

## **M E M O R A N D U M**

DATE: August 19, 2019  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2019-0327-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on August 16, 2019. 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.'

/dlw

c: / Case File  
Office of Administrative Hearings

**IN RE: PETITION FOR VARIANCE**

(2692-2698 Paper Mill Road)

10<sup>th</sup> Election District

3<sup>rd</sup> Council District

Robert & Colleen Nelson, *et al*,

*Legal Owners*

Petitioners

\*

\*

\*

\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2019-0327-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Robert and Colleen Nelson, *et al*, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 1A07.8.B.5.a.3 of the Baltimore County Zoning Regulations (“BCZR”) to permit a proposed dwelling with a rear setback of 30 ft. in lieu of the required 50 ft. A site plan was marked as Petitioners’ Exhibit 1.

Robert Nelson and Jeffrey Duerbeck appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

This case involves two unimproved lots created by a minor subdivision plan. The lots are shown as Lot Nos. 2 and 3 on the Hayes Property Plan, identified as PDM #07-077-M and approved in 2007. Due to grade changes across the site and the need to locate well and septic facilities, Petitioners determined the only desirable location for a new dwelling would be as shown on the site plan. The proposed dwelling would straddle the property boundary separating Lot 2 and Lot 3 (each of which is 1.5 acres in size) and be located in the northern portion of the

ORDER RECEIVED FOR FILING

Date 7/17/19

By Sen

tract approximately 200 ft. +/- from Paper Mill Road.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

*Cromwell v. Ward*, 102 Md. App. 691 (1995).

The property has an irregular shape and significant grade changes across the site. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct the proposed dwelling. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition. According to the site plan the nearest home is 220 ft. +/- away and is not visible from the subject property. As such I do not believe granting the request would have any impact upon the community.

THEREFORE, IT IS ORDERED, this 17<sup>th</sup> day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations ("BCZR") to permit a proposed dwelling with a rear setback of 30 ft. in lieu of the required 50 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.

ORDER RECEIVED FOR FILING

Date 7/17/19

By Sen

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/sln

ORDER RECEIVED FOR FILING

Date 7/17/19

By sen





# PETITION FOR ZONING | ARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 2692-2698 PAPER MILL RD. which is presently zoned PC-6

Deed References: 40889/262 10 Digit Tax Account # 2500004057

Property Owner(s) Printed Name(s) ROBERT & COLLEEN NELSON 2500004058

MATHEW & KATHRYN KOZERA

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) BC22: 1A07.8.B.5.a.3 →

TO PERMIT A PROPOSED DWELLING WITH A REAR SETBACK OF 30 FEET IN LIEU OF THE REQUIRED 50 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:  
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

## Contract Purchaser/Lessee:

ROBERT NELSON / COLLEEN NELSON

Name- Type or Print  
Signature Robert Nelson Colleen Nelson

8503 BELONA AVE TOWSON MD

Mailing Address City State

21204, 410-971-3200, 72131@AOL.COM

Zip Code Telephone # Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Date 5/17/19

Mailing Address City State

By Sen

Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

MATHEW KOZERA, KATHRYN KOZERA

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Mathew Kozera Signature #2 Kathryn Kozera

SAME

Mailing Address City State

Zip Code Telephone # Email Address

## Representative to be contacted:

JEFFREY A. DUERBECK

Name - Type or Print

Signature Jeffrey A. Duerbeck

30046 JUDSON LANE DOGSBORO DE

Mailing Address City State

19939, 410-925-6239, JDUERBECK1@GMAIL.COM

Zip Code Telephone # Email Address

CASE NUMBER 2019-0327-1 Filing Date 5/16/19 Do Not Schedule Dates: Reviewer JS

# SECOND CERTIFICATE OF POSTING

**ATTENTION:** SHERRY NUFFER

**DATE:** 7/15/2019

**Case Number:** 2019-0327-A

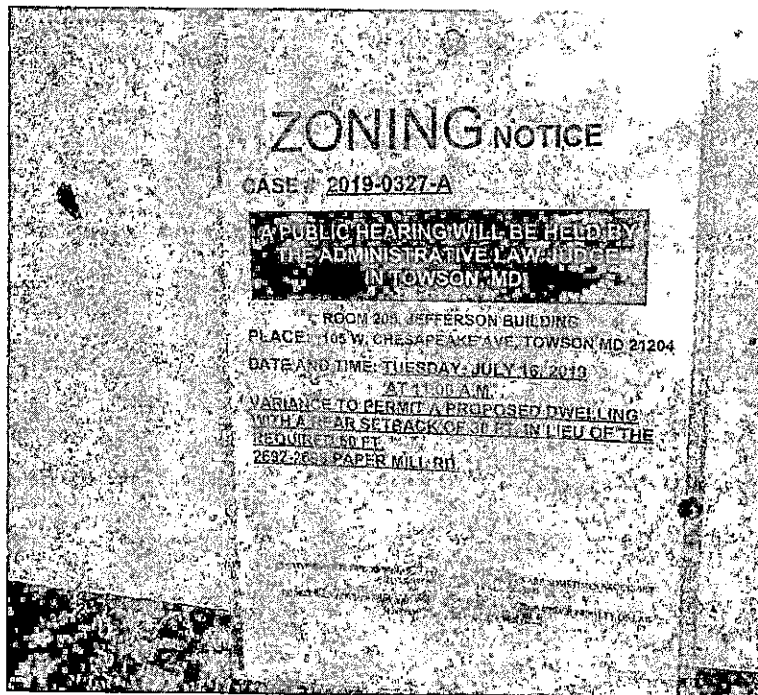
**Petitioner / Developer:** NELSON, KOZERO RESIDENCE ~  
JEFFREY DUERBECK

**Date of Hearing:** JULY 16, 2019

This is to certify under the penalties of perjury that the necessary sign(s)  
required by law were posted conspicuously on the property located at:  
2692-2698 PAPER MILL ROAD

**The sign(s) were posted on:** JUNE 18, 2019

**The sign(s) were re-photographed on:** JULY 15, 2019



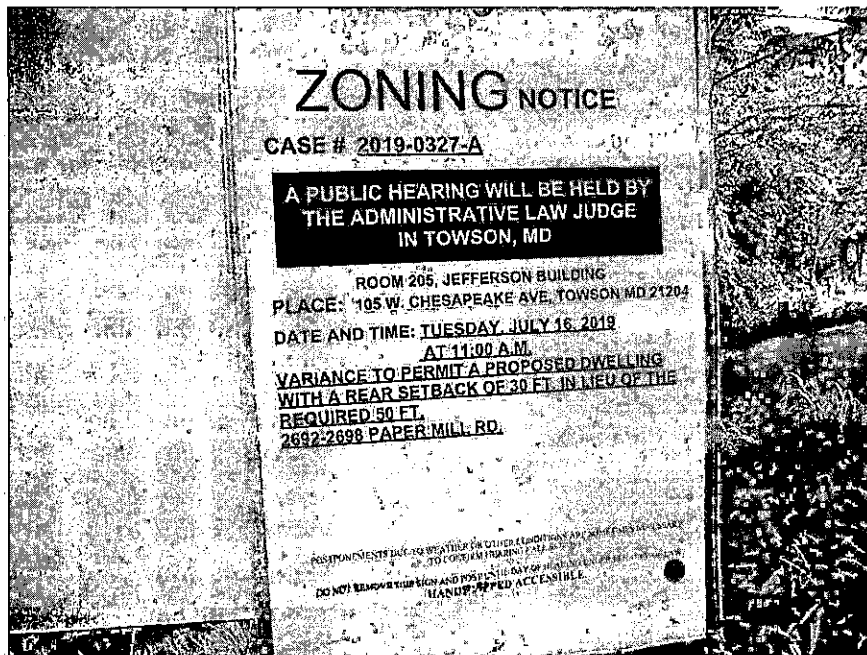
Linda O'Keefe  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

