Building Permit Application

Howard County Maryland
Department of Inspections, Licenses and Permits
3430 Court House Drive
Permits: 410-313-2455
www.howardcountymd.gov

Date Received: _____

Permit No.: B14003834

Building Address: ~~5790 Ten Oaks Rd~~ 12940 Triadelphia Mill Rd
City: Clarksville State: Md Zip Code: 21029
Suite/Apt. #: _____ SDP/WP/BA #: _____
Census Tract: _____ Subdivision: _____
Section: _____ Area: _____ Lot: _____
Tax Map: 34 Parcel: 13 Grid: 4
Zoning: _____ Map Coordinates: _____ Lot Size: _____

Existing Use: Nursery
Proposed Use: SAME
Estimated Construction Cost: $ 50,000
Description of Work: Construct Pole Barn For Storage & Landscape supplies 44' x 96'

Occupant or Tenant: _____
Was tenant space previously occupied? ☐ Yes ☐ No
Contact Name: Ronald Baire
Address: 10534 Burnside Farm Rd
City: Owings Mill State: Md Zip Code: 21117
Phone: 410 320 6087 Fax: _____
Email: LonBaire@GMAIL.Com

Property Owner's Name: Ten Oaks LLC
Address: 10534 Burnside Farm Rd
City: Owings Mills State: Md Zip Code: 21117
Phone: 410 320 6087 Fax: _____
Email: _____

Applicant's Name & Mailing Address, (If other than stated herein)
Applicant's Name: Ronald Baire
Address: 10534 Burnside Farm Rd
City: Owings Mills State: Md Zip Code: 21117
Phone: 410 320 6087 Fax: _____
Email: _____

Contractor Company: OASIS
Contact Person: Lon Baire
Address: 10534 Burnside Farm Rd
City: Owings Mill State: Md Zip Code: 21117
License No.: 47566
Phone: 4103206087 Fax: _____
Email: RBAIRE59@GMAIL.Com

Engineer/Architect Company: _____
Responsible Design Prof.: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Fax: _____
Email: _____

Commercial Building Characteristics	*Residential Building Characteristics*
Height:	☐ SF Dwelling ☐ SF Townhouse
No. of stories:	**Depth** **Width**
Gross area, sq. ft./floor:	1st floor:
	2nd floor:
Area of construction (sq. ft.):	Basement:
	☐ Finished Basement
Use group:	☐ Unfinished Basement
	☐ Crawl Space
Construction type:	☐ Slab on Grade
☐ Reinforced Concrete	No. of Bedrooms:
☐ Structural Steel	***Multi-family Dwelling***
☐ Masonry	No. of efficiency units:
☑ Wood Frame	No. of 1 BR units:
☐ State Certified Modular	No. of 2 BR units:
	No. of 3 BR units:
	Other Structure:
	Dimensions:
➢ **Roadside Tree Project Permit**	Footings:
☐ Yes ☑ No	Roof:
Roadside Tree Project Permit #	☐ State Certified Modular
	☐ Manufactured Home

Utilities	
Water Supply	
☐ Public	
☑ Private	
Sewage Disposal	
☐ Public	
☑ Private	
Electric: ☐ Yes ☐ No	
Gas: ☐ Yes ☐ No	
Heating System	
☐ Electric ☐ Oil	
☐ Natural Gas ☑ Propane Gas	
☐ Other:	
Sprinkler System:	
☐ Yes ☑ No	
Grading Permit Number:	
Building Shell Permit Number:	

THE UNDERSIGNED HEREBY CERTIFIES AND AGREES AS FOLLOWS: (1) THAT HE/SHE IS AUTHORIZED TO MAKE THIS APPLICATION; (2) THAT THE INFORMATION IS CORRECT; (3) THAT HE/SHE WILL COMPLY WITH ALL REGULATIONS OF HOWARD COUNTY WHICH ARE APPLICABLE THERETO; (4) THAT HE/SHE WILL PERFORM NO WORK ON THE ABOVE REFERENCED PROPERTY NOT SPECIFICALLY DESCRIBED IN THIS APPLICATION; (5) THAT HE/SHE GRANTS COUNTY OFFICIALS THE RIGHT TO ENTER ONTO THIS PROPERTY FOR THE PURPOSE OF INSPECTING THE WORK PERMITTED AND POSTING NOTICES.

Applicant's Signature _____ *Print Name* Ronald Baire
Email Address RBAIRE59@GMAIL.Com *Date* 10/17/14
Title/Company _____

Checks Payable to: **DIRECTOR OF FINANCE OF HOWARD COUNTY**
PLEASE WRITE NEATLY & LEGIBLY
-FOR OFFICE USE ONLY-

AGENCY	DATE	SIGNATURE OF APPROVAL
State Highways		
Building Officials		
PSZA (Zoning)		
PSZA (Engineering)		
Health	1/22/15	H. Oswald

Is Sediment Control approval required for issuance? ☐ Yes ☐ No
☐ CONTINGENCY CONSTRUCTION START

DPZ SETBACK INFORMATION
Front:
Rear:
Side:
Side St.:
All minimum setbacks met? ☐ Yes ☐ No
Is Entrance Permit Required? ☐ Yes ☐ No
Historic District? ☐ Yes ☐ No
Lot Coverage for New Town Zone:
SDP/Red-line approval date:

Filing Fee	$ 200
Permit Fee	$
Tech Fee	$
Excise Tax	$
PSFS	$
Guaranty Fund	$
Add'l per Fee	$
Total Fees	$
Sub-Total Paid	$
Balance Due	$
Check	# 001400

Distribution of Copies: White: Building Officials Green: PSZA,Zoning Yellow: PSZA,Engineering Pink: Health Gold: SHA

\Operations\Updated Forms\Building applmp 8.2012.docx

1/22/15
Approved
M. Davis

Mike Davis

December 22, 2014

Howard County Health Department
Bureau of Environmental Health

Dear Mr. Davis,

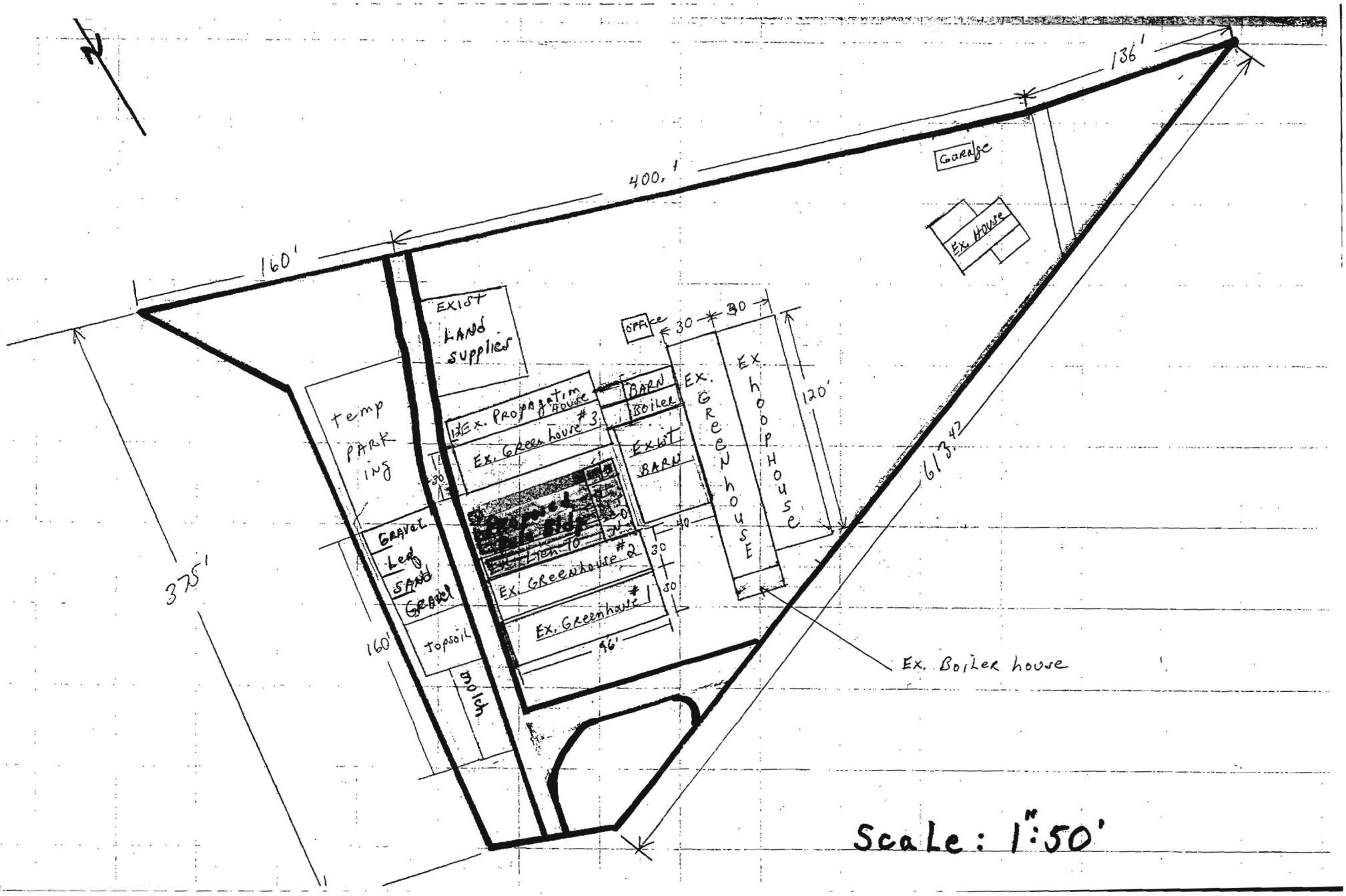
I have submitted an application for a building permit under B14003834 which has been approved for a 44'x96' Pole Barn to be built at my nursery located at 12940 Triadelphia Mill Rd. I would like a waiver to the percolation request certification plan as the pole barn will not impact the existing onsite sewage disposal system for the following reasons:

1) The pole barn will be located in an area between two greenhouses and will cover areas of ground that are already disturbed.
2) The pole barn will be used only for storage of nursery supplies and will not have plumbing or water service.
3) The current house and septic system are located over 100 feet from the proposed pole barn.

I appreciate your consideration of this request and look forward to speaking with you should you have any questions.

