

1/21/99
IN THE MATTER OF
THE APPLICATION OF
CIGNAL DEVELOPMENT CORP. /
MICHAEL SCHULTZ -PETITIONER
FOR VARIANCE ON PROPERTY
LOCATED ON THE E/S TODD POINT
LN, 1410' S OF C/L MORSE LANE
(4604 TODD POINT LANE)
12TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 99-210-A
* * * * *

O P I N I O N

This case comes to the Board of Appeals based on a decision of the Zoning Commissioner that denied a Petition for Variance. Ralph K. Rothwell, Esquire, represented the Petitioners. Carole S. Demilio, Deputy People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel. A public hearing was conducted on August 14, 1999, with opening statements by both counsel. Public deliberation occurred on September 14, 1999.

Mr. Douglas Swam, Bureau of Building Permit Processing, Department of Permits & Development Management, appeared as custodian of records of that department under a process served on Mr. Carl Richards, Zoning Supervisor, to produce land records and documents. Records produced were:

Appellants' 2A

Permit #B344064 for property at 4604 Todd Point Lane issued to Cignal Development Corp., Timonium, Md to construct a single-family dwelling, permit application dated June 19, 1998, along with a site plan drawn by KCI Technologies, Inc. The permit was issued on August 13, 1998 (and attachments).

Appellants 3

Building Permit #B360294 issued to Mike Schultz on December 17, 1998 for 4604 Todd Lane for a single-family dwelling. This permit cancelled No. B344064, and expired one year from issue date.

Mr. Swam testified as to the issuance processes for each exhibit. He explained that a permit is valid for one year from issuance

date, but any new purchaser needs a new permit -- although it can be assigned for a \$20.00 fee and could be extended if accompanied by a letter of explanation. He acknowledged that the new permit secured by Mr. Schultz was the same home proposed, same site, and he ascertained no particular problems.

On cross-examination, he acknowledged his familiarity with variances, but that his department only grants the permits, and his department assumes the sufficiency if authorized by zoning, and other County agencies, based on the application information. Compliance with County laws was not within his authority, and the only basis he had for disapproval would be if the application information itself was incorrect. Questions were posed by Ms. Demilio concerning a 24-foot width, 28-foot depth, and 30-foot height of the proposed home, with no garage being shown on the site plan, no County easement being shown, the location of the air conditioning unit, and the slab foundation in a flood plain.

On re-direct, the witness again acknowledged the issuance of essentially the two similar permits, and on re-cross, Ms. Demilio cited the lack of a sealed site plan with the application.

Mr. Swam acknowledged that most people would rely on the permit and again that his office does not become involved in zoning interpretations.

Mr. James Gay III was called by Mr. Rothwell under a process issued on July 28, 1999. He is a licensed Maryland real estate agent working for Olde Colonial Realty, Inc., and was the listing agent for the seller, At Homes Again, Inc. The latter corporation

had purchased the vacant lot from Cignal Corporation on August 6, 1998. Mr. Gay acknowledged that a building permit had been issued to Cignal Development on August 13, 1998, and that he had listed the lot with the August 13, 1998 permit (Appellants' Exhibit No. 4), with a sale price of \$69,900.00 (Multiple List Form #BC2526706). He opined that he had no reasons to believe that the permit was not valid and that the lot was sold to the Appellants for \$55,000.00. A deed was executed on November 30, 1998 from At Homes Again, LLC, to Michael A. Schultz and Antoinette Cotsoradis. The deed reflects that James L. Gay III is manager for the seller, At Homes Again Realty, LLC.

On cross-examination, Mr. Gay acknowledged that he had been a real estate agent for 12 years and was 31 years of age. He had no affiliation with Cignal Development. He had no knowledge of any variance request; and it was not his signature that appeared on the Petition for Variance. He acknowledged that At Home Realty is his company and he is the sole stockholder. He acknowledged being active in the purchase and re-sale of lots and homes -- the latter of which he rehabs and then re-sells. At Home Realty was incorporated in 1998 and is active in buying, selling and rehabing older homes. He stated he has limited knowledge of permit securing, since his rehab work does not require permits. He had only been involved with Cignal in this sole transaction. He had sold one home in the immediate Beachwood Estates area. The subject property was purchased by him for \$25,000.00 on October 6, 1998 and sold to the buyers for \$55,000.00. An employee of his company

attended the settlement of the property with the buyers, a copy of the building permit was given to Mark Ford who represented the buyers.

Mr. Albert Charles Jones testified for the Petitioner. He is the owner of Free State General Contractors who was engaged to build the house for the Appellants. He opined that he has 15 years in the building business and has constructed at least 30 different homes, and is fully licensed to do so. He stated as to how he prepares his plans and obtains permits, searches the land records which include the tax records, frequently by way of WEB pages. He was familiar with the subject property and the Appellants. He testified as to the preparation of the plans and certain revisions that were made. He acknowledged seeing the Cignal permit and stated that D.R. 3.5 zoning was required, with a side-yard setback of 10 feet, 15 feet, and 25 feet needed. He acknowledged drawing up the amended site plan. Appellants' Exhibits 7A and 7B were reviewed in detail by Mr. Jones. It was his impression that all flood plain requirements had been satisfied. Considerable time was expended reviewing the house dimensions and site location. He opined that he had personally gone to the Land Records of Baltimore County and pulled copies of various deeds. Appellants' 8A, 8B, 8C, 9A, and 9B were admitted into evidence. Exhibits 9A and 9B represent deeds covering properties on both sides of the subject site (9A dated 8/30/88 and 9B dated 9/05/97). The Foulke property has a width of 52.2 feet (more or less) and 51.67 feet on the right side. The 9B property has a width of 50.25 feet (more or less) and

right side length of 51.67 feet.

Appellants' Exhibit 10 (A through D) were reviewed, and the witness stated these reflected various lots comprising square footage comparable to the Appellants:

- 10A - 4608 Todd Point Lane, 8,000 sq. ft.
- 10B - 4606 Todd Point Lane, 7,350 sq. ft.
- 10C - 4604 Todd Point Lane, 6,950 sq. ft.
- 10D - 0.16 N.E.C. Todd Point (undeveloped), 6,936 sq. ft.

On cross-examination, Mr. Jones stated again that he was a builder involved in contracting and development work and was not an expert in land planning. He believed that he had made every legitimate effort to determine if the Appellants could build on the subject site, based on his research, the County permits, and no adverse conditions imposed by the County. When he became aware of the side yard setbacks, the second permit and request for variance were made simultaneously. It was he who placed Mr. Gay's name on the variance request, after contacting Gay's office on three occasions.

On cross-examination by Ms. Demilio, he again acknowledged putting Cignal Development as the owners of the property and he signed Gay's name on the variance request. He acknowledged the specific variance needs and reviewed Appellants' Exhibit No. 6 and that four different variances were needed (area, width of lot and sum of side yard setbacks). He also acknowledged that the County has a 15-foot right-of-way and that because of the easement, the house could not be centered on the property, being 7 feet from the Foulke property line and 20 feet from their house. He stated that Mr. Schultz understood the variance process and was aware that same

was needed before going to settlement. The proposed changes dictated the need for a new permit. He opined that an examination of Appellants' Exhibit 10 would reflect that the Schultz lot was valued less than others in the area, and that his site visits reflected that most were constructed in the 1950s and 1960s, again acknowledging that Mr. Schultz was aware of the easement problem before settlement.

Mr. Mark A. Ford, an agent with Coldwell Banker Grempier since 1983 and an appraiser also testified. The bulk of his activities are in the eastern portion of Baltimore County. He represented Mr. and Mrs. Schultz (now married) as a buyer/broker. He was very familiar with Beachwood Estates with over 200 homes, none with a direct waterfront access. He had been working with the Appellants, saw the property on the Maris (Multiple List) system, pulled the listing, recognized it as a buildable lot per Gay's comments, got a survey from Gay, the permit, discussed the property with the Schultz's and drew up a contract on September 24, 1998, which was accepted by the sellers the same day. Settlement date was extended, and took place on November 30, 1998. The settlement date had been extended, according to the agent, due to financing delays, and that he and Mr. Schultz physically drove to Towson and saw three County agencies before submitting the September 24, 1998 contract. The County people involved Keith Kelly, DEPRM; one employee of zoning and one employee in permits. Since he "had a permit in hand," he recommended the purchase based on their investigations and the permit. He opined that he genuinely

believed the lot to be a buildable one based on the Maris listing, public records, check of the neighboring properties, and the County investigation. He stated that, on his own investigation, 20 waterfront lots had improvements, with 14 less than 10,000 sq. ft.; 2 had 6,975 sq. ft.; and 9 others were much smaller.

On cross-examination, the witness acknowledged that he was not a zoning expert and not aware of variance regulations. He stated he was aware of contract contingencies and could have put one in the contract relative to the appropriateness of building on the site. He was personally not aware of the need for any variances in this instance, but that Mr. Jones was aware of the need after the changes had been made, and that's why all parties concerned believed there was no need for variances.

Mr. Michael Schultz also testified. The couple were married on May 29, 1999 and wanted to build a new home on the water, became interested in the subject site, submitted a contract on September 24, 1998, and on three occasions Mr. Schultz visited Towson with his real estate agent and was told he could build, as long as he stayed off the County easement. He went to the permit office with Appellants' Exhibit No. 2, and before he purchased the lot, he discussed the proposed expansion with Mr. Jones. It was their understanding that he could still build on the original permit if not amended. He stated that he presently resides in Canton, works as a longshoreman in Dundalk, and his wife is employed at Fort Howard Hospital as a secretary for Medical Records. He stated he wanted to build the home immediately after settlement, went to Key

Bank for \$180,000.00 loan, and was granted a loan with one year to build, by November 30, 1999 (one year construction loan). He is currently paying on the \$55,000.00 for the land, and has people continuously trespassing on the lot since he purchased it, despite sign postings which have been repeatedly torn down. He submitted 14 photographs of the property which were admitted into evidence, all of which have been reviewed by the panel members. He alleged that vehicles have been parked illegally since his purchase, his signs removed, and the boat ramps constantly being illegally used by nearby residents. Maintenance of the property, because of its nonresidency, is a never-ending problem because Beachwood residents constantly use it for their parking and boat launching activities.

On cross-examination, he stated he was paying interest on the land loan only; there was a one-year construction loan; that he had heard nothing from Baltimore County concerning the absolute right to build the home. Mrs. Antoinette Schultz proffered Mr. Schultz' remarks. That concluded the Petitioners' case in chief.

Mr. Eric Rockel, Permits and Development Management, Land Acquisition, testified for the County. He has 19 years' experience in subdivision development. He supervises the rights-of-way, assisting developers in Baltimore County with regulations, and is charged with record keeping of new subdivisions. He was aware of the Beachwood development, and the 15-foot wide easement conveyed by Cignal Development to the County. He stated that about 10 to 20 percent of the lots in the newer development have some sort of easements, all of which are on private property. The easement in

question was recorded between August 12, 1998, and August 31, 1998, and has approximately 15 to 15-1/2 feet in size which is typical, although they can go as high as 20 feet. He stated that a property owner cannot build on these easements since the County may have to make repairs on stormwater pipes for maintenance. As part of the development process, the County does not pay developers for the easement if it is absolutely needed, and in this case, in order to get the plan approved, the developer needed the easement for its stormwater management and runoff.

On cross-examination by Ms. Demilio, he described the concrete pipes which run under the easements, and while the pipes do not occupy the entire easement, they are necessary for its protection, and that the easement does go through the lot in question. The pipe is about 4 to 6 feet below ground, he was not familiar with the maintenance, and that there were other properties with easements on them.

Mr. John Tim Hudson, 7707 Sparrows Point Boulevard, testified in opposition to the granting of the variance. Mr. Hudson indicated that he has been going to 4606 Todd Point Lane for 11 to 12 years (family property through his wife's family). He stated that the original house occupied the site as a summer home and described the general character of the neighborhood as being homes constructed during the 1950-1960 era. He opined that he never saw any trespassing signs and frequently had cut the grass to keep in trimmed, and that prior to Mr. Schultz' purchase, nearby residents had played ball on the vacant lot but he had never experienced

anything burning on it. He also stated that the drainage pipe is quite visible, and was installed by the developers of Beachwood.

Mrs. Weber, a resident of Todd Point Lane for over 50 years who resides approximately one block away, also testified, describing the neighborhood and her residence as a summer home which she had replaced in 1965. It was essentially the same size as others in the area, and that the neighborhood had remained fairly stable through the years; she was quite familiar with the easement, and indicated that both Mr. Gay and Cignal knew of the pipe which was created to take care of the outfall from a stormwater management facility. She stated that there are approximately 300 lots in Beachwood with 55 more to be built, and that everyone in the area was aware of Beachwood Estates because of community input meetings, and that the pipe was laid through the property because of need for the outfall for stormwater management facility; and that it had been her impression that it was not to be offered for sale for any building purposes.

Ms. Elizabeth Foulke, who owns 1/3 of the property at 4402 Todd Point Lane, indicated that her property is used essentially as a summer house by the family, and stated her opposition to the Appellants' request because it was simply too close to her property.

Ms. Cabarina Dembow, 4544 Todd Point Lane, indicated she had attended the Zoning Commissioner's hearing and was familiar with the Department of Public Works and the pipe installation quite some time ago, which was essentially to be used for outfall from the

stormwater management facility and to prevent beach erosion. The community was told basically that no building would ever take place on the lot, and she was quite surprised when she saw a "for sale" sign on the property placed there by Mr. Gay. That concluded the County's case.

Both counsel were requested to submit written briefs to the Board, which were to be reviewed by the individual members, along with the testimony taken at the hearing and the evidence submitted, at which time a public deliberation would be scheduled.

The Petitioners' request for variance filed on November 17, 1998 requested a variance from Section 1B02.3.C.1 and Section 304.1 "To allow a buildable lot with a width of 50.25 feet and an area of 6,985 sq. ft. in lieu of the minimum required 70 feet and 10,000 sq. ft. respectively, to approve an undersized lot per Section 304 and any other variance as deemed necessary by the Zoning Commissioner." The Appellant recites the presence of a utility easement on the property, which causes strict compliance with the statute to be impossible. The original Zoning Commissioner's Order was dated February 19, 1999, denying the variance; and a further ruling on Motion for Reconsideration led to another denial on April 8, 1999. The Board considered the approval of the lot under Section 304 which recites the requirements for such approval. Section 304.1 stipulates that:

"A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:

A. Such lot shall have been duly recorded either

by deed or in a validly approved subdivision prior to March 30, 1955;

- B. All other requirements of the height and area regulations are complied with; and
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

This section of the zoning regulations is a unique provision created by legislation to apply to existing undersized lots that had been subdivided before the Baltimore County zoning regulations came into effect in 1955. In this particular case, neither the area or width requirement is satisfied since the front yard is 50.25 feet and the total area is 6,985 sq. ft. To qualify under the site's present zoning of D.R. 3.5, the front must be 70 feet wide and the area 10,000 sq. ft. There is no dispute that the subject lot was created before 1955 (in 1952) in connection with a development of lots along Todd Point Lane directed on the water side. The Appellant also does not own any adjoining land that would enable conformity to the width and area requirements specified in the regulations. Additionally, however, the amended plan reflects the need for a second variance for a side yard setback of 7 feet in lieu of 10 feet; and a third variance of a total side yard of 22 feet in lieu of 25 feet.

Item "B" of Section 304.1 states that "...all other requirements of the height and area requirements are complied with...." While Counsel for Appellant alleges that the only issue for the Zoning Commissioner is to make a determination whether the proposed building is appropriate, the Board takes a different view

that has long been held by this body, mainly that where multiple variances are required, relief cannot be granted under Section 304.1, and the correct posture is to make application under Section 307 of the Baltimore County Zoning Regulations. People's Counsel appropriately relates cases that have been decided relative to undersized lots and decisions affirmed by the Circuit Court for Baltimore County and the Maryland Court of Special Appeals: In the Matter of Robert Johnson, 95-42-SPHA; In the Matter of John Blasy, 95-355-A; and In the Matter of Warren Grill, 94-163. The Grill case went as far as the Court of Special Appeals, which affirmed the Order of the Circuit Court for Baltimore County and the Order of the Board of Appeals.

The Board also takes note of the objections of the adjoining property owners in protesting the granting of any variances as requested by the Appellants. Objections were raised by Ms. Elizabeth S. Foulke, 4602 Todd Point Lane; Ms. Brenda K. Hudson, 4606 Todd Point Lane; and Ms. Diana M. Dauser, all of whom cited the presence of the easement running through this property and the negative impact and infringement upon adjacent property owners' rights.

In reaching its decision, the Board considered the testimony of Mr. Eric Rockel, a senior member of the Land Acquisition Bureau of Baltimore County, who testified that the County had negotiated purchase of an easement along the southeast property line by deed and agreement, 13116/199; and that County policy prohibited the construction of a permanent structure within a County drainage and

utility easement. This easement was one of the reasons the size of the proposed house was reduced and placed outside the County's 15-foot wide easement.

The Board also considered the Appellants' allegation concerning "being led down the path" by County employees. The Board takes recognition of the fact that the permit department issues thousands of permits each month. Between the time the first building permit was issued to Cignal Development Corporation (Petitioner's Exhibit No. 2) and the second permit was issued on December 17, 1998, that department had issued over 16,000 permits.

Mr. Doug Swam readily testified that the permit department, as well as other reviewing County agencies, are not authorized to render legal decisions, nor have the authority to grant variances. Case law in Maryland clearly holds that a permit for building a house is not zoning approval per se. The leading Maryland case involving variances, Cromwell v. Ward, 102 Md.App. 691 (1995), also recites Lipsitz v. Parr, 164 Md 222 (1993):

It was therefore unlawful for the officers...to grant the permit and would be unlawful for the licensee to do what the purporting permit apparently sanctioned. A permit thus issued...does not...permit the permit from being unlawful nor being denounced by the municipality because of its illegality.

The burden rests squarely on the Appellant to inquire as to the specifics for building outside the parameters of the permit. The fact that a permit is issued "does not prevent...nor permit the permit from being unlawful nor from being denounced by the municipality because of its illegality." It is obvious to this Board that, based on the testimony and evidence, the Board must

deny the relief requested by the Appellant. The lot in question is simply too small, and the width too narrow, coupled with the easement, to accommodate the structure proposed.

While not required to comment on BCZR 307, the Board feels constrained to agree with the Office of People's Counsel concerning the application of Cromwell v Ward, and the fact that the subject lot is neither "unique" or "unusual" in that its proportions are similar to other lots along the water line in the general area of the subject site. Failing that, it is not necessary to pursue the second prong, that is practical difficulty or undue hardship. The Board recognizes the existence of the size limitations when the Appellant originally purchased the lot. The Board, however, is sympathetic to the plight of the Appellant. The chain of title and circumstances that led the Appellants to purchase the lot are suspect, that full disclosure was not provided. Jim Gay was president of Diamond Development Corporation who sold the lot to Beachwood for \$25,000.00 on February 24, 1984. Jim Gay, as President of Beachwood, executed the deed to the lot to Cignal Development Corporation on January 23, 1993. On June 19, 1998, Cignal Development applied for the site building permit. Before having obtained the building permit, the lot was placed on the Maris multiple list sheet by James Gay III as agent for Olde Colonial Realty, disclosing him as an "agent having a financial interest, owner, real estate licensee," and further stating that the seller (Cignal) had the permit. On August 12, 1998, Cignal entered into a deed and agreement for a 15-foot drainage easement

from Cignal to Baltimore County, recorded by August 31, 1998. The permit was, in actuality, not issued until August 13, 1998.

The Appellants (Michael Schultz and Antoinette Cotsoradis) executed the deed for the lot on November 30, 1998 from "At Home Again LLC." Mr. Jim Gay III acknowledged that he was the sole owner and stockholder of that corporation. The deed executed by the Appellants reflects that At Home acquired the site by deed dated October 9, 1998 from Cignal Development Corporation. Reference is made in the November 30, 1998 deed relative to the Baltimore County easement dated August 12, 1998 and recorded in libre S.M. 13116, folio from Cignal to Baltimore County. It should be noted that at the time At Home signed the contract with the Appellants on September 24, 1998, that corporation had not yet purchased the property from Cignal. That did not occur until October 9, 1998.

The property was settled on October 23, 1998. Mr. Jones testified that Mr. Schultz was aware of the easement at the time of settlement and that precipitated the need for the amended plan and variance request being filed on November 18, 1998, and the subsequent events. The Board also notes that the Maris MLS list shows an original purchase price of \$74,000.00. The actual deeds reflect \$25,000.00 as consideration. The Schultz's paid \$55,000.00 for the site. The Board also takes note that a significant number of nearby residents were aware of the easement and outfall pipe that served the stormwater management facility. It was believed that, as part of the Beachwood development, the Developer was

required to cede to the County the easement, and neighbors were under the impression it would not be developed for that reason.

When one analyzes all the facts and the sequence of events, there exists a deep suspicion on the part of this Board that the Appellant did not have disclosed to him significant factors that, if known, would have precluded his purchase of the site. However, the Appellants' relief as requested by this Board cannot be granted. That effort, if undertaken, lies with another Court and another day. The Board is required, therefore, for the reasons stated, to deny the relief requested.

O R D E R

THEREFORE, IT IS THIS 29th day of October, 1999 by the County Board of Appeals of Baltimore County

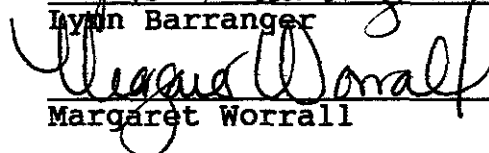
ORDERED that the variance relief requested in Case No. 99-210-A be and the same is hereby DENIED.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Charles L. Marks, Chairman


Lynn Barranger


Margaret Worrall



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

October 29, 1999

Ralph K. Rothwell, Esquire
MASLAN, MASLAN & ROTHWELL, P.A.
7508 Eastern Avenue
Baltimore, MD 21224

RE: In the Matter of Michael Schultz, et ux
Case No. 99-210-A

Dear Mr. Rothwell:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathleen C. Bianco".

Kathleen C. Bianco
Administrator

encl.

cc: Michael Schultz
& Antoinette Cotsoradis Schultz
James Gay /Cignal Development
Buck Jones
Brenda K. Hudson
Diana M. Dausen
Cabrina Dembow
Ethel Weber
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



Case No. 99-210-A

VAR -To approve a lot with a width of 50.25' ilo required 70'; and a lot area of 6,985 sf ilo required 10,000 sf.

4/08/99 -Z.C.'s Order in which Petition for Variance was DENIED.

5/27/99 -Letter from Ralph K. Rothwell, Jr., Esquire, counsel for Petitioners -- he will be unavailable weeks of July 26 and August 2; client out of town week of August 21; requests that hearing in this matter not be scheduled during those weeks indicated. File has been noted.

6/10/99 -Notice of Assignment for hearing scheduled for Thursday, August 12, 1999 at 10:00 a.m. sent to following:

Ralph K. Rothwell, Jr., Esquire
Michael Schultz
James Gay /Cignal Development
Buck Jones
Brenda K. Hudson
Diana M. Dausen
Cabrina Dembow
Ethel Weber
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

7/14/99 -Upon confirmation from R. Rothwell, and per appeal letter, Cignal Development longer Petitioner /Legal Owner; property sold to M. Schultz and Antoinette Cotsoradis. Ms. Cotsoradis added as owner of record to file and notice corrected.

8/12/99 -Hearing concluded before Board (Marks, Barranger, Worrall); memos due from counsel on limited issue as requested by CBA at hearing; due by 3:30 p.m. Friday, 9/03/99. Deliberation to be scheduled and notice sent.

8/13/99 -Notice of Deliberation sent to parties; assigned for Tuesday, September 14, 1999 at 10:00 a.m. Copy to C.B.W.

9/02/99 -Memorandum of People's Counsel filed this date.

9/03/99 -Trial Brief and Closing filed by Ralph K. Rothwell, Esquire, on behalf of Petitioners.

9/14/99 -Deliberation concluded; variance DENIED by unanimous decision of Board (C.B.W.); Order to be issued; appellate period to run from date of written Order.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Michael Schultz and Antoinette Cotsoradis
Schultz -Petitioners
Case No. 99-210-A

DATE : September 14, 1999

BOARD /PANEL : Charles L. Marks (CLM)
Lynn Barranger (LB)
Margaret Worrall (MW)

SECRETARY : Kathleen C. Bianco
Administrator

PURPOSE: To deliberate Case No. 99-210-A /Petition for Variance
/undersized lot; hearing held before the board on August
12, 1999.

The Board, having convened this date for public deliberation,
reached the following decision:

At issue is a variance request -- lot is less than 70' and less
than 10,000 sq ft in size.

Discussed amendment to plat and jurisdictional issue raised by
People's Counsel; reviewed contents of file sent up from Zoning
Commissioner, including indication of proper posting; letters of
objection from neighbors; review by County offices.

As to variance request -- as to Section 304 - was a validly
approved subdivision as required in item 1; however, area or width
issue - doesn't qualify under 304. Relief from 1B02 - has to be
70' wide and 10,000 sq. ft. Does not qualify under 304.

Moving to Cromwell v. Ward - there is nothing unusual or unique;
same as others in subdivision. There was testimony that it was
like others - offered to indicate that others had been built on --
but question is: can relief be granted. Came before the Board as
an undersized lot - fails under that Section.

However, even assuming consideration under 307 for variance relief
-- does not meet unique; lot had been used as drainage area for
subdivision across the way; building permit issue not before the
Board. Well covered in Briefs filed -- even though permit was
issued - setbacks, etc., still apply; case law to support -- mere
fact that public employee says you have a permit - doesn't make it
okay - the regulations must be met.

The Board expressed real sympathy for the petitioner -- has a lot
of no value and a \$55,000 loan with interest and construction loan
- purchased a lot which is not buildable. Ford did what a buyer

Michael Schultz /Antoinette Cotsoradis Schultz -Petitioners
Case No. 99-210-A /Deliberation

/agent should do; could have been contingency but with permit having been issued - actions understood.

This is a situation that belongs elsewhere -- interweaving of corporations - knew situation of land; it's impossible that this was not known. This is a matter for another jurisdiction - real estate contract. Possible that appropriate disclosure was not made. This should be before a judge in the Circuit Court. Mr. and Mrs. Schultz were not aware of situation until at the settlement table.

Unanimous decision by Board that variance request must be denied under 304 and 1B02; to indicate in Order that this Board has no jurisdiction over contract matter indicated earlier. Relief not possible even under 307 per Cromwell v. Ward.

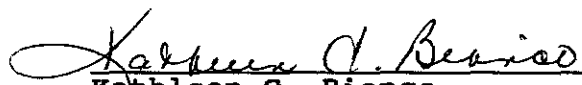
Board's final decision is that:

Marks: Denied
Barranger: Denied
Worrall: Denied

Petition for variance relief is therefore DENIED. Written Opinion and Order to be issued by the Board; appellate period to run from date of written Order; anyone feeling aggrieved by the Board's decision may appeal to Circuit Court.
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**NOTE:** This document confirms for the file that public deliberation was held this date in the subject matter and a final decision rendered in which the requested variance relief was denied.

Respectfully submitted,

  
Kathleen C. Bianco  
Administrator

9/12/19

RE: 4604 Todd Point Lane

12 Election District

7th Councilmanic District

Purchaser: Michael Schultz

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\*

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\*

\*

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 99-210-A

RECEIVED  
COUNTY BOARD OF APPEALS  
99 SEP -3 PM 1:11

\* \* \* \* \*

TRIAL BRIEF AND CLOSING

MICHAEL SCHULTZ and ANTOINETTE SCHULTZ (formerly Cotsoradis), Appellants, by Ralph K. Rothwell, Jr., and Maslan, Maslan, Rothwell & O'Brien, P.A., their attorneys, hereby submit this memorandum at the request of the Board of Appeals. The issues to be addressed as requested by the Board are:

- a. Variances requested as described on the Amended Site Plan submitted at the hearing under sections 304.1 and 1B02.3.C.1 (BCZR); and
- b. Closing argument.

I. VARIANCES REQUESTED

1. At the time of the preparation of the Amended Site Plan, information in the possession of the Appellants was that the easement owned by Baltimore County was 15 feet in width. Information received at the hearing (from Baltimore County) indicates that the easement is in fact 15.50 feet in width. Petitioners/Appellants proffer that they do not intend for and in fact do not ask for any kind of variance or relief from that easement and that the site plan should be amended to show that the building will be constructed entirely off of the easement, therefore, 15.50 feet from the side yard line on the side where the County easement exists (see Exhibit 1 attached hereto of Second Amended Site Plan.) The site plan requests a waiver/variance/exception under section 304.1 of the Baltimore County Zoning Regulations, for an undersized lot. The lot at issue is undersized by virtue of area and width less than that required under section 1B02.3.C.1 of the Baltimore County Zoning Regulations (70 feet wide and an area of 10,000

square feet). The present lot contains the width of 50.25 feet and an area of 6,985 square feet. The lot was created prior to 1955, in 1952 pursuant to a development of lots along that entire street on the water side, of Todd Point Lane in the North Point subdivision of Baltimore County. Section 304.1 allows for the construction of a one family detached or semi-detached dwelling on an undersized lot pursuant to terms set forth therein and while commonly referred to as a variance is not, strictly speaking, a variance under normal variance procedures since it can be granted by the Director of the Department of Permits and Development Management without a hearing under certain circumstances. It is a unique section created to deal with existing undersized lots which were sub-divided prior to County Zoning Regulations created in 1955. Assuming that the criteria of 304.1 as described therein are met, it would appear under subsection 304.4 that the only issue for the Zoning Commissioner is to "make a determination whether the proposed dwelling is appropriate". Appellant would argue that the undersized lot waiver variance or constitutes a single act of the Zoning Commission which may be deemed a variance for lack of a better term, although not subject to the normal variance requirements set forth in the code.

2. The only other variance requested by the Appellants is for the side yard on the opposite side from the easement (see 1B02.3.C.1). They request that the side yard set back be 7 feet rather than 10 feet, which would also constitute a variance from both the aggregate requirement of a total of 25 foot of combined side yards and the 10 foot requirement for each side. The combined side yards therefore would be 22.50 feet rather than 25 feet. The side yard variance requested for that side would still put the proposed structure more than 25 feet away from the existing home owned by the Foulkes. Depending on how one treats the side yard set back variance, it would constitute either a single variance from side yard requirements or two variances, one from the total side yard requirement and a second from the single side yard requirement. Appellants would argue therefore that there are two "variances" if one treats the undersized lot request under 304.1 as a single variance and the side yard set back as a single variance or three variances if the side yard setbacks are considered two variances and the undersized lot a single variance.

3. Appellants will waive the side yard setback variance request if necessary for them to receive the undersized lot authorization and waiver under 304.1. Nonetheless, they feel that their request as shown on the site plan (modifying the 15 foot easement to 15.50) to be entirely reasonable in keeping with the neighborhood, and an enhancement of the neighborhood (see plans submitted at hearing).

## II. CLOSING

4. The Appellants, the Schultzs', are good faith, bona fide purchasers of the premises known as 4604 Todd Point Lane in Baltimore County, seeking the relief contemplated by the County and written into law in section 304 of the Baltimore County Zoning Regulations. That section has been law since 1955. Testimony showed that they purchased the property from a developer or realtor. They had no previous contact or relationship with the developer and in fact had learned of the property by seeing a sign posted on the property. They contracted to purchase the property, filed a petition for a hearing prior to settlement, and went to the hearing shortly after their settlement. The property was purchased without contingencies because they felt they had conducted a sufficient and thorough investigation that would satisfy a reasonable and prudent purchaser that the lot was buildable as it existed.

5. If the Board examines the lot and site plan without the side yard setback variance, the Appellants comply with requirements of 304.1, having purchased an undersize lot that was recorded by deed prior to March 30, 1955, meeting other requirements; and not owning any adjoining land that would allow them to conform to the existing regulations. That being the case, the only issue would be whether or not the proposed dwelling would be appropriate.

6. The parties seek a side yard setback variance to create a house slightly larger than one that would fit within the normal side yard setbacks and the existing easement. The proposed dwelling however, with the variance, should enhance the neighborhood, increase the value of the adjacent properties (see photographs of the adjacent properties submitted as exhibits), be more attractive than a smaller dwelling, and reduce the impact on the immediate properties suffered as a result of the present use of the vacant lot as a party lot and parking area. Most of the lots on the waterside of Todd Point Lane, as

developed, are in fact “undersized lots” comparable to this one (see tax records introduced at trial). Further, note that the house on the Foulke’s lot is offset to the north side more than this request.

7. Historically for the first forty years or so of the existence of section 304, section 304.2 did not exist (see Exhibit 2 attached- copy from prior BCZR). The function of the Zoning Commissioner was simply to determine that the three conditions described in 304 (now 304.1) existed and grant the permit for building. The emphasis in the Zoning Commissioners Policy Manual in hearing these cases was to determine whether or not there was some fraud involved in an intent to circumvent zoning regulations to build on an undersized lot (see Exhibit 3 attached, copy of page 3-3 of Manual as revised May 1992). See the following quote from the Zoning Commissioners Policy Manual dealing with the examination of section 304 hearings:

2. It is therefore important to consider the intent of the owner who attempts to invoke the applicability of Section 304 BCZR. Each situation must be judged individually by the particular facts and circumstances presented. If the intent to avoid the regulations is obvious, Section 304c. cannot be invoked and variances must be required. An obvious method used is called “checkerboarding.” The owner of a tract of land consisting of undersized lots makes conveyances of certain lots in order to create a pattern of ownership which qualifies each parcel as an undersized lot in a single and separate ownership, thereby avoiding the necessity of public hearing and notice for variance. Often this is done by transferring title to members of the owner’s family or to his business associates, e.g., to officers of a corporation which purchased the tract. Another method is to sell adjoining undersized lots which were recently purchased to individual, bona fide buyers. This would permit the new owner of a single undersized lot to build without a variance, where such permission would not have been granted to the owner of the entire tract.

3. If a single owner of contiguous undersized lots has purchased the property in good faith, and without any intent to avoid the area requirements, 304c. may be used to allow the owner to build pursuant thereto.

8. The Appellants meet the tests under traditional variance standards as they would suffer undo hardship and practical difficulty, namely the inability to build on a lot that they have spent \$55,000.00 to purchase. Using the Zoning Commissioner’s own Policy Manual test, an examination of the evidence would show that they acted reasonably and without any intent to circumvent the Zoning Regulations in

acquiring the lot. The testimony of Doug Swam from the Baltimore County Department of Planning and Development is probably the most telling in support of their position as good faith purchasers when he describes the various County agencies that have signed approvals in the permit process including Zoning. The purchasers were presented with an existing building permit that had passed through all appropriate County agencies and had been given approval by Zoning. Is it an appropriate burden for them to go back and determine that necessary steps may not have been met when this permit was issued? Is it the function of a purchaser to submit a perfectly legitimate permit for a hearing to determine its legitimacy? At the very least, they had a right to rely on an existing County document and to rely on appropriate County agencies including Zoning to make determinations within their area of expertise in granting or denying permits.

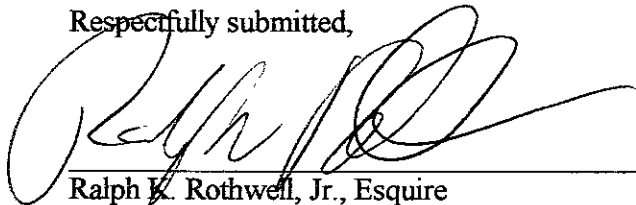
9. Appellants are not here arguing that the existence of the permit obtained by Cignal Corporation (or for that matter the one obtained by Freestate General Contractors) is determinative of or supersedes the adjudication by the Zoning Commissioner or the Board of Appeals, but that it would be determinative that this was not a hardship or difficulty that the Appellants created themselves and further that they have made all good faith efforts to inquire before purchase into whether or not this was a buildable lot. Testimony presented by the Appellants, as well as exhibits, was conclusive and uncontroverted that the proposed dwelling would be appropriate for a water front setting and be aesthetically pleasing in appearance. Testimony of Mrs. Foulkes as an opponent was that she did not even know who all the people were who came to that property, used it for parking and their own purposes including dumping, to such the extent that Mrs. Foulkes had to post "No Dumping" and "No Trespassing" signs on her own lot.

10. This permit would allow construction of a dwelling that would put a stop to that kind of usage and add this property to County tax rolls as a revenue producing piece of real estate. Testimony in opposition to the project seems to be grounded in animosity that the neighbors have toward the developers of a large development across the street from them. Those sentiments should not be a factor in prohibiting the Appellants from the use of their lot. No substantial or substantive reasons were put forth by any

opponents to the issuance of the variance(s) requested by the Appellants.

11. Respectfully, the Schultzs' request the opportunity to construct their home on the lot which they purchased in good faith and after investigation of the existing building permit. It was their belief throughout the process that the only variable subject to a hearing was whether or not the dwelling could be wider than permitted under the normal side yard setback requirements.

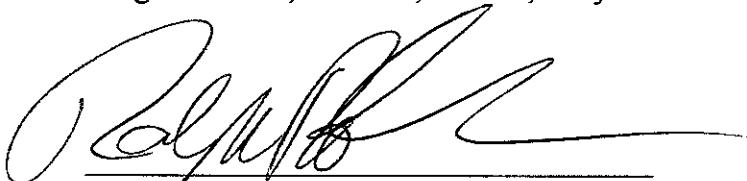
Respectfully submitted,



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410-282-2700  
Attorneys for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3 day of Sept, 1999, a copy of the foregoing Trial Brief and Closing was mailed, first-class, postage pre-paid, to: Carole S. Demilio, Assistant Peoples Counsel for Baltimore County, 400 Washington Avenue, Room 47, Towson, Maryland 21204.



Ralph K. Rothwell, Jr., Esquire

*IN RE: PETITION FOR VARIANCE*  
*PETITIONER, MICHAEL SCHULTZ*  
*4604 TODD POINT LANE*  
*12<sup>TH</sup> ELECTION DISTRICT*  
*7<sup>TH</sup> COUNCILMANIC DISTRICT*

*IN THE BALTIMORE COUNTY*  
*BOARD OF APPEALS*  
  
*CASE NO. 99-210-A*

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**MEMORANDUM OF PEOPLE'S COUNSEL**

People's Counsel for Baltimore County submits this Memorandum as closing argument to the Hearing before the County Board of Appeals (CBA) on August 12, 1999. The hearing was held on an appeal by Petitioner from Zoning Commissioner's denial of Petition for Variance and Relief for Undersized Lot under BCZR 304, and Zoning Commissioner's denial of Petitioner's Motion for Reconsideration.

**STATEMENT OF FACTS**

In lieu of a section on the Facts, People's Counsel submits the following chronology.

**I. CHRONOLOGY**

- 2-24-84 Diamond Development Corp. sells site to Beachwood for \$25,000, **Jim Gay**, signs deed as **president of Diamond Development**.
- 1-27-93 Beachwood sells site to Cignal Development for \$25,000, **Jim Gay** signs deed as president of Beachwood; deed recorded in Liber 9624, folio 485.
- 6-19-98 Cignal Development applies for building permit.
- 7- 7-98 Site placed on "Multiple-List" stating seller has building permit.
- 8-12-98 Date of Deed and Agreement for 15ft. drainage easement from Cignal to Baltimore Co;  
Undisputed testimony that it would have been recorded by 8-31-98.
- 8-13-98 Date of Building Permit for Cignal(Pet. Exhibit 2) with 24ft wide house; states front yard setback is 69ft.but 70 ft is required by BCZR.
- 9-24-98 Michael Schultz (Petitioner) signs contract to buy site from Seller, At Home LLC.



- 10-9-98 Cignal Development sells site to At Home Again Inc.; recorded in Liber 13224, folio 148; note deed is dated after At Home Again LLC sign Contract of Sale with Schultz.
- 10-23-98 Original settlement date.
- 11- 3-98 Date of Petitioner's original Site Plan for the zoning commissioner's hearing;  
Date of Amended Plan submitted to CBA but not reviewed by County agencies.
- 11-17-98 Petition for Variance filed.
- 11-30-98 Settlement Date for purchase by Schultz.
- 12-17-98 Date of Building Permit for Schultz – setbacks stated on Permit fail to comply with  
BCZR for side yard, total side yard and front yard.
- 2-19-99 Zoning Commissioner denies Petition.
- 4-8-99 Zoning Commissioner denies Petitioner's Motion for Reconsideration.

### **ARGUMENT**

#### **II. The County Board of Appeals cannot approve the Amended Plat because the Petitioner failed to follow proper procedures and policies.**

1. The Amended Plan (Pet. Exhibit 6) was not presented to the Zoning Commissioner, who has original jurisdiction to hear Petitions for Variance, nor did the County agencies review, comment or "sign off" on the Amended Plan. The Baltimore County Code provides the following:

**(A) Section 26-127 provides that the zoning commissioner has original jurisdiction to hear special exceptions and variances.**

**(B) "Sec. 26-127. Authority of Zoning Commissioner to provide for special exception and variances.**

***The zoning commissioner shall schedule a public hearing on any petition for such a variance or special exception . . . Upon establishing a hearing date for such a petition, the zoning commissioner shall promptly forward a copy of the petition to the director of planning and zoning (or deputy) for consideration***

and written report thereon containing findings thereon with regard to planning factors.” (emphasis added).