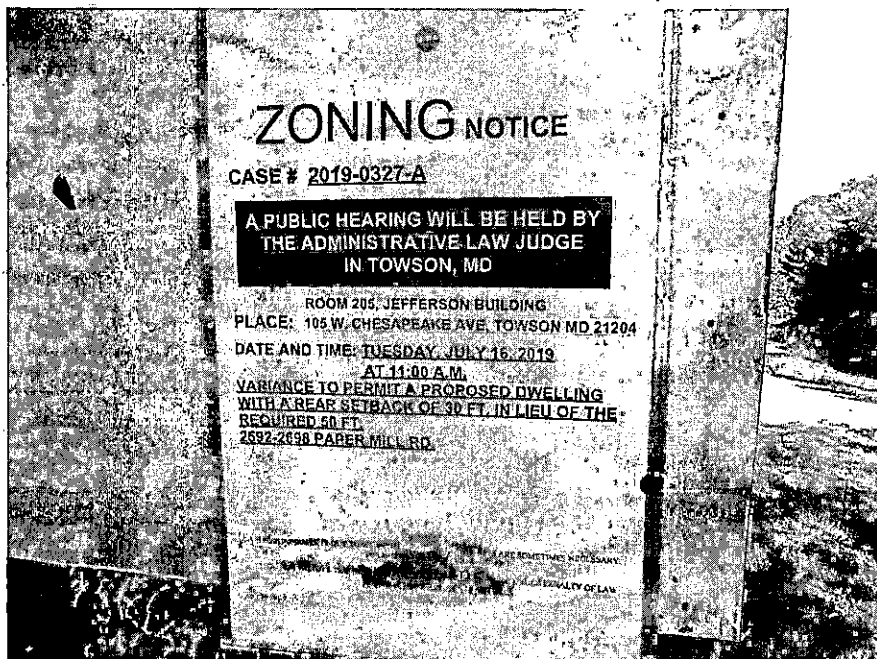
523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030  
(City, State, Zip of Sign Poster)

410 - 666 - 5366  
(Telephone Number of Sign Poster)



Re-Photographed 1<sup>st</sup> Sign @2692-2698 Paper Mill Rd. ~ 7/15/2019



Re-Photographed 2<sup>nd</sup> Sign @ 2692-2698 paper Mill Rd. ~ 7/15/2019

**CASE # 2019-0327-A**



## Sherry Nuffer

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**From:** Linda Okeefe <luckylinda1954@yahoo.com>  
**Sent:** Monday, July 15, 2019 11:07 PM  
**To:** Administrative Hearings  
**Subject:** Paper Mill Rd. Cert. Case # 2019-0327-A  
**Attachments:** Paper Mill Cert..jpeg; Paper Mill Rd.Photos.docx

**CAUTION:** This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,

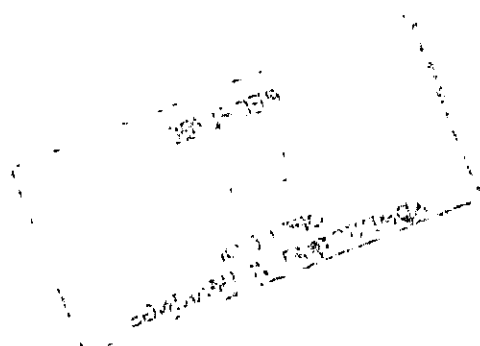
I have attached the Certification and background photos for Case # 2019-0327-A @ 2692-2698  
Paper Mill Rd. for your records  
Have a nice day,

Linda

Linda O'Keefe  
523 Penny Lane  
Hunt Valley MD 21030  
Phone # 410-666-5366  
Cell# 443-604-6431  
Fax# 410-666-0929  
luckylinda1954@yahoo.com







# The Daily Record

11 East Saratoga Street  
Baltimore, MD 21202-2199  
(443) 524-8100

<http://www.thedailyrecord.com>

## PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

6/26/2019

Order #: 11757171  
Case #: 2019-0327-A  
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0327-A



Darlene Miller, Public Notice Coordinator  
(Representative Signature)

### Baltimore County

#### 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: 2019-0327-A

2692-2698 Paper Mill Road

N/w side of Paper Mill Road, n/e of Sunnybrook Road

10th Election District - 3rd Councilmanic District

Legal Owners: Robert & Colleen Nelson, Mathew & Kathryn Kozera

Variance to permit a proposed dwelling with a rear setback of 30 ft. in lieu of the required 50 ft.

Hearing: Tuesday, July 16, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

/s/ Michael Mallinoff

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 410-887-3858.

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

je26

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 6/18/2019

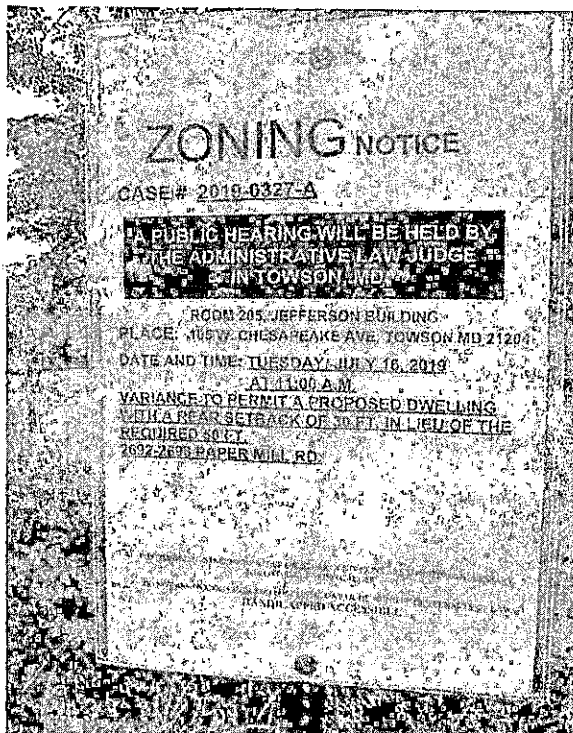
**Case Number:** 2019-0327-A

**Petitioner / Developer:** NELSON, KOZERO RESIDENCE ~  
JEFFREY DUERBECK

**Date of Hearing:** JULY 16, 2019

This is to certify under the penalties of perjury that the necessary sign(s)  
required by law were posted conspicuously on the property located at:  
2692-2698 PAPER MILL ROAD

**The sign(s) were posted on:** JUNE 18, 2019



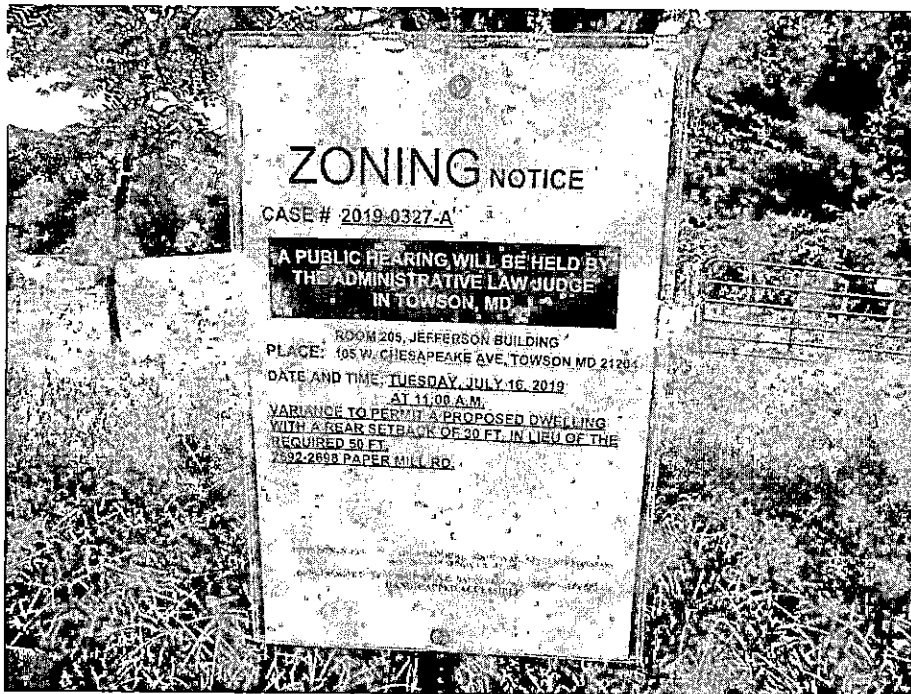
Linda O'Keefe  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

