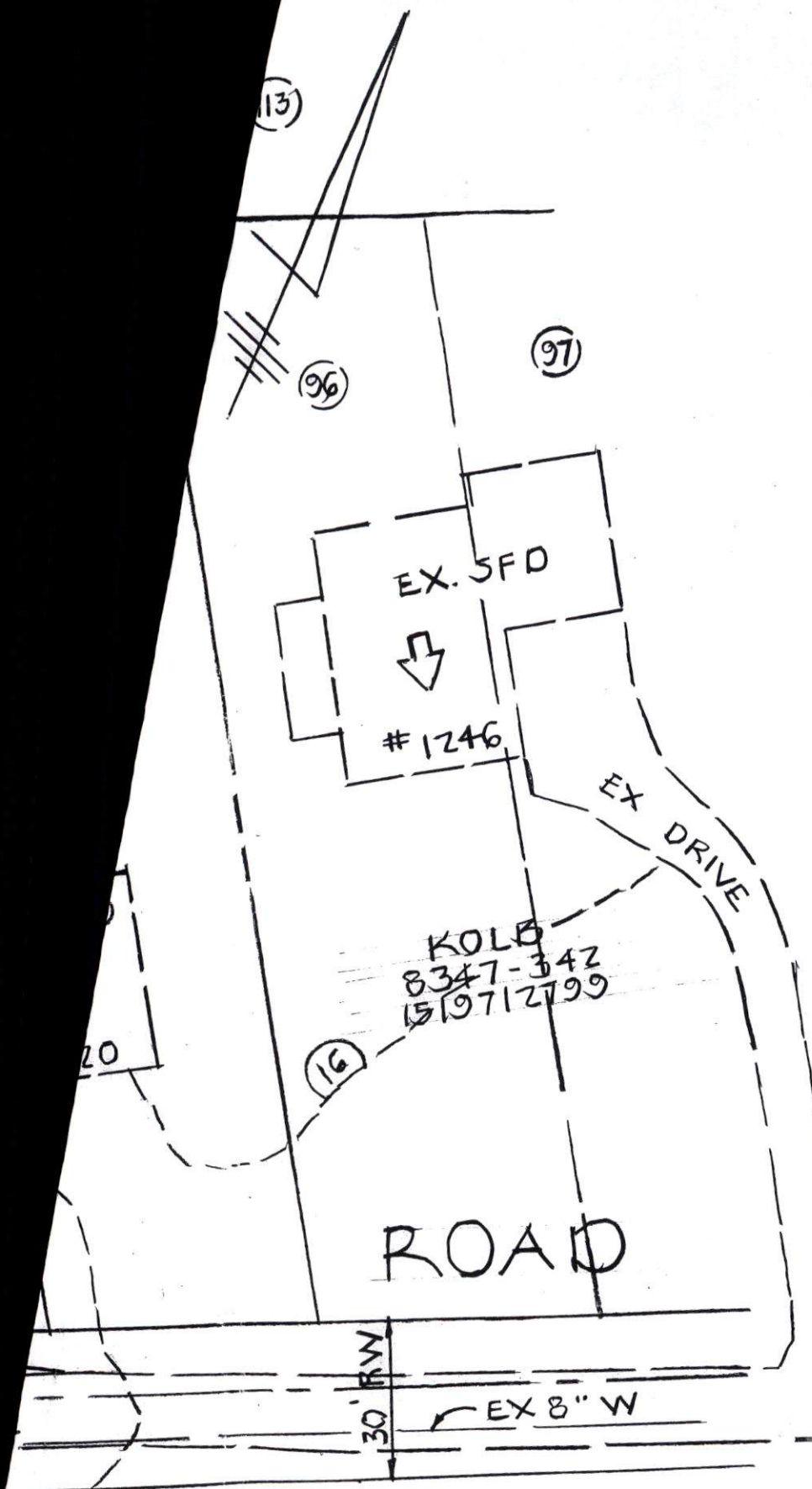
EW  
2-13-2020

12-3-19

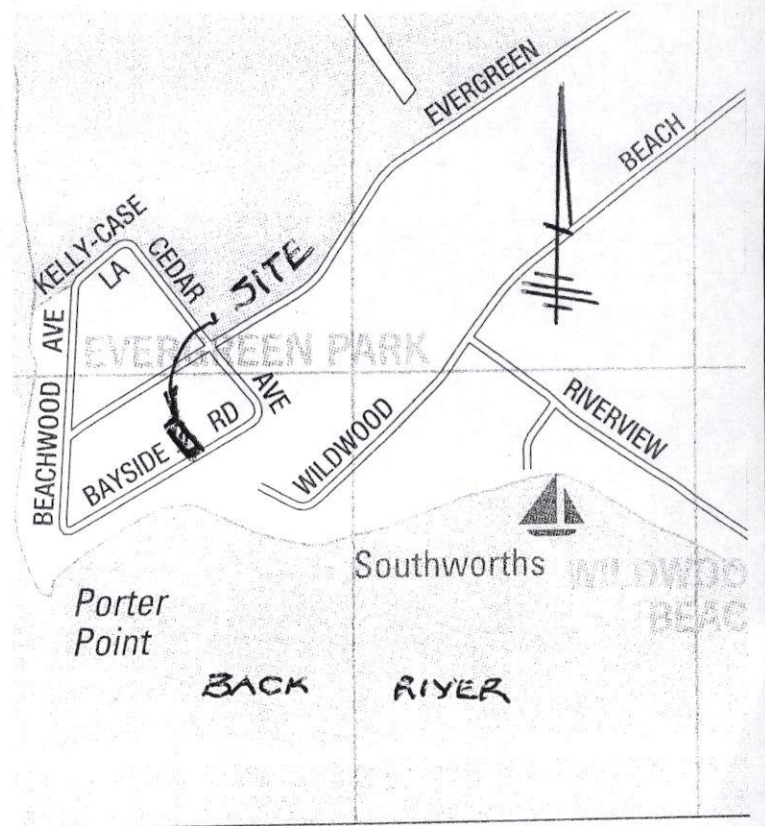
Petitioner/Developer

Protestant

|        |                             |                     |
|--------|-----------------------------|---------------------|
| No. 1  | Site Plan                   | Alsante packet      |
| No. 2  | SDOT Records                | Kolb Packet         |
| No. 3  | Deed                        | Protestants' Packet |
| No. 4  | Tax map                     | Photo of Lot 93+94  |
| No. 5  | Plat of Evongnow Parcel     |                     |
| No. 6  | Aerial Photo                |                     |
| No. 7  | Site Plan w numbered photos |                     |
| No. 8  | proposed house elevations   |                     |
| No. 9  | chain of title              |                     |
| No. 10 | Redlined Site Plan          |                     |
| No. 11 | Boundary line survey        |                     |
| No. 12 |                             |                     |



**OWNER**  
 WEALTHCARE LLC  
 1919 YORK ROAD  
 TIMONIUM, MD. 21093  
 DEED REF: L.41483 F.31  
 ACCT. NO. 1518350580



**VICINITY MAP**  
 SCALE: 1 INCH = 1000 FEET

**PETITIONER'S**

**EXHIBIT NO.** 1

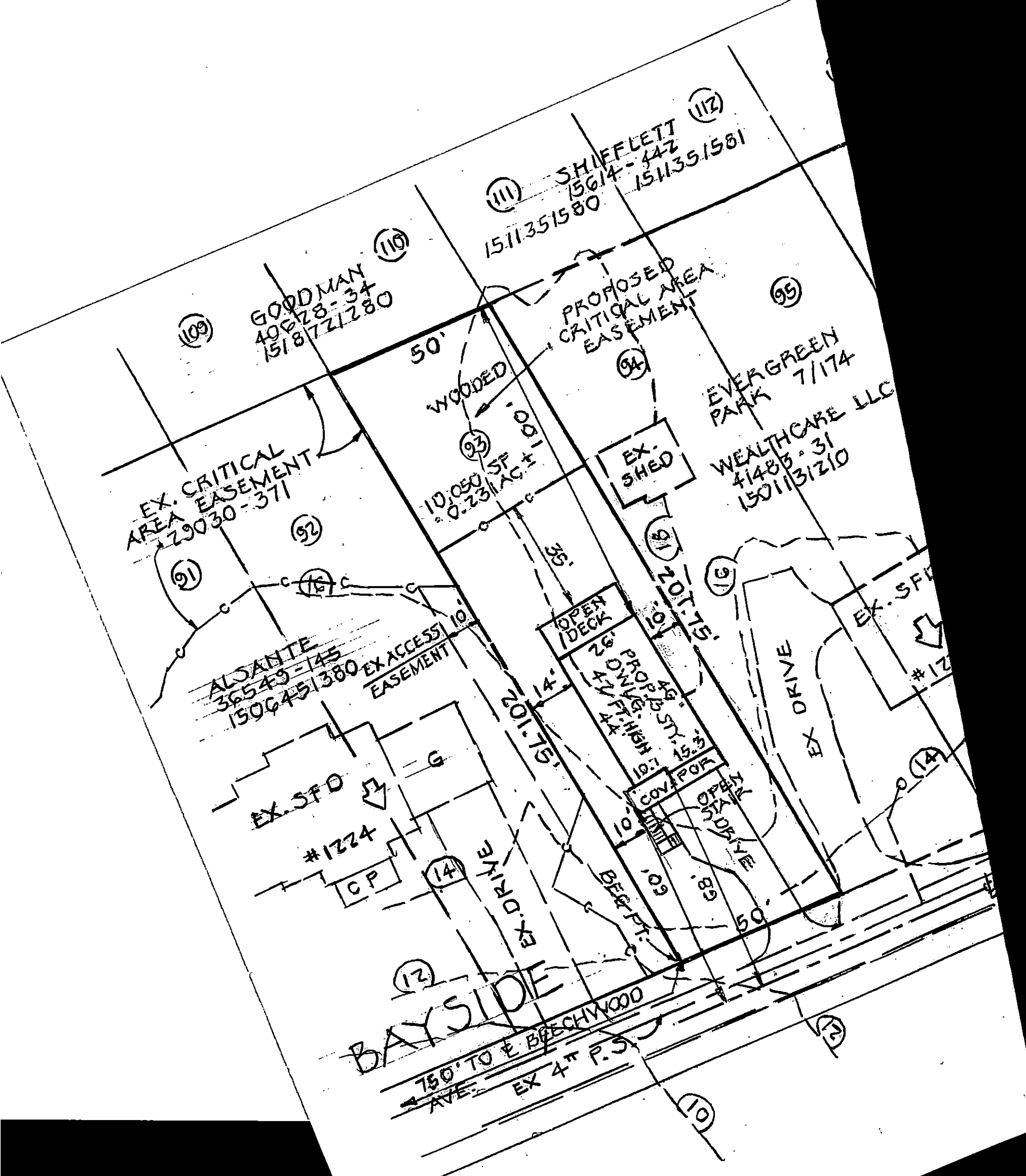
**NOTES**

1. ZONING.....RC5 (MAP NO. 104C3)
2. LOT AREA.....10,050 SF = 0.231 ACRE +/-
3. PUBLIC WATER AND SEWER IS AVAILABLE
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
5. SITE IS LOCATED IN THE CBCA
6. SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE
7. NO HISTORIC STRUCTURES OR SITES OR ARCHEOLOGICAL SITES ARE KNOWN TO EXIST
8. BUILDING COVERAGE =  $1388 / 10,050 = 13.8\%$

2019-04615PH  
 A

**PLAT TO ACCOMPANY PETITION  
 FOR VARIANCES  
 1222 BAYSIDE ROAD  
 LOT 93 EVERGREEN PARK 7/174  
 ELECTION DISTRICT 15C7 BALTO. CO., MD.  
 SCALE: 1 INCH = 30 FEET JULY 10, 2019**





(109) GOODMAN  
40628-34  
1518721280 (110)

(111) SHIFFLETT  
15614-442  
1511351580 (112)  
1511351581

EX. CRITICAL  
AREA EASEMENT  
29030-371 (92)

PROPOSED  
CRITICAL AREA  
EASEMENT (94)

(95) EVERGREEN  
PARK 7/174  
WEALTHCARE LLC  
41483-31  
1501131210

ALSANTE  
36549-145  
1506451380 EX ACCESS  
EASEMENT (91)

EX. SFD  
#1224  
CP (14)

EX. SHED (16)

OPEN  
DECK  
26'  
PROP. 10' HIGH  
10' 3" STY. 15.3'  
COVER  
OPEN STAIR

EX DRIVE

EX. SFD  
#12 (14)

(12) BAYSIDE  
750' TO E BEECHWOOD  
AVE. EX 4" P.S. (10)

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

Real Property Data Search ( w2)

Search Result for BALTIMORE COUNTY

| View Map                                            |                                    | View GroundRent Redemption                       |                             | View GroundRent Registration |                              |
|-----------------------------------------------------|------------------------------------|--------------------------------------------------|-----------------------------|------------------------------|------------------------------|
| <b>Tax Exempt:</b>                                  |                                    | <b>Special Tax Recapture:</b>                    |                             |                              |                              |
| <b>Exempt Class:</b>                                |                                    | NONE                                             |                             |                              |                              |
| <b>Account Identifier:</b>                          |                                    | <b>District - 15 Account Number - 1518350580</b> |                             |                              |                              |
| Owner Information                                   |                                    |                                                  |                             |                              |                              |
| <b>Owner Name:</b>                                  | WEALTHCARE LLC                     |                                                  | <b>Use:</b>                 | RESIDENTIAL                  |                              |
| <b>Mailing Address:</b>                             | 1919 YORK RD<br>TIMONIUM MD 21093- |                                                  | <b>Principal Residence:</b> | NO                           |                              |
|                                                     |                                    |                                                  | <b>Deed Reference:</b>      | /41483/ 00031                |                              |
| Location & Structure Information                    |                                    |                                                  |                             |                              |                              |
| <b>Premises Address:</b>                            |                                    | 1226 <del>1220</del> BAYSIDE RD<br>ESSEX 21221-  |                             | <b>Legal Description:</b>    |                              |
|                                                     |                                    |                                                  |                             | EVERGREEN PARK               |                              |
| <b>Map:</b>                                         | <b>Grid:</b>                       | <b>Parcel:</b>                                   | <b>Sub District:</b>        | <b>Subdivision:</b>          | <b>Section:</b>              |
| 0104                                                | 0024                               | 0268                                             |                             | 0000                         |                              |
|                                                     |                                    |                                                  |                             |                              | <b>Block:</b>                |
|                                                     |                                    |                                                  |                             |                              | 93                           |
|                                                     |                                    |                                                  |                             |                              | <b>Lot:</b>                  |
|                                                     |                                    |                                                  |                             |                              | 2018                         |
|                                                     |                                    |                                                  |                             |                              | <b>Assessment Year:</b>      |
|                                                     |                                    |                                                  |                             |                              |                              |
|                                                     |                                    |                                                  |                             |                              | <b>Plat No:</b>              |
|                                                     |                                    |                                                  |                             |                              | 0007/                        |
|                                                     |                                    |                                                  |                             |                              | <b>Plat Ref:</b>             |
|                                                     |                                    |                                                  |                             |                              | 0174                         |
| <b>Special Tax Areas:</b>                           |                                    |                                                  | <b>Town:</b>                |                              |                              |
|                                                     |                                    |                                                  | NONE                        |                              |                              |
|                                                     |                                    |                                                  | <b>Ad Valorem:</b>          |                              |                              |
|                                                     |                                    |                                                  | <b>Tax Class:</b>           |                              |                              |
| <b>Primary Structure Built</b>                      | <b>Above Grade Living Area</b>     | <b>Finished Basement Area</b>                    | <b>Property Land Area</b>   | <b>County Use</b>            |                              |
|                                                     |                                    |                                                  | 10,050 SF                   | 04                           |                              |
| <b>Stories</b>                                      | <b>Basement</b>                    | <b>Type</b>                                      | <b>Exterior</b>             | <b>Full/Half Bath</b>        | <b>Garage</b>                |
|                                                     |                                    |                                                  |                             |                              | <b>Last Major Renovation</b> |
| Value Information                                   |                                    |                                                  |                             |                              |                              |
|                                                     |                                    | <b>Base Value</b>                                | <b>Value</b>                | <b>Phase-in Assessments</b>  |                              |
|                                                     |                                    |                                                  | As of                       | As of                        | As of                        |
|                                                     |                                    |                                                  | 01/01/2018                  | 07/01/2018                   | 07/01/2019                   |
| <b>Land:</b>                                        |                                    | 40,200                                           | 40,200                      |                              |                              |
| <b>Improvements</b>                                 |                                    | 0                                                | 0                           |                              |                              |
| <b>Total:</b>                                       |                                    | 40,200                                           | 40,200                      | 40,200                       | 40,200                       |
| <b>Preferential Land:</b>                           |                                    | 0                                                |                             |                              | 0                            |
| Transfer Information                                |                                    |                                                  |                             |                              |                              |
| <b>Seller:</b> ADAMS JOHN L                         |                                    | <b>Date:</b> 06/04/2019                          |                             | <b>Price:</b> \$70,000       |                              |
| <b>Type:</b> ARMS LENGTH MULTIPLE                   |                                    | <b>Deed1:</b> /41483/ 00031                      |                             | <b>Deed2:</b>                |                              |
| <b>Seller:</b> RICHMAN MICHAEL S/MYRON              |                                    | <b>Date:</b> 10/06/2000                          |                             | <b>Price:</b> \$18,000       |                              |
| <b>Type:</b> NON-ARMS LENGTH OTHER                  |                                    | <b>Deed1:</b> /14738/ 00017                      |                             | <b>Deed2:</b>                |                              |
| <b>Seller:</b> RICHMAN BESSIE                       |                                    | <b>Date:</b> 10/23/1996                          |                             | <b>Price:</b> \$0            |                              |
| <b>Type:</b> NON-ARMS LENGTH OTHER                  |                                    | <b>Deed1:</b> /11861/ 00504                      |                             | <b>Deed2:</b>                |                              |
| Exemption Information                               |                                    |                                                  |                             |                              |                              |
| <b>Partial Exempt Assessments:</b>                  |                                    | <b>Class</b>                                     | 07/01/2018                  |                              | 07/01/2019                   |
| <b>County:</b>                                      |                                    | 000                                              | 0.00                        |                              |                              |
| <b>State:</b>                                       |                                    | 000                                              | 0.00                        |                              |                              |
| <b>Municipal:</b>                                   |                                    | 000                                              | 0.00 0.00                   |                              | 0.00 0.00                    |
| <b>Tax Exempt:</b>                                  |                                    | <b>Special Tax Recapture:</b>                    |                             |                              |                              |
| <b>Exempt Class:</b>                                |                                    | NONE                                             |                             |                              |                              |
| Homestead Application Information                   |                                    |                                                  |                             |                              |                              |
| <b>Homestead Application Status:</b> No Application |                                    |                                                  |                             |                              |                              |
| Homeowners' Tax Credit Application Information      |                                    |                                                  |                             |                              |                              |