Sincerely,

Ron Baire
410-320-6087


N
400.'
136'
160'
375'
160'
613.47
120'
Garage
Ex. House
EXIST LAND supplies
Temp PARKING
GRAVEL Leg SAND GRAVEL
Topsoil
mulch
Office
30
30
Ex. Propagation House #3
BARN
Boiler
EXIST BARN
Ex. Greenhouse #3
Ex. Greenhouse #2
Ex. Greenhouse #1
46'
Ex. GREENHOUSE
Ex HOOPHOUSE
Ex. Boiler house
Scale: 1":50'

IN THE MATTER OF	:	BEFORE THE
RONALD BAIRE	:	HOWARD COUNTY
	:	BOARD OF APPEALS
Petitioner	:	HEARING EXAMINER
	:	BA Case No. 14-007N

::

DECISION AND ORDER

On June 2, 2014, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure, heard the petition of Ronald Baire to expand an approved nonconforming use for a Commercial Nursery and Garden Center by adding a 47'x95' pole barn and permanent storage bins for landscaping supplies in an RR-DEO (Rural Residential: Density Exchange Option) Zoning District, filed pursuant to Section 129.0.E of the Howard County Zoning Regulations (the "Zoning Regulations").

Petitioner certified to compliance with the notice, posting and advertising requirements of the Howard County Code. The Hearing Examiner viewed the property as required by the Hearing Examiner Rules of Procedure.

The Petitioner was not represented by counsel. Ronald Baire and Lea Baire testified in favor of the petition. No one appeared in opposition to the petition.

Petitioner introduced into evidence the exhibits as follows.

1A. 1998 - confirmatory deed
1B. 1997-1998 – state pesticide license, various financial documents related to nursery/garden center

1C. 1999 - various financial documents related to nursery/garden center
1D. 2000 – state nursery inspection report, state pesticide license, various financial documents related to nursery/garden center
1E. 2001 - state nursery inspection report, state pesticide license, various financial documents related to nursery/garden center
1F. 2002 – state plant broker/dealer license, various financial documents related to nursery/garden center

FINDINGS OF FACT

Based upon the preponderance of evidence presented at the hearing, the Hearing Examiner finds as follows:

1. Property Identification. The subject property is located in the 5th Election District on the northwest side of the intersection of Triadelphia Mill Road and Ten Oaks Road. It is identified as Tax Map 34, Grid 4, Parcel 13 and is also known as 12940 Triadelphia Mill Road (the Property).

2. Zoning History and Description. The "V" or wedged- shaped Property is the site of an existing commercial nursery and garden center confirmed as a nonconforming use on April 3, 1997 (NCU 96-02). The Technical Staff Report (TSR) notes that when the Department of Planning and Zoning confirmed the nonconforming use, the Property comprised Parcels 13, 92 and 189. As of 2014, Parcels 92 and 189 are in one ownership and the Baires (or a Baire-owned company) own Parcel 13.

The facility consists of several existing structures or buildings: four greenhouses, a hoop house, a propagation house, three barns, two lean-tos, an office building, a residential dwelling and a detached garage. The supplemental plan depicts areas for gravel, leaf, sand, topsoil and mulch storage.

3. Vicinal Properties. The RC-DEO Parcel 92 to the northwest appears to be an existing

commercial nursery or garden center. Across Triadelphia Mill and Ten Oaks Roads are RR-CEO zoned properties improved with single-family detached dwellings.

4. Roads. Triadelphia Mill Road along the Property frontage has one west bound and one eastbound lane with about 25 paving feet within a variable right-of-way (ROW). Sight distance appears to be acceptable, about 600 to the west and 300 feet to the east. Ten Oaks Road along the Property frontage has one northbound lane and one southbound lane with about 30 paving feet within a variable ROW and a 40MPH speed limit. Sight distance is about 600 feet in both directions. Department of Public Works traffic volume data indicates the volume on ten Oaks Road north of Brighton Dam was 11,916 average daily trips in 2009. No data is available for Triadelphia Mill Road.

5. Water and Sewer Service. The Property is served by private well and septic.

6. General Plan. PlanHOWARD2030 designates the Property as "Low Density Development" on the Designated Place Type Map. The Transportation Map depicts Ten Oaks Road as a Major Collector and Triadelphia Mill Road as a Minor Collector.

7. Zoning History. The Technical Staff Report provides a summary of the NCU 96-02 nonconforming use confirmation, including multiple conditions of approval. There is a current code enforcement action (CE-13-116(a)) related to the Property, alleging expansion of a nonconforming use (BA 96-002) (additional building, lean-to and landscaping material storage bins) without Hearing Authority approval. The alleged violators were instructed to seek approval for an expansion of an approved nonconforming use.

8. Proposed Expansion. Petitioner is apparently requesting retroactive approval to enlarge the Commercial Nursery and Garden Center use by adding a 47'x95' (9,800sf) pole barn between two existing lean-to structures located east of the driveway and permanent storage bins (5,300sf) for landscaping supplies located on the other side of the driveway along the northwest property line.

9. Lea Baire introduced into evidence Petitioner Exhibit 1. The exhibits includes information (state inspections, state licenses and business finances) about the continued use of the business as a Commercial Nursery and Garden Center use from 1997 to 2002.

