

IN RE: PETITION FOR SPECIAL HEARING
R/S Dunstan Lane, 190' S
of c/1 Allendale Court
14900-14901 Dunstan Lane
10th Election District
6th Councilmanic District
Albert I. Dunstan, et ux
Legal Owners
John C. Trikeriotis
Contract Purchaser
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE # 90-294-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a Special Hearing to approve a non-density transfer which would create a 1.74 acre +/- lot in an R.C.2 zone, as particularly described on Petitioners' Exhibit 1.

The Petitioners, Albert I. Dunstan and John Trikeriotis appeared, testified and were represented by Charles J. Piven, Esquire. Appearing and testifying on behalf of the Petitioners were Christopher Trikeriotis and Mark L. Robel, a Professional Surveyor. There were no Protestants.

Testimony indicated that the Petitioners are desirous of creating a lot in the northeast corner of Albert Dunstan's property for the purpose of selling same to John C. Trikeriotis, the Contract Purchaser. The property in question is zoned R.C.2.

Christopher Trikeriotis, the Petitioner's son, testified that he intends to construct a single family house on the proposed lot for his family. Mr. Trikeriotis testified that the stream and severe topography, as indicated on Petitioners' Exhibit 1 requires locating the house toward the northern property line. Testimony indicated the Petitioners actually desire to combine into one deed, the proposed 1.74 acre lot, the 4.939 acre lot and Lot No. 1 consisting of 2.782 acres +/- located on the southeast corner of

the subject property as indicated on Zoning Commissioner's Exhibit A. The Petitioners also desire to utilize the one density unit associated with the 4.939 acre lot on the proposed 1.74 acre lot.

Testimony and evidence indicated that lots No. 1 and 2 were created in 1979 out of Mr. Dunstan's parcel prior to the creation of the R.C.2 zone. Christopher Trikeriotis testified that lots No. 1 and 2 are covered with mature hardwood trees and that the 4.939 acre parcel has recently been planted with Christmas trees.

The issue presented is whether Petitioners' request to combine the aforementioned lots into one lot, and utilize the density unit associated with the 4.939 acre +/- lot on the proposed 1.74 acre +/- lot is consistent with the B.C.Z.R.

Mr. Mark Robel testified that the proposed 1.74 acre lot is covered with brush and scrub trees and, therefore, from an environmental standpoint, presents the most desirable place to locate the proposed house.

The Petitioners testified that, if they are required to locate the house on lot No. 1, a new road would be required to access said lot and would disturb the agricultural integrity of the property, requiring the removal of numerous hardwood trees and the aforementioned Christmas trees.

Section 1A00.1 of the B.C.Z.R. explains the Baltimore County Council's intent in creating the R.C. classifications. The concern was evident that agricultural land was being converted by development without sound planning considerations; i.e., that development was creating "urban sprawl" and undesirable land use patterns. The Council wanted to protect prime agricultural land, critical watershed areas, mineral extractive sites, as well as other important natural resource areas.

To achieve this result, the R.C. classifications would: 1) discourage present land use patterns of development and create a framework for planned or orderly development; 2) provide sufficient and adequate areas for rural-suburban and related development in selected and suitable areas; 3) protect both natural and man-made resources from compromising effects of specific forms and densities of development; and 4) protect areas desirable for more intensive future development of regulating undesirable forms of development within these areas until such time as intensive development commences. Specifically, the R.C.2 zone was established to encourage continued agricultural use of productive agricultural areas by preventing incompatible forms and degrees of urban uses.

The question here is one of construction of the B.C.Z.R. When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981).

The meaning of the words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466 (1942); also, see State v. Fabritz, 276 Md. 416 (1975).

The application of the above principles to the B.C.Z.R. results in a clear finding that a non-density transfer of land, all of which is contained in the same zone, which results in a larger tract with no additional develop-

ment rights, is permitted. The purposes of the R.C. zone are supported by testimony in this matter in reference to the reasons for the larger tract.

The net effect of permitting Mr. Trikeriotis to construct his home on the newly created lot (combination of proposed 1.74 acres +/- lot; the 4.939 +/- acre lot and lot No. 1) (see Zoning Commissioner's Exhibit No. A) will be to preserve the agricultural integrity of this area. There will be an increase in density. The new lot will not remove the area that is currently used for farming and most of the new lot will remain in tree farming. The Dunstan property, (see Zoning Commissioner's Exhibit B) consisting of 52.34 acres +/-, may no longer be subdivided. All available density has been used, pursuant to the subdivision on August 21, 1980 which created the 4.939 +/- acre lot, and will remain as an active farm; the area removed will not harm the farm. Mr. Trikeriotis will use the density unit associated with the 4.939 acres +/- parcel to construct his house. Thereafter, the newly created lot, as indicated on Zoning Commissioner's Exhibit No. A may not be subdivided.

As a point of clarification, Mr. John Trikeriotis parcel of 9.993 acres recorded in Liber 5966, folio 885, which lies to the east of Mr. Dunstan's property, contains two density units, which may be subdivided only once.

The net result of the relief granted herein is to preserve the agricultural integrity of the subject property without unduly restricting the use of the land.

After due consideration of the testimony presented, there is no evidence that the Petitioners' request will be detrimental to the health, safety or general welfare of the community if approved. Furthermore, this transfer will not change the density of the area or allow for over-development of

the land, and it is the opinion of the Zoning Commissioner that such transfer is within the spirit and intent of the R.C.2 zoning regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 13th day of March, 1990 that the Petitioners may combine the proposed 1.74 acre +/- lot, the 4.939 acre +/- parcel and lot No. 1 to create one lot which may not be subdivided, as indicated on Zoning Commissioner's Exhibit No. A; and

IT IS FURTHER ORDERED that the Petitioners' request to utilize the density unit associated with the 4.939 acre +/- parcel to construct a house in that area designated as proposed 1.74 acre +/- lot, as indicated on Zoning Commissioner's Exhibit A, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners may apply for their building permit 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The subject 1.74 acre lot, 4.939 acre lot and lot No. 1 (2.782 acres +/-), as indicated on Zoning Commissioner's Exhibit No. A shall be combined to create one lot with one density unit and shall be described as such in a redefinition or confirmatory deed and recorded among the Land Records of Baltimore County. Furthermore, the deed shall reference this zoning opinion, case No. 90-294-SPH and shall clearly state that the newly created 9.461 acre +/- lot may not be subdivided. Said deed shall be recorded among the

Land Records of Baltimore County on or before June 15, 1990 and a copy of the deed and proof of recordation shall be provided to the Zoning Commissioner on or before June 25, 1990.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

March 12, 1990



Charles J. Piven, Esquire
1230 Sun Life Building
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
Albert I. Dunstan, et al. Petitioners
Case No. 90-294-SPH

Dear Mr. Piven:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petition for Special Hearing has been granted.

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-294-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

the creation of a parcel of land (1.74 acres more or less) in a R.C.2-Zone whereas the owner (Mr. Dunstan) has previously used his division rights. The grantee (Mr. Trikeriotis) who is an adjoining neighbor and has the right to further subdivide his property, would be willing to give up this right to accomplish this subdivision (transfer of a density unit from Lot 2 to the subject property).

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser:	Legal Owner(s):
John C. Trikeriotis (Type or Print Name) <i>John C. Trikeriotis</i> Signature 14901 Dunstan Lane Address Monkton, Maryland 21111 City and State	Albert I. Dunstan (Type or Print Name) <i>Albert I. Dunstan</i> Signature 14900 Dunstan Lane Address Monkton, Maryland 21111 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Same as owner Name Address Phone no.
Attorney for Petitioner: <i>Charles J. Piven</i> (Type or Print Name) Signature 1230 Sun Life Bldg. Address Baltimore, MD 21201 City and State	Attorney's Telephone No.: 301-332-1400

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of March, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore County, on the 22nd day of March, 1990, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 10, 1990

COURT OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Charles Piven, Esquire
1155 Sullivan Rdg.
Baltimore, MD 21201

RE: Item No. 151, Case No. 90-294-SPH
Petitioner: Albert I. Dunstan, et ux
Petition for Special Hearing

Dear Mr. Piven:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development made aware of a hearing on this case. Director of Planning may file a written report with the Zoning Commission Planning recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIANSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Albert I. Dunstan
14900 Dunstan Lane
Monkton, MD 21111

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: January 2, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Albert I. Dunstan, Item 151
Zoning Petition No. 90-294

Please join the attached letter with our comments of December 28, 1989.

PK/JL/cmm

JAN 03 1990

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

11-15-89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #151, Zoning Advisory Committee Meeting of 1/10/14/1989
Property Owner: Albert I. Dunstan
Location: 14900 Dunstan Lane 140' S of Centerville Rd. District: 10

Water Supply: public Sewage Disposal: private
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for any spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for waste oil must be in accordance with the State Department of the Environment.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3743, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3743.
- () Soil percolation tests, have been , must be conducted.
- () The results are valid until .
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until .
- () If not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

James E. Dyer
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

DUNSTAN PROPERTY 90-253-NP

Revised Comments Date: 1/14/91

The proposed subdivision is in conflict with the Zoning Commissioner's Order in Case Number 90-294-SPH.

The newly created lot was to be 9.461 acres, not 1.74, as proposed. The plan must comply with Petitioner's Exhibit A found within the zoning case. The second restriction must be shown on the plan.

If you have any questions, please do not hesitate to call me at 887-3391.

Catherine A. Milton
CATHERINE A. MILTON
PLANNER I

CAM:scj

cc: Current Planning
Zoning File - #90-294-SPH
Waiver File

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
15th day of November, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Albert I. Dunstan, et ux
Petitioner Attorney: Charles Piven

COHAN & FRANCOMANO
A PROFESSIONAL CORPORATION
20 SOUTH CHARLES STREET
SEVENTH FLOOR
BALTIMORE, MARYLAND 21201-3217

(301) 332-1400
FACSIMILE
(301) 332-4675

December 21, 1989

Mr. Wally Lippincott
Baltimore County Office of
Planning and Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No.: 90-294-SPH
E/S Dunstan Lane, 190' S of c/l Allendale Court
Petitioners: Albert I. Dunstan, et. ux.
and John C. Trikeriotis

Dear Wally:

To confirm our telephone conversation of today, my client John C. Trikeriotis has agreed that in order to facilitate the creation of a parcel of land (1.74 acres more or less) in a R-C-2 zone area where the owner, Mr. Dunstan, has previously used his division rights, my client has agreed to combine the two lots located in what is known as Locksley 3 into one lot. As a result thereof, the density units from the then lot 2 will be transferred to the proposed parcel of land.

