IN RE: **PETITIONS FOR SPECIAL HEARING & VARIANCE** – SW/S Pine Spring Lane, 933' S of the c/l Greenspring Avenue **(Tax Parcel 342, Greenspring Avenue)** 4th Election District 3rd Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 06-468-SPHA
Roger L. Michel, et ux Petitioners	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Roger L. Michel, and his wife, Linda B. Michel, through their attorney, Michael P. Tanczyn, Esquire. The Petitioners request alternative special hearing and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit development of the subject property with a single-family dwelling. As filed, the Petition for Special Hearing requests relief as follows: **1)** Pursuant to Section 1A04.3.B.1.B of the B.C.Z.R., to approve the subject property as a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2003, and does not meet the minimum acreage requirement or setback requirements of Paragraph 2, by special hearing, and to alter the minimum lot size requirement. **2)** Second, or in the alternative, relief is requested to approve the subject property as an undersized lot, pursuant to Section 304.1 of the B.C.Z.R., and allow one single-family detached dwelling on a lot having an area or width at the building line less than that required by the regulations. **3)** Third, relief is requested pursuant to Section 1A04.3.B.4 of the B.C.Z.R. to allow a single-family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in

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Date 9-7-06
By

accordance with the standards prescribed in force at the time of the lot recordation. In addition to the special hearing relief sought, the Petitioners request a variance from Section 1A04.3.B.2.B of the B.C.Z.R. to permit side yard setbacks of 30 feet (north) and 20 feet (south), in lieu of the minimum required 50 feet. 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 Roger L. and Linda B. Michel, property owners, and their attorney, Michael P. Tanczyn, Esquire. Also present were Herbert Malmud, the Surveyor who prepared the site plan for this property. In addition, Diana Itter, a Community Planner with the Office of Planning appeared and provided her analysis of the proposal. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped, unimproved parcel located on the west side of Pine Spring Lane, just west of Dover Road, in Owings Mills. Pine Spring Lane is a private road that provides access for the subject parcel and adjacent lots to Greenspring Avenue. The property is approximately 100 feet wide by 440 feet deep, and contains 43,908 sq.ft., or a gross area of 1.01 acres, zoned R.C.5.

The Petitioners have owned the subject property and an adjacent parcel on which they reside since 1983. Alternative special hearing and variance relief as set forth above are requested in order to allow development of the subject property with a single family dwelling. In support of the request, the Petitioners offered the following facts, which are not in dispute. The property is identified as Tax Parcel 342 of Greenspring Avenue, and was previously subdivided according to the deed history introduced as Petitioner's Exhibit 2, from a common parcel of 32 acres that was created on May 15, 1945. The overall tract was conveyed February 18, 1969 from Helen McCabe to Karl and Estella Zinkhan, and was described as three lots, which included the subject Parcel 342, the adjacent residential property to the north, known as 12314 Greenspring Avenue (Parcel 39), on which the Petitioners reside, and the parcel on the other side of that lot (Parcel 341). Those properties were subsequently conveyed by Deed on September 22, 1983 from Karl

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Zinkhan and his wife to Linda B. Dorman (now Linda B. Michel), who added her husband, Roger L. Michel, by subsequent Deed dated May 15, 1997.

As noted above, the Petitioners propose to develop the property with a single-family dwelling. As shown on Petitioner's Exhibit 15, the dwelling will be 40' x 50' in dimension and will feature an attached two-car garage. Pictures introduced as Petitioners' Exhibits 8A thru 8C show that the topography of the property rises to the west from Pine Spring Lane to a crest and then reaches a relatively flat area, with a drop off to the rear of the subject site. Except for the meadow towards Pine Spring Lane, the property is densely wooded. The original plan proposed a driveway from Pine Spring Lane through the trees to the area where the building envelope for the proposed home is located. The initial comment from the Office of Planning, as explained by Diana Itter, recommended denial of the request and proposed a new minor subdivision of the three existing lots, including the subject parcel, into two lots. Planning's initial comment further recommended that the forestation on the wooded lot be retained, and that the subject parcel in that portion be designated as a "no build" area. However, after hearing all of the testimony and viewing the exhibits, as well as proffer of counsel at the hearing, Ms. Itter suggested that the Planning Office would be willing to reconsider its comment if the Petitioners were to agree to utilize the existing driveway that serves the Petitioners' residence at 12314 Greenspring Drive to serve the subject parcel, and attempt to relocate the building envelope to preserve more trees.

The Petitioners agreed to explore that option and their surveyor, Herbert Malmud, prepared a revised plat as of June 17, 2006, showing a use in common driveway and a revised septic reserve area and proposed house location while maintaining the same side yard setbacks of 30 feet and 20 feet originally proposed. Based on their review of the revised plat, the Office of Planning issued a revised comment indicating their approval, provided building elevation drawings of the proposed dwelling are submitted for their review and approval prior to the issuance of any permits to insure compliance with the RC5 regulations. Both the revised plan, which was authorized by the Zoning Commissioner at the time of the hearing to be admitted as a final exhibit in Petitioner's case, as well as the revised Planning comment were accepted as

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residence, which was built in 1958 and shown on the prior official zoning maps, was built prior to the adoption of the RC5 zoning in Baltimore County and met all required setbacks at that time. Thus, it is clear that strict compliance with the RC5 zoning regulations would preclude any building on the subject residential lot and result in a practical difficulty and unreasonable hardship for the Petitioners. Finally, the proposed development will not result in any increase in the density of the neighborhood. For all of these reasons, I am persuaded that relief can be granted and that there will be no detriment to the health, safety or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the special hearing and variance relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 7th day of September 2006, that the Petition for Special Hearing seeking approval, pursuant to Section 1A04.3.B.1.B of the B.C.Z.R., of the subject property as a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2003, and does not meet the minimum acreage requirement or setback requirements of Paragraph 2, by special hearing, and to alter the minimum lot size requirement to approve a residential building lot, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2.B of the B.C.Z.R. to permit side yard setbacks of 30 feet (north) and 20 feet (south), in lieu of the minimum required 50 feet, in accordance with Petitioner's Exhibit 15, 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.

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By

2) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to complete a finding of compliance with the RC5 zoning regulations.

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

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 9-5-06
By

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

September 7, 2006

WILLIAM J. WISEMAN III
Zoning Commissioner

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: **PETITIONS FOR SPECIAL HEARING & VARIANCE**
SW/S Pine Spring Lane, 933' S of Greenspring Avenue
(Tax Parcel No. 342 of Greenspring Avenue)
4th Election District – 3rd Council District
Roger L. Michel, et ux - Petitioners
Case No. 06-468-SPHA

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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. & Mrs. Roger L. Michel
12314 Greenspring Avenue, Owings Mills, Md. 21117
Mr. Herbert Malmud, H. Malmud & Associates, Inc.
12018 Ridge Valley Drive, Owings Mills, Md. 21117
Office of Planning; DEPRM; People's Counsel; Case File

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 933 feet S of Greenspring Ave S/W side of Pine Spring Lane

which is presently zoned RC5

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

A variance from BCZR 1.A.04.3.B.2.B, to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

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

Lot antedates the application of RC5 zoning in 1975, and other reasons, to be given at the time of the hearing.

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Roger L. Michel

Name - Type or Print

Roger L. Michel

Signature

Linda B. Michel

Name - Type or Print

Linda B. Michel

Signature

12314 Greenspring Avenue

Address Telephone No.

Owings Mills, Maryland 21117

City 410-602-6451 State Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esquire

Name - Type or Print

Michael P. Tanczyn

Signature

Michael P. Tanczyn, P.A.

Company

606 Baltimore Avenue, Suite 106

Address Telephone No.

Towson, MD 21204 410-296-8823

City State Zip Code

Representative to be Contacted:

H. Malmud & Associates, Inc.

Name

12018 Ridge Valley Drive

Address Telephone No.

Owings Mills, Maryland 21117

City 410-308-0442 State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By SDT Date 03-24-06

ANDER RECEIVED FOR FILING

Date 9-7-06

By

Case No. 06-468-SPHA

REV 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 933 feet S of Greenspring Ave S/W side of Pine Spring Lane

which is presently zoned RC5

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

See attached

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Roger L. Michel

Name - Type or Print

Roger L Michel

Signature

Linda B. Michel

Name - Type or Print

Linda B. Michel

Signature

12314 Greenspring Avenue

Address — Telephone No.

Owings Mills, MD 21117-1614

City 410-602-6451 State Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esquire

Name - Type or Print

Michael P. Tanczyn

Signature

Michael P. Tanczyn, P.A.

Company

606 Baltimore Avenue, Suite 106

Address — Telephone No.

Towson, MD 21204 410-296-8823

City — State — Zip Code

Representative to be Contacted:

H. Mahmud & Associates, Inc.

Name

12018 Ridge Valley Drive

Address — Telephone No.

Owings Mills, Maryland 21117

City — State — Zip Code

410-308-0442

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SAT Date 03-24-06

ORDER RECEIVED FOR FILING
Date 9-15-98
By

Case No. 06-468-SPHA

REV 9/15/98

ATTACHMENT

First, to approve, pursuant to BCZR §1.A.04.3.B.1.B, a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2003, does not meet the minimum acreage requirement or does not meet the setback requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement.

Second, or in the alternative, to approve, pursuant to BCZR §304.1, one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR.

Third, pursuant to BCZR §1.A.04.3.B.4, to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation.

OG. 4G8. SPAF

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: # 06-466-SPHA
933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane
Southwest side of Pinespring Lane, 933 feet south of Greenspring Avenue
4th Election District -3rd Councilmanic District
Legal Owner(s): Roger L. & Linda B. Michel

Special Hearing: to allow a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2004, does not meet the minimum acreage requirement or does not meet the size requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement, and to approve one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR and to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation.

Variance: to permit a variance and to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

Hearing: Friday, May 12, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

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

JT 4/684 April 18 91903

CERTIFICATE OF PUBLICATION

4/20/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18/, 2006.

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

S. Wilkinson

LEGAL ADVERTISING

H. MALMUD & ASSOCIATES, INC.
12018 RIDGE VALLEY DRIVE
OWINGS MILLS, MARYLAND 21117

TELEPHONE 410 308-0442

ZONING DESCRIPTION
TAX PARCEL 342
GREENSPRING AVENUE
BALTIMORE COUNTY, MARYLAND

TO GET TO THE POINT OF BEGINNING START AT CENTER OF GREENSPRING AVENUE AND DOVER ROAD BIND NORTHWESTERLY ON THE CENTER OF GREENSPRING AVENUE 470 FEET, THENCE LEAVE GREENSPRING AVENUE AND RUN DUE SOUTH 933 FEET TO THE POINT OF BEGINNING THENCE BIND THE OUTLINE PARCEL 342 OF FOUR (4) FOLLOWING COURSES AND DISTANCES:

(1) SOUTH 03 DEGREES 05' 29" WEST 100.00 FEET
(2) SOUTH 88 DEGREES 31' 04" WEST 440.35 FEET
(3) NORTH 02 DEGREES 58' 17" EAST 100.00 FEET AND
(4) NORTH 88 DEGREES 31' 12" EAST 440.56 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1.01 ACRES OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558
OCTOBER 25, 2005

file: Zoning Special Hearing Greenspring Ave (Michel 342 D21)

06-468-SPHA

Received Time Mar. 23. 4:42PM

ACCOUNT NO.
55022

PHONE NUMBER
410-296-0823

LEGAL ADVERTISING

INVOICE NO. 0000091503
REF# 712210

PATUXENT PUBLISHING COMPANY

PLEASE FORWARD PAYMENT TO:
10750 Little Patuxent Parkway
Columbia, MD 21044
Advertising 410-337-2425 (Ext. 3418) or (Ext. 3425)
Billing 410-730-3990 (Ext. 1217)
TIN/EIN 52-2064223

MICHAEL P TANCZYN ESQ
606 BALTIMORE AVENUE
SUITE 104
TOWSON, MD 21204

- Columbia Flier
- Howard County Times
- Laurel Leader
- Soundoff!
- Arbutus Times
- Catonsville Times
- Owings Mills Times
- Towson Times
- Northeast Booster
- Northeast Reporter
- Baltimore Messenger
- Jeffersonian
- North County News

CONTRC: Greenspring & Pike Spring 07-448

INVOICE DATE 4/19/06

PAYMENT DUE UPON RECEIPT OF INVOICE

DATE START	DATE STOP	DESCRIPTION	LINES	TIMES	AGATE LINES	RATE	AMOUNT
4/18/2006	4/18/2006	NOTICE OF ZONING HEARING FOR ZONING Commissioner of Baltimore County, by authority of the Zoning Act and Regul ations of Baltimore County will hold a	136	1	136		136.00
SKIP INSERTIONS							
PUBLICATIONS ▶							
P.O. NO. 07-448							

ADJUSTMENTS	
PROOF CHANGES	
PREPAID AMOUNT	
TOTAL AMOUNT DUE	136.00

ORIGINAL

This invoice has been printed with environmentally safe ink.

CERTIFICATE OF POSTING

RE: Case No.: 06-468-SPHA

Petitioner/Developer: ROSER MICHEL

Date of Hearing/Closing: MAY 12, 2006

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

Attention: **Christen 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 propery located at 933 FT. SOUTH OF GREENSPRING AVE., S.W. SIDE OF PINE SPRING LA.

The sign(s) were posted on APRIL ~~26~~ 21ST, 2006
(Month, Day, Year)

YOUR COPY

Sincerely,

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

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

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

(410) 242-4263
(Telephone Number)

ZONING NOTICE

CASE # 06-468-SPHA

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

PLACE: ROOM 407, COUNTY COURTS BUILDING
401 BOSLEY AVENUE
TOWSON, MD. 21204

DATE AND TIME: FRIDAY, MAY 12, 2006 AT 10:00 A.M.

REQUEST: SPECIAL HEARING TO ALLOW A SINGLE LOT OF RECORD, WICH IS NOT A SUBDIVISION AND WHICH WAS IN EXISTENCE PRIOR TO SEPTEMBER 2ND 2004, DOES NOT MEET THE MINIMUM ACRE AGE REQUIREMENT OR DOES NOT MEET THE SIZE REQUIREMENT OF PARAGRAPH 2, BY SPECIAL HEARING, TO APPROVE SAME AND TO ALTER THE MINIMUM LOT SIZE REQUIREMENT, AND TO APPROVE ONE FAMILY DETACHED DWELLING ON AN UNDERSIZED SINGLE FAMILY LOT, HAVING AN AREA OR WIDTH AT THE BUILDING LINE LESS THAN THAT REQUIRED BY THE AREA REGULATIONS OF THE BCZR AND TO ALLOW A SINGLE FAMILY DETACHED DWELLING TO BE BUILT ON AN EXISTING LOT OR PARCEL OF GROUND WITH BOUNDARIES ONLY RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY, WITH THE APPROVAL OF THE BALTIMORE COUNTY OFFICE OF PLANNING, ON OR BEFORE THE EFFECTIVE DATE OF THE ZONING REGULATIONS AND PART OF AN APPROVED SUBDIVISION THAT CAN NOT MEET THE MINIMUM STANDARDS AS PROVIDED WITHIN THE ZONE, WHICH MAY BE APPROVED FOR RESIDENTIAL DEVELOPMENT, IN ACCORDANCE WITH THE STANDARDS PRESCRIBED IN FORCE AT THE TIME OF THE LOT RECORDATION

VARIANCE TO PERMIT A VARIANCE AND TO PROVIDE SIDE YARD SETBACKS OF 30 FEET AND 20 FEET IN LIEU OF THE REQUIRED 50 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. [illegible]

DATE 03/29/06 ACCOUNT 1-000-000-6150

AMOUNT $ 150.00

RECEIVED FROM: The Law Office of Brian Roman, P.A.

FOR: Fee for Petition for Special Hearing for the property located at [illegible] Lake Avenue, [illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. [illegible]

DATE 03-24-06 ACCOUNT 1001-006-6150

AMOUNT $ 30.00

RECEIVED FROM: [illegible] INC.

FOR: REG. VAR. & SPEC. [illegible]
9335 SILVER SPRING AVE. [illegible]
[illegible] LANE.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

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: 06-468 SPUA

Petitioner: Roger + LINDA Michel

Address or Location: GREENSPRING

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael TANCZYN

Address: STE 106
666 BALTIMORE Ave
TOWSON MD 21204

Telephone Number: 410 296 8823

Revised 2/20/98 - SCJ

06-468-SPUA

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

April 3, 2006

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: 06-468-SPHA
933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane
Southwest side of Pinespring Lane, 933 feet south of Greenspring Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Roger L. & Linda B. Michel

Special Hearing to allow a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2004, does not meet the minimum acreage requirement or does not meet the size requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement, and to approve one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR and to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation. Variance to permit a variance and to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

Hearing: Wednesday, May 3, 2006 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Avenue, Ste. 106, Towson 21204
Mr. & Mrs. Michel, 12314 Greenspring Avenue, Owings Mills 21117
H. Malmud & Associates, 12018 Ridge Valley Drive, Owings Mills 21117

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 18, 2006.**
(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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 18, 2006 Issue - Jeffersonian

Please forward billing to:
Michael Tanczyn
606 Baltimore Avenue, Ste. 106
Baltimore, MD 21204

410-296-8823

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: 06-468-SPHA
933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane
Southwest side of Pinespring Lane, 933 feet south of Greenspring Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Roger L. & Linda B. Michel

Special Hearing to allow a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2004, does not meet the minimum acreage requirement or does not meet the size requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement, and to approve one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR and to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation. Variance to permit a variance and to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

Hearing: Wednesday, May 3, 2006 at 10:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
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

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

April 5, 2006

NEW 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: 06-468-SPHA
933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane
Southwest side of Pinespring Lane, 933 feet south of Greenspring Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Roger L. & Linda B. Michel

Special Hearing to allow a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2004, does not meet the minimum acreage requirement or does not meet the size requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement, and to approve one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR and to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation. Variance to permit a variance and to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

Hearing: Friday, May 12, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Avenue, Ste. 106, Towson 21204
Mr. & Mrs. Michel, 12314 Greenspring Avenue, Owings Mills 21117
H. Malmud & Associates, 12018 Ridge Valley Drive, Owings Mills 21117

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 18, 2006.**
(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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 18, 2006 Issue - Jeffersonian

Please forward billing to:
Michael Tanczyn
606 Baltimore Avenue, Ste. 106
Baltimore, MD 21204

410-296-8823

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: 06-468-SPHA
933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane
Southwest side of Pinespring Lane, 933 feet south of Greenspring Avenue
4th Election District – 3rd Councilmanic District
Legal Owners: Roger L. & Linda B. Michel

Special Hearing to allow a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2004, does not meet the minimum acreage requirement or does not meet the size requirement of Paragraph 2, by special hearing, to approve same and to alter the minimum lot size requirement, and to approve one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR and to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation. Variance to permit a variance and to provide side yard setbacks of 30 feet and 20 feet, in lieu of the required 50 feet.

Hearing: Friday, May 12, 2006 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
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

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

Baltimore County

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

May 5, 2006

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Ste 106
Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 06-468-SPHA, 933 feet south of Greenspring Avenue, southwest side of Pine Spring Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2006.

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:amf

Enclosures

c: People's Counsel
Roger L. Michel Linda B. Michel 12314 Greenspring Avenue Owings Mills 21117
H. Malmud & Associates, Inc. 12018 Ridge Valley Drive Owings Mills 21117

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BW 5/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 1, 2006

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

RECEIVED

AUG 0 2 2006

ZONING COMMISSIONER

SUBJECT: 13214 Greenspring Avenue

INFORMATION:

Item Number: 6-468 ***(revised comment)***

Petitioner: Roger L. Michel

Zoning: RC 5

Requested Action: Variance and Special Hearing

A Special hearing and variance hearing was held by Zoning Commissioner on May 12, 2006. A proffer was made that the owners have owned these 3 lots as separate lots since 1983 and the lots have not been merged. The hearing record remained open to allow the engineer time to prepare a revised plan that sited the proposed dwelling and driveway to reduce the limit of disturbance area in order to comply with the RC5 performance standards.

The Office of Planning has reviewed a revised site plan, Petitioner's Exhibit 15 that shows a shared use in common driveway to the undersized house lot. This significantly reduces the amount of disturbance on the wooded lot. Photographs were provided of the proposed building lot and adjacent dwellings.

SUMMARY OF RECOMMENDATIONS:

If granted by the Zoning Commissioner, the Office of Planning requests review and approval of architectural elevation drawings in order to complete a finding of compliance with the RC5 zone.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: Cindy Murray

Division Chief: Lyn Lanham
AFK/LL: CM

W \DEVREV\ZAC\6-468revised doc

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

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

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

Date: 3·31·02

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

RE: Baltimore County
Item No. 468 JRA

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

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

April 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 3, 2006

Item Numbers: 446, 457-470
468

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 6, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 10, 2006
Item Nos. 446, 457, 458, 459, 462, 463, 464, 465, 467, 468, 469, and 470

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-04062006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 18, 2006

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

SUBJECT: 13214 Greenspring Avenue

INFORMATION:

Item Number: 6-468

Petitioner: Roger L. Michel

Zoning: RC 5

Requested Action: Variance and Special Hearing

The Office of Planning has reviewed the subject request. The petitioner's first request is to permit pursuant to Section 1.A.04.3.B.1.B of the BCZR a single lot of record not in a subdivision and existing prior to 9/2/2003 to not meet the minimum lot acreage of current RC 5 regulations. After evaluation of the subject lot (Parcel 342- 1.001 acres), and the two adjacent lots (Parcel 39- 2.004 acres and Parcel 341- 1.78 acres) and their dimensions there appears to be no practical difficulty or self imposed hardship wherein compliance with current zoning regulations cannot be met as the subject lot is part of a series of lots under unified contiguous ownership. Expanding on the aforementioned, this office has determined that the land adjoining the subject lot allows the petitioner to conform to the minimum width and area requirements of the RC 5, therefore not meeting the exception standards stated in Section 304.1.C of the BCZR. Lastly the petitioner is requesting lot area relief through Section 1.A.04.3.B.4 of the BCZR. The said section clearly states in part, "Any existing lot or parcel of land with boundaries duly recorded among the land records of Baltimore County with the approval of the Baltimore County Office of Planning on or before the effective date of these zoning regulations and not part of an approved subdivision" may receive lot acreage relief. The subject lot has clearly not been approved by Baltimore County Office of Planning; therefore eliminating relief through Section 1.A.04.3.B.4. As such, the current RC5 lot and area requirements and performance standards are applicable to the subject property. There is a 1-½ acre minimum lot area, and a density factor of .5 dwelling units per acre. The 1.001-acre lot is heavily wooded. The Office of Planning would prefer to see

construction on the 1.78 acre open lot to the north of the existing house and not on the undersized lot in question.

Additionally, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- Photographs of existing adjacent dwellings.
- Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
- Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- Provide landscaping along the public road, where consistent with that of the existing streetscape.
- The house sitting must retain the existing quality vegetation to the fullest extent possible.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends a minor subdivision of the three existing lots into two. The density and acreage as shown in the advance calculation exists within the three lots owned by the petitioner. *(Parcels 39, 342, and 341 total 4.785 acres. That acreage times .5 for density, yields 2.39 lots, and the required combined acreage totals 3 acres which the property exceeds)* The minor subdivision shall meet the current RC5 area regulations, site planning and performance standards. The forestation on the wooded lot should be retained and that portion should be designated as a no build area.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: Curtis Murray

Division Chief: Lynn Lanham
AFK/LL: CM

W:\DEVREV\ZAC\6-468.doc

RE: PETITION FOR SPECIAL HEARING AND VARIANCE 933' S Greenspring Ave, SW/S Pine Spring Ln* 4th Election & 3rd Councilmanic Districts Legal Owner(s): Roger & Linda Michel Petitioner(s)	* * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 06-468-SPHA

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

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of April , 2006, a copy of the foregoing Entry of Appearance was mailed H. Malmud & Associates, Inc 12018 Ridge Valley Drive, Owings Mills, MD 21117 and to Michael Tancyzn, Esquire, 606 Baltimore Avenue, St. 106, Towson, MD 21204 , Attorney for Petitioner(s).

RECEIVED
APR 07 2006
Per JM

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

March 24, 2006

VIA HAND-DELIVERY
W. Carl Richards
Zoning Administrator
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Roger and Linda Michel
Greenspring Avenue

Dear Carl:

Based on feedback we received from a zoning technician, enclosed herewith for filing, please find Petitions for Variance and Special Hearing, filed on behalf of my clients, Roger and Linda Michel. Please assign this to a hearing date. There are no active code violation matters to my knowledge, concerning this property. I enclose for filing the following:

1. Three (3) originals of the Petition For Special Hearing;
2. Three (3) originals of the Petition For Variance;
3. Twelve (12) copies of the plat, prepared by Herbert Malmud;
4. Three (3) sealed descriptions;
5. One (1) 200 scale zoning excerpt map, showing zoning for the property.

Please review this and if you have any questions, do not hesitate to contact me. Please assign it a hearing date and let us know, so that we can do the posting for the hearing.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl
Encl.
cc: Roger and Linda Michel
Herb Malmud

06-468-SPHA

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

April 5, 2006

Department of Permits and
Development Management
Attn: Ms. Kristen Mathews
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Case No.: 06-468 SPHA

Dear Kristen:

The purpose of this is to confirm that the above case has been rescheduled for Friday, May 12, 2006 at 10:00 a.m. in Rm. 407, County Courts Building, Bosley Avenue, Towson, Maryland 21204. Pursuant to our conversation of April 5, 2006, I understand you will take care of the ad and I will advise the sign poster to advertise it that way. I understand that you will not be giving us a further notice and that this confirmatory letter will be placed in the file.

Thank you for your assistance and welcome back from maternity leave. I hope that all are doing well.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl
cc: Roger and Linda Michel
Herb Malmud

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

August 2, 2006

RECEIVED
AUG 0 3 2006
ZONING COMMISSIONER

VIA HAND-DELIVERY
The Honorable William J. Wiseman, III
Zoning Commissioner
Suite 405
County Courts Building
Towson, Maryland 21204

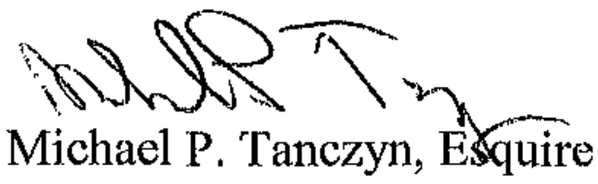
Re: My Clients: Roger and Linda Michel

Dear Mr. Wiseman:

Following the hearing held May 12, 2006, my clients authorized the preparation of a modified site plan to address the concerns raised by Ms. Itter of the Department of Planning, who was present at the hearing. That plan was submitted to Ms. Itter. I enclose a copy of that plan for you. After discussions with Ms. Itter, I understand that a revised comment from her office is forthcoming. As was authorized at the hearing, enclosed herewith please find this revised plan which we ask be admitted as the final exhibit in the Petitioners' case, indicating the use of a shared driveway with the adjacent property, for which a use in common agreement is being prepared. Under the revised plan, the lot owners of the subject lot will have the right to use the Michels' existing driveway from the private road to their lot, thereby saving trees which would have been in the way of a separate driveway, to serve this individual lot from the private road. The house location was moved 40 feet in order to save more trees. While I have not yet seen the final written comment from Planning, I understand from Ms. Itter that it will likely include a request from the Office of Planning that should you approve the Petitioners' requested relief, the condition would be requested in the Order by Planning, requiring the lot owner to submit the proposed building plans for a finding of compatibility in a RC5 zone, under the performance standards, prior to obtention of a building permit.

