IN RE: PETITION FOR SPECIAL HEARING N/S Belfast Road, 1,085' W of the c/l York Road **(1726-A Belfast Road)** 8th Election District 3rd Council District Thomas R. Miles, et ux	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 05-373-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Thomas R. Miles, and his wife, Dorothy Horner-Miles. The Petitioners request a special hearing to approve a septic system located on an adjacent property as an accessory use for a proposed single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Dorothy Horner-Miles, co-owner of the subject property, and her mother, Lillian Horner, President of P. Horner, Inc., the owner/grantor of the adjacent property on which the proposed septic system will be located. Also appearing were Bruce E. Doak, the Land Surveyor who prepared the site plan for this property, and William E. Gunther, Jr. and Sunny Gunther. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an unimproved, square shaped parcel located north of Belfast Road, and west of York Road in northern Baltimore County. The property contains a gross area of 5.87 acres, more or less, zoned R.C.2 and access thereto is by way of a right-of-way easement that extends from the southeast corner of the site through an adjacent property to Belfast Road. Testimony indicated that the subject property was previously part of the Horner family's extensive land holdings that they acquired in the 1940s.

ORDER RECEIVED FOR FILING
Date 2/14/05
By

Over the years, the lands were divided between family members and in 1989, P. Horner, Inc. subdivided a 23.75-acre parcel and conveyed the subject 5.87 acres to the Petitioners. The Petitioners are now desirous of developing the site with a single-family dwelling; however, have been unable to obtain the requisite perk tests to locate a septic system on the subject property. After searching for a suitable site for nearly four years, Dorothy Horner-Miles successfully located an area on an adjacent parcel, which is owned by her family (under the name P. Horner, Inc.), and acquired an easement to locate the septic system on a 0.604-acre portion of that property. The easement area, which is more particularly shown on the site plan, was conveyed to the Petitioners by deed dated September 1, 2004 and recorded among the Land Records of Baltimore County. In view of these unusual circumstances, the instant Petition was filed seeking approval of the septic system as an "accessory use" to the subject property.

An accessory use is defined in Section 101 of the B.C.Z.R. as being customarily incidental and subordinate to and serving a principal use and which contributes to the comfort, convenience, or necessity of the occupants. However, it requires that such use be "located on the same lot." Webster's Third New International Dictionary defines the term "use" as "a benefit arising from lands."

No one appeared in opposition to the request and no adverse Zoning Advisory Committee (ZAC) comments were submitted by any County reviewing agency. However, the Office of Planning pointed out that the Petitioners should pursue a lot-line adjustment to incorporate the easement area into the 5.87-acre parcel. Essentially, this adjustment would constitute a non-density transfer of the 0.604-acre parcel. Moreover, the Department of Environmental Protection and Resource Management recommended approval of the proposed septic system and views this as a hardship case.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested, subject to certain terms and conditions. As noted above, the Horner family owns several large parcels of land, all of which surround the Petitioners' property and all of the lands are in the same resource conservation zone. The Petitioners have acquired an easement

ORDER RECEIVED FOR FILING
Date 4/4/06
By

to use a 0.604-acre portion of the adjacent property, which is owned by other members of her family, to support a septic system for their new home. I find that the relief requested is appropriate in this instance and will not be detrimental to the health, safety and general welfare of the surrounding locale. However, in granting the relief, I will impose certain conditions/restrictions to insure compliance with the R.C.2 development regulations. In this regard, I will allow the septic system for the subject property to be located on the adjacent parcel, pursuant to the easement agreement recorded in the Land Records on September 1, 2004, for so long as the adjacent parcel remains under the ownership of P. Horner, Inc. In the event that parcel is sold to any person or entity outside of the Horner family, the Petitioners shall apply for a lot line adjustment to incorporate the 0.604-acre septic system area into the subject 5.87-acre parcel under one metes and bounds description.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of April 2005 that the Petition for Special Hearing seeking approval of a septic system located on an adjacent property as an accessory use for a proposed single family dwelling on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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

2) The Petitioner shall acquire the 0.604-acre easement area presently owned by P. Horner, Inc./underlying property owner, prior to any conveyance of the property in which said easement is located to any person or entity outside of the Horner family. Upon such an event, the Petitioners shall apply for a lot line adjustment to incorporate the said 0.604-acre parcel into the subject 5.87-acre property under one metes and bounds description.

ORDER RECEIVED FOR FILING
Date 4/4/05
By

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4/4/03
By

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
William J. Wiseman III, Zoning Commissioner

April 1, 2005

Mr. & Mrs. Timothy R. Miles
4034 Roland Avenue
Baltimore, Maryland 21211

RE: PETITION FOR SPECIAL HEARING
N/S Belfast Road, 1,085' W of the c/l York Road
(1726-A Belfast Road)
8th Election District – 3rd Council District
Timothy R. Miles, et ux - Petitioners
Case No. 05-373-SPH

Dear Mr. & Mrs. Miles:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Ms. Lillian Horner, 416 E. Belfast Road, Sparks, Md. 21152
Mr. & Mrs. William E. Gunther, Jr., 255 Ridge Avenue, Towson, Md. 21286
Office of Planning; DEPRM; People's Counsel; Case File

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 726-A Belfast Road
which is presently zoned R.C.-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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the allowance of an accessory use septic system to be located on an adjoining property.

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 City

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Timothy R. Miles
Name - Type or Print

Timothy R. Miles
Signature

Dorothy Horner-Miles
Name - Type or Print

Dorothy Horner-Miles
Signature

4034 Roland Ave 410-235-1440
Address Telephone No.

Balto. Md. 21211
State Zip Code

Representative to be Contacted:

Gerhold, Cross, & Etzel, Ltd.
Name

320 E. Towsontown Blvd. Ste.100
Address Telephone No.

Towson, Maryland 21286 (410)-823-4470
City State Zip Code

- 4473

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JF Date 1-27-05

ORDER RECEIVED FOR FILING
Date 1/27/05
By B

Case No. 05-373-SPH

REV 9/15/98

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

December 30, 2004

Zoning Description
726-A Belfast Road

All that piece or parcel of land situate, lying and being in the Eighth Election District Of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point North 07 degrees 04 minutes 14 seconds East 534 feet more or less from a point in the center of Belfast Road which is 1085 feet more or less along the center of Belfast Road from its intersection with the center of York Road, thence running for the same, (1) North 01 degree 26 minutes 31 Seconds West 454.77 feet, (2) North 73 degrees 59 minutes 05 seconds West 499.88 feet, (3) South 01 degree 46 minutes 14 seconds West 578.40 feet, and (4) South 88 degrees 22 minutes 47 seconds East 510.00 feet to the place of beginning.

Containing 5.875 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN OAK
No. 381
REGISTERED
PROFESSIONAL LAND SURVEYOR

1/5/05

373

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

December 30, 2004

Zoning Description
Belfast Road Easement Agreement

All that piece or parcel of land situate, lying and being in the Eighth Election District Of Baltimore County, Maryland and described as follows to wit:

Beginning for an easement at a point on the last or North 01 degrees 26 minutes 31 seconds West 454.77 feet line of a parcel of land which by a deed dated September 01, 2004 and recorded among the Land Records of Baltimore County in Liber 20705, Folio 499 was conveyed by Dorothy Horner Miles to Timothy R. Miles and Dorothy Horner-Miles, said point being situate 190.00' from the beginning of said last line, thence running for the same, (1) North 01 degree 26 minutes 31 Seconds West 22.07 feet, along said line, thence leaving said line and running, (2) South 66 degrees 26 minutes 31 seconds East 398.86 feet, (3) South 84 degrees 26 minutes 31 seconds East 70.00 feet, (4) South 13 degrees 00 minutes 00 seconds West 175.00 feet, (5) North 77 degrees 00 minutes 00 seconds West 140.00 feet, (6) North 32 degrees 27 minutes 56 seconds East 157.96 feet, and (7) North 66 degrees 26 minutes 31 seconds West 375.00 feet to the place of beginning.

Containing 0.604 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN GRAY
NO. 681
REGISTERED
PROPERTY LINE SURVEYOR

1/5/05

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441478

DATE 1-27-05 ACCOUNT 001-006-6150

AMOUNT $65.00

RECEIVED FROM: GERHOLD CROSS & ETZEL LTD
726-A BELFAST RD

ITEM # 373

FOR: PETITION FOR SPECIAL HEARING

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
CLEAR RECEIPT

1/27/2005 1:27:00 PM Receipt 2
REG #002 BAU
RECEIPT # 32002 1/27/2005
Rcpt: 5 PER ORDER NOTIFICATION
CS NO. 441478
Rcpt Tot $65.00
$65.00 CK $65.00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #05-373-SPH
726-A Belfast Road
N/side of Belfast Road, which is 1,085 feet w/of York Road
8th Election District
3rd Councilmanic District
Legal Owner(s): Timothy R. & Dorothy Horner-Miles
Special Hearing: for the allowance of an accessory use septic system to be located on an adjoining property.
Hearing: Monday, March 14, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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.
2/313 Feb. 24 40379

CERTIFICATE OF PUBLICATION

2/24, 2005

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 2/24, 2005.

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

S. Wilkinson

LEGAL ADVERTISING

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

CERTIFICATE OF POSTING

RE: CASE NO.05-373-SPH
PETITIONER/DEVELOPER:
Timothy R. & Dorothy Horner-Miles
DATE OF HEARING: March 14, 2005

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

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

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

LOCATION:
726 A Belfast Road

(see page 2 for full size print)

POSTED ON: 2/19/05

SIGNATURE OF SIGN POSTER

BRUCE DOAK

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

ZONING NOTICE
02/19/2005

ZONING NOTICE

CASE # :05-373-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: Room 407 County Courts Building
401 Bosley Avenue, Towson, MD

TIME & DATE : 11:00 AM March 14, 2005

Special Hearing: for the allowance of an accessory use septic system to be located on an adjoining property.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POSTING UNTIL AFTER HEARING OR LONG
HEARINGS ARE HANDICAPPED ACCESSIBLE

02/19/2005

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

February 1, 2005

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: 05-373-SPH
726-A Belfast Road
N/side of Belfast Road, which is 1, 085 feet w/of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Timothy R. & Dorothy Horner-Miles

Special Hearing for the allowance of an accessory use septic system to be located on an adjoining property.

Hearing: Monday, March 14, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Timothy & Dorothy Miles, 4034 Roland Ave., Baltimore 21211
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 26, 2005.**
(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
Thursday, February 24, 2005 Issue - Jeffersonian

Please forward billing to:
Dorothy Horner-Miles
4034 Roland Avenue
Baltimore, MD 21211

410-235-1440

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: 05-373-SPH
726-A Belfast Road
N/side of Belfast Road, which is 1, 085 feet w/of York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Timothy R. & Dorothy Horner-Miles

Special Hearing for the allowance of an accessory use septic system to be located on an adjoining property.

Hearing: Monday, March 14, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN
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: 05-373-SPH

Petitioner: Dorothy Horner-Miles

Address or Location: #26-A Belfast Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dorothy Horner-Miles

Address: 4034 Roland Ave

Baltimore MD. 21211

Telephone Number: (410) - 235 - 1440

Revised 2/20/98 - SCJ

Department of Permits
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

March 8, 2005

Timothy R. Miles
Dorothy Horner-Miles
4034 Roland Avenue
Baltimore, Maryland 21211

Dear Mr. and Mrs. Miles:

RE: Case Number: 05-373-SPH, 726-A Belfast Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 27, 2005.

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
Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Blvd, Ste. 100 Towson 21286

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

February 8, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: February 7, 2005

Item No.: 368-378 (372)

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant J. Mezick
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed on Recycled Paper

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: 2·3·05

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

RE: Baltimore County
Item No. 373 JRF

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: February 25, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 7, 2005

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

05-371
05-373
05-374
05-375
05-377
05-366
05-367

Reviewers: Sue Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: March 17, 2005

SUBJECT: Zoning Item # 05-373
Address 726-A Belfast Road

Zoning Advisory Committee Meeting of February 7, 2005

__X__ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Bruce Seeley, Kevin Koepenick Date: March 17, 2005

L:\SHARED\DESHARED\Devcoord\ZACSHEL-1-11-05.doc

3/14
BW

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 2, 2005

RECEIVED

MAR - 7 2005

ZONING COMMISSIONER

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

SUBJECT: 726 A Belfast Road

INFORMATION:

Item Number: 5-373

Petitioner: Timothy R. Miles

Zoning: RC 2

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

1. The petitioner shall pursue a lot-line adjustment/subdivision to make the easement area associated with the proposed septic reserve area and the 5.87-acre parcel into one lot prior to the issuance of the Certificate of Occupancy for the proposed dwelling on the subject property.
2. Revise the site plan to show all structures, well area, and septic reserve area that are currently on the 15.28-acre parcel to the east of the parcel to be developed.

