

KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 15, 2011

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

RE: Zoning Spirit and Intnent, Case # 2003-0595-SPH, Billian Property, 1529 Hillside Road, Tax Map # 68, Parcel 484, 3rd Election District

Dear Mr. Alderman:

Your recent letter to Arnold Jablon, Director of Permits, Approvals and Inspections, was forwarded to this Office for reply. Based upon the information provided therein, our review of the available zoning records, and after meeting with Carl Richards, Zoning Review Supervisor, the following has been determined:

In light of the November 10, 2003 letter from Zoning Commissioner Lawrence E. Schmidt that was provided to this Office after your initial request, and after a second meeting with Carl Richards regarding this issue, it has been determined that the letter dated November 10, 2003 demonstrates the Commissioner's intent, and therefore the 120 day extension to file the subject deeds will be recognized by this Office, expanding the 60 day restriction in case No. 2003-0595-SPH to 120 days. The provided deed indicates that this was accomplished. As to whether the subject lot is "Buildable", Commissioner Schmidt's order speaks for itself. You may want to suggest to your clients they file for a building permit to verify that it will be approved.

The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

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

Sincerely,

Jeffrey N. Perlow and Joseph Merrey

Planner II Zoning Review



KEVIN KAMENETZ County Executive

ARNOLD JABLON Deputy Administrative Officer Director, Department of Permits. Approvals & Inspections

April 8, 2011

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

RE: Zoning Verification, Case # 2003-0595-SPH, Billian Property, 1529 Hillside Road, Tax Map # 68, Parcel 484, 3rd Election District

Dear Mr. Alderman:

Your recent letter to Arnold Jablon, Director of Permits, Approvals and Inspections, was forwarded to us for reply. Based upon the information provided therein, our review of the available zoning records, and after meeting with Carl Richards, Zoning Review Supervisor, the following has been determined:

- Zoning Commissioner's Restriction # 2 in Zoning Case 2003-0595-SPH required that the 1. Petitioners shall record a new deed in the Land Records of Baltimore County showing the subject conveyance within 60 days of the date of the order (Order dated September 17, 2003). Compliance with this restriction was not obtained within the required 60 day period, as the date of recording on the deed was January 12, 2004. Therefore, the Petitioners must comply with the "current" R.C. 5 regulations prior to the issuance of a building permit.
- If you disagree with the above administrative determination, you may file a petition for 2. Special Hearing, wherein the Zoning Commissioner may make a different determination relative to your request.

The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

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

Sincerely,

Jeffrey N. Perlow and Joseph Merrey

Planner II

Zoning Review

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

November 10, 2003

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

RE: PETITION FOR SPECIAL HEARING
S/S Hillside Road, 400' W of the c/l Keller Road
(1529 Hillside Road)
3rd Election District – 2nd Council District
Leonard Billian, et ux - Petitioners
Case No. 03-595-SPH

Dear Mr. Alderman:

This letter is to follow-up our recent conversation in response to your letter of November 5, 2003 concerning the above-captioned matter. By Order dated September 17, 2003, I granted approval of a non-density transfer of a portion of the subject property and Restriction No. 2 thereof required the recordation of a new deed effecting this conveyance within sixty (60) days of the date thereof. You have indicated that the engineers for the property owners need an additional sixty (60) days in which to accomplish this task.

This letter is to confirm that I have approved your request and a copy of same shall be forwarded to the Department of Permits and Development Management for inclusion in the case file. Should you have any further questions on the subject, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc:

Mr. & Mrs. Leonard Billian

P.O. Box 1264, Brooklandville, Md. 21022-1264

Mr. Guy Ward, McKee & Assoc., Inc., 5 Shawan Road, #1, Cockeysville, Md. 21030

Case File



Visit the County's Website at www.baltimorecountyonline.info

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

Levin & Gann

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

November 5, 2003

FILE COPY

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

VIA TELEFAX & REGULAR MAIL

Lawrence E. Schmidt, Esquire Zoning Commissioner for Baltimore County 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

RE:

1529 Hillside Road - Petition for Special Hearing Case No. 03-595-SPH - Leonard Billian and wife, Owners Request for Additional Time for Recordation

Dear Mr. Schmidt:

You issued a final order in the above-referenced case on September 17, 2003, conditionally approving the requested non-density transfer of land between two, adjoining and commonly owned parcels. I have enclosed a copy of your Order for your reference. Condition No. 2 of your Order required that the Petitioners record a deed within sixty (60) days, effecting the conveyance approved and referencing your Order.

The Petitioners have retained the services of McKee and Associates, Inc. (preparers of the plat to accompany the Petition) to perform the now required boundary survey and to prepare the metes and bounds description necessary for the approved conveyance. As legal counsel to the Petitioners/Owners, I can not prepare or record the required deed without the information being prepared by McKee and Associates. The Petitioners have been advised that due to the extraordinary workload at McKee, the required information can not be prepared within the 60 days.

Therefore, on behalf of my clients, I am requesting that you extend the date for recordation of the required deed for an additional sixty (60) days. Please be assured that once I have received the information from McKee & Associates, I can have the deed prepared, with all required references to your Order, within seventy-two hours. Should you need additional information in consideration of this request, please do not hesitate to contact me.

Thank you for your attention to this request.

FILE COPY

Howard L. Alderman, Jr.

Very truly yours,

HLA/gk

Mr. and Mrs. Leonard Billian

ORDER RECEIVED $\hat{\omega}$ IN RE: PETITION FOR SPECIAL HEARING S/S Hillside Road, 400' W of the c/l Keller Road (1529 Hillside Road)

3rd Election District 2nd Council District

Leonard Billian, et ux Petitioners

- BEFORE THE
- ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 03-595-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Leonard and Virginia Billian. The Petitioners request a special hearing to approve a non-density transfer of land between two existing parcels, which are currently under the same ownership, so that an existing undersized lot will be able to meet the minimum 1.0-acre area requirement under the R.C.5 zoning regulations. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Leonard Billian, property owner, Guy C. Ward with McKee & Associates, Inc., the engineering consultants who prepared the site plan for this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. Appearing as interested citizens were Jack Dillon on behalf of the Valleys Planning Council, and Gaylord Clark, a nearby property owner.

Testimony and evidence offered revealed that the Petitioners own two adjacent parcels at the intersection of Keller Avenue and Hillside Road in Brooklandville. The property at issue is the smaller of the two parcels, namely, Parcel 484. As shown on the plan, Parcel 484 is a roughly square shaped parcel located with frontage on the south side of Hillside Road. Parcel 484 contains .689 acres of land, zoned R.C.5 and is unimproved. The second parcel, identified as Parcel 336 on the plan, contains 8.890 acres, also zoned R.C.5, and adjoins the rear of Parcel 484. This parcel

has frontage on Keller Avenue and is improved with a single-family dwelling in which the Petitioners reside. At the hearing, the Petitioners submitted two deeds, which more particularly describe their holdings and are persuasive that the two properties are lots of record under the B.C.Z.R.

The Petitioners wish to construct a single-family dwelling on the smaller parcel. Due to the size and shape of that parcel, they sought variance relief under prior Case No. 03-299-A for the proposed construction. Relief was sought for a front yard setback of 65 feet to the centerline of Hillside Road in lieu of the required 75 feet and a rear yard setback of 40 feet in lieu of the required 50 feet. Also, the Petitioners sought approval of Parcel 484 as an undersized lot. That matter came in before then Deputy Zoning Commissioner Timothy M. Kotroco. By his Order of March 7, 2003, Mr. Kotroco denied the variance, noting that the Petitioners owned the larger parcel adjacent thereto and thus, could add a portion of that parcel to the subject lot, thereby obviating the need for variance relief from front and rear yard setback requirements. Similarly, the Office of Planning submitted a written Zoning Advisory Committee (ZAC) comment indicating that the property owners should be required to add additional land from their 8.8-acre tract to the subject lot to bring it into compliance with the setback requirements. The two neighbors who appeared at the hearing offered similar testimony.

In accordance with Deputy Commissioner Kotroco's Order, the Petitioners have filed the instant Petition for Special Hearing. As shown on Petitioner's Exhibit 1, the Petitioners propose carving a triangular shaped portion of land from Parcel 336 of approximately 0.316 acres and transferring same to Parcel 484. Upon completion of this transfer, Parcel 484 will contain 1.005 acres in area and meet the requirements for an R.C.5 zoned lot in the B.C.Z.R. Moreover, adequate setback distances are shown for the proposed building envelope.

Interestingly, the ZAC comment submitted by the Office of Planning in the instant case recommends a denial of the request and expresses a concern that the proposal is not consistent with the requirements of Section 102.2 of the B.C.Z.R. That Section provides that no yard space or

 minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use.

In my judgment, that Section is not applicable in this case. The Petitioners propose an in-fee conveyance of a portion of the larger parcel to be added to the area of the smaller parcel. The conveyance will not adversely impact the larger parcel and will not result in any increase in the overall density for both tracts combined. As shown on the plan, the larger parcel will be reconfigured to an area of 8.574 acres after the conveyance. Pursuant to the R.C.5 zoning regulations, the Petitioners will still have sufficient land to subdivide the larger parcel to create five single-family dwelling lots, as is the case under the current acreage (8.89 acres).

Based upon the testimony and evidence offered, and particularly in view of Deputy Commissioner Kotroco's ruling in the prior case, I am persuaded to grant the relief requested. In my judgment, the Petitioners' plan provides an appropriate resolution of the issues presented and use of these properties. I find that the proposal will not detrimentally impact any surrounding properties and is consistent with the spirit and intent of the R.C.5 zoning regulations.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of September, 2003 that the Petition for Special Hearing to approve a non-density transfer of land between two existing parcels, which are currently under the same ownership, so that an existing undersized lot will be able to meet the minimum 1.0-acre area requirement under the R.C.5 zoning regulations, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

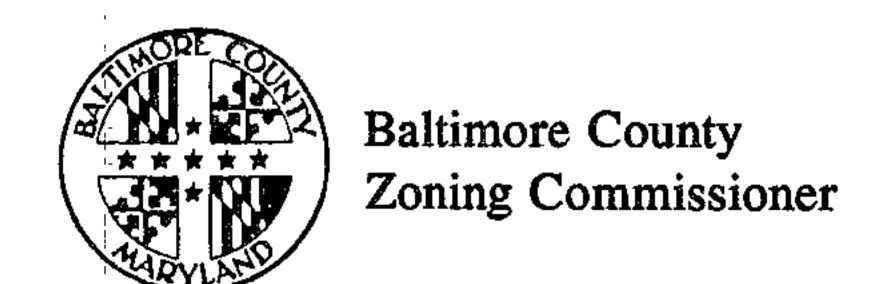
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) Within sixty (60) days of the date of this Order, the Petitioners shall record a new deed in the Land Records of Baltimore County showing the conveyance as outlined above and referencing the terms and conditions of the relief granted herein. A copy of the recorded deed shall be forwarded to the Department of Permits and Development Management for inclusion in the case file.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

AWRENCE E. SCHMID

Zoning Commissioner for Baltimore County

LES:bjs



September 17, 2003

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

Fax: 410-887-3468

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

RE: PETITION FOR SPECIAL HEARING
S/S Hillside Road, 400' W of the c/l Keller Road
(1529 Hillside Road)
3rd Election District – 2nd Council District
Leonard Billian, et ux - Petitioners
Case No. 03-595-SPH

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Mr. & Mrs. Leonard Billian

P.O. Box 1264, Brooklandville, Md. 21022-1264

Mr. Guy Ward, McKee & Assoc., Inc., 5 Shawan Road, #1, Cockeysville, Md. 21030 Mr. Jack Dillon, Valleys Planning Council, 20/7 Courtland Ave., Towson, Md. 21285

Mr. Gaylord Clark, 1706 Hillside Road, Steyenson, Md. 21153

Office of Planning; People's Counsel; Case/File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

for the property located at	1529 Hillside Road
which is	presently zoned RC-5

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.

perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): N/A Leonard Billian/ Name - Type or Print Name Type or Prunt Signature Signature Virginia L. Billian Address Name Type or Print Telephone No. Signature City State Zip Code P.O. Box 1264 (410) 296-8605 <u>Attorney For Petitioner:</u> Address Telephone No. Brooklandville 21022 Maryland Name - Type or Print City State Zip Code Representative to be Contacted: Signature Guy C. Ward McKee and Associates, Inc. Company Name 5 Shawan Road, Suite 1 (410) 527-1555 L Address Telephone No. Address Telephone No. $\tilde{\alpha}$ Maryland Cockeysville 21030 State State Zip Code Zip Code Case No. 03-595-SPH OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING HH 28 9/19/98 Reviewed By D.THOMPSON Date



Engineering • Surveying • Environmental Planning
Real Estate Development

Attachment 1 Petition for Special Hearing

Case Number	
Address: 1529 Hillside Road	•
Legal Owner(s): Leonard Billian and Virginia L. Billian	
Petitioner: Leonard Billian and Virginia L. Billian	
Present Zoning: RC-5	
Prior Zoning Case: # 03-299-A	
Request for Special Hearing:	
To determine whether or not the Zoning Commissioner should approve:	

A non-density transfer of land between two existing parcels (P. 484 and P. 336 as shown on the attached plan), which are currently under the same ownership. Said non-density transfer is being requested so that an existing undersized lot (P. 484 a.k.a 1529 Hillside Road) will be able to meet the minimum 1.0-acre area requirement under the RC-5 zoning

regulations BCZR 1A04.3 B.(1).