Please take whatever action is necessary to facilitate this process.

If you have any questions, or if this letter is not an accurate representation of our telephone conversation, please do not hesitate to contact me.

It has been a pleasure corresponding with you over the past week.

Christopher Trikeriotis
Very truly yours,
Christopher Trikeriotis

CT:jp
Enclosure
cc: John Trikeriotis

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

November 29, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 144, 150, 151, 152, 153, 154, 155, 156, 158, & 159.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MEF/lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 28, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Albert I. Dunstan, Item 151
Zoning Petition No. 90-294

RECEIVED
JAN 2 1990
ZONING OFFICE

The Petitioner requests a Special Hearing to approve the creation of a parcel of land (1.74 acres more or less) in a R-C-2 zone whereas the owner (Mr. Dunstan) has previously used his division rights. The grantee (Mr. Trikeriotis) who is an adjoining neighbor and has the right to further subdivide his property, would be willing to give up this right to accomplish this subdivision. (Transfer of a density unit from Lot 2 - 1.74 acres to Lot 3 - 1.74 acres)

In reference to the Petitioner's request, staff offers the following comments:

- The land use of the subject property is agriculture. The site is contiguous to a larger parcel on which Christmas tree farm is situated. According to the owner, the 1.74-acre parcel is not essential to the viability of business.
- Houses indicated on the plat are basically clustered on Dunstan Lane on the front of the R-C-2 zoned parcels which have access onto Dunstan Lane.
- The majority of the area is wooded and drops off to the Sawmill Branch and its floodplain areas.

Staff supports the Petitioner's requests, should the following conditions be agreed upon:

1. Transfer one density unit from Locksley II to the proposed lot.
2. Restrict the Locksley III subdivision plat to permit only one unit of density on both Lots 1 and 2.
3. Maintain a minimum 35 ft. wooded setback between the proposed lot and the tree farm (Albert Dunstan property).

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

BALTIMORE COUNTY, MARYLAND

SUBJECT: CONCEPT PLAN COMMENTS CPC DATE: 10/14/97
FROM: PDM - ZONING REVIEW 9:45 a.m., Room 123

PROJECT NAME: Locksley Conserve PLAN DATE: 8/25/97
Revised 9/22/97
LOCATION: E of Donerin Way DISTRICT:
PROPOSAL: 22 Single Family Lots ZONING:

The following must be addressed on the development plan:

1. Provide three county grid coordinate tics.
2. Provide tax ID number for the Trikeriotis Property.
3. Indicate the acreages of the proposed lots (those that are split-zoned needs to indicate the acreages on both sides of the zone line, as well as the total).
4. Dimension all lines of division.
5. Identify the exiting dwelling indicating number of units, height, front orientation, and setbacks.
6. This property was subject in both minor subdivision 90-253-MP and zoning case 90-294-SPH. Indicate the overall density and zoning case history, clearly outlining dates of transfers, changes in zoning subdivision, etc., and specifics of zoning history.
7. Include the item number or case number for the special hearings that are being requested. Correct the "Anticipated Actions" note to read Special Hearings.

The above information may generate additional comments.

CAM
CATHERINE A. MILTON
Planner II, Zoning Review

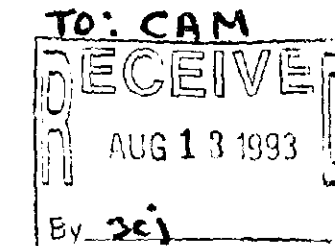
CAM:scj

c: zoning case 90-294-SPH
minor subdivision 90-253-MP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth - SWM (2, Pre-App Permit Only) DATE: August 12, 1993
Mr. Powell - JIRD
Mr. Pilson - W&S
✓ Mr. Richards - ZADM, Development Control
Ms. Rorke - ZADM, Street Names & House Numbers
Mr. Bowling - DED (3)
Mr. Weiss - Sanitation
Mr. Beaumont - Office of Law, Real Estate
Capt. Pfeifer - Fire Dept. - 1102 F
Mr. Grossman - Rec & Parks
Mr. Small - SHA
Mr. Butcher - C&P
Mr. McDaniel - Strategic Plan., Development Review (3)



FROM: Donna K. Dennis
ZADM
SUBJECT: Project Name: Trikeriotis Property
Project No.: 93117 MP 1409 DUNSTAN LANE
District: 10
Engineer: Fisher, Collins & Carter, Inc.
Phone No.: 461-2855
ACTION REQUESTED: ☒ X Panhandle Minor CRG Plan Review
☐ Minor Subdivision Review
☐ Pre-approved Building Permits(*)

(*) Please provide separate comments for Building Permits.

(*) NOTE: Please detail any comments where permit cannot be approved, but subdivision approval is acceptable.

Please review the attached plan for compliance with current regulations and return comments to our office by September 2, 1993. If you have no comments or do not need to review this plan, please indicate by placing your initials here. NONRESPONSIVENESS BY THE AFOREMENTIONED DATE IS CONSIDERED TO BE CONCURRENCE BY YOUR OFFICE OF THE PLAN.

Thank you for your timely attention to our request.

DKD:bje
Subdiv.dis (txtbje)
Revised 7/29/93

YTOLRTOP/TXTBJE

TRIKERIOTIS PROPERTY
1409 Dunstan Lane
93-117-MP

Minor Panhandle Review
Plan Date: ?
Comments Due: 9/2/93
Comments Date: 8/31/93
Comments Completed: 9/1/93

Prior to the zoning office being able to review this project for compliance with the Baltimore County Zoning Regulations, the following information must be provided:

1. R.C.-2 Property: The property is currently zoned R.C.-2. In keeping with Zoning Policy RSD-10, the following information must be provided:
 - A. A scaled site plan showing the boundaries of the parcel as they were on November 25, 1979 with the zone line plotted upon it.
 - B. Drawings showing any changes in boundary and/or ownership since that time.
 - C. All deeds recorded that show change in boundaries or ownership.
 - D. A letter stating the devolution of title and what is being requested.
 - E. Drawings should be color-coded to match accompanying deed.
 - F. All of the above should be signed and sealed by a surveyor, engineer or title attorney.
2. Complete general notes #6 and #8.
3. Correct the property lines to the west to indicate compliance with zoning case #90-294-SPH and the confirmatory deed recorded in Baltimore County Land Records in Liber 8677, Folio 257. This includes the panhandle to what was Lot #1 "Locksley III".
4. Provide tax account numbers for this lot and all lots surrounding this property.

All changes should be listed in a revision block that is dated and placed on this plan.

Any requests for further information from the Zoning Office must include a reference to the minor panhandle file #93-117-MP and written correspondence or revised plans must be accompanied by a copy of these comments.

CAM
CATHERINE A. MILTON
Planner I

cc: zoning file #90-294-SPH

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for November 14, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 150, 153, 154, 155, 156, 158 and 159.

For Item 152, the creation of this lot leaves the 4.939 acre parcel without frontage. Plat 44/09 had previously eliminated frontage of lots east of the panhandle. It appears that a subdivision plat should be prepared for any subsequent division of this tract.

For Item 152, record plat 60/95 identifies Hillside Drive as Hillstead Drive.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500

Paul H. Reincke
Chief

DECEMBER 1, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

RE: Property Owner: ALBERT I. DUNSTAN
Location: E/S OF DUNSTAN LANE
Item No.: 151 Zoning Agenda: NOVEMBER 14, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. PANHANDLE ROAD SHALL BE 16 FEET IN WIDTH WITH HARD SURFACE AND SUPPORT 50,000 LB. FIRE APPARATUS.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Capt. J. Kelly* 12-1-89
Planning Group
Special Inspection Division

Noted and
Approved *Capt. Wm. Brady*
Fire Prevention Bureau

JK/KEK

DEC 05 1989

DEC 27 1989

Vitti, Robel & Associates, Inc.

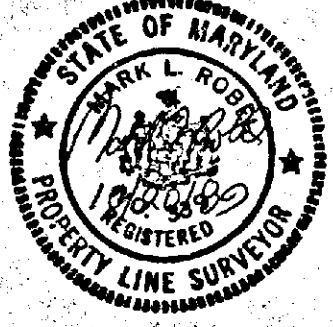
Engineering & Surveying
1717 York Road, Suite 205
Baltimore, Maryland 21204
252-4552

Zoning Description
for a part of
The Dunstan Property
Liber 1850, Folio 341
Tenth, section District
Baltimore, County, Maryland

Beginning for the same at a point, said point being on the East side of Dunstan Lane (50 Foot Right-Of-Way) at a distance of 190 feet more or less South of the centerline intersection of Dunstan Lane and Allendale Court (50 Foot Right-Of-Way), thence:

- #1) North 82 degrees - 47 minutes - 50 seconds East, 279.10 feet more or less, thence;
 - #2) South 25 degrees - 35 minutes - 20 seconds East, 433.12 feet more or less, thence;
 - #3) South 64 degrees - 24 minutes - 40 seconds West, 158.91 feet more or less, thence;
 - #4) North 25 degrees - 35 minutes - 20 seconds West, 485.94 feet more or less, thence;
 - #5) South 82 degrees - 47 minutes - 50 seconds West, 271.25 feet more or less, thence;
 - #6) North 10 degrees - 51 minutes - 50 seconds West, 10.02 feet more or less to the place of beginning.
- Containing 1.74 acres of land more or less.

Being a part of that parcel of land granted and conveyed by Charles W. Lane and Patricia S. Lane, his wife, to Albert I. Dunstan and Sabina B. Dunstan, his wife, in a deed dated June 27, 1950 and recorded among the land records of Baltimore County, Maryland in Liber 1850, Folio 341.



LAW OFFICES

COHAN & FRANCOMANO

A PROFESSIONAL CORPORATION

20 SOUTH CHARLES STREET

SUN LIFE BUILDING

BALTIMORE, MARYLAND 21201-3217

(301) 332-1400

FACSIMILE (301) 332-4078

JUNE 28, 1990

Mr. J. Robert Haines
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Room 109, County Office Building
Towson, Maryland 21204

Re: Case No. 90-294-SPH

Dear Mr. Haines:

The purpose of this letter is to respectfully request an extension to the deadline for filing the deed concerning the above-referenced matter, you imposed pursuant to your order dated March 13, 1990, a copy of which is attached hereto for your convenience.

