

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
<u>MARGARET KAPP & RONALD KAPP -</u>	*	COUNTY BOARD OF APPEALS
LEGAL OWNERS /PETITIONERS FOR A		
SPECIAL HEARING ON PROPERTY	*	OF
LOCATED ON THE S/S MEREDITH ROAD,		
2600' W OF C/L OF WEST LIBERTY ROAD	*	BALTIMORE COUNTY
(2615 MEREDITH ROAD)		
7 TH ELECTION DISTRICT	*	Case No. 00-167-SPH
6 TH COUNCILMANIC DISTRICT		

* * * * *

OPINION

This matter comes before the Board on an appeal from a decision of the Deputy Zoning Commissioner dated December 20, 1999. It was filed by the legal owners of the property located at 2615 Meredith Road, Ronald W. and Margaret E. Kapp. Mr. and Mrs. Kapp appeared *pro se* and were accompanied by Richard Matz, Professional Engineer. Peter Max Zimmerman, People's Counsel for Baltimore County, also participated in these proceedings.

Background

The special hearing request seeks to affirm that two density units are available to the subject property in accordance with the Deputy Zoning Commissioner's decision in Case No. 85-170-SPH. In the alternative, the special hearing request was made to approve an additional density unit because of a plat recorded prior to 1990 with a lot split by a road in accordance with Zoning Policy RSD 7 (1984) and to transfer the density unit to the south side of Meredith Road. This position was abandoned by Appellant during the hearing before the Board.

The testimony indicated that the property which is the subject of the special hearing consists of 3.992 acres of land, more or less, zoned R.C. 2. The Petitioners seeks to divide the subject 3.992 acres into two separate building lots. The property is currently approved with a single-family residential dwelling where the Kapps reside. That lot is identified as Lot #2 on the site plan submitted. Proposed Lot #3 is undeveloped at this time. Testimony indicated that the Kapps are desirous of creating an additional building lot for their daughter, where they would construct a dwelling for her.

In his decision, Deputy Zoning Commissioner Kotroco indicated that the Petitioners' request was to affirm that the property may be subdivided pursuant to then Deputy Zoning Commissioner Jean Jung's decision in Case No. 85-170-SPH. The Deputy Zoning Commissioner properly noted that that case was appealed to the Board of Appeals. The Board issued a decision on March 25, 1986, which was consented to by all parties to the matter on the same date. The Board's decision states that the Petitioners at that time sought approval to re-subdivide and realign Lot #1 of "Meredith's Range" and two other parcels contiguous thereto containing 14.63 acres so as to create three building lots as shown on the site plan prepared by the Development Design Group, which was submitted to the Deputy Zoning Commissioner. The decision recited the fact that the Deputy Zoning Commissioner granted the re-subdivision and realignment of Lot #1 and the two other parcels contiguous thereto to create three building lots in accordance with Petitioners' Exhibit No. 1.

People's Counsel filed a timely appeal to the decision of the Deputy Zoning Commissioner and also a timely appeal was filed by another interested party, Dr. Emil Kfoury and Elizabeth Kfoury, his wife. The Board's decision recites the fact that the parties had resolved the issue and there was agreement that the transfers requested in the instant Petition were justified provided that the aggregate of the four density units allowed for the combined properties would be divided by applying two units to the Anderson properties and two units Kfoury property. The Office of Planning of Baltimore County agreed to approve the division of said density units provided that both properties were included in a common development plan which was approved by Baltimore County. Based upon the agreement of the parties, the Board ordered the approval of the re-subdivision and realignment of Lot #1 of "Meredith's Range" and two other parcels contiguous thereto containing 17.3 acres so as to create two building lots. This decision was memorialized in the plat recorded on April 2, 1986 in EHK Jr. 54, Folio 69, entitled "Anderson Property" showing two lots.

The Appellants contend that the Deputy Zoning Commissioner decision of January 25, 1985 granting the three building lots was actually approved by the Board in its decision of March 25, 1986.

The Appellants further contend that an approved plan showing three lots never was recorded but that three density lots with a density of one for each lot were found to be correct by the Board.

Appellants contend that a plat recorded on September 29, 1986 in EHK Jr. 55, Folio 70, actually shows the two lots referred to by the Board in its decision of March 25, 1986. This position is contested by People's Counsel who contends that the plat recorded in EHK, Jr., 54, Folio 69, actually sets forth the correct property boundaries found by the Board to be appropriate. The Appellants urge the Board to reverse the Deputy Zoning Commissioner and find that there is an additional lot on the Kapp property and that there is one additional density unit which can be utilized by Mr. and Mrs. Kapp.

Decision

The Board finds that the plat which was recorded at EHK Jr. 54, Folio 69, refers to the re-subdivision approved by the Deputy Zoning Commissioner on 1/25/85, Case No. 85-170-SPH. This is the case that was decided with agreement of the parties by the Board on March 25, 1986 and refers to the "Anderson Property" with a gross acreage of 17.653 acres as set forth in the March 25, 1986 Board decision.

The plat referred to by the Appellants at EHK Jr. 55, Folio 70, sets forth a gross area of 20.093 acres. It refers to Emil F. Kfoury and wife.

The Kapps purchased the property known as Lot #2 from the Andersons; therefore, the property in question is part of the plat recorded at EHK Jr. 54, Folio 69. It allows two density units, one for Lot #1 and one for Lot #2. There is some confusion because of the fact that there are several "Meredith Range" plats recorded. The Board finds that the Deputy Zoning Commissioner was correct in denying the special hearing for the addition of one density unit to Lot #2 on the subject property. The Board finds that the previous decision of the County Board of Appeals, dated March 25, 1986, was correct and that no additional density units were awarded by the Board at that time. Although the Appellants have withdrawn their petition with respect to the request for an additional density unit because the lot is to be intersected by the extension of Meredith Road, the Board feels it appropriate to state that an additional density unit should not be granted because of that division of the property by Meredith Road. Section

1A01.3 of the BCZR indicates that "where land in a single ownership is crossed by existing or proposed roads, rights-of-way, or easements, the portions of land on either side of the road, right-of-way, or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record with the exception that any zoning petitions, site plan, subdivision, or record plat filed with or approved by the County between November 27, 1979 and October 1, 1990 shall not be so affected and be considered valid, provided, as to any zoning petition pending on appeal, that it be upheld on appeal. Since there was no plat approved or filed before October 1, 1990, showing the intersection and the additional density unit for Lot #1, the additional density unit cannot be awarded by this Board.

The Board feels constrained to discuss the language in the Deputy Zoning Commissioner's decision of December 20, 1999 in which he states, in the first full paragraph, page 2: "The Petitioners would have to bring this issue to the attention of the Board of Appeals by way of an appeal of this decision, in order for them to entertain whether their previous decision should be overturned." The Deputy Zoning Commissioner went on to state that, if the parties at that time were dissatisfied with the Board of Appeals decision, an appeal should have been taken to the Circuit Court during the appropriate time period from the date of that decision.

The Board is not clear as to what the Deputy Zoning Commissioner meant by the above language. Since the previous decision of the Board in Case No. 85-170-SPH was never appealed, that decision stands, and is not before this Board.