(C) “ Sec. 26-128. Files on zoning commissioner’s hearing proceedings; basis of zoning commissioner’s decision.

... The file with respect to the zoning commissioner’s hearing proceeding upon a petition shall include at least the following documents:

... (2) Any report of the planning board or comments from the director of planning and zoning or other officer of the office of planning and zoning relating to the petition, or any duly submitted pertinent report or comments from any other county agency.” (emphasis added).

(D) Section 26-129 requires the CBA to consider the zoning commissioner’s file, including the documents required in Section 26-128, in an appeal.

While Petitioner is desperate for any approval, he cannot ignore both proper procedure and pleading.

2. The Baltimore County Office of Zoning Administration and Development Management gives a “Hearing Checklist” to property owners filing a Petition for Variance. It is public information. It sets forth Baltimore County’s procedure for filing Petitions for Variance, Special Hearing and Special Exception. The checklist is attached hereto to assist the CBA in reviewing Baltimore County’s policies and procedures when zoning relief is requested. Excerpts from page one are worth highlighting here.

Third: It is strongly recommended that you read and understand the requirements of the Baltimore County Zoning Regulations.

Fourth: No employee of the Baltimore County Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered

*after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the B.C.Z.R.*

The handout also recommends the Petitioner seeks legal advise.

Additionally, according to Page 4 of the "Checklist", a Petitioner should contact nine County agencies prior to preparing a plat. **A sealed plat must accompany a Petition for Variance.**

3. If the Petitioner is properly before the CBA for relief as an undersized lot, the second requirement of the statute, **BCZR 304.2**, requires Planning Office design approval. Even if the Planning Office approved the original house plan under the original "plat" submitted to the Zoning Commissioner, it cannot serve as approval of the **Amended Plan**, which shows different dimensions. Petitioner again fails procedurally in seeking approval of the Amended Plan as the basis for zoning relief because at the very least, the Planning Office must approve the Amended Plan. There is nothing in the statute that provides that the Plan is the basis for CBA approval under 304.1. The standards stated in section 304.1 a., b., & c. must be met. (See Section III of this Memorandum). The Planning Office must approve the design if zoning approval is granted under section 304.1. Here, Petitioner puts the cart before the horse.

4. Additionally, the Amended Plan, **on its face**, does not satisfy the table in **BCZR**

**1B02.3C:**

- a. Each side yard setback must be a minimum of 10 feet; the Amended Plan shows the setback on the left (northeast) at 7 ft.
- b. Total minimum side yard setbacks must total 25 ft; the Amended Plan shows a total of 22 ft.
- c. The front yard width must be 70 ft.; the site is 50 ft.wide.
- d. The total minimum area requirement is 10,000 sq. ft.; the site is 6985 sq. ft. (the Assessment Record shows 6950 sq. ft.-see Pet. Exhibit 10C).

5. The Petitioner did not file a Petition for Variance for each of the aforementioned deficiencies. In other words, he failed to identify the **issues**. It is no surprise he failed to prove his case for variance relief. The legal requirements for a variance were never touched upon. There was no evidence the site is unique, thus the standard of “practical difficulty” or “undue hardship” cannot even be addressed by the CBA. Even so, if practical difficulty or hardship exists, it is self-imposed, and thus fails to meet the standard.
6. The drawings presented as Petitioner’s Exhibit 7 A, B, C, D show no dimensions – does the size of the house comport with the dimensions on the **Amended** Site Plan? The drawings provide scant detail for CBA approval and were not reviewed by the Planning Office. They do not satisfy the legal requirements in this case.
7. The Building Permit obtained by Petitioner (Pet. Exhibit 3) is invalid because a variance is required for the admittedly deficient side yard setbacks and front yard setback. Also, the proposal is inconsistent because the Building Permit indicates a house of 30ft x 34 ft x 31 ft., while the **Amended** Plan shows a 28 ft. wide house. Most importantly, the existence of a Building Permit is not a basis for the CBA to approve a Petition for Variance or an undersized lot.
8. The Amended Plan is defective in that it fails to show a 13.5 road easement on the site referred to in the Deed to Petitioner. (See Hearing Checklist, page 6, #10, and Pet. Exhibit 5).
9. Petitioner is not entitled to relief if he failed to identify the proper issues and procedure in a zoning matter. If Petitioner was misled when he purchased the site, his remedy lies in a civil action for fraud or deception. The CBA cannot misapply the zoning regulations every time a property owner claims he did not understand the law, but relied on his seller’s representations.

**III. Petitioner has no relief under BCZR 304.**

**304.1 Use of Undersized Single Family Lots [BCZR 1955; Bill No. 47-1992]**

**A one-family detached or semi-detached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:**

- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955.**
- B. All other requirements of the height and area regulations are complied with; and**
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.**

1. This section allows exemption for undersized lots that do not meet the requirements of **front yard width or area**; only one requirement, either width or area, is “grandfathered” (provided other conditions are satisfied). Petitioner satisfies **neither and cannot seek relief under BCZR Section 304**. The Planning Office and Zoning Commissioner have always followed this interpretation.
2. At a minimum, a **variance** is required for either the front yard width (50 feet in lieu of 70 ft.) or area (6985 sq. ft. in lieu of 10,000 sq. ft.).
3. Additionally, under the Amended Plat, a **second variance** is required for a side yard setback of 7 ft in lieu of 10 ft and a **third variance** for total side yard of 22 ft. in lieu of 25 ft.
4. BCZR 304 b. requires that “all other area requirements of the height and area regulations are complied with”. BCZR 304 applies only if one requirement is not met. Here, Petitioner needs multiple variances. He cannot seek relief under BCZR 304 and must rely on variance relief under BCZR 307.
5. To obtain relief under BCZR 304, Petitioner must satisfy all three subsections a., b., & c. even if Petitioner satisfied a & c, relief is not available because he cannot satisfy b; he can never amend his plat to make the lot wider, or larger in area.
6. Petitioner’s only zoning relief is under BCZR 307.

7. In recent years, the CBA denied relief under BCZR 304 in the following cases which were affirmed by the Circuit Court for Baltimore County, and in the Grilll case, by the Court of Special Appeals:

In the Matter of Robert Johnson, 95-42 SPHA

In the Matter of John Blasy, 95-355A

In the Matter of Warren Grill, 94-163

8. The fatal defect in Petitioner's case is that he combined relief under Section 304 with variance relief. The two are mutually exclusive from the onset and prohibit any type of relief at this stage. Petitioner may be better served by filing a Petition for Variance relief under **BCZR 307** only. He should present a plan which minimizes the number of variances by reducing the size of the structure, all of which must be reviewed by the Office of Planning and any other appropriate agency (i.e. DEPRM for critical area review).
9. Even if the CBA permitted an amendment of the Petition at the Hearing and reviewed the case as though relief for four variances was requested under BCZR 307, relief must be denied. Petitioner presented no evidence to support any variance for the reasons set forth in this Memorandum. (People's Counsel does not sanction such an amendment at this stage of the proceedings. The CBA hears appeals from the Zoning Commissioner's decisions on a Petition for Variance. It does not have original jurisdiction, except in Zoning Reclassification cases.)

**IV. Petitioner does not qualify for a variance (a total of four are needed- width, area , side yard and sum of side yard setbacks) under BCZR Section 307 and Cromwell v. Ward:**

1. Petitioner submitted no evidence that the site is unique; in fact he argued that similarly sized lots on Todd Point Lane are comparable to the subject site.
2. The existence of the Baltimore County easement is not unique; Mr. Eric Rockel, a long-time employee in Land Acquisitions in Baltimore County government testified that the County

obtains hundreds of service easements (utilities, roads) **each year**. Petitioner did not refute his testimony, nor offer a witness to rebut Mr. Rockel.

3. If “practical difficulty” or “undue hardship” exists, it is self-imposed; The minimum requirements for building on this site (BCZR 1B02.3 C) were enacted by Baltimore County in Bill 100 in 1970. Petitioner purchased the site subject to those regulations. Furthermore, Cromwell provides:

*“ ‘ [S]elf-inflicted or self-created hardship . . . is never considered proper grounds for a variance.’ . . . (citations omitted). . . Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless. We hold that practical difficulty or unnecessary hardship for zoning variance purposes cannot generally be self-inflicted.”*

The Cromwell Court also stated:

*“Accordingly it appears that the mistake of a county official [in issuing a building permit] cannot be the ‘practical difficulty’ unique to the subject property required in order to authorize the grant of the variance sought and obtained by Ward. . . .*

*The authorities elsewhere are in accord.*

*The master also erred in finding unnecessary hardship reluted from plaintiffs’ reliance upon representations by the selectmen. This finding disregards the principal that hardship relates to the special character of the land, not to the circumstances of the owner.”(citation omitted).*

*[R]elator argues the Board should be estopped from denying the height variance because a city inspector visited the premises several times and observed the construction taking place but made no complaint . . .*

*In any case there is no authority on the part of a building inspector to grant a variance . . . (citations omitted).*

**V. The existence of a building permit is not zoning approval. Petitioner failed to cite a single authority that equates a building permit with zoning approval.**

1. Case law states specifically refutes such reliance:

*“The statute providing for payment of fee for building permit and providing penalty for failure to acquire permit before erecting buildings in Howard County does not give permittees right to use their property irrespective of zoning regulations.” Francis v. MacGill, 196 Md. 77 (1950).*

*“[t]he legislative intent in giving the power to ‘regulate the erection of buildings’ was to authorize the kind of regulation inherent in the concept of a building code . . . [citation omitted]. We then observed that a statute which allowed a municipal corporation to regulate the building or erection of houses ‘does not authorize it to enact zoning ordinances or to establish setback lines’ “ . . . [citation omitted] (emphasis added). Chevy Chase View v. Rothman, 323 Md. 674 (1991).*

The Court in Cromwell refused relief for a property owner who relied on a building permit for a structure that exceeded the permitted height. The Court also denied a variance and required the homeowner to reduce the height of his house, which was already constructed, to conform to the Regulations. Cromwell, *supra* at 724 quoted Lipsitz v. Parr, 164 Md. 222 (1933):

*“[I] was therefore unlawful for the officers . . . to grant the permit, and it would be unlawful for the licensee to do what the purporting permit apparently sanctioned. A permit thus issued . . . does not . . . prevent the permit from being unlawful nor from being denounced by the municipality because of its illegality.”*

Cromwell further stated:



*In Inlet Associates, the Court opined that “[c]onsequently, [e]veryone dealing with officers and agents of a municipality is charged with knowledge of the nature of their duties and the extent of their powers, and therefore such a person cannot be considered to have been deceived or misled by their acts when done without legal authority.” (citations omitted).*

2. Petitioner’s own witness, Mr. Swam, from the Department of Permits and Development Management, testified that a building permit issued erroneously is invalid. Here, Petitioner’s permit (Pet. Exhibit 3) noted the actual building setbacks for the proposed construction. These setbacks were less than the minimum required by the Regulations (BCZR 1B02.3C) meaning a variance was required; under those circumstances, a building permit is meaningless without the variances, and likely invalid based on the Court’s reasoning in Cromwell discussed in the aforementioned quotes.

3. Mr. Swam admitted that the Baltimore County Department of Permit and Development Management, as well as the other reviewing departments and agencies, are **not** authorized to grant a variance.

4. The front yard setback on the original Building Permit (Pet. Exhibit 2) is 69 feet when 70 feet is required under section 1B02.3C); even if valid, it was never assigned to the Petitioner and has now expired.

5. Mr. Swam testified that the Building Permit **must** be posted on the site; the undisputed testimony of the citizens is that they never saw the posted permit.

**VI. Petitioner’s Witnesses.**

The veracity of the Petitioner’s witness, Mr. Jim Gay, the Seller and selling broker, is questionable. He stated he paid \$25,000 for the site. The deeds show consideration of \$25,000. However, the listing contract shows an “original” price of \$74,000 (Pet. Exhibit 4). The deed (Pet. Exhibit 5) shows the witness’s father as president of Diamond Development Corporation, the owner of the site who sold to Beachwood Development Corp. in 1984 for \$25,000. The 1993

deed (a public record referred to in the "Chronology" in this Memorandum but not an exhibit) is signed by Jim Gay as president of Beachwood.

Cignal Development Company, as real estate development companies often do, formed separate partnerships or corporations to hold title to a site to be developed. Beachwood is such an entity. (See People's Counsel v. Beachwood, 107 Md.App. 627 (1995)).

The Petitioner's builder, Mr. Buck Jones, testified Baltimore County employees indicated their records showed Cignal owned the site and Jim Gay the president of Cignal. Jones was advised to list Cignal as owner and sign Gay's name on the Petition for Variance. He contacted Cignal to tell them of his intentions and they never objected.

On October 9, 1998, Cignal sold to the witness's company, At Home LLC. (See deed, a public referred to in the "Chronology").

The witness, the younger Gay, admitted he conducted business with Cignal. Both the witness and his father are in the real estate business. His testimony that he has no knowledge of any affiliation between his father and Cignal Development is too incredulous to believe.

In light of all this, there is reason to doubt the witness's veracity when he stated or insinuated to Petitioner that (1) the property is a buildable site under the zoning laws, (2) there existed a valid building permit for immediate construction of a residence, (3) no further zoning relief is required.

If so, Petitioner may have a remedy in a court of law. There is no relief in the zoning regulations for misplaced reliance on a Seller's false assertions.

### **CONCLUSION**

***VI. Zoning relief is not available as a substitute for redress in a civil action; alternately, Petitioner does not qualify for relief as an undersized lot, nor did he satisfy his burden for variance relief.***

The scenario here is quite obvious. The father of the witness Gay owned the site under his company, Diamond, and later sold it to Beachwood for \$25,000 in 1984. Beachwood is a Cignal

Company that developed a residential subdivision of several hundred homes across Todd Point Lane. The elder Mr. Gay appears to be affiliated with Beachwood (remember he signed the 1993 deed from Beachwood to Cignal as president of Beachwood). Beachwood needed the site as part of their storm water management plan for the residential subdivision. As is customary, it deeded an easement to Baltimore County for the outflow pipe, as a requirement to obtain Baltimore County approval of its subdivision. (Testimony of Eric Rockel and PC Exh. ).

Despite promises that Beachwood would not develop the site if the neighbors consented to the subdivision and the placement of the outflow pipe at the site, (Testimony of Cabrina Dembow and Ethel Weber), Beachwood deeds the site to Cignal, (its "parent" company, in a sense) who obtains a building permit under questionable circumstances. Cignal then deeds the site to Mr. Gay's son's company, At Home LLC for \$25,000, after At Home contracts with Mr. Schultz. At Home LLC urges reliance on the building permit in its multiple-list ad, (Pet. Exhibit 4) to show a viable waterfront building site. The problem is the site is undersized in both area and front yard width, requiring variance relief. The proposed construction must also satisfy all other setbacks.

Mr. Schultz played into their hands by paying \$55,000, which is \$35,000 more than At Home LLC paid, according to the deed. (It must be noted that At Home, Inc. sold the site (September 24, 1998, although it did not have title until October 9, 1998).

Mr. Schultz does not retain counsel, relies on his seller who is also the listing broker, and fails to make his Contract contingent on zoning approval, although his broker, Mr. Mark Ford, admitted this could easily have been a provision in the Contract.

Petitioner and his witnesses state they met with Baltimore County officials to determine the status of the site. None of these officials were identified nor subpoenaed. Petitioner submitted no written authority from any Baltimore County agency that he could construct a home. Nor did any agency indicate that Section 304.1 had been satisfied. Moreover, the Hearing Checklist states that no employee may provide legal advice. By law, a hearing is always required on the relief stated in the Petition for Variance.

The fact is Baltimore County employees advised Petitioner and his witnesses that a hearing was required before he could begin construction. That is why a Petition was filed. There was no representation that the Petition would be approved. Even if the Planning Office approved the first **design** of the proposed residence, it never purported to grant variance relief. (See Office of Planning Comments where "variance" is noted on top of the form).

Petitioner compounded his case by asking for relief under Section 304 and for variance relief. It tainted his entire presentation before the CBA. Moreover, some of the evidence, such as his reliance on seller's representations and the building permit, is evidence for a civil trial and irrelevant in a zoning case.

While this case may hold some sympathy, Petitioner's remedy, if any, is contractual or equitable in nature. He signed a contract of sale. If he failed to provide a contingency in the contract, or to seek zoning relief as a "contract purchaser" which, as the CBA knows, is frequently done, he must bear the consequences. Unfortunately for Mr. Schultz, there is no relief under zoning law for this case in the manner in which it has been presented to the County Board of Appeals.



PETER MAX ZIMMERMAN

People's Counsel For Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of September, 1999, a copy of the foregoing Memorandum of People's Counsel was mailed to Ralph K. Rothwell, Jr., Esq., 7508 Eastern Avenue, Baltimore, MD 21224, attorney for Petitioners.



CAROLE S. DEMILIO

# APPEAL

COUNTY OF BALTIMORE

99 APR 29 PM 3:20

(Petition for Variance)

E/S Todd Point Lane, 1410' S of the c/l of Morse Lane

4604 Todd Point Lane

12<sup>th</sup> Election District - 7<sup>th</sup> Councilmanic District

- Signal Development Corporation - Petitioner

Michael Schultz - Contract Purchaser

Case Number: 99-210-A

✓ Petition for Variance

✓ Description of Property

✓ Certificate of Posting

✓ Certification of Publication

✓ Entry of Appearance of People's Counsel

✓ Zoning Advisory Committee Comments

✓ Petitioner(s) Sign-In Sheet

✓ Four Miscellaneous Correspondence in opposition

✓ Zoning Commissioner's Order dated February 19, 1999 (DENIED)

✓ Letter from Buck Jones, President of Free-State General Contractors, Inc. dated February 22, 1999 requesting a reconsideration of the Order dated February 19, 1999

✓ Zoning Commissioner's Ruling on Motion for Reconsideration dated April 8, 1999 (DENIED)

✓ Notice of Appeal received on April 22, 1999 from Ralph K. Rothwell, Jr., Esquire on behalf of Mr. Michael Schultz and Antoinette Cotsoradis

✓ E

c: People's Counsel of Baltimore County, MS #2010

Lawrence Schmidt, Zoning Commissioner

Arnold Jablon, Director of PDM

\* Ralph K. Rothwell, Jr. Esquire, Maslan, Maslan, Rothwell & O'Brien, P.A.  
7508 Eastern Avenue, Baltimore, Maryland 21224

Michael Shultz, 3133 Elliott Street, Baltimore, MD 21224

Buck Jones, 500 Vogts Lane, Baltimore, MD 21221

James Gay, Signal Development Corp., 108 W. Timonium Rd, Timonium, MD 21093

Brenda K. Hudson, 7707 Sparrows Point Blvd., Balto., MD 21219

Diana M. Dausse, 5 Sipple Avenue, Baltimore, MD 21236

Cabrina Dembow, 4544 Todd Point Lane, Baltimore, MD 21219

Ethel Weber, 4506 Todd Point Lane, Baltimore, MD 21219

6-1-99- Petitioner's Exh NO 1 (PLAT TO ACC. PETITION)  
ADDED TO FILE. ZONING INSPECTOR / SIGN POSTER  
OBTAINED THE ORIGINAL EXHIBIT & FORWARDED SAME TO  
CBA w/ POSTING CERTIFICATE. /cu



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us  
410-887-3391

April 27, 1999

Ms. Brenda K. Hudson  
7707 Sparrows Point Boulevard  
Baltimore, Maryland 21219

Dear Ms. Hudson:

RE: Petition for Variance, Case No. 99-210-A, 4604 Todd Lane,  
12<sup>th</sup> Election District, - Mr. Michael Schultz, Petitioner

Please be advised that an appeal of the above referenced case was filed in this office on April 22, 1999 by Ralph K. Rothwell, Esquire on behalf of Mr. Michael Schultz and Antoinette Cotsoradis. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call the Board of Appeals at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

AJ:cjs

c: People's Counsel  
Ms. Diana M. Dausen, 5 Sipple Avenue, Baltimore, Maryland 21236  
Ms. Cabrina Dembow, 4544 Todd Point Lane, Baltimore, Maryland 21219  
Ms. Ethel Weber, 4506 Todd Point Lane, Baltimore, Maryland 21219

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

MASLAN, MASLAN, ROTHWELL & O'BRIEN, P.A.

7508 EASTERN AVENUE

BALTIMORE, MARYLAND 21224

(410) 282-2700

FAX: (410) 282-3336

M. MICHAEL MASLAN  
(1911 - 1996)

GARY R. MASLAN

RALPH K. ROTHWELL, JR.

DENNIS F. O'BRIEN

April 20, 1999

Baltimore County Zoning Administration and Development Management  
c/o Appeals Clerk  
111 W. Chesapeake Avenue  
Room 111  
Towson, Maryland 21204

Re: Case Number: 99-210-A  
Zoning Commission of Baltimore County  
Property: 4604 Todd Point Lane  
12 Election District  
7th Councilmanic District  
Purchaser: Mr. Michael Schultz

Dear Clerk,

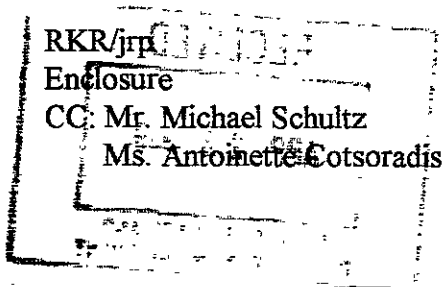
Enclosed please find \$210.00 made payable to Baltimore County Maryland to cover the \$175.00 appeal cost and the \$35.00 sign cost to appeal the decision of the Zoning Commission in the above captioned matter in which a Motion for Reconsideration was ruled on April 7, 1999. Please note my appearance as Attorney for the Appellants Michael Schultz and Antoinette Cotsoradis. Please add Ms. Cotsoradis as a record owner.

I thank you for your assistance.

Very truly yours,



Ralph K. Rothwell, Jr.





1/8.99

IN RE: PETITION FOR VARIANCE  
E/S Todd Point Lane, 1410 ft. S  
of c/l of Morse Lane  
4604 Todd Point Lane  
12th Election District  
7th Councilmanic District  
Contract Purchaser: Michael Schultz  
Legal Owner: Cignal Development Corp.  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-210-A  
\*

\* \* \* \* \*

RULING ON MOTION FOR RECONSIDERATION

This matter comes before the Zoning Commissioner on a Motion for Reconsideration of the Findings of Fact and Conclusions of Law and Order issued by me on February 19, 1999. At that time, I denied a Petition for Variance, which had been filed by the owner of the subject property, Michael Schultz. Within that Petition, variance relief was requested to approve a lot with a width of 50.25 ft., in lieu of the required 70 ft. and a lot area of 6,985 sq. ft., and in lieu of the required 10,000 sq. ft.

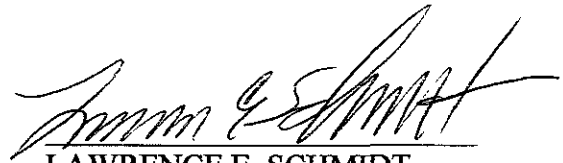
This matter was the subject of a public hearing on January 4, 1999. At that time, Mr. Schultz and his builder (Buck Jones) appeared and offered testimony and evidence in support of the request. Also, Cabrina Dembow and Ethel Weber appeared at that time in opposition to the request. Ms. Debow and Ms. Weber live in the community. Letters in opposition to the request were also received from other adjacent property owners including Diana Dauses, Brenda K. Hutson and Elizabeth S. Foulke.

For reasons fully set forth in my prior opinion, the variance was denied. One of the reasons enumerated was that the property is subject to a 15 ft. wide drainage and utility easement controlled by Baltimore County. Under County law, permanent construction cannot occur on that easement. Thus, the lot, already undersized at approximately 51 ft., would be further reduced in terms of buildable area to a 36 ft. wide lot. Additionally, the lot is in a floodplain and suffers from environmental constraints. Indeed, Mr. Schultz's proposed dwelling will be on stilts, which is inconsistent with any dwelling in the area. For all of these reasons, I denied the Petition for Variance.

ORDER RECEIVED FOR FILING  
Date 1/8/99 By [Signature]



ft., and in lieu of the required 10,000 sq. ft., be and is hereby DENIED.



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date

4/8/99

By





Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

April 7, 1999

Mr. Michael Schultz  
3133 Elliott Street  
Baltimore, Maryland 21224

RE: Contract Purchaser: Michael Schultz  
Legal Owner: Signal Dev. Corp.  
Case No. 99-210-A  
Motion for Reconsideration  
Location of property: 4604 Todd Point Lane

Dear Mr. Schultz:

Enclosed please find the decision rendered in the above captioned case. The Motion for Reconsideration has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at AC 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
Encl.  
Copy to:  
Mr. Buck Jones  
500 Vogts Lane  
Baltimore, Maryland 21221  
Ms. Brenda K. Hudson  
7707 Sparrows Point Boulevard  
Baltimore, Maryland 21219  
Ms. Diana M. Dausen  
5 Sipple Avenue  
Baltimore, Maryland 21236



Mr. Michael Schultz  
Page 2.....

Copy to  
Ms. Elizabeth S. Foulke  
4602 Todd Pt. Lane  
Baltimore, Maryland 21219

Ms. Cabrina Dembow  
4544 Todd Pt. Lane  
Baltimore, Maryland 21219

Ms. Ethel Weber  
4506 Todd Pt. Lane  
Baltimore, Maryland 21219

9/12/99

IN RE: PETITION FOR VARIANCE

E/S Todd Point Lane, 1410 ft. S

of c/I of Morse Lane

4604 Todd Point Lane

12th Election District

7th Councilmanic District

Contract Purchaser: Michael Schultz

Legal Owner: Cignal Development Corp.

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 99-210-A

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for a Variance for the property located at 4604 Todd Point Lane in the North Point subdivision of Baltimore County. The Petition was filed by Cignal Development Corporation, Property Owner, and Michael Schultz, Contract Purchaser. Variance relief is requested from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (BCZR) to allow a buildable lot with a width of 50.25 ft., in lieu of the required 70 ft., and an area of 6,985 sq. ft., and in lieu of the required 10,000 sq. ft. The Petition also generally seeks relief necessary to approve an undersized lot pursuant to Section 304 of the BCZR and any other variances as deemed necessary by the Zoning Commissioner. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case were Michael Schultz, property owner, and Buck Jones, builder. Also appearing were Cabrina Dembow and Ethel Weber. Additionally, although they did not appear at the hearing, this office received letters in opposition to the request from Elizabeth S. Foulke, who owns property immediately adjacent to the site at 4602 Todd Point Lane, Brenda K. Hudson, on behalf of the property owner on the other side of the subject parcel at 4606 Todd Point Lane, and Diana M. Dausen. That correspondence is contained within the case file and speaks for itself.

As noted above, the subject property is approximately 6,985 sq. ft., zoned D.R.3.5. Presently, the property is unimproved. Mr. Schultz has acquired the property and proposes constructing a single family dwelling thereon. A building envelope of 30 ft. x 30 ft. is

ORDER RECEIVED FOR FILING

Date

By

shown. The property is a waterfront property, adjacent to Back River. A setback of 70 ft. from the water line to the dwelling is shown on the plan.

Variance relief is requested because the lot is undersized in terms of area and is also too narrow. Moreover, although variance relief is not requested within the Petition, the proposed side yard setback on the one side of the property is 6.5 ft. and is insufficient under law.

Mr. Schultz and Mr. Jones appeared at the hearing and offered testimony regarding the proposal. They noted the existence of the drainage and utility easement along the southeastern portion of the property line. The site plan offered at the hearing (Petitioner's Exhibit No. 1), shows that the drainage and utility easement is 13.5 ft. in width. The plan also shows that the side of the dwelling will be set back that same measurement from the side property line. Thus, the Petitioner proposes to construct the side of the dwelling so that same immediately abuts the drainage and utility easement area.

Although this drainage and utility easement indeed exists, it does not provide the basis upon which relief can be granted for the lot width and lot area. That is, the property is less than the required 70 ft. width, irrespective of the drainage and utility easement. The property is approximately 51 ft. wide, including the area of the drainage and utility easement. Moreover, the property does not contain sufficient area, even including the area of the drainage and utility easement.

A Zoning Plans Advisory Committee (ZAC) comment was also received from the Developer's Plans Review Division. That comment indicates that the drainage and utility easement is 15 ft. wide. The comment also indicates that the County has constructed a storm drain within that easement and County policy prohibits any construction over the easement area. If the County measurement of the easement is correct (i.e. 15 ft.) than the plan shows that the dwelling would be constructed over an area of the easement (approximately 1.5 ft.).

Based upon the testimony and evidence presented, I am not persuaded that relief should be granted. With the constraints of this property, construction is difficult. Not only is

the property inherently too small and narrow, but the location of the easement also severely limits the possibilities for this site. Moreover, I concur with the written comments of the adjacent property owners. They opine that construction would adversely impact their property. Finally, Mr. Jones indicated at the hearing that the property has an elevation of 8 ft. Pursuant to the ZAC comment from the Developer's Review Division, the minimum building elevation is 10 ft. For all of these reasons, the Petition must be denied.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 19th day of February, 1999, that the Petition for Variance from Sections 1B02.3.C.1 and 304.1 of the Baltimore County Zoning Regulations (BCZR) to allow a buildable lot with a width of 50.25 ft., in lieu of the required 70 ft., in an area of 6,985 sq. ft., and in lieu of the required 10,000 sq. ft., be and is hereby DENIED.



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

RECEIVED FOR THE  
2/19/99  
C. J. [Signature]





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4604 Todd Point Lane

which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1, 304.1

~~Variance~~ to allow a buildable lot with a width of 50.25 feet and an area of 6,985 sq. ft. in lieu of the minimum required 70 ft. and 10,000 sq. ft. respectively, to approve an undersize lot per Section 304 and any other Variances as deemed necessary by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

On the south side of the property there is a 13' - 6" utility easement, so our side yard set back must be at least 13' - 6" off property line. Which in turn causes us to be 6' - 6" off property line on the south side. This is particular to this property due to utility easement and strict compliance would cause the purchaser to not be able to build the house of his choice. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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

(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/Lessee

Michael Shultz  
(Type or Print Name)

Michael Shultz  
Signature

3133 Elliott Street  
Address

Baltimore, Md 21224  
City State Zipcode

Attorney for Petitioner

Buck Jones  
(Type or Print Name)

Buck Jones  
Signature

500 Vogts Lane 410-574-9337  
Address Phone No.

Baltimore, Md 21221  
City State Zipcode

Legal Owner(s).

SIGNAL DEV. CORP.  
(Type or Print Name)

James Gay - PRES.  
Signature

JAMES GAY  
(Type or Print Name)

Signature

109 W. TIMONIUM RD SUITE 200 574-9337  
Address Phone No.

TIMONIUM MD 21093  
City State Zipcode  
Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 275 hrs  
unavailable for hearing

the following dates \_\_\_\_\_ Next Two Months

ALL ☒ OTHER

REVIEWED BY: [Signature] DATE 11-17-98

**99-210-A**

**# 210**



Printed with Soybean Ink  
on Recycled Paper



# EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 4604 Todd Point Lane

(address)

Election District 12

Councilmanic District 7

Beginning at a point on the East side of Todd  
(north, south, east or west)

Point Lane which is (40) Forty  
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 1410' South of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Morse Lane  
(name of street)

which is (60) Sixty wide. \*Being Lot # \_\_\_\_\_,  
(number of feet of right-of-way width)

Block N/A, Section # \_\_\_\_\_ in the subdivision of

\_\_\_\_\_ as recorded in Baltimore County Plat  
(name of subdivision)

Book # 9624, Folio # 487, containing

6985 sf / .16 acres  
(square feet and acres)

# 210

Metes and Bounds: 5.68° 43 minutes west 135', north 67°  
52 minutes 38 seconds east 135', south 16° 23 minutes  
5 seconds east 50.25', south 52 minutes 38 seconds west  
143', north 7° 31 minutes 22 seconds west 51.67'.

**NOTICE OF ZONING  
HEARINGS**

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

Case: #99-210-A  
4604 Todd Point Lane  
E/S Todd Point Lane, 1410'  
S of centerline Morse Lane  
12th Election District  
7th Councilmanic District

Legal Owner(s):  
Cignal Dev. Corp.  
Contract Purchaser:  
Michael Shultz

Variance: to allow a buildable lot with a width of 50.25 feet and an area of 6,985 square feet in lieu of the minimum required 70 feet and 10,000 square feet respectively; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearing: Monday, January 4, 1999 at 11:00 a.m., in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

12/155 Dec. 17 C279400

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/17/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/17/, 1998

**THE JEFFERSONIAN,**

*A. Henrichson*

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

Item 210  
No. 061864

DATE 11-17-98 ACCOUNT R-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Free state General Contractors, Inc.

FOR: Residential Variance filing fee  
for 4604 Todd Point Lane.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
11/19/1998 11/18/1998 15:37:39  
REG 0506 CASHIER NUEL MRW DRAWER 4  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 055151 OFLN  
CR NO. 061864

50.00 CHECK  
Baltimore County, Maryland

99.210-A

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 066351

DATE 4/26/99 ACCOUNT 001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Maslan Maslan Rothwell & O'Brien

FOR: APPEAL

4604 Todd Point Lane

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
4/27/1999 4/27/1999 09:26:20  
REG 0501 CASHIER JRIC JMR DRAWER 1  
Dept 5 528 ZONING VERIFICATION  
Receipt # 099203 OFLN  
CR NO. 066357

Receipt Tot 210.00  
210.00 CK .00 CA  
Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE Case No 99-210-A

Petitioner/Developer M.S HULTZ, ETAL  
BUCK JONES

Date of Hearing/Closing 1/4/99

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Mrs. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify, under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at #4604 TODD POINT LANE

The sign(s) were posted on

12/19/98  
(Month, Day, Year)

Sincerely,

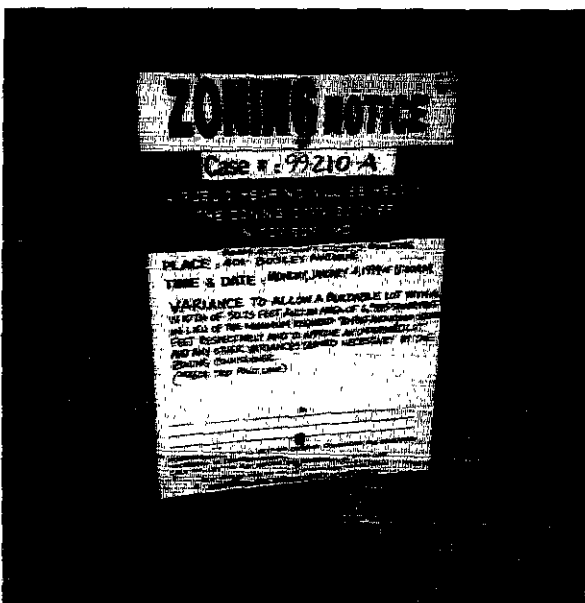
Patrick M O'Keefe 12/20/98  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE  
(Printed Name)

523 PENNY LANE  
(Address)

HUNT VALLEY, MD. 21030  
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571  
(Telephone Number)



99-210 A  
#4604 TODD POINT LA.  
BUCK JONES-FREESTATE  
CIGNAL DEV., ETAL  
H- 1/4/99

# CERTIFICATE OF POSTING

RE: Case No.: 99-210-A

Petitioner/Developer: \_\_\_\_\_

MICHAEL SCHULTZ

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 4604 TODD POINT  
LA.

The sign(s) were posted on 5/27/99  
(Month, Day, Year)

Sincerely,

Gary C. Freund 5/27/99

(Signature of Sign Poster and Date)

GARY C. FREUND

(Printed Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:**

Item Number or Case Number: 99-210-A

Petitioner: Mike Shultz

Address or Location: 4604 Todd Point Lane

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Buck Jones

Address: 500 Vogts Lane

Baltimore, Md 21221

Telephone Number: 410-574-9337

Revised 2/20/98 - SCJ

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-210-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: A Variance to allow a buildable lot with a width of 50.25 ft. & an area of 6985 sq. ft. in lieu of the minimum required 70 ft. & 10,000 sq. ft. respectively, to approve an undersize lot per sect. 304 and any other Variances as deemed necessary by the Zoning Commissioner.

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

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

**HANDICAPPED ACCESSIBLE**



TO: PATUXENT PUBLISHING COMPANY  
DECEMBER 17, 1998 Issue – Jeffersonian

Please forward billing to:

Buck Jones, Esquire  
500 Vogts Lane  
Baltimore, MD 21221

410-574-9337

---

## NOTICE OF ZONING HEARING

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

CASE NUMBER: 99-210-A

4604 Todd Point Lane

E/S Todd Point Lane, 1410' S of centerline Morse Lane

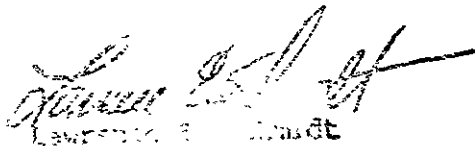
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owner: Cignal Dev. Corp.

Contract Purchaser: Michael Shultz

Variance to allow a buildable lot with a width of 50.25 feet and an area of 6,985 square feet in lieu of the minimum required 70 feet and 10,000 square feet respectively; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, January 4, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

scj

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

December 1, 1998

## NOTICE OF ZONING HEARING

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

CASE NUMBER: 99-210-A  
4604 Todd Point Lane  
E/S Todd Point Lane, 1410' S of centerline Morse Lane  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Signal Dev. Corp.  
Contract Purchaser: Michael Shultz

Variance to allow a buildable lot with a width of 50.25 feet and an area of 6,985 square feet in lieu of the minimum required 70 feet and 10,000 square feet respectively; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

HEARING: Monday, January 4, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablen".

Arnold Jablen  
Director

c: Buck Jones, Esquire  
Signal Dev. Corp.  
Michael Shultz

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 21, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Date: 11.27.97

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 210

333

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1a Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

November 30, 1998

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 30, 1998

Item No.: See Below

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

206, 207, 209, 210, 211, 212, 213, 214, and 185

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** December 2, 1998

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):  
Item No (s): 204, 205, 207, 210, 211, and 213

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: \_\_\_\_\_

*Jeffrey W Long*

AFK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: December 10, 1998

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB/JS*

SUBJECT: Zoning Item #210

Signal Development Corp. - 4604 Todd Point Lane

Zoning Advisory Committee Meeting of November 30, 1998

----- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

----- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

----- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

----- Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

-----

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
           Department of Permits & Development  
           Management

Date:    December 18, 1998

FROM:     Robert W. Bowling, Supervisor  
           Bureau of Developer's Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
           for December 7, 1998  
           Item No. 210

The Bureau of Developer's Plans Review has reviewed the subject zoning item. An existing 15-foot-wide drainage and utility easement parallels the southeast property line of this site. A 76" x 48" ERCCP drain is located within this easement as shown on Baltimore County drawing number 97-0240.

Baltimore County policy prohibits the construction of a permanent structure within a designated drainage and utility easement.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 10 feet.

RWB:HJO:jrb

cc:    File

ZONE1207.210

3468

## BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits and  
Development Management

DATE: March 22, 1999

FROM: *RWB* Robert W. Bowling, Supervisor  
Bureau of Developer's Plans Review  
Department of Permits &  
Development Management

SUBJECT: Zoning Advisory Committee  
Item No. 210  
Additional Comments

The Bureau of Developers Plans Review has re-examined the variance request and has determined a 15-foot-wide drainage and utility easement which exists along the southeast property line. See Deed and Agreement 13116/199.

As previously stated, County policy prohibits the construction of a permanent structure within a County drainage and utility easement.

The contract purchaser, Michael Shultz, has stated he will reduce the size of the proposed house and build it outside the County's 15-foot-wide drainage and utility easement.

