

IN RE: PETITION FOR SPECIAL HEARING

W/S Long Green Pike, 800' S centerline of Patterson Road 11th Election District 6th Councilmanic District

(S/S of Long Green Pike, approx.)

1700' E of Patterson Road)

Carolyn M. Howard, et al. **Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER *

OF BALTIMORE COUNTY

CASE NO. 03-232-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by a large group of property owners who, for the purpose of this hearing, have come to be known as the "Kelly Family", involving property located on the south side of Long Green Pike, approximately 1,700 ft. east of Patterson Road. The subject property is zoned R.C.2. The special hearing request is to approve a reconfiguration of the R.C.2 lots with no change in overall density in the nature of a non-density transfer as shown on the site plan filed along with the petition for special hearing. In addition, the Petitioners are requesting special hearing approval of a lot line adjustment as a limited exemption from the development, review and approval process under Section 26-171(a)(9) of the Baltimore County Development Regulations.

Appearing at the hearing on behalf of the special hearing request were what appeared to be most, if not all, of the entire Kelly family, whose names appear on the Petitioners' Sign-In Sheet. Appearing as interested citizens in the matter were Charlotte Pine and Carol Shaw, attending as individuals, as well as on behalf of the Long Green Valley Association. The Petitioners were represented by Scott Barhight and Dino La Fiandra of Whiteford, Taylor & Preston and Ms. Pine and Ms. Shaw were represented by J. Carroll Holzer, attorney at law.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 57.52 acres, more or less, zoned R.C.2. The property is located in the Long Green Valley on the West Side of Long Green Pike, opposite St. John's School and Church. The property has been in the Kelly family for many generations. As stated previously, most, if not all, of the Kelly family members who have an interest in this matter were present at the hearing before me. In an effort to settle an estate between the heirs, the members of the Kelly family have reached an agreement as to how their property holdings should be divided amongst themselves. The end result of their negotiations are more particularly shown on Petitioners' Exhibit No. 2, a colorized version of the site plan submitted into evidence.

As is shown on the plan, some of the Kelly family members' own homes are situated along Long Green Pike. The goal of these family members was to divide the total acreage of the Kelly farm and to make those lands contiguous to those existing houses located along Long Green Pike.

As the site plan indicates, the family members are seeking approval to set aside two 3-acre lots of record in the names of Carolyn M. Howard and Mary C. Reahl Jones, et al. which two lots are situated close to and take access from Patterson Road. These two lots of record would be building lots whereupon houses are proposed to be located. The owners also propose to install sand mound septic systems for those lots. These sand mound systems were of great concern to the Long Green Valley Association, as the testimony of Ms. Pine demonstrated

In addition, the family is proposing to set aside a 15.43-acre parcel of property in the name of Thomas N. Kelly, Sr. and Elizabeth Kelly, which parcel is shaded in purple on the site plan submitted; a 18.02-acre parcel of property set aside in the name of Martin T. Kelly and Marshal A. Kelly, which lands are highlighted in green on the site plan submitted; and finally, a 17.83 acre parcel of property in the name of J. Edward Kelly, Jr. and Margaret E. Kelly, which land is highlighted in a rose color on the site plan. As can be seen by reviewing the site plan, the properties, in an effort to allow single ownership as one lot of record, have been interconnected



by way of narrow fee simple strips of land which shall not be considered panhandles, but rather fee simple strips to afford these family members unrestricted access to their property for farm vehicles or other means of access.

As was testified to at the hearing, these family members have gone to great lengths to reach an agreement on how their property should be divided. Given the great numbers of individuals involved, this was no easy task and the family should be commended for their efforts. They have also gone to great lengths to preserve the integrity of the agricultural features associated with these lands. They submitted into evidence several petitions signed by surrounding neighbors and others in the Long Green Valley, all of whom show their strong support for the Kelly family and their efforts to keep these lands in their family name.

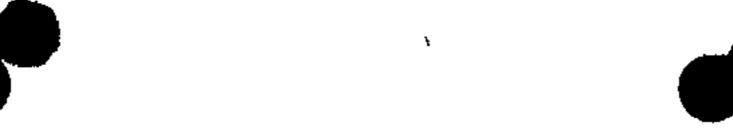
As stated previously, Ms. Charlotte Pine and Ms. Carol Shaw appeared as interested citizens in the matter. Testimony from Ms. Pine, as well as the comments made by her attorney, J. Carroll Holzer, was that the Long Green Valley Association will continue to work with the Kelly family in an attempt to enter into a private covenant agreement regarding the future use of the property involved in this special hearing request. The parties are close to resolving their differences and hope to do so in the near future. However, they have asked that my decision proceed in its normal course and that they would finalize their agreements sometime after my decision is issued.

Ms. Pine did testify at the hearing regarding the concerns that she has over this project. She and her associations are concerned over the installation of sand mound septic systems on the two building lots proposed along Patterson Road. She does not believe that sand mound systems are appropriate for the initial construction of homes on unimproved lots. While I can appreciate the concerns raised by Ms. Pine regarding these sand mound systems, I find that such concerns are not a reason for denying the special hearing request before me. The special hearing request is

regarding these proposed sand mound systems is one that is to be considered during the building permit phase for any home that is proposed to be constructed on these two new lots. In the event that a sand mound system is not an appropriate sewage disposal system, then the Department of Environmental Protection & Resource Management (DEPRM) shall decline to sign a building permit for the construction of a home on that property. I am confident that this issue will receive a full and extensive review by DEPRM at the time a building permit application is processed. Therefore, I believe it is not an appropriate issue to deny this special hearing request and the matter should proceed forward.

In addition to the concerns over the sand mound systems, Ms. Pine is also concerned that the reconfiguration of lot lines would diminish the agricultural use of the property. She is concerned that new homes may be constructed in the open farm fields or that other non-residential structures may be built in areas that would impede the use of the property for agriculture. This is a legitimate concern that warrants the imposition of a condition and restriction upon this approval.

Ms. Pine was also opposed to any request to change the zoning of these properties from R.C.2 to R.C.5 by any of the Petitioners herein. This particular concern involves a completely separate process from the special hearing request before me. Changing the property's zoning classification to R.C.5 would require the approval of the County Council, through the Comprehensive Rezoning Process. If such request were to be made, Ms. Pine, as well as the Long Green Valley Association, could participate and oppose such a request at that time. Therefore, it is not sufficient to impose a restriction at this point, given that proper safeguards are in place to allow community input if such request is made in the future.



Lastly, Ms. Pine was concerned over the use of a 2-acre parcel, which was granted from the Kelly family to the St. John's Catholic Church. That 2-acre parcel is shown in the center of the Kelly family's land holdings. In the course of conveying that property to the Catholic Church, the Kelly family retained certain rights to the property. These rights may become effective at some future date in the event the church ever abandons the property or causes it to revert to the Kelly family. Therefore, Ms. Pine asks that any conditions and restrictions that apply to the remainder of the Kelly family property also apply to any revertible interest in the 2-acre parcel currently owned by the Catholic Church.

After considering the testimony and evidence offered at the hearing by members of the Kelly family, as well as Ms. Pine, I find that the special hearing request to approve the reconfiguration of the R.C.2 lots, as depicted on Petitioners' Exhibit No. 2, the site plan submitted into evidence, should be granted and the newly configured lots approved.

It is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the Baltimore County Zoning Regulations.

The second part of the special hearing request involves the approval of a limited exemption from the development review and approval process pursuant to Section 26-171(a)(9) of the Baltimore County Development Regulations. I do not believe it is appropriate to grant that part of the special hearing request. The Petitioners should seek approval of a limited exemption through the Development Review Committee and not through this office.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 30 day of April, 2003, that the Petitioners' Special Hearing request to approve the reconfiguration of R.C.2 lots with no change in overall density in the manner depicted on Petitioners' Exhibit No. 2, the site plan submitted into evidence, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the requested approval of the limited exemption from the development review and approval process under Section 26-171(a)(9) of the Baltimore County Development Regulations, be and is hereby DISMISSED.

IT IS FURTHER ORDERED, that the approval of the special hearing request is subject to the following conditions and restrictions:

- 1. The Petitioners herein shall be prohibited from relocating their existing dwellings from their current locations out into the open fields associated with their new lots. The only new residential dwellings to be constructed on this property shall be on the two 3-acre lots shown along Patterson Road.
- 2. The Petitioners may be permitted to construct non-residential, agricultural related buildings out in the open fields of this property only after elevation drawings for the structures are submitted to the Office of Planning for review and approval and all other building and permit regulations are satisfied.

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



IN RE:

PETITION FOR SPECIAL HEARING

W/S Long Green Pike, 800' S Centerline of Patterson Road

11th Election District 6th Councilmanic District

Carolyn M. Howard, et al., Petitioners

BEFORE THE

DEPUTY ZONING

COMMISSIONER

OF

*

BALTIMORE COUNTY

Case No. 03-232-SPH

NOTICE OF APPEAL

Appellants, Long Green Valley Association, Inc., Charlotte Pine, President, and individuals Charlotte Pine, Carol Shaw and Carol Trela by and through their attorney, J. Carroll Holzer and Holzer and Lee, feeling aggrieved by the decision of the Deputy Zoning Commissioner in the above captioned case, hereby appeal to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated April 30, 2003, attached hereto, and incorporated herein as Exhibit #1.

Filed concurrently with this Notice of Appeal is a check made payable to Baltimore County to cover the costs of the appeal. Appellants were parties below and fully participated in the proceedings.

Respectfully submitted

J. Carroll Holzer

Holzer & Lee

508 Fairmount Avenue

Towson, Maryland 21286

410-825-6961

Attorney for Appellants

LAW OFFICE OLZER AND LEE HE 508 BUILDING FAIRMOUNT AVENUE OWSON MARYLAND 21286

(410) 825-6961 AX (410) 825-4923 RECEIVED

MAY 0 8 2003 Per. kh



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of May, 2003, a copy of the foregoing Notice of Appeal was mailed first class, postage pre-paid to Dino LaFiandra, Esquire, Whiteford, Taylor and Preston, 210 W. Pennsylvania Ave., 4th Floor, Towson, MD 21204; the County Board of Appeals, Basement Old Court House, 400 Washington Ave., Towson, MD 21204, and People's Counsel for Baltimore County, Basement, Old Courthouse, 400 Washington Ave., Towson, MD 21204.

J. Carroll Holzer

IN THE MATTER OF	* BEFORE THE ZO	ONING	
13342, 13330 & 13338 Long Green Pike W/Side of Long Green Pike South of Centerline of Patterson Road	* COMMISSIONE	R OF	i !
(Kelly Property) 11 th Election District	* BALTIMORE CO	DUNTY	t i
6th Councilmanic District	* Case No. <u>03-232-S</u>	<u>PH</u>	;
* * * * *	* * * *	* *	*
	SUBPOENA	- - -	[- -
Please process in accordance with Zo	oning Commissioner Rule	IV (c).	
TO: Wally Lippincott, DEPRM		- · · (-)·	; ;
TO. Wany Dippincon, DEI MI			; 1
YOU ARE HEREBY COMMANDED TO: (X) Personally appear and produce documents or obje	Personally appear; () Produce cts;	documents and or object	ects only; ()
at Room 106, County Office Bldg., Towson (Place where attendance is required)		- - -	1
on <u>Thursday</u> the 24th day of <u>April</u> , 2003 at <u>9:00 a.m.</u> for such wir Zoning Commissioner.	tness' testimony and continuing	ng thereafter as detern	nined by the
YOU ARE COMMANDED TO produce	the following documents or of	bjects:	ì •
Personal Appearance only required		÷	i
J. Carroll Holzer, 508 Fairmount Ave., Towson			i.
(Name of Party or Attorney, Address and Phone N	number requesting subpoena)	1 still	i 1 1
Date: 4/23/03	Zoning Commission	er :	1
SHEI	RIFF'S RETURN		!
()- Served and copy delivered on date indicated be ()- Unserved, by reason of	elow.	*	· · · · · · · · · · · · · · · · · · ·
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REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

S/S of Long Green Pike approx. for the property located at 1700' E of Patterson Road. which is presently zoned <u>RC-12</u>

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

Please 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.

Legal Owner(s): Contract Purchaser/Lessee: N/A Please see attached. Name - Type or Print Name - Type or Print Signature Signature Name - Type or Print Address Telephone No. Zip Code City Signature State Attorney For Petitioner: Telephone No. Address Dino C. La Fiandra, Esquire Name - Type or Print State City Zip Code Representative to be Contacted: Signature Whiteford, Taylor & Preston L.L.P. Dino C. La Fiandra, Esquire Company Name 410-Pennsylvania Ave., 4th Fl. 832-2000 Penna. Ave. 4th F1 410-832-2000 Address Telephone No. Address Telephone No. 21204 21204 Zip Code MD Towson City City CIM. State State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 03-732-5PL UNAVAILABLE FOR HEARING Date 11/14/02

Petition for Special Hearing

Continuation Sheet 57.37± Acres, S/S of Long Green Pike approx. 1700' E of Patterson Road

Relief Requested:

Approval of a reconfiguation of RC-2 lots, with no change in overall density (in the nature of a non-density transfer), as shown on the plan to accompany the Petition for Special Hearing.

Approval of a lot line adjustment for the properties involved, as a limited exemption from the development review and approval process under § 26-171(a)(9) of the Baltimore County Development Regulations.

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Petition for Special Hearing

Continuation Sheet

57.37± Acres, S/S of Long Green Pike approx. 1700' E of Patterson Road

Legal Owners

As to 13342 Long Green Pike, consisting of 2 lots:
Carolyn M. Howard
lacktriangledown
13330 Long Green Pike
Hydes, MD 21082
410-592-7117
Mary C. Reahl Jones
Mary C. Meani Jones
634 East Patapsco Avenue
Baltimore, MD 21255
410-354-1472
Thomas n- Kell
Thomas N. Kelly
13330 Long Green Pike
Hydes, MD 21082
410-592-7117
\sim
Jarof J. Symman
Sarah A. Furman
15511 Cascading Brook Way
Cypress, TX 77429
281-373-0080
•
Morrant stone
Margaret Kopp Margaret Kopp
2123 High Point Rd

Ruth E. Sudia Dillinger

3 Longbottom Court

Kingsville, MD 21087

410-592-9176

Forest Hill, MD 21050

410-879-6695

#11/14/02

Joseph Edward Kelly, Jr.
13342 Long Green Pike
Hydes, MD 21082
410-592-6423

Martin T. Kelly
13338 Long Green Pike
Hydes, MD 21082
410-354-1472

As to 13330 Long Green Pike:

Thomas N. Kelly

13330 Long Green Pike

Hydes, MD 21082

410-592-7117

Elizabeth Bruley Kelly

13330 Long Green Pike

Hydes, MD 21082

410-592-7117

As to 13338 Long Green Pike:

Martin T. Kelly

13338 Long Green Pike

Hydes, MD 21082

410-354-1472

Markha A. Kelly

13338 Long Green Pike

Hydes, MD 21082

410-354-1472

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As to 13342 Long Green Pike:

Joseph Edward Kelly, Jr. 13342 Long Green Pike

Hydes, MD 21082

410-592-6423

Margaret/E. Kelly

13342 Long Green Pike

Hydes, MD 21082

410-592-6423

As to the Patterson Road Parcel, E/S Patterson Road 300' S of Long Green Pike:

Bernard C. Kelly and Alice L. Kelly Revocable Trust

Aaron B. Kelly, Trustee

13428 Long Green Pike

Hydes, MD 21082

410-592-6714

258088

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Case No. 03-232-SPH

In the Matter of: Carolyn M. Howard, et al

SPH – To approve reconfiguration of RC 2 lots with no change in overall density in nature of a non-density transfer; approval of lot line adjustment from development, review and approval process under § 26-171(a)(9) of development regulations.