ORDER

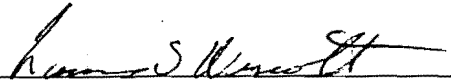
THEREFORE, IT IS THIS 19th day of January, 2001 by the County Board of Appeals of Baltimore County

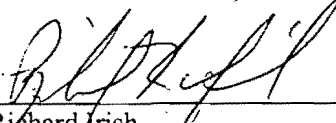
ORDERED that the Appellants' special hearing request to affirm that two density units are available to the subject property in accordance with the Deputy Zoning Commissioner's decision in Case No. 85-170-SPH, or in the alternative that a special hearing request be made to approve an additional density unit because

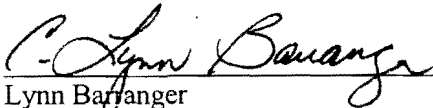
of a plat recorded prior to 1990 with a lot split by a road, in accordance with zoning policy RSD-7 (1984) and to transfer the density over to the south side of Meredith Road be and is hereby **DENIED**.

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**


Lawrence S. Wescott, Chairman


Richard Irish


Lynn Barranger

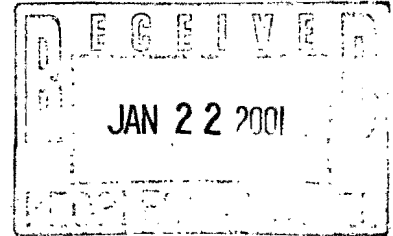


County Board of Appeals of Baltimore County

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

CD
Good!
PM2

January 19, 2001



Mr. and Mrs. Ronald Kapp
2615 Meredith Road
White Hall, MD 21161

RE: In the Matter of Margaret Kapp & Ronald Kapp
- Legal Owners /Petitioners Case No. 00-167-SPH

Dear Mr. and Mrs. Kapp:

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 of 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,

Kathleen C. Bianco
Administrator

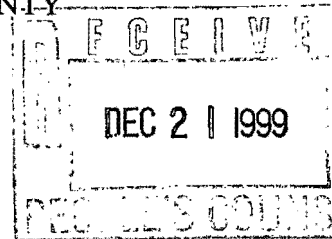
Enclosure

c: Richard E. Matz, P.E. /Colbert Matz Rosenfelt Inc.
Dr. & Mrs. Richard McQuaid
✓ People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

12/20/99
IN RE: PETITION FOR SPECIAL HEARING
S/S Meredith Road, 2600'
centerline of West Liberty Road
7th Election District
6th Councilmanic District
(2615 Meredith Road)

Ronald W. & Margaret E. Kapp
Petitioners

12/20/99
w/p PM2
Denied/
Follow
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 00-167-SPH



* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owners of the subject property, Ronald W. & Margaret E. Kapp. The Petitioners are requesting a special hearing for property located at 2615 Meredith Road. The subject property is zoned R.C.2. The special hearing request is to affirm that two (2) density units are available to the subject property in accordance with the Deputy Zoning Commissioner's decision in Case No. 85-170-SPH. In the alternative, a special hearing request is being made to approve an additional density unit because of a plat recorded prior to 1990 with a lot split by a road in accordance with zoning policy RSD-7 (1984) and to transfer the density unit to the south side of Meredith Road.

Appearing at the hearing on behalf of the special hearing request were Ronald and Margaret Kapp, property owners, Richard Matz, professional engineer and Judith Floam. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 3.992 acres of land, more or less, zoned R.C.2. Petitioners are requesting approval to subdivide the subject 3.992 acres into 2 separate building lots. Testimony and evidence indicated that one of the proposed lots is currently improved with a single family residential dwelling wherein the Kapps reside. That lot is identified as "Lot No. 2" on the site plan submitted. Proposed Lot 3 is undeveloped at this time. Testimony indicated that

the Kapps are desirous of creating an additional building lot for their daughter, whereupon she would construct a dwelling.

The Petitioners are attempting to achieve this subdivision by two separate requests. The first request is to affirm that the subject property may be subdivided pursuant to Deputy Zoning Commissioner Jean Jung's decision in Case No. 85-170-SPH. However, it should be noted that Deputy Zoning Commissioner Jung's decision in that case was appealed to the Board of Appeals. The Board of Appeals issued a decision which superseded Commissioner Jung's Order, the Board's decision being dated the 25th day of March, 1986. The Board in that order determined that the property which is the subject of this special hearing request contained 1 density unit only. Therefore, pursuant to the Board's order, which was not appealed by any of the parties who appeared before the Board, is valid and enforceable and, therefore, only 1 density unit is associated with the 3.992 acres owned by Mr. & Mrs. Kapp. There is no right of subdivision based on Deputy Zoning Commissioner Jean Jung's decision. The Petitioners would have to bring this issue to the attention of the Board of Appeals by way of an appeal of this decision, in order for them to entertain whether their previous decision should be overturned. However, I believe the Board reached the proper conclusion in Case No. 85-170-SPH and that decision should not be overturned at this time. In the event the Petitioners in that case were dissatisfied with the Board's decision, an appeal should have been filed within the requisite 30 days from the date of the Board's order back in March of 1986.

In the alternative, the Petitioners are requesting approval of a right to subdivide the subject property inasmuch as the property owned by Mr. & Mrs. Kapp is crossed by a proposed road. The Petitioners assert that a right of subdivision exists by virtue of the bifurcation of their property by the proposed future Meredith Road. They rely upon zoning policy RSD-7 (1984) as authority for this assertion. The policy relied upon by the Petitioners has, in fact, been changed and codified in Section 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.).

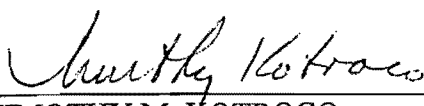
That section of the B.C.Z.R. indicates that where land in single ownership is crossed by existing or proposed roads, rights-of-way, or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record. The only exception to that provision would involve a site plan, subdivision plan, or record plat that was approved between November of 1979 and October of 1990. That exception does not apply to the instant request. Therefore, the alternative special hearing request to approve a right of subdivision of this lot by virtue of Meredith Road crossing the subject property should be denied.

Having considered the arguments of the Petitioners and the exhibits submitted at the hearing before me, I find that the special hearing request shall be denied.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, the petition for special hearing should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of December, 1999, that the Petitioners' Special Hearing request to affirm that 2 density units are available to the subject property in accordance with the Deputy Zoning Commissioner's decision in Case No. 85-170-SPH or, in the alternative, that a special hearing request be made to approve an additional density unit because of a plat recorded prior to 1990 with a lot split by a road in accordance with zoning policy RSD-7 (1984) and to transfer the density unit to the south side of Meredith Road, be and is hereby DENIED.

IT IS FURTHER ORDERED, that any appeal of this decision must be filed within thirty (30) days from the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2615 Meredith Road

which is presently zoned R.C. - 2

This Petition shall be filed with the Department of Permits and 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

to affirm that two (2) density units are available to the subject property, in accordance with the Deputy Zoning Commissioner's decision in Case No. 85-170-SPH

and in the alternative, that there is an additional density unit available because of a plat recorded prior to 1990 with a lot split by a road, in accordance with zoning policy RSD-7(1984), and to transfer the density unit to the south side of Meredith Road.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Ronald Walter Kapp

Name - Type or Print

Signature

Margaret Ellne Kapp

Name - Type or Print

Signature

2615 Meredith Road 410-329-6476

Address

Telephone No.