By virtue of your Order, a deed had to be filed with the Land Records of Baltimore County on or before June 15, 1990 and a copy of a deed and proof of recordation must be provided to you on or before June 25, 1990. On June 14, 1990 you agreed to an extension of the filing of the Deed to July 14, 1990 and copy of a deed and proof of recordation to be filed in your office by July 25, 1990.

However, despite diligent attempts to comply with your Order and extension it has become apparent that we will be unable to do so.

In order to fully understand the circumstances surrounding our second request for an extension, the following will set forth in chronological order the chain of events that has led to the herein requested extension.

On March 13, 1990 you granted the petitioner Albert I. Dunstan and John Trikeriotis the right to combine the proposed 1.74 acre lot, which Mr. Dunstan has agreed to sell to Mr. Trikeriotis along with the 4.939 acre parcel and lot number one owned by Mr. Trikeriotis to create one lot which may not be subdivided. However, as you indicated in your Order of March 13, same was subject to reversal by virtue of the appellate process and the 30 day period for filing of an appeal. Accordingly, Petitioners did

RECEIVED
JUN 29 1990

ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner for Baltimore County
June 28, 1990
Page 2

not begin the necessary preparation for the sale of the property from Mr. Dunstan to Mr. Trikeriotis until April 13, 1990, thirty days after your Order. Immediately after April 13, 1990, Petitioner John Trikeriotis surveyed out the 1.74 acre lot, the 9.99 acre lot, the 4.93 acre lot, lot one and two, and the residual acreage of the Dunstan Farm Property. Once the borders were defined, an application was submitted for a per test. The appropriate authorities were informed and a test was scheduled and performed. Thereafter, a field-built was performed. However, in order to proceed through the subdivision process it is our understanding that approval of the minor subdivision, by the County, will take approximately three to four months. Consequently, in order to proceed through the appropriate channels it will be necessary to have an extension for minimum of one hundred twenty days in order to accomplish the intent of your Order.

Accordingly, with this extension, the proposed lot of 1.74 may be subdivided and sold to Mr. Trikeriotis and then a confirmatory deed may be prepared combining the 1.74 acre lot, 4.939 acre lot and lot number one (2.782 acres) into one lot as indicated on Zoning Commissioner's Exhibit No. 1.

Accordingly, it is hereby respectfully requested that the time for filing the deed with the Land Records be extended to November 15, 1990 with a copy of the deed and proof of recordation being provided to you on or before November 25, 1990.

For your convenience I have prepared a proposed Order for your signature in the event you allow our requested extension.

I trust that in light of the facts set forth herein such an extension will be granted. However, in the event that we have been proceeding under an improper interpretation of your Order, please contact me at your earliest convenience so that the appropriate steps may be taken so that the conditions set forth in your Order may be met.

Please be advised that I am getting married on June 30, 1990 and will not be returning from my honeymoon until July 12, 1990. In the event you must discuss this matter in detail prior to my returning, please do not hesitate to contact either Mr. Trikeriotis at 484-3200 or preferably Mr. Robel, the surveyor who is handling the subdivision for Mr. Trikeriotis. Mr. Robel's telephone number is 252-4552.

Mr. J. Robert Haines
Zoning Commissioner for Baltimore County
June 28, 1990
Page 3

Thank you for your anticipated cooperation with regard to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,
Christopher Trikeriotis
Christopher Trikeriotis

CT/heh
Enclosure
cc: John Trikeriotis
Albert I. Dunstan

IN RE PETITION FOR SPECIAL HEARING:
E/S DUNSTAN LANE, 190'S
OF C/1 ALLENDALE COURT 14900 -
14901 DUNSTAN LANE,
10TH ELECTION DISTRICT,
6TH COUNCILMATIC

* BEFORE THE
* ZONING COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO.: 90-294-SPH

Albert I. Dunstan, et us
Legal Owners
John C. Trikeriotis
Contract Purchaser
Petitioners

ORDER

Upon consideration of Petitioner's Request for an Extension for Filing a Deed pursuant to Zoning Commissioner J. Robert Haines' Order dated March 13, 1990, it is this 2nd day of July, 1990, by the Zoning Commissioner of Baltimore County:

ORDERED that the time for filing a deed with the Land Records of Baltimore County pursuant to Order dated March 13, 1990 is hereby extended to November 15, 1990; and be it

FURTHER ORDERED that the time for filing a copy of a deed and proof of recordation with the Zoning Commissioner's Office is hereby extended to November 25, 1990.

J. Robert Haines
J. Robert Haines
Zoning Commissioner for
Baltimore County

4:\pleach\zoning-1t

IN RE PETITION FOR SPECIAL HEARING:
E/S DUNSTAN LANE, 190'S
OF C/1 ALLENDALE COURT 14900 -
14901 DUNSTAN LANE,
10TH ELECTION DISTRICT,
6TH COUNCILMATIC

* BEFORE THE
* ZONING COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO.: 90-294-SPH

Albert I. Dunstan, et us
Legal Owners
John C. Trikeriotis
Contract Purchaser
Petitioners

ORDER

Upon consideration of Petitioner's Request for an Extension for Filing a Deed pursuant to Zoning Commissioner J. Robert Haines' Orders dated July 2, 1990, it is this 13th day of December, 1990 by the Zoning Commissioner of Baltimore County:

ORDERED that the time for filing a deed with the Land Records of Baltimore County pursuant to Order dated July 2, 1990, is hereby extended to December 20, 1990; and be it

FURTHER ORDERED that the time for filing a copy of a deed and proof of recordation with the Zoning Commissioner's Office is hereby extended to December 30, 1990.

J. Robert Haines
J. Robert Haines
Zoning Commissioner for
Baltimore County

4:\pleach\zoning-1t

LAW OFFICES

COHAN & FRANCOMANO

A PROFESSIONAL CORPORATION

20 SOUTH CHARLES STREET

SUN LIFE BUILDING

BALTIMORE, MARYLAND 21201-3217

TELEPHONE (301) 332-1400

FACSIMILE (301) 332-4078

DECEMBER 6, 1990

CHRISTOPHER TRIKERIOTIS

Mr. J. Robert Haines
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 90-294-SPH

Dear Mr. Haines:

Enclosed please find for your review a Redefinition Deed which we propose to file with the Land Records of Baltimore County with regard to the above-referenced case. Please advise if this is acceptable to you and in accordance with your ruling of March 13, 1990.

Pursuant to the Order dated July 2, 1990 an extension of time for filing the deed was granted to November 15, 1990. However, in order to effectively prepare the Redefinition Deed so as to avoid the future challenge of marketable title, we were unable to meet the November 15, 1990 deadline.

Accordingly, I respectfully request that one last extension be allowed for filing the Redefinition Deed with the Land Records of Baltimore County until December 20, 1990. In accordance with this request I have enclosed a proposed Order for your signature in anticipation that the request is granted. As can be seen by the enclosed executed Deed, we are prepared to file same as soon as the requested extension is granted. Without this extension, a cloud will appear on the title, which would have the effect of rendering all of our efforts futile.

I hope that you will take into consideration our diligent efforts to prepare a concise and effective Deed in order to avoid future potential complications and, in light of same, grant the extension of time for filing.

RECEIVED
DEC 7 1990

ZONING OFFICE

Mr. J. Robert Haines
December 6, 1990
Page -2-

Thank you again for your anticipated cooperation with regard to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,
Christopher Trikeriotis
Christopher Trikeriotis

CT:k14
Enclosures
cc: Mr. John Trikeriotis
Mr. Albert I. Dunstan

CONFIRMATORY DEED -- FEE SIMPLE -- INDIVIDUAL GRANTOR -- LONG FORM

THIS REDEFINITION DEED, MADE THIS 29th day of November, 1990, by and between ALBERT I. DUNSTAN and SABINA B. DUNSTAN, his wife, of Baltimore County, State of Maryland parties of the first part, and JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, That in consideration of the sum of Thirty Thousand Dollars (\$30,000.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey to the said JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, his wife, as tenants by the entireties, their assigns and unto the survivor of them, his or her heirs, personal representatives and assigns, in fee simple, all that lot of ground situated in Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the first being known and designated as Lot 1 (2.782 acres +/-) as shown on a plat entitled, "Locksley III" which plat is recorded among the Land Records of Baltimore County, Plat Book 44, Page 9.

BEGINNING for the second and being known and designated as 4.939 acres, which parcel of land is described as follows:

beginning for the same at a concrete monument heretofore set at the beginning of the North 29 degrees 45 minutes 20 seconds West 86.82 foot line of Lot 1 as shown on the plat of Locksley III which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. No. 44, Folio 9, said concrete monument also being distant South 60 degrees 14 minutes 40 seconds West 20 feet from a pipe heretofore set in the fifth or South 29 degrees 45 minutes 20 seconds East 1008.32 foot line of a parcel of land containing 91.98 Acres more or less described in a deed dated June 27, 1950 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1850 folio 341 from Charles W. Lane and wife to Albert I. Dunstan and wife, said pipe being distant South 29 degrees 45 minutes 20 seconds East 141.00 feet measured along said fifth line from the beginning thereof and running thence from said place of beginning and binding on the lot lines of said Lot No. 1, the three following courses and distances viz: North 29 degrees 45 minutes 20 seconds West 86.82 feet, North 72 degrees 40 minutes 20 seconds West 87.63 feet and North 25 degrees 35 minutes 20 seconds West 1146.90 feet, thence leaving said lot lines and running for lines of division through the lands of Albert I. Dunstan and wife, the two following courses and distances viz: South 64 degrees 24 minutes 40 seconds West 158.91 feet and South 25 degrees 35 minutes 20 seconds East 1309.87 feet to a concrete monument heretofore set at the beginning of the North 60 degrees 14 minutes 40 seconds East 230.00 foot line of said Lot 1 and thence running with and binding on said line, North 60 degrees 14 minutes 40 seconds East 230.00 feet to the place of beginning.

Containing 4.939 acres of land more or less.

BEING two of three parcels of land which deed dated August 21, 1980, and recorded among the Land Records of Baltimore County in Liber 6199 Folio 042, were conveyed by Albert I. Dunstan and Sabina B. Dunstan to John C. Trikeriotis and Beverly A. Trikeriotis.