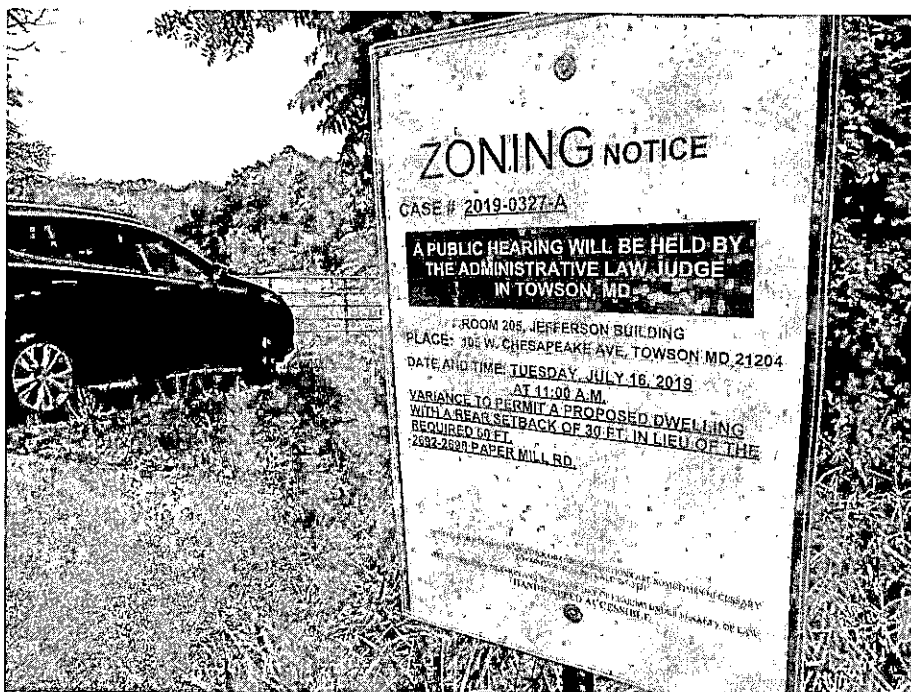
523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030  
(City, State, Zip of Sign Poster)

410 - 666 - 5366  
(Telephone Number of Sign Poster)



Background Photo 1<sup>st</sup> Sign @ 2692-2698 Paper Mill Road 6/18/2019



Background Photo 2<sup>nd</sup> Sign @ 2692-2698 Paper Mill Road 6/18/2019  
CASE # 2019-0327-A



**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW OFFICE**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 twenty (20) 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:**

Case Number: 2019-0377-A

Property Address: 2892/2896 PAPER MILL RD, PHOENIX, MD. 21131

Property Description: VACANT LOT

Legal Owners (Petitioners): ROBERT & COLLEEN NELSON / MATHEW & KATHRYN KOZERO

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: JERED DUERBECK

Company/Firm (if applicable): DUERBECK CONSTRUCTION LLC

Address: 1570 FAIRVIEW BEACH RD. PASADENA, MD. 21122

Telephone Number: 410-299-4460

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.  
*County Executive*

MICHAEL D. MALLINOFF, *Director*  
*Department of Permits,*  
*Approvals & Inspections*

July 7, 2019

Jeffrey A. Duerbeck  
30046 Judson Lane  
Dagsboro DE 19939

RE: Case Number: 2019-0327-A, 2692- 2698 Paper Mill Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 16, 2019. 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel  
Robert Helson 8503 Bellona Ave Towson MD 21204

7-16

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: May 24, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0327-A  
Address 2692-2698 Paper Mill Road  
(Helson & Kozera Property)

Zoning Advisory Committee Meeting of **May 27, 2019**.

X The Department of Environmental Protection and Sustainability has no  
comment on the above-referenced zoning item.

Reviewer: Steve Ford

**MDOT**  
MARYLAND DEPARTMENT  
OF TRANSPORTATION  
STATE HIGHWAY  
ADMINISTRATION

Larry Hogan  
Governor  
Boyd K. Rutherford,  
Lt. Governor  
Pete K. Rahn  
Secretary  
Gregory Slater  
Administrator

Date: 5/22/19

Ms. Kristen Lewis  
Baltimore County Department of  
Permits, Approvals & Inspections  
County Office Building, Room 109  
111 West Chesapeake Avenue  
Towson, Maryland 21204

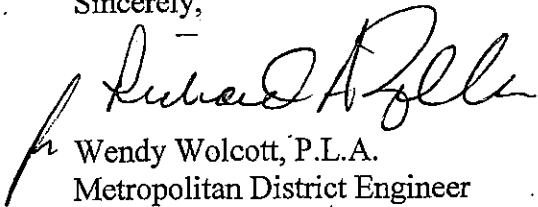
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 5/22/19. A field inspection and internal review reveals that an entrance onto MARYS consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0327-A.

Robert & Colleen Hellson  
Matthew & Katherine Kozera  
2692 2698 Paper Mill Road

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

Sincerely,



Wendy Wolcott, P.L.A.  
Metropolitan District Engineer  
Maryland Department of Transportation  
State Highway Administration  
District 4 - Baltimore and Harford Counties

WW/RAZ



JOHN A. OLSZEWSKI, JR.  
*County Executive*

MICHAEL D. MALLINOFF, *Director*  
*Department of Permits,*  
*Approvals & Inspections*

June 11, 2019

## NOTICE OF ZONING HEARING

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**CASE NUMBER: 2019-0327-A**

2692-2698 Paper Mill Road

N/w side of Paper Mill Road, n/e of Sunnybrook Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Robert & Colleen Nelson, Mathew & Kathryn Kozera

Variance to permit a proposed dwelling with a rear setback of 30 ft. in lieu of the required 50 ft.

Hearing: Tuesday, July 16, 2019 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff", is written over a horizontal line.

Michael Mallinoff  
Director

MM:kl

C: Nelson, Kozero Residence, 8503 Bellona Avenue, Towson 21204  
Jeffrey Duerbeck, 30046 Judson Lane, Dagsboro DE 19939

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 26, 2019.**
- (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: THE DAILY RECORD  
Wednesday, June 26, 2019 - Issue

Please forward billing to:

Jered Duerbeck  
Duerbeck Construction, LLC  
1570 Fairview Beach Road  
Pasadena, MD 21122

410-299-4460

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## NOTICE OF ZONING HEARING

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**CASE NUMBER: 2019-0327-A**

2692-2698 Paper Mill Road

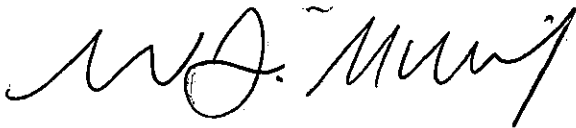
N/w side of Paper Mill Road, n/e of Sunnybrook Road

10<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

|                                                                    |   |                   |
|--------------------------------------------------------------------|---|-------------------|
| RE: PETITION FOR VARIANCE                                          | * | BEFORE THE OFFICE |
| 2692-2698 Paper Mill Rd; NW/S of Papermill                         |   |                   |
| Road, 846' NE of c/line of Sunnybrook Road                         | * | OF ADMINSTRATIVE  |
| 10 <sup>th</sup> Election & 3 <sup>rd</sup> Councilmanic Districts |   |                   |
| Legal Owner(s): Robert & Collen Helson                             | * | HEARINGS FOR      |
| & Mathew & Kathryn Kozera                                          |   |                   |
| Petitioner(s)*                                                     |   | BALTIMORE COUNTY  |
|                                                                    | * | 2019-327-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  
MAY 28 2019

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

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 23<sup>rd</sup> day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Duerbeck, 30046 Judson Lane, Dagsboro, DE, 19939, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

AG TAX # 12,000.00 SURCHARGE \$ 3000.00

INITIALS AGn DATE 11-14-2018

CODED F

**DEED**

|               |                 |
|---------------|-----------------|
| REVIEWED SDAT |                 |
| <u>BY</u>     | <u>11-14-18</u> |
|               | DATE            |

After recording please mail to:  
Cole Title & Escrow, Inc.  
1925 York Road  
Timonium, MD 21093

File No.: 18y160  
Tax ID No.: 25-00-004057

THIS DEED, made this 9th day of November, 2018, by and between JAMES L. HAYS IV, party of the first part, and ROBERT L. NELSON JR, COLLEEN R. NELSON, MATTHEW D. KOZERA, and KATHRYN N. KOZERA, parties of the second part.