White Hall, MD 21161

City

State

Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.

Colbert Matz Rosenfelt, Inc.

Name

410-653-3838

2835 Smith Avenue Suite G

Address

Telephone No.

Baltimore, MD 21209

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

2 HRS

UNAVAILABLE FOR HEARING

Case No. 00-167-SPH

Reviewed By

VL

Date

10/22/99

PER LM/mjk



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

September 13, 2000

CAROLE S. DEMILIO
Deputy People's Counsel

Ms. Kathleen C. Bianco
Legal Administrator
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

RECEIVED
COUNTY BOARD OF APPEALS
00 SEP 13 PM 2:09

Hand-delivered

Re: Petition for Special Hearing
2615 Meredith Road, S/S Meredith Rd, 2600' W of Liberty Rd
7th Election District, 6th Councilmanic
RONALD W. & MARGARET E. KAPP, Petitioners
Case No.: 00-167-SPH
CBA Hearing Date: 9/20/2000, 11:00 a.m.

Dear Ms. Bianco:

Due to schedule conflicts and Mr. Zimmerman's attendance at the ABA Environmental Conference in New Orleans September 20 to 23, I find it necessary to request a postponement of the above hearing set for September 20, 2000. I have spoken with Richard Matz, representative for Petitioners, who has stated that they have no objection to our request. Accordingly, it would be appreciated if the Board could reset the hearing to the next available hearing date, October 24, 2000.

Thank you for your consideration.

Very truly yours,

Carole S. Demilio
Deputy People's Counsel

CSD/caf

cc: Richard E. Matz, Colbert, Matz, Rosenfelt, Inc., 2835 G Smith Avenue, Baltimore, MD 21209

Ronald W. & Margaret E. Kapp, 2615 Meredith Road, White Hall, MD 21161

bcc: Dr. Richard McQuaid



County Board of Appeals of Baltimore County

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

wd
/P42

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

September 13, 2000

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 00-167-SPH

IN THE MATTER OF: MARGARET KAPP & RONALD KAPP
2615 Meredith Road 7th Election District; 6th Councilmanic

12/20/99 – Petition for Special Hearing DENIED by Deputy Zoning
Commissioner.

which was scheduled to be heard on 9/20/00 has been **POSTPONED** at the request of the Office of People's
Counsel due to out-of-town and hearing schedule conflicts, without objection by Petitioner; and has been

REASSIGNED FOR:

TUESDAY, OCTOBER 24, 2000 at 1:30 p.m.

✓ on
calendar
af

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).

If you have a disability requiring special accommodations, please contact this office at least one week prior to
hearing date.

Kathleen C. Bianco
Administrator

c: Appellants /Petitioners :Margaret & Ronald Kapp
Richard E. Matz, P.E. /Colbert Matz Rosenfelt Inc.

Dr. & Mrs. Richard McQuaid

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

FROM: PEOPLE'S COUNSEL 410 887-2188

TO: TODD RAE

410 357-0551

4 PAGES



County Board of Appeals of Baltimore County

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

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

September 13, 2000

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 00-167-SPH

IN THE MATTER OF: MARGARET KAPP & RONALD KAPP
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hearing date.

Kathleen C. Bianco
Administrator

TRANSMISSION VERIFICATION REPORT

TIME: 09/28/2000 11:38
NAME: BOARD OF APPEALS
FAX: 4108873182
TEL: 4108873180

DATE, TIME
FAX NO./NAME
DURATION
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MODE

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STANDARD
ECM

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *MB*

DATE: November 10, 1999

SUBJECT: Zoning Item #167
2615 Meredith Road

Zoning Advisory Committee Meeting of November 1, 1999

- _____ 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).
- _____ 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).
- X A 10,000 square foot septic reserve area must be established for Lot 2. Well and septic setbacks must be met for Lot 3.
- X Recommend denial if this request is reconfigured for purposes of creating an additional home site. Zoning policies stipulate that reconfiguration is for access or agricultural purposes—not an additional home site. Further, an additional home site would conflict with the agricultural easement on the adjacent Ensor Property.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: November 10, 1999
SUBJECT: Zoning Item #167
2615 Meredith Road

Zoning Advisory Committee Meeting of November 1, 1999

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jem
12/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

16

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

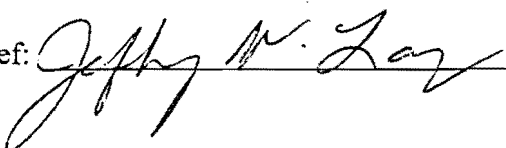
Date: November 16, 1999

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): 147, 159, 162, 163, and 167

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: 

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 16, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 8, 1999
Item Nos. 155, 156, 157, 158, 159,
160, 161, 162, 163, 164, 165, 166,
167 168, 169 & 170

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

RWB:HJO:cab

cc: File

ZAC11089.NOC

RE: PETITION FOR SPECIAL HEARING
2615 Meredith Road, S/S Meredith Rd,
2600' W of W Liberty Rd
7th Election District, 6th Councilmanic

Legal Owner: Ronald W. & Margaret E. Kapp
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-167-SPH

* * * * *

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 or other proceedings in this matter and of the passage of any preliminary or final Order.



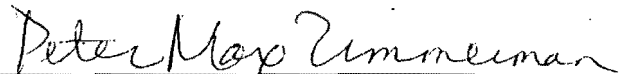
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 9th day of November, 1999 a copy of the foregoing Entry of Appearance was mailed to Richard E. Matz, Colbert, Matz Rosenfelt, Inc., 2835-G Smith Avenue, Baltimore, MD 21209, representative for Petitioners.



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 14, 2000

Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue
Suite G
Baltimore, MD 21209

Dear Mr. Matz:

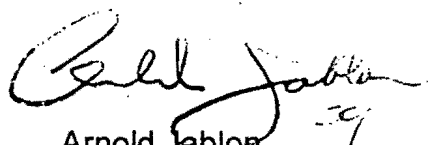
KAPP

RE: Petition for Special Hearing, Case No. 00-167-SPH, 2615 Meredith Road

Please be advised that an appeal of the above referenced case was filed in this office on January 11, 2000 by yourself on behalf of Mr. & Mrs. Ronald Kapp. 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,


Arnold Jablon
Director

AJ:scj

c: Mr. & Mrs. Kapp
People's Counsel

00 JAN 14 PM 2:22

RECEIVED
COUNTY BOARD OF APPEALS



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

August 23, 1999

Henry F. Sadler, P.E.
Vice President
Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209

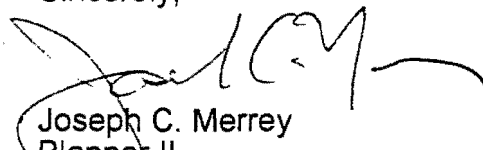
Dear Mr. Sadler:

RE: Zoning Verification, Anderson Property, EHK Jr. 54 folio 69, zoning RC-2, 7th
Election District

Pursuant to your letter of August 10, 1999, you have requested zoning verification relative to the available density on the above referenced property. As we discussed the other day by telephone, this very issue was before the Baltimore County Board of Appeals per case 85-170-SPH, in which the Board referenced the approved development plan of the Anderson Property, and determined that the subject Anderson property was permitted two density units, as reflected on the plan provided in your submittal. It appears that in consideration of the Board's order, you will need to file a petition for special hearing before the zoning commissioner for the relief that you desire, ie, creating a third lot from the "Anderson Property." I have enclosed the forms and booklet for this filing.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,


Joseph C. Merrey
Planner II
Zoning Review

JCM:rsj

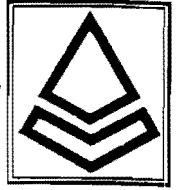
Enclosure

Come visit the County's Website at www.co.ba.md.us



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING VERIFICATION LETTER

August 10, 1999

Mr. Arnold Jablon, Director
Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

SUBJECT: Verification of permitted density allowed on the property as shown on the Record Plat known as "Anderson Property" EHK Jr. 54 folio 69. R.C.2.

