IN RE: PETITIONS FOR VARIANCE AND SPECIAL HEARING	*	BEFORE THE
SE/S of Edmondson Avenue, 255 ft. SW of Rosewood Avenue	*	DEPUTY ZONING COMMISSIONER
1st Election District	*	OF BALTIMORE COUNTY
1st Councilmanic District **(1509 Edmondson Avenue)**	*	Case No. 04-424-SPHA
Aldo & Heather Caropreso *Petitioners*	*	

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Variance and Special Hearing filed by the legal owners of the subject property, Aldo and Heather Caropreso. The Petitioners are requesting relief for property located at 1509 Edmondson Avenue in the western area of Baltimore County. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling having side yard setbacks of 6.5 ft. and 14 ft., a sum of side yards of 20.5 ft. on a lot having a width of 51.28 ft. in lieu of the required 15 ft., 40 ft. and 55 ft. respectively and to approve an undersized lot. In addition, the Petitioners are requesting a special hearing pursuant to Section 500.7 of the B.C.Z.R., to approve an existing lot having an area of 18,581 sq. ft. and to determine that density will not be affected.

The property was posted with Notice of Hearing on April 16, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 20, 2004 to notify any interested persons of the scheduled hearing date.

Amended Petition

After the hearing on this matter it came to the attention of this Commissioner that the petition as stated was in error. The petition and the zoning map in the file indicate that the property is zoned

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By

DR 2. Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), specifies that in DR 2 zones the required lot width is 100 ft., side yard set backs are 15 ft. and sum of side yard setbacks is 40 ft. The petition indicated that the required lot width was 55 ft. instead of 100 ft. I have treated this as a typographical error and have corrected the petition accordingly.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: : A ZAC comment was received from the Office of Planning dated April 2, 2004 recommending denial of this request, a copy of which is attached hereto and made a part hereof.

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Date 5/18/04
By R. Jamison

Interested Persons

Appearing at the hearing on behalf of the variance request were Aldo and Heather Caropreso, Petitioners. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

This is a companion case to Case No. 04-425. By agreement, testimony and evidence in this case applies to the companion case. Testimony and evidence indicated that the property, which is the subject of this variance request, is a vacant lot whose address is 1509 Edmondson Avenue owned by Heather Caropreso. The property, which is the subject of Case No. 04-425, is an adjacent lot improved by a single-family dwelling whose address is 1505 Edmondson Avenue and is owned by Aldo and Heather Caropreso who are husband and wife. The Petitioners testified that these properties had been created in the 1930's and have been owned by the family since the 1940's. The Petitioners purchased the lot with the existing home in the 1970's and then bought the vacant lot next door seven years ago.

They would like to develop the vacant lot so as to build a new home on the property that would be sold to the public. Many reasons were given at the hearing by the Petitioners for the development of the property, namely that the taxes on the vacant lot were going up quickly and that they were approaching the time when they would find it difficult to maintain the property, both physically and financially, because they would retire shortly and have fixed incomes. Mr. Caropreso appeared at the hearing in a motorized wheel chair indicating his severe physical disabilities and the reason he was having difficulty maintaining both properties. The Petitioners testified that if they could sell the vacant lot, they would have money for needed repairs on their home at 1509 and the remaining money would be for their retirement fund. Mr. Caropreso indicated that he and his brother-in-law would actually build the house on the vacant lot.

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The Petitioners presented a County right-of-way map for the area dated June 11 1956, which depicted both lots. See Petitioners' Exhibit No. 2 wherein the properties are marked "1505 and 1509". While the lots are 52 ft. and 55 ft. wide, they are on the average approximately 360 ft. deep. As a result, although the regulations require lots of 20,000 sq. ft., both lots are approximately 18,000 sq. ft. in area. The Petitioners point out that this is close to the area required for DR 2 zoned property. They also note that the house next door to them at 1513 Edmondson Avenue is developed as a single-family home and has approximately 56 ft. of frontage. Again, this lot is very deep. They also point to the zoning map in the file that indicates the properties along nearby Smithwood and Rosewood Avenues are developed on narrow lots similar to the lots owned by Petitioners. The Petitioners recognize that their lots do not conform to the present DR 2 zoning regulations. They point out, however, that their property was zoned at a higher density (certainly DR 3.5 and likely DR 5.5) some years ago, but the area was downshifted in zoning density more recently. They were not sure of the dates when this occurred.

The Planning Office recommended both requests be denied because lots in the area are generally wider than the vacant lot, insufficient architectural elevations were submitted, and additional driveways should not be allowed presumably on Edmondson Avenue. Mr. Caropreso testified that he did not have sufficient money to have the elevations prepared professionally and submitted to the Office of Planning, but would do so if the requests were granted.

Findings of Fact and Conclusions of Law

The Planning Office recommends that both petitions be denied. It is interesting to note that missing among the reasons traditionally given by the Office of Planning when they recommend denial in such cases, is the fact that the two lots are in common ownership and can be combined to meet the regulations. Thus, the two lots together meet the minimum lot width of 100 ft. and area of 20,000 sq. ft. in area. The most significant argument given by the Office of Planning is that lots in

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By R. Zimmerman

this area are generally not developed as 50 ft. front lots. The Petitioners dispute this and cite the zoning map to indicate otherwise.

I will deny both requests, but because the Petitioners may want to appeal my decision to the Board of Appeals, I will make a specific finding on each point, which is required in variance cases. First, I find that the properties are unique even though there are no physical anomalies such as wetlands or steep slopes on the property. I find this because where lots were created before the zoning laws were applied, those lots are impacted by the regulations in a different way than other lots in the neighborhood that were created to meet the regulations. Here the lots were created, to the Petitioners' best knowledge, in the 1930's and the DR 2 regulations were imposed very recently.

I further find that the Petitioners would suffer hardship and practical difficulty in conforming to the newly applied regulations. First, there is an existing house, which simply can not meet the new DR side yard setback regulations. Secondly, any reasonable size home placed on the vacant lot can not meet the new DR regulations. Thirdly, the Petitioners present a compelling case for their difficulty in maintaining the existing two lots. Just cutting the grass is a hardship for Mr. Caropreso, although to his credit he never once indicated that he should have special treatment because of his physical disabilities. He is ready to install the tile in the new home and certainly would not want me to think he required special treatment.

However, I can not ignore the fact that recently the County Council specifically downshifted the zoning density in this area to DR 2. Examination of the zoning map in the file shows that a large area south of Edmondson Avenue, which includes these properties, is now zoned DR 2. Just to the north, across Edmondson Avenue, the area is still zoned DR 5.5 and to the west DR 3.5. Comparing the spacing and number of homes in each area, I am lead to believe that the area south of Edmondson Avenue, where the subject property is located, was zoned DR 5.5 until recently.

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By R. Jameson

Then for some reason the subject area was downshifted to DR 2. The Petitioners confirm this scenario.

It is obvious to me that in downshifting the area to DR 2, the County Council wanted to stop some process of development that was occurring at the higher density zoning. This downshifting often occurs to stop lots being developed in the back and side yards of existing homes with large lots in these older neighborhoods such as exist in this part of Catonsville. This is generally referred to as "infill". Whatever the reason, the message is clear. The County Council does not want infill development in this area of the County, as is being presented by these Petitioners. I must respect this direction in deciding this case.

Therefore, I find that although the petition meets all of the other criteria for granting a variance, it does not meet the requirement that the variance be granted only if it is in strict harmony with the spirit and intent of the height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. I find that the petition does not meet the spirit and intent of the present zoning regulations.

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 Petitioner, I find that the Petitioners' variance request should be denied

THEREFORE, IT IS ORDERED, this 18 day of May 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed single-family dwelling having side yard setbacks of 6.5 ft. and 14 ft., a sum of side yards of 20.5 ft. on a lot having a width of 51.28 ft. in lieu of the required 15 ft., 40 ft. and 55 ft. respectively and to approve an undersized lot, be and is hereby DENIED.

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Date 5/18/04
By R. Johnson

IT IS FURTHER ORDERED, that Petitioners' request for special hearing pursuant to Section 500.7 of the B.C.Z.R., to approve an existing lot having an area of 18,581 sq. ft. and to determine that density will not be affected, be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 5/18/04
By R. Jamesson

IN THE MATTER OF THE APPLICATION OF ALDO AND HEATHER CAROPRESO - PETITIONERS FOR ZONING VARIANCE ON PROPERTY LOCATED ON THE SE/S EDMONDSON AVENUE, 255' SW OF ROSEWOOD AVE (1509 EDMONDSON AVE) AND S/S EDMONDSON AVENUE, 200' SW ROSEWOOD AVE (1505 EDMONDSON AVE)	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 04-424-SPHA and CASE NO. 04-425-A
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT	*	

* * * * * * * * *

OPINION

This matter comes before the Board of Appeals as the result of a determination by the Deputy Zoning Commissioner to approve a special hearing for an undersized lot at 1509 Edmondson Avenue and denial of two variance requests, the first concerning the property known as 1505 Edmondson Avenue, to allow an existing single-family dwelling to have a side yard of 10 feet and a combined side yard sum of 35 feet in lieu of the required 15 feet and 40 feet respectively; and the second, concerning a vacant lot located at 1509 Edmondson Avenue, to permit a proposed single-family dwelling having side yard setbacks of 6.5 feet and 14 feet, and a sum of side yards of 20.5 feet on a lot having a width of 51.28 feet in lieu of the required 15 feet, 40 feet, and 100 feet respectively.

This matter was heard on March 16, 2005. Petitioners were represented by Michael P. Tanczyn, Esquire. There were no Protestants.

Petitioner, Aldo Caropreso, testified on his own behalf. He described the properties in question as being in existence by deed since 1939 when they were first purchased by his wife's family. He related that 1505 Edmondson Avenue was purchased by him and his wife and is improved by a single-family home. His wife, in her own right, later purchased the adjacent lot at

1509 Edmondson Avenue. Utilizing various deeds, plats, diagrams, and photographs, he established that the properties in question, being long and narrow, were significantly different than the other sites in the area, and that each was almost double the square footage of the other nearby properties.

He also presented an amended plat which addressed and resolved several difficulties pointed out by the Planning Board regarding the project as to privacy, elevation, and proposed driveway issues. It also reflected what was apparently a misconception on the part of the Planning Board as to the specifics of the separate ownership of the two properties in question. He further pointed out that the variance relief requested was limited only to the side yard distances, as the lots in question met or exceeded the depth requirements. He noted that the lots in question (and the proposed structure on 1509) were set much farther back than virtually all the other structures in the area.

He pointed out that all the Petitioners desired was to build appropriate structures in conformity with the standards of construction existing in the area. He testified further that their request would not change the density of construction in the neighborhood, would be in strict harmony with the nature of the area, that the site in question was served by public water and sewer, and that the project would in no way be detrimental to the health, safety or general welfare; and that, for all of those reasons, their request was in fact supported by all of their neighbors.

The witness further addressed the issues of the special hearing request in addition to the deeding of the property prior to 1955. He further established that, the lots being in two separate

ownerships, there was no ability to combine the lots in question to avoid the undersized lot situation.

Finally, he stated that his wife, as owner of 1509 Edmondson Avenue, would grant an easement in perpetuity to 1505 Edmondson Avenue as a condition to the granting of the special hearing request, to provide appropriate driveway access to that property.

Heather Caropreso testified and adopted her husband's testimony. In addition, she confirmed the history of the two properties and, under oath, stated that the easement for the driveway access to 1505 Edmondson Avenue would be granted as indicated and agreed that it would be included as a condition for any special hearing approval granted by this Board.

The applicable law regarding the granting of a special hearing request to permit construction of a single-family home on lots undersized for that purpose is contained in § 304.1 of the *Baltimore County Zoning Regulations* (BCZR). It states:

> ...a one-family attached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:
>
> A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
>
> B. All other requirements of the height and area regulations are complied with; and
>
> C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

As to the granting of variances, the Board notes § 307.1 of the BCZR which states:

> ...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in

> practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare....

Further, the Board enjoys the guidance provided by the Court of Special Appeals in *Cromwell v. Ward,* 102 Md.App. 691 (1995), wherein the Court writes:

> ...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the uniqueness or peculiarity of the practical difficulties alleged to exist. It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties...." Id. at 698.

In requiring a pre-requisite finding of "uniqueness", the Court defined the term and sta. .

> ...In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.... Id. at 710.

The Court, in *McLean v. Soley*, 270 Md. 216 (1973) established the following criteria for determining practical difficulty or unreasonable hardship:

> 1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessary burdensome.
>
> 2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
>
> 3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

The Board has applied the facts, testimony, and exhibits presented to these statutes and cases. We find that there is no question that the subject properties are, by their shape, topography, and size, significantly unique when compared with the other existing properties in the area in which they exist. They are, therefore, in all sense of the law and cases "unique."

Having determined the uniqueness of the sites in question and, in accordance with the standards set forth in *McLean*, we find that strict compliance with the applicable side yard standards (especially considering that the front and rear distances easily meet and exceed those requirements) would unreasonably prevent Petitioners from using the properties in question for the permitted purpose of a single-family dwelling. We further find that it would do substantial justice to the Petitioners to grant their request, and that the spirit of the side yard ordinances would thereby still be observed and public safety and welfare secured by the granting of the requested relief.

We further find that the Petitioners have met their burden as it concerns their request for a special hearing to allow construction of a single-family structure on the undersized lot at 1509 Edmondson Avenue. The lot in question was deeded prior to March 30, 1955. There is not sufficient adjoining property to conform with the requirements of law as the joint owners of 1505 Edmondson are not the same as the single owner of 1509 Edmondson Avenue.

Finally, as we have noted above, the requisite variances have, by this Opinion, been granted, so that all other requirements of the height and area regulations have been complied with. The granting of the special hearing is conditioned on the granting, in perpetuity, by Petitioner, Heather Caropreso, of an easement on 1509 Edmondson Avenue for the benefit of 1505 Edmondson Avenue for the purpose of granting driveway access to that structure. This

condition will be embodied in our final Order and must be recorded among the Land Records of Baltimore County before any construction permit is granted as the result of the granting of this special hearing.

ORDER

THEREFORE, IT IS THIS 14th day of June, 2005 by the County Board of Appeals of Baltimore County

ORDERED that the Petitioners' request for variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a proposed single-family dwelling having side yard setbacks of 6.5 ft. and 14 ft., a sum of side yards of 20.5 ft. on a lot having a width of 51.28 ft. in lieu of the required 15 ft., 40 ft. and 55 ft. respectively and to approve an undersized lot on the property known as 1509 Edmondson Avenue, Case No. 04-424-SPHA, be and is hereby **GRANTED**; and it is further

ORDERED that Petitioners' request for special hearing on the property known as 1509 Edmondson Avenue, Case No. 04-424-SPHA, pursuant to § 500.7 of the BCZR to approve an existing lot having an area of 18,581 sq. ft. and to determine that density will not be affected, be and is hereby **APPROVED**; and it is further

ORDERED that Petitioners' request for variance relief on the property known as 1505 Edmondson Avenue, Case No. 04-425-A, from § 1B02.3.C.1 of the BCZR to permit an existing single-family dwelling to have a side yard of 10 ft. and a combined side yard sum of 35 ft. in lieu of the required 15 ft. and 40 ft. respectively be and is hereby **GRANTED**; and it is further

ORDERED that the granting of the special hearing is conditioned upon the following restriction:

The granting of the special hearing is conditioned on the granting, in perpetuity, by Petitioner, Heather Caropreso, of an easement on 1509 Edmondson Avenue for the benefit of 1505 Edmondson Avenue for the purpose of granting driveway access to that structure.

This condition shall be recorded among the Land Records of Baltimore County before any construction permit is granted as the result of the granting of this special hearing.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence M. Stahl, Chairman

John P. Quinn

Edward W. Crizer, Jr.

County Board of Appeals of Baltimore County

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

June 14, 2005

Michael Tanczyn, Esquire
606 Baltimore Avenue
Suite 106
Towson, MD 21204

RE: *In the Matter of: Aldo & Heather Caropreso –Legal Owners;*
Case No. 04-424-SPHA and Case No. 04-425-A

Dear Mr. Tanczyn:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all subsequent Petitions for Judicial Review filed from this decision should be noted under the same civil action number as the first Petition.** *If no such petition is filed within 30 days from the date of the enclosed Order,* the subject file will be closed.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

c: Aldo and Heather Caropreso
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

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on Recycled Paper

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

May 19, 2004

Mr. & Mrs. Aldo Caropreso
1505 Edmondson Avenue
Catonsville, Maryland 21228

Re: Petitions for Special Hearing & Variance
Case No. 04-424-SPHA
Property: 1509 Edmondson Avenue

Dear Mr. & Mrs. Caropreso:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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,

John V. Murphy /rj

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1509 EDMONDSON AVE
which is presently zoned DR2.

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 AN EXISTING LOT HAVING AN AREA OF 18,581 ☐ AND TO DETERMINE DENSITY WILL NOT BE AFFECTED

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Heather L. Carapreso
Name - Type or Print

Heather L. Carapreso
Signature

Name - Type or Print

Signature

1509 Edmondson Ave 410-747-5612
Address Telephone No.

Catonsville, Md. 21228
City State Zip Code

Representative to be Contacted:

SAME
Name

AS
Address Telephone No.