CONCLUSIONS OF LAW

Pursuant to Section 129.0.E, the Hearing Authority may authorize the extension or enlargement of a nonconforming use or the alteration of a structure containing a nonconforming use, with or without conditions, provided the Petitioner demonstrates compliance with five standards. Based on the testimony and evidence, the Hearing Examiner concludes the proposed temporary addition complies with these standards and is therefore granting the petition.

a. That any changes or additions to the activities taking place in connection with the nonconforming use will not change the use in any substantial way;

The proposed expansion would continue the use of the Property as a Commercial Nursery and Garden Center, in conformance with Section 129.0.E.1.a.

b. That an enlargement may not exceed 100 percent of the gross floor area of structures or 100 percent of the gross acreage in the case of nonconforming land, above that which legally existed at the time the use first became nonconforming;

SITE INSPECTION SHEET

OWNER: Ronald Baire **PHONE #:**

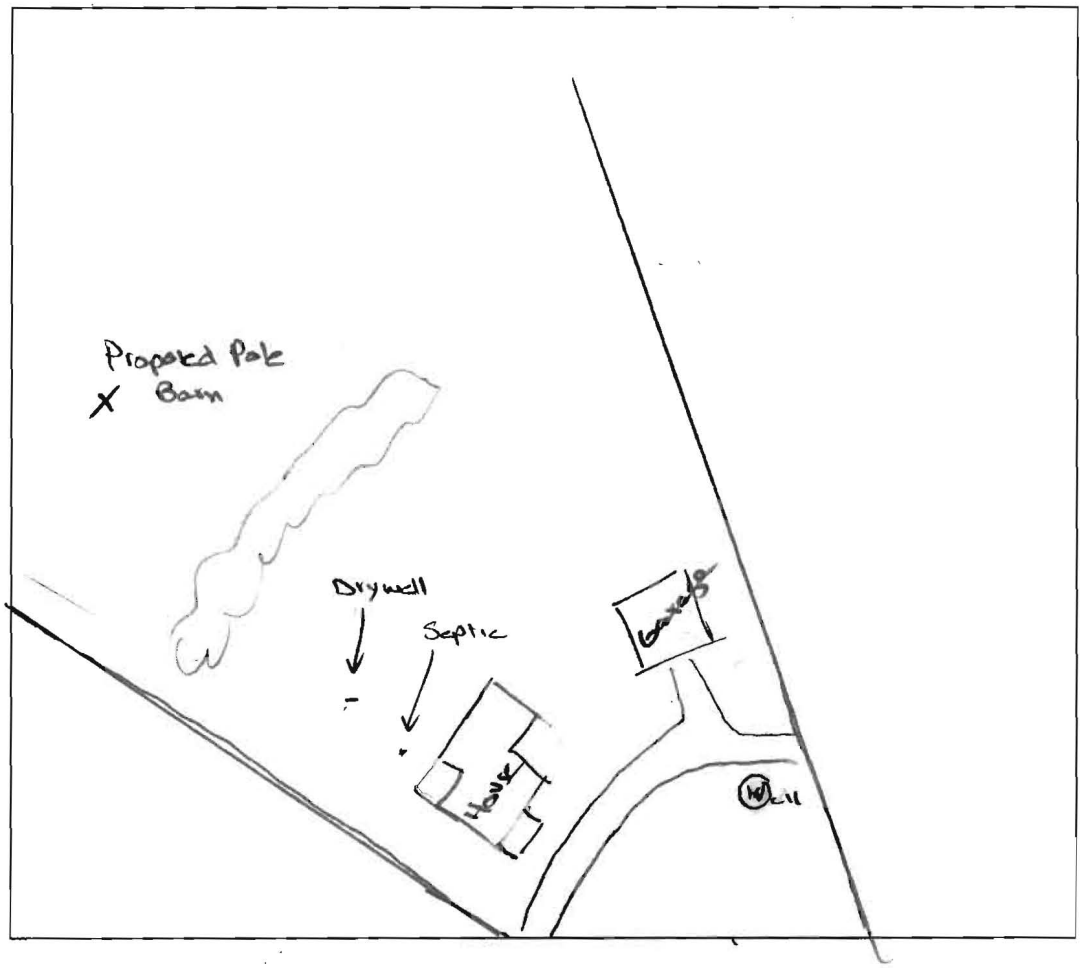
ADDRESS: 12940 Triadelphia Rd **CONTRACTOR:**

Clarksville, MD 21029 **WELL TAG #:**

SUBDIVISION: **LOT:** **COUNTY #:**

PROPOSAL: construct a pole barn for storage of landscape & supplies

LOCATION DIAGRAM



COMMENTS: Site Visit - The well & septic tank & drywell cleanouts were observed. The well was tagged, greater than 8" above grade, secure one pc. cap & conduit flush w/ cap. The ground around the septic tank / drywell was dry & no odors were observed.

DATE: 1/13/15 INSPECTOR: Hank Oswald

HowardCounty maryland

Map Layers | Map Legend | Search

- All Layers
  - Base Maps & Aerial Photos
    - ○ Howard County Base Map
    - ◉ Aerial Photo 2013
    - ○ Aerial Photo 2011
    - ○ Aerial Photo 2007
    - ○ Aerial Photo 2006
    - ○ Aerial Photo 2004
    - ○ Aerial Photo 2002
    - ○ Aerial Photo 1998
    - ○ Aerial Photo 1993
    - ○ Aerial Photo 1988
    - ○ Aerial Photo 1985
    - ○ Aerial Photo 1984
    - ○ Aerial Photo 1982
    - ○ Aerial Photo 1980
    - ○ Aerial Photo 1977
    - ○ Aerial Photo 1971
    - ○ Aerial Photo 1970
    - ○ Aerial Photo 1963
    - ○ Aerial Photo 1952
    - ○ Aerial Photo 1943
    - ○ Google Satellite
    - ○ OpenStreetMap
    - ○ Blank
  - Annotation Layers
  - HoCo Base Map Layers
    - ☐ Contours 2004
    - ☐ County Boundary
    - ☐ Stream Centerline Buffer 75ft
    - ☐ Building Permits (New)
    - ☐ Scanned PDF Drawings
    - ☐ Address Points
    - ☐ Street Centerline
    - ☐ Metro Property
    - ☑ Property Boundaries
  - Additional Layers
  - Layer Overlays
    - ☐ Floodplain - Draft - Small Trib
    - ☐ Floodplain
    - ☐ Historic Districts
    - ☐ Zoning
    - ☐ Land Use
    - ☐ Water/Sewer Labels
    - ☑ Sewer Infrastructure
    - ☑ Water Infrastructure