RWB:HJO:jrb

cc: File

|                               |  |                  |              |
|-------------------------------|--|------------------|--------------|
| Post-it® Fax Note 7671        |  | Date 3/22/99     | # of Pages 1 |
| To LARRY SCHMIDT              |  | From Bob Bowling |              |
| Co./Dept. Zoning Commissioner |  | Co. DPR          |              |
| Phone #                       |  | Phone # 3751     |              |
| Fax # 3468                    |  | Fax # 2931       |              |



RE: PETITION FOR VARIANCE  
4604 Todd Point Lane, E/S Todd Point Ln,  
1410' S of c/l Morse Ln, 12th Election District,  
7th Councilmanic

Legal Owners: Cignal Development Corp.  
Contract Purchaser: Michael Shultz

Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-210-A

\* \* \* \* \*

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7<sup>th</sup> day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

Variance Case # 99-210-A

TO: Director, Office of Planning and Zoning  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

B \_\_\_\_\_  
Permit Number

12/4/98

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Buck Jones 500 Vogts Lane 410-574-9337  
Print Name of Applicant Address Telephone Number

☐ Lot Address 4604 Todd Point Lane Election District 12 Council District 7 Square Feet 698S  
Lot Location: N E S W / side / corner of Todd Point Lane feet from N E S W corner of Morse Lane  
(street) (street)

Land Owner Mike Shultz Tax Account Number 15-08-301742

Address 919 Back River Neck Rd Telephone Number 410-574-9337  
Baltimore, Md 21221

☐ CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

|                                                                                 | YES                                 | NO                                  |
|---------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1. This Recommendation Form (3 copies)                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. Permit Application                                                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3. Site Plan                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Property (3 copies)                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Topo Map (available in Rm 706 C O B.) (2 copies)<br>(please label site clearly) | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4. Building Elevation Drawings                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 5. Photographs (please label all photos clearly)                                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Adjoining Buildings                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Surrounding Neighborhood                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Residential Processing Fee Paid  
Codes 030 & 080 (\$25)

Accepted by \_\_\_\_\_  
ZON

Date \_\_\_\_\_

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

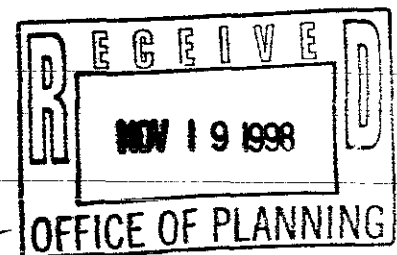
RECOMMENDATIONS/COMMENTS.

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Jeffrey W. Long  
Director, Office of Planning & Zoning

Date:

12/1/98





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
410-887-3180

Hearing Room - Room 48 FAX: 410-887-3182  
Old Courthouse, 400 Washington Avenue

June 10, 1999

NOTICE OF ASSIGNMENT

CASE #: 99-210-A

IN THE MATTER OF: SIGNAL DEVELOPMENT CORPORATION -  
Petitioner; MICHAEL SCHULTZ -C.P. 4604 Todd  
Point Lane 12th Election District; 7th  
Councilmanic District

(Petition for Variance DENIED by Z.C.)

ASSIGNED FOR:

THURSDAY, AUGUST 12, 1999 at 10:00 a.m.

**NOTICE:** This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

**IMPORTANT:** No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco  
Administrator

cc: Counsel for Appellants /Petitioners: Ralph K. Rothwell, Jr., Esquire  
Appellants /Petitioners: Michael Schultze ANTOINETTE COTSARADIS  
~~James Gay /Signal Development~~

Buck Jones

out per Mr. Rothwell - sold  
Property to M. Schultze & A. Cotsaradis

Protestants: Brenda K. Hudson  
Diana M. Dausen  
Cabrina Dembow  
Ethel Weber

People's Counsel for Baltimore County  
Pat Keller, Director /Planning  
Lawrence E. Schmidt /Z.C.  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
410-887-3180  
FAX: 410-887-3182

August 13, 1999

NOTICE OF DELIBERATION:

IN THE MATTER OF:

MICHAEL SCHULTZ /ANTOINETTE COTSORADIS -Petitioners  
Case No. 99-210-A

The subject matter, having been heard by the Board of Appeals on August 12, 1999, has been assigned the following date and time for public deliberation:

DATE AND TIME : Tuesday, September 14, 1999 at 10:00 a.m.

LOCATION : Room 48, Basement, Old Courthouse

NOTE: CLOSING MEMOS DUE FROM COUNSEL AS INDICATED AT HEARING OF 8/12/99  
[ORIGINAL AND THREE (3) COPIES] BY 3:30 p.m., FRIDAY, 9/03/99.

Kathleen C. Bianco  
Administrator

cc: Counsel for Appellants /Petitioners: Ralph K. Rothwell, Jr., Esquire  
Appellants /Petitioners: Michael Schultz  
& Antoinette Cotsoradis

Buck Jones

Protestants: Brenda K. Hudson  
Diana M. Dausen  
Cabrina Dembow  
Ethel Weber

People's Counsel for Baltimore County  
Pat Keller, Director /Planning  
Lawrence E. Schmidt /Z.C.  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney

Copies to: C.B.W.



LAW OFFICES

MASLAN, MASLAN, ROTHWELL & O'BRIEN, P.A.

7508 EASTERN AVENUE

BALTIMORE, MARYLAND 21224

(410) 282-2700

FAX: (410) 282-3336

GARY R. MASLAN

RALPH K. ROTHWELL, JR.

DENNIS F. O'BRIEN

M. MICHAEL MASLAN  
(1911 - 1996)

To S. Ash

May 18, 1999

Baltimore County Zoning Administration and Development Management  
c/o Appeals Clerk  
111 W. Chesapeake Avenue  
Room 111  
Towson, Maryland 21204

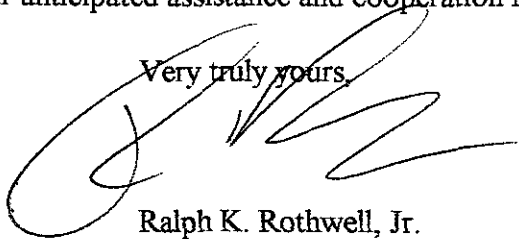
Re: Case Number: 99-210-A  
Zoning Commission of Baltimore County  
Property: 4604 Todd Point Lane  
12 Election District  
7th Councilmanic District  
Purchaser: Mr. Michael Schultz

Dear Clerk,

When you schedule the above captioned matter, please do not schedule it in for the week of July 26 or August 2 as I will be out of town on vacation. Also please do not schedule it on the week of August 21 through August 28 as my client will be out of town for his previously scheduled vacation.

I thank you for your anticipated assistance and cooperation in this matter.

Very truly yours,



Ralph K. Rothwell, Jr.

RKR/jrp  
Enclosure  
CC: Mr. Michael Schultz

99 MAY 27 AM 10:37  
RECEIVED  
COUNTY BOARD OF APPEALS

## APPLICATION FOR BUILDING PERMIT

PERMIT #: 2344934 CONTROL #: NONE DIST: 15 PREC: 21

LOCATION: 4664 TODD POINT LANE  
 SUBDIVISION: KILTON SCHLUDERBERG  
 TAX ASSESSMENT #: 1506301742

## OWNERS INFORMATION

NAME: CIGNAL DEVELOPMENT CORPORATION  
 ADDR: 2401 YORK RD TIMONIUM, MD 21093

## APPLICANT INFORMATION

NAME: JOSEPH MARANIO  
 COMPANY: CHAPEL HOMES INC  
 ADDR1: 2401 YORK RD  
 ADDR2: TIMONIUM, MD 21093  
 PHONE #: 410-540-1102 LICENSE #:

## NOTES

W/C/CDP  
 BASEMENT DELETED 2/6/98 PER PLANS REVIEW JAB. RSD

## CRCS

PLANS: CONST 2 PROJ 7 B PLAN 0 DATA 0 LIEC YES PLUM YES

## REMARKS:

CLIENT: CHAPEL HOMES INC

SKINR: KOT

FLRS:

WORK: CONST SFD W/ COVERED FRONT PORCH. NO FIREPLACE  
 24'X20'X30' = 1,440SF. 3 BEDROOMS  
 TODD POINT A

PROPOSED USE: SFD + GARAGE, PORCH & DECK E.C.R.  
 EXISTING USE: VACANT

PLCE. CODE: 1 AND 2 FAM. CODE

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

ESTIMATED COST OF MATERIAL AND LABOR: 39,000.00

TYPE OF TRNV: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: GRAB

BASEMENT: NONE

SEWER: PUBLIC EXIST

WATER: PUBLIC EXIST

CONSTRUCTION: WOOD FRAME

FUEL: GAS

CENTRAL AIR: YES

SINGLE FAMILY UNIT

TOTAL 1 FAMILY BEDROOMS: 3

MULTI FAMILY UNITS:

IF SECOND (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:

TOTAL NO. OF APARTMENTS: TOTAL NO. OF APARTMENTS:

STATE OF MARYLAND

IN SENATE,  
 January 11, 1966.  
 REPORT OF THE  
 COMMISSIONER OF THE  
 DEPARTMENT OF  
 REVENUE,  
 FOR THE YEAR  
 ENDING DECEMBER  
 31, 1965.

THE COMMISSIONER OF THE  
 DEPARTMENT OF  
 REVENUE,  
 HAS THE HONOR TO  
 SUBMIT TO THE  
 SENATE,  
 FOR THE YEAR  
 ENDING DECEMBER  
 31, 1965.

STATE OF MARYLAND

IN SENATE,  
 January 11, 1966.

REPORT OF THE COMMISSIONER OF THE  
 DEPARTMENT OF  
 REVENUE,  
 FOR THE YEAR  
 ENDING DECEMBER  
 31, 1965.

THE COMMISSIONER OF THE  
 DEPARTMENT OF  
 REVENUE,  
 HAS THE HONOR TO  
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 ENDING DECEMBER  
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STATE OF MARYLAND  
 IN SENATE  
 January 11, 1966

REPORT OF THE  
 COMMISSIONER OF THE  
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 REVENUE,  
 FOR THE YEAR  
 ENDING DECEMBER  
 31, 1965.

THE COMMISSIONER OF THE  
 DEPARTMENT OF  
 REVENUE,  
 HAS THE HONOR TO  
 SUBMIT TO THE  
 SENATE,  
 FOR THE YEAR  
 ENDING DECEMBER  
 31, 1965.













VA MARYLAND HEALTH CARE SYSTEM, CHIEF MEDICAL OFFICER  
FORT HOWARD (11), 9600 NORTH POINT RD., FORT HOWARD,  
MARYLAND 21052

**FORT HOWARD  
MEDICAL CENTER**

# Fax

To: Carl Richards

From: Toni Schultz

Fax: 410-887-5708

Pages: 2

Phone: (410) 477-7150

Date: 2/22/00

FTS: (410) 477-1800

410-477-7031

Fax (410) 477-7153

Re:

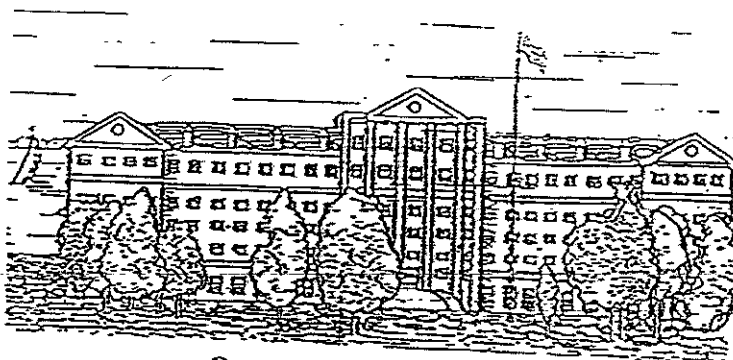
CC:

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

• **Comments:** Transmission is intended only for the use of the person or office to whom it is addressed and may contain information that is privileged, confidential, or protected by law.

All other are hereby notified that receipt of this message does not waive any applicable privilege or exemption disclosure and that any dissemination, distribution, or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately at the telephone number shown above. Thank you.

SENDER'S COMMENTS:



Department of Veterans Affairs  
Medical Center  
Fort Howard, Maryland 21052



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

BUILDING PERMIT

*[Signature]*  
BUILDINGS ENGINEER

PERMIT #: B360294 CONTROL #: NRFP DIST. 15 PREC: 21  
DATE ISSUED: 12/17/98 TAX ACCOUNT #: 1508301742 CLASS: 34

PLANS: CONST 2 PLOT 7 R PLAT 0 DATA 9 ELEC YES PLUM YES  
LOCATION: 4604 TODD POINT LANE  
SUBDIVISION: MILTON SCHLUDERBERG

## OWNERS INFORMATION

NAME: SCHULTZ, MIKE  
ADDR: 3133 ELLIOTT ST 21224

## TENANT:

CONTR: FREE STATE GEN. CONTRACTORS INC

## ENGR:

SELLR: SIGNAL DEVELOPMENT CORP

WORK: CONST. SFD W/ DOUBLE DECK AND FRONT PORCH.

3BEDROOMS. 30'X34'X31'-1920SF

FLOOD ZONE "A", EXISTING "B". REQ10.4

THIS PERMIT CANCELS B344064

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE

BLDG. CODE: 1 AND 2 FAM. CODE  
RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD  
130,000.00 EXISTING USE: VACANT LOT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: BLOCK

SEWAGE: PUBLIC EXIST

BASEMENT: NONE

WATER: PUBLIC EXIST

## LOT SIZE AND SETBACKS

SIZE: 0051.67 X 0000.00

FRONT STREET:

SIDE STREET:

FRONT SETB: 26

SIDE SETB: 6.5/13.5

SIDE STR SETB:

REAR SETB: 70

**FLOOD PLAIN**

A FRAMING INSPECTION  
WILL NOT BE APPROVED UNTIL AN ELEVATION  
CERTIFICATION IS RECEIVED FROM THE INSPECTION

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

**LOCKHEED MARTIN**

LMC Properties, Inc.  
100 S. Charles Street  
Suite 1400  
Baltimore, MD 21201  
Phone: (410) 468-1018  
FAX: (410) 468-1078

**FACSIMILE TRANSMITTAL LETTER**

**DATE:** October 10, 2001

**PLEASE DELIVER THE ACCOMPANYING TRANSMITTED MATERIAL TO:**

**NAME:** George Zahner

**COMPANY:** Baltimore County Permits

**FAX NUMBER:** 410-887-2824

**PHONE NUMBER:** 410-887-3391

**SENDER:** Terri Cohen 410-468-1018

**Number of pages (including transmittal cover) 7**

**COMMENTS:**

**George,**

**As per our conversation, attached for your review. Please contact me at  
410-468-1018 or 410-303-8306. THANK YOU VERY MUCH!**

4602 Todd Point Lane



## BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21204

DIRECTOR

BUILDING PERMIT

BUILDINGS ENGINEER

 PERMIT #: B350294 CONTROL #: NRP DIST: 15 PREC: 2  
 DATE ISSUED: 12/17/98 TAX ACCOUNT #: 1500301740 CLASS: 34

 PLANS: CONST. 2 PLOT 7 R PLAT 6 D.C.O. ELEC. YES PLUM YES  
 LOCATION: 4602 TODD POINT LANE  
 SUBDIVISION: MILLER SCHLUBERBERG

## OWNERS INFORMATION

 NAME: SCHULTZ, MIKE  
 ADDR: 3133 ELLIOTT ST 21224

## TENANT:

CONTR: FREE STATE GEN. CONTRACTORS INC

ENGR:

SEILR: CIGNAL DEVELOPMENT CORP

WORK: CONST. 511 W/ DOUBLE DECK AND FRONT PORCH.

FLOORING: 30'X24'X31'-192667

FLOOD ZONE "A". EXISTING "B". ZONE 4

THIS PERMIT CANCELS B341064

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE

BLOG. CODE: 1 AND 2 FAN. CODE

RESIDENTIAL CATEGORY DETACHED

OWNERSHIP: PRIVATELY OWNED

 PROPOSED USE: SFD  
 130,000.00 EXISTING USE: VACANT LOT

TYPE OF WORK: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: BLOCK

BASEMENT: NONE

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

## LOT SIZE AND SURFACES

SIZE: 0051.67 S. 1000.00

FRONT STREET

SIDE STREET

FRONT SETBACK

SIDE SETBACK

SIDE STR SETBACK

REAR SETBACK

FLOOD PLAIN

 A FRAMING INSPECTION  
 WILL NOT BE APPROVED UNTIL AN ELEVATION  
 CERTIFICATION IS RECEIVED BY BUILDING INSPECTION

G-21

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



§ 1B02

## BALTIMORE COUNTY ZONING REGULATIONS

§ 1B02

| Zoning Classification | Minimum Net Lot Area per Dwelling Unit (sq. ft.) | Minimum Lot Width (feet) | Minimum Front Yard Depth (feet) | Minimum Width of Individual Side Yard (feet) | Minimum Sum of Side Yard Widths (feet) | Minimum Rear Yard Depth (feet) |
|-----------------------|--------------------------------------------------|--------------------------|---------------------------------|----------------------------------------------|----------------------------------------|--------------------------------|
| D.R.1                 | 40,000                                           | 150                      | 50                              | 20                                           | 50                                     | 50                             |
| D.R.2                 | 20,000                                           | 100                      | 40                              | 15                                           | 40                                     | 40                             |
| D.R.3.5               | 10,000                                           | 70                       | 30                              | 10                                           | 25                                     | 30                             |
| D.R.5.5               | 6,000                                            | 55                       | 25                              | 10                                           | --                                     | 30                             |
| D.R.10.5              | 3,000                                            | 20                       | 10                              | 10                                           | --                                     | 50                             |
| D.R.16                | 2,500                                            | 20                       | 10                              | 25                                           | --                                     | 30                             |

2. Other standards for development of small lots on tracts as so described shall be as set forth in provisions adopted pursuant to the authority of Section 504.

D. An amendment to any part of a development plan involving only property subject to the provisions of this subsection shall not be subject to the provisions of Section 1B 1.3.A.7.

George -

Is this all I need to abide by when designing the appropriate size house?

K Additional Restrictions due to 13.5

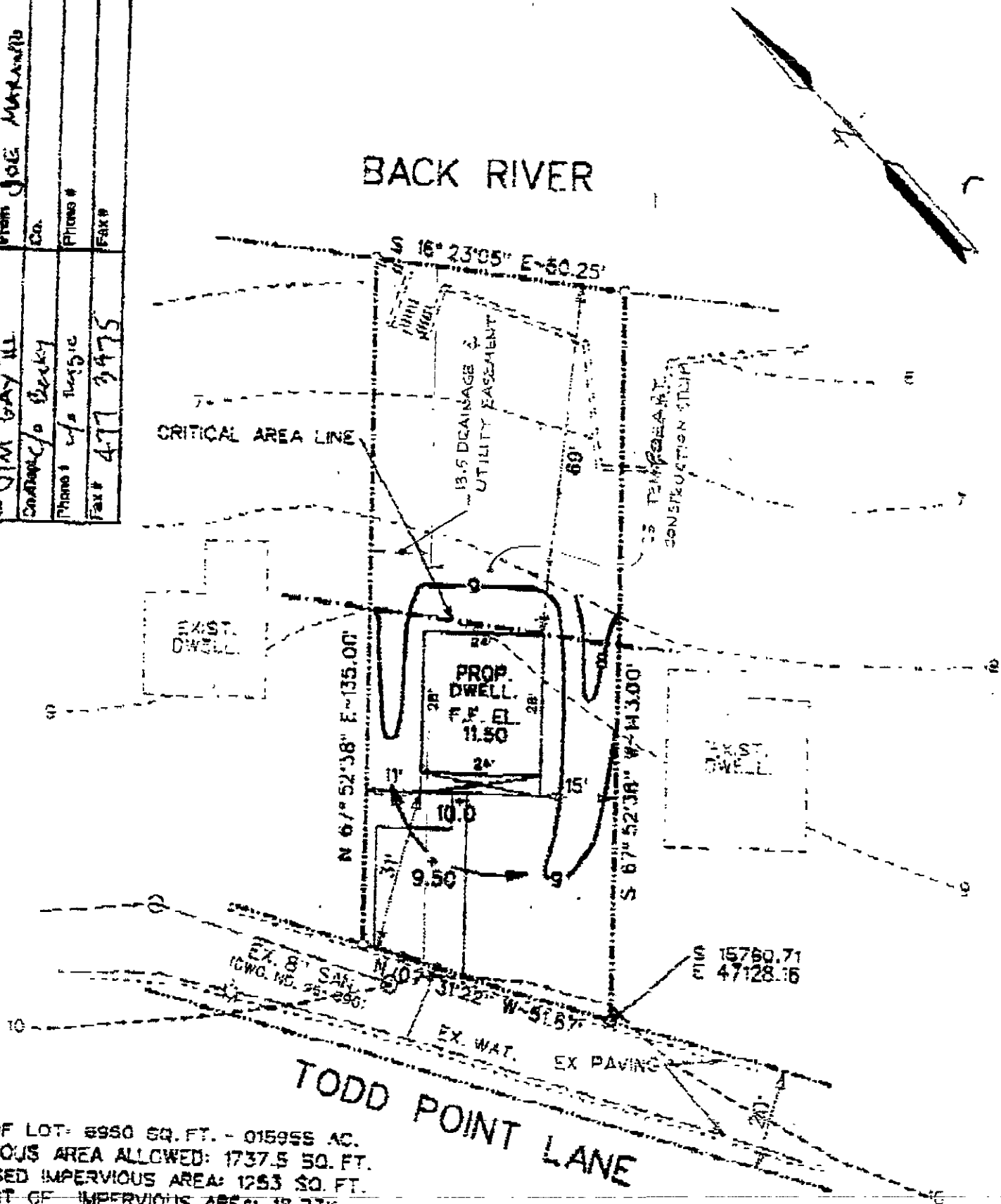
Drainage & Utility Easement

and 25.0 Temporary construction

strip (as noted in attached). <sup>1B-24</sup> ?

Terrie Cohen

|                  |        |
|------------------|--------|
| Date 8/15/98     | Page 1 |
| From JOE MARANO  |        |
| To JIM GAY III   |        |
| Contractor Becky |        |
| Phone 477 3975   |        |
| Fax 477 3975     |        |



EA OF LOT: 8950 SQ. FT. - 015955 AC.  
 IMPERVIOUS AREA ALLOWED: 1737.5 SQ. FT.  
 PROPOSED IMPERVIOUS AREA: 1253 SQ. FT.  
 PERCENT OF IMPERVIOUS AREA: 18.33%

SCALE: 1" = 30'

LIBEN9621, PAGE 85

DEED

THIS DEED Made this 27<sup>th</sup> day of January, in the year one thousand, nine hundred and ninety-three, by and between Beachwood Development Corp., a body Corporate of the State of Maryland, the party of the first part, and Cignal Development Corporation, a body Corporate of the State of Maryland, the party of the second part;

WITNESSETH: that in consideration of the sum of Twenty-Five Thousand Dollars (\$25,000.00), the party of the first part hereby grants unto the party of the second part, in fee simple, all that piece or parcel of land, together with improvements, rights, privileges and appurtenances to the same belonging, situate in the County of Baltimore, State of Maryland, described in Exhibit A, which is attached hereto, specifically incorporated by reference herein, and a made a part of this Deed.

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

And by its execution hereof, this sale is made in strict conformity with appropriate resolutions of the Board of Directors and Stockholders of the Grantor.

And the said party of the first part covenants that it will warrant specially the property hereby conveyed, and that it will execute such further assurances of said land as may be requisite.

Witness its hand and seal the day and year first hereinabove written.

WITNESS:

BEACHWOOD DEVELOPMENT CORP.

By: James L. Gay (SEAL)  
James L. Gay, President

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

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

LIBER 9624 PAGE 487

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Description of a 0.160 +/-  
Acre Parcel of Land.

January 8, 1993

Beginning for the same at a point on the east side of a road, twenty foot wide, said point of beginning being at the end of the 4th or South 68 degree 43 minute West 135.00 foot line of that parcel of land described in a Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334, running thence leaving the east side of said road, binding reversely on all of said 4th line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding reversely on all of the 3rd line of said Deed and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 50.25 feet, running thence leaving the waters of said Back River, binding reversely on all of the 2nd line of said Deed, parallel with and distant 50.00 feet at right angles from the herein above described first line, 3) South 67 degrees 52 minutes 38 seconds West 143.00 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding reversely on all of the 1st line of said Deed, 4) North 07 degrees 31 minutes 22 seconds West 51.67 feet to the point of beginning.

Containing 0.160 Acres of Land more or less.

The above bearing and distance are taken from a Plat prepared by Spellman, Larson & Associates, Inc., dated August 28, 1992 entitled "Outline Survey, BEACHWOOD SOUTH".

Being that same lot or parcel of ground described in a Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334.

Together with the right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road as mentioned in the Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334.

LIBER 9624 PAGE 88

Description of a 0.160 +/-  
Acre Parcel of Land.

January 8, 1993  
page -2-

Subject to a thirteen and one half (13.50) foot wide drainage and utility easement, described as follows: ←

Beginning for said drainage and utility easement at a point on the east side of a road, twenty foot wide, said point of beginning being at the beginning of the 1st or 1) North 67 degree 52 minute 38 second East 135.00 foot line of the above described 0.160 Acre Parcel of Land, running thence leaving the east side of said road, binding on all of said 1st line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding on part of the 2nd line of the above described 0.160 Acre Parcel and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 13.57 feet, thence leaving the waters of said Back River, running parallel with and distant 13.50 feet southeasterly at right angles from said 1st line, 3) South 67 degrees 52 minutes 38 seconds West 137.16 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding on part of the 4th line of the above described 0.160 Acre Parcel, 4) North 07 degrees 31 minutes 22 seconds West 13.95 feet to the point of beginning.

Containing 0.042 Acres of Land more or less.

Also subject to a twenty five (25) foot wide temporary construction strip, parallel with and distant 25.00 feet southeasterly at right angles from the 3rd or South 67 degree 52 minute 38 second West 137.16 foot line of the above described 13.50 foot wide drainage and utility easement.

Containing 0.080 Acres of Land more or less.

LAW OFFICES

MASLAN, MASLAN, ROTHWELL &amp; O'BRIEN, P.A.

7508 EASTERN AVENUE

BALTIMORE, MARYLAND 21224

GARY R. MASLAN

RALPH K. ROTHWELL, JR.

DENNIS F. O'BRIEN

(410) 282-2700  
FAX: (410) 282-3336M. MICHAEL MASLAN  
(1911 - 1996)

July 23, 1999

Mr. Mel Collins  
c/o Eastern Processing Service  
407 Essexwood Court  
Baltimore, Maryland 21221

Re: Case No.: 99-210-A  
4604 Todd Point Lane

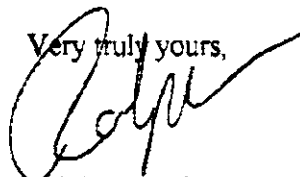
Dear Mel:

Enclosed please find two Subpoenas to be served in regard to the above captioned matter. Mr. James Gay may also be served at Reality One Plus, 7835 Wise Avenue, Baltimore, Maryland 21222.

Please let me know when service has been made.

I thank you for your attention.

Very truly yours,

  
Ralph K. Rothwell, Jr.

RE: 4604 Todd Point Lane  
12 Election District  
7th Councilmanic District  
Purchaser: Michael Schultz

\* BEFORE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 99-210-A

COPY

\* \* \* \* \*  
**S U B P O E N A**

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: (Name, Address, County)

Custodian of Records  
c/o Department of Permits and Development Management  
for Baltimore County, Maryland  
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear;  
( ) Produce documents and/or objects only; (XX) Personally appear  
and produce documents or objects;

in Room 48, Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
on Thursday, August 12, 1999 at 10:00 a.m./~~PM~~  
and from day to day until concluded.

YOU ARE COMMANDED TO produce the following documents or objects  
(for general purpose as stated):

Any and all records relative to Building Permits and comments relative to property known as  
4604 Todd Point Lane, Baltimore County, Maryland, specifically Permit No.: B344064.

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 23 PM 2:07

SUBPOENA REQUESTED BY:

(Name of Party /Attorney)  
7508 Eastern Avenue  
Baltimore, Maryland 21224  
(Address /Telephone #)  
410-282-2700

The witness named above is hereby ORDERED to so appear before the County  
Board of Appeals. The Board requests ( ) the Sheriff, ( ~~XXXX~~ ) Private Process  
Server, to issue the summons set forth herein.

Charlotte E. Reddick  
County Board of Appeals of  
Baltimore County

RE: 4604 Todd Point Lane

12 Election District

7th Councilmanic District

Purchaser: Michael Schultz

\* BEFORE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 99-210-A

COPY

\* \* \* \* \*

S U B P O E N A

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: (Name, Address, County)

James L. Gay, III

c/o Cignal Development Corporation

2401 York Road

Timonium, Maryland 21093

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear;  
( ) Produce documents and/or objects only; (xx) Personally appear  
and produce documents or objects;

in Room 48, Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
on Thursday, August 12, 1999 at 10:00 a.m./p.m.  
and from day to day until concluded.

YOU ARE COMMANDED TO produce the following documents or objects  
(for general purpose as stated):

Any and all records relative to Bldg. Permits and Settlement Documents for property known as  
4604 Todd Point Lane, Baltimore, Maryland.

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 23 PM 2:07

SUBPOENA REQUESTED BY



(Name of Party /Attorney)

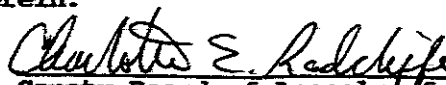
7508 Eastern Avenue

Baltimore, Maryland 21224

(Address /Telephone #)

410-282-2700

The witness named above is hereby ORDERED to so appear before the County  
Board of Appeals. The Board requests ( ) the Sheriff, (xxx) Private Process  
Server, to issue the summons set forth herein.



County Board of Appeals of  
Baltimore County



DISTRICT  
IN THE CIRCUIT COURT OF MARYLAND FOR: BALTIMORE COUNTY  
Located at: County Board of Appeals  
400 Washington Ave., Room 40  
Towson, Md. 21204

\*\*\*\*\*  
\* ( ) Civil ( ) Criminal ( ) Trust  
\*  
Plaintiff: Michael Schultz \* ( ) Juvenile (x) Land Records & Doc.  
\*  
vs. \*  
\* CASE # 99-210-A  
\*  
Defendant: Balto. County Zoning \*  
\*\*\*\*\*

AFFIDAVIT OF SERVICE BY PRIVATE PROCESS SERVER

I, the undersigned, hereby certify as follows:

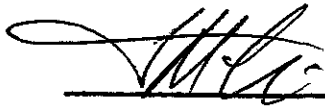
1. That I am a competent private person, over the age of eighteen years and am not a party to this action.

2. That I served process upon Carl Richards, Zoning Supervisor  
111 W. Chesapeake Ave.  
Towson, Md. 21204

on the 27th day of July, 1999 at 4:15 o'clock am/pm  
by delivering and leaving with the person served: A Subpoena to  
personally appear and produce documents at hearing 8/12/99.

I do solemnly declare and affirm, under penalties of perjury,  
that the matters and facts set forth herein are true and correct.

The Cost of This Service is: \$ 25.00

  
Albert M. Collins  
Eastern Process Service  
407 Essexwood Ct.  
Baltimore, Md. 21221  
(410) 894-0017

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 30 PM 2:46

RE: 4604 Todd Point Lane

12 Election District

7th Councilmanic District

Purchaser: Michael Schultz

\* BEFORE

\* COUNTY BOARD OF APPEALS

\* OF

\* BALTIMORE COUNTY

\* CASE NO. 96-210-A

\* \* \* \* \*  
S U B P O E N A

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: (Name, Address, County)

Custodian of Records

c/o Department of Permits and Development Management  
for Baltimore County, Maryland

Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear;  
( ) Produce documents and/or objects only; (X) Personally appear  
and produce documents or objects;

In Room 48, Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
on Thursday, August 12, 1996 at 10:00 a.m./p.m.  
and from day to day until concluded.

YOU ARE COMMANDED TO produce the following documents or objects  
(for general purpose as stated):

Any and all records relative to building permits and comments relative to comments known as  
4604 Todd Point Lane, Baltimore County, Maryland, specifically permit 100-104460.

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 23 PM 2:07

SUBPOENA REQUESTED BY:

RAULF ROTHWELL, Esq.  
(Name of Party /Attorney)  
7506 Eastern Avenue  
Baltimore, Maryland 21224  
(Address /Telephone #)  
410-252-2730

The witness named above is hereby ORDERED to so appear before the County  
Board of Appeals. The Board requests ( ) the Sheriff, (X) Private Process  
Server, to issue the summons set forth herein.

Charlotte E. Ruppel  
County Board of Appeals of  
Baltimore County

DISTRICT  
IN THE ~~CIRCUIT~~ COURT OF MARYLAND FOR: BALTIMORE COUNTY

Located at: County Board of Appeals  
400 Washington Ave. Room 40  
Towson, Md. 21204

\*\*\*\*\*  
\* ( ) Civil ( ) Criminal ( ) Trust  
\*  
Plaintiff: Michael Schultz \* ( ) Juvenile (XX) Land Records & Doc.  
\*  
vs. \*  
\* CASE # 99-210-A  
\*  
Defendant: Baltimore County Zoning \*  
\*  
\*\*\*\*\*

AFFIDAVIT OF SERVICE BY PRIVATE PROCESS SERVER

I, the undersigned, hereby certify as follows:

1. That I am a competent private person, over the age  
of eighteen years and am not a party to this action.

2. That I served process upon James L. Gay III

Realty One Plus, 7035 Wise Ave., 2nd Floor

Balto., Md. 21222

on the 28th day of July, 1999 at 11:30 o'clock am/pm  
by delivering and leaving with the person served: A Subpoena to  
personally appear & produce documents at Hearing 8/12/99.

I do solemnly declare and affirm, under penalties of perjury,  
that the matters and facts set forth herein are true and correct.

The Cost of This Service is: \$ 25.00

  
Albert M. Collins  
Eastern Process Service  
407 Essexwood Ct.  
Baltimore, Md. 21221  
(410) 894-0017

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 30 PM 2:46

RE: 4674 Todd Point Lane

12 Election District

For Councilman District

Purchaser: Michael Schultz

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 4-11-83

S U B P O E N A

STATE OF MARYLAND, BALTIMORE COUNTY TO WIT:

TO: (Name, Address, County)

James L. Gay, III

of Signal Development Corporation

101 York Road

Thurman, Maryland 21153

YOU ARE HEREBY COMMANDED TO: ( ) Personally appear;  
( ) Produce documents and/or objects only; (XX) Personally appear  
and produce documents or objects;

in Room 48, Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204  
on Thursday, August 12, 1983 at 10:00 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects  
(for general purpose as stated):  
all records relative to E.P. 4674 - 12th Election District for the period 1978-1983  
4674 Todd Point Lane, Baltimore, Maryland.

SUBPOENA REQUESTED BY

SA-PA KOTH  
(Name of Party /Attorney)

1504 Eastern Avenue

Baltimore, Maryland 21204

(Address /Telephone #)

410-242-3700

The witness named above is hereby ORDERED to so appear before the County  
Board of Appeals. The Board requests the Sheriff, (XXX) Private Process  
Server, to issue the summons set forth herein.

County Board of Appeals  
Baltimore County

RECEIVED  
COUNTY BOARD OF APPEALS  
99 JUL 23 PM 2:07

# FREE-STATE GENERAL CONTRACTORS, INC.



500 VOGTS LANE • BALTIMORE, MARYLAND 21221 • 574-9337  
M.H.C. #20286

February 22, 1999

Lawrence E. Schmidt  
Zoning Commissioner for Baltimore County

Re: Case no. 99-210-A  
4604 Todd Point Lane  
Baltimore, Md 21219

Dear Mr. Schmidt,

I am writing this letter in hopes that you will reconsider your order dated February 19, 1999 regarding denial of the variance.

I have pulled the recorded deed showing that the utility easement is 13.5, which I have submitted a copy of the deed with this letter. I have also sent a copy of the deed to Mr. Herb Oberc at the Bureau of Developers Plans review, who is the person that write's the correspondence for Mr. Robert Bowling. I also have included a scaled down copy of the drawings to show that the structure is to be built for the first floor elevation to be at approximately 15' above high mean tide.

The third item that was of issue I am a little vague as to what it was. I am requesting a side yard set back of 6.5' as shown on my petition for variance application which I have enclosed. Having reviewed the notice of Zoning hearing that is generated by Baltimore County, I notice that it does not actually appear and I am not sure if that is the problem or is there something that Mr. Shultz lost in the interpretation. For that reason I request to discuss this and any other issue with you in the hopes to rekindle a favorable variance.

In closing I feel this house would have minimum impact on the community or the adjacent homes. First there would be a minimum of 26.5' between Mr. Shultz's house and house number 4602 Todd Point Lane and 23.5' between Mr. Shultz's house and house number 4604 Todd Point Lane. Also since the house is on piers, a person can easily look thru to the water. There are no homes across the street due to the storm water management pond. The ground under the house is to be gravel so water quality would barely be impacted. So for the reasons above I see no true intrusion of the quality of life in the community.

Thank you for your time and reconsideration in this matter.

Sincerely,

Buck Jones,  
President

*Will go to  
a 28 foot  
width if  
necessary  
LES  
per B.I.*

Ref 410-887-3468

To: Lawrence Schmidt  
From: Barbara Denbow

Re: # 99-210A Variance

If variances are granted...

I am concerned that my husband  
and I will likely face expansion  
requests for the small lot  
adjacent to our property. Only  
a shack may occupy the Ray  
family lot. However, a sewer connection  
has been provided.

Would all future development  
along the shoreline of Todd St. Ln  
require "raised" housing? Most  
people felt that "huts" or "shacks"  
would be out of character  
with existing homes.

Thank you for considering my  
comments.

A. Denbow

cc John Olszanski 410-285-7858

Diana M. Dausés  
5 Sipple Avenue  
Baltimore, MD 21236  
410-661-3265

January 2, 1999

VIA FACSIMILE (410) 887-3468  
Mr. Lawrence Schmidt  
Zoning Commissioner  
Zoning Commissioner's Office  
County Courts Building  
401 Bosley Avenue, Room 405  
Towson, MD 21204

RE: Case No.: 99-210-A  
Hearing Date: January 4, 1999

Dear Mr. Schmidt,

On December 31, 1998, my sister informed me that there was a zoning variance notice posted at 4604 Todd Point Lane, with a hearing scheduled for January 4, 1999. Since I doubt I will be able to attend this hearing, please note this letter as my formal objection to this variance. I did not see a date on this posting. Can you tell me when this notice was posted? I would also like to know what type of building is being planned - residential or a community-type building.

I have a number of concerns regarding any type of zoning variance which would allow this property to be deemed a buildable lot.

First, since it is waterfront, it must surely fall within Chesapeake Bay Critical Areas, and I feel a variance of over 3,000 square feet is extremely significant in this regard.

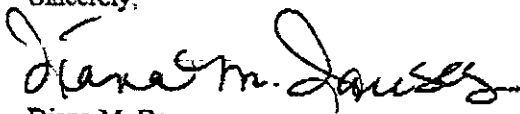
Secondly, this property now has a large storm water management drain running through it. My understanding from previous County hearings is that Beachwood Estates development was to install the storm water management system, but would then turn it over to the County to maintain. If that is the case, and should this system ever become compromised, who will be liable for any damage or injury that might ensue - the property owner or the County? Also, what type of setback restrictions are there to this system in regards to building on this property and are they already taken into account with the 3,000 square foot variance?

Thirdly, allowing a variance of close to 20 feet in width would negatively impact and infringe upon the adjacent property owners' privacy and enjoyment of their own properties.

I have always been on record as opposed to the Beachwood Estates development due to the impact it would have on this area. This is a major development, still under construction, and it will be many years before its total effect is felt. I feel it would be extremely detrimental to allow any more zoning variances in this area, especially with this proximity to the water.

Please feel free to call me either at home (410-661-3265) or work (410-882-3262 ext. 3081) if you have any questions. I would also like to be informed of the outcome of this hearing and advance notice of any future hearings. Thank you.

Sincerely,

  
Diana M. Dausés

Brenda K. Hutson  
7707 Sparrows Point Boulevard  
Baltimore, Maryland 21219  
(410) 477-5416

December 31, 1998

VIA FACSIMILE (410) 887-3468

Mr. Lawrence Schmidt  
Zoning Commissioner  
Zoning Commissioner's Office  
County Courts Building  
401 Bosley Avenue, Room 405  
Towson, Maryland 21204

RE: Case No: 99-210-A  
Hearing Date: January 4, 1999

Dear Mr. Schmidt:

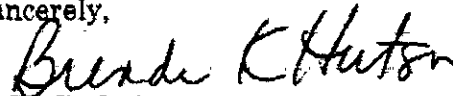
Please note this letter as my formal objection to the request for a variance with regard to the property located at 4604 Todd Point Lane. I am sending this letter via facsimile as I understand that the hearing with regard to this matter is scheduled for Monday, January 4, 1999. I am unable to attend the hearing.

My family owns the property located at 4606 Todd Point Lane, Baltimore, Maryland 21219. We use this property on a daily basis during the summer months and the yard is regularly used as a gathering place for no fewer than twenty family members. My family believes that allowing another property to be built on space that would encroach upon the Ten Thousand foot restriction would impose an undue and unnecessary hardship on us in the enjoyment and use of our property. To allow them to build upon the site as has been requested would place their property too close to our property.

Therefore, we oppose the requested variance, and hope that you will give due consideration to our concerns.

I can be reached at (410) 727-5000 during the day from 8:30 a.m. until 3:30 p.m. or at my home number listed above. Thank you in advance for your consideration. I would appreciate being notified of the outcome of the hearing.

Sincerely,



Brenda K. Hutson

BKH/me



December 31, 1998

Attn: County Commissioner

Re: Case No. 99-210-A - HEARING SCHEDULED FOR 11:00 am - JANUARY 4<sup>th</sup>, 1999

I am sending you this fax in protest of the possible building of a dwelling at 4604 Todd Point Lane. The waterfront lot being considered for building has the width of 50.25 feet. The Zoning law requires the width to be 55 feet.