PETITIONER'S  
EXHIBIT NO. 2



## Real Property Data Search ( w2)

Search Result for BALTIMORE COUNTY

| View Map                                            |                                    | View GroundRent Redemption                       |                             | View GroundRent Registration  |                           |
|-----------------------------------------------------|------------------------------------|--------------------------------------------------|-----------------------------|-------------------------------|---------------------------|
| <b>Tax Exempt:</b>                                  |                                    | <b>Special Tax Recapture:</b>                    |                             |                               |                           |
| <b>Exempt Class:</b>                                |                                    | <b>NONE</b>                                      |                             |                               |                           |
| <b>Account Identifier:</b>                          |                                    | <b>District - 15 Account Number - 1501131210</b> |                             |                               |                           |
| Owner Information                                   |                                    |                                                  |                             |                               |                           |
| <b>Owner Name:</b>                                  | WEALTHCARE LLC                     |                                                  | <b>Use:</b>                 | RESIDENTIAL                   |                           |
| <b>Mailing Address:</b>                             | 1919 YORK RD<br>TIMONIUM MD 21093- |                                                  | <b>Principal Residence:</b> | NO                            |                           |
|                                                     |                                    |                                                  | <b>Deed Reference:</b>      | /41483/ 00031                 |                           |
| Location & Structure Information                    |                                    |                                                  |                             |                               |                           |
| <b>Premises Address:</b>                            | <b>1228</b>                        | <b>1220</b>                                      | <b>BAYSIDE RD</b>           |                               | <b>Legal Description:</b> |
|                                                     |                                    |                                                  | <b>ESSEX 21221-</b>         |                               | LT 94,95                  |
| EVERGREEN PARK                                      |                                    |                                                  |                             |                               |                           |
| <b>Map:</b>                                         | <b>Grid:</b>                       | <b>Parcel:</b>                                   | <b>Sub District:</b>        | <b>Subdivision:</b>           | <b>Section:</b>           |
| 0104                                                | 0024                               | 0268                                             |                             | 0000                          |                           |
|                                                     |                                    |                                                  |                             |                               | <b>Block:</b>             |
|                                                     |                                    |                                                  |                             |                               | 94                        |
|                                                     |                                    |                                                  |                             |                               | <b>Lot:</b>               |
|                                                     |                                    |                                                  |                             |                               | 2018                      |
|                                                     |                                    |                                                  |                             |                               | <b>Assessment Year:</b>   |
|                                                     |                                    |                                                  |                             |                               | 0007/                     |
|                                                     |                                    |                                                  |                             |                               | <b>Plat No:</b>           |
|                                                     |                                    |                                                  |                             |                               | <b>Plat Ref:</b>          |
|                                                     |                                    |                                                  |                             |                               | 0174                      |
| <b>Special Tax Areas:</b>                           |                                    |                                                  | <b>Town:</b>                |                               |                           |
|                                                     |                                    |                                                  | NONE                        |                               |                           |
|                                                     |                                    |                                                  | <b>Ad Valorem:</b>          |                               |                           |
|                                                     |                                    |                                                  | <b>Tax Class:</b>           |                               |                           |
| <b>Primary Structure Built</b>                      |                                    | <b>Above Grade Living Area</b>                   |                             | <b>Finished Basement Area</b> |                           |
| 1900                                                |                                    | 832 SF                                           |                             | 20,100 SF                     |                           |
|                                                     |                                    |                                                  |                             | <b>Property Land Area</b>     |                           |
|                                                     |                                    |                                                  |                             | 04                            |                           |
| <b>Stories</b>                                      | <b>Basement</b>                    | <b>Type</b>                                      | <b>Exterior</b>             | <b>Full/Half Bath</b>         | <b>Garage</b>             |
| 1                                                   | NO                                 | STANDARD UNIT                                    | BLOCK                       | 1 full                        |                           |
| Last Major Renovation                               |                                    |                                                  |                             |                               |                           |
| Value Information                                   |                                    |                                                  |                             |                               |                           |
|                                                     |                                    | <b>Base Value</b>                                | <b>Value</b>                | <b>Phase-in Assessments</b>   |                           |
|                                                     |                                    |                                                  | As of                       | As of                         | As of                     |
|                                                     |                                    |                                                  | 01/01/2018                  | 07/01/2018                    | 07/01/2019                |
| <b>Land:</b>                                        |                                    | 80,200                                           | 80,200                      |                               |                           |
| <b>Improvements</b>                                 |                                    | 20,500                                           | 21,900                      |                               |                           |
| <b>Total:</b>                                       |                                    | 100,700                                          | 102,100                     | 101,167                       | 101,633                   |
| <b>Preferential Land:</b>                           |                                    | 0                                                |                             |                               | 0                         |
| Transfer Information                                |                                    |                                                  |                             |                               |                           |
| <b>Seller:</b> ADAMS JOHN L JR                      |                                    | <b>Date:</b> 06/04/2019                          |                             | <b>Price:</b> \$70,000        |                           |
| <b>Type:</b> ARMS LENGTH MULTIPLE                   |                                    | <b>Deed1:</b> /41483/ 00031                      |                             | <b>Deed2:</b>                 |                           |
| <b>Seller:</b> ADAMS JOHN L                         |                                    | <b>Date:</b> 08/08/1985                          |                             | <b>Price:</b> \$32,000        |                           |
| <b>Type:</b> ARMS LENGTH IMPROVED                   |                                    | <b>Deed1:</b> /06974/ 00115                      |                             | <b>Deed2:</b>                 |                           |
| <b>Seller:</b>                                      |                                    | <b>Date:</b>                                     |                             | <b>Price:</b>                 |                           |
| <b>Type:</b>                                        |                                    | <b>Deed1:</b>                                    |                             | <b>Deed2:</b>                 |                           |
| Exemption Information                               |                                    |                                                  |                             |                               |                           |
| <b>Partial Exempt Assessments:</b>                  | <b>Class</b>                       | 07/01/2018                                       |                             | 07/01/2019                    |                           |
| <b>County:</b>                                      | 000                                | 0.00                                             |                             |                               |                           |
| <b>State:</b>                                       | 000                                | 0.00                                             |                             |                               |                           |
| <b>Municipal:</b>                                   | 000                                | 0.00 0.00                                        |                             | 0.00 0.00                     |                           |
| <b>Tax Exempt:</b>                                  |                                    | <b>Special Tax Recapture:</b>                    |                             |                               |                           |
| <b>Exempt Class:</b>                                |                                    | <b>NONE</b>                                      |                             |                               |                           |
| Homestead Application Information                   |                                    |                                                  |                             |                               |                           |
| <b>Homestead Application Status:</b> No Application |                                    |                                                  |                             |                               |                           |

BOOK: 41483 PAGE: 31

Mid-Atlantic Title, LLC  
 File No. 19-MT-27243MAL / 19-CT-3662  
 Tax ID # 15-01-131210 and 15-18-350580

R - Deed (w Taxes)  
 Recording only \$120.00  
 Name: HEALTHCARE LLC  
 Ref:  
 R - Deed (with Taxes)  
 Surcharge 40.00  
 R - Deed State  
 Transfer Tax 350.00  
 R - NR Tax - 1kd 0.00  
 SubTotal: 410.00  
 Total: 470.00  
 06/04/2019 02:24 CC03-SB  
 #12230679 CC0301 -  
 Baltimore  
 County/CC03-01.03 -  
 Register 03

**This Deed**, made this 9th day of May, 2019, by and between Robert A. Adams, Sr., Successor Personal Representative of the Estate of John Lloyd Adams, Jr., Grantor; and Wealthcare LLC, a Maryland Limited Liability Company, party of the second part, Grantee.

**Whereas**, John Lloyd Adams, Jr. (the "Decedent") departed this life on or about May 11, 2014, seized and possessed of the hereinafter described property and premises (the "Property"); and

**Whereas**, on January 14, 2019, the Register of Wills of Baltimore County, State of Maryland granted administration of the Estate of the Decedent to Robert A. Adams, Sr., as Successor Personal Representative in Estate No. 184180; and

**Whereas**, Grantor in his capacity as Successor Personal Representative in the Estate of the Decedent has complete and full power and authority by law to grant and convey the entire interest in the Property;

- Witnesseth -

**That in consideration** of the sum of Seventy Thousand And 00/100 Dollars (\$70,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR as Successor Personal Representative of the Estate of the Decedent, does hereby grant and convey to the Grantee, its successors and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

PARCEL 1: Tax I.D.: 15-1501131210

Being known and designated as Lots Nos. 94 and 95 as shown on the Plat of Evergreen Park, duly recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 7, folio 174.

The improvements thereon being known as 1220 Bayside Road.

BEING the same property which, by Deed dated June 24, 1985, and recorded among the Land Records of Baltimore County, Maryland, in Liber 6974 folio 115, was granted and conveyed by John Lloyd Adams, Jr. and Augusta Catherine Adams, his wife, unto John L. Adams, Jr., in fee simple.

PETITIONER'S  
 EXHIBIT NO. **3**



BOOK: 41483 PAGE: 32

PARCEL 2: Tax I.D.: 15-1518350580 \*

BEING KNOWN as Lot No. 93 as shown on the Plat of Evergreen Park, which said Plat is recorded among the Plat Records of Baltimore County in Plat Book, W.P.C. No. 7, folio 174; and

BEING the same property which, by Deed dated September 25, 2000, and recorded among the Land Records of Baltimore County, Maryland, in Liber 14738 folio 17, was granted and conveyed by Michael S. Richman, Myron Richman and Marcia Pulverente unto John L. Adams, Jr., in fee simple.

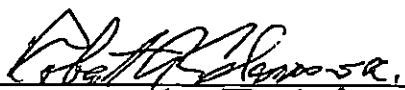
**Together with** the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

**To Have and To Hold** the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Grantee, its successors and assigns, in fee simple.

**And** Grantor does hereby covenant to execute such further assurances of the same as may be requisite.

**Grantor** hereby declares and affirms under the penalties of perjury that the Decedent was a Maryland resident and therefore exempt from the income tax withholding requirements of §10-912 of the *Tax-General Article, Annotated Code of Maryland*.

**Witness** the hand and seal of Grantor the day and year first above written.

 {SEAL}  
Robert A. Adams, ~~JESR~~ RAA  
Successor Personal Representative  
of the Estate John Lloyd Adams, Jr.

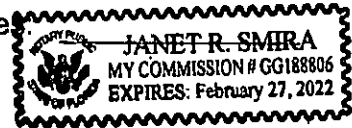
BOOK: 41483 PAGE: 33

STATE OF Florida, COUNTY OF Dixie, to wit:

I hereby certify that on this 13<sup>th</sup> day of May, 2019 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared Robert A. Adams, Sr., known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged himself to be the Successor Personal Representative of the Estate of John Lloyd Adams, Jr. and who, in my presence, signed and sealed the foregoing Deed and acknowledged it to be his act and deed as Personal Representative of the foregoing Estate, giving oath under penalties of perjury that the consideration recited herein is correct.