Oswald, Hank

From: Oswald, Hank
Sent: Friday, November 07, 2014 3:07 PM
To: 'RBAIRE59@GMAIL.COM'
Subject: B14003834_12940 Triadelphia Mill Road

Ronald Baire:

This letter is in response to building permit B14003834. The application describes the construction of a 44' X 96'pole barn. Upon review of the submittal, the site plan did not include all septic components. This is needed to ensure all required setbacks are met.

Please revise your plan to scale and show the proposed pole barn, existing well(s) and all existing septic system components including the septic tank, trench, and septic disposal area for this property.

Building permit approval is being withheld until a revised site plan has been forwarded to the Health Department. I may be reached at (410) 313-1786 if you would like to discuss the project.

Respectfully,

Hank

Hank Oswald, L.E.H.S.
Howard County Health Department
Bureau of Environmental Health
Well and Septic Program
(410) 313 - 1786

Oswald, Hank

From: Oswald, Hank
Sent: Tuesday, December 16, 2014 2:49 PM
To: RBAIRE59@GMAIL.COM
Subject: B14003834_12940 Triadelphia Mill Road

Ronald Baire:

It's unclear from the file if this property has an established Sewage Disposal Area and your revised site plan doesn't show one. With a pole barn this size, a percolation certification plan would be required under Howard County Code Sec. 3.805. However, you may submit a waiver request to the percolation certification plan by summarizing how this pole barn will not impact the existing onsite sewage disposal system (i.e. no plumbing etc.) and it will cover over already disturbed ground in this area.

Should you have more information about a septic reserve area on this property, general questions regarding the perc cert plan or waiver request option, or wish to schedule a meeting to discuss this project, please contact me.

Regards,

Hank

Hank Oswald, L.E.H.S.
Howard County Health Department
Bureau of Environmental Health
Well & Septic Program
410.313.1786

