IN RE: PETITION	FOR SPECIAL HEARING	*	BEFORE THE
NW/S Offut	tt Road, 610' S of Migan Road		
(3012 Offut	tt Road)	*	ZONING COMMISSIONER
2 nd Election			
4 th Council	District	*	OF
Charter Hor	nes, LLC, Legal Owner	*	BALTIMORE COUNTY
Petitioner			

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case No. 07-194-SPH

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Charter Homes, LLC, through its attorney Howard L. Alderman, Jr., Esquire. The Petitioner requests a special hearing pursuant to Sections 500.7 and 1A04.3B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a lot size of 0.976 acres in lieu of the minimum 1.5 acre, and a 95 foot setback from the centerline of a minor collector road for a principal dwelling in lieu of the 150 feet required by B.C.Z.R. Section 1A04.3.B.2.b. The subject property and requested relief are more particularly described on the site plan, which was submitted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the request were Adam Skolnik, Managing Member of Charter Homes, LLC, a Maryland limited liability company, the owner of the subject property and J. Scott Dallas of J.S. Dallas, Inc., the planning, design and surveying firm that has assisted the owner in the approvals necessary for the improvement of the subject property with one single-family, detached dwelling. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. There were no Protestants or other interested persons at the hearing.

Testimony and evidence indicated that the subject property is located on the northwest side of Offutt Road, approximately 610 feet south of Migan Road and has a street address of

3012 Offutt Road. The property is presently vacant and unimproved and is $0.976 \pm acres$ in size, presently zoned R.C.5 and will be served by private water and septic systems. The property has been held intact since at least 1954. Mr. Alderman proffered the testimony of J. Scott Dallas, a registered property line surveyor, who in preparation of the plans for improvement of the property, examined the title history. A series of recorded deeds, conveying the subject property over time, were introduced as follows: i) Petitioner's Exhibit 2 is the current, title deed, dated February 10, 2006, from James A. McCready, et al, to the Petitioner/Owner, recorded among the Land Records of Baltimore County in Liber 23412, folio 152; ii) Petitioner's Exhibit 3 is a deed, dated October 2, 1990, from James A. McCready, Personal Representative of the Estate of Bertha M. McCready to James A. McCready et al, recorded among the Land Records of Baltimore County in Liber 16936, folio 041; iii) Petitioner's Exhibit 4 is a deed, dated September 1, 1964, from Albert Kermisch et al, to James and Bertha McCready, recorded among the Land Records of Baltimore County in Liber 4355, folio 071; and iv) Petitioner's Exhibit 5 is a deed, dated October 17, 1956, from Alfred Moran et al, to Albert and Bessie Kermisch, recorded among the Land Records of Baltimore County in Liber 3036, folio 194.

Each of these deeds contain a "BEINGS" clause which describes the property conveyed as being the same land conveyed in the prior deed. That clause in Petitioner's Exhibit 5 refers to the subject property as: "BEING the same land described in a Deed from Frank W. Mitchell and wife to the Grantors herein, dated May 20, 1954, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2488, folio 300." Thus, from the uncontradicted evidence presented, the subject property has been a single lot of record since at least May 20, 1954. The testimony clearly shows that the Petitioner does not own any adjoining land that could be combined with the subject property and that the subject property is not in any recorded

subdivision. Therefore, I find that the subject property, a single lot of record in existence prior to September 2, 2003, meets the statutory requirements of B.C.Z.R. Section 1A04.3B.1.b(1) for consideration of alteration of the minimum acreage requirement and minimum setback requirement by way of this Petition for Special Hearing.

The proffered testimony is that Offutt Road is defined by Baltimore County as a minor collector roadway. Petitioner's Exhibit 6, a copy of the Baltimore County, Geographic Information System "My Neighborhood Zoning" aerial map, shows the subject property in relation to other properties in the general area. The Petitioner submitted as Exhibit 7, a copy of a portion of State Tax Map No. 76, depicting the subject property as parcel No. 47 and the property immediately adjoining it on the northeast, the Robert Nelson property, as Parcel No. 87.

In the process of obtaining approval for construction of one single-family dwelling, the Petitioner has been required by the Department of Environmental Protection and Resource Management (DEPRM) to grant a perpetual easement to the County as a Forest Buffer Easement across the entire frontage of the subject property. To maintain the integrity of the Forest Buffer Easement, the Petitioner entered into a Shared Driveway Agreement with its neighbor, Mr. Robert Nelson, for access to Offutt Road; a copy of that Agreement, recorded among the Land Records of Baltimore County in Liber 24877 at folio 605, was accepted as Petitioner's Exhibit 8.

The evidence proffered was that the subject property as shown on the site plan is trapezoidal in shape with 227' of frontage on Offutt road, 160' deep on the east side, 224' deep on the west side and measures 202' across the rear boundary. Compared to most other properties in the immediate area, this property has a very shallow depth. In order to maintain the required separation between the private well and private septic reserve area for the dwelling to be constructed, as well as off-site wells and septic reserve areas, the available building envelope is

severely reduced. Given these constraints, the location of the proposed dwelling has been moved as far back from the roadway as possible, resulting in a setback of approximately 95 feet from the centerline of Offutt Road. The evidence proffered was clear that no additional area is available to move the proposed dwelling further from the centerline of the roadway.

Counsel for the Petitioner next reviewed the comments submitted by the Zoning Advisory Committee (ZAC). Other than the Office of Planning and DEPRM, no other reviewing agency had any comment. The Office of Planning is required, pursuant to B.C.Z.R. Section 1A04.4, to ensure that the residential performance standards of the R.C.5 zone are met. Accordingly, the recommendation of the Office of Planning requiring the Petitioner to demonstrate, prior to building permit, that the proposed dwelling meets those performance standards will be adopted as a condition of the relief granted by this Order. Likewise, the ZAC comment from DEPRM mandating compliance with water quality and Forest Conservation Regulations will be adopted by reference.

Based on the testimony and evidence produced by the Petitioner, I am persuaded that the requested relief should be granted. The Petitioner is proposing a single home on a lot that was in existence prior to September 2, 2003. The Petitioner has abided by all environmental requirements in seeking approval for the development of the subject property. The testimony and evidence presented is clear that the granting of the requested relief will not result in detriment to the health, safety or general welfare of the community, or otherwise affect public facilities, services or schools. The Petitioner, by granting a perpetual easement for the forest buffer, and meeting all other environmental requirements has ensured that there will be no detrimental impact on the environmental or natural resources in the area. Finally, the County

Date Convenience FOR FILING

Council in expressly authorizing this type of relief for pre-existing lots, determined such relief to be consistent with the spirit and intent of the B.C.Z.R. where the statutory conditions are met.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this _____ day of January, 2007, that the Petition for Special Hearing to approve the subject property having a size of 0.976 acres in lieu of the minimum 1.5 acre requirement of Section 1A04.3B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.), and a 95 foot setback from the centerline of a minor collector road for a principal dwelling in lieu of the 150 feet required by B.C.Z.R. Section 1A04B.2.b, in accordance with the site plan marked as Petitioner's Exhibit 1, shall be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1) Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Prior to issuance of a building permit for the dwelling to be constructed, the Petitioner must demonstrate to the Office of Planning, satisfaction of the applicable provisions of the R.C.5 residential performance standards.
- Compliance with the ZAC comment submitted by DEPRM relative to compliance with the Protection of Water Quality (Sections 33-3-101 through 33-2-120) of the Baltimore County Code as well as the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122). A copy of this comment is attached hereto and made a part hereof.
- When applying for a building permit, the site plan filed must reference this Case and set forth and address the conditions and restrictions of this Order.

NUTH HECEIVED FOR FILING		CAT OF
5	Date	38

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

hereof.

WJW:dlw

WILLIAM J. WISEMAN, III Zoning Commissioner for

Baltimore County



JAMES T. SMITH, JR. County Executive

January 11, 2007

WILLIAM J. WISEMAN III

Zoning Commissioner

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

RE: PETITION FOR SPECIAL HEARING
NW/S Offutt Road, 610' S of Migan Road
(3012 Offutt Road)

2nd Election District - 4th Council District
Charter Homes, LLC, Legal Owner - Petitioner
Case No. 07-194-SPH

Dear Mr. Alderman:

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

Zoning Commissioner for Baltimore County

WJW:dlw

c: Mr. Adam Skolnick, Managing Member, Charter Homes, LLC
 3230 Bethany Lane, Suite 8, Ellicott City, Md. 21042
 Mr. J. Scott Dallas, J.S. Dallas, Inc., P.O. Box 26, Baldwin, Md. 21013
 Office of Planning; DEPRM; People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legs owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto an anade 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 A LOT 51.2E OF 0.976 ACRES AND A SETBACK OF 9FT MANIMOVA 1/2		for the proper	y located at 3012 Offutt Road	
This Potition shall be filed with the Department of Permits and Development Management. The undersigned, legs owner(s) of the properly situate in Bellimore County and which is described in the description and plat attached hereto made a part hereof, hereby petition in general relations of Ballmore County, to determine whether or not the Zoning Commissioner should approve A LOT \$125.07 CO. 9.76 ACRES AND A SETEMATO SECTION ACRES THE CREVITE OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A "MINOR" COLLECTOR ROAD "IN LIEU OF THE REQUIRE! OF A PROPOSED DURLING. ALL PERSONNETTO SECTION NOA.3.B. 1 AND.2 (BCZR) 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. If 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. 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. 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. 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. Charles to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations. Charles to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bou	· · ·	-		5
THE CENTERLINE OF A "MINOR" COLLECTOR ROAD" IN LIEU OF THE REQUIRED OF THE REQ	County to determine whether or not the	or a Special Hearing	its and Development Management. The useh is described in the description and plat attunder Section 500.7 of the Zoning Regulat	indersigned, lega ached hereto and ions of Baltimore
Property is to be posted and advertised as prescribed by the zoning regulations. 1, 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. Move to solemnly declare and affirm, under the penalties of perjury, that two are the legal owner(s) of the property which is the subject of this Pelition. Contract Purchaser/Lessee:	LIEU OF THE MINIMUM 1	YO ACRES AND	A SETRAL A LOT SIZE OF O.	976 ACRES
Property is to be posted and advertised as prescribed by the zonling regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, costing, etc. and further agree to and are to be bounded by the zonling regulations and restrictions of Baltimore Country adopted pursuant to the zonling law for Baltimore Country. Whe do solerning declare and affirm, under the penalties of perfure, that thwe are the legal owner(s) of the property which is the subject of this Polition. Legal Owner(s): Contract Purchaser/Lessee: Legal Owner(s): Charter Homes II C Name - Type of Print Signature Address Address Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 Telephone No. Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Telephone No. Baldwin MD 21013 Telephone No. City State 2p Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Telephone No. Baldwin MD 21013 Telephone No. City State 2p Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING LEGAL OWNERSHIP PER CONTACTED STATES AND ADDRESS AND	THE CENTERLINE OF A	MINOR "COLLEC	TUR ROAD "	2000
Property is to be posted and advertised as prescribed by the zonling regulations. I, or we, agree to pay expenses of above Special Heering, advertising, posting, etc., and further agree to and are to be bounded by the zonling regulations and restrictions of Batimore Country adopted pursuant to the zonling law for Baltimore Country. I/We do solemnly declare and affirm, under the penalties of perfury, that I/We are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee:	OFT HEER A DRIPPISZO	TOUR LAND	11 Proper and Comments	KERVIKEL
Property is to be posted and advertised as prescribed by the zonling 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 zonling regulations and restrictions of Baltimore County adopted pursuant to the zonling law for Baltimore County. Whe do solemnly declare and affirm, under the penalties of siths subject of this Polition. Contract Purchaser/Lessee: Legal Owner(s) Charter Homes LLC Name-Type or Print Signature Address Telephone No. Signature Address Telephone No. Signature Address Telephone No. Signature Address Telephone No. Address Telephone No. Telephone No. Baldwin P, O, Box 26 410-817-4500 Address Telephone No. Baldwin MD 21013 Address Telephone No. Baldwin P, O, Box 26 410-817-4500 Address Telephone No. Baldwin MD 21013 Telephone No. Baldwin P, O, Box 26 410-817-4500 Address Telephone No. Baldwin MD 21013		in encircular in	THE PRODUCTO SECTION	
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. Whe do solemnly declare and affirm, under the penalties of is the subject of this Petitlon. Where the subject of this Petitlon. Legal Owner(s): Charter Homes LLC Name-Type or Print Signature Address Telephone No. Signature Address Attorney For Petitioner: Address Attorney For Petitioner: Address Telephone No. Signature Address Telephone No. Telephone No. Address Telephone No. Baldwin MD 21013 City State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING UNAVAILABLE FOR HEARING No. MERCER No. OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING No. MERCER No. MERCER Reviewed By JL Date 10 27 0 6	04.3.B. 1 AND.2 (BCZR)	•		150)
Contract Purchaser/Lessee: We do solemnly declare and affirm, under the penalties of perityr, that twee are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee:				
Contract Purchaser/Lessee: We do solemnly declare and affirm, under the penalties of perityr, that twee are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee:	•		· · · · · · · · · · · · · · · · · · ·	
Total programmer of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Charter Homes Life Charter	•		•	•
Contract Purchaser/Lessee: Legal Owner(s): Charter Homes Lic Name-Type of Print Signature Address Telephone No. Signature Attorney For Petitioner: Name-Type of Print Signature Attorney For Petitioner: Name-Type of Print Signature Attorney For Petitioner: Telephone No. Name-Type of Print Signature Signature Signature Signature Signature Signature Telephone No. Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Telephone No. Signature Diplem Received FOR FISHING Zip Code City State Zip Code City State Diplem Received By Lo MERGER No. 07-194-SPH UNAVAILABLE FOR HEARING PARAGRAMSTANDE PERS	Property is to be posted and advertised I, or we, agree to pay expenses of above S zoning regulations and restrictions of Baltim	as prescribed by the pecial Hearing, advertis note County adopted pu	coning regulations. ng, posting, etc. and further agree to and are to suant to the zoning law for Baltimore County.	be bounded by the
Contract Purchaser/Lessee: Name-Type or Print Signature Address Telephone No. Address Attorney For Petitioner: Address Bignature Sup Code Address Ellicott City, MD 21042 Telephone No. Ellicott City, MD 21042 Telephone No. Address Telephone No. Baldwin MD 21013 City State Zip Code te OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HC. UNAVAILABLE FOR HEARING Reviewed By JL Date 10 27 66 Reviewed By JL Date 10 27 66 Reviewed By JL Date 10 27 66		•	PSIMIY, UIGUI/WE AIB THE IBRIAL OWNER'S) AT 15	he penalties of e property which
Charter Homes LLC Name-Type of Print Signature Address Telephone No. Attorney For Petitioner: Signature Attorney For Petitioner: Signature Attorney For Petitioner: Signature Attorney For Petitioner: Signature Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING NO ADDRESS NO ADDRESS Reviewed By L Date 10 27 66 Reviewed By L Date 10 27 66	Contract Purchaser/Lessee:	•		•
Name - Type of Print Signature Adam Skolnik, Managing Member Name - Type or Print Signature Suite 8 3230 Bethany Lane 410-486-3213 Address Ellicott City, MD 21042 Telephone No. Ellicott City, MD 21042 Telephone No. Gity State Zip Code Gregoresentative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code City State Zip Code P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code City State	•		Legal Owner(s);	•
Ignature Signature Adam Skolnik, Managing Member Adam Skolnik, Managing Member Name-Type or Print Signature Signature Adam Skolnik, Managing Member Name-Type or Print Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 Telephone No. Ellicott City, MD 21042 City State Zip Code P. O. Box 26 410-817-4600 Address Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING WE MEMBERS Reviewed By JL Date 10 27 6 6 Reviewed By JL Date 10 27 6 6	ame - Type or Print			
Signature Condam Skolnik, Managing Member Adam Skolnik, Managing Member Name-Type or Print Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 City State Zip Code Managing Member Adam Skolnik, Managing Member Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING We produce the performance of the per		•	71 1 2 1	
Adam Skolnik, Managing Member Name-Type or Print Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 Telephone No. Address Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HL, UNAVAILABLE FOR HEARING P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HL, UNAVAILABLE FOR HEARING Date IO 27 66 No MERGER NO M	ignature		Signature	· · · · · · · · · · · · · · · · · · ·
Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 City State Zip Code Grature Grand Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING LINE PROGRAMSKING PERS No MERGER N	ddraga			Member
Signature Suite 8 3230 Bethany Lane 410-480-3213 Address Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas P. O. Box 26 410-817-4600 Address Baldwin MD 21013 P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR., UNAVAILABLE FOR HEARING P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR., UNAVAILABLE FOR HEARING P. 91/5198 Reviewed By JL Date 10 27 6 6		Telephone No.	T	
Address ame-Type or Print Address Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Address Telephone No. Baldwin MD 21013 PER PICTURE OF FIGURE City State Zip Code P. O. Box 26 410-817-4600 Address Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING PREVIOUS CITY OF TERRING WE STIMATED LENGTH OF HEARING NO MERGER NO	it.	Zip Code	Slonature	
Address Ellicott City, MD 21042 Telephone No. Ellicott City, MD 21042 City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR., UNAVAILABLE FOR HEARING No. MERGER	ttorney For Petitioner:		_ Duite 0	480-3213
City State Zip Code Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR. UNAVAILABLE FOR HEARING NO MERGER	,			1
gnature Representative to be Contacted: J. Scott Dallas Name P. O. Box 26 410-817-4600 Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR, UNAVAILABLE FOR HEARING — UNAVAILABLE FOR HEARING — Reviewed By JL Date 10 27 66	ame - Type or Drink	·	Ellicott City, MD 2104	2
Telephone No. Telephone No. Telephone No. Telephone No. Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HC., UNAVAILABLE FOR HEARING NO MERGER N	and - Type of Fift	· ·	City	Zip Cods
Telephone No. Telephone No. Telephone No. Address Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING No. 10 27 194-SPH Reviewed By JL Date 10 27 06	nature	· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:	
Telephone No. Telephone No. Address Baldwin MD 21013 Telephone No. Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR., UNAVAILABLE FOR HEARING No merger N	• -	•	J. Scott Dallas	
Telephone No. Address Baldwin MD 21013 City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR., UNAVAILABLE FOR HEARING No. MERGER N	mpany		Name	
Address Baldwin MD 21013 Den Received FOR FILENG Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING No merger	drese		P. O. Box 26 410-8'	17-4600
DET RECEIVED FOR FILTING ZIP Code City State ZIP Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING WE 91/5/98 NO MERGER NO ADVISIONERS HERE Reviewed By L Date 10 27 06	, seam	Telephone No.		Telephone No.
OFFICE USE ONLY ESTIMATED LENGTH OF HEARING HR, UNAVAILABLE FOR HEARING — Reviewed By JL Date 102706	VIEW RECEIVED FOR EINSTANCE	Zip Code	C28-4	
ESTIMATED LENGTH OF HEARING HR. UNAVAILABLE FOR HEARING — Reviewed By JL Date 1027 06	t .	, .	State	Zip Code
ESTIMATED LENGTH OF HEARING	e	•	OFFICE USE ONLY	_
Case No. 0/194-5PH UNAVAILABLE FOR HEARING — Reviewed By JL Date 1027 16 NO MERGER NO ADVIOLABLE FOR HEARING —	(DEW)			ш <i>а</i>
Reviewed By JL Date 1027 06 No MERGER NO ADVIOLATERSHIP PER:	ase No. 07-194-SP	+		
No merger No Advances on Per.	Co. Alielae	Revi	1:	27/1/
NO ATOLOGIA PLES.				~1100
· · · · · · · · · · · · · · · · · · ·	NO AROLOGIA PLENT PE	R	•	· /
				•

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE P.O. BOX 26 BALDWIN, MD 21013 (410) 817-4600 FAX (410) 817-4602



ZONING DESCRIPTION #3012 OFFUTT ROAD

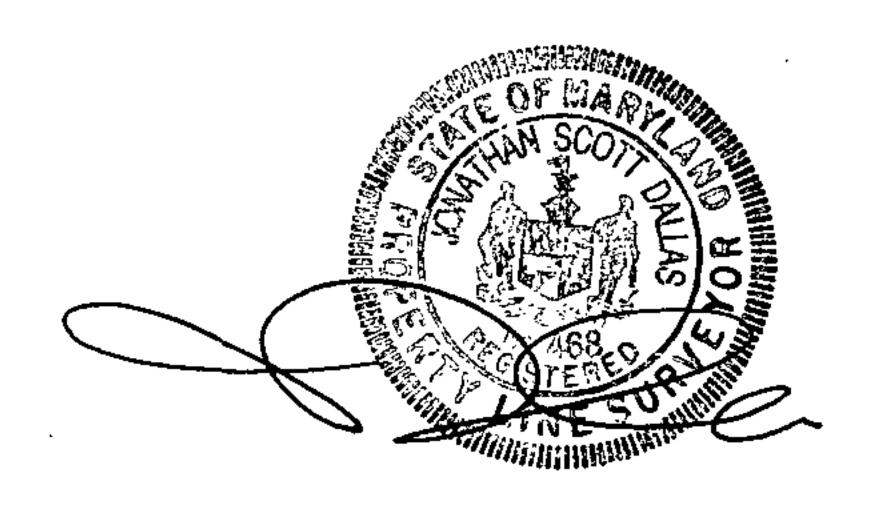
BEGINNING for the same at a point in the center of Offutt Road at a point distant 610 feet, more or less southwest from the centerline of Migan Road thence leaving said Offutt Road and running the three following courses and distances (1) North 38 degrees 49 minutes West 160.00 feet thence (2) South 47 degrees 50 minutes West 202.3 feet thence (3) South 37 degrees 58 minutes East 224.0 feet to intersect said center of Offutt Road thence running with and binding in said Offutt Road the three following courses and distances: (4) North 63 degrees 36 minutes East 24.5 feet thence (5) on a curve to the left with a radius of 86.8 feet for a distance of 66.6 feet thence (6) North 19 degrees 41 minutes East 137.2 feet to the place of beginning.

CONTAINING 42500 square feet or 0.976 acres of land, more or less.

BEING all of that parcel which by dated February 10, 2006 and recorded among the Land Records of Baltimore County in Liber S.M. No. 23412 folio 152 etc. was conveyed by James A. McCready and others to Charter Homes, LLC.

ALSO known as # **3012 Offutt Road** and located in the 2nd Election District 4th Councilmanic District.

Note: above description is for zoning purposes only.



	And the second s	•
	SS ALL TO A STATE OF THE STATE	
		•
2 9		
23		•
NOON TO SO THE PROPERTY OF THE		
MAR ECEIPT		
COUNT PGET & F		
E. OF BUD	ASHIER ASHIER	
BALTIMORE CO OFFICE OF BUDGE MISCELLANEOU		

•

•

•

COTTO OF ZONING HEARING

The Zerand Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #07-184-SPH
3012 Offut Road
Nwest side of Offut Road, 610 feet south of Migan Road
Nwest side of Offut Road, 610 feet south of Migan Road
2nd Election District - 4th Councilmanic District
Legal Owner(s): Charter Homes, LLC, Adam Skolnik,
Managing Member
Special Hearing: to approve a iot size of 0.976 acres in
illeu of the minimum 1.5 acres and a setback of 95 feet to
the centerline of a minor "collector road" in lieu of the required 150 feet for a proposed dwelling, all pursuant to
Section 1404.3.B.1 and .2 (BCZR).
Hearing: Tuesday, January 9, 2007 at 2:00 p.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 Handlcapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing,
Contact the Zoning Review Office at (410) 887-3391.

CATE OF PUBLICATION

2002 TE

RTIFY, that the annexed advertisement was published successive weeks, the first publication appearing ekly newspaper published in Baltimore County, Md., 9005<u>,</u> in the following we THIS IS TO CE once in each of

Jeffersonian 女 The

- Arbutus Times
- Catonsville Times
- Owings Mills Times Towson Times
- Booster/Reporter NEI
- North County News

J. Williams

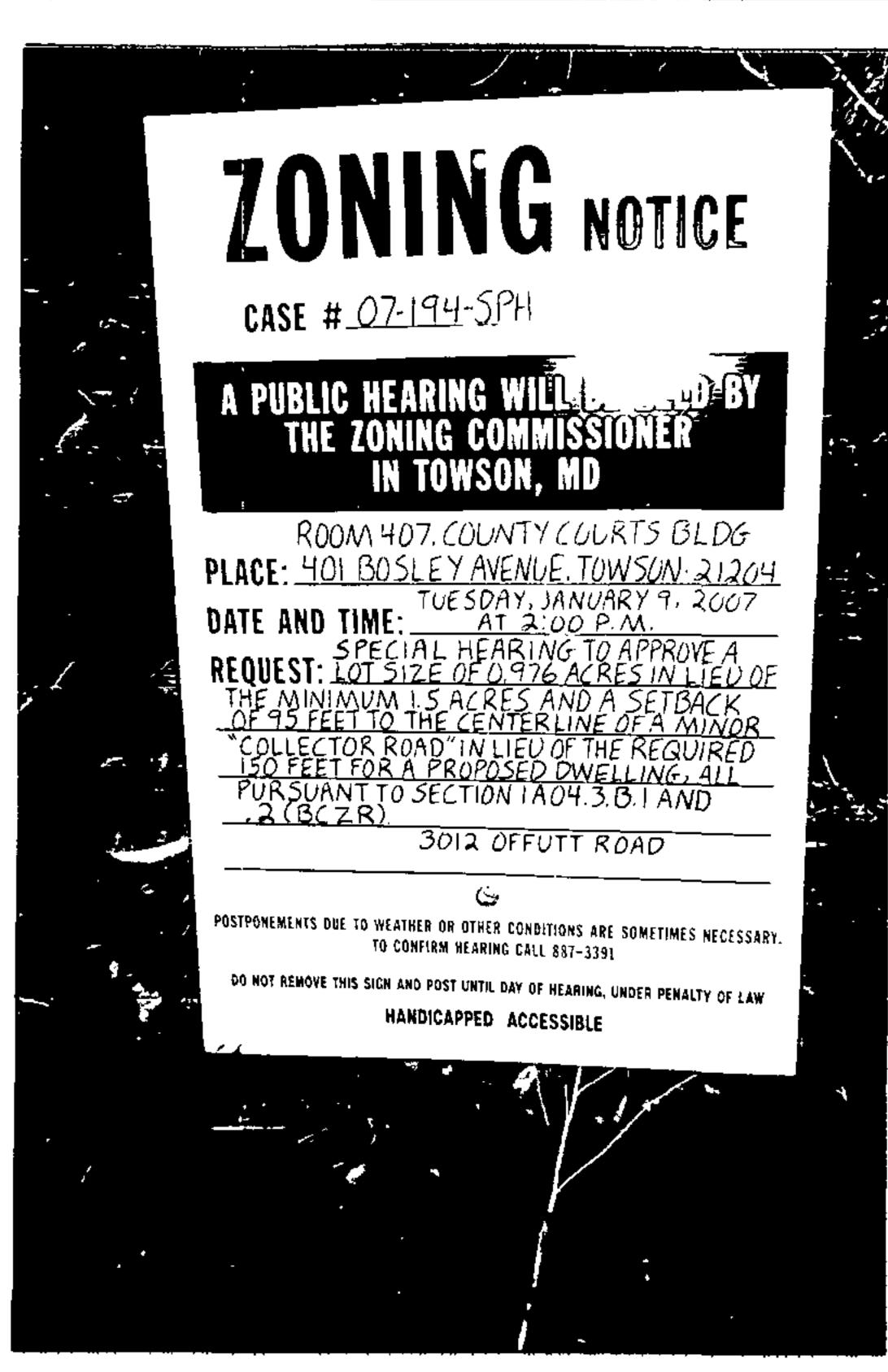
LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS DATE: 12/26/06 Case Number: 07-194-SPH Petitioner/Developer: ADAM SKOLNIK~J. SCOTT DALLAS Date of Hearing (Closing): 1/09/07 This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 3012 OFFUT ROAD

The sign(s) were posted on:

12/21/06



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley Maryland 21030

(City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



JAMES T. SMITH, JR. .

County Executive

TNOTHIBEKSOR 2006 Director
Department of Permits and
Development Management

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: 07-194-SPH

3012 Offutt Road

N/west side of Offutt Road, 610 feet south of Migan Road

2nd Election District – 4th Councilmanic District

Legal Owners: Charter Homes, LLC, Adam Skolnik, Managing Member

Special Hearing to approve a lot size of 0.976 acres in lieu of the minimum 1.5 acres and a setback of 95 feet to the centerline of a minor "collector road" in lieu of the required 150 feet for a proposed dwelling, all pursuant to Section 1A04.3.B.1 and .2 (BCZR).

Hearing: Tuesday, January 9, 2007 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Adam Skolnik, 3230 Bethany Lane, Ste. 8, Ellicott City 21042 J. Scott Dallas, P.O. Box 26, Baldwin 21013

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 23, 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director Department of Permits and November 12010206 Management

Adam Skolnik Charter Homes 3230 Bethany Lane, Ste. 8 Ellicott City, MD 21042

Dear Mr. Skolnik:

RE: Case Number: 07-194-SPH, 3012 Offutt Road

The above matter, previously scheduled for January 3, 2007, has been postponed by the Zoning Commissioner's office. The hearing has been rescheduled and the notice reflecting this change is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

Timothy Kotroco

Director

TK:klm

C: J. Scott Dallas

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 21, 2006 Issue - Jeffersonian

Please forward billing to:
Charter Homes, LLC
3230 Bethany Lane, Ste. 8
Ellicott City, MD 21042

410-480-3213

CORRECTED 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: 07-194-SPH

3012 Offutt Road

N/west side of Offutt Road, 610 feet south of Migan Road

2nd Election District – 4th Councilmanic District

Legal Owners: Charter Homes, LLC, Adam Skolnik, Managing Member

<u>Special Hearing</u> to approve a lot size of 0.976 acres in lieu of the minimum 1.5 acres and a setback of 95 feet to the centerline of a minor "collector road" in lieu of the required 150 feet for a proposed dwelling, all pursuant to Section 1A04.3.B.1 and .2 (BCZR).

Hearing: Tuesday, January 9, 2007 at 2:00 p.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

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

November 16, 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: 07-194-SPH

3012 Offutt Road

N/west side of Offutt Road, 610 feet south of Migan Road

2nd Election District – 4th Councilmanic District

Legal Owners: Charter Homes, LLC, Adam Skolnik, Managing Member

<u>Special Hearing</u> to approve a lot size of 0.976 acres in lieu of the minimum 1.5 acres and a setback of 95 feet to the centerline of a minor "collector road" in lieu of the required 150 feet for a proposed dwelling, all pursuant to Section 1A04.3.B.1 and .2 (BCZR).

Hearing: Wednesday, January 3, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Adam Skolnik, 3230 Bethany Lane, Ste. 8, Ellicott City 21042 J. Scott Dallas, P.O. Box 26, Baldwin 21013

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 19, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 19, 2006 Issue - Jeffersonian

Please forward billing to:

Charter Homes, LLC 3230 Bethany Lane, Ste. 8 Ellicott City, MD 21042 410-480-3213

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: 07-194-SPH

3012 Offutt Road

N/west side of Offutt Road, 610 feet south of Migan Road

2nd Election District – 4th Councilmanic District

Legal Owners: Charter Homes, LLC, Adam Skolnik, Managing Member

Special Hearing to approve a lot size of 0.976 acres in lieu of the minimum 1.5 acres and a setback of 95 feet to the centerline of a minor "collector road" in lieu of the required 150 feet for a proposed dwelling, all pursuant to Section 1A04.3.B.1 and .2 (BCZR).

Hearing: Wednesday, January 3, 2007 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 ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: 07 194 5PH
Petitioner: CHARTER HOMES LLC
Address or Location: 3012 OFFUTT RD.
PLEASE FORWARD ADVERTISING BILL TO:
Name: CHARTER HOMES LLC
Address: SUITE 8 3230 BETHANY LANE
ELLICOTT CUTY, MD. 21042
Telephone Number: 410 - 480 - 3213



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

January 3, 2007

Charter Homes, LLC Adam Skolnik, Managing Member 3230 Bethany Lane, Suite 8 Ellicott City, MD 21042

Dear Mr. Skolnik:

RE: Case Number: 07-194-SPH, 3012 Offutt Road

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

J. Scott Dallas P.O.Box 26 Baldwin 21013

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

November 9,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 13, 2006

Item Number(s): 193 through 201

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



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: NOVEMBER 8,2006

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

Dear Ms. Matthews:

Baltimore County
Item No. 7-194-5PH
3012 OFFLITT ROAD
CHARTER HOMES ILC
VARIANCE - OPECIAL HENRING
SET BACK REQUIREMENT
FOR MILLSON COLLECTOR PD

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.7-194 574.

RE:

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

43W /9

DATE: December 6, 2006

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

3012 Offutt Road

INFORMATION:

Item Number:

7-194

Petitioner:

Charter Homes

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, 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:

- 1. Photographs of existing adjacent dwellings.
- 2. 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.
- 3. 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.

- 4. 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.
- 5. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Dave Green with the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

December 29, 2006

SUBJECT:

Zoning Item

07-194-SPH

Address

3012 Offutt Road

(Charter Homes)

Zoning Advisory Committee Meeting of November 6, 2006

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

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

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

An evaluation of the septic system may be required prior to building permit approval. - S. Farinetti; Ground Water Management

Reviewer:

Michael S. Kulis

Date: December 4, 2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-194-SPH.doc

FILING AUCH HECEIVED FOR

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 9, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 13, 2006

Item No. 07-194

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

If this portion of Offutt Road is ever widened per standard, the right-of-way will roughly follow the forest buffer easement. Since the forest buffer easement will be acquired with the building permit and the highway widening will not, the Department of Public Works simply wishes to point out a potential conflict. We have no comment on the current request.

DAK:CEN:cab

cc: File

ZAC-ITEM NO 07-194-11132006.doc

RE: PETITION FOR SPECIAL HEARING
3012 Offutt Road; NW/S Offutt Road,
610' S Migan Road
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Charter Homes, LLC
by Adam Skolnik, Managing Member
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 07-194-SPH

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 13th day of November, 2006, a copy of the foregoing Entry of Appearance was mailed to, J. Scott Dallas, P.O. Box 26, Baldwin, MD 21013, Representative for Petitioner(s).

RECEIVED

NOV 1 3 2006

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

dimmerman

Per.....

IN RE:

PETITION FOR SPECIAL HEARING

3012 OFFUTT ROAD

2ND Election District

4TH Councilmanic District

Charter Homes, LLC, Owner

Petitioner

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 07-194-SPH

ENTRY OF APPEARANCE

Mr. Commissioner:

Please enter the appearance of the undersigned legal counsel in the above-captioned matter on behalf of Charter Homes, LLC, Owner/Petitioner.

This case is scheduled to be heard on Tuesday, January 3, 2007 at 9:00 a.m. in Room 106.

Howard L. Alderman, Jr.

Levin & Gann, P.A.

8th Floor, Nottingham Centre

502 Washington Avenue

Towson, Maryland 21204

410.321.0600 [voice]

410.296.2801 [fax]

<u>Halderman@LevinGann.com</u> [e-mail]

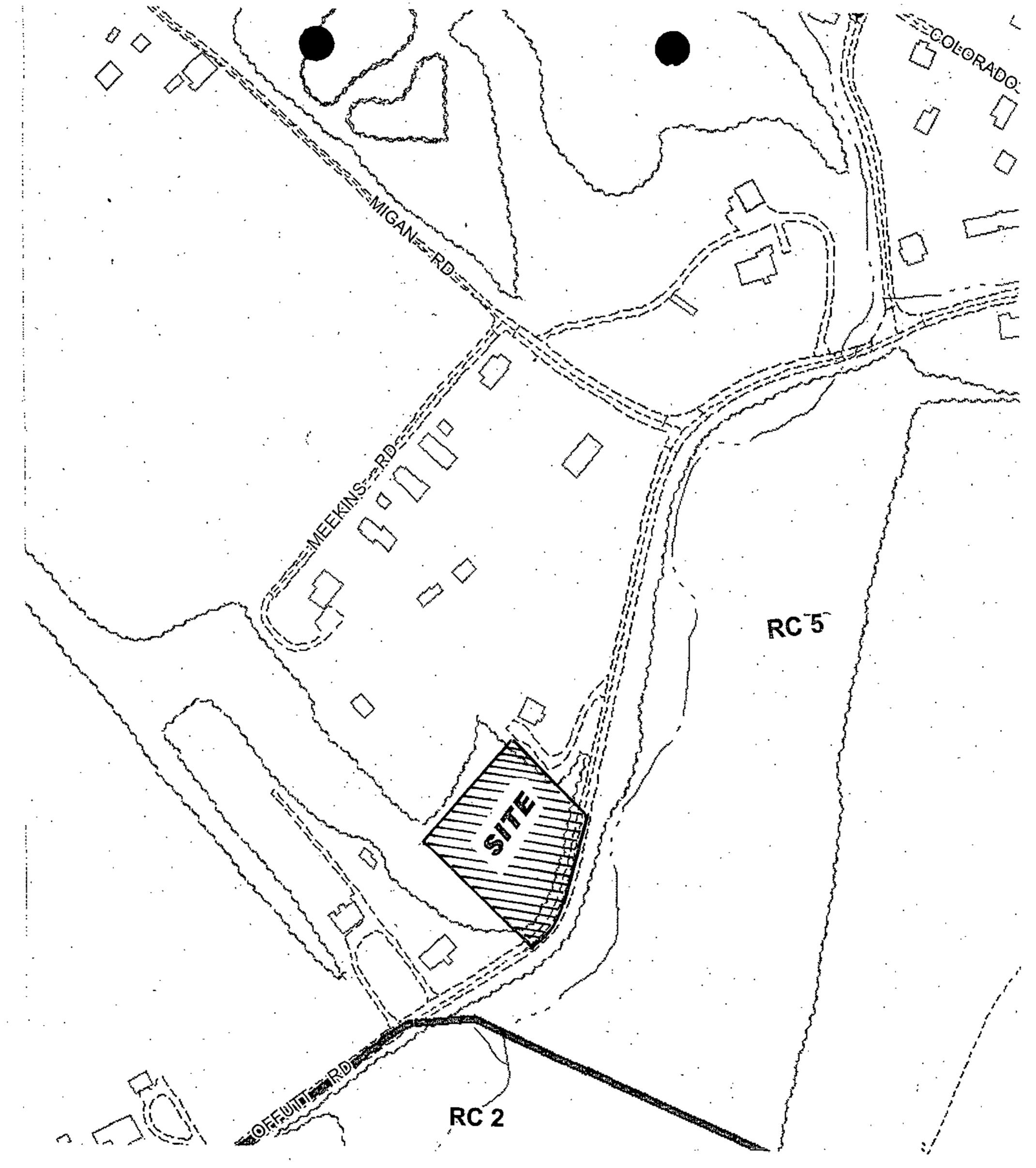
Attorneys for Petitioner

ZASE PRINT CLEARLY

enter House CASE NAME CA CASE NUMBER DATE UP LE

PETITIONER'S SIGN-IN SI

HSUDIMU CLU Elwerny 15dine @ agl. com on					
CITY, STATE, ZIP EC, NO 21042 Tousan Les 21240					
32.30 Berkhang LV. ERMA P.O. B. X. Z.G. P.O. B. X. Z.G. P.O. B. X. Z.G. P.O. B. W. Z.G. P.O. B. W. Z.G.					
MAME Holden Subly, U J. Scott Dallas Freumer L American Sk					



ZONING MAP 19=2009 (B.C.O.P.Z. MAP NO. 076C2)

#3012 OFFUTT ROAD

Case No.:	07-194-59	4
Juby 110	<u> </u>	•

Exhibit Sheet

Petitioner/Developer

Protestant

SITE PLAN		
DEED 2/10/06	•	
Deed 10/2/90		
Deed 9/1/64		
Dued 10/17/56		
GIS MAP		
MDAT - MAP		
We in Common agramment Shared Druggers a sevenest		
	DEED 2/10/06 Deed 10/2/90 Deed 9/1/64 Deed 10/17/56 GIS MAP	DEED 2/10/06 Deed 10/2/90 Deed 9/1/64 Deed 10/17/56 GIS MAP MDAT - MAP

EXHIBIT No.	DESCRIPTION			
1	Plan to Accompany Petition			
2	Deed, dated, 2/10/06 from James McCready to Charter (Petitioner) recorded at Liber 23412, folio 152 - CURRENT TITLE DEED			
3	Deed dated, 10/2/90 from Estate of Bertha McCready to James McCready, et al, recorded at Liber 16936, folio 041			
4	Deed dated, 9/1/64 from Kermisch to James & Bertha McCready, recorded at Liber 4355, folio 071			
5	Deed dated, 10/17/56 from Moran to Kermisch, recorded at Liber 3036, folio 194			
6	GIS "My Neighborhood" Map of subject property and area			
7	State Tax Map No. 76 showing subject property (Parcel 47) and adjoining Nelson property (Parcel 87)			
8	Shared Driveway Agreement, recorded at Liber 24877, folio 605			

BCZR - RC5 - Selected Provisions 1A04.3 Height and area regulations.

- A. Height regulation. No structure hereafter erected in an R.C.5 Zone shall exceed a height of 35 feet, except as provided under Section 300.
- B. Area regulations.
 - 1. Lot area; density control. [Bill Nos. 178-1979;EN 55-2004EN]
 - a. A lot having an area of less than 1 1/2 acres may not be created in an R.C.5 Zone. The maximum gross residential density is 0.5 dwelling per acre. [Bill No. 128-2005EN]
 - b. Exceptions to minimum lot size. [Bill No. 152-2004]
 - (1) The owner of a single lot of record that is not a subdivision and that is in existence prior to September 2, 2003, but does not meet the minimum acreage requirement, or does not meet the setback requirement of Paragraph 2, may apply for a special hearing under Article 5 to alter the minimum lot size requirement. However, the provisions of Section 1A04.4 may not be varied.
 - (2) The Office of Planning may authorize a smaller lot size per residential unit, but in no event less than one acre per unit, for a tract of property for which growth allocation acreage has been awarded prior to June 11, 2004, pursuant to Article 32, Title 9 of the Baltimore County Code, if at least 50% of the tract is donated to and accepted by the County for public benefit.
 - 2. Building setbacks. [Bill No. 55-2004]
 - a. As used in this section, "collector road" means a street or road that is intended for travel, including commuter travel, between residential neighborhoods, but not for travel within neighborhoods, and is not designated as a principal arterial. [Bill No. 77-2005EN]
 - b. Any principal building hereafter constructed in an R.C. 5 Zone shall be situated at least 150 feet from the center line of any collector road, or any scenic route identified in the Baltimore County Master Plan, and 100 feet from the center line of any road that leads to or connects with a collector road, and at least 75 feet from the center line of any other street or road, and at least 50 feet from any lot line other than a street line, except as otherwise provided in Paragraph 5 below. [Bill No. 77-2005EN]
 - c. Any principal building constructed in an R.C.5 Zone that is contiguous to an R.C.2 or R.C.7 Zone shall be situated at least 150 feet from the zone line.

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

THIS DEED, Made this _______ day of _______ in the year two thousand six, by and between JAMES A. McCREADY, JR., RONALD R. McCREADY, RICHARD D. McCREADY and DEBRA A. McCREADY, residents of the State of Maryland, of the first part, Grantor, and CHARTER HOMES, LLC, a Maryland limited liability company, of the second part, Grantee, WITNESSETH: that in consideration of the sum of \$56,400.00, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey and assign unto CHARTER HOMES, LLC, its successors and assigns, in fee simple, all that lot of ground situate in Baltimore County, in the Second Election District, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point in the center of Offutt Road at the end of the second or south 42 degrees east 642 foot line of the land described in the Deed from Martin J. Reville to Frank W. Mitchell and wife, dated April 28, 1953, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2281, folio 487, thence running along the center of Offutt Road and binding on the outlines of the lot described the above mentioned Deed and binding on the outline of the land conveyed in a Deed from George L. Clingman to Ganjon in December, 1951, north 63 degrees 36 minutes east 24.5 feet, thence running on a curve to the left in a northeasterly direction having a radius of 86.8 feet for a distance of 66.6 feet, thence running north 19 degrees 41 minutes east 137.2 feet to the beginning point of the fifth line of the Deed first mentioned herein, thence running and binding on a part of said fifth line, north 38 degrees 49 minutes west 160.0 feet and passing over a pipe set in concrete near the north side of Offutt Road, and set by mutual agreement as the dividing line between the property of which this lot is a part, and the land adjoining it on the northeast; thence running for a line of division now made, south 47 degrees 50 minutes west 202.3 feet to a pipe set in the dividing line as established between the land owned by F. W. Mitchell and Golan Cowder on the southwest; thence running and binding on said line and on the second line of the Deed first mentioned above south 37 degrees 58 minutes east 224.0 feet to the place of beginning. Containing 0.9 of an acre, more or less.

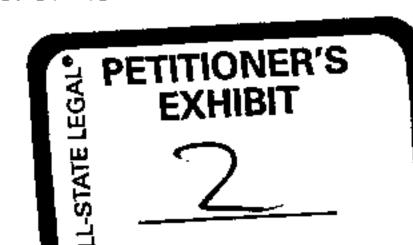
BEING the same lot of ground described in a Deed from James A. McCready, Jr., Personal Representative of the Estate of Bertha M. McCready to James A. McCready, Jr., Ronald R. McCready, Richard D. McCready and Debra A. McCready, dated October 2, 1990 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 16936, folio 041.

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.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-226) 03/10/2006.

PENENY ED SDAT 2 16/06 BY DATE

0152. Printe I 12/27/2006. Online



TO HAVE AND TO HOLD the said described lot(s) of ground and premises, unto and to the use of the said CHARTER HOMES, LLC, its successors 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 said Grantor(s).

WITNESS:		
Melyle	JAMES A. McCRHADY, JR. Grantor	_(SEAL)
	JAMES A. McCRHADY, JR. Grantor	
Mala	RONALD R. McCREADY, Grantof	_(SEAL)
	RONALD R. McCREADY, Grantoff	
Megle_	Kull Mercelly	_(SEAL
	RICHARD D. McCREADY, Grantor	
Male	Debye a. McCreagy	_(SEAL
	DEBRA A. McCREADY, Grantor	

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

WITNESS my hand and Notarial Seal.

Notary's Seal Here

My commission expires:

-2-

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.

Attorney

Property: 0.9 acre lot, north side of Offutt Road

COADY & FARLEY

Return To:

otressent or the contract of t

Execution approved: 🧥

Ready for record:

Coady & Farley File No.: 36,771

Attorneys-at-Law
400 Allegheny Avenue
Towson, Maryland, 21204

DEEED

FROM
JAMES A. McCREADY, JR.,
RONALD R. McCREADY, and
RICHARD D. McCREADY, and

CHARTER HOMES, LLC

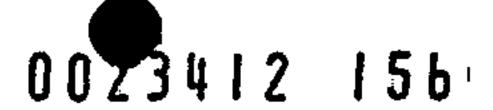
DEBRA A. McCREAD)

Received for record

20 at o'clock M.

Same day recorded in Liber

No. folio &c. one of the Land Records of and examined per Clerk.



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

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

······································	1. Transferor Information			
Name of Transferor	ame of Transferor JAMES A. McCREADY, JR.			
RONALD R. McCREADY				
	2. Reason fo	or Exemption		
Resident	I, Transferor, am a resident of	the State of Maryland.		
Status	Transferor is a resident entity	under § 10-912(A)(4) of Maryland's Tax-General		
		of Maryland, I am an agent of Transferor, and I have		
	···	authority to sign this document on Tranferor's behalf.		
Principal		ident of the State of Maryland, the Property is my		
Residence	principal residence as defined	in IRC §121.		
	, correct, and complete.	mined this declaration and that, to the best of my		
	3a. Indivi	idual Transferors		
····	Med	JAMES A. McCREADY, JR.		
Witness		Same James a. M. M. Suda		
	Man	Signature RONALD R. McCREADY		
	_ occupi			
Witness		Name Signature Name Signature		
- 	3b. Entity	y Transferors		
		<u></u>		
Witness/Agent		Name of Entity		
3				
		By:		
		Name		
		TT:Al.		
	·	Title		



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

7 "

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

	1. Transf	feror Information			
Name of Transferor	ame of Transferor RICHARD D. McCREADY				
	DEBRA A. McCREADY				
	2 Degeo	n for Exemption			
Resident					
Status	I, Transferor, am a resident of the State of Maryland. Transferor is a resident entity under § 10-912(A)(4) of Maryland's Tax-General Article of the Annotated Code of Maryland, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.				
Principal Residence	Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC §121.				
	perjury, I certify that I have e ue, correct, and complete.	xamined this declaration and that, to the best of my			
- · · · · · · · · · · · · · · · · · · ·	3a. In	dividual Transferors			
	Melle	RICHARD D. McCREADY			
Witness		Kuluul Ne ready			
•	MA	Signature / / DEBRA A. McCREADY			
Witness		Name Debra a. McCreaty			
· · · · · · · · · · · · · · · · · · ·		Signature			
	3b. E1	ntity Transferors			
Witness/Agent		Name of Entity			
		By:			
		Name			
		Title			

Ex. St.

Ex. Cd.

Town Cd.

State of Maryland Land Instrument Intake Sheet A County: Baltimore ☐ Baltimore City Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.) 26.86 29.86 (Type or Print in Black Ink Only-All Copies Must Be Legible) IPEFD SURE \$ regroing fee (Check Box if addendum Intake Form is Attached.) Type(s) k對AX STATE 282.89 Other Collateral Mortgage Deed Other. of Instruments 322.00 Assign of Contracts of Sale 2 Deed or Trust Lease Rcpt \$ 96893 (四) BA83 Improved Sale x Unimproved Sale Multiple Accounts Not an Arms-Conveyance Type Check Box Length Sale [9] Arms-Length [1] Arms-Length [3] Arms-Length [2] 91:11 PM Recordation Tax Exemptions (if Applicable) State Transfer Cite or Explain Authority County Transfer Finance Office Use Only Consideration Amount Purchase Price/Consideration Transfer and Recordation Tax Consideration 56,400.00 Consideration \$ Transfer Tax Consideration Any New Mortgage 47,300.00 and Tax Balance of Existing Mortgage X ()% = Calculations Other: Less Exemption Amount Total Transfer Tax Other: Recordation Tax Consideration) per \$500 = 56,400.00 Full Cash Value: TOTAL DUE \$ 5 Amount of Fees Doc. 1 Doc. 2 Recording Charge 20.00 75.00 Tax Bill Surcharge 20.00 20.00 State Recordation Tax 282.50 C.B. Credit: State Transfer Tax 282-00 <u>^7</u> County Transfer Tax \$ 846.00 Ag. Tay/Other: Other Other Parcel No. 6 Var. LOG Property Tax ID No. (1) District Grantor Liber/Folio Map 02 **724-**13-007270 16936/41 76 (5) 47 **Description of** SqFt/Acreage (4) Subdivision Name Lot (3a) Block (3b) Sect/AR (3c) Plat Ref. Property 0.9 Acres+/-SDAT requires Location/Address of Property Being Conveyed (2) submission of all applicable information. Lot N/S Offutt Road, Baltimore County, Maryland Other Property Identifiers (if applicable) Water Meter Account No. A maximum of 40 characters will be indexed in accordance Residential or Non-Residential Fee Simple or Ground Rent Amount: with the priority cited in Partial Conveyance? Yes No Description/Amt. of SqFt/Acreage Transferred: Real Property Article Section 3-104(g)(3)(i). If Partial Conveyance, List Improvements Conveyed 7 Doc. 2 - Grantor(s) Name(s) Doc. 1 - Grantor(s) Name(s) Charter Homes, LLC James A. McCready, Jr., Ronald R. McCready Transferred Richard D. McCready and Debra A. McCready From Doc. 1 - Owner(s) of Record, if Different from Grantor(s) Doc. 2 - Owner(s) of Record, if Different from Grantor(s) Doc. 1 - Grantee(s) Name(s) Doc. 2 - Grantee(s) Name(s) Transferred Charter Homes, LLC Scott C. Nicholson and John A. Scaldara, Jr., To Trustees for The Columbia Bank New Owner's (Grantee) Mailing Address <u>3230 Bethany Lane. Baltimore. Maryland 21042</u> Doc. 1 - Additional Names to be Indexed (Optional) Doc 2 - Additional Names to be Indexed (Optional) **Other Names** to Be Indexed Instrument Submitted By or Contact Person Return to Contact Person Contact/Mail Name: Michael L. Snyder Information COADY & FARLEY Firm ☐ - Hold for Pickup Address: 400 Allegheny Avenue, Towson, MD 21204 Phone: (410) 337-0200 Return Address Provided IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Yes No Will the property being conveyed be the grantee's principal residence? Yes No Does transfer include personal property? If yes, identify: _ Assessment Information 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 ρυετλιεμ 'Αμπος Conuch' μειλτου Agricultural Verification Whole Part Tran. Process Verification Trensfer Number: Assigned Property No.: Date Received: Deed Reference: A3 00.8 郑德西野北非 Sub 20 Geo. Мар Block 20 \$1,128.50 Kecheliff Grid Zoning Plat Lot OUSTOORIE STATE OF THE STATE OF Uşe Parcel Section Occ. Cd.

DEATH SANTANT RECORDATION TAXES 23/16/2006 # 19/2006 ML70

DECE-MEGU - NVFT{X}H DOOD DWD 44:50:91 9002/91/2 9002/12/2

MUALTIMETE COUNTILOR CLASSICONT (Land Records) [MSA.CE 62-23267] Book SM 23412, p. 0158, Printed 12/27/2006, Online White - Clark's Office 03/10/2006. Canary - SDAT

Pink - Office of Finance Goldenrod - Preparer AGC-CC-300 (8/95)

Lot N/S Offutt Road 28412 789

Addendum

State of Maryland Land Instrument Intake Sheet

Baltimore City

Baltimore

The addendum form should be used when one transaction involves more than two instruments. Each instrument should be itemized in accordance with Section No. 1 of the Intake Sheet.

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

	, , , , , , , , , , , , , , , , , , , 	rint in Black Ink Onl	y—All Copies M			
5	Amount of Fees	Doc. 3	Doc	2.4 Doc. 5	Doc. 6	
(Continued)	Recording Charge	\$ 20.00	\$			
Fees	Surcharge	\$ 20.00	\$	\$	\$	
	State Recordation Tax	\$	\$	\$		
	State Transfer Tax	\$	\$	\$	\$	
	County Transfer Tax	S	\$	\$	\$	
	Other	\$	\$	\$	\$	
	Other	\$	\$	\$	\$	
,	Doc. 3 - Gr	entor(s) Name(s)		Doc. 4 - Granto	r(s) Name(s)	
(Continued) Transferred From	Charter Homes, LLC, Assignor Doc. 5 - Grantor(s) Name(s)			Doc. 6 - Grantor(s) Name(s)		
				Doc. 4 - Owner(s) of Record, if Different from Grantor		
(Continued)	Doc. 5 - Owner(s) of Record, if Different from Grantor(s) Doc. 3 - Grantee(s) Name(s) The Columbia Bank, Lender			Doc. 6 - Owner(s) of Record, if Different from Grantor Doc. 4 - Grantee(s) Name(s)		
Transferred To	Doc. 5 - Grantee(s) Name(s)			Doc. 6 - Grantee(s) Name(s)		
(Continued)	Doc. 3 - Additional Names to be Indexed (Optional)		ptional)	Doc. 4 - Additional Names to be Indexed (Optional)		
Other Names to be indexed	Doc. 5 - Additional Na	mes to be Indexed (O	ptional)	Doc. 6 - Additional Names	to be Indexed (Optional)	
pecial instructions	Special Recording Instructions (if any)					

02-13-007270

RECORDATION TAX NOT REQUIRED

Director of Budget and Finance

BALTIMORE COUNTY, MARYLAND

DOC # 2 3 4 5 Initial: 2 -1/2-1X

NO TITLE SEARCH - NO CONSIDERATION

. .

thousand nine hundred and ninety, by and between JAMES A. MCCREADY, JR., Personal Representative of the Estate of BERTHA M. MCCREADY, of the first part, and JAMES A. MCCREADY, JR., RONALD R. MCCREADY, RICHARD D. MCCREADY AND DEBRA A. MCCREADY, parties, of the second part.

WHEREAS, the said JAMES A. MCCREADY, JR. was appointed Personal Representative of the Estate of BERTHA M. MCCREADY by the Orphans' Court for Baltimore County, Estate No.: 66452.

WITNESSETH, that in consideration of the sum of Zero Dollars (\$0.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the said JAMES A. MCCREADY, JR., Personal Representative does hereby grant and convey to the said JAMES A. MCCREADY, JR., RONALD R. MCCREADY, RICHARD D. MCCREADY AND DEBRA A. MCCREADY, as joint tenants and not tenants in common, his or her heirs and assigns, in fee simple, all that lot of ground situate in Baltimore County, in the Second Election District, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point in the center of Offutt Road at the end of the second or south 42 degrees east 642 foot line of the land described in the Deed from Martin J. Reville to Frank W. Mitchell and wife, dated April 28, 1953, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2281, folio 487, thence running along the center of Offutt Road and binding on the outlines of the lot described the above mentioned Deed and binding on the outline of the land conveyed in a Deed from George L. Clingman to Ganjon in December, 1951, north 63 degrees 36 minutes east 24.5 feet, thence running on a curve to the left in a northeasterly direction having a radius of 86.8 feet for a distance of 66.6 feet, thence running north 19 degrees 41 minutes east 137.2 feet to the beginning point of the fifth line of the Deed first mentioned herein, thence running and binding on a part of said fifth line, north 38 degrees 49 minutes west 160.0 feet and passing over a pipe set in concrete near the north side of Offutt Road, and set by mutual agreement as the dividing line between the property of which this lot is a part, and the land adjoining it on the northeast; thence running for a line of division now made, south 47

PETITIONER'S
EXHIBIT

degrees 50 minutes west 202.3 feet to a pipe set in the dividing line as established between the land owned by F. W. Mitchell and Golan Cowder on the southwest; thence running and binding on said line and on the second line of the Deed first mentioned above south 37 degrees minutes east 224.0 feet to the place of beginning. Containing 0.9 of an acre, more or less.

BEING the same lot of ground which by deed dated September 1, 1964 and recorded among the Land Records of Baltimore County in Liber 4355, Folio 071 was conveyed by Albert Kermisch and Bessie T. Kermisch, Co-Partners, trading as Kermisch's to James A. McCready and Kermisch, Co-Partners, trading as Kermisch's to James A. McCready having Bertha M. McCready, his wife, the said James A. McCready having departed this life on August 8, 1988. Bertha M. McCready having departed this life on August 8, 1988.

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

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 JAMES A. MCCREADY, JR., RONALD R. MCCREADY, RICHARD D. MCCREADY AND DEBRA A. MCCREADY, as joint tenants and not tenants in common, his or her heirs and assigns, in fee simple.

WITNESS the hands and seals of said Grantors.

WITNESS>

amale Ma Grady fr. (SEAL)

JAMES A. MCCREADY, OR.
PERSONAL REPRESENTATIVE OF

THE ESTATE OF

BERTHA A. MCCREADY

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

HEREBY CERTIFY that on this and day of September, in the year one thousand nine hundred and ninety, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared James A. McCready, Jr., Personal Representative of the Estate of Bertha M. McCready, known to me (or satisfactorily proven) to be the person

whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act.

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

Notary Public

My Commission Expires:

8/1/94

M. SAMUEL VETRI
38 S. DUNDALK AVENUE
BALTO. MD. 21222
(301) 282-9440

State of Maryland Land Instrument Intake Sheet Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only. (Type or Print in Black Ink Only-All Copies Must Be Legible) (Check Box if Addendum Intake Form is Attached.) Type(s) Other, IPP FD SURE \$ 5.88 Docat Mortgage Other of instruments recording fee 29.09 Deed of Trust Lease TOTAL
REST BACK
SE FC Multiple Accounts Conveyance Type Unimproved Sale Not an Arms-. Improved Sale Check Box Longth Sale [9] Arms-Length [2] Arms-Length [3] Arms-Length [1] Recordation Tax Exemptions Det 11, 2982 83:22 PB State Transfer (If Applicable) Cite or Explain Authority County Transfer Finance Office Use Only Consideration Amount Transfer and Recordation Tax Consideration 0 Purchase Price/Consideration Consideration Transfer Tax Consideration Ş 0 Any New Mortgage and Tax)% Balance of Existing Mortgage \$ \$ 0 Calculations Less Exemption Amount. Other. 0 Total Transfer Tax Recordation Tax Consideration Other: 0) per \$500 =TOTAL DUE 0 Full Cash Value \$. Amount of Fees Doc. 1 Doc. 2 Agent Recording Charge Tax Bill: Føes Surcharge State Recordation Tax C.B. Credit: \$ State Transfer Tax County Transfer Tax Ag. Tax/Other: Other Other Var. LOG District Property Tax ID No. (1) Grantor Liber/Folio Map Parcel No. (**5**) 02 13 007270 Description of SqFt/Acreage (4) Plat Ref. Lot (3a) Block (3b) Sect/AR(3c) Subdivision Name Property 9 ACR SDAT requires Location/Address of Property Being Conveyed (2) submission of all OFFUTT ROAD applicable information. Water Meter Account No. Other Property Identifiers (if applicable) A maximum of 40 characters will be Fee Simple 🔀 or Grount Rent 🗌 Amount: indexed in accordance Residential or Non-Residential Partial Conveyance? Yes No Description/Amt. of SqFt/Acreage Transferred: with the priority cited in Real Property Article Section 3-104(g)(3)(i). If Partial Conveyance, List Improvements Conveyed: Doc. 2 - Grantor(s) Name(s) Doc. 1 - Grantor(s) Name(s) A MCCREADY IR Transferred Doc. 2 - Owner(s) of Record, if Different from Grantor(s) Doc. 1 - Owner(s) of Record, if Different from Grantor(s) From Doc. 2 - Grantee(s) Name(s) Doc. 1 - Grantee(s) Name(s) 8 Transferred TAMES A. RONAL Τo ICHARD D New Owner's (Grantee) Mailing Address MICKLAN Doc. 2 - Additional Names to be Indexed (Optional) Doc. 1 - Additional Names to be Indexed (Optional) Other Names to Be indexed Return to Contact Person Instrument Submitted By or Contact Person Contact/Mail Name: TAMES Hold for Pickup Information Firm: Address: 4301 Return Address Provided 128 Phone: IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Yes X No Will the property being conveyed be the grantee's principal residence? Yes No Does transfer include personal property? If yes, identify:___ Assessment Information 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 Tran, Process Verification Whole Agricultural Verification Terminal Verification Assigned Property No.: Deed Reference: Date Received: Sub <u>>(Transtat Numbat:</u> Black Map Geo. 19 19 Year . List Plat tota. Grid Zoning Parcel Call Parcel Section Times Occa Go Land Use Buildings Ex. Cd. T Town Cd. Tatal REMARKS: White - Clark's Office Distribution: Canary - SDAT Pink - Office of Finance Goldentod - Preparer AOG-GG-300 (6/95)

THE TITLE GUARANTEE COMPANY (Individual Form)

THE 4355 PAUL 071

App. H- 49488

This Deed, Made this

187

day of SEPTEMBER

in the year one

thousand nine hundred and

sixty-four

, by and between ALBERT KERMISCH and

BESSIE T. KERMISCH, Co-Partners, trading as Kermisch's, parties of the first part, Granters; and JAMES A. McCREADY and BERTHA M. McCREADY, his wife, parties of the second part, Grantees.

lot(s) of ground

situate in the Second Election District of Baltimore County, ------in the State of Maryland, and described as follows, that is to say:

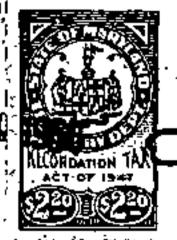
BEGINNING for the same at a point in the center of Offutt Road at the end of the second or south 42 degrees east 642 foot line of the land described in the Deed from Martin J. Reville to Frank W. Mitchell and wife, dated April 28, 1953, and recorded amons the Land Records of Baltimore County in Liber G.L.B. No. 2281, folio 487, thence running along the center of Offutt Road and binding on the outlines of the lot described the above mentioned Deed and binding on the outline of the land conveyed in a Deed from George L. Clingman to Ganjon in December; 1951, north 63 degrees 36 minutes east 24.5 feet, thence running on a curve to the left in a northeasterly direction having a radius of 86.8 feet, for a distance of 66.6 feet, thence running north 19 degrees 41 minutes east 137.2 feet to the beginning point of the fifth line of the Deed first mentioned herein, thence running and binding on a part of said fifth line, north 38 degrees 49 minutes west 160.0 fee and passing over a pipe set in concrete near the north side of Offutt Road, and set by mutual agreement as the dividing line between the property of which this lot is a part, and the land adjoining it on the northeast; thence running for a line of division now made, south 47 degrees 50 minutes west 202.3 feet to a pipe set in the dividing line as established between the land owned by F. W. Mitchell and Golan Cowder on the southwest; thence running and binding on said line and on the second line of the Deed first mentione above south 37 degrees 58 minutes east 224.0 feet to the place of beginning. Containing 0.9 of an acre, more or less.

BEING the same lot of ground which by Deed dated October 17, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3036, folio 194, was granted and conveyed by Alfred J. Moran and wife unto the within named Grantors, Co-Partners as aforesaid.









EIBER 4355 1

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 Grantees, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, in fée simple. The second section with the second second

PAID - Baltimore County, Md. - Office of Finance

6.00 6.00

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:	albanka	mere	[Seal]
Jamis - (Sam	_ Albert Kermisch	•	
JAMES L. ADAMS			•
Laver L. Colam	Bessie T. Kermisch	Josnus L	[Seal
JAMES L. ADAMS	Co-Partners tradi		
State of Marpland, Gity of Baltimore	, TO WIT:		
I HEREBY CERTIFY, that on this before me, a Notary Public of the State aforess	$7.8^{+\frac{h}{m}}$ day of aid, personally appeared	ALBERT KERMISCH, or	, 1964 ne of
the within named Grantors,			
known to me (or satisfactorily proven) to be the instrument, who signed the same in my presence poses therein contained.	he person(s) whose name(e, and acknowledged that	(s) is/are subscribed to he executed the same	o the withing for the pur

My commission expires: May 3, 1965.

STATE OF MARYLAND, CITY OF BALTIMORE, TO WITE I HEREBY CERTIFY, that on this is a say of SEPTEMBER before me, the subscriber, a Notary Public of the State aforesaid, personally appeared BESSIF T. KERMISCH, one of the withing manufacture and subscribe me (on satisfactorily proven) to be the person whose name is subscribed to the within instrument, who signed the same in my presence, and acknowledged that she executed the same for the purposes therein contained WITNESS my Grand and Notarial Seal. BILLO GO SE LES DE LES SERVICIONS DE MONTE MONTE DE LE SON MILKINSON My commission expires May 3, 1965. mile at the figure of the Books attended by the second Brishows . Thank I to take the first to be the

Ì

HER ON HILLAND THE BULLEANING TONIS AND THE PROPERTY OF THE

the fifty six and apply between AUFER and AUFER

CHANGE OF ANY AND A PROCESS ASSESSED AND PROPERLY AND ANY SOUTH OF PROCESSES ASSESSED AND ANY SOUTH OF THE SAME

partifica por chie neconte pere a teres ere

All themself a state in termination of the sum of give to the liber (\$5.00), and cluber good en

TO INITED AND LONG TO THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PARTY OF

theullres partydo herein grant and convey onto the said partiles of the second part, tenants

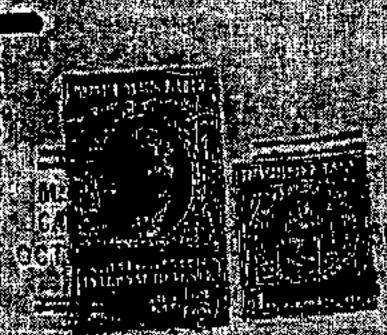
In partnerships as ones, consider to designate more the Hazylend Uniform Fartnership Act, the Indianal No.

Terrendo de la completa del completa de la completa de la completa del completa de la completa del la completa del la completa de la completa del la completa de la completa del la completa

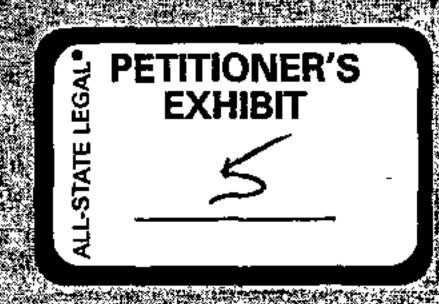
County of any see Second Placetim Charlet Santinove 1. June 988-Side of Marylein and described and asserted and asserted and any other contracts and asserted and

" " BEGIN THE LIFE the seems at To point duritue to enter sol official folial at the fend of other Transcouling proportional degrees east 642 foot line of the land described in the Deed From Lo - War-Mil J. Perille-in Preside F. Mitchell and rife, dated April 28, 1957, and recorded among Stiret band Tracords of Baltisote Cabby the Liberton F. Ros - 226La to Llo 481, thence runding alongs the scenter of off out those and binding on the coulines of the low described the above dment tened Doed and blading on the objects of stope Landfoorveyed in a Dead front George L. (CIAngrae to Canjor in In December, 1991, north (C) dopress 36 minutes ess, 24, 9 feet; thence Windle of our excurre, to this tell the report bearted by direction having a rection of 186.8 feet. for excliquences of the Excest research country nervi-19 degrees 41 minutes seat 19747, feeters (to tibe-beginning point for the fifthis line of the Deed filter mentioned berein, thence rine i and the second of the control of merelical thalling, approach the degree of the minutes were 160.00 feet end princing over a phycherety intenderede neerstrangerth and of phyth word, and seeting initial parteement, as the add violing lines between the croperty of antendante lot is a party Tenditable Lendina joining leton the northeest publence rouning for a live of our lender. inede. Genth Wilderreen Bundrines wort 2023 Seet to a pipe set in the divising line As established between the lend owned by F. W. Mitchell end Color Cover on the southwest. Chines roughe and binding or said him and on the search line of the Death in minimistric e above south 37. degrade 38 minutes say. 22.0 lest to the place of beginning. "Contellis) De Carolisar e Lore de Finore cur Level, a

The the same land to serve the land been then the same and the same and the same and the same and the same are the same and the same an

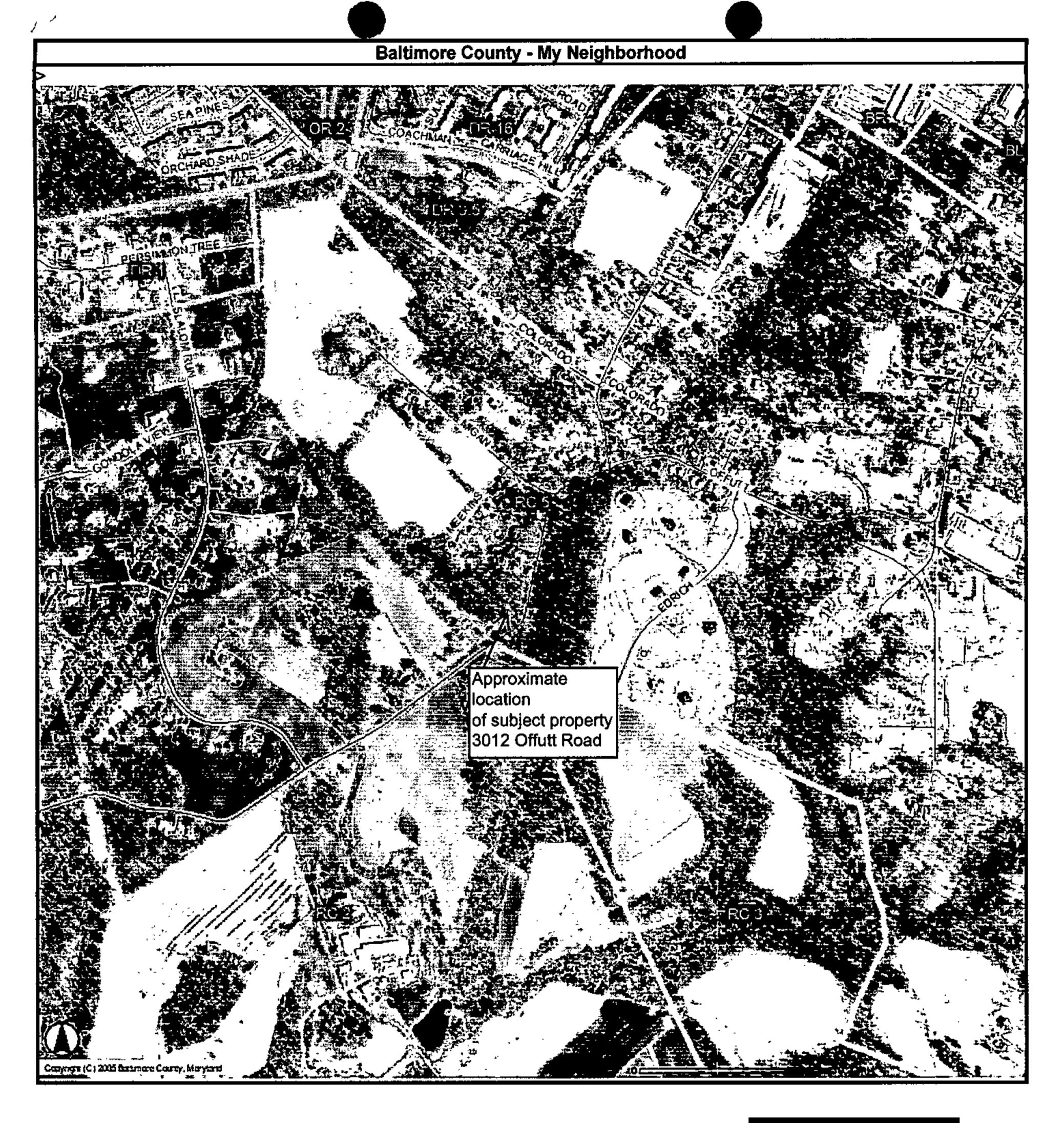






they are increased and the contract of the con State of Watuland, Bullimore City, to wit. the Bure of More unitality and the Column Coll Column speciality and Column April 1997. names are small to at the first time training the second of the second o THEORY SELECTION OF BAYING SHAPE STORY OF THE SELECTION O

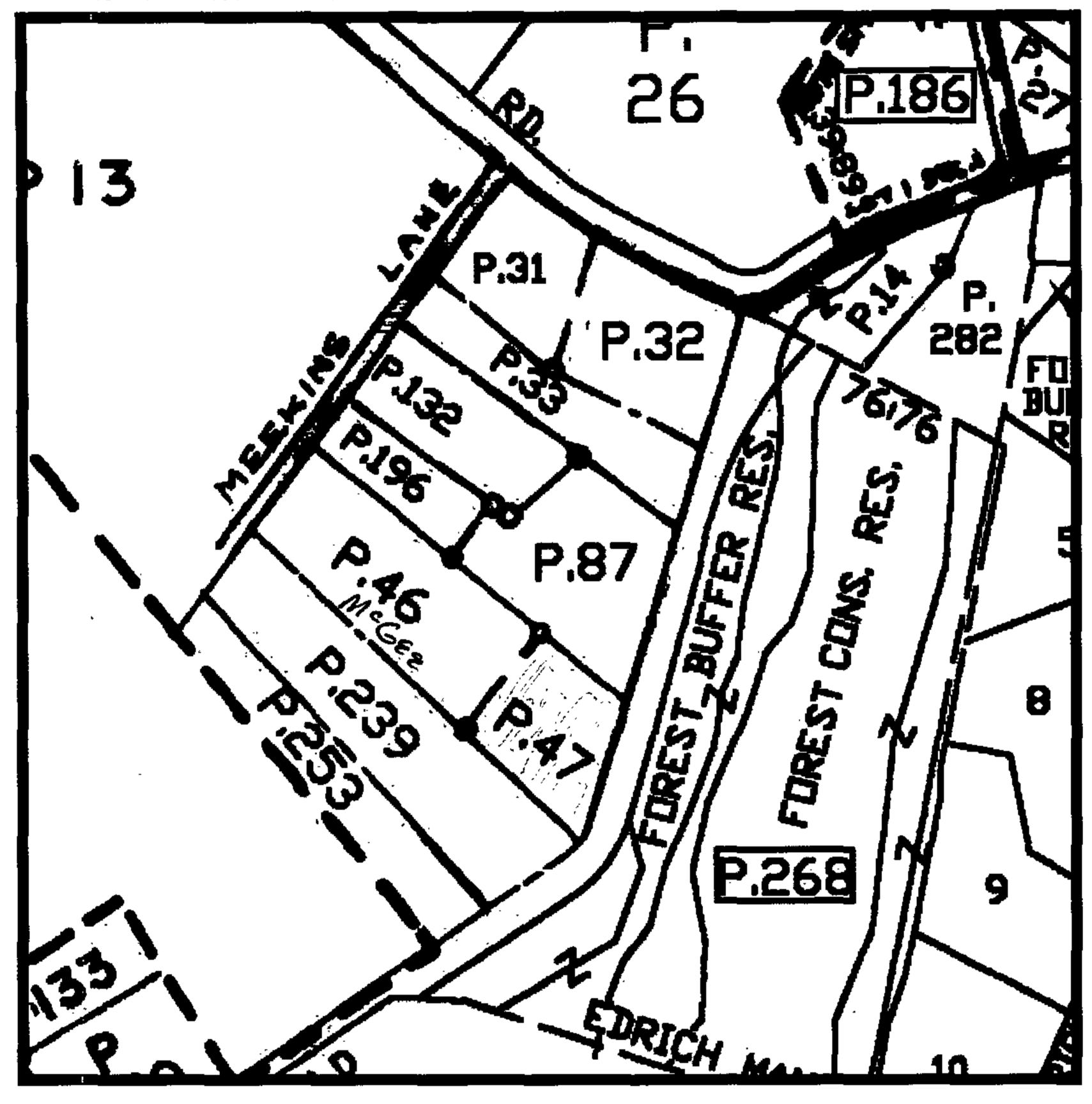
ម្ភាក្សា ពេលប្រែង ស្រាស់ ស្រាស់



PETITIONER'S EXHIBIT Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

Go Back View Map New Search

District - 02 Account Number - 1900000947



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





SHARED DRIVEWAY AGREEMENT

THIS SHARED DRIVEWAY AGREEMENT (hereinaster, "Agreement") made this 17th day of May, 2006, by and between Robert J. Nelson (hereinaster, "Nelson"), party of the first part and Charter Homes, LLC (hereinaster, "Charter"), party of the Second part.

RECITALS

Nelson is the owner, in fee simple, of all the property situated in Baltimore County, State of Maryland, described as 3016 Offutt Road, Randallstown, Maryland 21133, also known as district 02 tax account number 19000000947.

Charter Homes, LLC is the contract purchaser of the property that is owned, in fee simple by James, Ronald, Richard and Debra McCready, of all that property situated in Baltimore County, State of Maryland which adjoins Nelsons' property, described as lot at Offutt Road, corner of Meekins 21133, also known as district 02 tax account number 1900000947.

Attached is an access easement used for ingress and egress was created and granted as described in Exhibit A and shown in Exhibit B (hereinafter the "Easement Area").

As shown on Exhibit B, there is an existing driveway from Offutt Road onto Nelson's property.

As shown on Exhibit B, Charter proposes to construct a driveway from Charter's property through the easement area and connecting to Nelson's.

That portion of Nelson's existing driveway from the point where Charter's proposed driveway intersects with Nelson's existing driveway and continuing to Offutt Road shall constitute the shared driveway (hereinafter the "Shared Driveway") as shown in Exhibit B.

The parties hereto desire to enter into this Agreement whereby the parties will set forth the rights, liabilities and obligations of the parties with regard to the utility easement and the construction, improvements and continued maintenance of the Shared Driveway.

NOW, THEREFORE, this Agreement witnesseth, that for and in consideration of \$8,000.00 paid by Charter to Nelson the parties hereto, Charter and Nelson do agree as follows:

1. Nelson hereby grants to Charter, and its successors and assigns, a perpetual non-exclusive easement in, on through, over and/or across the Shared Driveway for the purpose of installing, constructing, using, maintaining and/or repairing any and all utilities and/or services necessary to service Charter's property. Nelson agrees that this grant of easement includes the right and privilege of Charter, and its successor and assigns and/or any agent, contractor or employee of Charter and/or its successor and assigns, to enter upon the Shared Driveway whenever it may be

PETITIONER'S

TF-STATE LEGAL.

TO STATE LEGAL.

Shared Driveway Agmt.wpd

necessary to make openings and/or excavations to install, construct, maintain and/or repair any and all utilities and/or services necessary to service Charter's property. Nelson further agrees that his personal representative, successor and assigns shall not construct or maintain any improvement of any kind other than the Shared Driveway which would compromise and/or disrupt Charter's ability to install, construct, maintain and/or repair any and all utilities and/or services necessary to service Charter's property.

- Charter and Nelson shall have the right to and the use in common of an easement 2. for ingress and egress over the Shared Driveway. The parties hereto agree that no obstruction shall be permitted within the Shared Driveway that would prevent free access by either party for ingress and egress purposes.
- Charter, its successors and/or assigns, will be responsible for the conversion of the 3. shared driveway from chipstone (the "Original Construction") to blacktop.
- Charter and its successors and/or assigns, will be responsible for any reasonable 4. costs of any necessary future repair, improvement and/or maintenance of the Shared Driveway and the right to bring upon the easement such equipment and personnel necessary to effect such repair and maintenance.
- In the event that the improvements or repairs to the Shared Driveway shall cause a deviation in, or re-location of, the current location of the Shared Driveway, then the right to use the driveway shall extend to any such deviation in location, or relocation, of said Shared Driveway, within the easement.
- This agreement shall run with the land and shall be binding upon all parties 6. having or acquiring any right, title or interest in and to the above mentioned properties described in Exhibits A and B, and the terms herein shall insure to and benefit each party thereof, and each parties' personal representatives, successors and/or assigns.
- Charter shall pay any and all taxes and costs incident to the filing of this 7. Agreement in the Land Records of Baltimore County, Maryland.

WITNESS the hands and seals of said parties.

WITNESS:

Charter Homes, LLC

(SEAL)

By: ADAM D. SKOLNIK,

MEMBER

(Mapeus Brown	<u></u>	Robert J.	J. Alelson		
STATE OF MARYLAND)	ss:			
BALTIMORE COUNTY)				
I HEREBY CERTIF me, a Notary Public of the S Member of Charter Homes, name is subscribed to the wi Charter Homes, LLC, execu	tate aforesaid LLC, known	i, personally a to me (or sati	ppeared <u>404m</u> sfactorily proven)	to be the person	, a n whose
Charter Homes, LLC, execu	ted the same	for the purpos	es therein contain	ned, and in my p	rèsence
signed and sealed the same of	on behaif of C	Juanter Homes	i, LLC.		•
IN WITNESS WHE	REOF, I have	e hereunto set	my hand and offic	cial seal.	
Cheryl A. Gregor Notary Public Howard County, MD My Commission Expires March	11,2000	Notary Pu	blic freeze		in the state of th
My Commission Expires: _	<u></u>				
STATE OF MARYLAND)				: خ
	į	ss:			
BALTIMORE COUNTY		·att	u_{Λ}		3
I HEREBY CERTIF	Y that on this	s 1 day	of July	, 2006, b	efore (1)
me, a Notary Public of the S (or satisfactorily proven) to	tate aforesaid	d, personally a	ppeared Robettll.	. Nelson, known he within instru	to me
acknowledged that he execu	ted the same	for the purpos	ses therein contain	ned, and in my p	resence
signed and sealed the same.		F F		,	
IN WITNESS WHE	REOF I have	e herennto set	my hand and offic	cial seal.	
JULIE C. JANOFSKY Notary Public-Maryland Baltimore County My Commission Expires March 01, 2010	, , , , , ,	Auli	Caro	Sky	
	•			 	

My Commission Expires:

This Agreement was prepared by Francis S. Brocato, an attorney admitted to practice before the Court of Appeals of Maryland

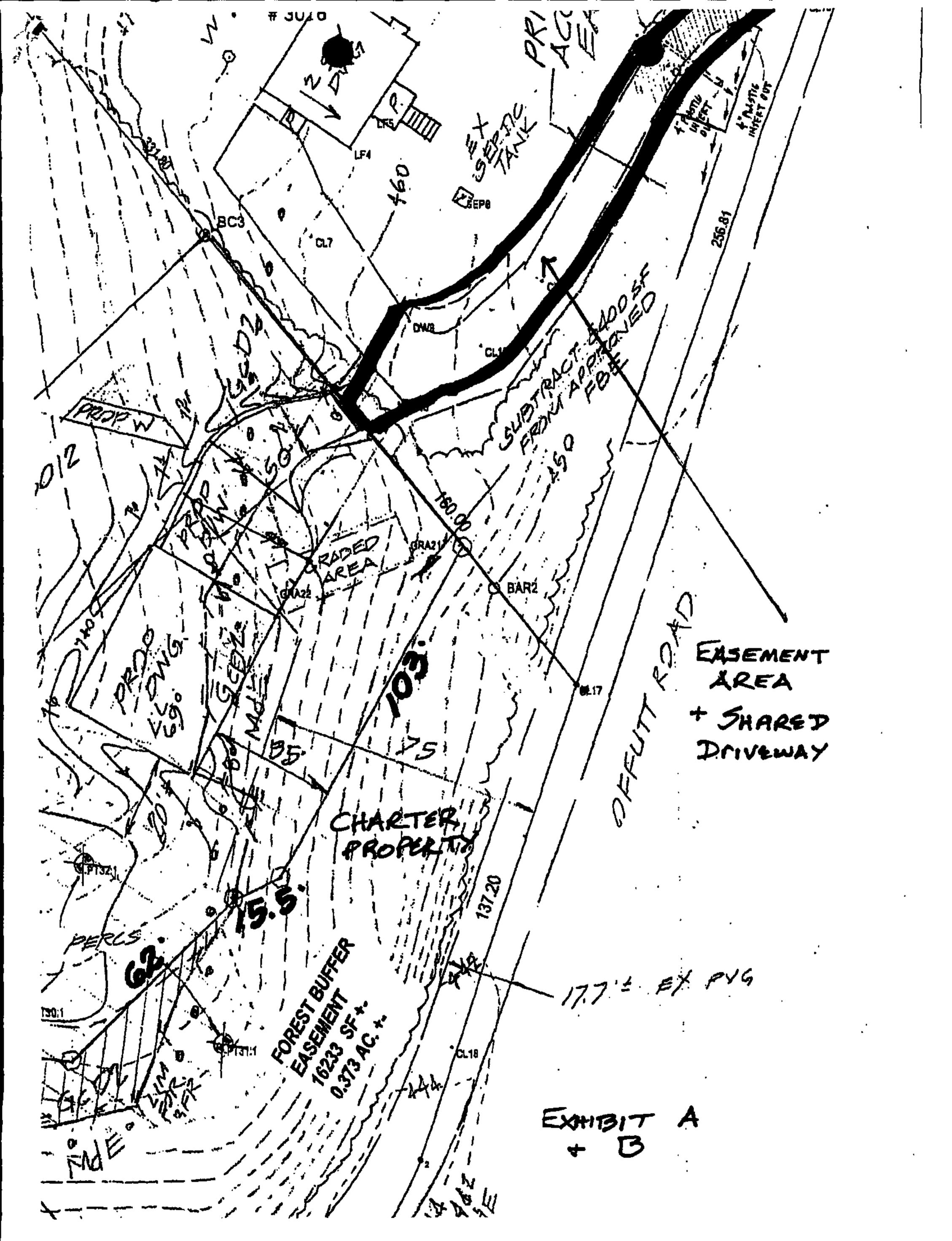
RETURN TO: COADY + FARLEY

400 Allegheny Ave.

Towson MD. ZIZOA

Thared Driveway Agmit.wpd

Shared Driveway Agmt.wpd



Type(s)	William But the first the	Make Bormusaattached		题 is
of Instruments	Deed Mort		reement her	
	Deed or Trust Lease	· [7]		=116_111_3KE \$ 20.00
Conveyance Type	Improved Sale Unin	proved Sale Multiple	Accounts Not an Arms-	RECEDIAL FEE 28.00
Check Box	Arms-Length [1] Arms		ength [3] Length Sale [9]	TD\$61
		ed Driveway Agree	ement	Rept # 15155
(Spiceconside		<u> </u>	515 Blk # 1259
	County design			e of the ose only
	Purchase Price/Consideration	on Amount		cordation Fax Consideration &
Consideration	Any New Mortgage	<u>\$</u>	Constant of the Constant of the	
and Tax	Balance of Existing Mortgage	\$		
Calculations	Other:	\$	มีเปล่าสาราชาสาราชาวาราชารักษ์ที่มีผู้	
		<u> </u>	Succession in the second	
	Other:	\$	Recolesion Ray Cotolic	
P TOPONO	Full Cash Value:	S		
	The state of the s	Doc 1		
Fees	Recording Charge	\$ <u>20.00</u> \$ <u>20.00</u>		
	State Recordation Tax	\$ 20.00	\$	
	State Transfer Tax	\$	\$	CH COUCE TO
	County Transfer Tax	\$	\$	
	Other	\$	\$	ZADZIAK/OHRSTX
	Other	\$	\$	
		And the second second	WOLDS TO SEE STATE OF THE SEE	
Description of	₹72 19=00=000	947 **	PENT DILLE COLUMN TO A SECONDARIO	SALE PROPRIES DE LA SORVAGRENCE DE LA
Property				
SDAT requires	* EASEMEN	ELECTRONIA BATTER		
submission of all	3016 Offutt	Road, Randallsto	own. Maryland 21133	
applicable information. A maximum of 40	Come Come	Boperty, toentillersy beamp	Hable 2015	*** Water Meter Account No. 27
characters will be				
indexed in accordance	Rendental Section (estua	inal Deserving tel	Polace out of Rena Leaving	
with the priority cited in	TEATHDING ON VANORES TO SAVE	Description/Amt.	of SqFt/Acreage Transferred:	
Real Property Article Section 3-104(g)(3)(i).		4. 6	<u> </u>	
	If Partial Conveyance, List In	iprovements Conveyed:		acrentor(s) Name(s) N. C.
	Robert J. Nelson			
Transferred				
From	STANDAR SE ON THE COLUMN TO THE COLUMN	de le perference se ofte & Hanlo	rose Elibros y - ocondidadore	Record at Different rom Grantor as a
				
Transferred		ntee(s) Name(s) - v - v - v - v - v - v - v - v - v -		the captee(s) Name(s)
To	Charter Homes, LLC		<u> </u>	
, •			Kepanike Syminic Addresses	
Other Names	A STATE OF THE STA	es in be indexed. Optional	West Consider 2 - Avoil to be	Names to be Indexed (Optional)
to Be Indexed				
Contact/Mail	Physical D	ent Submitted By or Conta	Le Person	Return to Contact Person
information		Snyder		☐ Hold for Pickup
	Firm COADY & FARI		MD 21204	
	Address: 400 Allegher	Phone: (4	410) 337-0200	Return Address Provided
	THE PORT OF THE PROPERTY OF TH	THE ORIGINAL DEED	AND ACCREDITION OF A STATE OF A S	A COCONDANA PROPERTY
	Yes	No Will the property be	ing conveyed be the grantee's	principal residence?
	Assessment Yes	No Does transfer includ	e personal property? If yes, ide	entify:
•	Information		<u> </u>	···· /:&
	Yes	No Was property survey	ved? If yes, attach copy of sur	vey (if recorded, no copy required).
; ;		THE PROPERTY OF STREET	が は	Pad Process vernications
	STUBOSTORY DETERMINE	MID SIZE DE GHANDANIA SI SIZE	THE PROPERTY OF THE PROPERTY OF THE PARTY OF	September Property No.
•	S Walter Company of the Company of t	EDITECTOR BUCGER CARD	Children and the second	Pal Pal Total
!	Company of the state of the sta			· · · · · · · · · · · · · · · · · · ·

00.801