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

Janet R. Smira  
Notary Public  
My commission expires



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

M. J. Kretschmer  
Mary J. Kretschmer, Attorney

AFTER RECORDING, PLEASE RETURN TO:  
Mid-Atlantic Title, LLC  
100 West Road, Suite 215  
Towson, MD 21204

**Baltimore County**

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

District: **15** Account Number: **1518350580**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

PETITIONER'S  
EXHIBIT NO. 4



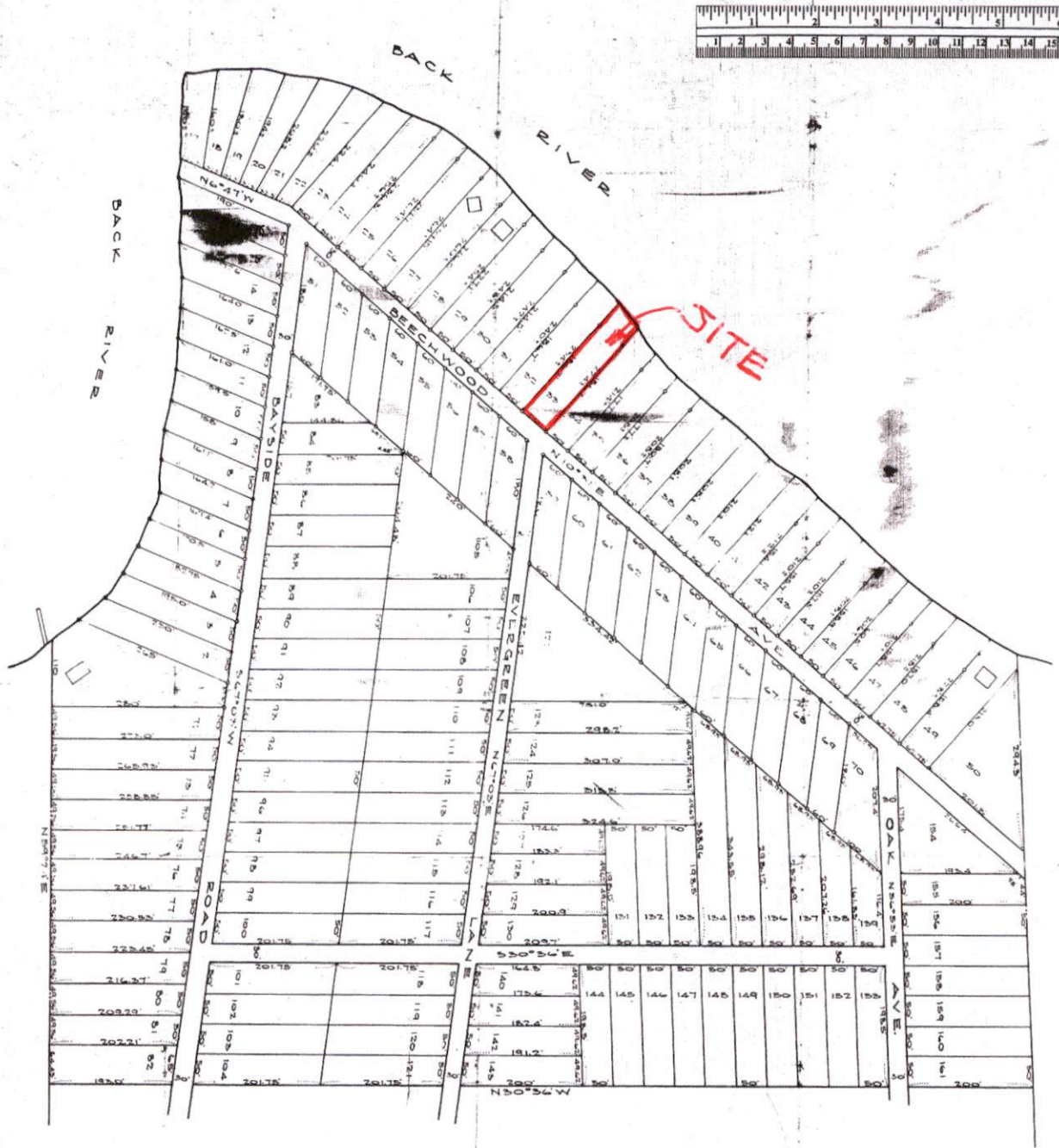
PLAT BOOK OF 291824  
BALTIMORE COUNTY  
BALTIMORE DISTRICT  
BALTIMORE COUNTY  
BALTIMORE, MD

PLAK BOOK 7/174

Mar 18110

Nov 6, 1924

PLAT  
EVERGREEN PARK  
FIFTEENTH DISTRICT  
BALTIMORE COUNTY  
MARYLAND



PETITIONER'S  
EXHIBIT NO. 5



# 1226 BAYSIDE AVENUE



PETITIONER'S  
EXHIBIT NO. 6





B



A





C



D



E



F







H



G





J



I



# PETITIONER' S

EXHIBIT NO. 11



## GENERAL NOTES

1. COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS DERIVED FROM THE MARYLAND STATE COORDINATE SYSTEM (NAD83/NA2011 EPOCH 2010).
2. OWNERSHIP: WEALTHCARE, LLC  
DEED: L. 41483 F.31  
ADDRESS: 1226 BAYSIDE ROAD  
ESSEX, MARYLAND 21221  
  
PLAT REF.: "EVERGREEN PARK"  
W.P.C. 7 FOLIO 174
3. THE LOCATION OF IMPROVEMENTS SHOWN HEREON ARE DERIVED FROM FIELD RUN SURVEY PERFORMED BY PRECISION SURVEY AND MAPPING, LLC IN JUNE 2019.
4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.



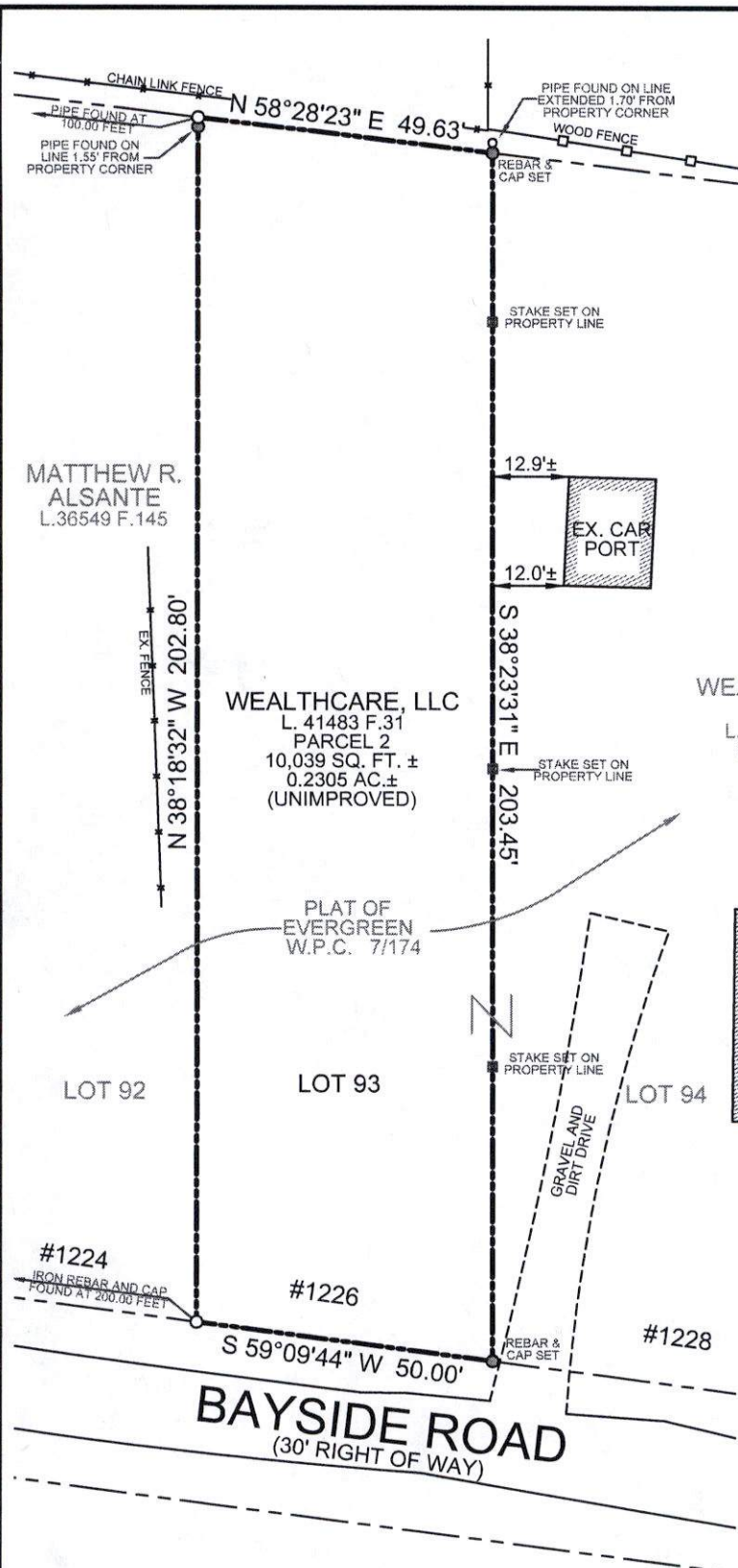
## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THE SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF AND THAT IT REPRESENTS A FIELD SURVEY FOR THE PROPERTY SHOWN HEREON PERFORMED UNDER MY DIRECT SUPERVISION.

*C. Ruzicka*

11-22-19

MD. LICENSED PROFESSIONAL LAND SURVEYOR NO. 21169  
EXPIRES JUNE 26, 2021



**PRECISION**  
SURVEY AND MAPPING LLC  
Using Modern Technology to Map America  
6809 South River Drive  
Baltimore, Maryland 21220  
www.precision-surveys.us  
Phone: 410-459-2124

DATE  
11-22-19

SCALE  
1"=30'

DESIGNED BY

DRAWN BY  
CSR

BOUNDARY SURVEY

**WEALTHCARE, LLC**

LOT 93 OF PLAT "EVERGREEN" W.P.C. 7/174  
1226 BAYSIDE ROAD, ESSEX, MARYLAND 21221  
DEED REF.: LIBER 41483 FOLIO 31  
BALTIMORE COUNTY, MARYLAND



Response to Zoning Notice  
Case Number 2019-0461-SPHA  
1226 Bayside Road 21221

To Whom it may concern,

In regards to the variance request for 1226 Bayside, Baltimore County does not even have that listed at a viable address. For over 30 years the three lots in question have been identified as 1220 Bayside Road with a total area of 0.678 acres.

It has been an understanding in the community that the previous owner utilized the lots as one property building dwellings across the property lines of the three lots, see photograph #1 and drawing #1. He used the property to run a salvage business and as his personal living space. Even if the previous owner did not file the proper paper work to merge the 3 lots, it was utilized as one parcel for over 30 years. The lots are also only serviced by one sewage ejector pump that was installed by Baltimore County.

With the respect to the requested variances, we think some of the requests are extreme. The county's zoning laws for this area require 1.5 acres to build a house, the property in question is 0.231 acres, which is only 15% of the required size. The setbacks requested are also extreme. They are also requesting a height increase of 8 feet. The community neighbors Essex Sky Park which recently got a 100 year lease from Baltimore County to continue their operation. We do have a considerable amount of air traffic in the community.

With respect to the area, we are in a **critical bay** community and an **URL area** and there are no current plans to change the dynamics and infrastructure to the neighborhood.

In summary, we think the request to build a house on 0.231 acres when the requirement is 1.5 acres, the proposed setbacks and the increase in height is not what is best for the environment, the wildlife, or the infrastructure of the community.

Respectfully,

William and Karen Kolb  
1246 Bayside Road 21221

PROTESTANT' S

EXHIBIT NO.

2









## Baltimore County - My Neighborhood

## My Neighborhood

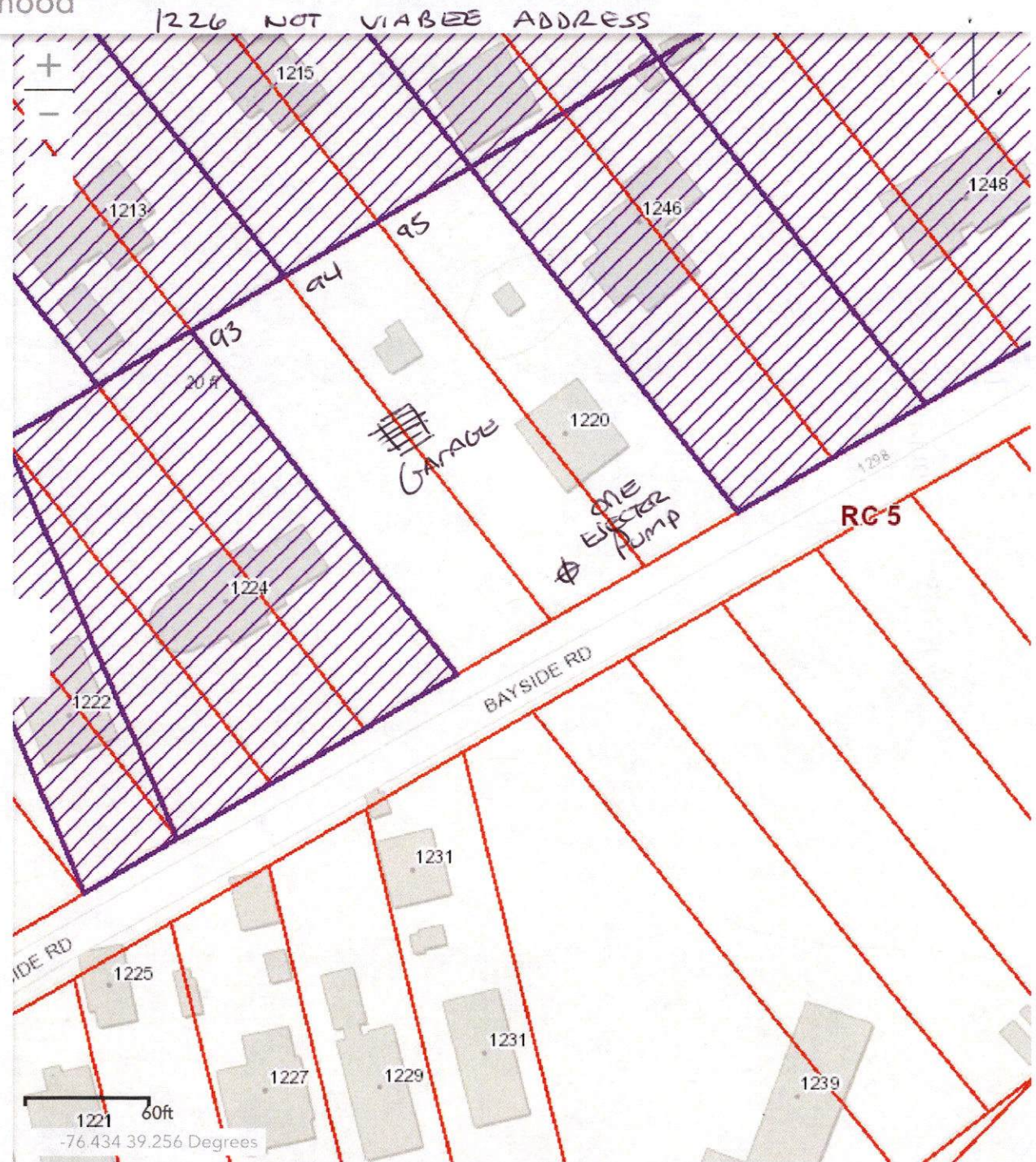
Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated







## Baltimore County - My Neighborhood

## My Neighborhood

Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated







## Baltimore County - My Neighborhood

## My Neighborhood

Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated







## Baltimore County - My Neighborhood

## My Neighborhood

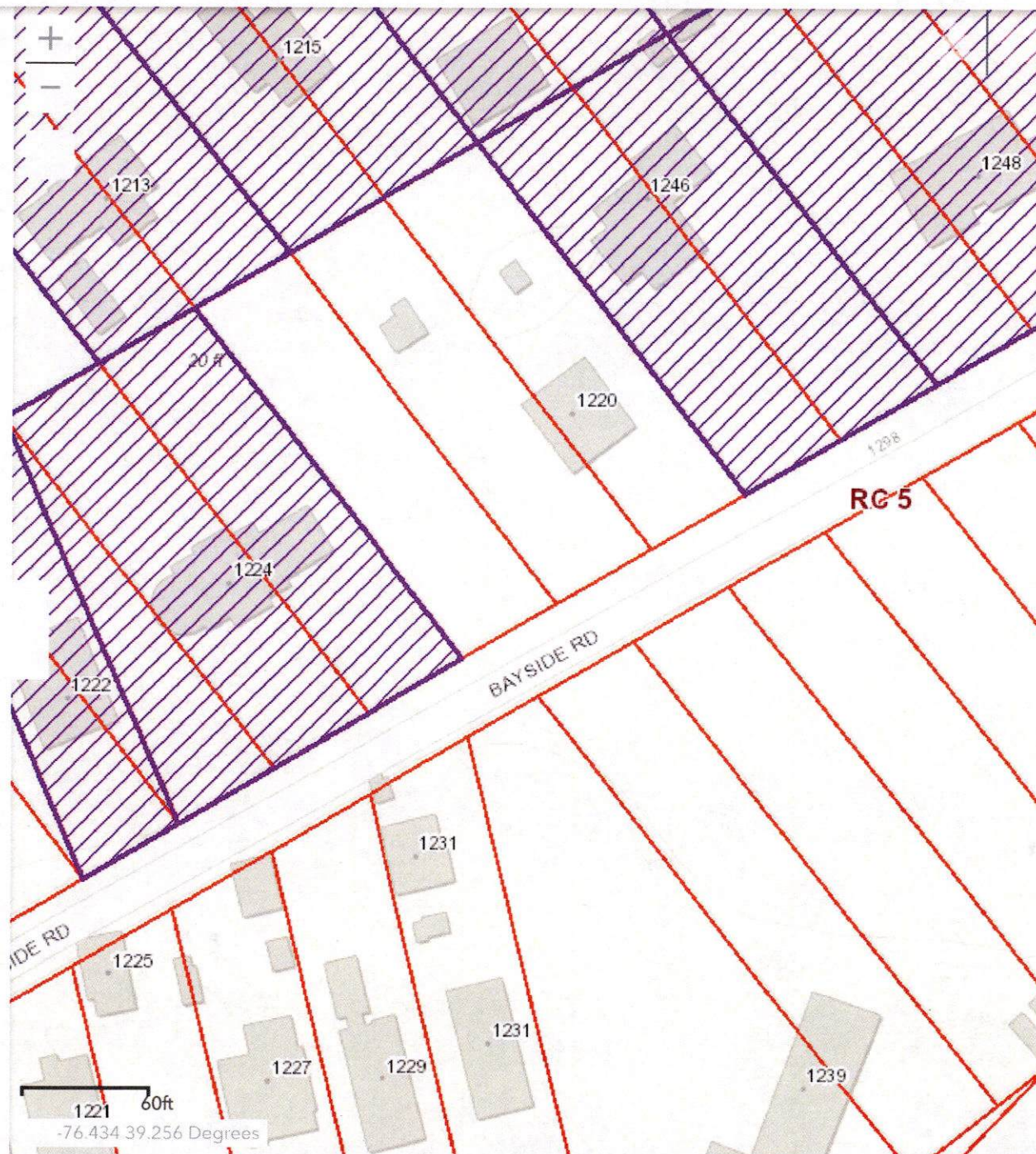
Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated







## Baltimore County - My Neighborhood

## My Neighborhood

Select a Property  
from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

lot 93

Search

No Report Generated



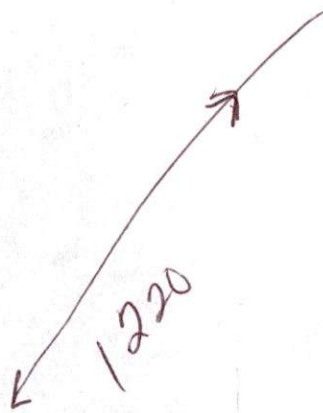


1220

Question?  
called on Monday  
10-28-2019 9:30 Am  
RC-5 Yes!

