IN RE: PETITION FOR ADMIN. VARIANCE N/S Michelle Way, 240' E centerline of Park Heights Avenue 4th Election District 3rd Councilmanic District (3712 Michelle Way) Patricia C. & Gary L. Attman *Petitioners*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 03-285-A

* * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Patricia C. and Gary L. Attman. The variance request is for property located at 3712 Michelle Way in the western area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 30 ft. in lieu of the required 35 ft. for an addition and to amend the Final Development Plan for "Anton Woods". The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

11/5/03

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 15th day of January, 2003, that a variance from Section 1B02.3.B of the B.C.Z.R., to permit a rear yard setback of 30 ft. in lieu of the required 35 ft. for an addition and to amend the Final Development Plan for "Anton Woods", be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Timothy Kotroco

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

1/15/03
J.P. Jamison

Baltimore County
Zoning Commissioner

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

January 15, 2003

Mr. & Mrs. Gary L. Attman
3712 Michelle Way
Baltimore, Maryland 21208-1742

Re: Petition for Administrative Variance
Case No. 03-285-A
Property: 3712 Michelle Way

Dear Mr. & Mrs. Attman:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy Kotroco

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Kitty Daly
HBF Plus Architects
1777 Reisterstown Rd, Ste 118
Baltimore, MD 21208

Printed with Soybean Ink
on Recycled Paper

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 3712 Michelle Way

which is presently zoned DR-1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B to permit a rear yard setback of 30 ft. in lieu of the required 35 ft. and to amend the Final Development Plan for Anton Woods.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Gary L. Attman
Name - Type or Print

Signature

Patricia C. Attman
Name - Type or Print

Patricia C. Attman
Signature

3712 Michelle Way 410-484-8425
Address Telephone No.

Baltimore MD 21208-1742
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Kitty Daly, HBF Plus Architects
Name

Suite 118, 1777 Reisterstown Rd. 410-486-0253
Address Telephone No.

Baltimore MD 21208
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

1/15/03 R. Quinn

CASE NO. 03-285-A

Reviewed By BK Date 12/17/02

Estimated Posting Date 12/30/02

REV 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3712 Michelle Way
Address

Baltimore MD 21208-1742
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We need additional living space in the existing house. Given the existing layou of the house and the topography of the site, the only practical place to add is on the side of the house which would require a variance. The other sides of the house have steep slopes.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Gary L. Attman
Name - Type or Print

Signature

Patricia C. Attman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of December, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Gary L. Attman and Patricia C. Attman the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

ANN MARIE WARGO
STATE OF MARYLAND
ANNE ARUNDEL COUNTY
NOTARY PUBLIC
COMMISSION EXPIRES 06/03

December 10, 2003
Date

Ann Marie Wargo
Notary Public

My Commission Expires 06/30/03

RZU 09/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3712 Michelle Way
Address

Baltimore MD 21208-1742
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We need additional living space in the existing house. Given the existing layou of the house and the topography of the site, the only practical place to add is on the side of the house which would require a variance. The other sides of the house have steep slopes.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Gary L. Attman
Name - Type or Print

Signature

Patricia C. Attman
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of December, 2002 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Gary L. Attman and Patricia C. Attman the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

ANN MARIE WARGO
COMMISSION EXPIRES: 06/30/05
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
STATE OF MARYLAND

December 10, 2002
Date

Ann Marie Wargo
Notary Public

My Commission Expires 06/30/02

RBI 09/15/98

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 3712 Michelle Way

which is presently zoned DR-1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.B to permit a rear yard setback of 30 ft. in lieu of the required 35 ft. and to amend the Final Development Plan for Anton Woods.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No

City — State — Zip Code

Legal Owner(s):

Gary L. Attman
Name - Type or Print

Signature

Patricia C. Attman
Name - Type or Print

Patricia C. Attman
Signature

3712 Michelle Way — 410-484-8425
Address — Telephone No.

Baltimore — MD — 21208-1742
City — State — Zip Code

Representative to be Contacted:

Kitty Daly, HBF Plus Architects
Name

Suite 118, 1777 Reisterstown Rd. — 410-486-0253
Address — Telephone No.

Baltimore — MD — 21208
City — State — Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 03-285-A

Reviewed By BR Date 12/17/02

Estimated Posting Date 12/30/02

REV 9/15/98

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 3712 MICHELLE WAY

Beginning at a point on the North side of Michelle Way which is 50 feet wide at the distance of 240 feet East of the centerline of the nearest improved intersecting street Park Heights Avenue which is 50 feet wide. Being Lot # 7, Parcel # 42, Section # 2 in the Subdivision of Anton Woods as recorded in Baltimore County Plat Book 56, Folio 120, containing 48,739 square feet. Also known as 3712 Michelle Way and located in the 3rd Election District, 4th Councilmanic District.

#285

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

DATE 12/17/02 ACCOUNT R001-006-6150

AMOUNT $ 100.00

RECEIVED FROM: HBF Plc, Inc.

FOR: Administrative variance & FDP Amendment

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item #285

BUSINESS ACTUAL TIME
12/17/2002 12/17/2002 10:21
REG W502 WALKER JEAN M TRAINER
>>RECEIPT # 261959 12/17/2002 CR
Dept 5 52H ZONING VERIFICATION
CR NO. 020162
Recpt Tot $100.00
100.00 CK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE #03-285 A
PETITIONER/DEVELOPER:
GARY & PATRICIA ATTMAN
DATE OF CLOSING:
JANUARY 14, 2003