Dear Mr. Jablon:

We are asking for a verification concerning the above referenced issue. We are enclosing the \$40.00 processing fee. Facts relevant to the issue are as follows:

The "Anderson Property" as shown on the Record Plat recorded at EHK Jr. 54/69 is presently comprised of two (2) lots; Lot 1 and Lot 2. The underlying land is comprised of Lot 1, "Revised Plat of Merediths Range" 40/130 and two (2) parcels deeded from Kfoury to Anderson on January 31, 1980 and recorded at 6133/213 and 6133/221 (In a special hearing petition, 85-170-SPH Deputy Zoning Commissioner Jung opined that the two parcels were the result of an illegal subdivision). The County accepted Anderson as owner on Plat 54/69 prepared by *Shanaberger* and *Lane* recorded April 2, 1986. These two parcels are shown on the plat 54/69 as parcel 1; 5260/405 and parcel 2; 5264/405. The deed reference 5264/405 on the Plat is incorrect and it should have been 5260/405. Both parcels are a part of the land conveyed by *Borgerding* to Kfoury at 5260/405 being the same land as that conveyed by *Mitzel* to *Borgerding*, August 3, 1951 at 1999/33, being the same land as that conveyed by *Lovelace* to *Mitzel*, February 20, 1948, at 1645/291 and containing 98.31 Ac ±. Prior to 1979 there were many out conveyances from the land owned by Kfoury under 5260/405.

Kfoury deeds to Anderson on January 31, 1980, the land in 6133/213 and 6133/221 which effectively exercised Kfoury's right to subdivide whatever remaining land, zoned R.C.2, which was left under 5260/405 into 2 lots.

Mr. Arnold Jablon, Director
Permits and Development Management
August 10, 1999
Page 2

In the Special Hearing 85-170-SPH, Deputy Commissioner Jung found that Lot 1, "Revised Plat of Merediths Range" 40/130 could be legally divided into two (2) lots.

We believe that the land shown on the plat entitled "Anderson Property" and recorded on April 2, 1986, at 54/69 will yield a total of three (3) lots, as decided in Special Hearing Order 85-170-SPH by Deputy Commissioner Jung, and request that it be further determined that the third lot could be created out of the existing Lot 2 (2615 Meredith Road); i.e., a resubdivision of Lot 2 into two (2) lots.

If you have any questions or require further information please contact us.

Very truly yours,



Henry F. Sadler, P.E.
Vice President
Colbert Matz Rosenfelt, Inc.

cc: Richard E. Matz, P.E.
Ronald Walter and Margaret Ellne Kapp

Enclosures: Various Deeds and Plats

12/13/99

Creation of new lot, on theory.

(1) road division creates separate parcel

(2) transfer may then be allowed /

- This is similar to Hudex case

not allowed

PMZ

Real Property
InformationMaryland Department of Assessments and Taxation
Real Property System[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

DISTRICT: 07 ACCT NO: 2000007350

Owner Information

Owner Name: KAPP RONALD WALTER
KAPP MARGARET ELLEN **Use:** RESIDENTIAL

Mailing Address: 2615 MEREDITH RD
WHITE HALL MD 21161-9070 **Principal Residence:** YES

Transferred**From:** KAPP RONALD WALTER**Date:** 05/19/1999 **Price:** \$0**Deed Reference:** 1) /13758/ 654
2)**Special Tax Recapture:**

* NONE *

Tax Exempt: NO**Location Information** [\[View Map\]](#)

Premises Address: 2615 MEREDITH RD **Zoning:** **Legal Description:**
3.992 AC
ANDERSON PROPERTY

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
8	21	123				2	81	Plat Ref: 54/ 69

Special Tax Areas**Town:****Ad Valorem:****Tax Class:****Primary Structure Data**

Year Built:	Enclosed Area:	Property Land Area:	County Use:
1990	2,202 SF	3.99 AC	04

Value Information

	Base Value	Current Value	Phase-In Value	Phase-in Assessments	
		As Of	As Of	As Of	As Of
		01/01/1999	07/01/2001	07/01/2000	07/01/2001
Land:	45,460	51,960			
Impts:	160,750	167,770			
Total:	206,210	219,730	219,730	86,080	87,890
Pref Land:	0	0	0	0	0



**Real Property
Information**

**Maryland Department of Assessments and Taxation
Real Property System**

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

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Date: 05/19/1999 **Price:** \$0

Deed Reference: 1) /13758/ 654
2)
Special Tax Recapture:

* NONE *

Tax Exempt: NO

Location Information [View Map]

Premises Address: 2615 MEREDITH RD
Zoning:
Legal Description: 3.992 AC
ANDERSON PROPERTY

Map Grid Parcel Subdiv Sect Block Lot Group Plat No:
8 21 123 2 81 **Plat Ref:** 54/ 69

Special Tax Areas
Town:
Ad Valorem:
Tax Class:

Primary Structure Data

Year Built: 1990
Enclosed Area: 2,202 SF
Property Land Area: 3.99 AC
County Use: 04

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**Real Property
Information****Maryland Department of Assessments and Taxation
Real Property System**[\[Go Back\]](#)**BALTIMORE COUNTY**[\[Start Over\]](#)**DISTRICT: 07 ACCT NO: 2000007350****Owner Information**

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 KAPP MARGARET ELLEN

Mailing Address: 2615 MEREDITH RD **Principal Residence:** YES
 WHITE HALL MD 21161-9070

Transferred**From:** KAPP RONALD WALTER**Date:** 05/19/1999 **Price:** \$0

Deed Reference: 1) /13758/ 654
 2)

Special Tax Recapture:

* NONE *

Tax Exempt: NO**Location Information** [\[View Map\]](#)**Premises Address:****Zoning:****Legal Description:**

2615 MEREDITH RD

3.992 AC

ANDERSON PROPERTY

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
8	21	123				2	81	Plat Ref: 54/ 69

8 21 123

2

81

Plat Ref: 54/ 69

Special Tax Areas**Town:****Ad Valorem:****Tax Class:****Primary Structure Data****Year Built:****Enclosed Area:****Property Land Area:****County Use:**

1990

2,202 SF

3.99 AC

04

Value Information

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**Real Property
Information**

**Maryland Department of Assessments and Taxation
Real Property System**

[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

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Deed Reference: 1) /13758/ 654
2)
Special Tax Recapture:

* NONE *

Tax Exempt: NO

Location Information [\[View Map\]](#)

Premises Address: 2615 MEREDITH RD
Zoning:
Legal Description: 3.992 AC
ANDERSON PROPERTY

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
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Special Tax Areas
Town:
Ad Valorem:
Tax Class:

Primary Structure Data

Year Built:	Enclosed Area:	Property Land Area:	County Use:
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- f. Spirits manufacture, including the manufacture of alcohol to be used in gasoline/alcohol mixtures, but excluding the production of these mixtures. [Bill Nos. 178-1979; 51-1993]
- g. Firewood operations. [Bill No. 151-1992]
- h. Winery, including accessory retail and wholesale distribution of wine produced on-premises. Temporary promotional events, such as wine tastings or public gatherings associated with the winery, are permitted, within any limits set by the special exception. [Bill No. 51-1993]
- i. Bottled water plant, if the source of the water is located on the same site as the plant, and provided that the Director of Environmental Protection and Resource Management makes a recommendation that the proposed facility will not adversely affect the quality or capacity of surface water or groundwater. [Bill No. 51-1993]

→ 1A01.3 Height and area regulations.

- A. Height regulation. No structure hereafter erected in an R.C.2 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.
- B. Area regulations. [Bill No. 178-1979]
 - 1. Subdivision lot density. No lot of record lying within an R.C.2 Zone and having a gross area of less than two acres may be subdivided. No such lot having a gross area between two and 100 acres may be subdivided into more than two lots (total), and such a lot having a gross area of more than 100 acres may be subdivided only at the rate of one lot for each 50 acres of gross area. In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right-of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record, with the exception that any zoning petition site plan, subdivision plan or record plat filed with or approved by the county between November 27, 1979, and October 1, 1990, shall not be so affected and be considered valid, provided as to any zoning petition pending on appeal, that it be upheld on appeal. [Bill No. 199-1990]
 - 2. Lot size. A lot having an area less than one acre may not be created in an R.C.2 Zone.
 - 3. Setback requirements. No principal structure or dwelling (whether or not it is a principal structure) in an R.C.2 Zone may be situated within 75 feet of the center line of any street or within 35 feet of any lot line other than a street line.
 - 4. Principal dwellings per lot. No more than one principal dwelling is permitted on any lot in an R.C.2 Zone.

1A01.4 Maryland Agricultural Land Preservation Program. The use or development of land in an agricultural district established in accordance with § 2-509 of the Agricultural

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1A01.4 Maryland Agricultural Land Preservation Program. The use or development of land in an agricultural district established in accordance with § 2-509 of the Agricultural

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 1990, Legislative Day No. 19
Bill No. 199-90

Mr. C.A. Dutch Ruppersberger, III, Councilman
By Request of County Executive

By the County Council, October 15, 1990

A BILL
ENTITLED

AN ACT concerning

Roads Crossing Lots of Record

FOR the purpose of amending the Baltimore County Zoning Regulations in
order to clarify and define whether roads crossing lots of record
zoned RC2 create separate parcels of land.

BY repealing and reenacting, with amendments,

Section 1A01.3.B.1.
Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Council has received a final
report from the Planning Board concerning the subject legislation
and has held a public hearing thereon; now, therefore

1. SECTION 1. Be it enacted by the County Council of Baltimore
2. County, Maryland, that Section 1A01.3.B.1. of the Baltimore County
3. Zoning Regulations, as amended, be and is hereby repealed and reen-
4. acted, with amendments, to read as follows:

5. 1A01.3--HEIGHT AND AREA REGULATIONS

6. B. Area regulations.

7. 1. Subdivision Lot Density. No lot of record lying
8. within an R.C. 2 zone and having a gross area of less than 2 acres
9. may be subdivided. No such lot having a gross area between 2 and
10. 100 acres may be subdivided into more than 2 lots (total), and such
11. a lot having a gross area of more than 100 acres may be subdivided
12. only at the rate of 1 lot for each 50 acres of gross area. IN CASES
13. WHERE LAND IN SINGLE OWNERSHIP IS CROSSED BY EXISTING OR PROPOSED
14. ROADS, RIGHTS-OF-WAY, OR EASEMENTS, THE PORTIONS OF LAND ON EITHER
15. SIDE OF THE ROAD, RIGHT OF WAY, OR EASEMENT SHALL NOT BE CONSIDERED

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

CHRISTIAN B. ANDERSON, et ux
SPH - Resubdivision and Realignment
of Lot 1 of Meredith's Range

Petitioners

* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 85-170-SPH

* * * * *

ORDER

Pursuant to the original Petition filed in this proceeding, the Petitioners herein sought approval to resubdivide and realign Lot 1 of "Meredith's Range" and two other parcels contiguous thereto, containing 14.63 acres so as to create three building lots as shown on the sight plan prepared by Development Design Group, marked Petitioner's Exhibit 1 before the Deputy Zoning Commissioner of Baltimore County.

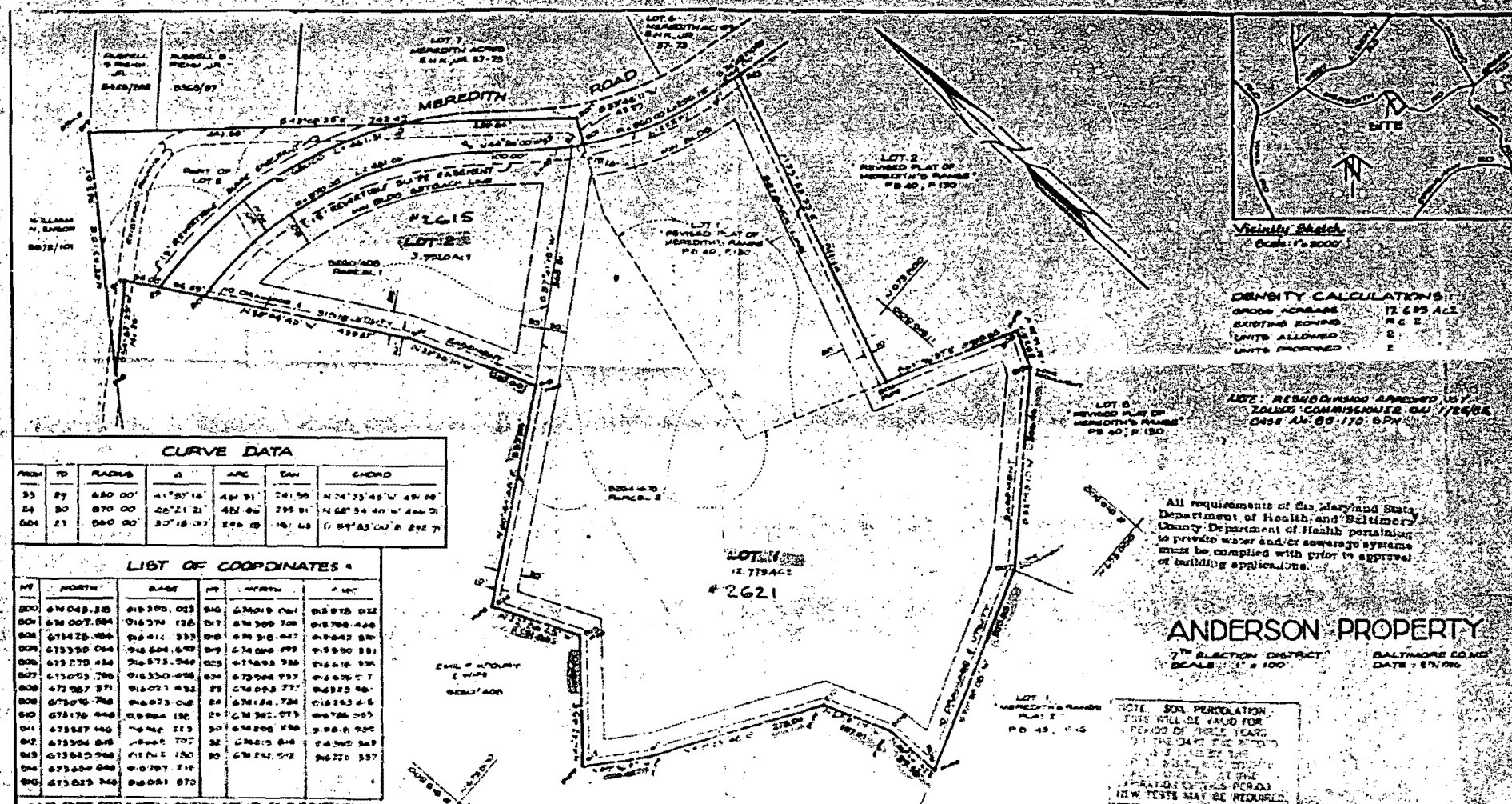
After hearing testimony and reviewing the exhibits, the Deputy Zoning Commissioner of Baltimore County, on January 25, 1985 granted the resubdivision and realignment of Lot 1 Meredith's Range Road and two other parcels continuous thereto, containing a total of 17.63 acres so as to create three building lots, in accordance with Petitioner's Exhibit 1.