BEGINNING for the third and being known and designated as the same at a point on the easternmost right-of-way

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Albert I. Dunstan	14900 Dunstan Lane, Monkton
John C. Trikeriotis	14901 Dunstan Lane, Monkton
Christopher Trikeriotis	21 Warren Park Dr., 21111
Beverly A. Trikeriotis	Art-C-3 Bldg MD 21208
MAA L. ROSEL	14901 Dunstan Lane, Monkton 21111
	SUITE 2B (1717 YORK ROAD)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 1-5-90

Charles J. Piven, Esq.
1230 Sun Life Building
Baltimore, Maryland 21201

Re: Petition for Special Hearing
CASE NUMBER: 90-294-SH
E/S Dunstan Lane, 190' S of c/l Allendale Court
10th Election District - 8th Councilmanic
Petitioner(s): Albert I. Dunstan, et ux & John C. Trikeriotis
HEARING: MONDAY, JANUARY 22, 1990 at 9:30 a.m.

Dennis P. Remussen
County Executive

Dear Mr. Piven:

Please be advised that \$153.64 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
No. 1063
90-294-SH

Date: 1/22/90
PUBLIC HEARING FEES
080 - POSTING SIGNS / ADVERTISING: 153.64
LAST NAME OF OWNER: DUNSTAN
TOTAL: \$153.64

Customer Validation: B 0013*****15364 6225F
Please make checks payable to Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

December 12, 1989

NOTICE OF HEARING

Dennis P. Remussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 109 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-294-SH
E/S Dunstan Lane, 190' S of c/l Allendale Court
10th Election District - 8th Councilmanic
Petitioner(s): Albert I. Dunstan, et ux & John C. Trikeriotis
HEARING: MONDAY, JANUARY 22, 1990 at 9:30 a.m.

Special Hearing: A creation of a parcel of land (1.74 acres more or less) in a RC-2 zone whereas the owner (Mr. Dunstan) has previously used his division rights. The grantee (Mr. Trikeriotis) who is an adjoining neighbor and has the right to further subdivide his property, would be willing to give up this right to accomplish this subdivision. (Transfer of a density unit from Lot 2 Plat 44/09).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3351 to confirm hearing date.)

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Albert I. Dunstan
John C. Trikeriotis
Charles J. Piven, Esq.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10.24 Date of Posting: 1/1/90
Posted for: Special Hearing
Petitioner: Albert I. Dunstan, et ux & John C. Trikeriotis
Location of property: E/S Dunstan Lane, 190' S of Allendale Ct.
Location of Sign: Located on the east side of Dunstan Lane, across S. on road, at 1/2 S. of N. on the way to property.
Remarks:
Posted by: M. H. Haines Date of return: 1/5/90
Number of Signs: 1

This Deed, MADE THIS 21st day of August

by the one thousand nine hundred and EIGHTY by and between
ALBERT I. DUNSTAN and SABINA B. DUNSTAN, HIS WIFE, OF BALTIMORE COUNTY, STATE OF MARYLAND, PARTIES

of the first part, and
JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, HIS WIFE OF BALTIMORE COUNTY, STATE OF MARYLAND, PARTIES
of the second part.

WHEREAS THE ACTUAL CONSIDERATION PAID OR TO BE PAID IS \$50,000.00
WITNESSETH, That in consideration of the sum of FIVE DOLLARS (\$5.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED,

the said PARTY OF THE FIRST PART

does grant and convey to the said JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, HIS WIFE, AS TENANTS BY THE ENTIRETIES, THEIR ASSIGNS AND UNTO THE SURVIVOR OF THEM, HIS OR HER HEIRS

personal representatives and assigns, in fee simple, all
THAT lot of ground situated in BALTIMORE COUNTY, STATE OF MARYLAND, and described as follows, that is to say:

BEGINNING FOR THE FIRST AND SECOND AND BEING KNOWN AND DESIGNATED AS LOT 1 (2.782 ACRES +/-) AND LOT 2 (3.113 ACRES +/-) AS SHOWN ON A PLAT ENTITLED, "LOCKSEY III", WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 44, PAGE 9.

BEGINNING FOR THE THIRD AND BEING KNOWN AND DESIGNATED AS 4.939 ACRES, WHICH PARCEL OF LAND, IS DESCRIBED AS FOLLOWS:

(SEE "SCHEDULE A" ATTACHED HERETO AND MADE A PART HEREOF)

TOGETHER WITH THE USE IN COMMON WITH OTHERS ENTITLED THERETO OF AN EXISTING TWENTY (20) FOOT WIDE RIGHT-OF-WAY LEADING TO DUNSTAN LANE AS SHOWN ON THE AFORESAID PLAT OF LOCKSEY III.

CERTIFICATE OF PUBLICATION

TOWSON, MD. December 28, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec 27, 1989.

TOWSON TIMES,

S. Zebe Orlan
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 109 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Hearing
CASE NUMBER: 90-294-SH
E/S Dunstan Lane, 190' S of c/l Allendale Court
10th Election District - 8th Councilmanic
Petitioner(s): Albert I. Dunstan, et ux & John C. Trikeriotis
HEARING: MONDAY, JANUARY 22, 1990 at 9:30 a.m.
Special Hearing: A creation of a parcel of land (1.74 acres more or less) in a RC-2 zone whereas the owner (Mr. Dunstan) has previously used his division rights. The grantee (Mr. Trikeriotis) who is an adjoining neighbor and has the right to further subdivide his property, would be willing to give up this right to accomplish this subdivision. (Transfer of a density unit from Lot 2 Plat 44/09).

IN PHASE II of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3351 to confirm hearing date.

J. Robert Haines
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204
887-3353

December 14, 1990

Christopher Trikeriotis, Esquire
Cohan & Franco
20 S. Charles Street
Baltimore, Maryland 21201-3217

RE: Petition for Special Hearing
E/S Dunstan Lane, 190' S of c/l Allendale Court
(14900 - 14901 Dunstan Ave)
10th Election District - 8th Councilmanic District
Albert I. Dunstan, et ux Petitioners
Case No. 90-294-SH

Dear Mr. Trikeriotis:

Enclosed please find a copy of the executed Order granting you an extension of until December 30, 1990 in which to comply with the Order issued July 2, 1990 in the above-captioned matter.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Case File

LAWS OFFICES
COHAN & FRANCOMANO
A PROFESSIONAL CORPORATION
20 SOUTH CHARLES STREET
SUN LIFE BUILDING
BALTIMORE, MARYLAND 21201-3217

December 27, 1990

RECEIVED
DEC 31 1990
ZONING OFFICE

Via UPS Overnight

Mr. J. Robert Haines
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 90-294-SH

Dear Mr. Haines:

Enclosed is a certified copy of the Redefinition Deed with regard to the above-captioned matter. Said Deed was filed with the Land Records of Baltimore County on December 19, 1990 in compliance with your Order dated December 13, 1990.

In further compliance with your Order, I am providing you with the certified copy of the filed deed before the December 30, 1990 deadline imposed by you.

Thank you for your cooperation and guidance with regard to this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Christopher Trikeriotis
Christopher Trikeriotis

CT:kli

Enclosure

cc: Mr. John Trikeriotis

TELEPHONE
(410) 582-1400
FACSIMILE
(410) 582-4079

RECEIVED JAN 1 1991

PETITIONER'S
EXHIBIT 3

LIBER 8677 PAGE 2

CONFIRMATORY DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

THIS REDEFINITION DEED, MADE THIS 29th day of November, 1990, by and between ALBERT I. DUNSTAN and SABINA B. DUNSTAN, his wife, of Baltimore County, State of Maryland, parties of the first part, and JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, That in consideration of the sum of Thirty Thousand Dollars (\$30,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey to the said JOHN C. TRIKERIOTIS and BEVERLY A. TRIKERIOTIS, his wife, as Tenants by the Entireties, their assigns and unto the survivor of them, his or her heirs, personal representatives and assigns, in fee simple, or her heirs, personal representatives and assigns, in fee simple, all that lot or ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the First being known and designated as Lot 1, (2.782 acres +/-) as shown on a plat entitled, 'Locksley III', which plat is recorded among the Land Records of Baltimore County, Plat Book 44, Page 9.

BEGINNING for the Second land being known and designated as follows:

Beginning for the same at a concrete monument heretofore set at the beginning of the North 29 degrees 45 minutes 20 seconds West 86.63 foot line of Lot 1 as shown on the plat of Locksley III which plat is recorded among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. No. 44, Folio 9, said concrete monument also being 20 feet from a pipe heretofore set in the fifth or South 29 degrees 45 minutes 20 seconds East 1008.32 foot line of said parcel of land containing 91.98 acres more or less described in a deed dated June 27, 1950 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1850 Folio 341 from Charles W. Lane and wife to Albert I. Dunstan and wife, said pipe being distant to the said fifth line from the beginning thereof measured along said fifth line from the beginning thereof and running thence from said place of beginning and binding on the lot lines of said Lot No. 1, the three following courses and distances viz: North 29 degrees 45 minutes 20 seconds West 86.63 feet, North 29 degrees 45 minutes 20 seconds West 1146.90 feet, thence degrees 35 minutes 20 seconds West 158.91 feet and South 25 degrees 35 minutes 20 seconds East 1309.87 feet to a concrete monument heretofore set at the beginning of the North 60 degrees 14 minutes 40 seconds East 230.00 foot line of said Lot 1 and thence running with and binding on said line, North 60 degrees 14 minutes 40 seconds East 230.00 feet to the place of beginning.