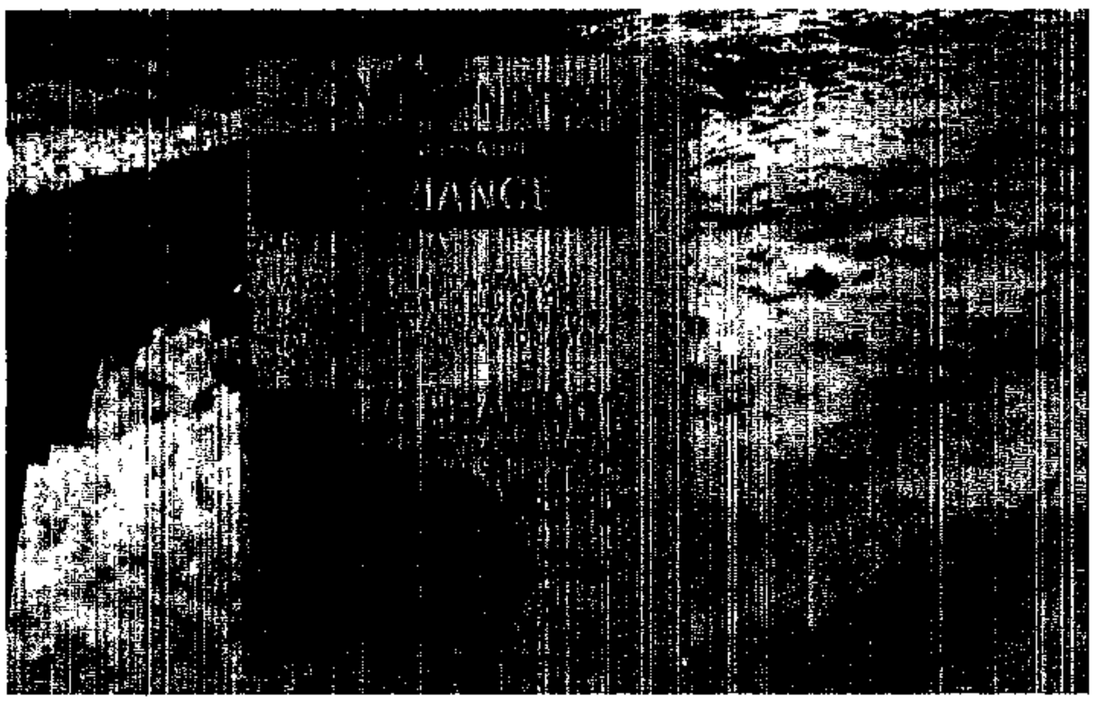
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

LOCATION:
3712 Michelle Way



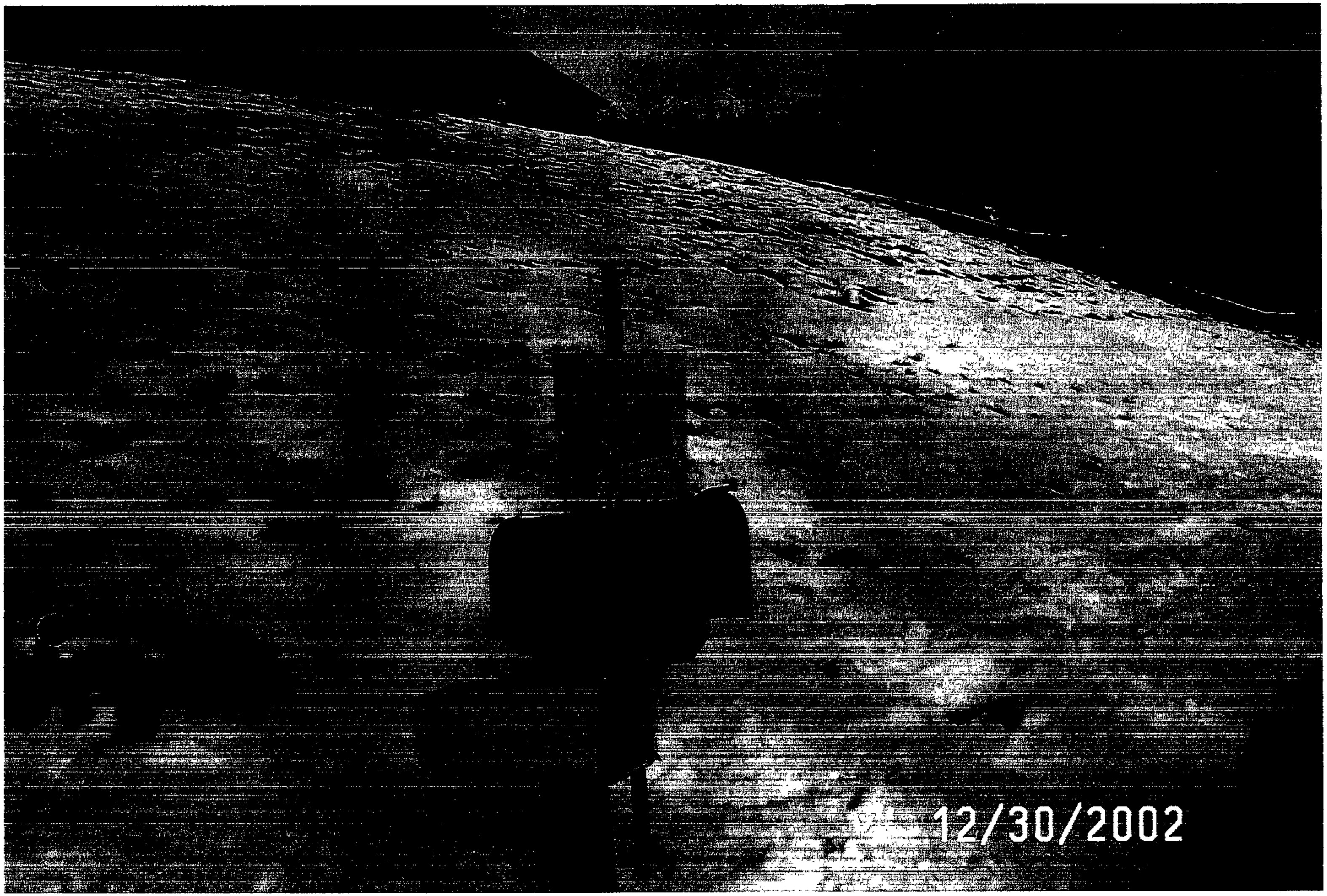
POSTED ON: December 30, 2002

DATE:
December 31, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX


12/30/2002

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 03-285-A

Petitioner: Gary L. and Patricia C. Attman

Address or Location: 3712 Michelle Way, Baltimore, MD 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gary L. and Patricia C. Attman

Address: 3712 Michelle Way

Baltimore MD 21208

Telephone Number: 410-484-8425

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 285 -A Address 3712 Michelle Way

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/17/02 **Posting Date:** 12/30/02 **Closing Date:** 1/14/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.