SHED ON LOT.

1220  
1220



410-887-3391

Subdivision Plan  
1924  
NOT APPROVED

Subdivisions Sing  
- Ar 1104 / 1B Sect 1602  
RC-DR

SECT 1602 3

1602.3  
Sub A5

Bill no  
98-1975

Zoning Reg.



231 AC = 10,062 sq ft  
1.5 AC = 65,340 sq ft  
150% of Requirement

150% of 1.5 AC = 225 AC

Shake oversize  
1979

---

# Rural Zones





welcome to

**Baltimore County, Maryland**

## Baltimore County

### Zoning Report

---

#### Zoning Information for RC 5

**Zone Description:**

Description: Rural Residential

**Intent:**

Description: Rural Residential

**Typical Uses Permitted by Right:**

Single-Family Dwelling, Farm, School, Assisted Living 'Class A'.

**Typical Uses Permitted by Special Exception:**

Antique Shop, Golf Course/Country Club.

**For more information see:** [The Citizen's Guide to Planning and Zoning \(PDF\)](#)



# Resource Conservation Zones Comparison Chart

|                                               | RC-2<br>Agricultural<br>Protection                                                                                         | RC-3<br>Deferral of<br>Planning and<br>Development                                                   | RC-4<br>Watershed<br>Protection                                                                                                     | RC-5<br>Rural<br>Residential                                      | RC-6<br>Rural<br>Conservation<br>and<br>Residential                                                 | RC-7<br>Resource<br>Preservation                                                                     | RC-8<br>Environ-<br>mental<br>Enhancement                            | RC-20<br>Critical Area                                                                                       | RC-50<br>Critical Area<br>Agricultural                                                                                                              | RCC<br>Resource<br>Conservation,<br>Commercial                                          |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Purpose                                       | To foster and protect agriculture                                                                                          | To defer substantial development pending future planning and utilities                               | To protect the watersheds of the three regional reservoirs                                                                          | To provide for residential development in appropriate rural areas | Greater protection for resource areas                                                               | To protect cultural, historical, recreational and environmental resources                            | To protect reservoir watersheds and extensive natural areas          | To protect the natural resources of the Chesapeake Bay Critical Area                                         | To protect water quality consistent with the Chesapeake Bay Critical Area                                                                           | To provide small areas of commercial development for rural needs                        |
| Permitted Uses                                | Preferred use agriculture; limited residential development                                                                 | Agriculture; low density residential                                                                 | Agriculture; low density residential                                                                                                | Low density residential; agriculture uses                         | Agriculture; low density residential                                                                | Agriculture; low density residential                                                                 | Agriculture; low density residential                                 | Agriculture Aquaculture; low density residential; fish & wildlife preservation                               | Agriculture Aquaculture; low density residential; fish & wildlife preservation                                                                      | Agricultural - related retail, general retail, office, and service use.                 |
| Special Exceptions                            | Antique shop, animal boarding, church, farm market                                                                         | Animal boarding, camp, farm market, golf course                                                      | Antique shop, church, golf course                                                                                                   | Antique shop, golf course                                         | Antique shop, bed and breakfast, camp, golf course                                                  | Antique shop, bed and breakfast, winery                                                              | Antique shop, bed and breakfast, winery                              | Agricultural support services, specific recreational uses                                                    | Agricultural support services, specific recreational uses                                                                                           | Agricultural machine repair, landscape service operations                               |
| Lot Area                                      | 1 acre (min.)                                                                                                              | 1 acre (min.)                                                                                        | 3 acres (min.), or 1 acre for clustered subdivisions                                                                                | 1.5 acres (min.)                                                  | 1 acre (min.)<br>1.5 acres (max.)                                                                   | 1 acre (min.)                                                                                        | 3 acres (min.)                                                       | Clustering encouraged <sup>4</sup>                                                                           | Clustering encouraged <sup>4</sup>                                                                                                                  | 2 acres (max.)                                                                          |
| Maximum Number of Lots and/or Maximum Density | For a lot of record between 2 and 100 acres: 2 lots; lot of record over 100 acres: one lot for each 50 acres of gross area | Maximum tract density: 0.3 units per acre<br><br>Minimum diametral dimension <sup>1</sup> : 150 feet | Maximum tract density: 0.2 dwelling units per acre; a tract between 6 and 10 acres may be subdivided into 2 lots total <sup>2</sup> | Maximum tract density 0.5 dwellings per acre                      | Maximum tract density: 0.2 lot per acre<br><br>Primary and secondary conservancy areas are required | Maximum density: 0.04 lot per acre for tracts ≥50 acres<br><br>Tracts <50 acres cannot be subdivided | Maximum density: 0.02 lot per acre for tracts ≥51 acres <sup>3</sup> | A lot of record with a gross area of 20 or more acres may be subdivided at a rate of 1 lot for each 20 acres | A lot of record with gross area between 20 and 100 acres may be subdivided once if the average density is at least 1 unit per 20 acres <sup>5</sup> | Gross floor area of all proposed buildings on the lot shall not exceed 3000 square feet |

<sup>1</sup> Diametral dimension is the diameter of the largest circle that may be inscribed within a lot

<sup>2</sup> Rural clustering standards apply to development of tracts more than 10 acres, unless an alternative, non-clustering development alternative is followed at a density of 0.1 dwelling units per acre.

<sup>3</sup> Maximum number of lots for tracts ≤10 acres is one; 10 to 30 acres is two; 30 to 50 acres is three

<sup>4</sup> Will be determined in accordance with the county health and Department of Environmental Protection and Sustainability regulations.

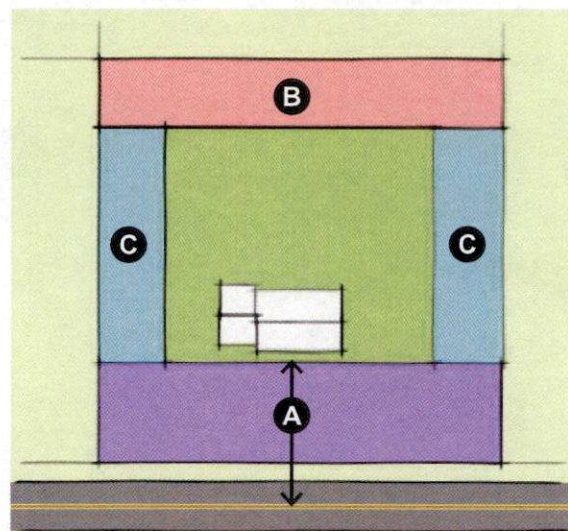
<sup>5</sup> A lot of record over 100 acres may be subdivided at a rate of 1 lot per 50 acres



# RC-2 Agriculture

## Height and Area Requirements

|          |                                               |         |
|----------|-----------------------------------------------|---------|
| <b>A</b> | Minimum front setback from centerline of road | 75 feet |
| <b>B</b> | Minimum rear setback                          | 35 feet |
| <b>C</b> | Minimum side setback                          | 35 feet |
| <b>E</b> | Maximum building height                       | 35 feet |

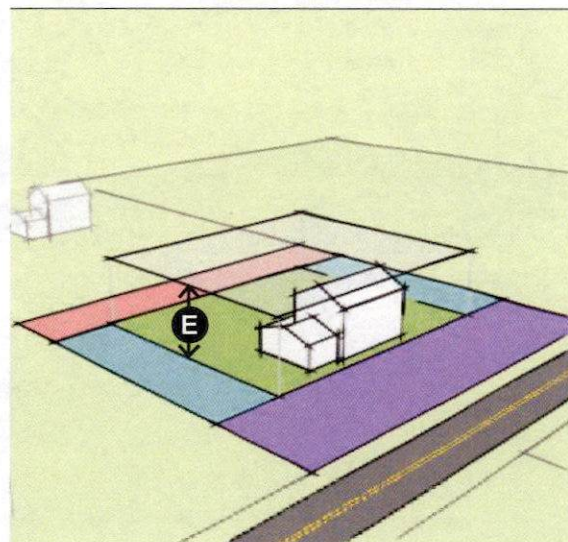


**Intent:** To foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban uses.

**Typical Uses Permitted by Right:** Farm, farmette, single-family detached dwelling, farmer's roadside stand, tenant house.

**Typical Uses Permitted by Special Exception:** Antique shop, animal boarding place, church, farm market, landscape operation, agricultural support uses.

**Note:** The minimum lot size is one acre.





# RC-3

## Deferral of Planning and Development

**Intent:** To prevent inappropriate, sprawling development in areas which are presently rural, but where urban development may be appropriate in the future. Detailed planning for future development must be deferred.

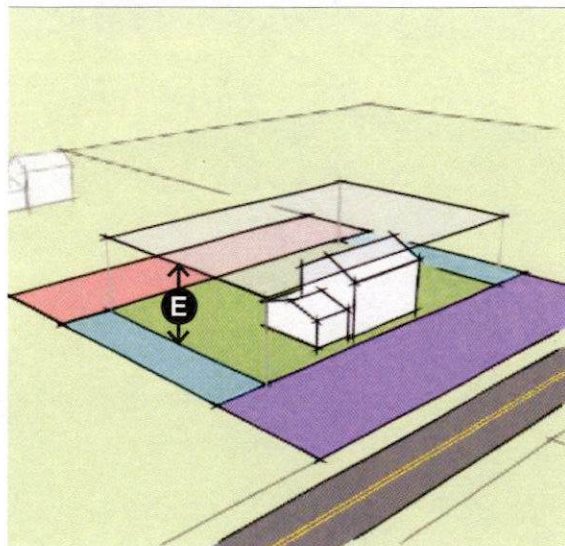
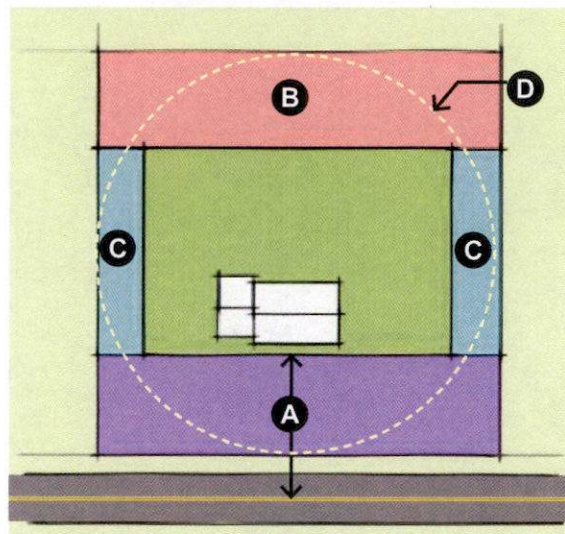
**Typical Uses Permitted by Right:** Single-family detached dwelling, farm, farmette, church.

**Typical Uses Permitted by Special**

**Exception:** Farm market, golf course/country club, professional office, camp, animal boarding place.

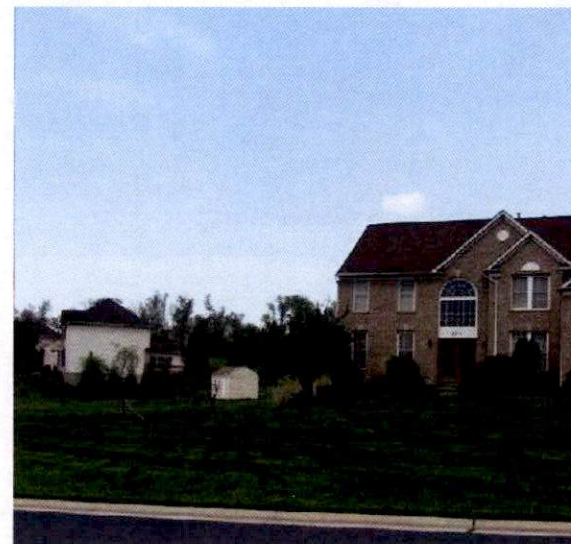
### Notes:

- The RC-3 classification may be applied only to land that lies beyond the Urban-Rural Demarcation Line (URDL).
- The minimum lot size is one acre.



| Height and Area Requirements |                                                |          |
|------------------------------|------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback from centerline of road* | 75 feet  |
| <b>B</b>                     | Minimum rear setback                           | 50 feet  |
| <b>C</b>                     | Minimum side setback                           | 25 feet  |
| <b>D</b>                     | Minimum diametral dimension                    | 150 feet |
| <b>E</b>                     | Maximum building height                        | 35 feet  |

\*50 feet minimum from future right-of-way line



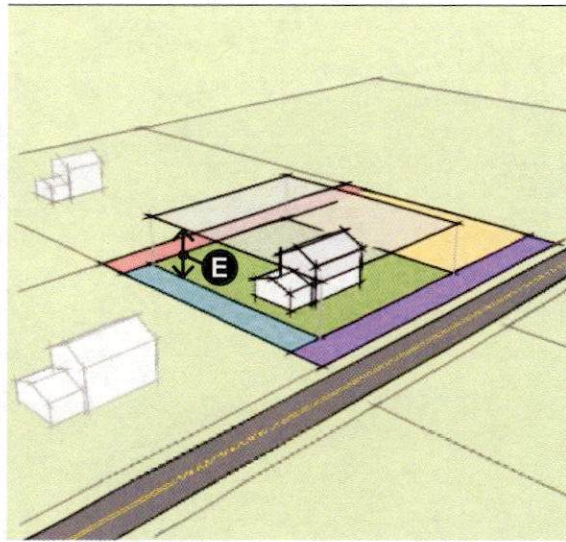
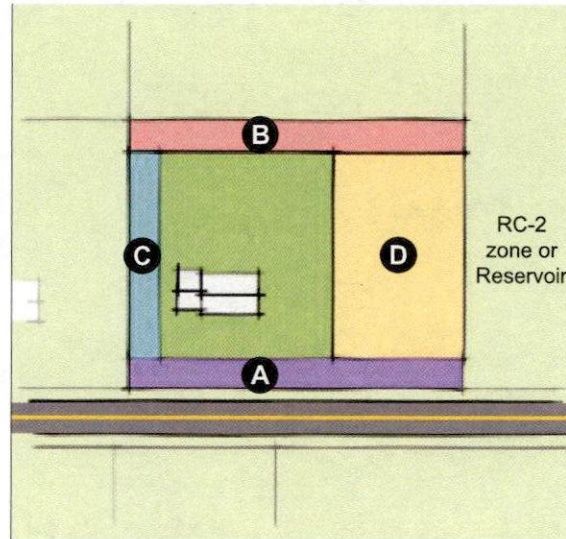


# RC-4 Watershed Protection

| Height and Area Requirements |                                                                  |          |
|------------------------------|------------------------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback from public road right-of-way <sup>1</sup> | 25 feet  |
| <b>B</b>                     | Minimum rear setback                                             | 25 feet  |
| <b>C</b>                     | Minimum side setback                                             | 25 feet  |
| <b>D</b>                     | Minimum setback from RC-2 or reservoir property <sup>2</sup>     | 100 feet |
| <b>E</b>                     | Maximum building height                                          | 35 feet  |

<sup>1</sup> 35 feet from the edge of a private road

<sup>2</sup> 50 feet from a Conservancy Area in agricultural use



**Intent:** To protect metropolitan Baltimore's public water supply by preventing contamination through unsuitable types or levels of development in the reservoir watersheds.