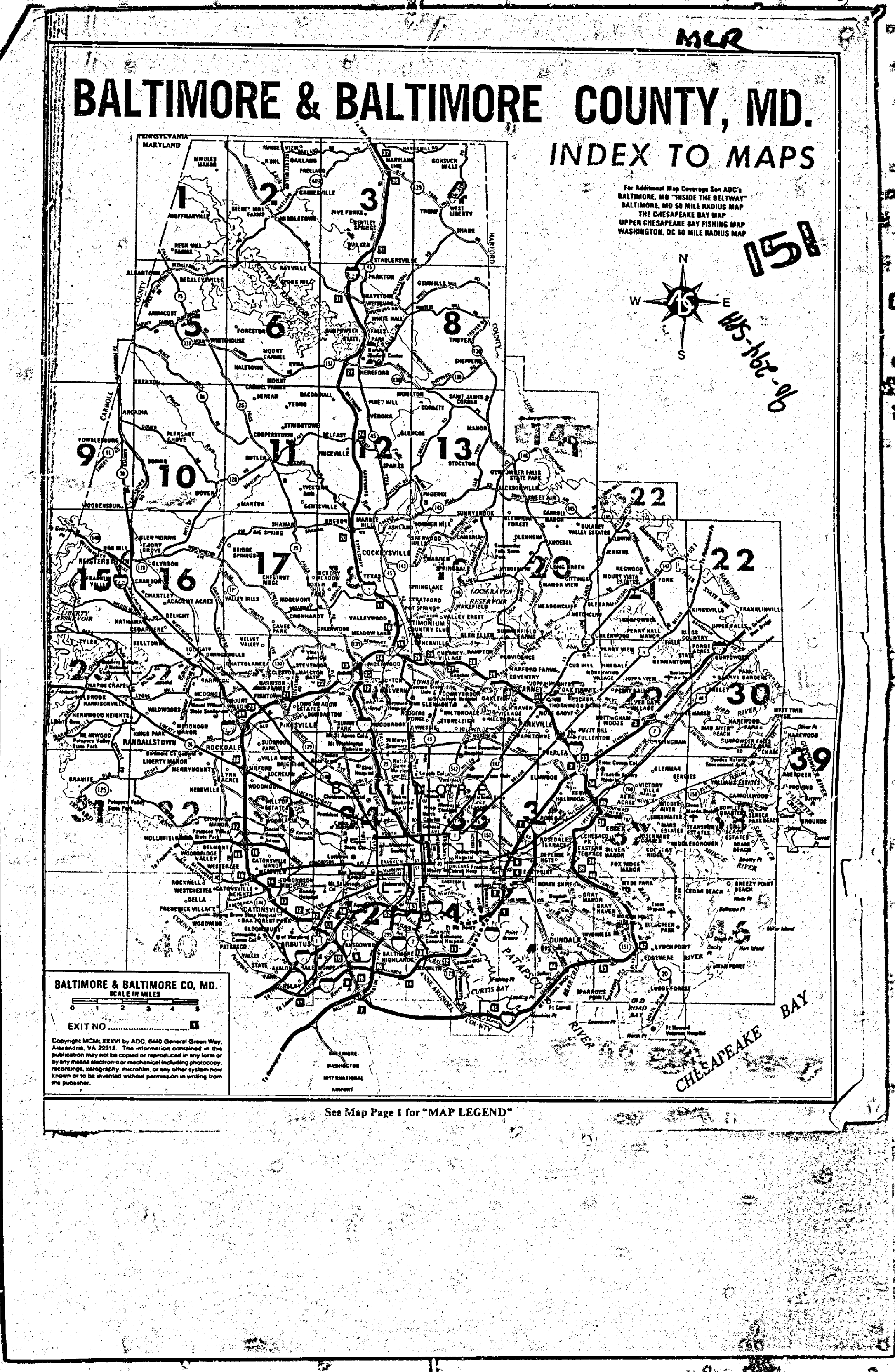
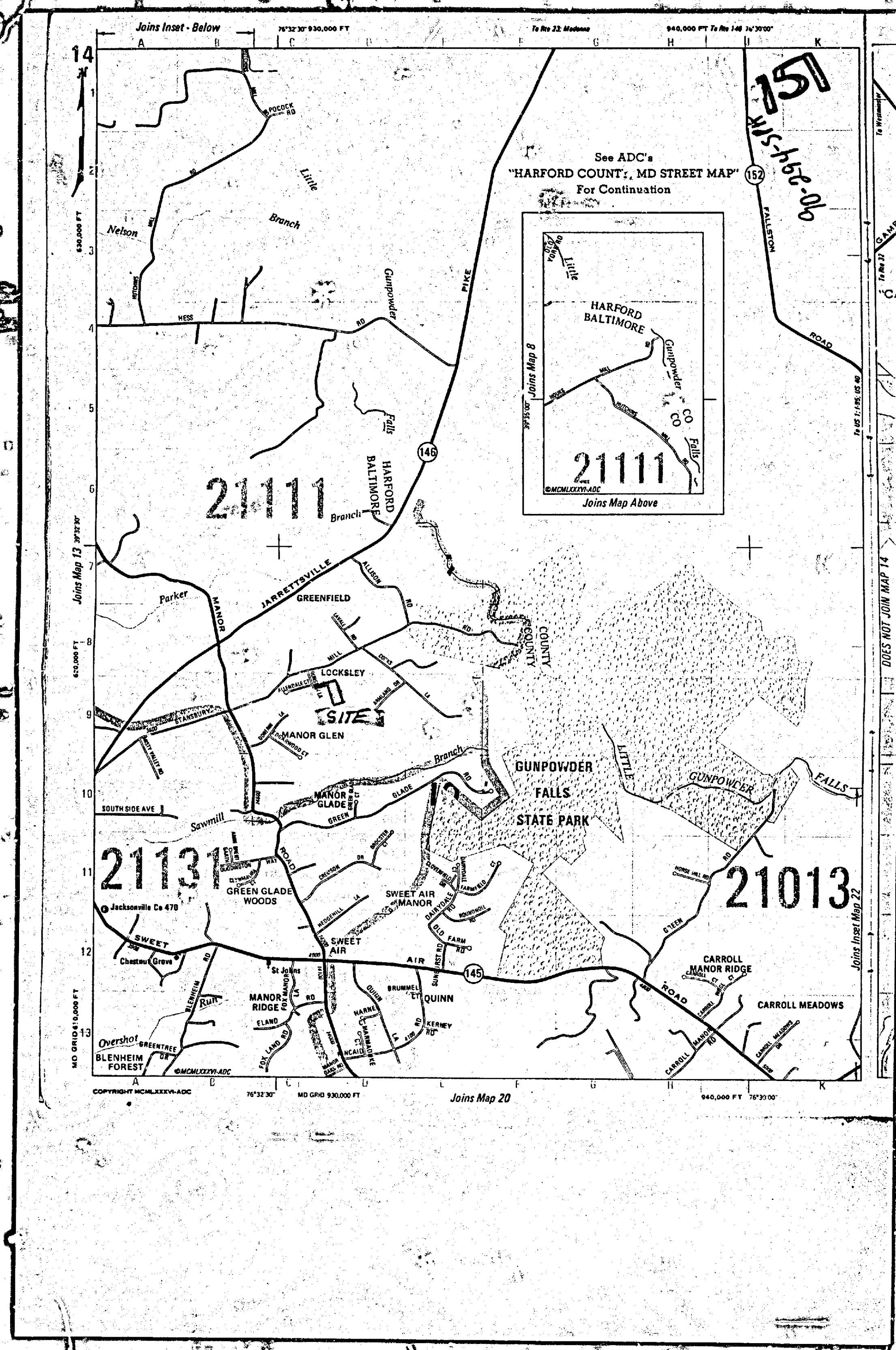
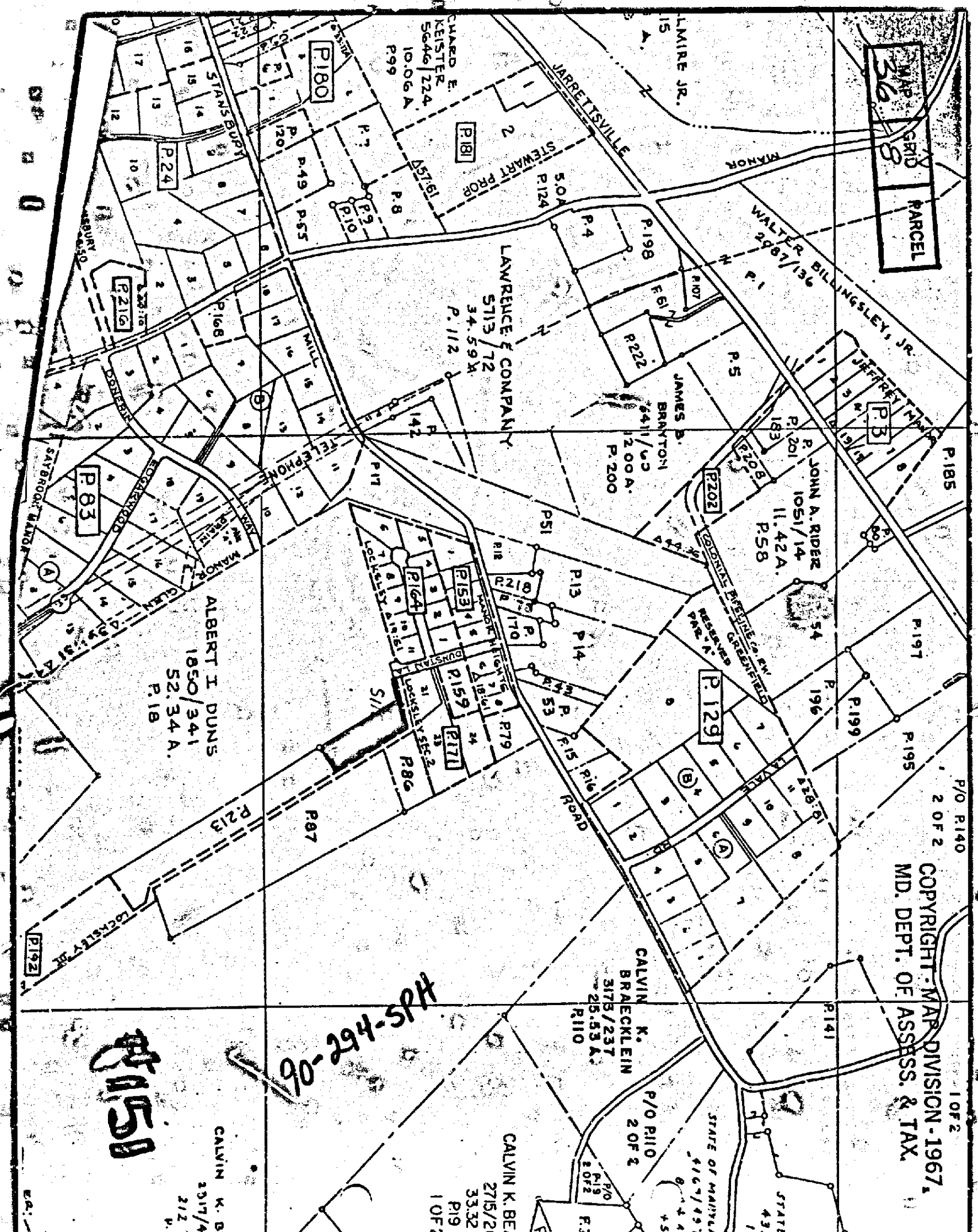
Containing 4.939 acres of land more or less.