ABOVE
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM/DT Date 3/18/04

Case No. 04-424-SPHA

REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1509 Edmondson Ave.

which is presently zoned DR-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 (BCZR)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING HAVING SIDEYARD SETBACKS OF 6.5' AND 14', A SUM OF SIDEYARDS OF 20.5' ON A LOT HAVING A WIDTH OF 51.28' IN LIEU OF THE REQUIRED 15', 40' AND 55' RESPECTIVELY. AND TO APPROVE AN UNDERSIZED LOT

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

State Zip Code

Legal Owner(s):

Heather L. Caropreso
Name - Type or Print

Heather L. Caropreso
Signature

Aldo Caropreso
Name - Type or Print

Aldo Caropreso
Signature

1505 Edmondson Ave. 410-747-5612
Address Telephone No.

Catonsville, MD. 21228
City State Zip Code

Representative to be Contacted:

SAME
Name

AS
Address Telephone No.

ABOVE
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM **Date** 3/13/09

ORDER RECEIVED FOR FILING
Date 5/18/09
By

Case No. 09-424-SPHA

REV. 9/15/98

NO TITLE EXAMINATION REQUESTED OR PERFORMED

1509 Edmondson Avenue
Baltimore, Maryland 21228-4491
Tax Account # 01-0112002270

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT (this "Declaration") is made this 25 day of March, 2005, by HEATHER L. CAROPRESO (the "Declarant"), and by HEATHER L. CAROPRESO and ALDO CAROPRESO ("Benefitted Parties").

RECITALS

A. Declarant is the owner of certain land situate and lying in Baltimore County, Maryland described in Exhibit A, and pursuant to Deed executed April 15, 1998 from CECILIA A. SQUIGGINS to HEATHER L. CAROPRESO, and recorded in the Land Records of Baltimore County in Liber 12939, folio 510, that is referred to as the property more particularly described and shown on State Tax Map 100, Grid 12, Parcel 219, known as 1509 Edmondson Avenue, Baltimore County, Maryland. Declarant desires to create an easement in favor of the benefitted property over the aforesaid property, to, from and between Edmondson Avenue and 1505 Edmondson Avenue, presently owned by the benefitted parties, HEATHER L. CAROPRESO and ALDO CAROPRESO.

B. The Declarant is executing this Declaration in order to establish such an easement which shall burden a portion of the 1509 Edmondson Avenue property, and benefit 1505 Edmondson Avenue property.

C. Benefitted Parties, HEATHER CAROPRESO and ALDO CAROPRESO, who are the owners of 1505 Edmondson Avenue, pursuant to Deed dated February 12, 1991 from HEATHER L. CAROPRESO to HEATHER L. CAROPRESO and ALDO CAROPRESO, and recorded in the Land Records of Baltimore County in Liber 8763, folio 669, are executing this Declaration in order to accept their responsibilities for repairs, maintenance, snow clearing, and restriction and limitations on the use of the easement.

NOW, THEREFORE, Declarant hereby subjects the 1509 Edmondson Avenue property to the operation and effect of the provisions of this Declaration which are hereinafter set forth.

Section 1. Declaration of Easement.

1.1 Declarant hereby declares and establishes for the benefit of the owners of 1505 Edmondson Avenue, the easement, hereinafter described, as shown on Exhibit A, and for such owners, personal representatives, heirs, successors and/or assigns the following easement:

1.1.1 an irrevocable, perpetual and non-exclusive easement (hereinafter referred to as "the 1509 Edmondson Avenue Property Easement") in, over, and through the 1509 Edmondson Avenue, for pedestrian, vehicular, and utility access to and from 1505 Edmondson Avenue; and for facilities related to such access and utilities (all of which, together with any improvements thereto,

all additions or replacements thereof made within the 1509 Edmondson Avenue Property Easement as defined on Exhibit A, pursuant to the provisions of this Declaration are hereinafter referred to as the "1509 Edmondson Avenue Property Easement facilities" to serve the lot and improvements now or hereafter existing upon the 1505 Edmondson Avenue property, and also for the use of any tenants, agents, guests, employees and/or invitees of the owner(s) of 1505 Edmondson Avenue property, as shown on Exhibit A, attached hereto and

1.1.2 a temporary easement in, over, through and under so much of the remainder of the 1509 Edmondson Avenue Property Easement, to enable the owner of 1505 Edmondson Avenue, their personal representatives, heirs, successors, or assigns, to construct any of the 1509 Edmondson Property Easement facilities and for repair and replacement thereof.

1.3 The 1509 Edmondson Avenue easement area is shown and described on Exhibit A attached hereto as an existing asphalt driveway running from Edmondson Avenue to the south, as shown on Exhibit A. It is Declarant's intent that the existing paved portion of the road shall be the limit of construction.

1.4 The burden of the 1509 Edmondson Avenue Property Easement shall run with and bind upon the title to the 1509 Edmondson Avenue property and upon each person from time-to-time hereafter holding such title of record.

1.5 The benefit of the 1509 Edmondson Avenue Property Easement shall run with the title to the 1505 Edmondson Avenue property (and each person from time-to-time holding such title of record), who in the provision of this subsection 1.5 is hereafter referred to as "1509 Edmondson Avenue Property Easement Benefitted Parties", and their respective heirs, personal representatives, successors and assigns as holders of record of the title to the 1505 Edmondson Avenue benefitted property, but shall not run with the title to any land other than the 1505 Edmondson Avenue benefitted property.

Section 2. Exercise of Easement.

2.1 Costs and Manner of Exercise. The cost of any construction, installation, maintenance, repair, replacement or use of the 1509 Edmondson Avenue Property Easement facilities (the easement facilities), shall be borne by the owners of the 1505 Edmondson Avenue and 1509 Edmondson Avenue on a 50/50 or equal basis from Edmondson Avenue to the terminus of the existing asphalt driveway, or so much of it as lies within the property boundaries of 1505 Edmondson Avenue. All initial construction, installation, maintenance, and repair costs for the existing asphalt driveway have been paid by the Declarant. Any future costs due to damage to the road caused by use of heavy vehicles for any home construction at 1509 Edmondson Avenue shall be borne by the Owners/Contract Purchaser of that parcel, and the standard of construction shall be that for a private access driveway, as set forth in the regulations of Baltimore County, from time-to-time.

2.2 Cost of Installation. The cost of subsequent installation of all or any portion of the easement facilities, including any extension, repair or replacement of any, shall be shared as aforesaid by the owners, shall be paid by the owners of each property within thirty (30) days of the mailing of an invoice therefore.

2.3 Duty of Maintenance. After the initial installation which has already occurred, the owners of 1505 Edmondson Avenue and 1509 Edmondson Avenue, from time to time, shall, with respect to those portions of the Easement Facilities located on their parcel, and subject to the cost-sharing provisions aforesaid:

2.3.1 perform all necessary maintenance (including, without limitation, snow removal) and repair of, and replacements to, the Easement Facilities or portion thereof, and the respective Easement Area or portion thereof in which they were installed to the end that the Easement Facilities and such Easement Area are maintained at all times in good order and repair except that any other land or improvements damaged by a parcel owner's exercise of the Easement or use of such Easement Area in any manner is the sole responsibility of such parcel owner; and

2.3.2 promptly restore such Easement Area, any improvements thereon and any other land or improvements which are damaged by any such exercise or use to its condition immediately before such installation or other exercise or use (including, by way of example rather than of limitation, restoring any paving or other improvements which may be disturbed by such work).

2.4 Permits. Each parcel owner hereby agrees, promptly upon request of the other parcel owner, to join in any applications for approval of any permits and/or licenses needed to construct, or repair or replace the Easement Facilities.

2.5 Both the Benefitted Property Owners and Declarant agree to be mutually and reciprocally bound and subject to the following restrictions as to the use of the easement aforesaid:

2.5.1 no parking shall be allowed on any portion of the driveway from Edmondson Avenue for the length of the driveway included within the property boundary of 1509 Edmondson Avenue.

2.5.2 the easement shall be restricted to pedestrian and vehicular access only.

2.5.3 no trees, plants, shrubs, or other obstacles shall be erected on, over, or next to the driveway aforesaid, which would block, barricade, or present a hazard to pedestrians or vehicles traveling on the aforesaid easement driveway to Edmondson Avenue.

2.5.4 no lighting shall be installed to illuminate the easement area driveway, which shines onto any single family dwelling on either property, without the mutual written consent of the Parties hereto and their successors and assigns.

Section 3. General.

3.1 Effectiveness. This Declaration shall become effective on its execution by the Declarant.

3.2 Applicable Law. This Declaration shall be given effect and construed by application of the law of Maryland, and any action or proceeding brought hereunder.

3.3 Construction. As used herein, (a) the term "person" means a natural person, a trustee, a corporation, a partnership and any other form of legal entity; (b) all references made (I) in the

neuter, masculine or feminine gender shall be deemed to have been made in all such genders, and (ii) in the singular or plural number shall be deemed to have been made, respectively, in the plural or singular number as well; and © the term means the persons hereinabove named or described as such and their respective heirs, personal representatives, successors and assigns.

3.4. Exhibits. Made a part hereof.

3.5 Assignment. This Declaration shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

3.6 Liability. Neither the parties hereto nor their respective heirs, personal representatives, successors and assigns hereunder as a parcel owner shall have any liability hereunder for any expense or obligation whatsoever, unless such expense or obligation accrues while such person is the owner of record of the Land with respect to which such expense or obligation accrued. Each such person shall be liable for any such expense or obligation which accrues while such person is the owner of record of such land, and such liability shall survive such person's subsequent conveyance of such property of record to any other person.

IN WITNESS WHEREOF, the Declarant and Benefitted Parties have executed and ensealed this Declaration or caused it to be executed and ensealed the day and year first above written.

WITNESS:

_____ _____ **(SEAL)**
HEATHER L. CAROPRESO, Declarant

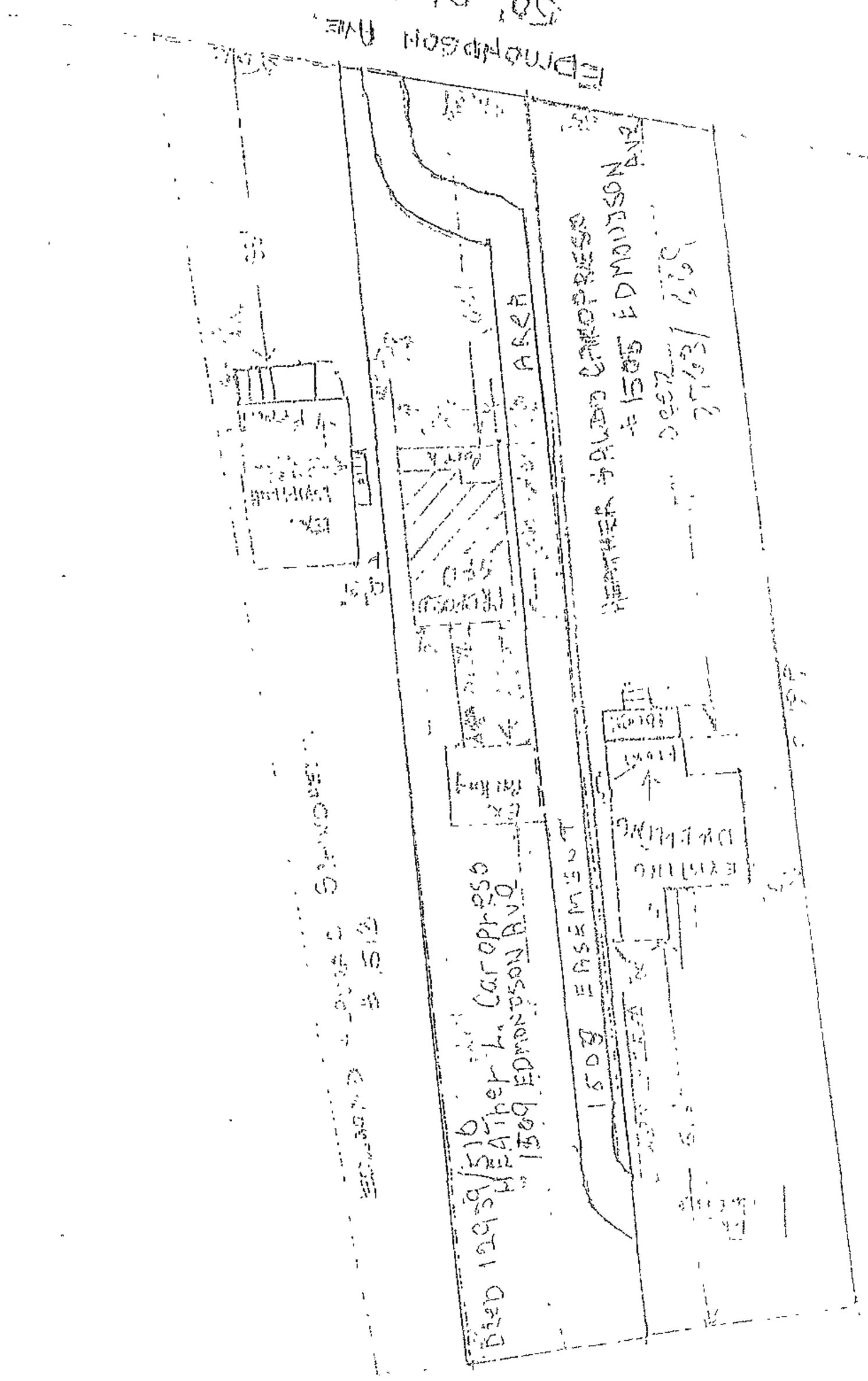
_____ _____ **(SEAL)**
HEATHER L. CAROPRESO, Benefitted Party
Co-Owner of 1505 Edmondson Avenue

_____ _____ **(SEAL)**
ALDO CAROPRESO, Benefitted Party
Co-Owner of 1505 Edmondson Avenue

STATE OF MARYLAND: COUNTY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that on this 25 day of March, 2005, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared **HEATHER CAROPRESO,** as Declarant and as Benefitted Party, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

EXHIBIT A



LAW OFFICES
MICHAEL P. TANCZYN, P.A.
Suite 106 • 606 Baltimore Avenue
Towson, Maryland 21204
Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

August 9, 2005

Board of Appeals of Baltimore County
Attn: Kathy Bianco
Old Courthouse
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Petitions of Heather Caropreso
1509 Edmondson Avenue
Case 04-424SPHA

Petition for Variance
Heather Caropreso and Aldo Caropreso
1505 Edmondson Avenue
Case 04-425A

Dear Ms. Bianco:

Regarding the above-captioned, and per the Order, enclosed please find a copy of the Declaration of Easement, as recorded in the Land Records of Baltimore County, in Liber 22064, folio 203.

Please feel free to contact me should you have any questions.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl
Encl.
cc: client

RECEIVED
BALTIMORE COUNTY
BOARD OF APPEALS

LAW OFFICES
MICHAEL P. TANCZYN, P.A.
Suite 106 • 606 Baltimore Avenue
Towson, Maryland 21204
Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

June 20, 2005

RECEIVED
BALTIMORE COUNTY
BOARD OF APPEALS

Mr. and Mrs. Aldo Caropreso
1505 Edmondson Avenue
Catonsville, MD 21228

Re: Zoning Case 04-424 SPHA & 04-425 A

Dear Heather and Aldo:

I am pleased to enclose the recording receipt and Intake Sheet, as well as the Declaration of Easement, as recorded in the Land Records of Baltimore County on June 20, 2005. Pursuant to the recent Order of the Board of Appeals, this was to occur before you apply for building permits. We will continue to monitor the time within which an appeal must be filed and advise you, upon the conclusion of that period, if an appeal has been filed.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl
cc: Ms. Kathy Bianco
Enclosure(s)

ZONING DESCRIPTION FOR 1509 Edmondson Ave.
(address)

Beginning at a point on the South side of
(north, south, east or west)

Edmondson Ave which is 50'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 207 west of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Rosewood Ave.
(name of street)

which is 40' wide. South twenty-two degrees, eight minutes East (S 22 degrees 08' E) three hundred fifty eight and one-tenth feet (358.1') to an iron pipe, thence leaving the said second line and binding in part on the rear of Middleton's and Cook's lots lying to the Southeast, South sixty-two degrees, thirty-seven minutes West (S 62 degrees 37' W) fifty and twenty-three one hundredths feet (50.23') to an iron pipe, thence leaving Cook's lot and running for a new line of division (1949) and being parallel and fifty feet Westerly from the first line of this description North twenty-two degrees, eight minutes West (N 22 degrees 08' W) three hundred seventy-four and nine one-hundredths feet (374.09') to an iron pipe set on the Southeasterly side of Edmondson Avenue, thence binding on the Southerly side of said Avenue, North eighty degrees, forty-three minutes East (N 80 degrees 43' E) fifty-one and twenty-eight one-hundredths feet (51.28') to the place of beginning. As per survey by Charles W. Hemler, Surveyor, on March 5, 1949.

as recorded in Baltimore County Plat Book # 1065, Folio # 140,

containing 18,581 □' (square feet or acres). Also known as 1509 (property address)

and located in the 1 Election District, 1 Councilmanic District.

