

MEMORANDUM

DATE: April 14, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0034-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on April 5, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(9612 Mendoza Road)		
2 nd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Olatunji O. & Kimberly L. Oyefusi	*	HEARINGS FOR
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2020-0034-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Olatunji O. and Kimberly L. Oyefusi (“Petitioners”). The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.B (Sections 1B01.2C.1 of the 1991 Zoning Regulations and Section V.B.3 of the 1991 Comprehensive Manual Development Plan [“CMDP”]), to permit a proposed dwelling addition for a garage with a building-to-building separation of 22 ft. in lieu of the minimum required 25 ft., and to amend the latest Final Development Plan (“FDP”) for Mardella Run Lot 29 only, to allow construction outside of the building envelope. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 16, 2020, and there being no request for a public

ORDER RECEIVED FOR FILING

Date 3-16-2020

By [Signature]

hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED, this 6th day of **March, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR"), Section 1B02.3.B (Sections 1B01.2C.1 of the 1991 Zoning Regulations and Section V.B.3 of the 1991 Comprehensive Manual Development Plan ["CMDP"]), to permit a proposed dwelling addition for a garage with a building-to-building separation of 22 ft. in lieu of the minimum required 25 ft., and to amend the latest Final Development Plan ("FDP") for Mardella Run Lot 29 only, to allow construction outside of the building envelope, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 3-6-2020

By [Signature]

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


LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 3-6-2020

By lw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 9612 Mendoza Road, Randallstown, Maryland, 21133

Currently zoned DR-1

Deed Reference 0064 / 0051

10 Digit Tax Account # 2200013312

Owner(s) Printed Name(s) Olatunji and Kimberly Oyefusi

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1802.3.B, BCZR (Sections 1801.2C.1 of the 1991 Zoning Regulations and Section V.B.3 of the 1991 C.M.D.P.) to permit a proposed dwelling addition (garage) with a building to building separation of 22 feet in lieu of the minimum required 25 feet and to amend the latest final development plan for Mardella Run Lot 29 only, to allow construction outside of building envelope.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

Olatunji Oyefusi

Kimberly Oyefusi

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]

Signature #1

[Signature]

Signature #2

9612 Mendoza Road, Randallstown, Maryland

Mailing Address

City

State

21133

4433265069

Mjallyanzenenterprise@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Karen Pitsley

Name – Type or Print

[Signature]

Signature

7612 Browns Bridge Road, Highland, Maryland

Mailing Address

City

State

20777

3017762666

karen@transformingarchitecture.com

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 2 day of June, 2020 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0034-A

Filing Date 2/6/2020

Estimated Posting Date 2/16/2020

Reviewer PJ

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address: 9612 Mendoza Road Randallstown Maryland 21133
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: **(Clearly state practical difficulty or hardship here)**

We are writing to request a variance for the above reference property. The Oyefusi family and Transforming Architecture, LLC. have designed a 10' wide by 22'2.25" long garage addition to extend from the southwest side of the existing house, yet the location of the addition in relation to the building restriction lines of the property prohibits successful implementation of said design. Strict compliance with the BCZR would result in practical difficulty for the area variance for three reasons. First, it unreasonably prevents the use of the property to be used for a permitted addition because only 2' of build-able space is allotted by code. Conformance to the 2 foot buildable area is unnecessarily burdensome as it does not supply enough space for the car to be parked in the garage and door to be fully opened with allotted walkable space around car. Second, the neighboring lots with similar overall dimensions allow for two car garages in their original design, while our property's original footprint was justified too far to western side of the property to allow for a sizable addition. The lots across the street with similar building footprints are more sizable to allow for a typical two car garage. Lastly, all of the neighboring properties with existing two car garages are the same style with slight variations, so the addition would not differ in style, size and location on lot than adjacent properties. Therefore, our addition will not be out of ordinance with the existing neighborhood.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

[Signature]
Signature of Owner (Affiant)

KIMBERLY OYEFUSI
Name- Print or Type

[Signature]
Signature of Owner (Affiant)

Kimberly Oyefusi
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

HOWARD
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of FEBRUARY, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: KIMBERLY OYEFUSI & OLATUNJI OYEFUSI

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

Jeanne E. Green

Notary Public, Howard County, MD

My Commission Expires 12/22/2020





Transforming Architecture LLC

7612 Browns Bridge Road

Highland, Maryland 20777

p. 301-776-2666

www.TransformingArchitecture.com

info@TransformingArchitecture.com

February 06, 2020

Zoning Review Office
Department of Permits, Approvals, and Inspections
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Zoning Petition Property Description for 9612 Mendoza Rd CASE # 2020-0034-A

To whom it may concern,

ZONING PROPERTY DESCRIPTION FOR 9612 MENDOZA RD

Beginning at a point on the west side of Mendoza Road which is 50 feet wide at a distance of 107 feet South of the centerline of the nearest improved intersecting street Plum Tree Court which is 50 feet wide.

Being Lot #29, Block N/A, Section 2 in the subdivision 0000 as recorded in Baltimore County Plat Book 64, Folio 51, containing 0.38 acres. Located in the 2nd Election District and 4th Council District.