FOR ADDITIONAL INFORMATION ON THIS PETITION PLEASE CONTACT:

Guy C. Ward, R.S., Associate

McKee & Associates, Inc

Engineering, Surveying, Land Planning, Real Estate Development Shawan Place, 5 Shawan Road, Suite 1, Hunt Valley, MD 21030 Tel: (410) 527-1555 Fax: (410) 527 1563 E-Mail: mckee@qis.net

Engineering • Surveying • Environmental Planning
Real Estate Development

Zoning Description for 1529 Hillside Road (P. 484)

Beginning at a point located in the centerline of Hillside Road which is 20 feet wide, more or less, at a distance of 390 feet, more or less, east of the centerline of Keller Ave which is 40 feet wide, thence running the following courses and distances:

- 1. South 00 degrees 00 minutes 00 seconds West 145.62 feet,
- 2. South 85 degrees 46 minutes 40 seconds West 200.75 feet,
- 3. North 00 degrees 00 minutes 00 seconds East 153.27 feet,
- 4. North 87 degrees 15 minutes 53 seconds West 66.80 feet, and
- 5. North 88 degrees 18 minutes 32 seconds West 133.54 feet to the place of beginning.

Containing 0.689 Acres, or 30,013 square feet, more or less.

Also being known as 1529 Hillside Road, and located in the 3rd election district, 2nd councilmanic district.

Zoning Description for 8651 Keller Avenue (p. 336)

Beginning at a point located on the east side of Keller Avenue which is 40 feet wide at a distance of 185 feet more or less south of the centerline of Hillside Road which is 20 feet wide, more or less, thence running the following courses and distances:

- 1. South 84 degrees 06 minutes 56 seconds East 9.35 feet,
- 2. South 02 degrees 30 minutes 00 seconds West 414.44 feet,+/-
- 3. South 81 degrees 53 minutes 00 seconds East 386.00 feet
- 4. North 83 degrees 55 minutes 00 second East 485.00 feet
- North 11 degrees 13 minutes 00 seconds East 34.00 feet
- North 13 degrees 33 minutes 00 seconds West 407.00 feet,
- 7. North 86 degrees 50 minutes 00 seconds west 748.05 feet ,+/-
- By a curve to the left having a radius of 300 feet and a length of 21.92 feet, and
- 9. By a Curve to the right having a radius of 310 feet and a length of 45.08 feet, to the place of beginning

10.

*

Containing 8.890 Acres, or 387,248 square feet, more or less.

Also being known as 8651 Keller Avenue, and located in the 3rd election district, 2nd councilmanic district.

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.

For Newspaper Advertising:	
Item Number or Case Number: 03-595-SPH	
Petitioner: LEONARD BILLIAN & VIRGINIA BILLIAN	
Address or Location: 1529 HILLSIOE RAP	<u></u>
PLEASE FORWARD ADVERTISING BILL TO:	
Name: LEOWARD BILLIAN	``` <u> </u>
Address: P-0.Box 1264	
BROOKCANOVILLE, MD. 21022	
Telephone Number: 410 296 8606	

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

No. 25540

DATE 6 18 03 ACCOUNT 00 100 6 6 150	_
AMOUNT \$ 65.00	-
RECEIVED MCKEE - ASSOC.	•
FOR: 17=m+595 03-595-SPH	•
1529 HILLSIDE RD BY D. THOMPSON	1

YELLOW - CUSTOMER

PATT RECEIPT

BUSINESS ACTUAL

CALUAZOUS CAUTUAL

C

CASHIER'S VALIDATION

NOTICE OF ZONING MEARING

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: #03-595-SPH
1529 Hillside Road
S/side of Hillside Road, 390 feet
east of centerline Keller Avenue
3rd Election District
2nd Councilmanic District
Legal Owner(s). Leonard and
Virginia Billian
Special Hearing: to permit
a non-density transfer of
land between two existing

parcels of acreage 8.890.

Hearing: Wednesday,

August 20, 2003 at 10:00

a.m. in Room 407 County

Courts Building, 401 Bosley Avenue.

LAWRENCE E SCHMIDT Zoning Commissioner for Baltimore County

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

(410) 887-4366.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-13391.

3391. JT/8/609 Aug. 5 C618837

CERTIFICATE OF PUBLICATION

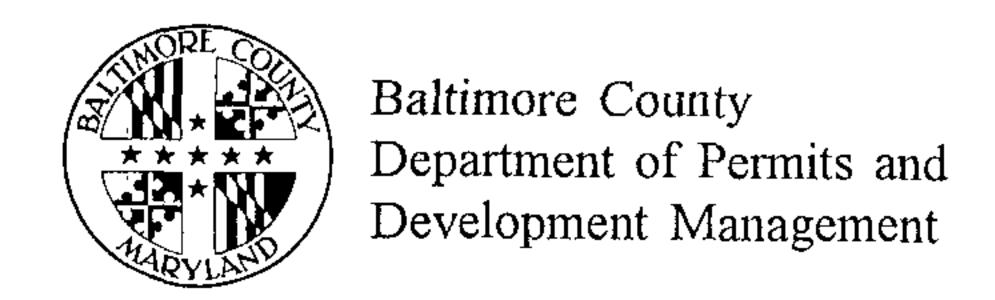
8/7/,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $8 5 $,2003.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
\sim 1 Lar. \sim

LEGAL ADVERTISING

CERTIFICATE OF POSTING

			Date:	August 4, 2003
RE:	Case Number	03-595-SPH		
	Petitioner/Developer: L	eonard and Virginia B	 illi <i>a</i> n	
	Date of Hearing/Closing:		10:00 AM	
were	This is to certify under the posted conspicuously on t		.	essary sign(s) required by law Iside Road
-	The sign(s) were posted	on August 4,	2003 (Month, Da	y, Year)
				wrence Poster) Signature of Sign Poster)
'			J. La	wrence Pilson
			(Prin	ted Name of Sign Poster)
		U U	McKee	and Associates, Inc.
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		5 Shar	wan Road, Suite 1
	CALL AND CAL		(Stre	et Address of Sign Poster)
			Cock	eysville, MD 21030
			(City	, Stale, Zip Code of Sign Poster
			(410	D) 527-1555

(Telephone Number of Sign Poster)



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

Fax: 410-887-5708

July 1, 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: 03-595-SPH

1529 Hillside Road
S/side of Hillside Road, 390 feet east of centerline Keller Avenue
3rd Election District – 2nd Councilmanic District
Legal Owner: Leonard and Virginia Billian

Special Hearing to permit a non-density transfer of land between two existing parcels of acreage 8.890.

Hearings:

Wednesday, August 20, 2003 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Muthy Kotroco

Director

TK:rlh

C: Mr. and Mrs. Leonard Billian, P.O. 1264, Brooklandville 21022 Guy Ward, McKee & Associates, 5 Shawan Road, Suite 1, Cockeysville 21030 Howard L. Alderman, Levine & Gann, 502 Washington Avenue, Suite 800, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 5, 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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 5, 2003 Issue - Jeffersonian

Please forward billing to:

Leonard Billian P.O. Box 1264

Brooklandville, MD 21022

410-296-8606

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: 03-595-SPH

1529 Hillside Road
S/side of Hillside Road, 390 feet east of centerline Keller Avenue
3rd Election District – 2nd Councilmanic District
Legal Owner: Leonard and Virginia Billian

Special Hearing to permit a non-density transfer of land between two existing parcels of acreage 8.890.

Hearings:

Wednesday, August 20, 2003 at 10:00 a.m. in Room 407, County Courts

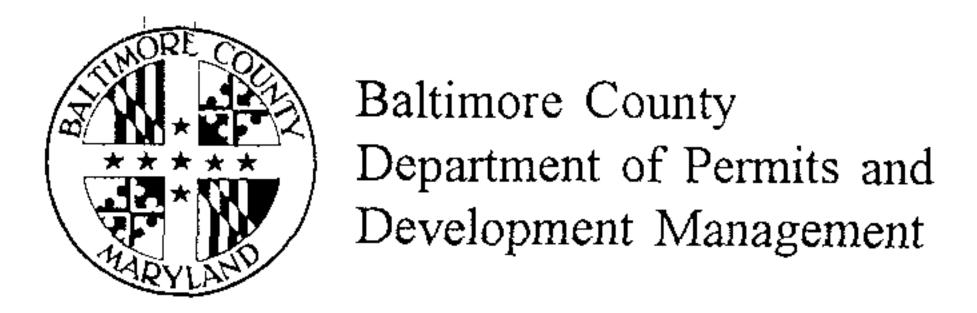
Building, 401 Bosley Avenue

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.

(2) 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

August 15, 2003

Leonard Billian Virginia Billian P.O. Box 1264 Brooklandville, MD 21022

Dear Mr. and Mrs. Billian:

RE: Case Number: 03-595-SPH, 1529 Hillside Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 18, 2003.

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

U. Callibal)

WCR:kim

Enclosures

People's Counsel C: Guy C. Ward, McKee & Associates, Inc., 5 Shawan Rd., Ste. 1, Cockeysville 21030 Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 7.1.03

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

RE:

Baltimore County

Item No. 555

Dear. Ms. Hart:

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

J. J. Doelle



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

July 1, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: June 30, 2003

Item No.: 577-580, 583-588, 590-601

Dear Ms. Hart:

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.

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: July 7, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1529 Hillside Road

INFORMATION:

Item Number:

03-595

Petitioner:

Leonard Billian

Zoning:

RC 5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the petitioner's request to permit a non-density transfer be DENIED.

This office in is of the opinion that the subject request amounts to a "double counting" which violates Section 102.2 of the Baltimore County zoning regulations.

Prepared by:

Section Chief:

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE:

June 20, 2003

TO:

Zoning Commissioner and File

FROM:

Donna Thompson, Planner II, Zoning Review

SUBJECT:

Petition for Special Hearing, Item 595,

Case No. 03-595-SPH 1529 Hillside Road

After reviewing the Petition for Special Hearing and accompanying site plan with a representative of the engineering firm, McKee & Associates, it is the opinion of Zoning Review that the petitioners should request a "density transfer" not "non-density transfer" as specified on their petition form. Mr. Guy Ward from McKee & Associates had notified the petitioner, Mr. Leonard Billian who has requested that the petition should continue as shown. Mr. Billian will plead his case before the Zoning Commissioner.