I feel the dwelling would be too close to the property lines and possibly block our waterview and access to our boat ramp. I also have a tree that sits close to the property line that we do not want disturbed because of its old age. As you also know there is a 5 foot storm drain that runs under this lot for the newly built community behind our property known as Briarwood Estates. I think this could be unsafe for all concerned to build a dwelling on top of the drain.

Our wildlife has already suffered because of the new community being built. We must say enough is enough. This was a small, quiet, waterfront community where you could go for some peace and quiet to get away from it all. But, no longer, thanks to the developers.

Sincerely,



Elizabeth S. Foulke  
4602 Todd Pt Lane  
410-477-1168

cc: Johnny O.  
County Councilman

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

BUCK JONES

500 VOGTS LANE

BALT. MD 21221

MICHAEL SCHULTZ

3133 ELLIOTT ST.

BALTO MD 21224

CABRINA JEMBOW

4544 TODD PT LN 21219

Ethel Weber

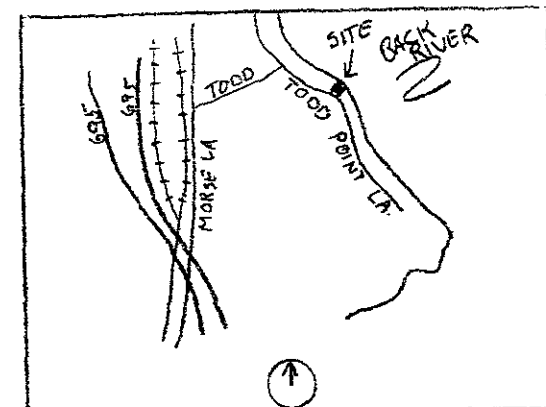
4506 Todd Pt Lane 21219



App. # 6

# PLAT TO ACCOMPANY Petition FOR ZONING ☒ VARIANCE

ADDRESS: 4604 TODD POINT LANE  
SUBDIVISION: NORTH POINT  
DEED: 9604 FOLIO: 487  
OWNER: MIKE SHULTZ



## LOCATION INFORMATION

COUNCILMANIC DISTRICT : 7  
ELECTION DISTRICT : 12

1" = 200' SCALE MAP: S.E. 4-H

ZONING : DR 3.5

LOT SIZE .16 ACREAGE 6985 SF SQUARE FEET

PUBLIC WATER & SEWERAGE  
CHESAPEAKE BAY CRITICAL AREA: YES  
PRIOR ZONING HEARING : NONE

## ZONING OFFICE USE ONLY

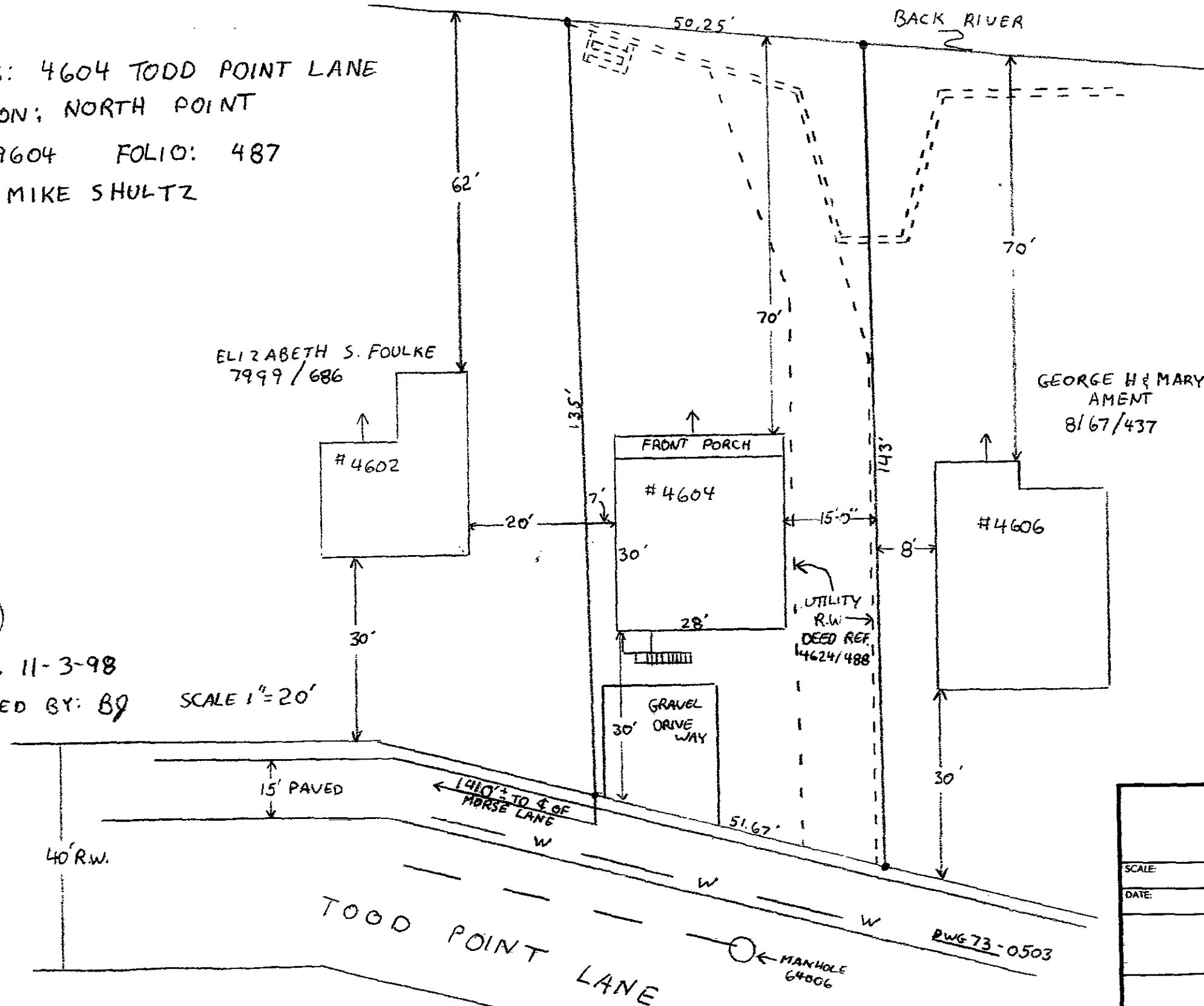
REVIEWED BY: ITEM # CASE #



DATE: 11-3-98

PREPARED BY: BG

SCALE 1"=20'



|        |              |                 |
|--------|--------------|-----------------|
| SCALE: | APPROVED BY: | DRAWN BY:       |
| DATE:  |              | REVISED:        |
|        |              | DRAWING NUMBER: |

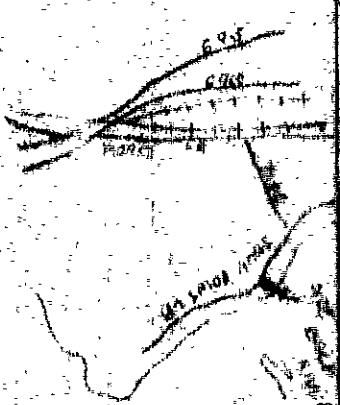
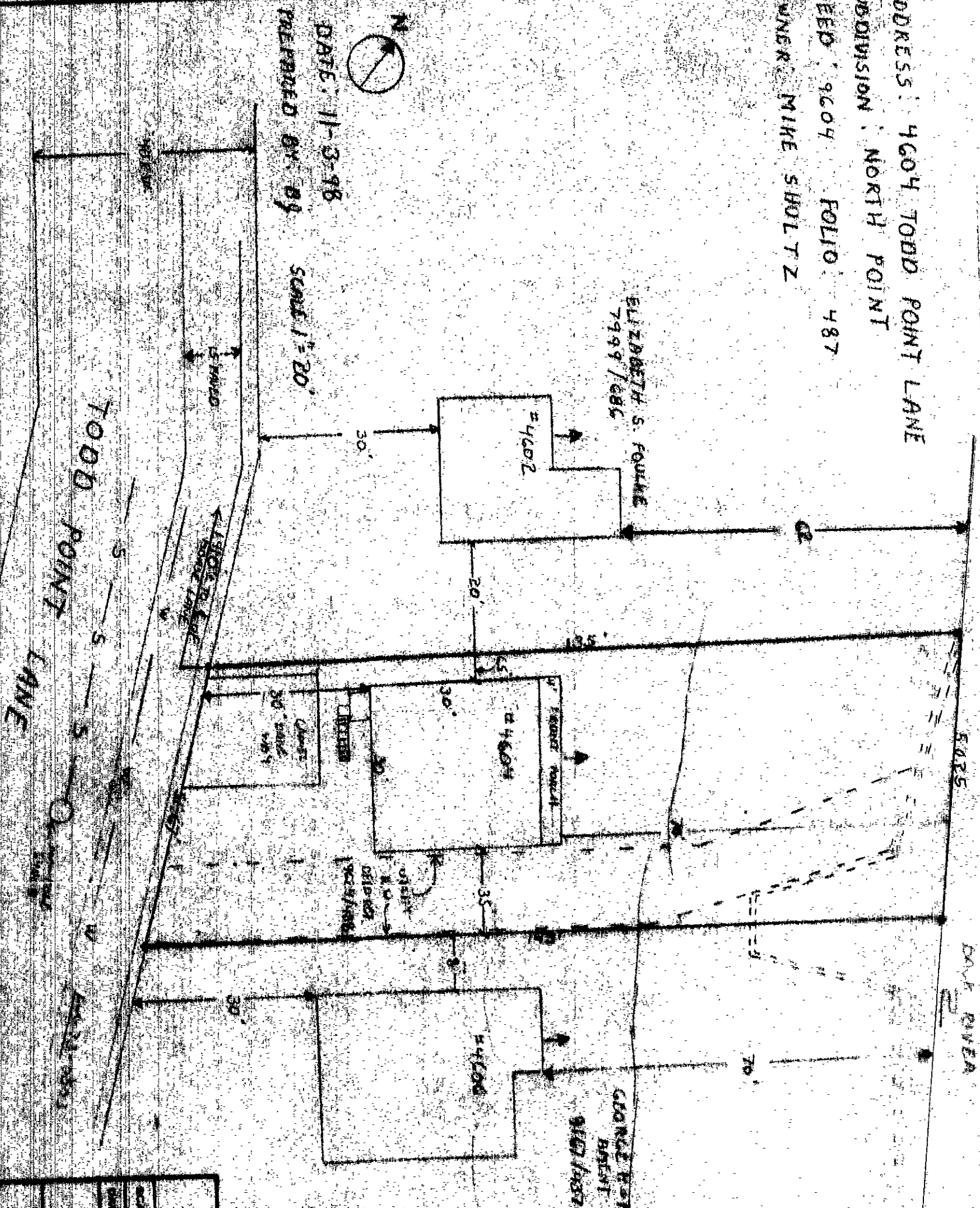
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE

ADDRESS: 4604 TODD POINT LANE

SUBDIVISION : NORTH POINT

DEED 9609 FOLIO 487

DUNER, MIKE SHOLTZ



LOCATION INFORMATION

COMMERCIAL MEDICAL

12-10-44

1 - ZOO SCALE TMM, SEE 4-10

2011-12 DR 9.5

LOT SIZE 16  
ACRES 67855  
EAST

HEAT WATER + STEAM

CAES APPEALS BY CITIZEN AFTER YES  
PACIFIC ZONING HEARING. NAME

ZONING OFFICE USE ONLY

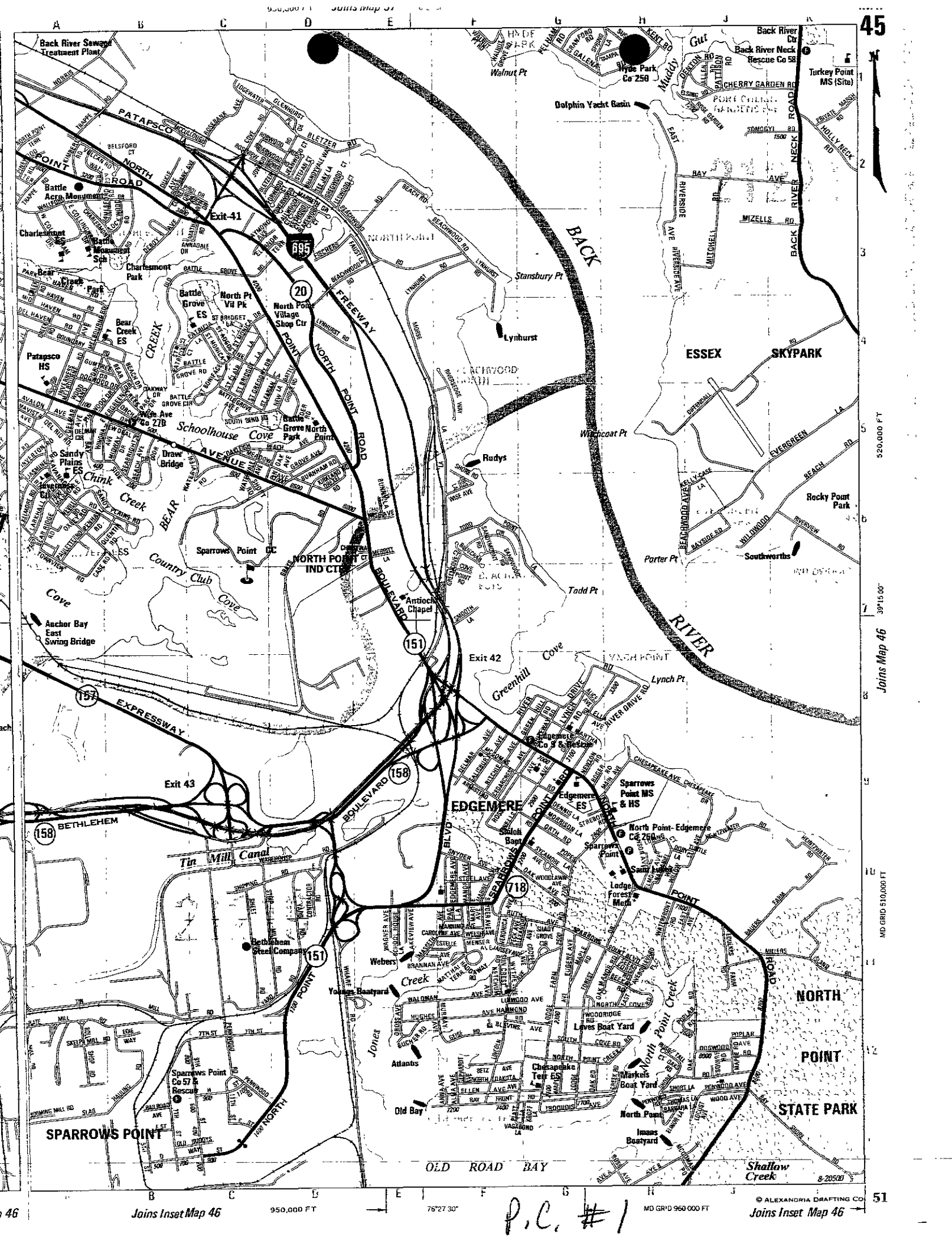
RECEIVED  
JAN 11 1961  
OFFICE OF THE  
DIRECTOR  
U.S. AIR FORCE  
WASHINGTON, D.C.

210

Figure 1

100

99-210-A



P.C. #1

6013116 199

RW 96-361

J.O. 1,3,4-1-8216

Hom 2 (u)

P.C. # 2 (pgs.)

District 15<sup>th</sup>

THIS DEED AND AGREEMENT, Made this 12<sup>th</sup> day of <sup>August</sup> ~~June~~, in the year 1998, between Cignal Development Corporation, a Maryland Corporation of Baltimore County, State of Maryland, party of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part.

WHEREAS, the party of the second part desires to construct and maintain sewers, drains, water pipes, and other municipal utilities and services in, on, through, and across the land hereinafter described, and the party of the first part willing to grant such right.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar, the receipt of which is hereby acknowledged, the said party of the first part hereby grants and conveys unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, the right to lay, construct, and maintain sewers, drains, water pipes, and other municipal utilities and services in, on, through and across the land of the part of the first part, situate in Baltimore County, State of Maryland, said sewers, drain, water pipes, and other municipal utilities and services to be laid in the easement which described as follows:

Situate in the 15th Election District of Baltimore County.

Being a Drainage and Utility Easement, 0.0574 acres + and further shown and described as easement (2) on the Baltimore County Department of Permits and Development Management Bureau of Land Acquisition Drawing Number RW 96-361-1 attached hereto and made a part thereof.

FOR TITLE: BEING a part of the property which by Deed dated January 27, 1993 and recorded among the Land Records of Baltimore County, Maryland in Liber 9624, folio 485 was granted and conveyed by Beachwood Development Corporation, a Maryland Corporation unto Cignal Development Corporation, a Maryland Corporation.

AND the party of the first part does hereby agree that Baltimore County, Maryland, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain such municipal utilities and appurtenances, provided, however, that the ground hereinabove described shall be restored and left in good condition; and it is further agreed that no buildings or similar structures of any kind shall be erected in, on, or over the said easement by the party to the first part, its personal representatives, successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Department of Public Works.

AS WITNESS the due execution hereof by the aforementioned party of the first part.

ATTEST:

Myles Lichtenberg

Cignal Development Corporation,  
a Maryland Corporation

By: [Signature] (Seal)  
Armando J. Cignarale, President

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 12<sup>th</sup> day of <sup>August</sup> ~~June~~, in the year 1998, before me, the subscriber, a Notary Public, personally appeared Armando J. Cignarale, President of Cignal Development Corporation and he acknowledged the foregoing Deed and Agreement to be his authorized act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS My Hand and Notarial Seal.

[Signature]  
Notary Public

My Commission Expires: 4/17/2000

This is to certify that the within instrument was prepared by an attorney admitted to practice before the Court of Appeals of Maryland.

[Signature]  
Myles L. Lichtenberg, Esquire

Reviewed for Baltimore County Requirements

[Signature]  
Office of Court Attorney



0013116 201

S 15,100  
E 46,700

| COURSE | BEARING       | DISTANCE |
|--------|---------------|----------|
| 1D     | N 07°31'22" E | 15.50    |
| 2D     | N 07°31'22" E | 85.75    |
| 3D     | N 07°31'22" E | 80.19    |
| 4D     | S 15°23'02" E | 31.50    |
| 5D     | S 67°32'33" E | 143.00   |

AREA = 2501.2 SQ. FT. OR 0.0574 AC. +/-

② CIGNAL DEVELOPMENT CORPORATION  
S.M. 9824/485

| COURSE | BEARING                          | DISTANCE            |
|--------|----------------------------------|---------------------|
| 1C     | R-435.35<br>CHD. = N 04°48'32" E | L=88.50<br>F=88.44  |
| 2C     | S 88°28'42" E                    | 100.00              |
| 3C     | N 04°48'32" E                    | 88.50               |
| 4C     | N 10°09'12" E                    | 85.27               |
| 5C     | S 75°27'05" E                    | 100.00              |
| 6C     | R-435.35<br>N 14°48'02" E        | L=109.04<br>F=19.04 |
| 7C     | N 07°31'22" E                    | 155.74              |
| 8C     | S 07°31'22" E                    | 283.54              |
| 9C     | S 07°31'22" E                    | 80.00               |
| 10C    | S 07°31'22" E                    | 32.05               |
| 11C    | N 07°31'22" E                    | 10.20               |
| 12C    | N 07°31'22" E                    | 72.05               |
| 13C    | N 07°31'22" E                    | 85.58               |
| 14C    | N 04°48'32" E                    | 88.50               |

AREA = 31338.3 SQ. FT. OR 0.7194 AC. +/-

| COURSE | BEARING       | DISTANCE |
|--------|---------------|----------|
| 1E     | S 47°28'38" E | 20.00    |
| 2E     | N 42°31'22" E | 80.00    |
| 3E     | N 07°31'22" E | 283.54   |
| 4E     | N 07°31'22" E | 20.87    |
| 5E     | S 07°31'22" E | 282.44   |
| 6E     | S 42°31'22" E | 73.89    |

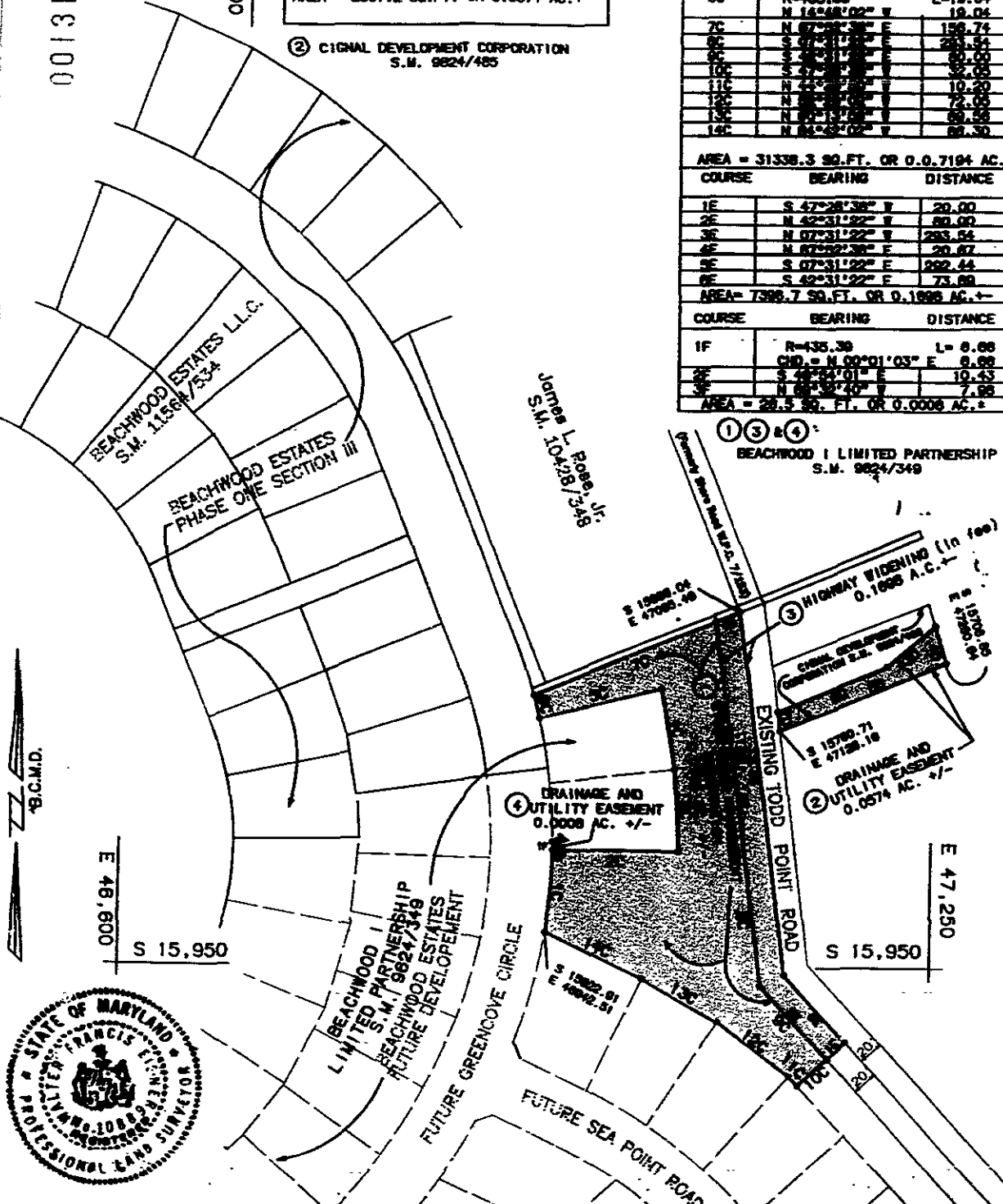
AREA = 7395.7 SQ. FT. OR 0.1695 AC. +/-

| COURSE | BEARING                          | DISTANCE           |
|--------|----------------------------------|--------------------|
| 1F     | R-435.35<br>CHD. = N 00°01'03" E | L= 8.68<br>F= 8.68 |
| 2F     | S 42°31'22" E                    | 10.43              |
| 3F     | N 04°48'32" E                    | 7.85               |

AREA = 28.5 SQ. FT. OR 0.0006 AC. +/-

① ③ & ④

BEACHWOOD I LIMITED PARTNERSHIP  
S.M. 9824/349



|                                          |                                               |                                                  |                                                                                                                                            |                            |  |
|------------------------------------------|-----------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--|
| BALTIMORE COUNTY                         |                                               | DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT |                                                                                                                                            | BUREAU OF LAND ACQUISITION |  |
| DISTRICT NO. 15, C-7                     | PORTION SHEET NO. 16 SE 32                    | FEDERAL PROJECT NO. N/A                          |                                                                                                                                            |                            |  |
|                                          | CONSTRUCTION PLAN NO. 96-1153                 | MARYLAND PROJECT NO. N/A                         |                                                                                                                                            |                            |  |
| APPROVED: DIRECTOR OF PUBLIC WORKS       | AREA TO BE ACQUIRED REVERTIBLE SLOPE EASEMENT | EXISTING COUNTY R/W                              | <i>Walter Francis Egan</i><br>DATE 9/22/97 REG. NO. 10809<br>SHEET 1 OF 1<br>SCALE 1" = 100'<br>B.C. JOB ORDER NO. 4-1-8216<br>RW 96-361-1 |                            |  |
| APPROVED: CHIEF, DIVISION OF REAL ESTATE | TEMPORARY CONSTRUCTION AREA                   | AREA TO BE RELEASED                              |                                                                                                                                            |                            |  |
| APPROVED: SUPERVISOR OF DRAFTING         | ITEM NO.                                      | RECORDED                                         | DRYEN M.B.T.                                                                                                                               | REVISIONS                  |  |
|                                          |                                               |                                                  | PERU W.F.E.                                                                                                                                |                            |  |
|                                          |                                               |                                                  | W.F.E.                                                                                                                                     |                            |  |
|                                          |                                               |                                                  | TITLE CHECKED                                                                                                                              |                            |  |

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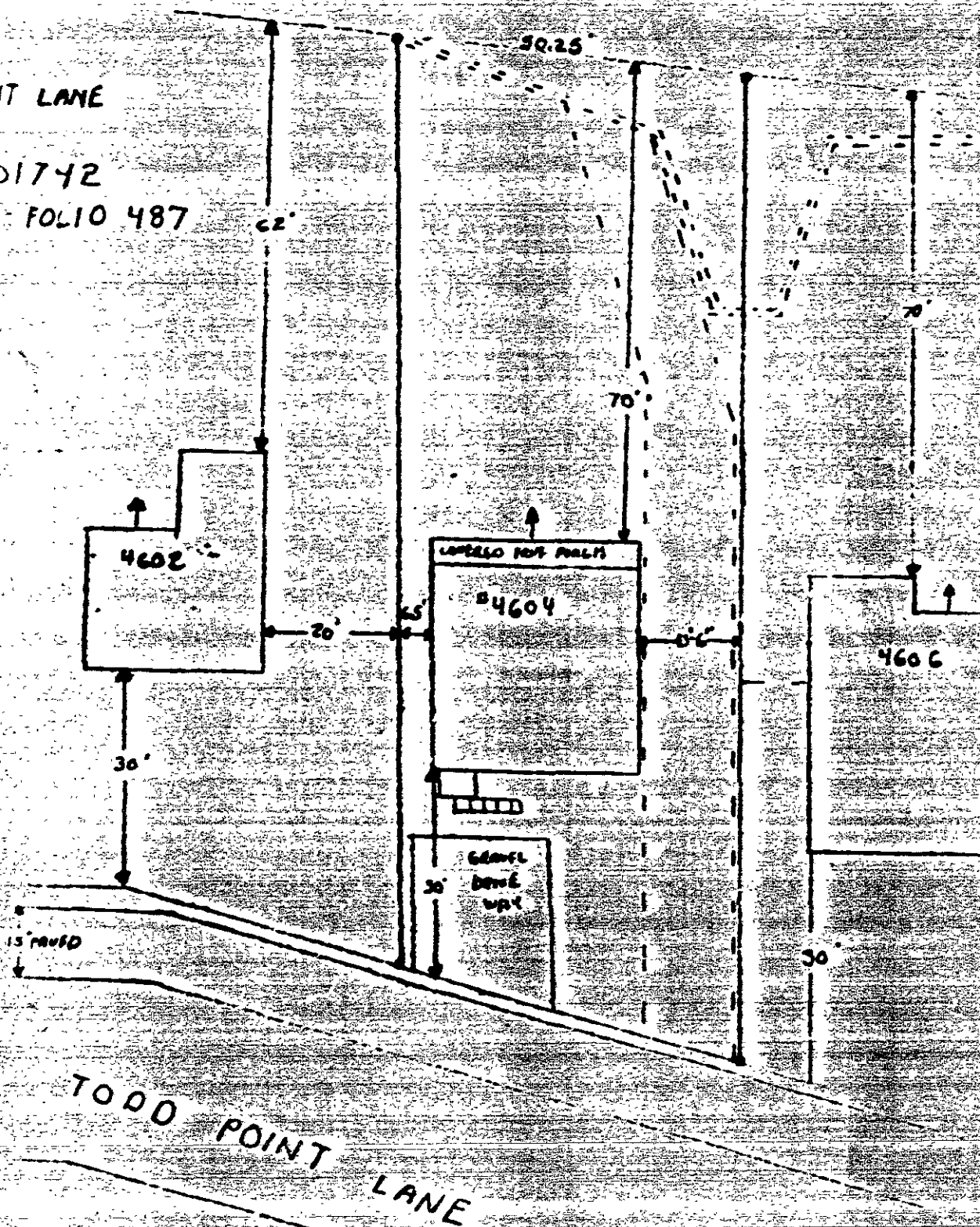
8-31-98 Sec 33-139 A



NT LANE

01742

FOLIO 487



THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS  
OFFICE OF THE ENGINEER  
1000 W. BELT ROAD  
BALTIMORE, MARYLAND 21201  
TELEPHONE 333-1234

COMPANY: FREE STATE GENERAL CORP  
STREET: 500 VICTORY BLVD  
CITY: BALTIMORE STATE: MD ZIP: 21201  
PHONE: 410-514-9357 MISC. LICENSE: 20226  
APPLICANT: Buch Jones  
SIGNATURE: Buch Jones TITLE: MR  
PLANS: CONST 2 POT 1 PLAT 2 DATA 1 EL. 1 PW 1  
TENANT: FREE STATE GENERAL CORP  
CONTR: FREE STATE GENERAL CORP  
ENGR: FREE STATE GENERAL CORP  
SELLER: CILAPL DEVELOPMENT CORP  
ICX W. J. JONES & CO. INC.  
21093

TYPE OF CONSTRUCTION:  
CODE X  
BACA CODE 1  
OF IMPROVEMENT:  
NEW BLDG CONST  
ADDITION  
ALTERATION  
REPAIR  
WRECKING  
MOVING  
OTHER

DESCRIBE PROPOSED WORK

Construction of 1  
w/ double deck and 3rd floor?  
3rd floor

USE:  
RESIDENTIAL By 104  
ONE FAMILY  
TWO FAMILY  
THREE AND FOUR FAMILY  
FIVE OR MORE FAMILY  
(ENTER NO UNITS)  
SWIMMING POOL  
GARAGE  
OTHER

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY  
09. CHURCH, OTHER RELIGIOUS BUILDING  
10. FENCE (LENGTH 1 HEIGHT 1) Flow  
11. INDUSTRIAL, STORAGE BUILDING  
12. PARKING GARAGE  
13. SERVICE STATION, REPAIR GARAGE  
14. HOSPITAL, INSTITUTIONAL, NURSING HOME  
15. OFFICE, BANK, PROFESSIONAL  
16. PUBLIC UTILITY  
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL  
18. SIGN  
19. STORE, MERCANTILE, RESTAURANT  
20. SWIMMING POOL  
21. TANK, TOWER  
22. TRANSIENT HOTEL, MOTEL (NO UNITS)  
23. OTHER

FOUNDATION: CONCRETE  
BASEMENT: 1. FULL  
2. PARTIAL  
3. NONE

CONSTRUCTION

WALLS: CONCRETE  
WOOD FRAME  
STRUCTURE: STEEL  
REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS 3. ELECTRICITY  
2. OIL 4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER X EXISTS PROPOSED  
2. PRIVATE SYSTEM  
SEPTIC EXISTS PROPOSED  
PRIVY EXISTS PROPOSED

TYPE OF WATER SUPPLY

1. PUBLIC SYSTEM X EXISTS PROPOSED  
2. PRIVATE SYSTEM EXISTS PROPOSED

EST. AIR: 1. Y 2. 2  
EST. COST: \$12,000  
MATERIALS AND LABOR

PROPOSED USE: SFD  
EXISTING USE: W/DRM

PROPERTY OWNED: 1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

INITIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE  
#BED: 3 #BED: 2 #BED: 1 TOT BED: 6 TOT APTS/CONDOS: 6  
#BEDROOMS: 3 #BATHROOMS: 2 #KITCHENS: 2  
#DISPOSAL: 1 #ROBOTS: 2 #CLASS: 2 #LIBR: 2 #FOLIO: 2

NG SIZE: 120  
LOT SIZE AND SETBACKS:  
SIZE: 51V  
FRONT STREET: 26  
SIDE STREET: 26  
FRONT SETBK: 26  
SIDE SETBK: 26  
SIDE STR SETBK: 26  
REAR SETBK: 26

APPROVAL SIGNATURES: BLD INSP BLD PLAN FIRE SEDI CTL ZONING PUB SERV ENVRNM  
DATE: 11-17  
OK TO FILE  
11-17  
11-17  
11-17  
11-17  
11-17  
11-17

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND NO PERMIT FEES REFUNDED

Nad. Vancu

1955.1  
1955.12

lots within 100 feet on each side thereof which are improved as described above. [B.C.Z.R., 1955.]

Section 304--USE OF UNDERSIZED SINGLE-FAMILY LOTS [B.C.Z.R., 1955.]

A one-family dwelling may be erected on a lot having an area or width at the building line less than that required by the height and area regulations, provided: [B.C.Z.R., 1955.]

- a. That such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to adoption of these Regulations; and [B.C.Z.R., 1955.]
- b. That all other requirements of the height and area regulations are complied with; and [B.C.Z.R., 1955.]
- c. That the owner of the lot does not own sufficient adjoining land to conform substantially to the width and area requirements. [B.C.Z.R., 1955.]

Section 305--REPLACEMENT OF DESTROYED OR DAMAGED DWELLINGS [B.C.Z.R., 1955.]

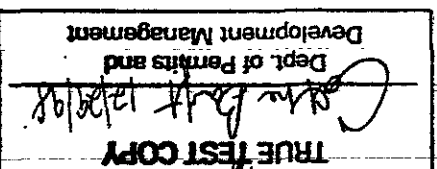
In case of complete or partial casualty loss by fire, wind-storm, flood, or otherwise of an existing dwelling that does not comply with height and/or area requirements of the zone in which it is located, such dwelling may be restored provided area and/or height deficiencies of the dwellings before the casualty are not increased in any respect. [B.C.Z.R., 1955.]

Section 306--MINOR PUBLIC UTILITY STRUCTURES [B.C.Z.R., 1955.]

Minimum lot area regulations in any zone shall not apply to repeater, booster, or transformer stations, or small community dial offices. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

Section 307--VARIANCES [B.C.Z.R., 1955; Bill No. 107, 1963.]

307.1--The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from offstreet parking regulations and from sign regulations, only in cases where strict compliance with the Zoning Regulations for Baltimore County would result in practical



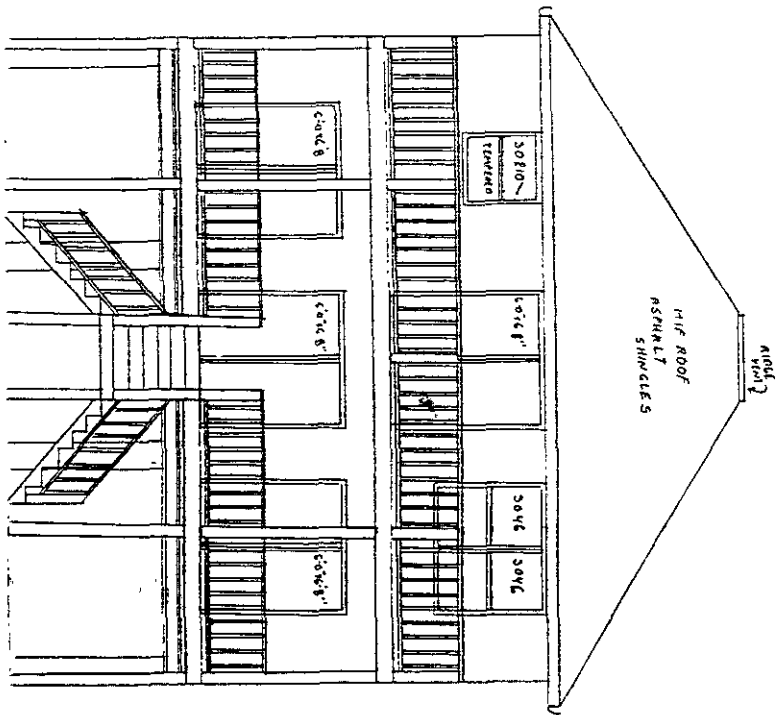
SECTION 304 -- USE OF UNDERSIZED SINGLE-FAMILY LOTS - Prior to the application for a building permit, the applicant must provide satisfactory documentation. The applicant may be required to furnish:

- a. a copy of the pre-1955 deed or subdivision plat;
- b. (no additions)
- c. contiguous ownership

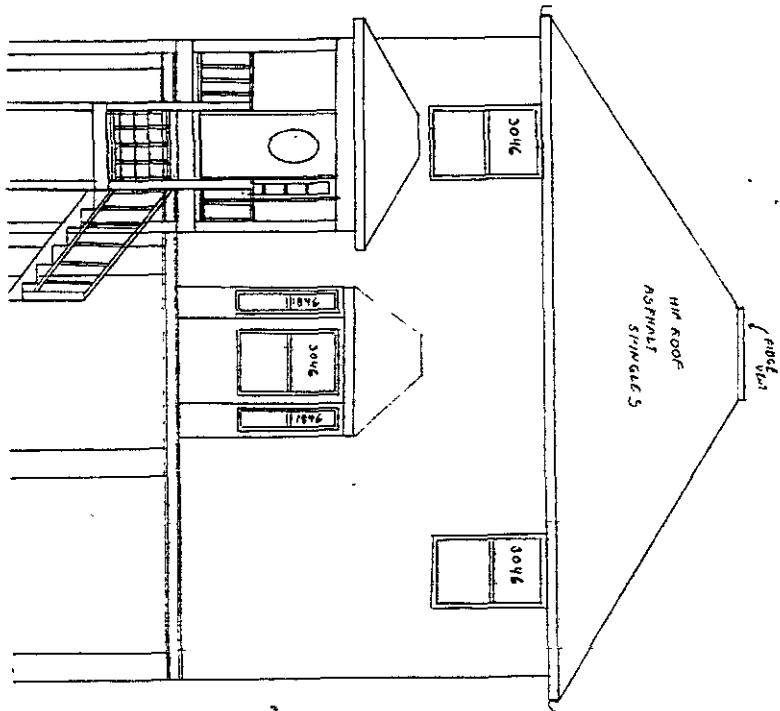
It is obvious that Section 304 of the Baltimore County Zoning Regulations recognizes the existence of parcels of property that did not meet the minimum lot sizes mandated at the time the minimum lot size regulations were passed. To do otherwise would have the effect of rendering such undersized lots useless, and such legislation would be unconstitutional.

1. Section 304 B.C.Z.R., however, is silent as to when contiguous ownership would serve as a bar to its implementation, i.e., contiguous ownership in existence only at the time this regulation was passed or contiguous ownership in existence at that time and at any time thereafter.
2. It is therefore important to consider the intent of the owner who attempts to invoke the applicability of Section 304 BCZR. Each situation must be judged individually by the particular facts and circumstances presented. If the intent to avoid the regulations is obvious, Section 304c. cannot be invoked and variances must be required. An obvious method used is called "checkerboarding". The owner of a tract of land consisting of undersized lots makes conveyances of certain lots in order to create a pattern of ownership which qualifies each parcel as an undersized lot in a single and separate ownership, thereby avoiding the necessity of public hearing and notice for a variance. Often this is done by transferring title to members of the owner's family or to his business associates, e.g., to officers of the corporation which purchased the tract. Another method is to sell adjoining undersized lots which were recently purchased to individual, bona fide buyers. This would permit the new owner of a single undersized lot to build without a variance, where such permission would not have been granted to the owner of the entire tract.
3. If a single owner of contiguous undersized lots has purchased the property in good faith and without any intent to avoid the area requirements, 304c. may be used to allow the owner to build pursuant thereto. Good faith also must be determined by the facts and circumstances of each situation, but such factors as dates of purchase of the parcels, the purpose of the purchase, the intent of the purchase, can be utilized to so determine. This office has traditionally applied the "six year rule" to determine good faith, and that rule shall be one criteria to be used. The rule holds that if the single owner of an undersized lot contiguous to another parcel owned by him has transferred ownership of one to another, 304c. would apply if such new ownership has been held for a period of at least six years. This rule shall not preclude exceptions where it is clear, and equitable, that single ownership of contiguous property was not intended to avoid area requirements.
4. Ownership Information Including:
  - ( i ) a property tax computer printout for all adjacent properties, in addition to the subject property;
  - ( ii ) copies of the deeds for all adjacent properties, in addition to the subject property; and
  - ( iii ) a notarized affidavit stating that the applicant has had no financial interests for the prior six years in any adjacent properties.