**Typical Uses Permitted by Right:** Single-family detached dwelling, farm.

**Typical Uses Permitted by Special Exception:** Antique shop, church, golf course/country club, landscape operation.

## Notes:

- The RC-4 zone has explicit criteria that must be met to apply for a reclassification, including proximity of the parcel to a reservoir or contributing stream.
- Residential development in the RC-4 zone requires clustering of the dwelling units to allow a conservancy area of at least 70% of the tract. The conservancy area includes the site's sensitive environmental features and may contain one single family dwelling. Overall permitted density is 0.20 dwellings per acre, with a minimum lot size of 1 acre.
- An alternative, non-clustering development option is available at a permitted density of 0.10 dwellings per acre, with a minimum lot size of 3 acres. The development plan must be approved by the Planning Board.



# RC-5 Rural Residential

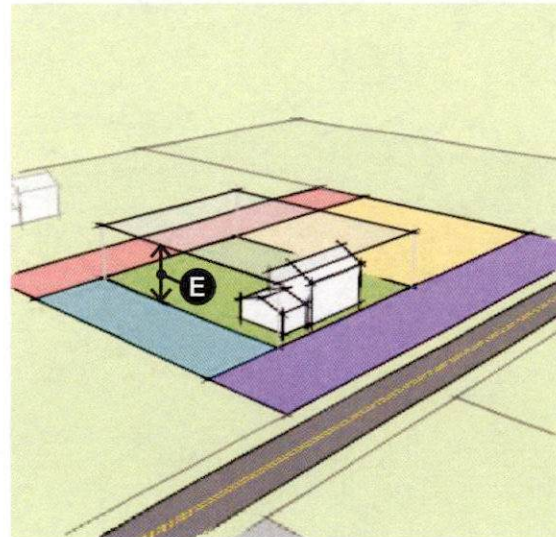
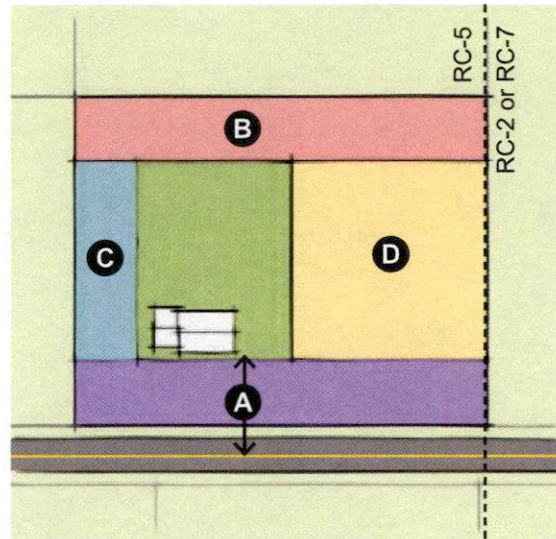
**Intent:** To provide for rural residential development in areas of Baltimore County where public water and sewer are not anticipated. It is intended that the placement of the zone will help eliminate encroachment onto productive agricultural and watershed areas.

**Typical Uses Permitted by Right:** Single-family dwelling, farm, school.

**Typical Uses Permitted by Special Exception:** Antique shop, golf course/country club.

## Notes:

- Subject to performance standards that include site plan and architectural review for quality of design and reflection of rural character. (The Back River Neck District is excluded from this RC-5 requirement.)
- The minimum lot size is 1 1/2 acre.



| Height and Area Requirements |                                                |          |
|------------------------------|------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback to centerline of road    | Varies*  |
| <b>B</b>                     | Minimum rear setback                           | 50 feet  |
| <b>C</b>                     | Minimum side setback                           | 50 feet  |
| <b>D</b>                     | Minimum side setback to RC-2 or RC-7 zone line | 150 feet |
| <b>E</b>                     | Maximum building height                        | 35 feet  |

\* Varies according to type of road

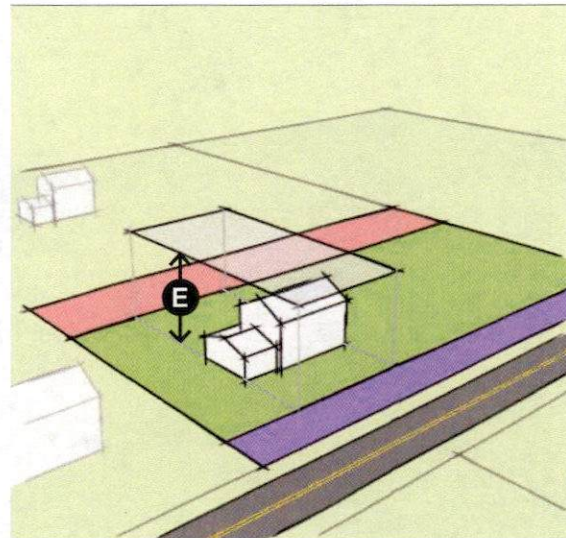
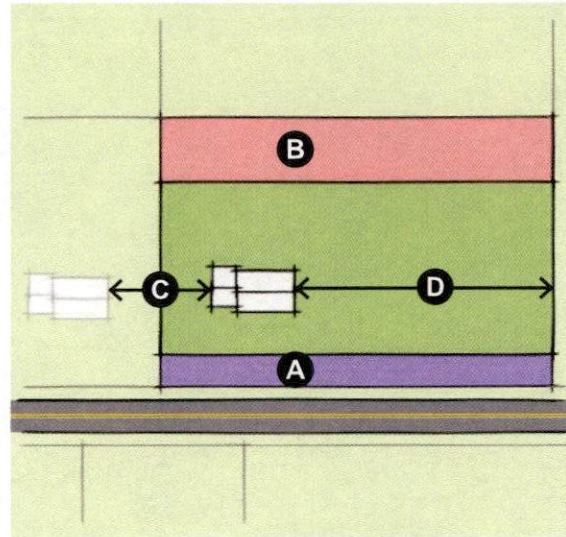




# RC-6 Rural Conservation and Residential

| Height and Area Requirements |                                                         |          |
|------------------------------|---------------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback                                   | 25 feet* |
| <b>B</b>                     | Minimum rear setback                                    | 50 feet  |
| <b>C</b>                     | Minimum side setback from a principal building          | 80 feet  |
| <b>D</b>                     | Minimum side setback from a cultivated field or pasture | 200 feet |
| <b>E</b>                     | Maximum building height                                 | 50 feet  |

\* 35 feet minimum from edge of private road



**Intent:** To provide greater resource protection through recorded covenants, easements and the establishment of certain development areas and performance standards.

**Typical Uses Permitted by Right:** Single-family detached dwelling, farm, church with less than 10% impervious area, roadside stand.

**Typical Uses Permitted by Special Exception:** Antique shop, bed and breakfast subject to conditions, animal boarding place, winery, golf course, church with more than 10% impervious area, landscape service operation.

## Notes:

- This zoning classification requires primary and secondary conservancy areas. Development has a maximum density of 0.2 lot per acre of the "density calculation area." There are also conditions addressing visual impacts and performance standards.
- In addition, the *Baltimore County Code* provides specific requirements for the zone (Section 32-4-251).
- Subject to performance standards that include site plan and architectural review to ensure preservation of natural resources and rural character.
- The minimum lot size is one acre; the maximum lot size is three acres.



# RC-7

## Resource Preservation

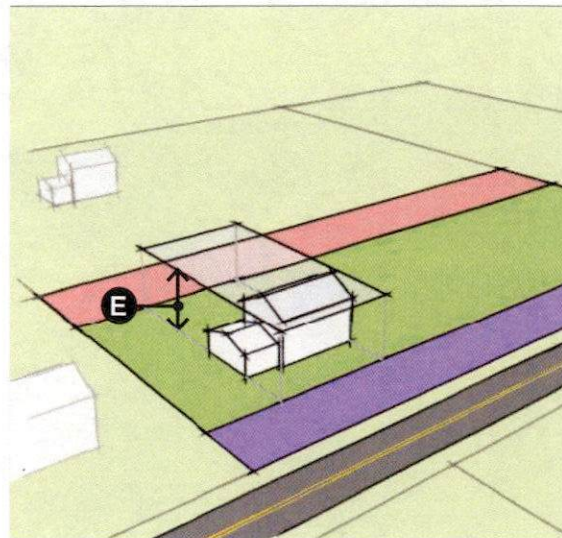
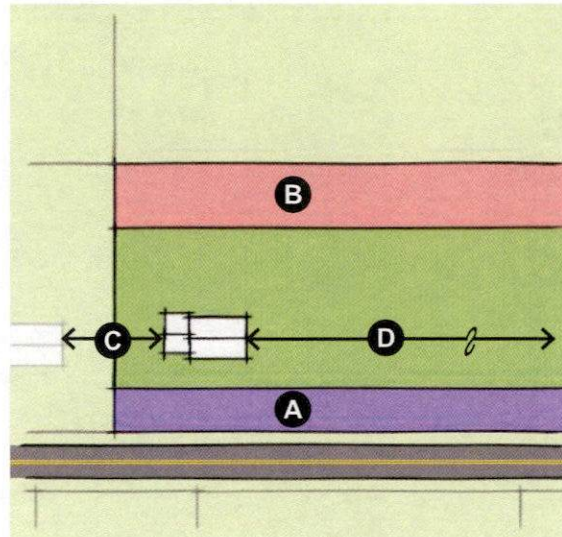
**Intent:** To protect and preserve valuable cultural, historical, recreational and environmental resources through a low density rural zone.

**Typical Uses Permitted by Right:** Single-family detached dwelling, farm, farm roadside stand.

**Typical Uses Permitted by Special Exception:** Antique shop, bed and breakfast, winery, church (see note below).

### Notes:

- Churches are permitted on property that was appropriately zoned before being zoned RC-7.
- This zone may not be applied to current RC-2 zoned land.
- Maximum tract density is 0.04 lots per acre (one lot/25 acres). Tracts less than 50 acres cannot be subdivided. The minimum lot size is one acre.
- Subject to performance standards that include site plan and architectural review to ensure preservation of natural resources and rural character.



| Height and Area Requirements |                                                         |          |
|------------------------------|---------------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback                                   | 35 feet* |
| <b>B</b>                     | Minimum rear setback                                    | 50 feet  |
| <b>C</b>                     | Minimum side setback from a principal building          | 80 feet  |
| <b>D</b>                     | Minimum side setback from a cultivated field or pasture | 300 feet |
| <b>E</b>                     | Maximum building height                                 | 35 feet  |

\* 35 feet minimum from edge of private road

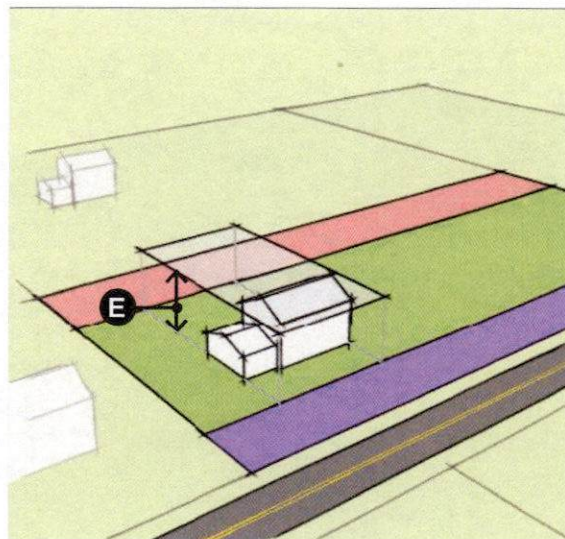
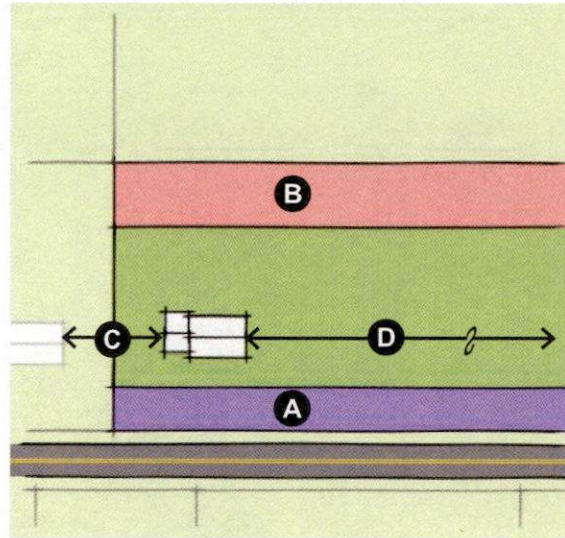




# RC-8 Environmental Enhancement

| Height and Area Requirements |                                                         |          |
|------------------------------|---------------------------------------------------------|----------|
| <b>A</b>                     | Minimum front setback                                   | 35 feet* |
| <b>B</b>                     | Minimum rear setback                                    | 50 feet  |
| <b>C</b>                     | Minimum side setback from a principal building          | 80 feet  |
| <b>D</b>                     | Minimum side setback from a cultivated field or pasture | 300 feet |
| <b>E</b>                     | Maximum building height                                 | 35 feet  |

\* 35 feet minimum from edge of private road



**Intent:** To protect forests, reservoir watersheds and extensive natural areas.

**Typical Uses Permitted by Right:** Farm, single family detached dwelling, school.

**Typical Uses Permitted by Special Exception:** Antique shop, bed and breakfast, winery, church (see note below).

## Notes:

- Churches are permitted on property that was appropriately zoned before being zoned RC-8.
- This zone may not be applied to current RC-2 or RC-7 zoned land.
- The maximum number of lots for tracts less than 51 acres is: one lot for tracts 10 acres or less; two lots for tracts between 10 and 30 acres, and three lots for tracts 30 to 50 acres. For tracts of 51 or more acres, 3 lots for the first 50 acres, and a maximum density of 0.02 lots per acre for the remaining acreage. The minimum lot size is three acres.
- Subject to performance standards that include site plan and architectural review to ensure preservation of natural resources and rural character.



# RC-20 Critical Area

**Intent:** To meet the criteria of the Critical Area Law as approved by the Chesapeake Bay Critical Area Commission for protecting water quality, natural habitats, and wildlife populations.

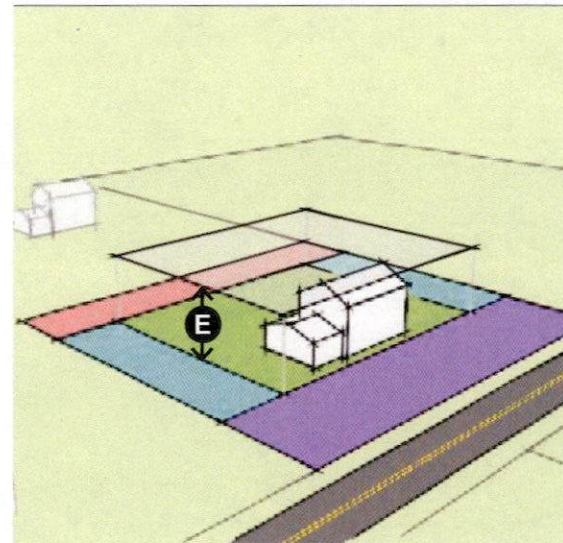
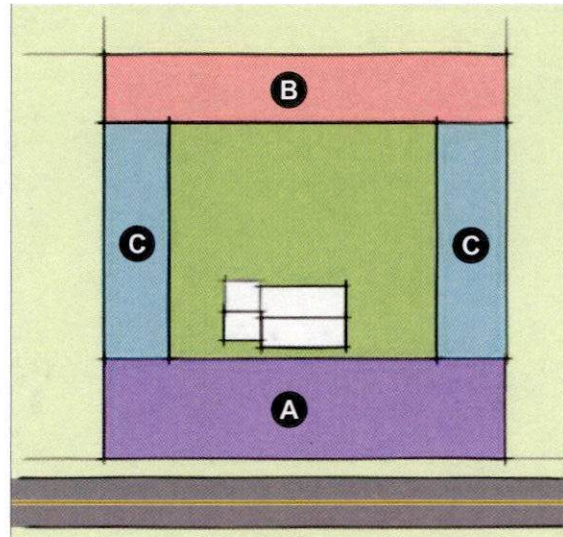
**Typical Uses Permitted by Right:** Single-family dwelling, fish and wildlife preserve, agriculture, aquaculture.