WITNESSETH, that in consideration of the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00); and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part do grant and convey unto the parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple all that property situate in Baltimore County, State of Maryland, described as follows, that is to say:

**LOT 2**

**HAYS PROPERTY**

**1.500 ACRES OF LAND**

**BALTIMORE COUNTY, MARYLAND**

ALL THAT LOT OF GROUND SITUATE, LYING AND BEING IN THE TENTH  
ELECTION DISTRICT OF BALTIMORE COUNTY, STATE OF MARYLAND AND  
DESCRIBED AS FOLLOWS TO WIT:

LR - Deed (w Taxes)  
Recording only \$T20.00  
Name:  
HAYS/NELSON/KOZERA  
Ref:  
LR - Deed (with Taxes)  
Surcharge 40.00  
LR - Deed State  
Transfer Tax 1,500.00  
LR - NR Tax - 1kd 0.00  
SubTotal: 1,560.00  
1,560.00  
09:07  
CC03-LL

BEGINNING FOR THE SAME AT TO AN IRON BAR AND CAP, NOW SET, IN THE  
FIFTH OF SOUTH 66 DEGREES 59 MINUTES 25 SECONDS EAST 1,529.47 FOOT  
LINE OF A PARCEL OF LAND WHICH BY A DEED DATED OCTOBER 15, 1979 AND  
RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER  
E.H.K. JR. NO 6089 FOLIO 780 WAS CONVEYED BY JOHN L. ASKEW, PERSONAL  
REPRESENTATIVE OF THE ESTATE OF HELEN B. HAYS, DECEASED, TO JAMES L.  
HAYS, IV, SAID IRON BAR AND CAP BEING DISTANT SOUTH 75 DEGREES 01  
MINUTE 10 SECONDS EAST, AS THE COURSES ARE NOW REFERRED TO THE  
MARYLAND COORDINATE SYSTEM NAD 83/91, 910.81 FEET, MEASURED ALONG  
SAID FIFTH LINE, FROM AN IRON PIPE, HERETOFORE SET, AT THE BEGINNING  
THEREOF AND RUNNING THENCE WITH AND BINDING ON A PART OF SAID FIFTH  
LINE, (1) SOUTH 75 DEGREES 01 MINUTE 10 SECONDS EAST 568.47 FEET TO AN  
IRON BAR AND CAP, NOW SET, ON THE NORTHWEST RIGHT OF WAY LINE OF  
THE HIGHWAY WIDENING OF PAPER MILL ROAD TO BE CONVEYED TO THE  
MARYLAND STATE HIGHWAY ADMINISTRATION, THENCE LEAVING SAID OUTLINE  
AND BINDING ON SAID RIGHT OF WAY LINE, (2) SOUTH 52 DEGREES 03  
MINUTES 22 SECONDS WEST 25.07 FEET TO AN IRON BAR AND CAP, NOW SET,  
THENCE LEAVING SAID PAPER MILL ROAD AND RUNNING FOR LINES OF

#11295548 CC0301 -  
Baltimore  
County/CC03 01:26 -  
22:06

DIVISION, NOW MADE, THE FOUR FOLLOWING COURSES AND DISTANCES, VIZ: (3) NORTH 75 DEGREES 01 MINUTE 10 SECONDS WEST 294.92 FEET TO AN IRON BAR AND CAP, NOW SET, SAID LINE BEING 20 FEET SOUTHWESTERLY MEASURED AT RIGHT ANGLES FROM THE FIRST LINE OF THIS DESCRIPTION, AND SAID THIRD LINE BEING THE SOUTHWEST SIDE OF 20 FOOT PRIVATE EASEMENT FOR INGRESS, EGRESS, MAINTENANCE AND UTILITIES, (4) SOUTH 45 DEGREES 05 MINUTES 26 SECONDS WEST 108.84 FEET TO AN IRON BAR AND CAP, NOW SET, (5) SOUTH 14 DEGREES 58 MINUTES 50 SECONDS WEST 136.55 FEET TO AN IRON BAR AND CAP, NOW SET, AND (6) SOUTH 37 DEGREES 56 MINUTES 38 SECONDS EAST 139.78 FEET TO AN IRON BAR AND CAP, NOW SET, ON SAID NORTHWEST RIGHT OF WAY LINE OF THE HIGHWAY WIDENING OF PAPER MILL ROAD TO BE CONVEYED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION, THENCE BINDING ON SAID RIGHT OF WAY, (7) SOUTH 52 DEGREES 03 MINUTES 22 SECONDS WEST 30.00 FEET TO AN IRON BAR AND CAP, NOW SET, AND THENCE LEAVING SAID PAPER MILL ROAD AND RUNNING FOR LINES OF DIVISION, THE FIVE FOLLOWING COURSES AND DISTANCES, VIZ: (8) NORTH 37 DEGREES 56 MINUTES 38 SECONDS WEST 149.37 FEET TO AN IRON BAR AND CAP, NOW SET, SAID LINE BEING 30 FEET SOUTHWESTERLY MEASURED AT RIGHT ANGLES FROM THE SIXTH LINE OF THIS DESCRIPTION, (9) NORTH 75 DEGREES 01 MINUTES 10 SECONDS WEST 144.14 FEET TO AN IRON BAR AND CAP, NOW SET, (10) NORTH 09 DEGREES 52 MINUTES 26 SECONDS EAST 108.30 FEET TO AN IRON BAR AND CAP, NOW SET, (11) NORTH 52 DEGREES 24 MINUTES 21 SECONDS WEST 26.34 FEET TO AN IRON BAR AND CAP, NOW SET, AND (12) NORTH 14 DEGREES 58 MINUTES 50 SECONDS EAST 150.86 FEET TO THE PLACE OF BEGINNING.

THE IMPROVEMENTS THEREON BEING KNOWN AS 2698 PAPER MILL ROAD.

TAX ID NO. 10-2500004057

BEING PART OF A PARCEL OF LAND WHICH BY A DEED DATED OCTOBER 15, 1979 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER E.H.K., JR. NO. 6089 FOLIO 780 WAS CONVEYED BY JOHN L. ASKEW, PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN B. HAYS, DECEASED, TO JAMES L. HAYES, IV. THE ABOVE DESCRIBED 1.500 ACRES OF LAND IS KNOWN AS LOT 2 AND SHOWN AND LAID OUT ON A PLAT TITLED "PDM #07-077-M, MINOR SUBDIVISION OF THE HAYS PROPERTY" FILED IN THE OFFICE OF PERMITS AND DEVELOPMENT MANAGEMENT OF BALTIMORE COUNTY, MARYLAND.

SUBJECT TO AND TOGETHER WITH LOT 3 OF THE HEREIN MENTIONED 20 FOOT PRIVATE EASEMENT FOR INGRESS, EGRESS, MAINTENANCE AND UTILITIES.

BEING THE SAME PROPERTY WHICH BY DEED DATED APRIL 11, 2008 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 0026707, FOLIO 543 WAS GRANTED AND CONVEYED BY JAMES L. HAYS IV TO JAMES L. HAYS IV, THE GRANTOR THEREIN.

**LOT 3**  
**HAYS PROPERTY**  
**1.500 ACRES OF LAND**  
**BALTIMORE COUNTY, MARYLAND**

ALL THAT LOT OF GROUND SITUATE, LYING AND BEING IN THE TENTH ELECTION DISTRICT OF BALTIMORE COUNTY, STATE OF MARYLAND AND DESCRIBED AS FOLLOWS TO WIT:

BEGINNING FOR THE SAME AT AN IRON BAR AND CAP, NOW SET, ON THE NORTHWEST RIGHT OF WAY LINE OF THE HIGHWAY WIDENING OF PAPER MILL ROAD TO BE CONVEYED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION, SAID BAR AND CAP BEING DISTANT, AS THE COURSES ARE NOW REFERRED TO THE MARYLAND COORDINATE SYSTEM NAD 83/91, THE TWO FOLLOWING COURSES MEASURED FROM THE END OF THE FIFTH OR SOUTH 66 DEGREES 59 MINUTES 26 SECONDS EAST 1,529.47 FOOT LINE OF PARCEL OF LAND WHICH BY A DEED DATED OCTOBER 15, 1979 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER E.H.K., JR. MO. 6089 FOLIO 780 WAS CONVEYED BY JOHN L. ASKEW, PERSONAL REPRESENTATIVE OF THE ESTATE OF HELEN B. HAYS, DECEASED, TO JAMES L. HAYS, IV, NORTH 75 DEGREES 01 MINUTE 10 SECONDS WEST, MEASURED REVERSELY ALONG SAID FIFTH LINE, 50.08 FEET AND SOUTH 52 DEGREES 03 MINUTES 22 SECONDS WEST, MEASURED ALONG SAID RIGHT OF WAY LINE OF THE HIGHWAY WIDENING OF PAPER MILL ROAD, 25.07 FEET TO SAID POINT OF BEGINNING OF LOT 3, HAYS PROPERTY AND RUNNING THENCE AND BINDING ON THE SAID NORTHWEST RIGHT OF WAY LINE OF SAID HIGHWAY WIDENING OF PAPER MILL ROAD TO BE CONVEYED, (1) SOUTH 52 DEGREES 03 MINUTES 22 SECONDS WEST 394.78 FEET TO AN IRON BAR AND CAP, NOW SET, AND THENCE LEAVING SAID PAPER MILL ROAD AND RUNNING FOR LINES OF DIVISION, NOW MADE, THE FIVE FOLLOWING COURSES AND DISTANCES, VIZ: (2) NORTH 37 DEGREES 56 MINUTES 38 SECONDS WEST 139.78 FEET TO AN IRON BAR AND CAP, NOW SET, (3) NORTH 14 DEGREES 58 MINUTES 50 SECONDS EAST 136.55 FEET TO AN IRON BAR AND CAP, NOW SET, (4) NORTH 45 DEGREES 05 MINUTES 26 SECONDS EAST 108.84 FEET TO AN IRON BAR AND CAP, NOW SET, AND (5) SOUTH 75 DEGREES 01 MINUTE 10 SECONDS EAST, AND RUNNING 20 FEET SOUTHWESTERLY, MEASURED AT RIGHT ANGLES FROM SAID FIFTH LINE OF SAID PARCEL CONVEYED FROM ASKEW TO HAYS AND BEING THE SOUTHWEST SIDE OF A 20 FOOT PRIVATE EASEMENT FOR INGRESS, EGRESS, MAINTENANCE AND UTILITIES, 294.92 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1.500 ACRES OF LAND

THE IMPROVEMENTS THEREON BEING KNOWN AS 2692 PAPER MILL ROAD

TAX ID NO. 10-2500004058

THE ABOVE DESCRIBED 1.500 ACRES OF LAND IS KNOWN AS LOT 3 AND SHOWN AND LAID OUT ON A PLAT TITLED "PDM #07-077M, MINOR SUBDIVISION OF THE HAYS PROPERTY" FILED IN THE OFFICE OF PERMITS AND DEVELOPMENT MANAGEMENT OF BALTIMORE COUNTY, MARYLAND.