4/30/03 – D.Z.C.'s Order in which Petition for Special Hearing was GRANTED subject to restrictions.

8/12/03 - Notice of Assignment sent to following; assigned for hearing on Wednesday, November 5, 2003, at 10 a.m.:

J. Carroll Holzer, Esquire
Long Green Valley Association
and Individually: Charlotte Pine
Carol Shaw

Carol Trela
Dino LaFiandra, Esquire
G. Scott Barhight, Esquire
Carolyn M. Howard, et al
Mary C. Reahl Jones, et al
Thomas and Elizabeth Kelly, et al
Martin K. Kelly, et al
Aaron B. Kelly, Trustee, et al
William C. Winkler
John T. Vance III
People's Counsel for Baltimore County
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

11/05/03 – Board convened for hearing (Stahl, Marks, Worrall); completed case this date; verified exhibits (Petitioner's #6 to be provided by Petitioner within 10 days); memos due from parties on 12/05/03; deliberation on 1/27/04. Notice to be sent.

11/06/03 – Notice of Deliberation sent to parties; assigned for Tuesday, January 27, 2004 at 9:30 a.m., FYI copy to 2-5-3.

11/13/03 – Letter from Dino LaFiandra, Esquire – deeds obtain from Balto Co Land Records; entered at hearing as Exhibits 6A, 6B, 6C and 6D. Included with file exhibits.

12/03/03 – Letter of withdrawal of petition filed by Dino C. LaFiandra, Esquire on behalf of Petitioners. Copy received early a.m. via FAX and by hand-delivery; no further action to be taken by the Board; deliberation to be pulled from the schedule and Order of Dismissal of Petition to be issue (to be signed by 2-5-3).

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Civil Engineers • Land Surveyors • Landscape Architects
Planners • Geotechnical Engineers • Environmental Engineers

September 30, 2002

CNA Job No.: 01052

ZONING DESCRIPTION FOR 13342 LONG GREEN PIKE ELEVENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the westerly side of Long Green Pike at a distance of approximately 800 feet south of the centerline of Patterson Road, said point also being at the easterly most corner of lot 2 as shown on a plat entitled "Kelly Brothers' Knoll" dated 4 August 1972 and recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. 36 folio 16, running thence and binding on the northwesterly side of Long Green Pike and on the southeasterly side of the aforesaid lot 2 with the bearings herein being referred to the bearings in a deed from The Gralan Company to Carrolyn M. Howard, Mary C. Reahl Jones, Thomas N. Kelly, Sarah A. Furman, Margaret Kopp, Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr. and Martin T. Kelly dated 11 March 1991 and recorded among the aforesaid Land Records in Liber 8745 folio 417;

- South 25°13'57" West 149.85 feet, running thence and leaving the northwesterly side of said Long Green Pike and binding on the division line between lots 1 and 2;
- North 68°00'00" West 356.85 feet, running thence and binding on the northwesterly outline of the aforesaid lot 1 and binding also binding reversely on the 3rd or North 21°28'32" East 900.72 foot line of that tract of land conveyed by and described in a deed from Bernard C. Kelly and Alice L. Kelly to Bernard C. Kelly, Alice L. Kelly, Aaron B. Kelly, Trustees of the Bernard C. Kelly Revocable Trust, Alice L. Kelly, Bernard C. Kelly, Aaron B. Kelly, Trustees of the Alice L. Kelly Revocable Trust, dated 16 June 1992 and recorded among the aforesaid Land Records in Liber 9253 folio 633;
- South 21°28'32" West 150.00 feet, running thence and binding on the southwesterly outline of the aforesaid lot 1;
- South 68°02'49" East 387.71 feet to a point in or near the center of Long Green Pike, running thence and binding on or near the center of said Long Green Pike and binding reversely on the 7th or North 30°32' East 329.45 foot line of that parcel of land conveyed by and described in a deed from Thomas Nicholas Kelly to Martin T. Kelly and Martha T. Kelly, his wife, dated 26 October 1981 and recorded among the aforesaid Land Records in Liber 6338 folio 128;

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- South 22°14'40" West 220.66 feet to the beginning of the 2nd or South 31°49' West 100.00 foot line of that parcel of land conveyed by and described in a deed from Thomas Nicholas Kelly, Sr. to Thomas Nicholas Kelly, Sr. and Elizabeth Bruley Kelly, his wife, dated 13 December 1983 and recorded among the aforesaid Land Records in Liber 6338 folio 417, running thence and binding on the 2nd through the 5th lines of said deed and binding also on or near the center of the aforesaid Long Green Pike the four following courses and distances;
- 6) South 23°31'40" West 100.00 feet;
- 7) South 31°03'40" West 100.00 feet;
- 8) South 40°02'40" West 100.00 feet, and;
- South 47°46'30" West 46.27 feet to the beginning of the 6th or South 55°00'17" West 140.90 foot line of the 2nd parcel of that tract of land conveyed by and described in a deed from The Gralan Company to Carrolyn M. Howard, Mary C. Reahl Jones, Thomas N. Kelly, Sarah A. Furman, Margaret Kopp, Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr. and Martin T. Kelly dated 11 March 1991 and recorded among the aforesaid Land Records in Liber 8745 folio 417, running thence and continuing to bind on or near the center of the aforesaid Long Green Pike and binding on the 6th through the 16th and part of the 1st lines of said deed the twelve following courses and distances;
- 10) South 55°00'17" West 140.90 feet;
- 11) South 62°58'31" West 496.13 feet, thence leaving Long Green Pike;
- 12) North 56°06'00" West 476.10 feet;
- 13) South 33°54'00" West 210.00 feet;
- South 56°06'00" East 378.00 feet, thence binding on or near the center of Long Green Pike;
- 15) South 40°18'37" West 195.43 feet;
- South 25°32'54" West 492.34 feet, thence leaving Long Green Pike;
- 17) North 54°35'43" West 1103.76 feet;
- 18) North 32°09'40" East 21.83 feet;
- 19) North 22°25'32" West 16.74 feet;
- 20) North 24°44'25" East 55.24 feet, and;
- North 22°07'46" East 712.17 feet to the end of the 6th or South 68°59'15" East 340.78 foot line of the 1st parcel of the aforesaid deed recorded in Liber 8745 folio 417, running thence and binding reversely on the 6th, 5th, 4th, 3rd, 2nd, 1st and part of the 7th lines of said deed the seven following courses and distances;
- 22) North 68°59'15" West 340.78 feet;
- North 21°12'54" East 1424.80 feet running thence and binding on or near the center of Patterson Road;
- 24) North 89°12'36" East 93.61 feet;
- 25) South 87°38'11" East 182.61 feet;
- South 83°09'31" East 69.00 feet, thence leaving Patterson Road;
- 27) South 20°21'41" West 1257.21 feet, and;

- South 22°07'41" West 72.00 feet to intersect the 2nd line of the 2nd parcel of the aforesaid deed recorded in Liber 8745 folio 417, running thence and binding on part of said line and binding also on part of the 2nd or South 88°44'21" East 1490.53 foot line of the 2nd parcel of that tract of land conveyed by and described in a deed from Bernard C. Kelly and Alice L. Kelly to Bernard C. Kelly, Alice L. Kelly, Aaron B. Kelly, Trustees of the Bernard C. Kelly Revocable Trust, Alice L. Kelly, Bernard C. Kelly, Aaron B. Kelly, Trustees of the Alice L. Kelly Revocable Trust, dated 16 June 1992 and recorded among the aforesaid Land Records in Liber 9253 folio 633;
- South 88°44'21" East 1474.55 feet, running thence for new lines of division through and across the land of which this parcel is a part the two following courses and distances:
- 30) North 21°28'32" East 426.15 feet, and:
- South 67°56'24" East 15.00 feet to the northwest corner of the aforesaid lot 2, running thence and binding on the northeasterly side of said lot 2;
- 32) South 67°56'24" East 366.67 feet to the point of beginning.

CONTAINING 2,506,823 square feet or 57.549 acres of land, more or less, as prepared from deeds and plats of record and not by a survey by Campbell & Nolan Associates, Inc., (CNA) in August 2002.

BEING COMPOSED OF THE FOLLOWING PARCELS OF LAND:

- 1. All of that parcel of land conveyed by and described in a deed from Sheila A. Martin to Joseph Edward Kelly, Jr. and Margaret E. Kelly, his wife dated 24 May 1972 and recorded among the Land Records of Baltimore County in Liber 5288 folio 389, being Lot 2 as shown on a plat entitled "Kelly Brothers' Knoll" dated 4 August 1972 and recorded among the aforesaid Land Records in Plat Book E.H.K., Jr. 36 folio 16.
- All of that parcel of land conveyed by and described in a deed from Thomas Nicholas Kelly to Martin T. Kelly and Martha A. Kelly, his wife, dated 26 October 1981 and recorded among the Land Records of Baltimore County in Liber 6338 folio 128.
- All of that parcel of land conveyed by and described in a deed from Thomas Nicholas Kelly, Sr. to Thomas Nicholas Kelly, Sr. and Elizabeth Bruley, his wife, dated 13 December 1983 and recorded among the Land Records of Baltimore County in Liber 6338 folio 417.
- 4. All of that tract of land conveyed by and described in a deed from The Gralan Company to Carrolyn M. Howard, Mary C. Reahl Jones, Thomas N. Kelly, Sarah A. Furman, Margaret Kopp, Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr. and Martin T. Kelly dated 11 March 1991 and recorded among the aforesaid Land Records in Liber 8745 folio 417.
- Part of that Tract of land conveyed by and described in a deed from Bernard C. Kelly and Alice L. Kelly to Bernard C. Kelly, Alice L. Kelly, Aaron B. Kelly, Trustees of the Bernard C. Kelly Revocable Trust, Alice L. Kelly, Bernard C. Kelly, Aaron B. Kelly, Trustees of the Alice L. Kelly Revocable Trust, dated 16 June 1992 and recorded among the aforesaid Land Records in Liber 9253 folio 633.

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HOTICE OF ZOMING HEARING

The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Hegulations of Battimore Lounty will hold a public hearing in Lowson, Marvielle on the property identified herein as follows:
Case: #03-232-SPH
13342, 13330, 13338 Long Green Pike
Wiside Long Pike 800 feet south of centerline Patterson Road
11th Election District — 6th Councilmanic District
Legal Owner(s): Cathy M. Howard, et al
Special Hearing: to permit the approval of a reconfiguration of RC-2 lots, with no change in overall density. To approve a lot line adjustment for the properties involved, as a limited exemption from the development review and ap-

proval process. Hearing: Friday, January 17, 2003 at 9:00 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.

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X The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter	THIS IS TO CERTIFY, that the annexed advertisement was publis in the following weekly newspaper published in Baltimore County, M once in each of
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LEGAL ADVERTISING

North County News

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No.

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BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

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DATE 5/8/03 ACCOUNT DOI-006-6150

AMOUNT \$ 300.00

RECEIVED FROM: J. Carrell Holyer

FOR: Oppeal

03-232-SPH

YELLOW - CUSTOMER

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JULITHMORE COUNTY, Maryland

CASHIER'S VALIDATION

APPEAL SIGN POSTING REQUEST

CASE NO.: 03-232-SPH

Carolyn M. Howard, et al - LEGAL OWNERS

S/s of Long Green Pike, approximately 1700' east of Patterson Road LOCATION: W/side Long Green Pike, 800' south centerline of Patterson Road

11th ELECTION DISTRICT

APPEALED: 5/8/2003

ATTACHMENT - (Plan to accompany Petition - Petitioner's Exhibit No. 1)

	CERTIFICATE OF POSTIN	G
•	Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204	
Attentic	on: Kathleen Bianco Administrator	
RE:	Case No.: 03-232-5PH	
	Petitioner/Developer:	
This is to located	to certify that the necessary appeal sign was posted conspict at: Long Green Pike	iously on the property
The sign	n was posted on 6/11,	2003
Ву:	(Signature of Sign Poster)	
-	GARY PREUND	
((Printed Name)	

CERTIFICATE OF OSTING

	RE: Case No.: 03-Z3Z-SPH
	Petitioner/Developer:
	Date of Hearing/Closing: 4/24/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Becky HART	
Ladies and Gentlemen:	
were posted conspicuously on the property lo	perjury that the necessary sign(s) required by law cated at 3338 Long Green Pine 2500 Ro- W. OF Long Green Pine).
The sign(s) were posted on	4/9/03 (Month, Day, Year)
SE # 03-232 SPH	Sincerely, Audit 19 4 19 103 (Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO 21047 (City, State, Zip Code) (410) 879-3127 (Telephone Number)

13342, 13330, 13338 Long GREEN POSTED A 19 (03) The Sulf GOM 4/4/03 1/21

•	RE: Case No.: 03-232-SP1
	Petitioner/Developer: CATHY M. HOWARID, at al So DINO LA FIANDRA
	Date of Hearing/Closing: 1/17/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Becky Hart	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perwere posted conspicuously on the property loc	······································
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The sign(s) were posted on	1/2/2003 (Month, Day, Year)
ASE# 0/3-237-8PH	Sincerely,
	15innoburg 05 Sinn Barton at 1/2/03
	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name)
	904 DELLWood DR. (Address)
	— /- Дисятом, Мо 21047 (City, State, Zip Code)
	(410) 879-31ZZ
	(Telephone Number)

PATTERSON RD. (SOUTHSIDE)
WEST OF LONG GREEN PIKE
POSTED 1/2/03
Thehal 2016 1/2/03

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

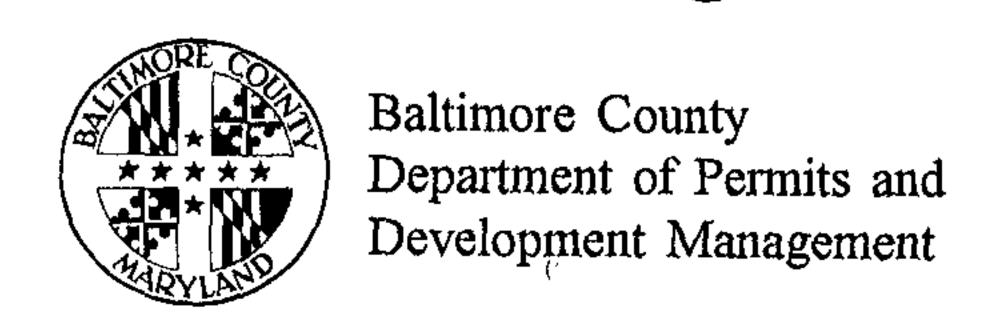
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

	A CONTRACTOR AND PARTY AND
For Newspaper Advertising:	
Item Number or Case Number: 03-232-SPH	
Petitioner: J. Edward Kelly, et al.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Petitioner: J. Edward Kelly, et al. Address or Location: Long Green P. Ke @ Patterson Road	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: DiNOC. La Frandra	
Address: Whiteford Taylor + Preston, 210 w. Pennsylvanio	LAue
Address: Whiteford Taylor + Preston, 210 w. Pennsylvanio Fourth Floor Towson MD 21264	
Telephone Number: 4(0-832-2000	

Revised 2/20/98 - SCU



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

December 10, 2002

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: 03-232-SPH

13342, 13330, 13338 Long Green Pike

W/side Long Pike 800 feet south of centerline Patterson Road

11th Election District – 6th Councilmanic District

Legal Owner: Cathy M. Howard, et al

Special Hearing to permit the approval of a reconfiguration of RC-2 lots, with no change in overall density. To approve a lot line adjustment for the properties involved, as a limited exemption from the development review and approval process.