2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.

3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.

4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** *In cases that must go to a public hearing* (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 03- 285 -A Address 3712 Michelle Way

Petitioner's Name Gary & Patricia Attman Telephone 410-484-8425

Posting Date: 12/30/02 **Closing Date:** 1/14/02

Wording for Sign: To Permit a rear yard setback of 30 ft. in lieu of the required 35 ft. and to amend the Final Development Plan for Anton Woods.

WCR - Revised 6/28/00

Baltimore County
Department of Permits and
Development Management

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

January 13, 2003

Mr. and Mrs. Gary Attman
3712 Michelle Way
Baltimore, MD 21208

Dear Mr. and Mrs. Attman:

RE: Case Number: 03-285-A, 3712 Michelle Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 17, 2002.

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

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Kitty Daly, HBF Plus Architects, 17777 Reisterstown Road, Suite 118, Baltimore 21208

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

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

December 31, 2002

ATTENTION: George Zahner

Distribution Meeting of December 23, 2002

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:

257-290

285

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

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 27, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 30, 2002
Item Nos. 257, 258, 259, 260, 261, 262,
263, 264, 265, 266, 267, 268, 270, 271,
272, 273, 274, 275, 276, 277, 278, 279,
280, 281, 282, 283, 284, 285, 286, 287,
288, 289, and 290

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 7, 2003

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-274, 03-285, & 03-289**
Administrative Variance

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

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.30.02

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

RE: Baltimore County
Item No. 285 BR

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,

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

My telephone number is _____

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

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

Maryland Department of Planning

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

December 27, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Re: **Zoning Advisory Committee Agenda, 12/30/02 re: case numbers 03-257-A, 03-258-SPHA, 03-259-SPHA, 03-260-A, 03-261-A, 03-262-A, 03-263-A, 03-264-SPH, 03-265-A, 03-266-XA, 03-267-A, 03-268-A, 03-270-A, 03-271-A, 03-272-A, 03-273-A, 03-274-A, 03-275-A, 03-276-A, 03-277-XA, 03-278-SPH, 03-279-A, 03-280-A, 03-281-SPHA, 03-282-A, 03-283-SPHA, 03-284-A, 03-285-A, 03-286-A, 03-287-A, 03-288-A, 03-289-A, 03-290-A**

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/26/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

RECEIVED
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

LIBER 10091 PAGE 316

RW 92-030-1
J.O. 5-I-5386
Item 1 (R)

THIS DEED AND AGREEMENT AND RELEASE, Made this 12th day of October, 1992, by and between GARY L. ATTMAN and PATRICIA C. ATTMAN, his wife, parties of the first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic, party of the second part.

WHEREAS, by Deed and Agreement dated December 13, 1983 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7138, folio 813, Benjamin H. Blum, Leroy W. Shuger and Joyce T. Shuger granted and conveyed unto Baltimore County, Maryland the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in and to the beds of Park Heights Avenue, Michelle Way, the Storm Water Management Reservation and Drainage and Utility Easement as laid out and shown on the Plat entitled "SECTION TWO ANTON WOODS", which Plat is recorded among Baltimore County Plat Records in Plat Book E.H.K., Jr. No. 52, folio 134; and

WHEREAS, by Deed dated October 1, 1987 and recorded among the aforesaid Land Records of Baltimore County in Liber S.M. No. 7692, folio 001, Benjamin H. Blum and Sandra F. Blum, his wife, conveyed a portion of the land over which said easements run to Gary L. Attman and Patricia C. Attman; and

WHEREAS, said plat of SECTION TWO ANTON WOODS" which was recorded among the aforesaid Plat Records of Baltimore County in Plat Book S.M. No. 52, folio 134, was thereafter revised, and the subdivision was subsequently known as "PLAT SHOWING REVISIONS TO LOTS 7, 8 & 9, SECTION TWO ANTON WOODS, which plat was recorded among the Plat Records of Baltimore County in Plat Book S.M. No. 56, folio 120; and

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

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

SIGNATURE [illegible] DATE 11-22-93 [illegible] 11-22-93
By Date

#285

WHEREAS, the party of the first part has requested the party of the second part release portions of said easements acquired as aforesaid that interfere with the utilization of the remainder of the property of the party of the first part; and

WHEREAS, Baltimore County, Maryland is willing to release portions of the previously acquired easements in exchange for other drainage and utility easements shown on "PLAT SHOWING REVISIONS TO LOTS 7, 8, & 9 SECTION TWO ANTON WOODS", which plat is recorded among the aforesaid Plat Records in Plat Book S.M. No. 56, folio 120.

AND NOW, THEREFORE, THIS DEED AND AGREEMENT AND RELEASE FURTHER WITNESSETH, that in consideration of the premises and the sum of One Dollar ($1.00), the receipt whereof is hereby acknowledged, the said parties of the first part hereby grant and convey unto Baltimore County, Maryland, a body corporate and politic, its successors and assigns, the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in and through the land of the parties of the first part, situate in Baltimore County, Maryland, said sewers, drains, water pipes and other municipal utilities and services to be laid in the easements which are described as follows:

Situate in the Third Election District of Baltimore County.

BEING all that drainage and utility easement containing 0.148 acre (6,430 sq. ft.), more or less, as shown and indicated "DRAINAGE AND UTILITY EASEMENT" on Department of Public Works Bureau of Land Acquisition Drawing No. BW 92-050-1, which is attached hereto and made a part hereof.