Prepared by: Marcia A Cummings

Division Chief: Jeff Mayhew

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: February 23, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For February 14, 2005
Item Nos. 368, 369, 371, 372, 373,
374, 375, 376, 377 and 378

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING 726 A Belfast Road; N/side of Belfast Road, which is 1,085' W of York Road 8th Election & 3rd Councilmanic Districts Legal Owner(s): Thomas R. & Dorothy Horner-Miles Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-373-SPH

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

ENTRY OF APPEARANCE

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

Per C.L.B.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of February, 2005, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E. Towsontown Blvd, Ste. 100, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

IN THE MATTER OF THE APPLICATION OF MARY T. HORNER, SURVIVING TRUSTEE OF THE JOSHUA L. HORNER REVOCABLE LIVING TRUST AGREEMENT /LEGAL OWNER AND BALTIMORE COUNTY, MARYLAND, PETITIONERS FOR MAP CORRECTION ON PROPERTY LOCATED AT YORK & BELFAST ROADS, MAP 34, GRID 3, PARCEL 34 3RD COUNCILMANIC DISTRICT	* BEFORE THE * COUNTY BOARD OF APPEALS * OF * BALTIMORE COUNTY * CASE NO. M.C. 05-02

* * * * * * * * *

OPINION

This case comes to the Baltimore County Board of Appeals based on a Petition filed by Baltimore County, Maryland, by Jay L. Liner, County Attorney, and Nancy C. West, Assistant County Attorney; and Mary T. Horner, Surviving Trustee of The Joshua L. Horner Revocable Living Trust Agreement by Howard L. Alderman, Jr., Esquire and Levin & Gann, P.A., pursuant to § 32-3-231, *et seq* of the *Baltimore County Code*.

A public hearing was held in this matter on February 2, 2005, with public deliberation conducted by the Board at the conclusion of the hearing. Nancy C. West, Assistant County Attorney, appeared on behalf of Baltimore County, Maryland. Howard L. Alderman, Jr., Esquire, appeared on behalf of Mary T. Horner, Surviving Trustee of The Joshua L. Horner Revocable Living Trust Agreement.

The subject property is located on the west side of York Road, north of Belfast Road, in Baltimore County, Maryland in the Third Councilmanic District.

The Petition represents that the present zoning designation for the subject 45-acre parcel of land is in error and should be corrected pursuant to § 32-3-231 of the *Baltimore County Code*. Petitioners allege that a technical drafting error by the Office of Planning resulted in the property being changed to an R.C. 2 classification during the 2004 Comprehensive Zoning Map Process. As a result of that error, the subject parcel is presently zoned R.C. 2 in its entirety, which is contrary to the Baltimore County Council's intention, which was to retain the R.C. 5 classification in its entirety on the property. Petitioners request that the zoning be changed from R.C. 2 to R.C. 5.

Petitioners have filed supporting documents with their Petition, including a Certification by the Baltimore County Office of Planning dated January 12, 2005, entered as County Exhibit #2.

The Board has given due consideration to the Petition, the Certification, exhibits presented at the time of the hearing, as well as the testimony presented in this case.

The Board finds that the present zoning designation on the subject parcel of land is incorrect, in error, and that the Petitioner is entitled to the relief requested since the error is of the nature set out in § 32-3-201 of the *Baltimore County Code*. The subject parcel's present zoning of R.C. 2 should be corrected and changed to R.C. 5 for the 45-acre parcel per County Exhibit #6.

IT IS THEREFORE, this 9th day of February, 2005, by the County Board of Appeals of Baltimore County

ORDERED that the present zoning designation of the subject 45-acre parcel of land be changed from R.C. 2 to R.C. 5; and it is further

ORDERED that the Office of Permits and Development Management make the necessary change and correction as set out herein on the latest Comprehensive Zoning Map for Baltimore County with regard to the subject property.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence S. Wescott, Panel Chairman

Margaret Brassil, Ph.D.

Edward W. Crizer, Jr.

Case No.: 05-373 SPH

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Site Plan	
No. 2	GIS topography map	
No. 3	GIS - Aerial Plat	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

From: "bdoak" <bdoak@gcelimited.com>
To: "William J. Wiseman" <wwiseman@co.ba.md.us>
Date: 3/21/2005 11:09:54 AM
Subject: Horner Zoning Opinion

Dear Mr. Wiseman,

I have spoken to the Horners and they will allow a restriction / requirement to be placed in your order. The wording could be "The 0.604 of an acre parcel, which will have the proposed septic system on it, will be sold to Dorothy Horner - Miles by the owner of the underlying property prior to the conveyance of the underlying property to a person or entity outside of the Horner family."

This is not eloquently, but it gives you the meat. Call me if you need anything else.

Bruce Doak
410-823-4470

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 05-373 SPH
DATE

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Bruce Doak	320 E. Towsontown Blvd	Towson Md 21286	
Gorhold Cross & Eter			
Dorothy Horner-Miles	4034 Roland Ave	Baldo. Md. 21211	
Lillian Horner	416 E. Belfast Rd.	Sparks, Md. 21152 RC-5	
William E. Gunther, JR.	255 RIDGE AVE.	TOWSON, MD. 21286	
SUNNY GUNTHER	255 RIDGE AVE	TOWSON, MD 21286	

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

STR

Account Identifier: District - 08 Account Number - 0808065951

Owner Information

Owner Name:	HORNER RICHARD L/FRANCES COLEMAN HORNER JOSHUA SCOTT,ET AL	**Use:**	AGRICULTURAL
		Principal Residence:	NO
Mailing Address:	15418 YORK RD SPARKS MD 21152-9646	**Deed Reference:**	1) 2)

Location & Structure Information

Premises Address
YORK RD

Legal Description
45.1951 AC
WS YORK RD
744FT N OF BELFAST RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
31	3	34						01	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		45.20 AC	05

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	6,490	6,490		
Improvements:	0	0		
Total:	6,490	6,490	6,490	6,490
Preferential Land:	6,490	6,490	6,490	6,490

PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE

Transfer Information

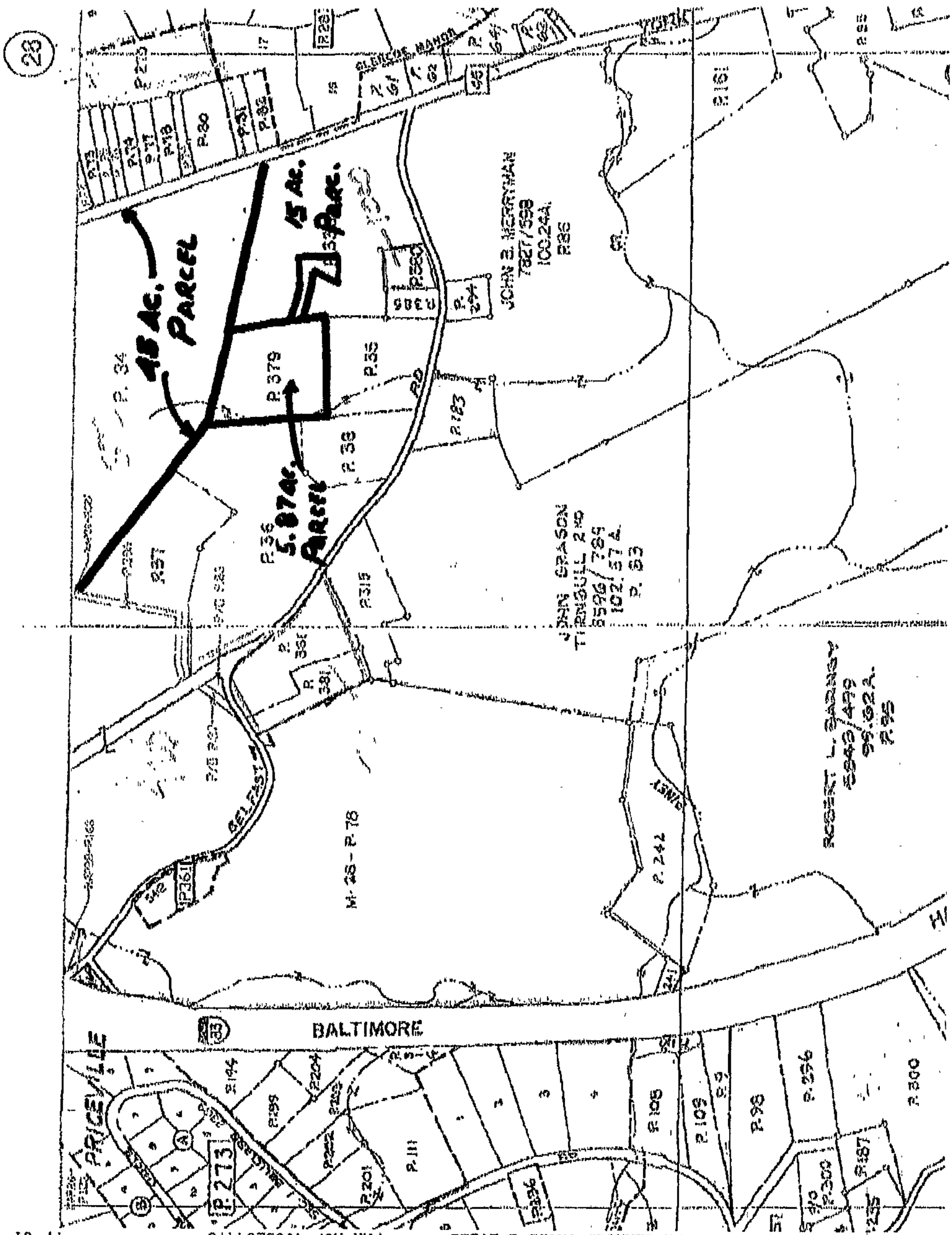
Seller:	HORNER JOSHUA L	**Date:**	02/01/2005	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**		**Deed2:**	
Seller:	JOSHUA L HORNER FAMILY	**Date:**	02/24/2004	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/20230/ 88	**Deed2:**	
Seller:	HORNER JOSHUA L HORNER MARY T	**Date:**	12/30/1997	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/12577/ 408	**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:
AGRICULTURAL TRANSFER TAX


28
GLENCOE MANOR
45 Ac. PARCEL
15 Ac. PARCEL
5.874 Ac. PARCEL
JOHN B. BERNHARD
7827/598
100.24A
236
JOHN GRASON
BELFAST
BALTIMORE
PARCEL

Click here for a plain text ADA compliant screen.

Title

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 08 **Account Number** - 2100012691

Owner Information

Owner Name:	MILES TIMOTHY R HORNER-MILES DOROTHY	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	4034 ROLAND AVE BALTIMORE MD 21211-2031	**Deed Reference:**	1) /20705/ 499 2)

Location & Structure Information

Premises Address
BELFAST RD

Legal Description
5.875 AC NSR
BELFAST RD RER 550 FT
1140 W YORK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
34	3	379						81	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		5.87 AC	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2002	Phase-In Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	58,260	58,260		
Improvements:	0	0		
Total:	58,260	58,260	58,260	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	MILES DOROTHY HORNER	**Date:**	09/17/2004	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/20705/ 499	**Deed2:**	
Seller:	P HORNER INC	**Date:**	06/13/1989	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 8223/ 178	**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:

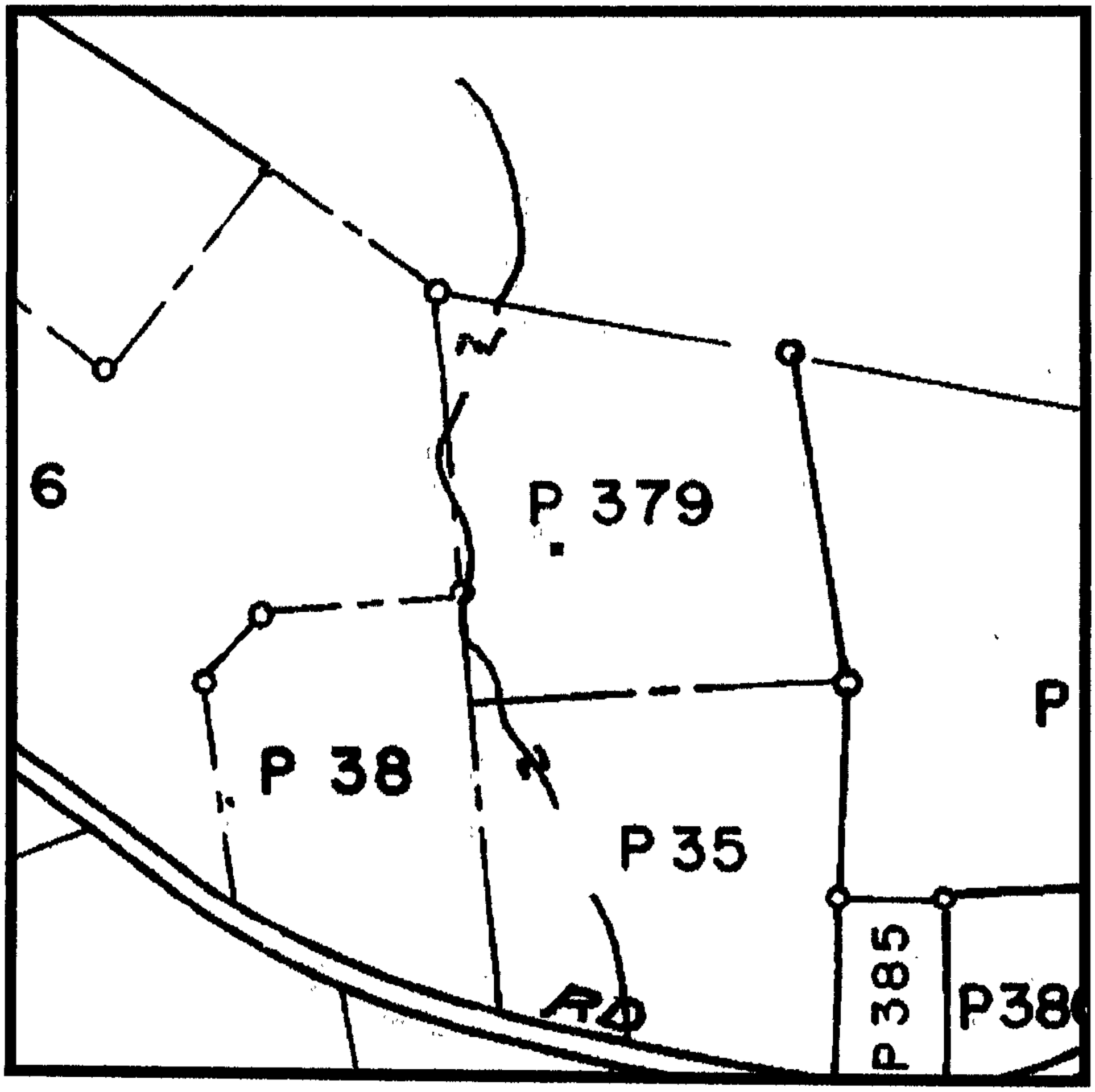
Special Tax Recapture:

* NONE *

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

Go Back
View Map
New Search

District - 08 **Account Number** - 2100012691



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

EXEMPT CONVEYANCE BETWEEN SPOUSES

Mid-Atlantic Title Company
File No. **04-M-7353MID**
Tax ID # **08-2100012691**

This Deed, made this 1ST day of September, 2004, by and between Dorothy Horner Miles (formerly Dorothy Horner and also known as Dorothy Horner-Miles), party of the first part, Grantor; and Timothy R. Miles and Dorothy Horner-Miles, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of No And 00/100 Dollars ($.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Timothy Miles and Dorothy Horner-Miles, as tenants by the entirety, the survivor of them and the Personal Representatives, heirs and assigns of the survivor, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING for the same at a point in and distant 499.88 feet from the end of the second or North 73 degrees 51 minutes 40 seconds West 1380.06 foot line described in a confirmatory deed from Mary Horner and Joshua L. Horner, Mary Emma Horner, Martha Horner Hanley, John Horner, Rosalie Horner and Eliza Scott Horner Green to Peter Paul Horner and Lillian Horner, his wife, dated November 27, 1957 and recorded among the Land Records of Baltimore County, Maryland in Liber 3276, Page 451, said point also being in and distant 499.88 feet from the end of the second or North 73 degrees 51 minutes 40 seconds West 1380.06 foot line described in a deed from Lillian Horner to P. Horner, Inc. dated May 11, 1983 and recorded among the aforesaid Land Records in Liber 6669, Page 256, thence running with and binding on the remainder of the last mentioned second line and on all of the third and fourth lines of the last mentioned conveyance, as now surveyed, the three following courses and distances viz;

(1) North 73 degrees 59 minutes 05 seconds West 499.88 feet to a capped rebar heretofore set at the end of the said second line,

(2) South 01 degrees 46 minutes 14 seconds West 578.40 feet and

(3) South 88 degrees 22 minutes 47 Seconds East 510.00 feet to a capped rebar now set, thence running for a new line of division through the land of the herein named grantor,

(4) North 01 degrees 26 minutes 31 seconds West 454.77 feet to the place of beginning.

Containing 5.875 acres of land more or less, as shown on Exhibit "A" attached hereto and incorporated herein. The improvements thereon to be known as No. 726-A Belfast Road.

TOGETHER WITH the right-of-way more particularly described in a Grant of Right-of-Way dated July 6, 1989 and recorded among the Land Records of Baltimore County in Liber SM No. 8223, Page 183, etc., by and between Lillian Horner and Dorothy Horner.

ALSO TOGETHER WITH the rights granted and conveyed in an Easement Agreement dated August 9, 2001, and recorded among the aforesaid Land Records in Liber SM No. 15475, Page 601, etc., by and between P. Horner, Inc., a Maryland corporation, and Dorothy Horner (formerly known as Dorothy Horner Miles).

BEING the same property which by Confirmatory Deed dated July 11, 1989 and recorded among the Land Records of Baltimore County in Liber SM No. 8223, Page 178, etc., was granted and conveyed by Alfred J. Szczerbicki, Substituted Trustee, unto Dorothy Horner Miles (also known as Dorothy Horner-Miles and formerly Dorothy Horner) in fee simple.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract 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 Timothy Miles and Dorothy Horner-Miles, as tenants by the entirety, the survivor of them and the Personal Representatives, heirs and assigns of the survivor, in fee simple.

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

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

Dorothy Horner-Miles (Seal)
Dorothy Horner-Miles (formerly Dorothy Horner and also known as Dorothy Horner Miles)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I hereby certify that on this 1ST day of September, 2004, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared DOROTHY HORNER-MILES (formerly Dorothy Horner and also known as Dorothy Horner Miles), the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

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

MARY J. KESCHMER NOTARY PUBLIC BALTIMORE COUNTY, MD

Notary Public
My commission expires: 8/1/05

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

James D. O'Connor, Attorney

AFTER RECORDING, PLEASE RETURN TO:
Mid-Atlantic Title Company
100 West Road
Suite 215
Towson, MD 21204

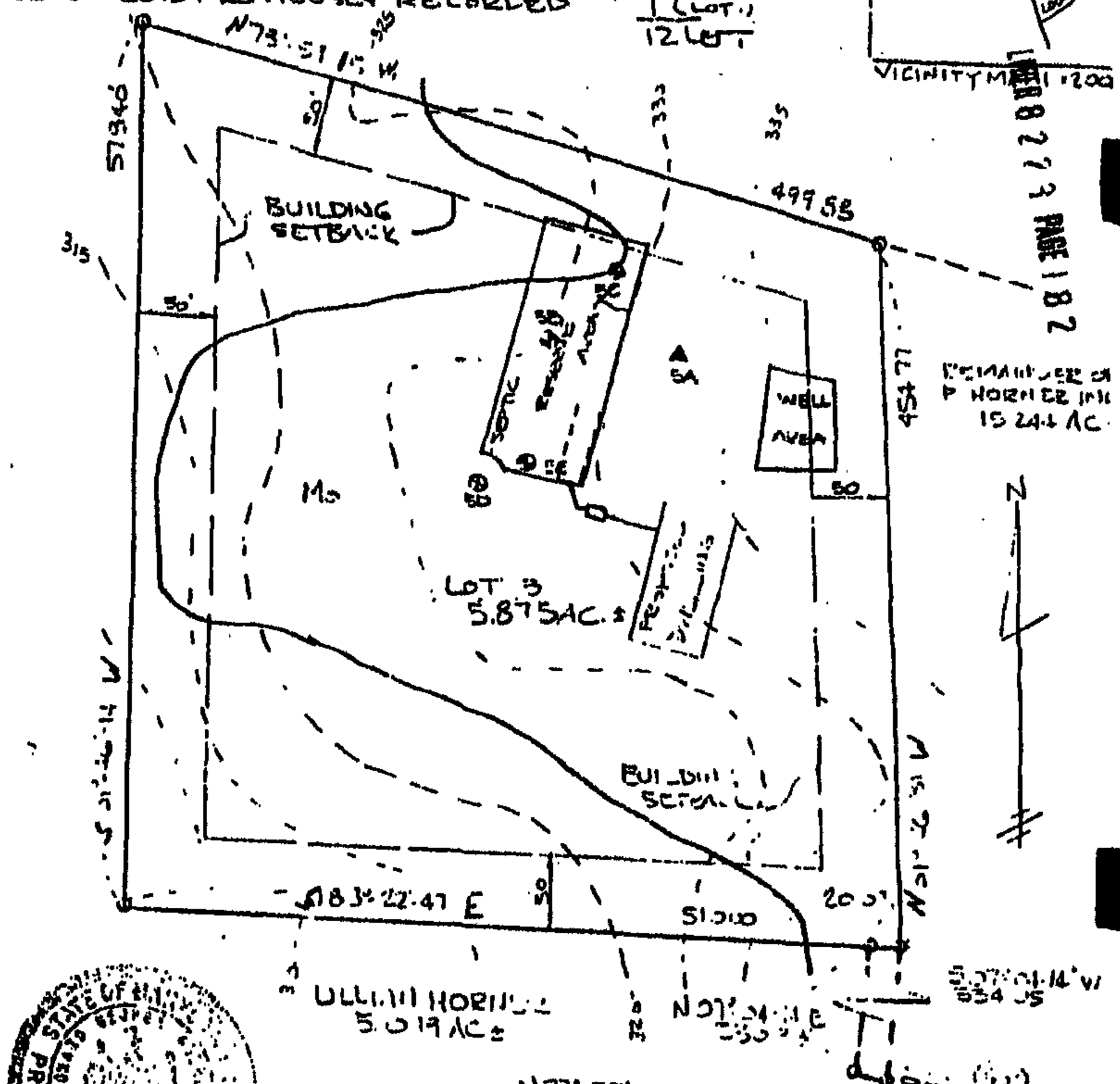
F:\midstate\04-M-7353\deed

NOTES

EXHIBIT "A"

1. BEARINGS AND DISTANCES TAKEN FROM A PLAT BY THE WILSON T. BALLARD CO. DATED 3-22-89
2. EXISTING ZONING R.C.5

GROSS ACREAGE — 23.953 Acs
NO. OF LOTS ALLOWED — 15
NO. OF LOTS SHOWN — 2 (LOTS 2 & 3)
NO. OF LOTS PREVIOUSLY RECORDED — 1 (LOT 1)
12 LOT



APPROVED: DEPT. OF ENVIRONMENTAL PROTECTION & RESOURSE MANAGEMENT

DIRECTOR — 5-23-89 DATE

PREPARED BY L.G. BUERHAUS PROPERTY LINE SURVEYOR #349

Leonard J. Buerhaus 5/13/87

P. HORNER INC
LOT 3
8TH ELEC. DIST. — FALTO CO., MD.
SCALE: 1" = 100'
APR 1989

AFFIDAVIT AS TO TOTAL PAYMENT PURSUANT TO SECTION 10-912(B)(2) OF THE TAX-GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND

THE undersigned make(s) oath, in due form of law and under the penalties of perjury, that the following is true to the best of my/our knowledge, information and belief in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, (the "withholding law") as follows:

1. That I/we am/are the transferor(s) of that real property described in the accompanying deed (the "property");
2. That I/we have examined the settlement statement prepared in connection with the transfer of the property, including, both the gross amounts due to me/us and the listing of expenses and adjustments which result in a reduction in the net proceeds due to me/us;
3. That with respect to the determination of "total payment" stated below, for the purpose of the withholding law: (a) the "total payment" includes the fair market value of any property transferred to me/us as part of the sale; (b) in calculating the deductions from gross proceeds, "debts incurred in contemplation of sale" (meaning debts secured by the property that were incurred within 120 days of sale, such as loan funds received from a financing or a previous or new line of credit within the past 120 days prior to the sale of the property) were not deducted from gross proceeds; and (c) in calculating deductions from gross proceeds, only my/our expenses arising out of the sale or exchange of the property have been deducted; and
4. That the amount of "total payment" for the purpose of the withholding law is $ -0-.

DATED this 1st day of September, 2004.

Dorothy Horner-Miles
Affiant Dorothy Horner-Miles (formerly Dorothy Horner and a/k/a Dorothy Horner-Miles)

Affiant

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

Sworn and subscribed to before the undersigned this 1st day of September, 2004.