M C B

#424

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: #04-424-SPHA
1509 Edmondson Avenue
S/east side of Edmondson Avenue, 255 feet s/west of Rosewood Avenue
1st Election District – 1st Councilmanic District
Legal Owner(s): Aldo & Heather Caropreso

Variance: to permit a proposed single family dwelling having side yard setbacks of 6.5 feet and 14 feet, a sum of side yards of 20.5 feet on a lot having a width of 51.28 feet in lieu of the required 15 feet, 40 feet, and 55 feet respectively, and to approve an undersized lot. **Special Hearing:** to permit an existing lot having an area of 18,851 square feet in lieu of 20,000 and to determine density will not be affected.

Hearing: Wednesday, May 5, 2004 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/4/747 April 20 C660795

CERTIFICATE OF PUBLICATION

4/22/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/20/ 2004.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 34545

DATE 3/19/04 ACCOUNT R001 0066 150

AMOUNT $ 115.00

RECEIVED FROM: CASH

FOR: 04-424-SPHA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
3/19/2004	3/19/2004	11:55:40	1

REG W901 WALKIN JRIC JMR
>>RECEIPT # 178773 3/19/2004 OFLN
Dept 5 520 ZONING VERIFICATION
CR NO. 034545
Recpt Tot $115.00
$.00 CK $200.00 CA
$20.00- CD
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 04-424-SPHA

Petitioner/Developer: ALDO & HEATHER CAROPRESO

Date of Hearing/ Closing: MAY 5, 2004

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

Attention: Becky Hart

Ladies and Gentlemen: This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #1509 EDMONDSON AVE.

The sign(s) were posted on ~~MAR~~ April 16, 2004
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

APPEAL SIGN POSTING REQUEST

CASE NO.: 04-424-SPHA

ALDO AND HEATHER CAROPRESCO– LEGAL OWNER

1509 EDMONDSON AVENUE - CATONSVILLE

1ST ELECTION DISTRICT APPEALED: 6/14/2004

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

**********COMPLETE AND RETURN BELOW INFORMATION*****

41 B3

APPEAL SIGN POSTING REQUEST

CASE NO.: 04-424-SPHA

ALDO AND HEATHER CAROPRESCO– LEGAL OWNER

1509 EDMONDSON AVENUE - CATONSVILLE

1ST ELECTION DISTRICT APPEALED: 6/14/2004

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

**********COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 04-424-SPHA

Petitioner/Developer:

ALDO AND HEATHER CAROPRESCO– LEGAL OWNER

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

1509 EDMONDSON AVENUE - CATONSVILLE

The sign was posted on 7/20, 2004

By: _____
(Signature of Sign Poster)

GARY FREUND
(Printed Name)

Department of Permits and Development Management

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

Baltimore County

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

March 26, 2004

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: 04-424-SPHA
1509 Edmondson Avenue
S/east side of Edmondson Avenue, 255 feet s/west of Rosewood Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Aldo & Heather Caropreso

Variance to permit a proposed single family dwelling having side yard setbacks of 6.5 feet and 14 feet, a sum of side yards of 20.5 feet on a lot having a width of 51.28 feet in lieu of the required 15 feet, 40 feet, and 55 feet respectively, and to approve an undersized lot. Special Hearing to permit an existing lot having an area of 18,851 square feet in lieu of 20,000 and to determine density will not be affected.

Hearing: Wednesday, May 5, 2004, at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco
Director

TK:klm

C: Heather & Aldo Caropreso, 1505 Edmondson Avenue, Catonsville 21228

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 20, 2004.**
(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, April 20, 2004 Issue - Jeffersonian

Please forward billing to:
Aldo Caropreso
1505 Edmondson Avenue
Catonsville, MD 21228

410-747-5612

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: 04-424-SPHA
1509 Edmondson Avenue
S/east side of Edmondson Avenue, 255 feet s/west of Rosewood Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Aldo & Heather Caropreso

Variance to permit a proposed single family dwelling having side yard setbacks of 6.5 feet and 14 feet, a sum of side yards of 20.5 feet on a lot having a width of 51.28 feet in lieu of the required 15 feet, 40 feet, and 55 feet respectively, and to approve an undersized lot. Special Hearing to permit an existing lot having an area of 18,851 square feet in lieu of 20,000 and to determine density will not be affected.

Hearing: Wednesday, May 5, 2004, at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 04-429-SPHA

Petitioner: Caropreso Aldo

Address or Location: 1509 Edmondson Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Aldo Caropreso

Address: 1505 Edmondson Ave
Catonsville Md 21228

Telephone Number: 4107475612

Revised 2/20/98 - SCJ

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

April 27, 2004

Heather L. Caropreso
Aldo Caropreso
1505 Edmondson Avenue
Catonsville, Maryland 21228

Dear Mr. and Mrs. Caropreso:

RE: Case Number:04-424-SPHA, 1509 Edmondson Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 18, 2004.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: April 2, 2004

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

SUBJECT: 1509 Edmondson Avenue

INFORMATION:

Item Number: 4-424 (also see 4-425)

Petitioner: Heather L Caropreso

Zoning: DR 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and it appears that the petitioner owns sufficient adjoining land to conform to the width and area requirements contained in the BCZR. As such, the petitioner does not meet the requirements stated in Section 304.1.C of the BCZR. This office recommends that the petitioner's request be **DENIED** for the following reasons:

1. The lots in the neighborhood are generally wider.
2. Architectural elevations that were submitted are insufficient to determine compatibility with the existing dwellings in the neighborhood.
3. No additional driveways should be allowed.

Prepared by: Mark A Cunningham

Division Chief: Lynn Lanham

AFK/LL:MAC:

RECEIVED FOR FILING
Date 5/18/04
By R Johnson

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3·29·04

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

RE: Baltimore County
Item No. 424 LTM

Dear. Ms.Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: R. Bruce Seeley RBS/JDO

DATE: April 6, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 29, 2004

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-424
04-425
04-428
04-429
04-432
04-433
04-434
04-435

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J Hohman, Chief

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

March 29, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 29, 2004

Item No.: 424-435

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: April 21, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For April 5, 2004
Item Nos. 424, 425, 427, 428, 429, 431,
432, and 434

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

RWB:CEN:jrb

cc: File

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

May 19, 2004

Mr. & Mrs. Aldo Caropreso
1505 Edmondson Avenue
Catonsville, Maryland 21228

Re: Petitions for Variances & Special Hearing
Case Nos. 04-424-SPHA 04-425-A
Property: 1505 Edmondson Ave. & 1509 Edmondson Ave.

Dear Mr. & Mrs. Caropreso:

Enclosed please find zoning advisory comments/recommendations from the Office of Planning that were inadvertently not attached to the Orders issued in the above-captioned cases on May 18, 2004. These comments were referred to on page 4 of each Order. Please accept our apologies for any inconvenience this may have caused.

Should you have any questions or require any additional information, please feel free to contact this office at 410-887-3868.

Very truly yours,

John Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

County Board of Appeals of Baltimore County

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

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

February 10, 2005

NOTICE OF ASSIGNMENT

CASE #: 04-424-SPHA — **IN THE MATTER OF: ALDO AND HEATHER CAROPRESO**
Petitioners /Legal Owner 1509 Edmondson Avenue

5/18/04 – D.Z.C..'s Order in which requested variance and special hearing relief was DENIED.

AND

CASE #: 04-425-A — **IN THE MATTER OF: ALDO AND HEATHER CAPRESO**
Petitioners /Legal Owner 1505 Edmondson Avenue

5/18/04 – D.Z.C..'s Order in which requested variance relief was DENIED.

NOTE: This matter was previously assigned for hearing on 12/16/04 and postponed at the request of Counsel for Petitioner /Apppellant. A hearing date has been reassigned as follows:

ASSIGNED FOR: **WEDNESDAY, MARCH 16, 2005 at 10:00 a.m.**

NOTICE: **This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.**

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

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

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

Kathleen C. Bianco
Administrator

c: Counsels for Appellant /Petitioner : Michael P. Tanczyn, Esquire
Appellant /Petitioner : Aldo Caropreso

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

Printed with Soybean Ink
on Recycled Paper

County Board of Appeals of Baltimore County

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

PP'd, 2/15/04 - to the next

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

August 23, 2004

NOTICE OF ASSIGNMENT

CASE #: 04-424-SPHA — **IN THE MATTER OF: ALDO AND HEATHER CAROPRESO**
Petitioners /Legal Owner 1509 Edmondson Avenue

5/18/04 – D.Z.C..'s Order in which requested variance and special hearing relief was DENIED.

AND

CASE #: 04-425-A — **IN THE MATTER OF: ALDO AND HEATHER CAPRESO**
Petitioners /Legal Owner *1505 Edmondson Avenue*

5/18/04 – D.Z.C..'s Order in which requested variance relief was DENIED.

ASSIGNED FOR: **THURSDAY, DECEMBER 16, 2004 at 10:00 a.m.**

NOTICE: ***This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.***

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

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

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

Kathleen C. Bianco
Administrator

c: Appellant /Petitioner : Aldo Caropreso

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

Printed with Soybean Ink on Recycled Paper

Case No. 04-424-SPHA

In the Matter of: Aldo and Heather Caropreso –
Legal Owners /Petitioners

VAR – To permit proposed SFD having side yd setbacks of 6.5' and 14', a sum of side yds of 20.5' on lot having width of 51.28' ilo required 15', 40', and 55' respectively; SPH – to approve undersized lot.

5/18/04 – D.Z.C.'s Order in which requested variance and special hearing relief was DENIED.

and

Case No. 04-425-A

VAR – To permit existing SFD to have side yd of 10' and a combined side yd sum of 35' ilo required 15' and 40' respectively.

5/18/04 – D.Z.C.'s Order in which requested variance relief was DENIED.

8/23/04 -Notice of Assignment sent to following; assigned for hearing on Thursday, December 16, 2004 at 10:00 a.m.:

Aldo Caropreso
Office of People's Counsel
Lawrence E. Schmidt /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

12/15/04 – T/C from Michael Tanczyn, Esquire – he will entering his appearance in both cases; in addition, he has just been retained and reviewed the case and petitions filed; called to request continuance in order to property prepare and to fully review the petitions as filed.
– Will be requesting a continuance on the record 12/16/04; Mr. Caropreso need not attend on 12/16/04. NOTE: Mr. Caropreso was not represented by counsel below; there were not protestants; petition were denied. The only notice sent to anyone outside of Baltimore County Government was to Mr. Caropreso; no other individuals expected to attend 12/16/04 hearing before the Board.) Spoke with Chairman Wescott regarding this matter.
- Entry of Appearance filed by Mr. Tanczyn in both 04-424-SPHA and 04-425-A.
- T/C with Mr. Tanczyn this date. Inasmuch as the 9 a.m. hearing has been postponed, and the continuance of this matter was the only issue for the Board on 12/16/04, the postponement /continuance will be granted this date by letter FAXed to Mr. Tanczyn and a copy hand-delivered to Mr. Zimmerman. T/Cs placed this date to scheduled Board members that day has been pulled; no one need come in to the office. Letter to Mr. Tanczyn via FAX and USPS – request granted; hearing postponed; to be reassigned within the next few days and notice sent for early Spring 2005 hearing.

2/10/05 – Notice of Assignment sent this date to all parties; assigned for hearing on Wednesday, March 16, 2005 at 10:00 a.m.

3/16/05 – Board convened for hearing (Stahl, Quinn, Crizer); hearing completed; public deliberation held after a luncheon recess. Unanimous decision of the Board: petition for variance and special hearing – GRANTED; written Opinion and Order to be issued; appellate period to run from date of written Order. 2 (L)

Case No. 04-424-SPHA

In the Matter of: Aldo and Heather Caropreso –
Legal Owners /Petitioners

VAR – To permit proposed SFD having side yd setbacks of 6.5' and 14', a sum of side yds of 20.5' on lot having width of 51.28' ilo required 15', 40', and 55' respectively; SPH – to approve undersized lot.

5/18/04 – D.Z.C.'s Order in which requested variance and special hearing relief was DENIED.

and

Case No. 04-425-A

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

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8/10/05 – Letter from M. Tanczyn with enclosed copy of Declaration of Easement as recorded in the Land Records of Baltimore County, Liber 22064, folio 203.

BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: 1509 and 1505 Edmondson Avenue
Aldo and Heather Caropreso – Owners/Petitioners
Case Nos.: 04-424-SPHA & 04-425-A

DATE : March 17, 2005

BOARD/PANEL Larry M. Stahl
John P. Quinn
Edward W. Crizer, Jr.

RECORDED BY: Linda B. Fliegel/Legal Secretary

PURPOSE: To deliberate granting a variance to approve an undersized lot for a SFD.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The uniqueness of the property, due to its size, shape and the topography of the land
- Granting the variance would not change the density of area
- The variance should/must be granted or the property would be rendered useless
- There has been no opposition made by any parties as to this variance request
- Explanation of the petitioners were reasonable/credible
- Continuous ownership of property
- Property was bought in 1947 which was prior to the current zoning regulations put into play in 1955

DECISION BY BOARD MEMBERS: Unanimous decision to grant the variance.

FINAL DECISION: The variance should be granted, however, Mr. Quinn, would be writing a concurring opinion on the matter.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place that date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted

Linda B. Fliegel

Linda B. Fliegel
County Board of Appeals

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel· 410-887-3353 • Fax: 410-887-5708

Baltimore County

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

June 29, 2004

Aldo Caropreso
Heather Caropreso
1505 Edmondson Avenue
Catonsville, MD 21228

Dear Mr. and Mrs. Caropreso:

RE: Case : 04-424-SPHA, 1509 Edmondson Avenue

Please be advised that we received your appeal of the above-referenced case on June 14, 2004. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Timothy Kotroco
Director

TK:klm

c: Lawrence E. Schmidt, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel

RECEIVED
JUN 30 2004
BALTIMORE COUNTY
BOARD OF APPEALS

Printed on Recycled Paper

APPEAL

Petition for Variance & Special Hearing
1509 Edmondson Avenue
SE/s Edmondson Ave., 255 ft. s/w of Rosewood Ave.
1st Election District – 1st Councilmanic District
Aldo & Heather Caropreso - Petitioners

Case No.: 04-424-SPHA

√ Petition for Variance and Special Hearing (March 18, 2004)

√ *Zoning Description of Property*

√ Notice of Zoning Hearing (March 26, 2004)

√ Certification of Publication (April 20, 2004 – The Jeffersonian)

√ Certificate of Posting (April 16, 2004) by Garland Moore

√ Entry of Appearance by People's Counsel (April 1, 2004)

√ Petitioner(s) Sign-In Sheet
One Sheet

√ Protestant(s) Sign-In Sheet
None

√ Citizen(s) Sign-In Sheet
None

√ Zoning Advisory Committee Comments (4-27-04)

√ Petitioners' Exhibit
1. Plat to accompany petition for Variance
2. Plan to accompany Right-of-Way Agreement
3. Drawing

√ Protestants' Exhibits:
None

√ Miscellaneous (Not Marked as Exhibit)
1. Section 304 of Zoning Commissioner's Policy Manual, pg. 3-3

√ Deputy Zoning Commissioner's (DENIED – May 18, 2004)

√ Notice of Appeal received on June 14, 2004 by Petitioner, Aldo Caropreso

RECEIVED
JUN 30 2004
BALTIMORE COUNTY
BOARD OF APPEALS

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Aldo & Heather Caropreso, 1505 Edmondson Avenue, Catonsville 21228

date sent June 29, 2004, klm

Counsel for Petitioner /Appellant
(entered 12/15/04)

Michael Tanczyn, Esquire
606 Baltimore Avenue
Suite 106
Towson, MD 21204

VE

Circuit Court for
BALTIMORE COUNTY
Clerk of the Court,
SUZANNE MENSH
COUNTY COURTS BUILDING
401 BOSLEY AVE. P.O. BOX 6754
TOWSON, MD 21285-6754
(410) 887-2601

Transaction Block: 2770

	AMOUNT
DECLARATION/BY LAWS	20.00
IMP PD SURE $20.00	20.00
RECORDING FEE 20	20.00
SUBTOTAL:	40.00
TOTAL CHARGES:	40.00
PAYMENTS	
CHECK	40.00
TOTAL TENDERED:	40.00

Cashier: ID Key # BA03
Rcpt # 80503
Date: Jun 20, 2005 Time: 01:00 pm

and Instrument Intake Sheet

County: _____

use of the Clerk's Office, State Department of on, and County Finance Office only.

nk Only—All Copies Must Be Legible)

dum Intake Form is Attached.)