Oswald, Hank

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Hank

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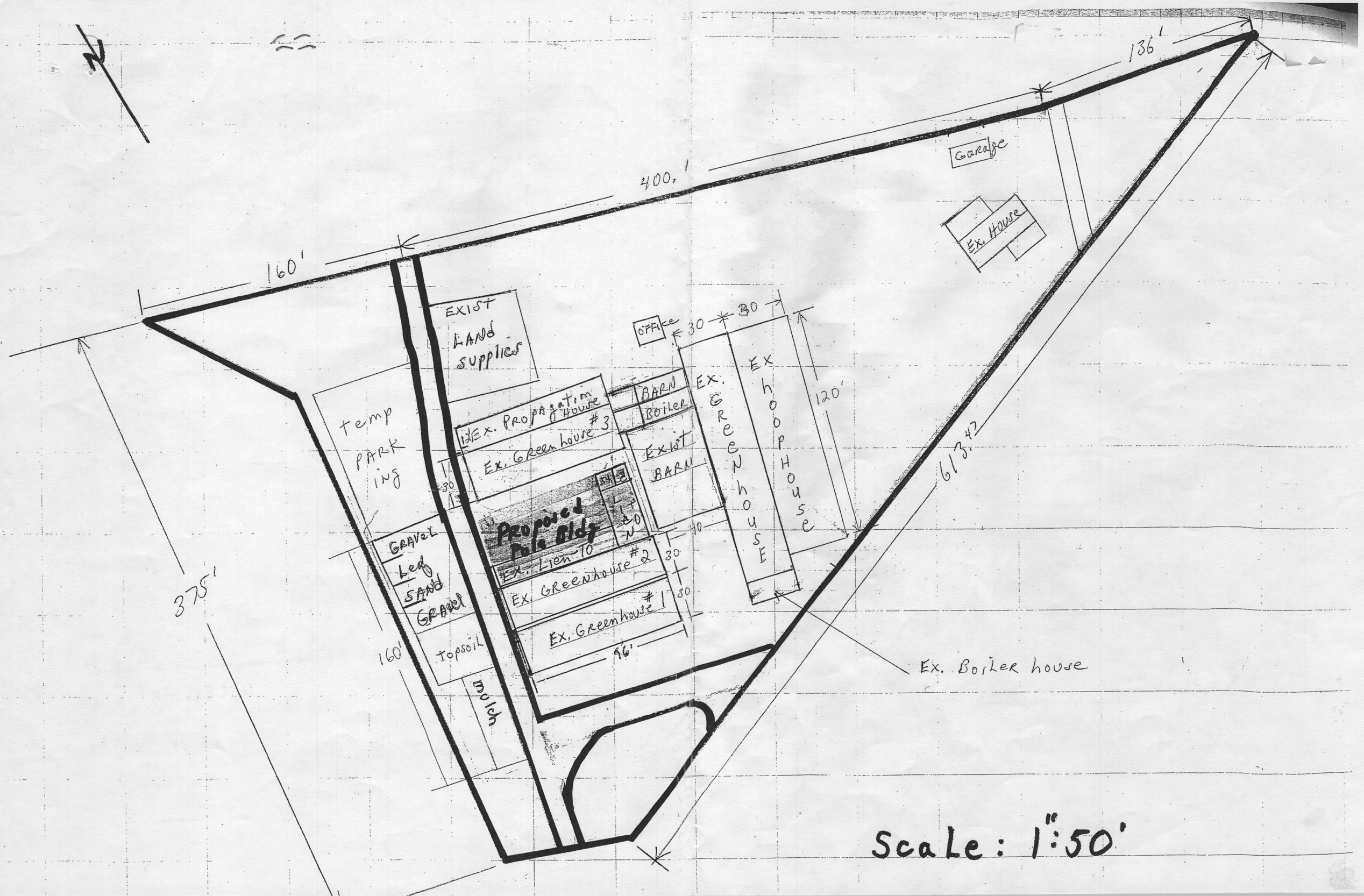
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Ex. House
EXIST
LAND
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Office
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30
120'
temp
PARK
ING
Ex. Propagation House #3
BARN
Boiler
Ex. Greenhouse
Ex. hoop house
Exist
BARN
613.42
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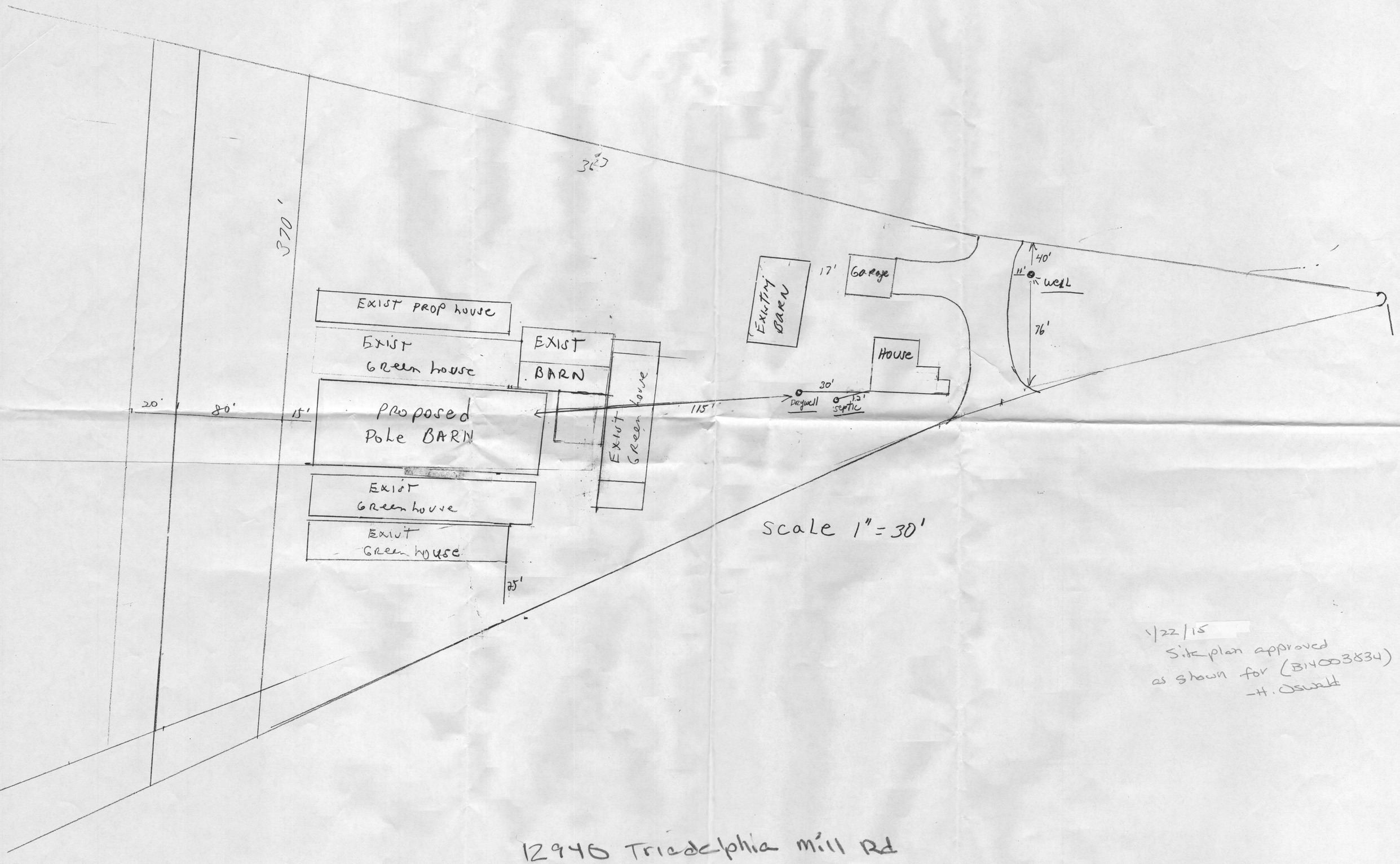
Proposed
Pole Bldg
Lean
TO
10
Ex. Lean-To
Ex. Greenhouse #2
30
Ex. Greenhouse #1
30
96'
GRAVEL
Leg
SAND
GRAVEL
Topsoil
mulch
375'
160'
Ex. Boiler house
Scale: 1":50'