Sincerely,

Karen Pitsley, AIA

CEO

RECEIVED

MAR 05 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/16/2020

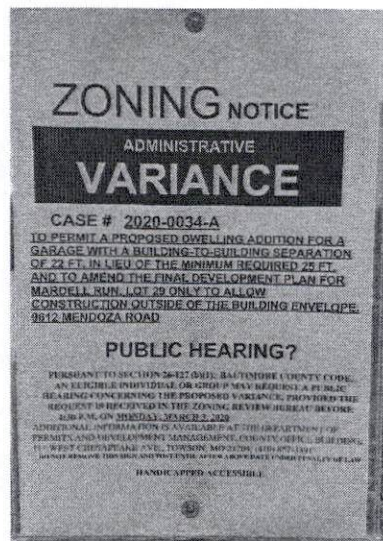
Case Number: 2020-0034-A

Petitioner / Developer: SARA CONOVER, ASSOC. AIA ~
OLATUNJI & KIMBERLY OYEFUSI

Date of Closing: MARCH 2, 2020

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:
9612 MENDOZA ROAD

The sign(s) were posted on: FEBRUARY 16, 2020



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Background Photo 1st Sign @ 9612 Mendoza Rd. ~ 2/16/2020



Background Photo 2nd Sign @ 9612 Mendoza Rd. ~ 2/20/2020

CASE # 2020-0034-A

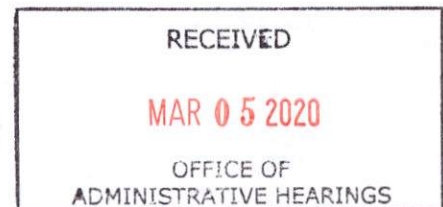
Debra Wiley

From: Roz Johnson
Sent: Thursday, March 5, 2020 9:25 AM
To: Debra Wiley
Subject: RE: Case no. 2020-0034-A--9612 Mendoza Rd.
Attachments: Mendoza Rd. Cert.jpeg; Mendoza Rd. Photos.docx

Good morning, Debbie,

Attached are the photos of the advertising.
Let me know if you need anything else.

Roz Johnson
Planner, Zoning Review



From: Debra Wiley <dwiley@baltimorecountymd.gov>
Sent: Wednesday, March 4, 2020 11:57 AM
To: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Subject: RE: Case no. 2020-0034-A--9612 Mendoza Rd.

Thanks again Roz.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Sent: Wednesday, March 4, 2020 11:52 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case no. 2020-0034-A--9612 Mendoza Rd.

I sent them a message.
I will check with them again and let you know what they say.

Thanks, Roz

From: Debra Wiley
Sent: Wednesday, March 04, 2020 11:45 AM
To: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Subject: RE: Case no. 2020-0034-A--9612 Mendoza Rd.

Roz,

Did you happen to mention to them that we are missing the sign posting certification?

Debra Wiley, Legal Administrative Secretary

Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Roz Johnson <rvjohnson@baltimorecountymd.gov>
Sent: Wednesday, March 4, 2020 11:27 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Case no. 2020-0034-A--9612 Mendoza Rd.

Hi Debbie,

Attached is the floor plan for the proposed garage extension which shows that there will not be an interior wall.
I am adding a copy to our office file. Please add a copy to the petition file.

If you need anything else, please let me know.

Thanks,

Roz Johnson
Planner, Zoning Review

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

No. **195430**

PAID RECEIPT

Date: **2/6/2020**

BUSINESS ACTUAL TIME
 2/06/2020 2/06/2020 11:04:46 3

REG 0603 WALKIN CAM
 >>RECEIPT 051425 2/06/2020 05.14

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	1000		6150					\$150.00

Total: **\$150.00**

Rec
 From:

For:

AD. VARIANCE

9612 MENDOZA ROAD

CASE # 2020-0034-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Debra Wiley

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Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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If you need anything else, please let me know.

Thanks,

Roz Johnson
Planner, Zoning Review

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0034 -A Address 9612 MENDOZA RD.

Contact Person: ROZ JOHNSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/6/2020 Posting Date: 2/16/2020 Closing Date: 3/2/2020

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0034 -A Address: 9612 MENDOZA RD

Petitioner's Name: OLATUNJI & KIMBERLY OYEFUSI Telephone: 443-326-5069

Posting Date: 2/16/2020 Closing Date: 3/2/2020

Wording for Sign:

TO PERMIT A PROPOSED DWELLING ADDITION FOR A GARAGE WITH
A BUILDING-TO-BUILDING SEPARATION OF 22 FT. IN LIEU OF THE
MINIMUM REQUIRED 25 FT. AND TO AMEND THE FINAL DEVELOPMENT

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW
PLAN FOR MARDELL RUN, LOT 29 ONLY TO ALLOW CONSTRUCTION
OUTSIDE OF THE BUILDING ENVELOPE.

הנהגות אלו הן חלק מההתאמה של ישראל למציאות הביטחונית והחברתית.

ההתאמה הזו מתבטאת גם בהקצאת משאבים לביטחון, גם בהקצאת משאבים לחינוך ולרפואה, וגם בהקצאת משאבים לתשתית.

ההתאמה הזו

היא חלק מההתאמה

של ישראל למציאות הביטחונית והחברתית.

ההתאמה הזו

**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: 2020-0034-A
Property Address: 9612 MENDOZA ROAD
Property Description: RESIDENCE ON EAST SIDE OF MENDOZA
RD. NORTH OF PLUM TREE COURT.
Legal Owners (Petitioners): OLATUNJI & KIMBERLY OYEFUSI
Contract Purchaser/Lessee: KAREN PITSLEY

PLEASE FORWARD ADVERTISING BILL TO:

Name: TRANSFORMING ARCHITECTURE ↗
Company/Firm (if applicable): KAREN PITSLEY ↗
Address: 7612 BROWNS RIDGE RD
HIGHLAND, MD 20777

Telephone Number: 301-776-2666

Revised 7/9/2015

301-410-5000

[illegible]

RECEIVED
STANDARD & REMITTANCE CO.
NO. 10000 OF BOSTON, MASS. COAST.
PRESIDENTIAL CHAIRMAN & DR. HENRY
JAMES
JAMES HENRY JAMES

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

[illegible][illegible][illegible][illegible]



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 3, 2020

Karn Pitsley
7612 Browns Bridge Road
Highland MD 20777

RE: Case Number: 2020-0034-A, 9612 Mendoza 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 February 06, 2020. 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.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Olatunji & Kimverly Oyefusi 9612 Mendoza Road Randallstown Md 21133

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

Date: 2/12/20

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

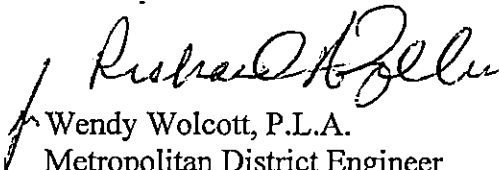
Dear Ms. Lewis:

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. 2020-0034-A

*Administrative Variance
Olatunji Oyetusi
9612 Mendoza 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@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 18, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0034-A
Address 9612 Mendoza Road
(Oyefusi Property)

Zoning Advisory Committee Meeting of **February 17, 2020.**

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

Reviewer: Steve Ford

(AV) 3-2-2020

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 18, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0034-A
Address 9612 Mendoza Road
(Oyefusi Property)

Zoning Advisory Committee Meeting of **February 17, 2020.**

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

Reviewer: Steve Ford

Debra Wiley

From: Roz Johnson
Sent: Wednesday, March 4, 2020 11:27 AM
To: Debra Wiley
Subject: Case no. 2020-0034-A--9612 Mendoza Rd.
Attachments: 19-477 Oyefusi Floor Plan.pdf

Hi Debbie,

Attached is the floor plan for the proposed garage extension which shows that there will not be an interior wall. I am adding a copy to our office file. Please add a copy to the petition file.

If you need anything else, please let me know.

Thanks,

Roz Johnson
Planner, Zoning Review

CASE NO. 2020-

0034-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/Conditions/Comments/No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>2-18</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-12</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>2-16-2020</u> by <u>O'Keefe</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 02 Account Number - 2200013312		
Owner Information		
Owner Name:	OYEFUSI OLATUNJI O OYEFUSI KIMBERLY L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	9612 MENDOZA RD RANDALLSTOWN MD 21133	Deed Reference: /11099/ 00062
Location & Structure Information		
Premises Address:	9612 MENDOZA RD 0-0000	Legal Description: .383 AC PHASE 1 9612 MENDOZA RD SES MARDELLA RUN
Map:	Grid:	Parcel:
0076	0017	0386
Neighborhood:	Subdivision:	Section:
2060089.04	0000	2
Block:	Lot:	Assessment Year:
	29	2019
Plat No:		Plat Ref:
		0064/ 0051
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1994	2,350 SF	
Property Land Area		County Use
16,691 SF		04
Stories	Basement	Type
2	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	4	2 full/ 1 half
Garage	Last Notice of Major Improvements	
1 Attached		
Value Information		
	Base Value	Value
		As of
		01/01/2019
Land:	92,600	92,600
Improvements	162,000	188,500
Total:	254,600	281,100
Phase-in Assessments		
		As of
		07/01/2019
		As of
		07/01/2020
Land:	92,600	92,600
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		As of
		07/01/2019
		As of

ZAC AGENDA

Case Number: 2020-0034-A **Reviewer:** Rosalie Johnson

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Olatunji Oyefusi

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 9612 MENDOZA RD

Location: On the East side of Mendoza Road North, of Plum Tree Court.

Existing Zoning: DR 1

Area: 0.38 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1B02.3.B, BCZR (Sections 1B01.2C.1 of the 1991 Zoning Regulations and section V.B.3 of the 1991 C.M.D.P) To permit a proposed dwelling addition (garage) with a building to building separation of 22 feet in lieu of the minimum required 25 feet and to amend the latest final development plan for Mardella Run Lot 29 only, to allow construction outside of the building development.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/02/2020

Miscellaneous Notes:



1 9612 MENDOZA RD
EX. FRONT



2 9612 MENDOZA RD
EX. FRONT DRIVEWAY



3 9612 MENDOZA RD
EX. GARAGE FRONT
NOTE: PROPOSED GARAGE ADDITION TO RIGHT SIDE



4 9612 MENDOZA RD
EX. GARAGE BACK
NOTE: PROPOSED GARAGE ADDITION TO SIDE



5 9614 MENDOZA RD
LEFT SIDE OF 9612



6 9610 MENDOZA RD
RIGHT SIDE OF 9612



7612 Browns Bridge Rd
Highland, MD 20777
301-776-2666
301-776-2886 fax
info@TransformingArchitecture.com
www.TransformingArchitecture.com

OYEFUSI RESIDENCE

9612 MENDOZA RD, RANDALLSTOWN
BALTIMORE COUNTY, MD 21133

ADMINISTRATIVE VARIANCE IMAGES

SCALE: N/A

DATE: 02-06-2020 PROJECT: 19-477

CASE # 2020-0034-A

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

RECEIVED

1964

1964

1964

1964

1964

1964

1964

1964

1964

1964

1964

1964

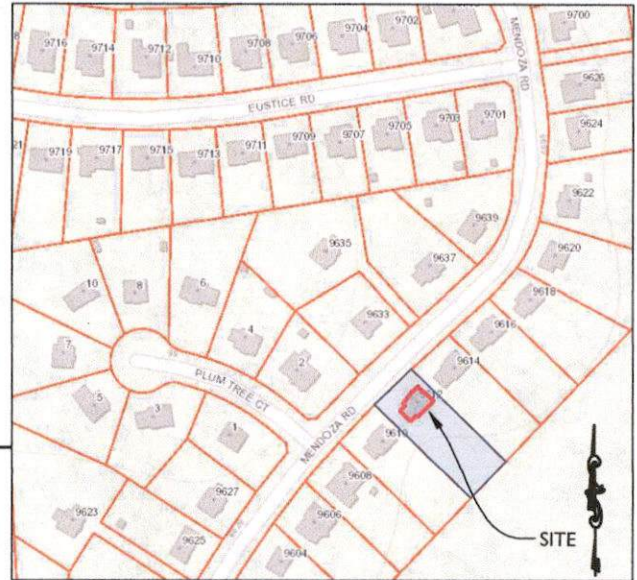
1964

1964

SITE INFO:

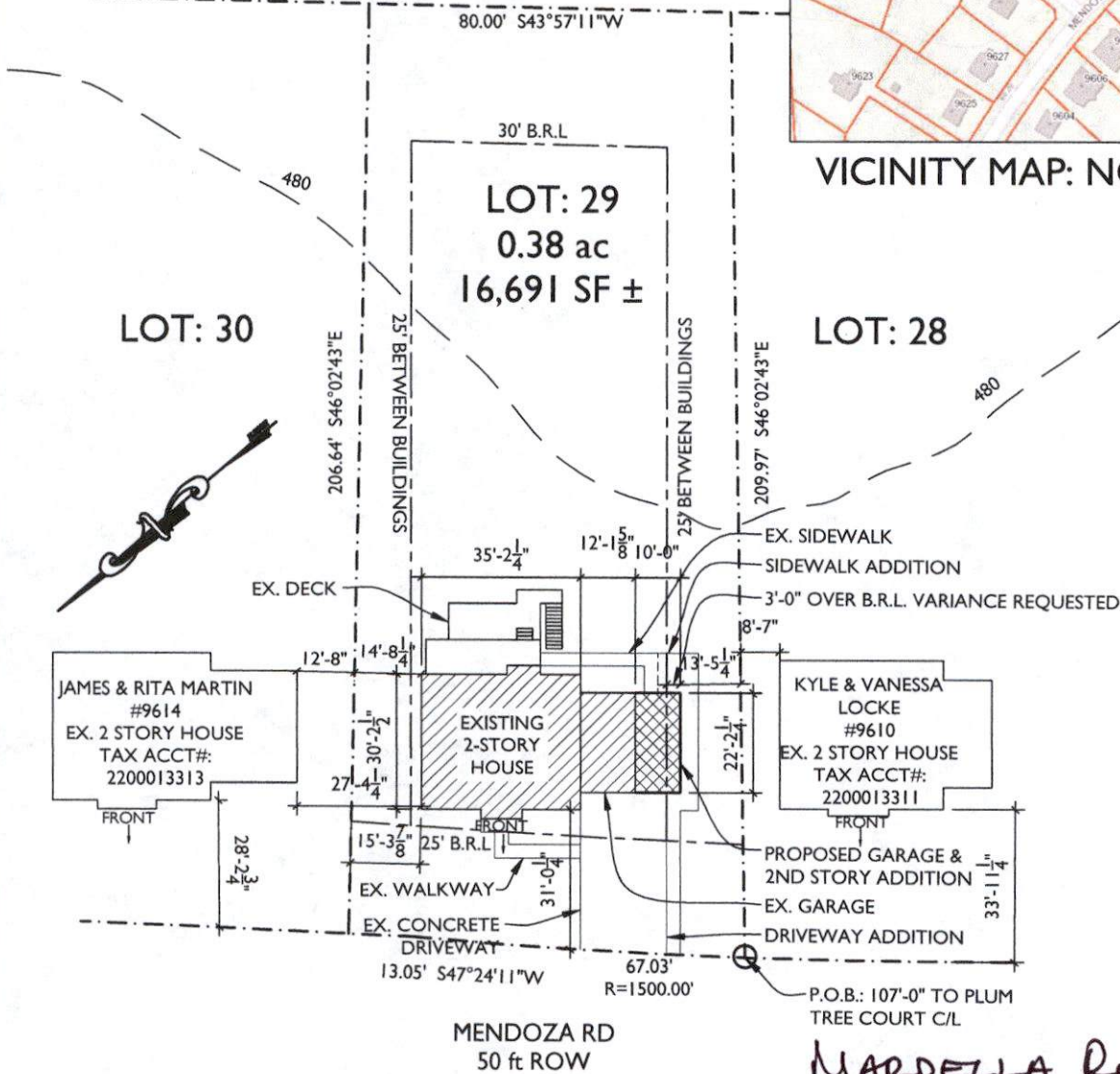
OWNERS: OLATUNJI & KIMBERLY
OYEFUSI
9612 MENDOZA ROAD
RANDALLSTOWN, MARYLAND
BLOCK: N/A, SECTION: 2
TAX ACCT. #: 2200013312
PLAT REF #: 0064/0051
ZONING: DR-I
ELECTION DISTRICT: 2
COUNCILMANIC DISTRICT: 4

EX. LOT AREA COVERAGE:
1,365 SQFT, 0.031 AC.
TAX MAP: 0076, GRID: 0017,
PARCEL: 0386
HISTORIC: NO
IN CBCA: NO
IN FLOOD PLAIN: NO
WATER IS: PUBLIC
SEWER IS: PUBLIC
PRIOR HEARING: NO



VICINITY MAP: NOT TO SCALE

LOCAL OPEN SPACE AND DRAINAGE & UTILITY EASEMENT
TAX ACCT. #: 2200011765



MARDELLA Run FDP



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OYEFUSI RESIDENCE

9612 MENDOZA RD, RANDALLSTOWN
BALTIMORE COUNTY, MD 21133

ZONING HEARING PLAN FOR VARIANCE

SCALE: 1"=40'

