

IN RE: PETITION FOR VARIANCE
S/W side of Dunk Freeland Road, 545'
& 1,858 ft. S centerline of Harris Mill Road
7th Election District
3rd Councilmanic District
(21422-21444 Dunk Freeland Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 02-491-SPH^A

Carl S. Malm, *Legal Owner* and
Daniel L. Verzi, *Contract Purchaser*
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owner of the subject property, Carl S. Malm and the contract purchaser, Daniel L. Verzi. The Petitioners are requesting a special hearing to approve a modification or reconfiguration of a line of division between 2 parcels of land to correspond to existing agricultural and residential land uses and to approve of the reconfiguration of the lot lines as being within the spirit and intent of the Baltimore County Zoning Regulations. In addition, the Petitioners are requesting variance relief from Section 1A08.6.B.5.a.(3), to permit the southern corner of an existing home to be located 43 ft. from the reconfigured rear lot line.

Appearing at the hearing on behalf of the zoning relief were Dan, Amy, Jennifer and Sean Verzi, JoAnn Hedemann, Drew Burgess, Jerre Gray and James Grammer, the engineer who prepared the site plan. Howard L. Alderman, Jr., attorney at law, represented the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the Verzi family is interested in purchasing a house and property from the current owner, Carl Malm. The parties are interested in reconfiguring lot lines on the two parcels of property shown on the site plan. This adjustment, once completed, will cause these two lots to better serve the homes which are situated on them. The property involved is

ORDER RECEIVED FOR FILING

Date 7/10/02

By R. J. J. J.

located on the southwest side of Dunk Freeland Road, in the Maryland Line area of Baltimore County.

The testimony and evidence indicated that the Verzi family is interested in purchasing the house and property located at 21422 Dunk Freeland Road. Once reconfigured the house and property will comprise 5.270 acres of land. There is no density associated with this property other than the house which is currently situated thereon. There is no future right of subdivision for this parcel. The reconfiguration of the lot line causes the southern corner of the existing home to be located 43 ft. from the reconfigured rear lot line. Testimony revealed that the front of the house faces towards Dunk Freeland Road. Therefore, in order for the lot line adjustment to be approved, the variance request is necessary to allow the house to have a rear yard setback of 43 ft. in lieu of 50 ft.

Testimony further revealed that the second parcel of property, once reconfigured, will contain 39.512 acres of land, more or less. That parcel of land will also contain an existing dwelling and may not be subdivided in the future. After considering the testimony and evidence presented at the hearing and the lack of opposition thereto, I find that the special hearing to allow the lot line adjustment to occur, as well as the variance for the existing home shall be approved.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING

Date

7/10/02

By

H. Jensen

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance and special hearing request are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED, this 10th day of July, 2002, by the Deputy Zoning Commissioner for Baltimore County, that the Special Hearing Request to approve a modification or reconfiguration of a line of division between 2 parcels of land to correspond to existing agricultural and residential land uses and to approve of the reconfiguration of the lot lines as being within the spirit and intent of the Baltimore County Zoning Regulations, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the request for variance relief from Section 1A08.6.B.5.a.(3) of the Baltimore County Zoning Regulations, to permit the southern corner of an existing home to be located 43 ft. from the reconfigured rear lot line, be and is hereby APPROVED.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

UNDER RECEIVED FOR FILING
Date 7/10/02
By R. Johnson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 10, 2002

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance
Case No. 02-491-SPH
Property: 21422-21444 Dunk Freeland Road

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have been granted in accordance with the enclosed 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 21422-21444 Dunk Freeland Road
which is presently zoned RC 2 & RC 7

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

SEE ATTACHED

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 ~~as to 21444 Dunk Freeland Road~~
~~XXXXXX~~

Legal Owner(s):

* **Daniel L. Verzi** **Amy A. Verzi**
Name - Type or Print
Daniel L. Verzi *Amy A. Verzi*
Signature
PO Box 285 410-343-1756
Address Telephone No.
Maryland Line MD 21105
City State Zip Code

Mr. Carl S. Malm
Name - Type or Print
Carl S. Malm
Signature
16737 S. E. Franklin Street 503-421-9625
Address Telephone No.
Portland Oregon 97236
City State Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire
Name - Type or Print
Howard L. Alderman Jr.
Signature
Levin & Gann, PA Nottingham Centre, 8th Floor
Company
502 Washington Avenue 410-321-0600
Address Telephone No.
Towson, MD 21204
City State Zip Code

Representative to be Contacted:

Mr. James Grammer
Name
McKee & Assoc. 5 Shawan Pl., Suite 1 410-527-1555
Address Telephone No.
Hunt Valley MD 21030
City State Zip Code

* Counsel for Contract Purchasers:
Jacqueline A. Dellsie, Esquire
Brown, Brown & Brown, PA
200 South Main Street
Bel Air, MD 21014
410-838-5500

Case No. 02-4915PA7

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SPA Date 05-02-02

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21422-21444 Dunk Freeland Road

which is presently zoned RC 2 & RC 7

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 Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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

I, or we, agree to pay expenses of above Variance, 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:

None at time of filing

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire

Name - Type or Print

City

Signature

Levin & Gann, PA Nottingham Centre, 8th Floor

Company

502 Washington Avenue 410-321-0600

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Mr. Carl S. Malm

Name - Type or Print

Signature

Name - Type or Print

Signature

16737 S. E. Franklin Street

503-421-9625

Address

Telephone No.

Portland

Oregon

97236

State

Zip Code

Representative to be Contacted:

Mr. James Grammer

Name

McKee & Assoc. 5 Shawan Pl., Suite 1 410-527-1555

Address

Telephone No.

Hunt Valley

MD

21030

City

State

Zip Code

OFFICE USE ONLY

Case No. 02-491-SPH-1

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By SPH

Date 05-02-02

McKEE & ASSOCIATES, INC.

*Engineering • Surveying • Environmental Planning
Real Estate Development*

March 19, 2002

**ZONING DESCRIPTION OF
#21444 DUNK FREELAND ROAD
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

COMMENCING at the centerline of Dunk Freeland Road, 60 feet wide, at the distance of 1,858 feet, more or less, from the centerline of Harris Mill Road; thence running South 73 degrees 22 minutes 18 seconds West, 620.29 feet; thence North 22 degrees 54 minutes 40 seconds West, 243.04 feet to the true point of beginning; thence running South 74 degrees 22 minutes 52 seconds West, 501.17 feet, South 45 degrees 25 minutes 40 seconds West, 1,580.65 feet, North 04 degrees 54 minutes 03 seconds East, 391.03 feet, North 27 degrees 17 minutes 17 seconds West, 556.85 feet, North 41 degrees 43 minutes 23 seconds East, 759.00 feet, North 55 degrees 43 minutes 23 seconds East, 541.90 feet, South 78 degrees 25 minutes 38 seconds East, 300.66 feet, South 45 degrees 00 minutes 00 seconds East, 113.14 feet, South 90 degrees 00 minutes 00 seconds East, 90.00 feet, North 56 degrees 18 minutes 35 seconds East, 252.39 feet, South 60 degrees 45 minutes 04 seconds East, 57.31 feet, South 42 degrees 55 minutes 03 seconds West, 77.83 feet, South 25 degrees 01 minutes 01 seconds East, 66.21 feet, and South 77 degrees 41 minutes 51 seconds East, 418.86 feet; thence South 22 degrees 45 minutes 56 seconds West, 261.40 feet, South 74 degrees 22 minutes 52 seconds West, 135.00 feet to the true point of beginning. Containing 33.353 acres of land and being part of Lot 2, Malm Property, recorded in Plat Book SM 58, page 8. Being known as 21444 Dunk Freeland Road, lying in the 7th Election District, 3rd Councilmanic District.

02-491-SPH-7

McKEE & ASSOCIATES, INC.