1/22/15
Site plan approved
as shown for (B14003834)
-H. Oswalt

12940 Triadelphia Mill Rd
Clarksville, MD

Building Permit Application

Howard County Maryland
Department of Inspections, Licenses and Permits
3430 Court House Drive
Permits: 410-313-2455
www.howardcountymd.gov

Date Received: _____

Permit No.: B14003804

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Suite/Apt. #: _____ SDP/WP/BA #: _____
Census Tract: _____ Subdivision: _____
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Engineer/Architect Company: _____
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Address: _____
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Commercial Building Characteristics	*Residential Building Characteristics*
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Gross area, sq. ft./floor:	1st floor:
	2nd floor:
Area of construction (sq. ft.):	Basement:
	☐ Finished Basement
Use group:	☐ Unfinished Basement
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Sewage Disposal	
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☑ Private	
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Gas: ☐ Yes ☐ No	
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☐ Other:	
Sprinkler System:	
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Grading Permit Number:	
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Applicant's Signature _____ *Print Name* Ronald BAIRE
Email Address RBAIRE59@GMAIL.Com *Date* 10/17/14
Title/Company _____

Checks Payable to: DIRECTOR OF FINANCE OF HOWARD COUNTY
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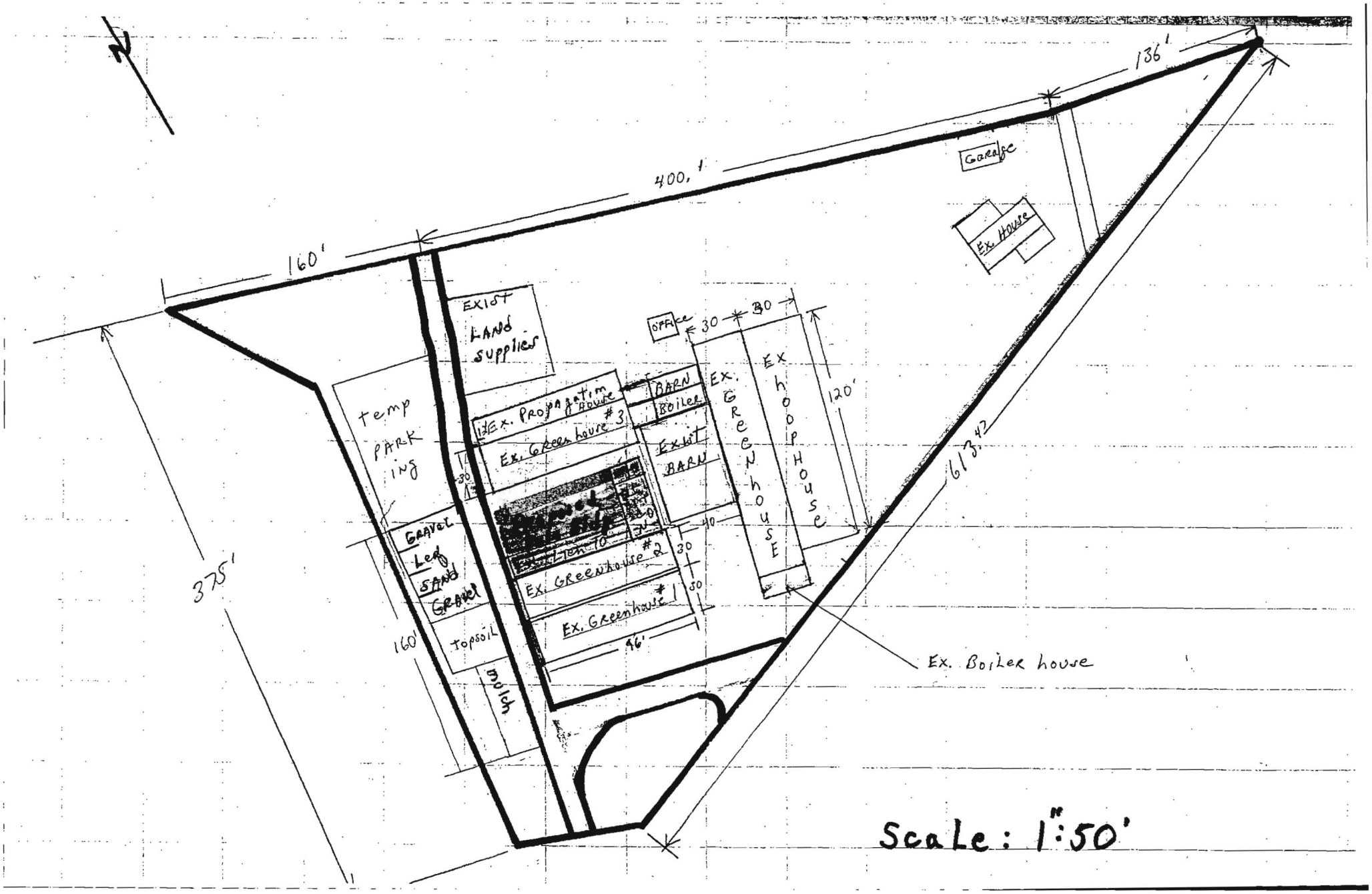
N
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120'
613.42
30
40
GRAVEL
Leg
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30
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50
96'
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IN THE MATTER OF	:	BEFORE THE
RONALD BAIRE	:	HOWARD COUNTY
	:	BOARD OF APPEALS
Petitioner	:	HEARING EXAMINER
	:	BA Case No. 14-007N

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1. Property Identification. The subject property is located in the 5th Election District on the northwest side of the intersection of Triadelphia Mill Road and Ten Oaks Road. It is identified as Tax Map 34, Grid 4, Parcel 13 and is also known as 12940 Triadelphia Mill Road (the Property).