DT

CC: Mr. Guy Ward, McKee & Associates

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: September 5, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 7, 2003 Item Nos. 577, 578, 580, 581, 587, 589, 590, 593, 594, 595, 596, 597, 598, 599, and 600

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING 1529 Hillside Road, S/side Hillside Rd,

390 E c/line Keller Avenue

3rd Election & 2nd Councilmanic Districts

Legal Owner(s): Leonard & Virginia Billian *

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

03-595-SPH

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

JUL 0 3 2003

Per.....

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of July, 2003, a copy of the foregoing Entry of Appearance was mailed to Guy C Ward, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Robert L Ehrlich, Jr. Governor



Audrey E Scott
Socretary

Florence E Burian
Deputy Secretary

Michael S. Steele Lt. Governor

July 1, 2003

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

Zoning Advisory Committee Agenda, 07/07/03 re: case numbers 03-577-A, 03-578-A, 03-579-SPH, 03-580-SPHA, 03-583-A, 03-584-A, 03-585-SPHXA, 03-586-SPH, 03-587-A, 03-588-A, 03-589-SPH, 03-590-A, 03-591-A, 03-592-A, 03-593-A, 03-594-A, 03-595-SPH, 03-596-SPH, 03-597-A, 03-598-SPHA, 03-599-A, 03-600-HAS & 03-601-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 07/01/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review 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

Planning Services

cc: Mike Nortrup

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

\ James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

November 10, 2003

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

RE: PETITION FOR SPECIAL HEARING
S/S Hillside Road, 400' W of the c/l Keller Road
(1529 Hillside Road)
3rd Election District — 2nd Council District
Leonard Billian, et ux - Petitioners
Case No. 03-595-SPH

Dear Mr. Alderman:

This letter is to follow-up our recent conversation in response to your letter of November 5, 2003 concerning the above-captioned matter. By Order dated September 17, 2003, I granted approval of a non-density transfer of a portion of the subject property and Restriction No. 2 thereof required the recordation of a new deed effecting this conveyance within sixty (60) days of the date thereof. You have indicated that the engineers for the property owners need an additional sixty (60) days in which to accomplish this task.

This letter is to confirm that I have approved your request and a copy of same shall be forwarded to the Department of Permits and Development Management for inclusion in the case file. Should you have any further questions on the subject, please do not he sitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc:

Mr. & Mrs. Leonard Billian

P/O. Box 1264, Brooklandville, Md. 21022-1264

Mr. Guy Ward, McKee & Assoc., Inc., 5 Shawan Road, #1, Cockeysville, Md. 21030

Case File



Visit the County's Website at www.baltimorecountyonline.info

Baltimore County Government Department of Permits and Development Management





111 West Chesapeake Avenue Towson, MD 21204

410-887-3321 (fax) 410-887-2877

January 11, 2005

Leonard Billian P. O. Box 1264 Baltimore, MD 21022-1264

Dear Mr. Billain,

A check of our records does not show any building permits having been issued at 1529 Hillside Road. I did see where building permits were issued at 1531 Hillside Road.

Should you wish to contact me, you may do so at 410-887-3353.

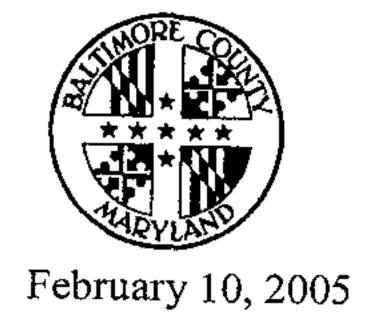
Sincerely,

Donald T. Rascoe Deputy Director

CC: Timothy M. Kotroco, Director Doug Swam, Permits

Department of Permits and Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

Mr. & Mrs. Leonard Billian P.O. Box 1264 Brooklandville, Maryland 21022

RE:

Billian Property, 1529 Hillside Avenue

3rd Election District

Dear Mr. & Mrs. Billian:

Your recent letter to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Based on the information contained in your letter and the new legislation adopted by County Council for the R.C. 5 zone within the BCZR (<u>Baltimore County Zoning Regulations</u>) the following has been determined.

The property known as 1529 Hillside Avenue and consisting of 1.00 acres is zoned R.C. 5. Currently this lot does not meet the minimum area required for a building lot in this zoning classification. An area of 1-1/2 acres is now required. Although you have had this lot approved by a Special Hearing (03-595-SPH), unfortunately since that time you did not acquire a building permit for any substantial construction. A well permit is not a building permit and therefore does not vest this property.

After conferring with the Deputy Director, Mr. Don Rascoe, it has been determined that you will need to return to DRC (Development Review Committee) and complete another lot line adjustment to acquire another ½ acres to meet the minimum required 1-1/2 acres. Another Special Hearing will not be required. Prior to building permit approval, this lot must meet the new regulations for R.C. 5. Included with this letter is a copy of the height, area and performance standards listed in Section 1A04.3 and 1A04.4 in the BCZR.

Once the lot line adjustment is approved by Baltimore County, please send me a copy of the amended plan and the approval letter from DRC with an accompanying Spirit and Intent letter. Should you have any questions, I can be reached at 410-887-3391.

Sincerely,

Donna Thompson, Planner II

Zoning Review

DT/Enclosure

Box 1264 Brooklandville, Md., 21022 January 27, 2005

Mr. Timothy Kotroco, Director
Baltimore County
Department of Permits and Development Management
County Office Building
111 Chesapeake Avenue
Towson, Maryland, 21204

Re: Billian Property
1529 Hillside Road
Spirit & Intent

Dear Mr. Kotroco:

I formally ask that you grant me, my agent or assigns the right to obtain a building permit and subsequently build on my one acre residential lot on Hillside Road. I have complied with and followed the spirit an intent of the zoning rulings and requests previously laid down in two public hearings prior to Council bill 55-04.

Here are some facts which I would appreciate you using to judge my actions and assist in rendering a favorable decision in behalf of myself and my wife.

The original property was established in November 1972 as .689 acre lot (30,000 square feet) in a residential transition area of D-1 from part of 1527 Hillside Road. It is reflected that way in state assessment records at that address under the name of Harry Heubeck. I observed the sketch in state assessment records last week and a hand drawn sketch of this was made at that time. I am attaching a copy of it with this letter .The address of 1529 Hillside Road was assigned to this lot by Baltimore County .This left the remaining lot of Heubeck , now known as 1527 Hillside with .591 acre (25,000 sq. ft.).The state sketch also showed adjoining properties created by the Heubeck's now known as 1527, 1531, and 1535 Hillside, all significantly smaller than my one acre.

Jack Kremen and wife contracted to purchase 1529 Hillside Road (the .689 acre) from Heubeck in November 1972 apparently at the time of the division by Heubeck. I took title in 1974. A later report to me stated that the building on it was burned down in what the police department noted as a "possible malicious burning".

Having owned the subject lot for almost 30 years, I decided to build my retirement home there in 2002. In my effort to do so, I spoke with Mr. Bruno in the zoning office asking about a variance in the front and rear yard so that my home could be built with a reasonable depth rather than what appeared to measure near to 20 feet using the 75 and 50 foot required RC 5 setbacks. It was at that time that he informed me that the variance request needed to also ask for approval of what was now considered an undersize lot (1 acre required). I applied for the variance and a public

posting of the property was made, a hearing held, and I was tuned down. Neighbor owners of lots adjoining my property, all of whom owned smaller lots than I, and all having had their lots formed out of the original Heubeck property as was mine, protested my request. The Deputy Zoning Commissioner, on March 7, 2003, having heard the case advised that considering the testimony I would need to add additional land to the subject lot to bring it into compliance with front and rear yard setback requirements and meet the one acre minimum lot size since I owned adjoining back land. At that time I could appeal the turndown but did not but was able to keep that option open with Peoples Council concurrence into the early summer (June) of 2004.

Prior to June of 2004, while keeping my appeal rights open, I elected to follow the guidance and direction of the zoning office. I engaged a reputable attorney and engineering and survey organization and through a posting and Special Public Hearing added to the .689 acre lot approximately one third acre from my back land. This increased my Hillside Road lot to a little over one acre. By direction of the Zoning Commissioner, Lawrence Schmidt, who heard the case (#03-595-SPH) and following his order with the spirit and intent of complying with the outcome, I had the entire properties surveyed, merger deeds prepared and recorded and submitted same, as he directed including his findings, in the time stipulated, to the Department of Permits and Development Management on January 16, 2004. These were received for the department that date by Rose (RJO) in the presence of another employee. Prior to that date and on September 17,2003, the Zoning Commissioner by way of his transmittal letter notified me and all interested parties of his findings. Subsequently, I had the revised lot staked out, a permitted well drilled and grouted, and proceeded to get it brush hogged and clean up the prior existing drive-way access during the period after January 16, 2004.

In early summer of 2004, I let my appeal rights of the 1st public hearing case (03-299-A) on the .689 acre lapse as I heard that Comprehensive Zoning had not down-sized my lands. It was just before that and near simultaneously learned while I was watching the Comcast televising of the County Council meeting of June 7,2004, that a Bill, known as #55-04 had been presented by K. Kaminetz, would not impact my Hillside Road lot for as he stated immediately before the voting. "plans prior to today will operate under the old rule".

Thus, having complied with the requests of the former Deputy Zoning Commissioner in one hearing and through a Public Hearing and then another Special Public Hearing involving great additional costs, plus the statements made by Council Kaminetz's explanation of his intent not to harm property owners operating under the old rules, I did not avail myself of appeal rights under the first case (# 03-299-A). They then expired.

Mr. Kotroco, I appeal to your office, to allow my property to go forward as an accepted lotready to be built upon for it follows the spirit and intent of the laws and requests which have been made of me.

Please grant me the right to obtain a building permit on my one acre lot known as 1529 Hillside Road with the setbacks and requirements under the old rule as allowed by way of the Zoning Commission Case 03-595-SPH and the spirit and intent of the county's laws regulations and

statements.

For ease of reference, I am enclosing copies of data relating to each case including the findings, lot plans (old and new), transmittal letter of January 16, 2004, data showing my back land plus other lots on Hillside as established by Heubeck. Also attached is my check to the county, in the amount of ten dollars. Let me know if a higher sum is required for your fee structure.

Sincerely,

Leonard Billian



Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

Go Back View Map New Search Ground Rent

Account Identifier:

District - 03 Account Number - 2400005088

Owner Information

Owner Name:

BILLIAN LEONARD

BILLIAN VIRGINIA L

Use:

RESIDENTIAL

DILLIAN VIRGINIA L

Principal Residence:

NO

Mailing Address:

PO BOX 1264

BROOKLANDVILLE MD 21022-1264

Deed Reference:

1) /19436/ 553

2)

Location & Structure Information

Premises Address

1529 HILLSIDE RD

Legal Description

1.006 AC

1529 HILLSIDE RD SS 400FT E KELLER AVE

MapGridParcelSub DistrictSubdivisionSectionBlockLotGroupPlat No:685484

Special Tax Areas

Town Ad Valorem

Tax Class

Primary Structure Built		Enclosed Area	Property Land Area	County Use
0000			1.00 AC	04
itories	Basement		Type	Exterior

Stories Basement Type Exterior

Value Information

1	Base	Value	Phase-in Assessments	
1	Value	As Of	As Of	As Of
		01/01/2005	07/01/2004	07/01/2005
Land:	97,500	120,000		
Improvements:	0	0		
Total:	97,500	120,000	97,500	105,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: BILLIAN LEONARD/VIRGINIA Type: NOT ARMS-LENGTH	Date: 01/13/2004 Deed1: /19436/ 553	Price: \$0 Deed2:
Seller: Type:	Date: Deed1:	Price: Deed2:
Seller: Type:	Date: Deed1:	Price: Deed2:

	Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0
_			

Tax Exempt: Exempt Class:

NO

Special Tax Recapture:

* NONE *

410 81-5708 PAX. PE29 HILLSIVE FAX.