FOR TITLE: See Deed dated October 1, 1987 and recorded among the Land Records of Baltimore County in Liber S.M. No. 7692, folio 001 from Benjamin H. Blum and Barbara F. Blum, his wife, to Gary L. Attman and Patricia C. Attman, his wife.

#285

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

NOW, THEREFORE, THIS DEED AND AGREEMENT AND RELEASE FURTHER WITNESSETH, that in consideration of the premises and the conveyance to it, Baltimore County, Maryland, a body corporate and politic, acting under and by virtue of the power and authority contained in Section 35-132, and Amendments thereto of the Baltimore County Code, 1988 Edition, does release, relinquish, quit claim, grant and convey unto the said Gary L. Attman and Patricia C. Attman, his wife, their successors and assigns, all its right, title and interest and especially the right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services in and through those portions of the property of the parties of the first part, which are described as follows:

Situate in the Third Election District of Baltimore County.

BEING a drainage and utility easement containing 0.041 acre (1,770 sq. ft.), more or less, as shown indicated "AREA TO BE RELEASED" on Department of Public Works Bureau of Land Acquisition Drawing No. 92-050-1, which is attached hereto and made a part hereof.

FOR TITLE: See Deed and Agreement dated December 13, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 7138, folio 813 from Benjamin H. Blum, Larry W. Shuger and Joyce T. Shuger, his wife unto Baltimore County, Maryland.

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AS WITNESS the due execution hereof by the aforenamed parties of the first part.

AS WITNESS the corporate seal of Baltimore County, Maryland, and the signature of ROGER B. HAYDEN, County Executive, attested by its Secretary.

TEST:

Gary L. Attman (SEAL)

Patricia C. Attman (SEAL)

BALTIMORE COUNTY, MARYLAND

BY: Roger B. Hayden
Roger B. Hayden
County Executive

STATE OF MARYLAND, ~~BALTIMORE~~ Anne Arundel County, to wit:

I HEREBY CERTIFY that on this 1st day of June, in the year 1993 before me, the subscriber, a Notary Public of the State of Maryland, in and for the aforesaid, personally appeared GARY L. ATTMAN and PATRICIA C. ATTMAN, his wife, and they acknowledged the foregoing Deed and Agreement and Release to be their act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Lynn C. Moody
Notary Public

LYNN C. MOODY NOTARY PUBLIC ANNE ARUNDEL COUNTY, MD

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STATE OF MARYLAND, BALTIMORE County, to wit:

I HEREBY CERTIFY that on this 13th day of October, in the year 1992, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROGER B. HAYDEN, County Executive, and he acknowledged the foregoing Deed and Agreement and Release to be the act of said body corporate, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my Hand and Notarial Seal.

Notary Public

LISA M. NAMOH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires January 14, 1996

APPROVED as to form and legal sufficiency
this 15th day of October, 1992.

Shirley M. Murphy, Special Assistant
to the County Attorney

This is to certify that the within instrument was prepared under the supervision of the Title Examination Supervisor who is an attorney admitted to practice before the Court of Appeals of Maryland.