Hearings:

Friday, January 17, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

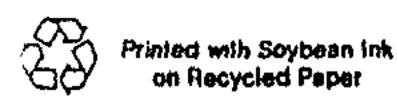
AJ:rlh

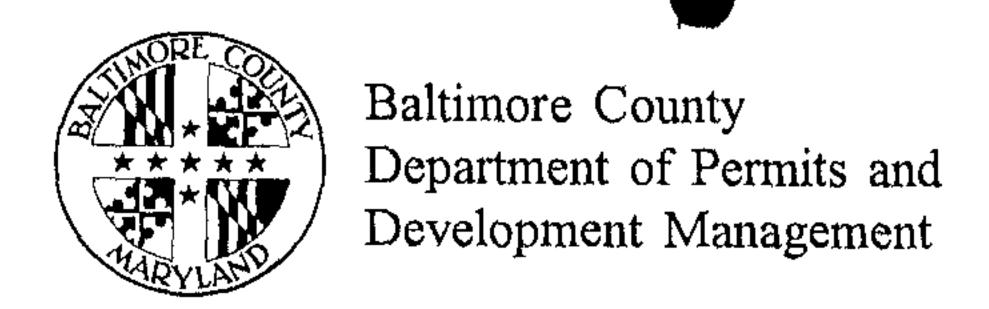
C: Dino La Fiandra, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, 4th Floor, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 2, 2003.

(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.





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

January 27, 2003

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: 03-232-SPH

13342, 13330, 13338 Long Green Pike W/side of Long Green Pike 800 feet south of centerline Patterson Road 11th Election District – 6th Councilmanic District

Hearings:

Monday, March 3, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

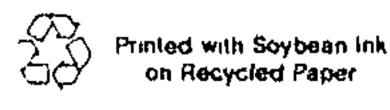
Director

AJ:rlh

C: Dino La Fiandra, Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave, 4th Floor, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 15, 2003.

- (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.



PATUXENT PUBLISHING COMPANY TO:

Thursday, January 2, 2003 Issue - Jeffersonian

Please forward billing to:

Dino La Fiandra

410-832-2000

Whiteford, Taylor & Preston

210 W. Pennsylvania Ave., 4th Floor

Towson, MD 21204

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: 03-232-SPH

13342, 13330, 13338 Long Green Pike

W/side Long Pike 800 feet south of centerline Patterson Road

11th Election District – 6th Councilmanic District

Legal Owner: Cathy M. Howard, et al

Special Hearing to permit the approval of a reconfiguration of RC-2 lots, with no change in overall density. To approve a lot line adjustment for the properties involved, as a limited exemption from the development review and approval process.

Hearings:

Friday, January 17, 2003 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

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@colba.md.us

April 18, 2003

Dino C. La Fiandra, Esquire Whiteford, Taylor, & Preston, LLP 210 W. Pennsylvania Avenue, 4th Floor Towson, MD 21204

Dear Mr. La Fiandra:

RE: Case Number: 03-232-SPH, S/S of Long Green Pike approx. 1700 E. of Patterson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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.

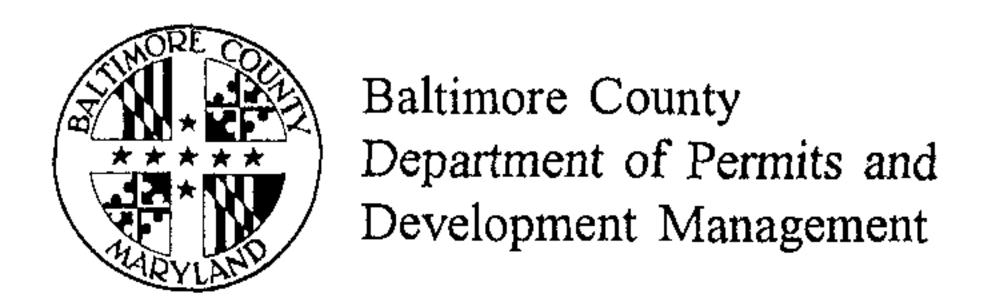
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel



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

February 28, 2003

Dino C. La Fiandra, Esquire Whiteford, Taylor, & Preston, LLP 210 W. Pennsylvania Avenue, 4th Floor Towson, MD 21204

Dear Mr. La Fiandra:

RE: Case Number: 03-232-SPH, S/S of Long Green Pike approx. 1700 E. of Patterson Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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,

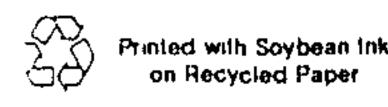
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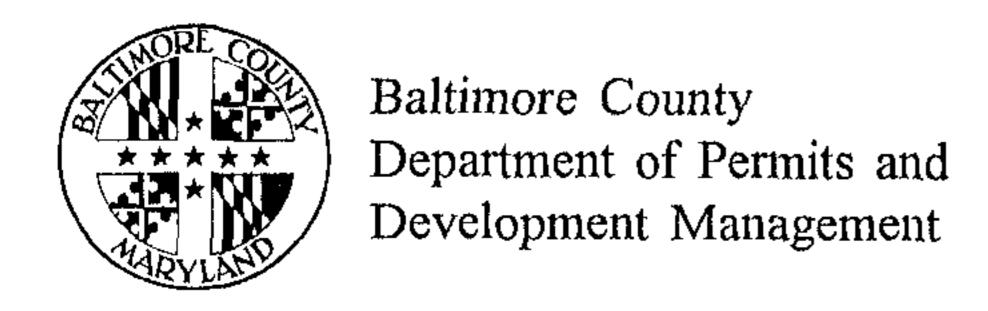
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel





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

January 10, 2003

Mr. Dino LaFiandra Whiteford, Taylor & Preston 210 W. Pennsylvania Ave., 4th Fl. Towson, MD 21204

Dear Mr. LaFiandra:

RE: Case Number: 03-232-SPH, S/side of Long Green Pike approx. 1700' east of Patterson Road.

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 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,

U. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel Petitioners, C/o Dino LaFiandra



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date:

12.6.02

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

RE:

Baltimore County

Item No. Z3Z

LTM

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,

-{~

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



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

December 11, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.: Distribution Meeting of 12/9/02

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: 224-240

132

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 11, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-231, 03-232

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:

Section Chief:

AFK/LL:MAC



DATE:

11/14/02

TO:

File

FROM:

Lloyd T. Moxley

SUBJECT:

Case No. 03-232-SPH

At the time of filing the petitioners were informed that the proposed panhandle width for any single lot is a minimum of 20'. Further the petitioners were informed that a width of less than 20' would require a written waiver from the Office of the Director of Planning. The waiver must be made an exhibit at the hearing. Failing the granting of said waiver the petitioners must request a Special Hearing/Variance for a panhandle width of 16' in lieu of the required 20' or revise the plan to meet the required panhandle width.



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

August 12, 2003

NOTICE OF ASSIGNMENT

CASE #: 03-232-SPH

IN THE MATTER OF: Carolyn M. Howard, et al -Legal Owners
Address: S/s of Long Green Pike, 1700' E of Patterson Road

11th Election District; 6th Councilmanic Distirct

4/30/03 – D.Z.C.'s Order in which Petition for Special Hearing was APPROVED with restrictions.

ASSIGNED FOR:

WEDNESDAY, NOVEMBER 5, 2003 at 10:00 a.m.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the

advisability of retaining an attorney.

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

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

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:

Counsel for Appellants /Protestants

Appellants /Protestants

: J. Carroll Holzer, Esquire

: Long Green Valley Association and Individually: Charlotte Pine

Carol Shaw
Carol Trela

Counsel for Petitioners

Petitioners

: Dino LaFiandra, Esquire G. Scott Barhight, Esquire

: Carolyn M. Howard, et al Mary C. Reahl Jones, et al

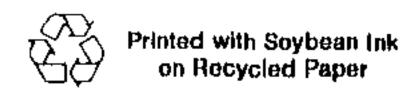
Thomas and Elizabeth Kelly, et al

Martin K. Kelly, et al

Aaron B. Kelly, Trustee, et al

William C. Winkler John T. Vance III

People's Counsel for Baltimore County Lawrence E. Schmidt /Zoning Commissioner Pat Keller, Planning Director Timothy M. Kotroco, Director /PDM



WHITEFORD, TAYLOR & PRESTON

SEVEN SAINT PAUL STREET BAUTIMORE, MARYLAND 21202-1626 TELEPHONE 410 347-8700 FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LIPTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

DINO C. LA FIANDRA

DIRECT NUMBER 410 832-2084 DLaftandra@wtplaw.com L.L.P.

210 WEST PENNSYLVANIA AVENUE Towson, Maryland 21204-4515 410 832-2000 FAX 410 832-2015 www.wtplaw.com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742 FAX 703 836-0265

November 13, 2003



BALTIMORE COUNTY **BOARD OF APPEALS**

Via Hand Delivery

Ms. Kathleen C. Bianco, Administrator Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204

> Carolyn Howard, et al. Zoning Case No. 03-232-SPH Re:

Dear Ms. Bianco:

During the Board's hearing on November 5 in the above-referenced matter, the Applicants (Carolyn Howard, et al.) agreed to provide the Board with several deeds, which needed to be obtained from the Baltimore County Land Records office. I have enclosed herewith copies of four deeds with the following Baltimore County Land Record references: Liber 8745, folio 411; Liber 4710, folio 590; Liber 4721, folio 304; and Liber 6407, folio 189. During the course of the hearing the Board had assigned exhibit numbers 6A, 6B, 6C, and 6D to these deeds, respectively, and I have marked them as such. Kindly place these exhibits in the record of the case.

By copy of this letter I have transmitted the same to Mr. Holzer and Mr. Zimmerman. Should you have any questions, please contact me. Thank you for your assistance with this matter.

Sincerely,

Dino C. La Fiandra

Enclosures

J. Carroll Holzer, Esquire Peter M. Zimmerman, Esquire

293830

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

May 23, 2003

Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

MAY 2 3 2003

BOARD OF APPEALS

Hand-delivered

Re:

PETITION FOR SPECIAL HEARING

W/S Long Green Pike, 800'S of the c/line Patterson Road (13342, 133330, 13338 Long Green Pike) 11th Election District; 6th Council District

Carolyn M. Howard, et al.- Petitioner(s)

Case No.: 03-232-SPH

Dear Mr. Jablon:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated April 30, 2003 by the Baltimore County Deputy Zoning Commissioner in the above-entitled case

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours.

Peter Max Zimmerman

People's Counsel for Baltimore County

Carole S. Derhilio

Deputy People's Counsel

PMZ/CSD/rmw

cc: Dino LaFiandra, Esquire

J. Carroll Holzer, Esquire

RECEIVED

MAY 2 3 2003

Per Oh

BALTIMORE COUNTY, MARYLAND ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Inter-Office Correspondence RECEIVED

TO:

Development Coordination

FEB 2 0 2003

FROM:

Wally Lippincott, Jr.

RE: Sph 03-232.

ZONING COMMISSIONER

The request is for a nondensity subdivision of an approximately 41 acre RC 2 zoned property for the purposes of dividing the property among the family members.

The standard comment is not to support the subdivision of RC 2 agricultural properties into more than two lots unless the subdivision furthers the protection of agriculture. Examples of furthering agriculture include adding land to another farm that can better use the land for its agricultural operation.

In this case, while the request is not furthering agriculture, there are extenuating circumstances and the impact will be mitigated if conditions are imposed.

The mitigating circumstances include:

- The property was owned by the family prior to 1979
- The property was inherited by numerous family members
- The new parcels will be owned by family members who live adjacent to the property, and
- There will be no remaining density and no houses on the 41 acres.

Support the request to subdivide Parcel 281 into three tracts to be added to Parcels 110, 217 and 220 subject to the following conditions. If the applicants are not agreeable to the conditions, I recommend denying the request.

Conditions:

- The portions of Parcel 281 added to the residential parcels cannot be used for the construction of a dwelling or any residential support uses such as well, septic, garage, tennis courts, etc. Agricultural and naturalistic uses and buildings are permitted. A plan shall be attached to the order that provides for a building envelope that limits residences and residential buildings to the present configuration of Parcels 217, 110 and 220.
- A right of first refusal for the family members who own parcels 217, 110 and 220 providing the opportunity that they have right of first refusal in the event one of the brothers wishes to sell off a portion of Parcel 218. This will not bind future owners.

APPEAL

Petition for Special Hearing

Address: S/side of Long Green Pike, approximately 1700' east of Patterson Road Location: W/side Long Green Pike, 800' south centerline of Patterson Road

11th ED - 6th CD

Legal Owners: Carolyn M. Howard, et al.

Case No.: 03-232-SPH

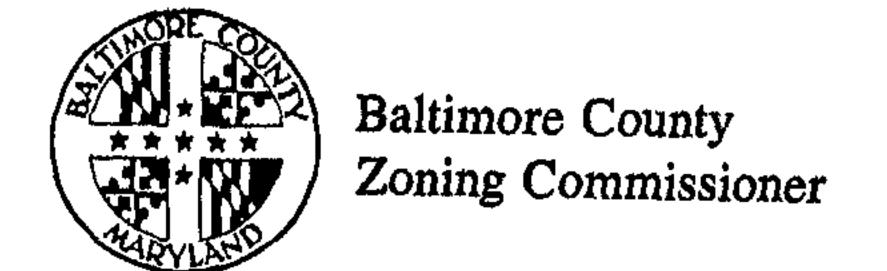
✓ Petition for Special Hearing (November 14, 2002) √ Zoning Description of Property V Notice of Zoning Hearing (March 18, 2003) Certification of Publication (The Jeffersonian issue January 2, 2003) ✓ Certificate of Posting (April 9, 2003) posted by Richard Hoffman Entry of Appearance by People's Counsel (December 9, 2002) V Petitioner(s) Sign-In Sheet ECEIVE One sheet Protestant(s) Sign-In Sheet MAY 0 9 2003 None BALTIMOHE COUNTY Citizen(s) Sign-In Sheet BOARD OF APPEALS Two sheets Zoning Advisory Committee Comments V Petitioners' Exhibits: Plan to accompany Petition for Special Hearing-existing lot lines 200' Plan to accompany Petition for Special Hearing **V**2. Plan to accompany Petition for Special Hearing -- Proposed lot lines Protestants' Exhibits: None ✓ Miscellaneous (Not Marked as Exhibit) Subpoenas Signup sheets Deputy Zoning Commissioner's Order (April 30, 2003 - APPROVED) ✓ Notice of Appeal received on May 8, 2003 from J. Carroll Holzer on behalf of Long Green Valley. Association, Charlotte Pine, President, and individuals Charlotte Pine, Carol Shaw and Carol Appeal by People's Coursel filed May 23 2003. c: People's Counsel of Baltimore County, MS #2010 Deputy Zoning Commissioner Arnold Jablon, Director of PDM J. Carroll Holzer, 508 Fairmount Ave, Towson 21204 Dino La Fiandra, Whiteford, Taylor & Preston, 210 W. Pennsylvania, 4th Fl., Towson 21204

date sent 5/9/03 rlh

VE

V habifualtons

J CARROLL HOLZER ESQUIRE HOLZER & LEE 508 FAIRMOUNT AVENUE TOWSON MD 21286 Appellant & atturney	Petitioners Atturney G SCOTT BARHIGHT ESQUIRE WHITEFORD TAYLOR & PRESTON LLP 210 WEST PENNSYLVANIA AVENUE 4 TH FLOOR TOWSON MD 21204
LONG GREEN VALLEY ASSOCIATION PO BOX 91 BALDWIN MD 21013	DINO C LA FIANDRA ESQUIRE WHITEFORD TAYLOR & PRESTON LLP 210 WEST PENNSYLVANIA AVENUE 4 TH FLOOR TOWSON MD 21204
CHARLOTTE PINE 13310 FORK ROAD BALDWIN MD 21013 Uppellat	Petitioners for 13342 Long Green Rik
CAROL SHAW 7 COUNTRY HILL COURT KINGSVILLE MD 21087	BALTIMORE MD 21255 A) CAROLYN M HOWARD ET AL 13330 LONG GREEN PIKE 1780 13330 LONG GREEN PIKE 1780 A) MARY C REAHL JONES, ET AL 634 EAST PATAPSCO AVENUE BALTIMORE MD 21255
CAROL TRELA 5433 PATTERSON ROAD BALDWIN MD 21013 Appellat	THOMAS AND ELIZABETH KELLY ET 13330 LONG GREEN PIKE HYDES MD 21082
William C. Winkler 5824 Church Lane Hydes, MD 21082	MARTIN T KELLY ET AL 13338 LONG GREEN PIKE
add 8/11/03 Jahr T., Value	Palluson Raad James
Dildun, Md. On 21913 Cen. done	AARON B KELLY, TRUSTEE, ET AL 13428 LONG GREEN PIKE HYDES, MD 21082