On February 15, 1985 Phyllis Cole Friedman, Peoples Counsel for Baltimore County and Peter Max Zimmerman, Deputy Peoples Counsel for Baltimore County, filed a Notice of Appeal from the decision of the Deputy Zoning Commissioner of January 25, 1985.

On February 22, 1985 S. Eric DiNenna, P.A. filed an Appeal from said Order of the Deputy Zoning Commissioner on behalf of Dr. Emil Kfoury and Elizabeth Kfoury, his wife.

On March 19, 1985 notice of assignment was sent by the County

85-170-SPH



CURVE DATA						
PT/BL	TD	RADIUS	Δ	ARC	TAN	CHORD
35	27	870 00'	41° 25' 16"	466 91'	241.90	N 74° 33' 45" W 491.00'
54	30	870 00'	26° 21' 21"	462.66'	295.91	N 68° 54' 00" W 466.71'
504	27	960 00'	30° 18' 00"	526 00'	161.68	S 59° 53' 03" E 592.77'

LIST OF COORDINATES					
MY	NORTH	EAST	MY	NORTH	EAST
000	640 043.28	616 300. 023	046	634 049. 761	616 975. 012
001	640 007.084	616 370. 126	047	634 500. 708	616 788. 444
002	638426. 086	616 414. 355	048	634 316. 027	616 643. 818
003	637330. 603	616 460. 673	049	634 000. 973	616 500. 88
004	637 270. 434	616 573. 246	050	634 043. 786	616 416. 336
005	637 050. 731	616 550. 076	051	633 940. 973	616 330. 57
006	637 067. 371	616 507. 432	052	634 003. 277	616 273. 96
007	637 050. 788	616 573. 048	053	634 108. 788	616 243. 45
008	637 076. 440	616 604. 130	054	634 305. 073	616 206. 257
009	637 557. 440	616 640. 213	055	634 206. 434	616 046. 205
010	637 504. 618	616 690. 707	056	634 013. 000	616 000. 537
011	637 542. 968	616 616. 180			
012	637 600. 600	616 707. 718			
013	637 623. 340	616 681. 870			

APPROVED: John L. Hoff 6/5/86
IN SOLICITOR OF PUBLIC DEFENSE 6-73

APPROVED: _____

DIRECTOR OF PLANNING AND BUDGET

DATE _____

APPROVED: [Signature] 01/01/86
DEPUTY STATE & COUNTY HEALTH OFFICER DATE

THE OFFICE AND/OR HOUSE ARE UNDER REPAIR AND THE
REPAIR OF THE HOUSE IS FOR THE PURPOSE OF REPAIRING
THE HOUSE AND THE HOUSE ARE NOT INTENDING TO BE REPAIRED
TO THE HOUSE. THE HOUSE IS UNDER REPAIR AND THE HOUSE
IS INTENDING TO BE REPAIRED. THE HOUSE IS UNDER REPAIR
AND THE HOUSE IS INTENDING TO BE REPAIRED.

NOTE:

- 1) PERSON, POTENTIALLY AFFECTED BY DISASTERS AND CONSEQUENCE.
- 2) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 3) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 4) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 5) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 6) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 7) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 8) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 9) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.
- 10) IN ORDER OF THE PLAN, FIRST OF THE ORDER OF THE PLAN.

NOTE:
 OFFENSES AND NUMBER VICTIMS, CLONE, SEXUAL, AND OTHER
 LAWFULITY BEING REVIEWED AND SELECTED UNDER THE ACTIVITY
 AND OTHER OFFENSES FOR REGULATION BY DISTRICT
 CREDIT, BARTLAND, THE DEVELOPER, AND PERSONAL BELIEF
 DISTRICTS, AND PERSONS SMALL CONVEY AND ABANDON BY
 THIS TO VICTIMS CREDIT, BARTLAND, AND OTHER.

OWNER'S CERTIFICATE

THE ABOVE-NAMED OWNER OF THE LAND SHOWN ON THE PLAN, HERETOBY CERTIFIES THAT TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (1) OF SECTION 8-106 OF THE ALA. PROPERTY ARTICLES OF THE MANIFESTED CODE OF ALABAMA, HAS BEEN COMPLIED WITH, INsofar AS SAID CONSIDER THE MAKING OF THE PLAN AND THE DEDICATION OF THE

STANDARD TELETYPE UNIT DATE
WELLER AND SONS

NOTE: CALCULATES AND REARRANGES SHOWS IN THE FUP ARE BASED ON THE STATE OF MARYLAND AND SYSTEM.

SUPVEYOR'S CERTIFICATE

THE UNDERSIGNED, A RESIDENT OF THE STATE OF MARYLAND, HEREBY CERTIFY THAT HE IS THE OWNER AND POSSESSOR OF THE LAND AND THAT THE LAND SHOWN ON THIS PLAN AND THE LAND OUT AND THE PLAN THEREOF ARE BEING PREPARED IN COMPLIANCE WITH SUBSECTION (1) OF SECTION 3-8 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY AS MODIFIED AS BEING CONCERNING THE MAKING OF THE PLAN AND THE SETTING OF THE MARKERS.