JAN.16, 2004

MR. TIMOTHY KOTROCO DIRECTOR - PDM Room III 111 W. CHOSKREMICE AVE Towaron, Moy 21204

R=: 03-595-5PH

DEAR Ma. Kornuco:

ATTACHED ARE COPIES OF RECORDED MERGER DEEDS, REZUNSED JAN. 13, 2004, IN REFERENCE TO THE SUBJECT CASE.

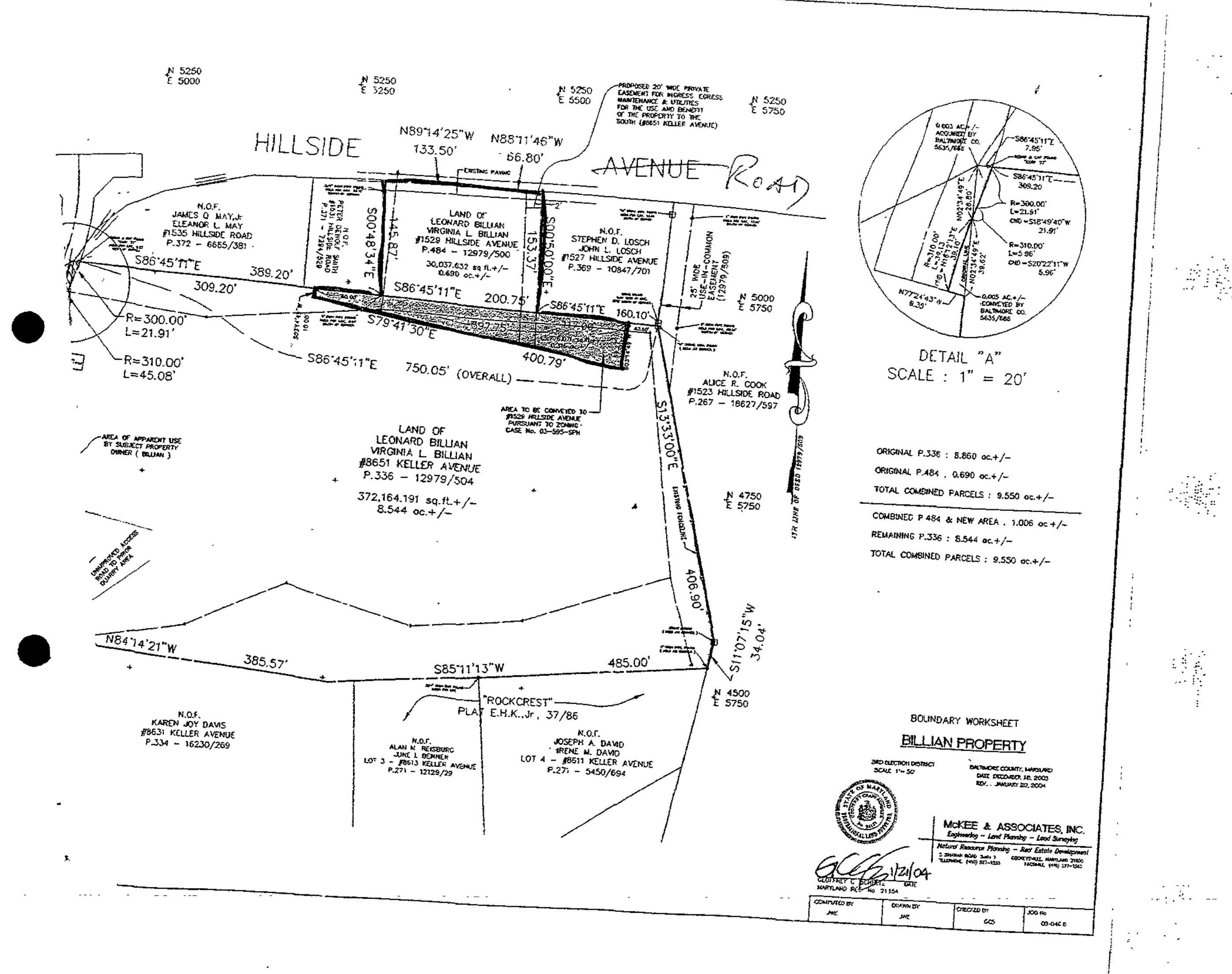
THESE ARE SUPPLIED AT THE REQUEST OF LAWIZENCE SCHMIDT.

Sincerery

EDNARD BILLIAD

DERSE CONFIRM IN WRITING YOUT REZERT OF THE 45 DEEDS/DOCUMENTS.

(ROSS) + (JOHNLOWIS-WITNESS)



Record Sequence: 02

Property Tax Account No.:p/o 03-02-037981

Merged with 17-00-001189

NO CONSIDERATION NO TITLE EXAMINATION PROVIDED OR REQUESTED

DEED

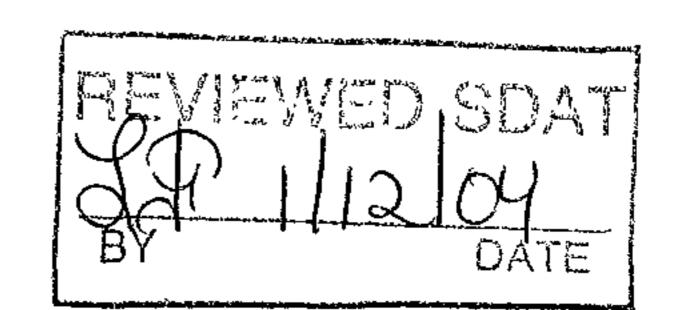
[Description After Merger]
(Approved by the Zoning Commissioner for Baltimore County)

WHEREAS, Grantor, by virtue of a deed, dated June 19, 1998, from Leonard Billian, individually, recorded among the Land Records of Baltimore County in Liber 12979, folio 509, is the owner of a certain parcel of ground located in Baltimore County, Maryland identified as Parcel 336 which is comprised of 8.9 +/- acres more or less (the "Grantor's Sending Property"); and

WHREAS, Grantor, by virtue of a deed, dated June 19, 1998, from Leonard Billian, individually, recorded among the Land Records of Baltimore County in Liber 12979, folio 500, is the owner of a certain parcel of ground located in Baltimore County, Maryland identified as Parcel 484 which is comprised of 0.689 +/- acres more or less (the "Grantor's Receiving Property"); and

WHEREAS, Grantor sought approval from the Baltimore County Zoning Commissioner to transfer and merge 0.316 ± acres of the Grantor's Sending Property, for non-density purposes only to the Grantor's Receiving Property which transfer was approved by *Findings of Fact and Conclusions of Law*, dated September 17, 2003, in Case No. 03-595-SPH; and

Billian - Deed After Merger::January 7, 2004



Page 1

WHEREAS, after the transfer of acreage, by virtue of a Deed of Transfer and Merger, dated of even date herewith and recorded or intended to be recorded immediately prior hereto, the reconfigured Grantor's Receiving Property (including that portion of the Grantor's Sending Property transferred) was to be described in a deed from Grantor to itself and recorded among the Land Records of Baltimore County.

NOW THEREFORE, the Grantor, for a consideration of One Dollar (\$1.00), does hereby describe its property and does further hereby grant, convey and assign to the Grantee, its successors and assigns, the property known and identified as:

For a description of the property conveyed and transferred hereby (as configured by virtue of the Deed of Transfer & Merger recorded or intended to be recorded immediately prior hereto), containing 1.006 ± acres, see that certain description dated December 22, 2003 and Revised January 8, 2004 as prepared by McKee & Associates, Inc. entitled "Description of 1.006 Acres, Leonard Billian and Virginia L. Billian Property, 1529 Hillside Avenue" which is attached hereto as Exhibit "A" and incorporated herein.

BEING a portion of the parcel described in a deed, dated June 19, 1998, from Leonard Billian, individually, unto the Grantor herein, and recorded among the Land Records of Baltimore County in Liber 12979, folio 509.

AND BEING ALL of the described parcel in that deed dated June 19, 1998, from Leonard Billian, individually, unto the Grantee herein, and recorded among the Land Records of Baltimore County in Liber 12979, folio 500

TOGETHER ALSO WITH the buildings and improvements thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining (all of which land, improvements and appurtenances are hereinafter referred to collectively as the "Property").

TO HAVE AND TO HOLD the Property hereby conveyed unto the Grantee, its successors

ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that the above instrument was prepared by me, an attorney admitted to practice before the Court of Appeals of Maryland, or under my supervision. The preparer of this instrument has provided no legal advice to grantor or grantee regarding the legality of this deed of merger, especially as it relates to the issues of "subdivision" as defined in the *Baltimore County Code*. The undersigned preparer assumes no liability for compliance with the development regulations of Baltimore County; Grantee assumes all responsibility for compliance with any and all County requirements before this deed is recorded.

Howard L. Alderman, Jr.

AFTER RECORDATION, PLEASE RETURN TO:

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

> (410) 321-0600 Fax: (410) 296-2801

and assigns, in fee simple, forever, subject to the operation and effect of any and all instruments and matters of record.

The Grantor hereby covenants that it will execute such further assurances thereof as may be requisite.

WITNESS the hand and seal of the	above-named Grantor.
WITNESS:	GRANTOR: Malliport (SEAL
Halvhila	Leonard Billian Lireman Bellian (SEAL Virginia L. Billian
I HEREBY CERTIFY that on this the subscriber, a Notary Public of the Stat Billian and Virginia L. Billian, husband an	day of <u>January</u> , 2004, before me and County aforesaid, personally appeared Leonar ad wife, who represented themselves to be Grantor and their hands and seals hereto the date and year first above
AS WITNESS my Hand and Notari	Seal. Lany a Culite Notary Public
My Commission expires: $3/1/06$	

Engineering • Surveying • Environmental Planning
Real Estate Development

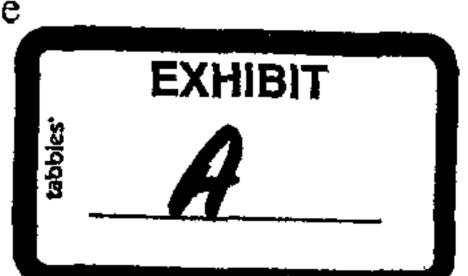
December 22, 2003 Revised January 8, 2004

DESCRIPTION OF 1.006 ACRES
LEONARD BILLIAN AND VIRGINIA L. BILLIAN PROPERTY
1529 HILLSIDE AVENUE
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND



BEGINNING for the same at a point located at the end of the first or due South 145.62-foot line, which by deed dated June 19, 1998 and recorded among the Land Records of Baltimore County, Maryland in Liber 12979, folio 500, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife, said point being distant North 00 degrees 48 minutes 34 seconds West, 0.06 feet from a 1-inch diameter iron pipe found, said point also being located at the end of the first or due South 145.83-foot line, which by deed dated October 10, 1986 and recorded among the aforesaid Land Records in Liber 7294, folio 529, was granted and conveyed by G. Brent Horney and Edith B. Horney, his wife, to Peter deWolf Smith; thence leaving said point of beginning and running with and binding reversely on all of the first, fifth, fourth and third lines of the aforesaid deed dated June 19, 1998, the following four (4) courses, as now surveyed by McKee and Associates, Inc. and referring the courses herein to the fourth line of a deed dated June 19, 1998 and recorded among the aforesaid Land Records in Liber 12979, folio 509, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife,

- North 00 degrees 48 minutes 34 seconds West, passing over a ¾-inches diameter iron pipe found at a distance of 130.78 feet, a total distance of 145.87 feet to a point located on or near the center of Hillside Avenue; thence leaving said point and running on or near the center of Hillside Avenue, the following two (2) courses:
- 2) South 89 degrees 14 minutes 25 seconds East, 133.50 feet to point; thence
- 3) South 88 degrees 11 minutes 46 seconds East, 66.80 feet to a point; thence leaving the center of Hillside Avenue,
- South 00 degrees 50 minutes 00 seconds East, 153.37 feet to a point located on and being distant 160.10 feet from a stone monument marked "W" found at the beginning of the fifth or North 86 degrees 50 minutes West, 756-foot line of the aforementioned deed in Liber 12979, folio 509; thence leaving said point and running with and binding reversely on a part of said fifth line,
- South 86 degrees 45 minutes 11 seconds East, 117.00 feet to a point, said point being distant North 86 degrees 45 minutes 11 seconds West, 43.10 feet from the aforesaid stone monument marked "W"; thence leaving said point and running for new lines of division, over, across and through the property of the herein Grantor, the following three (3) courses:
- 6) South 03 degrees 14 minutes 49 seconds West, 59.27 feet to a point; thence
- 7) North 79 degrees 41 minutes 30 seconds West, 400.79 feet to a point; thence



- North 03 degrees 14 minutes 49 seconds East, 10.00 feet to a point located on and being distant 317.15 feet from the end of the aforesaid fifth line of the aforementioned deed in Liber 12979, folio 509; thence leaving said point and running with and binding reversely on a part of said fifth line,
- 9) South 86 degrees 45 minutes 11 seconds East, 80.00 feet to the point of beginning.