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

Fax: 410-887-3468

January 22, 2003

Dino C. La Fiandra, Esquire Whiteford, Taylor & Preston, L.L.P. 210 W. Pennsylvania Avenue, 4th Floor Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 03-232-SPH
Property: S/S of Long Green Pike

approx. 1700 ft. E of Patterson Road

Dear Mr. La Fiandra:

On January 17, 2003, you appeared before me on the above-referenced petition for special hearing. Testimony and evidence was taken at the hearing and it was agreed that day that the petitioners would meet with the Long Green Valley Association to discuss in detail the subject of the special hearing request.

I received a telephone call today from Charlotte Pine indicating that the residents of the Long Green Valley are in strong disagreement with the reconfiguration of the lot lines as proposed on the petitioners' site plan. After hearing her concerns, I believe it to be in the best interest of everyone to set the matter in for another public hearing in order to address the concerns raised by the association regarding this petition. Accordingly, please contact the docket clerk in the Permits & Development Management office in order to schedule a new hearing date for this case.

It shall be incumbent upon you to repost the property with a sign advertising the new date and time for the next public hearing. In addition, kindly notify Ms. Charlotte Pine and Carol Shaw, who were in attendance at the January 17, 2003 hearing, once the new date and time have been established. At this new hearing date, the community will have an opportunity to discuss their concerns with this special hearing request.

Dino C. La Fiandra, Esquire Page –Two-January 22, 2003

Should you have any questions regarding this matter, please feel free to contact my office.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy 16 hoco

TMK:raj

c: Charlotte Pine 607 Baltimore Avenue Towson, MD 21204

> Carol Shaw 7 Country Hill Ct. Kingsville, MD 21087



County Board of Appeals of Baltimore County

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

November 6, 2003

NOTICE OF DELIBERATION

IN THE MATTER OF?

Carolyn M. Howard, et al (Kelly Property)

<u>Case No. 03-232-SPH</u>

Having heard this matter on 11/05/03, public deliberation has been scheduled for the following date /time:

DATE AND TIME

Tuesday, January 27, 2004 at 9:30 a.m.

LOCATION

Hearing Room 48, Basement, Old Courthouse

NOTE: Closing briefs are due on Friday, December 5, 2003

Original for file plus three (3) additional copies.

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Kathleen C. Bianco Administrator

c:

Counsel for Appellants /Protestants

Appellants / Protestants

: J. Carroll Holzer, Esquire

: Long Green Valley Association

and Individually: Charlotte Pine

Carol Shaw Carol Trela

Appellant

: Office of People's Counsel

Counsel for Petitioners

: Dino LaFiandra, Esquire G. Scott Barhight, Esquire

Petitioners

: Carolyn M. Howard, et al Mary C. Reahl Jones, et al

Thomas and Elizabeth Kelly, et al

Martin K. Kelly, et al

Aaron B. Kelly, Trustee, et al

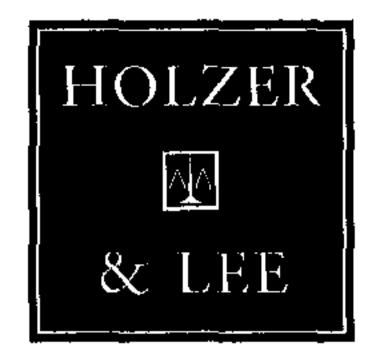
William C. Winkler John T. Vance III

Lawrence E. Schmidt/Zoning Commissioner

Pat Keller, Planning Director

Timothy M. Kotroco, Director /PDM

FYI: 2-3-5



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE. TOWSON, MD 21286 (410) 825-6961

Fax: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

May 8, 2003 #7395

Kathleen Bianco, Administrator Baltimore County Board of Appeals Old Courthouse, Room 49 400 Washington Ave. Towson, MD 21204

Re: Notice of Appeal, Case No. 03-232-SPH Petition for Special Hearing, "Kelly Family"

Dear Ms. Bianco:

To further clarify the record in the appeal taken by my clients in the above captioned matter on today, the following are the names and addresses of the Appellants:

Long Green Valley Association, P.O. Box 91, Baldwin, MD 21013; Charlotte Pine, 13310 Fork Road, Baldwin, MD 21013; Carol Shaw, 7 Country Hill Court, Kingsville, MD 21087; and Carol Trela, 5433 Patterson Road, Baldwin, MD 21013.

If you have any questions, please call me at 410-825-6961. As always, I appreciate your assistance and cooperation.

Very truly yours,

. Carroll Holzer

JCH:clh

cc: Charlotte Pine, Esq.
Becky Hart, PDM
Dino LaFiandra, Esq.



BALTIMORE COUNTY BOARD OF APPEALS

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

February 6, 2004

TO:

Timothy Kotroco, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton

Board of Appeals

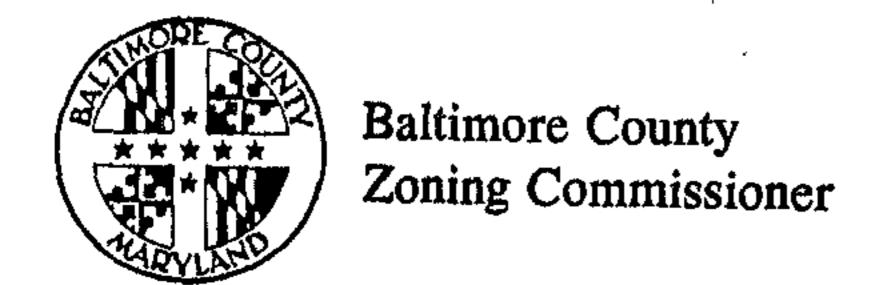
SUBJECT:

CLOSED APPEAL CASE FILES

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	<u>PDM</u> FILE NUMBER	NAME	LOCATION
03-232-SPH	03-232-SPH	CAROLYN M. HOWARD, ET AL	LONG GREEN PIKE / PATTERSON ROAD

SUBJECT FILE(S) / EXHIBIT(S) ATTACHED; Attachment:



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

Fax: 410-887-3468

April 30, 2003

G. Scott Barhight, Esquire Dino C. La Fiandra, Esquire Whiteford, Taylor & Preston, L.L.P. 210 W. Pennsylvania Avenue, 4th Floor Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 03-232-SPH
Property: S/S of Long Green Pike

approx. 1700 ft. E of Patterson Road

Dear Messrs. Barhight & La Fiandra:

Enclosed please find the decision rendered in the above-captioned case.

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

Withy lotroco

TMK:raj Enclosure

Copies to:

Martin T. Kelly 13338 Long Green Pike Hydes, MD 21082

Ruth Dillinger
3 Longbottom Ct.
Kingsville, MD 21087

Margaret Kopp 2123 High Point Road Forest Hill, MD 21050

Alfred Howard Twin Oak Road Jarrettsville, MD 21084

Thomas & Elizabeth Kelly 1330 Long Green Pike Hydes, MD 21082

J. Edward Kelly 13342 Long Green Pike Hydes, MD 21082

Douglas Kopeck 215 Bynum Road Forest Hill, MD 21050

Charlotte Pine 607 Baltimore Avenue Towson, MD 21204

Carol Shaw 7 Country Hill Ct. Kingsville, MD 21087

Lisa De Grouchy 5603 Patterson Road Baldwin, MD 21013

J. Carroll Holzer, Esquire Holzer & Lee 508 Fairmount Avenue Towson, Maryland 21286 WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

DINO C. LA FIANDRA

DIRECT NUMBER
410 832-2084
DLaflandra@wtpfaw.com

210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515

> 410 832-2000 FAX 410 832-2015 www.wtplaw.com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742

RECEIVED FAX 703 836-0265

MAY - 7 2003

May 7, 2003 ZONING COMMISSIONER

Via Hand-Delivery

Mr. Timothy M. Kotroco Deputy Zoning Commissioner 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

Re: Request for Clarification Case No. 03-232-SPH

Dear Mr. Kotroco:

We have received your Order dated April 30, 2003 in the above-referenced matter. The proposed reconfiguration of the property is only possible with the conveyance by the Bernard C. Kelly Revocable Trust of a fifteen (15) foot fee simple strip to Ed Kelly for the purpose of making Ed Kelly's existing lot contiguous with the new land which he is acquiring through the non-density transfer. This is shown on the plan to accompany the Petition for Special Hearing as a "15' fee simple area" connecting Ed Kelly's existing lot to the property he is to receive as part of the non-density transfer. This "15' fee simple area" was part of the land area subject to the special hearing, as evident on the plan and in the zoning description which accompanied the filing.

Ed Kelly is under contract to purchase the fifteen foot fee simple strip from the Bernard C. Kelly Trust in order to make the non-density transfer happen. However, the sale is contingent upon obtaining a statement from you that the non-density transfer contemplated will not adversely impact development rights (i.e., the permitted density) of the Bernard C. Kelly Trust property. The contract is explicitly contingent upon a statement in your Order to this effect. Perhaps you will recall that Ed Kelly testified with regard to these matters on January 17, 2003, on the first of the hearing dates in this matter.

Mr. Timothy M. Kotroco May 7, 2003 Page 2

I believe your Order is very clear that the reconfiguration of the lots is for non-density purposes only. The obvious implication of that statement is that the transfer from the Bernard C. Kelly trust to Ed Kelly shall not affect the density of the trust property. However, in light of the fact that the contract requires an affirmative statement by you that the reconfiguration will not adversely impact the development rights of the Bernard C. Kelly Revocable Trust property, the Kellys request that you issue a supplemental Order in whatever form you deem appropriate, clarifying this outcome.

Your most prompt reply would be greatly appreciated.

Sincerely,

Dino C. La Fiandra

DCL:nd

cc: J. Carroll Holzer, Esquire

279068

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

DINO C. LA FIANDRA

DIRECT NUMBER 410 852-2084 DLafiandra@wtpJaw.com

WHITEFORD, TAYLOR & PRESTON L.L.P.

210 WEST PENNSYLVANIA AVENUE Towson, Maryland 21204-4515

> 410 832-2000 FAX 410 832-2015 www.wtplaw.com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573



FEB 2 7 2003

ZONING COMMISSIONER

February 27, 2003

Via Hand Delivery
Hon. Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: Kelly Family Property

Case No. 03-232-SPH

Hearing Date March 3, 2003

Dear Mr. Kotroco:

I am in receipt of Mr. Holzer's letter of February 26, 2003 regarding the above-referenced case. Indeed, the Kelly property was not posted with a notice of the zoning hearing of March 3, 2003. When this came to my attention, I immediately notified Mrs. Pine of the omission. During that conversation, I asked for her position regarding proceeding on March 3. She indicated that she would let me know. If Mrs. Pine indicated that she would agree to proceed, I then would have moved to dispense with requirement of reposting the property for this continued hearing, especially in light of the fact that the first hearing was in fact adequately posted, and that there is no statutory requirement of reposting for the second hearing date. I hasten to note that the Long Green Valley Association was the only party appearing in opposition to the petition, and that this group, through Mrs. Pine, was aware of the date and time of the March 3 hearing.

However, obviously the Long Green Valley Association objects to proceeding in light of the failure to post the notice. Accordingly, unless you are inclined to proceed as scheduled, I would agree to a postponement of the March 3, 2003 hearing so that the property may be posted in accordance with your January 22, 2003 letter.

Hon. Timothy M. Kotroco February 26, 2003 Page 2

Thank you for your consideration of this matter.

Sincerely,

Dino C. La Fiandra

C: J. Carroll Holzer, Esquire Kelly family

274114

LONG GREEN VALLEY RESIDENTS

Dear Mr. Kotroco:

In response to Charlotte Pine's phone call on January 22nd 2003 to Timothy M. Kotroco (Deputy Zoning Commissioner), the following are residents of the Long Green Valley, that have never been contacted by the Long Green Valley Association in regard to any aspect of the Kelly property. They are in strong agreement with the reconfiguration of the lot lines as shown on the site plan. Re: Zoning Case # 03-232-SPH; Kelly Property

Name	Address
Marie Duckett	13710 Baldwin Thee Rd.
Um. 12. Connolly	
Bul Wolser	447 Hodies Rel Hides Mil
Charlette Elwo	ud 13575 Fork Rd Rd
1100	(PAST Present L.Cr. Valley ASA) 4809 Long Green Rd 21092
foliar O (ut)	4809 Long Green Rd 21092
Lee Cyco	Garo MungRuffeRd 21015
Sand Jak	1

February, 2003

Hon. Timothy M. Kotroco Deputy Zoning Commissioner 401 Bosley Avenue Towson, Maryland 21204

Re: Zoning Case # 03-232-SPH; Kelly Family Property

Dear Mr. Kotroco:

I have reviewed the attached Petition for Special Hearing and the Plan which accompanies it. Please note that I am in favor of the Petition and that I support the Kelly family in their efforts to obtain the relief which they have requested.