TOGETHER WITH LOT 2 OF THE USE OF THE HEREIN MENTIONED 20 FOOT PRIVATE EASEMENT FOR INGRESS, EGRESS, MAINTENANCE AND UTILITIES.

BEING the same property which by deed dated April 11, 2008 and recorded among the Land Records of Baltimore County in Liber 0026707, Folio 543 was granted and conveyed by JAMES L. HAYS IV to JAMES L. HAYS IV, the grantor herein.

ALSO BEING the same property which by deed dated 04/11/2008 and recorded among the Land Records of Baltimore County in Liber 0026707, Folio 550 was granted and conveyed by JAMES L. HAYS IV to JAMES L. HAYS IV, the grantor herein.

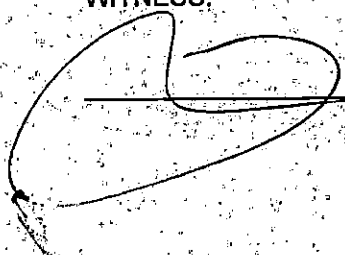
TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said described lot of ground and premises to the said parties of the second part as joint tenants and not as tenants in common, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

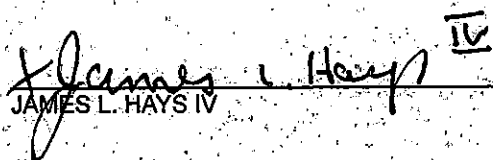
AND the said party of the first part hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that he will warrant specially the property hereby conveyed, and that he will execute such further assurances of the same as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

WITNESS, the hand and seal of said Grantor.

WITNESS:

  
\_\_\_\_\_

GRANTOR:

  
JAMES L. HAYS IV (Seal)

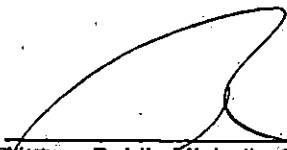


State of Maryland  
County of Baltimore, to wit;

I hereby certify that on this 9th day of November, 2018, before me, the subscriber, personally appeared JAMES L. HAYS IV, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, who signed the same in my presence and acknowledged that he executed the same for the purposes therein contained.

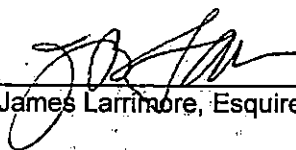
WITNESS MY HAND AND NOTARIAL SEAL.

MICHELLE L. COLE  
NOTARY PUBLIC  
BALTIMORE COUNTY, MD

  
Michelle Cole  
NOTARY PUBLIC  
BALTIMORE COUNTY, MD

My Commission Expires: May 09, 2022

THIS IS TO CERTIFY THAT THIS INSTRUMENT has been prepared under the supervision of James Larrimore, an Attorney admitted to practice before the Court of Appeals of the State of Maryland.

  
James Larrimore, Esquire

C H E C K L I S TComment  
ReceivedDepartmentSupport/Oppose/  
Conditions/  
Comments/  
No Comment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent \_\_\_\_\_)

5/24

DEPS

(if not received, date e-mail sent \_\_\_\_\_)

N/C

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent \_\_\_\_\_)

5/22

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. \_\_\_\_\_)

PRIOR ZONING

(Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT

Date:

6/26/19

SIGN POSTING (1<sup>st</sup>)

Date:

6/18/19

by

O'Keefe

SIGN POSTING (2<sup>nd</sup>)

Date:

7/15/19

by

O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: \_\_\_\_\_



**Homeowners' Tax Credit Application Status:** No Application

**Date:**

# PHOTO LEGEND

NELSON/KOZEKO

↑  
PICTURES TAKEN FROM HERE

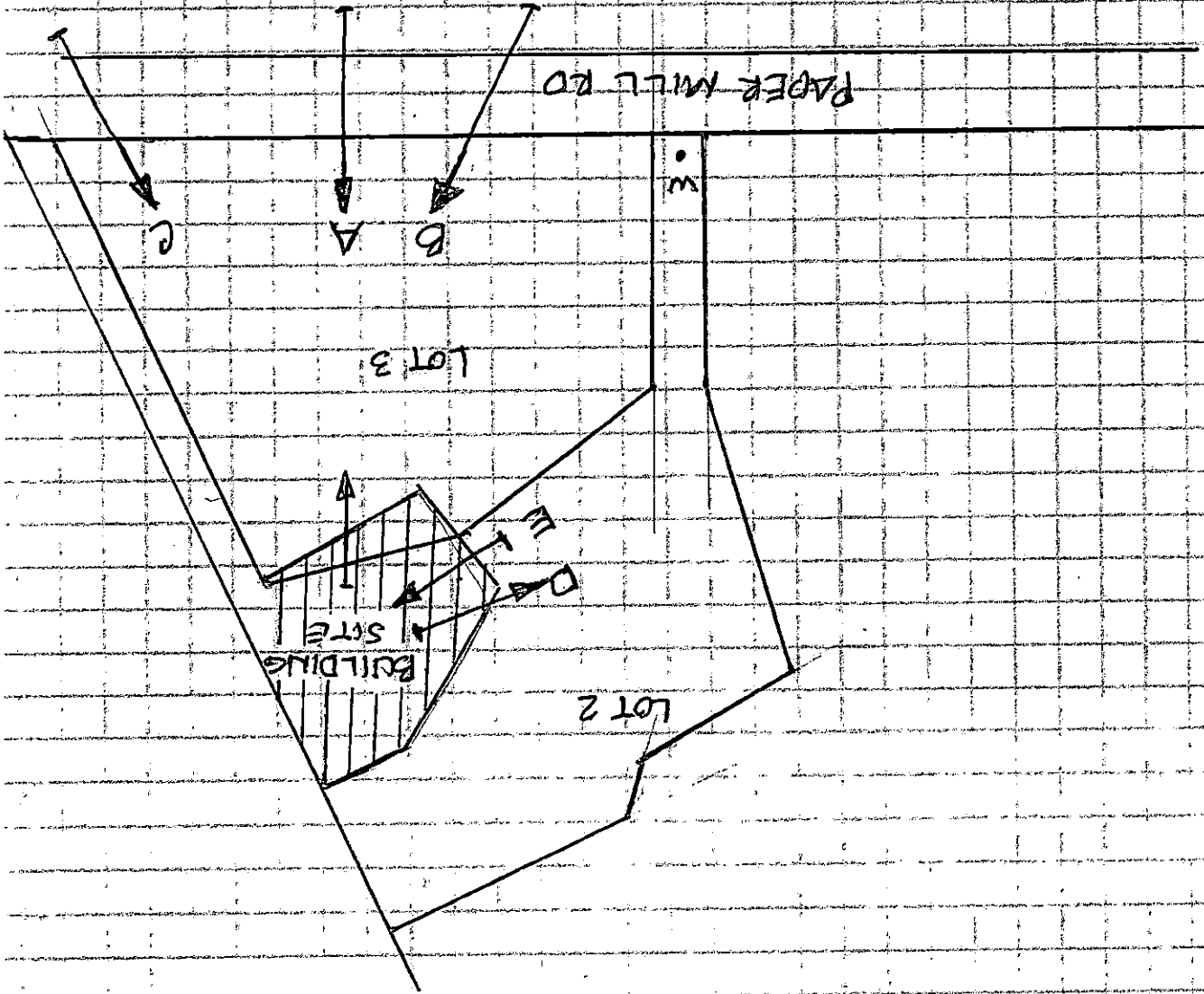




PHOTO Δ

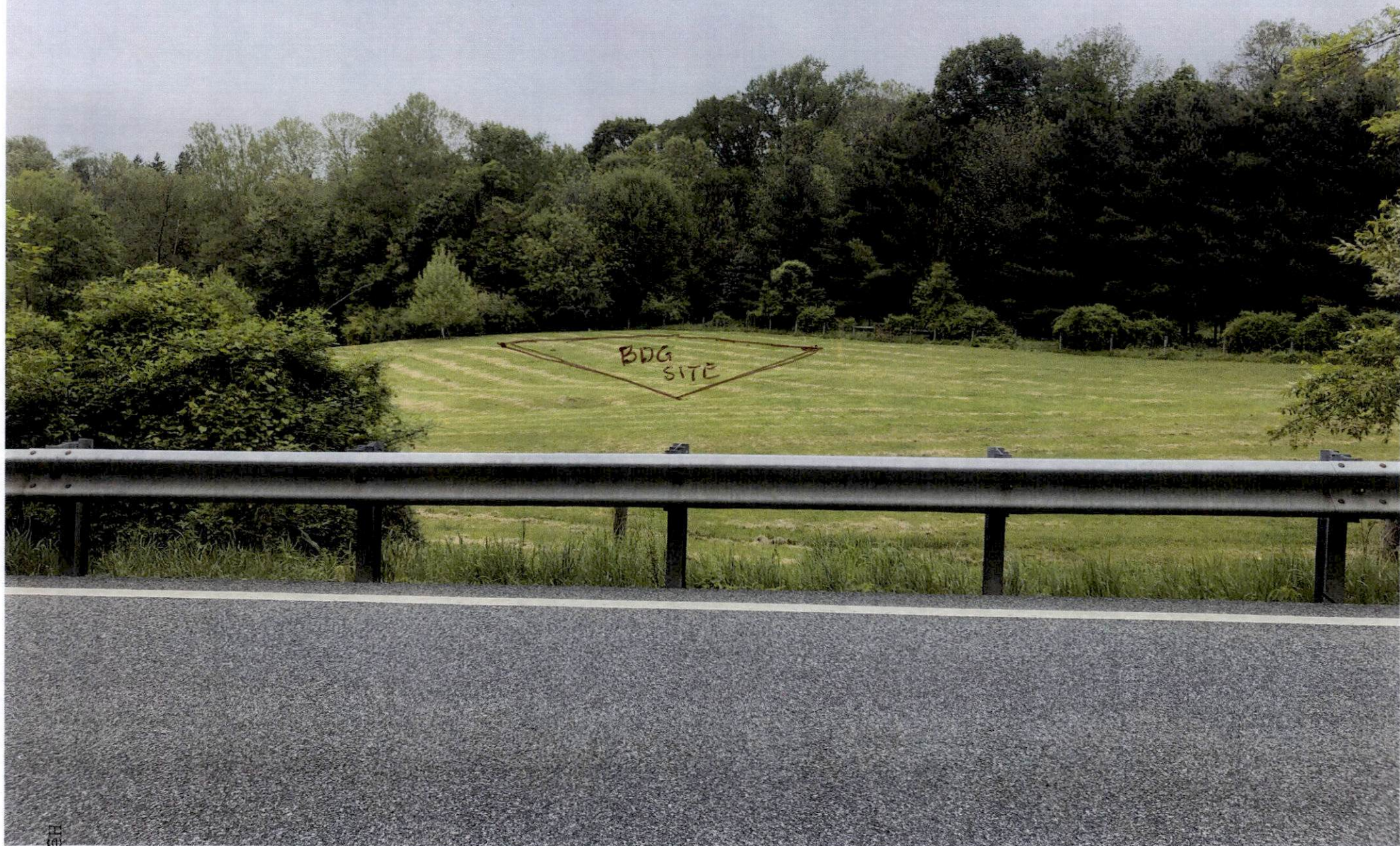




PHOTO B

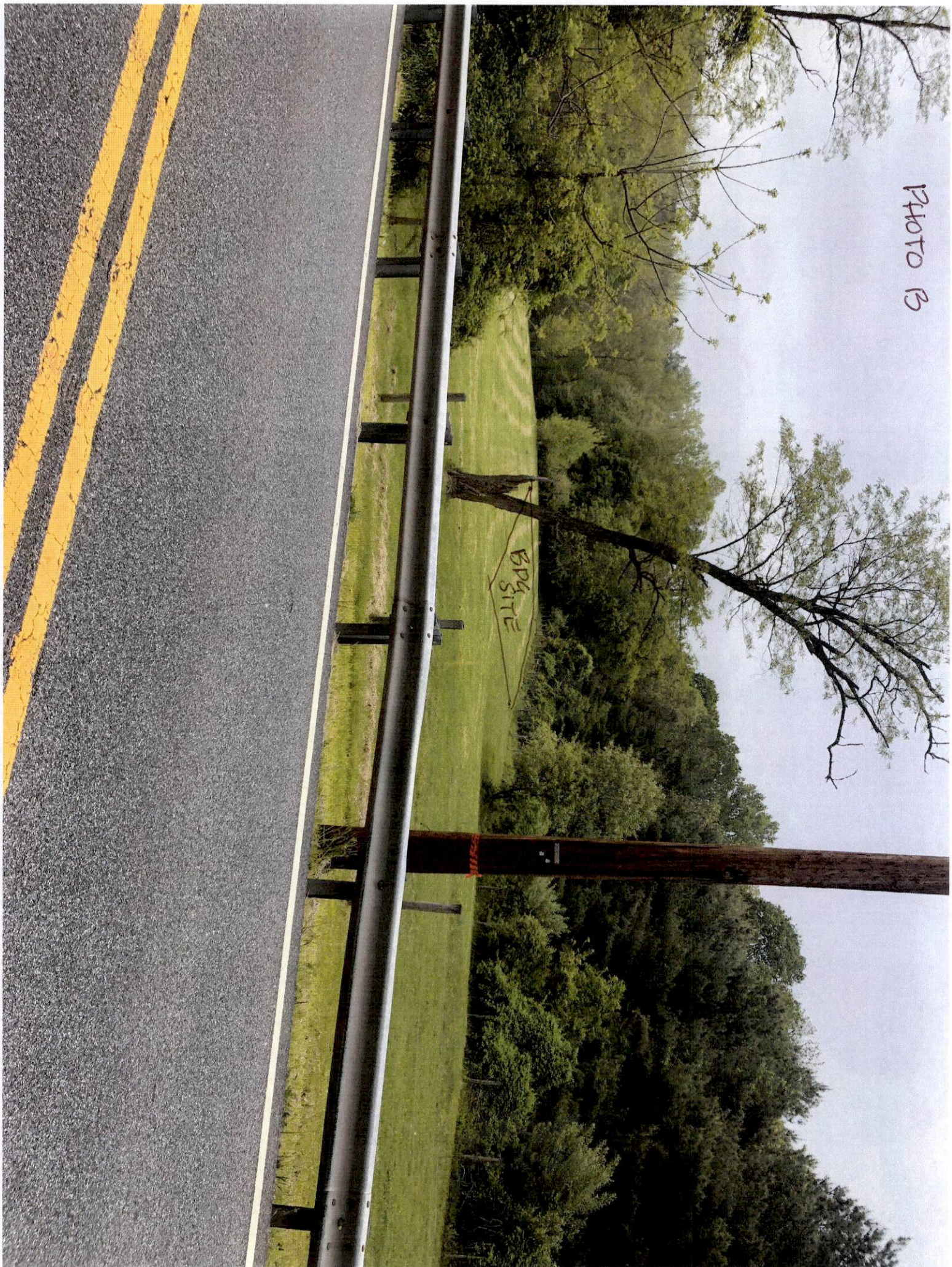




Photo C





Photo D

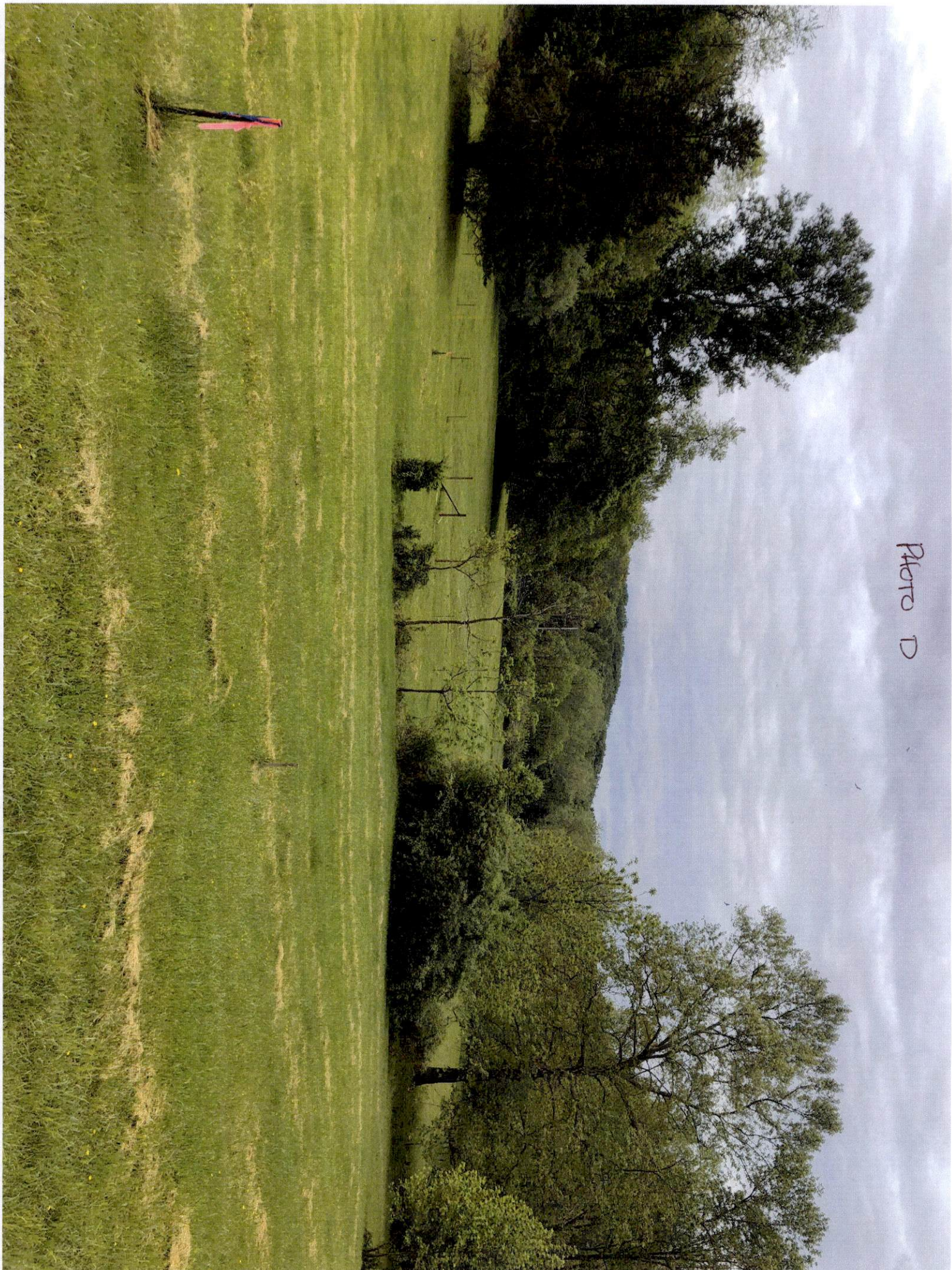




PHOTO E





PHOTO F





PHOTO A





Photo B





PHOTO C







Photo D



PHOTO E

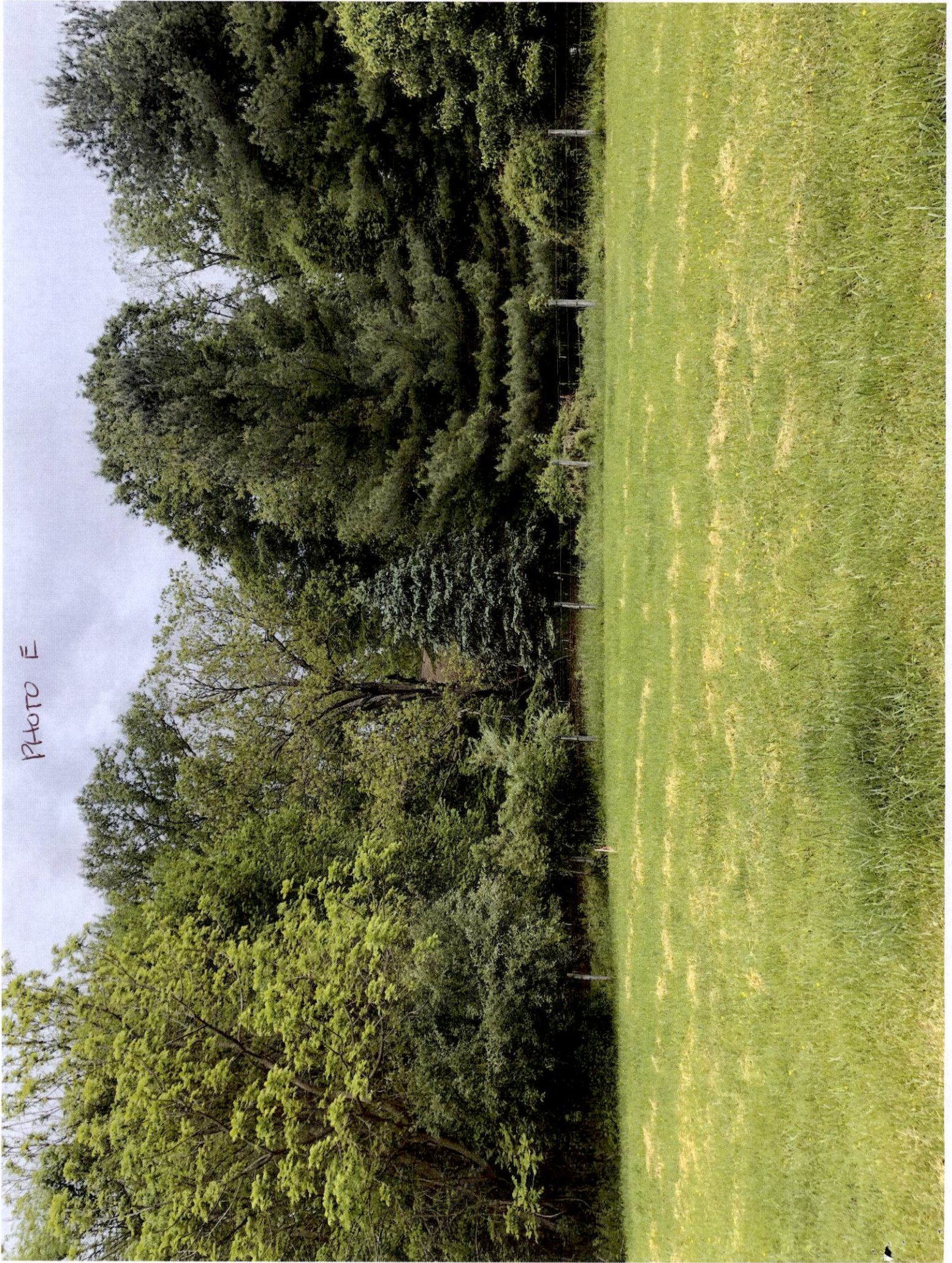






Photo F



Pt. Bk. 0000060, Folio 0142  
**2100013994**

Lot # 8

Pt. Bk./Folio # 060142

PAI # 100266

PAI # 100266

Pt. Bk. 0000064, Folio 0079

**2200012431**

Lot # 1

PAI # 100266

PAI # 100266