CONTAINING 43,814 square feet or 1.006 acres of land, more or less.

BEING KNOWN and designated as 1529 Hillside Avenue.

SUBJECT to a private 20-foot wide easement for ingress, egress, maintenance and utilities for the use and benefit of the property adjoining to the immediate south of the herein described parcel of land and being more particularly described as follows:

BEGINNING for the same at a point located on the fourth or North 87 degrees 15 minutes 53 seconds West, 66.80-foot line, which by deed dated June 19, 1998 and recorded among the Land Records of Baltimore County, Maryland in Liber 12979, folio 500, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife, said point being distant North 87 degrees 15 minutes 53 seconds West, 2.00 feet from the beginning of the aforesaid fourth line; thence leaving said point of beginning and running over, across and through the property of the herein Grantor, the following three (3) courses, as now surveyed by McKee and Associates, Inc. and referring the courses herein to the fourth line of a deed dated June 19, 1998 and recorded among the aforesaid Land Records in Liber 12979, folio 509, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife,

- 1) South 00 degrees 50 minutes 00 seconds East, 198.36 feet to a point; thence
- 2) North 79 degrees 41 minutes 30 seconds West, 20.38 feet to a point; thence
- North 00 degrees 50 minutes 00 seconds West, 195.34 feet to a point located on and being distant 44.78 feet from the end of the aforesaid fourth line of the aforementioned deed in Liber 12979, folio 500; thence leaving said point and running with and binding reversely on a part of said fourth line,
- 4) South 88 degrees 11 minutes 46 seconds East, 20.02 feet to the point of beginning.

CONTAINING 3,937 square feet or 0.090 acres of land, more or less.

BEING a portion of that parcel of ground, which by deed dated June 19, 1998 and recorded among the Land Records of Baltimore County, Maryland in Liber 12979, folio 509, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife.

ALSO BEING all that parcel of ground, which by deed dated June 19, 1998 and recorded among the Land Records of Baltimore County, Maryland in Liber 12979, folio 500, was granted and conveyed by Leonard Billian to Leonard Billian and Virginia L. Billian, his wife.

File

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE 502 WASHINGTON AVENUE 8th Floor TOWSON, MARYLAND 21204 410-321-0600 TELEFAX 410-296-2801

May 11, 2004

Timothy Kotroco, Director
Baltimore County Department of
Permits and Development Management
111 W. Chesapeake Avenue, Suite 109
Towson, Maryland 21204

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

RECEIVED

MAY 1 2 2004

ZONING COMMISSIONER

Re: 1529 Hillside Road

Mr. and Mrs. Leonard Billian - Owners

Case No.: 03-595-SPH

Dear Mr. Kotroco:

Pursuant to an Order dated September 17, 2003, the Zoning Commissioner for Baltimore County granted the requested relief in the above-referenced case. A condition of that relief was that the owners record a new Deed in the Land Records showing the conveyances outlined at the hearing and the relief granted by the final Order in the referenced case. Subsequently, by letter dated November 10, 2003 the Zoning Commissioner for Baltimore County extended the date by which the Deeds were required to be recorded among the Land Records of Baltimore County. I enclose herewith a copy of a Deed of Transfer & Merger and a copy of a Deed (after merger), each of which have been recorded among the Land Records of Baltimore County on January 13, 2004. I would request that these Deeds be placed in your official case file as I have returned the originals to the property owners.

Should you or any member of your staff have any questions or need additional information regarding the enclosed instruments, please do not hesitate to contact me.

Very truly, yours,

Howard L. Alderman, Jr.

HLA/pal Enclosure

cc: Mr. and Mrs. Leonard Billian

Lawrence E. Schmidt, Esquire, Zoning Commissioner

for Baltimore County

G:\Clients\Billian, Mr. & Mrs (14317)\kotroco-t.ltr.wpd

Circuit Court for BALlimuke County
Clerk of the Court,
SUZANNE MENSH
COUNTY COURTS BUILDING
401 BOSLEY AVE. P.O. BOX 6759
(UWSON, MO 21285-6754

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AOC-CC-300 (6/95)

----- All rights reserved, - 0207

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White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (6/95) BROOKLANDVILLE MY 21022-1264 TANUARG 4, 2005

MR. TIMOTHY KOTROLD, DIR, OF PLANNING ATTEN MAT.
BALTO COUNTY
111 W. CHEZAFEARE AVE
TOWSON, MD. 21204

RE: 1529 HILLSITER

DEAR MR. KOTROGO:

TOTAL I MET WITH W. CARL RICHARDS, JR.
WITH QUESTIONS ABOUT THE SUBJECT
PROPERTY. I HAT BEEN ADVISCT BY
OTHER PARTIES THAT AN APPLICATION
HAD BEEN MADE FOR A BUILDING
PERMIT ON THE LOT AT THAT ADDRESS.

I HAVE FOUND THAT NO FORMIT HAS
BEEN APPLIED FOR AND I WOULD
APPREZIATE YOUR CERTIFICATION
CONFIRMING THIS IN WRITING.

SINCERETY, LEONARD BILLIAN

PLEATIE LARCE ME SO THAT I PICK-UP THIS LETTER WHEN DONE. M9 #410-561-1064 1/4/05 Dong Swan 49 410 887 3900

No permit 1529 Killside 21153

RECEIVED

JAN - 4 2005 05-23 051 8: 152MITS AVE DEVELOPMENT MATERIAL

HOWARD L. ALDERMAN, JR. halderman@LevinGann.com

DIRECT DIAL 410-321-4640 LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

November 5, 2003

ELLIS LEVIN (1893-1960) CALMAN A. LEVIN (1930-2003)

RECEIVED

NOV ~ 6 2003

ZONING COMMISSIONER

VIA TELEFAX & REGULAR MAIL

Lawrence E. Schmidt, Esquire Zoning Commissioner for Baltimore County 401 Bosley Avenue, Suite 405 Towson, Maryland 21204

RE: 1529 Hillside Road - Petition for Special Hearing

Case No. 03-595-SPH - Leonard Billian and wife, Owners

Request for Additional Time for Recordation

Dear Mr. Schmidt:

You issued a final order in the above-referenced case on September 17, 2003, conditionally approving the requested non-density transfer of land between two, adjoining and commonly owned parcels. I have enclosed a copy of your Order for your reference. Condition No. 2 of your Order required that the Petitioners record a deed within sixty (60) days, effecting the conveyance approved and referencing your Order.

The Petitioners have retained the services of McKee and Associates, Inc. (preparers of the plat to accompany the Petition) to perform the now required boundary survey and to prepare the metes and bounds description necessary for the approved conveyance. As legal counsel to the Petitioners/Owners, I can not prepare or record the required deed without the information being prepared by McKee and Associates. The Petitioners have been advised that due to the extraordinary workload at McKee, the required information can not be prepared within the 60 days.

Therefore, on behalf of my clients, I am requesting that you extend the date for recordation of the required deed for an additional sixty (60) days. Please be assured that once I have received the information from McKee & Associates, I can have the deed prepared, with all required references to your Order, within seventy-two hours. Should you need additional information in consideration of this request, please do not hesitate to contact me.

Thank you for your attention to this request.

Very truly yours,

Jourard I Alderman Ir

HLA/gk

Mr. and Mrs. Leonard Billian

207 Courtland Avenue, Towson, Maryland 21204 *Mailing Address:* P.O. Box 5402, Towson, Maryland 21285-5402 *Phone:* 410 337-6877, Fax: 410 296-5409

August 20, 2003,

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Leonard Billian Case No. 03-595 SPH

Dear Commissioner Schmidt;

The Valleys Planning Council is opposed to the request to allow a non-density transfer for the purpose of creating a buildable lot from an existing undersize RC5 lot. Mr. Billian owns sufficient land adjacent to the existing undersize lot with additional density. We concur with the Office of Planning in their opposition to this request.

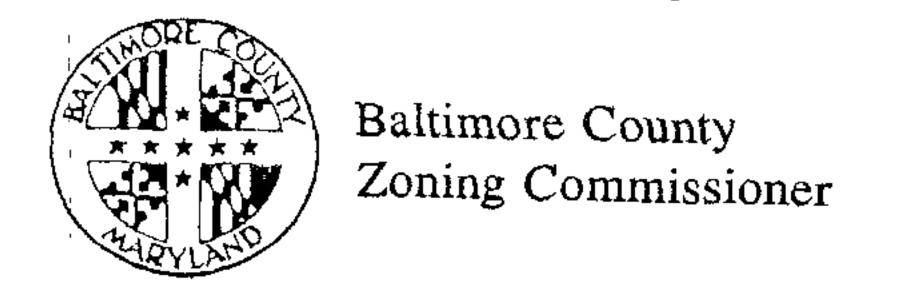
We however, are not opposed to a single lot density transfer in order to make this property viable.

Sincerely.

Jack Dillon

Executive Director

cc: VPC Executive Committee



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

Fax: 410-887-3468

March 7, 2003

Mr. & Mrs. Leonard Billian Box 1264 Brooklandville, Maryland 21022

> Re: Petition for Variance— Case No. 03-299-A

Property: 1529 Hillside Road

Dear Mr. & Mrs. Billian:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied 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 M. Kotroco

Deputy Zoning Commissioner

1 luthy llokroco

TMK:raj Enclosure

e: Stephen Losch 1527 Hillside Road Stevenson, MD 21153

Eleanor May 1535 Hillside Road Stevenson, MD 21153 IN RE: PETITION FOR VARIANCE S/S Hillside Road, 400' W centerline of Keller Road 3rd Election District 2nd Councilmanic District (1529 Hillside Road)

Virginia & Leonard Billian

Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-299-A

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Virginia and Leonard Billian. The Petitioners are requesting variance relief for property they own at 1529 Hillside Road, located in the Stevenson area of Baltimore County. The variance request is to permit a front setback of 65 ft. to the centerline of Hillside Road in lieu of the required 75 ft. and a rear yard setback of 40 ft. in lieu of the required 50 ft. and to approve an undersized lot.

Appearing at the hearing on behalf of the variance requests were Leonard Billian, owner of the property and Newton Williams, a friend of the Petitioner. Appearing in opposition to the Petitioners' request were nearby property owners, Stephen Losch and Eleanor May. There were no others in attendance

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.689 acres of land, more or less, zoned R.C.5. The subject property is unimproved at this time. Mr. Billian testified that he purchased the subject property in 1974. It has remained vacant up until this time. Mr. Billian is interested in constructing a single-family residential dwelling on the property for himself and his family. Given the narrow configuration of the property, front and rear yard setback variances are being requested in order to afford Mr. Billian the opportunity to construct a home on the property that would meet modern day standards. The setbacks that Mr. Billian is requesting are in keeping with the setbacks of the

other homes constructed along Hillside Road. In addition, some of the other lots in this area are actually smaller than that lot owned by this Petitioner. It is common for undersized lots which require variance approval such as this to be routinely approved. However, what differentiates this case from most is the fact that Mr. Billian and his wife own 8.8 acres of additional land situated immediately to the south of this lot. This additional acreage adjacent to this property would afford the Billian's the opportunity to add a 20 ft. strip of land to this lot which thereby would obviate the need for the front and rear yard setback variances. In lieu of providing this 20 ft. strip of land, Mr. Billian has proceeded on his request for variance on the present configuration of the property.