Sincerely,

Name	Address	
Mul Macander	13819 FLEASANTULUS	
Dean Welter	5539 dellrise	
Francis Kill Dr.	P.O.BOX5 KINGWILLEMI	
S-Rolla	4603 Hydes Rd Hydes Md 2182	
COULEN	13321 Fonk To 21015,	
Day WRIGHT	11920 HARRY MUURA.	
Stephanie Maurer	11920 Hartley Mill Rd.	
Joseph C Brit	5331 GLEN ARM RD. 21	05
Jewens .	12609 (Cag wood (8)	
Amst Jan .	12043 G/FN Arm ZD.	
Robert The	12704 Fork Rd	
Jan Stolen	12421 Long Frank Piki 2105	Ź
SS	6101 Colon Am Rd 21057	
and the same		



Name	Address
Marcy Ellen Johnston	4104 Rovenheurst Ceix, Glen Arm 210
Grand w. St.	11502 Wallace De Glen Man Mid. 2
John W. Stali	15421Lowg GREEN Pla 2105
Le Connell	11940 Glendon Rd. Glendon 2105
Robert Pypetone	4605 Hydes Rd. Hydres, Md. 21082
DOUID F DORRELL	5515 LYNCH RODD 21013
EVERETT W. SMITH	12126 LONGROON PIKE G
MARK BARRY	11504 NOTCH CLIFF 120. Ga
SANDRA MAGSAMEN	//
Marchet Greyers	12072 Glen Arm Rd Glen
John A Bankust	13504 Botton Row Herd
Marrian & Bronzest	1251/ REGINOOLD 140ES, N
Joe Als	10841 HARFORD ROND CION NON
Dani Millet	13937 Jarretts villepike
Linda Bittner	3851 PAVIS Corner Rd
Joh Barre	13871 BARDUN Min RD. 21013
Darry B. Flemmel)	13220 Long Green P.Ke
Mara del D. Fleman	13220 Long Green Pike

PLEASE PRINT CLEARLY

CASE NAME "YOUNG SOLVED ON SOLVED ON SE NUMBER 03 23-504

PETITIONER'S SIGN-IN SHEET

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Kingsville MISSINGT Kingsville MISSINGT Kingsville MISSINGT FOREST HILL MAZINGS	AARM MD 210 MARM MD 210 DECIND 210	Hydres mo 21082 Mydres ma 21082 Mydrettsrine, mo. 21084	Hydes mo 21082 Hydes mo 21082	
3 Long bottom Ct. 3 Long bottom Ct. 2 Long bottom Ct. 2123 High Point ich.	13342 LOWG WEED PIKE 13343 LONG GREEN PIKE 11615 LONG GREEN PIK	4825 Mades Rd. 485 Mades Rd. 1780 Talm OAK RD	1332 Longbreen Pike 1333 Longbren Pike	
RUTH Dillinger Margaret Logo	JEDWAD KELLY Harsared Kelly 3052711 Colounellon marker Mally	Persol Ware	Thomas h. Collection of the Manage h. T. Collection of the Man	

CASE NUMBER (103-282-SPA)
DATE 4/24/63

CITIZEN'S SIGN-IN SHEET

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CITY, STATE, ZIP	7	your ma 21304										
ADDRESS	1 Country out Of	72										
NAME	W > 707	(haylette pine										

CASE NUMBER 030-232-SPH DATE 111103

CITIZEN'S SIGN-IN SHEET

PROTESTALTS Sign In Short D. M. #) 7 Courting Hull (1) Post 34 Ank 21051 CAROL 5HAW Charlotte Pine 607 Raltares 10wan Well 21204 due Gold 5433 PATHENSON Rd. CAYOL TREZA (3×1000 W, W. 2/0/3 19524 Gray Stone 121 white Hall and 21/6/ WAPNE C. M. GINNIS

Per.

Care # 03-232-5PH Kelly property - Board of Appeals 3 Longbottom Cf Kingsville MD 21087 Mark Dillinger 3 Lodgbottom Court Kingsvillesing Ruth Dillinger Q123 High Wint Rd Forest Hellans Margaret 9000 1780 Jun Oak Rd- Herrettsville 2/084 Carolyn Sheward 1780 Seven Jak Rd-Jarrettsville 21084 All Howard Joseph Cumminghan 11615 Ling GREET Pike GLENDEM 21057 13428 Long Green Pike Hydes 21082 Aaron B. Kelly 13428 Long GREEN PK HYDES 21082 13342 Long Green Pike Albe 21082 Margo Kellx 234 ASHLAND BO HUNT VAILEY 21030 WILLIAM J. WISEMAN 13330 Long Green Pike Mydes 21082 Thomas Clipabeth Kelly Deborat & Paul Weber 4825 Hydres Rd. marshe & Master (LLU) 13338 hono GO FAN PIL 21082

Per. # 5

DOUGLAS R. KOPECK

Landscape Architect Vice President-Campbell & Nolan Associates, Inc.

EDUCATION BACKGROUND:

BLA- Landscape Architecture- Syracuse University - 1989 AA- Landscape Development- Alfred AG & Tech - 1986 Environmental Biology- Thiel College - 1983-1984

PROFESSIONAL REGISTRATION:

Maryland Registered Landscape Architect#1167 — 1996 Maryland Qualified Forest Conservation Certified Natural Resources Expert (1996)

PROFESSIONAL AFFILIATIONS:

Maryland Society of Landscape Architects American Society of Landscape Architects Aberdeen Architectural Review Board

PROJECT EXPERIENCE:

Mr. Kopeck is a Maryland Registered Landscape Architect specializing in site assessment, master planning and site development of environmentally sensitive projects. He is the Vice President of CNA operations with specific management in Site Design Planning, Environmental, Compliance, Wetland Delineations, and Permits, Forest Conservation, Phase I Environmental Assessments, and Landscape Plans/ Grading and Presentations/ Negotiations.

Mr. Kopeck has been involved with design projects throughout Maryland, Virginia and Pennsylvania. He has developed extensive contacts with County, State and Federal Agencies. He has diverse experience in large scale and small scale planning projects. General projects include managing planning design of warehouse distribution centers, residential entry feature designs, educational facilities, stream restoration and wetland mitigation "bank" site development.

- Site design/master planning (commercial/residential);
- Critical area growth allocations;
- Public presentation, expert testimony, public hearings;
- Environmental permit compliance;
- Agency negotiations for permits, historical trust and;
- Alternative compliance for landscape buffers;
- Alternative alignment/feasibility analysis;
- Coordination of rare/endangered species;
- Marina plan development
- Phase II environmental assessment (UST removal)
- Graphic designs, reports and impact studies.

Prot. #2

RESOLUTION

THE LONG GREEN VALLEY ASSOCIATION

RESOLVED: That the position of the Long Green Valley Association as adopted by the Board of Directors on the zoning matter known as:

Case 03-232-SPH

is that:

The Long Green Valley Association, as recorded in its Minutes of its meetings of January 21, 2003 and June 17, 2003, a quorum being present at both occasions, is opposed to request by the "Kelly family" for a reconfiguration of RC 2 parcels with no change in overall density. It is the opinion of the Board that lot line adjustments, specifically doglegs as would be created under this scenario, are only permissible in the RC 2 zone if the doglegs further, and support, agriculture. The Board also has a long-standing position of not supporting the installation of sand mounds for new construction. The Board also noted in its Board Minutes that it supports the position of the Peoples Counsel of Baltimore County in its opposition to this reconfiguration.

AS WITNESS our hands and seal this 5th day of November, 2003.

ATTEST:

THE LONG GREEN VALLEY ASSOCIATION

Carol Trela

SECRETARY

Charlotte Pine Ch

PRESIDENT

RESOLUTION

THE LONG GREEN VALLEY ASSOCIATION

Association held on April 29, 2003, it was decided by the Association that the responsibility for review and action on all zoning matters for the period of one year be placed in the Board of Directors consisting of the following members:

Charlotte Pine

Rosanne DiFonzo

Roger Hayden

Patricia Garner

Stephen Preston

Donna Felling

Denise McCloskey

John Storck

Sharon Rohrbaugh

Carol Shaw

Carol Trela

Mary Ambrose

AS WITNESS our hands and seal this 5th day of November, 2003.

ATTEST: MM MM MM MM MM MM MM MM MM	Morlotte Kine
Carol Trela SECRETARY	Charlotte Pine PRESIDENT

AFFIDAVIT

STATE OF MARYLAND: BALTIMORE COUNTY, ss:	
TO WIT:	
I hereby swear upon penalty of	perjury that I am currently a duly elected membe
of the Board of Directors of the Long (Green Valley Association.
ATTEST:	
Jan Man	Carol N. Shaw
Carve Jul	Elwerton Rive
Carol Trela	Charlotte Pine

PRESIDENT

SECRETARY

AFFIDAVIT

STATE OF MARYLAND:	
BALTIMORE COUNTY, ss	;

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member of the Board of Directors of the Long Green Valley Association.

ATTEST:

Carol Trela

Carol Trela

SECRETARY

Charlotte Pine

PRESIDENT

AFFIDAVIT

STATE OF MARYLAND:	
BALTIMORE COUNTY, ss	

TO WIT:

I hereby swear upon penalty of perjury that I am currently a duly elected member of the Board of Directors of the Long Green Valley Association.

ATTEST:

Charlotte Pine

Carol Trela

SECRETARY

Charlotte Pine

PRESIDENT

Long Green Valley Association

300

Approximately 275 family memberships as of October 2003

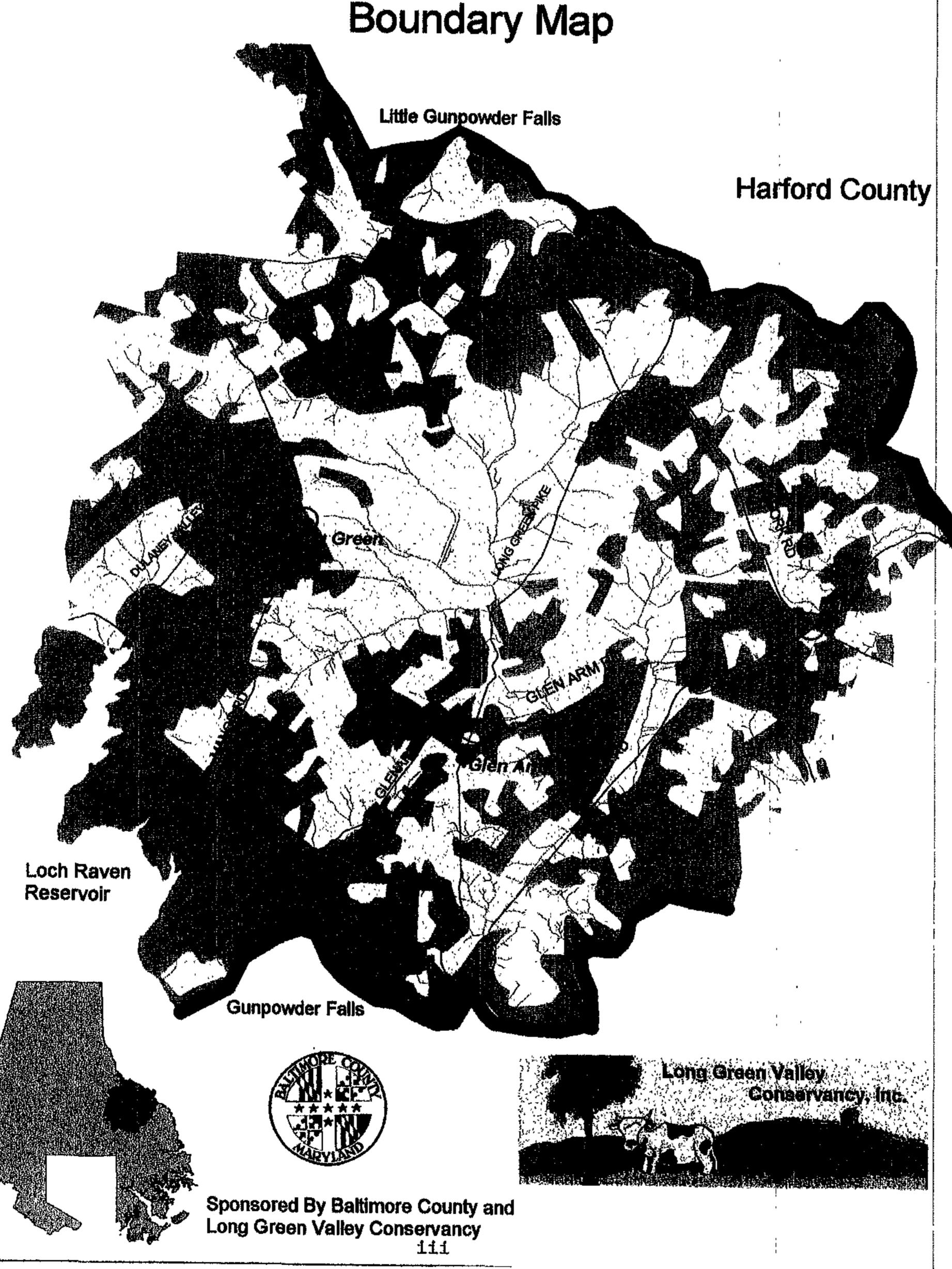
Boundaries:

Starting at the intersection of the Harford County line and Harford Roads and proceeding south/southeast of Harford Road to the intersection with the Sweathouse Branch of the Gunpowder River. Following the watershed of the Sweathouse Branch south/southeast to the Gunpowder River and then following the Gunpowder River west to Loch Raven Reservoir. From there, proceeding north following the watershed west of Loch Raven Drive to Dulaney Valley Road.

From there proceeding north and following the watershed west of Dulaney Valley Road to Manor Road. From there, following the watershed west on Manor Road to Sweet Air Road. Following Sweet Air Road east to Green Road.

North on Green Road to the Harford County line and then following the Harford County line east to the intersection with Harford Road.

BALTIMORE COUNTY RURAL LEGACY PROGRAM Long Green Valley Conservancy Rural Legacy Area Boundary Man



P. F. 7

UNREPORTED

PCT-1

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

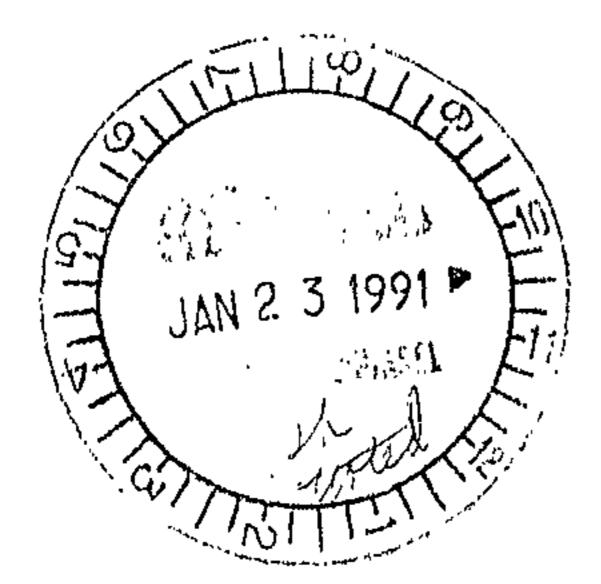
No. 396

September Term, 1990

Steven H. Gudeman et ux.

٧.

People's Counselfor Baltimore County



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

JJ.

Per Curiam

Filed: January 22, 1991

Steven H. Gudeman and Betty J. Gudeman, husband and wife, appeal from an adverse decision of the Circuit Court for Baltimore County (Howe, J.).

Appellants are owners of 44.75 acres of land in Baltimore County, Maryland. The property consists of 42.42 acres and 2.33 acres separated by a public road owned by Baltimore County. Desiring to develop the land, appellants, on March 16, 1988, filed a petition for approval of a plan of development. After taking testimony and considering argument from counsel, the Deputy Zoning Commissioner of Baltimore County issued an order dated July 28, 1988 granting appellants' petition. By her decision, the Deputy Zoning Commissioner reconfigured appellants' property into parcel A containing 2.33 acres and parcel B consisting of 42.42 acres. She found that each parcel was entitled to two density units -- a total of four for the entire property. The ruling also gave appellants permission to divide the property into four lots, three of which were to be relatively small building lots and the fourth lot would consist of the remainder of the property which would be used for farming. People's Counsel for Baltimore County appealed the Deputy Zoning Commissioner's decision to the Board of Appeals of Baltimore County. After a hearing, the Board, by its Opinion and Order dated February 16, 1989, reversed the Deputy Zoning Commissioner's decision. Appellants appealed to the Circuit Court for Baltimore County and the decision of the Board of Appeals was affirmed.