Once I receive the Planning Office's comment, if I would need to provide additional input, I will let you know. Otherwise, I believe that the revised plan meets and addresses the Office of Planning's concerns expressed by Ms. Itter at the May 12, 2006 hearing and subject to your decision as to whether further hearing needs to be scheduled. We would ask, once we have had an opportunity to comment on the revised Planning comment, that you consider the presentation of the material enclosed, prior to making a decision in this matter. Please note that even with the movement of the house, the requested variance distances did not change from that originally sought by the Petitioners. The net result on the revised site plan is that fewer trees are disturbed and less land is paved over with the use in common agreement for the access driveway.

Very truly yours,



Michael P. Tanczyn, Esquire

MPT/cbl
Encl.
cc: clients (with enclosure)
Ms. Diana Itter
Herb Malmud

PLEASE PRINT CLEARLY

CASE NAME GREENSPRING AVE
CASE NUMBER 06-428 SPHA
DATE 5/12/2006

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Michael TANCZYN	STE 102 606 BALTIMORE AVE	Towson Md 21204	MPTLAW@VERIZON.NET
HERBERT MALMUD	12018 RIDGE VALLEY DR.	OWINGS MILLS, MD 21117	PAPA JARS@AOL.COM
Roger Michel	12314 Greenspring Ave	Owings Mills, Md 21117	Rogerm.c.michel@ ~~citigroup.com~~
Sandra Michel	1234 Greenspring Ave.	Owings Mills MD 21117	SmithBarney.com

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 06-428 SPHA
DATE

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DIANA ITTER	OP —		

Case No.: 06-468 SPHA

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	My Neighborhood MAP Orientating Lot	Aerial of Michel Properties
No. 2	DEED History 1945 to 1997	
No. 3	Site PLAN	
No. 4	~~Color Aerial Notes~~ Storm Water Except Porter Proper	
No. 5	Color Aerial denotes Property	
No. 6	1971 ZONING MAP X - MARKS SUBJECT Property M - Michaels HOUSE	
No. 7	Porter PROPERTY DECISION - IV-586	
No. 8	8A - SUBJECT PROPERTY + GRADE 8B PRIVATE DRIVE - ENTRANCE to Michel Home 8C PORTER PROPERTY to SOUTH	
No. 9	NEIGHBORING PROPERTIES SURROUNDING SUBJECT PROPERTY	
No. 10	10A - DRIVEWAY to Existing Michel Home (Private Road) 10B - Main Road - approach to Drive	
No. 11	EXISTING Lots OWNED By PETITIONER	
No. 12	topography - GIS MAP	

(OVER)

NO. 13 DEED PLOTTING AND RT-of-Way from GREENSPRING AVE NO. 14 - Porter/Michel Easement

NO. 15 REVISED SITE PLAN 6/17/06

Petitioner / Developer

NO. 15

UNDERSIZED LOTS
RC
§ 103.3
§ 1A03.4B.4

IN THE MATTER OF THE THE APPLICATION OF JEFFREY L. KIRCHER, ET UX FOR A SPECIAL HEARING ON PROPERTY LOCATED ON THE NORTH-EAST SIDE BERNOUDY ROAD, 1750' SOUTHEAST OF C/L OF WEISBERG ROAD (1012 BERNOUDY ROAD) 7TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT	*	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 96-405-SPH

* * * * * * * * *

OPINION

This case comes before the Board on appeals filed by David Boyd, Marion Runkles, Ted Merchant, and the Weisburg Community Association, Protestants, and the Office of People's Counsel from the June 3, 1996 Order of the Deputy Zoning Commissioner in which the subject Petition for Special Hearing was granted. This case involves a special hearing in which the Board is being requested to approve the use of an existing undersized lot of record on which the Petitioner desires to construct a single-family dwelling, and an exemption of the compatibility review requirement on undersized lots.

Mr. James McKee testified on behalf of the Petitioners. He has been performing engineering and surveying services for approximately 23 years; and is a registered land surveyor. He indicated that he was familiar with the Baltimore County Zoning Regulations; however, after an extensive voire dire, the Chairman agreed that this witness could only testify as an expert on civil engineering matters and site planning, and, further, provide an opinion on the particular site plan which had been prepared. Petitioner's Exhibit No. 1 was admitted into evidence and described as the site plan prepared by Mr. McKee. He stated that there were

EXH 23

two lots involved, one of which was improved on approximately one acre, and the other lot was unimproved containing approximately 1.7 acres. Mr. McKee testified that the two lots have not been subdivided since 1955; and appeared to have been taxed separately, and were separate and independent of each other. The unimproved lot was heavily wooded and was about 200 feet away from any nearby dwelling. The subject property was serviced by private well and sewerage. Mr. McKee indicated that one of the properties fronts on Bernoudy Road with a dwelling; and the second lot parcel has a right-of-way to Bernoudy Road. He related to other homes generally in the area and of their varying lot sizes.

Additionally, he reviewed the zoning history of the property; and stated that none of the adjoining property owners were protesting the petition. He again reiterated his position that the two lots were clearly two separate and distinct parcels of land with no supportive systems between them. He opined that the parcels had always been owned by the same person, and that there had been no lot line adjustments; and that the tax records, Petitioner's Exhibit No. 3, reflected the properties as separate entities. A series of photographs (Petitioner's Exhibits No. 4A through 4G) were admitted into evidence and briefly described by Mr. McKee. The Petitioner did not testify, and that basically concluded the Petitioner's case-in-chief.

Mr. David Boyd, 1120 Bernoudy Road, testified in opposition to the Petition for Special Hearing. He submitted the customary Rule 8 papers required by this Board. Mr. Boyd opined that he lived

within 1,000 feet of the Kircher property. He has been president of the Weisburg Community Association for approximately 3 years. He testified that the community association had considered the request for the special hearing; and was opposed on the basis that if the exception were granted it would create a precedent in that others in the area would also request exceptions where smaller lots or undersized lots were concerned.

People's Counsel's Exhibit No. 2 was admitted into evidence which represented the 1,000 scale Baltimore County Zoning Map, 1996. Mr. Boyd stated that the area is essentially zoned R.C. 4; and is semi-rural in nature with a number of older homes in the area existing on less than 3 acres. The newer homes being constructed he believed to be on at least a minimum of 3 acres. He stated that there are heavily wooded areas in the community and that these are common in the area, and that the community association firmly believed that the development of the subject lot would be out of character and harmony with the rest of the area.

Marion Runkles, residing at 18200 York Road, also testified in opposition to the special hearing. The witness is secretary of the Weisburg Community Association and was authorized to speak against the proposal on the basis that approval of the exception would be detrimental to the general area of the membership, and the establishment of a precedent for smaller lot owners to build on undeveloped lots. The witness had owned a residence in the area since 1962 and, while admitting the presence of some older residences on smaller lots, stated that primarily most of the homes

were situated on larger parcels of land containing 3 or more acres. This concluded People's Counsel's case, and in lieu of oral arguments, the Chairman requested both attorneys to submit briefs by January 30, 1997 for the Board's review.

At issue in this case is whether or not the Petitioners can construct a single-family dwelling on an undersized lot, and that said lot is exempt from Section 304.2 of the Baltimore County Zoning Regulations which relate to compatibility requirements. The unimproved property itself consists of 1.7 acres (more or less), is zoned R.C. 4, is heavily wooded, and is approximately 200 feet from any nearby dwelling. In addition to the property in question, the Petitioners also own an adjacent lot fronting on Bernoudy Road. The parcel to be developed is located to the rear of the 1-acre developed property. If the unimproved lot is developed, access is to be provided along a 12-foot wide panhandle right-of-way easement, running along the south side of the lot fronting on Bernoudy Road.

While there is currently only one address (1010 Bernoudy Road) for both lots, testimony reflected that the Petitioners' lots were recorded as two lots of record in the 1950s; and have been taxed as separate entities. Based on testimony, the lots do appear to be separate and distinct entities, with no supported assistance between the two. The property is served by private well and sewerage. When the lots were recorded, a 1.75-acre parcel was an lot size area on which to erect an acceptable residential dwelling. In 1976, however, the zoning was changed to R.C. 4, which mandated

a lot size of no less than 3 acres. At issue, therefore, is the general applicability of a lot size in a current R.C. 4 zone. Protestants and People's Counsel have argued that any development currently proposed must follow 1A03.1 requirements as to the size of lot and density relating to the R.C. 4 development zones. Baltimore County Zoning Regulations Section 1A03.4B.1 recites:

> "A tract to be developed in an R.C. 4 zone with a gross area of less than 6 acres may not be subdivided, and a tract to be developed with a gross area of at least 6 acres but not more than 10 acres may not be subdivided into more than 2 lots (total), each of which must be at least 3 acres, except as otherwise provided in Subsection 103.3 or in paragraph 4 below."

People's Counsel argues that the County Council specifically limits development in such zones to provide an adequate septic area and wells on lots near the Baltimore County vital water resources. Therefore, a tract of less than 6 acres cannot be subdivided; and a tract between 6 and 10 acres can be subdivided into no more than two lots, each of which must be a minimum of at least 3 acres. Tracts of over 10 acres have .2 density per acre, with 3-acre minimum (unless clustering is elected). Therefore, with no evidence that the undeveloped parcels are legal lots, the 2.75 acres is a tract less than 6 acres and cannot be subdivided, and all development must follow the standards provided for in the Baltimore County Zoning Regulations. Sections 103.3 and 1A03.4B.4 also provide for two exceptions from area requirements for development in an R.C. 4 zone. People's Counsel and the Protestants argue that the subdivision does not meet the requirements for either exception and that the 1.75-acre and 1-acre

lots were created illegally because the site was not part of a recorded subdivision plat, and such deeds must contain language recognizing Planning Office approval, and to grant an illegal subdivision an exemption from current regulations is a violation of both the spirit and intent of the zoning regulations. Essentially, because the Petitioner does own less than 6 acres, they must be guided by the current regulations.

This Board in reaching its conclusions is drawn primarily to the legal issues present in this matter, since the factual aspects do not appear to be in controversy. Clearly the Rural Conservation zones initially came about in 1975 and were a definitive attempt on the part of the Baltimore County Council to protect the rural areas of the County, along with agricultural and watershed concerns. Factually, the R.C. 4 zones do contain the largest minimum acreage requirements when compared to all the other R.C. zones, and state quite clearly under BCZR Section 1A03.1 that a tract less than 6 acres cannot be subdivided.

The question before the Board is whether or not the lots in question fall under the R.C. 4 zone requirement or do R.C. 4 zones only have minimum lot sizes based on subdivision approval after the R.C. 4 zones took effect. As Counsel for the Petitioner has argued, the R.C. 4 zones do not have a minimum lot size requirement in the same manner as do the D.R. zones. D.R. regulations specifically state the square footage that may be contained within various zones for single lots (BCZR Section 1B02.3C.1). The R.C. zones only have minimum lot sizes based on subdivision approval

after the R.C. zones took effect.

It is the conclusion of the Board based on the testimony and evidence produced at the hearing that the Petitioners do own two (2) lots of record. Baltimore County Zoning Regulations state that a lot having an area or width less than that required by the area regulations may have a dwelling erected if the lot is duly recorded by deed prior to March 30, 1955, that all other height and area regulations are complied with, and that the owner of the lot does not own sufficient adjoining land to conform to the width and area requirements. This Board concurs with the Petitioner that nowhere in Section 1A03.4, which pertains to height and area regulations within the R.C. 4 zone, is there a minimum lot size specified for a lot of record such as the minimum lot size which exists in the D.R. zones. Clearly the intent of Section 103.3 of the Baltimore County Zoning Regulations, which apply only to R.C. zones, was to grandfather existing subdivisions against the density, open area and yard requirements of the various R.C. zones. There is no mention of a "lot area" minimum. Therefore, an existing lot of record would presumptively be buildable in the absence of the need for some variance from either setback or height requirements. The Board concludes that the adoption of the R.C. 4 legislation was not designed to penalize those lot owners who retained their properties open. Additionally, Section 1A03.4B.4 required that any lot or parcel with boundaries recorded with the approval of the Baltimore County Office of Planning & Zoning on or before December 22, 1975, and not part of an approved subdivision, may be approved for

subdivision in accordance with the regulations in force at the time of the recordation of the boundaries. The Board agrees that the subject parcel qualified under Section 1A03.4B.4 except that there was no explicit approval of the boundaries by the Office of Planning & Zoning. This section clearly does not pertain to record lots from subdivisions, but rather parcels and lots of record similar to the lot in question. Clearly, therefore, if a parcel was established without the legal approval of the County, given only by the Office of Planning & Zoning after the office was established, then such parcel would be without the benefit of the legal protection offered by this section. If, however, the parcel was established prior to the operation of the office or to review by the office of such parcels, it was by its very nature legal and should not be deprived of the protection of this section's provision because the County had not gotten around to establishing this particular office.

The Board also concludes that Section 304 of the Baltimore County Zoning Regulations is also applicable to this case as it relates to an undersized lot. There is no doubt but that the lot was recorded by deed prior to March 30, 1955, and that the suggested development of the undersized lot complies with all the other height and area requirements, and that the property owner by only owning 2.7 acres in total area cannot comply with enough adjacent property to conform to the present area requirements. In this case, the property owner does own adjacent property, but the size of the parcel would not meet, if combined, a 3-acre minimum

lot size. We do not agree with People's Counsel that the Petition should be denied. The wording of Section 304.2 clearly restricts only one kind of adjoining property that would otherwise legitimize the parcel and not make the undersized parcel properly sized. The Board concludes that a minimum lot size of three (3) acres is applicable to the parcel, and, therefore, the parcel does meet the conditions imposed by Section 304, and must be considered an undersized lot. Additionally, the Board believes that the compatibility requirements of Section 304 have been satisfied since any dwelling constructed on the lot would be difficult to see from neighboring properties, coupled with the fact that the adjoining smaller parcels are buffeted by a substantial number of trees located on the parcel. It is evident to the Board that compatibility provisions of Section 304 were designed primarily to address smaller lots in residential subdivisions where new dwellings would be substantially abutting right against adjacent properties. The Board will, however, impose certain restrictions in its Order.

O R D E R

IT IS THEREFORE this 12th day of May, 1997 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing to approve the use of an existing undersized lot of record for the construction of a single family dwelling be and is hereby GRANTED; and it is further

ORDERED that said undersized lot of record is exempt from the

compatibility requirements of Section 304.2 of the Baltimore County Zoning Regulations, and as such, the Petition for Special Hearing is hereby GRANTED, subject to the following restrictions:

1. Prior to the issuance of any permits, the Petitioners will be required to set aside an additional 8-foot wide easement along the existing 12-foot wide easement located on the south side property line of 1010 Bernoudy Road to provide the minimum required 20-foot wide panhandle access to the subject lot; and

2. When applying for a building permit, the site plan filed must reference the restrictions of this Order.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence M. Stahl, Acting Chairman

Margaret Worrall

Charles L. Marks

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NO TITLE EXAMINATION
NO CONSIDERATION

INDIVIDUAL DEED - Coady & Farley, Attorneys-At-Law, 400 Allegheny Avenue, Towson, MD 21204, (410) 337-0200

THIS DEED, Made this 15 day of May in the year one thousand nine hundred and ninety-seven, by and between LINDA B. MICHEL (formerly known as LINDA DORMAN) of Baltimore County, State of Maryland, Grantor, of the first part, and ROGER L. MICHEL and LINDA B. MICHEL of Baltimore County, State of Maryland, Grantees, of the second part, WITNESSETH: that in consideration of the sum of $1.00, love and affection, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey and assign unto ROGER L. MICHEL and LINDA B. MICHEL, husband and wife, as tenants by the entireties, their assigns, the survivor of them, his or her personal representatives and assigns, in fee simple, all that lot(s) of ground situate in Baltimore County, in the State of Maryland, and described as follows, that is to say:

BEGINNING for the first at a concrete monument now planted at the end of the second or North 83 degrees 41 minutes West 350.68 feet line of the land conveyed by Nellie Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27, etc., running thence and binding reversely on said second line South 83 degrees 41 minutes East (passing over a concrete monument at the end of 330.56 feet) in all a distance of 350.68 feet to the end of the first line in said deed and to the Southeast side of a right of way now laid out twenty feet wide running north 10 degrees 53 minutes East binding along the Northwest side of said first line in the aforesaid deed to the center of Greenspring Avenue, thence binding reversely on a part of said first line and on the Southeast side of said right of way with the use thereof in common with others entitled thereto north 10 degrees 52 minutes East 249.22 feet thence crossing the right of

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AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE HK DATE 5/22/97

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
HK 5/22/97

Post-it® Fax Note 7671	Date 10/11/04	# of pages ▶ 12
To John Contrum	From Roy D Stringer	
Co./Dept.	Co. C&T	
Phone #	Phone # (410) 823 8070	
Fax # (410) 832 2015	Fax # (410) 823 2184	

way and running for a line of division now made North 83 degrees 41 minutes West (passing over a concrete monument at the end of 20.12 feet) in all a distance of 351.19 feet to a concrete monument planted at the distance of 249.18 feet on the third line in the aforesaid deed thence reversely on a part of said third line South 10 degrees 45 minutes West 249.18 feet to the place of beginning. Containing two acres of land, more or less.

BEGINNING for the second at an iron pipe heretofore set at the end of the third or North 10 degrees 45 minutes East 470.00 feet line of the land conveyed by Nellie W. Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27 etc. running thence and binding on the fourth line in said Deed South 83 degrees 55 minutes East 331.70 feet to an iron pipe at the end of said line thence continuing the same course South 83 degrees 55 minutes East 20.07 feet to the East side of right of way heretofore laid out 20 feet wide and also to intersect the first or South 10 degrees 52 minutes West 966.89 feet line of said above mentioned Deed running thence and binding on part of said line and on the East side of said 20 foot right of way South 10 degrees 52 minutes West 222.27 feet to an iron pipe heretofore set at the beginning of the third or North 83 degrees 41 minutes West 351.19 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, his wife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, 1957 and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138 etc. running thence and binding on said third line North 83 degrees 41 minutes West 351.19 feet to a concrete monument at the end of said line and to intersect the third line of the first herein mentioned Deed (Smithson to McCabe) running thence and binding on said line North 10 degrees 45 minutes East 220.82 feet to the place of beginning. Containing 1.78 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr. Registered Land Surveyor.

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*See plat 0012192/171

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BEGINNING for the third at a concrete monument heretofore set at the beginning of the first or South 83 degrees 41 minutes East 350.68 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, his wife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, 1957, and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138 etc. said monument also being in the third or South 86 degrees East 68 perches line of the land conveyed by Emma L. Benson, widow, to Curtis G. McCabe and Helen B. McCabe, his wife, by a Deed dated May 14, 1945 and recorded among the Land Records of Baltimore County in Liber RJS No. 1387, folio 152 etc. running thence and binding reversely on part of said third line North 83 degrees 41 minutes West 110.00 feet to an iron pipe thence running for the three following line of division now made viz. South 10 degrees 45 minutes West 100.00 feet to an iron pipe South 83 degrees 41 minutes East 440.35 feet to an iron pipe North 10 degrees 52 minutes East 100.00 feet to a concrete monument heretofore set in the second line of the first herein mentioned Deed and also in the third line of the secondly heretofore mentioned Deed running thence and binding reversely on said lines North 83 degrees 41 minutes West 330.56 feet to the place of beginning. Containing 1.01 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

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BEING the same property which by Deed dated September 22, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber EHKJr. No. 6604, folio 411, was granted and conveyed by Karl E. Zinkhan and M. Estella Zinkhan, his wife, unto Linda Dorman.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises, unto and to the use of the said ROGER L. MICHEL and LINDA B. MICHEL, husband and wife, as tenants by the entireties, their

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assigns, the survivor of them, his or her personal representatives and assigns, forever in fee simple.

AND the said Grantor covenants to warrant specially the property hereby granted and conveyed; and to execute such further assurances of said land as may be requisite.

WHENEVER used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

The party of the second part, Grantees, make oath that the residence on the property hereby conveyed will be occupied by Grantees.

WITNESS the hand(s) and seal(s) of said Grantor(s) and Grantee(s).

WITNESS:

Patricia Farley
as to
both

Linda B. Michel (SEAL)
LINDA B. MICHEL

Roger L. Michel (SEAL)
ROGER L. MICHEL

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 15 day of May, 1997, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared LINDA B. MICHEL, as Grantor and Grantee, and ROGER L. MICHEL, Grantee, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Patricia Farley
Notary Public

Notary's Seal
Here

My commission expires: 8/1/00

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This is to certify that the within instrument was prepared by or under the supervision of the undersigned; an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Patricia O C B. Farley

PATRICIA OC B FARLEY Attorney

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Property:
12314 Greenspring Avenue

Return To: COADY & FARLEY
Attorneys-at-Law
400 Allegheny Avenue
Towson, Maryland, 21204

Form approved:

D E E D

FROM

Execution approved:

LINDA B. MICHEL (formerly known as LINDA DORMAN)

Ready for record:

TO

Coady & Farley File No.: 34,020

ROGER L. MICHEL and
LINDA B. MICHEL

Block No._____

Received for record_____
19_____ at _____o'clock _____M.
Same day recorded in Liber _____
No._____ folio_____&c. one of
the Land Records of _____
_____and examined per
_____Clerk.

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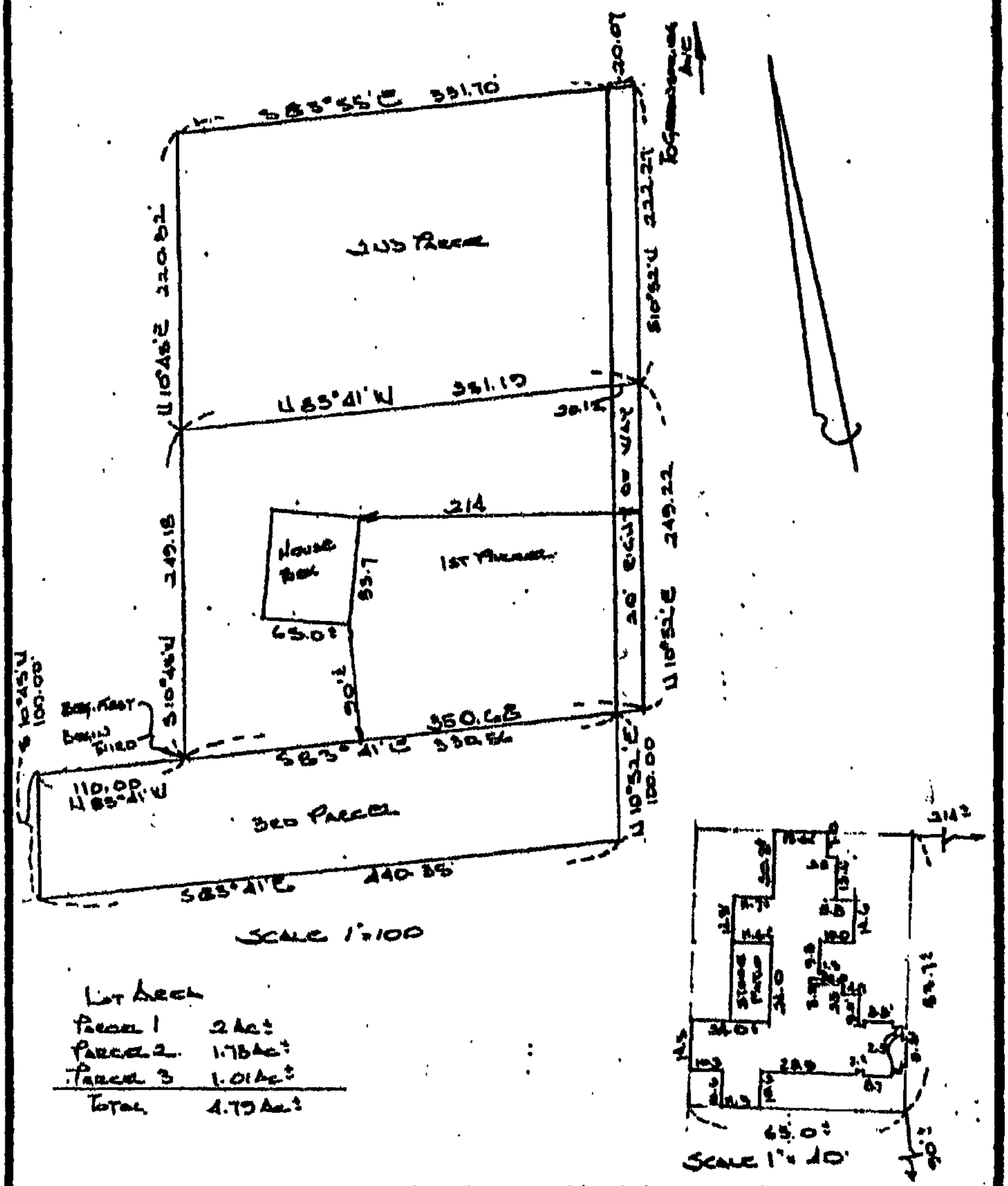

I) The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing;

II) The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements;

III) The plat does not provide accurate identification of property boundary lines but such identification may not be required for the transfer of title or securing financing or re-financing.

I hereby certify that this survey meets the Minimum Standards of Practice of the State of Maryland.

REGISTRATION # 0475

This property is not located in a H.U.D. identified Special Flood Hazard Area. Flood Hazard Map interpretation, though believed accurate, is not guaranteed.

STATE OF MARYLAND
RONALD M. HERBERT, SR.
PROFESSIONAL LAND SURVEYOR

LOCATION DRAWING

12314 Greenspring Avenue, Baltimore County, Maryland.

R. M. HERBERT & ASSOC., INC.
601 Fox Bow Drive
Bel Air, Maryland 21014-5291
Phone 410-879-8601

SCALE 1" = As Shown

DATE: 5.12.97

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12314 Greenspring Ave/Michel

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)

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 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	Adding Husband's Name to Deed			
	State Transfer	Refinance			
	County Transfer				

FD SURE $ 5.00
RECORDING FEE 20.00
TOTAL 25.00
Rect # 23825
Blk # 2368
22, 1997 03:14 PM

4 Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only — Transfer and Recordation Tax Consideration	
	Purchase Price/Consideration	$	Transfer Tax Consideration	$
	Any New Mortgage	$ 125,000.00	X ( )% =	$
	Balance of Existing Mortgage	$	Less Exemption Amount –	$
	Other:	$	Total Transfer Tax =	$
	Other:	$	Recordation Tax Consideration	$
			X ( ) per $500 =	$
	Full Cash Value	$	TOTAL DUE	$

5 Fees	Amount of Fees	Doc. 1	Doc. 2
	Recording Charge	$ 20.00	$ 20.00
	Surcharge	$ 5.00	$ 5.00
	State Recordation Tax	$	$ 625.00
	State Transfer Tax	$	$
	County Transfer Tax	$	$
	Other	$	$
	Other	$	$

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

6 Description of Property	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG ☐ (9)
	04	see attached	6604/411	50		
	Subdivision Name		Lot (2a)	Block (2b)	Sect/Unit (2c)	Plat Ref.	Sq Ft/Acreage (4) 1.7795

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).