DATE: 02-08-2020 PROJECT: 19-477

CASE # 2020-0034-A

1871-1872

1873-1874

1875-1876

1877-1878

1879-1880

1881-1882

1871-1872

1873-1874

1875-1876

1877-1878

1879-1880

1881-1882

1871-1872

1873-1874

1875-1876

1877-1878

1879-1880

1881-1882



1 9612 MENDOZA RD
EX. FRONT



2 9612 MENDOZA RD
EX. FRONT DRIVEWAY



3 9612 MENDOZA RD
EX. GARAGE FRONT
NOTE: PROPOSED GARAGE ADDITION TO RIGHT SIDE



4 9612 MENDOZA RD
EX. GARAGE BACK
NOTE: PROPOSED GARAGE ADDITION TO SIDE



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LEFT SIDE OF 9612



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OYEFUSI RESIDENCE

9612 MENDOZA RD, RANDALLSTOWN
BALTIMORE COUNTY, MD 21133

ADMINISTRATIVE VARIANCE IMAGES

SCALE: N/A

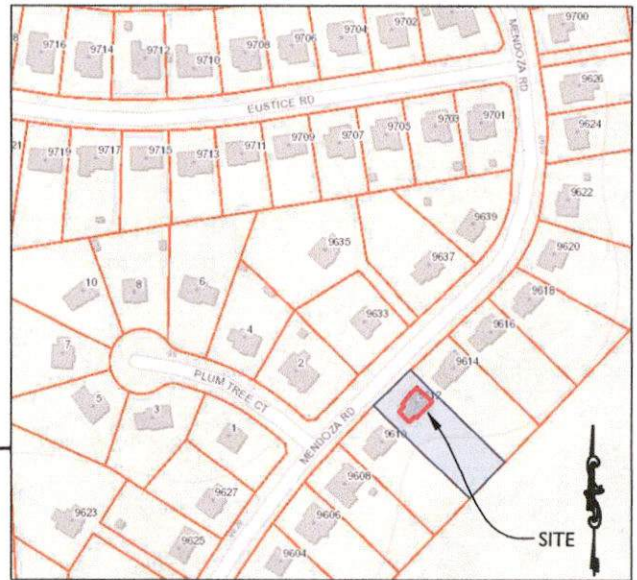
DATE: 02-06-2020 PROJECT: 19-477

CASE # 2020-0034-A

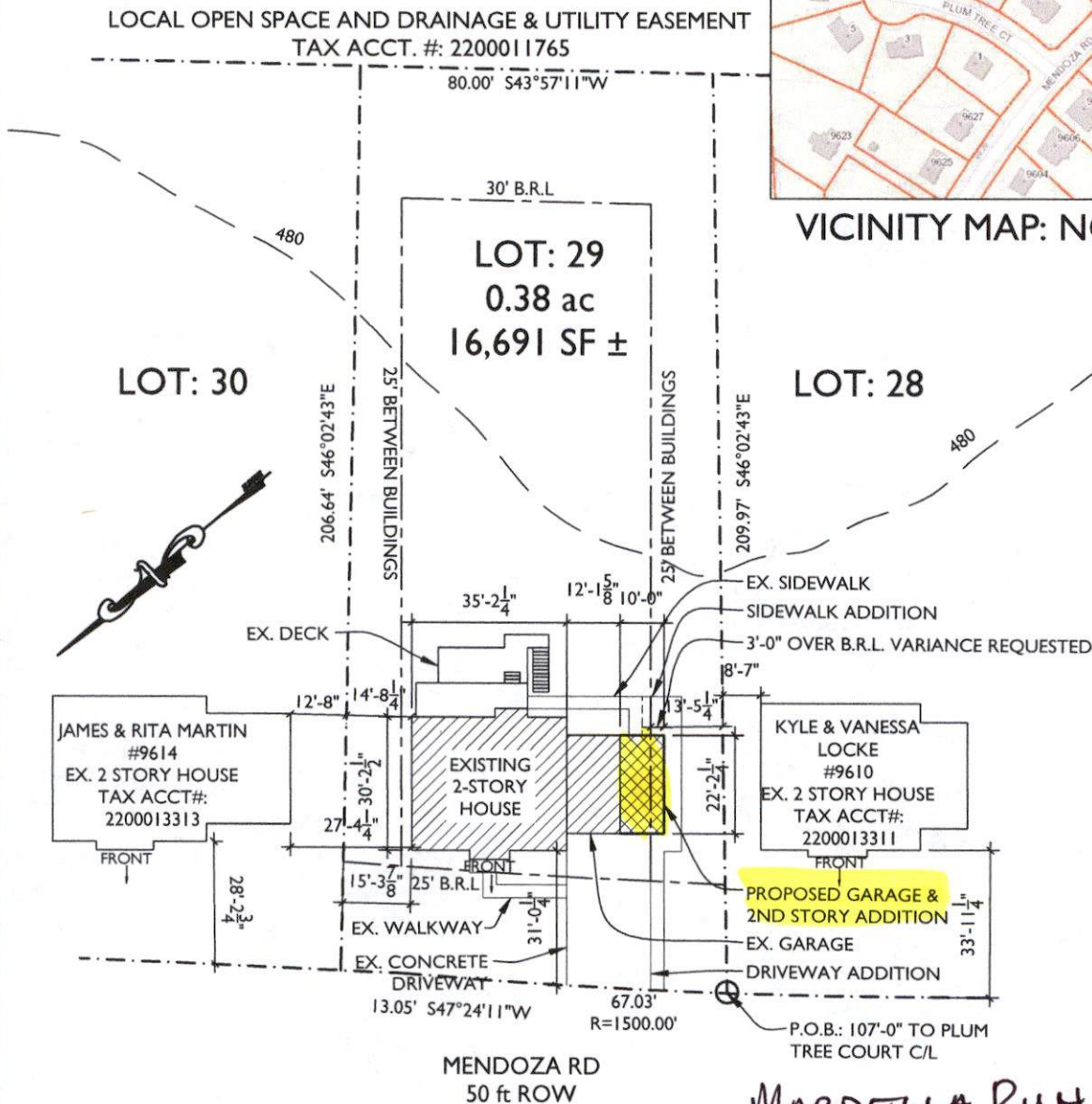
SITE INFO:

OWNERS: OLATUNJI & KIMBERLY
OYEFUSI
9612 MENDOZA ROAD
RANDALLSTOWN, MARYLAND
BLOCK: N/A, SECTION: 2
TAX ACCT. #: 2200013312
PLAT REF #: 0064/0051
ZONING: DR-1
ELECTION DISTRICT: 2
COUNCILMANIC DISTRICT: 4

EX. LOT AREA COVERAGE:
1,365 SQFT, 0.031 AC.
TAX MAP: 0076, GRID: 0017,
PARCEL: 0386
HISTORIC: NO
IN CBCA: NO
IN FLOOD PLAIN: NO
WATER IS: PUBLIC
SEWER IS: PUBLIC
PRIOR HEARING: NO