## Typical Uses Permitted by Special

**Exception:** Wildlife propagation, farm market, nursery, commercial water-dependent facility, agricultural support.

## Notes:

- The minimum lot size will be determined in accordance with the county health and Department of Environmental Protection and Sustainability regulations.
- Clustering is preferred.



| Height and Area Requirements |                         |         |
|------------------------------|-------------------------|---------|
| <b>A</b>                     | Minimum front setback   | *       |
| <b>B</b>                     | Minimum rear setback    | *       |
| <b>C</b>                     | Minimum side setback    | *       |
| <b>E</b>                     | Maximum building height | 35 feet |

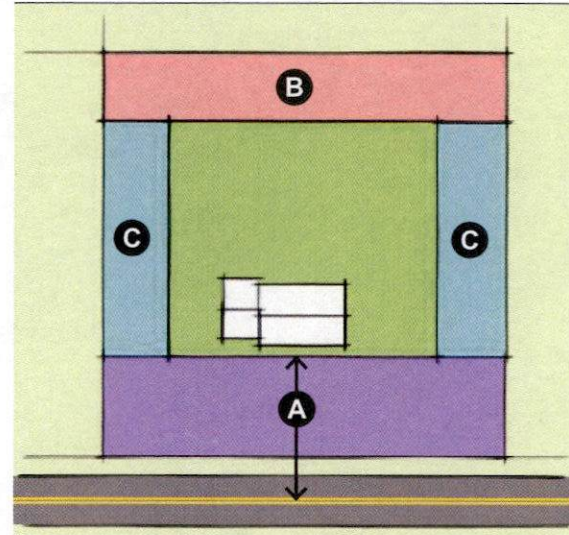
\* Setbacks will be determined in accordance with the county health and Department of Environmental Protection and Sustainability regulations.





# RC-50 Critical Area, Agriculture

| Height and Area Requirements |                                             |         |
|------------------------------|---------------------------------------------|---------|
| <b>A</b>                     | Minimum front setback to centerline of road | 75 feet |
| <b>B</b>                     | Minimum rear setback                        | 35 feet |
| <b>C</b>                     | Minimum side setback                        | 35 feet |
| <b>E</b>                     | Maximum building height                     | 35 feet |



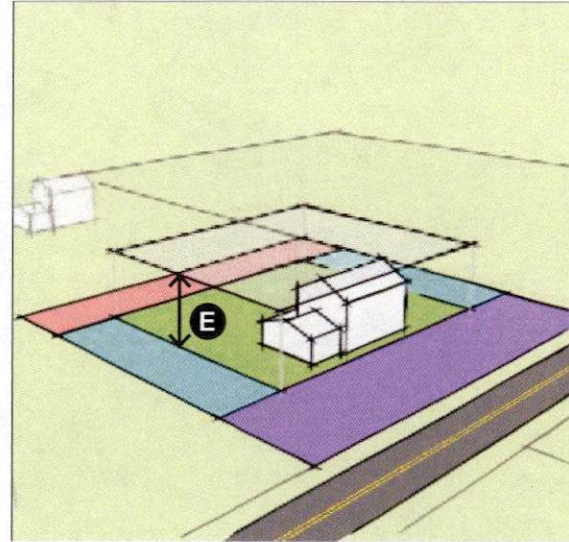
**Intent:** To meet the criteria of the Critical Area Law as approved by the Chesapeake Bay Critical Area Commission by protecting water quality, natural habitats, and wildlife populations.

**Typical Uses Permitted by Right:** Single-family dwelling, fish and wildlife preserve, agriculture, aquaculture.

**Typical Uses Permitted by Special Exception:** Wildlife propagation, farm market, nursery, commercial water-dependent facility, agricultural support.

## Notes:

- The minimum lot size will be determined in accordance with the county health and Department of Environmental Protection and Sustainability regulations.
- Clustering is preferred.





# RCC

## Rural Commercial

**Intent:** To provide a limited range of commercial development in the rural areas, but at a scale and intensity appropriate for the rural setting.

**Typical Uses Permitted by Right:**

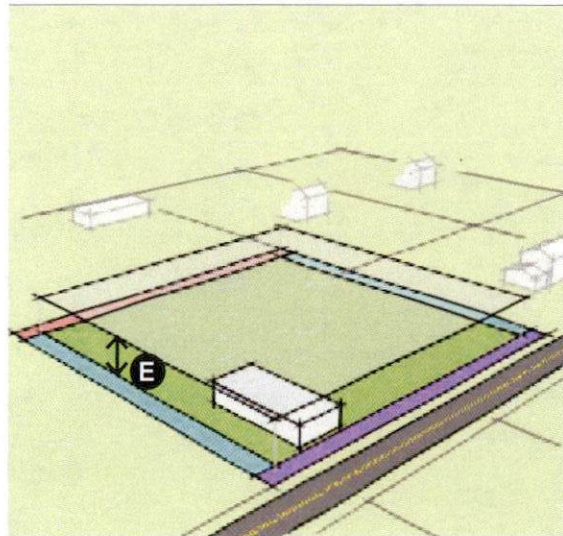
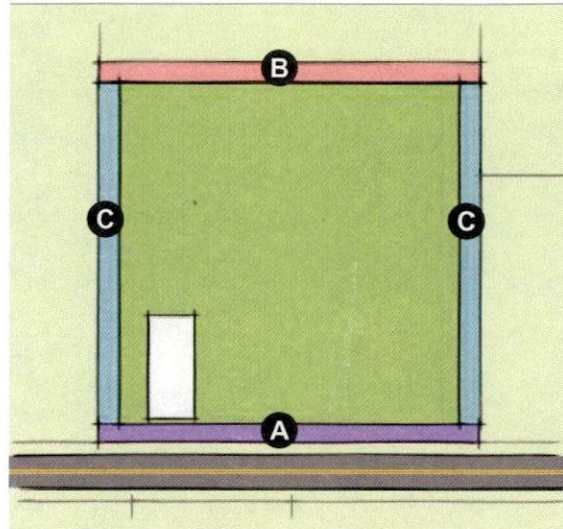
Agriculturally related retail, office and service use, farm market, bank, garden center, restaurant/tavern, retail establishments, barber and beauty shop, bed and breakfast.

**Typical Uses Permitted by Special Exception:**

Agricultural machinery repair, limited accessory uses, landscape service operation.

**Notes:**

- The RCC zone has special requirements related to outside storage, signs, display of goods, and the relationship of new buildings to the surrounding neighborhoods.
- The maximum lot size is two acres.
- The maximum lot coverage is 20%
- The floor area of all buildings is restricted to 3,000 square feet.

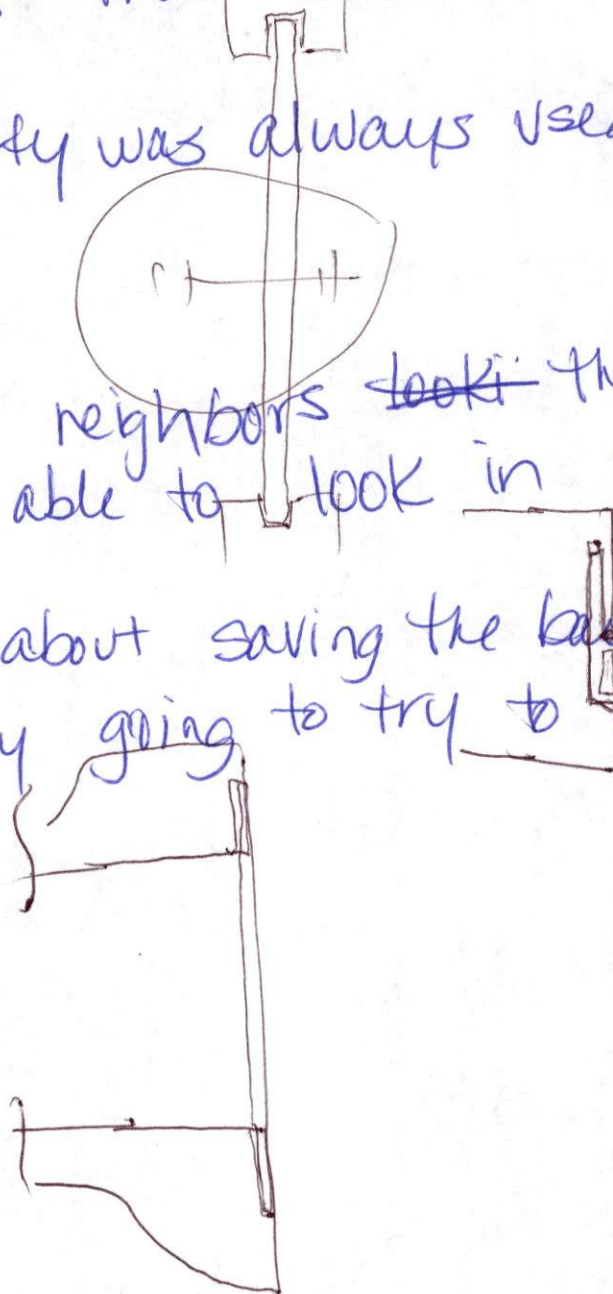


| Height and Area Requirements |                         |         |
|------------------------------|-------------------------|---------|
| <b>A</b>                     | Minimum front setback   | 15 feet |
| <b>B</b>                     | Minimum rear setback    | 15 feet |
| <b>C</b>                     | Minimum side setback    | 15 feet |
| <b>E</b>                     | Maximum building height | 30 feet |





- Just because a precedent has been set <sup>granting variances</sup> ~~allowing houses~~ in critical bay doesn't mean it should continue
- We bought here because of the limited amount of houses that could be built
- That property was always used as one parcel.
- Don't want neighbors ~~looki~~ that close ~~looking~~ and able to look in my windows
- Why talk about saving the bay, if you're not really going to try to do it.





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Рис. 3



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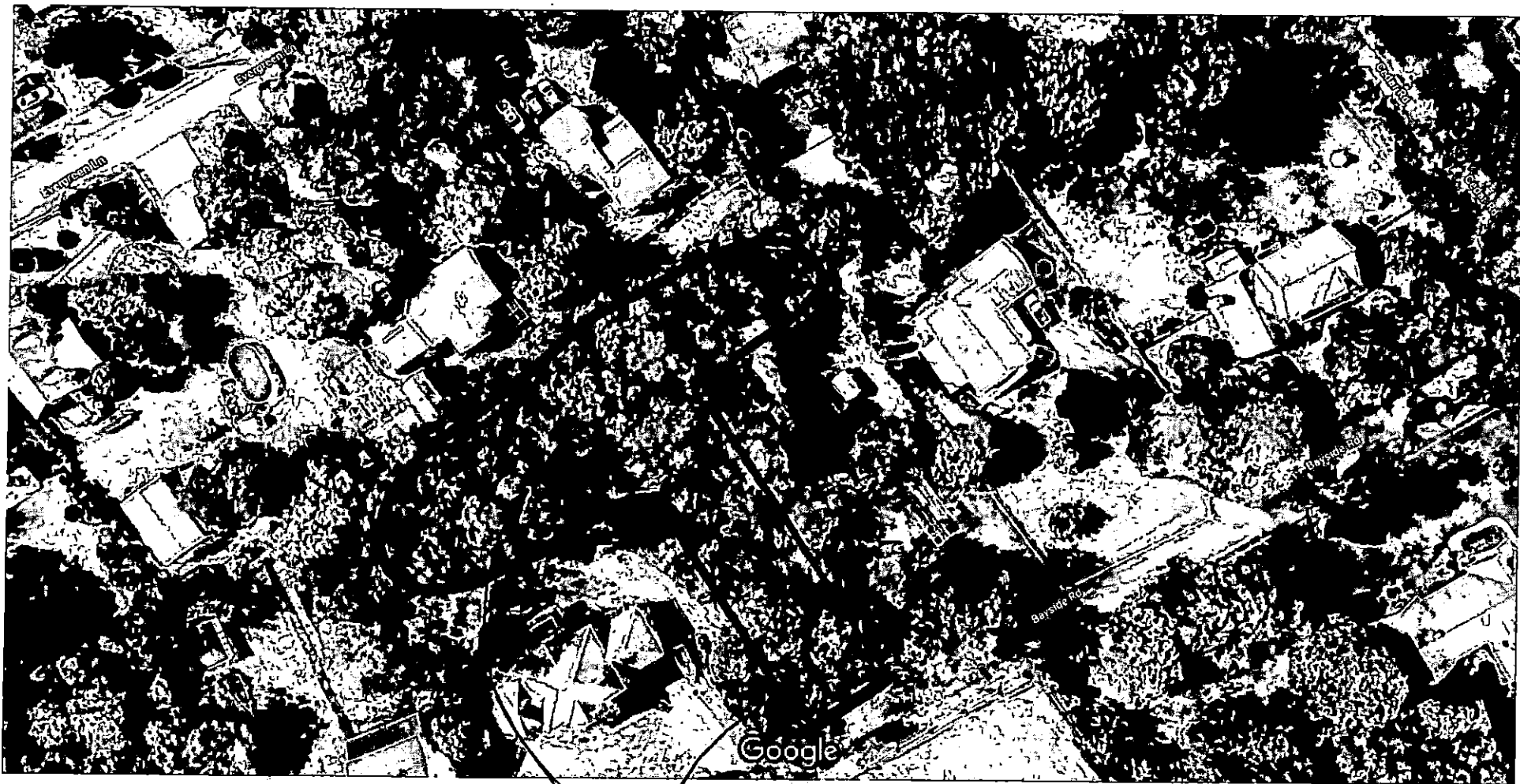
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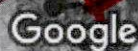
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Historical Submerged Aquatic Vegetation

Critical Areas

Wetlands

Wetlands - U.S. Fish and Wildlife Service

1972 Wetland Maps

Wildlands Preservation System

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Federal Lands

Land Use Land Cover - MD Dept of Planning

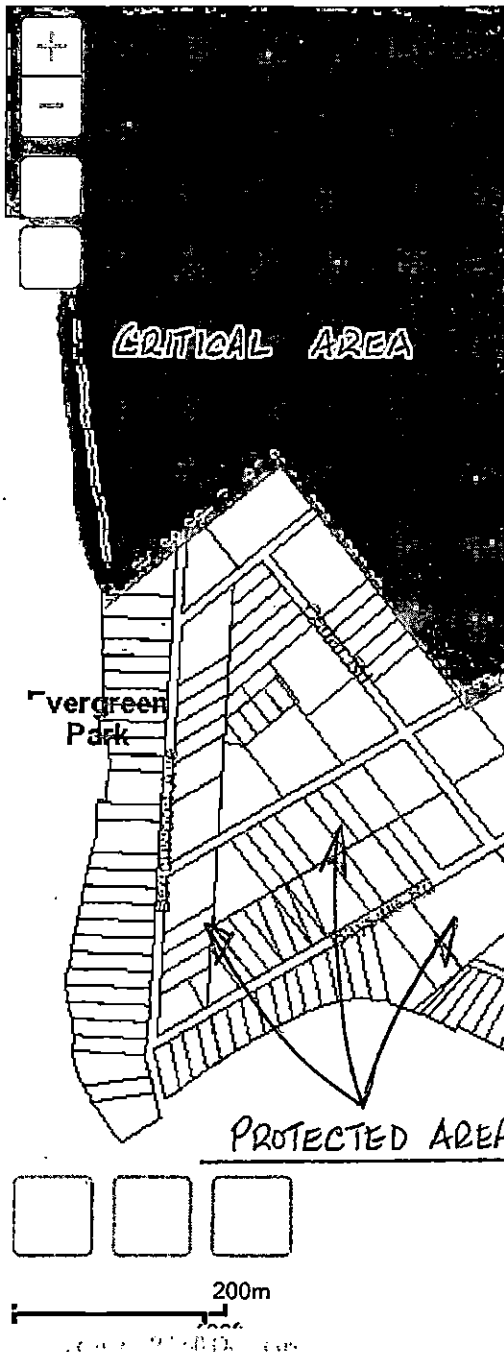
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Incentive Zones



## Contact Information

### Maryland's Environmental Resources and Land Information Network

MERLIN Online was originally developed back in the late 1990s to satisfy everyone's "hunger" for spatial data. It was created to help people make better informed decisions. MERLIN Online allows users to produce a custom map of any location in Maryland, to include their choice of base maps and data layers.