Location/Address of Property Being Conveyed (2)
12314 Greenspring Avenue, Owings Mills, Maryland 21117

Other Property Identifiers (If applicable): Prop. Tax ID Nos. 04-26-040220, 04-26-040350 & 04-26-040351
Water Meter Account No.

Residential ☒ or Non-Residential ☐ | Fee Simple ☒ or Ground Rent ☐ Amount:
Partial Conveyance? ☐ Yes ☒ No | Description/Amt. of Sq Ft/Acreage Transferred:
If Partial Conveyance, List Improvements Conveyed:

7 Transferred From	Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
	Linda B. Michel, formerly known as Linda Dorman	Roger L. Michel and Linda B. Michel, husband and wife
	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)
	Roger L. Michel and Linda B. Michel, husband and wife	Gene D. Klausing and John Thalberg, Jr., Trustees for Bradford Federal Savings Bank
	New Owner's (Grantee) Mailing Address: 12314 Greenspring Avenue, Owings Mills, Maryland 21117	

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: Patricia O'C. B. Farley	☒ Return to Contact Person
	Firm: COADY & FARLEY	☐ Hold for Pickup
	Address: 400 Allegheny Avenue, Towson, Maryland 21204	
	Phone: (410) 337-0200	☐ Return Address Provided

TRANSFER TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY MARYLAND
Per [illegible]
Authorized Signature
Date 5-22-97 Sec 33-138

Space Reserved for County Verification

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

Assessment Information

☒ Yes ☐ No Will the property being conveyed be [redacted]'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

☐ Transfer Verification ☐ Additional Information ☐ Waiver ☐ Post ☐ Tax Process Verification

Transfer Number		Date Received		Deed Reference		Assessment Property No.	
Year	19	19	Bas.	Mine	Sub	Block	
Land			Zoning	Gold	Plat	Lot	
Buildings			Use	Prevel	Section	Occ. Cd.	
Total			Town Cd.	Ba. St.	Ba. Cd.		

REMARKS:

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-305 (8/95)

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12314 Greenspring Avenue
Owings Mills, Maryland 21117

Beginning for the First	District	Property Tax ID No.	Parcel
2 AC +/-	04	04-26-040220	39
Beginning for the Second			
1.78 AC +/-	04	04-26-040350	341
Beginning for the Third			
1.01 AC +/-	04	04-26-040351	342

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as being same

SAFECO TITLE INSURANCE CO. OF MD. 6604 411
(Individual Form)

App. H- 105710
MPY:mmt

This Deed, Made this 22 day of September, in the year one thousand nine hundred and eighty-three, by and between KARL E. ZINKHAN and M. ESTELLA ZINKHAN, his wife, parties of the first part, Grantors; and LINDA DORMAN, party of the second part, Grantee.

STATE DEPARTMENT OF ASSESSMENTS & TAXATION
CLERK 10-7-83 DATE

The actual consideration paid or to be paid is $145,000.00.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto said Grantee, her heirs, personal representatives, and assigns, in fee simple, all that

---------- lot(s) of ground situate in Baltimore County,

in the State of Maryland, and described as follows, that is to say:

BEGINNING for the first at a concrete monument now planted at the end of the second or north 83 degrees 41 minutes west 350.68 feet line of the land conveyed by Nellie Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the land records of Baltimore County in Liber R.J.S. No. 1461, folio 27, etc., running thence and binding reversely on said second line south 83 degrees 41 minutes East (passing over a concrete monument at the end of 330.56 feet) in all a distance of 350.68 feet to the end of the first line in said deed and to the southeast side of a right of way now laid out twenty feet wide running north 10 degrees 53 minutes east binding along the northwest side of said first line in the aforesaid deed to the center of Greenspring Avenue, thence binding reversely on a part of said first line and on the southeast side of said right of way with the use thereof in common with others entitled thereto north 10 degrees 52 minutes east 249.22 feet thence crossing the right of way and running for a line of division now made north 83 degrees 41 minutes west (passing over a concrete monument at the end of 20.12 feet) in all a distance of 351.19 feet to a concrete monument planted at the distance of 249.18 feet on the third line in the aforesaid deed thence reversely on a part of said third line south 10 degrees 45 minutes west 249.18 feet to the place of beginning. Containing two acres of land, more or less.

BEGINNING for the second at an iron pipe heretofore set at the end of the third or North 10 degrees 45 minutes East 470.00 feet line of the land conveyed by Nellie W. Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27 etc. running thence and binding on the fourth line in said Deed South 83 degrees 55 minutes East 331.70 feet to an iron pipe at the end of said line thence continuing the same course South 83 degrees 55 minutes East 20.07 feet to the east side of right of way hereto fore laid out 20 feet wide and also to intersect the first or South 10 degrees 52 minutes West 966.89 feet line of said above mentioned Deed running thence and binding on part of said line and on the east side of said 20 foot right of way South 10 degrees

32 minutes West 220.82 feet to an iron pipe heretofore set at the beginning of the third or North 83 degrees 41 minutes West 351.19 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, his wife, to Earl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, [illegible] and recorded among the Land Records of Baltimore County in Liber GLB. No. 3146, folio 138 etc. running thence and binding on said third line North 83 degrees 41 minutes West 351.19 feet to a concrete monument at the end of said line and to intersect the third line of the first herein mentioned Deed (Smithson to McCabe) running thence and binding on said line North 10 degrees 45 minutes East 220.82 feet to the place of beginning. Containing 1.78 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
STATE [illegible] DATE 10-7-13

B 8015****232000^a 2078A

BEGINNING for the third at a concrete monument heretofore set at the beginning of the first or South 83 degrees 41 minutes East 350.68 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, hiswife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30 ,1957, and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138 etc. said monument also being in the third or South 86 degrees East 68 perches line of the land conveyed by Emma L. Benson, widow, to Curits G. McCabe and Helen B. McCabe, his wife, by a Deed dated May 14, 1945 and recorded among the Land Records of Baltimore County in Liber RJS NO. 1387, folio 152 etc. running thence and binding reversely on part of said third line North 83 degrees 41 minutes West 110.00 feet to an iron pipe thence running for the three following line of division now made viz. South 10 degrees 45 minutes West 100.00 feet to an iron pipe south 83 degrees 41 minutes East 440.35 feet to an iron pipe North 10 degrees 52 minutes East 100.00 feet to a concrete monument heretofore set in the second line of the first herein mentioned Deed and also in the third line of the secondly heretofore mentioned Deed running thence and binding reversely on said lines North 83 degrees 41 minutes West 330.56 feet to the place of beginning. Containing 1.01 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

BEING the firstly described lot of ground described in a Deed dated April 30, 1957 and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138, from Curtis G. McCabe and Helen G. McCabe, his wife to Karl E. Zinkhan and M. Estella Zinkhan, his wife.

BEING the secondly and thirdly described lot of ground described in a Deed dated February 18, 1969 and recorded among the Land Records of Baltimore County in Liber OTG No. 4965, folio 433, from Helen G. McCabe to Karl E. Zinkhan and M. Estella Zinkhan, his wife.

413

Together with the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said said Grantee, her heirs, personal representatives and assigns, in fee simple.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said grantor(s):

WITNESS:

[Seal]
KARL E. ZINKHAN

[Seal]
M. ESTELLA ZINKHAN

State of Maryland. Baltimore City, TO WIT:

I HEREBY CERTIFY, that on this 22 day of SEPTEMBER, 1983, before me, a Notary Public of the State aforesaid, personally appeared KARL E. ZINKHAN and M. ESTELLA ZINKHAN, his wife

known to me (or satisfactorily proven) to be the person(s) whose name(s) are subscribed to the within instrument, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Louis C. Jira
Notary Public

My commission expires: July 1, 1986.

LOUIS C. JIRA
NOTARY PUBLIC
BALTIMORE COUNTY, MD.

Rec'd for record OCT 10 1988 at 10:14 19
Per Elmer H. Kahline, Jr., Clerk
Mail to Safeco Title Ins Co
Receipt No. 8 15000

79807
Emma L Benson
Deed to
Curtis G McCabe & Wf
USs $3.85 Ss $3.50

THIS DEED Made this 14th day of May 1945 by Emma L Benson Widow party of the first part Grantor to Curtis G McCabe and Helen G McCabe his wife parties of the second part Grantees all of Baltimore County State of Maryland

WITNESSETH that in consideration of Five Dollars and other good and valuable considerations receipt whereof by the first party is acknowledged the said first party does hereby grant and convey unto the said second parties as tenants by the entireties their assigns the survivor of them and the heirs and assigns of such survivor in fee simple all that parcel of land known as parts of "Buchanan's Pallace" and "Bank's Delight" situate lying and being in the Fourth Election District of Baltimore County State of Maryland and described as follows to wit

BEGINNING for the same at a large white oak stump at which a stone is now planted and running thence to correspond North sixty-five and one quarter degrees (inadvertently called North fifty-five and one quarter degrees in the Deed hereinafter mentioned) West fifty-seven perches North six and one quarter degrees East forty-seven and four tenths perches to a stone south eighty-six degrees East sixty-eight perches to a stone North eight and three quarters degrees East fifty-eight and six tenths perches to the centre of the Dover Road and thence bounding thereon three courses South seventy-nine and three quarters degrees East twenty and four tenths perches south fifty-four and one quarter degrees east eight perches South fifty-one and one quarter degrees East four and four tenths perches thence south twenty-nine degrees West ninety and one quarter perches to a gum tree and thence South twenty-four and one quarter degrees West thirty-seven and eight tenths perches to the place of beginning Containing 32 acres 1 rood and 26 square perches of land more or less

BEING all and the same property which by deed dated November 22 1917 and recorded amongthe Land Records of Baltimore County in Liber W P C No 489 folio 532 etc was conveyed by Mary E Bosley single to the said Emma L Benson

SAVING AND EXCEPTING However from and out of the above described parcel of land all that parcel of land containing fifty-nine one hundredths of an acre of land more or less which by Deed dated June 13 1939 and recorded among the Land Records of Baltimore County in Liber C W B Jr No 1068 etc was conveyed by the said Emma L Benson and Robert E Benson her husband to Alfred B Smith and Adella Q Smith his wife

AND SUBJECT to a right-of-way of 20 feet wide which by deed dated November 28 1930 and recorded among said Land Records in Liber L McL M No 868 folio 136 was granted by Emma L Benson and husband to the Maryland Gas Transmission Corporation and also a right-of-way one rod wide which by deed dated dated August 5 1941 and recorded among said Land Records in Liber C H K No 1184 folio 246 was granted by the said Emma L Benson and husband to the American Telephone and Telegraph Company

TOGETHER with the buildings and improvements thereon and all the rights and appurtenances thereunto belonging or in anywise appertaining

TO HAVE AND TO HOLD said land and premises unto the second parties as tenants by the entireties their assigns the survivor of them and the heirs and assigns of such survivor forever in fee simple

AND the .. first party covenants to warrant specially the land and premises

intended hereby to be conveyed and to execute such other or further assurances thereof as may be requisite

AS WITNESS the hand and seal of the grantor

WITNESS

Lillian A Kelly Emma L Benson (Seal)

STATE OF MARYLAND BALTIMORE COUNTY to wit

I HEREBY CERTIFY that on this 14th day of May 1945 before me the subscriber a Notary Public of the State of Maryland in and for the County aforesaid personally appeared Emma L Benson Widow and acknowledged the aforegoing Deed to be her act

AS WITNESS my hand and Notarial Seal

Lillian A Kelly

(Notarial Seal) Notary Public

Recorded May 14 1945 at 10.45 A M & exd per

Robert J Spittel Clerk

(Exd K & Mc C) (Red by RP)

79808
Thomas H Stetser
Deed to
Marie M Kraus

THIS DEED Made this 14th day of May in the year one thousand nine hundred and forty-five by and between Thomas H Stetser widower Grantor of Baltimore County in the State of Maryland of the first part and Marie M Kraus unmarried Grantee of the second part

WITNESSETH that in consideration of the sum of Five ($5.00) Dollars and other good and valuable considerations the said Thomas H Stetser Grantor does grant and convey unto the said Marie M Kraus Grantee her heirs and assigns in fee simple all that lot or parcel of ground situate lying and being in 9th Election District Balto Co aforesaid and described as follows that is to say

BEGINNING for the same at a point in the third line of the land which by deed dated June 30th 1884 and recorded among the Land Records of Baltimore County in Liber J W S No 165 folio 537 &c was conveyed by Richard G Dumphy and wife to Ezra F Brown at the distance of one hundred and five feet from the end thereof running thence binding on said third line reversely North seventy six degrees thirty one minutes West seventy one feet to the east side of an alley running thence binding on the East side of said alley North thirteen degrees East seventy eight feet to the South side of Joppa Road running thence binding on the South side of the Joppa Road South sixty six degrees thirteen minutes East seventy seven feet to a fence there situate thence running binding on said fence South seventeen degrees West sixty four feet two inches to the place of beginning

BEING all the same piece or parcel of land which by deed dated October 28 1908 and recorded among the Land Records of Baltimore County in Liber W P C 336 folio 38 was granted and conveyed by Jacob L Hess and wife to Thomas H Stetser and Emma S Stetser his wife the said Emma S Stetser having heretofore departed this life on or about December 7 1944

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

Received May 14-1945
Mary Matilda Grenell

This Partial Release of Mortgage made this first day of May 1946 by and between J Britain Winter of Baltimore County in the State of Maryland party of the first part and Nellie W Smithson formerly Nellie T Winter of the same place party of the second part

at in consideration of the sum of One Dollar ($1.00) and other good ations the receipt whereof is hereby acknowledged the saidparty of rant and release unto the party of the second part her heirs and or parcel of ground situate lying and being in Baltimore County con- as more or less described in a deed bearing even date herewith and being ded among the Land Records of Baltimore County prior hereto from the onto Curtis G McCabe and Helen G McCabe free clear and discharged from fect of a mortgage from Nellie T Winter to J Britain Winter dated recorded among the said Land Records in Liber CHK No 1198 folio 357 intents and purposesas if the said tract of land had never been mortgage the said mortgage however to be and remain in full force remaining property therein described

hand and seal of the party of the first part

J Britain Winter (Seal)

e ss

t day of May 1946 before me John L Porter the undersigned officer per- Britain Winter known to me to be the person whose name is subscribed rument and he acknowledged that he executed the same for the purposes

Whereof I hereunto set my hand and official seal

John D Porter

Notary Public

tres May 5 1947

946 at 11.00 a m & exd per

Robert J Spittel - Clerk

(Rcd by MEB)

on et al
& wf
00

This Deed Made this 1st day of May 1946 by and between ellie W Smithson and Arthur C Smithson her husband parties of the first part Grantors and Curtis G McCabe and Helen G McCabe his wife parties of the secondpart Grantees

Witnesseth that for and in consideration of the sum of Five Dollars and other good and valuable considerationsthe receipt by acknowledged the said Nellie W Smithson andArthur C Smithson her husband and convey nhto the said Curtis G McCabe and Helen G McCabe his wife as entiretes their assigns the survivor of them and the heirs and assigns all that piece or parcel of ground situate lying and being in Baltimore Maryland and described as follows

Beginning for the same at a point in the center of Greenspring Avenue said point also being at the end of the fourth line of the land which by deed dated May 14th 1945 was conveyedby Emma L Benson to Curtis G McCabe and wife and recorded among the LandRecords of Baltimore County in Liber RJS 1387 folio 152 etc running thence and binding reversely on said fourth line and referring the courses of this description to the magnetic meridian as directed by the needle South 10 degrees 52 minutes West 966.89 feet to a pipe passing over a steel pin heretofore planted at the end of 20 feet thence binding reversely on the third line of aforesaid land North 83 degrees 41 minutes West 350.68 feet to a pipe heretofore planted thence binding reversely on the third line of the land which by deed dated February 22nd 1941 was conveyed by Joshua J Raver and wife to Nellie T Winter and recorded among the aforesaid records in Liber CWB Jr 1148 folio 212 etc North 10 degrees 45 minutes East 470 feet to a pipe now planted thence for the two following lines of divisionnow made South 83 degrees 55 minutes East 331.7 feet to a pipe now planted thence North 10 degrees 52 minutes East 497.04 feet to the center of Greenspring Avenue thence with the center of said Avenue andbinding reversely on the second line of the land in the deed from Raver to Winter South 79 degrees 10 minutes East 20 feet to the beginning

Containing 4.011 acres ofland more or less as surveyed April 9 1946 by William M Maynadier Land Surveyor

Being a part of the land which by the above named deed was conveyed by Joshua J Raver and wife to Nellie T Winter whohas since intermarried withthe said Arthur C Smithson

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

To Have and to Hold the said land and premises unto and to the proper use and benefit of the said Curtis G McCabe and Helen G McCabe his wife as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor

And the said Nellie W Smithson and Arthur C Smithson her husband do hereby covenant that they have not done or suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed and that they will warrant specially the property hereby granted and that they will execute such other and further assurances of the same as may be requisite

Witness the hands and seals of the said Grantors

Test

Katherine R Bradley

Nellie W Smithson (Seal)

Arthur C Smithson (Seal)

State of Maryland

County of Baltimore to wit

I Hereby Certify that on this 1st day of May 1946 before me the subscriber a Notary Public of the State of Maryland in and for the County aforesaid personally appeared Nellie W Smithson and Arthur C Smithson her husband and they acknowledged the aforegoing Deed to be their act

(Notarial Seal)

Katherine R Bradley

Notary Public

946 at 11.00 a m & exd per Robert J Spittel - Clerk

W & G) (Rcd by MEB)

DELIVERED TO OCT 8 1951 SIGNATURE

& wf

wf

This Mortgage Made this 1st day May in the year nineteen hundred and forty-six Wilbur F Bonsal and Ruth Bonsal his wife Mortgagors of Baltimore County in the State of Maryland of the first part and William J Buell and Margaret D Buell his wife Mortgagees of the second part

Whereas the said Wilbur F Bonsal and Ruth Bonsal his wife justly indebted unto the said William J Buell and Margaret D Buell his wife d justsum of Twenty-six hundred ($2600.00) Dollars for moneythis day advance the said Wilbur F Bonsal and Ruth Bonsal his wife hereby covenant and agree the said William J Buell and Margaret D Buell his wife three years from the ogether with interest thereon at the rate of six percent per annum payable semi-

as as a condition precedent thereto and more effectually to secure the prompt aid principal sum and the interest to accrue thereon when and as the same may nd demandable these presents are executed

This Mortgage Witnesseth that in consideration of the premises and the sum of he said Mortgagors Wilbur F Bonsal and Ruth Bonsal his wife do grant and convey d Mortgagees William J Buell andMargaret D Buell his wife their heirs and assigns e all that lot or parcel of ground situate and lying in Baltimore County afore-cribed as follows

nning for the same in the center of Summit Avenue at the beginning of the last rcel of land which by a deed dated April 19th 1887 and recorded among the Land Baltimore County in Liber JWS No 164 folio 314 was conveyed by Tenant Nelson and sil W Cavey thence binding in the center of Summit Avenue North fifty-nine degrees minutes East two hundred seventeen feet thence leaving said Avenue and running of division South thirty-eight degrees four minutes East two hundred nine and nt one-hundredths feet to a point in the second line of a parcel of land which by ed May 23rd 1904 and recorded among the Land Records of Baltimore County in Liber folio 522 was conveyed by James H Cavey and wife to Basil W Cavey thence running nding on a part of said secod line to the end thereof and binding on the second he first hereinmentioned parcel of land which was conveyed to Basil W Cavey South e degrees fifty-three minutes West two hundred sixteen and sixty-eight onehundredths thence running with and binding on the third line of the parcel ofland which was by tenant Nelsonand wife to Basil W Cavey North thirty-eight degrees nine minutes hundred ten and five one-hundredths feet to the place of beginning

Containing 1.035 acres ofland more or less

Being the same ground and premises which by a Deed dated April 20th 1939and recorded e Land Records of Baltimore County in Liber CWB Jr No 1060 folio 411 was conveyed Cavey (also known as Anna M Cavey) to Wilbur F Bonsal and Ruth Bonsal his wife

Together with the buildings and improvements thereon and the rights roads ways waters es appurtenances and advantages thereto belonging or in anywise appertaining

To Have andto Hold the aforesaid parcel of ground and premises unto and to the proper

This Deed, Made this 30th day of April

in the year one thousand nine hundred and [illegible], by and between [illegible]

and Helen G. Hodges, his wife,

of [illegible] in the State of Maryland, of the first part, and

[illegible]

of the second part.

Witnesseth, that in consideration of the sum of [illegible]

the said [illegible]

do grant and convey unto the said [illegible]

heirs and assigns, in fee simple, all [illegible] of ground, situate, lying and being in [illegible] aforesaid, and described as follows, that is to say:—

Beginning for the [illegible]

Containing two acres of land more or less.

Being a part of that land which by a deed dated May 1, 1946 and recorded among the land records of Baltimore County in Liber E.H.K. No. 1[illegible] Folio 27 etc. was granted and conveyed by Nellie V. Atkinson and Arthur L. Atkinson, her husband to Curtis D. McCabe and Helen J. McCabe, his wife.

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

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Earl E. Linkhan and K. Estelle Linkhan, his wife, as tenants by the entireties, their survivor of them, and the heirs and assigns, of the survivor,

heirs and assigns in fee simple.

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

Witness the hand and seal of said grantor.

TEST:

John L. Bell — Curtis G. McCabe (SEAL)
JOHN L. BELL — Curtis G. McCabe

Helen G. McCabe (SEAL)
Helen G. McCabe

STATE OF MARYLAND, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 15th day of April in the year one thousand nine hundred and fifty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared Curtis G. McCabe and Helen G. McCabe, his wife

the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.

Edward L. Cashman
EDWARD L. CASHMAN Notary Public

Rec'd for Record APR 30 1957 at 9:45 A.M.
Per George L. Byerly, Clerk.
Mailed to Stephen L. Fink

LIBER 4965 PAGE 433

FEE SIMPLE DEED
(Individual Form)
FILE No. 8598

LAW OFFICES
STENGEL & ASKEW
Towson, Maryland 21204

This Deed, Made this ----------18th---------- day of -----February-----

in the year one thousand nine hundred and sixty-nine, ----------, by and between

HELEN G. McCABE, widow, ----------

of Baltimore County, ---------- in the State of Maryland, of the first part, Grantor(s), and

KARL E. ZINKHAN and M. ESTELLA ZINKHAN, his wife, ----------

of the second part, Grantee(s),

FEB 1969

RECORDATION TAX ACT OF 1967 $20.25

FEB 1969

RECORDATION TAX ACT OF 1967 $19.15

Witnesseth, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party(ies) of the first part do(es)

grant and convey unto the said party(ies) of the second part, as tenants by the entireties, their assigns, and the survivor of them, ----------

his or her(~~XXXXXX~~) heirs and assigns, in fee simple, all that (those) lot(s) or parcel(s) of ground situate in Baltimore County, ----------, State of Maryland, and described as follows:

BEGINNING FOR THE SAME at an iron pipe heretofore set at the end of the third or North 10 degrees 45 minutes East 470.00 feet line of the land conveyed by Nellie W. Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27 etc. running thence and binding on the fourth line in said Deed South 83 degrees 55 minutes East 331.70 feet to an iron pipe at the end of said line thence continuing the same course South 83 degrees 55 minutes East 20.07 feet to the east side of right of way heretofore laid out 20 feet wide and also to intersect the first or South 10 degrees 52 minutes West 966.89 feet line of said above mentioned Deed running thence and binding on part of said line and on the east side of said 20 foot right of way South 10 degrees 52 minutes West 222.27 feet to an iron pipe heretofore set at the beginning of the third or North 83 degrees 41 minutes West 351.19 feet line of the land conveyed

by Curtis G. McCabe and Helen G. McCabe, his wife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3146, folio 138 etc. running thence and binding on said third line North 83 degrees 41 minutes West 351.19 feet to a concrete monument at the end of said line and to intersect the third line of the first herein mentioned Deed (Smithson to McCabe) running thence and binding on said line North 10 degrees 45 minutes East 220.82 feet to the place of beginning. Containing 1.78 acres of land more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

BEING a part of the land, which by Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27 etc., was granted and conveyed by Nellie W. Smithson and husband to Curtis G. McCabe and Helen G. McCabe, his wife.

SUBJECT TO the right to use in common with others entitled thereto of the 20 foot right of way leading to Green Spring Avenue mentioned in the Deed above mentioned (Smithson to McCabe) R.J.S. No. 1461, folio 27 etc.

BEGINNING FOR THE SECOND at a concrete monument heretofore set at the beginning of the first or South 83 degrees 41 minutes East 350.68 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, his wife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3146, folio 138 etc. said monument also being in the third or South 86 degrees East 68 perches line of the land conveyed by Emma L. Benson, widow, to Curtis G. McCabe and Helen B. McCabe, his wife, by a Deed dated May 14, 1945 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1387, folio 152 etc. running thence and binding reversely on part of said third line North 83 degrees 41 minutes West 110.00 feet to an iron pipe thence running for the three following lines of division now made viz. South 10 degrees 45 minutes West 100.00 feet to an iron pipe South 83 degrees 41 minutes East 440.35 feet to an iron pipe North 10 degrees 52 minutes East 100.00 feet to a concrete monument heretofore set in the second line of the first herein mentioned Deed and also in the third line of the secondly heretofore mentioned Deed running thence and binding reversely on said lines North 83 degrees 41 minutes West 330.56 feet to the place of beginning. Containing 1.01 acres of land more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

BEING a part of that land, which by a Deed dated May 14, 1945 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1387, folio 152 etc. was granted and conveyed by Emma L. Benson, widow, to Curtis G. McCabe and Helen G. McCabe, his wife; the said Curtis G. McCabe having since departed this life on or about August 16, 1967.

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

To Have and To Hold the said lot(s) 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 party(ies) of the second part, as tenants by the entireties, their assigns and the survivor of them, ----

his or her ~~(or their)~~ heirs and assigns, in fee simple.

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

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of said grantor(s):

Witness:

John L. Askew

Helen G. McCabe (SEAL)
Helen G. McCabe

Helen G. McCabe (SEAL)

STATE OF MARYLAND, BALTIMORE COUNTY, ---------- , to wit:

I HEREBY CERTIFY, That on this ---18th----- day of ----------February------ in the year one thousand nine hundred and sixty-nine, ----------, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Helen G. McCabe, widow, -------

known to me (or satisfactorily proven) to be the person(s) whose name(s) is(are) subscribed to the within Deed, who signed the same in my presence, and acknowledged that he, she, or they executed the same for the purposes therein contained.

As Witness my hand and Notarial Seal.