VICINITY MAP: NOT TO SCALE



MARDELLA RUM FDP



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OYEFUSI RESIDENCE

9612 MENDOZA RD, RANDALLSTOWN
BALTIMORE COUNTY, MD 21133

ZONING HEARING PLAN FOR VARIANCE

SCALE: 1"=40'

DATE: 02-06-2020 PROJECT: 19-477

CASE # 2020-0034-A

Per. Ex. 1

MADEIRA UNIT FDP

Am. Anthropol. Mus. 1891



9612 MENDOZA RD
EX. FRONT

1



9612 MENDOZA RD
EX. FRONT DRIVEWAY

2



9612 MENDOZA RD
EX. GARAGE FRONT

3

NOTE: PROPOSED GARAGE ADDITION TO RIGHT SIDE



9612 MENDOZA RD
EX. GARAGE BACK

4

NOTE: PROPOSED GARAGE ADDITION TO SIDE



9614 MENDOZA RD
LEFT SIDE OF 9612

5



9610 MENDOZA RD
RIGHT SIDE OF 9612

6



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OYEFUSI RESIDENCE

9612 MENDOZA RD, RANDALLSTOWN
BALTIMORE COUNTY, MD 21133

ADMINISTRATIVE VARIANCE IMAGES

SCALE: N/A

DATE: 02-06-2020 PROJECT: 19-477

CASE # 2020-0034-A





EUSTICE RD

DR 3.5

MENDOZA RD

PLUM TREE CT

4 CD

2 ED

NW 7-J

076C2

DR 1

RC 5

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

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
2/6/2020**Permit Processing Commerical Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 2200013312

Plat Ref: 064:051

Election District: 2

Owner Name(s): OYEFUSI OLATUNJI O and OYEFUSI KIMBERLY L

PDM #: 02-0404

Address: 9612 MENDOZA RD

Zoning District(s): DR 1

RANDALLSTOWN,MD 21133

Premise Address: 9612 MENDOZA RD

Elevation Range: 464ft - 508ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Com Bldg.	Interior Alts.	Add / Ext. Alts.	Piers/Pilings	Grading/SW	Tanks	Ret Walls/Bulk	Razing	Chg. of Occup.	Tower Antenna	Signs	Elect. & Plumb	Agency Acknowledgment Initial & Date
	Potential Overlay Issues													
Contact Agency	Growth Tier 1: Served by public sewer and inside URDL													
PAI-Sed. Control Insp. County Office Building Room G-21 Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review.													
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services.													
Zoning Review County Office Building Room 111 Phone: 410-887-3391	FDP Approval Review Required: THIS DEVELOPMENT REQUIRES FINAL DEVELOPMENT PLAN (FDP) SUBMITTAL & APPROVAL PRIOR TO RECORDATION OF THE SUBDIVISION OR SURVEY PLAT AND PRIOR TO ANY ZONING OFFICE REVIEW & APPROVAL OF BUILDING PERMIT APPLICATIONS RELATED TO NEW HOMES OR NEW (Multifamily, Mixed Use, Senior Housing, etc.) BUILDINGS	X												

Select a Property
from the Map

9612 MENDOZA ROAD

Search

Property Report - 9612 MENDOZA RD

Tax Account Number	2200013312
Owner Name	OYEFUSI OLATUNJI O OYEFUSI KIMBERLY L
Premise Address	9612 MENDOZA RD
Tax Map	0076
Parcel	0386
Real Property Report	More info
StreetView	Click for StreetView
PermitReview	Permit Review Tool URL

Zoning DR 1

Elementary School District	<u>Hernwood ES</u>
Middle School District	<u>Deer Park MS</u>
High School District	<u>New Town HS</u>

Police Precinct	<u>Woodlawn</u>
Councilmanic District	<u>4</u>
Congressional District	<u>7</u>
Legislative District	<u>10</u>
Election District	<u>2</u>
Voting Precinct	<u>02-018</u>

Commercial
Revitalization District





Permit Review

Select a Property
from the Map

Enter an ADDRESS or 10-DIGIT TAX PIN

9612 mendoza road

Search

Permit Tracking - 2200013312

Your search has returned : 1

Tax Account Number 2200013312

Tax Map 0076

Parcel 0386

Flood Zone No

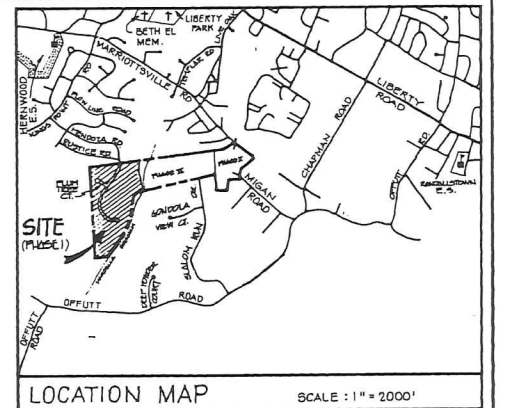
Residential [Click Here](#)

Commercial [Click Here](#)



Tax Parcel - 2200013312

TAXPIN	2200013312
CURR_GROUP	
CURR_PHASE	
DISTRICT	02
OCCUPANCY	H
OWNER_NA1	OYEFUSI OLATUNJI O
OWNER_NA2	OYEFUSI KIMBERLY L
ADDRESS_1	9612 MENDOZA RD
ADDRESS_2	
OWNER_CITY	RANDALLSTOWN
OWNERSTATE	MD
OWNER_ZIP	21103
Zoom to	