Engineering • Surveying • Environmental Planning
Real Estate Development

March 19, 2002

**ZONING DESCRIPTION OF
#21422 DUNK FREELAND ROAD
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING at a point in the center of Dunk Freeland Road (60 feet wide), said point being 545 feet, more or less, south of the centerline of Harris Mill Road; thence running along the center of Dunk Freeland Road, South 68 degrees 48 minutes 58 seconds East, 10.72 feet, South 54 degrees 45 minutes 15 seconds East, 651.73 feet, North 46 degrees 07 minutes 35 seconds East, 7.38 feet, 290.91 feet along the arc of a curve to the right, having a radius of 1,383.26 feet to a point, South 40 degrees 34 minutes 57 seconds East, 192.47 feet to a point, 103.26 feet along the arc of a curve to the right, having a radius of 152.43 feet to a point, South 01 degrees 46 minutes 08 seconds East, 73.14 feet, running South 73 degrees 22 minutes 18 seconds West, 620.29 feet, North 22 degrees 54 minutes 40 seconds West, 243.04 feet, North 74 degrees 22 minutes 52 seconds East, 135.00 feet, North 22 degrees 45 minutes 56 seconds East, 261.40 feet, North 77 degrees 41 minutes 51 seconds West, 418.86 feet, North 25 degrees 01 minutes 01 seconds West, 66.21 feet, North 42 degrees 55 minutes 03 seconds East, 77.83 feet, North 60 degrees 45 minutes 04 seconds West, 57.31 feet, South 56 degrees 18 minutes 35 seconds West, 252.39 feet, North 90 degrees 00 minutes 00 seconds West, 90.00 feet, North 45 degrees 00 minutes 00 seconds West, 113.14 feet, North 78 degrees 25 minutes 38 seconds West, 300.66 feet, North 55 degrees 43 minutes 23 seconds East, 185.00 feet, North 86 degrees 10 minutes 11 seconds East, 446.77 feet, and North 13 degrees 01 minutes 14 seconds East, 200.97 feet to the place of beginning. Containing 12.163 acres of land as recorded in Deed Liber 14928, folio 418. Also known as 21422 Dunk Freeland Road and located in the 7th Election District, 3rd Councilmanic District.

02. 491-SP47

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

02.491-SP42

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

02.491.SPH 72

No. 13357

DATE 05.03.02 ACCOUNT R.COLOUGGISC

AMOUNT \$ 100.00

RECEIVED
FROM:

Mc Kees Assoc.

FOR:

Res. SPECIAL HANDLING VAW. \$100
TOTAL \$100

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

507

PAID RECEIPT

BUSINESS ACTUAL TIME

5/06/2002 5/03/2002 15:15:29

REG W504 WALKIN DOOL DWD DRIVER 2

> RECEIPT # 181357 5/03/2002 OFLM

Dep 5 528 ZONING VERIFICATION

CR NO. 013337

Recpt Tot \$100.00

100.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

PETITION FOR SPECIAL HEARING

CASE NO: 02- -SPHA

Address: 21422-21444 Dunk Freeland Road

Legal Owner: Carl S. Malm

Contract Purchasers (as to 21444 Dunk Freeland Road): Daniel L. & Amy A. Verzi

Present Zoning: RC2 & RC7

REQUESTED RELIEF:

"why the Zoning Commissioner should " [1] approve a modification and/or reconfiguration of a prior line of division between parcels to correspond to existing agricultural and residential land uses; and [2] find that the proposed reconfiguration of existing lines of division meets the spirit and intent of the BCZR, allowing the reasonable use of the land and the retention of agricultural resources.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@LevinGann.com

02-491-SPHA

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: #02-491-SPHA

21422-21444 Dunk Freeland Road

S/west side of Dunk Freeland Road, 545 and 1,858 feet south centerline of Harris Mill Road

7th Election District - 3rd Councilmanic District

Legal Owner(s): Carl S. Malm

Contract Purchaser: Daniel & Amy Verzi

Special Hearing: to approve a modification and/or reconfiguration of a prior line of division between parcels to correspond to existing agricultural and residential land uses; and find that the proposed reconfiguration of existing lines of division meets the spirit and intent of the BCZR. **Variance:** to permit the rear of the existing home to be located 43 feet from a RC 2 zone line, or if the Special hearing is not granted, a variance to permit the existing home to be located 42 feet from a proposed line of division, in lieu of the 50 feet required.

Hearing: Tuesday, July 9, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/6/807 June 25

6546855

CERTIFICATE OF PUBLICATION

6/27/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/25/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. **02-491-SPHA**

Petitioner/Developer:

Carl S. Malm

Hearing Date: **07/09/02**

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

Attention: Mr. George Zahner

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 **21422-21444 Dunk Freeland Rd..**

The sign(s) were posted on **06/23/02**.

Sincerely,



Thomas J. Hoff

Thomas J. Hoff, Inc.

406 West Pennsylvania Avenue

Towson, MD. 21204

410-296-3668



TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 25, 2002 Issue – Jeffersonian

Please forward billing to:
Mr. James Grammer
McKee & Assoc.
5 Shawan Place Suite 1
Hunt Valley, MD 21030

410-527-1555

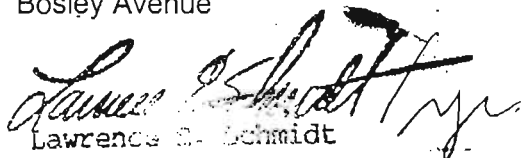
NOTICE OF ZONING HEARING

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: 02-491-SPHA
21422-21444 Dunk Freeland Road
S/west side of Dunk Freeland Road, 545 and 1,858 feet south centerline of Harris Mill Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl S. Malm
Contract Purchaser: Daniel & Amy Verzi

SPECAIL HEARING to approve a modification and/or reconfiguration of a prior line of division between parcels to correspond to existing agricultural and residential land uses; and find that the proposed reconfiguration of existing lines of division meets the spirit and intent of the BCZR. VARIANCE to permit the rear of the existing home to be located 43 feet from a RC 2 zone line, or if the Special hearing is not granted, a variance to permit the existing home to be located 42 feet from a proposed line of division, in lieu of the 50 feet required.

HEARING: Tuesday, July 9, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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
May 30, 2001

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: 02-491-SPHA
21422-21444 Dunk Freeland Road
S/west side of Dunk Freeland Road, 545 and 1,858 feet south centerline of Harris Mill Road
7th Election District – 3rd Councilmanic District
Legal Owner: Carl S. Malm
Contract Purchaser: Daniel & Amy Verzi

SPECAIL HEARING to approve a modification and/or reconfiguration of a prior line of division between parcels to correspond to existing agricultural and residential land uses; and find that the proposed reconfiguration of existing lines of division meets the spirit and intent of the BCZR. VARIANCE to permit the rear of the existing home to be located 43 feet from a RC 2 zone line, or if the Special hearing is not granted, a variance to permit the existing home to be located 42 feet from a proposed line of division, in lieu of the 50 feet required.

HEARING: Tuesday, July 9, 2002, at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Carl S. Malm, 16737 S. E. Franklin Street, Portland, Oregon 97236
Howard L. Alderman, Jr. Esquire Levin & Gann, PA Nottingham Centre, 8th Floor, 502 Washington Avenue, Towson, MD 21204
Daniel L. Verzi, P.O. Box 285, Maryland Line, MD 21105
James Grammer McKee & Assoc. 5 Shawan Pl., Suite 1, Hunt Valley, MD 21030

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 24, 2002.
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 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

July 5, 2002

Howard L. Alderman, Esquire
Levin & Gann, PA
Nottingham Center 8th Floor
502 Washington Avenue
Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number:02-491 -SPHA, 21422-21444 Dunk Freeland Road-

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 2, 2002. .

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: Mr. Carl S. Malm, 16737 S.E. Franklin Street, Portland , Oregon 97236
Daniel L. Verzi P.O. Box 285, Maryland Line, Maryland 21105
Mr. James Grammer McKee & Assoc. 5 Shawan Place, Suite 1 Hunt Valley MD 21030
People's Counsel

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





Baltimore County
Fire Department

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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 15, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 20, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

488, 490-500

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



Baltimore County
Fire Department

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

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

May 22, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 28, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

491, 501-504, 506-510

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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



Printed with Soybean Ink
on Recycled Paper

Jim
7/9

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. DATE: July 8, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For June 3, 2002
Item Nos. 491, 502, 503, 504, 505,
506, 507, 508, 509, and 510

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

RWB:HJO:jrb

cc: File

ju
7/9

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley ~~PBS~~ | TGT

DATE: July 9, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of May 28, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

491, 502, 505, 506, 507, 508, 509, 510

Jim
7/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MAY 22 2002

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

DATE: May 21, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-491, 02-504, & 02-510

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Stephen L. Latham

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.23.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 491

JRA

Dear Mr. Zahner:

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,

K Kenneth A. McDonald Jr., 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

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
21422-21444 Dunk Freeland Road, SW/S Dunk
Freeland Rd, 545' and 1858' S of c/l Harris Mill Rd
7th Election District, 3rd Councilmanic

Legal Owner: Carl S. Malm
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-491-SPHA

* * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**



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 3rd day of June, 2002 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

CASE NAME MALM / VERZI
CASE NUMBER #02-491-SPHA
DATE 7/9/02

[illegible]

NO TITLE EXAMINATION
NO CONSIDERATION -
(PARENTS TO SON)

RETURN TO: William F.C. Marlow, Jr.
Attorney at Law
404 Allegheny Avenue
Towson, Maryland 21204

DEED

THIS DEED made this 25 day of August in the year One Thousand Nine Hundred and Ninety Four by and between CARL S. MALM and BETTY NELSON MALM parties of the first part and JERRY LEE GRAY, party of the second part.