Appellants raise three issues for our review:

- 1. Did the circuit court err in ruling that a property separated by a fee simple public road is not two "lots of record" for purposes of density and subdivision calculations under the Baltimore County zoning regulations?
- 2. Did the circuit court err by indicating that the Baltimore County zoning regulations do not allow the transfer of density from one parcel to another within the R.C. zone?
- 3. Was the decision of the Board supported by substantial evidence?

I.

Did the circuit court err in ruling that a property separated by a fee simple public road is not two "parcels of record" for purposes of density and subdivision calculations under the Baltimore County zoning regulations?

Appellants' property consists of 44.75 acres of land transected by a Baltimore County-owned public road which divides the property into two parcels of 42.42 acres and 2.33 acres. Baltimore County Zoning Regulation 1A01.3.B1 provides in part:

Subdivision Lot Density No lot of record lying within an R.C. 2 zone [agricultural] and having a gross area of less than 2 acres may be subdivided. No such lot having a gross area between 2 and 100 acres may be subdivided into more than 2 lots (total)....

Pursuant to this regulation, appellants' property, if one lot of record, could be subdivided to two lots or two building units and if two lots of record, to four lots or four building units.

Appellants aver that their property is not one continuous tract, but rather two plots of land that are

physically separated from each other by the intervening public road owned by Baltimore County. The Board of Appeals, in its Opinion and Order dated February 16, 1989, stated in pertinent part:

[T]he Board is of the opinion that the site containing some 44.785 acres is an entity in itself. The existence of Stockton Road created in 1899 does not in fact create two parcels on the site. The Deed and survey clearly show one parcel that contains 44.785 acres and in which Stockton Road is incidental, and its existence known to the purchaser at the time of sale. The Board can find no basis that would allow the separation of this site into Parcel A and Parcel B.

Judge Howe, in her Opinion and Order dated February 6, 1990, stated that the Board did not err as a matter of law in its finding that appellants' property consists of one lot of record.

Paul Solomon, Administrative Director of the Baltimore County Preservation Program stated that he was the planner overseeing development of the regulations applicable to the R.C. zone. He also testified that the agricultural zone was intended to preserve farming as an industry, and, "[I]t was determined that a 50 acre parcel could, in fact, accommodate a viable economic effort or entity." When asked whether roads going through properties would cause the establishment of separate lots or parcels, he answered, "That was not considered at all. It was not our design.... It was not ever something that was conceived as a possibility or threat." Solomon added, "[W]e didn't even investigation

that occurring. We had no basis for envisioning that occurring."

Wallace Lippincott, a land planner for Baltimore County, testifying in response to a question whether roadways intersecting a property create additional lots, stated, "My opinion, it is that the road does not create a density per the purpose and planning perspective on the R.C. 2." When asked for his reasons he replied, "The reason is that there's no description in the zoning regulations that provide for the allocation of density in the R.C. 2 based on number of roads that are intersecting the property."

"Lot of record" is defined by Baltimore County Zoning Regulation 101 as:

A parcel of land with boundaries as recorded in the Land Records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof.

Appellants' property was obtained by deed dated August 31, 1987. The description of the property in the deed is by metes and bounds. The description clearly refers to only one parcel of land being conveyed which consists of the main parcel plus a 0.329 acre parcel which was the subject of an earlier quit-claim deed which is not relevant to the matter under consideration.

It seems clear to us that the Board of Appeals was correct in its finding that the existence of the road transecting the subject property did not serve to change the one lot of record into two lots of record.

II.

Did the circuit court err by indicating that the Baltimore County zoning regulations do not allow the transfer of density from one parcel to another within the R.C. Zone?

In a sense, this is a non-issue. The Deputy Zoning Commissioner, apparently acting upon a long standing practice, transferred two dwelling units from the 2.33 acre parcel to the 42.42 acre parcel. This had the result of granting four density units to the property rather than the two to which the property, as one lot, was entitled. Judge Howe found that there was no provision in the zoning regulation that permits transfer of density from one parcel to another and that the zoning commissioner could not allow such transfers under the guise of policy.

As we have decided that appellants hold only one lot, the question of density unit transfers is moot, and we decline to rule upon this issue.

III.

Was the decision of the Board supported by substantial evidence?

In view of the lengthy recitation, <u>supra</u>, of the evidence considered by the Board, it is obvious that the Board had substantial evidence before it upon which to base its decision.

JUDGMENT AFFIRMED.

COSTS TO BE PAID BY APPELLANTS.

IN THE MATTER OF THE APPLICATION OF STEVEN H. GUDEMAN, ET UX IN THE FOR A PETITION FOR SPECIAL HEARING ON PROPERTY LOCATED ON THE SOUTH CIRCUIT COURT OF STOCKTON ROAD STEVEN H. GUDEMAN FOR AND BETTY J. GUDEMAN BALTIMORE COUNTY APPELLANTS AND 89 CG 911 THE PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

OPINION AND ORDER

This matter came before the court from a decision of the Board of Appeals of Baltimore County dated February 16, 1989 which reversed the Deputy Zoning Commissioner and found that the existence of a public road did not create two parcels on the land in question and that these land areas must be considered as one R.C. 2 parcel.

Two questions were presented on appeal: 1) Did the public road create two parcels of land, which can now be considered separate parcels for purpose of density and subdivision? and 2) Was the decision of the County Board of Appeals supported by substantial evidence on the record taken as a whole? The answer to the first question is No, and to the second question is Yes.

The standard for judicial review is to uphold the decision φf the Board of Appeals unless it is based on an error of law or if the conclusions are not reasonably based upon the facts proven. question of law presented here is the legal effect of the separation of a property bisected by a public road. The Board of Appeals stated as a conclusion that the existence of Stockton Road did not in fact create two parcels on this site. This property had always been deeded as an entirety and in fact the appellants acquired it in that fashion. There is no dispute that, ordinarily, and by statute, property of this size may only be allowed two development lots. Nothing in the statute permits roads to be used as density multipliers; there is also nothing in the statutes to allow transfers of density from one parcel to another. Despite this fact, for a number of years the Zoning Commissioner, pursuant to a "policy" has apparently been doing these things. The transfer of density is a zoning function which cannot even be accomplished by amendments to the master plan duly approved by a Planning Commission or Planning Board let alone by unilateral action by a zoning commissioner under the guise of "policy". West Montgomery Association v. MNCP&P Commission, 309 Md.183, 522 A.2d 1328 (1987). The court can find no error of law.

E30 the facts of this case and its decision is amply supported by substantial evidence on the record taken as a whole. Board where the issue is fairly debatable and the record contains substantial evidence supporting the Board decision. of February, 1990. Kers Howe CC: Stephen J. Nolan, Esquire Peter Max Zimmerman, Esquire

The Board of Appeals has made its own determination on all of

This court will not substitute its judgment for that of the

The decision of the Board of Appeals is AFFIRMED this sixth day

Barbara Kerr Howe

E15

IN THE MATTER OF

THE APPLICATION OF BEFORE STEVEN H. GUDEMAN, ET UX

FOR A PETITION FOR SPECIAL COUNTY BOARD OF APPEALS HEARING ON THE PROPERTY LOCATED

ON THE SOUTH SIDE OF STOCKTON OF ROAD, SOUTH WEST CORNER CARROLL MILL ROAD, 2200 STOCKTON ROAD BALTIMORE COUNTY

10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT CASE NO.: 88-490-SPH

OPINION

This case comes before the Board on appeal from an Order of the Deputy Zoning Commissioner granting the Petition for a Special Hearing to approve the transfer of density on the subject site. The case was heard this day in its entirety.

The Petitioner presented as his first witness David Ransome, a landi surveyor. He testified that he prepared the plat for the original Hearing and the plat with the most recent revisions entered as Petitioner's Exhibit No. 1 in this Hearing. He testified that the property is classified RC 2 and RC 4. He further described the development that has occurred in the general area i.e. Stockton Woods, Hickory Hill, Brookfield and Coopersfield. On cross-examination, he testified that as far as the deed indicates this is just one parcel. It was his contention that the creation of Stockton Road bisecting the property separated this as two parcels each with a permitted density of two residential units. The Petitioner next presented Steven Piper, a local farmer, who testified that he farms a total of 2,160 acres in this area and that he has leased this site to farm in 1988. It was his testimony that the density transfer proposed will keep the farm area in one parcel and would be proper. Robert E. Carney, an attorney who works as a Title Framiner, testified as to the deed searches he had conducted. He especially noted the August 15, 1899 deed which conveyed to the County

Case No. 88-49():
Steven H. Gudeman, et ux

the road bed that crosses one corner of the parcel. Steven Gudeman, the property owner and a real estate developer, testified as to his reasons for requesting the density transfer. He testified that placing the lots on the east side of the property gave them accessability and pledged that no further building would be permitted on what he designates as parcel A. He further stated that if the density transfer is permitted, his intentions are to merge Parcel A with his own property shown as Lot No. 1, to erect three residences for sale on what he designates as Parcel B, with the remainder of Parcel B to have no further residential development. Hugh Gelston, a real estate appraiser and broker, testified in favor of the proposal, noting the gradual increase in development in this mostly farm land area and stated that, in his opinion, to allow the development of the three lots will protect the farming operation on the remainder of the site.

This completed Petitioner's case.

People's Counsel, who took the appeal in this case, presented as their first witness Paul Soloman, Administrative Director, Baltimore County Resource Conservationist and testified that he was involved in the design of the RC zones in 1976 and in the amendments to those zones in 1979. It was his opinion that RC 2 zoning was the proper zoning for this property and that it contained all the requirements for prime farm land. It was his further testimony that in the RC 2 zoning no consideration was afforded County roads that may bisect a parcel. It was his firm opinion that in the preservation of the RC 2 zones only two density units should be permitted on this site. Wallace Lipponcott, a land planner for Baltimore County, testified that he was involved in the 1988 comprehensive map process in this area and that the RC 2 zoning was correct and that in his opinion the existence of the 30 foot road does not create separate parcels on the site.

Case No. 88-490-SPH Steven H. Gudeman, et ux

The Board in no way intends this brief summation to indicate the total testimony received in this case but will let the record produced speak for itself.

After a review and consideration of all the testimony and evidence presented and especially a study of the Exhibits presented, the Board is of the opinion that the site containing come 44.785 acres is an entity in itself. The existence of Stockton Road created in 1899 does not in fact create two parcels on this site. The Deed and the survey clearly show one parcel that contains 44.785 acres and in which Stockton Road is incidental, and its existence known to the purchaser at the time of sale. The Board can find no basis that would allow the separation of this site into Parcel A and Parcel B. It is therefore, the opinion of this Board that Mr. Gudeman does not have two density units as he claims on Parcel A and, therefore, has no density units to transfer. It is the opinion of this Board that the property as purchased contains 44.785 acres, is one parcel and one entity and, therefore, may be afforded only its allowed two density units.

ORDER

It is therefore, this 16th day of February , 1989, by the Baltimore County Board of Appeals ORDERED THAT THE Petition for Special Hearing to allow the transfer of the density units as proposed be and the same is hereby denied.

Any appeal from this decision must be made in accordance with Rules B-1 and B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

Henry H. Lewis

Jackett

Henry H. Lewis

P.C. #8

11-29-88-CRO, CO, Keverus. CBA (thereby denying).

PCF!

PEOPLE'S COUNSEL FOR BALTIMORE COUNTY

Appellant

VS.

THOMAS JEROME GRAZIANO, et al

Appellees

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

88 CG 1510

OPINION

on People's Counsel for Baltimore County's appeal from the order of the County Board of Appeals dated March 1, 1988. The Board's decision on this matter was that the Petition for Special Hearing should be granted, providing a stipulation be entered among the Land Records of Baltimore County that so long as the zoning remains R.C. 2 no further subdividing or building permits will be permitted.

The facts in this case are that Lizetta Bedgar owned a large farm in northern Baltimore County. In 1976, she parceled off through the subdivision process nine parcels, some of which were sold and some of which went to relatives. She retained title to what is known as Tract A, consisting of some 21.7 acres. At that time, she made known, through the preparation of her will, that upon her death two further parcels were to be allocated, one to her grandson and one to Mr. Graziano. In 1979, the R.C. 2 regulations took effect and Tract A containing the 21 plus acres thereupon became a single parcel, even though it was her avowed intention to allot the two six-acre parcels to her grandson and to her employee. In 1981 Mrs. Bedgar passed away. As was stated in her will, the

two houses had already been developed.

The County Board of Appeals reversed the Zoning Commissioner stating that since Mr. Graziano assumed in 1976 that he would receive a viable inheritance, that it would be arbitrary for the Board to deny him the building permit making the 5 plus acre parcel a viable use of land. The Appellee (Thomas Graziano) also argues that Section 22-42(4) of the Baltimore County Code exempts this property from the requirements of R.C. 2 zoning.

This Court, although sympathetic to Mr. Graziano under the facts, doesn't feel that the Board has properly interpreted the law. The controlling statutory authority is Baltimore County Zoning Regulation 1A01.3B1. It states that no lot of record lying within an R.C. 2 zone and having a gross area between 2 and 100 acres may be subdivided into more than 2 lots. Despite Mrs. Bedgar's intention, she has no right to change the law merely by writing a will which contains intentions contrary to the law existing at the time of her death. As to Appellee's argument that Section 22-42(4) of the Baltimore County Code exempts this property from R.C. 2 zoning requirements, this section exempts such properties from having to go through the County Review Group, but has no effect on the Baltimore County Zoning Regulations.

While the Board of Appeals could not legally grant Mr. Graziano the relief he desires under the law, he may yet be able to obtain permission to build a home on his property. Certainly,

Mr. Graziano can request a special exception to the zoning regulation in the form of a documented site plan.

In summary, on review of the evidence and the law this Court finds the County Board of Appeals' order to be contrary to the law.

Accordingly the decision of the County Board of Appeals is reversed.

Appellees to pay the costs.

Dated ///29/83

DANA M. LEVITZ, Judge

Copies sent to:

Phyllis Cole Friedman, Esquire Peter Max Zimmerman, Esquire Jeffrey H. Gray, Esquire County Board of Appeals CHEO - PER SIMPLE - INDIVIDUAL GRANTON - LONG FORMBER 8 7 4 5 PAGE 4 1 7

NO CONSIDERATION NO TITLE EXAMINATION REQUESTED OR MADE

This Deed, MADE THIS 11th day of it inch.

in the year one mousend nine hundred and hinety-one

by and between

THE GRALAN COMPANY, a body corporate duly incorporated under the Laws

of the State of Maryland Of the State of Maryland OF the first part, and GARROLYN M. HOWARD, MARY C. REAHL JONES, THOMAS N. KELLY, SARAH A. FURMAN, MARGARET KOPPYRUTH E. SUDIA DILLINGER, JOSEPH EDWARD KELLY, JR. and MARTIN T. KELLY

of the second part.