2. Zoning History and Description. The "V" or wedged- shaped Property is the site of an existing commercial nursery and garden center confirmed as a nonconforming use on April 3, 1997 (NCU 96-02). The Technical Staff Report (TSR) notes that when the Department of Planning and Zoning confirmed the nonconforming use, the Property comprised Parcels 13, 92 and 189. As of 2014, Parcels 92 and 189 are in one ownership and the Baires (or a Baire-owned company) own Parcel 13.

The facility consists of several existing structures or buildings: four greenhouses, a hoop house, a propagation house, three barns, two lean-tos, an office building, a residential dwelling and a detached garage. The supplemental plan depicts areas for gravel, leaf, sand, topsoil and mulch storage.

3. Vicinal Properties. The RC-DEO Parcel 92 to the northwest appears to be an existing

commercial nursery or garden center. Across Triadelphia Mill and Ten Oaks Roads are RR-CEO zoned properties improved with single-family detached dwellings.

4. Roads. Triadelphia Mill Road along the Property frontage has one west bound and one eastbound lane with about 25 paving feet within a variable right-of-way (ROW). Sight distance appears to be acceptable, about 600 to the west and 300 feet to the east. Ten Oaks Road along the Property frontage has one northbound lane and one southbound lane with about 30 paving feet within a variable ROW and a 40MPH speed limit. Sight distance is about 600 feet in both directions. Department of Public Works traffic volume data indicates the volume on ten Oaks Road north of Brighton Dam was 11,916 average daily trips in 2009. No data is available for Triadelphia Mill Road.

5. Water and Sewer Service. The Property is served by private well and septic.

6. General Plan. PlanHOWARD2030 designates the Property as "Low Density Development" on the Designated Place Type Map. The Transportation Map depicts Ten Oaks Road as a Major Collector and Triadelphia Mill Road as a Minor Collector.

7. Zoning History. The Technical Staff Report provides a summary of the NCU 96-02 nonconforming use confirmation, including multiple conditions of approval. There is a current code enforcement action (CE-13-116(a)) related to the Property, alleging expansion of a nonconforming use (BA 96-002) (additional building, lean-to and landscaping material storage bins) without Hearing Authority approval. The alleged violators were instructed to seek approval for an expansion of an approved nonconforming use.

8. Proposed Expansion. Petitioner is apparently requesting retroactive approval to enlarge the Commercial Nursery and Garden Center use by adding a 47'x95' (9,800sf) pole barn between two existing lean-to structures located east of the driveway and permanent storage bins (5,300sf) for landscaping supplies located on the other side of the driveway along the northwest property line.

9. Lea Baire introduced into evidence Petitioner Exhibit 1. The exhibits includes information (state inspections, state licenses and business finances) about the continued use of the business as a Commercial Nursery and Garden Center use from 1997 to 2002.

CONCLUSIONS OF LAW

Pursuant to Section 129.0.E, the Hearing Authority may authorize the extension or enlargement of a nonconforming use or the alteration of a structure containing a nonconforming use, with or without conditions, provided the Petitioner demonstrates compliance with five standards. Based on the testimony and evidence, the Hearing Examiner concludes the proposed temporary addition complies with these standards and is therefore granting the petition.

a. That any changes or additions to the activities taking place in connection with the nonconforming use will not change the use in any substantial way;

The proposed expansion would continue the use of the Property as a Commercial Nursery and Garden Center, in conformance with Section 129.0.E.1.a.

b. That an enlargement may not exceed 100 percent of the gross floor area of structures or 100 percent of the gross acreage in the case of nonconforming land, above that which legally existed at the time the use first became nonconforming;

Real Property Data Search (w4) Guide to searching the database

Search Result for HOWARD COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District** - 05 **Account Number** - 402077

Owner Information

Owner Name:	TEN OAKS LLC C/O RONALD L BAIRE	Use: Principal Residence:	COMMERCIAL NO
Mailing Address:	10534 BURNSIDE FARM RD OWINGS MILLS MD 21117-4337	Deed Reference:	/04271/ 00317

Location & Structure Information

Premises Address:	12940 TRIADELPHIA MILL RD CLARKSVILLE 21029-0000	Legal Description:	3.000 A 12940 TRIADELPHIA MILL RD CLARKSVILLE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0034	0004	0013		0000				2014	Plat Ref:

Special Tax Areas:		Town:	NONE
		Ad Valorem:	100
		Tax Class:	

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
			3.0000 AC	

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

Value Information

	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014	As of 07/01/2015
Land:	332,500	332,500		
Improvements	65,600	76,000		
Total:	398,100	408,500	401,567	405,033
Preferential Land:	0			0

Transfer Information

Seller: ADAMS FAMILY LIMITED PARTNERSHIP	Date: 05/01/1998	Price: $400,000
Type: ARMS LENGTH MULTIPLE	Deed1: /04271/ 00317	Deed2:
Seller: ADAMS ROBERTA T	Date: 11/02/1994	Price: $60,000
Type: ARMS LENGTH MULTIPLE	Deed1: /04271/ 00294	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2014	07/01/2015
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