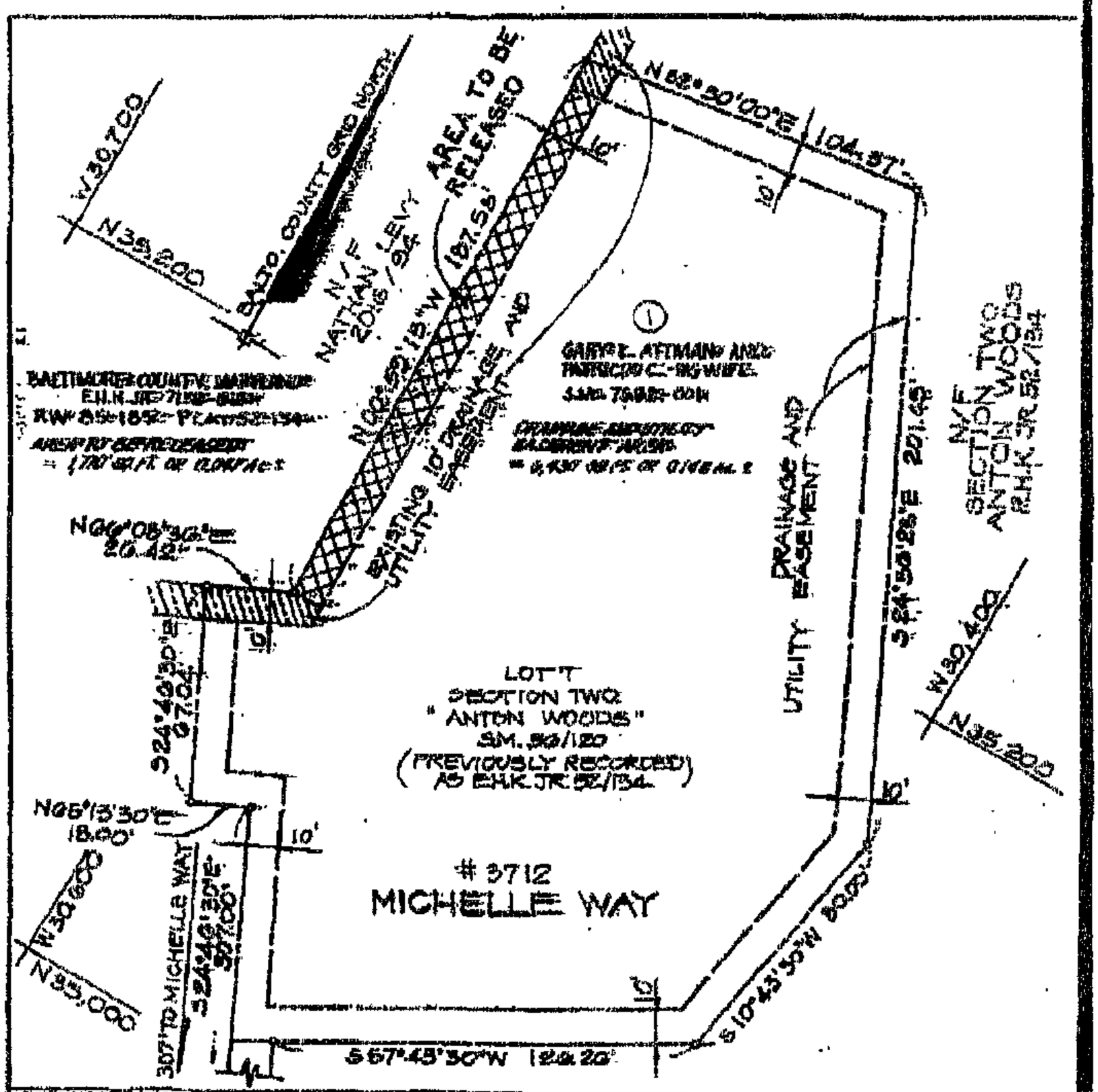
10/12/92
Title Examination Supervisor

11/9/92

WJB:IMB:mmm
Index: 8/13/92

A 285

LIBER 10091 PAGE 321



#285

BN 692-050
Item #1 (E)

LIBER 10091 PAGE 322

Baltimore County, Maryland
Land Instrument Intake Sheet

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

In compliance with Baltimore County Code, 1976, Title 33, Taxation, Article III, §33-126 through 33-140, as amended, and the Annotated Code of Maryland, Tax-Property Article, §12-101 through 12-113, as amended, and Tax-Property Article, §13-101 through 13-408, as amended, it is certified that an instrument of writing dated _____ conveying, title to, or creating liens or encumbrances upon, real or personal property is offered for recording in Baltimore County. The property conveyed, or on which a lien or encumbrance is created, is identified as follows:

1. Description of Property (Check box(es) for item(s) to be entered in land records)

Property Location: Easement & Reference
☐ Lot/Block: Map/Grid/Parcel No.:
☐ Subdivision/Tract:
☐ Lot/Acreage: Prior Deed Ref.: 7092/74
MPI-OG: ☐
☐ Street Address (or description if special conveyance): Drainage & utility easement [illegible]
(6,430 sq ft.)

2. Transferred From

Grantor(s): ☐ check box if additional grantors attached
GORT E. ARNOLD & [illegible]

Grantee(s) of different transaction:

3. Transferred To

Grantee(s): ☐ check box if additional grantees attached
Baltimore County, Maryland

4. Type of Instrument

☐ Deed
☐ Deed of Trust
☐ Mortgage
☐ Lease
☐ Assignment of Mortgage/DOT
☐ Contract
☐ Land Installment Cont.
☐ Power of Attorney
☐ Plat/Condominium
☐ Other (Specify) Easement

5. Exemptions (Cite authority or explain basis)

Baltimore County Exemption Claimed:
Transfer Tax Exempt Status Claimed: 33-139 (a)(1) TO GOVERNMENT
State Exempt Status Claimed:

6. Consideration and Tax Calculations (Make check payable to Baltimore County, MD) (410) 887-3015

Purchase Price/Consideration (including any new mortgage):	$	Transfer Tax Consideration:	
Real Property:		$ ÷ 1.005 =	$
Personal Property:			
Balance of Assumed Mortgage:		Office of Finance Use Only:	
Other:		Agent:	Tax Bill:
Total Consideration:	$	Cit. Code:	Ag. Tax Due:
or Assessed Value:	$		

7. Financial Recording Instructions (Make check payable to Clerk of the Circuit Court) (410) 887-2610

Recording Charge:	$	
State Transfer Tax:		
County Recordation Tax:		
Surcharge:		
Other:		
Total:	$	

8. Contact/Mail Information

Name:	Name:	Name:
OFFICE OF LAW	OFFICE OF LAW	
Firm: DIV OF REAL ESTATE	Firm: Div of Real Estate	
Address: 111 W. Chesapeake Towson, MD 21204	Address: 111 W. Chesapeake Towson, MD 21204	Address: 400 Courthouse Towson, MD 21204
Phone: 887-3284		

9. Certification

I hereby certify under the penalties of perjury that the information given above is true to the best of my knowledge and belief.

Signature: _____ Date: _____

10. Assessments Information (410) 321-2200

IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER.

☐ Yes ☐ No Will grantee be living on property conveyed?
☐ Yes ☐ No Is grantee currently receiving a homeowners' tax credit?
☐ Yes ☐ No Is property conveyed subject to agricultural transfer tax? If yes, enter amount: _____
☐ Yes ☐ No If agricultural assessment on conveyance is to continue, have you attached a letter of intent?
☐ Yes ☐ No Partial conveyance? If yes, amount of acreage transferred: _____
List improvements conveyed: _____
If subdivision occurred after July 1, indicate former property tax ID number: _____

Optional Expedited Information: A delay in processing may be incurred if a conveyance and legal description prepared by an adequate property description, preferably a survey or area calculation. A partial conveyance may require additional processing time.