WITNESSETH, that in consideration of the sum of One Dollar (\$1.00), (the actual amount of consideration paid or to be paid is zero), the said parties of the first part, do grant and convey to the said party of the second part, his personal representatives, heirs 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:

All that land as more particularly described in Exhibit A attached hereto and made a part hereof.

TOGETHER with the improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said JERRY LEE GRAY, his personal representatives, heirs 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 the Grantors.

WITNESS:

Carl S. Malm
Betty Nelson Malm

Carl S. Malm (SEAL)
CARL S. MALM
Betty Nelson Malm (SEAL)
BETTY NELSON MALM

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

L.F. 10/31/94
Date

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND

For *Joy Burgeon*
Authorized Signature

Date 10-31-94 Sec 13-139 C

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE *L.F.* DATE 10/31/94

PETITIONER'S
EXHIBIT
3
ALL-STATE LEGAL

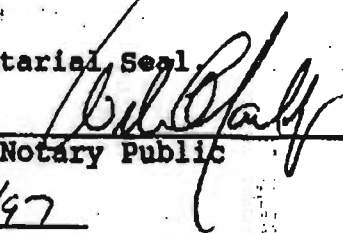
STATE OF MARYLAND)

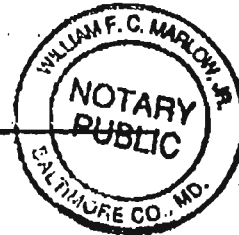
COUNTY OF BALTIMORE)

ss:

I HEREBY CERTIFY that on this 25 day of August, 1994, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City/County aforesaid, personally appeared CARL S. MALM and BETTY NELSON MALM, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and in my presence executed the foregoing Deed for the purposes contained herein, and acknowledged the same to be their act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public



My commission expires:

11/1/97

CERTIFICATION OF COUNSEL

I HEREBY CERTIFY that the within instrument was prepared by the undersigned attorney admitted to practice before the Court of Appeals of the State of Maryland.

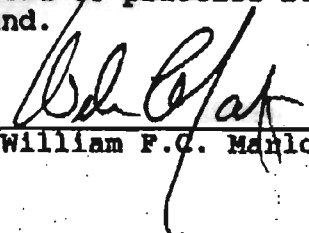

William F.C. Marlow, Jr.

EXHIBIT A

RC-4

Beginning for the same at a point in the center of Dunk Freeland Road at the end of the N 13-01-14 E 38.79' line of Lot 2 as shown on the subdivision plat titled "Malm Property" and recorded among the land records of Baltimore County in Plat Book S.M. 58 Folio 008, thence continuing the following courses and distances:

- 1) S 68-48-58 E 10.72';
- 2) S 54-45-15 E 651.73';
- 3) N 46-07-35 E 7.38';
- 4) R=1383.36, A=290.90, Chd Brg= S 46-36-23 E 290.37';
- 5) S 40-34-56 E 192.52';
- 6) S 49-26-04 W 30.00';
- 7) N 66-05-05 W 433.38';
- 8) N 77-41-51 W 418.86';
- 9) N 25-01-01 W 66.21';
- 10) N 42-55-03 E 77.83';
- 11) N 60-45-04 W 57.31';
- 12) S 56-18-36 W 252.39';
- 13) N 90-00-00 W 90.00';
- 14) N 45-00-00 W 113.14';
- 15) N 78-25-38 W 300.66';
- 16) N 55-43-23 E 185.00';
- 17) N 86-10-11 E 446.77';
- 18) N 13-01-14 E 200.97' to the place of beginning.

Containing 7.781 acres more or less.

EXHIBIT A

(Page 2)

RC-2

Beginning at a point in the center of Dunk Freeland Road, said point also being the end of the N 73-22-18 E 620.29' line of the Carl and Betty Malm property as recorded among the land records of Baltimore County in Liber S.M. 58 Folio 8 and titled "Malm Property, Lot 2", thence binding on said line reversely and continuing the following courses and distances:

1. S 73-22-18 W 620.29' to an Iron Pipe found;
2. N 22-54-40 W 243.04' to an Iron Pipe found;
3. N 74-22-52 E 135.00';
4. N 22-45-56 E 261.40';
5. S 66-05-05 E 433.38';
6. N 49-25-04 E 30.00' to a point in the center of Dunk Freeland Road;
7. thence by a curve to the right having a radius of 152.43', arc of 103.26', and a chord bearing of S 21-10-30 E and a distance of 101.30';
8. thence continuing along the center of Dunk Freeland Road S 1-46-08 E 73.14' to the place of beginning.

Containing 4.362 acres more or less.

A:\gray.das

lcr 10/20/94

01087.724

State of Maryland Land Instrument Intake Sheet

County: Baltimore

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

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

1	Type(s) of Instruments	Multiple Instruments of the same transaction should be numbered to correspond with Sections 2, 6, 7, and 8. Number documents in the order to be recorded. (Check Box if Addendum Intake Form is Attached.)																																					
		☒ Deed ☐ Deed of Trust ☐ Mortgage	☐ Lease ☐ Contract ☐ Land Installment Cont.																																				
2	Consideration and Fees	<table border="1"> <thead> <tr> <th>Consideration Amount/Recordation Fees</th> <th>Doc. 1</th> <th>Doc. 2</th> </tr> </thead> <tbody> <tr> <td>Consideration, Including Assumed Indebtedness</td> <td>\$</td> <td>\$</td> </tr> <tr> <td>Recording Charge</td> <td>\$ 20</td> <td>\$</td> </tr> <tr> <td>Surcharge</td> <td>\$ 5</td> <td>\$</td> </tr> <tr> <td>State Recordation Tax</td> <td>\$</td> <td>\$</td> </tr> <tr> <td>State Transfer Tax</td> <td>\$</td> <td>\$</td> </tr> <tr> <td>County Transfer Tax (if Applicable)</td> <td>\$</td> <td>\$</td> </tr> <tr> <td>Other</td> <td>\$</td> <td>\$</td> </tr> <tr> <td>Total Fees</td> <td>\$</td> <td>\$</td> </tr> </tbody> </table>		Consideration Amount/Recordation Fees	Doc. 1	Doc. 2	Consideration, Including Assumed Indebtedness	\$	\$	Recording Charge	\$ 20	\$	Surcharge	\$ 5	\$	State Recordation Tax	\$	\$	State Transfer Tax	\$	\$	County Transfer Tax (if Applicable)	\$	\$	Other	\$	\$	Total Fees	\$	\$									
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4	Contact/Mail Information	Instrument Submitted By or Contact Person Name: <u>Wm Marlow</u> Firm: <u>Access Title</u> Address: <u>404 Allegheny Ave</u> <u>Towson Md 21204</u> Phone: <u>410-821-1013</u> Return Instrument To (Check Applicable Box Below or Provide Appropriate Address) ☒ Return to Contact Person as Provided Above ☐ Hold for Pick Up Address Provided on Instrument Name: Address:																																					
5	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	<table border="1"> <thead> <tr> <th>District</th> <th>Property Tax ID No. (1)</th> <th>Grantor Liber/Folio</th> <th>Map</th> <th>Parcel No.</th> <th>Var. LOG (5)</th> </tr> </thead> <tbody> <tr> <td><u>7</u></td> <td><u>21-00-002910</u></td> <td><u>5228/913</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">Subdivision Name: _____ Lot (3a) _____ Block (3b) _____ Sect/AR(3c) _____ Plat Ref. _____ Sq.Ft./Acreage (4) _____</td> </tr> <tr> <td colspan="6">Location/Address of Property Being Conveyed (2) <u>21444 Dunk Freeland Rd Parkton Md 21120</u></td> </tr> <tr> <td colspan="6">Partial Conveyance? ☒ Yes ☐ No Description/Amt. of Sq.Ft./Acreage Transferred: <u>12.143 Acres (12.1439)</u></td> </tr> <tr> <td colspan="6">If Partial Conveyance, List Improvements Conveyed: <u>None</u></td> </tr> </tbody> </table>		District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG (5)	<u>7</u>	<u>21-00-002910</u>	<u>5228/913</u>				Subdivision Name: _____ Lot (3a) _____ Block (3b) _____ Sect/AR(3c) _____ Plat Ref. _____ Sq.Ft./Acreage (4) _____						Location/Address of Property Being Conveyed (2) <u>21444 Dunk Freeland Rd Parkton Md 21120</u>						Partial Conveyance? ☒ Yes ☐ No Description/Amt. of Sq.Ft./Acreage Transferred: <u>12.143 Acres (12.1439)</u>						If Partial Conveyance, List Improvements Conveyed: <u>None</u>					
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10	Conveyance Type	☐ Private Sale with Improvements ☐ Private Sale Unimproved ☐ Multiple Accounts/Property ☒ All Gift Other ☐																																					
11	Assessment Information	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER ☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☒ Yes ☐ No Does transfer include personal property? If yes, identify: ☒ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). New Owner's (Grantee) Mailing Address: <u>21444 Dunk Freeland Rd</u> <u>Parkton Maryland 21120</u>																																					
Assessment Use Only - Do Not Write Below This Line																																							
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REMARKS:																																							

0014928 418

NO CONSIDERATION
NO TITLE EXAMINATION MADE OR REQUESTED

Tax ID No. 22-00-020941 & 22-00-020942

THIS DEED, Made this 27th day of NOVEMBER, 2000, by and between JERRY LEE GRAY, of the County of Baltimore, State of Maryland, of the first part, and CARL S. MALM and BETTY NELSON MALM, his parents, of the County of Baltimore, State of Maryland, of the second part.