John L. Askew
Notary Public

JOHN L. ASKEW NOTARY PUBLIC BALTIMORE COUNTY, MD.

Rec'd for record FEB 19 1969 at 11
Per Orville T. Cosnell, Clerk
Mail to STENGEL & ASKEW
Receipt No. 23926 $ 10.00

My Commission expires on: July 1, 1969

T-2

SAFECO TITLE INSURANCE CO. OF MD.
(Individual Form)

App. H- 105710
MPY:mmt

LIBER 6604 FOLIO 411

This Deed, Made this 22 day of September, in the year one thousand nine hundred and eighty-three, by and between KARL E. ZINKHAN and M. ESTELLA ZINKHAN, his wife, parties of the first part, Grantors; and LINDA DORMAN, party of the second part, Grantee.

STATE DEPARTMENT OF ASSESSMENTS & TAXATION
CLERK 10-7-83 DATE

The actual consideration paid or to be paid is $145,000.00.

Witnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto said Grantee, her heirs, personal representatives, and assigns, in fee simple, all that

10/10/83

---------- lot(s) of ground

situate in Baltimore County,

in the State of Maryland, and described as follows, that is to say:

BEGINNING for the first at a concrete monument now planted at the end of the second or north 83 degrees 41 minutes west 350.68 feet line of the land conveyed by Nellie Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the land records of Baltimore County in Liber R.J.S. No. 1461, folio 27, etc., running thence and binding reversely on said second line south 83 degrees 41 minutes East (passing over a concrete monument at the end of 330.56 feet) in all a distance of 350.68 feet to the end of the first line in said deed and to the southeast side of a right of way now laid out twenty feet wide running north 10 degrees 53 minutes east binding along the northwest side of said first line in the aforesaid deed to the center of Greenspring Avenue, thence binding reversely on a part of said first line and on the southeast side of said right of way with the use thereof in common with others entitled thereto north 10 degrees 52 minutes east 249.22 feet thence crossing the right of way and running for a line of division now made north 83 degrees 41 minutes west (passing over a concrete monument at the end of 20.12 feet) in all a distance of 351.19 feet to a concrete monument planted at the distance of 249.18 feet on the third line in the aforesaid deed thence reversely on a part of said third line south 10 degrees 45 minutes west 249.18 feet to the place of beginning. Containing two acres of land, more or less.

BEGINNING for the second at an iron pipe heretofore set at the end of the third or North 10 degrees 45 minutes East 470.00 feet line of the land conveyed by Nellie W. Smithson and husband to Curtis G. McCabe and wife by a Deed dated May 1, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1461, folio 27 etc. running thence and binding on the fourth line in said Deed South 83 degrees 55 minutes East 331.70 feet to an iron pipe at the end of said line thence continuing the same course South 83 degrees 55 minutes East 20.07 feet to the east side of right of way hereto fore laid out 20 feet wide and also to intersect the first or South 10 degrees 52 minutes West 966.89 feet line of said above mentioned Deed running thence and binding on part of said line and on the east side of said 20 foot right of way South 10 degrees 52 minutes West 222.27 feet to an iron pipe heretofore set at the beginning of the third or North 83 degrees 41 minutes West 351.19 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, his wife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3146, folio 138 etc. running thence and binding on said third line North 83 degrees 41 minutes West 351.19 feet to a concrete monument at the end of said line and to intersect the third line of the first herein men tioned Deed (Smithson to McCabe) running thence and binding on said line North 10 degrees 45 minutes East 220.82 feet to the place of beginning. Containing 1.78 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 10-7-83

B B016****232000^a 2072A

BEGINNING for the third at a concrete monument heretofore set at the beginning of the first or South 83 degrees 41 minutes East 350.68 feet line of the land conveyed by Curtis G. McCabe and Helen G. McCabe, hiswife, to Karl E. Zinkhan and M. Estella Zinkhan, his wife, by a Deed dated April 30 ,1957, and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138 etc. said monument also being in the third or South 86 degrees East 68 perches line of the land conveyed by Emma L. Benson, widow, to Curits G. McCabe and Helen B. McCabe, his wife, by a Deed dated May 14, 1945 and recorded among the Land Records of Baltimore County in Liber RJS NO. 1387, folio 152 etc. running thence and binding reversely on part of said third line North 83 degrees 41 minutes West 110.00 feet to an iron pipe thence running for the three following line of division now made viz. South 10 degrees 45 minutes West 100.00 feet to an iron pipe south 83 degrees 41 minutes East 440.35 feet to an iron pipe North 10 degrees 52 minutes East 100.00 feet to a concrete monument heretofore set in the second line of the first herein mentioned Deed and also in the third line of the secondly heretofore mentioned Deed running thence and binding reversely on said lines North 83 degrees 41 minutes West 330.56 feet to the place of beginning. Containing 1.01 acres of land, more or less, as per survey and description dated February 1, 1969 by William G. Ulrich, Jr., Registered Land Surveyor.

BEING the firstly described lot of ground described in a Deed dated April 30, 1957 and recorded among the Land Records of Baltimore County in Liber GLB No. 3146, folio 138, from Curtis G. McCabe and Helen G. McCabe, his wife to Karl E. Zinkhan and M. Estella Zinkhan, his wife.

BEING the secondly and thirdly described lot of ground described in a Deed dated February 18, 1969 and recorded among the Land Records of Baltimore County in Liber OTG No. 4965, folio 433, from Helen G. McCabe to Karl E. Zinkhan and M. Estella Zinkhan, his wife.

413

Together with the buildings and improvements thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said said Grantee, her heirs, personal representatives and assigns, in fee simple.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said grantor(s):

WITNESS:

[Seal]
KARL E. ZINKHAN

[Seal]
M. ESTELLA ZINKHAN

State of Maryland, Baltimore City, TO WIT:

I HEREBY CERTIFY, that on this 22 day of SEPTEMBER, 1983, before me, a Notary Public of the State aforesaid, personally appeared KARL E. ZINKHAN and M. ESTELLA ZINKHAN, his wife

known to me (or satisfactorily proven) to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Louis C. Jira
Notary Public

My commission expires: July 1, 1986.

LOUIS C. JIRA NOTARY PUBLIC BALTIMORE COUNTY, MD.

Rec'd for record OCT 10 1983 at 10 P.
Per Elmer H. Kahline, Jr., Clerk
Mail to Safeco Title Ins Co
Receipt No. 8 15.00

PORTER/MICHEL AGREEMENT

THIS AGREEMENT, by and among WAYNE PORTER, hereinafter referred to as "Owner" and ROGER L. MICHEL and LINDA B. MICHEL, his wife, hereinafter collectively referred to as "Neighbors", Made this 22 day of July, 2005

WITNESSETH:

WHEREAS the Owner has proposed a subdivision of property he owns at 12312 Greenspring Avenue in Owings Mills, Maryland (the "Property"); and

WHEREAS access to the proposed 7 lot subdivision is by means of a roadway running past the Neighbors property from Greenspring Avenue (the "Roadway"); and

WHEREAS lots within the subdivision will directly adjoin property owned by the Neighbors; and

WHEREAS the Owner needs development plan and subdivision approval from Baltimore County in order to proceed with a recorded subdivision; and

WHEREAS the Neighbors desire to obtain an additional building lot on their property;

NOW, THEREFORE, in consideration of the mutual agreements and understandings contained in this Agreement, and for other good and valuable considerations, the receipt and sufficiency of which are hereby mutually acknowledged, the parties agree as follows:

1. Incorporation of Recitals. The recitals are incorporated in this Agreement as if each recital were fully set forth.

PETITIONER'S

EXHIBIT NO. 1

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PLM

2. Landscaping. The Owner agrees at his cost to provide landscaping pursuant to the Landscape Plan, dated January, 2005, attached hereto and made a part hereof as Exhibit A, within sixty (60) days of the recordation of a final record plat for the Property. Plantings will be sized according to the Landscape Plan, and will be done at such time as may be mutually convenient to the parties hereto.

3. Lot 1. As shown on Exhibit A the existing dwelling on Lot 1 will be razed, and a new dwelling is proposed. The Owner agrees that the new dwelling shall have a garage oriented to the side as shown on Exhibit A and not with a front entrance. In addition the Owner agrees that no accessory structures shall be placed in the front yard of the dwelling as depicted on Exhibit A and as defined in the Baltimore County Zoning Regulations.

4. Easement Release. Upon the approval of a final, not appealed development plan the Owner agrees to sign a deed, prepared by the Neighbors, and approved by the Owner, relinquishing upon completion of final construction of the Roadway any rights he, his personal representatives and assigns may have in a twenty foot (20') right of way easement located on the property of the Neighbors, which deed may be recorded by the Neighbors in their discretion.

5. Construction Impact. In the event that any portion of the Neighbors' property is inadvertently temporarily impacted by the construction of the roadway, Owner agrees to restore promptly said property. In no event shall Owner disturb the fence or trees on Neighbors' property, and in no event shall any of the permanent Roadway improvements be located on the Neighbors' property.

6. Neighbors' Variance. Owner agrees not to oppose the Neighbors' request for zoning

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LM

variances from the regulations pertaining to a dwelling setback from his Property in order to allow the Neighbors to create a new building lot on their property.

7. Neighbors' Support for Development. In consideration of the conditions set forth in this Agreement, the Neighbors agree and covenant that they will support and not oppose the Owner, his personal representatives, heirs and assigns, in the use, development and improvement of the Property as provided in this Agreement before any and all governmental bodies, or before any other entity whose approval may be required for the use, development and improvement of the Property, provided such development and improvement is in accordance with this Agreement.

8. Binding Agreement. This Agreement shall be binding upon the parties, their personal representatives, successors and assigns.

9. Enforcement.

a. Relief. In the event of a breach or threatened breach hereof, any party may enforce this Agreement. The parties acknowledge that remedies at law may be inadequate to protect them from a material breach or threatened material breach of this Agreement. Each party expressly agrees that in addition to all remedies available at law or in equity, each party shall be entitled to seek and receive injunctive relief to address any material breach of this Agreement by the other. Notwithstanding either party's right to enforce this Agreement, however, the parties shall provide each other written notice of an alleged breach, and each party shall have the right within ten (10) days of receipt of written notice to correct the alleged violation, prior to the institution of any further action or proceeding.

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b. Legal Fees and Costs. The costs of enforcement of this Agreement including any reasonable attorney fees and expert fees incurred in the enforcement proceedings shall be borne by the party materially breaching this Agreement.

9. Miscellaneous Provisions.

a. This Agreement may be executed in counterparts.

b. This Agreement contains the entire understanding of the parties. Any amendments must be in writing, signed by all parties to this Agreement.

c. This Agreement is a private agreement among the parties hereto. Baltimore County, Maryland (the "County") is not a party to this Agreement, and the covenants, restrictions and conditions herein shall have no binding effect on Baltimore County, and the County, its officials, agents, employees, representatives, successors and assigns shall be neither requested nor compelled by any individual or entity, whether party hereto or not, to enforce this private Agreement, in whole or in part. These covenants, however, are intended to be enforced as part of the approved development plan for the subdivision.

d. The Owner and the Neighbors hereby warrant and represent that each has legal authority to bind itself, and that all necessary action required to be taken to authorize the execution of the Agreement has been taken.

e. If any provision of this Agreement shall be held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

f. All notices to be given shall be in writing and sent by certified mail, return receipt requested, which will be deemed delivered on the third business day following the

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date of mailing. For the purposes of such notices the respective addresses of the parties shall be as set on page one of this Agreement. Any change of address for any party must be in writing and sent in accordance with these provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

SIGNATURES ON FOLLOWING PAGE

WITNESS/ATTEST

(SEAL)

(SEAL)

(SEAL)

WAYNE PORTER

ROGER L. MICHEL

LINDA B. MICHEL

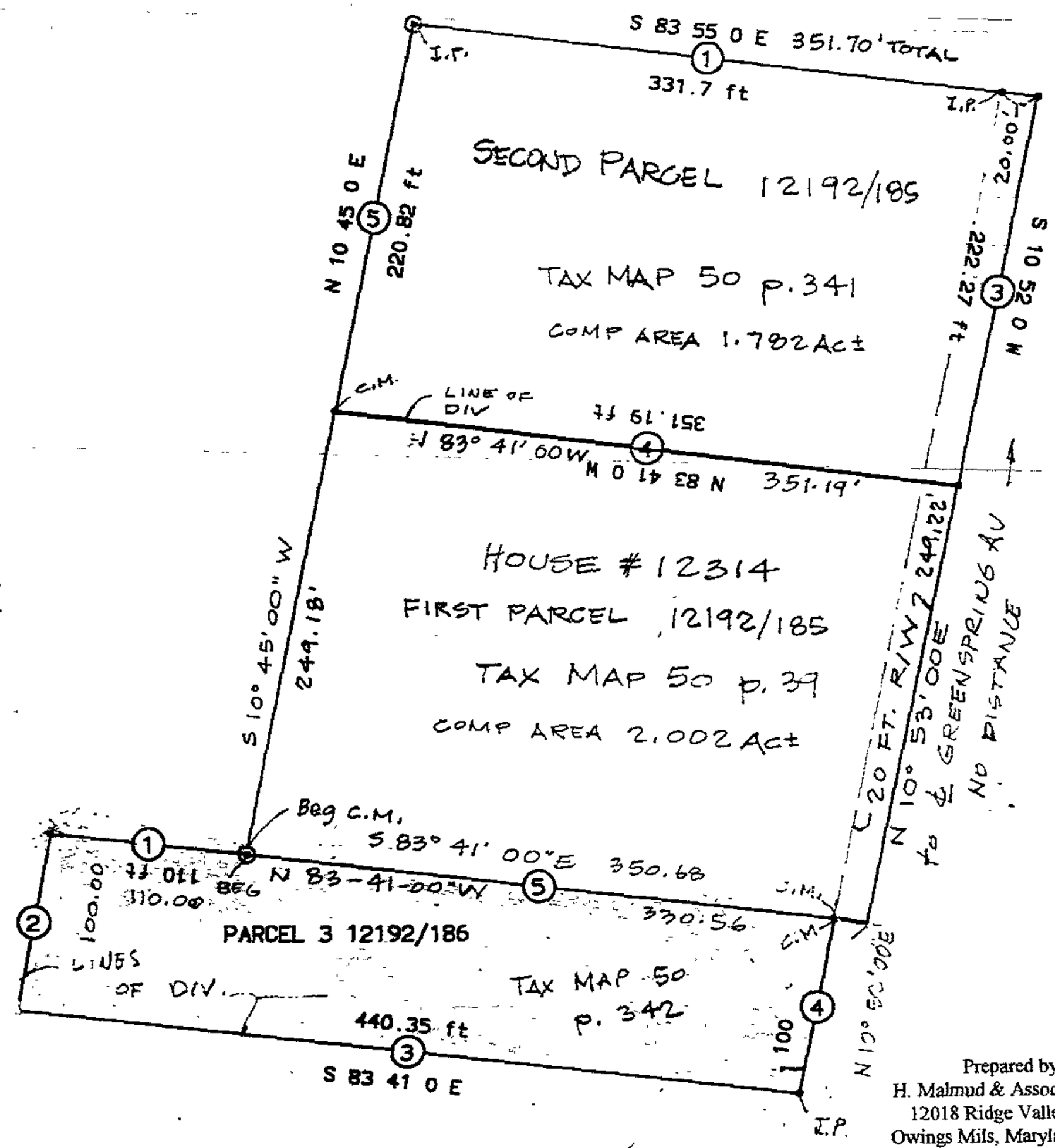
#338497

DEED REFERENCE: 12192/179
TAX MAP 50, GRID 13, TAX PARCELS 39, 341 & 342.

EXISTING ZONING: R.C.5

DEED PLOTTING OF PARCELS OWNED BY ROGER & LINDA MICHEL, NO ADJACENT DEEDS WERE INCLUDED IN THIS STUDY FOR ACCESS FROM GREENSPRING AVENUE.

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF LAW.



DEED STUDY
MICHEL PROPERTIES
GREENSPRING AVENUE
BALTIMORE COUNTY, MARYLAND

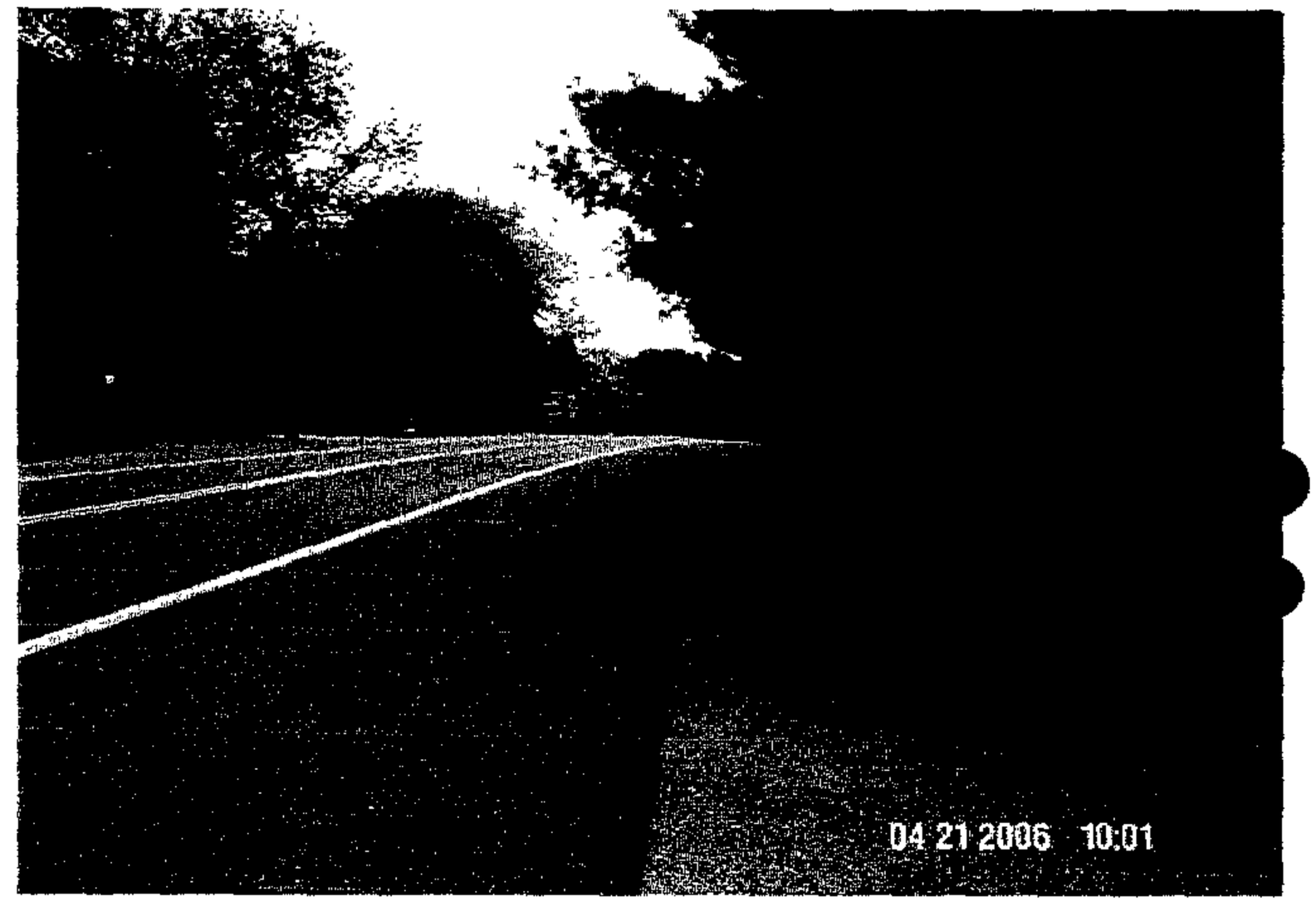
100 feet

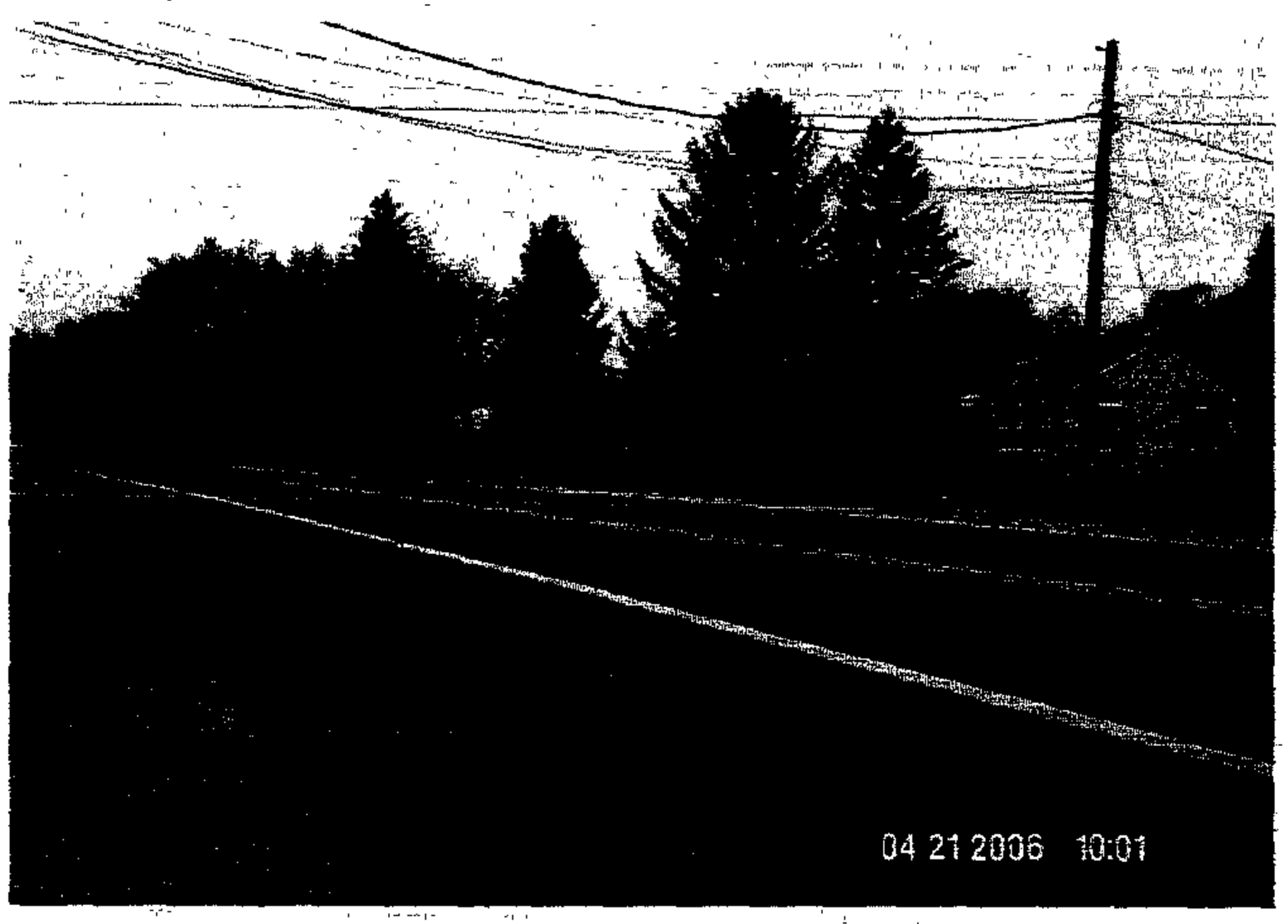
FILE NAME: GRNDEEDS
DATE: 06-06-2005
MCC1036890167

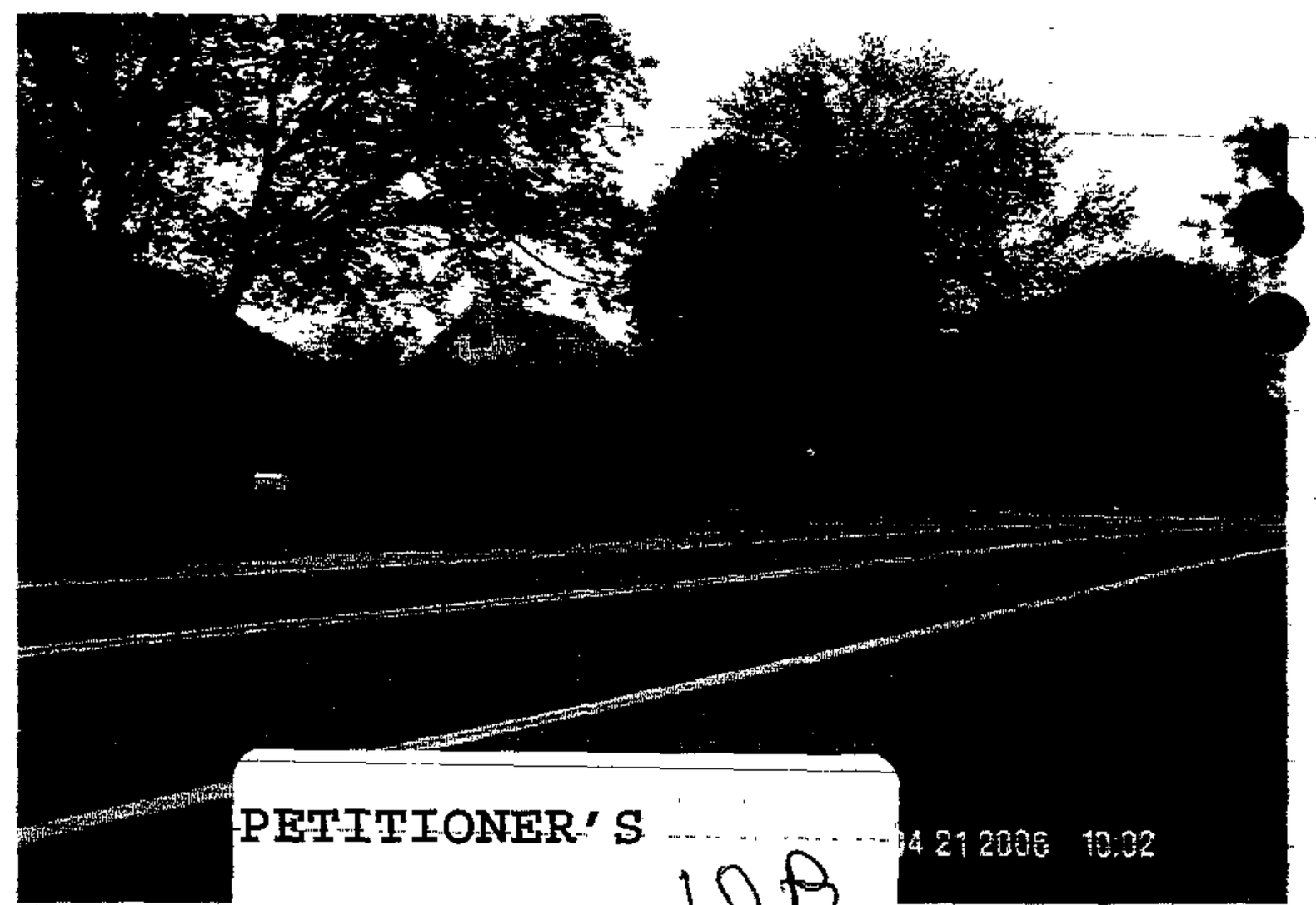
Prepared by:
H. Malmud & Associates, Inc.
12018 Ridge Valley Drive
Owings Mils, Maryland 21117
Telephone 410 382-2959