☐ Yes ☐ No Was property surveyed? If yes, attach copy of survey. If partial conveyance, balance of acreage: _____
Complete description of property conveyed (subdivision, lot, block, section, plat ref., acreage): _____
Location and improvements address: _____

TRANSFER TAX SATISFIED
BALTIMORE COUNTY, MARYLAND
Date 10-25-93 Sec. 33-139 A

Assessment Use Only - Do Not Write Below This Line

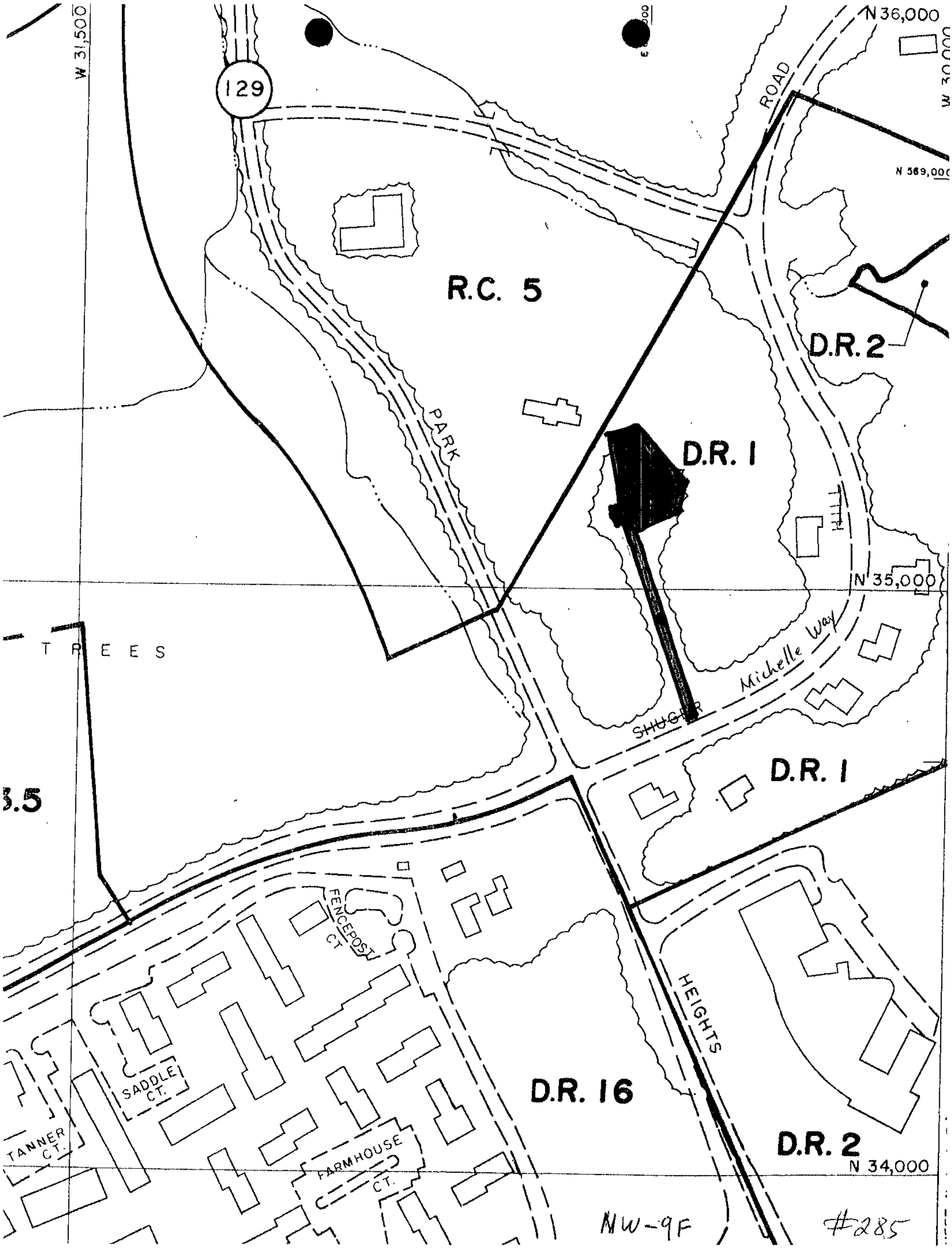
☐ Tax and Verification
☐ Agricultural Verification
☐ Trans. Process Verification
☐ Words ☐ Date ☐ Part
☐ Deed Printer
Deed Reference
Assigned Property No.

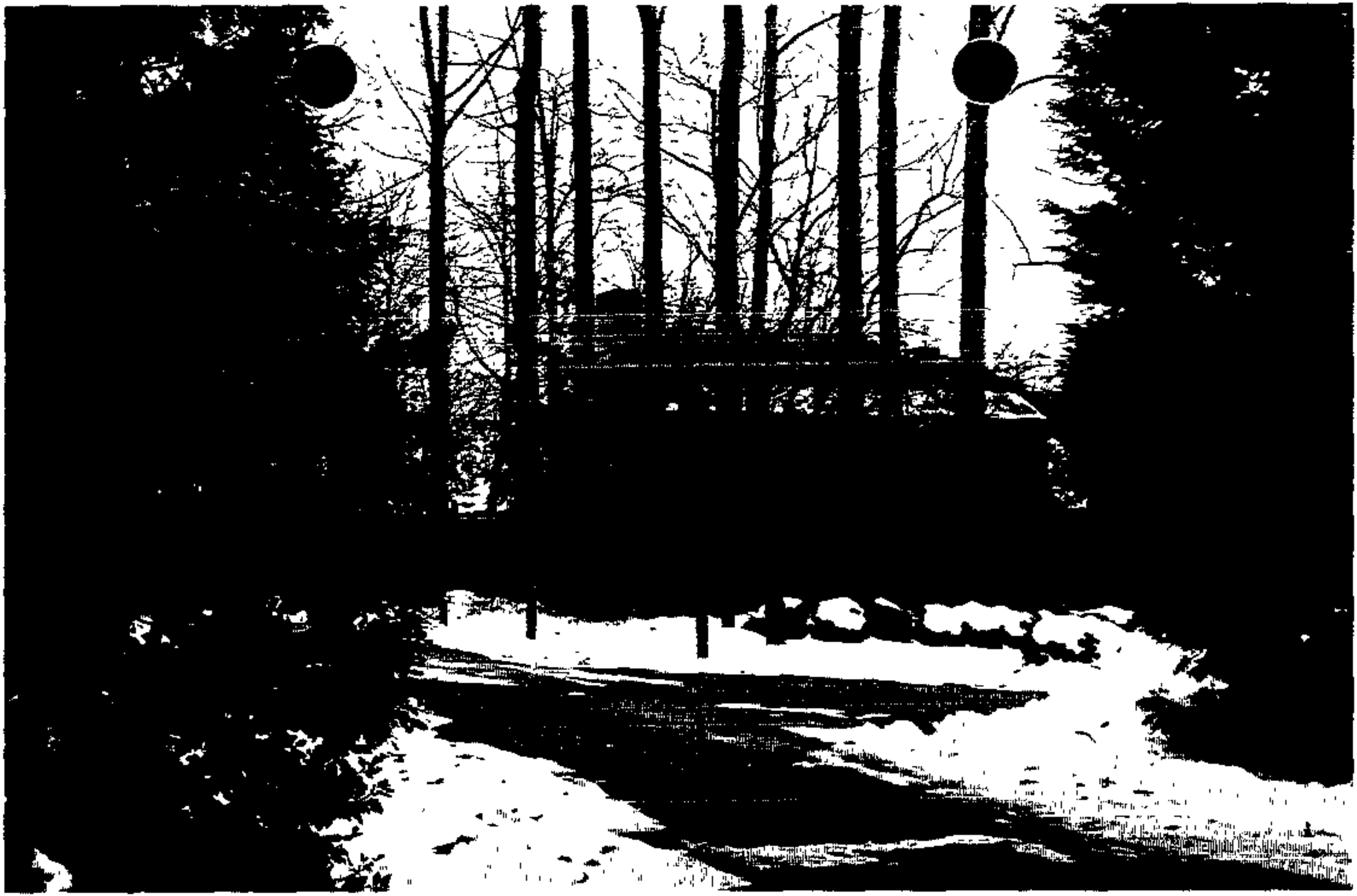
Distribution: White-Clerk; Yellow-Assessor; Pink-Office of Finance; Pink-SDAT; Goldenrod-Preparer

ACC-CT-188

#28795 C001 R02 T08:44
10/25/93

#285


W 31,500
129
N 36,000
ROAD
N 369,000
R.C. 5
D.R. 2
D.R. 1
PARK
N 35,000
T R E E S
Michelle Way
SHUGER
D.R. 1
3.5
FENCEPOST CT
HEIGHTS
SADDLE CT.
D.R. 16
TANNER CT.
FARMHOUSE CT.
D.R. 2
N 34,000
NW-9F
#285

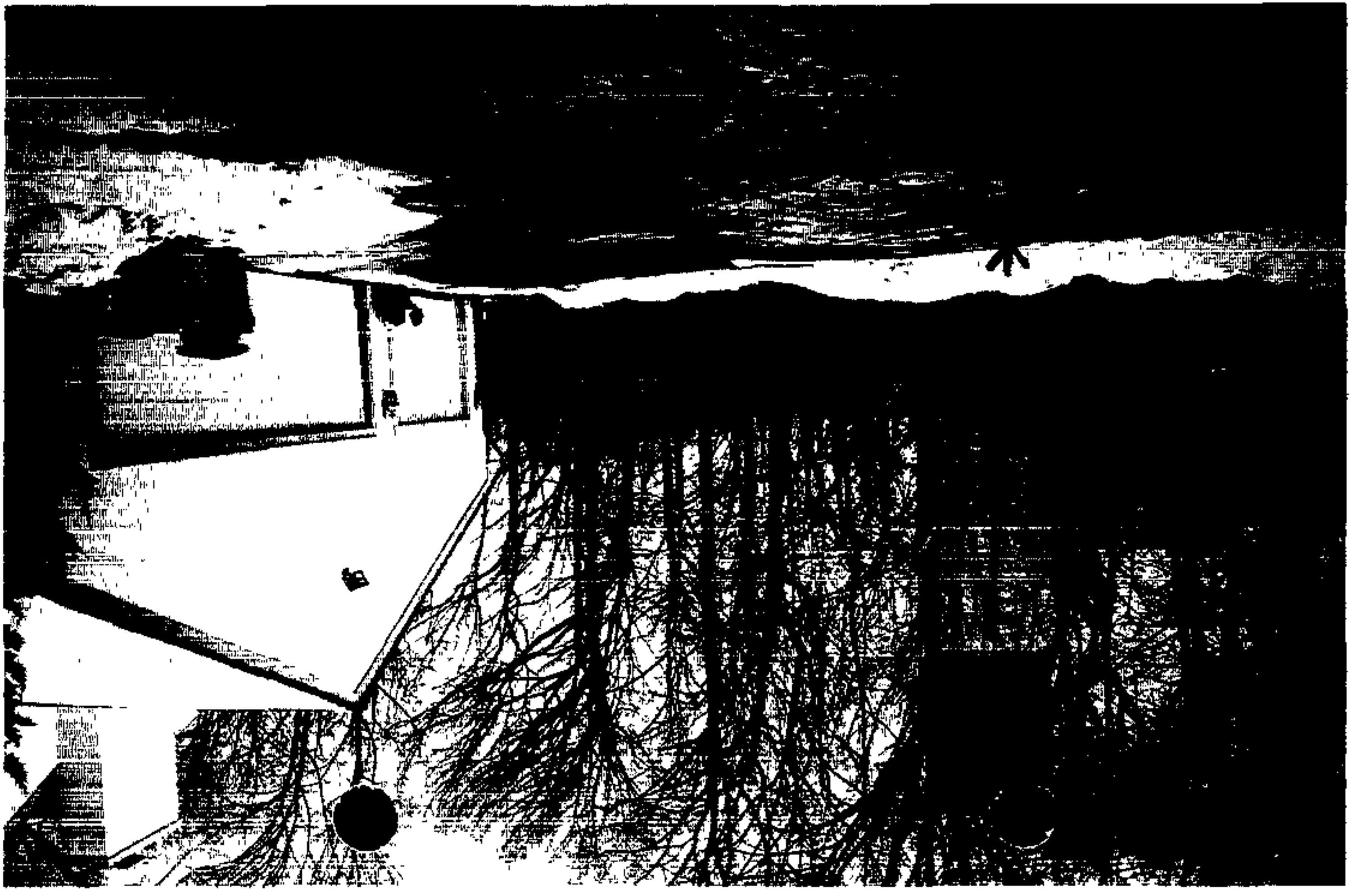


GENNADY & MARGARET SCHWARTZ
TAX ACCT # 2000002988
PHOTO # 5
225'±TO SUBJECT PROPERTY

#285

BENJAMIN & ELINDA HENDIN
TAX ACCT # 2000002983
PHOTO # 9
250'±TO SUBJECT PROPERTY

#285



GARY L. & PATRICIA C. ATTMAN
TAX ACCT. # 2000014685
PHOTO # 10
SUBJECT PROPERTY, STAKES INDICATE LOCATION
OF NEW CONSTRUCTION