LOCATION MAP NOTES

- Highways and highway widenings, slope easements, drainage and utility easements, access easements, forest buffer areas in fee or easement, and stormwater management areas, no matter how entitled, shown hereon, are reserved unto the owner and, except for those indicated as private, are hereby offered for dedication to Baltimore County, Maryland. The Owner, his personal representatives and assigns will convey said areas by deed, to Baltimore County, Maryland, at no cost.
- Streets and/or roads shown hereon and the mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed in which this plat is attached, their heirs and assigns.
- This plat may expire in accordance with the provisions of the Baltimore County Code, section 22-88.
- The recording of this plat does not guarantee the installation of streets or utilities by Baltimore County.
- The information shown hereon may be superseded by a subsequent or amended plat.
- Additional information concerning this plat may be obtained from the Baltimore County Office of Planning and Zoning and the Department of Public Works.
- The recording of this plat does not constitute or imply acceptance by the county of any street, easement, park, open space or other public area shown on the plat.
- The Owner/Developer will comply with the best management practices adopted by the Baltimore County Department of Environmental Protection and Resource Management.
- The CIP plan for the property shown this plat was approved on June 7, 1990.
- Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of an interpretation only of currently applicable regulations and policies of the Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply.
- Roads stormdrains and utilities have been designed by a professional engineer. (P.E. No. 11005)
- The approval of this plat is based upon a reasonable expectation that the water and sewer service which is planned for the development will be available when needed. However, building permits may not be issued until the planned water and sewer facilities are completed and determined to be adequate to serve the proposed development. (Laws 1-18 and 25-34)
- Trash collection, snow removal and road maintenance are to be provided to the junction of the peninsula and the street right-of-way.
- There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- Any forest buffer shown hereon is subject to protective covenants which may be found in the land records of Baltimore County and which restrict disturbance and use of these areas.
- There shall be no clearings, gradings, construction or disturbance of vegetation in the Forest Buffer except as permitted by the Baltimore County Department of Environmental Protection and Resource Management. #35021 C003 R01 714 41
- The area designated as floodplain includes the area inundated by the 100-year frequency storm and a minimum of 1 foot vertical freeboard. The elevations shown on the floodplain sections are the 100-year design frequency surface elevations.
- Soil percolation tests will be valid for a period of three years from the date the record plat is signed by the Director, Department of Environmental Protection and Resource Management. At the expiration of this period, new tests may be required.
- All requirements of the Maryland State Department of the Environment and Baltimore County Department of Environmental Protection and Resource Management pertaining to private water and/or sewerage systems must be complied with prior to approval of building applications.

SECTION TWO
PHASE ONE
MARDELLA RUN

2ND ELECTION DISTRICT, BALTIMORE COUNTY, MD.
SCALE: 1" = 100'
NOVEMBER 14, 1990

OWNER
DAYBREAK ESTATES CORPORATION
212 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 292-4122
ATTN: MR SAMUEL ROTHBLUM

Filed for record
S.M. 64 FOLIO 051
Date MAY 15 1992
Test: *Samuel Rothblum*
Clerk

DEED REFERENCE: 7009/197
TAX ACCOUNT NO.: 21-00-005912

THIS SITE IS WITHIN THE BRICE RUN DRAINAGE AREA

COORDINATES

Name	North	West
B01	25282.760	60189.880
G01	25489.842	59041.150
G02	25193.610	59054.820
G41	23821.000	59379.000
G42	24087.750	59203.000
G43	23173.440	59721.740
G44	24326.500	59184.000
G45	24542.000	59133.000
G49	24738.359	59036.403
G08	25413.338	59388.103
G011	25422.109	59334.243
RW1	25265.431	59444.437
RW2	25228.824	59410.595
RW3	25377.768	59388.862
RW4	25373.058	59338.885
RW5	25093.544	59557.509
RW6	25130.351	59591.351
RW7	24794.986	59807.537
RW8	24821.841	59849.713
RW10	24708.869	59921.008
RW11	24395.753	59926.010
RW12	24304.242	59871.202
RW13	24329.933	59828.307
RW14	24254.466	59735.365
RW15	24007.213	59751.730
RW16	24162.798	59623.334
RW18	24242.923	59644.863
RW19	24234.295	59677.075
RW21	24405.029	59873.284
RW22	24698.023	59869.276
RW24	25043.649	59730.594
RW25	25005.743	59763.199
RW26	25024.861	59708.755
RW29	24986.937	59741.355
RW30	25025.756	59894.795
RW31	24873.009	59740.128
RW34	25143.939	59924.013
RW35	25075.810	59934.636
RW36	25081.139	59909.123
RW37	25131.780	59905.933
SB1	24783.282	59830.284
775	23100.845	60069.200
ES1	24036.695	60000.856
ES2	24616.596	60009.580