PETITIONER'S

EXHIBIT NO. 11

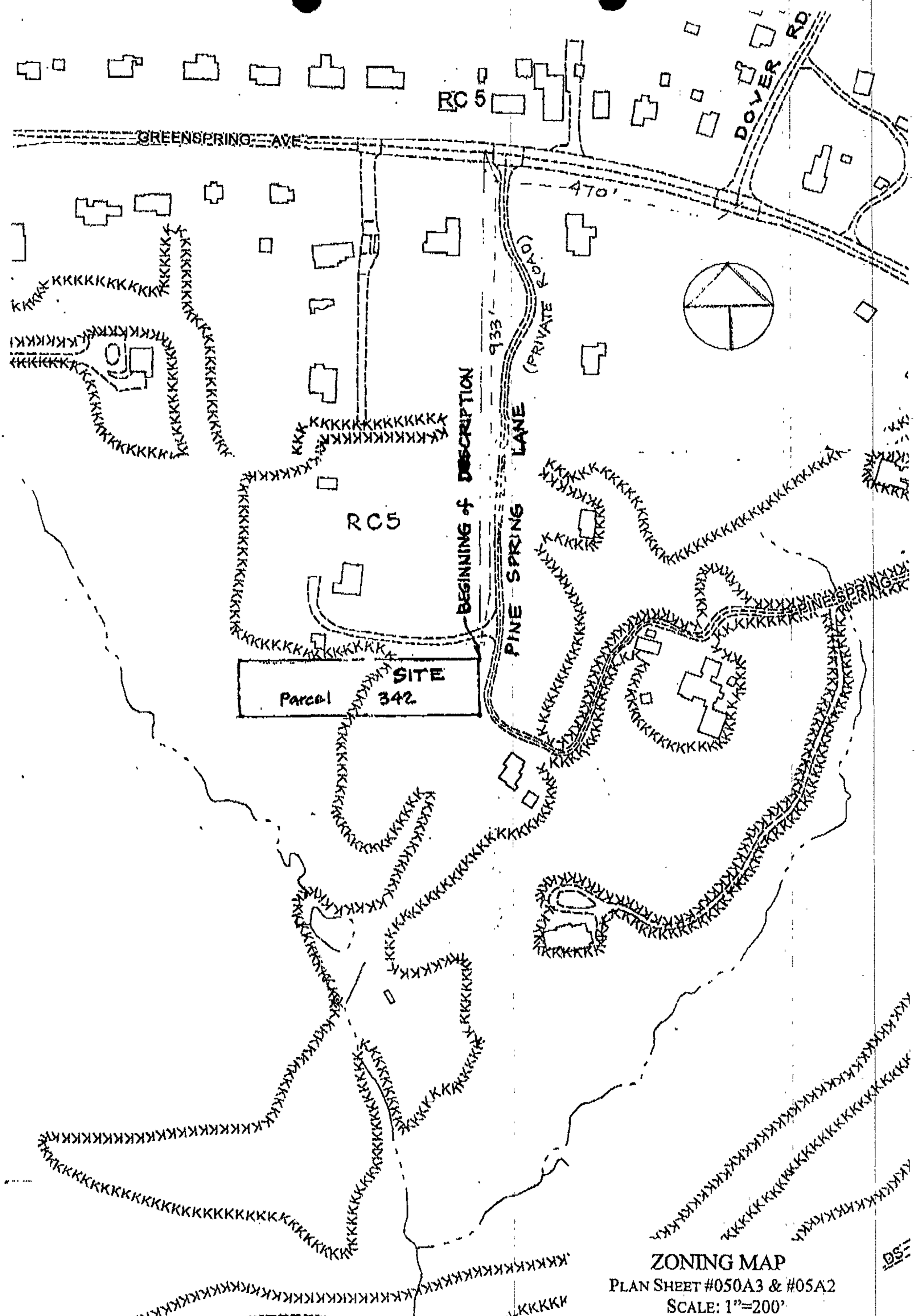






PETITIONER'S

EXHIBIT NO. 10B


RC 5
GREENSPRING AVE
DOVER RD
470'
933'
(PRIVATE)
LANE
PINE SPRING
BEGINNING of DESCRIPTION
RC5
SITE
Parcel 342
PINE SPRING
ZONING MAP
PLAN SHEET #050A3 & #05A2
SCALE: 1"=200'
25 OCT 05

OG 468-SP4f

Baltimore County - My Neighborhood

PETITIONER'S

EXHIBIT NO. 1

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 1800001392

Owner Information

Owner Name:	ROSENTHAL BRUCE DAVID	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	12320 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /10971/ 51 2)

Location & Structure Information

Premises Address
12320 GREENSPRING AVE

Legal Description
1.79 AC
12320 GREENSPRING AVE
LOUIS A WEISKITTEL,JR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	13	23					2	1	Plat Ref: 40/ 1

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1997	2,904 SF	1.78 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	75,460	97,020		
Improvements:	220,380	235,460		
Total:	295,840	332,480	320,266	332,480
Preferential Land:	0	0	0	0

Transfer Information

Seller:	GREENSPRING INC	**Date:**	03/13/1995	**Price:**	$96,200
Type:	UNIMPROVED ARMS-LENGTH	**Deed1:**	/10971/ 51	**Deed2:**	
Seller:	TAPPER YETTA	**Date:**	12/05/1994	**Price:**	$250,000
Type:	MULT ACCTS ARMS-LENGTH	**Deed1:**	/10856/ 66	**Deed2:**	
Seller:	WEISKITTEL LOUIS A,JR	**Date:**	07/12/1978	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 5908/ 837	**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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

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View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 1800001391

Owner Information

Owner Name:	BURD DALE J BURD PATRICIA C	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	12324 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /21254/ 387 2)

Location & Structure Information

Premises Address
12324 GREENSPRING AVE

Legal Description
1.89 AC
12324 GREENSPRING AVE
LOUIS A WEISKITTEL,JR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	13	23					1	1	Plat Ref: 40/ 1

Special Tax Areas

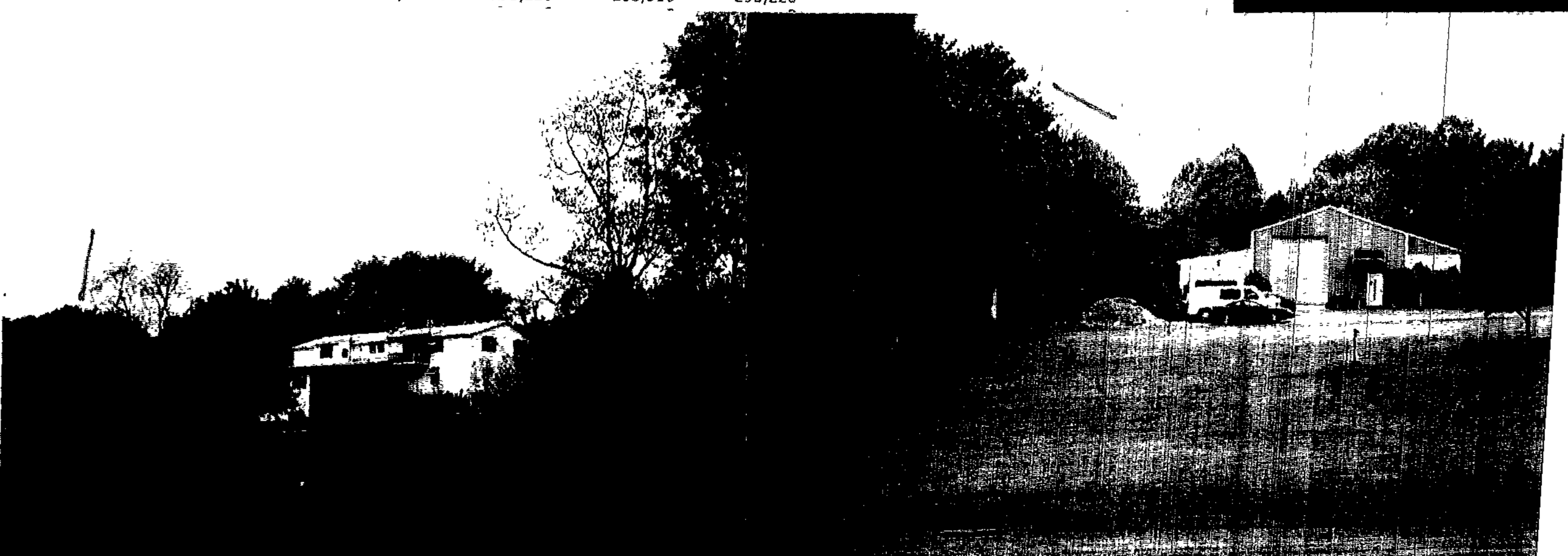
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1943	3,940 SF	1.89 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	76,230	98,010		
Improvements:	183,260	197,210		
Total:	259,490	295,220	283,310	295,220



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

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View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 0403001175

Owner Information

Owner Name: CASHMAN EDWARD LEROY,JR
CASHMAN CHERYL LYNN

Use: RESIDENTIAL

Principal Residence: YES

Mailing Address: 12308 GREENSPRING AVE
OWINGS MILLS MD 21117-1614

Deed Reference: 1) /23755/ 279
2)

Location & Structure Information

Premises Address
12308 GREENSPRING AVE

Legal Description
1.912 AC
12308 GREENSPRING AVE SS
E DOVER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	14	30						1	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	2,129 SF	1.91 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	72,870	98,190		
Improvements:	97,610	106,100		
Total:	170,480	204,290	193,020	204,290
Preferential Land:	0	0	0	0

Price: $0
Deed2:

Price: $0
Deed2:

Price: $0
Deed2:

006

ial Tax Recapture:

* NONE *

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 0413001200

Owner Information

Owner Name: MCCABE JOSEPHINE FRANCES

Mailing Address: 12310 GREENSPRING AV
OWINGS MILLS MD 21117

Use: RESIDENTIAL
Principal Residence: YES
Deed Reference: 1) / 6891/ 782
2)

Location & Structure Information

Premises Address
12310 GREENSPRING AVE

Legal Description
1.994 AC SS
GREENSPRING AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	14	29						1	Plat Ref:

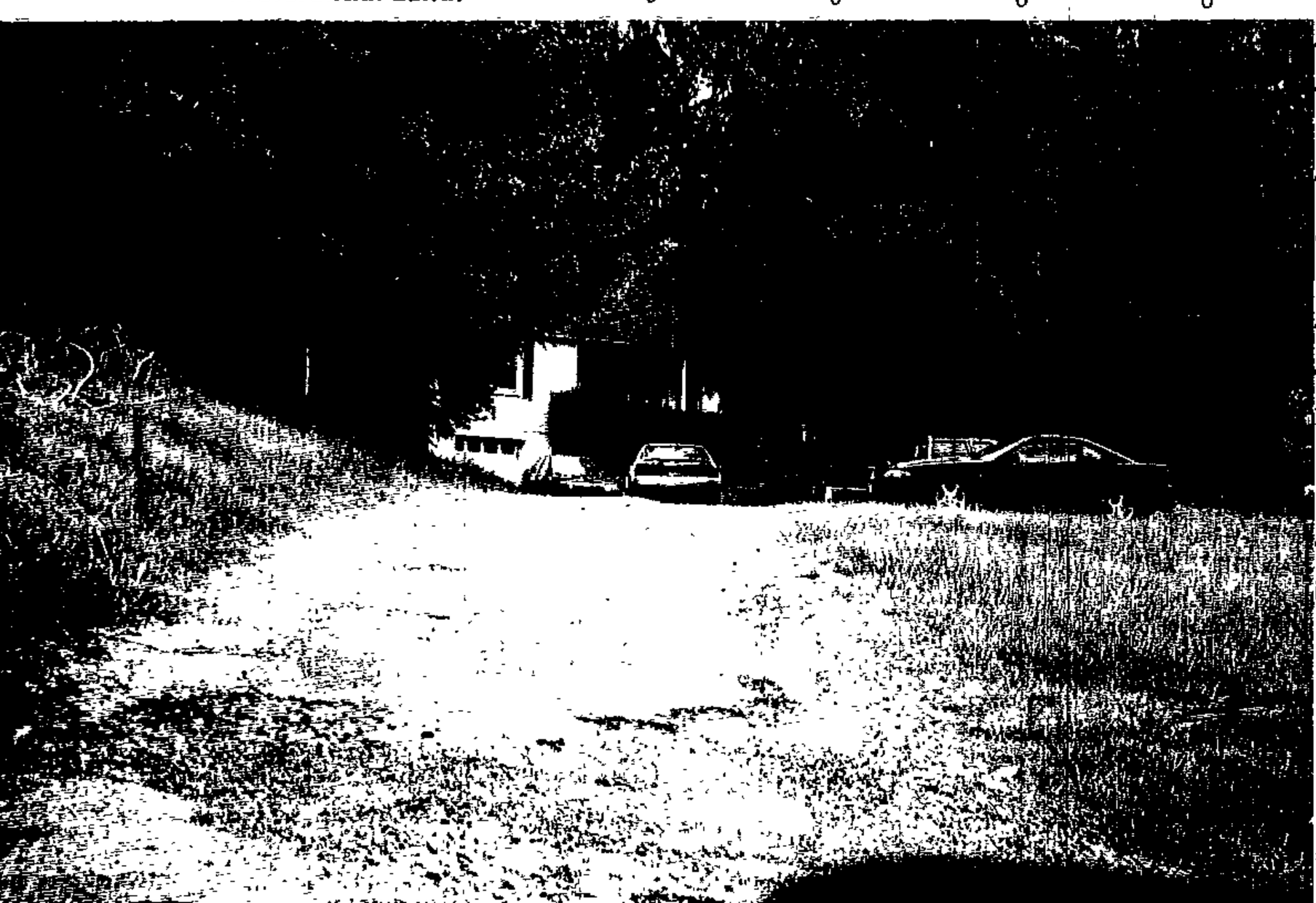
Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	1,289 SF	1.99 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	73,430	98,910		
Improvements:	69,640	75,700		
Total:	143,070	174,610	164,096	174,610
Preferential Land:	0	0	0	0



Price: $0
Deed2:

Price:
Deed2:

Price:
Deed2:

006

ial Tax Recapture:

* NONE *

=&county=0 5/11/2006

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 0426040220

Owner Information

Owner Name:	MICHEL ROGER L MICHEL LINDA B	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	12314 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /12192/ 170 2)

Location & Structure Information

Premises Address
12314 GREENSPRING AVE

Legal Description
2 AC SS RER 700 FT
GREENSPRING AV
1000 SW DOVER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	13	39						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1958	1,988 SF	2.00 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	77,000	99,000		
Improvements:	128,710	142,360		
Total:	205,710	241,360	229,476	241,360
Preferential Land:	0	0	0	0

Transfer Information

Seller:	DORMAN LINDA	**Date:**	05/22/1997	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/12192/ 170	**Deed2:**	
Seller:	ZINKHAN KARL E	**Date:**	10/07/1983	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 6604/ 411	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 0413001100

Owner Information

Owner Name:	PORTER PROPERTY LLC	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	12312 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /22898/ 781 2)

Location & Structure Information

Premises Address
12312 GREENSPRING AVE

Legal Description
24.21 AC
12312 GREENSPRING AVE SE
950FT E OF MISSI CT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	19	27						1	Plat Ref:

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1880	1,988 SF	24.21 AC	04

Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	165,230	193,230		
Improvements:	64,850	73,030		
Total:	230,080	266,260	254,200	266,260
Preferential Land:	0	0	0	0

Transfer Information

Seller:	PORTER WAYNE M	**Date:**	11/14/2005	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/22898/ 781	**Deed2:**	
Seller:	PORTER WAYNE M	**Date:**	11/18/1997	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/12501/ 358	**Deed2:**	
Seller:	PORTER WILLIAM F	**Date:**	06/24/1991	**Price:**	$130,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/ 8833/ 589	**Deed2:**	

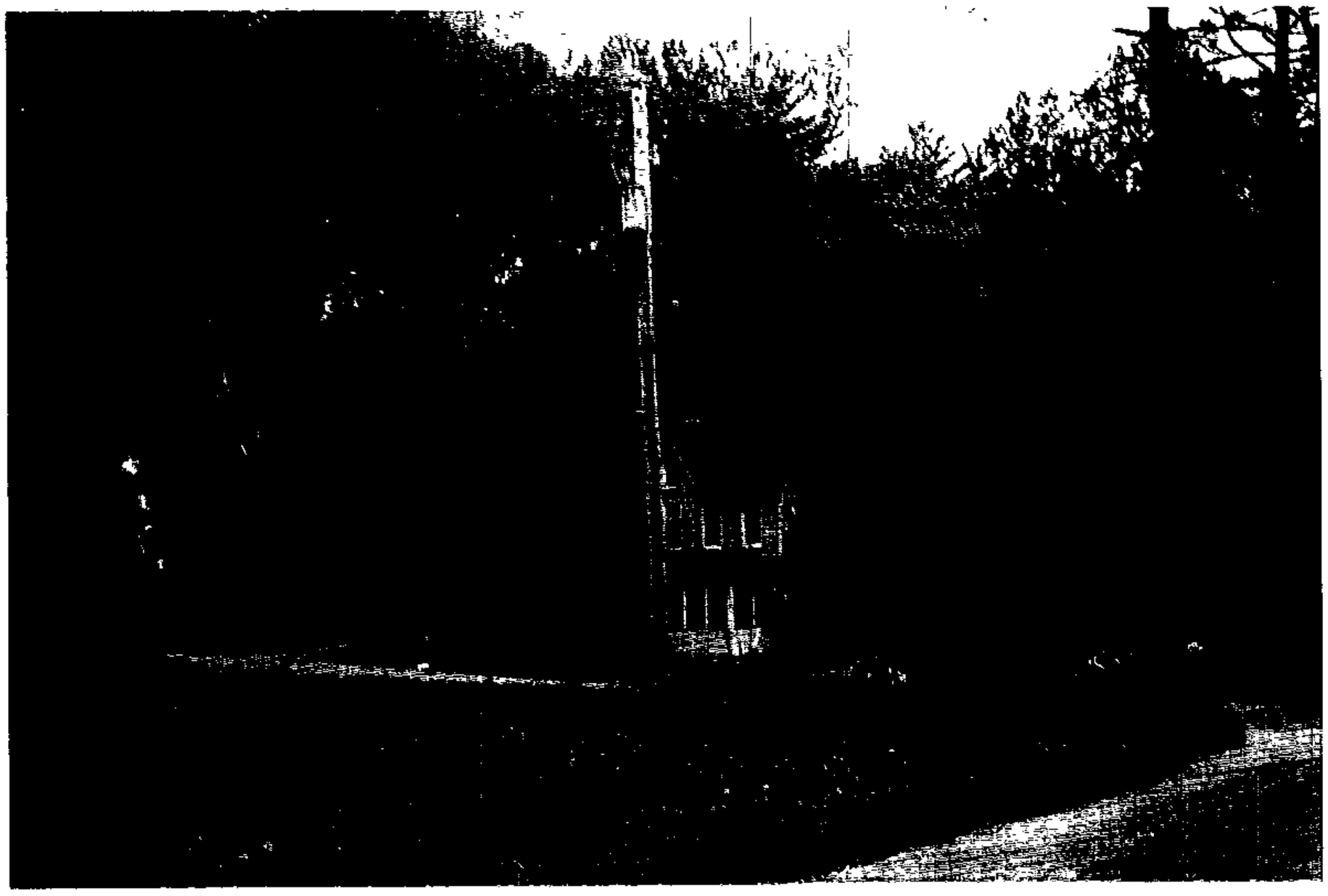
Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



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

June 23, 2005

John Gontrum, Esquire
Whiteford, Taylor & Preston, L.L.P.
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21286

J. Neil Lanzi, Esquire
Mercantile Building, Suite 617
409 Washington Avenue
Towson, Maryland 21204

J. Carroll Holzer, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286

Re: Hearing Officer's Hearing Case No. IV-586
Property: S/S of Greenspring Ave., E of Heneson Garth
4th Election District, 2nd Councilmanic District
(Wayne Porter Property)

Dear Messrs. Gontrum, Tanczyn, Lanzi & Holzer:

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

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

Very truly yours,

John V. Murphy
Deputy Zoning Commissioner

JVM:raj

PETITIONER'S EXHIBIT NO. 7

c: Wayne Porter, ,12312 Greenspring Avenue, Owings Mills, MD 21117
George Lambros, Century Engineering, 32 West Road, Towson, MD 21204
Ed & Cheryl Cashman, 12308 Greenspring Ave., Owings Mills, MD 21117
David Leary & John Rohde, 512 Virginia Avenue, Towson, MD 21286
Mr. Roger Michel, 12314 Greenspring Avenue, Owings Mills, Maryland 21117
Jim Patton, 305 W. Chesapeake Avenue, Towson, MD 21204
Jo McCabe, 12310 Greenspring Avenue, Owings Mills, MD 21117
William Grewe, 12330 Greenspring Avenue, Owings Mills, MD 21117
Walt Smith, Project Development

IN RE: DEVELOPMENT PLAN HEARING S/S of Greenspring Avenue, E of Heneson Garth 4th Election District 2nd Councilmanic District **(Porter Property)**	* * * *	BEFORE THE HEARING OFFICE R OF BALTIMORE COUNTY Case No. IV-586
Wayne Porter *Developer/Petitioner*	*	

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

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, as a requested approval of a Development Plan known as the "Porter Property", prepared by Century Engineering, Inc. The Developer is proposing the development of the subject property into 8 single-family dwellings. The subject property is located on the south side of Greenspring Avenue, east of Heneson Garth. The particulars of the manner in which the property is proposed to be developed are more specifically shown on Developer's Exhibit No. 1, the Development Plan entered into evidence at the hearing.

The property was posted with Notice of Hearing Officer's Hearing on September 22, 2004, for 20 working days prior to the hearing, in order to notify all interested citizens of the date and location of the hearing.

As to the history of the project, a Concept Plan Conference was held on September 22, 2003. A Community Input Meeting was held at the Chestnut Ridge Volunteer Fire Company on October 29, 2003, and a Development Plan Conference was held on September 29, 2004. A Hearing Officer's Hearing for this development was held on October 22, 2004 in Room 407 of the County Office Building and continued by agreement. The next Hearing Officer's Hearing occurred on December 14, 2004 and again was continued by agreement. The third hearing day was April 27, 2005 at which time the Developer and Mr. Holzer's clients presented an agreement resolving their issues. On the fourth hearing day, July 26, 2005, the Developer and Mr. Tanczyn's client presented an agreement resolving their issues. Also resolved were issues raised by several adjoining property owners.

Appearing at the hearing on behalf of the Development Plan approval request were David

Leary and Wayne Porter, Petitioners. George Lambros appeared on behalf of Century Engineering, Inc., the firm who prepared the Development Plan. John Gontrum, Esquire represented the Petitioners. Neil Lanzi, Esquire attended the hearing on behalf of the owners. Also attending on behalf of Petitioners was John Rohde.

Appearing as interested citizen in the matter were Roger Michel, an adjacent property owner, William Grewe, Jim Patton, Jo McCabe and Ed & Cheryl Cashman. The protestants, Florae and Roger Lipitz, Eric Becker (formerly Investors Warrantee of America) and Steven and Judith Fader were represented by J. Carroll Holzer.

Also in attendance at the hearings were representatives of the various Baltimore County reviewing agencies; namely, Lloyd Moxley (Zoning Review), Robert Bowling at the first hearing and Dennis Kennedy at the additional hearing (Development Plans Review), Don Stires (Bureau of Land Acquisition) and Walt Smith (Development Management), all from the Office of Permits & Development Management; R. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM); Mark Cunningham from the Office of Planning; and Jan Cook from the Department of Recreation & Parks.

Developer Issues

The Developer noted that pursuant to the agreement entered into with the Protestants, the number of lots was reduced from eight to seven. Consequently, the fee to be paid by the Developer should be reduced from $13,200 to $11,550. See letter from Recreation and Parks Department dated October 21, 2004 in the case file.

County Issues

Each of the reviewing agencies indicated that the Redline Development Plan met all County regulations except:

Zoning Review

The representative of the Department indicated that he had not thoroughly reviewed the Redline Plan which became available the previous day. As a result, he requested additional time

to review the revised plan. Correspondence received January 27, 2005 from the office indicated that the Redline Plan met all regulations for which this office has cognizance.

Department of Environmental Protection and Resource Management

On the second hearing day, the representative of the Department indicated that his Department had not reviewed the Redline Plan. In particular, he noted that because of changes to the original plan additional soil evaluations would have to be done and storm water management calculations reviewed.

On the third hearing day, the representative of the Department indicated that all of the open issues with the Department's review had been addressed satisfactorily by the Developer and that the Development Plan meets the regulations for which the Department is responsible. However, the representative requested that in view of the many redline changes made to the plan by the Developer, the Department be given one more review of the final black line plan to see that all the changes requested by the Department, which were made on the Redline Plan, were in fact transferred to the black line final plan. The Developer agreed.

Recreation and Parks

The file indicated that the Department granted the Developer's request to pay a fee in lieu of providing local open space pursuant to the letter dated October 20, 2004. However, the Developer noted that the number of lots had been reduced and consequently the fee should also be reduced from $13,200 to $11,550.

Land Acquisition

On the second hearing day, the representative of the Department indicated that easements would be needed to allow County access to storm water management facilities and to resolve access issues for residents along the common driveway.

On the fourth hearing day, the representative indicated again that the Developer needed to resolve maintenance and access issues for the common driveway, which will be used by the seven new lot owners and several existing owners along the driveway. After consultation with his client, Mr. Gontrum proffered that any of the adjacent property owners who now have a right to use the road will continue to have the right to use the road. He stated that these owners have an option to redesign their connection to the new road or leave it as presently indicated and can remove portions of the existing paving at the Developer's expense. Finally, in regard to maintenance rights and responsibilities, Mr. Gontrum proffered that the Developer has not yet determined if there will be a homeowner's association fotmed who could take on maintenance of the road. If such an association is formed, the HOA will maintain the road. If an HOA is not formed, the seven owners of the seven new lots will be responsible for the maintenance of the road. Said another way, the present adjacent owners would continue to have access to the road but no responsibility to maintain it. This satisfied the representative from the Department.

Community/Protestants issues

Mr. Holzer, who represented three adjacent property owners, indicated that his clients and the Developer had reached a tentative agreement regarding changes to the original plan which were incorporated on the Redline Plan. He noted that he and Mr. Gontrum would reduce the terms of the agreement to writing and reschedule another hearing to place the final document in the record of this case.

In addition, Mr. Michel, an adjacent property owner, who was not represented by an attorney, indicated several concerns regarding the plan, including access to his home during and after construction, easements on the McCabe property, and landscaping between his home the new homes.

Also see other issues raised by the Community on the fourth hearing day below.

Applicable Law

§ 32-4-228. SAME – CONDUCT OF THE HEARING.