6 SOUTH SHAWANEE, MISSOURI
NAME - PH 1-8-240-0



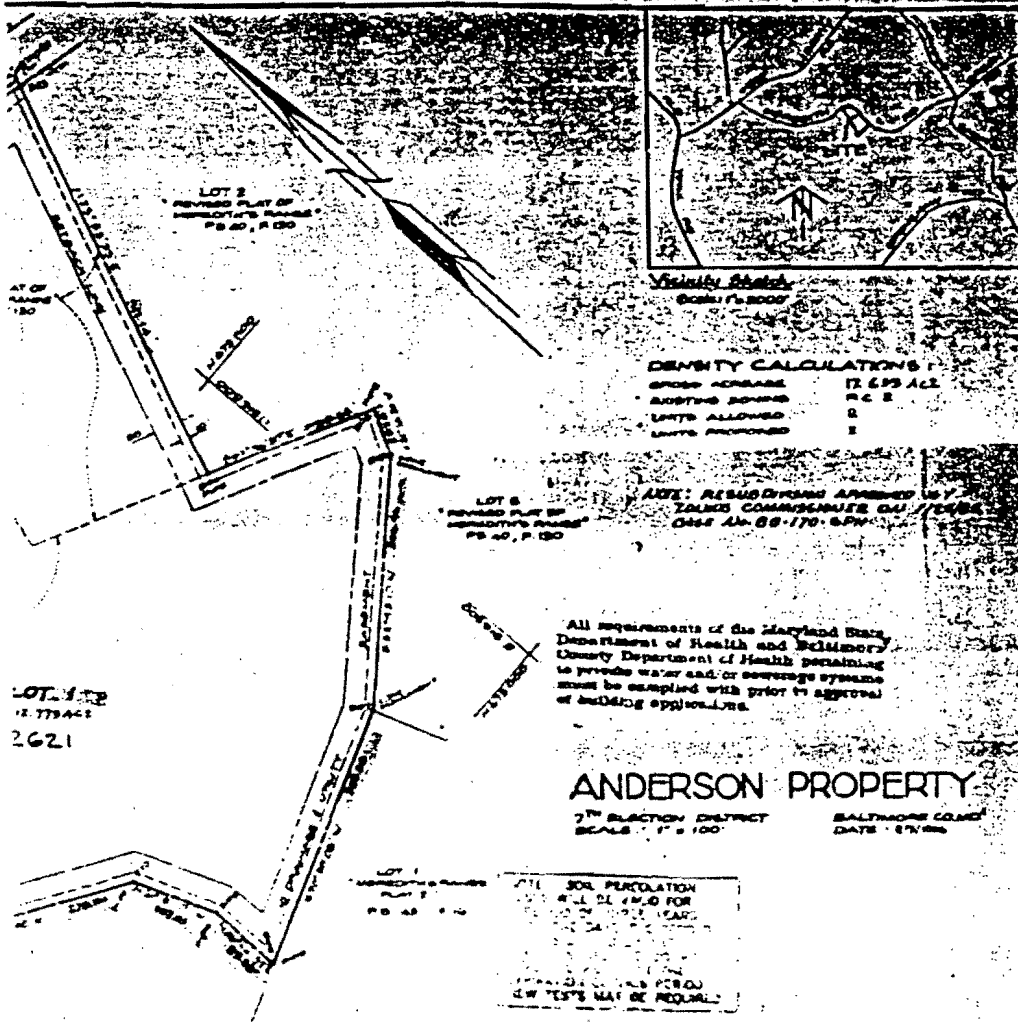
SHANABERGER & LANE

0450 BALTIMORE NATIONAL FIRE
ELICOTT CITY
MARYLAND 20433
Telephone: (301) 461-9563

COMPUTED BY C. G. S. CHECKED BY RPT

P.A. COMPLETED None
 FINAL PLAN CHECKED None
 DRAWING None
 ENGINEERING None
 STREET NAMED None

OF MARYLAND, INC.
Box 29, 10 St.
Box 167786, P.O. 800971
light
any residence
Carroll County Maryland
any residence
Carroll County, Maryland
any residence
Carroll County, Maryland
any residence
Carroll County, Maryland
S. OF MARYLAND, INC.
New England



VIDER'S CERTIFICATE

DEFINED OWNER OF THE LAND SHOWN ON
A MAP CONTAINED HEREIN TO THE BEST OF
KIDCO, THE REQUIREMENT OF SUCCESSION
UNDER 5-ONE OF THE AIA PROPERTIES ACT
THE APPLICABLE CODE OF MINNESOTA AND DEED
WITH, WRITTEN OR EVIDENCE CONCERNING THE
• THE PLAN AND THE METHOD OF THE

WEATHERS, WILLIAM HENRY
1870-1940

UNCLASSIFIED AND UNRESTRICTED EXCEPT WHERE SHOWN
OTHERWISE BY A "C" IN THE SPACE OF
PAGE OR PAGE(S)

SUPVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, HEREBY CERTIFY THAT HE IS THE ALDREDGE WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN IS 17.77 ACRES AND THE PLAT THEREON HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECTION 2-201 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, 1957, AND WHEREAS ON DATE CONCERNING THE MAKING OF THE PLAT AND THE SETTING OF THE MONUMENTS.

2-10-77



SHANABERGER & LANE

1450 BALTIMORE NATIONAL FIRE
ELICOTT CITY
MARYLAND 21040

Telephone: (202) 462-7542

COMPTON BY A.S.C. - OWNED BY ROY

DATE: 11-11-64

PLA COMPLETED None

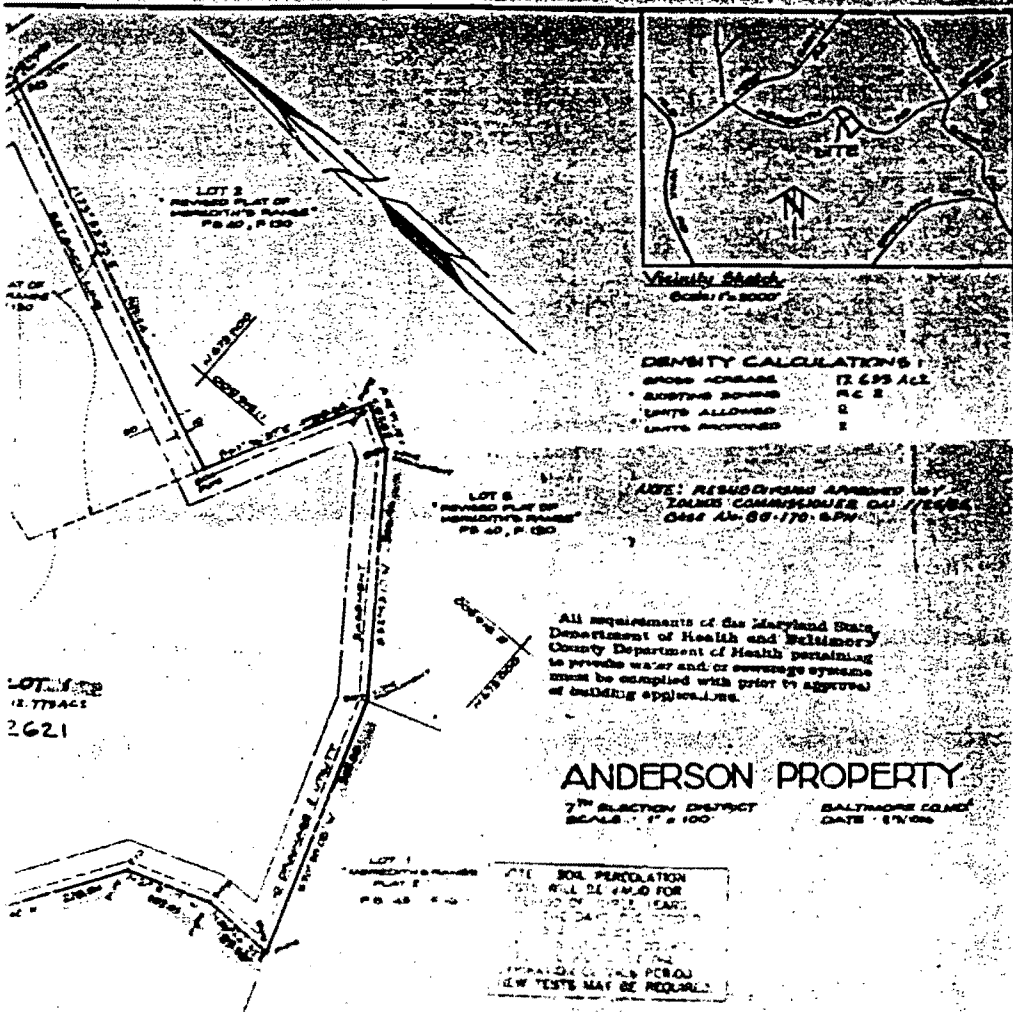
FINAL PLAN SUBMITTED

1944

Advertisement

THE UNIVERSITY OF CHICAGO

85-170-87



OWNER'S CERTIFICATE

I, the owner of the land shown on this plat, hereby certify that to the best of my knowledge and belief, the requirements of the zoning ordinance of the City of Baltimore, Maryland, have been complied with in the preparation of this plat and the setting of the same.

WILLIAM T. HALL, JR.
200 N. EIGHTH ST.
BALTIMORE, MD.

WITNESSED AND SEALED before me on this 1st day of January, 1968, by me, a Notary Public for the State of Maryland.

SUPPLYOR'S CERTIFICATE

I, the undersigned, a registered land surveyor of the State of Maryland, hereby certify that I am the surveyor who prepared this plat and that the land shown on this plat has been surveyed and the plat thereon has been prepared in compliance with the provisions of the zoning ordinance of the City of Baltimore, Maryland, and that I am a duly licensed and qualified surveyor of the State of Maryland.

JOHN W. SHANABERGER, JR.
200 N. EIGHTH ST.
BALTIMORE, MD.



SHANABERGER & LANE

200 BALTIMORE NATIONAL FIRE
BELLICOTT CITY
MARYLAND 20615

DESIGNED BY J.W.S. CHECKED BY J.W.S.

DRAWN BY J.W.S. CHECKED BY J.W.S.

FILED IN PLAT BOOK 40, PAGE 100
DATE 1/1/68
BY J.W.S.

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

This Deed, MADE THIS 31st day of January

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

EMIL F. KFOURY and ELIZABETH C. KFOURY, his wife,

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

CHRISTIAN B. ANDERSON and VICKI ANNE ANDERSON, his wife, parties

of the second part.

WITNESSETH, That in consideration of the sum of EIGHT THOUSAND DOLLARS (\$8,000.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged,

the said parties of the first part,

do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and such survivor's

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

that parcel ~~xxx~~ of ground situate in Baltimore County, State of Maryland, and described as follows, that is to say:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

07514444 80051002 00-5-1
07064444 80161002 00-5-1
07064444 80351002 00-5-1
07064444 80351002 00-5-1

THIS DEED, Made this 20th day of October, 1986 by and between CHRISTIAN B. ANDERSON and VICKI ANNE ANDERSON, his wife, parties of the first part, and RONALD WALTER KAPP and MARGARET ELLEN KAPP, his wife, parties of the second part.

WITNESSETH, That in consideration of the sum of Thirty Thousand Dollars (\$30,000.00) being the actual consideration paid and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the said CHRISTIAN B. ANDERSON and VICKI ANNE ANDERSON, his wife do grant and convey to the said RONALD WALTER KAPP and MARGARET ELLEN KAPP, his wife, as tenants by the entireties their assigns, the survivor of them and the heirs and assigns of the survivor, in fee simple, all that lot of ground situate in BALTIMORE COUNTY, STATE OF MARYLAND, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 2 on a plat entitled, "Anderson Property", which plat is recorded among the land records of Baltimore County in plat book E.H.K. JR. No. 54, folio 69.

BEING part of the land conveyed by and described in a deed dated January 31, 1980, from Emil F. Kfoury and Elizabeth C. Kfoury, his wife, unto Christian B. Anderson and Vicki Anne Anderson, his wife,, and recorded among the land records of Baltimore County in liber E.H.K. JR., No. 6133, folio 221.

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 RONALD WALTER KAPP and MARGARET ELLEN KAPP, his wife, as tenants by the entireties their assigns, the survivor of them and the heirs and assigns of the survivor, ^{BY} fee 14.00
^{BY} TX 150.00
^{BY} DOCS 150.00
simple.

AND the said parties of the first part hereby covenanted that ^{DEED} 0
^{BY} JR 1 314.00
they have not done or suffered to be done any act, ^{MANUAL} 2004 101 713.5
thing whatsoever, to encumber the property hereby conveyed; 11/07/86
that they will warrant specially the property hereby granted;
and that they will execute such further assurances of the same as may be requisite.

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
JR 11-7-86
CLERK DATE

RECORDED
1986 OCT 20
1900.00
SIGNED BY [Signature] DATE 11/7/86

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 31st day of January

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

EMIL F. KFOURY and ELIZABETH C. KFOURY, his wife,

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

CHRISTIAN B. ANDERSON and VICKI ANNE ANDERSON, his wife, parties

of the second part.

WITNESSETH, That in consideration of the sum of THIRTY-NINE THOUSAND FOUR HUNDRED DOLLARS (\$39,400.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged,

the said parties of the first part,

do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and such survivor's

personal representatives/~~SUCCESSORS~~ and assigns, in fee simple, all those

two parcels ~~lot~~ of ground situate in the Seventh Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

0051000*	20241602	00-0-
151000*	20241602	00-0-
111000*	20241602	00-0-
105000*	20241602	00-0-

#88-490-SPH

UNREPORTED

IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

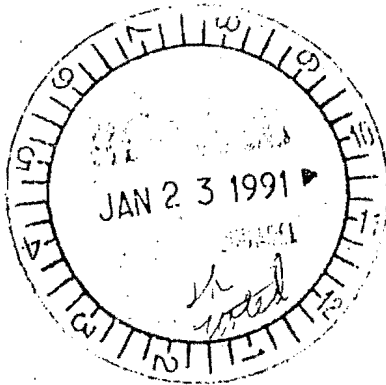
No. 396

September Term, 1990

Steven H. Gudeman et ux.

v.

People's Counsel for Baltimore County



Bell, R.B.
Fischer,
Thayer, (specially
assigned)

JJ.

Per Curiam

Filed: January 22, 1991