Witheserth, That in consideration of the sum of Five Dollars and other good and valuable considerations this day paid, the receipt of which is hereby acknowledged,

the said THE GRALAN COMPANY

RC/F DEED SH CLERK 37.00 #27431 COO2 ROZ TUB: 49

04/02/91

grant and convey to the said CARROLYN M. HOWARD, MARY C. REAHL JONES, do es THOMAS N. KELLY, SARAH A. FURMAN, MARGARET KOPP, RUTH E. SUDIA DILLINGER, JOSEPH EDWARD KELLY, JR. and MARTIN T. KELLY, as tenants in common, each an equal 1/8 undivided interest, their

personal representative stransments and assigns

, in fee simple, all

those

lot 5

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.

BEING part of the property which by Deed dated even date herewith and recorded among the Land Records of Baltimore County prior hereto was granted and conveyed by Bernard C. Kelly et al unto The Gralan Company, the grantor herein.

TOT ALE.

TerraPlan, Inc.

Land Planning/Surveying

Property Description

Parcel "B" - Deed 4710/590

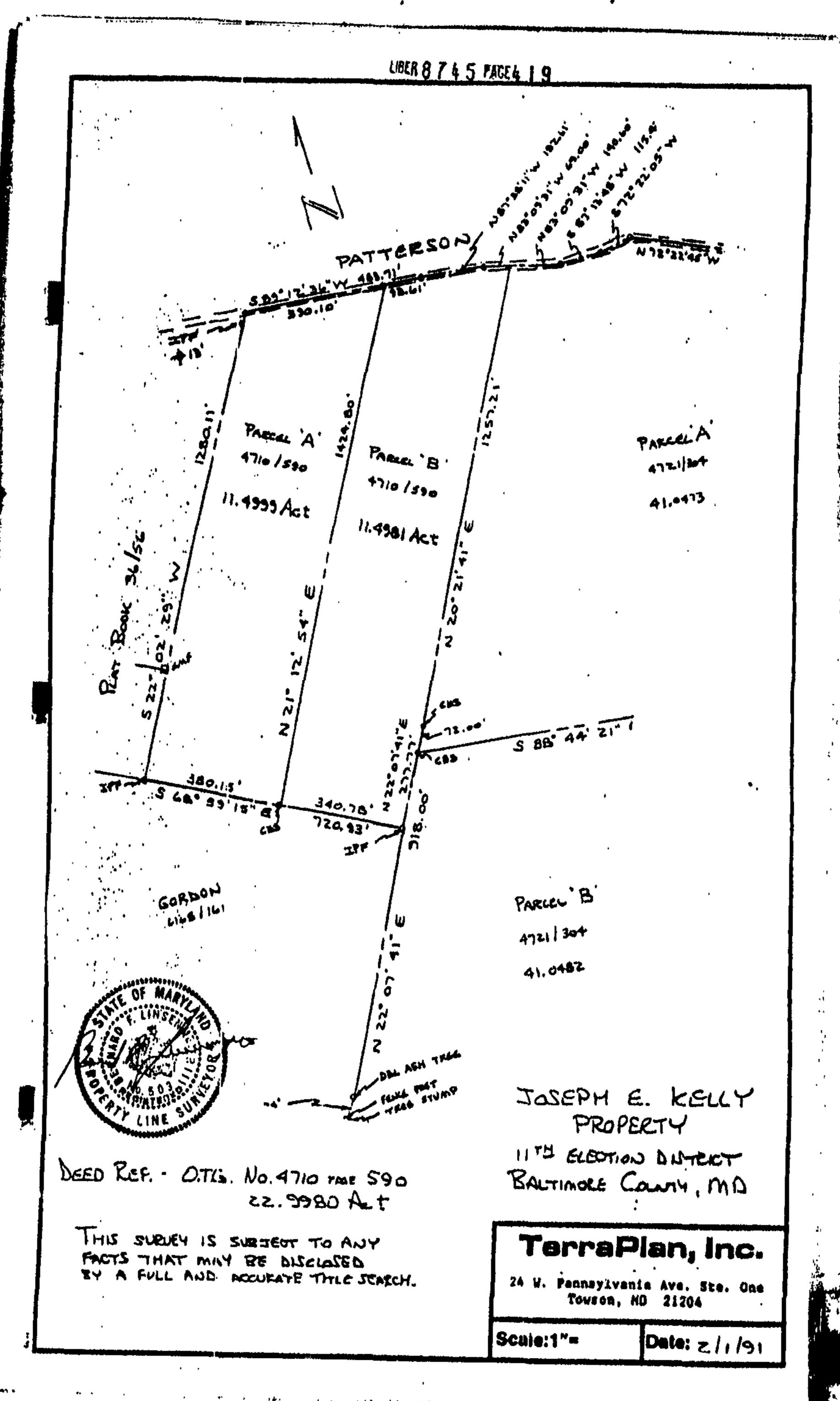
Beginning for the same at a capped bar set at the end of the third or North 31 degrees 02 minutes East 990 foot line of that tract of land which by deed dated December 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4710 folio 590 was conveyed by the Bedford Holding Company to Joseph E. Kelly, et al, thence running, as now surveyed, all bearings herein referenced to the Baltimore County Metropolitan District Grid Meridian;

- 1.) North 20 degrees 21 minutes 41 seconds East 1257.21 feet to the center of Patterson Road, thence running with and binding on center of said road;
- 2.) North 83 degrees 09 minutes 31 seconds West 69.00 feet to a point, thence;
- 3.) North 87 degrees 38 minutes 11 seconds West 182.61 feet to a point, thence;
- 4.) South 89 degrees 12 minutes 36 seconds West 93.61 feet to a point, thence for a new line of division;
- 5.) South 21 degrees 12 minutes 54 seconds West 1424.80 feet to a capped bar set, thence;
- 6.) South 68 degrees 59 minutes 15 seconds East 340.78 feet to an iron pipe found on the aforesaid third line of deed Liber O.T.G. No. 4710 folio 590, thence running with and binding on a part of said third line;
- 7.) North 22 degrees 07 minutes 41 seconds East 277.77 feet to the point of beginning.

Containing 11.4981 acres of land, more or less.

Being a part of that tract of land which by deed dated December 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4710 folio 590 was conveyed by the Bedford Holding Company to Joseph E. Kelly, et al.

24 V. Pennsylvania Avenue Suite One, Touson, ND 21204 Telephone (301) 583-8026 Fascimile (301) 321-4903 OF HAPPY STATE OF THE STATE OF



LIBER 8 7 4 5 PAGE 4 2 0

TerraPlan, Inc.

Land Planning/Surveying

PROPERTY DESCRIPTION

Parcel B - Deed 4721/304

Beginning for the same at a double ash tree at the beginning of the third or North 31 degrees 02 minutes East 990 feet line of that tract of land which by deed dated December 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4710 folio 590 was conveyed by the Bedford Holding Company to Joseph E. Kelly, et al, thence running with and binding on a part of said third line, as now surveyed, all bearing herein referenced to the Baltimore County Metropolitan District Grid Meridian,

- 1) North 22 degrees 07 minutes 41 seconds East 918.00 feet to a capped bar set, thence for a new line of division;
- 2) South 88 degrees 44 minutes 21 seconds East 1490.53 feet to an angle iron found, thence;
- 3) South 68 degrees 10 minutes 32 seconds East 92.00 feet to an angle iron found, thence;
- 4) South 22 degrees 04 minutes 42 seconds West 343.89 feet to a capped bar set, thence;
- 5) South 45 degrees 47 minutes 13 seconds East 242.64 feet to the center of Long Green Pike, thence running with and binding on the center of said road;
- 6) South 55 degrees 00 minutes 17 seconds West 140.90 feet to a point, thence
- 7) South 62 degrees 58 minutes 31 seconds West 496.13 feet to a point, thence leaving said road and running with and binding on the outlines of that tract of land which by deed dated August 4, 1972 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 5366 folio 399 was conveyed by Thomas M. Kelly to the Roman Catholic Church, the following three courses,
- North 56 degrees 06 minutes 00 seconds West 476.10 feet to a capped bar set, thence;
- 9) South 33 degrees 54 minutes 00 seconds West 210.00 feet to a capped bar set, thence;
- 10) South 56 degrees 06 minutes 00 seconds East 378.00 feet to the center of Long Green Pike, thence running with and binding on the center of said road;

24 V. Pennsylvania Avenue Suite One, Towson, ND 21284 Telephone (301) 583-8026 Fascinile (301) 321-4983

- 11) South 40 degrees 18 minutes 37 seconds West 195.43 feet to a point, therice;
- 12) South 25 degrees 32 minutes 54 seconds West 492,34 feet to a point, thence leaving said road;
- North 54 degrees 35 minutes 43 seconds West 1103.76 feet to a capped bar set, thence;
- 14) North 32 degraes 09 minutes 40 seconds East 21.83 feet to a tree stump, thence;
- 15) North 22 degrees 25 minutes 32 seconds West 16.74 feet to a fence post, thence;
- 16) North 24 degrees 44 minutes 25 seconds East 55.24 feet to the point of beginning.

Containing 41.0482 acres of land, more or less.

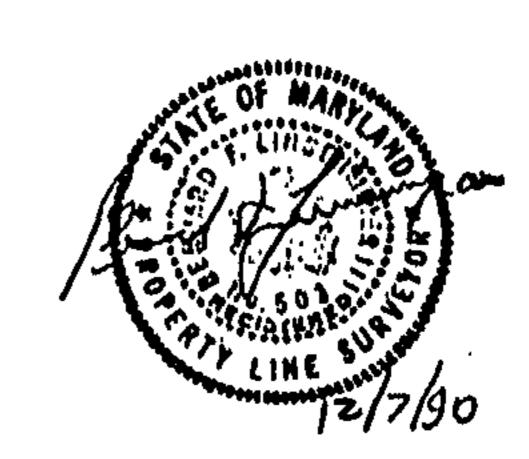
4.4

Being a part of that tract of land which by deed dated December 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4721 folio 304 was conveyed by the Bedford Holding Company to Joseph E. Kelly et al.

Subject to and together with the use of a right-of-way, 25 feet wide, as now established and herein described, vis;

Beginning for the same at an angle iron found at the end of the aforesaid new line of division (South 88 degrees 44 minutes 21 seconds East 1490.53 feet) thence running reversely with and binding on said line;

- 1) North 88 degrees 44 minutes 21 seconds West 26.48 feet to a point, thence;
- 2) North 21 degrees 28 minutes 32 seconds East 429.67 feet to a point, thence;
- 3) South 68 degrees 31 minutes 28 seconds East 25.00 feet to a concrete monument found, thence;
- 4) South 21 degrees 28 minutes 32 seconds West 420.52 feet to the point of beginning.



LIBER 8 7 4 5 PAGE 4 2 3

Togerhen 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 CARROLYN M. HOWARD, MARY C. REAHL JONES, THOMAS N. KELLY, SARAH A. FURMAN, MARGARET KOPP, RUTH E. SUDIA DILLINGER, JOSEPH EDWARD KELLY, JR. and MARTIN T. KELLY, as tenants in common, each an equal 1/8 undivided interest, their

personal representative elementations

and assigns

, in fee simple.

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

and the signature of its President. Test:

June R. Butcher

THE GRALAN COMPANY

STATE OF MARYLAND, BALTIM DIE COUT, To wit:

I HEREBY CERTIFY, That on this

in the year one thousand nine hundred and ninety-one

before me, the subscriber, a Notary Public of the State aforesaid, personally appeared MICHAEL President of The Gralan Company, the above-named grantor, and acknowledged also made oath in due form of

the foregoing Deed to be the act of said body corporate. also made oath in due form law that the sale of the above-described property is not a sale of all or substantially all of the substantially all of the property and assets of said Corporation.

In Witness Whereor. I hereunto set my hand and official seal.

My Commission expires:

In accordance with Real Property Section 3-104(f), this is to certify that the foregoing 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

DEED

THIS DEED dated May 28, 1982, from MARTIN T. KELLY, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPH EDWARD KELLY. SR., deceased, party of the first part, Grantor, to CARROLYN M. HOWARD, MARY C. REAHL, THOMAS N. KELLY, SARAH A. FURMAN, MARGARET R. KOPP, RUTH E. SUDIA, JOSEPH EDWARD KELLY, JR., and MARTIN T. KELLY, parties of the second part, Grantees.

WHEREAS, Joseph Edward Kelly, Sr. and Charlotte C. Kelly owned, as tenants by the entirety, an undivided one-half (1/2) interest in the real property described on Exhibit A attached hereto.

WHEREAS, Charlotte C. Kelly, wife of Joseph Edward Kelly, Sr., late of Baltimore County, died on November 22, 1979.

WHEREAS, Joseph Edward Kelly, Sr., late of Baltimore County, died on July 28, 1980, leaving a Will which was admitted to administrative probate by the Register of Wills of Baltimore County, Maryland, and which devised the real property described on Exhibit A as part of his residuary estate to his eight children.

NOW, THEREFORE, for and in consideration of the sum of ZERO DOLLARS (\$0.00) and pursuant to the terms of said Will, the Grantor does hereby grant and convey unto each of the saidRC/F Grantees, their respective personal representatives, heirs and assigns, an undivided one-eighth (1/8) interest as tenants in COOI ROZ 710:02 common with each of the remaining Grantees, in fee simple, in Joseph Edward Kelly, Sr.'s undivided one-half (1/2) interest in all those lots of ground located in Baltimore County, Maryland, described more particularly on Exhibit A attached hereto.

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

ACRICULTURAL TRANSFER TAX NOT APPLICABLE SICHATUFE MAN DATE SAME

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TRANSFER TAX NOT REQUIRED Director of Finance BALTIMORE COUNTY, MASYLAND / Authorized Signature

The same of the sa

06/25/82

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TO HAVE AND TO HOLD the said described lots of ground and premises, unto and to the use of each of the said Grantees, their respective personal representatives, heirs and assigns, an undivided one-eighth (1/8) interest as tenants in common with each of the remaining Grantees, in fee simple, in Joseph Edward Kelly, Sr.'s undivided one-half (1/2) interest in said described lots.

And the said Grantor hereby covenants that he will execute such further assurances of the property as may be requisite.

WITNESS the hand and seal of the Grantor.

WITNESS:

77alas

(SEAL)

Martin T. Kelly, Personal Representative of the Estate of Joseph Edward Kelly, Sr., Grantor

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

HEREBY CERTIFY, that on this Arthogolary May, 1982, before me, a Notary Public of the County aforesaid, personally appeared MARTIN T. KELLY, PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPH EDWARD KELLY, SR., Grantor, and he acknowledged the foregoing Deed to be his act.

E WITNESS my hand and Notarial Seal.

Notary Public magnick

My Commission Expires: 7/1/82

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STATE INFAMILIERT OF ASSECULELIES & TAXATION

CLERK DATE

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EXHIBIT A

BEGINNING FOR THE FIRST PART: all that lot or parcel of land in the Eleventh Election District of Baltimore County on the westerly side of the west prong of the Harford Turnpike Road (said west prong being commonly known as Long Green Pike) containing 92 acres and 112 square perches of land, more or less and being all and the same land first described in a Deed dated October 17, 1931, and recorded among the Land Records of Baltimore County, in Liber L.Mc.L.M. 890, Folio 92, from A. Ellicott George, et al. to Joseph M. Kelly, and Sarah E. Kelly, his wife.

BEING the same land described in a Deed dated December 29, 1966, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4721, Folio 304, from The Bedford Holding Company to Joseph E. Kelly and Charlotte Kelly, his wife, and Bernard C. Kelly, and Alice L. Kelly, his wife.