(a) Hearing conducted on unresolved comment or condition.

(1) The Hearing Officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed Development Plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan.

(2) The Hearing Officer shall make findings for the record and shall render a decision in accordance with the requirements of this part.

(b) *Hearing conduct and operation.* The Hearing Officer:

(i) Shall conduct the hearing in conformance with Rule IV of the Zoning Commissioner's rules;

(ii) Shall regulate the course of the hearing as the Hearing Officer considers proper, including the scope and nature of the testimony and evidence presented; and

(iii) May conduct the hearing in an informal manner.

§ 32-4-229. SAME – DECISION OF THE HEARING OFFICER.

(a) Final decision.

(1) (i) The Hearing Officer shall issue the final decision within 15 days after the conclusion of the final hearing held on the Development Plan.
(iii) The Hearing Officer shall file an opinion which includes the basis of the Hearing Officer's decision.

(2) If a final decision is not rendered within 15 days:

(i) The Development Plan shall be deemed approved as submitted by the applicant; and
(ii) The Hearing Officer shall immediately notify the participants that:

1. The Development Plan is deemed approved; and
2. The appeal period began on the fifteenth day after the conclusion of the final hearing.

(b) *Appeals.* A final decision of the Hearing Officer on a Development Plan may be appealed to the Board of Appeals in accordance with Part VIII of this subtitle.

(c) Conditions imposed by Hearing Officer.

1) This subsection does not apply to a Development Plan for a Planned Unit Development.
2) In approving a Development Plan, the Hearing Officer may impose any conditions if a condition:

(i) Protects the surrounding and neighboring properties;
(ii) Is based upon a comment that was raised or a condition that was proposed or requested by a participant;
(iii) Is necessary to alleviate an adverse impact on the health, safety, or welfare of the community that would be present without the condition; and
(iv) Does not reduce by more than 20 %:

1. The number of dwelling units proposed by a residential Development Plan in a DR 5.5., DR 10.5, or DR 16 zone; or
2. The square footage proposed by a non-residential Development Plan.

(3) The Hearing Officer shall base the decision to impose a condition on factual findings that are supported by evidence.

Prior Law Still Applicable Section 26-206 of the B.C.Z.R. Development Plan Approval.

(b) The hearing officer shall grant approval of a Development Plan that complies with these development regulations and applicable policies, rules and regulations promulgated pursuant to section 2-416 et seq. of the Code, provided that the final approval of a plan shall be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein.

Testimony and Evidence

No testimony or evidence was taken on the first hearing day, October 22, 2004 as the parties requested that the hearing be continued to facilitate settlement discussions.

On the second hearing day, December 14, 2004, the Developer presented its Redline Development Plan, Developer's Exhibit 1 and proposed landscape plan, Developer's Exhibit 2. The revised plan reflected the settlement discussions of the parties. Mr. Gontrum indicated the general terms of the agreement as follows:

1. The number of lots will be reduced from eight to seven
2. Elimination of panhandle lots
3. Re-orient the homes on Lots 2, 3, 6 and 7
4 Increase forest buffers
4. Accessory structures to be reviewed by the Office of Planning

5. 25 ft. landscape buffers will be provided between the development and adjacent homes

The hearing was continued at the request of the Developer and Protestants, to allow the County agencies time to review the Redline Development Plan and to give the parties the opportunity to enter into an agreement in writing to which both indicated they had in principle. In addition, the Developer and the Protestants agreed to send the draft agreement to the Office of Law for review, as there would likely be a request that the terms of the agreement would be incorporated into any Order of this Commission and be enforceable by the County. None of the parties, however, waived their right to fully try any outstanding issue that is not resolved by agreement. Again, the County may have issues arising from any agreement which might require a hearing.

On the third hearing day, April 27, 2005, the parties, by counsel, indicated their agreement in Joint Exhibit 1, Restrictive Covenant Agreement, but indicated that the agreement had not yet been signed by the parties. The agreement calls for incorporation of the Redline Development Plan Exhibit A (Joint Exhibit 2) attached thereto and the clarification plan Exhibit B (Joint Exhibit 3) to be implemented by the Developer. The Redline Plan calls for 7 rather than 8 lots with no further subdivision permitted. The Developer presented the signed agreement dated July 1, 2005, which was added to the file of this case.

Mr. Gontrum and Mr. Holzer then proffered that although a draft of the Restrictive Covenant Agreement was sent to the Office of Law for review, after further discussion between them, an agreement was reached. In this agreement, the Protestants have agreed that they would not look to the County to enforce the Agreement, but rather the County would enforce the Development Plan only.

Mr. Gontrum and Mr. Holzer then offered Joint Exhibit 2, the Revised Redline Plan, and Joint Exhibit 3, a simplified plan, into evidence. The latter was drawn only to show the final

design in a simplified manner, given the extensive changes to the Redline Plan. They next presented Joint Exhibit 4, which is the black line development plan that incorporates every change of the Revised Redline Plan, as requested by DEPRM. The plan was highlighted to aid this review. Finally, they presented Joint Exhibit 5, a revised Forest Buffer Conservation Plan, which again would be reviewed by DEPRM. Mr. Devin Leary, an environmental consultant, opined that Joint Exhibit 5 illustrates that the Developer has provided the proper forest buffers and easements. Mr. Gontrum proffered that the Final Development Plan, Joint Exhibit 4, met all County requirements and should be approved.

In addition, the Developer presented Developer's Exhibit 2, a landscape plan for Mr. Michel's property, as requested by Mr. Michel, but proffered that it would cost the Developer approximately $8,000 to provide the landscape material as shown. Consequently, the Developer would not agree to actually implement Developer's Exhibit 2. Mr. Michel was not in attendance at the third day hearing and after discussion no one could show that he had been notified of the hearing. Consequently, the hearing was continued, Mr. Michel was notified by mail of the third day hearing, and he was invited to participate. Mr. Michel then indicated his interest in providing further evidence, and retained Michael Tanczyn, Esquire to represent his interest.

On the fourth hearing day, July 26, 2005, the Developer presented the Final Blackline Development Plan, Developer's Exhibit 3, which Mr. Gontrum proffered met all County requirements and should be approved. Not withstanding prior plans, the Developer intends to raze and replace the existing home on Lot 1. Otherwise, the Development Plan reflects all prior changes and agreements. In addition, he and Mr. Tanczyn proffered that they had come to an agreement on all of Mr. Michel's issues, and reduced these agreements to writing in the Porter/ Michel Agreement dated July 22, 2005 which was entered into evidence as Developer's Exhibit

3. The Agreement refers to and incorporates the landscape plan, Developer's Exhibit 2, which will be implemented by the Developer.

In addition, the representative of Land Acquisition Department and Mr. Cashman and Ms. McCabe, adjacent property owners, raised issues concerning the common driveway used by themselves and Mr. Rehfield to gain access to Greenspring Avenue. This driveway is presently paved to the extent shown in gray on Developer's Exhibit 3. They were concerned about who would be responsible for maintenance, whether or not the existing paving would be removed in places, and what role, if any, the County would have in the design and maintenance of the new road. All agreed that there was no private maintenance agreement in place to establish rights and responsibilities for the road.

The representative of the Department of Public Works indicated that to his knowledge the Developer failed to acquire sufficient right-of-way for this new road from adjacent property owners. As a result, the road has only a 25 ft. right-of-way rather than the minimum 40 ft. width needed for a County public road. Consequently, while the road will be designed and built to County standards, it will remain a private road.

After consultation with his client, Mr. Gontrum proffered that any of the adjacent property owners who now have a right to use the road will continue to have the right to use the road. He also indicated that these owners have an option to redesign their connection to the new road or leave it as presently indicated and can remove of portions of the existing paving at the Developer's expense.

In regard to maintenance rights and responsibilities, Mr. Gontrum proffered that the Developer has not yet determined if there will be a homeowner's association formed who could take on maintenance of the road. If such an association is formed, the HOA will maintain the road. If an HOA is not formed, the seven owners of the seven new lots will be responsible for

the maintenance of the road. Said another way, the present adjacent owners would continue to have access to the road but no responsibility to maintain it.

Findings of Fact and Conclusions of Law

As the Developer points out, reducing the number of lots from 8 to 7 reduces the fee to be paid in lieu of providing local open space. The representative of the Recreation and Parks Department originally indicated that the fee was $13,200 for eight lots. I agree the new fee would be $11,550.

Considering all of the testimony and evidence, I find that the Development Plan marked as Developer's Exhibit No. 3, complies with the development regulations and applicable policies, rules and regulations promulgated pursuant to Section 3-7-203 et seq. of the Baltimore County Code. I further find that final approval of this plan is subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein. Therefore, I will approve the Development Plan with conditions.

THEREFORE, IT IS ORDERED, by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 4 day of August 2005, that the Development Plan known as the "Porter Property", submitted into evidence as "Developer's Exhibit No. 3", be and it is hereby APPROVED subject to the following conditions:

1. The Developer shall pay a fee in lieu of providing local open space based on seven lots in the amount of $11,550.

2. The Developer shall submit the Final Blackline Development Plan to DEPRM prior to signature of the County project manager to see that all the changes requested by the Department, which were made on the Redline Development Plan, were in fact transferred to the Blackline Final Plan.

3. The Developer, its successors and assigns, be they a homeowners association or simply the owners of the seven new lots, shall be responsible for the maintenance of the common road to Greenspring Avenue and the existing adjacent property owners, who now have the right to use the common driveway to Greenspring Avenue, will continue to have the right to use the road for their access but shall have no responsibility for

maintenance of the road.

4. That the adjacent property owners who now have the right to use the common driveway to Greenspring Avenue shall have the option to have the Developer redesign their connection to the common private road or to leave the connection as it presently exists.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

John V. Murphy

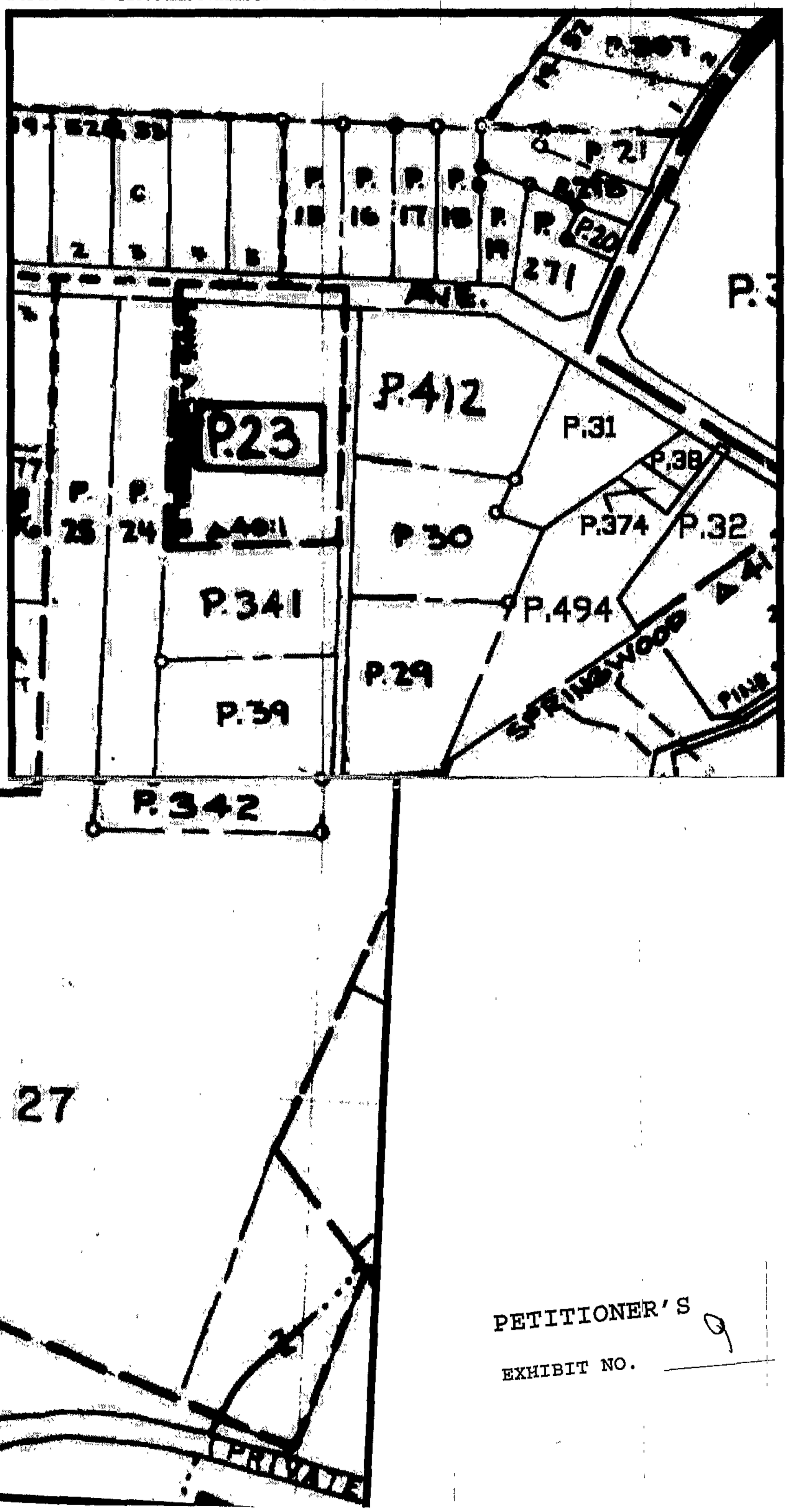
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

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

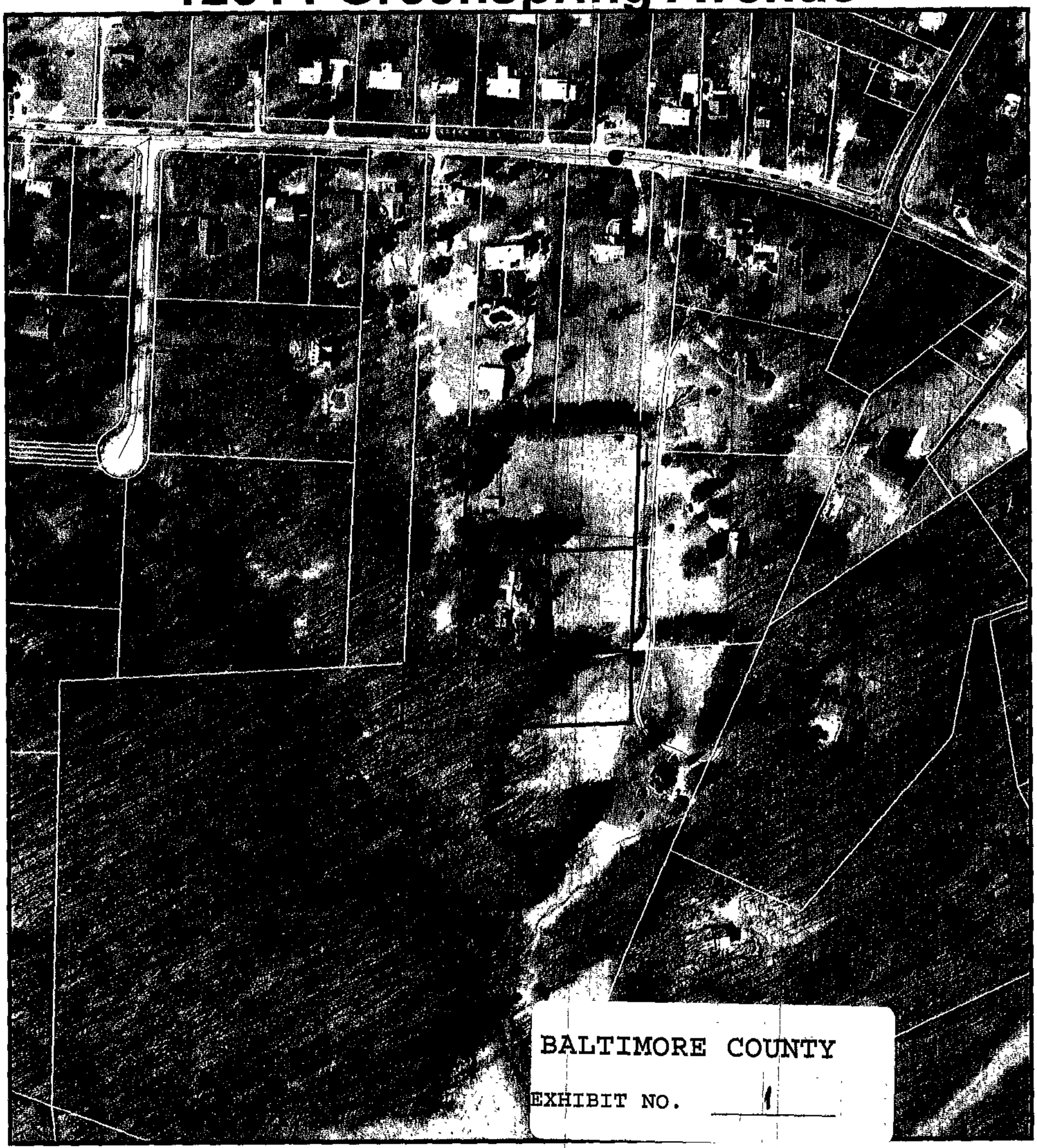
Go Back
View Map
New Search

District - 04**Account Number** - 2000003081



PETITIONER'S
EXHIBIT NO. 9

Michel Properties-
12314 Greenspring Avenue



BALTIMORE COUNTY
EXHIBIT NO. 1

Map Prepared May 11, 2006 by:
Baltimore County Office of Planning
401 Bosley Avenue
Towson, MD 21204

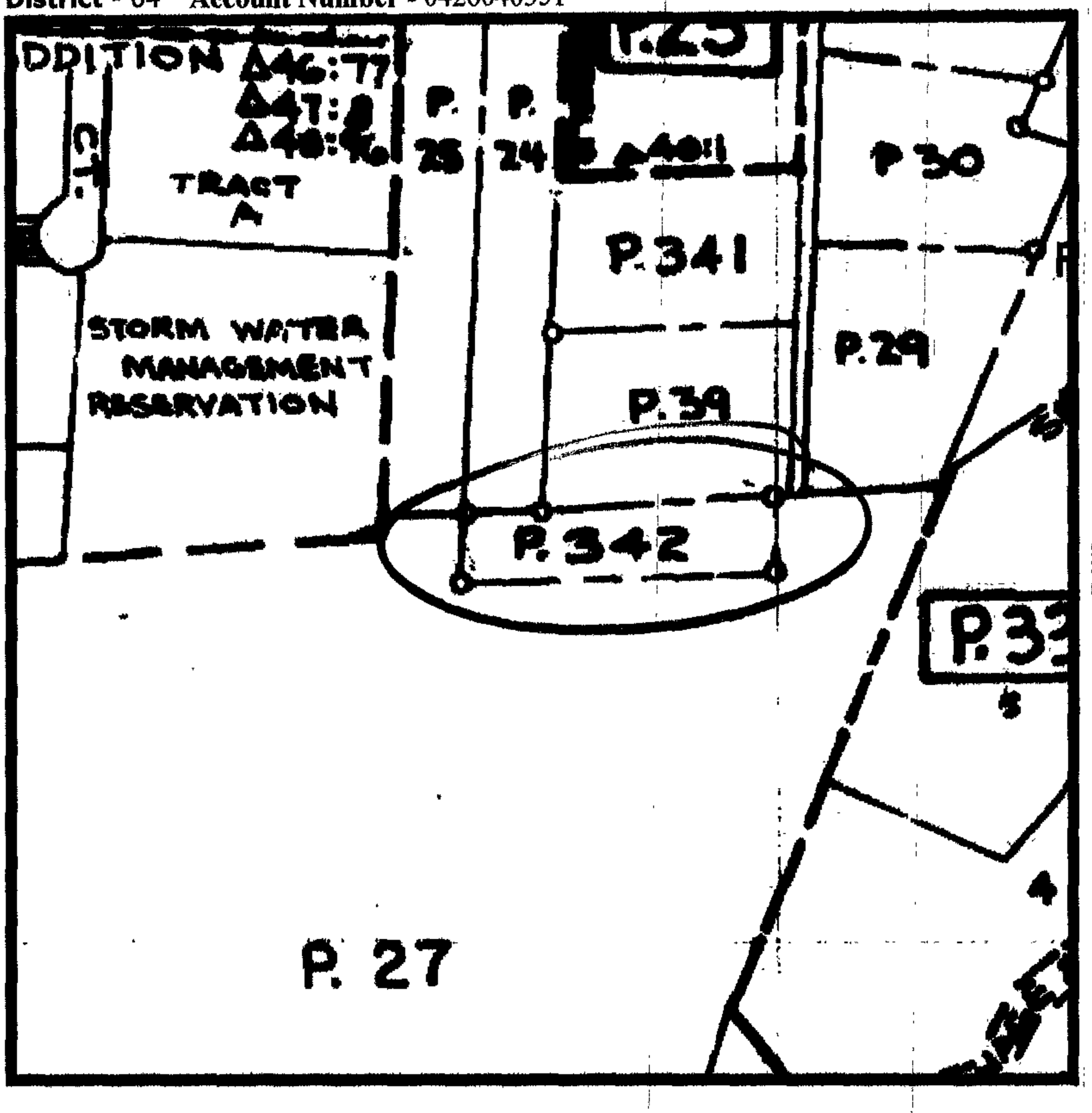
N

0 135 270 540 Feet

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

Go Back
View Map
New Search

District - 04 **Account Number** - 0426040351



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

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 0426040351

Owner Information

Owner Name:	MICHEL ROGER L MICHEL LINDA B	**Use:**	RESIDENTIAL
		Principal Residence:	NO
Mailing Address:	12314 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /12192/ 170 2)

Location & Structure Information

Premises Address
GREENSPRING AVE

Legal Description
1.01 AC
SS GREEN SPRING AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	13	342						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		1.00 AC	04

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	67,500	67,500		
Improvements:	0	0		
Total:	67,500	67,500	67,500	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	DORMAN LINDA	**Date:**	05/22/1997	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/12192/ 170	**Deed2:**	
Seller:	ZINKHAN KARL E	**Date:**	10/07/1983	**Price:**	$0
Type:	NOT ARMS-LENGTH	**Deed1:**	/ 6604/ 411	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

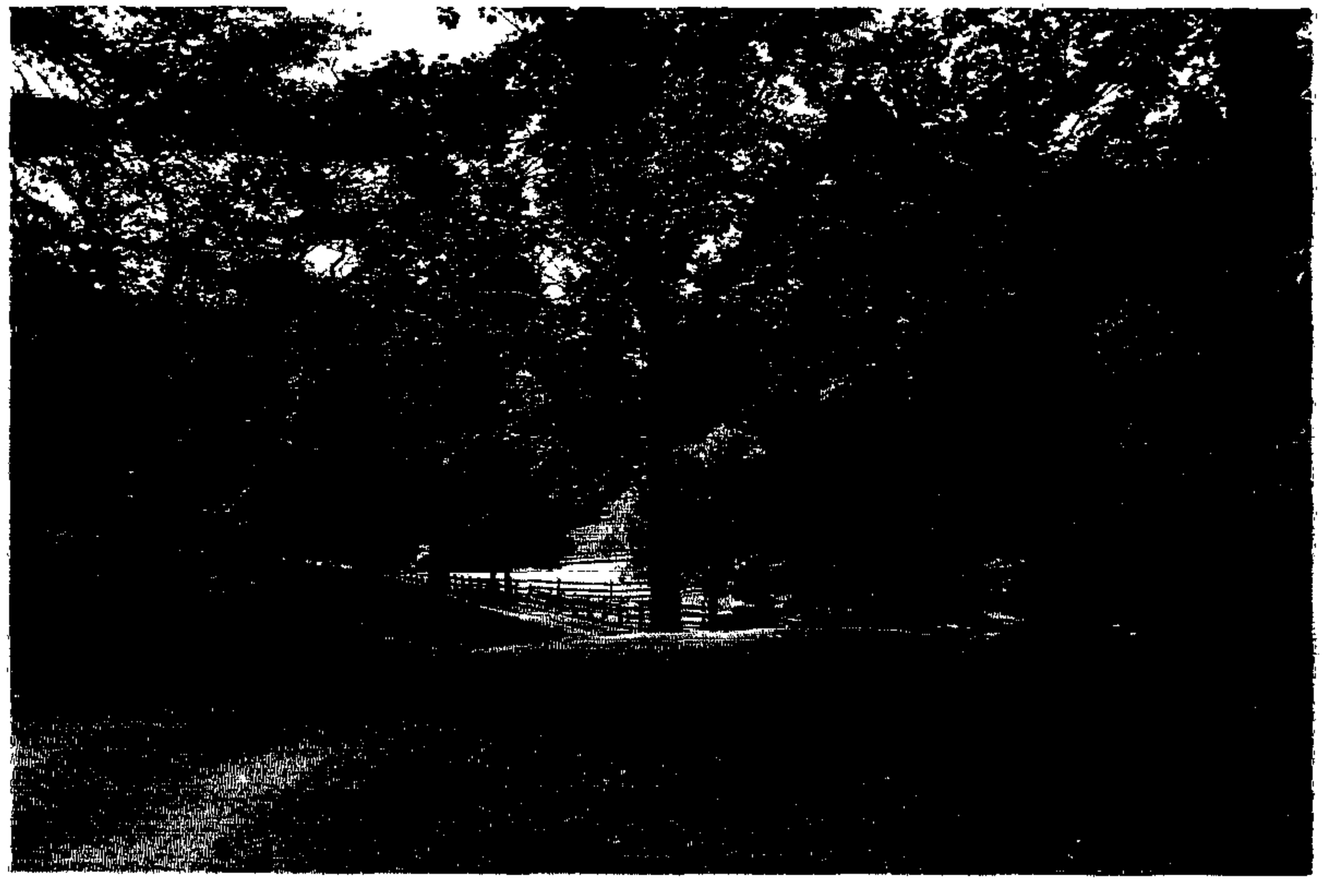
Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