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RICHARD & GLADYS KREMEN
TAX ACCT # 2000002985
PHOTO # 2
175'±TO SUBJECT PROPERTY

#285

ALAN & DEBORAH SUMMERFIELD
TAX ACCT # 2000002986
PHOTO # 3
160'±TO SUBJECT PROPERTY

#285

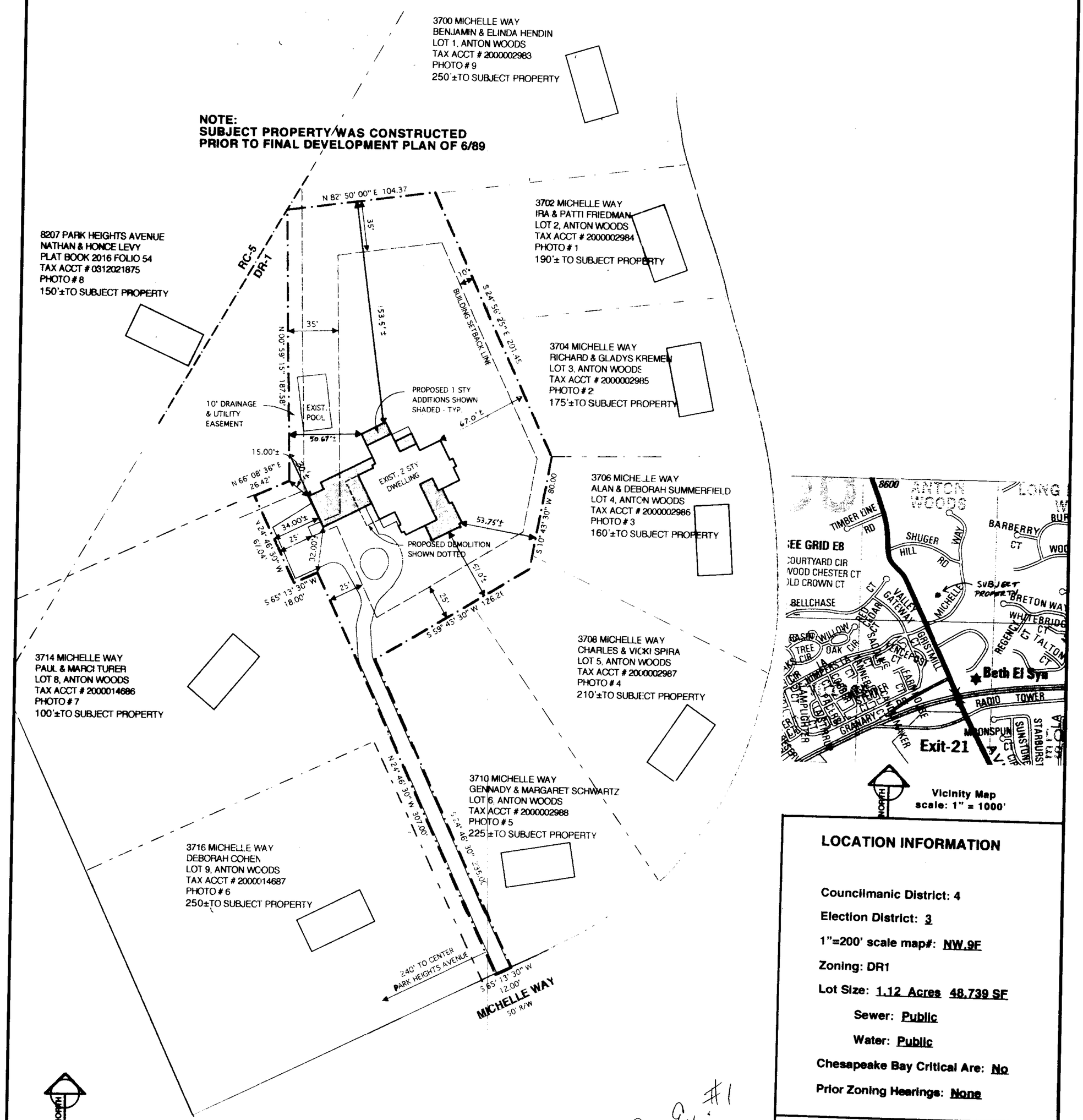
Plat to accompany Petition for Zoning

[X] Variance [ ] Special Hearing

PROPERTY ADDRESS: 3712 MICHELLE WAY, BALTIMORE, MD 21208

Subdivision Name: ANTON WOODS
DEED REFERENCE 7692/1, PLAT REFERENCE 56/120
MAP 68, GRID 15, PARCEL 42, SECTION 2, LOT 7

Owners: GARY L. ATTMAN, PATRICIA C. ATTMAN
Tax Acct. Number: 2000014685



LOCATION INFORMATION

Councilmanic District: 4

Election District: 3

1"=200' scale map#: NW.9F

Zoning: DR1

Lot Size: 1.12 Acres 48,739 SF

Sewer: Public

Water: Public

Chesapeake Bay Critical Are: No

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: #:	ITEM #:	CASE
BK	285	03-285-A

SCALE: 1" = 50'
DATE: 12/11/02
PREPARED BY: HBF PLUS ARCHITECTS