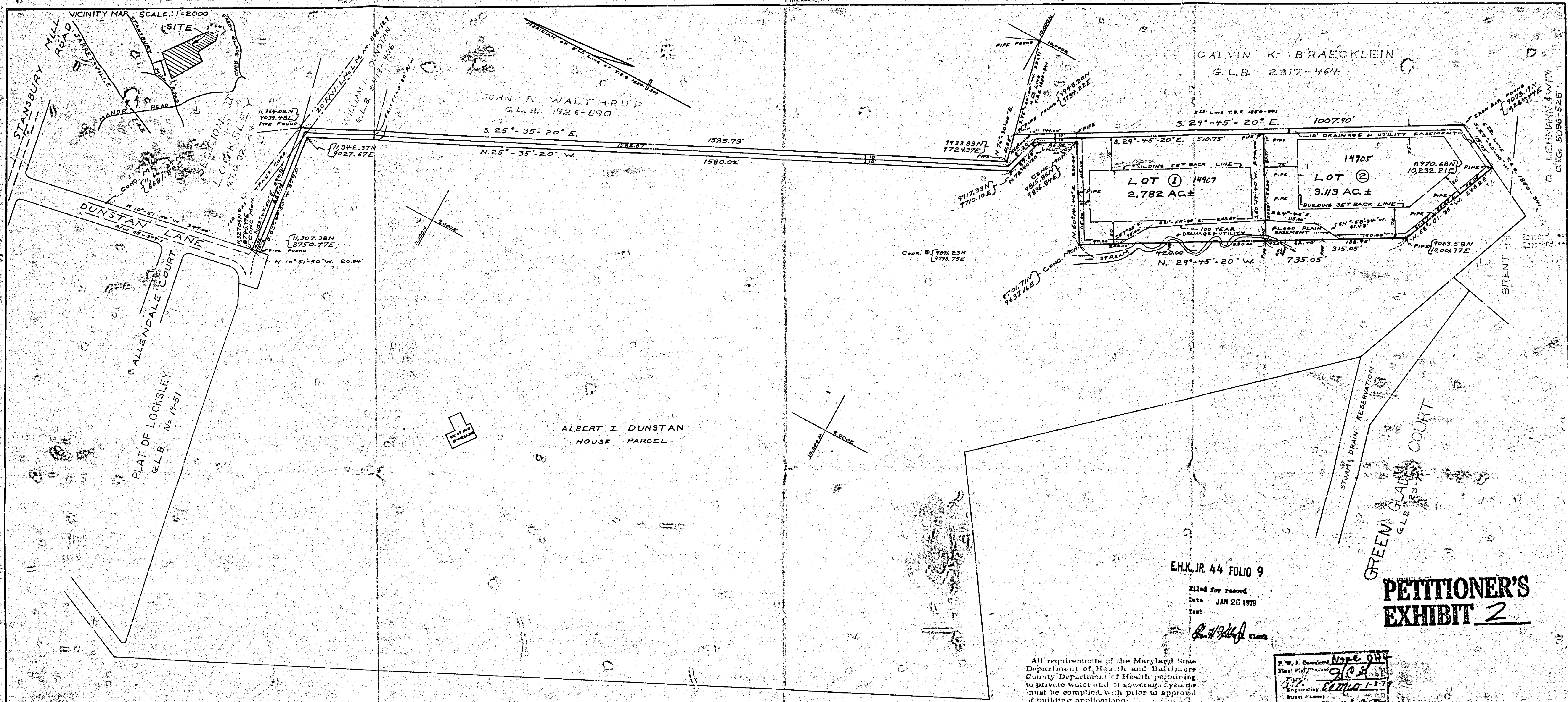
BEING two of three parcels of land which deed dated August 21, 1980 and recorded among the Land Records of Baltimore County in Liber 6199 Folio 042 were conveyed by Albert I. Dunstan and Sabina B. Dunstan to John C. Trikeriotis and Beverly A. Trikeriotis.

BEGINNING for the Third and being known and designated as the same at a point on the easternmost right-of-way for transfer

AGRICULTURAL TRANSFER TAX NOT APPLICABLE

SIGNATURE DATE 11/29/90





HIGHWAY AND HIGHWAY WIDENING - SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTO. CO. MD. THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS, SHALL CONVEY SAID AREAS, BY DEED, TO BALTO. CO. MD. AT NO COST.

"LOCKSLEY III"

LOCATED IN
10TH DISTRICT - BALTIMORE CO. MARYLAND
SCALE: 1"=100' DEC. 1, 1978

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and/or sewerage systems must be complied with prior to approval of building applications.

By W. H. Cross	None
Final Plat	9/24
By	9/24
Engineering	9/24
Street Name	9/24
Home No.	9/24

PETITIONER'S EXHIBIT 2

NOTES:
ZONED RC2
GROSS AREA 62.8 ACRES
NO. OF LOTS - 2
DENSITY 0.03
AREA OF LOT No. 1+2 = 5.895 ACRES ±
NO PUBLIC WATER - NO PUBLIC SEWER

I.D.C.A. No. 77-90 APPROVED AUG. 25, 1978 DEED REF: T.B.S. No. 1850-34

SURVEYOR'S CERTIFICATE: I, JOHN FRANCIS ETZEL, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN Laid Out AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL NO. 459, CH. 106 OF THE ACTS OF 1946 AND SUBSEQUENT ACTS AMENDATORY THERE TO. John F. Etzel DEC. 12, 1978 REG. PROF. LAND SURVEYOR #2882 DATE	OWNER'S CERTIFICATE: THE REQUIREMENTS OF SECTION 59 TO 62, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND 1957 EDITION (TITLE: CLERKS OF THE COURT SUBTITLE: CLERKS OF THE COURT) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. ALBERT I. DUNSTAN 1900 DUNSTAN LANE MONTGOMERY, MD. 20811 Bill Dunstan 22 Dec. 1978 OWNER DATE	NOTES: STREETS AND/OR ROADS SHOWN HEREON AND 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 LOTS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS. THE COORDINATES SHOWN ON THIS PLAT ARE BASED ON AN ASSUMED SYSTEM.	HIGHWAY'S DEPARTMENT OF BALTO. CO. APPROVED FOR STREET ALIGNMENT, LOCATION 11/5/79 ROADS ENSURED APPROVED FOR BALTO. CO. HEALTH DEPT. 11/9/79 DEPUTY STATE COMMISSIONER DATE APPROVED FOR BALTO. CO. PLANNING BD. 11/11/79 DIRECTOR DATE		GERHOLD, CROSS & ETZEL REGISTERED LAND SURVEYORS 412 DELAWARE AVE. TOWSON, MD. 21204 #90-209-SPH 44-9
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NOTE: TOPOGRAPHY SHOWN HEREON IS BASED ON 200 SCALE BALTIMORE COUNTY AERIAL PHOTOGRAMMETRY.

NOTE: THE BOUNDARIES SHOWN HEREON ARE BASED ON PLATS AND DEEDS OF RECORD AND ARE SUBJECT TO AN ACTUAL FIELD SURVEY.

NOTE: THE PROPOSED LOT IS INTENDED TO BE IMPROVED BY A SINGLE INDIVIDUAL DWELLING.

CALVIN K. BRAECKLEIN
2317/484
ZONED RC-2

20' R/W ACCORDING TO DEED & AGREEMENT WITH MARYLAND GAS TRANSMISSION CORP. (L.M. 868/129)

