

DATE: September 9, 2016

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2016-0317-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 8, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE (3108A River Drive Road)

15<sup>th</sup> Election District
7<sup>th</sup> Council District
Ryan and Laura Williams
Legal Owners
Party Volume Contract Party land

Barry Koluch, Contract Purchaser Petitioners BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

**BALTIMORE COUNTY** 

CASE NO. 2016-0317-A

## **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Ryan and Laura Williams, legal owners, and Barry Koluch, contract purchaser ("Petitioners"). This is a companion to Case No. 2016-0316-A and was consolidated for hearing. Petitioners request variance relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") § 1B02.3.C.1 to permit a proposed single family-dwelling on a lot 50 ft. wide in lieu of the required 55 ft. A site plan was marked as Petitioners' Exhibit 1.

Douglas L. Burgess, Esquire represented Petitioners. Barry Koluch and Bernadette Moskunas with Site Rite Surveying, the firm that prepared the plan, appeared in support of the Petition. No Protestants or interested citizens attended the hearing. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP), the Bureau of Development Plans Review (DPR) and the Department of Environmental Protection and Sustainability (DEPS). None of the agencies opposed the request.

The subject property is approximately 8,450 sq. ft. and is zoned DR 5.5. The property is unimproved, and was created by the plat of Lynch Point, recorded on April 26, 1926. It is shown on that plat as Lot 13, block "A." Ms. Moskunas testified there are no driveways, sheds or other ORDER RECEIVED FOR FILING

Date	8-9-16	
Pall management	10)	
Bv		

accessory buildings on the lot, and she stated the subject property was not used in conjunction with or in service of the adjoining lot (i.e., Lot 12, Block "A," also owned by Petitioners and the subject of Case No. 2016-0316-A). In an expert report submitted by Newton Williams, Esq. (Petitioners' Exhibit 10) the witness notes this is the only undeveloped 50 ft. wide lot on this stretch of River Drive Road, causing him to refer to it as an "orphan lot."

In these circumstances Petitioners are entitled to relief under B.C.Z.R. § 304 pertaining to undersized lots. That regulation does not require a showing of uniqueness as is required under B.C.Z.R. § 307. Mueller v. People's Counsel, 177 Md. App. 43 (2007). Instead, an owner may construct a dwelling on an undersized lot (i.e., lot area or lot width deficiency) if: (1) the lot was created prior to 1955; (2) all other bulk and area requirements are satisfied; and (3) owner does not own sufficient adjoining land to satisfy the regulations. In this case the only deficiency is lot width (50' in lieu of the required 55'), and the Petitioners satisfy each of the three requirements above. As such, Petitioners will be granted relief under B.C.Z.R. § 304.

THEREFORE, IT IS ORDERED, this 9th day of August, 2016, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") § 304 to permit a proposed single-family dwelling on a lot 50 ft. wide in lieu of the required 55 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- 2. Prior to occupancy Petitioners must satisfy the Chesapeake Bay Critical Area (CBCA) and flood protection regulations.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB/dlw

ORDER	RECEIVED FOR FILING	
Date	8-9-16	
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# PETITION FOR ZONING HEARING(S) To be filed with the Department of Permits, Approvals and Inspections

M000)

To the Office of Administrative Law	v of Baltimore County for the property located at:
Deed References: 27452   178 Property Owner(s) Printed Name(s) Ryan	which is presently zoned D.P. 5.5  10 Digit Tax Account # 1 5 2 2 0 0 0 1 2 0  and Lawa Williams
	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situate i	in Baltimore County and which is described in the description hade a part hereof, hereby petition for:
a Special Hearing under Section 500.7 of the Zor	ning Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	and the second s
a Special Exception under the Zoning Regulation	ns of Baltimore County to use the herein described property for
2 a openial Exception under the Zoning Regulation	is of Baltimore County to use the herein described property for
3 a Variance from Section(s)	
Section 1B02.3.C.1 – to permit a proposed single fam	ily dwelling on a lot 50 feet wide in lieu of the required 55 feet.
of the zoning regulations of Baltimore County, to the	e zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty	or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachm	ent to this petition)
	-₹
Property is to be posted and advertised as prescribed by the zoning regular or we, agree to pay expenses of above petition(s), advertising, posting	ulations.  g, 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.
egal Owner(s) Affirmation: 1/ we do so solemnly declare and affirm, usually the subject of this / these Petition(s).	under the penalties of perjury, that I / We are the legal owner(s) of the property
Contract Purchaser/Lessee:	Legal Owners (Petitioners):
	p (Mills)
Barry Kluch Name-Type or Print	Name #1 – Type or Print  Name #2 – Type or Print
32	TValle #2 - Type of Print
signature	Signature #1 Signature #2
6920 River DriveRd Batte MD	3108 River Drive Road Baltimore, MD
Mailing Address City State	Mailing Address City State
21219, 443-865 2467, b Koluchegmail,	con 21219, 410952-0668, Fernaullia ADL.
ip Code Telephone # Email Address	Zip Code Telephone # Email Address
Attorney for Petitioner:  Rame-Type of Print Co.	Representative to be contacted:
Dova Brond Flan	Banadith Moskunas
lame- Type or Print	Name - Type or Prinit
-CEIVED - G	Edward Hol Molling
Signature	Signature
lame- Type of Print ED	200 E. Joppa Poad, RMIOI TOWSON, MD
Mailing Address City State	Mailing Address City State
Mailing Address City State	
Telephone # Email Address	Zip Code Telephone # Email Address
ASE NUMBER 2016-0317-A Filling Date 6 1911	Do Not Schedule Dates: Reviewer

## ZONING PROPERTY DESCRIPTION #3108A RIVER DRIVE ROAD

BEGINNING at a point on the west side of River Drive Road which is 40 feet wide at the distance of 443 feet northeast of North Point Road which is 50 feet wide. Being Lot No. 13, Block "A" in the subdivision of "LYNCH POINT" as recorded in Baltimore County Plat Book No. 8, folio No. 38, containing 8,000 square feet, more or less. Located in the 15<sup>th</sup> Election District, 7<sup>th</sup> Council District.



Michael V. Moskunas Professional Land Surveyor Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286 (410) 828-9060

FILE: 3108 & 3108A RIVER DRIVE ROAD.DOC/2016 ZONING

Item #0317.



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4323826

## **Sold To:**

Barry Koluch - CU00550276 6920 River Drive Rd Sparrows Point, MD 21219-1130

#### Bill To:

Barry Koluch - CU00550276 6920 River Drive Rd Sparrows Point, MD 21219-1130

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jul 19, 2016

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

#### NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2016-0317-A 3108A River Drive Road NW/s River Drive Road, 443 ft. NE of centerline of North

NW/s River Drive Road, 443 ft. NE of centerline of North Point Road
15th Election District - 7th Councilmanic District
Legal Owner(s) Ryan & Laura Williams
Contract Purchaser(s): Barry Koluch
Variance: to permit a proposed single family dwelling on a lot 50 ft. wide in lieu of the required 55 ft.
Hearing: Monday, August 8, 2016 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

# CERTIFICATE OF POSTING

1

CERTIFICATE O	or Posting		
	CASE NO: 2016 - 0317 - A		
	PETITIONER/DEVELOPER	,	
	SITE RITE SURVEYING ING		
	DATE OF HEARING/CLOSING:		
	8/8/2016		
PERMITS AND DE	UNTY DEPARTMENT OF DEVELOPMENT MANAGEMENT E BUILDING,ROOM 111 SAPEAKE AVENUE		
ATTENTION:	•		
LADIES AND GEN	NTLEMEN:		
·	3108 A RIVER DRIVE R		
THIS SIGN(S)WER	(MONTH,DAY,YEAR)	·	
	SINCERELY, J/9/16 SIGNATURE OF SIGN POSTER AND DATE:		
	SIGNATURE OF SIGN POSTER AND DATE:	<del></del>	
	MARTIN OGLE (SIGN POSTER) 60 CHELMSFORD COURT BALTIMORE,MD 21220 (ADDRESS) PHONE NUMBER:443-629-3411		



malingle 7/19/11



KEVIN KAMENETZ
County Executive

July 14, 2016

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

### NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0317-A

3108A River Drive Road

NW/s River Drive Road, 443 ft. NE of centerline of North Point Road

15th Election District - 7th Councilmanic District

Legal Owners: Ryan & Laura Williams Contract Purchaser: Barry Koluch

Variance to permit a proposed single family dwelling on a lot 50 ft. wide in lieu of the required 55 ft.

Hearing: Monday, August 8, 2016 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablo

Director

AJ:kl

C: Barry Koluch, 6920 River Road, Baltimore 21219
Mr. & Mrs. Williams, 3108 River Drive Road, Baltimore 21219
Bernadette Moskunas, 200 E. Joppa Road, Rm. 101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 19, 2016.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 19, 2016 Issue - Jeffersonian

Please forward billing to:

Barry Koluch 6920 River Drive Road Baltimore, MD 21219

443-865-2467

# NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0317-A

3108A River Drive Road

NW/s River Drive Road, 443 ft. NE of centerline of North Point Road

15<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owners: Ryan & Laura Williams

Contract Purchaser: Barry Koluch

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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> (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE

3108A River Drive Road; NW/S River Drive Rd,
443' NW of c/line of North Point Road

15<sup>th</sup> Election & 7<sup>th</sup> Councilmanic Districts
Legal Owner(s): Ryan & Laura Williams

Contract Purchaser(s): Barry Klouch

Petitioner(s)

\*

BEFORE THE OFFICE

OF ADMINSTRATIVE

**HEARINGS FOR** 

BALTIMORE COUNTY

2016-317-A

**ENTRY OF APPEARANCE** 

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

JUN 2 2 2016

Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Cank S Nemlio

CAROLE S. DEMILIO

Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 2016, a copy of the foregoing Entry of Appearance was mailed to Bernadette Moskunas, Site Rite Surveying, Inc, 200 E. Joppa Road, Room 101, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

### 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 legal owner/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 legal owner/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:	
For Newspaper Advertising.	
Case Number: 2016-0317-A	
Property Address: 3108 A River Drive Road	
Property Description: Lot 13 'Lynch Pt." 8/38	
West side of River Drive Rd. northeast of North Pt. 1	2
Legal Owners (Petitioners): Ryan and Laura Williams	
Contract Purchaser/Lessee: Barm Yoluch	
PLEASE FORWARD ADVERTISING BILL TO:	
Name:Barry Foluch	
Company/Firm (if applicable):	
Address: 6920 River Drive Road	
Balto. MD 21219	
Telephone Number: 443 - 865 - 2467	

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

August 2, 2016

Ryan & Laura Williams 3108 River drive Road Baltimore MD 21219

RE: Case Number: 2016-0317 A, Address: 3108 A River drive Road

Dear Mr. & Ms. Williams:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 9, 2016. This letter is not an approval, but only a NOTIFICATION.

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: jaw

Enclosures

c: People's Counsel
Bernadette Moskunas, Site Rite Surverying, 200 E Joppa Road, Room 101, Towson MD 21286
Barry Koluch, 6920 River Drive Road, Baltimore MD 21219



Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor

Pete K. Rahn, Secretary Gregory C. Johnson, P.E., Administrator

Date: 6/20/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2016-0317-A

Variance Ryan's Laura Williams 3108 A River Drive Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA

Acting Metropolitan District Engineer – District 4

Baltimore & Harford Counties

WW/RAZ

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

**DATE:** July 7, 2016

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

JUL 1 2 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Case Number: 16-317

INFORMATION:

**Property Address:** 3108A River Drive Road

Petitioner:

Ryan Williams, Laura Williams

Zoning:

DR 5.5

Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a proposed single family dwelling on a lot width of 50 feet in lieu of the required 55 feet.

A site visit was conducted on June 24, 2016.

The Department of Planning has no objection to the granting the petitioned zoning relief conditioned upon the following:

Any principal or detached accessory structure proposed to be located in the rear yard adjacent to River Drive Road must meet the 30' rear yard/street building line setback.

The Department recommends the petitioner address BCZR Section 304.1 to the satisfaction of the Administrative Law Judge.

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:

**Division Chief:** 

AVA/KS/LTM/ka

c: Josephine Selvakumar Bernadette Moskunas, Site Rite Surveying, Inc. Office of the Administrative Hearings People's Counsel for Baltimore County

Lloyd T. Moxley

## RECEIVED

### **BALTIMORE COUNTY, MARYLAND**

JUN 2 9 2018

Inter-Office Correspondence OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

June 29, 2016

SUBJECT:

EPS Comment for Zoning Item

# 2016-0317-A

Address

3108-A River Drive Road

(Williams Property)

Zoning Advisory Committee Meeting of June 27, 2016.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (EPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) and Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area and, per the IDA regulations, is subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. In addition, any proposed impacts to the Critical Area buffer, on this property extending 100 feet landward of mean high water, would require compliance with the MBA regulations. The petitioner seeks to allow a proposed single family dwelling on a lot 50 feet wide in lieu of the required 55 feet. According to the petitioner's plan, a driveway, shed, and streetside porch are also proposed. The shed is proposed within the Critical Area buffer. By meeting the IDA pollutant reduction requirements and the MBA requirements, including addressing any mitigation, allowing the proposed dwelling, other residential features and the reduced lot size requested by the applicant will result in minimal impacts to water quality.

2. Conserve fish, wildlife, and plant habitat; and

The subject property is a waterfront property. There is a tidal buffer projected onto the property. By meeting the IDA pollutant reduction requirements and MBA Critical Area buffer requirements, including any mitigation for impacts, the petitioner's request, if granted, will have minimal impact on fish, wildlife and plant habitat, and will improve buffer functions and conserve fish and plant habitat in proximity to nearby Greenhill Cove and Back River.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The requested development activities and reduced lot size will be consistent with established land-use policies provided that the petitioner meets any applicable Critical Area IDA and MBA requirements.

Reviewer: Thomas Panzarella Date: June 29, 2016

Environmental Impact Review

# **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** July 5, 2016

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For June 27, 2016 Item No. 2016-0317

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

The petitioner should contact the office of the Director of Public Works to determine the lowest floor elevation.

DAK:CEN cc:file

ZAC-ITEM NO 16-0317-06272016.doc

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

**DATE:** July 7, 2016

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 16-317

INFORMATION:

Property Address:

3108A River Drive Road

Petitioner:

Ryan Williams, Laura Williams

Zoning:

DR 5.5

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For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:

**Division Chief:** 

AVA/KS/LTM/ka

c: Josephine Selvakumar
 Bernadette Moskunas, Site Rite Surveying, Inc.
 Office of the Administrative Hearings
 People's Counsel for Baltimore County

Lloyd T. Moxley

## **BALTIMORE COUNTY, MARYLAND**

### **Inter-Office Correspondence**



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

June 29, 2016

SUBJECT:

**EPS Comment for Zoning Item** 

# 2016-0317-A

Address

3108-A River Drive Road

(Williams Property)

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1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) and Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area and, per the IDA regulations, is subject to practices that reduce water quality impacts associated with stormwater runoff, commonly referred to as the Critical Area 10% Rule. In addition, any proposed impacts to the Critical Area buffer, on this property extending 100 feet landward of mean high water, would require compliance with the MBA regulations. The petitioner seeks to allow a proposed single family dwelling on a lot 50 feet wide in lieu of the required 55 feet. According to the petitioner's plan, a driveway, shed, and streetside porch are also proposed. The shed is proposed within the Critical Area buffer. By meeting the IDA pollutant reduction requirements and the MBA requirements, including addressing any mitigation, allowing the proposed dwelling, other residential features and the reduced lot size requested by the applicant will result in minimal impacts to water quality.

2. Conserve fish, wildlife, and plant habitat; and

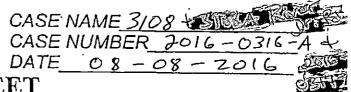
The subject property is a waterfront property. There is a tidal buffer projected onto the property. By meeting the IDA pollutant reduction requirements and MBA Critical Area buffer requirements, including any mitigation for impacts, the petitioner's request, if granted, will have minimal impact on fish, wildlife and plant habitat, and will improve buffer functions and conserve fish and plant habitat in proximity to nearby Greenhill Cove and Back River.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The requested development activities and reduced lot size will be consistent with established land-use policies provided that the petitioner meets any applicable Critical Area IDA and MBA requirements.

Reviewer: Thomas Panzarella Date: June 29, 2016

Environmental Impact Review



# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DOUGLAS L. BURGESS Barry, Koluch	STE 201A, NOTTINHAM MO 21236 6920 RIVER DIVERS ANDRA	NOTTMHAM MD 21236.	BURESSLAWLIE. COM BKOluch eg mail: com
Renton Williams Bernadethe Muskynas	200 E. Sopa Pond. RMIUI		sixivite lure @ aol. com
	• .		
	•		
	·	:	
	<u> </u>		·

Support/Oppose/

# CHECKLIST

Comment Received	Department	Conditions/ Comments/ No Comment
7/5	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
4120	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	Oh C
411	PLANNING (if not received, date e-mail sent)	no wicondition
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
E	COMMUNITY ASSOCIATION ,	
Market Control of the	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	TION (Case No	
PRIOR ZONING	(Case No	
NEWSPAPER AL	OVERTISEMENT Date:	2
SIGN POSTING	Date: 7[19]1Q	by Cle
(4)	ISEL APPEARANCE Yes No	
PEOPLE'S COUN	ISEL COMMENT LETTER Yes L No L	
Comments, if any:		
	9	



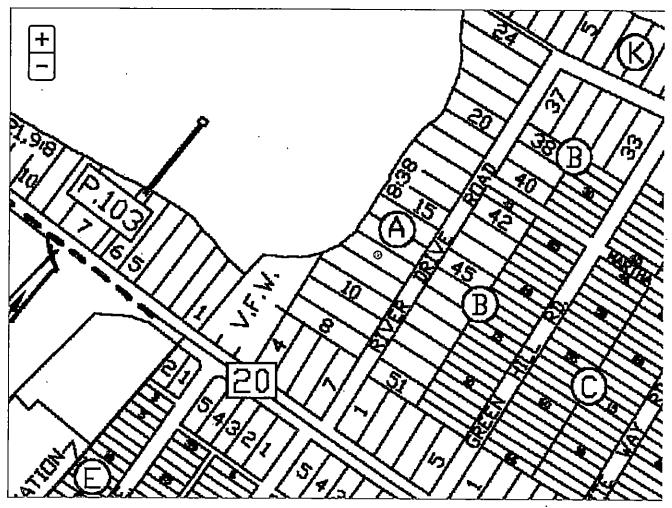


leal Prope	erty Dat	ta Search	( w4)				and the second s		Guide t	o search	ing the c	latabas
earch Re	sult for	BALTIM	ORE COUNTY			<del>18 to to</del> n common equity <u>equi</u>		. <del></del>				
View M	ар		View GroundF	ent Re	demptio	on		View	Ground	Rent Reg	istratio	n
Account	ldentifi					nt Numbe	r - 150783				<u>,</u>	-
	Ī				Owne	r Informatio	on					
Owner N	ame:		WILLI				se: incipal Re	seidon		RESIDE YES	NTIAL	
Mailing A	ddress	<b>5:</b>	3108 F	IVER I	ORIVE R MD 212	D De	ed Refer			/27452/	00178	
				Loca	tion & S	tructure Inf	ormation				_	
Premises	Addre	ess:		MORE	ORIVE R 21219-1		gal Desci	iption:		3108 RIV	/ER DRI	VE RD
Мар:	Grid:	Parcel:	Sub District:	Subdi	vision:	Section:	Block:	Lot:	Asses	ssment	Plat	
0111	0005	0141	District:	0000			A	12	Year: 2015		No: Plat Ref:	0008/ 0038
Specia!	Tax Ar	eas:			~	Town: Ad Valore Tax Class				NO		0036
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Stories 1	Bas YES	ement	Type STANDARD L	INIT	Exterio SIDING		lf Bath	Garag 1 Deta		Last Ma	jor Ren	ovation
					Value	Informatio	n					
			Base	Value		Value			-in Ass	essment	S	
						As of 01/01/2015	;	As of 07/01/	2015		s of 7/01/201	6
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		AVID JA				05/24/2004				ice: \$318	,800	
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		1242 0	tatus: Approv	-4 42	10012009							

**Baltimore County** 

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: 15 Account Number: 1507831150



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us/QurProducts/OurProducts.shtml">www.mdp.state.md.us/QurProducts/OurProducts.shtml</a>).

SENO. 2016-0317-4

3108 River Drive Road

Laura William

EXHIBITITE

EXHIBITITE

A SENO. 2016-0317-4 EXHIBIT LIST

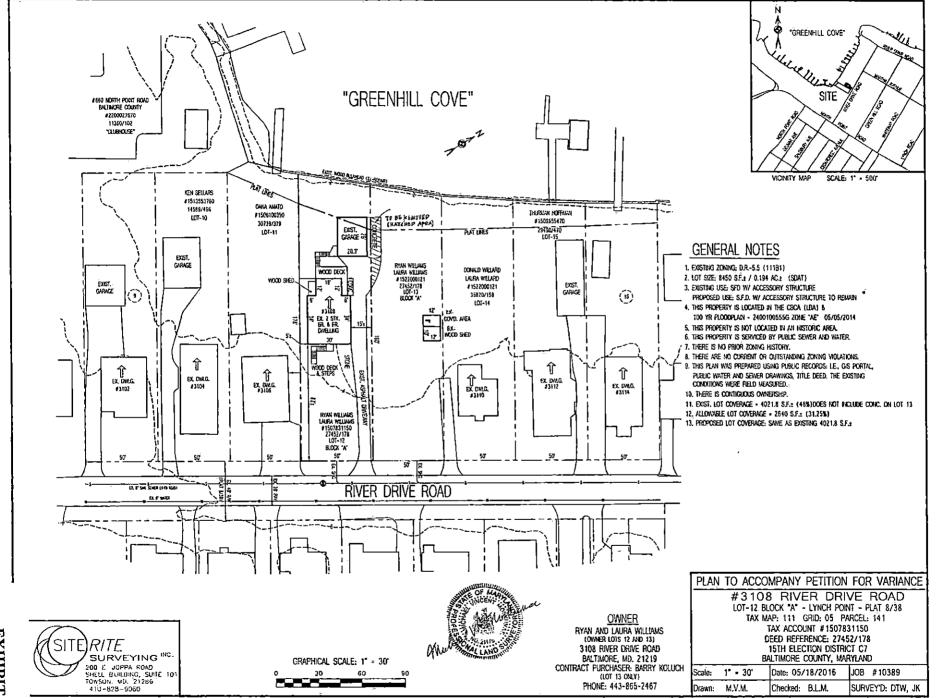
# Variance

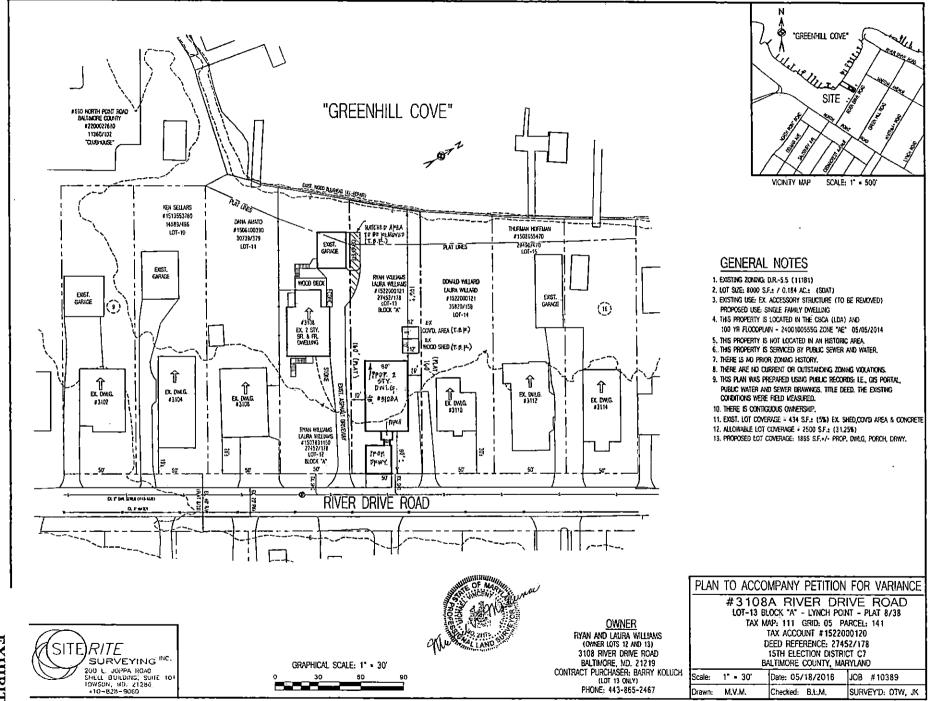
Exhibit	<u>Number</u>
Site Plan (Site Rite Plan)	1
Resume- Expert Witness (Bernadette Moskunas)	2
Aerial Photos and Vicinity Maps	3
Photos - Subject Property	4
Photos - Neighboring Properties	5
ZAC Comments (Public Works, Environmental & Planning recommend approval)	6
Neighborhood Support Letter	7
Deeds, etc.	8
Resume-Expert Witness- (NAW)	9
Expert Report (NAW)	10

# **EXHIBIT LIST**

# <u>Variance</u>

<u>Exhibit</u>	Number
Site Plan (Site Rite Plan)	1
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Deeds, etc.	8
Resume-Expert Witness- (NAW)	9
Expert Report (NAW)	10





# Bernadette L. Moskunas 256 Seneca Terrace Pasadena, MD 21122 (410)360-3267

## **EDUCATION:**

1/1992 <u>LOYOLA COLLEGE, BALTIMORE, MD</u>

Masters Program Clinical Psychology

1986-1991 <u>TOWSON STATE UNIVERSITY, BALTIMORE, MD</u>

Bachelor of Science in Psychology

1984-1986 <u>DUNDALK COMMUNITY COLLEGE, BALTIMORE, MD</u>

Associate of Arts Degree, 1987

Emphasis in Physical Fitness Technology

1978-1982 <u>Institute of Notre Dame High School, Baltimore, MD</u>

Work History:

May 2000 – Present Site Rite Surveying, Inc.

Towson, MD

Vice President

September '95-May 2000 M&H Development Engineers, Inc.

July '89 – 1995 Maryland Center for Physical Therapy,

Owings Mill, MD

1986-1989 Records Unlimited, Baltimore, MD

Assistant Manager

Experience: Duties include daily business operating activities; field and drafting experience

for location surveys; preparation of permit ready site plans, Zoning

Variance/Special Hearing/Special Exception Plans, Development Review

Committee plans and applications, Minor Subdivision Plans, Major Subdivision

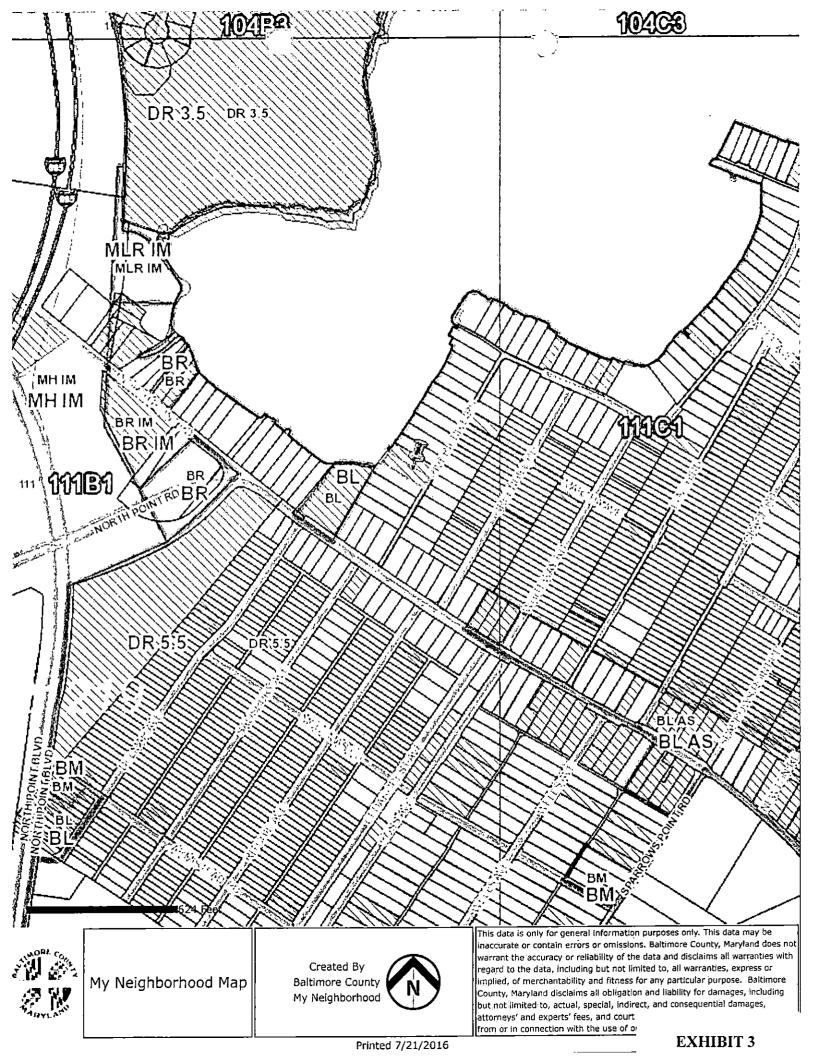
Plans, Amendments and Refinements to Development Plans/Final

Developments/Record Plats, Perc Test Applications and Plans, Grading Plans, Utility Construction Plans in compliance with Baltimore County regulations; qualified as an expert witness before the Administrative Law Judge and Board of

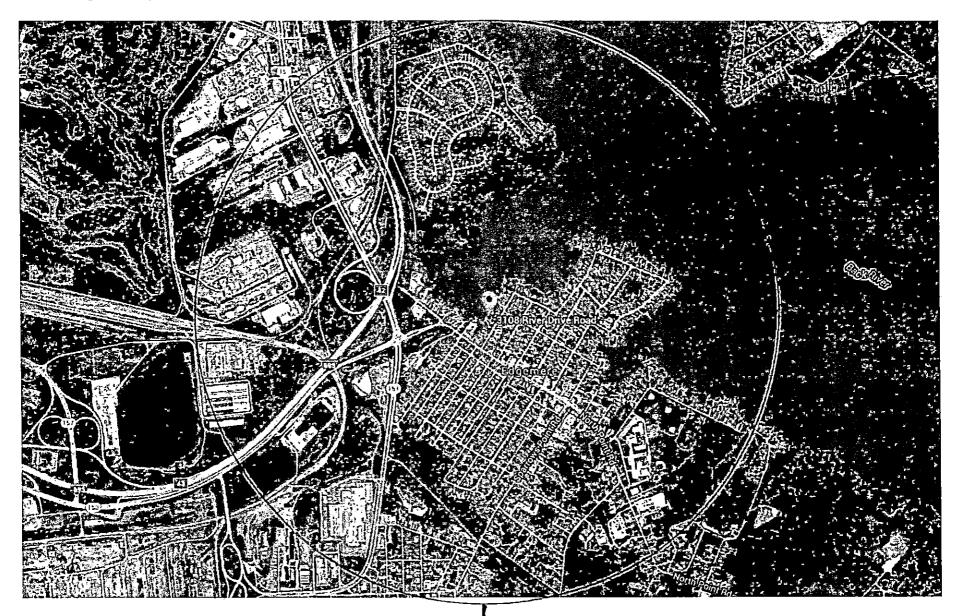
Appeals



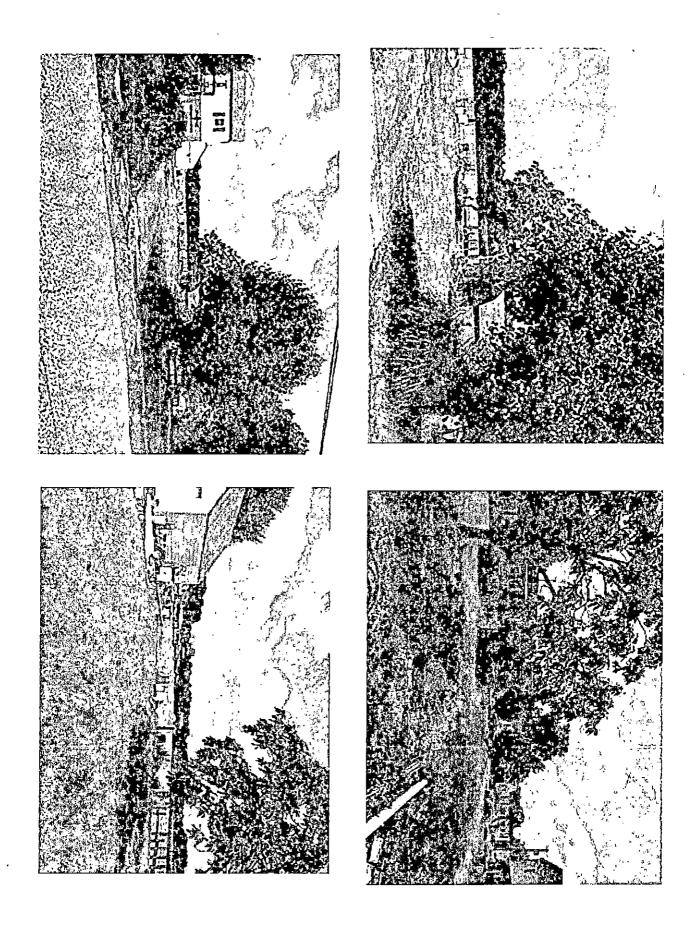


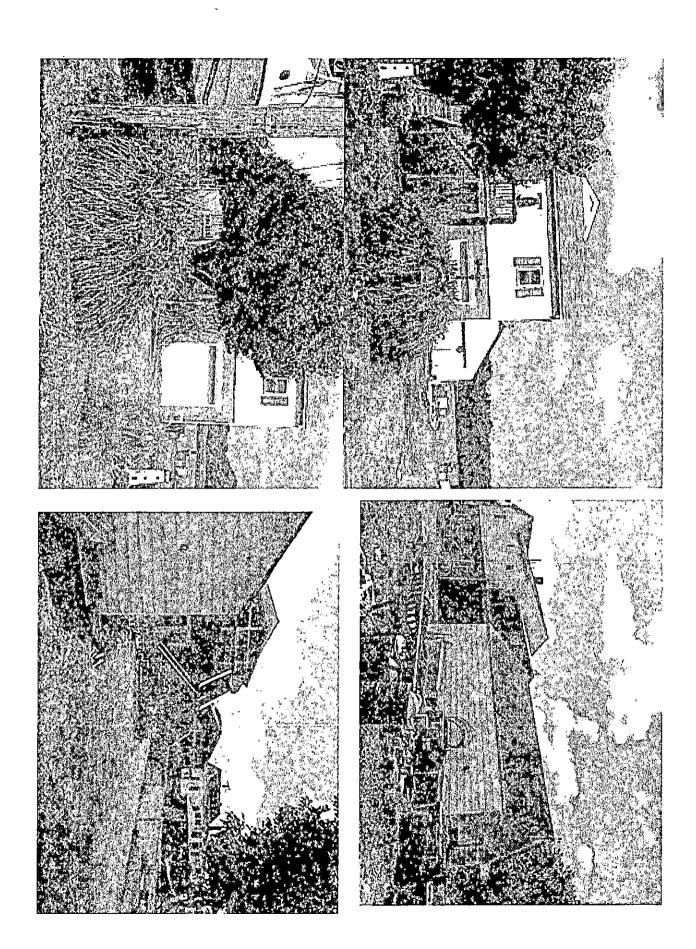


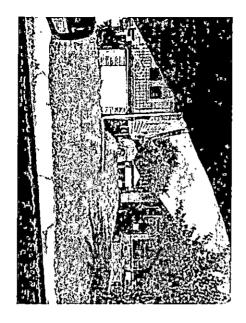
# Goegle Maps 3108 River Drive Rd

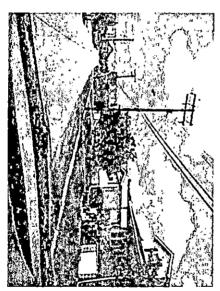


Approximately I mik radius

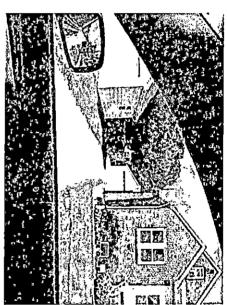


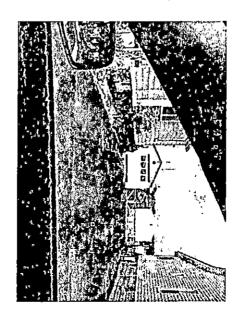












## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: July 7, 2016

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 16-316

INFORMATION:

Property Address: 3108 River Drive Road

Petitioner:

Ryan Williams, Laura Williams

Zoning:

DR 5.5

Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit an existing single family dwelling with a side yard setback of 5 feet and a lot width of 50 feet in lieu of the required 10 feet and 55 feet, respectively; and to permit an existing detached accessory structure (garage) to be located in the front yard in lieu of the required rear yard.

A site visit was conducted on June 24, 2016.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

Any principal or detached accessory structure proposed to be located in the newly established rear yard adjacent to River Drive Road must meet the 30' rear yard/street building line setback.

The Department recommends the petitioner address BCZR Section 304.1 to the satisfaction of the Administrative Law Judge.

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

loyd T. Moxley

Division Chief:

AVA/KS/LTM/ka

c: Josephine Selvakumar

Bernadette Moskunas, Site Rite Surveying, Inc.

Office of the Administrative Hearings

People's Counsel for Baltimore County

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: July 7, 2016

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 16-317

INFORMATION:

Property Address:

3108A River Drive Road

Petitioner:

Ryan Williams, Laura Williams

Zoning:

DR 5.5

Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a proposed single family dwelling on a lot width of 50 feet in lieu of the required 55 feet.

A site visit was conducted on June 24, 2016.

The Department of Planning has no objection to the granting the petitioned zoning relief conditioned upon the following:

Any principal or detached accessory structure proposed to be located in the rear yard adjacent to River Drive Road must meet the 30' rear yard/street building line setback.

The Department recommends the petitioner address BCZR Section 304.1 to the satisfaction of the Administrative Law Judge.

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-

Prepared by:

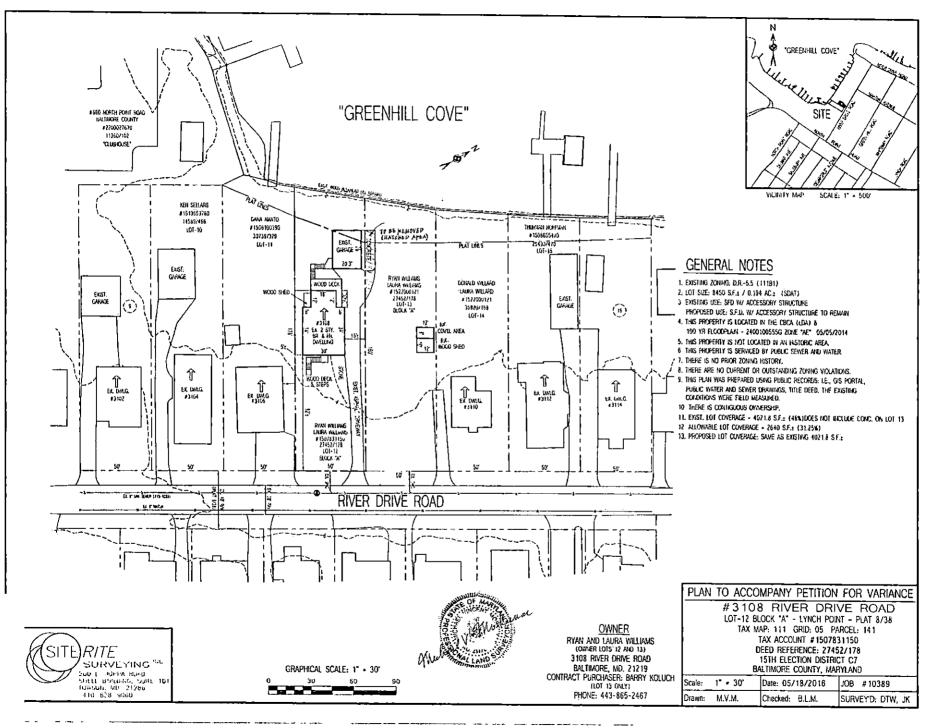
Division Chief:

Llowd T. Moxley

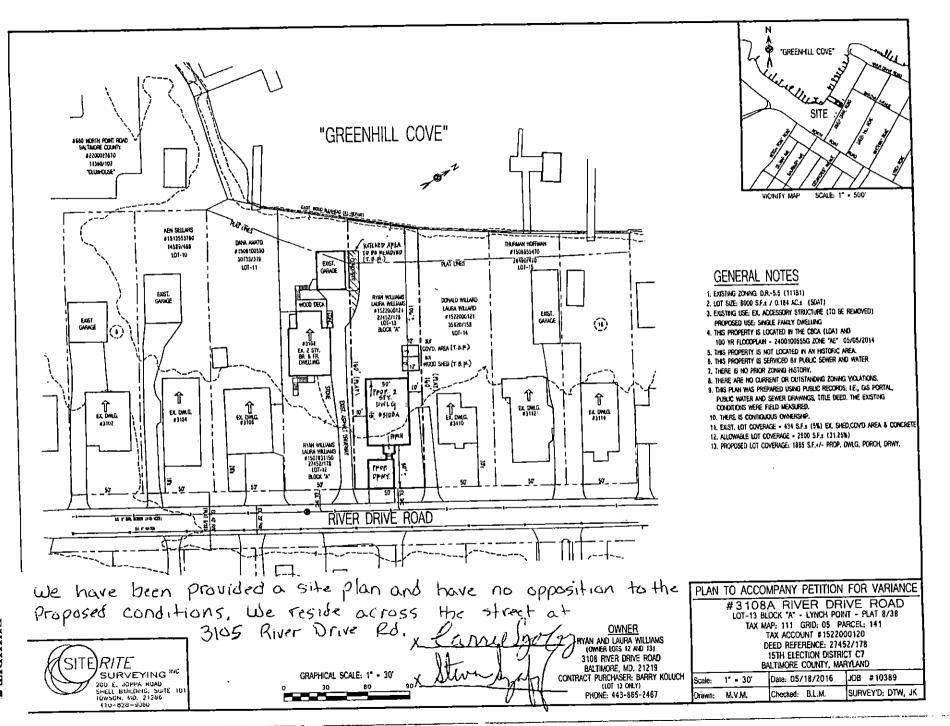
AVA/KS/LTM/ka

c: Josephine Selvakumar Bernadette Moskunas, Site Rite Surveying, Inc. Office of the Administrative Hearings People's Counsel for Baltimore County









### **TITLE CHAIN**

### 3108 and 3108A RIVER DRIVE ROAD

Plat of Lynch Point WPC 8 Page 38 April 26, 1926

Various separate owners of the vacant lots known as lots 12 and 13 of Block A of Plat of Lynch Point from 1926 on......

### Lot 12

1950 house built on lot 12 only see SDAT print out for 3108 River Drive Road

May 5, 1948

Matthew Keck and Ella May Keck, h/w to Robert F. Hoppe, Sr and Anna C. Hoppe, h/w RFH died 11/16/1963 thus to ACH by operation of law. ACH having died March 5, 1963 and her LWT filed orphans court balto city LCS 309/414 where she devised the said prty to her son Robert F. Hoppe, Jr.

May 15, 1967.

Robert F. Hoppe, Jr. and his wife Dolores Mary Hoppe deeded the prty to Dionisis J. Guidi OTG L 4756 F 212 on May 15, 1967.

March 21, 1970

Dionisis J. Guidi and Jewell Guidi, h/w deeded to David J. Pugh and Ada Pugh, h/w L 5080 Page 144.

April 29, 2004 David J. Pugh et ux to Isetta Harmon and Martin Harmon, wife and husband L 20111 F. 615

Nov. 10, 2008 Isetta Harmon et ux to Ryan Williams and Laura Williams, h/s L27452 F 178

The Williams are the current owners

#### Lot 13

Nov. 1979 Frances E. Vaughn, widow of Austin W. Vaughn (died July 30, 1975) conveyed to David J. Pugh and Ada Pugh, his wife

Note: The Vaughns held this empty lot since Sept. 1947 as a part of separate chain of title, and David Pugh the neighbor living next door at 3108 River Drive Road acquired it from the widow Vaughn in 1979.

### TITLE DEVOLUTION CHART

Lot 12, 3108 River Drive Road Tax Acct. No. 151507831150

GRANTEE	DEED REFERENCE	NOTES
Ryan Williams & Laura Williams	First described lot 27452/178 11/13/2008	<ul> <li>8,450 sf assessed for \$200,400.00</li> <li>Separate tax id</li> <li>Lot 12, block A, plat 008/38</li> </ul>
Isetta Harmon	First described lot 20111/615 5/24/2004	
David Pugh	5080/144 3/21/1970	
Dionisis J. Guidi	4756/212 5/15/1967	

### TITLE DEVOLUTION CHART

Lot 13, 3108A River Drive Road Tax Acct. No. 1522000120

GRANTEE	DEED REFERENCE	NOTES
Ryan Williams & Laura Williams	Second described lot 27452/178 11/13/2008	<ul> <li>8,000 sf assessed for \$150,000.00</li> <li>Separate tax id</li> <li>Lot 13, block A, plat 008/38</li> </ul>
Isetta Harmon	Second described lot 20111/615 5/24/2004	
David Pugh	6100/573 11/08/1979	
Austin W. Vaughan	1599/548 9/15/1947	

## Search Result for BALTIMORE COUNTY

Account Identifier:  Dwner Name:  Iailing Address:	District - 15 WILLIAMS WILLIAMS	Owner	Number -		50				
	WILLIAMS		Informatio						
	WILLIAMS	RYAN					DEGIE	ENTIAL	
failing Address:				Use: Principa	ıl Resid	dence:	RESIDENTIAL YES		
<del></del>	3108 RIVER BALTIMOR	DRIVER	D 19-1106	Deed Re	eferenc	:e:	/27452	2/ 00178	
•	Loca	ation & St	ructure Info	ormation					
remises Address:	3108 RIVER BALTIMOR Waterfront	DRIVE R E 21219-1	106	Legal D	escript	ion:	3108 F LYNC	RIVER D H POINT	RIVE RD
Map: Grid: Parcel	: Sub Subdi District:	vision:	Section:	Block:	Lot:	Assess Year:	sment	Plat No:	
0111 0005 0141	0000			Α	12	2015		Plat Ref:	0008/ 0038
Special Tax Areas:	and the second s		Town: Ad Valore Tax Class				NOI	NE	
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Stories Basement 1 YES	Type STANDARD UNIT	Exterior SIDING	Full/Hal 1 full	f Bath	Garag		Last Ma	jor Ren	ovation
	O 1741D7 II 10 O O II 1		Information	<u> </u>					
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			As of		As of			s of	•
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		Transfe	r Informatio	on					
Seller: HARMON ISETT	`A	Date: 1	1/13/2008			Pri	ce: \$360	,000	
Type: ARMS LENGTH I	MULTIPLE	Deed1:	/27452/ 001	178		De	ed2:		
Seller: PUGH DAVID JA			5/24/2004				ce: \$318	,800	
Type: ARMS LENGTH			/20111/ 006	515			ed2:		
Seller: GUIDI DIONISIS	=		3/26/1970				ce: \$5,3	00	
Type: ARMS LENGTH I	MPROVED		/05080/ 001			De	ed2:		
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artial Exempt Assessm ounty:	ents: Class 000			0.00	113		07/01/	2010	
tate:	000			0.00					
lunicipal:	000			0.00 0.0	0		0.0010	.00	
Tax Exempt:	п	Special	Tax Recap				* *		
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### Search Result for BALTIMORE COUNTY

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Accoun	t Identifi	er:	<u>Di</u>			unt Number		22000	120			
Owner N Mailing	lame: Address	:	W' 31	ILLIAMS I ILLIAMS I 08 RIVER	RYAN AUR DRIV		<u>n</u>			esidence:	RESIDE NO /27452/	
			DA			tructure inf	orma:	: ០៣				
Premise	s Addres	 ss:	BA	VER DRIV	E RD				al Desci	ription:	LYNCH	POINT
Map:	Grid:	Parcel:	Sub District:	Subdivis	ion:	Section:	Blo	ck:		Assessment Year:	No:	
0111	0005	0141		0000					13	2015	Plat Ref:	0008/ 0038
·	ıl Tax Ar			-		Town: Ad Valore Tax Class	m:			NO		
			Above Grade Area				Basen	nent	Ar	operty Land ea 300 SF	Cou Use 34	inty
Stories	s Ba	sement	Туре	Exterior	F	ull/Half Bath	 1	Ga	rage	Last Major i	Renovati	on.
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			Base	Value		Value		1	Phase-ir	n Assessment	s	
						As of 01/01/2015		1	As of 07/01/20	15 O	s of 7/01/2016	5
Land:			150,0	00		150,000						
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Pietere	iiliai Lai			T	้เลกร์	er Informati	<u> </u>					
Seller:	HARMO	N ISETTA	<u> </u>	i	Date:	11/13/2008				Price: \$36	0,000	
			IULTIPLE	I	Deed1	: /27452/ 00	178			Deed2:		
Seller:	PUGH D	AVID J	· · · · · · · · · · · · · · · · · · ·	]	Date:	05/24/2004				Price: \$31	8,800	
Type:	ARMS LI	ENGTH N	IULTIPLE	[	Deed1	: /20111/ 006	315			Deed2:		
		AN AUST				11/08/1979				Price: \$14	,000	
Type:	ARMS LI	ENGTH I	MPROVED			: /06100/ 00:				Deed2:		
Dartial =	vemnt A	ssessme	nts: CI	ass	1 due	ion Informat	1011	07/0	1/2015		07/01/2	016
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State:			00					0.00				_
Municip	al:		00						0.00		0.00 0.0	)0
Tax Ex	•				_	al Tax Recap	ture:	:				
Exemp	t Class:				NONE							
			<del> </del>		ad Ap	plication In	m.cı	ation				
Homeste	ead Appl	lication S	Status: Denied					<u></u>				

### Guide to searching the database

## Search Result for BALTINGRE COUNTY

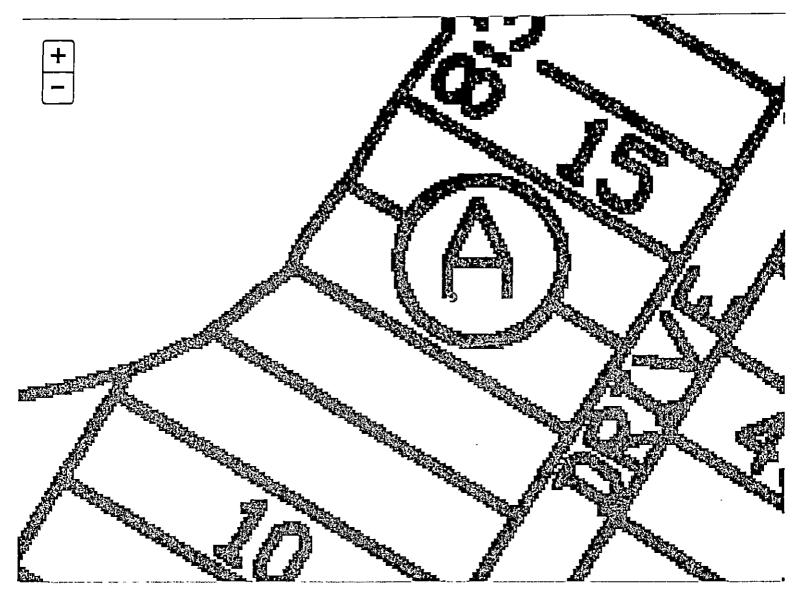
View Ma	р		<u>View Grour</u>	idRent Rede	mption				View Gr	oundRent Reg	istration	<u> </u>
Account le	dentifie	r:		District - 15				2000	120			
Owner Nai Mailing Ac				WILLIAMS I WILLIAMS I 3108 RIVER BALTIMORI	RYAN AURA DRIVE MD 21	<u> 219-1106</u>		Dee		esidence: ence:	RESIDE NO /27452/	
						;* '# **	i.					
Premises A	Addres	s:		RIVER DRIV BALTIMORE Waterfront	E RD E 21219	-1106		Leg	al Descr	ription:	LYNCH	POINT
Map:	Grid:	Parcel:	Sub District	Subdivis :	sion:	Section:	Blo	ck:	Lot:	Assessment Year:	Plat No:	
0111	0005	0141		0000			Α		13	2015	Plat Ref:	0008. 0038
Special <sup>-</sup>	Tax Are	as:				Town: Ad Valore Tax Class				NO	NE	
Primary S Built	Structu	re	Above Gra Area	ade Enclose		Finished E Area	Basen	nent	Ar	operty Land ea 100 SF	Cou Use 34	unty
Stories	Bas	ement	Туре	Exterior	Ful	I/Haif Bath	1	Ga	rage	Last Major R	enovati	on
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			Ba	se Value		alue		_		Assessments	;	
Land:			150	0,000	0	s of 1/01/2015 50,000		(	As of 07/01/20	15 07	s of //01/2016	5
Improver Total: Preferent		d:	0	0,000	0			1	150,000	15 0	50,000	
					-d .3 .4.	, · · ; · ~ /	: `					
Seller: H. Type: AF			ULTIPLE			/13/2008 27452/ 001	178			Price: \$360 Deed2:	,000	
Seller: Pl			ULTIPLE			/24/2004 20111/ 006	15			Price: \$318 Deed2:	,800	
Seller: V/			IN W IPROVED			/08/1979 06100/ 005	573			Price: \$14, Deed2;	000	-
		·				n Informat						<u> </u>
Partial Exe County: State: Municipal:	·	sessme	nts:	Class 000 000 000			_	0.00 0.00			0.00 0.0	
Tax Exen	npt:		-		Special I	Tax Recap	ture:	5.00	12.00	•	2.201010	

Homestead Application Status: Denied

### **Baltimore County**

10,13

District: 15 Account Number: 1522000120



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Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us/OurProducts.shtml">www.mdp.state.md.us/OurProducts.shtml</a> (http://www.mdp.state.md.us/OurProducts.shtml).

First Mountain Title, LLC File No. 08-3213 Tax ID # 15-1507831150 & 1522000120

This Deed, made this 10th day of November, 2008, by and between Isetta <u>Harmon</u> and Martin <u>Harmon</u>, parties of the first part, Grantors; and Ryan <u>Williams</u> and Laura <u>Williams</u>, parties of the second part, Grantees.

### - Witnesseth -

That for and in consideration of the sum of Three Hundred Sixty Thousand Dollars 00/100 (\$360,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Ryan Williams and Laura Williams, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Being known and designated as Lot 12 in Block A as shown on the Plat entitled Lynch Point Land Company as per plat thereof recorded in Plat Book 8 at plat 38 among the Land Records of Baltimore County, Maryland.

The improvements thereon being known as No. 3108 River Drive Road.

Being known and designated as Lot 13 in Block A as shown on the Plat entitled Lynch Point Land Company as per plat thereof recorded in Plat Book 8 at plat 38 among the Land Records of Baltimore County, Maryland.

BEING the fee simple property which, by Deed dated April 29, 2004, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 20111, Folio 615, was granted and conveyed by David Jack Pugh and Ada Pugh unto Isetta Harmon and Martin Harmon.

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

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ryan Williams and Laura Williams, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

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

As Witness the hands and seals of said Grantors, the day and year first above written.

WITNESS:

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Isetta Harmon

(Seal)

{Seal}

BÁL HMOKE COUNTY ÇIRCUIT COURT (Land Récords) SM 27452, p. 0178, MSA\_CT62\_27307. Date available 11/16/2008. Printed 04/15/2016.

Case No.: 08003962LCM-

Title Insurer: Lawyers Title Insurance Corporation
Tax Account No.: 151507831150 and 151522000120

### THIS DEED

This Deed, made this 29th day of April, 2004, by and between David Jack Pugh and Ada Pugh, his wife, parties of the first part, and Isetta Harmon and Martin Harmon, wife and husband, party(ies) of the second part:

WITNESSETH, that in consideration of the sum of \$318,800.00, receipt of which is hereby acknowledged, and which the party(ies) of the first part certify(ies) under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party(ies) of the first part do/does grant and convey unto the party(ies) of the second part, in fee simple, as tenants by the entirety all that property situate in Baltimore County, Maryland, and as described in Exhibit A attached hereto and made a part hereof.

BEING all of the same property as described in a Deed from Dionisis J. Guidi and Jewell Guidi, his wife, unto David Jack Pugh and Ada Pugh, his wife, recorded March 26, 1970 among the Land Records of Baltimore County, MD, at Liber 5080, folio 144, and being that same property as described in a Deed from Frances E. Vaughan unto David Jack Pugh and Ada Pugh, his wife, recorded November 9, 1979 among the aforesaid Land Records at Liber 6100, folio 573 which have the address of 3108 River Drive Road, Sparrows Point, MD 21219.

### AFFIDAVIT OF "TOTAL PAYMENT"

The undersigned Grantor(s) certify under penalties of perjury that the "Total Payment" for purposes of Section 10-912(b) of the Tax General Article of the Annotated Code of Maryland is \$\frac{297}{939.50}\$.

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only and benefit forever of said party(ies) of the second part in fee simple.

AND said party(ies) of the first part do/does hereby covenant to warrant specially the property hereby conveyed; and to execute such further assurances of said land as it may be requisite or necessary.

### RETURN TO AFTER RECORDING:

Universal Title, LLC 650 Ritchie Hwy., #106 Severna Park, MD 21146

DEED - INDIVIDUAL (MD) (MD)

WITNESS my/our hand(s) and seal(s) on the day and year first hereinbefore written.

Signed, sealed and delivered in the presence of,

Witness

David Jack Pugh

Ada Pugi

STATE/DISTRICT OF MARYLAND:
COUNTY/CITY OF ANNE ARUNDEL to wit

On this day of April, 2004, before me, Kimberly A. Koebrugge Puller, a Notary for the State/District of day of April, 2004, before me, Kimberly A. Koebrugge Puller, a Notary for the State/District of day of April, 2004, personally appeared David Jack Pugh and Ada Pugh, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument bearing the date of date of day of April, 2004, and acknowledged that he/she/they have executed the same for the purpose therein contained.

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

NOTARY PUBLIC PUBLIC

KIMBERLY A. KOEBRUGGE-PUTTER

NOTARY PUBLIC

ANNE ARUNDEL COUNTY I'Y Commission Expires: 02/01/05

STATE OF MARYLAND
Com. Expires 02-01-05

### ATTORNEY CERTIFICATION

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

James M. Griffin, Esquire

**GRANTOR MAILING ADDRESS:** 

21 Glendale Lagoon Beach Bay City, MI 48706

**GRANTEE MAILING ADDRESS:** 

3108 River Drive Road Sparrows Point, MD 21219

### EXHIBIT A LEGAL DESCRIPTION

BEING KNOWN AND DESIGNATED as Lot No. 12, in Block A, as laid out and shown on the Plat of LYNCH POINT LAND COMPANY, which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 8, folio 38.

Tax I.D. No. 15-15-07831150

AND

BEING KNOWN AND DESIGNATED as Lot.No. 13, in Block A, as laid out and shown on the Plat of LYNCH POINT LAND COMPANY, which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 8, folio 38.

Tax I.D. No. 15-15-22000120

The improvements thereon being known as 3108 River Drive Road, Sparrows Point, Maryland 21219.

## .00201111 621

# State of Maryland Land Instrument Intake Sheet Baltimore City County: Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only. (Tryng or Print in Black Ink Only — All Conjec Must Re Legible)

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LIBER 6 1 0 0 PAGE 5 7 3 Fee Simple Dead Individual This Deed, Made this Morday of Frances E. Vaughan Grantor, and David J. Pugh and Ada M. Pugh, his wife, WITNESSETH, that in consideration of the sum of Ten Dollars and other good and valuable considerations, the said Grantor hereby grants and conveys unto the Grantee, in fee simple, as tenants by the entirety, their assigns, , all that property situate in the 15th Election District County of Baltimore described as: on River Drive Road BEING known and designated as Lot No. 13, Block A, as shown on the plat of Lynch Point, which plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 8, page 38. BEING the same property described in Book 1599 Austin W. Vaughan died July 30, 1975. TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining. THE ACTUAL CONSIDERATION PAID OR TO BE PAID IS SIME OF AND the said Grantor covenants that he will warrant specially the property hereby conveyed and that he will execute such further assurances of said land as may be requisite. Use of the singular party herein includes the plural and use of one gender includes all. WITNESS the hand and seal of said Grantor Francis & Hay 0L-0-10: GL-5- AC. 64-6- AS. 2045 Ed +++139.00 61-6- AC: STATE OF MARYLAND, On this day of of said State, personally appeared Frances E. Vaughan , 19. before me, a Notary Public known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained. CALLAHAN, AS WITNESS my hand and Notarial Seal. CALWELL & LAUDEMAN My commission expires: 7/1/82 BARBARA A. Q'BRIEN This is to certify that the within instrument has been prepared by or under the supervision of ed'd for renord Mounds in 1999 an attorner delu admitted to practice before the Court of Appeals of Maryland. er Elmer H. Mahline, Jr., ail to CALLAHAN & PALWEL eccipt No. PATRICK A. NAUGITON

State of Maryland,

page 548

(SEAL)

(SEAL)

Notary Public

Attorney

BALTIMORE COUNTY CIRCUIT COURT (Land Records) EHK Jr. 6100, p. 9573)

AND the said Matthew Keck and Ella May Keck his wife do hereby covenant that they have not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed and that they will warrant specially the property hereby granted and that they will execute such other and further assurances of the same as may be requisite

WITNESS the hands and seals of the said grantors

WITNESS:

Matthew Keck

(Seal)

(Mrs) Lottie D Moore

Ella May Keck

(Seal)

STATE OF MARYLAND COUNTY OF BALTIMORE TO WIT

I HEREBY CERTIFY that on this 15 day of September 1947 before me the subscriber a Notary Public of the State of Maryland in and for the County of Baltimore personally appeared Matthew Keck and Ella May Keck his wife and they each acknowledged the aforegoing deed to be their act

AS WITNESS my hand and notarial seal

Lewis W Moore

(Notarial Seal

Notary Public

Recorded Sep 18 1947 at 12:15 P M & exd per

John W Bishop

Clerk

Rec by HMD

Exd by SG&MD

27560 : THIS DEED made this 15th day of September 1947 by and beTheodore N Miller et al : tween Theodore N Miller and Maida Miller his wife of BalDeed to : timore County State of Maryland parties of the first part
Austin W Waughan et al : grantors and Austin W Vaughan and Frances E Vaughan his
-----: wife parties of the second part grantees

WITNESSETH that for and in consideration of the sum of five dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Theodore N Miller and Maida Miller his wife do grant and convey unto the said Austin W Vaughan and Frances E Vaughan his wife as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor in fee simple all that lot of ground situate lying and being in the Fifteenth Election District of Baltimore County and described as follows

BEING known and designated as lot No 13 block A as shown on the plat of Lynch Point which plat is recorded among the plat records of Baltimore County in plat book liber WPC 8 folio 38

BEING one of the lots of ground which by deed of even date herewith and recorded or intended to be recorded among the land records of Baltimore County immediately prior hereto was conveyed by Matthew Keck and Ella May Keck his wife to Theodore N Miller and Maida Miller his wife

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

TO HAVE AND TO HOLD the said land and premises to the proper use and benefit of the said Austin W Vaughan and Frances E Vaughan his wife as tenants by the entireties their assigns the survivor of them and the heirs and assigns of the survivor in fee simple

AND the said Theodore N Miller and Maida Miller his wife do hereby covenant that they have not done nor suffered to be done any act matter or thing whatsoever to encumber the property hereby conveyed and that they will warrant specially the property hereby granted and that they will execute such other and further assurances of the same as may be requisite

WITNESS the hards and seals of the said grantors

WITNESS

Theodore N Miller

(Seal)

Katherine R Bradley

Maida Miller

(Seal)

STATE OF MARYLAND CLUNTY OF BALTIMORE TO WIT

I HEREBY CERTIFY that on this 15th day of September 1947 before me the subscriber a notary public of the State and County aforesaid personally appeared Theodore N Miller and Maida Miller his wife and they each acknowledged the aforegoing deed to be their act

. AS WITNESS my hand and notarial seal

Katherine R Bradley

(Notarial Seal)

Recorded Sep 18 1947 at 12:15 P M & exd per

Notary Public

John W. Bishop

Clerk

Rec by HMD

Exd by SG&MD

28344

: KNOW ALL MEN BY THESE PRESENTS

James Clarke Murphy et al Trus

: THAT James Clarke Murphy and Richard D Biggs trustees

Deed of Par Rel to

: acting under the powers granted to them by a certain

Wm F Chew & Co Inc

: deed of trust from William F Chew and Company Inc. dated

the 15th day of May 1947 and recorded among the land records of Baltimore County in liber JWB No 1563 folio 157 and in consideration of one dollar in hand paid by William F Chew and Company Inc do hereby grant convey and release unto the said William F Chew and Company Inc its successors and assigns the following described land and premises with the improvements easements and appurtenances thereunto belonging situate in Baltimore County and described as follows

Being lot No 7 block N as shown on the plat of Sucbrook Park which said plat is recorded in plat records of Baltimore County in plat book No 9 folio 7 and being part of the property in the deed of trust hereinabove referred to

It being the intention hereof that the above described property small be and it is reconveyed and fully released and discharged from the effect and operation of the deed of trust hersinbefore referred to the sum of \$6005.60 including interest having been paid on account of the indebtedness secured thereby the trustees reserving unimpaired the lien on the remaining property described in said deed of trust not hereby or heretofore released

WITNESS their nands and seals this 18th day of September AD 1947 Signed sealed and delivered in the presence of

Regina Graham

James Clarke Murphy

(Seal)

Trustee

Richard D Biggs

(Seal)

Trustee

STATE OF MARYLAND BALTIMORE CITY TO WIT

I HEREBY CERTIFY that on this 18th day of September in the year one thousand nine

No. 11 Suns St. JATON HOART GUEEN HIFF CONE

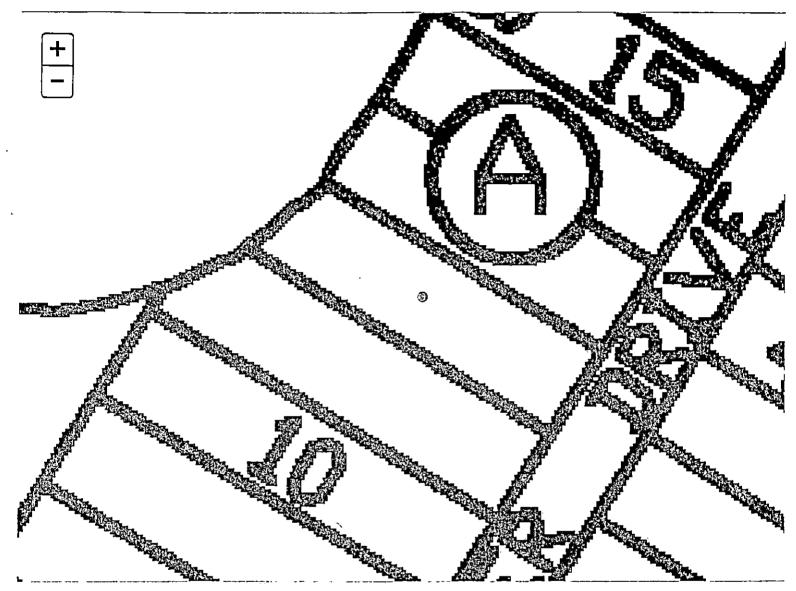
### Guide to searching the database

### Staton Result for BALT, MORE COUNTY

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Homestead Application Status: Approved 12/09/2008

District: 15 Account Number: 1507831150



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at <a href="http://www.plats.net">www.plats.net</a> (http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us/OurProducts/OurProducts.shtml">www.mdp.state.md.us/OurProducts/OurProducts.shtml</a> (<a href="https://www.mdp.state.md.us/OurProducts/OurProducts.shtml">https://www.mdp.state.md.us/OurProducts/OurProducts.shtml</a>)

LIBER 5 0 8 0 PASE 1 44

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-Ann. Hou # 376

This Deed, Made this

21 day of Jumes

, in the year one

thousand nine hundred and seventy , by and between - DIONISIS J. GUIDI, and JEWELL GUIDI, his wife, of the State of Maryland, parties of the first part. Grantors; and DAVID JACK PUCH and ADA PUCH, his wife, of the State of Maryland, parties of the second part, Grantees.

Edithesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said parties of the second part, as tenants by the entireties,, their assigns and unto the survivor of them, his or her heirs and assigns in fee simple, all

----- chat -----

lot(s) of ground

situate in the Fifteenth Election District of Bultimore County, in the State of Maryland, and described as follows, that is to say:

3EING known and designated as Lot No. 12, in Slock A, as laid out and shown on the Plat of Lynch Point Land Company, which Plat is recorded among the Pla Records of Baltimore County in Plac Book W.P.C. No. 3, folio 33.

The improvements thereon being known as NO. 3103 RIVER DRIVE ROAD.

32TNG the same lot of ground described in a Deed dated May 15, 1367 and recorded among the Land Records of Baltimore County in Liber 0.T.G. No. 4356, fully 171 from Rubert F. Hoppe, Jr. and Dolores Mary Hoppe, his wife, unto the suid Dionisis J. Guidi, one of the within named parties of the first part.









TAX 8 STATE ADDRESS TO THE STA

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## LIBER 5 0 8 0 PAGE 1 14 5

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 parties of the second part, as tendents by the entireties, their assigns and unto the survivor of them, his or her heirs and assigns, in fee simple, forever.

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.

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

BALIIMORE COUNTY OIR CONTOONE (Land

WITNESS	Dionists J. Guidi [Seal]
George Toda	Jewill Guidi [Seal]
State of Marpland. Political County I HEREBY CERTIFY, that on this before me. a Notary Public of the State afore	2 day of FLAICH , 19 70 esaid, personally appeared - DIONISIS J. CUIDI and
JEWELLGUIDI, his wife, parties of known to me (or satisfactorily proven) to be instrument, who signed the same in my preser poses therein contained.	the person(s) whose name(s) is/are subscribed to the within nee, and acknowledged that they executed the same for the pur-
WITNESS my hand and Moderial Seal.	George loda Notary Public  My commission expires: July 1, 1970  Roold for record MAR 26 1970 Bt
The state of the s	Par ( 111 th T. Council, Clerk  kull * Thanked ( Carlo  Receipt N. 201154 ; Gall

THE CONTROL OF THE PAGE 212 (Individual Form)

Арр. Ж. поль

This Beed, Made this 15th day of ay , in the year one thousand nine hundred and that the rest of the bound between the state of the state and Diagrams of the City of the general with appliance of the control of the cont older that, There was said to select the tip, of the State of the law, mt ox tre gandelit.

Mitnesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto 1. teachers, office characteristics, in the late, and must

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situate in the Note out. Cloude in introduct a secial come manth, in the State of Maryland, and described as follows, that is to say:

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I for any different course, the condition of savable conand the community of the Latin and the contract of the contrac artifacturing that the members of the contraction o the little and really en-









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Together with the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurenances 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

And the said Grantem evenants to warrant specially the property hereby granted and conveyed, and to exercise such factors assurances of said land as may be requisite.

Whenever used, the singular number shad include the plural, the plural the singular also the use of any genuer shall be applicable to all genders.

Witness the namins, and sealts) of the said grantor(s) -

Thomas Carlin	1:15	190	~ {:\cal
Floren Carlin			[Seal
Biate of Marpiand.	TO WIT:		
I HEREBY CERTIFY, that on this 1950 Sefere me, a Notary Public of the State aforesaid, pers	day of onally appeared	·	, 19
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shown to me for satisfactorily provent to be the peri-	niis) wuose gaptet	s) is are subserv	ed to the withi

shown to me (or satisfactorily proven) to be the person(s) whose name(s) is, are smacrifed to the within instrument, who signed the same in my presence, and acknowledged that the executed the same 0 the purposes therein contained.

WITNESS my band and Notarial Seal.

Thomas C. Carlin 1.1. as J. Carlin Notary Public

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My commission expires:

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Guide to searchir

### Search Result for BALTIMORE COUNTY

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Title Insurer: Lawyers Title Insurance Corporation Tax Account No.: 151507831150 and 151522000120

### THIS DEED

This Deed, made this 29th day of April, 2004, by and between David Jack Pugh and Ada Pugh, his wife, parties of the first part, and Isetta Harmon and Martin Harmon, wife and husband, party(ies) of the second part:

WITNESSETH, that in consideration of the sum of \$318,800.00, receipt of which is hereby acknowledged, and which the party(ies) of the first part certify(ies) under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party(ies) of the first part do/does grant and convey unto the party(ies) of the second part, in fee simple, as tenants by the entirety all that property situate in Baltimore County, Maryland, and as described in Exhibit A attached hereto and made a part hereof,

BEING all of the same property as described in a Deed from Dionisis J. Guidi and Jewell Guidi, his wife, unto David Jack Pugh and Ada Pugh, his wife, recorded March 26, 1970 among the Land Records of Baltimore County, MD, at Liber 5080, folio 144, and being that same property as described in a Deed from Frances E. Vaughan unto David Jack Pugh and Ada Pugh, his wife, recorded November 9, 1979 among the aforesaid Land Records at Liber 6100, folio 573 which have the address of 3108 River Drive Road, Sparrows Point, MD 21219.

### AFFIDAVIT OF "TOTAL PAYMENT"

The undersigned Grantor(s) certify under penalties of perjury that the "Total Payment" for purposes of Section 10-912(b) of the Tax General Article of the Annotated Code of Maryland is \$ 297,939,50 ...

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only and benefit forever of said party(ies) of the second part in fee simple.

AND said party(ies) of the first part do/does hereby covenant to warrant specially the property hereby conveyed; and to execute such further assurances of said land as it may be requisite or necessary.

### RETURN TO AFTER RECORDING:

Universal Title, LLC 650 Ritchie Hwy., #106 Severna Park, MD 21146 WITNESS my/our hand(s) and seal(s) on the day and year first hereinbefore written.

Signed, sealed and delivered in the presence of,
Witness

David Jack Purch

Ada Pugh

STATE DISTRICT OF MARYLAND: COUNTY/CITY OF ANNE ARUNDEL to wit:

On this day of April, 2004, before me, Kimberly A. Koebrugge Puller, a Notary for the State District of the Cycle, personally appeared David Jack Pugh and Ada Pugh, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument bearing the date of the purpose therein contained.

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

NOTARY PUBLIC OUNT

KIMBERLY A. KOEBRUGGE-POITEN (SEAL)

NOTARY PUBLIC KIMBERLY A. Koebrugge Puller, Notary Public

ANNE ARUNDEL COUNTY LY Commission Expires: 02.01'05

STATE OF MARYLAND
Com. Expires 02-01-05

### ATTORNEY CERTIFICATION

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

ames M. Griffin, Esquire

### **GRANTOR MAILING ADDRESS:**

21 Glendale Lagoon Beach Bay City, MI 48706

### **GRANTEE MAILING ADDRESS:**

3108 River Drive Road Sparrows Point, MD 21219

## EXHIBIT A LEGAL DESCRIPTION

BEING KNOWN AND DESIGNATED as Lot No. 12, in Block A, as laid out and shown on the Plat of LYNCH POINT LAND COMPANY, which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 8, folio 38.

Tax I.D. No. 15-15-07831150

### AND

BEING KNOWN AND DESIGNATED as Lot No. 13, in Block A, as laid out and shown on the Plat of LYNCH POINT LAND COMPANY, which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 8, folio 38.

Tax I.D. No. 15-15-22000120

The improvements thereon being known as 3108 River Drive Road, Sparrows Point, Maryland 21219.

## UNIVERSAL TITLE, LUCIII 618

Ridgway, Griffin, Kestner, Cogan, Stanton and Nalls
Chartered
GENERAL COUNSEL

### FIRST-TIME MARYLAND HOME BUYER'S AFFIDAVIT

The undersigned, being one of the Grantees of that certain property known as Lot-Unit 12 and 13, Block A, in the subdivision known as LYNCH POINT, do hereby certify, under penalties of perjury:

- 1. That said property is improved by a residence and we do intend to personally occupy said residence as our principal residence.
- 2. That each of the undersigned is a first-time Maryland home buyer, defined as an individual who has never owned residential real property in the State that has been the individual's principal place of residence, who will occupy the property as Grantee's principal residence.

Witness:

Isetta Harmon

Martin Harmon

STATE/DISTRICT OF MARYLAND

:ss:

COUNTY CITY OF ANNE ARUNDEL

Subscribed and Sworn to before me this 29th day of April, 2004.

NOTARY PUBLIC ON A

KIMBERLY A. KCEBRUGGE-PULLER
NOTARY PUBLIC
ANNE APUNDEL COUNTY
STATE OF MARYLAND
Com. Expires 02-01-05

imberly A. Koebrugge Puller, Notary Public Ly Copper, Exp: 02/01/2005

MD - BATCH - MD SALE WITH WORD INTAKE SHEET (Occupant)

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

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

·	1. Transfer	ror Information
Name of Transf		
David Jack Pug	h	
	2. Reason	for Exemption
Resident	I. Transferor, am a resident of	
Status	Transferor is a resident enti-	ty under § 10-912(A)(4) of Maryland's Tax General feror, and I have authority to sign this document on
Principal Residence	Although I am no longer a principal residence as defined in I	resident of the State of Maryland, the Property is my RC § 121
	true, correct, and complete.	xamined this declaration and that, to the best of my
	3a. Individi	ual Transferors
		David Jack Pugh
Witness		Name Signature Sugar
	3b. Entity	Transferors
Witness Attest		Name of Entity
		Ву:
		Name .
		Title
Subscribed and s	worn to before me this 91 day of	Pr. 20 04
My commissic	on expires:	NOTARY PUBLIC  NOTARY PUBLIC  ANNE ARUNDEL COUNTY  STATE OF MARYLAND  Com. Expires 02-01-05

0020111 620

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

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

Name of Transf	1. Transferor Information
	eror
Ada Pugh	
	2. Reason for 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 Article, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence	Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC § 121.
Under penalty knowledge, it is	of perjury. I certify that I have examined this declaration and that, to the best of my true, correct, and complete.
	3a. Individual Transferors
	Ada Pugh
Witness	Name View Piegle Signature
	3b. Entity Transferors
	30. Entity Transferors
Witness Affest	Name of Entity
	By:
	Name
	Title
Subscribed and sv	vorn to before me this 39 day of fruit, 200 f
My commissio	KIMBERLY A. KOEBRUGGE-PULL
	NOTARY PUBLIC ANNE ARUNDEL COUNTY STATE OF MARYLAND Com. Expires 02-01-05

# 0020411 621

# State of Maryland Land Instrument Intake Sheet Baltimore City County: Dallings

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.) स्थार सिक्स Type(s) <u>J</u> Deed REDECTION FEE of Instruments <del>-I</del>RETAX STATE Lause 1 Deed of Trust Not an Arms-Unimproved Sale Conveyance Type X Improved Sale Multiple Accounts 837.Æ TOTAL Length Sale /9/ Arms-Length /2/ Arms-Length (3) Rest \$ 54167 Spins RAMA Check Box Arms-Length /I Recordation 81k # 3972 Tax Exemptions S≱: JLF si Appi cable: State Fransfer \_\_\_ / \_\_ 語 247 2094 犯:55 fa Cite or Explain Authoriti County Transfer Finance Office Use Only Consideration Amount Transfer and Recordation Tax Consideration Purchase Price Consideration 5.318 802.00 Fransis - Tax Consider then Consideration 401 Non Horrage 5 3 0 2 866.00 and Tax Ballinge of Existing Mortgage N Calculations Less Elemption Ameuro-Ölder foral Triester Liv Record from Lex Consider the fi-Orher 1,50; 5504 Fill Cash Value Amount of Fees Doc. 1 5 R. Lordong Charge Lix Bill. Fees Surcharge State Recordation has CB Credu. Ag. Tix Other: Other Property Lax ID No. (1) Grantor Liber Folio 15,50753:156 - 3030/144 Plat Ref. Description of Lot (3a) Block 3b Sect AR(3c) Subdivision Names Property 72.15 SDAT requires Location Address of Property Being Conveyed (2) submission of al-D.2142 Rd SURZIUS 27 312 21219 applicable information Water Meter Account No. Other Property Identifiers (if applicable) A maximum of 40 characters will be indexed in accordance with the priority offed in Partial Conveyance? Tyes No. Description April of Salt Acreage Fransferred. Real Property Article Section 3-134 g (314) It Part at Conveyance, List Improvements Conveyed) Duc. 2 - Grantor(s) Name(s) Doc. 1 - Grantor(s) Name(s) 7 2 1. C. 37 3 C. ed LACK Push MARTIN MARRIE Transferred ADA Duil Doc. 2 Owner(s) of Record, if Different from Grantor( From Doc. I Owner(s) of Record, if Different from Grantor(s) Doc. 2 - Grantee(s) Name(s) Doc. 1 - Grantee(s) Name(s) 8. Transferred RS. 6 711: 14C 1 Machina New Owner's (Grantee) Muiling Address Doc. 2 - Additional Names to be Indexed (Optional) Doc. 1 - Additional Names to be Indexed (Optional) Other Names to Be Indexed Raturn to Confact Pancer Instrument Submitted By or Contact Person 10 Contact Mail HidrorPickar

Information

TYPISTUPLE DEED - CODE - Coty or County - to

This Deed, Made this

43

day of Wovember

in the year one thousand nine hundred and sixty-four, by and between AUSTIN W. VAUGHAN and FRANCES E. VAUGHAN, his wife,

of The County of Baltimore, in the State of Maryland, of the first part, and WINGTH C. DODGE, SR. and WARRANN DODGE, but wife,

of the second part,

Witnesseth that in consideration if the sum of Fiv. Gollars and other good and valuable agreementains, the rescapt whereof is hereby reknowled  $d_1$ 

the Sant - FIRTURY, THIS DISTLE FRANCES T. NATGRAN, BESTMER .

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heirs and alsigns, in fee simple al. That lot af ground situate lying and being in the Pitt with allocation District of Baltimore Tourity.

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Tilled the Son throat grater watch by Took date quity 22, 1931, and recorded income to the Land Reports of Altiform City in Liber 773 No. 2<sup>183</sup>, falt. 46, we are the and convey any Theodore Nelson Willer and Martin Illin, his wafe. To the watch named uninous.

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every the rights, alleys, ways, waters, privileges, appurenances and advantages, to the same belong-Together with the buildings and improvements thereupon erected, made or being and all and

bias eth lo thened bue eur requiq out of bue of an gain is required of ereast segaments mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and banorg to tol bies sait bloll of bas syaH of and premises, above described and

KENNEIH C' DODCE' SE' and MARYANN DODCE, his wife, as tenants by the

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heirs and assigns, in fee smple.

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but bethand sain bassaod eac mey est at which shows a hathre me, the subscribur, I HEREBY CERTIFY, That on this

WISTER W. VARGENY and FRANCES E. WACCHAN, als Willer Dougland Augusted a Natury Public of the State of Maryland, in and for ... Ball of norms. Counces. X Like Expire X

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Fee Simple Deed Individual LIBER 6 | 0 0 PAGE 5 7 3

This Deed, Made this day of the bound of the bound between

Grantor, and
David J. Pugh and
Ada M. Pugh, his wife,

Grantee: WITNESSETH, that in consideration of the sum of Ten Dollars and other good and valuable considerations, the said Grantor hereby grants and conveys unto the Grantee, in fee simple, as tenants by the entirety, their assigns,

15th Election District County of Baltimore

, all that property situate in the State of Maryland,

described as:

on River Drive Road

BEING known and designated as Lot No. 13, Block A, as shown on the plat of Lynch Point, which plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 8, page 38.

BEING the same property described in Book 1599 page 548 Austin W. Vaughan died July 30, 1975.

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

THE ACTUAL CONSIDERATION PAID OR TO BE PAID IS \$ 14 44 4

AND the said Grantor covenants that he will warrant specially the property hereby conveyed and that he will execute such further assurances of said land as may be requisite.

Use of the singular party herein includes the plural and use of one gender includes all.

WITNESS the hand and seal of said Grantor

Francës E. Vaughan (SEAL)

(SEAL)

\_(SEAL)

STATE OF MARYLAND,

64-6-1.C.

61-5- NO.

64.6-75

61-5-40:

On this day of day of , 19 , before me, a Notary Public of said State, personally appeared Frances E. Vaughan

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein

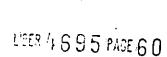
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This Deed, Made this

day of

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Mitnesseth, that in consideration of the sum of Five Dollars, and receipt, whereof as hereby acknowledged, the said Grantor does hereby g

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

## L'BER 4695 PAGE 604

Together with the buildings and improvements thereupon; and the rights, alleys, ways, wat leges, 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 Grantee, her heirs and assigns, in fee simple, forever.

And the said Grantor covenants to warrant specially the property hereby granted and conveye 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 temper shall be applicable to all genders.

Witness the handes) and seal(s) of the said granter(s):

WITNESS:		John B. C. Comme		
George Toda	<del></del>	Reduct F. Hoppe, Jr./		
×		·.		
	,	Dilores Mary Hoppe		
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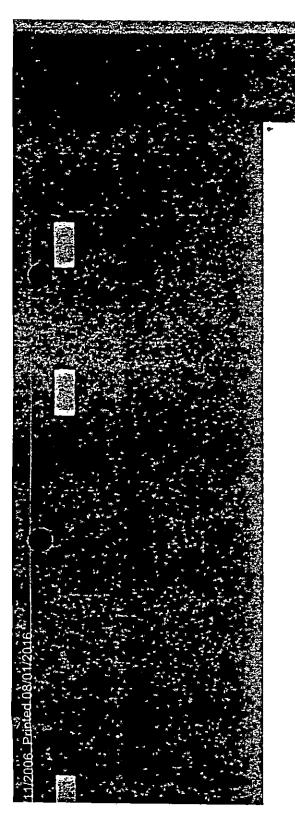
Atate of Maryland, County of Baltimore , TO WIT:

I HEREBY CERTIFY, that on this day of before me, a Notary Public of the State aforesaid, personally appeared

ROTART F. MARY HOPPE, his will known to me (or satisfactorily proven) to be the person(s) whose name(s) is are subscribed to the instrument, who signed the same in my presence, and acknowledged that they executed the same for poses therein contained.

WITNESS my hand and Notarial Seal.

no This Notary P



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PARTICULAR DE LA CONTROL DE LA

(Individual Form)

Арр. 🛪 -

thousand nine hundred and to the day of the ROBERT F. HOPPE, IR. and the first part, Granton and March 1 f. Microsci, we are a second day of Marchand, parties of the Grist part, Granton Microsci, 1 f. Microsci, we are a second day of Marchand, party of the accord part, Granton Microsci.

Withtswith: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the

lot(s) of ground

ituate un in the form that the formation of County,

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

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## LIBER 4695 PAGE 604

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 Grantee, her heirs and assigns, in fee simple, topever.

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):

Dolores Hay Hoppe To Jan Jan [Seal]

...

George Toda

## L'BER 4 6 9 5 PAGE 6 0 4

Together with the buildings and improvements thereupon; and the rights, alleys, ways, wat leges, 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 Grantee, her heirs and assigns, in fee simple, forever.

And the said Grantor covenants to warrant specially the property hereby granted and conveys 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 ugender shall be applicable to all genders.

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

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State of Maryland, County of Saltimore , TO WIT:

I HEREBY CERTIFY, that on this 🦸 day of before me, a Notary Públic of the State aforesaid, personally appeared

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

WITNESS my nard and Notarial Seal.

This Deed, made this 10th day of November, 2008, by and between Isetta Harmon and Martin Harmon, parties of the first part, Grantors; and Ryan Williams and Laura Williams, parties of the second part, Grantees.

#### - Witnesseth -

That for and in consideration of the sum of Three Hundred Sixty Thousand Dollars 00/100 (\$360,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Ryan Williams and Laura Williams, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

Being known and designated as Lot 12 in Block A as shown on the Plat entitled Lynch Point Land Company as per plat thereof recorded in Plat Book 8 at plat 38 among the Land Records of Baltimore County, Maryland.

The improvements thereon being known as No. 3108 River Drive Road.

Being known and designated as Lot 13 in Block A as shown on the Plat entitled Lynch Point Land Company as per plat thereof recorded in Plat Book 8 at plat 38 among the Land Records of Baltimore County, Maryland.

BEING the fee simple property which, by Deed dated April 29, 2004, and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 20111, Folio 615, was granted and conveyed by David Jack Pugh and Ada Pugh unto Isetta Harmon and Martin Harmon.

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

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ryan Williams and Laura Williams, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

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

As Witness the hands and seals of said Grantors, the day and year first above written.

WITNESS:

(Seal)

(Seal)

## 00274521

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# STATE OF MARYLAND, COUNTY OF ballo .

I hereby certify that on this 10th day of November, 2008, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Isetta Harmon and Martin Harmon, the Grantors herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

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

DONNA BERTONI
NOTARY PUBLIC
BALTIMORE:COUNTY
MARYLAND My Commission Expires Sept. 1, 2010

Notary Public My commission expires

9-1-2010

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

Attorney

AFTER RECORDING, PLEASE RETURN TO: First Mountain Title, LLC 11 E. Chesapeake Avenue Towson, MD 21286

#### OWNER OCCUPANCY AFFIDAVIT

Ryan Williams and Laura Williams, the Grantees in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by us.

us.		
WITNESS:	lyervin	(SEAL)
As to All	Ryan Williams  Laura Williams	(SEAL)
STATE OF MARYLAND, <u>Bult</u>	, to wit:	
subscriber, a Notary Public of the State	this 10th day of November, 2008, before and County aforesaid, personally appeare nerein, known to me (or satisfactorily proven) to within instrument, and acknowledged the found sealed the same.	to be the

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

DONNA BERTONI NOTARY PUBLIC BALTIMORE COUNTY MARYLAND My Commission Expires Sept. 1, 2010 Notary Public

My Commission Expires: 4-1- 101

# AFFIDAVIT AS TO TOTAL PAYMENT INCLUDING ALLOCATION FOR COLLECTION AS TO NON-RESIDENT(S)

File Numb	er: <u>08-3213</u>					
Property: 3108 River Drive Road, Sparrows Point, MD 21219						
information of Marylan	n and belief, in accordance d (the "Withholding Law"	.): 	that the following is true to the best of our knowledge, b)(2) of the Tax-General Article of the Annotated Code			
3 T	ha amount of total natmen	r for the numose of the	Withholding Law is \$_50,114.24			
3. <u>.</u>	2 (number of non-reside	ne transferors) of the t f withholding on such	transferors is/are not a resident(s) of Maryland and transferor's allocated share of the total payment.			
4. T	here are <u>2</u> (total num	iber of transferors) tran	isferors, and the total payment allocated for each is:			
	SHARE OF TOTAL PAYMENT	NON-RESIDENT (If yes, enter "Y")	TRANSFEROR			
S	25,057,12	$\mathbf{Y}$	Isetta Harmon			
, ,	25,057.12	Y	Martin Harmon			
\$						
\$						
		<del>-</del>				
5. T	he portion of the total pay:	ment subject to collecti	on of withholding is 3 50;114.24			
	•					
DATED th	nis 10th day of November.	2008.	1			
			Esta Harmon			
			Isetta Harmon			
			D. Alland			
			Martin Harmon			
STATE OF MARYLAND, COUNTY OF COUNTY OF COUNTY OF						
Sworn and subscribed to before the undersigned this 10th day of November, 2008.						
5			A. L.			
SEAL:			Mario Receive			
	DONNA BEATONI		Notary Public O L A - 6			
	MOTARY PUBLIC		My commission expires $\frac{Q - ACIC}{}$			
	BALTINIORE COUNT		Mix confinisation expines			
1	MARY EARTH IV Commission Expires Sec	ot. 1, 2010				

State of Maryland Land Instrument Intake Sheet

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

		(Type or Print in Black Ink	Only All Copies Must Be Leg		
1			endum Intake Form is Artached.)		RELIARING FEE CO.OF
	(iype(s)	<del></del>	ortgage Other	. Other	TA SIAIE 1,689.3
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	(if Applicable),	State Transfer	<del></del>		<del></del> !
	Cite or Explain Authority	County Transfer			<u>:</u>
<u> </u>		Consideration	Amount		nce Office Use Only
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	Consideration	Any New Mortgage	\$ 329,670,00	Transfer Tax Consideration	
	and Tax		\$	£() °,	=,5
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	i			au Dan 1	Conneads Namela
8		Doc. 1 - Granteer		<del></del>	Grantee(s) Name(s)
8	Transferred	Rynn Williams		= Duc. 2 - Lunard H. Sapp	Grantee(s) Name(s)
8	Transferred To			Lenard H. Sapp	Grantee(s) Name(s)
<u>3</u>		Ryan Williams Laura Williams	New,Owner's (Gran	<del></del>	Grantee(s) Name(s)
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9	Other Names to Be Indexed  Contact/Mail Information  Ever/Lev 'Atturng at 20' \$ 20' 38' 328' 35 20'	Ryan Williams  Laura Williams  Ti02 River Drive Road, Spurrows  Doc. I - Additional Names to  Instrument  Name: kate  Firm: First Mountain Title, 1  Address: 11 E. Chesapenke Ave  Phone: Telephone: 410-337-6  11 IMPORTANT: BOTH THE O  Assessment Yes X  [Information X Yes X]  [PSF F F F F F F F F F F F F F F F F F F	New,Owner's (Grans Point, MD 21219) be Indexed (Optional) (Submitted By or Contact Personal) LLC chuc, Tjwson, MD 21286 T50 Fax: 410-33"-6703 RIGINAL DEED 4.VD A PHOT No Will the property bein No Does transfer include No Was property surveye Assessment Use Only - De ural /enfeation [1]Whole occived: Deed Reference;	OCOPY MUST ACCOMPA g conveyed be the grantee's personal property? If yes, i that I gar I g	Names to be Indexed (Optional)  X   Return to Contact Person  Hold for Pickup  Return Address Provided  NY EACH TRANSFER  i principal residence, dentify:  vey (if recorded, no copy required)  Line  cess Verification  o.  Sub Block  DRATAN NOT REQUIRED
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9	Other Names to Be Indexed  Contact/Mail Information  Ever/Lew */Aturop at 2015 * 10   30123/6   35123/6   35123/6   3523/1   401490038   3002, 21/11   4/26/6	Ryan Williams  Laura Williams  Ti02 River Drive Road. Spurrows  Doe. 1 - Additional Names to  Instrument Name: kate Firm: First Mountain Title. I Address: 11 E. Chesapeake Ave Phone: Telephone: 110-337-6 11 'IMPORTANT: BOTH THE O  Assessment Yes X.  [Information X Yes X.]  [Partier Sumber Date Research  [Partier Dat	New,Owner's (Grans Point, MD 212)9 s be Indexed (Optional) LLC enue, Tijwson, MD 21286 T50 Fix: 410-337-6703 REGINAL DEED 4.VD A PHOT No Will the property bein No Does transfer include No Was property surveyee Assessment Use Only - Dours /enfloation [1] Whole population [1] Whole p	Doc. 2 - Additional 3  FM, Inc.  OCOPY MUST ACCOMPA geonveyed be the grantee's personal property? If yes, if Not Write Below This Part [] Tran. Pro Assigned Property N  Map GRECORDATI Parce Director 5  1 Sc. BALTIMONI	X   Return to Contact Person
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9 10 10	Other Names to Be Indexed  Contact/Mail Information  Docat/Leg 1/404003  2013 10 30123/6 35 35123/6 35123/6 3012/5/1 2013/5/1 3012/5/1 3012/5/13 3411 100.00	Rynn Williams Laura Williams  Ti02 River Drive Road. Spurrows Doc. 1 - Additional Names to  Instrument Name: kate Firm: First Mountain Title, ! Address: 11 E. Chesapeake Ave Phone: Telephone: 410-33"-6 11 'IMPORTANT: BOTH THE O  Assessment Yes X  Information X: Yes  X: Yes  Private Phone: 10-33"-6  Assessment Yes X  [Partial Private Phone: 10-33"-6  [Partial Phone: 10-33"-6  [Par	New,Owner's (Grans Point, MD 21219  be Indexed (Optional)  (Submitted By or Contact Person  LC  chuc, Tuwson, MD 21286  T50 Fax: 410-33*-6703  RIGINAL DEED 4.VD A PHOT  No Will the property bein No Does transfer include  No Was property surveye  Assessment Use Only - Do  ural /enfeation [1] Whole  cocived: Deed Reference:  450	OCOPY MUST ACCOMPA g conveyed be the grantee's personal property? If yes, i Not Write Below This Part [] Tran.Pro Assigned Property No.  Map GRECORDATI Parce Director of T.  DOC # 2	Names to be Indexed (Optional)  X   Return to Contact Person  Hold for Pickup  Return Address Provided  NY EACH TRANSFER is principal residence, dentify:  vey (if recorded, no copy required)  Line  vess Verification 0.  Sub Block  PROTAX NOT REQUIRED 1 BOORDEL and Financies: dd. ECORNTY, MARYLAND PLART 12-108
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THE TERMS WITH MARKET PROPERTY व रेक्कोरण्डेपेक्कोन्डेरेक्ट्रकोट

1976

This Deed, Made this

21 By day of Junich

, in the year one

thousand nine hundred and seventy

, by and between  $\ \ \ \$  DIONISIS J. CUIDI, and JENEIL STIDE, his wife, of the State of Maryland, parties of the first part. Grantors:

and DAMED MACK PUGH and ADA PUGH, his wife, of the State of Maryland, parties of the accord part, Grancees.

Edithesseth: that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whoreof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto the said parties of the second part, was tenants by the entiretiest, their assigns and anto the 

let(s) of ground

Situate in the Fifteenth Election District of Bultimore County, in the State of Maryland, and described as follows, that is to say:

321NG known and designated as Lot No. 12, in Block A, as laid  $\sigma_{\rm P}$ er is av in the Plan of Lunch Poids Land Company, Which Plan is recorded among the Plan Rocards of Balcimare County in Plant Book W.P.C. No. 5, follow 35. The dimperofession of the reach Selba Raosen as NO. 3108 RIJER DRIVE ROAD.

BZIMS the same by of ground described by a Deed dated May 15, 19  $^{\rm cr}$ and results for monthing the Land Regards of Baltimore County in Liber 0.7.3. No. 473-. III from Robert F. Googe, Jr. and Distores Mary Gappe, his wife, him is he said ist. To detail, a e af the wealth named purgles of the offer part.

# LIBER 5 0 8 0 PAGE 1 45

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 parties of the second part, as tenants by the entireties, their assigns and unto the survivor of them, his or her heirs and assigns, in fee simple, forever.

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:

WITNESS:

George Toda

George Toda

George Toda

Fitate of Marpland, Political Lead, TO WIT:

before me, a Notary Public of the State aforesaid, personally appeared - DIDNISIS J. GUIDI and

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

JEWELL WITH, his wife, parties of the first part, herein ---

WITNESS my hand and Notarial Seal.

I HEREBY CERTIFY, that on this

poses therein contained.

Notary Public

My commission expires: Jul. 1, 147

1.514 for record - 2112 26 1970 8t 1

# we prove that with all genders With a service and a series of the said graphers Thomas Comme

LIBER 4750 PATE 213

Together with the buildings and improvements thereupon; and the leges, appearer and and advantages to the same belonging or in anywir

To have and to hold the said described lot(s) of ground and premis

And the said chast in covenants to warrant specially the property he way of the of the secure of said land as may be requisite.

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State of Marpland

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I HEREBY CERTIFY that on this 15th a flow may a Northern Population that State aforesaid personally attended

make the life satisfact of the property to be the personal whose name the minutes who expend the same in my presence, and a Anowledged that

WITNESS by the end Starba Sea.

THE STREET SERVICE SOURCE SOURCE SOURCE STREET STRE (Individual Form)

App. 🔣 🗀 🚊 5,5

This Deed, Made this 15th day of ay , in th thousand nine hundred and by and between the state of the

Mitnesseth: that in consideration of the sum of Five Dollars, and other valuable considera receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign t

ict(s) e

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

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TO THE PROPERTY OF THE PROPERTY OF

Logout

#### BALTIMORE COUNTY. WARYLAND

www.baltimorecountymd.gov

Real Property Tax

Ownership and Address Information

Parcel fD:

15-07-831150

Tax Year:

2017

Owner Name:

Williams Ryan Williams Laura

Mailing Address:

3108 River Drive Rd, Baltimore, MD 21219

Parcel/Situs Address: 3108 River Onve Rd

District:

15

Property Class:

34 Waterfront/Residential

Semi-Annual Eligible: Yes

Miscellaneous:

Legal Description

3108 RIVER DRIVE RD

Assessment Information

Tax rate for Full Year: County \$1,10000, State \$0,11200 per \$100 of Assessed Value

Tax Receivable Amounts

Bill Date: 07/01/2016

	Billed Amount	Paid	Outstanding	First SA	Second SA
Taxes, Charges	4,304.98	2,152,49	2,152.49	2,152 49	2,152.49
Fees	.00	.00	.00	.00	.00
Gross/Base	4,304.98	2,152.49	2,152.49	2,152 49	2,152.49
Discount Applied	(17.41)	(17.41)	.00	.00	.00
New Discount	.00	.00	.00	.00	.00
Interest Applied	.00	.00	.00	ļoo	.00
New Interest	:00	.00	.00	co	.00
Total	4,287.57	2,135.08	2,152.+9	2,152 49	2,152.49

Date to calculate interest amount owed (mm/dd/yyyy); 08.51.2016 ecarculate

If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-887-2404

Payments Received

Partial

07/27/2016

Payment Payment Type Interest/Discount Calculation Date Amount Paid

2,135.08

Detailed Breakdown of Receivable Amounts ------

Description Amount Tax Credits County Tax 3,482.60 State Tax 354.59

Bay Res Fee 60.00 Sewer Service 264,42

Storm Water Remediation Fee 17.00 Water Distribution 126.37

Total 4,304.98

The receivable tax amounts reflect the application of the tax credits listed.

Back Return To Search Menu Print Bill Print Page

400 Washington Avenue . Courthouse . Towson, MD 21204

#### er dir protesta i environdo BALTIMORE COUNTY. WARYLAND www.baltimorecountymd.gov

Real Property Tax

Logout

Account Information

Parcel ID:

15-07-831150

Owner Name:

Williams Ryan Williams Laura

Parcel/Situs Address: 3108 River Drive Rd

The balance due information is a valid payment amount through the end of the current month. Please note that only 30 bills can be displayed by this system.

Real Property Tax Search Results:

Instructions: Select Full Year or Semi Annual Total to Pay.

Fiscal Year	Full Year Bal.	⊃ Semi- Annual Bal.	Bill Type	
2017 Juny 1, 2016 To June 30, 2017	\$2,152,49	<b>50</b> 30,	≅u⊩ /ear	/ery Details Print 3
2015 Jun 1 (2015 To June 30) 2015	sc 20	50.00	Full (43)	<u> 7 ew Details - Pont Bi</u>
2015 Turk 1, 2014 To turya 30, 2015	<b>50</b> 30	\$0.30	aul ∕ear	Verv Details Print 3
201+ "Ewit, 2013 To tune 30, 2014	20.00	sc 20	€.il - aar	Very Betalis Print Br
2013 (un 1, 2012 To June 30. 2013	3C 3C	\$0.00°	Full Year	West Details Print Bil
Total Tak Almounts	\$2,152,49	30,00		

Note: If paying by credit card, a convenience fee will be added to the total amount.

Pay with Gredit Card Pay with Electronic Check

Return To Search Menu

400 Washington Avenue • Courthouse • Towson, MD 21204



Logout

#### BALTIMORE COUNTY, WARYLAND

www.baltimorecountymd.gov

Real Property Tax

Ownership and Address Information

Parcel ID:

15-22-000120

Tax Year:

2017

Owner Name:

Williams Ryan Williams Laura

Mailing Address:

3108 River Drive Rd, Baltimore, MD 21219

Parcel/Situs Address: River Drive Rd

District:

Property Class: Semi-Annual Eligible: No

34 Waterfront/Residential

Miscellaneous:

Legal Description

Assessment Information

150,000

Tax rate for Full Year: County \$1,10000, State \$0,11200 per \$100 of Assessed Value

Tax Receivable Amounts

Bill Date: 07/01/2016

	Billed Amount	Paid	Outstanding	First SA	Second SA
Taxes/Charges	1,944:37	.00	1,944.37	100	.00
Fees	.00	.00	.00	co	.00
Gross/Base	1,944.37	.00	1,944,37	.00	.00
Discount Applied	.00	.00	.00	loo	.00.
New Discount	.00	.00	(8.25)	lao	.00.
Interest Applied	.00	.00	.00	Loo	00
New Interest	.,00	.00	.00	ļoo	.00.
Total	1,944.37	.00	1,936.12	00	.00

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Date to calculate interest amount owed (mm/dd/yyyy): 08, 31, 2015 Recalculate

and the second s

If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-387-2404

Payments Received ----

Payment Payment Type Interest/Discount Calculation Date Amount Paid

الشالمسيد مختديد الساف لالدارات تدعد

Tax Credits

NO PAYMENTS RECEIVED

Detailed Breakdown of Receivable Amounts

Since The contract of the cont

Description Amount County Tax 1,650.00 State Tax 168.00 Water Distribution 126.37

Total 1,944.37

The receivable tax amounts reflect the application of the tax credits listed.

Back Return To Search Menu Print Bill Print Page

400 Washington Avenue - Courthouse - Towson, MD 21204

Real Property Data Search (w3)

Guide to searching the database

#### Ground Rent Redemption Information for BALTIMORE COUNTY

There has been no attempt to redeem a ground rent on this property via this Department's Ground Rent Redemption Program.

County Real Property Account Number Real Property Address

BALTIMORE COUNTY District - 15 Account Number - 1518001890 1200 OLD EASTERN AVE; 0-0000;

8/8/2016 11:10 AM

**NEWTON A. WILLIAMS** 

SPRINGWELL, 319AL

**2211 WEST ROGERS AVENUE** 

BALTIMORE, MD. 21209

410 382 6478

August 4, 2016

**EXPERT CREDENTIALS** 

UNIVERSITY OF MARYLAND GRADUATE, BA IN 1962, WITH HONORS

**UNIVERSITY OF MARYLAND LAW SCHOOL 1965** 

PRIZE IN CONTRACTS

**LLB IN 1965** 

**ADMITTED TO MARYLAND BAR, 1965** 

231 BAR SCORE, 210 PASSING, HIGHEST MARK IN 240'S

**OUT OF 300** 

LAW CLERK TO JAMES D. NOLAN 1963 TO 1965

LAW ASSOCIATE TO JAMES D. NOLAN 1965 TO 1967

**NOLAN, PLUMHOFF AND WILLIAMS** 

**FORMED 1967** 

MY PRIMARY FOCUS BECAME ZONING AND LAND USE

IN EXCESS OF 1500 CASES, ZONING COMMISIONER, BOARD OF APPEALS, CIRCUIT COURT AND COURT OF SPECIAL APPEALS

COUNSEL FOR JAMES WARD AND WIFE, "CROMWELL V. WARD"102 Md. App, 691, 651 A2nd424 (1995)

# ASKED BY JUDGE SMITH TO ADDRESS U OF M LAW SCHOOL CLASS REAL ESTATE BROKER AT COLDWELL BANKER 2001 TO 2008

#### **SUMMARY OF TESTIMONY**

#### CASES 2016-0316-A AND 2016-0317A

#### PROPERTIES INVOLVED

3108 RIVER VIEW DRIVE ROAD AND 3108A RIVER VIEW DRIVE ROAD

3108, LOT 12, VARIANCES TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH A SIDEYARD SETBACK OF 5 FEET FOR A REQUIRED 10 FEET, A LOT WIDTH OF 50 FEET FOR THE REQUIRED 55 FEET IN A DR 5.5 ZONE, AND TO ALLOW AN EXISTING DETACHED ACCESSORY STRUCTURE, A GARAGE, TO BE LOCATED IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD AT 3108 RIVER DRIVE ROAD, CASE NUMBER 2016-0316-A.

VARIANCE TO PERMIT A PROPOSED SINGLE FAMILY DWELLING ON A LOT 50 FT. WIDE IN LIEU OF THE REQUIRED 55FT AT 3108A, LOT 13 RIVER VIEW DRIVE ROAD, CASE NUMBER 2016- 0317-A.

EDGEMERE AREA IN "LYNCH POINT" SUBDIVISION RECORDED IN APRIL, 1926, IN PLAT BOOK 8, FOLIO 38

# EDGEMERE IN THE 7<sup>TH</sup> ELECTION DISTRICT OF BALTIMORE COUNTY

BALTIMORE COUNTY HAS NO INCORPORATED TOWNS OR AREAS. IN 1955, IT CHANGED FROM A COUNTY COMMISSIONER FORM OF GOVERNMENT TO A CHARTER COUNTY WITH A COUNTY EXECUTIVE AND SEVEN COUNCIL MEMBERS; WE HAVE HAD MEN AND WOMEN COUNCIL MEMBERS AT PRESENT. (2)

THE NORTH POINT PENINSULA ON THE CHESAPEAKE BAY DATES TO PRE-DISCOVERY TIMES. ON THE EAST SIDE OF THE PENINSULA IS BACK RIVER AND ON THE WEST SIDE IS BEAR CREEK. THESE LOTS ARE ON BACK RIVER.

IN 1815, BRITISH TROOPS UNDER GENERAL ROSS'WERE LANDED AND MET THE AMERICAN DEFENDERS TO THE NORTH AT THE SMALLEST WAIST OF THE PENISULA; GENERAL ROSS WAS MORTALLY WOUNDED BY WELLS AND MCCOMAS, WHO WERE ALSO KILLED AT THE BATTLE OF NORTH POINT.

THE TIP OF THE PENINSULA WAS DEVELOPED AS THE PENNSYLVANIA STEEL PLANT ABOUT 1885. IN 1918, **BETHLEHEM STEEL** TOOK IT OVER AND IT BECAME THE WORLD'S LARGEST STEEL PLANT, **KNOWN AS SPARROWS POINT**. IT HAS SINCE BEEN SOLD AND BECAME AN INDUSTRIAL AREA OF 3100 ACRES IN 2014.

THE SPINE OF THE EDGEMERE COMMUNITY IS **NORTH POINT ROAD**; IT LEADS WEST TO EAST THROUGH EDGEMERE TO END IN THE **FORT HOWARD PARK**. IT IS THE FORMER SITE OF THE FORT HOWARD VETERANS HOSPITAL.

#### SOME BALTIMORE COUNTY ZONING POINTS

**BALTIMORE COUNTY** HAS HAD ZONING REGULATIONS SINCE JANUARY 2, 1945.

FROM 1945 TO 1970, THE RESIDENTIAL ZONES WERE RA, RESIDENCE APARTMENT, RG, RESIDENCE GROUP, R6, R 10, R20 AND TO R40, BASICALLY FROM 6000 PLUS LOTS IN R6 TO 1 ACRE LOTS AS TO R40.

. THE TWO SUBJECT PROPERTIES WERE R6, REQUIRING 50 FOOT LOT WIDTHS, 5 FOOT SIDE YARDS AND AT LEAST 6,000 SF LOT AREAS. THE ENTIRE AREA WAS CHANGED TO DR5.5 ON THE 1971 COMPREHENSIVE ZONING MAPS.

#### THE TWO PROPERTIES

3108 IS AT LEAST 8250 SF PLUS IN AREA, 50 FEET BY 165 FEET, AND 3108A, SLIGHTY LESS, SAY 160 FEET BY 50 FEET, 8000SF.

THE LYNCH POINT PLAT WITH 50 FOOT WATERFRONT LOTS PREDATED ZONING BY 19 YEARS, IE. 1926 AND 1945. (3)

THE TWO LOTS IN QUESTION ARE LOTS 12 AND 13 ON THE PLAT OF LYNCH POINT, PLAT BOOK 8, FOLIO 38;, AS ARE ALL THE OTHER WATERFRONT LOTS IN LYNCH POINT ON BACK RIVER, PER THE TAX BILLS. 3108 WAS DEVELOPED WITH A SINGLE FAMILY HOUSE IN 1950. THERE IS A TWO CAR GARAGE. THE GARAGE IS CONSIDERED TO BE IN THE FRONT YARD BECAUSE THE FRONT DOOR MAY BE ON THE WATER, THE NORTH SIDE. THOUGH THAT FRONT DOOR ORIENTATION IS NOT CLEAR IN THE FIELD.

THIS ENTIRE AREA IS AN IDA AREA, AN INTENSELY DEVELOPED AREA FOR CRITICAL AREA PURPOSES. CRITICAL AREAS DATE FROM STATE WIDE LEGISLATION IN 1988, WHICH PROTECT'S THE CHESAPEAKE BAY AND ITS TRIBUTARIES, INCLUDING BACK RIVER IN THESE CASES.

ALL PUBLIC UTILITIES ARE PRESENT WITH PUBLIC WATER AND SEWER IN THE RIGHT OF WAY OF RIVER VIEW DRIVE ROAD. THERE IS ALSO GAS IN THE ROADBED AND ELECTRICITY AND PHONE LINES. THIS FRONTAGE AREA WAS FINALLY PROVIDED WITH PUBLIC SEWER IN 1949. THUS, 1949 TO 1971 WAS THE 22 YEAR WINDOW TO USE THE R6 ZONING ON RIVER VIEW DRIVE ROAD. EVERY LOT OWNER FROM 3100 TO 3210 DID EXCEPT 3108A, LOT 13.

**3108A IS THE LOT ORPHAN**. IT HAS NEVER BEEN DEVELOPED. THE CONTRACT PURCHASER BARRY KOLUCH PROPOSES A TWO STORY 30 BY 48 FOOT HOUSE, ABOUT 2880 SF WITH A FRONT PARKING PAD AND THE REQUIRED 10 FOOT SIDE YARDS, CLOSER TO THE ROAD THAN 3108.

#### **VARIANCE REQUESTS 3108 RIVER DRIVE ROAD**

THERE ARE THREE VARIANCE REQUESTS FOR 3108:

- 1. A 50 FOOT LOT FOR A 55 FOOT LOT;
- 2. A 5 FIVE FOOT SIDE YARD ON THE WEST SIDE FOR THE REQUIRED 10 FEETAGAINST 3106, ( I SCALE IT AT 7.5 FEET AS BUILT); AND
- 3. AN EXISTING GARAGE ON THE WATER SIDE IN THE FRONT YARD. (4)

SINGLE VARIANCE REQUEST FOR 3108A RIVER DRIVE ROAD

THE ONLY VARIANCE REQUEST FOR 3108A, IS A 50 FOOT LOT FOR THE REQUIRED 55 FOOT LOT WIDTH.

#### THE NEIGHBORHOOD FOR ZONING PURPOSES

THE NEIGHBORHOOD OF LYNCH POINT IN EDGEMERE IS ENTIRELY SINGLE FAMILY HOMES ON 50 FOOT LOTS, ALONG RIVER VIEW DRIVE ROAD FROM 3100 TO 3210, AND FOR THAT MATTER IN THE REST OF THE DEVELOPMENT.

THE NEIGHBORHOOD FOR ZONING PURPOSES, IN THIS WITNESSES'
OPINION, IS THE ENTIRE NORTHWEST SIDE OF RIVER VIEW DRIVE ROAD, WITH
SINGLE FAMILY WATERFRONT HOMES FROM 3100 TO 3210, INCLUDING 3108
AND THE VACANT 3108A.

3108 A IS THE ONLY UNDEVELEOPED LOT ON THIS NORHTWEST OF RIVER DRIVE ROAD. FROM 3100 TO 3210.

3108A IS AN ORPHAN IN EVERY WAY, IN BEING UNDEVELOPED, IN BEING VACANT, IN HAVING NO STREET NUMBERING, IN BEING BRANDED WITH THE MARK OF CAIN, AND THE ADJACEN T PROPERTIES ARE 3108 AND 3110.

#### THE ZONING ADVISORY COMMITTEE COMMENTS

THESE TWO PROPERTIES HAVE BEEN DIVIDED INTO TWO CASES, 2016-0316-A (1308) AND 2016-0317-A (1308A) REFLECTING THE SEPARATE NATURE OF THE TWO LOTS, THE ESSESENCE OF THE REQUESTED RELIEF.

AS TO 3108, THE ZAC COMMENTS OF JULY 7, 2016, ONLY SAY NO OBJECTION, WITH THE PROVISO THAT ANY NEW STRUCTURE IN THENEWLY ESTABLISHED REAR YARD, IE. ON THE STREET SIDE OF THE HOUSE MEET THE 30 FOOT REAR YARD/STREET BUILDING LINE SETBACK.

OF COURSE, THE PROVISIONS OF SECTION 304.1' MUST BE MET TO THE SATISFACTION OF THE ADMINISTRATIVE LAW JUDGE. (5)

BASED ON THE SAME COUNTY SITE VISIT OF JUNE 24<sup>TH</sup>, THE SAME PROVISO IS MADE AS **TO 3108 A**, MEET THE 30 FOOT REAR YARD REQUIREMENT, AND **SECTION 304.1 COMPLIANCE AS REVIEWED BY THE ADMINISTRATITVE LAW JUDGE.** 

#### SECTION 304.1 OF THE BCZR

AS THE ZAC COMMENTS POINT OUT, SECTION 304.1 OF THE BCZR COVERSTHESE TWO CASES, AND IS THE PRIMARY CORE OF THE PETITIONER'S CASE.

#### **SECTION 304.1 PROVIDES:**

"EXCEPT AS PROVIDED IN SECTION 4A03, A ONE FAMILY DETACHED OR SEMIDETACHED DWELLING MAY BE ERECTED ON A LOT HAVING AN AREA OR WIDTH AT THE BUILDING LINE LESS THAT REQUIRED BY THE AREA REGULATIONS CONTAINED IN THESE REGULATIONS IF:

- A. SUCH LOT SHALL HAVE BEEN DULY RECORDED EITHER BY DEED OR IN A VALIDLY APPROVED SUBDIVISION PRIOR TO MARCH 30,1955;
- B. ALL OTHER REQUIREMENTS OF THE HEIGHT AND AREA REGULATIONS ARE COMPLIED WITH; AND
- C. THE OWNER OF THE LOT DOES NOT OWN SUFFICIENT ADJOINING LAND TO CONFORM TO WIDTH AND AREA REQUIREMENTS CONTAINED IN THESE REGULATIONS."

#### REASONS FAVORING GRANTING ZONING VARIANCES REQUESTED

FOR SOME UNKNOWN REASONS, 3108 A WAS NEVER BUILT UPON PRIOR TO THE CHANGE FROM R6 TO DR 5.5 ON THE 1971 ZONING MAPS, PURSUANT TO BILL 100 OF 1970.

#### CONSIDER THE FOLLOWING:

1. "A CITIZEN'S GUIDE TO PLANNING AND ZONING" SHOWS THE DENSITY RESIDENTIAL ZONES FROM DR 1 TO DR16. (6)

- 2. THE GUIDE NOTE STATES "DR 1, 2, 3.5, 5.5, 10.5&16- permit low, medium and high density urban residential development. Numeral in each classification indicated maximum number of units per acre. No standard unit lot size is required except for small tracts."
- 3. THE R6 ZONE AT 6000 SF REQUIRED LOT AREA PERMITTED A GREATER DENSITY, WITH 50 FOOT LOTS, NAMELY 43,560 DIVIDED BY 6000 PERMITTED, SLIGHTLY OVER 7 UNITS TO THE ACRE.
- 4. THE DR 5.5 ZONE PERMITS FEWER UNITS PER ACRE, 5.5 LOTS, HENCE, THIS IS ONE REASON BEHIND THE 55 FOOT LOT REQUIREMENT IN DR 5.5.

#### **SECTION 304.1 REQUIREMENTS MET**

IN THIS WITNESSES' VIEW, SECTION 304.I COMPLIANCE PERMITS 50 FOOT LOT WIDTHS IN LIEU OF THE REQUIRED 55 FEET IN BOTH OF THESE CASES, BECAUSE:

- THE SUBDIVISION WAS RECORDED AND PLATTED 28 YEARS BEFORE MARCH 30, 1955, NAMELY IN APRIL, 1926, AND IS FOUND AT PLAT BOOK 8, FOLIO 38.
- 2. ALL OTHER REQUIREMENT OF THE HEIGHT AND AREA REQUIREMENTS ARE MET AS IN 3. BELOW, EXCEPT FOR 3108 BUILT IN 1950 IN AN R6 ZONE.
- 3. HERE PROPOSED LOT 3108A NEED S ONLY THE 50 FOOT LOT WIDTH VARIANCE. WHILE, 3108 NEEDS A 5 FOOT FOR 10 SIDEYARD VARIANCE AGAINST 3106 (AND THESE TWO HOUSES ARE OFFSET. 3106 IS MUCH CLOSER TO THE STREET) AND IT WOULD CONSTITUTE PRACTICAL DIFFUCULTY AND UNREASONABLE HARDSHIP TO MOVE THE 1950, 3108, HOUSE 5 FEET TO THE LOT CENTER ON 3108. ALSO REQUESTS FOR A 50 FOOT LOT WIDTH FOR 55 FEET IN THE DR 5.5 ZONE, AND AN ACCESORY BUILDING, THE GARAGE IN THE FRONT YARD, ARE REQUESTED.

- 4. IT IS UNCLEAR WHICH IS THE FRONT SIDE AT 3108, THE STREET SIDE OR THE WATER SIDE, VARIANCE ASKED FOR AS A PRECAUTION.
- 5. IT IS A TOSSUP WHETHER **3108** HAS A FRONT TOWARD THE WATER OR TOWARD THE STREET; HENCE THE TWO CAR GARAGE MAY BE IN THE REAR YARD AS REQUIRED PER FIELD INSPECTION. WHILE ON **3108A** (THE LEGAL OWNERS THE WILLIAMS'OWN 3108A, WITH THE CONTRACT PURCHASER, MR, KOLUCH), IT WOULD REQUIRE A MINOR SUBDIVISON TO MOVE THE LOT LINE 5 FEET CLOSER ON THAT SIDE, MAKING 3108A FURTHER DEFICIENT, AGAIN PRACTICAL DIFFICULTY AND UNREASONABLE HARDSHIP. ROBBING PETER TO PAY PAUL. THE ONLY VARIANCE REQUEST IS FOR A 50 FOOT LOT WIDTH, OLD R6, FOR THE 55 FOOT LOT WIDTH REQUIRED BY DR 5.5.
- 6. THIS IS NOT SELF CREATED HARDSHIP FORBIDDEN AND CONDEMNED BY MANY MARYLAND CASES INCLUDING" CROMWELL V. WARD"102 Md. App. 691, AND 651 A2d 424 (1995), AND OTHERS BECAUSE:
- 7. BOTH LOTS WERE RECORDED IN 1926, "LYNCH POINT" IN PLAT BOOK 8, FOLIO 38. THIS COMPLIES WITH SECTION 304.1 A, YEARS BEFORE MARCH OF 1955. **ON 3108** THERE IS AN EXISTING HOUSE BUILT IN 1950, AND SITED PER THE R6 REQUIREMENTS. **ON 3108A**, A TWO STORY, 30 BY 48 FOOT HOUSE IS PROPOSED, BY MR.KOLUCH, CLOSER TO THE STREET THAN 3108, WITH THE ONLY VARIANCE NEEDED OR REQUESTED A 50 FOOT LOT WIDTH FOR THE DR 5.5 55 FOOT WIDE LOT WIDTH REQUESTED.
  - 9, AS FOR AREAS, **3108** IS SHOWN ON THE SITE PLAN BY SITE RITE, DATED MAY 18,2016, AS 50 FEET WIDE BY 169, 8450SF, .194 ACRES; WHILE **3108A** IS 50 FEET WIDE BY 151, THAT IS 7550SF, .174 ACRES. THESE AREAS ARE WELL OVER 6000SF REQUIRED IN R6 AND DR 5.5, THUS, 304.1B. IS MET, EXCEPT FOR THE 5 FOOT, OLD R6, SIDEYARD ON 3108 AND THE GARAGE QUESTION ON 3108. **(8)**

- 10. THE LOT AT 3108A MAY HAVE NOT PASSED PERC TESTS BEFORE PUBLIC SEWER CAME TO THESE WATERFRONT AREAS, USUALLY AFTER PUBLIC WATER. SANITARY SEWER CAME IN 1949, AND PUBLIC WATER WAS ALREADY THERE. SEE THE SITE PLAN.
- 11. THE **3108A** LOT IS THE ONLY UNDEVELOPED WATER FRONT LOT ON RIVER VIEW DRIVE ROAD ALONG THIS STRETCH OF BACK RIVER; THAT IS ON THE EVEN SIDE, FROM 3100 TO 3210, MY DEFINITION OF THE ZONING NEIGHBORHOOD.
- 12.3108A IS PRIVATELY OWNED AND IT SKOULD NOT BE USED FOR PUBLIC OPEN SPACE, RECREATION OR WATER ACCESS, NOR IT HAS BEEN USED BY THE WILLIAMS' FOR ANY APPROVED PURPOSE, UNLIKE SOME OF THE MERGER CASES, INCLUDING." MUELLER V. PEOPLE(S) COUNSEL FOR BALTIMORE COUNTY"177 Md. App. 41 (2007). THE LOTS HAVE NOT BEEN MERGED.
- 13. TO DENY THE VARIANCES IS COUNTER TO THE RULES FAVORING AT LEAST ONE REASONABLE USE FOR ALL LAND, PREFERABLY A SINGLE FAMILY DWELLING, THE FAVORED USE IN RESIDENTIAL ZONES, SUCH AS THE DR 5.5 HERE AS TO 3108A, AND COUNTER TO THE RULE FAVORING THE ALIENABILITY OF LAND, AS TO BOTH 3108 AND 3108A. SEE CROMWELL V. WARD, 102 Md, App. 691, 651 A2ND 424 (1995), MUELLER V. PEOPLES COUNSEL, 177 Md. App. 43 (2007), AND OTHER CASES.
- 14. IN CASE 96-51 -A, THEN COMMISIONER SCHMIDT GRANTED AN ADMINISTRATIVE VARIANCE OF A 6 FOOT SIDE YARD FOR 10 FEET REQUIRED, AT 7008 RIVER DRIVE ROAD. (9)

15. IN CASE **95-81-A**, AGAIN, COMMISSIONER SCHMIDT GRANTED A REAR YARD VARIANCE OF 2.5 FEET FOR THE REQUIRED 30 FEET IN ANOTHER ADMINISTRATIVE VARIANCE FOR 7118 RIVER DRIVE ROAD.

THE VARIANCE REQUIREMENTS OF SECTION 307.1 ARE MET SECTION 307.1 OF THE BCZR SETS OUT THE ONLY AUTHORITY TO GRANT VARIANCES.

AS TO 3108, 3108 IS THE ONLY LOT FROM 3100 TO 3210 WHICH HAS A CONTIGUOUS LOT IN DIFFUCUCULTY DUE TO THE CHANGE TO DR 5.5 IN 1971.

IT IS HIGHLY UNLIKELY THAT THE VAUGHANS IN 1971 MADE A CONSCIOUS DECISION TO LET LOT 13, 1308A, BE SUBJECTED TO ITS DETRIMENT TO THE NEW, MORE STRINGENT REQUIREMENTS OF THE DR 5.5 ZONE.

FOR SOME UNKNOWN REASONS, NONE OF THE OWNERS OF LOT 13 DECIDED AFTER 1949 TO BUILD ON IT.

IN 1949, NO ONE COULD HAVE PREDICTED THAT BILL 100 IN 1970 WOULD COMPLETELY CHANGE ALL OF THE R ZONES, AND DO AWAY WITH THEM.

TO ERR ON THE SIDE OF CAUTION, THE PETITIONERS ARE ALSO SHOW ING HOW THE REQUIREMENTS OF SECTION 307.1 ARE MET IN BOTH OF THESE CASES, 3108 AND 3108A ARE UNIQUE.

TO LET THEM REMAIN IN THEIR UNIQUENESS IS CONTRARY TO FOSTERING OWNER SHIP AND COMPLETION OF THE STRIP FROM 3100 TO 3210, PARTICULARLU LOT 13, and 3108A IS SUBMERGED BY PRACITICAL DIFFUCULTY AND UNREASONABLE HARDSHIP. IT HAS THE MARK OF CAIN ON IT.

ALLOWING MR. KOLUCH TO DEVELOP LOT 13, 3108A WIL LIFT THIS HEAVY AND DISABLING MARK OF CAIN.

ALLOWING DEVELOPMENT ON LOT 13, 1308A IS IN STRICT HARMONY
WITH THE SPIRIT AND INTENT OF THE REGULATIONS, NAMELY AREA, FORMERLY

A 50 FOOT R6 LOT NOW IN DR 5.5 REQUIRING A 55 FOOT LOT WIDTH. IF SO REQUIRED, 3108A WOULD BE THE ONLY ONE IN FRONTAGE LOTS FROM 3100 TO 3210 TO BE SO REQUIRED.

RELIEF CAN BE GRANTED IN THIS ADVERTISED AND POSTED PUBLIC HEARING.

THE PUBLIC HEALTH, SAFETY AND PUBLIC WELFARE OF THIS EEDGEMERE COMMUNITY WILL IN NO WAY BE IMPAIRED BY THIS RELIEF, IT WILL ONLY COMPLETE3100 TO 3210. MR. KOLUCH REDEVELOPED HIS OWN PROPERTY ON RIVER ROAD, AND HE ASKS THE SAME RELEIF ON 3108A.

MUELLER V.PEOPLE(S) COUNSEL 177 Md. App. 43 (2007) A VIRTUAL PRIMER ON BALTIMORE COUNTY ZONNING AND SMALL LOTS

IN 2007, **THE" MUELLER CASE"** SUPRA, WAS REVIEWED BY THE COURT OF SPECIAL APPEALS, AND LIKE **CROMWELL V. WARD**, SUPRA, IS A VIRTUAL PRIMER FOR OLDER SUDIVISIONS ON THE WATER IMPACTED BY THE NEW DR ZONES OF 1971.

MUELLER INVOLVED LOTS 66 AND 67 IN BAUERNSCHMIDT MANOR. IN 1948, THE ELDER MUELLERS HAD BUILT A SINGLE SUMMER HOME ON LOT 66. SUBSEQUENTLY, IN 1960, THE MUELLERS BOUGHT AN ADJOINING UNDEVELOPED LOT AT LOT 67.

IN 1971 THE ENTIRE AREA WAS PLACED IN A DR 3.5 ZONE, REQUIRING A MINIMUM LOT WIDTH OF 70 FEET AND AN AREA OF 10,000 SF.

IN 1979, A YOUNGER MUELLER ACQUIRED BOTH LOTS FROM HIS PARENTS.
IN 2004, THE YOUNGER MUELLER SOUGHT A LOT WIDTH VARIANCE AND AN AREA
VARIANCE FOR LOT 67.

ONE OF THE PRIMARY ISSUES WAS, HAD THE ELDER MUELLERS OR THE YOUNGER MUELLER MERGED THE 2 LOTS BY CERTAIN USES OF LOT 67 IN SERVICE OF LOT 66. (11)

THE BOARD OF APPEALS GRANTED THE VARIANCES, WHICH WAS REVERSED ON APPEAL TO THE CIRCUIT COURT, AND THEN REVIEWED BY THE COURT OF SPECIAL APPEALS. IN JUDGE HOLLANDER'S COMPREHENSIVE OPINION, THE COURT SENT THE CASE BACK TO THE BOARD; WITH JUDGE HOLLANDER WRITING A VIRTUAL TREATISE ON MERGER AND OTHER ISSUES, AS HAD JUDGE CATHELL IN CROMWELL V. WARD. SUPRA.

IN FOOTNOTE 22, IN THE MUELLER CASE, JUDGE HOLLANDER INDICATES THAT THE BOARD ACTED UNDER SECTION 304.1, AND, THUS, THE COURT NEED NOT ADDRESS THE UNIQUENESS REQUIREMENT OF SECTION 307. THIS MAY NOT BE SO.

IN ANY CASE, IN THESE CASES, WE HAVE SHOWN THAT IN THE ZONING NEIGHBORHOOD, LOT 3108A IS THE ONLY UNDEVELOPED LOT FROM 3100 TO 3210 RIVER VIEW DRIVE ROAD, WHICH SURELY MAKES IT UNIQUE FOR THE PURPOSE OF SECTION 307.1 OF THE REGULATIONS.

IN SUMMARY, ON NOVEMBER 10, 2008, RYAN AND LAURA WILLIAMS ACQUIRED LOTS 12 AND 13 BY DEED FROM MARTIN AND ISETTA HARMON, WHICH DEED IS IN EVIDENCE.

THE DEED MADE NO REFERENCE TO STREET ADRESSES OR AS TO ANY IMPROVEMENTS OR LACK THEREOF. THE DEED IDENTIFIED LOTS 12 AND 13 AS SEPARATE LOTS ON THE PLAT OF LYNCH POINT. THIS DEED IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 274521 AT FOLIO 178

THESE LOTS HAVE GONE THROUGH A NUMBER OF OWNERS IN SUCESSION AS TO LOT 12, 3108:

1948, MATTHEW KECK AND WIFE, BY WILL TO:

**1967** ROBERT F. HOOPE, WHO ADDED HIS WIFE, DEEDED ON

MARCH 21, 1970, TO DIOONISIS J. GUIDI AND WIFE; DEEDED IN TURN IN MARCH OF 1979 TO DAVID J. PUGH AND WIFE.

IN APRIL 2004, THE PUGHS DEEDED TO MARTIN HARMON AND WIFE; WHO IN TURN IN NOVEMBER, 2008, DEEDED TO THE WILLIAMS, RYAN AND LAURA, THE LEGAL OWNERS, WITH MR. KOLUCH NOW THE CONTRACT PURCHASER OF 1308A.

**AS TO LOT 13, 3108A,** FRANCES E. VAUGHAN, WIDOW, DEEDED IT TO DAVID J, PUGH AND WIFE, **IN NOVEMBER, 1979.** 

WE CAN FAIRLY DRAW AN INFERENCE THAT THE VAUGHANS OWNED LOT 13, IN 1971, WHEN THE ZONING CHANGED FROM R6 TO DR 5.5. THE HUSBAND AUSTIN W. VAUGHAN DIED JULY 30.1975. THE VAUGHANS MISSED THE BOAT IN 1971, AND, PROBABLY, DID NOT EVEN KNOW THE R6 LOT WAS PROPOSED TO BE CHANGED TO DR 5.5; THIS WAS THE FIRST OF NEW QUADRENNIAL MAP CYCLES.

DURING THE EVERY FOUR YEAR, COMPRHENSIVE MAPPING PROCESS, IT IS A FULLY PUBLIC PROCESS. THE WORLD AT LARGE IS CHARGED TO KNOW THAT EACH AND EVERY PROPERTY IN BALTIMORE COUNTY IS SUBJECT TO REVIEW BY THE PLANNING STAFF, THE PLANNING BOARD AND, ULTIMATELY, BY THE COUNTY COUNCIL, WHICH MAKES THE FINAL DECISIONS.

THERE ARE MANY MAP ISSUES IN EACH CYCLE, AND PUBLIC HEARINGS ARE HELD IN EACH OF THE SEVEN COUNCIL DISTRICTS. AT THIS VERY MOMENT, THE PRESENT COUNCIL IS IN THE PROCESS OF COMPLETING THE 2016 MAPPING CYCLE.

IN 1971, THE NEW ZONING SCHEMES AND ZONES OF BILL 100 1970 WERE REVIEWED. PREVIOUSLY, ONLY LIMITED COUNTY AREAS HAD BEEN PERIODICALLY REVIEWED AND ZONED BY EARLIER COUNCILS, BUT NEVER THE ENTIRE COUNTY AT ONE TIME,

#### A RECLASSIFICATION CASE BEFOR QUARENNIAL ZONING

THIS WITNESS AND JIM NOLAN SUCCESSFULLY REZONED BY A RECLASSIFICATION CASE, THE NORTHEAST CORNER OF YORK AND RIDGELY ROADS, PRIOR TO 1971. (13)

THE CASE WAS A SUCCESSFUL EFFORT TO PLACE A FORD MOTOR COMPANY DEALERSHIP ON THE SITE. THAT CASE WAS SUCCESSFUL, IN LARGE PART,

BECAUSE THE ENTIRE STRETCH OF YORK ROAD HAD CHANGED SINCE THE AREA

WAS LAST ZONED A NUMBER OF YEARS BEFORE. WE WERE ABLE TO SHOW

NUMEROUS CHANGES ALONG BOTH SIDES OF YORK ROAD IN THIS AREA.

CHANGE IN THE NEIGHBOR HOOD IS ONE GROUND FOR PIECEMEAL ZONING CHANGES IN MARYLAND AND THE OTHER IS ERROR IN THE ORIGINAL ZONING PLACEMENT BY THE COMPETENT ZONING ENTITY.

WITH QUADRENNIAL ZONING IN BALTIMORE COUNTY, CHANGE IN THE NEIGHBORHOOD IS GREATLY REDUCED, IN THE SHORT PERIOD OF FOUR YEARS NOT MUCH HAPPENS; AND MISTAKE IS HARDER TO SHOW BECAUSE PROPERTIES ARE CLOSELY REVIEWED BY THE PLANNING STAFF, PLANNING BOARD AND COUNTY COUNCIL IN A YEAR LONG PUBLIC PROCESS EVERY FOUR YEARS.

#### **BILL 100 IN 1970 AND THE NEW ZONES**

BILL 100 WAS THE SOURCE OF THE THEN NEW, DR ZONES IN 1971, REPLACING THE 1945, RA, RG, R6, R10, R20 AND R40 RESIDENTIAL ZONES.

THIS WITNESS WAS A PARTICIPANT IN THE 1971 MAPPING PROCESS, HAVING BEEN ADMITTED TO THE MARYLAND BAR IN 1965. AS THE NEW TESTAMENT SAYS THERE WAS "MUCH GRINDING AND GNASHING OF TEETH" THROUGHOUT AND, PARTICULARLY AFTER THE PROCESS IN 1971.

THE COUCIL IN 1971 HAD A SOMEWHAT BLANK SLATE, WITH NEW DR ZONES PARTICULARLY IN THE RESIDENTIAL AREAS, AND EVEN MORE SO IN WATERFRONT COMMUNITIES, PRIMARLY IN THE SIXTH AND SEVENTH COUNCIL DISTRICTS.

THE LARGER BAY ESTUARIES IN PLAY WERE BEAR CREEK IN DUNDALK, BACK RIVER UP ITS ENTIRE LENGTH TO PULASKI HIGHWAY AND MIDDLE RIVER FROM MARTINS TO THE BAY. (14)

**BACK RIVER AND EDGEMERE NINETY YEARS AGO** 

BACK RIVER IN 1926 WAS A MUCH DIFFERENT WATERWAY THAN IT IS TODAY. AFTER WORLD WAR I, ABEL WOLMAN, A WORLD FAMED SANITARIAN, (FOR WHOM THE CITY PUBLIC WORKS BUILDING IS NAMED) WAS STRIVING TO SEWER BALTIMORE CITY. ONE OF THESE EFFORTS REQUIRED THE BACK RIVER SEWERABGE TREATMENT PLANT ON EASTERN AVENUE IN ESSEX. IT WAS SUSTAINED BY THE COURT OF APPEALS IN 1921 OR SO.

IN 1918, BALTIMORE CITY REDREW ITS BOUNDARIES TO THE WEST, NORTH AND EAST, MOVING OUT FREDERICK ROAD, TAKING IN MOST OF MOUNT WASHINGTON( WHERE THIS WITNESS LIVES)AND GENERALLY EXPANDING THE CITY AS IT HAD GROWN FROM COLONIAL TIMES TO POST WORLD WAR I

IN 1952, WHEN THIS WTNESS MOVED TO THE BALTIMORE AREA, THE CITY WAS IN THE ASCENDANT WITH ABOUT 930,000 RESIDENTS, AS COMPARED TO ABOUT 630,000 TODAY.

THE CITY HAS DISPERSED MANY OF ITS RESIDENTS TO HOWARD COUNTY, CARROL COUNTY, YORK COUNTY, HARFORD COUNTY AND ANN ARUNDEL COUNTY, AND EVEN FURTHER. TODAY BALTIMORE COUNTY IS ALMOST 100 YEARS FROM THE 1918 CITY EXPANSION; AND THE COUNTY HAS ABSORBED MUCH OF THE DIASPORA FROM BALTIMORE CITY.

#### **EDGEMERE IN 1926**

IN 1926, MANY SPARROWS POINT WORKERS COMMUTED TO WORK VIA A STREETCAR LINE FROM THE CITY. THE POINT WAS ALSO SERVED BY NORTH POINT ROAD. OF COURSE, THERE WAS NO BELTWAY, KEY BRIDGE AND OTHER MEANS OF HIGHWAY TRANSIT UNTIL WELL INTO THE 1970'S. AUTOMOBILES WERE JUST BEGINNING TO CHANGE TRAVEL TO WORK AND OTHER DESTINATIONS IN THE 1920'S. THE STATE ROADS COMMISION DATES FROM 1901 OR SO.

HENRY FORD AND OTHERS CHANGED AMERICA AND THE WORLD FOREVER.
(15)

IN 1926, EDGEMERE WAS JUST UNFOLDING, HENCE THE LYNCH POINT PLAT WITH 50 FOOT AND 25 FOOT LOTS ON THE INTERIOR WHICH REQUIRED AS TO 25

FOOT LOTS ASSEMBLY INTO BUILDING LOTS. THERE ARE 75 FOOT LOTS, NOW COMMERCIAL LOTS ALONG NORTH POINT ROAD ON THE LYNCH POINT PLAT.

PER ONE SOURCE, THE SPINE OF EDGEMERE, NORTH POINT ROAD IS AT ABOUT ELEVATION 20 ABOVE SEA LEVEL, IN MARYLAND LINE, THE MASON DIXIE LINE, MARYLAND/ PENNSYLVANIA BORDER, THE ELEVATION IS ON THE ORDER OF 800 FEET ELEVATION ABOVE SEA LEVEL.

DURING THE 22 YEAR WINDOW FOR R6 DEVELOPMENT FROM PUBLIC SEWER IN 1949 TO THE NEW DR 5.5 ZONE ON THE 1971 MAPS, UNDOUBTEDLY MOST OF THE RIVER VIEW DRIVE ROAD 50 FOOT, R6 LOTS WERE DEVELOPED WITH SINGLE FAMILY HOMES, INCLUDING 3108 IN 1950.

UNFORTUNATELY, THE VAUGHANS MISSED THE BOAT ON LOT 13, 3108A, IN 1971. "MANY ARE CALLED, BUT FEW ARE CHOSEN." EVERYONE ELSE FROM 3100 TO 3210 MADE THE CUT, IN THIS CASE, ONLY THE VAUGHANS REALLY LOST OUT AS TO LOT 13, 3108A.

WE WILL NEVER KNOW WHAT, IF ANYTHING, THE PUGHS DID AS TO 3108A DURING THEIR OWNERSHIP, BUT THERE ARE NO OTHER ZONING CASES SHOWN FROM 3100 TO 3210 IN THE COUNTY RECORDS.

UNLIKE **MUELLER**, SUPRA, WHERE SOME LOT OWNERS HAD MERGED TWO LOTS INTO ONE, IT DOES NOT APPEAR THAT SUCH MERGERS HAVE PLAYED ANY PART HERE ALONG RIVER VIEW DRIVE ROAD. COUNSEL AND THIS WITNESS INSPECTED THIS AREA IN THE FIELD ON JULY 29<sup>TH</sup> AND NO SUCH STRADDLING OF LOTS WAS NOTED, NOR TO BE SEEN. NOR DO THE STREET ADDRESSES INDICATE SUCH LOT MERGER. SEE THE SITE PLANS.

#### **SOME OTHER CASES**

AS TO MERGER, JUDGE CATHEL AND THE COURT OF SPECIAL APPEALS, FOUND LOT MERGER IN A MONTGOMERY COUNTY SITUATION WHERE THE LOT OWNER HAD BUILT AN IN GROUND SWIMMING POOL ON THE DEPENDENT LOT. "REMES V. MONTGOMERY COUNTY," 387 MD. 52. (2005). (16)

AGAIN AS TO MERGER OR INCLUSION, SEE "FRIENDS OF THE RIDGE V.

BG&E CO." 352 MD. 645, 724 A 2ND 34 (1999), INVOLVING THE INCORPORATION

OF ADDITIONAL PARCELS INTO SUBSTATION USE NEAR MAYS CHAPEL.

ON THE ISSUE OF UNIQENESS, SEE RIFFIN 137 Md. App. 922, (1999); AND TRINITY ASSEMBLY OF GOD, 178 Md. App. 232, (2008), WHERIN THE CHURCH ON JOPPA ROAD AT THE BELTWAY SOUGHT A SIGN VARIANCE UNDER THE NEW EXPANDED SIGN REGULATIONS. THE VARIANCE WAS SOUGHT A NEW, LARGE ELECTRONIC CHANGING TEXT SIGN; AND THE COURT FOUND THE CHURCH PROPERTY ON JOPPA ROAD AT THE BELTWAY WAS NOT UNIQUE, SO AS TO MEET THE REQUIREMENTS UNDER SECTION307.1 OF THE REGULATIONS.

THIS WITNESS FORMELY VOTED THERE AT TRINITY ASSEMBLY OF GOD, WHILE LIVING IN SEMINARY RIDGE.

FOUND THE PROPERTY ON PHILADELPHIA ROAD WAS NOT UNIQUE.

AS FOR "CROMWELL V WARD", SUPRA, THE MAIN CASE FAILED ON THE INABILITY OF THE ZONING OFFICE UNDER THE BCZR SIGNING A PERMIT WHICH WAS INADVERTENTLY LATER FOUND TO BE ERRONEOUS. A CLERK AT THE ZONING DESK HAD INCORRECTLY ISSUED THE BUILDING PERMIT, WHEN HE HAD NO SUCH POWER.IT WAS INEFFECTIVE AND" ULTRA VIRES", DESPITE THE FACT THAT THE BUILDING, A TWO BAY GARAGE, WITH A WINE CELLAR BENEATH AND A STORAGE AREA UNDER THE ROOF, HAD BEEN FULLY COMPLETED FOR A YEAR, NOR WAS THERE ANY DEFENSE OF ESTOPPEL AVAILABLE.

THE CASE COULD HAVE BEEN SETTLED BY A CASH PAYMENT TO THE CROMWELLS!

NOW THE WILLIAMS' AND THE CONTRACT PURCHASER BARRY KOLUCH FOR 3108A, ASK TO BUILD THE LAST HOUSE ON ANY LAND AVAILABLE FROM 3100 TO 3210 RIVER VIEW DRIVE ROAD. (17)

THE WILLIAMS REQUESTS FOR 3108 WOULD MAKE THE LOT AND HOUSE CONFORMING, UNLIKE ALL OF THE 50 FOOT PLATTED AND DEVELOPED, UNDER THE PREVIOUS R6, NOW DR 5.5 DEVELOPED LOTS ON RIVER VIEW DRIVE ROAD FROM 3100 TO 3210.

BARRY KOLUCH HAS SUCCESSFULLY DONE SUCH DEVELOPMENT ON HIS OWN LOT AT 6920 RIVER ROAD, AND SEEKS TO REPEAT HERE AT 3108A.

IF DEVELOPMENT AS REQUESTED IS PERMITTED PURSUANT TO THE REQUESTED VARIANCES, CRITICAL AREA COMPLIANCE WILL BE ADDRESED AS A PART OF THE PERMIT PROCESS. FOR INSTANCE, RAIN BARRELS CAN BE USED ON THE NEW DOWNSPOUTS ON 3108A.

THIS PART OF LYNCH POINT WILL BE COMPETED BY DEVELOPMENT OF 3108A, AND NO ONE WILL SUFFER ANY HARM FROM THIS RELIEF, ON THE CONTRARY 1308A WILL BE DEVELOPED AS ARE ALL OF THE OTHERS FROM 3100 TO 3210.

ON THE OTHER HAND, IF RELIEF IS NOT GRANTED, 3108A WILL REMAIN AN UNDEVELOPED ORPHAN LOT TO THE DETRIMENT OF THE WILLIAMS, THE KOLUCHS, AND THE ENTIRE NEIGHBORHOOD.

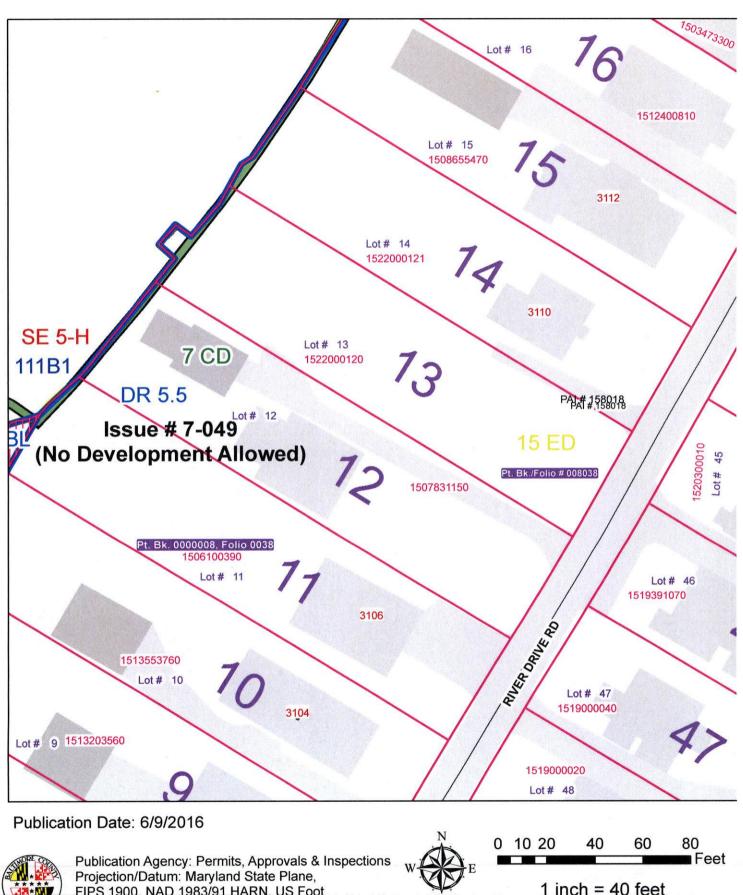
THE SPECIAL EXCEPTIONS, SUCH AS SHELLFISH OPERATIONS WOULD NOT BE APPROPRIATE HERE IN THIS PURELY RESIDENTIAL STRETCH ON A 50 FOOT LOT WHICH CANNOT PROVIDE THE NECESSARY PROTECTION TO EITHER 3108 OR 3110 RIVER VIEW DRIVE ROAD.

RESPECTFULLY SUBMITTED,
Newton O. Williams

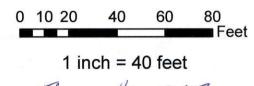
**NEWTON A. WILLIAMS** 

(4670 WORDS)

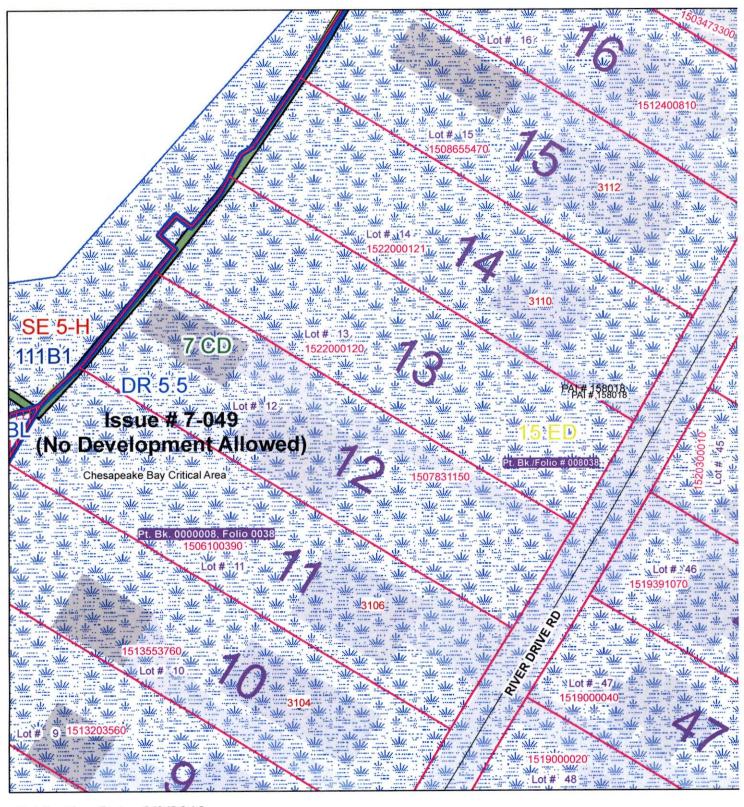
# 3106A River Drive Road, Lot #13



FIPS 1900, NAD 1983/91 HARN, US Foot



# Chesapeake Bay Critica Area

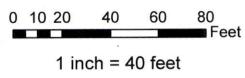


Publication Date: 6/9/2016



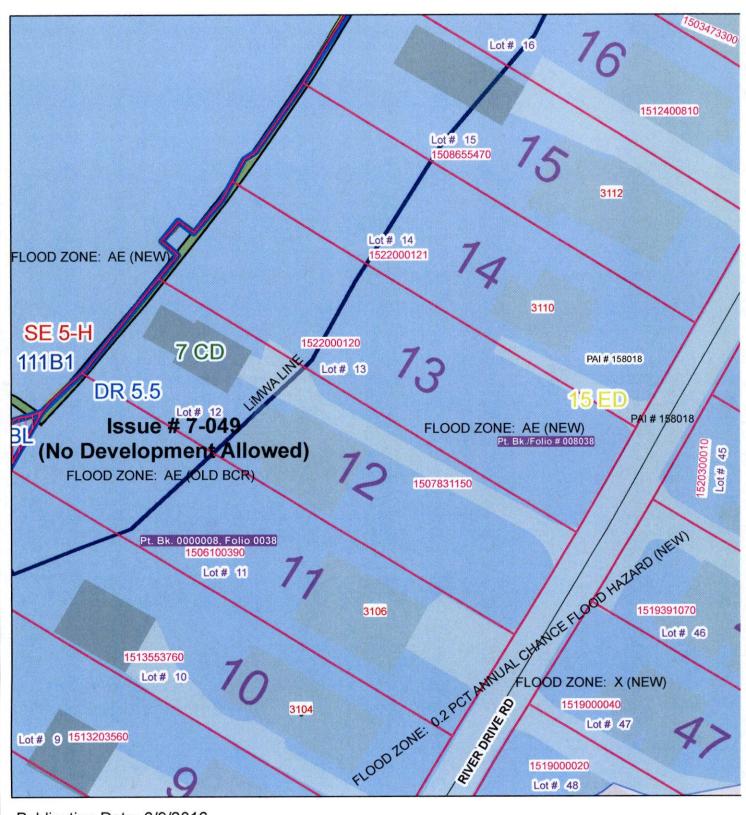
Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





Item#0317

# Flood Hazard Area (F∟MA)

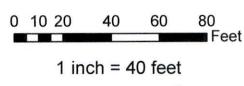


Publication Date: 6/9/2016



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