Interpretation: The Zoning Commissioner retains the right. Section 500.6 B.C.Z.R. to interpret whether the spirit and intent of these Regulations are being adhered to on a case-by-case basis (see Section 101 - Ownership Z.C.P.M., Page 1-23)

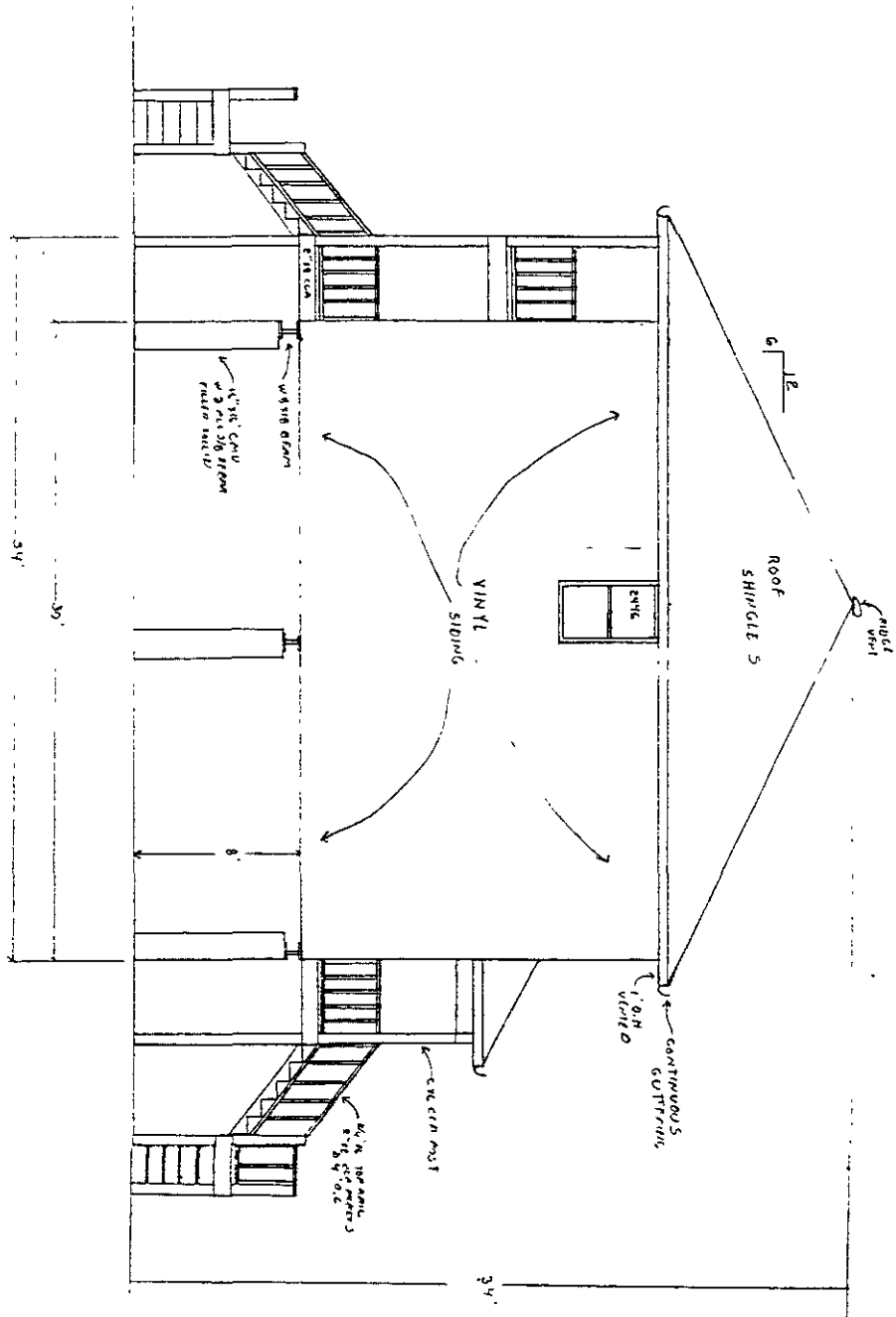


FRONT ELEVATION..



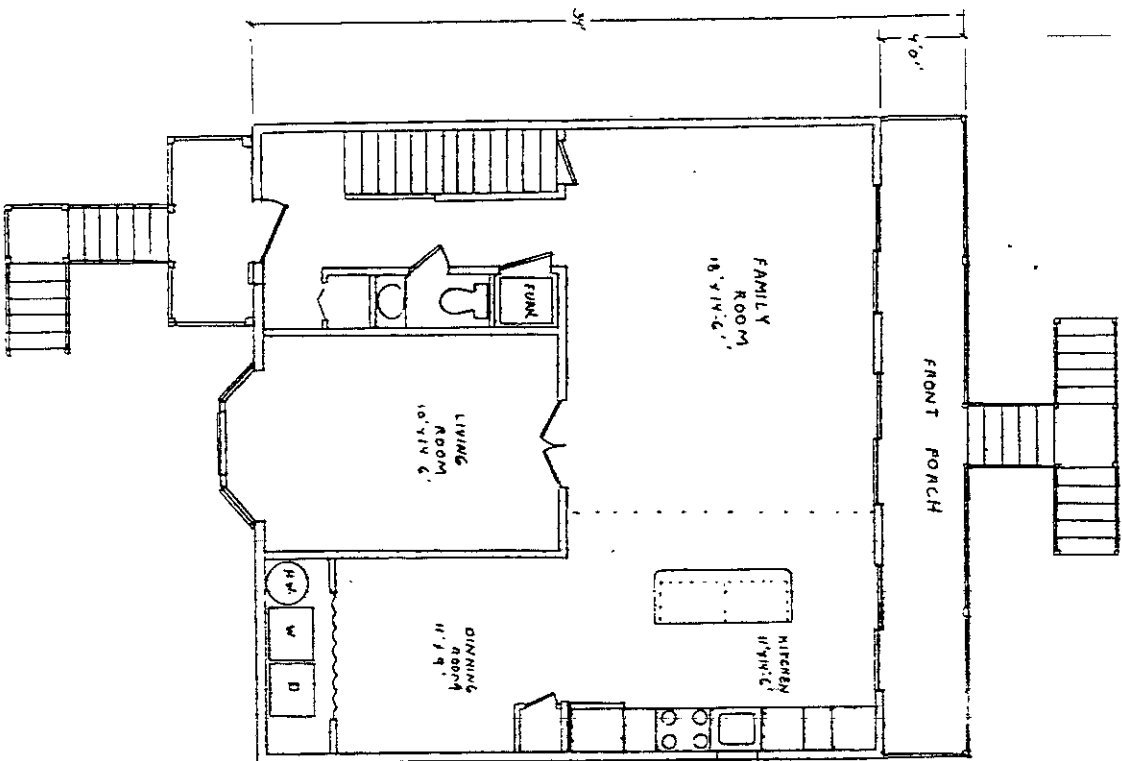
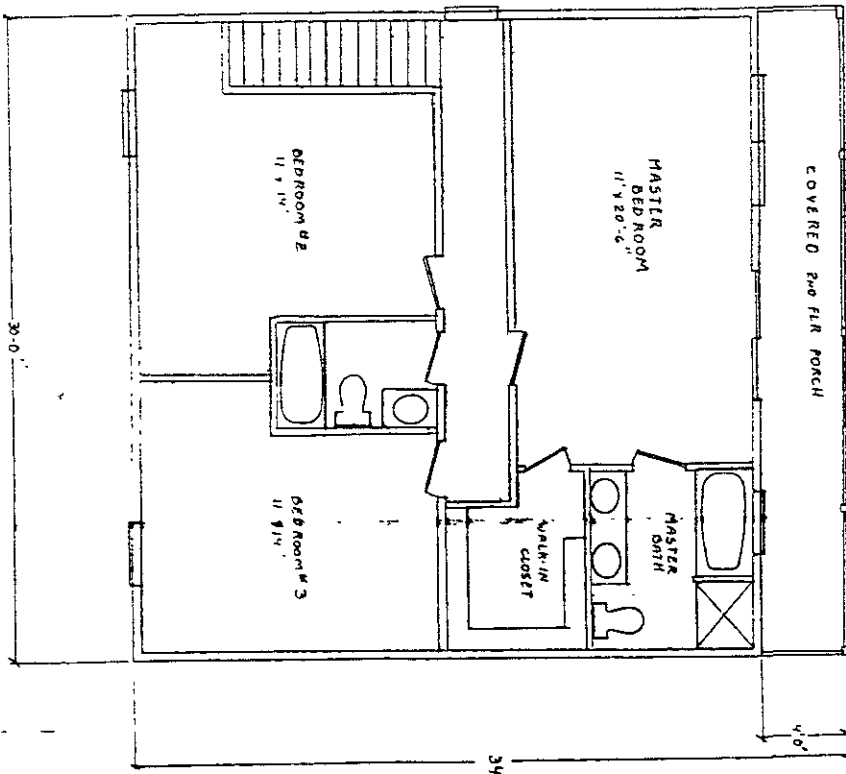
REAR ELEVATION..

|          |         |                        |              |
|----------|---------|------------------------|--------------|
| NAME     |         | MIKE SHULTZ            |              |
| DATE     | 10-8-78 | SCALE                  | 1/8" = 1'-0" |
| PROJECT  |         | FRONT & REAR ELEVATION |              |
| DRAWN BY |         | 10-8-78                |              |

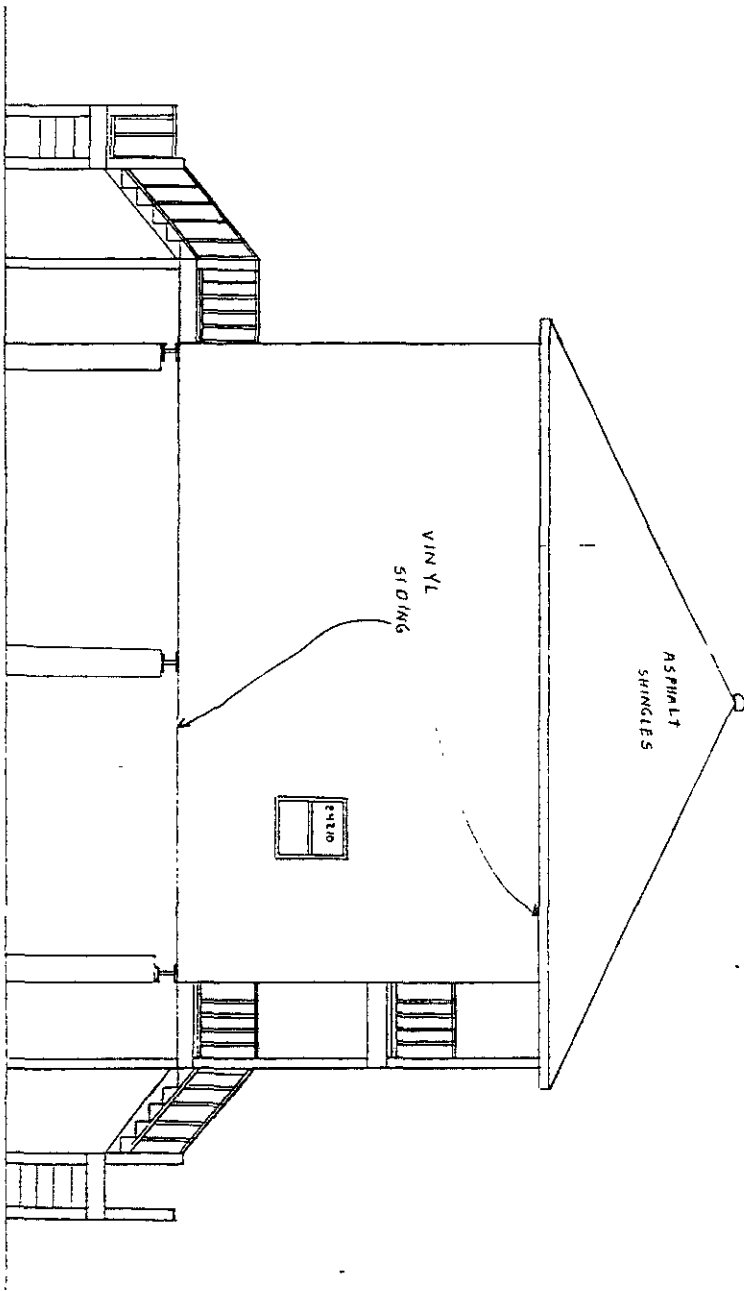


MIKE SHULTZ  
 10-8-98  
 RIGHT ELEVATION

10-8-98  
 10-8-98



MIKE SHULTZ  
 10-3-98  
 FIRST - SECOND FLOOR PLAN



|                |             |
|----------------|-------------|
| MIKE SHULTZ    |             |
| DATE: 8-18     | PROJECT: 89 |
| LEFT ELEVATION |             |



FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

January 8, 1993

Description of a 0.160 +/-  
Acre Parcel of Land.

Beginning for the same at a point on the east side of a road, twenty foot wide, said point of beginning being at the end of the 4th or South 68 degree 43 minute West 135.00 foot line of that parcel of land described in a Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334, running thence leaving the east side of said road, binding reversely on all of said 4th line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding reversely on all of the 3rd line of said Deed and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 50.25 feet, running thence leaving the waters of said Back River, binding reversely on all of the 2nd line of said Deed, parallel with and distant 50.00 feet at right angles from the herein above described first line, 3) South 67 degrees 52 minutes 38 seconds West 143.00 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding reversely on all of the 1st line of said Deed, 4) North 07 degrees 31 minutes 22 seconds West 51.67 feet to the point of beginning.  
Containing 0.160 Acres of Land more or less.

The above bearing and distance are taken from a Plat prepared by Spellman, Larson & Associates, Inc., dated August 28, 1992 entitled "Outline Survey, BEACHWOOD SOUTH".

Being that same lot or parcel of ground described in a Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334.

Together with the right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road as mentioned in the Deed dated February 22, 1984, between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6671 folio 334.

Description of a 0.160 +/-  
Acre Parcel of Land.

January 8, 1993  
page -2-

Subject to a thirteen and one half (13.50) foot wide drainage and utility easement, described as follows:

Beginning for said drainage and utility easement at a point on the east side of a road, twenty foot wide, said point of beginning being at the beginning of the 1st or 1) North 67 degree 52 minute 38 second East 135.00 foot line of the above described 0.160 Acre Parcel of Land, running thence leaving the east side of said road, binding on all of said 1st line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding on part of the 2nd line of the above described 0.160 Acre Parcel and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 13.57 feet, thence leaving the waters of said Back River, running parallel with and distant 13.50 feet southeasterly at right angles from said 1st line, 3) South 67 degrees 52 minutes 38 seconds West 137.16 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding on part of the 4th line of the above described 0.160 Acre Parcel, 4) North 07 degrees 31 minutes 22 seconds West 13.95 feet to the point of beginning.

Containing 0.042 Acres of Land more or less.

Also subject to a twenty five (25) foot wide temporary construction strip, parallel with and distant 25.00 feet southeasterly at right angles from the 3rd or South 67 degree 52 minute 38 second West 137.16 foot line of the above described 13.50 foot wide drainage and utility easement.

Containing 0.080 Acres of Land more or less.

002564 FEB-88

Baltimore County, Maryland  
Land Instrument Intake Sheet

(Type or print in black ink only—all copies must be legible)

In compliance with Baltimore County Code, 1978, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated JANUARY 27<sup>th</sup> 1993 conveying title to, or creating liens or encumbrances upon, real or personal property is offered for record in the County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows:

|                                                                                           |                                                                                    |                                                 |                                                |                          |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------|------------------------------------------------|--------------------------|
| 1<br>Description of Property<br>(Check box(es) for item(s) to be indexed in land records) | <input type="checkbox"/> Property Tax ID No.                                       | <input type="checkbox"/> Lot/Block              | Map/Grid/Parcel No.                            |                          |
|                                                                                           | <u>15-08-301742</u>                                                                | <u>2</u>                                        |                                                |                          |
|                                                                                           | <input type="checkbox"/> Subdivision/Tract                                         | <input type="checkbox"/> Lot Acreage            | Prior Deed Ref.                                | VAR. L.O.G.              |
|                                                                                           | <u>mi. HON SCHUL</u>                                                               |                                                 | <u>6671/33x</u>                                | <input type="checkbox"/> |
| <input type="checkbox"/> Street Address (or description if partial conveyance)            |                                                                                    |                                                 |                                                |                          |
| 2<br>Transferred From                                                                     | Grantor(s) ( <input type="checkbox"/> check box if additional sheets are attached) |                                                 |                                                |                          |
|                                                                                           | <u>BEACHWOOD DEVELOPMENT CORP.</u>                                                 |                                                 |                                                |                          |
| 3<br>Transferred To                                                                       | Owner of record (if different from grantor)                                        |                                                 |                                                |                          |
|                                                                                           |                                                                                    |                                                 |                                                |                          |
| 4<br>Type of Instrument                                                                   | Grantee(s) ( <input type="checkbox"/> check box if additional sheets are attached) |                                                 |                                                |                          |
|                                                                                           | <u>SIGNAL DEVELOPMENT CORPORATION</u>                                              |                                                 |                                                |                          |
|                                                                                           | <input checked="" type="checkbox"/> Deed                                           | <input type="checkbox"/> Assignment of Mtg/DOT  | <input type="checkbox"/> Financing Statement   |                          |
|                                                                                           | <input type="checkbox"/> Deed of Trust                                             | <input type="checkbox"/> Contract               | <input type="checkbox"/> Other (Specify) _____ |                          |
|                                                                                           | <input type="checkbox"/> Mortgage                                                  | <input type="checkbox"/> Land Installment Cont. |                                                |                          |
|                                                                                           | <input type="checkbox"/> Lease                                                     | <input type="checkbox"/> Power of Attorney      |                                                |                          |

|                                                        |                                         |
|--------------------------------------------------------|-----------------------------------------|
| 5<br>Exemptions<br>(Cite authority or explain briefly) | Baltimore County Exempt Status Claimed: |
|                                                        | Recordation Tax Exempt Status Claimed:  |
|                                                        | State Exempt Status Claimed:            |

|                                                                                                        |                                                           |                    |                             |                      |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------------|-----------------------------|----------------------|
| 6<br>Consideration and Tax Calculations<br>(Make check payable to Baltimore County, MD (410) 887-2416) | Consideration Amount                                      |                    | County Taxes to be Paid     |                      |
|                                                                                                        | Purchase Price/Consideration (including any new mortgage) | <u>\$25,000.00</u> | Transfer Tax Consideration  |                      |
|                                                                                                        | Real Property                                             |                    | <u>\$25,000.00</u> x 1.6% = | <u>\$400.00</u>      |
|                                                                                                        | Personal Property                                         |                    | Office of Finance Use Only  |                      |
|                                                                                                        | Balance of Assumed Mortgage                               |                    | Agent: <u>jm</u>            | Tax Bill: _____      |
|                                                                                                        | Other                                                     |                    | C.B. Credit: _____          | Ag. Tax/Other: _____ |
|                                                                                                        | Total Consideration or Assessed Factor                    | <u>\$25,000.00</u> |                             |                      |

|                                                                                                           |                        |    |                                         |  |
|-----------------------------------------------------------------------------------------------------------|------------------------|----|-----------------------------------------|--|
| 7<br>Fees and Recording Instructions<br>(Make check payable to Clerk of the Circuit Court (410) 887-2650) | Recording Fees         |    | Special Recording Instructions (if any) |  |
|                                                                                                           | Recording Charges      | \$ |                                         |  |
|                                                                                                           | State Transfer Tax     |    |                                         |  |
|                                                                                                           | County Recordation Tax |    |                                         |  |
|                                                                                                           | Surcharge              |    |                                         |  |
|                                                                                                           | Other                  |    |                                         |  |
|                                                                                                           | Total                  | \$ |                                         |  |

|                               |                                             |  |                                             |  |                                     |  |
|-------------------------------|---------------------------------------------|--|---------------------------------------------|--|-------------------------------------|--|
| 8<br>Contact/Mail Information | Instrument Prepared By                      |  | Return Instrument To                        |  | Mailing Address for Tax Bill        |  |
|                               | Name: <u>THOMAS X. ALDERMAN</u>             |  | Name: <u>ALDERMAN, DEED &amp; LUS, P.C.</u> |  | Name: <u>SIGNAL DEV. CORP.</u>      |  |
|                               | Firm: <u>ALDERMAN, DEED &amp; LUS, P.C.</u> |  |                                             |  |                                     |  |
|                               | Address: <u>300 ALLEGHENY AVE.</u>          |  | Address: <u>300 ALLEGHENY AVE.</u>          |  | Address: <u>109 W. TIMONIA AVE.</u> |  |
|                               | <u>TOWSON, MD 21204</u>                     |  | <u>TOWSON, MD 21204</u>                     |  | <u>TIMONIA, MD 21093</u>            |  |
|                               | Phone: <u>(410) 337-9038</u>                |  |                                             |  |                                     |  |

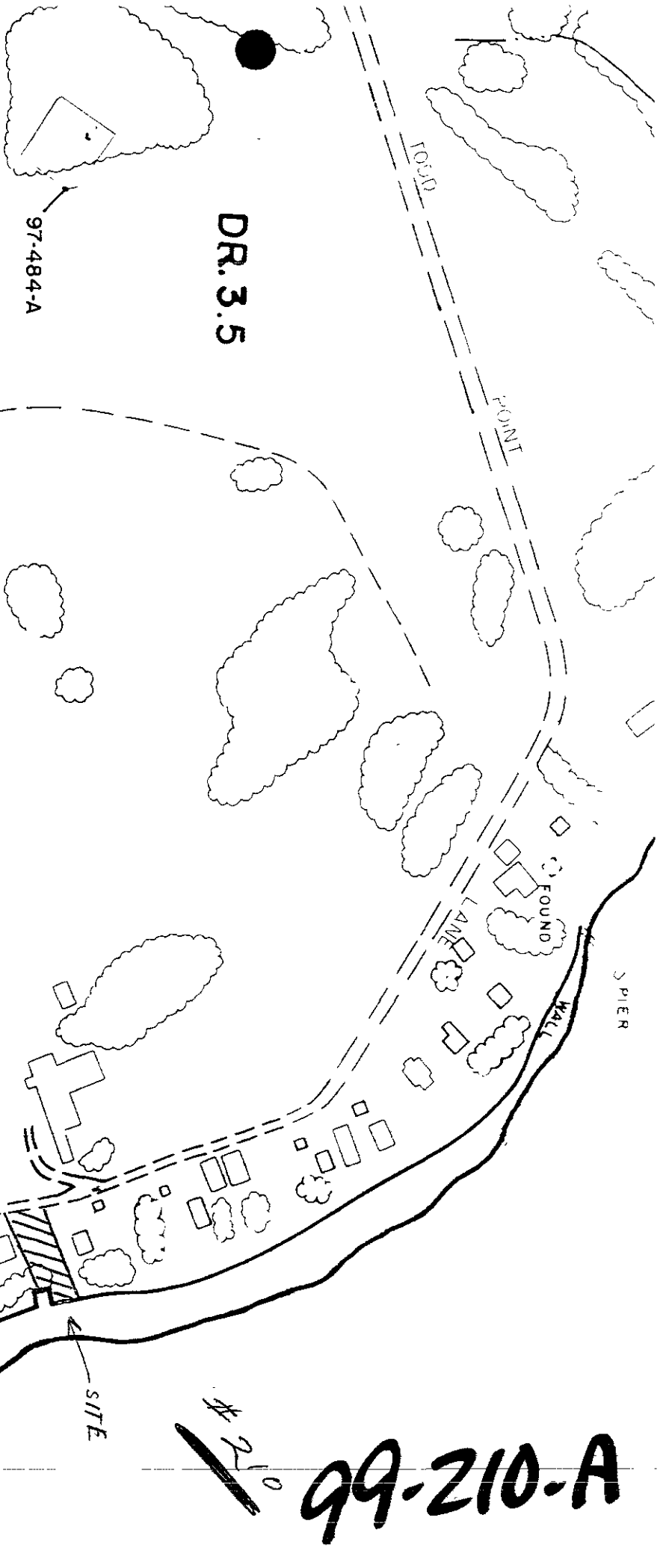
|                    |                                                                                                                                           |                     |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 9<br>Certification | I hereby certify under the penalties of perjury that the information given above is true to the best of my personal knowledge and belief. |                     |
|                    | Signature: <u>[Signature]</u>                                                                                                             | Date: <u>2/8/93</u> |

|                                                                                                |                                                                                |                             |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------|
| 10<br>Assessment Information<br>(410) 321-2299                                                 | IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER |                             |
|                                                                                                | <input type="checkbox"/> Yes                                                   | <input type="checkbox"/> No |
|                                                                                                | <input type="checkbox"/> Yes                                                   | <input type="checkbox"/> No |
|                                                                                                | <input type="checkbox"/> Yes                                                   | <input type="checkbox"/> No |
|                                                                                                | <input type="checkbox"/> Yes                                                   | <input type="checkbox"/> No |
|                                                                                                | <input type="checkbox"/> Yes                                                   | <input type="checkbox"/> No |
| Will grantee be living at property conveyed?                                                   |                                                                                |                             |
| Is grantor currently receiving a homeowners' tax credit?                                       |                                                                                |                             |
| Is property conveyed subject to agricultural transfer tax? If yes, enter amount: _____         |                                                                                |                             |
| If agricultural assessment on conveyance is to continue, have you attached a letter of intent? |                                                                                |                             |
| Partial conveyance? If yes, amount of acreage transferred: _____                               |                                                                                |                             |
| List improvements conveyed: _____                                                              |                                                                                |                             |
| If subdivision occurred after July 1, indicate former property tax ID number: _____            |                                                                                |                             |

|                                                                                                         |                                                                                                                                                                                                                          |                             |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Optional Expediting Information                                                                         | A delay in processing may be incurred if a conveyance deed is not accompanied by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time. |                             |
|                                                                                                         | <input type="checkbox"/> Yes                                                                                                                                                                                             | <input type="checkbox"/> No |
| Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage: _____  |                                                                                                                                                                                                                          |                             |
| Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage): _____ |                                                                                                                                                                                                                          |                             |
| Location and improvement address: _____                                                                 |                                                                                                                                                                                                                          |                             |

|                                                     |                                               |
|-----------------------------------------------------|-----------------------------------------------|
| Assessment Use Only - Do Not Write Below This Line  |                                               |
| <input type="checkbox"/> Terminal Verification      | <input type="checkbox"/> Deed Plotter         |
| <input type="checkbox"/> Agricultural Verification  | <input type="checkbox"/> Deed Reference       |
| <input type="checkbox"/> Tran. Process Verification | <input type="checkbox"/> Assigned Property No |
| <input type="checkbox"/> Whole                      | <input type="checkbox"/> Desc.                |
| <input type="checkbox"/> Part                       |                                               |

# TY ZONING MAP



SCALE

1" = 200' ±

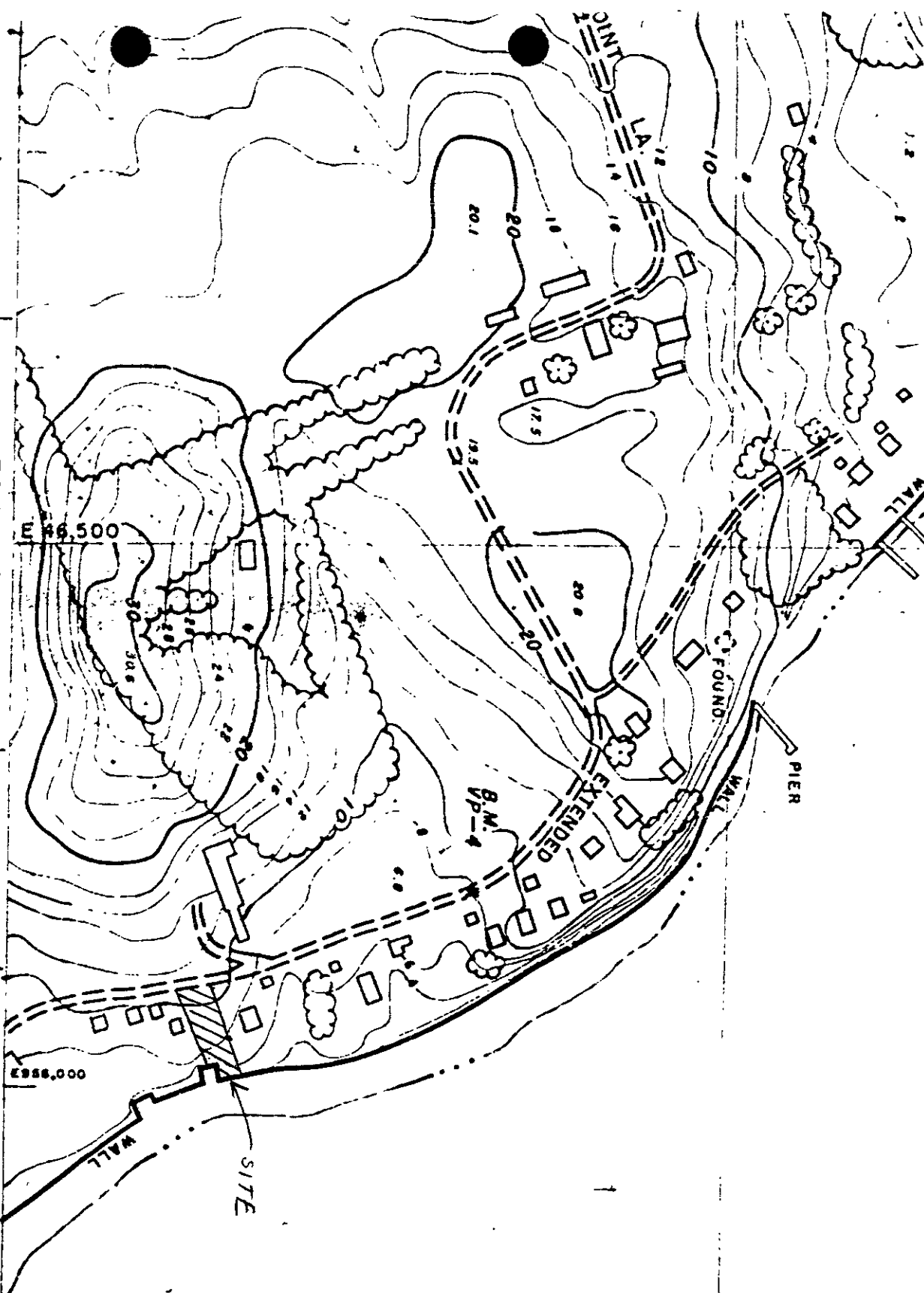
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

NORTH POINT

SE 4-H

99-210-A

# AREA



REVISIONS

BY DATE

4-16-79

SCALE

1" = 200'

LOCATION

SHEET

S 16,000

DATE OF PHOTOGRAPHY  
DEC. 1954

NORTH POINT

S.E.  
4-H

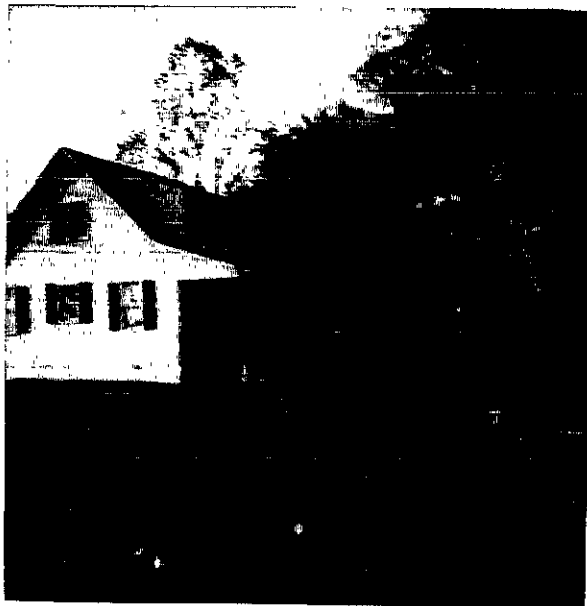
#210

99-210-A

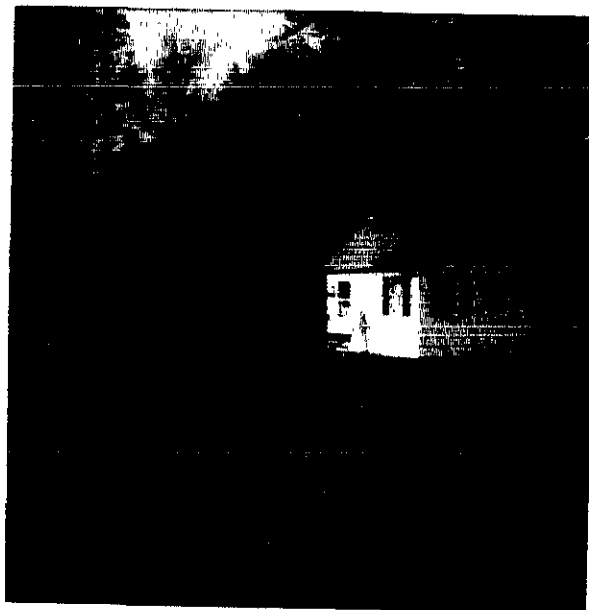
N 51

15

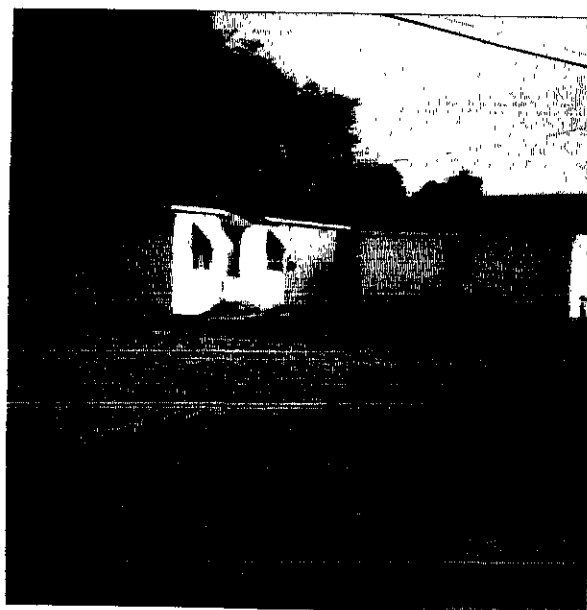
Topography Compiled By Photogrammetric Methods



210



210



210

49-210-A

App. #2A

Source File Output  
 07/23/85 08:21:00 08/01/85

01/17/86

Page 1  
 07/23/85 08:21:00

Display 10-100 08/01/85  
 User 08/01/85

TIME: 10/1/85  
 DATE: 07/23/1985

ALTERNATE PERMIT PROCESSING SYSTEM  
 OPERABLE DETAIL SCREEN

DATE: 08/01/85  
 1985 UPDATE 08/01/85  
 FILE 08/01/85

REPORT # 08/01/85

PERMIT #

| PERMIT | DATE       | CODE | COMMENTS      |
|--------|------------|------|---------------|
| 01     | 08/01/1985 | 01   | JOB VENTURING |
| 02     | 08/02/1985 | 01   | SC-02-04-3 CP |
| 03     | 08/19/1985 | 01   | BR/COF        |
| 04     | 08/28/1985 | 01   | ER, SUE HALE  |
| 05     | 09/18/1985 | 01   | EIP-05-18-3   |
| 06     | 08/18/1985 | 01   | IMA           |
| 07     | 08/18/1985 | 01   | 08/18         |

01 THRU 09 INDICATES AN "APPROVAL" \*\* 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL

ESC - ISSUE PERMIT

END - END

CLEAR - CLEAR

App. 2 B

APPLICATION FOR PERMIT  
BALTIMORE COUNTY MARYLAND  
BUREAU OF PERMITS & DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21204

DATE: 6/14/94

OEA: 62-100P

HISTORIC DISTRICT/BLDG.

PERMIT #: B344064  
RECEIPT #: A333760  
CONTROL #: 112  
XREF #:

FEE: 149.00 + 5.00  
PAID: 154.00  
PAID BY:  
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING 1 or 2 FAM.  
CODE CODE

BOCA CODE Y

TYPE OF IMPROVEMENT

1. X NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

## TYPE OF USE

## RESIDENTIAL

01. X ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY  
(ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

## TYPE FOUNDATION

1. X SLAB
2. BLOCK
3. CONCRETE

## BASEMENT

1. FULL
2. PARTIAL
3. NONE

## TYPE OF CONSTRUCTION

1. MASONRY
2. X WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

CENTRAL AIR: 1. Y 2. ---  
ESTIMATED COST: \$80,500  
OF MATERIALS AND LABOR

PROPOSED USE: SFD  
EXISTING USE: VACANT

## OWNERSHIP

1. X PRIVATELY OWNED
2. PUBLICLY OWNED
3. SALE
4. RENTAL

RESIDENTIAL CATEGORY: 1. X DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE  
#EFF: #1BED: 3 #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE  
1 FAMILY BEDROOMS 3  
GARBAGE DISPOSAL 1 2. N BATHROOMS 1 CLASS 3 4  
POWDER ROOMS 1 KITCHENS 1 LIBER 464 FOLIO 487

## BUILDING SIZE

FLOOR 1344  
WIDTH 24  
DEPTH 28  
HEIGHT 30  
STORIES 2  
LOT # 3 N/A  
CORNER LOT

## LOT SIZE AND SETBACKS

SIZE 0.4577 71X  
FRONT STREET  
SIDE STREET  
FRONT SETBK 31  
SIDE SETBK 11/15  
SIDE STR SETBK  
REAR SETBK 69

1. Y 2. X N ZONING DR 3.5

PROPERTY ADDRESS 4604 TODD POINT LANE  
SUITE/SPACE/FLOOR  
SUBDIV: HA-1, 2 for Schlumberger  
TAX ACCOUNT #: 15-08-301742  
OWNER'S INFORMATION (LAST, FIRST) 15 21  
NAME: CIGNAL DEVELOPMENT CORPORATION  
ADDR: 2401 YORK ROAD TIMONIU, MD 21043

## APPLICANT INFORMATION

NAME: JOSEPH V. MARANTO  
COMPANY: C.G. HOMES  
STREET 2401 YORK ROAD  
CITY, ST, ZIP TIMONIU, MD 21043  
PHONE #: 410-560-1850 MHIC LICENSE #:  
APPLICANT SIGNATURE: J.V. Maranto TRACT: BLOCK:  
PLANS: CONST 2 PLOT 7 PLAT 0 DATA 0 EL 1 PL 1  
TENANT  
CONTR: C.G. HOMES, INC.  
ENGR: KCI  
SELLR:

DOES THIS BLDG.  
HAVE SPRINKLERS  
YES --- NO X

DESCRIBE PROPOSED WORK: CONSTRUCT SFD 24x28x30=1344

w/ PORCH

NO EXT PROJECTION NO FIREPLACE

3 bedrooms

## NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
20. SWIMMING POOL SPECIFY TYPE
21. TANK, TOWER SPECIFY TYPE
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

## TYPE OF HEATING FUEL

1. X GAS
2. OIL
3. ELECTRICITY
4. COAL

## TYPE OF SEWAGE DISPOSAL

1. X PUBLIC SEWER
2. PRIVATE SYSTEM
- SEPTIC EXISTS PROPOSED
- PRIVY EXISTS PROPOSED

## TYPE OF WATER SUPPLY

1. X PUBLIC SYSTEM
2. PRIVATE SYSTEM
- X EXISTS PROPOSED
- EXISTS PROPOSED

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PROPOSED

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUND



App 2c

DEPT. OF A  
HISTORIC DISTRICT/BLDG.