Pt. Bk./Folio # 064079

2732

2700

1800012948

1006057360

**035B3**

**NE 20-B**

**RC 6**

**3 CD**

**10 FD**

PAI # 100445

Pt. Bk./Folio # MP07077

PAI # 100445 PAI # 100445

Lot # 1

**2500004056**

Lot # 2

**2500004057**

**GROWTH TIER 4**  
(No New Subdivisions of 4  
or More Additional Lots)

Lot # 3

**2500004058**

PAI # 100445

**PAPER MILL RD**

Lot # 1

Pt. Bk. 0000052, Folio 0032

PAI # 100202

Pt. Bk./Folio # 052032

**984-0073-A**

PAI # 100202

Lot # 20

**1011089076**

**1900014125**

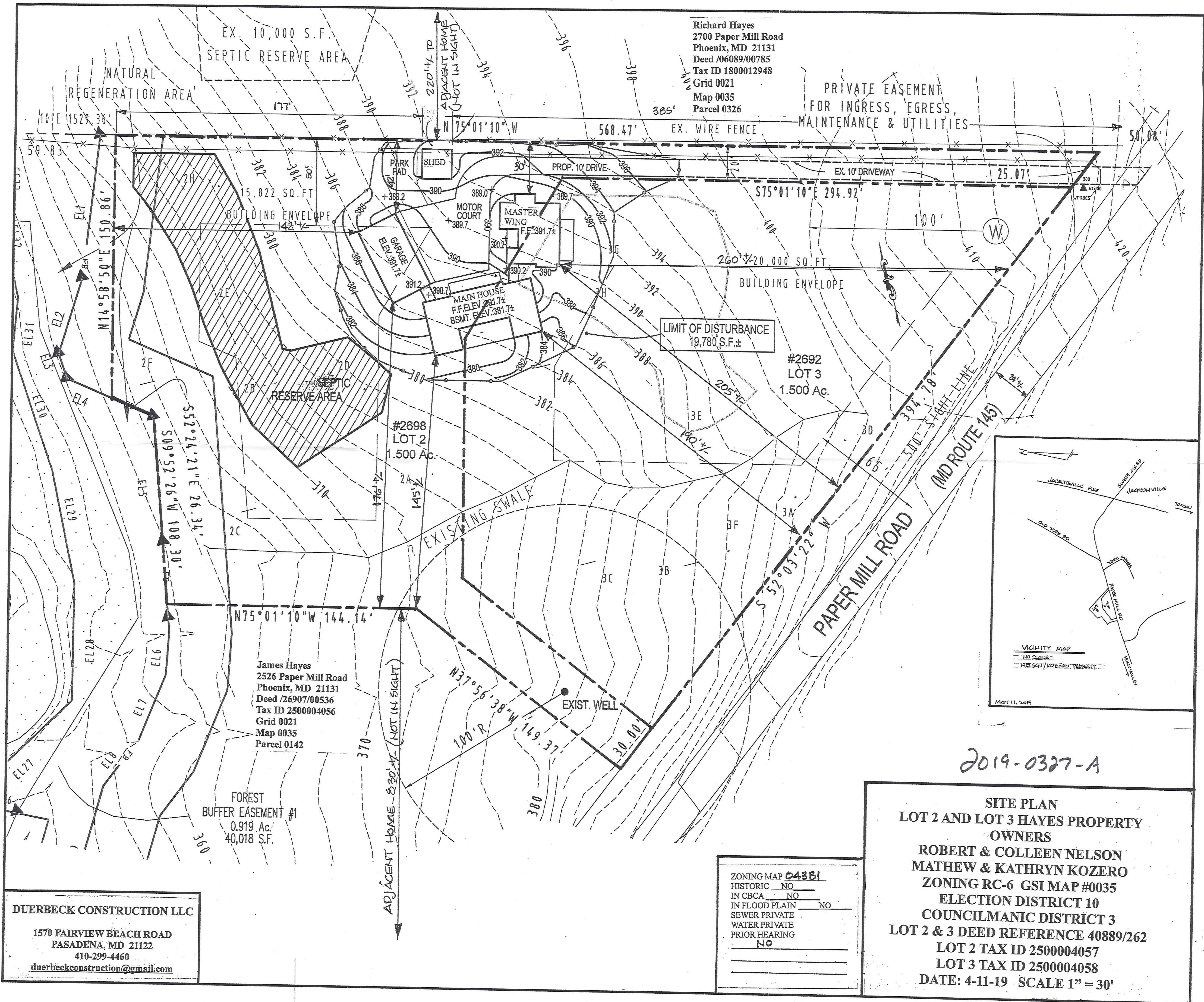
Lot # 2

**1018035300**

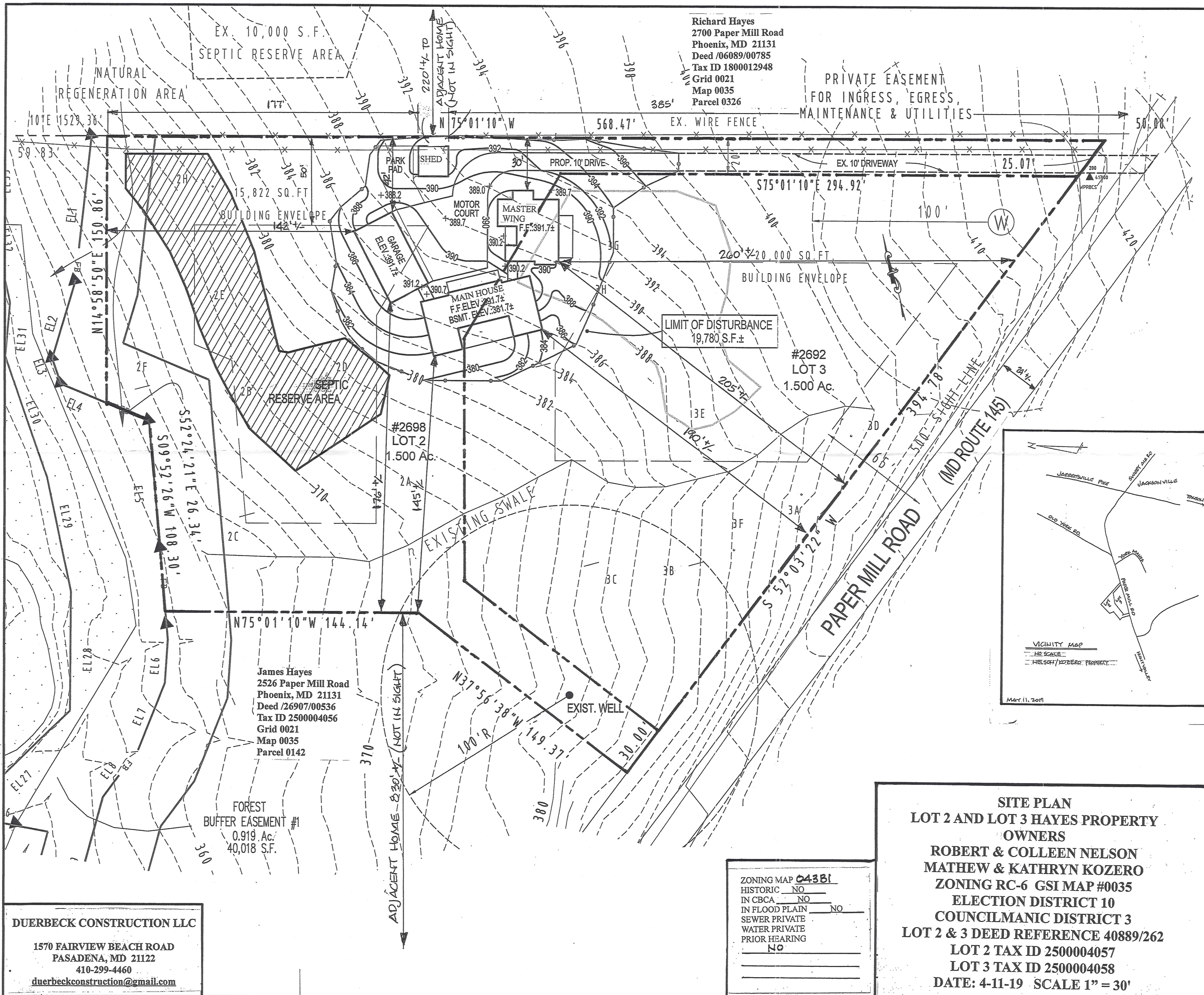
**1002000050**

**043B1**









Richard Hayes  
2700 Paper Mill Road  
Phoenix, MD 21131  
Deed /06089/00785  
Tax ID 1800012948  
Grid 0021  