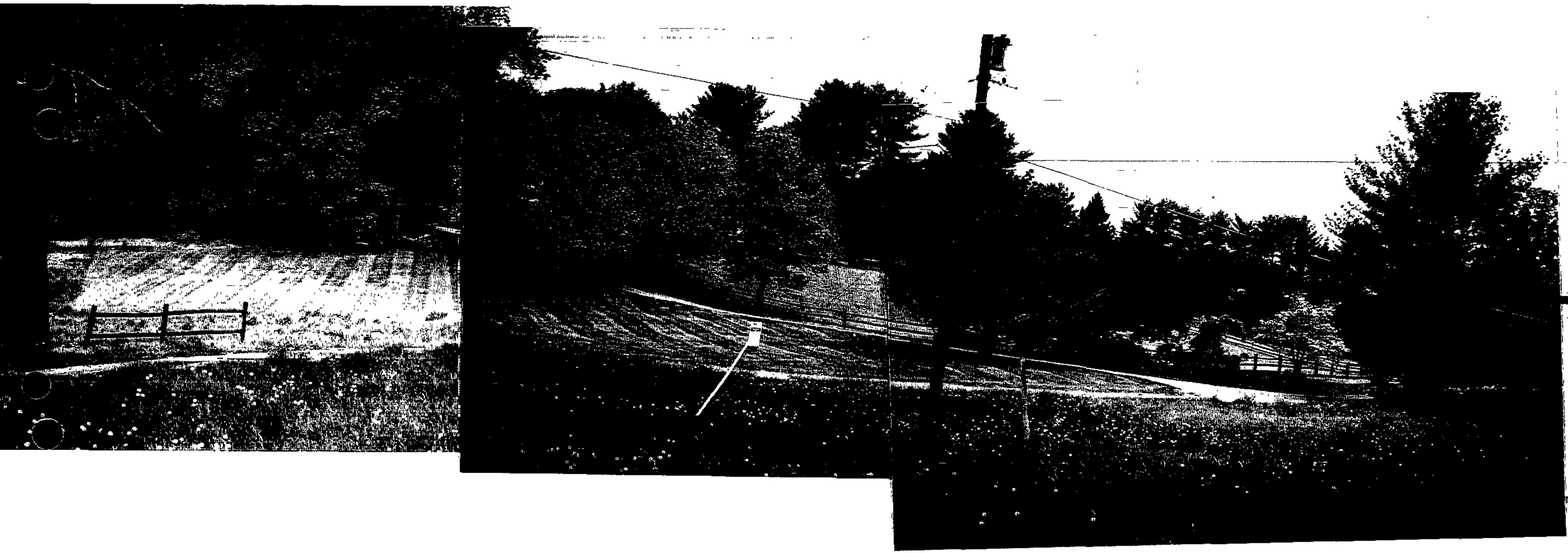
* NONE *



Petitioner's Exhibit 10A

5/10/06

PETITIONER'S EXHIBIT
8A



5/10/06

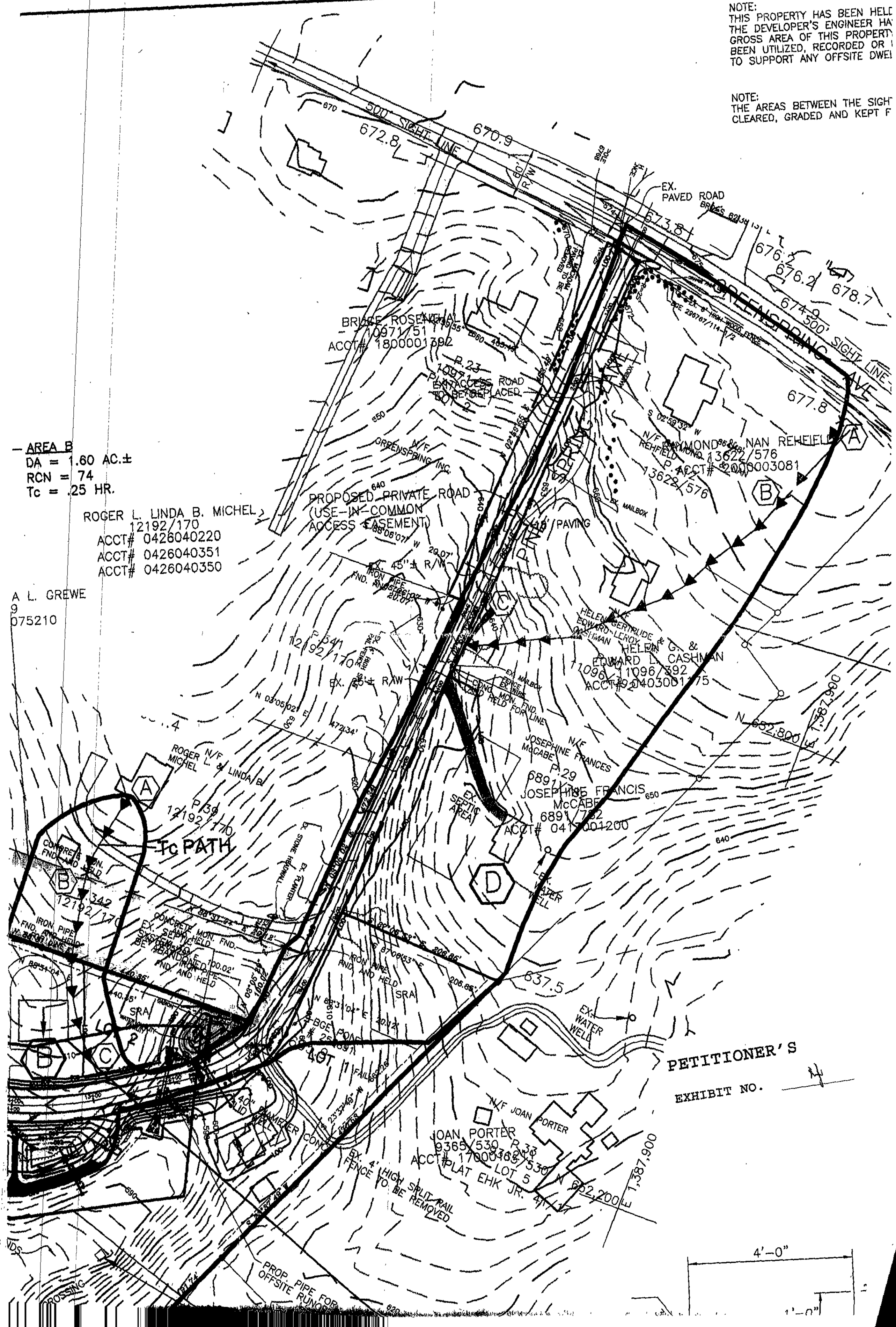
PETITIONER'S EXHIBIT
8C

5/10/06

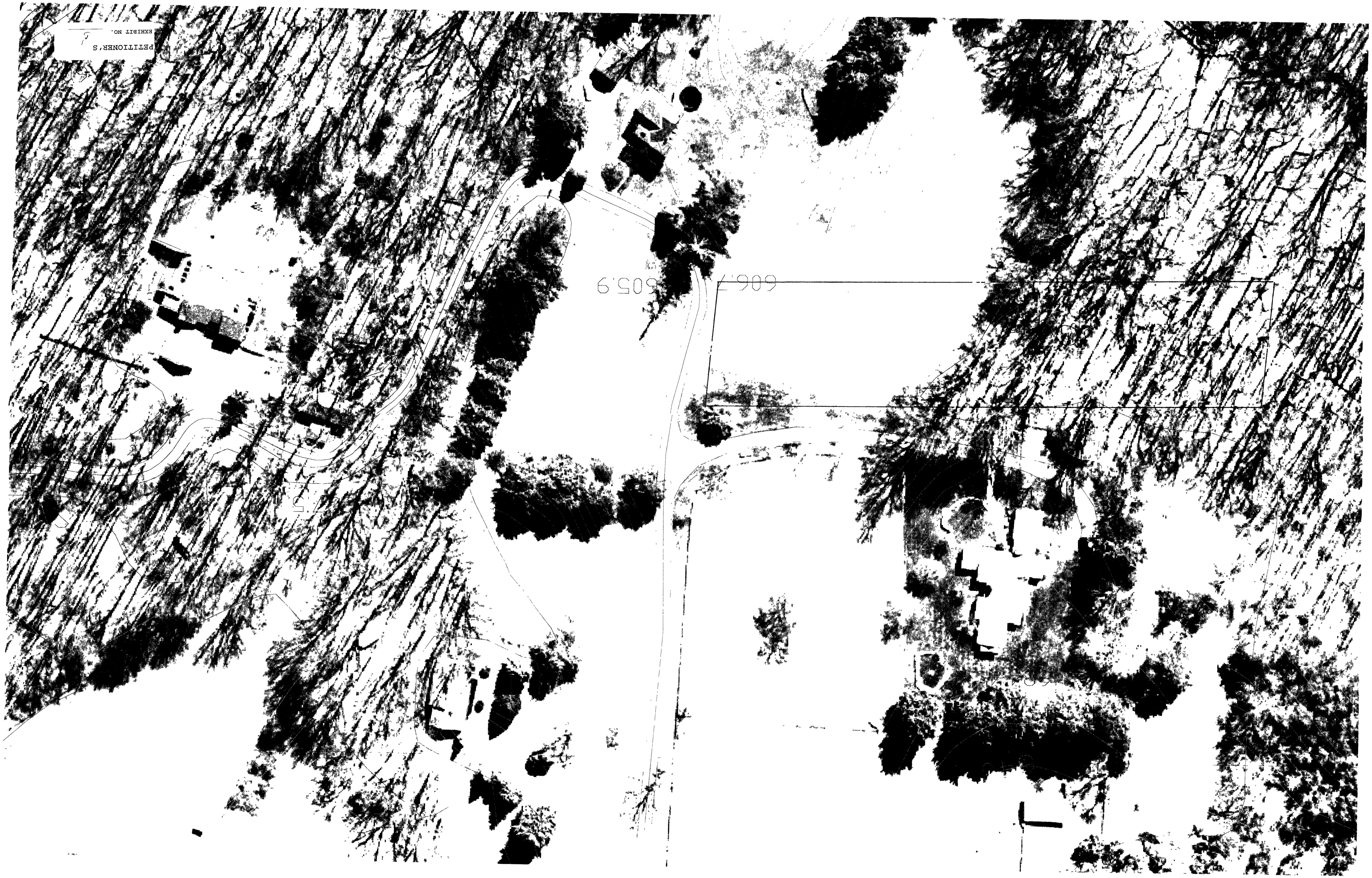
NOTE:
THIS PROPERTY HAS BEEN HELD
THE DEVELOPER'S ENGINEER HA
GROSS AREA OF THIS PROPERT
BEEN UTILIZED, RECORDED OR
TO SUPPORT ANY OFFSITE DWEL

NOTE:
THE AREAS BETWEEN THE SIGHT
CLEARED, GRADED AND KEPT F

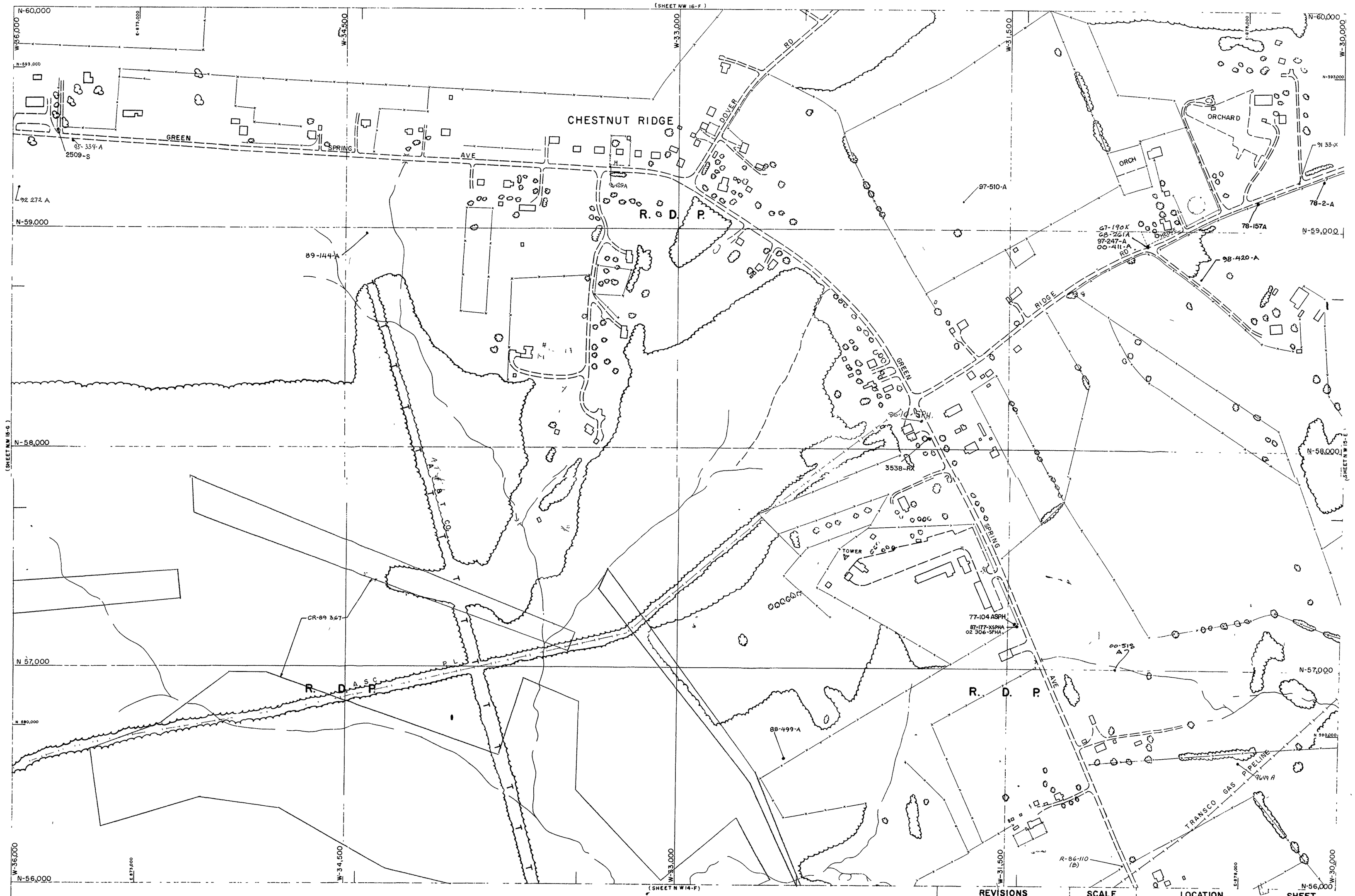
AREA B
DA = 1.60 AC.±
RCN = 74
Tc = .25 HR.



PETITIONER'S
EXHIBIT NO.



PETITIONER'S
EXHIBIT NO. 6



T - NE
W - SE

ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
MARCH 24, 1971
BY BILLS NOS. 28, 29, 30, 31, and 32

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY, MARYLAND
OFFICIAL ZONING MAP

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	CHESTNUT RIDGE	N W
		DATE OF PHOTOGRAPHY		15-F

Compiled By Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND

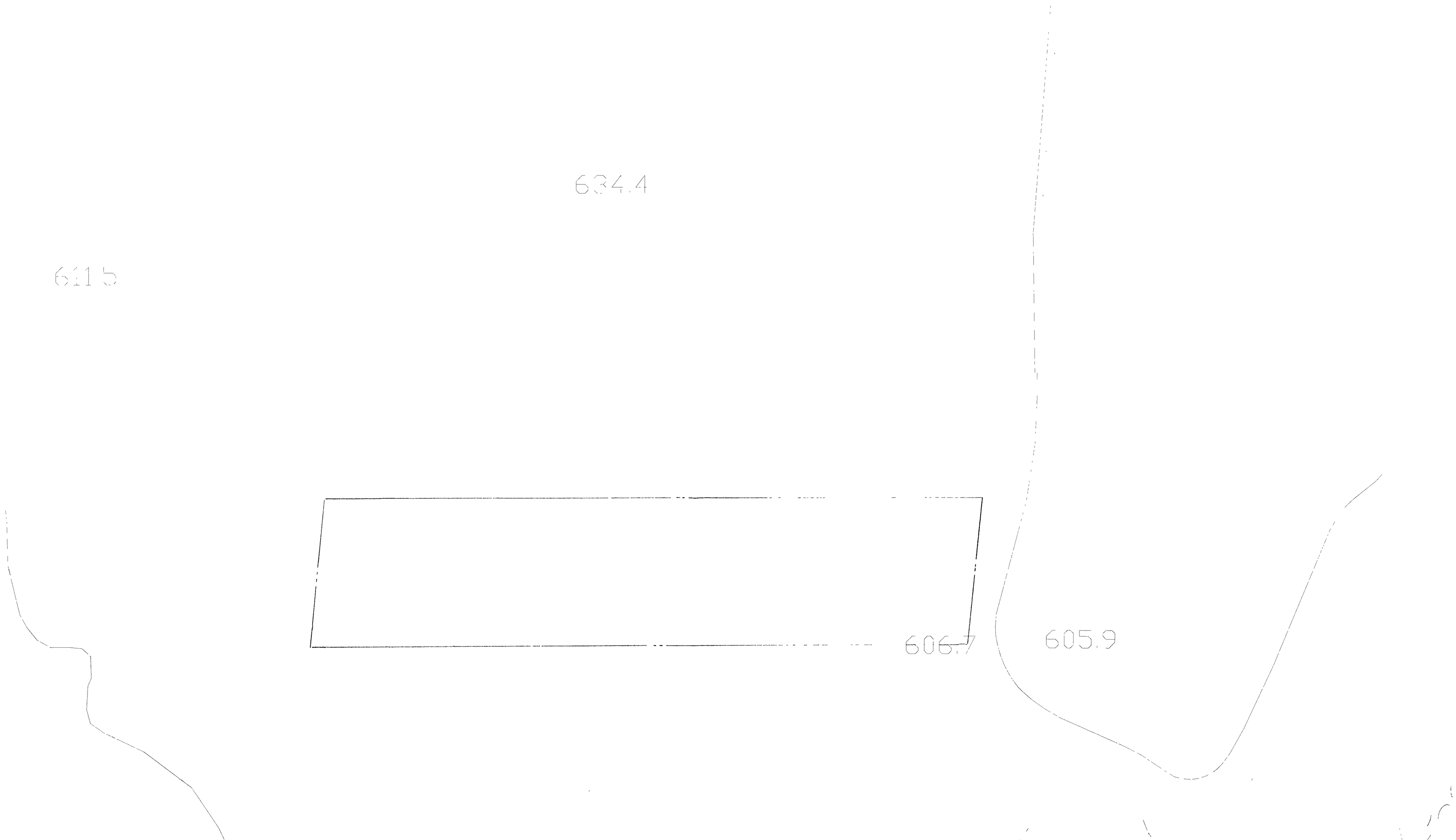
PETITIONER'S EXHIBIT NO. 2

PLAN HOLD

PEEL PROTECTIVE STRIP TO EXPOSE ADHESIVE POSITION EDGE OF PRINT ON THIS LINE AND RUB TO ADHERE

LAN-HOLD CORPORATION TORRANCE CALIFORNIA
REORDER BY NO. 07034 24

NW-15-F



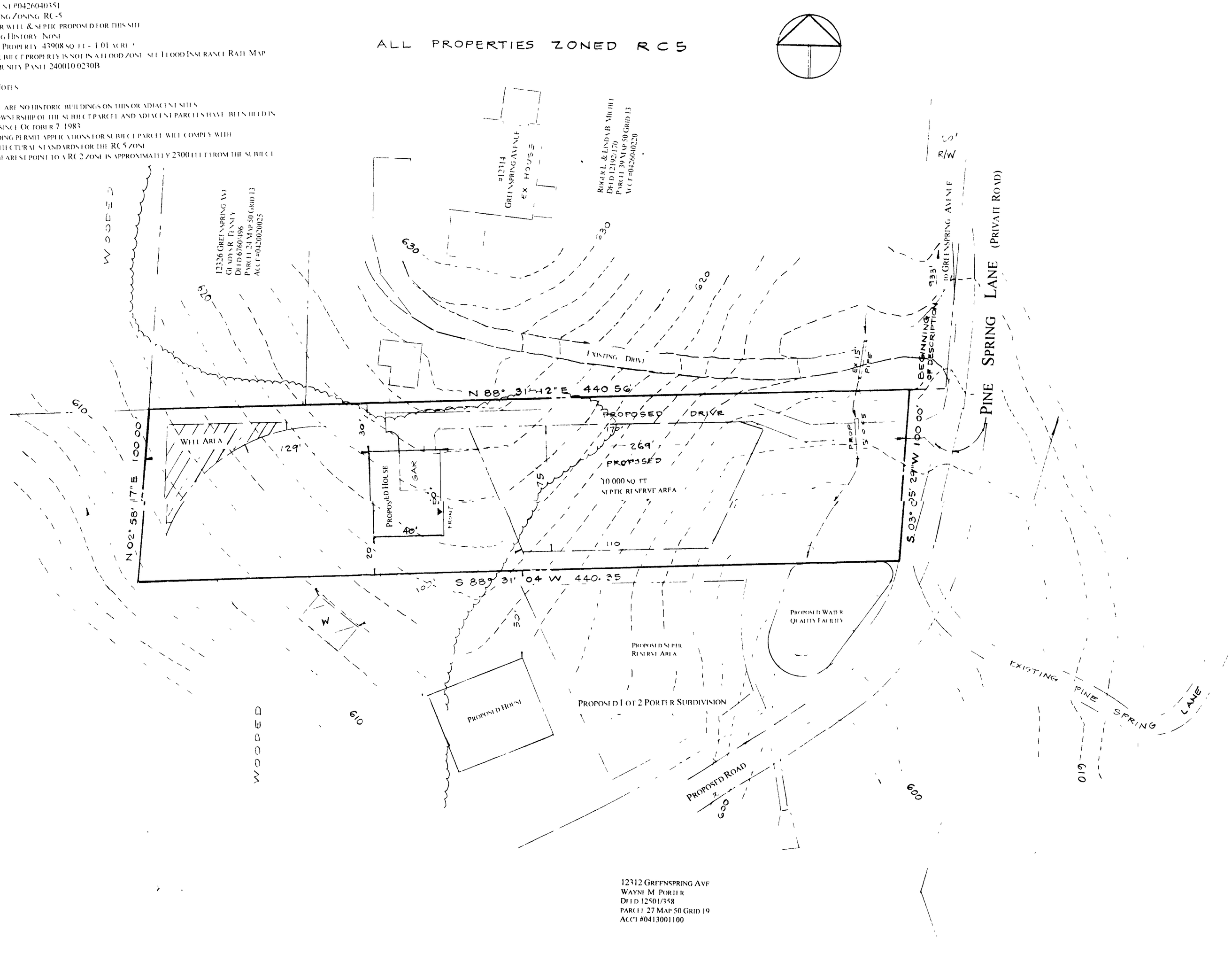
PETITIONER'S
EXHIBIT NO 12

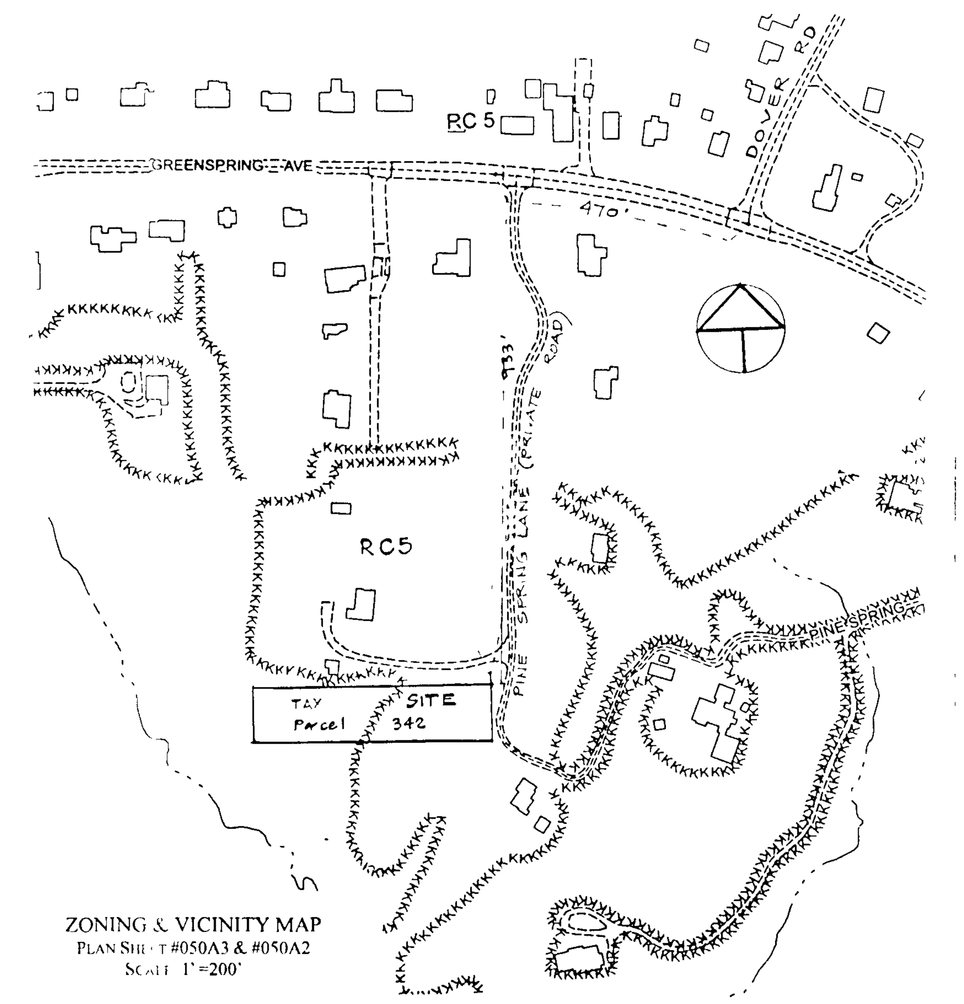
NOTE

1 OWNER
ROGER L. & LINDA B. MICHEL
12314 GREENSPRING AVENUE
OWINGS MILLS, MD 21117-1614
LIBER 12192/170 FOLIO 170
PARCEL 342 TAX MAP 50 GRID 13
ACCOUNT #0426040351
2 EXISTING ZONING: RC-5
3 WATER WELL & SEPTIC PROPOSED FOR THIS SITE
4 ZONING HISTORY: NONE
5 AREA PROPERTY: 43908 SQ FT - 1.01 ACRES
6 THE SUBJECT PROPERTY IS NOT IN A FLOOD ZONE - SEE FLOOD INSURANCE RATE MAP COMMUNITY PANEL 240010 0230B

ZONING NOTES

1 THERE ARE NO HISTORIC BUILDINGS ON THIS OR ADJACENT SITES
2 THE OWNERSHIP OF THE SUBJECT PARCEL AND ADJACENT PARCELS HAVE BEEN HELD IN FACT SINCE OCTOBER 7, 1983
3 BUILDING PERMIT APPLICATIONS FOR SUBJECT PARCEL WILL COMPLY WITH ARCHITECTURAL STANDARDS FOR THE RC 5 ZONE
4 THE NEAREST POINT TO A RC 2 ZONE IS APPROXIMATELY 2300 FEET FROM THE SUBJECT SITE





ZONING & VICINITY MAP
PLAN SHEET #050A3 & #050A2
SCALE 1"=200'

PETITIONS REQUESTED

First, to approve, pursuant to BCZR §1.A.04.3.B.1.B, a single lot of record, which is not a subdivision and which was in existence prior to September 2, 2003, does not meet the minimum acreage requirement or does not meet the setback requirement of Paragraph 2, by special hearing to approve same and to alter the minimum lot size requirement.

Second, or in the alternative, to approve, pursuant to BCZR §304.1, one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR.

Third, pursuant to BCZR §1.A.04.3.B.4, to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation.

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW. A TITLE REPORT WAS NOT FURNISHED FOR THIS PLAT.