It should be noted that the Office of Planning for Baltimore County has reviewed this variance request. The Planning Office has issued a comment dated January 21, 2003. Therein the Planning Office has requested that the variance be denied and that the property owners be required to add additional land from their 8.8 acre tract to the subject lot to bring it into compliance with setback requirements. Mr. Losch and Ms. May echoed the sentiments of the Planning Office in their comments which they offered at the hearing. They too believe that the granting of a variance is not appropriate when the property owner has sufficient land to meet setback requirements.

After considering the testimony and evidence offered at the hearing, as well as the opposition to this request by the neighbors and the Office of Planning, I find that the variance should be denied. The Petitioners should be required to add additional land to the subject lot to bring it into compliance with front and rear yard setback requirements and the one acre minimum lot size requirement.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be denied.

THEREFORE, IT IS ORDERED, this 7 day of March, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance for the property located at 1529 Hillside Road, to permit a from setback of 65 ft. to the centerline of Hillside Road in lieu of the required 75 ft. and a rear yard setback of 40 ft. in lieu of the required 50 ft. and to approve an undersized lot, be and is hereby DENIED.

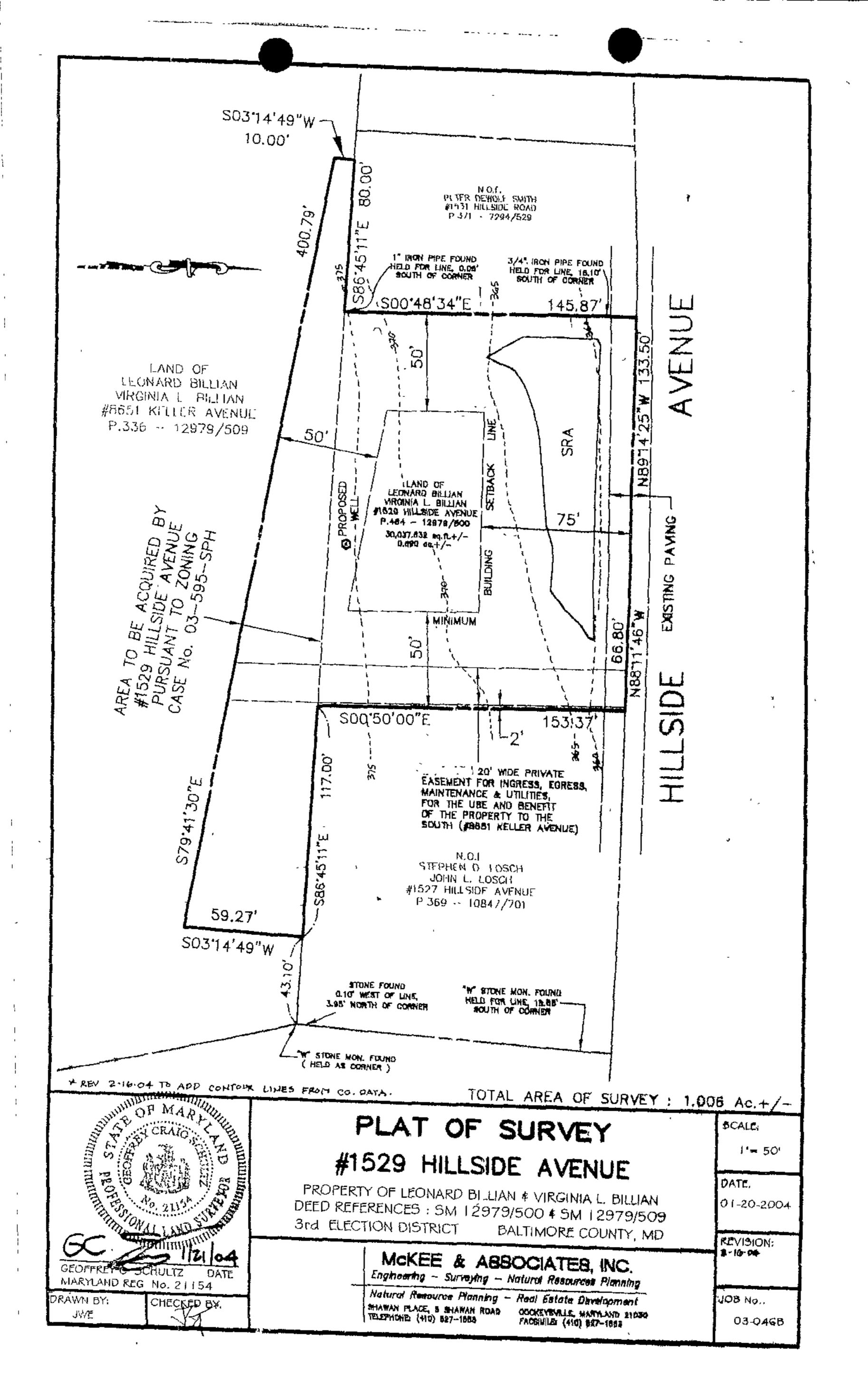
IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

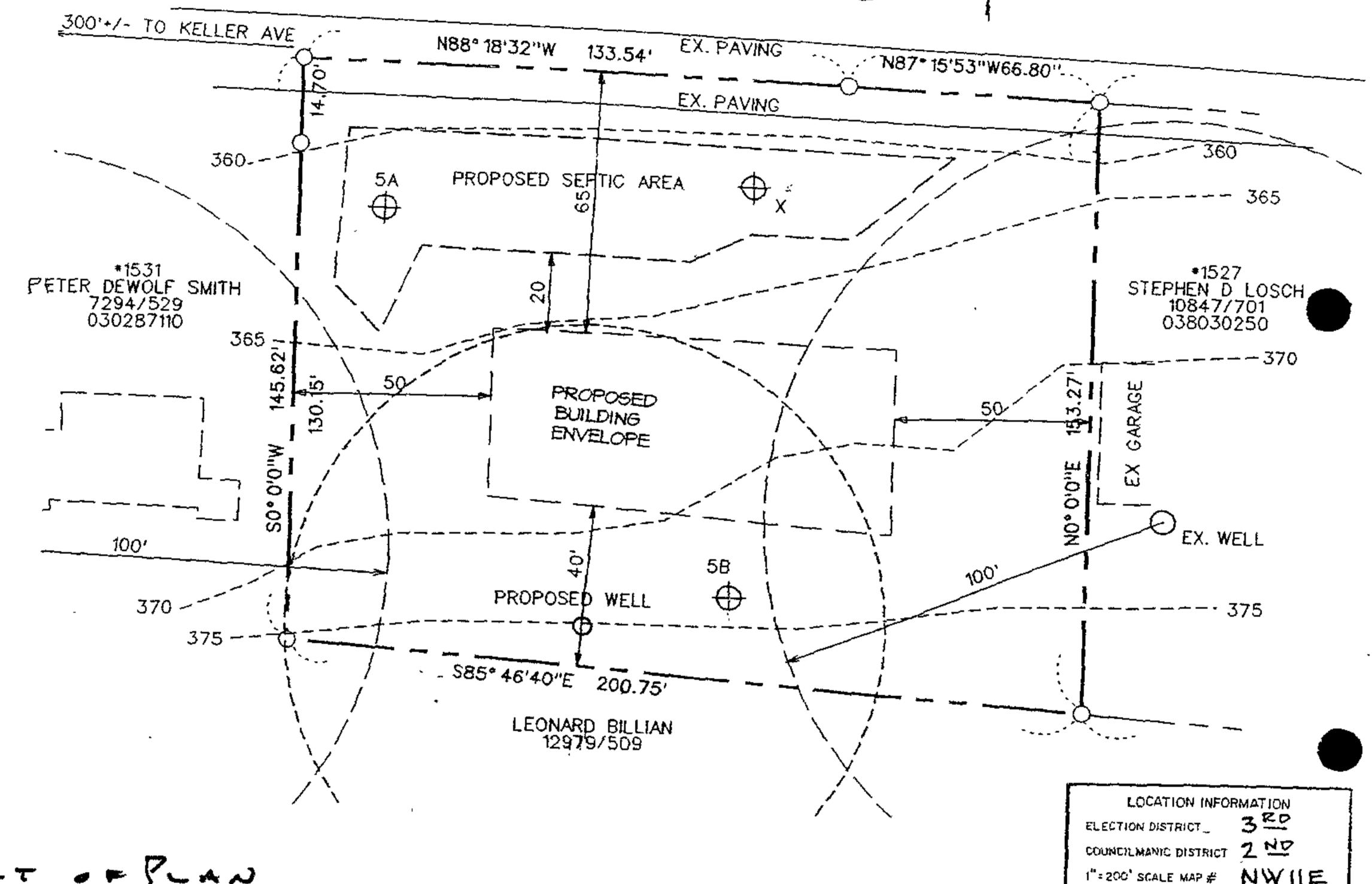
DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



HILLSIDE ROAD



PART OF PLAN RECASE NO. 03-299-A

BOUNDARY INFORMATION TAKEN FROM A SURVEY PREPARED BY LEON A PODALAK, DATED NOV. 14, 1972

1"=200' SCALE MAP # NW 11E ZONING RC5 LOT SIZE 689 29620 SQUARE FEET PUBLIC PRIVATE SEWER WATER CHESAPEAKE BAY
CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING NO ZONING OFFICE USE ONLY REVIEWED BY ITEM # CAS CASE #

BOX 7264

BROOKLANDVILLE MY
21022-1264

APRIL 4,2003

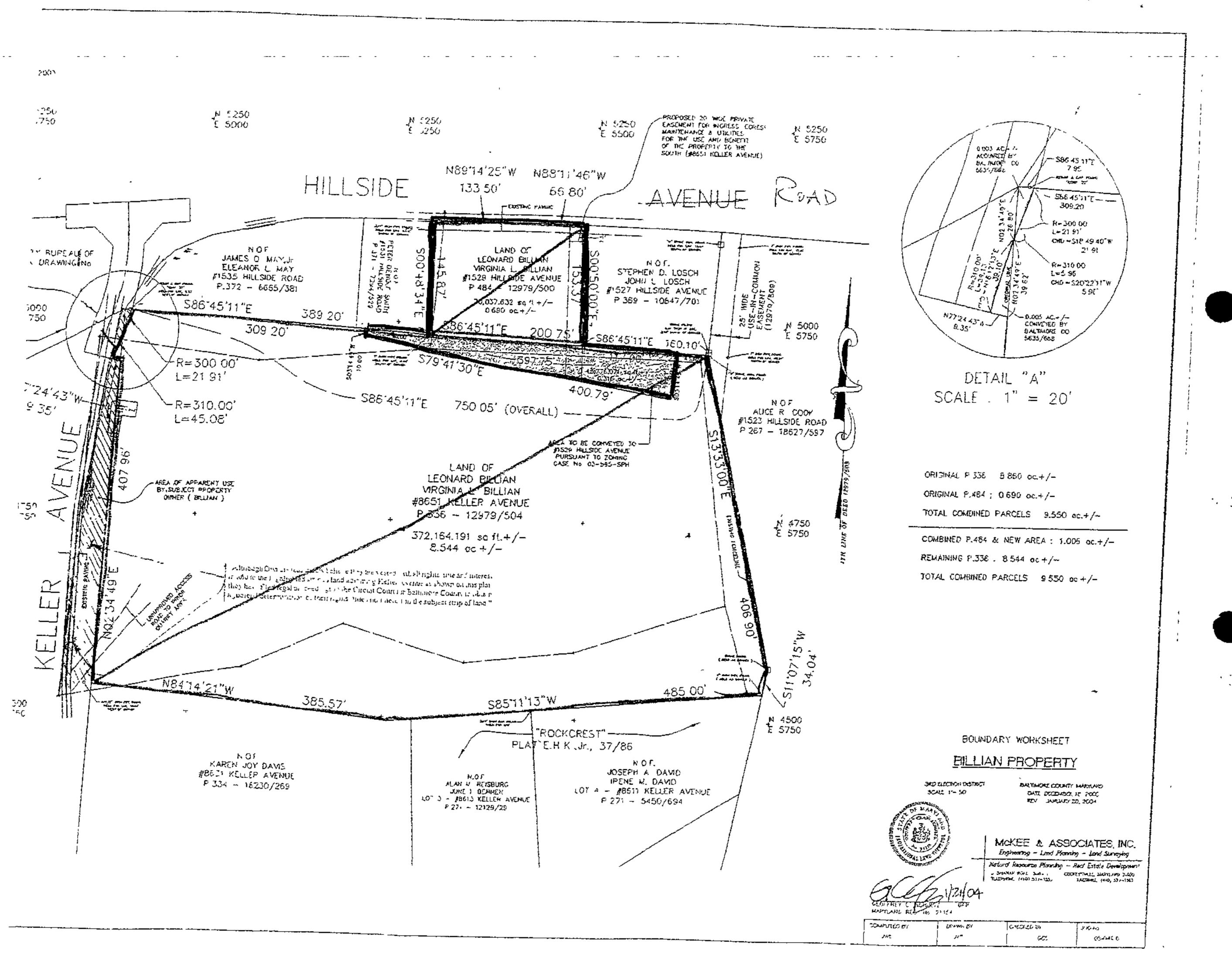
ARBOLD JABLON, DIRECTOR
DEPARTMENT OF PERMITS OF
DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, My. 21204