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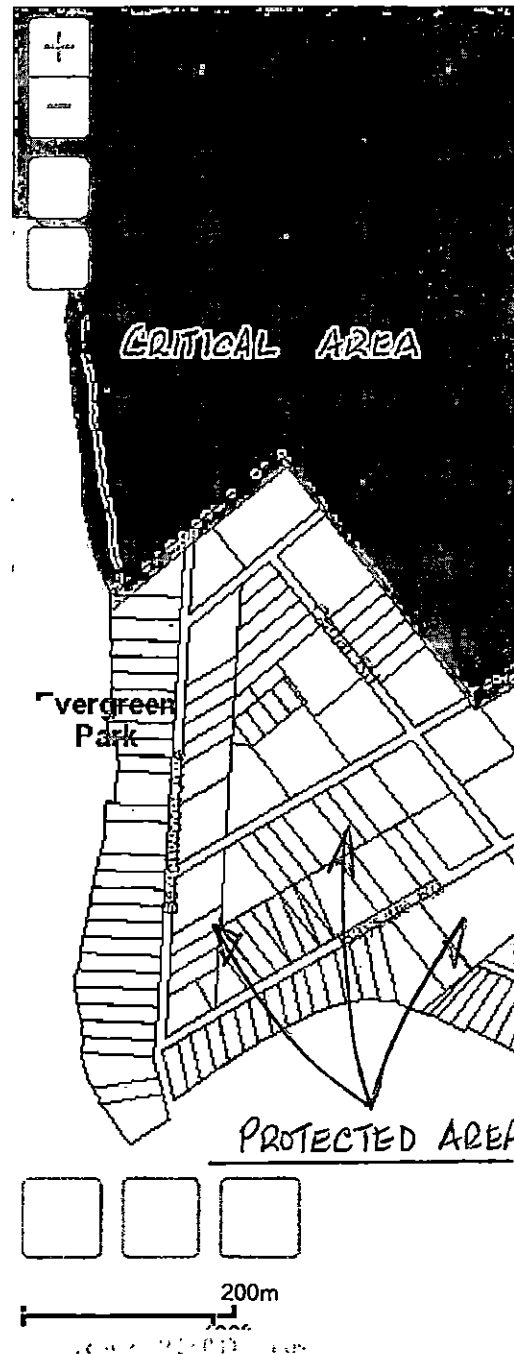
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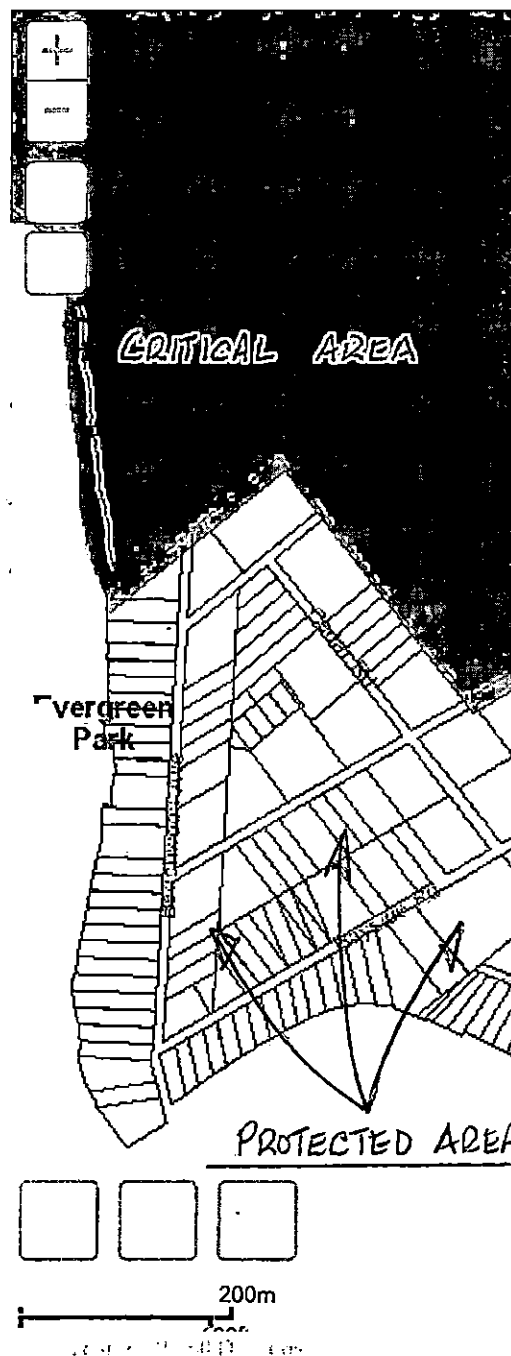
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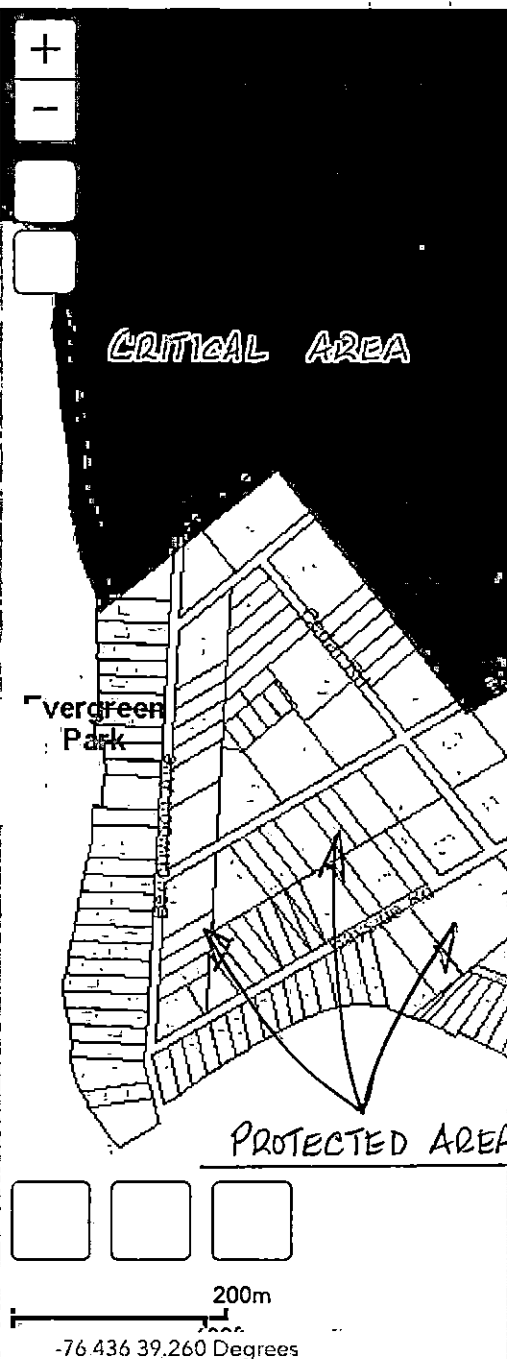
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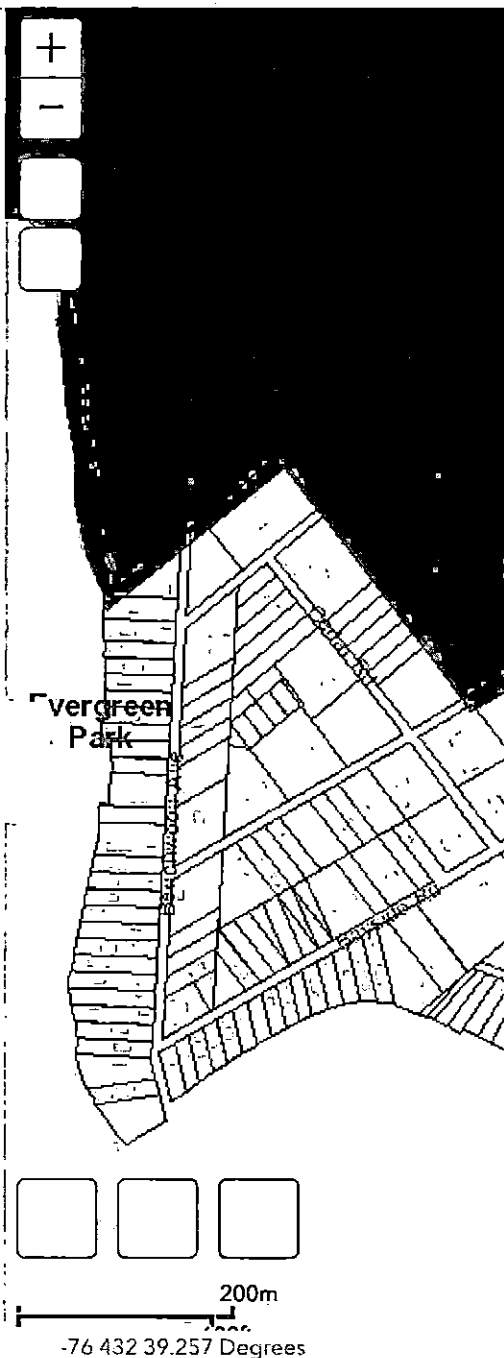
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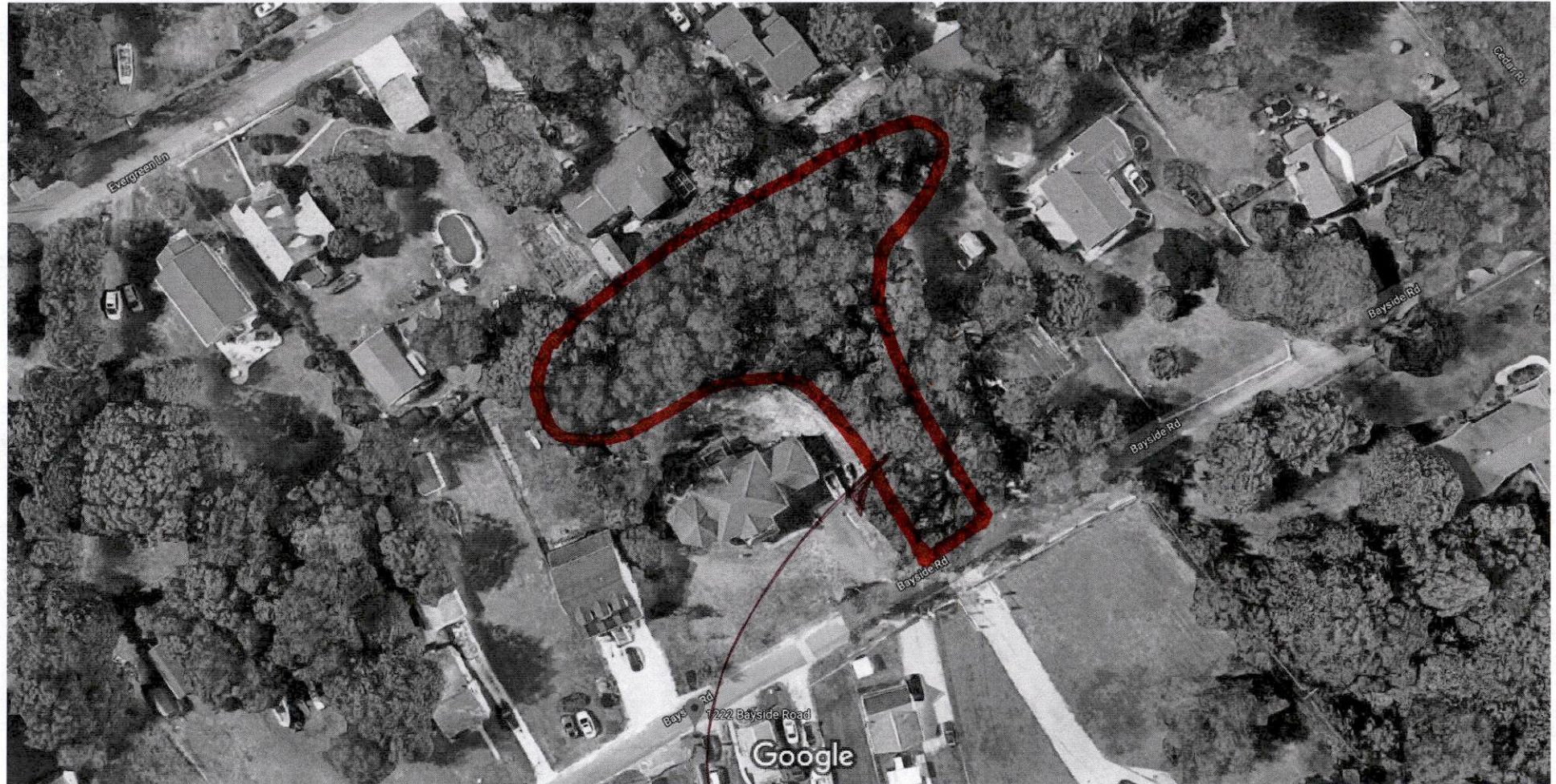
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EASEMENT

MOST SIGNS HAVE BEEN  
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Shellfish

Living Resources

Trail Data

Floodplain

Sea Level Rise Vulnerability

Waterbodies

Submerged Aquatic Vegetation

Historical Submerged Aquatic Vegetation

Critical Areas

Wetlands

Wetlands - U.S. Fish and Wildlife Service

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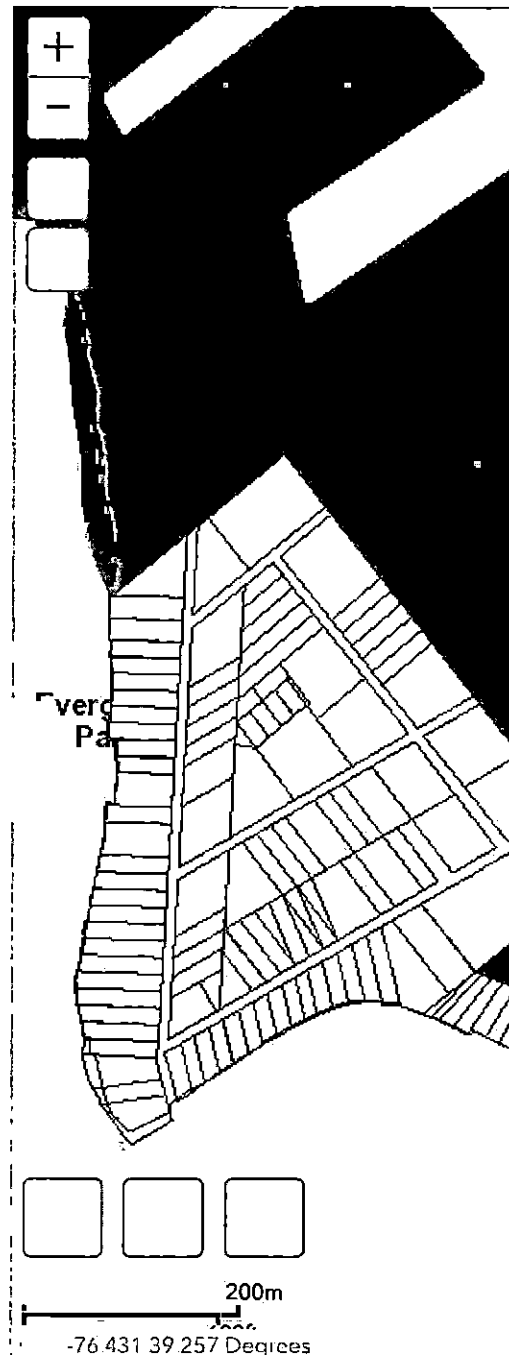
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SSURGO Soils

Green Infrastructure

DNR Focal Areas



## Contact Information

## Maryland's Environmental Resources and Land Information Network

MERLIN Online was originally developed back in the late 1990s to satisfy everyone's "hunger" for spatial data. It was created to help people make better informed decisions. MERLIN Online allows users to produce a custom map of any location in Maryland, to include their choice of base maps and data layers.