EXIST. 1 1/2 STORY (BRICK & FRAME) DWLG. #14901

JOHN TRIKERIOTIS
5966/885
(9.993 AC±)
ZONED RC-2

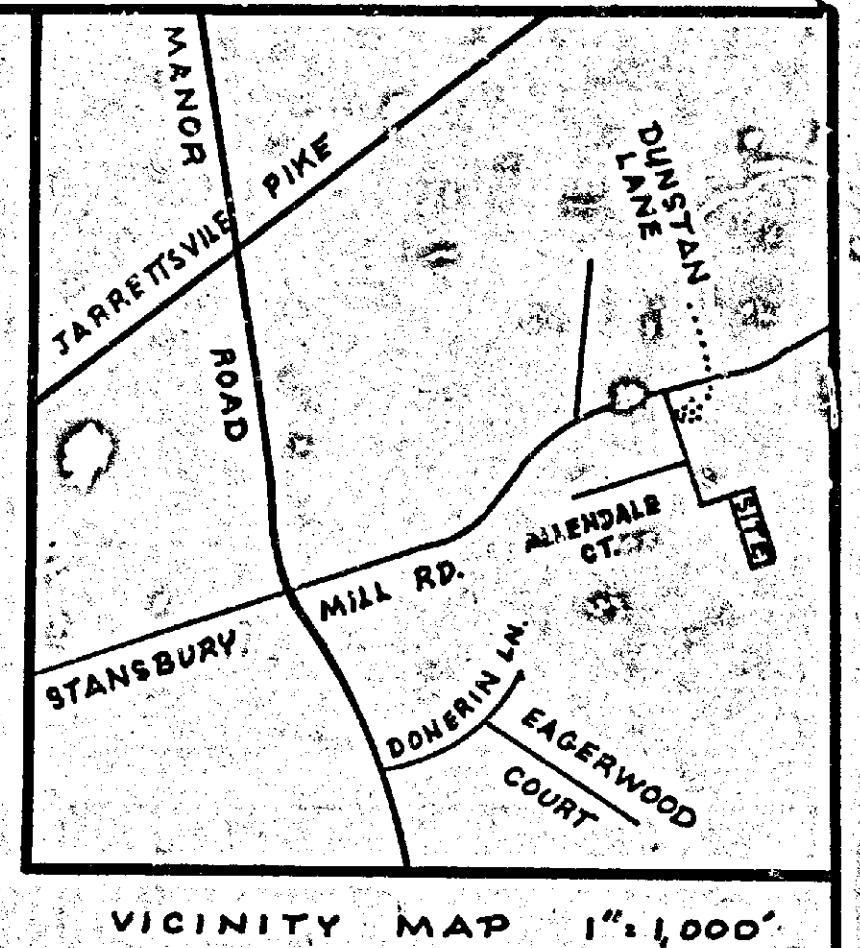
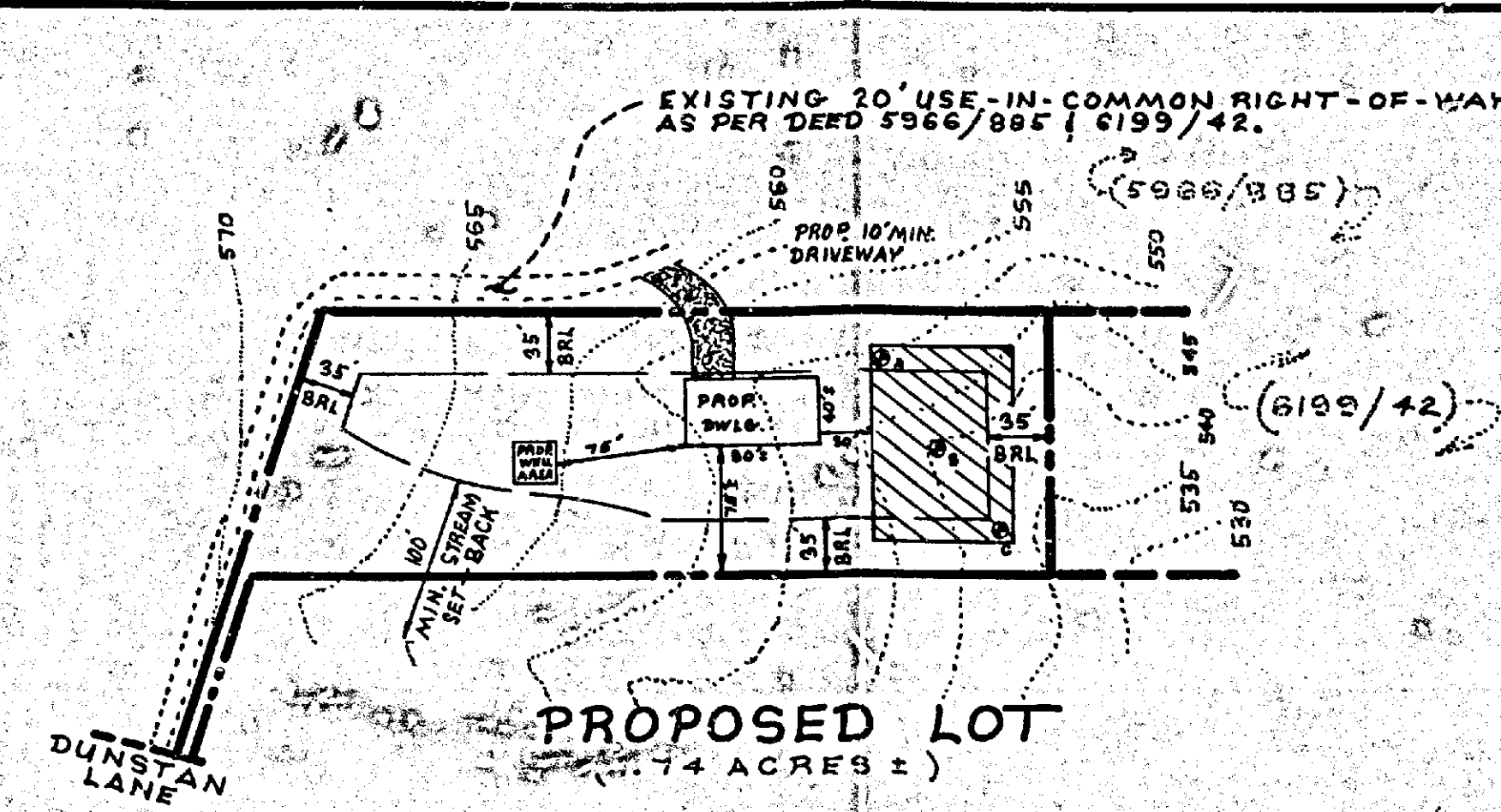
THIS PARCEL OF LAND WAS CREATED ON NOV. 28, 1978.

JOHN TRIKERIOTIS
6199/042
(4.939 AC±)
ZONED RC-2

THIS PARCEL OF LAND WAS CREATED ON AUGUST 21, 1980.

ALBERT I. DUNSTAN
1850/341
ZONED RC-2
57.34 AC±
NR
11/21/89

EXISTING DWLG.



DENOTES 10,000 SQ. FT. SEWAGE DISPOSAL AREA.
PROPOSED BUILDING TO BE A SINGLE INDIVIDUAL DWELLING UNIT.

THIS PLAT WAS RECORDED APRIL 4, 1967.

SECTION II "LOCKLEY" 32/24 ZONED RC-5

PROPOSED LOT (73,024 SQUARE FEET) 1.74 ACRES± ZONED RC-2

"LOCKLEY III" EHKJ 44/09 THIS PLAT WAS RECORDED JANUARY 26, 1979. (3.113 AC±) #14905 ZONED RC-2

(2.782 AC±) #14907 ZONED RC-2

PETITIONER'S EXHIBIT 1

VITTI, ROBEL & ASSOCIATES, INC.
1717 YORK RD. SUITE 2B
LUTHERVILLE, MARYLAND 21093
TELEPHONE: 252-4652

TAX MAP 36 - PARCEL #13

PLAT FOR SPECIAL HEARING

PROPOSED GRANTOR - ALBERT I. DUNSTAN
PROPOSED GRANTEE - JOHN C. TRIKERIOTIS
BEVERLY A. TRIKERIOTIS

10TH ELECTION DISTRICT ZONED RC-2
BALTIMORE COUNTY MARYLAND

DEED REFERENCE (GRANTOR)..... 1850/4
DEED REFERENCE (GRANTEE)..... 5966/885
PLAT REFERENCE (GRANTEE)..... 44/09
SCALE: 1" = 100' DATE: SEPT. 20, 1989

PROPOSED LOT SIZE: 1.68 AC±
(PRIVATE WATER) (PRIVATE SEWER)
THIS PROPERTY IS NOT IN THE CRITICAL AREA.