☐ YES ☒ NO

☐ DO NOT KNOW

ACT/PRECINCT

21

DOES THIS BLDG.  
HAVE SPRINKLERS  
YES ☐ NO ☒

BLOCK:

EL. 1 PL. 1

12x30=1344 #

REPLACE

MBLY

VE

CT

EXISTS PROPOSED

EXISTS PROPOSED

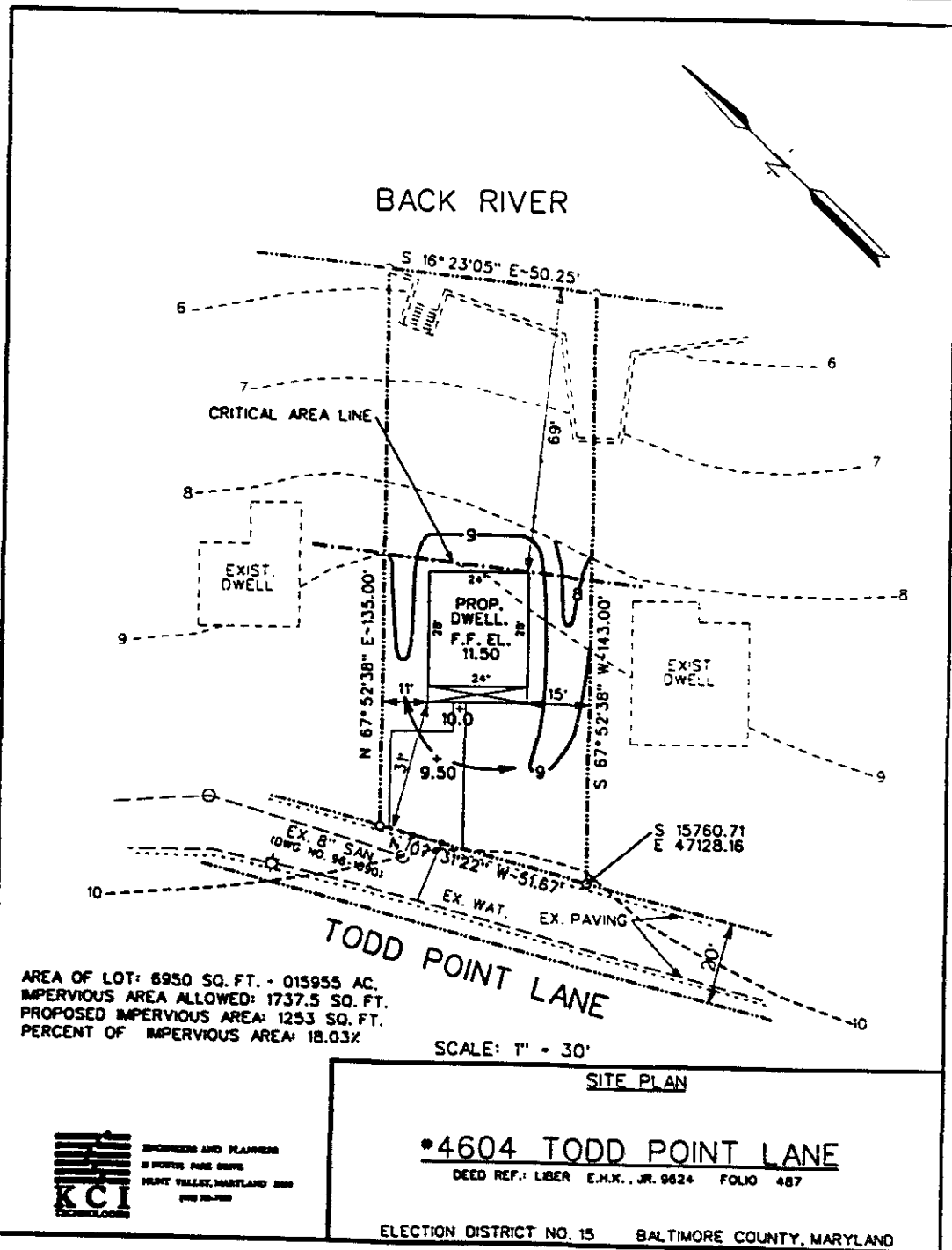
EXISTS PROPOSED

MIDRISE  
HIRISE

DATE

6/19/87  
6/19/87  
6-19-88  
6/19/88

OFF



App. 2D



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

BUILDING PERMIT  
-----

*[Signature]*  
BUILDINGS ENGINEER

PERMIT #: B344064    CONTROL #: NRFP    DIST: 15    PREC: 21  
DATE ISSUED: 08/13/1998    TAX ACCOUNT #: 1508301742    CLASS: 34

PLANS: CONST 2    PLOT 7    R PLAT 0    DATA 0    ELEC YES    PLUM YES  
LOCATION: 4604    TODD POINT LANE  
SUBDIVISION: MILTON SCHLUDERBERG

## OWNERS INFORMATION

NAME: SIGNAL DEVELOPMENT CORPORATION  
ADDR: 2401 YORK RD    TIMONIUM, MD 21093

## TENANT:

CONTR: CHAPEL HOMES INC  
ENGR: KCI

## SELLR:

WORK: CONST SFD W/ COVERED FRONT PORCH. NO FIREPLACE  
24'X28'X30'=1,344SF. 3 BEDROOMS  
FLOOD ZONE A

BLDG. CODE: 1 AND 2 FAM. CODE

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD + GARAGE, PORCH & DECK    E.C.R.  
80,000.00    EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: ONE FAMILY

FOUNDATION: SLAB

BASEMENT: NONE

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

## LOT SIZE AND SETBACKS -----

SIZE: 51 WIDTH

FRONT STREET:

SIDE STREET:

FRONT SETB: 31'

SIDE SETB: 11'/15'

SIDE STR SETB:

REAR SETB: 69'

App. 3 / ~~for info only~~



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

BUILDING PERMIT  
-----

*[Signature]*  
BUILDINGS ENGINEER

PERMIT #: B360294 CONTROL #: NRFP DIST: 15 PREC: 21  
DATE ISSUED: 12/17/98 TAX ACCOUNT #: 1508301742 CLASS: 34

PLANS: CONST 2 PLOT 7 R PLAT 0 DATA 0 ELEC YES PLUM YES  
LOCATION: 4604 TODD POINT LANE  
SUBDIVISION: MILTON SCHLUDERBERG

## OWNERS INFORMATION

NAME: SCHULTZ, MIKE  
ADDR: 3133 ELLIOTT ST 21224

THIS PERMIT  
EXPIRES ONE  
YEAR FROM DATE  
OF ISSUE

## TENANT:

CONTR: FREE STATE GEN. CONTRACTORS INC  
ENGR:  
SELLR: SIGNAL DEVELOPMENT CORP  
WORK: CONST. SFD W/ DOUBLE DECK AND FRONT PORCH.  
3BEDROOMS. 30'X34'X31'=1920SF  
FLOOD ZONE "A". EXISTING "B". REG10.4  
THIS PERMIT CANCELS B344064

BLDG. CODE: 1 AND 2 FAM. CODE  
RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD  
130.000.00 EXISTING USE: VACANT LOT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: ONE FAMILY

FOUNDATION: BLOCK

SEWAGE: PUBLIC EXIST

BASEMENT: NONE

WATER: PUBLIC EXIST

## LOT SIZE AND SETBACKS

-----

SIZE: 0051.67 X 0000.00

FRONT STREET:

SIDE STREET:

FRONT SETB: 26

SIDE SETB: 6.5/13.5

SIDE STR SETB:

REAR SETB: 70

**FLOOD PLAN**

**A FRAMING INSPECTION  
WILL NOT BE APPROVED UNTIL AN INSPECTION  
CERTIFICATION IS RECEIVED FROM THE INSPECTION**

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

REQUIRED CONSTRUCTION INSPECTIONS

1. FOOTING INSPECTION: shall be requested as soon as the trenches are completed, steel is in place if required, and concrete encased electrode is in place before pouring concrete.
2. FOUNDATION INSPECTION: shall be requested when the foundation has been waterproofed before backfilling the earth.
3. SLAB INSPECTION: shall be requested when all reinforcing, piping, wiring, weepholes, drain tile, etc., are in place or completed and inspected by plumbing/electrical inspection and before pouring concrete. (Residential basement slabs do not require building inspections.)
4. FRAMING INSPECTION: shall be requested when all structural members are in place, electric and plumbing roughed in, and chimney and duct work installed before covering with lath, insulation, or drywall. All fire stopping shall be installed. A separate ceiling grid inspection shall be determined by the inspector.
5. INSULATION INSPECTION: after framing inspection, but prior to sheetrock.
6. OCCUPANCY OR FINAL INSPECTION: shall be requested before the structure is used or occupied.

NEW BUILDINGS 6 inspections required:  
AND ADDITIONS: footing - foundation - slab - framing - insulation - occupancy

ALTERATIONS: 3 inspections required:  
framing - insulation - occupancy or final

FACTORY BUILT FIREPLACE 2 inspections required:  
AND STOVES: framing with thimble in place - final

MASONRY FIREPLACE: 3 inspections required:  
footing - throat/framing (inspection shall be called for when the throat/framing of the unit is complete, but prior to the erection of the chimney) - final

TANKS: 3 inspections required:  
hydrostatic (fire department) excavation with tank, bedding, and piping in place prior to backfill (building inspection) - final

DECKS: 2 inspections required:  
footing - final

SWIMMING POOLS: 2 inspections required:  
steel in place - fence erected if needed prior to final

FENCING, RAZING, GRADING 1 inspection required:  
AND TEMPORARIES: final (when all work is completed as per the permit)

\* WELL INSPECTION MUST BE MADE TWO WEEKS BEFORE OCCUPANCY OR FINAL INSPECTION IS CALLED FOR (887-2762).

\* MECHANICAL WORK: depends on type or extent of work; contact inspector after or during preliminary inspection.

\*\*\* NUMBERS TO CALL FOR INSPECTIONS \*\*\*

| BUILDING     | PLUMBING     | ELECTRICAL   | FIRE DEPT.   |
|--------------|--------------|--------------|--------------|
| 410-887-3953 | 410-887-3620 | 410-887-3960 | 410-887-4880 |

\*\*\*\* IMPORTANT NOTES \*\*\*\*

APPROVED PLANS, INCLUDING COMMENTS, MUST BE ON-SITE FOR INSPECTION.

ANY INFORMATION SUPPLIED FOR THIS PERMIT THAT IS FOUND TO BE ERRONEOUS OR INCOMPLETE COULD RESULT IN THE SUSPENSION OR REVOCATION OF THE PERMIT.

YOU MUST PROVIDE THE PERMIT NUMBER, DISTRICT, PRECINCT, AND STREET ADDRESS WHEN REQUESTING AN INSPECTION.

SEPARATE PERMITS ARE REQUIRED FOR PLUMBING AND ELECTRICAL WORK.

INSPECTIONS SHALL BE REQUESTED BEFORE 3:45 P.M., WITH A ONE-DAY NOTICE ON ALL INSPECTIONS.

App. # 4

Metropolitan Regional Information Systems, Inc.

Page: 1

Date: 08/28/98

Time: 11:51

MLS#: BC2526706

Short Listing

4604 TODD POINT LANE, BALTIMORE, MD 21219

STATUS: ACTIVE

Ownership: Fee Simple, Sale

Legal Subdiv: BEACHWOOD

Advertised Subdiv: BEACHWOOD

Lot- SF: 6970

Lot/Block/Square:

Lot- Acres: 0.16

Liber/Folio: /

HOA FEE:

TAXES:

Tax Year:

Tax ID#: 0000000

LIST PRICE: \$69,900

Classification: Lot-Land

List Type: Excl. Right

Old Map: 45G6

TBM Map: 803D4

Area: N/A

Zoning: RES

Road Frontage: 53

Roads: Black Top, City/County

Development Status: Building Permit(s), Utilities at Site, Zoned

Building Permits: On Hand, Cost to Obtain

Present Use: Residential

Perc Type:

#Perc Sites:

#Bedroom Perc:

Heat: Electric

Water: Public H/U Avail

Cool: Electric

Sewer/Septic: Public H/U Avail

EXTERIOR: , Cleared, Water Front, East, Water View, Level

REMARKS: THIS WATERFRONT PROPERTY IS LOCATED BEHIND THE NEW BEACHWOOD ESTATES DEVELOPMENT

/ PUBLIC WATER & SEWER ARE AVAILABLE, I HAVE A BUILDING PERMIT IN HAND AND BLUEPRINTS OF A

TWO-STORY HOME / CALL JAMES GAY III FOR DETAILS AT 477-3800 WORK / 388-1741 HOME / 475-8768 PAGER.

SHOW & SELL TODAY!!!

DIRECTIONS: NORTH POINT BLVD TO MORSE LANE / MAKE RIGHT ONTO TODD POINT LANE / BEHIND THE NEW BEACHWOOD DEVELOPMENT.

Broker: OLDE COLONIAL REALTY, INC.

Brkr Code: OCR11

Brkr Office: (410)477-3800

Listing Agent: JIMMY GAY, III

Agt Office: (410)477-3800

Home: (410)388-1741

Pager: (410)475-8768

Cell: (410)375-0588

Show Instructions: Call Office, Show Anytime, Vacant

Owner:

List Date: 07-JUL-1998

Orig Price: \$74,900

DOM-MLS: 52

SubComp: 3.0

Dual: N

Update Date: 14-AUG-1998

Prior Price: \$0

DOM-PROP: 52

BuyComp: 3.0

DesR: N

Update Type: Price

Add'l:

VarC: N

Disclosures: Agt/Fin Int, Flood Ins.-Req, Owner RE Licensee Possession: Negotiable

Cur Finance Type:

New Finance Types:

App. # 0013599 660

RETURN TO:  
HIGHLAND TITLE CO., INC.  
3224 EASTERN AVENUE  
BALTIMORE, MARYLAND 21224  
410-342-4400  
FILE #: 98-3576

Deed-Fee Simple

**THIS DEED**, Made This 30<sup>th</sup> day of November in the year one thousand nine hundred and ninety-eight by and between **At Home Again LLC** of Baltimore, Maryland of the first part, and **Michael A. Schultz** and **Antoinette Cotsoradis** parties of the second part.

**WITNESSETH**, That in consideration of the sum of **Fifty-Five Thousand Dollars (\$55,000.00)** and other good and valuable consideration the receipt of which is hereby acknowledged.

The said party of the first part does grant and convey to the said parties of the second part their personal representative/successors and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

**SEE EXHIBIT 'A' ATTACHED TO AND MADE A PART HEREOF FOR COMPLETE LEGAL DESCRIPTION.**

**BEING THE SAME** lot of ground which by Deed dated October 9, 1998 and recorded among the Land Records of Baltimore County in Liber 13224, folio 148 et seq. from Cignal Development Corporation.

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

To Have and To Hold the said described lot of ground and premises to the said parties of the second part their, personal representatives/successors and assigns, in fee simple.

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

0013599 661

EXHIBIT 'A'

**BEGINNING FOR THE SAME** at a point on the east side of a road, twenty foot wide, said point of beginning being at the end of the 4th or South 68 degrees 43 minutes West 135.00 foot line of that parcel of land described in a Deed dated

## EXHIBIT 'A'

**BEGINNING FOR THE SAME** at a point on the east side of a road, twenty foot wide, said point of beginning being at the end of the 4th or South 68 degrees 43 minutes West 135.00 foot line of that parcel of land described in a Deed dated February 22, 1984 between Diamond Development Corp. and Beachwood Development Corp., recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K. Jr. NO. 6671, folio 334, running thence leaving the east side of said road, binding reversely on all of said 4th line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding reversely on all of the 3rd line of said Deed and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 50.25 feet, running thence leaving the waters of said Back River, binding reversely on all of the 2nd line of said Deed, parallel with and distant 50.00 feet at right angles from the hereinabove described first line, 3) South 67 degrees 52 minutes 38 seconds West 143.00 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding reversely on all of the 1st line of said Deed, 4) North 07 degrees 31 minutes 22 seconds West 51.67 feet to the point of beginning. Containing 0.160 acres of land more or less.

Together with the right of use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road as mentioned in the Deed dated February 22, 1984 between Diamond Development Corp. And Beachwood Development Corp. recorded among the land Records of Baltimore County, Maryland in Liber E.H.K. Jr. No. 6671, folio 334.

Subject to a thirteen and one half (13.50) foot wide drainage and utility easement, described as follows:

Beginning for said drainage and utility easement at a point on the east side of a road, twenty foot wide, said point of beginning being at the beginning of the 1st or 1) North 67 degrees 52 minutes 38 seconds East 135.00 foot line of the above described 0.160 acre parcel of land, running thence leaving the east side of said road, binding on all of said 1st line, 1) North 67 degrees 52 minutes 38 seconds East 135.00 feet to the waters of Back River, running thence binding on part of the 2nd line of the above described 0.160 acre parcel and binding on the waters of said Back River, 2) South 16 degrees 23 minutes 05 seconds East 13.57 feet, thence leaving the waters of said Back River, running parallel with and distant 13.50 feet southeasterly at right angles from said 1st line, 3) South 67 degrees 52 minutes 38 seconds West 137.16 feet to intersect the east side of said road twenty foot wide, running thence binding on the east side of said road twenty foot wide, with the uses in common with others entitled thereto and binding on part of the 4th line of the above described 0.160 acre parcel, 4) North 07 degrees 31 minutes 22 seconds West 13.95 feet to the point of beginning. Containing 0.042 acres of land more or less.

0013599 662

Also subject to a Drainage and Utility Easement, 0.0574 acres, plus or minus, and further shown and described as easement 2 on the Baltimore County Department of Permits and Development Management Bureau of Land Acquisition Drawing Number RW 96-361-1 attached to a Deed and Agreement dated August 12, 1998 and recorded among the Land Records of Baltimore County in Liber S.M. No. 13116, folio 199 from Cignal Development Corporation to Baltimore County, Maryland.

0013599 663



Witness the hand and seal of said grantor  
 Test: Becky Gay Alderson  
Becky Alderson Attorney-in-Fact  
for James L. Gay III. (Seal)  
 At Home Again LLC, By Becky  
 Alderson Attorney-in-Fact for  
 James L. Gay III, Manager

James L. Gay III (Seal)

State of Maryland, City of Baltimore, to wit:

I Hereby Certify, That on this 30<sup>th</sup> day of November  
 in the year one thousand nine hundred and ninety-eight  
 before me, the subscriber, a Notary Public of the State  
 aforesaid, personally appeared  
**Becky Alderson**  
 known to me (or satisfactorily proven) to be the person whose  
 name is subscribed to the within instrument, and acknowledged the  
 foregoing Deed to be his act, and in my presence signed and  
 sealed the same.

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



Benjamin A. Neil  
 Notary Public

My Commission expires:

11/10/00

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

Benjamin A. Neil  
 (Signature of attorney admitted to  
 practice in Maryland  
 Benjamin A. Neil)

011910 FEB 1982

0013599 684

State of Maryland Land Instrument Intake Sheet  
Baltimore City County:

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

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

|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------|--------------------------------------------------|------------------------------|--------------|-------------------|--------|------------------|---------------|----------------------|--|------------------------------|----|--------------------|--|--------------------|----|------------------------|--|---------------------|----|-------------------|--|-----------------|----|--------------------|--|-------|----|--|--|
| Type of Instrument                 | <input checked="" type="checkbox"/> Deed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/> Mortgage        | <input type="checkbox"/> Other             | <input type="checkbox"/> Other                   |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Conveyance Type                    | <input checked="" type="checkbox"/> Deed of Trust                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Lease           | <input checked="" type="checkbox"/> R.O.A. | <input checked="" type="checkbox"/> Trust        |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Conveyance Type                    | <input type="checkbox"/> Improved Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/> Unimproved Sale | <input type="checkbox"/> Multiple Accounts | <input type="checkbox"/> Not an Arms-Length Sale |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Arms-Length (1)                    | Arms-Length (2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Arms-Length (3)                          | Arms-Length (4)                            | Arms-Length (5)                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Transferor's Name                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other Party's Name                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Consideration and Tax Calculations | <table border="1"> <tr> <td>Purchase Price/Consideration</td> <td>\$ 35,000.00</td> <td>Transferor's Name</td> <td></td> </tr> <tr> <td>Any New Mortgage</td> <td>\$ 121,000.00</td> <td>Transferor's Address</td> <td></td> </tr> <tr> <td>Balance of Existing Mortgage</td> <td>\$</td> <td>Transferor's Phone</td> <td></td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Transferor's Signature</td> <td></td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Transferor's Date</td> <td></td> </tr> <tr> <td>Full Cash Value</td> <td>\$</td> <td>Transferor's Title</td> <td></td> </tr> </table> |                                          |                                            |                                                  | Purchase Price/Consideration | \$ 35,000.00 | Transferor's Name |        | Any New Mortgage | \$ 121,000.00 | Transferor's Address |  | Balance of Existing Mortgage | \$ | Transferor's Phone |  | Other:             | \$ | Transferor's Signature |  | Other:              | \$ | Transferor's Date |  | Full Cash Value | \$ | Transferor's Title |  |       |    |  |  |
| Purchase Price/Consideration       | \$ 35,000.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Transferor's Name                        |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Any New Mortgage                   | \$ 121,000.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Transferor's Address                     |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Balance of Existing Mortgage       | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Transferor's Phone                       |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other:                             | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Transferor's Signature                   |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other:                             | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Transferor's Date                        |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Full Cash Value                    | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Transferor's Title                       |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Fee                                | <table border="1"> <tr> <td>Recording Charge</td> <td>\$ 20.00</td> <td>Doc. 1</td> <td>Doc. 2</td> </tr> <tr> <td>Surcharge</td> <td>\$ 5.00</td> <td></td> <td></td> </tr> <tr> <td>State Recording Tax</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>State Transfer Tax</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>County Transfer Tax</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>Other</td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td>Other</td> <td>\$</td> <td></td> <td></td> </tr> </table>                                                                  |                                          |                                            |                                                  | Recording Charge             | \$ 20.00     | Doc. 1            | Doc. 2 | Surcharge        | \$ 5.00       |                      |  | State Recording Tax          | \$ |                    |  | State Transfer Tax | \$ |                        |  | County Transfer Tax | \$ |                   |  | Other           | \$ |                    |  | Other | \$ |  |  |
| Recording Charge                   | \$ 20.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Doc. 1                                   | Doc. 2                                     |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Surcharge                          | \$ 5.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| State Recording Tax                | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| State Transfer Tax                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| County Transfer Tax                | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other                              | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other                              | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Description of Property            | <p>15 1561 1562</p> <p>4604 Todd Point Lane B, Ho MD 21219</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Transfer From                      | <p>James Gay, Jr.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Transfer To                        | <p>Becky Alderman</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Other Names to Be Indexed          | <p>Michael A. Schulte</p> <p>Antoinette Catsoadis</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Contact/Mail Information           | <p>Name: HIGHLAND TITLE CO., INC. 78-3575</p> <p>Firm: 8204 EASTERN AVENUE</p> <p>Address: BALTIMORE, MARYLAND 21224</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |
| Assessment Information             | <p>Will the property being conveyed be the grantee's principal residence? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Does transfer include personal property? If yes, identify: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). <input type="checkbox"/> Yes <input type="checkbox"/> No</p>                                                                                                                                                                           |                                          |                                            |                                                  |                              |              |                   |        |                  |               |                      |  |                              |    |                    |  |                    |    |                        |  |                     |    |                   |  |                 |    |                    |  |       |    |  |  |

Circuit Court Clerk Recording Verification

 RECORDING FEE \$ 5.00  
 RECORDATION T 20.00  
 TAX STATE 275.00  
 TOTAL 575.00

 825.00 CHECK  
 01/17/82  
 008176  
 09/19/81  
 6667/81  
 15:26:49  
 TIME  
 RECEIVED

 PAID RECEIPT  
 State - Clerk's Office  
 County - SDAT  
 Paid - Office of Finance  
 Baltimore - Property  
 400-00-000 (1982)

0013599 668

**Addendum**  
**State of Maryland Land Instrument Intake Sheet**  
☐ Baltimore City ☒ County: Ba. Co.

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

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

|                                                       |                              |                 |                              |    |    |
|-------------------------------------------------------|------------------------------|-----------------|------------------------------|----|----|
| (Continued)<br>Fees                                   | Recording Charge             | \$ <u>200</u>   | \$                           | \$ | \$ |
|                                                       | Surcharge                    | \$ <u>500</u>   | \$                           | \$ | \$ |
|                                                       | State Recordation Tax        | \$ <u>85500</u> | \$                           | \$ | \$ |
|                                                       | State Transfer Tax           | \$ <u>27500</u> | \$                           | \$ | \$ |
|                                                       | County Transfer Tax          | \$ <u>82500</u> | \$                           | \$ | \$ |
|                                                       | Other                        | \$              | \$                           | \$ | \$ |
|                                                       | Other                        | \$              | \$                           | \$ | \$ |
| (Continued)<br>Transferred<br>From                    | <u>Key Bank + Trust</u>      |                 | <u>Key Bank + Trust</u>      |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
| (Continued)<br>Transferred<br>To                      | <u>Michael A. Schultz</u>    |                 | <u>Michael A. Schultz</u>    |    |    |
|                                                       | <u>Antoine H. Cotseradis</u> |                 | <u>Antoine H. Cotseradis</u> |    |    |
| (Continued)<br>Other<br>Instruments<br>to be Recorded |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
| Special Instructions                                  |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |
|                                                       |                              |                 |                              |    |    |

Distribution: White - Clerk's Office  
 Green - SDAY  
 Pink - Office of Finance  
 Blue - Recorder  
 AOC-CG-301(8/85)

App. 8A

LIBER 6671 PAGE 334

85 7465 #671

DEED — FEE SIMPLE — CORPORATE GRANTOR — LONG FORM

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE Bum DATE 2/24/84

CLEAR

DATE

**This Deed,** MADE THIS 22nd day of February,

in the year one thousand nine hundred and eighty-four,

by and between

✓ DIAMOND DEVELOPMENT CORP., a body corporate

of the State of Maryland,

of the first part, and

✓ BEACHWOOD DEVELOPMENT CORP.,

of the second part.

WITNESSETH, That in consideration of the sum of \$24,969.00 being the actual amount of consideration paid or to be paid in connection with this transaction, the receipt of which is hereby acknowledged,

the said DIAMOND DEVELOPMENT CORP.

C RC/F 12.00  
C T TX 124.85  
C IXCS 125.00

DEED 0 W  
EHK JR T 261.85  
#92695 (001) R02 T09\*25  
02/24/84

does grant and convey to the said BEACHWOOD DEVELOPMENT CORP., its

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

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

and described as follows, that is to say:

BEGINNING FOR THE SAME on the east side of a road twenty feet wide laid out by Ernest Schluderberg, et al, along the second and third lines of the land described in a Deed from Ernest Schluderberg, et al, to Manor Real Estate and Trust Company, dated August 8, 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1591, Folio 23, etc., at a point located south 6 degrees and 41 minutes east 51.67 feet from the intersection of the east side of said road with the first line of the land described in a Deed from Ethel Bond Merritt, widow, to William Schluderberg of C. and Ernest Schluderberg dated July 17, 1942, and recorded among the aforesaid Land Records in Liber C.H.K. No. 1243, Folio 243, etc., and running thence binding on the east side of said road, with the use thereof in common with others entitled thereto, south 6 degrees and 41 minutes east 51.67 feet; thence parallel with said first line of the land described in said last mentioned Deed, north 68 degrees and 43 minutes east 143 feet to the waters of Back River; thence northerly along the waters of Back River 50.25 feet to a point 50 feet southeasterly measured at right angles, from said first line and thence, parallel with said first line, south 68 degrees and 43 minutes west 135 feet to the place of beginning.

TOGETHER WITH THE right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road.

BEING THE SAME lot of of ground and premises which by Deed dated December 11, 1980 and duly recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6242, Folio 398 was granted and conveyed by Kenneth A. Thompson and Frances S. Thompson, his wife, unto Diamond Development Corp., the within named Grantor.

The Officer of the Grantor Corporation executing this Deed certifies that this conveyance is not part of a sale, lease, exchange or other transaction of all or substantially all of the property and assets of said Grantor.

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

LIBER 671 PAGE 335

To HAVE AND To HOLD the said described lot of ground and premises to the said BEACHWOOD DEVELOPMENT CORP., its ~~personal representatives/successors~~ and assigns, in fee simple.

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

WITNESS the name and corporate seal of said body corporate and the signature of

the

President thereof.

DIAMOND DEVELOPMENT CORP.

Attest:

Elmer C Davis  
Secretary

BY:

James Gay

James Gay  
President

STATE OF MARYLAND,

~~QUINCY~~ CITY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 22nd day of February, 19 84, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared

JAMES GAY

who acknowledged himself to be the PRESIDENT

of DIAMOND DEVELOPMENT CORP.,

a corporation, and that he as such

being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by him self as such

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

Notary Public.

My Commission expires:

July 1, 1986

905  
Rec'd for record FEB 24 1984 at  
Per Elmer H. Kahline, Jr., Clerk  
Mail to Bassett Denick  
Receipt No. 1250

App. 8B

LIBER 6242 PAGE 398

DEED -- FEE SIMPLE -- INDIVIDUAL GRANTEE -- LONG FORM

**This Deed,** MADE THIS 11th day of December

in the year one thousand nine hundred and eighty by and between

Kenneth A. Thompson and Frances S. Thompson, his wife,

of the County of Baltimore, State of Maryland, of the first part, and

Diamond Development Corp., a body corporate of the State of Maryland,

DEC 18-80 119542a \*\*\*151.50

DEC 18-80 11954288 \*\*\*\*67.50

of the second part.

DEC 18-80 1195418F \*\*\*\*75.00

DEC 18-80 1195408W \*\*\*\*\*9.00

WITNESSETH, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged; the actual consideration paid or to be paid is \$15,000.00;

the said

Kenneth A. Thompson and Frances S. Thompson, his wife,

do grant and convey to the said

Diamond Development Corp., its

~~persons/representatives/successors and assigns~~

, in fee simple, all

that lot of ground situate in Baltimore County, Maryland,

and described as follows, that is to say:

Beginning for the same on the east side of a road twenty feet wide laid out by Ernest Schluderberg, et al, along the second and third lines of the land described in a deed from Ernest Schluderberg, et al, to Manor Real Estate and Trust Company, dated August 8, 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1591, folio 23, etc., at a point located south 6 degrees and 41 minutes east 51.67 feet from the intersection of the east side of said road with the first line of the land described in a deed from Ethel Bond Merritt, widow, to William Schluderberg of C. and Ernest Schluderberg dated July 17, 1942, and recorded among the aforesaid Land Records in Liber C.H.K. No. 1243, folio 243, etc., and running thence binding on the east side of said road, with the use thereof in common with others entitled thereto, south 6 degrees and 41 minutes east 51.67 feet; thence, parallel with said first line of the land described in said last mentioned deed, north 68 degrees and 43 minutes east 143 feet to the waters of Back River; thence northerly along the waters of Back River 50.25 feet to a point 50 feet southeasterly, measured at right angles, from said first line and thence, parallel with said first line, south 68 degrees and 43 minutes west 135 feet to the place of beginning.

Being the same lot of ground which by Deed dated March 27, 1978, and recorded among the Land Records of Baltimore County in Liber EHK, Jr. 5868, folio 536, was granted and conveyed by Sherman B. Herndon and Edna E. Herndon, his wife, to Kenneth A. Thompson and Frances S. Thompson, his wife.

TOGETHER with the right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road.

025800

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

To HAVE AND To HOLD the said described lot of ground and premises to the said Diamond Development Corp., its

~~personal-representatives/successors~~  
and assigns, in fee simple.

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

WITNESS the hands and seals of said grantors

Test:

*Kenneth A. Thompson* (SEAL)  
Kenneth A. Thompson

*Margaret M. Denoe*  
Margaret M. Denoe

*Frances S. Thompson* (SEAL)  
Frances S. Thompson, his wife

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this 11th day of December, before me, in the year one thousand nine hundred and eighty, the subscriber, a Notary Public of the State aforesaid, personally appeared

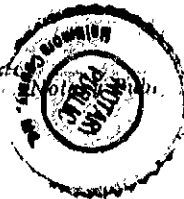
Kenneth A. Thompson and Frances S. Thompson, his wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained, and in my presence signed and sealed the same.

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

My Commission expires:

Margaret M. Denoe

July 1, 1982



rec'd for record DEC 18 1980 at 8:41  
Per Elmer H. Kahline, Jr., Clerk  
Mail to *Baltimore*  
Receipt No. *9*

2174 PAGE 326

THIS DEED, Made this 17<sup>TH</sup> day of September, in the year nineteen hundred and fifty-two, by Amelia D. Contrum, widow, party of the first part, Grantor, to Sherman B. Herndon and Edna E. Herndon, his wife, parties of the second part, Grantees, all of Baltimore County, in the State of Maryland.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Amelia D. Contrum, does hereby grant and convey unto the said Sherman B. Herndon and Edna E. Herndon, his wife, to the survivor of them, their assigns, and to the heirs and assigns of the survivor of them, as tenants by the entireties, in fee simple, all that lot or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland, and particularly described as follows:

BEGINNING for the same on the east side of a road twenty feet wide laid out by Ernest Schluderberg, et al., along the second and third lines of the land described in a deed from Ernest Schluderberg, et al., to Manor Real Estate and Trust Company, dated August 8, 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1591, folio 23, etc., at a point located south 6 degrees and 41 minutes east 51.67 feet from the intersection of the east side of said road with the first line of the land described in a deed from Ethel Bond Merritt, widow, to William Schluderberg of C. and Ernest Schluderberg dated July 17, 1942, and recorded among the aforesaid Land Records in Liber C.H.K. No. 1243, folio 243, etc., and running thence binding on the east side of said road, with the use thereof in common with others entitled thereto, south 6 degrees and 41 minutes east 51.67 feet; thence, parallel with said first line of the land described in said last mentioned deed, north 68 degrees and 43 minutes east 143 feet to the waters of Back River; thence northerly along the waters of Back River 50.25 feet to a point 50 feet southeasterly, measured at right angles, from said first line and thence,



LIBER 2174 PAGE 327

parallel with said first line, south 68 degrees and 43 minutes west 135 feet to the place of beginning.

BEING a part of all that lot or parcel of land which by Deed dated September 12, 1950, and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1891, folio 164, was granted and conveyed by Ernest Schluderberg, unmarried, et al., to the said Amelia D. Gontrum.

TOGETHER with the right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road.

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

TO HAVE AND TO HOLD the land and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Sherman B. Herndon and Edna E. Herndon, his wife, to the survivor of them, their assigns and to the heirs and assigns of the survivor of them, as tenants by the entirety, in fee simple, subject, however, to the covenants, conditions and restrictions set forth in the afore-said Deed from Ernest Schluderberg, unmarried, et al., to Amelia D. Gontrum.

AND the said Amelia D. Gontrum hereby covenants that she will warrant specially the property hereby granted and conveyed and that she will execute such further assurances of said land as may be requisite.

WITNESS the hand and seal of said Grantor.

Test:

Carroll L. Eppard

Carroll L. Eppard

Amelia D. Gontrum (SEAL)  
Amelia D. Gontrum

2174 328

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 17<sup>TH</sup> day of September, in the year nineteen hundred and fifty-two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, aforesaid, personally appeared Amelia D. Contrum, and she acknowledged the foregoing Deed to be her act.

WITNESS my hand and Notarial Seal.

*Carroll L. Eppard*

Carroll L. Eppard Notary Public

REC'D FOR RECORD Sept. 18, 1952 - 1 P. M. & RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY, LIBER G. L. B. 2174 FOLIO 326 GEORGE L. BYERLY, CLERK

APP. 8D

Liber 1591

23

Walter Q Pohlhaus

Agnes Pohlhaus(SEAL)

STATE OF MARYLAND BALTIMORE COUNTY TO WIT

I HEREBY CERTIFY That on this 11th day of August in the year one thousand nine hundred and forty-seven before me the subscriber a Notary Public of the State of Maryland in and for County aforesaid personally appeared AGNES POHLHAUS widow the above named grantor and she acknowledged the foregoing Deed to be her act

AS WITNESS my hand and Notarial Seal

Joseph L Leitzer

Notary Public

(Notarial Seal)

Recorded Aug 12 1947 at 2:30 P M & exd per

John W Bishop Clerk

Rec by JAR Exd B K & E

23294 : THIS DEED made this 8th day of August in the  
Ernest Schluderberg et al : year one thousand nine hundred and forty-seven  
Deed to : (1947) by ERNEST SCHLUDERBERG unmarried MILTON  
Manor Real Estate & Trust Co : W SCHLUDERBERG and KATHERINE R SCHLUDERBERG  
US \$ 40.15 ST \$ 40.15 : husband and wife EVELYN BUETTNER and RAYMOND W  
BUETTNER wife and husband ALVA SLICHER and

EDWARD J SLICHER wife and husband and the said MILTON W SCHLUDERBERG and EVELYN BUETTNER Trustees under the Will of William Schluderberg of C all of the City of Baltimore in the State of Maryland parties of the first part to MANOR REAL ESTATE AND TRUST COMPANY a corporation of the Commonwealth of Pennsylvania authorized to transact business in the State of Maryland party of the second part

WHEREAS Ethel B Merritt widow by her Deed dated July 17th 1942 recorded among the Land Records of Baltimore County in Liber C H K No 1243 folio 243 conveyed the tract of land therein described of which the hereinafter described parcel of ground is a part unto William Schluderberg of C and said Ernest Schluderberg (one of the parties of the first part hereto) as tenants in common and

WHEREAS the said William Schluderberg of C died leaving a Last Will and Testament duly admitted to probate by the Orphans Court of Baltimore City and a certified copy thereof being filed in the Office of the Register of Wills for Baltimore County in Wills Liber J P C No 38 folio 316 whereby he devised and bequeathed one-quarter of his estate unto his widow Dorothy H Schluderberg and all the rest and residue of his estate unto the said Milton Schluderberg and Evelyn Buettner as Trustees for the uses and purposes therein more particularly set forth conferring upon said Trustees full power and authority to sell mortgage exchange develop sub-divide and dispose of in any manner conditionally or absolutely any portion of said trust estate for such consideration as to them may seem advantageous to said trust estate and

WHEREAS the said Dorothy H Schluderberg widow by her Deed dated October 23 1944 and recorded among the land records of Baltimore County in Liber R JS No 1369 folio 303 conveyed all of her interest in and to the hereinafter described property unto the said Milton Schluderberg Evelyn Buettner and Alva Slicher

NOW THEREFORE THIS DEED WITNESSETH That in consideration of Thirty-six Thousand Three Hundred Sixty-eight Dollars and Fifty Cents (\$36,368.50) the said Ernest Schluderberg

and wife Evelyn Buettner

and Raymond W Buettner wife and husband and Alva Slicher and Edward J Slicher wife and husband in accordance with their respective interests and the said Milton W Schluderberg and Evelyn Buettner Trustees as aforesaid acting by virtue and in pursuance of the power and authority vested in them by the above recited Will of William Schluderberg deceased do hereby grant and convey unto the said party of the second part its successors and assigns in fee simple SUBJECT as hereinafter mentioned

ALL that parcel of land with the buildings and improvements thereon erected situate in the Fifteenth Election District of Baltimore County State of Maryland bounded and described as follows

BEGINNING for the same at a point in the third line of the land described in a deed from William G Lynch and wife to Manor Real Estate and Trust Company dated March 26 1947 and recorded among the Land Records of Baltimore County in Liber J W B Number 1548 Folio 316 etc at a point distant four hundred eighty-nine feet and fifty-three one-hundredths of a foot Southeasterly from the beginning of said line said point being at the beginning of the parcel of land firstly described in a deed from Dorothy H Schluderberg widow to Milton Schluderberg et al dated October 23 1944 and recorded among said Land Records in Liber R JS Number 1369 Folio 303 etc and the end of the eighteenth line of the land described in a deed from Thomas Alvah Merritt and wife to George W Merritt dated October 25 1901 and recorded among said Land Records in Liber N B M Number 258 Folio 181 etc and running thence with and binding on part of the first line of the parcel of land firstly described in said deed to Milton Schluderberg et al and reversely on part of the eighteenth line of the land described in said deed to George W Merritt as now surveyed North sixty-eight degrees and forty-three minutes East one thousand five hundred eighty-seven feet and sixty-six one-hundredths of a foot thence running for lines of division now made the three following courses and distances to wit South six degrees and forty-one minutes East two hundred ninety-two feet and forty-four one-hundredths of a foot South forty-one degrees and forty-one minutes East seven hundred ninety feet and thirty-one one-hundredths of a foot and North forty-eight degrees and nineteen minutes East two hundred thirty feet to the waters of Back River thence binding on the waters of Back River as now located the four following courses and distances to wit South sixty-one degrees and forty-one minutes East one hundred twenty-nine feet South nine degrees and fifty-two minutes East ninety-three feet South twenty-four degrees and thirty-nine minutes East fifty-two feet and South forty eight and fifty-three minutes East ninety-four feet to the waters of Green Hill Cove thence binding on the waters of Green Hill Cove as now located the eleven following courses and distances to wit South twenty-four degrees and five minutes West four hundred twenty-five feet South fifty-four degrees and thirty-one minutes West one hundred forty feet North sixty-six degrees and twenty-three minutes West twenty-five feet North fifty degrees and forty-five minutes West fifty-two feet North seventy-six degrees and nineteen minutes West eighty-one feet South fifty-two degrees and fifty-eight minutes West one hundred four feet South thirty degrees and fourteen minutes West one hundred forty-five feet South forty-eight degrees and three minutes West sixty-one feet South sixty-one degrees and eleven minutes West sixty-two feet South thirty-eight degrees and eight minutes West eighty-one feet and South seventy-four degrees twenty-minutes and thirty seconds West four hundred forty-six feet and twenty-one one-hundredths of a foot to the end of the fifth line of the land described in the deed from William G Lynch and wife to Manor Real Estate

and Trust Company first herein referred to and thence binding reversely on the fifth fourth and part of the third line of the land described in said first mentioned deed the following three courses and distances to wit North forty-four degrees and twenty-four minutes West two hundred seven feet to a sand stone heretofore planted North forty-four degrees and twenty-four minutes West one thousand seventeen feet and seventy-five one-hundredths of a foot and North forty-six degrees and thirty-nine minutes West five hundred sixty-five feet and forty-seven one -hundredths of a foot to the place of beginning

CONTAINING fifty-one acres and nine thousand five hundred fifty ten thousandths of an acre more or less /

The courses in the above description are referred to the True Meridian selected by the United States Coast and Geodetic Survey for the system of Plane Coordinates established for the State of Maryland

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

ALSO all riparian and other rights and all muds flats and land under water in front of and abutting the above described parcel of land and extending as far into the said Back River and Green Hill Cove as the right title and interest of the said parties of the first part extends or should extend by law or custom

TO HAVE AND TO HOLD the premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said party of the second part its successors and assigns in fee simple

SUBJECT to the right of the Consolidated Gas Electric Light and Power Company to construct and maintain an electric line including necessary poles wires and guys and the right to trim trees necessary in connection therewith as granted to it by Grant from Alvah R Merritt and wife dated September 28 1931 recorded in Baltimore County in Liber L McL M No 882 Folio 560

THIS DEED is executed delivered and accepted upon the understanding and agreement that the above described piece or parcel of land or any part thereof shall not be used or occupied by any Negro or persons of Negro descent except by those persons of Negro descent who may be employed in the capacity of servants in residences which are or may be hereafter built on said land and except such persons of Negro descent who may be employed in any business or industry at any time that may be conducted or maintained upon said land or any other land or lands owned or hereafter acquired by the said party of the second part its successors or assigns said exception to apply to Negro employees living in the plant proper but not to authorize general use and occupancy for the housing of Negro employees said restriction shall be binding upon the said party of the second part its successors and assigns and shall run with the land

AND the said parties of the first part hereby covenant that they have not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby granted that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite SUBJECT as aforesaid

AND the said parties of the first part for the consideration aforesaid do hereby grant and convey unto the said party of the second part its successors and assigns ALL

26  
THEIR RIGHT TITLE AND INTEREST of in and to (1) the right of way or road eighteen feet wide described in a deed from Joshua Lynch and wife to Alvah R Merritt dated January 22 1909 and recorded among the Land Records of Baltimore County in Liber W P C No 355 Folio 273 extending Southwesterly from the North 44 degrees and 24 minutes West 1017.75 feet line of the land hereinabove described to North Point Road and (2) any other roads adjoining or intersecting the above described parcel of land

WITNESS the hands and seals of the said parties of the first part the day and year first above written

TEST

H Griffith Baugher  
Georgia V Walker

Ernest Schluderberg (SEAL)  
Milton W Schluderberg (SEAL)  
Katherine R Schluderberg (SEAL)  
Evelyn Buettner (SEAL)  
Raymond W Buettner (SEAL)  
Alva Slicher (SEAL)  
Edward J Slicher (SEAL)  
Milton W Schluderberg (SEAL)  
Trustee as aforesaid  
Evelyn Buettner (SEAL)  
Trustee as aforesaid

STATE OF MARYLAND )  
CITY OF BALTIMORE ) ss

I HEREBY CERTIFY that on this 8th day of August in the year one thousand nine hundred and forty-seven (1947) before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared Ernest Schluderberg unmarried Milton W Schluderberg and Katherine R Schluderberg husband and wife Evelyn Buettner and Raymond W Buettner wife and husband Alva Slicher and Edward J Slicher wife and husband and duly acknowledged the foregoing Deed to be their act

AS WITNESS my hand and Notarial Seal

(Notarial Seal)

Georgia V Walker  
Notary Public

My commission expires May 2 1949

STATE OF MARYLAND )  
CITY OF BALTIMORE ) ss

I HEREBY CERTIFY that on this 8th day of August in the year one thousand nine hundred and forty-seven (1947) before me the subscriber a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid personally appeared Milton W Schluderberg and Evelyn Buettner Trustees as aforesaid and duly acknowledged the foregoing Deed to be their act as such Trustees

AS WITNESS my hand and Notarial Seal

(Notarial Seal)

Georgia V Walker  
Notary Public

My commission expires May 2 1949

App 9A

LIBER 7 999 PAGE 686

NO CONSIDERATION, NO TITLE SEARCH

THIS DEED, made this 30th day of Aug, 1988, between GENE R. FOULKE, party of the first part, Grantor, and GENE R. FOULKE and ELIZABETH JANE FOULKE, his wife, parties of the second part, and DAVID A. FOULKE and PEGGY A. FOULKE, (Children of the Grantor) parties of the third part.