SAVING AND EXCEPTING therefrom the land contained in the following conveyances:

- (a) The land contained in the Deed dated September 6, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. 2169, Folio 448, from Joseph E. Kelly, et al, to Helen M. Bordley;
- (b) The land described in Deed dated May 25, 1954, and recorded among the Land Records of Baltimore County in Liber G.L.B. 2488, Folio 57, from Joseph E. Kelly, et al, to Thomas Kelly.
- (c) The land contained in a Deed dated November 10, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 755, from Joseph E. Kelly, et al, to Thomas N. Kelly.

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- (d) The land contained in the Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 746, from Joseph E. Kelly, et al, to The Bedford Holding Company.
- (e) The land contained in a Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 741, from Joseph E. Kelly, et al, to The Bedford Holdin; Company; being the same land described in a Confirmator; Deed dated August 7, 1972, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5290, Folio 789 by and between the same parties.
- (f) The land contained in the Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 750, from Joseph E. Kelly, et al, to The Bedford Holding Company.

BEGINNING FOR THE SECOND PART: at a stone planted at the beginning of the second or South 86 degrees East 70 perch line of the second parcel in a Deed dated February 19, 1955, recorded among the Land Records of Baltimore County in Liber H.M.F. 11 folio 22 from Elizabeth Jenkins to Ann Jenkins. running thence binding on said line South 80 degrees 2 minutes East 1163.12 feet to a stake, thence South 60 degrees 25 minutes East 1351.73 feet to a stake; thence with the present fence North 31 degrees 2 minutes East 990 feet and running 29 degrees 16 minutes East, 1359.9 feet to the North side of a public road; thence binding on said road North 74 degrees 50 minutes West 123.75 feet to a stone; thence North 82 degrees 5 minutes West 1538.27 feet to intersect the right of way of the Maryland and Pennsylvania Railroad Company; thence running and binding on said right of way the following five (5) courses and distances: (1) South 63 degrees 32 minutes West 86.31 feet; (2) South 57 degrees 37 minutes West 49.45 feet; (3) South 54 degrees 35 minutes

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West 49.8 feet; (4) South 52 degrees 32 minutes West 50.51 feet, and (5) 52 degrees 3 minutes West 2094.62 feet to the place of beginning. Containing 93.02 acres of land more or less and embracing all that road 30 feet wide as heretofore reserves by a certain Ann M. Jenkins leading in a Southwesterly direction from the Southeast corner of the above described tract of land to the West branch of the Harford Road; said tract of land being known as "White Plains."

December 29, 1966, recorded among the Land Records of Baltimore County in Liber O.T.G. 4710, Folio 590, from The Bedford Holding Company to Joseph E. Kelly and Charlotte Kelly, his wife, and Bernard C. Kelly and Alice L. Kelly, his wife.

SAVING AND EXCEPTING therefrom the following conveyances:

- (a) The land contained in a Deed dated December 29, 1966, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4710, Folio 593, from Joseph E. Kelly, et al, to Eugene T. Wisniewski and Evelyn S. Wisniewski, his wife.
- (b) The land contained in a Deed dated February 1, 1967, recorded among the Land Records of Baltimore County in Liber O.T.G. 4721, Folio 306, from Joseph E. Kelly, et al, to Bruce Wells, Jr. and Gwendolyn M. Wells, his wife.
- (c) The land contained in a Deed dated October 13, 1967, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4814, Folio 236, from Joseph E. Kelly, et al. to Edward M. Rehak and Mary C. Rehak, his wife.
- (d) The land contained in a Deed dated June 6, 1972, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5273, Folio 959, from Joseph E. Aelly, et al, to Joseph A. Strasdauskas and Delores P. Strasdauskas, his wife.

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Hedelpt No.

NO CONSIDERATION NO TITLE EXAMINATION REQUESTED OR MADE

This Deed, MADE THIS

day of February

in the year one thousand nine hundred and ninety-one by and between BERNARD C. KELLY and ALICE L. KELLY, his wife, CABROLYN M. HOWARD, MARY C. REAHL JONES, THOMAS N. KELLY, SARAH A. FURMAN, MARGARET KOPPYRUTH E. SUDIA DILLINGER, JOSEPH EDWARD KELLY, JR. and MARTIN T. KELLY

of the State of Maryland

of the first part, and

THE GRALAN COMPANY, a body corporate, duly incorporated under the Laws of the State of Maryland

of the second part.

Witnessers, That in consideration of the sum of Five Dollars and other good and valuable considerations this day paid, the receipt of which is hereby acknowldged,

the said BERNARD C. KELLY and ALICE L. KELLY, his wife, CARROLYN M. HOWARD, MARY C. REAHL JONES, THOMAS N. KELLY, SARAH A. FURMAN, MARGARET KOPP, RUTH E. SUDIA DILLINGER, JOSEPH EDWARD KELLY, JR. and MARTIN T. KELLY

A RC/F

35.00

DEED

SN CLERK

35.00

do

grant and convey to the said THE GRALAN COMPANY, its

#27430 CUOZ ROZ TOB: 49 01/02/91

purcember and assigns

, in fee simple, all

those

lot s

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.

FOR title see the following: 1) Deed dated December 29, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4710, folio 590 from the Bedford Holding Company to Joseph E. Kelly et al; 2) Deed dated December 29, 1966 and recorded among the land Records of Baltimore County in Liber O.T.G. No. 4721, folio 304, from the Bedford Holding Company to Joseph E. Kelly. et al; 3) Deed dated May 28, 1982 and recorded amogn the Land Records of Baltimore County in Liber EHK, Jr. No. 6407, folio 189 from Martin T, Kelly, Personal Representative of the Estate of Joseph Edward Kelly, Sr. to Carrolyn M. Howard et al. 4) Mary C. Reahl having intermarried and is now known as Mary C. Jones; 5) Ruth E. Sudia having since intermarred and is now known as Ruth E. Dillinger.

KIP 4/1/91

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EXHIBIT A

The Property hereby conveyed is described as follows:

BEGINNING FOR THE FIRST PART: all that lot or parcel
of land in the Eleventh Election District of Baltimore County
on the westerly side of the west prong of the Harford Turnpike
Road (said west prong being commonly known as Long Green Pike)
containing 92 acres and 112 square parches of land, more or
less and being all and the same land first described in a Deed
dated October 17, 1931, and recorded among the Land Records of
Baltimore County, in Liber L.Mc.L.M. 890, Folio 92, from A.
Ellicott George, et al, to Joseph M. Kelly, and Sarah E. Kelly,
his wife.

BEING the same land described in a Deed dated December 29, 1966, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4721, Folio 304, from The Bedford Holding Company to Joseph E. Kelly and Charlotte Kelly, his wife, and Bernard C. Kelly, and Alice L. Kelly, his wife.

SAVING AND EXCEPTING therefrom the land contained in the following conveyances:

- (a) The land contained in the Deed dated September 6, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. 2169, Folio 448, from Joseph E. Kelly, et al, to Helen M. Bordley;
- (b) The land described in Deed dated May 25, 1954, and recorded among the Land Records of Baltimore County in Liber G.L.B. 2488, Folio 57, from Joseph E. Kelly, et al, to Thomas Kelly.
- (c) The land contained in a Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 755, from Joseph E. Kelly, et al, to Thomas N. Kelly.

प्रतिकृतिक । स्रोतिक विकास क्षेत्रक क्षेत्रक स्रोतिक स्थापन क्षेत्रक स्थापन क्षेत्रक स्थापन क्षेत्रक स्थापन क्षेत्रक स्थापन STORY OF STREET

- (d) The land contained in the Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 746, from Joseph E. Kelly, et al, to The Bedford Holding Company.
- (e) The land contained in a Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 741, from Joseph E. Kelly, et al, to The Bedford Holding Company; being the same land described in a Confirmatory Deed dated August 7, 1972, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5290, Folio 789 by and between the same parties.
- (f) The land contained in the Deed dated November 30, 1971, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5261, Folio 750, from Joseph E. Kelly, et al, to The Bedford Holding Company.

BEGINNING FOR THE SECOND PART: at a stone planted at the beginning of the second or South 86 degrees East 70 perch line of the second parcel in a Deed dated February 19, 1955, recorded among the Land Records of Baltimore County in Liber H.M.F. il folio 22 from Elizabeth Jenkins to Ann Jenkins, running thence binding on said line South 80 degrees 2 minutes East 1163.12 feet to a stake, thence South 60 degrees 25 minutes East 1351.73 feet to a stake; thence with the present fence North 31 degrees 2 minutes East 990 feet and running 29 degrees 16 minutes East, 1359.9 feet to the North side of a public road; thence binding on said road North 74 degrees 50 minutes West 123.75 feet to a stone; thence North 82 degrees 5 minutes West 1538.27 feet to intersect the right of way of the Maryland and Pennsylvania Railroad Company: thence running and binding on said right of way the following five (5) courses and distances: (1) South 63 degrees 32 minutes West 86.31 feet; (2) South 57 degrees 37 minutes West 49.45 feet; (3) South 54 degrees 35 minutes

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West 49.8 feet; (4) South 52 degrees 32 minutes West 50.51 feet, and (5) 52 degrees 8 minutes West 2094.62 feet to the place of beginning. Containing 93.02 acres of land more or less and embracing all that road 30 feet wide as heretofore reserves by a certain Ann M. Jenkins leading in a Southwesterly direction from the Southeast corner of the above described tract of land to the West branch of the Harford Road; said tract of land being known as "White Plains."

December 29, 1966, recorded among the Land Records of Baltimore County in Liber O.T.G. 4710, Folio 590, from The Bedford Holding Company to Joseph E. Kelly and Charlotte Kelly, his wife, and Bernard C. Kelly and Alice L. Kelly, his wife.

SAVING AND EXCEPTING therefrom the following conveyances:

- (a) The land contained in a Deed dated December 29, 1966, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4710, Folio 593, from Joseph E. Kelly, et al, to Eugene T. Wisniewski and Evelyn S. Wisniewski, his wife.
- (b) The land contained in a Deed dated February 1, 1967, recorded among the Land Records of Baltimore County in Liber O.T.G. 4721, Folio 306, from Joseph E. Kelly, et al, to Bruce Wells, Jr. and Gwendolyn M. Wells, his wife.
- (c) The land contained in a Deed dated October 13, 1967, and recorded among the Land Records of Baltimore County in Liber O.T.G. 4814, Folio 236, from Joseph E. Kelly, et al, to Edward M. Rehak and Mary C. Rehak, his wife.
- (d) The land contained in a Deed dated June 6, 1972, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5273, Folio 959, from Joseph E. Welly, et al., to Joseph A. Strasdauskas and Delores P. Strasdauskas, his wife.

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

THE GRALAN COMPANY, its

and assigns

, in fee simple.

ffered to be done any act, matter or thing whatse	oever, to encumber the property hereby convey	ed;
at they will warrant specially the property	hereby granted; and that they will execu	ite
ch further assurances of the same as may be requis	ite.	ι - -
Witness the hands and seals of said g	rantor s.	1
Witness as to alk:	Bernard C. Kelly	SEAL)
	Alice L. Kelly	AL)
migarit XUPPO (SEAL)	Carreles m Laureric "	SEAL)
largaret Kopp Litt Cheeria (SEAL)	Carrolyn M. Howard	i L
Luth E. Sudia Dillinger	mary C. Reant Jones	SEAL)
excel Edward Killy (SEAL)	Thomas N. Kelly	AL)
oseph Edward Kelly, Jr. (SEAL)		SEAL)
Martin T. Kelly (SEAL)	Sarah A. Furman	; ; [
TATE OF MARYLAND, Alette ' , to wit:		[
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the year one thousand nine hundred and ninety-	•	- 1
he subscriber, a Notary Public of the State aforesaid is wife, Carrolyn M. Howard, Mary C. Reahl Jo	, personally appeared Bernard C. Kelly & Alice	L. Kelly, garet Kopp
· · · · · · · · · · · · · · · · · · ·	nes, Thomas N. Kelly, Sundant C. Kelly & Alice nes, Thomas N. Kelly, Sundant XXXIIII Men , Market and Martin T. Kelly whose names whose names	L. Kelly, garet Kopp to
he subscriber, a Notary Public of the State aforesaid is wife, Carrolyn M. Howard, Mary C. Reahl Jo Luth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the person within instrument, and acknowledged the foregoing lealed the same.	personally appeared Bernard C. Kelly & Alice nes, Thomas N. Kelly, Sandward Targett, Mar and Martin T. Kelly whose names Ware subscribed Deed to be their act, and in my presence signed.	L. Kelly, garet Kopp to
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he subscriber, a Notary Public of the State aforesaid is wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the persone within instrument, and acknowledged the foregoing lealed the same. IN Witness Whereof, I hereunic set my hand an	nes, Thomas N. Keily, Sanakakakamena, Marand Martin T. Kelly and Martin T. Kelly whose names whose names bed bed to be their act, and in my presence signed a declinates.	L. Kelly, garet Kopp to and
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he subscriber, a Notary Public of the State aforesaid is wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the persone within instrument, and acknowledged the foregoing lealed the same. In Winness Whereof, I hereun best my hand an analysis of the same. My Commission expires:	personally appeared Bernard C. Kelly & Alice ones, Thomas N. Kelly, Surative extension, Margaret and Martin T. Kelly on s whose names ware subscribed Deed to be their act, and in my presence signed adollicial seal. Notice Public Pub	L. Kelly, garet Kopp to and
In accordance with Real Property Sections wise, a Notary Public of the State aforesaid his wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the person he within instrument, and acknowledged the foregoing I saled the same. In Wrrness Whereor, I hereund set my hand an instrument was prepared under the supervision of the supe	personally appeared Bernard C. Kelly & Alice nes, Thomas N. Kelly, Sanakakakahannes, Markens,	L. Kelly, garet Kopp to and
he subscriber, a Notary Public of the State aforesaid is wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the persone within instrument, and acknowledged the foregoing lealed the same. In Winness Whereof, I hereun best my hand an analysis of the same. My Commission expires:	personally appeared Bernard C. Kelly & Alice nes, Thomas N. Kelly, Sanakakakahannes, Markens,	L. Kelly, garet Kopp to and
In accordance with Real Property Sections wise, a Notary Public of the State aforesaid his wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the person he within instrument, and acknowledged the foregoing I saled the same. In Wrrness Whereor, I hereund set my hand an instrument was prepared under the supervision of the supe	personally appeared Bernard C. Kelly & Alice ones, Thomas N. Kelly, Sanakaka Taranena, Mark and Martin T. Kelly on s whose names where subscribed act, and in my presence signed adolficial seal. No. 104(f), this is to certify that the foregoing the undersigned, an attorney duly admitted land.	L. Kelly, garet Kopp to and
In accordance with Real Property Sections wise, a Notary Public of the State aforesaid his wife, Carrolyn M. Howard, Mary C. Reahl Jo Ruth E. Sudia Dillinger, Joseph Edward Kelly, Jr nown to me (or satisfactorily proven) to be the person he within instrument, and acknowledged the foregoing I saled the same. In Wrrness Whereor, I hereund set my hand an instrument was prepared under the supervision of the supe	personally appeared Bernard C. Kelly & Alice nes, Thomas N. Kelly, Sanakakakahannes, Markens,	L. Kelly. garet Kopp to and
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, to wit:

I HEREBY CERTIFY, That on this _____ day of ______ \(\tag{Auc} \) , 1991, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared SARAH A. FURMAN, known to me (or satisfactorily proven) to be one of the persons whose names are subscribed to the within instrument and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

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

My Commission Expires:



M. Same day recorded

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at

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
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
THE GRALAN COMPANY


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
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
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















(SHEET N.E. 18 - F)