Mortgage	Other	Other
Lease		
Unimproved Sale Arms-Length *[2]*	Multiple Accounts Arms-Length *[3]*	Not an Arms-Length Sale *[9]*

ration Amount

n	$
	$
e	$
	$
	$
	$

Finance Office Use Only	
Transfer and Recordation Tax Consideration	
Transfer Tax Consideration	$
X ( ) % =	$
Less Exemption Amount −	$
Total Transfer Tax =	$
Recordation Tax Consideration	$
X ( ) per $500 =	$
TOTAL DUE	$

Doc. 1	Doc. 2
$	$
$	$
$	$
$	$
$	$
$	$

Agent:
Tax Bill:
C.B. Credit:
Ag. Tax/Other:

6 Description of Property
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG ☐ (5)

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage (4)

Location/Address of Property Being Conveyed (2)

Other Property Identifiers (if applicable) | **Water Meter Account No.**

Residential ☐ **or Non-Residential** ☐ | **Fee Simple** ☐ **or Grount Rent** ☐ **Amount:**

Partial Conveyance? ☐ **Yes** ☐ **No** | Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	**Doc. 2 - Owner(s) of Record, if Different from Grantor(s)**

8 Transferred To

Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)

New Owner's (Grantee) Mailing Address

9 Other Names to Be Indexed

Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name:
Firm:
Address:
Phone: ( )

☐ Return to Contact Person
☐ Hold for Pickup
☐ Return Address Provided

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

Assessment Information

☐ Yes ☐ No Will the property being conveyed be the grantee's principal residence?
☐ Yes ☐ No Does transfer include personal property? If yes, identify:
☐ Yes ☐ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line

☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran. Process Verification

Transfer Number: Date Received: Deed Reference: Assigned Property No.:

Year	19	19	Geo.	Map	Sub	Block
Land			Zoning	Grid	Plat	Lot
Buildings			Use	Parcel	Section	Occ. Cd.
Total			Town Cd.	Ex. St.	Ex Cd	

REMARKS:

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (6/95)

SPACE RESERVED BY COUNTY FOR CLERK

County Board of Appeals of Baltimore County

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

December 15, 2004

Michael Tanczyn, Esquire
606 Baltimore Avenue
Suite 106
Towson, MD 21204

RE: *In the Matter of: Aldo and Heather Caropreso*
Case No. 04-424-SPHA and Case No. 04-425-A

Dear Mr. Tanczyn:

In response to your request for continuance of the subject matter from the assigned date of Thursday, December 16, 2004, and as confirmation of our telephone conversation this afternoon, the hearing scheduled in Case No. 04-424-SPHA and Case No. 04-425-A has been postponed and pulled from the Board's December 16th hearing docket.

A new date will be assigned for hearing some time in early Spring 2005, with notice of postponement and reassignment to be sent within the next few days.

You need not appear on December 16th in this matter. The Board members assigned to this case have also been notified of the postponement.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Aldo and Heather Caropreso
People's Counsel for Baltimore County
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

FILE

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on Recycled Paper

LAW OFFICES
MICHAEL P. TANCZYN, P.A.
Suite 106 • 606 Baltimore Avenue
Towson, Maryland 21204
Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

December 15, 2004

VIA FACSIMILE
NO.: 410-887-3182
Board of Appeals of Baltimore County
Attn: Kathy Bianco
Old Courthouse
Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Petition For Variance
Case No.: 04-425-A
Petition For Variance And Special Hearing
Case No.: 04-424-SPHA

Dear Ms. Bianco:

Enclosed please find two Entries of Appearance for the above-captioned case numbers. Per our conversation, we will be requesting a continuance on the record tomorrow.

Please feel free to contact me should you have any questions.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl
Encl.

cc: client
People's Counsel

LAW OFFICES
MICHAEL P. TANCZYN, P.A.
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

FACSIMILE INFORMATION TRANSMITTAL SHEET

DATE: December 15, 2004 **TIME:**_____

PAGE 1 **OF** 4

TO: Kathy Bianco

FAX NO.: (410) 887-3182

FROM: **Michael P. Tanczyn**

RE: Case Nos: 04-425-A and 04-424-SPHA

DOCUMENTS:

REMARKS:

*** * * NOTICE OF CONFIDENTIALITY * * ***

The documents in this facsimile transmission are ATTORNEY PRIVILEGED AND CONFIDENTIAL and are intended for the use of the individual or entity named above. If you have received this communication in error, or are not sure whether it is privileged, please immediately notify us by telephone at (410) 296-8823 and return the original document in its entirety to us at the above address via the U. S. Postal Service. ANY DISSEMINATION, DISTRIBUTION, COPYING, OR OTHER TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS DOCUMENT BY ANYONE OTHER THAN THE INTENDED RECIPIENT IS STRICTLY PROHIBITED.

SECTION 304 -- USE OF UNDERSIZED SINGLE-FAMILY LOTS - Prior to the application for a building permit, the applicant must provide satisfactory documentation. The applicant may be required to furnish:

a. a copy of the pre-1955 deed or subdivision plat;
b. (no additions)
c. contiguous ownership

It is obvious that Section 304 of the Baltimore County Zoning Regulations recognizes the existence of parcels of property that did not meet the minimum lot sizes mandated at the time the minimum lot size regulations were passed. To do otherwise would have the effect of rendering such undersized lots useless, and such legislation would be unconstitutional.

1. Section 304 B.C.Z.R., however, is silent as to when contiguous ownership would serve as a bar to its *implementation, i.e., contiguous ownership in existence only* at the time this regulation was passed or contiguous ownership in existence at that time and at any time thereafter.

2. It is therefore important to consider the intent of the owner who attempts to invoke the applicability of Section 304 BCZR. Each situation must be judged individually by the particular facts and circumstances presented. If the intent to avoid the regulations is obvious, Section 304c. cannot be invoked and variances must be required. An obvious method used is called "checkerboarding". The owner of a tract of land consisting of undersized lots makes conveyances of certain lots in order to create a pattern of ownership which qualifies each parcel as an undersized lot in a single and separate ownership, thereby avoiding the necessity of public hearing and notice for a variance. Often this is done by transferring title to members of the owner's family or to his business associates, e.g., to officers of the corporation which purchased the tract. Another method is to sell adjoining undersized lots which were recently purchased to individual, bona fide buyers. This would permit the new owner of a single undersized lot to build without a variance, where such permission would not have been granted to the owner of the entire tract.

3. If a single owner of contiguous undersized lots has purchased the property in good faith and without any intent to avoid the area requirements, 304c. may be used to allow the owner to build pursuant thereto. Good faith also must be determined by the facts and circumstances of each situation, but such factors as dates of purchase of the parcels, the purpose of the purchase, the intent of the purchase, can be utilized to so determine. This office has traditionally applied the "six year rule" to determine good faith, and that rule shall be one criteria to be used. The rule holds that if the single owner of an undersized lot contiguous to another parcel owned by him has transferred ownership of one to another, 304c. would apply if such new ownership has been held for a period of at least six years. This rule shall not preclude exceptions where it is clear, and equitable, that single ownership of contiguous property was not intended to avoid area requirements.

4. Ownership Information Including:

(i) a property tax computer printout for all adjacent properties, in addition to the subject property;

(ii) copies of the deeds for all adjacent properties, in addition to the subject property; and

(iii) a notarized affidavit stating that the applicant has had no financial interests for the prior six years in any adjacent properties.

<u>Interpretation:</u> The Zoning Commissioner retains the right Section 500.6 B.C.Z.R. to interpret whether the spirit and intent of these Regulations are being adhered to on a case-by-case basis (see Section 101 - Ownership Z.C.P.M., Page 1-23)

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 04-424-SPHA

Residential Processing Fee Paid
($50.00)

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

Accepted by LTM
Date 3/18/04

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Heather L. Carapreso 1505 Edmondson Ave Catonsville, MD 410-747-5612
Print Name of Applicant — Address — Telephone Number

Lot Address 1509 Edmondson Ave Election District 1 Councilmanic District 1 Square Feet 18,581

Lot Location. N E S W/side/corner of Edmondson Ave (street) 207.8 feet from N E S W corner of Rosewood Ave (street).

Land Owner: Heather L. Carapreso Tax Account Number 01-12-002270

Address: 1505 Edmondson Ave. Catonsville MD 21228 Telephone Number (410) 747-5612

CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. **This Recommendation Form** (3 copies)	✓	
2. **Permit Application**		
3. **Site Plan** Property (3 copies)	✓	
4 **Building Elevation Drawings**	✓	
5. **Photographs (please label all photos clearly)** Adjoining Buildings	✓	
Surrounding Neighborhood		

6. **Current Zoning Classification:** D.R. 2

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ *Approval* ☐ *Disapproval* ☐ *Approval conditioned on required modifications of the application to conform with the following recommendations*

Signed by _____ Date _____
for the Director, Office of Planning and Community Conservation

Revised 2/05/02

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avevnue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____.
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is $50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES_____ NO_____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

_____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

Revised 2/25/99

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 04-424-SPHA

Residential Processing Fee Paid ($50.00)

Accepted by LTM
Date 3/18/04

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

RE: Undersized Lots

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Print Name of Applicant Address Telephone Number

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Land Owner. Heather L. Carapreso Tax Account Number 01-12002270

Address: 1505 Edmondson Ave Catonsville MD 21228 Telephone Number (410) 747-5612

CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application		
3. Site Plan Property (3 copies)	✓	
4. Building Elevation Drawings	✓	
5 Photographs (please label all photos clearly) Adjoining Buildings	✓	
Surrounding Neighborhood		

6. Current Zoning Classification: D.R. 2

TO BE FILLED IN BY THE O

Post-it® Fax Note 7671	Date 3/30	# of pages ▶ 2
To Lloyd Moxley	From Lynn Lanham	
Co./Dept. Zoning	Co.	
Phone #	Phone # 3480	
Fax # 2827	Fax #	

RECOMMENDATIONS / COMMENTS:

☐ Approval ☑ Disapproval ☐ Approval conditioned on requir

See attached

MAR 22 2004

Signed by Lynn Lanham for the Director, Office of Planning and Community Conservation Date 3/30/04

Revised 2/05/02

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: Lloyd Moxley
Department of Permits and
Development Management
Zoning

DATE: March 30, 2004

FROM: Lynn Lanham
Development Review Section
Office of Planning

SUBJECT: Undersized Lot & ZAC Item 04-424 SPHA
1509 Edmonson Ave

1. The request does not appear to comply with Section 304.1.C of the BCZR. The owner of this lot owns sufficient adjoining land (i.e., 1505 Edmondson Ave) to conform to the width and area requirements of the regulations.

2. The applicant's elevation drawings are insufficient. They do not show the exterior architectural appearance of the proposed dwelling (e.g., the kind and color of the exterior building materials and the location of windows, doors, and porches).

3. The existing driveway and any proposed new driveway should be shown on the site plan.

Lynn Lanham

LL:

W:\DEVREV\undersized lot\1509 Edmonson.doc

I Aldo Carpresso am appealing
Petition for Special Hearing
+ Variance
Case # 04-424 SPHA
property 1509 Edmondson Ave.

RECEIVED
JUN 14 2004
Per. KM

9/21/05

Linda:

Has the attached file been closed? Or appealed to Circuit Court:

I couldn't find the file in the 30-day hold drawer (but I've overlooked those once or twice before, so who knows!) – and I check in the Board's 2004 Opinions/Order folder – and couldn't find a copy of our Order.

If we still have the file, this will just go in it. If the file's been returned to PDM, make a copy to keep with our copy of the Board's Order and forward the original to PDM with a short note: "Attached for your file in this matter....."

thanks

kathi

RE:	PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
	1509 Edmondson Avenue; SE/side Edmondson Ave, 255' SW of Rosewood Ave	*	ZONING COMMISSIONER
	1st Election & 1st Councilmanic Districts	*	FOR
	Legal Owner(s): Heather & Aldo Caropreso Petitioners	*	BALTIMORE COUNTY
		*	04-424-SPHA

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

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
APR 01 2004
Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April, 2004, a copy of the foregoing Entry of Appearance was mailed to Heather & Aldo Carpreso, 1505 Edmonson Avenue, Catonsville, MD 21228, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN RE: PETITIONS FOR VARIANCE AND SPECIAL HEARING	*	BEFORE THE BOARD OF
SE/S of Edmondson Avenue, 255 ft. SW of Rosewood Avenue	*	APPEALS FOR
1st Election District	*	BALTIMORE COUNTY
1st Councilmanic District (1509 Edmondson Avenue)	*	
Heather Caropreso Petitioner	*	Case No. 04-424-SPHA

*

* * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Michael P. Tanczyn, on behalf of the Petitioner 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.

MICHAEL P. TANCZYN, Esquire
Suite 106, 606 Baltimore Avenue
Towson, MD 21204
Attorney for the Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of December, 2004 the above Entry of Appearance was mailed to Peter Max Zimmerman, Esquire, Peoples' Counsel for Baltimore County, Room 47, 400 Washington Avenue, Towson, Maryland 21204.

MICHAEL P. TANCZYN, Esquire

Dec.15. 2004 3:07PM Law Offices Michael P Tanczyn No.8973 P. 3/4

PLEASE PRINT CLEARLY

CASE NAME 1505 Edmondson Ave. / 1509 Edmondson Ave.
CASE NUMBER 04-424-SPHA & 04-425-A
DATE 5/5/04

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Heather L. Caropreso	1505 Edmondson Ave.	Catonsville, MD. 21228	aldonaples@yahoo.com
Aldo Caropreso	1505 Edmondson Ave	Catonsville, MD 21228	"

3/16/05

Aldo Weather Caraparesco -SPHA + Variance
Mike Tanczyn - Counsel for
Preliminary Matters
Mr Murphy Amended Notification request.
Move To Amend.
1509 Unimproved Lot
1505 Joint ownership
File part of Evidence

Witness #1 Aldo Caraparesco owner 18 yrs at address.
1505 ~~only~~ Edmondson Ave. ONLY.
Property Terraced. (Access by driveway at 1509 Which Serves both Lots)
Exhibit #1A 1505 Plat (Revised 1947)
Exhibit 1B 1509 Move proposed dwelling further up hill.
L for Wife Name only
Move to approve 1A development plan

2/12/91
Exhibit 2A deed to 1505 convey to Joint with Aldo + Heather.
2b Deed 9/25/78 convey lot to Weather + former Husband.
2c 1939 Grandparents of Heather bought lot.
Exhibit 3A 3/15/05 Tax print out. + plat.
3b 218 & 219 Parcels show lot larger + Narrower. width
Exhibit #4 Photo of Home 1505 (front to Back) Barn 20x40
driveway between property. Lot 361' deep.
Exhibit #5 was 2 below Plat show property location 6/11/56
Exhibit #6 Deed - convey Property to Weather from D/P. 4/11/
Exhibit #7 3/15/05 Parcel 219 - 18,300 sq .42 Ac Tax Maps
Lot 1509 address
" #8 Photo 2004 by Witness.
9 & 9B Photo of front from Edmondson Ave.
10 Photo facing East
11 Photo shows 1509 Property
12 "Lot across Street
13 Photo 1509 on left in Photo. Lot 15' from Roadway.
14 Zoning Map of area with Lots highlighted on South of Edmondson Ave.
Avenue Street OR5.5

Page #2 Conference.

Variance to construct home which is to close to side yard

No opposition from neighbors

Variance will not increase density →

No injury to welfare of community

Size of New Home?

Exhibit #15 – Elevation Drawings prepared by owner.

Height 25' Home size 28 X 44 1,000 per floor.

Single family

Will this professional Architect.

Next at 1505 Build

Witness #2 Walter Carpenter 1505 Edmondson Ave.

Condition of Property – driveway dedicated

Closing Argument.

1) Balt. Co Comments Planning – different owners of different lots. Width of lots in neighborhood are wider lots owned since 1939 before zoning

2) Unit Housing styles in area.

3) No addition driveway

4) Sect 304 Side yard Variance

1939 1955 created undersize lot.

Erect a dwelling on 1505 ? 1803 # Zoning Clarification ?

1.5 – DRL 24,000 #

Unique due to lot size, ~~lot~~ width length of ~~lot~~ lots

Lot ~~[illegible]~~ reduce

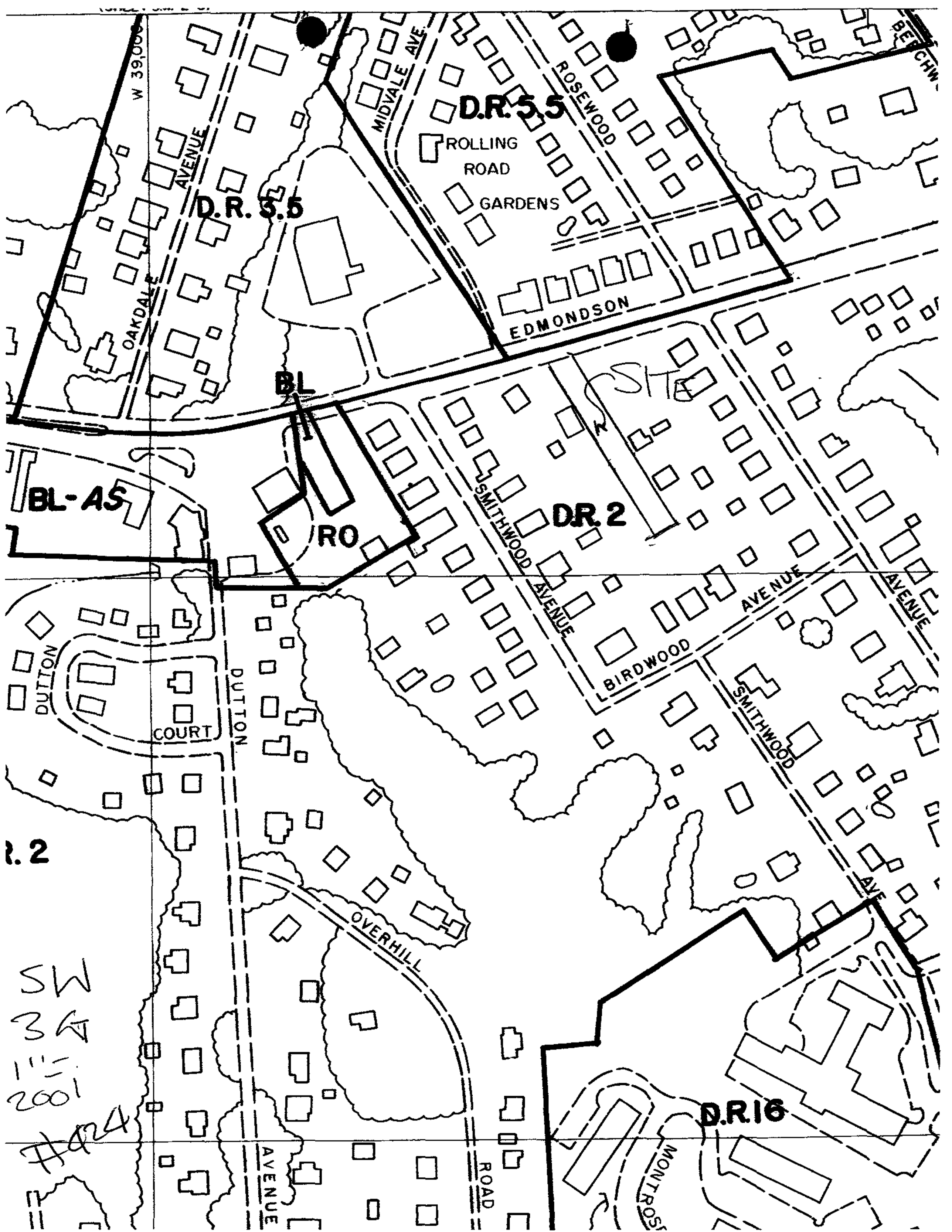
Approve 1505 as undersize / Variance on side

04-425A Petitioner's Exhibit March 12, 2005
07-424SPHA

Michael P Tanenbaum 606 Baltimore Ave Towson Md 21204
Heather L. Carapreso 1505 Edmondson Ave. Catonsville Md 21228
Allen Carapreso 1505 Edmondson Ave

Petitioners Joint Evidence 04-424SPHA
04-425-A

✓ 1.a Plat to Accompany Petition
✓ b Plat to Accompany Petition
✓ 2.a Deed 1991
✓ b Deed 1978
✓ c Deed 1939
✓ 3. 1505 Sdat
✓ 4. Picture of 1505 Edmondson
✓ 5. Balto. Co Bureau of Right of Way
✓ 6. Deed 1998
✓ 7. 1505 Tax Map w/calculated acres
✓ 8. Picture of front of 1505 1509 + 1513
✓ 9. Picture of 1505 front + slope
✓ 10. Pictures of Property standing on slope looking east.
✓ 11. Pictures of Driveway looking from Edmondson Ave
✓ 12. Pictures of Neighbors across the St. Edmondson
✓ 13. Pictures of Houses in Neighborhood (fronts)
✓ 14. Official Zoning Map 200 scale
✓ 15. Drawings of proposed home


W 39,000
OAKDALE AVENUE
D.R. 3.5
MIDVALE AVE.
D.R. 5.5
ROSEWOOD
ROLLING ROAD GARDENS
EDMONDSON
BL
BL-AS
RO
SITE
SMITHWOOD AVENUE
D.R. 2
BIRDWOOD AVENUE
SMITHWOOD AVENUE
DUTTON COURT
DUTTON
OVERHILL
D.R.16
MONTROSE
AVENUE
ROAD
SW
3A
1"=
200'
#424

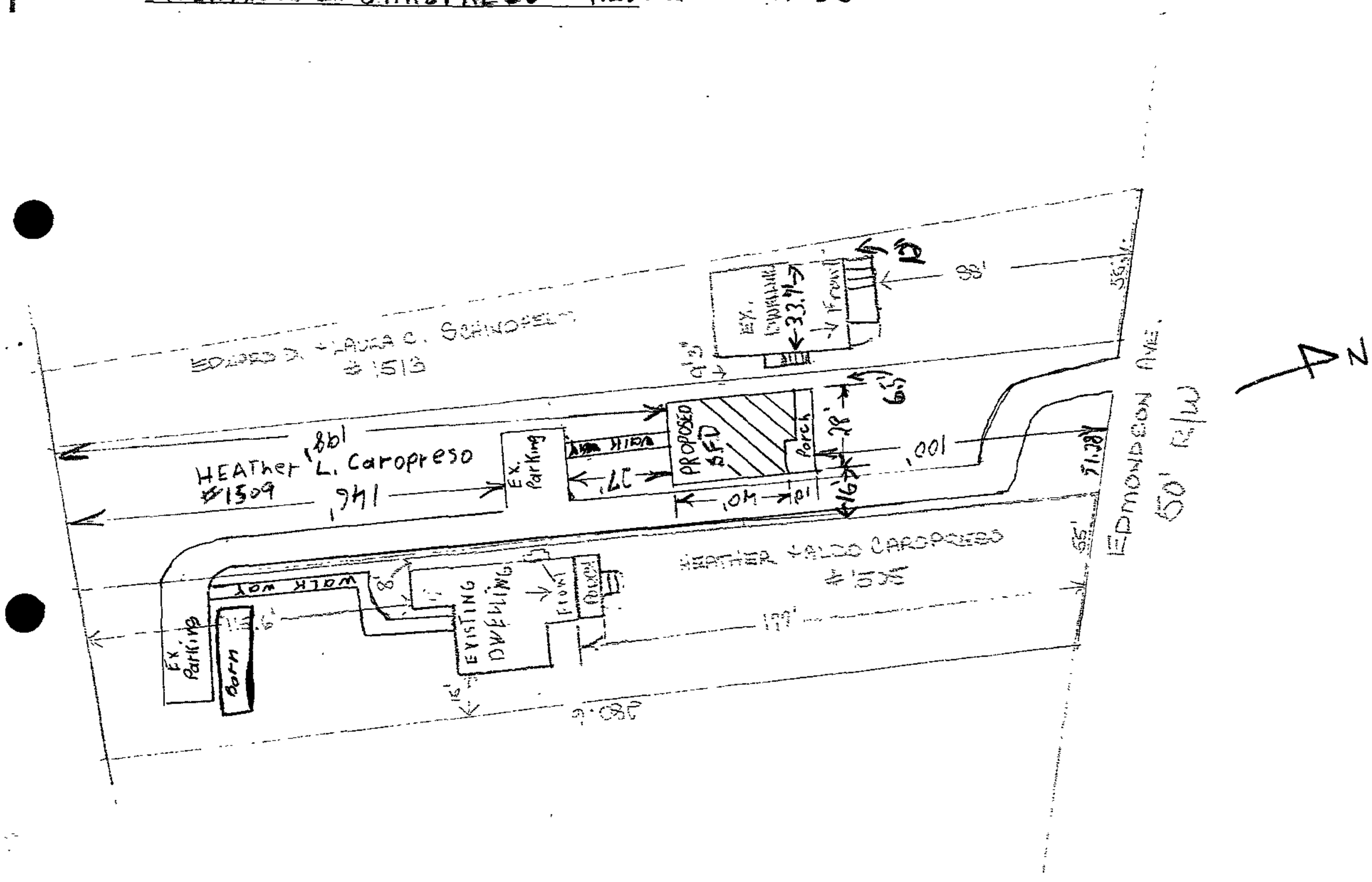
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1505 EDMONDSON AVE. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

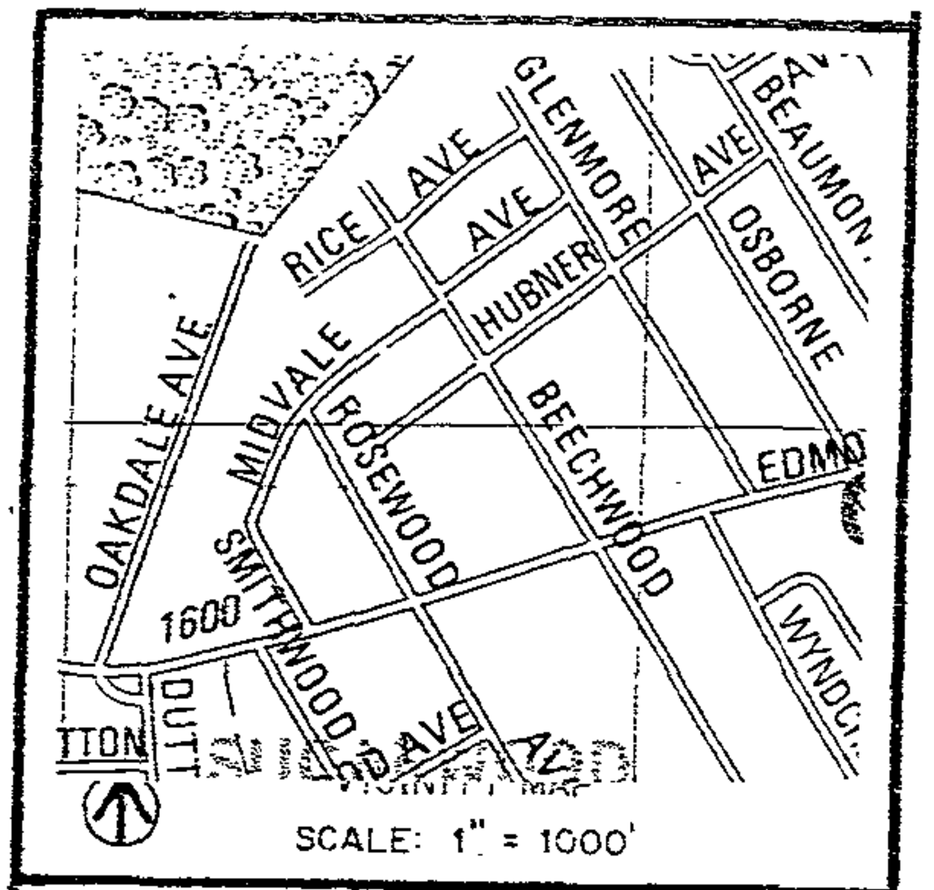
PLAT BOOK # ____ FOLIO # ____ LOT # ____ SECTION # ____

OWNER HEATHER L. CAROPRESO & ALDO CAROPRESO



Pet 1A

1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1"=200' SCALE MAP # SW 36 100 C1

ZONING D.R 2

LOT SIZE ACREAGE ____ SQUARE FEET ____

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

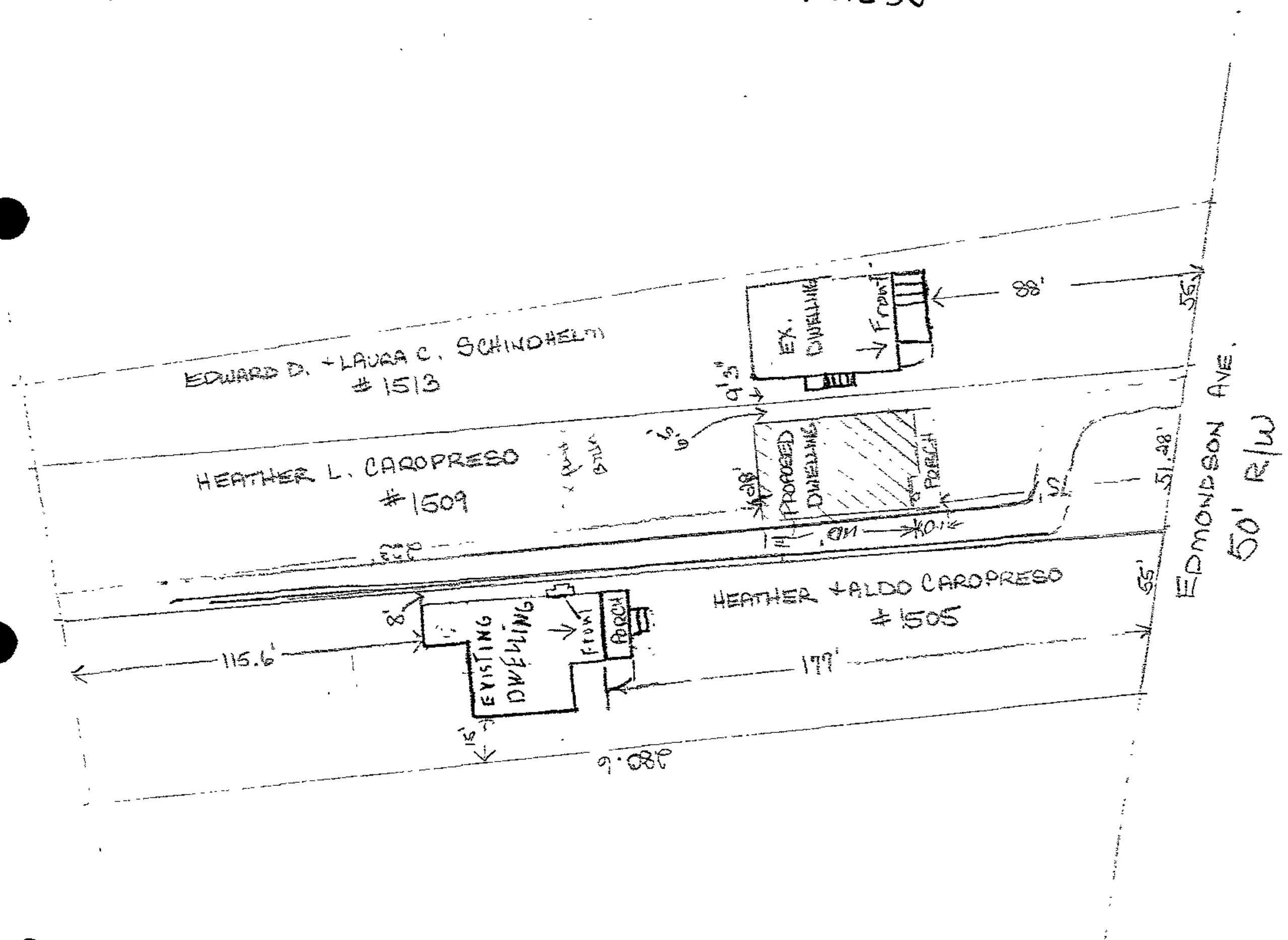
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

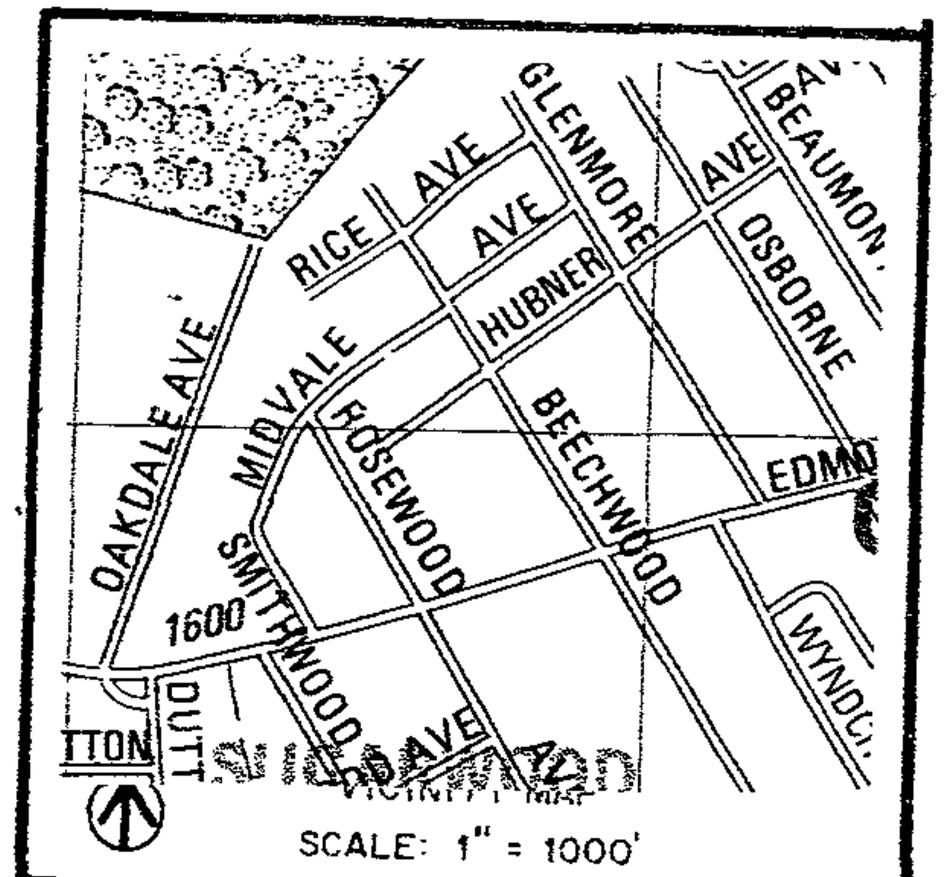
PROPERTY ADDRESS 1505 EDMONDSON AVE. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK #___ FOLIO #___ LOT #___ SECTION #___

OWNER HEATHER L. CAROPRESO + ALDO CAROPRESO





LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1"=200' SCALE MAP # SW 3G 100C1

ZONING D.R.2

LOT SIZE ACREAGE ____ SQUARE FEET ____

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

Pet 1 B

1" = 50'

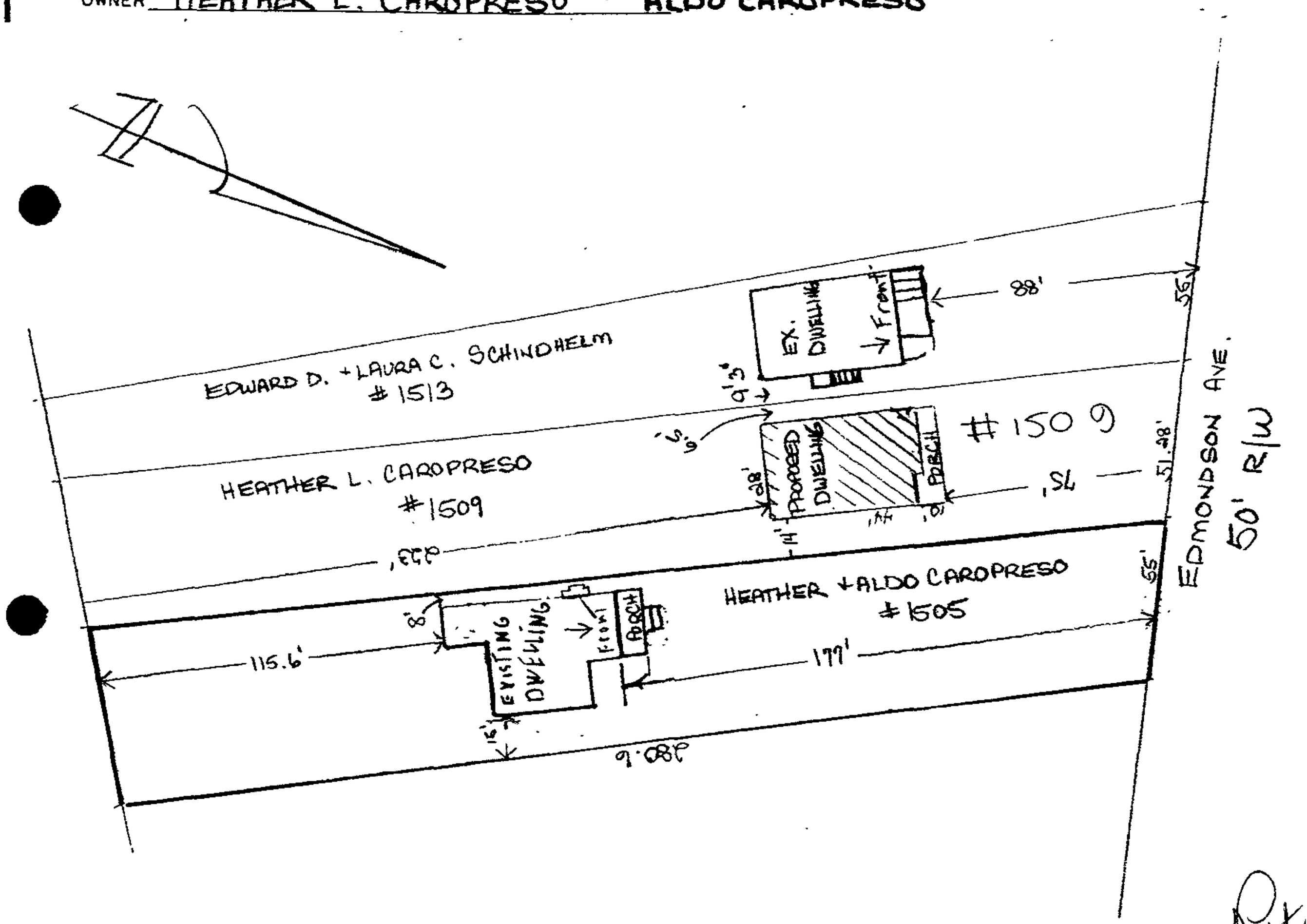
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1505 EDMONDSON AVE. SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

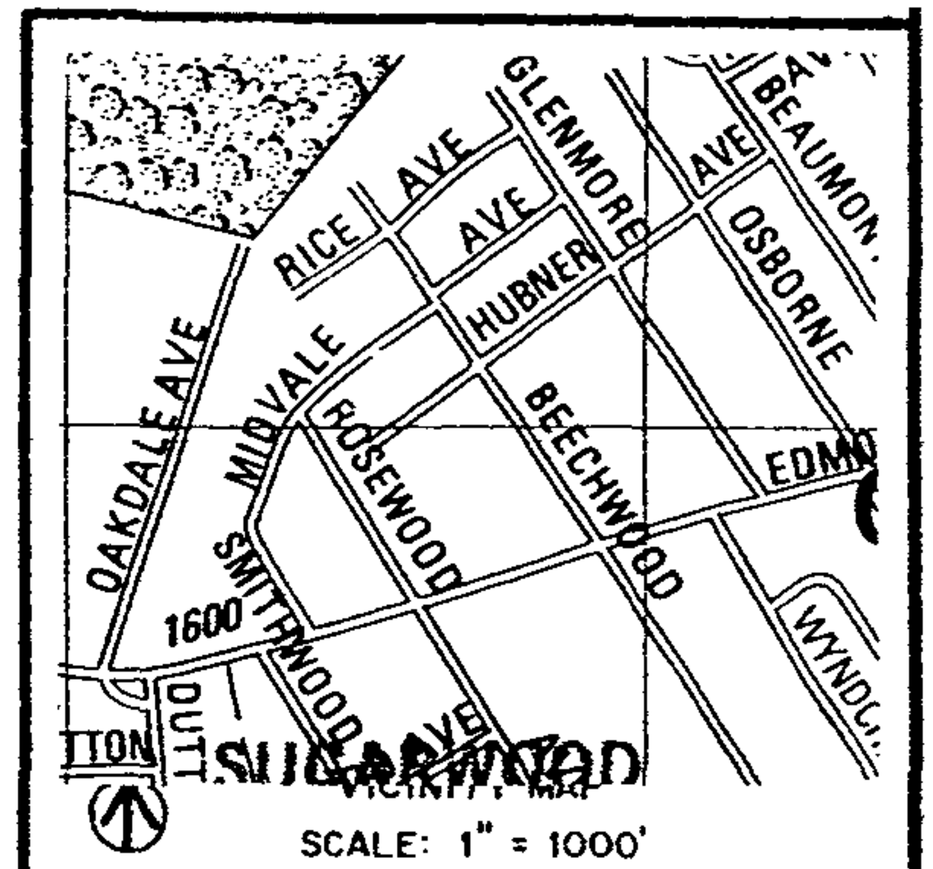
PLAT BOOK #____ FOLIO #____ LOT #____ SECTION #____

OWNER HEATHER L. CAROPRESO + ALDO CAROPRESO



Pet Ex #1

1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 1

COUNCILMANIC DISTRICT 1

1"=200' SCALE MAP # SW 36

ZONING D.R. 2

LOT SIZE _____ ACREAGE / 18581 ~~19,166~~ SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
LTM DT	424	

PREPARED WITHOUT BENEFIT OF TITLE SEARCH.
NO CONSIDERATION.

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM LIBER 8763 PAGE 669

This Deed, MADE THIS 12th day of February

in the year one thousand nine hundred and ninety-one (1991) by and between

HEATHER L. KESNER (n/k/a HEATHER L. CAROPRESO)

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

HEATHER L. CAROPRESO (formerly Heather L. Kesner) and ALDO CAROPRESO,

of Baltimore County, State of Maryland, Parties of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars ($5.00) and other good and valuable consideration; the Actual Consideration being ZERO DOLLARS ($0.00),

D RC/F 15.00
DEED 0 #
SM CLERK 15.00
#31055 C002 R02 T08:59
04/19/91

the said Party of the First Part

does grant and convey to the said Parties of the Second Part, as Tenants by the Entireties, their assigns and unto the survivor of them, their

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

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

BEGINNING for the same at an iron pipe set in the southeasterly line of Edmondson Avenue at the distance southwesterly of one hundred fifty two and eight-tenths feet from the southwesterly corner of Rosewood and Edmondson Avenues, thence running along the same line of Edmondson Avenue south eighty degrees and forty three minutes west fifty-five feet to an iron pipe, thence by a new division line passing through the 1919 and also the 1920 parcel south twenty-two degrees and eight minutes east three hundred fifty-eight and one-tenth feet to an iron pipe set in the rear line of a lot two hundred feet deep facing to the northwesterly side of Birdwood Avenue, thence parallel with Birdwood Avenue north sixty-two degrees and thirty-seven minutes east sixty and three tenths feet to an iron pipe set in the rear line of a lot one hundred and seventy feet deep facing the southwesterly side of Rosewood Avenue, thence parallel with Rosewood Avenue sixty feet to an iron pipe set at a bend in the rear line of the lot adjoining the last mentioned one on the northwest, thence north twenty-two degrees and twenty minutes west two hundred eighty and six-tenths feet to the point of beginning, containing forty-four one-hundredths of an acre of land, be the same more or less.

BEING the same parcel of ground which by Deed dated October 4, 1986, and recorded among the Land Records of Baltimore County, in Liber EHK,Jr. 7502, folio 364, was granted and conveyed by Gary E. Kesner and Heather L. Kesner unto Heather L. Kesner, the within Grantor.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE [illegible] DATE 3/20/91

RECEIVED FOR TRANSFER
The Department of
Assessments & Taxation
for Baltimore County
[illegible] 3/20/91
By Date

TRANSFER [illegible]
Per Gary Bugar
Date 3-20-91 Sec. 11-63 A

15

Pet 2 A

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 Parties of the Second Part, their personal representatives/successors and assigns, in fee simple.

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

WITNESS the hand and seal of said grantor

Test:

Donna L. Bowen

Heather L. Kesner (SEAL)
HEATHER L. KESNER
(n/k/a HEATHER L. CAROPRESO)

(SEAL)

STATE OF MARYLAND, County of Balt., to wit:

I HEREBY CERTIFY, That on this 12th day of February, in the year one thousand nine hundred and ninety-one (1991), before me, the subscriber, a Notary Public of the State aforesaid, personally appeared HEATHER L. KESNER (n/k/a Heather L. Caropreso) known to me (or satisfactorily proven) to be the person whose name is/~~are~~ subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

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

Donna L. Bowen
Notary Public

My Commission expires:

10-1-92

ATTORNEY'S CERTIFICATION

I ROBERT W. BUETTNER, ESQUIRE, being a duly licensed and member of good standing of the Bar of the State of Maryland, do hereby certify that I prepared the instant Deed. This certification is pursuant to the Annotated Code of Maryland, Real Property Article 3-104(f)

Robert W. Buettner
6666 Security Blvd.
21207

Robert W. Buettner
ROBERT W. BUETTNER

This Deed, Made this 25th day of September 1978 by and between Cecilia A. Layfield , widow, and Cecilia A. Squiggins, of Baltimore County, State of Maryland, of the first part, and and Heather L. Kesner and Gary E. Kesner, her husband, of Baltimore County, State of Maryland, of the second part.

Witnesseth, that in consideration of the sum of Five Dollars ($5.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Cecilia A. Layfield and Cecilia A. Squiggins do grant and convey unto the said Heather L. Kesner and Gary E. Kesner, her husband, as Tenants-by-the-Entireties, their heirs and assigns, in fee simple, all that parcel of ground situate, lying and being in Baltimore County, State of Maryland, and particularly described as follows:

BEGINNING for the same at an iron pipe set in the southeasterly line of Edmondson Avenue at the distance southwesterly of one hundred fifty two and eight-tenths feet from the southwesterly corner of Rosewood and Edmondson Avenues, thence running along the same line of Edmondson Avenue south eighty degrees and forty three minutes west fifty-five feet to an iron pipe, thence by a new division line passing through the 1919 and also the 1920 parcel south twenty-two degrees and eight minutes east three hundred fifty-eight and one-tenth feet to an iron pipe set in the rear line of a lot two hundred feet deep facing on the northwesterly side of Birdwood Avenue, thence parallel with Birdwood Avenue north sixty-two degrees and thirty-seven minutes east sixty and three tenths feet to an iron pipe set in the rear line of a lot one hundred and seventy feet deep facing the southwesterly side of Rosewood Avenue, thence parallel with Rosewood Avenue sixty feet to an iron pipe set at a bend in the rear line of the lot adjoining the last mentioned one on the northwest, thence north twenty-two degrees and twenty minutes west two hundred eighty and six-tenths feet to the point of beginning, containing forty-four one -hundredths of an acre of land, be the same more or less.

BEING the same parcel of ground which by deed dated May 13, 1939, recorded among the Land Records of Baltimore County in Liber CWB Jr. No. 1065 folio 140 &c, was granted and conveyed by Rhoda K. Cake and Philip H. S. Cake, her husband, to Henry A. Layfield, Jr. and Cecilia A. Layfield, his wife.
The said Henry A. Layfield, Jr. departed this life on or about the first day of February, 1965.
BEING also the thirdly described parcel of ground described in a deed dated October 8, 1975 from the aforesaid Cecilia A. Layfield to herself and Cecilia A. Squiggins, her daughter,

Part 2B

as Joint Tenants and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 5574 folio 315.

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

TO HAVE AND TO HOLD the said lot of ground and premises above described and mentioned and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto the use and benefit of the said Heather L. Kesner and Gary E. Kesner, her husband, as Tenants-by-the-Entireties, in fee simple.

AND the said parties of the first part hereby covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of same as may be requisite.

WITNESS the hands and seals of the said grantors:

WITNESS:

James B. Murphy
JAMES B. MURPHY

Cecilia A. Layfield (SEAL)
CECILIA A. LAYFIELD

Cecilia A. Squiggins (SEAL)
CECILIA A. SQUIGGINS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 28th day of September 1978, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Cecilia A. Layfield and Cecilia A. Squiggins, the above named grantors and they acknowledged the foregoing deed to be their act, and certified that the actual consideration paid or to be paid for this conveyance is in total amount of Five Thousand Dollars.

Cecilia A. Layfield
Notary Public

Oct. 1, 1982

NO TITLE EXAMINATION MADE.

Rec'd for record DEC 1 1978 at 9:00 A.M.
For Elmer H. Kahline, Jr., Clerk
Mail to James B. Murphy
Receipt No. 3 1000

6. No building shall be constructed on said premises nor shall any alterations be made to any building on said premises unless and until the same shall have been approved by the Corporation This approval shall apply to exterior color scheme

7. No live poultry hogs cattle or other live stock shall be kept on said premises

8. No tree or ornamental shrub now on the premises shall be removed without the written consent of the Corporation

9. The provisions herein contained shall run with and bind the land and shall inure to the benefit of and be enforceable by the Company or the owner of any land included in the tract shown on said plat their legal representatives heirs successors and assigns The violation of any of the provisions herein contained is hereby declared and agreed to be a nuisance which may be enforced by the Company or by the owner of any land included in this tract by appropriate legal proceedings The failure by the Company or any land owner to enforce or restrain the breach of any restriction condition covenant or agreement herein contained shall be in no wise deemed a waiver of the right to enforce or restrain such breach or non-performance or as a waiver of such restriction condition covenant or agreement

Together with the building and improvements thereon and the rights alleys ways waters privileges appurtenances and advantages to the same belonging or in any wise appertaining

To Have And To Hold the said lots of ground and premises unto and to the use of the said Eugene F and Blandina M Baldwin his wife as tenants by the entireties the survivor of them their assigns and the heirs and assigns of the survivor in fee simple subject however to the restrictions and conditions recited

And the said party of the first part doth hereby covenant that it will warrant specially the property hereby granted and conveyed and that it will execute such further assurances thereof as may be requisite except as to assessments now or hereafter made by Baltimore County Metropolitan District for laying water and/or sewer mains

As Witness the corporate seal of said party of the first part and the signature of its Vice-President duly attested

Attest: Key Realty Corporation

R H Huether By Wm L Rigger

Ass't. Secretary (Corporate Seal) Vice-President

State of Maryland City of Baltimore ss:

Personally appeared before me a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid on this 12th day of May 1939 Wm L Rigger Vice-President of the said Key Realty Corporation and acknowledged the aforegoing deed to be the act of said Corporation

Witness my hand and Notarial Seal

(Notarial Seal) Edmund C Scott

Notary Public

Recorded May 19 1939 at 12:10 P M and Examined per C Willing Browne Jr Clerk

---

123604

Rhoda K Cake and husband

Deed to

Henry A Layfield Jr and wife

U.S.S.$1.00- State Tax $1.00

This Deed Made this 13th day of May in the year one thousand nine hundred and thirty-nine by and between Rhoda K Cake and Philip H S Cake her husband of Baltimore County in the State of Maryland of the first part and Henry A Layfield Jr and Cecelia A Layfield his wife of

DEWRET FEB 10 1942

Baltimore County State of Maryland of the second part

Witnesseth that in consideration of the sum of Five Dollars ($5.00) and other good and valuable considerations the receipt of which is hereby acknowledged the said Rhoda K Cake and Philip H S Cake her husband do grant and convey unto the said Henry A Layfield Jr and Cecelia A Layfield his wife as tenants by the entireties their heirs and assigns in fee simple all that parcel of ground situate lying and being in Baltimore County State of Maryland aforesaid and described as follows that is to say

Beginning for the same at an iron pipe set in the southeasterly line of Edmondson Avenue at the distance southwesterly of one hundred fifty two and eight-tenths feet from the southwesterly corner of Rosewood and Edmondson Avenues thence running along the said line of Edmondson Avenue south eighty degrees and forty three minutes west fifty five feet to an iron pipe thence by a new division line passing through the 1919 and also the 1920 parcel south twenty two degrees and eight minutes west three hundred fifty eight and one-tenth feet to an iron pipe set in the rear line of a lot two hundred feet deep facing on the northwesterly side of Birdwood Avenue thence parallel with Birdwood Avenue north sixty two degrees and thirty seven minutes east sixty and three tenths feet to an iron pipe set in the rear line of a lot one hundred and seventy feet deep facing the southwesterly side of Rosewood Avenue thence parallel with Rosewood Avenue sixty feet to an iron pipe set at a bend in the rear line of the lot adjoining the last mentioned one on the northwest thence north twenty two degrees and twenty minutes west two hundred eighty and six-tenths feet to the point of beginning containing forty four one-hundredths of an acre of land be the same more or less

Being Portions Of Two Parcels Of Ground which by deed dated July 20 1936 was conveyed by Janet C Mallek Unmarried to Rhoda K Cake and Philip H S Cake her husband and recorded among the Land Records of Baltimore County in Liber C W B Jr No 979 Folio 319

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 Henry A Layfield Jr and Cecelia A Layfield his wife their heirs and assigns in fee-simple

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

Witness the hands and seals of said grantors

Test: Rhoda K Cake (Seal)

Harry W Miller Philip H S Cake (Seal)

State of Maryland Baltimore County to wit:

I Hereby Certify That on this 13th day of May in the year one thousand nine hundred and thirty-nine before me the subscriber a Notary Public of the State of Maryland inand for Baltimore County aforesaid personally appeared Rhoda K Cake and Philip H S Cake her husband the above named grantors and they each acknowledged the foregoing Deed to be their act

As Witness my hand and Notarial Seal

(Notarial Seal)

Harry W Miller,
Notary Public

Recorded May 18 1939 at 12:20 P M and Examined per C Willing Browne Jr

125605
William Barnes Hall
Deed to
Harry M Gardner and wife
U.S.$3.50 B.C.$1.49

This Deed Made this 17th day of May in the year one thousand nine hundred and thirty-nine by and between William Barnes Hall of Baltimore in the State of Maryland of the first part and Harry M Gardner and Florence E Gardner his wife of the second part

Witnesseth That in consideration of the sum of Five ($5.00) Dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said William Barnes Hall doth grant and convey unto the said Harry M Gardner and Florence E Gardner his wife their personal representatives and assigns all that lot of ground situate in Baltimore County aforesaid and described as follows that is to say

Being the western ten (10) feet of lot No 20 Lots Nos 21 and 22 in Block 18 as shown on a Plat of Harford Park which plat is duly recorded among the Land Records of Baltimore County in Plat Book W P C No 5 folio 62 The improvements thereon being known as No 2524 Wentworth Road

Being the same lots described in a deed dated December 22nd 1938 and recorded among the Land Records of Baltimore County or intended to be recorded immediately prior hereto was granted and conveyed by Helen T Shell to the within grantor

Together with the buildings thereupon and the rights alleys ways waters privileges appurtenances and advantages thereto belonging or in any wise appertaining

To Have and To Hold the said described lot of ground and premises unto and to the use of the said Harry M Gardner and Florence E Gardner his wife their personal representatives and assigns for all the residue of the term of years yet to come and unexpired therein with the benefit of renewal forever subject to the payment of the annual rent of $66.00 Dollars payable half-yearly on the 21st days of June and December in each and every year

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

Witness the hand and seal of said grantor

Test:
Lillian K Horner

William Barnes Hall (Seal)

State of Maryland City of Baltimore to wit:

I Hereby Certify That on this 17th day of May in the year one thousand nine hundred and thirty-nine before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City aforesaid personally appeared William Barnes Hall the grantor named in the above Deed and he acknowledged the aforegoing Deed to be his act

As Witness my hand and Notarial Seal

(Notarial Seal)

Lillian K Horner
Notary Public

Recorded May 18 1939 at 12:30 P M and Examined per C Willing Browne Jr Clerk

Click here for a plain text ADA compliant screen.

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

Go Back
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Ground Rent

Account Identifier: **District** - 01 **Account Number** - 0112002271

Owner Information

Owner Name:	CAROPRESO HEATHER L CAROPRESO ALDO	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	1505 EDMONDSON AV BALTIMORE MD 21228	**Deed Reference:**	1) / 8763/ 669 2)

Location & Structure Information

Premises Address
1505 EDMONDSON AVE

Legal Description
SS EDMONDSON AV
.44 AC
152 W ROSEWOOD AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
100	12	218						80	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1947	1,107 SF	19,166.00 SF	04

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	57,040	88,540		
Improvements:	54,210	69,640		
Total:	111,250	158,180	126,893	142,536
Preferential Land:	0	0	0	0

Transfer Information

Seller:	KESNER HEATHER L	**Date:**	04/19/1991	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 8763/ 669	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**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: NO
Exempt Class:

Pet Exp

Special Tax Recapture:

* NONE *

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

Go Back
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District - 01 **Account Number** - 0112002271

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For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

Pet Ex 4

NO CONSIDERATION
NO TITLE SEARCH

FEE SIMPLE DEED

THIS DEED dated APR 1 5 1998 from CECILIA A. SQUIGGINS, sometimes identified as CECELIA A. SQUIGGINS, Grantor, to HEATHER L. CAROPRESO, Grantee.

The Grantor, for no consideration and for estate planning purposes, grants and conveys to the Grantee, her personal representatives, heirs and assigns, in fee simple, the all that lot of ground located in Baltimore County, Maryland, and described as follows:

BEGINNING for the same at an iron pipe set in the Southeasterly line of Edmondson Avenue, being distant 207.8' Westerly from the Southwesterly corner of Rosewood and Edmondson Avenues, said place of beginning being at the end of the first or the S 80 degrees 43' W 55 foot line, in a deed dated May 13, 1939, which was granted and conveyed by Rhoda K. Cake and husband to Henry A. Layfield, Jr. and wife, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. 1065, folio 140, thence binding on the second line of the aforementioned conveyance from Cake to Layfield South twenty-two degrees, eight minutes East (S 22 degrees 08' E) three hundred fifty eight and one-tenth feet (358.1') to an iron pipe, thence leaving the said second line and binding in part on the rear of Middleton's and Cook's lots lying to the Southeast, South sixty-two degrees, thirty-seven minutes West (S 62 degrees 37' W) fifty and twenty-three one hundredths feet (50.23') to an iron pipe, thence leaving Cook's lot and running for a new line of division (1949) and being parallel and fifty feet Westerly from the first line of this description North twenty-two degrees, eight minutes West (N 22 degrees 08' W) three hundred seventy-four and nine one-hundredths feet (374.09') to an iron pipe set on the Southeasterly side of Edmondson Avenue, thence binding on the Southerly side of said Avenue, North eighty degrees, forty-three minutes East (N 80 degrees 43' E) fifty-one and twenty-eight one-hundredths feet (51.28') to the place of beginning. As per survey by Charles W. Hemler, Surveyor, on March 5, 1949.

BEING the same property which by Deed dated August 25, 1984 and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. No. 6778, folio 216 was granted and conveyed by Cecelia A. Squiggins to Glynda L. Squiggins and Timothy P. Squiggins, reserving, however, unto the the Grantor a life estate with full powers of

Pet Ex #6

disposition, which powers the Grantor herein by this deed is hereby exercising.

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 Grantee, her personal representatives, heirs and assigns, in fee simple, forever.

The Grantor covenants to warrant specially the property hereby conveyed and to execute such further assurances of the property as may be requisite.

WITNESS the hand and seal of the Grantor.

WITNESS:

(SEAL)
CECILIA A. SQUIGGINS, Grantor

STATE OF MARYLAND, CITY/COUNTY OF Baltimore City TO WIT:

I HEREBY CERTIFY that on APR 1 5 1998, before me, a Notary Public of the State of Maryland, personally appeared CECILIA A. SQUIGGINS, sometimes known as CECELIA A. SQUIGGINS, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument, who acknowledged that she executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal.

WILSON P. McMANUS NOTARY PUBLIC BALTIMORE CITY, MD.

Notary Public
My Commission Expires: My commission expires May 12, 1998

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney.

Wilson P. McManus

After recordation, return to:

LAW OFFICES
McMANUS & MATRICCIANI LLC
Suite 602 Heaver Plaza
1301 York Road
Lutherville, Maryland 21093
(410) 828-8787

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0012939 512

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☐ County: _____

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.)

1 Type(s) of Instruments: ✓ Deed; Deed of Trust; Mortgage; Lease; Other; Other

2 Conveyance Type Check Box: Improved Sale Arms-Length (1); Unimproved Sale Arms-Length (2); Multiple Accounts Arms-Length (3); ✓ Not an Arms-Length Sale (9)

3 Tax Exemptions (if Applicable) Cite or Explain Authority: Recordation; State Transfer; County Transfer — Not Subject To Transfer Tax No Consideration Involved

4 Consideration and Tax Calculations

Consideration Amount		
Purchase Price/Consideration	$	None
Any New Mortgage	$	
Balance of Existing Mortgage	$	
Other:	$	
Other:	$	
Full Cash Value	$	

Finance Office Use Only — Transfer and Recordation Tax Consideration		
Transfer Tax Consideration		$
X ( ) %	=	$
Less Exemption Amount	–	$
Total Transfer Tax	=	$
Recordation Tax Consideration		$
X ( ) per $500	=	$
TOTAL DUE		$

Exempt

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 20.00	$
Surcharge	$ 5.00	$
State Recordation Tax	$	$
State Transfer Tax	$	$
County Transfer Tax	$	$
Other	$	$
Other	$	$

Agent: BK
Tax Bill: ____
C.B. Credit: ____
Ag. Tax/Other: ____

6 Description of Property — SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Ver. L(4) (5)
01	0112022700	6774/216			

Subdivision Name	Lot (3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage (4)

Location/Address of Property Being Conveyed (2): LOT 615 Edmondson Ave

Other Property Identifiers (if applicable): Water Meter Account No.

Residential or Non-Residential; Fee Simple or Ground Rent; Amount:

Partial Conveyance? Yes ✓ No; Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7 Transferred From

Doc. 1 - Grantor(s) Name(s): Cecilia Sylvester

Doc. 2 - Grantor(s) Name(s):

Doc. 1 - Owner(s) of Record, if Different from Grantor(s):

Doc. 2 - Owner(s) of Record, if Different from Grantor(s):

8 Transferred To

Doc. 1 - Grantee(s) Name(s): Heather L Campbell

Doc. 2 - Grantee(s) Name(s):

1505 Edmondson Ave New Owner's (Grantee) Mailing Address: Baltimore Md 21223

9 Other Names to Be Indexed

Doc. 1 - Additional Names to be Indexed (Optional):

Doc. 2 - Additional Names to be Indexed (Optional):

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: Wilson T McKinney Esq.
Firm: McGuire & Associates
Address: Suite 402 1301 York Road Lutherville Md 21093 Phone: (410) 525-5757

✓ Return to Contact Person
Hold for Pickup
Return Address Provided

11 Assessment Information

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

Yes ✓ No Will the property being conveyed be the grantee's principal residence?

Yes ✓ No Does transfer include personal property? If yes, identify:

Yes ✓ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line

☐ Terminal Verification ☐ Agricultural Verification ☐ Whole ☐ Part ☐ Tran Process Verification

Transfer Number: Date Received: Deed Reference: Assigned Property No.

Year	19	19	Geo.	Map	Sub	Block
Land			Zoning	Grid	Plat	Lot
Buildings			Use	Parcel	Section	Occ. Cd.
Total			Town Cd.	Ex. St.	Ex. Cd.	

REMARKS:

TRANSFER TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
For Raymond J. Kuchlenz
Authorized Signature
Date 6/16/00 Sec. 32-139

Distribution: White - Clerk's Office; Canary - SDAT; Pink - Office of Finance; Goldenrod - Preparer
ACC-CC-300 (8/95)

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 01 **Account Number** - 0112002270

Owner Information

Owner Name:	CAROPRESO HEATHER L	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	1505 EDMONDSON AVE BALTIMORE MD 21228-4911	**Deed Reference:**	1) /12939/ 510 2)

Location & Structure Information

Premises Address
EDMONDSON AVE

Legal Description
LT SS EDMONDSON AV
207 FT W ROSEWOOD AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
100	12	219						80	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		18,300.00 SF	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	4,570	4,570		
Improvements:	0	0		
Total:	4,570	4,570	4,570	4,570
Preferential Land:	0	0	0	0

Transfer Information

Seller:	SQUIGGINS CECELIA A	**Date:**	06/15/1998	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/12939/ 510	**Deed2:**	
Seller:	LAYFIELD CECELIA A	**Date:**	10/10/1975	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 5594/ 315	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**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: NO
Exempt Class:

Special Tax Recapture:

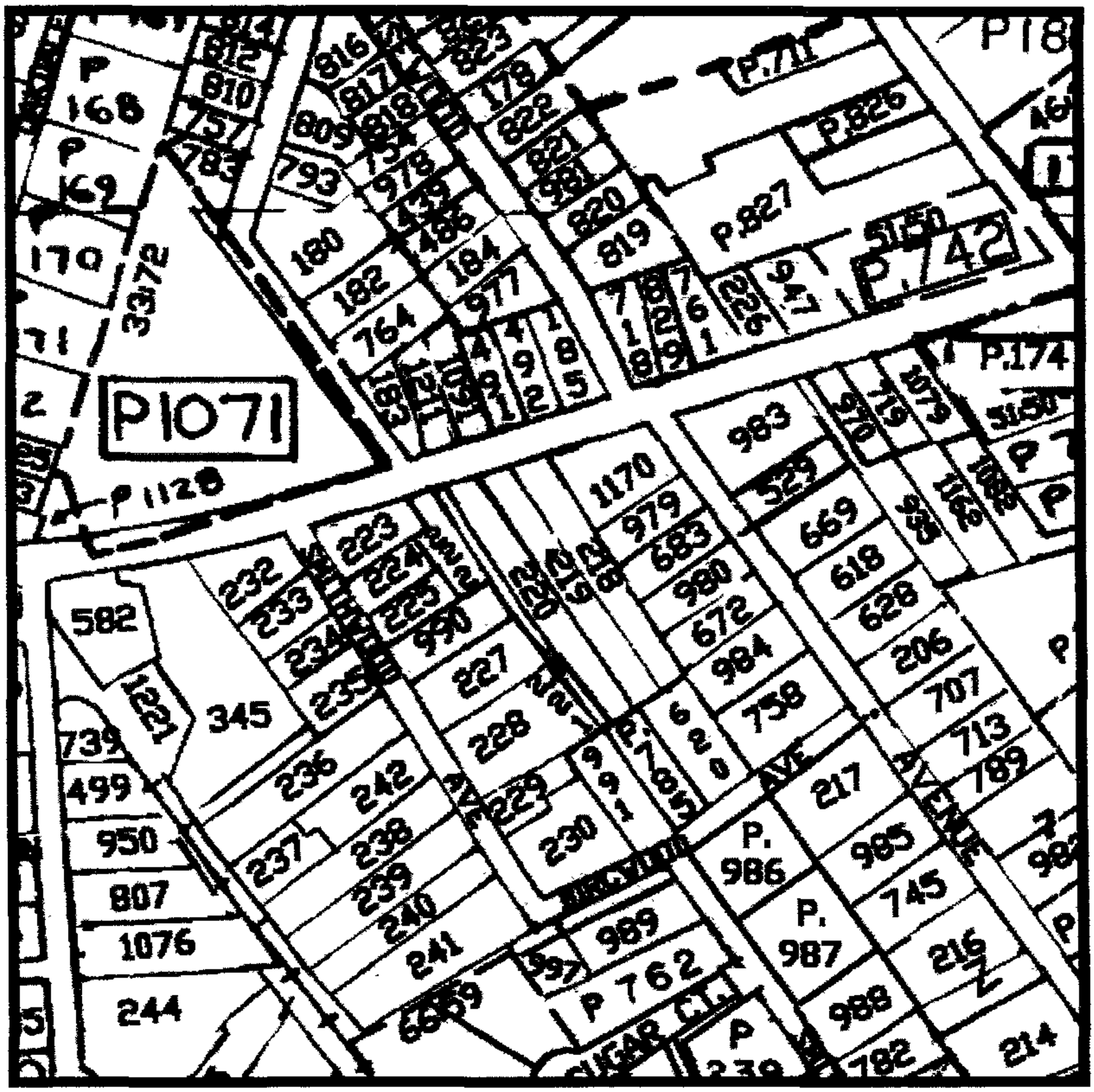
* NONE *

Pet Ex #7

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

Go Back
View Map
New Search

District - 01 **Account Number** - 0112002270



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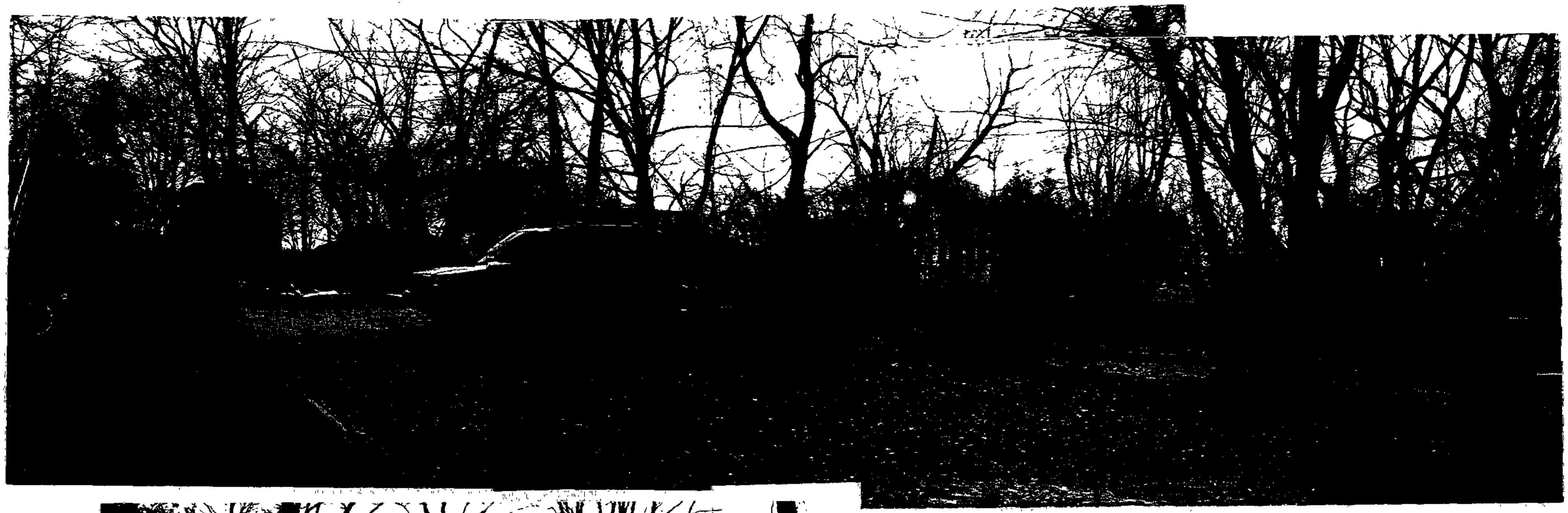
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