WITNESSETH that in consideration of Zero Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does grant and convey unto the said parties of the second part, as tenants by the entireties, for and during the term of their natural lives, reserving however in said parties of the second part a life estate with powers of disposition as hereinafter mentioned, and from and after the death of the survivor, if not disposed of under said powers, ~~then unto DAVID A. FOULKE and PEGGY A. FOULKE, as joint tenants and not as~~ tenants in common, (Children of the Grantor), their personal representatives and assigns, the one-third (1/3) interest belonging to the said Gene R. Foulke, only, in the fee simple property lying and being in the Fifteenth Election District of Baltimore County, State of Maryland, described as follows; that is to say:

BEGINNING for the same at a point in the first line of the land described in a deed from Ethel Bond Merritt, widow, to William Schluderberg of C. and Ernest Schluderberg dated July 17, 1942 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1243, folio 243, etc., at a point north 68 degrees 43 minutes east 20.67 feet from the end of the first line of the land described in a deed from Ernest Schluderberg, et al, to Manor Real Estate and Trust Company dated August 8, 1947 and recorded among the said Land Records in Liber J.W.B. No. 1591, Folio 23, etc., said beginning point being at the easternmost side of a road 20 feet wide laid out by the grantors along the second and third lines of the land described in said last mentioned deed and running thence, with and binding on the remainder of the first line of the land described in the deed first herein referred to, north 68 degrees 43 minutes east 137 feet to the waters of Back River; thence southerly along the waters of Back River 52.21 feet to a point 50 feet southeasterly, measured at right angles, from the first line of the land now being described; thence parallel with said first line, south 68

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

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE AT DATE 11-11-88

BLAIR & VETRI  
ATTORNEYS AT LAW  
1704 MERRITT BOULEVARD  
BALTIMORE, MD. 21204  
TELEPHONE 261-2000-2000

TRANSFER TAX NOT REQUIRED  
For Baltimore County  
Liber 7 999 Page 686  
11-11-88

degrees 43 minutes west 135 feet to the easternmost side of said road 20 feet wide and thence binding on the easternmost side of said road, with the use thereof in common with others entitled thereto, north 6 degrees 41 minutes west 51.67 feet to the place of beginning.

BEING the same lot of ground which by deed dated May 21, 1970 and recorded among the Land Records of Baltimore County in Liber 5094, folio 588, was conveyed by C. Edgar Foulke and Annabel Foulke, his wife, to William C. Foulke, Gene R. Foulke and Douglas G. Foulke.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or otherwise appertaining.

TO HAVE AND TO HOLD the said one-third (1/3) portion of the lot of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said GENE R. FOULKE and ELIZABETH JANE FOULKE, his wife, as tenants by the entireties, with the full power, however, to assign, convey, sell, mortgage, sub-lease, or in any other manner dispose of or encumber the whole or any part of or interest in said property in any manner whatsoever (except, however power of disposition thereof by Last Will and Testament) without the consent or joinder of the remaindermen or anyone else, and the proceeds of any sale or sales thereof, or money borrowed and secured by any mortgage thereof, to take and expend or dispose of in any manner that they may wish, or to consume for their own purposes without obligation on the part of the purchaser, mortgagee, lessee, assignee, or grantee to see to the application of the money so borrowed or any money which may be the proceeds of any sale, mortgage, sub-lease or disposition of any part of any interest in said property, it being the intention hereof that the exercise of any of the powers hereinbefore set forth shall operate not only upon the life estate

BLAIR & VETRI  
ATTORNEYS AT LAW  
1704 MURKITT BOULEVARD  
BALTIMORE, MD. 21202  
TELEPHONE 261-222-4000



hereby granted unto the Grantor but also upon the estate in remainder as herein provided, and from and immediately after the death of the survivor, as to his or her share or any interest therein as may not have been disposed of by him or her unto DAVID A. FOULKE and PEGGY A. FOULKE, as joint tenants and not tenants in common their personal representatives and assigns, in fee simple subject to certain covenants and restrictions previously set forth in prior deeds.

WITNESS the hand and seal of the Grantor.

WITNESS:

*Gene R. Foulke* *Gene R. Foulke* (SEAL)  
GENE R. FOULKE

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 30<sup>th</sup> day of Aug, in the year one thousand nine hundred and eighty-eight, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared GENE R. FOULKE, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed same for the purposes therein contained, and in my presence signed and sealed the same, and acknowledged that no consideration was paid to is to be paid on account of this conveyance.

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

*Gene R. Foulke*  
Notary Public

My Commission Expires:

July 1, 1990

C RC/F 17.  
DEED 17.  
SM CLERK 17.  
#81428 0001 R02 TO  
10/1

BLAIR & YETI  
ATTORNEYS AT LAW  
1714 HENRIETT BOULEVARD  
BALTIMORE, MD. 21202  
TELEPHONE 301-558-0000

STATE OF MARYLAND, BALTIMORE COUNTY, TO WITH

I HEREBY CERTIFY that the foregoing is a true copy of the original  
Deed taken from the records of said Circuit Court as  
returned in Liber S.M. No. 7999  
Book 6867688 one of the LAND  
records of Baltimore County.

IN TESTIMONY WHEREOF I hereto set my hand  
and affix the seal of the Circuit Court for  
Baltimore County  
this 9TH day of AUG 1999

Augustine Prince

Clerk of the Circuit Court of Baltimore County

App-9

0012820 660

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

Banham Title Co., Inc.  
100 West Road, Suite 400  
Towson, Maryland 21204

**NO TITLE EXAMINATION  
NO CONSIDERATION**

THIS DEED, MADE THIS 5th day of September in the year one thousand nine hundred and ninety-seven by and between AUDREY M. DAUSES, PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE H. AMENT, Grantor(s) and party of the first part, and DIANA M. DAUSES, BRENDA K. HUTSON, WILLIAM M. DAUSES, JOHN E. DAUSES, SR. and DEBRA M. DONNELLY, Grantee(s) and parties of the second part.

WITNESSETH, That in consideration of the sum of ZERO CONSIDERATION, (\$0.00), the actual consideration paid, or to be paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said parties of the second part, as tenants in common and not as joint tenants, their personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

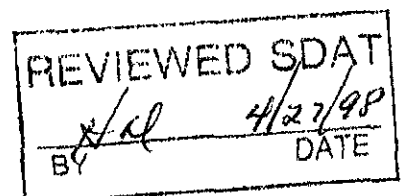
BEING that same lot of ground which by Deed dated September 32, 1952 and recorded among the Land Records of Baltimore County in Liber No. 2167, folio 437 was granted and conveyed by Amelia D. Gontrum unto George H. Ament and Mary A. Ament, his wife.

The said Mary A. Ament departed this life on or about January 24, 1987, thereby vesting title unto the said George H. Ament.

The said George H. Ament departed this life on or about May 17, 1997,

SEE Estate No. 90923, filed among the Register of Wills for Baltimore County, wherein the said Audrey M. Dauses was appointed Personal Representative of the Estate of George H. Ament.

THIS CONVEYANCE is made subject to the restrictions, rights of way, and conditions, if any, contained in the Deeds forming the chain of title to this property.



## EXHIBIT "A"

Beginning for the same on the east side of a road 20 feet wide laid out by Ernest Schluderberg, et al, along the second and third lines of the land described in a deed from Ernest Schluderberg, et al, to Manor Real Estate and Trust Company, dated August 8, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1591 folio 23, etc. at a point located south 6 degrees and 41 minutes east 103.34 feet from the intersection of the east side of said road with the first line of the land described in a deed from Ethel Bond Merritt, widow, to William Schluderberg of C. and Ernest Schluderberg, dated July 17, 1942 and recorded among said Land Records in Liber C.H.K. No. 1243 folio 243, etc.; and running thence, binding on the east side of said road, with the use thereof in common with others entitled thereto, south 6 degrees and 41 minutes east 51.67 feet; thence, parallel with said first line of the land described in said last mentioned deed, north 68 degrees and 43 minutes east 151 feet to the waters of Back River; thence northerly along the waters of Back River 50.25 feet to a point 100 feet southeasterly measured at right angles, from said first line and thence; parallel with said first line, south 68 degrees and 43 minutes west 143 feet to the place of beginning.

TOGETHER with the right to use, in common with others entitled thereto, the road as now constructed and used from the land above described to North Point Road.

0012820 662

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

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said parties of the second part, as tenants in common and not as joint tenants, their personal representatives and assigns, forever in fee simple.

WITNESS the hand(s) and seal(s) of said grantor(s)

Test:

Joe M. Brown

Audrey M. Dauses (Seal)  
AUDREY M. DAUSES, PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
GEORGE H. AMENT

STATE OF MARYLAND, CITY/COUNTY OF Baltimore, to wit:

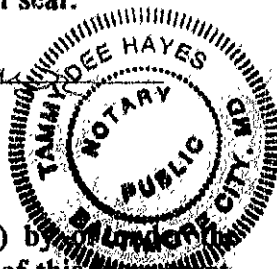
I HEREBY CERTIFY, That on this 5<sup>th</sup> day of September in the year one thousand nine hundred and ninety-seven the subscriber, a Notary Public of the State aforesaid, personally appeared AUDREY M. DAUSES, PERSONAL REPRESENTATIVE OF THE ESTATE OF GEORGE H. AMENT, known to me (or satisfactorily proven) to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

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

Tammy Dee Hayes  
NOTARY PUBLIC

My Commission Expires:

2/1/01



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

Laurie E. Dilks  
LAURIE E. DILKS, Attorney-at-Law

0012820 600

**State of Maryland Land Instrument Intake Sheet**  
☐ Baltimore City ☒ County: Baltimore

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

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

| <b>1</b>                                       | <b>Type(s) of Instruments</b>                      | <input checked="" type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input type="checkbox"/> Other <input type="checkbox"/> Other<br><input type="checkbox"/> Deed of Trust <input type="checkbox"/> Lease <input type="checkbox"/> Multiple Accounts <input type="checkbox"/> Not an Arms-Length Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
|------------------------------------------------|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------------------------|--|------------------------------------------------|----------------------------------------------------|--------------------------------------------|-------------------------------|-----------------------------------------------------|----------------------------|----------------------------|----------------------|-------------------|-------------------------------|---------------|--------------|------------------------------|------------------|-----------------------|--------------------|--------------------|-----------------|--------------------|--------------|---------------------|----|-------------------------------|----|------------------|----|-------------------|----|-------|----|------------------|----|
| <b>2</b>                                       | <b>Conveyance Type</b>                             | <input type="checkbox"/> Improved Sale <input type="checkbox"/> Unimproved Sale <input type="checkbox"/> Arms-Length [1] <input type="checkbox"/> Arms-Length [2] <input type="checkbox"/> Arms-Length [3] <input type="checkbox"/> Length Sale [9]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>3</b>                                       | <b>Tax Exemptions (If Applicable)</b>              | Recordation <input type="checkbox"/> State Transfer <input type="checkbox"/> County Transfer <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>4</b>                                       | <b>Consideration and Tax Calculations</b>          | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">Consideration Amount</th> <th colspan="2">Transfer and Recordation Tax Consideration</th> </tr> <tr> <td>Purchase Price/Consideration</td> <td>\$ 0</td> <td>Transfer Tax Consideration</td> <td>\$ 37.1299</td> </tr> <tr> <td>Any New Mortgage</td> <td>\$</td> <td>X ( ) % =</td> <td>\$</td> </tr> <tr> <td>Balance of Existing Mortgage</td> <td>\$</td> <td>Less Exemption Amount</td> <td>\$</td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Total Transfer Tax</td> <td>\$</td> </tr> <tr> <td>Other:</td> <td>\$</td> <td>Recordation Tax Consideration</td> <td>\$</td> </tr> <tr> <td>Full Cash Value</td> <td>\$</td> <td>X ( ) per \$500 =</td> <td>\$</td> </tr> <tr> <td></td> <td></td> <td><b>TOTAL DUE</b></td> <td>\$</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                               |                                                     |  | Consideration Amount                           |                                                    | Transfer and Recordation Tax Consideration |                               | Purchase Price/Consideration                        | \$ 0                       | Transfer Tax Consideration | \$ 37.1299           | Any New Mortgage  | \$                            | X ( ) % =     | \$           | Balance of Existing Mortgage | \$               | Less Exemption Amount | \$                 | Other:             | \$              | Total Transfer Tax | \$           | Other:              | \$ | Recordation Tax Consideration | \$ | Full Cash Value  | \$ | X ( ) per \$500 = | \$ |       |    | <b>TOTAL DUE</b> | \$ |
| Consideration Amount                           |                                                    | Transfer and Recordation Tax Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Purchase Price/Consideration                   | \$ 0                                               | Transfer Tax Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$ 37.1299                    |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Any New Mortgage                               | \$                                                 | X ( ) % =                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Balance of Existing Mortgage                   | \$                                                 | Less Exemption Amount                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Other:                                         | \$                                                 | Total Transfer Tax                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Other:                                         | \$                                                 | Recordation Tax Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Full Cash Value                                | \$                                                 | X ( ) per \$500 =                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
|                                                |                                                    | <b>TOTAL DUE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$                            |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>5</b>                                       | <b>Fees</b>                                        | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Amount of Fees</th> <th>Doc. 1</th> <th>Doc. 2</th> <th>Agent</th> </tr> <tr> <td>Recording Charge</td> <td>\$ 20</td> <td>\$</td> <td></td> </tr> <tr> <td>Surcharge</td> <td>\$ 5</td> <td>\$</td> <td></td> </tr> <tr> <td>State Recordation Tax</td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td>State Transfer Tax</td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td>County Transfer Tax</td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td>Other</td> <td>\$</td> <td>\$</td> <td></td> </tr> <tr> <td>Other</td> <td>\$</td> <td>\$</td> <td></td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                               |                                                     |  | Amount of Fees                                 | Doc. 1                                             | Doc. 2                                     | Agent                         | Recording Charge                                    | \$ 20                      | \$                         |                      | Surcharge         | \$ 5                          | \$            |              | State Recordation Tax        | \$               | \$                    |                    | State Transfer Tax | \$              | \$                 |              | County Transfer Tax | \$ | \$                            |    | Other            | \$ | \$                |    | Other | \$ | \$               |    |
| Amount of Fees                                 | Doc. 1                                             | Doc. 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Agent                         |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Recording Charge                               | \$ 20                                              | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Surcharge                                      | \$ 5                                               | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| State Recordation Tax                          | \$                                                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| State Transfer Tax                             | \$                                                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| County Transfer Tax                            | \$                                                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Other                                          | \$                                                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Other                                          | \$                                                 | \$                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>6</b>                                       | <b>Description of Property</b>                     | District: <u>15</u> Property Tax ID No. (1): <u>15-01-500352</u> Grantor Liber/Folio: <u>8161/437</u> Map: <u>3</u> Parcel No.: <u>3</u> Var. LOG: <u>(5)</u><br>Subdivision Name: <u>Milton Schludenberg</u> Lot (3a): <u>3</u> Block (3b): <u>3</u> Sect/AR(3c): <u>3</u> Plat Ref.: <u>3</u> SqFt/Acreage (4): <u>3</u><br>Location/Address of Property Being Conveyed (2): <u>4606 Todd Point</u><br>Other Property Identifiers (If applicable): <u>4606 Todd Point</u> Water Meter Account No.: <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>7</b>                                       | <b>Transferred From</b>                            | Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Grount Rent <input type="checkbox"/> Amount: <u></u><br>Partial Conveyance? <input type="checkbox"/> Yes <input type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred: <u></u><br>If Partial Conveyance, List Improvements Conveyed: <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>8</b>                                       | <b>Transferred To</b>                              | Doc. 1 - Grantor(s) Name(s): <u>Audrey M. DAVSES PR</u> Doc. 2 - Grantor(s) Name(s): <u>Of the Estate George H. Ament</u><br>Doc. 1 - Owner(s) of Record, if Different from Grantor(s): <u></u> Doc. 2 - Owner(s) of Record, if Different from Grantor(s): <u></u><br>Doc. 1 - Grantee(s) Name(s): <u>Diana M. DAVSES, Brenda K. Hutson et al</u> Doc. 2 - Grantee(s) Name(s): <u></u><br>New Owner's (Grantee) Mailing Address: <u>4606 Todd Point, Baltimore, Md</u><br>Doc. 1 - Additional Names to be Indexed (Optional): <u></u> Doc. 2 - Additional Names to be Indexed (Optional): <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>9</b>                                       | <b>Other Names to Be Indexed</b>                   | Doc. 1 - Additional Names to be Indexed (Optional): <u></u> Doc. 2 - Additional Names to be Indexed (Optional): <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>10</b>                                      | <b>Contact/Mail Information</b>                    | Instrument Submitted By or Contact Person: Name: <u>Robin Aultan</u> Firm: <u>Bankers Title</u> Address: <u>180 West Rd, ST 400</u> Phone: <u>(410) 828-5900</u><br>Return to Contact Person: <input type="checkbox"/> Hold for Pickup: <input type="checkbox"/> Return Address Provided: <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                               |                                                     |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| <b>11</b>                                      | <b>Assessment Information</b>                      | IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER<br>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Will the property being conveyed be the grantee's principal residence?<br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Does transfer include personal property? If yes, identify: <u></u><br>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).<br>Assessment Use Only - Do Not Write Below This Line<br><table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> Terminal Verification</td> <td><input type="checkbox"/> Agricultural Verification</td> <td><input type="checkbox"/> Whole</td> <td><input type="checkbox"/> Part</td> <td><input type="checkbox"/> Tran. Process Verification</td> </tr> <tr> <td>Transfer Number: <u>19</u></td> <td>Date Received: <u>19</u></td> <td>Geo. Zoning: <u></u></td> <td>Map Grid: <u></u></td> <td>Assigned Property No. <u></u></td> </tr> <tr> <td>Land: <u></u></td> <td>Use: <u></u></td> <td>Parcel: <u></u></td> <td>Section: <u></u></td> <td>Block: <u></u></td> </tr> <tr> <td>Buildings: <u></u></td> <td>Town Cd: <u></u></td> <td>Ex. St: <u></u></td> <td>Ex. Cd: <u></u></td> <td>Lot: <u></u></td> </tr> <tr> <td>Total: <u></u></td> <td></td> <td></td> <td></td> <td>Occ. Cd: <u></u></td> </tr> </table> |                               |                                                     |  | <input type="checkbox"/> Terminal Verification | <input type="checkbox"/> Agricultural Verification | <input type="checkbox"/> Whole             | <input type="checkbox"/> Part | <input type="checkbox"/> Tran. Process Verification | Transfer Number: <u>19</u> | Date Received: <u>19</u>   | Geo. Zoning: <u></u> | Map Grid: <u></u> | Assigned Property No. <u></u> | Land: <u></u> | Use: <u></u> | Parcel: <u></u>              | Section: <u></u> | Block: <u></u>        | Buildings: <u></u> | Town Cd: <u></u>   | Ex. St: <u></u> | Ex. Cd: <u></u>    | Lot: <u></u> | Total: <u></u>      |    |                               |    | Occ. Cd: <u></u> |    |                   |    |       |    |                  |    |
| <input type="checkbox"/> Terminal Verification | <input type="checkbox"/> Agricultural Verification | <input type="checkbox"/> Whole                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> Part | <input type="checkbox"/> Tran. Process Verification |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Transfer Number: <u>19</u>                     | Date Received: <u>19</u>                           | Geo. Zoning: <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Map Grid: <u></u>             | Assigned Property No. <u></u>                       |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Land: <u></u>                                  | Use: <u></u>                                       | Parcel: <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Section: <u></u>              | Block: <u></u>                                      |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Buildings: <u></u>                             | Town Cd: <u></u>                                   | Ex. St: <u></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Ex. Cd: <u></u>               | Lot: <u></u>                                        |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |
| Total: <u></u>                                 |                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                               | Occ. Cd: <u></u>                                    |  |                                                |                                                    |                                            |                               |                                                     |                            |                            |                      |                   |                               |               |              |                              |                  |                       |                    |                    |                 |                    |              |                     |    |                               |    |                  |    |                   |    |       |    |                  |    |

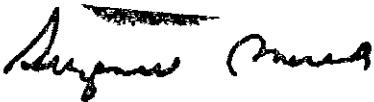
TRANSFER TAX NOT REQUIRED  
 Director of Budget and Finance  
 BALTIMORE COUNTY, MARYLAND  
 Date: 4/27/98 Per: [Signature] 366-33-1399

Distribution: White - Clerk's Office  
 Canary - SDAT  
 Pink - Office of Finance  
 Goldenrod - Preparer

NOTARY PUBLIC, BALTIMORE COUNTY, TO WITH

CERTIFY that the foregoing is a true copy of the original  
Deed taken from the records of said Circuit Court as  
found in Liber SM No. 12820  
of 660-7663 one of the LAND  
records of Baltimore County.

IN TESTIMONY WHEREOF I hereto set my hand  
and affix the seal of the Circuit Court for  
Baltimore County  
this 9TH day of AUG 1999



\_\_\_\_\_  
Clerk of the Circuit Court of Baltimore County

App. 10 A-D

|                                                                                                                        |                                                                                 |
|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
|  <b>Real Property<br/>Information</b> | <b>Maryland Department of Assessments and Taxation<br/>Real Property System</b> |
|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

DISTRICT: 15 ACCT NO: 1513752090

**Owner Information****Owner Name:** PIRARO JAMES CARLO**Use:** RESIDENTIAL**Mailing Address:** PO BOX 55  
SIMPSONVILLE MD 21150-0055**Principal Residence:** NO**Transferred****From:** PIRARO JAMES CARLO**Date:** 06/13/1986 **Price:** \$0**Deed Reference:** 1) / 7180/ 378  
2)**Special Tax Recapture:**

\* NONE \*

**Tax Exempt:** NO**Location Information** [\[View Map\]](#)**Premises Address:**

4608 TODD POINT LA

**Zoning:** Legal Description:

LT NES TODD POINT LA

1200 SE MERRITT AV

|            |             |               |               |             |              |            |              |                  |
|------------|-------------|---------------|---------------|-------------|--------------|------------|--------------|------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Subdiv</b> | <b>Sect</b> | <b>Block</b> | <b>Lot</b> | <b>Group</b> | <b>Plat No:</b>  |
| 104        | 23          | 320           |               |             |              | 4          | 82           | <b>Plat Ref:</b> |

**Special Tax Areas****Town:****Ad Valorem:****Primary Structure Data****Year Built:**

1954

**Enclosed Area:** **Property Land Area:** **County Use:**

920 SF

8,000.00 SF

34

**Value Information****Base Value Current Value Phase-In Value Phase-in Assessments**

|                   |         | As Of<br>01/01/1997 | As Of<br>07/01/1999 | As Of<br>07/01/1998 | As Of<br>07/01/1999 |
|-------------------|---------|---------------------|---------------------|---------------------|---------------------|
| <b>Land:</b>      | 71,000  | 71,000              |                     |                     |                     |
| <b>Impts:</b>     | 37,550  | 39,450              |                     |                     |                     |
| <b>Total:</b>     | 108,550 | 110,450             | 110,450             | 43,920              | 44,180              |
| <b>Pref Land:</b> | 0       | 0                   | 0                   | 0                   | 0                   |

**Partial Exempt Assessments**

|                  | Code | 07/01/1998 | 07/01/1999 |
|------------------|------|------------|------------|
| <b>County</b>    | 000  | 0          | 0          |
| <b>State</b>     | 000  | 0          | 0          |
| <b>Municipal</b> | 000  | 0          | 0          |

[\[Go Back\]](#)[\[Start Over\]](#)





Real Property  
Information

Maryland Department of Assessments and Taxation  
**Real Property System**

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

**DISTRICT: 15 ACCT NO: 1501500352**

**Owner Information**

**Owner Name:** DAUSES DIANA M HUTSON BRENDA K  
DAUSES WILLIAM M/JOHN E, SR, ETAL **Use:** RESIDENTIAL

**Mailing Address:** 4606 TODD POINT LN  
BALTIMORE MD 21219-1013 **Principal Residence:** YES

**Transferred**

**From:** AMENT GEORGE H

**Date:** 04/29/1998 **Price:** \$0

**Deed Reference:** 1) /12820/ 660  
2)

**Special Tax Recapture:**

\* NONE \*

**Tax Exempt:** NO

**Location Information [\[View Map\]](#)**

**Premises Address:**

**Zoning:** Legal Description:

4606 TODD POINT LA

ES TODD POINT LA

MILTON SCHLUDERBERG

| Map | Grid | Parcel | Subdiv | Sect | Block | Lot | Group | Plat No:  |
|-----|------|--------|--------|------|-------|-----|-------|-----------|
| 104 | 22   | 319    |        |      |       | 3   | 82    | Plat Ref: |

**Special Tax Areas**

**Town:**

**Ad Valorem:**

**Primary Structure Data**

**Year Built:**

**Enclosed Area:**

**Property Land Area:**

**County Use:**

1954

780 SF

7,350.00 SF

34

**Value Information**

**Base Value Current Value Phase-In Value Phase-In Assessments**

|                   |         | As Of<br>01/01/1997 | As Of<br>07/01/1999 | As Of<br>07/01/1998 | As Of<br>07/01/1999 |
|-------------------|---------|---------------------|---------------------|---------------------|---------------------|
| <b>Land:</b>      | 70,350  | 70,350              |                     |                     |                     |
| <b>Impts:</b>     | 31,050  | 32,670              |                     |                     |                     |
| <b>Total:</b>     | 101,400 | 103,020             | 103,020             | 40,990              | 41,200              |
| <b>Prof Land:</b> | 0       | 0                   | 0                   | 0                   | 0                   |

**Partial Exempt Assessments**

|                  | Code | 07/01/1998 | 07/01/1999 |
|------------------|------|------------|------------|
| <b>County</b>    | 000  | 0          | 0          |
| <b>State</b>     | 000  | 0          | 0          |
| <b>Municipal</b> | 000  | 0          | 0          |



## Real Property Information

**Maryland Department of Assessments and Taxation**  
**Real Property System**

**[Go Back]**

**BALTIMORE COUNTY**

[Start Over]

**DISTRICT: 15 ACCT NO: 1508301742**

### Owner Information

**Owner Name:** SCHULTZ MICHAEL A  
COTSORADIS ANTOINETTE

**Use: RESIDENTIAL**

**Mailing Address:** 4604 TODD POINT LN  
BALTIMORE MD 21219-1013

**Principal Residence:NO**

**Transferred**

**From:** AT HOME AGAIN LLC

**Date:** 03/16/1999      **Price:** \$55,000

**Deed Reference:** 1) /13599/ 660  
2)

### Special Tax Recapture:

**\* NONE \***

**Tax Exempt: NO**

### Location Information [\[View Map\]](#)

**Premises Address:**  
MERRITT AVE

**Zoning: Legal Description:**

160 AC

**MILTON SCHLUDERBERG**

|            |             |               |               |             |              |            |              |                  |
|------------|-------------|---------------|---------------|-------------|--------------|------------|--------------|------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Subdiv</b> | <b>Sect</b> | <b>Block</b> | <b>Lot</b> | <b>Group</b> | <b>Plat No:</b>  |
| 104        | 22          | 318           |               |             |              | 2          | 82           | <b>Plat Ref:</b> |

## Special Tax Areas

**Town:**

**Ad Valorem:**

## Primary Structure Data

**Year Built:**  
0000

**Enclosed Area:    Property Land Area:    County Use:**  
                                  6.950.00 SF                                    34

## Value Information

[illegible]

|            |        | As Of<br>01/01/1997 | As Of<br>07/01/1999 | As Of<br>07/01/1998 | As Of<br>07/01/1999 |
|------------|--------|---------------------|---------------------|---------------------|---------------------|
| Land:      | 52,120 | 6,950               |                     |                     |                     |
| Impts:     | 0      | 0                   |                     |                     |                     |
| Total:     | 52,120 | 6,950               | 6,950               | 2,780               | 2,780               |
| Prof Land: | 0      | 0                   | 0                   | 0                   | 0                   |

## Partial Exempt Assessments

|           | Code | 07/01/1998 | 07/01/1999 |
|-----------|------|------------|------------|
| County    | 000  | 0          | 0          |
| State     | 000  | 0          | 0          |
| Municipal | 000  | 0          | 0          |

|                                                                                   |                                      |                                                                                 |
|-----------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------|
|  | <b>Real Property<br/>Information</b> | <b>Maryland Department of Assessments and Taxation<br/>Real Property System</b> |
|-----------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------|

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)**DISTRICT: 15 ACCT NO: 1506450090****Owner Information**

**Owner Name:** FOULKE ELIZABETH S FOULKE GENE R      **Use:** RESIDENTIAL  
 FOULKE DOUGLAS G,ET AL  
**Mailing Address:** 3119 RIVER DRIVE RD      **Principal Residence:** NO  
 BALTIMORE MD 21219-1105

**Transferred**

**From:** FOULKE ELIZABETH S FOULKE  
 GENE R

**Date:** 10/17/1988      **Price:** \$0

**Deed Reference:** 1) / 7999/ 686  
 2)

**Special Tax Recapture:**

\* NONE \*

**Tax Exempt:** NO**Location Information [View Map]**

**Premises Address:**  
 TODD POINT RD

**Zoning:** Legal Description:  
 0.16 NES TODD POINT  
 600 NW MERRITS LA

|            |             |               |               |             |              |            |              |                  |
|------------|-------------|---------------|---------------|-------------|--------------|------------|--------------|------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Subdiv</b> | <b>Sect</b> | <b>Block</b> | <b>Lot</b> | <b>Group</b> | <b>Plat No:</b>  |
| 104        | 22          | 317           |               |             |              |            | 82           | <b>Plat Ref:</b> |

**Special Tax Areas****Town:****Ad Valorem:****Primary Structure Data**

|                    |                       |                            |                    |
|--------------------|-----------------------|----------------------------|--------------------|
| <b>Year Built:</b> | <b>Enclosed Area:</b> | <b>Property Land Area:</b> | <b>County Use:</b> |
| 1952               | 720 SF                | 6,936.00 SF                | 34                 |

**Value Information**

| Base Value | Current Value | Phase-In Value | Phase-In Assessments |
|------------|---------------|----------------|----------------------|
|------------|---------------|----------------|----------------------|

|                   |        | As Of<br>01/01/1997 | As Of<br>07/01/1999 | As Of<br>07/01/1998 | As Of<br>07/01/1999 |
|-------------------|--------|---------------------|---------------------|---------------------|---------------------|
| <b>Land:</b>      | 69,500 | 69,500              |                     |                     |                     |
| <b>Impts:</b>     | 22,280 | 23,410              |                     |                     |                     |
| <b>Total:</b>     | 91,780 | 92,910              | 92,910              | 37,010              | 37,160              |
| <b>Prof Land:</b> | 0      | 0                   | 0                   | 0                   | 0                   |

**Partial Exempt Assessments**

|                  | Code | 07/01/1998 | 07/01/1999 |
|------------------|------|------------|------------|
| <b>County</b>    | 000  | 0          | 0          |
| <b>State</b>     | 000  | 0          | 0          |
| <b>Municipal</b> | 000  | 0          | 0          |

App. #1A & 1B

IN THE DISTRICT COURT OF MARYLAND FOR: BALTIMORE COUNTY  
Located at: County Board of Appeals  
400 Washington Ave. Room 48  
Towson, Md. 21204.

\*\*\*\*\*  
\* ( ) Civil ( ) Criminal ( ) Trust  
\* ( ) Juvenile ( ) Land Records & Doc.  
\*  
Plaintiff: Michael Schultz  
vs. CASE # 99-210-A  
Defendant: Baltimore County Zoning  
\*\*\*\*\*

AFFIDAVIT OF SERVICE BY PRIVATE PROCESS SERVER

I, the undersigned, hereby certify as follows:

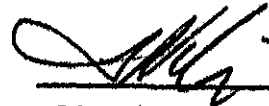
1. That I am a competent private person, over the age of eighteen years and am not a party to this action.

2. That I served process upon James L. Gay III at  
Realty One Plus, 7835 Wise Ave., 2nd Floor  
Balto., Md. 21222

on the 28th day of July, 1999 at 11:30 o'clock am/pm  
by delivering and leaving with the person served: A Subpoena to  
personally appear & produce documents at Hearing 8/12/99.

I do solemnly declare and affirm, under penalties of perjury,  
that the matters and facts set forth herein are true and correct.

The Cost of This Service is: \$ 25.00

  
Albert M. Collins  
Eastern Process Service  
407 Essexwood Ct.  
Baltimore, Md. 21221  
(410) 894-0017

DISTRICT  
IN THE CIRCUIT COURT OF MARYLAND FOR: BALTIMORE COUNTY  
Located at: County Board of Appeals  
400 Washington Ave., Room 48  
Towson, Md. 21204

\*\*\*\*\*  
\* ( ) Civil ( ) Criminal ( ) Trust  
\*  
Plaintiff: Michael Schultz \* ( ) Juvenile (x) Land Records & Doc.  
\*  
vs. \* CASE # 99-210-A  
\*  
Defendant: Balto. County Zoning \*  
\*  
\*\*\*\*\*

AFFIDAVIT OF SERVICE BY PRIVATE PROCESS SERVER

I, the undersigned, hereby certify as follows:

1. That I am a competent private person, over the age of eighteen years and am not a party to this action.

2. That I served process upon Carl Richards, Zoning Supervisor  
111 W. Chesapeake Ave.  
Towson, Md. 21204

on the 27th day of July, 1999 at 4:15 o'clock am/pm  
by delivering and leaving with the person served: A Subpoena to  
personally appear and produce documents at Hearing 8/12/99.

I do solemnly declare and affirm, under penalties of perjury,  
that the matters and facts set forth herein are true and correct.

The Cost of This Service is: \$ 25.00

  
Albert M. Collins  
Eastern Process Service  
407 Essexwood Ct.  
Baltimore, Md. 21221  
(410) 894-0017

DATE: 8-12-99

PEOPLE'S COUNSEL'S SIGN IN SHEET

CASE:

The Office of People's Counsel was created by County Charter to participate in zoning matters on behalf of the public interest. While it does not actually represent community groups or protestants, it will assist in the presentation of their concerns if they do not have their own attorney. If you wish to be assisted by People's Counsel, please sign below.