OWNER
ALBERT I. DUNSTAN
14900 DUNSTAN LANE
MONKTON, MD. 21111

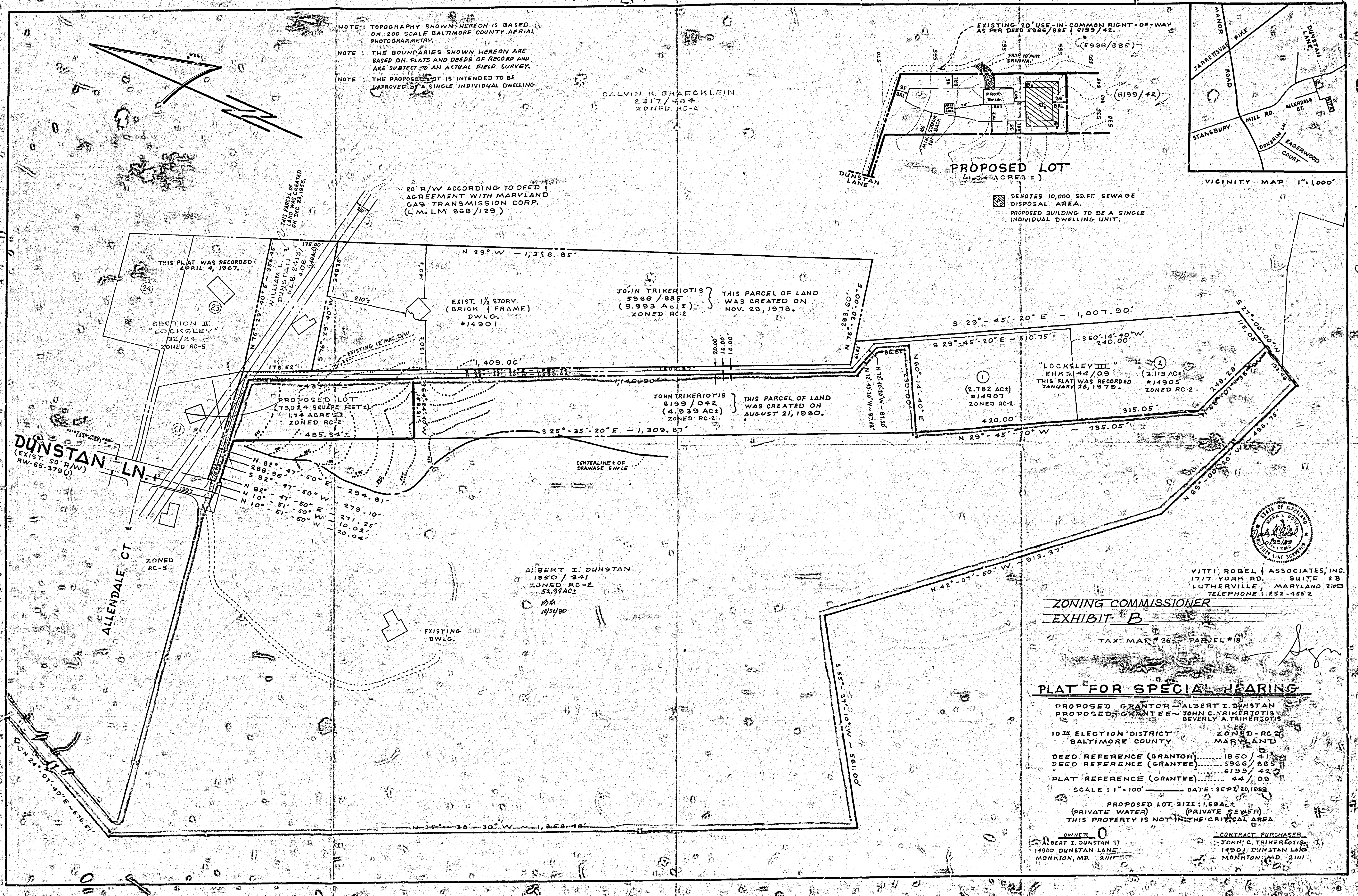
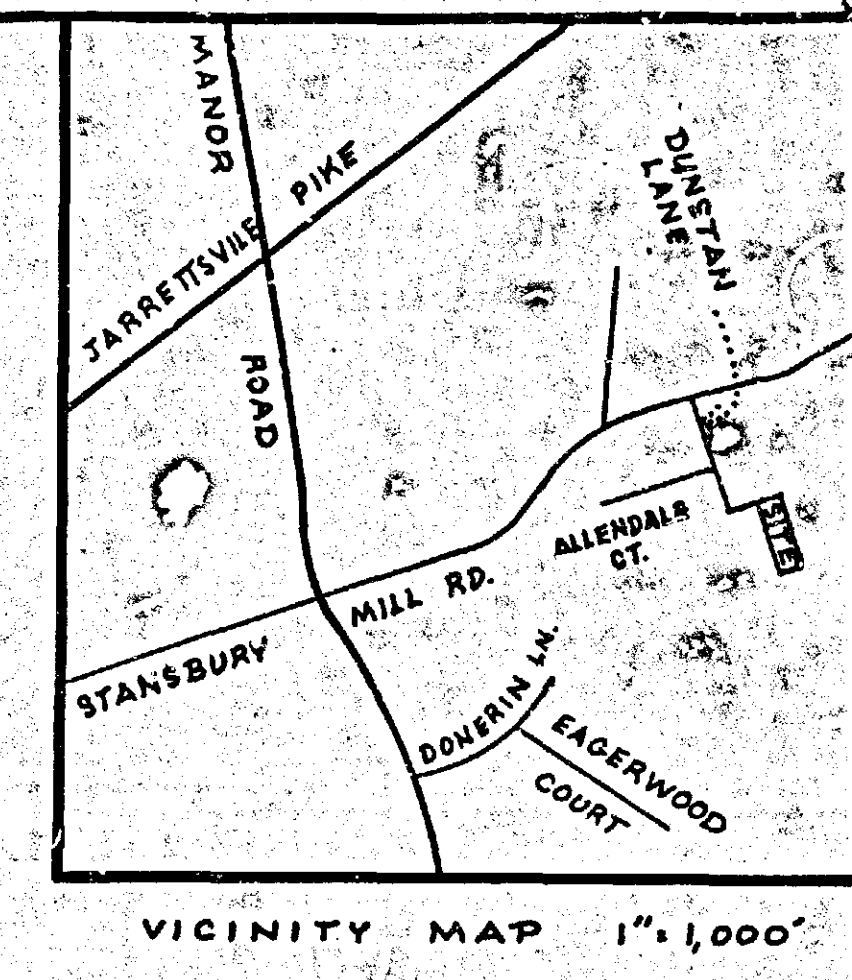
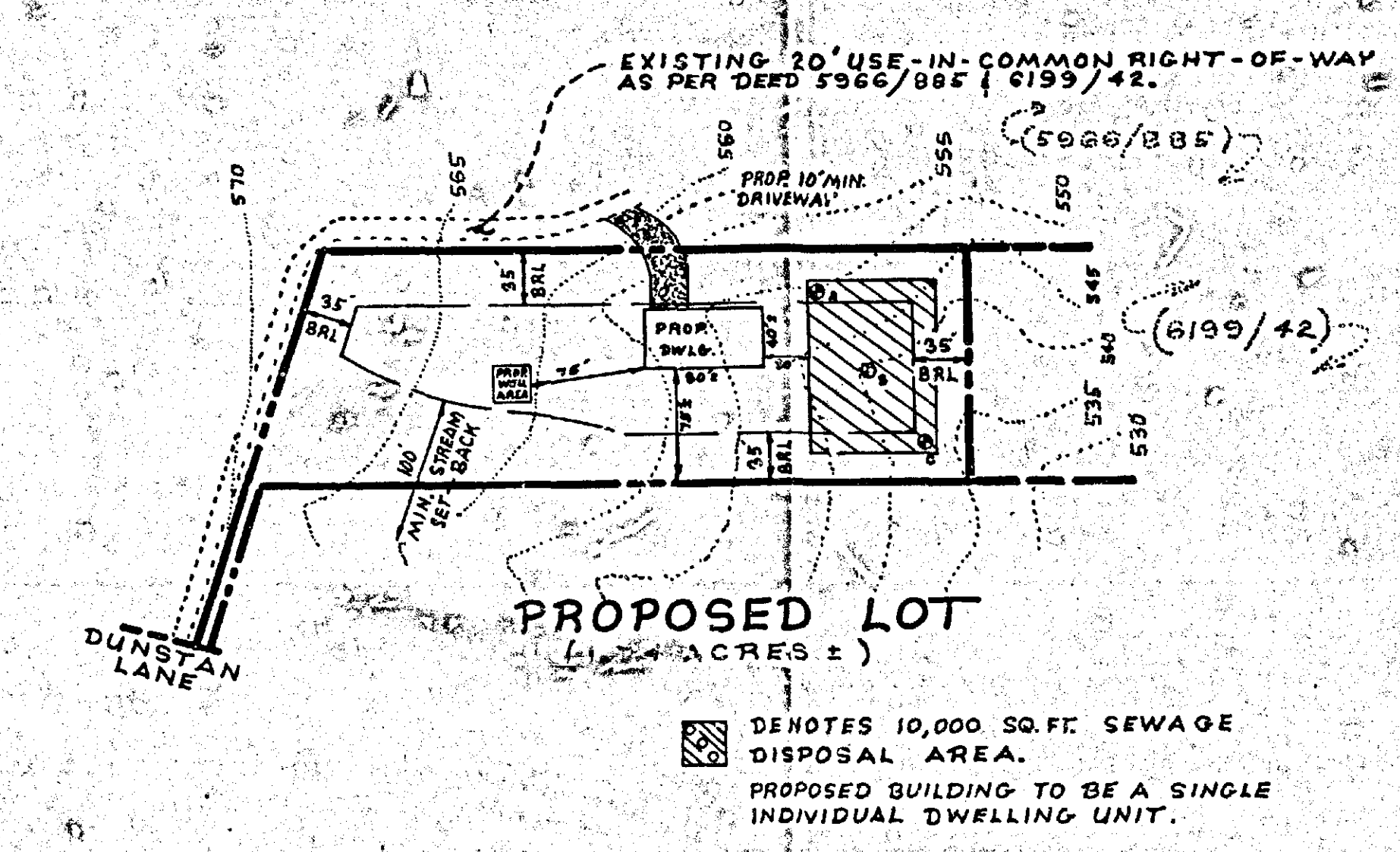
CONTRACT PURCHASER
JOHN C. TRIKERIOTIS
14901 DUNSTAN LANE
MONKTON, MD. 21111

NOTE: TOPOGRAPHY SHOWN HEREON IS BASED ON 1:200 SCALE BALTIMORE COUNTY AERIAL PHOTOGRAMMETRY.

NOTE: THE BOUNDARIES SHOWN HEREON ARE BASED ON PLATS AND DEEDS OF RECORD AND ARE SUBJECT TO AN ACTUAL FIELD SURVEY.

NOTE: THE PROPOSED LOT IS INTENDED TO BE IMPROVED BY A SINGLE INDIVIDUAL DWELLING.

CALVIN K. BRAECKLEIN
2317/484
ZONED RC-2



ZONING COMMISSIONER
EXHIBIT B

TAX MAP # 36 PARCEL # 18

PLAT FOR SPECIAL HEARING

PROPOSED GRANTOR - ALBERT I. DUNSTAN
PROPOSED GRANTEE - JOHN C. TRIKERIOTIS
BEVERLY A. TRIKERIOTIS

10th ELECTION DISTRICT BALTIMORE COUNTY ZONED-RC2 MARYLAND

DEED REFERENCE (GRANTOR)..... 1850 / 41
DEED REFERENCE (GRANTEE)..... 5966 / 885
PLAT REFERENCE (GRANTEE)..... 6199 / 42

SCALE: 1"=100' DATE: SEPT. 20, 1989

PROPOSED LOT SIZE: 1.68 AC. ±
(PRIVATE WATER) (PRIVATE SEWER)
THIS PROPERTY IS NOT IN THE CRITICAL AREA.

OWNER: ALBERT I. DUNSTAN 1) 14900 DUNSTAN LANE MONKTON, MD. 21111

CONTACT PURCHASER: JOHN C. TRIKERIOTIS 1) 14901 DUNSTAN LANE MONKTON, MD. 21111

NOTE: TOPOGRAPHY SHOWN HEREON IS BASED ON 200 SCALE BALTIMORE COUNTY AERIAL PHOTOGRAMMETRY.

NOTE: THE BOUNDARIES SHOWN HEREON ARE BASED ON DEEDS AND DEEDS OF RECORD AND ARE SUBJECT TO AN ACTUAL FIELD SURVEY.

NOTE: THE PROPOSED LOT IS INTENDED TO BE IMPROVED BY A SINGLE INDIVIDUAL DWELLING.

CALVIN K. BRAECKLEIN
2317/1164
ZONED RC-2

20' R/W ACCORDING TO DEED & AGREEMENT WITH MARYLAND GAS TRANSMISSION CORP. (L.M. 868/129.)

EXIST. 1 1/2 STORY
(BRICK FRAME)
DWLG.
#14901

JOHN TRIKERIOTIS
5966/885
(9.993 AC ±)
ZONED RC-2

THIS PARCEL OF LAND
WAS CREATED ON
NOV. 28, 1978.

JOHN TRIKERIOTIS
6199/042
(4.939 AC ±)
ZONED RC-2

THIS PARCEL OF LAND
WAS CREATED ON
AUGUST 21, 1980.

ALBERT I. DUNSTAN
1850/341
ZONED RC-2
52.34 AC ±
10/30/80

EXISTING
DWLG.

EXISTING 20' USE-IN-COMMON RIGHT-OF-WAY
AS PER DEED 5966/885 (6199/42)

PROPOSED LOT
(1.74 ACRES ±)

DENOTES 10,000 SQ. FT. SEWAGE
DISPOSAL AREA.
PROPOSED BUILDING TO BE A SINGLE
INDIVIDUAL DWELLING UNIT.

VICINITY MAP 1"=1,000'

THIS PLAT WAS RECORDED
APRIL 4, 1967.

SECTION II
"LOCKLEY"
32/24
ZONED RC-5

DUNSTAN LN.
(EXIST. 50' R/W)
RW-65-379 (1)

ZONED
RC-5

ZONING COMMISSIONER
EXHIBIT # 4

TAX MAP # 36 PARCEL # 18

PLAT FOR SPECIAL HEARING

PROPOSED GRANTOR - ALBERT I. DUNSTAN
PROPOSED GRANTEE - JOHN C. TRIKERIOTIS
BEVERLY A. TRIKERIOTIS

10TH ELECTION DISTRICT ZONED-RC2
BALTIMORE COUNTY MARYLAND

DEED REFERENCE (GRANTOR)..... 1850/341
DEED REFERENCE (GRANTEE)..... 5966/885
PLAT REFERENCE (GRANTEE)..... 6199/42

SCALE: 1"=100' DATE: SEPT. 20, 1989

PROPOSED LOT SIZE: 1.74 AC ±
(PRIVATE WATER) (PRIVATE SEWER)
THIS PROPERTY IS NOT IN THE CRITICAL AREA

OWNER
ALBERT I. DUNSTAN
14901 DUNSTAN LANE
MONKTON, MD. 21111

CONTRACT PURCHASER
JOHN C. TRIKERIOTIS
14901 DUNSTAN LANE
MONKTON, MD. 21111