Pet Ex 98

ZONING APPEAL
PUBLIC HEARING
FOR INFORMATION CALL
410 887 3180
DO NOT REMOVE
UNDER PENALTY OF LAW
BALTIMORE COUNTY BOARD OF APPEALS

9

Pet Ex 4



Pat Ex

Pet Ex ~~10~~ 13

Pet Ex 12

Pet Ex 9 10

Note:
See Highway Construction Drwg File C-1525

ROLLING ROAD GARDENS L.M.L.M. 5/57

OAK CREST
W.P.C. 7/158

OAK CREST
W.P.C. 7/158

MIDVALE AVENUE (PROPOSED)

ROSEWOOD

BEECHWOOD

EDMONDSON AVENUE

County Commissioners of Baltimore County

Macadam

Baltimore Transit Company

Resolution adopted by the County Commissioners of Baltimore County 1890

Slope Easement

Storm Drainage Easement

Ex. Conc. Curb

Ex. Gravel Drive

Note:
Coordinates shown on this platare based upon the Baltimore County Metropolitan District System

Stations and values used are as follows:
No 2775 S 557615 W 2606815
No 2775 S 552755 W 2755424

DEED TO COUNTY COMMISSIONERS OF BALTIMORE COUNTY					
NO.	INITIALS	LIBER	FOLIO	FROM	DATE

LOCATION MAP
SCALE. 1" = 2000'

THIS PLAT IS COMPILED FROM DEEDS AND SURVEYS. THE COURSES AND DISTANCES SHOWN ON PROPERTIES ADJOINING THE PROPOSED ROAD, ARE THOSE CONTAINED IN THE DEED REFERRED TO BY LIBER AND FOLIO NUMBER, AND DO NOT NECESSARILY REFER TO THE MERIDIAN SHOWN HEREON, NOR DO THEY IMPLY A CURRENT SURVEY OF SAID PROPERTIES UNLESS SO NOTED.

BALTIMORE COUNTY BUREAU OF RIGHTS-OF-WAY

PLAN TO ACCOMPANY RIGHT-OF-WAY AGREEMENT

COUNTY COMMISSIONERS OF BALTIMORE COUNTY

AND

WILLIAM G. POST & WF.

FOR

EDMONDSON AVENUE

CONSULTING ENGINEER OR SURVEYOR

REG. No. 2351 DATE June 11, 1956

APPROVED Robert J. Dempsey
ROADS ENGINEER

DATE June 18, 1956

SCALE. 1" = 50'

SHEET. 5 OF 6

DISTRICT NO. 1

O. J.

J. O. 2669-D

RECORDED DATE.

REVISION DATE.

FILE HRW. 56-120

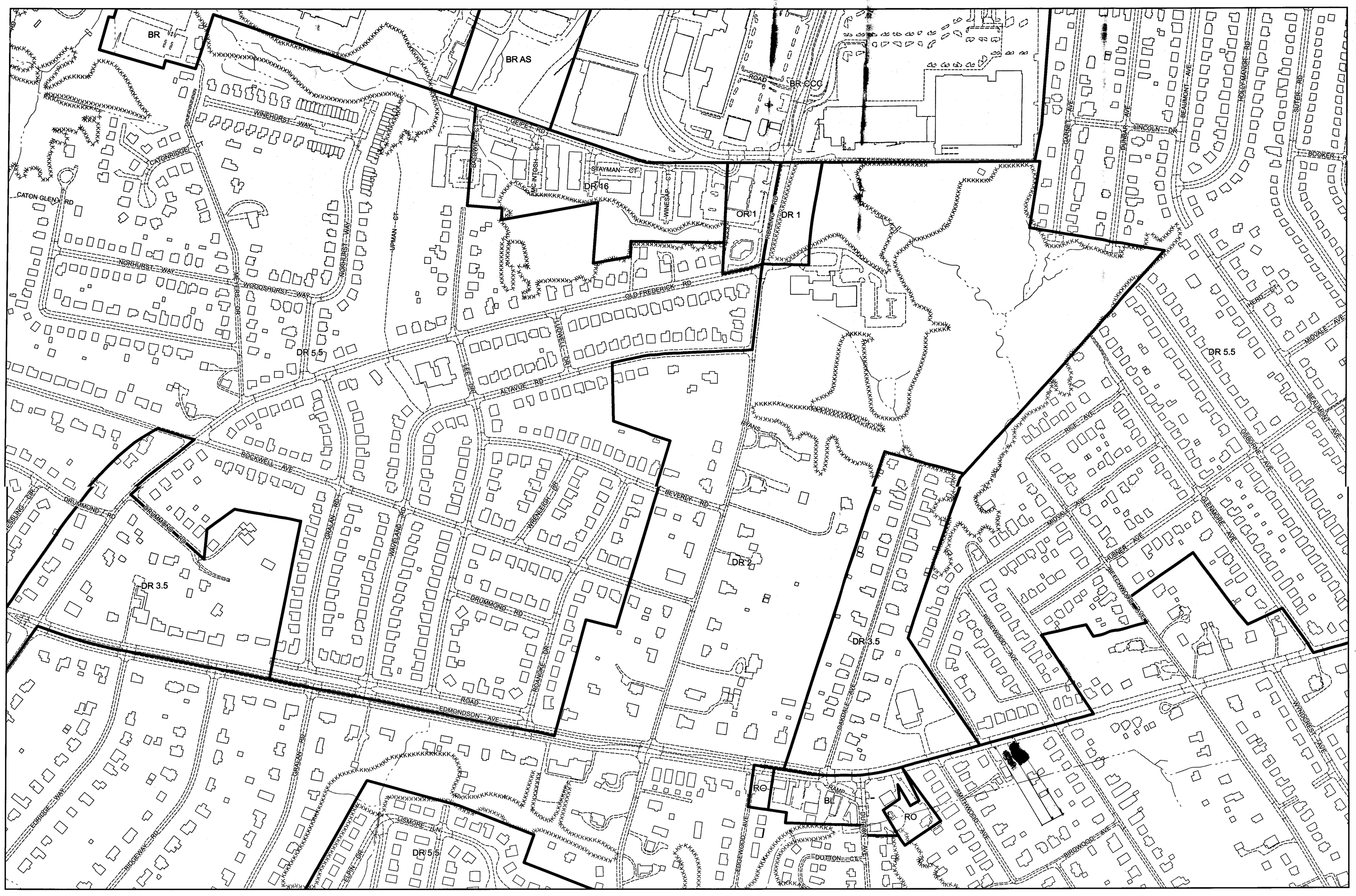
PLAT RECORD REFERENCE
HIGHWAYS LIBER No. 15-D FOLIO. 485

CBA Pt. 5

Pat #2

PHOENIX 81188 TRACING CLOTH 7353

Disclaimer: This map only covers the zoning cases between 1939 and 2003. The Department of Permits and Development Management and Baltimore County do not warrant the accuracy or reliability of the information displayed herein.



Plan Sheet: *100C1* Pet Ex 14

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

Zoning — Streams — Vegetation
Buildings — Roads

Baltimore County
Office of Planning and Zoning
Official Zoning Map

	094B3	094C3	095A3	095B3
100A1	100B1	100C1	101A1	101B1
100A2	100B2	100C2	101A2	101B2

Scale
1" = 200'
0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

AS WITNESS my hand and Notarial Seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires: April 21st 2008

STATE OF MARYLAND: COUNTY OF BALTIMORE: TO WIT:

I HEREBY CERTIFY that on this 25 day of March, 2005, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared **ALDO CAROPRESO**, as Benefitted Party, known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal the day and year first above written.

NOTARY PUBLIC

My Commission Expires: April 21st 2008

ATTESTATION

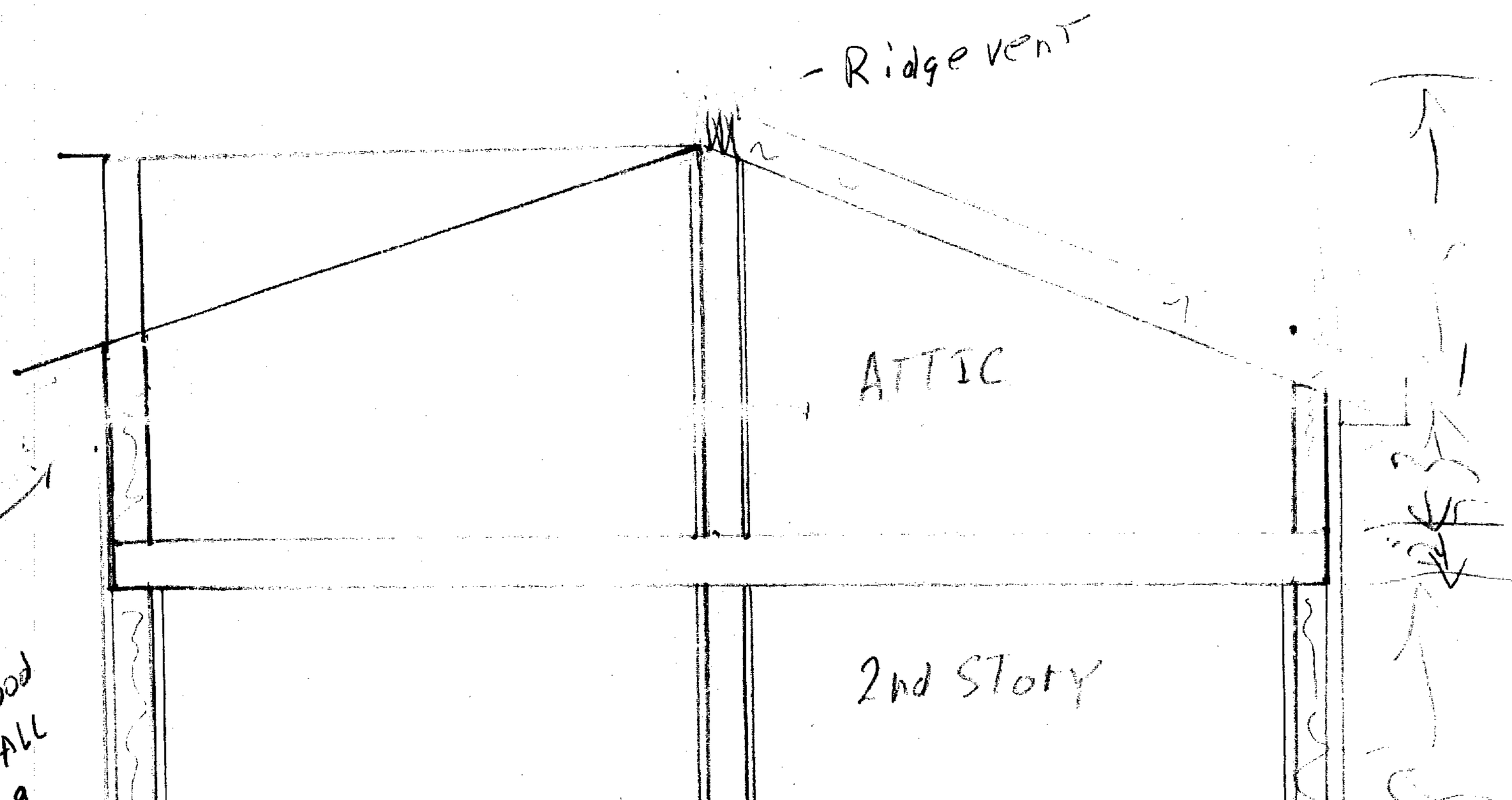
ATTORNEY'S CERTIFICATION

I HEREBY CERTIFY that I am an attorney admitted to practice law in the State of Maryland and that this document was prepared under my supervision.

MICHAEL P. TANCZYN, Esquire

After recordation, please return to:

Law Offices of Michael P. Tanczyn, P.A.
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204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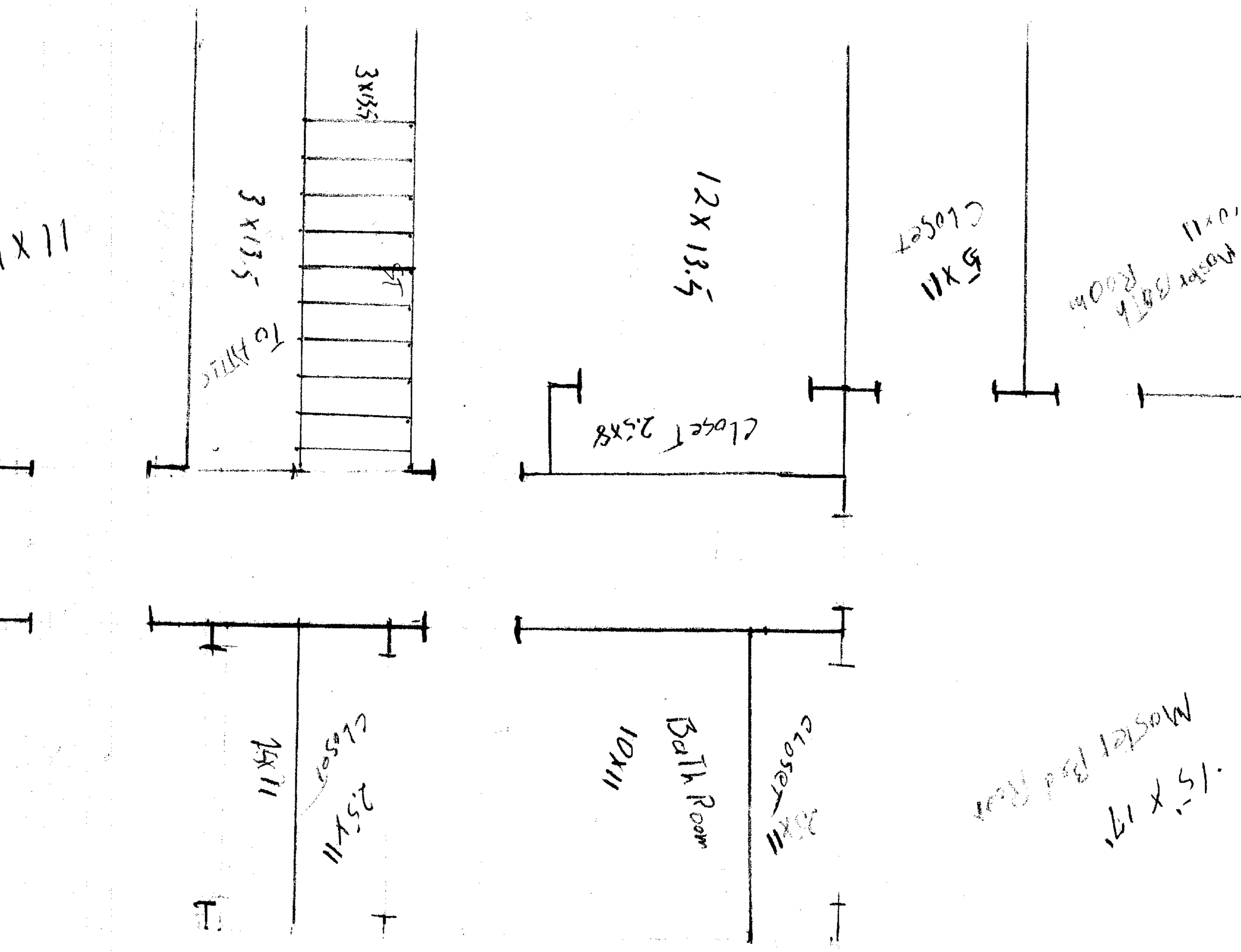
ATTIC
2nd Story
PLY WOOD
OSB WALL


11X11
3X13.5
To Attic
3X13.5
12X13.5
Closet 2.5X8
5X11
Closet
25X11
Closet
14X11
10X11
Bath Room
Closet
25X11
Master Bed Room
15' X 17'
Master Bath Room
11X11