AS WITNESS my hand and Notarial Seal.

MARY J. KRESCHMER NOTARY PUBLIC BALTIMORE COUNTY, MD

Notary Public

My Commission Expires: 8/1/05

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate
Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of § 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

Transferor Information
Name of Transferor Dorothy Horner Miles (formerly Dorothy Horner and a/k/a Dorothy Horner-Miles

Reason for Exemption		
Resident Status	☒	I, Transferor, am a resident of the State of Maryland.
	☐	Transferor is a resident entity under § 10-912(A)(4) of Maryland's Tax General Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence	☐	Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC § 121.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

Individual Transferors

Witness

Dorothy Horner Miles (formerly Dorothy Horner and a/k/a Dorothy Horner-Miles)
Name

Dorothy Horner-Miles
Signature

Entity Transferors

Witness/Attest

Name of Entity

By: _____
Signature

Name

Title

f:\forms\Settlement\Withholding\Affidavit

0020705 505

State of Maryland Land Instrument Intake Sheet

[ ] Baltimore City [X] County: Baltimore

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

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

IMP FD SURE $ 20.00
RECORDING FEE 20.00
TOTAL 40.00
Rec# BA01 Rcpt # 48428
SM DM Blk # 2575
Sep 17, 2004 03:18 PM

1 Type(s) of Instruments (Check Box if Addendum Intake Form is Attached)

1	Deed		Mortgage		Other		Other
2	Deed of Trust		Lease				

2 Conveyance Check Box

X	Improved Sale Arms-Length *[1]*		Unimproved Sale Arms-Length *[2]*		Multiple Arms Length *[3]*		Not an Arms-Length Sale *[9]*

3 Tax Exemptions (If Applicable) Cite or Explain Authority

Recordation
State Transfer
County Transfer

4 Consideration and Tax Calculations

Consideration	Amount
Purchase Price/Consideration	$ .00
Any New Mortgage	$ 155,000.00
Balance of Existing Mortgage	$
Other:	$
Other:	$
Full Cash Value	$ 0.00

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

5 Fees

Amount of Fees	Doc. 1	Doc. 2
Recording Charge	$ 40.00	$ 95.00
Surcharge	$ 0.00	$ 0.00
State Recordation Tax	$ 0.00	$ 775.00
State Transfer Tax	$ 0.00	$ 0.00
County Transfer Tax	$ 0.00	$ 0.00
Other	$	$
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
	08-2100012691	/			(5)

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

Location/Address of Property Being Conveyed (2)
726-A Belfast Road, Sparks Glencoe, MD 21152

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

Residential [X] or Non-Residential [ ] | Fee Simple [X] or Ground Rent [ ] | Amount: $N/A

Partial Conveyance? [ ] Yes [X] No | Description/Amt. of SqFt/Acreage Transferred: | N/A

If Partial Conveyance, List Improvements Conveyed: N/A

7 Transferred From

Doc. 1 – Grantor(s) Name(s)	Doc. 2 – Grantor(s) Name(s)
Dorothy Horner Miles formerly Dorothy a/k/a Dorothy Horner-Miles	Timothy R. Miles and Dorothy Horner-Miles
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)
Timothy R. Miles and Dorothy Horner-Miles	

New Owner's (Grantee) Mailing Address:
4034 Roland Avenue, Baltimore, MD 21211

9 Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)	Doc. 2 – Additional Names to be Indexed (Optional)
	Midstate Federal Savings and Loan Assoc

10 Contact/Mail Information

Instrument Submitted By or Contact Person

Name: D. Sweeney
Firm: Mid-Atlantic Title Company
Address: 100 West Road Suite 215 Towson, MD 21204
Phone: Telephone: 410-321-6075 Fax: 410-337-8607

[X] 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

[X] Yes [ ] No Will the property being conveyed be the grantee's principal residence?
[ ] Yes [X] No Does transfer include personal property? If yes, identify: ____
[ ] Yes [X] 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.

Recordation			Geo	Map	Sub	Block
Land		TAX NOT REQUIRED	Zoning	Grid	Plat	Lot
Buildings		Director of Budget and Finance		Parcel	Section	Occ. Cd.
Total		BALTIMORE COUNTY, MARYLAND	Owner	Ex. St.	Ex. Cd.	

DUPLICATE PAID RECEIPT
RECORDATION TAXES 9/17/2004 OFLN
$775.00 CA
$.00 CK
ACCOUNT NO. 08-2100012691
RECEIPT REMARKS
REG WBOI MARKIN JRIC JMR
9/20/2004 9/17/2004 15:01:06 1
BUSINESS ACTUAL TIME DRW
RECORDATION
County, Maryland

COUNTY TRANSFER TAX
Per Sec 33-139

RECORDATION TAX
Per T.P. ART 12-108

Date 9/17/04

04-M-7353MID

THIS GRANT OF RIGHT-OF-WAY, Made this 6th day of July, 1989, by and between LILLIAN HORNER, party of the first part, Grantor, and DOROTHY HORNER, party of the second party, Grantee.

WHEREAS, Lillian Horner is owner of land in Baltimore County, more particularly described below, and Dorothy Horner is owner of adjoining land; and

WHEREAS, Lillian Horner and Dorothy Horner have agreed upon a right-of-way for the purposes hereinafter set out across said land of Lillian Horner in favor of Dorothy Horner and in favor of said land of Dorothy Horner;

NOW, THEREFORE, without monetary consideration but in fulfillment of the terms and conditions of the Agreement of August 9, 1985, by and between Lillian Horner, et al and Dorothy Horner, which Agreement is recorded among the Land Records of Baltimore County at Liber 7466, Folio 649, and the adequacy of which good and valuable consideration is hereby acknowledged, Lillian Horner, the said party of the first part, does grant and convey unto Dorothy Horner, the said party of the second part, her heirs, personal representatives and assigns, a right-of-way to be used for the purposes hereinafter set forth over the land of Lillian Horner in Baltimore County, more particularly described as follows:

Beginning for the same at a point in or near the center of Belfast Road, said point also being in and distant 108.75 feet from the end of the seventh or South 78°31' East 391 foot line described in a confirmatory deed from Mary Horner and Joshua L. Horner, Mary Emma Horner, Martha Horner Hanley, John Horner, Rosalie Horner, and Eliza Scott Horner Green to Peter Paul Horner and Lillian Horner, his wife, dated November 27, 1957 and recorded among the Land Records of Baltimore County,

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By 7-11-89

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 7-11-89

TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY, MARYLAND
Per
Date 7-11-89 Sec. 11-85 R/W

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
P. O. BOX 5506
TOWSON, MARYLAND 21204
(301) 823-1174

14

Maryland in Liber 3276, Page 451, said point also being at the end of the fifth or South 07°43'41" West 534.05 foot line described in a deed from Lillian Horner to P. Horner, Inc. dated May 11, 1983 and recorded among the aforesaid Land Records in Liber 6669, Page 256, thence running in or near the center of the said road and running reversely and binding on the aforesaid seventh line of the first mentioned conveyance for part of its distance, as now surveyed,

(1) North 77°53'01" West 20.08 feet, thence leaving the said road and the said seventh line and running for a new line of division through the land of the herein named grantor,

(2) North 07°04'14" East 530.38 feet to intersect the fourth line of the herein secondly described conveyance, thence running with and binding on the remainder of the said fourth line and all of the fifth line of the said deed the two following courses and distances, viz;

(3) South 88°22'47" East 20.09 feet to a capped rebar now set; and

(4) South 07°04'14" West 534.05 feet to the place of beginning.

Containing 0.244 acres of land more or less.

Being a part of the land conveyed and described in a deed from Patricia B. Medairy to Lillian Horner dated June 28, 1984 and recorded among the Land Records of Baltimore County, Maryland in Liber 6738, Page 365.

The right-of-way to be an easement over the land of Lillian Horner for the use and benefit of Dorothy Horner and of the land of Dorothy Horner, more particularly described in a deed from Alfred J. Szczerbicki, Trustee to Dorothy Horner, to be recorded immediately prior to the recordation of this instrument. The right-of-way to be used for ingress and egress and also for the installation of water, gas, electricity, and all utility purposes to and for said land of Grantee.

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE
P. O. BOX 5506
TOWSON, MARYLAND 21204
(301) 823-1174

TO HAVE AND TO HOLD the said described right-of-way unto the Grantee, her personal representatives, heirs and assigns, in fee simple.

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

C RC/F 14.00 #
SM CLERK 14.00
#22464 C001 R02 T11:11
07/11/89

WITNESS the hand and seal of the Grantor.

WITNESS:

Deborah L. Attwater Lillian Horner (SEAL)
Lillian Horner

STATE OF MARYLAND, ~~COUNTY~~ CITY OF BALTIMORE, to wit:

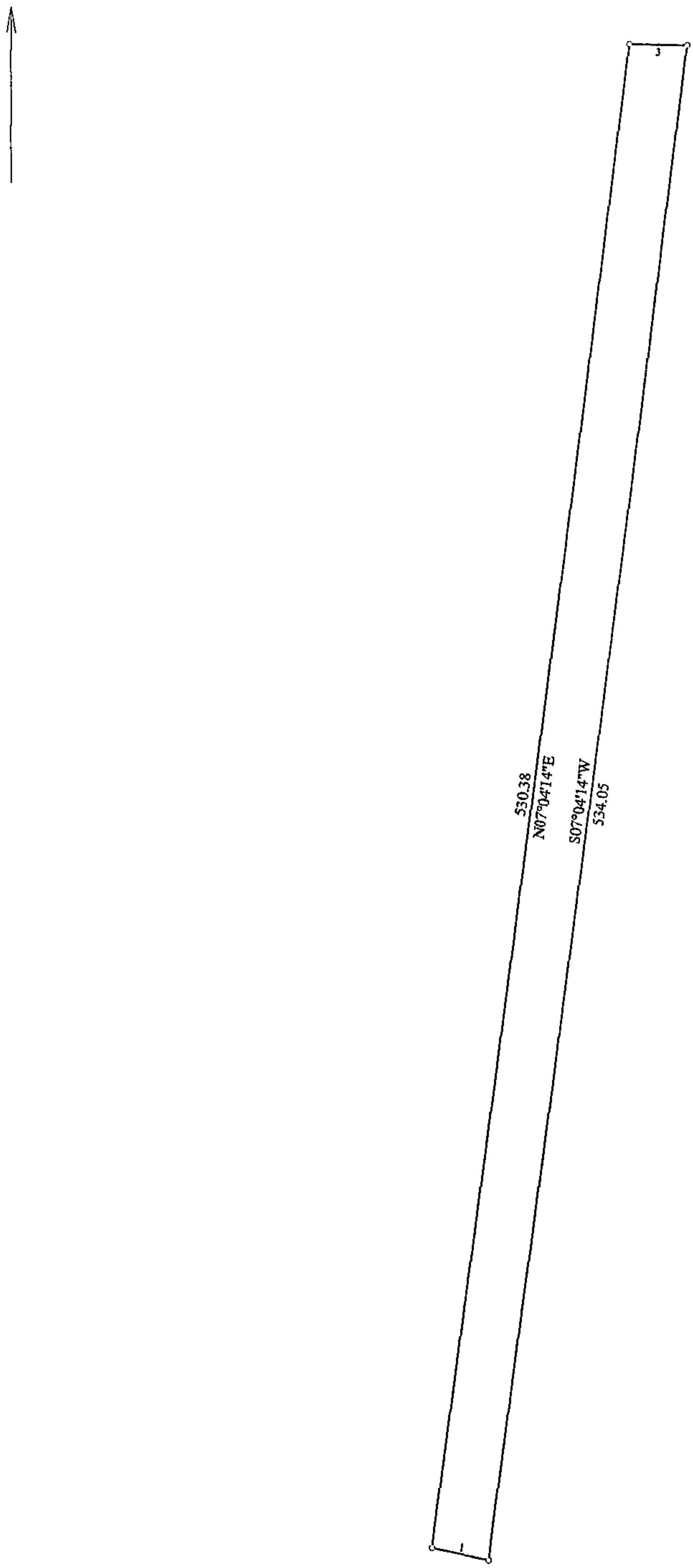
I HEREBY CERTIFY, That on this 6th day of July, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared LILLIAN HORNER, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, acknowledged that she executed 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.

Susan T. Brockman
Notary Public

My Commission Expires July 1, 1990.

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
P. O. BOX 5806
TOWSON, MARYLAND 21204
(301) 823-1174



Title: 8223/183 RW FROM LILLIAN HORNER TO DOROTHY HORNER	Date: 07-06-1989
Scale: 1 inch = 50 feet	File: 8223-183.des

Tract 1: 0.244 Acres: 10645 Sq Feet: Closure = s28.0450e 0.01 Feet: Precision =1/211278: Perimeter = 1105 Feet

001=N77.5301W 20.08
002=N07.0414E 530.38
003=S88.2247E 20.09 B&C
004=S07.0414W 534.05

Prior

Real Property Information

Maryland Department of Assessments and Taxation
Real Property System

[Go Back] [Start Over]

BALTIMORE COUNTY

DISTRICT: 08 ACCT NO: 2100012691

Owner Information

Owner Name: MILES DOROTHY HORNER

Mailing Address: 726 BELFAST RD
SPARKS MD 21152-9109

Use: RESIDENTIAL

Principal Residence: NO

Transferred From: P HORNER INC

Deed Reference: 1) / 8223/ 178
2)

Date: 06/13/1989 **Price:** $0

Special Tax Recapture:

* NONE *

Tax Exempt: NO

Location Information [View Map]

Premises Address:
BELFAST RD

Zoning:

Legal Description:
5.875 AC NSR
BELFAST RD RER 550 FT
1140 W YORK RD

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
34	3	379					81	Plat Ref:

Special Tax Areas

Town:

Ad Valorem:

Tax Class:

Primary Structure Data

Year Built:	Enclosed Area:	Property Land Area:	County Use:
0000		5.87 AC	04

Value Information

	Base Value	Current Value As Of 01/01/1999	Phase-In Value As Of 07/01/2001	Phase-in Assessments As Of 07/01/2000	Phase-in Assessments As Of 07/01/2001
Land:	91,040	58,260			
Impts:	0	0			
Total:	91,040	58,260	58,260	23,300	58,260
Pref Land:	0	0	0	0	0

Partial Exempt Assessments

	Code	07/01/2000	07/01/2001
County	000	0	0
State	000	0	0
Municipal	000	0	0

THIS CONFIRMATORY DEED, Made this 11th day of July, in the year one thousand nine hundred and eighty-nine by and between ALFRED J. SZCZERBICKI, Substituted Trustee, party of the first part, Grantor, and DOROTHY HORNER MILES (formerly Dorothy Horner), party of the second part, Grantee.

WHEREAS, by Agreement dated August 8, 1985, by and among P. Horner, Inc., Dorothy Horner and others (The "Agreement"), P. Horner, Inc. agreed, among other things, to subdivide a 23.7562 acre parcel of land described in the Agreement (the "Parcel"); and

WHEREAS, upon final approval of the subdivision of the parcel, P. Horner, Inc., agreed, pursuant to the terms of the Agreement, to convey to Dorothy Horner (now Dorothy Horner Miles) a 5.85 acre lot from the Parcel to be known as Lot No. 3 (the "Lot"); and

WHEREAS, P. Horner, Inc., did not comply with the terms of the Agreement including the promise to convey the Lot to Dorothy Horner; and

WHEREAS, Dorothy Horner subsequently filed a Complaint for Specific Performance requesting, among other things, that a trustee be appointed to:

1. specifically enforce the terms of the Agreement;
2. subdivide the Parcel in order to create Lot No. 3;
3. convey good title to Lot No. 3 to Dorothy Horner;

and

TRANSFERRED
BALTIMORE
For
Date 7-11-89

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
P. O. BOX 5506
TOWSON, MARYLAND 21204
(301) 823-1174

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By 7-11-89
Date

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 7-11-89

WHEREAS, on April 11, 1989, the Honorable Judge Edward A. DeWaters, Jr. of the Circuit Court for Baltimore County ordered that Richard J. Gilbert, Esquire be appointed Trustee to subdivide the Parcel in order to create Lot No. 3 such that Dorothy Horner Miles could take title to Lot No. 3 free and clear of all judgments, mortgages and deeds of trust (see Case No.: 87CSP12084); and

WHEREAS, on June 6, 1989, P. Horner, Inc. attempted to convey Lot No. 3 to Dorothy Horner Miles notwithstanding the April 11, 1989 Order of Court described herein; and

WHEREAS, on July 5, 1989, Alfred J. Szczerbicki, Esquire, was appointed Substituted Trustee to perform the duties as set forth in the Order of the Circuit Court for Baltimore County dated April 11, 1989.

NOW, THEREFORE, for no consideration, the said party of the first part, pursuant to an Order of the Circuit Court for Baltimore County dated April 11, 1989, does grant and convey unto the said party of the second part, her heirs and assigns, in fee simple, forever, all of that lot or parcel of ground located in Baltimore County and described as follows:

Beginning for the same at a point in and distant 499.88 feet from the end of the second or North 73°51'40" West 1380.06 foot line described in a confirmatory deed from Mary Horner and Joshua L. Horner, Mary Emma Horner, Martha Horner Hanley, John Horner, Rosalie Horner and Eliza Scott Horner Green to Peter Paul Horner and Lillian Horner, his wife, dated November 27, 1957 and recorded among the Land Records of Baltimore County, Maryland in Liber 3276, Page 451, said point also being in and distant 499.88 feet from the end of the second or North 73°51'40" West 1380.06 foot line described in a deed from Lillian Horner to P. Horner, Inc. dated May 11, 1983 and recorded among the aforesaid Land Records in Liber 6669, Page 256, thence running with and binding on the remainder of the last mentioned second line and on all of the third and fourth

LAW OFFICES
HANLEY AND HANLEY
208 WASHINGTON AVE.
P. O. BOX 5508
TOWSON, MARYLAND 21204
(301) 823-1174

lines of the last mentioned conveyance, as now surveyed, the three following courses and distances viz;

(1) North 73°59'05" West 499.88 feet to a capped rebar heretofore set at the end of the said second line,

(2) South 01°46'14" West 578.40 feet and

(3) South 88°22'47" East 510.00 feet to a capped rebar now set, thence running for a new line of division through the land of the herein named grantor,

(4) North 01°26'31" West 454.77 feet to the place of beginning.

Containing 5.875 acres of land more or less.

Being a part of the land conveyed and described in a deed from Lillian Horner to P. Horner, Inc. dated May 11, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6669, Page 256.

See, also Deed from P. Horner, Inc. to Dorothy Horner Miles, dated June 6, 1989, and recorded among the Land Records of Baltimore County, Maryland in Liber 8196, Folio 836.

TOGETHER with all improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise pertaining.

TO HAVE AND TO HOLD the said described Lot No. 3 unto the Grantee, her personal representatives, heirs and assigns, in fee simple.

WITNESS the hand and seal of the Grantor.

WITNESS:

LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE
P. O. BOX 5808
TOWSON, MARYLAND 21204
(301) 823-1174

Jacqueline D Pinson

Alfred J. Szczerbicki (SEAL)
Alfred J. Szczerbicki,
Substituted Trustee

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 11th day of July, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared ALFRED J. SZCZERBICKI, Substituted Trustee, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, acknowledged that he 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.

Jacqueline D Pendoll
Notary Public

My Commission Expires July 1, 1990.

C RC/F 23.00 #
DEED 23.00
SH CLERK
#22463 C001 R02 T11:11
07/11/89

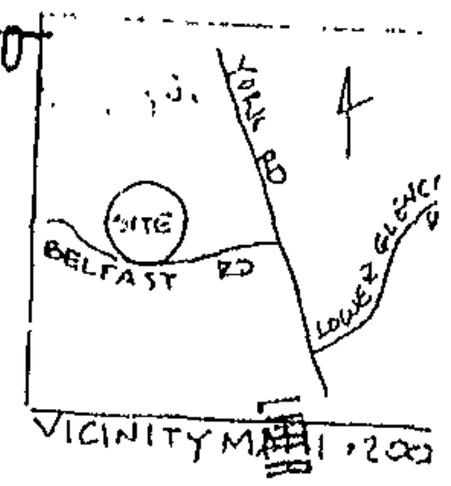
LAW OFFICES
HANLEY AND HANLEY
206 WASHINGTON AVE.
P. O. BOX 5508
TOWSON, MARYLAND 21204
(301) 823-1174

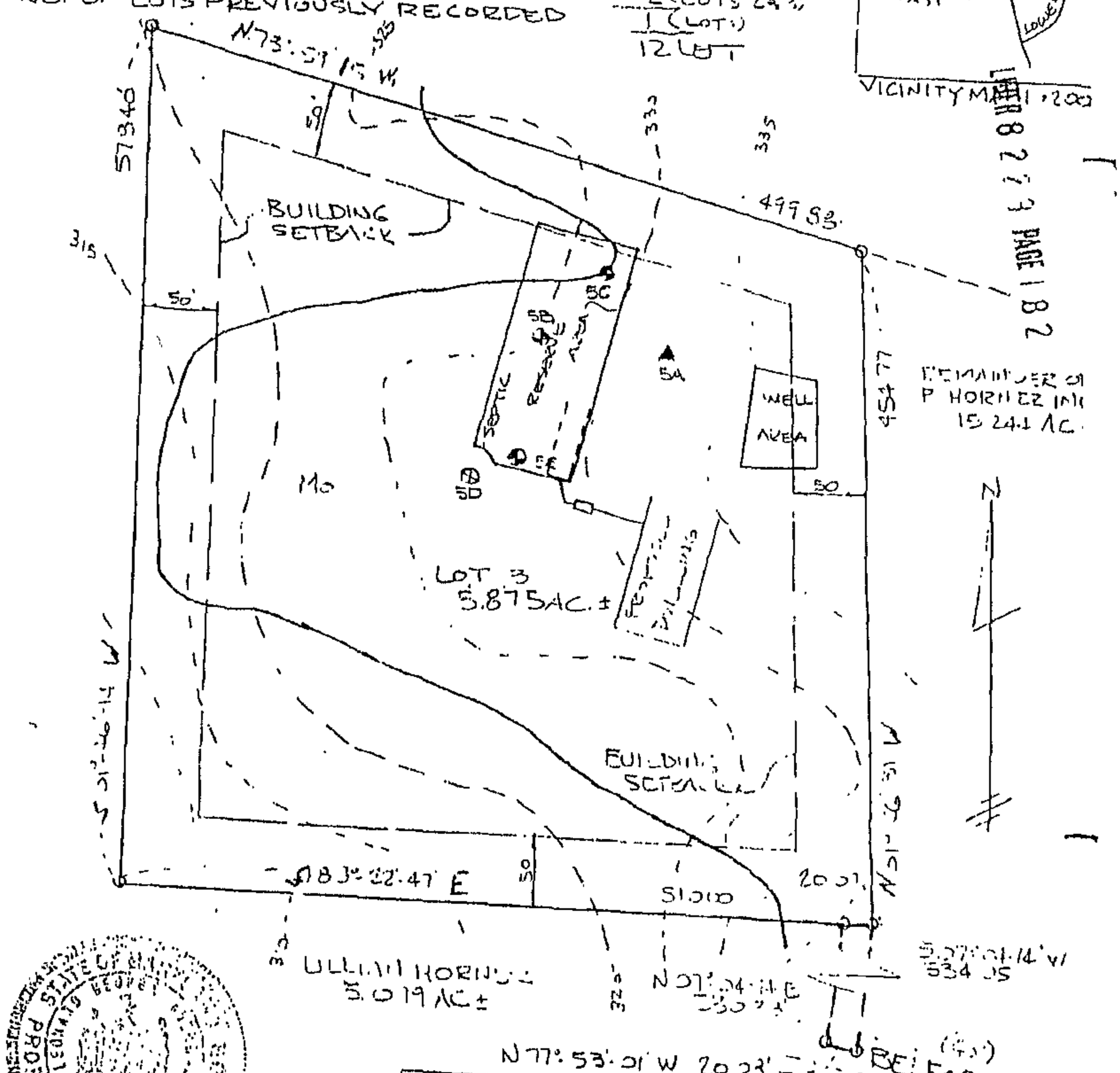
NOTES

EXHIBIT - A PAGE 840

1. BEARINGS AND DISTANCES TAKEN FROM A PLAT BY THE WILSON T. BALLARD CO. DATED 3-22-89
2. EXISTING ZONING R.C.5

GROSS ACREAGE	23.953 Ac ±
NO. OF LOTS ALLOWED	15
NO. OF LOTS SHOWN	2 (LOTS 2 & 3)
NO. OF LOTS PREVIOUSLY RECORDED	1 (LOT 1)
	12 LOTS





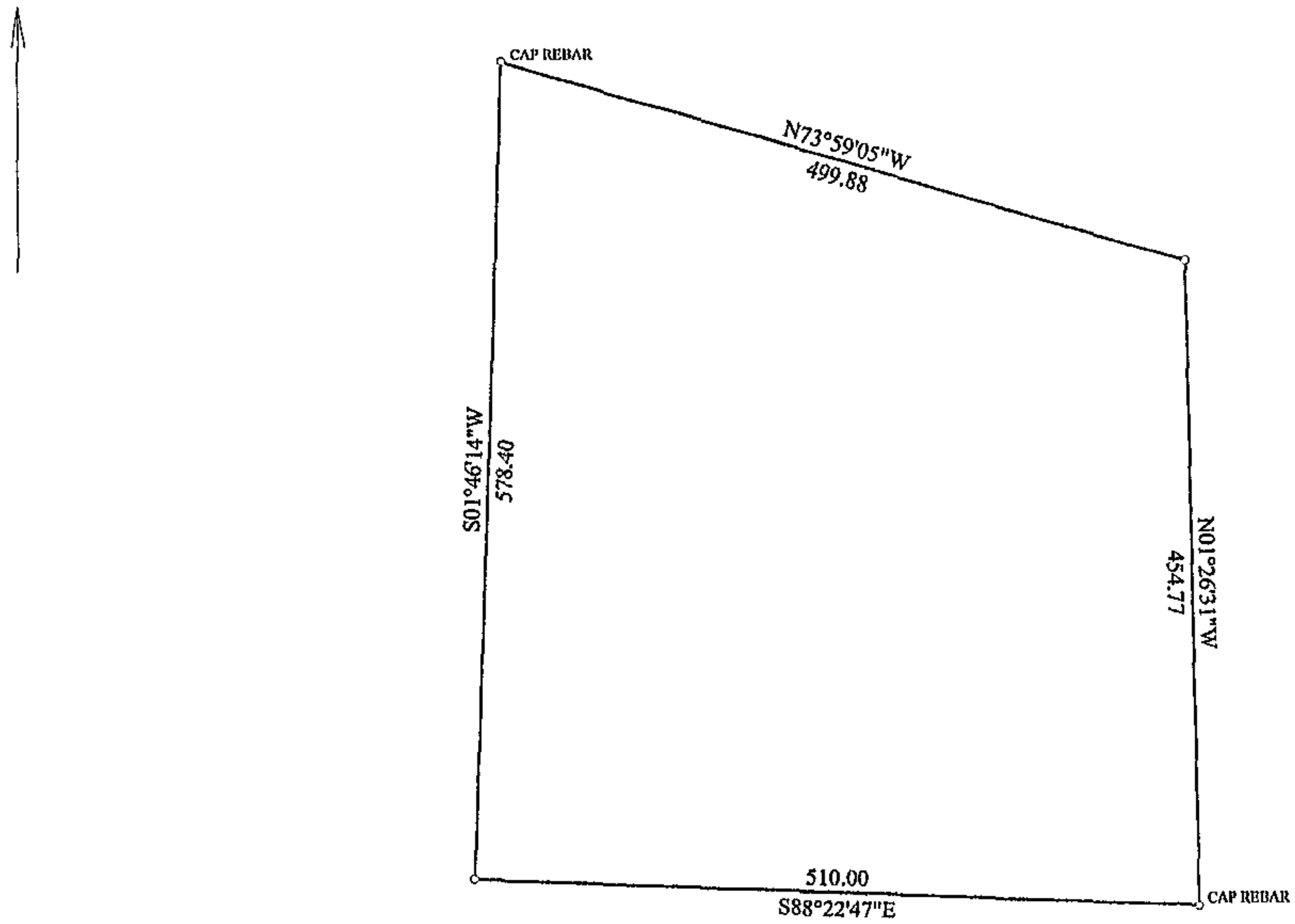
PREPARED BY L.G. BUERNAUS
PROPERTY LINE SURVEYOR #349

Leonard G. Buernaus 5/13/87

APPROVED: DEPT. OF ENVIRONMENTAL PROTECTION & RESOURSE MANAGEMENT

Robert W. Shanley 5-23-89
DIRECTOR DATE

P. HORNER INC
LOT 3
8TH ELEC. DIST. BALTO CO., MD.
SCALE: 1" = 100'
APR 1989



454.77
-190.00
264.77

Title: 8223-179 PARCEL 379		Date: 07-11-1989
Scale: 1 inch = 150 feet	File: 8223-179 PARCEL 379.des	

Tract 1: 5.875 Acres: 255921 Sq Feet: Closure = n29.3932w 0.01 Feet: Precision =1/385960: Perimeter = 2043 Feet

001=N73.5905W 499.88 CAP REBAR
002=S01.4614W 578.40
003=S88.2247E 510.00 CAP REBAR
004=N01.2631W 454.77

File No. 4035

Return to: Michael T. Wyatt, Esquire
Marlow & Wyatt
404 Allegheny Avenue
Towson, MD 21204
410-821-1013

AMENDED AND RESTATED
EASEMENT AGREEMENT

THIS AMENDED AND RESTATED EASEMENT AGREEMENT is made this 28th day of October, 2004, by and between P. HORNER, INC., a Maryland Corporation, party of the first part, and DOROTHY HORNER (also known as Dorothy Horner Miles) and TIMOTHY R. MILES, parties of the second part.

WITNESSETH:

WHEREAS, by Deed dated May 11, 1983 and recorded among the Land Records of Baltimore County in Liber 6669, folio 256, the party of the first part acquired all that tract of land shown on a October 8, 2004 APR Associates, Inc.'s "Plat to Accompany Description of Private Sewage Disposal Area" attached hereto as "Exhibit A" and referred to as the "P. Horner, Inc. Parcel".

WHEREAS, by Deed dated July 11, 1989 and recorded among the Land Records of Baltimore County in Liber 8223, folio 178, Dorothy Horner (also known as Dorothy Horner Miles) acquired all that tract of land shown on a October 8, 2004 APR Associates, Inc.'s "Plat to Accompany Description of Private Sewage Disposal Area" attached hereto as "Exhibit A" and referred to as the "Dorothy Horner Miles Parcel".

WHEREAS, by Deed dated September 1, 2004 and recorded among the Land Records of Baltimore County in Liber 20705, folio 499, Dorothy Horner (also known as Dorothy Horner

Miles) did grant and convey the aforesaid "Dorothy Horner Miles Parcel" to herself and Timothy R. Miles, as tenants by the entireties.

WHEREAS, the party of the second part desires and intends to construct a single-family residence on the Dorothy Horner Miles Tract.

WHEREAS, by Easement Agreement dated August 9, 2001 and recorded among the Land Records of Baltimore County in Liber 15475, folio 601, the said party of the first part did grant the party of the second part an easement for the construction and maintenance of a private sewage disposal area all as more particularly set forth and delineated on the aforesaid Easement Agreement.

WHEREAS, since the execution, delivery and recording of the earlier Easement Agreement, the parties have redefined, reconfigured and re-delineated the easement area all as more particularly set forth in the attached "Plat to Accompany Description of Private Sewage Disposal Area" by APR Associates, Inc. dated October 8, 2004 attached hereto as "Exhibit A" and described by metes and bounds on APR Associates, Inc.'s "Description of Easement for Private Sewage Disposal Area" attached hereto as "Exhibit B".

NOW, THEREFORE, in consideration of the above recitals which shall be deemed a substantive part of this Amended and Restated Easement Agreement and not merely prefatory in nature, and for other good and valuable consideration, the delivery and adequacy of which is hereby acknowledged, the said party of the first part and party of the second part hereby covenant and agree as follows:

1. The party of the first part hereby creates and grants to the party of the second part an easement as shown on Exhibit A and described on Exhibit B on, over, under and across that area

shown and described in such Exhibits for the purpose of constructing and maintaining a private sewage disposal area, including the right of ingress and egress to install, maintain, test, and replace, if necessary, the water lines, sewage pipes, septic fields and tanks on, over, under and across the easement area.

2. The benefit and burden of the easement hereby created herein shall run with and bind upon the title to the P. Horner, Inc. Parcel and the Dorothy Horner Miles Parcel and shall inure to the benefit of and bind upon the party of the first part, the party of the second part, and their respective successors, heirs and assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written intending that this Agreement be bound under seal as defined under the laws of the State of Maryland.

ATTEST: P.HORNER, INC.

_____ By: _____ (SEAL)
Lilian Horner, President

WITNESS:

_____ _____ (SEAL)
Dorothy Horner (also known as
Dorothy Horner Miles

_____ _____ (SEAL)
Timothy R. Miles

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 28th day of October, 2004, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Lilian Horner, who acknowledged herself to be the President of P. Horner, Inc., a body corporate, and that she, being authorized so to do, executed the aforegoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by herself as such President.

AS WITNESS my hand and Notarial Seal

Notary Public

MICHAEL T. WYATT NOTARY PUBLIC BALTIMORE COUNTY, MD.

My commission expires: 6.1.06

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 28th day of October, 2004, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Dorothy Horner (also known as Dorothy Horner Miles) and Timothy R. Miles, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing to be their act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

Notary Public

MICHAEL T. WYATT NOTARY PUBLIC BALTIMORE COUNTY, MD.

My commission expires: 6.1.06

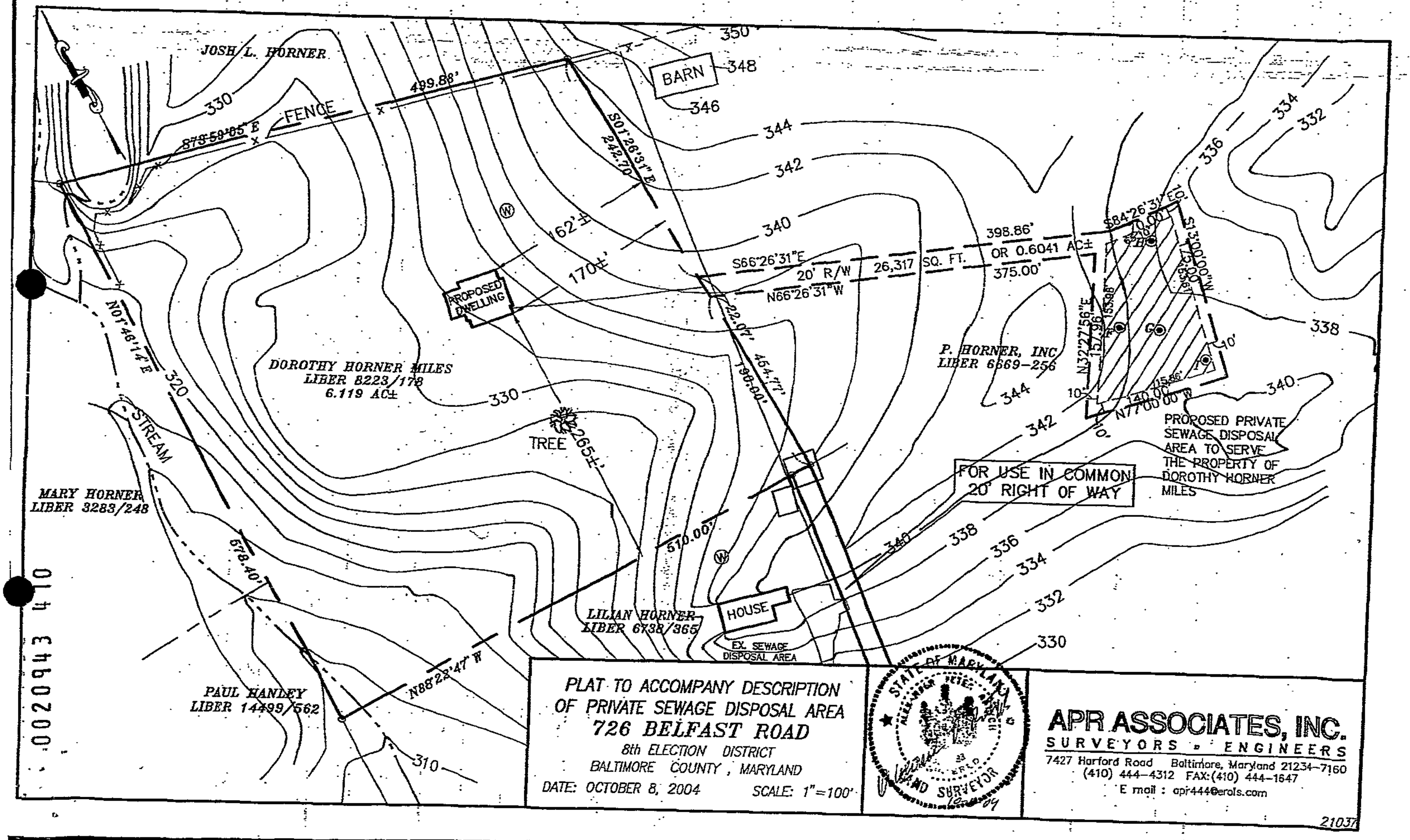
CERTIFICATION OF COUNSEL

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

Michael T. Wyatt

c:\clients\re\horner\amd&restatedcasementagmnt
glc 10/28/04

EXHIBIT A



PLAT TO ACCOMPANY DESCRIPTION
OF PRIVATE SEWAGE DISPOSAL AREA
726 BELFAST ROAD
8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: OCTOBER 8, 2004 SCALE: 1"=100'