WITNESSETH, That in consideration of the natural love and affection as a gift between child and parents and other good and valuable considerations this day paid, the receipt of which is hereby acknowledged, the said JERRY LEE GRAY, does hereby grant and convey unto the said CARL S. MALM and BETTY NELSON MALM, husband and wife, as tenants by the entireties, their assigns, the survivor of them and to the survivor's personal representatives and assigns, in fee simple, all that lot of ground, situate, lying and being 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 the same property which by Deed dated August 25, 1994 and recorded among the Land Records of Baltimore County in Liber SM No. 10811, folio 720, was granted and conveyed by Carl S. Malm and Betty Nelson Malm unto Jerry Lee Gray.

SUBJECT TO Deed of Trust dated December 3, 1999 and recorded among the Land Records of Baltimore County in Liber SM No. 14204, folio 506, from Jerry Lee Gray to Joseph A. Dressel, III and C. Richard Bell, Trustees for Capitol Mortgage Bankers, Inc., Beneficiary, in the principal balance being \$7,000.00 which said debt the grantees herein assume and covenant to repay in accordance with the terms of said Deed of Trust and Note, and they further agree to be bound by all the terms and covenants of said Deed of Trust and Note as evidence by their signatures hereto.

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 in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto the said CARL S. MALM and BETTY NELSON MALM, husband and wife, as tenants by the entireties, their assigns, the survivor of them and to the survivor's personal representatives 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



0014928 419

hereby conveyed; that he will warrant specially the property granted and that she will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantor and grantees.

WITNESS:

[Handwritten signatures of Jerry Lee Gray and Betty Nelson Malm]

Jerry Lee Gray (SEAL)
Jerry Lee Gray

Carl S. Malm (SEAL)
Carl S. Malm

Betty Nelson Malm (SEAL)
Betty Nelson Malm

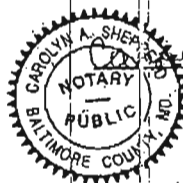
STATE OF MARYLAND, County of Baltimore, to wit:

I HEREBY CERTIFY, That on this 27th day of Nov, 2000, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared JERRY LEE GRAY, known to me (or satisfactorily proven) to be one of the persons whose name is subscribed to the within instrument and acknowledged that she 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:

12/01/01



Carolyn A. Shepherd
Notary Public

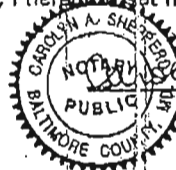
STATE OF MARYLAND, County of Baltimore, to wit:

I HEREBY CERTIFY, That on this 27th day of Nov, 2000, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared CARL S. MALM and BETTY NELSON MALM, known to me (or satisfactorily proven) to be two of 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:

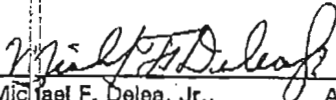
12/01/01



Carolyn A. Shepherd
Notary Public

0014928 420

In accordance with Real Property Section 3-104(f), this is to certify that the within instrument was prepared under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.


Michael F. Delea, Jr., Attorney

RETURN TO:
Michael F. Delea, Jr., P.A.
400 Allegheny Avenue
Towson, Maryland
(410) 821-5454

0014928 4211

EXHIBIT A

Beginning for the same at a point in the center of Dunk Freeland Road at the end of the N 13-01-14 E 38.78' line of Lot 2 as shown on the subdivision plat titled "Main Property" and recorded among the land records of Baltimore County in Plat Book S.M. 88 Folio 008, thence continuing the following courses and distances:

- 1) S 88-48-88 E 10.72'; 08-18-38
- 2) S 84-48-18 E 881.73'; 54-48-18
- 3) N 48-07-38 E 7.38'; 48-07-38
- 4) R=1383.38, A=280.90, Chd Brg-S 48-38-23 E 280.37'; 48-38-23
- 5) S 40-34-88 E 192.82'; 40-34-88
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- 15) N 78-25-38 W 300.88'; 78-25-38
- 16) N 85-43-23 E 185.00'; 85-43-23

- 17) N 88-10-11 E 448.77'; 88-10-11
- 18) N 13-01-14 E 200.97' to the place of beginning.

Containing 7.781 acres more or less.

Beginning at a point in the center of Dunk Freeland Road, said point also being the end of the N 73-22-18 E 820.29' line of the Carl and Betty Malm property as recorded among the Land Records of Baltimore County in Liber S.M. 88 Folio 8 and titled "Main Property, Lot 2", thence binding on said line reversely and continuing the following courses and distances:

1. S 73-22-18 W 820.29' to an iron pipe found;
2. N 22-54-40 W 243.04' to an iron pipe found;
3. N 74-22-82 E 135.00';
4. N 22-48-55 E 261.40';
5. S 88-05-05 E 433.38';
6. N 48-28-04 E 30.00' to a point in the center of Dunk Freeland Road;
7. thence by a curve to the right having a radius of 152.43', arc of 103.26', and a chord bearing of S 21-10-30 E and a distance of 101.30';
8. thence continuing along the center of Dunk Freeland Road S 1-48-08 E 73.14' to the place of beginning.

Containing 4.382 acres more or less.

01-48-08

73-22-18-820.29

22-54-40

74-22-52

22-48-58

58-05-05

48-28-04

SUMMARY OF RELIEF REQUESTED - Case No. 02-491-SPHA

IF REQUESTED SPECIAL HEARING RELIEF IS GRANTED:

Southern Corner of existing dwelling <u>determined to be rear</u> of dwelling	Western Corner of existing dwelling <u>determined to be rear</u> of dwelling
Variance Necessary: a variance from BCZR § 1A08.6.B.5.a (3) to permit the southern corner of the existing home to be located 43 feet from the reconfigured rear lot line	Variance Necessary: a variance from BCZR § 1A08.6.B.5.a (3) to permit the existing home to be located 42 feet from the proposed line of division/ lot line

IF REQUESTED SPECIAL HEARING RELIEF IS NOT GRANTED:

Southern Corner of existing dwelling <u>determined to be rear</u> of dwelling	Western Corner of existing dwelling <u>determined to be rear</u> of dwelling
Variance Necessary: a variance from BCZR § 1A08.6.B.5.a (3) to permit the southern corner of the existing home to be located 18 feet from the existing rear lot line	No Variance Necessary





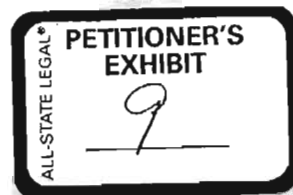
A

1. At existing driveway, northwesterly on Dunk Freeland Road.



B

2. At existing driveway northeasterly across Dunk Freeland Road.





C

3. At existing driveway Southeasterly on Dunk Freeland Road.



D

4. Northeast elevation (front) of #21422 Dunk Freeland Road.



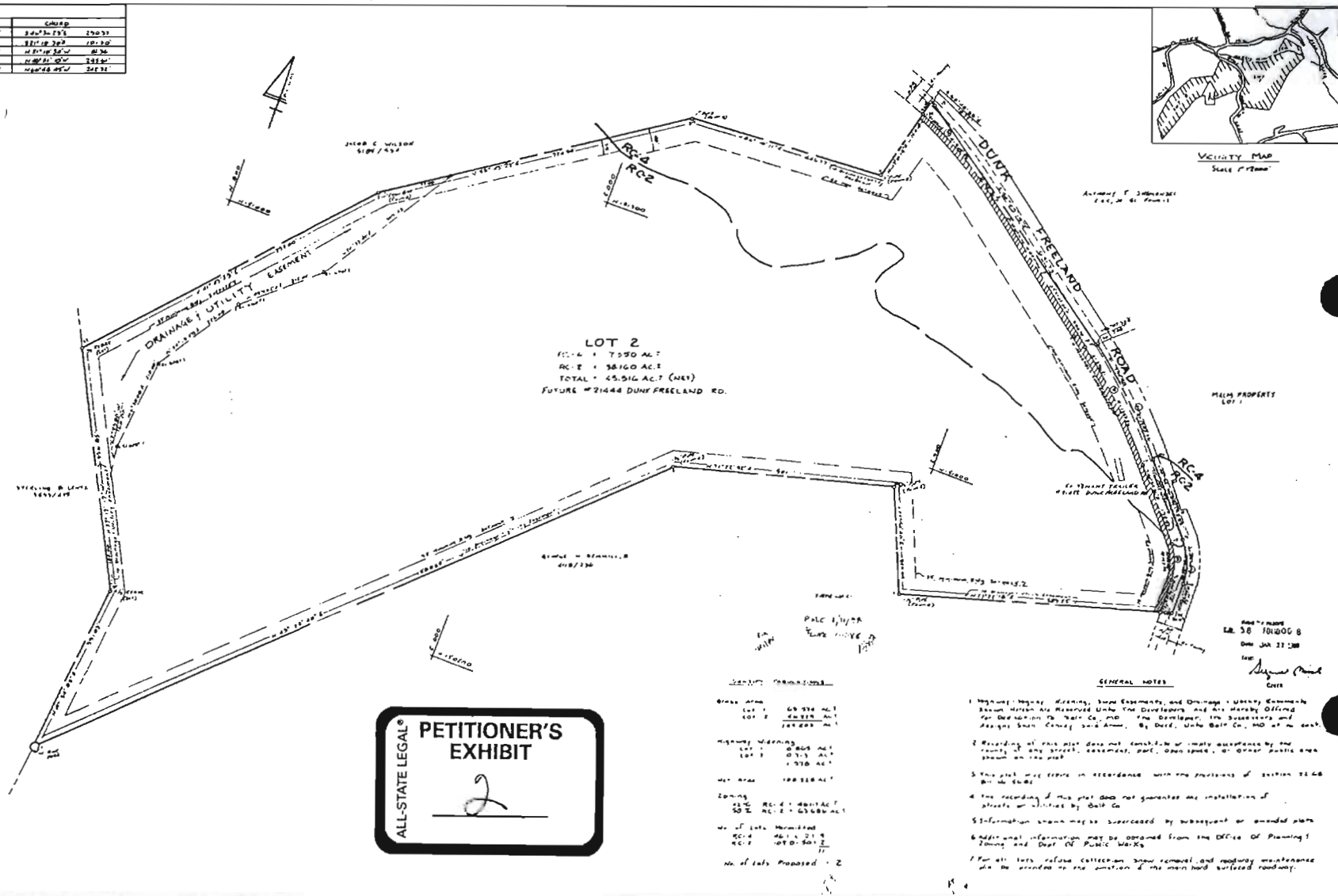
5. South elevation #21444 Dunk Freeland Road.



6. View from #21444 towards Dunk Freeland Road.

NO.	Station	Distance	Angle	Bearing	Course
1	100+00	100.00	90°00'00"	S 0°00'00" W	100.00
2	100+00	100.00	90°00'00"	S 0°00'00" W	100.00
3	100+00	100.00	90°00'00"	S 0°00'00" W	100.00
4	100+00	100.00	90°00'00"	S 0°00'00" W	100.00
5	100+00	100.00	90°00'00"	S 0°00'00" W	100.00

NO.	NORTH	EAST / WEST
1	100000.000	0.000
2	100000.000	0.000
3	100000.000	0.000
4	100000.000	0.000
5	100000.000	0.000
6	100000.000	0.000
7	100000.000	0.000
8	100000.000	0.000
9	100000.000	0.000
10	100000.000	0.000
11	100000.000	0.000
12	100000.000	0.000
13	100000.000	0.000
14	100000.000	0.000
15	100000.000	0.000
16	100000.000	0.000
17	100000.000	0.000
18	100000.000	0.000
19	100000.000	0.000
20	100000.000	0.000
21	100000.000	0.000



ALL-STATE LEGAL
PETITIONER'S
EXHIBIT
2

General Notes
1. Highway, Water, Sewer, Gas, and Electric Lines shown on this map are shown for information only and are not to be construed as a guarantee of their location or depth. The Developer, the Surveyors and Designated Surveying Firm shall be responsible for the location and depth of all utilities shown on the map.
2. Recording of this map does not constitute an express or implied warranty by the Surveyors or the Designated Surveying Firm as to the accuracy of the map or the location of the boundaries shown on the map.
3. This map was prepared in accordance with the provisions of Section 28-66 of the Code of Baltimore.
4. The recording of this map does not constitute an installation of streets or utilities by the City of Baltimore.
5. Information shown on this map may be superseded by subsequent or amended plans.
6. Additional information may be obtained from the Office of Planning and Zoning and Dept. of Public Works.
7. For all lots, refuse collection, snow removal, and roadway maintenance shall be provided to the satisfaction of the main road abutting roadway.

NOTE THE STREETS AND/OR ROADS SHOWN HEREON ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THEIR LOCATION OR DEPTH. THE SURVEYOR'S RESPONSIBILITY IS TO SHOW THE LOCATION OF THE STREETS AND/OR ROADS SHOWN HEREON AS THEY EXIST AT THE TIME OF THE SURVEY. THE SURVEYOR'S RESPONSIBILITY IS NOT TO GUARANTEE THE LOCATION OR DEPTH OF THE STREETS AND/OR ROADS SHOWN HEREON.

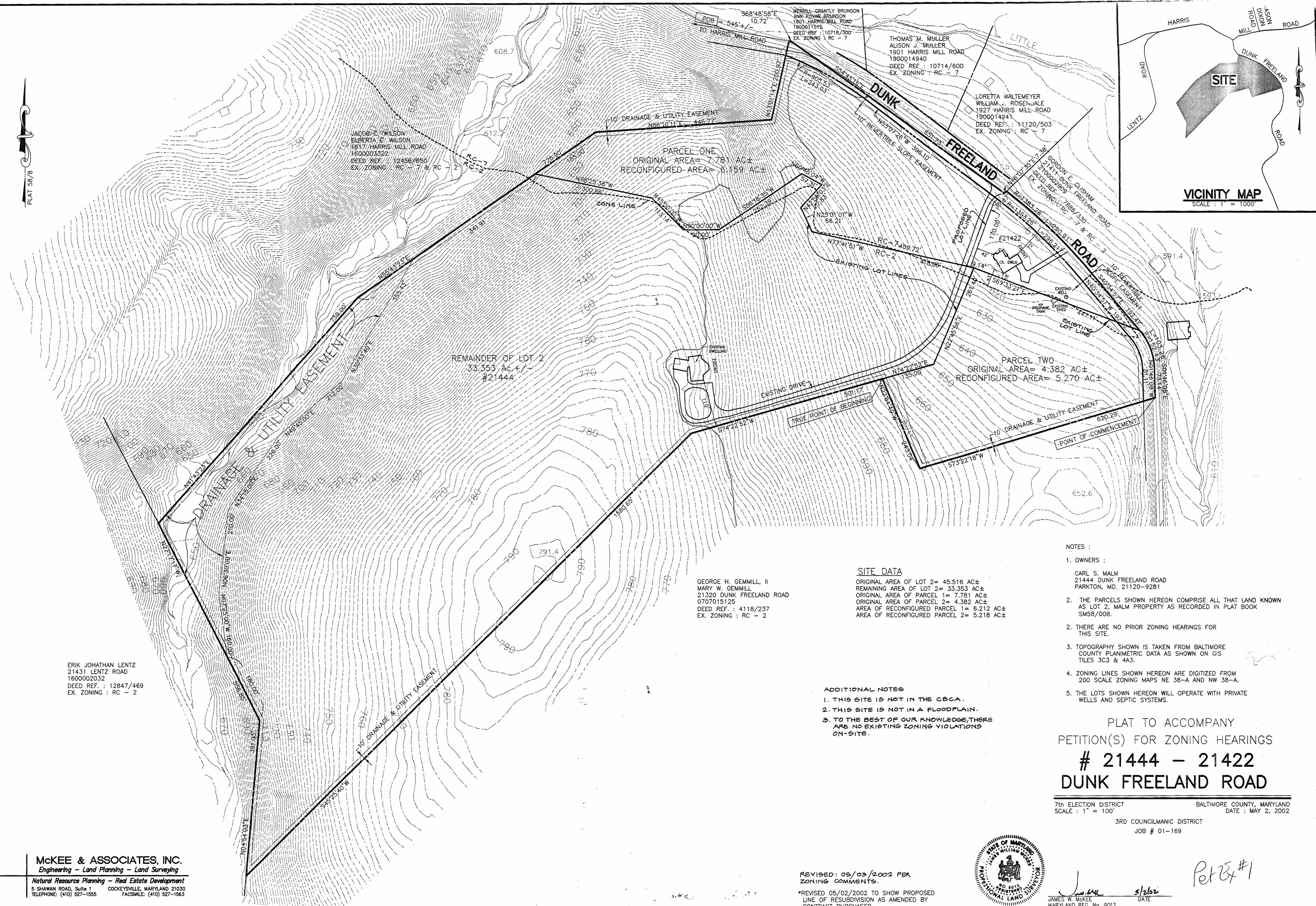
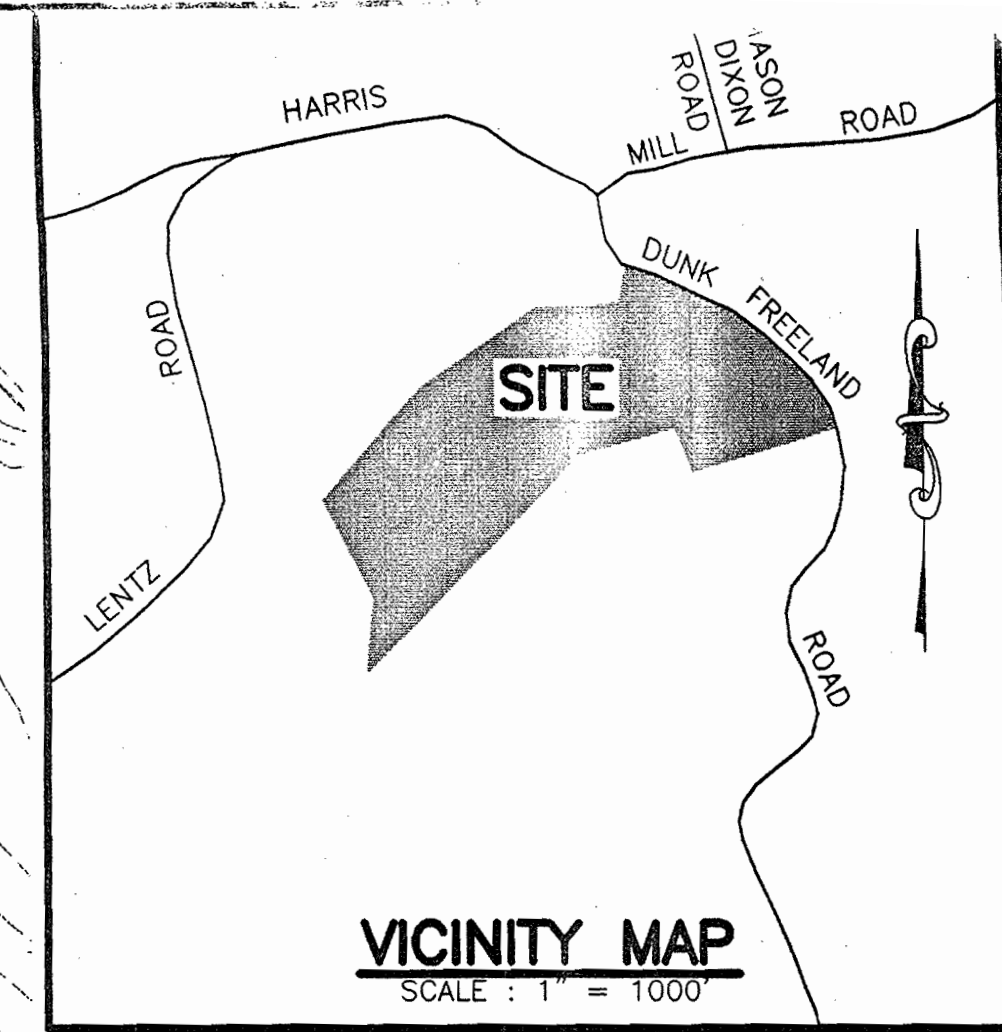
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APPROVED BY BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
DIRECTOR
EUGENE S. STUM
PROFESSIONAL LAND SURVEYOR
100000.000
100000.000
100000.000

SUBDIVISION PLAT
MALM PROPERTY
LOT 2
CARL BETTY NELSON MALM
2000 DUNE FREELAND RD, BALTIMORE, MD
BALTIMORE COUNTY, MD
DECEMBER 2, 1987
MSA 44-1236-5697

PLAT 58/8



ERIK JOHATHAN LENTZ
21431 LENTZ ROAD
1600002032
DEED REF. : 12847/469
EX. ZONING : RC - 2

GEORGE H. GEMMILL, II
MARY W. GEMMILL
21320 DUNK FREELAND ROAD
0707015125
DEED REF. : 4118/237
EX. ZONING : RC - 2

SITE DATA
ORIGINAL AREA OF LOT 2 = 45.516 AC±
REMAINING AREA OF LOT 2 = 33.353 AC±
ORIGINAL AREA OF PARCEL 1 = 7.781 AC±
ORIGINAL AREA OF PARCEL 2 = 4.382 AC±
AREA OF RECONFIGURED PARCEL 1 = 6.212 AC±
AREA OF RECONFIGURED PARCEL 2 = 5.218 AC±

- NOTES :**
- OWNERS :
CARL S. MALM
21444 DUNK FREELAND ROAD
PARKTON, MD. 21120-9281
 - THE PARCELS SHOWN HEREON COMPRISE ALL THAT LAND KNOWN AS LOT 2, MALM PROPERTY AS RECORDED IN PLAT BOOK SM58/008.
 - THERE ARE NO PRIOR ZONING HEARINGS FOR THIS SITE.
 - TOPOGRAPHY SHOWN IS TAKEN FROM BALTIMORE COUNTY PLANIMETRIC DATA AS SHOWN ON GIS TILES 3C3 & 4A3.
 - ZONING LINES SHOWN HEREON ARE DIGITIZED FROM 200 SCALE ZONING MAPS NE 38-A AND NW 38-A.
 - THE LOTS SHOWN HEREON WILL OPERATE WITH PRIVATE WELLS AND SEPTIC SYSTEMS.

- ADDITIONAL NOTES**
- THIS SITE IS NOT IN THE CBCA.
 - THIS SITE IS NOT IN A FLOODPLAIN.
 - TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING ZONING VIOLATIONS ON-SITE.

PLAT TO ACCOMPANY
PETITION(S) FOR ZONING HEARINGS
21444 - 21422
DUNK FREELAND ROAD

7th ELECTION DISTRICT
SCALE : 1" = 100'
BALTIMORE COUNTY, MARYLAND
DATE : MAY 2, 2002
3RD COUNCILMANIC DISTRICT
JOB # 01-169



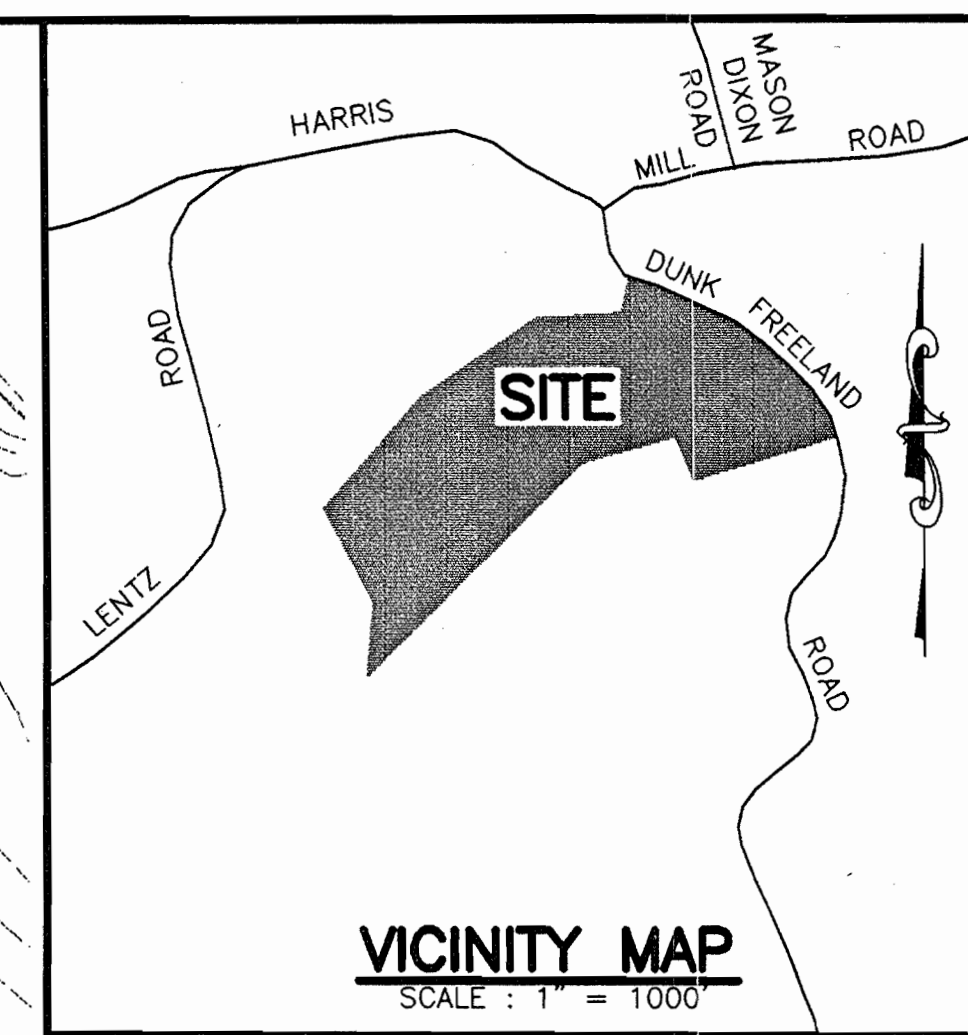
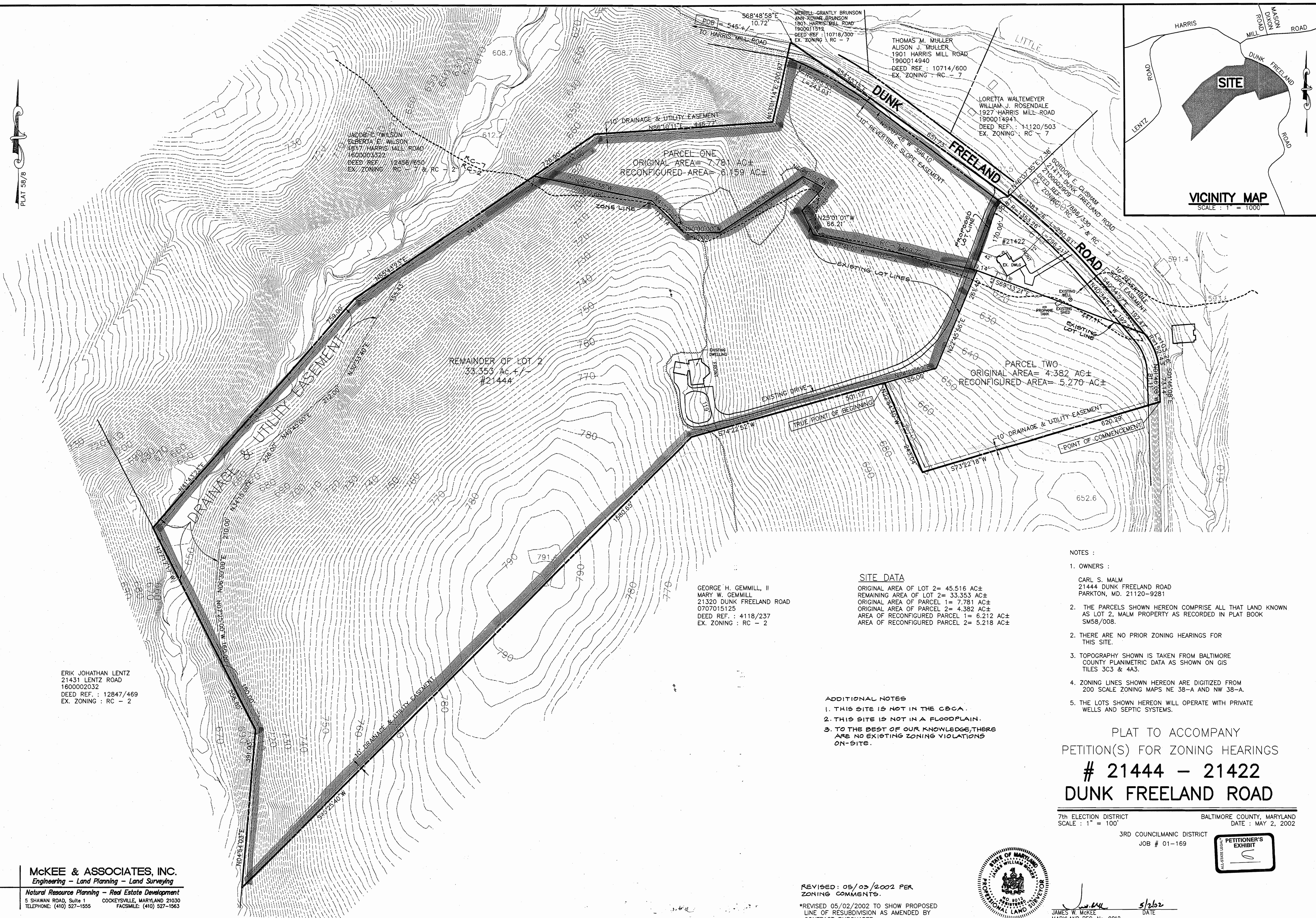
REVISED: 05/03/2002 PER ZONING COMMENTS.
*REVISED 05/02/2002 TO SHOW PROPOSED LINE OF RESUBDIVISION AS AMENDED BY CONTRACT PURCHASER.

JAMES W. MCKEE
MARYLAND REG. No. 9012
5/2/02
DATE

McKEE & ASSOCIATES, INC.
Engineering - Land Planning - Land Surveying
Natural Resource Planning - Real Estate Development
5 SHAWAN ROAD, Suite 1
COCKEYSVILLE, MARYLAND 21030
TELEPHONE: (410) 527-1555
FACSIMILE: (410) 527-1563

Plat #1

2-491-CDN



ERIK JOHATHAN LENTZ
21431 LENIZ ROAD
1600002032
DEED REF.: 12847/469
EX. ZONING: RC - 2

REMAINDER OF LOT 2
33.353 AC ±
#21444

PARCEL ONE
ORIGINAL AREA= 7.781 AC±
RECONFIGURED AREA= 6.759 AC±

PARCEL TWO
ORIGINAL AREA= 4.382 AC±
RECONFIGURED AREA= 5.270 AC±

GEORGE H. GEMMILL, II
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REVISED: 05/02/2002 PER ZONING COMMENTS.
*REVISED 05/02/2002 TO SHOW PROPOSED LINE OF RESUBDIVISION AS AMENDED BY CONTRACT PURCHASER.



JAMES W. MCKEE
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7th ELECTION DISTRICT
SCALE: 1" = 100'

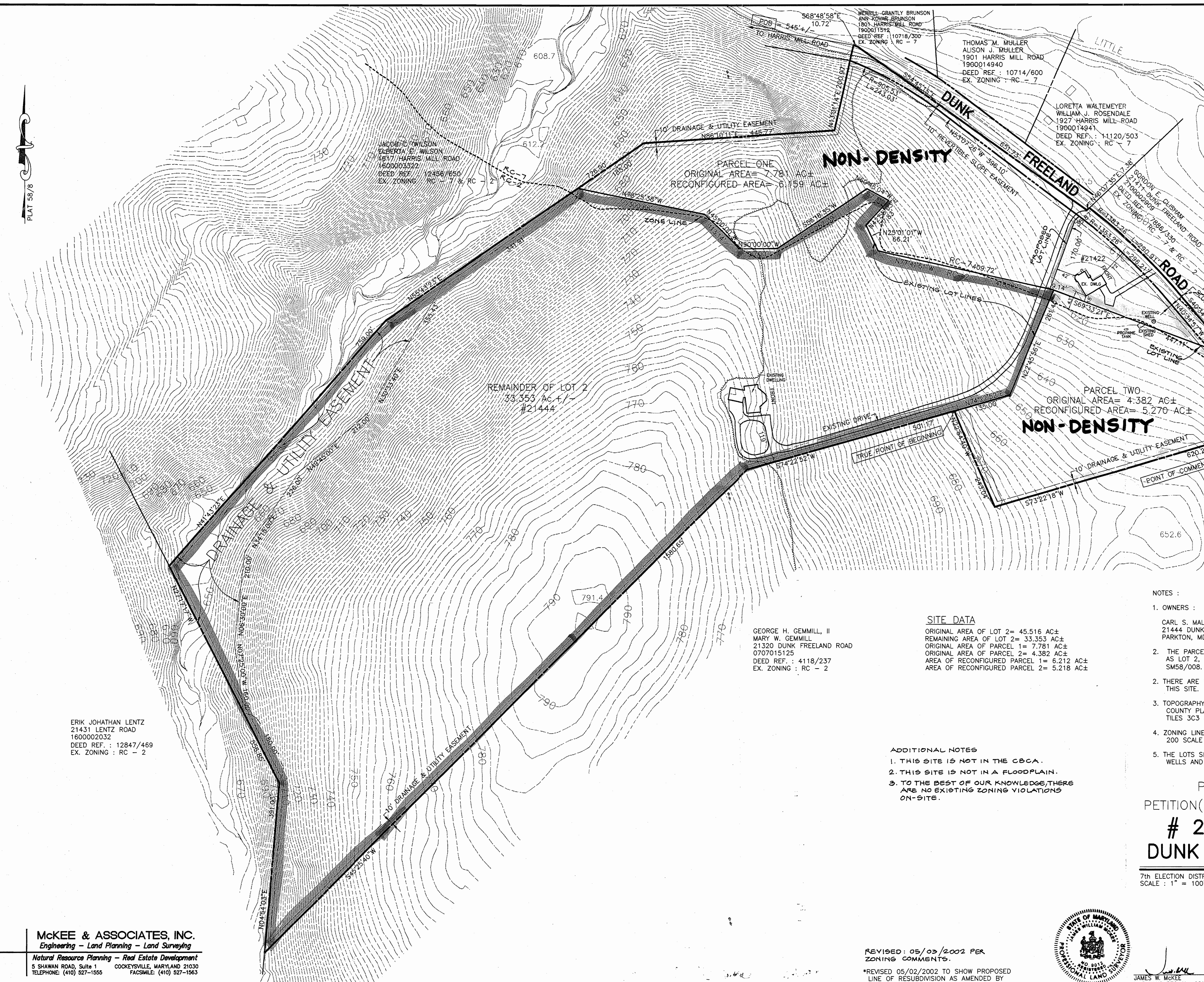
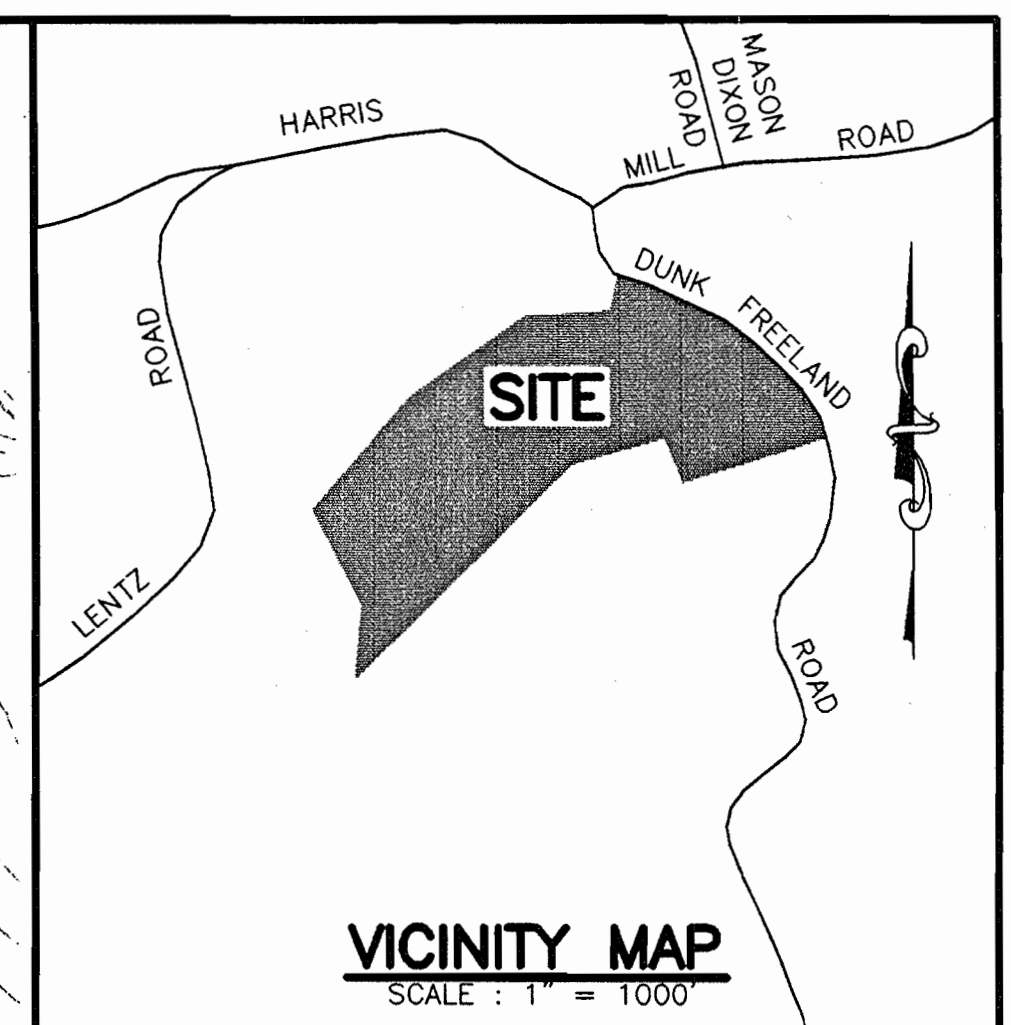
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3RD COUNCILMANIC DISTRICT
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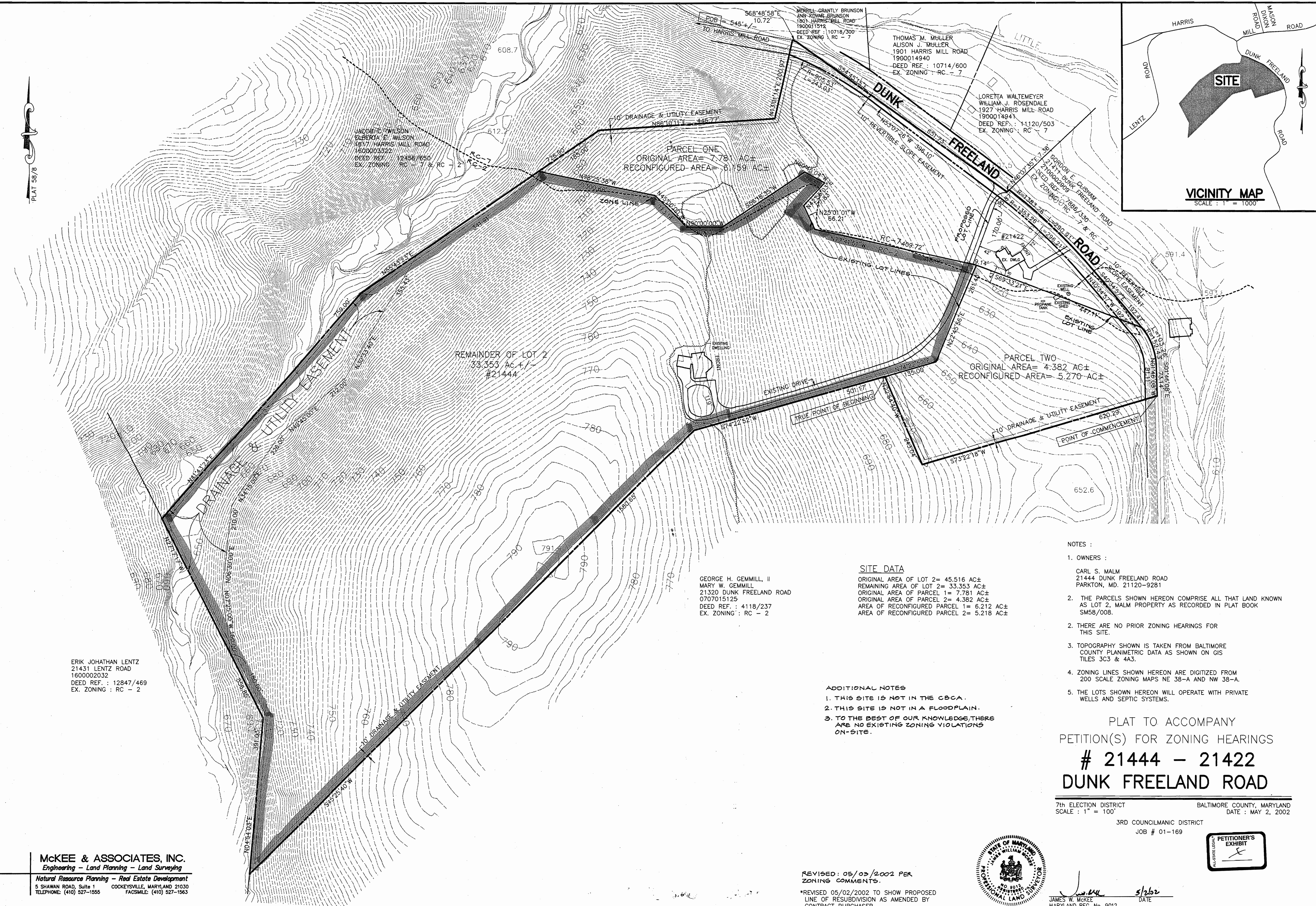
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