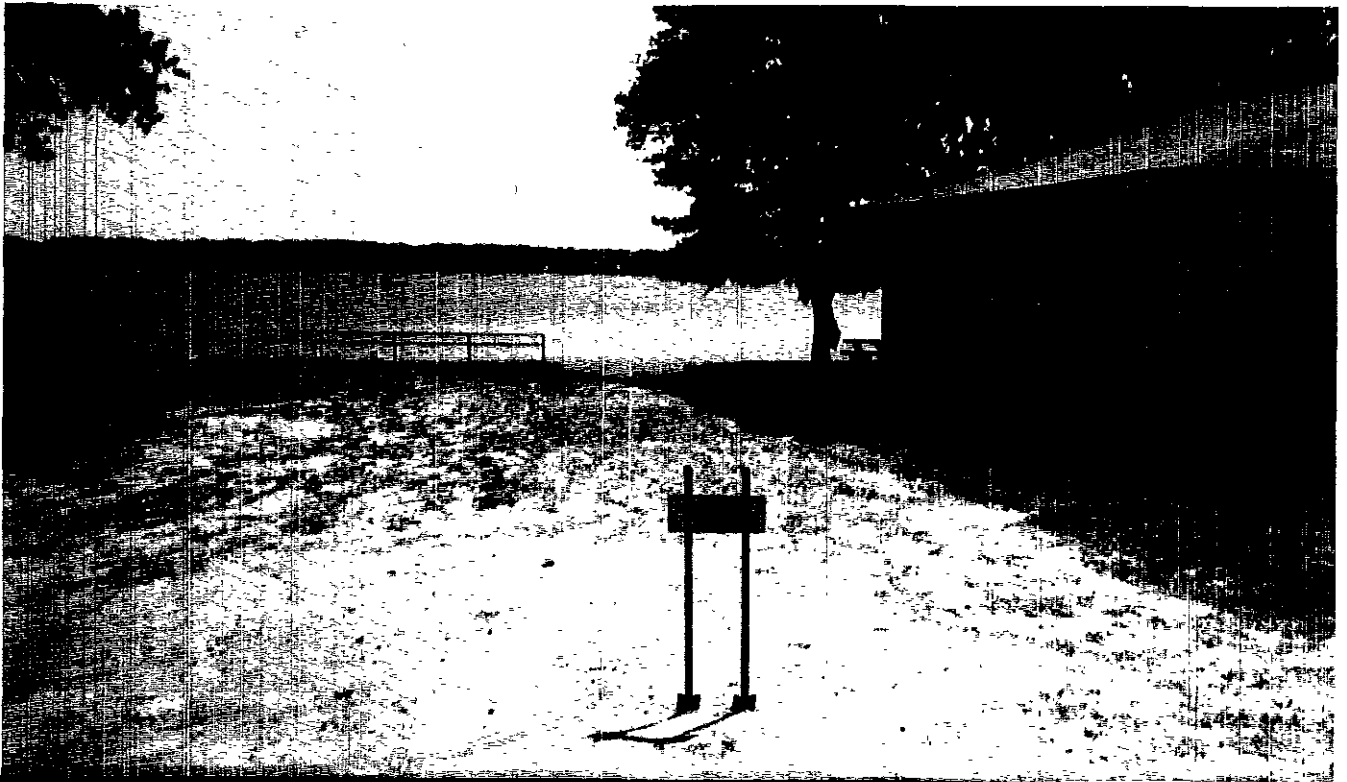
| Check if you wish to testify. | Name/Address<br>Phone No.                                                                                                                                                               | (Community Group You Represent?)<br>Basis of Your Concerns |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| ✓                             | Tim Hutton 7707 Sparrows Pt Blvd<br>Rt (4606 Todd Point Lane)<br>CABRINADEMBOW<br>4544 TODD PT LA 21219<br>Ethel Weber<br>4506 Todd Pt Lane 21219<br>BUCK JONES 500 VOUTS LANE<br>21221 |                                                            |
| ✓                             | Andoinette Schulte 410 522 2156<br>3133 ELLIOTT ST BALTO MD 21212                                                                                                                       | Petitioner                                                 |
| ✓                             | MICHAEL SCHULTZ<br>2133 ELLIOTT ST BALTO MD 21212                                                                                                                                       |                                                            |
| ✓                             | MARK A. FORD<br>9206 TODD AVENUE, FT. HOWARD, MD 21052                                                                                                                                  |                                                            |

County Board of Appeals  
~~Room 219~~, Court House  
Towson, Maryland 21204

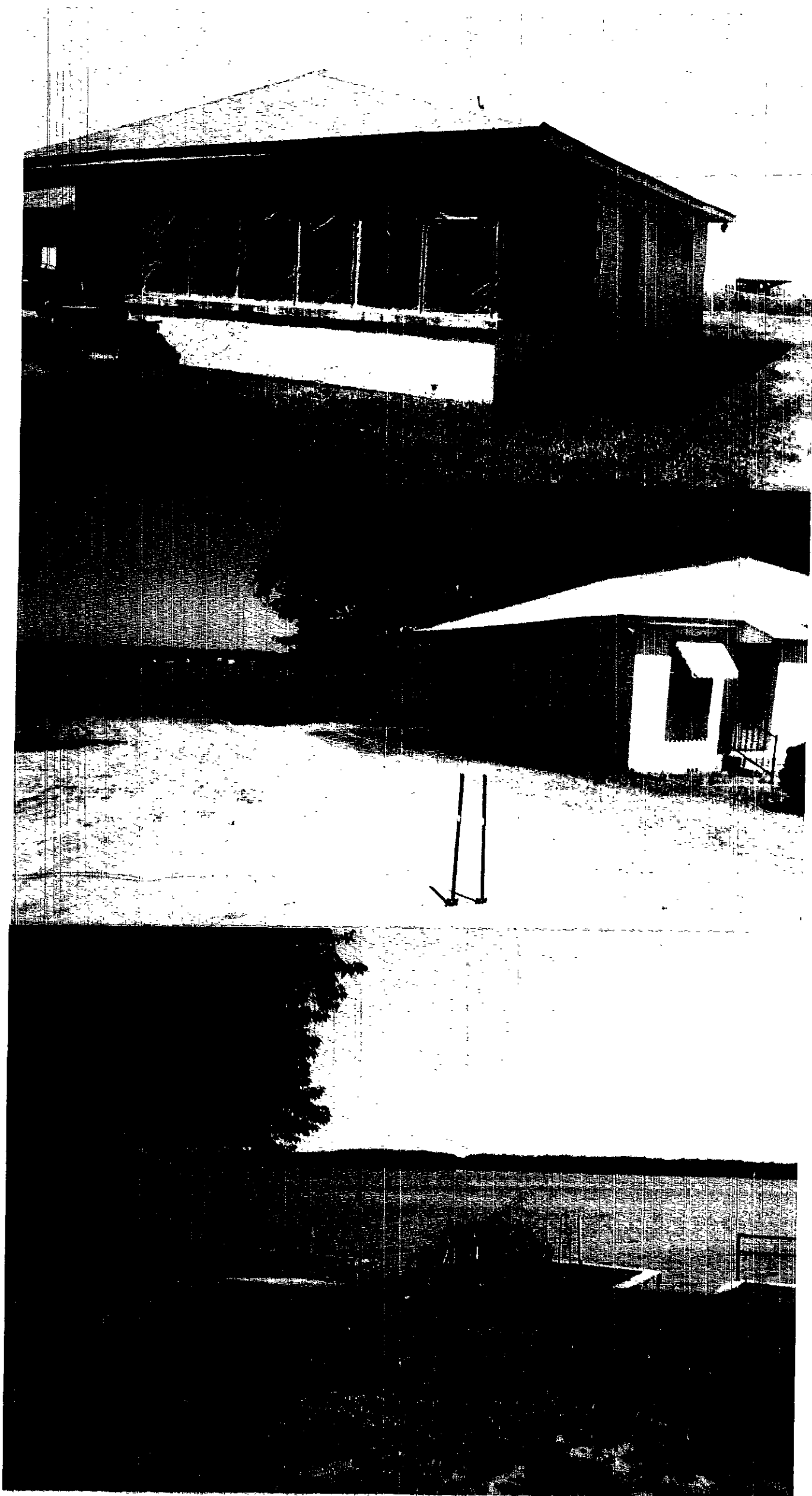
Petitioners 11A-11N  
(14 photos)

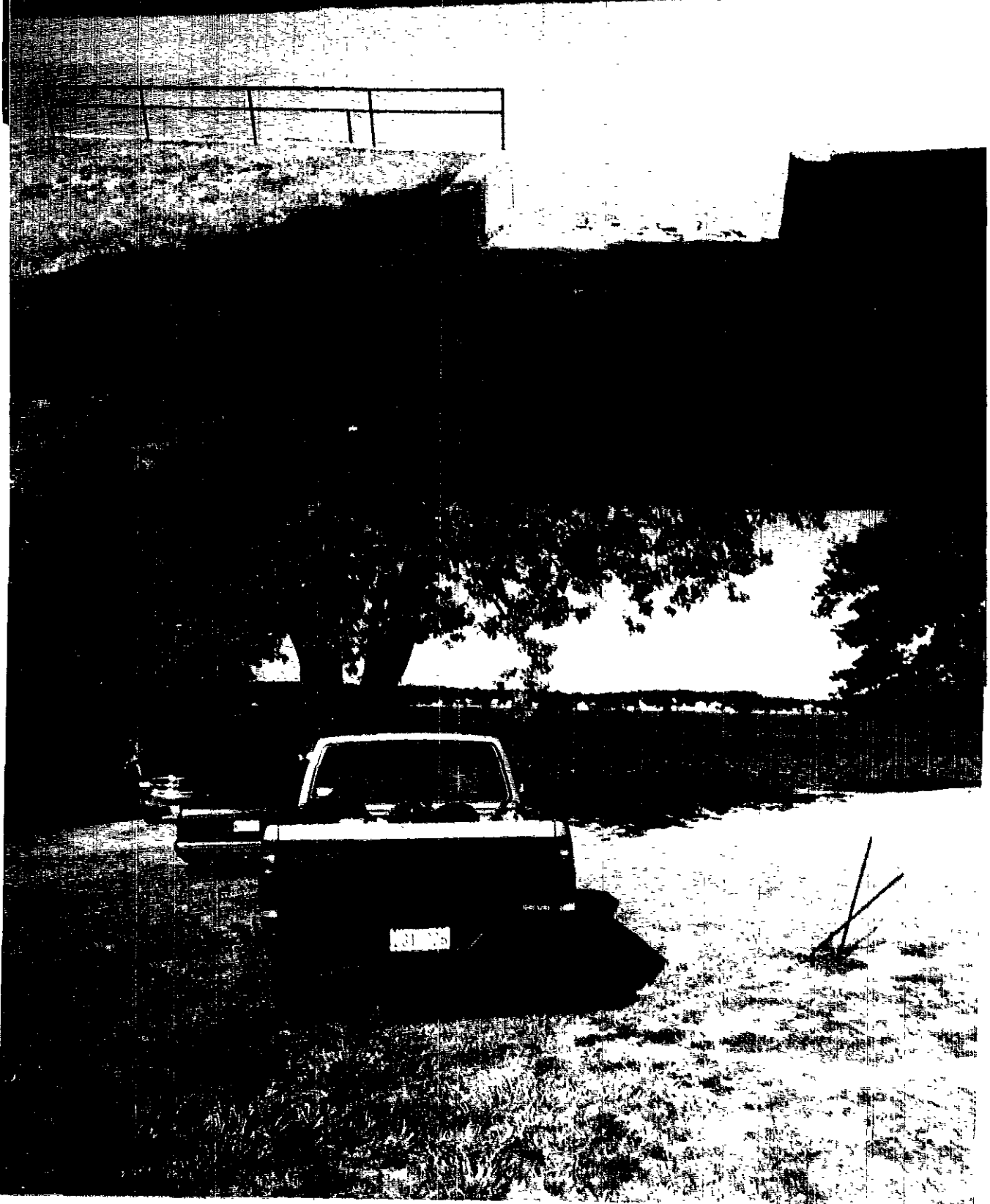
99-210-A

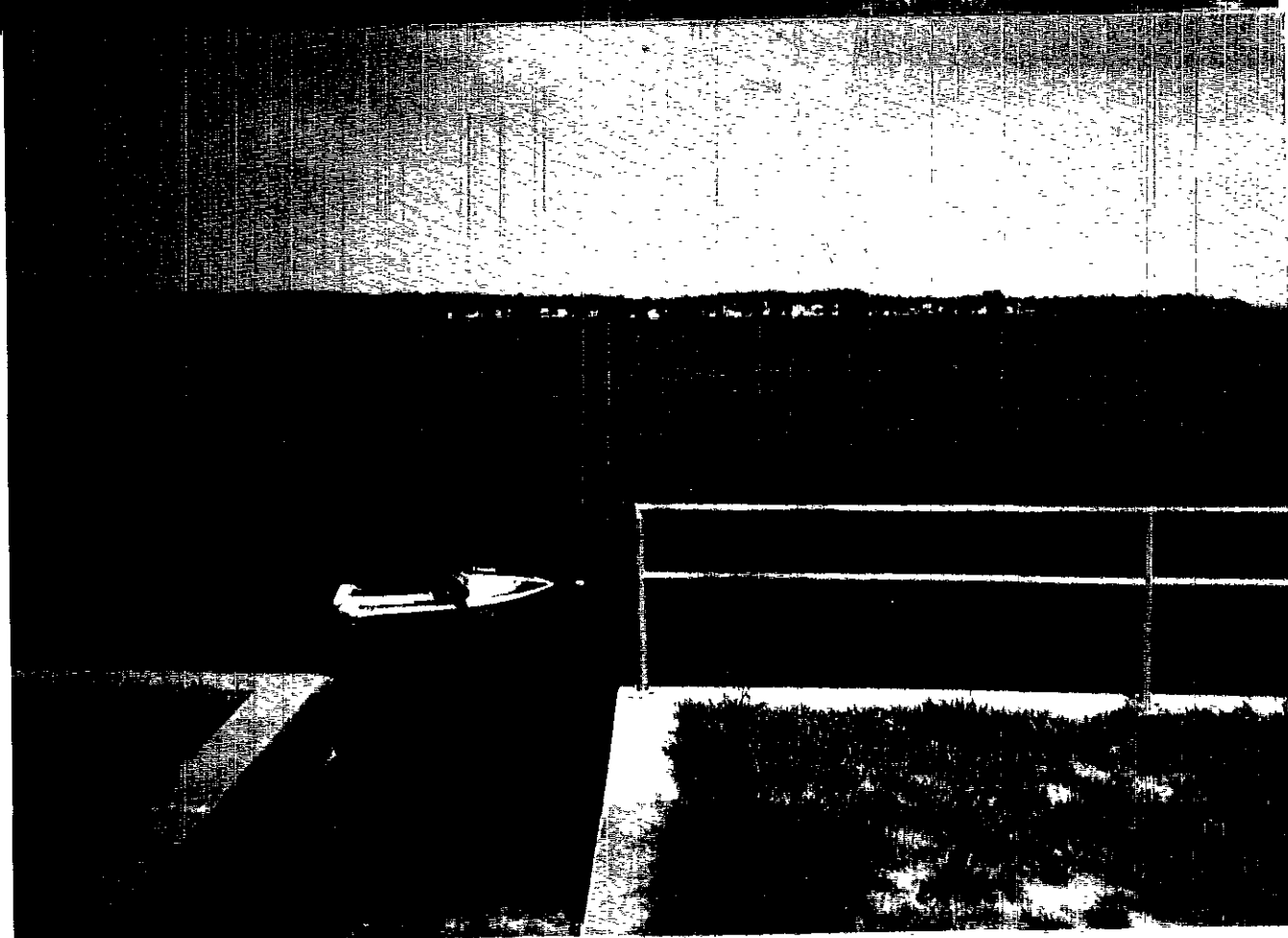
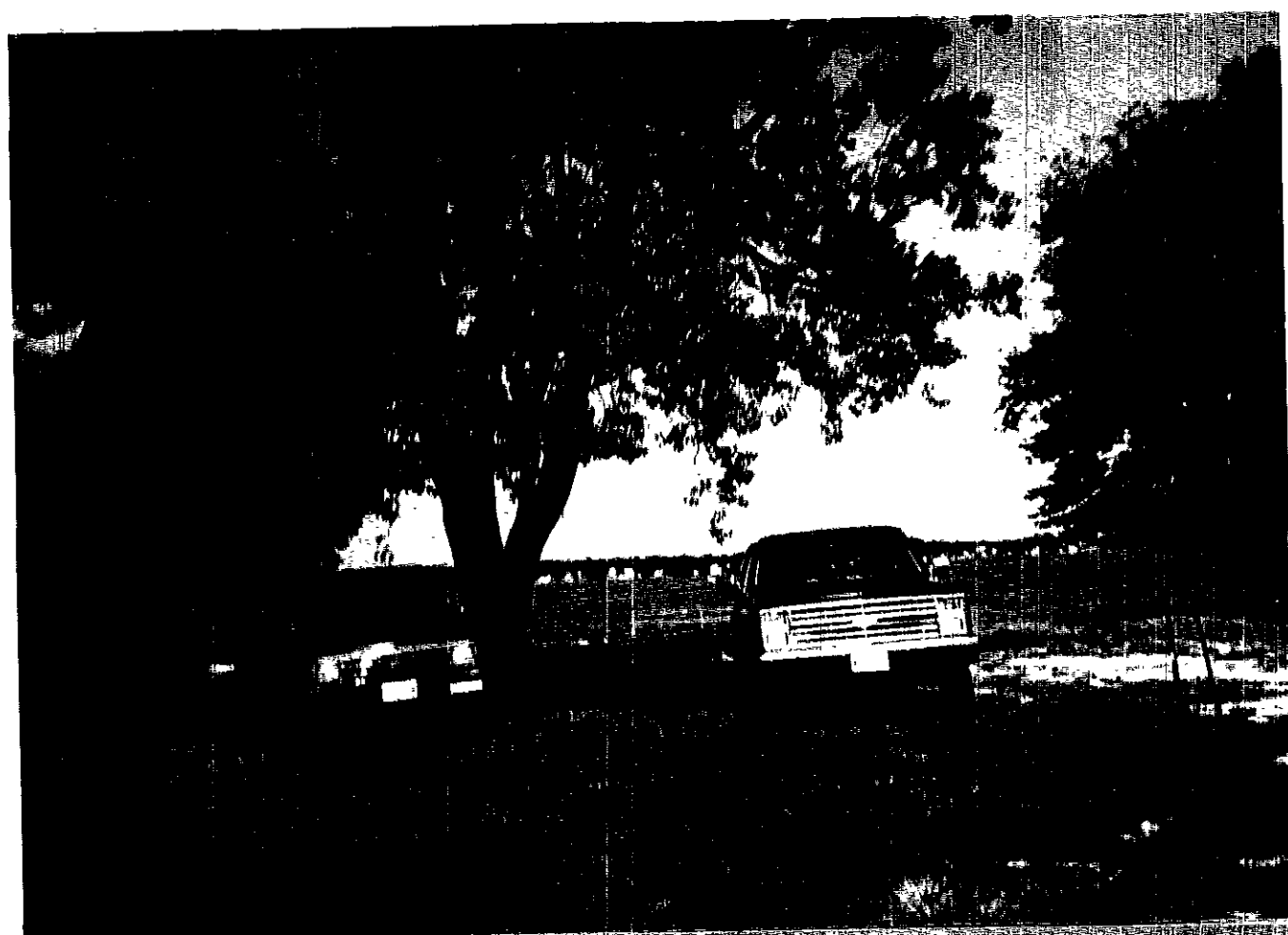
Ciguel

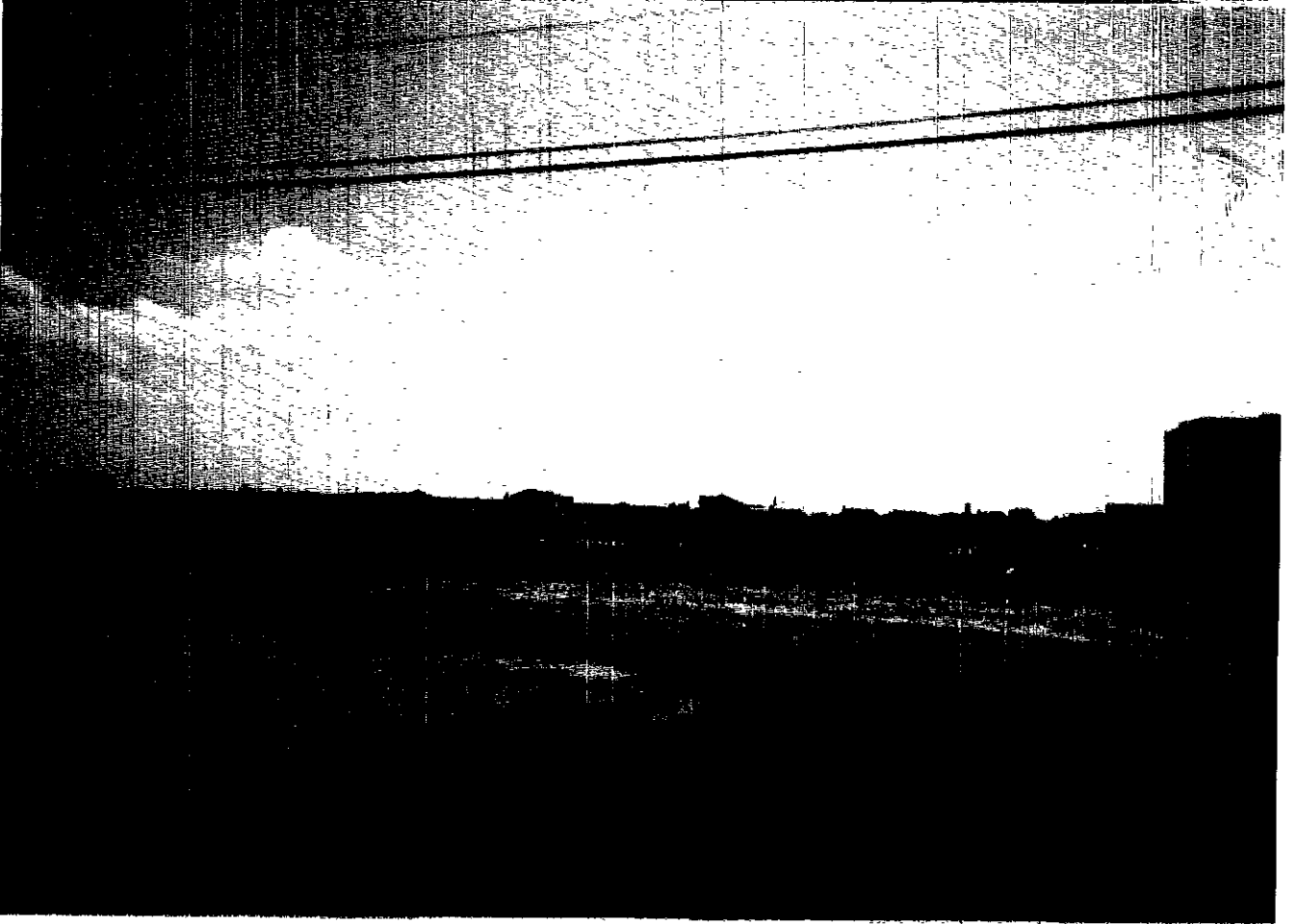
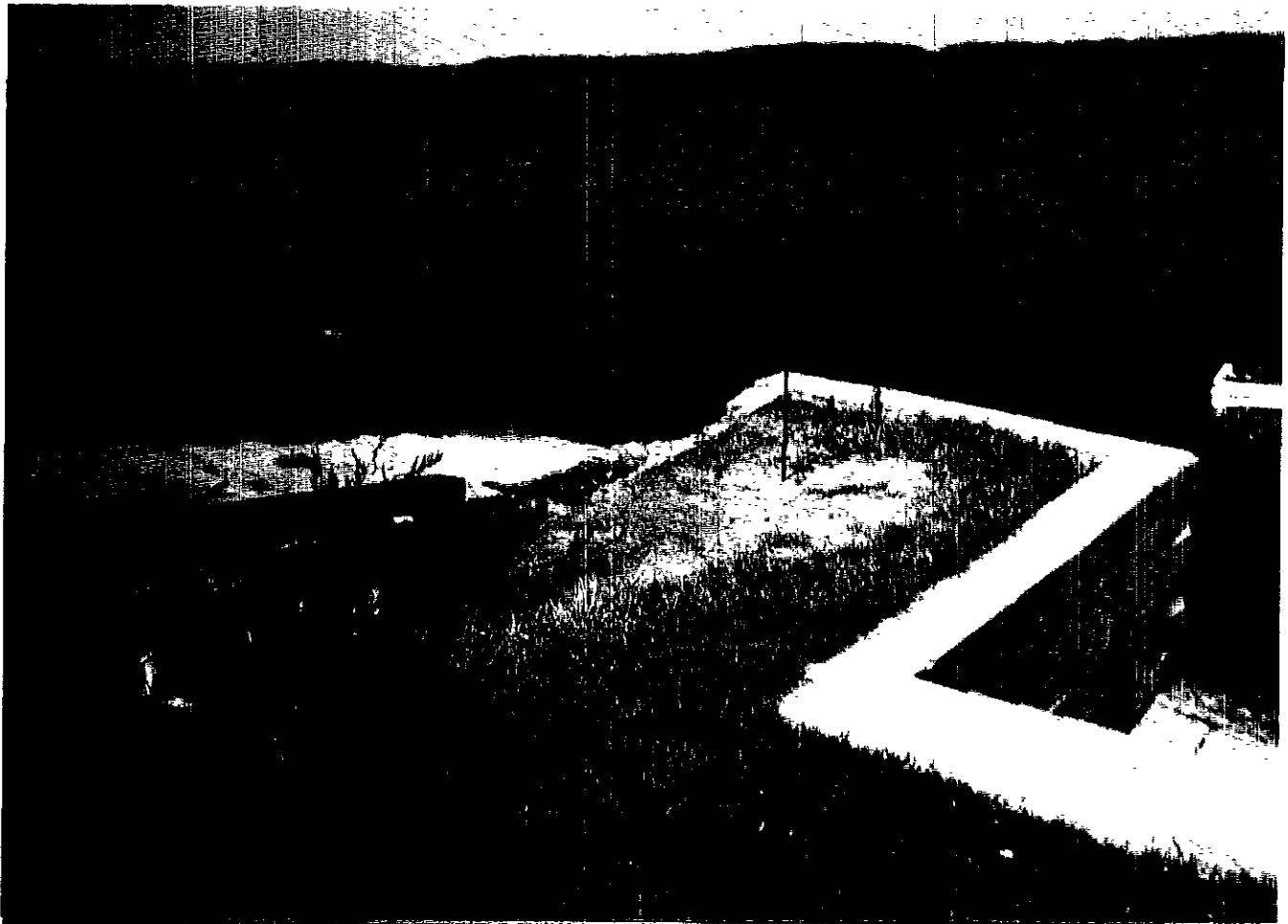








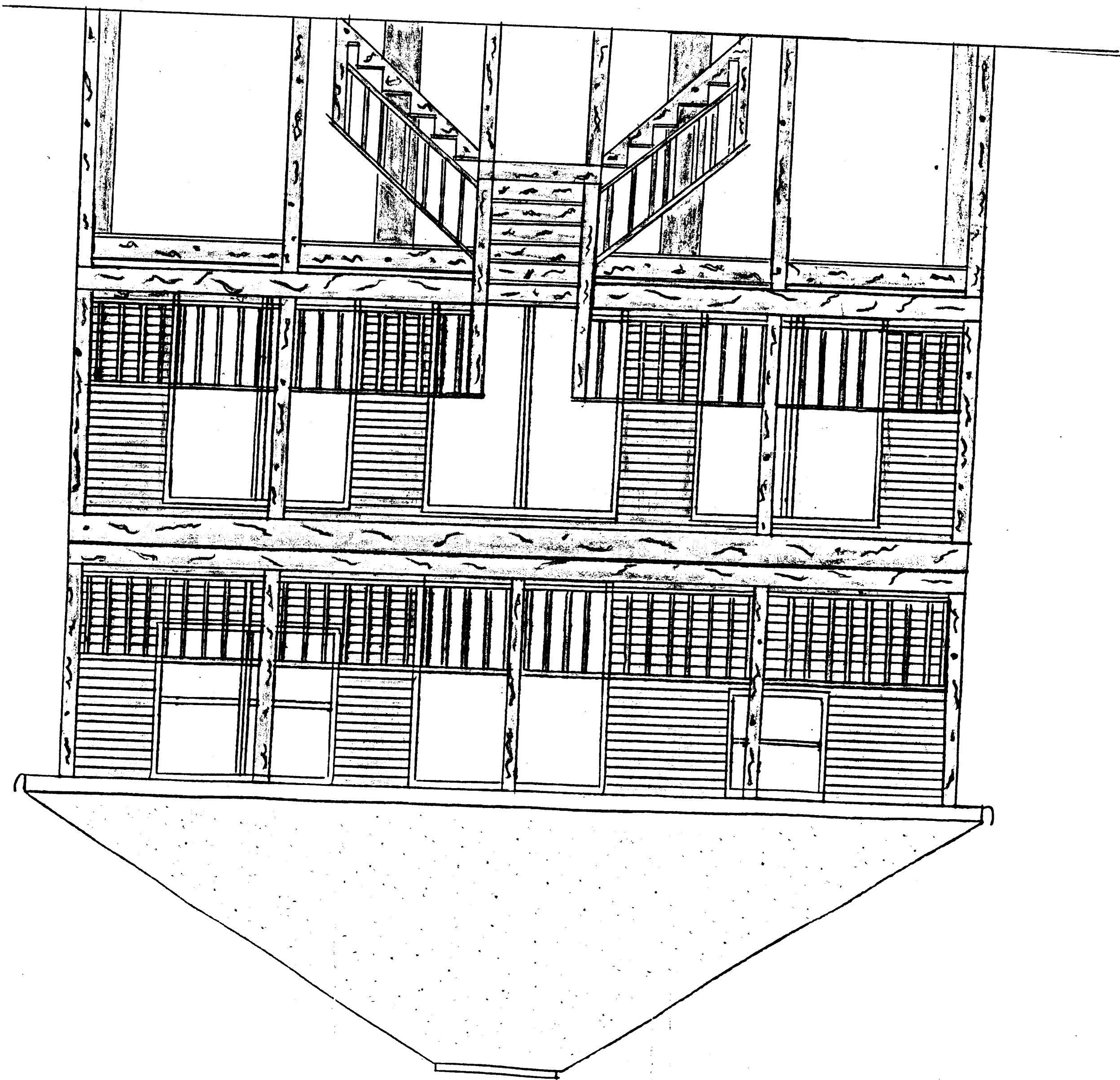






App. #74

FRONT ELEVATION

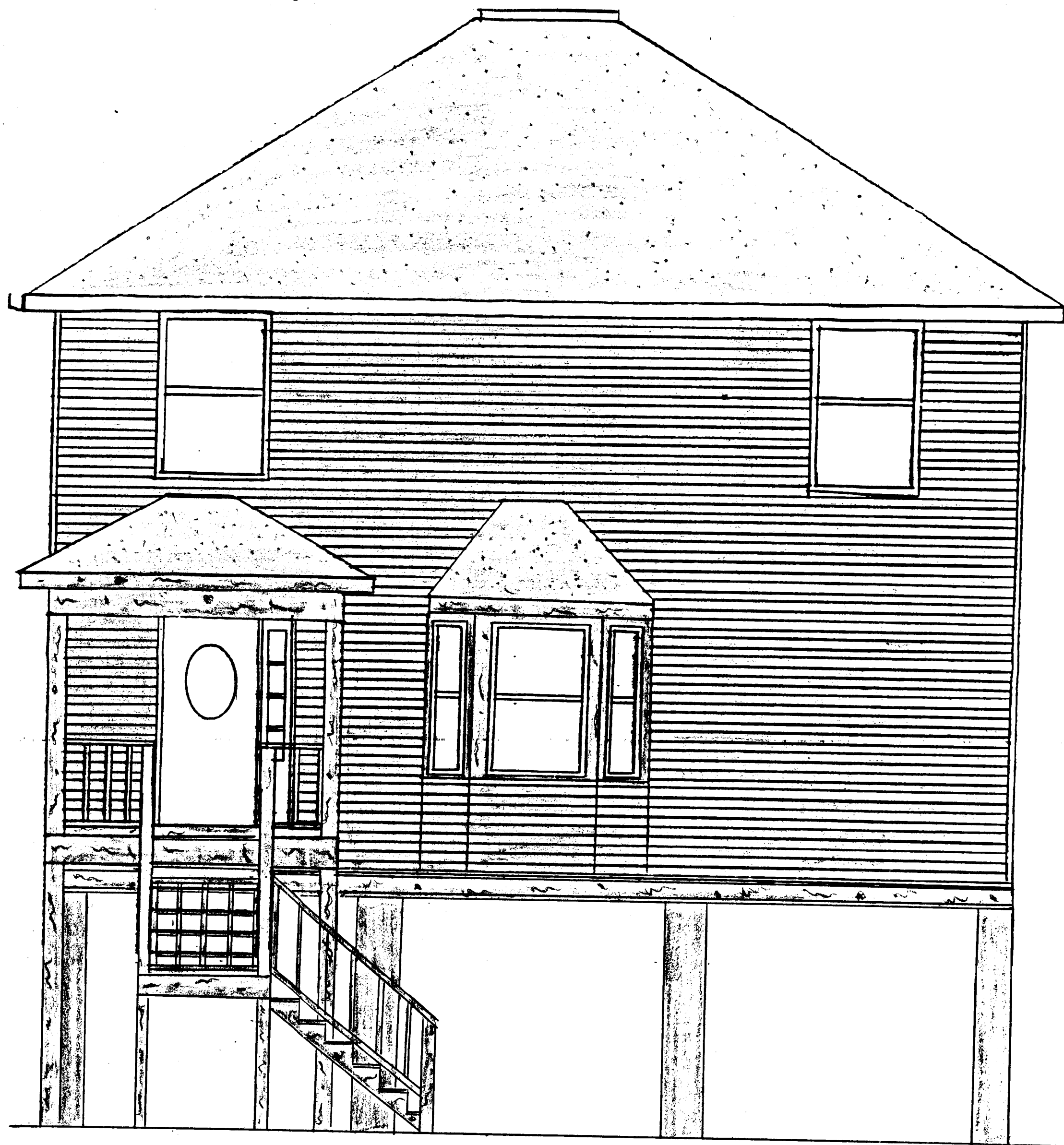






FRONT ELEVATION

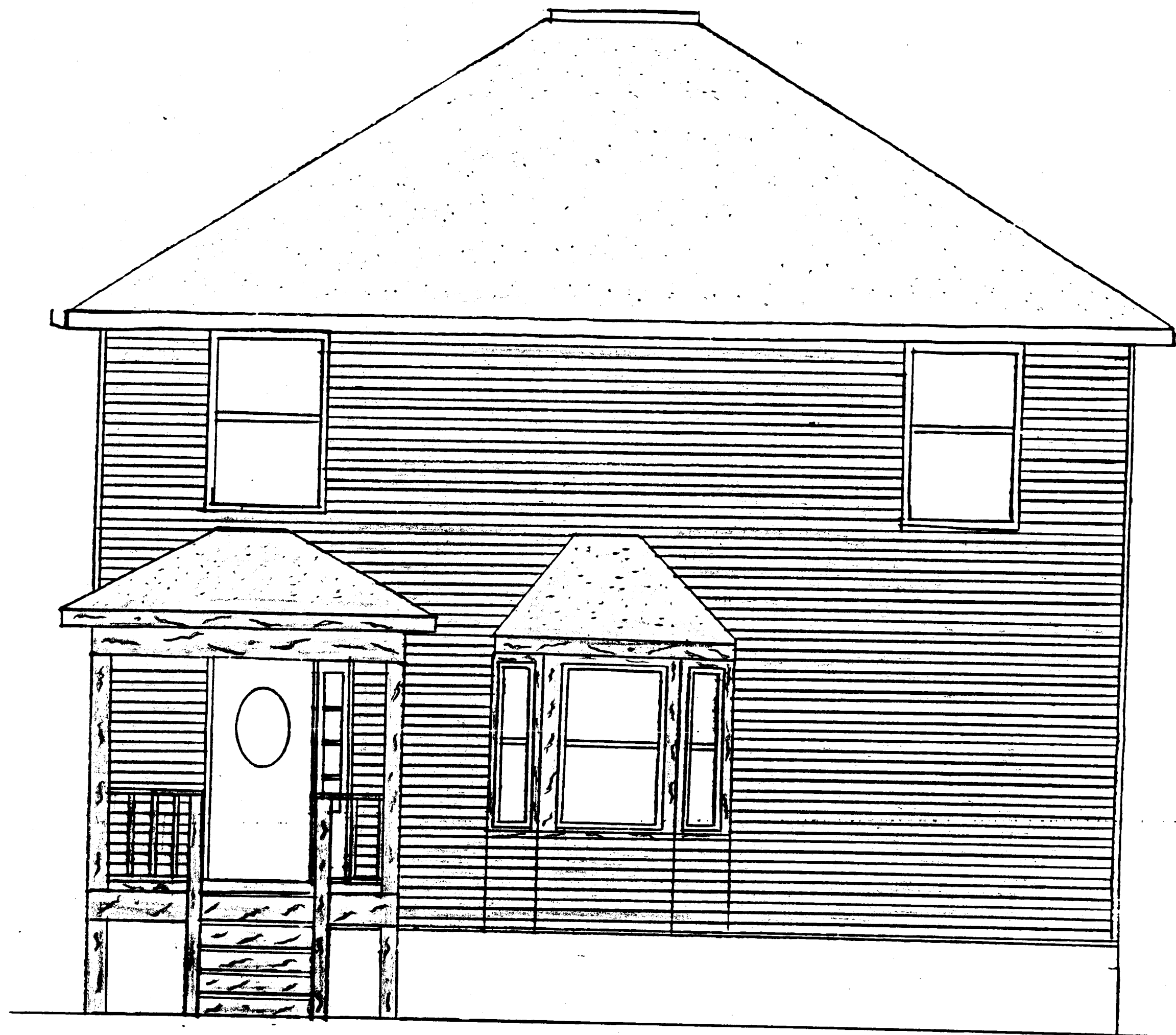
App. 7B



App 7c

REAR ELEVATION





REAR ELEVATION

App. 7D



DRAWING NUMBER

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

|                      |            |
|----------------------|------------|
| SCALE<br>1" = 200' ± | DATE<br>OF |
|----------------------|------------|

S.E.  
5-H

E-SW E-SE  
A-NW A-NE



DRAWING NUMBER

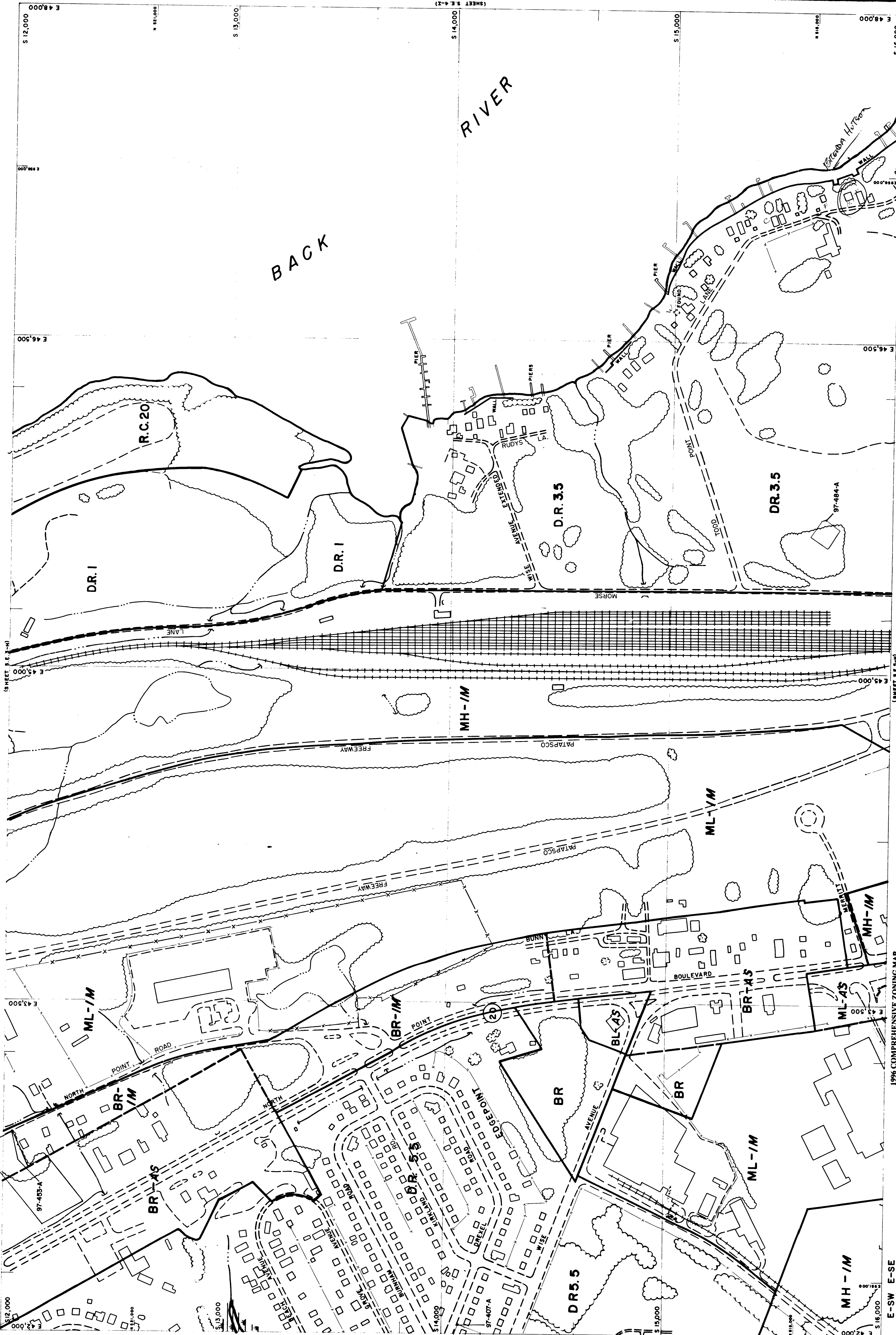
DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

SE 4-H

PLAN HOLD CORPORATION - IRVINE, CALIFORNIA



| SCALE               | LOCATION    | SHEET    |
|---------------------|-------------|----------|
| 1" = 200' ±         | NORTH POINT | S.E. 4-H |
| DATE OF PHOTOGRAPHY |             |          |
| JANUARY 1986        |             |          |

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1996 COMPREHENSIVE ZONING MAP  
ADOPTED BY  
THE BALTIMORE COUNTY COUNCIL  
OCTOBER 8, 1996

Bill Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

*Kevin Kameney*  
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY AND GEOMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210