MERLIN online is a compilation of data from many sources.

MERLIN Online should be used for guidance purposes only.

**MERLIN is part of the MD iMAP mapping system. If the map or layers are not loading correctly, please check the MD iMAP Twitter page for any service alerts that may be affecting map performance.**



MD iMAP

@MDiMAP

MD iMAP. One Maryland, One Map. Service alerts and information on Maryland's Mapping system.

Annapolis, MD

[imap.maryland.gov](http://imap.maryland.gov)

### Contact Staff

Kevin J. Coyne

MD Department of Natural Resources  
Natural Resources Information Services

580 Taylor Avenue

Tawes State Office Bldg.

Annapolis, MD 21401

[kevin.coyne@maryland.gov](mailto:kevin.coyne@maryland.gov)

410-260-8985





The lots on 1220 Bayside Road were merged  
Parking structure/shed on left in Red Box, House dwelling on Right  
in Blue Box. Sold at Auction as one parcel

PROTESTANT' S

EXHIBIT NO. 4





RC 20

1516000270

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

EVERGREEN LN

CEDAR RD

15 ED

RC 5

104C3

7 CD

Bowleys Quarters-Back River Neck Area

Back River Neck District

SE 4-I

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

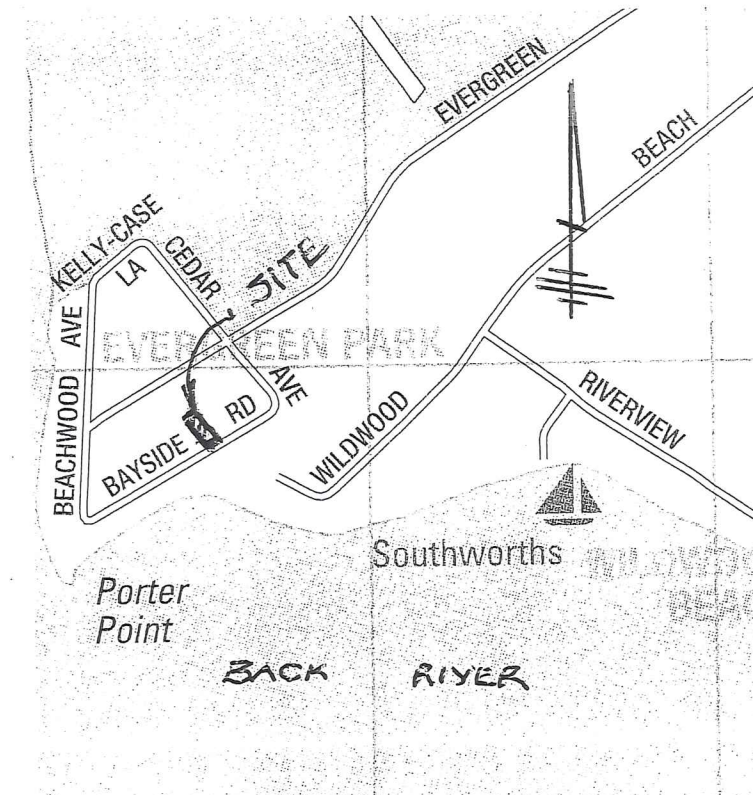
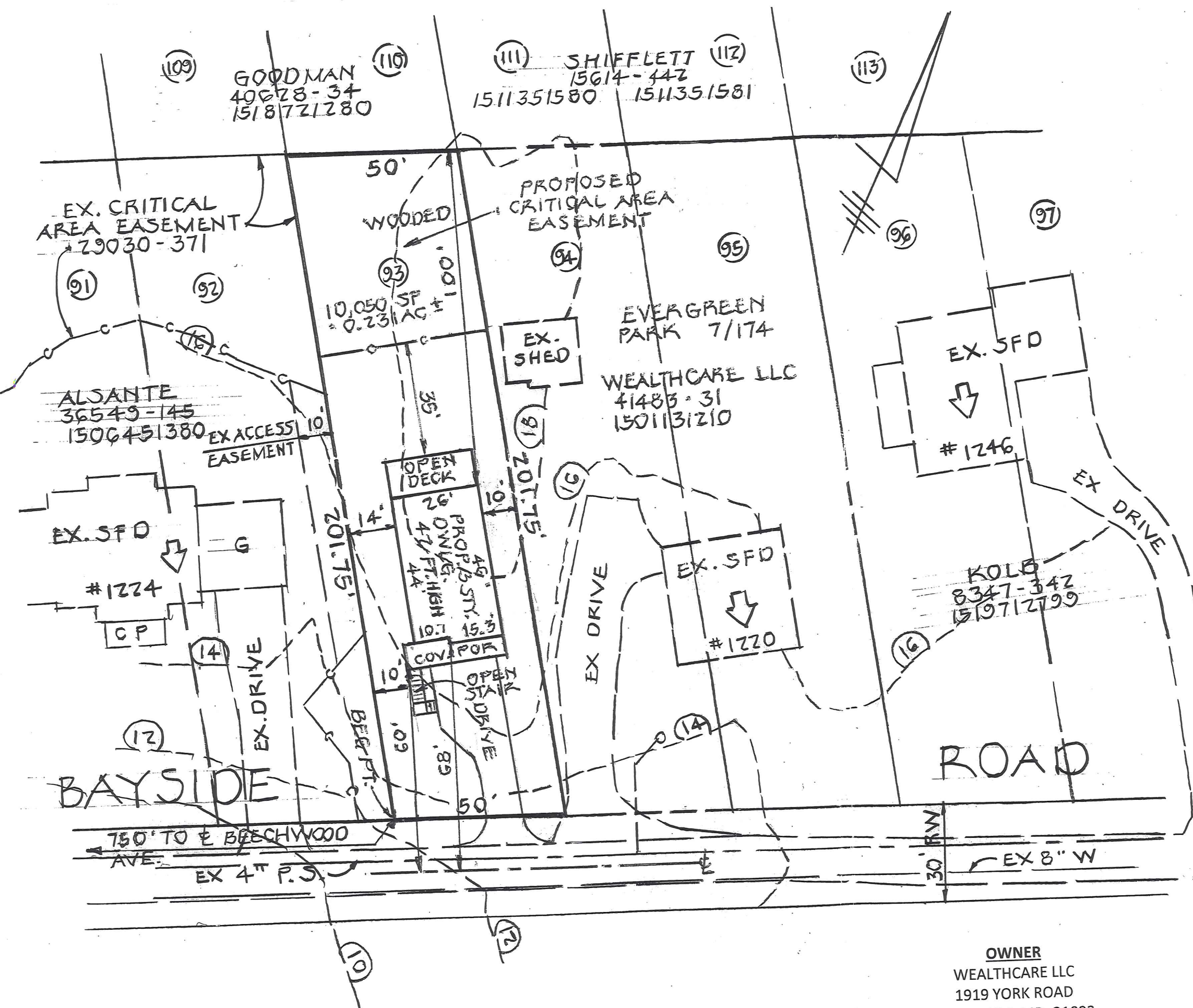
RC 20

BAYSIDE RD

2005-0595-SPH

2007-049





VICINITY MAP  
SCALE: 1 INCH = 1000 FEET

PETITIONER'S

EXHIBIT NO. 1

**NOTES**

1. ZONING.....RC5 (MAP NO. 104C3)
2. LOT AREA.....10,050 SF = 0.231 ACRE +/-
3. PUBLIC WATER AND SEWER IS AVAILABLE
4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
5. SITE IS LOCATED IN THE CBCA
6. SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE
7. NO HISTORIC STRUCTURES OR SITES OR ARCHEOLOGICAL SITES ARE KNOWN TO EXIST
8. BUILDING COVERAGE = 1388 / 10,050 = 13.8 %

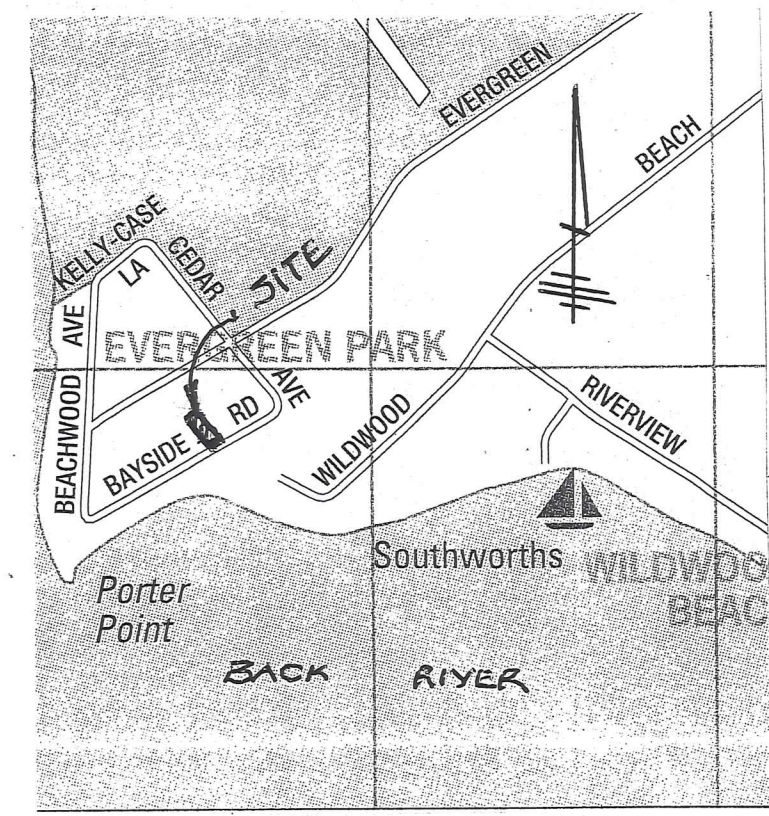
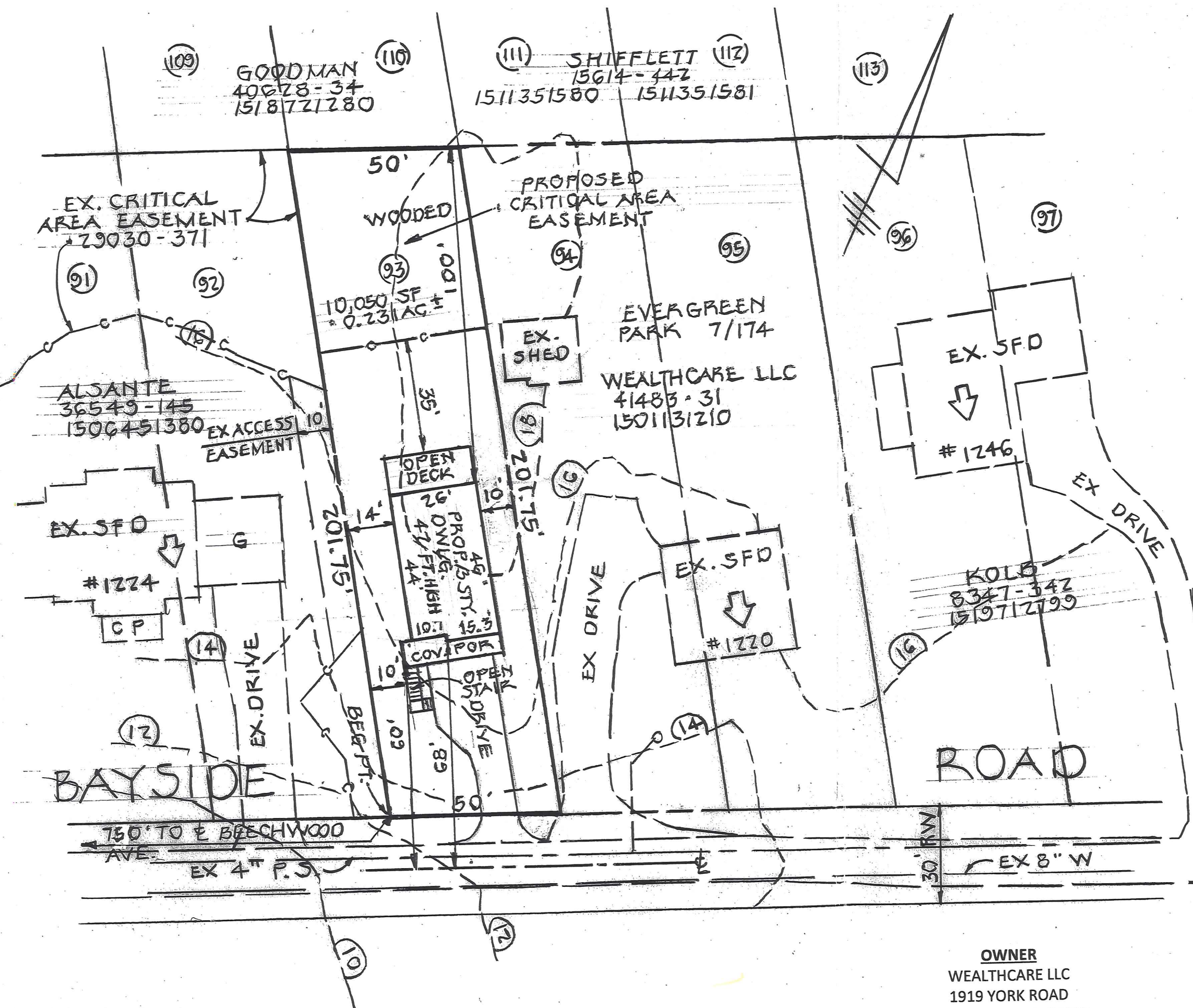
2019-04615PM

**PLAT TO ACCOMPANY PETITION  
FOR VARIANCES  
1222 BAYSIDE ROAD  
LOT 93 EVERGREEN PARK 7/174  
ELECTION DISTRICT 15C7 BALTO. CO., MD.  
SCALE: 1 INCH = 30 FEET JULY 10, 2019**

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

**OWNER**  
WEALTHCARE LLC  
1919 YORK ROAD  
TIMONIUM, MD. 21093  
DEED REF: L.41483 F.31  
ACCT. NO. 1518350580





VICINITY MAP  
 SCALE: 1 INCH = 1000 FEET

PETITIONER'S  
 EXHIBIT NO. 10

- NOTES**
1. ZONING.....RC5 (MAP NO. 104C3)
  2. LOT AREA.....10,050 SF = 0.231 ACRE +/-
  3. PUBLIC WATER AND SEWER IS AVAILABLE
  4. NO PREVIOUS ZONING HISTORY OR VIOLATIONS ARE KNOWN TO EXIST
  5. SITE IS LOCATED IN THE CBCA
  6. SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE
  7. NO HISTORIC STRUCTURES OR SITES OR ARCHEOLOGICAL SITES ARE KNOWN TO EXIST
  8. BUILDING COVERAGE = 1388 / 10,050 = 13.8 %

REVISED: OCTOBER 23, 2019  
 ADDRESS

**PLAT TO ACCOMPANY PETITION  
 FOR VARIANCES  
 1226 BAYSIDE ROAD  
 LOT 93 EVERGREEN PARK 7/174  
 ELECTION DISTRICT 15C7 BALTO. CO., MD.  
 SCALE: 1 INCH = 30 FEET JULY 10, 2019**

**OWNER**  
 WEALTHCARE LLC  
 1919 YORK ROAD  
 TIMONIUM, MD. 21093  
 DEED REF: L.41483 F.31  
 ACCT. NO. 1518350580