STATE OF MARYLAND
PROFESSIONAL LAND SURVEYOR

APR ASSOCIATES, INC.
SURVEYORS • ENGINEERS
7427 Harford Road Baltimore, Maryland 21234-7160
(410) 444-4312 FAX:(410) 444-1647
E mail : apr444@erols.com

21037

APR ASSOCIATES, INC.
LAND • SURVEYORS

DESCRIPTION OF EASEMENT
FOR PRIVATE SEWAGE DISPOSAL AREA
PROPERTY OF P. HORNER, INC.
YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the last or North 01 degrees 26 minutes 31 seconds West 454.77 foot line of a parcel of land which by a Confirmatory Deed dated July 11, 1989 and recorded among the Land Records of Baltimore County in Liber 8223, page 178, was conveyed by Alfred J. Szuzerbicki, substituted Trustee, to Dorothy Homer Miles, said point being situate 190.00 feet from the beginning of said last line; thence binding along a part of said line; as now surveyed, North 01 degrees 26 minutes 31 seconds West 22.07 feet; thence leaving the outlines of the above mentioned parcel and running for new lines of division through the adjacent property of P. Homer, Inc., as described in the Deed recorded among the Land Records of Baltimore County in Liber 6669, Folio 256, the following 6 courses and distances: 1) South 66 degrees 26 minutes 31 seconds East 398.86 feet, 2) North 84 degrees 26 minutes 31 seconds East 70.00 feet, 3) South 13 degrees 00 minutes 00 seconds West 175.00 feet, 4) North 77 degrees 00 minutes 00 seconds West 140.00 feet, 5) North 32 degrees 27 minutes 56 seconds East 157.96 feet and 6) North 66 degrees 26 minutes 31 seconds West 375.00 feet; Containing 26,317 square feet or 0.6041 Ac.±.
10/13/04

STATE OF MARYLAND
No. 3423
REGISTERED
LAND SURVEYOR

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

EXHIBIT B

0020943 472

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: BALTIMORE

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

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

Space Reserved for Clerk Recording Validation

INT FD SURE $ 20.00
RECORDING FEE 20.00
TOTAL 40.00
RECT# BA05 RCPT # 65838
CH LL BLK # 427
NOV 08, 2004 10:38 am

1 Type(s) of Instruments — ☐ Check Box If addendum Intake Forms Attached

☐ Deed	☐ Mortgage	☒ Other EASEMENT AGREEMENT	☐ Other JOINDER
☐ Deed of Trust	☐ Lease		

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:

4 Consideration and Tax Calculations

Consideration Amount		Finance Office Use Only
Purchase Price/Consideration	$	Additional Recordation Tax Consideration
Any New Mortgage	$	Less Consideration
Balance of Existing Mortgage	$	X =
Other:	$	Less Exemption Amount
		Total Taxable
Other:	$	Recordation Tax Consideration
		X .44 =
Full Cash Value	$	TOTAL DUE

5 Fees

Amount of Fees		Distribution of Fees	
Recording Charge	$ 20.00	$ 20.00	Agent: Kristi
Surcharge	$ 20.00	$ 20.00	Date:
State Recordation Tax	$	$	CB Check #
State Transfer Tax	$	$	
County Transfer Tax	$	$	Total Paid:
Other	$	$	
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: 08 Property Tax ID No.: 2100012091 Map: Parcel No.: Plat No.: Plat Page:
Subdivision Name: Lot/Unit: Block: Section: Phase: Sq Ft/Acreage:
Location/Address of Property Being Conveyed: 7261 BELFAST ROAD SPARKS MD 21152
Other Identifiers (if applicable): Water Meter Account No.:
☐ Residential ☐ Non-Residential ☐ Improved ☐ Unimproved ☐ Condo ☐ Agricultural
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): P. HORNER INC
Doc 2 Grantor(s) Name(s):

8 Transferred To

Doc 1 Grantee(s) Name(s): DOROTHY HORNER-MILES, TIMOTHY R. MILES
Doc 2 Grantee(s) Name(s): MIDSTATE FEDERAL SAVINGS & LOAN
Grantee Mailing Address: 4034 BOLAND AVENUE BALTIMORE MD 21211

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: MICHAEL T. WYATT
Firm: MARLOWE WYATT
Address: 404 ALLEGHENY AVE
TOWSON MD 21204 Phone: (410) 821-1013

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

11 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).

IMPORTANT: BOTH ORIGINAL AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Space Reserved for County Validation

☐ Land Verification ☐ Calculation Verification ☐ Water Meter ☐ Mail Out ☐ Tax Phase Verification
Transfer Number: Date Entered: Date Verified: Date Mailed: Assessment Roll Year:
Year: Map: Sub Map: Parcel: Block: Lot: Grid: Plat: Plat Page:
Building: Section: Block: Lot: Unit: Phase: Special Tax Area: Ward: Census Tract:
Folio: Liber: Folio: Land Use Code: Primary Dwelling Square Footage:
REMARKS:
DIRECTOR OF FINANCE
BALTIMORE COUNTY, MARYLAND
COUNTY TRANSFER TAX
Sec. 33.131
RECORDATION TAX
Per T.P. ART 12-108
Date 11/04/04

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

4035

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 9th day of August, 2001, by and between P. HORNER, INC., a Maryland Corporation, party of the first part, and DOROTHY HORNER (formerly known as Dorothy Horner Miles), party of the second part.

WITNESSETH:

WHEREAS, by Deed dated May 11, 1983 and recorded among the Land Records of Baltimore County in Liber 6669, folio 256, the party of the first part acquired all that tract of land shown on a July 18, 2001 APR Associates, Inc.'s "Plat to Accompany Description of Private Sewage Disposal Area" attached hereto as "Exhibit A", the tract being hereafter referred to as the "P. Horner, Inc. Parcel".

WHEREAS, by Deed dated July 11, 1989 and recorded among the Land Records of Baltimore County in Liber 8223, folio 178, the party of the second part acquired all that tract of land shown on a July 18, 2001 APR Associates, Inc.'s "Plat to Accompany Description of Private Sewage Disposal Area" attached hereto as "Exhibit A", the tract being hereafter referred to as the "Dorothy Horner Miles Parcel".

WHEREAS, the party of the second part desires and intends to construct a single-family residence on the Dorothy Horner Miles Tract.

WHEREAS, in order to accommodate said single-family residence the party of the first part is willing to grant to the party of the second part an easement for the construction and maintenance of a private sewage disposal area to serve the Dorothy Horner Miles parcel, as more particularly set forth herein and delineated on "Exhibit A" and described by metes and bounds on APR Associates, Inc.'s "Description of Easement for Private Sewage Disposal Area" attached hereto as "Exhibit B".

NOW, THEREFORE, in consideration of the above recitals which shall be deemed a substantive part of this Easement Agreement and not merely prefatory in nature, and for other good and valuable consideration, the delivery and adequacy of which is hereby acknowledged, the said party of the first part and party of the second part hereby covenant and agree as follows:

1. The party of the first part hereby creates and grants to the party of the second part an easement as shown on Exhibit A and described on Exhibit B on, over, under and across that area shown and described in such Exhibits for the purpose of constructing and maintaining a private sewage disposal area, including the right of ingress and egress to install, maintain, test, and replace, if necessary, the water lines, sewage pipes, septic fields and tanks on, over, under and across the easement area.

2. The benefit and burden of the easement hereby created herein shall run with and bind upon the title to the P. Horner, Inc. Parcel and the Dorothy Horner Miles Parcel and shall inure to the benefit of and bind upon the party of the first part, the party of the second part, and their respective successors, heirs and assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written intending that this Agreement be bound under seal as defined under the laws of the State of Maryland.

ATTEST:

P.HORNER, INC.

By Lillian Horner (SEAL)
Lilian Horner, President

WITNESS:

Dorothy Horner (SEAL)
Dorothy Horner

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 9th day of August, 2001, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Lilian Horner, who acknowledged herself to be the President of P. Horner, Inc., a body corporate, and that she, being authorized so to do, executed the aforegoing instrument for the purposes therein contained, by signing in my presence, the name of the corporation by herself as such President.

AS WITNESS my hand and Notarial Seal

Notary Public

MICHAEL T. WYATT NOTARY PUBLIC BALTIMORE COUNTY, MD.

My commission expires: 6/1/02

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 9th day of August, 2001, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Dorothy Horner, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, and acknowledged the foregoing to be her act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

Notary Public

MICHAEL T. WYATT NOTARY PUBLIC BALTIMORE COUNTY, MD.

My commission expires: 6/1/02

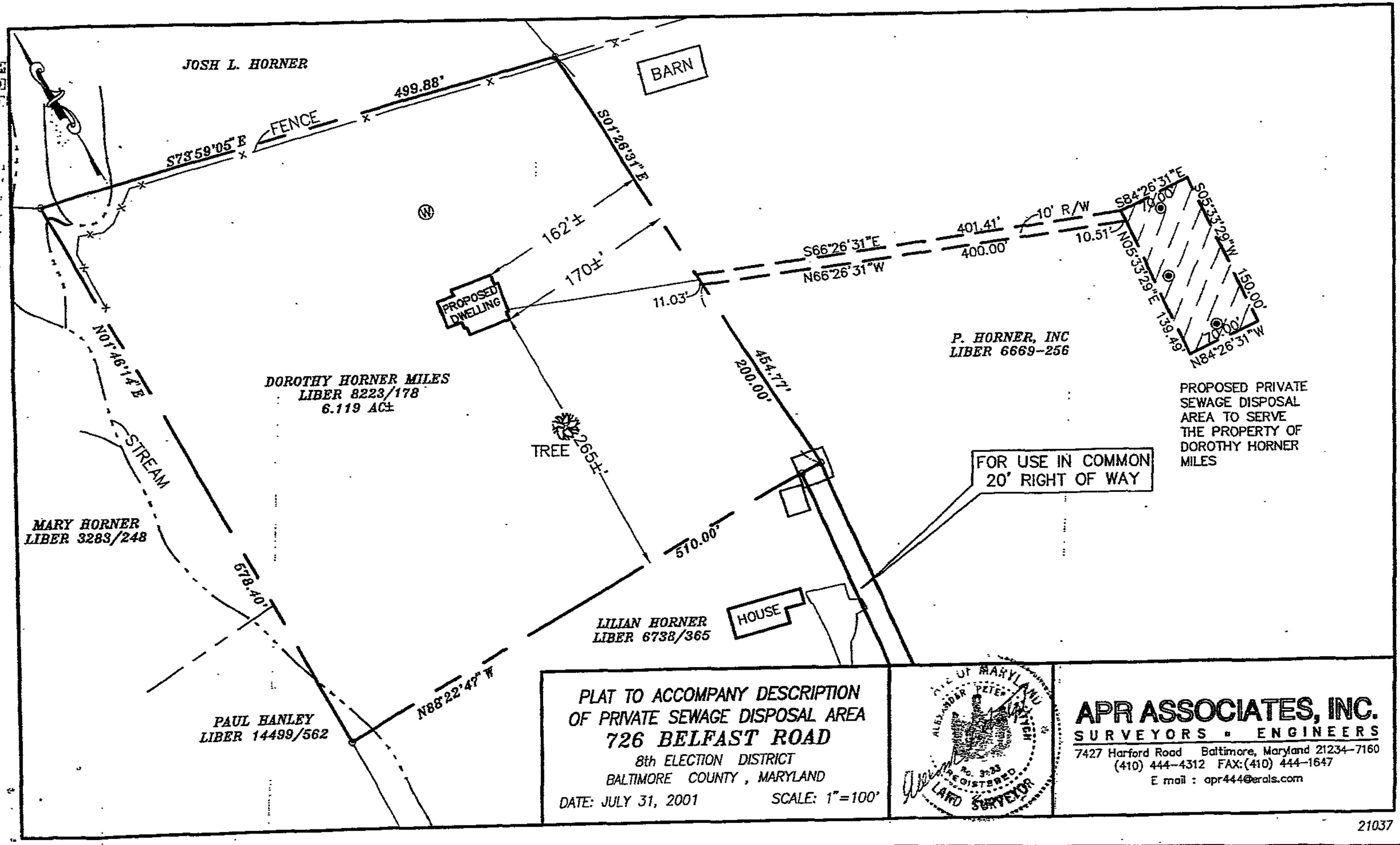
CERTIFICATION OF COUNSEL

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

Michael T. Wyatt

c:\clients\re\horner\easementagrmt
glc 8/9/01

EXHIBIT A



00015475 604

APR ASSOCIATES, INC.
ENGINEERS • SURVEYORS

DESCRIPTION OF EASEMENT
FOR PRIVATE SEWAGE DISPOSAL AREA
PROPERTY OF LILLIAN HORNER
BELFAST ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the last or North 01 degrees 26 minutes 31 seconds West 454.77 foot line of a parcel of land which by a Confirmatory Deed dated July 11, 1989 and recorded among the Land Records of Baltimore County in Liber 8223, page 178, was conveyed by Alfred J.Szuzerbicki, substituted Trustee, to Dorothy Horner Miles; said point being situate 200.00 feet from the beginning of said last line; thence binding along a part of said line; as now surveyed, North 01 degrees 26 minutes 31 seconds West 10.45 feet; thence leaving the outlines of the above mentioned parcel and running for new lines of division through the adjacent property of P. Horner, Inc. as described in the Deed between Lillian Horner and P. Horner, Inc. dated May 11, 1983 and recorded in Liber 6669, page 256, the following 6 courses and distances:
1) South 66 degrees 26 minutes 31 seconds East 401.41 feet, 2) North 84 degrees 26 minutes 31 seconds East 70.00 feet, 3) South 05 degrees 33 minutes 29 seconds West 150.00 feet, 4) North 84 degrees 26 minutes 31 seconds West 70.00 feet, 5) North 05 degrees 33 minutes 29 seconds East 139.49 feet and 6) North 66 degrees 26 minutes 31 seconds West 400.00 feet; Containing 0.333 Ac. ±.

08/09/01

STATE OF MARYLAND
ALEXANDER PETER KATZ
No. 30387 - 11-9-01
REGISTERED
LAND SURVEYOR

7427 Harford Road
Baltimore, Maryland 21234-7160
(410) 444-4312
Fax: (410) 444-1647

EXHIBIT B

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

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

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

Space Reserved for Clerk Recording Validation

INFO'D SURE $ 5.00
RECORDING FEE 20.00
TOTAL 25.00
RECD BA84 Rcpt # 90861
SKT TO Blk # 2433
AUG 16, 2001 02:19 PM

1 Type(s) of Instruments (☐ Check Box if Addendum Intake Form is Attached.)

☐ Deed ☐ Mortgage ☒ Other Easement Agmt. ☐ Other
☐ Deed of Trust ☐ Lease

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	

4 Consideration and Tax Calculations

Consideration Amount	
Purchase Price/Consideration	$ 0.
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	$

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: Eas
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)
	19006111054 / 21000026691				

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 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)	Doc. 2 - Grantor(s) Name(s)
P. Horner, Inc.	
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)
Dorothy Horner	

New Owner's (Grantee) Mailing Address
4034 Roland Ave. Baltimore MD 21211

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: Michael T. Wyatt
Firm: Marlow & Wyatt
Address: 404 Allegheny Avenue
Towson, MD 21204 Phone (410) 821-1013

☒ 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.:

	20	20					
Year			Geo.	Map		Sub	Block
Land			Zoning	Grid		Plat	Lot
Buildings			Use	Parcel			Cd.
Total			Town Cd.	Ex. St.			

REMARKS:

TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND

☐ COUNTY TRANSFER TAX
Per _____ Sec. 33-139

☐ RECORDATION TAX
Per _____ T.P. ART 12-108

Date 8/16/01

☐ COUNTY TRANSFER TAX
Per _____ Sec. 33-139

☐ RECORDATION TAX
Per _____ T.P. ART 12-108

TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND

Space Reserved for County Validation

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

NW 23-C
NW 23-B
BELFAST
Copyright (C) 2003 Baltimore County, Maryland

PETITIONER'S

EXHIBIT NO. 3

PETITIONER'S

EXHIBIT NO. 2

-/14
BW

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 2, 2005

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

SUBJECT: 726 A Belfast Road

INFORMATION:

Item Number: 5-373

Petitioner: Timothy R. Miles

Zoning: RC 2

Requested Action: Special Hearing

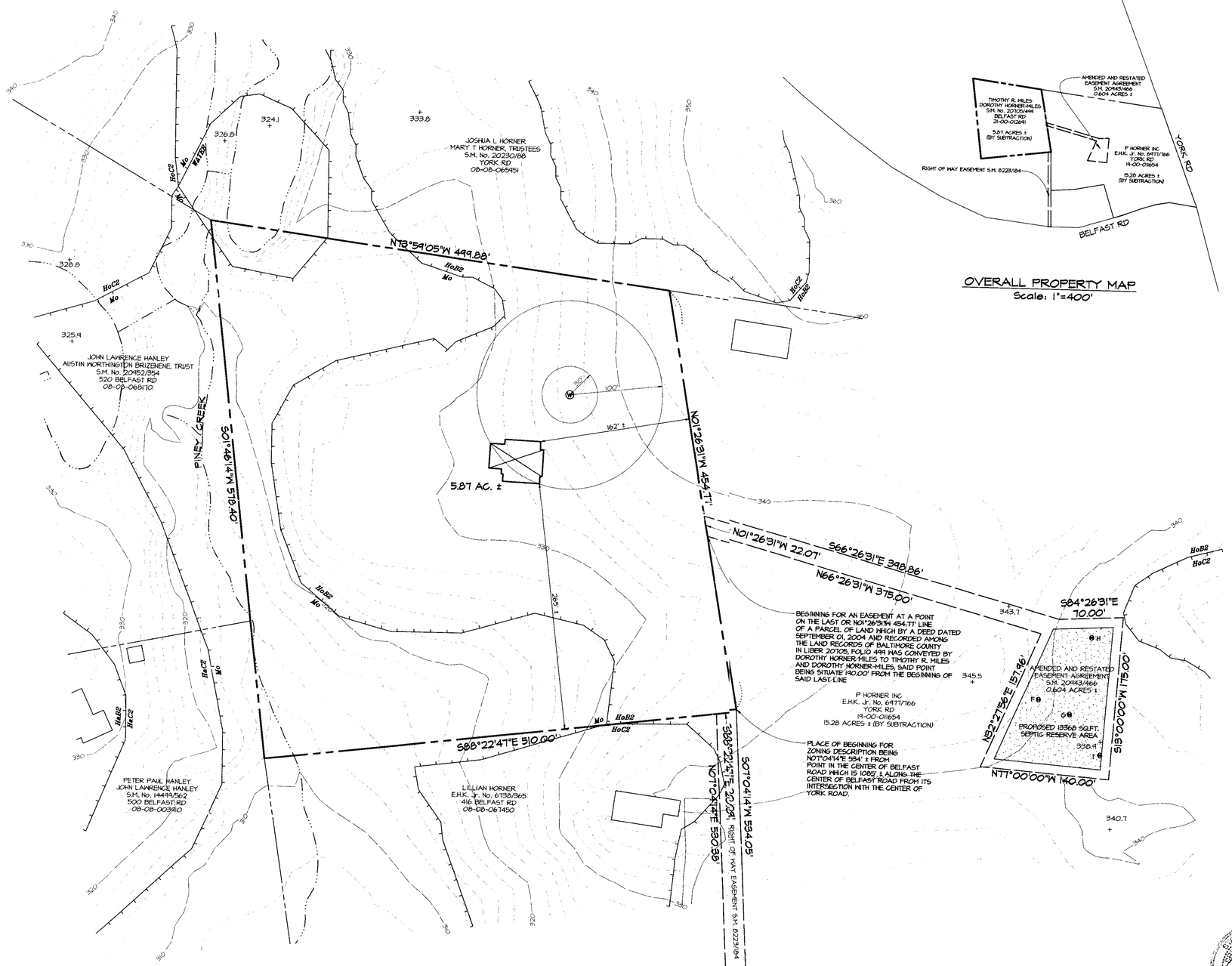
SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

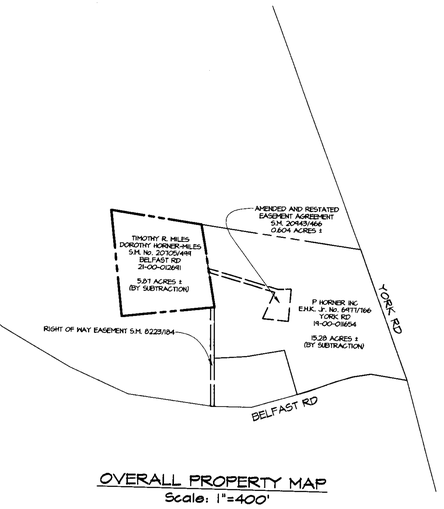
1. The petitioner shall pursue a lot-line adjustment/subdivision to make the easement area associated with the proposed septic reserve area and the 5.87-acre parcel into one lot prior to the issuance of the Certificate of Occupancy for the proposed dwelling on the subject property.
2. Revise the site plan to show all structures, well area, and septic reserve area that are currently on the 15.28-acre parcel to the east of the parcel to be developed.

Prepared by: Marsha A Cummings

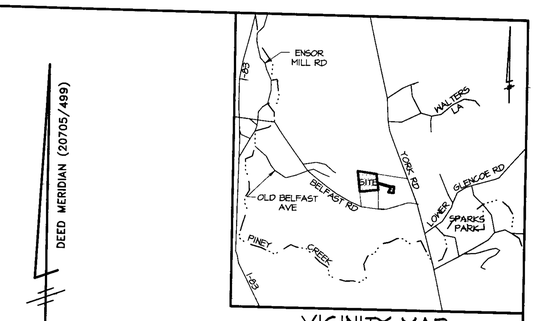
Division Chief: Jeff Mayhew

AFK/LL:MAC:





OVERALL PROPERTY MAP
Scale: 1"=400'



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER S.M. No. 20705, FOLIO 499.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 34B1
3. THE SOIL TYPES SHOWN HEREON HERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 13.
4. CENSUS TRACT 4081.00 REGIONAL PLANNING DISTRICT 304
   WATERSHED LOCH RAVEN SUBSEWERSHED NONE
   SCHOOL DISTRICT: ELEMENTARY - SPARKS E.S.; MIDDLE - HEREFORD M.S.; HIGH - HEREFORD H.S.
   A.D.C. MAP & GRID 12 F6
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THE 5.8715 ACRE PARCEL, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE JULY 11, 1989. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.

SPECIAL HEARING REQUEST

TO ALLOW AN ACCESSORY USE SEPTIC SYSTEM TO BE LOCATED ON AN ADJOINING PROPERTY.

BEGINNING FOR AN EASEMENT AT A POINT ON THE LAST OR N01°26'31"W 454.71' LINE OF A PARCEL OF LAND WHICH BY A DEED DATED SEPTEMBER 01, 2004 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 20705, FOLIO 499 HAS CONVEYED BY DOROTHY HORNER-MILES TO TIMOTHY R. MILES AND DOROTHY HORNER-MILES, SAID POINT BEING SITUATE 190.00' FROM THE BEGINNING OF SAID LAST LINE

PLACE OF BEGINNING FOR ZONING DESCRIPTION BEING N07°04'14"E 534' ± FROM POINT IN THE CENTER OF BELFAST ROAD WHICH IS 1085' ± ALONG THE CENTER OF BELFAST ROAD FROM ITS INTERSECTION WITH THE CENTER OF YORK ROAD.

LEGEND

- PASSED PERC TEST
- PROPOSED WELL AREA
- PROPOSED DWELLING
- EXISTING BUILDING
- SOIL LINE
- EXISTING PAVING
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/BASEMENT	STREETS & PARKING
HoB2, HoB2	Slight	Slight	Moderate: slope
HoC2, HoC2	Moderate: slope	Moderate: slope	Severe: slope
Mo	Severe: high water table; poor natural drainage	Severe: high water table; poor natural drainage	Severe: high water table; poor natural drainage

373

PLAT TO ACCOMPANY A PETITION
FOR A SPECIAL HEARING

HORNER-MILES PROPERTY

726-A BELFAST ROAD
Deed Ref: S.M. No. 20705 folio 499
Tax Account No.: 21-00-012691
Zoned R.C.- 2; Map NW-23B
Tax Map 34; Grid 3; Parcel 379
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

STATE OF MARYLAND PROFESSIONAL ENGINEER 1/26/05

Scale: 1"=60' Date: DECEMBER 29, 2004

OWNER
TIMOTHY R MILES
DOROTHY HORNER-MILES
4034 ROLAND AVENUE
BALTIMORE, MARYLAND 21211

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE
REVISE REQUEST AND ADD PROPERTY MAP	01-26-2005

COMPUTED:	DRAWN: K.D.B.	CHECKED: M.E.A.	FILE:X:\Horner\20

PETITIONER'S EXHIBIT NO. 1