Map 0035  
Parcel 0326

James Hayes  
2526 Paper Mill Road  
Phoenix, MD 21131  
Deed /26907/00536  
Tax ID 2500004056  
Grid 0021  
Map 0035  
Parcel 0142

**DUERBECK CONSTRUCTION LLC**  
  
1570 FAIRVIEW BEACH ROAD  
PASADENA, MD 21122  
410-299-4460  
duerbeckconstruction@gmail.com

ZONING MAP 04381  
HISTORIC NO  
IN CBCA NO  
IN FLOOD PLAIN NO  
SEWER PRIVATE  
WATER PRIVATE  
PRIOR HEARING  
NO

**SITE PLAN**  
**LOT 2 AND LOT 3 HAYES PROPERTY**  
**OWNERS**  
**ROBERT & COLLEEN NELSON**  
**MATHEW & KATHRYN KOZERO**  
**ZONING RC-6 GSI MAP #0035**  
**ELECTION DISTRICT 10**  
**COUNCILMANIC DISTRICT 3**  
**LOT 2 & 3 DEED REFERENCE 40889/262**  
**LOT 2 TAX ID 2500004057**  
**LOT 3 TAX ID 2500004058**  
**DATE: 4-11-19 SCALE 1" = 30'**

PETS. Ex. 1