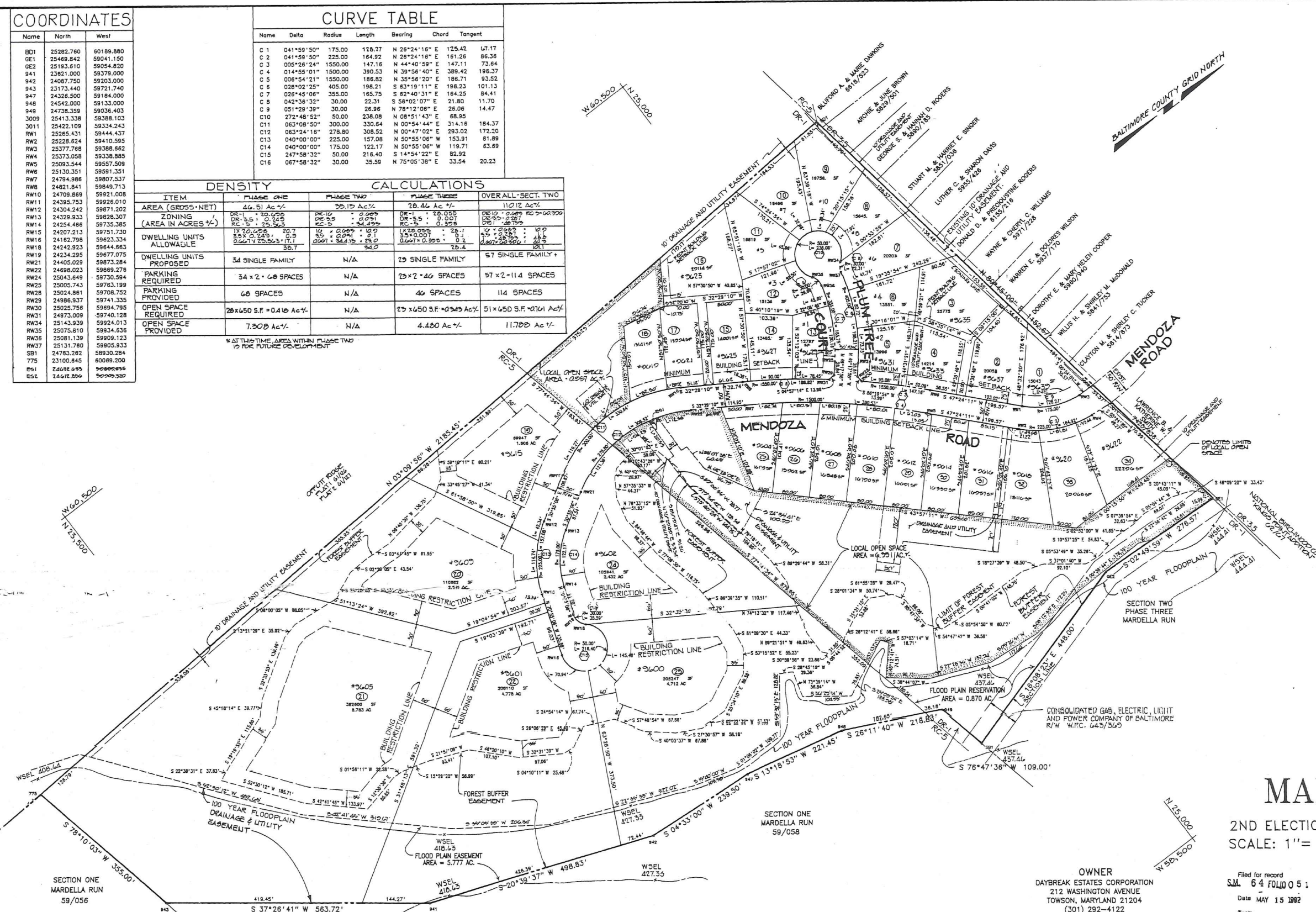
CURVE TABLE

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C 1	041°59'50"	175.00	125.17	N 26°24'16" E	125.42	67.17
C 2	041°59'50"	225.00	164.92	N 26°24'16" E	161.26	86.36
C 3	005°28'24"	1550.00	147.16	N 44°40'59" E	147.11	73.64
C 4	014°55'01"	1500.00	390.53	N 39°56'40" E	386.42	198.37
C 5	008°54'21"	1550.00	186.82	N 35°56'20" E	186.71	93.52
C 6	028°02'25"	405.00	198.21	S 63°19'11" E	198.23	101.13
C 7	028°45'06"	355.00	165.75	S 62°40'31" E	164.25	84.41
C 8	042°38'32"	30.00	22.31	S 58°02'07" E	21.80	11.70
C 9	051°28'39"	30.00	26.36	N 78°12'08" E	26.06	14.47
C10	272°48'52"	50.00	238.08	N 08°51'43" E	68.95	
C11	063°08'50"	300.00	330.64	N 00°54'44" E	314.16	184.37
C12	063°24'16"	278.80	308.52	N 00°47'02" E	293.02	172.20
C13	040°00'00"	225.00	157.08	N 50°55'06" W	153.91	81.89
C14	040°00'00"	175.00	122.17	N 50°55'06" W	119.71	63.69
C15	247°58'32"	50.00	216.40	S 14°54'22" E	82.92	
C16	067°58'32"	30.00	35.59	N 75°05'38" E	33.54	20.23

DENSITY CALCULATIONS

ITEM	PHASE ONE	PHASE TWO	OVERALL SECT. TWO
AREA (GROSS-NET)	46.51 AC +/-	35.15 AC +/-	78.46 AC +/-
ZONING (AREA IN ACRES +/-)	DR-1 20.00 AC +/- RC-2 26.51 AC +/-	DR-1 10.00 AC +/- RC-2 25.15 AC +/-	DR-1 30.00 AC +/- RC-2 48.46 AC +/-
DWELLING UNITS ALLOWABLE	1520.00 520.00 2040.00	1000.00 350.00 1350.00	2520.00 870.00 3390.00
DWELLING UNITS PROPOSED	34 SINGLE FAMILY	N/A	34 SINGLE FAMILY
PARKING REQUIRED	34 x 2 = 68 SPACES	N/A	68 SPACES
PARKING PROVIDED	68 SPACES	N/A	68 SPACES
OPEN SPACE REQUIRED	20 x 650 S.F. = 0.41 AC +/-	N/A	20 x 650 S.F. = 0.41 AC +/-
OPEN SPACE PROVIDED	7.30 AC +/-	N/A	7.30 AC +/-

* AT THIS TIME, AREA WITHIN PHASE TWO IS FOR FUTURE DEVELOPMENT



BOUNDARY SURVEY ON THIS PLAT WAS PREPARED BY VITTI, ROBEL & ASSOCIATES AS SHOWN ON THIS PLAT ENTITLED "BOUNDARY SURVEY PLAT - MANN PROPERTY" DATE 2/22/80. CERTIFIED BY MARK ROBEL, PROFESSIONAL LAND SURVEYOR, MD. REG. # 330

ELEVATIONS FOR 100 YEAR FLOOD PLAIN ARE FROM STUDY BY KIDDE CONSULTANTS INC. AND APPROVED BY BALTIMORE COUNTY SEPT. 1986.

OWNERS CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

SURVEYORS CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED, IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF PLAT AND SETTING OF THE MARKERS.

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

APPROVED FOR THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING

D. S. THALER & ASSOCIATES, INC.

CIVIL ENGINEERS • SITE PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS
7115 AMBASSADOR ROAD BALTIMORE, MD. 21207 (301) 944-3647

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CHECKED BY: M.S.V./J.O.N.
DRAWN BY: C.D.H.
P.N.: 1113