REICAGENO.03-299-A
EX HONDARABLE TIMOTHYM. KOTRECO
DEPUTY ZONING COMMISSIONER

DEARD DETERMINATION OF APPEALS FROM YOUR DEZISIONA DEDER OF FINDINGS OF FROM YOUR ABOVE THE ABOVE ENTITLED ORDER DATED MARCH 7, 2003.

MY CHECKS IN THE AMOUNT OF 1500 AND \$22500 IS ENCLOSED.

Disconort of Econore Petitioner, Petitioner, Petitioner



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5321/899 Contract, 11/12 M.s Jean Di elans, Asserted A commercial distant mot reller cares 1235 Now 410-512-4905 te de monde Refused to object or allowner to the secondity establish shout ed bilds an Remiss

JAN 3 1 2005 05-134

26, 29 HILLS 3

JAN.16, 2004

MR. TIMOTHY KOTROCO
DIRECTOR - PDM

ROOM III

III W. CHOS ROENICE AVE

TOWARDN, MOD 21204

Ra: 03-595-5PH

DEAR Ma. Komuco:

ATTRE HOD ARD COPIES OF RECORDED

MERGER DEEDS, RECOLDED JAN. 13, 2004,
IN REFERENCE TO THE SUBJECT CASE.

THESE ARE SUPPLIED AT THE REQUEST OF

LAWRENCE SCHMIDT.

SINCERERY,

LEONARD BILLIAN

PLEASE CONFIRM IN WRITING THE Rezert OF THE 45 DEEDS/DOCUMENTS.

> JAN 16 2004 (Ross) + (John Lawis-Withers)

Ρŀ	EASE	PRINT	CLEARL	Y
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CASE NAME_Billian	
CASE NUMBER 03-595	_
DATE Ay. 20, 2002	-

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
JACK Dillon	207 Courtland Aug	T. auson, MD 2/285	Dillonope @ and Comcoste Dest
Gaylord Clark	1706 HIII SIDE Rd	STEVENSON Md 21153	Billonupe @ Comcoste Monto
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CASE NAME 1529 HILLS 102 RD-BILLIAN CASE NUMBER 03-595-SPH PROPER DATE 8/20/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
GUY WARD	SSHAWAN RD SUITE!	Cockersneer MD 21030	5 cwemckeinc. com
Howard CAHermant	Louis & Gana BI		<u></u>
T TOURSE CONT	Levin & Gaun At 502 Washington Are Svite 800	Towson MD 2/204	
LEONARD BILLIAN	Box 1264, BROOKLAUDUILLE		
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DEED -- FEE SIMPLE -- INDIVIDUAL GRANTOR -- LONG FORM

This Deed, MADE THIS

19th

day of

June

in the year one thousand nine hundred and

Ninety-eight

by and between

LEONARD BILLIAN

of Baltimore County, State of Maryland,

party of the first part, and

LEONARD BILLIAN AND VIRGINIA L. BILLIAN his wife, tenants in common and not tenants by the entirety, parties
of the second part.

Witnesseth, That in consideration of the sum of

[gift from husband to wife]
NO DOLLARS (\$0.00/ and other good

and valuable considerations, the receipt of which is hereby acknowledged,

the said LEONARD BILLIAN

do es grant and convey to the said LECNARD BILLIAN AND VIRGINIA L. BILLIAN, his wife as tennants in common and not tenants by the entireties, their

personal representatives/successors and assigns

, in fee simple, all

that lot

of ground situate in

Baltimore County, State of Maryland,

Third Election District

and described as follows, that is to say: See attached.

A A

0012979 501

Beginning for the same at a railroad spike now set in or near the centerline of Hillside Road at the end of 133.54 feet on the 4th or North 88 degrees 18 minutes West 150 foot line of the land which by deed dated June 19, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1482 folio 258 was conveyed by Charles L. Freeny and Mary K. Freeny, his wife, to Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife said place of beginning being also situate at the beginning of the land which by deed of Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife, dated April 2, 1953 and recorded among said Land Records in Liber G.L.B. 2274 folio 254 was conveyed to Warren A. Burdette, et al thence leaving said place of beginning and said Hillside Road and running reversely with and binding on 8th line of 2nd said deed, as now surveyed and referring all courses of this description to the meridian of said deeds, due South and passing over an iron pipe and to the distance of 14.70 feet, in all, 145.62 feet to an iron pipe and to intersect the 10th line of 1st hereinmentioned deed at the distance of 360.56 feet from the end thereof. running thence with and binding on said line for a portion of the distance thereof, South 85 degrees 46 minutes 40 seconds East 200.75 feet to an iron pipe, thence leaving said 10th line and running for a new line of division through the land of said 1st hereinmentioned deed, due North 153.27 feet to a railroad spike in or near the centerline of said Hillside Road and to intersect the 3rd line of said deed at the distance of 172.37 feet from the beginning thereof, running thence with and binding on remaining portion of said 3rd and running also with and binding on portion of 4th line of said deed and running also with or near centerline of said Hillside Road, the 2 following courses and distances, viz: North 87 degrees 15 minutes 53 seconds West 66.80 feet to a railroad spike and thence North 88 degrees 18 minutes 32 seconds West 133.54 feet to the place of beginning. Containing 0.689 acres (30,000 square feet) of land, more or less.

BEING the same lot of ground which by deed dated December 28, 1974 and recorded among the Land Records of Baltimore County in Liber 5502 folio 679 was conveyed by Jack S. Kremen and Linda J. Kremen, his wife, unto Leonard Billian and Mary Ann Billian, his wife. See also 8713/395 from Leonard Billian and Mary Ann Billian to Leonard Billian.

0012979 502

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

LEONARD BILLIAN AND VIRGINIA L. BILLIAN their personal representatives/successors and assigns , in fee simple. AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; will warrant specially the property hereby granted; and that he that will execute such further assurances of the same as may be requisite. of said grantor WITNESS the hand and seal Test: Leonard Billian (SEAL) STATE OF MARYLAND, HEWARD COUNTY, to wit:

I Hereby Certify, That on this 264 day of June, in the year one thousand nine hundred and ninety-eight before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Leonard Billian

known to me (or satisfactorily proven) to be the person whose name is/mecsubscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

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

Elier & STIZIAR Notary Public

My Commission expires:

01-01-99

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

(Signature of attorney Edmitted to practice in Maryland if the instrument has been prepared by or under the supervision of such attorney, or signature of a party to the instrument if such party has prepared the instrument) Ronald L. Spahn

0012979 503

State of Maryland Land Instrument Intake Sheet Baltimore City — County: BALTIMORE Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only-All Copies Must Be Legible) Check Box if Addendum Intake Form is Attached.) Type(s) 5.80 Mortgage Deed of instruments Other nclumbing for Other Deed of Trust MISE Lease Conveyance Type Improved Sale Unimproved Sale · Multiple Accounts Not an Arms-MESS LAND Check Box Arms-Length [2] Arms-Length [1] Arms-Length [3] Length Sale [9] Eak \$ 5004 Recordation 11:53 30 ar 25 1998 Tax Exemptions State Transfer (if Applicable) Cite or Explain Authority County Transfer **Consideration Amount** Finance Office Use Only Purchase Price/Consideration Transfer and Recordation Tax Consideration Consideration Any New Mortgage Transfer Tax Consideration and Tax Balance of Existing Mortgage Calculations Other: Less Exemption Amount Total Transfer Tax Other: Recordation Tax Consideration:) per \$500 = Full Cash Value TOTAL DUE 5 Agents Amount of Fees LVOC. I Dec. 2 Recording Charge 20.00 Fees Surcharge 5.00 Tax Bill: State Recordation Tax State Transfer Tax C.B. Credit: County Transfer Tax Other Ag. Tax/Other: Other Property Tax ID No. (1) Grantor Liber/Felio Vac. LOG Parcel No. 8 17-00-001/89 87/3/0395 00 68 Description of Subdivision Name Let (3a) Block (3b) Suct/AR(3c) Pint Ref. SqFVAcreage (4) **Property** SDAT requires Location/Address of Property Being Conveyed (2) submission of all applicable information. Other Property Identifiers (if applicable) A maximum of 40 Water Meter Account No. characters will be indexed in accordance Residential or Non-Residential Fee Simple or Grount Rent with the priority cited in [Partial Conveyance? __] Yes __No Description/Amt. of SqFt/Acreage Transferred: Real Property Article Section 3-104(g)(3)(i). If Partial Conveyance, List Improvements Conveyed: Doc. 1 - Grantor(s) Name(s) Dec. 2 - Grantor(s) Name(s) EONARST BILLIAN Transferred From Doc. 1 - Owner(s) of Record, if Different from Grantor(s) | Duc. 2 - Owner(s) of Record, if Different from Grantor(s) Doc. 1 - Grantce(s) Name(s) 6 Transferred Doc. 2 - Grantee(s) Name(s) To New Owner's (Grantee) Mailing Address P.O.BOX 1264 BROCKLANDVILLE MD 21022 -1264 Doc. 1 - Additional Names to be Indexed (Optional) Dec. 2 - Additional Names to be Indexed (Optional) Other Names to Be Indexed Instrument Submitted By or Contact Person Return to Contact Person 10 Contact/Mali Name LEONARD BILLIAN Information Address P.O. BOX 1264, BROOK LAND VILLE
101 D. 2-1022 Phone: 1410 296-8606 Hold for Pickup Return Address Provided 11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Yes No Will the property being conveyed be the grantee's principal residence? Yes No Does transfer include personal property? If yes, identify: Information Yes No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). Agricultural Varidisation Terminal Verification Whole Tran. Process Verification Date Received: Dand Releases Transfer Number: Assigned Property No. Block Bulldings ____ Section Town Cd. Sec 33-130 REMARKS: Distribution: White - Clerk's Office Canary - SDAT Pink - Office of Finance Goldenrod - Preparer AOC-CC-300 (6/95)

LIGER 8 7 1 3 PAGE 3 9 5

THANSFER TAX NOT REQUIRED Director of Finance

Authorized Signature

This Deed, Made this

PEE-SIMPLE DEED-CODE-City or County

day of

January

, by and between the year one thousand nine hundred and Seventy-seven

VLEONARD BILLIAN and MARY ANN BILLIAN

in the State of Maryland, of the first part, and

LEONARD BILLIAN

of the second part.

(exempt transaction, part of marital settlement, Tax Property Article 12-108(d)) DOLLARS (\$0.00)/and other good

Witnesseth, That in consideration of the sum of NO and valuable considerations, the receipt of which is hereby acknowledged, the said LEONARD BILLIAN and MARY ANN BILLIAN

grant and convey unto the said LEONARD BILLIAN, his heirs and assigns, do 🕚

ACRICULTURAL TRANSFER TAX HOT APPLICABLE SICKATURE

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

13.00 0 \$ DEED 13.00 SH CLERK #20271 COO2 ROZ TO9:50 02/13/91

oferound, situate, lying and being in lot Nation stock semiliant and passessing the supplemental properties. **32** 7 the Third Election District of Baltimore County described in accordance with the description prepared by Leon A: Podolak and Associates, surveyors and civil engineers, and a more particular description as follows, that is to say:

Beginning for the same at a reailroad spike now set in or near the centerline of Hillside Road at the end of 133.54 feet on the 4th or North 88 degrees 18 minutes West 150 foot line of the land which by deed dated June 19, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1482 folio 258 was conveyed by Charles L. Freeny and Mary K. Freeny, his wife, to Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife, said place of beginning being also situate at the beginning of the land which by deed of Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife, dated April 2,1953 and recorded among said Land Records in Liber G.L.B. 2274 folio 254 was conveyed to Warren A. Burdette, et al., thence leaving said place of beginning and said Hillside Road and running reversely with and binding on 8th line of 2nd said deed, as now surveyed and referring all courses of this description to the meridian of said deeds, due South and passing over an iron pipe at the distance of 14.70 feet, in all, 145.62 feet to an iron pipe and to intersect the 10th line of 1st hereinmentioned deed at the distance of 360.56 feet from the end thereof, running thence with and binding on said line for a portion of the distance thereof, South 85 degrees 46 minutes 40 seconds East 200.75 feet to an iron pipe, thence leaving said 10th line and running for a new line of division through the land of said 1st hereinmentioned deed, due North 153.27 feet to a railroad spike in or near the centerline of said Hillside Road and to intersect the 3rd line of said deed at the distance of 172.37 feet from the beginning thereof, running thence with and binding on remaining portion of said 3rd line and running also with and binding on portion of 4th line of said deed and running also with or near centerline of said Hillside Road, the 2 following courses and distances, viz: North 87 degrees 15 minutes 53 seconds West 66.80 feet to a reallroad spike and thence North 88 degrees 18 minutes 32 seconds West 133.54 feet to the place of beginning. Containing 0.689 acres (30,000 square feet) of land, more or less.

BEING the same lot of ground which by deed dated December 28, 1974 and recorded among the Land Records of Baltimore County in Liber 5502 folio 679 was conveyed by Jack S. Kremen and Linda J. Kremen, his wife, unto Leonard Billian and Mary Ann Billian, his wife.

LIBER 8 7 1 3 PAGE 3 9 6

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

To Have and To Hold the said lot .of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said LEONARD BILLIAN, his

heirs and assigns, in fee simple.

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

Witness the hands and seals of said grantor s.

TEST:

Leonard Billian:

_(SEAL)

Frence DIA

Trene B. Wilson

Fleleman of Spohn 5401 Twin Knolls Rd.

STATE OF MARVIAND

Howard County

to wit:

, to v

day of January

I HEREBY CERTIFY, That on this

in the year one thousand nine hundred and Seventy-seven ,b

,before me, the subscriber,

a Notary Public of the State of Maryland, in and for

Howard County

aforesaid,

personally appeared

LEONARD BILLIAN and MARY ANN BILLIAN

the above named grantorS, and THEY

THELR

act.

As Witness my hand and Notarial Seal.

Trene B. Wilson

CONTROL OF CONTROL OF THE STATE OF THE STATE

Notary Public.

My Commission expires 7-1-78.

THIS IS TO CERTIFY THAT THE WITHIN INSURING HAS BEEN PREPARED BY OR UNDER THE SUPERVISION OF THE UNDERSIGNED ATTORNEY.

THEY acknowledged the foregoing Deed to be

FONALD L. SPAHN

LIBER5502 PAGE679

NO STAMPS NO CONSIDENATION

PIERGON & PIERSON

THIS DEED, Made this 28th day of December, 1974, by and between JACK S. KREMEN and LINDA J. KREMEN, his wife, of Baltimore County, State of Maryland, of the first part, and LEONARD BILLIAN and MARY ANN BILLIAN, his wife, of Baltimore County, State of Maryland, of the second part.

WINNESSETH, That in consideration of the sum of Pive (\$5.00) Dollars and other good and valuable considerations, receipt of which is hereby acknowledged, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of such survivor, in fee simple, all of that lot of ground situate in the Third Election District of Baltimore County described in accordance with the description prepared by Leon A. Podolak and Associates, surveyors and civil engineers, and a more particular description as follows, that is to say:

BEGINNING for the same at a railroad spike now set in or near the centerline of Hillside Road at the end of 133.54 feet on the 4-th or North 88° 18' West 150 foot line of the land which by deed dated June 19, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1482 folio 258 was conveyed by Charles L. Freeny and Mary K. Freeny, his wife, to Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife, said place of beginning being also situate at the beginning of the land which by deed of Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife, dated April 2, 1953 and recorded among said Land Records in Liber G.L.B. 2274 folio 254 was conveyed to Warren A. Burdette, et al., thence leaving said place of beginning and said Hillside Road and running reversely with and binding on 8-th line of 2-nd said deed, as now surveyed and referring all courses of this description to the meridian of said deeds, du-South and passing over an iron pipe at the distance of 14.70 feet, in all, 145.62 feet to an iron pipe and to intersect the 10-th line of 1-st hereinmentioned deed at the distance of 360.56 feet from the end thereof, running thence with and binding on said line for a portion of the distance thereof, South 85° 46' 40" East 200.75 feet to an iron pipe, thence leaving said 10-th line and running for a new line of division through the land of said 1-st hereinmentioned deed, due North 153.27 feet to a railroad spike in or near the centerline of said Hillside Road and to intersect the 3-rd line of said deed at the distance of 172.37 feet from the beginning thereof, running thence with and binding on remaining portion of said 3-rd line and running also with and binding on portion of 4-th line of said deed and running also with or near centerline of said Hillside Road, the 2 following courses and distances, viz: North 87° 15' 53' West 66.80 feet to a railroad spike and thence North 88° 18' 32" West 133.54 feet to the place of beginning.

Containing 0.689 Acres (30,000 square feet) of land, more or less.

BEING part of the land which by deed dated June 19, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1482 folio 258 was conveyed by Charles L. Freeny and Mary K. Freeny, his wife, to Harry D. Heubeck, Jr. and Margaret E. Heubeck, his wife.

LIBER5502 PAGE680

BEING also the same lot of ground described in a deed of even date herewith recorded or intended to be recorded among the Land Records of Baltimore County immediately prior hereto from Harry D. Heubeck, Jr. and Margaret B. Heubeck, his wife to the within named grantors.

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

TO HAVE AND TO HOLD the said lot of ground and promises, above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs and assigns of such survivor, in fee simple.

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

AS WITNESS the hands and seals of said grantors.

TEST:

Jack S. Kremen

Jack S. Kremen

Mense (SEAL)

Linda J. Kremen

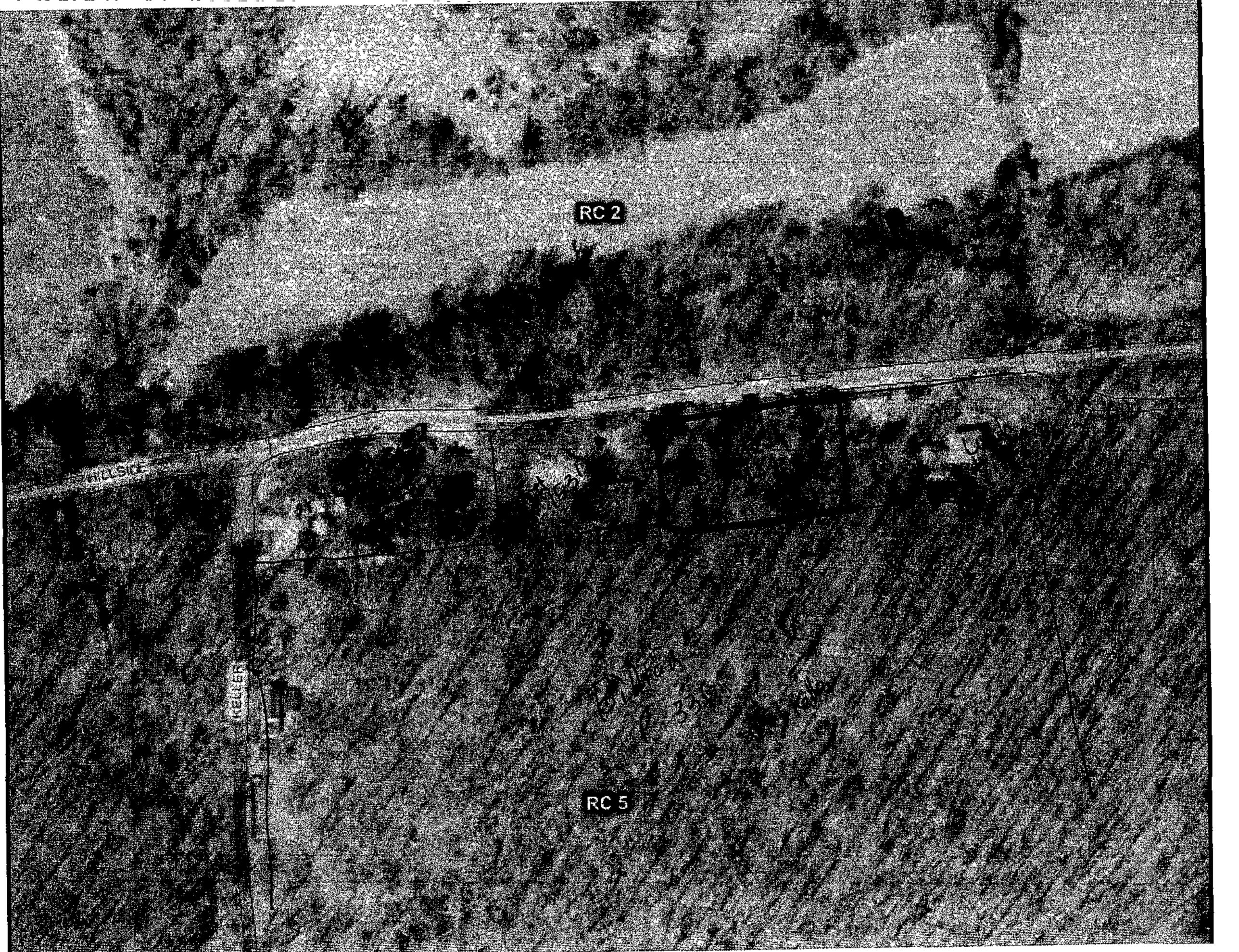
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this of day of January 197 before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Jack S. Kremen and Linda J. Kremen, his wife, the above named grantors, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

00.8++++ \$32pTT4S 2F-EF #M 00.8**** # # # # # # # 50 CT # S 13-12 in

Rec'd for mocord JAN 131975 Acting Director of Finance Per Elmer E. Kahline, Jr., Clerk Willes & Turoon Authorized Signature Mail to _/ Receipt Md.



http://bamaps1.co.ba.md.us/servlet/com.esri.esrimap.Esrimap?ServiceName=zoning&ClientVersion=4.0&Form=True&Encode=False

6/16/03