PLAT TO ACCOMPANY PETITION FOR A SPECIAL HEARING AND ZONING VARIANCES
TAX PARCEL 342
GREENSPRING AVENUE
4TH ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 3
BALTIMORE COUNTY, MARYLAND

SCALE 1"=30' OCTOBER 30, 2005

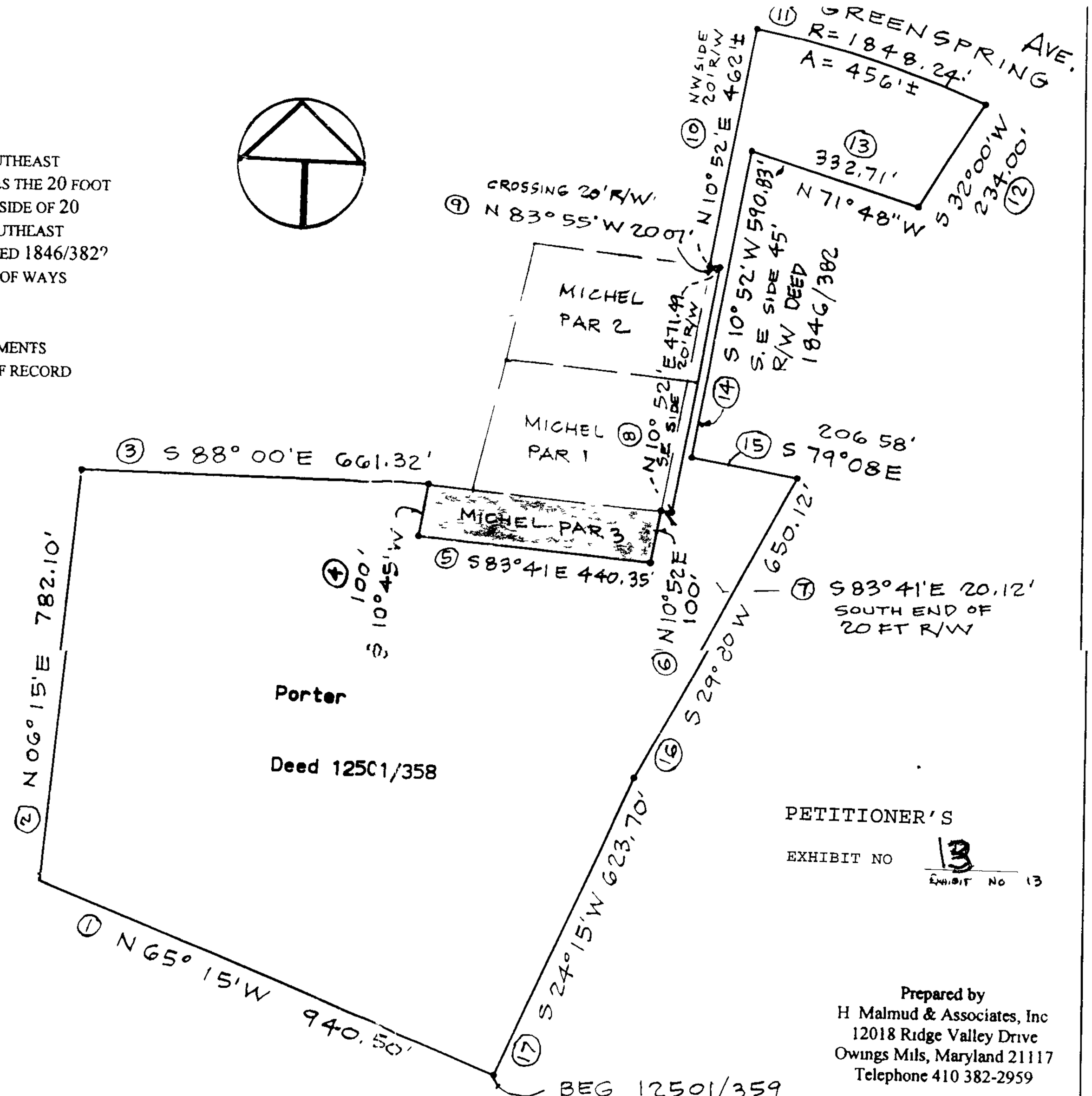
Prepared by
H. Malmud & Associates, Inc.
12018 Ridge Valley Drive
Owings Mills, Maryland 21117
Telephone 410-308-0442

2508

NOTE

LINES 4, 5 & 6 OF THE PORTER DEED BIND ON THE WEST, SOUTH AND EAST OUTLINE OF THE PARCEL 3 OF THE MICHEL DEED LINE 7 BINDS ON THE SOUTH END OF THF 20 FOOT RIGHT OF WAY (HERETOFORE LAID OUT) LINE 8 BINDS ON THE SOUTHEAST SIDE OF THE 20 FOOT RIGHT OF WAY LINE 9 CROSSES THE 20 FOOT RIGHT OF WAY LINE 10 BINDS ON THE NORTHWEST SIDE OF 20 FOOT RIGHT OF WAY AND LINE 14 BINDS ON THE SOUTHEAST SIDE OF A 45 FOOT RIGHT OF WAY MENTIONED IN DEED 1846/382? NO MENTION OF ANY LINES BINDING ON THF RIGHT OF WAYS WITH USE IN COMMON

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW



PETITIONER'S

EXHIBIT NO 13

EXHIBIT NO 13

DEED PLOT OF THE
PORTER PROPERTY
12312 GREENSPRING AVENUE
BALTIMORE COUNTY, MARYLAND

~~300~~ 200 feet

FILE NAME PORTER4
DATE 06-24-2005
MCC1036890167

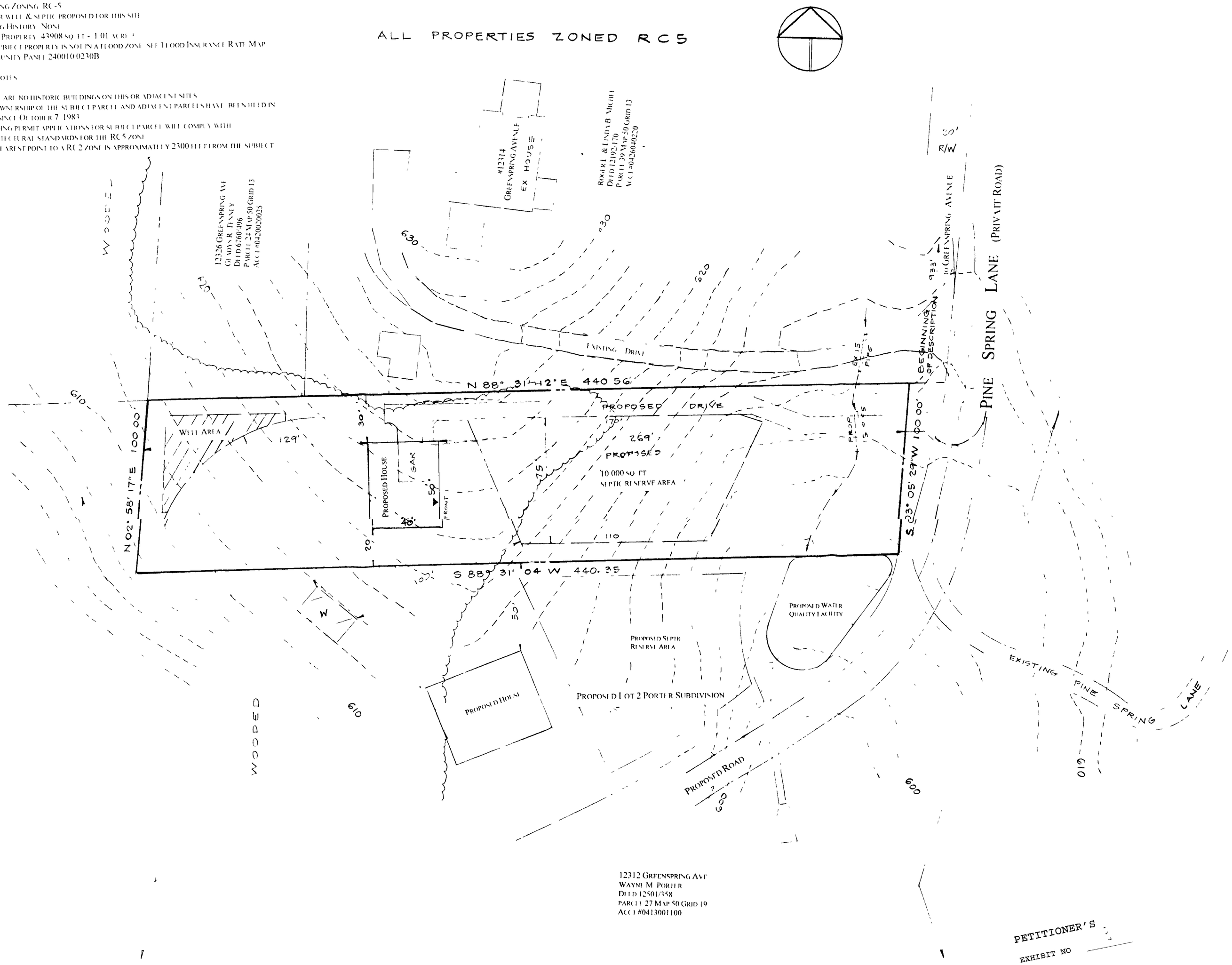
Prepared by
H Malmud & Associates, Inc
12018 Ridge Valley Drive
Owings Mils, Maryland 21117
Telephone 410 382-2959

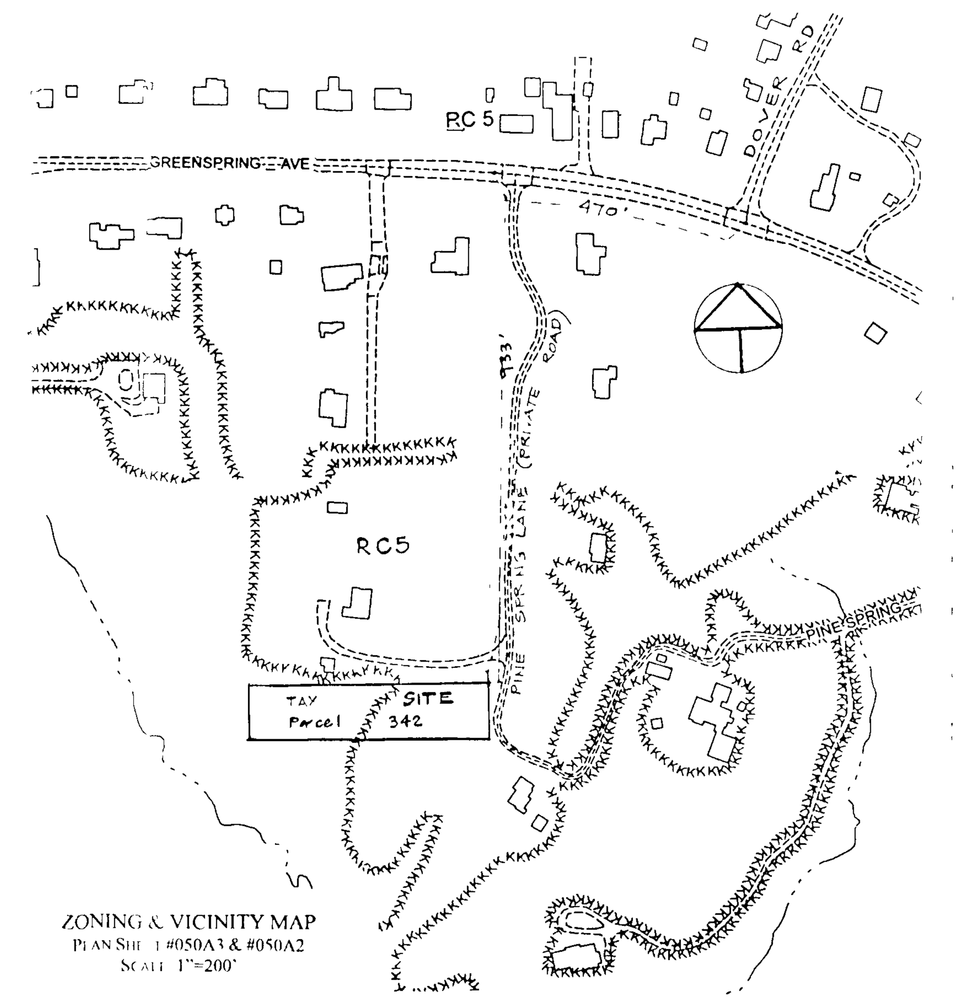
NOTE

1 OWNER
ROGER L & LINDA B MICHEL
12314 GREENSPRING AVENUE
OWINGS MILLS MD 21117-1614
LIBER 12192-170 FOLIO 170
PARCEL 342 TAX MAP 50 GRID 13
ACCOUNT #0426040351
2 EXISTING ZONING RC-5
3 WATER WELL & SEPTIC PROPOSED FOR THIS SITE
4 ZONING HISTORY NONE
5 AREA PROPERTY 43908 SQ FT - 1 01 ACRE +
6 THE SUBJECT PROPERTY IS NOT IN A FLOOD ZONE SEE FLOOD INSURANCE RATE MAP COMMUNITY PANEL 240010 0230B

ZONING NOTES

1 THERE ARE NO HISTORIC BUILDINGS ON THIS OR ADJACENT SITES
2 THE OWNERSHIP OF THE SUBJECT PARCEL AND ADJACENT PARCELS HAVE BEEN FILED IN TAX CASE SINCE OCTOBER 7 1983
3 BUILDING PERMIT APPLICATIONS FOR SUBJECT PARCEL WILL COMPLY WITH ARCHITECTURAL STANDARDS FOR THE RC 5 ZONE
4 THE NEAREST POINT TO A RC 2 ZONE IS APPROXIMATELY 2300 FEET FROM THE SUBJECT SITE





ZONING & VICINITY MAP
PLAN SHEET #050A3 & #050A2
SCALE 1"=200'

PETITIONS REQUESTED

First to approve, pursuant to BCZR §1 A 04 3 B 1 B a single lot of record, which is not a subdivision and which was in existence prior to September 2 2003, does not meet the minimum acreage requirement or does not meet the setback requirement of Paragraph 2, by special hearing to approve same and to alter the minimum lot size requirement

Second, or in the alternative, to approve, pursuant to BCZR §304 1, one family detached dwelling on an undersized single family lot, having an area or width at the building line less than that required by the area regulations of the BCZR

Third, pursuant to BCZR §1 A 04 3 B 4, to allow a single family detached dwelling to be built on an existing lot or parcel or ground with boundaries duly recorded in the Land Records of Baltimore County, with the approval of the Baltimore County Office of Planning, on or before the effective date of the zoning regulations and part of an approved subdivision that cannot meet the minimum standards, as provided within the zone, which may be approved for residential development, in accordance with the standards prescribed in force at the time of the lot recordation

12312 GREENSPRING AVE
WAYNE M PORTER
DEED 12501/358
PARCEL 27 MAP 50 GRID 19
ACCT #0413001100

PETITIONER'S
EXHIBIT NO

STATE OF MARYLAND LAND SURVEYOR

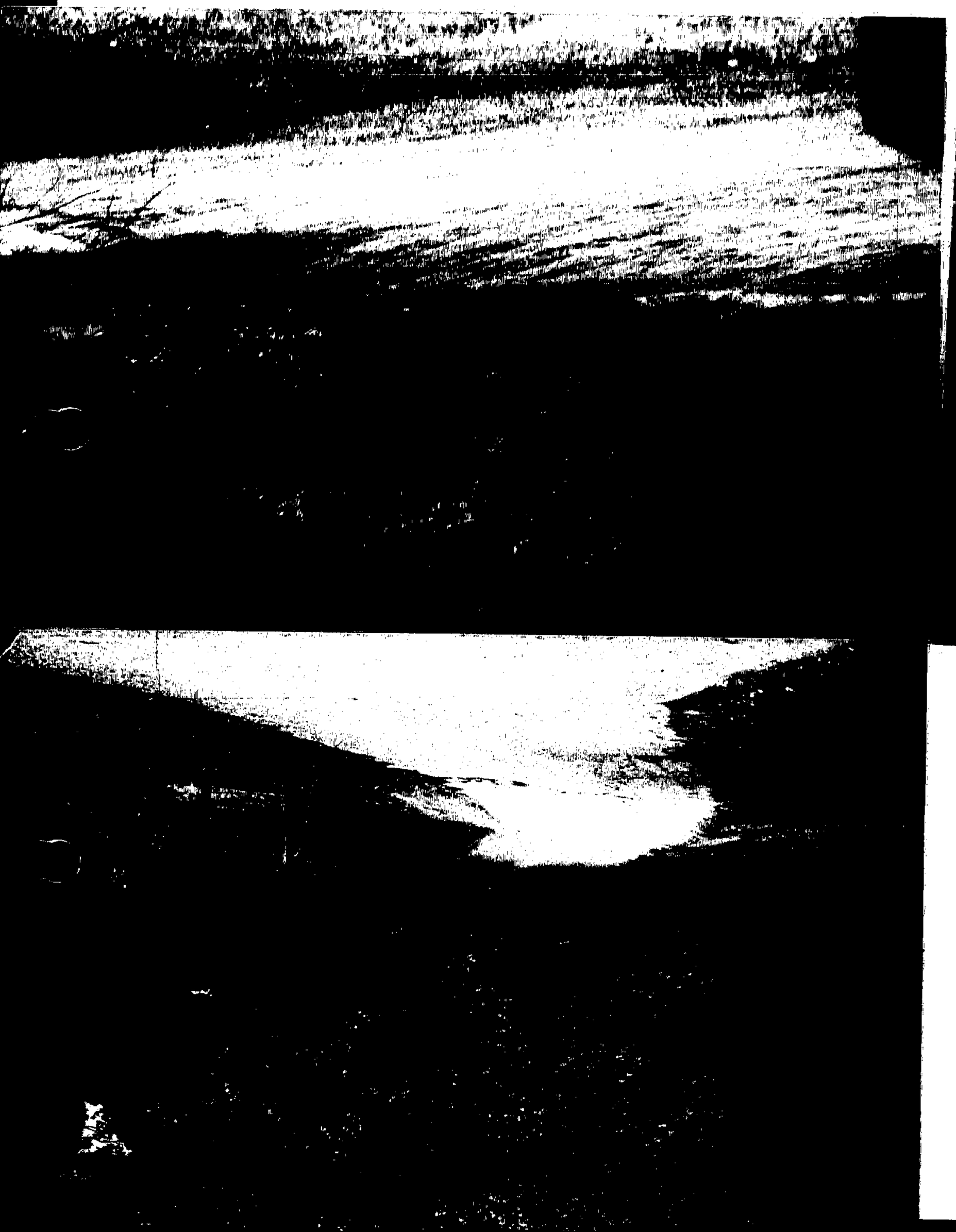
PLAT TO ACCOMPANY PETITION FOR A SPECIAL HEARING AND ZONING VARIANCES
TAX PARCEL 342
GREENSPRING AVENUE
4TH ELECTION DISTRICT
COUNCILMANIC DISTRICT NO. 3
BALTIMORE COUNTY, MARYLAND

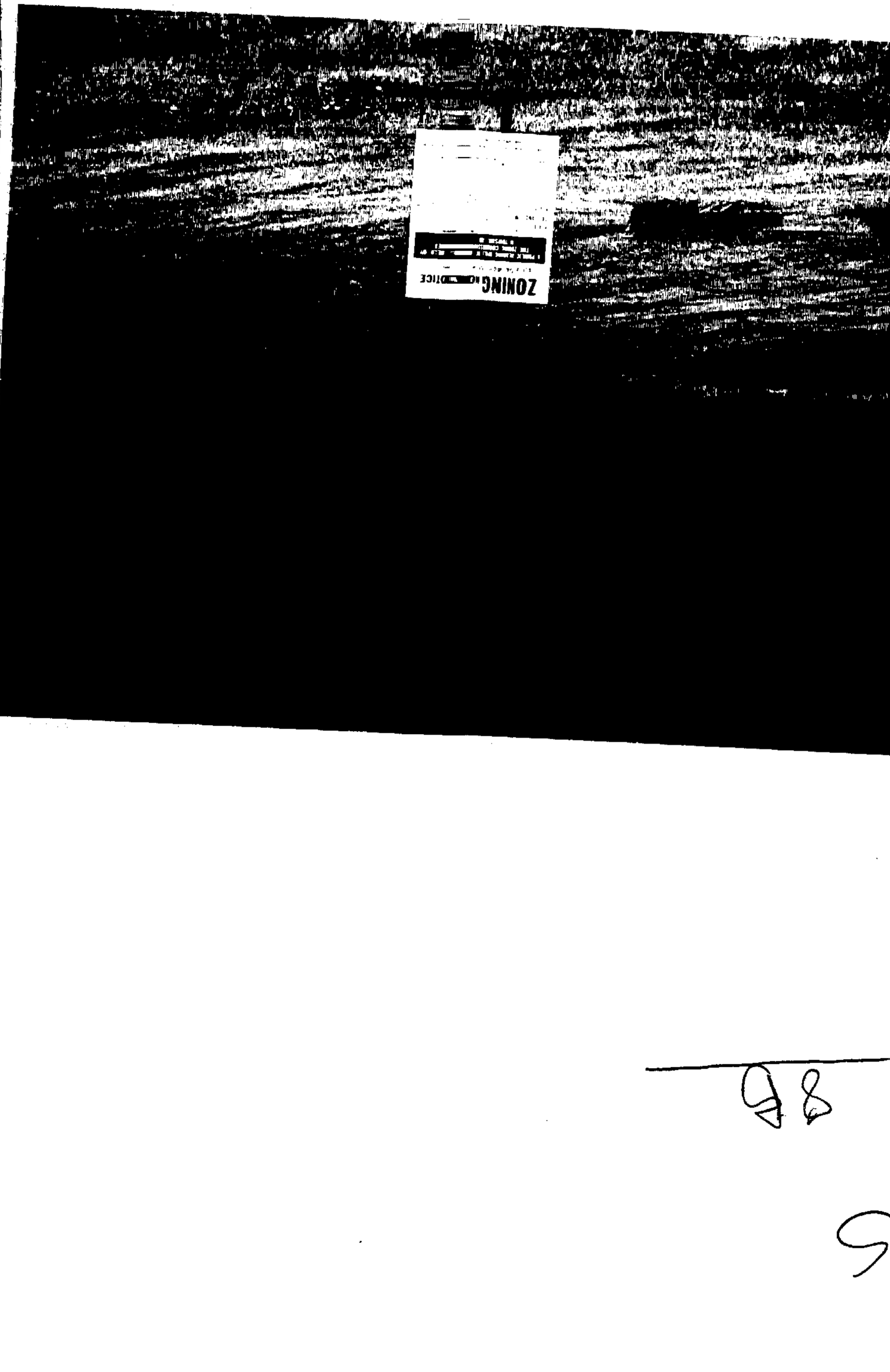
SCALE 1"=30' OCTOBER 30, 2005

Prepared by
H Malmud & Associates Inc
12018 Ridge Valley Drive
Owings Mills Maryland 21117
Telephone 410 308-0442

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW A TITLE REPORT WAS NOT FURNISHED FOR THIS PLAT

2508





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5

submitted. I have reviewed the revised plat of June 17, 2006, which indicates the shared existing driveway from Pine Spring Lane to serve the proposed house, the relocated building envelope in an area which will reduce the amount of paved area required, as well as the number of trees which must be disturbed to build the house and provide access. I further note that the 10,000 square foot septic reserve area has been relocated, as well, with the approval of the Department of Environmental Protection and Resource Management (DEPRM)

While I observe that Tax Parcel 342, consisting of 1.01 acres, is a single lot of record that existed prior to September 2, 2002 and does not meet the minimum acreage requirement or size requirements of an RC5 zone, per the present regulations, it did in fact meet the minimum size requirements for an RC5 zone when RC zoning was initially adopted by Baltimore County. I also find the proposed single family detached dwelling with the boundaries proposed minimizes the disturbance to the forested area, by use of the existing driveway proposed for common use of the adjacent parcels. Under the revised plan, the proposed dwelling will maintain the same setbacks for side yards as originally proposed and the number of trees which must be removed to allow construction of the house and access thereto has been substantially reduced. As shown by the title search, the subject lot was created prior to the creation of RC zoning in Baltimore County. The property has not served any other of the Petitioners' properties in any manner, from its creation, nor has the property been disturbed. Thus, I am persuaded to approve the subject property as a single lot of record, pursuant to Section 1A04.3.B.1.b of the B.C.Z.R. I further find that the proposed development will not increase density in the neighborhood. However, as a condition to the relief granted, the Petitioners shall submit to the Office of Planning for review and approval, the building plans for the residence proposed for a compatibility determination in a RC5 zone, prior to the issuance of a building permit.

As to the variance relief requested, I find that the relief requested is appropriate in this instance, given the imposition of the RC5 zoning on the property after the creation of the subject parcel as a residential building lot. I further find that the variance relief requested is the minimum necessary and meets the spirit and intent of Section 307 of the B.C.Z.R. The Michel

ORDER RECEIVED FOR FILING
Date 9-7-06
By

Click here for a plain text ADA compliant screen.

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 2000003081

Owner Information

Owner Name:	REHFIELD RAYMOND L REHFIELD NAN	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	12306 GREENSPRING AVE OWINGS MILLS MD 21117-1614	**Deed Reference:**	1) /13622/ 576 2)

Location & Structure Information

Premises Address
12306 GREENSPRING AVE

Legal Description
12306 GREENSPRING AVE SS
1000FT E OF MISSI CT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	14	412						1	Plat Ref:

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

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1985	2,572 SF	2.29 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	101,610	135,480		
Improvements:	178,530	205,710		
Total:	280,140	341,190	320,840	341,190
Preferential Land:	0	0	0	0

Transfer Information

Seller:	PORTER STEPHEN W	**Date:**	03/24/1999	**Price:**	$275,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/13622/ 576	**Deed2:**	
Seller:	PORTER JOAN L	**Date:**	06/10/1985	**Price:**	$10,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/ 6931/ 423	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

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

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 04 **Account Number** - 1800001392

Owner Information

Owner Name: ROSENTHAL BRUCE DAVID

Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: 12320 GREENSPRING AVE
OWINGS MILLS MD 21117-1614

Deed Reference: 1) /10971/ 51
2)

Location & Structure Information

Premises Address
12320 GREENSPRING AVE

Legal Description
1.79 AC
12320 GREENSPRING AVE
LOUIS A WEISKITTEL,JR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
50	13	23					2	1	Plat Ref: 40/ 1

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1997	2,904 SF	1.78 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	75,460	97,020		
Improvements:	220,380	235,460		
Total:	295,840	332,480	320,266	332,480
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Type:	Date:	Deed1:	Price:	Deed2:
GREENSPRING INC	UNIMPROVED ARMS-LENGTH	03/13/1995	/10971/ 51	$96,200	
TAPPER YETTA	MULT ACCTS ARMS-LENGTH	12/05/1994	/10856/ 66	$250,000	
WEISKITTEL LOUIS A,JR	NOT ARMS-LENGTH	07/12/1978	/ 5908/ 837	$0	

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *